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PETITION AND RESPONSE

AN EPIGRAPHIC STUDY OF PETITIONS TO ROMAN EMPERORS

181 – 249

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*For
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and
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Faces of response. These sesterces portray three emperors who played a vital role in the development and use of rescripts under the Roman Empire. **Top left:** Hadrian (117-138) introduced the reforms that gave the handling of petitions a distinct, Roman shape. **Top right:** Under the rule of Alexander Severus (222-235) the issuing of subscriptiones reached its peak. **Bottom:** Gordianus III (238-244) was the addressee of the petition from Skaptopara, which gives the only complete text of a petition to a Roman emperor. Coins from the Hauken collection.

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INTRODUCTION

1. PREFACE

The evidence

Time gives and time takes away. The various activities and its many centuries of existence have given The Roman Empire an incalculable mass of monumental records. When the Empire ceased producing and eventually dissolved, a corresponding process of obliteration reduced the remains or removed them from our eyes and memory. None the less - due to their great numbers, wide distribution and solid construction - a telling mass of archaeological remains has evaded effacement.

The Roman Empire did also give rise to records in written form. A process of appreciation, selection and care has preserved some of the artistic part of the written records, generally referred to as Roman literature. The non-artistic part, the administrative record in particular, has fared much worse and very little is preserved. Those administrative and documentary records we have, though, have reached us because they were either committed to durable material, that is to stone, or because the perishable material they were written on, papyrus, was made durable by the environment. Their survival is not intentional, regularly purely incidental.

The transmitted works of historians, biographers and occasional letter-writers tell us how the conscientious Roman emperor allotted a major part of his time and energy to staying in contact with the public. His efforts took the form of giving speeches, receiving embassies, travelling around the empire, and above all answering letters and petitions. These activities both established and confirmed the ideal that the monarch should be available and have care for his subjects.

Letters randomly transmitted by inscriptions and papyri confirm the testimony of the literary sources. While inscriptions (cf. e. g. those recorded at Ephesos and Aphrodisias) record a substantial number of imperial letters, it is worth noticing that few include the incentive - usually a letter or an embassy to the emperor. Pliny's correspondence with Trajan (*Epist.* book 10) and Fronto's with Marcus Aurelius make notable exceptions. This absence of symmetry in the records is not difficult to explain, but this defect should not be ignored when assessing the imperial answers.

From the rule of Hadrian until Diocletian the use of petitions was strictly formalised and played an important role in the administration and legislation of the Roman Empire. The documentation of the extensive exchange between the subjects and the emperors through petition and response (*libellus* - *subscriptio*) has suffered greatly through the centuries. What is left of the documentation suffer from an imbalance as the remains highly favour the imperial answers. Our primary source, *Codex Iustinianus*, serves as a storehouse of imperial answers (*rescripta*, *subscriptiones*). In *Codex Iustinianus* only 10 of the Severan *subscriptiones* have direct reference to the inciting petition (Coriat 1985a:390 and 1997:316).

Fortunately the imbalance of the sources did prove neither to be complete nor permanent. Even if there is no collection of petitions corresponding to *Codex Iustinianus*, a handful of the vast amount of petitions presented to the Roman emperors survive. These only survive due to the potential durability of inscriptions.

The important turnabout took place at the end of the 19th century when epigraphical discoveries provided documents which for the first time gave both sides of the exchange, by giving complete or extensive samples of the petitions addressed and presented to Roman emperors. The finding and publication of the comprehensive inscriptions from Saltus Burunitanus (1879), Skaptopara (1891) and Aragua (1897) brought about this crucial change. The following century significantly increased the number of epigraphic sources relevant to this exchange; still it is fair to say that it has not offered specimens with scope and completeness comparable to these early discoveries.

When more than a hundred years have elapsed since these first crucial discoveries, the closing of this century may be as good occasion as any to attempt a collective presentation of these inscriptions.

Part I: The inscriptions and the nature, aim and scope of the study

Beyond doubt inscriptions provide the most immediate, varied and detailed link to the societies of the ancient world. The number of inscriptions is high and constantly growing, the variety is also great and inscriptions keep being published in numerous publications - which are as predictable as they are unpredictable. These factors clearly complicate the study and daily application of this rich material. Fortunately much is being done to mitigate these problems. Foremost are the annual surveys (*AE*, *BE* and *SEG*) and the epigraphic collections (*corpora*). The latter category takes on different forms. The most typical collections are the geographical *corpora* (like *TAM*) which assemble all inscriptions from a delimited area regardless of time and contents. Nonetheless the students of the ancient world have in their daily work perhaps found greatest help in collections that present samples of inscriptions (as *ILS*, *OGIS*, *SIG* and *IGRR*) or thematically related inscriptions (like Welles' *Royal Correspondence*).

The present study is modestly modelled on the latter monograph. The primary aim of this study is to present collectively 7 inscriptions that reproduce petitions containing complaints to Roman emperors. These are formally to be classified as petitions (Latin: *libelli*). They cover the years 181 - 249. These inscriptions form the core of the study and make up Part I, 1. The term *imperial petition* generally refers to this collection.¹

The same element of complaint - but mainly confined to a provincial level - is also clearly present in other inscriptions. Inscriptions of this kind make up Part I, 2. Here nos. 5 (**Euhippe**) and 6 (**Takina**) reflect procedures directly parallel to the inscriptions of Part I, 1, except on the vital point that the final records - the inscriptions - do not include the texts of the petitions to Roman emperors; petitions to Roman provincial governors (of Moesia Inferior and Asia) are rendered in nos. 1, 8 and 9. In short the inscriptions of Part

¹ One unpublished inscription kept in the museum of Uşak renders a response of Septimius Severus and Caracalla to a complaint about illegal exactions forwarded by *coloni* on an imperial estate.

I, 2 contain material which I have judged essential for the presentation of the imperial petitions.

There exist 5 more inscriptions that also render petitions to Roman emperors; these must however be classified as *applications*. They shared and engaged the same part of the imperial administration and are thus clearly relevant for the presentation given in Part II, chapter 2. But as sources they are decidedly different both as to aim, contents and structure. I have therefore chosen to reproduce only the text in Part III (Documentary Appendix) together with some additional inscriptions that are frequently referred to. Most of the inscriptions of Part I, 1 & 2 and the Documentary Appendix are part of Mihailov (1966), Mitchell (1976) or Williams (1986).

In the introduction, text, critical apparatus & translation, and commentaries the presentation covers the relevant epigraphic, philological, contextual and historical questions. By doing a coherent material should have been made readily accessible. Generally I have not been able to use literature published after 1992.

Part II: Synthesis

The inscriptions of Part I, 1 bring us into the *medias res* of a specific Roman institution, the exchange of petition and response between the Roman emperors and his subjects, the free inhabitants of the Roman World. We make no exaggeration if we say that these inscriptions constitute the fundamental material proof of this exchange. Particulars of this institution attach to both of its constituents, the *libellus* proper and its answer, the *subscriptio*. Each of these particulars is the subject of two chapters, Part II: 1. (The structure of imperial petitions) and 2. (The imperial administration and petitions).

The texts of the imperial petitions represented in Part I, 1, follow a common path by a uniform rhetorical structure. This structure consists of four parts: address (*inscriptio*), beginning (*exordium*), story (*narratio*) and request (*preces*). The *exordium* and *narratio* are well known rhetorical terms; the *preces* is introduced to reflect the characteristic of petitions. The reader should notice that I have used these terms widely throughout the study, especially in structuring the translations. I refer to Part II: 1. (The structure of imperial petitions) for the full motivation and presentation of their use.

The distinctive role of Roman imperial petitions ties primarily to the particular routines the administration established for the handling of petitions and the legislative force contained in the imperial response, the *subscriptio*. Both of these aspects are addressed in Part II: 2. (The imperial administration and petitions). On the eve of this publication it gives great satisfaction to refer the students of this subject to the commanding and exhaustive monograph of Jean-Pierre Coriat, *Le prince législateur*, Rome 1997 (BEFAR 294).

Conventions

I regularly refer to all the primary inscriptions (Part I, 1 & 2, and in the Documentary appendix) by using the name of the ancient place/ community (when recovered) or the place of discovery, ancient or modern. The place name is set in **bold** (e. g. **Saltus Burunitanus**). The survey of inscriptions at the start of the volume is designed to give all vital references at a glance.

Where applicable the inscriptions of part I, 1 & 2 are accompanied by *bibliography*, *translation*, *critical apparatus* and two sets of *commentaries*. The commentaries take the form of an introduction providing the general setting and detailed observations on selected passages. There is no prescription for writing commentaries on epigraphic material and the original publications of the inscriptions of the corpus show great variety. Within the wider field of epigraphy one may point to Michael Wörrle's *Stadt und Fest im kaiserzeitlichen Kleinasien* or H. Müller's publication in *Chiron* 17 (1987) on the one hand, and Malay's and Şahin's publications of **Tabala** and **Takina** on the other. The former are exhaustive presentations and introductions to the epigraphic category, the latter are prompt communications of crucial sources. In the detailed part I have sought not only to give references to parallels and appropriate publications, but also to present their contents. The main reason for this is that many of the relevant publications are not easily available. A presentation of an author's view - in preference to a bald reference - and explicit discussions of definite passages should thus add to the usefulness of the volume.

The detailed commentary is divided into *lemmata*. The text set in bold at the start of the lemmata does not always reproduce all the details of the epigraphic transcript. For these the reader has to turn back to the main text.

There are two sets of *bibliographies*. For most of the inscriptions of Part I, 1 & 2 there are specific bibliographies at the start. These should contain the main contributions as judged by and as known to the author. The entries should contain passages that relate directly to the actual inscription. All titles - except those given in abbreviation - are given in the main bibliography of Part III. The main bibliography also contains some literature that I have frequently consulted, but not directly quoted or referred to. In the commentaries - as otherwise - references are made to author and year published.

Production

It would not have been possible to present this study without the aid of a personal computer and a word processor. On the other hand such tools leave it to the innocent to find solutions of his own. Not least one has to shoulder all aspects of the production - tasks normally shared by author, secretaries and typesetters - not always a guarantee for the best results.

Throughout the work I have used the **Nota Bene™** with **Special Language Supplement** version 3.0 and later the **N. B. Lingua™** word processors versions 4.0 and 4.1. The main bibliography has been generated by **N.B. Ibid.™**. This choice is to be explained historically and has excluded the use of desk top publishing from the final production.

The author's mother tongue is Norwegian, and I apologise to the readers that this at times is all too obvious. I am also aware of the particular difficulty in translating from one foreign language into another.

2. ACKNOWLEDGEMENTS

During the work on this subject I have come to learn the hard truth in the old Latin adages *ars longa vita brevis* and *non omnia possumus omnes*. But the good fortune had stationed many generous scholars throughout a long and strenuous journey. Now is the time to recognise their ample professional help.

The present monograph has had a long genesis. It is an edited version of the homonymous thesis that was defended at the University of Bergen in September 1994. The subject was familiar to me through the dissertation for the *candidatus philologiae* at the Department of Classics at the University of Bergen. At that time professor Tomas Hägg had asked Thomas Drew-Bear for suggestions among suitable subjects within epigraphy. I will always be thankful to Dr. Drew-Bear for this suggestion which I have enjoyed so much to develop.²

In 1983 I moved to Stavanger for a position at The School of Mission and Theology. When there, The Norwegian Research Council for Science and the Humanities (now: Norsk Forskningsråd, NFR) granted me a scholarship (1988-1991). Their generous grant made it possible to prepare the thesis. The council was not only my employer for three years, they also made it possible to bring my family to Oxford and spend a year as a recognized student at Oxford University. Further they financed visits to various important places: Turkey and Greece (1988), England (1989-1990), Paris (1990), Hamburg, Wien and Köln (1991), Berlin (1992) and Turkey again (1992). They never turned me down, not even when my requests went against Severus' advice about a visitor's modesty (*Digesta* 1. 16, 6, 3). I will especially thank Berit Uggerud and Arne Hannevik for their enthusiastic support.

My personal thanks go first to my unfailing teacher and friend, Tomas Hägg who has guided me through this process. Not least did he sacrifice of his valuable time the year he spent at Institute of Advanced Study, Princeton (1992-1993). Professor Fergus Millar of Oxford University offered to serve as supervisor during the year at Oxford. It was a marvel to watch how he between all his various duties found time and energy to professional and practical support, making a living example of the daily schedule of a Roman emperor. Back home professor Richard H. Pierce (Department of Classics, University of Bergen) has read and corrected the manuscript with his well know sagacity.

When at Oxford John Rea, Simon Price, Tony Honoré, Werner Eck and Michael Balance helped me in various ways. But what made the year at Oxford so fruitful was above all the books and the responsive staff of the Library at the Ashmolean Museum.

The tours to Paris (François Baratte, conservateur at the Louvre), Hamburg (Peter Herrmann as *TAM*-editor), Wien (Rehrenböck as daily leader of Kommission für Kleinasiatische Epigrafik), Köln (Georg Petzl as *TAM*-coeditor) and Berlin (Klaus Hallof as daily leader of *Inscriptiones Graecae*) brought me in closer contact with the inscriptions

² The dissertation *Libelli imperatori porrecti* (Bergen 1982; written in Norwegian) was part of my *candidatus philologiae* degree. It shares the same topic - not more.

than I had thought possible. Hallof's manuscript and the new readings from the squeeze of Skaptopara came as an exciting surprise when the thesis had reached its final stage. Hallof not only sent me his prepared manuscript, he also sent the files on diskette, which saved me much tedious typing and unavoidable misprints!

Imke and Georg Petzl have assisted me throughout; Georg through numerous letters, phonecalls and dispatches of offprints; Imke during my visits in Köln. I am much grateful to both of them.

Nicholas Horsfall and John D. Thomas have generously answered my letters. Denis Feissel was host to me in Paris and introduced me to the Mesopotamian petitions.

Hugo Montgomery (Oslo) has shown great interest and support. So has the Norwegian Institute at Athens represented by its board of directors who granted me the working scholarship of 1992.

At the School of Mission and Theology, my thanks go foremost to Einar Engebretsen who arranged everything and the librarians, Åse-Lill Næset and Arne Samuelsen. If someone should wonder how it was possible to study this subject from the outpost of Stavanger, they form the back channel.

Finally dear thanks to my friends and colleagues Ola Tjørhom and Thor Strandenæs. I am especially grateful to Thor who went with me to Turkey in 1992 and made the research so fruitful and the trip so memorable. And I sympathize with Ola who missed it because of his own thesis and later had to put up with all our stories.

When calling so many illustrious names, they may easily take on the shape of a collective shield which the author seeks to use for his own purpose and protection. This is not my intention. I want to convey my experience that friendly, useful and expert help are reliable characteristics of a working scholar.

The cost of the publication is covered by my present employer, the Faculty of Arts at the University of Bergen, and the publisher, The Norwegian Institute at Athens. To both I offer my sincere thanks.

3. SURVEY OF INSCRIPTIONS

Part I, 1: Petitions to Roman emperors

- 1) **Saltus Burunitanus**, *Africa proconsularis*, petition (*libellus*) to Commodus from the *coloni* on the imperial estate Saltus Burunitanus. 181-182. *CIL* VIII, 10570 and 14464. Flach, D.: 'Inschriftenuntersuchungen zum römischen Kolonat in Nordafrika', *Chiron* 8 (1978) 441-492. Louvre, Paris (inv. no. Ma 3659, no. 174 in Ducroux's catalogue of Latin inscriptions in the Louvre). Inspected, squeeze, photograph.
- 2) **Gasr Mezuar**, *Africa proconsularis*, petition (*libellus*) to Commodus from the *coloni* on an imperial estate. 181. *CIL* VIII, 14428. Louvre, Paris (inv. no. Ma 3730; no. 175 in Ducroux's catalogue of Latin inscriptions in the Louvre). Inspected, squeeze, photograph.
- 3) **Ağa Bey Köyü**, *Asia, Lydia*, petition (*libellus*) from peasants on an imperial estate in the region of Philadelphia to two or more emperors. Probably Severan era, 197-211. Keil & Premerstein, *Dritte Reise*, no. 55. Squeeze at Kleinasiatische Kommission, Vienna. Notebook XIII, 20. Inspected. Fragment in the garden of Uşak Museum.
- 4) **Kemaliye**, *Asia, Lydia*, petition (*libellus*) from the inhabitants of a village to two or more emperors. Probably Severan era, 197-211. Keil & Premerstein, *Dritte Reise*, no. 28. Squeeze at Kleinasiatische Kommission, Vienna. Inspected. Stone still in the village Kemaliye at the top of a fountain, set in concrete and bricks. Rediscovered 1992.
- 5) **Skaptopara**, *Thracia*, petition (*libellus*) to Gordianus III from the inhabitants of the village Skaptopara. The emperor's *subscriptio*. Second petition to the *praeses provinciae*. 238. *IGBulg* IV, 2236. New edition by K. Hallof *Chiron* 24 (1994) 405-41. Stone lost. Squeeze at *Inscriptiones Graecae*, Berlin. Inspected.
- 6) **Aragua**, *Asia, Phrygia*, petition (*libellus*) to Philippus Arabs from peasants on the imperial estate Arague. The inscription quotes a *subscriptio* of Philippus Arabs when praefectus praetorio. The emperor's *subscriptio*. 244-247. Best text in Mihailov, G.: *Inscriptiones graecae in Bulgaria repertae*, vol. IV, Sophia 1966, pp. 224-5, in appendix to no. 2236. Photograph taken by Cox. Status of stone unknown. *MAMA* X, 114.
- 7) **Kavacık**, *Asia, Lydia*, petition, (*libellus*) to Philippus Arabs and son from inhabitants of village. 247/ 248. *TAM* V:1, 419. Status of stone unknown. Squeeze at Kleinasiatische Kommission, Vienna. Photograph in Herrmann (1962). Inspected.

Part I, 2: Related inscriptions

- 1) **Dagis**, *Moesia inferior*, petition (*libellus*) to *leg. Aug. pr. pr.*, Antonius Hiberus, from the inhabitants of Chora Dagis, village on the territory of Histria, and the *subscriptio* of Antonius Hiberus. The reign of Antoninus Pius, 159-160. *Inscriptiones Daciae et Scythiae minoris antiquae*. Series altera: *Inscriptiones Scythiae minoris graecae et latinae* vol. I (*Inscriptiones Histriae et viciniae*) Bucharest 1983, no. 378. Museum at Histria, inv. 136 (A and B); B 1016 (C).
- 2) **Phainai**, *Syria*, letter (*epistula*) from *leg. Aug. pr. pr.*, Iulius Saturninus to the village of Phainai. Reign of Commodus. 185-187. *OGIS* 519. Lost. Photograph in Hill, S.: 'The "Praetorium" at Musmiye', *Dumbarton Oaks Papers* 29 (1975) 347-9.
- 3) **Kilter**, *Asia, Phrygia*, a *subscriptio* of T. Flavius Claudius Sulpicianus, *proconsul Asiae*, on soldiers harassing a private estate; this is incorporated into a letter of a *tribunus*. 187-191. Unpublished. Photograph, squeeze. Stone at repository near Sandıklı.
- 4) **Tabala**, *Asia, Lydia*, extract of letter (*epistula*) from Pertinax and letter from the *proconsul Asiae*, Aemilius Iuncus to Tabala. 193. Malay, H.: 'Letters of Pertinax and the Proconsul Aemilius Juncus to the city of Tabala', *Epigraphica Anatolica* 12 (1988) 47-52. Photographs of area in plate 2, b and inscription, plate 3. Inspected, photographs. Stone in the museum at Manisa, inv. 7334; no. 8 in Hasan Malay's catalogue.
- 5) **Euhippe**, *Asia, Caria*, *edictum* issued by *proconsul Asiae*, C. Gabinius Barbarus Pompeianus to Euhippe. 211-213. Robert, L.: 'La ville d' Evhippe en Carie', *CRAI* (1952) 589-99. According to Robert, the inscription was brought to the Museum in Smyrna. Status unknown.
- 6) **Takina**, *Asia, Phrygia*, dossier on correspondence including a *subscriptio* from Caracalla, two letters (*epistulae*) from a freedman procurator, Aurelius Philocyrius, and two letters of two different *proconsules Asiae*, Gavius Tranquillus and M. Iunius Concessus Aemilianus. 214-216. Şahin, S. & French, D. H.: 'Ein Dokument aus Takina', *Epigraphica Anatolica* 10 (1987) 133-42. Photographs in plates 10-13. Stone broken in many pieces and set in a wall of a house in the village, some inside out.
- 7) **Demirci**, *Asia, Lydia*, *edictum* of *proconsul Asiae*. *TAM* V:1, 154. Squeeze and notebook at Kleinasiatische Kommission, Vienna. Status of stone unknown.

- 8) **Kassar**, *Asia, Lydia*, petition (*libellus*) to *proconsul Asiae* from the inhabitants of a village. *TAM* V:1, 611. Squeeze and notebook at Kleinasiatische Kommission, Vienna. Status of stone unknown.
- 9) **Güllüköy**, *Asia, Lydia*, petition (*libellus*) to *proconsul Asiae* from the inhabitants of a village. **Herrmann**, P.: 'Neue Inschriften zur Historischen Landeskunde von Lydien und angrenzenden Gebieten', *Österreichische Akademie der Wissenschaften, philosophisch-Historische Klasse, Denkschriften*, 77:1 (1959) 11-3, no. 9; photograph in plate II, no. 5. Squeeze at Kleinasiatische Kommission, Vienna. Stone in the museum at Manisa, inv. 514; no. 21 in Hasan Malay's catalogue.

Part III, 1: Documentary appendix:

- 1) **Şapçılar** = Summary of contents in: Bowersock, G. W., Habicht, C., & Jones, C. P.: 'Epigraphica Asiae Minoris rapta aut obruta', *AJPh* 108 (1987) 699-706, esp. p. 703.
- 2) **Łukaszewicz (1981)** = P. Berol. inv. P. 14564 = Łukaszewicz, A.: 'A Petition from Priests to Hadrian with his Subscription', *Proceedings of the XVIth International Congress of Papyrology*, Chicago 1981, pp. 357-361. (=SB 16. 12509)
- 3) **Smyrna I** = *I. Smyrna* II:1, 597
- 4) **Smyrna II** = *I. Smyrna* II:1, 598
- 5) **Rome** = *IGUR* I, 35
- 6) **Sülümenli** = Frensd, W. H. C.: 'A Third Century Inscription relating to Angareia in Phrygia', *JRS* 46 (1956) 46-56.
- 7) **Burdur** = Mitchell, S.: 'Requisitioned transport in the Roman Empire: A New Inscription from Pisidia', *JRS* 66 (1976) 106-31.
- 8) **Bephoure** = Feissel, D. & Gascou, J.: 'Documents d'archives romains inédits du Moyen Euphrate (III^e siècle après J.-C.)', *CRAI* (1989) 535-61 and *Journal des Savants* (1995) 65-119. Papyrus.
- 9) **Sicca Veneria**, *CIL* VIII 15868
- 10) **Ain Zui**, *CIL* VIII 17639

4. NOTE ON TRANSCRIPTIONS

[$\alpha\beta$]	=	letters restored by the editor as once having been inscribed but now lost
{ $\alpha\beta$ }	=	superfluous letters added in error by the inscriber of the text and excised by the editor
$\langle\alpha\beta\rangle$	=	letters added by the editor which the inscriber of the text has either omitted or for which (s)he has by error inscribed other letters
($\alpha\beta$)	=	letters which complete words left in abbreviation in the text
[$\alpha\beta$] [..]	=	letters or spaces deliberately erased in antiquity
$\alpha\beta$	=	letters of which sufficient traces remain to print them in the text but not enough to exclude other possible readings
[..5...]	=	lost or illegible letters equal to the number of dots for which no restoration is proposed
[- - - -]	=	lost or illegible letters of an uncertain number
ν	=	one unscribed letter-space
<i>vacat</i>	=	the remainder of the line has been left unscribed
ed. pr.	=	the first editor of the inscription under discussion
| (Latin) or | (Greek)	=	occur in quotations to denote the start of a new line where the text is not printed in the same configuration as on the stone. The use of this information is restricted.

5. ABBREVIATIONS

- AE* *L'Année épigraphique*, Paris 1888→
BE *Bulletin Épigraphique*, in: *Revue des Études Grecques*
CIG *Corpus Inscriptionum Graecorum*, Berlin 1825-1877
CI *Codex Iustinianus*, *Corpus Iuris Civilis*, editio tertia, volumen secundum, recognovit Paulus Krueger, Berlin 1884.
CIL *Corpus Inscriptionum Latinarum*, Berlin 1863→
I. Delos *Inscriptions de Délos*, publiées par F. Durrbach, Paris 1987
I. Eph(esos) *Die Inschriften von Ephesos*, hrsg. von H. Wankel; R. Merkelbach et alii, Band I-VII (*IGSK* Band 11-17), Bonn 1979-1981
IG *Inscriptiones Graecae*, Berlin 1873→
IGBulg *Inscriptiones Graecae in Bulgaria Repertae*, ed. G. Mihailov, Sofia 1956-1966
IGSK *Inschriften griechischer Städte aus Kleinasien*, Bonn 1968→
IGLS L. Jalabert; R. Mouterde; J.-P. Rey-Coquais; M. Sartre, P.-L. Gatier: *Inscriptions grecques et latines de la Syrie*, Paris 1911-1986
IGRR *Inscriptiones Graecae ad Res Romanas Pertinentes*, Paris 1911-1927
IGUR *Inscriptiones Graecae Urbis Romae*, ed. L. Moretti, Rome 1968-1990
I. Histria *Inscriptiones Daciae et Scythiae Minoris Antiquae, Series Altera: Inscriptiones Scythiae Minoris Graecae et Latinae*, vol. I: *Inscriptiones Histriae et Viciniae*, Bucarest 1983
ILS H. Dessau: *Inscriptiones Latinae Selectae*, Berlin 1892-1916
I. Priene *Inschriften von Priene*, ed. F. Hiller von Gaertringen, Berlin 1906
I. Smyrna G. Petzl: *Die Inschriften von Smyrna I-II*, (*IGSK* Band 23-24), Bonn 1982-1990
LRE A. H. M. Jones: *The Later Roman Empire 284-602*, Oxford 1964.
LSJ *A Greek-English Lexicon*, compiled by H. G. Liddell; R. Scott & H. S. Jones, Oxford 1968
MAMA *Monumenta Asiae Minoris Antiquae*, London 1928→
OGIS W. Dittenberger: *Orientalis Graecae Inscriptiones Selectae*, Leipzig 1903-1905
OLD *Oxford Latin Dictionary*, ed. P. G. W. Glare, Oxford 1968-1982
RDGE R.K. Sherk: *Roman Documents from the Greek East*, Baltimore 1969.
PIR *Prosopographia Imperii Romani saec. I, II, III*, Berlin 1897→
SEG *Supplementum Epigraphicum Graecum*, Leiden 1923→
SIG³ W. Dittenberger: *Sylloge Inscriptionum Graecarum*, 3. edition, Leipzig 1915-1924
TAM *Tituli Asiae Minoris*, Wien 1901→

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PART I, 1: THE IMPERIAL PETITIONS

SALTUS BURUNITANUS, *Africa proconsularis*.

Petition (*libellus*) to Commodus from the *coloni* on the imperial estate Saltus Burunitanus. The emperor's *subscriptio* and letter of the imperial procurators. 181-182.

1) SELECT BIBLIOGRAPHY

a) general

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b) texts

- CIL* VIII, 10570 and Suppl. 1, 14464.
ILS 6870
Cagnat & Fernique (1881)

Nostrand (1925)
Flach (1978:489-92)
Kehoe (1988:64-67)

c) translations

Flach (1982:429) gives a survey of translations into English, French and German. In English they are:

Nostrand (1925:50-6)¹
Lewis & Reinhold (1955:183-4)
Johnson & Coleman-Norton & Bourne (1961:219-20).

The most useful are the translations by

Flach (1978:491-2) and
Freis (1984:195-6, no. 110)
Kehoe (1988:67-8)

2) DISCOVERY AND PUBLICATION

The inscription was found in 1879 in the ruins at HENCHIR-DAKHLA, 3 km. north-northeast of Souk el-Khmis in the Bagradas-valley (the present Medjerda), Tunisia (Mowat 1881a:285, n. 1). It immediately attracted great interest because of its important theme. New discoveries were soon to illuminate further the conditions of imperial *coloni*. These are the inscriptions from **Ain Wassel** (1891 = *CIL* VIII, 26416), **HENCHIR METTICH** (1896 = *CIL* VIII, 25902) and **Ain el-Djemala** (1906 = *CIL* VIII, 25943). These four documents, with the fragmentary inscriptions from **Ain Zaga** (reproduced below p. 12) and **Gasr Mezuar**, form a unique collection of sources for the Roman colonate and the legislation that regulated it (*Lex Hadriana* and *Lex Manciana*). Accordingly there is an extensive literature on these sources. The best approach is through the surveys and bibliographies by Flach (1982) and Kehoe (1988).

Today the inscription is in the Louvre, Paris (Magasin Napoléon; inv. no. Ma 3659; no. 174 in Ducroux's catalogue of Latin inscriptions in the Louvre). **SALTUS BURUNITANUS** and **Gasr Mezuar** are the only inscriptions of imperial petitions which are directly accessible.

¹ This translation recurs in Frank (1938:98).

3) DESCRIPTION²

Stone and measurements

The text was written on a hard limestone slab originally rectangular in form: 1.18m wide at the top and 0.80 at the bottom, the height is 0.76.³ The text is fitted onto the stone in four columns. On the left side there is an oblique edge where the stone has been broken off. This damage has taken away almost all of col. I and a substantial part of the left side of col. II, starting in l. 10 with one letter, increasing to approximately 20 letters in ll. 30-33. In coll. II-IV the upper, horizontal edge is intact apart from minor, unconnected damages, mainly between the columns (II and III; III and IV). What is left at the bottom tells us that the number of lines per column varied: In col. IV l. 29 is the final one and the space below, left intact, is vacant. In col. III a line 31 is manifest, but considering syntax, contents and the thematic layout not much is missing; whereas in col. II the fragments at the start of l. 33 prove the existence of some irrecoverable, additional text (see commentary). In col. IV, in the part rendering the copy of the letter from the *procuratores tractus*, part of l. 15 and ll. 22-23 and all of lines 16-21 have been deliberately erased (see critical apparatus).

In col. III the text has suffered additional damage probably because the acidity of the soil has become active through moisture, with the effect that the surface has started to dissolve. This process has made portions of ll. 16-24 almost illegible. Therefore some readings can only be accepted on a certain amount of faith; such letters are marked by the conventional dots.⁴

Form of letters

The height of the letters is consistent, varying between 0.016 and 0.018. The text has been entered with care, and one can still trace the stonemason's guidelines. Because of the very hard surface, the letters seem to have been inscribed by engraving rather than cutting. Cagnat & Fernique (1881:95) remarked that the letters T and I at times could only be distinguished with difficulty; L was characterized by a 'longue queue'. In fact the Ls are entered in two ways: The conventional L with a horizontal stroke occurs at the first half of col. II (e. g. in ALLIO l. 1); the characteristic L, described by Cagnat & Fernique, occurs for the first time in l. 12 (SALTUM).⁵

2 Among the earlier editors, only Cagnat & Fernique (1881:94-5) described it carefully.

3 Both Nostrand (1925:48) and Flach (1982:463 and 464) say that the inscription was part of an altar like the other, major documents (*Henchir Mettich*, *Ain el-Djemala* and *Ain Wassel*). But this is evidently not so, as the text is laid out on a stone which is a flat rectangle, a form which must have been even more pronounced in its original state. Cf. also Cagnat & Fernique (1881:94-5): 'Cette inscription est gravé sur un calcaire très dur, qui, au premier abord, a l'aspect du marbre.'

4 Cagnat & Fernique (1881:95) explained this differently: '[...] en certains endroits plus durs que les autres, les lettres sont assez profondément gravées; [...] ailleurs la pierre semble avoir été usée par quelque cause extérieure. Néanmoins presque toutes les lettres sont encore lisibles.'

5 *CIL* VIII, 14464 suggested that the stonemason tried to the best of his ability to imitate an engraving on bronze: 'Ceterum formae litterarum scripturae pictae indolem mirum quantum experimentes fortasse inde explicandae sunt, quod quadratarius exemplum in aere incisum quam accuratissime posset imitari temptarit.'

One notices that the ligatures (letters are here underlined) are quite frequent in col. III, less so in coll. II and IV. Consequently there are unequal numbers of letters pr. line in the transcription. In col. II it varies between 30 and 34, and in col. III between 31 and 36. In col. IV there is different layout, but no line contains more than 29 letters. Col. IV has ample space for the allotted text; compared with col. III the contrast is marked.

Peculiarities of the layout

In columns II and III the text is cut continuously respecting both left and right margins, with the only exceptions being ll. 6 and 23 of col. III where two letters override the right margin. Take notice of the space left unscribed in l. 3 of col. III, marking the division between the *narratio* and the *preces*. The principles for the layout of col. IV appear to be different from the preceding columns, but this difference may be only superficial as coll. II and III carry the continuous text of the petition in contrast with the three separate documents of col. IV. In col IV, l. 4 we notice a *vacat* separating the *inscriptio* of the *subscriptio* from the text. In l. 10 the heading (*exemplum epistulae* etc.) is centered; the text of the following letter is marked by a left margin override (first letter of *Tussanius*). The text of the concluding dedication is centered through to the end.⁶

Orthography

Several spellings in the inscription are at variance with the accepted Latin standard; they are, however, easily recognized and are kept in the original state in the text given. The spelling of the diphthong *ae* is inconsistent: it is partly given as *e* (cf. next paragraph) partly as *ae* (cf. e. g. col. II, ll. 18 and 21); double consonants and vowels are written singly and *t* is used for *d*: *set* for *sed* (col. II, l. 2); *suplicantibus* for *supplicantibus* (col. II, l. 6); *Alli* for *Allii* (col. II, l. 9); [*supl*]icare for *supplicare* (col. III, l. 3); *Hadriane* for *Hadrianae* (col. III, l. 5); *littere* for *litterae* (col. III, l. 9); *itq(ue)* for *idq(ue)* (col. III, l. 13); *manum* for *manuum* (col III, l. 19); *aput* for *apud* (col. III, l. 21); *saltum* for *saltuum* (col. III, l. 29); *quit* for *quid* (col. IV, l. 7) and *M[a]is* for *M[a]iis* (col. IV, l. 27). Spellings judged as mistakes of the stonecutter are set between the conventional < >.

4) EDITIONS

Tissot (1880) was the first to communicate the discovery of **Saltus Burunitanus**, which he did in form of a letter; a facsimile accompanied the letter, but no printed text was given. Mommsen (1880) is thus the *editio princeps*. It was based on Tissot's facsimile and a copy made by Delattre. For the edition of *CIL* VIII, 10570 (abbreviated *CIL* A) Mommsen could rely upon a squeeze prepared by the German consul Tulin. Shortly afterwards the stone was moved to its present location in the Louvre, Paris. Here several scholars inspected it and their reports in turn formed the basis for the edition of Cagnat & Fernique (1881), which they described (p. 95) as 'à peu près analogue à celui que M. Mommsen a publié'. The editors of *CIL* and Cagnat & Fernique apparently prepared their

⁶ For the use of open spaces, margin overrides and centering, cf. Gordon & Gordon (1957:150-1).

editions simultaneously as there are no mutual references. Later *CIL* VIII, 10570 was given an appendix in no. 14464 (abbreviated *CIL* B), which has the form of an extended *apparatus criticus*. 14464 was based on a new inspection made for Mommsen by Schoene; it also includes references to Cagnat & Fernique (1881) and Mowat (1881). Dessau used all these publications for his edition in *ILS* II, 1, no. 6870. The text of Nostrand (1925:50-7) has some suggestions of its own, whereas Abbott & Johnson (1926:435-8) only reproduced earlier texts or suggestions. Flach (1978:489-91) established a new text with some important improvements. Kehoe (1988:64-8) based his text on Flach's.

In November 1990 I was able to inspect and make a squeeze of the original in the Louvre, Paris. It is a pleasure to acknowledge the expert assistance of conservateur Baratte and the first rate photographs his staff provided.

The critical apparatus reports differing readings of the independent editions. Restorations which are not specified, were suggested by Mommsen (1880). Asterisks (*) substitute leaves.



Fig. 1: Photo of *Saltus Burunitanus*. © The Louvre, Paris.

5) TEXT, CRITICAL APPARATUS TEXT AND TRANSLATION

I		
1	[	]tius
	[	]os
	[	]rm
4	[	]e
	[	]t

the rest of col. I is missing

II	
1	quam non mod<o> <u>cum</u> Allio Maximo adv[er]- sario nostro, set <u>cum</u> omnibus fer[e con]- ductorib(us) contra fas atq(ue) in pernicię[m]
4	rationum tuarum sine modo exercuit, ut non solum cognoscere per tot retro annos instantibus ac suplicantib(us) * vestramq(ue) divinam subscriptionem
8	adlegantibus nobis supersederit, ve- rum etiam hoc eiusdem Alli Maximi [c]onductoris artibus gratiosissimi

CRITICAL APPARATUS:**Abbreviations:**

T	facsimile in Tissot (1880)
M	Mommsen (1880)
CF	Cagnat & Fernique (1881)
CIL A	facsimile or transcription in <i>CIL</i> VIII, 10570
CIL B	<i>CIL</i> VIII, 14464
N	Nostrand (1925)
F	Flach (1978)
H	author

I:

Last line: [intelligis praevaricationem] **M** and **CIL A**, [procuratoris tui intelligis praevaricationem] **N**.

II:

L. I stone has MODICVM, restored by **M**.

- [ult]imo indulserit, ut missis militib(us)
 12 [in eu]ndem saltum Burunitanum ali-
 [os nos]trum adprehendi et vexari, ali-
 [os vinc]iri, non «nullos cives etiam Ro-
 [manos] virgis et fustibus effligi iusse-
 16 [rit, scilic]et eo solo merito nostro, qu-
 [od euntes] in tam gravi pro modulo me-
 [diocritat]is nostrae tamq(ue) manifesta
 [iniuria im]ploratum maiestatem tu-
 20 [am illicita (?) e]pistula usi fuisset. Cu-
 [ius nostrae in]iuriae evidentia, Caes(ar),
 [inde profec]to potest aestimari, qu-
 [od q]uidem, quem maiesta-
 24 [ex]sistimamus vel pro
 []omnino cognos-
 []plane gratificati
 []mum invenerit *vacat*
 28 [n]ostris quibu-
 []bamus cogni-
 []beret inte *vacat*
 []tare operas
 32 []petita tot e[
 some lines missing

III

- 1 [Quae res co]mpulit nos m[i]serrimos homi-
 [nes iam rur]sum divinae providentiae
 [tuae supli]care. vv et ideo rogamus, sa-
 4 cratissime imp(erator), subvenias. Ut kapite le-
 gis Hadriane, quod supra scriptum est, ad-

L. 17: *quod venientes* M; *quod euntes* 'nam venientes spatium excedit' CIL B.

L. 20: *tuam acerbiore e* M; *acerba e* CF and CIL A; 'fortasse *tuam acerbiore e* pistula nam acerba lacunam non explet' CIL B; *immodesta* N; *illicita?* H (see commentary).

L. 31: *[praes]tare* M.

III:

L. 3: *[tuae supli]care* CF

emptum est, ademptum sit ius etiam procc(uratori)b(us),
 nedum conductori, adversus colonos am-
 8 pliandi partes agrarias aut operar(um) prae-
 bitionem iugorumve et, ut se habent littere
 procc(uratorum), quae sunt in tuiario tuo tractus Kar-
 thag(iniensis); non amplius annuas quam binas
 12 aratorias, binas sartorias, binas messo-
 rias operas debeamus; itq(ue) sine ulla contro-
 versia sit, utpote cum in aere incisum et ab
 omnib(us) omnino undiq(ue) versum vicinis nostr[is]
 16 perpetua in hodiernum forma praestitu[m],
 tum et procc(uratorum) litteris, quas supra scripsimus,
 ita conf[ir]matum. Subvenias et, cum homi-
 nes rustici tenues manum nostrarum ope-
 20 ris victum tolerantes conductori profusis
 largitionib(us) gratiosissimo impares aput
 procc(uratores) tuos simu[s], quib(us) [pe]r vices successi-
 on(is) per condicionem conductionis notus est,
 24 miserariis ac sacro rescripto tuo n(on) ampli-
 us praestare nos quam ex lege Hadriana et
 ex litteris procc(uratorum tuorum debemus, id est ter
 binas operas, praecipere digneris, ut bene-
 28 ficio maiestatis tuae rustici tui vernulae
 et alumni saltum tuorum n(on) ultr(a) conduc-
 torib(us) agror(um) fiscalium inquietem[ur].

L. 6: *proccb*

L. 10: *procc*; I. 10 *TVLARIO* T; *ta[b]ulario* M; *t(ab)ulario* CF; *TVIARIO*, 'TVIARI O erratum est pro TABVLARIO' CIL A; *TAVLAR* CIL B; *ta[b]ulario* 'taulario (*litteris contignatis*) videtur esse in lapide' D; *ta·b·ulario* N and F; *tuiario* H

L. 14: the stone has *inciso*; *incisa* M; *inciso* CF, CIL A; *in aere inciso* pro *incis[u(m)]* CIL B; cf. Flach (1978:474) who compares *Ain Wassel* ll. I, 7-8, *Exemplum legis Hadrianae in ara proposita* for *propositum*

L. 16-17: *pra[e]st[itu]m* M, *pr[ae]st[itu]m* CF, *pra[e]st[itu]m* CIL A; *prae[ce]ptu(m) tum* CIL B, *praestitu[m] tum* F

L. 17: *procc*

L. 24: *miser[eari]s* M; *miserinus* (*sic*) CF, *miser[eari]s* CIL A; to me the stone has *miserinus* with *ri* as ligature (see comm.) H; *rescripto n(on) amplius* M; *rescripto [non]* CIL A; *tuo n(on) ampli | us* CF = CIL B

L. 30 *inquietemur* M; *in quiete m[...]* CF; *in quiete m[an]er[e] n[ulla] nostra culpa prohibeamur* CIL A; *inquietem[ur]* CIL B.

li[clear signs of another line]

IV

- 1 [Imp(erator) Ca]es(ar) M(arcus) Aurelius Commodus An-
[toni]nus Aug(ustus) Sarmat(icus) Germanicus
Maximus Lurio Lucullo et nomine a-
- 4 liorum. vv Proc(c)(uratores) contemplatione dis-
cipulinae et instituti mei - ne plus
quam ter binas operas - curabunt
ne quit per iniuriam contra perpe-
8 tuam formam a vobis exigatur. *
Et alia manu: Scripsi. Recognovi.
vvv Exemplum epistulae proc(uratoris) e(gregii) v(iri):
Tussanius Aristo et Chrysanthus
- 12 Andronico suo salutem.v Secundum
sacram subscriptionem domini n(ostri)
sanctissimi imp(eratoris), quam ad libellum
suum datam Lurius Lucullus [accepit]
- 16 [lines 16-21 have been erased]
- 21 [Et ali-]
- 22 a manu. [Opta ?]mus te feli-
cissimum be[ne vive]re. Vale. Dat(a)
- 24 pr(idie) idus Sept(embres) Karthagin(e).
Feliciter
consummata et dedicata
idibus M[a]is A[ur]eliano et Corne-
28 vvv lian[o c]o(n)s(ulibus), [c]ura agente
C(aio) Iulio [Pelo]pe Salaputi mag(istro).

IV:

L: 15: [misit] CIL A; [accepit] F

Ll. 16-21: Cagnat & Fernique (1881:95): 'Enfin la dernière colonne compte vingt-huit lignes, mais de la quinzième à la vingt-deuxième il y a une lacune qui semble résulter d'un martelage de la pierre.' The erasure was apparently made to take away the body of the letter (ll. 16-21), but it also affected parts of ll. 15 and 22-23.

L.22: [Opt]amus M; there seems to be space for 6 letters H

L. 24 Karthagini on stone

TRANSLATION

Petition to Commodus (columns II-III)***Narratio* (col. II, ll. 1-32)**

(ll. 1-20) [... the collusion] which he without restraint has practised not only with Allius Maximus, our adversary, but with almost all the leaseholders, contrary to justice and to the detriment of your interests, so that he has not only refrained from giving it a judicial hearing - although we through so many years have earnestly beseeched it and have appealed to your sacred rescript (*scriptio*) - but he has even been indulgent to the machinations of the most favoured leaseholder, the very same Allius Maximus, so that he sent soldiers to the same *Saltus Burunitanus* and ordered that some of us should be arrested and molested and that some - even Roman citizens - should be beaten with whips and rods, evidently because of this our single action, that we when we, in our humble condition, had come in such a serious situation and [suffering] evident [injustice] had used an [inappropriate] letter to beseech your majesty. (ll. 20-23) You can, Caesar, judge the flagrant injustice towards us in [...]

***Preces* (col. III, ll. 1-31)**

(ll. 1-4) [This situation] has compelled us, [who are] reduced to destitution, to beseech your divine providence again; and therefore we ask you, most sacred emperor, help us! (ll. 4-13) Since in the paragraph of *lex Hadriana*, which is written above, it is denied, let the right also be denied procurators, not to mention a leaseholder, to increase to the disadvantage of the *coloni* the shares of produce or the liability to labour obligations or to supply beasts of burden; and as is written in the letters of the procurators, which are in your archive of the administrative district of Carthage we shall yearly not be liable to more than two days for ploughing, two days for hoeing and two days for reaping. (ll. 13-17) And let it be without any dispute: as it is written in bronze and has been based on the working guidelines to this day kept by absolutely all our neighbours in all directions, and has also been confirmed in this way by the letters of the procurators which we have written above. (ll. 17-23) Help us! We are weak peasants that are sustaining our lives by the work of our hands and facing your procurators; we are not the equals of the leaseholder who is most favoured by the procurators because of his lavish bribes, and due to the renegotiation he is well known to them through their successive periods. (ll. 24-30) Show mercy and deign to give instructions by your sacred rescript that we shall not give more than we are liable to by the *lex Hadriana* and the letters of your procurators, that is three times two working days, so that by your majesty's benevolence we, your peasants and the adopted daughters and sons of your estates, shall not be further disturbed by the leaseholders of imperial soil.

***Scriptio* of Commodus (col. IV, ll. 1-9)**

(ll. 1-4) Imperator Caesar Marcus Aurelius Commodus Antoninus Pius Augustus Sarmaticus Germanicus Maximus to Lurius Lucullus and in the

name of the others. (ll. 4-8) In consideration of the general order and my instruction the procurators shall take care that - not more than three times two working days - nothing shall be exacted illegally from you contrary to the appropriate law. (l. 9) And by another hand: I have written. I have controlled.

Letter of the imperial procurators (col. IV, ll. 10-25)

(l. 10) Copy of a letter from the procurator, *vir egregius*.

(ll. 11-12) Tusannius Aristo and Chrysanthus, to their Andronicus, greetings.

(ll. 12-15) According to the sacred rescript (*subscriptio*) of our lord, the most holy emperor, which Lurios Lucullus received (in reply) to his petition [*the rest of the letter has been erased*].

(ll. 21-24) And by another hand: We wish you all luck. Farewell. Given at Carthage the 12th of September.

Dedication of monument (col. IV, ll. 25-29)

(ll. 25-29) Happily completed and dedicated on May 15, in the consulship of Aurelianus and Cornelianus under the supervision of Gaius Iulius Pelops, son of Salaputus, *magister*.

6) *CIL* VIII, 14451 Ain Zaga⁷

1	exe(mplum)	Imp(erator) Caes(ar) M. Aureli(us)
	sac(rum)	[Commodus] ⁸
	pre-	Antoninus Aug(ustus) Sarmati-
4	scri-	cus Germanicus Maximus
	ptu-	Lurio Lucullo et nomine alio-
	m	rum. Procuratores contem-
	[h]unc[e]	platione disciplinae et [- -]

⁷ Cf. *CIL*: 'Rudera Ain-Zaga [...] inveniuntur in confinio tribuum Mekna et Uschtetta, 30 chil. fere ab Hr. Dakhla [...] Saltum Burunitanum usque ad hanc regionem patuisse etiamsi prorsus negari nequeat, tamen etiam fieri potuit, ut alterius quoque pluriumve saltuum imperatoriorum vicinorum colonis, uti eodem fere tempore auxilium principis libellis implorassent, ita eodem rescripto responderetur. Idcirco seiunximus hunc locum ab Hr. Dakhla.' For the text, see Drew-Bear in Drew-Bear & Eck & Herrmann (1977:361, n. 30).

⁸ Cf. the commentary in *CIL*: 'Commodi nomen in litura repositum Cagnato visum est et in lapide et in imagine photographica.'

7) GENERAL COMMENTARY

Contents

This long inscription published at the imperial domain **Saltus Burunitanus**, has the form of a dossier containing four documents, all linked to a petition to the emperor Commodus. It includes (1) the latter part of the *libellus* from the imperial *coloni* through their representative, Lurius Lucullus (col II-III, cf. col. IV, ll. 3 and 15), (2) the *subscriptio* of Commodus (col. IV, ll. 1-9), (3) a letter to an undefined Andronicus by the *procuratores tractus Karthaginiensis* (col. IV, ll. 10-24) and a (4) statement by the *magister* C. Iulius Pelops Salaputi saying that the inscription has been successfully completed and dedicated (col. IV. ll. 25-29).

Dating

The dedicatory statement at the end of the inscription is dated May 15, 181. The procuratorial letter (col IV, 10-24) should then probably be of September 12 the preceding year, i.e. 180 (cf. Mowat 1881 and Grosso 1968).

Division

Col. I must have included the opening part of the *libellus*, that is the *praescriptum* and the eventual *exordium* (which is no longer preserved).⁹

The petitioners say that above have they quoted the relevant legislation, a *caput* of the *lex Hadriana* (col. III, l. 4) and the *litterae procuratorum* (col. III, l. 17). Because the inscription renders the transactions in a complete way (cf. e. g. the signatures col. IV ll. 9 and 22-24), it is a fair assumption that these two quotations were included in the inscription (either as part of the *narratio* or set apart) and consequently must have been elements of the text of col. I. Judging from col. IV, ll. 5-6, these quotations can have been fairly short.

Col. II gives the final part of the *narratio*. This is dominated by a characteristically long, informative period running through to l. 20. The final part of the *narratio* is much damaged, but the remains allow a vague paraphrase (see commentary).

The *preces* take the whole of col. III. This part is verbose and compensates for the damage to the *narratio*. It underlines the precarious and unequal condition of the *coloni* in contrast to the resources of the leaseholder.

Col. IV records three separate documents: the rescript, the letter from the procurators and the concluding statement.

General outline

The petition - as species both a *querella* and *preces*¹⁰ - is primarily an invective against the leaseholder (*conductor*) of the domain, Allius Maximus (col. II, ll. 1, *adversario nostro*,

9 The *praescriptum*, transcribed to the stone, may have had the wording: *Imp(eratori) Caes(ari) M. Aurel(io) Commodo Antonino Aug(usto) Sarmat(ico) Germanico Maximo a colonis Saltus Burunitani per Lurium Lucullum*. Cf. Mowat (1881:289-91), Wilcken (1920:10, n. 4), Premerstein (1926:3.1-2), Samonati (1957:804-5) and P. Oxy. IV, 720 and IX, 1201.

10 Cf. Skaptopara l. 166, *id genus querellae precibus intentum*.

and 9) alledging that he has exacted more *operae* than specified in the letters of the procurators of *tractus Karthaginiensis* which were the working guidelines. Allius Maximus, however, could not have succeeded in this if he had not secured the cooperation of his superior. The first intact part (col. II, ll. 1-20) of the inscription concerns the superior, who in turn is not defined, but most probably was the *collega maior* in the pair of procurators in the *tractus Karthaginiensis*. This is a fair conclusion from col. III, ll. 2-13, where the procurator is involved in the renegotiations of the lease terms.¹¹ The leaseholder achieved his aims through heavy bribes (*profusae largitiones*, col. III, ll. 20-21). The intact part of the *narratio* contains carefully formulated accusations against the procurator who is the subject of the predicates (l. 4) *exercuit [praevaricationem]* so that he (l. 8) *supersederit cognoscere*, (l. 11) *indulserit artibus conductoris* and (ll. 11-16) *missis militibus ... iusserit alios nostrum adprehendi et vexari etc.* The petitioners also say that the procurator's corrupt manners permeated his relations with almost all the leaseholders (col. II, ll. 2-3).

Two points are particularly informing. We are told that the *coloni* could not find a solution in the province. They already had approached the emperors Marcus Aurelius and Commodus, through an [*illicita*] *epistula* (col. II, l. 20), and obtained *vestram divinam subscriptionem* (see commentary on col. II, ll. 16-20).¹² The rescript must apparently have had a wording which either recommended a *cognitio* or could be interpreted in this way. The *subscriptio* was in time presented to the procurator who did not take action. It is thus possible that the recurring complaints from *Africa proconsularis* may have sharpened the emperor's response. It is also quite possible that Tussanius Aristo (col. IV, ll. 11) already had succeeded the cunning procurator who was the object of the accusations, when Lurius Lucullus received the *subscriptio*.¹³

Another point to notice is that the procurator sent soldiers (*missis militibus*, l. 11), a fact which illustrates the question of military forces in senatorial provinces, here under command of a procurator.¹⁴

11 The expression *missis militibus* can be understood to mean that he must have been outside the *saltus*, cf. Kolendo (1968:325).

12 The words must refer to the period when Commodus was joint emperor and Augustus with his father, Marcus Aurelius, cf. Mowat (1881:287-8) and Grosso (1968). Commodus, born August 31, 161, became Caesar on October 12, 166 but did not issue constitutions before his elevation as Augustus in 77 (before June 17). Marcus Aurelius died March 17, 180.

13 Cf. Flach (1982:462-3). That the dispute had been going on for many years (col. II, ll. 56 *per tot rero annos*) and that the first petition was delivered to and answered by Marcus Aurelius and Commodus, i. e. before March 17, 180, support his assumption.

14 An exchange of letters between Pliny and Trajan (X, 27 and 28, cf. Weaver 1965:466) may serve as a model: (27) *C. Plinius Traiano Imperatori: Maximus libertus et procurator tuus, domine, praeter decem beneficiarios, quos adsignari a me Gemellino optimo viro iussisti, sibi quoque confirmat necessarios esse milites sex. Hos interim, sicut inveneram, in ministerio eius relinquendos existimavi, praeterim cum ad frumentum comparandum iret in Paphlagoniam. Quin etiam tutelae causa, quia ita desiderabat, addidi duos equites. In futurum, quid servari velis, rogo rescribas.* (28) *Traianus Plinio. Nunc quidem proficiscentem ad comparationem frumentorum Maximum libertum meum recte militibus instruxisti. Fungebatur enim et ipse extraordinario munere. Cum ad pristinum actum reversus fuerit, sufficiat illi duo a te dati milites et totidem a Viridio Gemellino procuratore meo, quem adiuvat.*

Forsoldiers doing service in the *officium* of a procurator, cf. Kilter, n. 14.

Administrative structure of the imperial estates in North Africa

The different names and titles used in these inscriptions have raised the question of how the estates were grouped and administered. It has been suggested that the procurators formed a hierarchy with the *procurator tractus* on the top, descending through the *procurator regionis* to the *procurator saltus*.

The *tractus*-level is fairly well documented and concrete evidence is at hand to describe both the persons who served in these posts and their duties. It seems a set scheme that the *tractus* were administered by pairs of procurators, made up by one equestrian procurator serving as the *collega maior*, and the other, being an imperial freedman, as the *collega minor*.¹⁵ The *procuratores tractus* regulated the terms for the *coloni*. In **Henchir Mettich** (col. I, ll. 45) Licinius Maximus and Felicior apply the *lex Manciana* to the *saltus* and introduce regulations to increase production on the estate (see Kehoe 1984:207). Similarly **Ain el-Djemala** records a petition from *coloni* to the *tractus*-procurators to have the *lex Manciana*-terms applied to their estate on the same conditions as their neighbouring estate, the *saltus Neronianus*. These conditions were defined in a separate letter. The *saltus Neronianus* must have belonged to a different *tractus* however, so to inform the procurators the petitioners appended a copy of the terms decided upon for the *saltus Neronianus* and a circular letter ordering the distribution and publication of the regulations. Finally, the procurators Verridius Bassus and Ianuarius in a letter instructed 'their Martialis' to comply with their wishes. In **Saltus Burunitanus** the procurators Tusanius Aristo and Chrysanthus wrote to 'their Andronicus' at the instigation of the *subscriptio* of Commodus.

In short, the *tractus*-level seems to have decided about the working conditions for the *coloni*. It is then fair to conclude that they must also have regulated terms of the leaseholders, the *conductores*. It would not be possible to have the terms of the *coloni* and the leaseholders decided at different levels because that would render all calculations useless. The *conductores* secured their leases by delivering the highest offer.¹⁶ The expression *per condicionem* (col. III, l. 23) must refer to these negotiations. If the procurators allowed some of their conductors to claim more work and greater shares from their *coloni*, the entire bidding procedure would be undermined. The result would be that the whole administration became corrupt. The emperor, no doubt, realized this. By notifying the emperor, the *coloni* put the career of the procurator in jeopardy.

This reconstruction leaves, however, little space for the procurators on the lower rungs of the ladder. For the posts of the *procurator regionis* and *procurator saltus* we have but bare names. Kolendo (1968:325) has defined seven regions within the *tractus*

15 This is a conclusion drawn from **Henchir Mettich** col. I, l. 46, **Ain el-Djemala** col. IV, ll. 3 and 56 and **Saltus Burunitanus** col. IV, ll. 10-11. Pflaum (1974) used the terms *collégialité inégale* or *pseudo-collégialité* to describe this structure. Otherwise the origins, development and functioning of this phenomenon have been described in detail by Weaver (esp. 1965 and 1972:280-1). Weaver (1965:467) stresses that the aim of this setup was to secure continuity at the administrative level rather than to control the equestrian procurator.

16 Cf. Flach (1982:465-6): 'Als Pacht entrichtete er einen Betrag, dessen Höhe den Wert der zu erwartenden Einkünfte unterschritt, die Ertragsvoranschläge der Mitbietenden jedoch übertraf. Mit dieser Vorauszahlung erwarb er sich das Recht, die partes agrariae einzutreiben, ...'

Karthaginiensis and identifies Andronicus and Martialis as *procuratores regionum*. Consequently he must conclude, ‘Les arguments que nous venons de présenter, permettent de constater que sur le terrain du **Saltus Burunitanus** il n’y avait pas de procurateur du saltus.’

For a presentation of the legislation, see commentary on col. III, ll. 13-16.

8) DETAILED COMMENTARY

Col. I

L.. (without number) [praevaricationem]: Mommsen (1880) restored [*intelligis praevaricationem*], but the noun serves rather as an indication than a restoration. *Praevaricatio* regularly implies collusion between prosecution and defence. In this sense it is an apt summary of the petitioners’ condition, but it is not widely used and I am reluctant to enter it into the text of the petition (in the translation it provides the background when we enter the petition *in medias res*).¹⁷

For the vital role of the leaseholder, cf. Foxhall (1990:103): ‘These men manipulated both their inferiors and superiors by virtue of their positions as mediators and negotiators. [...] The bailiff serves as a crucial step in the hierarchical ladder of patronage’.

Col. II

L. 3 contra fas: In this context *fas* seems partly to sum up the detailed points of *caput legis Hadrianae* and *litterae procuratorum* referred to in col. III, ll. 4-5, 9-10 and 25-26; partly it is used in a wider sense about unlawful acting. All this may be summed up by *iniuria* (col. II, l. 21), cf. *Inst. Iust.* 4. 4, 1: *Generaliter iniuria dicitur omne quod non iure fit*. Here *fas* is certainly general in meaning and may be answered by *disciplina* (col. IV, ll. 45) in the rescript of Commodus.

Ll. 3-4 in perniciem rationum tuarum: *Ratio* represents both the technical usage reflected in the title *a rationibus* (*account, balance*) and *interest*; see also **Ain Wassel** col. III, ll. 18 *rationi [fisci]* and to this Kehoe (1985:n. 81). The same considerations are found in **Ain el-Djemala** col. I, ll. 3-4: *velitis nobis [et utilitat]i illius consulere*.

The negative consequences of the abuses are regularly underlined in the petitions and it must be classified as a theme. Thus it is marked as one of the petitioners’ stronger arguments: ‘It is not only we that are being hurt, you are hurt as well, by the behaviour of your own procurators’. See **Skaptopara** (ll. 91-94): *ἐάν τε βαρούμεθα, φευξόμεθα ἀπὸ τῶν οἰκείων καὶ μεγίστην ζημίαν τὸ ταμείον περιβληθήσεται* and Part II, chapter 1, ‘Negative consequences’.

L. 5 cognoscere: the procurator is charged with three accusations summed up by *superederit, indulserit* and *iusserit*. This first says that he has ‘refrained from giving it a judicial hearing’ despite the fact that the petitioners ‘have pleaded your sacred rescript’. This

¹⁷ Cf. also *VIR*, s. v. and *Digesta* 48. 15: *De praevaricatione*.

passage is clearly relevant for the discussion of the division powers between the proconsular governor and the imperial procurators.¹⁸

The way this petition is formulated it is centered on the *lex Hadriana* and the *litterae procuratorum*. These specify who had the right to what on the estates and further they define the amount of *partes* and *operae*. We know from **Henchir Mettich** and **Ain el-Djemala** in addition to **Saltus Burunitanus** that this law and these guidelines were administered by the *procuratores tractus*. The use of force did not apparently transgress the competence contained in the procurator's *coercitio* (this applies to the use of soldiers too, as these probably ranked as *beneficiarii* and were part of his staff). In sum, it was a question about administration and its execution. The emperor regularly directed petitioners to provincial governors with an instruction that he should look into their case. But matters which directly affected the procurators neither could nor should be determined by the proconsul.¹⁹ Generally, when a rescript referred petitioners to a governor, he could choose whether he would lead the *cognitio* himself or appoint a judge.²⁰ In the petition the use of the word *cognoscere* suggests that the first *subscriptio* had stated that the procurator e. v. should decide judicially. It is also a part of this interpretation that in order to maintain judicial objectivity, the procurator should in some way stand aloof and not get too involved in minor affairs. But here biased behaviour and abuse totally ruined his impartiality.

18 Both Millar (1964) and Brunt (1966) have discussed this inscription and Brunt (p. 485) said that 'it is plain from the petition to Commodus from the *coloni* of the **Saltus Burunitanus** that it lay with the procurators to decide judicially (*cognoscere/decernere*) in disputes between the *coloni* and *conductores* arising from the *lex Hadriana* which prescribed their obligations. It does not seem to have occurred to the aggrieved *coloni*, when they found that the procurators were in collusion with the *conductores*, to appeal to the proconsul; their only recourse is to the emperor himself. We cannot, however, conclude that the procurators had any criminal jurisdiction over the *coloni*, as their actions in fettering and beating them are represented as having been violations of the law, and this may be true.' Millar (p. 184) stated that 'the extension of the procurators' functions was felt mostly in administrative matters and was based on the revenue they controlled, their possession of a staff capable of carrying out tasks such as land measurements and their close connections with the emperor.'

19 Among our inscriptions cf. especially **Takina** ll. 4-8. Some of this vicissitude between the proconsul and procurator can be traced in Ulpianus *De officio proconsulis* (= *Digesta* 1. 16. 9.1): *Nec quicquam est in provincia, quod non per ipsum expediatur. Sane si fiscalis pecuniaria causa sit, quae ad procuratorem principis respicit, melius fecerit si abstineat.* The end of the paragraph is also of relevance: *Ubi decretum necessarium est, per libellum id expedire proconsul non poterit: omnia enim, quaecumque causae cognitionem desiderant, per libellum non possunt expediri.* Cf. also book 26 (*Ubi causae fiscales vel divinae domus hominumque eius agantur*) of *CI* para 2: *Non animadvertimus, cur causam ad officium procuratorum nostrorum pertinentem ad proconsulis notionem advocare velis etc.* [207].

20 In the law codes this is a principle, cf. Palazzolo (1974:264-74), Honoré (1981:301) and Coriat (1985:326). This policy is also clearly reflected in rescripts contained in inscriptions cf. e. g. Skaptopara, Aragua and Euhippe). I here follow the view expressed both by the somewhat earlier Julianus in *Liber primus digestorum* (*Digesta* 1. 18, 8: *Saepe audivi Caesarem nostrum [Hadrian or Antoninus Pius] dicentem hac rescriptione: 'eum qui provinciae praeest adire potes' non imponi necessitatem proconsuli vel legato eius vel praesidi provinciae suscipiendae cognitionis, sed eum aestimare debere, ipse cognoscere an iudicem dare debeat.*) and the later Callistratus in *De officio praesidis* (*Digesta* 1. 18, 9).

LI. 16-20: *eo solo merito nostro ... [im]ploratum maiestatem tu[am] illicita (?) e]pistula usi fuissetemus*. My restoration *illicita* is only a suggestion (cf. app. crit) and is therefore marked by (?).

Svennung (1958:73) used *Saltus Burunitanus* to illustrate how Latin applied abstracts as indirect addresses (*maiestas*: II, 19-29 and III, 2-3; *providentia*: III, 28). This petition also illustrates general use of abstract nouns in place of adjectives and how they crept downwards from the lordly position of the emperor (*maiestas*) to the miserable state of the petitioners (compare *me[diocritati]s nostrae* with II. III, 1-2, *nos m[fi]serrimos homi[nes]*).²¹

The *coloni* got into trouble when they first approached Commodus by using a letter.²² The almost mocking phrase *eo solo merito nostro* calls for attention, as it apparently conveys that the petitioners did not see or admit the gravity of their action. Thus the passage illustrates the crucial question about the distinguished use of letters and petitions within the Roman, imperial administration.

Apparently some regulations or limitations were set for the use of letters when communicating with the emperor. The traditional view is that senators, higher officials (procurators, legates and governors) and towns used letters; all others had to approach by means of petitions. This still has to be our guideline. There are, however, examples where cities on occasions used petitions (cf. the examples of **Euhippe** and **Tabala**; cf. also Mourgues 1987). This general picture can be further modified: A letter may be very close to a petition; something that can be said about Pliny min. X, 4.²³ There are also examples which tell us that the regulation could be bypassed by incorporating letters into petitions (cf. *CI* 8. 37, 1, from 200: *Licet epistulae, quam libello inseruisti, ...*). The best witness as to a set code is fairly late; this is given by Basilius Caesariensis (330-379) in *Epistulae* 111:

Ἄλλως μὲν οὐκ ἂν ἐθάρρησα δι' ὄχλου γενέσθαι τῇ μεγαλοφύῃ σου εἰδὼς καὶ ἑμαυτὸν μετρεῖν καὶ τὰς ἐξουσίας γνωρίζειν. Ἐπειδὴ δὲ εἶδον ἄνδρα φίλον ἐναγωνίως διακείμενον ἐπὶ τῷ μετακληθῆναι, ἀπετόλμησα αὐτῷ δοῦναι τὴν ἐπιστολὴν ταύτην, ἵνα ἀνθ' ἰκεσίας αὐτὴν προβαλλόμενος τύχη τινὸς φιλανθρωπίας. Πάντως δέ, εἰ καὶ ἡμεῖς οὐδενὸς λόγου ἄξιοι, ἀλλ' αὐτὸ τὸ μέτριον ἱκανὸν δυσωπήσαι τὸν φιλανθρωπότατον τῶν ὑπάρχων καὶ ἡμῖν δοῦναι συγγνώμην, ἵνα, εἰ μὲν μηδὲν πεπλημμέληται τῷ ἀνδρὶ, σωθῆναι αὐτὸν δι' αὐτὴν τὴν ἀλήθειαν, εἰ δὲ καὶ ἤμαρτεν, ἀφεθῆναι αὐτῷ δι' ἡμᾶς τοὺς ἰκετεύσαντας.
Otherwise I would not have had the courage to approach your majesty through the crowd, knowing both my own modesty and your powers. But when I saw a friend who had the right qualifications to be summoned, I

21 This passage is clearly intended to evoke compassion. Later even the classical lawyers adopted the abstracts, cf. Dig. 27. 1, 6, 19 (from Modestinus *Liber secundus excusationum*): *Mediocritas et rusticitas interdum excusationem praebent secundum epistulas divorum Hadriani et Antonini*. Cf. also Pseudo-Quintilian, *Declamationes maiores*, 13. 1: *nec sane vitae causa iam superest, si ad ceteras humilitatis nostrae contumelias hoc quoque accedat, ...*

22 By what channels the letter went is not easy to envision; I think Williams (1974:96) faced this question a bit rigorously when suggesting that this was done through the proconsul and the procurator as they were the only officials in the province who could forward epistles by means of the *cursus publicus*. See also Nörr (1981B:591), Williams (1986:189) and Mourgues (1987:82, n. 25).

23 For the date of the first ten letters of Book X, cf. Wolff (1976:282-92); this particular letter should be dated to early 98.

ventured to give him this letter in order that he, by the fate of some indulgence, should deliver it in place of the petition. At any rate, even if I am not worthy of any attention, my very modesty invites me to entreat the most forthcoming of the praetorian prefects to pardon me, so that, if the man has committed no offence, he shall be saved by truth itself, and, if he indeed has made a mistake, he shall be forgiven because of me, the supplicant.

On this background one may perhaps suggest *illicita* as a restoration in place of the other suggestions. The offence was not the improper contents, but the incorrect use of an *epistula* (there never was an excuse for using improper words when addressing the authorities, let alone the emperor). So one realizes why, within the relevant period, the two ways of communicating were so clearly kept apart; this distinction should be observed by modern writers too.

LI. 24-32: The oblique edge which has taken away virtually all of col. I, enters col. II at l. 10, but only from l. 24 is the damage so extensive that any restoration becomes futile. The remains, though, still give us some hints as to its contents. The continuous text of the *narratio* breaks off where the petitioners describe their first attempt at directing the attention of the emperor to their sufferings. The final sentence goes: ‘You, Caesar, can judge the flagrant injustice towards us [...]’. It is fair to assume that they then went on to tell about the fate of his first answer (cf. col. I, 78), i. e. that it did not lead to a *cognitio*. This has been felt as a strong argument by the petitioners, and can be supported by l. 25 [...]*omnino cognos*[...]; this topic is further focused on in l. 29 [...]*banus cogni*[...] The theme of corruption (l. 10) may be hinted at by l. 26 [...]*plane gratificati*[...] At the end (l. 31 [*praes(?)itare operas*]) working days, which are at the core of the *preces*-part, occur for the first time in what is left of the *narratio*. After l. 32 the stone has been cut off, but it is not likely that much text is missing. Any substantial addition following l. 32 would affect the proportions of the columns.

Col. III

L. 1 *miserrimos*: This can either be translated by ‘most wretched’ and seen as a referring to the tenants’ general condition or by ‘reduced to destitution’ where the epithet is chosen to describe the result of the events presented in the petition.

L. 2 *iam rursus*: The present case is the only instance in our material where it is documented that petitioners twice sought refuge with the emperor about the same issue. In **Skaptopara** ll. 56-59 repeated petitions to the provincial governors of Thrace are mentioned (*ἐνετύχομεν πλειστάκις τοῖς ἡγεμόσι τῆς Θράκης*). In **Aragua** ll. 22-23 the petitioners say that they have approached Philippus Arabs once earlier when he was *praefectus praetorio*. These statements should not be interpreted to imply that the petitioners wanted the emperor in his answer to seek a solution which did not include the governor (or, as here, the procurator). Furnished with the imperial rescript the petitioners had much better prospect of a fair process before the provincial governor.²⁴ Here, however, the petitioners report that the procurator had disregarded his first answer. This

24 For my suggested parallel, the *denuntiatio ex auctoritate*, cf. commentary on **Aragua**, ll. 2-4.

may in part explain that Commodus gave a very clear statement the second time: *procuratores ... curabunt* (col IV, ll. 4-6).

L. 2 divinae providentiae: to have his providence appealed to was no privilege of the emperor, cf. **Ain el-Djemala** ll. II, I, 12: *rogamus, procurato[res, per pr]ovidentiam vestram*. The singular position of the emperor is either marked - as here and in **Henchir Mettich** - by *divinus*, or *sacer* and *sanctus* as in l. 24, or col IV, ll. 13 and 14.²⁵

Ll. 3-4 rogamus ... subvenias: The primary predicates of the *preces*-part are given as independent subjunctives. This recurs in l. 5 (*sit*), l. 14 (*sit*), l. 18 (*subvenias* once more) and l. 27 (*praecipere digneris*). Being the only petition in Latin of some size, the comparative material for this construction is meagre. **Ain el-Djemala** col. I, 1 and 3 gives *rogamus [...] velitis* and the very damaged **Gasr Mezuar** l. 10 has *redegeris*.

Ll. 4-6 Ut kapite legis Hadriane quod supra scriptum est ... ademptum sit: The translations reveal that the first specific request of the *preces* has been interpreted in different ways.²⁶ The text seems to imply (following Flach, Freis and Kehoe) that the right to increase the shares of produce and the labour obligations was **generally** denied (*ademptum est*) by the *lex Hadriana*. With the passage *ademptum sit ius etiam proccb., nedum conductori* the petitioners ask for an amplification in order to frame their adversaries.²⁷

In three of the major inscriptions (cf. above 2) a *lex Hadriana* is mentioned or hinted at: **Ain el-Djemala** and **Ain Wassel**, which have a common source;²⁸ and here (the sub-

25 On the use of terms that sanctified the emperor, cf. Price (1984:245-7 and especially note 36 with reference to Frei-Stolba 1969). For the use of *sacratissimus*, cf. Frei-Stolba (1969) esp. pp. 31-5. Augustinus, *De vera religione* (?), *Sententiae, non tenens integram divinae providentiae disciplinam*. Cf. also *The Anonymus de rebus bellicis. Divina providentia, sacratissime imperator, ...*

26 Nostrand (1925): 'That the right which, in accordance with the clause of the *lex Hadriana*, as it has been written above, has been limited, continue to be limited with reference to procurators and especially to the lessor ...'; Lewis & Reinhold (1955): 'Let the procurators also, not to mention the chief lessee, be deprived of the right, as they are deprived by the section of the law of Hadrian cited above, ...'; Johnson & Coleman-Norton & Bourne (1961): 'Whatever in the section in the Law of Hadrian quoted above has been forbidden, let this right still be denied even to procurators and much more to a leaseholder ...' and Flach (1978): 'Wie es durch den Abschnitt des Hadrianisches Gesetzes entzogen ist, welcher oben angeführt wurde, sei auch den Prokuratoren, von einem Pachtunternehmer ganz zu zweigen, das Recht entzogen ...'; Freis (1984): 'Wie nach dem Kapitel des Hadrianischen Gesetzes, das oben angeführt ist, (das Recht) entzogen ist, so soll das Recht auch den Prokuratoren, von dem Pächter ganz zu schweigen, entzogen sein ...'; Kehoe (1988): 'As it has been denied in the chapter of the law of Hadrian, which is written above, let the right also be denied to procurators, let alone a lessee, to increase ...'.

27 Cf. the way the words *ne plus quam ter binas operas* have been inserted into the imperial *subscriptio* in col. IV, ll. 5-6 in order to 'improve' the imperial legislation.

28 See the text of Kehoe (1988:56-8). For us the most interesting passage is only preserved in col. II, ll. 7-13, of **Ain Wassel**: *iisque qui occupaverint possidendi ac fruendi eredique suo relinquendi id ius datur, quod est lege Hadriana comprehensum de rudibus agris et iis qui per X annos continuos inculti sunt*. 'To those who have occupied them that right of possession and enjoyment and bequest to one's heir is given, which is included in the law of Hadrian concerning vacant lands and those which have not been cultivated for ten consecutive years.' (Kehoe 1988:59)

stantial **Henchir Mettich** is Trajanic, probably 116-7). In the second century *lex* was no longer a term used in general legislation; its imperial use was rather - as here - limited to regulations of quarries and estates (cf. Wenger 1953:406-7).²⁹ The *lex Hadriana* or *leges Hadrianae* of these sources must be example(s) of restricted laws. It is still an open question, however, whether the *lex Hadriana* of **Saltus Burunitanus** is to be identified with the *lex Hadriana (de rudibus agris et iis qui per X annos continuos inculti sunt)* of **Ain el-Djemala** and **Ain Wassel**.

The **Ain el-Djemala** inscriptions constitute a dossier made up of many layers, and includes (col. II and III) a *sermo procuratorum Caesaris Hadriani Augusti*.³⁰ This part must then evidently be Hadrianic, and the contents are given as what *Caesar noster iubet*. It concedes to everybody the right to occupy those parts of named estates that are not in use and have not been used by the *conductores*. It further defines how the shares of these areas shall be divided.

Ain Wassel carries at its head a dedication to the joint emperors Septimius Severus, Caracalla and Geta (209-11). Further it records that Patroclus, an imperial freedman and procurator, has built an altar with a copy of the text of *lex Hadriana*.³¹ It then goes on to give the very same *sermo procuratorum* as **Ain el-Djemala**. The confusion of *lex* with *sermo procuratorum* was evidently not disturbing to Patroclus (see Flach 1982:451-2). Naturally this is a topic of intense and extensive debate:

Kolendo (1976:52) bluntly denies that the *lex Hadriana* of **Saltus Burunitanus** can be identical with the one referred to in **Ain el-Djemala** and **Ain Wassel**. The *lex Hadriana* of **Saltus Burunitanus** was an isolated law, issued to settle controversies between the *conductores* and the *coloni* about their obligations.³² An imperial law of this content is otherwise unattested.

Flach (1978 and 1982) takes the opposite position and argues that the *lex Hadriana* of the **Saltus Burunitanus** and the *sermo procuratorum* of **Ain el-Djemala** and **Ain Wassel** are identical. To Flach (1978:473-4, n. 150 gives references to views expressed earlier and 1982:450) it would not have been possible to operate with two different *leges Hadrianae* as this would have led to confusion as to which law one is referring to.³³ To him the relevant paragraph simply prohibited that the terms for cultivation could be

29 Some authors have expressed the view that the *lex Hadriana* should apply to the province of North-Africa and even all the provinces of the empire (cf. Flach 1982:455-6). If this had been the case, it would have called for a number of *leges* adjusted to local, provincial conditions. There is no evidence to support these suggestions.

30 There are many suggestions as to how to arrange this inscription, but it is outside our scope to present them in detail; for the latest attempt cf. Kehoe (1985:162-6).

31 Ll. I, 3-6: ... *aram legis divi Ha|adriani Patroclus Auggg. lib(ertus)| proc(urator) instituit et legem infra| sc̄riptam intulit*. '... Patroclus, imperial freedman and procurator, has built the altar of the law of the deified Hadrian and entered the law written below.'

32 '... dans Souk el-Khmis il est fait mention de la *lex Hadriana*, dont l'un des paragraphes interdisait aux procurateurs et aux *conductores* d'augmenter les redevances des colons (III 4-9). Cependant, cette loi n'avait rien de commun avec la *lex Hadriana de rudibus agris*. En effet, c'était un des règlements impériaux promulgués à l'occasion des controverses entre colons et *conductores* au sujet du montant des prestations.'

33 I quote Flach (1982:450) to give a sample of his argumentation: 'Zwischen einer *lex Hadriana de rudibus agris* und einer *lex Hadriana* zu trennen stösst indessen von vornherein auf Bedenken. Hätten sich die Bewohner des **Saltus Burunitanus** auf ein anderes Gesetz des Kaisers Hadrian berufen, so hätten sie es doch wohl näher bezeichnet, um möglichen Verwechslungen vorzubeugen. Bezogen sie sich aber auf dasselbe Gesetz, so folgt daraus, dass ihre Väter - sie selbst waren ja bereits *alumni saltuum* - von *agri rudes* oder *agri per X annos continuos inculti* Besitz ergriffen hatten. Nur unter dieser Voraussetzung konnte es die Belange der Söhne überhaupt berühren. Denn so viel ist sicher: Sein

altered to the disadvantage of the *coloni*. This was identified as **Ain el-Djemala** col. III, a-2 (= **Ain Wassel** col. II, ll. 13 - III, l. 1): *nec ex Blandiano et Udensi saltu maiores partes fructuum captorum quisquam debebit dare [con]ju[ctoribus] q[ua]m M[ancianas]* (translation in n. 35). The amount of *operae* was in turn regulated by the *litterae procuratorum* (col. II, ll. 9-10 and 26) which were modelled on the *lex Manciana* (see the commentary to l. 16) that fixed the basic terms. The *lex Manciana* is to be identified with *the perpetua in hodiernum forma* (col. III, l. 16).

Kehoe (1984:210-1; 1985:170-1 and the the monograph of 1988:69) has analyzed the inscriptions in great detail, but discussed this problem only in passing. He tends to follow Flach.³⁴

To reach firm conclusions is not possible. There is only a weak link between the identical passages of **Ain el-Djemala** and **Ain Wassel** and here, where the petitioners ask that the rules of the *lex Hadriana* be applied. Kehoe (1984:211) suggested that the petitioners pointed towards the most authoritative documents to support their appeal and that these included the *lex Hadriana*. The petitioners may indeed have been in a position where they found it useful to quote an imperial *dictum*, even if - strictly speaking - the ruling did not apply to them. On this point it is at least clear that the emperor did not comply with their request. In fact, the petitioners found the *subscriptio* so unhelpful on this point that they added to its text (see commentary on col. IV, ll. 4-8)!

Ll. 6-9 ius ... adversus colonos ampliandi partes agrarias aut operarum praebitionem iugorumve: The obligations of the *coloni* were partly bound to deliver *partes agrariae*, that is the agricultural shares to be handed over to the conductor, and partly to perform *operae*, that is days of free labour for the *conductor*. They also had an obligation to supply beasts of burden. The crop shares were the major commitment as this used be 1/3 of the total.³⁵

Both the total number and quality of the *operae* varied from estate to estate. This conclusion follows from the varying set of rules laid down for the *Villa Magna* in **Henchir Mettich** (col. IV, ll. 22-27), **Gasr Mezuar** (l. 1) and **Saltus Burunitanus** (col. III, ll. 11-13 and 26-27, col. IV, l. 6). In the **Henchir Mettich** the labour obligations were specified for ploughing, reaping and two days for unspecified work.³⁶ In addition service

vollständiger Name kann nur *lex Hadriana de rudibus agris et iis qui per X annos continuos inculti sunt* gelautet haben.' Flach's arguments do not support a firm conclusion. The *lex Hadriana* referred to has indeed been more closely defined by the words *quod supra scriptum est* (later in l. III, 25 it is simply *ex lege Hadriana*, but there at a point where the references are kept as brief as possible, cf. the compressed *ter binas operas*).

34 See Kehoe (1988:69): 'Finally, the SK [=Saltus Burunitanus] *coloni* seem to have been beneficiaries of the *lex Hadriana de rudibus agris*. The *coloni* refer to provisions in this law different from those that were laid down in the *sermo*, namely those prohibiting the alteration of existing rental terms to the disadvantage of the *coloni* (3.4-9, 3.24-7).'

35 Cf. **Ain el-Djemala** col. III, a-6 (= **Ain Wassel** col. II, 13 - col. III, 4): *nec ex Blandiano et Udensi saltu maiores partes fructuum captorum quisquam debebit dare conductoribus quam Mancianas, sed qui ea loca neglecta a conductoribus occupaverit, quae dari solent, tertias partes fructuum dabit*. '... nor [will anyone] from the estate of Blandus and Udens [be obliged to give] the lessees larger shares of collected crops than Mancian shares, [but whoever] will have occupied those places neglected by the lessees will give one-third shares of his crops, which are customarily [given].' (Translation of combined text in Kehoe 1988:59; cf. id. for the true readings of the two inscriptions.)

36 Col IV, 24-7: ... [*singulis in aratio*]nes operas n(umero) II et in messem operas n(umero) II et cuiusque generis singulas operas bin[as]. '... two days of labour for plowing, two days of labour for the harvest and two single days of labour of whatever kind.'

for *custodiae* was called for (on this point, cf. Flach 1978:460 and 1982:442). **Gasr Mezuar** (l. 12) gives *aratorias IIII, sartorias IIII, messicias IIII, et cui[us]*.³⁷ Finally **Saltus Burunitanus** has specified three times two days for plowing, weeding and harvesting.

LI. 9-13 et, ut se habent littere procuratorum, ... operas debeamus: Together with the preceding entry, these words show that the labour obligations were fixed individually for each estate, and they could not therefore be part of the more generally formulated content of *lex Manciana* or *lex Hadriana*. Letters by the procurators of *tractus Karthaginiensis* have set the terms on this point. The exchange of letters between the different officials in imperial service, is a characteristic of these inscriptions; equally their publication, cf. **Ain el-Djemala** col. IV and col. IV, ll. 10-24 of this inscription.

L. 10 in tuiario tuo: cf. critical apparatus. The epigraphical commentators wanted to see the reading *tabulario*, either as *tabulario* (Cagnat & Fernique 1881:97 and *CIL* VIII, 10570) or as *tabulario* (Nostrand 1925:53 and Flach 1978:490). The facsimile of Tissot (1880:between paginated pp. 80-1) has TVLARIO. The facsimile of *CIL* VIII, 10570 has TVIARIO which is changed to TAVLAR in *CIL* VIII, 14464. Cf. also the commentary of Dessau in *ILS* 6870 '*taulario ... videtur esse in lapide*'. The facsimile of *CIL* VIII, 10570 agrees with what I could recognize on the original and my own documentation (squeeze and photographs). This should consequently give us the coinage *tuiarium* formed on *tueor* and *-arium* (cf. *OLD* s. v. 'forms substantives usually denoting a place') with much the same meaning as *tabularium*. The reading of Nostrand and Flach requires a ligature of A and V, which is (not surprisingly) without parallels in the inscription (whereas the ligature V and A is common). The third letter to be read lacks the characteristic shape of the L (cf. e. g. the L in the following l. 11, *amplius*).

LI. 13-16 idque sine ulla controversia ... perpetua in hodiernum forma praestitum: Flach (1978:474-5) has - at last - given a satisfying interpretation of this passage. *In aere incisum* has been attracted to *in aere inciso*; *praestitu[m]* is dependent on *ab omnibus omnino undique versum*, where *undique versum* is an adverbial expression. The text suggested by Flach is convincing both in meaning and syntax: 'kept by absolutely all our neighbours in all directions'. The prescription to record on bronze was constructed with the accusative: *in aes incidere*; the reference to a bronze inscription, with the ablative, as here; cf. Williamson (1987:170).

The expression *perpetua in hodiernum forma* introduces the third category of statutes relevant for the estate. Kolendo and Flach identify this as the *lex Manciana*. We do not know the precise nature of this *lex*. Kehoe (1984:202-4) picks out T. Curtilius Manciana (PIR² C 1605), suffect consul in AD 55, as the most likely candidate to have carried the law. If

37 Cf. the commentary on **Gasr Mezuar**. The inscription breaks off at this point, but it is tempting to suggest a restoration after the model of **Henchir Mettich** (col IV, 26-7): *et cui[us]que generis operas IIII].* One objection may be that the 3 securely defined *operae* are asyndetically given (as in **Saltus Burunitanus** col. III, 11-4), whereas in **Henchir Mettich** they are all connected by *et*. Consequently, the link introduced by *et* in **Gasr Mezuar** may be of quite a different nature.

this identification is correct, one should - at this time of the empire - not think of a law in republican terms. Mancian may have been given a special commission to regulate imperial estates in North Africa; his regulations may in turn have been referred to as *lex*.

The evidence shows that this statute was widely applied, both geographically and in time (Kehoe 1984:197). Kehoe's main thesis (1985:171) is that 'the *lex Manciana* established the basic terms of tenure on imperial estates in the Bagradas valley', but he finds it 'impossible to prove that this document [*perpetua forma*] was the *lex Manciana*.'³⁸

We can now suggest the following ranges of the different regulations applicable to **Saltus Burunitanus**: 1) The basic regulation was the *perpetua forma* alias *lex Manciana*. For the *coloni* it regulated the shares of produce (*partes agrariae*) and the number and character of the *operae*. The *coloni* were granted the right to perpetual leasehold and bequest. 2) The *lex Hadriana* extended these regulations to unused land, i. e. land that had been left over after the centurization, land that was no longer in use or waste land that the *coloni* wanted to cultivate. Special rules were needed to stimulate these aims, but the *lex Manciana* still worked as a model and gave the spirit. In this set of rules, it can be deduced that the procurators and conductores were not given the right to alter the amount of labour obligations. Since the *lex Hadriana* is referred to in this inscription, it follows that such new land, in least to a degree, must have made up the Saltus Burunitanus. 3) To secure adaptability the labour obligations were fixed by the procurators of the *tractus Karthaginensis* in letters kept in the imperial archive there. This flexibility was, however, a one time phenomenon, since the imperial ruling approved the opinion of the petitioners that it could not be altered to their disadvantage.

Finally, we must underline that in the *preces* the conflict at Saltus Burunitanus is boiled down to the minor part of the obligation, the *operae*. The accusations against the procurator and Allius Maximus which were aired in the *narratio* went much further, but

38 Kolendo (1976:67) says: 'La *perpetua forma* était vraisemblablement un ordre répétant les normes de la *lex Manciana* qui étaient obligatoires non seulement sur le terrain du **Saltus Burunitanus**, mais aussi dans les domaines voisines, ordre sur lequel s'appuient justement les colons.' See also Flach (1978:473) who also gives references to preceding discussions (n. 150): 'Wie viel *operae* die Bauern des **Saltus Burunitanus** dem Konduktor zu leisten hatten, hätte seinerzeit der Prokurator des Verwaltungsbezirks Karthago nach dem Muster der *lex Manciana* entschieden. Ihr hätte er entlehnt, dass Kolonen jährlich nicht mehr als sechs Tagewerke zugemutet werden sollten. Deswegen wurde sie - und nicht etwa die *lex Hadriana* - in der Zeit des Commodus als bis auf den heutigen Tag fortgeltende Richtschnur, als *perpetua forma* angeführt, - der lateinische Begriff *forma* entspricht hier genau dem griechischen *γνώμων*.' The same view is restated in Flach (1982:453-4 and n. 103). The conclusion to Kehoe's discussion deserves a quotation as *Stand der Forschung* on this topic (1985:171): '1) The *lex Manciana* established the basic terms of tenure on imperial estates in the Bagradas valley. The *lex Manciana* may not have applied on every imperial estate, but other imperial estates would have had their own regulations similar to it. 2) *coloni* farming with Mancian leases were sharecroppers, and generally paid one-third of their crops as rent. They also had to provide a certain number of days of labor each year. The immediate landlords of the *coloni* were generally *conductores*, who leased for periods of five years the right to collect the rent and to cultivate land not already occupied by *coloni*. 3) The *coloni* held their land under perpetual leaseholds as long as they cultivated it, and they could bequeath their rights over their land. 4) The regulations embodied in the HM [Henchir Mettich] and AD [Ain el-Djemala] (and AW [Ain Wassel]) inscriptions extended the rights that *coloni* already enjoyed under the *lex Manciana* to new categories of land.'

they were not framed within the letter of the law. There is no doubt that the author of this petition in this way reveals himself as a man of dexterity.³⁹

The passage record that it has been cut in bronze and been applied to all neighbours in all directions (cf. above n. 5). In the Roman world statutes, decrees and laws were regularly engraved on bronze; this information is clearly linked to that practice to reflect or enhance the status of the document.

The epithet *perpetua* would be doubly deserving because the *lex Manciana* was the oldest set of rules and secured the *coloni* perpetual leasehold as well. Inscriptions on bronze also conveyed a lasting, almost eternal aspect.⁴⁰

L. 17 et procuratorum litteris quas supra scripsimus: This gives us another clue to the contents of the original petition and what was included on the missing column I, and it further enhances the impression of a carefully prepared document. Apparently the petitioners must have obtained an authenticated copy of these letters at the imperial archive in Carthage.

Ll. 18-19 cum homines rustici tenues: For a parallel the expression *homines tenues*, cf. Ulpianus, *Digesta*, 1. 18, 6, 5 (*De officio praesidis*): *Ne tenuis vitae homines sub praetextu adventus officiorum vel militum ... iniuriis vexentur, praeses provinciae providebit.*

L. 24 miser<eari>s ac sacro rescripto tuo n(on): Even if the text is fairly clear at this spot (cf above p. 4: Stone and measurements), it is very difficult to make sense of the spelling of the first word of the line. The critical apparatus gives a variety of interpretations. To me it seems to be MISERINUS. The ligature RI is the same as we have in the beginning of l. 12, ARATORIAS, and throughout the column. The verb is connected by *ac* to *digneris* in l. 27, and *miserearis* is accordingly what we should expect. This seems to be a situation where *res* has to give way to *ratio*, and I choose to print *miser<eari>s*.

Ll. 28-29 rustici tui vernulae et alumni saltuum tuorum: ‘your peasants, the adopted daughters and sons of your estates’, or ‘servants and adopted sons’. *Vernula* is used about male and female slaves born in a household, and *alumnus* is frequently used about quasi-adoption. I see no distinction between the uses of these two words, which were probably used to imply both sexes. This passage is set to raise pity and benevolence. They also tell us that these *coloni* have been residents for generations and were probably protected by the *ius possidendi ac fruendi eredique suo relinquendi*, which was originally part of the *lex Manciana* and later restated by the *lex Hadriana* (Ain Wassel col. II, ll. 7-9).

39 The qualifications called for Plutarch (*Moralia* 805a) summarised as follows: αἱ δίκαι τε λείπονται αἱ δημόσιαι καὶ πρεσβεῖαι πρὸς ἀντοκράτορα ἀνδρὸς διαπύρου καὶ θάρσος ἅμα καὶ νοὺν ἔχοντος δεόμενοι.

40 See generally Williamson's (1987) exposé on Roman, legal monuments on bronze; he gives a rather unexact reference to this passage on p. 169, n. 37.

Col. IV

LI. 3-4 Lurio Lucullo et nomine aliorum: The obligation to present the petition personally at the emperor's residence, was met by choosing a representative (in theory not different from embassies sent by towns; on this topic, see the commentary to *Skaptopara*, ll. 6-7); to use his name in the address of the imperial *subscriptio* seems to have been the common practise. Lurius Lucullus reappears in the letter of Tussanius Aristo and Chrysanthus to Andronicus, l. 15 and affirms that he has been charged with the case unto its *consummatio felix*. His name also appears in *Ain Zaga*, l. 5.

LI. 4-8 procuratores ... exigatur: The contents of the *subscriptio* are characteristically short and to the point. The expression *procuratores ... curabunt* must be the Latin original for the Greek rendering *φροντίζειν* or *φροντίδα ποιείσθαι* which is fairly common in rescripts of this nature (see commentary to *Kilter*, l. 7 and Lewis 1969:138). For the meaning and use of *disciplina*, cf. Pliny (X, 88, letter of Trajan): *Si qui autem se contra disciplinam gesserint, statim coerceantur*. Wallace-Hadrill (1981:312) did not give *disciplina* status as a proper virtue of the Roman emperors.

Both Mommsen (1880:389) and Flach (1978:491) say in their apparatus critici that the *coloni* have added *ne plus quam ter binas operas* to the imperial rescript (see also Nörr 1981A:28, and n. 83). No argument is given. On the stone these words are perfectly integrated; that they are spurious must be argued solely on internal criteria.

Now, there are reasons to believe that Mommsen and Flach are right. First, the expression has already appeared in the petition (col. III, ll. 26-7). In our material there is no parallel where an imperial rescript directly picks up the wording of a *libellus* as here.⁴¹

Furthermore, the repeated use of *ne* (5 and 7) appears to mark the word as a later addition and its insertion ahead of *curabunt* is awkward. Syntactically they should be connected with *curabunt* and *exigatur* and would better be expressed: *curabunt ne plus quam ter binae operae a vobis exigantur*. This would on the other hand demand that the genuine words of the actual *subscriptio* had to be omitted and others altered. A further consequence is that the text implies - contrary to fact - that the amount of labour obligations was fixed by an imperial statute; but as we have seen, this was fixed by the procuratorial letters.

Thus, these words seem to be spurious. The addition must reflect the petitioners frustration at the general wording of the *subscriptio*. The text of the original *subscriptio* would go: *Procc. - contemplatione disciplinae et instituti mei - curabunt ne quit per iniuriam contra perpetuam formam a vobis exigatur*. It would then in substance be very close to the *subscriptio* of *Aragua*, ll. 2-3: *proconsule vir clarissimus, perspecta fide eorum quae [adlegastis si] quid iniuriose geratur, ad sollicitudinem suam revocabit*.

A modern mind will of course object to such a redaction of an official document, and given the nature of the evidence, I know of no parallel. We must notice, however, that the inscription does not carry the authentication docket present in *Skaptopara* (ll. 2-7).

41 With the exception of *contra perpetuam formam* (cf. col. III, l. 16), but *forma* fits a general decision (cf. *Skaptopara*, commentary on ll. 165-168).

LI. 9-10: Et alia manu: Scripsi. Recognovi. Exemplum epistulae: Among the inscriptions rendering imperial *subscriptiones*, the authenticated as well as the unauthenticated, this is the only instance of the expression *et alia manu*. The expression reflects that the following word, or words, are written in a different hand (cf. Williams 1986:189); a feature that we can assume would have been fairly conspicuous on the original document. A famous example of this is Subatianus Aquila's letter to Theon, strategos of the Arsinoites, of 209.⁴²

It is hard to decide whether the inclusion of the words *et alia manu* reflects that the cutter is transcribing the original document, and added the words to indicate the change in handwriting, or a copy where the words already were included (cf. the fairly consistent hand of **Bephoure**). Nörr (1981A:28) has argued that the transcript was made on the basis of an original; whereas Williams (1986:190) supported the alternative view because the 'same phrase appears before the final greeting in the procurator's epistle, and the text of that document which was described by the mason is explicitly described as an *exemplum* [col. IV, ll. 10 and 21-22]: the original presumably passed into the hands of Andronicus, to whom it was addressed.' Williams explained the presence of *et alia manu* as proof of the care Lurius Lucullus showed when he took his copies in order 'to indicate that the originals had been authenticated by signatures of the original authors.'

The problem centers on the bearing of *exemplum*, which I find to have just the portion of uncertainty which makes it so difficult to get clear answers to our questions on these points.⁴³ The inscription in itself forms a copy and accordingly *exemplum* could refer to itself as it apparently does in the fragment of **Ain Zaga**. It is not probable that the **Ain Zaga**-inscription was made on the basis of a different source.⁴⁴ Further we may assume that the transition from the *libellus/ subscriptio* to the procuratorial letter was in need of an introduction (it is also marked by centering). On the other hand we have the papyrus which gives Appion's petition to Theodosius; there we read in l. 1 (hand b) *Exempl[um] prec[is]u[m]*.⁴⁵ Finally one may add that if Lurius Lucullus had shown great care when taking his copy, why did the inscription not reflect the actual procedure by giving the authentication formulas and the names of the witnesses?⁴⁶ On balance I find the arguments which support the view that the inscription was made on the basis of an original, the stronger. See also Seeck (1919:2-4).

42 P. Berol inv. 11532, =SB I, 4639; see also Zucker (1910); the extensive article of Cavallo (1965) and Pestman (1990:214-5, no. 54).

43 The best survey of the use of *exemplum* (coupled with *sacer*) is given by Drew-Bear in Drew-Bear & Eck & Herrmann (1977:360-2, commenting upon the Phrygian copy of the *Sacrae litterae*, from Mirtaz, with *Exemplum sacrarum Litterarum* at the head) who maintained that one should distinguish between private and official copies when one encountered this word.

44 Cf. also the petition from Orkistos, MAMA VII, no. 305 (=Chastagnol 1981); Ali-Faradin (=Diehl 1893) and Reynolds (1982:47).

45 The re-editors (Feissel & Worp 1988:100) believed this tag to indicate a copy prepared by the chancery. But apparently *exemplum* was used differently in the Late Empire, cf. Drew-Bear, Herrmann & Eck (1977:360).

46 When putting forward this argument, Williams apparently overlooked that there must be a difference between taking a copy personally and having a copy prepared for oneself. I assume that the latter must have applied to the copies of imperial *subscriptiones*.

LI. 10-24: These lines give the letter by the pair of procurators of the *tractus Karthaginiensis*, Tussanius Aristo, *procurator vir egregius*, and his *collega minor*, Chrysanthus, probably *Augusti libertus*. They have addressed the letter to 'their Andronicus'; he can tentatively be identified either as a *procurator regionis* or *conductor saltus*. The connection between the letter and the petition is positively secured as the name of the representative, Lurius Lucullus, reappears (15). By common procedure, Lurius Lucullus had to present the *subscriptio* himself; it is in this situation we are to look for the value of an authentication.⁴⁷ The total absence of any indication of *propositio* and authentication (the *descriptum et recognitum*-phrase), as well as the expression *quam ad libellum suum datam Lurius Lucullus [accepit]* most likely tells us that Lurius Lucullus got his answer directly in hand and not indirectly via a *propositio*.⁴⁸ The most striking feature about this letter, however, is that the narrative part of it has been deliberately erased.⁴⁹ This conclusion is obvious both from the witnesses and photographs (see n. 5). The two obvious questions which arise, concerning its contents and the reason for its erasure, cannot be answered. All we can say is that whoever erased it wanted to get rid of the instruction, but did not care about the other parts.

LI. 25-26 Feliciter consummata et dedicata: Cf. *ILS* 6870 (= *CIL* VIII, 22 737): *quod legionem urbicam gratuitam ad latium maius petendum duplicem suscepit tandemque feliciter renuntiaverit*. For the fragment of Ain Zaga, See Drew-Bear (1977:361, n. 30). For notices of completion and dedication of inscriptions, cf. ll. 54-57 of **Takina**: ἀνεστάθη ἡ στ[ήλη] ... γραμματοφύλακι Τακιν[έων].

47 On this point cf. the rescript of Diocletianus and Maximinianus (*Codex Iustinianus* 1. 23, 3): *Crispino praesidi provinciae Phoeniciae. Sancimus, ut authentica ipsa atque originalia rescripta et nostra etiam manu subscripta, non exempla eorum, insinuentur*. On the interpretation of this rescript, cf. Palazzolo (1977:67) who concludes that 'insinuare è letteralmente esibire *apud acta*, quindi ad un ufficio pubblico, quale potrebbe essere quello del governatore provinciale.'

48 Cf. Nörr (1981B:18) commenting upon the use of *datam*. An expression like *subscriptioem dare* is in itself not strong or compelling, but the expression [*accipere*] *subscriptioem datam ad libellum suum* is. For a parallel to the former, weak expression, see also *Codex Iustinianus* 7. 57, 5: *Imp. Gordianus A. Iucundo. Iudex, qui disceptationi locum dederat, partium adlegationes audire et examinare debuit. nam subscriptioem ad libellum datam talem, quae diversam partem in possessionem fundi mitteret, vicem rei iudicatae non obtinere non ambigitur. PP. XII kal. Febr. Gordiano A. II et Pompeiano cons.* [241]. Cf. also Honoré (1981:27), discussing the appearance of the abbreviation *D* in *Codex Hermogenianus*: 'But may be that in the *CH* at least a contrast is intended, and that *data* means 'given for dispatch', just as *dare epistulam* is to give a letter for dispatch [*Digesta* 47. 2, 14, 17].'

49 Dessau (1927:214, n. 1) suggested the following restoration: *Secundum sacram subscriptioem domini n. sanctissimi imp., quam ad libellum suum datam Lurius Lucullus [nobis exhibuit, omnis iniuria a colonis saltus Burunitani removenda est. Cura igitur ne quid praeter solitas operas ab eis exigatur.]*

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Vincent: *Bulletin de l'Académie d'Hippone* 22 (1887) 121.
CIL VIII, Supplement 1, 14428.

2) DISCOVERY AND PUBLICATIONS

Three fragments record this inscription which was discovered in 1882 and later reported in *Ephemeris Epigraphica* 5, no. 465, 1239 and 7 (1892) no. 223. These editions have in turn been included in *CIL* VIII, Suppl. 1, no. 14428. The relationship to **Saltus Burunitanus** and **Ain Zaga** was immediately realised. Originally, it must have constituted a document of equal length and importance to **Saltus Burunitanus**, but today its fragmented state gives us only some clues to its contents. The main fragment is in the Louvre, Paris, inv. no. Ma 3730, no. 175 in Ducroux's (1975:59) catalogue over Latin inscriptions in the Louvre.

For fragment A the editor of the *CIL*-edition based his text ('summa diligentia') on a study of the stone and his squeeze. Vincent and Papier published an edition in 1882, and Papier once again in 1883. Papier then published fragment B in 1884 and fragment C in 1887. The edition of 1882 was made in *Comptes-rendus de l'Académie d'Hippone*, all the others in *Bulletin de l'Académie d'Hippone* (vols 18, 19 and 22). There are no recent reports on the small fragments B and C.

3) DESCRIPTION

The editors reported an inscription broken into three pieces: A, B and C.

Fragment A carries the most extensive text and has traces of 20 lines. *CIL* gives the measures 0.50m high, 0.79 wide and 0.36 thick.¹ The height of the letters is uniformly 0.015-0.016m. The inscription was cut on a lime stone which now is very eroded; the surface, including the letters, has in some places come or scaled off to a depth of a few mm. (e. g. at the *lacuna* just before the end of ll. 2-4). In its present conditions the stone does not allow us to verify some of the readings of *CIL*.

Contrary to the impression conveyed by *CIL* (for ll. 11-16) the fragment is damaged on all sides and it is not possible to establish the number of letters per line.

¹ The measurement of Ducroux' catalogue gives the width to 1.78 - clearly a misprint.

It is not clear to me how it was established that fragments B and C belonged to the same monument. Accordingly it has not been possible to relate these fragments to each other.



Fig. 2: Photo of Gasr Mezuar. © The Louvre, Paris.

4) TEXT AND CRITICAL APPARATUS

Fragment A:

- 1 [- - - - -]v[---]
 [- - - - -]NSI[...S·Ñ·P[---]
 [- - - - -]R̄IIA[..]ACRI [.....] DE NOSTRO[---]
- 4 [- -]IIICII CONS[IT]ORVM ET SI QVANDO CEIIA[.....]IV[---]
 [- -]ENDAS NVLLVS ENIM NON CVM T[E]RTIO VEL QVAR[TO] HOMI[---]
 [- -]ERTAMVR VBI LIBERE MORARI POSSIMV[S.....]ES TVTATVR[---]
 [- -]EBIMVS ITA TAMEN VT LIÇEAT CVM OPVS FVERI[T....]AM FACERE STR[---]
- 8 [- -]PALEAM IN LATERIBVS DUCENDIS ET M[.....]S COND[.....]S[---]
 [- -]ITANIVS FELIX·P·QVINTI·F·L·OCTAVI[VS IAN]VARIVS N[---]
 [- -]OFFICIA·REDEGERIS·IN POTESTATEM [ILLO]RVM. IDEO REM[---]
 [RO]GAMVS·DOMINE PER SALUTEM·TVAM·SVCCVRR[A]S·NOBIS ET[---]
- 12 [-]NT ARATORIAS·IIII·SARTORIAS·IIII·MESSICIAS·IIII·ET CVI[-----]
 [-]RVM FRVCTUM ET TABERNAE QVAE SEMPER PVBLICIS VSIBVS[---]
 [-]ENTI DE CUMMUNE RE·M·C·SINGVLOS·MODIOS PRAESTA[---]
 [-]T·TOTIDEM PRAESTARE DEBETIS·CAECILIO MARTI[ALI] [---]
- 16 [AN]TISTIO·BVRRO · COS · ITEM · EXEA[---]
 [- -]SI ET SECVNDVM IVSSO TVO CONT[---]
 [- - - - -]IDM[---]
 [- - - - -]M IN[---]

CRITICAL APPARATUS

Abbreviations:

- CIL Editor in *CIL* VIII, suppl. 1, no. 14428
 M Theodor Mommsen in *CIL*
 H author

- L. 2: *n(oster) p(ater)* H
 L.3: *[me]rita [s]acri* CIL
 L.4: *[di]fficili consitorum, et si quando cella* M
 L. 5: restored CIL; *homi[nis laboribus respondet]* cf. Columella 3. 3, 4, M
 L. 6: *POSSIMU[S]* CIL
 L. 7: *[deb]ebimus* CIL; *[palea]m fac[ere] str[amento]*, cf. Plin. Mai. *HN* 18., 30 (72) CIL
 L. 9: names restored by CIL
 L. 10: *[ubi hos et horum] officia redegeris in potestatem, [in futu]rum id eo rem[unerabitur]* M
 L.11: restored CIL
 L. 12: *[neve tot nobis operas imponant quot imposueru]nt* M; at the end perhaps: *et cui[usque generis singulas operas iiii]*, cf. Henchir Mettich, *CIL* VIII, 25902, IV, ll. 26-27 H
 L. 14: *m(odios) c(entum)* CIL
 L. 15: *Marti[ali]* H

20 [- - - - - - - -]DVCTO[- - -]

Fragment B:

1]VA[
]AT[
]ARIAT[
 4]NV[

 [ll. 5-7 are fading]
 8]LA...EIUI[
]MAICV[
]QUOD AD OPERA[
]ANTONINO AUG·III[
 12]M ACCESSIMUS FUTURIS[
]SENTENTIAM TUAM INCESSA[
]E[...]ISIVH[...]EIUS TIBERIANUS FIL COCCei TIBERI[
]IMUS ORFITO ET]PRISCO CO(N)S(ULIBUS)]

Fragment C:

1]BELLO FECIMU[S
 P]ROCURATOR[I
]SENS ERIT VIIUM[
 4]G. I. OCTAV[

CIL-editor's suggestions:

[--]nsi [...]s n(oster) p [me]rita [s]acri [.....] de nostro iici con[si]torum et si quando ceia[.....]iu [patientiam abrumpemus, facile eo res deducetur, ut his saltibus secedamus ad eorum iniurias effugiendas nullus enim non cum t[e]rtio uel quar[to] homi[ni id imperatur, quod semel debet, patientiam abrumpet, nec quicumq[ue] supererit nisi ut domum re]ertamur ubi libere morari possimu[s; si] v[ero] leg[es] tutatur [maiestas tua, non amplius ter quaeternas praestare deb]ebimus ita tamen, ut liceat cum opus fueri[t] palea]m fac[ere] str[amento] - paleam in lateribus ducendis et m[.....s] cond[?endi]s [...]tanius Felix P. Quinti f., L. Octavi[us Ian]uarius M. [nomen - cum hos et horum] officia redegeris in potestatem [illo]rum. ideo rem[in]iscaris servorum tuorum et contra conductorum iniurias nobis subvenias. [-ro]gamus domine per salutem tuam succurr[a]s nobis et [sacro rescripto praecipias ne ultra illi miseros colonos vexent].

[Subscriptio imperatoris]

[... operas ne amplius vobis impona]nt aratorias iiii sartorias iii messicias iii et cui[....]rum fructum et tabernae quae semper publicis usibus [inservivit - vos praestare iubeo ... Clem]enti de cummun[i] re m(odios) c(entum) singulos modios praesta[are tot - e]t totidem praestrare debetis Caecilio Marti[ali] -

[datum Romae Imp. Caes. L. Urelio Commodo III et L. An]tistio Burro cos. Item exe[mplum] epistulae procuratoris e. v. - ...]si et secundum iusso tuo cont[ra] conductorum iniurias colonis subveni] - id m[-] m. in[- con]ducto[res -]

6) COMMENTARY

General outline

The fragmentary state presents us with formidable difficulties when trying to analyse this inscription. The editor of *CIL* made a number of fanciful restorations (all quoted *in extenso* in n. to l. 20), which prove to be of little value because he did not establish the number of letters per line.

The divisions

In **Saltus Burunitanus** col. III, ll. 3-4 (*vv et ideo rogamus, sacratissime imp., subvenias*) introduced the *preces*. Ll. 10-11 of **Gasr Mezuar** gives *ideo rem[- - - ro]gamus, domine, per salutem tuam, succurr[a]s nobis et[...]*. This should tell us that l. 11 probably belongs to the start of the *preces*. On the other hand, the *CIL*-editor (p. 1403) assumed l. 11 to be the end of the petition as he located the start of the imperial *subscriptio* in l. 12. The best reason to follow the division of *CIL* must be the use of the 2. plural in l. 15 (*debetis*), but this is again offset by *iusso tuo* of l. 17. These two views are evidently incompatible. In all events, there are in l. 12 neither space for nor traces of the address of the *subscriptio*.

Our conclusion about the start of the *preces* is supported by the contents of ll. A, 12-16. In **Saltus Burunitanus** it was clearly stated that the *operae* were specified in procuratorial letters kept in the imperial archive in Carthage (col. III, ll. 9-13). Further, the *subscriptio* of Commodus frustrated the petitioners by giving only a general statement. Under any circumstances it is fair to assume that Commodus would have handled this petition as he did **Saltus Burunitanus**, not least because **Gasr Mezuar** apparently belongs to the same year (cf. ll. A, 14-16). To see ll. A, 12-16 as the imperial *subscriptio*, would (1) be inconsistent with the general formulation used in **Saltus Burunitanus**, (2) intrude upon the administrative structure of the estates as this question was decided at the procuratorial level of *tractus Carthaginiensis* and (3) would make the decision unduly long in comparison with other *subscriptiones*.²

In **Saltus Burunitanus** the opening of the *preces* is immediately followed by a reference to a quotation from the *lex Hadriana* 'written above'. Ll. A, 15-16 gives a consular dating (181); this date may rather belong to a letter or document quoted to support the writers' claim, even if it is problematic that it occurs this late in a petition (quotations are regularly part of the *narratio*). On the other hand, epigraphic copies of imperial *subscriptiones* do not include a consular date.³ L. A, 6 [*re]vertamur ubi libere morari possumu[s]* ('[so that] we shall return to where we can live freely') touches the familiar theme of abandonment/ escape which is present in many petitions: **Dagis C**, 9-14 (*preces*), **Ağa Bey Köyü** ll. 43-50 (*preces*), **Skaptopara** ll. 59-66 and 75-78 (*narratio*), ll. 94-9 (*preces*) and **Aragua** 32 (*narratio*). This motive is ostensibly movable and appears in both the *narratio* and the *preces*. The following l. 8, *paleam in lateribus ducendis*, 'sand to make bricks', is a piece of information that belongs to the *narratio*.

2 On this point cf. the lucid discussion by Palazzolo (1974:262-74). The general principle was to leave the greatest possible discretion to the provincial governor. More precise instructions, however, were given in matters decided in Rome *per formulas* (272-3).

3 E. g. absent in **Saltus Burunitanus** and **Aragua**; this was, however, part of the authentication, cf. **Skaptopara** ll. 2-3.

Our conclusion will then be that fragment A gives the final part of the *narratio* and the beginning of the *preces*. Consequently, traces of the imperial *subscriptio* must be searched for either in the tiny pieces B or C or are not preserved at all.

The contents

To give a description of the essence of the petition is for obvious reasons impossible. The contents of ll. 8 and 12 may indicate that the problem is not very different from that in **Saltus Burunitanus** where the focus was upon the amount of labour obligations. The information of the passage *paleam in lateribus ducendis* is surprisingly specific, and it may give us a hint that the *conductores* used the *coloni* at a brick-work without offering any compensation as this work - in the view of the *conductores* - was covered by the days of free work. This leads to the statement in l. 12 of what was the original purpose of these days of uncompensated work. One should note that the amount of *operae* at **Gasr Mezuar** was significantly higher than what was specified for both *Villa Magna* and **Saltus Burunitanus** (6 days at each of those places, but differently distributed). I have suggested the restitution *et cui[usque] generis operas singulas iiii]* using the template provided by **Henchir Mettich** (*CIL* VIII, 25902; see also app. crit.). If correct, this will for **Gasr Mezuar**, bring the total to 16 days. Accordingly, both for *coloni* and *conductores*, the use of *operae* would be of great significance, not to say a central question, on this estate. Moreover, the obligation to engage in general, uncompensated activities, and in this case in brick-making, would bring the *coloni* out of their familiar agricultural context, and dangerously close to an unfree condition, working side by side with slaves. L. 6 supports this supposition: *[re]vertamur ubi libere morari possimu[s]*. We may thus conclude that the conflict centered upon - not the right to change the amount of *operae* - but the right to change the kind of work the *coloni* could be set to do. Apparently this was a delicate problem where imperial sagacity was needed.

Gasr Mezuar has not attracted much attention from the commentators, even if it has been referred to in connection with the more substantial North-African inscriptions. Millar (1977:541-2) makes reference to it when discussing **Saltus Burunitanus** and says that the two inscriptions have a close resemblance but says 'it does not necessarily follow, however, that these peasants [**Gasr Mezuar**] were also on such an estate.' What moved him to this statement, I do not know; but **Gasr Mezuar** is just such an estate and the peasants' desire to remain in agricultural work is evidently the essence of the petition. The difference is about the amount and purpose of obligatory labour.

AĞA BEY KÖYÜ, *Asia, Lydia.*

Petition (*libellus*) from peasants on an imperial estate in the region of Philadelphia to two or more emperors. Probably Severan era, 197-211 or Philippian, 244-249.

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b) texts

The only critical text is in **Keil & Premmerstein** (1914, no. 55).

c) translations

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2) DISCOVERY, PUBLICATION AND PRESENT STATE OF PRESERVATION

Keil & Premerstein found the inscription in 1911 and published it three years later (Keil & Premerstein 1914). The village **Ağa Bey Köyü** is in the mountainous region (Uysal Dağ) between Alaşehir (Philadelphia) and Sülünlü (Blaundos) on the southern side of the valley. The village **Ağa Bey Köyü** has a lofty position facing north. When Keil & Premerstein visited it, the ruins bore witness to an important settlement.¹ Today it is best reached following a gravel road running southwards from the road connecting Alaşehir with Eşme.

I visited the village in November 1992. The villagers told me that the main çessme at the centre of the village, facing the café, had been redecorated some 15 years earlier. There were no traces of the inscription. Some said it had been covered in plaster, others said it had been broken into pieces and that the remains had been put in the foundation. The çessme corresponded well with Keil & Premerstein's description. Anyhow, the complete inscription has suffered badly, this appears from a fragment which at some time was brought to the museum at Uşak (there is no inventory number) and which was notified by Georg Petzl in 1994. Petzl later presented the contents at the XI International Congress of Greek and Latin Epigraphy in Rome 1997. The fragment contains the middle of ll. 1-11, and accordingly allows us to establish a part of the text of l. 1 which Keil & Premerstein were not able to see ('eine Zeile verdeckt'). The extent of the fragment appears from the separate text.

Keil & Premerstein gave a commentary (no. 55) which was even fuller than the one for **Kemaliye** (no. 28). **Ağa Bey Köyü** has also been frequently quoted and referred to in histories of the period (Rostovtzeff, Calderini, Magie).

¹ Keil & Premerstein (1914:18): 'Eine nach den erhaltenen Ruinen nicht unbedeutende Katoikie bezeichnet das bereits im Flussgebiete des Mäander auf luftiger Bergeshöhe stehende Dorf A.'

3) DESCRIPTION

Design and measurements

Keil & Premerstein reported that the text was cut on a bluish marble stele 1.58m high, 0.63 broad and 0.18 thick. At the top there was a gable with a relief of an eagle. The text was entered on a somewhat narrower shaft (0.56 broad). On this there were profiles which also carried text (ll. 1-7, top, and 46-54, bottom; 33 and 28 cm high, respectively). The stele ended in a 0.21 wide and 0.18 deep unworked peg used for fixing it to its base.² At the time of discovery the stele was at the back of one of the waterbasins at the village cistern (no. three from the right). The left side was still covered; some part of the right side was uncovered for the editors; this side bore no text.

The lower part of the eagle is still visible in the fragment kept at Uşak museum. The fragment does not give any clear impression of the profiles, but there is some extra leading between ll. 7-8.

Form of letters

The letters are 2 cm high and their form indicates the end of the second or the first half of the third century. The quality of writing is poor. At many places the text is displaced. The petition is not complete, but the undamaged part gives a sound text that leaves only a few uncertainties (l. 45 e. g.); these are again apparently due to mistakes by the author or stonecutter.

By using angular M, E and Σ the stone cutter had given himself great liberty in forming ligatures. These occur all over the inscription, mostly tying two letter together, occasionally three (ll. 33, THNEIΣTA; and 41, EANMH) and once four (l. 42, TETOAMHME-). In contrast to **Saltus Burunitanus** and **Aragua** there are no vacats to show the transition between the rhetorical parts.

Documentation

The inscription is reproduced on three squeezes kept at the Kommission für kleinasiatische Epigrafik, Vienna, where it is filed under Lydia, Ağa Bey Köy; the squeezes are marked a (ll. 5-26, ll. 2-4 are not documented); b (ll. 25-48) and c (ll. 47-54). The squeeze is particularly weak at the beginning of ll. 25-34. There is a cross reference to Keil & Premerstein's notebook (XIII, 20, where the drawing/ facsimile includes ll. 2-4). I was able to inspect the squeezes and the notebook during a visit to Vienna and Cologne in May, 1991.

² This information is taken from the notebook.

4) TEXT, CRITICAL APPARATUS AND TRANSLATION

1 [...ἀρ]ιθμὸν κγ' ὡς καὶ φρουμε[νταρι]-
 [...]ντας ἰδεῖν κατὰ δίοδον τὴν ω[.....]οι[..
 [...]ντος. καὶ ἵνα δόξη τις τῆς τοσαύτης αὐτοῖς θ[ρα]-
 4 [σύτ]ητος ἀπολογία καταλιμπάνεσθαι, ἐνέα σ[υλ]-
 [λαβό]ντες καὶ ἐν δεσμοῖς ποιήσαντες ἔφασκ[ον]
 [παραπ]έμπειν ἐπὶ τοὺς κρατίστους ἐπιτρόπ[ους]
 [τοὺς ὑμ]ετέρους διέποντας Αἰλίου Ἀγλάου [τοῦ]
 8 [κρατίσ]του καὶ τὰ τῆς ἀνθυπατείας μέρη. Κα[ῖ]
 [τὸ]ν μὲν ἕνα τῶν ἐννέα ἀργύριον ἐκπρα-
 [ξ]άμενοι ὑπὲρ τὰς χειλίας Ἀττικὰς λύτρον
 [τ]ῆς σωτηρίας ἀφήκαν, τοὺς δὲ λοιποὺς κατ[ε]-
 12 σχαν ἐν τοῖς δεσμοῖς. καὶ οὐκ ἴσμεν σαφῶς,
 θειότατοι τῶν αὐτοκρατόρων, ὀπότερον ζῶν-
 τας τούτους παραπέμψουσιν παρὰ τὸν κράτισ-
 16 τον Ἀγλαον ἢ καὶ αὐτοὺς διαθῶνται παραπλησί-
 ον τοῖς φθάνουσιν. ἡμε[ῖς] οὖν, ὅπερ ἦν δυνατὸν
 ἀθλίους ἀν[θ]ρώπους ἀφηρημένους καὶ βίου καὶ
 συγγενῶν οὕτως ὠμῶς, ὃ δυνατὸν ἡμεῖν ἦν, ἐ-
 δηλώσαμεν ταῦτα καὶ τῷ τῆς τάξεως ἐπιτρό-
 20 πῳ ὑμῶν Αὐ[ρ(ηλίω)] Μαρκιανῷ καὶ τοῖς ἐν Ἀσίᾳ κρατ[ίσ]-
 τοῖς ἐπιτρόποις ὑμῶν· ἰκέται δὲ τῆς ὑμετέ-
 ρας γεινόμεθα, θειότατοι τῶν πώποτε αὐτοκρα-

CRITICAL APPARATUS

Abbreviations:

KP Keil & Premerstein (1914)
 H author

L. 1: This line was covered up at the time of KP's visit. The text is taken from the fragment at Uşak museum.

L. 2: 8 letters covered up between ω and οι

L. 7: διέποντας: διέποντος KP

L. 14: παρα των: παρὰ τόν KP

L. 15: ἢ KP

- 24 [τ]όρων, θείας καὶ ἀνυπερβλήτου βασιλείας, καὶ
 [το]ῖς τῆς γεωργίας καμάτοις προσέχειν κεκωλυ-
 [μ]ένοι - τῶν κολλητιῶνων καὶ τῶν ἀντικαθεστώ-
 των ἀπειλούντων καὶ ἡμεῖν τοῖς καταλειπομέ-
 νοις τὸν περὶ ψυχῆς κίνδυνον - καὶ μὴ δυνάμενοι{ς}
 28 ἐκ τοῦ κωλύεσθαι τὴν γῆν ἐργάζεσθαι μηδὲ ταῖς δε-
 [σ]ποτικάις ἐπακούειν ἀποφοραῖς καὶ ψήφοις πρὸς
 [τ]ὰ ἐξῆς. καὶ δεόμεθα εὐμενῶς ὑμᾶς προσέσθαι τὴν
 δέησιν ἡμῶν καὶ ἐπιθέσθαι τῷ ἐξηγουμένῳ τοῦ
 32 ἔθνους καὶ τοῖς κρατίστοις ἐπιτρόποις ὑμῶν ἐκ-
 δικῆσαι τὸ τετολμημένον, κωλύσαι δὲ τὴν εἰς τὰ
 χωρία τὰ δεσποτικὰ ἔφοδον καὶ τὴν εἰς ἡμᾶς ἐν[ό]-
 χλησιν γεινομένην ὑπὸ <τ>ε τῶν κολλητιῶνων
 36 καὶ τῶν ἐπὶ προφάσει ἀρχῶν ἢ λειτουργιῶν τοὺς ὑ-
 μετέρους ἐνοχλούντων καὶ σκυλλῶντων γεω[ρ]-
 γοὺς τῷ πάντα τὰ ἡμέτερα ἐκ προγόνων προὔπε[ύ]-
 θυνα εἶναι τῷ ἱερωτάτῳ ταμείῳ τῷ τῆς γεωργί[ας]
 40 δικαίῳ· τὰληθῆ γὰρ πρὸς τὴν ὑμετέραν θειότητα
 εἴρηται. ὦν ἐὰν μὴ ὑπὸ τῆς ὑμετέρας οὐρανοῦ δε-
 ξιᾶς ἐκδικία τις ἐπὶ τοῖς τοσοῦτοις τετολμημέ-
 νοις ἐπαχθῆ καὶ βοήθεια εἰς τὰ μέλλοντα, ἀνάγ-
 44 κη τοὺς καταλελειμμένους ἡμᾶς, μὴ φέροντας
 τὴν τῶν κολλητιῶνων καὶ τῶν <ἐξ> ἐναντίας, ἐφ' αἷς
 προειρήκαμεν προφάσεσιν, πλεονεξίαν, κατα-
 λ{ε}ιπεῖν καὶ ἐστίας πατρώας καὶ τάφους προγονικο[ύ]ς
 48 μετελθεῖν τε εἰς ἰδιωτικὴν γῆν πρὸς τὸ διασωθῆναι -
 φεῖδονται γὰρ μᾶλλον τῶν ἐκεῖ κατοικούντων οἱ τὸ[ν]
 πονηρὸν ζῶντες βίον ἢ τῶν ὑμετέρων γεωργῶν -
 φυγάδας <τε> γενέσθαι τῶν δεσποτικῶν χωρίων, ἐν οἷς

L. 27: δυνάμενοι: δυνάμενοι KP

L. 30: εὐμενῆ: εὐμενεῖς οἱ εὐμενῶς KP

L. 35: ὑπο δε: ὑπὸ τε KP

L. 37: σκυλλόντων (so) KP; σκυλλῶντων H

L. 41: ἤρηται (so) KP; εἴρηται H; οἱ: ὦν KP

L. 45: *ἐναντίας; KP suggested that it was a synonym for ἀντικαθεστώτων or to amend it into τὴν τῶν κολλητιῶνων καὶ τ(ῆ)ν (ἐπ') ἄ(λλαι)ς ἐφ' αἷς πρ. πλ. (cf. l. 35). τῶν <ἐξ> ἐναντίας H. Robert (1943:117, n. 2): 'Sans doute une ligne omise par le graveur.'

L. 51: <τε> KP

- 52 «καὶ ἐγεννήθημεν καὶ ἐτράφημεν καὶ ἐκ προγόνων
 διαμένοντες γεωργοὶ τὰς πίστεις τηροῦμεν τῷ
 δεσποτικῷ λόγῳ.

TEXT OF THE FRAGMENT AT UŞAK MUSEUM²

- 1 [..ἄρ]ιθμὸν κγ' ὡς καὶ φρουμε[νταρι-]
 [..]ντας ἰδεῖν κατὰ δίοδον ἴτην ω[.....]οι[..
 [..]ν¹τος καὶ ἵνα δόξη τις τῆς τοσαύτης αὐτοῖς θ[ρα]-
 4 [σύτ]η¹τος ἀπ'ολογία καταλιμπάνεσθαι, ἐνέα σ[υλ]-
 [λαβό]ν¹τες κ'αὶ ἐν¹ δεσμοῖς ἴποιήσαντες ἔφασκ[ον]
 [παραπ]ε¹μπειν ἐπὶ τοὺς κ'ρατίστους ἐπιτρόπ[ους]
 [τοὺς ὑμ]ε¹τέρους διέποντ¹ος Αἰλίου Ἀγλάου [τοῦ]
 8 [κρατίσ]τ¹ου καὶ τὰ τῆς ἀνθηπατείας μέρη. Κα[ὶ]
 [τὸν μὲν] ἕνα τῶν ἐννέα ἰαργύριον ἐκπρα-
 [ξ]άμενοι¹ ὑπὲρ τὰς ἴχειλιάς Ἀττικὰς λύτρον
 [τῆς σωτ]ηρίας ἀφῆκαν, τοὺς δὲ λοιποὺς κατ[ε]-
 12 σχαν ἐν τοῖς δεσμοῖς, ...

TRANSLATION

Narratio (final part, II. 2-21)

(Il. 1-8) - - -] in a number of 23 as also *frumentarii* [...] to see on their way through [...] and to leave an impression that such an outrage was justified, they [arrested] nine, put them in chains and asserted that they were [sending] them [under escort] to your procurators of equestrian rank, as Aelius Aglaus, the equestrian, was also managing the affairs of the proconsulship. (Il. 8-16) And they released one of the nine after having exacted a cash ransom for his salvation of more than a thousand Attic drachmas, but the others they detained in chains, and we do not know for sure, most divine of emperors, whether they will escort them alive to the equestrian Aglaus or may dispose of them too as they did with the previous ones. (Il. 16-21) We, therefore, did what was possible for pitiable people bereft of life and relatives, what was possible for us: we informed your

L. 52: βα: «καὶ KP

2 The text of the fragment is given in **bold** with supplements from the text of **KP**, which is separated by Π.

procurator of the administrative region, Aurelius Marcianus and your equestrian procurators in Asia.

Preces (ll. 21-53)

(ll. 21-27) Most divine emperors ever, we are becoming supplicants of your divine and unsurpassed kingship since we are prevented from attending the toil of tilling the soil because the *kollētiōnes* and those confronting (us) present this deadly threat also to us who remain. (ll. 27-30) Since we are being repressed, we are also not able to pay the imperial - collective as individual - impositions for the future. (ll. 30-41) And we beg that you will be favourably disposed towards our supplication and to instruct whoever in charge of the province and your equestrian procurators to punish the outrage and to prevent the approach to the imperial estate and the harassment of us performed by the *kollētiōnes* and those who on the pretext of offices and liturgies harass and trouble your peasants - because all that is ours is from the time of our forefathers subject to the most sacred fisc by the law of the estate - for the truth has been told to your divinity. (ll. 41-48) If there is not by your heavenly justice exacted some punishment for this because of all these outrages and help for the future, it will become unavoidable for us who remain - because we can not bear the greed of the *kollētiōnes* and our adversaries - to leave both the hearths of our fathers and our ancestral graves and to move to private land in order to survive - (ll. 48-54) for those who lead this wicked life spare rather those that live there than your peasants - and we will become fugitives from your imperial estates where we were both born and raised and from the time of our ancestors as peasants have kept faith with the imperial account.

6) GENERAL COMMENTARY

Configuration

As it stands the text can be divided as follows: Ll. 1-16 render the final details of the *narratio*. Ll. 16-21 form the end of the narrative by pointing to the approaches to the provincial authorities. The *preces* is announced at l. 21 with *ίκέται δὲ τῆς ὑμετέρας γεινόμεθα ... θείας καὶ ἀνυπερβλήτου βασιλείας*, but does not start until the characteristic *δεόμεθα* of l. 30 (cf. Part II, chapter 1, para. 6: The transition etc.). At the end (ll. 41-53) there are elements of a short *peroratio*, but this *coda* is not isolated syntactically. The editors described l. 54 - without doubt correctly - as the obvious end of both the petition and the monument.

The first line leads us in *medias res*, so Keil & Premerstein concluded that the imperial rescript and the start of the petition must have been entered on a separate stele: The right side was uninscribed, the left side covered up. Under any circumstances they

judged the sides too narrow to accommodate the substantial, missing portions.³ The Uşak fragment confirms Keil & Premerstein's description of the monument.

As a general remark to this phenomenon one may say that it is not easy to substantiate that documents were divided between two or more stelai. The prospect of recovering both stones would be meager, especially in cases like this where the monument has been moved from its archeological context.⁴

General outline

The petition is forwarded by γεωργοί (ll. 24, 39, 50 and 53), peasants or *coloni*, on an imperial estate (ll. 33-34, 51 and 53).⁵ *Kollētiōnes* and *frumentarii* (ll. 1, 25-27, 35-27 and 45-46) have caused this complaint by entering the estate on several occasions (l. 16), harassing and even fettering the peasants' companions. This was done on the pretext of liturgies and magistracies. In the last event the soldiers had nine peasants arrested in order to pass them on to the imperial procurators (ll. 4-8). One had been bought free for the sum of a thousand drachmas (ll. 8-11). Advances to the procurator administering the imperial estates of the region as well as to the procurators on the provincial level had been to no avail. The main argument is that under these conditions the petitioners will no longer be able to work the soil and to pay the imperial taxes (ll. 28-30). Further they contemplate moving to private estates whose peasants were better protected (ll. 46-50). The sum of the petition is that the emperors should direct the proconsul and the procurators to exact punishment and stop the hostile incursions into the estate (ll. 30-35), and they ask for assistance (l. 43).

Dating

Ağa Bey Köyü has several characteristics in common with **Kemaliye** which should be useful in determining the date: (1) The addressees of the petition are two or more emperors (ll. 7, 13, 21-3, 30, 32, 36-7, 40, 41 and 50); (2) the military bodies of the *kollētiōnes* and the *frumentarii* are the main opponents (ll. 25, 35 and 45) and (3) the calligraphy (see above 3) DESCRIPTION) shows great similarities. An extra element (4) is the specific use of Attic currency (l. 10).

Ağa Bey Köyü also gives us two names: Aelius Aglaus (ll. 7 and 15) and Aurelius Marcianus (l. 20). Aelius Aglaus is designated both as *procurator provinciae* and *vice agens procos*. This latter information is of course important, but nothing else is known

3 Cf. p. 38: 'Da die Nebenseiten der Stele (die r. war oben zum Teil freigelegt) zu schmal sind, um einen längeren Text aufzunehmen, und an Beschreibung der Rückseite kaum gedacht werden kann, so sind das jedenfalls in lateinischer Sprache abgefaßte Reskript, durch welches das Gesuch erledigt wurde, und welches in diesem Falle (ähnlich wie in der Inschrift der Araguener ... möglicherweise vorangesetzt war, sowie der verlorene Anfang des Gesuches am ehesten auf einer besonderen Stele eingetragen gewesen.' Nollé (1982:12) entertained similar thoughts about the text missing at the start of the otherwise intact inscription from Hıdırbeyli.

4 When epigraphic documents include the prescription to enter the text on two (or more) stelai, it regularly refers to copies of the same text which were to be published in separate places. Cf. e. g. SIG³, 694, ll. 35-36: ὁμοίως [δὲ καὶ] στηλῶν μαρμαρ[ίνων δ]ύο.

5 For the relevance or legitimacy of using the Latin term *coloni* to denote imperial tenants in the province of Asia, cf. **Takina**, ll. 16 and 32.

about him; furthermore there are so many empty years in the *fasti* of the *proconsules Asiae* that it would be mere guesswork to assign him to a specific year (cf. Thomasson 1984:232-3 and no. 171; Leunissen 1989:221-8, esp. p. 223). Little can be made of the name Aurelius Marcianus (see commentary).

Of the Lydian inscriptions, **Ağa Bey Köyü**, **Kemaliye**, **Kasar**, **Demirci** and **Kavacık**, which share the *κολλητίωνες* and the *frumentarii* as the primary culprits, only **Kavacık** can be dated. This clue and the numismatic considerations (cf. commentary to ll. 8-12) point clearly at the Philippi (244-249). This proposal should at least carry as much weight as the traditional, Severan date.

7) DETAILED COMMENTARY

L. 1-2 ἀριθμὸν κγ' ... κατὰ δίοδον: The Uşak-fragment adds two vital facts to the *narratio*: The number of the intruding soldiers is given (23) and the *frumentarii* appear also here as in **Kemaliye**, **Kavacık**, **Kasar** and **Demirci**. It is in harmony with the individuality of the petition that a number is given. **Ağa Bey Köyü** is characterised by being particularly rich in details. In the petition the *κολλητίωνες* are always mentioned first so they may be the ones who are counted as 23. On the other hand as the text goes it may as well give the total number. On any account 23 is a specific number, related to a specific occasion, the detention of 9 members of the estate. 23 is a fair number, large enough to convey authority or fear. For this study it is most welcome to have the specific number of the intruders (cf. **Kassar** l. 21: [τ]ὸ πλῆθος τῶν κολλητιῶνων).

The most common cause of grievances is related to soldiers who leave the thoroughfares and thereby come into direct contact with the residents of villages or estates, cf. **Skaptopara**, ll. 39-42: ἀλλ' ἀπολιμπάνοντες ἐπέρχονται εἰς τὴν ἡμετέραν κώμην καὶ ἀναγκάζουσιν ἡμᾶς ξενίας αὐτοῖς παρέχειν καὶ ἕτερα πλεῖστα; ll. 80-81: κελεύσῃς ἕκαστον τὴν ἰδίαν πορεύεσθαι ὁδὸν καὶ μὴ ἀπολιμπάνοντας; **Aragua**, ll. 17-19: [διοδεύοντες γὰρ] τὸ Ἀππιανῶν κλίμα παραλιμπάνοντες τὰς λεωφόρους ὁδοὺς στρατάρχαί τε κὲ στρα]τιῶται κὲ δυνάσται; **Euhippe**, ll. 6-10: ὑπὲρ] ὧν ἔπασχον ὑπὸ τῶν ἐκτρεπομένων τὰς βασιλικὰς καὶ λεωφόρους ὁδοὺς στρατιωτῶν τε καὶ ὀφικαλίων; **Kilter**, ll. 9-11: ἂν οὖν τις τῶν ὑπ' ἐμοὶ τ[ετα]γμένων στρατιωτῶν διαπορευόμε]νος τὰ τοῦ δεσπότη σου χωρία; see also the edict of Cn. Vergilius Capito, *praefectus Aegypti*, l. 22 (= *OGIS* 665).

Ll. 3-5 καὶ ἵνα δόξη τις τῆς τοιαύτης αὐτοῖς θ[ρασύτ]ητος ἀπολογία καταλιμπάνεσθαι, ἐνέα σ[υλλαβό]ντες καὶ ἐν δεσμοῖς ποιήσαντες: These words seem to imply that the soldiers have arrested the peasants and sought to leave the impression that some offense had been committed so that their rough behaviour was justified. This has apparently happened on several occasions (cf. l. 16 τοῖς φθάνουσιν). As described by the petitioners, this conduct seems to be close to the description of *διασεισμός*/ *concuissio* described by Ulpien and Paul (cf. commentary to **Kemaliye**, ll. 4-5 and esp. in reference to ll. 26-7, Paul's *quo quem terreant vel concutiant*) but this technical term is not used here (cf. ll. 36-7 τοῦς ὑμετέρους ἐνοχλοῦντων καὶ σκυλλόντων γεω[ργοῦς]).

ll. 6-8 ἐπὶ τοὺς κρατίστους ἐπιτρόπ[ους τοὺς ὑμ]ετέρους διέποντες Αἰλίου Ἀγλάου [τοῦ κρατίστ]ου καὶ τὰ τῆς ἀνθυπατείας μέρη: Cf. ll. 14-15: παρὰ τ(ὸ)ν κράτιστον Ἀγλαον, and ll. 19-21 τῷ τῆς τάξεως ἐπιτρόπῳ ὑμῶν Αὐ[ρ(ηλίω)] Μαρκιανῶ καὶ τοῖς ἐν Ἀσίᾳ κρατ[ίσ]τοις ἐπιτρόποις ὑμῶν.

It is said to be a characteristic phenomenon of the third century that a *procurator provinciae* also handled the affairs of the *proconsul*. This appeared according to Keil & Premerstein (1914:42 with some reservations) for the first time in Africa under Septimius Severus and later developed into an independent and permanent post of deputy.⁶ In the ensuing decades Pflaum (1950:135-9) and Rémy (1976:465-71) discussed this phenomenon.⁷

Pflaum isolated three types of procuratorial substitutes for senatorial governors: (1) the investment of the *procurator* 'sur place' with the duties of the senatorial governor when the latter had died or was relieved for political reasons. This must be rated as a practical solution under extraordinary circumstances. The other and more radical way (2) was to let a particular nomination as the procurator of the actual province precede the special appointment as viceregent in order to create the necessary legal pretext. Of this C. Furius Sabinus Timesitheus is the best known example.⁸ Later in the third century it developed into (3) a 'vicariat indépendant' simply with the title *vir egregius agens vice praesidis*. An example of this is Aurelius Marcus who served as *v. e. a. v. p. Daciae Apulensis* some time between 235-249; this type of commission is a particular trait of the reign of Gallienus.⁹

In the opinion of Pflaum and Rémy, Aelius Aglaus is obviously an example of type (1) and is identified by Pflaum (1960-1:1072) as *procurator provinciae Asiae CC*. That the text gives Aelius Aglaus as one of several (at least two) equestrian procurators,¹⁰ however, raises the question about the position of the other(s) but this is hard to define.¹¹ The formulation of the petition seems to indicate that there are two steps in the procuratorial ladder and that the extraordinary commission of Aelius Aglaus added to their difficulties (the ordinary way would naturally be a *procurator* and the *proconsul*). This problem is inevitably linked to Aurelius Marcianus, and Keil & Premerstein (1914:44) solved the

6 KP (1914:42): 'Nach Z. 7 f. war der damalige kaiserliche Prokurator von Asia, Aelius Aglaus, zugleich mit den Geschäften des senatorischen Prokonsuls betraut, eine Vertretung, die seit Beginn des 3. Jahrh. in den Senatsprovinzen wiederholt eintrat und unter Gallienus, der die Senatoren vom Heeresbefehl und von Statthalterschaften ausschloss, zum selbständigen, permanenten Vikariat wurde; [...]

7 Rémy gave a useful table of 42 *procuratores vice praesidis agentes* where Aelius Aglaus is entered as no. 7.

8 Rémy's article (1976) records the rare example of Q. Aradius Rufinus who as senator substituted the *proconsul provinciae Africae*.

9 Cf. Rémy (1976) p. 471 and table 3 nos. 22 and 38. See also Malcus (1969:217-9).

10 Compare the expression ἐπὶ τοὺς κρατίστους ἐπιτρόπ[ους] with ll. 20-1, τοῖς ἐν Ἀσίᾳ κρατ[ίσ]τοις ἐπιτρόποις ὑμῶν.

11 Tiberius Claudius Serenus, [*procurator*] *rationis privatae provinciae Asiae et Phrygiae et Cariae* suggestively dated by Pflaum (1960-1:743, no. 283 and p. 1073) to 197 may have held an office which could have been an intermediate step on the administrative ladder. This *procuratela*, *procurator rationis privatae* was one of the many created by Septimius Severus (cf. Pflaum:1960-1:598-601, no. 225 M. Aquilius Felix). One should note, as Pflaum expressly did, that this post is otherwise unattested and that we accordingly have the meagerest possible evidence.

riddle of his position by translating his title by *procurator Augustorum officii* or *ab officio*, but this identification must be rejected (see entry on ll. 18-21).¹² **Saltus Burunitanus** (see entry on l. 5) reflects the division of procuratorial and proconsular duties, to the effect that the appropriate *procurator* (in that case the *procurator tractus Karthaginiensis*) should handle cases presented by *coloni*. The petitioners from **Ağa Bey Köyü** seem to have approached all conceivable authorities in advance : the *procurator* of the estates, the equestrian *procurator rationis privatae* of the province and finally the *procurator provinciae agens vice proconsulis*. Their aim was to induce the emperor to give direct instructions as is further specified in ll. 31-33. Taken their local efforts into consideration, they are remarkably silent about the reactions of the equestrian procurators.¹³

One should try to explain irregularities in the functions of the *proconsul Asiae* by reference to special needs or circumstances. And in general this post, at the very top of the senatorial hierarchy, carried such prestige that deviation from the annual succession was a rare phenomenon. In the survey given by Rémy (pp. 466-70, covering the years 88 to 282) there are 4 additional examples of substitutes for a *proconsul Asiae*: C. Minicius Italus from 88, Sulpicius Rufus 224-35, Timesitheus 235-8 and Iulius Proculus 276. As Aelius Aglaus is the only *procurator Asiae a. v. proconsulis* dated to the reign of Septimius Severus, there are accordingly no good reasons to attribute this inscription to his administration by the sole argument that this policy was initiated and specially favoured by him.¹⁴ If this inscription is Severan, we must but note the first occurrence in a century of a *procurator vice agens* in this province.

Another answer to an extraordinary predicament was to extend or repeat the term of the *proconsul* as in the case of L. Egnatius Victor Lollianus who functioned three times in the period 242-248 (cf. Dietz 1980:149-54; Thomasson 1984:236, no. 191 and commentary on **Aragua**, ll. 2-4, and for the use of *διέπω*, ll. 23-25).¹⁵

12 Weiss (1915:169) agreed with the editors about the identification of Aurelius Marcianus as *procurator officii*, but he recognized Aelius Aglaus as *procurator fisci*. See also Rouché (1981:117, n.97).

13 Cf. e. g. **Skaptopara**, II, 56-7 *ἐνετύχομεν πλειστάκις τοῖς ἡγεμόσι τῆς Θράκης* which was followed by ll. 57-9 *οἵτινες ἀκολούθως ταῖς θεαῖς ἐντολαῖς ἐκέλευσαν ἀσχλήτους ἡμᾶς εἶναι*. Because the regular procedure was to have such complaints dealt with solved at the provincial level, the emperor would rarely give direct or exhaustive instructions in any case, cf. Hauken (1991:8-9).

14 Note however the instance of Hilarianus (Rémy 1976:466, no. 5, from *Passio Sanctarum Perpetuae et Felicitatis*): *procurator qui tunc loco proconsulis [sc. Africae] Minucii Timiniani defuncti ius gladii acceperat*, which is datable to 202. In the discussion of this phenomenon I think one must abstain from a general view of the provinces and rather take each particular category into consideration. We should further note that some rescripts of the *Codex Iustinianus* provide greater juridical powers for *procuratores vice praesidis agentes*. See e. g. 3. 26, 3 (dated to Caracalla and 215) and 3. 3, 1 (dated to Gordian III and 242); see also Millar (1965).

15 The general principle for appointment was still the lot, drawn among candidates of proper standing. There are still much uncertainty and many theories about the selection of candidates or the extent of the emperor's influence. On this topic cf. Talbert (1984:347-53) and his references (p.353) in n. 51. In special cases governors were appointed by imperial intervention *extra sortem* or after the consultation of the Senate *citra sortem* (Talbert 1984:397-8, esp. nn. 34 and 37 and Herodian 7. 5, 2 and the commentary of Whittaker 1970:181-3).

For the expression *διέποντος ... καὶ τὰ τῆς ἀνθυπατείας μέρη*, cf. the alternative phrases (ll. 31-2) *τῷ ἐξηγουμένῳ τοῦ ἔθνους* and of M. Aurelius Apollinaris, *procurator Macedoniae* (*IG X:2*, 140, ll. 3-4): *ὁ κρ(άτιστος) ἐπίτροπος τοῦ Σεβαστοῦ πράσων τὰ μ[έ]ρη τῆς ἀν[θ]υπατείας*.¹⁶

LI. 8-12 *Κα[ὶ τὸ]ν μὲν ἕνα τῶν ἐννέα ἀργύριον ἐκπρα[ξ]άμενοι ὑπὲρ τὰς χειλίας Ἀττικᾶς λύτρον [τ]ῆς σωτηρίας ἀφῆκαν, τοὺς δὲ λοιποὺς κατ[έ]σχαν ἐν τοῖς δεσμοῖς*: This vital position of Attic drachmas can be traced to Alexander the Great's adoption of Attic coinage, a decision which made it the most important in the ancient world of its day. Its position never totally faded. For a general bibliography on the use of Attic drachmas in the Roman empire, cf. Wörrle (1969:187, n. 101) and *BE* 1974, no. 579. Herodian used the currency when telling about Caracalla's increase of the soldiers' pay.¹⁷ Of particular importance is a number of sepulchral inscriptions from Lydia. These specify a penalty for the violation of the tomb by a fine in Attic drachmas.¹⁸ The presence of the name Aurelius reveals that most of these, if not all, are later than 212. Magie (1950:712-3) saw in this a reaction against the depreciation of contemporary coins, as it may well have been in this instance too, only being more remarkable by the fact that the imperial officials had insisted on that the bail should be paid in hard currency (cf. *TAM V:2*, 1219). Among the datable 'fine-inscriptions' from Thyatira (collected in *TAM V:2*), both 1150 (either 204/5 or 205/6) and 1144 (239/40) give the fine in *denarii*; so does 1084 (= *IGRR IV*, 1284) which can be dated to the first proconsulate of L. Egnatius Lollianus (cf. commentary on *Aragua*, ll. 2-4). *TAM V:2*, 1149, which is dated by the second proconsulate of Lollianus, gives the fine in Attic drachmas, however (cf. ll. 2-3, Ὅς δ' ἂν ἕτερον πτόμα ἐπεμβάλη, τῷ θείῳ οἴκῳ τοῦ Σεβαστοῦ ὑπεύθυνος Ἀττικαῖς, βφ'). In short this reference to the currency of payment may hint at a later date for this inscription, moving it from the Severan dynasty to the two Philippi (244-249). The close resemblance in calligraphy with *Aragua* and the datable presence of the *kollētiōnes* (by means of *Kavacı*, 247-248) support this hypothesis.

The gravity of this incident, the detention of nine members of the estate and the paying of a ransom to the amount of over a thousand Attic drachmas, is only paralleled in the petitions by the alleged arrest, beating and flogging of the *coloni* on *Saltus Burunitanus* (II; 13-5). It is, however, unique information that a fellow peasant has been brought free by his companions. The sum must be rated as substantial and can be compared with the total ἀποφορά of the village Antimakheia, also part of an imperial estate (cf. *Sülümenli*, p. 46, l. 9); this was set to 2.750 *denarii* (the denar and the drachma being rated as equivalents,

16 Cf. Christol (1976) and Thomasson (1984:185, no. 41), where Christol (1976:867, n. 6) observed that Latin epigraphy preferred to mention the official, whereas the Greek focused upon the office.

17 Herodian 4. 4, 7: ὑπισχνεῖται δὲ αὐτοῖς ὑπὲρ τῆς ἐαυτοῦ σωτηρίας καὶ μοναρχίας ἐκάστῳ μὲν στρατιώτῃ δισχιλίας καὶ πεντακοσίας δραχμᾶς Ἀττικᾶς; cf. also the commentary in Whittaker's edition, vol. 1, p. 394.

18 Cf. *IGRR IV*, 872; 887; 1185 and 1360; *SEG II*, 733 and XXXVI, 1004; *MAMA VIII*, 571b. Of these *IGRR IV*, 1185 (=Keil & Premerstein 1908, no. 101 = *TAM V:2*, 1219) reads καὶ [στ]ατιοναρίῳ τῷ κατὰ και[ρ]ὸν Ἀττικᾶς χειλίας εἰς ἀρχεῖον.

cf. Cassius Dio, 55. 12, 4-5).¹⁹ It is remarkable for the assessment of their own organization that they possessed common resources of this size.²⁰ The sum informs us about an organization so well developed that it could pursue litigation and afford to petition the emperors at his residence. For the question of immunity of imperial estates from *honores et munera*, cf. below the entry on ll. 36-40.

L. 13 *θειότατοι τῶν ἀντοκρατόρων*: Cf. ll. 22-23, *θειότατοι τῶν πρόποτε ἀντοκρα[τ]όρων*. According to Price (1984b:81, cf. also 1984a:245-7) '[...] the Greek subjects of the emperor repeatedly referred to him as *theos*. There are numerous examples of this use in the lifetime of Augustus, and this continues through the first and second centuries AD. However, in the third century *theos* was rarely applied to a living emperor; instead the adjectival form *theios* ('divine') was used.' For **Ağa Bey Köyü** and **Kemaliye** the particular use of the superlative *θειότατος* comes into focus (cf. esp. Rougé 1969). The first instance of *θειότατος* in connection with an emperor is recorded in an edict issued in 9 BC by the *proconsul* Paulus Fabius Maximus concerning a new calendar for the province of Asia in honour of Augustus; here we find *θειότατος Καῖσαρ* twice (ll. 4 and 22).²¹ There is then no use recorded until Hadrian (*OGIS* 529 and *IG* V, 32). Three instances are recorded of Antoninus Pius (*IGRR* I, 608; *OGIS* 493 and 504). It is used once of the joint reign of Marcus Aurelius and Lucius Verus (*SIG*³ 870) and once of Marcus alone (*IGBulg* III: 2, 878). From this time on *θειότατος* is also recorded in the papyri. Two inscriptions use the title of Commodus (*IGBulg* III:2, 1552 and *Inscriptiones Orae ... Ponti Euxini* I, 2).

With the dynasty of the Severans the epithet becomes much more common: Rougé (1969) has 6 entries for Septimius Severus, 10 for Severus and sons, 2 for Caracalla alone, none for Elagabalus and 9 for Severus Alexander. Rougé emphasised that the epithet was used in all Greek-speaking countries and was part of both official and unofficial vocabulary. He thereby suggests that it originally marked a popular piety which was introduced into the official titulature under the Severans. Rougé (1969) did not consider the unofficial use of *θειότατος* in the petitions; these occurrences would clearly amplify his survey.²²

Normally it is a feature common to every category of the sources that all emperors predicated by *θειότατος* were *alive* at the time of reference. [See though *IPrusias ad*

19 An inscription from Kyme from 130 BC (= *SEG* XXXII, 1983, 1036, cf. Malay *EA* 2, 1983, 1-20) records the price of an ox as 70 Attic drachmas.

20 The collection and payment of the *ἀποφορά* must have been the headache of the estate manager, called *μισθωτής* in *TAM* V:2, 860 with commentary and Strubbe (1975:240).

21 This text is part of a dossier of various documents and have been assembled from copies published in different cities of Asia. *I. Priene* 105 is the best preserved, but other copies with texts both in Latin and Greek have been found in Apameia (*CIG* III, 3957, *CIL* III, 12240 and Jones *CR* 5, 1955, 244-5); Eumeneia (*CIG* III, 3902b); Dorylaion (*CIL* III, 13651) and Maeonia (Keil & Premerstein 1911: 80-2, no. 166). The Greek text can be found in *OGIS* 458, but this does not include the evidence of the text from Maeonia. A full bibliography is given by Sherk (1969: 328-37, no. 65), the best modern text is by Laffi (1967) and the most recent translation is by Sherk (1984: 124-7, no. 101).

22 Cf. **Ağa Bey Köyü** ll. 13 and 22 and *θεῖος* in l. 23 and *θειότης* in l. 40, note also *ιερώτατος* in l. 39; **Kemaliye** l. 10, note also ll. 7-8 [*ιερωτάτης*]; **Güllüköy** ll. 6 and 11; **Skaptopara** ll. D 114 and 164, note *θειότης* l. B 19; **Aragua** l. 14 [*θειότητος*].

Hyrium, no. 12, ll. 7-14 (an inscription honouring the phylarch Claudius Iulianus Asklepiodotus from 219-221): *πρεσβεύσαντα | [παρ]ὰ τοὺς Σεβαστοὺς καὶ παραπεμ | [ψαν]τα τὸν τε κύριον ἡμῶν Αὐτο | [κράτ]ορα τὸν θεοφιλέστατον Μ. | [Αὐρ]ήλιον [Ἀντωνεῖνον] καὶ τοὺς | [θει]οτάτους προγόνους αὐτοῦ Λ. | [Σε]πτίμι[ον Σεουήρον καὶ Μ. Αὐ | ρήλιον Ἀντωνεῖνον].* It is, accordingly, theologically important to observe that *θειότατος* sets the focus on the present in the notion of imperial divinity (cf. the epithet *ἐπιφανής*). Divine presence through the emperor is a general characteristic of the imperial cult. This is underlined by the extensive use of *θειότατος* in petitions where the supplicants directly address the emperor. Following this line there seems to have been a growing need for superlatives and this trend is most pronounced here and in the subsequent ll. 21-23 (cf. **Kemaliye**, ll. 9-10 [*μέγιστοι καὶ θειότατοι τῶν πώποτε αὐτοκρατόρων*], where the adverb *πώποτε* coupled with *μέγιστος* gives the expression an extra twist).²³

In l. 40 *θειότης*, divinity, is used; *θειότης* recurs in **Skaptopara** l. 19 (for **Aragua** l. 14 cf. the critic apparatus). It is also used of the emperor Galerius (305-313) in an inscription from the temple of Juppiter Panamarus (**SIG³ II**, 900 ll. 20-22: *ἡ θειότης τοῦ δεσπότου | ἡμῶν, τοῦ ἀηττήτου Σεβαστοῦ | Ἰουβίου Μαξιμίνου*).

LI. 18-21 *ἐδηλώσαμεν ταῦτα καὶ τῷ τῆς τάξεως ἐπιτρόπῳ ὑμῶν Αὐ[ρ(ηλίῳ)] Μαρκιανῷ καὶ τοῖς ἐν Ἀσίᾳ κρατ[ίστοις ἐπιτρόποις ὑμῶν*: *Δηλόω* is used in a similar meaning and context in **Skaptopara** l. 59.

In contrast to the other procurators (ll. 6, 8, 20-1 and 32; specified or unspecified) Aurelius Marcianus (l. 19-20) does not carry the honorary title *κράτιστος/ egregius*; he is identified as *ὁ τῆς τάξεως ἐπίτροπος ὑμῶν*. Keil & Premerstein (1914:44) took *τάξις* here to be the Greek rendering of *officium* which then must be the *officium* of the *kollētiōnes*. They found it worth noticing that the petitioners approached Aurelius Marcianus before the emperor. This should indicate that the *kollētiōnes* were operating under the *proconsul* or his deputy. They translated his identification as *procurator Augustorum officii* or *ab officio* and placed him in Rome. This central and superior *officium* is otherwise unknown, however; and if it existed, its superior would to an even greater extent qualify for the epithet *κράτιστος*. It is a further complicating factor is that the person who was in charge of the military *officium* of the *kollētiōnes* should rather have the title *ἔπαρχος/ praefectus*. There are apparently two ways of untying this knot: either *κράτιστος* is accidentally omitted or *τάξις* is not used in the sense *officium*, but rather of *regio* (Pflaum 1960-1:1073) or *tractus* (Crawford 1976:52-3 and 64) as the designation of the administrative unit of imperial estates, cf. **OGIS 526** (= **IGRR IV**, 1651 = **CIG 3436**) ll. 1-2: *Σεουήρος, Σεβαστο(ῦ) ἀπελεύθερος, βοηθὸς ἐπιτρόπων ῥεγιῶνος Φιλαδελφηνῆς*. This inscription (**OGIS 526**) is vital for the equation *τάξις/ ῥεγιῶν = regio/ tractus*. But its applicability is uncertain as we do not know the duties of the procurators (note the plural²⁴) mentioned, nor do we know the precise implications of the term *ῥεγιῶν*

23 Cf. Scheithauer (1988:168-171).

24 Cf. Dittenberger's note (**OGIS 526**, n. 3): 'Quodsi notissimum illud procuratorum genus in censum venit, mireris pluralem, quoniam in singulis provinciis singulos eiusmodi rei pecunariae administratores fuisse constat. Sed videtur procuratorum provinciae satis frequens vicissitudo fuisse, cum officium adiutoris multo stabilius esset, ita ut sane idem homo plurium procuratorum qui se exceperissent adiutor appellari posset.'

Φιλαδελφηνή. Crawford combined the testimonies in the following way (1976:52-3):

A *ῥεγιῶν Φιλαδελφηνή* is recorded in Lydia (IGRR IV 1651) [=OGIS 526] which probably included the Ağa Bey estate. It is interesting that in the appeal of these peasants to the emperor they claim first to have approached the procuratores, both regional, τῆς τάξεως (? = tractus) and provincial; a similar hierarchy to the African is suggested. In Lycia a *ῥεγεῶν Οἰνο(ανδική)* is found based on Oenoanda (IGRR III 1502) and a third century regional centurion, a *ἑκαντόνταρχος ῥεγεωνάριος*, is recorded from Antioch in Pisidia. [W. M. Calder, *JRS* 2, 1912, 81] From Prynnessus in Phrygia an imperial freedman who was a *tabularius regionarius* is known from the *regio(nes) Ipsina et Moetana*. [Ballance 1969] These regional offices probably supplemented that at Ephesos as centres of administration, at least by the third century, which is the main period for which there is evidence for imperial estates in the province. There is as yet no evidence to date this innovation in Asia, and Africa and Asia are the only two areas for which there is evidence for such comprehensive regional structure.

On closer inspection it appears that the interpretation of Keil & Premerstein is based on two instances of sloppiness: an omission of *κράτιστος* and the mix-up of *procurator* and *praefectus*. Consequently the suggestion of *τάξεις/ regio* is preferable, especially as OGIS 526 also omits *κράτιστος* (l. 1 Σεβαστοῦ ἀπελεύθερος).²⁵ The combined evidence of the sequence of freedmen procurators at the Phrygian estate at Eulandra (i. e. **Sülümenli**) and of **Takina** (where the reference, l. 4, is to the *ὁ ἐπίτροπός μου καὶ ἀπελεύθερος*) add strong support to Crawford's reconstruction.²⁶

ll. 21-23 *ικέται ... γεινόμεθα ... θείας καὶ ἀνυπερβλήτου βασιλείας*: There seem to be few - if any - parallels where *ἀνυπερβλήτος* (*unsurpassed, not to be outdone*) is directly linked to the empire or emperors.²⁷ On the other hand, the idea of the unsurpassed emperor is very common in the unofficial, imperial titulature, where *superare, antecedere, antecellere, diferre, distare* and the Greek equivalents *διαφέρειν, ὑπερβάλλειν* and *παρέχεσθαι* occur frequently (cf. Scheithauer 1988, esp. pp. 169-72).

ll. 28-30 *ταῖς δεσποτικαῖς ἐπακούειν ἀποφοραῖς καὶ ψήφοις πρὸς τὰ ἐξῆς*: That *δεσπότης* or its derivative *δεσποτικός* (ll. 34, 51 and 54) is used of the emperor (in prefer-

25 Cf. Pflaum (1974:66): 'Les procurateurs affranchis se distinguent de leurs collègues chevaliers par le fait qu'ils ne prot que très exceptionnellement le titre de *procurator Aug.* [CIL XIV 2104 = ILS 1475].'

26 Levick (1985:222, no. 221) translates: '[...] the one course open to us, made these events known to both your *procurator in charge of the Registry, Aurelius Marcianus*, and to your most excellent procurators of Asia.' [My italics.]

27 *Ἀνυπερβλήτος* is used in honorary inscriptions for private citizens, mostly connected to abstract qualities like *φιλοτιμία* (IG V, 1, nos. 474, 497, 1246), *προνοία* (IG V, 1, no. 535), *φιλανθρωπία* (I. Eph. 27), *μεγαλοψυχία* (the Salutaris foundation of Ephesos, I. Eph. 27; and the Demosthenes foundation of Oinoanda, Wörrle 1988, l. 54 = SEG XXXVIII, 1988, no. 1462); but *ἀνυπερβλήτος* also occurs with concretes as in the phrase *μεγαλοπρεπῶς πανδοσίῳ λαμπρῶ καὶ πολυτελεῖ καὶ ἀνυπερβλήτῳ* (Pan. 202. PHI) and in the honorary inscription for Hadrian by the council and people of Ephesos (ll. 7-10: *ἡ βουλὴ καὶ ὁ δῆμος ὁ Ἐφεσίων τὸν ἴδιον κτίστην καὶ σωτήρα διὰ τὰς ἀνυπερβλήτους δωρεάς Ἀρτέμιδι*). Note also the passage in Aelius Aristides (*Hieroi logoi* 1, 283): *Ἐνάτη ἐπὶ δέκα ἐδόκουν ἐν τοῖς βασιλείοις διατρίβειν, τὴν δ' ἐπιμελειαν καὶ τιμὴν τῶν αὐτοκρατόρων εἰς ἐμὲ θαυμαστὴν καὶ ἀνυπερβλήτον εἶναι διὰ πάντων ἐξῆς ὧν ἔπραττον. μόνῳ γὰρ ἅπαντα γίγνεσθαι ὧν οὐδὲ μικρὸν ἄλλῳ τῷ.*

ence to *κυριακός*) is not uncommon, cf. Hagedorn & Worp (1980), note, however, the use of *δεσπότης* of a private proprietor in **Kilter**, l. 13.

ἀποφοραί and *ψῆφοι* were interpreted by Keil & Premerstein (1914:40) as 'Abgaben' and 'Aufträge zu sonstigen Leistungen besonderer Art (wohl namentlich Liturgien)'; and they made a reference to the inhabitants of the village **Skaptopara** ll. II, 29-30, *τούς τε φόρους καὶ τὰ λοιπὰ ἐπιτάγματα συνετελούν* and III, 97-9 *τούς τε ἱεροὺς φόρους καὶ τὰ λοιπὰ τελέσματα παρέχειν*. The term *ἀποφορά* occurs thrice in the inscription recording the dispute between the two Phrygian villages Anosa and Antimakheia situated within the boundaries of an imperial estate (**Sülümenli**, reproduced in Epigraphic Appendix no. 6, ll. 11, 13 and without context in l. 41; see also the commentary by Frensd, p. 51). The dispute went on between ca. 200 and 237 and has accordingly direct bearing on the issue. The amount of *ἀποφορά* is given here in a sum of money (the currency is probably *δηνάρια*). In l. 11 *ἀποφορά* is linked with *ὑπηρεσία* which is fixed in proportion to the *ἀποφορά*. Frensd (1956:51) rendered *ἀποφορά* by taxes because the amount was fixed by a sum of money. Pekáry (1968:150-5) interpreted this as either a ground tax or (on the suggestion of H.-G. Pflaum) a ground rent.²⁸ Mitchell (1976:121) adopted and used this view. Neesen (1980:99-104) underlines the meagre sources for imposts on imperial estates, especially outside North Africa. He does not explicitly discuss these sources, but he gives an astute summary of the respective benefits and disadvantages of charges in kind or money: the tenants profited from a tax in kind because it adjusted itself in case of a bad harvest; it carried the inconvenience of a strict inspection and this reduced their freedom of conduct. This freedom was granted by a fixed sum of money but had the unpleasant corollary of having the total risk borne by the tenants. There are frequent reminders that unfavorable circumstances forced tenants under these terms to beg for remittance and further stressed their dependency.²⁹

The petitioners from **Ağa Bey Köyü** lived on an imperial estate and from the North-African inscriptions we know that the tenants' liabilities were twofold: a share of the crops

28 P. 153: 'Dagegen muss der Ausdruck in der Amtssprache der Verwaltung kleinasiatischer Kaisergüter im Gegensatz zu den Liturgien [die *ψῆφοι* in der Ağa-Bey-Inschrift] eine Art Geldsteuern bedeutet haben, und zwar eine Grundsteuer oder Grundzins.'

29 Pliny the Younger discussed this subject in Ep. 9. 37 (for further comments, see Neesen 1980:100 and Kehoe 1988:120-1): *Nam priore lustro, quamquam post magnas remissiones, reliqua creverunt: inde plerisque nulla iam cura minuendi aeris alieni, quod desperant posse persolvi; rapiunt etiam consumuntque quod natum est, ut qui iam putent se non sibi parcere. Occurrendum ergo augescentibus vitiis et medendum est. Medendi una ratio, si non nummo sed partibus locem ac deinde ex meis aliquos operis exactores, custodes fructibus ponam. Et alioqui nullum iustius genus reditus, quam quod terra caelum annus refert. At hoc magnam fidem acres oculos numerosas manus postulat. Experiendum tamen et quasi in veteri morbo quaelibet mutationis auxilia temptanda sunt.* 'During the past five years, despite the large reductions I made in the rents, the arrears have increased and as a result most of my tenants have lost interest in reducing their debt because they have no hope of being able to pay off the whole; they even seize and consume the produce of the land in the belief that they will gain nothing themselves by conserving it. I must therefore face this growing evil and find a remedy. One way would be to let the farms not for a money rent but for a fixed share of the produce, and then make some of my servants overseers to keep a watch on the harvest. There is certainly no more just return than what is won from the soil, climate and seasons, but this method requires strict honesty, keen eyes, and many pairs of hands. However, I must make the experiment and try all possible changes of remedy for an obstinate complaint.' Trans. Radice, Harmondsworth 1963.

and days of labour. Here it appears that ἀποφοραί here covers the basic and major liability, most probably an amount of money which in turn must have been fixed in proportion to the capacity of produce (as for the villages Anosa and Antimakheia in **Sülümeli**). The procurator must have fixed and adjusted the ἀποφοραί through regular census (cf. quotation from Pliny preceding note). On this background one realizes that it is even more difficult to specify the scope of ψήφοι. They seem to have been the minor liability, such as the days of labour (*operae*) in **Saltus Burunitanus** and **Gasr Mezuar**. From the epithet δεσποτικῆς we learn that they must have been paid in a way similar to the ἀποφοραί, but they were differently calculated. I think this rules out an identification as liturgies tied to transport.³⁰

As the use of ψήφοι in this meaning is almost without parallel, any guess at its meaning may have some value. The term may have been coined on the usage of the vote, and so in turn it can be taken to represent a minor poll-tax which all inhabitants, including the imperial peasants were liable to pay.³¹

In whatever way we define these two imposts, it appears from the petitioners' arguments that the imposts were of long standing, that they were accepted and regarded as the basic ones. When they are tied to the threat of leaving the imperial estate and move on to a private one, the argument applies real leverage against the imperial administration.³²

Paying taxes did not come easy to the ancient world, as it indeed does not today. At all periods of the empire we find illustrations of tax-pressure. This pressure was revealed mainly in three ways: legacies from communities to the government or emperor to have their taxes remitted or reduced; information of arrears in paying taxes and the remittance or reduction of taxes at the beginning of an emperor's reign. It is important to note that details of these matters are a constant phenomenon.³³

30 The expression αἱ κυριακαὶ ψήφοι is found in l. 13 in an edict of the *praefectus Aegypti* 66-69, Tiberius Iulius Alexander, cf. *OGIS* 669, l. 13, and the exhaustive monograph by G. Chalon (1964). In his commentary Dittenberger suggested that ψήφοι were to be understood as *rationes fisci*. See also (but beware the restoration!) **Güllüköy** II. 10-3: ἵνα διὰ τὴν σὴν τύχην δυνησ[όμεθα τυχεῖν τῆς τοῦ αὐτοκράτορος περὶ πάντων φιλα]νθρωπίας καὶ ταῖς εἰς τὸν θ[ειότατον αὐτοκράτορα λειτουργίαις ὑπ]ηρετεῖσθαι.

31 Cf. Neesen (1980:117-1120); Brunt (1981:166-8) and above all Bowman & Rathbone (1992:112-113): 'The major Roman fiscal innovation was the introduction of *tributum capitis* in the form of an annual poll-tax'. In Greek the poll-tax is normally given as ἐπικεφάλιον and λαογραφία (Egypt).

32 Whittaker (1976:149), however, does not put much weight in these formulations whereas Kehoe (1988:114-6) takes this threat seriously and assumes that the petition had a favourable reply. Whittaker says (commenting on the inscriptions from **Saltus Burunitanus**, **Skaptopara**, **Ağa Bey Köyü** and **Aragua**): 'There is a formulaic quality about the letters of complaints in phrases such as we shall be forced to leave our ancestrals hearths (καταλιπεῖν [...] ἐστίας πατρώας) which are repeated and perhaps should not be understood too literally. [...] But even though there is no way to quantify this sort of evidence, in the case of the Ağa Bey tenants in Philip's reign [Whittaker here confuses **Ağa Bey Köyü** with **Aragua**, a.'s c.] they threaten to go to estates of private *possessores* and thus the example does not reveal a rise in total quantity of unworked land.' Here I do not quite follow Whittaker's reasoning as the move to private estates will secure that the *coloni* still are working land, but the emperor, his procurator and leaseholder would face the problem of recruiting fresh tenants to their estate. If they did not succeed, at least some part of his estates would lie fallow.

33 For an illuminating description of difficulties arising from tax-pressure (cf. MacMullen 1987). In this instance, however, it was not systematic overtaxation, but rather the outgrowths of a system based on requisitions which triggered the reactions (cf. Millar 1986:304-5).

LI. 31-32 καὶ ἐπιθέσθαι τῷ ἐξηγουμένῳ τοῦ ἔθνους καὶ τοῖς κρατίστοις ἐπιτρόποις ὑμῶν: A similar expression is found in Severus Alexander's letter to the κοινόν of the Greeks in Bithynia (= *Digesta* 49. 1, 25 from Paul's *Liber vicesimus responsorum*).³⁴

The request that the emperor shall 'entrust the governor of the province and the equestrian procurators with the task of punishing the outrage' clearly shows that the proconsul was involved in some way. Most probably this was in his capacity as the supreme commander of the soldiers and supreme judge in the province of Asia (see commentary on **Kilter**).

LI. 32-33 ἐκδικῆσαι τὸ τετολμημένον: Cf. also the expression of ll. 42-43 below, ἐὰν μὴ ἐκδικία τις ἐπὶ τοῖς τοσοῦτοις τετολμημένοις ἐπαχθῇ. ἐκδικέω is used in the same way in ll. 9-16 of **Phaina**.

LI. 33-34 κωλύσαι δὲ τὴν εἰς τὰ χωρία τὰ δεσποτικὰ ἔφοδον: Cf. the same accusation in l. 2. and the references given there. See also the general remark by Mitchell (1980:1068) on the function of Roman roads: 'The roads were designed to tie the cities of the Empire closer together, not to link them with the countryside, and with their well-organised systems of staging posts and *mansiones*, enabled their users to ignore the rural areas through which they passed'. If this indeed was the prevailing purpose of and attitude to the main thoroughfares (Mitchell gives no references), one may more easily understand the local resentment towards the main routes mirrored in the petitions (see also the discussion in the commentary on **Phaina**, ll. 16-18).

LI. 34-40 τὴν εἰς ἡμᾶς ἐν[όχλησιν γεινόμενην ὑπὸ τῶν κολλητιῶνων καὶ τῶν ἐπὶ προφάσει ἀρχῶν ἢ λειτουργιῶν τοὺς ὑμετέρουσ ἐνοχλοῦντων καὶ σκυλλῶντων γεω[ρ]γοὺς τῷ πάντα τὰ ἡμέτερα ἐκ προγόνων προῦπε[ύ]θυνα εἶναι τῷ ἱερωτάτῳ ταμείῳ τῷ τῆς γεωργί[ας] δικαίῳ: On ἐνόχλησις/ ἐνοχλεῖν, see commentary on **Kilter** l. 3 and **Kemaliye** ll. 4-5. Πρόφασις is fairly common, occurring also in **Kavacik** l. 9, **Kemaliye** l. 20 and **Skaptopara** l. 145. It underlines the discrepancy between the alleged motive of the visitors and their real behaviour. It also highlights the risk involved when exactions are left to the discretion of the lower echelons of the imperial staff.

In his catalogue of *Leistungsbefreiungen* Neesen (1981:216-23, esp. 220 and note 65) gives a survey on the sources for the question about whether the *Caesaris coloni*, *conductores vel redemptores*, and *procuratores* were given immunity from *munera* and *honores*. Of the contemporary sources referred to, only two are of strict relevance to tenants. Papirius Justus (*Liber secundus constitutionum* = *Digesta* 50. 1, 38, 1) quotes a constitution of Marcus Aurelius and Verus: *Item rescripserunt colonos praediorum fisci*

34 This letter has also been preserved in two papyri from Oxyrhynchus: P. Oxy XVIII, 2104, ll. 11-2 and P. Oxy XLIII, 3106, ll. 2-4: ἀπαγορεύομεν (-εσω 3106) τοῖς ἐπιτρόποις καὶ τοῖς ἡγουμένοις τῶν ἔθνῶν; for bibliography, cf. Martin (1981:57-8). See also Roueché (1981:114-5, no. 118 ll. 5-7: ἐν τῷ τῆς Ἀσίας ἔθνει, and n. 78) and Mason (1974:136) who notes that Cassius Dio is especially fond of the phrases ἔθνος and ἡγεμῶν ἔθνους.

*muneribus fungi sine damno fisci oportere, idque excutere praesidem adhibito procuratore debere.*³⁵

Callistratus (*Liber primus de cognitionibus = Digesta* 50. 6, 6, 11) says *coloni quoque Caesaris a muneribus liberantur, ut idoneiores praediis fiscalibus habeantur.*³⁶

Callistratus had just (50. 6, 6, 10) discussed the same liability concerning the *conductores* in a passage with words which may be echoed in this petition:

*Conductores etiam vectigalium fisci necessitate subeundorum municipalium munerum non obstriguntur: idque ita observandum divi fratres rescripserunt. ex quo principali rescripto intelligi potest non honori conductorum datum, ne compellantur ad munera municipalia, sed ne extenuentur facultates eorum, quae subsignatae sint fisco. unde subsisti potest, an prohibendi sint a praeside vel procuratore Caesaris eiam si ultro se offerant municipalibus muneribus: quod proprius est defendere, nisi si paria fisco fecisse dicantur.*³⁷

Keil and Premerstein (1914:40-1) noted that the expression *ne extenuentur facultates eorum, quae subsignatae sunt fisco* was almost exactly covered by the words of ll. 38-40 πάντα τὰ ἡμετέρα ἐκ προγόνων προῦπε[ύ]θυνα εἶναι τῷ ἱερωτάτῳ ταμείῳ. The verb *subsigno* has the juridical meaning *to register (real estate) as security for fulfilment of an obligation* (usu. one's own, cf. *OLD* s. v.). In the context of the passage from Callistratus *subsignatus* must mean that the resources of the estates are reserved for the imperial fisc.³⁸ προῦπέυθυνος is a *hapax* (cf. *LSJ* s. v.). ὑπέυθυνος has the meaning *liable to give account for one's administration, responsible, under liability for, answerable for* (cf. *LSJ* s. v.). The prefix, προ-, has probably been added to further enhance the force of the immediately preceding ἐκ προγόνων.³⁹ Even if προῦπέυθυνος cannot be said to offer an etymological parallel to *subsignatus*, the semantic value is as close as one can come. A rescript of Septimius Severus and Caracalla (dated October the 14th, 205) in answer to the governor (M. Iuventius Surus Proculus?, *Leg. Aug. pr. pr.*, cf. Thomasson 1984:85, no. 29) about the immunity from *munera* of members of the *collegium* of the *centonarii* (firemen) at Solva, Noricum is another example of a close parallel to this treatise of Callistratus.⁴⁰ The pas-

35 'They also issued a rescript to the effect that it was right for tenants of estates of the imperial treasury to perform their munera provided the imperial treasury did not suffer and that it fell to the governor in association with the *procurator* to examine the issue.'

36 'The *coloni* of Caesar are also freed from munera, so that they may be more suitable for the cultivation of the estates of the imperial treasury.'

37 'Collectors who have leased the right to collect the revenues of the imperial treasury are not bound by the necessity of undertaking municipal munera; and this rule was stated in a rescript of the deified brothers. It can be understood from this imperial rescript that the grant to contractors of exclusion from municipal munera was not made as an honor, but in order to prevent the diminution of their resources, which are pledged to the imperial treasury. Hence, the point can arise, whether a governor or *procurator* of Caesar should prevent them from actually volunteering to perform municipal munera; it is the better view that he should stop this, unless they are said to have balanced their accounts with the imperial treasury.' Translations from Watson (1985).

38 I. e. contrary to Paulus' explanation of the word (*Dig.* 50. 16, 39).

39 But cf. the use of προλιπεῖν in *Skaptopara*, I. III, 76.

40 For the inscription from Solva, cf. Alföldy (1966:440), Weber (1968 and 1969, no. 169) and Coriat (1985:Part II:Palingenesie:249-53, notice 273). Ll. 4-6 go in Weber's text: [*Quod autem legibus etiam sanxum est custodiatur, et ii, quod dicitur divitiis suis sine onere futi, publica subire munera compellantur, neque enim collegiorum privilegium pro sit aut iis, qui artem non] exercent aut iis, qui maiores facultates praefinito modo possident. Compare this with Callistratus (50. 6, 6, 12): Nec omnibus promiscue, qui adsumpti sunt in his collegiis, immunitas datur, sed artificibus dumtaxat. [...] Sed ne quidem eos, qui augeant facultates et munera civitatum sustinere possunt, privilegii, quae*

sage in the *Digesta* is fairly long and refers only to pre-Severan emperors, with two references to *divus Pertinax* (in par. 2 and 13).⁴¹ In Callistratus the ruling principle seems to be that particular groups which have a long standing privilege of immunity shall continue to enjoy it on the express condition that the undertaking of *munera* will constitute an unreasonable burden.⁴² This applies to men of old age, men with a large number of children, businessmen occupied with the supply of corn, shipowners and members of certain *collegia* or *corpora*. The *conductores vectigalium fisci* and *coloni Caesaris* constitute their own class as they are even to be prevented from accepting *munera* by the respective arguments *ne extenuentur facultates eorum* and *ut idionores praediis habeantur*. The passage then grants the tenants a double protection: to be exempted from *munera* is both their privilege and in the emperor's expressed interest. To conclude that the author of the petition has had knowledge of Callistratus' *Libri de cognitionibus* would be a long shot; at the core are a number of imperial rescripts on which he has molded his treatise. This example gives us an illustrative view of the mechanics of Severan law. This passage with its reflection of the juridical literature provides the best arguments for a Severan date for the inscription.

LI. 39-40 τῷ τῆς γεωργί[ας] δικαίῳ: Cf. the expression in ll. 53-4 τὰς πίστεις τηροῦμεν τῷ δεσποτικῷ λόγῳ. The regulations are not known for neither this estate nor others in Asia minor (see Crawford 1976:48-9). The parallel evidence of the North-African instructions (the *lex Manciana*, the *lex Hadriana* and the procuratorial *sermones*, cf. commentary on **Saltus Burunitanus**) clearly invites us to think of an equivalent administration for the province of Asia (see commentary on ll. 18-21). But the African parallel should be applied with caution not least because the Asian estates had quite a different genesis and the tribute was organised in a different way (cf. the *partes/ operae* vs. the ἀποφοραί/ ψῆφοι, see above commentary on ll. 28-30). This passage does tell us, however, that there was a law regulating the conditions for the tenants. On the other hand, the petition would have referred to the law explicitly if it said something about exemption from *munera et honores*. The petitioners of **Ağa Bey Köyü** could only emphasize their imperial adherence (cf. ll. 38-9 and 54) to benefit from the immunity which the emperors through their *rescripta* had conferred upon *coloni Caesaris*.

LI. 40-41 τὰ ληθῆ γὰρ πρὸς τῆν ὑμετέραν θειότητα εὑρηται: A petition containing invectives against a third party would obviously have to be read with caution. The *subscriptiones* were thus frequently qualified with expressions like *si preces verae sunt* (*CIL* III, 13640, l. I, 15, εἰ ἀληθεῖς εἰσὶν αἱ δεήσεις in Greek version, l. III, 7); *si preces*

tenuioribus per collegia distributis concessa sunt, uti posse plurifariam constitutum est. Millar (1983:82-3) has also pointed at the close relation between Callistratus and the rescript of Severus and Carcalla.

41 Severus had Pertinax deified in 193, cf. *BCM* V, 84 and Cassius Dio *Epit.* 75. 5. For a characterization of Callistratus, cf. Bonini (1964:11-28). The *Index verborum* of Nordeblad (1934) covers a - is.

42 Cf. 50. 6, 6, 12: *sed ne quidem eos, qui augeant facultates et munera civitatum sustinere possunt, privilegiis, quae tenuioribus per collegia distributis concessa sunt, uti posse plurifariam constitutum est.*

veritate nitantur (CI 1. 23, 7); *si, ut proponis* (cf. Premerstein 1924:49, the presentation and references in Honoré 1979:52 and 1981:30-1). The rescript of Philippus Arabs in **Aragua** (ll. 2-3) has the phrase *perspecta fide eorum quae [adlegastis si] quid iniuriose geratur*. The reservation of the authorities about the accusations of one party is quite obvious in the two documents of **Tabala**. Pertinax in his letter used the uncommitted *φατε* (l. 4) and *δοκούντα* (l. 11) about the accusations of the Tabalians. The proconsul, Aemilius Iuncus, made his reservation even clearer by giving a conditioned statement (see commentary on **Tabala**, **General outline** and l. 15). To claim to have told the truth is, then, an obvious way of anticipating and neutralizing this qualification. Such a passage is only present in **Ağa Bey Köyü**.⁴³

Ll. 41-54: The petition concludes with one long and comprehensive period which, despite its loaded syntax, is formulated with skill. It stresses the mutual gravity of the situation: the inevitable (cf. ll. 43-4, *ἀνάγκη*) abandonment of the tenants homes through generations and the tombs of their ancestors on the one hand, and the ensuing damage to the imperial fisc on the other. It also conveys the impression that private estates are better managed than the imperial ones.

L. 42 ἐκδικία: Cf. ll. 32-3.

Ll. 43-48 ἀνάγκη τοὺς καταλειμμένους ἡμᾶς ... καταλειπεῖν καὶ ἐστίας πατρώας καὶ τάφους προγονικο[ῦ]ς μετελθεῖν τε εἰς ἰδιωτικὴν γῆν πρὸς τὸ διασωθῆναι: The expression τῶν ἐναντίας in ll. 44-46, *μὴ φέροντας τὴν τῶν κολλητιῶνων καὶ τῶν ἐξ ἐναντίας [...]* *πλεονεξίαν*, has puzzled the editors, who correctly compared with the expression in ll. 25-27 *τῶν κολλητιῶνων καὶ τῶν ἀντικαθεστώτων ἀπειλούντων καὶ ἡμεῖν τοῖς καταλειπομένοις κτλ.* Instead they suggested the restoration reported in the critical apparatus, which I must confess that I do not understand. If we can allow for an omission of ἐξ, a not unlikely explanation because of the following ἐ, the substantivation of the adverbial phrase ἐξ ἐναντίας should give good sense: 'no longer tolerating the greed of the *kollētiōnes* and [our] adversaries'; cf. *LSJ* s. v. *ἐναντίας*, and *Chrestomatie* II, no. 63.

43 The conditional value of an imperial rescript is considered by Ulpian in *Liber primus de appellationibus* (= *Digesta* 49. 1, 1) *Quaesitum est, an adversus rescriptum principi provocari possit, forte si praeses provinciae vel quis alius consuluerit et ad consultationem eius fuerit rescriptum: est enim quaesitum, an appellandi ius supersit. quid enim si in consulendo mentitus est? de qua re extat rescriptum divi Pii πρὸς τὸ κοινὸν τῶν Θρακῶν, quo ostenditur provocari oportere. Verba rescripti ita se habent: 'Ἐὰν ἐπιστείλῃ τις ἡμῖν ἃ διὰ καὶ ἀντιγράψωμεν ἡμεῖς ὅτιοῦν, ὑπάρξει τοῖς βουλομένοις ἐπικαλεῖσθαι πρὸς τὴν ἀπόφασιν. εἰ γὰρ διδάξαιεν ἢ ψευδῶς ἢ οὐχ οὕτως ἔχειν τὰ ἐπεσταλμένα, οὐδὲν ὑφ' ἡμῶν εἶναι δόξη προδιεγνωσμένον, τῶν ὡς ἑτέρως ἔχουσιν τοῖς γραφεῖσιν ἀντεπεσταλκῶτων. 'Is it possible for an appeal to be made against an imperial rescript, if perhaps the provincial governor or some other person consults him and a rescript is sent in reply to that consultation? Does there survive a right of appeal? What, then, if the person who consulted [the emperor] made a false statement? There is extant on this subject a rescript of the deified Pius to the commonalty of the Thracians, in which it is shown that there should be an appeal. The words of the rescript is as follows: If someone writes something to us, and we send some form of reply to it, those who wish to appeal from that reply will be permitted to do so. For if they shall show that what was written in the letter was false or misrepresented, it will not appear that the case was in any way prejudiced by us in replying to the letter which set out the facts otherwise.' Cf. also Dig. 48. 10, 29.*

This passage corresponds with l. 51 φυγάδας <τε> γενέσθαι τῶν δεσποτικῶν χωρίων. This theme, the threat to leave the estates or one's village, recurs almost like a *Leitmotif* in the petitions: **Dagis** III, ll. 10-4: δύνασθε ἡμᾶς δι[ὰ τῆς σου] φιλανθρωπίας κα[ὶ ὑπογρα]φῆς καταμενεῖν [ἐν τῇ κώ]μη καὶ μὴ μετοικ[εῖν εἰς ἕ]τερον τόπον. **Skaptopara**, ll. 59-62: ἐδηλώσαμεν γὰρ μηκέτι ἡμᾶς δύνασθαι ὑπομένειν ἀλλὰ καὶ νοῦν ἔχειν ἐνκαταλιπεῖν καὶ τοὺς πατρώους θεμελίους; ll. 75-8: κινδυνεύομεν ὅπερ οἱ λοιποὶ τόδε καὶ ἡμεῖς προλιπεῖν τοὺς προγονικοὺς θεμελίους; ll. 92-3 φευξόμεθα ἀπὸ τῶν οἰκείων. **Gasr Mezuar** l. 6: [rev]ertamur ubi libere morari possimus. **Aragua** l. 32: καὶ τὰ χωρία ἐρημοῦσθαι καὶ ἀνάστατα γίγνεσθαι.

For the use of *πλεονεξία*, see Mitchell (1976:107, ll. 28-9 and p. 114 and nn. 14 - 16); *πλεονεξία* is rendering *licentia* (l. 4). Mitchell draws attention to the use of *πλεονεκτικῶς* in ll. 17-18 of the edict of Cn. Vergilius Capito, *praefectus Aegypti* (OGIS 665 = Evelyn White & Oliver 1938) and *πλεονεξία* in an edict issued by M. Petronius Mamertinus (PSI V, 446, l. 9 = Hunt & Edgar 1932-1934:110, no. 221).

The economic structure of the ancient society provided two alternative goals for tenants who left imperial estates: private land or cities. The cities and private managers consequently competed with the imperial procurators to attract mobile workers. But it is unlikely that cities had any active recruitment of new citizens; they just presented a temptation with their ostentatious display of resources. It is therefore not surprising that the peasants of **Ağa Bey Köyü** defined private soil as their goal. This is obviously the better argument since they present themselves first and foremost as cultivators and not irresponsible adventurers; they are at the same time indicating to the emperor that his standards of protection must be improved. This section is continued by:

Ll. 49-50 φεῖδονται γὰρ μᾶλλον τῶν ἐκεῖ κατοικοῦντων οἱ τὸ[ν] πονηρὸν ζῶντες βίον ἢ τῶν ὑμητέρων γεωργῶν: The better protection experienced by tenants on private soil is discussed in connection with the **Kilter**-inscription which originates from a private estate. The problems illustrated in **Kilter** are not as serious as here; the owner complained about the behaviour of soldiers who trouble the inhabitants of his master's estate by demanding a guide, breakfast, dinner or other services.

L. 51 φυγάδας <τε> γενέσθαι τῶν δεσποτικῶν χωρίων: Φυγάς is cleverly used to give the sum of this threat; and it touches upon the theme of ἀναχώρησις: the relatively common phenomenon that the unpropertied left their usual habitat and sought better conditions elsewhere (cf. Rostovzeff 1957:712-3, n. 15). MacMullen (1966:197; see also the material in Appendix B) noted that evidence for rural unrest as a result of unlawful behaviour shows 'a particular clustering around the reign of Septimius Severus'. Our material is - of course - a major part of this evidence. The importance of ἀναχώρησις is incorrectly toned down by Whittaker (1976:148-9), whereas Kehoe (1988:112-6, 'The Economic Leverage of the *coloni*'); cf. also the last paragraph of the entry on ll. 20-30 and n. 22.) appropriately emphasized the resources and economic importance of the *coloni* for the imperial fisc. Proof of the negative effect of heavy taxes is given in literary sources, e. g. Cassius Dio 57. 10, 5 (of Tiberius, 'I want my sheep shorn, not flayed') and 72. 3, 3; *SHA Antoninus Pius* 6. 1 ('His procurators were instructed to levy only a reasonable tribute, and those

who exceeded a proper limit were commanded to render an account of their acts, nor was he ever pleased with any revenues that were onerous to the provinces'; cf. MacMullen 1987:739-40, n. 13).

KEMALIYE, *Asia, Lydia.*

Petition (*libellus*) from the inhabitants of a village to two or more emperors. Probably Severan era, 197-211.

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b) texts

The only critical text is in Keil & Premerstein (1914, no. 55).

c) translations

No complete translation is known to me.

- Millar, F.: *The Emperor in the Roman World*, London 1977, p. 542 translates ll. 5-14.
- Robert, L.: 'Sur un papyrus de Bruxelles', *Revue de Philologie* (1943) 111-19, esp. p. 116 of ll. 5-18, in French (= *Opera Minora Selecta* I, pp. 364-72).

2) DISCOVERY AND PUBLICATIONS

The inscription was found in a village then known by the name Mendekhora. The name has at a later stage been changed to **Kemaliye**.¹ In Roman times the village (cf. l. 5) must have been part of the territory of Philadelphia (modern Alaşehir), which is some 15 km. to the south-east. Fontrier (1885-1886) published it, and Keil & Premerstein (1914:24) tells us that his text was prepared on the basis of a squeeze. In 1886 the marble slab was used as the lower step of a staircase in a private home.² When Keil & Premerstein inspected it during the summer 1911 it had been moved to the fountain Hairad Çessme in the upper part of the village where it lay with the writing turned upwards. By the time of their visit the left part of the facing side had suffered severe damage (cf. the description below). Keil & Premerstein (1914:24-29, no. 28) made a new edition on the basis of Fontrier's text and the remains of the inscription; they also added a detailed commentary.

When I visited Kemaliye on November 19, 1992 a marble slab at the right-hand top of Konak Çessmesi positioned not far from the summit of the village caught my attention (the name Hairad Çessmesi, reported by Keil & Premerstein, is no longer recognized). The upper side of the slab is now covered by a few layers of bricks set in concrete, so the identification could not be established positively at that time. Two years later Georg Petzl was able to remove some of the concrete from the first four lines at the top, and could thus verify that it indeed was the same inscription.

The obvious skill and authority of the editors have apparently made later commentaries seem superfluous, but it has together with **Ağa Bey Köyü** found its way into many histories of the period, cf. e. g. Rostovtzeff (1957), Broughton (1938), Calderini (1949), Magie (1950), Alföldi (1979:154) and Millar (1966:231-2).³

3) DESCRIPTION

The text is inscribed on a 0.105m thick marble slab, 0.72 high and 0.73 broad. This has apparently been cut off a thicker block as can be deduced from the fact that on one side there are traces of 28 lines.⁴ Keil & Premerstein analysed the lines on the left and reported

1 See Buresch (1898:194) who gave the name as 'Mendehora (vulg. Mendora)' and described it as an 'ansehnliche Ortschaft'; *Μενδεχώρια*, Fontrier; Mendehora, Keil & Premerstein (1914:15). See also J. and L. Robert (1960:7-38, esp. pp. 29-30 and the descriptions collected in n. 1 on p. 29, especially the unpublished note of G. Radet made on May 5, 1886: 'M. est un des villages les plus importants de la région'). The village is on the old road connecting Alaşehir with the main road between Izmir and Afyon (the new road runs parallel with it some km. to the west).

2 Cf. Fontrier (1885-1886): *χρησιμεύοντος ως κατωτάτη βαθμῆς τῆς κλίμακος τῆς οἰκίας τοῦ Κότζα Ἰχτιάρογλου Ἀλλῆ*.

3 For a map see Robert (1962: pl. xxxiv).

4 Fontrier measured the stone as 0.04 thick, 0.65 high and 0.73 broad. On p. 24 Keil & Premerstein say that the left side is vacant, and the right side has remains of 28 lines; whereas the information on p. 25 is directly the opposite, where they identify the traces as the final parts of 28 lines and assign them to the left side. That the latter information is correct is confirmed both by the squeeze and Fontrier's description (1885-1886:86): *Ἡ ἐπιγραφὴ αὐτῆ φαίνεται ὅτι ἐξετείνετο καὶ ἐπὶ τῆς πρὸς τὰ ἀριστερὰ στενῆς ἐπιφανείας τοῦ μαρμάρου, ἀλλ' ὀλίγιστα γράμματα διακρίνονται ἐν τῷ μέσῳ τῆς κατὰ κάθετον ἐπιφανείας αὐτοῦ*.

that they gave a list of names.⁵ During a visit to the Kommission für kleinasiatische Epigrafik in May 1991 I made a complete transcript of it from the squeeze; this is given below.

The stone has been broken both at the top and the bottom. According to the editors the form of the letters indicate the end of the second or the third century. There are frequent ligatures. The height of the letters varies between 15 and 22 mm. The beginning and the end of the lines in front have been damaged, but the extent can be calculated for each line. There are certain irregularities which influence the number of letters per line: In l. 1 the letters *προ* and *αίρεσιν* are separated by a small *vacat*; the same happens in l. 3 (*ὑπο - κειμένης*). In l. 5 there are traces of a *μ* in front of *Ἰειομένων*. The restoration presupposes that some letters have been set over the line as for the letters *τάξεων* and *οβωτω* in l. 5. The editors warn against the restoration of l. 17-18 as 'unbefriedigend und sehr zweifelhaft'.

The inscription is reproduced on two squeezes which are kept at the Kommission für kleinasiatische Epigrafik, Vienna (filed under Lydia, Mendechora); these overlap in the middle (vertical break). The squeeze which covers the left half of the front also gives the scanty remains of the left side. The squeezes are in fairly good condition, but for ll. 15-24 the first third is illegible. There are no cross references to the notebooks, and I did not discover any further notes ('Scheden') in the archives. This must be explained by Keil and Premerstein's comment (p. 24) that the front at the time of their inspection was much damaged and that they relied on Fontrier's edition.⁶ A photo of the left hand squeeze is reproduced below as fig. 4.

From the squeeze one can see a change in the form of the letters M, E and Σ. In ll. 1-2 they have angular shape, and the middle downstroke of the M goes down to the line. Thus these two lines conform with the calligraphy of **Ağa Bey Köyü** and **Aragua**. In the rest of the inscription (the facing and the remains of the left side) these letters are given a lunar shape. There is no *vacat* to indicate the start of the *preces*.

4) TEXT, CRITICAL APPARATUS AND TRANSLATION

The text given below is based on Fontrier (1885-1886) and Keil & Premerstein (1914) and from the squeezes of the Kommission für kleinasiatische Epigrafik, Vienna in May 1991 and 1994-1995.

At two places Keil & Premerstein used questionmarks to express the uncertainty of their own restorations (ll. 2 and 4). Generally, however, the sense appears to be sound, and - as far as I know - no improvements have been suggested since their publication. The text below deviates from Keil & Premerstein (1914) only by giving a new proposal as how to restore and punctuate ll. 20-21. I also give - for the first time - a complete transcript of the remains of the left side. Because these lines are set tighter, 28 lines are accommodated within the encompass of the 24 lines of the facing side.

5 They suggested in l. 20 *A]ὑρ(ἡλιος) Γάιο[ς]* and in l. 23 *Aὑρ(ἡλιος) Λου[...]*.

6 'Der l. unten jetzt sehr verstörte Text der Vorderseite wurde von A. M. Fontrier [...] nach Abklatsch herausgegeben [...]; von uns wurde diese verglichen und die Reste der rechten Nebenseite kopiert.'

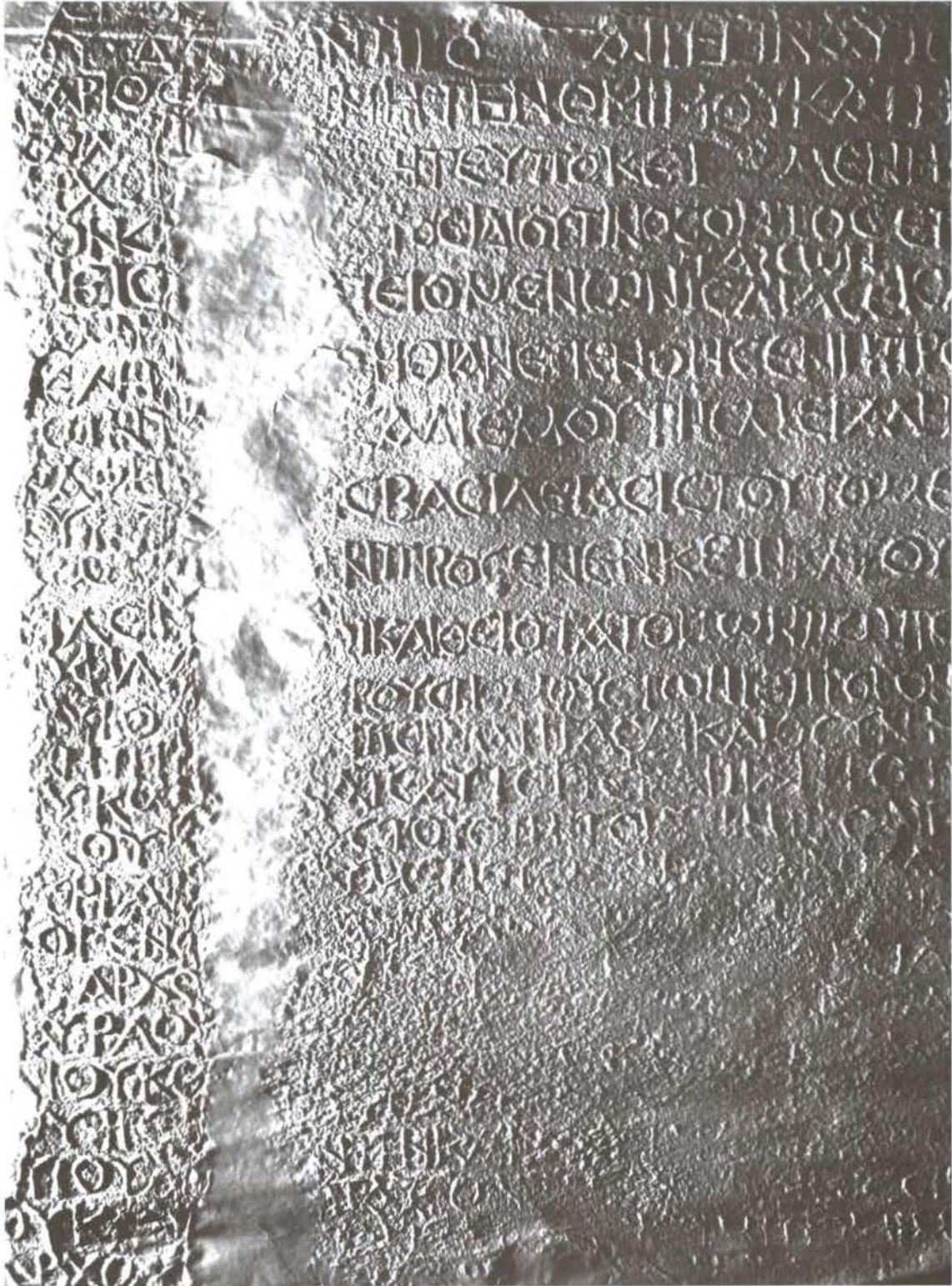


Fig. 3. Photo of squeeze taken by Keil & Premenstein in 1911 and kept at Kleinasiatische Kommission, Wien. The photo shows both the main facing side and the remains of text on the left side (ll. 1-28).

Facing side

- 1 [τ]ῆν προαίρεσιν αὐτῶν λογιζομένων ν[ομοθε]-
[σία]ν (?) μήτε νομίμου κατηγοροῦ τινὸς ἐξιστ[αμέ]-
[νου, μ]ῆτε ὑποκειμένης αἰτίας, μηδὲ φανεροῦ τι[νος ἐγ]-
- 4 [κλήμα]τος ἰδίου τινὸς ὄντος, ἐπιτρέχουσιν οἱ τοιοῦτοι μόν[οι ἢ μετὰ τῶν ?]
[σεσημ]ειωμένων τάξεων ἰς διασεισμὸν τῆς κώμης. Μόνη[ν ἐν φ]όβῳ τῷ[δε ταύ]-
[την βο]ήθιαν ἐπενόησεν ἢ προδηλουμένη κώμη συν[δε]-
[ηθεῖ]σα δι' ἐμοῦ τῆς μεγάλης ὑμῶν καὶ οὐρανίου κα[ὶ ἱερῶ]-
- 8 [τάτη]ς βασιλείας, ἰς τοῦτό με προχειρισαμένη καὶ τῆ[ν ἴκε]-
[τεῖ]αν προσενεκῆν. Καὶ τοῦτο δεόμεθ' ἀπιδόντας ὑμ[ᾶς, μέ]-
[γιστ]οὶ καὶ θειότατοι τῶν πώποτε αὐτοκρατόρων, πρὸς τε τοῦ[ς]
[ὑμετέ]ρους νόμους τῶν τε προγόνων ὑμῶν καὶ πρὸς τὴν εἰρηρικῆ[ν]
- 12 [ὑμῶ]ν περὶ πάντας δικαιοσύνην, μεισήσαντας δὲ, οὓς ἀεὶ με[ι]-
[σήσ]ατε αὐτοῖ τε καὶ πᾶν τὸ τῆς βασιλείας προγονικὸν ὑμ[ῶν]
[γένο]ς, τοὺς τὴν τοιαύτην προαίρεσιν ἔχοντας κολλητίωνα[ς, κε]-
[κωλ]υμένους μὲν ἀεὶ καὶ κολάζεσθαι κελευομένους, οὐκ[ἀπο]-

CRITICAL APPARATUS

Abbreviations:

- F** Fontrier (1886)
KP Keil & Premerstein (1914)
H author

All restorations are by **KP** if they are not otherwise identified.

Facing side:

- L. 1: [τῆ]ν **F**; [τ]ῆν **H**. προ and αἰρεσιν separated by 3 letters *vacat*. λογιζομένων [**F**
L. 2: [σίαν ?] **KP**; [σία]ν (?) **H**; τινος [**F**
L. 3: [μ]ῆτε **F**; υποκει and μενης separated by 2 letters *vacat*; τινος [**F**; φανερον [**F**
L. 4: [κλήματ]ος **KP**; [κλήμα]τος **H**
L. 5:]σειομένων **F**; σεσημ]ειομένων (sic) for [σεσημ]ειωμένων, or [ση]μειο-υμένων **KP**, who restored the
line with the expressed reservation that the letters must have been written above the line as was the case
with τάξεων - entered above ἰς διασεισμὸν - and ΟΒΩΤΩ in the same line. κώμης οβωτω μονη [**F**.
L. 6:]ηθιαν **F**. συν [**F**
L. 8:]ης **F**
L. 9:]αν **F**, [τεῖα]ν **KP**; [τεῖ]αν **H**; υ [**F**
L. 14: κομητίωνας [**F**, interpreted as κοσμητίωνας by **KP** p. 25; κολλητίωνα[ς] **KP**
L. 15: ου [**F**; οὐκ ἀπο | δεξ]αμένους **KP**; οὐκ [ἀπο | δεξ]αμένους **H**

- 16 [δεξ]αμένους δέ, ἀλλὰ ἀεὶ βαρύτερον ἀντιμαχομένου[ς]
[ταῖ]ς ὑμετέραις νομοθεσίαις, εἴτε φρουμενταρίοις προμ[ε]-
[μήννυ]το (?), εἴτε ὁμοίαις τάξεσιν, κελεῦσαι καὶ χρηματίσαι νόμῳ τι[νί],
[ὡς τὴν ἀν]αίδιαν αὐτῶν αὐτοῖς ἢ ἡγεμονεῖα προσάγει. Εἰ δέ τις, ἔξω τῶ[ν]
- 20 [τοι]ούτων λέγων εἶναι προφάσει κατηγορίας τινὸς, ἐπι{ε}σκ[ι]-
[άζω]ν (?) τὴν κακουργίαν, ἐπιτρέχοι, μὴ διὰ τῆς ἡγεμονίας, ἀ[λλὰ]
[διὰ τῶν] τάξεων βασανίζων, ὡς οἱ νόμοι θέλουσιν ὑμῶν τ[ε καὶ]
[τῶν προγόνων,] εἰ μὴ νόμιμος κατήγορος, μὴ προσε[ρχων]-
- 24 [ται πρὸς τοῦτο αἰ] τῆς τάξεως ἐξουσίαι καὶ [- - -]
-

Remains of left side aligned with the front

1	CP	[τῆ]ν προαίρησιν αὐτῶν λογιζομένων ν[ομοθε]-
	JOY.Δ	[σίαν?] μήτε νομίμου κατηγοροῦ τινὸς ἐξιστ[αμέ]-
	IAPIOC	[νου, μ]ήτε ὑποκειμένης αἰτίας, μηδὲ φανεροῦ τι[νος ἐγ]-
4	IOA	[κλήματ]ος ἰδίου τινὸς ὄντος, ἐπιτρέχουσιν οἱ τοιοῦτοι μόν[οι ἢ
	JPX	μετὰ τῶν ?]
		[σεσημ]ειομένων τάξεων ἰς διασεισμὸν τῆς κώμης. Μόνη[ν ἐν
	IONK	φ]όβῳ τῶ[δε τὰ]-
	IEIC	[την βο]ήθειαν ἐπενόησεν ἢ προδηλουμένη κώμη συν[δε]-
	IEMH	[ηθεῖ]σα δι' ἐμοῦ τῆς μεγάλης ὑμῶν καὶ οὐρανόου κα[ὶ ἰερῶ]-
8	IEAH	[τάτῃ]ς βασιλείας, ἰς τοῦτό με προχειρισαμένη καὶ τῆ[ν ἰκε]-
	IONT	[τεία]ν προσενενκεῖν. Καὶ τοῦτο δεόμεθ' ἀπιδόντας ὑμ[ᾶς,
	IPAPH	μέ]-
		[γιστ]οὶ καὶ θεϊότατοι τῶν πώποτε ἀντοκρατόρων, πρὸς τε
	IT...	τοῦ[ς]
		[ὑμετέ]ρους νόμους τῶν τε προγόνων ὑμῶν καὶ πρὸς τὴν
12	IO..	εἰρημικῆ[ν]
		[ὑμῶ]ν περὶ πάντας δικαιοσύνην, μεισήσαντας δὲ, οὓς ἀεὶ
		με[ι]-

L. 16:]σαμενους F;]ξαμενους KP

L. 17-18: προ[F; restoration προμ[ε | μήννυ]το 'unbefriedigend und sehr zweifelhaft' KP; (?) H. νόμωτ[F

L. 19: προσάγει (so) for προσάγη KP

Ll. 20-21: ἐπὶ ἐσκ[εμ |]ν F, ἐπὶ (ἐ)σκ[εμ | μένη]ν KP, the squeeze gives EPIIECK or EPIICCK; perhaps ἐπι{ε}σκ[ι | ἀζω]ν H

L. 22: ὑμῶν[F

L. 23:]ει μῆ F; remnants of upper part of 6 letters fitting προγόνων KP

L. 24: κα[F

Left side:

L. 20: A]ῦρ(ἡλιος) Γάϊος KP

L. 23: Aῦρ(ἡλιος) Λου[KP

	ΙΙΔΕΙ	
	ΙΟΦΙΛ	[σήσ]ατε αὐτοί τε καὶ πᾶν τὸ τῆς βασιλείας προγονικὸν ὑμ-
	ΙΤΙΟ.	[ῶν]
	ΙΗΠ.	[γένος], τοὺς τὴν τοιαύτην προαίρεσιν ἔχοντας κολλητίωνας[ς,
16	Ι.ΚΩ.	κε]-
	ΙΚΟΤ.	[κωλ]υμένους μὲν ἀεὶ καὶ κολάζεσθαι κελευομένους, οὐκ[
	ΙΤΡΓΑ.	ἀπο]-
	ΙΟΓΕΝΘ	[δεξ]αμένους δέ, ἀλλὰ ἀεὶ βαρύτερον ἀντιμαχομένου[ς]
20	Ι.ΑΡΧΟ	[ταῖ]ς ὑμετέροις νομοθεσίαις, εἴτε φρουμενταρίοις προμ[ε]-
	ΙΑΥΡΑΟΥ	[μήνν]το (?), εἴτε ὁμοίαις τάξεσιν, κελεῦσαι καὶ χρηματίσαι
	ΙΟΥΚΕ	νόμῳ τι[νί],
	ΙΤΠΕ	[ὡς τὴν ἀν]αίδιαν αὐτῶν αὐτοῖς ἢ ἡγεμονεῖα προσάγει. Εἰ
	ΙΤΙΟΥ.	δέ τις, ἔξω τῶ[ν]
	ΙΟΥΚ.	[τοι]ούτων λέγων εἶναι προφάσει κατηγορίας τινός,
24	ΙΡΧΟ	ἐπι[ε]σκ[ι]-
		[άζω]ν (?) τὴν κακουργίαν, ἐπιτρέχει, μὴ διὰ τῆς ἡγεμονίας,
		ἀ[λλὰ]
		[διὰ τῶν] τάξεων βασανίζων, ὡς οἱ νόμοι θελοῦσιν ὑμῶν τ[ε
		καὶ]
		[τῶν προγόνων,] εἰ μὴ νόμιμος κατήγορος, μὴ προσέ[ρχων]-
		[ται πρὸς τοῦτο αἰ] τῆς τάξεως ἐξουσίαι καὶ [- - -]

TRANSLATION

Narratio (final part, ll. 1-9)

(ll. 1-5) ---] regarding their own decision as [establishing law] even if there is neither a regular prosecutor at hand, nor is there an established charge, nor even a declared [accusation] from a private person, these - alone or with the military orders indicated - overrun and shake down the village. (ll. 5-9) In this state of fear, the only help the above mentioned village could envisage was to join with me in petitioning your great, heavenly and [most sacred] kingship, choosing me to do this and to present the [supplication].

Preces (beginning, ll. 9-24)

(ll. 9-19) And this we beg of you, o greatest and most divine of emperors ever, heeding only your laws and those of your ancestors and your peace-giving justice for all, and abhorring those whom you yourselves and all your ancestral imperial family always abhorred, those *kollētiōnes* who have such an inclination - who on the one hand always have been prevented and are under order to be punished, but on the other hand have not accepted but rather resist your legislation ever more energetically, whatever the laws were issued for the *frumentarii* or similar orders - [we beg you] to command and dispose by some law that the provincial governor shall visit their insolence upon them. (ll. 19-24) If someone who for the sake of some accusation says that he does not belong to these orders, and [conceals] the malpractice, prosecuting not through the proconsul but through the orders, [follow] your and your ancestors' laws, [in cases] when there is no prescribed prosecutor, and let not the authority of the military orders apply [to this ---]

6) GENERAL COMMENTARY

General outline

These twenty-four lines give the concluding half of a petition addressed to a pair or team of emperors. Nothing is left of the *inscriptio* and *exordium*; of the *narratio* which would give the facts of case only the final clause is preserved (ll. 1-5). After a transitory remark (ll. 5-9, cf. Part II, Chapter 1, section 6. The transition) the *preces* start at l. 9 and go on until the text breaks off at l. 24; this probably leaves the major part of the *preces* intact. The imperial *subscriptio* and other ensuing documents are lost.

Because of the damage to the main part of the *narratio*, we do not know the finer details of this story. L. 14 tells us that the accusations are directed against *kollētiōnes* who have (l. 5) attacked and subjected the village to extortion.

In a manner that seems unique for this category of petitions, the complaint is explicitly centered on the prevailing law. The accusation of general misconduct is cleverly put forward by pointing to the formal breaches of law that are committed (ll. 1-4): (1) the prescribed prosecutor does not exist, (2) there is no charge and (3) there is no private accusation. Because they do not act on formal authorization, the behaviour of the military orders (or units or regiments = *τάξεις/ officia*, see below on ll. 4-5 and 17) is described as a shake down (*διασεισμός/ concussio*), but the exact nature of their actions is not described within this fragment.

The concrete aim of the petition is expressed in the plea to the emperors to intervene through the provincial governor (l. 19 *ἡγεμονία*, this is also reflected in l. 21). They entreated the emperors to instruct (ll. 9 and 18 *δεόμεθα ... κελεύσαι καὶ χρηματίσαι*) the proconsul to accept the case and decide upon it in accordance with the imperial legislation. The procedure they specify is evidently an example of how an imperial *subscriptio* could work somewhat along the lines of a *denuntiatio ex auctoritate* (cf. **Tabala** and **Euhippe**). In ll. 19-24 they finally tell how the order of the *kollētiōnes* transgress their authority (*ἐξουσία*) and decide their own cases.

Dating

To Keil & Premerstein (p. 26) the disbandment of the *frumentarii* (l. 17) gave the *terminus ante quem*. This is recorded in a passage by Aurelius Victor (*De Caesaribus* 39, 44, of Diocletian: [...]) *remoto pestilenti frumentariorum genere, quorum nunc agentes rerum simillimi sunt*). Other clues were the repeated address to two or more emperors (ll. 9, 12-3, 14, 17 and 22) and references to the imperial dynasty (ll. 12, 13-4 *πάν τὸ τῆς βασιλείας προγονικὸν ὑμῶν γένος*, and 23). The obvious candidates must be one of the couplings of Severan emperors. Septimius Severus, Caracalla and Geta ruled together (198-211), as did Caracalla and Geta (211-212), and Elagabalus and Alexander (218-219). The echoing of ancestors may at first glance favour the later emperors within the dynasty, but it is well known that Septimius did not see himself as the founder of his own dynasty, but merely as the continuance of M. Aurelius Antoninus Commodus.⁶ From this angle the

6 This appears clearly, e.g. in the inscription rendering the response given by Septimius Severus and Caracalla to a legation from Smyrna about the immunity of the sophist Rufinus (*SIG³ 876 = IGRR IV, 1402 = I. Smyrna II:1, 602 = Oliver 1989, 255*) ll. 3-5: *τὴν προκειμένην τοῖς σοφισταῖς κατὰ τὰς θείας τῶν προγόνων ἡμῶν διατάξεις ἀτέλειαν τῶν λειτουργιῶν καρπούμενος [...]*

preference of the editors, Septimius Severus and his sons, is not unlikely. The two names reported on the left side, however, (see above 3) **DESCRIPTION**) both have Aurelius; this is much easier to explain if we go for a date later than 212/ 213.⁷ As for **Ağa Bey Köyü** the reign of the two Philippi (244-249) may also work as the chronological limits.

Setting

The petitioners are inhabitants in an undefined village (ll. 5 and 7). This makes them part of a city's territory, most probably Philadelphia as suggested by the editors. The name at the time of discovery, Mendekhore (Μενδεχώρια), was interpreted as modern Greek for Πέντε χωρία.

The community of this village (κώμη or κατοικία) appears on two more inscriptions (J. & L. Robert 1960:28-34).⁸

Kemaliye is not far from Philadelphia, and one should note that the argument of soldiers leaving the main routes is absent. A few kilometers to the west there are remains of a Roman bridge which tell us that the settlement was located on or close to the thoroughfares.

7) DETAILED COMMENTARY

L. 1-4 τὴν προαίρεσιν ... τινὸς ὄντος: This clause concludes the *narratio* and sums up the grievances of the petitioners in a legal frame. As interpreted by Keil & Premerstein the tripartite expression served as a *ἐν διὰ τριῶν*: the *officiales* alias *kollētiōnes* appeared to pursue criminals without the backing of a formal accusation. Keil & Premerstein based their argumentation on texts of Tertullianus (*Ad Scapulam*, 4), Paulus (*Digesta*, 48. 18, 22) and a rescript of Gordian III (*Codex Iustinianus*, 9. 2, 7). The two former sources ordered that cases which were not founded on accusations, should be dismissed; whereas - according to Gordian's rescript, datable to 244 - they were admissible, though a word of caution was appended. Applied to the present text Gordian's rescript could serve as a *terminus ante quem*. The passage in ll. 19-24 illuminates this further, and Keil & Premerstein identified it by the use of Egyptian sources as the summary procedure by *delicta* which the *officia* were authorized (cf. l. 24, ἐξουσίαι) to handle. The lower status of these investigations is betrayed by the fact that the parties involved regularly tried to have them transferred and tried before a higher magistrate. Keil & Premerstein (p. 28) interpreted the

7 See Herrmann 1972 (esp. pp. 526-8) who analysed the numerous (appr. 120) epitaphs from Saittai (now collected in *TAM V:1*), which could both be exactly dated and which carried the name Aurelius. Of these no epitaph included the name Aurelius prior to 212/ 213 (see also commentary on **Takina**, l. 3).

8 A (12-11 BC): Ἔτους κ' τῆς Καίσαρος νίκης· ἡ κατοικία ἐτείμησαν Ἰόλλαν Μενεκράτους, Μένανδ[ρ]ον Ἀττάλου γενομένους γεραιῶδες καὶ ἐπι[μ]ελεσσαμένων τοῦ ὕδραγωγίου ἀγνώως καὶ δικαίως.

B (166-167): Ἔτους ρθζ' τῆς Καίσαρος νίκης· ἡ κατοικία ἐτείμησεν Μ. Καικίλιον Λουκιανὸν κωμάρχη, ἐπιμελησάμενον καὶ ποιήσαντα τὴν στόαν διπλὴν, καὶ καμάραι μεταθέντος. On the basis of these inscriptions we can conclude that the village at Kemaliye was an important one, which not only had a *gerusia* and magistrates but also watersupply and a stoa (cf. the baths at **Kasar**).

final clause (ll. 19-24) so that the petitioners wanted the emperors to decide whether (1) anyone who on the pretext of an accusation introduced this unlawful procedure through the order by law had lost his right to deliver a regular accusation, or whether (2) he still had this right (as the text then had to be supplied).⁹

Weiss (1915:160-3) did not accept this interpretation because the summary procedure of *delicta* was not applicable in cases which needed a formal *κατήγορος* (restated in ll. 2, 21 and 23). This expression is especially used of the private accuser who acts on behalf of the *advocatus fisci* and on whose competence the case relies. But here the *procurator fisci* or *procurator rationalis* is the court of appeal, and not the provincial governor. Weiss recognized that the focus in **Kemaliye** upon the absence of a legal accuser or indictment corresponded with the state of courts under the principate. The delivery of an indictment was then an indispensable condition before the opening of a criminal case. When this happens in our text, the accuser is not legitimate because he acts in secret understanding with the orders (cf. l. 20 *προφάσει κατηγορίας τινός* and l. 23 *εἰ μὴ νόμιμος κατήγορος*). Weiss accordingly dismissed Keil & Premerstein's explanation and gave two further arguments: (1) *κατηγορία* is not used in connection with the summary procedure and (2) such a case would be at the bottom of the juridical ladder and would have had to be presented to several layers of magistrates before it could be referred to the provincial governor. Consequently this case required a regular accusation.¹⁰

On balance the explanation offered by Weiss is to be preferred; it needs to be stressed, however, that the underlying reason for the orders to intervene is not known. Keil & Premerstein (p. 27) maintained that it obviously was to pursue criminals, but this is a mere assumption. Again I find it striking that the town and its magistrates are absent from the narrative. The order of the *kollētiōnes* may have assisted the towns in collecting and mustering their resources.

If taken in isolation, this petition can not be analysed further. But compared with **Ağa Bey Köyü**, where the case and its consequences are described in greater detail, we may guess that the aim of the petitioners from **Kemaliye** was to have the emperor state that their case should be pleaded before the provincial governor. The rescript could then be expressed much along the lines of **Aragua** (ll. 2-3: *Proconsule v. c. perspecta fide eorum quae [adlegastis si] quid iniuriose geratur, ad sollicitudinem suam revocabit*).

L. 4-5 ἐπιτρέχουσιν ... ἰς διασεισμὸν: Ἐπιτρέχω appears also in l. 21, apparently also there as an intransitive. Here it is connected with ἰς διασεισμὸν τῆς κώμης, and its mean-

9 The German text goes: 'Die von den Kaisern auf Grund der geltenden Gesetze (Z. 22f.) dagegen zu treffende Verfügung soll zwei mögliche Fälle berücksichtigen, nämlich ob der *προφάσει κατηγορίας τινός* das widerrechtliche Verfahren bei den *τάξεις* Einleitende an und für sich von der Erhebung der ordentlichen Klage gesetzlich ausgeschlossen wäre (Z. 23 *εἰ μὴ νόμιμος κατήγορος*; vgl. Z. 2), oder ob er - wie wir wohl im folgenden ergänzen müssen - die Legimitation zur Klage besitzt (vgl. dazu Mommsen, *Strafrecht* 366ff.; 993 ff.).' It appears as if the editors at this point had come under the spell of the petitioners' cumbersome language.

10 Weiss (1925:161, n. 5) also discussed whether *ἔγκλημα* here has the meaning *Anklage* or *Klagegrund*; he preferred the first meaning whereas the latter in this instance was rendered by *ὑποκειμένης αἰτίας*.

ing is *overrun*, cf. Hdt. 8. 23, trans., τὰς [...] κώμας πάσας ἐπέδραμον and P. Giess. I, 10 (3. cent.) μὴ δὲ βιαίως ὡς καὶ τὰ κτήματα αὐτοῦ [ἐ]πιτρέχειν. Later (l. 21) it may have the meaning *treat lightly* or *summarily* of, cf. *LSJ* s. v., II, 5. In itself it is a non-technical word and must in meaning be close to ἐνοχλέω and ἐπηρεάζω, cf. e. g. Kilter, ll. 5 and 8. For a collection examples of ἐνοχλέω and παρενοχλέω from the Hellenistic age, cf. Wilhelm (1920:50); see further Wörrle (1979:90-1) and J. and L. Robert (1983:135-6) who disagreed with Welles' (1934:172, with reference to Skaptopara, ll. IV, 149) statement that ἐνοχλέω particularly refers to financial 'burdening'.

διασεισμός, however, renders the Latin *concussio*, lit. shake down, used about abuse of power. διασειώ is used in Güllüköy l. 9 and Aragua ll. 13-4, 22 and 30. Its derivative, διασεισμός as here, is used in Aragua l. 10. In Kasar the words ἐπισειώ and ἐνσειώ are used. In The New Testament it has a striking entry, Lk. 13, 4: ἐπηρώτων δὲ αὐτὸν [i. e. St. John] καὶ στρατευόμενοι λέγοντες· τί ποιήσωμεν καὶ ἡμεῖς; καὶ εἶπεν αὐτοῖς· μηδένα διασειήσητε μηδὲ συκοφαντήσητε καὶ ἀρκεῖσθε τοῖς ὀψωνίοις ὑμῶν; (cf. commentary on Phaina, ll. 16-18). Further it appears four times (ll. 6, 13, 14 and 16) in an edict issued by the *praefectus Aegypti*, Subatianus Aquila (P. Oxy. VIII, 1100 from 206).¹¹ Also from Egypt is an extract from an account, where expenses are entered ὑπὲρ διασεισμοῦ, 2200 drchs.' (M. Hombert and C. Préaux 1941:l. 6 and L. Robert 1943). Finally, it has its own modest entry in *Digesta* (47. 13, *De concussione*) where Ulpian (*Liber quintus opinionum*) is quoted: *Si simulato praesidis iussu concussio intervenit, ablatum eiusmodi terrore restitui praeses provinciae iubet et delictum coerceset*. Another quotation of Ulpian (*Liber primus de omnibus tribunalibus*) on *concussio* is given in *Digesta* 1. 18, 6, 3 (*De officio praesidis*): *Illicita ministeria sub praetextu adiuvantium militares viros ad concutiendos homines procedentia prohibere et deprehensa praeses provinciae curet*. In *Pauli sententiae* (5. 25, 7, 12) the following exemplary punishment is given: *Qui insignibus altioris ordinis utuntur militiamque confingunt, quo quem terreant vel concutiant, humiliores capite puniuntur, honestiores deportantur*. The relevance of these quotations should be clear, but *concussio* is nowhere defined (cf. F. Raber, *Der kleine Pauly*, s. v. *concussio*). T. Mommsen (*Römisches Strafrecht*, p. 716-7) explains it by 'Erzwingung von Gaben oder Leistungen durch Missbrauch der Amtsgewalt'. Within this genre it is obviously one of the central terms, important because it appears in petitions, official documents and juridical writings. In the present petition its use is particularly apt, as orders have appeared and used force without the necessary authority, and have aroused fear (cf. l. 5 [ἐν φόβῳ τῶν]); this description corresponds closely with the cases given by Ulpian and Paulus, who stated that it was the duty of the *praeses* to stop and punish this activity.

Ll. 4-5 cont.: οἱ τοιοῦτοι μόν[οι ἢ μετὰ τῶν σεσημ]ειομένων τάξεων: The main defendants marked in this petition are the *kollētiōnes* as specified in l. 14. But also other orders (*officia* = τάξεις) are mentioned, the φρουμεντάριοι (l. 17). Τάξις is used four times (ll. 5, 18, 22 and 24; further it is reflected in ἔξω τῶν τοιούτων (ll. 19-20). Our corpus constitutes the primary sources for the *kollētiōnes* who also appear in Ağa Bey Köyü l. 25, 35

¹¹ Keil & Premerstein (1914:43) have suggested restorations (these are not included in *Berichtigungsliste*).

and 45; **Kavacık**, l. 11, **Demirci** l. 5 and **Kasar** l. 21. Otherwise the *kollētiōnes* are known from Egypt (see especially Crawford (1974 and the survey in n. 13; Lewis 1954:292; and Rea 1983, esp. pp. 97-100). The bad reputation of this order seems wholly deserved as in **Kemaliye**, **Kasar** and the two Egyptian papyri they are linked with *διασεισμός* and in the two remaining sources, **Ağa Bey Köyü** and **Kavacık**, they are also accused of extortion.

The datable documents which record the *officium* of the *kollētiōnes* belong either to the Severan era¹² or to the Philippi (**Kavacık**). The name has been seen as derived from the Latin *collectio*, *colligere* (Keil & Premerstein 1914:44 and Garroni 1916:79-80). But Rostovtzeff (1918:33) connected it with the later *collationes*: *collatio iuniorum*, *lustralis*, *glebalis* (see also Jones *LRE*, pp. 110, 431 and adhering notes). Keil & Premerstein identified them as a police corps, whereas Garroni and Rostovtzeff defined them as tax collectors. The names of the *officia* which were commissioned to perform this task tend to be in a state of flux: here (ll.17-7) - as in **Ağa Bey Köyü** l. 1 - the *kollētiōnes* are paired with *frumentarii* and similar *officia*; in **Kasar** (ll. 10-1) they appear together with *stationarii* and *frumentarii*; in **Demirci** (perhaps l. 4) with *stationarii* and *frumentarii* again; in **Kavacık** (ll. 7-8) with *frumentarii* and *praetoriani* and in the Brussels-papyrus (l. 4) with a *stationarius*. At this stage the conclusion of Robert (1943:118) seems natural: 'Les fonctions de police donnant lieu toujours aux mêmes abus et aux mêmes plaintes, comme le gouvernement ne peut supprimer les fonctions, de temps en temps il change le nom; les exploités et les pressurés ont ainsi un moment l'illusion que le nouvel agent, avec son titre nouveau, sera moins avide et plus humain; puis de nouveau, recommenceront les plaintes.'¹³

The particular contribution of **Kemaliye** to an understanding of the order of the *kollētiōnes* is that the text tells us that they had certain powers to judge cases brought before them by private persons. They also had the right to carry out their duties coercively if there was an objective reason for this. It was their habit of using this right indiscriminately which gave them the bad reputation to which the sources for their existence unanimously bear witness. See also commentary on **Kavacık**.¹⁴

12 With the Brussels papyrus perhaps somewhat earlier (Hombert & Préaux 1941): 'de la deuxième plutôt que de la première moitié du IIe siècle'.

13 Rea (1983:97-100) gives a thorough survey of the sources and suggests ingeniously that *kollētiōn* should be seen as a derivation of *κολλάω*, *to glue (together)* and that the *kollētiōnes* were 'filing clerks' of the military police who 'clearly had opportunities to abuse their positions by receiving bribes for the insertion or deletion of names, and so to incur the odium of the provincials'. The obvious *nomen agentis* derived from *κολλάω* would be *κολλητήης*. But this word, Rea argues from the evidence of the Greek-Latin glossaries, also denoted *stagnarius*, 'plumber, welder'. *Kollētiōn* was coined 'in order to provide a translation of *glutinator* which was not liable to be confused with *κολλητήης*'. Despite Rea's reassessment, I still feel the connection *kollētiōnes/ collatio* to be linguistically and materially (*collatio lustralis*, *glebalis*) so close, that I am unwilling to let it go. Levick (1985: 223) may have got to the point when writing 'The officials concerned are called *colletiones* in Greek, which is a word connected with Latin *collatio*, tax contribution, but spelt in Greek as if it were connected with the Greek word for glue. Whatever humour there may have been in this title originally had evidently vanished by the time the peasants of this estate wrote to the Emperor.'

14 See also P. WashUniv II, no. 80 (account for the expenses for river freights), col. ii, l. 7: *κολλη[τί]ωνει ἀντοῦ (δρ.)*, and the commentary on p. 86.

LI. 5-9 μόνη[ν] [...] καὶ τῆν ἰκετεία]ν προσενενκεῖν: This passage is a transition between the *narratio* and the *preces* and similar sections can be found in **Saltus Burunitanus** (col. III, ll. 1-3), **Ağa Bey Köyü** (ll. 21-30) and **Skaptopara** (ll. 73-78). The appointment of a representative is also common, cf. the named representatives: Lurius Lucullus in **Saltus Burunitanus** (col. IV, ll. 3 and 15), Aurelius Pyrrus in **Skaptopara** (ll. 6 - with commentary - and 165) and M. Aurelius Eglectus and Titus Ulpius Didymus in **Aragua** (ll. 1-2, 5 and 7-8).

[ἰκετεία]ν προσενενκεῖν is restored by Keil & Premerstein. At first glance ἀξίωσις (**Skaptopara** ll. 113 and 122), βιβλείδιον (**Dagis II**, ll. 18-19), ἔντευξις (**Dagis I**, l. 6 and **Skaptopara** l. 110), δέησις (**Ağa Bey Köyü** l. 31; **Skaptopara** l. 9 and **Aragua** ll. 6 and 28) and ἰκεσία/ ἰκετεία (**Kemaliye** ll. 8-9; **Skaptopara** l. 18 and **Aragua** l. 11) should be synonymous and may have been used as well. But in this material ἰκεσία is the only term which is used in the expression 'to present a petition'. It also seems to be limited to the *exordium* or the *narratio*. The choice of verb is apparently freer, as it is used with προσφέρω (as here), προσκομίζω (**Skaptopara**) and προσάγω (**Aragua**).

LI. 9-24 A compact structure and blatant words characterise the *preces* of **Kemaliye**. In translation these aspects cannot - and perhaps should not - be toned down without forfeiting its distinctiveness. One should notice the antithesis of the εἰρηνικὴ ... δικαιοσύνη of the emperors which contrasts sharply with the corresponding hate (μισεῖν) they have in store for their opponents. The attitude and actions of *kollētiōnes* and the *frumentarii* are described by words as ἀναϊδία, κακουργία, ἐπιτρέχειν and βασανίζειν. The main structure is δεόμεθα ὑμᾶς ... κελεύσαι καὶ χρηματίσαι ... ὡς ... ἡ ἡγεμονεία προσάγει. The range of participles is difficult to follow: ἀπιδόντας, μεισήσαντας refer to the emperors, while ἔχοντας, [κεκωλ]υμένους (passive), κελευομένους (passive), [ἀποδεξ]αμένους (deponent) and ἀντιμαχομένους (deponent) relate to the *kollētiōnes*.¹⁵

LI. 9-10 [μέγιστ]οι καὶ θεϊότατοι τῶν πρότε ἀυτοκρατόρων: See commentary on **Ağa Bey Köyü**, l. 13 and the identical expression in ll. 22-23 of **Ağa Bey Köyü**.

LI. 10-11 ἀπιδόντας [...] πρὸς τε τοῦ[ς] ὑμετέ]ρους νόμους τῶν τε προγόνων ὑμῶν καὶ πρὸς τὴν εἰρηνικὴ]ν ὑμῶ]ν περὶ πάντας δικαιοσύνην: If this applies to the Severan legislation, the reference has not evoked much sympathy from commentators. Robert (cf. above com. ll. 4-5), Rostovtzeff (1957:430) and Keil & Premerstein (p. 44) all express the dire consequences of the Severan reign. Keil & Premerstein say 'Während seiner grausamen und willkürlichen Herrschaft erreichten wohl die häufigen massenweisen Streifzüge in den

15 See also the section (7) on the *preces* (Greek) in Part II, chapter 1. The participles [κεκωλ]υμένους and κελευομένους must carry passive sense, whereas [ἀποδεξ]αμένους and ἀντιμαχομένου[ς] are deponents; the particles μέν - δέ - ἀλλά further show that the participles form a coherent sequence. Robert (1943:116) translated (ll. 14-18, avoiding the restorations [κεκωλ]υμένους and [ἀποδεξ]αμένους): 'les κολλητίωνες qui ont une telle conduite, toujours et devant être châtiés par vos ordres, mais qui ne pas, mais toujours s'opposent de façon insupportable à vos législations (que celles-ci aient visé les *frumentarii* ou des *officia* semblables), ordonnez par une loi.'

Provinzen ihren Höhenpunkt und mussten bald darauf wegen der dabei vorfallenden masslosen Übergriffe und der allgemeinen Verhasstheit eingestellt werden ...'. It is no easy task to evaluate expressions like 'your peaceful justice for all', whether they are mere flattery or a serious compliment. If one takes the Herculean efforts of Septimius Severus to modernise the Roman legal system and the administration into consideration, the view of Keil & Premerstein seems heavily biased.

For the use of ἀφοράω, we have illuminating parallels in the letter of Hadrian to the Delphians (of 118 = Lafoscade 1905:no.78 = Oliver 1989:159, no.63: καὶ εἰς τὴν ἀρχαιότητα τῆς πόλεως καὶ τοῦ κατέχοντος α[ὐτὴν θεοῦ θρη]σκείαν ἀφορῶν, ἡγοῦμαι δικαίας ὑμᾶ[ς ---]) and the dossier from Hıdırbeyli by Germencik (Nollé 1982:12-3 and notes on pp. 47-8) which gives an edict by the *proconsul Asiae*, Q. Caecilius Secundus Servilianus (208 or 209), who has been approached by members of the *κατοικία* Mandragoreis about permission for marketdays. Caecilius Secundus motivates his permission with the words (ll. 32-4): ἀφορῶν εἰς τὴν τύχην τῶν θεϊότατον ἡμῶν ἀτοκράτορων, οἱ πᾶσαν τὴν ἰδίαν αὐτῶν οἰκουμένην αὔξασθαι πρὸς τὸ κρεῖττον ἐθέλουσιν κτλ.¹⁶ The latter parallel tells us that many of the striking expressions which we encounter in the petitions, mirrored phrases used by the provincial governors in their edicts to convey the aims of the emperors. Of particular interest are the edicts of Paulus Fabius Maximus (*OGIS* 458 = Sherk *RDGE*, no 65, transl. Sherk 1984, no. 101), C. Popillius Carus Pedo (I. Eph. 24A, ll. 10-11: ἀποβλέπων εἰς τὴν εὐσεβείαν τοῦ θεοῦ, i. e. Artemis) and Q. Sicinnius Clarus (*IGBulg.* III:2, 1690). Nollé (or rather *LSJ*) referred further to passages of Arrian (3. 24, 16) and NT *Hebr.* (12. 2) to show that Secundus' expression was related to the religious sphere.¹⁷

Our passage, apart from showing how the religious and secular elements coalesced, illustrates how official expressions were echoed in the petitions. There are, however, not many examples which show this dependence as directly and incontestably as in the examples referred to here.

The repeated reference to the ancestors (ll. 11, 13 and 23) is an isolated feature of this petition but both in **Ağa Bey Köyü** (ll. 38, 47 *προγονικός* and 52) and **Skaptopara** (C, 77 *προγονικός*) ancestry of the petitioners is used in the argumentation.¹⁸

L. 17 φρουμενταρίοις: The *frumentarii* occur also in **Ağa Bey Köyü** (l. 1), **Demirci** (l. 4), **Kasar** (l. 11) and **Kavacık** (l. 7). A supplemental, positive portrayal can be found in Roueché (1981:113-7) where two inscriptions from Aphrodisias honour *frumentarii* for their goodwill and affection towards the town.¹⁹

16 Nollé (p. 14) translates 'Weil ich auf die Fortuna unserer hocheiligen Herrscher achte, die ja wollen, daß ihr ganzer Erdkreis noch weiter befördert wird ...'

17 See also Moulton & Milligan (1930 s. v. ἀφοράω) translating it as 'look away from [other things] to', quoting Epictetus 2. 19, 29.

18 The [πρό]γο[ν]οι μι[ά]λιστα of **Kavacık** (ll.19-20) is without context; cf. Rostovtzeff (1936).

19 Our inscriptions do not furnish clear evidence, but nevertheless they convey an impression that one of the principal functions of the *frumentarii* (and perhaps the *kollētiōnes*) was to assist the municipalities in mustering their resources (local city taxes, *munera* and *honores*).

Mann (1988) and Rankov (1990) have recently discussed the nature of this organisation. Rankov, being clearly the better informed, suggested that the carrying of messages was their most important duty. He also emphatically attributed them to the proconsul's *officium* as well as to the *castra peregrina* in Rome, explaining their usefulness by this double commission. The epigraphic link between the corn supply and the *frumentarii* is weak, being limited to an honorary inscription to a *praefectus annonae* set up by a *centurio frumentarius* (from Ostia; *AE* 1977, no. 171).

The difference between the *frumentarii* (here we should probably also include the *kollētiōnes*) and the auxiliary soldiers, whether stationed at the Eumeneia garrison or detached to procuratorial duty in Ephesos (see commentary on **Kilter**), was not one of command, as they both had the proconsul as their supreme, provincial commander. The difference was rather one of principal assignment. I also take it that the *frumentarii* and the *kollētiōnes* had status as *beneficiarii* recruited from regular legionary soldiers (as opposed to auxiliaries).

Aurelius Victor (39, 45) has best summarised their general impact: ... *compositis nefarie criminationibus, iniecto passim metu, praecipue remotissimo cuique, iniuncta foede diripiebant*.²⁰

LI. 19-24 εἰ δέ τις ... ἐξουσίαι καὶ: The clause is broken off at the end, and this must in turn, at last partly, explain why it is so hard to come to terms with. Moreover, the text given by Keil & Premerstein in ll. 20-21 (see the critical apparatus) does not seem satisfactory: (1) the participle in ἐπὶ (ἐ)σκ[εμ-μένη]ν²¹ τὴν κακουργίαν becomes a predicative in stead of an attribute and makes the expression ungrammatical. (2) to give ἐπί by assuming the aphaeresis of ε in ἐσκεμμένην is a tough way of avoiding the regular ἐπ' ἐσκεμμένην. The weight of argument (1) tells us that the letters at the end of l. 20 and at the start of l. 21 (ΕΠΙΕΣΚ[....]Ν) cannot form a participle in agreement with the following τὴν κακουργίαν. It can, however, very well be a participle in agreement with the subject τις (as λέγων and βασιανίζων). This does not do away with the irregular sequence of ιε in ΕΠΙΕΣΚ which probably is an error. I see no other way to get round the problem than by writing ἐπι{ε}σκ[...], even if this brings us dangerously close to a violation of *lex Youtie: iuxta lacunam ne mutaveris*.²² In sum this indicates that επι must be part of the same word as σκ, giving επισκ[....]ν. One might then suggest ἐπι{ε}σκ[ιά-ζω]ν, *cover up,*

20 In Dufraigne's Budé-translation (1975:53): '... ils forgeait de criminelles accusations, semaient de tous côtés le trouble, surtout parmi les citoyens plus éloignés, et se livraient partout à de honteuses exactions.'

21 I assume that by our epigraphic conventions Keil & Premerstein would have written ἐπὶ {ἐ}σκ[εμμένη]ν. Their text could perhaps be translated 'makes the malpractice premeditated' or 'enters the malpractice by premeditation', cf. *LSJ* s. v. σκέπτομαι II.

22 Merkelbach (1980:294). A defence for this epigraphic act of violence must be the fair number of mistakes and liberties committed by the stonecutter such as the augment missing in αεὶ με[ι | σήσ]ατε (ll. 12-13). For προμ[ε | μήνυ]το for προμ[εμήνυ]το (ll. 17-18) one should remember Keil & Premerstein's restraint.

conceal, as the motive of the accomplice was to cover up the villainy by saying that he did not belong to the order.²³

Finally the sense will become clearer if we change the interpunctuation and set a comma after *τινός* and not in front of *προφάσει*. The motive of claiming to be outside the *officium*, would then be to be able to raise an accusation before the *officium*. If this behaviour were tolerated, it would be a break with the fundamental legal principle that no one could both act as accuser and judge (as must be meant by *βασανίζω* in l. 22). This principle is stated in a rescript of 376 (*Codex Iustinianus* 3. 4 = *Codex Theodosianus* 2. 2, 1): *Generaliter lege decernimus neminem sibi esse iudicem vel ius sibi dicere debere. in re enim propria iniquum admodum est alicui licentiam tribuere sententiae*. A contemporary commentary - anachronistically carried forward by Maecenas - can be found in Cassius Dio (52. 31,9; on the date of the debate between Maecenas and Agrippa, cf. Millar 1964a:102-18): ἄν δὲ δὴ τις ἐπιβουλεύειν σοὶ αἰτίαν λάβῃ (γένοιτο γὰρ ἄν τι καὶ τοιοῦτον), αὐτὸς μὲν μηδὲ περὶ ἐκείνου τι μήτε δικάσης μήτε προδιαγνώσῃ (ἄτοπον γὰρ τὸν αὐτὸν καὶ κατήγορον καὶ δικαστὴν γίγνεσθαι). For a similar interpretation, cf. Claus (1973:107-8).

For a parallel to [ἀν]αιδία, see the letter of an unknown Roman magistrate to the Milesians dated to 51-50 BC or 29 BC (= Sherk 1969:272-76, no. 52, translated in Sherk 1984:96-8, no. 77) ll. 41-4: ὅθεν πῶς ὑμεῖς τὴν τινῶν περὶ [ταῦτα ἀ]ναιδείαν ἀνέσχεσθε, τεθαύμακα. For the use of *κακουργία*, cf. the decree of the council of people of Mylasa, *OGIS* 515 = Freis (1984, no. 139, dated 209/ 210), l. 47-49: σαλεύει γὰρ ὡς ἀληθῶς ἢ σωτηρία τῆς πόλεως ἐκ κακουργίας καὶ πανουργίας ὀλίγων τινῶν αὐτῆ ἐπεμβ[α]νόντων καὶ ἀπονοσφιζομένων τ[ᾶ] κοινά].

23 For parallel uses of this verb, cf. Heliodorus, *Aetiopica* 10. 13, 5, μή τις δαίμων ἡμῖν ἐπιπαίξει καὶ ὡσπερ προσωπεῖον τῆ κόρη ταῦτα περιθείς ἐντρύφῃ τῆ ἡμετέρα περὶ τεκνοποιίαν ἐπιθυμία καὶ νόθον ἡμῖν καὶ ὑποβολιμαῖον εἰσποιεῖ διαδοχήν, καθάπερ νέφει τῆ ταινία τὴν ἀλήθειαν ἐπισκιάζων; Eusebius, *De domini ascensione* 885, πῶς δὲ δίκαιος ὁ τὴν παράνομον πράξιν ἐπισκιάζειν καὶ ἐπικρύπτειν προθυμούμενος; Eustatius, *Commentarii ad Homeri Odysseam* 4. 119, ἄλλως μέντοι δεόντως τὴν αἰτίαν ταύτην ἐπισκιάζων ὁ ῥήτωρ φησίν; and, *Commentarii ad Homeri Iliadem* 2. 679, Ἐν γὰρ τῷ ἧ θέμις ἐστὶ τιμιωτάτη προσηγορία ἐπισκιάζει τὸ αἰσχρόν (the parallels from Eustatius are admittedly very late).

SKAPTOPARA, *Thracia*.

Petition (*libellus*) to Gordianus III from the inhabitants of the village Skaptopara. The emperor's *subscriptio*. First half of speech given before the *praeses provinciae Thraciae*. 238.

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b) texts

- Kontoleon (1891)
CIL III, 12336
SIG³ II, 888
IGRR I, 674
 Abbot & Johnson (1926:467-70, no. 139)
FIRA², pp. 507-9, no. 106 (with Latin translation)
 Mihailov (1966:200-3)
 Hallof (1994)
AE (1994) 1552

1 The article contains transcripts and translations (into German in co-operation with Douna-Schmidt) by Touloumakos of three letters, two from Kastelos, which is the corrected reading of name of the *alias* Kapellas. The first was sent to Prasinios in Smyrna, dated October 16/28 1890. This is the important report of the discovery, the complete contents of this has not earlier been transcribed or translated completely. The second is also from Kastelos, but the addressee is not known, dated August 23/4 1891; the third is from Kontoleon to Wolters, dated September 4/16 1890. It is very satisfying indeed that the transcripts have been done by a native Greek. Concerning the name of Kastelos *alias* Kapellas, I have used the current version throughout as until now he has been identified as Kapellas. If Kastelos had put a little more care into his handwriting, this misreading would have been avoided.

c) translations

Lewis, N. & Reinhold, M.: *Roman Civilization. Sourcebook II: The Empire*, New York 1955, pp. 439-40 (only ll. 8-107 are translated)

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Herrmann (1990:18-27)

AE (1994) 1552

2) LOCATION

The inscription was found in 1868 in the vicinity of the (Turkish) village - *κωμόπολις* is the word used by Kapellas - Cumaja (from Turk. *cuma* = *market(day)*, cf. below I. II, 34). At the time of discovery and the *editio princeps* this area was part of European Turkey, close on the Bulgarian border.² The place could be identified with the ancient village Skaptopara because of the hot thermal spring (cf. ll. 23-24 and Barth 1864). Later border regulations have made it part of Bulgaria. The village was earlier known as 'Gramada', lying approximately 1,5 km east of Blagoevgrad, but town growth has later made the village a part of the urban area.

Relying on conclusions based on recent archaeological excavations Paunov and Dimitrov (1996:190-3, with map in p. 191) identified the village Čeprašlako with the market place (cf. l. 33-6 and 134-8) and the place Tälki andäk with the very village Skaptopara as this is 3 km. to the east of the marketplace. Paunov and Dimitrov (1996) thus reject the identification of Skaptopara with Gramada, but they do not mention the presence of hot springs.

In Roman antiquity Skaptopara was in the territory of the city Pautalia (cf. ll. 122-7), which in turn corresponds with the modern town Kjustendil, some 45 km to the northwest.³

3) DISCOVERY

Documentation

From the archives of *Corpus Inscriptionum Graecarum* and the *Nachlaß Mommsen* of The Stiftung Preuss. Kulturbesitz, Staatsbibliothek Berlin, Hallof (1994) has located, transcribed and reconstructed the extensive exchange of letters and notes which went prior to

2 Cf. the map which Jireček (1886) gave in Taf. VI.

3 Cf. Mihailov (1966:167), see also the map at the end of the volume.

the publication in *AM* (1891). On the basis of these documents the story of the discovery and the first publications of the inscription is now well established. I refer to these documents by the numbering of Hallof's appendix. Below I give a brief summary.

The first reports

The first possible notice of the inscription goes back to 1864. Then Barth (1864:99) described the bathhouse at Cumaja where he had noticed an important Greek inscription. As it lay in the water, he could not inspect it.⁴ It was then left to Jireček (1882:468 and 1886:75 and n. 48) to be the first to bring the news that the village Cumaja hosted an extensive inscription in Latin and Greek which could be attributed to the emperor Gordian.⁵ On neither occasion did Jireček have the opportunity to inspect it in person.

Kapellas' copies

At the time of Jireček's reports Konstantinos Z. Kapellas of Ioannina had already copied the inscription and made efforts to have it published.⁶

A Turk named Sekhes (Σέχης) had in 1868 found the inscription in his vineyard which was on the road between Gramadi and Cumaja. Sekhes sought to have the inscription interpreted, and K. Donos advised him to summon K. Kapellas of Ioannina. Upon Kapellas' arrival they agreed to move the stone to the courtyard of the local church. Then Kapellas' had to leave the village for business in Bulgaria, but upon his return he sat down and copied the text in a matter of two hours. Kapellas did not know Latin and was reduced to copying the Latin parts letter by letter. He included a brief description of the monument.⁷ Kapellas prepared several copies; one he kept by himself, another he sent to a friend - a doctor in Philippolis; while a third was sent to the general vicar (πρωτοσύγγελος) in Serrai. In 1875 he wrote to his fellow Greeks in the village to bring the inscription - if still intact - to Thessaloniki or Serrai.

4 To display the petition at the thermal spring seems quite logical, but this does not fit the report of Kapellas, and Barth's inscription may be a different one. **Skaptopara** is, however, the only inscription of some length found in the area.

5 Jireček reported (1881:468): 'Das Osogow-Gebirge bildet die Grenze zwischen Bulgarien und der Türkei. Von Makedonien hörte ich unter anderem von antiken Denkmälern jenseits in der Landschaft Maleschowo, von einer langen lateinischen Inschrift mit dem Namen des Kaisers Gordian in der Stadt Dschumaja [...].' In 1886 he could not risk a trip to this border area because of the warlike situation, but he had numerous reports about the inscription (1886:75, n. 48): 'Von bulgarischen Lehrern, die vor dem Kriege dort gelebt hatten, hörte ich oft von einer lateinischen und griechischen Inschrift des Ks. Gordian, angeblich mit den Worten BONA FORTUNA, welche, *in vier Stücke zerschlagen* [my italics], sich bei der Kirche von Dzumaja befinden soll. Aber alle meine Bemühungen, um eine noch so primitive Zeichnung zu erlangen, waren erfolglos.'

6 The most detailed report on the discovery of the inscription is given in a letter from its only witness, Konstantinos Kapellas of Ioannina to Nikolaos Prasinos of Smyrna, colleague of Kontoleon. The letter is dated Ioannina 16/ 28 October 1890. Edited versions are printed in Kontoleon (1890 and 1891; the former is the fuller). In this letter Kapellas also reported his first efforts to have the inscription published, i. e. the two copies which he sent to Philippolis and Serrai. Kontoleon left this information out in his printed versions of the letter. See also note 1; the complete text and translation as provided by Touloumakos (1996) is given at the end of Appendix II.

7 ἡ πλάξ εἶχε μῆκος ἑνὸς μέτρου καὶ πλάτος περὶ τὰ ἑβδομήκοντα ἑκαστὰ τοῦ γαλλικοῦ μέτρο· ἡ ἑλληνικὴ ἐπιγραφή ἦτο ἐν τῷ μέσῳ τῆς πλακῶς ἐγγεγραμμένη μετ' ἑλληνικὰ κεφαλαῖα γράμματα Μακεδονικῆς ἐποχῆς, καὶ περὶ αὐτῆς ἄνωθεν καὶ κάτωθεν ἦτο ἡ Λατινικὴ ἐπιγραφή ὡς ἐπικύρωσις τῆς ἀναφορᾶς τῶν τότε πολιτῶν τῆς καταστραφείσης πόλεως.

In 1996 Paunov and Dimitrov (1996) published a Bulgarian report by the author and geographer St. Verkovič relating the discovery of the inscription which until now has remained unknown in the West. In a letter dated September 11, 1869 Verkovič quoted a report by D. J. Bisserov, a teacher of Dupnica, about the discovery and the early fate of the inscription. This report contains many new details, but agrees in the crucial function of Konstantinos Kapellas. Bisserov stated that Kapellas (*alias* Kostaki) had prepared one copy to send it to father Neofit of the Rila-monastery (=Neofit Rilski 1793-1882). This copy apparently shared the fate of two other copies which went lost, thus having no consequences for the subsequent publication of the inscription.⁸

The copy sent to Serrai eventually reached Prasinos, and from him it came into the hands of to the Greek antiquarian, Alexander Emm. Kontoleon of Smyrna (cf the stemma in Hallof 1994:411). In a letter dated 4./ 16. September 1890 [*Hallof 1*] Kontoleon informed Paul Wolters, then secretary of the Deutsches Archäologisches Institut, Athens about the exceptional discovery, and enclosed his own transcript.⁹ Wolters started immediately to prepare a publication in *Mitteilungen des Deutschen Archäologischen Instituts, Athen*, of which he was editor at the time. He secured the assistance of Mommsen, Wilamowitz, Hirschfeld and Diels. In December 1890 Wolters wrote to Mommsen [*Hallof 6*] that 'Die Inschrift von Pautalia hat jetzt der ungeduldige Kondoleon nach seiner schlechten Abschrift und ohne den lateinischen Abschnitt (Latina non leguntur!) abgedruckt' [Kontoleon 1890].

8 The report of Verkovič is in the St. Verkovič, *Dokumenti Bălgraskoto vāzraždane ot archiva na 1863-1869g.*, Sofia 1969, 387; S. Hisarlāška, *Archeologija* (Sofia) 3 (1990) 39. Hisarlāška gives the following translation into German:

'Das heute so gennante Dorf Gramada liegt westlich von Džumaja in einer Entfernung von einer Viertelstunde und besteht aus etwa 80 bulgarischen Hütten. Es hat eine ziemlich großen Kern von massiven Gebäuden und Ruinen, so daß man unwillkürlich auf den Gedanken verfällt, daß hier in antiker Zeit einmal eine recht bedeutende Stadt gelegen hat, ausgestattet mit einer Vielzahl von Kaufläden, die mit Waren aus Rom, Athen, Byzanz und anderswoher gefüllt ware. In der Inschrift des Gordianus wird ein Markt erwähnt, der hier jährlich im Oktober stattfand. Diese Inschrift wurde hier im Jahre 1861 gefunden. Einer der Dorfbewohner hatte sie, als er seinen Acker bearbeitete, aus der Erde herausgepflügt und auf Geheiß des Derwischs Hassan auf den Marktplatz von Džumaja gebracht. Als ich dies erfuhr, beeilte ich mich, diese Inschrift zu sehen, und nachdem mir ihre Wichtigkeit aufgegangen war, bat ich den seligen Herrn Miloš, einen der Honoratioren der Stadt, sie zu kaufen. Herr Miloš erhörte meine Bitte und erwarb die Inschrift für eine österreichisches Goldstück. Er brachte das Denkmal in sein Haus, wo es bis zu seinem Tode stand. Danach beschwatzte ein Zuckerhändler, ein Albaner, dessen noch unmündige Kinder und nahm sich die Inschriftplatte, auf ihr seine Zuckerwaren herzustellen. Aber aus irgendeinem Grunde ließ er sie auf den Boden fallen, so daß sie in zwei Teile zerbrach. Von dem Aufprall auf den Boden wurde der Stein ziemlich zerstört, so daß seine Lesung recht schwierig wurde. Glücklicherweise gab es einen Griechen aus Janina, Herrn Kostaki, der in dieser Gegend Wollstoffe aufkaufte. Dieser fertigte eine Abschrift an, von der er eine Kopie dem Vater Neofit im Rila-Kloster schickte. Das Denkmal besteht aus weichem, bläulichen Stein, 1 3/8 Arschin lang und 1 1/8 Arschin breit, und die Dicke betrug ungefähr 4 Finger. Die Schrift ist griechisch, gemischt mit lateinischen Buchstaben; die Sprache aber ist nur griechisch.'

1 Arschin is 0.71119m which gives measurements 0.978m high and 0.8m wide; the thickness can be estimated to 0.07-0.08 m. The thickness was not earlier known.

9 From the first paragraph of Kapellas' letter to Prasinos (Kontoleon 1890:40) it follows that Kapellas' was unaware of Prasinos'/ Kontoleon's/ Wolters' efforts until he received Prasinos' letter dated October 9, 1890.

The study of the squeeze and its impact

The copy was obviously not adequate, and Wolters tried to obtain a squeeze through Kapellas; and in a letter to Mommsen of February 27, 1891 [*Hallof 8*], Wolters stated that the squeeze would arrive shortly ('wir bekommen den Abklatsch in nicht zu langer Zeit'). But no correspondence is recorded between this date and June 8, when a letter from Mommsen to Wilamowitz [*Hallof 9*] proves their intense work on the documentation, including the squeeze. Wilamowitz answers Mommsen's letter already on the 11th [*letter = Hallof 10; comments = Hallof 11*]. Allowing one day for delivery by post or courier and one day's inactivity because of migraine, one understands that Wilamowitz excused himself by saying that he has not been able to work as much as he otherwise would have done ('... so habe ich vielleicht weniger Arbeit hineingesteckt, als ich sonst getan haben würde'). From these two documents [*Hallof 10 & 11*] it is clear that Wilamowitz was not satisfied with the results he reached through his work on the squeeze. Mommsen in turn sent everything on to Wolters in Athens, who acknowledged receipt in a letter dated June 24 [*Hallof 13*].

The squeeze had showed that the stone was damaged (as reported by Jireček, cf. n. 5). The damage and the poor quality of the squeeze made the original copy of Kapellas seem all the more important.¹⁰

Then in July new material turned up: a copy from Kapellas' own hand - the copy originally intended for Serrai. Mommsen speaks of it as a scribble ('der geschmierten Abschrift') [*Hallof 15*].¹¹ Later Mommsen [*Hallof 16*] describes it as in itself not bad and to have the status of 'loco originalis', but he seems disappointed with the squeeze ('Daß der Abklatsch, wie er ist, viel Hülfe bringt, glaube ich nicht'). This should be supplemented by his comment in *CIL* III, 12336 (p. 2087) 'difficillimum laborem ectypum examinandi in Graecis Woltersius in se suscepit, in Latinis ego'. There are no comments from Wilamowitz on Kapellas' copy.

No comments are attributable to Mommsen after his letter of July 21 [*Hallof 16*]. Wolters tried to obtain Kapellas' copy made in Cumaja, but was told by him that no such copy existed [*Hallof 17 & 18*]. Clearly frustrated by both the copy and the squeeze, Wolters asked Mommsen to intervene in order to have Cichorius, who was travelling in Bulgaria, copy the text directly from the stone. No transcript appeared.

10 Cf. Mommsen to Wolters July 21, 1891 [*Hallof 16*]: 'Könnten Sie durch Ihre Verbindungen die Originalcopie Kapellu's beischaffen, die sicher für diesen Brief überarbeitet ist, so würde wohl manches sich aufklären'.

11 When Kapellas' copy turned up the quality of his handwriting must have come as a shock. Whereas Kontoleon's handwriting to a foreigner and non-expert appears clear and easy to read, the opposite must be said of the remaining samples of Kappelas' style. The poor quality may explain some of the omissions made in Kontoleon's (1890:40-41) printed version of Kapellas' letter of October 1890.

4) EDITIONS

Wolters then set out to have the full text of the article printed in *AM* (1891). Pp. 267-279 were signed by Alexandros Emm. Kontoleon,¹² whereas Mommsen's name follows pp. 279-282. Wolters' name is totally absent, though he edited the article and prepared and wrote pp. 268-279.

Mommsen went on to work on the edition for *CIL*, probably immediately, even if it did not appear in printed form until 1902. It was based on the same material as Wolters' edition, so Mommsen relied both on the squeeze and the 'geschmierte Abschrift'. The text is printed twice. The first is a not totally satisfactory reproduction of the stone (e. g. the 4 cm *vacat* in the middle col. is not indicated). Brackets separate Kapellas' text from Wolters' readings of the squeeze. The second version gives a continuous text. There is a small critical apparatus, which does not replace Wolters' facsimile. Since they were filed separately, the first is preserved and the second lost.

None of the later editions, SIG^{2&3} and Mihailov (1966) in particular, had access to the basic material of Wolters and Mommsen. Mihailov (pp. 198) misinterpreted Jireček (1886:75) to imply that the stone was lost by the time he was in the region. The squeeze (made in 1891) proves that this was not the case; Jireček had merely been unable to visit the village. The squeeze, however, seems to be the last report of the stone. Mihailov's second lapse was to report that the squeeze was also lost, as it was not at the *Inscriptiones Graecae*, Berlin, when he visited the place in 1962. But as we now know, the squeeze had been at the *Corpus Inscriptionum Latinarum*, Berlin, since Mommsen's *CIL*-edition. Mihailov made a new and better division of the lines in the upper part not covered by the squeeze.

Hallof's text (1994) is accordingly the first fresh attempt since 1891 which has had all the basic material available.

Hallof's edition

In June 1991 Prof. Herrmann wrote to me that Dr. Hallof of *Inscriptiones Graecae*, Berlin, had located a file on **Skaptopara**, and that the squeeze had been rediscovered at *Corpus Inscriptionum Latinarum*. In a letter dated July 2, 1992, Dr. Hallof informed me about the extent of the file. Of the quality of the squeeze he wrote 'Nach meiner bisherigen Beschäftigung mit dem Abklatsch möchte ich Sie allerdings vor zu großem Optimismus warnen; gerade in den entscheidenden Stellen habe ich bislang keinen neuen Lesungen erreichen können.' I visited *Inscriptiones Graecae* in August 1992, where I had access to all the material. I found the squeeze unforthcoming, and that I was in no position to improve on the reported readings. My findings were limited to questions of layout: the extensive *vacat* in the middle of col II, and the layout and the end of the speech. I paid particular attention to ll. 107-108, and discussed the passage with Hallof.

I sent Hallof a preliminary ms. on March 15, 1993. In a letter dated May 10, 1993, Hallof wrote that on receiving it he had wanted to check the reading at some points: 'Allmählich habe ich mich immer besser hineingelesen, und am Ende stellte sich heraus,

12 Cf. Letter to Mommsen, December 23, 1890 [*Hallof 6*]: 'Ich ... werde den kahlen Text honoris causa unter Kondoleons Namen abdrucken'.

daß Mommsens Text an mehr als 15 Stellen zu verbessern ist.' He later sent me both the ms. to his article and eventually the published article. Apart from the new text, the article includes transcripts of seven letters from Wolters to Mommsen which he had located in Stiftung Preuss. Kulturbesitz, Staatsbibliothek Berlin, Nachlaß Mommsen, Briefe [Hallof 6, 8, 13, 18, 19, 21 & 22]. These proved extremely important, as they established the chronology of the undated notes in the file and thus their work on the inscription.

By devoting ample time to the study of the squeeze Hallof has been able to make a number of adjustments and corrections concerning orthography, ligatures, divisions etc. Of major importance are his new readings in ll. 108 and 165-168. This reading not only affects the second - presidial - stage, it also affects our understanding of the overall impact of the monument. Throughout my work on this text Dr. Hallof has been remarkably generous and I am greatly indebted to him.

5) DESCRIPTION

In his letter to Prasinou Kapellou gave a short description of the monument (cf. n. 7). The squeeze revealed the basic layout, but the early editors did not use it to the full extent, e. g. no edition has given the letter sizes. Thus the true layout did not become clear until the recent reemergence of the squeeze.

Layout

The text is laid out in five divisions (1-5): (1) Ll. 1-7, in Latin, cover the entire upper width of the stone. As none of these lines appear on the squeeze, they are divided by estimate on the model of ll. 165-168. The Greek text, ll. 8-164, containing the petition and the presidial stage is given in three columns. (2) The left column accommodates ll. 8-67; the squeeze starts at l. 28; ll. 8-27 are accordingly divided by estimate. (3) The middle column accommodates ll. 68-118; squeeze starts at l. 81, ll. 68-80 are divided by est. (4) The right column accommodates ll. 119-164; squeeze starts at l. 133, ll. 119-132 are divided by estimate. (5) Ll. 164-168 give the Latin text of Gordian's response and are set in broad lines covering the entire width of the stone. The layout is schematically given in Fig. 5.

The letter sizes

The size of div. (1) is not known, but can be assumed to parallel (5). The letter size for the petition (l. 8-107) is 0,005-0,007; for the presidial stage (ll. 108-164) 0,008-0,012; in ll. 165-168 it varies between 0,01-0,012. The smaller letter size of the petition is further enhanced by tighter lines (space 0,003-0,005) than in the presidial stage (0,006). The transition between the petition and the presidial stage is marked by a 0,04 *vacat*.

6) THE DESIGN AND PURPOSE OF THE MONUMENT

When the monument was commissioned and designed a number of deliberate choices were made to ensure that the monument answered specific aims. A sequence of striking features

reveal this deliberate design: (1) The first issue affects the size of the letters (cf. above 5) **DESCRIPTION**). The smallest size (0,005-0,007) is used for the text of the petition, the intermediate size (0,008-0,012) figures in the presidial part, and the largest is used for the imperial *subscriptio*. The varying sizes can be compared to the use of different point sizes for headlines, normal text and brevier. (2) Latin is used where it was the original language (as in ll. 2-6, 108 and 165-168), but also for the heading *Bona Fortuna* and the summary of the seals (l. 168, *signa VIIII*).¹³ (3) The heading (ll. 6-7) includes a chancery note registering the delivery of the petition by Aurelius Pyrrus. (4) The transcript of the second, presidial, stage is truncated. The text of the ἀξιῶσις breaks off in the middle.

If we add the combined weight of these features to the new reading of l. 108, they seem to focus upon and enhance the role of Aurelius Pyrrus.¹⁴ As a pretorian soldier in Rome, Pyrrus had Latin as his daily language - professionally, as well socially. The chancery note of ll. 6-7 was necessary to prove that he had delivered the petition on behalf of the village, as his name does not figure in the petition proper.¹⁵ The smallest letter size is used for the petition, where Aurelius Pyrrus does not figure at all (the petition was presented as by the villagers and the plural is used throughout). The transcript of the presidial stage starts with the entry of Pyrrus and is cut short to lead directly to the *subscriptio*, where Pyrrus figures in the *inscriptio* and is addressed in the text (*discinge* and *debeas*). The passage (ll. 122-124) Ἡ κώμη ἢ τοῦ βοηθουμένου στρατιώτου is also quite telling, as it clearly focuses upon Pyrrus. The direct speech of ll. 112-122 may have been proclaimed by Pyrrus as well.

One may then conclude that the inscription of **Skaptopara** is not primarily a record of the efforts of the village and its results, but a private or semi-official record of the meritorious efforts of Aurelius Pyrrus on behalf of his village. This would explain the prominence of Pyrrus and the editing of the second stage before the provincial governor.

There may be no point in speculating further, but perhaps the tangible results which the village had put so much hope into, did not show up and they in the end did not set up a public document as intended (cf. ll. 101-104). Pyrrus still wanted a record of his efforts and commissioned one to suit his own aims.

7) PRINCIPLES FOR THE TEXT

I have based the text given below on Hallof (1994), and adapted it to the scheme of this study. Mihailov's edition (1966) has an extensive bibliography, a critical apparatus and commentaries illustrated by parallel inscriptions. I recommend readers who want to go into the details of the text to consult Kontoleon (1891) and Mihailov.

13 Contrast the heading Ἀγαθὴ Τύχη at the top of **Aragua** which leads directly to the Latin text of the *subscriptio*; the ἀγαθὴ τύχη is credited in l. 121.

14 Faass (1908:237) made similar comments, but from a different angle of approach: 'Vielmehr hat, scheint mir, Aurelius Pyrrus die Abschrift anfertigen und sein Verdienst dabei gebührend erwähnen lassen (wenn er es nicht gar selbst getan hat); dafür spricht auch die Ausführlichkeit, mit der Person legitimiert wird.'

15 This is the only instance of a delivery note. The contrast with the roles of Aurelius Eglectus and Didymus of **Aragua** is marked. Didymus (l. 3) features only in the *subscriptio*.

Letters which Hallof did not recognize on the squeeze are set between half brackets, [].

In the squeeze letters such as e. g. ΑΛ, ΛΔ, ΕC and ΘΟ give a similar appearance, and in Wolters' reading of the squeeze, reported in the critical apparatus, these letters are frequently given at face value.

When using the information provided by underdotted letters in the following text, the reader should notice that the dots as printed under η, φ, χ and φ̄ can be difficult to discern.

Αὐτοῦ πάτρι Κτιστῆ Μ(η) ~~Μη~~ Ἀρβυρίω Τροπιδανῷ Εὐορθῷ, Εὐλυχῷ,
 ΛΕΒΑΕΗCΙC ἀγαθῆ Κω-
 μιλῶν* οὐαστοσασπυρίων καὶ Τροπιδανῶν* ἐν τοῖς εὐλυχιστάτοις καὶ ἀνω-
 τισοῖς σου
 καί ποῖς καλοῦσι οὐδαι καὶ βυλιούοδαι τὰς κήρας ἢ οὐ ἀναστέλλου
 γήριοδαι τοῖς ἐνο-
 κούοις ἀγαθῆ καὶ ἀν' Ἐγγράφας, ἔδου γὰρ καὶ ἐπὶ τῶν ἀνδραγαθῶν σου
 ἡμῶν τῶ
 5 τοῦτο καὶ ἐπὶ τοῦ ἡρωτάτου σου λαμπίου ἡγεγυῖα, ὄρα καὶ αὐτὸ
 ἔργον ἡμεῶν ἢ [οὐκ εἶδ' ἔ]

Fig. 4: Facsimile of Kontoleon's transcript which he sent to Wolters in September 1890 [Hallof 1].

8) TEXT, CRITICAL APPARATUS AND TRANSLATION

I:

LI. 1-7: Greeting; authentication of the copy of the imperial subscript; dated December 20th, 238

「BONA FORTUNA」

- 2 「Fulvio Pio et P^on^{tio} Proculo cons(ulibus) XVII kal(endis) Ian(uariis) descrip-
tum <e>¹
- 「reco^gnitum factum <e>x <di>bro <di>bellorum rescript^orum a do¹-
- 4 「mino n(ostro) imp(eratore) Ca^es(are) M(arco) Antonio Gordiano Pio Felice
Aug(usto) <e>t propo¹-

CRITICAL APPARATUS:

Abbreviations:

KAP	Kapellas' copy [lost]
KAP1	Kapellas' copy as communicated by Kontoleon in his letter to Wolters
KAP2	additions by Wolters made from KAP in KAP1
KON1	<i>editio princeps</i> of Kontoleon, 'Ανέκδοτοι Μικρασιαναὶ ἐπιγραφαὶ (1890), only Greek part
KON2	critical edition <i>AM</i> 16 (1891) edited by Wolters in the name of Kontoleon with the assistance of Diels, Hirschfeld, Mommsen, Wilamowitz
App.	refers to the notes and letters collected in Hallof 1994
HALL	Hallof's new readings from the squeeze 1994
H	author

Important later editions:

CIL	ed. <i>CIL</i> IIIs (1902), 12336 (Mommsen)
Dttb.	ed. Dittenberger, SIG ² 418.
Hi.	ed. Hiller de Gaertringen, SIG ³ 888.
Mih.	ed. Mihailov, <i>IGBulg</i> IV (1966), 2236.

Letters which rely on Kapellas' copy only and which do not appear on the squeeze, are set between half brackets, 「 1. The evidence of the sq. is as established by HALL.

LI. 2-7: Mommsen restored from FVLVIOPIOETROTIOPROCVLOCONSXVIIKALIA NDESCRIPVMITRE | COCNITVMFACTVMFXIIBROUBELLORVMRESCRIPTVRVMΔDOMINON | IMPCAISMANTONIOGORDIANOPIOFELICEAVGITPROPOCITVRVMFOMΔI | INPORTICO.IPR MARVMTRIANARYMINVEBAISSDΔTPFRAVRPVRVMMILCOHX· | REC.ORDIANAICPROC VLICONCANVNETCONPPOSSESSREM KAP

†s(it)o(rum) †R(oma)e in portic(u) †th(er)marum Trai(a)nar(u)m in ve(r)ba †q(uae) i(nfra) s(c)ripta s(unt).¹

II:

LI. 6-7: Registry's note of the delivery by Aurelius Purrus

†Dat(um) p(e)r Aur(elium) Purrum mil(item) coh(ortis) X †pr(aetoriae) †p(iae) †f(idelis) †G(ordiana)e †c(enturiae) Proculi¹

7 †con(vi)canu(m) et con{p}possess(o)rem.¹

III:

LI. 8-107: Petition presented to the emperor Gordianus III

left column

- 8 †Αὐτοκράτορι Καίσαρι Μ(άρκῳ) Ἀντωνίῳ¹
 †Γορδιανῶ Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῶ) δέησις¹
 †παρὰ κωμητῶν Σκαπτοπαρηγῶν τῶν καὶ¹
 †Γρησειτῶν. Ἐν τοῖς εὐτυχεστάτοις καὶ¹
- 12 †αἰωνίοις σου καιροῖς κατοικεῖσθαι καὶ¹
 †βελτιοῦσθαι τὰς κώμας ἥπερ ἀναστά-
 †τους γίγνεσθαι τοὺς ἐνοικοῦντας πολ-
 †λάκ(ις) ἀντέγραψας· ἔστιν γὰρ καὶ ἐπὶ τῇ τῶν¹
- 16 †ἀνθρώπων σωτηρίᾳ τὸ τοιοῦτο καὶ ἐπὶ¹
 †τοῦ ἱερωτάτου σου ταμείου ὠφελείᾳ.¹
 †ὅπερ καὶ αὐτοὶ ἔννομον ἰκεσίαν¹
 †τῇ θειότητί σου προσκομίζομεν εὐ-

L. 8-164: All lines which the squeeze documents comply with syllabic division HALL

L. 9: CEBAEHIC (in truth CEBAEHIC) KAP, KON1, corr. Hirschfeld in KON2

LI. 10-11: Κωμητῶν σκαπτοπαρηγῶν καὶ Γρησειτῶν KAP1, KON1, between asterisks in KAP2

L. 13: εἴπερ KAP1, corr. KAP2

L. 15: -λὰ κ' ἂν τ' ἔγραψας KAP1, KON1, πολλὰ (= πολλάκις, 'es ist nichts zu ändern') ἀντέγραψας Diels in note App. 4, whence πολλάκις [i.e. πολλάκις] ἀντέγραψας Wolters in KON2; Wilam. doubted that πολλὰ = πολλάκις in letter App. 3; -ΔΑΚ' CIL; γε KAP1, Dttb. rather wanted γὰρ, this sugg. supported by HALL on basis of his reading in l. 33

L. 18: ὅπερ KAP1, Wolters noted that the word had been later added above the line in KAP; maintained by Diels in note App. 4 = 'διόπερ vulgärgriechisch, in der nachchristl. Gräcität oft'; †Διόπερ 'hinter AI fehlt ΔΙ' Wilam. in letter App. 3

L. 19: τῇ KAP1, KON1, [oder τῶ?] add. KAP2; Wolters 'undeutlich ob τῶ oder τῇ' in KON2; προσκομίζομεν KAP, corr. Dttb.

- 20 Ἰχόμενοι ἰλέως ἐπινεύσαι ἡμεῖν¹
 Ἰδεομένοις τὸν τρόπον τοῦτον. οἰκοῦ¹-
 Ἰμεν καὶ κεκτήμεθα ἐν τῇ προγεγραμ¹-
 Ἰμένη κώμη οὔση εὐπεράστῳ διὰ τὸ¹
- 24 Ἰἔχειν ὑδάτων θερμῶν χρῆσιν καὶ κεῖ¹-
 Ἰσθαι μέσον δύο στρατοπέδων τῶν ὄν¹-
 Ἰτων ἐν τῇ σῆ Θράκη· καὶ ἐφ' οὗ μὲν τὸ¹
 Ἰπάλλαι οἱ κατοικοῦντες ἀόχλητοι¹
- 28 Ἰκαὶ ἀδειάσειστοι ἔμενον· ἀνευδελῶς
 Ἰτούς τε φόρους καὶ τὰ λοιπὰ ἐπιτάγματα
 Ἰσυνετέλουν. ἐπεὶ δὲ κατὰ κ¹α¹Ἰ¹ρ¹οὺς εἰς
 Ἰῦβ¹ρ¹ιν (?) προχωρεῖν τινες κ¹αὶ β¹ι¹ά¹ζε¹σθαι
- 32 Ἰἦρξαντο, τηρικαῦτ¹α ἐλαττοῦσθαι
 Ἰκαὶ ἡ κώμη ἦρξατο· ἀ¹πὸ γὰρ μελιῶν δύ-
 Ἰο τῆς κώμης ἡ¹μῶν πανηγύρεως
 Ἰἐπιτελουμένης διαβοήτου οἱ ἐκεῖσε
- 36 Ἰτῆς πανηγύρεως εἵνεκεν ἐπιδημοῦν-
 Ἰτες ἡμέραις πεντεκαίδεκα ἐν τῷ
 Ἰτόπῳ τ¹ῆς πανηγύρεως οὐ κα¹τ¹αμ¹ε¹-
 Ἰνουσι¹ν, ἀλλ¹ γὰρ ἀπολιμπάνοντ¹ε¹ς ἐπέρ-

L. 20: ἰλεως KAP1, KON1, Wilam corr. note App. 11, whence KON2

L. 23: εὐπεράστῳ KAP, KON2, Diels supported this in note App. 4 'das einfache ἐπέραστος genügt dem Manne nicht mehr, er verstärkt es durch εὐ'; kept by CIL, Hi. and Mih.; εὐεπηρεάστῳ Wilam., whence Dttb.

L. 25: μέσον KAP1, KON1&2, μέσην (?) KAP2, uncertain in KAP; μέσον all edd.

L. 27: ἀνόχλητοι KAP1, KON1, corr. KAP2

L. 28: squeeze starts as witness in left column

L. 29: defined by HALL; Wolters read ΠΙΑ | in sq. and divided λοιπὰ | ἐπιτάγματα in KON2; l. 29 is longer than l. 30 in sq. HALL

L. 30: ἐπειδὴ KON1

Ll. 30-31: εἰσὶν βίαι KAP, KON1; εἰς ὕβριν προχωρεῖν τινες 'gewaltsam, aber dem Sinn nach sicher' Wilam. in letter App. 3, but HALL read only ΙΕΙC | at the end of l. 30 in sq.: 'false ΙΤC ΕΙC | ΒΙΑ[N CIL; εἰς βίαν 'wäre auch möglich' Diels in note App. 4 (accept. KON2), but intolerable to Dttb.; ὕβ¹ρ¹ιν Hi., Mih.

L. 31: τινας KAP1, KON1; τινες (?) KAP2

L. 33: ἀπό γε μελιῶν KAP, KON1, ..ΟΓΓΜC.... Wolters from sq., whence ἀπό γε μελιῶν | KON2; the letter E has always the lunar shape, this excludes γε (cf. l. 15); HALL read and divided Ἰἀ¹πὸ γὰρ μελιῶν δύ-

L. 36: -ημ- appear as ligature HALL

L. 37: ἡμέρας reported, -αις HALL; πέντε καὶ δέκα KAP1, KON1&2

L. 39: ἀλλ' reported, but space calls for the full ἀλλὰ HALL

- 40 ἔχονται εἰς τὴν ἡμετέραν κώμη¹ν
καὶ ἀναγκάζουσιν ἡμᾶς¹ ξενίας ἀν-
τοῖς¹ παρέχειν καὶ ἕτερα πλείστα εἰς ἀ-
νάληψιν αὐτῶν ἄνευ ἀργυρίου χο-
44 ρηγείν. πρὸς δὲ τούτοις καὶ στρατιῶται
ἀλλαχοῦ πεμπόμενοι καταλιμπά-
νοντες τὰς ἰδίας ὁδοὺς πρὸς ἡμᾶς πα-
ραγείν¹ονται καὶ ὁμοίως¹ κατ'επετίγουσιν
48 παρέχειν αὐτοῖς τὰς ξενίας καὶ τὰ ἐπι-
τήδεια μηδεμίαν τιμὴν κατ'αβλαλόν¹τιες.
ἐπιδημοῦσιν δὲ ὡς ἐπὶ τὸ πλείστον
52 διὰ τὴν¹ τῶν ὑδράτων χρῆσιν οἳ τε ἡγού-
μενοι τῆς ἐπαρχείας, ἀλλ' ἅ καὶ οἱ ἐπί-
τροποί σου¹ καὶ τὰς μὲν ἐξουσίας ἐν-
νώτατα δεχόμεθα¹ κατ'ὰ τὸ ἀναγκαῖον¹
τοὺς <δὲ> λοιποὺς ὑποφέρῶν¹ μὴ δυνάμε-
56 νοι ἐνετύχομεν πλειστάκις τοῖς ἡγε-
μόσι τῆς Θράκης, οἵτινες ἀκολούθως
ταῖς θείαις ἐντολαῖς ἐκέλευσαν ἀοχλή-
τους ἡμᾶς εἶναι· ἐδηλώσαμεν γὰρ μη-
60 κέτι ἡμᾶς δύνασθαι ὑπομένειν, ἀλλ-
ὰ καὶ νοῦν ἔχειν συνλείπειν καὶ τοὺς
πατρῴους θεμελίους διὰ τὴν τῶν
ἐπερχομένων ἡμῶν βίαν· καὶ γὰρ

LI. 41-42: ξενίας | αὐτοῖς Wolters in KON2, new division HALL ; also in ll. 42-43, where εἰς | ἀνάληψιν KON2

L. 47: -ραγίνονται KAP, KON1, corr. Wolters in KON2 from sq.

L. 49: -τήδεια KAP1, KON1, corr. KAP2; τιμὴν reported, corr. HALL

L. 50: ἐπιδημοῦσι reported, corr. HALL

L. 52: ἐπαρχίας reported, corr. HALL

LI. 53-54: συνεχέστατα KAP, KON1, .. | NCCTATA Wolters from sq. (not CT | NNCTATA, as written in CIL), whence συνεχέστατα KON2, Mih., or [συχ]νέστατα 'barbarice scriptum' Dttb.; but space and traces of letters in l. 54 demand -νώτατα, ἐν-ξενώτατα sugg. HALL, this corresponds reasonably with the letters CYX at the end of l. 53 as reported by KAP.

L. 55: Wilam. wanted the adversative particle <δὲ> App. 3; no traces of it on the stone [i. e. sq.] HALL

L. 56: ἐνετύχομεν KAP, KON1, corr. Wolters in KON2 from sq.

L. 58: ἀνοχλή- KAP1, KON1, corr. KAP2

L. 59: μη- (at the end) is written as ligature HALL

L. 61: ἐγκαταλιπεῖν KAP1, KON1, ἐγκαταλιπεῖν KAP2, KON2, but not sufficient space in either case; συνλείπειν HALL as a vox nova

- 64 ὡς ἀληθῶς ἀπὸ πολλῶν οἰκοδεσπο-
τῶν εἰς ἐλαχίστους κατεληλύθα-
μεν. καὶ χρόνῳ μὲν τινι ἴσχυσεν
- 67 τὰ προστάγματα τῶν ἡγ^ολυμένων
middle column
- 68 Ἔκαὶ οὐδεὶς ἡμεῖν ἐνόχλησεν οὔτε¹
Ἐξενίας αἰτή^οματι οὔτε παροχῆς ἐπι^ο-
Ἐτηδείων, προϊόντων δὲ τῶν χρόνων¹
Ἐπάλιν ἐτόλμησαν ἐπιφύεσθαι ἡ^ο-
- 72 Ἐμεῖν πλείστοι ὅσοι τῆς ιδιωτίας¹
Ἐμῶν καταφρονούντες. ἐπεὶ οὖν οὐ^ο-
Ἐκέτι δυνάμεθα φέρειν τὰ βάρη¹
Ἐκαὶ ὡς ἀληθῶς κινδυνεύομεν ὅπερ¹
- 76 Ἐοὶ λοιποὶ τόδε καὶ ἡμεῖς προλιπεῖν¹
Ἐτούς προγονικοὺς θεμελίους, τοῦ^ο-
Ἐτου χάριν δεόμεθά σου, ἀνίκητε¹
Ἐσεβαστέ, ὅπως διὰ θείας σου ἀντιγρα^ο-
- 80 Ἐφῆς κελεύση^ος ἕκαστον τὴν ἰδίαν πο^ο-
Ἐρεύεσθαι ὅ^οδ^ον Ἐκαὶ μὴ ἀπολιμπάνοντα^ο
Ἐαὐτοὺς τ^οῖς ἄλλας κ^οῶ^ομα^ος ἐφ' ἡμᾶς¹
Ἐρχε^οσθαι μήτε δὲ κατανα^ογκά^οζειν¹
- 84 ἡμᾶς χορηγ^οεῖν ἀ^ου^οτοῦς προ^οτ^οκ^οα τὰ¹
ἐπιτήδεια· ἀλλὰ μηδ^οε¹ ξενία^ον¹ ἀ^ου^οτοῖς

- L. 65: -ελυλήθημεν KAP1, -ελυλήθαμεν KAP2, KON1, corr. Wolters from sq. in KON2
L. 66: τινα KAP1, KON1, corr. Wolters from sq. in KON2; ἴσχυσαν KAP1, KON1, corr. KAP2
L. 67: -νων at the end of the line is written as ligature
L. 68: ἐνόχλησιν KAP1
L. 69: ἐπὶ KAP1, ἐπὶ ματι KAP2, ἐπὶ μάτι KON1, corr. Dttb.; ὀνόματι Wolters in KON2
L. 72: γῆς KAP, KON1, corr. Wilam., who in note App. 3 wrote ἰδιωτ^οε^οίας, perhaps rightly HALL
L. 73: ἐπὶ KON1
L. 76: οἶδε KAP, KON1, τόδε Wilam. (cf. App. 11) in KON2, Mih.; ὦ^οδε Diels, Dttb.
L. 77: τὴν KAP1, τοὺς KAP2, KON1
L. 78: χώραν KAP1, KON1, corr. KAP2
L. 79: πῶς KAP, KON1, corr. Wilam. in KON2
L. 80: κελεύση KAP, KON1, corr. Wilam. in KON2
L. 81: squeeze starts as witness in middle column; traces of letters read by HALL
L. 83: μηδὲ καταναγκάζειν KAP, KON1, MHTC...ATΛ Wolters in sq., whence μη^οδ^οε Dttb., which Hi. changed to μήτε without comment; μήτε δὲ HALL
L. 84: αὐτοῖς transmitted, but HALL read α^ο[υ]τοῦς in squeeze.
L. 85: ἐπιτήδεια KAP, corr. Wolters from sq. in KON2; [E]ΠΙΤΗΔΕ[ΙΑ] wrongly maintained by Mih., neglecting the lunar shape of Ε

- παρέχειν, οἷς μὴ ἐστὶν ἀνάγκη, - ὄττι
 γὰρ οἱ ἡγούμενοι πλεονάκις ἐκέ-
 88 λουσάν μὴ ἄλλω παρέχεσθαι ξε-
 νίαν εἰ μὴ τοῖς ὑπὸ τῶν ἡγουμέ-
 νων καὶ ἐπιτρόπων ἐκπεμ-
 92 πομένοις εἰς ὑπηρεσίαν· ἐὰν δὲ
 βαρούμεθα, φευξόμεθα ἀπὸ τῶν
 οἰκεῖτων καὶ μεγίστην ζῆμίαν τὸ
 τῶν μείων περιβληθήσεται - ἵνα
 96 ἐλεθέντες διὰ τὴν θεῖαν σου
 πρόνοιαν καὶ μείναντες ἐν
 τοῖς ἰδίαις τοῦς τε ἱεροῦς φόρους
 καὶ τὰ λοιπὰ τελέσματα παρασχεῖν
 100 δυνησόμεθα. συμβήσεται δὲ
 τοῦτο ἡμεῖν ἐν τοῖς εὐτυχαστά-
 τοις σου καιροῖς, ἐὰν κελύσῃς
 τὰ θεῖά σου γράμματα ἐν στή-
 104 λη ἀναγραφέντα δημοσίᾳ προ-
 φ[α]νεῖσθαι· ἵνα τούτου τυχόντες
 τῇ Τύχῃ σου χάριν ὁμολογῆν
 δυνησόμεθα, ὡς καὶ νῦν καθο[ρ]

L. 86: μὴ ἐστὶ **KAP1, KON1**, corr. Wolters from sq. in **KON2**

Ll. 88-89: ἄλλας π. ξενίας **KAP1**, ἄλλοις π. ξενίαν **KAP2, KON1**; ἄλλω to be read **HALL**

L. 90: ἐπιτρόπων πεμπομένοις reported; **ΩΝΠΙΕΜ** | Wolters; ἐκ- **HALL**

L. 91: ἐπερησίαν **KAP1, KON1**, ὑπε- **KAP2**, corr. Wolters from sq. in **KON2**: end γε **KAP1, KON1** and 2, <τε Dttb., δὲ **HALL**

L. 92: βαρούμεθα **KAP, KON1**, defended by Diels, and confirmed from sq. **HALL**; βαρῶμεθα corr. Wilam., Dttb.

L. 96: μείναι παισὶν **KAP, KON1**, corr. Wilam. from sq. in **KON2**

L. 98: παρέχειν reported, but not confirmed by traces in sq. **HALL**; παρασχεῖν **HALL**

Ll. 103-104: ποι κινεῖσθαι **KAP1, KON1**, *κινεῖσθαι* **KAP2** 'als unsichere Lesung'; Wolters (in **KON2**) sugg. after Wilam. (**App. 3**; more careful in note **App. 11**) προκεῖσθαι or προτίθεσθαι which suited the space better; Dttb. preferred the former, and Mommsen (π[ροτιθε]σθαι) the latter (on this Mih.: 'προθέσθαι dici debet'); προφ[α]νεῖσθαι read and suppl. **HALL** noting that in l. 104 the third letter undoubtedly is N

L. 105: τυχη from τύχει corr. **KAP1**; τύχει **KON1**

Ll. 106-107: καθαι- **KAP, KON1**; KA.../ Wolters in ect.; κα<ταρ>, sed 'auch καθιερῶμενοι wäre der Überlieferung nach möglich, aber ich traue dem noch weniger' Wilam. in **KON2**; κα<ταρ>- Diels in note; Dttb. rejected both impr., who wrote with Mommsen κα...ῶμενοι; κα<ταβο>- Mih. Of the two letters following KA in the sq. - the first has rounded shape the other is uncertain **HALL** writing καθ[.]. | ὠμενοί; καθ[ω]σι | ὠμενοί sugg. Wörle in letter to Hallof; καθ[ρ] | ὠμενοί **H**

107 ὠμενοί σου ποιούμεν.
vacat 0,04

IV:

LI. 108-164: Aurelius Pyrrus appears before the provincial governor of Thracia, transcript of proceedings

108 Ἀδῆγεντ^{vac} Πύρρος ὁ πρα[ι]τωρι-
ανὸς ἀπὸ θείας φιλανθρωπί-
ας ἐπὶ τὴν ἔντευξιν ταύ-
την ἐλήλυθεν· [κ]αὶ δοκεῖ δέ
112 μοι θεῶν τ¹ις προνοήσασθαι
τῆς παρούσης ἀξιώσεως·
τὸ γὰρ τ¹ὸν θειότατον αὐτ¹ο-
κράτορα περὶ τούτων πέμ-
116 ψαι τὴν διάγνωσιν ἐπὶ
σὲ ἔτι δὲ ἤδη φθάσαντα
118 περὶ τούτ¹ων κατ¹ὶ προγράμ-

L. 107: 'es hat noch ein Zeichen, aber ein einstrichiges, vor -ὠμενοι gestanden' Wilam. in note App. 11, which Wolters did not approve in KON2; after this line there is 0,04 vacat, not indicated in CIL

L. 108: Διογένης KAP; Mommsen (App. 16 and CIL) recognised that the letter D had Latin shape, Wolters (KON2) rendered the second E by giving it Latin shape; HALL recognised and restored the Latin word

LI. 108-109: Δ. ὁ Τύριος ὁ χαραττων ἄνθρωπος KAP, KON1; Wilamowitz wanted to read Πύρρος, but not confirmed in note App. 11, and expressly refuted by Mommsen in note (App. 16: 'Das T in ΤΥΡΙΟΣ ist m.E. deutlich und nicht Π') and in KON2; ex ΟΠ.../..... (Wolters in sq.) ὁ π[ραγματικὸς] suppl. Wolters, 'sed cum omnis Diogenis causa et conditio obscura sit, nihil pro certo proponere licet' Dttb.; ὁ π[ραγματευτῆς] preferred Abbott & Johnson. Line restored by HALL who 'cuius nomen et militiam (coll. v.6: mil. coh. X (pr.)) sine dubio legi'

L. 111: ἐλύθηθεν KAP1, KON1, corr. KON2; in l. 111 HALL indicated space and traces of three letters in front of δοκεῖ, suggesting heitatingly [κ]αὶ; at this place one should also consider a Latin abbr. H

LI. 112-114: προνοήσας καὶ τῆς παρούσης ἀξίως· ἕως τε γὰρ KAP, KON1, em. Mommsen in note App. 2, most read by Wolters in KON2

L. 115: τούτου KAP, KON1, τούτων from sq. Wolters in KON2

L. 116: ἰδίαν γνώσιν reported, διάγνωσιν HALL

L. 117: σὲ ἤδη φθάσαντα KAP1, KON1, but *φθάσαντα* between asterisks KAP2; Wolters read CCOIIΔC..HΦΘACANTA, whence σὲ ὅτι δεήση or sim. Mommsen in KON2, σὲ δ^ν ἤδει ἤδη φθ. Dttb., calling for a *verbum sciendi* governing the infinitive δεδωκέναι (v.120); σὲ ἔτι δὲ ἤδη HALL

L. 118: τούτου reported, HALL corrected according to space

right column

- 119 Ἔμασιν καὶ διατάγμασιν¹
- 120 Ἐδέδωκέναι†, τοῦτο ἐμοὶ δο¹-
Ἐκεῖ τῆς ἀγαθῆς τύχης ἔργον¹
Ἐεῖναι. ἦν δὲ ἡ ἀξίωσις· Ἡ κώ¹-
Ἐμη ἡ τοῦ βοηθουμένου στρα¹-
- 124 Ἐτιώτου ἐστίν· ἐν τῷ καλλί¹-
Ἐστω τῆς πολιτείας τῆς ἡμε¹-
Ἐτέρας τῶν Πανταλιωτῶν πόλεως¹
Ἐκειμένη, καλῶς μὲν τῶν ὀρῶν¹
- 128 Ἐκαὶ τῶν πεδίων ἔχουσα,¹
Ἐπρὸς δὲ τούτοις καὶ θερ¹-
Ἐμῶν ὑδάτων λουτρὰ οὐ μό¹-
Ἐνον πρὸς τρυφήν, ἀλλὰ καὶ¹
- 132 Ἐυγείαν καὶ θεραπείαν σω¹-
μάτῳ· Ἐπιτηδειότατα,¹
πλησίον δὲ καὶ πανήγυρις¹
Ἐπολλάκις ἐν τῷ ἔτει¹
- 136 συνἘγαγομένη, πρὸς δὲ κ¹α¹λ¹(ἀνδρας)¹
Ἐκτωβρίας καὶ εἰς πρ¹ντε¹-
καίδεκα ἡμερῶν ἀτελ¹ῆς.¹
συμβέβηκεν τοίνυν τὰ δοκοῦ¹ν¹-

- L. 120: KAP1, KON1, δεδωκεναι KAP2, but 'dieses Wort ist in der Abschrift nicht ganz klar' cautioned Wolters; HALL assumed the word to be corrupt; ὅμοι KAP1, KON1, corr. KAP2
- L. 122: τῆσδε ἡ ἀξίωσις KAP, KON1; ἦν δὲ ἡ ἀ. Wilam., 'requiritur ἔστιν δὲ ἡδε ἡ vel simile quiddam' Mommsen, perhaps εἶναι τῆσδε. ἡ ἀξίωσις· H
- L. 124: ἐνοστῆ KAP1, KON1, between asterisks KAP2, corr. Wilam. in KON2
- L. 125: πολιτείας KAP1, KON1 and 2, πολιτείας Dttb., πολιτείας wrongly Mih. HALL
- L. 126: Πανταλιωτῶν KAP1, KON1, Παν- KAP2, corr. Mommsen already in note App. 2
- L. 127: τῶν KAP1, τῶν ὀρων KAP2; ὀρων KON1
- L. 129: πρὸς KAP1; πρὸ by error KON1; corr. in KON2
- L. 133: squeeze starts as witness in right column; HALL established the division of ll. 132-133; l. 133 end: -τητα KAP1, corr. KAP2
- L. 135: πολλάκις ἐν KAP, KON1, corr. Wolters from sq. in KON2
- L. 136: end. τῆς KAP1, KON1, τὰς KAP2, corr. Wilam.
- L. 137: Ἐκτωβρίας reported, HALL corr. from sq.; καὶ left out in KAP, Wolters read in sq.
- L. 138: ἡμερῶν συμβεβήκεν KAP, KON1; Wolters read ΑΓ... in sq., Hirschfeld in KON2, Mommsen preferred ἀρ[ισθόν]; ἀτ[ελειαν] suppl. ἀγ[ομένη] suppl. Wilhelm, Beitr. 197, Hi.; whence ἀτ[ελειαν ἔχουσα] or ἀτ[ελης οὔσα], but these suppl. cannot be accommodated, perhaps only ἀτ[ελης] Mih; letter T beyond doubt HALL

- 140 τὰ ἑτῆς κώμης ταύτης πλεον-
εκτήματα τῷ χρόνῳ περι-
εληλυθέναι αὐτῆς εἰς ἐ-
λαττώματα - διὰ γὰρ τὰς
- 144 προειρημένους ταύτας
προφάσεις πολλοὶ πολλὰ-
κίς στρατιῶται ἐνεπιδη-
μοῦντες ταῖς τε ἐπιξενώ-
- 148 ἑσσι^ν καὶ ταῖς βαρήσεσιν
ἐνοχλοῦσιν τὴν κώμην·
καὶ διὰ ταύτας αἰτίας πρό-
τερον αὐτὴν καὶ πλουσιο-
- 152 ἑτῆραν καὶ πολυάνθρωπον
μᾶλλον οὔσαν νῦν εἰς ἐσχά-
την ἀπορίαν ἐληλυθέναι.
περὶ τούτων ἐδέληθη-
- 156 σαν πολλάκις καὶ τῶν ἡγε-
μόνων, ἀλλὰ καὶ μέχρις τι-
νῶν ἴσχυσεν αὐτῶν τὰ
προστάγματ^α,¹ μετὰ δὲ

Ll. 140-142: (ἐκτήματα KAP2) πλεον τῶν χρόνων ἐληλυθέναι KAP1, KON1, corr. Wolters from sq. in KON2

L. 142: αὐτοῖς KAP1, KON1, corr. KAP2; ll. 142-143 ἐλλαμπτόματα KAP1, KON1, Ἐλλαμ | πτWMATA Wolters in KON2, corr. Dttb. (ἐλαττώματα expect. Mommsen), read and divided HALL

Ll. 147-148: τε ξενέσεσι KAP1, KON1, τε ξενώσεσι KAP2; Wolters restored from sq. KON2, ν at end HALL

L. 148: βάρεσιν KAP, KON1, corr. Wolters from sq. in KON2

L. 149: ἐνοχλοῦσι reported; ν at end HALL

L. 150: διὰ ταύτας τὰς αἰτίας KAP1; Wolters read on the sq. ΔΙΑ ταύτας τὰς αἰτίας, assuming a 3 lett. vacat at the beg. of the l.; «καὶ» suppl. by HALL and corr. the reading of Kapellas

L. 151: καὶ omitt. KAP, KON1, corr. Wolters from sq. in KON2; πλουσιό- (sic!) KAP, which HALL affirmed in sq.; πλουσιώ- KON1

Ll. 152-153: πολυάνθρωποτέραν KAP, KON1; πολυάνθρωπον | Wolters recognised in sq., on this basis Wilam sugg. at the beg. of l. 153 [ικανῶς] or sim. in KON2, but rather [μᾶλλον] Dttb., Hi., Mih. which HALL found to suit the traces of letters well

L. 155: ἐπεὶ reported, cor. HALL

Ll. 156-157: ἡγουμένων reported, corr. HALL

L. 157: μέχρι KAP, KON1, corr. Wolters from sq. in KON2

Ll. 157-158: τινὸς reported, corr. HALL

L. 158: ἴσχυσαν KAP1, KON1, -σεν KAP2

- 160 ταῦτα κατωλιγορήθη
 διὰ τὴν συνήθειαν τῆς
 τριαύτης ἐνοχλήσεως.
 διὰ τοῦτο ἀναγκαίως κατ-
 164 ἐφυγον ἐπὶ τὸν Σεβαστὸν.

V:

Ll. 165-168: The imperial *scriptio* with signatures of the emperor and a *libellis*; the witnesses' seals

- 165 Imp(erator) Caes̄ar M(arcus) Antonius Gordianus Piu's Felix Au'g(ustus)
 vikanis per Pyrrum mil(item) conposse-
 sore[m:] id genus qu[a]erellae praecibus intentum an VE...A.....AT iustitia
 praesidis
 φ·οτι'fus' super his quae adlegabuntur instructa discingere quam rescripto
 pr'i'ncipali
 168 certam formam reportare de'beas. Rescrip'si. Recognovi. Signa VI[I].

L. 160: κατωλιγορήθη KAP1, KON1, which Wolters (in KON2) silently corr. to κατωλιγορήθη, but both space and traces exclude this corr.; in l. 151 is σ also written for ω HALL

Ll. 163-164: κατέφυγεν εις KAP1, corr. Wolters from sq. (-γον already KON1)

L. 164: θεϊότατον KAP1, too long HALL who preferred σεβαστόν cf. l. 79; Dttb. wrongly [αὐτοκράτορα - -] 'aut in latere alio huius lapidis aut in alio lapide scriptum'

Ll. 165-168: The Latin part joined with ll. 1-6 in KAP; omitted in KON1, restored by Mommsen in KON2; VICANISPFVRRVM KAP1 (PYRRVM KAP2)

L. 166: omitted by KAP, read by Mommsen from sq.; 'post AN.. spatium vacat litt. undecim; interstitium, quo separantur inscriptio et epistula, in hunc locum faber videtur errore transtulisse' Mommsen (CIL), who wrote an[te]; traces of letters in reported vacat recognized by HALL

L. 167: IOTIVSSVPERISVΔPIEGΔBVNTVRINSTRVCTΔPISCINGFRO VAM

RESCRIPTVPIINPAIU KAP1; DISCINGE Mommsen, DISCINGERE HALL (first restored in App. 2, but later recalled)

L. 168: CRTAMFORMAMRPORTAKEDFBESRECRIPISRECCONOVISIGHΛ: KAP1; DEBEAS: space for one letter between E and B; at the end of the word RESCRIPSI between P and S stone damaged, whence -RIPIS KAP1; after SIG·N·A Mommsen assumed vacat to the ridge of the stone, who rejected SIGNA(VI), suggested by Wolters (in ms.); traces of letters made or even needed the letters -VI to follow SIGNA HALL; SIGNA VI or VI[I] H

TRANSLATION¹⁶**I Authentication (ll. 1-5)**

(ll. 1-5) Good Fortune. In the consulate of Fulvius Pius and Pontius Proculus [238], on December 16 copied and examined from the collection of petitions answered by our master, the emperor Caesar Marcus Antonius Gordianus Pius Felix Augustus, and posted in Rome in the portico of the Baths of Trajan in the words which are written below.

II Note of delivery (ll. 6-7)

(ll. 6-7) Presented by Aurelius Pyrrus soldier in the tenth praetorian cohort *pia fidelis Gordiana*, of Proculus' century, fellow villager and owner.

III Petition to Gordianus III (ll. 8-107)*Inscriptio* (ll. 8-11)

(ll. 8-11) To emperor Caesar Marcus Antonius Gordianus Pius Felix Augustus. Petition from the villagers of Skaptopara, also called the Greseitai.

Exordium (ll. 11-21)

(ll. 11-15) That in your most happy and everlasting times the villages should be inhabited and prosper, rather than the inhabitants should be driven off, you have on many occasions stated in your rescripts. (ll. 15-17) This policy is both salvation to the people and to the profit of your most sacred fisc. (ll. 18-21) Therefore we too bring a legal supplication to your divinity, praying that you will look graciously upon us when we entreat you in this way.

Narratio (ll. 21-77)

(ll. 21-26) We dwell and have our property in the village mentioned above; it is most attractive because it has thermal springs and lies between the two military camps which are in your [province of] Thracia. (ll. 26-30) In the past - as long as the inhabitants were left alone and not subject to extortion - they contributed faultlessly in full both taxes and the other impositions. (ll. 30-33) But when some persons now and then started to get rough and use force, then the village too started to decline. (ll. 33-44) A famous market takes place two miles from our village. Those who stay there to attend the market, do not [however] remain at the marketplace for all the fifteen days - they leave it and turn up in our village and compel us to provide them with quartering and most of the other things for their entertainment without offering payment. (ll. 44-49) In addition to these soldiers that are despatched elsewhere leave their proper routes and appear among us and likewise press us hard to furnish them quartering and provisions without

16 The text of the imperial petition is hard to translate into any language, not least for one whose vernacular is neither the source nor the target language. I have tried to impart the translation a certain flow which most readers will not recognise in the Greek.

paying anything. (ll. 50-53) For the most part because of the thermal springs the provincial governors but also your procurators come here to stay. (ll. 53-59) We greet the authorities in a most hospitable way by necessity, but as we could not put up with the others, we have on many occasions appealed to the governors of Thracia, and they have - in accordance with the imperial instructions (*mandata*) - ordered that we shall be undisturbed. (ll. 59-63) We explained that we can no longer remain, but that all of us have in mind to leave our ancestral homes because of the violence of those who assault us. (ll. 63-66) For in very truth from (being) many landowners we have been reduced to very few. (ll. 66-73) For some time the orders of the governors held force and no one troubled us by demanding either quartering or provisions. But as time went on, numerous persons who despise our private status have again ventured to stick close.

***Preces* (ll. 73-107)**

(ll.73-77) So, since we can no longer sustain these burdens and, as the others, we too really face the risk of abandoning the settlements of our ancestors, (ll. 77-86) for this reason we beg you, invincible Augustus, to order by your sacred *rescriptum* that everyone shall keep to his proper route, that they shall not leave the other villages and come to us and compel us to offer them provisions at our expense, and that we shall not quarter those who not are entitled to [such service]. (ll. 86-94) For the governors have on many occasions ordered that quarters should not be provided for men other than those sent on service by the governors and procurators. If we are oppressed, we shall flee our homes, and the fisc will be embroiled in the greatest loss. (ll. 94-99) If we are shown mercy by your divine foresight and remain in our homes, we will be able to provide both the sacred taxes and the other impositions. (ll. 99-107) This will happen to us in your most happy times if you order that your divine letter shall be written on a stele and set up in public so that we, when we have obtained this, can acknowledge our gratitude to your Genius, just as we now do because we [regard] you [with reverence].

IV Speech delivered before the governor of Thracia (ll. 108-164)

***Exordium* (ll. 108-22)**

(ll. 108-111) *Let them state.* Pyrrus the praetorian has come to this meeting by divine benevolence. (ll. 111-122) 'It seems to me that some god has provided for the present petition: That the most divine emperor has referred the investigation of this case to you - whom he already knew had given [sentence] about this by edicts and instructions - this I think must be credited to good fortune.'

***Narratio* (ll. 122-165)**

(ll. 122-138) The petition. The village of the soldier who is being helped lies in the best [part] of our community, the town of the Pautalians. It is well endowed with mountains and plains; in addition [it has] thermal springs which are not only most suitable for pleasure, but also for health

and healing of the body. Nearby there is also a market which is arranged many times a year, and around the first day of October it has tax immunity for fifteen days. (ll. 139-143) Now it has happened that what seemed to be an advantage to the village in time has turned to its disadvantage. (ll. 143-149) For the reasons we have mentioned above many soldiers on frequent occasions come to stay and they trouble the village by both the extra quartering and oppressive [requisitions]. (ll. 150-154) For these reasons the village, although it was formerly both quite prosperous and populous, has come to utter destitution. (ll. 155-162) Even if they have on many occasions entreated the governors about this and their orders have for a while prevailed, the orders were later despised because of this habit of harassing it. (ll. 163-165) Because of this they perforce sought refuge in the [Augustus]

V The *scriptio* of Gordianus III to Pyrrus, the representative of the village, *Skaptopara*. (ll. 165-168)¹⁷

(ll. 166-9) The Emperor Marcus Antonius Gordianus Pius Felix Augustus to the villagers through Pyrrus, soldier and fellow owner. This kind of complaint submitted in a petition - if [correctly described] - you shall solve by notifying the court of the governor about what will be stated, rather than taking home a specific decision embodied in an imperial rescript. I have answered. I have examined. [7] seals.

9) GENERAL COMMENTARY

For the purpose of this study *Skaptopara* has a unique importance. Firstly it is the only inscription which gives the whole text of an imperial petition. To this is added not only the emperor's *scriptio* with signatures, but also an authentication docket which reveals a system of publishing and filing. By including the speech before the provincial governor of Thracia, *Skaptopara* demonstrates a subsequent stage, even if the speech breaks off in the middle and the final outcome is not reported.

Outline

The contents of the petition presented to Gordianus III by Aurelius Pyrrus on behalf of his village *Skaptopara* are fairly simple. The complaint aims at their opponents - private visitors, soldiers and the governors and imperial procurators with their staff - by using general terms.

The allegations against the opponents recur once or even twice in course of the petition. This is a characteristic, and leaves an impression of a somewhat rambling verbosity. On this point ll. 80-96 offer a good illustration. This part should be the essence of the *preces* and thus the petition. But it is expressed in such an indirect and unhelpful way that it is difficult to follow (this applies especially to the superfluous insertion in ll. 86-94).

¹⁷ For an alternative text and translation to Hallof (1994) see commentary below.

This said, the essence of **Skaptopara** pertains to the problems usually associated with requisitioned transport, alias ἀγγαρεία or *vehiculatio*, and here particularly to the obligation of providing quartering (ξενία or *hospitium*). The villagers of **Skaptopara** found that their obligation to assist was abused in two principal ways: the rights or privileges were demanded by parties who were not entitled to it; secondly, they did not compensate for these services by payment. To apply pressure the petitioners emphasized that the imperial fisc would suffer through a loss of taxes; to evoke pity they underscored the gravity of their condition by threatening to abandon the sites of their ancestors.

Procedure

It was the regular procedure to submit imperial rescripts to the provincial governor, as is clearly stated in the rescript. The gubernatorial decision is not part of **Skaptopara**, but **Tabala**, **Euhippe** and **Takina** demonstrate gubernatorial intervention motivated by complaints to the emperor.

Further **Saltus Burunitanus** and **Aragua** contain imperial rescripts which refer the petitioners (back) to the governor. Of these three examples one would find the rescript of **Skaptopara** the most unhelpful. It is therefore especially interesting to see how Pyrrus upon his return interpreted and used Gordian's answer.

Dating

December 16, 238 is given as the date of the authentication (l. I, 2) and this is the *terminus ante quem* for the delivery of and the answer to the imperial petition. The continuation before the *praeses provinciae* is likely to have followed immediately.

10) DETAILED COMMENTARY

I AUTHENTICATION (ll. 1-5)

ll. 1-5: After the heading *Bona Fortuna*, surprisingly given in Latin (cf. above 6.), there follow the lines which authenticate the copy of the documents given below: the petition to Gordianus III, his *subscriptio* and the petition (it does - of course - not cover the the speech of Pyrrus). The expression *liber libellorum resciptorum et propositorum* tells us that there was a general custom of publishing and filing imperial petitions. Both procedures were unattested until the discovery of **Skaptopara**. The authentication and the *subscriptio* have thus become a topic of intense and meticulous debate. Consequently many of the titles given in the bibliography discuss only the Latin parts of the inscription (e. g. Mommsen 1892, Preisigke 1917, Wilcken 1920, Dessau 1927 and Wenger 1953).¹⁸

ll. 2-3 descriptum et recognitum factum ... in verba (quae) i(infra) s(cripta) s(unt): Authentication, through the phrase *descriptum et recognitum* and its Greek equi-

18 See e. g. Wenger (1953:468) 'Inhaltlich bietet dieses in einer Steininschrift von den an der Sachen beteiligten Skaptoparenern in Thrakien verewigte Reskript nichts bemerkenswertes.'

valents, recur in three other categories of documentary sources: Roman birth certificates, the military diplomas, and the group of Egyptian documentary papyri referred to by the German denomination, *Doppelurkunden*.

For Roman birth certificates, cf. Schulz (1942 and 1943).

Military diplomas were issued to soldiers in the auxiliary units of the Roman Army, and granted them Roman citizenship and *conubium* (Roman marriage). From the time of Claudius auxiliaries and veterans of the fleets received pairs of small perforated bronze tablets, known to modern scholars as *diplomata militaria*, which recorded these grants. The text was inscribed in duplicate, on the inner and outer faces, and the tablets were then wired together and sealed, so that any suspected alterations to the outer face could be checked by breaking the seal in the presence of an authorized official, and comparing it with the sealed text. The wording of the *diplomata* was at the same time simple and detailed in giving the full titulature of the emperor who granted the citizenship and marriage rights to those who served or had served in such and such units. This was followed by the details of the individual recipient. This text was set on the two faces of the inside and repeated on the outer face of one. At the bottom of the outer face one regularly finds *Descriptum et recognitum ex tabula aerea quae fixa est Romae*, then the exact position of the original is given (on the Capitol, the wall behind the temple of Augustus at Minerva and the temple of Apollo on the Palatine). The other outer face bore names of seven witnesses who attested that the certificate was a true copy.¹⁹ No auxiliary *diplomata* issued after the accession of Septimius Severus have yet been discovered. Fleet *diplomata* continued to be issued at least until 250 and those to praetorian guards and urban cohorts until at least 306 (so Morris & Roxan 1977:299).

Doppelurkunden were, as the name indicates, documents where the text was written twice: an inner, sealed version with the signatures of six witnesses, and an outer, unsealed version which could be inspected freely (see drawing in Rubinson 1907:6-7 = P. Eleph.). This specific type of document is known primarily from Roman Egypt in the period from year 177 to 290. Petitions to several *praefecti Aegypti* are preserved as *Doppelurkunden* including the prefectural *subscriptions*.²⁰ Of particular interest is the affidavit-formula

19 Morris & Roxan (1977) discussed the principles for the selection of these witnesses and concluded (pp. 330-1): 'The changes in the witnesses to military *diplomata* describe the evolution of one small detail of Roman administration. From the earliest known text, issued in 52 AD, the wording was in standardised wording, in a standard form, either by government clerks, or possibly by personal of the provincial command concerned. At first, they were certified by military men connected with the units involved, perhaps chosen from those in Rome, at the *castra peregrinorum*, at the time. Vespasian transferred the certification to a government office, staffed in the main by men of relatively low origins; but for two generations that office observed no protocol or standard procedure in selecting which of its clerks took responsibility for certifying the accuracy of the grant. Hadrian imposed strict seniority, and enhanced the standing of established posts, whose ordering closely resembles the administrative practice of the late empire. By themselves, the *diplomata* do not show whether the changes concerned only their own small office or the whole or larger part of the administrative offices of the central government of the empire. The evidence of Aurelius Victor and of the codes and other late texts suggests Hadrian's reforms, and perhaps also Vespasian's, concerned the whole of the administration. If that is so, then the changes revealed by a study of *diplomata* witnesses should, at least in outline, be paralleled in other offices. They may also serve as a yardstick for the interpretation of the more fragmentary evidence, largely epigraphic, that concerns other government departments.'

20 This kind of document was first defined on the basis of three examples in Latin: PBM 229, PSI VI, 729 and PSI IX, 1026 (cf. Kunkel 1932:426). This latter is of special interest and records a petition by veterans to their commander, *leg. Aug. pr. pr. legatus legionis Fretensis*, Vilius Kadus (cf. Thomasson 1984:325, no. 3), it is dated January 22, 150. The heading goes (l. 1): *Descriptum et recognitum ex libello proposito cum aliis in portif. . .*. Later petitions to several *praefecti Aegypti* have been added (see survey in Hanson 1984:192, n. 4): BGU II, 525 and III, 970 to Titus Pactumeius Magnus, dated March 25, 177; P. Oxy. XVII, 2131 to Subatianus Aquila, dated March 25, 207; PSI XII, 1245, dated the 4th of an unknown month, 207; BGU XI, 2061 to Subatianus Aquila, dated December 30, 207; SB X,

which usually starts ἐκγεγράφθαι καὶ προσαντιβεβληκέναι ἐκ τεύχους βιβλειδίων or συνκολλησίμων βιβλειδίων.²¹ The *subscriptions* were to be used in later action, and the point of this type of document was obviously to endow it with greater authority, even if it is alleged that the procedure of *testatio* never was a requirement for legal action (so Hanson 1984:193).²² The peculiarities of these documents are better seen in a diagram, see **Appendix I**. Wilcken (1920 and 1930) relied extensively on this category for his description of the *libellus*-procedure. From the accumulation of of this category of evidence, there appears to have been a fairly - but not exactly - consistent terminology. The praefectural collection is e. g. styled τεῦχος βιβλειδίων, τεῦχος συνκολλησίμων βιβλειδίων or συνκολλησίμα βιβλίδια.

The phrase *descriptum et recognitum* also turns up in particular documents. Nollé (1982:32-8 and esp. in n. 48) gives a valuable summary of these documents. For the sake of the argument the sources must be presented in some detail here.

CIL X, 7852 (= *ILS* 5947 = *FIRA* I, 59 = McCrum & Woodhead 1961:133-4, no. 455) presents the text of a copy of a decision (*decretum*) taken by the *proconsul Sardiniae*, Lucius Helvius Agrippa (Thomason 1984:8, no. 9) on March 18, 69. The heading of the copy in ll. 1-4 goes *Imp. Othone Caesare Aug. cos. XV K. Apriles descriptum et recognitum ex codice ansato L. Helvi Agrippa procons(ulis), quem protulit Cn. Egnatius | Fuscus scriba quaestorius, in quo scriptum fuit it quod infra scriptum est tabula V c(apitibus) VIII | et VIII et X:*

Mommsen (1892:183, n. 1) referred to **CIL XI, 3614** (= *ILS* 5918a = *FIRA* III, 113 = Smallwood 1966:176-7, no. 475 = Sherk 1970:nr. 51, with comments on pp. 65-6, and photo in p. 16, translated in Sherk 1988:166-7, no. 126; see also Eck 1979:207 and 209-10) a record of decisions in the city council of Caere in response to an application from one Vesbinus, *Aug. lib.*, for permission to set up a *phetrium* at a specific place.²³ The inscription is a collection of a heading and 3 documents extracted from the daily record-book of the municipality of Caere. In ll. 4-6 we read: *Descriptum et recognitum factum in pronao aedis Martis | ex commentario, quem iussit proferri Hostilianus per T. Rustium Lysiponum | scribam, in quo scriptum erat id quod infra scriptum est:*; further in ll. 8-9 *Commentarium cottidianum municipi | Caeritum, inde pagina XXVII kapite VI:*, l. 15 *Inde pagina altera capite primo:* and in l. 18 *Inde pagina VIII kapite primo.* The first document is dated April 13, the second August 15, the third September 13 all in the year 113. The copy is dated June 13 the following year (114) and it was dedicated on August 1 the same year.

In **CIL VIII, 11451** (= *FIRA*⁷, no. 61 = Abbott & Johnson 1926:418-9, no. 96; translated in Johnson & Coleman-Norton & Bourne 1961:210-1, no. 250 and Lewis & Reinhold 1966:337-8) is given a copy of a *senatus consultum* which confers market rights on the *Saltus Beguensis* and is dated October 15, 138. The expression in ll. I, 1-6 is relevant: *S(enatus) C(onsultum) de nundinis saltus Beguensis in t(erritorio) Casensi | descriptum et recognitum ex libro sen|tentiarum in senatu dictarum Kani Iuni Nigri, C. Pompo|oni co(n)s(ulum), in quo scripta erant Africani iura et id | quod i(nfra) s(criptum) est: idibus Oct(obribus) in comitorum in curia Iul(ia) | scribundo adfuerunt* which is followed by 7 names. This is fol-

10537 to M. Aurelius Septimius Heraclitus, day and month unknown, 214-5; P. Oxy. I, 35 M. Aedinius Iulianus, day and month unknown, 223; and finally P. Mich. inv. 6554 = Hanson 1984, to Titius Honoratus dated June 30 (?), 290.

21 P. Oxy. 17, 2131 has ἐξεληφέναι; BGU 525 and 970, P. Oxy. 17, 2131 and BGU 11, 2061 have ἐκ τεύχους; PSI 12, 1245 and P. Oxy. 1, 35 have ἐκ συνκολλησίμων; the document published by Hanson 1984 has a special, expanded formula.

22 Hanson takes the great number of prefects' responses cited without any reference to authentication as proof of this statement. See now Haensch (1994:499-500 and n. 45), who refers to *Pauli sent. 5. 25, 6* (see further Talbert 1984:443, no. 61): *Amplissimus ordo decrevit eas tabulas, quae publici vel privati contractus scripturam continent, adhibitis testibus ita signari, ut in summa marginis ad mediam partem perforatae triplici lino constringantur atque impositae supra linum cerae signa imprimantur, ut exterioris scripturae fidem interior servet. Aliter tabulae prolatae nihil momenti habent.*

23 The Latin *phetrium* is a rendering of the Greek φράτριον which was a temple of tutelary deities of brotherhoods. In this context it is apparently a shrine for the *sodales* of the Augustales, and was accordingly a center for the cult of Augustus (so Sherk 1988:167, n. 1).

lowed up in II. II, 23-5 by *actum idibus Oct(obr)ibus P. Cassio Secundo, M. Nonio Muciano. | eodem exemplo de eadem re duae tabellae signatae sunt. | signatores T. Fl(avi) Comini scrib(ae), C. Iuli Fortunati scrib(ae)* followed by 5 other names.

A similar expression is found in the authentication of an edict copied from the archive of the town Magnesia on the Meander (Nollé 1982:13 = SEG 1982:213-5, no. 1149). The edict was issued by the proconsul Asiae in 208-9, Q. Caecilius Secundus Servilianus (Thomasson 1984:233, no. 173), in response to a letter sent by the inhabitants of the village Mandragoreis in which they asked for permission to arrange a market on the 9th and 30th of every month. II. 20-23 of the authentication run: [ἐκ]γεγραμμένον καὶ ἀντιβεβλημένον ἐκ τεύχους χαρ | τίνου διαταγμάτων τοῦ ἐμ Μαγνησίᾳ ἀρχαίου, ἐφ' οὗ | ἐστὶν ἀντιγραφεὺς Μόνιμος Ζωσίμου, διάταγμα | τὸ ὑπογεγραμμένον; in II. 43-44 we find Μόνιμος Ζωσίμου ἀντι[γρα] | φεὺς ἔδωκα ἐξσφράγισμα which is immediately followed by the names of 7 men.²⁴ Apart from these documents the inscriptions published by Wörrle (1975) and Lambrinudakis & Wörrle (1983) give us much desired insights into the sphere of archives of Roman antiquity. So does also the systematic survey of Cockle (1984).

In 1976 Williams greatly improved the text offered by very disjointed fragments located at Smyrna (= IGRR IV, 1430 = I. Smyrna II:1, 598; cf. Petzl 1974, Williams 1976:235-40). Williams convincingly argued that the document in question must be an imperial *subscriptio* of Antoninus Pius with the Greek rendering of the *descriptum et recognitum factum*-phrase. This is the only exact parallel to the authentication of Skaptopara. His suggested wording was: [ἐκ]γεγ[ρα]μμένον καὶ ἀντιβεβλημ[ένον] | ἐκ τεύχους βιβλειδίων προτεθέντων ἐν Ρώμῃ ἐν τῷ | ἐν τῷ Παλατ[ί]ῳ ἱερῷ Ἀπόλλων[ος] | e. g. ἐν ᾧ βιβλειδίῳ ἐγγεγραμμένα ἦν τὰ ὑπογεγραμμένα.²⁵

See now also the fragment from Enez (Ainos) in Thracia (Kaygusuz 1986 = AE, 1986, p. 221, no. 628):[---]---[ra]f---[ti] sunt eod[em] --- descri[ptum] et recognit[um] --- ex commen[tari]s Lu[ci]i Septimi[i] Seueri Pii Per[petu]i[n]acis [...] eorum quae acta sunt | i[i]sdem co[n]s[ulibus] pr[ae]sidie Idus Septemb[ris] Eborac[i] etc.

Williams (1975:63) stated - in my view correctly - that the standard formula (i. e. *descriptum et recognitum*) was 'used to describe any copy of an official document, whether taken from archives [the *SC de nundinis Saltus Beguensis* is given as example] or a manuscript notice [exemplified by this petition] or an inscription [i. e. the military diplomas passim]'. Authenticity was thus secured by the names and seals of the witnesses. In Roman law, however, the weight of the testimony lay traditionally on witnesses.²⁶ That is to say that no document was needed if one could produce witnesses. As the empire and its institutions expanded, one had to accept adjustments. Imperial petitions regularly crossed provincial

24 Nollé (1982:32) applied the procedure of *propositio* to the edicts when he stated: 'Man hat bisher angenommen, der Empfänger von Edikten habe sich ein Exemplar der ihn betreffende Urkunde durch Abschrift von Aushang besorgen müssen.' This must be due to some misconception as edicts rarely if ever were directed to small bodies; edicts were on the contrary used to promulgate decisions of wider political application and were directed at the public within a territory, province or the empire at large. Accordingly they had no address (in contrast to *mandata, epistulae* and *subscriptiones*).

25 Cf. Petzl's commentary (I. Smyrna II:1, p.87): 'Der Petition ist ein Kopiermerk vorangestellt, den Williams [...] versuchsweise folgendermaßen herstellt.'

26 See above all Dig. 22. 5 and Codex Iustinianus 4. 20. The traditional view is well summarised by Hadrian in (Dig. 22. 5, 3, 3; excerpt taken from Callistratus, *Liber quartus de cognitionibus*; cf. Millar 1977:236): *Idem divus Hadrianus Iunio Rufino proconsuli Macedoniae rescripsit testibus se, non testimoniis crediturum. uerba epistulae ad hanc partem pertinentia haec sunt: 'Quod crimina obiecerit apud me Alexander Apro et quia non probabat nec testes producebat, sed testimoniis uti volebat, quibus apud me locus non est (nam ipsos interrogare soleo), quem remisi ad provinciae praesidem, ut is de fide testium quaereret et nisi impleisset quod intenderat relegaretur'.*

borders.²⁷ By the routine of *propositio* the burden of providing a written copy of the imperial rescript was unilaterally placed on the petitioners. Accordingly it is exactly within the *libellus*-procedure that one would expect an adjustment of the status of authenticated documents. So it is only fair to assume that within this order the priority should be transferred from the witnesses to the witnessed document. It is not difficult to envisage the use of an authenticated copy furnished with seals, brought before the tribunal of the provincial governor. Turner (1978:44) saw the description of the book of the seven seals in the Apocalypse (ch. 5-8) as an illustration of how the diploma or *Doppelurkunde* captured the imagination of men.

It is the prevailing view that Wilcken's (1920:36-7 and 1930:19-20) interpretation of the *liber libellorum* as the equivalent of the *τεῦχος συγκολλησίμων βιβλιδίων* is still valid (see e. g. Williams 1976:237 and 1980 esp. p. 293-4 in response to d'Ors & Martin 1979). In Wilcken's opinion the expression *liber libellorum rescriptorum* covered the *libelli* with *subscriptions* when on actual display; in Greek terminology *liber* was rendered by *τεῦχος*. The act of copying had been carried out during this display. Williams has on several occasions restated this view (e. g. 1974:100, 1976:237, 1980:292-4 and 1986:186-7). Later Nörr (1981:5) observed that there probably developed a difference between the *subscriptions* issued by the emperor and those emanating from a provincial governor, as the latter continued to be proper *subscriptions* dependent on the text of the petition, whereas the former turned into an independent text with the address at the beginning.

The problematic feature of the description offered by Wilcken and endorsed by Williams is that it persists in confining the copying to the period of public display. That is to say that when the *libelli rescripti* were incorporated into the archive after the period of display, they were no longer available for the general public. Williams stated this very clearly when he said that it was to fall into anachronism to believe that a Roman government would provide for its subjects the kind of facilities of a modern democracy (1980:294). In 1986 (p. 186) he elaborated on this and said that if Acutanius (of Smyrna I, l. 8) obtained the copy of Antoninus Pius' *scriptio* to his petition in the archives, 'Acutanius would first have to obtain another subscript from the emperor to get access to it, and, unless there was a period of *propositio* for subscripts, he would have been trapped in an infinite regress.' And further (p. 187): 'However, the elaborate procedure which an ordinary person needed to follow to get access to the imperial archives which is revealed by this document itself makes it wholly unbelievable that Acutanius can have made his copy after the original had been entered in the archives.' To post *subscriptions* at a public place was certainly a convenient way of informing the petitioners of the decisions taken. It also had the advantage of informing an eventual third party and the general public at

27 See the same passage of Callistratus (preceding note): *Testes non temere evocandi sunt per longum iter et multo minus milites avocandi sunt a signis vel muneribus perhibendi testimonii causa, idque divus Hadrianus rescripsit.*

large.²⁸ But to say that the verdict was unobtainable for outsiders after this period is hard to digest, and borders on dogma, as the very justification of an archive is to safeguard documents judged valuable for posterity. We must therefore examine the evidence which has been claimed in support of this theory.

Smyrna I (= I. Smyrna II:1, 597)²⁹ gives the text which the interpreters have used to justify the doctrine of restricted access to the originals. The fragmentary inscription is datable to 139, and supplies a record of several documents concerning the right to copy an imperial decision: **A** (ll.1-7) gives the concluding lines of a petition of one Sextilius Acutanius to Antoninus Pius where he asks to be given a copy taken from the *commentarii* of his divine father (ll. 5-7); **B** (ll. 8-10) is the *subscriptio* of Antoninus Pius to Acutanius' petition followed by *rescripsi recognovi*, the number 19, place and date (*act(um) VI idus April(es) Romae* etc.); **C** (ll. 11-13) gives a statement of sealing (*ἐσφραγίσθη*) dated May 5, 139, succeeded by the names of seven witnesses; **D** (l. 14) gives the cryptic instruction *Stasime, Daphni*,³⁰ *edite ex forma sententiam vel constitutionem*.

These parts have been interpreted in a number of ways. Wilcken (1920:16-7 with references to views voiced earlier) said that part C only concerned the *subscriptio* (part B) and that Acutanius, furnished with the authenticated copy, proceeded to the *a commentariis* to get the copy he so much wanted. Accordingly Wilcken hold that the date April 8 concerned the issuing of the *subscriptio*, and the date May 5 was the authentication of Acutanius' copy of this. Williams (1974:99 and n. 99) argued, however, that *act(um)* was regularly used 'to date copies made from official texts, and is placed with the date at the end of such a copy before the names of the witnesses to its accuracy.'³¹ The period between these two dates proved to Williams (1974:99, with n. 99) that the *propositio* lasted 30 days. So when Acutanius had assembled his seven witnesses on May 5, they could still check his copy of April 8 against the document on display. In response to the later article by d'Ors and Martin (1979) Williams (1980:294) very expressly restated his view.

It seems to me, however, that **Smyrna I** has only limited value for this discussion. As both Wilcken (1920:16, by the reference to *a commentariis*) and Williams (who has never used the word *subscriptio* about Hadrian's decision) have noted, Acutanius wanted access

28 The most striking instance of a third party is given by document 13 from the Archive wall in Aphrodisias (Reynolds 1982:104-6). This is a copy of what in l. 1 describes as a *subscriptio* of Augustus given to a *libellus* (probably) presented by the inhabitants of the island Samos. The Samians had apparently applied to get the same privilege of freedom as Aphrodisias, but Augustus was not willing to comply. This statement was taken by the Aphrodisians as a confirmation of their special status, and the copy was included among other imperial letters of similar content. How the Aphrodisians got hold of this answer we may only guess at; if it was by *propositio* it antedates its surmised introduction by 160 years.

29 I. e. *CIL* III, 411 = *IGRR* IV, 1397 both edd. have complete texts; partial texts only in *FIRA*² I, 82 and *ILS* I, 338; the stone is now lost and our reading is based on witnesses from the seventeenth century; for its most recent presentation, cf. Williams 1986:182-7. These editions are now superseded by I. Smyrna II:1, 597, which is reproduced in the Epigraphical Appendix.

30 So Williams (1976:245, n. 10) and more thoroughly argued in (1986:184-5).

31 Williams argued that if the date following the *subscriptio* concerned the date of issue, it would have been preceded by *dat.* which i. a. is used in *Codex Iustinianus*; he further referred to *FIRA* I2, 47, ll. 25 ff., *CRAI* (1971) 41-2, ll. 38ff, Smallwood (1966) nos. 330, ll.24-5 and 475, l. 22.

to the *commentarii* of the emperor, not the register of *libelli rescripti*. That this archive (*commentarii*) was normally closed to the general public is no surprise.³² It is also apparent from the wording of Antoninus Pius' *subscriptio* that the emperor himself did not know the exact nature of this document (therefore the *subscriptio* contained an expression of uncertainty: *si quid pro sententia dixit*).

The precise meaning of part **D** has proved elusive; Millar (1977:247) admitted that it was obscure, but hinted at a complex filing system for imperial decisions. Williams (1976:245) interpreted *edite* to imply 'not merely to produce the relevant roll for Acutanius to copy, but to copy out the excerpt in the correct form themselves.' *Edere* may in fact have the nuance *to present (documents) for inspection* (cf. OLD s.v. 10; cf. also Ulpian Dig. 3. 13, 1, 1: *edere est etiam copiam describendi facere*, where he is expanding on *edere* in the legal meaning to give notice, the reference should, however, be equally valid). It is tempting to suggest, but much harder to prove, that the *ex forma*-expression does not have the common meaning of *in the regulation form* (Millar 1976:247) or *in due form of law* (OLD s. v. *forma* 10), but rather refers to the archive shelf (like a pigeon hole); OLD does register such a meaning (16c) *a frame* (viz. for holding something together). I can give no parallel, but this defect may well be ascribed to our general lack of information on how the archives worked. The parallel to the Greek *τεῦχος* is attractive, especially as *τεῦχος* is used of collections of documents in archives (cf. the authentication heading of the *Doppelurkunden*). The meaning of part **D** would be 'make the *sententia* or *constitutio* available from the shelf'. The issuer of this instruction did not know the exact nature of the desired document, and he just passed the uncertainty on to his assistants, Stasimus and Daphne. And as the text of this much sought document is missing, the uncertainty persists to this very day.

The arguments used by Williams in support of the theory of restricted access, the *circulus vitiosus* of constantly having to apply to get permission to get a copy, can be turned the other way round and dismissed because of their absurd consequences. Our conclusion must then be that **Smyrna I** can not be used to support Wilcken's theory of restricted access. There are, on the other hand, many good reasons to believe that most *subscriptiones* were copied during their period of display (as I believe Acutanius did). The gravity of having approached the emperor should be balanced by a corresponding urgency in collecting his answer. Consequently the vast majority would have their copies made during this period. But to presuppose that the archives after this period were impenetrable for the general public is not in harmony with the liberality of the *libellus*-procedure.

LI. 4-5 et propositorum Romae in porticu thermarum Traianarum: Mommsen (1892:183 n. 1) compared this with *CIL* VI, 31959 (= *ILS* 5523). The routine of posting

32 Williams (1986:186) seems to assume the different nature of the two archives when he reserves himself by saying 'If the archive containing the libelli with subscripts was run on the same lines as that which contained the decision of Hadrian to which Acutanius wanted access [...]'. For the interpretation of *ὑπομνήματα*, cf. Premerstein (*RE* s.v. *commentarii*) and Wenger (1953:438-40). I follow the description of Wenger who counted on collections of the particular species of imperial constitutions (as the *liber libellorum rescriptorum* e. g.) in addition to the *commentarii*. See also the commentary of Petzl in *I. Smyrna* II:1, no. 597, pp. 81-2. My representation of this question has support in the inscription from Şapçılar, cf. Bowersock & Habicht & Jones (1987).

answered petitions in public baths is also recorded in Antioch (cf. Feissel & Gascou 1989:547, ll. 1-2) and Alexandria (the Severan *apokrimata*, cf. Williams 1974).

II NOTE OF DELIVERY (ll. 6-7)

LI. 6-7 Dat(um) per Aur(elium) Purrum mil(item) coh(ortis) X pr(aetoriae) p(iae) f(idelis) Gordianae c(enturiae) Proculi convicanum et conpossessorem: It is vital to connect the information in this tag with the address of the *subscriptio*. Because the tag follows the formula *quae i. s. s.*, it must have appeared on the original exhibit of the answered petition, but it was obviously not a part of the original petition.

Because Pyrrus was the representative in Rome, and as a praetorian should have learned to master Latin, Williams (1974:97, n. 88 and 1986:201) suggested that Pyrrus had added the information on his own (ll. 6-7). It is more likely, however, that these lines should be identified as the clearing note of the department when they registered that Aurelius Pyrrus had delivered the petition on behalf of the inhabitants of Skaptopara.

Pyrrus' name is given in the address of the *subscriptio* which also identifies him as a soldier and *conpossessor* (ll. 165-166). This information can only come from the tag; the tag must thus have been on the petition when handled by department *a libellis* (as observed by Mommsen 1892:176). One should also notice that at this stage Pyrrus only appears here and in the *subscriptio*; Pyrrus is not mentioned in the *libellus* proper. Compare **Aragua** where the representative Eglectus is mentioned both in the *subscriptio* and the *libellus*, and so is probably also the mediator Didymos whose name is restored in l. 8. **Skaptopara** is the only inscription of the corpus which has this kind of note; Jones (1987:705) reports an equivalent in **Şapçılar**.³³

On the basis that the titles *miles*, *convicanus* and *conpossessor*, have been added both here and in the *subscriptio* (the same is done for Didymos in the *subscriptio* of **Aragua**), one may assume that representatives had to meet certain qualifications and that certain restrictions were applied.

From the evidence of **Skaptopara** and **Aragua**, one can narrow the candidates for representation to members of the group and their relatives - that is to say people *directly* involved (cf. Dessau 1927:206; see also Williams 1974:97 and Coriat 1985a:391-7). Further there is evidence that soldiers were in a privileged situation as regards to petitions (cf. Pliny, X, 106 and 107).³⁴

33 One should expect a date as in **Şapçılar**, but this was apparently not mandatory, or was quite simply not entered on the stone.

34 106 C. *PLINIVS TRAIANO IMPERATORI. Rogatus, domine, a P Accio Aquila, centurione cohortis sextae equestris, ut mitterem tibi libellum per quem indulgentiam pro statu filiae suae implorat, durum putavi negare, cum scirem quantam soleres militum precibus patientiam humanitatemque praestare.* 107 *TRAIANVS PLINIO. Libellum P. Accii Aquilae, centurionis sextae equestris, quem mihi misisti, legi; cuius precibus motus dedit filiae eius ciuitatem Romanam. Libellum rescriptum, quem illi redderes, misi tibi.*

The role of the representative was treated by Paulus in his *Liber singularis de iure libellorum*, and one sample (12) of this is preserved in the chapter *De legationibus* in Dig. 50. 7. The excerpt says nothing about who could serve as a representative, but among the several aspects of embassies covered in this chapter, one gets the impression that *vacatio* (exemption) and *legativum* (travel allowance for ambassadors) were the hottest issues. For smaller communities the use of soldiers on post at or close to the emperors' court was an elegant way to avoid problems in appointing and paying their legates. In this case Pyrrus probably had to submit proof of his personal involvement as he was stationed in Rome and his relation to the petitioners from his village of origin was far from obvious.

In sum this passage reflects the concern of the central administration to maintain the personal connection as regards petitions. The tag has probably been added by the imperial clerks when it was presented in order to clear it for subsequent handling.

III PETITION TO GORDIANUS III (II. 8-107)

II. 8-11: *Ἀυτοκράτορι Καίσαρι Μ(άρκῳ) Ἀντωνίῳ Γορδιανῶ Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῶ) δέησις παρὰ κωμητῶν Σκαπτοπαρηνῶν τῶν καὶ Γρησειτῶν*: The usual way of starting a petition in Greek is: the name of the person petitioned in the dative followed by *παρὰ* and the name of the petitioners in the genitive and then directly followed by the word *δέησις* without any word of greeting (cf. Williams 1976:238). Here *δέησις* separates the addressee from the petitioners. In this corpus the address is otherwise only preserved in **Aragua**, where it is expanded by a link introduced by *διὰ* naming the mediator (II. 8-9), the soldier Didymos. **Aragua** does not have the *δέησις*-tag but goes directly to the *exordium*.

The titlature of address corresponds with the common nomenclature of Gordianus III, but it may be expanded by *invictus*, either as *Pius Felix invictus Aug.* or inverted *invictus Pius Felix Aug.* (cf. Lorient 1981:229-30; see also docc. 20-22 in Reynolds 1982:131-9). *Invictus*, or rather *ἀνίκητος*, occurs however in l. 78.³⁵ Gordianus III remained invincible until his overthrow in 244. For the differing traditions regarding his death cf. Lorient (1975:757-74, esp. pp. 770-4).

L. 9 δέησις: *Δέησις* is one of many Greek expressions for the Latin technical term *libellus*. In **Skaptopara** *δέησις* is only used here (further in **Ağa Bey Köyü** l. 31 and in **Aragua**, in II. 5, 11-2 and [28]). It corresponds with the verb *δέομαι* (in II. 21 and 78). *Ἰκεσία* (l. 18), *ἔντευξις* (II. 110) and *ἀξιῶσις* (II. 113 and IV, 122) are apparently used

35 Lorient (1981) expounds the new habit of imperial titlature of the period following the death of Caracalla to the end of Gordianus III (217-244). After Caracalla the triumphal names disappear; this is to some degree surprising as it was a period of constant warfare at the borders of the empire. Cassius Dio (79. 18, 4) cites the pretext for this interruption offered by Elagabalus: *οὐδὲν δέομαι ὀνομάτων ἐκ πολέμου καὶ αἵματος· ἀρκεῖ γάρ μοι καὶ εὐσεβῆ καὶ εὐτυχῆ παρ' ὑμῶν καλεῖσθαι*. This modesty was, according to Kneissel (1969:174-5), offset by the ruler epithets *victor*, *semper victor*, *ubique/ undique victor*, *victor omnium gentium* etc.

To the end of the reign of Gordianus III, the sole exception was Maximinus Thrax. After the death of Gordianus III Philippus returned to the habit before 217, by being called Parthicus or *Parthicus Maximus* and in 247/8 *Germanicus maximus* and *Carpicus maximus*.

synonymously, but the two latter expressions only occur in the more elegantly phrased second version of the petition (cf. also *Dagis* ll. II, 18-9 βυ[β]λε[ί]διον). While in Latin *libellus* clearly was used as the basic technical term, and was commonly used in Roman legal literature, no term gained a parallel dominance in the Greek of the Roman empire. This may be surprising as *ὑπόμνημα*, with *ἔντευξις* and *παράγγελμα* as subspecies, had this function in Ptolemaic Egypt (cf. Wilcken 1920:10-1, Premerstein 1923:30-4, Samonati 1957:804-6 and Williams 1974:87-8; for the Egyptian terminology see Cavassini 1955 in the n. on pp. 299-300).

LI. 10-11 *παρὰ κωμητῶν Σκαπτοπαρηνῶν τῶν καὶ Γρησειτων*: Trajan initiated the urbanisation of Thracia, and Hadrian pressed it even further to the effect that there at the end of the second century were almost no autonomous rural areas. The town and its rural area were combined called *civitas/ πολιτεία* (cf. ll. 125-6). The territory, which as in this case could have a vast extension, was further subdivided into *regiones/ χῶραι*. *Σκαπτοπαρηνοί* is the ethnicon of the village, *Σκαπτοπαρα*; *Γρησειται* is probably an ethnicon of the region.³⁶

LI. 11-12 *Ἐν τοῖς εὐτυχεστάτοις καὶ αἰωνίοις σου καιροῖς*: This expression minus *καὶ αἰωνίοις* recurs in ll. 100-101; the shorter version also appears in **Kavacik** ll. 3-4 and **Aragua** ll. 10-11. The focus on the present times is familiar from the correspondence of the Hellenistic kings (cf. the indices in Welles 1934, Crampa 1969 and Robert 1983), but the idolatrous or flattering use we meet in the Roman petition, is not represented. In the Hellenistic documents the precarious state of the present is rather emphasised (cf. the expression *ἐν τοῖς ἀναγκαιστάτοις καιροῖς* in Welles 1934: no. 45, ll. 5-6; no. 63, ll. 7-8 and no. 71, ll. 8-9, see also Nollé 1982:47-8).

For a comparable use by an emperor, but with *καιροί* substituted with *χρόνοι*,³⁷ see ll. 14-15 of the inscription from Akraiphia, Boiotia, recording i. a. Nero's speech to the assembly summoned at Corinth in 67 (=Smallwood 1967:35-7, no. 64 = Oliver 1989:572-5, no. 296; see commentary on l. 16, *σωτηρία* for references to other editions): *λάβετε ἐλευθερίαν, ἀνεσφορίαν, ἣν οὐδ' ἐν τοῖς εὐτυχεστάτοις ὑμῶν πάντες χρόνοι ἔσχετε*; *IGRR IV*, 1398 ll. 9-13 (recording the second neocorate of Hadrian in 123 or 124) has the following phrase: [*ἐν τοῖς εὐτυ*]χεστάτοις καιροῖς τοῦ θεω[φιλεστάτου Αὐτοκράτορο]ς Τραιανοῦ Ἀδριανοῦ Καίσαρα[ος Σεβαστοῦ, ἐν οἷς ἢ ὑπ' αὐτοῦ] οἰκουμένη θύει καὶ εὔχετ[αι ὑπὲρ τῆς αἰωνίου διαμον]ῆς καὶ αὐτοῦ καὶ τῆς ἀνεικήτ[ου ἡγεμονίας]. One should also note the expression *nunc quoque felicissimis temporibus sacramento absoluti sumus* in *PSI IX*, 1026, ll. 6-7 from 150. See also Robert (1977:9-10).

Pliny min. has accidentally preserved (10. 58, 7) an edict given by Nerva which gave a general statement on his predecessors' benefactions and his own good intentions of continuing this policy. I know of no better example to illustrate what the petitioners hinted at

36 Cf. Papazoglou (1962), Gerov (1976:50-1, and nn. 82 and 83); see also Rostovtzeff (1957:252-4) and *IGRR I*, 721. Gerov has later restated his view (1988:168-70, and nn. 499-500).

37 Within the rhetorical theory *χρόνος* represented the *tempus generale*, *καιρός* the *tempus speciale* (Lausberg 1990:21-3, §386 and §388).

and tried to emulate.³⁸ Pliny also gives the best example of how this expression came to be turned towards the emperor (10. 12: [.] *et ante omnia felicitas temporum, quae bonam conscientiam civium tuorum ad usum indulgentiae tuae provocat et attollit*). A parallel way of taking advantage of an imperial virtue, *indulgentia* or φιλανθρωπία, is also given by Pliny min. (10. 4: *Indulgentia tua, imperator optime, quam plenissimam experior, hortatur me, ut audeam tibi etiam pro amicis obligari*).³⁹

The legend *felicitas saeculi/ temporum* on the imperial coins is - of course - the most frequent application of the theme and may well have been the main contributor to spread the notion of general happiness (cf. Alföldi 1967:124; Wallace-Hadrill 1980:323 and Wistrand 1987).

In a recent article on the images of Augustus, Wallace-Hadrill (1986:67) discussed the appropriateness of the word *propaganda* as to the reverse legends, which have been 'used as a window on the mind of the emperors themselves. Here we have the emperor speaking directly to his people; and if what he says is not necessarily wholly truthful, at least it gives us an authentic picture of how the emperor wished to be seen in contrast to the biased representation of the historian.' Wallace-Hadrill, leaning on Levick (1982), found it 'unnecessary to suppose that the coin designers, any more than Pliny or Horace, received direction from the emperor on the terms in which they ought to glorify him.'

Whether attributable to the emperors or their coin makers, the petitioners are apparently echoing and repaying these inflated and bombastic expressions.⁴⁰ Its use in the imperial petitions seems to have gone unnoticed in the discussion of the significance of imperial legends.

In the conclusion to his article Wallace-Hadrill (1986:85) formulated the central feature of autocracy as the urge to monopolize all symbols of authority. That the use of the *felicitas temporum*-theme is restricted to imperial petitions, but there occur frequently, may be seen as a result of this tendency.

38 (7) *Quaedam sine dubio, Quirites, ipsa felicitas temporum edicit, nec exspectandus est in iis bonus princeps, quibus illum intelligi satis est, cum hoc sibi civium meorum spondere possit vel non admonita persuasio, me securitatem omnium quieti meae praetulisse, ut et nova beneficia conferrem et ante me concessa servarem.* (8) *Ne tamen aliquam gaudiis publicis adferat haesitationem vel eorum qui impetraverunt diffidentia vel ius memoria qui praestitit, necessarium pariter credidi ac laetum obviam dubitantibus indulgentiam meam mittere.* (9) *Nolo existimet quisquam, quod alio principe, vel privatim vel publice consecutus <sit> ideo saltem a me rescindi, ut potius mihi debeat. Sint rata et certa, nec gratulatio ullius instauratis egeat precibus, quem fortuna imperii vultu meliore respexit. Me novis beneficiis vacare patiantur, et ea demum sciant roganda esse quae non habent.*

39 For the implications of the recurring *indulgentia* in Pliny's letters to Trajan, cf. Cotton (1984:265) who has interpreted the passage in 10. 4 in the direction that *indulgentia* invites requests to which one has no innate, legitimate right.

40 Cf. Veyne (1990:302) 'In them [i. e. the *Codes*] the Emperor himself speaks, addressing his benevolent and imperious messages to this subjects, and doing so in an inflated style that corresponds to his subjects' lofty conception of him'; and (423, n. 23): '... the rhetorical training of the bureaucracy, a veritable humanist mandarin, made them incapable of precision but very much concerned to express themselves with majestic pomposity'.

A summary of the use of the *felicitas* on coins, is given by Erkell (1952:120-8).

LI. 12-15 κατοικεῖσθαι καὶ βελτιοῦσθαι τὰς κώμας ἥπερ ἀναστάτους γίγνεσθαι τοὺς ἐνοικοῦντας πολλάκις ἀντέγραψας: Cf. Aragua, 1. 32 τὰ χωρία ἐρημοῦσθαι καὶ ἀν[άστατα γίγνεσθαι] and the commentary with reference to *Eis Basilea*, 58,7. Libanius (Or. XLIX, 1-2; *To the Emperor, for the City Councils*) also used the contrast between the flourishing past and the present wretched conditions at the transition from the *exordium* to the *narratio* (ὡς δ' ἂν γένοιτό σοι σαφὲς τὸ 'κείνων κακούργημα, μικρὸν ἄνωθεν ἀρξάμενος διηγήσομαι. ἤνθουν αἱ βουλαὶ πάλαι ταῖς πόλεσιν ἀπάσαις κτλ.).

Mihailov (1966:209) posed the question of how this passage was to be understood, suggesting that it was either mere flattery or that Gordianus III immediately after his accession received a flow of complaints on this topic. By this he evidently implied that the inhabitants of Skaptopara had noticed his efforts to relieve the causes of complaints. An other possible explanation could be that *πολλάκις ἀντέγραψας* referred generally to imperial edicts. Mihailov admitted that this was merely a hypothesis as 'nihil de rebus talibus novimus'. The almost offensive flattery at first sight diminishes the credibility of the passage, and this impression is enhanced if we consider that Gordianus III at this stage had only been emperor for some months. His accession was on June 6, 238.⁴¹

All the rescripts in *Codex Iustinianus* of the year 238 are attributed to him, even if it is likely that some of them were issued by Maximinus Thrax (who is credited with two rescripts only; cf. Honoré 1981:22 and Schnebelt 1974). Nevertheless, it is to be presumed that the phrase was not mere flattery. It is rather based on an acute observation of imperial rescripts of this period, as well as the habit of arguing from a line of rescripts (Honoré 1981:33). *πολλάκις ἀντέγραψας* most probably renders the Latin formula *saepissime rescriptum est* which was fairly frequent in the constitutions of the principate of Caracalla and onwards. It was a particular characteristic of the writings of Ulpian and indicated a marked reliance on imperial precedents. It can be positively attributed to one *subscriptio* issued in the name of Gordianus III.⁴² Added at the end of a *subscriptio*, *saepissime rescriptum est* has an air of exasperation and impatience.⁴³ A parallel is afforded by the *subscriptio* of Domitian included in the *lex Irnitana* as interpreted by Mourgues (1987, see especially p. 84 and n. 40). To echo it in a petition is a sign of the petitioner's confidence and obstinacy. Further, to interpret *πολλάκις ἀντέγραψας* as a close rendering of *saepissime rescriptum est* may also explain the unexpected application of the aorist tense.⁴⁴

41 Cf. esp. Lorient 1974:305, the very useful surveys in *ANRW* (Lorient 1975:721-2 and 1981:233). For a revision of Lorient's chronology, see Sartre (1985).

42 *CI* 7. 62, 3, without consular year; cf. Honoré (1962:227, see also 1981:22-3): *Imp. Gordianus A. Victori. Appellatione interposita, licet ab iudice repudiata sit, in praeiudicium deliberationis nihil fieri debere et in eo statu omnia esse, quo tempore pronuntiationis fuerint, saepissime rescriptum est.*

43 For a similar conclusion, cf. Huchhausen (1979:14) who assumed that the emperor intended with expressions like *saepe rescriptum est* and *notissimi iuris est* to convey to the petitioners that the answer to their approach was evident and that they better should have left him alone.

44 Cf. also II. 56-57, ἐνετύχομεν πλειστάκις τοῖς ἡγεμόσι and II. 155-157, ἐδεήθησαν πολλάκις καὶ τῶν ἡγουμένων; contrast II. 145-147, πολλοὶ πολλάκις στρατιῶται ἐνεπίδημοῦντες. See esp. Armstrong (1981); further Porter (1989:187) for a discussion of *πολλάκις* with the present and aorist tense; and Fanning (1990:166), discussing multiple situations: 'The *aorist* gives a summary or composite view of the multiple situations, with no emphasis on the repetitions: St. Luke 17: 4 ἐὰν ἐπτάκις τῆς ἡμέρας ἀμαρτήσῃ εἰς σέ.' One may add St. Paul, 2. Cor. 11, 25: τρεῖς ἐραβδίσθην. ἅπαξ ἐλιθάσθην, τρεῖς ἐναύγησα.

Apart from the identification of this specific phrase, there indeed is - as Mihailov suggested - in the lawcodes evidence of a much greater activity following the accession of Gordianus III. In *Codex Iustinianus* a total of 293 rescripts are attributed to Gordianus III, and the output is in marked contrast to the pitiable two of his predecessor, Maximinus Thrax. Out of this total, 41 rescripts are without consular year, 50 are dated 238, 80 dated 239, 60 dated 240, 33 dated 241, 15 dated 242, 11 dated 243 and only 2 are datable to 244. Of the period covered by *Codex Iustinianus* 117 to 533, only one year, 223, has yielded more rescripts than Gordianus III's second year. 223 was also the second year of Severus Alexander's rule and it has a recorded output of 98 rescripts.⁴⁵ Both Alexander and Gordianus III were minors, so-called *principes pueri*. Severus Alexander was born in 208 and accordingly only 15 years old at the time of his astounding legal activity. The corresponding maximum of Gordianus III was attained at the age of 14 (born January 20, 225 or 226, cf. Lorient 1975:725 and n. 525). No one will ascribe this enterprise to a personal policy or ambition of the young emperors. It is more likely due to the surfacing of the echelons of imperial secretaries and the rule of public servants; in the case of Alexander Severus this inference has the direct support of Herodian. A corresponding wave of sympathy welcomed Gordianus III.⁴⁶ The important passage by Herodian (7. 3, 6) recording the fear and resentment of the people towards the behaviour of the soldiers

45 The count of rescripts per regnal year of Severus Alexander and Gordianus III is based on Appendix I, Index constitutionum ad temporis ordinem redactus of *Codex Iustinianus*. For statistics of the Severan emperors, cf. Coriat (1985:319-20). Honoré (1981:140-3; see also 136) has a table of 'dated private rescripts' (my italics), these are apparently limited to books 2-8 of the *Codex Iustinianus*; accordingly Honoré's numbers do not agree with those given here. Severus Alexander is assigned 444 rescripts, Septimius Severus 435, Caracalla 294 and Elagabalus only 5. For the rescripts of 223, see the palingenesia of Coriat (1985 Part II, pp. 768-844), where the total count of this year is 103 (notices 952-1055). The palingenesia covers the Severan emperors. There is a corresponding collection for the reign of Gordianus III in Nicoletti (1981:99-151).

46 For a similar conclusion, cf. Honoré (1981:22) and his references to Herodian: 6. 1, 2; 6. 1, 4 (of particular relevance: τὰς τε πράξεις ἀπάσας καὶ τὰς διοικήσεις, τὰς μὲν πολιτικὰς καὶ ἀγοραίους ἐνεχείρισαν τοῖς ἐπὶ λόγοις εὐδοκιμωτάτοις καὶ νόμων ἐμπείροις) and 7. 1, 3 (of the reaction led by Maximinus Thrax); see also the appropriate notes in Whittaker's Loeb-edition. Alexander's accession coincided with Ulpianus' promotion as *praefectus praetorio*. Alexander became emperor at the age of thirteen on March 13 or 14, 222, and Ulpian was promoted from *praefectus annonae* to *praefectus praetorio* between March 31 and December 1 of the same year (cf. Honoré 1982:36). Further testimonies of the return to the tradition of the liberal empire, are found in a famous rescript (*Codex Iustinianus* 10. 11, 2 and see the exhaustive exegesis by Vigorita 1978) where he refers to the ruling principles of his time (*secta temporum meorum*); see further an inscription from Ephesus honouring 'the good and pious king who has restored and increased for his universe the old peace of life' (*Forsch. Eph.* IV, 3; p. 286, no. 36) and the letters in his name to Aphrodisias and Aurelius Epaphras (Reynolds 1982: Documents 20 - 24; cf. Lorient 1975:72931 for additional references to epigraphical testimonies). Despite the initial enthusiasm and expert support of senators and equestrians (see Lorient 1975:7269) the rule of Gordianus III became much more controversial in 241 after C. Furius Sabinus Aquila Timesitheus was appointed *praefectus praetorio* and became the emperor's father-in-law. The declining number of attributed rescripts testifies to the increasing problems he experienced in the last years of his rule.

under Maximinus Thrax, is also a telling background for the expectations in the new ruler.⁴⁷

LI. 15-17 ἔστιν γὰρ καὶ ἐπὶ τῇ τῶν ἀνθρώπων σωτηρία τὸ τοιοῦτο καὶ ἐπὶ τοῦ ἱερωτάτου σου ταμείου ὠφελεία*: von Gaertringen (*SIG*³ 888) questioned the use of γὰρ here and in l. 33 and took it as a solecism for γάρ.

Both σωτηρία and ἱερός belong to the vocabulary associated with the imperial cult, and the passage illustrates well the association of cult with diplomacy. The use of these words go back to the appellatives of hellenistic kings (cf. Schubart 1936:13). The most relevant discussion of that of Price (1984:239-48 'The imperial cult and political power'; see also the commentary on l. 13 of *Ağa Bey Köyü*). He maintains (p. 242) that the great number of embassies was a way to create and define connection between subject and ruler; in the religious sphere this was obtained through the imperial cult. Further (p. 244) it was characteristic that the Greeks used religious language not only in their diplomatic approaches but also in responses to political actions taken by the emperor. The encounters of petitioners and emperors were another aspect of the same phenomenon at a lower social stratum. The authors of the petitions neither wished nor managed to disentangle from these idioms.

σωτηρία is e. g. used of imperial intercession in an extensive inscription from Akraiphia, Boiotia, recording i. a. Nero's speech to the assembly summoned at Corinth in 67;⁴⁸ further in an inscription from Kyzikos, Asia Minor, presenting honors of three client kings recognized by Gaius Caligula;⁴⁹ and an inscription from Syros (*SIG*³ 890) opens with the greeting ὑπὲρ ὑγείας καὶ σωτηρίας τῶν κυρίων ἡμῶν καὶ θειοτάτων αὐτοκρατόρων, followed by the names of Decius, and the two Caesars, his sons, Herennius Etruscus and Valens Hostilianus Messius.

ἱερός reflects the latin *sacer*, marking the corresponding noun as something set apart and belonging to or being of the divine emperor, but unlike θεῖος it seems not to have been used of the emperor himself; cf. *Saltus Burunitanus* ll. III, 2 (with comm.) and 24 and *Ağa Bey Köyü* ll. 13 (with comm.) and 39. Drew-Bear (1977:361-3) discussed the use of ἱερός and θεῖος, and correctly remarked that one was to distinguish between on the one hand documents written by other persons (as in this instance) and on the other official documents emanating from the emperor himself or his staff. He found the use of *sacer* by Septimius Severus and Caracalla in the *sacrae litterae* of 204 (see also Morgues 1970:79-82) to be an isolated usage. See also Nollé (1982:31).

LI. 18-19 ὅπερ καὶ αὐτοὶ ἔννομον ἱκεσίαν τῇ θειότητί σου προσκομίζομεν: For θειότης, cf. *Ağa Bey Köyü*, l. 13 with commentary. For the use of ἱκετεῖαν προσκομίζομεν, see

47 Πένθος τε δημόσιον ἐνεποιεῖ δίχα μάχης καὶ ἄνευ ὄπλων ὄψις πολιορκίας; Whittaker's transl.: 'the appearance of a siege, when there was no fighting and no one armed, caused public concern.'

48 *IG* VII, 2713 = *SIG*³ 81498 = *ILS* III, 8794 = Abbott/Johnson 1926:359-60, no. 56 = Smallwood 1967:357, no. 64, translated in Sherk 1988:112, no. 71; see also Price 1984b:823.

49 *SIG*³ 798 = *IGRR* IV, 145 = Smallwood 1967:1201, no. 401, partly translated in Sherk 1988:79-81, no. 42 B; see also Price 1984a:244; ll. 201: εὐξασθαι μὲν ὑπὲρ τῆς Γαίου Καίσαρος αἰωνίου διαμονῆς καὶ τῆς τούτων σωτηρίας.

Kemaliye ll. 8-9 with commentary. This is the only place where a petition is described as *ἐννομος* (*legal* rather than *regular* or *just*), but I cannot see that the word has a particular or distinctive force.⁵⁰

LI. 19-21 *εὐχόμενοι ἰλέως ἐπινεῦσαι ἡμεῖν δεομένοις τὸν τρόπον τοῦτον*: The prayer that the emperor shall look favorably upon their petition is a *locus communis* of the genre. It is expressed in all the petitions where this part is intact. In *Saltus Burunitanus*, l. III, 18 it is done quite briefly (*subvenias*); more elaborated in **Ağa Bey Köyü**, ll. 30-1 (*καὶ δεόμεθα εὐμενῆ ὑμᾶς προσθέσθαι τὴν δέησιν ἡμῶν*) and **Kemaliye ll. 9-10** (*καὶ τοῦτο δεόμεθ' ἀπιδόντας ὑμ[ᾶς, μέγιστοι καὶ θεϊότατοι τῶν πώποτε ἀντοκρατόρων*).

The transition from the *exordium* to the *narratio* is denoted with several textmarkers; these are the tautologous *ἰκεσίαν ... προσκομίζομεν* and *εὐχόμενοι* in the conclusion of the *exordium*, and the reference *προγεγραμμένη* in the first clause of the *narratio*.

LI. 21-23 *οἰκοῦμεν καὶ κεκτήμεθα ἐν τῇ προγεγραμμένῃ κώμῃ*: The petitions of Part I:A have two main sources: tenants of imperial estates (**Saltus Burunitanus**, **Gasr Mezuar**, **Ağa Bey Köyü** and **Aragua**), or propertied villagers (**Dagis**, **Kemaliye**, **Güllüköy**, **Kassar**, **Kavacık**, probably, and **Skaptopara**). In **Skaptopara** the status and identity appears clearly from the words *conprossessore* in l. 8, *κεκτήμεθα* here, *οἰκοδοσπότης* ll. 64-65 and *ιδιωτία* (which may be rendered with *independence*) in l. 72.⁵¹

LI. 23-24 *οὔση εὐεπεράστω διὰ τὸ ἔχειν ὑδάτων θερμῶν χρῆσιν*: The choice between the otherwise unattested *εὐεπεράστος*, *most attractive*, which was Kapellas' original reading, and the emendation suggested by Wilamowitz, *εὐεπηρέαστος*⁵², *exposed to harm*, depends on the interpretation of ll. 23-26 and 122-143. As reported in the critical apparatus Dittenberger (*SIG²*, 418) preferred *εὐεπηρέαστος*, which von Gaertringen changed to *εὐεπεράστος* in *SIG³*, 888. All other editors texts preserve Kapellas' original reading.⁵³

50 Johnson & Coleman-Norton & Bourne (1961:230), 'a petition which is just'; Lewis & Reinhold (1966:439), 'a just supplication'; Mihailov (1966:220), 'legitimas preces'; Freis (1984:229), 'eine Bittschrift, die berechtigt ist'; Herrmann (1990:19), 'bringen wir mit vollem Recht ... unsere Bittschrift'.

51 The new readings of the text at l. 108 have removed the little substance that was left from the arguments of Abbott & Johnson (1926:470-2) about the status and identity of the petitioners.

52 Cf. app. crit., but above all his comments (*Einzelheiten*) included in Appendix II, no. under anm. 6: 'das lexicon lehrt, daß *ἐπεράστος* ein poetisches wort ist und nicht *amoenus* sondern *amabilis* bedeutet. dasselbe lehrt, daß *εὐεπηρέαστος* *ἐπηρεάζω* u. a. eben in spätem zeit, bei christlichen schriftstellern sehr geläufig ist, während das hier von mir hergestellten wort vor Galen überhaupt nicht belegt ist. was den sinn anlangt, so erklärt die lage in der nähe eines badeortes und zweier garnisonen nicht die landschaftlichen reize, sondern die gelegenheit, daß die bauern molestirt werden.'

53 Among the translators only Lewis & Reinhold (1966:439) follow Wilamowitz, translating 'the [...] village, which is exposed to wanton damage because of'. Contrast Johnson & Coleman-Norton & Bourne (1961:230) 'the ... village, which is a desirable resort, because it has the advantage of hot springs and is accessible from the two army stations in Trace'; Mihailov (1966:2201) *in vico supra scripto amabilissimo quod habeat usum thermarum et sit interiectus castris in Thracia sitis*; Freis (1984): 'das sehr schön ist, weil es warme Quellen hat und [...] mitten zwischen zwei in Eurem Thrakien befindlichen Kastellen liegt'; and Herrmann (1990:19): 'das dadurch attraktiv ist, daß es [...] und sich in der Mitte zwischen zwei in der Dir gehörigen Provinz Tharkien gelegenen Heerlagern befindet.' See below for the translation implied by MacMullen (1963:86-7).

Apparently Wilamowitz took the former passage to imply a liability. The parallel description found in the second stage (ll. 122-138) supports the original reading by expressly describing the village's position as desirable (so also Mihailov 1966:204).

At this stage (ll. 21-33) the petitioners used a *topos* which occurs frequently in the petitions: the contrast between the blessed state of yesterday and the harassment experienced today. The effect of this theme becomes blurred - if not lost - if we change *εὐεπέρastos* into *εὐεπηρέastos*. Consequently the adjective must have had a positive meaning which also affects and includes the next coupling, i. e. the military camps.

Ll. 24-26 καὶ κείσθαι μέσον δύο στρατοπέδων τῶν ὄντων ἐν τῇ σῇ Θράκη: It is worth noticing that the soldiers are left out in the catalogue of the village's blessings given in the second stage (ll. 122-138).

Thracia, ruled by a *procurator* - or termed as here *praeses* - was in theory an unarmed province, a *provincia inermis*, where we nevertheless have proof that auxiliary cohorts were present. An unpublished military diploma from 114 records the discharge of two men from *cohors II Bracaraugustorum (equitata)* and *cohors IV Gallorum*. Inscriptions, which can be dated to the period 188-222, from Sapareva Banja (Stanka Dimitrov-county) and Gäläbruk (Radomir-county) mention *cohors II Lucensium* (all these references are from Gerov 1988:31, and n. 4). Gerov has identified these two camps as auxiliary posts, one at Aporeva Banja and the other less precisely in the valley of Bregalnica; at this latter place was stationed *cohors II (?) Concordia Severiana*. These locations fit the rather vague description given in the petition.

To ascertain the correct reading in l. 23 (*εὐεπεράστῳ*) is a point of some significance, as it concerns the mixed blessing of military presence. Two studies are particularly relevant for this point, Gren (1941) and MacMullen (1963). Gren (1941:V) maintained that historians generally had underestimated the economic role of the Roman army. He made its positive influence the theme of his study. It is thus a great pity that he did not notice the true value of this passage. Not least Gren would have been better prepared against the ensuing criticism voiced by MacMullen; but whether Wilamowitz' unfortunate suggestion is to blame, is not possible to establish.⁵⁴

MacMullen (1963:86-7, chapter 4. 'A mixed blessing') on the other hand had a keen eye for the negative effects of military presence in general and soldiers in particular. He paraphrased this passage by saying that it 'was unhappily close to two army camps'. Judging from the evidence of this epigraphic collection of petitions, it may indeed be obvious to associate military presence primarily with harassment, extortion, uncompensated requisitions etc. As we have seen, however, this paraphrase does not convey the true read-

54 Gren referred to *Skaptopara* twice (pp. 24 n. 81, and 28) but made no comment on this point so relevant for his main theme. It is of course not possible to ascertain which text Gren relied upon. In p. 24, n. 81 he refers to *CIL* III, 12336 = *IGRR*, 674 = Abbot & Johnson (1926) no. 139. None of these have accepted Wilamowitz' suggestion, which in fact is only reported in the critical apparatus to the *CIL*-text and accepted by Dittenberger (*SIG*², 418). Gren did not refer to *SIG*².

ing of the text. MacMullen (1963:89-90) then went on to criticise Gren's study because of its many 'must-have-beens' and probabilities, by eloquently stating that 'His work is interesting and important, yet it suffers from a failure to produce any evidence joining the first and last member of his syllogism; there were soldiers, and there was prosperity; but was there a connection?'

The expression found in ll. 23-26 of **Skaptopara** is indeed such a link. I think it is fair to say that the villagers had originally come to see their position as favourable as regards the military camps. And in the present context 'favourable' must be interpreted as 'economically favourable'. The next passage (ll. 28-30) supports this interpretation; here they tell that as long as they remained untroubled and unshaken 'they contributed faultlessly in full both taxes and the other impositions'.

We shall not forget that there are numerous inscriptions that honour soldiers individually; this proves that they were also seen as a local asset. Roueché (1981:11-35, nos. 7 and 8) gives the examples of Aurelius Gaius and an anonymous colleague, *centuriones frumentarii*, who received honours because of their goodwill and affection towards the town of Aphrodisias. In the dispute between the Phrygian villages Anosa and Antimacheia on the territory of an imperial estate (Frend 1956:46-7, translated in Levick 1985:57-60, no. 54) an *optio* named Aurelius Symphoros (ll. 16, 20 and possibly 27) was the assistant of the procurator Aurelius Threptus, and was to deal with the village council directly; two letters from him are recorded. At a later stage in this dispute (213) Anosa asked the procurator Philocurius to be assigned a *stationarius* to guarantee the procuratorial decisions (ll. 32-33); Philocurius granted them this. Cf. also the centurion (but in Herodes Antipas' service) in St. Luke 7. 2-5, who had built a synagogue for his local community (v. 5): ἀγαπᾶ γὰρ τὸ ἔθνος ἡμῶν καὶ τὴν συναγωγὴν αὐτὸς ὑποκόδομησεν ἡμῖν.

LI. 26-27 καὶ ἐφ' οὗ μὲν τὸ πάλ[λ]αι: von Gaertringen (*SIG³* 888) explained this as 'quamdiu, quem ad finem, manifesta casuum genitivi et accusativi (ἐφ' ὅσον χρόνον) confusione'. Mihailov (1966:204) agreed in sense but took it to be a confusion of ἐφ' ὅ and ἀφ' οὗ.

LI. 27-28 οἱ κατοικοῦντες ἀόχλητοι καὶ ἀδειάσειστοι ἔμενον: There are very few recorded occurrences of these familiar stems prefixed with α-privativum; cf. PSI IV, 292, l. 1, παρὰ τὰ σὰ ἴχνη καταφεύγω ἐξῆστάμενος αὐτοῖς ἔχειν με τὸ σῶμα ἀνεπηρέαστον καὶ ἀνύβριστον, ἵνα διὰ τ[ὴν] σὴν φιλανθρωπίαν ἀόχλητος ἐν τῇ πατρίδι συνεστάναι δυνηθῶ κτλ. Frequently used expressions like ἀλειτουργός and ἀτέλεια may have functioned as templates. Two of these privatives also occur in a letter of Nero to 'a town and 6475' (Montevecchi 1970; col. II, ll. 2-5, see commentary pp. 28-31) ἀνηβρίστους καὶ ἀνηπερεάστους διαφυ[λ]άσιν ὑμᾶς, ὥσπερ κ[α]ὶ ὁ θεὸς πατήρ μου ἐβουλήθη.⁵⁵

Here one might take the privatives to indicate that the mobbing and shakedown had become so frequent, that it was a meaningful asset to describe one's situation as unmobbed

55 I can not explain why this document, P. Med. inv. 70.01, from the Arsinoite, is not included in Oliver (1989). Montevecchi (pp. 5-6) warns of the phonetical spellings in the papyrus!

and unshaken. Set in this particular chronological frame, the quotation from Herodian (see n. 47) may serve as a background.

LI. 28-30 ἀνεκδέως τούς τε φόρους καὶ τὰ λοιπὰ ἐπιτάγματα συνετέλουν: See the parallel expression in ll. 97-98 and **Ağa Bey Köyü**, ll. 28-30 (with commentary). The inhabitants at **Ağa Bey Köyü** were tenants, however, and the system of produce shares and taxes would not be the same for the independent owners (οἰκοδεσπότες ll. 64-65) at Skaptopara. In our corpus ἐπιτάγματα is only used here.⁵⁶ It is again plausible to hold that the first noun, (φόροι, in l. 97 described as ἱεροὶ φόροι), covers the basic tax, whereas they with ἐπιτάγματα (ll. 98 τὰ λοιπὰ τελέσματα) implied additional impositions. Further, it is possible that among the latter were included services tied to transport and quartering but enforced in keeping with the regulations set by the provincial governors and supervised by their staff.

LI. 30-31 εἰς ὕβριν (?) προχωρεῖν: From the readings recorded in the critical apparatus it appears that the text is uncertain at this point. Kapellas' copy had εἶσιν βία which does not make sense. The facsimile supplied with this copy has ΕΙC | βίαν προχωρεῖν. From this we can reconstruct the letters on the stone as ΕΙC | ΙΝΒΙΑΝΠΙΡΟΧΩΡΕΙΝ (which challenges my imagination unduly). Von Gaertringen (SIG³ II, 888, n. 11) found the reading suggested in Kontoleon (1891:275) unacceptable ('εἰς βίαν προχωρεῖν καὶ βιάζεσθαι vel in hoc titulo intolerabile videtur') and gave εἰς | [ὑ]β[ρι]ν. Mihailov set ὕβριν in parenthesis. Kontoleon's text does not explain the *ν* preceding βία and von Gaertringen's rational objection concerning style is sound even if it is weakened because προχωρεῖν here is constructed with a personal subject (*LSJ*, s. v. 3, gives only a few examples of this: i. a. Cassius Dio 39. 37; 48. 1; 73. 3 and Herodian 1. 15. 8). In conclusion it seems better to let a question mark express the uncertainty.

For a combination of these two words, ὕβρις and βία, cf. l. 33 of Augustus letter to Knidos ἐπ' ἄλλο[τρίαν] οἰκίαν νύκτωρ μεθ' ὕβρεως καὶ βίας τρις ἐπεληλυ[θό]των καὶ τὴν κοινὴν ἀπάντων ἡμῶν ἀσφάλειαν [ἀνα]ρουντων ἀγαναχτοῦντες (ll. 32-5).⁵⁷

LI. 33-35 ἀπό γε μειλίων δύο τῆς κώμης ἡμῶν πανηγύρεως ἐπιτελομένης διαβοήτου: The information about a neighboring market place is further developed in the second petition (ll. 134-138). The expression in ll. 134-136, πανήγυρις συνάγεται, recurs in the edict of Caecilius Secundus Servilianus authorising the market at Mandragoreis (Nollé 1982:201 = *SEG* XXXII, 1982, 313-5, no. 1149).

Markets were daily or regularly held in the towns of the Roman empire; to arrange markets were one of the cities' prerequisites. In areas which were not extensively

56 It occurs only randomly in other contexts and then primarily as a rendering of the Latin *edictum*, cf. Mason (1974:48, s. v.); although διατάγμα is the normal translation of *edictum*, cf. ll. 119.

57 SIG³ II, 780 = Abbott & Johnson 1926:3334, no. 36 = *IGRR* IV, 1031 = Ehrenberg & Jones 1976:1434, no. 312 = Sherk 1969:341-4, no. 312; translated in Johnson & Coleman-Norton & Bourne 1961:124, no. 147 and Sherk 1984:1334, no. 103, not no. 105 as printed in index. The inscription was found in Astypalaea and is from the second half of 6 BC.

urbanised, or in urban territories of large extension which precluded regular travel to the mother town, the provincial government appointed places where to hold markets. The marketplace close to Skaptopara must have belonged to this latter category. This particular market distinguish itself by going on for fifteen consecutive days at the start of October and at this occasion enjoying immunity from market tax. Following Nollé (1982:31, n. 31) this immunity was a particular privilege only granted by emperors.⁵⁸

As a rule *πανήγυρις* designated markets called at long intervals; this kind of periodic market was in Latin designated by *mercatus* to be contrasted with the *nundinae*, held at short intervals (cf. de Light & de Neeve 1988).⁵⁹ Further *πανήγυρις* should normally be connected with a religious festival, but its use here can be explained because the Greek language had no current specific term for this type of periodic market. On the other hand a religious festival in the middle of October would easily explain the frequent and unaccounted presence of the leading men of the province.

We should like to answer two further questions: how did the market of Skaptopara receive its immunity and what was the tax rate? The first must remain unanswered; it may well have been by an imperial grant, but, as this is peripheral to our petitioners, no further details are given. Still the phrasing could hint at unintentional, negative effects of an emperor's rulings.

The fact that immunity from market tax was a cherished privilege tells us that the taxes must have been levied at a rate which was felt decisive for business, even if we in his instance do not know the exact percentage. Judging from our modern equivalents, purchase tax and VAT (where Norway is in the lead with 23%), we will hardly be scared off by rates as the 2.5 - 5% *portorium* (cf. Cic. *Verr.* 2, 2, 158 and Wörrle 1988:213 and index s. v. ἀτελεία) or the *vicesima hereditatum*. On the other hand these modest rates

58 To prove his statement Nollé referred to two inscriptions. The first was 'la grande inscription de Baetocécé' where Gallienus in year 258/9 confirmed the old privileges bestowed by a king Antiochus in the second century BC. The inscription is given in *CIL* III, 184 = *ILS* 540 = *IGRR* III, 1020 = *OGIS* 262 = Welles (1934:28/8, no. 70) = Abbott & Johnson (1926:485-6, no. 147) = *IGLS* VII, 4028 = Austin (1981:291-2, no. 178, only translation): *Regum Antiqua beneficia, consuetudine etiam insecuti temporis adprobata, is qui provincia regit, remota violentia partis adversae, incolumia vobis manere curabit.*

The second was the grant by Probus in 287/9 to a landowner, Munatius Flavianus, through the *praeses provinciae Numidiae*, Aurelius Diogenes. The is document no. 4 (pp. 119-129) in Nollé (1982); literature in Nollé p. 120. *Ex rescripto dei Probi, postulante Munatio Flaviano nundinas Emadaucapens(es) immun[es] V kal(endarum) et III idu(m) celebrandas, v(ir) perfectissimus praeses Numidiae) Aur. Diogene beneficium datum supplere dignatus est.*

59 De Light & de Neeve (1988, a stimulating article throughout, but see esp. pp. 396 with notes and 413) discussed the term *πανήγυρις* and found its use in Skaptopara anomalous. Notice especially p. 396, n. 23: 'The inscription, dating from 209 A. D., has the institution of a *panēgyris* in the village of Mandragoreis, to be held at the 9th, the 19th and the 30th day of each month. It is striking that in the cases of Scaptopara and Mandragoreis we have no indication of religious activities'. On p. 413 they comment 'that *ateleia* had the effect of attracting visitors, and that the Scaptoparans expected this to be remunerative (Il. 134-135). But it seems reasonable to suppose that the freedom of market dues was also intended to enhance this *panēgyris*' (and the community's) status by attracting more people. The *kōmē* of Scaptopara seems to have been behaving like a city - with detrimental consequences its inhabitants had not expected'. De Light & de Neeve's analysis paired with the text of the petition gives us a glimpse of the importance of this *πανήγυρις*.

are clearly informative about the limits which the ancient economy set for taxation. In modern times the rates have been increased out of proportion; that we still advertise tax-free goods is thus hardly surprising.

LI. 35-53: In escalating order the petitioners point out four categories of unwanted visitors: ordinary civilians on visit to the market (here), soldiers (l. 44), the provincial governor with members of his staff, and the imperial procurators (ll. 51-53).

The first category, ordinary civilians, could in no way expect to be lodged and nourished at others' expense and one wonders what methods they may have used to obtain this. Perhaps they arrived in such numbers that the villagers had to acquiesce.

Inscriptions published relatively recently (Frend 1956, Mitchell 1976 and Malay 1988=**Tabala**) have supplemented a series of official documents which concern the organization of requisitioned transport and accommodation under the Roman empire.⁶⁰ As Mitchell lucidly describes, the network of roads which were constructed in the Roman provinces would have been rendered useless if it was not balanced with transport measures of corresponding efficiency. Towns and villages which bordered on these roads (termed *via publica*/ δημοσία, βασιλική and λεωφόρος ὁδός⁶¹) had their duties measured out in detail. But requisitions of transport were at all times associated with complaints about abuses. The gist of Libuscidianus' edict is to lay down that no one should use carts without payment, and it goes on to give fairly detailed numbers and rates for carts and named substitutes. The passage about shelter and hospitality is much less protective of those called upon to provide as it says that it shall be 'provided without payment [...] in such a way that these do not exact other services without payment from people who are unwilling'.⁶²

60 Frend (1956) gives a dossier on disputes concerning the distribution of ἀγγαρεία between the two Phrygian villages Anosa and Antimakheia, which covers the years (approx.) 200 - 237. Mitchell (1976) gives an *edictum* issued by the *legatus pr. pr.* of Galatia, Sex. Sotidius Strabo Libuscidianus in 13 - 15; the edict is given in both Latin and Greek and is one of the major bilingual inscriptions. Mitchell surveyed the other documents (private and official) in a very useful bibliographical note (pp. 111-2).

61 Cf. Ulpian, *Liber sexagesimus ad edictum* (= *Digesta* 43. 8, 22): *Viarum quaedam publicae sunt, quaedam privatae, quaedam vicinales. Publicas vias dicimus, quas Graeci βασιλικάς, nostri paetorias, alii consulares vias appellant.* Ulpian's distinction between public and private roads was dependent on the state of the soil: public roads were on public soil, as private were on private (cf. par. 20 *Viam publicam eam dicimus, cuius etiam solum publicum est*). Among the inscriptions in our material δημοσία ὁδός is used twice in **Dagis**, ll. I, 12-13 and II, 13-14; λεωφόρος ὁδός occurs twice in **Aragua**, ll. 17 and 19; the juxtaposition of βασιλική and λεωφόρος in **Euhippe**, ll. 8. See Pekáry (1968) for discussion of these terms.

62 Cf. Mitchell (1976) p. 107, ll. 23-25: *Mansionem omnibus qui erunt ex comitatu nostro et militantibus ex omnibus provinciis et principis optimi libertis et servis et iumentis eorum gratuitam praestari oportet, ita ut reliqua ab invitis gratuita non e(x)sigant.* This goes in the Greek version (p. 108, ll. 49-51): σταθμὸν πᾶσιν τοῖς τε με | θ' ἡμῶν καὶ τοῖς στρατενομένοις ἐν πάσαις ἐπαρχείαις καὶ τοῖς τοῦ Σεβαστοῦ ἄπε | λεύθεροις καὶ δούλοις καὶ τοῖς κτήνεσιν αὐτῶν ἄμισθον παρασχέσθηναι δεῖ, τᾶλ | λα δὲ - - -. In Mitchell's translation: 'Shelter and hospitality should be provided without payment for all members of my own staff, for persons on military service from all [so Levick, *other* Mitchell] provinces and for freedmen and slaves of the best princes and for the animals of these persons, in such way that these do not exact other services without payment from people who are unwilling.' For translations of these two documents, see also Levick (1985, Frend: pp. 57-60, no. 54 and Mitchell: pp. 100-2, no. 91).

It is obvious that this general obligation to provide accommodation could turn into a severe burden for particular communities. *Vehiculatio* ἀγγαρεία would be most severely felt along and, indeed, associated with the main roads. Yet one may expect that tighter control and specific regulations balanced the burden for the communities which were regularly called upon to provide this service. This is exactly what emerges from the documents published by Mitchell, Frend and Malay. Further it is fair to assume that the inclination to associate *vehiculatio* with specific roads, in turn nurtured arguments like ‘the soldiers are leaving their proper routes, the main roads’ etc. In **Tabala** (ll. 21-24; at this point much of the context relies on restoration) there is apparently a ruling given by Roman officials (proconsuls) which forbids soldiers to leave the main roads. As it stands, the passage in **Tabala** appears to impose severe restrictions on Roman soldiers when performing their daily duties, and it is hard to believe that this could have been an all-time ban. On the other hand one can make a point of the accumulative weight of the petitioners’ repeated argument; that is to say: if it was no base to this reasoning, why was it so frequently used?⁶³ In the commentary on **Phaina**, ll. 16-18, we have suggested an explanation, interpreting the phrase as a brief enthymeme.

This passage of **Skaptopara** does not really say anything about transport. Nonetheless accommodation and transport are inextricably related, and this is underscored by the frequent references to the thoroughfares by the petitioners in this connection. To have the liabilities covered under *vehiculatio* invoked by private persons is another matter. Probably similar circumstances provoked the letter of the Syrian legate, Iulius Saturninus to the inhabitants of **Phaina**. An equivalent set of regulations must have been in force in the Thracian province; this follows from ll. 86 (οἷς μὴ ἔξεστιν ἀνάγκη). And that these broadly must have corresponded with the ones given by Libuscidianus, can be inferred from the expressions of the petition, where it is stated twice that provisions were given without indemnity. This is obviously intended to tie the description to the letter of the law. Nevertheless, it seems it is the total of the visitors that has brought the village to its desperate state where all parties are responsible. In the more polished speech before the governor, this point has evaporated as the four categories of unwelcomed visitors have dwindled to soldiers solely (cf. ll. 144-146, πολλοὶ πολλὰ[κις στρατι]ῶται).

From several documents Mitchell (1976:119-21) could trace an evolution in the administration of these requisitions. At first they were administered at city level, when the city magistrates managed the distributions. Starting with **Dagis**, documents from the 2nd half of the century and the 3rd century show that the management had been transferred to the provincial government. While it may be sweeping to claim that such a shift should apply to all provinces, the evidence supports Mitchell’s interpretation.

63 In **Ağa Bey Köyü** (ll. 33-34) the petitioners ask to have the road leading to the imperial estate cut off (κωλύσαι δὲ τὴν εἰς τὰ χωρία τὰ δεσποτικὰ ἔφοδον); the gist of the present passage is repeated in the *preces*-section (ll. 80-83) κελεύσεις· ἕκαστον τὴν ἰδίαν πορεύεσθαι ὁδὸν καὶ μὴ ἀπολιμπάνοντας αὐτοὺς τὰς ἄλλας κώμας ἐφ’ ἡμᾶς ἔρχεσθαι; in **Aragua** the parallel expression (ll. 17-18) is διοδεύοντες γὰρ τὸ Ἀππιανῶν κλίμα, παραλιμπάνοντες τὰς λεωφόρους ὁδοὺς στρατάρχαι τε καὶ στρατιῶται; finally the same attitude is indirectly revealed in G. Gabinius Barbarus Pompeianus’ edict from **Euhippe** (ll. 6-10): ὑπὲρ ὧν ἔπασχον ὑπὸ τῶν ἐκτραπομένων τὰς βασιλικὰς καὶ λεωφόρους ὁδοὺς στρατιωτῶν τε καὶ ὀφικαλίω.

In the case of **Skaptopara** this is strengthened by ll. 56-59 which refer to the repetitive visits to the governors and their futile attempts to correct the abuses.

LI. 63-66 καὶ γὰρ ὡς ἀληθῶς ἀπὸ πολλῶν οἰκοδεσποτῶν εἰς ἐλαχίστους κατεληλύθαμεν: For the status of the petitioners, see the entry on ll. 21-23. οἰκοδεσπότης is found in *SEG XXXI* (1981) no. 986 and P. Oxy. XXII, 2338 & 47. 3346 and P. Phil. 1. 1, 2.

LI. 71-72: πάλιν ἐτόλμησαν ἐπιφύεσθαι ἡμεῖν: 'they have again ventured to stick close'; *LSJ* s.v. ἐπιφύω II. Pass. gives the meaning 'stick close' and 'attack'; some of the negative meaning is still contained in the botanical term *epiphyte*. The recently published (1995) P. Kell. 21, (dated 321) gives an interesting parallel in ll. 6-10: Σόις τοίνυν Ἀκούτιος κώμαρχος [τῆς αὐτῆς κ]ώμης Κέλλεως ἀεὶ ἐπιβουλεύων μοι ὁσημέραι [lac. 9] μοι παρ' ἑκάστα τοὺς παρεπιδημοῦντας στρατιώ[τας καὶ ὀφ]φικιαλίους ἐξπούγκτορας ἐπικωμάζων τῇ συμβίῳ μου καὶ] ἐπιφύόμενός μοι, where one should notice the deft sexual distribution of ἐπικωμάζειν and ἐπιφύεσθαι.⁶⁴

LI. 99-104 συμβήσεται δὲ τοῦτο ἡμεῖν ἐν τοῖς εὐτυχεστάτοις σου καιροῖς, ἐὰν κελεύσης τὰ θεῖά σου γράμματα ἐν στήλῃ ἀναγραφέντα δημοσίᾳ προφανεῖσθαι: The exact reading may not be established, but the words ἐν στήλῃ ἀναγραφέντα give forth the aim: an order to display the imperial decision publicly. The *subscriptio* did not contain such an order, nevertheless the monument was made. To have this request included tells us that a permanent record was aimed at at the outset. See commentary to **Phaina**, ll. 29-40.

The passage reflects familiarity with the procedure for the handling of petitions (cf. ll. 18, ἔννομον ἰκεσίαν and ll. 79-80, διὰ θείας σου ἀντιγραφῆς). The reference to the rescript as τὰ θεῖά σου γράμματα in this context is important for the discussion of the expression *sacrae litterae*/θεῖα γράμματα (cf. Drew-Bear & Herrmann & Eck 1977:358-62; Williams 1986:195 and Mourgues 1987:79) and clearly shows that the expression θεῖα γράμματα could be used of an answer to a petition.

LI. 106-107 ὡς καὶ νῦν καθο[ρ] | ὠμενοί σου ποιούμεν: For suggestions for a restoration of the final words of the petition, cf. critical apparatus. In 1992 Dr. Hallof and I were in agreement that ΚΑΘΟ[.] | ΩΜΕΝΟΙ could be read on the squeeze. The two underdotted letters have the same circular shape (thus excluding angular letters like T and A) and there is only space for one more letter in the lacuna at the end of the line. Hence καθο[ρ]ῶμενοι can be suggested in the sense 'when we humbly pay you our respect'. The following σου can be taken as an echo of σου in l. 105, and ποιούμεν as a weak substitute for χάριν ὁμολογοῦμεν. Otherwise σου is hard to explain: There are some examples where the geni-

64 Worp (1995:65, with comments on p. 66) translates: 'Now Sois son of Akoutis, comarch of the same village of Kellis, who is constantly plotting against me, (is harrasing ?) me every day in violation of everything, stirring up [ἐπικωμάζων] the locally present soldiers and *officiales* and *expunctores* against my wife and being a constant pain in the neck [ἐπιφύόμενος] for me.' I would prefer to see μοι following the lacuna and the string of accusatives as respective indirect and direct objects of the lost finite verb [ἐπιπέμπει e.g.] hiding in the lacuna, and then juxtapose ἐπικωμάζων and ἐπιφύόμενος.

tive is used in place of accusative in the inscription, cf. II. 29, καὶ ἐφ' οὗ (see commentary); and ll. 43-44, ἄνευ ἀργυρίου (for ἀργύριον) χορηγεῖν. Mihailov (1966:206) suggested καταβοώμενοι in the sense 'advocantes te (Caesarem) in auxilium'; this suits or paraphrases the sense well, but - from the evidence of the squeeze - it was not on the stone.

LI. 108-164: General comments

An uninscribed section equalling three to four lines (see 5. DESCRIPTION) separates the second Greek text from the imperial petition. One will inevitably seek to define both the nature of this second part, to establish the identity of the named representative and to explain why the text breaks off *in medias res*. The first challenge is faced below. The critical apparatus to and the commentary on l. 108 meets the second. Above (in 6. THE DESIGN AND PURPOSE OF THE MONUMENT) and below in the commentary on ll. 163-164 I present my own answer to the third question.

Pyrrus before the governor

L. 108-111: Hallof's readings and restorations of ll. 108-111 have perhaps the greatest impact. His text has made most of the earlier comments irrelevant, and his readings allow us at last to interpret the monument logically. There is no longer a role to play for the man of the world, Diogenes of Tyre, who figured in the earlier editions.⁶⁵ On the contrary Pyrrus - the effective representative of the Skaptoparenians - reappears. The Latin word, *adlegent*, introduces the second stage and reveals that the text following (ll. 108-164) was taken from the proceedings of an official hearing.⁶⁶

All difficulties, however, have not been smoothed away. Hallof (p. 424) points at the unacceptable transition in l. 111 (ἐλήλυθεν - δοκεῖ δέ μοι). Hallof also noticed a space between the two words ἐλήλυθεν - δοκεῖ, which he hesitantly fills with [κ]αὶ (see app. crit. on p. 426). The second stage has in fact three divisions: 1) Introduced by *adlegent*; 2) runs from δοκεῖ δέ μοι in l. 111 to τοῦτο ἐμοὶ δο | κεῖ τῆς ἀγαθῆς τύχης ἔργον | εἶναι in ll. 120-122; 3) starts with ἦν δὲ ἡ ἀξίωσις in l. 122.

A possible interpretation is to see the second stage as an excerpt of the official proceedings. Pyrrus represents the village Skaptopara (though not mentioned by name), the statement 'Pyrrus the praetorian has come to this meeting by divine benevolence' should be taken at face value, implying that Pyrrus by imperial permission was granted leave of absence to represent his village before the governor. Since the first person is used in the second division (μοι in ll. 112 and 120), and there is a reference to Pyrrus in the third person in the third division, the ἀξίωσις (ll. 122-124: Ἡ κώ | μη ἡ τοῦ βοηθουμένου στρα | τιώτου), it is fair to assume that these two divisions were not said by Pyrrus, but

65 A lot has been written on the ghostly figure of Diogenes; for a few samples see the critical apparatus and the commentary on l. 108.

66) In such transcripts Latin often alternates with Greek (cf. e. g. the epigraphic parallels in W. Kunkel: 'Der Prozess der Gohariener vor Caracalla', *Festschrift Hans Lewald*, Basel 1953, pp. 81-91, and W.H.C. Frend: 'A Third-Century Inscription Relating to Angareia in Phrygia', *JRS* 46 (1956) 46-56.

rather by an assisting rhetor or advocate. Further, the repeated use of *μοι* points to a self-conscious person, who perhaps in this way signals that he was well known by the governor.⁶⁷

Remembering that the text is taken from the report of proceedings, the abrupt break *ἐλήλυθεν - δοκεῖ*, may be filled by another mark (this time in abbreviation) from the report, perhaps ΣΥΝ(ΔΙΚΟΣ or ΗΓΟΡΟΣ), l. 111: *ἐλήλυθεν' [Σ]ύν(δικος·) δοκεῖ δέ κτλ.* Probably a lawyer or scribe from Pautalia had prepared the text of the claim in advance (ll. 125-126 *τῆς πολειτίας τῆς ἡμετέρας τῶν Πανταλιωτῶν πόλεως*).⁶⁸ The focus upon the city of Pautalia suggests that the yearly assize could have been the occasion. Where earlier restorations introduced Diogenes of Tyre for the part of the rhetor, we have now no name to offer. The second division should then be seen as a more or less impromptu *exordium* to the text of the *ἀξίωσις* which he read aloud.

We find an illustrating parallel to this passage in the opening of Acts. 24 where the high priest Ananias and the presbyterians let the rhetor Tertullus represent them in their case against Paul, and Tertullus read his speech before the governor Felix.⁶⁹

Ll. 110-111 ἐπὶ τὴν ἔντευξιν ταύτην ἐλήλυθεν: *ἔντευξις*, meaning both *meeting*, *intercession* and *petition*, is a choice word for this session. In our corpus the only parallel is **Dagis** l. 6. In this instance *ἔρχομαι* has its basic meaning *to come*, and the phrase should be translated *has come to this meeting*.

For the common use of *ἔρχομαι ἐπί*, in the sense *to get involved in*, cf. Libanius, Ep. 1277 (an intervention on behalf of Pankratios), *μέλλων οὖν καὶ τούτῳ βοηθεῖν καὶ διὰ τῆς σῆς γνώμης, ἧ τὸ εὖ ποιεῖν ἐν μελέτῃ, προθύμως ἦλθον ἐπὶ τὴν ἐπιστολήν.* For further parallels, see ll. 4-5 of Apion's petition to Theodosius II, *[ὅ]θεν καὶ γὰρ τοῦτο σαφῶς μεμαθηκῶς ἐπὶ τάσδε τὰς δέησεις ἐλήλυθα τοῦ πράγματος ὄντος ἐν τούτοις*, and the quotations in the commentary of Feissel & Worp (1988:103).⁷⁰

How Pyrrus obtained leave of absence from his military duties is not reported, but the expressions *θεία φιλανθρωπεία* and (l. 123) *ὁ στρατιώτης βοηθούμενος* hint at a particular, gracious permission.

Ll. 163-164 διὰ τοῦτο ἀναγκαίως κατέφυγον ἐπὶ τὸν σεβαστὸν: Such phrases are very common in petitions at the transition from the *narratio* to the *preces*, cf. e.g. P. Oxy. VII, 1032, ll. 36-8, (a petition to the epistrategus Vedius Faustus from a brother and sister

67 L. Cadius Celer could possibly do as a candidate for this particular governor, cf. Thomasson (1984:57).

68 In my opinion the flow of this text is distinctly smoother than the text of the petition. It will also read much better (cf. eg. the alliterations of π and λ in ll. 144-146).

69 [1] Μετὰ δὲ πέντε ἡμέρας κατέβη ὁ ἀρχιερεὺς Ἀνανίας μετὰ πρεσβυτέρων τινῶν καὶ ῥήτορος Τερτύλλου τινός, οἵτινες ἐνεφάνισαν τῷ ἡγεμόνι κατὰ τοῦ Παύλου. [2] κληθέντος δὲ αὐτοῦ ἤρξατο κατηγορεῖν ὁ Τέρτυλλος λέγων, Πολλῆς εἰρήνης τυγχάνοντες διὰ σοῦ καὶ διορθωμάτων γινομένων τῷ ἔθνει τουτῷ διὰ τῆς σῆς προνοίας, [3] πάντῃ τε καὶ παναταχοῦ ἀποδεχόμεθα, κράτιστε Φῆλιξ, μετὰ πάσης εὐχαριστίας. [4] ἵνα δὲ μὴ ἐπὶ πλεῖόν σε ἐγκόπτω, παρακαλῶ ἀκούσαί σε ἡμῶν συντόμως τῇ σῇ ἐπιεικείᾳ κτλ.

70 Translating: '... c'est pourquoi, ayant de cela une claire connaissance, j'en suis venu moi aussi à la requête que voici, l'affaire étant la suivante.'

from Oxyrhynchus, AD 162): ἀναγκαίω[ς οὖν], ἡγεμῶν κύριε, κατεφύ[γο]μεν [ἐ]πὶ σὲ τὸν πάντων [σω]τήρα καὶ εὐεργέτην καὶ ἀξιοῦμεν.

In this inscription the familiar phrase has taken on a different function. Even though the phrase comes at the end, it is obvious that these words did not mark the transition to the *preces* or round off the speech. They rather introduced the governor to the story of the petition to Gordianus and the text of the imperial rescript. The circle is thus closed. This may well be the reason the choice was made to stop following the text of the speech at this point. Ll. 23-27 of **Aragua** illustrate the situation: If the inscription had given the text of the speech verbatim, the imperial rescript should soon follow for the second time. This was probably felt awkward and the quoting was cut short, perhaps exactly at this spot as bilingual readers could go on and read the sequence διὰ τοῦτο ἀναγκαίως κατέφυγον ἐπὶ τὸν σεβαστὸν *Imp. Caesar M. Antonius* etc. It then follows that Dittenberger's restoration of l. 165, [ἀντοκράτορα], is unnecessary; moreover neither Kapellas nor the squeeze witness the line or allot space for it. On the contrary, from the evidence of Hallof (1994:414) both the lettersize and leading between the lines seem to have been extended to make the break exactly at this place.

For earlier comments on the abrupt end of the speech, see Mommsen (1891:281-2), Dittenberger in *SIG³* 888 n. 47 and Mihailov (1966:220). The new reading of l. 108, does not answer this question precisely, one can but say that here ends the role of Pyrrus which was the decisive measure for what to include or not.

Ll. 165-168: When transcribing the stone Kapellas omitted the second line (l. 166) of the rescript, l. 166 can accordingly only be restored from the squeeze. Mommsen found free space for 11 letters after *AN* and restored *ante 11 vac.] iustitia* etc. As Mommsen's syntax strictly did not call for further restoration or adjustments, Wolters and his team concluded that the gap had been left uninscribed intentionally. Later this forced Mommsen (1892:176 and in *CIL* ad. loc.) to suggest that the stone cutter had wrongly put the *vacat* here, and not at its proper place, to mark the transition between the address and the body of the rescript.⁷¹

Hallof corrected the text at two points (see app. crit. and p. 427-8): in ll. 166 where Hallof reads *ANVE...^.....AT* in place of Mommsen's *ante 11 vac.]*, and in l. 166 where the infinitive *discingere* replaces the imperative *discinge*. Hallof's text goes as follows:

166 Imp(erator) Caesar M(arcus) Antonius Gordianus ῥπιυ's felix Auῖg1(ustus)
ῥvi1kanis per Pyrrum mil(item) conposses-
166 sore[m]: Id genus qu[a]rellae precibus intentum ANVE...^.....AT iustitia
praesidis
167 ῥῑotiῖus1 super his quae adlegabuntur instructa discingere quam rescripto
prῑi1ncipali
168 certam formam reportare deῖbeas. Rescripῖsi. Recognovi. Signaῖi.

71 In 1892 Mommsen wrote 'Vor *id* kein freier Raum, dagegen nach *ante]* freier Raum von elf Buchstaben; der Steinmetz zog sich wohl die Worte *id genus* bis *ante* irrig zur Adresse' (1892:176).

In ANVE...^A.....AT he recognized an indirect question, governed by *discingere*, with the implied meaning that it should be established whether the complaint was appropriate ('ob sie zutreffend ist').⁷² With the *an[te]* thus provided for, and an infinitive in place of the imperative, Hallof could balance *potius discingere* with *quam reportare: id genus ... iustitia praesidis ... potius instructa discingere ... quam certam formam reportare debeas*.⁷³

The subjunctive (*debeas*), however, is problematic. For by removing Mommsen's *an[te]* from *quam ... reportare debeas*, *debeas* becomes independent, and as such it is to the best of my knowledge without parallels in imperial rescripts.⁷⁴ On the other hand, if the subjunctive *debeas* is governed by *potius - quam*, *discingere* is not parallel to *reportare*, and we must in the lacuna assume a verb to govern *discingere*. Other difficulties are involved: from the mass of imperial rescripts one would expect that it is the governor who shall take action.

I am inclined to follow this track and suggest that the intended meaning should rather be that it is the *iustitia praesidis* which shall *id genus quaerellae discingere*, and that *iustitia* and *instructa* accordingly should be taken as nominatives (all earlier commentators and translators seem to agree on an ablative absolute). The meaning and use of *discingere* add weight to this assumption. *Discingere* occurs five times in *Codex Iustinianus*, all occurrences are late, from the 4th and 5th centuries.⁷⁵ In *CI* 3.8,4 and 3.12,4 *discingere* has *causam/causas* as objects, and the contexts show that the word undoubtedly express

72 As a working parallel, cf. Alexander's rescript to A. Valens of AD 233 (= *CI* 2.33,1): *Quoniam circumventam dicis sororem tuam omnia bona in dotem dedisse, an veritas adlegationi adsistat, si ad te hereditas sororis tuae vel bonorum possessio pertinuit et tempora nondum praeterierint, intra quae legibus conceditur ex persona defuncti postulare in integrum restitutionem, praeses provinciae praesente diversa parte examinabit.*

73 One may object to extracting *potius* from its context *iustitia praesidis potius super his quae adlegabuntur instructa*. H. Freis (1984:231; using Mommsen's text) translates: 'vor ... das Gericht des Statthalters, das für solche Fälle, die hier vorgebracht werden, eher eingerichtet ist'.

74 In main clauses Latin has *debere* in the indicative - in contrast to the parallel German usage: cf. *CI* 5.64,1 (239): *Quod quidem et tu si fecisti, eius intervalli quo afuisti periculum non debes pertimescere* (Honoré 1994:49); and *CI* 5.57.1 (224) *Eligere debes, utrum cum ipsis tutoribus vel curatoribus heredibusve eorum an cum his, qui pro eis se obligaverunt, agere debeas vel, si ita malis, dividere actionem. nam in solidum et cum reo et cum fideiussoribus agi iure non potest.*

In *potius - quam* constructions, *quam* governs the subjunctive, cf. A. Ernout and F. Thomas: (1953:357, §354): 'Avec *potius quam* «plutôt que», le subjonctif est la construction la plus courante, étant appelé par l'idée d'une éventualité qu'on repousse et qu'on ne veut pas voir s'accomplir.'

Löfstedt (1933 II:129-32) discussed occurrences of independent subjunctives of *debere*, referring i.a. to the the *lex de Villa Magna* (AD 116-117 = *CIL* VIII, 5902 = Kehoe 1989:29-37,) where in ll. II, 17-20 one reads: *ficeta ve[te]ra et oliveta qu(a)e ante [h(anc) lege]m [sata sunt e] consuet[u]dine[m] fructum conductoribus vilicisve eius f(undi) pr(a)estare[re] debeat*. Löfstedt also observed the change of moods in the text of column I, ll. 19-20: [ita col]oni colonic[as] partes pr(a)stare debeant, and l. 18 one has ... partes qu[as] in assem da[re] debent. He interpreted the former as a 'Vorschrift' and the latter as a 'sachliche Angabe'.

75 Cf. Robert Mayr's *Vocabularium Codicis Iustiniani*, vol. I Prag 1923, s.v.; see esp. *CI* 3. 8. 4: *oportet civilem causam velut ex integro in iudicium deductam discingi*; and 3. 12, 4: *publicas et fiscales causas sinceritas tua ... discingat*. It is important to note that throughout these examples it is the competent judge or authority which is the subject of *discingere*, not one of the contending parts.

urgency. In the three other occurrences (11.68,3; 12.20,2 and 12.59,5) *discingere* has the military meaning of the word, viz. 'disarm' or 'discharge'.

Weighed against *discingere*, *reportare* seems weak: *rescripto principali certam formam reportare* does not say more than 'to take home a quotation of the appropriate law in the shape of an imperial rescript'. The futility of the latter alternative is implied. The rescript thus combines a notification (*denuntiatio*) with clarifying and useful advice (cf. I. 123 βοηθούμενος). The opening lines of the second stage show that the advocate or rhetor - equipped with the emperor's rescript - appears self-assured before the governor.

I will then suggest *AN VE[RUM (SIT?) DEB]ET* for the lacunae, with the text of the rescript going: *Id genus quaerellae precibus intentum an ve[rum (sit?) deb]et iustitia praesidis potius super his quae adlegabuntur instructa discingere quam rescripto principali certam formam reportare debeas*; this is to be translated: 'This kind of complaint submitted in a petition whether [it is true] the governor's sense of justice [ought] to decide - since it will be informed about the matters that will be alleged - rather than that you should take home a specific decision embodied in an imperial decision.'⁷⁶

Some further comments are needed. Normally instructions to the *praeses provinciae* embedded in imperial rescripts are given by means of the future indicative, *iubebit/curabit/cognoscet/revocabit* etc. But here it is not the *praeses* himself who is instructed, it is his *iustitia* which ought to take a direction, motivated by its better position. This in my view makes a difference.⁷⁷ Furthermore a *[deb]et* will introduce a parallelism into this rescript which has no claim to elegance in any of the suggested versions.

Certa forma is the technical term for an explicit and definite decision based on the general *ius*. An imperial rescript accomplish this role. In the present situation the emperor is reluctant to commit himself because the governor is in a better position to frame the *ius* within a verbal decision.⁷⁸

L. 168 Signa VI[II]: In I. 168 Hallof (1994) reads *Rescripsi. Recognovi. Signavi*. These words are heterogeneous. The two first words, *Rescripsi. Recognovi.*, are well known from the handful of documentary sources which renders imperial *subscriptiones*.⁷⁹ If much

76 For the use of *curabit*, cf. *CI* 7.48,3: '... *rector aditus provinciae causam hanc cognoscere suaque decidere sententia curabit*'. For *curabit* at the head see *CI* 4.49,5; 8.25,9 ('... *curabit praeses provinciae contumeliam heredum compescere*') and 9.35,6.

77 Cf. *CI* 3.36.7 (pp. 1 Sept 239/241): *Si qua fideicommissorum petitio inter coheredes consistat, praetor vel praeses provinciae eius rei disceptator constitutus vel iudex familiae erciscundae iudicio aditus, ut voluntas testatricis servetur, suas partes debet accommodare*.

78 Pliny min. used the expression in his famous letter about the procedure against the christians (10.97.2): *Neque enim in uniuersum aliquid, quod quasi certam formam habeat, constitui potest*. Cf. also Callistratus in *Digesta* 50. 6, 6, 4-5: *immunitati, quae nauiculariis praestatur, certa forma data est: quam immunitatem ipsi dumtaxat habent, non etiam liberis aut libertis eorum praestatur: idque principalibus constitutionibus declaratur. Diuus Hadrianus rescripsit immunitatem nauium maritimarum dumtaxat habere, qui annonae urbis seruiunt*.

79 On this topic see Mourgues (*MEFRA* 1995). For a presentation of the epigraphic sources, cf. Williams (1986), S. Şahin & D.H. French (1987) and Łukaszewicz (1981 = *SB* 16. 12509). Mourgues (1995) discusses all these sources and I thank him for sending me the ms. of his study, which is fundamental for this question.

I will like to draw attention to the small *M* following *rescripsi* in l. 11 of the inscription from Takina. This *M* is clear on my photographs, appears somewhat hesitantly in the facsimile which Şahin gives on p. 138, but is regrettably not in the text. Along the *M(anu) I(mperatoris) Rescripsi* in l. 27 of *CIL* VIII Suppl. 13640, it could be interpreted as *m(anu) imperatoris*, and thus has the function to dis-

doubt has existed, the publication of the inscription from Takina should now give the necessary proof to the theory that *rescripsi* implied the emperor, and *recognovi* his secretary in charge, viz. the *a libellis*.⁸⁰ Thereby falls the theory that the emperor should be the constant subject of these two verbs, and by extension also that the SIGNAVI at the end of our inscription should be the emperor's third signature to the same document.

The obvious solution is then to see SIGNAVI as the summary and number of the witnesses' seals reading *signa VI*. *Signa* then refers to and balances the *rescriptum recognitum*-passage at the head of the document.⁸¹ In contrast to the procedure of imperial letters, the recipients of imperial rescripts did not receive the original or an official copy. The recipients had to get a privately authenticated copy. This is the message of the *descriptum et recognitum*-phrase at the head of the inscription (ll. 2-3). Or we can view this question from a different angle and say that if the emperor had issued sealed versions of these rescripts, it would be preposterous for private people - citizens as non-citizens - to authenticate them. There is thus a major difference between a letter and a *subscriptio*. Imperial letters never carry an authentication tag because the very imperial seal and chancery style authenticate it.

This interpretation should not be contrary to what Hallof actually read on the squeeze, and one should remember that the squeeze is particularly bad at this point ('schlecht abgeklatscht'). It is a difference of interpretation.⁸² Finally one would prefer to add an extra number to the seals, *SIGNA VII*.⁸³ I also find it remarkable that the summary is given in Latin and not in Greek (σφραγίδες ζ'), but this choice of language may balance the Latin heading, *Bona Fortuna* (l. 1).

tinguish the different signatories.

- 80 Both Mourgues in his forthcoming article (preceding note) and I in the commentary on Takina discuss the role of Ὀφέλλιος Θεόδωρος and ramifications of the presence of his name. For his tenure as *a libellis* and suggested secretary no. 5 within Honoré's fasti, see now Honoré (1994:34, 43-4, and esp. 95).
- 81 There are several examples of witnesses. C.P. Jones reports their presence in *Şapçılar*, cf. Epigraphical Appendix, no. 1. See also *I. Smyrna* II:1, 597, ll. 11-13; and ll. 12-14 of *Takina*. For the general use of seals by the Roman imperial administration, see the forthcoming article by Rudolf Haensch: 'Die Verwendung von Siegeln bei Dokumenten der kaiserzeitlichen Reichsadministration'. I am grateful to Dr. Haensch for sending me a copy of his ms. in advance of the publication.
- 82 Originally I suggested this interpretation to Hallof in a letter (cf. Hallof's note n. 61). He saw a difficulty in the fact that the numbers, VI[|], were not barred. But unbarred numbers is the normal way of rendering numbers in Latin Epigraphy, but how they were applied in a Thracian bilingual inscription is not easy to predict; on barring of numbers, cf. e.g. Gordon (1983:47). More important, perhaps, is that the numbers XVII (l. 2) and X (l. 6) are without bars in Kontoleon's transcript.
- 83 Regarding the number of witnesses there are seven names in the two recoverable lists (*I. Smyrna* II:1, 597 and *Takina*); cf. also e.g. *CI* 6.23,12: *Unus de septem testibus defuerit vel coram testatore omnes eodem loco testes suo vel alieno anulo non signaverint, iure deficiat testamentum*; and *CI* 6.11,2: *Bonorum quidem possessionem ex edicto praetoris non nisi secundum eas tabulas, quae septem testium signis signatae sunt, peti posse in dubium non venit*.

The different solutions for the text of Gordian's rescript:**Mommsen's text:**

Id genus quaerellae precibus intentum an[te] iustitia praesidis potius super his quae adlegabuntur instructa discingere quam rescripto principali certam formam reportare debeas.

Translation**(Herrmann 1990:27):**

Lass die durch die Bitten vorgetragene Beschwerde dieser Art eher vorher [.....] durch einen vom Statthalter bezüglich der angeführten Einzelheiten erteilten gerichtlichen Bescheid klären, als daß Du durch ein kaiserliches Reskript eine definitive Erledigung erhalten solltest.

Hallof's text:

Id genus quaerellae precibus intentum anVE...^A.....A^T iustitia praesidis potius super his quae adlegabuntur instructa discingere quam rescripto principali certam formam reportare debeas.

Translation:

Du solltest diese Art unter Bitten vorgetragener Klage dahingehend, ob sie zutreffend (?) ist, eher durch eine über das, was vorgebracht werden wird, angestellte Rechtsfindung des Statthalters klären, als daß du durch ein kaiserliches Reskript ein definitives Schreiben in die Hand bekommen sollst.

Author's text:

Id genus quaerellae precibus intentum an ve[rum (sit?) deb]et iustitia praesidis potius super his quae adlegabuntur instructa discingere quam rescripto principali certam formam reportare debeas.

Translation:

This kind of complaint submitted in a petition whether [it is true] the governor's sense of justice [ought] to decide - since it will be informed about the matters that will be alleged - rather than that you should take home a specific decision embodied in an imperial decision.

APPENDIX I

Transcripts by dr. Klaus Hallof and Ms. Hallof of three documents [=Hallof 3, 11 & 16] kept at the *Inscriptiones Graecae*, Berlin (see above on 3. DOCUMENTATION). These are followed by excerpts from letters nos. 315, 332, 333, 334 and 335 of *Mommsen und Wilamowitz. Briefwechsel 1872-1903*, Berlin 1935 which attest their work on Skaptopara. Touloumakos' transcription and translation of Kastellos *alias* Kapellas' letter to Prasinos in October 1890 conclude the appendix.

1. Letter from U. v. Wilamowitz-Moellendorff to P. Wolters, October 14, 1890 [= Hallof 3] [Page 1]

Verehrtester Herr Doctor,

Sie müssen mich für ebenso licherlich halten, wie es zu meinem ärger Spiro gewesen ist, aber ich habe eine unerfreuliche entschuldigung. als Ihr Brief kam, konnte ich ihn nicht lesen, da ich mir ein auge verletzt hatte, und durch dictat mochte ich nicht antworten, weil ich von dem artze mit der hoffnung hingehalten ward, es werde in wenig tagen gut sein. und nun macht mir das lesen noch immer mühe, und ich sehe kein ende ab, zumal das semester mit viel lasten beginnt. aber ich kann doch mich entschuldigen und ein wenig schreibe.

Dank Spiros schuld, der mir ausdrücklich versprochen hatte, ausgewählte proben an Heiberg schicken zu wollen, ist die sache verdorben. denn buch I ist für die recensio, so weit ich sehe, nicht charakteristisch, zumal wenn die collation nicht bedeutende differenzen gezeigt hat. das hauptgewicht scheint auf Leidensis a (L. Dindorf Jahrs Jahrb. 89) zu liegen, und es gilt vollständigere verwandte dieser nur parteill erhaltenen recensio zu finden. meines erachtens ist das beste, daß Heiberg seine collation in einer zeitschrift veröffentlicht. da ich nichts für Pausanias habe, so würde si bei mir auch nur schimmeln, würde beim institut besser liegen.

ich war kürzlich in unserm cultusministerium, habe von Athen

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erzählt und mit energie die unzulänglichkeit des bibliotheksfonds und Ihre überbürdung betont. wenn das institut preussisch wäre, würde die hilfe sicher sein. so meinte man, daß es zwar durchführbar sein müßte, aber bei den Herrn der Centr. Dir. stünde.

Mommsen hat mir die wundervolle inschrift von Skaptoparene mitgeteilt und ich habe mich mit ihr ziemlich geplagt. die latina hat er Ihnen geschickt; leider gibt es keinen sinn, der vollständig wäre. obwol Sie wol das meiste sicher haben, so schreibe ich doch einiges. famos ist, wie die leute das längst

in wahrheit tote γε für eine fest verbindende adversativ-copulative partikel halten, etwa wie γε μέντοι oder γε μήν. so ist es immer, also immer satzschluß vorher. Z. 1 hatte Hirschfeld schon Σεβ. δέησις notiert. 4 ist πολλακ schwerlich πολλάκις, oder wenn das, so fehlt mehr. der sinn muß ja sein κατοικεῖσθαι τὰς κώμας - ἤπερ ἀναστάτους γίγνεσθαι τ. ἐνοικ. μᾶλλον ἐλεῖν oder felicitati temporis magis convenire. 5 ἰδιόπερ hinter AI fehlt ΔΙ. 7 εὐεπηρεάστῳ 11 εἰς ὕβριν προχωρεῖν τινες gewaltsam, aber dem sinn nach sicher. 21 τοὺς δὲ λοιποὺς 25 χρόνον 26 ἐπιδυνῶν? das verbum regierte sicher den genitiv und hatte den sinn: nur gut für den stil. 27 τῆς ἰδιωτ(ε)ίας, despicientes suplicitatem nostram 29 τοὺς προγονικοὺς θεμελίους, τούτου χάριν 30 ὅπως - κελεύσης 35 βαρώμεθα 36 scheint eine zeile zu fehlen καὶ μείναι man würde am liebsten ἴνα in εἰάν δέ ändern, um den sinn zu erlangen sin vero per clementiam tuam licuerit nobis in agris paternis manere atque agros bene cultos liberis relinquere, vectigalia omnia pendere poterimus. aber der möglichkeiten sind zu viel, da doch etwas fehlt. 39 προτίσεσθαι oder προκεῖσθαι oder gemischt aus beiden? 41 ὁ Πύρρος. das ist der Purrus des lateinsichen eingangs. 42 hat Mommsen an προνοηθῆναι τῆς παρούσης ἀξιώσεως gedacht. der genitiv ist sicher, aber ich kann in diesen eingang von Diogenes' erzählung keinen schick bringen. 45 ἡ ἀξίωσις überschrift. ἐνοστῆ oder ἔστω sein. 48 ἐπι-

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τηδειότητα (46 ἀγρῶν in der lücke vielleicht zu gut). 49 erwartet man für τῆς iden oder kalenden. 50 scheint die lücke an falscher stelle notirt. man erwartet πλεονεκτήματα ἐπὶ τούτων τῶν χρόνον, was nur sehr lang wird. ἐλαττώματα hatte Moïssen schon notirt. so etwas und 52 ξενώσεσι καὶ ταῖς u. degl. m. auch das meiste was ich notirt habe, werden Sie gewiß haben. aber es schadet ja nichts, und den guten willen wollte ich doch zeigen. zudem ist es ein köstliches stück, sowol dem inhalt wie der form nach. kein optativ mehr, und doch wol rhetorik.

Es ist mir eine beruhigung, daß es bei Ihnen fast ganz gut gegangen ist, da man ja hörte, der sommer wäre ganz besonders heiß. frau Dörpfeld, die ich zufällig in Berlin auf der straße traf, wußte leider nicht viel gutes von ihrem mann zu erzählen. wenn er da ist, bitte ich ihn sehr zu grüßen. ich wollte ihm erst schriben, wenn ich Jane Harrison gelesen hätte. ich habe sie erst erhalten, als ich nicht mehr lesen konnte, und nun habe ich unsäglich viel zu tun, nicht für mich, sondern ausschließlich für andere. sehr freut mich, daß Kern sich so gut macht. ich werde ihm, sobald ich kann, für seinen brief danken. Ihre ikonographischen bemerkungen hat mir meine frau vorgelesen; die verstehe ich und dafür habe ich

sympathie. das kann ich von Winters Silanion nicht sagen.
mit dieser freiheit der schlüsse erzeugt man nur provisorische wahr-
heiten, ἀγωνίσματα εἰς τὸ παραχρημα ἀκούειν.

Haben Sie schönsten dank für Ihre briefe und Ihren guten willen,
den ich im Pausanias schlecht gelohnt habe. empfehlen Sie
mich Ihrer frau gemalin, grüßen Sie die ragazzeria
und freuen Sie sich Ihrer schweren aber unvergleichlich loh-
nenden arbeit.

Ihr

U. Wilamowitz

Göttingen 14 X 90.

2. Observations by Wilamowitz, annotated by Mommsen (*here given in italics*), on the manuscript received from Wolters, datable to June 11, 1891 [= Hallof II]

[Page I]

Einzelheiten.^[1]

zu anm. 2 das comparative verhältnis kan freilich durch ἤπερ (wie Kondoleon wirklich geschrieben hat) genug bezeichnet werde, aber nicht ist damit der mangel eines infinitivs entschuldigt, auch wenn man sich auf εἶναι beschränkte. es würde ja so heißen "unter diesem regimente werden die dörfer bewohnt, eher als daß die bewohner geplagt werden." das ist eine tatsächliche behauptung, keine proclamation eines prinzipts.

anm.4 hat Kondol. in seiner abschrift erst nachgetragen, also ist jetzt, wo ich das sehe, mir nur noch wahrscheinlicher, daß er nicht bloß hinter IA oder IAI ein OΠIEP sondern ΔIOΠIEP übersehen hat. ἰλέως muß betont werden; es ist adverb.

anm. 6. das lexicon lehrt, daß ἐπέραστος ein poetisches wort ist und nicht amoenus sondern amabilis bedeutet. dasselbe lehrt, daß ἐνεπηρέαστος ἐπηρέάζω u. a. eben in späten zeit, bei christlichen schriftstellern sehr geläufig ist, während das hier von mir hergestellten wort vor Galen überhaupt nicht belegt ist. was den sinn anlangt, so erklärt die lage in der nähe eines badeortes und zweier garnisonen nicht die landschaftlichen reize, sondern die gelegenheit, daß die bauern molestirt werden.

anm. 10 EIC ist zeilencluß, was dann Kondol. abschreibt INBIA
könnte nicht aus βίαν verlesen sein: [aber die buchstabenzahl spricht

1 These reference numbers (*Anmerkungen*) must refer to the critical comments which figure as footnotes on pp. 275-9 of Kontoleon (1891); but being comments on a ms., Wilamowitz' numbers do not correspond with those of the printed edition.

doch für BIAN, wie Wolters gibt; Kondol. hat IN aus dem] Kondoleon kann aber IN hinter EIC irrtümlich zu erkennen geglaubt haben.

zwischen anm. 18./ 19. ὅπερ - ὧδε Diels: kann ich nicht glauben. das würde ὅπερ - τοῦτο oder τόδε heißen, und τάδε mag man nicht vermuten. denn das neutrum ist inverses object zu κινδυνεύειν, nicht adverb.

für den folgenden satz ist vor allem wichtig, daß περιβληθήσεCCAIH zu erkennen ist, also INA richtig abgeschrieben.

ferner ist von dem sinnlosen MEINAIPIAICIN zu erkennen MEIN....CE, also die verbesserung ἐν τοῖς ἰδίοις bestätigt. dann ergibt der rest MEINANTEC: Kondoleon hat in der umschrift E und AI verwechselt, denn der schreibfehler MAINANTAIC ist minder wahrscheinlich.

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damit ist in untadelhafter consecutivsatz gewonnen ἵνα ἐλεηθέντες - καὶ μεινάντες [sic!]- δυνησόμεθα. das ist aber die folge nicht von dem was unmittelbar vorhergeht, sondern von der maßregel, die von dem Kaiser erbeten wird. also ist (ὅτι γὰρ οἱ ἡγούμενοι - περιβληθήσεται) parenthese, und dem dient das anormale γὰρ, und das folgt auch aus dem gedankenfortschritt. daß ἐάν mit dem indicativ verbunden wäre, ist ganz unglaublich, erst im neugriechischen, wo der conjunctiv ausgestorben ist, also in dem griechisch des Kondoleon, ist das in der ordnung. die dafür von Diels angeführte parallele ist fortgefallen. ἐάν steht ja oft hier.

anm.25 der raum verbietet ΠΠΟ | KEICΘAI selbst ΠΠΟ | ΤΙΘΕΣΘAI ist eigentlich zu kurz, und schwerlich dem zweifelhaft gegebenen KINEICΘAI nahe genug.

anm.26 man liest KA.. | .MENOI es hat noch ein zeichen, aber ein einstrichiges vor ω gestanden. als [wie Kond. gelesen hat], oder P. Kondol. lesung KAΘAI | Τωμ. ist kaum möglich; man sieht, was ihn zum Θ verführte. bei dieser sachlage kan man kaum anders als KATA | ΡωM ergänzen, und muß annehmen, daß die Thraker das Wort, das 'verfluchen' bedeutet im sinne von per nomen tuum (per fortunam Caesaris) iurare gesagt haben. καθιε | ρώμενοι der überlieferung nach möglich, aber ich traue dem noch weniger.

anm.27-28 es hat nicht ΓΕΝΗΣ ὁ ΠΥΡΡΟC gestanden: ein platz mehr ist frei. es hat keinesfalls ἄνθρωπος gestanden, obwohl ich auch das N (Wolters) für tausend halte. hier müsste ein erfahrener mehr lesen. anm. 29 προνοησαCCAI bessser so weit

32 die lesung CEOΠΔΕ..ΗΦΘ ist auch nicht sicher und rätselhaft

34 ergänzung scheint auch mir unmöglich. *

39 ΑΓ zu erkennen, ἀγομένη (Hirschfeld) sicher.

43 πολυάνθρωπον [ικανῶς] οὔσαν oder ein ähnliches adverb.

* *der Sinn fordert etwa: ἔστιν δὲ ἢδε ἡ ἀξίωσις.*

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Für das ganze ist die lösung noch zu finden. aber es ist doch einiges mehr zu beachten. 1) ist die sammlung von actenstücken merkwürdig. col.3 bricht mit τὸν θειότατον mitten im satze bei voller zeile ab.

2) wer redet in der ἀξίωσις? offenbar die Pautalioten oder einer für sie, denn die reden von den Skaptoparenern als einer dritten person, bezeichnen sie als ein "in ihrer πολιτεία" gelegenes κώμη.

als sie sich äußern, ist der beim kaiser vorstellig gewordene soldat ein βοηθούμενος στρατηγός, ihm soll also geholfen werden.

3) wer verfaßt das zweite, durch breiten raum gesonderte actenstück? das stand in dem was Kontoleon διοΓΕΝΗΣ ὁ gelesen hat, sollte im wenigstens meinen. als dieser unbekannt sich äußerte, war die bittschrift abgegeben; den er gibt als seine zweite meinung ab, daß mit sichtlicher intervention der gottheit geschehen wäre. wir wissen, daß der Kaiser in wahrheit dilatorisch rescribte, haben also hier einen versuch, den gewünschten bescheid herauszuinterpretieren. man möchte meinen, daß es so geschehen wäre: der Kaiser hatte sein den petenten günstiges prinzip schon oft geäußert eh dieser concrete fall vor ihm kam. das praejudicirt die entscheidung. aber die worte sind noch nicht gelesen. daß dieser Πύρρος, der ja nur in Rom existirte, der Aurelius Pyrrhus ist, bietet soweit keine schwierigkeiten. ich wußte allerdings auch nicht, daß die bezeichnung für ihn zu hause, nicht von seiten einer behörde, notwendig das römische gentile hätte nennen müßen. aber die frage bleibt: wie gieng die sache weiter, d. h. wo ist der bescheid des statthalters? wie kamen die Pautalioten dazu, der δέησις ihrer κώμη eine ἀξίωσις beizufügen? was stand als einleitung der beiden letzten actenstücke? das ist die hauptsache, und da bin ich ganz ratlos.

*

nein, der statthalter

vielmehr die schlimmsten

Meiner Meinung nach ist die Lösung in wesentlichen gefunden, wie das auf beifolgenden blättern ausgeführt ist.

**Nein. Er sagt: mein [jetzt an dich zu richten] gegenwärtiger Antrag steht sichtlich unter göttlichem Schutz, da der Kaiser bereits der Sache nach ihn entschieden und du auch dich in gleichem Sinne schon früher ausgesprochen hast.*

3. Letter from Th. Mommsen to P. Wolters, July 21, 1891 [= Hallof 16]

[Page 1]

THEODOR MOMMSEN
 CHARLOTTENBURG
 bei Berlin
 MARCHSTRASSE.6.

Geehrter Herr,

Sie erhalten hier die Kapelusche Copie, die Ihre ersten Fragen erledigt; ich meine richtig angegeben zu haben. Wenn Sie mir dieselbe zurückschickten, bin ich Ihnen dankbar; denn ich muß den Stein ja in C·I·L. III S. aufnehmen und hätte gern diesen Text, der ja loco originalis ist, dabei zur Hand.

Mit dem *πολλάκις* muß irgend ein Mißverständnis vorgefallen sein; ich habe Diels Zettel nicht mehr, aber er las sicher *πολλάκ*, nicht *πολλάφι*, was ja sinnlos ist. Unterdrücken Sie die fragliche Bemerkung und setzen einfach *πολλάκ'* oder *πολλάκις* in den Text; vielleicht stand Abkürzungszeichen dahinter.

Die Schwierige Stelle zu Anfang des zweiten Schriftstückes habe ich

[Page 2]

auf dem Abklatsch geprüft, den ich Ihnen, wenn Sie es wünschen, auch einsenden kann. Ich lese:

[two lines overstriked]

DIOGEN/ / / ΤΤΡΙΟCΠ
 † †
 ΑΠΟΘΕΙΑCΦΙΛΑΝΘΡΩΠΙ
 †
 ΕΠΙΤΗΝ

Die erste Zeile springt nicht vor; das erste D hat die lateinische Form, wir mir scheint zweifellos. Das T in ΤΤΡΙΟC ist m. E. deutlich und nicht Π; auch ist ὁ Τύριος zu glatt und gut. Es fehlen also vom Schluß der ersten und am Anfang der Zweiten Zeile höchstens zehn Buchstaben und für ΧΑΡΑΤΤΩΝ ΑΝΘΡΩΠΙΟC, das ja auch widersinnig ist, bleibt kein Raum, wie Wilamowitz richtig bemerkt. Das N, das Sie zu Anfang der 2. Zeile zu sehen glaubten, finde ich nicht; aus den Spuren, die hier schimmern, etwas herauszulesen halte ich für unmöglich. Vorschlagen möchte [ich] ὁ πραγματικός; das stimmt zu den Resten und dem Raum (der Zeilenschluss läuft oft etwas ungleich mit) und man kann sich allenfalls denken, daß bei verdorbene Mittelbuchstaben der Griechen daraus sein Monstrum herausgelesen

hat. Und etwas wie 'Advocat' wird gestanden haben; das heißt
ὁ πράττων nicht.

[Page 3]

Dat ist natürlich in datum aufzulösen und geht parallel mit
recognitum factum.

Die Form, in der Sie den lat. Text geben, ist mir
gleich; in der Lesung des erhaltenen Theiles sind ja wohl
keine Differenzen. Leicht war sie nicht.

Ganz der Ihrige

Ch(arlottenburg) 21/7 91 Mommsen

Ich vergaß zu bemerken, daß allerdings die Lücke nach ΓΕΝ
durch drei Buchstaben nicht genügend gefüllt wird; ob Raum
nach Διογένης war oder etwa Διογένιος stand, weiß ich nicht,
würde aber ersteres vorziehen, um nicht ohne Noth von der
Abschrift abzuweichen. Die is an sich nicht schlecht. Könnten Sie durch
Ihre Verbindungen die Originalcopie Kapelu's beischaffen, die sicher
für diesen Brief überarbeitet ist, so würde wohl manches
sich aufklären. Daß der Abklatsch, wie er ist, viel Hülfe bringt,
glaube ich nicht.

[Page 4]

Ramsay schickt ein neues Fragment des Kalender-
monumentes von Apamea; es gibt nicht viel neu,
ich möchte es aber doch in Ihre Hefte geben. Das, worin das
lat. Stück steht, ist wohl fertig; wann brauchen sie die
Sachen für das nächste? Es handelt sich nur um zwei
Seiten.

4. Excerpts of correspondence between Mommsen and Wilamowitz, collected in *Mommsen und Wilamowitz. Briefwechsel 1872-1903*, Berlin 1935.

A. No. 315, from Wilamowitz to Mommsen, Göttingen, November 15, 1890 [=Hallef 5]

Es tut mir leid daß du die Inschrift vermißt hast. Ich habe sie damals gleich traktiert und einiges
Wenige ermittelt und Wolters mitgeteilt. Ich schreibe es, so viel ich es weiß, auf die letzte Seite. Für dich
ist wichtig die Identifikation des PYRRUS mit dem χαράττων ἄνθρωπος. Eine brauchbarer Abschrift
würde erwünscht sein. [...]

Ich ersticke fast in fremden Manuskripten.

Bitte entschuldige meine Säumnis.

Schönste Grüße Dein Ulrich v. W.

B. No. 332, from Mommsen to Wilamowitz, Charlottenburg, June 8, 1891 [=Hallos 9]*[third paragraph]*

Dann aber muß ich Dich wieder plagen, diesmal im Auftrag von Wolters. Es ist aber an sich notwendig, daß Du das jetzt anders fundamentierte Actenstück noch einmal vornimmst. Du erhältst außer Wolters Brief mit den sämtlichen Beilagen weiter Deine und Diels Anmerkungen, meine für Athen bestimmten kurzen Ausführungen, endlich meine Abhandlung über die Formalien, die für eine juristische Zeitschrift bestimmt ist und die ich beilege [=Mommsen 1892], obwohl sie für den nächsten Zweck nicht in Betracht kommt.

C. No. 333, from Wilamowitz to Mommsen, Göttingen, June 11, 1891 [=Hallos 10]*[first two paragraphs]*

Lieber Vater,

Die Akten der hübschen aber nur zu rätselvollen Inschrift gehen zurück, vermehrt um ein Stück, das ein Paar Kleinigkeiten fördert, aber für das Ganze die Lösung nicht gibt. Ich habe auf dem Abklatsch mehreres gelesen, auf Wolters Kopie mit Bleistift das Plus eingetragen. Aber die schlimmsten Stellen sind damit nicht gerettet und für das Ganze hege ich nur die Hoffnung, daß Du oder Hirschfeld einen Ausweg findet. Die ganze revision des Abklatsches möchte ich nicht vornehmen, da die für die Revision de Abklatsches möchte ich nicht vornehmen, da für die Hauptfrage nichts dabei zu holen ist, nur des braven Kondoleon Lesung sich bestätigt.

Ich bin gerade von abscheulicher Migräne geplagt, so daß ich nur mit Mühe etwas denken kann, gestern gar nichts, so habe ich vielleicht weniger Arbeit hineingesteckt, als ich sonst getan habe würde. [...]

D. No. 334, from Mommsen to Wilamowitz, Charlottenburg, June 25, 1891 [=Hallos 14]*[post scriptum]*

Die Thracia sind fort; was Wolters damit macht, muß man abwarten. Ich muß aber darauf zurückkommen in den add. zu CIL III.

E. No. 335, from Mommsen to Wilamowitz, Charlottenburg, July 20, 1891 [=Hallos 15]*[third paragraph]*

Wolters in Bonn will allerlei nachgesehen haben auf dem Abdruck und der geschmierten Abschrift des thrakischen Steins; ich habe noch nicht daran kommen können.

Letter from Kastelos *alias* Kapellas to Prasinós in October 1890. Text and translation by Touloumakos (1996), cf. note 1.

Ἐν Ἰωαννίνοις τῇ 16/28 8βρίου 1890

Ἐλλόγιμε Κύριε Ν. Πράσινε,

εἰς Σμύρνην

Προθύμως ἀπαντῶ εἰς τὴν φιλικὴν Σας ἀπὸ 9 τοῦ τρέχοντος ὁμολογῶν ὅτι λίαν παράδοξον μοὶ ἐφάνη πῶς καὶ περὶ τίνος νὰ μὲ γράφῃ ὁ Κύριος Ν. Πράσιнос, ἐνῶ μεταξὺ μας οὐδεμία ἀλληλογραφία ὑπάρχει.

Ἀκολουθῶς ἀναγνώσας μέχρι τέλους τὴν ἐπιστολὴν Σας ἐκατάλαβα περὶ τίνος πρόκειται, ὅθεν πάνυ εὐχαρίστως σπεύδω νὰ σᾶς ἀπαντήσω πῶς καὶ ποῦ εὐρήθη ἡ πλάξ καὶ πότε παρ' ἐμοῦ ἀντεγράφη. Ἡ πλάξ ἢ φέρουσα τὴν ἐπιγραφὴν εὐρήθη ἐν Τζουμαγιᾷ τῆς Βουλγαρίας, ἢ κωμόπολις αὕτη κεῖται παρὰ τὸν Ὀρβιλον ἐντὸς κοιλάδος ἔνθεν καὶ ἔνθεν ρύακος ὁμωνύμου ἐκβάλλοντος εἰς τὸν παραρέοντα τὴν πεδιάδα Στρυμόνα, κατοικουμένη τότε ὑπὸ διακοσίων περίπου οἰκογενειῶν Χριστιανικῶν καὶ τριακοσίων καὶ ἐπέκεινα Ὀθωμανικῶν, ἐν τῷ παρακειμένῳ τῇ Ὀθωμανικῇ συνοικίᾳ λόφῳ ὑπῆρχεν Τεκὲς ἤτοι Ὀθωμανικῶν Σκήνωμα, ὁ σέχης τοῦ Τεκὲ εὔρεν κατὰ τὸ ἔτος 1868 ἐν τῷ ἀμπελῶνι αὐτοῦ τὴν ρηθεῖσαν πλάκα; παρὰ τοῖς Ὀθωμανοῖς ἐπικρατεῖ πρόληψις ὅτι πᾶσα ἐπιγραφὴ ἐπὶ πλακὸς μαρτυρεῖ κεκρυμμένον ἐκεῖ πλησίον θησαυρόν, ὡς ἐκ τούτου ὁ Σέχης ἠρώτησε γνωστὸν του πατριώτην μας κάποιον Κώστα Δόνου ποῖος εἰμπορεῖ νὰ ἀναγνώσῃ τὴν ἐπὶ τῆς πλακὸς ἐπιγραφὴν, ὁ ρηθεὶς Κώστας Δόνος εἶπε τῷ Σέχῃ ὅτι οὐδεὶς ἄλλος δύναται νὰ ἀναγνώσῃ τὴν ἐπιγραφὴν, εἰ μὴ ὁ Γιαννιαλῆς Κωστάκης ἅμα ἐλθὼν εἰς τὴν Τζουμαγιᾶν ἀμέσως ὁ Κώστας Δόνος μὲ ὠδήγησεν εἰς τὴν οἰκίαν τοῦ Σέχη, παρὰ τὸ προαύλειον ἦτοι τὸ Ντισαρλίκι εἶδον τὴν πλάκα ἀκόμη ὑπὸ τῶν χωμάτων κεκαλυμμένην. Ἄμα ἐξῆλθεν ὁ Σέχης μοὶ εἶπεν ὅ, τι εὔρωμε τὰ μισὰ ἰδικά του καὶ τὰ μισὰ ἰδικά μου. Ἐγέλασα καὶ ἐζήτησα νερόν, ἵνα πλύνω τὴν πλάκα, ἵνα ἴδω τί γράμματα φέρει καὶ ἅμα εἶδον ὅτι εἶναι Ἑλληνικά καὶ Λατινικά, εἶπα εἰς τὸν Σέχην Πέκει (μάλιστα), μόνον παρεκάλεσα αὐτὸν νὰ μεταφερθῇ ἢ πλάξ εἰς τι ἄλλο μέρος, διότι εἰς τὸ προαύλειον τῶν Ὀθωμανικῶν οἰκιῶν δὲν ἐπιτρέπεται νὰ κάθεται τις πολλὸν χρόνον. Ἡ πλάξ εἶχεν μῆκος ἐνὸς μέτρου καὶ πλάτος περὶ τὰ ἑβδομήκοντα ἑκατοστὰ τοῦ γαλλικοῦ μέτρου. Ἡ ἑλληνικὴ ἐπιγραφὴ ἦτο ἐν μέσῳ τῆς πλακὸς ἐγγεγραμμένη μὲ ἑλληνικά κεφαλαῖα γράμματα Μακεδονικῆς ἐποχῆς, καὶ πέραξ αὐτῆς ἄνωθεν καὶ κάτωθεν ἦτο ἢ Λατινικὴ ἐπιγραφὴ, ὡς ἐπικύρωσις τῆς ἀναφορᾶς τῶν τότε πολιτῶν τῆς καταστραφείσης πόλεως. Ἐπεινάμεν σύμφωνοι νὰ μεταφερθῇ ἢ πλάξ εἰς ἄλλο μέρος καὶ ἐγὼ ἀνεχώρησα διὰ τὰ ἐνδοτέρα τῆς Βουλγαρίας, ἐπειδὴ μετήρχομεν τότε τὸ μεταβατικὸν ἐμπόριον. Ἐν τῇ ἐπιστροφῇ μου ἀποθανόντος τοῦ Σέχη εὔρον καλὴ τύχη τὴν ρηθεῖσαν πλάκα ἐν τῇ αὐλῇ τῆς Χριστιανικῆς Ἐκκλησίας, διότι τὸ παιδί τοῦ Σέχη ἐπώλησε τὴν πλάκα εἰς τινὰ Ζαχαροπλάστην, ὅστις πτωχεύσας ἐπώλησε ταύτην εἰς τοὺς ἐπιτρόπους τῆς Ἐκκλησίας. Ἐκεῖ τότε ἐκάθησα, ἐνθυμοῦμαι, ἐπὶ δύο ὥρας ἕως ἀντιγράψω αὐτὴν καὶ ἐν ἀντίγραφον ἀπέστειλα εἰς τὸν ἐν Φιλιππόλει φίλον μου ἱατρὸν Τζιώβαν ἐκ Καλουτᾶ τοῦ Ζαγορίου καὶ παρεκάλεσα, ἵνα ἀπστείλῃ αὐτὸ εἰς τὸν ἐν Κωνσταντινουπόλει Φιλολογικὸν Ἑλληνικὸν Σύλλογον. Ἄτυχῶς ἀποθανόντος καὶ αὐτοῦ, δὲν ἠδυνήθη νὰ πληροφορηθῶ ἂν τὴν ἀπέστειλεν ὁ ρηθεὶς ἱατρὸς ἢ ὄχι. Τὸ ἄλλο ἀντίγραφον τότε νομίζω ἐπιστρέων εἰς Σέρρας τὸ ἔδωσα εἰς τὸν Πρωτοσύγγελον τοῦ Ἁγίου Μελενίκου. Τὴν πλάκα ἄφησα μέχρι τοῦ 1875 ἐν τῇ ἐκκλησίᾳ τῆς Τζουμαγιᾶς, ἔκτοτε δὲν ἐπανήλθα εἰς τὴν Βουλγαρίαν, δύναμαι ὅμως νὰ γράψω εἰς τοὺς ἐκεῖ πατριώτας μας ἂν εὐρίσκεται ἀκεραία ἢ πλάξ καὶ ἂν εὐρίσκεται, ἐὰν δύναται νὰ μεταφερθῇ εἰς Θεσσαλονίκην ἢ εἰς Σέρρας ἢ

ἀλλοχοῦ ἵνα ὑπὸ εἰδήμονος ἀντιγραφῆ καλῶς τὸ λατινικόν. Τὸ ἐλληνικὸν ἐνθυμοῦμαι καλῶς ἀντέγραψα, τὸ δὲ λατινικὸν ὡς μὴ γινώσκων τὴν γλῶσσαν ἀντέγραψα ἀπὸ γράμμα εἰς γράμμα. Ταῦτα, φίλη μου, περὶ τῆς πλακὸς ταύτης. Εἰς ἐκεῖνο τὸ μέρος εὐρίσκοντο τότε πολλὰ τοιαῦτα ἐπιγραφαὶ καὶ ἐν τῇ παρακειμένῃ κώμῃ Ρίλλας. Ἐν τῇ ἐκκλησίᾳ τῆς κώμης ἐκείνης εὗρον ἐπιγραφὴν "Τὸν βωμὸν τόνδε ἡ Πανταλιωτῶν πόλις". Ταῦτα φίλε μου περὶ τούτων.

Σᾶς ἀσπάζομαι φιλικώτατα ὁ φίλος σας Κωνστ. Ζ. Καστέλος

Sehr geehrter Herr Prasinos (nach Smyrna.)

Ihren freundlichen Brief vom 9. d.M. beantworte ich sehr gerne, wobei ich bestehen muß, daß ich mich gewundert habe, aus welchem Grund und über welche Angelegenheit Herr N. Prasinos mir geschrieben hat, obwohl ein Briefwechsel zwischen uns bisher nicht bestand. Nachdem ich aber Ihren Brief durchgelesen habe, habe ich begriffen, worum es ging, deshalb bin ich sehr gern bereit, Ihnen zu erzählen, wie und wo der Stein gefunden und wie er von mir abgeschrieben wurde.

Der Stein, der die Inschrift trägt, ist in Tzoumaja in Bulgarien gefunden worden. Diese Kleinstadt liegt in der Nähe des Orbelos in einem Tal, auf beiden Seiten eines gleichnamigen Bachs, der in der nahe fließenden Strymon mündet. Sie wird von etwa zweihundert christlichen und über dreihundert ottomanischen Familien bewohnt. Auf dem in der Nähe des ottomanischen Stadtteils liegenden Hügel gab es ein ottomanischer Tekes; im J. 1868 hat dessen S,eih in seinem Weinberg den ebengenannten Stein gefunden. Bei den Ottomanen herrschte der Aberglaube, jede auf Stein eingemeisselte Inschrift deute auf einen in der Nähe vergrabenen Schatz. Deshalb fragte der S,eih einen unserer Landsleute [der ihm bekannt war], einen gewissen Kostas Donos, wer die Inschrift lesen könnte. Der besagte Donos sagte dem S,eih, die Inschrift könne nur Kostakis aus Jannina lesen. Gleich nach seiner Ankunft in Tzoumaja führte mich Kostas Donos in das Haus des S,eih. Auf dem Hof (Disarlik) sah ich den Stein, der noch von Erde bedeckt war. Der S,eih sagte mir, 'von allem, was wir finden, wird eine Hälfte mir, die andere dir gehören'; ich lächelte und verlangte von ihm Wasser, um den Stein zu waschen und festzustellen, was für Buchstaben er trägt. Als ich sah, daß es griechische und lateinische waren, sagte ich dem Wächter 'Peki' (=ja, einverstanden); ich bat ihn nur, den Stein in einen anderen Ort bringen zu lassen, denn im Hof der ottomanischen Häuser darf man nicht lange Zeit bleiben.

Der Stein war einen Meter lang und siebenzig Hunderstel des französischen 'Meters' breit. Die griechische Inschrift war in der Mitte des Steins eingemeisselt, mit griechischen Großbuchstaben makedonischer Zeit: ringsum, oben und unten, die lateinische, als Bestätigung des Gesuchs der damaligen Bürger der zerstörten Stadt.

Wir haben vereinbart, den Stein in einen anderen Ort bringen zu lassen und ich fuhr weiter in das Binneland Bulgariens, da ich damals mit dem Handel beschäftigt war. Bei meiner Rückkehr fand ich den Stein glücklicherweise auf dem Hof der kristlichen Kirche, den der Sohn des - inzwischen gestorbenen - S,eih verkaufte den Stein an einen Bäcker, welcher ihn dann an der Verwaltungsrat der Kirche weiterverkaufte, weil er Konkurs gemacht hat. Dort blieb ich, wie ich mich gut erinnere, zwei Stunden um die Inschrift abzuschreiben. Eine Abschrift schickte ich an meinen Freund Tziovas, aus Kaluta von Zagorion, einen in Philippoupolis niedergelassenen Arzt und bat ihn, sie an den Griechischen Philologischen Verein in Konstantinopel weiterzuleiten. Da in der Zwischenzeit er leider auch gestorben war, konnte ich nicht wissen, ob sie [nach Konstantinopel] geschickt wurde oder nicht. Die andere Abschrift gab ich bei meiner Rückkehr nach Serres dem Generalvikar des Hagios von Melenikon. Den Stein ließ ich bis 1875 in der

Kirche von Tzoumaja. Seit jener Zeit kam ich nicht wieder nach Bulgarien. Ich kann aber an unsere dort wohnenden Landsleute schreiben, um zu erfahren, ob der Stein sich nicht unbehelligt dort befindet und wenn das der Fall ist, ob er nach Thessaloniki oder Serres oder an einen anderen Ort gebracht werden kann, damit die lateinische Text gut von einem der Sprache Kundigen abgeschrieben wird. Den griechischen Text, habe ich, soweit ich mich erinnern kann, gut abgeschrieben, den lateinischen von Buchstaben zu Buchstaben, weil ich Latein nicht kann.

Soviel, mein Freund, über diesen Stein. An derselben Stelle befanden sich damals viele solche Inschriften, ebenso wie in dem benachbarten Dorf Rila; in der Kirche dieses Dorfes fand ich die Inschrift 'Τὸν βωμὸν τὸνδ' εἰ Πανταλιωτῶν πόλις'.

APPENDIX II: TABULAR PRESENTATION OF COPIES OF PETITIONS

DOCUMENT:	REGNAL YEAR:	DATE:	AUTHORITY:	AUTHENTI-CATION:
1) PSI IX, 1026 Iudea - Syria Palestina 22.1.150			Vilius Kadus, <i>leg. Aug. pr. pr.</i> (alias D.? Velius Fidus, cf. Thomasson 1984:352, no. 32)	
2) BGU III, 525 and 970 EGYPT 22.3.177	23rd year of Marcus and Com- modus	Φαρμουθι β'	T. Pactumeius Magnus, ἑπαρχος, (cf. Thomasson 1984:352, no. 69)	Ταπεθεὺς Πτολεμαίου τοῦ Ζῆνα ἔμαρτυρο- ποιήσατο
3) P. Oxy. XVII, 2131 EGYPT 25.3.207	15th year of Septimius Severus, Cara- calla and Geta	Φαμενώθ κθ'	Subatianus Aquila, λαμπρότατος ἡγεμών, (cf. Thomasson 1984:354, no. 86)	Τοτοῆς χρηματίζων διὰ τῶν ὑπογεγραμμένων μαρτύρων
4) PSI XII, 1245, EGYPT ?.4.207	15th year of Sep- timius Severus, Caracalla and Geta	Φαρμουθι ?	Subatianus Aquila, λαμπρότατος ἡγεμών, (cf. doc. 3)	Κόπρης Ἰσίωνος ἔμαρτυρο- ποιήσατο
5) BGU XI, 2061 EGYPT 30.12.207	16th year of Septimius Severus, Cara- calla and Geta	Τῦβι α'	Subatianus Aquila, [λαμπρότατος ἡγεμών]	Τῦβι δ' [ἐγένετο]
6) SB X, 10537 EGYPT ?.?.214/5 (= Lewis 1969=P. Mich. XII, 636)	? year of Caracalla		M. Aurelius Sep- timius Hera- clitus, (cf. Thomasson 1984:354, no. 88)	ἔμαρτύρατο Θεῶν Διονυσίου
7) P. Oxy. I, 35 EGYPT ?.?.223	L. Marus Maxi- mus and L. Ros- cius Aelianus coss.		M. Aedinius Iulianus, (cf. Thomasson 1984:355, no. 95)	
8) P. Mich. inv. 6554 EGYPT (= Hanson 1984=SB XVI, 13059)	6th year of Diocletian		Titius Honoratus	ἔμαρτύρατο ἑαυτὸν ὁ ἐ]ν τῷ βιβλ[ειδ]ί[ω]

TO PRAEFECTI AEGYPTI PRESERVED AS DOPPELURKUNDEN

COPY:	COLLECTION:	PLACE:	HYPOGRAPHE:	KOLLEMA:
1) <i>Descriptum et recognitum</i>	<i>ex libello proposito cum aliis</i>	<i>in portico Iunia Ba.[..].ae in quo scriptum erat id quod infra scriptum est</i>		
2) ἐκ γέγρα[φθαι] καὶ προσαντιβεληκέναι	ἐκ τεύχους βιβλιδίων Τ. Π. Μ. ἐπ[άρχου] προτεθέντων σὺν ἑτέροις	ἐν Ἰουλιόπολει		
3) ἐξειληθέναι καὶ προσαντιβεληκέναι	ἐκ τεύχους συνκολλησίμων βιβλιδίων ἐπιδοθέντων Σ. Ἄ. τ. λ. ἢ. προτεθέντων	ἐν Ἀντινόου πόλ(ει) ἐν τῷ Ἀντινοεῖω	σὺν τῇ ὑπ' αὐτὸ ὑπογραφῇ	κολλημ(άτων) Ἄθ'
4) [ἐγέγραφθαι καὶ προσαντιβεληκέναι]	ἐκ συ[γκολλησί]μων βιβλιδίων			κολλημ(άτων) νθ'
5) [ἐγέγραφθαι καὶ προσαντιβεληκέναι]	ἐκ τεύχους συνκολλησίμων βιβλιδίων ἐπιδοθέντων Σ. Ἄ. τ. λ. ἢ. καὶ προτεθέντων]	ἐν τῷ ταμίῳ	[σὺν τῇ ὑπογραφῇ]	
6)		ἐν τῷ μεγάλῳ Ἰσεῖω		
7) ἐκ γεγραμμένον καὶ προσαντιβελημένον ἐγένετο	ἐκ συγκολλησίμων βιβλιδίων Ἄ. Ἰ. ἔ. Ἄ. [ὑπογεγραμμένων ὑπ' αὐτ]οῦ καὶ προτεθέντων τῇ ἐνεστώσῃ ἡμέρᾳ	ἐν τῷ μεγάλῳ Ἰσεῖω		
8) [ἐγγεγ]ραμμέν[ος ἐξ]ειληθέναι καὶ προσ[αντιβελη]κέναι	[ἐκ τεύχους] συγκολλησίμων βιβλιδίων ἐπιδοθέντων Τ. Ὁ. τῷ δια[σημο]τάτῳ ἡγεμόνι [προ]τ[εθέντων]	ἐν τῷ Σεβαστίῳ	σὺν τῇ ὑπογ(ραφῇ)	

ARAGUA, *Asia, Phrygia.*

Petition (*libellus*) to Philippus Arabs and his son and coregent, Marcus Iulius Severus Philippus, from peasants on the imperial estate Aragua. The inscription quotes a *subscriptio* of Philippus Arabs when *praefectus praetorio*. The emperor's *subscriptio*. 244-246.

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b) text editions

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Rostovtzeff, see above.

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MAMA X, 114

c) translations

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2) DISCOVERY AND PUBLICATIONS

Anderson found this inscription on his expedition in Phrygia during the summer 1897. It was discovered in the village Yapılcan near the small town of Altıntaş. It was promptly published by him in *JHS* of the same year. Anderson's *editio princeps* was soon followed by Schulten's learned, but sadly distorted edition (1898). Schulten made his restorations in almost total neglect of what the stone could accommodate. Anderson followed suit with second views (1898). These publications formed the basis for *CIL*, *IGRR* and *OGIS*.

Rostovtzeff (1956, originally published in 1926) kept soberly to the size of the stone and suggested a new text in an inconspicuous note; this edition was a great improvement. Later Mihailov (1966) has offered some corrections, and so have Ballance and Williams. A new text is being prepared by Stephen Mitchell to be included in MAMA X. There are no reports on the present status of the stone, and it must be considered lost.

3) DESCRIPTION

Documentation

Anderson (1897 and 1898) used few words to describe his important discovery, but this defect was partly offset by a good facsimile. There were no measurements, however, and there was no report as to the place of its safekeeping. At a later date C. W. M. Cox rediscovered the inscription and took a photograph of it. Stephen Mitchell has given me a copy of the photograph which today must give the best impression of the document.

Measurements

Cox gave the following measurements: Ht. 1,08 (pediment 0,26; sloping recessed frame 0,06; inscribed panel 0,72; frame at bottom 0,03 broken); width 0,79 (frame at left 0,07; sloping recessed frame 0,06; inscribed panel 0,66 broken); thickness 0,30 (recess 0,06 deep). 'No letter heights are recorded but lines 5-8 are much more tightly packed than the rest of the text' (information given by Mitchell).

Condition

On the photograph the text of ll. 2-4 has almost completely vanished, due to the combined effect of intentional erasure (*abolitio nominis*) and general wear. The text of the petition is better documented, but at several places it is worn to illegibility. In sum it is clear from the evidence of Cox's photograph that the stone has suffered further wear, but not breakage, since Anderson's discovery.

Form of letters

For the form of letters and ligatures, see Anderson (1897:418). Especially noticeable is KAI - whether syllable or copula - written throughout (except in l. 10) as K followed by a dot or a horizontal bar through the middle K (apparently for κῆ).¹

Design and layout

The impressive stele was carved from a large marble block. At the top there is an undulating ridge with a pronounced top at the center; this ridge appears in relief against the background of unpolished marble. At the center of the ridge there are two volutes facing each other and separating the salutation ΑΓΑΘΗ ΤΥΧΗ; the middle of the volutes constitutes the center of the monument. The space between ΑΓΑΘΗ and ΤΥΧΗ is less wide than

1 Anderson (1897) transcribed it as κῆ throughout; Anderson is the only editor who has had access to the monument. *CIL* wrote κ(αί), the other editors used καί. Cox's photo gives rather a dot than the horizontal bar reproduced in Anderson's facsimile (1897).

what appears on Anderson's facsimile. Below the salutation and the volutes are the three lines giving the *subscriptio*. The text of the *libellus* is inscribed on what Anderson (1898:340) described as a sunk or recessed panel. This has been worked several centimeters deeper than the other parts of the monument and gives a limit at the end of the lines that cannot be crossed. The right margin of the panel is not preserved; not many letters (6 letters restored) are lost in the first line of the panel (corresponding to l. 5 of the inscription). The breakage at the right margin increases gradually until l. 22; it then stays more or less constant until l. 33. This particular layout of *libellus* and *subscriptio* is not reported for any of the other examples; it clearly isolates the rescript from the petition.²

4) EDITIONS

As noticed above, Anderson (1898:340) provided the important information that the text from l. 5 (his l. 4 as he did not count the salutation ἀγαθῆ τύχῃ) was 'engraved on a sunk panel and the lines therefore of equal length'. At the same place he gave an improved reproduction of some portions of the inscription based on his squeeze. This information did not reach Schulten. His edition suffered accordingly from several far too generous restorations (cf. e. g. l. 16). The text in *CIL* corresponds closely with Anderson's information, giving several important improvements, but is discriminating with regard to restorations.³ Improvements are also afforded by *OGIS*, even if Dittenberger at several points was tempted to overstep the limits of the stone (cf. e. g. ll. 16-17). There are no new readings in *IGRR*, their originality was restricted to making an election from the suggestions of the earlier editors. Rostovtzeff (first ed. 1926; now 1957:741-2, n. 26) made the final, major effort to give a satisfying text. His introductory remarks are well worth a quotation: 'The attempts to restore this inscription have not taken into account the fact that the lines of the document (the right border is mutilated) were much shorter than has usually been supposed. This is shown by the first line which can be restored with full certainty. The numbers of letters missing, according to my calculation, are approximately 12 to 13 in the first 14 lines; 15 to 16 in ll. 15-17; 18 in ll. 18-20; 21 in ll. 21-23, and about 23 to 25 in the last lines of the document'.⁴ Mihailov (1966:224-5) repeated Rostovtzeff's text except at some points where he thought the earlier editors better. The text given here corresponds closely with the texts given by Rostovtzeff and Mihailov, both in theory based on Anderson's facsimile, with some minor alterations. The text is controlled against Cox's photograph.

2 Where the *subscriptio* survives it is typically set at the end; cf. **Dagis**, **Saltus Burunitanus** and **Skaptopara**. In this instance the arrangement may lend some support to Nörr's (1981a) theory that the imperial *subscriptiones*, by incorporating the address, at some stage developed into independent *rescripta*. It is worth noticing that the petitioners nevertheless found it useful to quote the *libellus* in extenso. In **Takina** one preferred to make a dossier of the extensive correspondence, and only quoted the *subscriptio* without *libellus*. The *libellus/ subscriptio*-procedure is unique in giving the two components of the correspondence; cf. the conclusive evidence collected by Oliver (1989).

3 Cf. the commentary to *CIL*: 'Exemplum rescripti repetivi ex editione Anglica; supplementa pleraque sumpta sunt ab editoribus prioribus, emendata et aucta hic illic a Wilamowitzio.'

4 Please note the offset of one number in our text compared to the others due to the inclusion of the salutation in the counting.

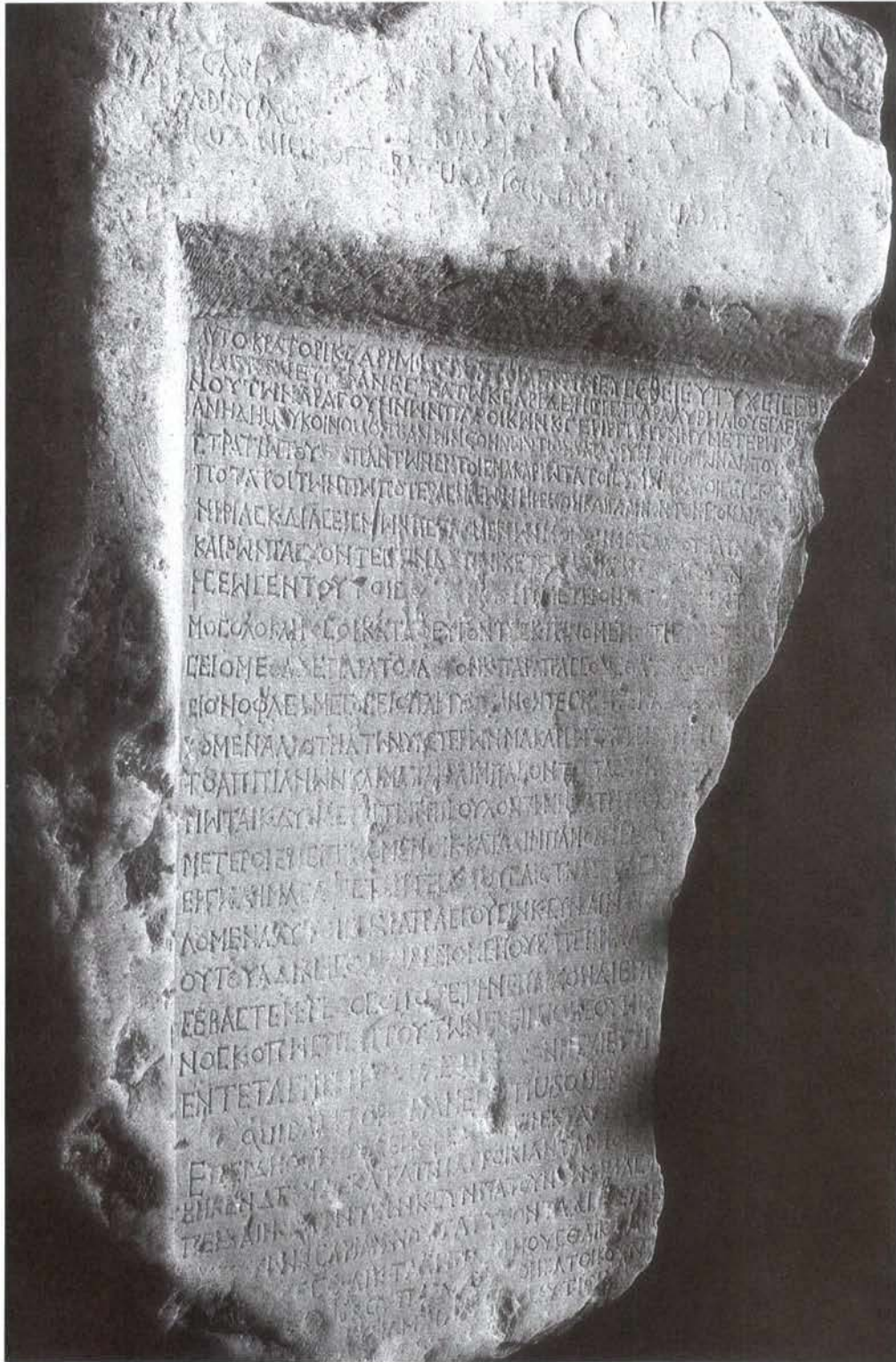


Fig. 6: Cox's photograph.

5) TEXT, CRITICAL APPARATUS AND TRANSLATION

ΑΓΑΘΗ ΤΥΧΗ

- 2 Imp. Caes. M. [Iul(ius) P]hi[lippus p(ius) f(elix) Aug(ustus)] et [M. Iul(ius) Philippu]s n[o]bi[l]issimus Caes(ar) M. Au[r(elio) Eglecto]
 pe[r] Didymum mili(tem) generum: **proco[n]sule v(ir) c(larissimus) perspecta fide eorum quae [adlegastis si]**

CRITICAL APPARATUS

Abbreviations:

Primary witnesses:

- AF** facsimile by Anderson (1897)
A1 Anderson (1897)
A2 Anderson (1898)
COX readings taken from Cox's photograph (see 3. Description)

Later editions and commentators:

- S** Schulten (1898)
HÜ Hülsen in Schulten (1898:233, n. 1)
CIL CIL III, 14191 (issued 1902)
D OGIS II, 519 (issued 1905)
C IGRR IV, 598 (issued 1927)
R Rostovtzeff (1956, original ed. 1926)
M Mihailov (1966:224-5)
W Williams (1975:97, n. 87)
B Ballance (1969)
MAMA MAMA X (1993)
H author

L. 2: 'I nomi dei imperatori sono senza dubbio cancellati' **HÜ**.

L. 3: PEÆDIDYMMIUCENERUM **AF**; peae ? Didymum M---- generum **A1**; [pe[r] Didymum Δ/////IΥGENERUM **S**; 'PER was doubtless intended, but R is certainly not on the stone. The stone cutter did not understand Latin.' **A2**; pe[r] Didymum mili[t]e[m] frum. **CIL**; pe(r) Didymum miugenerum, 'initio non tam MILI quam MIUI in lapide esse videtur' **D**; **C** = **CIL**; pe[r] Didymum mil(ite[m]) cen(tenarium) frum(entarium) **R**; **M** = **R**; 'The stone had MILIGENERUM (see CIL III, 14191), and 'per mili(tem) generum' is a perfectly satisfactory reading' **W**. PROC/////SULEUC **AF**; proconsule.. **A1**; proco[n]sul E. G. **S**; 'Poi era scritto: PROCONSVULE. V. C, cioè *Proconsule v(ir) c(larissimus)*.' **HÜ** = **A2**; Pro co[n]sule v. c. **CIL**; proconsule v. c. [in note 3: v(ir) c(larissimus) **D** = **C** = **R**; proco[n]sule v(iro) c(larissimo) **M**. quae [scribit Eglectus] **A1**; quae [scribis, ne] **S**; quae [adlegastis, si] **CIL**; **D** = **S**; quae [adlegastis, ne] **C**; quae [adlegastis si] **R**; **M** = **R**.

- 4 **quid iniuriose geratur, ad sollicitudinem suam revocabit.** [.]X[.]Æ.
 Αὐτοκράτορι Κέσαρι Μ. [Ἰουλίῳ Φιλίππῳ] Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῶ) κὲ [Μ. Ἰουλίῳ
 [Φιλίππῳ] ἐπιφανεστάτῳ Κέσαρι, δέησις παρὰ Αὐρηλίου Ἐγλέκτου περὶ τοῦ κοι-
 νοῦ τῶν Ἀραγουηνῶν παροίκων κὲ γεωργῶν τῶν ὑμετέρων [τοῦ ἐν τῇ Ἀππι]-
 8 ανῆ δήμου κοινο(ῦ) Μοιτεανῶν Σοηνῶν τῶν κατὰ Φρυγίαν τόπων διὰ Τ. Οὐ[λπίου Διδύ-
 στρατιώτου· ννπάντων ἐν τοῖς μακαριωτάτοις ὑμῶν καιροῖς, εὐσεβέσ[τατοι κὲ ἄλυ]-
 πότατοι τῶν πώποτε βασιλέων, ἤρεμον καὶ γαληνὸν τὸν βίον διαγ[όντων πάσης πο]-
 νηρίας κὲ διασεισμῶν πε[π]αυμένων· μόνοι ἡμεῖς ἀλλότρια τῶν ε[ὐτυχεστάτων]
 12 καιρῶν πάσχοντες τήνδε τὴν ἰκετείαν [ὑ]μεῖν προσάγομεν. ἔχει δὲ τὸ τῆς διηγ]-
 ἡσεως ἐν τούτοις. ν Χωρίον ὑμέτερόν [ἐ]σμεν, ἱερώτατ[οι βασιλεῖς, δῆ]-
 μος ὀλόκληρος οἱ καταφεύγοντες κὲ γεινόμενοι τῆς ὑμετέρας [θειότητος ἰκέται· δια]-

- L. 4: REVOCΛΑΙΤ ΧÆ AF; revoca(n)t A1; revocabit XÆ S; revocabit. [V]a[le] CIL; revocabit. «α» D; C, R and M = CIL; cf. Williams (1986:204-5). Perhaps U(temini) R(escripto) sugg. D. Feissel. Nothing definite can be said on the basis of COX. Turpin (1991:112, n. 55) sugg. [D]A[T]A. AE MAMA add. 'non liquet'.
- LI. 5-6: CEBK AF; Σεβ(αστῶ) κ[ὲ] M. Ἰουλίῳ A1, κ[αὶ] S; κ(αὶ) [M. Ἰουλίῳ] CIL and the other edd. κὲ kept by A2 throughout. Cox's photograph confirms the erasures.
- LI. 6-7: Ἐγλέκ[του...ια] | νοῦ A1; Ἐγλέκ[του ὑπὲρ τοῦ κοι] | νοῦ S; 'Read ΕΓΛΕΚΤ,' A2; S = CIL = D = C; Ἐγλέκ[του περὶ τοῦ κοι] | νοῦ R; M = S; Ἐγλέκ[οῦ ? - - -] MAMA.
- LI. 7-8: ὑμετέρων, [δημοσίᾳ δαπ] | ἀνη A1; [πρεσβείας γενομένης δαπ] | ἀνη S; [τοῦ ἐν] | ανῆ CIL; D = S; C = S, [τοῦ ἐν τῇ Ἀππια] | νῆ R, which should be Ἀππι | ανῆ H; M = R.
- L. 8: ΚΟΙΝΟΜΟΤΕΑΝΩΝΣΟΗΝΩΝ AF; κοινο(ῦ) Μο(ξ)εανῶν Σοηνῶν [in note: 'Better (Τ)οτεανῶν] A1; κοινο[ῦ Τ]ο[τ]εανῶν Σοηνῶν S; 'Read ΜΟΤΤΕΑΝΩΝ. A re-examination of the stone revealed traces of a letter between O and T, and the impression shows it to be in all probability a T. The space is narrow, and evidently the engraver had omitted it at first and then inserted it. This improved reading confirms the correction κοιν(οῦ) Τοττεανῶν A2; ΚΟΙΝΟΜΟΤΤΕΑΝΩΝ CIL; κοινο(ῦ) Το[τ]τεανῶν Σοηνῶν D; κοινο[ῦ Τ]ο[τ]εανῶν Σοηνῶν C; κοινο(ῦ) Τοττεανῶν Σοηνῶν R; M = R; κοινο(ῦ) Μοιτεανῶν Σοηνῶν B; Μοιτοανῶν COX. διὰ τοῦ[.....] A1; διὰ Τ. ΟΥ[λίου? Διδύμου] S; [ὑμετέρου?] CIL; D = S; C = CIL; διὰ Τ. Οὐ[λπίου Διδύμου] R; M = R; διὰ τοῦ [φρουμентаρίου] MAMA.
- LI. 9-10: εὐσεβέσ[τατοι κὲ ἄλυ] | πότατοι A1; καὶ S; εὐσεβέσ[τατοι καὶ ἄλυ(?)] | πότατοι CIL; the other edd. followed S.
- LI. 10-11: διαγ[ομένων, πο] | νηρίας A1; S = A1; διαγ[όντων πάσης πο] | νηρίας CIL; δια[γόντων, πο] | νηρίας, in note: 'Supplevi. δια[γομένων] Anderson et Schulten contra sermonis usum.' D; the other edd. followed CIL and D.
- L. 11: τ[ῶ]ν ε[ὐτυχεστάτων] A1; S = A1; 'Read ΤΩΝ' A2, this corresponds with COX.
- LI. 12-13: ἐχέ[γγυοι ἐνθυμ] | ἡσεως A1; ἐχέ[γγυοι τοῦ δικαίου τῆς δε] | ἡσεως S; Ἐχειται δὲ τὸ τῆς δε] | ἡσεως CIL; D = S; the other edd. followed CIL. ἔχει δὲ τὸ τῆς διηγ[ῆσεως ἐν τούτοις Feissel & Worp (1988:103, n. 66, thence SEG XXXVIII, 1988, no. 1297), this reading foll. by MAMA; cf. P. Oxy. XII, 1468.
- LI. 13-14: χωρίον ὑμέτερόν [ἐ]σμεν ἱερώτα[τον κὲ, ὅταν ἦ σεις] | μὸς ὀλόκληρος A1; Χωρίον ὑμέτερόν ἐσμεν ἱερώτατ[ον καὶ] | μος S; χωρίον ὑμέτερόν [ἐ]σμεν ἱερωτάτ[ου ταμείου δῆ] | μος CIL; χωρίον ὑμέτερόν [ἐ]σμεν ἱερώτατ[ον καὶ ὡσπερὶ δῆ] | μος D; C = CIL; χωρίον ὑμέτερόν [ἐ]σμεν ἱερώτατ[οι αὐτοκράτορες, δῆ] | μος R; ἱερώτατ[οι Καίσαρες, δῆ] | μος printed MAMA, also suggesting βασιλεῖς, as the lacuna is of equal length to the preceding l.
- LI. 14-15: ὑμέτερας [προσταγίας· δια] | σειόμεθα A1; [βοηθείας ἐνδεῖς, δια] | σειόμεθα S; [ἐξουσίας· δια] | σειόμεθα CIL; [θειότητος ἰκέται, δια] | σειόμεθα D; C = CIL; R = M = D; [ουσίας γεωργόι, δια] | σειόμεθα MAMA.

- σειόμεθα δὲ παρὰ τὸ ἄλογον κὲ παραπρασσόμεθα ὑπ' ἐκείνων οἱ[ς] σώζειν τὸ δημό]-
 16 σιον ὀφέειλει· μεσόγειοι γὰρ τυγχάνοντες κὲ μ[ή]τε παρὰ στρατὰ[ρχαίς] ὄντες πάσ]-
 χομεν ἀλλότρια τῶν ὑμετέρων μακαριωτάτων καιρῶν· [διοδεύοντες γὰρ]
 τὸ Ἀππιανῶν κλίμα παραλιμπάνοντες τὰς λεωφόρους ὁδοὺς οἱ τε στρα]-
 20 τιῶται κὲ δυνάσται τῶν προυχόντων κ[ατ]ὰ τὴν πόλιν [Κεσαριανοὶ τε οἱ ὑ]-
 μέτεροι ἐπεισε[ρ]χόμενοι κὲ καταλιμπάνοντες τὰς λε[ωφόρους] ὁδοὺς κὲ ἀπὸ τῶν];
 ἔργων ἡμᾶς ἀφιστάντες κὲ τοὺς ἀροτῆρας βόας ἀνγ[αρεύοντες τὰ μηδὲν ὀφει]-
 λόμενα αὐτοῖς παραπράσσουσιν· κὲ συμβαίνει οὐ [τὰ τυχόντα ἡμᾶς ἐκ τοῦ τοι]-
 ούτου ἀδικεῖσθαι διασειομένους· περὶ ὧν ἄπα[ξ] ἤδη κατεφύγομεν ἐπὶ τὸ σόν, ὦ]
 24 Σεβαστέ, μέγεθος, ὅποτε τὴν ἔπαρχον διεῖπε[ς] ἀρχὴν ἐμφαίνοντες τὸ γεγο]-
 νός. κὲ ὅπως περὶ τούτων ἐκεῖν[ή]θη σοῦ ἢ θε[ία] ψυχῆ, ἢ ὑπογραφή δηλοῖ ἢ].

- Ll. 15-16: οἱ[ς] μὴ ἀδικεῖν τὸν πλη] | σίον A1; οἱ[ς] ἤκιστα ἀδικεῖν τὸν πλη] | σίον S; οἱ[ς] φρουρεῖν τὸ δημό] | σιον CIL; D = S; C = CIL; οἱ[ς] σώζειν τὸ δημό] | σιον R; M = R.
- L. 16: ὀφέειλει COX shows that the first ι of ὀφέειλει is added above the line; μ[ή]τε A1; MITE A2; μ[ή]τε (read μηδὲ) R. Ll. 16-17: στρατὰ[ρχη] μηδενί, πάσ] | χομεν A1; στρατὰ[ρχου] μήτε... πώποτε τί παθόντες νῦν πάσ] | χομεν S; στρατὰ[ρχαίς] ... πάσ] | χομεν CIL; στρατὰ[ρχου] μήτε παρ' ἄλλου κακὰ παθόντες νῦν πάσ] | χομεν D; C = D; στρατὰ[ρχαίς] ὄντες πάσ] | χομεν R; M = R; παρὰ στρατ[οπέδοις] ὄντες πάσ] | χομεν MAMA.
- L. 17: [ἐπεὶ οἱ ἐνοικοῦντες] A1; [πιέξουσι γὰρ ἡμᾶς οἱ πεμφθέντες εἰς] S; CIL indicated only the *lacuna*; D = C = S; [διοδεύοντες γὰρ] R; M = R.
- Ll. 18-19: ὁδοὺς γίγνονται στρα-τιῶται A1; ὁδοὺς, προσέτι δὲ στρα] | τιῶται S; ὁδοὺς ...8.... στρα]τιῶται CIL; D = C = S; ὁδοὺς στρατάρχαί τε κ[αί] στρα] | τιῶται R; M = R, ὁδοὺς οἱ τε στρα] | τιῶται MAMA.
- Ll. 19-20: [ἡμῶν, γείτονες δὲ ἢ] | μέτεροι A1; [Καισαριανοὶ τε ὑ] | μέτεροι S; CIL indicated only the *lacuna*, the other edd. followed S, Ἀ[ππιαν] κὲ δοῦλοι ὑ] | μέτεροι MAMA recognising a triangular letter after πόλιν, [Κεσαριανοὶ τε οἱ ὑ] | μέτεροι H.
- L. 20: λε[ωφόρους] .. κὲ τῶν] A1; λε[ωφόρους] ὁδοὺς ἀπὸ τῶν] S; λε[ωφόρους]] CIL; λε[ωφόρους] ὁδοὺς καὶ ἀπὸ τῶν] D; the other edd. followed S.
- Ll. 21-22: βοᾶν [πειρώμενοι? τὰ μὴ ὀφει] | λόμενα A1; βοᾶν [τολμῶντες τὰ μὴ ὀφει] | λόμενα S; 'The correct reading is BOACANΓ' A2; βόας ἀν[αρπάζοντες καὶ τὰ ὀφει] | λόμενα CIL; βόας ἀνε[ρυνῶντες τὰ μὴ ὀφει] | λόμενα D; βόας ἀνγ[αρεύοντες τὰ μηδὲν ὀφει] | λόμενα R; M = R.
- Ll. 22-23: οἱ[ύτως] ἡμᾶς ἐκ τοῦ τοι]ούτοι A1; οἱ[ὐ] τὰ τυχόντα ἡμᾶς ἐκ τ] | ούτου S; οἱ[ὐ] τὰ τυχόντα ἡμᾶς διὰ τοῦ τοι] | ούτου CIL; the other edd. followed S; οἱ[ὐ] τὰ τυχόντα ἡμᾶς ἐκ τοῦ τοι] | ούτου MAMA.
- L. 23: ἀπ' ἀ[ρχῆς] πρόσταξιν ἐποιήσω] A1; ἀπ' ἀ[ρχῆς] ἡμῖν ἔγραψε τὸ Σόν] S; ἀπα[ξ] ἤδη κατήλθομεν εἰς τὸ σόν, ὦ] CIL; ἀπά[ντων] ἐγράφη πρὸς τὸ σόν] D; the other edd. followed CIL; [κατεφύγομεν ἐπὶ] H, ἀπά[ντων] ἤδη ἐγράφη πρὸς τὸ σόν, ὦ] MAMA (accents adjusted; this restoration does not agree with [ἐμφαίνοντες] in the following line).
- Ll. 24-25: διεῖπε[ς] ἐξουσίαν] | νος A1; διεῖπε[ς] ἐξουσίαν ἄτε ἄλλα ἐκελευσας Καίσαρ γεινόμει] | νος S; διεῖπε[ς] ἀρχὴν ἐμφαίνοντες τὸ γεγο] | νός CIL; διεῖπε[ν] ἐξουσίαν - - - -] | νός D; the other edd. followed CIL. Cf. also Howe (1942:110, n. 62) writing ἐκφαίνοντες, see commentary.
- L. 25: ἢ θε[ία] κελουσις ἐν ταῖς δελτοῖς] A1; ἢ θε[ία] ἀντιγραφὴ ἢ τοῖς ὑπομνήμασιν] S; 'The last letter is certainly E' A2; ἢ θε[ία] Ψυχῆ, ἐπιστολῆ δηλοῖ ἢ] CIL; ἢ θε[ιότης] ἢ ἀντιγραφὴ δηλοῖ ἢ ἐνταῦθα] D; ἢ θε[ιότης], ἐπιστολῆ δηλοῖ ἢ] C; R = CIL; M preferred ἢ ἀντιγραφῆ; ἢ ὑπογραφή 'sine dubio' H; ἢ θε[ιότης], ἢ ἀντιγραφὴ δηλοῖ ἢ] MAMA.

ἐντεταγμένη· quae libe[ll]o complexi esti[s, ad proco(n)s(ulem) misimus]
qui dabit operam ne d[iu]tiu{i}s querell[is locus sit].

- 28 ἐπειδὴ οὖν οὐδὲν ὄφελος ἤμεῖν ἐκ ταύτης τῆς δεήσεως γέγονε, συμβέ-
βηκεν δὲ ἡμᾶς κατὰ τὴν ἀγροικίαν τὰ μὴ ὀφειλόμενα παραπράσσεσθαι, ἐ-
πενβαινό[ν]των τινῶν κὲ συναπαρτιμένων ἡμᾶς π[α]ρὰ τὸ δίκαιον, ὡσαύτως δ-
ἐ ὑπὸ τῶν Κεσαριανῶν οὐ τὰ τυχόντα δι[ασ]είσεσθαι κὲ τὰ ἡμέτερα εἰς αὐτοὺς (?)]
32 [ἐξαναλί]σκεσθαι κὲ τὰ χωρία ἐρημοῦσθαι κὲ ἂν ἀνάστατα γίγνεσθαι· μεσόγειοι? γὰρ?
[τυγχάνοντες] (?) κὲ οὐ παρὰ τῆν ὁδὸν κατοικούντες[- - - - -]
[- - - -] δυνάμενα [...6-7...] ταύτη[.]EM[.].[- - - - -]

TRANSLATION

Good fortune!

I *Subscriptio* of Philippus Arabs and son to Marcus Aurelius Eglectus; through Didymus, soldier and son-in-law.

(ll. 2-4) The emperor Caesar Marcus Iulius Philippus, *pious, felix*, Augustus and Marcus Iulius Philippus, the most noble Caesar, to Marcus Aurelius Eglectus, through Didymus, soldier and son-in-law.

The most illustrious proconsul shall examine the credibility of [what you alleged], and he shall take it to his personal attention if anything is done wrongfully.

- L. 26: Quae li[b]e[r]o (or li[b]e[ll]o?) complexi esti[s.....] A1; Quae libello complexi esti[s ut examinet praesidi mandavi] S; Quae libe[ll]o complexi esti[s, ad procos. misimus] CIL; the other edd. followed CIL; complexi COX.
- L. 27: quid agit operam ne d[iu]ti(n)is querell[is] A1; qui da[b]it operam ne d[iu]tiu{i}s querell[is locus sit] S; 'The outline of the blurred sixth letter is a, which probably stands for b, as in *revocabit*.' A2; the other edd. followed S. d[iu]tiu{i}s H from COX.
- Ll. 28-29: τῆς παραχῆς γίνεταί συμβέ | βηκεν A1; τῆς ἀντιγραφῆς ἐγένετο, συμβέ | βηκεν S; τῆς δεήσεως γέγονε, συμβέ | βηκεν CIL; D = S; C = R = CIL; M preferred τῆς ἀντιγραφῆς].
- Ll. 29-30: ὀφειλόμενα παραπράσσεσθαι, ἐ | πενβαινό[ν]των A1; ὀφειλόμενα παραπράσσεσθαι εἰς τὴν κώμην ἐ | πενβαινό[ν]των S; the other editors followed A1.
- Ll. 30-31: [παρὰ τὸ ...ον (or ἄλογον), ἐπειδὴ | θ] A1; [παρὰ τὸ δίκαιον, ἐπειδὴ] | θ' S; of l. 31: 'the first letter is E (it cannot be Θ)' A2; CIL only *lacuna*; [παρὰ τὸ δίκαιον, ἐπειδὴ δ] | ἐ D; [παρὰ τὸ δίκαιον, ὡσαύτως δ] | ἐ R, the first part of the letter π in π[α]ρά is visible in COX, but does not exclude τ, therefore π[α]ρά H.
- Ll. 31-32: δι[ασ]είσεσθαι δεῖ οὐδὲ πάσχεσθαι-]-κεσθαι A1; δι[ασ]είσεσθαι ἡμᾶς συνέβη ὥστε τοὺς καρποὺς | πιπρά]σκεσθαι S; CIL only *lacuna*; δι[ασ]είσεσθαι ἡμᾶς συνέβη καὶ τοὺς καρποὺς | ἀναλί]σκεσθαι D; C = D; δι[ασ]είσεσθαι καὶ τὰ ἡμέτερα εἰς αὐτοὺς | ἐξαναλί]σκεσθαι R; δι[ασ]είσεσθαι καὶ τὰ ἡμέτερα ἐκ | ἀναλί]σκεσθαι MAMA (beg. of l. 32 accomodates the 7 letters, of [ἐξαναλί]σκεσθαι COX).
- L. 32: ἐρημοῦσ(θ)αι A1; 'Read EPHMOYTCΘAI' A2. L. 32-33: κὲ [... |]ς κὲ A1; καὶ [...] |]ς S; καὶ τὰ [...] |] CIL; D = S; καὶ ἀνάστατα γίγνεσθαι· μεσόγειοι γὰρ | τυγχάνοντες] R; κὲ ΔΔ.[- - - - μεσόγειοι γὰρ] MAMA; see commentary.
- L. 33: παρὰ τῶν ἐνδον A1; S = CIL = A1; παρὰ τῆν ὁδὸν D; R = D.
- L. 34: Line reproduced from AF and confirmed by Cox's photo.

II Petition to Philippus Arabs and son*Inscriptio* (II. 5-9)

(II. 5-9) To emperor Caesar Marcus Iulius Philippus, *pius, felix*, Augustus and Marcus Iulius Philippus the most conspicuous Caesar. Petition from Aurelius Eglectus on behalf of the community of the Araguanian inhabitants and your peasants in the district of Appia, belonging to the community of Moiteaneans and Soans, all places in Phrygia, through Titus Ulpus Didymus, soldier.

Exordium (II. 9-12)

(II. 9-11) Whereas in your most blessed times, most pious and faultless of emperors ever, everybody leads an undisturbed and tranquil life, because every kind of wickedness and harassment have been brought to an end, (II. 11-12) we are the only ones suffering (tribulations) alien to these most happy times, and we bring this supplication to you.

Narratio (II. 12-34)

(II. 12-14) The contents of the narrative are as follows: We are your estate, most holy emperors, an entire district, who take refuge and become suppliants of your divinity. (II. 14-16) We are being harassed beyond even what is unreasonable and are extorted by those who ought to be protecting the public. (II.16-17) For although we are living in the middle of a rural area and we are not close to a military encampment (?), we are suffering (tribulations) alien to your most happy times. (II. 17-22) On their travel through the territory of the Appians - leaving the main roads - soldiers, leading men from the town and your *Caesariani* are coming [to us] when leaving the main roads, and they drag us away from our work, requisition our ploughing oxen and extort what is not owed to them whatsoever. (II. 22-23) And so it comes about that we in an extreme way suffer injustice by being harassed. (II. 23-25) Concerning this we have already once before beseeched your greatness, Augustus, when you administered the office of *praefectus praetorio*, and we described what had happened. (II. 25-26) And how your divine soul was moved, the enclosed *subscriptio* makes manifest. (II. 26-27) *What you have disclosed in the petition, we have sent to the proconsul who shall ensure that it will no longer be any cause for complaints.*

(II. 28-33) Therefore since this petition has brought us no benefit, it has come about that we in our agricultural work have had extorted from us what we do not owe; some have even come and trampled us underfoot contrary to the regulation, and in like manner we are being extremely harassed by the *Caesariani*, and our money is being totally expended on them, and the estates are being deserted and laid waste, for although we are living in the middle of a rural community and not by the road [...]

6) GENERAL COMMENTARY

General outline

Aragua is one of the three basic inscriptions for this study as it includes a major part of the petition and the *subscriptio*; the reference to the *subscriptio* given by Philippus when *praefectus praetorio* comes as a bonus.

The division of the surviving part of the inscription is fairly simple. **Aragua** is not very specific about the sources of complaints, and the way the formulations which were given in ll. 14-23 are repeated in ll. 29-34, seems to indicate that they were never further defined. We can then conclude that at l. 34, where the text is broken off, we are fairly close to the transition to the *preces* (cf. the arguments put forward for the division of **Güllüköy**). Some of the claims they probably would have put forward here, are already hinted at in l. 32 (the theme of desertion and flight). Apart from the general theme of illegal requisitions, the information in ll. 29-30 (ἡμᾶς κατὰ τὴν ἀγροικίαν τὰ μὴ ὀφειλόμενα παραπράσσεισθαι) may reflect the basic regulations of the imperial estate and call to mind **Saltus Burunitanus** and **Gasr Mezuar**.

It is worth noticing that the *subscriptio* is of the more direct kind, clearly containing an instruction to the proconsul.⁵

The gist of the complaint is directed at officers, soldiers, prominent men from the town and *Caesariani* who disturb and harass the inhabitants and imperial peasants by making requisitions (ll. 17- 22). The plaintiffs argue their case by referring to the contrast between their own suffering and the generally peaceful and orderly conditions of the day (ll. 10-11: πάσης πονηρίας κὲ διασεισμῶν πεπανμένων_ and by the special circumstance of having approached Philippus Arabs when he was *praefectus praetorio* (ll. 23-28). Just before the text breaks off the petitioners say that their sufferings will force them to abandon the imperial estate (ll. 32-33).

As a petition and complaint **Aragua** does not forward a closely defined accusation like those formulated against Allius Maximus and the imperial procurators in **Saltus Burunitanus**; neither does it resemble the defined case of **Aga Bey Köyü** and the legal point expounded in **Kemaliye**. The general formulations and the reference to the political aims of the emperor are more closely paralleled in **Skaptopara** and **Güllüköy** and mirrored in the indirect testimonies of **Euhippe**, **Tabala** and **Takina**.

Historical and political setting

It is tempting to connect the general contents of the petition with the wider political events surrounding the fall of Gordianus III and the accession of Philippus Arabs. In the *Vita Gordiani* (29-30) of SHA we read about the outstanding qualities of Timesitheus, the emperor's father-in-law and *praefectus praetorio*, the maneuverings of Philippus which eventually led to the elimination of these allegedly popular and respected figures, and

5 Cf. Honoré (1981:101-102 and n. 629) who compares it with *CI* 3. 34, 5 from 246: *Si quid pars diversa contra servitutum aedibus tuis debitam iniuriose extruxit, praeses provinciae revocare ad pristinam formam, damni etiam ratione habita, pro sua gravitate curabit*. Generally Honoré identifies the author as the *a libellis* in tenure from July 20, 241 - July 2, 246 (no. 13, cf. pp. 90-3) and describes him as the most 'classical' of the period. He has 95 rescripts to his credit in *Codex Justinianus*.

Philip's ascent to the position of emperor through the post of *praefectus praetorio*. In a recent article Poma (1981) followed this trail and concluded that **Aragua** should be dated not much later than Philip's return to Rome (in the summer 244, cf. *CIL* VI, 793 = XIV, 2258 = *ILS*, 505).⁶ Poma's attempt is of great interest for the general, historical value of the petitions, and therefore merits a discussion. Poma's point of departure is ll. 9-13, where the contrast between the worldwide peaceful conditions and the sufferings of the petitioners from Aragua is underlined; the key words are *πάσης πονηρίας κὲ διασεισμῶν πεπανμένων*.⁷ These are taken to refer to the recently peaceful settlement with the Persians which in turn led to the alleviation of the military presence and a more tolerable fiscal pressure (p. 269). Further the contents of the petition mirror the confidence and good will in the eastern part of empire prevailing at the time before the onset of the harsh fiscal policy of Priscus, as *rector totius Orientis*.

In my view this is partly right and partly wrong. The contrast theme seems to be used in a somewhat polemical way, echoing the official propaganda by turning it to personal advantage.⁸ This use has an air of both bravery and effrontery, and is not an isolated case restricted to **Aragua** (cf. the parallels in **Skaptopara** ll. II, 11-12, with commentary, and III, 100-1; **Kavaçik** ll. 3-4). But it is used to stronger effect in **Aragua** than in the other petitions. It is, however, more than doubtful whether the passage *πάσης πονηρίας κὲ διασεισμῶν πεπανμένων* refers to the wider political sphere. *Πονηρία* is a fairly imprecise expression, otherwise only encountered in **Aga Bey Köyü** (l. 50, *οἱ τὸν πονηρὸν ζῶντες βίον*); *διασεισμός* is a technical term of great substance, see the commentary to **Kemaliye**, ll. 4-5. How this petition fits the movements of Philippus Arabs when *praefectus praetorio* and later as emperor is another question. His period in office as *praefectus* was rather short (less than a year, see commentary to ll. 23-25).

The proximity of the emperor was always a stimulus for the presentation of petitions (cf. the rich documentation of Septimius Severus and Caracalla's sojourn in Egypt 199-200, cf. Birley 1988:138). On this view and from the fact that Philippus was approached in the East on the first occasion, one may be led to suggest or even conclude that the two petitions were presented on similar occasions. The two-stage representation of the inhabitants of Aragua by Aurelius Eglectus and T. Ulpus Didimus does, however, not point in this direction.

Dating

From what is said above it appears that the inscription can be fairly accurately dated, but not exactly. The criteria are (1) the inclusion of Philippus *fi*ls, (2) the titulatures of the

6 The publication by Ferrua (1981 = *AE*, 1981, no. 134) led to the article of Trout (1989) where he pointed out that it was no longer necessary to interpret *CIL* XIV, 2258 (= *ILS* 505) as requiring the presence of the emperor in Rome by the date recorded in the inscription (July 23, 244). He argued for a later date for his return to Rome and emphasized that the *adventus* series of coins minted in late summer 247 was the earliest proof of his presence in Rome.

7 Poma is throughout using the text referred to in the name of the article (*OGIS* II, 519) which undoubtedly has been superseded by Rostovtzeff's. To be honest she refers to Rostovtzeff (p. 266, n. 1) by the Italian edition of 1926, but its date of publication is wrongly given as 1905. There is no mention of Mihailov (1966).

8 A similar reservation about her argument is voiced by Trout (1989:231, n. 34).

two emperors, (3) the wording (style) of the *subscriptio* and (4) the general contents of the petition. On the basis of the evidence of *CIL* XIV, 2258 (= *ILS* I, 505) and *Codex Justinianus* 4. 29, 10 (datable to July 23 and August 15, 244, respectively) where Philippus *filis* is not present in the first but is included in the other, Lorient (1975:791-2) concluded that his promotion to Caesar must have taken place between these two dates.⁹ His further advancement to *Augustus* can likewise be dated to between July 11 and August 30, 247.¹⁰ As we must reckon with some delay between the composition of the *libellus* and the issuing of the *subscriptio*, it is worth noticing that there is close correspondence between the titulatures in both documents.¹¹ As stated in the commentary to **Skaptopara** (all. II, 8-9 and n. 13) the triumphal names, the *cognomina ex virtute*, disappeared after Caracalla. These surface again under Philippus Arabs, but only later in his rule (246/7) and to a fairly modest extent (Kneissel 1969:175 and n. 5 gives only 6 examples). This criterion also points at a date earlier than 247. Further support is given by Honoré's (1981:90-3, se n. 5) delimitation of a tenure for the *a libellis*, ending on July 2, 246. This *a libellis* is probably the author of the *subscriptio*

It then follows that the document must be dated between August, 244 and June, 246.

7) DETAILED COMMENTARY

LI. 1-2: For the names of Philippus and son, cf. the preceding paragraph. See also Peachin (1990:15-8) for the titulature of *subscriptiones*. For a general historical sketch, see de Blois (1978-1979) and Potter (1990:35-41).

LI. 2-3 M. Au[r(elio) Eglecto] pe[r] Didymum mili(tem) generum: The name of Marcus Aurelius Eglectus is also given in the *inscriptio* of the petition (l. 6). The role of the representative is an important one, and the communities regularly made their choice on the basis of social standing and convenience. For a personal petition the need for a representative should not be so obvious. In the case of a community it was and the embassies sent by towns provide a clear parallel. From the evidence of the petitions the representative should belong to the group proper, or he should be a relative.

We do not know the particular qualities of Marcus Aurelius Eglectus; perhaps they were not so imposing, for he was eventually represented by his son-in-law, Didymus. This resembles the role of Aurelius Pyrrus, also a soldier, but at the same time a fellow owner of the villagers, in **Skaptopara**. Since Didymus is not mentioned in the petition proper, one may even think that some unforeseeable circumstances called for his help (that they had to wait for the petition for an unexpected time, c. f. **Bephoure**). Coriat (1985a:391-7; see esp. p. 393, n. 1) distinguished between those presenting petitions *suo nomine* or

9 This elevation was noticed in Egypt some time between September 2 and October 13 (PSI XII, 1238 and P. Strass. II, 144).

10 The first date is given by *CIL* VI, 32414; the latter is based on Alexandrian coins, cf. Lorient. The first occurrence of *Αὐτοκράτωρ Καῖσαρ ... Σεβαστός* is datable to November 26 (BGU I, 7). See also de Blois (1978-1979:18).

11 With the possible exception of *nobilissimus* rendered by *ἐπιφανέστατος*.

alieno nomine. Those appearing *suo nomine* were related either as sons, freedmen or husbands and are all introduced by the preposition *διὰ*, which must be parallel to the Latin *per* (cf. P. Col. 123, nos. 4, 5 and 12; P. Oxy. VII, 1020; BGU I, 267 and P. Stras. I, 22).

As reported in the critical apparatus, there has been considerable uncertainty about the position of Didymus. I find Williams' arguments (1974:97 and n. 87) for a return to the original text convincing: 'The Skaptopara inscription [...] and the Code (e. g., v, 16, 2; vi, 21, 1-3; iv, 61, 3) show that the status of a soldier was recorded in the address of imperial subscripts, and the evidence of the papyri [...] that the relationships of agents to petitioners were recorded as well.'

Ll. 2-4 proco[n]sule v(ir) c(larissimus) perspecta fide eorum quae [adlegastis si] quid iniuriose geratur, ad sollicitudinem suam revocabit. [.]X[.]Æ: As said above (p. 150 and n. 5), this *subscriptio* is of the direct kind, clearly to be noticed by the proconsul in office. This legal mechanism has been lucidly described by Palazzolo (1974:83-94) and Honoré (1981:30-32). It is in cases like this I think it can be helpful to think along the lines of a *denuntiatio ex auctoritate* παραγγελία ἐξ ἀθθεντίας.¹²

We only know of one *proconsul Asiae* from the reign of Philippus Arabs, L. Egnatius Victor Lollianus (cf. Dietz 1980:149-54 and Thomasson 1984:236, no. 191); but on the other hand he has triple value as he is recognized to have been *procos. Asiae ter*. He is known from a number of inscriptions, and the limits for his tenures are set between 242/3 and 247/8, and he must have entered office some time between 242/3 and 244/5. To hold this particular post for three years within such a short period of time, is certainly a sign of extraordinary conditions or assignments.¹³

For the function of the phrase *perspecta fide eorum quae adlegastis*, cf. **Ağa Bey Köyü**, ll. 40-1: τ'αληθῆ γὰρ πρὸς τὴν ὑμετέραν θειότητα ἤρηται and the commentary.

12 Cf. Ulpian, *Liber singularis de excusatione* (=Fragmentum Vaticanum 167): *Si pro tribunali dabuntur, quinque, de plano quattuor dandi erunt, et petendum, ut denuntietur ex auctoritate, cum denuntiaverit et non venerit. Libellos det, et litteras petat.* The parallel of a *denuntiatio ex auctoritate* παραγγελία ἐξ ἀθθεντίας is used only to stimulate thought on how it worked, it is not, and cannot be an exact parallel. For an exhaustive presentation of the παραγγελία ἐξ ἀθθεντίας in Egypt, cf. Talamanca (1979). See also Turpin (1991:115 and n. 70). Spagnuolo Vigorita (1978:115-6) noted that the expression *ad sollicitudinem suam revocare* was an extremely rare expression which he traced to the passage of Ulpian's *Liber primus Opinionum* quoted in *Digesta* 1. 18, 6, 4. Aside from here it only occurs in *Codex Iustinianus* 8. 52, 1 (Alexander Severus) and 10. 11, 2 (Gordian III). In his comment on **Aragua** he noticed that the proconsul was vested with control 'anche dei funzionari preposti all' amministrazione dei beni imperiali; è verosimile che in entrambi casi [8. 52, 1] la cancelleria abbia tenuto presente proprio il testo del primo libro del *Opiniones* come indicazione generale dei compiti del *praeses* a tutela del singolo.'

13 Cf. Dietz (1980:153). On the basis of a milestone from Magnesia on the Meander (*CIL* III, 12270) his third proconsulate is to be dated to the period when Philippus *filis* still was Caesar: Ἀτοκράτορι Καίσαρι Μ. Ἰουλ. Φιλίππῳ εὐσεβεῖ εὐτυχῆ Σεβ. καὶ Μ. Ἰουλ. Φιλίπ(π)ῳ θεοφιλεστάτῳ Καί[σ]αρι καὶ Μαρκίᾳ Ὠτακειλίᾳ Σεουήρα μητρὶ κάστρων, ἐπὶ ἀνθυπάτου Λ. Ἐγνατίου Οὐίκτορος Λολλιανοῦ τὸ γ'. Ἀπὸ Ἐφέσου μ'. Dietz (p. 154 and the collection of epigraphic records in pp. 149-52) sums up the evident qualities of Lollianus by observing that the many proofs of his popularity stem from the later part of his Asian tenure. Later under Valerian (254) Lollianus became *praefectus urbi*. Cf. also T. Clodius Eprius Marcellus, pro cos. Asiae per tri[ennium] (*CIL* XIV 2612) in the period 70-73.

LI. 5-6 Ἀντοκράτορι Κέσαρι Μ. Ἰουλίῳ Φιλίππῳ Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῶ) κὲ [Μ. Ἰουλίῳ] Φιλίππῳ ἐπιφανεστάτῳ Κέσαρι: The Greek titulature follows the Latin of ll. 2-3, with the exception of ἐπιφανεστάτῳ which cannot be intended as an close translation of *nobilissimus*. Cf. Price (198?) for the use of ἐπιφανής in the imperial cult. Cf. also *CIL* III, 427 (= *ILS* I, 43) quoted in *Takina*, p. 19, n. 27.

LI. 6-8 [περὶ τοῦ κοινοῦ] τῶν Ἀραγουηνῶν παροίκων κὲ γεωργῶν τῶν ὑμετέρων [τοῦ ἐν τῇ Ἀππια]νῇ δήμου κοινοῦ Μοιτεανῶν Σοηνῶν τῶν κατὰ Φρυγίαν τόπων: To get to the heart of this passage, one evidently needs personal geographical knowledge of the region. In 1969 Ballance published an inscription from a sarcophagus discovered in Süglün, the ancient Prymnessos (see the instructive map in Ballance 1969:144), with the inscription from the times of Commodus or Caracalla (ll. 2-5): *M. Aur(elius) Victorinus Augustorum libertus tabularius regionaris Ipsina(e) et Moetanae*. Ballance connected the second constituent of the region, Moeteana, with *Aragua*.¹⁴ Ballance argued for his reading convincingly; and it was commented upon by Robert (*BE*, 1972, 471, no. 456), who suggested that the supplement of *υ* in κοινοῦ was unnecessary, as it may refer to an unknown village ethnic, Koinomoiteanoi. Strubbe (1975:231, n. 6) followed Ballance and made an attempt to delimit the extent of the estate in the valley of Upper Porsuk Su on the basis of the evidence of *Aragua*, *CIL* III, 7004 (cf. Suppl. 12230)¹⁵ and Ballance's arguments.

In 1983 L. Robert (1983:532; cf. *SEG* XXXIII, 1983, 347, no. 1145) published an honorary relief to Zeus Ampeleites, picturing two yokes of oxen accompanied by seven calves. On the top of the relief there are two lines of text divided by the portrait of the deity; here we can read Ἀρτεμᾶς Ἀμμιάδος Ἀραγοκωμήτης | Δεὶ Ἀνπελείτη εὐχὴν. In a letter to Robert, S. Mitchell pointed out that the Ἀραγοκωμήτης should be related to the Ἀραγουηνοί of the present inscription (cf. *BE* 1984:502, no. 460). The sanctuary of Zeus Ampeleites has been described in two articles by Gibson (1978a and 1978b). It is situated in the Erikli Dağ some six and a half kilometers to the west of Akça Köyü which again is on the western fringe of the Altıntaş-plain.

Strubbe said that from the text of the petition 'it is clear that the Aragouenoi and the entire demos koinos of Soenoi and Moiteanoi lived on the estate'.¹⁶ Is this really so? It can well be that the *libellus* was a joint undertaking from the inhabitants of the koinon of the Aragouenoi and the emperors' peasants from the ethnic community of Moiteana and Soa. This reading gives us a heterogeneous body of petitioners as in *Takina*. The passage [ἐν

14 This region was apparently reorganised later in the second century by separating Moiteana from Ipsos to the south-east and merging it with Soa to the north-west. A new change must have taken place later in the third century, when Soa apparently was raised to city rank; cf. *IGRR* IV, 605: γῆς [καὶ θαλ]άσσης δ[εσ]πότην ἢ βουλῆ καὶ ὁ δῆμος Σοηνῶν. Drew-Bear and Eck (1976:293, n. 12a) argued against Strubbe's attempt at dating the text on the basis of the imperial title as 'diese Formeln keine echten Titel sind, sondern reine Ehrenbezeichnungen'.

15 This inscription was found in the vicinity of the villages Nuhören and Haydarlar: [*p*]er Apirium Paulinum, procur(atore) Septembr(e) Augu(usti) lib(erto).

16 P. 234; see also p. 235, n. 22. On this point, cf also Broughton (1938:661), Magie (1950:1549) and Jones (1937:69 and 393, n. 64).

τῆ Ἀππια]νῆ (sc. χώρα = *territorium*?) is puzzling, for an imperial estate was a separate unit; the expression may, however, tell us that it was surrounded by the territory of Appia, and together with l. 18 (τὸ Ἀππιανὸν κλίμα) it identifies the town alluded to in l. 19. To sum up this, for us, bewildering array of names, they say that all places are part of Phrygia. The estate was, according to Strubbe (p. 236), later part of the areas constituting the territory of the town Soa (cf. n. 14).

The editors of *MAMA X* (p. 35, n. 6) acting upon a note from J. Nollé suggested that one should rather 'restore a title or office for Eclectus not [περὶ τοῦ κοι]νοῦ with Rostovtzeff'. I do not see anything objectionable in the sequence of prepositions *παρὰ - περὶ - διὰ*.

L. 9 πάντων ἐν τοῖς μακαριωτάτοις ἡμῶν καιροῖς: For this locution, cf. **Skaptopara**, ll. II, 11-12 and commentary, and **Kavacik**, ll. 2-4. For an appeal to the imperial peace, cf. Epiktetos, 3. 22, 55: ἀλλ' ἂν τίς σε δέρῃ, κραύγαζε στάς ἐν τῷ μέσῳ ᾧ Καίσαρ, ἐν τῇ σῆ εἰρήνῃ οἷα πάσχω; ἄγω μὲν ἐπὶ τὸν ἀνθύπατον.'

LI. 9-10 εὐσεβέσ[τατοι κὲ ἀλυ]πότατοι τῶν πώποτε βασιλέων: [ἀλυ]πότατοι is only encountered here as an appellative of the emperors; for similar phrases cf. **Ağa Bey Köyü**, l. 13 with commentary and **Kemaliye**, ll. 9-10.

LI. 10-11 ἤρεμον κὲ γαληνὸν τὸν βίον διαγ[όντων] ... προσάγομεν: Moulton & Miligan (1930:281, s. v. ἤρεμος) noted that this passage offered a striking parallel to l. Timothy, 2, 1-3.¹⁷

For the use of the contrast theme/ *topos* and Poma's historical interpretation, cf. above pp. 14-5. Erkell (1952:126) remarked that the *felicitas*-theme on coins was used in the time after Caracalla to portray the *status rerum felix*, either as *felicitas saeculi* or *felicitas temporum*.

A *libellus* with this content (cf. **Skaptopara**, ll. V, 167 *id genus querellae*) was by nature a negative affair, presenting invectives against the government and their officials. If one had no trust in the government's ability to make amends, there was little point presenting a petition. At an earlier stage they have made the crucial choice between *exit* or *voice*, i. e. whether to abandon their present way of life or to use the official channels of communication. The *libellus*-procedure is wholly an act of *voice*; but it is balanced against *exit* by passages like the one in l. 32 (τὰ χωρία ἐρημοῦσθαι κὲ ἀν[άστατα γίγνεσθαι]). Consequently, in addition to the acknowledgement implicit in the very act of presenting a petition, passages like these have the role of explicitly assuring the authorities of the petitioners' trust in the competence of their rulers.¹⁸

17 Παρακαλῶ οὖν πρῶτον πάντων ποιῆσθαι δεήσεις, προσευχάς, ἐντεύξεις, εὐχαριστίας, ὑπὲρ πάντων ἀνθρώπων, ὑπὲρ βασιλέων καὶ πάντων τῶν ἐν ὑπεροχῇ ὄντων, ἵνα ἤρεμον καὶ ἡσύχιον βίον διάγωμεν ἐν πάσῃ εὐσεβείᾳ καὶ σεμνότητι. τοῦτο καλὸν καὶ ἀπόδεκτον ἐνώπιον τοῦ σωτῆρος ἡμῶν θεοῦ, ὃς πάντας ἀνθρώπους θελεῖ σωθῆναι καὶ εἰς ἐπίγνωσιν ἀληθείας ἐλθεῖν.

18 The expressions *exit* and *voice* are taken from A. O. Hirschman's (1970) fascinating study, *Exit and Voice and Loyalty. Responses to Decline in Firms, Organizations and States*.

For *ικετείαν προσάγω*, cf. **Kemaliye**, ll. 8-9 and commentary. For the use of *διασεισμός*, cf. ll. 23 and 31 with the commentary and references given in **Kemaliye**, ll. 4-5.

Ll. 12-13 ἔχε[ι δὲ τὸ τῆς διηγ]ήσεως ἐν τούτοις: **Aragua** is alone in having this marked transition from *exordium* to *narratio*, restored by the editors of *CIL*. The break on the stone is marked by a leaf and one or two empty spaces. See app. crit.

Ll. 13 χωρίον ὑμέτερόν [ἐ]σμεν ... δῆμος ὁλόκληρος: This information is to be balanced against the geographical presentation of ll. 6-8. Frankly, the rhetorical sounding expression *we are your estate [...] a whole district* is probably aimed more at arousing pity and compassion by showing what a large place was involved (too important to overlook), than at giving a precise definition of their social standing and geographical position.

Ll. 16-17 μεσόγειοι γὰρ τυγχάνοντες κὲ μ[ή]τε παρὰ στρατά[ρχαις ὄντες πάσ] χομεν ἀλλότρια τῶν ὑμετέρων μακαριωτάτων καιρῶν: All subsequent editors have taken Anderson's clue and followed his restoration *στρατά[ρχη]* or other appropriate forms of *στρατάρχης* (see app. crit.). The editors of *MAMA X* pointed out however, that *στρατάρχης* was not a regular or technical term used in the Roman army at the mid-third century. The sentence gives topographical information, and they suggested *στρατ[οπέδοις ὄντες]*. The only reason for not printing *στρατ[οπέδοις]* is the α which Anderson read in front of the lacuna; this cannot be confirmed from Cox's photograph.

Ll. 17-22 [διοδεύοντες γὰρ] ... παραπράσσουσι: The information given about the region or junction of the town Appia corresponds with what we read in ll. 7-8 (it is of course the point of departure for the restoration). *διοδεύω* and *λεωφόροι ὁδοί* are key words for these inscription, cf. **Skaptopara**, ll. II, 35-53 and commentary. *διοδεύω* may be substituted by *διαπορευόμενοι*, cf. **Kilter**, l. 13-15: ἂν οὖν τις τῶν ὑπ' ἐμοὶ τ[ε]ταγμένων στρατιωτῶν διαπορευόμε[ε]νος τὰ τοῦ δεσπότη σου χωρία

Ll. 22-23: κὲ συμβαίνει οὐ [τὰ τυχόντα ἡμᾶς ἐκ τοῦ τοι]ούτου ἀδικεῖσθαι διασειομένους: Schulten made this restoration, clearly based on what is said in l. 31 (οὐ τὰ τυχόντα δι[ασ]είεσ[θαι]). The editors of *MAMA X* found the restoration too short, suggesting [ἐκ τοῦ τοι]ούτου.¹⁹

Some of the best parallels for the expression *οὐχ ὁ τυχών* can be found in the New Testament, viz. Acts 19, 11 (Δυνάμεις τε οὐ τὰς τυχούσας ὁ θεὸς ἐποίει διὰ τῶν χειρῶν Παύλου) and 28, 2 (οἱ τε βάρβαροι παρῆχον οὐ τὴν τυχούσαν φιλανθρωπίαν ἡμῖν).

19 For this expression particularly and the contents generally, cf. the striking parallels of *OGIS 139* (=Philae Isl. 1, from 124-116 BC): ἐπεὶ οἱ παρεπι | δημοῦντες εἰς τὰς Φίλας στρατηγοὶ καὶ ἐπιστάται | καὶ θηβάρχει καὶ βασιλικοὶ γραμματεῖς καὶ ἐπιστάται φυ | λακιδῶν καὶ οἱ ἄλλοι πραγματικοὶ πάντες καὶ αἱ ἄ | κολουθούσαι δυνάμεις καὶ ἡ λοιπὴ ὑπηρεσία ἀναγκά | ζουσι ἡμᾶς παρουσίας αὐτοῖς ποιεῖσθαι οὐχ ἐκόντας, | καὶ ἐκ τοῦ τοιούτου συμβαίνει ἐλαττοῦσθαι τὸ ἱερὸν καὶ | κινδυνεύειν ἡμᾶς τοῦ μὴ ἔχειν τὰ νομιζόμενα πρὸς τὰς | γινόμενας ὑπὲρ τε ὑμῶν καὶ τῶν τέκνων θυσίας | καὶ σπονδάς, δεόμεθ' ὑμῶν θεῶν μεγίστων, κτλ.

Bauer (1957, s. v. *τυγχάνω*, d.) paraphrases *ὁ τυχών* by 'the first one whom one happens to meet in the way', and correspondingly *οὐχ ὁ τυχών* *not the common or ordinary one* and referred to *BCH* 22 (1898) 89, *θόρυβον οὐ τὸν τυχόντα παρέχοντες*, and *SIG*³ 528, l. 10, *ἀρωστίαις οὐ ταῖς τυχούσαις*. See also Blass, Debrunner & Rehkopf, § 430, 2 and Moulton & Milligan (1930: 644-5, s. v. *τυγχάνω*, 5) who gave some striking parallels from the papyri (*ὑβριν οὐ τὴν τυχούσαν*). As Bruce noticed (1951:357), Vettius Valens is especially fond of the expression. I have not found parallels to this adverbial use, *extraordinarily, in an unusual, extreme way*. Cf. also the translations of Herrmann (1990:31: 'erleiden wir in extremer Weise'; 33: 'in ungewöhnlicher Weise') and Freis (1984:235: 'mehr als gewöhnlich').

LI. 23-25 *περὶ ὧν ἄπα[ξ ἤδη κατεφύγομεν ἐς τὸ σόν, ὦ] Σεβαστέ, μέγεθος, ὅποτε τὴν ἔπαρχον διεῖπε[ς ἀρχὴν ἐμφαίνοντες τὸ γεγο]νός: CIL* (Wilamowitz?) has given the most satisfying restitution of this passage, alas without revealing the template. For *κατήλθομεν* (see critical apparatus) one should rather suggest *κατεφύγομεν* modelled on the usage in l. 14, *Skaptopara* ll. 163-164 and *Bephoure* l. 13, or *προσεφύγομεν* as in *Euhippe* l. 4, but this is not a matter of great importance.²⁰ *Μέγεθος* is used in *Bephoure* (cf. ll. 7-8, *καὶ σχολήσαντες τῇ σῶ δικαστηρίῳ μῆνας ὀκτώ, προσήχθη τὸ πρᾶγμα, καθὰ διαμνημονεύει σου τὸ μέγεθος*). This passage has been further discussed by Howe (1942:110, n. 62, writing *ἐκφαίνοντες*) and Lorient (1975a:740-1, n. 632).²¹

A correct interpretation of the expression *τὴν ἔπαρχον διεῖπε[ς ἀρχὴν]* is crucial for a reconstruction of the events surrounding the petition and the general political events of 242 - 244. Howe (1942:111) takes *διέπω* to imply that Philippus at the time was a vice-prefect, whereas Pflaum (1960-1961:836-7) understood *διέπω* to 'signifier que le personnage en question agit tant que titulaire ordinaire'. The implications for this passage would be that in the latter case it refers to the period following the death of Timesitheus (May or June, 243) and Philipp's own accession as emperor (between March 1 and 14, 244, cf. Lorient 1975b:789 and 796), when Philippus is well known to have held the post (cf. Howe 1942:80-1, Pflaum 1960-1961:834 and Lorient 1975a:740, n. 631; SHA, *Vita Gordiani* 29, 1; Zosimus 1. 18, 2; Zonaras 12. 18). No post as vice prefect is attested for Philip. Since Philipp's brother, Priscus was Timesitheus' colleague as *praefectus praetorio*, it would also be contrary to the principles of collegiality to have a brother as a vice prefect, even if this situation arose after the death of Timesitheus.²² If we adopt

20 See also *OGIS* II, 569 (= *TAM* II:3, no 785 and Lewis & Reihold 1955:600-1) ll. 15-7: *καλῶς ἔχειν ἐδοκιμάσαμεν καταφυγεῖν [πρὸς τὴν ὑμῶν ἀθάν]ατον βασιλείαν καὶ δεηθῆναι τοὺς πάλαι [στασιάζοντες Χρι]στιανοὺς κτλ.*

21 Dittenberger was convinced that some other person than Philippus was the *praefectus praetorio* of this passage, [...]νός giving the end of his name. This should then be translated (as by Howe 1942:110, n.62) 'when [...]nus was administering the office of the prefect'. This suggestion must be due to an oversight, for the wording of l. 25, *καὶ ὅπως περὶ τούτων ἐκείν[η]θη σοῦ ἢ θε[ῖ]α ψυχῇ* rules this out. The 2. p. sg. in *διεῖπε[ς]* is clearly beyond doubt.

22 Until 1922 the emergence of Philippus and his brother as emperor and *praefectus praetorio* seemed to be accidental and a random result of the campaign against the Persians in 242-244. Then Chabot (1922) gave a new reading of an inscription datable to 242/243, filling in an erasure with Priscus instead of Philippus. The inscription is *CIG* III, 4483 = le Bas & Waddington, 2598 = *OGIS* II, 640 = *IGRR* III, 1033. In ll. 15-18 one had until 1922 read *ὑπὸ Ιουλίῳ [Φιλίππου] τοῦ ἐξοχωτάτου ἐπάρχου τοῦ ἱεροῦ πραιτωρίου*, where the correct reading should have been *[[Πρίσκου]*, or rather *ΠΙΠΙΣΚΟΥ* (I here follow the description of Howe 1942:107, n.50). Despite immediate objections by

Howe's interpretation of *διέπω*, the vice prefecture must have been held at some time prior to the eastern campaign of 242 - 244.

The basic meaning of *διέπω* is to *administer* and does not imply more than that the named person is 'the current holder of any responsible office' (Mason 1974:131-2). Further it can be used to describe the governor of a province in expressions like *διέπων τὴν ἐπαρχίαν* or *τὴν ἡγεμονίαν*.²³ It is in the expanded phrase *διέπων (καὶ) τὰ τῆς ἡγεμονίας μέρη* we find the indication of an extraordinary commission translating the Latin term *agens vice praesidis* (cf. **Ağa Bey Köyü**, ll. 7-8 *διέποντ(ο)ς Αἰλίου Ἀγλάου [τοῦ κρατίσ]του καὶ τὰ τῆς ἀνθυπατείας μέρη* and commentary).²⁴ Accordingly, the view of Pflaum (1960-1961:834) is likely to be the correct one; and this passage of **Aragua** must refer to the brief period delimited above.

This also make sense if we assume that Gordianus kept close to the army and was inaccessible to the petitioners, who instead had to go to Philip as manager of current affairs.²⁵ Then follows the possibility that they both sought the opportunity to approach Gordianus when he was in the east and that the first petition was not meant for Philip, but was handled by him because of the special circumstances of the campaign. The increasing juridical importance of the prefecture during the Severan age is witnessed by the instances of the prominent lawyers, and former *a libellis*, Papinianus, Paulus and Ulpianus.

The special authority of the prefect and the interplay of emperor, prefect and provincial governor is witnessed by an interesting rescript issued by Gordian III in 243 (*CI* 9. 2,

Cuq (1922), this Priscus must be identical with the brother of Philippus. In other words Priscus was the colleague of Timesitheus, the alleged object of a conspiracy by Philippus, a conspiracy which made Philippus his successor.

23 Cf. the following examples: Josephus, *BJ* 7. 219, Ἦδη δὲ ἔτος τέταρτον Οὐεσπασιανοῦ διέποντος τὴν ἡγεμονίαν κτλ.; Cassius Dio, 61. 5. 4, τεκμήριον δέ, Δορυφόρῳ τῷ τὰ τῆς ἀρχῆς αὐτοῦ βιβλία διέποντι; Herodianus, 1. 4, 1, εἶποντο καὶ δ' ὀπισθεν αὐτοῖς οἱ τὴν ὑπατον ἀρχὴν τότε διέποντες; Eusebius, *Vit. Const.* 3. 31, καὶ περὶ μὲν τῆς τῶν τοίχων ἐγέρσεώς τε καὶ καλλιέργειας Δρακιλλιανῶ τῷ ἡμετέρῳ φίλῳ, τῷ διέποντι τὰ τῶν λαμπροτάτων [ἐπάρχων] μέρη.

24 For a brief presentation *διέπω*, see Mason (1974:131-2). For further examples and discussions: Christol (1976), Drew-Bear (1978:27-8, no. 15), Christol & Drew-Bear (1982:34, n. 29) and Christol (1985:447-9). Recent publications quoted from *SEG*: 1976, no. 1315; 1978, no. 1203 = Drew-Bear (1978:27-8, no 15): κατὰ κέλευσιν Φλανί(ου) Μενάνδρου τοῦ [λαμπρ(οτάτου) διέπ(οντος) τὴν ἐπαρχ(ον) ἐξο[υ]σίαν δ' and 1982, no. 1287 = Christol & Drew-Bear (1982:34, n. 29): κατὰ τὴν κέλευσιν τοῦ κρατίστου ἐπιτρόπου τῶν Σεβαστῶν Εἰουλι(ίου) Εἰουλιανοῦ διέποντος κὲ τὰ τῆς ἡγεμονίας μέρη Φρυγίας τε κὲ Καρίας. **Bephoure**, ll. 3 and 19-20 has Ἰουλίῳ Πρεῖσκῳ τῷ διασημοτάτῳ ἐπάρχῳ Μεσσοποταμίας, διέποντι τὴν ὑπατείαν and in the commentary of Feissel & Gascon (1990) they say that petition no. 2 in their collection is addressed to a *perfectissimus* Marcellus, *διέπων τὰ μέρη τῆς ἡγεμονίας*.

25 The army probably proceeded eastwards along the route Nikaion - Nakoleion - Antiokeia in Pisidia - Ikonion - some port in Kilikia - Antiokeia (cf. Lorient 1975a:767 with nn. 813-4 and Halfmann 1986). This course brought them close to the imperial estate, but not through the Tembris valley. One could imagine that they would have used this opportunity for presenting the petition; one may even see this unused chance as an argument for an alternative reconstruction.

6, 1).²⁶

LI. 25-26 κὲ ὅπως περὶ τούτων ἐκεῖν[ή]θη σοῦ ἢ θε[ία] ψυχῆ, ἢ ὑπογραφή δηλοῖ ἢ ἐντεταγμένη: For a parallel use of *κινέω*, cf. **Takina** l. 21.

The choice between [*ἀντιγραφῆ*] and [*ὑπογραφῆ*] depends upon what level of precision one expects; *ἀντιγραφῆ* is more general and translates *rescriptum*, whereas *ὑπογραφῆ* is the more precise expression and renders *subscriptio*. In the third century, though, *rescriptum* seems to be reserved for imperial responses. This makes *ὑπογραφῆ* the better choice.

Notice the precise use of *ἐντάσσω*, *insert*. For the difference between *ὑπογράφω*, *subjoin*, *set below*, *quote below* (cf. **Kilter** ll. 6-7), and *ἐντάσσω*, cf. Reynolds (1982:43, no. 6, ll. 46-53, letter from Octavian to Plarasa/ Aphrodisias): ἔστιν δὲ ἀντίγραφ[α] τῶν γεγονότων ὑμῶν φιλανθρώπων τὰ ὑπογεγραμ(μ)ένα ἃ ὑμᾶς βούλομαι ἐν τοῖς δημοσίοις γράμμασιν ἐντάξαι.²⁷

LI. 28-29 [συνβέ]βηκεν δὲ ἡμᾶς κατὰ τὴν ἀγροικίαν τὰ μὴ ὀφει[λόμενα] παραπράσσεσθαι]: The translators have translated the imprecise passage *κατὰ τὴν ἀγροικίαν* in different ways. Broughton (1938) and Lewis & Reinhold (1966) gave 'we suffered exactions of things not due throughout the countryside'; Johnson & Coleman-Norton & Bourne (1961) 'undue exactions are made in respect to our farmwork'. Freis (1984:235) 'dass es von uns Abgaben [eingetrieben wurden], die nicht üblich sind'; and Herrmann (1990:30) 'Wir sind viel mehr weiterhin in unserer landwirtschaftlichen Tätigkeit unberechtigten Requirierungen ausgesetzt'. *ἀγροικία* probably renders the notion of the rather desolate, bereft and uncultured life of peasantry. I take the intended meaning of the passage to be (with due caution about the restorations) that peasants who regard themselves as poor have been called upon to serve and provide more than they have to; this is an obligation normally borne by the more well-to-do (cf. the reservation in **Sülümenli**, ll. 8, [πέ]νητές ἐσμεν). Apparently it does not cover the basic regulations for the peasants on the imperial

26 *Absentem capitali crimine accusari non posse, sed requirendum tantummodo adnotari solere, si desit, vetus ius est. Et ideo cum absentem te et ignorantem, cui numquam ullum crimen denuntiatum esset, per inuriam a praeside provinciae in metallum datum dicas, quo magis in praesenti te agente, ut adseveras, iam nunc fides veri possit illuminari, praefectos praetorio adire cura, qui, quidquid novo more et contra formam constitutionum gestum deprehenderit, pro sua iustitia reformabunt.* 'It is an old right that a man who is absent cannot be accused for a capital crime; one shall only make a note that he shall be traced. Therefore since you say that you, when you were absent and did not know that you were summoned on the pretext of any crime, were unjustly condemned by the provincial governor to the mines, you shall take care, especially as the truth now can be established by your presence, to approach the prefects of the praetorian guard and they shall, if they notice that something has been decided in a new way and contrary to the order of the constitutions, correct it as to conform with their own justice.' (My transl.)

Cf. also *CI* l. 26, 9, from 235: *Imp. Alexander A. Restituto. Formam a praefecto praetorio datam, et si generalis sit, minime legibus vel constitutionibus contrariam, si nihil postea ex auctoritate mea innovatum est, servari aequum est.* See also Potter (1990:29-30) saying that 'the effective day-to-day administration of the state was in the hands of the praetorian prefects' referring to this inscription.

27 Editor's translation: 'The copies of the privileges that relate to you are these that are subjoined; I wish you to register them among your public records.'

estates (cf. **Ağa Bey Köyü**, ὁ δεσποτικὸς λόγος); and it is not a question of increased free labour as it was for the North-African estates (cf. **Saltus Burunitanus** and **Gasr Mezuar**).

L. 31 οὐ τὰ τυχόντα: See commentary on ll. 22-23.

L. 32 [ἐξαναλί]σκεσθαι κὲ τὰ χωρία ἐρημοῦσθαι κὲ ἀν[άστατα γίγνεσθαι μεσόγειοι? γὰρ?]: From the letters AN the continuous story is broken. On Cox's photo K and AN is clearly visible. In front of the A, here indicated by v, is a small cavity, this can be interpreted as an impurity of the stone (not likely), a *vacat* or a Λ. The editors of *MAMA X* found the restoration given too long, probably correctly - without γὰρ it may fit. One should keep in mind that the letter-sizes vary greatly in the inscription.

Only Rostovtzeff ventured to restore this line (cf. app. crit.); as for the other improvements, he did not argue or give any parallels to support his suggestion. There is a conspicuous parallel from the *exordium* of **Skaptopara**, ll. II, 13-14 (βελτιοῦσθαι τὰς κώμας ἥπερ ἀναστάτους γίγνεσθαι τοὺς ἐνοικοῦντας). Another match occurs at the end of paragraph 7 (Dindorf 58) of the Pseudo-Aristidian *Eis Basilea* (Or. 35 of the Aristidian corpus).²⁸ Rostovtzeff (1957) relied extensively on this speech in his chapter on the military anarchy and quoted the passage on p. 732, n. 15. It is thus likely that this passage, combined with **Skaptopara**, was the template for his restoration.²⁹ To speculate further - about whether this part of **Aragua** should shed light or add evidence for the identification of the βασιλεύς of the speech - is not admissible, because of the extensive restoration of the epigraphic text. This line is in content close to the threat of a flight contained in **Ağa Bey Köyü** and **Skaptopara** (cf. Herrmann 1990:59).

To sum up: Rostovtzeff's restoration of ἀν[άστατα γίγνεσθαι] is probably sound. The words which are following - [μεσόγειοι γὰρ τυγχάνοντε]ς - are a repetition from l. 16; Rostovtzeff probably restored them on basis of the repetitious character of this petition. This seems to be a general principle for his restorations.

LI. 33-34 At this point we are near the end of the *narratio* because we have not yet entered the *preces*. The *narratio* has reached the stage where the situation of the petitioners is being repeated, a passage which would serve well to make the traditional emotional transition to the *preces*. How many words we should assume for the rounding off may appear to be a matter for mere guesswork, perhaps 20-25; this will give a *narratio* which is somewhat shorter than those of **Saltus Burunitanus** and **Skaptopara** (230-

28 ἐκεῖνοι μὲν γὰρ μετὰ πολέμων καὶ φόνων πολλῶν εἰσῆλθον εἰς τὰ πράγματα, πολλοὺς μὲν τῶν ἐν τάξει ἀπολέσαντες, πολλοῖς δὲ ἀνηκέστων συμφορῶν αἴτιοι γενηθέντες, ὥστε πολλὰς μὲν ἐρημωθῆναι πόλεις ὑπηκόους, πολλὴν δὲ χώραν ἀνάστατον γενέσθαι, πλείστα δὲ ἀναλωθῆναι σώματα, ὥστε μὴ πάντα ὁσίως αὐτοῖς συμβῆναι μηδ' ἂν αὐτοὺς τοῦτ' εἰπεῖν ἔχειν περὶ αὐτῶν.

This goes in Swift's (1966:273-4) translation: 'In this way numerous cities under our control were brought to ruin, a great number of land was laid waste, and many lives lost. What happened in the case of these rulers was not wholly in accord with justice, nor could they make such a claim on their behalf.'

29 ἀνάστατος is also represented in the genuine speeches of Aelius Aristides (Athena D. 16; Panathenaic D. 133 and 177; To Rome 205; The first Leutric 417; and the Rhodian speech 554).

235). This would, however, be adjusted to the long *inscriptio* (45 words) and not affect the total length of the petition.³⁰ Accordingly a considerable part of the petition is missing.

³⁰ If we sum the words in **Aragua** up to the *preces* we get $45 + 42 + 235 = 323$. The number for **Skaptopara** up to the same point is 322.

KAVACIK, *Asia, Lydia.*

Petition (*libellus*) to Philippus Arabs and son from the inhabitants of a village. 247/8.

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b) texts

The only texts are in Herrmann (1962 and 1981).

2) DISCOVERY AND PUBLICATION

Herrmann found the inscription in the village Kavacık, Lydia, 3-4 km. to the west of Kula (see map at end of *TAM* V:1). He published it in 1962 and later - with a few improvements - incorporated it into *TAM* V:1. The inscription had been found in a field to the east of Kavacık in 1951, but was at the time of discovery part of a staircase in a private house in the village. When I visited Kavacık in November 1992, I was told that the inscription had been moved to a museum.

3) DESCRIPTION

From the remnants of this inscription one can see that it must have made an imposing monument in its pristine condition. The text had been cut on a tall marble stele, 1.47 high, 0.71 to 0.81 broad and 0.18 thick. The height of the letters is consistently 0.017. When found the stele had led a second life (probably already in antiquity) as a door sill, and for this purpose the left two-thirds of the text had been chiseled off to a depth of some centimeters. Herrmann (1962) admitted that some part could have been cut off at the top of the stele; this seems likely both from an aesthetic and contextual point of view. The width of the intact part of the inscription is 0.265. Aside from this vertical damage, general wear has erased the lettering at the door opening (ll. 33-39). One still recognises 43 lines which may have incorporated the complete *libellus* and *subscriptio*.

Despite the severe damage to the text, this inscription must, within this collection, take pride of place as an epigraphic monument. Both Herrmann's squeeze and photographs testify the high quality of the inscription.¹

1 Squeeze kept at Kommission für kleinasiatische Epigraphik, Vienna; filed under Lydia, Kollyda; marked Kollyda TAM V, 1 419 Kavacık. I acknowledge the the first rate copies which the *Photostelle* of the University of Hamburg prepared for me from Herrmann's negatives.

4) TEXT

1	ΖΥ δῆμῳ τῆς Μαι[ονίας? αἰγνυμένους τ[[Χ]οντες ἄλογ[ο]ν κ[αἰ	] πάσ-] έν]
4	τοῖς εὐτυχε[στ]άτ[οις ὑμῶν καιροῖς μεν ἰκετεύοντε[ς θεοῖς. τὸ δὲ πᾶν οὐτ[ε μενοι φρουμεντ[άριοι	] ] οἱ καλού-] οὔτε? οἱ πραι-]
8	τωριανοὶ οἱ εἰς τὸ [χωρίον ἡμῶν προφάσει εἰρήνη[ς πολέμου τρόψ[τους καὶ τῶν κολλ[ητιῶνων	] ] ἀλλὰ]]] τὴν ἀ-]
12	πληστίαν αὐτῶν [] μένων τοῦτο δὲ [] ποιουμένων καὶ [] [..]οὔντας καὶ δι []	
16	τας τοῦ ἀποκειμ[ένου μὴ φέροντες οὐ[] πραξιν καὶ ἐνόχ[λησιν φιλανθρώπου τυ[χεῖν	] ] εἶσ-]]] οἱ πρό-?] τῆς] ἀ-]
20	γ(?)ον[ο]μι μ[ά]λιστα ε[] λαμπροτάτης πό[λεως ποσχέσθαι αὐτο[ῦς τοῦτο καὶ θεοῦ Γο[ρδιανοῦ]]]]]]]]
24	νων κώμης τῆς Σα[] Ἑρμογένους στ[] κεκωλυκότος δὲ [] δὲ μόνοι ἀλλὰ κ[αἰ	] ] ] ] οὐ-] Ἄλε-]
28	ξάνδρου τοῦτο κ[] ὑμῶν τῆς φιλαν[θρωπίας χεστάτοις ὑμῶν [καιροῖς μνῶς εὔχεσθαι τ[ ]	] ] έν τοῖς εὐτυ-] σε-]]]

32	<i>τους. 6 lett. vacat</i> AC[CEPIMUS ?]
	<i>[Ll. 33-39 contain remains of Latin letters]</i>	
40	--- Μ ΛΛ --	
	V Λ T IRE NNIA	
	Ἔτους τλβ', μη(νός) [	ἐπιμεληθέντος τῆς]
	ἀναστάσεως Α[]

4) COMMENTARY

Reconstruction of the general outline

Several qualities contribute to make **Kavacık** an intriguing inscription. The extraordinary care taken when carving the monument is evident. The contrast in the quality in the calligraphy with the exactly contemporary **Aragua** and the geographically close **Ağa Bey Köyü** is striking. In antiquity this district was part of a highly urbanised area, which may explain the fine workmanship of the stone cutter.

What is left of the text serves almost like a checklist of key words for the genre. They are all here: The military units (*frumentarii*, *praetoriani*², *κολλητίωνες*); the peaceful pretext; the harassments (*ἐνόχλησις*, *εἰσπραξις*); the privileges and the references to the happy times. On this background one should think it possible to restore the text to a greater degree than Herrmann ventured, but on closer inspection this proves an elusive game. This may in part be explained by the possibility that the right-hand *lacuna* is more extensive than Herrmann realised.

Other fragments of *libelli* have lent themselves to a closer analysis by the rhetorical scheme, and this must be attempted for **Kavacık** as well. Even if some lines evidently are missing at the top of the document we are still in the *exordium*, where l. 1 probably ends the geographical presentation. From the comparative material it is likely that the petition comes from a village community within the territory of some town (cf. **Dagis**/ *Histria*, **Skaptopara**/ *Pautalia*). The letters **Μαι** probably form the start of the town *Maeonia*.³ Judging from *αἰγουμεένους*, [*πάσχ*]οντες ἄλογ[ον] and [ἐν] τοῖς εὐτυχε[στ]άτ[οις ὑμῶν καιροῖς] the *exordium* ends in a familiar way by using the contrast theme: You receive general praise (?), only we suffer unreasonably in your most happy times (cf. the similar passages in **Skaptopara** and **Aragua**).

At the outset one must realise that it is much more difficult to recover the contents of the *narratio* by this method; and so it proves in practice. τὸ δὲ πᾶν are probably the opening words apparently giving the surprising statement that the so-called *frumentarii* and *praetoriani* generally make no trouble (I follow Herrmann's οὔτε - οὔτε). Singled out for particular complaint is the notorious band of *κολλητίωνες*. The petitioners accuse them for

2 The *praetoriani* occur in this inscription only.

3 Admittedly the inscription is found outside the borders of its territory (cf. map in *TAM* V, 1). But at the time of discovery the stone was not *in situ*, and the village **Kavacık** is only 1 - 2 km. off the western border of *Maonia*'s territory.

claiming peaceful intentions, while proving unsatiable (ἀπληστία) in confiscating the common reserves of the community (τοῦ ἀποκειμένου), by illegal exactions and harassing the villagers (εἴσπραξις καὶ ἐνόχλησις). At this point they introduce the precedence of an earlier complaint which the town council apparently forwarded (τῆς λαμπροτάτης πό[λεως]) to the late emperor Gordian (θεοῦ Γορδιανοῦ) demanding that their territory should be left alone by these particular forces (ἀποσχέσθαι αὐτο[ὺς ἀπὸ τῆς χώρας?]). This reference also includes two names, Hermogenes and Alexandros, which point at a high social stratum and they may thus have qualified for city magistrates.

The lower part of the inscription is difficult to interpret. The unscribed space between *τους* and AC (l. 32) should indicate the end of the petition and some annotation in Latin.⁴ This leaves, however, only a few lines for the *preces*. This configuration clearly breaks with the regular proportions of imperial petitions. On the other hand the remaining text of ll. 29-31 apparently includes a request for a similar decision so that the petitioners can partake in the emperors' most happy times and pray for their well-being. The reading of ἀναστάσεως at the head of l. 43 undoubtedly marks the commissioning of the monument. The inscription should accordingly be complete at this point. It is not inconceivable that the text of the *preces* was cut short to accommodate the decision and commissioning of the stele.

Bad judgement - or rather indifference - chose ll. 33-39 for the entrance and thus the ensuing horizontal damage. Here are only the faintest traces of Latin letters. This is obviously the place for the *subscriptio* of Philippus Arabs and his homonymous son, M. Iulius Philippus. The date (l. 42) identifies them beyond doubt. The dating is according to the Sullan era, very commonly applied in this area, to 332 = 247/8 (cf. *TAM* V:I, Saittae and Herrmann 1972).

The general setting of Kavacık: κολλητίωνες and Philippus Arabs

On this fragile basis one can hardly comment specifically without running the risk of giving way to conjectures. One point must be made however. The Lydian inscriptions (**Ağa Bey Köyü**, **Kemaliye**, **Kasar** and possibly **Demirci**) all share with **Kavacık** the primary culprits, the κολλητίωνες.⁵ **Ağa Bey Köyü**, **Kemaliye** and **Kavacık** are petitions all addressed to two or more emperors. **Ağa Bey Köyü** and **Kemaliye** have traditionally - but without any compelling arguments - been dated to Septimius Severus and son(s). If the analysis presented above is sound, and the singling out of the κολλητίωνες as their primary target is also correct, we have a strong argument for redating these Lydian inscriptions to the short-lived rule of Philippus Arabs and son (beginning 244 - September/

4 Probably AC[CEPTUM] or the same word in abbreviation.

5 See **Kemaliye**, commentary on ll. 4-5.

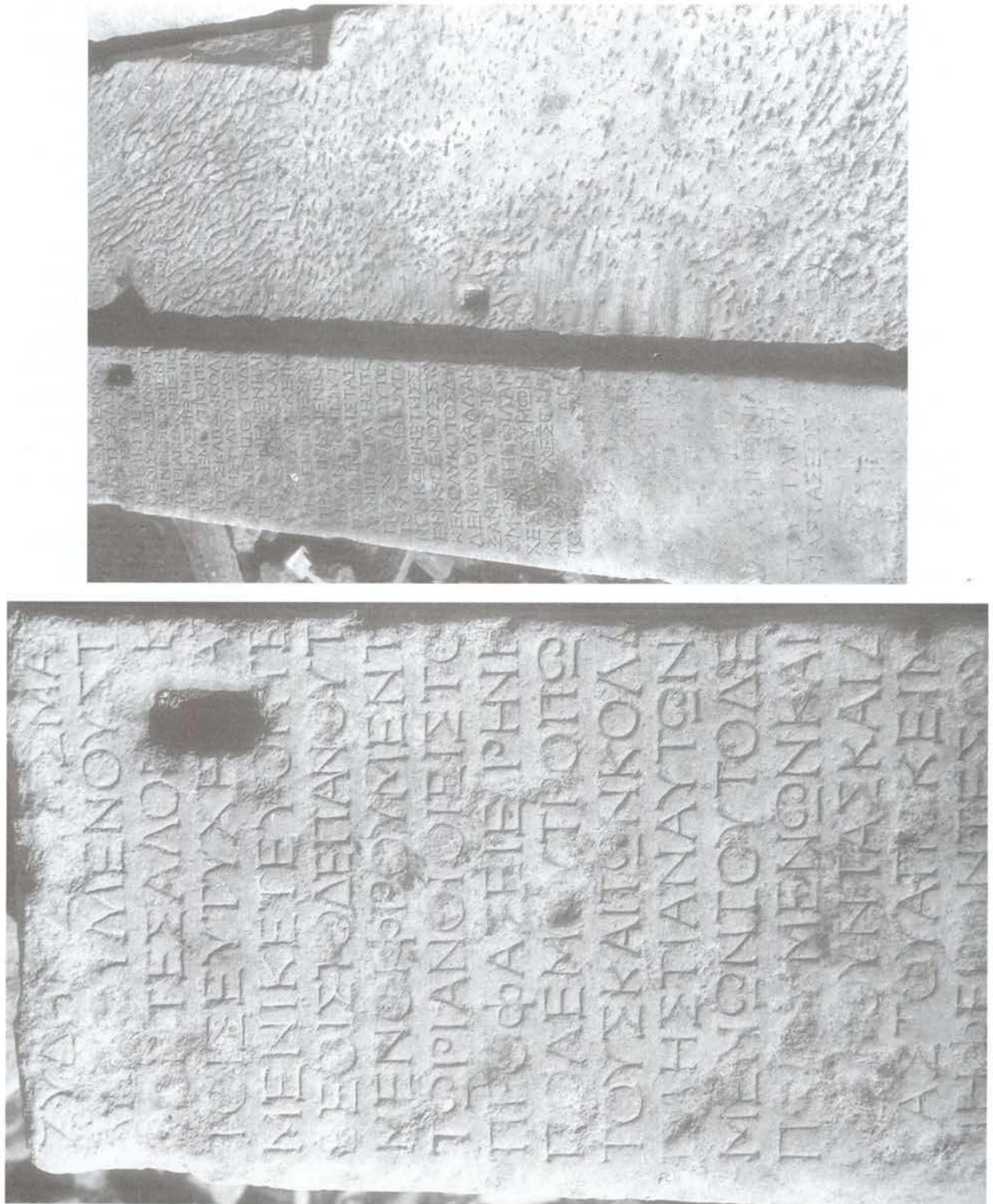


Fig. 7-8: Photographs of Kavack. **Top:** Overview which shows the right side worked down.
Bottom: Left border ll. 1-17.



Fig. 9-10: Left border continued. Top: Ll. 14-31.
Bottom: Ll. 28-43. Photos: Peter Herrmann.

October 249). The combined testimonies of the documents should then be interpreted as a pronounced local reaction against a band of *κολλητίωνες*. This suggests in turn that the unit was established around this date in the province of Asia, even if the testimonies from Egypt are datable to the prefectures of Q. Maecius Laetus (200-203) and Subatianus Aquila (206-211).⁶ The Lydian inscriptions constitute the only evidence for this unit outside Egypt. Administrative sources from Egypt will generally not serve to illuminate conditions in other provinces. There is accordingly no compelling reason to see their assignments in Egypt and Asia as parallel, either in time or function. The *κολλητίωνες* might well have existed independently in the two provinces.

⁶ For Laetus, see Rea (1983) publishing P. Berol. inv. 7374. For Subatianus Aquila, cf. *BGU* I, 23, (new edition by D. Craford 1974) and *P. Oxy.* VIII, 1100.

PART I, 2: RELATED INSCRIPTIONS

DAGIS, *Moesia inferior*, village on the territory of Histria.

Petition (*libellus*) to *legatus Augusti pro praetore*, Iulius Severus, from the inhabitants of Chora Dagis, and the *subscriptio* of Antonius Hiberus. Antoninus Pius, 159-160.

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2) DISCOVERY AND PUBLICATIONS

During their excavations in Histria, 1934, Mr. and Mrs. Lambrino found the inscription in the byzantine parts of the temple of Aphrodite. Lambrino (1935) reported briefly on the nature of the inscription. According to Stoian (1959:369) it remained in the magazines of the museum at Histria and was rediscovered in 1949. Then followed the three editions by Stoian (1951, 1959 and 1972) interspersed by improvements and critical commentaries from J. and L. Robert (1958 and 1961) and Woodhead in *SEG*. Museum at Histria, inv. 136 (A and B); B 1016 (C).

3) DESCRIPTION

The inscription has been cut in a bloc of yellow limestone with a quadratic base. The height is 0.61, and width 0.465. The height of the letters between 0.028 and 0.032. The text has been divided in three parts: I is in the front, II is on the right and III is on the left; whereas the opposite side of I is left vacant. The inequal number of lines, and of letters per line in each part is accounted for by the differing size of the letters. I refer to Stoian (1951 photo p. 139, facsimile p. 142; and 1959, facsimile p. 370, photo 371; and 1972) for exhaustive details.

4) TEXT, CRITICAL APPARATUS AND TRANSLATION

I	II
1 [Αὐτοκράτορι Καίσα-]	1 [- - - - - - - - -]
[ρι Τίτῳ Αἰλίῳ Ἄδρι-]	[- - - - - - - - -]
[ανῶ Ἀντωνείῳ Σεβα-]	[- - - - - - - - -]
4 [στῶ Εὐσεβεῖ εὐεργέ-]	4 [- - - - - - - - -]
[τη κ]αὶ σωτήρι τῆς κώ-	[..]ριαλ[- - - - -]
[μη]ς. Ἐντευξις τῶ κρ[α-]	[..]εν καὶ π[.....] πολλά-
[τίσ]τῶ ὑπατικῶ Ἰουλ-	κισ τοῦ ἔτους ὦ[σ-]
8 [ίῳ Σ]εουήρῳ παρὰ κω-	8 τε ἡμᾶς μηκέτι δύ-
[μη]τῶν χορα Δάγει. Ἡ-	νασθε ἐξυπηρετεῖν κα-
[μεῖ]ς κατοικοῦντες	[θ]ώ[σ]περ καὶ οὐκ ἐξυπη-
[καὶ ἔ]χοντες τὴν κώ-	ρέτησαν ο[ί] ἐκ τοῦ λεγο-
12 [μην] παρὰ τὴν δημοσί-	12 μέν[ο]ν Λαϊκοῦ Πύργου ὄ-
[αν ὀ]δὸν βαρούμεθα	θεν ὠδεύετο αὕτη ἡ δη-
[ταῖ]ς λιτουργίαις καὶ ἀ[ν-]	μοσία ὁδὸς τὸ πρῶτον,
[γαρεία]ς ὑπηρετοῦν[τ-]	οἵτινες μὴ ὑποφέροντες
16 [εσ ... το]σοῦτο μὲν [...]	16 [τ]ὰς τε λιτουργίας καὶ τὰς
[- - - - - - - - -]	[ἀ]νγαρείας τῶ τότε χρό-
[- - - - - - - - -]	[ν]ῶ ἐπέδωκαν βυ[β]λε[ί-]
[- - - - - - - - -]	διον Ἀ[ν]τωνίῳ Ἰ[β]ήρ[ω]
20 [- - - - - - - - -]	20 [- - - - - - - - -]

IIIa

- 1 [- - - - -]
 [- - - - -]
 [......]δεόμεθα[- - - - -]
 4 [κ]αὶ ἡμεῖς [- - τῆς σοῦ]
 [ἀσ]υ]νκρίτου φιλ[ανθρω-]
 πίας ἐλεῆσε ἡμ[ᾶς ἀν-]
 θρώπους πένητ[ας λιτ-]
 8 [ο]υργοὺς καὶ δοῦνα[ι ἡμῖν]
 [ὑπο]γραφῆν τοιαύτη[ν ὥστε]
 δύνασθε ἡμᾶς δι[ὰ τῆς σοῦ]
 φιλανθρωπίας κα[ὶ ὑπογρα-]
 12 [φῆς] καταμένειν [ἐν τῇ κώ-]
 μη καὶ μὴ μετοκ[εῖν εἰς ἔ-]

IIIa cont.

- τερον τόπον. Ἐπ[ο]γραφῆ ὑπα]
 τικοῦ· Secundu[m supscri-]
 16 tionem Anton[i claris-]
 simi (*sic*) memoriae [viri hae-]
 c leg[at]i subscriptio, [munera et]
 angarias pra[e]beant].

IIIb

- 1 Ἐγ[ρα]ψεν.....πρ]ὸ κω-
 μητῶν ἐπὶ μ[αγ]ιστράτων
 12 Ἄρτεμιδώρου Ἀρίστωνος
 καὶ Μίκκου Γαίου.

CRITICAL APPARATUS

Abbreviations: **S1** = Stoian (1951); **S2** = Stoian (1959); **S3** = Stoian (1972); **R1** = *BE* (1958), no. 341; **R2** = *BE* (1961) no. 426; **W** = *SEG XIX* (1963) no. 476; **P** = *Inscriptiones Daciae et Scythiae minoris antiquae*, 1983, no. 378; **H** = author.

I:

Ll. 1-4: **S1** writing Ἀντωνεῖν (!) Εὐσεβεῖ Σεβαστῶ; Ἀντωνεῖνω Σεβαστῶ Εὐσεβεῖ **H**.

Ll. 4-5: εὐεργέτ[η] | κ]αὶ **S1**.

Ll. 6-7: κρ[α] | τίσ]τω (?) **S1**.

L. 9: χόρα Δάγει 'ou un seul mot' **R1**; χόρα Δάγει **S2**.

Ll. 14-15: ἀ[ν] | γαρεία]ις ὑπηρετοῦν[τ] | ες ... το]σοῦτο μεν] **S1**; 'plutôt τοῦτο' **R1**; [το]σοῦτο retained by **W**, **S3** and **P**.

II:

Ll. 7-8: ᾧ[δε ὡσ] | τε **S1**; ᾧ[δε (?) ὡσ] | τε **R1**; ᾧ[σ] | τε **R2**.

IIIa:

Ll. 4-5: [δ' ἐ]νκρίτου **S1**; [τῆς σοῦ (οἱ σῆς) ἀσ]υ] | νκρίτου **R1**.

Ll. 7-8: [λιτ] | ο]υργοὺς **S1**; ὑπουργοὺς suggested **R2**.

L. 9: [ἀντι]γραφῆν **S1**; [ὑπο]γραφῆν **R1**. τοιαύτη[ν καὶ] **S1**; τοιαύτη[ν ὥστε] **R1**.

L. 10: δι[ὰ σου] **S1**; 'il faut l'article et le possessif, ajoutons-nous' **R2**.

Ll. 12-13: [ἐν κώ] | μη **S1**; [ἐν τῇ κώ] | μη **R1**.

Ll. 13-14: μετοικ[εῖν ἡμέ] | τερον **S1**; μετοικ[εῖν εἰς ἔ] | τερον **R1**.

Ll. 14-15: ὑπ[... ὑπα] | τικοῦ **S1**; Ἐπ[ο]γραφῆ ὑπα] | τικοῦ **R1**.

TRANSLATION¹**Imperial dedication** (I, ll. 1-6)

[For Emperor Caesar Titus Aelius Hadrianus Antoninus Augustus Pius benefactor and] saviour of the village.

Petition to Iulius Severus*Inscriptio* (I, ll. 6-9)

Petition to the most illustrious consular, Iulius Severus, from the inhabitants of the village Dagis.

Narratio (I, l. 9 through II)

As we are living and having our village by the public road, we are burdened by liturgies and requisitions, we serve as much [...]

[...] many times a year so that we cannot serve, just as those from the so-called Laikos Pyrgos, where the road originally started, could not fully satisfy the demand for service. When they could not manage the liturgies and requisitions, at that time they delivered a petition to Antonius Hiberus [...]

Preces (IIIa, ll. 4-14)

[...] we too ask your incomparable goodwill to show compassion on us, who are poor and taxed, and to give us such a response (*subscriptio*) that we, through your goodwill and response (*subscriptio*), can remain in the village and not move to another place.

Gubernatorial *subscriptio* (IIIa, ll. 14-19)

Response (*subscriptio*) of the consular: 'In accordance with the response (*subscriptio*) of Antonius, a man of most illustrious memory, the response of the legate (is): they shall provide offer liturgies and requisitions.'

Dedication of monument (IIIb, ll. 1-4)

[...] wrote on behalf of the inhabitants of the village under the magistracies of Artemidoros, son of Ariston and Mikkos, son of Gaius.

¹ There are translations into French by Stoian (1959 and 1972) and into Rumanian in *I. Histria*, 378.

6) COMMENTARY

General outline

Several features make the petition from the district of Dagis remarkable: firstly its early date; as an epigraphical petition it is only preceded by the unpublished **Şapçılar**. Ll. IIIa 14-17 also inform us that another legate had issued a *subscriptio* some 20 years earlier on the same question. The structure and terminology are also striking by being in place, but it also preserves older terminology such as *βυβλείδιον* and *ἔντευξις*. Last but not least, the petition concerns *λειτουργία* and *ἀνγαρείαι* (picked up as *munera et angariae* in the answer), an aspect which emphasizes the peculiarities of this epigraphical genre.

There are extensive remains of the three basic parts (*inscriptio*, *narratio* and *preces*) as well as the *subscriptio* of the addressee, the *legatus Aug. pr. pr.*² The *inscriptio* takes ll. I, 6-9, the *narratio* ll. II, 9 - III and the *preces* ll. III, 3-14. There is no *exordium*. Extensive parts, especially of the *narratio*, have been lost. The petition is written in a direct, but not very specific way. Its primary characteristic is that it omits details and refers to the causes by general terms as *λειτουργία*, *ἀνγαρείαι* and *ὑπηρετεῖν*. Consequently it is not possible to extract finer details about the conditions of the petitioners. This is obviously linked to their restricted aim of having the same (definite ?) rulings applied to them, as those that earlier were given to the petitioners from the neighbouring village, *Λαϊκὸς Πύργος*.

It is certainly not prudent to make too much out of this single source, but it is of great value to be able to observe that the *libellus*-procedure seems to have operated in *Moesia inferior* at this fairly early stage of its history, and that **Dagis** is a unique document in this corner of the Empire.

7) DETAILED COMMENTARY

I

Ll. 1-6: On the basis of *σωτήρι* (l. 6) Stoian (1959:377-8 and 1972:89-90) concluded that the inscription was dedicated to an emperor, to citing *IG III, 1, 526* (Athens) (where *σωτήρι*, incidentally, is restored in a fairly long lacuna) and *IG V, 2, 130* (Tegea). As an example of a dedication to an emperor at the head of an inscription Stoian referred to *CIL VIII, 25902* (**Henchir Mettich**). The choice of this particular emperor, Antoninus Pius, is of course due to the identification of the legate, Iulius Severus (ll. 7-8).

Both *εὐεργέτης* and *σωτήρ* are rather old monarchial epithets, taken as names by the Ptolemies, Seleucids and Attalids. In an inscription from Myra (Ehrenberg & Jones 1976:no. 72) both Augustus and Marcus Agrippa are called *τὸν εὐεργέτην καὶ σωτήρα*. Of more direct relevance is l. 1 Łukaszewicz (1981:357). The part preserved by the papyrus starts a few words into the *preces*: *[Σω]τήρα καὶ Εὐεργέτην ἐλεῆσαι ἡμᾶς κτλ.* Otherwise they are very commonly, but not exclusively, used about emperors.

2 For petitions to provincial governors, cf. Millar (1977:248, n. 53).

Ll. 5-6 τῆ[ς κώμης] is preferable to e.g. οἰκουμένης due to the length of the lacuna (Stoian).

L. 6 ἔντευξις is the first word in the petition proper and it states the nature of the document (cf. Part II, chapter 1, para. 4). It is the technical word for petition in Ptolemaic Egypt (cf. Guéraud 1931). Under the Roman empire the Latin term *libellus* had a similar position. In the present corpus ἔντευξις also occurs in the introduction to the speech of **Skaptopara**, ll. 110 (see commentary).

Ll. 6-8 τῷ κρ[ατίσ]τῳ ὑπατικῷ Ἰουλίῳ Σεουήρῳ: These words are the first part of the address, set in the usual form of a *libellus*: receiver in the dative case, sender marked with a preposition, no greetings (cf. Premerstein 1926: 31-2). At first sight the combination of κράτιστος/ *vir egregius* and ὑπατικός *consularis* may seem puzzling. κράτιστος is the common, Greek rendering of the honorary title, *vir egregius*, of equites in imperial service, that is *procuratores*, whereas (*vir*) *clarissimus*/ λαμπρότατος were used about senators and members of their families. The senatorial honorific *clarissimus* seems to have come into regular use during the principate of Hadrian. The *egregius*/ κράτιστος-scheme was first established firmly in the early years of Marcus Aurelius (cf. Hirschfeld 1901:581 and 584-7, Pflaum 1970:164 and 177-8). Cf. commentary on **Takina** ll. 5-6 for the special case of imperial letters.

The identification of the *consularis*, the *leg. Aug. pr. pr.*, Iulius Severus has not yet not been settled. The names of two legates, T. Statilius Severus (*PIR* S 598; **RE** III A 2192, n. 21) and L. Iulius Statilius Severus (*PIR*² I 588; cf. **RE** X 822, n. 487) are known, functioning in 159 and 160 respectively. Thomasson (1984:135, n. 90, following Nesselhauf) suggested that it may be one and the same person whose full name perhaps could have been L. Iulius T. Statilius Severus. Even if this question remains unanswered, it gives a fairly accurate date for the inscription.

Lambrino (1948:330) examined 14 inscriptions discovered in Histria and erected by villages in honour of Antoninus Pius and Marcus Aurelius. A common feature is that the Romans presented themselves by *gentilicium* and *cognomen* only; this habit is followed in this inscription also.

Ll. 8-9 παρὰ κωμητ[ῶν] χωρὰ Δάγει: The second part of the address marks the sender, they style themselves as villagers, κωμηταί.

The name of the particular village has caused much brain-twisting, I follow Stoian in taking χόρα for χώρα (cf. Threatte 1980:228, 12.012 'Confusion of ω and ο in the Roman Period') and Δάγει as dative of the otherwise unknown Δάγεις. The phrase is then set in dative (locative), but the absence of the preposition ἐν seems awkward. In the epigraphical petitions addresses are only preserved in the petitions from **Skaptopara** and **Aragua** where the petitioners presented themselves respectively as (ll. 10-11) παρὰ κωμητῶν Σκαπτοπαρηνηῶν τῶν καὶ Γρησειτῶν and (ll. 5-6) παρὰ Αὐρελίου Ἐγλέκτου περὶ τοῦ κοινοῦ τῶν Ἀραγοηνηῶν.

Ll. 12-13 παρὰ τὴν δημοσί[αν] ὁδόν: The public road and the trouble it makes for the inhabitants is the theme of the petition; this information must be supplemented by the passage in II, ll. 11-14.

δημοσία ὁδός is the Greek rendering of the latin term *via publica*. Ulpian defines it (Dig. 43. 8, 2, 21-2): *Viam publicam eam dicimus cuius etiam solum publicum est: non enim sicuti in privata via, ita et in publica accipimus [...] Publicas vias dicimus quas Graeci βασιλικάς³, nostri praetorias, alii consulares vias appellant*. The Greek expression, τὰς ὁδοὺς τὰς δημοσίας, is found in a passage by Papinianus (Dig. 43. 10, *De via publica et si quid in ea factum esse dicatur*). It is an obvious desideratum to relate the position both of Δάγεις Λαϊκός and Πύργος to a particular road, but this is unfortunately not possible as the inscription was found out of context. Stoian (1959 and 1972) too, is - due to the insufficient evidence - rather vague on this point. The road can therefore only be suggestively defined. See further commentary, II, ll. 11-4.

LI. 13-14 λειτουργίαις καὶ ἀ[ν]γαρείαις: Cf. the similar coupling in II, ll. 16-7 and III, 18-9, [*munera et*] *angarias*.

In The Digests, book 50, chapter 4 (*De muneribus et honoribus*) and 5 (*De vacatione et excusatione munerum*) much material relevant to this juxtaposition is collected. Chapter 4 is dominated by the two post-classical writers, Hermogenianus and Aurelius Arcadius Charisius (cf. Wenger 1953:522-3), but there is an extensive part by Ulpian, too. But in sum, the material is fifty to a hundred years late in comparison with the Dageis-inscription. Both Hermogenianus and Arcadius give a distinction between personal and patrimonial munera: Hermogenianus (50. 4,1): *Munus civile quaedam sunt patrimonii, alia personarum*. The distinction is later summarized (4, 3): *Illud tenendum est generaliter personale quidem munus esse, quod corporibus labore cum sollicitudine animi ac vigilantia sollemniter extitit, patrimonii vero, in quo sumptus maxime postulantur*. Arcadius (50. 4,18) gives a tripartite division, adding *munera mixta* to the personal and patrimonial. In chapter 4 and 5 there are given further illuminating examples. Ulpianus (50. 4,3): *Eos milites, quibus supervenientibus hospitia praeberi oportet, per vices ab omnibus, quos id munus contingit, suscipi oportet*. And further *Praeses provinciae providet munera et honores in civitatibus aequaliter per vices secundum aetates et dignitates, ut gradus munerum honorumque qui antiquitus statuti sunt, iniungi, ne sine discrimine et frequenter isdem oppressis simul viris et viribus res publicae destituantur*. Arcadius (50. 4,18): *Cursus vehicularis, item angariarum praebitio personale munus est*. Hermogenianus (50. 5,11): *Sunt munera, quae rei proprie cohaerent, de quibus neque liberi neque aetas nec merita militiae nec ullum aliud privilegium iure tribuit excusationem: ut sit praediorum collatio viae sternendae angariarumve exhibitio, hospitis suscipiendi munus (nam nec huius quisquam excusationem praeter eos, quibus principali beneficio concessum est, habet) et si qua sunt praeterea alia huiusmodi*.

In short: this seems to indicate that there existed a personal obligation to serve, a *munus personale*. The obligation was in this instance particularly activated by the presence of a public road: they were obliged to partake in its maintenance, to receive guests and to be requisitioned (*angaria*). The quotation by Arcadius also shows that *angariarum praebitio* was classified as a *munus*. And this leads us to the conclusion that the coupling of λειτουργίαι καὶ ἀνγαρείαι here is to be taken almost as a hendiadys, where the first item is general, the second specific.

LI. 15-16 ὑπηρετοῦν[τες]: This word is recurring in strengthened form in II, 9 and 10-1 (*ἐξυπηρετεῖν*). As remarked above the petitioners used words on a general level, words that semantically overlap, cf. e. g. Suidas s. v. λειτουργία: *κυρίως ἢ δημοσία ὑπηρεσία παρὰ τὸ λήιτον καὶ τὸ ἔργον*.

3 Cf. Euhippe, l. 8.

From the contents of the petition it seems as the problems connected to the road are termed *λειτουργία καὶ ἀνγαρεία*, whereas to fulfill (*ὑπηρετεῖν*) is used about the older - and primary in the eyes of the villagers - duties. A closer knowledge of the village's structure is needed to elucidate this further.

II

Ll. 9 and 10-11: The word *ἐξυπηρετεῖν* is used apparently in the same sense, *to serve to the utmost*, in P. Leit. no. 9 (a petition to *praefectus Aegypti* where brickmakers protest against prolongation of compulsory service). See also *TAM V:2*, no. 983 (ll. 23-25, *καὶ ἐν ἄλλαις [ἀρχ]αῖς καὶ λειτουργίαις αὐτοῦ ἤδη ἐ[ξ]υπηρετοῦντες τῇ πατρίδι*).

Ll. 11-14 ο[ι] ἐκ τοῦ ... τὸ πρῶτον: The passage tells us that the public road originally started in a village called *Λαϊκὸς Πύργος*, whose inhabitants had experienced similar problems and sought a remedy by presenting a petition to the legate of the province, Antonius Hiberus. The name *Λαϊκὸς Πύργος* indicates that there was a tower or fortification in the village.⁴ In an inscription from Tomis (*CIL III*; 7533, cf. Lambrino 1948:325) we learn about a village called *Vicus Turris Muca*. It is a fair conclusion that the village gave its name to the tower and, subsequently, the tower to the village (Stoian 1972:106). The expression *τοῦ λεγομένου* tells us further that the name as yet is not the official or traditional one. It also indicates that both the road and the fortification are of a relatively recent date (by our datings the two petitions are separated by ca. 20 years). As remarked above (comm. I. ll. 12-13), it is not possible to give a precise reconstruction, but I will suggest that the road was constructed to serve the fortification (or vice versa, cf. Lambrino 1948:342-4) and that the villagers of *Λαϊκὸς Πύργος* at this time were exposed to services of a new kind. These were solved by writing and presenting a petition to the provincial legate and by the regulations of his rescript. At this time Dagus was beyond the public road; somewhat later (in the inscription reflected by the imperf. *ὠδεύετο* and *τὸ πρῶτον*) the road was prolonged and lead along Dagus which then encountered the same obligations or problems as *Λαϊκὸς Πύργος*. They chose the same means to have their obligations regulated. And the legate of 159/160 could simply apply the regulations of 138/9 (which must be a complement to Antonius Hiberus).

L. 19 Ἀ[ν]τωνίω Ἰ[β]ήρ[ω]: The identification of Antonius Hiberus, referred to (IIIa, ll. 16-17) again as *Anton[i claris]simi (sic) memoriae [viri]*, has up to now not been conclusive. The same Antonius Hiberus is most likely the object of the reference as (*CIL III*, 781, l. 15 = *ILS 423* = *IGRR*, I, 598) *Antonii Hiberi gravissimi praesidis*, in a letter to Heraclitus, *procurator portorii Illyrici*, sent as an *exemplum* to C. Ovinus Tertullus, *leg. Aug. pr. pr.* in Moesia inferior 198/201 (cf. Thomasson 1984:139, no. 107) by Septimius Severus and Caracalla where they confirm the immunity of the town Tyras. In the same letter the emperors refer to Antoninus Pius and the imperial brothers (Marcus Aurelius and

4 Cf. Vulpe (1953:744): 'L'inscription grecque d'Histria où figure un *λαϊκὸς πύργος* de l'époque d'Antonin-le-Pieux, n'a rien à voir avec les *λαοί* de l'Asie Mineure. Il s'agit d'un village de *Lai* formé autour d'une fortification du littoral voisin d'Histria, semblable au *vicus turris Muca* [...] des environs de Tomis.'

Lucius Verus) as well. The common conclusion, then, is that Antonius Hiberus must be M. Antonius Hiberus, *consul ordinarius* of 133, and *leg. Aug. pr. pr.* in Moesia Inferior about 138-139 (cf. Fitz 1966:15 and Thomasson 1984:146, no. 150: *probabilis coniectura est Antonium Hiberum, cos. suff. [sic !] 133, primis Pii annis Moesiam inferiorem rexisse*).

It is of great interest for the historical evolution of the *libellus*-procedure to have these datings. Of equal interest is to note the use of the technical terms ἐπιδιδόναι βιβλίδιον and *subscriptio*, ὑπογραφή.

PHAINA, Syria.

Letter (*epistula*) from *legatus Augusti pro praetore*, Iulius Saturninus to the village (*μητροκωμία*) of Phaina. Reign of Commodus. 185-187.

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c) translations

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2) DISCOVERY, DESCRIPTION AND PUBLICATIONS

Burckhardt (1822:115-8) reported the inscription to be in the ruinous village Missemā. The village is almost due south of Damascus, on the northern fringe of the volcanic area al-Lejā, and is part of the Hauran. Missemā (or in the modern transliteration Mismīyyeh¹) must be identical with the village Φαῖνα, recorded by the adjectival form Φαινῆσιοι in several inscription at the place.²

The inscription was cut on the right post of the main entrance to the building. This position explains the short lines. Burckhardt defined the building as a temple; later on in the 19th century it was known as a *praetorium*, and at a succeeding stage it was even given an important role as a link in the evolution of Early Christian and Byzantine architecture.³ It is the merit of Weigand's article to firmly reintroduce the building as the temple it was. The temple suffered damage during the 19th century; between 1827 and 1830 the central vault collapsed. Finally the Turks demolished the temple to use the material for barracks (Weigand 1938:75-6). Therefore the inscription could no longer illustrate what the expression ἐν προδήλω τόπῳ implied. In 1975, however, S. Hill wrote a note on this building and republished two photographs taken exactly one hundred years

1 Cf. Weigand (1938:72, n. 4) on the bewildering number of spellings of this name. The lack of standard applies to the whole region and not being able to improve on it myself, I have tried to follow the spellings of Dentzer (1985 and 1986).

2 Cf. Le Bas & Waddington (1870, nos. 2525) Φαινῆσιοι ἀφιήρωσαν, and 2530 - 2532 (= IGRR III, 1113 and 1120 - 1122).

3 Cf. Weigand (1938:71) who referred to Dehio and von Bezold: *Die kirchliche Baukunst des Abendlandes*, Stuttgart 1892, vol. I, p. 47.

earlier by the American missionary, Selah Merrill at the behest of the American Palestine Exploration Society. The photographs were part of an album of 100 which were only distributed to some of the subscribers of the society. This may explain why they had for so long gone unnoticed. From the reproductions one can easily recognize the inscription on the right doorpost even if it will not serve for a critical reading of the text. The original prints will, however, and by the support of the librarians at the Ashmolean Museum, Oxford and Rupert Chapman, the secretary of The Palestine Exploration Fund, London, I have been able to examine the relevant print.⁴

Apart from the invaluable example of what could serve as a prominent place, the photographs have solved the minor confusion about where the inscription was cut. Both the primary witnesses, Burckhardt (1822:117 'On one of the jambs of the door') and Le Bas & Waddington (1870:573 'Sur le montant de droit de la porte du temple'), stated that it was cut on one post, given - correctly - as the right one by Le Bas & Waddington (1870). Letronne (1823:490) had got this wrong, possibly because Burckhardt had the text broken into two columns in his reproduction: 'Elle est gravée sur les deux jambages de la porte d'un temple'. Perhaps from Letronne, perhaps added independently, *OGIS* expressed the same view.⁵

Burckhardt (1822) included only a transcription, whereas Letronne (1823:490) used Burckhardt for his own text and translation. Waddington (1870) inspected the text personally and both *OGIS* and *IGRR* used his text. But as Waddington only gave a continuous text without line divisions, this information must for all later editions (i. e. *CIG*, *OGIS*, *IGRR* and Abbott & Johnson 1926) stem from Burckhardt or Letronne.

4 The collection of photographs kept in London is no longer complete. It does include no. 24, which gives the facade; but no. 25 which gives the interior of the building, is apparently lost. One should notice that this numbering does not agree with the one given by Hill (p. 348), who says that no. 23 gives the facade and no. 24. the interior. The photographs were originally published as: 'List of Photographic Views, taken Expressly for the American Palestine Exploration Society, during a Reconnaissance East of the Jordan, in the Autumn of 1875,' *Palestine Exploration Society. Fourth Statement*, New York 1877, pp. 101-13.

5 The dedications (Le Bas & Waddington 1870, nos. 2525 and 2528 = *IGRR* III, 1113 and 1116) did not inform us about the deity; Weigand assumed this to be Ζεύς Φαινήςσιος Ἐπήκοος on the basis of an inscription published in Syria III, A, Inscript. t. Leyden 1921, 434, no. 800.



Fig. 11–12: Photographs reproduced from Merrill (1876), no. 24.
Top: Facade of building with inscription on right post. **Bottom:** Detail of right post.

3) TEXT, CRITICAL APPARATUS AND TRANSLATION

1	Ἰούλιος Σα- τουρνῖνο- ς Φαινησί-		νοις, καὶ ξε- νῶνα ἔχον- τες οὐ δύ-
4	οις μητρο- κωμία τοῦ Τράχωνος χαίρειν·	24	νασθε ἀνα- νκασθῆ- ναι δέξασ- θαι ταῖς οἰ-
8	ἐάν τις ὑμῖν ἐπιδημήση βιαίως στρα- τιώτης ἢ	28	κίαις τοὺς ξένους. ταῦ- τά μοι τὰ γράμματα
12	καὶ ιδιώτης, ἐπιστείλαν- τές μοι ἐκ- δικηθήσεσ-	32	ἐν προδή- λῳ τῆς μη- τροκωμί- ας ὑμῶν χ-
16	θε». οὔτε γὰρ συνεισ- φορὰν τι- να ὀφείλε-	36	ωρίῳ πρόθ- ετε, μή τις ὡς ἀγνοή- σας ἀπολο-
20	τε τοῖς ξέ	40	γήσηται.

CRITICAL APPARATUS

Abbreviations:

B	Burckhardt (1822)
L	Letronne (1823)
LBW	Le Bas & Waddington (1870)
H	Author

LI. 14-16: ἐκ | δικήσεσ | θαι; ἐκδικήσεσθε L in transcription: 'causée par la ressemblage de prononciation entre AI et E.', adopted by LBW e. a.

LI. 24-26: ἀνα | νκασθῆ | ναι B, L & LBW; ἀνα | «κκασθῆ | ναι OGIS 609; true reading not recoverable from photo H

LI. 29-30: Between these two lines a *vacat* eq. two and a half lines, probably because of damage to the stone
H

TRANSLATION

(II. 1-7) Iulius Saturninus to the people of Phaina, a district center (mētrōkōmia) in Trakhon, greetings.

(II. 8-16) If any soldier or even private person use force to stay in your homes, you shall write to me and you shall obtain satisfaction.

(II. 16-29) For on the one hand you do not owe a general contribution to visitors; and since on the other you have a guest-house, you cannot be compelled to take the visitors into your homes.

(II. 29-40) You shall display this letter in a prominent place in your district center (mētrōkōmia) so that nobody shall plead ignorance.

5) GENERAL COMMENTARY

To gain proper admission among the instruments documenting the sequence *libellus/ subscriptio*, this short inscription from Phaina, Syria, should at least have given the appropriate details of the approach which instigated the letter of the *legatus Aug. pr. pr.*, Iulius Saturninus.⁶ Generally letters answered letters, but since instructions to display a response are normally not included in *subscriptions*, we cannot rule out that the initiative of the village was put forward in a petition. Whatever the circumstances of the approach, the inscription is a direct and immediately comprehensible document which sheds light on the main theme of the petitions, problems arising from the system of requisitions (ἀγγαρεία/ ξενία/ *hospitium*).

6) DETAILED COMMENTARY

LI. 1-3 Ἰούλιος Σατουρνίνος: Cf. Thomasson (1984:313-4, no. 65). This consular legate can be traced by quite a number of inscriptions over the years 185 - 187.

LI. 3-4 Φαινησίους: For other examples of this adjective, probably derived from Φαίνα, cf. above 2). It is also documented in an inscription from Rome (*IGRR* I, 180: Ἀγρίππας Φούσκου Φαινῆσιος θεοσεβῆς).

LI. 4-5 μητροκωμία: This term is apparently used about the main villages of a region without proper city status. From Le Bas & Waddington (1870, nos, 2396b and 2480) we know of two more *μητροκωμιαί* in the region of Trakhon, a fact which makes a point of the missing definite article.⁷ This particular area profited from its cultivation under Roman

6 Cf. Euhippe, II. 4-6 (ἐπεὶ προσφυγόντες ἢ Εὐνιπέων πόλις τῇ μεγάλῃ Τύχῃ τοῦ κυρίου ἡμῶν αὐτοκράτορος), where both the circumstances and the expression makes it clear that a the emperor had been approached through a *libellus*.

7 Cf. Weigand (1938:73): '[...] war nicht der, sondern nur einer der Hauptorte der Trachonitis'; and not the mother village as in Heichelheim (1938).

rule, which is reflected in the fact that Phaina later gained status as both a bishop seat and eventually town.⁸

Ll. 9-10 ἐπιδημήση βιαίως: βιαίως carries both the meaning *by force* and *illegally*. This notion is otherwise conveyed by words like (παρ)ένοχλέω, διασείω and πλημμελέω.

Ll. 10-12 στρατιώτης ἢ καὶ ιδιώτης: For this coupling, cf. **Skaptopara** II, 35-53. One must think of well situated private persons with retinues, to figure how they could force themselves upon the local population. ἢ καὶ can have the meaning *or and*, or introduce a climax in the sense *or even*; for the latter usage cf. Denniston (1966:299 and 306).

Ll. 14-6 ἐκδικηθήσεσθε: For the spelling, cf. critical apparatus. For the use of ἐκδικέω, cf. **Ağa Bey Köyü**, ll. 41-2: (ὦ)ν ἐὰν μὴ ὑπὸ τῆς ὑμετέρας οὐρανίου δεξιᾶς ἐκδικία τις ἐπὶ τοῖς τοσοῦτοις and Mitchell (1976:107) ll. 4-5: [...] *sed quoniam licentia quorundam praesentem vindictam desiderat*; and ll. 28-29: ἐπεὶ δὲ ἡ τινῶν πλεονεξία παραυτικά ἐκδικίαν αἰτεῖ. Cf. also s. v. ἐκδικέω in the indices of TAM V, 1 and 2.

Ll. 16-18 οὔτε γὰρ συνεισφοράν: The compound of συν- and εἰσφορά has few if any exact parallels, whereas εἰσφορά is quite common.⁹ Letronne (1823:491) suggested the alternative reading οὔτε γὰρ οὖν εἰσφοράν, even if he preferred the one given by all later editors, as οὖν would not give good sense in this case. But the period is incongruous as οὔτε γὰρ is picked up by καὶ (l. 21); cf. Denniston (1966:419). It seems to assign much weight to the first, general statement that they had no obligation at all to serve; the second item is subordinated to make this even clearer.

Letronne understood συνεισφορά as the '*fournitures collectives auxquelles chaque habitant devait contribuer pour sa part, afin de subvenir à l'entretien des étrangers*'.

Ll. 21-29 καὶ ξενῶνα ἔχοντες οὐ δύνασθε ἀνανκασθῆναι δέξασθαι ταῖς οἰκίαις τοῖς ξένοισ: The Phainians had acquitted themselves of the obligation to provide hospitality by building a particular guest-house.¹⁰ There must have been good reasons to do so as Phaina was on a main road (cf. Bauzou 1986).

8 Cf. Hierokles, *Synekdemos*, 723, 1 and *Notitia episcoporum*, 1025.

9 See l. 5 of the letter by an unknown authority (Hadrian ?) to the Lyncestae (Oliver 1989:147-150, no.56, who translates ἡ δὲ συνεισφορὰ γενέσθω ἀπὸ τῶν ἐν Μακεδονίᾳ ὄντων Ἀντανῶν, with 'and their share of the special levy shall be collected from the Aetani who are in Macedonia'). Συνεισφορὰ also occurs in doc. 8 of Reynolds (1982; l. 43, translation p. 62, and commentary p. 81). Here she rendered συνεισφορὰς πάντων τῶν πραγμάτων τῶν κεχωρισ[τῶν], by 'should be exempt in all respects from the joint levy [...?] on the Maeander', and interpreted further (p. 81) the συνεισφοραὶ as 'levy-groups'.

10 In the literature there are not many references to guesthouses; the most illuminating reference to the nuisance may be the one in Plutarch Sert. 6. 8, 1: μάλιστα δὲ τῶν ἐπισταθμῶν ἀπαλλάξας ἡγαπήθη τὸς γὰρ στρατιώτας ἠνάγκαζεν ἐν τοῖς προαστίοις χειμάδια πῆγνυσθαι, πρῶτος αὐτὸς οὕτω κατασκηνῶν. Cf. also the petition from Orkistos (ILS 6091): *Ita enim ei situ adque ingenio locus opportunus esse perhibetur, ut ex quattuor partibus [e]o totidem in sese congruant viae, quibus omnibus [p]ublicis mansio [e]a me[di]jalis adque accommoda esse dicat[ur]*. On the other hand Isaac (1992:298, n. 185) refers to H. I. MacAdam *Berytus* 31 (1983) who stated that the references to public guesthouses in inscriptions from Syria are too numerous to be listed individually.

The reference to the public guest-house may be the missing link in the argument concerning soldiers leaving the main roads (for the recurrence of this theme, cf. Part II, Chapter 4). By itself the argument is a very meagre enthymeme; the missing *suppositio maior* should be (1) *there shall be guesthouses (mansiones/ σταθμοί) at suitable intervals along the main roads*, to be followed by (2) *soldiers shall use these and pay for their stay with their travel allowance (viaticum/ ὀψώνιον/ ἐφόδιον)*, leading to (3) *soldiers are not allowed to leave the main roads in order to billet privately (especially not for free while harassing the populace)*.

It is not surprising, however, that the soldiers preferred to stay in private houses. One incentive was (and is) the temptation to save their provision money (no better parallel than in Saint John's speech in St. Luke 3, 14: ἐπηρώτων δὲ αὐτὸν καὶ στρατευόμενοι λέγοντες, Τί ποιήσωμεν καὶ ἡμεῖς; καὶ εἶπεν αὐτοῖς, Μηδένα διασεΐσητε μηδὲ συκοφαντήσητε, καὶ ἀρκεῖσθε τοῖς ὀψωνίοις ὑμῶν). Similar, negative encounters may be reflected in Saint Paul's rhetorical question τίς στρατεύεται ἰδίοις ὀψωνίοις ποτέ (1. Cor 9. 7; *quis militat suis stipendiis umquam, Vulgate*). De Blois (1978-1979:27-9) draws attention to the deminishing purchasing power of the soldiers' pay. Further, from personal experience, one knows such places as ill-looked after and definitely not the best place to recuperate; and so they appeared to the unfortunate ass of Apuleius.¹¹ All these references show how hard it was to administer and to get round the unpleasantness of requisitions.

LI. 29-40: The instruction for a public display is common, not to say indispensable, in regulations given to protect the populace. We find it in the edict of Sex. Sotidius Strabo Libuscidianus (**Burdur**).¹² The notice are also present in **Tabala** (ll. 25-6, much restored), **Takina** (it is the very point of document 3, ll. 19-29 and also of document 6, ll. 46-53).¹³ Further the petitioners of **Skaptopara**, ll. 101-106, express the wish for such a publication: ἐὰν κελεύσης τὰ θεῖα σου γράμματα ἐν στήλῃ ἀναγραφέντα δημοσίᾳ προφανεῖσθαι, ἵνα τοῦτο τυχόντες τῇ Τύχῃ σου χάριν ὁμολογεῖν δυνησόμεθα. Similarly inscribed on a temple, is an *edictum* of the *praefectus Aegypti*, Vergilius Capito, with an equivalent passage (ll. 10-13).¹⁴ For a much later and even more emphatic counterpart, cf. the edict of Justinian published by Mordtmann (1879= *OGIS*, 521).¹⁵

11 Cf. *The Golden Ass*, VIII, 23: *Hac quoque detestabili deserta mansione [...]*; cf. also I, 17: *Sumo sarcinulam et, pretio mansionis stabulario persoluto, capessimus viam*; for a presentation and discussion of the historical evidence of this novel, cf. Millar 1982, for this phenomenon pp. 67-9 are of particular importance.

Cf. also the expressive description by Gregorius Nazianzenus in *De vita sua*, 439-445: Σταθμός τις ἐστὶν ἐν μέσῃ λεωφόρῳ | τῆς Καππαδοκῶν, ὃς σχίζετ' εἰς τρισσὴν ὁδόν, | ἄνυδρος, ἄχλους, οὐδ' ὄλως ἐλεύθερος, | δεινῶς ἀπευκτὸν καὶ στενὸν κωμῦδριον. | κόμισ τὰ πάντα καὶ ψόφοι καὶ ἄρματα, | θρήνοι, στεναγμοί, πράκτορες, στρέβλαι, πέδαι, | λαὸς δ' ὅσοι ξένοι τε καὶ πλανώμενοι. (Reference Tomas Hägg.)

12 Cf. Mitchell 1976:107, ll. 5-6 and 29-30; see his commentary on the phenomenon, pp. 116-7. For a general comment, cf. Gordon (1985:14).

13 Both **Tabala** and **Takina** were published subsequently to Mitchell (1976).

14 Cf. Evelyn White & Oliver (1938, no. 1) = Mihailov (1966:228-9, appendix no. 14). Translated in Lewis & Reinhold (1966:401-2). The edict was sent to Posidonius, the strategus of Girgeh, The Great Oasis, with the order quoted: Βούλομαι οὖν [σ]ε ἐν [τά]χει ἔν] τε τῇ μητροπόλει τοῦ νομοῦ καὶ καθ' ἑ[καστον τόπον] αὐτὸ προθεῖναι σαφῆσι καὶ εὐσήμοις [γράμματα]σιν, ἵνα [παν]τί [ἔκ]δηλα γένηται τὰ ὑπ' ἐμοῦ [σταθέντα]. Cf. also P. Lond. 1912 (= Oliver 1989, no. 19), ll. 6-11.

15 Ll. 8-13: ταῦτα δὲ καὶ ἐν αὐτοῖς προτεθῆναι τοῖς τόποις ἐθεσπίσαμεν καὶ στήλαις ἐνχαράττεσθαι

This practice was, however, in no way limited to documents of imperial times. *SIG*³ II, 609 (much better text in *RDGE* no. 37, translated in Sherk 1984:11-2, no. 12) gives the text of a letter from M' Acilius Glabrio to the Delphians (dated early 190 B. C.) concerning Aetolians who had taken illegal possession of Delphian property and houses; Glabrio had the Aetolians evicted. In ll. 1-2 we find the following passage: [Ἵμεῖς δὲ φροντίσατε ἵνα ταῦτα πάντα ἀναγραφέντα εἰς στήλην λιθίνην ἀνατεθῆι ἐν τῷ[ι ἱερῷ. Ἐὰν δὲ τινες ἀντιποιῶνται κτλ.

Of even greater relevance to our study may be the passage from Sulla's letter to the Dionysiac artists (in an inscription from Kos, *RDGE* no. 49, ca. 81 B. C.) ll. 8-15: ἐπέτ[ρεψα στήλην] παρ' ἡμῶν ἐν τῷ ἐπισημοτάτῳ τόπῳ ἀναθή[σεσθαι ἐν ᾗ] ἀναγραφῆσεται τὰ ὑπ' ἐμοῦ δεδομένα [τοῖς τεχνίταις] φιλόανθρωπα· πρεσβεύσαντος δ[ὲ] νῦν αὐτοῦ εἰς Ῥώμην,] τῆς συγκλήτου δὲ δόγμα π[ερὶ] τούτων ψηφισαμένης, ἡμᾶς] οὖν θέλω φροντίσαι ὅπως [ἀποδειχθῆ παρ' ἡμῶν τόπος ἐπισημοτάτος ἐν ᾧ ἀναθή[σεται ἢ στήλη ἢ περὶ τῶν τεχνιτῶ]ν.¹⁶

The letter of M. Antonius to the koinon of the Greeks in Asia (Kenyon 1893 = *RDGE*, no. 57 = Sherk 1984:105-6, no. 85, either 42-41 or 33-32 B.C.) concerning immunity from military service, liturgies and billeting (ἀστρατευσία, ἀλειτουρησία, ἀνεπισταθμία) has in ll. 24-28 the following passage: καὶ τὰ νῦν πάλιν ἐντυχόντος μοι τοῦ Ἀρτεμιδώρου ὅπως ἐξῆ αὐτοῖς ἀναθεῖναι δέλτον χαλκῆν καὶ ἐνχαράξαι εἰς αὐτὴν περὶ τῶν προγεγραμμένων φιλοανθρώπων.¹⁷

Finally, these instructions, blended with common sense, are summarised by Ulpian (in *Libro vicensimo octavo ad edictum* = *Digesta* 14. 3, 11, 3): *Proscribere palam sic accipimus claris litteris, unde de plano recte legi possit, ante tabernam scilicet vel ante eorum locum in quo negotio exercetur, non in loco remoto, sed in evidenti. Litteris utrum Graecis an Latinis? puto secundum loci condicionem, ne quis causari possit ignorantiam litterarum.*¹⁸

λιθίνας ἐνηγνημέναις ἐκεῖ πρὸς τῇ θαλάττῃ, ὥστε καὶ τοὺς ἀπαιτοῦντας καὶ τοὺς ἀπαιτούμενους ἀναγινώσκωσιν τὸν νόμον καὶ τοὺς μὲν δεδιότας ἀπέχεσθαι ἀπληστίας.

16 The privileges of the guild and the purpose of the inscriptions they were allowed to put up is a striking parallel both in contents and purpose to the Severan *sacrae litterae* of 204. Their intention was obviously, as Sherk (1969:266) remarks, to erect steles in the major cities to which the guild most frequently sent their members.

17 The purpose of this inscription must be parallel to the one from Kos, as ll. 1-5 also are extant in an inscription found in Tralles, cf. Keil in *JÖIA* 14 (1911) 1123-34.

18 For a date for this work (started in 211), cf. Honoré (1982:129-48). Libuscidianus' edict (cf. n. 186) is for this reason given in both Latin and Greek. See also Goodman (1983:141 with Millar 1990:212, n. 10) and Williamson (1987:163-4) who, concentrating on Republican material on bronze, stressed the symbolic, in preference to the informative, value of legal publication.

KILTER (Çevrepınar Köyü), Asia, Phrygian Pentapolis.

Letter of a tribune quoting a *ὑπογραφή* (*subscriptio*) of T. Flavius Sulpicianus, *proconsul Asiae*. 187-191.

1) DISCOVERY AND LOCATION

Michael Ballance discovered in 1955 the inscription on the track to Yavaşlar, about 1 km. to the west of Kilter. Kilter is a village on the north-western edge of the Pentapolis plain, in approximately equal distance from Eumeneia (modern Işıklı), to the south-west, and Sandıklı, to the north-east (36 km). Kilter is also known under the name Çevrepınar Köyü. At the time of discovery the slab was set above a waterbasin. It was fixed in its position by the use of mortar which appears clearly on the photograph at the top, left and right sides. I visited the site in November 1992 without finding it. Ballance included the inscription in his thesis submitted to Edinburgh University in 1960 (pp. 61-2, no. 77).

2) DESCRIPTION

Documentation

Ballance's record of the inscription on site was limited to a rather bad photograph and an at least adequate paper squeeze. There was no time for a copy. Physical damage to the stone included the cutting away of the bottom, removal of a large shallow chip at the right edge and a roughly circular depression near the centre. In addition the whole of the inscribed face of the marble had been so eroded that even in the best preserved parts the grooves of the letters had become broader than they were originally cut. In the first few lines the erosion had gone so far that any traces of letters that remained were mere ghosts, the erosion of the grooves being only very slightly deeper and more irregular than that of the surrounding flat surfaces.

Ballance has made the drawing (Fig. 14) and he described his technique as follows: '[The drawing] was traced off a half-scale photograph of the squeeze with constant reference to a darker print from the same negative, a print from another negative of the squeeze with the direction of the lighting rotated 90 degrees and a print at the same scale of an overexposed and heavily overdeveloped negative of the stone. The squeeze itself was consulted at intervals and carefully compared with the finished drawing. In the circumstances it is only fair to say that the drawing is an interpretation of the squeeze not an exact record of it. The transcription is the work of three people at different periods; Calder and Ballance in 1955/6, Ballance in the late 1950's, Hauken and Ballance in 1990. Something has been added at each stage; it is unlikely that very much has been missed, and to be hoped that we have not found anything that was not originally on the stone.'

Measurements

Height 0,38, width 0,56. Height of letters uniformly 0,018.

Form of letters

The lettering has no special peculiarities; any date from mid-second to mid-third century would be possible: The Ω is written with a horizontal stroke underneath (Ω); the E has the middle stroke detached from the vertical, as has the H. The number of letters per line varies from 28 in l. 5 to 33 in l. 14. The start of the *subscriptio* quoted is marked by a *vacat*; the second part of it is separated from the first by a stop (>); at the end there is a small circle (◦).

3) TEXT

[...χαίρειν. Ἀνέγνων τὸ βιβλίδιον τοῦ]¹
 2 [δεῖνος τὸ ἐπιδοθὲν τῷ λαμπροτάτῳ ἀν]-
 [θυπάτ]ω Τ. [Φλ. Σου]λπικιανῷ ὡς τῶν [χωρί]-
 4 ῶν αὐτοῦ τῶν τε ἄλλων καὶ μάλιστα Ζ[.]
 μου καὶ Μαδίλου ἐνοχλουμένων ὑπὸ
 6 στρατιωτῶν καὶ ὑπογραφῆν τῆν ὑπογ[ε]-
 γραμμένην· ν ὁ ἀξιολογώτατος Λίγυ[ς]
 8 μὴ ἐπηρεάζεσθαί σου τὰ χωρία κατὰ [μη]-
 δένα τρόπον φ[ρον]τίσει. > τοῦ αὐτοῦ δὲ [καὶ]
 10 ὁ ἀξιολογώτα[το]ς χειλίαρχος πρόνο[ιαν]
 ποιήσεται. ◦ ν ἂν οὖν τις τῶν ὑπ' ἐμοὶ τ[ε]-
 12 ταγμένων στρατιωτῶν διαπορευόμ[ε]-
 νος τὰ τοῦ δεσπότου σου χωρία, ἥτοι ὁ[δη]-
 14 γὸν αἰτῶν ἢ ἄριστον ἢ δεῖπνον ἢ εἴ τι ἄλλο
 τοιοῦτο ἐνοχλήσῃ, ὅπερ ὅ τε λαμπρότα-
 16 τος ἢ[γεμών - - - - -]

4) TRANSLATION

[..., greetings. I have read the petition of n. n. presented to the most illustrious proconsul, T. Fl. Sulpicianus - alleging that his estates, and especially Z[.]mos and Madilos, are being harassed by soldiers - and the response (*subscriptio*) [which is] quoted below:

'The most honourable Ligy[s] shall see to it that your estates are not being abused in any way. The most honourable tribune shall also take care of the same.'

Consequently, if any of the soldiers placed under my command on his way through the estates of your master show misconduct by demanding either a guide, breakfast, dinner or any such thing, that the most illustrious (*vir clarissimus*) [*proconsul*]

1 The restoration of ll. 1-2 is only *exempli gratia*.

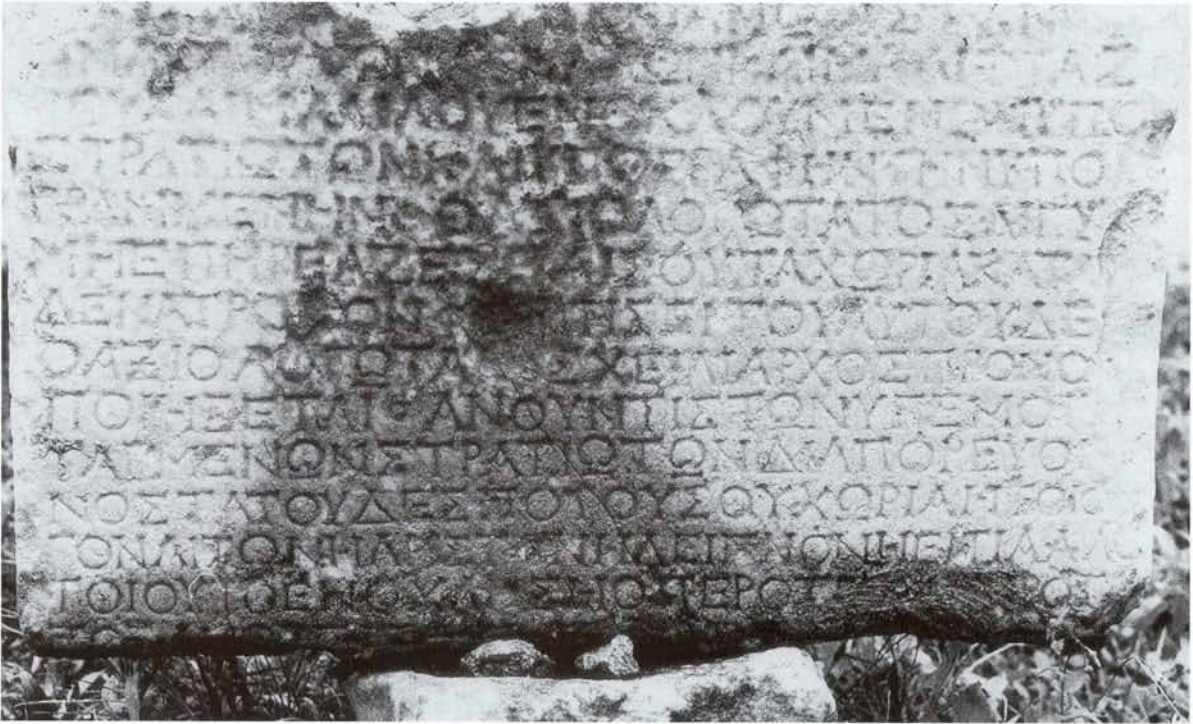


Fig. 13: Photo of Kilter. © Michael Ballance.

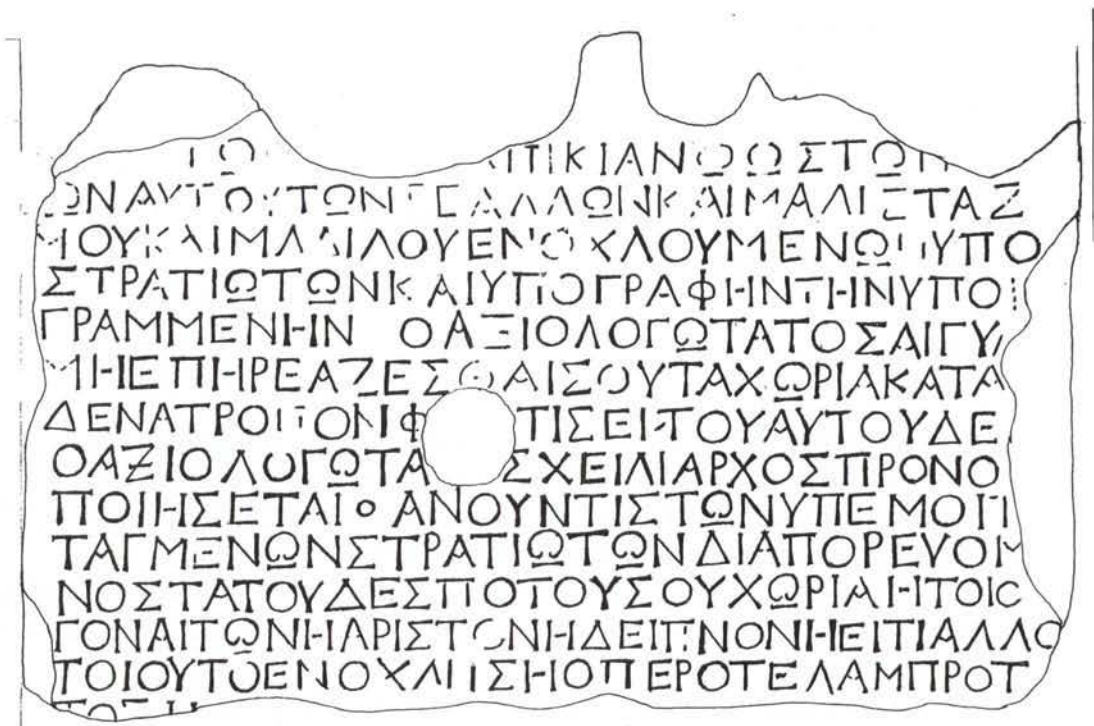


Fig. 14: Drawing of Kilter. © Michael Ballance.

4) GENERAL COMMENTARY

Place of discovery: the Phrygian Pentapolis

Balance summarized briefly the results of a fairly thorough survey of the plain in 1955: 'Kilter is only a few miles from the main Roman road through the Pentapolis, given by the Peutinger Table as *Dorileo XX Nacolea XL Conni XXXII Eucarpia XXX Eumeneia - Pella XII ad Vicum XIII Apamaea Ciboton*. According to Ramsay (1987:718, n. 652) some of the inscriptions at Kilter were said to have been brought from Yanık Ören, which lies just beside the most probable line of this road, down the valley of the Kufi Çay, from Eucarpia (Emirhisar) to Eumeneia. Yanık Ören is an extensive site though not as rich in terms of squared stone and high quality pottery as some of the Pentapolis city-sites. It seems to have produced the grave stone of an otherwise unknown bishop, and is at any rate a possible site for the city of Otrous; if only because a bishop implies a city and that the other four members of the Pentapolis, Eucarpia, Stektorion, Brouzos and Hierapolis can all be located elsewhere with reasonable certainty. Ramsay's placings of Eucarpia at Emirhisar and Brouzos at Kara Sandıklı were confirmed by additional inscriptions. Stektorion at Kca Hüyük (between Menteş and Elli Mescit) seems almost certain, and Hierapolis at Koçhisar very likely. Otrous remains problematical. Ramsay's site at Çorhisar is even less suitable for a city than Yanık Ören, and Sandıklı itself is assumed (not necessarily rightly) to be a purely Turkish foundation.'

General outline and context

Traces of letters in l. 2 are still visible on the squeeze, but they are so faint that no transcript can be attempted; there are no remains of l. 1. The restorations given rely on the following inferences. Ll. 5-6 - *καὶ ὑπογραφήν τὴν ὑπογ[ε]γραμμένην* - give the key to the understanding of the sentence. In this context the term *ὑπογραφή* (*subscriptio*) is only used about answers to petitions; this kind of response was written below the petition at the bottom of the same sheet. The expression *καὶ ὑπογραφήν τὴν ὑπογ[ε]γραμμένην* is consequently to be connected with a petition.² The contents of this petition, however, is only known by the brief summary given by the genitive absolute in ll. 2-5 (*ὡς τῶν [χωρί]ων αὐτοῦ τῶν [τε] ἄλλων καὶ μάλιστα Ζ[.]μου καὶ Μαδίλου ἐνοχλουμένων ὑπὸ στρατιωτῶν*).³ The parallel link to *καὶ ὑπογραφήν* must then have been set in front of the genitive absolute. At that point it is attractive to suggest an expression like *βιβλίδιον* (or any of the synonyms *ἀξίωσις*, *δέησις*, *ἔντευξις* or *ἰκετεία*), followed by the name of the petitioner, and *τὸ ἐπιδοθὲν τῷ λαμπροτάτῳ ἀνθυπάτῳ Τ. Φλ. Σουλπικιανῷ*. At the start of this sentence we must set a verb to the meaning *I have seen, been presented with, or*

2 Wörrle (1988:32; the Demosthenes foundation of Oinoanda) suggested that the writ presented to the governor and which he responded to by his *subscriptio* (ll. 115-116), was in fact in the form of a *ψήφισμα*; Mitchell (1988:118) offered a parallel to this procedure and agreed to Wörrle's suggestion in (1990:187). A similar practice may be envisaged for the relationship between documents 1 and 3 in the dossier from *Takina*. In our case, however, the proconsular *subscriptio* can only have been motivated by a petition.

3 It is important to see this passage as a parenthesis; if not, the gap between the governing verb and its second object could be felt uncomfortably long and the *καί*'s of ll. 3 and 4 would confuse the structure.

preferably the simple *I have read*, ἀνέγνω.⁴ The letter was written by either the professionally unidentified Ligys or the anonymous tribune. The latter is the most plausible suggestion as he is directly linked to soldiers. Alternatively one could suggest that the proconsul himself informed the persons mentioned or hinted at in his *subscriptio*. But it will not do in this case as the petitioner himself instructed his representative, the manager of his estates to do this. This is a simple conclusion from the fact that the estates in the letter are referred to as τὰ τοῦ δεσπότη σου χωρία. It is also in keeping with the general impression of actions subsequent to *subscriptioes*, that the petitioners themselves had to follow up their cases.⁵

As the text now stands it can clearly be divided into three segments: the introduction (ll. 1-6) referring to the owner in the 3rd person (l. 3 αὐτοῦ); the proconsular *subscriptio* addressed to the owner (l. 7 σου τὰ χωρία); and the letter from a military commander to the manager of the estates (l. 12 τὰ τοῦ δεσπότη σου χωρία). The words immediately before the break (ll. 14-15 ὅπερ ὃ τε λαμπρότατος ἡ[γεμών]) clearly refers to the proconsular *subscriptio* of ll. 6-10.

Following this reasoning this reconstruction follows: A proprietor of several estates has petitioned the *proconsul Asiae* forwarding complaints against at least two administrative and military units. He received a specific reply directed at two different authorities; these must have been named in the petition. The owner entrusted his estate manager with the task of approaching one of the authorities specifically mentioned in the *subscriptio*. He has in turn complied with the proconsul's decision by writing a fairly elaborate letter.

The *proconsul Asiae* and the date of the inscription

There are several clues to identify T. [Φλ. Σου]λπικιανῶ with a *proconsul Asiae*. The passage at the end of the inscription, ὅπερ ὃ τε λαμπρότατος ἡ[γεμών], is undoubtedly a reference to the issuer of the *subscriptio*; the issuer is at the same time the superior of the *praefectus* (or *tribunus*); and the only magistrate known to have answered petitions and issued *subscriptioes* is the *proconsul Asiae* (for this point, cf. commentary to ll. 7-11).

To restore T. [Φλ. Σου]λπικιανῶ of [...].λπικιανῶ and to identify him with T. Flavius Claudius Sulpicianus, *proconsul Asiae* under Commodus, may seem less secure, but as far as the text can be read it seems to fit the evidence.⁶ Sulpicianus was a prominent politician of his days. He was suffect consul under Marcus Aurelius, *leg. Aug. pr. pr.* of a

4 For a not too good parallel, cf. Takina, l. 41. In official statements like this ἀναγινώσκω certainly implied more than simply to have read; it rather conveys that the subject acknowledges the receipt of the notification and has acquainted himself with its contents (cf. the use of οὖν in l. 11).

5 The parallel material from Egypt to this procedure is abundant. The Roman, imperial practice contrasts with the Hellenistic usage as e. g. reflected in a letter by Eumenes II to the council and people of Tralles (cf. Welles 1934:172, no. 41 and Piejko, 1988:55-69, for a new edition of the text and parallels). In his letter Eumenes confirmed the privileges of the sanctuary of Apollo and added at the end of the letter (ll. 10-12, Piejko's text): [γέγραφα δὲ καὶ Θε]μιστοκλεῖ τῷ στρατηγῶι ὅπως μηδεὶς ἐνοχλῆι ὑμᾶς καὶ ἵνα αὐτὸς φροντίζηι τῶν π]ρογεγραμμένων κα[θάρ]περ ἡξιοῦτε - -]. For a discussion of the Roman system within the *subscriptio*-procedure, cf. Honoré (1981:31-2, n. 58) and examples from *Digesta* (viz. 42. 1, 33 and 48. 6, 11).

6 For T. Flavius Claudius Sulpicianus, cf. Grosso (1964:542-6); Pflaum (1966:54-60, no. 13); Alföldy (1968:112-60, esp. p. 142); Eck (1974:122); Halfmann (1979:187-8, no. 110); Thomasson (1984:232, no. 163) and Leunissen (1989:142, 149, 265-6, 308 and 402).

province (which has not been identified), followed by the proconsulate of Asia which must have taken place in the last years of Commodus, one of the years 187-191.⁷ *This span of years also gives the date of the inscription.* It is worth noticing that his identification with this post relies upon the evidence of an inscription from Miletos reported in 1908, but which up to recently remained unpublished.⁸ He was father-in-law of Pertinax, who made him *praefectus urbi* on January 1, 193 and he remained in this post until the murder of Pertinax on March 28. He then sought the promotion as emperor, but the soldiers avoided him due to his relation to the murdered emperor.⁹ His name is included in the catalogue in SHA of senators whom Septimius Severus executed.¹⁰

The restoration of his name is conjectural, but it must have had some abbreviation as the space between ω at the start and the first letter of the *cognomen* does not allow for a full spelling of the *nomen* or *gentilicium*.¹¹ Even if *-Ipcianus* does not fit any other known proconsul, we must allow for an unknown entity (the ratio of known/ unknown proconsuls in the period 180-250, is not comforting). The first uses of the honorary epithet *λαμπρότατος* of a *proconsul Asiae* stem from the reign of Commodus.¹²

The military commanders and units

There are three military levels at work in the inscription: (1) the plain soldiers mentioned in ll. 6 and 12, (2) their commander, a tribune, l. 10 and (3) the superior of both the soldiers and the tribune, the issuer of the *ὑπογραφή*, the *λαμπρότατος ἡγεμών* of ll. 15-16.

The obvious way of reconstructing the command is to identify the issuer with the *proconsul Asiae* (as below, commentary to ll. 4-5), the *ἀξιολογώτατος χειλίαρχος* as the tribune of an auxiliary cohort.

When comparing this inscription and the complaint contained in it, with the other petitions of similar content from Asia Minor, we notice that it is directed against the soldiers of a regular military force, not the members of a procurator's *officium* (as e. g.

7 Thomasson and Halfmann (see n. 6) give 187-191; Leunissen (p. 222, n. 49) says 'ich sehe keine Möglichkeit, das Jahr seines Konsulats oder das Jahr seines Prokonsulats näher zu bestimmen'.

8 Cf. Wiegand (1908:20). The inscription has finally been published by Herrmann (1980:92-8, esp. pp. 95-7 = *SEG XXX*, 1980, no. 1349 = *AE*, 1981, no. 762). The publication seems to have passed the notice of the last two authors given in n. 6. I owe the reference to W. Eck.

9 So Herodianos 2. 6, 8-9: *κατὰ δὲ τὸν αὐτὸν καιρὸν καὶ Σουλπικιανός, καὶ αὐτὸς ἀνὴρ τῶν ὑπατευκότων, ἔπαρχός τε τῆς πόλεως γενόμενος (πατὴρ δὲ ἦν τῆς Περτίνακος γυναικός), ἦκε τὴν ἀρχὴν ὠνούμενος. ἀλλὰ τοῦτον μὲν οὐ προσήκοντο φοβηθέντες οἱ στρατιῶται τὴν πρὸς τὸν Περτίνακα συγγένειαν, μὴ τις ἄρα δόλος εἴη ἐς τὸ ἐκδικηθῆναι τὸν ἐκείνου φόνον.* See also the compatible passages in Cassius Dio, 74. 7, 1 and 74. 11.

10 SHA, *Septimius Severus* 13. 1-4: *Occidit autem hos nobiles [...] Claudium Sulpicianum.* Cf. also Cassius Dio 75. 8, 4. On this passage, cf. Alföldy (1989:164-178, which is a revised version of the article published in *Bonner Historia-Augusta-Colloquium 1968/ 1969*, Bonn 1970, 1-11).

11 For a similar abbreviation cf. first the spelling given in the inscription from Milet (n. 8) ll. 13-14: *ἐπὶ ἀνθυπάτου Φλ. Σουλπικιανού;* cf. also Ramsay (1897:146, no. 33 = *MAMA IV*, no. 265 = *IGRR IV*, no. 766), giving a text from Sazak (between Hierapolis and Motella), dated to late 1. or 2. century, l. 9, *Τι. Κλ. Ἐρμογένης*, and l. 11, *Τ. Φλ(αούιος) Ἀγαθήμερος.*

12 See ll. 1-3 of *I. Eph.* III, 619: [*Γ. Ἄρριον Ἀντωνῆνον*] τὸν λαμπρότατον ἀνθύπατο[ν] and Thomasson (1984:232, no. 62).

Ağa Bey Köyü). Here we do not know whether such a unit may hide behind the duties of the undefined first ἀξιολογώτατος (see commentary on ll. 7-11). It is tempting to suggest that the soldiers that are causing trouble belong to two different units. We can thus explain why the tribune emphasized that his orders concerned the soldier placed under his command; and it implies that the other commander probably would have to take similar responsibility for the behaviour of his soldiers. The information also raises the question whether these forces can be delimited or identified. The only permanent and well documented garrison in this region was the auxiliary cohort stationed at Eumeneia (modern Işıklı).

The Eumeneia garrison

The garrison at Eumeneia has appeared more clearly over the years. Ramsay (1897:379-80) was first puzzled by the number of Roman soldiers' epitaphs discovered in this town. Buckler, Calder & Cox (1926:74-8, no. 201) later published an inscription that recorded the transference under Hadrian of the *cohors I Claudia Sugambrorum veterana equitata (quingenaria)* from Moesia Inferior to Eumeneia. Ritterling (1927:28-32) was the first to conclude that Eumeneia was a garrison town and that the mentioned cohort was relieved before 157 by the *cohors I Raetorum (equitata)*. Ramsay (1928:181-90 and 1929:155-60) supported this later. Further evidence of this permanent camp was offered by an inscription from 196 recording the reconstruction of the *castra* after its destruction by an earthquake (MAMA IV, no. 328). This was later accepted by Sherk (1955:400-13). Quite recently further documentation has been provided by the first military diploma from Asia Minor.¹³ This was issued to a Lualis, *Mamae filius, pedes* in the *cohors I Raetorum : quae est in Asia sub Flavio Tertullo, praefecto Flavio Iuliano*. As the diploma can be dated to 148, Overbeck (1981:69-70) identifies Q. Flavius Tertullus as proconsul Asiae for 148/9. Now an Ephesian inscription gives decisive proof that this particular cohort, *cohors I Raetorum*, remained at Eumeneia in the 3rd century. Moreover this inscription from Ephesus proves that the Eumeneian cohort had a crucial role in the province, as it provided staff for the *officium* of the *procurator Asiae* (ll. 11-13, *stratura militum coh. I Raet(or)um qui in officio eius deputantur*). As such it provides some of the most concrete evidence for the use of military forces in the province of Asia.¹⁴

It must then have been for *Coh. I Raetorum* that the fort at Eumeneia was rebuilt by Severus in 196/197 after an earthquake. In 1955 Ballance could still read the outline of it on the outskirts of the town Işıklı. It measured 115 paces, a little over 100m, square on the outer face of the walls, which were at least 2m thick and built of mortared rubble, presumably once faced with small stone blocks; only short and badly robbed stretches of

13 Overbeck (1981:265-76), this is no. 100 in Roxan (1985:165-66).

14 Engelmann & Knibbe (1984:135-149, esp. p. 141, Inv. 4366 and Dep. 2370); this text is an honorary inscription for L. Lucilius Pansa Priscillianus, also known from the two identical texts of *I. Eph.* 696A.

the walls survived and there was no sign of the gates or towers; the ditch, separated from the walls by a berm, could be traced at some points.¹⁵

A one-hectare fort might have been large enough for a *cohors quingenaria equitata*, or even for an *ala quingenaria*, if, as seems likely, a significant proportion of its strength was always on detached duty elsewhere in the province (see n. 14).

An unpublished dedication from Emircik now makes it clear that *Coh. I Raetorum* remained at Eumeneia at least until the accession of Gordian III in 238; the additional title *Gordiana* might be a reward for distinguished service during Shapur's invasion of Syria in 242; or, more probably, for a well-timed declaration of loyalty to the boy Emperor at his accession; in any case the title is not likely to have remained in use after his murder in 244.

Of the ultimate fate of *Coh. I Raetorum* we know nothing. It is clear from the epitaph of Aurelius Mannus, horse-archer and *draconarius* on the staff of the *praeses* of Caria and Phrygia, that troops were still stationed at Eumeneia under Diocletian.¹⁶ It is possible that *Coh. I Raetorum* had been brought up to date by the inclusion of a *turma* of horse-archers, or that it had been replaced by some other unit.

The private estates and the purpose of the inscription

We are not at all well informed about private estates in this region, but the inscription presents a welcome supplement to what we know about imperial and senatorial estates in Phrygia and in the province of Asia. Apart from the inscription from **Aragua** and the imperial estate mentioned there, Strubbe (1975) has delimited a number of imperial estates in central Phrygia. The inscription from **Takina** gives an example from the south-west corner of Phrygia and **Sülmenli** testifies to an extensive estate to the east of Synnada and Dokimeion. All three inscriptions relate to some aspect of requisitioned transport and unwanted billeting. So does the imperial pronouncement commonly known as the *sacrae litterae* of Septimius Severus and Caracalla (see commentary on **Takina**, The language of composition).

15 In 1990 Ballance stated on the basis of his 1955-notebook: 'Memory, not entirely to be relied on after 35 years, suggests that it lay on the south-east side of the modern town, near the stream flowing from the spring. The line of the north wall of the fort is perhaps visible in MAMA IV, pl. 11, beginning just above the left of the crown of the smaller of the two trees at the centre of the picture and running to the left for 4-5 cm. One cm. above the left end of this line are what could be two short stretches of the south wall, one of the reasonably well preserved. In 1954 the epitaph of *Aur. Glycon[ides?]* and early bishop of Eumeneia (*JRS* 16, 1926, 73, no. 200) was photographed '150m west of the fort'; it lay in the open against a background which, though out of focus, suggests a Turkish cemetery such as the one visible in the MAMA plate just to the left of the minaret.'

Since then both Ballance and I have visited Işıklı. The outer perimeter of the fort now constitutes the wall fencing the village school. It lies close to the right bank of the stream just inside the eastern side of the village. The side facing the stream is densely grown with poplars. There are many telling ruins close by, i. a. a Laodicean water-tower midstream. The position of the fort and the village is spectacular. There are two gravel roads which connect Işıklı with the Pentapolis plain: the western runs through the pass to the west of Akgöbek Tepe (1674m) and the eastern crosses the ridge to the west of Ak Dağ (2449m). The western enters the Pentapolis plain not far from Kilter; the eastern runs directly to Mirtaz, where one of the *sacrae litterae*-inscriptions has been discovered (see Drew-Bear, Eck & Herrmann 1977).

16 Cf. IGRR IV, no. 731; Anderson (1932) and Roueché (1981:111).

Up til now we thus have from the province of Asia examples of complaints from villages (**Kemaliye**, **Kasar**, **Güllüköy** and **Kavacık**), towns (**Takina** and **Euhippe**), imperial estates (**Ağa Bey Köyü**, **Takina** and **Aragua**) and senatorial estates (the Asian copies of the *sacrae litterae*). The importance of **Kilter** is that it fills the vacant space for private estates. Such a rich documentation of this phenomenon seems to support the theory that these inscriptions must have formed an important action on the part of the inhabitants to regulate the requisitions and to draw the attention of the authorities to the inherent weaknesses of the system. One may be tempted to suggest that they were regarded as a *sine qua non* in the rural communities.

Even if the province of Asia by now shows numerous records of military activity, whatever military units were stationed there, should only have appeared thinly dispersed taken the size and population into consideration. The phenomenon of the category of documents to which **Kilter** belongs, must then be explained not only from the real burden, some concession must also be paid to the epigraphical habit of erecting such documents. Jones (1984:99) explained the many copies of the *Sacrae Litterae* by the combined facts of geography and history: there were numerous, senatorial estates in the province which also was constantly crossed by emperors, soldiers and so forth during the campaigns of the third century. Thus the evidence of **Kilter**, **Tabala** etc. points more in the direction of the day-to-day affairs of local administration; coupled by the argument of epigraphic habit one has come far towards explaining the phenomenon. Some support of this interpretation is clearly offered by the fact that these complaints dominate the surviving, epigraphic record of petitions.

5) DETAILED COMMENTARY

LI. 3-7 [ἀνθυπάτ]φ Τ. [Φλ. Σου]λπικικανῶ ὡς τῶν [χωρῶ]ν αὐτοῦ τῶν τε ἄλλων καὶ μάλιστα Ζ[.]μου καὶ Μαδίλου ἐνοχλουμένων ὑπὸ στρατιωτῶν καὶ ὑπογραφῆν τὴν ὑπογ[ε]γραμμένην: The text starts by giving the name of the proconsul and is followed by a genitive absolute summarising the petition. The genitive absolute is introduced by ὡς, marking the contents as a subjective account.¹⁷ See commentary on **Ağa Bey Köyü**, ll. 40-41 and **Tabala** (6. General characteristics).

From this brief summary it appears that a proprietor of private estates has presented a petition to the *proconsul Asiae* complaining about harassment, ἐνόχλησις, committed by soldiers travelling through. The names given in the genitive, Ζ[.]mos and Madilos are evidently names of estates, revealing that the properties were fragmented.

L. 5 ἐνοχλουμένων: This word introduces us directly to the nature of the inscription; and it has a long, if ignoble, pedigree in private as well as official documents. The word, ἐνοχλέω, is used once more (intransitively) in l. 15. It is common in the meaning *trouble*, *annoy*, *harass*, or simply *mob*, being used in classical literature¹⁸, Hellenistic inscrip-

17 Cf. Mayser II¹, p. 350: 'Häufiger begegnet in kausalen Partizipialsätzen ὡς, um einen Grund entweder als nur scheinbar zu bezeichnen oder mit subjektiver Färbung wiederzugeben.'

18 Cf. *LSJ*, s. v.

tions¹⁹, The New Testament²⁰ and papyri²¹. It is also present in the imperial petitions (**Ağa Bey Köyü**, l. 37; **Skaptopara**, ll. 68. Its derivative, *ἐνόχλησις*, is used in **Ağa Bey Köyü**, ll. 34-35; **Skaptopara**, l. 162 and **Kavacık**, l. 18). Apparently it is not a technical word in the sense that it implies or concedes a crime (otherwise it would not be used as freely by the authorities). More vaguely it connotes that a weak part is *mobbed* by a stronger in a way that seems contrary to the common opinion of justice. This vagueness becomes apparent if we compare it with *διασεῖω* or *διασεισμός* (see commentary on **Kemaliye** ll. 4-5) which - probably because of its implications - the authorities eschewed.

Ll. 6-7 καὶ ὑπογραφήν τὴν ὑπογ[ε]γραμμένην: *ὑπογραφή* is the correct, technical rendering of the Latin legal term *subscriptio*. A *subscriptio* was the written response given to petitions, *libelli*. The *proconsul Asiae* was the only Roman magistrate positively known to have issued *ὑπογραφαί* in the province; but to my knowledge this is the only instance of a complete text of a *subscriptio* issued by him. Petitions presented to him document the practice, even if we have to admit that the record is meagre. The earliest example is an inscription from Ephesus rendering a petition from L. Pompeius Apollonius to L. Mestrius Florus, *proconsul Asiae* under Domitian.²² **Güllüköy** and **Kasar** also give petitions probably directed at the governor, but no response is preserved. Otherwise the parallel function of governors in other provinces makes clear that this undoubtedly must have taken place in Asia as well (cf. **Dagis**). The scarcity of examples must mainly be explained by the nature of the *subscriptions* which were basically private, and as such neither intended nor suitable for publication. The provincial governor would have used edicts if he intended to have them published (cf. **Euhippe** and **Demirci**); or he could append a phrase authorizing the publication of a letter or a *subscriptio* (cf. the letter in **Tabala** and doc. 3 of **Takina**). The abundant parallel material from Egypt (Montevecchi 1973:190) - and now also Mesopotamia (Feissel & Gascou 1989) - clearly illustrates that a change in writing material (papyrus vs. stone) also indicates a different kind of petition. Finally one should note that it in the papyrological sources, as here, was clearly distinguished between a petition and the *subscriptio* (cf. e.g. P. Oxy. XLIII, 3094, ll. 18-21: *προτάξασα ... ὄλον τὸ Ἑρακλείτου βιβλίδιον καὶ τὴν ὑπογραφήν*).

For **Kilter Nörr's** article on the *Reskriptenpraxis* (1981b) is of particular interest as he claimed that there developed a difference between the *subscriptions* issued by the

19 This word, and the compounds *παρενοχλέω* and *διενοχλέω*, in the correspondence of the hellenistic, royal courts; cf. Wilhelm (1920:40-57); Welles (1934, nos. 1, l. 43; 30, l. 8; 38, l. 11 and 40, l. 4); Robert, J. & L. (1983:133, no. 9, l. 9).

20 Lk. 6, 18 and Hb. 12, 15.

21 Of special interest are the examples of *P. Leit*, nos. 6 (l. 32) and 7 (l. 6); in the edict of the prefect Subatianus Aquila (*P. Oxy.* VIII, 1100, l. 13) and in a petition to Septimius Severus and Caracalla from Aurelius Horion (*P. Oxy.* IV, 705, l. 71).

22 The inscription is *I. Ephesos* II, no. 213 (= *SIG* 820 and MacCrum & Woodhead 1967:65, no. 193). From the address, (ll. 1-2) *Λουκίου Μεστρίω Φλώρω ἀνθυπάτῳ παρὰ Λουκίω Πομπηίου Ἀπολλωνίου Ἐφεσίου*, and the opening of the *preces*-part, (ll. 12-14) *ἴθην, ἐπειγούτων καὶ ἐπὶ σοῦ τῶν Μυστηρίων, ἀναγκαίως, κύριε, ἐντυγχάνουσί σοι δι' ἐμοῦ*, it has the unmistakable characteristics of a petition. Thomasson (1984) places the proconsulate of L. Mestrius Florus under Domitian and before A. D. 90. See also Eck (1982:315) tentatively suggesting 88/ 89.

emperors and the *ὑπογραφαί* of the provincial governors (especially *praefectus Aegypti*, cf. Wilcken 1920:27-37 and Thomas 1983). He summarized the differences in four points: (1) the governors never used the word *rescripsi* or *scripsi* as signatures; (2) the governors' response was always termed *ὑπογραφή* (and not *ἀντιγραφή*); (3) the responses of the governors were collected as *τεῦχος βιβλειδίων ὑπογραφέων* and not *ἀντιγραφέντων* (as translated from the Latin technical term *liber libellorum rescriptorum*, cf. Skaptopara, ll. 2-3); finally (4) the *ὑπογραφαί* lacked the *inscriptio* of the imperial rescripts. Nörr concluded (p. 5) that:

Bei der *subscriptio* des Statthalters handelt es sich um eine 'echte', vom Haupttext abhängige *subscriptio*. Demgegenüber hat sich die kaiserliche *subscriptio* (spätestens wohl in der 2. Hälfte des 2. Jahrhunderts) zu einem selbständigen Text entwickelt; wenn man hier weiterhin von *subscriptio* spricht, so müsste man (streng genommen) das Adjektiv 'uneigentlich' hinzusetzen.

This cannot be discussed in detail here, but Nörr's thesis is in this case supported both by terminology and by styling, i.e. the response is explicitly called *ὑπογραφή* and there is no address at the start of the *ὑπογραφή*.²³

I translate the expression 'the response (*subscriptio*) [which is] quoted below'.²⁴ That is to say that *ὑπογεγραμμένην* is used in the meaning *written, quoted below*, and not in its technical meaning of answering petitions (*libellos subscribere*), and leads directly to the quotation. It can also apply to the *subscriptio* added at the end of the landowner's petition in the sense 'I have read the petition [...] and the response set at the bottom'. Indeed, it is likely that the expression was meant to convey both meanings; and the useful recapitulation and brevity of the letter may well explain why the petitioners chose to have it cut as an inscription, rather than the more familiar way of reproducing the petition with its *subscriptio*.²⁵

Ll. 7-11 ν ὁ ἀξιολογώτατος Λίγν[ς] μὴ ἐπηρεάζεσθαί σου τὰ χωρία κατὰ [μη]δένα τρόπον φ[ρον]τίσει. τοῦ αὐτοῦ δὲ [καί] ὁ ἀξιολογώτα[το]ς χειλίαρχος πρόνο[ιαν] ποιήσεται.: The text of the *subscriptio* is characteristically brief, containing instructions to two different persons in authority by using almost identical expressions. That a proconsul

23 Dagsis, ll. C, 14-15 has at the head of the *subscriptio* Ἐπο[γραφή] ὑπα[τι]κοῦ. Bephoure has under the petition to Iulius Priscus (ll. 19-20): Ἐπο[γραφή] Ἰουλίου Πρεῖσκου τοῦ διασημο[τάτου] ἐπάρχου Με[σοποταμίας] διέποντος τὴν ὑπατείαν, followed by the text of the *subscriptio*. The *subscriptio* at the end of the Demosthenes-inscription from Oinoanda (Wörle 1988; the only parallel from Asia Minor) is also without address.

24 Cf. Mayser II², p. 52: 'Nicht selten hat im Hellenistischen das nachgestellte Attribut auch eines artikellosen Substantivum (Schema III ἀνὴρ ὁ ἀγαθός), wenn das zunächst unbestimmt gefasste Nomen erst nachträglich durch einen attributiven Zusatz determiniert werden soll. Dieser Fall kommt namentlich oft bei einem Partizip vor, das einen Bestimmungssatz vertritt.' Cf. also exx. given in p. 58, esp. Petr. II 4 (2) 9: = III 46 (3): χρηματίσαι σφῆνας τοῦς ὑπογεγραμμένους. See also Nollé (1982:13, ll. 20-23): [ἐ]κγεγραμμένον καὶ ἀντιβεβλημένον ... διάταγμα τὸ ὑπογεγραμμένον.

25 An illuminating example of the difference between *ὑπογράφω* and *ἐντάσσω*, is offered by doc. 6 in Reynolds (1982:43, ll. 46-53, letter from Octavian to Plarasa/ Aphrodisias): ἔστιν δὲ ἀντίγραφ[α] τῶν γεγονότων ὑμῶν φιλανθρώπων τὰ ὑπογεγραμ(μ)ένα ἃ ὑμᾶς βούλομαι ἐν τοῖς δημοσίοις γράμμασιν ἐντάξαι[ι]. Ed.'s translation: 'The copies of the privileges that relate to you are these that are subjoined; I wish you to register them among your public records.'

directly commands a *tribunus* is what we now would expect from the text of the only military diploma from Asia, the one issued on October 9, 148 by Antoninus Pius to *Lualis, Mamae filius, Isaura* (cf. Overbeck 1981 and Roxan 1985:165-6, no. 100). This carries the expression *peditibus qui militaverunt in coh(orte) I Raetorum quae est in Asia sub Flavio Tertullo, praefecto Flavio Iuliano*. Q. Flavius Tertullus was *proconsul Asiae* in 148-149 and the habit of adding the prefect's name directly after the name of the governor, was applicable when only one military unit (*ala, cohors*) was given in a diploma for the entire province. The identity of the tribune and the unit has been discussed above p. 193.

Apparently there was no basic difference between the proconsuls and the imperial legates as to military responsibility; mainly it was a quantitative difference to be illustrated e. g. by the number of soldiers under the command of a *proconsul Asiae* or a *leg. Aug. pr. pr. Syriae* (cf. Eck 1986). And in practice there was no logical reason why an experienced man like Sulpicianus, who had been a *leg. Aug. pr. pr.* prior to his proconsulate, should not act as the superior of a commander of a cohort in Asia as well. By social standing, experience and authority he was his natural commander. The instructions to the *proconsul Asiae* included in the letter of Pertinax (probably) to the people of **Tabala** and the ensuing letter from the proconsul, Aemilius Iuncus, support this interpretation; and so does the evidence of **Euhippe**. Of great relevance is also the passage from Ulpian's *Liber primus opinionum* quoted in *Digesta* making it the duty of the provincial governor to see to it that soldiers did not abuse their military power to their own advantage.²⁶

The position and duties of (l. 7) Λίγυ[ς] are hard to define, and so is indeed his name. The restoration is inspired by the homonymous *primipilaris* of an inscription from Apameia (IGRR IV, 786): 'Ιουλ. Λίγυν τὸν κράτιστον π(ρειμι)π(ιλάριον), ἐνεργέτην τῆς πόλεως. Whether his title is correct in the Apameian-inscription is doubtful, as the *primipilus* was not an equestrian rank. The editors placed Ligys in the Antonine age when its dedicator, M. Aelius, *γραμματεὺς* in Apameia, is known to have issued coins. A positive identification is of course not possible, but the suggestion should not be discarded right away as the time span is within reasonable boundaries of a human life. The affiliation with the the **Kilter**-inscription, would be more than wellcome, because it would prove that the same soldiers could be subject for honour as well as complaints.

From the epithet and name in **Kilter**, it is clear that he was neither an equestrian nor freedman procurator (it is under any circumstances doubtful whether such persons would take direct instructions from a proconsul). The epithet *ἀξιολογώτατος* puts him on the same level as the *χειλίαρχος* (l. 10) and the instructions are exactly the same for the two of them. Since the harassment is committed by soldiers it is perhaps safest to associate him with some military command; this is supported by the ll. 11-12, where the instructions are limited to one category of soldiers. The fact that he is mentioned first and is only

26 *Digesta* 18. 6, 6 (=De officio praesidis): *Ne quid sub nomine militum, quod ad utilitates eorum in commune non pertinet, a quibusdam propria sibi commoda inique vindicantibus committatur, praeses provinciae providebit.*

identified by name, must be due to the expressions used in the petition; which, if it were preserved, would make the question as clear to us as it was to them.²⁷

L. 7 ἀξιολογώτατος: This epithet is used once more (of the tribune) in l. 8. According to L. Robert (1977:88-9) it is 'une banalité pour les personnages de bon rang vers la fin du II^e siècle et pendant le III^e'. In this instance it is worth noticing that it is used of a Roman officer in an official document. Otherwise it is in Asia Minor used about persons of the local aristocracy at Aphrodisias for instance.²⁸ This epithet is well known through documentary papyri from Egypt (cf. Hornickel 1930); most recently it has been discussed by Geremek (1971), who reached the conclusion that it was an honorary epithet born in late Roman times (i. e. in the 3rd and 4th century) by *honestiores* holding office in the imperial administration of Egypt, said to render the Latin *splendidissimus*. Its use is delimited by Geremek from 196 (P. Oxy. XIV, 1664) to 316 (P. Oxy. I, 84). Neither was this epithet in Egypt limited to officials; we find also councillors (*βουλευταί*) with this epithet (cf. P. Oxy. XLVI, 3287, ll. 3-5). Apparently the Egyptian usage covered officials that were not of the highest rank layer, e. g. the ἀρχιδικαστής (cf. PSI IX, 1052, l. 16, P. Oxy. XLVII, 3365, l. 30 and P. Oxy. XXXIV, 2705, l. 3).

Maybe this does not amount to much more than 'une banalité'; the real value of such an epithet would of course be evident if it defined a certain status and revealed specific positions, rather than just 'bon rang'. The epithet ἀξιολογώτατος gives us then but negative clues to identify the person whose name and profession is not preserved: he has not by rank, and perhaps not by descent, qualified for the prestigious title - reserved for equestrians in imperial duty - κράτιστος/ *egregius*.

L. 8 ἐπηρεάζεσθαι: The sense is obviously *threaten abusively*, cf. P. Leit. 5, 40-1: [...] φανερώς ἐπηρεάσθην ὑπὸ τῶν πρεσβυτέρων τῆς κώμης; IGLS VII, 4028 ('La grande inscription de Baetocécé'), ll. 36-37: [...] προφάσει παροχῆς καὶ τέλους καὶ ἐπηρείας τινὸς ἢ ἀπαιτήσαιως, and l. 38-39, [...] χωρὶς τέλους καὶ ἐπηρείας τινὸς ἢ

27 Normally in the petitions accusations against offenders are made without giving names; conspicuous is the mentioning of the military units of the *stationarii*, *frumentarii* and *kollētiōnes*. In *Saltus Burunitanus*, however, the *conductor* Allius Maximus (ll. II, 1, *cum Allio Maximo adyfer]sario nostro*, and 9) is particularly mentioned as their main opponent. In *Ağa Bey Köyü*, the *procurator Asiae, proconsulis vice agens*, Aelius Aglaus, is named (ll. 7 and 15). Instructions contained in imperial *subscriptions* would normally be directed at the authority, and not a named individual; there are few if any exceptions to this practice. This habit of anonymity must be explained by the nature of petitions, which were directed at informing the authorities about the state of affairs. A petition was not a way of starting a legal procedure.

28 Cf. Roueché (1981:103-20, inscriptions no. 3, 4, 5, 7 and 8). Other examples evidently used about notables of the local communities are *I. Eph.*, no. 897, Μ. Αὐρ. Ἀγαθόκλης, ὁ ἀξιολογώτατος γραμματεὺς δήμου, Ἀσιάρχης; *I. Keramos*, no. 31, Αὐρ. Διοδότος, ὁ ἀξιολογώτατος λογιστής; *I. Klaud. Pol.*, no. 29, Μ. Δομίτιος Φιλάδελφος, ὁ ἀξιολογώτατος δεκάπρωτος; and *I. Hadr. & Hadr.*, no. 68, no epithet; IGRR IV, no. 666, Αὐρ. Μουκιανὸν [ἰ(ὶ)ὸν] Ἐγνατιανὸν, τὸν ἀξιολογώτατον καὶ εὐεργέτην καὶ πρῶτον τῆς πόλεως, Μενεκλῆς ὁ ἀρχιερεὺς τὸν πατέρα. Although my list does not pretend to be complete, it is evident that ἀξιολογώτατος turns up fairly infrequently. This may to some degree be explained by the fact that the inscriptions do not give the right context for the use of the epithet (contrast the proceedings of a town council e. g.).

ἀπαιτήσαιως. IEph 39 (early, 322 BC): χ[ρ]ή τοίμην μ[ηδέν] ὑ[π]εναντίον ὑμᾶς τῶν νόμω[ν] διαπράξασθαι, ἀλλὰ τοῖς μὲν δημοσίοις ἀγρύπνως προσέχειν καὶ τοῖς περὶ τὸ δημόσιον ἐγνωμονοῦσιν πράως χρῆσθαι, τοὺς δὲ ἀγνωμονοῦντας εἰσπράττειν μετὰ τοῦ προσήκοντος, μὴδὲν ὑπὲρ τούτου [κ]έρδος παντάπασιν ἀποφερομένους, ὡς τοὺς ὑποτελεῖς πανταχόθεν [ἀ]νεπερεάστους²⁹ φυλάττεσθαι. Cf. Josephus *AJ*, 16. 46.: ταῦτ' οὖν ἀξιούμεν, ὧ μάλιστα Ἀγρίππα, μὴ κακῶς πάσχειν μὴδ' ἐπηρεάζεσθαι μὴδὲ κωλύεσθαι τοῖς ἔθεσι χρῆσθαι τοῖς ἡμετέροις μὴδ' ἀφαιρεῖσθαι τῶν ὄντων μὴδ' ἃ μὴ βιαζόμεθα τούτους ὑπὸ τούτων βιάζεσθαι; and 16. 169-170: ἐνέτυχον (οἱ ἐν Κυρήνη Ἰουδαῖοι) μοι, νῦν ὡς ὑπὸ τινῶν συκοφαντῶν ἐπηρεάζοντο καὶ ὡς ἐν προφάσει τελῶν μὴ ὀφειλομένων κωλύοντο. Cf. also St. Luke 6. 28: προσεύχεσθε περὶ τῶν ἐπηρεαζόντων ὑμᾶς.

L. 9 φ[ρο]ντίσει: The construction of this sentence is syntactically similar to the response given by Aurelius Silvanus *P. Oxy.* X, 3107: ὁ στρατηγὸς τοῦ νομοῦ μὴδὲν παρὰ τὸ δίκαιον γενέσθαι φροντιεῖ. From Gignac (1981:286) it appears that φροντίζω mostly has preserved its contracted future; *P. Dura.* 128, l. e, 1, has φροντίσει, however (= *ChLA* IX, 383). The use of φροντίζω and periphrases like φροντίδα ποιεῖσθαι/ ποεῖν and πρόνοιαν ποιεῖσθαι (cf. ll. 11-12) is idiomatic.³⁰ The meaning of πρόνοιαν ποιεῖσθαι appears to be synonymous, even if πρόνοια boasts a better pedigree. Cf. commentary on *Takina*, ll. 4-5.

Ll. 11-16 ἂν οὖν τις τῶν ὑπ' ἐμοὶ τ[ε]ταγμένων στρατιωτῶν διαπορευόμε[ε]νος τὰ τοῦ δεσπότη σου χωρία, ἤτοι ὁ[δη]γὸν αἰτῶν ἢ ἄριστον ἢ δεῖπνον ἢ εἴ τι ἄλλο τοιοῦτο ἐνοχλήσῃ, ὅπερ ὅ τε λαμπρότατος ἡγεμῶν - - - -]: As notified above, the break between the quotation and the text of the letter is clearly marked by a small circle. οὖν at the start of the letter clearly shows the coherence between the *subscriptio* and the *epistula*, and the issuer's willingness to comply. The opening is reminiscent of *Tabala* (ll. 15-19) and it is important to note how the issuer restricts his responsibility. At the same time the expression τις τῶν ὑπ' ἐμοὶ τεταγμένων στρατιωτῶν indicates that the *subscriptio* refers to two different bands of soldiers.

The word διαπορευόμενος gives an undisputable link with the formulations in the petitions, although the wording is not exactly paralleled; cf. *Ağa Bey Köyü*, ll. 33-34; *Skaptopara*, ll. 39-44 and ll. 80-82; *Aragua*, ll. 17-18; *Euhippe*, ll. 6-10.

L. 13 τὰ τοῦ δεσπότη σου χωρία: the expression contrasts with the wording of l. 6 σου τὰ χωρία. And as we have argued above, this tells us that the proconsular ὑπογραφή was directed to the owner of the estates, and as it now stands, it is part of a document

29 Cf. *Skaptopara* l. 23 with commentary.

30 See *IGLS* V, no. 1998, ll. 6-7 (μεγάλης χρήσουσιν φροντίδος, with commentary p. 11) and ll. 17-18 (Ἐντέλλομαι δὲ καὶ σοὶ φροντί[δα] ποιήσασθαι ὅπως μηδεὶς ὑποζύγιον λάβῃ); Lewis (1969:138); Frend (1956:47, l. 24: φροντίδα ποιήσω, l. 28: φροντίσατε and l. 35: φροντίσουσιν); and further in a letter sent by Valerian and Gallienus (*CIG* 3182 = *CIL* III, 412 = *IGRR* IV, 1404, ll. 16-21): αἱ δ[ε] ἀρχ[αῖ] τούτων τῶν πόλεων ... [ἐφεξ]ῆς φροντίζουσιν, ἵνα [ἃ ἂν] ἄριστα ἀρέσ[κη] ταῦτ[α] παραφυλάττεσθαι. To this last reference, cf. Drew-Bear, Eck & Herrmann (1977:367, n. 53).

addressed to the owner's representative. The simple use of *δεσπότης* does not, however, determine whether the owner was a private person or the emperor; in this case the context clearly tells us that the estates belonged to a private owner. Its cognate adjective, *δεσποτικός*, is used four times in the sense *imperial* in **Ağa Bey Köyü** (ll. 28-29, 34, 51 and 54).³¹

31 On this point cf. Hagedorn & Worp (1980). In Nollé (1982:12, l. 12) the *proconsul Asiae* is invoked as *δέσποτα* (p. 12, l. 12).

TABALA, city in *Lydia, Asia*.

Extract of a letter from the emperor Pertinax and a letter from the proconsul, Aemilius Iuncus, to the magistrates, council and people of Tabala. 193.

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2) DISCOVERY AND PUBLICATION

The substantial block carrying the inscription was discovered in 1987 on the slope of Burgaz Tepe between Yurtbaşı and Burgaz, where it was unearthed during an excavation for a reservoir to supply water for the village of Yurtbaşı. The very prompt publication by Malay is to be commended. The stone is now at the museum of Manisa (to the right of the entrance to the ethnological part), inv. no. 7334, where I examined it in November 1992. It has no. 8 in Hasan Malay's forthcoming catalogue of the inscriptions of the museum.

For references in antiquity and a description of the town Tabala and its territory, see *TAM* V, 1, pp. 63-5, the photographs in plate III and the map at the end of the volume. Zgusta (1984:594, no. 1272-2 and map 479) has a short entry on this town.

3) DESCRIPTION

The text was cut on a marble block, 0.63m wide, 1.25 high and 0.28 deep; the letters are 0.025 high (measurements by Malay 1988). There are profiles on the right side; these suggest that the stone was an architectural element into which the inscription was subsequently cut. In l. 13 the first letter of the name *Aemilius* overrides the left margin and thus explain why this line accommodates 28 letters. The number of letters per line varies and suggestions for restorations should be carefully related to the photograph.

Space equalling approximately 7-8 lines has been left uninscribed at the top. The left margin is intact for the entire height of the stone. Both corners on the right-hand side of

the stone have been cut off diagonally. That means that 5 letters at the end of l. 1 and 1 letter at the end of l. 4 are missing. At the bottom corner the damage is more extensive, 3-5 letters being missing in l. 18, and only one letter being preserved in l. 29. The right margin is intact, but slightly worn from l. 5 to l. 16. Judging from the valediction of l. 27 (ἐρρωσθ[αι]) and the record of the participators in the embassy in l. 28 (ἐπρέ[σβευσαν]), the extract and the governor's letter were accommodated within the length of the block.

4) TEXT, CRITICAL APPARATUS AND TRANSLATION

- 1 Ἐξ ἐπιστολῆς θεοῦ Πε[ρτίνα]-
 κος· ἐπεὶ δὲ καὶ στρατιώτας [ἐν]
 ὁδῷ πορευομένους ἐ[κτρέ]-
 4 πεισθαί φατε ἐκ τῆς λεωφόρο[υ]
 καὶ ἀνιέναι πρὸς ὑμᾶς οὐδε-
 νὸς ἑτέρου χάριν ἢ τοῦ λαμβά-
 νειν τὰ σουπλημέντα καλού-
 8 μενα, καὶ περὶ τούτου διδαχθεῖς
 ὁ κράτιστος τοῦ ἔθνους ἡ-
 γούμενος ἐπανορθώσεται
 τὰ δοκοῦντα ὑπὸ τῶν στρατιω-
 12 τῶν πλημμελεῖσθαι εἰς ὑμᾶς.
 Αἰμίλιος Ἰοῦνκος ἀνθύπατος Ταβα-
 λέων ἄρχουσιν βουλῇ δήμῳ χαί-
 ρειν. ^{vac} ἄν τινα στρατιώτην ἐλέγ-
 16 ξητε εἰς τὴν πόλιν ὑμῶν ἐκτρα-
 πέντα τῶν μὴ πεμφθέντων
 εἰς Αἰζανούς, ἀλλ' ἐπὶ τῷ ἀργυρίζ[εσθαι ?]
 πλανώμενον, κολασθ[ήσεται].
 20 οὐ δεῖ δὲ νῦν τὰ τοιαῦτα - - -]
 ὡς ξένια· διείρητα[ι - - - -]

CRITICAL APPARATUS:

Abbreviations: **M** = Malay (1988), **HR** = Herrmann (1990), **H** = Author.

L. 18: ἀργυρίζ[ειν] **M**, but ἀργυρίζ[εσθαι] to be expected even if space doesn't allow, cf. **HR** p. 48, n. 55.

L. 20: δὲ νῦν **M**, δέ νυν **T. Hägg**; **M** sugg. [πάσχειν], [χορηγεῖν] **H**.

L. 21: ξένα **M**, ξένια **H**;

L. 21-22: 'perhaps διείρητα[ι γὰρ καὶ δι] | ὠρίσται ὑπὸ πά[ντων ἀνθυπάτων μὴ]' **M**, [Σεβαστῶν ?] **H**.

- ὠρισται ὑπὸ π[ά]ντων - - - - - μῆ]
 ἐξεῖναι ἀπὸ [τῶν λεωφόρων]
 24 ἀποχωρεῖν [- - - - -]
 τὸ δίκαιο[ν - - - - -]
 θαι ΚΟΙ[- - - - -]
 ἐρρῶσθ[αι ὑμᾶς εὐχομαι· vac]
 28 Ἐπρέ[σβευσαν - - - - -]
 Λ[- - - - -]
 vacat

Text suggested for ll. 20-27:

- 20 οὐ δεῖ δέ νυν τὰ τοιαῦ[τα χορηγεῖν]
 ὡς ξένικα· διείρητα[ι γὰρ καὶ δι]-
 ὠρισται ὑπὸ π[ά]ντων ἀνθυπάτων μῆ]
 ἐξεῖναι ἀπὸ [τῶν λεωφόρων]
 24 ἀποχωρεῖν [τοὺς στρατιώτας.]
 τὸ δίκαιο[ν δύνασθε προθήσεσ]-
 θαι κοι[νῆ ἐν τῇ πόλει ὑμῶν.]
 ἐρρῶσθ[αι ὑμᾶς εὐχομαι· vacat]

TRANSLATION

(ll. 1-2) Extract from a letter of the divine Pertinax.

(ll. 2-12) ‘Since you say that even soldiers on march stray off from the main road and ascend to you[r town] for no other purpose than to take what is called *sup(p)lementa*, the most illustrious governor of the province, shall be informed about this too; and he shall correct the apparent offenses [committed] against you by the soldiers.’

(ll. 13-15) Aemilius Iuncus, *proconsul*, to the magistrates, council and people of Tabala, greetings:

(ll. 15-28) ‘If you prove that any soldier, not belonging to those sent to Aizanoi, has strayed off to your town, wandering about to enrich himself,

L. 23: ἀπὸ [τῆς vacat ὁδοῦ] M; ‘perhaps τῆς ἰδίαις ὁδοῦ’ HR in SEG XXXVIII; ἀπὸ [τῶν λεωφόρων] (cf. l. 4) H.

L. 24-26: ‘Perhaps [ἐξέστω δὲ τοῦτο] | τὸ δίκαιο[ν ἐν στήλῃ ἀνίστα]θαι κτλ.’ M; χωρεῖν [ἐξέστω δὲ τοῦτο] M, [τοὺς στρατιώτας] H; see H’s suggested text for ll. 20-27.

he shall be punished. Now, it is not necessary to [hand over?] such things under the pretext of hospitality. For it is clearly stated and determined [by all proconsuls that soldiers] are not allowed to leave [the main roads]. [You can display] this ruling [in a public place in your town]. Farewell.'

(l. 29) The following participated in the embassy [...].

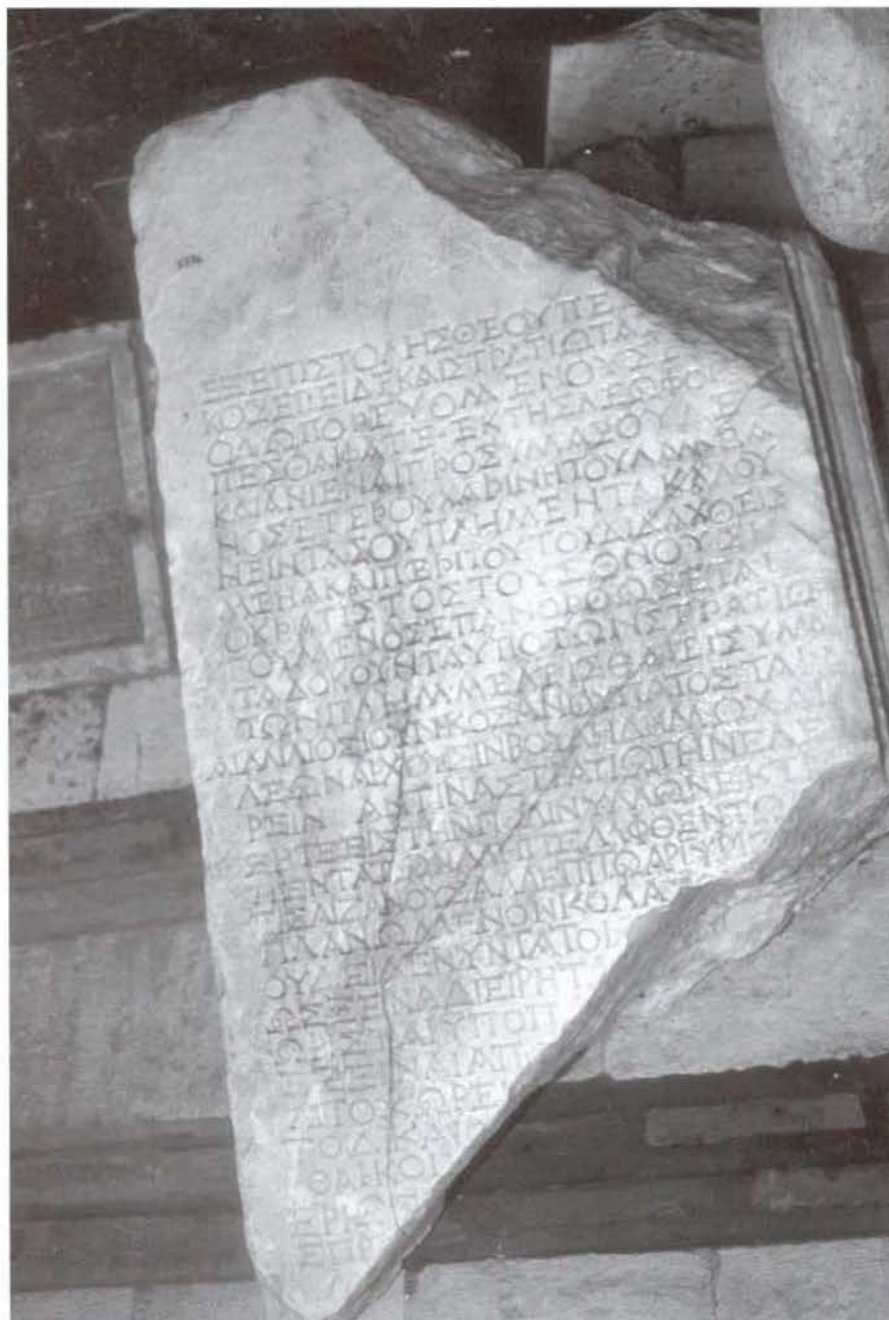


Fig. 15: Photograph of Tabala. © Tor Hauken.

6) GENERAL COMMENTARY

Setting

The recent discoveries of **Tabala** and **Takina** both reflect and add details to the administrative patterns which were known through the gubernatorial documents of **Phainai**, **Euhippe** and **Demirci**. The documents of **Tabala** were issued 20 years before **Euhippe**, and it is important to note that it predates the Severan dynasty. They are therefore the earliest testimony from Asia Minor to the correspondence between the provincials and the emperor on this topic, thus setting the scheme which later administrations were to follow.

Because **Tabala** includes both the imperial letter and the resulting proconsular letter, it illustrates what is hinted at by the expression in ll. 4-6 of **Euhippe** (*ἐπεὶ προσφυγόντες ἡ Εὐιππέων πόλις τῇ μεγάλῃ Τύχῃ τοῦ κυρίου ἡμῶν αὐτοκράτορος Ἀντωνεῖνου*). There are additional similarities with **Euhippe**: the issue complained about is strikingly similar and so is the wording and the non-technical title used of the governor, *ὁ ἡγούμενος τοῦ ἔθνους* occurs in both inscriptions.

General characteristics

A notable feature of this document is the way it underlines the role of the provincial governor. Pertinax' letter gives, on the one hand, clear instructions about informing the governor (l. 8 *διδαχθεῖς*) so that law and order shall be restored (l. 10 *ἐπανορθώσεται*), but the immediately following *δοκοῦντα* (l. 11) makes a reservation about the subjective presentation of the communication. The ensuing letter from Aemilius Iuncus is straightforward and explains why soldiers are to be expected in this area since he makes an excuse for the soldiers sent to Aizanoi. By changing the emperor's plural into a singular (l. 15 *στρατιώτην* versus l. 2 *στρατιώτας*) he also seems to play down the problem by letting it appear unlikely that soldiers in company would indulge in such actions. A further contrast is the choice of words for informing the authorities. Pertinax, acting upon the information of one part, wisely used the weak and unbinding *φατε* (l. 4); whereas the governor who was responsible for judging and punishing (l. 19 *κολασθήσεται*), used the unequivocal *ἐλέγξῃτε* (ll. 15-17). This last word advertises that more detailed and exact information would be needed at a later stage.

The public display

Ll. 25-26 (severely damaged) seem to have included an authorization to display the document publicly in the town. Malay (1988) reported that the inscription was discovered on the eastern slope of the mountain Burgaz Tepe, where the town was situated. It is tempting to suggest that the inscription was placed on the road ascending to Tabala in order to discourage the soldiers from even ascending to the town (cf. l. 5, *ἀνιέναι*).¹

These gubernatorial decisions (**Tabala**, **Euhippe**, **Takina** and **Demirci**) are evidently official responses to complaints concerning abuses which are very much in line with the ones we encounter in the petitions. From Asia Minor the provincial catalogue of docu-

1 The actual site of the town is not established beyond doubt; I subscribe to Herrmann's conclusion in *TAM*, V, 1, p. 64: 'Immo vero oppidi antiqui situm in planitie prope vicum Burgaz ager tegularum fragmentis late consitus indicat'.

ments of this type is by now considerable, and the number is apparently steadily increasing.² The direct way of explaining this phenomenon would be to assume that it was a product of the mere size of the province and the military activity there, and the conclusion would be that the movings and doings of the soldiers were only checked with difficulty. But since the military activity was in fact not particularly great, the phenomenon requires an alternate and indirect clarification. Since these inscriptions first turned up, a century or so ago, they have generally, and probably rightly, been seen to function both as an *apotropaion* and as an indicator of the communities' self-regard. This seems to be above all a Lydian and Phrygian phenomenon; and in this area one may be tempted to see an inscription with this content as a *sine qua non* among municipal records. Balanced by the epigraphical practice in the area (cf. MacMullen 1982 and 1986) such an indirect explanation may be equally valid.

7) DETAILED COMMENTARY

LI. 1-2 Ἐξ ἐπιστολῆς θεοῦ Περτίνου: Some concrete and valuable information is contained in these four words: ἐξ ἐπιστολῆς defines the nature of the imperial decision and at the same time says that the passage is an extract. If this had not been stated, ll. 2-12 might easily have been taken as a *subscriptio* since the formal elements of an *epistula* are missing.³ The simple way of introducing the extracts of *epistulae* and *mandata* with ἐξ (where the originals were handed over) contrasts markedly with the cumbersome authentication of copied *subscriptions* (as in reflected in **Skaptopara** and **Smyrna II**).⁴ It is likely that the original letter from Pertinax was handed over to Aemilius Iuncus by the embassy and that this is what was intended by διδαχθεῖς in l. 8 (also in this aspect **Euhippe** is a close parallel).⁵

2 Official reactions to abuses are presented in **Tabala**, **Euhippe**, **Demirci**, **Takina**, **Kilter** and the four copies of the Severan *sacrae litterae* (for these latter documents see Jones 1984; of relevance are the single copies from Mirtaz in the Phrygian Pentapolis and Satala in Lydia, as well as the two from Ephesos). The petitions are recorded in **Ağa Bey Köyü**, **Kemaliye**, **Kavaçnik**, **Kassar**, **Güllüköy** and **Aragua**.

3 The once well-established pattern that cities communicated with the emperors by letters only seems now to be in need of qualification, cf. Mourgues (1987). Most imperial letters of this period were issued in response to embassies (cf. Williams 1967, Millar 1977).

4 While discussing 'the so-called letter of Domitian' preserved as part of the *lex Irnitana* (cf. Gonzalez 1986:181), Mourgues (1987) gives a lucid review of the characteristics of *epistulae* vs. *subscriptions* applied to this specific document.

5 For similar use of ἐξ, cf. first and foremost an Asian inscription from the border on Pisidia which records an extract of a letter of Claudius, Bean (1959:84-88, no 30; = *OGIS* II, 538 = *IGRR* III, 335 = Smallwood 1967:112-3, no. 387). The first three lines are: Ἐξ ἐπιστολῆς θεοῦ Σεβαστοῦ Γερμανικοῦ Καίσαρος]. The inscription is also of great importance for **Takina**). See further the extract from the *mandata* of Domitian to the *procurator*, Claudius Athenodorus, *IGLS* V, 1998, ll. 1-2: ἐξ ἐντολῶν Ἀυτοκράτορος [Δομιτιανοῦ κτλ. and the Vienna papyrus SB VI, 9050 (= *EOS* 48, 1956, 333, recording an extract from the *mandata* issued by the *praefectus Aegypti*, Mettius Rufus: ἐξ ἐντολῶν Μεττίου Ρούφου τῶν δοθεισῶν τοῖς στρατηγοῖς). In **Takina** the first letter of the *procurator* ll. 14-15 is introduced by μέρος ἐπιστολῆς Ἀυρ. Φιλοκυρίου ἐπιτρόπου]. *CI* 10. 5, 1 has the heading *Pars epistulae imp. Alexandri A. ad rationales*, and the notice *D. XV k. Mai. Modesto et Probo cons.* (i. e. 228) at the end. Mourgues (1987:79) says that extracts of imperial letters were always 'preceded by the the Latin expression *pars epistulae* or its Greek equivalent κεφαλαῖον ἐπιστολῆς; both **Tabala**

Pertinax' administration is well attested by the literary sources (SHA, *Vita Pertinacis*; Cassius Dio, 73; Herodian, 2. 1-5; see now also Birley 1988:103-5). For an appraisal of Pertinax's legislative efforts, cf. Soraci (1984) whose study is based on the recripts of *Codex Iustinianus*.

The reign of Publius Helvius Pertinax (*RE* Suppl. III, 1918, coll. 895-904) was one of the shortest in the history of the Roman empire. He was promoted after the murder of Commodus on the last day of 192, only to succumb to the same fate on March 28th, 193. His successor, Didius Iulianus, reigned for an even shorter time, his soldiers got rid of him before Septimius Severus arrived in Rome in June. One of the first actions of Severus was the rehabilitation of Pertinax, arranging his state funeral and deification (the recording of this correspondence must consequently have taken place after this event). The title *divus* occurs in Latin inscriptions, but *Tabala* gives the first instance of θεός Πέρτιναξ.⁶ *AE* 1950, no. 61; 1971, no. 64 and 1982, no. 132 Accordingly the letter can be accurately dated to the first months of 193.

There is no doubt that the embassy of the magistrate, council and people of the Tabalians approached Pertinax. But the possibility exists that the embassy set off to interview Commodus, but met with Pertinax. The use of θεός Πέρτιναξ, however, establishes beyond doubt that Aemilius Iuncus acted upon Pertinax's letter in the turbulent period of Clodius Albinus, Pescennius Niger and Septimius Severus. Iuncus' yearly visit to the *conventus* at Sardes would under normal circumstances have provided a likely opportunity (cf. Habicht 1975:65, l. I, 23, and p. 75, no. 22).

ll. 2-5 ἐπεὶ δὲ καὶ στρατιώτας [ἐν] ὁδῷ πορευομένους ἐ[κτρε]πισταί φατε ἐκ τῆς λεωφόρο[υ] καὶ ἀνιέναι πρὸς ὑμᾶς: As this is an extract, the meaning of the καί's here and in l. 8 is uncertain and ambiguous; the first καί may introduce a second topic of complaint, as suggested by Malay (p. 49); it may as well reflect the degree of the emperor's irritation that soldiers *too* are involved in the matters the citizens complained about.

For a parallel to the uncommitted φατε, cf. ll. 6-8 of Hadrian's letter of 118 to the Astypaelaeans (*SIG³* 832 = Lafoscade 1902 no. 19 = Oliver 1989:161-2, no. 65): ἐντυχῶν ὑμῶν τῷ ψηφίσματι, ὅτι μὲν ἀπορεῖν φατὲ καὶ οὐ δύνασθαι τελεῖν τὸ ἐπαγγελτικὸν ἀργύριον ἐμάνθανον, ...

Apart from the documentation of auxiliary troops in the region of Eumeneia and Apameia in Phrygia (see commentary and discussion on *Kilter* and Christol & Drew-Bear 1987), there is no specific evidence for regular units in Asia Minor - which is what we should expect of a *provincia inermis*. The first military diploma from Asia Minor had the auxiliary cohort unmistakably placed under the command of the *proconsul Asiae*.⁷ A

and the documents referred to in this note suggest that there also existed other ways of introducing excerpts and that the expression μέρος ἐπιστολῆς of *Takina* ll. 14 and [30] may be an even closer translation of the Latin *pars epistulae*.

6 Cf. Malay (1988:50, n. 21), viz. ILS, nos. 411 and 1137;

7 Cf. Overbeck (1981:267, ll. 5-7 in *coh. I Raetorum quae est in Asia sub Flavio Tertullo*); Flavius Tertullus' proconsulate can accordingly be dated to 148/9. The diploma is now no. 100 in Roxan (1985:165-6); see also Speidel (1983:12-3). An inscription discovered at Ephesos (Engelman & Knibbe 1984:141) tells us that the Eumeneian cohort provided staff for the *officium* of the *procurator Asiae*. The central function of the Eumeneian cohort is thus proven: *L. Lucilio St(e)l(latina) Pansae Prisciliano proc. Aug. prov. Ciliciae proc. prov. Pannoniae infer. proc. aquarum urbis proc. Lusitaniae item Vettoniae prof[ec]. provinc(iae) Asiae patri senatorum stratura militum chor. I Raet(or)um qui in officio*

similarly clear line of command can be conjectured here, inasmuch as it appears from ll. 15-20 that the proconsul Aemilius Iuncus is in direct command of the soldiers in question and is well informed about their dispositions. Moreover, the emperor presupposes this structure (ll. 9-10).⁸

The specific allowance for soldiers *en route* to Aizanoi should indicate a regular military presence in the Aizanitis, but whatever its nature, it has not left epigraphic records. The recent publication by Levick & Mitchell (1988:54, no. 152 = *MAMA*, IX) gives only a name of the *beneficiarius*⁹, Iulius Theodorus. Perhaps the soldiers were sent to monitor the religious festival and other public gatherings at the famous sanctuary.

Ll. 5-8 οὐδενὸς ἑτέρου χάριν ἢ τοῦ λαμβάνειν τὰ σουπλημέντα καλούμενα: Malay's explanation that the troops were sent to Aizanoi (l. 18) to recruit soldiers and that the *sup(p)lementum* extracted from the Tabalians were *reinforcements* (actually of what?) rather than *supplementary provisions* or *exactions* seems to be based on his words only. The expression λαμβάνειν τὰ σουπλημέντα καλούμενα can neither support the translation *to take those called sup(p)lementa* nor refer to the recruitment of soldiers. First, Malay's translation presupposes that there already existed a scheme of enrollment for the soldiers in the town Tabala and that the recruits were just waiting to be 'taken away'; secondly, it is not likely that the emperor would have used the disdainful expression οὐδενὸς ἑτέρου χάριν about the recruitment of soldiers; finally, the parallel expression in ll. 20-21, οὐ δεῖ δὲ τὰ τοιαῦτα χορηγεῖν? ὡς ξένοια, seems to be the proconsul's echo of Pertinax' words¹⁰ and thus suggests its own interpretation of λαμβάνειν τὰ σουπλημέντα καλούμενα.

For this passage see now Mitchell (1993a:228-229, with restoration for ll. 20, 22 and 23), and Gordon (1993:141, n. 147: 'The first editor claims that σουπλημέντα must here, uniquely, mean "reinforcements" rather than "supplies"; this we cannot accept.'

L. 8 διδαχθεῖς: For a similar use of διδάσκειν in the sense to *inform*, cf. *OGIS* II, 484, ll. 4-5 (= Abbott & Johnson 1926, no 81 = introductory lines not given in Smallwood 1966:163-4, no. 451): περὶ ὧν [ὁ ἀποσταλεὶς ὑφ' ὑμῶν πρεσβευτῆς Κ]αλοῦσιος Γλύκων ἐδίδαξεν ἡμᾶς.

Apparently the emperor did not himself write to the proconsul to inform him about his decision. This had to be done by the Tabalians themselves. The Roman, imperial practice contrasts with the Hellenistic usage as e. g. reflected in a letter by Eumenes II to the coun-

eius deputantur [- -] C.

8 **Kilter** introduces the intermediate link of a *tribunus* or *praefectus*, but the cohort had of course its own commander.

9 Robert (1955:173 = 'Une epitaphe d'Olympos' *Hellenica* 10, 1955, 172-7) describes a *beneficiarius* as subordinate officer on leave from his regular unit and attached to an official or to a particular mission; in the particular instance he commented on, he assumed that the Roman soldiers were in place to secure the roads penetrating the mountainous region surrounding Olympos.

10 In ll. 20-21 Malay did not venture a restoration; not including ὡς ξένοια, he translated only οὐ δεῖ δὲ τὰ τοιαῦτα]: 'One must now not ... things of that kind.'

cil and people of Tralles (cf. Welles 1934:172, no. 41 and Piejko 1988:55-69 for a new edition of the text and parallels). In his letter Eumenes confirmed the privileges of the sanctuary of Apollo and added at the end of the letter (ll.10-12, Piejko's text) [γέγραφα δὲ καὶ Θε]μιστοκλεῖ τῷ στρατηγ[ῶ]ι ὅ]πως μηδεὶς ἐνοχλήῃ ὑμᾶς καὶ ἵνα αὐτὸς φροντίζη τῶν π[ρογεγραμμένων] κα[θάπερ ἤξιούτε - - -]. For parallels reported in *Digesta*, cf. Honoré (1981:31-2, n. 58; viz. D. 42. 1, 33 and 48. 6, 6).

The text of the letter demonstrates that an *epistula* and a *subscriptio* could be quite similar in content. This reveals that the functions of the *ab epistulis* and the *a libellis* occasionally could overlap (cf. Millar 1988). The coupling of the words *διδαχθεῖς* and *ἐπανορθώσεται*, however, makes this a very clear instruction to the emperor's provincial representative but not any stronger than the directive given by Philippus Arabs to the same authority in response to the petition from **Aragua**. It is more difficult to assess the different impact of imperial letters and subscripts on the proconsul when, on the one hand, the urban representatives presented the imperial letter, prepared in the characteristic handwriting of the imperial chancery and bearing the emperor's seals, or on the other hand, when members of dependent communities presented their privately authenticated copies.

LI. 9-10 ὁ κράτιστος τοῦ ἔθνους ἡγούμενος: For the emperors' habit of using *κράτιστος* of proconsuls, cf. commentary on **Takina** ll. 5-6. For parallel uses of *ὁ τοῦ ἔθνους ἡγούμενος*, cf. **Euhippe** and *Codex Iustinianus*, 1. 9, 2 (an anonymous constitution from the chapter *De Iudaeis et caelicolis*): 'Ὁ κράτιστος τοῦ ἔθνους ἡγούμενος ταῖς σωματικαῖς ὑπηρεσίαις τῇ τῆς θρησκείας ἡμέρᾳ, καθ' ἣν ἀργεῖν εἰώθατε, μὴ ἐνοχλεῖσθαι ὑμᾶς προνοήσει.

LI. 11-12 τὰ δοκοῦντα ὑπὸ τῶν στρατιωτῶν πλημμελεῖσθαι εἰς ὑμᾶς* The best parallel to this use of *πλημμελεῖσθαι εἰς τινά* in the sense of *to do wrong/offend against* seems to be P. Oxy. VIII, 1119, 17-18: οἷς ἐπόμενοι εὐσεβῶς καὶ οἱ κατὰ καιρ[ὸ]ν ἡγησάμενοι τοῦ ἔθνους καὶ ὑμεῖς οἱ κράτιστοι οὐ μόνον ἀφίετε [ἡμᾶς πασῶν τῶν παρ' ἄλλοις ἀρχῶν τε καὶ λειτουργιῶν] ἀλλὰ καὶ δίκην ἀπ[α]ι[τ]εῖτε τῆς παρανομίας παρὰ τῶν πλημ[μελ]εῖν ἐπιχειροῦντων εἰς τε τὰς θείας νομοθεσίας κα[ὶ] τὰς τῶν ἡγεμόνων κρίσεις.¹¹

L. 13 Αἰμίλιος Ἰουῖνος ἀνθύπατος: Malay commented upon this proconsul at some length (pp. 49-51). Following the general scheme of proconsular accession, he would have arrived in Ephesos sometimes during the summer and stayed for one year (cf. Talbert 1984:497-8, *Appendix 3. The Date on Which Proconsuls Began Their Year of Office*). It is possible that he is identical with the consul of 183 driven into exile by Commodus (cf. SHA, *Vita Commodi* 4, 11: *In exilium coacti sunt Aemilius Iunc{t}us e{s}t Atilius Severus consules*). The special circumstances of 193 may account for the short gap

11 The editors' translation: '... and they have been scrupulously followed by the praefects appointed from time to time and by you most high epistrategi, who not only release us from all external offices and burdens but also punish the lawlessness of those who attempt to offend against the Imperial legislation and the judgments of the praefects.' This reference is from Robert (*OMS*, 1109, n. 5), who on his side is referred to by Malay (p. 48).

between his consulate and the proconsulate. Malay draws attention to several known members of the Iuncus family within and without Asia minor.

As commented above (p. 209) the representatives of Tabala would ordinarily have presented the letter to the proconsul during his stay at Sardes, the center of the local *διοικήσεις*. At the time of the Flavians the *διοικήσεις* of Sardes served - according to Habicht (1975) - the judicial needs of 28 or 29 surrounding towns. We know from Aelius Aristides (26. 344, 12) that on one occasion by the second half of the second century Philadelphia functioned as an assize center; but we do not know whether this was a permanent status and do not have any sources to tell us whether this affected Tabala. See Burton (1975) for a sobering description of the assize system in the province of Asia.

L. 15 ἄν τινα στρατιώτην: The opening of the proconsul's letter is reminiscent of **Kilter** ll. 8-9, ἄν οὖν τις τῶν ὑπ' ἐμοὶ τ[ε]τα]γμένων στρατιωτῶν κτλ. and gives us an uncanny feeling of the recurrence of the problem.

LI. 17-18 τῶν μὴ πεμφθέντων εἰς Αἰζανούς: See commentary on ll. 2-5. Tabala was clearly on the route between Ephesos and Aizanoi, a fact which accounts for the exception.

LI. 18-19 ἐπὶ τῷ ἀργυρίζ[εσθαι ?] πλανώμενον: This word calls for the middle voice as used e. g. in the edict of Tiberius Alexander (*OGIS* II, 669, l. 52, no entry Chalon 1964) and P. Mich. III, 174, l. 10 (petition to Lucius Valerius Proculus, *praefectus Aegypti*, from 144-147). There are, however, 26 letters in front of the *lacuna* and the space at the right margin will only allow for a couple of letters.

LI. 20-21 οὐ δεῖ δέ νυν τὰ τοιαῦ[τα χορηγεῖν] ὡς ξένωα: An accented *νυν* would both mark a contrast and suggest that some new principle regarding the provision of billeting has been introduced; but such an interpretation conflicts with the contents of the following sentence.

Malay gives the reading *ξένωα* which is clearly written on the stone but which is otherwise unattested. Mayser (1970:126, § 27 'Konsonantsierung von antevokalischem Iota (Synizes)') and Gignac (1976:202, 'Vowel loss before another vowel') has entries on the disappearance of *ι*; but I have not come across this phenomenon in this word.

ὡς ξένωα seems to be the proconsul's adjustment of the ugly *σουπλημέντα* of l. 7.

LI. 21-22 διείρηται[ι γὰρ καὶ δι]ώρισται ὑπὸ πά[ντων ἀνθυπάτων μὴ]: Malay (p. 28, notes to lines 21-24) suggested this restoration, but again problems arise over the numbers of letters per line. One might expect an abbreviation, perhaps *ἀνθυπ(άτων)* or *Αὐτοκρατ(όρων)*. For this line of reference or argument, cf. the parallel expression in the edict of C. Popillius Carus Pado, I. Eph. 24, A, ll. 3-6, [ἔ]μαθον ἐκ τοῦ πεμφθέντος [πρός] με ψηφίσματος ὑπὸ τῆς λαμπροτ[ά]της Ἐφεσίων βουλῆς τοὺς πρὸ ἐμ[οῦ] κρατίστους ἀνθυπάτους ἰε[ρὰς] νομίσει κτλ.

When commenting further, one has to exercise appropriate caution about the uncertainty of the restoration. As a rule, it is difficult to penetrate a sweeping generalisation like this, to determine whether it is to be taken at face value or to be dismissed as

hyperbole. It was the practice of Roman governors to issue a general edict, the *edictum provinciale*, immediately prior to their arrival in the province. This would inform the general public about the administrative principles for their gubernatorial tenure (cf. Lenel 1927:4-5). Problems about illicit exactions etc. are particularly referred to by Ulpian in his writings on the gubernatorial duties.¹² Following this line of thought there could have been some foundation for Aemilius Iuncus' claim. One may even assume that such a passage was included in the general, provincial edict.

LI. 22-24 [μὴ] ἐξεῖναι ἀπὸ [τῶν λεωφόρων] ἀποχωρεῖν [τοὺς στρατιώτας]: To restore [τῶν λεωφόρων] at the end of l. 23 does away with the unpleasing [τῆς vacat ὁδοῦ] suggested by the editor. Moreover, the same word, ἡ λεωφόρος, is used in l. 4.

Syntactically, it is quite clear that the final half of l. 23 should include the (accusative) subject of the verbal ἀποχωρεῖν which in turn must be governed by ἐξεῖναι. The *hyperbaton* between ἐξεῖναι and the logical subject of ἀποχωρεῖν makes an accusative and infinitive probable.¹³

The decision referred to by δίκαιον in l. 25 is the one given here in ll. 21-24. Judging from all sources relating to requisitions of transport and related services, this decision must be described as a most inflexible ruling and the provision ἐπὶ τῷ ἀργυρίζεσθαι should obviously be kept in mind; if not, the tactical movings of the Roman soldier would have been severely restricted.

LI. 25-26 τὸ δίκαιο[ν δύνασθε προτίθεσ]θαι κοι[νῇ ἐν τῇ πόλει ὑμῶν.]: These words are only *exempli gratia*; but it is likely that an expression to this effect was included, see commentary on **Phainai**, ll. 29-40.

The letter of the *proconsul Asiae*, Cl. Pompeianus Tranquillus, to the people of **Takina** (ll. 14-29), concerns the right to set up a copy of the *subscriptio* issued by Caracalla (ll. 4-11) to the same body. Tranquillus said that the right to do this was theirs and that he not only conceded but also advised them to do this so that the imperial decision should be known by everybody not only then but also in the future. He mentioned particularly the disobedient, those behaving wrongfully and the impious. The codas of **Phainai** and *OGIS* 665 and the passage in **Skaptopara** together with the letter of Tranquillus show that whatever latitude there existed in approaching the authorities, the ensuing decisions could not be displayed at the petitioners discretion. The reason for this may have been that the authorities wanted to check the apparently growing tendency of exhib-

12 *Liber primus Opinionum*, = *Digesta* 1. 6, 1, *De officio praesidis: Illicita ministeria sub praetextu adiuvantium militares viros ad concutiendos homines procedentia prohibere et deprehensa coercere praeses provinciae curet, et sub specie tributorum illicitas exactiones fieri prohibeat.* 'The provincial governor must see to preventing and, in case of detection, to putting down illicit services which are forthcoming on the pretext of giving help to the armed forces which actually aimed at oppressing the public, and he must prohibit unlawful exactions being made in the guise of levying tribute.'

13 See Mayser (II¹, p. 338, 4b 'Der Akkusativ mit Infinitiv neben dem Dativ oder Genitiv c. inf. oder an Stelle der letzteren Kasus') and Mandilaras, B. G.: *The verb in the Greek non-literary Papyri*, Athens 1973, p. 324., § 785 'The infinitiv after compounds of ἐστίν'. Cf. St. Luke 20, 22: ἐξεστίν ἡμᾶς Καίσαρι φόρον δοῦναι ἢ οὐ; [Among the majuscule mss. C D W Θ and Ψ have ἡμῖν, whereas κ A B and L have the accusative adopted by Nestle.]

iting all kinds of administrative decisions. Some, as those referred to here, were suitable for perpetuation, and such a posting may indeed have been the primary aim of the embassy.

EUHIPPE, Asia, Caria.

Edictum from *proconsul Asiae*, C. Gabinius Barbarus Pompeianus regarding the citizens of the town Euhippe. 211-213.

1) BIBLIOGRAPHY

Robert, L.: 'La ville d' Euhippe en Carie', *CRAI* (1952) 589-99.

2) DISCOVERY AND PUBLICATION

The inscription was found in the village Dalama on the southern edge of the Maeander valley, approximately at the halfway point on the road between Aydın and Nazilli. At the time of publication the inscription was brought to the museum of İzmir, but Robert did not give the inventory number.

3) DESCRIPTION

The inscription is cut on a white marble block, which is broken at the bottom and on the back. The measurements are 0.39m, 0.49 and 0.12. The height of the letters are between 0.016 to 0.020.

4) TEXT AND TRANSLATION

- 1 Ἀγαθῇ Τύχῃ
Γάϊος Γαβίνιος Βάρβαρος Πονηια-
νὸς ἀνθύπατος λέγει·
4 ἐπεὶ προσφυγόντες ἡ Εὐιππέων
πόλις τῇ μεγάλῃ Τύχῃ τοῦ κυρίου ἡ-
μῶν αὐτοκράτορος Ἀντωνείνου ὑπε[ρ]
ῶν ἔπασχον ὑπὸ τῶν ἐκτροπέ-
8 νων τὰς βασιλικὰς καὶ λεωφόρους ὁ-
δοὺς στρατιωτῶν τε καὶ ὀφικιαλί-
ων ἐπὶ τὴν ἑαυτῶν πόλιν ἀνεπέμ-
φθησαν ἐπὶ τὸν ἡγούμενον το[ῦ]
12 ἔθνους ἐφεξο[ν.....] αὐτω[...]
τοῦ τόπ[- - - - -]
βημ[α - - - - -]

L. 12: The stone gives C, which apparently is an epsilon without crossbar.

TRANSLATION

(ll. 1-3) Good fortune. Gaius Gabinius Barbarus Pompeianus, proconsul, says: (ll. 4-12) Since the city of the Euhippeis has taken refuge with the great Fortune of our lord, the emperor Antoninus, on account of what they suffered at the hands of soldiers and officials who turned away from the royal routes and main thoroughfares and turned up in their city, they were referred to the governor of the province [...]

5) COMMENTARY

The short inscription gives testimony about a petition presented to Caracalla by the Carian town Euhippe.¹ It is datable by the proconsul G. Gabinius Pompeianus to either 211/ 212 or 212/ 213.² As a phenomenon it is almost an exact parallel to **Tabala**, showing the same basic complaint and the same reference to the provincial governor. But **Tabala** also contains the text of Pertinax's instruction.³ There is a point to make about the use of ἀναπέμπω (ll. 10-11, *refer, remit*, i. e. to a higher authority), because not even the governor of Asia was in a higher position than the emperor. Its use here may then be seen as a revealing slip of the gubernatorial pen. The verb (ἀναπέμπω) clearly shows how an imperial rescript functioned as a *denuntiatio ex auctoritate*.⁴

Notice also that Gabinius Pompeianus chose to give his response in the form of an edict (cf. l. 3, λέγει), whereas Aemilius Iuncus wrote a letter to the council and people of the town. This may be a matter of personal choice; it may as well be decided by the fact that the town of Euhippe presented an imperial *subscriptio*, and as such did not correspond with the proconsul. Accordingly he had no *libellus* or letter to respond to.

The phenomenon of soldiers leaving the major routes is treated in the presentation of **Tabala**. Observe that the arguments used in the petition are repeated in the official documents without any reservations.

1 Cities normally corresponded by letters, but this was no absolute rule, cf. **Takina**. Here the use of the word probably reveals that the approach was made through a petition. In contrast to ἐντυγχάνω which was used when city embassies presented their letters or decisions - and even by the emperor himself when confronted with them (cf. e. g. Oliver 1989, nos. 192, l. 12 and 254, l. 43) - the use of προσφεύγω seems to be confined to petitions; see the parallels quoted in the commentary to **Aragua**, ll. 23-25.

2 Cf. Halfmann (1982), Thomasson (1984:233-4, no. 177), Barnes (1986), Şahin (1987) and Leunissen (1989:254).

3 Cf. **Tabala**, ll. 8-12: περὶ τούτου διδαχθεὶς ὁ κράτιστος τοῦ ἔθνους ἡγούμενος ἐπανορθώσεται τὰ δοκοῦντα ὑπὸ τῶν στρατιωτῶν πλημμελεῖσθαι εἰς ὑμᾶς.

4 Cf. commentary on **Aragua**, ll. 2-4 & 23-25 and **Skaptopara**, ll. 163-164.

TAKINA, town and imperial estate in *Phrygia, Asia*.

Dossier of documents concerning illegal requisitions by soldiers. Included in the dossier are a *subscriptio* issued by Caracalla, two letters of an imperial freedman and procurator, and two letters of two different *proconsules Asiae*. 212-213.

1) BIBLIOGRAPHY

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SEG XXXVII (1987) 374-7, no. 1186.

2) DISCOVERY AND PUBLICATION

The story of the discovery of this important inscription makes disconcerting reading. It was found about 1970 by a farmer ploughing his field at Yarışlı south-west of the Burdur lake (Askania Limne); this coincides with the south slope of the acropolis of the ancient town Takina (for map see Bean 1959:69, fig. 1). The stone was intact at the time of discovery but it was 'immediately smashed in order to lay bare the gold which it was thought to be concealed under the writing.'¹ Of the remaining fragments, the larger were built into the wall of a house in the village where they remain to this day. Some fragments are set with the writing turned inwards and are accordingly unattainable for transcription. From the evidence of the photographs this has for instance happened to a large fragment which carries the text of the beginning of ll. 25-40.

In a letter to me in December 1994 Wynne Williams wrote that already in 1978 Alan Hall had invited him to collaborate with David French in the publication of **Takina** and that he by 1980 had prepared a commentary. Regrettably French had to lay aside the publication and when it eventually appeared in the names of French and Şahin, only a few of Williams' contributions appeared. In his letter to me Williams commented generously and extensively on the text and contents; the information marked W(illiams) derives from this letter.

Takina lay just inside the south-east border of the province of Asia, in the area where the regions Phrygia, Pisidia and Pamphylia converged. After a discussion which has lasted for half a century (cf. commentary), the inscription has confirmed Bean's conclusion (1959:86) that there was an imperial estate south of the Askania lake and connected with

1 Cf. French's account quoted at the bottom of pp. 133-4.

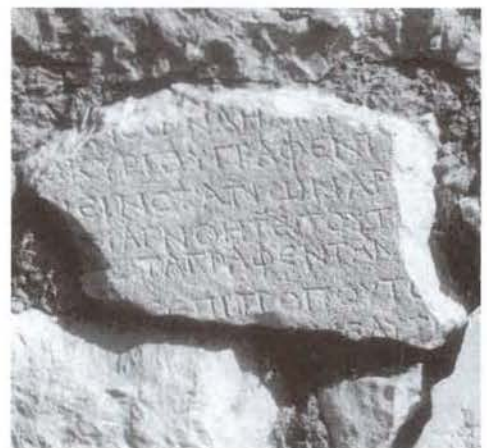
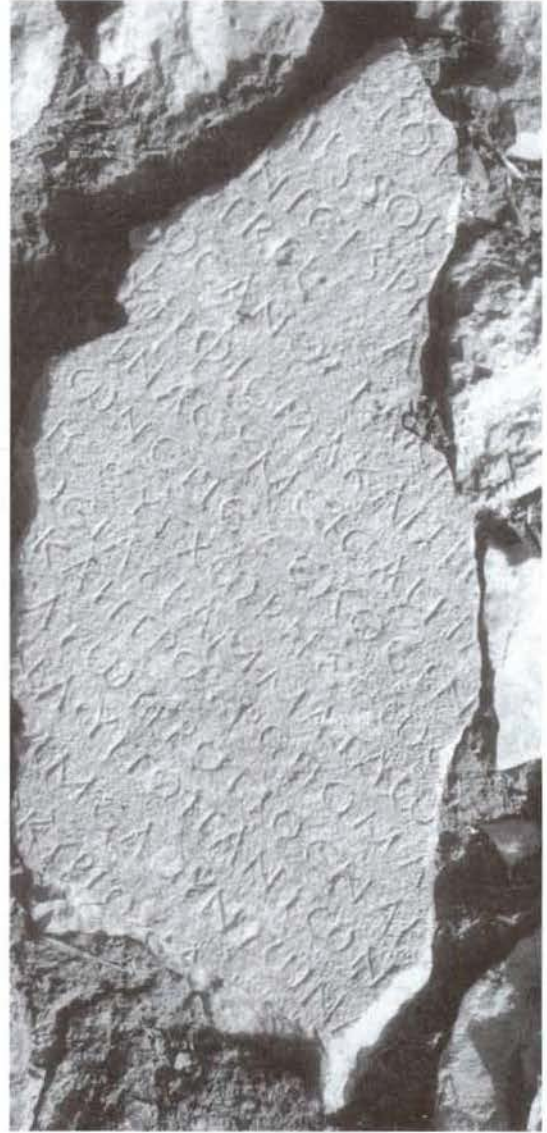
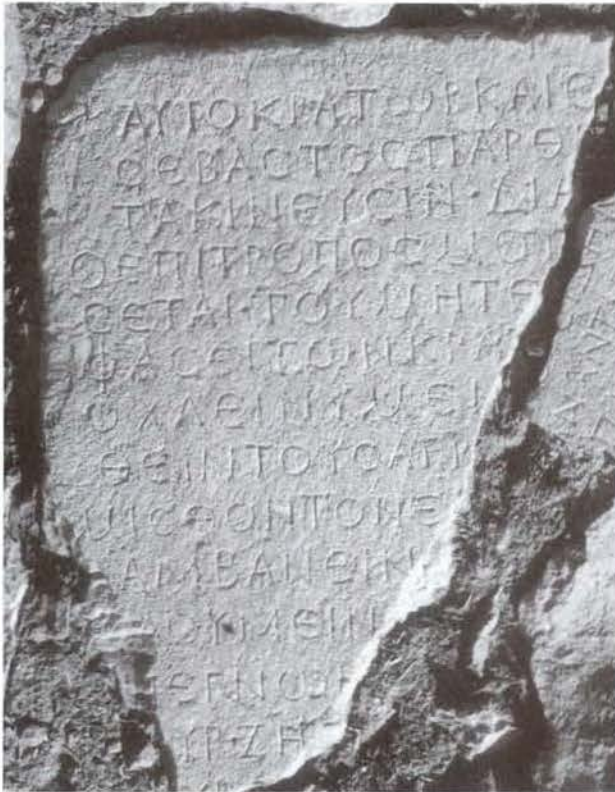


Fig. 16: Fragments 1,4,5 & 7 of Takina.

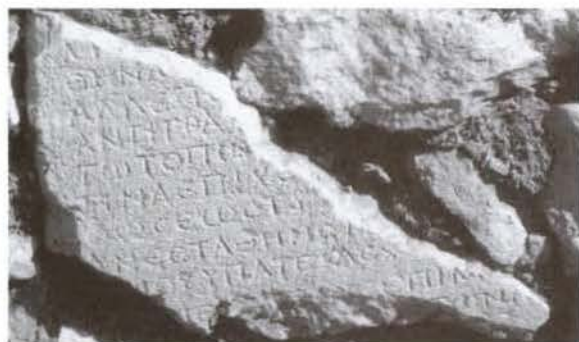
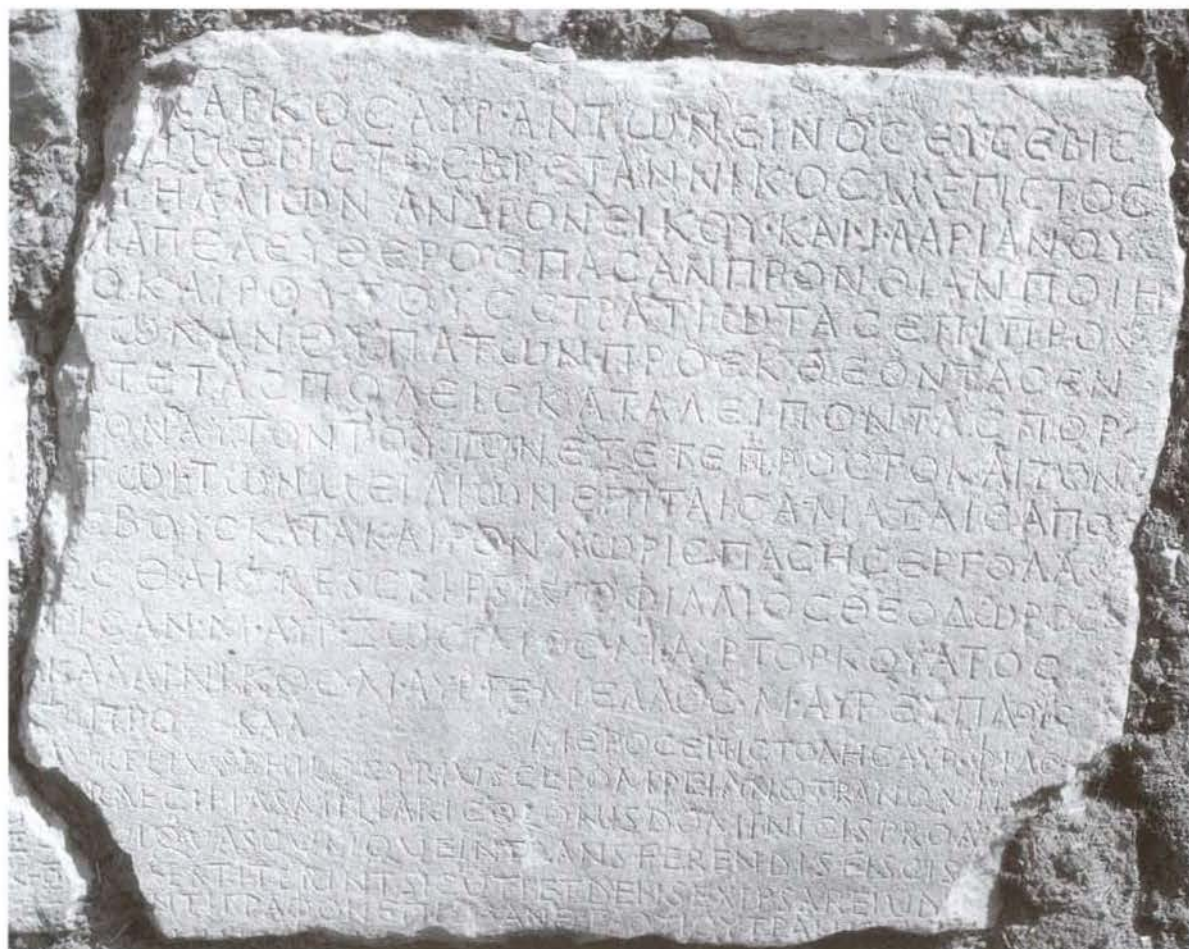


Fig. 17: Fragments 3, 8 & 9 of Takina.

Tymbrianessos. The inscription also proves that it was administered by the imperial procurator and freedman in charge of the imperial estates of Phrygia. The publication in *Epigraphica Anatolica* is mainly the work of Şahin; French's contribution, aside from the report about the discovery of the stone and the drawing on p. 138, is limited to the restorations recorded in the critical apparatus.

3) DESCRIPTION

Şahin suggested that the complete document would have been 1.40m high and 0.90 wide. The height of the letters varies between 0.012 and 0.015 high. Judging from the facsimile, the height of the letters shrinks from the top towards the bottom. This fact accounts for the varying number of letters per line. The facsimile drawn by French and reproduced on p. 138 gives a good impression of how the editors have aligned the different fragments; it is essential for the understanding of the inscription. One small fragment, no. 2, has been left out of the drawing; and this explains why the apparent gaps in ll. 4-8 are not marked by square brackets in the text. The photographs in plates 10-13 (which include fragment no. 2) are good, but the fragments are not reproduced at the same scale (in fact no scale is given). Williams made his photographs available to me.

4) TEXT, CRITICAL APPARATUS AND TRANSLATION

The leaf occurring at several places in the inscription is here represented by a star (*).

Document 1

- 1 *Αὐτοκράτωρ Καῖσ[αρ] Μάρκος Αὐρ. Ἀντωνεῖνος Εὐσεβῆς*
 Σεβαστὸς Παρθι[κὸς] μέγιστος Βρεταννικὸς μέγιστος
 *Τακινεῦσιν δι' [Αὐ]ρηλλίων Ἀνδρονείκου καὶ Ἰλαριανοῦ **
 4 *ὁ ἐπίτροπός μου καὶ ἀπελεύθερος πᾶσαν πρόνοιαν ποιή-*
 *σεται τοῦ μήτε πρὸ καιροῦ τοὺς στρατιώτας ἐπὶ προ-**
 φάσει τῶν κρατίστων ἀνθυπάτων προεκθέοντας ἐν-

CRITICAL APPARATUS:

Abbreviations:

- S** Şahin (1987)
F readings attributed to French but not followed by Şahin (1987:140)
W readings attributed to Williams by French, same place or in private letter
H author.

All words which are restored and which are not accounted for below come from the text given by Şahin (1987:137-140).

L. 3: [Αὐ]ρηλλίων (*sic*) **S**, the double spelling of -λλ- in [Αὐ]ρηλλίων probably reflects the plural **H**.

- οχλεῖν ὑμῖν μήτε τὰς πόλεις καταλείποντας πορ-
 8 θεῖν τοὺς ἄγρους· τὸν αὐτὸν τοῦτον ἔξετε πρὸς τὸ καὶ τὸν
 μισθὸν τὸν ἐφ' ἐκά[σ]τωι τῶν μειλίων ἐπὶ ταῖς ἀμάξαις ἀπο-
 λαμβάνειν καὶ τ[οὺς] βοῦς κατὰ καιρὸν χωρὶς πάσης ἐργολα-
 [βί]ας ὑμῖν [ἀποδίδ]οσθαι. * **Rescripti. M** * Ὀφίλλιος Θεόδωρος
 12 [ἀ]νέγνω

Authentication of document 1

- 12 [καὶ ἐσφρά]γισαν M. Αὐρ. Ζώσιμος, M. Αὐρ. Τορκουάτος,
 [M. A]ὐρ. Ζῆθ[ος, M. Αὐρ.] Καλλίνικος, M. Αὐρ. Γέμελλος, M. Αὐρ. Εὐπλους
 [M. A]ὐρ. T[- - - - -] * πρὸ vac καλ. vac.

Document 2

- 14 μέρος ἐπιστολῆς Αὐρ. Φιλο-
 [κυρίου ἐπιτρόπου]· Aurelius Philocyrius C. Pompeiano Tranquil[lo]
 16 [- - - - - p]eto praecipias miliari^a colonis dominicis pro a[...]
 [- - - - - vica]nis solvi quascumque in transferendis fiscis[...]
 [- - - - - domi]nicis praestiterint sicuti et de iis ex ipsa re iudi[cabis?]
 [- - - - - e]t rel(iqua). vac.

Document 3

- 19 ἀντίγραφον ἐπισ(τολῆς) ἀνθ(υπάτου) Γαουίου
 Τρανκύλ[λου]· vac
 20 [Γάουιος Τράνκυλλ]ος ἀνθ(ύπατος) Τακινέω[ν ἄρχ]οισι δήμωι vac χαίρειν·
 [- - - - ὑμῶν τὸ] ψήφισμα καὶ τῆ[ν θεί]αν ἀντιγραφὴν καὶ κεινηθεῖς ε-
 [- - - - - τ]ινὰς ὑμεῖς αἰτι[ᾶσθε] πλημμελοῦντας παρὰ τὰ θεῖα

L. 11: [ἀναδίδ]δοσθαι W; after *rescripti* a small M clearly visible in photo H.

L. 12: [καὶ παρ]ῆσαν S, [ἐσφρά]γισαν (without καὶ) W;]γισαν appears clearly on photo H.

L. 16: p]eto W; miliari^a W, in the sense 'the money for the miles to be paid to the villagers in the respect of the wagons which ...' summarising τὸν μισθὸν τὸν ἐφ' ἐκάστω τῶν μειλίων in ll. 8-9.

L. 17: [?sarci]nis S.

Ll. 18-19: iudi[care | tibi placebit] W.

L. 19: et rel(iqua) W.

L. 20: 'The traces do not allow [βουλή]ε' F; [ἄρχ]οισι H based on photo.

L. 21: [ἀναγνοῦς] S, [ἀνέγνω] H.

Ll. 21-22: ἐ | [πὶ τῶ ... τ]ινὰς S, ἔ | [μαθον ὡς στρατιώτας τ]ινὰς H.

L. 22: αἰτι[ᾶσθαι] S, αἰτι[ᾶσθε] H.

- [γράμματα - - - -]ων ἐπεξελεθειν. [ἐ]πεὶ δὲ ἠτήσασθε παρ' ἐμοῦ ὁ καὶ
 24 [- - - - - τ]ῆς συγχωρήσεως [ἐν] ἐξουσίᾳ εἴχετε· ἐπειδήπερ πα-
 [ραβαίνεται τὰ] θεῖα γράμματα, ὥ[στ]ε ταῦτα προτεθῆναι οὐ μόνον
 [συγχωρῶ, ἀλλὰ] καὶ προτρέπομα[ι· οὐ] μόνον νῦν, ἀλλὰ καὶ διὰ παν-
 [τὸς χρόνου φανερωτ]άτω προτιθέναι [τοῦ δ]ήμου χωρίῳ πρὸς τὸ
 28 [καὶ τὰ προγεγραμμέ]να ὑπὸ πάντων [γνωριεῖ]σθαι, ὡς τῶν ἀνηκουσ-
 [τούντων - - - - - πλη]μμελούντων δ[ὲ καὶ] ἀσεβούντων. ἐρῶσθαι ὑμᾶς εὐχομαι

Document 4

- 30 [μέρος ἐπιστολῆς Φιλο]κυρίου· A[ur. Philocyri]us Pacuvio Aimiliano
 s(upra) s(criptum) quid
 [- - - - - m]i domine. frater et collega
 32 [- - - - -]oque colonos dominicos
 [- - - - -]cum fieri prohibeas

Document 5

- 34 [vacat? Πακούιος Αἰμιλιανὸς Τακι]νέων δημάρχους χαίρειν·
 [- - - - -]τὰ ὑπὸ Αὐρ. Φιλ]οκυρίου γραφέντα [- - - - -]
 36 [- - - - -]ειν στατιωναρ[ιο - - - - -]
 [- - - - - ἵνα μ]ῆ ἀγνοῆτε τοῦτο [- - - - -]
 [- - - - -] τὰ γραφέντα μ[οι - - - - -]
 [- - - - - 'Αὐρ(ηλίου) Φιλοκυρί]ου τοῦ τῆς Φρυγίας ἐπιτρόπου το[- - - - -]
 40 [- - - - -]μισατε ἐπιστάμενοι τὸν ἑαυτὸ[- - - - -]νον
 [- - - - -].ς ἀπαντῆν τοῦ ἀνθυπάτου ἀν[έγν]ων. *
 [- - - - -] ἐπεὶ μὴ ὑβρίζειν ἀλλὰ μηδὲ ἐ[ν] ὀνόματι
 [- - - - -]τινι καὶ εἴ τινα δὲ ὑπὲρ ἀμαξῶν φασκιάρια

L. 23: [προστάγματα καθ' ὑμ]ῶν H.

Ll. 23-24: κα | [τὰ τὸ δίκαιον ... τ]ῆς S; καὶ | [ἤδη χωρὶς ταύτης τ]ῆς H, καὶ appears on the facsimile.

L. 25: 'ὥ[δ]ε does not suit the space available (see drawing)' F; ὥ[στ]ε which is faintly legible in drawing F.

Ll. 26-27: διὰ παν | [τὸς χρόνου]ατω S; διὰ παν | [τὸς ἐν τῷ φανερω]τάτω προτιθέναι [τοῦ δῆ]μου χωρίῳ κτλ. F.

Ll. 28-29: ἀνηκουσ | [τούντων καὶ τῶν πλημ]μμελούντων δ[ὲ τῶν] ἀσεβούντων F; ἀνηκουσ | [τούντων τούτων καὶ τῶν πλημ]μμελούντων κ[αὶ τῶν] ἀσεβούντων T. Hägg and H.

L. 30: [ἔ]πιστολῆ Αὐρ. Φιλο]κυρίου S, [μέρος ἐπιστολῆς Φιλο]κυρίου H.

L. 39: [Αὐρ. Φιλο]κυρί]ου H.

L. 42: ἐ[ν] ὀνόματι S; ἐ[ν] ὀνόματι H.

L. 43: φασκιάρια S, φασκιάρια H.

- 44 [- - - - -] λυσαι δίδοσθαι εἰδότες ὅτι εἰάν τι παρὰ ταῦ-
[τα ποιήσητε, - - - - - μετα]πεμφθέντες κολασθήσεσθε. ^{vac}

Document 6

- 46 [- - - - -Τακινέω]ν δημάρχους χαίρειν· ἀνέγνων τὰ ὑφ' ὑ-
μ[ῶν] γράμματα καὶ - - - - -]..ΙΕΠΘ..ΔΚΕΙΤΕ·ΚΕΚ[Ε]ΛΕΥΚΕΙΝΑΝ κατασχε-
48 θῆναι [- - - - - παρ]ὰ τὸ δέον ἔπραξεν,
ἀλλ' ἐπε[ὶ - - - - - ἔδοξ]εν μοι καλῶς ἔχειν
ἀντίγραφ[ον ἐπιστ(ολῆς) ἀνθ(υπάτου) καὶ τὰ θεῖα γ]ράμματα ἐν ἐπισημοτά-
τῳ τόπῳ [ἀνασταθῆναι - - - - -] οὖν φροντίσατε· ἅμα τῷ
52 τινι ἐπιχε[- - - - -] δηλώσαι, ὅπως ἐπανορ-
θώσεως τύχ[ητε - - - - - ἐρρώσθαι] ὑμᾶς εὐχομαι. ^{vac}

Dedication of monument

- 54 ἀνεστάθη ἡ στ[ῆλη λιθίνη - - - - - ἐπὶ τῆς] Μάρκ(ου) Ἰουνίου Κογκέσσου
Αἰμιλ-
[α]νοῦ ὑπάτε[ί]ας *[- - - - -]ου καὶ Αὐρ. Ἡρακλείδου καὶ Αὐρηλ.
56 [- -]ιε[- - - -]επιμ[- - - - - Αὐρ. Ἀρτε]μιδώρου καὶ Αὐρ. Τροκ. Ἀνδρονίκου
[- - - - - δημαρχούν]των ἅ[- - - - - Αὐρ. Διο]τίμῳ γραμματοφύλακι
Τακιν[έων]

Tentatively restored text for Document 3:

- 19 ἀντίγραφον ἐπιστ(ολῆς) ἀνθ(υπάτου) Γαουίου Τρανκύλ[λου]·^{vac}
20 [Γάουιος Τράνκυλλ]ος ἀνθ(ύπατος) Τακινέω[ν ἄρχο]υσι δήμωι ^{vac} χαίρειν
[ἀνέγνων ὑμῶν τὸ] ψήφισμα καὶ τῆ[ν θεί]αν ἀντιγραφὴν καὶ κεινηθεῖς ἔ-
[μαθον ὡς στρατιώτας τ]ινὰς ὑμεῖς αἰτι[ᾶσθε] πλημμελοῦντας παρὰ τὰ θεῖα
[προστάγματα καθ' ὑμ]ῶν ἐπεξελεθῆν. [ἐ]πεὶ δὲ ἠτήσασθε παρ' ἐμοῦ ὃ καὶ
24 [ἤδη χωρὶς ταύτης τ]ῆς συγχωρήσεως [ἐν] ἐξουσίᾳ εἶχετε· ἐπειδήπερ πα-
[ραβαίνεται καὶ τὰ] θεῖα γράμματα, ὧ[στ]ε ταῦτα προτεθῆναι οὐ μόνον
[ὑμῖν συγχωρῶ, ἀλλὰ] καὶ προτρέπομα[ι· οὐ] μόνον νῦν, ἀλλὰ καὶ διὰ παν-
[τὸς ἐν τῷ φανερωτ]άτῳ προτιθέναι [τοῦ δ]ήμου χωρίῳ πρὸς τὸ

L. 47-47: κεκ[ε]λευκείναν κατασχε | θῆναι S; interpreted as 3rd pl. plur. perf. ? SEG; κεκ[ε]λεύκειν ἄν κατασχε | θῆναι (?); cf. Athanasius Theol., *De decretis Nicaenae synodi*, 41, 15, H.

L. 53: τύχ[ητε] H.

L. 57: [δημαρχούν]των W.

- 28 [τὰ νῦν προστεταγμέ]να ὑπὸ πάντων [γνωριεῖ]σθαι, ὡς τῶν ἀνηκουσ-
[τούντων τούτων καὶ πλη]μμελούντων κ[αὶ τῶν] ἀσεβούντων. ἐρῶσθαι ὑμᾶς
εὐχομαι

TRANSLATION

Document 1:

(II. 1-3) Emperor Caesar Marcus Aurelius Antoninus Pius Augustus Parthicus Maximus Britannicus Maximus, to the people of Takina through the Aurelians Andronicus and Hilarianus. (II. 4-8) My procurator and freedman shall take every care that the soldiers neither proceed in advance on the pretext of the most illustrious proconsuls and harass you nor leave the towns and ravage the fields. (II. 8-11) You will also have the assistance of this same person in receiving the set rate for wagons per mile and that the oxen are given back in time to you without any dispute. (II. 11-12) I have signed. I, Ofillius Theodorus, have controlled.

Authentication of document 1:

(II. 12-14) [The following sealed (this document)]: Marcus Aurelius Zosimus, Marcus Aurelius Torquatus, Marcus Aurelius Zeth[us, Marcus Aurelius] Callinicus, Marcus Aurelius Gemellus, Marcus Aurelius Euplus, [Marcus A]urelius T[- - -] days before the first of [- - -].

Document 2:

(II.14-19) Part of the letter from Aurelius Philo[cyrius, procurator.] Aurelius Philocyrius to Pompeianus Tranquillus, greetings. [- - -] that you instruct that the imperial peasants [- - -] per mile (?) [- - -] pay for whatever support they have given in conveying to the *fiscus* [- - -] as you yourself [can] judge about them (or *this* ?) from the case itself [- - -].

Document 3 (following the tentatively restored text given separately above):

(II. 19-29) Copy of a letter of proconsul Gaius Tranquillus.

'Gaius Tranquillus, proconsul, to the magistrates and people of Takina, greetings. I read your decision and the imperial rescript, and I was upset to learn that you accuse some soldiers of taking action against you acting in defiance of the imperial instructions. Since you requested from me what you already were entitled to without this permission, and especially because the imperial letter is being violated, I not only permit, but I also urge you to publish it, not only for the present, but to have it displayed at all times in the most conspicuous place of your village so that everybody -including the disobedient, defiant and impious soldiers - shall be informed about what has now been prescribed.' I pray for your welfare.

[The texts of documents 4 - 6 survive only in fragments and no coherent translation can be given.]

Dedication of monument:

(II. 54-57) This [stone] stele was raised when Iunius Marcus Concessus Aemilianus was proconsul. [Three names, all including Aurelius follow.] [...] for [Aurelius Dio]timus, the keeper of records of the Takinians.

5) GENERAL COMMENTARY

a) Range and characteristics

The dossier of official correspondence recorded in *Takina* confirms in many ways earlier conclusions which have been worked out in theory but which it has not been possible to support with direct evidence. This applies to the relationship between imperial procurators and proconsuls, the influence of procurators upon military commanders and the permission to publish imperial decisions and the reasons for doing so. Of general administrative interest are the names of two formerly unknown *proconsules Asiae*.

In contrast to the documents of Part I, A, it is characteristic that the approaches of the *Takinians* to the authorities have been omitted from the epigraphic monument. This includes both the petition which Andronikos and Hilarianos presented to Caracalla on their behalf and the collective *ψήφισμα* referred to by the proconsul Tranquillus (l. 21).¹

The letters of the freedman procurator, Philocyrius, are not answered. In the inscription they are both proof of his enterprise and serve to introduce two of the ensuing documents (nos. 3 and 5). Philocyrius' letters are both written in Latin, a feature which reveals their internal character.

The sheer number of documents also show that the *Takinians* were at pains to include and involve the full range of authorities in order to come to grips with their problems. And in this they succeeded in a singular way. The documents seem to have been entered in chronological order.

b) The constituent documents

General survey

At the head of this long inscription (ll. 1-14) is a *subscriptio* issued by Caracalla in 212-213.² The *subscriptio* is addressed to the two representatives Aurelius Andronicus and Aurelius Hilarianus.³ The people of *Takina* constituted an estate administered by an imperial procurator and freedman; in three of the documents his name is given as Aurelius Philocyrius, and is to be identified with the procurator Philocurius of **Sülümenli** (= Frensd 1956:47, ll. 30 and 33; this part of **Sülümenli** is datable to 213).

Two statements of Philocyrius are included. The first (document 2, ll. 14-19) is a letter to the *proconsul Asiae*, Claudius Pompeianus Tranquillus, the second (document 4, ll.

1 In this respect the inscription resembles imperial and proconsular letters as they are known from other towns.

2 Some 70 years after Wilcken (1920) it is disturbing to observe how hard it is to disseminate and apply his widely accepted definition of the two subspecies of imperial *rescripta*, viz. *epistula* and *subscriptio*. Şahin (p. 134) uses *Reskript* and *Brief* of this document and his references makes it clear that this is not a mere slip of his pen. This document is, however, distinctly a *subscriptio*. To start with the negative features: the formal elements of an *epistula* are missing, i. e. the greeting (*salutem dicit/ χαίρειν*) and the valediction (*vale/ ἐρρωσθαι*) in addition to the epistolary level (i. e. town/ senator and family/ imperial official). Further, the document is positively authenticated, a practice which for obvious reasons was not applied to letters. Cf. also the commentary on *Tabala* ll. 1-2 and Mourgues (1987:81-2).

3 All civilians have Aurelius in their name, and the dossier gives a contemporary image of the impact of the *Constitutio Antoniniana* on the nomenclature.

30-34) probably another extract of a letter (or a less formal notice) to an unidentified Pacuvius Aimilianus. Four further documents are included: a letter (document 3, ll. 19-29) from the *proconsul Asiae*, Claudius Pompeianus Tranquillus to the people of **Takina**, a letter (document 5, ll. 34-45) from Pacuvius Aimilianus to the magistrates of **Takina**, a second letter (document 6, ll. 46-53) to the magistrates of **Takina** by a unidentified sender, and finally a statement (document 7, ll. 54-57) recording that the inscription has been set up.

Document 1

In comparison to the decisions given in **Dagis**, **Skaptopara** and **Aragua** Caracalla's *subscriptio* is very straightforward. It is aimed at the procurator who is identified by rank and standing (*ἐπίτροπος* and *ἀπελεύθερος*) but whose name is not given (which in fact is in keeping with general practice⁴). It is important to take notice of the fact that the emperor chooses to approach the problem through the procurator. The contrast is again with **Skaptopara** and **Aragua** where reference to the governor is to be taken as the ruling principle. As in the case of the imperial estate **Saltus Burunitanus** the problems aired in **Takina** are to be solved at the procuratorial level, even if in this instance they directly involve the proconsul. This further underscores the detached nature of the imperial estates. To extend further the contrast with **Skaptopara** and **Aragua**, it is of course noteworthy that the *libellus* is left out of the dossier. This prevents us from assessing the full scope of the problem, but it probably also tells us how closely the *libellus* corresponded to the petitioners' wishes; possibly they found the official documents to be of greater weight and value than their own petition. From this point of view **Takina** is a parallel to **Tabala** and **Euhippe**, if even much richer in administrative details.

Harassment by soldiers on the pretext of the imminent presence of the *proconsul Asiae* instigated the petition and the *subscriptio*. Soldiers had left the cities and ravaged the countryside, requisitioning carts and oxen without giving the prescribed compensation. It is likely that the yearly assize tour is meant by the phrase 'on the pretext of the illustrious proconsuls'. This followed a set scheme which was reiterated yearly and which for the assize centers Sardis, Apamea, Synnada and Miletos is documented by an extensive if elusive inscription (cf. Habicht 1975 and Burton 1975). How the proconsuls governed their provinces and acted when criss-crossing their provinces was a theme which occupied the lawyers active under the reign of Caracalla. In *Digesta* 1. 4, 5 (Ulpianus, *De officio proconsulis liber primus*) a rescript issued by Caracalla and his father goes: *Observare autem proconsulem oportet ne in hospitiiis praebendis oneret provinciam, ut imperator noster cum patre Auficio Severiano rescripsit.*⁵

4 I know of no example where the emperor actually gives the name of the official he alludes to. But contrast Feissel & Gascou (1990:24, n. 53).

5 'The proconsul has to watch that he does not overburden the province through too lavish hospitality; so warned our present emperor and his father in a rescript to Aufidius Severianus.'

In the excerpts of Ulpianus' ten books *De officio proconsulis* contained in the *Digesta*, there are no less than 22 references to Caracalla. Honoré (1982:153-8) has set up a tentative chronology for the composition of these books, suggesting that Ulpianus started this project in 213. For the present inscription it is of consequence that this legislative work on the proconsul's duties was conceived during the reign of Caracalla.

The authentication of the *subscriptio*

The signature of the emperor's 'ghost writer', Ofillius Theodorus, concludes the *subscriptio* (ll. 11-12). This document is in turn authenticated by the following (ll. 12-14) [ἐσφρά]γισαν and the names of seven witnesses, all Marci Aurelii. This authenticated copy was in turn brought before the proconsul Tranquillus (l. 21). By itself the authentication does not constitute a document.

Document 2

As the *subscriptio* was directed to the imperial procurator heading the estate, some reaction by him was to be expected (ll. 14-19). This follows in an extract of a letter (μέρος ἐπιστολῆς), written in Latin and addressed to the ruling *proconsul Asiae*, Claudius Gaius Tranquillus.⁶ It may be an indicator of the procurator's comparatively low standing that his letter is only given as an extract;⁷ however, it seems that the letters of Philocyrius function as transitions or introductions to other documents. The letters of Cl. Gaius Pompeianus Tranquillus, Pacuvius Aimilianus and the unidentified person in l. 46 (i. e. docs. 3, 5 and 6) are all given *in extenso*. Despite the damage it is possible to establish that the extract is an undisguised appeal to the proconsul that he should see to it that the soldiers pay for transport and whatever else that has been offered by the *coloni dominici*. Again these words seem to be in keeping with the general rule that such letters should enforce administrative *principles*, and not go into the details of single events.

Document 3

The letter of the proconsul Tranquillus to the magistrates (?) and people of Takina, concerns the right to publish the rescript as an inscription. In his response Tranquillus refers both to a decision, ψήφισμα, taken by the council and the imperial rescript. No ψήφισμα is recorded in the dossier. Tranquillus may be referring to the *libellus* by this word; in that case we must expect that the *libellus* was agreed upon as a decision taken by the council of Takina. It is, however, apparent from the contents of this letter that the Takinians must have made some kind of approach the proconsul. One may suggest that when the council debated whether to perpetuate the *subscriptio* as an inscription, some clever head doubted if it was in their power make such a decision (cf. l. 24 [ἐν] ἐξουσίᾳ εἶχετε) and had the question transferred to the proconsul. Thus explained, the ψήφισμα refers to this decision and removes the letter's apparent lack of context.⁸

Document 4

The status of the following document is uncertain. Unquestionably it is a dispatch from the procurator, Aurelius Philocyrius to his superior, Pacuvius Aemilianus (spelt Aimilianus).⁹

6 The extracts - apart from the μέρος-tag of doc. 2 (l. 14) - are also marked by the omission of the greetings (contrast docs. 3, 5 and 6, ll. 20, 34 and 46 respectively).

7 This argument is not without its own problems, as the letter of Pertinax in *Tabala* also is given as an extract.

8 Cf. Oliver (1954:163-7). For a similar consideration of a governor's discussion of a city decree, cf. Wörrle (1988:31-3), who maintained that M. Flavius Aper responded to a ψήφισμα through a *subscriptio*.

9 The sequence *domine frater et collega* cannot refer to the same person and must consequently be divided: *domine. Frater et collega*. This *frater et collega* is an unknown third person (Williams).

Roman officials used letters very freely - especially among colleagues - so it is likely that these lines also give an extract.¹⁰ This is supported by the *s(upra) s(criptum)*-passage at the start of the main body. A passage also imparts the fact that Philocyrius briefed his colleague on the events and the decisions taken, asking him to put a stop to such conduct (l.33 *prohibeas*). From the mere 12 words that are left intact, it is hard to pinpoint both the particular position of Pacuvius and the finer details of the correspondence. But as the next document (document 5) is a letter emanating from the same Pacuvius, it will also give some clues to his position, even if this part too, is much damaged.

Document 5

is addressed to the magistrates of Takina; it refers to a letter of Aurelius Philocyrius, and the word *stationarius* can be read. Moreover, two verbs in the 2nd person plural occur (ll. 37 and 45: ἀγνοήτε and κολασθήσεθε). The last verb cannot be meant for the Takinians, they would under no circumstances put up an inscription referring to their impending punishment.¹¹ But ll. 34 - 45 constitute rather a single document incorporating a letter for the information of the Takinians (cf. l. 37 μ]ῆ ἀγνοήτε). From the contents Pacuvius appears as the commander of the soldiers, but whether he had a purely military rank (such as *praefectus* or *tribunus*) or fiscal post (such as a *procurator fisci*) with soldiers attached to him cannot be unequivocally decided.

Document 6

The final document is the most puzzling as it seems to be a replica of doc. 3; i. e. a letter to the magistrates of Takina allowing and urging them to display the imperial letter and other parts of the correspondence so that they may obtain redress. The identity of the sender is not preserved. Following the parallel in doc. 3, it should have been issued by a proconsul. But if we take into account the liberal and persuasive formulations of Tarquillus' letter, it seems extraordinarily pedantic to apply for such a permission once more. The explanation may be hidden in chronology, succession or perhaps a very explicit and inescapable order to do so.

10 At the start of l. 30 we can restore [μέρος ἐπιστολῆς Φιλο]κυρίου (cf. l. 14) or less probably [ἐξ ἐπιστολῆς Αὐρ. Φιλο]κυρίου. The drawing indicates that the *lacuna* permits more than the 15 letters suggested by the editors.

11 This may be the reason why the editors postulate a new document at l. 39 (their § 6); but no argument is given.

7) DETAILED COMMENTARY

DOCUMENT 1

a) Epigraphic texts rendering imperial *subscriptiones*

The inclusion of an imperial *scriptio* adds **Takina** to a small but important group of epigraphic texts. Williams (1986) has collected and presented the texts which shed light on the *libellus*-procedure. A complete list does not exist. A survey of *subscriptiones* to provincial communities, associations and local magistrates recorded by inscriptions and papyri is given by Mourgues (1987:82, n. 24). For the sake of reference I reproduce the list given by Williams, with **Takina** inserted.

- 1) **Aphrodisias** = Reynolds (1982, doc. 13), Octavian (?)/ Augustus, 38
B. C. (?)
- 2) **Smyrna 1** = *I. Smyrna* II:1, no. 597, Antoninus Pius, 139
- 3) **Smyrna 2** = *I. Smyrna* II:1, no. 598, Antoninus Pius, 150
- 4) **Saltus Burunitanus**, Commodus, 181
- 5) *Sacrae litterae* of Septimius Severus = Jones (1984), May 31, 204.
- 6) **Rome** = *IGUR* I, 35 (cf. Williams 1986:191-4), Caracalla and Geta (?), 211
- 7) **Takina** = *EA* 10 (1987) 133-42, Caracalla 212-213
- 8) **Skaptopara**, Gordianus III, 238
- 9) **Aragua**, Philippus Arabs and Severus Philippus, 247-249
- 10) **Baetocaece** = *IGLS* VII, 4028, Valerianus, Gallienus and Saloninus, 258

Takina most decidedly deserves its place among these inscriptions on account of its two unique features: the *scriptio* written in Greek and the subject of *recognovi* given separately.

b) The language of composition for the *scriptio*

On the basis of the evidence from the inscriptions listed above the rule has been formulated that imperial *subscriptiones* were written in Latin, notwithstanding the language of the petition. As **Takina** is given in Greek this principle must be reexamined. Two facts must be noticed at the outset: the imperial signature, *Rescripsi* (l. 11), is none the less given in Latin, as are indeed the extracts of the two letters of Aurelius Philocyrius (documents 2 and 4). This should rule out any explanation to the effect that the community was completely foreign to Latin etc.

The only approximate parallels to **Takina**, are the inscriptions giving a Greek rendering of the *sacrae litterae* of Septimius Severus and Caracalla (cf. no. 5 above). This pronouncement is known from several sources; there can be no doubt about its Latin original as it is extant in seven copies. The special feature of the *sacrae litterae* is that it is also

known in different Greek versions.¹² At present there seems to be general agreement that the *sacrae litterae* are a *subscriptio*.¹³ Mourgues (1987:80, n.12) concluded from the divergences of the Greek translations that there never was an official translation of subscripts. If we compare this judgment with **Takina**, this may well prove to be right and may account for the puzzling fact that the Takinians twice applied for the right to have the pronouncement posted. That is to say that the applications were not quite as matter of fact as the impression they leave. To hypothesize on this topic further, will at present probably only amount to mere speculation.

LI. 1-2 *Αὐτοκράτωρ Καίσαρ Μάρκος Αὐρ. Ἀντωνεῖνος Εὐσεβῆς Σεβαστὸς Παρθι[κὸς] μέγιστος Βρεταννικὸς μέγιστος*: The promulgation of the *Constitutio Antoniniana* on July 11th, 212 and Caracalla's adoption of the title *Germanicus Maximus* in October 213 give the outer limits for this *subscriptio*. The parameter of *Constitutio Antoniniana* is justified because all names but four encountered in the inscription include Aurelius; this is particularly noticeable in the parts giving the authentication and dedication.

Caracalla was born in Lugdunum, April 4, probably in 188, as the eldest child of Septimius Severus and Julia Domna; at birth he was given the name Lucius Septimius Bassianus. The fictitious adoption among the Antonines took place in 196, whence he carried the name M. Aurelius Antoninus. The nickname Caracalla was adopted after the German campaign of 213, from his habit of wearing a Gallic cloak. This name occurs only in literary sources, never in the numismatic and papyrological ones. He became Caesar and *Imperator* (the two go together) in 196, *Imperator destinatus* in 197 and *Imperator Caesar M. Aurelius Antoninus Augustus* in 198. This remained his most common appellation until the death of his father, February 4, 211.

12 Jones (1984) surveys the different inscriptions: 1-2) PAROS - A. Wilhelm, *JÖIA* 3 (1900) 75-8, this consists of two *stelae*, one giving the Latin original, the other a 'faithful' Greek translation; 3) SATALA - P. Herrmann, *Chiron* 7 (1977) 364-5 = TAM V:1, 607, this gives part of the Latin text, which already had been published by L. Robert, *Villes d'Asie Mineure*², Paris 1962, p. 281; 4) MIRTAZ - T. Drew-Bear, *Chiron* 7 (1977) 355-63, stele giving almost the complete Latin text; 5-6) ANCYRA - L. Robert, *BCH* 102 (1978) 432-7, this gives the Latin text and a Greek translation. The Greek translation differs from the one from Paros, and the last line giving the date is omitted for both versions; 7-8) EPHEBUS - D. Knibbe and R. Merkelbach, *ZPE* 31 (1978) = I. Eph. II, 207 and 208, two fragments of different inscriptions giving the Latin texts; 9-10) C. P. Jones, *Chiron* 14 (1984) 93-9, who proved that an inscription published by A. Reinach, *Revue épigraphique* 1 (1913) 165-89, esp. 173-6, in fact was a Greek version of the *sacrae litterae*; further that the seventeen letters recognizable in a squeeze originating in Yalvaç, Pisidian Antioch, and given by D. M. Robinson to The Institute for Advanced Study, Princeton, in fact constituted another Latin copy of the *sacrae litterae*.

Because of the many Latin copies, the text is virtually established: *Videris nobis senatus consultum ignorare, qui (no.6: quod) si cum peritis contuleris, scies senatori populi Romani necesse non esse invito hospitem suscipere. Datum pri(die) Kal(endas) Iun(ias) Romae, Fabio Cilone et Annio Libone consulibus*. The Greek text is basically the one found at Paros (no. 2), divergencies in Ancyra (no. 6) are set in (): *δοκεῖς ἡμεῖν τὸ δόγμα τῆς συγκλήτου ἀγροεῖν, ὃς (ὃ, presumably Ancyra) εἰάν μετ' ἐμπείρων συναντιβάλης (ἐπισκέψη, Ancyra), εἶση μὴ εἶναι ἐπ' ἀναγκῆς συγκλητικῶ δῆμον Ῥωμαίων (μαθήση μὴ σ. δ. Ῥ. ἀνάγκην εἶναι, Ancyra) ἄκοιτι ξένον ὑποδέχασθαι ἐδόθη πρ(ὸ) α' Καλ(ανδῶν) Ἰουνί(ων) Ῥώμη, Φαβίῳ Κεῖλωνι τὸ β' καὶ Ἀννίῳ Λίβωνι ὑπάτοις* (this sentence omitted in Ancyra).

13 Cf. Mourgues (1987:81, n. 18). Williams (1986:193-8) reached this conclusion on the basis of diplomatic form, Honoré (1981:102) on the basis of style, and Coriat (1985:94-5) on the basis of the vague expression of *litterae*.

His *gentilicium*, Aurelius, is generally abbreviated as here or Aurel. *Pius* is attested from 198; its Greek equivalent, Εὐσεβής, only from 201. The title *Parthicus maximus*, associated with Septimius Severus' conquest of Ctesiphon in 198, was not officially assumed by Caracalla until after the death of his father (there are very few examples dating from 198 to 211). *Britannicus maximus* is connected with the victory of Septimius Severus, Caracalla and Geta over the Caledonians in 209. On this occasion Geta was proclaimed Augustus and all three *Britannici maximi*. For Caracalla the attestation of *Britannicus maximus* is immediate; *Parthicus maximus* and *Britannicus maximus* are regularly linked in the inscriptions after 211. The adoption of *Germanicus maximus* should be attributable to his penetration of hostile territory in August 213 and appears in the Acta Fratrum Arvalium of October 6, 213 (CIL VI, 2086, l. 24 = ILS I, 431). Somewhat disturbing is the appearance of *Germanice max(ime) d(i) t(e) s(ervent)!* in the same record, but on the dates of May 17, 19 and 20 (l.17).¹⁴

L. 3 Τακινεῦσιν: Our knowledge about the town Takina is due mainly to an inscription which has been known for quite some time (CIG III, 3956b and the addenda et corrigenda p. 1106; = IGRR IV, 881; see also Thomasson 1984:233, no. 168). This records both an embassy to the emperor Commodus by a citizen Tryphon, son of Apollonides, and his funding of baths out of the dowry intended for his deceased daughter Ias - and eventually for his second daughter, Basilo, as the original sum proved inadequate. The inscription was put up under the joint reign of Septimius Severus, Caracalla and Geta.¹⁵

To the east, Takina and its territory must have verged on the imperial estate whose existence is established by boundary stones which all carry the same extract of an imperial letter from Claudius (cf. Bean 1959:85-88, no. 30 = IGRR III, 335 = OGIS II, 538 = SEG XIX, 765 = Smallwood 1967:112-3, no. 387; for two further examples cf. Robert 1960:596).¹⁶ This inscription says that all land, except a fifth part, to the left of it - which in less ambiguous terms must be the west - belongs to the village of Tymbrianassos, the property of the emperor Nero Claudius Caesar Augustus Germanicus; the odd fifth part belonged to the people of Sagalassos.¹⁷ This estate is a very likely candidate for the imperial domain alluded to in our inscription (cf. ll. 4, 16, 32 and 39); and its west border must in turn have constituted the eastern border of the Takinian territory.

At this point it is relevant to discuss whether the estate was meant to be included in the address of the *subscriptio* or not. Nothing is said of the domain, either in the address of this *subscriptio* or those of the two proconsular letters. The combination of letters to the magistrates and council of a town and responses of a procurator in charge of the imperial

14 For the titlature of Caracalla and Geta, see the excellent study of Mastino (1981); see also *RE* II (1896) 2437 and 2447, s. v. Aurelius, no. 46.

15 CIG had originally the reading (l. 7) τῷ Λακινέων Δήμῳ; this was later corrected to Τακινέων, a reading which was confirmed by Smith (1887:213-3, no. 12) and followed by Ramsay (1894:295-7 and 329-30, no. 138) when he described the town.

16 The discovery of three copies of the same text has made its restoration virtually certain. I therefore reproduce it here without the use of square brackets and divisors which would have given a distorted impression of the certainty of the text:

Ἐξ ἐπιστολῆς θεοῦ Σεβαστοῦ Γερμανικοῦ Καίσαρος, Κοίντος Πετρώνιος Οὔμβερ πρεσβευτῆς καὶ ἀντιστράτηγος Νέρωνος Κλαυδίου Καίσαρος Σεβαστοῦ Γερμανικοῦ καὶ Λούκιος Πούπιος Πραΐσης ἐπίτροπος Νέρωνος Κλαυδίου Καίσαρος Σεβαστοῦ Γερμανικοῦ ὠροθέτησαν τὰ μὲν δεξιὰ εἶναι Σαγαλασσέων, τὰ δὲ ἐν ἀριστερῇ κώμῃς Τυμβριανασσέων Νέρωνος Κλαυδίου Καίσαρος Σεβαστοῦ Γερμανικοῦ, ἐν ᾗ καὶ πέμπτον Σαγαλασσέων.

17 See Bean (1959:85-9) for identification and the geographical location of the village.

possessions of the region leaves a somewhat confused picture which at this stage is hard to sort out. In the dossier the emperor's instruction is taken up by the imperial freedman and procurator, Aurelius Philocyrius. He is, as already stated, known from l. 30 of **Sülümenli** in a passage which is exactly dated to October 11, 213. Here l. 39 probably identifies his *procuratela* as (*Aug. lib*) *procurator Phrygiae*. As in **Saltus Burunitanus**, the emperor chose his representative closest at hand to handle the affairs, i. e. the procurator, rather than acting through the proconsul.¹⁸ Apparently this did not create any misunderstandings, and it can indicate that the estate centered in Tymbrianassos was fragmented and lay partly within the territory of Takina.¹⁹ We must then propose that the presentation of the petition to the emperor was part of a joint venture of the people of Takina and the estate of Tymbrianassos. It is, however, known from Phrygia that the central villages of the imperial domains in the latter part of the 3rd century developed into independent towns and acquired their own councils.²⁰

L. 3 cont., δι' [Αὐ]ρηλλίων Ἀνδρονείκου καὶ Ἰλαριανοῦ *: One of the most conspicuous effects of the *Constitutio Antoniniana* was the sudden and massive adoption of the emperor's *nomen gentile* by the citizens created by the ruling. The date of *Constitutio Antoniniana* has been, and still is, a topic of much debate; a discussion which cannot be entered at length on this occasion.²¹ The sudden flow of *Marci Aurelii/ Aurelii* has in turn - partly - been used to control or correct the date given by P. Giessen and Cassius Dio (77. 9) and - partly - to examine whether it was possible to trace a significant distinction between the citizens calling themselves by both *praenomen* and *nomen gentile* (i. e. Marcus Aurelius) on the one hand and on the other those only known as Aurelius. As for the date, Herrmann's article (1972) is particularly valuable. He analysed the evidence of

18 Cf. here **Saltus Burunitanus**, where there is no mention of the proconsul, which according to the editors should have been the *Dienstweg*. The procedure followed here clearly shows, however, that such a petition could be accepted, I would say more or less at the emperor's own discretion. In **Ağa Bey Köyü** and **Araguna**, the petitioners are again at pains to underline that they have tried all routes open to them before approaching the emperor, including the proconsul or his substitute.

19 Cf. the text from Düver (n. 16) which suggests something similar for the fifth part that belonged to Sagalassos (*ἐν ἧ καὶ πέμπτον Σαγαλασσέων*). Similar complaints from **Tabala** and **Euhippe** were on the provincial level handled by the proconsul.

20 The systematic development of agricultural domains into urban territories with the main village as the new, urban center, was a policy much favoured by the emperors in the last half of the third century according to Strubbe (1975, esp. p. 249). He gives Soa, Ipsos, Metropolis and Eulandra (with the possible addition of Polybotos) as examples from Central Phrygia. A similar development could have happened at some earlier time for the estate which in the middle of the first century had Tymbrianassos as its center. It is also conceivable that through the following 160 years there occurred a shift of executive focus. The distance between the places of discovery, Düver and Yarisli, and the administrative centers, Tymbrianassos and Takina, is not great (ca. 4-5 kilometers). The motive for this development as suggested by Strubbe is interesting; and his theory gives a completely new context for the growth of imperial estates, i. e. a bold plan for urbanizing former tribal areas.

21 For the more up-to-date contributions, cf. Millar (1962), Robert (1964), Gilliam (1965), Herrmann (1972), Wolff (1976), Hagedorn (1979) and Salway (1994, esp. 133-6). Millar's preference for the late date of 214 seems to be untenable. The present writer thinks that the date recorded in *P. Giess.* XL, 1 (July 11, 212) may be the best, and in the end correct.

the sepulchral inscriptions from Saittae (in Lydia), a collection which is particularly suitable as most of the inscriptions are accurately dated (to the Sullan era; these are now nos. 79 - 133 of *TAM V*, 1). The first occurrence of Aurelius is datable to 213, probably March 3. Aurelius recurs in five later inscriptions (no. 93 from 225/6; no. 125 from 226/7; no. 127 from 241/2; no. 130 from 251/2 and in no. 132 which is not dated). In all these inscriptions one only meets Aurelius, never Marcus Aurelius. The percentage of Aurelii among the names is about 30%. Hagedorn's study (1979) is directed towards the question of a distinction between Marci Aurelii and Aurelii. He had the advantage of more numerous examples, and some instances of particularly desirable sources. One of his results is that in time as one might expect the use of Aurelius faded, being clearly most popular in the first decade following the constitution. Most important, however, is his discovery that, in the case of Egypt, there existed a distinction, according to which the Marci Aurelii plainly constituted the privileged group. Applied to **Takina** the striking feature is that there is apparently a distinction here as well. All the commoners are known as Aurelii (cf. ll. 3, 12-14 and 55-57; 11 are real, 3 are restored). But as a group the seven names of the witnesses (ll. 12-14, one restored) stand out, because they all are called Marcus Aurelius. None of the Takinians (ll. 3 and 55-57) are homonymous with the authentication team.²²

This opening is typical of an imperial *subscriptio*: the name of the receiver is set in the dative case and the representative is marked by *per/* *διά*. In our material there is no other example of an imperial *subscriptio* in Greek (cf. **Smyrna**, **Saltus Burunitanus**, **Rome**, **Skaptopara** and **Aragua**).²³ The *subscriptio* of the legate of *Moesia inferior* (**Dagis**) is also in Latin whereas the proconsular *ὑπογραφή* of **Kilter** is in Greek. From the evidence of **Dagis** and **Kilter** the address is missing in a gubernatorial *subscriptio/* *ὑπογραφή* which confirms the distinctions made by Nörr (1981a:4-5) between imperial and gubernatorial decisions of this kind (see commentary on **Kilter**, ll. 6-7).

L. 4 ὁ ἐπίτροπος μου καὶ ἀπελεύθερος: *Καὶ ἀπελεύθερος* is probably intended to define the procurator within the hierarchy (vs. Pacuvius Aemilianus, probably a *κράτιστος ἐπίτροπος*). The procurator to deal with the emperor's indirect instruction was obviously Aurelius Philocyrius, ὁ τῆς Φρυγίας ἐπίτροπος (cf. ll. 15, 30 and 39). In line with the alleged and to some degree proven procuratorial hierarchy encountered in the management of the North African estates, a similar system has been envisaged for the several administrative divisions of Asia. The present inscription, together with **Sülmenli**, proves that individual estates were grouped together under the management of a procurator and imperial freedman. The three procurators mentioned in **Sülmenli** (i. a. l. 3, Aurelius Threptus, 31 [Aurelius] Philocurius and l. 34 Novellius) must apparently all have been charged with the

22 For the use of Caracalla's *praenomen* and *gentilicium* in Egyptian papyri, cf. Hagedorn (1979). For the size of provincial embassies to the emperor, see Souris (1982).

23 The addressees are: **Smyrna** (l. 8): *Sextilio Acutiano*; **Saltus Burunitanus** (ll. IV, 3-4) *Lurio Lucullo et nomine aliorum*; **Roma** (l. 5) *Paeianistis*; **Skaptopara** (ll. V, 166-167) *vikanis per Pyrrum mil(item) conpossessore[m]* and **Aragua** (ll. 1-2) *M(arco) Au(r(elio) Eglecto]_pe[r] Didymum mil(item) gen(erum) frum(entarium)*.

procuratela Phrygiae.²⁴ We can then discern the simple structure of the procuratorial hierarchy: ascending from the provincial region (*in casu*: Phrygia, otherwise probably also Caria and e. g. Philadelphia) administered by an imperial freedman and procurator, through the *proc. rationis privatae Asiae LX*, to the *proc. rationis privatae CC* (in Rome). The remuneration of the *proc. rationis privatae Asiae* as a *sexagenarius*, makes it evident that he had no equestrian procurator placed under him. This conclusion corroborates our suggestion that Aurelius Marcianus of Ağa Bey Köyü, mentioned as ὁ τῆς τάξεως ἐπίτροπος (II. 19-20), was a freedman procurator of a similar group of estates in Lydia (what otherwise has been suggested to be ῥεγίων Φιλαδελληνή, cf. IGRR IV, 1651). On the higher level these were, at least under the Severans, subordinated to the *procurator rationis privatae provinciae Asiae et Phrygiae et Cariae*. The existence of such a *procuratela* is given by I. Eph. III, 647 (datable to Caracalla and Geta); and it is documented beyond doubt that Septimius Severus should be credited with the creation of the *ratio privata*. This post was rated as a *sexagenarius*, whereas the top *procuratela* (the *procurator rationis privatae*) was a *centenarius*.²⁵

LI. 4-5 πᾶσαν πρόνοιαν ποιήσεται τοῦ: This expression is of long standing in official documents. Πρόνοια, φροντίς and κηδεμονία belonged to the vocabulary of the monarchs in antiquity; apparently it conveyed a moral obligation on their part. Already under the Hellenistic royalties it passed downwards to their officials, and from there it entered into Roman usage. The famous edict of Tiberius Julius Alexander, *praefectus Aegypti*, datable to July 6, 68, starts with the expression πᾶσαν πρόνοιαν ποιούμενος (cf. Chalon 1964:96-100). Béranger (1953:210) has elegantly shown how the Greek expressions φροντίς and

24 Of these [Aurelius] Philocurius is identical with the present Aurelius Philocyrius, which above all is proved by the date (October 11, 213) given to the appropriate part of Sülümenli. In Sülümenli (I. 23) Philocyrius assigns a *stationarius* (cf. here I. 36) upon the request of the people of Anosa to assure that the communities complied with his decisions. Further examples are afforded by Aur. Aristaenetus (IGRR IV, 702 = MAMA IV, 63) and M. Aur. Crescens (ILS II, 8856 = IGRR IV, 749). The validity of the reference given by Frend (1956:49, n. 5) to Aur. Faustinus (MAMA VI, 378 τὸν κράτιστον ἐπίτροπον τοῦ Σεβ. Αὐρ. Φαυστεῖνου κτλ.) is doubtful as he is not specifically credited with the title ἐπίτροπος τῆς Φρυγίας and has the equestrian, honorary epithet κράτιστος. Doubtful too is Brunt's reference (1983:72) to M. Aur. Aug. liber. (CIL III, 348 = ILS I, 1477) as he is *proc. prov. Phrygiae*; this case must accordingly be several decades later when Phrygia had become a province on its own; and - whatever his precise function - he cannot be said to exemplify an exact parallel to this *procuratela*.

25 I. Eph. III, 647 ll. 8-15: Tib. Cl. Seren[o *proc.*] *rationis pr[ivatae] provinciae Asia[e] et Phrygiae et Cariae, tribuno cohort. VI civium Romanorum, praef. cohortis secundae Hispaniorum*. For discussion of this question, cf. the appropriate *carrières* in Pflaum (1960-1 no. 225, M. Aquilius Felix, and no. 238, Ti. Claudius Serenus), the passage of subordination of freedmen procurators in Boulvert (1970:?) and Millar (1977:625-30, Appendix 3, 'Patrimonium and *ratio privata*'). In the commentary on M. Aquilius Felix, Pflaum (1960-1:598-601, no. 225, from Anzio) drew attention to the differing titulature used in the two inscriptions by which his career is known. The earliest (CIL X, 6657 = ILS 1387) gives his post as *proc(urator) patrim(onii) bis*; whereas the latter (AE 1945, no. 80, from Cannes) has *proc(uratori) rat(ionis) privat(ae)*. Pflaum (p. 599) concluded that at the beginning of the 3rd century the *ratio privata* still was called *patrimonium privatum*.

πρόνοια were used to render the Latin *providentia*.²⁶ In this context I believe that some of the elevated tone in the expression has been smoothed out, even if there is a marked play on these expressions in the petitions and their responses.

LI. 5-6 ἐπὶ προφάσει τῶν κρατίστων ἀνθυπάτων: Cf. **Kemaliye** I. 20 and **Ağa Bey Köyü**, I. 36. The occasion for these irregular requisitions was offered by the presence of the proconsuls (cf. I. 41 ἀπαντῆν τοῦ ἀνθυπάτου, which can be translated by both *presence* and *occasion*). The regular occasion would of course be the yearly assize tour. Of the 14 assize centers (usually called *conventus/ διοικήσεις*) Takina probably belonged to Kibyra in the geographical region of Phrygia.²⁷ That such a tour was undertaken yearly, is not documented explicitly, but it is very likely inasmuch as the proconsul's tenure normally lasted one year (cf. Burton 1975:97 and n. 56). The plural used in this reference mirrors the periodic, annual occasions, with a new proconsul at each turn. Further it reflects weaknesses inherent in the provincial leadership of public provinces: a lack of continuity which - even if unintended - invited the system to transfer power to the imperial officials and institutions which outlasted the proconsul.

In his fundamental study of the honorary titles (*Rangtitel*) Hirschfeld (1901) emphasized that *clarissimus* was the oldest among them even if he agreed with Mommsen (*Römische Staatsrecht* II, p. 147) that *vir clarissimus* was not often encountered in the inscriptions; and when it is, it only appears with some regularity from the reign of Septimius Severus on. In Greek *vir clarissimus* was during the second century rendered by both ὁ κράτιστος and ὁ λαμπρότατος. Since *vir egregius*, in Greek usually translated by ὁ κράτιστος, was established under the reign of Marcus Aurelius as a title for civilian equestrians in imperial service, one would expect that *vir clarissimus* from about the same time would be rendered consistently by ὁ λαμπρότατος. Against this background an expression like ὁ κράτιστος ἀνθύπατος obviously confuses our scheme.²⁸ By using the survey given by

26 Cf. Cicero, *De natura deorum*, I. 18: *Stoicorum πρόνοιαν, quam Latine licet providentiam dicere*, and the bilingual inscription CIL III, 427 (= ILS I, 430): *Quod evidenti inlustri providentia domini nostri Severus et Antonini Pii Augusti; ὅτι διὰ τῆς ἐαυτῶν προνοίας τῆς ἐναργεστάτης ἐπιφανεστάτης τε οἱ Κύριοι ἡμῶν Σεουήρος καὶ Ἀντωνεῖνος οἱ εὐσεβέστατοι τῶν αὐτοκρατόρων κτλ.* See also Charlesworth (1936).

27 Jones (1971:74-5) probably on the basis of IGRR IV, 881 (see our n. 15), included Takina (or *Tacineis*) among the 25 cities denoted by Pliny, *NH* 5. 105: *Sed prius terga et mediterraneas iurisdictiones indicasse conveniat. Una appellatur Cibyratica; ipsum oppidum Phrygiae est; conveniunt eo XXV civitates celeberrima urbe Laodicea.* For the Asian *conventus* cf. Habicht (1975) and Burton (1975:14) who reckoned with Kyzikos, Adramyttion, Pergamon, Smyrna, Sardes, Philadelphia, Ephesos, Miletos, Alabanda, Halikarnassos, Synnada, Philomelion, Apameia and Kibyra, the four last within the region of Phrygia.

28 The *praefectus praetorio* was called *vir eminentissimus/ ὁ ἐξοχώτατος*, the other *praefecti* and the leaders of the imperial bureaus, *vir perfectissimus/ ὁ διασημότατος*. Pflaum (1970:179) noticed that the use of *vir egregius* vanished after 321 without being replaced by an official title of corresponding stature. Pflaum further observed that from the middle of the 3rd century a distinction in salary was introduced among the *virii egregii*; we then encounter *vir egregius ducenarius* (cf. CIL XI, 6308 = ILS I, 583) or ὁ κράτιστος ἐπιστράτηγος δουκ(ηνάριος) (the first example, P. Oxy. XVII, 2130, is dated A. D. 267). For an up to date survey of these titles set in a stimulating context, see Millar (1983) who (through P. Oxy. IX, 1204) describes the development of ὁ κράτιστος into the abstract noun of *κρατιστεία/ (egregiatus)*; he also appears to have been puzzled by expressions like ὁ κράτιστος ἀνθύπατος.

Thomasson for the *proconsul Asiae* (1984:205-242), one can give the following statistics: within the chronological limits 30 B.C. - A. D. 284 *ὁ κράτιστος ἀνθύπατος* is encountered in eleven inscriptions from Asia Minor; the earliest occurrence datable to 103/4 (*I. Eph.* I, 27, C. Aquillius Proculus), the latest from the reign of Septimius Severus and Caracalla, 198-212 (*ILS* III, 9464, Q. Licinius Nepos). The earliest example of *ὁ λαμπρότατος ἀνθύπατος* is afforded by C. Arrius Antoninus (*I. Eph.* III, 619) whose proconsulship took place under the middle reign of Commodus (not 185/6 and 186/7), the latest occurrence to be securely dated is that of L. Egnatius Lollianus, who was proconsul thrice under Philippus Arabs (*AE* 1902, no. 244).

No. 12, Q. Licinius Nepos (198-212), is the last example of a named proconsul from Asia called *ὁ κράτιστος ἀνθύπατος* (the unnamed proconsuls of this document are later); from this time, apparently at the turn of the second to third century, *ὁ λαμπρότατος ἀνθύπατος* takes over. In turn, the last occurrence of *ὁ λαμπρότατος ἀνθύπατος* for the span covered by Thomasson (1984) is probably given by no. 17, L. Egnatius Victor Lollianus (reign of Philippus Arabs, 244-251). For the disappearance of *ὁ λ. ἀ.* it is interesting to notice the occurrence of *τὸν διασημότατον ἀνθύπατον* in an inscription accompanying the statue of Q. Vibius Sulpicius Priscus, set up by the people of the Aphrodisians (Reynolds 1982:173-6, doc. 47 and 48, ll. 4-7, cf. Thomasson 1984:235, no. 187, reign of Severus Alexander).

See the **Appendix** at the end of this commentary for a tabular presentation of some of the evidence.

This survey does not perhaps solve our problem about the inconsistencies in the use of *ὁ κράτιστος ἀνθύπατος* vs. *ὁ λαμπρότατος ἀνθύπατος*. Nevertheless, it reveals an interesting pattern: 1) A conspicuous number of the instances of *ὁ κράτιστος ἀνθύπατος* can be traced to imperial letters (eight out of eleven), this applies also to our document and may explain the continued use of *ὁ κράτιστος ἀνθύπατος* well into the third century. 2) On the other hand, the instances of *ὁ λαμπρότατος ἀνθύπατος* do **not** originate from imperial documents; they come rather from decrees by towns in honour of the proconsul and/ or are inscribed on statue bases. 3) The restricted use of *ὁ λαμπρότατος* suggests that it was to a much lesser degree a prerogative of function than the use of *ὁ κράτιστος* was for the equestrian officials. This explains why it only appears in a relatively small percentage of the total body of inscriptions giving details of proconsuls.²⁹

Finally the difference between the two epithets must be emphasized: *ὁ κράτιστος* was a title common to all equestrians in official, imperial service (if they not qualified for the more prestigious epithets, cf. above n. 28). It was not an epithet attributable to all equestrians, whether in imperial service or not. *ὁ λαμπρότατος* was, however, a

29 To give a definite ratio would require a count of all the inscriptions used by Thomasson in his survey of the proconsuls of Asia Minor within this period; this I have not found to be required. The percentage would clearly be less than 1%, however.

hereditary epithet of the *ordo senatorius*, common to all senators, including their families.³⁰

LI. 6-7 προεκθέοντας ἐνοχλεῖν ὑμῖν μήτε τὰς πόλεις καταλείποντας πορθεῖν τοὺς ἀγρούς: By this section **Takina** establishes itself firmly within the inscriptions of this genre, where only **Dagis** and **Saltus Burunitanus** do not offer striking parallels. The individual contribution of **Takina** is the use of the verbs *προεκθεῖν* and *πορθεῖν*, the first being appropriate for the particular circumstances described and not likely to be repeated.

Cf. the following quotations and the individual commentaries. **Kemaliye**, II. 4-5: ἐπιτρέχουσιν οἱ τοιοῦτοι μό[νοι ἢ μετὰ τῶν σεσημειωμένων τάξεων ἰς διασεισμόν τῆς κώμης; **Ağa Bey Köyü**, II. 33-34: κωλύσαι δὲ τὴν εἰς τὰ χωρία τὰ δεσποτικά ἔφοδον καὶ τὴν εἰς ἡμᾶς ἐν[ό]χλησιν γεινόμενῃν ὑπό (τ)ε τῶν κολλητιῶνων καὶ τῶν ἐπὶ προφάσει ἀρχῶν ἢ λειτουργιῶν τοὺς ὑμετέρους ἐνοχλοῦντων καὶ σκυλλόντων; **Skaptopara**, II. II, 39-42: ἀλλ' ἀπολιμπάνοντες ἐπέρχονται εἰς τὴν ἡμετέραν κώμην καὶ ἀναγκάζουσιν ἡμᾶς ξενίας αὐτοῖς παρέχειν καὶ ἕτερα πλείστα εἰς ἀνάληψιν αὐτῶν ἄνευ ἀργυρίου χορηγεῖν; II. III, 80-86: κελεύσει· ἕκαστον τὴν ἰδίαν πορεύεσθαι ὁδὸν καὶ μὴ ἀπολιμπάνοντας αὐτοὺς τὰς ἄλλας κώμας ἐφ' ἡμᾶς ἔρχεσθαι μήτε καταναγκάζειν ἡμᾶς χορηγεῖν αὐτοῖς προῖκα τὰ ἐπιτήδεια; **Aragua**, II. 16-18: ἐπιεισε[ρ]χόμενοι καὶ καταλιμπάνοντες τὰς λε[ωφόρους ὁδοὺς καὶ ἀπὸ τῶν] ἔργων ἡμᾶς ἀφιστάντες καὶ τοὺς ἀροτῆρας βόας ἀνγ[αρεύοντες τὰ μηδὲν ὀφει]λόμενα αὐτοῖς παραπράσσοσι; **Euhippe**, II. 6-10: ὑπὲρ ὧν ἔπασχον ὑπὸ τῶν ἐκτραπομένων καὶ βασιλικῶν καὶ λεωφόρους ὁδοὺς στρατιωτῶν τε καὶ ὀφικαλίων; **Kavacık**, II. 7-9: [οἱ πραι]τωριανοὶ οἱ εἰς τὸ [ε. γ. χωρίον ἡμῶν ἔρχονται - - -] προφάσει εἰρήνη[ς]; **Güllüköy**, I. 9: καὶ διασειόντων ἡμᾶς καὶ ἐπει[γόντων].

L. 8 τὸν αὐτὸν τοῦτον ἐξετε πρὸς τὸ: I have not found any parallel to the construction *ἔχω τινὰ πρὸς τό* with the infinitive with the meaning *to have someone (as guarantor) for something (to be done)*. One expects a noun with the meaning *guarantor* to be the predicate of *τὸν αὐτὸν τοῦτον*, even if the arguments for it do not seem strong enough to assume that a word has been left out. Without it, however, the opening of the second period becomes very harsh and inelegant, and in this respect has nothing of the chancery style of the first sentence. This is even more evident if we consider the brusque change of subject and voice for the infinitives *ἀπολαμβάνειν* and *[ἀποδίδ]οσθαι*, both dependent of *ἐξετε*. This being said, the bipartite structure of the *subscriptio* is reminiscent of both **Saltus Burunitanus** and the one quoted in **Kilter**. A possible solution would be to suggest a hasty and not too professional translation of a Latin expression, but I have no suitable expression to suggest.³¹ It is not the first time, however, that we encounter unsatisfying syntax in an imperial *subscriptio*; in **Saltus Burunitanus** II. IV, 5-6, the conclusion that the words *ne plus quam ter binas operas* were added to it, was reached by similar arguments.

30 For an example from Ephesus, cf. the inscription honouring the daughter of the first Ephesian consul, Ti. Claudius Severus (I. Eph. III, 892, II. 1-6, ca. A. D. 240): [ἡ βουλή καὶ ὁ δῆμος ἐπετείμησαν Κλαυδίαν Κανεινίαν] Σουήραν τὴν λαμπροτάτην ἐκ προγόνων ὑπατικῆν. See Knibbe *JÖAI, Beiblatt* to vol. 49 (1968-71) 65-7, no. 6.

31 It is perhaps futile and rash to try to improve the Greek text, but the following would be much more satisfying: ὁ αὐτὸς φροντίσει καὶ τὸν μισθὸν τὸν ἐφ' ἑκάστῳ τῶν μειλίων ἐπὶ ταῖς ἀμάξαις ἐπιτελεῖσθαι κτλ., to respond to a Latin original following the template of **Saltus Burunitanus** and **Kilter**: *idem curabit ut pretium pro singulo carro pro singulo milliario constitutum solvatur et etc.*

LI. 11-12 * **Rescripsi.M** * Ὀφίλλιος Θεόδωρος [ἀ]νέγγων: The addition of two signatures at the end of the *subscriptio* is a particular feature of the answer and are definitely to be taken as a part of the it. The subject of *rescripsi* is logically the official author of the rescript and refers to the emperor, whose name is set in the nominative at the head of the *subscriptio*. This signature is in turn usually followed by *recognovi*, as in the parallels to **Takina: Smyrna I**, ll. 9-10, *Rescripsi. Recogn(ovi)*³²; **Rome**, ll. 13-14, [*Rescripsi*] *Recognovi* followed by *vacat*³³ and **Skaptopara**, l. V, 169, *Rescripsi. Recognovi. Σιγῆνα*. One of the unique features of **Takina** is that it includes a subject for *recognovi*, Ὀφίλλιος Θεόδωρος.

The small M which follows *rescripsi* can be explained in two ways: either as an abbreviation for *m(anu imperatoris)* along the *m(anu) i(mperatoris)* of *CIL* III suppl. 13640, l. 27, and the *alia manu* of col. IV, l.9 of **Saltus Burunitanus**; or as the misplaced initial of M. Ulpius Ofellius Thodorus.

Ἀνέγγων is generally taken to correspond directly to *recognovi* (cf. the evidence of SB I, 4639 and Wenger 1953:429-30, n. 43 with references to earlier literature). The precise nature of this signature has been widely debated since the discovery of **Skaptopara**. The common, legal meaning of *recognoscere* is to compare and confirm that a copy is identical with the draft/ outline or original. It is of course the latter meaning it has in the phrase *descriptum et recognitum* (cf. Skaptopara ll. I, 2-3, and commentary). As the logical subject of phrases like *descriptum et recognitum* and *dictavi et recognovi* is the same for both predicates, it has also been suggested that the emperor should be the subject of both *rescripsi* and *recognovi* (cf. Mommsen, GS I, 477 and Nörr 1981a:12-3, n. 36). If we are to enter upon the ordinary path followed in the discussion of these terms and generalize from the evidence of **Takina**, we can boldly conclude that this suggestion has been disproved. Once more one of the details in Wilcken's description of the *libellus*-procedure (1920:6-7, n. 3 and 39-42), in this case that *recognovi* was added by the head of the imperial *a libellis*-office, has been corroborated by new evidence. It is again relevant to refer to the comparative material of pronouncements issued by the *praefectus Aegypti*. In a letter from Subatianus Aquila (Zucker 1910 = SB I, 4639 = Schubart P. r.

32 *Undevicensimus* follows, which must be the number of the *libellus* in the collection (whatever its nature). Mommsen (*Gesammelte Schriften*, Bd. 1, p. 477) suggested that this number referred to the secretary, who was recognised by number.

33 Williams (1986:191-4) has improved and given a satisfying interpretation of the text given by Moretti (*JGUR* I, 35 = **Rome**; for the *paeonistae*, cf. also Oliver 1940). The much damaged text gives a petition (ll. 1-11) to two (or more) emperors (cf. l. 3. παρ' ὑμῶν), this petition includes a reference to a *subscriptio* or (I would say less likely) *epistula* from Septimius Severus to the collegium of *paeonistae* (ll. 5-7). Here the word *scripsi* (l. 7) is not to be interpreted as the signature at the end of the *subscriptio*, but rather as part of the main text; accordingly, it should not be regarded as an example of an imperial signature to a *subscriptio*.) At the end of the petition is added the *subscriptio* issued by *Imp. Caes. M[- -]*, probably referring to M. Aurelius Antoninus (Caracalla) during his co-regency with Geta in 211 (admittedly other possibilities exist, e. g. Macrinus and Diadumenianus in 218 and Philip, *père et fils*, in 247-249). In the final line (15) the legible word is *recognovi* at the start of the line, this appears to be followed by a *vacat*. It is likely that this was preceded by [*rescripsi*], or - if we are to supply the names of both co-rulers in l. 12 - [*rescriptissimus*]. In the latter case *recognovi*, in the first person singular, would support Wilcken's view that this word was not written by the emperor.

B., no. 35) four different hands are clearly distinguishable, and at the end (l. 8) we find *Μαυρικιανὸς Μήμιος ἀνέγνων*.

Was Ὀφίλλιος Θεόδωρος the current head of the *a libellis*-office? In theory he should be, as the *subscriptio* was prepared by him and only the head should be allowed to set his signature next to the emperor's.³⁴ The leaders of the *a libellis*-office have been the object of Honoré's detailed study based on the individual styles traced in the imperial *subscriptiones*. Even if he succeeds in isolating 20 tenures during the period 194 - 285, only 5 are named (Honoré 1981:144-6); and the identification most likely for this inscription, no. 4 (pp. 66-7), Arrius Menander for January 5, 212 - July 28, 213, is far from certain.³⁵ Among the other tenures isolated, only no. 3, July 15, 209 - December 28, 211 and no. 5, July 30, 213 - February 22, 217, can be of interest. Unfortunately the character of our present *subscriptio* does not lend itself to an analysis along Honoré's lines. The unknown juridical figure, Ofillius Theodorus does not serve to clarify this issue. Leunissen (1989:66-7 and 175-6) identifies him with the homonymous, M. Ulpius Ofellius Theodorus, senator and well documented *leg. Aug. pr. pr.* in Cappadocia over the period 219-222.³⁶ Leunissen thought this legate identical with the present *a libellis* and suggested that his entrance into the senate was either due to the intermediate position of *praetor* followed by *consul suffectus*, or through an *adlectio inter consulares*. The model for the latter suggestion was the *ab epistulis graecis*, Aelius Antipater, the teacher of Caracalla and Geta. Following his *adlectio* he ruled Bithynia and Pontus. Antipater is the only instance of an *eques* gaining this particular promotion in the reign of Septimius Severus.³⁷

Since this is the only example of an imperial *subscriptio* where the actual name of the secretary is given, regardless of source category, one may speculate that this points at spe-

34 But cf. *Tabula Basanitana* (= Euzennat & Seston 1971:472 = *Inscriptions du Maroc* 2, no. 94), *Asclepiodotus lib(ertus), recognovi*. The role of Asclepiodotus was clearly a different one, as ll. 22-29 tell us that Asclepiodotus was working in the repository of the *commentarius civitate romana donatorum ... 'quem protulit Asclepiodotus'*.

35 The clue for isolating the tenure is done on Honoré's usual basis of style; the criteria here being the man's predilection either to state the facts, give the decision and then end with the principle of law which justifies the result, or the fact that he 'begins with the statement of the law and then distinguishes it in the light of the hypothesis of fact'. Further stylistic characteristics are his use of *nam* to introduce the final statement and the converted conditional, or postponement, of *si*. In the *Codex Iustinianus* 88 rescripts are creditable to this *a libellis*, 39 from 212 and 49 from 213 up to July 28. Among the *a libellis* of Caracalla, he is the most trusted by the compilers of *Codex Iustinianus*. There is a marked contrast with his predecessor's final year which has yielded only 9 rescripts. By giving these figures I intend to support Honoré's delimitation of tenure and also indicate at the apparent skill of this particular *a libellis*. The identification of Arrius Menander is made on a much weaker basis, however. The total remaining output of Arrius Menander equals 147 lines (cf. Honoré 1981:67, n.155 and Lenel 1889, vol. I, coll. 695-700). For placing the tenure of Arrius Menander during Caracalla's sole rule, Honoré connected his work on *De re militari* with this emperor's particular interest in and favouring of the military establishment.

36 See Thomasson (1984:271, no. 40; cf. PIR¹ III, p. 462, no. 560, Barbieri 1952:233, no. 1189 and *RE* Supplement XIV, 1974, 942, s. v. Ulpius, no. 44).

37 Cf. Philostratos, *Vitae Sophistarum*, 2. 24, 2: ὑπάτοις δ' ἐγγραφεῖς ἤρξε μὲν τοῦ τῶν Βιθυνῶν ἔθνους, δόξας δ' ἐτοιμότερον χρῆσθαι τῷ ξίφῳ τὴν ἀρχὴν παρελύθη. Cf. also I. Eph. VI, no. 2026, a letter from Caracalla to the Ephesians (from about 200-205), ll. 17-18: [ο]ἱ κράτιστοι φί[ί]λοι μου, Αἰλ. Ἀντίπατρος ὁ φίλος καὶ διδάσκαλος κ[αὶ τὴν τά]ξιιν τῶν Ἑλλη[ν]ικῶν ἐπιστολῶν ἐπιτετραμμένος; and PIR², A 137.

cial circumstances. Nörr (1981b:35) has noticed irregularities with constitutions issued under Caracalla's Germanic and Oriental campaigns.

Authentication of document 1

ll. 12-14 [καὶ ἐσφρά]γισαν Μ. Αὐρ. Ζώσιμος, Μ. Αὐρ. Τορκουάτος, [Μ. Α]ὐρ. Ζῆθος, Μ. Αὐρ.] Καλλίνικος, Μ. Αὐρ. Γέμελλος, Μ. Αὐρ. Εὐπλους, [Μ. Α]ὐρ. Τ[- - - -] * πρὸ vac καλ. vac: The paragraph giving the authentication of **Takina** is fairly short, not to say defective, compared to the specimens of **Smyrna 1** and **Skaptopara** (cf. the commentary to ll. I, 1-5), and the more numerous examples of the *Doppelurkunden* and the *diplomata militaria*. At the start Şahin preferred the reading [καὶ παρ]ῆσαν apparently from the example of **Smyrna 1** (l. 12). The reading [καὶ ἐσφρά]γισαν suggested by Williams seems, however, to correspond better both with the remaining letters and the regular procedure (cf. Nollé 1982:13, l. 44 for parallel use of ἐσφράγισαν), even if [καὶ] may be superfluous.

[ἐσφρά]γισαν is followed by the names of seven witnesses, all Marci Aurelii: Zosimus, Torquatus, Zethus, Callinicus, Gemellus, Euplus and the seventh one starting with a T. These should be ordinary residents of Rome recently invested with citizenship. Beside the Latin names Torquatus and Gemellus, the Greek names given are among the commonest recorded in Rome.³⁸ Among the inscriptions referred to above (p. 10) only **Smyrna I** has a list of witnesses; **Takina** adds to this number, but we are still left with only two lists pertaining to petitions and these are separated by a period of 70 years. This dearth of evidence does not allow us to enter into a study of the witnesses along the lines of Morris & Roxan's study of the witnesses to the military diplomas (1977). This fascinating study gave us a glimpse behind the curtains of the imperial chanceries. Under Hadrian's rule the role of witnesses was clearly distributed by seniority among the *scribae* of the particular chancery (confirming the passage in Aurelius Victor, *Epitome de Caesaribus* 14, 10-12). One can follow the new names entering at the lowest rank when the seniors retire: '... seven witnesses signed in strict order [...] When the position at the head of the list fell vacant each man moved up a step, and a new witness normally began to sign in seventh place; but sometimes a new name first appears in an intermediate position' (Morris & Roxan 1977:300), thereby confirming a nice scheme of seniority. Morris & Roxan (p. 331) were unable to establish whether this reform was confined to this function or concerned the whole administration at large. They suggested, however, that the pattern revealed by the *diploma*-witnesses should be paralleled in other offices. As said above, we cannot at the outset expect to establish a similar scheme for the witnesses to the authenticity of imperial *subscriptions*. Nor have I found that any one of the names in *CIL*

38 Cf. Solin (1982:1439-97); Zosimus is most frequent with 269 appearances, Zethus 81, Callinicus 37 (Frey, 1936:27, no. 36b, has from the 3rd cent. [Καλλ]ινεΐκου γραμμ[ατέως]) and Euplus 29. Professor W. Eck warned me, however, that at this time in Rome it would be highly unlikely to find a coherent group like this, in which all members owed their citizenship to the *Constitutio Antoniniana*. On the other hand, it could well be that witnesses to such documents had to be Roman citizens.

VIII, 11451 (cf. commentary on **Skaptopara**, ll. I, 1-5), **Smyrna I** and **Takina** recurs among the witnesses to military diplomas; in this respect my findings do not support the suggestion of Morris & Roxan. The names given in **Smyrna I** seem, however, to reflect a higher social stratum than the ones in **Takina**.

APPENDIX I: ὁ κράτιστος/ λαμπρότατος ἀνθύπατος

REFERENCE:	NAME:	YEAR/ EDITION:	TITLE:
1) Thomasson (1984:220-1, no. 90)	C. Aquillius Proculus	103/4, I. Eph. I, 27, ll. 75-77	[καὶ νῦν τῆς ἐπαρχείας ἡγεμο- νεύοντος ὁ κράτιστος ἀνὴρ καὶ εὐεργέτης Ἀκουίλλιος Πρόκλος, ὁ ἀνθύπατος]
2) Thomasson (1984:224, no. 108)	C. Trebonius Proculus Mettius Modestus	119/120; I. Eph. V, 1486, l. 5 (<i>imperial letter</i>)	[Μέττιος] Μόδεστος ὁ κράτιστος
3) Thomasson (1984:224, no. 109)	Sex. Subrius Dexter Cornelius Priscus	120/121; I. Eph. V, 1486, ll. 10-11 (<i>imperial letter</i>)	Κορηλίω Πρεῖσκω τῷ κράτιστῳ ἀνθυπάτῳ
4) Thomasson (1984:224-5, no. 114)	T. Avidius Quietus	125/126; IGRR IV, 1156, ll. 8-9 (<i>imperial letter</i>)	Ἄουιδίω [Κ]ου[ιή]τῳ κ[ρα]τίστῳ
5) Thomasson (1984:220, no. 115)	P. Stertinus Quartus	126/127; IGRR IV, 1156, ll. 14-15 (<i>imperial letter</i>)	[τῷ κρ]ατίστῳ ἀνθυπάτῳ Στερτίωνι Κουάρ[τῳ]
6) Thomasson (1984:227, no. 127)	[Cl. Iu]lianus	145; I. Eph. V, 1491, l. 11 (<i>imperial letter</i>)	[Κλ. Ἰου]λιανὸς ὁ κράτιστος ἀνθύπατος]
7) Thomasson (1984:227, no. 130)	Popillius Priscus	149/150; I. Eph. V, 1493, ll. 17-18 (<i>imperial letter</i>)	Ποπίλλ[ιος] Πρεῖσκος ὁ [κρά]τιστος ἀνθύπατος
8) Thomasson (1984:228, no. 135)	T. Atilius Maximus	153-157; IGRR IV, 1399, ll. 12-13 (<i>imperial letter</i>)	Ἀτείλιος Μάξιμος ὁ κράτιστος ἀνθύπατος
9) Thomasson (1984:232, no. 62)	C. Arrius Antoninus	Under Commodus; I. Eph. III, 619 A, ll. 1-1 (<i>imperial letter</i>)	[Γ. Ἄρριον Ἀντωνίνον] τὸν λαμπρότατον ἀνθύπατο[ν]

10) Thomasson (1984:233, no. 168)	Tarius Titianus	under Septimius Severus (202-205); IGRR IV, 881, ll. 4-5 (cf. our n. 10)	ἐπὶ ἀνθύπατου τοῦ λαμπροτάτου Ταρίου Τιτιάνου
11) Thomasson (1984:233, no. 174)	Aelius Aglaus	198-208 (?); cf. Ağa Bey Köyü , ll. 7-8	διέποντ(ο)ς Αἰλίου Ἀγλαίου [τοῦ κρατίσ]του
12) Thomasson (1984:233, no. 174)	Q. Licinius Nepos	198-212; ILS III, 9464, ll. 4-5	ὁ κράτιστος ἀνθύπατο Λικίνιος Νέπωσ
13) Thomasson (1984:233, no. 175)	Q. Tineius Sacerdos	Under Septimius Severus; I. Eph. VI, 2040, ll. 9-11	ὁ λαμ[α]πρότατος ἀνθύπατος Τινείος Σακέρδωσ
14) Thomasson (1984:234, no. 178)	L. Marius Maximus Perpetuus Aurelianus	Under Caracalla, prob. 213/5; I. Eph. VII:1, 3030, ll. 9-12	Λούκ. Μάριον [Μά]ξιμον Πε[ρ]πέτονον Αὐρηλιανὸν τὸν λαμπρ[ό]τατον ἀνθύπατον Ἀσίας καὶ Ἀφρικῆσ
15) Thomasson (1984:235, no. 184)	Q. (Hedius) Lollianus Plautus Avitus	Under the first years of Severus Alexander; I. Smyr. II:1, 713, ll. 3-5	ἐπικυρώσαντος τοῦ λαμπροτάτου ἀνθυ- πάτου Λολλι(αν)οῦ Ἀουεῖτον
16) Thomasson (1984:235, no. 186)	M. Clodius Pupienus Maximus	Before 234, prob. under Severus Alexander; I. Eph. III, 655, ll. 1-4 and 656, ll. 2-4	No. 655: Μάρκον Κλωδίου Πουπιηνὸν Μ[ά]ξιμο[ν] τὸν λαμπρό[τα]τον τῆσ Ἀσίας ἀνθύ[πα]τον; No. 656: τὸν λαμπρότ[α]τον ἀνθύπατον
17) Thomasson (1984:236, no. 191)	L. Egnatius Victor Lol- lianus	Thrice <i>proconsul Asiae</i> under Philippus Arabs; I. Eph. VII:1, 3088, ll. 1-4	Λ. Ἐγνάτιον Οὐίκ[τορα] Λολλιανὸν τὸν λαμπροτάτο[ν] ἀνθύπατον τὸ [γ']
18) Thomasson (1984:238, no. 204)	[C. Asin]ius Nicomachus Iulianus	Under the Severans; IGRR I, 502, ll.1-7	[Γ. Ἀσίνι]ον Νεικόμαχο[ν] Ἰουλιανὸν, λαμπρότατον ὑπατον, ἀνθύπατον Ἀσίας

19) Thomasson (1984:238, no. 210)	Ti. Cl(audius) Artemidorus	Probably in second century; I. Eph. III, 639, ll. 1-2	Τιβ. Κλ. Ἀρτεμίδωρον τὸν λαμπρότατον ἀνθύπατον
20) Thomasson (1984:238, no. 212)	Clodius Cels[inus ?]	Second or third century; <i>AE</i> (1890: no. 108)	ὁ κράτιστος [ἀνθύπατος]

DEMIRCI, village in *Lydia, Asia Minor*.

Proconsular edict on illegal requisitions. Second or third century.

1) BIBLIOGRAPHY

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IGRR IV, 1368.

Robert, L.: 'Sur un papyrus de Bruxelles', *Revue de Philologie* (1943), 111-119 (esp. p. 115, n. 2)

Herrmann, P.: *Tituli Asiae Minoris*, Vol. V, Fasciculus I, Regio septentrionalis ad orientem vergens, Wien 1981, p. 49, no. 154.

2) DISCOVERY AND PUBLICATION

Keil and Premerstein found the inscription in 1908 some kilometers east of the village. It was published in 1911 and in their later publication Keil & Premerstein (1914:28, no. 28 = *Mendechora/Kemaliye*) offered suggestions for ll. 3-5. Now part of *TAM* V:1 (p. 49, no 154).

3) DESCRIPTION

This epigraphic fragment is cut on a reddish marble slab which is broken in two fitting; the fragments are damaged at all four sides. The measurements of the combined fragments are 0.215m, 0.365 and 0.15. The height of the letters are 0.016, 'wohl des dritten Jahrhunderts'.

Keil and Premerstein's squeeze is difficult to read and is now kept at the Kommission für kleinasiatische Epigrafik, Vienna. It is filed under Lydia, Demirdji. There are no reports of present location.

4) THE NATURE OF THE DOCUMENT

I have chosen to print Keil & Premerstein's (1914) suggestion separately because of the scant material support for the restorations, which, on the other hand, suit the Lydian evidence well.

There is general agreement that the fragment of Demirci renders an edict issued by a Roman magistrate, most probably the proconsul. The sequence *ὅθεν προαγορεύω τούτῳ*

reveals the edict.¹ The edict of Subatianus Aquila of 206 (P.Oxy. VIII, 1100) shares the same reproaching vocabulary: διασειώ, εἰσπραξις, ἀπέχεσθαι, ἐνοχλέω, ἀδικέω.

Keil & Premerstein explained the addition of τῶν καλουμένω[ν] to φρουμ[ενταρίων] because of the application of a Latin denomination in Greek. For the *frumentarii*, see commentary on **Kemaliye**, l. 17.

5) TEXT AND CRITICAL APPARATUS

1	[- - - - -]	
	[]NANTIΘ[ca. 5]N ...[]
	[]τινας εἰσπράξεις παρ' αὐτῶν]
4	[]ων καὶ τῶν καλουμένω[ν] φρουμ[ενταρίων]
	[]νων. ὅθεν προαγορεύω τούτῳ[]
	[]ν ἀπέχεσθαι τῶν παρ[αν]όμων []
	[] ἂν ἐπιμένωσιν τ[...]\ΙΟΙΟC.[]
8	[ἀπειθ]αρχοῦντε[ς]
	[]. ἡμῶν []

Ll. 3-5 as restored in Keil & Premerstein (1914:28, no. 28):

	[]τινας εἰσπράξεις παρ' αὐτῶν καὶ παρὰ τῶν]
4	[στατιωναρί]ων καὶ τῶν καλουμένω[ν] φρουμ[ενταρίων]
	[καὶ κολλητιώ]νων. ὅθεν προαγορεύω τούτῳ[]

CRITICAL APPARATUS

Abbreviations:

- KP2** = Keil & Premerstein (1911)
KP3 = Keil & Premerstein (1914)
HR = Herrmann (1981)

1 Severus' speech in Herodian 2. 13, 9, offers a good parallel to the imperative use of προαγορεύω: παραγγέλλω τε ὑμῖν ἀπιέναι ὡς πορρωτάτω τῆς Ῥώμης, ἀπειλῶ τε καὶ διόμνημι καὶ προαγορεύω κολασθήσεσθαι κεφαλικῶς, εἴ τις ὑμῶν ἐντὸς ἑκατοστοῦ σημείου ἀπὸ τῆς Ῥώμης φανείη. But I have found no exact parallel to the string ὅθεν προαγορεύω τούτῳ. The closest are ὅθεν ἀπαγορεύω in I. Eph. 231, l. 11; and Hadrianus Sallustius edict of 279 (P. Oxy. LI, 3613): διὰ τούτου μ[ου τοῦ διατάγμ]ατος προαγορεύσαι τούτοις ἔκριν[α φανεροῦ]ς ἑαυτοῦς ὡς ἐνταῦθα, εἰ ἀναπόγ[ραφοί εἰσιν, κ]αταστήσαι καὶ τὴν κτλ.

Ll. 3-4: ἀντ[ῶν καὶ παρὰ τῶν | στατιωναρί]ων **KP3**, divided **HR**

Ll. 4-5: φρουμ[ενταρίων | καὶ κολλητιώ]νων **KP3**, divided **HR**

L. 5: τ[ού]τω] **KP2**, τ[ού]τω] **HR**

L. 7: [τοις ὁ]μοίους] **KP2**, τ[...] \ΙΟΙΟC.] **HR**

L. 8: facsimile by **KP2** gives: APXOYNTEC[.....ca. 10.....]QC

KASSAR, *Lydia, Asia Minor.*

Petition from a village probably to a *proconsul Asiae*. Second or third century.

1) BIBLIOGRAPHY¹

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- Herrmann, P.: *Tituli Asiae Minoris*, Vol. V, Fasciculus I, Regio septentrionalis ad orientem vergens, Wien 1981, pp. 197-8, no. 611.

2) DISCOVERY AND PUBLICATION

This inscription was found in 1911 (May 15) by Keil and Premerstein in the outskirts of the village Kasar and later published (1914) with a drawn facsimile. The village was on the territory of the town Satala, lying just inside the north-eastern border (see Herrmann 1981:194-5).

3) DESCRIPTION

The inscription was cut on a slab of bluish marble which at the time of discovery measured 0.965m, 0.57 and 0.62; height of letters 0.02. The upper two-thirds were very worn which again affected the squeeze and the *Abreibung*. They reflect the condition of the stone and are very poor. They are kept by the Kleinasiatische Kommission für Epigrafik, Vienna. The present status and location of the stone is not known.

¹ Peter Herrmann has a bibliographic reference in *TAM*:1, no. 611, to Fischer, H.: *Jahrbuch für Wirtschaftsgeschichte*, III (1967) 339 (*gravibus cum erroribus*). I have not succeeded in locating this article.

4) TEXT²

1	<p> <i>Αὐρ. Μαρ[ε]ῖν[ος]?</i> TA.T Λ </p>
4	<p> <i>ιδίως</i> CIAN TOIC TOCKEK </p>
8	<p> ΔΕΙ T OME\ TA. <i>εἰωθότῳ[ν] ταῖς [?στατιωνα-]</i> <i>ρίων [κ(αὶ)] φρουμε[νταρίω]ν ὦν....Φ..</i> </p>
12	<p> CINAN NOI T NXA <i>[ταῖς κ]ώμαις ἐπισείοντες ενε[ca. 7]</i> </p>
16	<p> <i>ἀγαθοῦ μὲν οὐδενὸς γεινόμενοι αἵτι-</i> <i>οι, ἀνυποίστοις δὲ φορτίοις κ(αὶ) ζημιώμα-</i> <i>σιν ἐνσεύοντες τὴν κώμην, ὡς συμβαί-</i> <i>νειν ἐξαναλουμένην αὐτὴν εἰς τὰ ἄμε-</i> </p>
20	<p> <i>τρα δαπανήματα τῶν ἐπι[δη]μούντων</i> <i>κ(αὶ) εἰ[ς τ]ὸ πλῆθος τῶν κολλητιῶνων ἀ-</i> <i>πο[στερεισθ?]α[ι] μὲν λουτροῦ δι' ἀπορίαν,</i> <i>ἀποστερεῖσ[θ]ε [δὲ κ(αὶ)] τῶν πρὸς τὸν βί-</i> </p>
24	<p> <i>ον ἀ[ν]ανκέ[ω]ν' ἀ[π]α[γ]ό[ρ]ευε...ε..πρὸς</i> <i>τὰς [.....]CEK[...]OYTMEN[]</i> <i>κατοίκων []</i> <i>...ἕκαστα[...]ON[]ME[]</i> </p>
28	<p> <i>...δαπανήματα[]</i> ----- </p>

2 The text is identical with TAM V:1, no. 611.

TRANSLATION³*Narratio* (ll. 15-24)

[...] attacking [the v]illages [...] not only that they do not bring anything good, but by unbearable burdens and damages they harass the village, so that it happens that our village, being (financially) exhausted by its unlimited expenditure on those who stay here and the mass of the *kollētiōnes*, is, because of its penury, [bereft] of bath and even bereft the necessities of life [...]

5) COMMENTARY

The nature of the document

The text is severely damaged, but the reading of ll. 15-24 establishes its place in the corpus. Keil & Premerstein (1914:11) called it '[eine] amtliche Erledigung von Beschwerden der Bewohner eines Dorfes'. Abbott & Johnson (1926:482) added that 'The document seems to record the reply of the governor to the petition of the residents'. Herrmann (1981:98) recognised a proconsular edict rather than a petition.⁴ Apparently his identification is based on ἀ[π]α[γ]ό[ρ]ευε in l. 24, as this verb is to be identified with edicts (cf. e. g. **Demirci**, l. 5). But ἀ[π]α[γ]ό[ρ]ευε conflicts with the identification of a *libellus*, and on balance Herrmann's classification has to be abandoned: The choice of words - ἐπισειώ, ἐνσειώ, ἐξαναλώω, ἀποστεροῦμαι, ζημίωμα, δαπάνημα, πλῆθος - and especially the adjective ἀνύποιστος⁵ - is characteristic of a petition forwarding a complaint. Further, the expression ἀγαθοῦ μὲν οὐδενὸς γεινόμενοι αἴτιοι (ll. 16-17) would hardly be repeated verbatim or added independently in a proconsular edict (cf. the proconsular responses in **Euhippe** and **Tabala**). Finally the reading ἀ[π]α[γ]ό[ρ]ευε has only weak support. It was probably restored from the squeeze or the *Abreibung*, as the notebook (XII, 32) only has [.....]ευε.

Accordingly the contents should be identified with a petition which perhaps has some traces of the administrative handling in l. 1. Ll. 15-24 apparently belong to the *narratio*, as l. 22 (λουτροῦ δι' ἀπορίαν) is undoubtedly a narrative element. Whether the addressee was a proconsul or an emperor is not possible to establish beyond doubt, but no part can be identified as referring to the emperor, a characteristic and repetitious element in the imperial petitions.

Our conclusion is, then, that the inscription renders a petition to a *proconsul Asiae*. It should be seen as a parallel to the proconsular petitions of **Güllüköy** and *I. Ephesos* II, no. 213, and belongs to the same provincial sphere as **Kilter**.

3 There is also a translation by D. Crawford (1974:173).

4 'Est libellus vicanorum vel potius magistratus Romani (proconsulis?) ad vicanos missum quos libello de exactionibus illicitis militum ac officialium conquestos esse manifestum est.'

5 The use of privative adjectives is common to the complaints, but they do not occur regularly in instructions of the authorities, see *Index of Important Words*. There is a telling contrast in words describing the *kollētiōnes*: in the meticulously phrased **Ağa Bey Köyü** the number 23 - κγ' - is given (l. 1); in the correctly styled **Kemaliye τάξις** is used (ll. 5, 18, 24); here in **Kassar** - characterised by abusives - they are described as a πλῆθος (l. 21).

General contents

There are two major points to notice. First, there is the catalogue of culprits: the [ῥστατιωνά]ριοι, φρουμεντάριοι (ll. 10-11) and the κολλητίωνες (l. 21). For the latter category, see the commentaries on **Kemaliye** (ll. 4-5 and 6) and **Kavacı**. The *kollētiōnes* give the best guideline for dating the document.

The second point is the prominence of the public bath in the village, ranged as a primary necessity.⁶ To underscore the problems with the baths may reveal a real concern, it may also be added to reflect the ambition of the village.⁷

6 Cf. Robert (1943:115): ' [...] le bain vient immédiatement après la nourriture; l'ἀπορία est fortement exprimée par l'impossibilité de continuer à entretenir le bain. Il doit s'agir, non point de l'adduction d'eau, ni même du l'entretien du bâtiment, mais sans doute du chauffage de l'établissement, forte charge pour les communes qui acceptaient volontiers pour cela l'aide de bienfaiteurs.'

7 The expression κωμόπολις encountered by Strabon (*Geogr.* 12.2.5; 12.3.31; 12.6.1 and 13.1.27) springs to mind.

GÜLLÜKÖY, *Lydia, Asia Minor.*

Petition from peasants living in a village in probably delivered to a *proconsul Asiae*.
Second or third century.

1) BIBLIOGRAPHY

Herrmann, P.: 'Neue Inschriften zur historischen Landeskunde von Lydien und angrenzenden Gebieten', *Österreichische Akademie der Wissenschaften, philosophisch-historische Klasse, Denkschriften*, 77:1 (1959) 11-3, no. 9; photograph in plate II, no. 5.

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I. Manisa, no. ??

2) DISCOVERY AND PUBLICATION

When Herrmann published this inscription, it was already part of the collection in the museum of Manisa, tracing its origins to **Güllü(köy)** (Vilayet Uşak, Kaza of Eşme).¹ There is no report of the exact place of its discovery etc. Photo in Herrmann (1959).

3) DESCRIPTION

The inscription is cut on a marble slab where 0.18 of the upper, uninscribed rim is intact. The inscription is otherwise much damaged on the left and right sides and broken off after l. 13. The measurements are 0,40m, 0,28 and 0,12. The height of the letters is uniform and given as 0.012 cm.

If the restorations of ll. 10-11 suggested by Robert (cf. critical apparatus) are correct, they would allow us to assess the total amount of letters per line (60-62), an assessment which in turn can be applied to a tentative restoration of the inscription.

The reading has been controlled on the basis of Prof. Herrmann's squeeze and photographs. The inscription is now in the Museum at Manisa, inv. 514. It is no. 21 in Hasan Malay's forthcoming catalogue to the museum.

1 Observe that the inventory no. given by Herrmann is no longer valid. The large village is now called Güllü in maps and other references.

4) TEXT, CRITICAL APPARATUS AND TRANSLATION

- 1 [- - - - -]εντα αὐτὰ καὶ τῷ περ[- - - - -]
 [- - - - - δ]ς καὶ αὐτὸς κέκτηται ἐν τῇ κ[ώμη - - - - -]
 [- - - - -]ην διὰ τοῦτο ἀνανκαίως εἰ[- - - - -]
 4 [- - - - - κακ]ὰ πάσχουσιν οἱ τὴν προδηλουμέν[ην κώμην κατοικοῦντες- -]
 [- - - - -]τὴν γεωργίαν εἰδότες καὶ πένητε[ς ὑπάρχοντες - - ὥστε μηκέτι]
 [τὰς ὑπηρε]σίας τὰς εἰς τὸν θειότατον ἡμῶν [αὐτοκράτορα, ἅς - - - - -]
 [- - - ὀφείλ]ουσιν, συντελεῖν δύνασθαι· δέομαι ο[ἦν σου ἐπιτάττειν - -]
 8 [- - - - ἄρχ]ουσιν καὶ εἰρηνάρχαις ὥστε φροντ[ίζειν - - - - -]
 [- - - - -] καὶ διασειόντων ἡμᾶς καὶ ἐπει[γόντων - - - - -]
 [- - - - -]ν, ἵνα διὰ τὴν σὴν τύχην δυνησ[όμεθα τυχεῖν τῆς]
 [σῆς φιλα]νθρωπίας καὶ ταῖς εἰς τὸν θ[ειότατον αὐτοκράτορα λειτουρ-]
 12 [γίαις ὑπ]ηρετεῖσθαι_
 [- - - - -]μνημο[- - - - -]

CRITICAL APPARATUS

Abbreviations:

- HR Herrmann (1959)
 R L. Robert, cf. Herrmann (1959:12, n. 3)
 K J. Keil, cf. Herrmann (1959:12, n. 3)
 M G. Maresch, cf. Herrmann (1959:12, n. 3)
 H author

L. 4: [κακ]ὰ R; προδηλουμέν[ην κώμην κατοικοῦντες] HR.

L. 5: πένητε[ς ὑπάρχοντες - - - ὥστε μηκέτι] R.

L. 6: [τὰς ὑπηρε]σίας and [αὐτοκράτορα, ἅς] HR.

L. 7-12: unannotated rest. by H.

L. 7: [ὀφείλ]ουσιν K; ο[ἦν σου ἐπιτάττειν] R.

L. 8: [ἄρχ]ουσιν and φροντ[ίζειν] R.

L. 9: ἐπει[γόντων] M.

Ll. 10-12: Text as sugg. by R.

TENTATIVELY RESTORED TEXT

- 1 [- - - - -]εντα αὐτὰ καὶ τῷ περ[- - - - -]
 [- - - - - ὀ]ς καὶ αὐτὸς κέκτηται ἐν τῇ κ[ώμη - - - - -]
 [- - - - -]ην_ διὰ τοῦτο ἀνανκαίως εἶ[ς τὴν σὴν τύχην κατέφυγον ὅτι]
 4 [τοσαῦτα κακ]ὰ πάσχουσιν οἱ τὴν προδηλουμέν[ην κώμην κατοικοῦντες καὶ]
 [οὐδὲν ἄλλο ἢ] τὴν γεωργίαν εἰδότες καὶ πένητε[ς ὑπάρχοντες ὥστε μηκέτι]
 [τὰς ὑπηρε]σίας τὰς εἰς τὸν θειότατον ἡμῶν [αὐτοκράτορα, ἅς κατὰ τὸ δίκαιον]
 [ὀφέιλ]ουσιν, συντελεῖν δύνασθαι. δέομαι ο[ὖν σου ἐπιστεῖλαι τοῖς τῶν Φιλ-]
 8 [αδελφῶν ἄρχ]ουσιν καὶ εἰρηνάρχαις ὥστε φροντ[ίδα ποιήσονται κατὰ τῶν]
 [διοδευόντων] καὶ διασειόντων ἡμᾶς καὶ ἐπει[γόντων ἡμᾶς τὰς ξενίας αὐτοῖς]
 10 [χορηγεῖ]ν, ἵνα διὰ τὴν σὴν τύχην δυνησ[όμεθα τυχεῖν τῆς τοῦ αὐτοκράτορος]
 11 [περὶ πάντα φιλα]νθρωπίας καὶ ταῖς εἰς τὸν θ[ειότατον αὐτοκράτορα λειτουρ-]
 12 [γίαις ὑπ]ηρετεῖσθαι.¹
 [- - - - -]μνημο[- - - - -]

TRANSLATION

Narratio (final part, II. 1-3)

[...] who also himself is a landowner in the village [...] (II. 3-7) Because of this the [inhabitants of the village] mentioned above perforce [have taken refuge with your Fortune as] they suffer [so badly] and know [nothing else than] the poor life of peasants [so that they no longer] can fulfill [the contributions which they rightly owe] to our most holy [emperor].

Preces (start, II. 7-12)

I therefore beg [you to instruct the magistrates of the Philadelphians] and especially the eirenarchs [to take action against those who travel through] and oppress us and compel [us to provide them with hospitality], in order that we by your Fortune can [obtain the emperor's all-embracing] benevolence and contribute to the [levies] to the [most holy emperor].

1 For II. 10-11 of the restored text, cf. Menander Rhetor, *Treatise II*, 423, Περὶ στεφανωτικοῦ: ἅμα δὲ καὶ δεομένη καὶ ἰκετεύουσα καὶ θαρροῦσα τῇ σῇ περὶ πάντα φιλανθρωπία.



Fig. 18: Güllüköy. Photograph and © by Peter Herrmann

5) COMMENTARY

The context of the fragment

L. 1 seems to give the beginning of the appeal, as the space above it is left unscribed; the intact words of l. 2 seem also to give a self-presentation of the representative who delivered the petition (cf. the first person singular of the verb in l. 7, *δέομαι*). The recognizable words of l. 3 (*διὰ τοῦτο ἀναγκαίως εἰ[ς τὴν σὴν τύχην κατέφυγον*) belong to the transition between the *narratio* and *preces*.² Beyond doubt *δέομαι ο[ὔν σου]* of l. 7 must be the start of the *preces*; moreover the space following *[ὑπ]ηρετεῖσθαι* in l. 12 is left vacant. Ll. 7-12 ought then to constitute the final part of the *libellus*. This is a safe conclusion which only leaves six and a half line for the opening and *narratio* of the notification. This clearly cannot suffice, even if we allow for the generally shorter petitions to provincial governors (cf. **Dagis**): The demonstrative pronouns in ll. 1-3 (*αὐτὰ, αὐτὸς* and *τοῦτο*) obviously refer to earlier statements, and *τὴν προδηλουμέν[ην κώμην]* of l. 4 is probably also such a reference. These lines should accordingly belong to the summary of the *narratio*, which corresponds with the very general choice of words usually used at this stage of a petition; this also explains why we may attempt to restore the text at this stage. In sum the analysis leads us to the conclusion that there must have been a parallel column of text to the left, of which we have no traces. To be without the main part of the *narratio* is a loss which cannot be remedied.

General outline

Herrmann (1959:12) rightly identified the provincial governor as the addressee of the petition, a conclusion based on the fact that the emperor is being referred to in the 3. person (ll. 6 and 11). The petition is being presented by a landowner in the village on behalf of its inhabitants who are spoken of in the 3. person plural (ll. 3, 4 and 7) in the *narratio*. The indirect presentation is most striking at the start of the *preces* which starts with *δέομαι*, which contrasts with the use of the 1. p. plural (*δεόμεθα*) in most of the petitions (cf. Herrmann 1959.12, n. 7).³ The use of *ἡμᾶς* in 9 changes this and includes the representative among the direct victims. This expression and the arguments rule out the possibility that the representative could have been an especially privileged landowner in the village, e. g. a senator, who enjoyed immunity of these services.⁴ One should note the references to the emperor as the recipient of their levies (ll. 6 and 11-12).

The contents of l. 8 are very interesting as eirenarchs and some other group of (city-) magistrates are put at the center of the request, singled out as those who shall take direct action against the perpetrators. Seen from afar this seems quite logical, but **Güllüköy** is the only source of our collection where the regular peace-keeping bodies are manifest. The otherwise general silence can only be interpreted as to prove their incompetence or the

2 Cf. **Skaptopara**, ll. 163-165 *διὰ τοῦτο ἀναγκαίως κατέφυγον ἐπὶ τὸν θειότατον [αὐτοκράτορα]* and commentary.

3 Cf. **Dagis** l. III, 4; **Saltus Burunitanus**, col. III, l. 3 (*rogamus*); **Ağa Bey Köyü**, l. 30; **Kemaliye**, l. 9; **Skaptopara** ll. 78 and **Bephoure**, ll. 13-14.

4 Cf. **Kilter** and the *sacrae litterae*.

unwillingness of the city magistrates to intervene on behalf of the villagers.⁵ Whether the officials of a particular town is hinted at, is far from certain because of the uncertain state of the text; but it is likely as the eirenarchs were city magistrates (cf. Hopwood 1983; *SEG* XXXII, 1983, no. 1591 and Robert 1984). **Güllüköy** should belong to the territory of Philadelphia (for a map, see *TAM*, V:1). The yearly visit of the proconsul either to Philadelphia itself or Sardes would be a golden opportunity for presenting this request.⁶

Finally, caution must be taken when assessing the contents of the concluding passage. As restored, though, it neatly demonstrates the interdependence between imperial privilege and the local ability to serve.

5 The letter of Asinius Rufus (recently published as I. Manisa 523) to the magistrates of Sardes touches upon a wide scope of levels: Asinius Rufus was the owner (as I take it) of the village and people of the Arillenoï on the territory of Sardes. They had received market privileges from the proconsul T. Aurelius Fulvus Boionius Arrius Antoninus (proconsul between 133-137, probably as Eck, 1979:210, suggests in 134/5); in 138 he became emperor, known as Antoninus Pius. The magistrates of Sardes had applied to Antoninus Pius for an extension of the market rights he had granted several villages when proconsul. The Arrenoi, however, were not included in this batch. Accordingly they wrote a letter to Asinius Rufus, as their owner and patron, to petition Antoninus Pius to have this omission corrected. Asinius thought otherwise about this. He thought the omission of the market of the Arrenoi embarrassing for the magistrates of Sardes. Consequently he wrote to them to enable them to correct the omission. (See Nollé & Eck 1996.)

6 Pliny the Elder (*NH* 5. 111) attributed Philadelphia to the assize of Sardes. Later testimony (Aelius Aristeides, *Or.* 50. 96 & 98) locates an assize at Philadelphia, but I find it questionable (esp. because of its proximity to Sardes) whether this city acquired the status of a permanent assize centre. Cf. Habicht (1975, esp. pp. 71 and 75) and Burton (1975:93-4).

PART II: STRUCTURE AND ADMINISTRATION

1. THE STRUCTURE OF IMPERIAL PETITIONS

1) INTRODUCTORY REMARKS

The uniform structure, the recurrent complaintive arguments or simply the choice of words should by now - I think - have struck the reader who has studied the petitions of Part I:A. In the commentaries I have given many examples of parallel expressions. The aim of this chapter is to go one step further, i. e. to analyse systematically the structure or diplomatics of the imperial petitions.

Motivation

There are two, principal reasons for this venture: first, any literary corpus following a fixed scheme would openly invite it. Secondly I hope that this approach will provide a useful tool for the analysis of petitions.

Such a tool will prove especially useful when working on damaged texts or even mere fragments. By knowing e. g. how the rhetorical *topoi* were distributed among the constituent parts,¹ one can interpret severely damaged texts and thus be able to both recognize and to assess arguments which one may have thought possible only for the more complete inscriptions.

Finally, a third motive - and inspiration - is the resurgent interest in inscriptions as literature, most clearly present in the writings of Nicholas M. Horsfall.²

The material

The primary material for this investigation is still the petitions to the emperors presented in Part I:A. To these has been added P. Oxy. XLVII, 3366. Together they constitute the **corpus**. The expression **imperial petitions** regularly refers to this corpus. When presenting common places or current features, I have also drawn upon the inscriptions of Part I, B.

To provide depth of image and amplification, a selection of examples of petitions from Roman Egypt and Mesopotamia supplements the corpus. Montevecchi (1973:190) gave an approximate number of 350 petitions from the Roman era without counting the mere fragments. Today the number is much higher. There is no complete list of petitions from Roman Egypt, and there is no study on the composition to parallel the work which Collomp (1926), Cavassini (1955) and di Bitonto (1967 and 1968) did on the Ptolemaic petitions (see below). Because of this defect and the great number of petitions I have not exhaustively and systematically digested the petitions of Roman Egypt. This challenge is still left to a dedicated papyrologist.³

I have, however, paid special attention to petitions presented to the *praefecti Aegypti*. They are mainly, but not exclusively, taken from the petitions published in *The Oxyrhynchus Papyri*. The Duke Data Bank of Documentary Papyri, as available on The Packard

1 For a definition of part, see below, p. 255.

2 Cf. Horsfall (1983, 1985 and 1988).

3 For the insufficient scope of the existing studies and the need of an exhaustive study, cf. Montevecchi (1973:19) and Thomas (1983:369).

Humanities Institute Demonstration CD-ROM #2, has been searched for particular parallels. Just recently 5 petitions from The Middle Euphrates turned up unexpectedly; of these one is already published (**Bephoure**; Feissel & Gascoü 1989). In many respects and for various reasons this text provides closer parallels to our material than the Egyptian ones; but above all it is the only complete gubernatorial petition outside Egypt.

I have faced greater difficulties when trying to isolate literary parallels for the structure and constituents of petitions to Roman emperors. The result of my quest gives only one good example to proffer: Pliny's letter to Trajan (X, 4). The discussion of literary parallels, must accordingly be brief (cf. below, p. 274).

In sum I have used the evidence of papyri and literature in order to let the particular qualities of the imperial petitions appear more clearly.

The use of rhetorical theory and the course of the analysis

Ideally one should study the structure of the imperial petitions through diplomatics. The state - or rather dearth - of evidence, however, rules out such an approach. As a substitute I have found it useful at various stages to legitimate and illustrate the use of this standard by samples from the rhetorical literature to show how and to what extent the petitions reflected the theory.⁴ When doing so, I have been aware that a general study of Roman diplomatics would be the missing link between rhetoric and the imperial petitions.

In the discussion of this subject the point of departure is a division of the petition into its constituent parts (for the use of the word *part*, cf. below, p. 261). This division generally follows the traditional, rhetorical structure of judicial speeches. The terms arrived at have appeared throughout Part I.

The results offered by this juxtaposition provide a background for the concluding discussion of authorship. The section on the constituent parts is followed by a presentation of the minor elements: the themes and the vocabulary. The analysis of the parts and the minor constituents leads to a theory suggesting a standard size for petitions to the emperor. A discussion of how to harmonize the results of the inquiry concludes the chapter.

Limitations

Finally I should like to remind the reader that there apparently existed many species within the genus of petitions. The **corpus** certainly gives examples of the *querella* (cf. n. 13 below). **Smyrna I and II**; **Rome** and **Şapçılar** can with equal confidence be classified as *applications*. I find it fair to assume that applications can be further subdivided into real applications, *pro forma* applications, wishful thinking and so forth.⁵ One should accordingly keep in mind that the following presentation, strictly speaking, only has direct bearing upon complaints.

4 For a similar approach, cf. Benner (1975:17-25).

5 Cf. *CI*, 2. 8, 2: *Imp. Gordianus A. Rogato militi: Errores eorum, qui desideria (id est preces) scribunt, veritati praeiudicium adferre non posse manifestum est. et ideo si condemnationem, cuius mentionem libello insertam esse proponis, manifeste probare potes non intercessisse, adlegationes tuas laedi non oportere is, qui super negotio disceptaturus est, non ignorat.* [238]

2) RELATED STUDIES ON PETITIONS

The Ptolemaic petitions

Working on the very rich and fairly homogeneous bulk of Ptolemaic petitions, Collomp, Cavassini and di Bitonto succeeded in structuring the material. Collomp (1926) isolated three parts and used the terminology *l'exposé* (p. 81), *la requête* (p. 92) and *la motivation* (p. 115). Cavassini (1955:300-1) sifted the contents more finely using (I) *inscriptio*, (II) *narratio rei*, (III) *postulati forma*, (IV) *rerum veritas probatur*, (V) *rei facultas recusandi*, (VI) *petitio poenae*, (VII) *regis vel magistratus iustitia colitur*, (VIII) *salutatio*, (IX) *notae secunda manu exaratae* and (X) *verso*. Di Bitonto (1967:11-21) simplified and used the terminology (1) *prescritto*, (2) *esposizione del caso*, (3) *introduzione della domanda* and (4) *specificazione della domanda secondo i tipi di ἐντεύξεις*.

Roman Egypt

There are two works which concentrate on the petitions from Roman Egypt, Mullins (1962) and White (1972). Mullins worked on the petitions 'from the centuries immediately before and after the New Testament period' taking his material from the Oxyrynchus Papyri and analyzed the structure to give (p. 47) *background/ petition/ address/ courtesy phrase/ desired action*.

White's study is broader than Mullins', but even he based his study on a limited number of documents.⁶ White used the terms (I) *opening*, (II) *background*, (III) *request* and (IV) *closing*. In their work on petitions both authors aimed at serving the higher goal of illuminating the study of forms in the New Testament and they made little effort to distinguish petitions from letters. White e. g. (p. XI) describes the official petition as 'one of the letter types'; an approach which was clearly not tuned to the aim of his study.

Earlier studies and suggestions

To my knowledge there are no comparable studies on the petitions to Roman emperors, and comments on their form and structure are meager to say the least. The republication of Apion's petition to Theodosius II by Feissel and Worp (1988) is excellent, but its subject is considerably later than our corpus.

Mihailov (1966:209) quoted the view of Gerov (1961:279) on the structure of *Skap-topara*, identifying it as the *forma suasoriae*: *exordium*, *narratio*, *δέσεις/ peroratio*. Without further comment the identification as the *forma suasoriae* is not very helpful as this term does not belong to the traditional tripartite division *συμβουλευτικόν* - *deliberativum*, *δικονικόν* - *iudiciale* and *ἐπιδεικτικόν* - *demonstrativum*.⁷

6 White includes (pp. 71-193) texts and translations of 71 petitions.

7 The term *suasoria* does exist as one of the two *officia* of the *genus deliberativum* (cf. Quintillian, 3. 8, 6: *officiis constat duabus suadendi ac dissuadendi*; on this, see Lausberg 1990:124, §229). My point is that the traditional, rhetorical literature uses the term *suasoria* so sparingly, that one does not clarify much by applying it to imperial petitions.

3) THE CONSTITUENT PARTS OF IMPERIAL PETITIONS

Internal evidence of rhetorical divisions

Despite the lack of contemporary descriptions of petitions⁸, there are indisputable indications that a structure was laid down for petitions and that this structure was observed. One indication is the transitional formulations used in the petitions, exemplified by *ἔντευξις* in l. I, 6 in **Dagis**, the introductions like *ἔχε[ι δὲ τὸ τῆς διηγή]ήσεως ἐν τούτοις* in ll. 12-13 of **Aragua**, and *ἡ ἀξιώσις* in l. 122 of **Skaptopara**.⁹ Another is - as already noted in the specific commentaries - that the division into parts in some instances followed the documents up to the point when they were transferred to stone: In **Saltus Burunitanus** we observed that the text of the petitions was thematically laid out in columns. In both **Saltus Burunitanus** and **Aragua** the layout marks rhetorical transitions. In **Saltus Burunitanus** (col. III, l. 3) there is a 2 letter *vacat* in front of the *preces*. In **Aragua** the transitions from the *inscriptio* to the *exordium* and from the *exordium* to the *narratio* are marked by *vacats* (ll. 9 and 13). These marks clearly reveal consciousness of rhetorical divisions.

Descriptive terminology: the constituent parts

The observations on the internal evidence attest the need for an unambiguous terminology which reflects the structure of the petitions addressed to Roman emperors. By analyzing the contents we can isolate four parts: address, prologue, narrative and request. For the three first parts there are well established Latin terms: *inscriptio*, *exordium* and *narratio*; to these has been added *preces*. **Part** will be used as the common term of these four constituents.

- I The *Inscriptio* is not rhetorical in character; the term is derived from *inscribo*, used in the meaning *to address*.¹⁰

8 There are though some reflections in the Latin glossaries, cf. Nörr (1981b;5, N. 14, and the translation practices in the *Hermeneumata Pseudodositheana* = *Corpus Glosariorum Latinorum* III, 211 and 648).

9 In P. Oxy XII, 1468 (quoted in the Appendix) which seems to confirm a conscious and positive link between speech and supplication. In this papyrus we find the expression *τὰ δὲ τοῦ πράγματος τοιαύτην ἔχει τὴν διήγησιν*; and the technical term *διήγησις* is set at the immediate start of the *narratio*. On the basis of this text Feissel & Worp (1988:103, n. 66) emended **Aragua**, ll. 12-3: *τῆνδε τὴν ἰκετείαν [ὕ]μειν προσάγομεν. ἔχε[ι δὲ τὸ τῆς διηγή]ήσεως ἐν τούτοις*. They noted that the term *διήγησις* is uncommon in the petitions, *διδασκαλία* being preferred.

10 Cf. Cicero, *Ep. ad Att.*, 6. 3, 8: *Q. Cicero puer legit [...]* *Jepistulam inscriptam patri*. Other terms are used, e. g. *praescriptum*. In Byzantine diplomatics, *inscriptio*, denotes a part of the protocol, being divided into (1) *invocatio* (i. e. in the name of Jesus Christ); (2) *intitulatio* (i. e. the full titulary of the issuing emperor in the nominative); and (3) *inscriptio* (i. e. the recipient in the dative case). For their application within the different kinds of Byzantine documents, see Dölger & Karayannopoulos (1968).

- II *Exordium* (προοίμιον) is commonly used to denote the first part and its aim was to capture the listener's attention and make him well disposed towards the contents.¹¹
- III *Narratio* (διήγησις) is the telling of what has come to pass.¹²
- IV *Preces* (δέησις)

Part IV, the *preces*

Up to the concluding point the *libellus* has followed the structure of the traditional speech, whatever its genus. After the *narratio*, this similarity ends. The characteristic part of the petition is its final one, easily recognizable by the main verb summarizing the request. At this point I see no established vocabulary. In the Greek petitions the main verb in all examples is *δέομαι* (cf. Gerov 1961), whereas in **Saltus Burunitanus** (col. III, l. 3) *rogamus ... subvenias* is used. The traditional term for the conclusion is *peroratio*, but to employ this term in the context of the petitions will leave an impossible torso, because the *argumentatio*, the core of the speech, would be left out. I suggest using the term *preces*. *Preces* will serve both the part and the genre of the document. *Preces* is also a regular word for petition and as such it is more informative than *libellus*.¹³ I do not see any need to isolate or define further parts, and the clues given by the layout do not reveal *motivation* as a particular part. This economic division seems to go so far as to obscure the conclusion, the *peroratio*. There are, though, within these parts some subdivisions that will be mentioned below.

4) ADDRESS - INSCRIPTIO

At some time during the first or early second century a set form was laid down for the address in Roman petitions. This address became in turn one of the primary characteristics of petitions. It should be clearly distinguished from that used in letters. Uniformly the recipient(s), *in casu*: the emperor(s), are set in the dative case, followed by *ab* or *παρά* and the name of the sender. The address also includes a caption, defining the nature of the document. In **Skaptopara** (l. 6) and **Aragua** (l. 6) this is given in the form *δέησις παρὰ*

11 Cf. *Rhet. ad Herennium* 1. 3, 4: *Exordium est principium orationis, per quod animus auditoris constituitur ad audiendum*. And 1. 4, 6: *Id ita sumitur ut adtentos, ut dociles, ut benivolos auditores habere possimus*. For a general description of the *exordium*, cf. Lausberg (1990:150-63).

12 *Rhetor. ad Herennium* 1. 3, 4: *Narratio est rerum gestarum aut proinde ut gestarum expositio*.

13 Cf. Fridh (1956:119-20), who in his comments on the terminology and vocabulary of Cassiodorus (490-583), says that *preces* denotes a written request and was frequently used in the 4th and 5th century in the meaning *request addressed to the emperor*. I refer again to subdivisions of the *libellus* revealed by Gordian III's *subscriptio* in **Skaptopara**: *Id genus querellae precibus intentum*. From the evidence of Cassiodorus' *Variae* these subdivisions seem to have multiplied in late antiquity. In his work we encounter *aditio, allegatio, conquestio, desiderium, insinuatio, petitio, precatio, preces, querela, relatio, suggestio, supplicatio, susurratio* (cf. on these Fridh 1956:111-25).

followed by the names of the petitioners in the genitive case. In the oldest example ἔντευξις introduces the petition (**Dagis I**, l. 6.).

The address lacks all the traces of ornamentation familiar from letters (cf. Koskeniemi 1956:128-44).

The administrative function of the address

Written approaches to Roman emperors had two forms: letters and petitions. Letters were mainly internal, i. e. administrative. Petitions were external. No doubt the Romans used the address to establish or announce the character of the document, perhaps to make the classifying easier. Further the address conveyed the inferior position of the petitioner.¹⁴ The evidence is uniform. In my view one can best explain this uniformity by postulating an administrative reform which regulated the use of petitions. The existence of this reform, however, appears only indirectly through the documentary sources. The sources relate that the petitioners followed the set regulation stringently, not least because they did not want to upset the receiving authority at the start. The general characteristics of Roman diplomatics support this theory (cf. Millar 1988). The Romans developed a set scheme both for imperial constitutions (in particular *edicta* and *subscriptiones*) and written approaches (letters and petitions).¹⁵

The distinction between those who could use letters and those that had to use petitions was primarily social. As a rule and Roman officials did not accept letters from common, private persons.¹⁶ The handling of petitions reflects this attitude or policy. The humble origin of petitions appeared through the absence of phrases of courtesy and intimacy, and even more by the fact that the requests were disposed of by an annotation at the bottom (*subscriptio*). This procedure conveys a minimum of administrative effort. It probably also implies that the petitions originally were kept out of the imperial archives. At a later stage, when this no longer was possible because of the legislative force of the *subscriptiones*, the inconvenience of securing authenticated copies was characteristically placed on the petitioners.

14 Cotton (1981:13) held that the address in the P. Oxy. II, 32, ll. 1-3, *I[ul]lio Domitio, tribuno mil(itum) leg(ionis) ab Aurel(io) Arch[h]elao, benef(iciario) suo salutem*, to show Archelaus' 'respect to his superior by putting the latter's name before his own.'

15 This inference is in harmony with the conclusion which Reinmuth (1938:26) reached in his valuable study of the edicts of the *praefecti Aegypti*. He stated that the *praescriptum* was of purely Roman origin and that its use was not influenced by the form of the Ptolemaic decree.

White (1972:25-8) noted that in the Ptolemaic petitions one encounters two types of addresses 'to N.N. (dative) χάρειν N. N. (nominative)' which is more frequent (his type 1), and the form which became the regular one in Roman times (as described above; his type 2). White further observed that only type 2 continued into the Roman era, for what he saw as inexplicable reasons: 'The discontinuance of type 1 is inexplicable on present evidence. But it is conceivable that some very practical explanation lies behind the disappearance of type 1.'

16 Cf. the illustrative the example of Basilius of Caesarea quoted in the commentary on **Saltus Burunitanus** (col. II, ll. 16-20).

5) *EXORDIUM* - ΠΡΟΟΙΜΙΟΝ

Our sources tell us that the *exordium* was a regular part of the imperial petitions. It is present in all our examples where the part is complete or recoverable: **Skaptopara**, **Aragua**, **Kavacik** and P. Oxy. XLVII, 3366. Whether this characteristic should be said to apply to all kinds of petitions to Roman emperors, including routine applications, is another question. The part is definitely absent from **Şapçılar**; **Smyrna I & II** and **Rome** are inconclusive (cf. above p. 259, Limitations).

The structure and contents of the epigraphical *exordia* are uniform, and being fairly short they can be quoted in full:

Skaptopara A: Ἐν τοῖς εὐτυχεστάτοις καὶ αἰωνίοις σου καιροῖς κατοικεῖσθαι καὶ βελτιοῦσθαι τὰς κώμας ἢπερ ἀναστάτους γίγνεσθαι τοὺς ἐνοικοῦντας πολλακ(ις) ἀντέγραψας· ἔστιν γὰρ καὶ ἐπὶ τῇ τῶν ἀνθρώπων σωτηρίᾳ τὸ τοιοῦτο καὶ ἐπὶ τοῦ ἱερωτάτου σου ταμείου ὠφελεία· ὅπερ καὶ αὐτοὶ ἔννομον ἰκεσίαν τῇ θεϊότητι σου προσκομίζομεν εὐχόμενοι ἰλέως ἐπινεῦσαι ἡμῖν δεομένοις τὸν τρόπον τοῦτον.

Skaptopara B: Πύρρος ὁ πρα[ι]τωριανὸς ἀπὸ θείας φιλανθρωπίας ἐπὶ τὴν ἔντευξιν ταύτην ἐλήλυθεν· [...]δοκεῖ δέ μοι θεῶν τις προνοήσασθαι τῆς παρούσης ἀξιώσεως· τὸ γὰρ τὸν θεϊότατον αὐτοκράτορα περὶ τούτων πέμψαι τὴν διάγνωσιν ἐπὶ σέ ἐτι δὲ ἤδη φθάσαντα περὶ τούτων καὶ προγράμμασιν καὶ διατάγμασιν ἴδεδωκέναι, τούτο ἐμοὶ δοκεῖ τῆς ἀγαθῆς τύχης ἔργον εἶναι. ἦν δὲ ἡ ἀξίωσις.¹⁷

Aragua: Πάντων ἐν τοῖς μακαριωτάτοις ὑμῶν καιροῖς, εὐσεβέσ[τατοι] κὲ ἀλυ[πτότατοι] τῶν πώποτε βασιλέων, ἤρεμον κὲ γαληνὸν τὸν βίον διαγ[όντων] πάσης πο[ι]νηρίας καὶ διασεισμών πε[π]λαυμένων· μόνοι ἡμεῖς ἀλλότρια τῶν εὐτυχεστάτων καιρῶν πάσχοντες τήνδε τὴν ἰκεσίαν [ὑ]μῖν προσάγομεν. ἔχε[ι] δὲ τὸ τῆς διηγ[ήσεως] ἐν τούτοις·

Kavacik: [...] αἰνουμένους τ[...] πά[χ]οντες ἄλογ[ον] κ[αὶ] ... ἐν τοῖς εὐτυχε[στ]ά[τοις] ὑμῶν καιροῖς ...]μεν ἰκετεύοντε[ς] ...] θεοῖς.

P. Oxy. XLVII, 3366 gives us two versions:¹⁸

P. Oxy. XLVII, 3366, ll. A, 6-11: ἡ [ο]υράνιος ὑμῶν μεγαλοφροσύνη ἢ ἐπιλάμψασα τῇ ὑμετέραι οἰκουμένῃ καὶ ἢ πρὸς τὰς Μούσας [...] [οἰ]κείωσις = παιδεία γὰρ ὑμῖν σύνεδρος [...] ελπιστιαν [...] ἀξίωσιν ἀνε[γ]κεῖν ὑμῖν δικαίαν τε καὶ νόμιμον. ἔστιν δὲ αὕτη·
Your heavenly magnanimity, which has irradiated your domain, the whole civilized world, and your fellowship with the Muses (for Education sits beside you on your throne) have given me confidence to offer you a just and lawful petition. It is this.

17 To quote this passage here, may be regarded as an intrusion as it belongs to the speech given before the *praeses Thraciae*; it is a nice *exordium*, though. For the expression ἀπὸ θείας φιλανθρωπίας ἐπὶ τὴν ἔντευξιν ταύτην ἐλήλυθεν, see the discussion of the phrase in later petitions to Roman emperors given by Feissel & Worp (1988:103).

18 In his otherwise exhaustive commentary on the text, Parsons (1976:411) is fairly brief in describing its style: 'his petitions and letters exhibit a vocabulary determinedly choice and syntax carefully elaborate. [...] But these are things that any literary man might have envisaged and achieved. I suspect that it is the script which really reveals the professional.'

P. Oxy. XLVII, 3366, ll. C, 45-50: [ἡ οὐρ]άνιος ὑμ[ῶν] μεγαλοφροσύ[ν]η, μέγιστοι [αὐ]τοκράτορες τ[ὴν] αὐτῆς φιλανθρωπίαν ἐκτείνασα ἐπὶ πᾶσαν ὑμῶν τ[ὴν] οἰκ[ο]υμένην καὶ ἐφ' ἅπαντα τ[ὸ]πον ἐκπέψασα καὶ εἰς] εὐελπιστίαν ἤγαγεν ἀξίωσιν ἀνεργεῖν τῇ θεῖαι ὑμῶν [τ]ύχηι, ἐχομένην καὶ λόγ[ο]ν καὶ νόμον. ἔστιν δὲ [αὕτη].
 Your heavenly magnanimity, great Emperors, which has extended its benevolence to the whole of your domain, the civilized world, and sent it forth to every corner, has given me confidence to offer your heavenly genius a petition closely connected with both reason and justice. It is this.

The presence of an *exordium*

This constellation shows a clear difference between epigraphical and papyrological petitions, a difference that becomes even clearer if one looks at the *exordia* of petitions presented to the *praefectus Aegypti*.¹⁹

In petitions from Roman Egypt *exordia* occur most frequently, if not exclusively (cf. P. Oxy. VIII, 1121 and XII, 1559), in petitions to the *praefectus Aegypti*. The first occurrences can be dated to the reign of Antoninus Pius (cf. Frisk 1931:81, cf. also P. Mich. II, 174). They do not appear in greater numbers, however, until after 200. To a degree this may be an accidental impression caused by sources transmitted at random. It may as well be an indication of the extra care taken when approaching the highest authority in the province. The date of 200 for the proper influx of the *exordium* seems striking, but one should note that there are many examples of petitions after this date which do not have an *exordium*.²⁰ A sample of *exordia* is given in the Appendix at the end of this chapter.

The *exordium* and the rhetorical tradition

Within the rhetorical tradition the *exordium* should - as noted above (n. 11) - prepare the listener and render him sympathetic to the speech (*benevolus, docilis, attentus*, Lausberg 1990:151-2, §267). These aims were again seen to suit the different classes or levels (*genera*) of how to plead the case (*Vertretbarkeitsrangstufen*, Lausberg 1990:56-60, §64):

¹⁹ See especially Frisk (1931, =P. Berl. Frisk, no. 4; cf. Feissel & Worp 1988:103, n. 61) and the fragment of a petition to L. Baebius Aurelius Iuncinus (212-213). The fragment is in practice one long *exordium*, a fact which Frisk realized, albeit at pains. He said that the fragment was of great interest 'wegen der ausgedehnten allgemeinen Sentenz, die das Stück einleitet. Von der eigentlichen Eingabe ist nichts erhalten'. He did not survey complete texts and accordingly, did not establish a scheme of rhetorical parts for the petitions; nor did he use a technical term to designate the 'einleitende Sentenz'. Frisk appended an excursus on the introductory sentence in petitions, where he surveyed a broad range of petitions.

²⁰ The date of 200 I connect with the reverberations of Septimius Severus and Caracalla's visit (cf. the *apokrimata*) and the great activity connected with his trusted *praefectus*, Subatianus Aquila (cf. Kennedy 1979).

Examples of petitions to *praefecti Aegypti* which have no *exordium*: P. Oxy. XII, 1466, to C. Valerius Firmus, from 245; P. Oxy. X, 1271, to Valerius Firmus; P. Oxy. XVII, 2132, to Appius Sabinus, from about 250; P. Oxy. XXXIV, 2710, to Lucius Mussius Aemilianus, from 261; P. Oxy. XXII, 2343, to C. Valerius Pompeianus, from 288. All these petitions seem to be of a routine character: 1466, 2132, 1710 are applications for guardians; 1271 is about a permit to leave Egypt via Pharos (the routine character is here quite noticeable) and 2343 is about an irregular nomination for a δεκαπρωτεία.

honestum, anceps, admirabile, humile and *obscurum*.²¹ The ideal for the *exordium* was accordingly adjusted for each of these levels; one should aim at rendering the judge *benevolus* in undecided (*anceps*), *docilis* in obscure (*obscurum*) and *attentus* in tedious cases (*humile*).²² From the evidence of the *exordia* in the petitions to Roman emperors, it seems that it has been taken to belong to the *genus honestum*. Here one had four possible ways described by the tradition for rendering the listener *benevolus*: one could take as the point of departure the person of the speaker, the listener, the judges or the case itself (cf. Lausberg 1990:156-7, §274). In our example the authors have settled for the person of the listener or judges, *in casu*: the emperor. By general prescripts the praise of the person should be connected to the case; it should also be prudent and considered (Lausberg 1990:158-9, §277).²³ Applied to the example of *Skaptopara*, this is attained by praising the emperor's times and his rescripts on numerous occasions. The latter point is of clear relevance and is only used in *Skaptopara*.²⁴

In your most happy times

The *exordium* is both the shortest and most general part of a petition. One can therefore assume that the scribes tended to adopt more or less verbatim the formulations which the rhetorical handbooks suggested. It is fair to assume that the suggestions which the handbooks offered, should cover different strata of petitions. The expression ἐν τοῖς εὐτυχεστάτοις or μακαριωτάτοις [ὑμῶν] καιροῖς, which is present in all three extant examples, may thus be a direct reflection of current formulations.²⁵ We shall also remember Wallace-Hadrill's (1986:85) thesis about the emperor's urge to monopolize all symbols of authority.

When the expression ἐν τοῖς εὐτυχεστάτοις καιροῖς turns up in the papyri it is almost

21 These five *genera* (or *species, modi, figurae*) were seen to apply as follows: *honestum* - a case which totally reflects the general opinion of justice; *anceps* - a case which represents ambiguity on the point of justice; *admirabile* - a case which gives a shocking impact on the general opinion of justice; *humile* - a case of tedious nature and *obscurum* - which describes a case of such a complicated nature as to exceed the capability of the general public, even before entering the points of justice.

22 Quint. 4. 1, 41: *in ancipiti maxime benevolum iudicem, in obscuro docilem, in humili attentum parare debemus.*

23 Cic. *De invent.*: *ab auditorum persona benivolentia captabitur, si res ab iis fortiter, sapienter, mansuete gestae proferentur, ut ne qua assentatio nimia significetur, si de iis quam honesta existimatio quantaque eorum iudicii et auctoritatis expectatio sit, ostendetur.* Quint. 4. 1, 16: *iudicem conciliabimus nobis non tantum laudando eum, quod et fieri cum modo debet, et est tamen parti utrique commune, sed si laudem eius ad utilitatem causae nostrae coniunxerimus, ut allegemus pro honestis dignitatem illi suam, pro humilibus iustitiam, pro infelicibus misericordiam, pro laesis severitatem et similiter cetera.*

24 This conclusion is contrary to Fridh's (1956:12) who saw the *préambule* in Cassiodorus as only 'un ornement extérieur sans intérêt au point de vue de la décision judiciaire donnée par la lettre'.

25 Cf. here the acute observations of Fridh (1956:31) on the nature of the *préambule* in Cassiodorus; browsing through Fridh's examples one gets a clear impression of the inferiority of the *exordia* in the petitions to Roman emperors.

without exception used in dating formulas.²⁶ This observation attests that its use was limited to imperial petitions generally, and *exordia* in particular.

This said, we acknowledge that the number is too low to permit us to draw conclusions about petitions to Roman emperors generally, but the use of the *felicitas temporum*-theme is striking.

The expression of trust

If not in harmony with the rhetorical prescript of moderation, the *felicitas temporum*-theme was at least closely linked to one of the characteristics of petitions, the need to express trust in the authority. Within our genre the basic function of the *exordium*, the *captatio benevolentiae*, is to convey the petitioners' trust in the authority approached. This aspect was fundamental to the process of presenting petitions.²⁷ To say that justice and security is a common feature of the times, is extended to all, penetrates the empire to its most distant corners and so forth should be seen within this frame. The expression ἐπὶ σὲ καταφεύγω represents the opposite of the flight.²⁸ In short a petitioner is a person who, at least temporarily, has decided to stay and play the game. Whether said expressly or not, this is the main undercurrent of the process of presenting petitions, and one can not wish a better summary than the one given at the end of **Ağa Bey Köyü**.

In the commentary to **Skaptopara** (ll. 10-12) we have discussed the expression ἐν τοῖς εὐτυχεστάτοις [ἐμοῦ – ἡμῶν] καιροῖς and demonstrated how the theme proceeded from imperial speeches, edicts and numismatic legends.²⁹ The way this theme is used, esp-

26 Cf. e. g. PSI XII, 1245, l. 18: [τῶ] ἰβ [ἔτει] τῆς εὐτυχεστάτης ταύτης βασιλείας. Relevant exceptions are P. Oxy. XXXI, 2563 from c. 170 (ll. 49-52): οὐδεμία βία γέινεται ἐν τοῖς εὐτυχεστάτοις τοῦ κυρίου ἡμῶν Αὐρηλίου Ἀ[ντωνεῖνο]ν καίσαρος; P. Mich. III, 174 from 145-147 (ll. 20-22): ἐν τοῖς εὐτυχεστάτοις τοῦ μεγίστου αὐτοκράτορος καιροῖς καὶ ἐν τῇ ἐπαφροδείτῳ σου ἡγεμονίᾳ ἀνεπηρέαστως ἐν τῇ ἰδίᾳ διαζῆν· καὶ ᾧ βεβοηθημένος. P. Oxy. XII, 1559 quoted in **Appendix I** affords an example of the *felicitas temporum*-theme in a petition addressed to an ἐπόπτης εἰρήνης, but this is noticeably later (341). Though it shows how this theme can be used in a notification which was not directed at the emperor, it does not openly break with his exclusive. Both the *εὐνομία* and the *felicitas-temporum* referred, may be seen as due to the emperor.

The example offered by P. Berl. Leihg. II, 44, from 157-158, is interesting and illuminating. The phrase is cleverly incorporated as a dating formula with argumentative force (ll. 1-5): οἱ ὑπογεγρα[μμένοι] ἄνδρες δημόσιοι καὶ οὐσιακοὶ καὶ προσοδοκοὶ γεωργοὶ κώμης Θεαδελφείας καὶ μέρους πεδίων ἐτέρων κωμῶν ἐν τοῖς εὐτυχεστάτοις τοῦ μεγίστου Αὐτοκράτορος [Καίσαρος Τίτου Α]ιλίου Ἀδριανοῦ Ἀντωνίνου Σεβαστοῦ Εὐσεβοῦς καιροῖς καὶ εἰς ἐπανάρθωσιν τῶν ἡμῖν τε καὶ τοῖς συγγεωργοῖς ἡμῶν ἐξακολουθοῦντων ἐκφορίω[ν] σιτικῶν τε καὶ γενῶν καὶ ἀργυρικῶν φόρων οὐκ ὀλίγων ὄντων ἀξιούμεν κτλ. The editor (Alfred Tomsin) noted that εὐτυχής was infrequent in the imperial titlature referring to P. Oxy. X, 1257 and *OGIS* 722 (from AD 374), without noticing the use in imperial petitions.

27 Cf. the use of *θαρρεῖν* in BGU XI, 2061 and P. Oxy. XII, 1468. See also comm. on **Aragua**, ll. 10-11.

28 Cf. **Aragua** l. 23 and **Ağa Bey Köyü**, ll. 51-54 *φυγάδας γενέσθαι – διαμέροντες γεωργοὶ τὰς πίστεις τηροῦμεν τῷ δεσποτικῷ λόγῳ*.

29 Within rhetorical theory *χρόνος* represented the *tempus generale*, *καιρός* the *tempus speciale* (Lausberg 1990:211-4, §§385-389); the praise of the special conditions of the present times, is also a *locus* of the *genus demonstrativum*. The times could be subdivided into three separate *genera*: *publicum*, *commune* and *singulare*. Of these *singulare* was described by Cic. *De invent.* 1. 27, 40: *quod accidit omnibus eodem fere tempore, ut messis, vindemia, calor, frigus*. The *felicitas temporum*-theme is used in this way in **Aragua**, coupled with the contrast-theme. Again it is a universal technique to put oneself at the bottom of the ladder when applying for something (cf. Quint. 3. 8, 34 *ita fere omnis suasoria*

cially in **Aragua**, reveals an astonishing *rapport* between the petitioners and the emperor. The expressions of the authorities were apparently - somewhat surprisingly - taken at face value. Another example of how to use this theme is found in Pliny Min. X, 12 where *felicitas temporum* is presented as the more substantial argument (*[.]Jet ante omnia felicitas temporum, quae bonam conscientiam civium tuorum ad usum indulgentiae tuae provocat et attollit*). Similarly Pliny's expression (X, 4) *Indulgentia tua, imperator optime, quam plenissimam experior, hortatur me*, shows that it was not thought impertinent to return these lofty phrases.

Transition to the *narratio*

At the end of the *exordium* we find a transitional phrase (**Skaptopara**, **Aragua** and P. Oxy. XLVII, 3366).³⁰ Similar phrases are present in P. Oxy. XVII, 2131, BGU XI, 2061, PSI XII, 1245 and P. Oxy. XII, 1468. It clearly set the *exordium* off as a special rhetorical part, almost isolating it from the petition proper.³¹

The sharp transitional phrase is absent from the later (ca. AD 250 onwards), prefectural petitions; this absence makes the change smoother. There at times we find that the *exordium* and the *narratio* are merged into one clause (P. Oxy. XXXIV, 2711). This may represent an acceptance of the *exordium* as a genuine, inherent part of the petition, which no longer needed to be set apart. The prefectural *exordia* tend to be shorter and in some instances they are mere maxims (P. Oxy. XXXIV, 2713 and 3394).³² They do, though, show a greater variety than the imperial ones.

The imperial and prefectural *exordia*

From these examples it is hard to draw definite conclusions. It seems, however, that the petition to Roman emperors had its *exordium* phrased in a particular and characteristic way, and that no direct influence can be shown from the prefectural examples or *vice versa*.³³

nihil est aliud quam comparatio).

30 See Quint. 4. 1, 79, who stated that the transition between *exordium* and *narratio* shall be clearly marked: *Peribit enim prima pars expositionis si iudex narrari nondum sciet. Quapropter, ut non abrupte in narrationem, ita non obscure transcendere optimum.*

31 This can be most strikingly seen in Pyrrus' speech (**Skaptopara** (ll. 108-122) ending with ἡ ἀξίωσις.

32 The *exordia* of the petitions to Subatianus Aquila are consistent as to length: 22 words (P. Oxy. XVII, 2131) or 23 words (BGU XI, 2061 and PSI XII, 1245).

33 See also the very interesting *exordium* to the edict of the imperial legate Q. Sicinnius Clarus, giving the founding charter of the emporium at Pizus (*IGBulg* III, 2, no. 1690, ll. 24-33; transl. Freis 1984:215-6, no. 125): Τῇ προσέπει τῶν σταθμῶν ἡσθέντες οἱ κύρι[ι]οι ἡμῶν μέγιστοι καὶ θεϊότατοι αὐτοκρατόρες διὰ παντός τε τοῦ ἐαυτῶν αἰῶνος βουλευθέντες ἐν τῇ αὐτῇ εὐπρεπεῖα διαμεῖναι τὴν αὐτῶν ἐπαρχείαν [*SIG*³ no. 880; *IGBulg*: ἐπάρχειον] προσέταξαν τὰ ὄντα ἐνπόρεια ἐπιφανέστερα ὑπάρ[ρ]ξαι καὶ τὰ μὴ πρότερον ὄντα γενέσθαι· καὶ γέγονεν.

6) NARRATIO - ΔΙΗΓΗΣΙΣ

In the rhetorical tradition the *narratio* should be an account of what had come to pass given by one of the parties. In the judicial speeches the *narratio* was the basis for the *argumentatio*, as it was in a parallel way for the *preces*-part of the petitions. While the *exordium* prepares the listener, the *narratio* instructs him, and to be successful it should be short, lucid and probable.³⁴ There existed for a *narratio* some elements (*elementa narrationis*) which, when put together, functioned as a checklist for the author: person, event, cause, place, time, way and means or remedy.³⁵

The narrator's checklist

If we apply the checklist to **Skaptopara** - which has the only complete *narratio* - these questions arise from the narrative. We shall note two features common to all petitions. One is the presentation at the beginning of the *narratio*. This gives the status and geographical position of the petitioners.³⁶ The other is the last entry on the list, the means or remedy. Before presenting complaints to the emperor one should have presented the case to the provincial governor. Such notices are accordingly present in all petitions (the apparent absence in **Kemaliye** is due to damage). This constant feature shows how the petitions had adapted themselves to the rhetorical *quibus adminiculis*.

We get the following answers in **Skaptopara**:

quis - οἱ ἐκέλευε τῆς πανηγύρεως εἵνεκεν ἐπιδημοῦντες
 - πρὸς δὲ τούτοις καὶ στρατιῶται ἀλλαχοῦ πεμπόμενοι καταλιμπάνοντες
 τὰς ἰδίας ὁδοὺς πρὸς ἡμᾶς παραγείνονται
 - οἱ τε ἡγούμενοι τῆς ἐπαρχίας
 - ἀλλὰ καὶ οἱ ἐπίτροποί σου

quid - ἐπέρχονται εἰς τὴν ἡμετέραν κώμην καὶ ἀναγκάζουσιν ἡμᾶς ξενίας
 αὐτοῖς παρέχειν καὶ ἕτερα πλείστα εἰς ἀνάληψιν αὐτῶν ἄνευ ἀργυρίου
 χορηγεῖν
 - κατεπεΐγουσιν παρέχειν αὐτοῖς τὰς ξενίας καὶ τὰ ἐπιτήδεια μηδεμίαν
 τειμὴν καταβαλόντες

cur - διὰ τὸ ἔχειν ὑδάτων θερμῶν χρῆσιν καὶ κείσθαι μέσον δύο στρατοπέδων

34 Cf. Quint. 4. 2, 31, *Narratio est rei factae aut ut factae utilis ad persuadendum expositio, vel ut Apollodorus finit, oratio docens auditorem quid in controversia sit*; and Rhetor. ad Her. 1. 9, 14, *Tres res convenit habere narrationem: ut brevis, ut dilucida, ut veri similis sit*.

35 Cf. Quint. 4. 2, 55, *Omnia denique quae probatione tractaturi sumus personam causam locum tempus instrumentum occasionem*. Or presented in interrogative form, cf. Lausberg (1990:183, § 328): *quis - persona, quid - factum, cur - causa, ubi - locus, quando - tempus, quemadmodum - modus, quibus adminiculis - facultas*.

36 Cf. **Skaptopara**, ll. 21-26, Οἰκοῦμεν καὶ κεκτημέθα ἐν τῇ προγεγραμμένη κώμῃ οὔση εὐεπεράστῳ διὰ τὸ ἔχειν ὑδάτων θερμῶν χρῆσιν καὶ κείσθαι μέσον δύο στρατοπέδων τῶν ὄντων ἐν τῇ σῆ Θρόκη and **Aragua**, ll. 13-14, Χωρίον ὑμέτερόν [ἐ]σμεν, ἱερώτατ[οι αὐτοκράτορες, δη]μος ὀλόκληρος οἱ καταφεύγοντες κὲ γενόμενοι τῆς ὑμέτερας [θειότητος ἰκέται]. Note the statement of status, land-owning farmers vs. tenants, and for **Skaptopara** the name of the province.

τῶν ὄντων ἐν τῇ σῆ Θράκη
- τῆς πανηγύρεως εἵνεκεν

ubi - ἐπέρχονται εἰς τὴν ἡμετέραν κώμην

quando - πανηγύρεως ἐπιτελουμένης διαβοήτου

quemadmodum - cf. *quid*

quibus adminiculis - ἐνετύχομεν πλειστάκις τοῖς ἡγεμόσι τῆς Θράκης

Theory and practice

Brought face to face with these guidelines, it is not difficult to trace rhetorical ideals and elements in the petitions. One should note, however, that the petitions can be divided into two groups. **Saltus Burunitanus** and **Ağa Bey Köyü** give fairly detailed information about the events, and are easily distinguished by the use of numbers, names, specified claims, sums of money (Allius Maximus, Aurelius Marcianus, Aelius Aglaus e. g.). On the other hand, **Skaptopara**, **Kemaliye** and **Aragua** present the complaint in a general way and do not give specific facts, even though the trouble had been going on for some time and under successive administrators.

When I use the term *narratio*, it must on no accounts be taken to imply a coherent, chronologically arranged narrative. Even in the more detailed examples the *narratio* seems to have been based on specific information which has either been combined with - or translated into - phrases common to this genre. It is this technique which above all contributes to giving the petitions a monotonous and colourless quality. At the same time it gives a strong hint as to how they were composed: The petitioners approached a scribe with an established knowledge of petitions. When they had presented all the details, he trimmed it, weeded out the trivia, and relied on his experience and manual in order to prepare a bland and routine petition. The end products would then keep close to conventional complaints without being direct carbon copies.

The transition *narratio* - *preces*

While the rhetorical handbooks recommended a distinct transition from the *exordium* to the *narratio* (cf. n. 30), the exact opposite was prescribed for the end of the *narratio*. It should be smooth and suitable to arouse feeling which could render the listener responsive to the following *argumentatio*.³⁷ As Lausberg (1990:189, §345) comments, this coda almost took the form of a new *exordium*. Such transitional subdivisions are also present in the petitions to Roman emperors, and, in harmony with the tenets, they make the transition subtle and sentimental.

The smooth transition may also cause us some problem in detecting the division between the two parts, *narratio* and *preces*. The internal evidence of **Saltus Burunitanus** proves that the division is between [*supli*]care and *et ideo rogamus*. This tells us to go for

37 Cf. Lausberg (1990:188-9, §§343-5, quoting Fortunatus 2. 20: *subtiliter ad eam descensum faciamus, ne quaestiones abrupte incohemus*).

the main verb, *rogamus* or *δεόμεθα*. The transition in **Ağa Bey Köyü** is very long, 53 words. It starts with an expression (*ικέται δὲ τῆς ὑμετέρας γεινόμεθα*) which is synonymous to the regular use of *δεόμεθα* and may cause some confusion. But also here the *preces* starts with *δεόμεθα* in an independent clause. In **Skaptopara** the transition is expressed in two clauses (starting with *Ἐπεὶ οὖν οὐκέτι δυνάμεθα φέρειν*) which are dependent on *τούτου χάριν δεόμεθά σου*. To avoid a break in the middle of a complex clause, it is probably right to regard *ἐπεὶ οὖν* as the start of the *preces*. Moreover the use of both causal conjunction and adverb gives a clear indication of a break.

Saltus Burunitanus: *Quae res compulit nos miserrimos homines iam rursus divinae providentiae tuae supplicare.*

Ağa Bey Köyü: *ικέται δὲ τῆς ὑμετέρας γεινόμεθα, θεϊότατοι τῶν πώποτε αὐτοκρατόρων, θείας καὶ ἀνυπερβλήτου βασιλείας, καὶ τοῖς τῆς γεωργίας καμάτοις προσέχειν κεκωλυμένοι τῶν κολλητιῶνων καὶ τῶν ἀντικαθεστῶτων ἀπειλούντων καὶ ἡμῖν τοῖς καταλειπομένοις τὸν περὶ ψυχῆς κίνδυνον καὶ μὴ δυναμένοι_ς_ ἐκ τοῦ κωλύεσθαι τὴν γῆν ἐργάζεσθαι μηδὲ ταῖς δεσ]ποτικαῖς ἐπακούειν ἀποφοραῖς καὶ ψήφοις πρὸς τ]ὰ ἐξῆς.*

Kemaliye: *Μόνη[ν ἐν φ]όβῳ τῶ[δε ταύτην βο]ήθιαν ἐπενόησεν ἡ προδηλουμένη κώμη συν[δεηθεῖ]σα δι' ἐμοῦ τῆς μεγάλης ὑμῶν καὶ οὐρανόυ κα[ὶ ἱερωτάτης] βασιλείας, ἰς τοῦτό με προχειρισσάμενη καὶ τ[ὴν ἰκετεία]ν προσενεκεῖν.*

Skaptopara: *Ἐπεὶ οὖν οὐκέτι δυνάμεθα φέρειν τὰ βάρη καὶ ὡς ἀληθῶς κινδυνεύομεν ὅπερ οἱ λοιποὶ τόδε καὶ ἡμεῖς προλιπεῖν τοὺς προγονικοὺς θεμελίους.*

Aragua: *[μεσόγειοι γὰρ τυγχάνοντες] κὲ οὐ παρὰ τ[ὴν ὁδὸν κατοικοῦντες [...] δυνάμενα [...] ταύτη[...].*

7) PRECES - ΔΕΗΣΙΣ

The juridical context for petitions

Up to this point the petitions follow the rhetorical scheme for judicial speeches (*iudiciale - δικανικόν*). A judicial setting would under normal circumstances involve two contending parties, the plaintiff and the defendant, and a court or judge. In the judicial speech the purpose of the subsequent part, the *argumentatio*³⁸, was to strengthen the credibility and authority of the speech.³⁹ The *argumentatio* should settle the case by turning the opinion of the judge or deciding body in favor of the speaker and his client. It was prepared through the *exordium* and *narratio*.

In the imperial petitions the *preces* fulfilled this aim only partially. Petitions were basically used to ask for something. They did not refute an opposing party's position. They did not present evidence as such, witnesses were not brought to the fore. In short petitions could not open a case or function within it (cf. Honoré 1994:35 and Digesta 2.

38 The Latin terminology varies, one finds *quaestiones*, *confirmatio* and *probatio*.

39 Cic. *De inventione*, 1. 24, 34: *confirmatio [i. e. argumentatio] est, per quam argumentando nostrae causae fidem et auctoritatem et firmamentum adiungit oratio.*

4,16: *neque enim qui principi vel praesidi dat, in ius vocare patronum videtur*). In this respect a petition is not a good parallel to a judicial speech.

Petitions did, however, correspond well with the judicial powers vested in Roman officials and governors, an agglomeration of power which was prominent in the *cognitio*-procedure. The *libellus*-procedure is partly a result of this agglomeration, and partly a result of the policy of letting the procedure permeate the Empire. Inside the Roman system the use of petitions was open to every free adult, citizen or not.⁴⁰ This led to an enormous number of cases to attend to, a fact which in turn ought to have affected the size and composition of petitions. The Roman petitions developed under these special conditions, and the *preces*-part should accordingly be explained and described on this background - and from the surviving examples.

The form of the *preces*

The *preces* is given a striking and apparently coherent form. In order to assess this part we will describe them individually.

Latin

The start of the *preces* in the Latin example (**Saltus Burunitanus**) is made explicit by a short clause, not unlike an invocation (*et ideo rogamus, sacratissime imperator, subvenias*).⁴¹ The requests are contained in one long sentence, where the verbs are independent subjunctives (*ademptum sit, sine ulla controversia sit*). The second element is a new invocation (*subvenias*) describing the petitioners as pitiable people in need of compassion (*miserariis*); this ends with a consecutive clause describing the desired end of the petition (*ut ... non ultra ... inquietemur*).

Greek

The structure of the opening sentence of the *preces*-part is basically the same in the Greek petitions (**Ağa Bey Köyü**, **Kemaliye** and **Skaptopara**): the main verb, *δεόμεθα*, is followed by a sequence of dependent verbs, given as infinitives or participles. This clause is generally hard to digest as the authors were intent on giving the reader quite a meal.

In **Ağa Bey Köyü** *δεόμεθα* is followed by aorist infinitives (*προσέσθαι, ἐπιθέσθαι, ἐκδικῆσαι, κωλύσαι*). After the last infinitive, whose object is the main offenders, so much information is poured in that the meaning gets quite obscured. Onto this is added a final element, an infinitive construction *τῷ - εἶναι*, which should be taken to have the function of a causal clause. The positive demand is followed by a negative, conditional clause clarifying the distressing consequences that will exist if no punishment is exacted; this is also given in one, loaded sweep which includes an insertion about the much better condition of tenants on private estates. The *preces* are then made up of two long sentences, separated only by the statement that the petitioners have told the truth.

40 For the attitude towards slaves, cf. *CI* 1.19.1 (7 Dec 290): *Licet servilis condicio deferendae precis facile capax non sit, tamen admissi sceleris atrocitas et laudabilis fidei exemplum super vindicanda caede domini tui hortamento fuit, ut praefecto praetorio iuxta adnotationis nostrae decretum demandemus, quem adire cura, ut auditis his, quae in libello contulisti, et reos investigare et severissimam vindictam iuxta legum censuram exigere curet.*

41 Cf. Premerstein (1923:30-1).

Kemaliye has an even more crowded form: *δεόμεθα* is followed by a sequence of participles, which are partly in agreement with the object of *δεόμεθα* (the emperors) and accordingly set in the accusative case. The participles of these primary objects have in turn their own objects (i. e. the culprits), also set in the accusative. At the end one realizes that *δεόμεθα* also here is followed by infinitives and that these contain the desired action (*κελευῖσθαι καὶ χρηματίσαι*). The earlier participles (all active) then have to be taken to convey the attitude of the emperors (*ἀπιδόντας, μεισήσαντας*) or the reaction experienced by the accused (all middle-passive participles: *κεκωλυμένους, κολάζεσθαι ... κελευομένους, οὐκ ἀποδεξαμένους, ἀντιμαχομένους*). Then follows a conditional clause, providing for the eventuality that the lawbreakers should circumvent the law. The conclusion is lost.

The opening sentence of **Skaptopara** is shaped as a big circle. It starts by giving the reason for the petitioners' approach (they can no longer carry the burden and run the risk of leaving their ancestral village). On this background the Skaptoparenians beg (*δεόμεθα*) the emperor to give orders by his *subscriptio* (i. e. *ἕκαστον τὴν ἰδίαν πορεύεσθαι ὁδὸν καὶ μὴ ... ἐφ' ἡμᾶς ἔρχεσθαι μήτε καταναγκάζειν ἡμᾶς ... μηδὲ παρέχειν*). At this point there is a long insertion which tells about the instructions of the governors and procurators, repeats the statement of the risk the petitioners are running of having to leave their homes, adding the expected damage that will be inflicted on the imperial fisc. At the end they express, in a final clause, the fruitful results which would attend upon a positive outcome. These are the same as given at the start and in the insertion. The second, concluding sentence, says that the petitioners hope the emperor will consent to their making an inscription of his decision, and, if so, they will be grateful to his genius.

Characteristics

The summaries of the *preces*-part confirm the impression of a uniform structure. Apart from the common function of stating the request, the uniformity is mainly conveyed by the heavy, overloaded syntactical structures.

Horsfall (1988) drew attention to the *Bulletinstil* in his article on the *Laudatio Murdiae* (*CIL* VI, 10230; *ILS* 8394), which he compared with Nonius Datus' dossier on his achievements (*CIL* VIII, 2728 and 18122). Even if it is not representative of the *Laudatio* itself (asyndetic), he referred (p. 56) to the subordination in the *narratio* of Abinnaeus' petition to Constantius and Constans (*P. Abinn.* 1; 340-342, esp. ll. 4-12). In the *preces* (11-15) of the same petition we find a parallel to the over-burdened style so characteristic in our corpus.⁴² Horsfall attributed the technique to generic conventions which

42 Ll. 12-15: [...] *ideo cum[ue pateat] ex suffragio eos pr[omotos] fuisse, me vero iudicio sacro, ideo soliti contemplatione memoratorum laborum meorum et quos sedes .[.]llo vide[fo]r habere providere mihi largissima i[u]xta s[u]pra [dictos] ap[ic]es vestros tribun[.] p[ra]efecturae alae Dionusados amotis per suffragium habentibus ipsorum castrorum promotionem me constitui clementia vestra iubere dignetur piet[as] vestra dignetur unde passim cotidianum victum acquire[re] et hoc consecutus agam aeterno imperio vestro maximas gratias.* 'Since it is patent that they were promoted by suffrage, but I by your sacred decision, therefore, having a view, as is your wont, to my said services, in accordance with the said sacred opatents, may your clemency vouchsafe to direct that I be appointed to the tribunate (?) of the prefecture of the ala of Dionysias, and to remove those who through suffrage have obtained promotion to the said camp; and obtaining this I shall render the greatest thanks to your eternal imperium.'

'presumably dictate stylistic elaboration, and the circumstances perhaps suggest semi-professional assistance.' This may be to blend two distinctive stylistic ideals: on one side the asyndetic narrative of military reports, summarised by Fraenkel (1956) as 'object first, verb last, asyndeton'; and on the other the loaded, conclusive sentences of petitions.

In the correspondence of Pliny the Younger it is - not surprisingly - the letters which render request which afford the best literary parallels. Especially interesting is X, 4. The letter follows a division into *exordium*, *narratio* and *preces*, and the conclusion goes: *Rogo ergo, domine, ut me exoptatissimae mihi gratulationis compotem facias et honestis, ut spero, adfectibus meis praestes, ut non in me tantum verum et in amico gloriari iudicium tuis possim.*⁴³ Pliny's closing, however, is all elegance and has nothing of the ponderous form so characteristic of the petitions.

There is no straightforward way to explain why the conclusion took this cumbersome, syntactical form. Maybe the author at this stage - by means of syntax - wanted to induce the reader to pause and thereby secure the authority's attention to the petitioner's appeal.

The general absence of enthymemes (*ἐνθυμήματα*) is a negative feature of the *preces*. Normally enthymemes had a prominent place in any argumentation. This should be explained partly by the compressed nature of a petition as compared to any judicial speech, partly by the special requirements of the *cognitio*-procedure.⁴⁴ It is a characteristic of the petitions - and the *preces*-part in particular - that their points are given as statements or simply technical terms which are not allowed to develop into proper enthymemes, even if some of the *loci* certainly can be reshaped into or reconstructed as enthymemes. The only apparent exception to this rule ties to the argument of negative consequences (see below p. 279). This is set out in the *preces* of **Skaptopara** (ll. 91-94) with a clear line of thought *ἐὰν βαρούμεθα ... φευξόμεθα ... καὶ μεγίστην ζημίαν τὸ ταμείον περιβληθήσεται*. The author suppressed the premise (or argument) that if there are no taxpayers there will be no taxes; correctly he found this link unnecessary.⁴⁵

43 'I pray you then, Sir, to enable me to congratulate Romanus as I so much wish to do, and to gratify what I hope is a worthy affection. I can then be proud to think that your recognition of myself extends to my friend.' Trans. Radice (1963).

44 This had to be brief, as can be verified from the transcript of the *cognitio* before Caracalla, i. e. the so-called *cognitio de Goharienis* (SEG XVII, 759, cf. also Roussell & de Visscher 1942-3 and Millar 1977:535-6) where in ll. 34-35 one reads *λέγω ἐντὸς ἡμισείας*, 'je parlerai moins d'une demi-heure'. See also the procuratorial dossier from Süliümenli, Frend (1956); the apparently ignored or forgotten transcript in TAM V:2, 859 and P. Oxy. XXII, 2343.

45 Cf. commentary on **Phaina**, ll. 16-18. There is a striking, contemporary parallel to this observation (cf. Millar 1977:93 and 1988:363) in the epistle by Philostratos called *How to Write Letters* (*Πῶς χρὴ ἐπιστέλλειν*, in *Vitae Soph.* II, 33), where Philostratos counseled Aspasios, who had become *ab epistulis* (ca. 230) and used a style 'more controversial than is suitable': *Αὐτοκράτωρ γὰρ δὴ ὅποτε ἐπιστέλλοι, οὐ δεῖ ἐνθυμημάτων οὐδ' ἐπιχειρημάτων, ἀλλὰ δόξης, οὐδ' αὖ ἄσαφείας, ἐπεὶ νόμους φθέγγεται, σαφήνεια δὲ ἐρμηνείας νόμον*. 'For an Emperor when he writes a letter ought not to use rhetorical syllogisms or trains of reasoning, but ought to express only his own will; nor again should he be obscure, since he is the voice of the law, and lucidity is the interpreter of the law.' This stylistic principle was evidently established over some time, and it may in turn have affected the incoming correspondence.

The *preces* and imperial divinity

When using the term *preces* about a request addressed to a monarch who also was venerated as god, we are about to enter the sphere of the religious prayer. Some scant sources state that the emperor was invoked as other deities, but we do not know how the invocations were formulated.⁴⁶

In his chapter on sacrifices Price (1984) discussed the evidence for sacrifices *for* (on behalf of) and *to* the emperor, concluding that there is firm evidence for both kinds, but had to admit that the former are better attested than the latter. He did not enter upon the prayer normally accompanying all sacrifices nor does he discuss prayers for the emperor at any length.⁴⁷ His silence, no doubt, reflects the dearth of illustrative texts. Both Price (1984:119) and Millar (1981:66), however, noted the episode in *The Golden Ass* (III, 29) where Lucius, cast as an ass, is set to such hard work that his last recourse is to invoke the emperor.⁴⁸ His asinine throat deprived us of the text of the invocation, all he could muster was 'to shout the «O» by itself eloquently and vigorously'.⁴⁹

These examples cannot support general conclusions; nonetheless the probability of a positive link should be kept in mind. The best point of departure should be the start of the *preces* where the emperor is directly addressed and where the divinity is clearly focused upon.⁵⁰

Substitutes for a proper *peroratio*

At the the end one misses a clear conclusion, rounding off the petition in the form of a *peroratio*. The final clauses of **Saltus Burunitanus**, **Ağa Bey Köyü** and **Skaptopara**, have this function; but it is doubtful whether they should be isolated as a separate part. In

46 The 'best' example of ruler worship is the hymn in honour of Demetrius (291 BC) cited by Duris of Samos (FGrH 76 F 13) and transmitted in Athenaios, *Deipn.* 6. 253 b-f: ἄλλοι μὲν γὰρ ἢ μακρὰν γὰρ ἀπέχουσιν θεοί, ἢ οὐκ ἔχουσιν ὠτα, ἢ οὐκ εἰσὶν ἢ οὐ προσέχουσιν ἡμῖν οὐδὲ ἐν, σὲ δὲ παρόνθ' ὀρώμεν, οὐ ξύλινον οὐδὲ λίθινον, ἀλλ' ἀληθινόν. εὐχόμεσθα δὴ σοι· πρῶτον μὲν εἰρήνην ποίησον, φίλτατε, κύριος γὰρ εἶ σύ.

'For the other Gods are either far away, or they do not have ears, or they do not exist, or they do not take notice of us, but you we can see present here; you are not made of wood or stone, you are real. And so we pray to you: first bring us peace, dearest; for you have the power.' Trans. Austin (1981:65, no. 35).

47 As an example of prayer *for* (ὑπέρ) the emperor, Price (1984:232, n. 119) gives IGRR IV, 145 (= SIG³ 798 = Smallwood 1967:120-1, no. 401), which records a decree of the people of Kyzikos (AD 37) to, among other things, pray on the behalf of the eternal duration of Gaius Caesar (ll. 20-21): εὐξασθαι μὲν ὑπὲρ τῆς Γαΐου Καίσαρος αἰωνίου διαμονῆς.

48 *Sed mihi sero quidem, serio tamen, subvenit ad auxilium civile decurrere et interposito venerabili principis nomine tot aerumnis me liberare.*

49 Another possible link between the secular and divine is the Jewish prayer, or rather the curse, surviving in two examples, both from Rhenea, Delos. This text reveals some similarities with the structure of the *preces*. See Deissmann (1923:351-62, = SIG³ 1181 = Inscriptions de Delos 2532). The most divergent suggestions have been made as to its date; Deissmann (1923:360) supported the second or early first century BC. Cf. also L. Robert *CRAI* (1978) 248, n. 41. For a collection of Roman prayers, see Appel (1909).

50 Cf. **Saltus Burunitanus** col. III, ll. 3-4: *et ideo rogamus, sacratissime imperator, subvenias; Kemaliye*, ll. 9-10, [μέγιστοι καὶ θεϊότατοι τῶν πώποτε αὐτοκρατόρων; and **Skaptopara**, ll. 78-79, ἀνίκητε Σεβαστέ.

Ağa Bey Köyü e. g. the final clause encompasses ll. 41-53; and it is not possible to isolate or extract a *peroratio* syntactically; nor is the transition to the *peroratio* marked by *vacats* in **Saltus Burunitanus**.⁵¹ The usual way is to end up with a final clause recognizing the future indebtedness to the sovereignty:

Saltus Burunitanus (ll. III, 27-30): *ut beneficio maiestatis tuo [...]non ultro [...]inquietemur*

Skaptopara (ll. III, 104-107): ἵνα τούτου τυχόντες τῆ Τύχῃ σου χάριν ὁμολογεῖν δυνησόμεθα, ὡς καὶ νῦν κα[...]ώμενοί σου ποιῶμεν.⁵²

Kavacık (ll. 29-32) has apparently references to *felicitas temporum* and the imperial *indulgentia/φιλανθρωπία*.

Compare the similar structure in

Bephoure (ll. 16-17): ὄπως, τούτου ἐπιτυχόντες, ἔξωμεν σου τῆ τύχῃ διὰ παντὸς εὐχαριστεῖν.

Concluding remarks on the rhetorical divisions

I assume that few would claim that the imperial petitions have much to offer as pieces of rhetorical literature. Their importance, however, lies in the uniformity of the documents. The comparison with the prefectural, Egyptian petitions has revealed a conformity of structure, but no eye-catching link or dependency. The prefectural petitions are, broadly speaking, a loosening of the rigid forms of the Ptolemaic petitions; and one cannot establish that they directly influenced the Roman imperial petitions. An indirect link, though, is not to be ruled out.

When summing up the presentation of the rhetorical parts, it is important to emphasize the merging of rhetorical formality with the need for a useful form to present the various cases in petitions: a blend of two different spheres, rhetorical art and jurisdictional and administrative practice.⁵³ This may be the more surprising, considering that the source was not, as in the case of the imperial letters or rescripts, a central bureaucracy or a learned and trained magistrate, as in the case of Cassiodorus. Nevertheless the provinces maintained the coherence of the genre.

51 It is unclear where one should place the transition *preces/peroratio*, whether at *subvenias* in l. III, 18, *misereamus* in l. III, 24 or at *ut* in l. III, 30. Neither of these words is preceded by *vacats* to corroborate such a division.

52 As an illustration of the verbosity of this part in **Skaptopara** (see below), cf. the two final clauses at the end, one starting in l. 94 and the other at l. 104. For this *peroratio*, cf. Feissel & Worp (1988:107).

53 This observation is also made, *mutatis mutandis*, by Fridh (1956:11) crediting Hasenstab (1883:29).

8) *DISPOSITIO* AND *ELOCUTIO*: THE THEMES AND VOCABULARY OF IMPERIAL PETITIONS*Loci* - τόποι

To select suitable *loci* belonged to the *inventio*. The *loci* supplied a storehouse of arguments which the author could draw upon. Quintilian (5. 10, 20) described them as the *sedes argumentorum*. The rhetorical handbooks usually furnished a classification and a treasury of *loci* (cf. Lausberg 1990:201-20, §§373-399). *Loci* very often had the form of arguments or enthymemes; and, as noted above (p. 274), these are mostly absent within our genre. Accordingly, one should perhaps, under these circumstances, use the technical term *locus* with caution, and not let it designate more than a *topic* or *subject* and which made a storehouse of expressions.

A number of themes occur frequently, if not consistently, and they characterise the documents almost as much as the division into rhetorical parts. To explain this uniformity is not straightforward, and it remains one of the riddles of the genre: why should these topics come to dominate the testimonies? We shall leave this question aside for the moment, our aim here is not to explain, but to describe.

Only a petition has the parts of a petition. The themes, however, recur in other inscriptions, and their references will be given as well (below these are separated by a horizontal line).

1 - Presentation - *narratio*

A presentation of the petitioners makes the natural start of the *narratio*. This presentation is an amplification of the name - village/ estate given in the address. It is perhaps not right to call this a theme (*locus/ τόπος*), because it was not a facultative ornament. 'A descriptive requirement' may thus work better than an argumentative *locus*. On the other hand, the presentation develops clearly into a theme when the petitioners describe their low and pitiable social standing. The theme has thus two variants: the required presentation (geographical, civic status) and the argumentative (social: wretched, pitiable etc.). One should observe that the social description is set at a different place within the *narratio* (usually at the end), making the conclusion emotional (cf. above p. 270).

geographical:

Skaptopara, ll. 21-26: Οικοῦμεν καὶ κεκτήμεθα ἐν τῇ προγεγραμμένη κώμῃ οὔσῃ εὐεπεράστῳ διὰ τὸ ἔχειν ὑδάτων θερμῶν χρῆσιν καὶ κεῖσθαι μέσον δύο στρατοπέδων τῶν ὄντων ἐν τῇ σῇ Θράκῃ. (Cf. n. 3636.)

Aragua, ll. 13-14 Χωίον ὑμέτερόν [ἐ]σμεν, ἱερώτατ[οι] αὐτοκράτορες, δῆ[μο]ς ὀλόκληρος οἱ καταφεύγοντες κὲ γενόμενοι τῆς ὑμετέρας [θειότητος] ἰκέται. (Cf. n. 3636.)

Dagis, ll. I, 9-13: ἡμεῖς κατοικοῦντες καὶ ἔχοντες τὴν κώμην παρὰ τὴν δημοσίαν ὁδὸν

social:

Saltus Burunitanus (col. II, ll. 1-3): *Quae res compulit nos miserrimos homines iam rursus divinae providentiae tuae supplicare.*

(col. III, ll. 27-30,; at the end of *preces*): *praecipere digneris, ut beneficio maiestatis tuae rustici tui vernulae et alumni saltuum tuorum non ultra conductoribus agrorum fiscalium inquietemur.*

Ağa Bey Köyü (ll. 16-18): ὅπερ ἦν δυνατὸν ἀθλίοις ἀν[θ]ρώποις ἀφήρημένοις καὶ βίου καὶ συγγενῶν οὕτως ὠμῶς

Dagis (ll. 6-8, *preces*): ἐλεῆσε ἡμᾶς ἀνθρώπους πένητας καὶ λιτουργούς

Güllüköy (l. 5): τὴν γεωργίαν εἰδότες καὶ πένητε[ς ὑπάρχοντες]

2 - The representative - *narratio*

As the petitions were handed in by collective bodies they needed a representative to present it. As for the embassies representing cities, the choice of representatives for the delivery of petitions was determined by practical considerations and was probably also regulated by law. In **Skaptopara** and **Aragua** this function is performed by soldiers, in **Saltus Burunitanus** by Lurius Lucullus whose other merits are unknown. These roles are known from the addresses in the petitions (**Skaptopara** and **Aragua**) or the *subscriptio* (**Saltus Burunitanus**). A more prominent place was apparently assumed by the representative in the following two instances. See the commentary on **Skaptopara**.

Kemaliye (ll. 9-10): ἰς τοῦτό με προχειρισαμένη καὶ τὴν ἰκετείαν προσενεγκεῖν

Güllüköy implicit in l. 2, [ὁ]ς καὶ αὐτὸς κέκτηται ἐν τῇ κ[ώμῃ],
and l. 7, [ὀφέιλ]ουσιν, συντελεῖν δύνασθαι· δέομαι ο[ὗ]ν σου ἐπιτάττειν]

3 - The troublemakers are leaving the thoroughfares - *narratio, preces*

This is most frequent theme, and it has an argumentative force which is elusive to reconstruct (cf. commentary on **Phaina**).

Ağa Bey Köyü (ll. 3-34): κωλύσαι δὲ τὴν εἰς τὰ χωρία τὰ δεσποτικὰ ἔφοδον

Kemaliye (l. 4-5): ἐπιτρέχουσιν οἱ τοιοῦτοι μόν[οι ἢ μετὰ τῶν σεσημ]ειομένων τάξεων ἰς διασεισμὸν τῆς κώμης.

Skaptopara (ll. II, 9-40): ἀλλ' ἀπολιμπάνοντες ἐπέρχονται εἰς τὴν ἡμετέραν κώμην

(ll. 44-47): πρὸς δὲ τούτοις καὶ στρατιῶται ἀλλαχοῦ πεμπόμενοι καταλιμπάνοντες τὰς ἰδίας ὁδοὺς πρὸς ἡμᾶς παραγείνονται

(ll. 81-83): ὅπως διὰ θείας σου ἀντιγραφῆς κελεύσεως ἕκαστον τὴν ἰδίαν πορεύεσθαι ὁδὸν καὶ μὴ ἀπολιμπάνοντας αὐτοὺς τὰς ἄλλας κώμας ἐφ' ἡμᾶς ἔρχεσθαι

Aragua (ll. 17-20): [διοδεύοντες γὰρ] τὸ Ἀππιανῶν κλίμα παραλιμπάνοντες τὰς λεωφόρους ὁδοὺς στρατάρχει τε καὶ στρατιῶται καὶ δυνάσται τῶν προυχόντων κ[ατ]ὰ τὴν πόλιν [Καισαριανοὶ τε ὑ]μέτεροι ἐπεισε[ρ]χόμενοι καὶ καταλιμπάνοντες τὰς λε[ωφόρους ὁδοὺς]

Tabala (Il. 2-5): ἐπεὶ δὲ καὶ στρατιώτας ἐν ὁδῶ πορευομένους ἐκτρέπεσθαί φατε ἐκ τῆς λεωφόρου καὶ ἀνιέναι πρὸς ὑμᾶς

(Il. 15-18): ἄν τινα στρατιώτην ἐλέγξῃτε εἰς τὴν πόλιν ὑμῶν ἐκτραπέντα τῶν μὴ πεμφθέντων εἰς Αἰζανούς

Euhippe (Il. 6-10): ὑπὲρ ὧν ἔπασχον ὑπὸ τῶν ἐκτρεπομένων τὰς βασιλικὰς καὶ λεωφόρους ὁδοὺς στρατιωτῶν τε καὶ ὀφικιαλίων

Takina (Il. 4-8): ὁ ἐπίτροπός μου καὶ ἀπελεύθερος πᾶσαν πρόνοιαν ποιήσεται τοῦ μήτε πρὸ καιροῦ τοὺς στρατιώτας ἐπὶ προφάσει τῶν κρατίστων ἀνθυπάτων προεκθέοντας ἐνοχλεῖν ὑμῖν μήτε τὰς πόλεις καταλείποντας πορθεῖν τοὺς ἀγρούς

4 - Contrast - *exordium, narratio, preces*

Quintilian noted that comparison had a crucial role to play in rhetoric (3. 8, 24; cf. above n. 29). Comparison provides the wider setting of the contrast theme. It has two variants: it is used to focus either on the deterioration in the condition of the petitioners arising from the causes for their complaints or on the contrast between the general conditions of the neighbours - or the empire at large - and their own.

Ağa Bey Köyü (Il. 49-50): φεῖδονται γὰρ μᾶλλον τῶν ἐκεῖ κατοικούντων οἱ τὸν πονηρὸν ζῶντες βίον ἢ τῶν ὑμητέρων γεωργῶν

Skaptopara (Il. 30-32): ἐπεὶ δὲ κατὰ καιροὺς εἰς ὕβριν προχωρεῖν τινες καὶ βιάζεσθαι ἤρξαντο, τμηκαῦτα ἐλαττοῦσθαι καὶ ἡ κώμη ἤρξατο

(Il. 63-66): καὶ γὰρ ὡς ἀληθῶς ἀπὸ πολλῶν οἰκοδεσποτῶν εἰς ἐλαχίστους κατεληλύθαμεν

Aragua (Il. 8-12): πάντων ... ἤρεμον κὲ γαληρὸν τὸν βίον διαγ[όντων πάσης πο]νηρίας καὶ διασεισμῶν πε[π]ανυμένων· μόνοι ἡμεῖς ἀλλότρια τῶν ε[ὕ]τυχεστ[ά]των καιρῶν πάσχοντες

Kavacık (Il. 2-4): [πάσ]χοντες ἄλογ[ον] κ[αὶ] ... ἐν] τοῖς εὕτυχε[στ]ά[τοις] ὑμῶν καιροῖς

5 - Negative consequences - *narratio, preces*

The negative consequences for the taxes are attributed to the deterioration reported in the petitions; this is obviously one of their stronger arguments and widely used. It is also the most developed theme, fully set out in **Skaptopara** (Il. 91-94; cf. above p. 274)

Saltus Burunitanus (Il. II 1-4): *quam non modo cum Allio Maximo adversario nostro, set cum omnibus fere conductoribus contra fas atque in perniciem rationum tuarum sine modo exercuit*

Ağa Bey Köyü (Il. 27-30): καὶ μὴ δυναμένοι ἐκ τοῦ κωλύεσθαι τὴν γῆν ἐργάζεσθαι μηδὲ ταῖς δεσποτικαῖς ἐπακούειν ἀποφοραῖς καὶ ψήφοις πρὸς τὰ ἐξῆς

Skaptopara (Il. 91-94): εἰάν τε βαρώμεθα, φευξόμεθα ἀπὸ τῶν οἰκείων καὶ μεγίστην ζημίαν τὸ ταμείον περιβληθήσεται

Aragua (l. 32): τὰ ἡμετέρα εἰς αὐτοὺς ἐξαναλίσκεσθαι καὶ τὰ χωρία ἐρημοῦσθαι καὶ ἀνάστατα γίγνεσθαι

Dagis (Il. II, 7-9): ὥστε μηκέτι δύνασθε ἐξυπηρετεῖν

Güllüköy (Il. 5-7): [ὥστε μηκέτι τὰς ὑπηρε]σίας τὰς εἰς τὸν θεϊότατον ἡμῶν [αὐτοκράτορα, ἅς κατὰ τὸ δίκαιον ὀφείλουσιν, συντελεῖν δύνασθαι

6 - Flight - *preces*

Flight connects closely to the former theme, because it generates reduction of imperial taxes etc.

Gasr Mezuar (l. 6): [rev]ertamur ubi libere morari possimu[s]

Ağa Bey Köyü (Il. 43-48): ἀνάγκη τοὺς καταλελειμμένους ἡμᾶς [...] καταλειπεῖν καὶ ἐστίας πατρῶας καὶ τάφους προγονικοὺς [...] μετελθεῖν τε εἰς ἰδιωτικὴν γῆν πρὸς τὸ διασωθῆναι -

Skaptopara (Il. 60-62): ἀλλὰ καὶ νοῦν ἔχειν ἐγκαταλιπεῖν καὶ τοὺς πατρῶους θεμελίους (Il. 75-77): κινδυνεύομεν ὅπερ οἱ λοιποὶ τόδε καὶ ἡμεῖς προλιπεῖν τοὺς προγονικοὺς θεμελίους (Il. 94-99): ἵνα ἐλεθθέντες διὰ τὴν θείαν σου πρόνοιαν καὶ μείναντες ἐν τοῖς ἰδίοις τοὺς τε ἱεροὺς φόρους καὶ τὰ λοιπὰ τελέσματα παρέχειν δυνησόμεθα

Aragua (l. 32): τὰ χωρία ἐρημοῦσθαι καὶ ἀν[άστατα γίγνεσθαι]

Dagis (Il. III, 9-14): ὥστε δύνασθε ἡμᾶς [...] καταμένειν [ἐν τῇ κώ]μη καὶ μὴ μετοικ[εῖν εἰς ἕ]τερον τόπον

7 - Earlier approaches to the authorities - *narratio*

To refer to previous visits to the provincial authorities was important for several reasons. Partly it was embedded in the procedure whereby one was supposed to use the administrative ladder, partly it signalled trust in the administration, and partly it provided information about previous decisions.

Saltus Burunitanus (Il. II, 5-8): *ut non solum cognoscere per tot retro annos instantibus ac suplicantibus vestramque divinam subscriptionem adlegantibus nobis supersederit* (Il. 16-20): *quod euntes in tam gravi pro modulo mediocritatis nostrae tamque manifesta iniuria imploratum maiestatem tuam immodesta epistula usi fuisset*

Ağa Bey Köyü (Il. 18-21): ἡμεῖς οὖν, ὅπερ ἦν δυνατὸν ἀθλίους ἀνθρώπους ἀφηρημένοις καὶ βίου καὶ συγγενῶν οὕτως ὡμῶς, ὃ δυνατὸν ἡμεῖν ἦν, ἐδηλώσαμεν ταῦτα καὶ τῷ τῆς τάξεως ἐπιτρόπῳ ὑμῶν Ἀυρηλίῳ Μαρκιανῶ καὶ τοῖς ἐν Ἀσίᾳ κρατίστοις ἐπιτρόποις ὑμῶν

Skaptopara (Il. II, 55-57): τοὺς δὲ λοιποὺς ὑποφέρειν μὴ δυνάμενοι ἐνετύχομεν πλειστάκις τοῖς ἡγεμόσι τῆς Θράκης

Aragua (Il. 23-24): περὶ ὧν ἄπαξ ἤδη κατεφύγομεν ἐπὶ τὸ σὸν, ὦ Σεβαστέ, μέγεθος, ὅποτε τὴν ἔπαρχον διεῖπες ἀρχὴν

Kavacık: Reference probably included in Il. 17-30.

Dagis (ll. II, 15-19): οἵτινες μὴ ὑποφέροντες τὰς τε λειτουργίας καὶ τὰς ἀνγαρείας τῷ τότε χρόνῳ ἐπέδωκαν βυβλεῖδιον Ἀρτωνίῳ Ἰβήρῳ

9) VOCABULARY

The most interesting, characteristic and peculiar words have been discussed in the commentaries; these words also appear through the index.

Some of the distinctive words serve as substitutes for the enthymemes; e. g. ἀναγκάζω, καταλείπω, ἀπολείπω, διασείω and ἐνοχλέω. The *Index of Important Words* shows no word common to all Greek petitions. One has rather to seek for synonyms, or a simple dichotomy of positive vs. negative words.

We can illustrate the unstudied way of varying the vocabulary and idioms from a passage in the *narratio* of **Skaptopara** (ll. 35-49). There we are presented with accusations against three categories of offenders, given in ascending order: visitors to the marketplace, soldiers and authorities.

1.

- A οἱ ἐκεῖσε τῆς πανηγύρεως εἵνεκεν ἐπιδημοῦντες
 B ἐν τῷ τόπῳ τῆς πανηγύρεως οὐ καταμένουσιν, ἀπολιμπάνοντες
 C ἐπέρχονται εἰς τὴν ἡμετέραν κώμην
 D ἀναγκάζουσιν ἡμᾶς
 E ξενίας αὐτοῖς παρέχειν καὶ ἕτερα πλείστα
 F ἄνευ ἀργυρίου χορηγεῖν

2.

- A στρατιῶται ἀλλαχοῦ πεμπόμενοι
 B καταλιμπάνοντες τὰς ἰδίας ὁδοὺς
 C πρὸς ἡμᾶς παραγείνονται
 D καὶ ὁμοίως κατεπείγουσιν
 E παρέχειν αὐτοῖς τὰς ξενίας καὶ τὰ ἐπιτήδεια
 F μηδεμίαν τιμὴν καταβαλόντες

The basic structure of these two statements is the same, the arguments and the variation in the choice of words are very simple, e. g. ἀπολιμπάνοντες - καταλιμπάνοντες; ἐπέρχονται εἰς - παραγείνονται πρὸς; ἀναγκάζουσιν - κατεπείγουσιν. When telling about the real offense (mom. E), the petitioners have not attempted to vary the expression (nor in ll. 83-85).

Having presented this double accusation, giving it weight by repetitions, they mention (3.) the governors and imperial procurators with resignation and without any embellish-

ments as this is an unavoidable burden (ll. 53-54, *καὶ τὰς μὲν ἐξουσίας συνεχέστατα δεχόμεθα κατὰ τὸ ἀναγκαῖον*).

10) THE DESIGN OF IMPERIAL PETITIONS: FORM AND AUTHORSHIP

The limitations of the material

Out of the mass of petitions presented to Roman emperors over the centuries we only know the complete text of a single example: **Skaptopara**. The remaining six are in a range from almost complete (**Saltus Burunitanus**, **Aragua**) via substantial fragments (**Ağa Bey Köyü**, **Kemaliye**) to mere fragments (**Gasr Mezuar**, **Kavacık**).

To assess this genre on such a foundation may seem reckless indeed. Two important factors, however, compensate insufficient numbers. We must remember that the examples are from a restricted period: our examples are all datable within a period of 70 years. And we can at this point also refer to the rhetorical structure established above. Time and structure have turned the imperial petitions into a consistent group. Below I will use this consistency when discussing physical form and authorship.

The physical form of imperial petitions

It is a great pity that even the few inscriptions surviving into modern times have suffered so badly after their discovery. Inscriptions bring us at close quarters with antiquity, but usually there is still a step or two to take.⁵⁴ There was never a set procedure for transferring a text on to stone. The examples of **Saltus Burunitanus**, **Gasr Mezuar**, **Aragua** and **Kavacık** which still survive, are four distinct monuments.⁵⁵ Further, for **Skaptopara**, Preisigke (1917:79) envisaged 8 steps in the process leading to the inscription. Examining the monuments which still exist, it becomes obvious that the transfer has blurred the original form or outline of the petition. Faced with the task of reconstruction, one may find it impossible to describe physically the papyrus sheet which was handed over to the imperial clerks. After the period of publication the original petitions were stored in the archives of the chancery, and they disappeared from the public eye. They have not reappeared. Thus there is no description from the classical period, let alone autograph, to inform us about the form or arrangement of an imperial petition.⁵⁶

54 Faass (1908:186) set up the following hierarchy for the study of diplomatics: 1. originals; 2. official copies (i. a. the military diplomas); 3. other copies: a. epigraphical copies (stone and bronze), b. copies as parts of manuscripts, either on papyrus or as part of the *codices*, other types of manuscripts and purely literary transmissions.

55 The point of difference concerning choice of monument, style, etc., is obvious. Within our genre we must keep in mind that in the case of **Tabala**, **Euhippe** and **Takina**, the commissioners chose not to include the letter or petition to the emperor. The two latter instances must have included petitions with contents similar to **Kemaliye** and **Aragua**. **Euhippe** and **Tabala** were urbanized communities, which perhaps did not want to show too clearly that they had approached the emperor by petitions.

56 Note however the much later petition of Apion presented to Theodosius (Feissel & Worp 1988, cf. p. 99, n. 20). The re-editors supported the prevailing explanation of the caption *exemplum precum*, which should indicate that the petition had been copied by the chancery, rather than submitted in two or more copies. For another exemplar of the original of an imperial rescript, cf. Mourgues (1987:78, n. 3) and Mallon (1982:188, col. 10).

Nevertheless, there may be more in these fragments than meets the eye. If we arrange all the petitions according to the rhetorical scheme we get a better prospect of assessing their length.

Part of petition:	Saltus Burunitanus	Ağa Bey Köyü	Kemaliye	Skaptopara	Aragua	Kavacık	P. Oxy. 3366
<i>Inscriptio</i>				15	45		
<i>Exordium</i>				53	42	(39)	39
<i>Narratio</i>	(145)	(178)	(62)	253	(203)		
<i>Preces</i>	162	167	(132)	156			
<i>TOTAL</i>				477			

Fig. 19: The surviving parts of the petitions and the number of words. Vacant space indicates that the part is lost; numbers in parenthesis imply that the part is not complete.

Comments on Fig. 19

These numbers are in need of some comments, as they are only complete in **Skaptopara**.

The *exordia* of **Skaptopara**, **Aragua** and **Kavacık** have contents which show great consistency. If we add the evidence of P. Oxy. XLVII, 3366, they also seem to be equally long, allowing for the 20-25% greater length of **Skaptopara**. I have restored the wordcount for **Kavacık** on a ratio of 1:4.

The *narrationes* of **Saltus Burunitanus**, **Ağa Bey Köyü** and **Aragua** are all incomplete. To calculate the length accurately is not possible, but we may reach an estimate. We are well into the *narratio* of **Saltus Burunitanus** at the top of column II. The *narratio* takes all of this column - undamaged as damaged - and continues at the top of column III (12 words). If we postulate that the column to the left (column I) would have the same number of words as the intact column III (170), and further assume that the *narratio* would occupy 50% of the available space in column I, the complete *narratio* would contain 267 words.⁵⁷

Ağa Bey Köyü has problems of its own. The editors pointed out that the monument could not have accommodated the complete text. The most likely explanation would be that a lost, separate stele carried the *inscriptio* and the first part of the *narratio* (see commentary on configuration). At the top of this again we must assume the imperial *subscriptio*, administrative annotations, the authentication formula etc. These factors include too many variables to allow a calculation similar to the one for **Saltus Burunitanus**.

Kemaliye gives us too little of the *narratio* to comment on.

In **Aragua** the text breaks probably near the end of the *narratio*. At this stage the account describes the pitiable petitioner for the second time. It makes a passage which would serve well to make the traditional emotional and smooth transition to the *preces*. How many words it would need to reach the conclusion may appear as mere guesswork, but 20-25 words should not be far off. This will give a *narratio* which is shorter than

57 The addition is as follows: column I: 85 words (50% of 170) + column II: 170 words + column III: 12 words = 267 words.

those of **Saltus Burunitanus** and **Skaptopara** (230-235). If we consider the long *inscriptio* (45 words), this would not affect the total length of the petition.⁵⁸

It is the number of words in the *preces*-part that gave rise to these reflections.⁵⁹ In **Saltus Burunitanus**, **Ağa Bey Köyü** and **Skaptopara** the part gives a consistent length. If we take **Skaptopara** as the mean, the deviation is only 2.5%. The *preces* of **Kemaliye** breaks off somewhat short of its conclusion. Its full length would probably give a number of words close to those of the complete parts.

If we take a closer look at the text of the *preces*-parts of **Skaptopara** and **Ağa Bey Köyü**, they share the same striking feature. Wilamowitz noted the parenthesis in **Skaptopara** at ll. 86-94 (ὅτι - περιβληθήσεται).⁶⁰ Above (pp. 279-280) we have shown that the themes put forward in this parenthesis, earlier visits, contrast and flight, also have been used at two other places in the petition. These characteristic repetitions give at times an impression of a rambling verbosity. Yet in place of describing them as unconscious repetitions, I would rather suggest the themes functioned as movable or facultative units. It then follows that the author used them as padding so the petition should reach a required length.

The parenthesis in **Skaptopara** is substantial (34 words) and without it the *preces* would no longer comply with the standard. A similar parenthesis (23 words) can be isolated in **Ağa Bey Köyü** ll. 37-41, γεωργούς τῷ πάντα [...] εἴρηται. This latter example may be even more illustrative as it includes two themes: long standing as imperial peasants and the *rerum veritas*-caption (τᾷληθῆ γὰρ ... εἴρηται). The lines are inserted in a rough way, only connected with a minimum of syntactical glue. This supports our theory by revealing a crude technique which allowed themes to be heaped on top of one another.

If we couple these deductions with our reflections on the relation between the original documents (as sheets of papyrus, cf. Faass 1908:187), and the inscriptions, they leads us to the conclusion that there existed a standard for the size of imperial petitions. There are two ways to explain the standard, either literary, by required style, or materially, from the physical size of the papyrus.

The literary explanation

It is likely that imperial petitions over the years gained a certain length to set it apart or elevate it from the gubernatorial petitions. The obligatory part *exordium*, the appropriate titlature and way of addressing an emperor, certain phrases and themes etc. all contributed to this royal growth. If we compare **Skaptopara** with **Bephoure**, which both

58 If we sum the words in **Aragua** up to the *preces* we get $45 + 42 + 235 = 323$. The number for **Skaptopara** up to the same point is 322.

59 When preparing this chapter, I came to notice this feature after having divided the texts according to their rhetorical parts and having had the texts printed in parallel columns (cf **Appendix II**). The consistent length of the *preces*-part was fairly conspicuous when I had arranged the petitions side by side. I then went on to count the number of words for each rhetorical part (observe that wordprocessors are unreliable for exact wordcounts). To count letters would perhaps be even more accurate and would also account for differences between Latin and Greek (definite article e. g.); more on this below. For a discussion of where to put the break between *narratio* and *preces*, see above p. 270.

60 See the critical apparatus of **Skaptopara** and **Appendix II**, no. 2 [=Hallos 11], in front of anm. 25.

offer complete texts, they have 477 and 197 words respectively.⁶¹ The equally well preserved petition to L. Valerius Proclus, *praefectus Aegypti* (P. Mich. III, 174), contains 257 words.

The material explanation

We may as well explain the consistent length **materially** by the size of the papyrus sheet. This deduction implies that imperial petitions were written on papyrus matching a set standard. Further some space should evidently have been left vacant at the end to allow for the imperial *subscriptio* and annotations. Because of the calligraphy of the imperial chanceries, this space would have been disproportionately large.⁶² It follows from what is said above that the imperial standard would be about the double size of a normal sheet.⁶³ The Italian use of *carta bollata* may serve as a model. *Carta bollata* was - and to a lesser degree is - used for applications to the authorities.⁶⁴ The required stamped, light yellowish paper accommodates both the need for a uniform size and to impose a duty.

Both the central and provincial imperial administration collected and stored petitions in rolls (in Greek: *τόμοι συνκολλησίμοι*). They made these by gluing the original petitions together.⁶⁵ No doubt it would be much easier to make and handle this collection, the *liber libellorum rescriptorum*, if the petitions were of uniform size.

For our period there is to my knowledge no parallel which could suggest this standard. The first examples belong to the early fifth century. Faass (1908:195-6) discussed the question of a particular size for the papyrus of imperial rescripts and found that the three or four originals measured 30.5 cm in height (p. 196, n. 1). Feissel & Worp (1988:98) described the petition of Apion (included in Faass' material) very carefully, giving its measures as 30.5 cm high and 75.5 wide. They established *kolleseis* at 17, 36 and 55 cm from its left border, with each sheet being approximately 19 cm wide. There are margins at the top (1 - 2 cm) and bottom (0.5 - 4 cm) of the petition and *subscriptio*. The writing extends completely to the right end of the sheet. As noted above (n. 274) this papyrus is commonly taken to be a copy issued by the chancery. Faass (1908:196) found his measures to comply well with the finest grade of papyrus described by Pliny maj., the so-called *charta Augusta* and *charta Claudia* (NH 13. 74 and 79).

Still, it may not be necessary to choose between the literary and the material explanations. Both factors may have contributed to establish the standard. Our hypothesis can be tested as new evidence becomes available. It may already explain the feeling of

61 The doubling of space on the papyrus sheet would allow for an increase by more than 100%. For instance the space reserved for the *subscriptio* would not need to be given twice; the same is valid for the normally larger letters in the *inscriptio*.

62 See again Dessau (1927:215); Marichal (1950) and Cavallo (1965).

63 I suppose the applicative petitions (**Smyrna I & II, Rome and Şapçılar**) would not reach the same length; if the height of the sheet was the same, however, it would not influence the *liber libellorum rescriptorum et propositorum*.

64 Ref. sign. Ricciardi, Italian Embassy, Oslo.

65 Preisigke (1917:71) took up this topic and said that it was a desideratum that the sheets did not differ in height; when this was not so, they had to be glued together in a way that gave a smooth bottom line. Dessau (1927:215) used the alleged inconsistent format of the original petitions as an indication that the *liber libellorum rescriptorum* could not have been made up of the originals.

terra cognita or *déjà vue* one experiences when reading a fragment of a petition for the first time, and it goes some way to explain the coherence of the genre.

Menander Rhetor and the maximum length of speeches

Before leaving this point some would perhaps raise their voices against using word as a standard, by objecting that the length of speeches was normally given in lines (ἔπη or στίχοι). On this point Menander Rhetor is highly relevant. He prescribed at various places a maximum length for a definite speech.⁶⁶ At the end of his paragraph on *The Crown Speech*, in which he addressed the emperor, he says that 'this speech shall not exceed 150-200 lines'.⁶⁷

Russell & Wilson (1981:337) equated a line with one hexameter line, admitting that the methods of calculating varied. They suggested Menander's standard to have been 35 - 40 letters. But we know that the norm for the length of the line of documentary papyri varied considerably (cf. Turner 1987:7), and I think we simply have to admit that to use this standard leads us but into thin air. Further, inscriptions turn up with a bewildering range of layouts, which particularly affects the length of lines. This rules out lines as a standard for measuring length. Words make a better, if not perfect, standard. The best method is of course to count letters. The text of the first petition from *Skaptopara* has approximately 2800 letters. By Russell and Wilson's standard, this will give 70 - 80 lines. From this we may conclude that a petition to the emperor was something different from an encomium, which is exactly what we should expect.

Practical consequences

To present petitions was not a privilege, it was rather a right, and as such was not even restricted to Roman citizens. What we know about the administrative handling of petitions, tells us that the procedure was designed daily to handle a fair number of petitions. The *apokrimata* which Septimius Severus and Caracalla issued during their stay in Alexandria, prove that at least 4 or 5 petitions were answered per day.⁶⁸ From these observations it follows that the length of a petition probably had to be limited, simply in order to give room to the others.

The discussion of imperial petitions has concentrated on the administrative handling and the *subscriptions* (cf. Herrmann 1990:50-1). Millar (1977) and Honoré (1981) have given us descriptions on the role of the emperor which apparently are mutually incompatible. To Millar the personal involvement of the emperors is essential; for Honoré it is equally fundamental that the *a libellis* had absolute control over the formulation of the *subscriptions* issued in the name of the emperor. In one of his latest articles which

66 Treatise II, 423, *περὶ στεφανωτικοῦ*, *The Crown Speech*; 434, *περὶ συντακτικοῦ*, *The Leavetaking*; and 437, *περὶ μονωδίας*, *The Monody*.

67 ἔστω δέ σοι ὁ λόγος μὴ πλεόνων ἑκατὸν πενήκοντα ἢ καὶ διακοσίων ἐπῶν. Similarly the length of the leavetaking is recommended to be 200-300 lines (434), if it is going to be the only speech which the rhetor will give during the day. The length for the monody is given as 150 lines (437) because 'mourners do not tolerate long delays or lengthy speeches at times of misfortune and unhappiness'.

68 This is not the place to present the discussion at length, see Williams (1974); Millar (1977:244-6); Nörr (1981b) and Herrmann (1990:50-2). The decisions are now readily available in Oliver (1989:451-8, nos. 226-38).

examines the general characteristics of Roman, imperial administration, Millar (1990:215-8) reconciled his and Honoré's views. He suggested that the petitions were read aloud before the emperor, whose personal involvement in many cases simply was to approve or disapprove. The act of formulating the response was then left to the secretary *a libellis*.⁶⁹

Millar can produce little direct evidence for his theory, which I nonetheless find intriguing because it goes a long way to explain why the petitions in their composition followed established, rhetorical theory. It also gets support from the procedure for delivery and formulation of petitions to provincial governors.

The supplicant's manual

The almost identical *exordia* of Skaptopara, Aragua and Kavacik, their closeness in dating (238-244), and their geographical distribution, may point at a common source or inspiration. The solution closest at hand would be to suggest that the petitions were modelled - more or less rigidly - on phrases and terminology prescribed in a rhetorical handbook, *ἐγχειρίδιον*, for the composition of petitions to Roman emperors; a *quomodo sit libellus conscribendus/ πῶς δεῖ δέσιν συγγράφειν*. If these structural affinities can be thus explained, this will also tell us about the regularity of submitting such petitions and the low level of aspiration in their composition.⁷⁰

We do not possess anything of this kind, so to find parallels we have to turn in other directions. We know that letter-books circulated to assist writers of different social strata in writing private letters.⁷¹ In their studies of the letters of recommendation both Koskeniemi (1956:54-63) and Cotton (1981:8-9) discussed whether one could demonstrate that works of this kind really had been used in the composition of surviving examples. Both were rather vague in their conclusions. Koskeniemi (p. 62) explained the negative result by the fact that the authors of the letter-books did not give complete texts ('Musterbriefe') to follow; they rather limited themselves to presenting different levels of style which were appropriate for the many subdivisions of letters. The striking similarity between letter no. 22 from Vindolanda (Bowman & Thomas 1983:105-111), the author of P. Oxy. I, 32, the *beneficiarius* Aurelius Archelaus, and Pliny min. III, 2, Cotton (p. 50) explained by a reference to common point of departure for all authors of letters of recommendation.⁷² As

69 Millar (1990:217): 'On peut donc s'imaginer la procédure suivante: premièrement la réception des suppliques - dans la première période de l'Empire ceci avait lieu, au moins très souvent, au cours d'une audience publique; en deuxième lieu la lecture à haute voix des suppliques devant l'Empereur; en troisième lieu, l'Empereur décide l'essentiel de la réponse - en beaucoup des cas il suffit de dire 'oui' ou 'non'. Après ça le secrétaire *a libellis*, ou plus tard le *magister libellorum*, dicte le texte de la souscription, en utilisant évidemment ses propres conceptions de la loi et ses propres mots.'

70 In Diocletian's edict on maximum prices, the rate for the writing of 100 lines of a petition was set to 10 *denarii*; cf. 7, 41 in Lauffer's edition (1971) *tabellanioni in scriptura libelli vel tabularum [in ver]sibus no. centum XI ἀγοραίοις γράφουσι λίβελλα ἢ τάβλας στίχους ρ' ἰ*. This compares with 25 *denarii* for writing of the best quality, 20 for second quality.

71 Cf. Cotton (1981:9 and n. 40); first and foremost it is the *Τύποι ἐπιστολικοί*, falsely attributed to Demetrius of Phaleron (TLG no. 0624), probably 4-3. cent. BC. Cotton also refers to *Περὶ ἐπιστολιμαίου χαρακτήρος* or *Ἐπιστολιμαῖοι χαρακτήρες* of Libanius-Proclus.

72 'Both [Archelaus and Pliny] were equally animated by the awareness that being in a position to write a letter of recommendation is a measure of one's station in life and influence and, similarly, that executing it well is a measure of one's versatility, tact, ingenuity, culture and sense of *decorum*.'

letters of recommendation have been found at diametrically opposite ends of the empire, viz. Dura (P. Dura 63B) and Vindolanda, letter-books may have reached very far indeed.

Despite the rhetorical structure established above, the testimony of the imperial petitions leads us to Koskenniemi's conclusion. There exists a close relation between **Skaptopara**, **Aragua** and **Kavacık** regarding rhetorical parts. But this relation cannot be traced to the level of words. Between them they only share one of the words in the *List of Important Words*, *εὐτυχής*; and the word we have already established as a prerogative of the *exordium* (cf. above p. 267). *θειότης* is used in **Skaptopara** and **Aragua**; in **Kavacık** we find *θεός*. On the other hand, there seems to be a special relationship between **Ağa Bey Köyü** and **Kemaliye** (cf. *ιέρως, κωλύω, οὐράνιος, πρόγονος, προγονικός, πρόφασις, πώποτε*). This evidence does not reveal one, common source. Further no manual can be expected to give recipes for all seasons. The special case of the *exordium* is to be explained by its being the shortest part of a petition, and accordingly suggestion(s) for a full text could be given (as we have done as well, above p. 26). From there on the spectrum got much wider.

A recently published papyrus demonstrates how Menander's treatise assisted a fifth-century rhetor of Hermoupolis (Maehler 1974; cf. Russell & Wilson 1981:xxxiv-xxxv). The text is a reminder to a fellow rhetor (*λογιότης*) with the request for the prompt return of Alexander Claudius' commentary on Demosthenes and Menander's *Art, Methods* and *Eulogy*. Menander must be identical with Menander from Laodicea on the Lycus. Maehler (1974:311) suggested that the books were needed by their owner who was about to prepare a speech for the visit of some illustrious person.⁷³ Menander Rhetor can claim special relevance for this discussion, because his work obviously served the needs of provincial rhetors.

The two versions in Skaptopara

The two petitions, delivered on different occasions, and transmitted by **Skaptopara** make it possible to control the conclusions reached about the petitions to the emperors.

In the *exordium* of the petition to Roman emperors the general theme of *felicitas temporum* is used, embellished by the general concern of the emperor for the villages, and the widespread benefit of this policy for the imperial fisc.

In Pyrrus' speech the *exordium* is given a personal twist, concentrating on the harmony between the policies of the emperor and the governor, exemplified by the governor's orders and instructions. He avoids the use of the *felicitas temporum*-theme. Quite notable - and deft - is his use of the emperor as a living, present god. *Θεός* is used once and *θεῖος* twice; and the entire intervention is described as an act of good fortune (cf. Millar 1992).

Moving on to the *narratio* we notice that in Pyrrus' speech the technical language which burdens the petition to Roman emperors is much less prominent. He generally avoids repetitions. Some of the words used in the petition recur, but generally he uses them more elegantly and to greater effect.⁷⁴ In short the language runs more freely (cf.

73 Cf. the fairly detailed description given in Menander's Treatise II, *περὶ ἐπιβατηρίου*.

74 Cf. e. g. the alliteration (*ὁμοιπρόφορον*) in *πλησίον δὲ καὶ πανήγυρις πολλάκις* and the antithesis in *πλεονεκτῆματα τῷ χρόνῳ περιεληλυθέναι αὐτῆς εἰς ἐλαττώματα*.

also the notice above about the narrative of the *narratio*, p. 270). The obvious explanation would be that on the second occasion they realised that different occasions demanded different solutions. Logically they entrusted a rhetor - in place of a scribe - with the task of writing the speech.⁷⁵

Rome or the province?

When balancing the scant and vague evidence, we shall not forget that there is nothing which compels us to say that the petitions had provincial authors.⁷⁶ The possibility exists that the petitioners of **Skaptopara**, **Aragua** and **Kavacık** consulted the same scribe in Rome. The task of submitting the petition could have been conferred on Pyrrus in two ways: either by sending him an envoy or a message authorizing him to have a petition written, or sending him the text to submit. One can envisage that it might have been more reassuring to let a scribe - either in Rome or following the emperor's entourage - write the petition. On the other hand this would take the factual presentation of the case completely out of the hands of the Thracian community. What is the more likely explanation is for us to choose. We must, however, admit that both the proximity of time and the structure of the petitions point at a source physically close to the emperor.

75 In his article on the **Sülmenli**-inscription (Frend 1956), Zawadski (1960:93) suggested that an unnamed *συνήγορος* residing in Dokimion, the town nearest to the village, could serve as a model as the author of the petitions: 'A la ligne 12 de notre inscription, Panas, le représentant d'Anosos, menace de faire appel à l'intermédiaire d'un *synegoros* à Dokimion. Mais le procureur Threptus sait lui faire comprendre que cet appel ne servira de rien. Il est probable que ce sont les *synegoroi* de ce genre qui étaient les auteurs de toutes ces plaintes et requêtes que caractérisent le même style et les mêmes *loci communes*. Mais, à la lumière de notre inscription, il semble que ce n'est que dans les cas extrêmes qu'une communauté se décidait à prendre cette voie.'

76 The gubernatorial petitions were certainly written locally. Outside Egypt there are, except from **Dagis** and **Bephoure**, no complete texts which allow us to analyse the relationship between the gubernatorial and imperial petitions.

APPENDIX:

1. Synopsis of the five comparable imperial petitions

Saltus Burunitanus [-,-,(145),162]

(Narratio: 145)

quam non modo cum Allio Maximo adversario nostro, set cum omnibus fere conductoribus contra fas atque in perniciem rationum tuarum sine modo exercuit, ut non solum cognoscere per tot retro annos instantibus ac supplicantibus vestramque divinam subscriptionem adlegantibus nobis supersederit, verum etiam hoc eiusdem Alli Maximi conductoris artibus gratiosissimi ultimo [50] indulserit, ut missis militibus in eundem saltum Burunitanum alios nostrum adprehendi et vexari, alios vinciri, non nullos cives etiam Romanos virgis et fustibus effligi iusserit, scilicet eo solo merito nostro, quod euntes in tam gravi pro modulo mediocritatis nostrae tamque manifesta iniuria imploratum maiestatem tuam illicita epistula usi fuissimus. [100] Cuius nostrae iniuriae evidentia, Caesar, inde profecto potest aestimari, quod [***] quidem, quem maiesta[***] existimamus vel pro [***] omnino cognos[***] plane gratificati [***] mum invenerit [***] nostris quibu[***] bamus cogni[***] beret inte vacat [***] tare operas [***] petita tot ei. Quae res compulit nos miserimos homines iam rursus divinae providentiae tuae supplicare.

Preces: 161

et ideo rogamus, sacratissime imperator, subvenias. Ut kapite legis Hadriane, quod supra scriptum est, ademptum est, ademptum sit ius etiam proccuratoribus, nedum conductori, adversus colonos ampliandi partes agrarias aut operarum praebitionem iugorumve et, ut se habent littere proccuratorum, quae sunt in tuario tuo tractus Karthaginiensis; non amplius annuas quam binas [50] aratorias, binas sartorias, binas messorias operas debeamus; itque sine ulla controversia sit, utpote cum in aere incisum et ab omnibus omnino undique versum vicinis nostris perpetua in hodiernum forma praestitum, tum et proccuratorum litteris, quas supra scripsimus, ita confirmatum. Subvenias et, cum homines rustici tenues manum nostrarum operis victum [100] tolerantis conductori profusis largitionibus gratiosissimo impares aput proccuratores tuos simus, quibus per vices successionis per condicionem con-

Kemaliye [-,-,(62),(132)]

(Narratio: 62)

[τὴν προαίρησιν αὐτῶν λογιζομένων νομοθεσίαν] μήτε νομίμου κατηγοροῦ τινὸς ἐξισταμένου, μήτε ὑποκειμένης αἰτίας, μηδὲ φανεροῦ τινος ἐγκλήματος ἰδίου τινὸς ὄντος, ἐπιτρέχουσιν οἱ τοιοῦτοι μόνοι ἢ μετὰ τῶν σεσημειωμένων τάξεων ἰς διασεισμὸν τῆς κώμης. Μόνην ἐν φόβῳ τῶδε ταύτην βοήθιαν ἐπεισήσεν ἢ προδηλουμένη κώμη συνδεθηεῖσα δι' ἐμοῦ τῆς μεγάλης ὑμῶν καὶ [50] οὐρανοῦ καὶ ἱερωτάτης βασιλείας, ἰς τοῦτό με προχειρισαμένη καὶ τὴν ἱκετείαν προσενενκεῖν. [62]

(Preces: 132)

Καὶ τοῦτο δεόμεθ' ἀπιδόντας ὑμᾶς, μέγιστοι καὶ θεϊότατοι τῶν πώποτε αὐτοκρατόρων, πρὸς τε τοὺς ὑμετέρους νόμους τῶν τε προγόνων ὑμῶν καὶ πρὸς τὴν εἰρηλικὴν ὑμῶν περὶ πάντας δικαιοσύνην, μεισήσαντας δὲ, οὓς αἰεὶ μεισήσατε αὐτοὶ τε καὶ πᾶν τὸ τῆς βασιλείας προγονικὸν ὑμῶν γένος, τοὺς τὴν τοιαύτην προαίρησιν ἔχοντας κολλητίωνας, κεκωλυμένους [50] μὲν αἰεὶ καὶ κολάζεσθαι κελευομένους, οὐκ ἀποδεξαμένους δέ, ἀλλὰ αἰεὶ βαρύτερον ἀντιμαχομένους ταῖς ὑμετέραις νομοθεσίαις, εἴτε φρουμενταρίοις προμεμήνυτο εἴτε ὁμοίαις τάξεσιν, κελεύσαι καὶ χρηματίσαι νόμῳ τινί, ὡς τὴν ἀναίδιαν αὐτῶν αὐτοῖς ἢ ἡγεμονεῖα προσάγει. Εἰ δέ τις, ἔξω τῶν τοιούτων λέγων εἶναι προφάσει κατηγορίας τινὸς, ἐπιεσκιάζων τὴν κακουργίαν, ἐπιτρέχει, μὴ [100] διὰ τῆς ἡγεμονίας, ἀλλὰ διὰ τῶν τάξεων βασιανίζων, ὡς οἱ νόμοι θελοῦσιν ὑμῶν τε καὶ τῶν

ductionis notus est, miserearis ac sacro rescripto tuo non amplius praestare nos quam ex lege Hadriana et ex litteris procuratorum tuorum debemus, id est ter binas operas, praecipere digneris, ut beneficio maiestatis tuae rustici [150] tui vernulae et alumni saltum tuorum non ultra conductoribus agrorum fiscalium inquietemur. [162]

προγόνων, εἰ μὴ νόμιμος κατήγορος, μὴ προσέρχωνται πρὸς τοῦτο αἱ τῆς τάξεως ἐξουσίαι καὶ [130]

Ağa Bey Köyü [-.-.(178),166]

Skaptopara [15,53,253,156: 477]

Aragua [45,42,(203),,]

Inscriptio: 15

Αὐτοκράτορι Καίσαρι Μ(άρκῳ)
Ἀντωνίῳ Γορδιανῷ Εὐσεβεῖ Εὐτυχεῖ
Σεβ(αστῷ) δέσις παρὰ κωμητῶν
Σκαπτοπαρηγῶν τῶν καὶ Γρησοιτῶν.
[15]

Exordium: 53

Ἐν τοῖς εὐτυχεστάτοις καὶ αἰωνίοις
σοῦ καιροῖς κατοικεῖσθαι καὶ
βελτιοῦσθαι τὰς κώμας ἤπερ
ἀναστάτους γίγνεσθαι τοὺς
ἐνοικοῦντας πολλακίς ἀντέγραψας·
ἔστιν γὰρ καὶ ἐπὶ τῇ τῶν ἀνθρώπων
σωτηρίᾳ τὸ τοιοῦτο καὶ ἐπὶ τοῦ
ἱερωτάτου σοῦ ταμείου ὠφελείᾳ· ὅπερ
καὶ αὐτοὶ ἔννομον ἱκεσίαν τῇ θεϊότητι
σοῦ προσκομίζομεν εὐχόμενοι ἰδέως
ἐπινεύσαι ἡμῖν δεομένοις τὸν τρόπον
τούτον. [53]

Narratio: 253

οἰκοῦμεν καὶ κεκτήμεθα ἐν τῇ
προγεγραμμένῃ κώμῃ αὔση
εὐπεράστω διὰ τὸ ἔχειν ὑδάτων
θερμῶν χρῆσιν καὶ κεῖσθαι μέσον δύο
στρατοπέδων τῶν ὄντων ἐν τῇ σῆ
Θρήκῃ καὶ ἐφ' οὗ μὲν τὸ πάλλαι οἱ
κατοικοῦντες ἀόχλητοι καὶ
ἀδειάσειστοι ἔμενον ἀνευθεῶς τοὺς
τε φόρους καὶ τὰ λοιπὰ ἐπιτάγματα
συντελοῦν. ἐπεὶ δὲ κατὰ [50] καιροὺς
εἰς ὕβριν προχωρεῖν τινες καὶ
βιάζεσθαι ἤρξαντο, τῆνικαῦτα
ἐλαττοῦσθαι καὶ ἡ κώμη ἤρξατο· ἀπὸ
γὰρ μειλίων δύο τῆς κώμης ἡμῶν
πανηγύρεως ἐπιτελουμένης
διαβοήτου. οἱ ἐκείσε τῆς πανηγύρεως
εἶνεκεν ἐπιδημοῦντες ἡμέραις
πεντεκαίδεκα ἐν τῷ τόπῳ τῆς
πανηγύρεως οὐ καταμένουσι, ἀλλὰ
ἀπολιμπάνοντες ἐπέρχονται εἰς τὴν
ἡμέτεραν κώμην καὶ ἀναγκάζουσι
ἡμᾶς ξενίας [100] αὐτοῖς παρέχειν
καὶ ἕτερα πλείστα εἰς ἀνάληψιν
αὐτῶν ἀνευ ἀργυρίου χορηγεῖν. πρὸς
δὲ τούτοις καὶ στρατιῶται ἀλλαχοῦ
πεμπόμενοι καταλιμπάνοντες τὰς

Inscriptio: 45

Αὐτοκράτορι Κέσαρι Μ. Ἰουλίῳ
Φιλίππῳ Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῷ)
κὲ Μ. Ἰουλίῳ Φιλίππῳ ἐπιφανεστάτῳ
Κέσαρι, δέσις παρὰ Αὐρηλίου
Ἐγλέκτου περὶ τοῦ κοινῶν τῶν
Ἀραγουσηνῶν παροίκων κὲ γεωργῶν
τῶν ὑμετέρων τοῦ ἐν τῇ Ἀππιανῆ
δήμῳ κοινῶν Μοιτεανῶν Σοηνῶν τῶν
κατὰ Φρυγίαν τόπων διὰ Τ. Οὐλπίου
Διδύμου στρατιώτου. [45]

Exordium: 42

πάντων ἐν τοῖς μακαριωτάτοις ὑμῶν
καιροῖς, εὐσεβεστάτοι κὲ ἀλυπότατοι
τῶν πρότε βασιλέων, ἤρεμον κὲ
γαλήνῳ τὸν βίον διαγόντων πάσης
πονηρίας κὲ διασεισῶν πεκαυμένων·
μόνοι ἡμεῖς ἀλλότρια τῶν
εὐτυχεστάτων καιρῶν πάσχομεν
τήνδε τὴν ἱκεσίαν ὑμῖν προσάγομεν.
ἔχει δὲ τὸ τῆς διηγῆσεως ἐν τούτοις.
[42]

(Narratio: 203)

Χωρίον ὑμετέρον ἔσμεν, ἱερώτατοι
αὐτοκράτορες, δημὸς ὀλόκληρος οἱ
καταφεύγοντες κὲ γενιόμενοι τῆς
ὑμετέρας θεϊότητος ἱκέται·
διασειόμεθα δὲ παρὰ τὸ ἄλογον κὲ
παραπρασσόμεθα ὑπ' ἐκείνων οἷς
σῶζειν τὸ δημόσιον ὀφείλει· μεσόγειοι
γὰρ τυγχάνοντες κὲ μήτε παρὰ
στραταρχίας ὄντες πάσχομεν
ἀλλότρια τῶν ὑμετέρων
μακαριωτάτων καιρῶν· διοδεύοντες
γὰρ τὸ Ἀππιανῶν κλίμα
παραλιμπάνοντες τὰς [50]
λεωφόρους ὁδοὺς στρατάρχα τε κὲ
στρατιῶται κὲ δυνάσταί τῶν
προυχόντων κατὰ τὴν πόλιν
Καισαριανοὶ τε ὑμέτεροι
ἐπεσπρόχομενοι κὲ καταλιμπάνοντες
τὰς λεωφόρους ὁδοὺς κὲ ἀπὸ τῶν
ἔργων ἡμᾶς ἀφιστάτες κὲ τοὺς
ἀροτήρας βόας ἀγαρεύοντες τὰ
μηδὲν ὀφειλόμενα αὐτοῖς
παραπράσσομεν· κὲ συμβαίνει οὐ τὰ
τυχόντα ἡμᾶς ἐκ τούτου ἀδικεῖσθαι
διασειομένους· περὶ ὧν [100] ἄπαξ
ἤδη κατεφύγομεν ἐπὶ τὸ σὸν, ὦ

(Narratio: 178)

[...ἀρ]θμὸν κγ' ὡς καὶ
φρουμ[ε]νταρι[.....]ντας ἰδεῖν κατὰ
δόδον τὴν ω[.....]οι[.....]ντος.
[12] καὶ ἵνα δόξη τις τῆς τοσαύτης
αὐτοῖς θρασυτήτος ἀπολογία
καταλιμπάνεσθαι, ἐνέα συλλαβόντες
καὶ ἐν δεσμοῖς ποιήσαντες ἔφασκον
παραπέμπειν ἐπὶ τοὺς κρατίστους
ἐπιτρόπους τοὺς ὑμετέρους διέποντος
Αἰλίου Ἀγλάου τοῦ κρατίστου καὶ τὰ
τῆς ἀνθυπατείας μέρη. Καὶ τὸν μὲν
ἑνα τῶν ἐννέα ἀργύριον

ἐκπραξάμενοι ὑπὲρ τὰς χειλίας Ἀττικὰς λύτρον τῆς σωτηρίας ἀφῆκαν. [62] τοὺς δὲ λοιποὺς κατέσχαν ἐν τοῖς δεσμοῖς. καὶ οὐκ ἴμεν σαφῶς, θεϊότατοι τῶν αὐτοκρατόρων, ὁπότερον ζῶντας τοὺτους παραπέμψουσιν παρὰ τὸν κράτιστον Ἄγλαον ἢ καὶ αὐτοὺς διαθῶνται παραπλησίον τοῖς φθάνουσιν. ἡμεῖς οὖν, ὅπερ ἦν δυνατὸν ἀθλίους ἀνθρώποις ἀφηρημένοις καὶ βίον καὶ συγγενῶν οὕτως ὡμῶς, ὃ δυνατὸν ἡμεῖν ἦν, ἐδηλώσαμεν ταῦτα καὶ τῷ [112] τῆς τάξεως ἐπιτρόπῳ ὑμῶν Ἀνρ(ηλίφ) Μαρκιανῷ καὶ τοῖς ἐν Ἀσίᾳ κρατίστοις ἐπιτρόποις ὑμῶν ἰκέται δὲ τῆς ὑμετέρας γεινόμεθα, θεϊότατοι τῶν πώποτε αὐτοκρατόρων, θείας καὶ ἀνπερβλήτου βασιλείας, καὶ τοῖς τῆς γεωργίας καμάτοις προσέχειν κεκωλυμένοι τῶν κολλητιῶνων καὶ τῶν ἀντικαθεστώτων ἀπειλούντων καὶ ἡμεῖν τοῖς καταλειπομένοις τὸν περὶ ψυχῆς κίνδυνον καὶ μὴ δυνάμενοις [162] ἐκ τοῦ κωλύεσθαι τὴν γῆν ἐργάζεσθαι μηδὲ ταῖς δεσποτικαῖς ἐπακοῦειν ἀποφοραῖς καὶ ψήφοις πρὸς τὰ ἐξῆς. [178]

Preces: 167

καὶ δεόμεθα εὐμενῶς ὑμᾶς προσέσθαι τὴν δέησιν ἡμῶν καὶ ἐπιθέσθαι τῷ ἐξηγουμένῳ τοῦ ἔθνος καὶ τοῖς κρατίστοις ἐπιτρόποις ὑμῶν ἐκδικήσαι τὸ τετολημμένον, κωλύσαι δὲ τὴν εἰς τὰ χωρία τὰ δεσποτικὰ ἔφοδον καὶ τὴν εἰς ἡμᾶς ἐνόχλησιν γεινομένην ὑπὸ τε τῶν κολλητιῶνων καὶ τῶν ἐπὶ προφάσει ἀρχῶν ἢ λειτουργιῶν τοὺς ὑμετέρους [50] ἐνόχλούντων καὶ σκυλλάντων γεωργοὺς τῷ πάντα τὰ ἡμέτερα ἐκ προγόνων προῦπεύθυνα εἶναι τῷ ἱερωτάτῳ ταμεῖφ τῷ τῆς γεωργίας δικαίφ· τάληθῆ γὰρ πρὸς τὴν ὑμετέραν θεϊότητα εἴρηται ὦν ἐὰν μὴ ὑπὸ τῆς ὑμετέρας οὐρανοῦ δεξιᾶς ἐκδικία τις ἐπὶ τοῖς τοσοῦτοις τετολημμένοις ἐπαχθῆ καὶ βοήθεια εἰς τὰ μέλλοντα, ἀνάγκη τοὺς καταλελειμμένους ἡμᾶς, [100] μὴ φέροντας τὴν τῶν κολλητιῶνων καὶ τῶν ἐξ ἐναντίας, ἐφ' αἷς προειρήκαμεν προφάσειν, πλεονεξίαν, καταλείπειν καὶ ἐστίας πατρῶας καὶ τάφους προγονικοὺς μετελθεῖν τε εἰς ἰδιωτικὴν γῆν πρὸς τὸ διασωθῆναι φεῖδονται γὰρ μᾶλλον τῶν ἐκεῖ κατοικοῦντων οἱ τὸν πονηρὸν ζῶντες βίον ἢ τῶν ὑμετέρων γεωργῶν φυγάδας τε γενέσθαι τῶν δεσποτικῶν χωρίων, [150] ἐν οἷς καὶ ἐγεννήθημεν καὶ ἐτρέφθημεν καὶ ἐκ προγόνων διαμένοντες γεωργοὶ τὰς πίστεις τηροῦμεν τῷ δεσποτικῷ λόγῳ. [167]

ἰδίαν ὁδοὺς πρὸς ἡμᾶς παραγείνονται καὶ ὁμοίως κατεπέιγουνι παρέχειν αὐτοῖς τὰς ξενίας καὶ τὰ ἐπιτήδια μηδεμίαν τιμὴν καταβαλόντες. ἐπιδημοῦσιν δὲ ὡς ἐπὶ τὸ πλείστον διὰ τὴν τῶν ὑδάτων χρῆσιν οἱ [150] τε ἡγούμενοι τῆς ἐπαρχείας, ἀλλὰ καὶ οἱ ἐπίτροποί σου· καὶ τὰς μὲν ἐξουσίας εὐξενώτατα δεχόμεθα κατὰ τὸ ἀνεγκάιον τοὺς δὲ λοιποὺς ὑποφέρειν μὴ δυνάμενοι ἐνετύχουεν πλειστάκις τοῖς ἡγεμόσι τῆς Θράκης, οἵτινες ἀκολουθῶς ταῖς θείαις ἐντολαῖς ἐκέλευσαν ἀοχλήτους ἡμᾶς εἶναι· ἐδηλώσαμεν γὰρ μηκέτι ἡμᾶς δύνασθαι ὑπομένειν, ἀλλὰ καὶ νοῦν ἔχειν συνλείπειν [200] καὶ τοὺς πατρῶους θεμελίους διὰ τὴν τῶν ἐπερχομένων ἡμεῖν βίαν· καὶ γὰρ ὡς ἀληθῶς ἀπὸ πολλῶν οἰκοδομημάτων εἰς ἐλαχίστους κατεληλύθαμεν. καὶ χρόνῳ μὲν τιμὴ ἴσχυσεν τὰ προστάγματα τῶν ἡγουμένων καὶ οὐδεὶς ἡμεῖν ἐνόχλησεν οὔτε ξενίας αἰτήματι οὔτε παροχῆς ἐπιτηδείων, προϊόντων δὲ τῶν χρόνων πάλιν ἐτόλημσαν ἐπιφύεσθαι ἡμεῖν πλείστοι ὅσοι τῆς ἰδιωτίας ἡμῶν καταφρονούντες. [253]

Preces: 156

ἐπεὶ οὖν οὐκέτι δυνάμεθα φέρειν τὰ βάρη καὶ ὡς ἀληθῶς κινδυνεύουεν ὅπερ οἱ λοιποὶ τόδε καὶ ἡμεῖς προλιπεῖν τοὺς προγονικοὺς θεμελίους, τοῦτου χάριν δεόμεθά σου, ἀνίκτη Σεβαστέ, ὅπως διὰ θείας σου ἀντιγραφῆς κελύσης ἕκαστον τὴν ἰδίαν πορεύεσθαι ὁδὸν καὶ μὴ ἀπολιμπάνοντας αὐτοὺς τὰς ἄλλας κώμας ἐφ' ἡμᾶς ἔρχεσθαι μήτε δὲ [50] καταναγκάζειν ἡμᾶς χορηγεῖν αὐτοῖς προῖκα τὰ ἐπιτήδια· ἀλλὰ μηδὲ ξενίαν αὐτοῖς παρέχειν, οἷς μὴ ἐστὶν ἀνάγκη, ὅτι γὰρ οἱ ἡγούμενοι πλεονάκις ἐκέλευσαν μὴ ἄλλω παρέχεσθαι ξενίαν εἰ μὴ τοῖς ὑπὸ τῶν ἡγουμένων καὶ ἐπιτρόπων ἐκπεμπομένοις εἰς ὑπηρεσίαν· ἐὰν δὲ βαρούμεθα, φευξόμεθα ἀπὸ τῶν οἰκείων καὶ μεγίστην ζημίαν τὸ ταμεῖον περιβληθήσεται [100] ἵνα ἐλεθέντες διὰ τὴν θείαν σου πρόνοιαν καὶ μείναντες ἐν τοῖς ἰδίους τοῦς τε ἱεροῦς φόρους καὶ τὰ λοιπὰ τελέσματα παρασχεῖν δυνησόμεθα. συμβήσεται δὲ τοῦτο ἡμεῖν ἐν τοῖς εὐτυχεστάτοις σου καιροῖς, ἐὰν κελύσης τὰ θεῖά σου γράμματα ἐν στήλῃ ἀναγραφέντα δημοσίᾳ προφανεῖσθαι ἵνα τοῦτου τυχόντες τῇ Τύχῃ σου χάριν ὁμολογεῖν δυνησόμεθα, ὡς καὶ νῦν καθορώμενοι σου ποιούμεν. [156]

Σεβαστέ, μέγεθος, ὁπότε τὴν ἐπαρχον διείπες ἀρχὴν ἐμφαίνοντες τὸ γεγονός. κὲ ὅπως περὶ τούτων ἐκινήθη σου ἡ θεῖα ψυχὴ, ἢ ὑπογραφῆ δηλοῖ ἢ ἐντεταγμένη quae libello complexi estis, ad proconsulem misimus qui dabit operam ne diutiuis querellis locus sit. ἐπειδὴ οὖν οὐδὲν ὄφελος [150] ἡμεῖν ἐκ ταύτης τῆς δέησεως γέγονε, συμβέβηκεν δὲ ἡμᾶς κατὰ τὴν ἀγροικίαν τὰ μὴ ὀφειλόμενα παραπράσσεσθαι, ἐπενβαινόντων τινῶν κὲ συναποῦντων ἡμᾶς παρὰ τὸ δίκαιον, ὡσαύτως δὲ ὑπὸ τῶν Κεσαριανῶν οὐ τὰ τυχόντα διασειεσθαι κὲ τὰ ἡμέτερα εἰς αὐτοὺς ἐξανάλισκεσθαι κὲ τὰ χωρία ἐρημοῦσθαι κὲ ἀνάστατα γίγνεσθαι· μεσόγειοι γὰρ τυγχάνοντες κὲ οὐ παρὰ τὴν ὁδὸν κατοικοῦντες [200] [- - -] δυνάμενα ... - ... [ταύτη]

2) Samples of *exordia* of petitions in papyri of Roman times.

P. Oxy. XVII, 2131, to Subatianus Aquila, *praefectus Aegypti*, from 207, (ll. 7-8): τῆς ἐμφύτου σου, ἡγεμῶν δέσποτα, δικαιοδοσίας διηκούσης εἰς πάντας ἀνθρώπους καὶ αὐτὸς ἀδικηθεὶς ἐπὶ σὲ καταφεύγ[ω] ἀξιῶν ἐκδικίας τυχεῖν. ἔχει δὲ οὕτω[ς].
Since your ingrained justice, my lord prefect is extended to all men, I too, having been wronged, have recourse to you, begging for redress. It is as follows.

BGU IX, 2061, to Subatianus Aquila, *praefectus Aegypti*, from 207-208, (ll. 2-3, cf. ll. 21-23): θαρρῶν, κύριε, τῇ σῇ ἐπαφροδίτῳ ἡγεμονίᾳ τὴν ἐπὶ σὲ καταφυγὴν ποιούμαι ἐξηγοῦμαι [εἰς] τὴν γεينوμένην μοι βίαν ὑπὸ τινῶν πολ[...]. |ματ[...]. |εις· ἔχει δὲ οὕτως.
Having trust in your gracious prefecture, I have recourse to you and describe the violence I am suffering at the hands [...]. It is as follows.

PSI XII, 1245, to Subatianus Aquila, *praefectus Aegypti*, from 207-208, (ll. 15-17): [Πολλῶν ἀνθρώπων εὐεργετημένων ὑπὸ σοῦ, ἡγεμῶν κύριε, καὶ γὰρ [πρὸς σὲ καταφυγὴν] [ποιούμαι] δεόμενος τῆς ἀπὸ σοῦ εὐμενίας τυχεῖν. τὸ [δ]ὲ πρᾶγμα οὕτως ἔχει.
Many people are being supported by you, my lord prefect, and I too have recourse to you asking to get favor from you. The case is as follows.

P. Oxy. XII, 1468, to Lucius Mussius Aemilianus, *vice agens praefectus Aegypti*, from 258, (ll. 4-10): τοῖς κακουργεῖν προχείρως ἔχουσιν τέχνη οὐ δικαίως ἐπινοίας πρὸς τῷ μηδὲν ὄφελος ἔχειν ἔτι καὶ τοῖς ἐκ τῶν νόμων ὠρισμένοις ἐπιτειμίαις ὑποβάλλει ἢ σὲ εὐτονος καὶ περὶ πάντα ἀκοίμητος πρόνοια. τοιοῦτου οὖν κατ' ἐμοῦ ἐπιχειρουμένου ἐπὶ τὴν σὴν ἀνδρείαν καταφεύγω θαρρῶν τεύξεσθαι τῶν προσόντων μοι δικαίων, ἡγεμῶν κύριε. τὰ δὲ τοῦ πράγματος τοιαύτην ἔχει τὴν διήγησιν.
The wicked designs of those that are ready to commit crimes by artifice are not only made to be of no avail, but are subjected to the decreed penalties of the laws by your active and in all cases unrelenting vigilance. Accordingly I, being the victim of such designs, appeal to your nobility with the full confidence that I shall obtain the rights due to me, my lord prefect. The statement of my case is as follows.

P. Oxy. XXXIV, 2711, to Statilius Ammianus, *praefectus Aegypti*, from 270-273, (ll. 3-8): [τ]ὴν ἐκ φύσεως ὀφειλομένην ἀποσώζων εὐνοίαν, λαμπρότατε ἡγεμ[ών], πρὸς το]ύς υἱὰς τοῦ ἀδελφίδου μου Ἀνικητοῦ τοῦ καὶ ρεμμίου Ἀυρηλίου Α[...]. καὶ ρεμμίου καὶ Ἀυρηλίου Εὐδαιμονίδα σφόδρα κομιδῇ ἀπ[ό]ρους ἀπολ]εημένους τὴν ἀξίωσιν ποιούμαι ἢ σύνψηφος γένοιτο ἂν [δι]καιοτάτη τυχεῖν καὶ ἢ σὲ τύχη.
Cherishing the good will due by nature, most glorious prefect, towards the children of my nephew Aniketos, alias Remmius, (namely) Aurelius A [...], and Aurelius Remmius and Aurelia Eudaimonis, whom he left utterly destitute, I make this petition, to which, since it is most just, (I pray) your genius may agree.

P. Oxy. XVII, 2133, to *praefectus Aegypti* in the reign of Diocletian, (ll. 3-7): δέησιν δικαιοσάτη[ν τῇ ...] σου ἐπιεικία, δέσποτα ἡγεμῶν, προσφέρου[σα ...] δέομαι] τῆς ἀπὸ τοῦ σ[ο]ῦ μεγαλείου ε[ὐε]ργεσίας καὶ α[... ἀδικου]μένη ὑπὸ τοῦ ἂν εἴποι[μι] θείου πρὸς πατρός [...]. θεμ. παρατιθεμένη, εἰς τὸ τῶν δι[κ]αίων τυχεῖν ὑπὸ τῆς σῆς κα[λο]κα[γα]θείας.
In presenting to your clemency, my lord prefect, a most just application I require benevolence from your highness; I am wronged by a man whom I can hardly call my paternal uncle [and ...]refer to you on order that I may obtain my rights from your nobleness.

P. Oxy. VIII, 1121, to Aurelius Ammonius, *beneficiarius* of *praefectus Aegypti*, from 295, (ll. 5-8): οὐκ ὀλίγος κίνδυνος οὐδὲ ἢ τυχοῦσα ἐπιστρέφεια ἐπήρηται ἐκείνοις τοῖς εὐχερῶς συλήσει καὶ

ἀρπαγαῖς τῶν ἀλλοτρῶν ἑαυτοὺς ἐπιδιδούσι. καὶ αὐτὴ γὰρ ἀνυπέμβλητον ἐπίθεσιν καὶ ἀρπαγῆν πάσχουσα πρόσειμι μαρτυρο[μέν]η τὰ εἰς με ἐπιχειρηθέντα.
No small danger and no ordinary severity awaits those who lightly give themselves over to plunder and robbery of others. I therefore, being the victim of a most outrageous attack and robbery, approach you to testify to the assault upon me.

- P. Oxy. XXXIV, 2713, to Aristius Optatus, *praefectus Aegypti*, from 297, (ll. 3-4): τὸ ὑπὸ ξένων ἀδικεῖσθαι χα[λεπόν, ἀλλὰ τὸ ὑπὸ] καὶ συγγενῶν χαλεπώτατον
To be wronged by strangers is hard, but to be wronged by kinsmen is very hard.
- P. Oxy. XII, 1469, to Aemilius Rusticianus, *vice agens praefectus Aegypti*, 298, (ll. 3-5): μόλις μὲν ἄν, κύριε, τοῦ δικαίου ἐν τοῖ[ς] καθ' ἡμᾶς ἐπιτάγμασιν ὑπαρχθέντος ἡμῖν δυνηθεῖημεν ὀλ[οκλ]ηροῦντες παντελῶς διανύειν τὰ προσήκοντα, ἐπεὶ περ εἰς πλεονεξία τις προχωρήσῃ καθ' [ἡ]μῶν δι' ἀδυναμίαν ἀδυναμειαν ἀνά πό[στα]τοι καταστη[σ]όμεθα.
It is with difficulty, my lord, that even when justice is shown to us in commands concerning us we could accomplish in full our duties, since, if any advantage of us is taken, our weakness will leave us no escape.
- P. Oxy. XII, 1559, to an ἐπόπτης εἰρήνης, from 341, (ll. 5-8): οὐκ ἄξια τετόλμηκεν οὔτε τῆς εὐνομίας τῶν εὐτ[υ]χεστάτων τούτων καιρῶν οὐδὲ τοῦ φόβου τοῦ κυρίου μου διασημοτάτου ἡγεμόνος Αὐγουσταμνεϊκῆς Φλαουίου Ἰουλίου Ἀμμωνίου.
He has endured things that are not worthy neither these most happy times nor the fear of my lord, the most distinguished prefect of Augustamnica, Flavius Iulius Ammonius, this Besammon, son of Appolos from the village Paneuei.
- P. Oxy. XLVIII, 3394, to Flavius Flavianus, *praeses* or *praefectus Aegypti*, from fourth century (364-367?), (ll. 3-5): πάντας μὲν οἱ ... ἡγε[μ]ῶν κύ[ρι]ε, ἐξαιρέτως δὲ ἡμᾶς τοὺς μετρι[...]ία.
[The laws] O lord praeses (or, prefect), [offer shelter to] all men, but especially to us who live in modest circumstances.

3) Samples of transition from *narratio* to *preces* in papyri of Roman times. The samples are taken from the papyri used above.

- P. Oxy. XVII, 2131 (ll. 13-17): ὅθεν, κύριε, βία ἀναγκασθεὶς ταύτης τῆς ὀνηλασίας ἀντιλαβέσθαι ἄπορος παντελῶς ὑπάρχων μηδ' ὅλως ὑποστέλλων τῷ [ν]υὶ ἀμφοδογραμματεῖ ἀλλ' εἰς τὸ ὀπίδον τουπιον τοῦ ἡμετέρου ἀμφοδου σ[π]πέων ιππεως Παρεμβολῆς μέλλοντος λει[το]υ[ρ]γεῖν ἀκολούθως τῷ γενομένῳ ὑπὸ Γαμεινίου Μοδέστου μοδεστριου τοῦ κρα[τίστου] ἐπιστρα[τήγου] τῶν ἀμφοδῶν κλήρω, [το]ῦ σ[π]ρακλάμμωνος ἀνόμως καὶ ρειψοκινδύνως ἀναδόντος μ[ε,] ἀξιῶ, εἰς σο[ῦ] τῆ εὐμ[εν]εστάτη τύχη δόξῃ, διακοῦσαί μου πρὸς αὐτόν [...]
Wherefore, my lord, as I have been compelled to take up this post of donkey-driver although I am entirely without means and am not at all subject to the present district-scribe, our quarter on the contrary having presently to serve in accordance with the lot drawn for the districts by his excellency the epistrategus Geminius Modestus, and have been lawlessly and recklessly designated by Heraclammon, I beg you, if it seem good to your most benign fortune, to hear me against him [...]
- PSI XII, 1245 (ll. 27-29): ὅθεν, ἡγεμῶν κύριε, κατὰ πάντα κινδυνεύω[ν] χρεω[σ]τῆς γενέσθαι καὶ καταγράψαι τὴν δημοσίαν γῆν, πρόσειμι σο[ί], κύριε, καὶ] ἀξιῶ διὰ τὸ ἄπορ[ό]ν με εἶναι κελεῦσαι γραφῆναι
Wherefore, my lord prefect, since I am running the risk of becoming a debtor and take on public land, I come to you and ask since I am without means that you order that he shall be summoned

- P. Oxy. XVII, 2133** (ll. 24-8): ὅθεν ἀναγκαίως καταλαμβάνω καταλαμναῶ τοὺς σοὺς τοῦ ἐμοῦ κυρίου πόδας διὰ ταύτης μου τῆς ἀξιώσεως καὶ δεομένη κελευσαί κελευσε σε σοὶ δι' εὐτονωτάτης σου ὑπογραφῆς δι' οὗ ἐὰν[2ν]2 εἶα τὸ μεγαλεῖόν σου δοκιμάσῃ τοῦτον ἐπαναγκασθῆναι ἀποκαταστήσαι τὰ τῆς κληρονομίας τοῦ προειρημένου μου πατρός, ἵν' ὦ εὐεργετημένη καὶ εἰς αἰεὶ σοὶ διὰ παντὸς χάριτας ὁμολογῶν
I am therefore obliged to have recourse to the feet of my lord through this my petition, begging you to command by your most stringent subscription that this man should be compelled, through whomsoever your highness may approve to restore what belongs to the inheritance of my aforesaid father, that so I may obtain redress and evermore acknowledge my gratitude to you.
- P. Oxy. VIII, 1121** (ll. 21-25): καὶ ἵνα [ἐ]μοῦ τὴν περὶ τούτου ἐκδικίαν αἰτεῖν μελλούσης παρὰ τῶ μείζονι οὗτοι ἐμφάνειαν ἐαυτῶν ποιήσονται ἀναγκαίως ἐπιδίδωμι τάδε τὰ βιβλία μαρτυρομέ[ν]η μὲν τὸ ἐπιχείρημα ἀξιούσα δὲ τούτους ἐπαναγκασθῆναι ἰκ[ανὰ] ἔνγραφα παρασχεῖν μονῆς καὶ ἐμφανείας
I am about to demand satisfaction for this of the superior official, and in order that they may put in an appearance I perforce present this petition, testifying to the assault and requesting that they may be compelled to provide written security that they will stay and appear
- P. Oxy. XXXIV, 2713** (ll. 18-21): νῦν γοῦν ἀνασφῆλασα, τῆς σῆς ἐπαγρύπ[νου] τύχης συναραμένης, ἀρχο[μένη τε] ἐμαντῆν γνωρίζειν γνωρίζιν οὐδεὶ ἐπανε[λθεῖν] ἢ σοὶ τῶ ἐμῶ καὶ πάντων [εὐεργέτ]η καὶ κηδεμόνι ἔσπευσα δεηθῆναί σου ὅπ[ως νο]ήσας με στερουμένην κελεύ[ση]ς [ὁ]πότε ἂν σοὶ δ[οκῆ]
Now, however, recovering myself with the help of your watchful genius and beginning to realize that I myself can have no (further?) recourse to anyone but you, benefactor and guardian of me and of all, I made haste to beg you, as you see me being robbed, to give orders, whenever it pleases you
- P. Oxy. XII, 1469** (ll. 16-19): τοῦ οὖν πεπιστευμένου τὰ χῶματα ὑπὸ τῆς ἡγεμονίας, καὶ τούτου οὐτος ἄλλου τινὸς μάρτυρος ἀμείνονος, τὴν γενο[μένην] ὑφ' ἡμῶν ἀπεργασίαν ἐπισταμέν[ο]υ, καὶ τῆς τοῦ βοηθοῦ τοῦ στρατηγοῦ κακουργίας καταφανοῦς οὔσης, τὴν πρόσσodon ἐπὶ σὲ ποιούμεθα διὰ τῆσδε τῆς δεήσεως δεόμενοι κελε[ῦσ]αί σε δι' ἱερᾶς σου ὑπογραφῆς ὧ ἐὰν τὸ μέγεθός σου δοκιμάσῃ
Since the official entrusted with the dikes by the prefecture than whom there is no better witness, knows of the work done by us, and the unfairness of the assistant of the strategus is evident, we appeal to you by this petition, entreating you to order by your sacred subscript whomsoever your highness may approve

2. THE IMPERIAL ADMINISTRATION AND PETITIONS

1) INTRODUCTORY REMARKS

Research: the principal contributions

The important epigraphical discoveries of the 1880's and '90's stimulated extensive work - or perhaps rather struggle - to come to terms with the phenomenon of imperial rescripts. The extent of the literature appears from the ample summary given by Preisigke (1917). Still it was left to Wilcken and his article from 1920 ('Zu den Kaiserreskripten') to establish both the distinction of *epistula - libellus, rescriptum - subscriptio* and the scope of *propositio*.¹ Wilcken did it in a way which answered all requirements regarding form, substance and results. If there ever was a scholarly article which deserved the epithet 'classic', this should be it.

In short Wilcken missed little - if anything - of value in the sources available to him; and Preisigke (1917) had already carefully reported the contributions prior to his time of writing. There is thus no need to review the literature on this topic prior to their studies. Such an undertaking would under any circumstances make this survey outgrow any reasonable limit. It would also - with due respect to the authors - make tedious reading. For the literature of the subsequent decades I will follow the lead of many recent authors and take a shortcut to the literature by pointing to the excellent summaries of von Premerstein (1923), Wenger (1953) and Samonati (1957).²

In recent years the topic has attracted new talent. Foremost is Wynne Williams (formerly at Keele University) who has written a number of articles (see bibliography). He appears not merely as a staunch supporter of Wilcken; I would say that he has rather updated and adjusted Wilcken's view in the light of the evidence from new sources than corrected him.³ So it is fair to say that Wilcken's presentation on most points is still valid.⁴ Two recent contributions, however, Nörr (1981b) and Turpin (1991), have the aim of modifying him. Of these two, Nörr (1981b) designed his article as a direct response to Wilcken's challenge; hence this article takes on special value.⁵

Coriat (see bibliography) and Honoré (1981, 1982 and 1994) give broader descriptions. They concentrate on how the legal system, based on rescripts, functioned or could

1 The reader should accordingly be warned that when authors are writing before Wilcken (1920), they may use these terms incorrectly. (S)he should accordingly approach their contributions on this question with caution and - when called for - make the necessary adjustments. Mommsen's two main contributions (1880) and (1892) e. g. both use in their titles *decretum* of the *subscriptiones* of Commodus and Gordianus III. P. 178 of 1892 is an other example of how the lack of definitions obstructed Mommsen in his work.

2 Cf. e.g. Williams (1974:86, n. 8), Millar (1977:242-52), D'Ors & Martin (1979:111, n. 2), Honoré (1981:24, n. 1), Nörr (1982b:2, n. 2), Nollé (1982:32, n. 44), Williams (1986:181, n. 1) and Oliver (1989:24).

3 E. g. the Alexandrian *apokrimata* given in 199-200 by Septimius Severus and Caracalla and transmitted in P. Col. 123, stimulated Williams (1974).

4 Note Williams' contribution on the delivery of petitions. The only serious opposition to Wilcken are Dessau (1927) and D'Ors & Martin (1979), which Wilcken and Williams answered in 1930 and 1980 respectively.

5 Wilcken (1920:38): 'Dies ist der Punkt, an dem ich ganz besonders die Kritik der Juristen erbitte, aber auch, falls meine These in den Grundzügen bewährt, eine fruchtbare Wirkung von ihr erhoffe.'

function. Honoré's works have not been generally accepted at all quarters; especially his study of Ulpian has met fierce criticism (cf. Millar 1986 with references). In my view the lucidity and insight of the two first chapters of *Emperors & Lawyers* could serve as an ideal for all writers on this subject.

The course of the chapter

In his response to Dessau (1927), Wilcken (1930:15) warned his readers that the question of *propositio libellorum* was at times 'sehr kompliziert'; accordingly he assumed that the readers were acquainted with both his and Dessau's articles. I fully share Wilcken's concern. To present and discuss all the administrative and legislative aspects of Roman imperial petitions would make the start of a new thesis. *Paulo minora canamus*. Below I will follow a course primarily aimed at presentation. (2) sets the general legislative frame and (3) the particular role of imperial rescripts, then follows (4) a brief summary of the *libellus*-procedure.

From here we can divide the subject of administrative handling into several components. (5) presents the phenomenon of petitions (When did petitions appear?) and the administrative reforms reflected by the development of the *a libellis*-office.

After the legislative status of the imperial rescripts, the most specifically Roman feature was the practice of communicating the answer through *propositio*. This is above all the point where the epigraphical evidence can both explain and amplify the general testimony of the law codes. The discussion of *propositio* (6) is accordingly conducted at some depth, and is approached from three different angles: the epigraphical sources, the papyrological sources (Egypt), and the law codes. Paragraph (6) has the support of the three *appendices*. A discussion of *propositio* on the evidence of the law codes and the inscriptions (7) concludes the chapter.

The reader should not expect new, wide-ranging conclusions. I would rather like to sound a word of caution: Even if a strict and uniform procedure was laid down for the handling of imperial petitions, we must admit that each of the inscriptions of Part I, A is an individual testimony to this uniformity. This individuality is not least apparent in that the inscriptions omit many details which are vital for our reconstruction of the administrative procedure. It must then prove difficult to reconstruct the alleged uniformity when the sources prove so negligent on these points. This is the message of Appendix I and II.

2) CHARACTERISTICS OF THE IMPERIAL LEGISLATION

From Republic to Empire

As the assemblies ceased to function politically during the first century AD, their enacting, lawmaking function also came to an end. The function of the Senate also changed drastically, even if it lingered on as a legislative body and passed its *senatus consulta* (cf. Talbert 1984). The shift from the independent bodies to the monarch came as the result of two complementary processes: the Republican system dissolved and the vacuum which ensued the emperor filled passively as well as actively. The process of dissolution and acquisition of powers also affected the legislation which passed into the hands of the emperor.

Reaction before action

The primary characteristic of the imperial legislation is that the emperor, his council and *iurisconsulti*, reacted rather than acted. Their legislation was the sum of the answers given to the questions posed by their officials, and to the appeals of the citizens and non-citizens of the Roman Empire.⁶ Compared with the general and prescriptive legislation of our modern democracies the contrast could not be more striking. The Roman emperors did not accomplish their political aims through abstract programs and ideas. The emperors implemented their objectives by directly responding to the approaches of their subjects. The rescript system makes the best and most radical example of direct response. The institution thus provides an important key for understanding the characteristics of Roman imperial administration.⁷

The imperial constitutions

Examining the remnants of imperial laws, we find that few statutes are explicitly designated as laws (*leges*).⁸ The scant number of imperial *leges* represents mainly laws whose application was restricted to specific municipalities or imperial quarries and estates (cf. Wenger 1953:425). In short the change implied that imperial constitutions replaced the different categories of Republican laws (*leges*, *plebiscita* and *senatus consulta*).⁹ *Edicta*, *rescripta* and *decreta* made up the imperial constitutions (cf. e. g. Schiller 1978:522-4).¹⁰ Each category had its characteristic form and purpose:

6 On special occasions the right to submitting petitions could even be conceded to unfree person, cf. *CI* 1. 19, 1 (from 290): *Licet servilis condicio deferendae precis facile capax non sit, tamen admitti sceleris atrocitas et laudabilis fidei exemplum super vindicanda caeda domini tui hortamento fuit [...]*.

7 I know of no better exposition than Bleicken's, whose view I have carried forward (1982, esp. pp. 196-201). Bleicken wrote his essay as a reaction to Millar (1977), who later (1990:218-9) agreed with Bleicken. This view is clearly adopted by Bretone (1991:228: 'Il principe agisce normalmente, in vasti settori della sua amministrazione, non per sua iniziativa, ma su istanza dei sudditi, o per rispondere alle domande di magistrati e funzionari'). For a study of the rescript-system, cf. Coriat (1985 bis). I will not deny that the system, as we know it, also involved considerable weaknesses.

8 Central in the discussion is Ulpian's catalogue of the imperial constitutions (*Digesta* 1. 4, 1); for an acute exegesis, cf. Nörr (1983).

9 *Constitution* is taken directly from the Latin term *constitutio* (< *constituere*, 'to decide, establish') and carries the technical meaning *imperial pronouncements*. From an English point of view the word *constitution* refers to the body of rules which establishes the structure of state (cf. Birks & McLeod 1987:9).

10 Ulpian (*Dig.* 1. 4, 1, 1, from *Liber primus institutionum*): *Quodcumque igitur imperator per epistulam et subscriptionem statuit vel cognoscens decrevit vel de plano interlocutus est vel edicto praecepit, legem esse constat. Haec sunt quas vulgo constitutiones appellamus*. Turpin (1991:103) has advocated the view that in the phrase *per epistulam et subscriptionem*, *scriptio* does not refer to an answer to a petition, but to the imperial signature 'which was an essential part of an imperial epistle'. He argued that if Ulpian had 'been thinking of his *scriptio* as a separate member of his series of constitutions, we would expect to find it set off with *vel*, like all the others.' He then quoted the translation into Greek of the much later *Basilica*, 2. 6, 2: ὅπερ ἀρέσει τῷ βασιλεῖ νόμος ἐστίν, εἴτε δι' ἐπιστολῆς ἐνυπογράφου ὀρίσει ἢ διαγινώσκων ψηφίσειται ἢ ἐξ ἐπιπέδου διαλαλήσει ἢ διὰ δόγματος προαγορεύσει, καὶ λέγεται ταῦτα διατάξεις κτλ. This is in fact an old discussion, where Turpin joins forces with Faaß (1908:227-9), whose opinion has earlier been refuted by Wilcken (1920 generally and especially p. 3) on the grounds that an *epistula* without a *scriptio* would not be a complete *epistula*. On my own accord I will add that the full expression *per epistulam et subscriptionem* was used with thoroughness in place of their common denominator *rescriptum*; this is why *epistula* and *scriptio* are not linked by *vel*. Further, Ulpian obviously had intimate knowledge of *rescripta*. Honoré (1981:59-

Edicta were surely both widely given and promulgated; they had a specific, political applicability and only relatively few are known (cf. Benner 1975; Millar 1977:252-9).

Decreta were imperial verdicts given at the end of public hearings (*cognitiones*); they were as a rule not published (cf. **Smyrna**).¹¹

Rescripta was a common denominator for imperial answers to the two forms of written approaches: *epistula* and *libellus*. The word *rescriptum* reflects the reactive nature of the decision.

Epistulae. The emperor answered letters by letters and petitions by *subscriptiones*. Administrative, internal letters dominated the imperial correspondence. Letters were not published as part of the process, but the recipient frequently - on his own initiative - made a record locally (cf. e. g. the northern *parodos*-wall at Aphrodisias).¹²

Subscriptiones were generally (if not as a rule) published as part of the administrative procedure in order to convey the imperial answer to the petitioners.

3) IMPERIAL RESCRIPTS

The *rescripta* came to dominate the imperial legislation, and their influence can perhaps best be illustrated by figures: Coriat (1985b:319-20) counted 1359 legislative decisions from the Severan dynasty (193-235). Of these 1182 are rescripts (63 *epistulae*; 1119 *subscriptiones*).¹³

The literary sources describe neither the basic principles nor the finer details of the process of petition and response. Thus the study of imperial rescripts from the classical period (the beginning of the 2nd to the end of the 3rd century) stands on two legs: the collection of imperial rescripts in *Codex Iustinianus* and the evidence which the inscriptions of our corpus provide. The inscriptions **Şapçılar**, **Smyrna I**, **Saltus Burunitanus**, **Skap-**

64; 1982:191-203) identifies him as secretary *a libellis* from 202-209; Millar (1977:96) and Syme (1980), though, sound their reservations. Under any circumstances, it is quite inconceivable that he - of all persons - would leave the *libelli/subscriptiones* out when summarising the imperial constitutions.

11 See the discussion in the commentary to **Skaptopara**, ll. 2-3.

12 *Epistulae* were frequently given in response to embassies from cities, as, in Millar's words (1977:217), 'the two processes of receipt of embassies and the receipt and despatch of letters were closely linked'. This link appears very clearly if one reads the imperial letters found at the major towns of the province of Asia (e. g. Ephesos, Pergamon, Smyrna).

13 Coriat appended a word of caution that, given the state of the evidence, the numbers only carried indicative weight. Nonetheless he accepted that they reflected the real world. Coriat's figures include all transmitted constitutions (papyrological, epigraphical, codes etc.; cf. the *Palingénésie* in his *Thèse d'État*).

topara and *Aragua* are unique in so far as that they give us both petition and response. The ancient compilations (from the collections of Papirius Justus and Callistratus, *Codex Gregorianus* and *Codex Hermogenianus* onwards) preserved the *rescripta* only. To focus upon the contribution of the emperor, is accordingly not solely a disposition of modern times.

In sum we can argue that familiarity with the functioning of the rescript system and the administrative handling of petitions is crucial for the understanding of the mechanism of Roman imperial legislation. This familiarity also includes the ability to recognise the nature of the different imperial constitutions. This understanding does not tell us about the quality and system of the law dispensed, but it tells us about aims and attitudes.

Beneficial vs. contentious rescripts

The small number of petitions which have survived has left us without examples to illustrate the variety that clearly existed (best presented in Samonati 1957). The petitions of our corpus were most likely different from the petitions whose answers (*subscriptions*) are preserved in the *Codex Iustinianus*. It is important to clarify the difference between, on the one hand, the rescripts offered by inscriptions and papyri and those preserved in the codes, on the other.

By analysing their contents Coriat (1985a:574-5 and 1985b 321-2) divided the rescripts into two groups: the *rescripts gracieux* and the *rescripts contentieux*.¹⁴ The *rescripts gracieux*, which I choose to call beneficial rescripts, conceded an imperial privilege (cf. the Aphrodisian letters). It could further grant protection from military or financial abuse; and they could also concede financial privileges (e. g. immunity from *munera/λειτουργίαι*). Together with most of the edicts of the Severan era they constitute a uniform collection of imperial constitutions with a regulating character. This kind of constitution is almost exclusively known to us through papyrological and epigraphical documents.

The *rescripts contentieux*, or contentious rescripts, form the overwhelming majority of imperial rescripts. These were elicited either by *libelli* submitted by one of two contending parts, or by *relatio* from the judges. A contentious rescript would subsequently be used by the recipient in his pending case, either in an ordinary procedure or a *cognitio extra ordinem*.¹⁵ The *Codex Iustinianus* (books 2-8) is a collection, or better a selection, of contentious rescripts.

To establish the dichotomy of beneficial and contentious rescripts is important. It clearly separates - by function and contents - the *subscriptions* of our corpus from those

14 We shall note that there are few if any ancient testimonies to this division, but I cannot see that Coriat has pursued this question. We should, however, keep in mind the expression at the start of Gordian III's *scriptio* in *Skaptopara* (*Hoc genus querellae, precibus intentum*).

15 It is one of the great merits of both Palazzolo (1974, chapter 2) and Coriat (1985b:323-35, using the results of Palazzolo) that they stress that the rescript-system was not incompatible with *agere per formulas*. For references see Palazzolo, and *Dig.* 1. 18, 8 (attributed to Iulianus and repeated by Callistratus in the following paragraph): *Saepe audivi Caesarem nostrum dicentem hac rescriptione: 'eum qui provinciae praeest adire potes' non imponi necessitatem proconsuli vel legato eius vel praesidi provinciae suscipiendae cognitionis, sed eum aestimare debere, ipse cognoscere an iudicem dare debeat* (cf. also Millar 1977:220, n. 5).

transmitted in the *Codex Iustinianus*. This fact explains why many of the commentators have found the *subscriptions* transmitted in our corpus of comparatively little value and substance. Inversely it implies that there are clear limits as to what extent *Codex Iustinianus* can illuminate the juridical aspect of our study.¹⁶ Both the beneficial and the contentious rescripts were, however, handled and published in the same way, so the discussion of the central administration of petitions has bearing beyond the epigraphic examples.

4) SUMMARY OF THE *LIBELLUS*-PROCEDURE

Wide conclusions, few sources

Petitions to Roman emperors were, in our period (180-249 which we can expand to ca. 120-292) handled in a special way which had several particular features. No complete description has survived from antiquity to show how imperial petitions were handled centrally and subsequently used by the recipients. In order to establish a procedure one has to rely on a wide range of sources, whose testimony in many cases allows highly divergent interpretations. Below follows a summary with annotations. I will remind the reader that only a handful of inscriptions records imperial *subscriptions*, and it covers approximately a hundred years. Very wide conclusions have to be drawn on the basis of isolated occurrences if anything like a coherent procedure is established. Appendix I and II give a summary of the evidence.

Restrictions

The use of letters (*epistula/ἐπιστολή*) was restricted as a means of approaching Roman emperors. Broadly speaking only imperial officials, towns and senators could send letters to the emperors.¹⁷ The epigraphical examples of letters from the emperor to towns show, however, that they are usually written as responses to embassies. There are also a fair number of examples of towns approaching emperors through petitions. At present there is no good theory which explains when or why a town chose or was compelled to approach the emperor through a petition in place of using an embassy and/or letter.¹⁸ Petitions (*libellus/δέησις*) were - in our period apparently very freely - used by all other inhabitants of the empire.¹⁹ To accommodate the flow of petitions, both the delivery and notification were administered in a special way.

Delivery

16 The public part (books 1 and 9-12) of *Codex Iustinianus* - as opposed to the private part (books 2-8) - is mainly post-classical. Thus it clearly reflects the administrative changes the empire underwent in the period from 292 to 530. The classical, public law was at the time of codification mainly defunct.

17 For a presentation of the restrictions, see the commentary on *Saltus Burunitanus*, col. II, ll. 16-20. See also Chapter 1, para. 5, The administrative function of the address.

18 Coriat's (see above p. 300) distinction between contentious and beneficial rescripts may hold a clue, cf. the form of Pliny min. *Epp.* X, 4.

19 Cf. Wenger 1953:428: 'tausenderlei verschieden', and Samonati (1957).

Petitions had to be delivered by hand, either by the petitioner personally or by a representative. Only relatives or members of the actual group involved could serve as representatives.²⁰

Answering - *subscriptions*

Imperial petitions were answered by a *scriptio*/ὑπογραφή. This was a short reply added below the text of the petition and on the same sheet. The term *scriptio*, however, was not widely used.²¹ For imperial responses one apparently favoured the term *rescriptum*/ἀντιγραφή which covered both letters (*epistulae*) sent in reply and *subscriptions*. *Subscriptions* can be recognised by their particular application and form: *Subscriptions* were only issued in response to petitions; further they were characterised by a short imperial titulature, no greetings or valediction. The answer was drafted by the *a libellis* or a member of his staff.²² The signatures of emperor and *a libellis* (or his substitute) were entered as (*re-* or *sub*)*scripsi* and *recognovi*, respectively. Some of the epigraphical examples reveal some, if not all, of the stages in the handling. It is difficult to identify a constitution positively as a *scriptio* when these distinctive attributes are missing from the transcript or inscription.

Notification

When the petition had been answered, the response was communicated to the petitioner by public display (*propositio*).²³ To be able to present a trustworthy record of the *scriptio* on a later occasion, the petitioner had to have a copy made and then to have it authenticated by 7 witnesses. The act of *propositio* has a very meagre direct testimony; but it is also attested indirectly by the presence of witnesses. *Propositio* was the regular way to notify the petitioner; in some cases (as e. g. an application for Roman citizenship) the

20 I have focused upon this aspect in the commentary on **Skaptopara**, ll. 6-7. The best discussion is in Williams (1974:93-8) who, on this point, clearly improved upon Wilcken (1920). Wilcken maintained that the provincial administration could forward petitions to the emperor, founding his argument on Pliny min. *Epp.* X, 107 (*libellum rescriptum, quem illi redderes, misi tibi*) and the Severan *subscriptions* published at Alexandria 199-200 (the main bulk of these, P. Col. 123, was not published until 1954). Only in the following year did Hasebroek (1921) publish his study of Septimius Severus which made it clear that the emperor was in Egypt at this time, a discovery which reversed the argumentative force of the Alexandrian *subscriptions*. Williams modified Wilcken on this and set the focus upon personal delivery and the strict qualification of the representative (p. 97), summarizing the Roman policy on this point as 'strictness, even meanness'.

21 Wilcken (1920) has the credit for making the definitions. As mentioned earlier (esp. commentary on **Kilter**, ll. 6-7) Nörr (1981b:2-6) argued that the proper imperial *subscriptions* developed into improper, independent documents with addresses of their own. In this respect the imperial *subscriptions* differed from the gubernatorial ὑπογραφαί which never bore an address. Imperial answers are then typically referred to as *rescripta*. Turpin (1991, cf. above n. 10) did not accept the legal force of *subscriptions* at all.

22 There is a major dispute about the authorship of the *subscriptions*. It is most clearly voiced in the writings of Millar (esp. 1977) and Honoré, see Chapter 1, para 10, Menander Rhetor.

23 Since answered petitions were published officially, there should have been no reason not to allow the petitioners to publish it locally. The petitioners from **Takina** (docs. 3 & 6), however, applied to provincial governors for a permission to do so. Cf. also the conclusion of the imperial petition in **Skaptopara** (ll. 102-104).

petitioner could be handed a document issued by the authorities. The *propositio* is discussed in more detail below, para. 6.

Authentication

The *propositio* had the corollary of imposing the need for authenticated copies (cf. P. Yale 61, n. 47). This aspect is discussed in depth in the commentary on *Skaptopara*, ll. 2-3.

5) ADMINISTRATIVE DEVELOPMENT

Early reports of petitions

From its first until its last day petitions were a part of the administrative procedure of the Roman empire. Strabon (*Geogr.* 10. 5, 3) told about the envoy whom the fishermen of Gyaros had appointed to petition Octavian to have their taxes reduced from 150 to 100 drachmas. Octavian was at that time in Corinth - about to return to Rome for his Actian triumph.²⁴

Because of its diplomatic details document 13 from the northern *parodos*-wall at Aphrodisias is even more important. It carries the address (l. 1) *Αὐτοκράτωρ Καίσαρ θεοῦ Ἰουλίου υἱὸς Αὔγουστος Σαμίους ὑπὸ τὸ ἀξίωμα ὑπέγραψεν*. The title *Αὔγουστος* (in place of *Σεβαστός*) is uncommon,²⁵ but it is even more surprising to read that the answer was written 'to the Samians underneath their petition'.²⁶ It is close to sensational that the *subscriptio* had found this particular form at such an early time.

Document 14 of the same wall may also be classified as an answer to a petition; here the address is *Αὐτοκράτωρ Καίσαρ Τραϊανὸς Σμυρναίους*.²⁷ The form of the address reveals an imperial constitution which only complies with the particular form of *subscriptio*. The approach concerned the irregular nomination of an Aphrodisian, Ti. Iulianus Attalus, to a temple liturgy in Smyrna.

24 The text goes: *ἀπαίροντες δ' ἐδεξάμεθα πρεσβευτὴν ἐνθένδε [i. e. from Gyaros] ὡς Καίσαρα προκεχειρισμένον [cf. *Kemaliye* l. 8] τῶν ἀλιέων τινά (ἦν δ' ἐν Κορίνθῳ Καίσαρ βαδίζων ἐπὶ τὸν θρίαμβον τὸν Ἀκτιακόν): συμπλέων δὴ ἔλεγε πρὸς τοὺς πυθομένους ὅτι πρεσβεῖοι περὶ κουφισμοῦ τοῦ φόρου τελοῖεν γὰρ δραχμᾶς ἑκατὸν πενήκοντα καὶ τὰς ἑκατὸν χαλεπῶς ἂν τελοῦντες. The reference is from Millar (1977:11, accidentally left out of the *index locorum*). Octavian returned to Rome in August 29 B. C. where the triumph went on for three successive days (13 - 15), cf. Syme (1939:303) and Kienast (1982:66).*

25 In the light of the use of the title *Augustus*, the document should be dated to 27 BC or after, but the phrase may have been added as an anachronistic element at the time when the inscription was made, i. e. 230-250 (see Reynolds 1982:104-5).

26 Williams (1986: 181) stated that the 'last four word of the address show that the Samians had submitted their request in the form of a libellus and received a subscript in response ... it also provides evidence for the imperial use of the subscript much earlier than was previously available.'

27 Regrettably Williams (1986:207, n. 34) had only a cursory comment for doc. 14. In his view - being addressed to a city - it was an epistle. The titulature was abbreviated and greetings formulae were omitted because the Aphrodisians had only a copy, not the original, as a base for their inscription. If document 14 really was a letter, the Aphrodisians - of all people - knew the difference between an imperial letter and an answer to a petition; it would be no game to reconstruct an address of an imperial letter.

Applications for a privilege may well take the form of a petition, even if the supplicants - as the townships of Samos and Smyrna - normally had the right to deliver letters through envoys.²⁸ We must, however, register, the fact that these *subscriptions* have been discovered at Aphrodisias, whose privileges they indirectly confirm and add lustre to. The Aphrodisians had in some way got knowledge of them, but they did not reveal in what way. Especially they do not give any positive statement about the particular form of *propositio* known to us through *Şapçılar*, *Smyrna I & II*, *Takina* and *Skaptopara*. Above all, Strabo's story and docc. 13 and 14, affirm the presence of petitions and *subscriptions* before Hadrian.

The development of the *a libellis*-office

Having established the early presence of petitions, it is equally important to register how the central, imperial administration - *in casu: a libellis* - accommodated the great inflow of petitions.²⁹ Without going into the finer details of the first century A.D., one clearly recognises a development through several stages.³⁰

Modern writers credit Hadrian with extensive administrative reforms; these include a reform of the handling of petitions, especially the *propositio*.³¹ On the other hand, the Hadrianic reforms only appear indirectly - if at all. Under Hadrian the office *a libellis* is established within the equestrian ladder, recorded as *a libellis et censibus CC*.³² Petitions for tax remissions occurred frequently, not to say regularly and this makes the coupling of *a censibus et a libellis* seem natural.³³ The coupling lived on under Pius, but Marcus split

28 Cf. Pliny min. 10. 4 and the comments in Chapter 1, para. 7.

29 Wenger 1953:428: 'tausenderlei verschieden'.

30 Cf. Premerstein's article in RE s. v. *a libellis*, coll. 16-20; but above all Pflaum's contributions (1950; 1960-1961 and 1974).

31 E. g. Wilcken (1920:20); Honoré (1981:9-12); Nörr (1981b:2-3); Coriat (1985a:727-30). Williams (1974:98) stated that the system of *propositio* might go back to Augustus. Millar (1977:244) followed the evidence of *Codex Iustinianus* and set 150 as the *terminus ante quem*. See also Samper (1978), especially the summary on pp. 484-5. In Bauman (1989) there are only traces of this question, presented in chapter 8 under Salvius Iulianus. Indeed Bauman gives an example of how traditional history of Roman law and epigraphy do not unite.

32 Cf. the positive statement of HA, Vita Hadriani, 22. 8: *ab epistulis at a libellis primus equites Romanos habuit*. The detailed evidence of the documentary sources serves our purpose better; an inscription from Fulginiae in Umbria (CIL X, 5243 = ILS 1338 = Smallwood 1966:92-3, no. 262 = Pflaum 1960-1961:217-19, no. 95) honours T. Haterius Nepos (who served as *praefectus Aegypti* 119-124) and gives his career: [---]o praef. coh]ortis trib. milit[um p]raef. equit. censito[ri] Brittonum Anavion[ens.] proc. Aug. Armeniae Mai[oris] ludi magni hereditatium et a censibus a libellis Aug. praef. vigilum praef. Aegy[pti] M. Taminius[---]. Entering his final post in 119, the inscription tells us that the establishment and the coupling of the post *a censibus et libellis* could have occurred already in the later years of Trajan's reign, though Syme wrote (1980:83): 'Knights begin with Hadrian. The earliest attestation is Haterius Nepos in 117 or 118 who, benefiting from favour and a change of ruler, went on rapidly to be *praefectus vigilum* and viceroy of Egypt.'

33 Cf. the fisherman of Gyarus and the commentary on *Ağa Bey Köyü*, ll. 28-32. The explanation makes sense only, however, if the duty of *a censibus* is seen as principal.

and organised the office as a *libellis et cognitionibus*.³⁴ The close connection of petitions and official hearings makes also this coupling natural.

Under Septimius Severus both the structure of the central imperial departments in general and of the *a libellis*-office in particular reached maturity. Severus made an upper stratum of *procuratores Aug. CCC*, where earlier couplings now appear as independent offices: *a censibus*, *a cognitionibus* and a *libellis*. Under Severus talent and office unite. In the period 194-226, great lawyers such as Aemilius Papinianus, Domitius Ulpianus, Arrius Menander and Herennius Modestinus turn up as a *libellis* (Honoré 1981).

The development of the *a libellis* as an equestrian office took then about 70 years and the full impact of imperial rescripts as a legal source did not appear until Septimius Severus. Its part in the legislative process was not complete until the office in practice was an exponent of all juristic writing - the shift which marked the end of the classical era of Roman law.³⁵ The rule of Alexander Severus marked the turning point, and the prefectural promotion and demise of Ulpian stands as a symbol of this process.³⁶

6) PROPOSITIO

The *propositio* of *subscriptiones*

When working on the text of *Skaptopara*, Mommsen (1892:183-9) perceived the full ramifications of the expression *liber libellorum rescriptorum et propositorum*. We can envisage the range of his discovery if we remember that the abbreviation *PP* accompanies the great majority of the constitutions in *Codex Iustinianus* which predate 292.³⁷ From Mommsen (1892) onwards people has pursued this aspect with great interest and asked about its purpose, general application and when the reform was introduced and eventually abrogated. In the following I will present the two categories of evidence, i. e. the law codes and the inscriptions. In the discussion I will concentrate on the chronological limits and the general application of the reform. By the nature of the evidence these questions are closely tied to each other.

34 Cf. the Greek inscription from Rome (*CIG* 5895 = *IG* XIV, 1072 = *IGUR* I, 135; cf. also Pflaum 1960-1961:472-6, no. 181; Bastianini 1975:302 and Thomasson 1984:353, no. 76 a) honouring M. Aurelius Papirius Dionysius: Μ. Αὐρήλιον Παπίριον Διονύσιον τὸν κρᾶτιστον καὶ ἐνδο[ξ]ότατον ἑπαρχὸν Αἰγύπτου καὶ εὐθeneίας, ἐπὶ βιβλιδίω[ν] καὶ διαγνώσεων τοῦ Σεβαστοῦ κτλ. Chronologically he should be in the range 188-190, but there are no traces of him in Egyptian sources and he seems never to have reached the province.

35 Cf. Honoré (1981:3-4) and the elegant expression by Birks & McLeod (1987:11) 'The end of the classical period is, and perhaps is no more than, the withdrawal of the great names into the anonymity of the imperial chancery.'

36 There are only two references to Alexander in the *Digesta*, as contrasted to the 222 of Caracalla. On the other hand, in *Codex Iustinianus* Alexander has 444 rescripts to his credit, compared to Caracalla's 294.

37 Cf. Honoré (1981:27). There are a few examples of *proposita* spelled out in *CI* (7. 47, 1 & 4, from 199 and 224), but these few occurrences had evidently not suggested to anyone that answered petitions were displayed publicly by the authorities.

Date of introduction

The earliest occurrences of *PP* in the *Codex Iustinianus* stem from the reign of Antoninus Pius (2. 12, 1 from 150 and 2. 1, 1 from 155). Already Mommsen (1892:187-8) sought to set an earlier date, isolating a break between Trajan and Hadrian. Trajan had the testimony - whatever credit it may be given - of Iulius Capitolinus, the author of the *Vita Macrini* (13, 1) in *Historia Augusta*, that he never answered petitions (*cum Traianus numquam libellis responderit*).³⁸

Today we can, using documentary sources, definitely set 129 as the *terminus ante quem*. A handful of inscriptions and one papyrus text attest *propositio*, either directly (Şapçılar - 129; Lukaszewics - 130-131; Smyrna II - 150; and Skaptopara - 238) or indirectly through authentication by witnesses (Smyrna I - 139; and Takina - 212-213). They cover 109 years and give examples from four different reigns: Hadrian, Pius, Caracalla and Gordianus III.

The end

At the end of the 3rd century problems seem to have arisen from the great number of copies of imperial constitutions circulating. Again there is no specific statement which tells us that there was a change of policy, but a constitution issued in 292 has often been seen to mark a change of procedure, *CI* 1. 23, 3.³⁹

Palazzolo (1977) has made this constitution the object of a thorough study. He concluded that the verb *insinuare* could only have the meaning of *presenting in court*. Diocletian's rescript therefore tells us that only authentic originals issued by the chanceries, and not private copies were valid in court.⁴⁰ It must then reflect the fact that he had terminated the procedure of communicating the imperial answers to the petitioners solely by means of *propositio*. But of course, Diocletian's rescript did not *expressis verbis* call off the procedure of *propositio* which in theory may have continued as a way of informing

38 The statement reflects *Codex Gregorianus* which did not include any rescripts either of Trajan or of Macrinus. The passage at the start of para. 13 of the *Vita Macrini* is then evidently an *argumentum e silentio* reached and paraphrased by the author. This sober conclusion is to be preferred to what Piganiol believed (cf. D'Ors 1965:160): 'Le text ... ne dit précisément que Trajan n'a pas fait de rescripts, il dit que Trajan s'est interdit de faire des rescripts parce qu'il craignait que cela ne fit autorité.' One should not forget the more than 30 references to *divus Traianus* in *Digesta* where 12 are tied to rescripts, cf. e. g. *Digesta* 2. 12, 9.pr.1 (Ulpian, *Liber septimus de officio proconsulis*): *Divus Traianus Minicio Natali rescripsit ferias a forensibus tantum negotiis dare uacationem, ea autem, quae ad [di]sciplinam militarem pertinent, etiam feriatis diebus peragenda: inter quae custodiarum quoque cognitionem esse.*

39 *Imp. Diocletianus et Maximianus AA. Crispino praesidi provinciae Phoenice. Sancimus, ut authentica ipsa et originalia rescripta et nostra manu subscripta, non exempla eorum, insinuentur. D. prid. k. April. Hannibaliano et Asclepiodoto cons. [March 28, 292]*

40 Palazzolo (1977:76-83) showed that *exempla eorum* specified private copies of imperial constitutions, whose authenticity was difficult or impossible to control. Whether copies guaranteed by seals and witnesses should be covered by the expression *exemplum*, cannot be established. But they seem to have become superfluous and to have disappeared as a consequence of this ruling.

In the literary sources there is often a marked criticism of the liberal issuing of rescripts and the effect on the existing legislation, cf. above the quotation from *Vita Macrini* and add Tertullian, *Apol.* 4, *nonne et vos cottidie experimentis illuminantibus tenebras antiquitatis totam illam veterem et squalentem silvam legum novis principalium rescriptorum et edictorum securibus truncatis et caeditis ?.*

the general public - if the administration so desired. The point for us is that it no longer sufficed for the petitioners to present private copies in the courts. Moreover, if Diocletian intended to correct a corollary of the procedure of *propositio*, it is natural that he first made it known to provincial governors. Here private, authenticated rescripts would turn up in considerable numbers.⁴¹

The *Codex Iustinianus* was collected and distilled from the three older codes (i. e. the *Codex Gregorianus*, the *Codex Hermogenianus* and the *Codex Theodosianus*) to show which rescripts still reflected the law of the sixth century. It is thus a good indication of a real administrative change that this rescript (*CI* 1. 23, 3) is part of chapter 3, *De diversis rescriptis et pragmaticis sanctionibus*, which centres on unacceptable rescripts. Palazzolo (p. 94) chose to associate Diocletian's constitution and its regulation with the publication of the *Codex Gregorianus*. Together they revealed the intention of the emperor to put the use of imperial constitutions in order and to stop the use of doubtful constitutions once and for all.

The value of the Egyptian parallels

Wilcken (1920:27-38) introduced the rescripts of the *praefectus Aegypti* as an illuminating parallel to their imperial counterparts. In some ways they still are, but one should beware of both the likenesses and the differences.⁴² The ὑπογραφαί of the *praefecti Aegypti* have no address at all and the signatures appear either as ἀπόδος or πρόθες.⁴³ One can explain the signatures by translating ἀπόδος with *return the petition to the petitioner* and πρόθες with *publish the reply*. The latter signature, which is concomitant with *propositio*, occurs

41 Another constitution issued thirty years later (322) is recorded in the same chapter (*De diversis rescriptis et pragmaticis sanctionibus*) of the *Codex Iustinianus* (1. 23) and is entered as the first constitution in the *Codex Theodosianus*, where the text is fuller. *Imp. Constant(inus) A. ad Lusitanos. Si qua beneficia personalia [CTh: qua posthac edicta sive constitutiones:] sine die et consule fuerint deprehensae, auctoritate careant. Dat. VII kal. aug. Savariae Probiano et Iuliano cons.* 'Emperor Constantine Augustus to the Lusitanians. If any edicts or constitutions without the day and the year should hereafter be discovered, they shall lack authority. Given on the seventh day before the kalends of August at Szombathe (Savaria) in the year of the consulship of Probianus and Julianus.' [July 26, 322]

Touching on the same question of authenticity is a constitution issued by Constantine: *Imp. Constantinus A. ad Bassum pp. Praesides non per adssores, sed per se subscribant libellis. quod si quis adssori subscriptionem inconsultis nobis permiserit, mox adssor qui subscripsit exilio puniatur: praesidis vero nomen ad nos referri iubemus, ut in eum severius vindicetur. D. XV k. Sept. Constantino A. et Constantino C. cons.* August 18, 320. *Codex Iustinianus*, 1. 51, 2. 'Imperator Constantine Augustus to Bassus, praetorian prefect. The governors shall not sign/answer petitions through their counselors. If any entrust the answering to his counselor and we have not been consulted, the counselor who has answered shall immediately be punished by exile: and we order that the name of the governor shall be submitted to us, in order that he shall be severely punished. Given on the 18th of August, in the consulship of Constantine Augustus and Constantine Caesar.'

42 The commentary on *Skaptopara*, II. 2-3 and its Appendix I have introduced us to those preserved as *Doppelurkunden*.

43 Wilcken vacillated on how to interpret these two signatures and did not present a firm conclusion. In the note to *Chrest.* no. 26, l. 35 he favoured ἀπόδος meaning that the petition should be returned; by 1920 he had turned around in favour of the public display; finally in his comments to P. Würzb. 9, 74 he was back on his initial track.

in the second century only under the prefect Pactumeius Magnus (177-179). There are several examples extant from the third century, especially from Subatianus Aquila (206-211).⁴⁴

By isolating the earliest use of the signature *πρόθεσ* to the prefect Pactumeius Magnus, it also becomes clear that the specific Roman *propositio* did not come about as a result of Egyptian practice.⁴⁵ That the signature *ἀπόδος* in Egypt continued well after the earliest instances of *propositio* of the imperial *subscriptions* settles this question.⁴⁶ The Egyptian parallels are still of great value, not least as an illustration of how the *propositio* worked.⁴⁷ We can also establish a parallel for the *Liber libellorum rescriptorum et propositorum* in the prefects' *τεῦχος συνκολλησίμων βιβλιδίων προτεθέντων* (see Skaptopara, Appendix I).

44 See now the important article by Thomas (1983) and cf. Foti Talamanca (1979:165, n. 321) and Nörr (1981b:18). Thomas wanted to see the *propositio* as confined to particular prefects. As far as I can see, Thomas did not account for similar expressions in P. Cornell inv. I, 76 (=SB X, 10537 = Lewis 1969) from 214/5; P. Oxy. XLIII, 3093 from 217; P. Oxy. I, 35 from 223 and - of course - the at the time unpublished P. Mich. inv. 6554 (=Hanson 1984) from 290. Whatever the difference, I still think that the petitioners themselves had to *collect* their answers. But being handed the original these would naturally not have to go through the procedure of authentication. I agree with Thomas that petitions whose answers have the signature *ἀπόδος* should be originals and that a change of hand should verify this.

45 Cf. e. g. the petition and answer of T. Flavius Titianus (126-133) in P. Oxy. III, 486, dated 131, ending *ἐντυχῆ τῷ ἐπιστρατήγῳ ἀπόδος*. (rather than the editor's *ἀποδοῦ[σα]*).

46 The final line of Hadrian's response (I. 7), preserved in Łukaszewicz (1981) - *ὑπέγραψ(α) προτεθήτω* - makes a clear contrast to the signatures of the contemporary prefectural *ὑπογραφαί*. On the other hand, one can imagine that the *praefecti* deliberately let some answers be returned and others be posted, according to their nature and subsequent use. It is, however, hard to verify this explanation from the available evidence. Such an explanation would have a considerable impact on the discussion of the *propositio* of imperial *subscriptions*.

47 The best illustration regardless of source category is undoubtedly the edict issued by Subatianus Aquila, of which P. Yale 61 gives the original (for the surprising number of orthographic mistakes - not reproduced here - and the fine calligraphy, cf. p. 184 of the edition):

[Σ]αραπίων ὁ καὶ Ἀπόλλων στρατηγὸς Ἀρσινοίτου Θεμίστου καὶ Πολέμωνος μερίδων. [ὁ λαμπρότατος ἡγέμων Σουβατιανὸς [Ἀκύλας] κατὰ τὴν εἰς πάντα αὐτοῦ πρόνοιαν ἐκέλευσεν τὰ ἐπιδοθέντα αὐτῷ βιβλίδια ἐν Ἀρσινόῃ τῇ κς καὶ κς καὶ μέρει τῆς κη τοῦ Φαμενώθ μηνὸς ἀριθμῷ Ἄωδ, προτεθέντα καὶ ἐν Ἀλεξανδρίᾳ ἀνταρκέσιν ἡμέραις, καὶ ἐπὶ τόπων προτεθῆναι ὀλοκλήροις ἡμέραις τρισὶν καὶ δηλωθῆναι τοῖς ἐν τῷ νομῷ ἵνα οἱ βουλόμενοι τὰ διαφέροντα ἑαυτοῖς ἐκλαβεῖν δύνωνται. παρεγγέλλεται οὖν τοῖς κατὰ κώμην ὅπως εἰ τυγχάνη τις ἐπιδοῦς βιβλίδια ἀνελθὼν εἰς τὴν μητρόπολιν τὴν ἔκκληψιν ποιήσῃται. σεση(μείωμαι) ἔτους [...] Λου[κίου] Σεπτιμίου Σεουήρου Εὐσεβοῦς Περτίνακος [καὶ] Μάρκ[ου] Ἀν[ρ]ηλίου Ἀντωνίνου Εὐσεβοῦς Σεβαστῶν. Παχωνς κς.

Editor's trans: 'Serapion also called Apollon strategos of the Arsinoite Themistes and Polemon divisions. The most illustrious prefect Soubatianos Aquila has ordered according to his all-embracing foresight that the petitions handed to him in Arsinoe on the 26th, 27th and part of the 28th of the month Phamenoth, 1804 in number, having been published in Alexandria also for sufficient days, are also to be published on the spot for three whole days and to be made clear to those in the same nome in order that those wishing to get a copy of what answers pertain to themselves may be able. It is announced, therefore to those in each village, if anyone happens to have handled in a petition, that he may come to the metropolis and have a copy made. Approved. Year [...] of Lucius Septimius Severus Pius Pertinax and Marcus Antoninus Pius Augustus and Publius Septimius Geta Caesar Augustus. Pachons 27.' [208-210].

Nörr and Wilcken's challenge

Wilcken (1920:38) appealed to historians of Roman law to examine his results concerning *propositio* by confronting the epigraphic testimony with the evidence of the law codes. Sixty years later Nörr picked up the gauntlet and isolated 5 different notices ('Promulgationsvermerke'):⁴⁸ 1) *PP.* = *proposita* (sc. *subscriptio* or *constitutio*); 2) *acc.* = *accepta* (sc. *subscriptio* or *constitutio*); 3) *D.* = *data* (sc. *epistula*, *constitutio* or *subscriptio*); 4) *S.* = *scripta* (sc. *subscriptio* or *constitutio*) or = *subscripta* (sc. *constitutio* or *subscriptio*); 5) as variants of /4) one finds also *supposita* or *subdita* (both sc. *subscriptio*).

Nörr (1981b:14-20) found the notices ('Promulgationsvermerke') which are reported in the *Codex Iustinianus* and other codes⁴⁹ to be not only heterogeneous but also as occurring so frequently that one cannot neglect the variations as mere anomalies. He concluded his discussion of these terms by saying that the authorities did not always display imperial *subscriptiones*.⁵⁰

In principle it is not difficult to imagine circumstances when *propositio* was not a suitable method or when it was delayed so that its date would not accurately reflect the date of issue. But to speculate in this direction will give no firm conclusion. I am rather inclined to say that the use of *data*, *accepta* (?)⁵¹ and *scripta* does not *a priori* preclude a

48 To avoid confusion with the regular terminology of this study, I have not adopted the ordinary juristic terminology for constitutions transmitted in the law codes. In the following **address** is used for *inscriptio*, and **notice** for *subscriptio* (Nörr's apt *Promulgationsvermerk*).

49 Nörr (1981b:14-5) used examples from *Collatio Mosaicarum et Romanarum Legum, Fragmenta Vaticana, Appendices Legis Romanae Wisigothorum duae* and *Epitome Codicum Gregoriani et Hermogeniani Wisigothica* and some other, diverse sources.

50 Nörr (1981b:20): 'Als Ergebnis dieses Abschnitts läßt sich festhalten, daß kaiserliche Reskripte (*subscriptiones*) nicht nur und nicht stets proponiert wurden. Die Fälle des *dare* und/oder *accipere* eines Reskripts sind immerhin so häufig, daß man sie nicht schlechthin als bloße Ausnahmen vernachlässigen darf.' I would be rather more careful in using the word frequent, after all Honoré (1981:34) found that only 54 of the 2,639 private rescripts in *Codex Iustinianus* were demonstrably not *subscriptiones*.

51 I am not sure how to interpret *acc(e)pta*. Honoré (1981:32, n. 59 where he gives full references) voiced uncertainty for its relevance for private rescripts and suggested that 'it must refer to receipt in Rome or the provincial capital when the emperor was elsewhere'. Coriat (1985a:734-5) noted that it was only used in 8 transmitted, Severan rescripts (*Veteris cuiusdam iureconsulti consultatio*, 1. 6 from July 1, 196; *Codex Iustinianus*, 6. 39, 1 from September 1, 196; 8. 37, 1 from April 15, 200; 2. 20, 1 from May 13, 203; 7. 59, 1 from September 30, 211; 5. 75, 1 from January 5, 212; 6. 21, 1 from September 9, 212 and 8. 20, 1 from November 18, 214); admitted that it could imply the reception of the *libellus* (in this case *acceptus* should be preferable), but suggested that it rather designated the date of the reception of the rescript at the chancery of the petitioner's province. Mourgues (1987:81, n. 17) connects *accepta* with a *recitatio*, an oral publication performed at the emperor's residence. The examples for double dating in the *Codex Iustinianus*, the first introduced with *Datum*, the second with *Accepta*, are all late (9. 47, 16 from 314; 9. 17, 1 from 318-319; 1. 15, 1 from 383) and may reflect different procedures. The constitution transmitted *CI* 9. 17, 1 should be taken to be an *epistula* as the recipient is styled as Verinus, *vicarius Africae*, no less! I will draw attention to the fact that in l. 32 of **Kavacık** - this line must give the end of the petition - we read *AC[CEPTUM ?]*, and that Jones (1987:703) reports for **Şapçılar** after the text of the petition 'a notation of receipt of the petition at Apamea on the 23rd of July, with the text of Hadrian's favorable response'. On this basis - which gives priority to the epigraphic evidence and the meaning of the word *accipere*, opposed to the very few and inconclusive examples in *Codex Iustinianus* - I favour the notion that *acc(e)pt(?)* refers to the receipt of the *libellus* by the chancery. That it occurs only now and then in the documents will then reflect the fact that it did not date the *subscriptio* exactly but was in the end thought better than no date at all.

propositio; the use of these terms merely reflects the information available to the archivists or, later, the compilers who used them to give a date, whether exact or approximate, for the issue of the rescript.⁵² On this point we must allow for the possibility that practices may have varied from time to time. Two examples from this study illustrate the deadlock: **Şapçılar** (from 129) is reported to give the date of receipt of the petition. A similar tag, *datum*, is present in **Skaptopara** (from 238), but here there is no date (cf. Wilcken 1920:39). When such a date was present for the archivists, it also ought to be the source for dates introduced by *acc.* When *pp.* is the tag which was used most frequently, we may conclude that it also was considered the most reliable and informative, as it in one word clarified the procedure and the nature of the constitution (i. e. *subscriptio*).

The reports of *propositio* in *Codex Iustinianus*

A codification of imperial constitutions was ordered by Justinian on February 13, 528, recorded in *constitutio Haec quae necessario*⁵³ and enacted by *Constitutio summa rei publicae* on April 7, 529. This compilation was soon to be superseded by the commission of a second code whose enactment on November 16, 534 is recorded by *Constitutio Cordi nobis est*. This latter compilation has reached us under the name *Codex Iustinianus*. As revealed by *Haec quae necessario* the compilers made extensive use of the *tres veteres codices* when editing the older material, and for us *Codex Gregorianus* is of particular interest. This code assembled what was left and thought useful of imperial constitutions starting with Hadrian and continuing until May 291.⁵⁴ The question whether *Codex Gregorianus* was a private undertaking by the jurist Gregorius, or an official one like the *Codex Theodosianus* and the *Codex Iustinianus*, seems academic. To the later times was the authoritative codification. It was apparently never challenged and lived on even after the publication of the *Codex Iustinianus*.⁵⁵

Modern authors generally agree that Gregorius had access to imperial files, and Honoré (1981:27) proposed that the rescripts in *Codex Iustinianus* which carry the abbreviation *PP.* stem from the specific imperial file, *Liber libellorum rescriptorum et propositorum*. It is a striking feature that the notice *PP.* clearly dominates the rescripts which fall within the temporal boundaries of the *Codex Gregorianus* ([Hadrian -] 197 -

52 Cf. Nörr's comment on the *Codex Gregorianus* (1981b:34).

53 His words deserve to be quoted: *Haec, quae necessario corrigenda esse multis retro principibus visa sunt, interea tamen nullus eorum hoc ad effectum ducere ausus est, in praesenti rebus donare cummunibus auxilio dei omnipotentis censuimus et prolixitatem litium amputare, multitudine quidem constitutionum, quae tribus codicibus Gregoriano et Hermogeniano atque Theodosiano continebantur, quae post eosdem codices a Theodosio divinae recordationis aliisque post eum retro principibus, a nostra etiam clementia positae sunt, resecanda, uno autem codice sub felici nostri nominis vocabulo componendo, in quem colligi tam memoratorum trium codicum quam novellas post eos positas constitutiones oportet.*

54 Hadrian is represented by one rescript only; Pius has 10, Marcus 11, Commodus none, Pertinax 2, Severus 433 etc.

55 Indeed there are good reasons to accept Turpin's (1987) assumption that all the *tres veteres codices* were products of the imperial government. The two former's authority is clear in the expression *Ad similitudinem Gregoriani atque Hermogeniani codicis* (CT 1. 1, 5), which Theodosius II used when he presented his new collection to the senate.

292).⁵⁶ In its successor and supplement the *Codex Hermogenianus*, where constitutions of 293 and 294 are collected, there is a marked shift from *PP.* to *S.* and *D.* After 294 *PP.* is more or less absent from the *Codex Iustinianus*.⁵⁷

I must emphasise that the evidence of the *Codex Iustinianus* only allows us to say that the *Liber libellorum rescriptorum et propositorum* was the main, not the sole, source. For Honoré's range of books (2-8) and the rescripts which fall within the time range Hadrian - 292 and which also carry a notice, there exists a minor part which has other notices than *PP.* Among this deviating part *D.* is by far the most frequent.⁵⁸ These deviations show that Gregorius must have used additional material to fill in the imperial files. The deviations reveal themselves in two ways. The deviating notices constitute the greatest proportion in chapters which offer few rescripts from our period (Hadrian - 292), a bias which tells us that the regular source did not provide sufficient or satisfactory material on some point of law. Some entries form a contiguous group which shows the same deviations in or absence of notices. Such irregularities I can only explain by suggesting a different source.⁵⁹ In turn this tells us that Gregorius did not have anything like complete files at his disposal.

These reservations notwithstanding, one cannot escape Honoré's conclusion about the imperial file *Liber libellorum rescriptorum et propositorum* as the basic source for *Codex Gregorianus* - not least because it seems the only way to bring the evidence of *Codex Iustinianus* in harmony with the results of the analysis of the epigraphical rescripts.⁶⁰ The inscriptions are private copies of imperial *subscriptions*, and give fairly divergent reflections of the administrative handling.⁶¹ To me it is thus wholly unlikely that the *PP.*-notices could turn up so consistently if they were collected individually or from a wider range of minor collections. On the other hand this interpretation clearly presupposes that these

56 This conclusion can be checked easily from any chapter of the *Codex Iustinianus* which includes both a fair number of constitutions and reproduces rescripts with a suitable chronological distribution. Here book 2, chapter 4 *De transactionibus*, will do: Of the 15 constitutions ranging from 211 to 290, only two, nos. 1 and 3, from 211 and 223, do **not** have this notice (in casu: *D.*). Of the subsequent 28, ranging from 293 to 500, only two **have** the notice *PP.*, viz. nos. 31 and 34, both from 294.

57 Palazzolo (1977:81-2) explained the other abbreviations or notices which occur as supplements which Gregorius collected from private sources.

58 My figures are: Book 2: 172 *PP.* vs. 32 others; Book 3: 118 *PP.* vs. 12 other; Book 4: 197 pp. vs. 43 others; Book 5: 213 *PP.* vs. 17 others; Book 6: 204 *PP.* vs. 29 others; Book 7: 123 *PP.* vs. 19 others and Book 8: 194 *PP.* vs. 12 others. This gives a total of 1.221 *PP.* and 264 other. The others are 21.6% of the total.

59 Cf., e. g., the seven rescripts of Alexander which make up all of book 7, chapter 11. Here only the first rescript carries a date (November 11, 223).

60 Honoré (1981:27) on the abbreviation *PP.* in the *Codex Gregorianus*: 'Its presence is an indication that the compiler has taken the text from a collection of rescripts posted up and later incorporated in a roll, a *liber libellorum rescriptorum et propositorum*.'

61 The copies of the prefectural ἀντιγραφαί presented by the *Doppelurkunden* seem at first glance somewhat more uniform. But so they should be since they have a common source and are *definitely* copies made from originals on display.

details are soundly transmitted in the manuscripts for the codes. Many scholars have expressed doubts on this point.⁶²

The *Codex Gregorianus* and the *Liber libellorum rescriptorum*

We can pursue the latter question by looking at the entries in the *Codex Iustinianus* which Honoré picked out as constitutions which could not be *subscriptiones*.⁶³ Of the 1.352 constitutions from the period 193 - 282, he found 19 to be 'demonstrably not [*subscriptiones*]' (Honoré 1981:34, with nn. 70, 71 and 72). If the overwhelming majority of the *subscriptiones* were taken from the file *Liber libellorum rescriptorum et propositorum*, those constitutions which are 'demonstrably not' *subscriptiones*, could not under any circumstance originate from this file. In theory they should all reveal variations in addresses and handling-notices.⁶⁴ This way of arguing may in turn prove to be circular inasmuch as these constitutions were isolated mainly because of their deviant characteristics in the addresses. In order to get acquainted with the evidence, a presentation is essential.

Honoré's list encompasses an edict⁶⁵, two letters⁶⁶, and four excerpts⁶⁷. The remaining thirteen - or ten if we do not count two repetitions and one identification marked only as probable - form a heterogeneous class. Some are apparently classified as non-subscripts because of the contents, not by traits which the addresses or notices reveal.⁶⁸ This method may be generally sound, but it is not completely watertight (cf. commentary to *Takina*).

62 For the status of the manuscripts on this point, cf. the *Praefatio Pauli Kruegeri* of his edition published in Berlin 1877 (the so-called *editio maior* or 'Gross-edition'), esp. pp. XXVII-XXX and Krüger (1912:425-8). Van Sickle (1928) was mainly occupied with discrepancies between emperor(s) and years, which he blamed on the compiler of the *Codex Gregorianus*. Lately Coriat (1989:888, n. 48) has expressed criticism against the current edition of the *Codex Iustinianus*: 'Il n'existe aucune édition fondée sur une étude critique de la totalité des manuscrits'. See also Dolezalek (1985).

63 Honoré took up this question to establish his basic material, *subscriptiones* issued by the *a libellis*, and pruned it of foreign stuff.

64 The normal terminology is to use *inscriptio* for the address and *scriptio* for the handling-notice. To avoid confusion these terms are not applied here.

65 (1) *CI 10. 61, 1*: *Pars edicti imperatoris Antonini A. propositi Romae V id. Iul. duobus Aspris cons.* (212).

66 (2) *CI 10. 5, 1*, address: *Pars epistulae imp. Alexandri A ad rationales*; notice: *D. XV k. Mai. Modesto et Probo cons.* (228). (3) *CI 8. 40, 3*, address: *Pars ex epistula Gordiani A.* with no notice or date.

67 (4) *CI 7. 62, 1*, address: *Sententia divi Severi data in perona Marci prisci idibus Ian. Pompeiano et Avito cons. Severus A. dixit*; no notice (209). (5) *CI 9. 41, 3*, address: *Imp. Antoninus A. cum cognitionaliter audisset, dixit*; notice: *PP. VII k. April. Sabino et Anullino cons.* (216). (6) *CI 9. 51, 1*, address: *Imp. Antoninus cum salutatus ab Oclatinio Advento et Opellio Macrino praefectis praetorio clarissimis viris, item amicis et principalibus officiorum et utriusque ordinis viris et processisset, oblatus est ei Iulianus Licianus ab Aelio Ulpiano tunc legato in insulam deportatus, Antoninus Augustus dixit*; no notice. (7) *CI 7. 26, 6*, address: *Imp. Philippus A. cum consilio collocutus dixit*; notice: *sine die et consule*; Honoré gives the date 246, but - if anything - it should be 244 before the accession of his homonymous son, M. Iulius Philippus.

68 (8) *CI 3. 28, 1* (193); (9) *CI 7. 45, 1* (208) probably a letter, cf. last line and notice: *potes igitur ut re integra de causa cognoscere. D. III k. Iun. Antonino III et Geta cons.* (208); (10) *CI 8. 50, 1* (Septimius Severus and Caracalla); (11) *CI 1. 9, 1*, notice *D. prid. k. Iul. Antonino III et Balbino cons.* (213); (12) *CI 3. 42, 2 = 9. 2, 2 = 9. 35, 1* (222); (13) *CI 11. 40, 1*, address *Imp. Alexander A. quatuorviris et decurionibus Fabraternorum.*

The remaining four should apparently be classified as letters because their addresses demonstrate the status of the addressee.⁶⁹

The edict and the letters (cf. nos. 1-3) are straightforward, and there is nothing disturbing in the fact that an edict has a note which tells that it has been posted. One letter has in its notice *D.*, which also applies naturally to a letter (cf. FV 35, 272-4; and Nörr 1981b:18). One may suspect that a far greater number of letters than these two are transmitted in the *Codex Iustinianus*. The pruning of salutations and valedictions has made it impossible to identify them. The extracts are also clearly - if not consistently - marked.⁷⁰

The *Fragmenta Vaticana* and the *Codex Iustinianus*

I would also like to point to the small number of *subscriptiones* common to both the *Fragmenta Vaticana* and the *Codex Iustinianus*. *Fragmenta Vaticana* is generally seen as 'the best, indirect transmission of classical literature among those at our disposal'.⁷¹ It was probably compiled some time around 320 - 330, thereby preceding the *Codex Iustinianus* by two centuries.⁷² In the end, however, both the *Fragmenta Vaticana* and the *Codex Iustinianus* share the common source of the *Codex Gregorianus* (as the heading of FV 266a reveals that it has been taken from Gregorius' collection, *Greg. lib. XIII tit.*).⁷³ In the *Codex Iustinianus* and the *Fragmenta Vaticana* we thus have two independent compilations of the *Codex Gregorianus*. In Appendix III the rescripts are set synoptically in parallel columns to make the evidence readily available.

7) DISCUSSION OF *PROPOSITIO* ON THE EVIDENCE OF THE LAW CODES AND INSCRIPTIONS

Smyrna I and the rescripts of the *Codex Iustinianus*

Smyrna I gives the *scriptio* in a form which complies with the form regularly given in the *Codex Iustinianus* (ll. 9-10): *Undevicensimus. Act(um) VI idus April(es) Romae,*

69 (14) CI 9. 43, 1, address: *Imp. Antoninus A. Rutiliano consulari Lyciae*; notice: *PP. VIII k. Mai. Lacto II et Cereale cons.* (215). (15) CI 7. 45, 1, address: *Imp. Antoninus A. procuratoribus hereditatum*; no notice or date. (16) CI 9. 9, 4, address: *Imp. Alexander A. Iuliano proconsuli Narbonensis*; notice: *PP. sine die et consule*. (17) CI 1. 50, 1, address: *Imp. Gordianus A Domitio pp.*; cf. content: *In causa quae spectat ad utilitatem rei publicae eum qui vice praesidis provinciae administrat potuisse cognoscere in dubium non venit*; notice: *D. III non. Nov. Sabino II et Venusto cons.*.

70 No. 7 has the longest heading but displays similarities to the excerpt of Domitian preserved in his letter to the decurions of the Falerians from Picenum (= *CIL IX 5420* = MacCrum and Woodhead 1961:no. 462 = Sherk 1988:no. 96).

71 Kreller (1941-1943:34-5) quoted and translated by Schiller (1978:51, n. 7); cf. also Wenger (1953:545).

72 The *terminus ante quem* for its compilation is not agreed upon: the majority of constitutions come from the reigns of Diocletian (31) and Constantine (10), but a *lex generalis* issued by Valerian and Gratian in 369/372 could push the *terminus* as far forward as this. Some scholars have chosen to see 317 as the year of compilation and have regarded later material as additions (cf. Wenger 1953:544).

73 Wolff (1952, esp. pp. 139-50) argued for and tried to prove the existence of pre-Gregorian collections by analysing *subscriptiones* preserved in the chapter *Ad legem Cinciam de donationibus* of the *Fragmenta Vaticana*. Of the Diocletianic material he isolated three groups (FV 267-274; 275-286 and 287-297). By comparing the order and subject of those *subscriptiones* which also are transmitted in the *Codex Iustinianus* (FV 280, 282, 283 and 286) he seems to have reached a positive conclusion. Wolff concentrated mainly on contents, but his conclusion can also be used for our purpose.

Caes(are) Antonino II et Praesente co(n)s(ulibu)s. The text has been differently interpreted on this point (also). Nörr (1981b:19-20) said that the remark *A(ctum)* does not occur among the rescripts of the *Codex Iustinianus* issued in the relevant period. This remark was, however, used to designate the place and/or time of an important, legal decision. Williams (1986:184; see also 1974:99. n. 99) maintained that *act(um)* 'marked the end of the text actually being copied: The words transcribed end with 'undevicensimus', and the date and place which follow *act(um)* must be those of the execution of Acutanius' copy, not the issue of the imperial subscript.'

Williams' view is obviously wrong, and I cannot see that he gives an acceptable account of what he alleged to be two different acts of copying. I have come to this conclusion from examining the layout of **Smyrna I**, for which the edition of Petzl in I. *Smyrna* II:1 (no. 597) is absolutely essential (see the epigraphic appendix). Here we can clearly see that the *subscriptio* is isolated from the other parts of the dossier. In l. 7, which is the last line of the petition, we only read one word: *συνεχώρησεν*; this is centered. The final line of the *subscriptio*, the end of the consular date, is also centered, and it is written in Latin. This shows that ll. 8-10 belong together. Then follow the date of the sealing and the names of the witnesses (ll. 11-13), all in Greek. The final line of the inscription (l. 14) is the instruction to hand out the decision (from the archive of the imperial *a commentariis*). This line is in Latin and is also isolated by being centered. It appears the stonemason faithfully isolated the different documents of the dossier; the shift of language supports this interpretation. The information added by the layout makes the inscription unique, and it seems to tell us that number (*undevicensimus*) and date (*Actum* etc.) were added by the time the documents were registered and entered into the imperial archive (branch *a libellis*). The two different dates, April 8 (issue) and May 5 (copy), seem to support this interpretation. Apparently the period of *propositio* must have come to an end, and the copy was prepared from the original of the archive, which by now had two new features that did not appear on petitions on display: number and the date of issue. This explanation is in harmony with the evidence of the *Codex Iustinianus*, which was based on archival collections of imperial rescripts.⁷⁴ To add the number of the rescript within the composite roll, would, in the case of the *Codex Iustinianus*, be to transmit completely superfluous information.

The closest parallel to **Smyrna I** is apparently the *sacrae litterae* issued by Septimius Severus on May 31, 204 (cf. commentary to **Takina**), which at the ends read *Datum pri(die) Kal(endas) Iun(ias) Romae, Fabio Cilone et Annio Libone consulibus*. Admittedly *datum* is used in place of *actum*, but we should observe that *Romae* also here is put in between the day date and the consular year. As the date is transmitted in all complete versions except the two from Ancyra (on this cf. Robert 1978), Mourgues (1987:81, n. 17) concluded that 'the dating formula seems one of the most indispensable elements of a subscript (maybe as an authentication)'.⁷⁴

The very faithfully reported *subscriptiones* of **Saltus Burunitanus**, **Takina** and **Skaptopara** have no trace of a date of issue. To me this is striking. A date would be an

⁷⁴ Nörr (1981b:597), has for the Alexandrian *apokrimata* (P. Col. 123), suggested that the imperial titlature was added later; in the special case of the *apokrimata*, the signatures are also missing.

indispensable detail for defining and locating a rescript.⁷⁵ And if we take this as a clue, we can formulate a theory saying that *subscriptiones* which do not carry a date had not as yet gone through the complete filing procedure. The undated *subscriptiones* were then either copied when on public display (**Skaptopara**), or they were based on originals (**Saltus Burunitanus**). On the other hand, those carrying a date, had entered the archive. Any specimen of a *scriptio* which includes the date of issue, would then *a fortiori* have to be secondary, i. e. a copy. It would also have to be a copy taken from the archive.

We must then again turn to the epigraphic sources. Five of these attest *propositio* within the period 129 - 238, where **Şapçılar** (129) and **Skaptopara** (238) set the chronological limits. These two inscriptions offer contents of the petitions and the *rescripta* which are of different natures: application/permission (**Şapçılar**) vs. complaint/reference to the competent court (**Skaptopara**).

Saltus Burunitanus (181) and **Aragua** (246/246) complicate and disturb the evidence.

Saltus Burunitanus has suffered a loss (approx. 1/3) affecting the beginning; the *scriptio* comes at the end. There is no indication in the inscription which reveals that it was based on an authenticated copy. On the contrary the added information *Et alia manu* introduces the signatures *Scripti. Recognovi*. In the ensuing letter the procurators describe the procedure as *secundum sacram subscriptionem domini n(ostri) sanctissimi imp(eratoris), quam ad libellum sum datam Lurius Lucullus [accepit]*.

The extent of the damage to **Aragua** is comparable to **Saltus Burunitanus**, but also here the *scriptio*, uniquely set at the top of the monument, has passed unscathed. There are no traces of an authentication.

The *subscriptiones* of these two inscriptions contain specific instructions to the appropriate provincial authorities, and were clearly intended for subsequent presentation.

Summary

We have seen that *PP* regularly accompanies the rescripts in the *Codex Iustinianus* which were excerpted from *Codex Gregorianus*. This observation in turn led us to the conclusion that for the period 197-292 the *Codex Iustinianus* via the *Codex Gregorianus* has the *Liber libellorum rescriptorum et propositorum* as its almost exclusive source. This tells us also, however, that we cannot use this dominating position of the notice *PP* to prove that *propositio* was the only way to communicate *subscriptiones*.

If we had sufficient, independent material from other law codes, these inferences could be verified. The best source, the *Fragmenta Vaticana*, is also excerpted from the *Codex Gregorianus*, and the excerpts in the *Codex Iustinianus* and the *Fragmenta Vaticana* can only be compared in a few instances. Moreover, we can assume that the compilers of the *Codex Iustinianus* to some degree harmonized the material they took over from the *Codex Gregorianus*. The consistent source of the *Codex Gregorianus* (the *Liber libellorum rescriptorum et propositorum*) invited it.

75 Cf. *CI* 1. 23, 4, quoted in n. 41.

If finally we try to draw conclusions from these diverse observations, it seems that the primary documents, the *libellus* and the *subscriptio*, are faithfully and literally reported.⁷⁶ The same cannot be said for the recording of the procedures surrounding the issuing and handling of the *subscriptiones*.⁷⁷ We may perhaps say that to include and exclude annotations of the filing and publishing procedures was more or less at the discretion of the person writing the formula of the authentication. To assess this use of discretion, is further complicated by the interfering role of the stone-cutter. I find it very difficult to maintain on the basis of what we can read in the inscriptions that the *subscriptiones* given in **Saltus Burunitanus** and **Aragua** have been communicated by *propositio*. Any argument in this direction can only be made on the *a fortiori* proviso that all imperial *subscriptiones* were posted publicly. The laxity encountered in the copying formulas and the lack of interest in these details on the part of the contemporary authors are both to blame for the uncertainty that prevails on this question. From a comparison with the authentication-formulas for the *Doppelurkunden* (cf. table 3) we can conclude that there was no absolutely standard formula.

An anachronism is partly to blame for our feeling of a deadlock. When we have pursued this question in such detail, we have at the same time allowed ourselves to transfer the modern standards of photocopies to the copies of Roman imperial documents. A photocopy is really not a copy, it is rather a clone: identical with and in many cases indistinguishable from the original. The summaries of the evidence given in tables 1 - 3 tell us that this degree of exactness was not aimed at - perhaps not even desired. Our conclusion must then be negative: the divergencies encountered in the copies make it impossible to reconstruct an archetype for the exact appearance of the imperial *subscriptio*.

Wilcken typically favoured clear-cut and absolute procedures: *all libelli* were to be presented personally; they were *all* answered by *subscriptiones*; they were *all* published, and *all* copies were taken during the period of display. From this it follows, at least in Wilcken's interpretation, that we should recognize that those who set about these reforms strove for regularity. As we have seen problems arise when we confront Wilcken's scheme of absolutes with the variety, carelessness and neglect of the sources. Wilcken's answer to our deadlock would probably be that when there are reports of *propositio* in some sources and in others not, and no governing scheme is apparent, this points in the direction of an absolute procedure.

76 From some epigraphic dossiers (**Euhippe** and **Takina**) we can see that the commissioners did not see it worthwhile to include the petition. In **Euhippe** not even the imperial *subscriptio* is included. See also commentary on **Kavacık**, on the pruning of the *preces*.

77 Wilcken must be given due credit for similar observations at the very end of his article from 1920; after comparing the rescripts of *Codex Iustinianus* with the epigraphical copies, he concluded (p. 42): 'An den Hand dieser Inhalts-Übersicht läßt sich feststellen wie unvollständig die Steinpublikationen sind, die einen mehr, die andern weniger. Sie sind nur Auszüge aus den beglaubigten Privatabschriften, die jedenfalls den vollen Wortlaut geboten haben werden. Den juristischen Sammlern aber genügte es für ihre Zwecke, außer dem Kontext der *Subscriptio* nur das Praeskript und entweder das Ausfertigungsdatum (*Data*) oder das Propositionsdatum (*Proposita*) zu geben, wobei sie leider meist auch den Ort fortließen.'

On one hand I have wanted to sound a word of caution, on the other hand it is certainly not pleasant to watch a nicely proportioned building disintegrate. In the end I hope these sobering words will contribute to greater clarity, even if at the moment they seem to have the opposite effect. In sum, it all comes down to the question of how far-reaching conclusions we can allow ourselves to draw from only a handful of fragmented sources.

APPENDIX I: The documentary testimony in tabular form

DOCUMENT:	DATE IN DOCUMENT:	SEQUENCE:	AUTHENTICATION:
1) Şapçılar (= Jones 1987:703) Hadrian, July 129	Date of authentication and acceptance	AUT, a, b, d PET DAT, b SUB, b, c, e, L WIT	<i>A dated notation of the copying of a petition with its subscription</i>
2) P. Berol. inv. P. 16546 (= Łukaszewicz 1981); Hadrian (130?)		PET SUB, e, b, c, G	
3) Smyrna I (= I. Smyrna, 597) Antoninus Pius, 139	Dates of issue (ll. 9-10) and sealing (ll. 11-2)	PET SUB, b, c, e, a, L WIT, a	No authentication tag preserved, but witnesses indicates its presence
4) Smyrna II (= I. Smyrna, 598) Antoninus Pius, 150	Date of acceptance (?) l. 45	AUT, b, d, PET SUB, a, b, c, L number (19) of pet. added	[ἐκγεγ]ραμμένον καὶ ἀντιβεβλημ[έρον ἐν τῷ] ἐν τῷ Παλατ[ί]ῳ ιερωῶ Ἀπόλλων[ος]
5) Saltus Burunitanus Commodus, 181	No date preserved; dated by commission of monument	PET, SUB, b, c, d, e, L	
6) Roma (= IGURbR I, 35) S. Severus 193-197 and Caracalla 212-217	Date immediately fol- lowing <i>scripsi</i> in l. 7 (1. rescript); date of issue	I: PET SUB, b, e, a II: PET SUB, b, e,	
7) Takina Caracalla, 212-213	Date of sealing (l. 14), but actual fig- ures left vacant	SUB b, c, e, G WIT, a	No authentication tag pres., but witn. ind. its presence
8) Skaptopara Gordianus III, 238	Date of authentication	AUT, a, b, c, d, e, DA, a, PET SUB, b, c, e, L WIT	<i>Descriptum et recog- nitum factum ex libro libellorum rescriptorum a domino n(ostro)</i>
9) Aragua Philippus, 242-244	No date	SUB, b, c, L PET	

DELIVERY/RECEIPT.:	PETITION:	SUBSCRIPTIO:
1) A notation of receipt of the petition	A copy of the petition itself, addressed by a certain Hermogenes of the Hyrgaleis to Hadrian	The text of Hadrian's favourable response. Posted with the petition in the new stoa.
2)	Final lines (<i>preces</i>) of the petition, which ends with <i>διευτύχει</i> .	At the head: <i>ἀντίγραφον ὑπογραφήσ_</i> <i>ὑπέγραψα_ προτεθήτω_</i> Followed by the <i>inscriptio</i> of the <i>subscriptio</i> . The rest is lost. Posted.
3)	Final part of petition.	<i>Inscriptio</i> , text, <i>rescripsi recognovi</i> . Number (<i>undevicensimus</i>). Followed by <i>Act(um) VI idus April(es) Romae</i> and cons. date.
4)	Traces of long petition.	Consular date. <i>Inscriptio</i> and text. Posted (?)
5)	Last part of <i>narratio</i> and entire <i>preces</i> .	<i>Inscriptio</i> and text.
6)	Petition quoting earlier <i>subscriptio</i> given by Septimius Severus.	I: <i>inscriptio</i> , text, <i>scripsi</i> with date, [<i>recognovi</i>] II: <i>inscriptio</i> , text, [<i>scripsi</i>], <i>recognovi</i>
7)		<i>Inscriptio</i> , text, <i>rescripsi, recognovi</i> with Ofellios Theodorus as subject.
8) <i>Dat(um) per Aur(elium) Purrum mil(item) coh(ortis) X pr(aetoriae) [...] convicanum et conpossorem</i>	Whole petition is intact.	<i>Inscriptio</i> , text, <i>rescripsi, recognovi</i> . POSTED (cf. <i>ex libro libellorum propositorum</i>)
9)	First part intact almost until the conclusion of the <i>narratio</i> .	<i>Inscriptio</i> , text, unidentifiable annotation at the end.

WITNESSES:

ABBREVIATIONS USED IN SEQUENCE:

1) *A list of witnesses to the correctness of the copy*

2)

3) Ἐσφραγίσθη ἐν Ῥώμῃ πρὸ τριῶν νωνῶν
Μαΐων followed by imp. regnal year and cons.
date. Names of 7 witnesses.

4) No record but authentication tag indicates witnesses.

5)

6)

7) [καὶ ἐσφρά]γισαν followed by 7 names, all
Aurelii, space for date with details not filled in.

8) Witnesses are only indicated by *signa vifi*.

9)

AUT = authentication

a, = consular date of
copying

b, = *descriptum et
recognitum*

c, = answered by

d, = *ex libro libellorum rescriptorum et
propositorum*

e, = *in verbis quae infra
scripta sunt*

DAT = delivery

a, = *datum per*

b, = *acceptum*

PET = petition

SUB = *subscriptio*

a, = date of issue

b, = *inscriptio*

c, = text

d, = *alia manu*

e, = *(re)scripsi & recognovi*

L/G = Latin/Greek

WIT = witnesses

a, = sealed with date

APPENDIX II: Analysis of the *subscriptiones*

Document:	Address:	<i>rescripsi</i> etc.:	<i>alia manu</i> :	L/G	Date:	Copy:	Posted:
1)	+	+	÷	L	÷	+DR/W	+
2)	+	+	÷	G	÷	+	+
3)	+	+	÷	L	+	+W	0
4)	+	0	0	L	0	DR	+
5)	+	+	+	L	÷	÷	÷
6) A	+	+	0	L	0	0	0
B	+	+	0	L	0	0	0
7)	+	+	÷	G	÷	+W	+
8)	+	+	÷	L	÷	+DR/W	+
9)	+	÷	÷	L	÷	÷	÷

Explanation of symbols:

- + = detail positively present
 ÷ = detail positively absent
 0 = detail lost, inconclusive
 ? = not reported, inconclusive
 L = *scriptio* in Latin
 G = *scriptio* in Greek
 DR = *descriptum et recognitum* or Greek equivalent
 W = names or symbols of witnesses

APPENDIX III: Synopsis of rescripts transmitted both in *Fragmenta Vaticana* and *Codex Iustinianus**Fragmenta Vaticana*

FV 280

[*Divi Diocletianus et Constantius*]¹ *Aur. Anniano. In dubium non venit adversus enormes donationes, quae tantummodo in quosdam liberos vacuefactis facultatibus reliquorum pernicie conferuntur, iamdudum divorum principum statutis esse provisum. si igitur mater tua ita patrimonium suum profunda liberalitate in fratrem tuum evisceratis opibus suis exhaustit, ut quartae partis dimidiam, quam ad excludendum inofficiosi querelam adversum testamentum sufficere constat, his donatis datisque haud relictam tibi habeas, praeses provinciae, quod immoderate gestum est, revocabit. sane aeris alieni solutionem, si ab intestato cum fratre tuo matri heres existitisti, revocare non potes. Dat. Nicomediae V. non. Mart. Augg. III. et II. cons. [a. 286] Schol. ad § 280 init. b'. de inmodicis donationibus.*

FV 282

[*Divi Diocletianus et Constantius*]³ *Calpurniae Aristaenetae. Quoniam non contenta rescripto, quod ad primas preces acceperas, iterato supplicare voluisti, ex iure rescriptum reportabis. communes res in solidum donari nequeunt, sed portiones eorum, qui donant, ad eos, qui dono accipiunt, transitum faciunt. nec ambigi oportet donationes etiam inter absentes, si ex voluntate donantium possessionem ii, quibus donatum est, nanciscantur, validas esse. restat, ut si filius tuus immoderate liberalitatis effusione patrimonium suum exhaustit, iuxta legum placita praesidis provinciae auxilio utaris; qui discussa fide veri, si integri restitutionem ex filii persona competere tibi ob improbabilem donationis enormitatem animadverterit, in removendis his, quae perperam gesta sunt, tibi subveniet. PP. IIII id. Febr. Mediolani, Maximo et Aquilino cons. [a. 286]*

Codex Iustinianus

CI 3. 29, 7

[*Imp. Diocletianus et Maximianus AA.*]² *Aurelio Ammiano.*

Si mater tua ita patrimonium suum profunda liberalitate in fratrem tuum evisceratis opibus suis exhaustit, ut quartae partis dimidium, quod ad excludendam inofficiosi testamenti querellam adversus te sufficeret, in his donationibus quas tibi largita est non habeas, quod immoderate gestum est revocabitur.

PP. v. id. Mai. Maximo II et Aquilino cons. CI 8. 53, 6

Imp. Diocletianus et Maximianus AA. Calpurniae Aristaenetae. Nec ambigi oportet donationes etiam inter absentes, maxime si ex voluntate donantium possessionem ii quibus donatum est nanciscantur, validas esse. PP. IIII id. Febr. Mediolani Maximo II et Aquilino cons. [a. 286]

= CI 3. 29, 4

Imp. Diocletianus et Maximianus AA. Calpurniae Aristaenetae. Si filius tuus immoderate liberalitatis effusione patrimonium suum exhaustit, praesidis provinciae auxilio utaris; qui discussa fide veri, si integrum restitutionem ex filii persona competere tibi ob improbabilem donationis enormitatem animadverterit, in removendis his, quae perperam gesta sunt, tibi subveniet. ideoque non est tibi necessarium adversus immodicas donationes auxilium ad instar inofficiosi testamenti.

1 Name and titlature taken from FV 275.

2 Name and titlature taken from CI 3. 29, 4.

FV 283

[*Divi Diocletianus et Constantius*]⁴ Aurelio Carrenoni.

*Si stipendiariorum praediorum proprietatem dono dedisti, ita ut post mortem eius, qui accepit, ad te rediret, donatio inrita est, cum ad tempus proprietas transferri nequierit. si vero usum fructum in eam, contra quam supplicas, contulisti, usum fructum a proprietate alienare non potuisti.*⁵

PP. V. id. Mart. Maximo et Aquilino cons. [a. 286]

FV 286

[*Eodem libro eodem tit.*⁶ *Divi Diocletianus et Constantius*]⁷ Iuliae Marcellae.

*Quotiens donatio ita conficitur, ut post tempus id quod donatum est alii restituatur, veteris auctoritate rescriptum est, si is in quem liberalitatis compendium conferebatur stipulatus non sit, placiti fide non impleta, ei qui liberalitatis auctor fuit vel heredibus eius condictionis actionis persequutionem competere. Sed cum postea benigna iuri interpretatione divi principes ei qui stipulatus non sit utilem actionem iuxta donatoris voluntatem competere admiserint, actio, quae sorori tuae, si in rebus humanis ageret, competebat, tibi accomodabitur.*⁸

PP. Sirmi XI k. oct. ipsis IIII et III AA. cons. [a. 290]

FV 43

[*Diocletianus et Max. Constantius*]¹⁰ Claudio Theodoto.

Habitatio morte finitur; nec proprietatem ea, quae habitationem habuit, legando per vindicationem

PP. IIII id. Febr. Mediolani Maximo II et Aquilino cons.

CI 8. 54 (53), 2

[*Imp. Diocletianus et Maximianus AA.* Aurelio Zenoni.

Si praediorum proprietatem dono dedisti ita, ut est mortem eius qui accepit ad te rediret, donatio valet, cum etiam ad tempus certum vel incertum ea fieri potest, lege scilicet quae ei imposita est conservanda.

PP. V id. Mart. Maximo II et Aquilino cons. [a. 286]

CI 8. 54 (55), 3

[*Imp. Diocletianus et Maximianus*]⁹ Iuliae Marcellae.

Quotiens donatio ita conficitur, ut post tempus id quod donatum est alii restituatur, veteris auctoritate rescriptum est, si is in quem liberalitatis compendium conferebatur stipulatus non sit, placiti fide non impleta, ei qui liberalitatis auctor fuit vel heredibus eius condictionis actionis persequutionem competere. Sed cum postea benigna iuri interpretatione divi principes ei qui stipulatus non sit utilem actionem iuxta donatoris voluntatem competere admiserint, actio, quae sorori tuae, si in rebus humanis ageret, competebat, tibi accomodabitur.

PP. Sirmi XI k. oct. ipsis IIII et III AA. cons. [a. 290]

CI 3. 3, 11

[*Imp. Diocletianus et Maximianus AA. et CC.*]¹¹ Claudio Theodoto.

Habitatio morte finitur: nec proprietatem qui habitationem habuit legando dominii

4 Name and titulature taken from FV 275.

5 Cf. comment to § 283 in Huschke's edition (Leipzig 1911, vol II, p. 301): '§ 283 fere = C. (, 54 (53), 2, mutatum tamen in sensum contrarium.

6 Cf. FV 285 [Greg. lib XIII. tit.] with crit. comm. 'addidit manus recentior'.

7 Name and titulature taken from FV 275.

8 The text of the *subscriptio* is to a large degree restored on the basis of CI 8. 54 (55), 3.

9 Name and titulature taken from CI 8.

*vel debitum negando in testamento creditoris
actionem excludit.*

*Subscripta IIII. kal. Oct. Viminaci Caess. conss.
[a. 294]*

vindicationem excludit.

*Subscripta IIII k. Oct. Viminaci CC conss. [a.
294]*

3. EPILOGUE

We have seen that the extensive use of petitions in the Roman Empire has its best witnesses among the inscriptions. These inscriptions are though pitifully few in numbers and enigmatic as a phenomenon. Our corpus reached the number of seven; the epigraphical appendix raised the total to twelve. Of these only one has escaped intact - οὕτως δὲ ὡς διὰ πυρός.

The character and contents of the sources have dictated the design of this study. The course has confronted us with a forest of details. Pruned of all peripheral *minutiae*, one major question remains: How can we explain that the topic of oppressive soldiers came to dominate the extant epigraphical sources for the *libellus*-procedure?

Inscriptions form categories. The epigraphical manuals sort them in batches like decrees, laws, *cursus honorum*- and the far most numerous of them all, the sepulchral inscriptions. In the same way, but in much more modest numbers, did the imperial and gubernatorial petitions form a specific category of inscriptions, which like the former examples were commissioned for specific purposes. There is no reason to doubt that our inscriptions were intended to have an apotropaic effect on the unwelcome visitors. This is the most common explanation to the phenomenon (cf. e. g. Herrmann 1990:64), but it should not be the only one. Over the wide provincial scene of Asia Minor, imperial and gubernatorial letters occur, in greater or smaller numbers, in most cities which have left a representative sample of inscriptions. To display the direct contact with the emperor or governor signaled aspirations. The *libellus*-procedure made a parallel to this exchange possible even at village level.¹ It is thus striking and revealing that some petitioners, who claimed to be both weak and in great danger, did not hide their considerable resources.²

For the propertied classes the third century brought about a shift from conspicuous use of resources to an avid zeal to guard or obtain exemption from liabilities (Millar 1983). The *sacrae litterae* of 204 serve as a link between the complaintive inscriptions and the privilege of immunity.³ This particular constitution has come down in a great number of examples (ten; cf. Jones 1984). It is indicative that it preceded most of our inscriptions from Asia Minor, **Kilter** and **Tabala** being the exceptions. The first record of complaint - echoed in **Kilter** - a private owner of estates presented to the *proconsul Asiae*, T. Flavius Sulpicianus (187/189). He accused soldiers (probably stationed at Eumeneia) of pestering his domains by demanding guides, breakfast and dinner. By the time of Sulpicianus the garrison had been at Eumeneia for at least two generations; its first record goes back to the reign of Hadrian. There are also early records of petitions from the province of Asia, **Şaçılar** and **Smyrna I & II**, datable to 129, 139 and 150. So there were both potential causes and operable means of communication, but there were no records of complaint. Probably this was because the causes of the later stage had not yet reached an alarming level.⁴ Apart from the imperial *coloni*, the ordinary villager could not present a claim for

1 The northern parodos-wall at Aphrodisias contains both imperial letters and subscriptions; the design does not emphasise the difference.

2 Cf. **Kemaliye**, n. 8; **Kassar**, l. 22 with commentary; and the thousand sterling drachmas of **Ağa Bey Köyü**, l. 10.

3 This aspect is clearly present in **Ağa Bey Köyü** (see commentary on ll. 30-40).

4 See though Scheidel (1991[1994]:148-5)

general immunity. Each person sought to shield himself to the best of his ability by voicing complaints and in effect passing the chalice to his neighbour. So harsher words came to dominate the petitions.

Finally, the epigraphic habit of Asia Minor made a rich record of this process. Recently Scheidel (1991 [1994]) has presented a thorough study of our material and discussed the conclusions reached by Herrmann (1990). Scheidel (1991 [1994]:158) pointed at the verifiable fact that 5 of Herrmann's 16 documents⁵ came from a restricted area (less than 2.000 km²) in North-east Lydia. Mitchell (1993:190) published a map showing the distribution of inscriptions dedicated to local deities in Lydia and western Phrygia. Most of our inscriptions from Asia Minor can be plotted into the same map. Peztl (1994) in his volume on confession inscriptions gave a visual aspect to the epigraphic habit of this region by reproducing numerous photographs. These three publications illustrate and testify to the particularities of the epigraphic habit in this region, leaving little doubt that the originally high number of inscriptions - irrespective of categories - eventually warranted the still extant witnesses to this category.

No fire, no smoke. We should not allow the recurrent causes of complaint to evaporate. For those with power, harsher times induced greater liberties. From the last decades of the second century, the central and provincial government had in their daily affairs to rely on and use the military to a far greater extent than earlier. While the affluent citizens in the preceding century volunteered to shoulder both current expenses and the cost of new buildings, the authorities now had to use *frumentarii* and *kollētiōnes* to muster urban resources.

The sources have set the chronological span of this study (181-249). It conforms well with what we have said above: that the wars of the final decades of the second century coincide with the first inscriptions, and that the severe crisis which struck the Roman Empire by the mid third century also affected this category by radically altering the epigraphic habit.⁶

The epigraphic habit, however, only helps in explaining one of the provincial poles of the exchange. The rescripts formed the other, i. e. the administrative, pole. The administration confined the rescripts to the imperial archives and left it to the recipients to publish what they had decided. The archives in time provided much of the material for the *Codex Gregorianus*, and thus in turn for *Codex Iustinianus*. We are then left with provincial stones and imperial *codices*, which make a fitting - if disproportionate - record of the difference and range of the exchange petition and response.

5 Unpublished inscriptions increase these numbers to 7 and 18 respectively.

6 See the excellent presentation by Roueché (1989:xix-xxiii) describing and explaining the effect of the third century on the epigraphic record. The northern *parodos*-wall at Aphrodisias, cut in the period 240-250, does well as a monument to the departing world.

PART III: REFERENCE

1. DOCUMENTARY APPENDIX

1) **Şapçılar** = Summary of contents in: Bowersock, G. W., Habicht, C., & Jones, C. P.: 'Epigraphica Asiae Minoris rapta aut obruta', *AJPh* 108 (1987) 699-706, esp. p. 703. C. P. Jones (1987:703) summarised the inscription as follows:

'A) a notation dated to the 25th July, 129, of the copying of a petition with its subscription which had been posted in the "New Stoa" of a city whose name is now lost;

B) a copy of the petition itself, addressed to a certain Hermogenes of the Hyrgaleis to Hadrian, and mentioning a hearing given by the emperor in (Phrygian) Apamea on a date not earlier than the 16th of the same July;

C) a notation of receipt of the petition at Apamea on the 23rd of July, with the text of Hadrian's favourable response;

D) a list of witnesses to the correctness of the copy;

E) there follows what appears to be an extract from Hadrian's decision in the original hearing;

in other words, the actual order of events is represented by sections E, B, C, A, D.'

2) **Łukaszewicz (1981)** = P. Berol. inv. P. 14564 = Łukaszewicz, A.: 'A Petition from Priests to Hadrian with his Subscription', *Proceedings of the XVIth International Congress of Papyrology*, Chicago 1981, pp. 357-361 (=SB 16. 12509). Papyrus. The document cannot be dated exactly, but the editor's suggestion to connect it with the emperor's visit to Egypt between July 130 and April 131 (cf. Halfmann 1986:193-4 and 207) seems plausible (especially in view of the Severan *apokrimata*).

- 1 → [Σω]τῆρα καὶ Εὐεργέτην ἐλεῆσαι ἡμᾶς καὶ τὸν ἡμ-
[τερ]ον θεὸν Σόξειν καὶ ἐπιτρέψαι κ[α]ὶ ἡμεῖν ὅς ποιού-
[με]θα ὑπὲρ τοῦ ἱεροῦ δαπάνας παρὰ [τ]ῶν αὐτῶν κω-
4 [μη]τῶν λαμβάνειν ἵνα δυνηθῶ[μ]εν τὰς ὑπηρεσίας
[ποι]εῖσθαι καὶ τὰ ὀφειλόμενα τῶι φίσκωι ἀμέμπ[τως] τω[ς]
[ἀπο]διδόναι ἐκ τῆς σῆς εὐεργεσίας. (vac.) διεντύχει.
[ἄ]ντίγρ(αφον) ὑπογρ(αφῆς). ὑπέγραψ(α). προτεθήτωι.
vacat
8 [Αὐτ]οκράτωρ καίσαρ [Τρ]ιαννός· Ἀδριανός Σεβαστός
[ἰ]ερεῦσι (vac.) []τος []

Translation:

(We beg you, the) Saviour and Benefactor to show pity on us and our god Soxis, and order that we also may collect from the aforesaid villagers the amount which we spend for the temple in order that we may be capable of performing the services and paying appropriately the taxes due the Treasury, by your leave. Farewell.

Copy of subscription. Signed. To be posted.

Imperator Caesar Traianus Hadrianus Augustus to priests ...

3) Smyrna I = I. Smyrna II:1, 597

CIL III, 411 = IGRR IV, 1397 both edd. have complete texts; partial texts only in FIRA² I, 82 and ILS I, 338; the stone is now lost and our reading is based on witnesses from the seventeenth century; for its most recent presentation, cf. Williams 1986:182-7. These editions are now superseded by I. Smyrna II:1, 597, where the text goes as follows:

- [- - - - -]NTΩΝ Ἀθην[- - - - -]
- 2 [- - - - -]Δ ἐν Ῥώμῃ εἰλημμένων τῶν ἀντιγράφων ἐν[- - - - -]
- 3 [- - -] καὶ νεωκόρου τοῦ Διός, τῷ αὐτὸν μὴ δύνασθαι χωρισθῆναι [- - - - -]
- 4 [- -] ὑπάρχειν. Τὴν περὶ τούτου πρόνοιαν ποιήσασθαι δι' ἃ προδηλοῦνται (?) ONEΣ[- -]
- 5 [] τοῦ θεοπρόπου, ἥτις ἱερωσύνη ἀκολουθεῖ τοῖς τοῦ θεοῦ ἱμνησθῆναι· διό [- - - - ὦ]
- 6 φιλόθεε καὶ φιλόανθρωπε Καῖσαρ, κελεύσαι δοθῆναι μοι τὰ ἀντίγραφα τῶν ὑπομνημάτων, ὡς καὶ ὁ θεὸς
πατήρ
- 7 vacat συνεχώρησεν vacat
- 8 *Imp. Caesar T. Aelius Hadrianus Antoninus Augustus Pius Sextilio Acutanio: sententiam divi patris mei,*
9 *si quid pro sententia dixit, describere tibi permitto. Rescripti. Recogn(ovi). Undevicensimus. Act(um) VI*
idus April(es) Romae, Caes(are)
- 10 vacat Antonino II et Praesente II co(n)s(ulibu)s. vacat
- 11 Ἐσφραγίσθη ἐν Ῥώμῃ πρὸ τριῶν κωνῶν Μαίῳν, Ἀυτοκράτορι Καίσαρι Τ. Αἰλίῳ Ἀδριανῷ Ἀντωνεῖνῳ
τὸ β', Γαίῳ Βρουττίῳ
- 12 Πραίσειντι τὸ β' ὑπάτοις. Παρήσαν Τ. Φλ. Μαρεῖνος Σιμωνίᾶς, Λ. Ἀτάμιος Φλάουιος Δημοσθενιανός,
Λ. Αἴτιος Ἐρμογένης Αἰλια[νός],
- 13 Μ. Ἀντώνιος Κρίσπος, Λ. Λικίνιος Ἀλβεινιανός, Μ. Κισκόνιος Καρικός, Τι. Κλαύδιος Ἄκτιος_
- 14 vacat *Stasime, Daphni, edite ex forma sententiam lvel constitutionem!* vacat

4) Smyrna II = I. Smyrna II:1, 598

- 1 [- - - - -] ἐκγεγραμμέν[ον] καὶ ἀντιβεβλημ[ένον]
- 2 [- - - - -] ἐν τῷ ἐν τῷ Παλατ[ί]ῳ ἱερῷ Ἀπόλλων[ος]
- [- - - - -] γεγραμμένα. ν τῷ[]
- 4 [- - - - -] Ἀυτοκράτορι Καίσαρι Τίτῳ Αἰλίῳ Ἀδριανῷ Ἀντωνεῖνῳ Σεβαστῷ Εὐ-
[σεβεῖ] - - - - - π[ρεσβευσάμενο[ι]
- [- - - - -] ὑπ[έρ] τῶν ἐν
[Σμύρνη] τεχνειτῶν ? - - - - -] ποιῶν ἀγα-
- 8 [θ - - - - -]NTΑΝΑΠΚΑΕΡΓ[]
- [- - - - -] ΝΑΩ τεχνε[ι]
- [τ - - - - -]
- An undetermined number of lines is missing.*
- [- - - - -] ΛΕΣ[3-4]
- 12 [- - - - -] ΔΑ[6-7] γ πρέποντ[α]
- [- - - - -] τικῆν [!-η!]σίαν ἐνκεχειρισθ[]

	[-----] περι θυ[σία]ς·	
	[----- ? τ]ῆ δωδ[ε]κάτη θυσία Βρεισεῖ	
16	[-----]α ὑπὲρ ὑγείας τοῦ ἀντοκράτορος	
	[-----]μονης τῆς πόλεως ἡμῶν· ἥς ἰε-	
	[ρ-----] καὶ ἐπίτευξις τοῖς τεχνεῖταις	
	[-----] μετέχοντας καὶ συνελθόντας	
20	[μεταλα]μβάνειν τῶν τε[-----] καὶ τοῦ κρατῆρος, προνοουμένου	
	[τῆς εὐκ]οσμίας καὶ ἐν το[ύτῳ ? κατὰ τ]ὸ ἐψηφ[ισμένον Σε]ρουειλίου. vacat	
	[- - -] ν ἄλλο κεφάλαι[ιον ἐκ τοῦ νόμου ?] διοικητικ[οῦ]· vacat	
	[στεφαν]ώσεις γενέσθωσα[ν καὶ κατακ]λίσεις ταῖς γ[ενεθλί]οις τῶν Σεβαστῶν ἐνιαυσί-	
24	[αις] Ἐ ἡμέραις ἐπ'ἀνανκε[ς Π]αναθηναίους καὶ τριῖς ὑπὸ τῆς πόλεως ἐψη-	
	φισμέναις δημοτελέσι[ν] [έορταῖς καὶ ταῖς] ἀϋθίς ποτε ψηφισθησομέναις ἐκ τῶν δη-	
	μοσίω[ν καὶ] κοινῶν προσό[δων], ἐὰν ἐξαρκῶσιν, ὑπὸ ἐπιμελείας τοῦ ταμίου	
	καὶ τῶν [..... .. προνοου]μένου καὶ ἐν τούτῳ Σερουειλίου τοῦ λαμπαδάρ-	
28	χου ἢ ὃν [ἀν οἱ τεχνεῖται εἰς λαμπαδαρχείαν] καταστήσωσιν μεταστάντος τοῦ βίου.	
	κεφάλαι[ιον ἐκ τῆς ὑπὸ τοῦ κυρίου Καίσαρος Ἄδρια]νοῦ γραφείσ[η]ς ἐ[πιστολῆς τῆ ἱερῶ] θυμε-	
	λικῆ συνόδῳ τῶν τεχνει[τῶν τῆ ἐν Σμύρνη] ἄλλο μέρος· ν[..... .. ὅστις ἀν εἶπη ἢ ἐπι-]	
	ψηφίσηται λαμβάνειν τινά[..... ..]ειν[----- τῶν]	
32	[ῆ]δη δεδογμένων καὶ γεγ[ραμμένων ..... ]αγει[-----]	
	[..].ΤΑΣ ἐκέμπεσθαι νν [..... .. τῶ]ν ἐπι[στολῶν τῶν πρὸς ----]	
	[....].ΗΛΕΙΣ· νν ἐξ ὧν ἐπ[ιστολῶν τ]οῦ ψηφ[ίσματος -----]	
	[.....] τὰ πρότερον δεδογμέν[α ..... ]ΝΕΣΤ[-----]	
36	[.....]... δόξαντα συμφέρειν τοῖς ἱε[ρ-----]	
	[..... . το]ῦ ἀνθυπάτου ἐντυχόντο[ς -----]	
	[τῆς προγεγρα]μμένης συνόδου τῶν [τεχνειτῶν -----]	
	[..... ..]... ἐψηφισμένα κύρι[α -----]	
40	[..... ..]... 'qu]is ea temptet, it agit non[-----]	
	[..... ..]... τοῦ ἀ]νθυπάτου πρὸς τὴν αὐτὴν σ[ύνοδον -----]	
	[..... ..]... τοῦ ἀρ]χιτέκτονος ὑπὲρ τοῦ τηρε[ῖν (οἱ -εἶσθαι) -----]	
	[..... ..]... τῶν προγεγρα]μμένων τεχνειτῶν νν[-----]	
44	[..... ..]...ΛΟΣ ἐπιθεῖς ἀτοπ[-----]	
	[M(arco) Gavio Squilla Gallicano, Sex(to) Car]minio Vetere co[(n)ss(ulibus) - -]	
	[imp(erator) Caesar T(itus) Aelius Hadrianus An]toninus Aug[ustus Pius -----]	
48	[-----]vit e decre[to (or -tis) - -]	
	[-----].. GA[-----]	

Restorations by Williams (1976):

1	[----- ἐγκεγ]ραμμέν[ον] καὶ ἀντιβεβλημ[ένον]
2	[ἐκ τεύχους βιβλειδίων πτοτεθέντων ἐν Ῥώμῃ ἐν τῷ] ἐν τῷ Παλατ[ί]ῳ ἱερῷ Ἀπόλλων[ος]
	[e. g. ἐν ῶ βιβλειδίῳ ἐγγεγραμμένα ἦν τὰ ὑπο]γεγραμμένα. ν τῷ[]

5) Rome = IGUR I, 35

- 1 [-----]
 κύριοι οί [Παια]μιστρα[ί ----- -δεηθῆ-]
 ναι παρ' ὑμῶν ὥστε ἐπίτρεψε ἦν ει[----- καὶ]
 4 στεγάσαι τὰ ἐπικείμενα τῷ οἴχ[ω -----].
 Severus Paeonistis: potestis, sicut in [libello --- su-]
 pra cuneos fenestrarum exstrux[istis ---- in excel-]
 so pedum quattuor. Scripsi V id[us ---- Recognovi.]
 8 Ταῦτα, ἱερῶτατοι αὐτοκράτορες, ἐν ἐ[-----]
 τῆς [- - -] υπ [- - -]λμοι[-----]
 [-----]
 [-----]
 12 [-----]
 Imp. Caes. M. [Aurelius Antoninus -----]
 beneficium [- ----- Scripsi.]
 Recognovi.

6) Sülümenli = Frennd, W. H. C.: 'A Third Century Inscription relating to Angareia in Phrygia', *JRS* 46 (1956) 46-56.

- [I.a [- - - et - - - -cos.] III Cal. Iunias Anosenis, Panas Anosenus Δ': (= dixit) Τὴν ὁδὸν ΚΑΜΕΙΝΟΙ ὄφι.
 ca. [..... ca. 19]παρ' Ἀμορείου· ἡμεῖς δεχόμεθα [κα]ἰ ἀπὸ Φιλομηλείου καὶ ἀπὸ Μείρου
 200] [..... ca. 21]ονται εἰς μονῆν. Threptus proc. Δ': Αἱ ὁδοὶ αὐτὰι ἅς λέγετε ἡμᾶς ὑπηρε-
 4 [τεῖν ca. 16]εἰσέχουσιν καὶ τοῦ πρώτῃλα δίδεται; Panas Δ': Δίδομεν ταύτη τῇ ὁδῷ
 [..... ca. 14 τοῖς ἀπ]ὸ Συννάδων ἐρχομένοις ἀπὸ πέμτου μειλίου παρέχομεν καὶ ἀπὸ Ἀμο-
 [ρείου ca. 14] καὶ ἀπὸ Μείρου ἕως Καμάξου τέσσαρες μειλιάρια ἡμῖν ἐπικεινται.
 [Alexander Antimach]enus Δ': Καὶ ἡμεῖς τὰ ἀπὸ Ἀμορείου καὶ τὰ ἀπὸ Ἀγκύρας ἐρχόμενα πάντα
 8 [..... ca. 17 π]ε]νηγῆτες ἐσμεν. Threptus Anossenis Δ': Πόση ἐστὶν τῆς κώμης τῆς ὑμετέρας
 [ἢ ἀποφορᾶ; Panas Anosenus Δ':...]. Threptus proc. Δ': Ἀντιμαχηνῶν δὲ πόσα; Alexander Δ': β
 Threptus
 [proc. Δ': - - - ἐπὶ] πολλῶν ἐπιτρόπων ἤδη τοῦτο ἐπράχθη καὶ ἤ[ρ]εσε καὶ ἐστέρεξατε· χρῆ οὖν
 [ὑμᾶς .. ca. 7 ... κατὰ τὴν ἀνη]λογίαν τῆς ἀποφορᾶς καὶ τὴν ὑπηρεσίαν παρέχειν. Panas Δ':
 συνήγορο ν.
 12 [ἐκκαλοῦμεθα Δ]οκιμείω. Theptus proc. Δ': Ἴνα τί πλείω εἶπητε ὧν εἰρήκατε; ε(ι) δεῖ οὖν ὑμᾶς
 [..... ca. 16 κατὰ τ]ὴν ἀνηλογίαν τῆς ὑμετέρας ἀποφορᾶς καὶ τῆς Ἀντιμαχηνῶν δίδοναι
 [ἄλλο μέρος - - - - Threptus proc.] Δ': Ἐπειδὴ καὶ ἐνθήκην λέγεται δεδῶσθαι Ἀντιμαχηνοῖς καὶ ἕνα
 [λὰξ ca. 16 ὑμ]ῖν τὸ ἥμισυ ὑμεῖς ὑπομενεῖτε καὶ τὸ ἥμισυ Ἀντιμαχηνοί. τοῦτο
 16 [φροντίσει ὡς περ δεδιή]τημαι Σύμφορος ὁ ὀπίων ἵνα μήτε ὑμεῖς μέμψετε μετὰ ταῦτα
 [μήτε οἱ Ἀντιμαχηνοὶ (?) κατ]ὰ ἑαυτὸ ἵνα εἰδῶσιν ἐκάτεραις αἰ κῶμαι ὅτι τοῦτο οὕτως δεῖ εἶναι.

- [Panas Δ': ----- μ]ελλομεν ἀνγαρεῖς ἀπάγειν εἰς Ἄντιμαχεῖα(ν) πῶς ἔσται; Threptus
 [I.b] [proc. Δ': ----- μ]έχρις οὗ ἡ διαδοχὴ ἐστὶν ἡμῖσιν καὶ ἡμῖσιν ὑπηρετήσετε. vacat Αὐρ(ἡλιος) Σύμ-
 20 [φόρος Ἄνοσσηνοῖς καὶ Ἄντι]μαχηνοῖς κωμήταις καὶ γεραιοῖς χαίρειν. Ἐπεὶ ἐνετύχετε τῷ
 [κρατίστῳ (?) καὶ]υμένῳ μου κυρίῳ ἐπιτρόπῳ Αὐρ. Θρέπτῳ περὶ ἀνγαρειῶν ὧν ἀπελύ-
 [θητε ----- Σ]ύνναδα, ἔδοξεν αὐτοῦ τῇ μεγαλιότητι διεῖλαι καὶ ποιῆσαι ὑ-
 [μῖν ----- καταφανῆ]ς ὡς δεῖν ἕκαστον ὑμῶν τὰς ἡμίσεις ἀνγαρίας διαδέχεσθαι ἀπὸ
 24 [- -----] κώμης· ἐκέλευσε δέ μοι ὅπως περὶ τοῦτου φροντίδα ποιήσω. παραγ-
 [γελλῶ ὑμῖν ἀκόλουθα τοῖς ὑ]πὸ τοῦ κυρίου ἐπιτρόπου Αὐρ. Θρέπτου κεκριμένοις ὡς εἰάν
 [τις τὰ ὑπὸ τοῦ κυρίου ἐπιτρό]που ὀρισθέντα ἀντιτάξεται, οὐκ ἀγνοήσει τὸν ἑαυτοῦ κίνδυνον. vacat
 [I.c] [Αὐρ. Σύφορος γεραιοῖς (?) Ἄν]τιμαχηνοῖς χαίρειν. Κατὰ τὰ ὀρισθέντα δι' ὑπομνημάτων ὑπὸ τοῦ
 28 [κρατίστου (?) ----- ἐ]πιτρόπου Αὐρ. Θρέπτου φροντίσατε κατὰ τὸ ἐπιβάλλον ἀπο-
 [δέχεσθαι (?) ----- τ]ὰς ἀγγαρίας, εἰάν δὲ ἀμελήσετε, λόγον ὑφέξετε. vacat
 [2. [Imp. Antonino III et Caelio B]albino cos. V Idus Octobres Prymnesso, Philocurius proc. Δ':
 213] [- -----] τοῖς κεκριμένοις στασιάζουσιν, οἱ δὲ στασιάζοντες κολα- ν ν
 32 [σθήσονται ἀκόλουθα τοῖς κε]κριμένοις. Vales Δ': Ἄνοσσηνοὶ ἀξιοῦσιν στατιωνάριον λαβε[ῖν].
 [3. [Philocurius proc. Δ': ὅπως τηρ(?)]ῆται τὰ κεκριμένα, δώσω στατιωνάριον. Mario Perpet-
 237] [uo et Mommio Corneliano cos.] VI Idus Octobres Synnadis, Novellius proc. Δ': Τὸν ὄρο(ν)
 [τὸν δεδομένον ὑπὸ Θρέπτο]υ ἀναλυθῆναι οὐχ οἶόν τε ἐστὶν καὶ διὰ τοῦτο φροντίσουσιν
 36 [ὅπως πειθαρχήσουσι τ]οῖς ὀρισθεῖσιν. ἄλλο μέρος. Novellius proc. Δ': Ἀγάθων ὁ
 [ὀπίτων(?) ----- κατὰ τ]ὰ φθάνοντα ὑπὸ Θρέπτου ὠρίσθαι τοῦτου πρόνοιαν ποιή-
 [σει ----- εἰάν δὲ ἀπειθοῦντας] τ[ι]νας καταλάβῃ, δηλώσει μοι καὶ τότε ὄρον δώσω καὶ
 [- ----- ὑπηρε(?)]τήσει τῷ ταβλαρήῳ κατὰ τὴν ἀπόφασιν τὴν ὑπὸ Θρέπτου
 40 [ὀρισθεῖσαν(?) -----]ις τὰ κεκριμένα· εἰάν δὲ ἀπειθήσωσιν οἱ Ἄνοσσην[οί],
 ----- Ε ... Α της ἀποφορᾶς πεπ -----

Translation (taken from Levick 1985:57-60, no. 54)

1. stage, probably around 200

[In the consulship of - - - and - - -], 30 May, at Anossa, Panas of the Anosseni said: 'Those who have worked the road [- - -] (or: the drought oxen ought to - - - the road) from Amorium. We take over also from Philomelium and from Mirus [- - -] up to the rest house.'

The procurator Threptus said: 'These roads which you say you (stone: we) serve [- - -] how far do they stretch and where are the teams (?) of oxen produced(?)?'

Panas said: 'For this road we produce [- - -; to those] coming from Synnada we provide from the fifth milestone, and from Amorium [- - -], and from Mirus towards Camaxus four miles are imposed on us.'

[Alexander of Antimach]eia said: 'And we [are responsible for (?)] everything that comes from Amorium and from Ancyra although (?) we are poor.'

Threptus said to the Anosseni: 'What is your village's tax contribution?'

Panas said: '[- - -] thousand, four hundred *denarii*.'

The procurator Threptus said: 'And how many *denarii* that of the Antimacheni?'

Alexander said: 'Two thousand, seven hundred and fifty.'

Threptus [the procurator] said: 'This sum has been exacted under a number of procurators already and it has suited you and you have been satisfied with it. You ought [- - -] then to provide services [in the same ratio] as your tax rating.'

Panas said: 'We shall use an advocate [to appeal (?) at D]ocimium.'

The procurator Threptus said: 'What is the point of saying more than you already have? You ought then [- - -] to contribute in the same ratio as your tax rating and that of Antimacheia.'

[Another section of the record: - - - The procurator Threptus] said: 'Seeing that stores are said to be given to the people of Antimacheia and in turn [- - -] to you, you will undertake half, the people of Antimacheia half. Symphorus the under-centurion [will take care of this (?) as I have awarded it] so that you do not have any ground for complaint in the future, nor the people of Antimacheia (?) on] its account, so that each of the two villages may know that this is how it must be.'

[Panas said: - - -] 'But if we are to deliver transport facilities to Antimacheia, how will it be?'

Threptus [the procurator said: '- - -] up to the pint where relief take over you shall serve half and half.'

Aurelius Sym[phorus] sends greetings to [the Anosseni and Anti]macheia, villagers and elders. Since you have appealed to my [excellent (?) and - - -] Lord Procurator Aurelius Threptus concerning the transport facilities which were remitted you [- - - S]ynnada, his Excellency had thought it proper to determine and to make [- - - clear] to you how each of you ought to take up half the provision of transport facilities from [- - -] village. He has instructed me as to the manner in which I am to give my attention to this matter. I enjoin [you in accordance with the decisions taken by my Lord the procurator] Aurelius Threptus that if anyone shall set himself against what has been determined by the Lord Procurator he shall come to know the danger to himself.'

[Aurelius Symphorus send greetings to the elders (?) of An]timacheia. In accordance with the dispositions made in his memorandum by the [excellent - - -] procurator Aurelius Threptus, you are to take care in accordance with the task laid upon you to [take on (?) - - -] the provision and transport facilities, while if you are remiss, you shall give account of it.'

2. stage, 11 October, 213

[In the consulships of the Emperor Antoninus (Caracalla) (for the third time) and Caelius B]abinus, 11 October, at Prymnessus. The procurator Philocurius said: '[- - -] to the decisions they are in a state of civil disobedience; those who are in a state of civil disobedience [shall be punished in accordance with] the decisions.'

Valens said: 'The Anosseni request that they should be allocated a soldier on police duty.'

[Philocurius the procurator said: 'To guarantee (?)] the decisions I shall provide a soldier.'

3. stage, 10 October, 237

In the consulships of Marius Perpet[uus and Mummius Cornelianus], 10 October, at Synnada.

The procurator Novellius: 'The demarcation [handed down by Threptus] can not be cancelled and for that reason they shall [see that they conform to] its terms.'

Another section of the record.

The procurator Novellius said: 'Agathon [the under centurion (?) - - - in accordance with] the terms previously laid down by Threptus shall make sure of this [- - - If] he catches any per-

sons [failing to obey] he shall bring it to my attention and I shall give a decision and [- - - he shall provide (?) service] to the registrar in accordance with the award [arranged (?)] by Threptus [- - -] the decisions. But if the Anosseni fail to obey, [- - -] of the payment [- - -].’

7) **Burdur** = Mitchell, S.: ‘Requisitioned transport in the Roman Empire: A New Inscription from Pisidia’, *JRS* 66 (1976) 106-31.

Sex. Sotidius Strabo Libuscidianus Irg.

Ti. Caesaris Augusti pro pr. (vac) dic(it):

4 Est quidem omnium iniquissimum me edicto meo adstringere id quod Augusti alter deorum alter principum
 maximus diligentissime caverunt, ne quis gratuitis vehiculis utatur, sed quoniam licentia quorundam
 praesentem vindictam desiderat, formulam eorum quae [pra]estari iudicio oportere in singulis civitatibus
 et vicis proposui servaturus eam aut si neglecta erit vindicaturus non mea tantum potestate sed
 principis optimi a quo .D VUMEN mandatis accipi maiestate. (vacat)
 3 Sagalassenos {o} ministerium carrorum decem et mulorum totidem praestare debent ad usus neces-
 sarios transeuntium, et accipere in singula carra et in singulos schoenos ab iis qui utentur aeris denos, in
 mulos autem singulos
 et schoenos singulos aeris quaternos, quod si asinos malent eodem pretio duos pro uno mulo dent.
 Aut, si malent, in singulos mulos et in singula carra id quod accepturi erant si ipsi praeberent (vac)
 12 dare praestent iis qui alterius civitatis aut vici munere fungentur, ut idem procedant.
 Praestare autem debebunt vehicula usque Cormasa et Conanam. Neque tamen omnibu-
 s huius rei ius erit, sed procuratori principis optimi filioque eius, usu d[omi]ni[us]que ad carra decem aut
 pro singulis carris mulorum trium aut pro singulis mulis asinorum binorum quibus eodem te-
 16 mpore utentur soluturi pretium a me constitutum; praeterea militantibus, et iis qui diplomum hab-
 ebunt, et iis ex alis provinciis militantes commeantibus ita ut senatori populi Romani non plus quam
 decem carra aut pro singulis carris muli terni aut pro singulis mulis asinis bini praestentur soluturis id quod
 praescripsi; equiti Romano cuius officio princeps optimus utitur ter carra aut in singula terni muli aut
 20 in singulos [mu]los bini asini dari debebunt eadem condicione, sed amplius quis desiderabit conducet
 arbitrio locantis; centurioni carrum aut tres muli aut asini sexs eadem condicione. Iis qui frumen-
 tum aut aliudquod tale vel quaestus sui causa vel usus portant praestari nihil volo, neque cuiquam p-
 ro suo aut suorum libertorum aut servorum iumentu. Mansionem omnibus qui erunt ex
 24 comitatu nostro et militantibus ex omnibus provinciis et principis optimi libertis et servis et iumentis
 eorum gratuitam praestari oportet, ita ut reliqua ab invitis gratuita non exsistant. (vac)

Σέξτος Σωτίδιος Στράβων Λοβουσκιδιανός πρεσβευτῆς Τιβερίου καίσαρος Σεβαστοῦ ἀντιστρα-
 τηγὸς λέγει· ἔστιν μὲν ἄδικον τὸ ἠσφαλισμένον ὑπὸ τῶν Σεβαστῶν τοῦ μὲν
 18 θεῶν τοῦ δὲ ἀντοκρατόρων μεγίστου ἐμὲ διατάγματι ἐπισφείργειν. ἐπεὶ δὲ τινῶν πλεο-
 νεξία τὴν παραντίκα ἐκδικίαν αἰτεῖ, κατὰ πόλιν καὶ κώμην ἔταξα κανόνα τῶν ὑπηρεσιῶν ὃν τη-
 ρήσω οὐ μόνον δι’ ἐμᾶντοῦ ἀλλὰ ἐὰν δεῖ καὶ τὴν τοῦ σωτῆρος Σεβαστοῦ δεδωκότος μοι

32 *περὶ τούτων ἐντολ[ὰς] προσπαραλαβῶν θειότητα. Σαγαλασσεῖς λειτουργεῖν δεῖ μέχρι δέκα κάρ-
 ρων ἕως Κορμάσων καὶ Κονάνης, νωτοφόροις δὲ ἴσοις. ἐπὶ τῷ λαμβάνειν ὑπὲρ μὲν κάρρου
 (vac) κατὰ σχολῖνον ἀσσάρια δέκα, ὑπὲρ δὲ νωτοφόρου κατὰ σχολῖνον ἀσσάρια τέσσαρα, ὑπὲρ δὲ
 ὄνου κατὰ σχολῖνον ἀσσάρια δύο. ἢ εἰ προκρεῖνουσιν χαλκὸν διδόναι τοῖς ὑπηρετοῦσιν ἐξ ἀλ-
 36 λων τόπων προσθέτωσαν αὐτοῖς ὅσον αὐτοὶ ὑπηρετοῦντες ἔμμελον λαμβάνειν· οὐ πᾶ-
 σιν δὲ τοῖς βουλομένοις τὴν τοιαύτην ὑπηρεσίαν παρέχεσθαι δίκαιον· ἐστίν, ἀλλὰ τῷ τοῦ
 Σεβαστοῦ ἐπιτρόπῳ καὶ τῷ νύϊῳ αὐτοῦ μέχρι κάρρων δέκα ἢ νωτοφόρων εἰς λόγον
 ἐνὸς κάρρου τριῶν ἢ ὄνων εἰς ἐνὸς ἡμιόνου λόγον δυεῖν οἷς ὑπὸ τον αὐτὸν
 40 καιρὸν χρῆσ[ε]σθαι ἀποδίδοντες τὸν ὠρισμένον μισθόν. ἐπὶ τούτοις καὶ τοῖς
 στρατευομένοις, καὶ τοῖς διπλώματα ἔχουσιν, καὶ τοῖς ἐξ ἄλλων ἐπαρχιῶν διοδεύου-
 σιν, ἐξ ὧν τοῖς μὲν συνκλητικαῖς οὐ πλείονα τῶν δέκα ζευκτῶν, ἢ ὑπὲρ ἐνὸς τρεῖς ἡμι-
 ὄνους, ἢ ὑπὲρ ἐνὸς ἡμιόνου δύο ὄνους, ἀποδιδούσιν τὸν ὠρισμένον μισθὸν
 παραστήσαι ἀνάγκη ἔξουσιν. τοῖς δὲ ἰπικῆς τάξεως ἐάν τις ἐν ταῖς τοῦ
 44 Σεβαστοῦ χρή[αις] ἢ κάρρων τριῶν, ἢ εἰς τὸν ἐκάστου λόγον ἡμιόνων τριῶν,
 ἢ ὄνων ἐξ ἐπὶ τῇ ιδί[α]ι αἰρέσει. ἐκάντοντάρχη κάρρον ἢ νωτοφόρους τρεῖς, ἢ ὑπὲρ ἐκάς-
 του ὄνους δύο, [τοῖς] τὸν μισθὸν διδοῦσιν, ἐάν τις τούτοις μὴ ἀρκῆται τὰ λοι-
 48 πὰ μισθῶσε[ται παρ]ᾶ τῶν βουλομένων. τοῖς σεῖτον ἢ ἄλλο τι τοιοῦτο ἐπ' ἐμπορίᾳ
 ἢ χρήσει διακομίζουσιν ὑπηρετεῖ[θ]αι· οὐ. βούλομαι. ὑπὲρ ιδίων ἢ ἀπελευθερικῶν ἢ
 δουλικῶν κτηνῶν λαμβάνεσθαι τι ἀποδοκιμάζω. σταθμὸν πᾶσιν τοῖς τε με-
 52 θ' ἡμῶν καὶ τοῖς στρατευομένοις ἐν πάσαις ἐπαρχείαις καὶ τοῦ Σεβαστοῦ ἀπε-
 λευθέρους καὶ δούλους καὶ τοῖς κτήνεσιν αὐτῶν ἄμισθον παρασχεθῆναι δεῖ, τὰλ-
 (vac) λα δὲ ... ΠΝ - - ca 5 - - . \ΝΠΑΡΑÇ..ΟΝΤΩΝ (vac)*

Translation

Sextus Strabo Libuscidianus, *legatus pro praetore* of Tiberius Caesar Augustus, says:

It is the most unjust thing of all for me to tighten up by my own edict that which the Augusti, one the greatest of gods, the other the greatest of emperors, have taken the utmost care to prevent, namely that no-one should make use of carts without payment. However, since the indiscipline of certain people requires an immediate punishment, I have set up in the individual towns and villages a register of those services which I judge to be provided, with the intention of having it observed, or, if it shall be neglected, of enforcing it not only with my own power but with the majesty of the best of princes from whom I received instructions concerning these matters.

The people of Sagalassus must provide a service of ten waggons and as amnymules for the necessary uses of people passing through, and should receive, from those who use the service, ten *asses per schoenum* for a waggon and four *asses per schoenum* for a mule, but if they prefer to provide donkeys, should give two in place of one mule at the same price. Alternatively, if they prefer to, they can pay people of another village or town who undertake the duty the same price for individual mules and waggons as they have receive if they had provided the service themselves, in order that these perform the same service. They are obliged to provide transport as far as Cormasa and Conana.

However, the right to use this service will not be granted to everyone, but to the procurator of the best princes and his son, and they are granted the use of up to ten waggons, or three mules in place of a single waggon or two donkeys in place of a single mule on the same occasion, being liable to pay the price I have decided. In addition (use of the service is granted) to persons on military service in the following manner: no more than ten waggons, or three mules for individual waggons, or two donkeys for individual mules, must be provided to senators of The Roman people being liable to pay the sum I have prescribed; three waggons, or three mules for individual waggons, or two donkeys for individual mules, must be provided to a Roman knight whose services are being employed by the best of princes on the same condition, but if anyone requires more he shall hire them at a price decided by the person who hires them out; a waggon, or three mules, or six donkeys, shall be provided to a centurion on the same condition.

I want nothing to be provided for those who transport grain or anything else of that sort for their own use or to sell, and (nothing should be provided) for anyone for their own personal baggage animals or for their freedmen's or for their slaves' animals. Shelter and hospitality should be provided without payment for all members of my own staff, for persons on military service from other provinces and for freedmen and slaves of the best of princes and for the animals of these persons, in such a way that these do not exact other services without payment from people who are unwilling.

8) **Bephoure** = Feissel, D. & Gascou, J.: 'Documents d'archives romains inédits du Moyen Euphrate (III^e siècle après J.-C.)', *CRAI* (1989) 535-61. Papyrus; New edition in *Journal des Savants* (1995) 65-119.

- 1 (1. hand) Ἐπὶ ὑπά(των) Αὐτοκρά(τορος) Καίσαρος Μάρκου Ἰουλίου Φιλίππου σεβ(αστοῦ) καὶ Μεσσίου Τιττιανοῦ πρὸ πέντε καλ(ανδῶν) Σεπτεμβρ(ίων) ἔτους ἡς μηνὸς Λῶου ηκ' ἐν Ἀντιοχ(εία) μητροπόλει ἐν ταῖς Ἀδριαναῖς θερμαῖς.
- (2. hand) Ἰουλίῳ Πρεῖσκῳ τῷ διασημοτάτῳ ἐπάρχῳ Μεσοποταμίας, διέποντι τὴν ὑπατεῖαν παρὰ Ἀρχώδου
- 4 Φαλλαίου καὶ Φιλώτα Νισραϊάβου καὶ Οὐορώδου Συμισβαράχου καὶ Ἀβεδσαντᾶ Ἀβεδιαρδᾶ ὄντων ἀπὸ κώμης Βηφ- φούρης κυριακῆς τῆς περὶ Ἀππάδαναν. ca. 15 letters vacat Ἐχοντες, κύριε, ἀμφισβήτησιν μεταξὺ τῶν συν- κωμητῶν περὶ χώρας καὶ ἐτέρων, ἀνήλθομεν ἐνταῦθα δικαιολογήσασθαι παρὰ τῇ σῇ χρηστό- τητι, καὶ σχολήσαντες τῇ σῶ δικαστηρίῳ μηνᾶς ὀκτώ, προσήχθη τὸ πρᾶγμα, καθὰ διαμνημονεύ- ει σου τὸ μέγεθος, τῇ πρὸ ἐννέα καλ(ανδῶν) Σεπτεμβρ(ίων) τῶν πρόσφατον διελθουσῶν καὶ σὺ ὁ εὐεργέ-

- της ἀκούσας μέρους τοῦ πράγματος, ἐκέλευσας ὥστε ἐπὰν εὐτυχῶς ἐν τοῖς τόποις
ἔση ὄρον δοῦ-
ναι. ν Ἐπεὶ οὖν ν ἕως τῆς δεῦρο τὸ πρᾶγμα κρίσιν οὐκ ἔλαβεν, ἐπιχειροῦσιν δὲ οἱ
συνκω-
μῆται ἐκβάλλειν ἡμᾶς τῆς χώρας ἐν ᾗ τυγχάνομεν καὶ βιάζεσθαι πρὸ δίκης.
Κελεύουσιν
- 12 δὲ αἱ θεῖαι διατάξεις, ἅς τε πρὸ πάντων γνωρίζων προσκυνεῖς, τοὺς
καταλαμβανόμενους ἐν τῇ
νομῇ μέχρι δίκης ἐκείνους ἐν αὐτῇ εἶναι. ννν Διὰ τοῦτο κατεφύγομεν ἐπὶ σὲ καὶ δεόμε-
θά σου κελεύσαι δι' ὑπογραφῆς σου Κλαυδίῳ Ἀρίστωνι τῷ κρατίστῳ ἐπιτρόπῳ τῷ ἐν
Ἀππά-
δανα, ὑφ' ᾧ ἡ διοίκησις ἐστίν, ἐν ἀκεραίῳ πάντα τηρηθῆναι καὶ βίαν κωλυθῆναι μέχρι
- 16 τῆς σῆς εἰς τοὺς τόπους ἐσομ[έ]νης σου εὐτυχῶς ἐπιδημίας ὅπως, τούτου ἐπιτυχόν-
τες, ἔξωμεν σου τῇ τύχῃ διὰ παντὸς εὐχαριστεῖν. ννννν Αὐρήλιος Ἀρχώδης Φαλλαίου
ἐπέδωκα
καὶ εἰς τὸν τῶν ἐτέρων λόγον.
- (3. hand) Ὑπογραφὴ Ἰουλίου Πρεῖσκου τοῦ διασημο(τάτου) ἐπάρχου Με(σοποταμίας)
διέποντος
- 20 τὴν ὑπατείαν. Ὁ Ἀρίστων ὁ κρατίστος τὴν ἀξιωσί-
σου δοκιμάσει.
- (4. hand) legi ςθ
(5. hand) λ(ί)β(ελλος) Ἀρχώδ[ου] Φαλλαίου καὶ Φιλώ[τα]
- 24 Νισραιάβου.

Translation

(I. 1-2) In the consulate of Emperor Caesar Marcus Iulius Phlippus Augustus and Messius Titianus, August 28, in Antioch, in the baths of Hadrian.

(II. 3-5) To Iulius Priscus, *perfectissimus*, prefect of Mesopotamia, with a special governorship, from Arkhodes, son of Phallaios, and Philotas, son of Nisraibos, and Ourodes, son of Symisbarakhos, and Abediarda, all being from the imperial village Bephoure in the region of Appadana.

(II. 5-10) Lord! Because we are having a dispute with some people in the village about land and other things, we have come here to seek redress by your highness; and when we had waited for eight months, the case was heard - as your greatness recollects - on August 22, this year. And you, our benefactor, listened to a part of it and decided that you would give borders when you had arrived safely in the region. (II. 10-12) But since we to this date have not received a ruling, the people in the village tries to throw us out of the land where we live, and they apply force ahead of the verdict. (II. 11-13) The imperial decisions, which you above all knows and respects, order that those who live in a region shall be allowed to be there until the verdict.

- [is ... conductoru]m atq(ue) oficialium exa-
 [actionibus ... d]ecreti concili quod suci-
 4 [citavit has querel]as cum magno animi mei
 [dolore audivi ...]temporum illorum quorum
 [...]fuit ad nunc quis aequo animo
 [ferat ... e]xactionibus inlicitis quibus
 8 [...]imponunt fortunis alienis immi-
 [nere ? ...]m exauriant compendis su-
 [is ...]uam populi vel fisci debiti
 [...]re]iproce requi[e]s non et mi-
 12 [lites ? ...]parentium a v c liberorum v
 [...]sum]ma excipit officiales munifi-
 [centia]ne quasi quodam more consti-
 [tuto ... pu]blici vectigalis paterentur
 16 [...]ne posthac admittant *vacat*
 [...]pro delicti qualitate in- *vacat*
 [rogentur ...]s de qua re et proc{c}(uratoribus) me-
 [is]pro]vincialibus innotescere vo-
 20 [lui ...]ciant. L. Apronius Pius leg(atus) Aug(usti)
 / \
 []IIIA eius circa provinciam suam hic

2. INDICES

1. Geographical names, Greek - 2. Geographical names, Latin - 3. Personal names, Greek - 4. Names of Roman emperors and members of their family - 5. Personal names, Latin - 6. General word index, Greek - 7. General word index, Latin - 8. Inscriptions cited or referred to - 9. Papyrus cited or referred to - 10. References to *Digesta* and *Codex Iustinianus*

The numbers refer to lines; where a word is divided over two or more lines, only the number of the *first line* is given. When a word or part of word is restored, the number is given in *square brackets*, e. g. [24]. The words are given in the normal spelling form; to check the real spelling one has to look up the individual occurrences. Indices 6 and 7 contain the expressive words occurring in the inscriptions of Part I, A & B; expressive implies that conjunctions, pronouns, articles and prepositions are omitted.

1. Geographical names, Greek

Αἰζανοί
Tabala: 18
Ἀππιανοί
Aragua: 18
Ἀραγουηνοί
Aragua: 7
Ἀσία
Ağa Bey Köyü: 20
Ἀττικός
Ağa Bey Köyü: 10
Γρησειτοι (?)
Skaptopara: 11
Εὐιππεῖς
Euhippe: 4
Ζ[.]μον (?)
Kilter: 4
Θράκη
Skaptopara: 26,57
Λαϊκὸς Πύργος
Dagis: II 12
Μάδιλος (?)
Kilter: 4
Μαιονία
Kavacık: 1
Μοιτηανοὶ Σοηνοί
Aragua: 8
Παυταλιωτεῖς
Skaptopara: 126
Σκαπτοπαρηνοί
Skaptopara: 10

Ταβαλεῖς
Tabala: 13
Τακινεῖς
Takina: 3, [34], [45], [57]
Τράχων
Phaina: 6
Φαινῆσιοι
Phaina: 3
Φιλαδελφεῖς
Güllüköy: [7]
Φρνγία
Aragua: 19
Takina: 39
χορα Δαγει *alias*
χώρα Δάγισ
Dagis: I 9

2. Geographical names, Latin

Saltus Burunitanus
Saltus Burunitanus: II 12
Tractus Karthaginiensis
Saltus Burunitanus: III 10
Roma
Skaptopara: 5
Thermae Traianae
Skaptopara: 5

3. Personal names, Greek

Αΐλιος Ἄγλαος
Ağa Bey Köyü: 7, 15

Αἰμίλιος Ἰοῦνκος
Tabala: 13

Ἀντώνιος Ἰβήρος
Dagis: Π 19

Ἀρτεμιδῶρος Ἀρίστωνος
Dagis: Πb 3

Αὐρήλλιος Ἀνδρονεΐκος
Takina: 1

Αὐρηλ. [...]
Takina: [55]

Αὐρ. Διοτίμος
Takina: 57

Αὐρήλιος Ἐγλέκτος
Aragua: 6

Μ. Αὐρ. Εὐπλοῦς
Takina: 13

Αὐρ. Ἡρακλείδης
Takina: 55

Μ. Αὐρ. Ζῆθος
Takina: 12

Μ. Αὐρ. Ζώσιμος
Takina: 12

Αὐρήλλιος Ἰλαριανός
Takina: 2

Μ. Αὐρ. Καλλινίκιος
Takina: 13

Αὐρ. Μαρεΐνος
Kassar: [1]

Αὐρ. Φιλοκύριος
Takina: 14, 30, [25], [39]

Μ. Αὐρ. Τ[...]
Takina: 14

Μ. Αὐρ. Τορκουάτος
Takina: 12

Αὐρ. Τροκ. Ἀνδρόνεϊκος
Takina: 56

Γάιος Γαβίνιος Βάρβαρος Πονηιανός
Euhippe: 1

Γάσιος Τρανκύλλος
Takina: 19, 20

Ἐρμογένης
Kavacik: 25

Ἰούλιος Σατουρνίνος
Phaina: 1

Ἰούλιος Σεουήρος
Dagis: I 7

Μάρκ. Ἰούνιος Κογκέσσου
Takina: 54

Μίκκος Γαίου

Dagis: Πb 4

Τ. Οὔλλπιος Δίδυμος
Aragua: 8

Ἐφίλλιος Θεόδωρος
Takina: 11

Τίτοξ Φλ(άνιος) Σουλπικιανός
Kilter: 3

Πακούσιος Αἰμιλιανός
Takina: [34]

Πύρρος
Skaptopara: 108 (cf. also Latin Names)

4. Names of Roman emperors and members of their family

Τίτος Αἶλιος Ἀδριανός Ἀντωνεΐνος
Dagis: [I 3]

Μάρκος Αὐρ. Ἀντωνεΐνος
Takina: 1

Ἀντωνεΐνος
Euhippe: 6

Μ. Ἀντώνιος Γορδιανός
Skaptopara: 8
Kavacik: [25]

Μ. Ἰούλιος Φίλιππος (Σεβαστός)
Aragua: 5

Μ. Ἰούλιος Φίλιππος (Καίσαρ)
Aragua: 5

Πέρτιναξ
Tabala: 1

5. Personal names, Latin

Allius Maximus
Saltus Burunitanus: Π 1 and 9

Antistius Burrus
Gasr Mezuar: 16

Antoninus
Dagis: Π 16

Antoninus Aug.
Gasr Mezuar: B 11

Μ. Antonius Gordianus
Skaptopara: 4, 165

Aurelianus
Saltus Burunitanus: IV 27

Μ. Aurelius Commodus Antoninus
Saltus Burunitanus: IV 1

Aurelius Philocyrius
Takina: 15, 30

Aurelius Pyrrus
Skaptopara: 6, 165

Caecilius Martialis
 Gasr Mezuar: 15
Chrysanthus Andronicus
 Saltus Burunitanus: IV 11
Cornelianus
 Saltus Burunitanus: IV 28
Didymus
 Aragua: 3
Eglectus
 Aragua: 2
Fulvius Pius
 Skaptopara: 2
Hadrianus (adj.)
 Saltus Burunitanus: III 4 and 25
C. Iulius Pelops Salapus
 Saltus Burunitanus: IV 29
M. Iulius Philippus (Augustus)
 Aragua: 2
M. Iulius Philippus (Caesar)
 Aragua: 3
Lurius Lucullus
 Saltus Burunitanus: IV 3 and 15
Octavius Felix P. Quincti filius
 Gasr mezuar: [9]
L. Octavius Ianuarius
 Gasr Mezuar: 9
Orfitus
 Gasr Mezuar: B 14
Pacuvius Aemilianus
 Takina: 30
C. Pompeianus Tranquillus
 Takina: 15
Pontius Proculus
 Skaptopara: 2
[Priscus]
 Gasr Mezuar: B 15
Tussanius Aristo
 Saltus Burunitanus: IV 11

6. Important words, Greek

A

ἀγαθός
 Aragua: 1
 Kassar: 16
 Euhippe: 1
ἀγγαρεία
 Dagis: I [14], II [17]
ἀγγαρεύω
 Aragua: 21

ἀγνοέω
 Phaina: 38
 Takina: 37
ἀγροικία
 Aragua: 29
ἀγρός
 Takina: 8
ἀδιάσειστος
 Skaptopara: 28
ἀδικέω
 Aragua: 23
ἄθλιος
 Ağa Bey Köyü: 17
αἰνέω
 Kavacık: 2
αἰτέω
 Takina: 23
αἴτημα
 Skaptopara: [69]
αἰτία
 Kemaliye: 3
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αἰτιάω
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 Kilter: 14
αἴτιος
 Kassar: 16
αἰώνιος
 Skaptopara: 12
ἀκολούθως
 Skaptopara: 57
ἀληθής
 Ağa Bey Köyü: 40
ἀληθῶς
 Skaptopara: 64, 57
ἀλλότριος
 Aragua: 11, 17
ἄλογος
 Aragua: 15
 Kavacık: [3]
ἄλυπος
 Aragua: [9]
ἄμαξα
 Takina: 9, 43
ἄμετρος
 Kassar: 19
ἀναγιγνώσκω
 Kilter: [1]
 Takina: [12], [21], [41], 46
ἀναγκάζω
 Phaina: 24
 Skaptopara: 41

- ἀναγκαῖον*
 Skartopara: 54
 Kassar: [24]
- ἀναγκαίως*
 Güllüköy: 3
 Skartopara: 163
- ἀνάγκη*
 Ağa Bey Köyü: 43
 Skartopara: 86
- ἀναγράφω*
 Skartopara: 103
- ἀναίδεια*
 Kemaliye: [19]
- ἀνάληψις*
 Skartopara: 43
- ἀναπέμπω*
 Euhirpe: 10
- ἀνάστασις*
 Kavacık: 43
- ἀνάστατος*
 Aragua: [32]
 Skartopara: 13
- ἄνεμι*
 Tabala: 5
- ἀνεन्दεῶς*
 Skartopara: 28
- ἀνηκουστέω*
 Takina: [28]
- ἄνθρωπος*
 Ağa Bey Köyü: 17
 Dągis: III 11
 Skartopara: 16
- ἀνθυπατεία*
 Ağa Bey Köyü: 8
- ἀνθύπατος*
 Euhirpe: 3
 Kilter: [2]
 Tabala: 13
 Takina: 6, 19, 20, 41, [50]
- ἀνίστημι*
 Takina: 54
- ἀνίκητος*
 Skartopara: 78
- ἀντιγραφή*
 Skartopara: 79
 Takina: 21
- ἀντίγραφον*
 Takina: 19, 50
- ἀντιγράφω*
 Skartopara: 15
- ἀντικαθίστημι*
 Ağa Bey Köyü: 25
- ἀντιμάχομαι*
 Kemaliye: 16
- ἀννπέρβλητος*
 Ağa Bey Köyü: 23
- ἀνύποιστος*
 Kassar: 17
- ἀξιόλογος*
 Kilter: 7, 10
- ἀξίωσις*
 Skartopara: 113, 122
- ἀόχλητος*
 Skartopara: 27, 58
- [ἀπαγορεύω]*
 Kassar: [24]
- ἀπαντή*
 Takina: 41
- ἄπαξ*
 Aragua: 23
- ἀπειθαρχέω*
 Demirci: [8]
- ἀπειλέω*
 Ağa Bey Köyü 26
- ἀπελεύθερος*
 Takina: 4
- ἀπέχω*
 Demirci: 6
 Kavacık: [21]
- ἀπλησία*
 Kavacık: 11
- ἀποδέχομαι*
 Kemaliye: [15]
- ἀποδίδωμι*
 Takina: [11]
- ἀποκείμαι*
 Kavacık: 16
- ἀπολαμβάνω*
 Takina: 9
- ἀπολιμπάνω*
 Skartopara: 39, 81
- ἀπολογέω*
 Phaina: 39
- ἀπολογία*
 Ağa Bey Köyü: 4
- ἀπορία*
 Kassar: 22
 Skartopara: 154
- ἀπορία*
 Kassar: 22
- ἀποστερέω*
 Kassar: [21], 22
- ἀποφορά*
 Ağa Bey Köyü: 29

- ἀποχωρέω*
 Tabala: 24
- ἀργυρίζομαι*
 Tabala: [18]
- ἀργύριον*
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 1 368 = **Demirci**, pp. 244-6
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 1 404, p. 201 (n. 30)
 1 430 = **Smyrna 1**, p. 103-4
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 5 523, p. 104
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 6 870 = **Saltus Burunitanus**, pp. 2-28 and **OGIS** (= *Orientalis Graecae Inscriptiones Selectae*)
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 8 394, p. 273
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- Reynolds** (1982 = *Aphrodisias and Rome*, London 1982)
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- II (1925)
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1 186 = **Takina**, pp. 217-43 and *passim*
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1 244 = **Tabala**, pp. 203-11 and *passim*
1 297, p. 146
1 462, p. 49 (n. 27)
- RDGE** = R.K. Sher: *Roman Documents from the Greek East* Baltimore 1969
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- (1969 = RDGE)
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- SIG**³ (=Sylloge Inscriptionum Graecarum, third edition; the critical app. of **Skaptopara** has also references to SEG²)
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- TAM** (=Tituli Asiae Minoris)
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1 219, p. 46 (and n. 18)
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