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THE NEW EVIDENCE ON THE PRIVILEGES OF THE GEROUSIASTS OF EPHESOS

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Ephesos continues, after a hundred years of excavations, to pour forth epigraphical treasures. In *JÖAI* 62 (1993) 113-22 we are presented with a series of official letters regarding the privileges enjoyed by the members of the city's gerousia; the texts are reprinted, with a few notes, in *SEG* 43 (1993) nos. 757-772. These inscriptions of the late first or early second century are copies of documents ranging in date from 29 B.C. or a little earlier to A.D. 31/32. The series begins with letters from Caesar (?), Octavian, Tiberius and Germanicus, adds a brief reference to Marcus Agrippa, and ends with three letters from the proconsul Publius Petronius, who governed the province of Asia in A.D. 29-35.¹ Petronius's letters were sent in successive years, which the *ed. pr.* takes as indicating that the privileges required annual renewal by the governor.² In the present paper § 1 will argue that that assumption is unwarranted, and § 2 will reexamine, consequently, the *raison d'être* of the three letters.³

§ 1

Three inconcinnities undermine the notion that the privileges of the gerousiasts required annual renewal by the provincial governor. First, the privileges were termed *τέιμια καὶ φιλόανθρωπα* (*honores et beneficia*) in the letters from members of the imperial family and *δίκαια* (*iura*) by Petronius. Being imperial grants,⁴ they were beyond the proconsul's power to sanction, suspend, rescind or diminish; he could, of course, and did confer additional benefits on his own authority.

Secondly, the weight of accumulated evidence favors the view that imperial *beneficia* remained in effect unless rescinded or amended by the granting emperor or one of his successors. Beneficiaries of such grants often (perhaps routinely?) hailed the accession of a new emperor by sending a message or an embassy combining congratulations and assurances of loyalty with a request for his confirmation of their previously granted privileges. But there is nothing in the extant evidence to suggest that their *beneficia* would lapse without such confirmation; there is, in fact, some evidence to the contrary.⁵

Finally, if renewal by act of the governor was a required annual ritual, why did the gerousia elect to inscribe only these three letters from Petronius (he held the office, as noted above, for six years) and no others from him or from his predecessors in the governor's office? That there were such letters from his predecessors is stated *expressis verbis* more than once.⁶ The reason why only these three letters were inscribed must be, surely, that there was something special about them, transcending "blosse Routine" (*ed. pr.*, p. 121). Let us examine the three texts in that light.

§ 2

As the *ed. pr.* notes (p. 121), each of these three letters was issued in response to a specific request from the gerousia. We also observe that—hardly surprisingly—in each case the envoy chosen by the gerousia to wait upon the governor was a local notable: in **8**, Ti. Julius Heras, a gymnasiarch; in **9**, L. Cusinius, priest of Tiberius Caesar Augustus and Julia Augusta (=Livia) and of the Roman Senate, also a gymnasiarch, and further characterized by Petronius as "my friend and one highly esteemed by me;" in **10**,

¹ There are also five small unassigned fragments.

² "Es sind Vorrechte der Gerousie, die nach Ablauf eines jeden Amtsjahres erneut bestätigt werden mussten" (p. 113; similarly, and at greater length, pp. 118 and 121).

³ Hereafter citations of these texts will give the inscription number in bold face, followed, where appropriate, by line numbers in ordinary type.

⁴ **3.24-25**, **5.45-46**, **8.9**, **9.23**, **10.35-36**. In granting the privileges to the members of the gerousia the Roman emperors were continuing a tradition from Seleucid times, as Octavian states in **2.15-16**.

⁵ I discuss these matters in detail in a separate article (forthcoming in *JJP*).

⁶ **9.24**, καθὼς καὶ οἱ πρὸ ἐμοῦ ἀνθύπατοι ἔγραψαν (*idem* ending with *συνετήρησαν* in **8.10** and **10.36**).

Alexander son of Alexander, gymnasiarch-designate of all the gymnasia for the coming year. And it is noteworthy that not one of these delegates said anything about *renewal* of the gerousia's privileges.

Corruption in high places is a veritable leitmotif in the history of the Roman province of Asia. Lesser functionaries would hardly have been slow in taking their cue from their superiors,⁷ and it is not hard to imagine that the embassies to Petronius recorded in these inscriptions could have resulted from violations by local or provincial officials of one or another of the privileges of one or more members of the gerousia. The causative preamble of **10**, the only one of the three letters in which the key verb is preserved, points us, I think, in that direction: ἐνφανίσαντός μοι Ἀλεξάνδρου τοῦ Ἀλεξάνδρου τοῦ [ἀποδε]δειγμένου εἰς τοῦπιὸν ἔτος γυμνασιάρχου πάντων τῶν γυ[μνασίω]ν ὑπὲρ τῶν ὑμετέρων δικαίων (lines 33-35). What is it that the envoy made known to the governor? Surely he did not come simply to remind the proconsul of the gerousia's *beneficia*; the proconsul was well aware of those privileges, as he says in so many words: οἱ δὲ πρὸ ἐμοῦ ἡγεμόνευον συντηρήσαν κάγω ἐν τῷ τῆς [ἐμῆς δικαιοδοσίας] χρόνῳ συνεφύλαξα (lines 36-37). The whole tone of the letters suggests, so it seems to me, that in each case the envoy came to voice a grievance, to protest about some infraction of the gerousia's rights. Seen in that light, Petronius's three letters conjure up a scenario along the following lines.

The embassy that elicited **8**, issued in Petronius's first year as proconsul, was not simply a ceremonial or courtesy visit to greet a new governor on his taking office. Petronius states that he has already written them that he would enforce their rights (8.12-13, κάγω ἔγραψα ὑμῖν τὰ φιλόανθρωπα καμὲ συντηρῆσαι []). Some issue must have arisen to cause the gerousia to seek a new assurance, which the governor proceeds to give here. The key to understanding the issue lies in four words, where, after assuring οὐ μόνον συντηρῶι τὰ δίκαια ὑμῶν, Petronius adds ἀλλὰ καὶ ἐπαυ[ξήσ]ειν ὑπικ[η]νοῦμαι (lines 14-15).⁸ He then carries out that promise by repeating their three preexisting rights and adding a fourth, πρὸς τε τοὺς ὀφείλοντας ὑμῖν [καὶ πράξει] γείνεσθαι κατὰ τοὺς ὑμετέρους νόμους (lines 17-18).

The nature of the event that precipitated the embassy of the following year (**9**) is not stated, but it was of sufficient moment to cause the gerousia to select the especially influential L. Cusinius as its delegate.⁹ This approach elicits from the proconsul a response similar in kind to that of **8**: to the assurance τοὺς τε νόμους ὑμῶν συντηρῶι καὶ τὰ φιλόανθρωπα he adds ἵνα αὐτοῖς χρησθε καὶ χωρὶς ἐπικλήσεως (lines 30-31). This last clause, emphatic in its categorical and comprehensive brevity, suggests that just such a challenge had occurred and the gerousia dispatched Cusinius to obtain the governor's ruling in their favor. The promulgation of an addition to, or expansion of, their rights is, as in **8**, the reason for the inclusion of this letter in this epigraphic dossier.

In the following year Petronius again added something to their privileges, and that is recorded in **10**. After reminding them that he has, like his predecessors in office, protected their rights, he states βουλό[μενος] οὐ μόνον συντηρεῖν ὑμῶν τὰ δίκαια ἀλλὰ καὶ ἐπαύξειν and goes on to list privileges (exemptions), apparently two in number, the details of which are incompletely preserved.

In sum, these three letters from Petronius are not evidence of a pro forma annual routine but instances when the governor granted specific rights, either new ones or expansions of existing ones.

⁷ Such abuses are vividly evidenced in papyri from Roman Egypt: cf. e.g. *Papyrologica Florentina* XXVIII, pp. 98-101 (=XI, pp. 101-4).

⁸ The restoration of the verb of the infinitive is assured by **10.38**.

⁹ L. Cusinius's credentials are cited above, p. 99.