PETITIONS IN THE EPIGRAPHIC RECORD: 
DEVELOPMENT OF THE LEGAL ORDER OUTSIDE OF THE IMPERIAL 
HIERARCHY

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ABSTRACT

Kevin Kallmes, Petitions in the Epigraphic Record: Development of the Legal Order outside of the Imperial Hierarchy
(Under the direction of Professor James Rives)

The Roman imperial bureaucracy in the 2nd and 3rd centuries had expanded to include direct provincial administration, which led to disputes between imperial representatives and provincial subjects. To resolve these disputes, subjects turned to the burgeoning petition and response system of the Roman emperors, but the petitioners themselves lacked the legal education to effectively utilize precedent or rhetorical formulas. Despite this, fifteen petitions found in inscriptions from the 2nd and 3rd century AD in Latin and Greek from disparate regions contained the same structure and persuasive formulas. Based on these cross-empire similarities, I argue that these methods of presentation were maintained by legal counsels, whose services represented an organic growth of systematic aid based on the unmet needs of petitioners. Then, as a part of Diocletian’s reform, the content of petitions was used as a source of legal precedent and to identify issues in the provincial bureaucracy that needed resolution.
This thesis is dedicated to Professor James Rives for his mentorship, inspiring dedication, and drive to enrich the history of the legal profession.
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TABLE OF CONTENTS

List of abbreviations ........................................................................................................................................... viii

1. Introduction ......................................................................................................................................................... 1

2. The Petition Process ............................................................................................................................................. 3
   The history of petitions ......................................................................................................................................... 3
   Petitions addressing abuse by imperial functionaries ......................................................................................... 5
   Imperial management ........................................................................................................................................... 7
   Why epigraphy? .................................................................................................................................................... 8
   Survey of important rescripts ............................................................................................................................. 10
   City/estate petition structure ............................................................................................................................... 12

3. City/estate petitions: contents and context ......................................................................................................... 16
   History of the Bagradas Valley ............................................................................................................................ 16
   Souk el-Khemis: contents and formulae ............................................................................................................. 17
   Parallels in Latin petitions ................................................................................................................................ 18
   Formulae from SK ................................................................................................................................................. 20
   Background on Greek petitions .......................................................................................................................... 20
   Parallels in *libelli*: Skaptopara, Aragua, and Aga Bey Koyu ........................................................................... 21
   Kemaliye: κολλετίωνας and φρουμενταρίοις, parallels to *conductores*? ..................................................... 24
   Parallels in the *subscription*: Phaina, Tabala, and Takina ............................................................................... 25

4. Elements of petitions that inform us about legal processes ............................................................................. 27
<table>
<thead>
<tr>
<th>References to legal precedent</th>
<th>27</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internal references to process</td>
<td>28</td>
</tr>
<tr>
<td>Formulae seen across the extant body of petitions</td>
<td>29</td>
</tr>
<tr>
<td>5. History of the legal profession surrounding the petition process</td>
<td>31</td>
</tr>
<tr>
<td>The needs of petitioners</td>
<td>31</td>
</tr>
<tr>
<td>Evidence for professional influence on petitions</td>
<td>31</td>
</tr>
<tr>
<td>Primary sources concerning the legal profession</td>
<td>32</td>
</tr>
<tr>
<td>Status of petitioners</td>
<td>36</td>
</tr>
<tr>
<td>Comparing the structure of city/estate petitions to Egyptian papyri</td>
<td>40</td>
</tr>
<tr>
<td>Legal resources: <em>tabelliones</em> and legal counsels</td>
<td>41</td>
</tr>
<tr>
<td>The development of the legal profession in the 2\textsuperscript{nd} and 3\textsuperscript{rd} centuries AD</td>
<td>42</td>
</tr>
<tr>
<td>6. Conclusion</td>
<td>45</td>
</tr>
<tr>
<td>Diocletian’s bureaucratic reform</td>
<td>45</td>
</tr>
<tr>
<td>The <em>Codex Hermogenianus</em> as a legislative tool</td>
<td>46</td>
</tr>
<tr>
<td>The lessons of the city/estate petition record</td>
<td>47</td>
</tr>
<tr>
<td>Appendix 1</td>
<td>49</td>
</tr>
<tr>
<td>Appendix 2</td>
<td>55</td>
</tr>
<tr>
<td>References</td>
<td>63</td>
</tr>
<tr>
<td>Text of Inscriptions</td>
<td>63</td>
</tr>
<tr>
<td>Secondary Sources</td>
<td>64</td>
</tr>
</tbody>
</table>
LIST OF ABBREVIATIONS

ABK = Aga Bey Koyu
AD = Ain-el-Djemala
AW = Ain Wassel
AZ = Ain-Zaga
CJ = Codex Justinianus
CH = Codex Hermogenianus
CIL = Corpus Inscriptionum Latinarum
GM = Gasr-Mezuar
HM = Henchir-Mettich
SK= Souk el-Khemis
SEG = Supplementum Epigraphicum Graecum
1. Introduction

Rescripts (subscriptiones) were an official method of legal communication used by emperors to resolve a range of disputes or issues. Apart from boundary disputes, the tradition of petition and response with the most empire-wide similarities is found in the public inscriptions of cities and estates from the reign of Hadrian to Philip I. Because of the development of conventions for the composition of these inscriptions, especially in the preparation of libelli for presentation to the emperor and reference to the existing body of law, these petitions contain distinct similarities in context, intent, and structure, despite the disparate contexts of their creation.

In his book Petition and Response, Tor Hauken outlines the general thematic structure of appeal letters and responses; I will expand upon these interpretations by tracking the creation, imitation, and adaptation of specific elements of rescripts from Syria, Lydia, Phrygia, Moesia, and Africa Proconsularis. These rescripts inform us about the systematic nature of petition writing, common issues they addressed, and process that led to public presentation of rescripts. The traditional methods of composition of these rescripts is evident within the inscriptions themselves, and I argue that these similarities are due to the practice of hiring legal counsels (iuris periti, prudentes, or consulti) to assist in interpretation and rewriting of petitions to both procurators and emperors to match precedent in the rescript tradition.¹

¹I use the term “legal counsel” to refer to anyone who worked for pay and provided legal advice or advocacy for the majority of the population that did not have access to advocates; for more discussion, see Chapter 5.
The systems created to support the burgeoning petition process in the late 2nd century represent a spontaneous order, a non-hierarchy-based process through which management of imperial functionaries and their tendency toward abuse could be controlled.² I posit that the similarities in this body of rescripts indicates the independent growth of a legal support system that addressed needs not covered by the imperial hierarchy. The success of this system is testified in the provision of legal precedents for Diocletian, who created a top-down bureaucratic procedure for managing many provincial issues in the place of the organic, response-based system of his predecessors.

²“Spontaneous order” here refers to the evolution of a system with complex organization that does not arise through intentional or institutional planning: Barry 1982, 8.
2. The Petition Process

The history of petitions

The petition process is first attested in the late Republic, as a means of communication from officials and major landowners to Julius Caesar. Its subsequent development during the 1st century C.E. was organic rather than structured, and it gradually became a routine method of conflict resolution for both imperial officials and individuals. It usually entailed a petitioner, who had an issue or request outlined in a *libellus*, or petition, approaching a procurator or the emperor himself, who would decide to grant or refuse the request in a *subscriptio*, or response, and possibly give a method of enforcement. While the term *subscriptio* had a range of meanings, in the context of the petition system, either *subscriptio* or *rescriptum* was used to refer to any verbal or written response to a *libellus*, though an official system of imperial response was not created until the reign of Hadrian.\(^3\) Increasingly, from Hadrian onward, *libelli* and *subscriptiones* became a distinct body of legal communication, for which the emperor had a *magister a libellis* (a title later changed to *magister libellorum*) and a team of legal advisors; these methods are attested by rescripts in the *Codex Justinianus* from the 150s onward.\(^4\)

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\(^3\) Millar 1977, 207; 240-243. Millar goes on to discuss communication through rescripts at a personal level among high Late Republic officials; this may have contributed to the development of the imperial rescript conventions, but certainly did not indicate a systematic type of legal communication. As late as Trajan, emperors still showed reluctance to reply to any petition from a non-functionary, supporting the idea that this only became regularized from Hadrian onward (Garnsey 1968, 16). Meyer 2006, 169, identifies a history of provincial petition reaching back to at least the mid-50s B.C.E., though the contents addressed individual issues and prosecutions, and did not have the same formalized structure. Hauken 1998, 260, also mentions the precedents for official *subscriptiones* to Ptolemaic rulers; these rescripts contained some similar elements to the later Roman city/estate petitions of this paper.

\(^4\) Millar 1977, 243-246, 249; Potter 2004, 295-8. Harries 2001, 26-9, discusses the *codex* of rescripts from Hadrian to Diocletian collected by Gregorius in 290 C.E.; it is notable from the *codex* that ancient jurists drew a distinct beginning of the corpus of rescript law with Hadrian, and that reference to earlier rescripts and laws--even in
The petition system represented a contact between empire-wide laws and local laws, which the Roman policy had been to leave intact, especially in the Greek East. However, through petitions, local disputes could be judged at the imperial level and, on top of overwriting local laws related to the same subject, could provide precedents for disputes outside of the original locality. The population of petitioners grew greatly in the late 2nd and early 3rd century, as shown by the creation of the magister a libellis, the systematization of record-keeping, and the number of surviving rescripts from the era. Successive reforms and standardizations of the appeals process were undertaken by Hadrian and Antoninus Pius, likely to address the needs created by a growing volume of petitions. Several 3rd century C.E. emperors, Caracalla in particular, also overtly attempted to normalize local laws according to imperial precedent, and collection of rescript precedents in provincial capitals and reference to precedent in petitions and rescripts became commonplace.

The process of petitioning, like the history of petition systems, varied based on time, place, and type of appeal. Also, since subscriptiones in the Codex Justinianus rarely contain a dissimilar cases with only a tenuous de facto connection--was quite common as a strategy of gaining credibility. Harries also discusses Hermogenianus, the successor of Gregorius as magister libellorum, who references the systematic application of imperial will through rescripts, implying a streamlined, official method of carrying through these laws.

5 Ando 2012, 78.

6 Ando 2012, 184. Under Trajan, there was an expansion in the number of rescripts, no doubt partially because the emperor could use them as a way to make laws, and this innovation launched jurists into a newly organic, developing role in imperial administration. Schiavone 2012, 373, 397.

7 Schulz 1946, 100. This system included a series of provincial capitals at which the emperor received petitioners, of which a notable example is the headquarters at Sirmium, where Diocletian heard the petitions of the Codex Hermogenianus. For more specific research into this process, see Connolly 2010, 63-98.

record of the original appeal, evidence of the process and petitioners is limited. From Hadrian to Diocletian, the process had a relatively routine nature, and distinct subtypes of petitions developed.⁹ Provincial officials with administrative queries still communicated using the method seen in Pliny’s famous letters to Trajan, and appeals could also be brought through personal associations with imperial freedmen or other functionaries.¹⁰ Boundary disputes, personal requests for exemption, promotion, or resolution of disputes between private citizens were also commonly addressed by rescript law. Whether the case was presented to the emperor in writing or in person depended on the nature of the case, and the wide range of case types indicates that petition was a very inclusive and open method of dispute resolution.¹¹

**Petitions addressing abuse by imperial functionaries (city/estate petitions)**

Among the range of conflicts addressed through petition, one specific subtype may be particularly useful in understanding the development of the petition and response system: those addressing abuse of power by imperial functionaries. ‘Functionary’ is used here to represent members of imperial administrative hierarchies and military personnel, as well as private contractors whose power and responsibility derived from the emperor. The petition process was of special importance for issues related to imperial functionaries who would represent the usual mechanism of managing disputes. This importance derived from the fact that petition processes offered the only recourse for any abuses of power by these functionaries, in that petitioners

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⁹Both Hadrian and Septimius Severus made the majority of their laws through their role as a judge rather than through *edicta*; also, the petition system included a tradition of both publication and returning the original petition document to provincial governors by the reign of Hadrian; Honoré 1994, 15, 32. The office of *magister a libellis* reached its peak of importance in the Severan era, because it was an ideal medium for interpretation and development of the law by jurists; du Plessis 2005, 43.

¹⁰See Corbier 1983, 126, for information about the inscription at Saepinum, and Millar 1977, 547, for a description of Augustus’ response to a petition from a female citizen.

¹¹Millar 1977, 245.
appealed directly to the authority behind these officials and bypassed the usual hierarchy. The number of petitions and systems of addressing them underwent a period of growth in the late 2nd and early 3rd centuries C.E., paralleling a similar growth in imperial estates and the emperor’s direct control of provincial administration and the army.\(^{12}\)

Petitions addressing abuses by imperial functionaries represent a growing use of the petition process as a natural mechanism of resolution for disputes that became prevalent because of an increasingly influential and direct role of the emperor and his bureaucracy. The evidence for this is present in an internally consistent genre of petitions that survive as inscriptions on imperial estates and in cities, henceforth referred to as ‘city/estate petitions.’ These petitions reveal the presence of inducements or opportunities for individuals to take advantage of the hierarchal arrangements for their own benefit at the cost of another, which will henceforth be referred to as “perverse incentives.”\(^{13}\) The imperial administrative structure of estates and the army had several recurrent types of abuses, which are addressed in city/estate petitions. The frequency of this case type and individual petitioners’ unfamiliarity with the system led to the development of petition conventions as a spontaneous order, in response to a growing need rather than due to intentional imperial policy. Petition allowed residents of imperial estates and city officials from the late 2nd to mid-3rd centuries across the empire, who did not have roles in the imperial hierarchy, to address problems within it, and their consistent petitioning in these specific situations led to the differentiation of these city/estate petitions from other types of petition and the development of standard channels and traditional elements.

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\(^{12}\)Herodian 3.8.5-7; Smith 1972, 487-90.

\(^{13}\)Perverse incentives are defined as rules that create a system in which the best way for an individual to increase his own utility is by decreasing the utility of others in their society; Caplow 1994, 10, 146.
The *libelli* from cities and imperial estates requesting imperial intervention followed many conventions specific to their genre. A petitioner, commonly an imperial tenant or soldier, representing a city or estate involved in a conflict with any functionary of the emperor, including soldiers, tax collectors, and landlords, would first approach the procurator of his province.\(^{14}\) In many cases, the procurator would send the dispute on to the emperor, in which case the procuratorial letter was appended to the original *libellus*. The imperial decision, which was most commonly a declaration of opinion and depended on procuratorial enforcement or public presentation to be carried out, was appended to the *libellus*, with imperial scribes writing the imperial titles and exact response.\(^{15}\) By the 3rd century, the *subscriptio* itself was also posted publicly in Rome, and records were kept in provincial capitals and by the petitioners.\(^{16}\)

**Imperial management**

The managerial and economic relationships of imperial estates are outlined in detail by Dennis Kehoe based in part on the inscriptions discussed here.\(^{17}\) Management was carried out by contract, and the estate managers appear to have had direct administrative connections to the procurator.\(^{18}\) This indicates that a very simple hierarchy was created during the 2nd century C.E.

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\(^{14}\)SK II 19, Gazr-Mezuar 15, Skaptopara II 55-7. Throughout this thesis, I refer to the inscriptions that are my key primary sources by their find place; I describe these all below on page 9 and in Chapter 3.

\(^{15}\)SK IV 9, Millar 1977, 248.

\(^{16}\)Millar 1977, 538, SK III 10, Skaptopara I 5.

\(^{17}\)In *Law and the Rural Economy in the Roman Empire* and *The Economics of Agriculture on Roman Imperial Estates in North Africa*.

\(^{18}\)SK II 1-10.
for this expanding type of agricultural arrangement, possibly based on tax collector contracts.\textsuperscript{19} Like tax collector contracts since the time of the Republic, this system incentivized corruption, since exactions from the tenant-farmers beyond the contractually obligated amount were kept by the contractor himself.

Cities in the 2\textsuperscript{nd} century also developed a more direct relationship with the emperor, as senatorial governors were displaced and the imperial bureaucracy of \textit{equites} and administrators expanded in size and responsibilities.\textsuperscript{20} Taxes became directly linked to the \textit{rationes} (the imperial accounts), and city leaders reported directly to imperial officials.\textsuperscript{21} Furthermore, the connection between the army became much closer and more public, especially from Septimius Severus onward.\textsuperscript{22} Therefore, if disputes arose between city leaders and any imperial functionary, just as was the case for estates, the final responsibility and resolution rested solely with the emperor, and petition was the only direct mechanism for involving him outside of the imperial hierarchy.

\textbf{Why Epigraphy?}

The consistency of these city/estate petitions in addressing only issues involving coercive or violent actions by imperial functionaries is related to the fact that this genre survives entirely in public inscriptions. The incentives that led to such abuses and their historical prevalence will

\textsuperscript{19}Kehoe 2007, 72-5.

\textsuperscript{20}Dmitriev 2005, 207, 214. As a part of expanding imperial estates and direct contact with cities, \textit{eirenarchai}, official city or estate managers, first appear under Pius. Another expanded office, that of the \textit{syndikoi}, represented the city before imperial authorities in legal matters from 2\textsuperscript{nd} century AD onward. These reorganizations probably represented the institutionalization of existing practices and Roman methods of dealing with local administration. Another systematization of Roman legal practice in the 2\textsuperscript{nd} century AD was the spread of the \textit{diptych} as a method of legal communication officially recognized by praetors and governors: Meyer 2015, 88.

\textsuperscript{21}Millar 1977, 427-30, 624, 638-9.

\textsuperscript{22}Herodian 2.6.10, 4.4.7; \textit{SHA Didius Julianus} 2; \textit{SHA Caracalla} 2; Dio 78.36.3-4.
be discussed further below, but it is clear from the above that petitioners utilized the stronger preventative power of a higher official in cases that addressed abuse of power. This led not only to the delineation of this specific genre of petition, but also to a common method of deterrence: public presentation of the petition and/or rescript in an inscription.

Though the decision of the emperor himself carried great symbolic weight, it is apparent from the inscriptions themselves that enforcement at a distance was difficult: imperial rescripts do not mandate direct action, but merely state policy and delegate enforcement to procurators or public displays of policy. The existence of a positive answer to a rescript was also no guarantee of resolution, as several inscriptions claim that abuses continue despite past petitions. The rescripts themselves exhort the petitioners to publicly post inscriptions of rescripts for this specific reason. Both petitioner and emperor recognized the power of publicly proclaiming the decision of the emperor. It benefitted both parties, one gaining symbolic and official support and the other projecting an image of watchfulness and protection.

The survival of the original text of rescripts from the 2\textsuperscript{nd}-3\textsuperscript{rd} centuries is rare: the *Codex Hermogenianus* and the *Codex Gregorianus* contained many petitions and rescripts initially, but these survive only in later works that summarize or excerpt them. That has left historians

\begin{itemize}
  \item Fuhrmann 2012, 120 and 148. Fuhrmann also argues that these petitions, especially those relating to military and the road system, were utilized by emperors to learn about the state of public sentiment in the area, especially concerning unrest.
  \item Phaina 29-40, Takina 24-9. Takina also intimates that the public posting of a rescript will distribute more widely the knowledge that this decision is a precedent for similar cases.
  \item Fuhrmann 2012, 129. Harries 2016, 95, concludes petitions and other imperial legislation was a method of communicating the power of the emperor.
  \item The surviving 2\textsuperscript{nd}-3\textsuperscript{rd} century *constitutiones* in the *Codex Justinianus* are almost entirely made up of imperial pronouncements, not rescripts; the *Codex Theodosianus* does not extend back to the 3\textsuperscript{rd} century; the *Edictum*
dependent largely on papyri and inscriptions for evidence of original text, and format is therefore often discernable only in rescript types preserved in these ways. While other types of rescript had their own traditions, only boundary disputes and special individual grants—which inspire public inscription due to the necessity of delineating boundaries physically and the pride that came with imperial grants—rival city/estate petitions based on violence or abuse in their survival through inscription.\textsuperscript{27} There is certainly a survival bias present here, so we should be careful not to assume that accusations of coercion against imperial functionaries dominated all petitions. However, it has certainly granted us a distinct opportunity concerning the unified tradition of city/estate petitions, as it is only through public posting of these petitions and responses by the petitioners that they have survived.

**Survey of Important Rescripts**

The most complete Latin example of city/estate petitions and rescripts is that of Souk el-Khemis (SK), a petition to the emperor Commodus in 181 C.E.\textsuperscript{28} This inscription is from the Bagradas Valley in Africa Proconsularis, and details a dispute between coloni, tenant-farmers on

\textit{Theodorici} alters the text of earlier Roman laws; juristic texts and institutes preserve juristic opinions and school-work, not directly copied legal texts.

\textsuperscript{27}Millar, 272-7.

\textsuperscript{28}On top of SK, the Bagradas Valley also contained three other inscriptions of petitions and an inscription of another imperial law that was referenced in SK. Kehoe 1988, 28-55, examines the Henchir-Mettich inscription, a 116-7 C.E.\textit{littera} from Trajan or Hadrian that outlined the specific application of the \textit{Lex Manciana} (the \textit{perpetua forma} in Souk el-Khemis lines III 16 and IV 7-8 refers to the tenant arrangements within this) to Bagradas Valley estates. This law, and the related \textit{lex Hadriana}, which further addressed tenant rights on imperial estates, covered 5-year leases for the \textit{conductores} and perpetual leases for the \textit{coloni}, as well as use of fallow land, punishments for property damage, bequeathal of land, and responsibilities of the \textit{coloni} to provide labor for the \textit{conductores}. It provided an important reference and connection to imperial power in later rescripts. Kehoe 1988, 55-65, discusses Ain-el-Djemala and Ain-Wassel. Ain-el-Djemala is a procuratorial rescript concerning the use of fallow land from the Hadrianic period, while Ain-Wassel is a Severan (198-209 C.E.) republication of the same. Gasr-Mezuar is a rescript from 181 C.E. about labor duties and is quite similar in its contents to Souk el-Khemis, but from a neighboring estate with slightly different legal arrangements. Frank 1939, 83-102, also uses the contents of these inscriptions to discuss property rights, agricultural output, slaves and freedmen, and the growth of imperial estates from Augustus to the Severans.
the *saltus Burunitanus*, and *conductores*, the imperial contractors who managed this imperial estate. The *coloni* sent a representative, Lurius Lucullus, first to the procurator and then to the emperor, alleging that the *conductores* were using violence to force *coloni* to labor beyond the requirements of their perpetual lease agreement. The presence of many publicly posted rescripts from this valley indicates the ongoing tensions in *conductores-coloni* interactions, with dependence on procuratorial and imperial intervention as the primary recourse of the *coloni* against the ability and tendency of *conductores* to try to use their temporary leases to profit.\(^{29}\) The content will be discussed in more detail below, and I will use SK throughout this paper as the primary example of Latin petition structure and formula.

The primary Greek comparanda to SK will be Skaptopara and Aragua. Skaptopara is a petition from a Thracian town to the emperor Gordian III in 238 C.E. The Skaptoparans, through a soldier, request protection from violent incursions by soldiers passing on a nearby road, who were forcing the townspeople to quarter and supply the soldiers. Skaptopara has a Latin authentication and rescript, but the rest of the inscription is in Greek, and its length, completeness, and rigid structures have led to its use by Hauken as the gold standard of rescripts, against which all others are compared.

Aragua, a 244-6 C.E. petition to Philip I, addresses a similar issue to SK, but with forcible confiscation of resources from \(\gamma\varepsilon\omega\rho\gamma\omicron\omicron\upsilon\nu\tau\varepsilon\varsigma\), likely parallels to *coloni*, by soldiers rather than by estate managers. Aragua is also nearly complete, is in Greek with a Latin *inscriptio*, and its structure supplies further evidence of Greek conventions, while also showing similarities in situation and case contents to SK.

\(^{29}\)Kehoe 1988, 69-81, outlines the natural pressures that the tenant arrangements caused. The shifting ownership/tenanthip of fallow lands and the temptation for *conductores* to use the power of their position to the greatest profit through small incursions led to ongoing disputes between the *coloni* and the *conductores*. 
Aga Bey Koyu, another petition to Philip I from a Lydian imperial estate, is also a request from tenant-farmers for protection from extortion and forced labor, by a group referred to as the κολλετίωναί, imperial functionaries whose exact role has been the object of scholarly dispute; I maintain that their role in imperial estates was similar to that of the conductores.30

These four inscriptions are the most complete, and from them I will draw my central formulae. Beyond these four, I will also make use of eleven more inscriptions containing the formulae discussed below, each of which is fragmentary, but includes part or all of the libellus or subscriptio text or both. 31 The case types represented in these fifteen petitions have distinct patterns: seven address impressment or extortion by imperial estate managers or tax collectors from tenant-farmers, six protest quartering and supplying of soldiers, one discusses tenant-farmer ownership rights, and Aragua crosses between the two (impressment and extortion, but by soldiers rather than estate managers). All the Latin examples are from the Bagradas Valley from 117-209 C.E., and the Greek examples range across the provinces of Syria, Phrygia, Lydia, and Moesia from 159-249 C.E.

City/estate petition structure

The structure of petitions outlined by Hauken is largely based on Skaptopara and Aragua, the two most complete Greek examples, and is generally made up of inscriptio (opening address), exordium (introductory exhortation), narratio (case details), and preces (requests). The structure is generalizable to Latin examples; however, none of the rescripts from the Bagradas Valley have remnants of an inscriptio or exordium, so the specific structure of these elements in

30Fuhrmann 2012, 218, supports the idea that these are agents of tax collection or military provisioning; Kehoe 2007, 85-8, argues that they were municipal tax collectors who colluded to impose larger-than-expected exactions on imperial tenants.

Latin is unknown. The schemes underlying the narratio and preces of SK, the most complete Latin example, match closely with those of Skaptopara and Aragua.

Petitions began with an inscriptio, or opening address, which includes the emperor’s titles, the estate or city on whose account the petition is made, and possibly the identity of the petitioner. Like the inscriptio, the exordium, or introductory exhortation, descends from its traditional inclusion in forensic legal cases; however, it is not extant in Roman rescripts until the late 2nd century C.E., suggesting that it was introduced into rescripts as part of the systemization of that era. The type of language used to gain attention or sympathy varied mostly based on the identity of the recipient.

The narratio, or case details, also followed conventions of forensic legal speeches, though city/estate petitions include specifics of the petition process, most often discussion of the petitions to procurators that failed to address the issue. The narratio generally contains a concise description of the issues in question and a means of remedy, though the amount of specific detail varies widely. The narratio of SK uses successive ut-clauses to list the various outrages, accentuating the idea that the injustices had progressed ‘to the point...that...’; this

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32 The column organization of SK (presumed inscriptio and exordium in the first column, narratio in the second, preces in the third, and subscriptio, exempli epistulae, and dedication in the fourth) shows the knowledge of conventional structure by the creator of the inscription.


35 Hauken 1998, 266. Exordia in petitions to the emperor all reference the “happiest of times” maintained under his rule, the emperor’s benevolence, and the abject suffering of the petitioners. The petitions to procurators are generally shorter, and reference divinity and imperial grace.

36 Hauken 1998, 269.
contrasts with Skaptopara, Aragua, and other Greek *narrationes*, which tend to use complete clauses in listing the transgressions. Hauken attributes the terseness and basic similarities of *narrationes*—the people involved, event, place, cause, and way of remedy—to scribal or legal conventions; the frequency of common legal phrases and routine inclusions of these central questions supports his theory.\(^{37}\) The transitional verbs between sections also have parallels: the *narratio* and *preces* of SK transition using the verbs *supplico* and *rogo* (SK III 3), while Greek examples use δέομαι to introduce the beginning of the *preces*.\(^{38}\) The *narrationes* of both Greek and Latin examples also have certain formulaic expressions and common methods of case presentation (beyond simply following conventional structure), which will be discussed below.

The *preces*, or requests, are the only section that departs from general forensic legal speech conventions.\(^{39}\) Unlike an *argumentatio*, they do not contain refutations, and they do not invoke witnesses alongside the case. The contents of *preces* are often simply invocations for enforcement of procuratorial responsibilities, giving a direct avenue to the emperor or official to solve the issue. The contents of the *narrationes* have fewer overtly formulaic elements due to variation in case details, but the *preces* have a much more closely followed convention: the transitional verb of positive request, followed by an invocation of helplessness and, in several cases, a negative conditional clause concerning the results or risks of inaction (ABK 47,

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\(^{37}\) Hauken 1998, 270.

\(^{38}\) Hauken 1998, 271. Skaptopara (line 78) and Aga Bey Koyu (ABK, 31) display this transitional verb. Aga Bey Koyu has the interesting verb ἤκεται in the end of its *narratio* (ABK 21), which almost exactly parallels SK’s *supplicare*.

Skaptopara 93). All extant preces have a heavily subordinated syntactical structure, which seems to follow the convention of earlier legal, military, and epistolary requests. As will be discussed below, the preces are also heavy in every case with invocations of imperial divinity and beneficence.

Hauken does not address the formula of the subscriptio, which begins with the title of the emperor, followed by a decision, which is always as brief as possible; although subscriptiones lack central formulae, they contain similarities in content that will be discussed below. SK also follows the convention found in Skaptopara, Tabala, and Takina of including copies of the procuratorial letters that prompted further (usually imperial) involvement.

40SK has no negative conditional; this may be because the narratio stressed the damages to imperial rationes (accounts) and the coloni so heavily, or to the fact that this is petition is part of a second appeal on the same subject, showing that the ‘conditional’ results are already occurring.

41Hauken 1998, 274.

42A dedicatory inscription is seen at the end of SK, Takina, and Dagis, but is lacking from Skaptopara; many of the other inscriptions are fragmentary, so the inclusion of such an element can only be conclusively eliminated from Phaina, which quotes only the subscriptio. Dedicatory inscriptions would not depend on legal conventions, so their inconsistent inclusion is unrelated to legal aid given to petitioners.
3. City/estate petition: contents and context

History of the Bagradas Valley

The economic arrangements on imperial estates of the Bagradas Valley have been described in detail by Dennis Kehoe in *The Economics of Agriculture on Roman Imperial Estates in North Africa*, largely based on the inscriptions studied here along with the Henchir-Mettich inscription, which contains the *perpetua forma* (perpetual contract) arranged in the early 2nd century for the *coloni*. These estates have been the subject of many economic studies, so I will give only the context necessary to understand the petitions. The *coloni* received the right to work a plot of land and invest in it in return for a predetermined number of days of labor on the land of the emperor and land from which the *conductores* claimed the produce. These *conductores* purchased five-year contracts in which they received land and rights from the emperor, and therefore had the incentive to exact as much labor as possible and benefit as much as possible from the *coloni*. These estates covered 2500 square kilometers roughly 50 kilometers southwest of Carthage, meaning that they likely produced a sizeable portion of North Africa’s exports through Carthage. The output of this valley affected the grain supply and income of the emperor,  

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43Kehoe 1988, 12-27, 112-6, 140-62. The contract arrangement of the *conductores* is comparable to that of the *publicani* but with a longer term of service. The *conductores* were likely from a high social class given that they have direct contact and collusion with the governor himself. The concept of *agri deserti*, which referred to land previously tilled by a tenant farmer but left fallow, has been used to posit the idea that there was large-scale abandonment; however, Kehoe shows that this was really the basis for disagreement over usage rights. The different disputes between SK/AZ and AD/AW shows that there were multiple perverse incentives in the contracts of *conductores*.  

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and that the conductores were influential enough to have contact with the procurator in Carthage (SK 1-10).\footnote{Kehoe 1988, 7-8.}

**Souk el-Khemis: contents and formulae**

City/estate petitions had parallels not only in structure but also in their case contents and in the formulae used to present case details. I will first lay out the central elements of SK, which are also detailed in Appendix 1 alongside its text and translation, and then use it as a basis for comparison with both Latin and Greek examples. The narratio of SK begins abruptly, due to the missing first column, with accusations of collusion between conductores and procurators (SK II 1-3), and moves quickly to stress the harm to imperial rationes (II 4). The chronic nature of the issues (II 5-9) and the shocking use of soldiers, violence, and imprisonment (II 10-15) follow this. A reference to a past appeal (II 19-20), which led to the petitioners being punished by a colluding procurator (II 15-19), follows, and an invocation of imperial maiestas (II 19). After a section that is damaged, presumably listing the rest of the causes for complaint, the narratio finishes with an invocation of the petitioners’ pitiability (III 1) and a supplication of divina providentia (III 2).

The preces begin with a reference to the established lex Manciana (III 5) and to the process and archiving of earlier appeals to the procurator (III 9-11). These references continue with a reaffirmation of the public presentation of the perpetua forma on neighboring estates (the lex Manciana, with accentuation of the perpetual rights of lease to the coloni; III 14) and the procuratorial confirmations (III 17).\footnote{Public presentation of a rescript, as this internal reference to bronze tablets at the entrance to all neighboring estates attests (and the aforementioned resemblance in carving style of SK to a bronze tablet), indicates a tradition of display at estate entrances along roadways. These inscriptions likely mimicked the bronze edicta from Roman cities in appearance. Though Weber 1983, 339, drives home the lack of contextual information on the presentation of both}
accusations of collusion and bribery (III 20-22), are followed by yet another reference to the *lex Manciana* and past appeals (III 25-26). The *beneficium* and *maiestas* of the Emperor (III 26-27)—always in the second person in SK, as are the *preces* of Greek examples—are part of the end of the petition, along with a last stress on the damage to the imperial *saltus* (III 29).

The *subscriptio* follows a simple progression: the titles of the emperor (IV 1-3), a brief decision with a reference to existing laws (IV 4-8), and a second signature by an imperial official. The promised copy of the oft-referenced procuratorial letters (IV 10-15 and presumably further into the obscured text) and a brief dedicatory inscription (IV 26-29) finish off SK.

**Parallels in Latin rescripts**

Of the other Bagradas Valley inscriptions, Gasr-Mezuar (GM) is the most similar to SK, but unfortunately contains only the end of the *narratio*, the beginning of the *preces*, and indeterminate fragments of the *subscriptio*. GM is also from 181 C.E. and addresses the same issue of *conductores* demanding too much labor from *coloni*, on a neighboring estate with slightly different tenant requirements. It contains the same phrase *ideo rogamus* (GM I 10-11) to begin the *preces*. The rest of the text details the specific actions of the *conductores*, apart from a reference to the number of days of work the lease required (this, along with the *leges* mentioned in I 5, strongly implies that a *perpetua forma* was referenced explicitly in the missing portions; I 12). Despite its highly fragmentary state, its few remaining lines show conformation to Hauken’s structure and confirm that the *conductores-coloni* relationships had endemic issues on multiple estates.

SK and AZ, the concentration of inscriptions in this valley, combined with the internal references of SK, strongly suggest an ingrained tradition of posting tenant rights, and also as a deterrent based on procuratorial and/or imperial authority.
Ain-el-Djemala (AD) and Ain-Wassel (AW) both contain fragments of the narratio, preces, and one exemplum epistulae a single petition, though AW is a republication of AD (text and translation in Appendices 3 and 4). AD and AW argue that the perpetua forma allows cultivation of unplanted land by tenant-farmers (AD I 5) without interference of conductores (AD III 2). While this is not exactly the same issue of demanding labor with violence, it still addresses an overstepping of the perpetua forma, in the lack of respect for tenant rights, which could not be solved by local inquiry.

These petitions do not match the nature of the dispute to SK as closely as GM does, but they do contain some compositional resemblances. The libellus portion, where the great majority of formulae are found, begins with an appeal (rogamus) to imperial providentia, though through the procuratorial intermediary (AD I 2; this is repeated in AD II 7-8). Like SK, a reference to the history of the appeals process is present in the end of the narratio (AD I 8). The preces contain a similar reference to the lex Manciana and the laws of neighboring estates (AD I 7-8 and again in AD III 2; the lex Hadriana is referenced in AW II 10). AD also has a brief reference to the utilitas of the emperor and procurator, an appeal to self-interest similar to the accentuation of rationes in SK (I 4); the language of liability in the preces (debere, AW III 15) matches that of SK.

Like GM, much of the text of AD III/AW III covers agricultural detail; the preces of this petition seem to be concerned with outlining the proposed solution, but they end with a reference to those cases in which property may revert to the imperial rationes. Like SK, a copy of a letter to a vir egregius is attached to the petition (AD IV 3). Unlike SK, this petition had a

46 Kehoe 1988, 56-9, reconstructs AD and AW based on their overlaps, with AD I and then II feeding seamlessly into AW II, followed by the nearly identical AD III and AW III. Kehoe placed AD IV, the subscriptio, above the text, which breaks with the CIL and would be a unique order of presentation of a rescript, but does not affect textual interpretations.
procuratorial response rather than an imperial one, and this *scriptio* contained references to the *lex Manciana* (AD IV 9) and an encouragement of the public posting of the rescript (AD IV 4). While the rescript to SK did not contain this exhortation, it did refer to the public posting of the *perpetua forma* on all neighboring estates (SK III 14-15).

**Formulae from SK**

In order to allow comparison between SK and the Greek examples, I extract the basic formulae from SK here. They consist of references to: collusion with or bribery of magistrates (present only in SK and Kemaliye); harm to imperial income; imperial divinity, majesty, or divine providence; violence and physical coercion; pitiability of the petitioner; legal precedent; and legal processes completed as part of the petition (especially past appeals). The incomplete nature of many petitions means they have only portions of these formulae. Notably, some traditions were maintained in the Greek but not Latin petitions: for specifics, see “Parallels in *libelli*” below. This was likely due to the existence of more precedents in petition practice in the Hellenistic world, as is discussed in the next paragraph.

**Background on Greek petitions**

The Greek inscriptions were spread from Moesia to Syria, with none found in a context associated with any other. Despite the linguistic differences, they contain a similar structure and parallel formulae to the Latin examples. While the evidence for publicly inscribed city/estate rescripts in Latin is limited to those already discussed, the tradition of petition and response, and the conventions within them, had a much greater history and presence in the Greek East. As noted above, while empire-wide use of the formalized rescript system arose only in the Hadrianic period, the petition systems of Ptolemaic Egypt provided an older precedent in the Greek East. Ptolemaic petition conventions are notable for their long reach in structural and formulaic
influence: Hauken’s structure for Roman petitions matches the organizational style and even transitional phrases of Ptolemaic petitions.\footnote{Hauken 1998, 260, explains the slight differences between the Ptolemaic format and the Roman; the parallels in formulaic vocabulary are weaker between the two traditions than the structural similarities.}

Given that the emperor and either senatorial or equestrian governors were the figures approached for petitions across the empire, the basic process likely had a great deal of universality. However, the contents of the petitions themselves were dependent on the disputes of that region. The Greek inscriptions, unlike the Latin examples, largely deal with civilian protests of exactions by soldiers. While the emperor maintained estates in the east (as shown by Kemaliye), North Africa had a much denser concentration of imperial agricultural estates.\footnote{Kehoe 1988, 19-25, 188, 224.} Similarly, the eastern provinces of Moesia, Syria, Lydia, and Phrygia had larger contingents of soldiers who would travel to defend either the Danube or the eastern border.\footnote{Campbell 1994, 87.} Because of this, interactions with soldiers seemed to be the major root of conflict that could not be solved through the imperial hierarchy. The disputes mention ongoing issues in several cases, and extend from 159-249 AD, showing the need for a sustained method of redress.

\textbf{Parallels in \textit{libelli}: Skaptopara, Aragua, Gullukoy, Dagis, and Aga Bey Koyu}

The petitions for which \textit{libelli} are extant in the Greek east have parallels not only in their form, but in their content: the only two subjects addressed beyond similar cases to SK are roadside violence and soldiers forcing villagers to quarter or provision them.\footnote{For discussion of the social details and ramifications of Skaptopara and ABK, see Hekster 2008, 40, 119, 160. Hekster points out an important development that is specific to Greek petitions: the men made responsible for carrying the petitions are almost always soldiers and identified as such in the inscription.} The abuse of
official power and use of force has a link to the Bagradas Valley complaints, cementing the connection between abuse of rank, violence, and public presentation of city/estate rescripts. Analogous situations and purposes of the petitions are matched by similarities in language. I will examine four extant *libelli* in detail: Skaptopara, Aragua, Gullukoy, and ABK.

Skaptopara, which is complete and strictly adheres to the legal structure, has perhaps the most wide-ranging similarities to SK. The profit of imperial accounts is said to be at risk in both the *exordium* and the *narratio* (ταμείου, Skaptopara 17 and 94), soldiers are used outside of their role to compel the villagers (στρατιῶται, 44), and many appeals have been made to governors without avail (ἐνετύχομεν πλειοτάκις τοῖς ἡγεμόσι, 56-7). Though there is no specific reference to a previous law, a vague mention of imperial instructions is stressed (58-9), and the Latin *divina providentia* is paralleled by θεία φιλανθρωπία, a common expression throughout Greek *libelli* (109-10).

Apart from showing similarities across rescripts in strategies of persuasion and formulaic language, Skaptopara also contains useful information on the legal processes: authentication at the beginning claims that the rescript was posted publicly in the baths of Trajan (4-5), and the rescript itself referred responsibility back to a governor’s court, the most common solution seen in rescripts (166-7). Lastly, several elements characteristic of Greek examples but lacking in Latin ones are shown: the stock phrase ἐν τοῖς εὐτυχεστάτοις σοῦ καιροῖς (“in your most happy of times”) appears several times (11, 100). This phrase contributes to the perceived divine power of the emperor and throws the petitioners’ suffering in sharp relief. It has Ptolemaic precedent, demonstrating not only that these formulae had a long tradition, but that some formulae did not...

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51 The texts and translations of Skaptopara is found in Appendix 2.
cross over from Greek to Latin. The identification of the messenger and his status as a soldier is also seen in several subscriptiones to Greek appeals (Pyrrus miles, 166; Aragua 4). The only known Latin petitioner, Lurius Lucullus from SK, was not referred to as a soldier, perhaps indicating another difference in custom between the Bagradas Valley inscriptions and those of the Greek East.

The other inscriptions are all fragmentary, and I will briefly outline their relevant contents. The phrases in Aragua that fall within the aforementioned formulae are as follows: harm by soldiers (Aragua 23), reference to prior appeal (24), and supplication to divinity (ἡμετέρας θειότητος, which matches supplicare divinae providentiae closely, 14). Aragua also has the stock Greek inclusion of the phrase “in your happiest of times” (9, 17), and its subscriptio mentions that the petition was conveyed by a soldier (per Didymum militem, 4).

The parallels for ABK are as follows: reference to past appeal (ABK 20), invocation of pitiability (ἀθλίοις, 17), invocation of imperial divinity (22, 23, 40), reference to existing laws (38-9) and to impending damage to imperial accounts (54). As again in ABK, the emperor refers Aragua to his proconsul (4). The parallels for Gullukoy, despite its brevity, occur in nearly every phrase: references to harm to imperial accounts (7, 12), pitiability (6), oppression by force (9), and θεία φιλανθρωπία (11-12). The parallels for Dagis, a nearly complete but very short inscription, are as

52 Hauken 1998, 260.

53 The interesting question that arises from this would be why Lurius Lucullus was not identified in this way, since the imperial rescripts to the Greek East are in Latin and presumably do not follow a separate set of conventions from responses to Latin petitions. The most probable—but unprovable—answer is that Lucullus was not a soldier, and the convention of sending soldiers was of eastern origin and had not spread to Italy or Africa. The reason that a soldier is sent may make sense in context of the nature of the abuse and the inherent official status of a soldier.
follows: reference to past petition (Dagis II 18) and φιλανθρωπία (III 5), invocation of pitiability (III 7). Dagis is also a clear example of the negative conditional present in Greek texts.54

The parallels shown here demonstrate close similarities in purpose and presentation of Greek petitions beyond the structure outlined by Hauken. A single representative of a city or estate served to convey the petitioners’ appeal for protection against the violence and force by imperial functionaries, with a special focus on the self-interest (rationes) and divinity and euergetic nature of the emperor. Reference to existing laws was paramount, and several steps of appeal were necessary (and included in the text) to reach the emperor. Pitiability of the petitioner and comparison or reference to the state of neighbors were also included in many libelli. The Greek tradition had some common elements--such as the stock phrase “in your happiest times” and the consistent use of (and identification of) soldiers as the petitioners’ representative. Lastly, the subscriptio of Skaptopara and narratio of SK indicate the practice of posting bronze tablets of rescripts publicly in Rome and the maintenance of archives of appeals in the city of the procurator. Each of these common inclusions in petitions plausibly bolsters the case of the petitioner, either in making an emotional appeal to the emperor-subject relationship or in using a logical connection to precedent, contracts, or imperial self-interest.

Kemaliye: κολλετίωνες and φρουμενταρίους, parallels to conductores?

The last inscription of note contains a fragment of the end of a narratio and the beginning of the preces. While it contains the usual divine supplications (Kemaliye 7-9, 10-11), evidence of military force (5), and reference to imperial and ancestral law (21-3), it is significant mostly because of the reference to κολλετίωνες and φρουμενταρίους, officers whose role has been of

54Mentioned above in the fourth paragraph of the “City/Estate Petition Structure” section.
great scholarly interest; the κολλετίωνες also appear in the ABK inscription (ABK 26, 35, 46). Their role certainly pertains to confiscation or collection of agricultural resources on behalf of some imperial organization (likely tax or military), which parallels the conductores of SK in that it is a role created by imperial commission for collection of resources. Though the exact nature of these functionaries cannot be determined, the presence of two publicly presented estate-based rescripts addressing collusion and exactions from Lydian tenants in the Severan period suggests that they had a role in managing imperial estates.

**Parallels in the subscriptio: Phaina, Tabala, and Takina**

The formulaic elements found within inscriptions containing evidence of petitions are largely limited to the *libellus*, since the procuratorial or imperial response did not go through the same structured legal and scribal process, and was usually as brief as possible. Several inscriptions—Phaina, Takina, Tabala, and Kilter—forego inclusion of the *libellus* on their inscriptions, likely due to limitations on space, funds, or presumed importance of imperial dictates over petition contents. Phaina is an extremely short inscription, but unlike most of the rescripts dealt with in this paper, its context is clear. It was carved on the doorjamb of a temple very near to both the center of Phaina and a major thoroughfare. Its other distinguishing feature is that it contains as part of the *subscriptio* text the exhortation: “You shall display this letter in a prominent place in your district center so that nobody shall plead ignorance” (Phaina 29-40).

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55 Fuhrmann 2012, 218, supports the idea that these are agents of tax collection or military provisioning; Kehoe 2007, 85-8, argues that they were municipal tax collectors who colluded to impose larger-than-expected exactions on imperial tenants.

56 Kilter, the text of which is in Hauken 1998, 189, is very short and fragmentary, mostly spent on salutation and description of the misconduct of soldiers on the roadside along the same lines as Phaina.

This is accentuated even more vehemently in one of the many *exempli epistulae* that make up the majority of Takina (which contains a *subscriptio* of Caracalla, an authenticating signature, two complete and two fragmentary copies of procuratorial and proconsular letters, and a dedicatory inscription). The proconsul urges: “I not only permit but urge you to publish it, not only for the present, but to have it displayed at all times in your village…” This exhortation exposes the goal of public presentation, and also intimates that rescript law was meant to be known and applied in the future as precedent.

This overt statement of the purpose of rescript law as an extension of procuratorial or imperial power corroborates the importance of public presentation theorized for SK: though imperial responses to petitions are inevitably a simple statement of agreement or referral to governors, all parties involved recognized the power of publicly proclaiming an imperial decision. It benefitted both ruler and subject, one gaining symbolic and official support and the other projecting an image of watchfulness and protection.\(^{58}\) By the reign of Caracalla at least, the inextricability of city/estate rescript contents, convention, and presentation had become systematic and well-known to actors within the bureaucracy. The authenticating signatures of Skaptopara, Takina, and SK further indicate a bureaucratic system of receiving and addressing petitions, since a second (unidentifiable) hand implies an official with the expressed duty of authenticating imperial rescripts.

\(^{58}\)Fuhrmann 2012, 129. Tabala, which simply excerpts two letters from Pertinax and the proconsul, reaffirms the issue with soldiers on the roadside and the imitation of bronze tablet shape and lettering (seen also with SK), emulating Roman public posting of *edicta*. Its one notable textual feature is that it contains a generalization of proconsular rulings against soldiers leaving the road to all Roman provinces (Tabala 21-5). This not only shows a reference to existing law, but that the chronic issue (starting at least 40 years prior with Dagis and rising again in Phaina a decade before Tabala) has been solidified from a precedent in rescript to a *mandatum* of Roman procurators. At least by the reign of Pertinax, then, the integration of different types of lawmaking had taken place to some extent.
4. Elements of petitions that inform us about legal processes

References to legal precedent

An accentuated and recurring aspect in many of these inscriptions is certainly the reference to existing laws. The motivation for inclusion is obvious; if a *libellus* fails to reference existing arrangements with the emperor or previous legal decisions, the outcome of petitioner’s case would depend on the judgement of the procurator or emperor alone. An inclusion of a reference to precedent is, in effect, an attempt to align the purpose of the petition with that of a previous imperial decision in the eyes of the procurator or emperor. Given the tone of the Greek *exordia*—‘in your most happy times’—and its suggestion of the idea that the traditional and well-ordered nature of the empire was the goal and result of good governance, reference to precedent also casts the petitioners’ enemies as transgressors of the emperor’s control.

All of the Bagradas Valley inscriptions—which, despite the greater continuity in the east from Ptolemaic to municipal to imperial rescripts—were quite early in the rescript tradition, with SK as the latest that was not a republishing. They depend only on very formal reference to the *perpetua forma* and *litterae*. Later rescripts have more obscure and brief references: Skaptopara simply refers to ‘imperial instructions’ (Skaptopara 58-9), and ABK references but does not name an ongoing arrangement between emperor and tenants and accentuates the generations for which it has existed (ABK 39). Kemaliye similarly speaks of but does not name ancestral arrangements (Kemaliye 23), and the *subscriptio* of Tabala (Tabala 25) and of SK itself both

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59 Millar 1977, 213-17. Augustus, Claudius, and even Julius Caesar are mentioned to have issued decrees using *litterae*, and it has much more widespread practice throughout the Mediterranean since at least the 2nd century B.C.E.
refer to preceding imperial decisions. In cases involving estates, it is likely that these references to ancestral arrangements refer to the specific tribute arrangement of the tenant farmers in order to drive home how far the *conductores*/*κολλετίωνες* have deviated. In the case of Skaptopara and Tabala, the references seem to be based on rescript law or a law inspired by chronic rescripts.

**Internal references to process**

Several *libelli* also contain references to past appeals, offering valuable insight into the processes and recourses of the petitioners. Scrupulous documentation of every step of the appeal seems to have been paramount, either through internal reference in the *libellus* or through *exempli epistulae* or both. The reasoning for the inclusion of this material is similarly evident: these references can either point out gross negligence or collusion, as is the case with SK, or provide support of the cause by a party allied to the emperor and accentuate the recurrent nature of the issue, as is the case with Skaptopara. The most useful aspect of these references for research is that they inform us further about the steps taken before an appeal was made directly to the emperor. SK shows that the major city in a province could be a repository for records of both *litterae* and *subscriptiones*, while Takina and its many *exempli epistulae* show that multiple levels of appeal could happen--a procurator, followed by another to the same procurator, with several other unfortunately indeterminate steps--before coming before the emperor. While this does not necessarily indicate an official step-by-step system, it certainly shows that a traditional set of recourses existed for a petitioner after his first appeal. This likely expedited disputes and, given the growth in petition volume, allowed only the continuing issues to be sent the emperor himself. Lastly, these references, in the case of Aragua, which references an appeal to the emperor over the same issue, show that, once confirmed, *subscriptiones* were added to the
expanding body of Roman legal precedent, even if their application was limited by geographical, educational, and technological factors.

**Formulae seen across the extant body of petitions**

This body of Roman precedent and bureaucracy led to a dependence upon certain methods of characterizing appeals. The structure, and the verbs and transitions that signal each element, are detailed in Hauken (1998, 262-72), and this paper will accept his system. In addition to this basic structure, we may also note a series of formulae, including imperial characterization, invocation of helplessness and pathos, and appeal to self-interest. The formulae that stand out the most from the rescripts examined here are the Greek-only “in your happiest of times,” divine *providentia* or ἁγαθότροπια, the pitiability inspired by description as poor, wretched, and rustic (with different vocabulary used across different cases), and profit to either the *rationes* or the ταμεῖον. These clearly delineate the roles of the petitioner and emperor, show the benefit of the granting petitioner’s request to the emperor himself, and highlight the incongruous nature of the situation at hand, all of which certainly contribute to the strength of this sort of appeal, and which therefore make sense for inclusion across era and area in *libelli*.

On top of this, several of the Greek inscriptions have Latin elements. The most notable is a portion of the *narratio* of Aragua that discloses process (Aragua 26-7), which is in Latin.

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60The majority of these were cases in which the authentication, *exempli epistulae, inscriptio* and/or *subscriptio* of a Greek petition were composed in Latin. Skaptopara had a Latin authentication and *subscriptio* by Gordian III in Thracia. Dagnis had a Latin gubernatorial *subscriptio* (by a *legatus Augusti pro praetore* of Antoninus Pius). Phaina was a Greek *subscriptio* from a *legatus Augusti pro praetore* of Commodus (in Syria, while Dagnis was in Moesia). Kilter was a Greek *subscriptio* from a proconsul of Asia under Commodus. Tabala was a Greek *subscriptio* by both Pertinax and his proconsul of Asia. Aragua had a Latin *subscriptio*. Takina, in Phrygia, had three Greek and two Latin *exempli epistulae*; the Latin are from the procurator and an unidentifiable man, while the Greek are the *subscriptio* of Commodus and *epistulae* from the proconsul, and two other unidentifiable men. Responding in Latin to Greek petitions seems not to be a general transition over time (a *legatus* of Antoninus Pius, Gordian III, and Philip I use Latin, while Commodus, his *legatus*, and Pertinax favor Greek), though the Latin examples tend to be from further west. It seems as if the *subscriptio* could be in the language preferred by a certain emperor or official if the *libellus* was in Greek, and mixing the two in a set of legal documents was acceptable. The Bagradas Valley inscriptions contain no Greek, indicating that emperors did not necessarily switch languages in the case of Latin petitions.
despite the rest of the *libellus* being in Greek. A legal advisor of Aragua likely added this element to polish the petition of Didymus before sending it (and him) to the emperor. Whether any further legal aid was offered, such as presenting the case to the emperor alongside the petitioner, cannot be determined from the evidence at hand.
5. History of the legal profession surrounding the petition process

The needs of petitioners

The alignment of purpose between ABK, Kemaliye, and SK leads me to believe that abuses of power by imperially commissioned managers and collectors, due to the perverse incentives for corruption (which had plagued Roman Republican and Imperial governors for centuries), were kept in check, as were imperial soldiers, by a growing utilization of the petition system. This growth represents an evolution in legal process, in which the role of the emperor and governors as judges of petitions slowly expanded to meet the demands of subjects that were not resolved through the bureaucratic hierarchy. As demonstrated above, this growth is testified by the creation of the magister a libellis and the intentional maintenance of legal precedents. Thus, as petition became a more common method of dispute resolution, there was an opportunity for legal professionals: petitioners were rarely legal experts themselves, and assistance in petitions, if it had a tangible benefit in making the case stronger for presentation to the emperor or governor, would have been a beneficial service that a petitioner may seek.

Evidence for professional influence on petitions

As I have argued throughout this paper, the common structural and formulaic elements, as well as the many other continuities and parallels of the petitions studied here, indicate a system of legal experts who maintained enough communication or shared enough training to use universal techniques. These experts possibly worked near the procurators in Carthage and eastern cities as well as in Rome or near the emperor, for the exact purpose of presenting petitions. This hypothesis is further supported by the fact that many inscriptions identify the petitioners’
representatives as usually soldiers or members of the community, the sort of people who would be unlikely to know legal traditions of presentation so fully as to imitate petitioners from distant provinces not only in format but in self-characterization and wording.

This suggests that these petitions were composed in whole or part--or, at least, the final drafts were surveyed--by legal advisors to the petitioners in Rome and provincial capitals. Their standard inclusion represents a tangible value added by those drafting the petitions to each case, providing an incentive for the creation and utilization of experts in both legal speech structure and these methods of argumentation.

**Primary sources concerning the legal profession**

Most of the evidence for the legal profession, because it comes largely from the Digest, centers around elite legal experts, not the sort of lower-level professionals responsible for drafting the petitions examined here. For that reason it is difficult to determine their level of specialization or even the terms used to designate them. For clarity in discussing different types of legal professionals, I distinguish between jurists, whose main duty was interpretation of the law and management of the legal bureaucracy; advocates, who were generally upper-class, liberally educated, politically involved legal experts who did not work for a fee; and legal counsels, who worked for pay and provided legal advice or advocacy for the majority of the population that did not have access to advocates. *Tabelliones*, scribes and notaries with a wide range of duties, are the other professional group that may be relevant to petitioners. *Causidici* and *pragmatici* were known as specialists in pleading cases, while the *formularii* were specialists.

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61Many jurists are mentioned by name in the *Digest*, with a range of professional identifiers. *Advocati* are mentioned in *Digest* 3.1.1.4, 3.1.11pr, 4.4.18.1, 4.6.15.1, 4.8.31, 6.1.54, 19.2.38.1, 28.4.3, 38.2.14.9, 47.15.1.1, 50.13.1.9, 50.13.1.11, where their roles as upper-class legal experts and speakers is confirmed.
of an undetermined focus. No specialist term has been found directly in relation to petitioning.\textsuperscript{62} Jurists abstained from advocacy, and the strict division between the upper-class advocates who never worked for money and the legal counsels (\textit{iuris consulti, iuris prudentes, iuris periti}), who were responsible for the majority of legal advising and advocacy, had existed at least since the 1\textsuperscript{st} century BC.\textsuperscript{63}

The primary evidence for the legal counsels that were most likely associated with petitioners begins with Cicero. In his defense of A. Caecina, Cicero denigrates the \textit{periti} as overly litigious, clever, champions of riff-raff, with a key implication that they stood outside the \textit{basilica} selling their services to anyone entering as much as they could.\textsuperscript{64} However, he did vary his meaning, as he used both \textit{peritus} and \textit{prudens} to describe the upper echelon of advocates.\textsuperscript{65} In the same work and in \textit{Philippic 9} and \textit{Laws} book 2, he used \textit{consultus} for advocates of his own level and judges, indicating that this term included, but was not necessarily limited to, upper-class advocates and judges.\textsuperscript{66} Lucilius has an open comparison of \textit{iuris consultus} to \textit{iuris periti}, but it is unclear whether he differentiates their scope of practice.\textsuperscript{67} Suetonius uses \textit{iuris consultus} to describe a famous jurist, and Pliny the Younger specifically refers to Cassius, a leading

\begin{flushleft}
\textsuperscript{62}Riggsby 2012, 54-5.
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\textsuperscript{63}Schulz 1946, 49, 118, 335; Cicero, \textit{De or} 1.48.212, 3.33.133; Cicero \textit{De leg.} 2.20.51.
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\textsuperscript{64}Cicero, \textit{In defense of A. Caecina} 14, 97.
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\textsuperscript{65}Cicero, \textit{Brutus} 102, 178. Pliny the Younger also uses \textit{iuris peritus} to refer to an upper-class advocate; Pliny the Younger, \textit{Letter} 22.2.
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\textsuperscript{66}Cicero, \textit{In defense of A. Caecina} 78; Cicero, \textit{Philippic 9}, 10; Cicero \textit{Laws} 2.53.
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\textsuperscript{67}Lucilius \textit{Satires} 2.66, Warmington.
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Sabinian, indicating that its meaning had not shifted greatly by the 1st century AD. Macrobius used it to refer to a clever, famous advocate in the 5th century AD, and a passage of Quintilian shows that *periti* still existed as a term in his nonspecific reference to *periti* as legal advisors. Based on Quintilian’s discussion of legal careers, Donald Russell argued that Quintilian maintains a 1st-century BC tradition of using *iuris prudens* to refer specifically to legal interpreters rather than arguers of cases.

Justinian’s *Digest* names *iuris periti* in a range of circumstances: once as advisors in a small property dispute, but twice as high-level legal experts with relationships with jurists. The *iuris prudentes* are twice mentioned in a general capacity as advisors in property law, while the *iuris consulti* are twice mentioned explicitly as jurists or magistrates, making this title unlikely to designate those helping non-elite petitioners. In Justinian’s *Codex*, the *iuris periti* are mentioned by Antoninus Pius as interpreters of disputes over inheritance and by Theodosius as standing in the Forum offering their services as teachers alongside sophists and grammar

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69 Macrobius *Saturnalia* 2.10; Quintilian *The Orator’s Education* 12.3.3. Ammianus Marcellinus also refers to a proverb in which *periti* are brought to draw up wills and testaments; Ammianus Marcellinus, *Valentinian* 26.

70 Russell 2002, 188.


72 *Prudentes*: *Dig*. 37.1.10, 38.2.15.5; the *prudentes* are also identified as advisors in manumission suits by Alexander Severus in *CJ* 7.14.1. *Consulti*: *Dig*. 20.2.9, 22.6.9.3. In the *Codex Justinianus*, the *iuris consulti* are identified several more times as high-level advisors and jurists by Alexander Severus, Gordian III, and Justinian; *CJ* 3.28.34pr, 3.42.5, 8.37.3.4.
teachers—a characterization that matches the legal counsels to petitioners quite well.\textsuperscript{73} They are also, however, mentioned as commentators by Justinian himself, but the role of the \textit{periti} may have changed in the intervening centuries.\textsuperscript{74}

Based on the inconsistent usage of these terms across authors, it is difficult to determine whether any specific term was used to refer only to lawyers hiring themselves out for such a job as petition writing. \textit{Causidici} and \textit{pragmatici} can be eliminated because petitions were not cases that lawyers themselves argued, while the \textit{formularii} are not attested enough to know their specialty. The term \textit{prudentes}, based on Quintilian and Cicero, was never used for anything but either upper-class advocates or jurists, though the \textit{Digest} contains evidence that they advised in property disputes. The \textit{consulti} were similarly not referred to in any context outside of upper-class advocacy and legal expertise in historical sources or the \textit{Digest}. \textit{Periti}, though it was used in cases that explicitly call forth its basic meaning, “expert in the law,” was also used by Cicero in specific reference to lawyers who hired themselves to those approaching the basilica, making it the best available candidate for the term that may have referred to such lawyers. This is supported by the entry in the \textit{Digest} in which the \textit{iuris periti} are advisors in a small property dispute and by the passage of Theodosius in the \textit{Codex Justinianus}. However, this is not sufficient to positively identify the \textit{periti} as the specific drafters of city/estate petitions, despite being the most likely candidates. Therefore, throughout this paper, I use “legal counsels” to refer to the professionals who aided in drafting petitions in order to distinguish them from jurists and advocates.

\textsuperscript{73}\textit{CJ} 9.23.1, 12.15.1. The knowledge of the \textit{Lex Cornelia} and commentating role in the case of Antoninus Pius may designate that the \textit{periti} mentioned here are jurists, but Theodosius’ characterization strongly implies that those \textit{periti} to whom he refers are selling their services in public to the population at large.

\textsuperscript{74}\textit{CJ} 1.17.1.12, 6.22.10.3. Emperors Leo and Anthemius characterizes them similarly in \textit{CJ} 6.61.5.1. The \textit{iuris periti} are also mentioned in places where their role is not evident: \textit{CJ} 7.7.2pr.
The other parties with connections to petitions are the aforementioned *tabelliones*. These scribes were first attested in the 2nd century AD in Egypt, and were organized and widespread enough that their input was controlled by several statutes in the *Codex Justinianus*. Though the *tabelliones* are as shadowy figures as any legal counsels, they provided services including wills, donations, adoptions, loans, official notice of relief, dispensation, honors, and petition. This very versatility means that the *tabelliones* were likely not educated in specific legal history or practice, and their contribution to the widespread similarities in structure of petitions would have been not through formal education but their use of templates that had similar sources or through a less focused system of education. Just as the legal counsels were available to those without the means or connections to approach an advocate, the *tabelliones* were likely the source of legal drafting for those without the means to hire a trained legal counsel. Both the legal counsels and the *tabelliones*, then, are possibly at the root of cross-empire similarities in petition structure.

**Status of Petitioners**

In attempting to discern the social status, education, and role of the burgeoning class of legal counsels in the 2nd and 3rd centuries AD, the status of the petitioners evident from rescripts themselves is revealing. Serena Connolly, in *Lives Behind the Laws*, and Benjamin Kelly, in *Petition, litigation, and social control in Roman Egypt*, examine the status of petitioners based respectively on the *Codex Hermogenianus (CH)* and papyrological evidence for petitions to the prefect and *strategoi* of Egypt. Both conclude that agricultural workers, uneducated slaves, the illiterate, and other poorer populations were precluded from utilizing the petition system because

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75Connolly 2010, 17-8, 213. Connolly recognizes the possibility that *tabelliones* worked alongside or parallel to lawyers, but argues that they were the major legal resource available to those without the means to obtain an expensive legal consult.

76Connolly 2010, 18.
of its requisite investment of time, travel, and money; the relatively high rate of literacy in Egyptian petitioners also indicates that the social strata with access to education were far more likely to utilize petitions.\textsuperscript{77} However, in both the \textit{CH} and Egypt, soldiers, farmers, priests, artisans, and small-town bureaucrats make up over 90\% of known professions of petitioners, showing that the upper echelons of society—that is, estate managers, city \textit{decuriones}, rich landowners and merchants—did not utilize the petition system as much as the literate “middle classes.”\textsuperscript{78} There could be several explanations for this trend: the most powerful landowners and those within or connected to the imperial bureaucracy may have been able to utilize direct bureaucratic means of addressing issues, and could therefore forego the petition system, which did not depend on previous contact with the imperial bureaucracy.

Both the \textit{CH} and the Egyptian papyri, apart from showing a general trend toward coming from literate petitioners of moderate means, show a wide range of social groups, predictably centered around male freedmen or citizens: 247 of the 942 petitions with information on the petitioner preserved in the \textit{CH} were brought by women, 62 by slaves, 9 by soldiers, and 623 by male civilians.\textsuperscript{79} Despite a survival bias of papyri toward rural villages that were less cosmopolitan, the Egyptian petitioners had a range of ethnicities: at least 27 explicitly by Roman citizens, and several with explicit citizenship of Greek \textit{poleis} of Egypt, many classified as “Egyptian” in Roman records, and a few Jews.\textsuperscript{80} While the precise economic class of petitioners

\textsuperscript{77}Connolly 2010, 68; Kelly 2011, 148, 153-5, 160. The illiteracy of roughly a quarter of Egyptian petitioners is testified by the formulaic inclusion of a note about the petitioner and a signature in a different hand.

\textsuperscript{78}Connolly 2010, 68-72; Kelly 2011, 153-5.

\textsuperscript{79}Connolly 2010, 72.

\textsuperscript{80}Kelly 2011, 148-52.
is unclear in most petitions, petitioners ranged from struggling property owners to contributors to liturgies, and could even be creditors or debtors in loan disputes.\textsuperscript{81} The Egyptian petitions are mostly economic in nature and concern propertied individuals with a wide range of prosperity and social responsibilities, and the \textit{CH} petitions seem to have a rough correlation between higher social status of petitioner and higher social status of the official addressed.\textsuperscript{82}

Another determinant of petitioner status may be based on patronage relationships. The evidence for the patronage relationship extending to helping clients with legal matters extends back to the \textit{leges regiae}, but direct evidence of patron involvement on clients’ behalf in the petition system is difficult to prove unless the second signatures on some petitions represent patrons.\textsuperscript{83} If this were true, it could explain how a wide range of professions and classes could afford legal counsel and get access to officials. However, it is indeterminable the extent to which patronage enabled a wider social access to either legal counsel for petition-writing or to the officials themselves. Interestingly, despite this lack of evidence, patronage was intricately tied to the history of petition: the 2\textsuperscript{nd}-3\textsuperscript{rd} century AD petition system itself, in that it evolved out of the private letters sent by clients to patrons in the 1\textsuperscript{st} century BC, could be viewed as a codified and systematized embodiment of the patron-client relationship between the emperor and the expanding population of imperial clients.\textsuperscript{84}

\textsuperscript{81}Kelly 2011, 126-31.

\textsuperscript{82}Kelly 2011, 163; Connolly 2010, 19.

\textsuperscript{83}Connolly 2010, 17, 33. Pliny forwarded a letter of his client to Trajan, but few other clear instances of patronage in petition system are evident.

\textsuperscript{84}Connolly 2010, 212; Millar 1977, 213-7.
The populations of the Egyptian and CH petitioners differ slightly from the city/estate petitioners: most notably, each of the city/estate petitions was on behalf of an entire community, not an individual. The SK petitioners, as well as the other six petitions from imperial estates, were not property owners, though several SK petitioners were Roman citizens. The fact that it was a community and not an individual petitioning may have meant that both the stakes of the outcome and the amount of money available made hiring a legal counsel worthwhile and possible, despite none of the petitioners having large amounts of property. The towns in the Greek East were mostly small, rural, and specifically reference their poverty (with the exception of Kavacik, which was a more urbanized settlement), meaning that they were likely mostly farmers and not well connected or wealthy, but achieved the level of investment necessary through a pooling of resources. Also, the city/estate petitioners from the Greek East included at least two soldiers as representatives, which may indicate that petitions from a whole community were brought by the most mobile or best-connected person associated with it. Kilter and SK had identified representatives in Lurius Lucullus and Ligys, but their professions and connections to the petitioning communities are not attested. While the specific identities of petitioners are not determinable from the remaining 10 inscriptions, they were presumably more influential tenants (for the seven addressing abuse on imperial estates; Lurius Lucullus could be

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85Hauken 1998, 11, 31-2, 42, 64, 140, 149.

86Hauken 1998, 95-7, 164-5, 173, 193, 205, 224. The rescripts to Tabala and Takina specifically mention that they are for the magistrates and people of the towns, proving that they were centrally organized through the town council. Dagi’s monument was dedicated by an individual named Artemidoros, but the petition itself was from the whole community; his singular investment may show that the wealthier in the community put forth a greater monetary contribution toward the petition.

87Hauken 1998, 95-7, 140, 149.

in this category) or low-level city leaders (for those instances of city-based petitions that were not carried by soldiers). There may be a survival bias here, in that the inscriptions are all from appeals to the level of provincial governor or emperor, while the Egyptian papyri are often to lower officials, such as strategoi: if petitions were sent to a procurator or emperor, they may be presented by a more mobile party on behalf of the aggrieved, as seems to be the case with the soldiers as representatives.

**Comparing the structures of city/estate petitions to the Egyptian papyri**

While the petitions discussed by Kelly do not have the same formulae as the city/estate petitions, they have an independent system of structure that is very stark, rigid, and simple.\(^8^9\) A collection of 35 petitions from the 1\(^{\text{st}}\) century AD in Egypt contained the following precise structure: name of the official addressed, name of the petitioner in the genitive, petitioner’s domicile and occupation, date of offence and offender’s name, a very short narratio, and one or two preces with a standard transition verb and farewell.\(^9^0\) This led Kelly to theorize that scribes or notaries were responsible for composing petitions based on rigid templates, which carried over from Ptolemaic traditions. The integration of Ptolemaic precedents into Roman petition practice could have contributed to the spread of assistance in petition writing throughout the Roman world. Connolly argues that the tabelliones used templates similar the \textit{Formula Baetica} (which was for loan agreements) to structure petitions.\(^9^1\)

While the aforementioned structural trends and the notes concerning illiteracy are strong evidence that the composition of petitions in Roman Egypt was completed by scribes, the trends

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\(^8^9\)Kelly 2011, 43-6.

\(^9^0\)Kelly 2011, 47-8.

\(^9^1\)Connolly 2010, 30.
seen across the empire through the late 2nd and early 3rd century came from a separate tradition. The less rigid city/estate petitions mimic the forensic legal tradition’s structures, and their formulae have greater complexity, creativity, and mobility than the Egyptian papyri. They also have more unique text between each formula, meaning that it is unlikely that such complex documents, each with a structured but unique inscriptio, exordium, and narration, could be based on a template. This indicates that a level of education in legal traditions and persuasion techniques was utilized in the city-estate petitions. Since the tabelliones would not have had such specific instruction, the input of creatively arranged formulae was likely the work of legal counsels who had specific training to this purpose.

**Legal resources: tabelliones and legal counsels**

Based on the range of complexity in different petition conventional structures, the variable social class of petitioners ranging from large-scale landowners to soldiers to tenant-farmers and craftsmen, the reality was likely that a mixture of experts, from notaries using basic templates to educated legal counsels, clustered around provincial headquarters. Connolly argues that a legal counsel would be beyond the economic reach of most petitioners (a maximum of 250 denarii per case, according to the Edict on Maximum Prices), while the tabelliones were a cheap alternative for petitioners who were not wealthy (10 denarii per 100 lines, according to the Edict on Maximum Prices). Given that petitions from the same 1st century AD provenience had alleged damages ranging from 12 to 6,000 drachmae, and the fact that city/estate petitions were exclusively to governors or emperors and may have had higher stakes than local appeals to strategoi, it would be logical to deduce that there was a range of levels of expertise based on the

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92Connolly 2010, 18. Kelly 2010, 161, references records from the first century AD that writing a petition cost only a few obols, indicating that prices, length of petition, or level of expertise varied across regions and times.
importance of the case and the wealth of the petitioner. The fact that petitioners had to travel to the nearest magisterial office allowed these tabelliones and legal counsels to cluster around the basilicae of major towns, and each client could find the level of support they needed or could afford. Such clustering could also allow for transmission of templates or argument formulae between legal counsels, furthering the geographic spread of trends in composition. The fact that the Egyptian petition system and the city/estate petition system developed independent structural conventions, drawn from Ptolemaic precedent and the forensic legal tradition, respectively, is a testament to the variety of experts and resources available to petitioners approaching provincial officials.

The development of the legal profession in the 2nd and 3rd centuries AD

As demonstrated above, the 2nd century saw a burgeoning in direct imperial control of land, the army, and bureaucracy. This was accompanied by a dramatic shift by the reign of Septimius Severus in the cited origin of legal principles: previously, jurists had mostly cited traditional statutes, but at this point they began focusing on recent precedents in imperial practice. Petitions offered a perfect opportunity for this development, as the magister a libellis or the emperor could point to an earlier rescript as the legal precedent for imperial legislation. The number of petitions also increased greatly in the 2nd century, as indicated by the Codex Gregorianus and the Egyptian papyri; this corresponded with the role of the governor becoming

93Kelly 2010, 46, 54.

94Connolly 2010, 66. This characterization matches one testament of the iuris periti by Emperor Theodosius that was discussed on page 30, in which he explicitly states that they offer themselves as teachers in urban fora.

95Schiavone 2012, 373, 397; Schulz 1946, 100.
much more judicially focused.\textsuperscript{96} The rise in power of the jurists was accompanied by establishment of actual establishments of legal education beyond the intellectual communication among elite jurists provided by the Sabinians and Proculians during the 1\textsuperscript{st} and 2\textsuperscript{nd} centuries AD.\textsuperscript{97}

Education for legal counsels, which likely included mostly training in formulaic memory and handbooks, had not been differentiated completely from rhetorical and grammatical schools, but in the 2\textsuperscript{nd} century they began to become more definite and may have been taught by lower-level jurists, which is attested by the creation of Gaius’ \textit{Institutes}.\textsuperscript{98} While the \textit{Institutes} would have been used to teach the skills needed to be a high-level jurist, handbooks of its sort demonstrate an effort to support systematic legal training. By the early 3\textsuperscript{rd} century the school of Berytus (Beirut) was teaching legal advocacy through examination of constitutions and selected legal precedents, and the grammatical school in Carthage offered elementary legal education.\textsuperscript{99} The fact that, unlike schools of grammar or medicine, the emperor did not officially recognize schools specifically for law corroborates the theory that the legal profession and the petition conventions developed independently, as a spontaneous order, rather than through imperial planning.\textsuperscript{100} While the evidence for other legal educational establishments is scanty until Justinian, the widespread similarities in composition seen in the city/estate rescripts indicates

\begin{footnotes}
\item[96]Kelly 2010, 64; Connolly 2011, 46.
\item[97]Schulz 1946, 119-21; Riggsby 2012, 61.
\item[98]Riggsby 2021, 62; Schulz 1946, 118, 142.
\item[99]Schulz 1946, 123; Kaiser 2015, 122.
\item[100]Schulz 1946, 121.
\end{footnotes}
that legal schools may have provided the opportunity for inculcating conventions in legal counsels throughout the empire. However, given the paucity of evidence, and the incentive for a range of legal counsels and scribes to gather at provincial courts and potentially exchange conventions, the similarities in structure and formulae across the empire throughout the 2nd and 3rd centuries AD would not depend on schools as the only mechanism of communication.
6. Conclusion

Diocletian’s bureaucratic reform

The petition tradition and legal support system I have described in this paper resulted from a growth in the influence of the imperial bureaucracy and a corresponding creation of an ordered system of legal education and advice to those subjects who, beset by issues that the hierarchy had not addressed, reverted to the burgeoning role of the emperor as a judge of petitions. This system was notably evolutionary, not planned, in its scope and support networks, which is typical of imperial governance during the Principate: the emperor was not planning his role with forethought and novelty so much as strengthening his involvement in traditional roles and responding to proximate needs.101

However, Diocletian has traditionally been seen as the beginning of the Dominate, and this stems from his major reforms to the imperial hierarchy. While this had large-scale impact based on Diocletian’s goals of centralizing in many ways, including alterations to traditional city governance in the Greek East, it is vital to this study of petitions because petitions themselves are a responsive, individual, and unplanned method of governance. Therefore, such a system existed to address the very needs that Diocletian hoped to address through hierarchical administration, meaning that it clashed with his general motive and role for centrally planned bureaucracy. Connolly argues that the petition system was not too heavily reformed by Diocletian and remained integral to the emperor’s role through Constantine and onward despite the decline in

101 Ando 2015, 3-16; Millar 1977, 3-30.
preserved petitions after 294 AD. Nevertheless, Diocletian’s reforms certainly altered both the impetus for petitioners (in altering provincial management of imperial lands) and the system of management (in creating more bureaucratic offices at the local and regional level), likely limiting the number of these petitions that would be brought before a governor or emperor.

It should be unsurprising, then, that city/estate petitions are not found from the mid-3rd century onward. The office of the *magister a libellis* had, in fact, seen its height of influence in the Severan period and had been falling incrementally since then, despite the high volume of petitions through the mid-3rd century. It seems that Hermogenianus and Diocletian revived this office as a font of legislative decision-making and precedent, but the private system of legal counsel I have presented and the habit of inscribing petitions and responses that allowed the systematic nature of these petitions to survive were not similarly revived. Diocletian began his reign in a period of political turmoil, and the decline in control and effectiveness of imperial institutions incited him to attempt many overt administrative reforms and new laws; it so happened that he had a great deal of available input on these problems from generations of collected petitions in the *Codex Gregorianus*.

**The *Codex Hermogenianus* as a legislative tool**

Diocletian’s reforms were, at least ostensibly, his method of looking out for his provincial subjects who had lacked central support under his predecessors. While he certainly

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102Connolly 2010, 153-4.

103Connolly 2010, 154.

104Millar 1977, 97, 246-51, 544; Connolly 2010, 153-4.

105Connolly 2010, 157. Notably, the Edict of Maximum Prices explicitly states its intention of advocating the rights and welfare of the less powerful in Roman society.
had many sources from which to draw examples of necessary reforms, petitions themselves were open communications from subjects about the very issues Diocletian at least wanted to give the public impression of addressing. This meant that a collection of petition precedents from his reign, as the *CH* was for 293-4 AD, could have offered a set of persistent petition-based issues that would allow Diocletian to create proactive bureaucratic solutions to problems previously addressed reactively. Just as the body of petitions served as the best fodder for legal interpretation by the jurists in the Severan period, petitions could have been collected and systematically examined (in the form of the CH), based on which Diocletian could interpret precedents, create new legislation, and find areas of administration in need of reform.106

This systematization of the management of issues that the previous administrative apparatus had failed to address—and necessitated petition to remedy—fits in with Diocletian’s larger role and image as an administrative reorganizer and a reformer of the emperor’s image. One of his expressed roles in creating this new administrative system was to establish the emperors as issuers of orders, and Diocletian likely aimed to focus on creation of statutes and charging administrators of *dioceses* with pre-planned duties. This would de-emphasize the petition process as a method of governance, and the relative decline in preserved petitions from the 4th century onward may have been caused by such an effort. The subsequent evolution of the complex networks of support for the petitioners is not mentioned in 4th century histories, so the eventual fate of the legal counsels and *tabelliones* is likely indeterminable.

**The lessons of the city/estate petition record**

The cross-empire similarities in structure and formulae of the city/estate petitions I have presented reveal the existence of a widespread system of expertise in crafting these petitions. The

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106Connolly 2010, xi. The reforms of provincial offices was likely meant to relieve the pressures on the *magister libellorum*, his secretaries, and the emperor in his role as petition respondent: Potter 2004, 295.
nature of this system, because of our lack of evidence of the petition process before presentation to imperial officials, must be inferred from indirect evidence of both the legal practice and scribal traditions and from the content of the petitions themselves. Based on this, the petition system of Rome organically grew in the 2nd century in response to the expansion of the imperial role in provincial administration, and provided a method of legal arbitration to those who did not have connections in the imperial hierarchy. Over time, different conventions developed for different types of petitions: in Roman Egypt, papyri indicate that property disputes and violent episodes were petitioned by individuals with the aid of scribes. However, communities whose problems arose out of the imperial hierarchy itself—soldiers or imperial managers—also had endemic issues, for which a body of legal counsels arose to help these petitioners, who lacked legal knowledge themselves, in crafting persuasive petitions based on rhetorical traditions. This social creation of specialized support systems for the imperial petition administration explains the widespread conventions in petition content seen in this collection of 2nd and 3rd century inscriptions. The end of this tradition coincided with the administrative failures of the mid-3rd century AD, and was not revived under Diocletian. Nevertheless, petitions such as the city/estate variety continued to provide precedent for Roman legislation throughout the Dominate, and demonstrate how the creation of top-down, bureaucratic law originates from the natural evolution of social practices in recognizing and addressing recurrent disputes.
APPENDIX 1

Souk el-Khemis\textsuperscript{107}

Description from Hauken 1998, 2-3:

Findspot: Found in 1879 in the ruins of Henchir-Dakhla, Tunisia.

Present Whereabouts: Louvre, Paris, France (Magasin Napoléon; inv. no. Ma 3659).

Decoration: Undecorated, but CIL VII Suppl. 1, 14464 suggests that the text face and form of letters were made to imitate bronze tablets, and the divisions of text into its four columns match the organizational outline of rescripts described by Hauken.

Contents: Libellus to Commodus in 181-2 AD from the coloni on the saltus Burunitanus, with procuratorial letters and subscriptio attached, concerning abuse and collusion by conductores.

Description: SK was presented on a limestone slab 1.18m wide at the top (but tapering to 0.80m at the bottom), and was first published in 1880. Unfortunately, it was not in its original context, making determination of its exact presentation difficult. However, certain aspects of its composition show the intended presented effect: CIL VIII 14464 suggests that the text face and form of letters were made to imitate bronze tablets, and the divisions of text into its four columns match the organizational outline of rescripts described by Hauken. The first column is largely missing, limiting analysis of the formulaic elements or contents of the inscriptio and exordium, but the text of the narration, preces, exempli epistulae, and subscriptio is almost complete. Ain Zaga, found in the same valley, reproduces a fragment of the same text.

Text and Translation

Text from CIL VIII, 10570 and Suppl. 1, 14464:

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</tbody>
</table>

\textsuperscript{107} I have included text, translation, sources, and description for SK and Skaptopara, as they are the most important examples of inscriptions for this thesis. Sources for the texts of other relevant inscriptions are given below in References.

49
prevaricationem

Column II

quam non mod(o) cum Allio Maximo adv[er]sario nostro set cum omnibus fere [con]ductorib(us) contra fas atq(ue) in perniciem rationum tuarum sine modo exercuit

ut non solum cognoscere per tot retro annos instantibus ac suplicantib(us) vestramq(ue) divinam subscriptionem adlegantibus nobis supersederit ve rum etiam hoc eiusdem Alli Maximi

c[onductoris artibus gratiosissimi]
ultimo indulserit ut missis militib(us)
in eu]ndem saltum Burunitanum ali
[os nos]trum adprehendi et vexari ali
[os vinc]iri non (n)ullos cives etiam Ro

[manos] virgis et fustibus effligi iusse
[rit scilic]et eo solo merito nostro qu[od eunt]es] in tam gravi pro modulo me
[dio]critat]is nostrae tamq(ue) manifesta
[i]niuriam pl]loratum maieatatem tu

am illicta] epistula usi fuissemus cu
[ius nostrae in]uriae evidentia Caes(ar)
[inde profec]to potest aestimari qu[od ] quidem quem maiesta
[ex]sistimamus vel pro

[ ] omnino cognos
[ ] plane gratificati
[ ] mum invenerit
[ ] nostris quibu
[s ]bamus cogni

[ ] beret inte
[praes]tare operas

Column III

1 [Quae res co]mpulit nos miserrimos homi

nes iam rur]sum divinae providentiae

tuae supli]care et ideo rogamus sa

cratissime Imp(erator) subvenias ut kapite leg

5 is Hadrian(a)e quod supra scriptum est ademptum est ad

emptum sit ius etiam proc(uratorib(us)

nedum conductori adversus colonos am

pliandi partes agrarias aut operar(um) prae

bitionem iugorumve et ut se habent littere

10 procc(uratorum) quae sunt in t[ab]ulario tuo tractus Kar

thag(iniensis) non amplius annuas quam binas

aratorias binas satorias binas messo

rias operas debeamus itq(ue) sine ulla contro

versia sit utpote cum in aere incis(um) et ab

15 omnib(us) omnino undiq(ue) versum vicinis nostr[is]

perpetua in hodiernum forma praestitu[m]

tum et procc(uratorum) litteris quas supra scripsimus

ita conf[i]rmatum subvenias et cum homi

nes rustici tenues manum nostrarum ope

20 ris victum tolerantes conductori profusis

largitionib(us) gratiosis(si)mo impares aput

procc(uratores) tuos simu[s] quib(us) [pe]r vices successi

on(is) per condicionem conductionis notus est

miser(eari)s ac sacro rescripto n(on) ampli

25 us praestare nos quam ex lege Hadriana et

ex litter(i)s procc(uratorum) tuor(um) debemus id est ter

binas operas praecipere digneris ut bene

ficio maiestatis tuae rustici tui vernulae

et alumni saltum tuorum n(on) ultr(a) conduc
torib(us) agror(um) fiscalium inquietem[ur]

Column IV

[column]

Imp(erator) Ca]es(ar) M(arcus) Aurelius Commodus An
toni]nus Aug(ustus) Sarmat(icus) Germanicus
Maximus Lurio Lucullo et nomine a
liorum proc(uratores) contemplatione dis
cipulinae et instituti mei ne plus
quam ter binas operas curabunt
ne quit per iniuriam contra perpe
tuam formam a vobis exigatur
et alia manu srcipsi recognovi
exemplum epistulae proc(uratoris) e(gregii) v(iri)
Tussanius Aristo et Chrysanthus
Andronico suo salutem secundum
sacram subscriptionem domini n(ostri)
sanctissimi Imp(eratoris) quam ad libellum
suum datam Lurius Lucullus [[accepit]]
[[ / et ali]]
[ ]
[ ]
[ ]
a manu [[opta]]mus te feli
cissimum be[ne vive]r
e vale dat(a)
pr(idie) Idus Sept(embres) Karthagin(e)
feliciter
consummata et dedicata
Idibus Mai(i)s Aureliano et Corne
liano co(n)s(ulibus) cura agente
Translation from Hauken 1998, 11-12:

Petition to Commodus (columns II-III):

Narratio (col. II, ll. 1-32)
(ll. 1-20) […]the collusion] which he without restraint has practiced 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 many years beseeched it and have appealed to your sacred rescript (subscriptio)—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 to 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; as it 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.

Subscriptio 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 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 (*scriptio*) of our lord, the most holy emperor, which Lurius 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*. 
APPENDIX 2

Skaptopara

Description from Hauken 1998, 74-82:

Findspot: Found in 1868 near the Turkish city of Cumaja, near the Bulgarian border.

Present Whereabouts: Unknown.

Decoration: Text, with ample margins, is laid out on rectangular marble slab with a protruding border. Laid out in 5 divisions with different letter sizes (5-7cm at smallest and 8-12cm at largest; larger for the heading and subscriptio). Based on accentuated elements within and the prominence of the header, Hauken theorizes that this was placed on a monument in the center of the town by Pyrrhus or by town officials to commemorate his actions on behalf of the town.

Contents: Libellus in Greek to Gordian III in 238 AD from the inhabitants of the village of Skaptopara, with Latin subscriptio from the Emperor attached and a Latin heading, concerning violence, seizure, and forced quartering by soldiers.

Description: Skaptopara was a carefully designed monument containing letters that had serifs and were consistent in size and form. Skaptopara is the only extant petition to have its entire text recorded through inscription that has yet been found. Its organization and text breaks shows consciousness of the divisions not only between heading, petition, and rescript, but also between sections of a legal composition (inscriptio, narratio, etc.). A detailed authentication follows the religious introduction given in the heading.

Text and Translation

Text from Inscriptiones Graecae in Bulgaria Repertae (IGBR) IV, 2236:

Column I

1 bona fortuna.
   Fulvio Pio et <P>o<n>tio Proculo cons(ulibus) XVII kal(endis) lan(uariis)
   descriptum <e>t
   recognitum factum ex libro <li>bellorum rescript<o>rum a do-
   mino n(ostrlo) Imp(eratore) Caes(are) Mar(aco) Antonio Gordiano Pio Felice
   Aug(usto) et propo-
   <s>it<o>rum <R>omae in portico [t]h<e>rmarum Tr[a]narum in ve<r>ba
   que i(nfra) s(cRIPTA) s(un).
   dat(um) per Aur(elium) Purrum mil(item) coh(ortis) X pr(aetoriae) p(iae) f(idelis)
   Gordianae (centuria) Proculi
   con<vi>canum et con{p}ossess[0]rem {conpossessorem}.  

5
Αὐτοκράτορι Καίσαρι Μ(άρκῳ) Ἀντωνίῳ
Γορδιανῷ Εὐσεβεῖ Εὐτυχεῖ Σεβ(αστῷ) <δ>έησις

παρά κοιμητῶν Σκαπτοπαρηνῶν τῶν καὶ
Γρησειτῶν· ἐν τοῖς εὐτυχεστάτοις καὶ
αἰονίοις σοῦ καιροῖς κατοικεῖσθαι καὶ
βελτιοῦσθαι τὰς κόμας ἤπερ ἀναστά-
tους γίγνεσθαι τοὺς ἐνοικοῦντας πολ-
λάκ<ις> ἁντέγραψας· ἔστιν γε καὶ ἐπὶ τῇ τῶν
ἀνθρώπων σωτηρίᾳ τὸ τοιοῦτο καὶ ἐπὶ
tοῦ ἱερωτάτου σοῦ ταμείου ὠφελείᾳ·

ὅπερ καὶ αὐτοὶ ἐννομὸν ἱκεσίαν
τῇ θειότητί σου προσκομί<ζ>ομεν εὐ-
χόμενοι ἱλέως ἐπινεῦσαι ἡμεῖν
dεομένοι τὸν τρόπον τοῦτον. οἰκο-
μεν καὶ κεκτήμεθα ἐν τῇ προγεγραμ-
μένῃ κώμῃ οὔσῃ εὐεπεράστῳ διὰ τὸ
ἔχειν ὑδάτων χρῆσιν καὶ κεῖ-

σθαι μέσον δύο στρατοπέδων τῶν ὅν-
tων ἐν τῇ σῇ Θρᾴκῃ· καὶ ἐφ' οὗ μὲν τὸ
πάλλαι οἱ κατοικοῦντες
ἀόχλητοι κα
ἰδεισιτοῦμενον, ἀνενδε<ως
tούς τε φόρους καὶ τά λο[πά]

ἐπιτάγματα συνετέλουν· ἐπεὶ δὲ κατὰ καιρο[ὺς εἰς]
<δβρεν> προχωρεῖν τινες καὶ βιάζε[σθαι]
ἡξαντο, τινικαθ[α] ἐλαττούνθαι
καὶ ἡ κόμη ἡξατο. ἀπ[ό γε με]ιλίων
δύο τῆς κόμης ἡμὸν πανηγύρεως]

ἐπιτελουμένης διαβοητοῦ οἱ ἐ[κε]ἴσε
tῆς πανηγύρεως εἰνεκεν ἐπ[δ]ιδημοῦν-
τόπῳ τ[ῆς π][νηγύρεως ο]ὺ καταμε-

νουσι[ν, ἀ]λλ' Ἀ[πολυμπάνοντες ἐπέ]ρ-
χονται εἰς τὴν ἡμετέραν κλομὴν
καὶ Ἀ[ναγκάζουσιν ἡμ]άς εἰς ἐπή-

αὐτοῖς ἔπαθεν καὶ ἔτερα πλ[ιστὲ]α εἰς
ἀνάλημαν αὐτῶν ἄνευ ἀρ[γοῦ] χο-
ρηχείν πρὸς δὲ τούτοις καὶ στρατ[ι]ωταί
τοὺς προγονικοὺς θεμελίους, τοὶ λοιποὶ τόδε καὶ ἡμεῖς προλιπεῖν ἡμῶν καταφρονοῦντες. ἐπεὶ οὖν οὐ μεῖν πλεῖστοι ὅσοι τῆς ἰδιωτίας πάλιν ἐτόλμησαν ἐπιφύεσθαι ἡ τηδείων, προϊόντων ἐκτὸς τοῦ νοι τροποπαροντες ἀπὸ τὶς θεκάς ἐν· καὶ τὰς μὲν [ἐξ]ουσιὰς συν-ν<εχ>έστατα δε]χόμεθα κατά τὸ ἀναγκ[αίο]τν,

Column III

καὶ οὐδεις ἡμεῖν ἐνόχλησεν οὐτε ἐξενιαζ<αιτή>βατι οὐτε παροχής ἐπι-[τηδείων, προϊόντων δὲ τῶν χρόνων πάλιν ἐτόλμησαν ἐπιρύεσθαι ἡ-μεῖν πλειστοὶ ὅσοι <τ>ῃς ἰδιωτίας ἡμῶν καταφρονούντες. ἐπεὶ οὖν οὐ-κέτι δυνάμεθα φέρειν τὰ βάρη καὶ ὡς ἄληθός κινδυνεύομεν ὅπερ οἱ λοιποί τόδε καὶ ἡμεῖς προπληπεῖν τοὺς προγονικοὺς θεμελίους, τού-του χάριν δεόμεθα σου, ἀνίκητη Σεβαστέ, <δ>πος διά θείας σου ἀντιγρα-Φής κελεύης<Ξ> ἐκαστὸν τὴν ιδίαν πο-ρευέσθαι ὄδον καὶ μὴ ἀπολιµπάνοντας αὐτούς τὰς ἀλλας κόμιας ἐφ’ ἡμᾶς
ἐρχέσθα[ι] μήτε καταναγκάζειν

ήμᾶ|[ς] χαρηγεῖν αὐ[ς] τοῖς προίκα τά

85 ἐπτιθόδεια, ἀλλά μηδὲ ἐνιαν αὐτοῖς
[παρέχω] εἰ]δ[ν, ὁ]ις μὴ ἐστίν ἀνάγκη, —— ὅτι
[γὰρ οἱ ήγοῦ]ν μενοι πλεονάκις ἐκ[—]
[νίαν εἰ μὴ] τοῖς ὑπὸ τόν] ήγομένει—

90 [νων καὶ] ἔπιτροπ[οι]ν πε[μ]—
[πομένοις εἰς] ύπ[πρεσ]ι[αν], ἕαν τε
βαροῦμεθα, φε]νόμεθα ἀπὸ τόν
οἰκεῖον [καὶ] μεγίστην ζημίαν τὸ
tαι[ε]ιον περιβληθέ|]ς [σε]ταὶ —— ἴνα

95 ἐξελεθέντες διὰ τῆ]ν θεὶαν σου
[π]ρόνοιαν καὶ μεῖν]α <ντε>ς ἐ]ν
[τοῖς ἁδίους τοὺς] τε [ιεροῦς] φό[ρους]
καὶ τὰ λο]πά [τε]λ')έσματα παρέχειν
[θυρη]σό]μεθα· συμβησται]α δὲ

100 [τοῦτο ήμ]είν ἐν τοῖς ε]ὑτωρεστά—
[τοῖς σοῦ καὶ]ροίς, ἐ]ν [κε]λεύσης
[τὰ θεία σ]ου γράμματα ἐν ὑπή-
[λη] ἁνα[γραφ]έντα δῃμοσία πι]ρ>ο{ι}-

[ὁμενοὶ σου ποιοῦμεν].
[Διογέν]ὴς ο] [Τύριος ὁ π] [καμμα]-
[τίκις(;)]] [ὑπὸ θείας φιλανθρω]—


τὴν ἐξ[λήλυθε]ν· δι]οκεί]τι δὲ
[μ]οι [θε]ῶν τις [προνοησασθαι]
[τῇ]ς [παρούσης ἄξιωσε]ως·
[τὸ] γάρ τὸν [θειότατον] Αὐτο-

[περὶ τοῦ] του κ[α]ί [προγράμ]—
δεδωκέναι, τοῦτο ἐμοὶ δο-
κεῖ τῆς ἀγαθῆς τύχης ἔργον
eῖναι. ἔν τι ἢ<ν> δὲ ἢ ἀξίωσις· ἢ κό-
μη ἢ τοῦ βοηθουμένου στρα-
τιῶτον ἐστ<ιν> ἐν τῷ καλλι-
στὼ τῆς πολιτείας τῆς ἡμε-
τέρας τῶν Παυταλιωτῶν πόλεως
κειμένη, καλῶς μὲν τῶν ὀρῶν
cαι τῶν πεδίων ἔχουσα,
πρὸς δὲ τούτως καὶ θερ-
μῶν ὑδάτων λουτρὰ οὐ μό-
νον πρὸς τρυφήν, ἀλλὰ καὶ
ψυχεῖαν καὶ θεραπεῖαν
σωμάτων ἐπιτηδειότατα,

[π]ι[η]σ[ι]ον δὲ καὶ πανήγυριος

[π]ο[λλάκις μὲν] ἐν ἑν τῷ ἐτεί
[σω]γ[ο]υ[μένη, περὶ δὲ <κ<σ<λ<άδας]
Οκτομ[β]ίας καὶ εἰς π[ε]ντε-
[συμβέβηκεν τοῖνον τά] δοκοῦν-
τα τή[ς κο]μῆς ταύτης πλεον]
[εκ]τ[ήματα] τῷ [χρό]νῳ περι]-
[ε]λ[ή]ς[υ]θ[ε]ναι αὐτῆς εἰς ἐλατ-
[τί][ώ]ματα — ἀλλὰ γὰρ τάς]

[προ]ε[ρημένας ταύτας]

[προ]φ[ά]σεις πολλοί πολλά]
[κις στρατ[ῆ]ται ἐνεπιδή]-
[μοῦν[τ]ες τα[ῖς τε ἐπιξε
[σε]σι [καὶ τα[ῖς βαρήσειν]
ἐνοχ]λούσι [τὴν κόμην]

[τερ][ι]ν αὐτῆς κ[λ]ι[π]λουσιο]-
[τέραν 26 πλουσιωτέραν] 26 καὶ [πολυάνθρωπον]
[μᾶλλον] [οὐσαν νῦν εἰς ἐσχά]-

[ἐ]πει τούτῳ ν ἐδ[ήθη]-
[ςαν πολλάκις καὶ τῶν ἡγο[μ]έ-


[νόν, ἄ]λλα καὶ μέ[χ]ρις τί]-
[π]ροστάγματα, με[τά δὲ]
With Good Fortune.

December 15, in the consulship of Fulvius Pius and Pontius Proculus.

This was copied and certified from the record of petitions and rescripts made by our Lord Emperor Caesar Marcus Antonius Gordianus Pius Felix Augustus, which were posted at Rome in the portico of Trajan's Baths in the words that are recorded below. Given through Aurelius Pyrrhus, soldier of the tenth praetorian cohort Pia Felix Gordiana, who is a fellow villager and fellow landholder of Proculus.

To Emperor Caesar Marcus Antonius Gordianus Pius Felix Augustus.

A petition from the villagers of Scaptopara, also known as Gresa.

In your most prosperous and everlasting times you often have written that the villages should be settled and should thrive rather than that the inhabitants should be unsettled. For that contributes to the security of mankind and is an advantage to the most sacred fisc. Therefore, we convey to your Divinity a petition that is just when we pray you to assent graciously to our request, which follows.

We have our homes and our possessions in the aforesaid village, which is a desirable resort, because it has the advantage of hot springs and is accessible from the two army stations in Thrace. And while its inhabitants remained for years without being disturbed or troubled, they paid their taxes without fail and fulfilled their other obligations. But when from time to time some persons began to act insolently and to treat us with violence, the village began at once to decline. A well-known festival is celebrated within two miles of our village; and those persons who come to the festival, which lasts fifteen days, do not lodge there, but, leaving that
place, come to our village and compel us to provide billets and much else besides for their entertainment without any recompense. In addition to these persons, soldiers also, although being dispatched to other places, leave their proper routes and, coming to us, in like manner compel us to provide billets and other necessities without paying for them. Not only the provincial governors, but also your procurators sojourn here, primarily for the enjoyment of the baths.

Now we entertain the higher magistrates almost continuously of necessity, but, since we cannot endure the others, we have appealed again and again to the governors of Thrace, and they in accordance with imperial orders have commanded that we shall be unmolested, for we have made it clear that we cannot endure it any longer, but we have it in mind even to abandon our ancestral hearths because of the violence of these invaders. And, as a matter of fact, we have been reduced from many householders to a very few. And the orders of the governors hold good for a little while and no one molests us either for demands for billets or for provision of food, but, as time passes, again they get the courage to fasten themselves on us in great numbers, as many as despise our simple civilian status.

Column III

Therefore, since we cannot longer bear these burdens and we who remain are really on the point of abandoning the homes of our forefathers, as the others have done, we beg this favor of you, unconquered Augustus, that by your godlike rescript you will compel every person to keep to the route prescribed for him and not, by leaving other villages, to invade our village nor to compel us to supply him with necessities gratuitously nor to provide billets for those persons who are not entitled to them, for the governors again and again have issued orders not to furnish billets except to those persons dispatched to us for official business by governors and procurators; and, if we continue to suffer these burdens, we shall flee from our homes and a very heavy loss will be inflicted upon the fisc; and we also entreat you that we may receive your pity and godlike consideration, so that we may be able to remain in our homes and to contribute to the sacred taxes and other levies. That will be our lot in this most felicitous age, if you give instructions that your godlike letter be engraved on stone and displayed in a public place, so that we who have received this boon by your good fortune will be able to acknowledge its receipt, just as we now do, though . . .

Column IV

Diogenes of Tyre, the official agent, has come from the godlike benevolence for this petition. In my judgment some god foreordained this present request. It seems to me a stroke of good fortune that the most godlike emperor has granted that we refer the judicial investigation of these matters personally to you, a man who, he knew, had taken previous action about this problem by means of proclamations and edicts.

This is the petition. The village of the soldier who is being helped lies in the fairest part of our territory of Pataulia, well endowed with mountains and plains. Besides these, it has baths of hot waters, most suitable not only for luxurious living but also for health and healing of bodily ills. Nearby is a festival, where people gather frequently during the year, and around October it enjoys freedom from taxes for a period of fifteen days. Accordingly, it has so happened that the seeming assets of this village have turned to liabilities. For the reasons that have just been cited, it frequently happens that many soldiers sojourn here and oppress the village with the exaction of living quarters and oppressive requisitions. As a result, the village,
once prosperous and populous, has sunk now to extreme poverty. Although they have entreated the governors again and again, the governors’ orders have held good for a little while, but afterward fell into utter neglect, because the soldiery had made a habit of such extortion. They, therefore, necessarily appealed to the most godlike emperor . . .

**Column V**

Emperor Caesar Marcus Antonius Gordian Pius Felix Augustus to the villagers through Pyrrhus, their fellow landowner.

This kind of complaint, offered with requests, you ought to bring before the governor's courts and to seek there a settlement about these matters that are alleged rather than a definite authorized regulation by an imperial rescript.

I have written it. I have certified it. Seals.
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