

Senatus Consultum de Tabenis

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IN HIS SETTLEMENT of Asian affairs at the conclusion of the First Mithridatic War Sulla examined the status of the various cities and states and made whatever changes he considered desirable. Some of the cities were rewarded for their loyalty to Rome, others were punished. When the reorganization of the province had been completed, early in 84 B.C., he departed.

Among the cities which had been rewarded was the Carian city of Tabae. Deep in the confines of the mountains and surrounded by canyons it nevertheless had been involved in the war. In 1889 a fragment of a *senatus consultum* was published which indicated beyond doubt that Tabae steadfastly resisted Mithridates and accordingly had earned the gratitude of Rome. In the period 85–84 B.C. Sulla had made certain grants or concessions to the city, and, a few years later, the Roman Senate had confirmed them. Tabae itself then had a copy of the decree engraved and erected in its own city, probably on the anta of some temple.¹

Unfortunately the first publication of this Senatorial decree contained a faulty reading that caused scholars to make certain assumptions about the nature of the concessions made to Tabae. But in 1933 and 1934 the block containing the decree was located a second time and examined very carefully by Buckler and Calder. Eventually they published it anew, this time with an excellent photograph of their squeeze. Their publication reveals the mistake of the first editor and

¹ Bibliography: G. Doublet, *BCH* 13 (1889) 503ff; P. Viereck, *Hermes* 25 (1890) 624–31; T. Mommsen, *Hermes* 26 (1891) 145ff (= *Gesammelte Schriften* V, 514ff); V. Chapot, *La province romaine proconsulaire d'Asie* (Paris 1904) 38ff; W. Dittenberger, *OGIS* 442; Abbott-Johnson, *Municipal Administration in the Roman Empire* (Princeton 1926) 271 no. 16; Ulrich von Wilamowitz-Moellendorf, *Mommsen und Wilamowitz. Briefwechsel 1872–1903* (Berlin 1935) 392ff (the pertinent parts assembled and quoted by Robert, below); W. H. Buckler and W. M. Calder, *Monumenta Asiae Minoris Antiqua* VI (Manchester 1939) 59–60 (plate 28); D. Magie, *Roman Rule in Asia Minor* (Princeton 1950) I, pp. 234–35, and II, pp. 965, 1003, 1112; L. and J. Robert, *La Carie II: Le Plateau de Tabai et ses environs* (Paris 1954) 97–102 no. 5; G. Klaffenbach, review of Robert in *Gnomon* 27 (1955) 234–35; G. E. Bean, review of Robert in *AJA* 60 (1956) 196; F. G. Maier, *Griechische Mauerbauinschriften I: Texte und Kommentare* [Vestigia, Beiträge zur alten Geschichte I] (Heidelberg 1959) 245–47 no. 75.

establishes the true reading. In 1954 L. and J. Robert published the text again, profiting by the revision of Buckler-Calder and offering many new suggestions together with very full notes. The text which is printed below is basically that of the Roberts but differing in one respect. Their restorations of lines 7 and 10–11 are omitted. Those lines contain the cruces of the entire document and it is with their restoration that we are here concerned.

- [– – τοῖς τε β]ασ[ιλέως Μιθραδάτου ἡγεμόσιν]
 [δυνάμεσιν] τε ἐπανδρότατα [περὶ τῆς Ἀσίας]
 [καὶ τ]ῆς Ἑλλάδος ἀντιτετάχθ[αι, ἀρέσκειν τῇι]
 4 [συν]κλήτῳ καὶ τῷ δήμῳ [τῷ Ῥωμαίων πάντα αὐ]–
 [τοῖς] τᾶριστα εἶναι ἔσεσθαι τε, τή[ν τε πρὸς τὴν σύν]–
 [κλη]τον καὶ τὸν δῆμον τὸν Ῥωμα[ίων αὐτῶν? πίστιν]
 [διὰ] μνήμης ἔχειν ἔξειν τε vac οσ[– – – – –]
 8 [τοῦ]των ἀρετῆς καὶ καταλογῆς ἐν[εκεν αὐτοῖς]
 [μετ]ᾶ συνβουλίου γνώμης Λεύκιος Κ[ορνήλιος]
 [Σύλλ]ας αὐτοκράτωρ συνεχώρησεν vac ὅπω[ς – – –]
 [– –]τοῖς τοῖς νόμοις αἰρέσεσιν τε ὧσιν [– –],
 12 [ὅπω]ς τε χωρίον Θυησσὸν ὃ ἐστὶν ἐντὸς τῶν [ὁ]–
 [ρίω]ν αὐτῶν, ἐὰν βούλωνται, ὀχυρώσωσιν· [τῇν]
 [τε σύ]νκλητον τὸν τε δῆμον τὸν Ῥωμαίων [δια]–
 [λα]νβάνειν ταῦτα αὐτοῖς καλῶς καὶ vac [προση]–
 16 [κόντ]ως καὶ ἀξίως αὐτῶν, δεδόσθαι τε [– – –]

Before considering the many proposals for restoring lines 7 and 10–11 it is necessary to outline briefly the suggestions made prior to the revision of the stone by Buckler-Calder. These were all conditioned by the mistaken reading of [π]όλ[εις] in line 10 where the stone actually has ὅπω[ς]. This led Viereck to believe that cities had been granted to Tabae, for the presence of the word could hardly be explained any other way. Unfortunately he then restored [ιδί]οις at the beginning of line 11, feeling that those cities were to be autonomous. But how could autonomous cities be granted to Tabae? It appeared impossible. Mommsen could not agree. He saw an allusion to a league of Carian cities, the σύστημα Χρυσαιορικόν. Thus Sulla and the Senate were not dealing with Tabae alone, but with a confederation of cities. Wilamowitz, in private correspondence with Mommsen, objected to any

allusion to a confederation. He felt that the text was wrong and suggested ὅ[πως] in place of [π]όλ[εις]. Thus he anticipated the true reading made thirty-five years later! He could not believe that cities could have been granted to Tabae and refused to consider a confederation. He was the first to suggest that Tabae had been granted special privileges. He restored the passage as follows:

ὅσ[α τε ἔπαθλα τῆς]
[τοῦ]των ἀρετῆς καὶ καταλογῆς ἔ[νεκεν αὐτοῖς]
[ἀπὸ] συμβουλίου γνώμης Λεύκιος [Κορνήλιος]
[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν, ὅ[πως τοῖς ἰδί]-
[οις] ἐ<θ>ισ<μ>οῖς νόμοις αἰρέσεσιν τε ᾧσιν.

He explained the peculiar datives of the last line as the equivalent of Latin ablatives, for the Greek copies of *senatus consulta* are all translations of the Latin originals. His interpretation of the final phrase may be seen in his translation back to Latin: *ut suo iure suis legibus essent*. Thus "cities" disappeared and "privileges" took its place.

Let us now examine the proposals for lines 7 and 10-11 which were made after the revision of the stone.

Buckler-Calder proposed ὅσ[α τε ψηφισθῆναι] in line 7 and ὅπω[ς ἐπ' ἔ]ση αὐ[τοῖς τοῖς νόμοις αἰρέσεσιν τε ᾧσιν [κύρια] in 10-11. This makes the grant broader than one of privileges alone, for it includes all the decrees which the Tabenians had voted with Sulla's permission. This was rightly rejected by Robert, who saw that the phrase "all that Sulla permitted them to be voted" was impossible on historical grounds. Sulla had not been in Tabae and could hardly therefore have given them his permission to vote anything at the time when they had resisted Mithridates.

Robert proposed ὅσ[α τε φιλάνθρωπα ?] in line 7 and ὅπω[ς ταῦτα | ἐπ' αὐ]τοῖς τοῖς νόμοις αἰρέσεσιν τε ᾧσιν [κύρια] in 10-11. He understood the last line to mean that the privileges granted by Sulla were valid "aux mêmes lois et aux mêmes conditions." He could, however, offer no parallels for such a combination of words and ideas. He was, nevertheless, convinced that the sense of the passage was established.

Klaffenbach, in his review of Robert, was not convinced. With a great deal of reserve and hesitation he suggested ὅσ[α τε ἔπαθλα τῆς] for line 7, following Wilamowitz, and ὅπω[ς ὑφ'] ἐαυ[τοῖς τοῖς νόμοις]

αἰρέσεσιν τε ὧσιν [πάσαις] for 10–11. And Maier later agreed substantially with this.

Bean also could not agree with Robert, for he maintained, rightly, that only ἐπὶ τοῖς αὐτοῖς νόμοις could carry the meaning he had suggested. Bean felt that the Tabenians were to be allowed to make their own laws and decisions: ὅπω[ς κύριοι | ἐφ' αὐ]τοῖς (?) τοῖς νόμοις αἰρέσεσιν τε ὧσιν [χρησθαι]. But he was not satisfied with his own restoration.

And there the matter stands: complete disagreement on the issue of exactly what sort of concessions had been made to the Tabenians. That the city is being treated as autonomous, however, seems clear.

Ever since “cities” had been removed from the decree almost all editors and commentators have assumed that ἑπαθλα or some similar word should be restored in line 7. Therein lies the source of the difficulty. Apparently only Bean has felt that such a word could not be the subject of the phrase in lines 10–11. The old theories of Viereck and Mommsen had been dismissed. The new reading of the stone had removed “cities” and therefore anything of a similar nature does not seem to have been considered possible. But ἑπαθλα in line 7 must carry over to lines 10–11, and that creates a strange combination of words. One does not ordinarily speak of “privileges” in connection with “laws” and “policies.”

The true nature of the concessions made to Tabae and, consequently, the correct restoration of the noun in line 7, may be discovered by an examination of the concessions made by Sulla about this same time to other cities. A list of these with a quotation of the pertinent clauses must be given.

A. Stratoniceia. *S. C. de Stratonicensibus* of 81 B.C. (OGIS 441), lines 53–56: χωρία [κώμας λιμένας προσό|δους τε τῶν] πόλεων, ὧν Λεύκιος Κορν[ήλιος Σύλλας αὐτοκράτωρ | τῆς τούτων] ἀρετῆς καταλογῆς τε ἔ[νεκεν προσώρισεν συνεχώρη|σεν, ὅπως τ]αῦτα αὐτοῖς ἔχειν ἐξ[ῆι κτλ. Similar expressions appear in lines 93–97 and 102–104 of the same document. The great similarity between this decree of the Senate and the one concerning Tabae was, of course, noticed by the first editor and its phrases used for the purposes of restoration and interpretation. Robert quotes large sections of the Stratoniceian decree.

B. Thasos. *S. C. de Thasiis* of 80 B.C., first published by C. Dunant and J. Pouilloux in *Études thasiennes* V (Paris 1958) pp. 37–45, no. 174, lines 13–16 of frag. B: ὥς τε προσόδους τῆς τούτων ἀρ[ετῆς καὶ καταλογῆς ἔνεκεν

ἀπὸ συμβουλίου γνώμης] | Λεύκιος Κορνήλιος [Σύ]λλας αὐτοκρ[άτωρ τοῖς
αὐτοῖς συν] | ἐχώρησεν ν πόλ[εις χωρί]α καὶ τὰ ὑ[πάρχοντα αὐτοῖς ? - - - -] |
λιμένας κτλ.

C. Oropus and the god Amphiaraus. S. C. de Oropiis (SIG³ 747),
lines 20–23: ἐπ<ε>ὶ ἐν τῷ τῆς μισθώσεως νόμῳ αὐται αἱ | χῶραι
ὑπεξειρημέναι εἰσίν, ὥς Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν |
φυλακῆς ἔνεκεν συνεχώρησεν {ὑπεξειρημέναι εἰσίν}, ταύτας τε τὰς
προσ|όδους, περὶ ὧν ἄγεται τὸ πρᾶγμα, Λεύκιος Σύλλας τῷ θεῷ Ἀμφια-
ράῳ πρ<ο>σώρι|σεν (!), ὅπως κτλ.

From an examination of these passages and a comparison with the phraseology of our present decree it is possible to suppose that Sulla had also granted Tabae control of κῶμαι or χωρία. These are in no sense cities and have nothing at all to do with a confederation of any sort. Clearly Sulla had no objections to the granting of villages, districts or even revenues to those cities which had displayed their loyalty to Rome. And since our decree grants Tabae the privilege of fortifying nearby Thyessus (lines 12–13), one may assume that the city had been concerned about its military security. And accordingly it could have asked Sulla for control of certain villages which were of importance from a strategic point of view. Sulla, convinced of Tabae's loyalty and therefore of its usefulness to Rome in this part of Caria, may have agreed.

But Robert was struck by the absence of προσώρισεν in the Tabenian decree and therefore felt that συνεχώρησεν alone was insufficient to convey the meaning of attributing territories to the city. But does not the passage quoted from the S. C. de Oropiis (above, C) show that the verb alone was quite sufficient? The verb also appears alone in lines 25–27 of that same document: αὐται αἱ χῶραι ὑπεξειρημέναι εἰσίν, | ὥς
Λεύκιος Σύλλας θεῶν ἀθανάτων ἱερῶν τεμενῶν φυλακῆς ἔνεκεν | συνεχώρησεν,
οὔτε ὁ Ἀμφιάραος, κτλ. Does not this parallel suggest that Sulla granted Tabae control over villages or districts in the area?

With a new subject for the verb at the end of line 11 the restoration of that line becomes somewhat less complicated. A clue may be found in lines 17–19 of col. 1 of the letter written by Cn. Cornelius Dolabella to the Thasians, as published by Dunant and Pouilloux, *op.cit.* pp. 45–55, no. 175: ὁμ|οίως τε καὶ Πεπαρηθίοις καὶ [Σκιαθίοις] γράμματα
ἀπέστειλα ἵνα ὑμῖν ὑπήκοοι ᾦσιν ὧι τρόπῳ ἢ σύγ|κλητος ἡμετέρα ἡθέλησεν.
Similar phrases are found in the same document in lines 15–16 of col. 1 and line 7 of col. 2. Thus ὑπήκοοι may be restored at the end of line 11.

Such a restoration accounts nicely for the datives that precede it. And then both the construction and the sense become clear immediately. The passage may be restored as follows:

ὅσ[ας τε κώμας τῆς]
[τοῦ]των ἀρετῆς καὶ καταλογῆς ἔν[εκεν αὐτοῖς]
[μετ]ὰ συνβουλίου γνώμης Λεύκιος Κ[ορνήλιος]
[Σύλλ]ας αὐτοκράτωρ συνεχώρησεν ναc ὅπω[ς αὐτ]-
[αι αὐ]τοῖς τοῖς νόμοις αἰρέσεσιν τε ὥσιν [ὑπήκοοι]
κτλ.

“ . . . , and whatever villages
L. Cornelius Sulla *imperator* granted to them
after consultation with his *consilium* for the
sake of their courage and honor, that these
villages should be subject to them, to their
laws and to their policies.”

The lack of conjunctions and the use of τε in the last line are due to the influence of the Latin original. Similar constructions abound in the *leges* and *senatus consulta*. See, for example, line 17 of the *S. C. de Asclepiade* (S. Riccobono, *Fontes iuris romani antejustiniani*², Pars Prima [Florence 1941] no. 35): τέκνα ἔκγονοι γυναικές τε αὐτῶν.

It is difficult to see what the Latin original of αἰρέσεις might have been. The use of the plural is odd, but it must reflect a Latin plural. Its usual meaning in the singular in the Hellenistic age is “policy” or “inclination.”² And one may assume that such is its meaning in our decree, that is, the inclinations, wishes, or general policies of the Tabenians. The plural serves to indicate not one policy at a particular point in time but any policy at any time.³ Thus the villages are made completely subject to the laws and future wishes of Tabae.

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² See C. B. Welles, *Royal Correspondence in the Hellenistic Period* (New Haven 1934) 310. The word also occurs in the singular, in the *S. C. de Asclepiade*, line 18 of the Greek portion. Unfortunately the Latin original at that point is missing, but F. De Visscher in *L'antiquité classique* 13 (1944) 26 n.2, suggested *optio*. With good reason, for the Greek has ἐξουσία καὶ αἵρεσις.

³ If ὅσ[α τε χωρία is restored at the end of line 7, then of course lines 10–11 would have to appear thus: ὅπω[ς ταῦ]τα αὐ[τοῖς] τοῖς νόμοις αἰρέσεσιν τε ὥσιν [ὑπήκοα]. The use of a plural verb in this case poses no obstacle, for parallels exist. Examine the *S. C. de Stratonicensibus* (OGIS 441) 50–52: ὅσα τε [ψηφίσματα ἐποίησαν τοῦ]του τοῦ πο[λέμου] ἔνεκεν, ὃν πρὸς βασιλέα Μιθραδάτην ἀνέδειξαν, ὅπως τ[αῦτα] πάντα κύρια ὦσιν. And *Inscriptionen von Priene* no. 40, A, line 5: καὶ ὅσα κριτήρια κεκρυμμένα εἰσ[ι]. . .