

# Rescript of Gordian III to Aurelius Epaphras

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**K**ENAN T. Erim and Joyce Reynolds, "A Letter of Gordian III from Aphrodisias in Caria," *JRS* 69 (1969) 56–58 with photographs, publish a new imperial letter. Though the epistle occupied an entire block, other documents of the same dossier may have preceded it.

[*Αὐτοκράτωρ*] *Καῖσαρ Μάρκος Ἀ[γτώνιος]*  
*Γορδιανὸς Ε[ὐ]σεβῆς Εὐτυχῆς Σε[βαστὸς]*  
*Αὐρηλίῳ Ἐπαφρᾷ χαῖρε*  
*Εἴ τι περὶ τῶν τῆς πατρίδος σου νόμ[ων]*  
5 *τῆ τε ἱερωτάτῃ συνκλήτῳ βουλή ἔδ[οξε]*  
*καὶ τοῖς ἐν θεοῖς τῶν αὐτοκρατόρων, τοῦ[το]*  
*κάμοι πρόποι ἂν ἐπὶ τῶν αὐτῶν φυλάττειν*  
*ὄρων τῆ πατρίδι τῆς ἡ* · *Εἰ τοίνυν προσιῶν*  
*ΤΙΣ* *τῷ φίλῳ μου καὶ ἐπάρχῳ τῆς πατρίδος τῆς*  
10 *ἐμῆς Φλαβίῳ Λατρωνιανῷ ὑπὲρ ὧν ἐνέγρα*  
*ψας διδάσκοις τὸ ἐξ ἀρχῆς ἔθος, ἀναπέμψαι*  
*προνοήσεται τὴν περὶ τοῦ Πολυδώρου*  
*κρίσιν τῷ οἰκείῳ δικαστηρίῳ ἢ Ἐρρωσω.*

Restorations are by the first editors, who, moreover, read *συγκλήτῳ* in line 5 and again on p.57.

With the reference to regulations by the senate or previous emperors may be compared a similar reference in a rescript of Septimius Severus and Caracalla, *FIRA* I<sup>2</sup> 87 restudied by E. Weber, *Historia* 17 (1968) 106–14, and J. H. Oliver, *AJA* 74 (1970) 215f.

The editors, who have not punctuated the second sentence, write as follows:

In l. 9 *τις* has been added in the margin, although without the correction of *διδάσκοις* to *διδάσκοι* in l. 11 which it necessi-

tates. This may indicate knowledge that the application to Latronianus was in fact made by someone other than Epaphras.

Another explanation should be weighed. Notations accompanying laws were commonly made in the left margin to enable readers to find quickly the sections which interested them. This could be done with numerals as in the Spanish municipal codes. But it could also be done by a word or short phrase. Here it would be an interrogative pronoun opposite the title of the official who authorized what was done. The marginal notation, especially if it was further distinguished by red paint against blue, would not have been taken as part of the text.

The editors write: "it seems clear that (Polydorus) was threatened with prosecution before the *praefectus urbi* and that Epaphras argued successfully that he should be remitted to an Aphrodisian court on the grounds of τὸ ἐξ ἀρχῆς ἔθος." But ἀναπέμψαι, when referring to legal cases, does not mean 'to send back'. Rather, the role of the urban prefect was to assign the case "to the proper court." The prefect was no more expected to hear the whole case than one of the magistrates mentioned in the *senatus consultum* at Cyrene (F. De Visscher, *Edits*=*SEG IX 8*=R. K. Sherk, *Roman Documents from the Greek East* [Baltimore 1969] no. 31, line 100) was expected to hear the whole case. The printed text needs a comma after the word ἔθος, direct object of διδάσκω. The role was a new one for the urban prefect, because Epaphras had to be told.

The document affords a fascinating testimonial to the durability of the ancient civic tradition according to which a man regarded some city-state as his true fatherland, not Greece or Italy or any other *communis patria*.

Πόλις καὶ πατρὶς ὡς μὲν Ἀντωνίνω μοι ἢ Ῥώμῃ, ὡς δὲ ἀνθρώπῳ ὁ κόσμος (Marcus Aurelius, *Meditations* 6.44).

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