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The inscription was discovered close to the village Susuzören (also known as Susuzköy) which is located southeast of Uşak, west of Sivaslı (Sebaste) and north of Sülümenli (Blaundos). The inscription is identical with the inscription which William Tabbernee refers to in his article “Portals of the Montanist New Jerusalem: The Discovery of Pepouza and Tymion”, *Journal of Early Christian Studies* 11:1, 2003, 87–94, esp. pp. 87–89. Tabbernee’s article includes a map of the area. According to Tabbernee’s report the stone had been unearthed in 1975 in a field some 2.2 km southeast of Susuzören at a small place known as Saraycık. The farmer had reused the slab as a step at the entrance to his house. Later in 1998 the stone was brought to the Uşak Archaeological Museum where it is now part of its valuable epigraphic collection. On the basis of the ethnic *Tymiorum* in l. 10 Tabbernee identified Tymion, one of the two Montanist centres of Phrygia (Pepouza being the other). The inscription has thus contributed to solving the widely debated question of where these centres were to be located. This article will not address the question of Montanism apart from pointing to the fact that on the basis of the evidence of the inscription imperial *coloni* must have made up a significant proportion of the followers of the Montanist creed.

The Stele

The measurements of the stele are as follows: height: 0.79 m, width: 0.76 m, thickness: 0.26 m, letters 0.015 m to 0.02 m (Greek text) and 0.02 m (Latin text). The stele is engraved with a bilingual inscription that was cut into a solid piece of marble. Today the stone is broken into three pieces. A vertical fissure – slanting slightly right to left – divides the stele into two approximately equal parts. At the bottom left corner a small third piece is detached. This smaller fragment gives four to seven letters at the start of ll. 12–15. The last words at the end of l. 16 seem to form the conclusion of the rescript.

The inscription divides into an authentication tag, the dating and issuing and the text of a rescript given by Septimius Severus and his co-reigning elder son, Caracalla (here – as always – known by his adopted name, Marcus Aurelius Antoninus Pius) to *coloni* on two imperial estates, Tymion and Simoen[...]. The date can be established as being between the 15th of July and the 14th of August in the consulship of the sons of Septimius Severus, Caracalla and Publius Geta. The year can thus be either 205 or 208 as they were consuls together twice. Because no numbers are added and because this would be logical to do to avoid confusion if the rescript was issued in 208, the year should be 205. But since no numbers figure at all at the appropriate places in the imperial titulature which appears in this inscription, the year may as well be 208. Our interpretation of the puzzling ADPEDIPATA in l. 6 may also support the later date (see below).

Description and Text

The stonecutter(s) have inscribed the text with great technical – if not orthographic – skill, and the carefully worked stele appears as a beautiful epigraphic monument. At the top of the stele

there is a gable marked by fairly thick borders forming an approximate triangle. Ll. 1–3 are set in the tympanum of the gable within its borders. L. 4 is cut on the lower border. L. 5 is cut on the ridge forming the transition from the gable to the face of the stele. Another, unscribed border separates the Greek text in ll. 1–5 from the Latin text of ll. 6–16. The 11 lines of the Latin text are written with classical letters of consistent size. On the left the oblique vertical break has taken away 5 to 8 letters, best calculated from the titulature in ll. 8 and 9, where 8 and 7 letters should be restored respectively. On the right side the end of the lines should be intact, and so they are in ll. 6–9. The recorded endings of ll. 10–11 may be intact, but at the end of ll. 12–15 a piece of the surface has come off taking away 2 or possibly 3 letters (l. 13). A major question is whether the final words (*sui modum*) form the end of the inscription. The thorough inspection of the surface by Dr. Tanriver tells us that this is so because the surface below l. 16 has been left unscribed.

Many separators occur in this part. In l. 7 a small leaf separates the issuing tag from the address of the *subscriptio*, a similar divider can be assumed in l. 11 between the address and the text of the *subscriptio*. There are in the entering of the text a number of omissions and phonetic spellings. At the very start in l. 1, one reads ἐγγεγραμμένον in place of ἐκγεγραμμένον. L. 4 has περ[ι]στόφ for περ[ι]στόφ.¹ In l. 5 one would expect [ἀντίγραφον], but considering letter size, available space and centering of the text, [ἀντίγραφον] could barely have been accommodated within the available space. Accordingly we write [ἀντίγραφον] ἀντιγραφῆς (see commentary). In l. 6 the stone clearly has ADPEDIPATA which is meaningless (see commentary). In the Latin part phonetical spellings occur in l. 12 (a[dver]sun perseverantes), l. 13 (maeorem) and l. 14 (at praesidem).

The Text and Translation

- ἐγγεγραμμένον
καὶ ἀντιβεβλημένον ἐκ τεύχους
[βιβλιδί]ων ἐπιδοθέντων τοῖς κυρίοις αὐτοκρά-
4 [τορσι καὶ] προτεθέντων ἐν περ[ι]στόφ Θερμῶν Τρα-
[ιανῶν ἀντίγραφον] ἀντιγραφῆς καθὼς ὑπογράφεται.
[a.d. Kal. . .] Aug(ustas) ADPEDIPATA dominis nn (= nostris) Antonino Pio
[Aug(usto) et P(ublio) G]eta Caesare co(n)s(ulibus) ♦ Imp(erator) Caesar L(ucius)
Septimius
- 8 [Seuerus P]ius Pertinax Augustus Arabicus Adiabenicus
[Parthic]us Maximus et Imp(erator) Caesar M(arcus) Aurelius Anto-
[ninus P]ius Augustus Colonis Tymiorum et Simoen-
[. . . ♦ P]rocurator noster i[n]te[r]ponet se adversum in-
12 [licitas] exact[i]ones et a[dver]sum perseverantes ut e[.]
[. . 5 . . i]nstant[ia - - - -]. Aut si res maiorem v[i]-
[gorem] desider[averit non cu]nctabitur ad praesidem
[provi]nciae [- - - -]t eas personas adver-
16 [sum - - - - -] officii sui modum.

¹ Cf. I. Stratonikeia 293, ll. 27–29: κατεσκευακότα ναὸν ἐν τῷ περιστόφ τοῦ βουλευτηρίου(ου) σὺν τοῖς ἀγάλμασιν ἐν παντὶ τῷ κόσμῳ.



L. 1: ἐγγεγραμμένον. L. 4: περι[ι]στόφ. L. 5: [(ἀντίγραφον)] ἀντίγραφῆς by haplography sugg. T. Hägg. L. 6: ADPEDIPATA, perhaps: *ad pedi(tes) data*. L. 12: *a[dver]sun*. l. 13: *maeorem; v[il]gorem* sugg. T. Eide. L. 14: *at*. L. 16: *offici*.

Translation

[Ll. 1–5: Authentication tag] *Copied and controlled from the collection of petitions delivered to our Lords the emperors and displayed in the peristyle of the Baths of Trajan <copy> of the rescript as written below.*

[Ll. 6–7: Date of issue] *On [...] of August [...] in the consulship of our Lords Antoninus Pius and Publius Geta.*

[Ll. 7–16: Rescript] *Imperator Caesar L(ucius) Septimius Severus Pius Pertinax Augustus Arabicus Adiabenicus Parthicus Maximus and Imperator Caesar M(arcus) Aurelius Antoninus Pius to the coloni of the Tymians and Simoen[...]. Our procurator shall engage himself against the illegal exactions and those who keep on [– –]. Or if the matter should be in need of a higher authority [...], one should not hesitate to [...] the governor of the province [– – –] these persons against [– – –] the manner of his office.*

Commentary

Introduction

Ll. 1–5 record that the copy had been made from the collection (τεῦχος) of petitions presented to the ruling emperors and which – when answered – had been on display in the Baths of Trajan (in Rome). The rescript system and the procedure of *propositio* of petitions to Roman emperors has been discussed since the publication of the petition from Skaptopara (*IGBulg IV, 2236 = P&R I, 1, no. 5*). There is now an extensive bibliography on this topic.² As presently understood the rescript procedure was as follows: petitions were handed in by petitioners or the representatives in person at the emperor's residence; with or without the instructions of the emperor the secretary *a libellis* prepared and signed an answer which was written underneath the petition on the same sheet, and in turn approved by the signature of the emperor. The two stage preparation of the rescript can be identified by the signatures *recognovi* (*a libellis*) and *sub-/re-/scripsi* (the emperor) as the end of e.g. Skaptopara (l. 168). This was the *subscriptio* variety of the imperial *rescriptum* (the other being the *epistula*). The answered petition was then joined with other petitions in a volume (here called τεῦχος βιβλιδίων ἐπιδοθέντων τοῖς κυρίοις καὶ προτεθέντων, in Skaptopara *liber libellorum rescriptorum*) and put on display at an established location for a fixed period. When this period came to an end, the petitions were handed over to the imperial archive and incorporated into the imperial file of answered petitions. In order to obtain a copy of the imperial response, the petitioners had to produce a copy of the rescript while on display and have it authenticated through the signatures and seals of seven witnesses. In some cases the petitioners represented communities or organizations and the rescripts given had wider interest. In such cases the answers were communicated and preserved as inscriptions. A handful of these inscriptions has come down through the ages, and our knowledge about the rescript procedure and form relies upon these epigraphical sources – because the key moments in the procedure do not appear in the versions preserved in the legal texts and because the imperial archives, the originals and the authenticated copies have all long since vanished. We shall see that the epigraphical copies are only copies in a restricted sense, for they reproduce only some stages of the administrative procedure. The complete picture appears only when one combines the sources to see what is included and what is not. This may be to use many words to say little, but the administrative procedure of the rescript from Tymion can only be fully understood when compared to the related epigraphical sources.

The authentication tag says that the following imperial rescript had been copied from the collection of petitions presented to the reigning emperors. As said above the copy had to be verified by witnesses. The signatures of 7 witnesses and their seals at the end of the document

² The inscription should be added to the group of inscriptions that renders complaints to Roman emperors and also illustrates the rescript system. The rescript system is described by U. Wilcken, *Zu den Kaiserreskripten*, *Hermes* 55, 1920, 1–42; W. Williams, *The Libellus Procedure and the Severan Papyri*, *JRS* 54, 1974, 86–103; D. Nörr, *Zur Reskriptenpraxis in der Hohen Prinzipatzeit*, *ZS* 98, 1981, 1–46; T. Honoré, *Emperors and Lawyers*, 2nd ed. London 1994; J.-P. Coriat, *Le prince législateur. La technique législative des Sévères et les méthodes de création du droit impérial à la fin du principat* (BEFAR 294), Rome 1997; F. Millar, *The Greek East and Roman Law: The Dossier of M. Cn. Licinius Rufus*, *JRS* 89, 1999, 90–108. The epigraphical sources are collected and presented in T. Hauken, *Petition and Response. An Epigraphic Study of Petitions to Roman Emperors 181–249*, (Monographs from the Norwegian Institute at Athens, vol. 2), Bergen 1998, here abbreviated *P&R*.

would normally complete and balance the authentication tag. The seals would be broken when the document was presented to the *procurator Asiae* or the *proconsul Asiae* (cf. *Rev.* 5, 1–2). The separation of authentication from the list of witnesses reflected the layout of the original copy. If space had allowed, one might have expected such a list or an appropriate summary at the end of the Tymion-inscription. As the inscription stops at the end of l. 16, we know that the signatures were not part of the monument. So the various practices followed when committing the papyrus-sheet to stone tell us that the people who commissioned the final monument clearly felt free to decide how much of the formulas accompanying the crucial rescript to include. In this case the authentication tag was included, but not the names of the witnesses. In Skaptopara (238) the authentication tag was included, but the names were reduced to a simple summary, *signa*. C. P. Jones (*AJPh* 108, 1987, 703) gives a brief summary of an unpublished inscription rendering a petition presented to the emperor Hadrian in July 129. From his (necessarily) short report it appears that the inscribed version had both an authentication tag and a list witnesses. In Takina (S. Şahin and D. French, *EA* 10, 1987, 133–42, *P&R* I, 2, no. 6) only the names of the witnesses were included in the inscription. In the two petitions from Smyrna (*I. Smyrna* 597 and 598) the names of the witnesses are partly preserved in no. 597 and the authentication tag only in no. 598. This diversity among the surviving epigraphical examples implies no difference as to the administrative procedure of the Roman authorities. Rather it reveals, as commented, a certain laxity in reporting the *minutiae* of the administrative procedure in the final monument.

Depending upon the nature of the case the answer could be presented in court, and in cases like those of the epigraphical sources for the procedure one might decide to make a monument. Such a monument could serve different purposes, e.g. displaying for everybody the tenacity the petitioners had shown in achieving their rights or revealing the current law and imperial attitude, thus warding off future dispute.

Private persons who had obtained imperial rescripts on specific points of law would later present them in court. As a rule the imperial rescripts answering complaints would not comment directly on a case, but would rather instruct and authorize the petitioners to approach the provincial authorities, in this case both the imperial procurator and the provincial governor. The instructions conveyed a direct order to set the matter straight. On the surface this may look like a *circulus vitiosus* as the petitioners frequently were at pains to declare that such approaches had already been made but to no apparent avail. The difference would be that, equipped with an imperial rescript, they would be much better armed. We do not possess examples of repetitious visits to the emperors court, but the *coloni* of Aragua (*P&R* I, 1, no. 6) approached Philippus Arabs twice, once when *praefectus praetorio* and once when emperor.

The place of proposition

In Rome two places are known to have been used for the proposition of answered petitions. The copy of a petition preserved as *I. Smyrna* 598 was on display in the temple of Apollo in the Palatine in the year 150.³ In 238 the heading of the petition from Skaptopara tells us that the portico of the baths of Trajan were used for the same purpose. The inscription from Tymion (ll. 4–5) informs us that the baths of Trajan was used for the same purpose already in

³ *I. Smyrna* 598, ll. 1–2 as restored by W. Williams, *ZPE* 22 (1976) 235–245: [ἐκγεγ]ραμμέν[ον] καὶ ἀ(ν)τι-βεβλημ[ένον] | ἐκ τεύχους βιβλειδῶν προτεθέντων ἐν Ῥώμῃ ἐν τῷ ἐν τῷ Παλατ[ί]φ ἱερῷ Ἀπόλλων[ος].

205 or 208. From this it follows that the location must have changed at some time between 150 and 205–208. The temple of Apollo on the Palatine was a sumptuous temple used for a variety of official purposes. Its courtyard housed two libraries, Greek and Latin (Suet. *Aug.* 29.3; Cass. Dio 53.1.3), which were marked on the (now lost) fragment 20b of the *Forma Urbis*. In the first century the senate used to gather in an adjacent portico and it has been argued that this was the venue throughout the principate.⁴ The use of the temple complex for the proposition of petitions seems to have been largely unnoticed.⁵ The use of the temple of Apollo for this purpose also tells us that the petitioners were physically close to the emperor, for the temple was next to the *Domus Flavia* and its imposing staterooms. Envoys on embassies to the emperors were most probably received in this part of the imperial palace. Petitioners would deliver and receive the answers to their petitions across the lane. The close contact between the imperial house and its visitors was brought to an end by the change of venue, and one may both ask when and why this happened. The most probable date would be in 191 when an extensive fire destroyed the *Templum Pacis* and parts of the Palatine.⁶ It may not be a coincidence that the collection of imperial rescripts (transmitted through *Codex Gregorianus*) of *Codex Iustinianus* begins in 193 since it is reported that fire of 191 also destroyed the imperial archives.⁷ This change of venue – from the Palatine to the Oppian hill – also moved the petitioners away from the emperor’s residence.

The authentication

Ll. 1–3: The Latin parallels invite the restoration given in the text, unfortunately no complete Greek parallel survives. The stone has ἐγγεγραμμένον in place of ἐκγεγραμμένον as printed in J. Nollé, *Nundinas instituere et habere* (Subsidia Epigraphica, vol. 9), Hildesheim 1982, ll. 1–4: [ἐ]γγεγραμμένον καὶ ἀντιβεβλημένον ἐκ τεύχους χαρτίνου διαταγμάτων ἐκ τοῦ ἐν Μαγνησίᾳ ἀρχείου, ἐφ’ οὗ | ἐστὶν ἀντιγραφεὺς Μόνιμος Ζωσίμου, διάταγμα | τὸ ὑπογεγραμμένον. ἐκγεγραμμένον καὶ ἀντιβεβλημένον corresponds to the Latin phrase *descriptum et recognitum* as in Skaptopara (*IGBulg* IV, 2236 = *P&R* I, 1, no. 5) where the entire authentication tag runs: *Fulvio Pio et <P>o<n>tio Proculo cons(ulibus) XVII kal(endis) Ian(uariis) descriptum <e>t | recognitum factum ex libro bellorum rescript<orum> a dolmino n(ostro) Imp(eratore) Caes(are) M(arco) Antonio Gordiano pio felice Aug(usto) et propol-<s>it<orum> <R>omae in portico [t]h<e>rmarum Tr[a]ianarum in ve<r>ba <quae> i(nfra*

⁴ The first line of the Tabula Hebana says *utique in Palatio in porticu quae est ad Apollinis, in eo templo in quo senatus haberi solet*. See Talbert, *The senate of Imperial Rome*, Princeton 1984, pp. 117–118 and D. L. Thompson, *The meetings of the Roman Senate on the Palatine*, *AJA* 85 (1981) 335–339. See also D. Liebs, *Promulgationslokale im späantiken Rom*, in: *Satura Roberto Feenstra sexagesimum quintum annum aetatis complenti ab alumnis collegis amicis oblata*, Freiburg/Schweiz 1985, 215–228.

⁵ As by P. Gros in his article “Apollo Palatinus” in E. M. Steinby (ed.), *Lexicon Topographicum Urbis Romae*, Roma 1993–2000.

⁶ See R. Sablayrolles, *Libertinus Miles. Les cohortes de Vigiles*, Paris 1996, Collection de l’École française de Rome, 224, p. 798.

⁷ See Cass. Dio 73.24.2 πῦρ τε νύκτωρ ἄρθεν ἐξ οἰκίας τινὸς καὶ ἐς τὸ Εἰρηναίων ἐμπεσὼν τὰς ἀποθήκας τῶν τε Αἰγυπτίων καὶ τῶν Ἀραβίων φορτίων ἐπενείματο, ἕς τε τὸ παλάτιον μετεωρισθὲν ἐσῆλθε καὶ πολλὰ πάνυ αὐτοῦ κατέκαυσεν, ὥστε καὶ τὰ γράμματα τὰ τῆ ἀρχῆ προσήκοντα ὀλίγου δεῖν πάντα φθαρῆναι, Herodian 1.14.2–6 (and Whittaker’s commentary in his Loeb-edition), and the entry under 191 in Eusebius, *Hieronymi Chronicon: Incendio Romae facto Palatium et aedes Vestae plurimaque urbis pars solo coaequantur*.

s(cripta) s(unt). In l. 5 we print [(ἀντίγραφον)] ἀντιγραφῆς καθὼς ὑπογέγραπται because there is not space on the stone to accommodate [ἀντίγραφον] ἀντιγραφῆς. The omission of ἀντίγραφον is best explained as an haplography which occurred due to the following ἀντιγραφῆς. ἀντίγραφον must be restored both because of the participles ἐκγεγραμμένον καὶ ἀντιβεβλημένον and the following genitive ἀντιγραφῆς. ὑπογέγραπται is used in the sense ‘written, quoted below’.⁸

The heading

Ll. 6–7. After the day the stone has ADPEDIPATA. In this we see no apparent meaning. A venturesome interpretation may be *ad pedi(tes) data*. Reading *d* for *p* is best explained as a mistake and by referring to the general laxity in the transmission of this text. This is *ratio* set against *res*. We know of a total of 85 rescripts in Codex Iustinianus annotated by *data*. In his discussion of the different annotations (*proposita/data/accepta/supposita*) Coriat (1997:613–615) concludes that *data* corresponds with the date for the issuing and publication at the emperor’s residence. Septimius Severus was in Rome during the summer of 205. At the same time of the year in 208 he had started on the campaign in Britain which would occupy him until his death in February 211. The annotation *ad pedi(tes) data* would explain why the rescript was issued at one place and displayed at another. This information might have been in the inscription to explain how and where the rescript had been issued when it was generally known that the emperors had left Rome.

The rescript

Ll. 7–11: *colonis Tymiorum et Simoen[...]*: The address is in the regular form for a *subscriptio*: the names of the emperors (without numbers to their titles) in the nominative and the addressee in the dative (see *P&R*, 262–263). The ethnic *Tymiorum* enabled Tabbernee to identify the place of discovery with one of the two Montanist centres in Phrygia. Map 62 in *Barrington Atlas of the Greek and Roman World* (Princeton 2000) shows that only a few locations are identified by name in this area. Since an ethnicon is used for the geographical names of Tymion and Simoen[...], this might indicate that Tymion was an imperial estate or that some of its inhabitants belonged to an imperial estate. The instructions to the emperors’ procurator in the text of the rescript confirm the imperial status of the *coloni*. In his article Tabbernee referred to a passage of the contemporary Apollonius (*Adversus Cataphrygas seu Montanistas*) quoted by Eusebius in *HE* 5.18.1–2 (ὁ Πέπουζαν καὶ Τύμιον Ἱερουσαλήμ ὀνομάσας, πόλεις δὲ εἰσὶν αὐταὶ μικραὶ τῆς Φρυγίας, τοὺς πανταχόθεν ἐκεῖ συναγαγεῖν ἐθέλων). The second name *Simoen[...]* could be restored as *Simoen[tium]*, of the *Simoentes*. In his article Tabbernee refers to Euthymius, a representative at the council of Nicaea in 787, as *hegumenus Pepuzentium* (pp. 90 and 93).

L. 11: *procurator noster*, cf. *CI* 3.13.1 (Severo et aliis d. 12 Jan 214) *Non quidem fuit iudex procurator noster in lite privatorum. I[nter]ponet*, cf. *CI* 4.44.1 (Aurelio Maroni/Matroni/Maxoni militi d. 19 Feb 222): *aditus itaque nomine tuo praeses provinciae auctoritatem suam interponet, maxime cum paratum te proponas id quod pretii nomine illatum est emptori refundere*.

⁸ See *P&R*, p. 189 Kilter l. 6 with commentary.

Ll. 11–12: *in[licitas] exactiones*, cf. Dig. 1.18.1.pr: *Illicitas exactiones et violentia factas . . . prohibeat praeses provinciae. item ne quis iniquum lucrum aut damnum sentiat, praeses provinciae provideat.*

L. 13: *[i]nstantia*, cf. CI 8.50.6 (Iusto pp. 1 Feb 291) . . . *praeses provinciae efficaci instantia compellet eum legibus obtemperare et recepto eo, quod pretii nomine dependitur, status securitatem non inquietare.* On this template we may suggest restoring in *e[fficaci i]nstantia* ll. 12–13.

Ll. 13–14: *si res maiorem v[igorem] desider[averit]* . . . *Vigorem* fits the lacuna nicely, but the word *vigor* does not occur in rescripts of the Severan period. It does however, occur at the head of Ulpian’s much quoted summary of imperial rescripts (Dig. 1.4.1): *Quod principi placuit, legis habet vigorem*, “whatever the emperor decides has the force of law”. A restored word can of course not count as evidence for Ulpian’s authorship, moreover the word occurs only three times in the *Digest* and not at all in the *Codex Iustinianus*. The rescript was, however, issued in a period when Ulpianus was at the head of the *a libellis*-office (cf. T. Honoré, *Emperors and Lawyers*, 2. ed. Oxford 1994, pp. 81–86 ranging from April 5 202 to May 1 209).

L. 14: *[non cu]nctabitur*, cf. CI 8.39.1 (Diogeni pp. 25 Feb 287): . . . *rector provinciae iuvare te adversus eum, cum quo communiter mutuum pecuniam accepisti, non cunctabitur.*

Ll. 14–15: *praesidem [provi]nciae*, cf. Dig. 1.18.1, *praesidis nomen generale est eoque et proconsules et legati Caesaris et omnes provincias regentes, licet senatores sint, praesides appellantur.*

L. 16: *offici sui modum*, cf. CI 10.3.1 (Agortiae pp. 5 Jan 213) *Quod in libellum contulisti, procuratori meo, ad cuius officium desiderium tuum pertinet, adlega* and CI 3.26.2 (Aristae d. 20 Sept 207) *Non animadvertimus, cur causam ad officium procuratorum nostrorum pertinentem ad proconsulis notionem advocare velis.*

The damage to the stone has primarily affected the text of the rescript. To reconstruct the exact contents of the rescript is not possible, but both the theme and the necessities of language and structure provide us with some clues. The contents are contained within the first and last words to be read (that is *[p]roc(urator)* and *modum*). As it now stands, we can also see that the rescript consists of two parts. The first has the form of a clear instruction to the emperors’ procurator to engage himself against illegal exactions and against a stubborn group, apparently his subordinates. The repetition of *adversum* emphasizes his intercession both against abuses (*exactiones*) and against persistent abusers (*perseverantes*). The word *perseverare* suggests that the petitioners previously have obtained a favourable decision which has been ignored. The second half starts brusquely with *aut si* and is an instruction to the petitioners to approach the provincial governor (*praeses provinciae*, i.e. the *proconsul Asiae*) who is to action to correct the misconduct if the procurator is not up to his job. At the end of the lacuna in front of *eas personas* one may just discern a *t* which probably is the ending of a verb which must have the *praeses* as its subject. This is both logical and required by the reflexive pronoun at the end (*officii sui*). *Eas personas* will then be the direct object of this verb and these persons are in turn to be identified as the petitioners. At the end of l. 15 we meet *adver[sum]* for the third time to be followed by the same persons hinted at with

perseverantes and who are acting contrary (?) to the manner of the proconsul's office. The following tentative restoration may serve to illustrate our line of thought:

[. . . ♦ P]rocurator noster in[te]rponet se adversum in-
 12 [licitas] exact[i]ones et a[dver]sum perseverantes ut e[ff]-
 [ficax? i]nstant[ia ? . . . 12–13 . . .]. Aut si res maiorem v[er]-
 [gorem] desider[averit non cu]nctabitur ad praesidem
 [provi]nciae [ire. Is defendat]t eas personas adver-
 16 [sum eos . . . 7–8 . . . qui agunt contra] officii sui modum.

Translation

[Ll. 11–16: Rescript] *Imperator Caesar L(ucius) Septimius Severus Pius Pertinax Augustus Arabicus Adiabenicus Parthicus Maximus and Imperator Caesar M(arcus) Aurelius Antoninus Pius to the coloni of the Tymians and Simoen[. . .]. Our procurator shall engage himself against the illegal exactions and those who keep on [. . .] the [powerful] earnestness [. . .]. Or if the matter should be in need of a higher authority, one should not hesitate to [approach ?] the governor of the province. He shall defend these persons against [those that act . . . contrary to the] manner of his office.*

The inscription and the related material from Asia Minor

There are only a handful of epigraphic sources of imperial rescripts. But the lawcodes provide a rich material, 2,609 rescripts have been collected and organised chronologically in a Paligenesia. These are available at the internet site <http://www.iuscivile.com>.⁹

The new inscription from Tymion falls into and expands the existing picture of epigraphical monuments. These substantiate persistent friction among tenants, landholders and representatives of the Roman authorities (either imperial procurators or the provincial governors). The monuments testify to communication among them on both provincial and imperial level. Even if there are important testimonies from other provinces, there is a distinct group of these sources from the province of Asia,¹⁰ particularly from eastern Lydia and western and central Phrygia. The inscriptions do not only fall within a defined geographical region, they also fall within the chronological range of approx. AD 180–250. The inscription from Tymion adds information to this group by being datable, by concentrating on the administrative duties of the procurator and by pointing to the hierarchical administrative structure of the province. Since the rescript is issued by a pair of emperors it is also of relevance for the dating of the petitions from the territory of Philadelphia (Ağa Bey Köyü and Kemaliye/Mendechora). Of these two the petition from Ağa Bey Köyü comes closest as the culminating part reads (Ll. 30–41): “And we beg that you will be favourably disposed towards our supplication and to

⁹ This is a compilation drawn from a number of sources, including Justinian's Codex (CJ), Digest (D) and Institutes (J Inst) and other ancient collections such as Vatican Fragments (FV), Collatio legum Mosaicarum et Romanarum (Collatio), Consultatio veteris iurisconsulti (Cons), the Visigothic summary of the Codex Gregorianus and Hermogenianus (CG Visi, CH Visi) the Appendices to Lex Romana Visigothorum (Appx LR Visi), and the modern Collectio Librorum Iuris Anteiusiniani (Collectio) together with those found on inscriptions and papyri. The material is taken from the diskettes published with T. Honoré, *Emperors and Lawyers*, 2nd ed. Oxford 1994.

¹⁰ Especially to be noted are the petitions from North Africa and the province of Asia (Skaptopara).

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. 18–19 of Kemaliye/Mendechora offers a clear parallel: “[we beg you] to command and dispose by some law that the provincial governor shall visit their insolence upon them”. These two petitions have not come down to us with the imperial answer, but they give as a good indication as to the character and contents of the petition that elicited the rescript issued to the *coloni Tymiorum*. Compared to the rescripts from Skaptopara and Aragua the one from Tymion has two striking features. It signals no reservations as to whether the accusations received are correct or not (like the reservations *perspecta fide* or *an verum sit*). More importantly it confronts the procurator with his failure to correct recurrent irregularities and at the same time unmistakably subordinate him to the provincial governor. The latter passage contrasts him with Ağa Bey Köyü where the superior position of the procurator is at the centre of the petition. The combined evidence of the rescripts issued to local communities in Asia Minor clearly shows us that the emperors urged their representatives to take problems in hand. Whether this was reflected in their appointments is not possible to demonstrate. The urgency of the Tymian expression *aut si res maiorem v[igorem] [. . . .] desider[averit non cu]nctabitur ad praesidem [ire]*, can be interpreted as a veiled threat.

Similar rescripts exist. In the North African inscription from Saltus Burunitanus, the rescript goes (*P&R* I, 1, no. 1, ll. IV,4–8) *Procc(uratores) contemplatione disciplinae et instituti mei curabunt ne quit per iniuriam contra perpetuam formam a vobis exigatur*. Skaptopara (ll. 166–168) *Id genus quaerellae precibus intentum an verum sit debet iustitia praesidis potius super his quae adlegabuntur instructa discingere quam rescripto principali certam formam reportare debeas*. Aragua (*P&R* I, 1, no. 6, ll. 2–3) has *Proconsule vir clarissimus perspecta fide eorum quae adlegastis si quid iniuriose geratur, ad sollicitudinem suam revocabit*. Kilter (*P&R* I, 2, no. 3, ll. 7–11) has ὁ ἀξιολογώτατος Λίγυ[ς] μὴ ἐπηρεάζεσθαι σου τὰ χωρία κατὰ [μη]δένα τρόπον [φο]ντίσει. τοῦ αὐτοῦ δὲ [καὶ] ὁ ἀξιολογώτατ[ο]ς χειλίαρχος πρόνο[ιαν] ποιήσεται. The letter of Pertinax to Tabala (*P&R* I, 2, no. 4) has in ll. 8–10 καὶ περὶ τούου διδαχθεῖς ὁ κράτιστος τοῦ ἔθνους ἡγούμενος ἐπανορθώσεται. The rescript of Caracalla to the Takinians (*P&R*, I, 2, no. 6, ll. 4–11) goes ὁ ἐπίτροπός μου καὶ ἀπελεύθερος πᾶσαν πρόνοιαν ποιήσεται τοῦ μήτε πρὸ καιροῦ τοὺς στρατιώτας ἐπὶ προφάσει τῶν κρατίστων ἀνθυπάτων προεκθέοντας ἐνοχλεῖν ὑμῶν μήτε τὰς πόλεις καταλείποντας πορθεῖν τοὺς ἀγρούς· τὸν αὐτὸν τοῦτον ἔξετε πρὸς τὸ καὶ τὸν μισθὸν τὸν ἐφ’ ἐκά[σ]-τῳ τῶν μειλίων ἐπὶ ταῖς ἀμάξαις ἀπολαμβάνειν καὶ τ[οῦ]ς βοῦς κατὰ καιρὸν χωρὶς πάσης ἐργολα[βί]ας ὑμῶν [ἀποδίδ]οσθαι.

The two points at issue are illegal exactions and disregard of imperial instructions. Illegal exactions are at the core of the petitions from Ağa Bey Köyü and Kemaliye/Mendechora (see the discussion of the passage in *P&R* 52–54). It seems reasonable to compare or identify the *perseverantes* with the ubiquitous *frumentarii* and *kollêtiônes* who figure in numerous sources.¹¹

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Özet

Makalede, Uşak yakınlarındaki Susuzören köyünde bulunan ve yalnızca üst kısmı korunmuş olan bir imparatorluk cevabı yazısı (*rescriptum*) tanıtılmaktadır. Yazıttan anlaşıldığına göre, Susuzören’de lokalize edilmesi gereken Tymion ve yakınındaki Simoen[---] adlı imparatorluk kolonilerinin sakinleri, kendilerinden haksız para talep eden bazı yetkilileri imparatora şikayet etmişler ve Roma’dan aldıkları cevabı elimizdeki stelin üzerine yazdırmışlardı. Yazıda, Roma imparatorluk devrinde imparatorlara yapılan başvurularla ilgili olarak izlenen bürokratik prosedür anlatılmaktadır. Buna göre; imparatorun o sıradaki ikametgahına yazılı olarak verilen bir şikayet dilekçesi önce inceleniyor ve imparatorun buna verdiği cevap (*rescriptum*) bir sekreter (*a libellis*) tarafından bu şikayet dilekçesinin altına yazılıp imparatora imzalatılıyordu. Şikayet ve cevap içeren bu belgeler Roma’nın belli bir yerinde, belli bir süre askıda tutuluyordu (Roma’da, bu belgelerin askıya çıkarıldığı iki yer bilinmektedir: Palatinus Tepesi’ndeki Apollon Tapınağı ve Traianus Hamamları). Süresi dolup da askıdan indirilen belgeler imparatorluk arşivine kaldırılmaktaydı. Şikayet sahipleri diledikleri takdirde kendilerine verilen cevabın bir kopyasını askı süresi içinde alabiliyorlardı. Ancak kopyanın geçerli olabilmesi için 7 tanık tarafından imzalanması ve mühürlenmesi gerekiyordu.

Uşak müzesinde korunan yazıtta, imparator cevabının aslına uygun olduğuna ilişkin onay (grekçe) ve tarih (latince) okunabilmekle birlikte, imparatorun verdiği latince cevabın (*rescriptum*) çok az bir kısmı korunmuştur. Yazıtın korunan kısmının çevirisi şöyledir:

[ONAY]: “*Bu kopya, efendi imparatorlarımıza yapılan başvuruların ve bunlara verilen cevapların askıya çıkarıldığı Traianus Hamamları’nın portico’sunda bulunan orijinaline uygundur.*”

[TARİH]: “*Ağustos ayının ... gününde ve imparatorun seferde olduğu sırada ve efendilerimiz Antoninus Pius ile Publius Geta’nın consul oldukları yılda.*”

¹¹ The *kollêtiônes* and the *frumentarii* appear in Ağa Bey Köyü (k: ll. 25, 35 and 45; f: l. 1), Demirci (k: l. 5 restored; f: l. 4), Kassar (k: l. 21; f: l. 11); Kavacık (k: l. 11; f: l. 7) and Kemaliye/Mendechora (k: l. 14; l. 17). Of these inscriptions the one from Kavacık is the only one with a fixed dating. The most pronounced reaction to these groups is to be found in the petition Kemaliye/Mendechora (Ll. 9–19): καὶ τοῦτο δεόμεθ’ ἀπιδόντας ὑμᾶς, μέγιστοι καὶ θειώτατοι τῶν πάποτε αὐτοκρατόρων, πρὸς τε τοῦς ὑμετέ]ρους νόμους τῶν τε προγόνων ὑμῶν καὶ πρὸς τὴν εἰρηνικῆ]ν ὑμῶ]ν περὶ πάντας δικαιοσύνην, μείσησαντες δέ, οὐς ἀεὶ (ἐ)με]σί]σατε αὐτοὶ τε καὶ πᾶν τὸ τῆς βασιλείας προγονικὸν ὑμῶν γένος, τοὺς τὴν τοιαύτην προαίρεσιν ἔχοντας κολλητίωνα]ς, κεκωλ]υμένους μὲν ἀεὶ καὶ κολάζεσθαι κελευομένους, οὐκ [ἀποδεξ]αμένους δέ, ἀλλὰ ἀεὶ βαρύτερον ἀντιμαχομένους] τα]ῖς ὑμετέ]ραις νομοθεσίαις, εἴτε φρουμενταρίοις προμ]ε]μή]νυ]το, εἴτε ὁμοίαις τάξεσιν, κελεύσαι καὶ χρηματίσαι νόμῳ τι]νί, ὡς τὴν ἀν]αιδίαν αὐτοῖς (ἡ) ἡγεμονία προσάγει. “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 *kollêtiônes* 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.”

[CEVAP]: “İmparator Caesar L. Septimius Severus Pius Pertinax Augustus Arabicus Adiabenicus Parthicus Maximus ile imparator Caesar M. Aurelius Antoninus Pius’dan, Tymion ile Simoen[---] kolonileri sakinlerine: ... imparator temsilcisi (procurator), yasadışı tahsilat yapan ve ... -lara karşı gereken tedbirleri alacaktır. Temsilci, yetkilerini aşan durumlarda eyelet valisine başvurmakta tereddüt etmeyecektir ...”.

Yazıtta adı geçen imparatorlar, Sepimius Severus ile, tahtı paylaştığı oğlu Caracalladır. Belge, Antoninus Pius ile Publius Geta’nın consul olarak görev yaptıkları yıla tarihlenmektedir. Bu kişiler, ilki İ.S. 205, diğeri de 208 yılında birlikte consul olduklarına göre, elimizdeki yazıt bu tarihlerden birine ait olmalıdır.