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Tafeln 1–16

KALLIA LEMPIDAKI

## Constructing Commemoration in Imperial Aphrodisias: the Case of Apollonios

One of the fundamental media for commemoration that people aimed to construct and sustain consisted of their funerary monuments.<sup>1</sup> These were often accompanied by epitaphs that provided the suitable means to phrase the identity they wished to create with respect to their contemporaries and future generations. The wish to construct the desired commemoration, and occasionally self-image, and to preserve it as far as possible, may be identified as one of the main reasons that instigated the need and diligence to

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<sup>1</sup> An earlier version of this article was presented at the 6<sup>th</sup> Meeting of Young Historians of Greek Law, held in Athens on September 6–7, 2018. I would like to thank the Organizing Committee (A. Dimopoulou, A. Helmis, S. Aneziri, S. Psoma and E. M. Harris) for the invitation and the participants for the fruitful discussion. I am grateful to Kaja Harter-Uibopuu (University of Hamburg), who commented on the earlier version of the article and always kindly gives me the opportunity to discuss my work. I am most indebted to Angelos Chaniotis (IAS/Princeton), who read the final text and provided me with valuable and as always stimulating comments. Of course I alone am responsible for the views put forward. The article was written while conducting postdoctoral research under the supervision of Sophia Aneziri (N.K.U.A.), to whom I am deeply grateful for the on-going scientific guidance. I thank Douglas Fear (Heidelberg) for improving my English.

The following abbreviations are used:

*I.Apameia* = T. Corsten (ed.), *Die Inschriften von Apameia (Bithynien) und Pylai (IK 32)*, Bonn 1987.

*I.Aph 2007* = J. Reynolds, C. Roueché and G. Bodard, *Inscriptions of Aphrodisias*, 2007. <http://insaph.kcl.ac.uk/iaph2007>.

*I.Knidos* = W. Blümel (ed.), *Die Inschriften von Knidos (IK 41)*, Bonn 1992.

*I.Prusa ad Olympum* = T. Corsten (ed.), *Die Inschriften von Prusa ad Olympum (IK 39–40)*, Bonn 1991–1993.

*I.Tralleis* = F. B. Poljakov (ed.), *Die Inschriften von Tralleis und Nysa (IK 36)*, Bonn 1989.

Laum, *Stiftungen* = B. Laum, *Stiftungen in der griechischen und römischen Antike. Ein Beitrag zur antiken Kulturgeschichte I–II*, Leipzig 1914.

*LSAM* = F. Sokołowski, *Lois sacrées de l'Asie Mineure* (École Française d'Athènes. Travaux et mémoires 9), Paris 1955.

Nigdelis, *Sarkophage* = T. Stefanidou-Tiveriou, *Die lokalen Sarkophage aus Thessaloniki. Mit epigraphischen Beiträgen von Pantelis Nigdelis und einem Anhang von Yiannis Maniatis und Dimitris Tambakopoulos* (Sarkophag Studien 8), Ruppolding 2014.

Robert, *La Carie* = L. Robert and J. Robert, *La Carie. Histoire et géographie historique avec le recueil des inscriptions antiques II: Le Plateau de Tabai et ses environs*, Paris 1954.

Strubbe, *Arai* = J. Strubbe (ed.), *Ἄραι Ἐπιτύμβιοι. Imprecations against Desecrators of the Grave in the Greek Epitaphs of Asia Minor: A Catalogue (IK 52)*, Bonn 1997.

construct a funerary monument, to preserve it and to control its disposal. Within this context, the owners of the funerary monuments employed all available legal means and sometimes skilfully combined them, in order to shape and protect their funerary monuments.

An apt example of this combination of legal regulations is provided by an inscription from Aphrodisias, which will be presented and discussed in the present article, that aims to clarify and interpret the visual and legal means noted in the epitaph, as well as their skilful combination that permitted the construction of the desired commemoration. The founder,<sup>2</sup> Apollonios, did not merely establish his funerary monument by setting specific mandates linked with funerary fines, in case his volition was breached. As will be argued in the article, he also succeeded in ordaining a variety of legal regulations and in combining them, so that his desired commemoration would be formed and preserved. This framework of legal regulations superseded the private personal limits and became a subject of the civic community that entailed the involvement of two of the most important boards of Aphrodisian magistrates, the temple builders and the city council. The means by which the founder accomplished his aims must thus be thoroughly examined. The legal measures that Apollonios employed must be interpreted within the context of the creation of a wider network of commemorative establishments used for the creation of the desired commemoration as a civic benefactor.

### 1. The inscription<sup>3</sup>

The inscription was incised on the face of a white marble block, now lost. During the expedition of the *MAMA* team conducted in 1934, only a small fragment<sup>4</sup> survived, which could not be traced by later editors. The text, however, can be reconstructed according to the copies provided by the editors who have examined the stone. The original location of the stone is unknown.<sup>5</sup>

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<sup>2</sup> The terms “founder” and “establishment” in the case of Apollonios’ funerary monument permit the distinction between the large group of epitaphs merely commemorating the construction of funerary monuments and the group of epitaphs also commemorating complex legal regulations pertaining to the funerary monuments, such as the ones set up by Apollonios. Furthermore, the term “founder” allows the synoptic reference to all legal and non-legal acts (e.g. the legal act of the purchase of the funerary monument and the act of the engraving of the epitaph) by an individual or an association resulting in the establishment of the funerary monuments, as well as the reference to the individuals or associations that merely constructed personal funerary monuments for certain individuals, while averting the use of the concept of “ownership” in the case of funerary monuments, which according to the dominant legal framework of the Imperial period, Roman law, would be inconceivable after the first permanent deposit of a corpse, which attributed to the funerary monument the status of a *res religiosa* (for the legal repercussions of the first deposit of a corpse see briefly M. Kaser, *Zum römischen Grabrecht*, ZRG 95 [1978] 34–35 with references).

<sup>3</sup> For the funerary inscriptions with legal information pertaining to the protection of the funerary monuments from Aphrodisias, see A. Rupp, *Verbote und Strafzahlungen auf Grabinschriften am Beispiel von Aphrodisias*, *Zeitschrift für Altorientalische und Biblische Rechtsgeschichte* 21 (2015) 143–158.

<sup>4</sup> H. 0,65 × W. 0,40 × Th. 0,26. Letter h.: 0,025 (*MAMA VIII 577*).

<sup>5</sup> *Iaph 2007* 12.526.

J. Reynolds, C. Roueché and G. Bodard (*I Aph 2007*) dated the inscription to the 2<sup>nd</sup>–3<sup>rd</sup> c. CE, based on the lettering and the nomenclature. The use of the *gentilicium* Aurelius only by the couple buried in the second sarcophagus<sup>6</sup> suggests a date near 212 CE.<sup>7</sup> The *stephanephoros* Attalos, son of Menandros, who, at the time of the deposition of Apollonios' will in the registry, was serving for the second time, is also mentioned in a funerary inscription<sup>8</sup> engraved on a sarcophagus, which has been dated by A. Chaniotis<sup>9</sup> to about the second half of the 3<sup>rd</sup> c. CE, based on the names and on the style of the portrait on the sarcophagus. Thus, the inscription under consideration may be more precisely dated to the 3<sup>rd</sup> c. CE and possibly around the middle of the 3<sup>rd</sup> c. CE.<sup>10</sup>

The article does not aim to present a new edition of the inscription. Text from *I Aph 2007* 12.526:<sup>11</sup>

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Ἐρμοῦ ἢ γυνῆ αὐτοῦ. οὐδεὶς δὲ ἕτερος. μετὰ δὲ [τὸ ἀφηρωϊσθῆναι<sup>12</sup> τὸ μνημεῖον  
οὐδεὶς ἕξει ἐξουσίαν ἐπι]-  
λῦσαι καὶ ἀνοῖξει τὴν προδ[ηλου]μένην σορὸν καὶ ἐν[θάψ]αι τινὰ ἢ ἐκθάψαι τῶν  
σωματε[ί]ων ἐπέι, [εἴ τις]  
τούτων τι τολμήσας ἢ ἐπιχειρήσας [ἢ] ἐργοδοτήσας [π]οι[ή]σει π[α]ρὰ τὴν γνώμην  
καὶ βούλησιν ἐμοῦ, ἔσται ἐ[πά]ρατ-  
5 τος καὶ [ἀ]σεβῆς καὶ τυμβωρύχος καὶ οὐτ[ε] ἢ γῆ αὐτῷ καρπὸν ἐνέγκῃ οὔτε ἢ  
θάλασσα αὐτῷ πλω-  
τῆ γενήσεται [σ]πορά τε π[α]ίδων αὐτοῦ ἐξολεῖται καὶ ἑτέρα διὰ γένους οὐ  
γενήσεται καὶ ζῶντι μὲν αὐ-  
τῷ ὅσα θεοὶ κατὰ ἀνθρώπων τεθείκασιν. θανόντι δὲ οὐδὲ ἢ γῆ παρέξει αὐτῷ τάφον  
καὶ οὐδὲν ἦτ-

<sup>6</sup> L. 18–19.

<sup>7</sup> Cf. Strubbe, *Arai* 90: post 212 CE, probably after the middle of the 3<sup>rd</sup> c. CE and A. Rupp, *Frauen und Sarkophage. Untersuchungen zu den Grabinschriften aus Aphrodisias*, in: B. Porod, G. Koiner (edd.), *Römische Sarkophage. Akten des Internationalen Werkstattgesprächs, 11.–13. Oktober 2012 (Graz)*, Graz 2015, 232, n. 8: 1<sup>st</sup> half of the 3<sup>rd</sup> c. CE.

<sup>8</sup> *MAMA* VIII 579, second half of the 3<sup>rd</sup> c. CE (as noted by A. Chaniotis, *New Inscriptions from Aphrodisias [1995–2001]*, *AJA* 108 [2004] 403 and n. 125), l. 13–14: ἐπὶ στεφ[ανηφόρου τὸ β' Ἀττάλου υἱοῦ] | (*scroll*) Μενάν[δρου, μνηδὸς - - -]. The reference from Chaniotis (*ibid.*) 403 and n. 125, citing Strubbe, *Arai*, 74 and 90 for the date. For the social status of Attalos Menandrou see Chaniotis (*ibid.*) 403, n. 125.

<sup>9</sup> Chaniotis, *New Inscriptions* (s. n. 8) 403.

<sup>10</sup> Cf. I. Bourtzinikou, *Die Prosopographie von Aphrodisias*. Unpublished dissertation, Heidelberg University 2012, 87, nos. 384 and 385: “? Zweite Hälfte 3. Jh. n. Chr.”

<sup>11</sup> Available at: <http://insaph.kcl.ac.uk/iaph2007/iAph120526.html>. The punctuation marks in l. 2 and 7 have been added by the author.

<sup>12</sup> For the use of ἀφηρωϊζῶ with respect to funerary monuments see *I Aph 2007* 12.322, later 2<sup>nd</sup>–early 3<sup>rd</sup> c. CE, l. 9; *I Aph 2007* 12.524, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 12 and 17; *I Aph 2007* 12.909, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 9; *I Aph 2007* 13.203, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. b8.

- τον ἔσται ὑπε[ύθυνος] προστείμω τῆ [ἱερ]ωτάτη θεῶ Ἀφροδείτῃ εἰς κόσμον αὐτῆς  
 (δηνάρια) πεντακισχίλια  
 π[οι]ησαμ[ένων τὴν τοῦ προστείμου ἐκδίκη]σιν τῶν κατ' ἐκε[ίν]ου τοῦ καιροῦ  
 νεοπτῶν. εἴ τις δὲ καὶ ἐκκό-  
 10 ψει τὴν ἐπι[γραφὴν] το[ῦ] ὑπο[σορί]ου, ὑπεύ[θυ]νος ἔ[στ]ω τῷ προστε[ί]μω καὶ  
ταῖς ἀρ[αῖ]ς ταῖς ὑπογεγ[ραμμέναις, ἀ]λλὰ  
μὴν καὶ τ[ῆ] ἱερῶ[τάτ]η βουλή διαφέρει καὶ αὐτὴ ἢ περὶ τούτου [ἐκ]δικία διὰ τὸ ἐπὶ  
ταύτῃ τῆ ἐκ[δικία ἀ]νατεθει-  
[κέναι ἐμ]ὲ αὐτῇ εἰς αἰωνίους αὐτῆς νομὰς ἀργυρίου ἀρχαῖα [(δηνάρια)  
πεντακισχίλια<sup>13</sup>], καθὼς διὰ τῆς ἀναθέσε-  
ως ἦς πεπύημαι ἐπὶ τῆ ἀναστάσει τῶν ἀνδριάντων ἐμοῦ τε καὶ Πολυχρονίας τῆς  
γυναικός μου καὶ τοῦ υἱοῦ Ἀ[πολ]-  
λωνίου δηλοῦται προσβαινόντων ἀπὸ τοῦ ἐργαστηρίου μου εἰς τὴν βασιλικὴν ἐν  
ἀρισ[τ]εροῖς. ἐν δὲ ταῖ[ς] ὑπο-  
 15 [κει]μέναις τῷ προγεγραμμένῳ βωμῷ εἰσώσταις ἐν[τα]φήσ[οντα]ι οὐδ' ἂν ἐγὼ ὁ  
Ἄπο[λλώνιος] βουληθῶ ἢ δι-  
ατάξωμαι. ὁμοίως οὐδεὶς [ἔ]ξει ἐξουσίαν τοῦ ἐπιλ[ύσαι] καὶ ἀνοῖξει καὶ ἐνθάπαι  
τινὰ ἢ ἐκθάπαι τῶν ἐνόν-  
των σωματείων εἰς τὴν παρακειμένην τούτῳ τῷ μνήματι σορὸν ἐποῦσαν κατὰ [τὸν]  
πλάταν ἐν ἀριστεροῖς,  
ἐν ἧ κεκήδεται Αὐρ[ήλιος] τε Ἑρμῆς Ζήνωνος καὶ ὁ υἱὸς αὐτοῦ Ἑρμῆς,  
ἐνταφίσεται δὲ μόνη εἰς τὴν προ-  
δηλουμένην Αὐρ[ήλια] Τατεια<sup>14</sup> Διδύμου ἢ γεναμένη γυνὴ τοῦ Ἑρμοῦ καὶ οὐδεὶς  
ἕτερος.  
 20 τῆς ἐπιγραφῆς ταύτης ἀντίγραφον ἀπετέθη εἰς τὸ χρεωφυλάκιον ἐπὶ στεφανηφόρου  
τὸ β' Ἀττάλου υἱοῦ Μενάνδρου μνηδὸς δωδεκάτου.

Translation:<sup>15</sup>

“... (daughter or widow?) of Hermes, his wife, no one else; after the heroization of the monument no one will have permission to dismantle and to open the aforementioned sarcophagus and to bury someone in it or to exhume (one) of the corpses, because the man who dares (to do) anything of these (acts) or who undertakes or orders the work, will act against my decision and my wish, will be accursed and impious and grave-robber, and may the earth not bear fruit for him, nor the sea be navigable for him, and

<sup>13</sup> The restoration of the pecuniary sum of the donation on condition is not certain. There is no evidence in the surviving text regarding the height of Apollonios' donation.

<sup>14</sup> Without accent, as noted in *LGPV* V.B, s.v. Τατια.

<sup>15</sup> Translation of l. 2–9 from Strubbe (*Ara* 91) and l. 10–14 from Chaniotis (*Twelve Buildings in Search of Locations: Known and Unknown Buildings in the Inscriptions of Aphrodisias*, in: C. Ratté, R. R. R. Smith [edd.], *Aphrodisias Papers 4. New Research on the City and its Monuments* [JRA Suppl. 70], Portsmouth 2008, 70) with adjustments.

may the offspring of his children die and may another (offspring) from his lineage not come to life. And, while he lives, (may there happen) to him all that the gods have established against mankind, and, when dead, may the earth not provide him with a grave. And nonetheless, he will be liable to a fine of 5,000 denarii to the most sacred goddess Aphrodite for her ornamentation; the temple builders who are (in function) at that time must enforce the fine. And if someone also cuts away the inscription of the vault, he will be liable to the fine and the curses inscribed below. The legal prosecution concerning this is an obligation also of the most sacred council, since it is for the purpose of the legal prosecution that I have donated to the council the amount of 5,000(?) old silver denarii, which will be distributed forever among its members, as this is indicated through the dedication which I made on the occasion of the erection of my statue and those of my wife Polychronia and my son Apollonios, (statues) which are on the left side (of the street which one follows) going from my workshop to the Basilica. In the niches, which are under the aforementioned altar, will be buried the people, who I, Apollonios, may wish or appoint. Likewise, no one will have the permission to dismantle and to open and to bury someone inside or exhume (one) of the corpses from the sarcophagus, which lies beside this funerary monument (and which is located) on the left side of the platform, in which Aurelius Hermes son of Zenon and his son Hermes have been buried; in the aforementioned (sarcophagus) only Aurelia Tateia daughter of Didymos, the widow<sup>16</sup> of Hermes, (will be buried) and no one else. A copy of this inscription was deposited in the *chreophylakion* during the second *stephanephorate* of Attalos son of Menandros, in the twelfth month.”

Even though Apollonios<sup>17</sup> wealth may be deduced from his establishments, his occupation cannot be determined by the evidence provided by the text. J. Strubbe<sup>18</sup> suggested that Apollonios was possibly a successful sculptor.<sup>19</sup> As the inscription informs us, he was the owner of a workshop, but the exact nature of his work escapes us.

<sup>16</sup> For this meaning of the participle γεναμένη, see M. Wörle, *Epigraphische Forschungen zur Geschichte Lykiens XI: Gymnasiarchinnen und Gymnasiarchen in Limyra*, Chiron 46 (2016) 410, n. 26 with epigraphic parallels citing J. Nollé, *Zu den Inschriften der Rundaltäre*, in: D. Berges (ed.), *Rundaltäre aus Kos und Rhodos mit Beiträgen von Vassiliki Patsiada und Johannes Nollé*, Berlin 1996, 155 and F. Preisigke, *Wörterbuch der griechischen Papyrusurkunden mit Einschluss der griechischen Inschriften, Aufschriften, Ostraka, Mumienschilder usw. aus Ägypten*, Berlin 1925, s.v. γύνομα.

<sup>17</sup> For the persons commemorated in the epitaph see Bourtzinakou, *Die Prosopographie* (s. n. 10) 87, no. 384: Apollonios and no. 385: Apollonios, the son, noting that they could be Roman citizens: “(? Αὐρήλιος)”; 300–301, no. 2044: Polychronia; 163, no. 976: Aurelius Hermes son of Zenon and no. 977: (Aurelius) Hermes, the son; 315, no. 2158: Aurelia Tateia; 132, no. 729: Didymos, noting that he could be a Roman citizen: “(Aurelius)”.

<sup>18</sup> Strubbe, *Araï* 90–91.

<sup>19</sup> For the Aphrodisian sculptors see K. T. Erim, J. M. Reynolds, *Sculptors of Aphrodisias in the Inscriptions of the City*, in: N. Başgelen, M. Lugal (edd.), *Festschrift für Jale İnan* (Armağan kitapları dizisi 1), Constantinople 1989, 517–520 and the catalogue of the known Aphrodisian sculptors provided by Erim and Reynolds (*ibid.*) 520–538, in which the aforementioned Apollonios is not mentioned; the sculptors named Apollonios listed there are: Apollonios



## 2. The visual interface of Apollonios' establishments

The inscription presents the monumental establishments of Apollonios in a highly abbreviated manner, and in a roughly reverse chronological order, starting from the most recent establishment, namely his funerary monument, and referring backwards to an earlier one, the erection of the honorary statues of himself, his wife and his son. Of course, one cannot expect absolute consistency in the abbreviated text of the funerary inscription, as testified by the reference to the second sarcophagus, which is inserted towards the end of text,<sup>20</sup> and other textual elements, which will be in due course presented.

The first commemorative construction mentioned in the text is his elaborate funerary monument, which is collectively referred to as the “memorial”, the μνήμα.<sup>21</sup> The central part of this monument was the founder's sarcophagus,<sup>22</sup> in which the founder himself and his chosen beneficiaries (normally his family members) would be interred. This sarcophagus would be securely closed with fastenings<sup>23</sup> and was placed over a pedestal (βωμός),<sup>24</sup> which in Aphrodisias (and Hierapolis) refers to a built structure supporting a sarcophagus.<sup>25</sup> The vault (ὑποσόριον),<sup>26</sup> mentioned in the text, may, in this case, have been identical with the pedestal (βωμός), being another way to refer to the same construction. The pedestal carried an inscription, which may have been the text under discussion. This sarcophagus and its pedestal (βωμός, ὑποσόριον) were placed on a platform.<sup>27</sup> Under the pedestal, niches<sup>28</sup> were constructed, intended to receive the

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Aster, son of Chrysispos (523, no. 5, ?late 1<sup>st</sup>–early 2<sup>nd</sup> c. CE; the same sculptor is mentioned in pp. 525–526, no. 11, ?1<sup>st</sup>–2<sup>nd</sup> c. CE = Bourtzinakou, *Die Prosopographie* [s. n. 10] 77–78, no. 310); Apollonios mentioned in 535, no. 20 (after the 2<sup>nd</sup>, perhaps 3<sup>rd</sup> c. CE), is roughly dated to the period of the aforementioned inscription, but he cannot be identified with the Apollonios under consideration here, since Apollonios was a popular Aphrodisian name (see *LGPN* V.B, s.v. and Bourtzinakou, *Die Prosopographie* [s. n. 10] s.v.). Cf. also the bibliography provided by Strubbe, *Arai* 91, n. 24.

<sup>20</sup> L. 17–19.

<sup>21</sup> L. 17. For the term see A. Chaniotis, *Inscriptions*, in: C. Ratté, P. D. De Staebler (edd.), *The Aphrodisias Regional Survey* (Aphrodisias V), Darmstadt 2012, 353. Cf. Turnbow's (H. N. Turnbow, *Roman Sarcophagi*, in: Ratté, De Staebler [edd.], *ibid.*, 321, fig. 16) hypothetical reconstruction of an Aphrodisian monument with most of the elements under consideration.

<sup>22</sup> L. 3.

<sup>23</sup> Such fastenings made of lead are attested in other Aphrodisian sarcophagi: see e.g. the funerary inscription of Adrastos Polychronios: *I Aph 2007* 15.245, 1<sup>st</sup>–4<sup>th</sup> c. CE, l. 8–9.

<sup>24</sup> L. 15. Cf. *I Aph 2007* 12.908, 2<sup>nd</sup> c. CE and *I Aph 2007* 12.1108, probably 2<sup>nd</sup>–early 3<sup>rd</sup> c. CE.

<sup>25</sup> Turnbow, *Roman Sarcophagi* (s. n. 21) 320. See also J. Kubińska, *Les monuments funéraires dans les inscriptions grecques de l'Asie Mineure* (Travaux du Centre d'archéologie méditerranéenne de l'Académie polonaise des sciences 5), Warsaw 1968, 73–79 and plate I and J. J. Coulton, *Pedestals as 'altars' in Roman Asia Minor*, *AS* 55 (2005) 127–157.

<sup>26</sup> L. 10.

<sup>27</sup> The πλάτας (l. 17) is usually described as supporting a sarcophagus or other structures (Turnbow, *Roman Sarcophagi* [s. n. 21] 320; cf. Chaniotis, *Inscriptions* [s. n. 21] 353).

<sup>28</sup> An εἰσώστη (l. 15) was a construction with a niche or niches (*loculi*) on which a sarcophagus is placed (Chaniotis, *Inscriptions* [s. n. 21] 353). The term is found only at Aphrodisias; an

beneficiaries, who are specifically named by the founder. Thus, the funerary monument was elaborate and must have occupied an extensive funerary plot.

The text also provides information about a dedication (ἀνάθεσις) on the occasion of the erection of the statues of Apollonios, his wife Polychronia and his son, a dedication which also referred to the donation on condition to the city council.<sup>29</sup> The statues must have been erected in accordance with an honorary decree by the Aphrodisian council for which no information is given. Apart from the honor designated by these statues, their inscribed bases would have provided evidence for the donation on condition to the city council that antedated the decision for the erection of the honorary statues, and perhaps the terms of this donation.<sup>30</sup> This dedication consisted of the engraving of the inscriptions on the statues' bases, which enabled Apollonios to cite the donation on condition to the council.

The statues were set up near Apollonios' workshop,<sup>31</sup> on the left side (of the street one followed) going from his workshop to the Basilica,<sup>32</sup> which is most probably to be identified with the Civil Basilica.<sup>33</sup> The specific mention of the location of the statues in the funerary inscription must be viewed within the context of his desire to "link", in the memory of the people who would read the funerary inscription, the epitaph and the honorary statues. In this way, he managed to create a visual commemorative construction, which not only served as the means to cross-check his legal regulations, but also as the means to construct the desired commemoration.

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εἰσώστη was usually located beneath the sarcophagus, either within or underneath the πλάταξ or βωμός (Turnbow, *Roman Sarcophagi* [s. n. 21] 320; see also Kubińska [s. n. 25] 104).

<sup>29</sup> L. 12–14.

<sup>30</sup> Chaniotis, *Twelve Buildings* (s. n. 15) 70 and n. 59 providing epigraphic parallels for this practice.

<sup>31</sup> The exact location of Apollonios' workshop cannot be established (J. M. Reynolds, *The Inscriptions of the Basilica*, in: Ratté, Smith [edd.], *Aphrodisias Papers 4* [s. n. 15] 131). The Aphrodisian *demosia ergasteria* were located opposite to the city *bouleuterion* (as mentioned in the inscription of Adrastos initially published by J. M. Reynolds, *Honouring Benefactors at Aphrodisias: A New Inscription*, in: C. Roueché, R. R. R. Smith [edd.], *Aphrodisias Papers 3. The Setting and Quarries, Mythological and Other Sculptural Decoration, Architectural Development, Portico of Tiberius, and Tetrapylon* [JRA Suppl. 20], Ann Arbor, MI 1996, 121–126 = *I Aph 2007* 11.16, l. 4–5: ἐν τοῖς ἄντικρυς | [τ]οῦ βουλευτηρίου δημοσίοις ἐργαστηρίοις; see Chaniotis, *Twelve Buildings* [s. n. 15] 71 for comments on the location of Adrastos' grave and 78, no. 12 for comments on the text and the date of the inscription to the late 1<sup>st</sup> c. CE). For the location of the *demosia ergasteria* and their structure see Reynolds, (*ibid.*) 125, and for the Aphrodisian *Bouleuterion* L. Bier, *The Bouleuterion*, in: Ratté, Smith (edd.), *Aphrodisias Papers 4* (s. n. 15) 145–168, and especially for its relation to the *ergasteria*, p. 166.

<sup>32</sup> L. 14. For the Civil Basilica see Chaniotis, *Twelve Buildings* (s. n. 15) 70, no. 5, who also notes the parallel with the location of the statues of Apollonios, Polychronia and their son, and the *heroon* of Adrastos also erected near his workshops; see also P. Stinson, *The Civil Basilica (with a contribution by Ulrike Outschar on the Excavated Ceramics)* (Aphrodisias VII), Wiesbaden 2016.

<sup>33</sup> Stinson, *The Civil Basilica* (s. n. 32) 6.

Within this context, the rendering of the first pecuniary fine to the temple builders on the specific condition that it would be used for the *decorum* of Aphrodite,<sup>34</sup> namely it would contribute to the glorification of the goddess, could potentially show his piety and his solidarity with the social group to which he belonged and provide another visual testimony of his benefaction to the city and to its goddess. However, it must be noted that the imposition of the pecuniary fine would entail that Apollonios' regulations had been breached, which is exactly what he tried to avoid by carefully regulating the disposal of his funerary monument and the legal prosecution in case of the violation of his wish. Thus, in this case, Aphrodite's *decorum* cannot be considered to be part of his initial commemorative establishments.

In this way, Apollonios' visual establishments and the respective inscriptions acted as the means to further publicize not only the complex legal regulations which he had set, but also to create a tangible frame of visual cross-references. This intricate combination of monuments and inscriptions in public space that complemented the written documents with which his establishments were linked, served as the wider physical construction that aimed to commemorate Apollonios.

### 3. The infringements

The means that Apollonios employed for establishing this complex commemorative interface are the legal regulations and, mainly, the brilliant ways in which he combined them.

The lost lines at the beginning of the text most probably pertained to the establishment of the funerary monument and probably clarified the identity of the founder and the beneficiaries. The main part of the funerary inscription refers to the legal measures aiming at the protection of the funerary monument and the prosecution of the persons who would violate the founder's phrased volition,<sup>35</sup> which is aptly stressed by the two-fold references to his "decision" (γνώμη) and his "wish" (βούλησις).<sup>36</sup>

Certain infringements are stated in relation to specific parts of the funerary monument. The double infringement, commemorated first, refers to the main part of the funerary monument, the sarcophagus, in which Apollonios and the chosen beneficiaries would be interred. To be precise, it is prohibited to inter or to remove a corpse, *after* the deposit of the beneficiaries and the respective sealing of the sarcophagus. These prohibitions have a distinct future perspective, which denotes that at the time of the engraving of the inscription the specific prohibitions and the respective punishments were not in effect.

<sup>34</sup> See also Chaniotis, *Inscriptions* (s. n. 21) 353 and n. 52. This is also attested in *I Aph 2007* 13.109, perhaps first half of the 3<sup>rd</sup> c. CE, l. 19–22: καὶ προσ|αποτεισάτω τῇ θεῷ Ἀφροδείτῃ εἰς χρυσι|κὸν κόσμον ἀργυρίου (δηνάρια) ἀφ'. The Aphrodisian funerary fines are most commonly payable to the sacred treasury and/or the sanctuary of Aphrodite (Chaniotis, *Inscriptions* [s. n. 21] 353); for a summary of the recipients of the Aphrodisian funerary fines see Rupp, *Verbote* (s. n. 3) 153–155.

<sup>35</sup> Apollonios' strategy regarding the protection and implement of his wish is also noted by Strubbe (*Arai* 90), who, however, does not acknowledge the fact that it was not merely the "violation of the grave" that led the founder to set up this complex framework of legal measures.

<sup>36</sup> Both nouns are noted in l. 4.

Apollonios was at that time still alive and would thus have attended to the implementation of his regulations.

It must be noted that these infringements acknowledge two distinct cases of liability, namely, they discern between the individual who committed the unlawful deed (ἐπιχειρήσας)<sup>37</sup> and the individual who instigated the unlawful deed by assigning the work (ἐργοδοτήσας). In this way, the differentiation between the physical involvement of the culprit, which entailed personal liability, and the indirect involvement, namely the assignment of the illicit acts to someone else, which entailed indirect guilt, is made. Both cases carried the same punishments for the culprit, which are termed as imminent. The violation of Apollonios' regulations, and thus the illicit interment, would entail personal profit for the culprit who acted by himself or by assigning the illicit acts to the perpetrator, who would probably not obtain personal profit from the violation of Apollonios' regulations, unless the instigator promised a reward. In this respect, Apollonios' regulations must be distinguished from the regulations portrayed in two Aphrodisian epitaphs,<sup>38</sup> where the person who would commit the illicit acts *and* the person who would accept the illicit benefit from them were equally held liable; both would have been motivated by personal profit derived from the unauthorized use of the funerary monuments.

By setting a wide framework of liability, in the context of which physical *and* moral involvement, which could be much more difficult to prove, but is nonetheless marked as equally important, Apollonios' regulations permit us to trace an attempt to set up a wider concept of guilt and, respectively, of personal liability. This differentiation does not merely distinguish between act and intention in order to set the appropriate punishment. This had occurred significantly earlier in secular law, as it is traced already in the 7<sup>th</sup> c. BCE Draco's law on homicide,<sup>39</sup> and, during the Imperial period, is also detected in Imperial jurisdiction, as indicated in the epistle of Augustus to the Knidians, where the emperor's decision regarding a murder also depends upon whether the slave, whose act resulted in the killing, acted intentionally or unintentionally.<sup>40</sup> The Aphrodisian epitaph conveys the idea that not only the person who violates the regulations, but *also* the person who assigns the violation should equally suffer punishments of both religious (curses) and civic nature (funerary fines).

<sup>37</sup> The stone-masons who opened the grave would also have to pay a funerary fine in Prusa *ad Olympum*: *I.Prusa ad Olympum* I 200, l. 1–3 and most probably in *I.Prusa ad Olympum* I 201, l. 2–3. The references in *I.Apameia* 50, l. 3 and in *I.Apameia* 11, l. 3–4 are fragmentary. Cf. the punishment of the workers who opened the sarcophagus for *tymborychia* in Herakleia Salbake: *MAMA* VI 140 = Robert, *La Carie* 196, no. 112, 222 CE, l. 1–2 and Robert, *La Carie* 196, no. 113 (= *MAMA* VI 141), l. 4–9 and in Apollonia Salbake: Robert, *La Carie* 284, no. 164 (= *MAMA* VI 141a), l. 8–14.

<sup>38</sup> *I.Aph* 2007 12.524, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 12–18 and *I.Aph* 2007 12.1205, 1<sup>st</sup>–2<sup>nd</sup> c. CE, l. 6–13.

<sup>39</sup> See the discussion by A. Chanotis, *Greek Ritual Purity: from Automatism to Moral Distinctions*, in: P. Röscher, U. Simon (edd.), *How Purity is Made*, Wiesbaden 2012, 127–128.

<sup>40</sup> *I.Knidos* 34, 6 BCE, l. 23–25: τὸν | δὲ οἰκέτην σὺν τοῖς καταχομένοις εἶτε ἔκοντα | εἶτε ἄκοντα. For an analysis of the inscription see E. D. Karabatsou, *Από τη Ρώμη στην Αστυπάλαια: μια αθωωτική απόφαση του Αυγούστου*. *I. Knidos* 34, *EHHD* 42 (2010) 95–109.

In this way, the epitaph seems to draw upon the idea of the purity of intentions, which was introduced from secular law into the sacred regulations, which of course differ from private curses, but share the same idea of coping with transgressions viewed as being of a religious nature,<sup>41</sup> much earlier, probably around 340 BCE,<sup>42</sup> when, apart from the purity of the body, the purity of the mind was also deemed essential,<sup>43</sup> and to further process and expand it. The result of this evolution seems to be that, during the Imperial period, the theoretical differentiation between physical act and moral responsibility regarding one perpetrator developed into the notion that physical act and moral responsibility could actually refer to two distinct perpetrators who should be equally punished, that is, they should be equally held liable. This development can be traced in sacred regulations, such as the cult regulation of a private religious association at Philadelphieia (1<sup>st</sup> c. BCE),<sup>44</sup> where the stated prohibitions equally refer to the perpetrators and the instigators, both being held liable. In Apollonios' epitaph, the development from the theoretical differentiation between physical and moral liability to the acknowledgment of two distinct, equally liable, perpetrators, seems in a way to come full circle, as both the physical and the moral perpetrator are viewed as equally liable not only with respect to religious, but also to secular punishments.

The second infringement refers to the inscribed text. The person who would erase<sup>45</sup> the inscription, would endure the same curses, as the ones inscribed *below*,<sup>46</sup> and the same pecuniary fine of 5,000 denarii. This prohibition most probably referred to the

<sup>41</sup> See the inscriptions where the curses are directed towards the culprit *and* the persons who would assign or advise in favour of them: 1) Neokaisareia: Strubbe, *Arai* 112–116, no. 155, ca. last quarter of the 2<sup>nd</sup> c. CE, l. 14–16: καὶ ἐπὶ πρώτῳι δὲ καὶ ἐπὶ πρώτοις ἢ αὐτῇ ἀρὰ (point) ὅστις ἢ ἐτέρῳι προστάξειεν ἢ γνώμης ἄρξειεν ἢ γνώμη συμβάλοιτο (point) ἢ χερσὶν ὑπουργήσειεν <sup>vac</sup> κινήθηναί τι τούτων ἢ καθαιρεθῆναι; 2) Akmonia: Strubbe, *Arai* 161–162, no. 230, ca. 150–175 CE, l. 2–4: μετὰ τὸ τοῦς δύο τεθῆναι, δὲ ἂν ἀνορούσει, σάρον σιδαροῦν τὸν | [ἀ]γκῶνα σάναίτο καὶ τῷ συμβουλευσάντι; 3) Hierapolis: T. Ritti, *Iura sepulcrorum a Hierapolis di Frigia nel quadro dell'epigrafia sepolcrale microasiatica: iscrizioni edite e inedite*, in: *Libitina e dintorni. Libitina e i luci sepolcrali, le leges libitinariae campanae, iura sepulcrorum: vecchie e nuove iscrizioni: Atti dell'XI Rencontre franco-italienne sur l'épigraphie* (Libitina 3), Rome 2004, 596, no. 42 (= Strubbe, *Arai* 192–194, no. 285, second half of the 2<sup>nd</sup> c. CE or later), after the infringements and the respective pecuniary fines, in l. 11–12 is noted that: ὃ τε κελύσσας κατασκευάσαι ἢ π[ο]ιῆσαι καὶ ὃ ἐργασάμενος, αἱ δὲ ἀ[υ]ταῖ ἀραὶ . . .]αν[. . .] καὶ τοῖς μὴ ἐκδικήσασιν περὶ τοῦ[των]; 4) Eumeneia: Strubbe, *Arai* 197–198, no. 290, post 212 CE, l. 8–14: εἰ δέ τις | ἐπιχειρήσει ἀνα[σ]κευάσαι τὸν τόπον, | ἔστω αὐτῷ κατ[ι]ρά τέκνων τέκ[να] | καὶ τῷ συμβουλευ[ύ]σαντι (*leaf*); 5) Cappadocia-Athenais: Strubbe, *Arai* 272, no. 398, Imperial period, l. 2–6: δὲ ἂν θελήσῃ ἀδικεῖν [ἢ] <αὐτὸς ἢ> δι' ἄ<λλ>ου τινός, λαβέτω <sup>vac</sup> νόσον τιν' ἀθεράπει<sup>vac</sup> του<sup>vac</sup>. Cf. the curses directed against the culprit and the accomplices in Nikomedeia: Strubbe, *Arai* 102, no. 141, post 212 CE, probably late 3<sup>rd</sup> or 4<sup>th</sup> c. CE, l. 5–8: ἰ δὲ τολμήσῃ ἕτερος ἐπανῦ<ξ>ε, δόσει τῇ κόμῃ τῆς Πεντεφυλῆς χρυσοῦ γράματα κβ' κὲ ἦτω ἐπικατάρατος | μετὰ τῶν συνελθόντων.

<sup>42</sup> Chaniotis, *Greek Ritual Purity* (s. n. 39) 128–129.

<sup>43</sup> See in detail Chaniotis, *Greek Ritual Purity* (s. n. 39).

<sup>44</sup> *LSAM* 20 (= *TAM* V.3 1539); see the analysis provided by Chaniotis, *Greek Ritual Purity* (s. n. 39) 131–132.

<sup>45</sup> This infringement is rarely attested in Aphrodisias; see Rupp, *Verbote* (s. n. 3) 151.

<sup>46</sup> L. 10.

inscription under consideration. Contrary to the first, this infringement has immediate effect, namely it would be in force at the time of the establishment of the funerary monument, immediately after the text was engraved on the monument. In this sense, the legal protection of the funerary monument was already established at the time of its erection.

Apart from the regulations concerning the main sarcophagus and the epitaph, the founder also made specific arrangements for the disposal of the niches, which, however, are not linked with a penal clause. It is merely stated that Apollonios had the right to determine the people who would be interred, either during his lifetime or after his death.<sup>47</sup> In the second case, his volition could be phrased in his testament. The fact that he specifically sets a wide chronological scope, which encompasses both pre- and post-mortem interments, denotes the legal validity of his regulations already during his lifetime.

In a manner similar to the prohibitions regarding the first sarcophagus, Apollonios stresses that no one shall have the authority to loosen the fastenings, to open and inter anyone or to exhume a corpse that has already been deposited in the second sarcophagus, which is located on the left side of the platform. In the second sarcophagus, Aurelius Hermes son of Zenon, and his son Hermes had already been deposited, whereas the only remaining beneficiary was Aurelia Tateia daughter of Didymos, the wife of Hermes. The phrasing does not permit us to clarify whether the woman was the wife of Aurelius Hermes son of Zenon or his son's wife, even though the first possibility seems more plausible.<sup>48</sup>

It must be kept in mind that the funerary inscriptions commemorate the specific possibilities that the founders had in mind at the time of the establishment of the funerary monument. A number of other potential illicit acts could also take place, which the founders could not foresee or did not view as possible. In this respect, the establishment of the funerary monument on the specific conditions termed by the founders would have provided the essential legal basis for the protection of their funerary monuments and their disposal, and, consequently, the punishment of the violators of the founders' will.

#### 4. The penal aspect

The penal aspect of the infringements provides *Apollonios* with a suitable field to utilize for the implementation of his wider commemorative construction.

The punishments awaiting the culprit may be viewed as having a basically twofold nature, civic and religious; this is implied by the way the punishments are referred to in l. 10, namely the reference to the fine (civic aspect) and the curses (religious aspect).

<sup>47</sup> L. 14–16. The restoration [βουληθῶ] is plausible, as it is in accord with the textual structure and the meaning. The two verbal types denote the two distinct options for stating the founder's wish: the verb βουληθῶ is linked with the immediate future, that is during the founder's lifetime, whereas διατάξωμαι with the distant future, namely to the period after his death.

<sup>48</sup> Cf. *LGPN* V.B, s.v. Ἑρμῆς; for the name in l. 18 and 19: (12) “II s. Αὐρ. Ἑρμῆς I, ?s. Αὐρ. Τατία” and for the name in l. 18: (13) Αὐρ. Ἑ.: I s. Ζήνων, f. Ἑρμῆς II; cf. s.v. Τατία: (17) “Αὐρ. Τατία: d. Δίδυμος, ?m. Ἑρμῆς”.

The religious aspect of the punishments is noted mainly with the curses, which affected not only the culprit, but also his offspring and his entire lineage; apart from the disasters awaiting him during his lifetime, he would also be deprived of burial and, ironically, he would have to endure what he had done by exhuming the corpse. The punishments for impiety and grave-robbing had severe social and religious consequences, which, especially in the case of grave-robbing, could also, at least in theory, entail the legal prosecution envisaged within the context of Roman law,<sup>49</sup> if Apollonios possessed Roman citizenship. The specific civic punishments awaiting the culprit, namely the predefined pecuniary fines, would have to be rendered to Aphrodite and would be imposed cumulatively, as the phrasing stresses.<sup>50</sup>

The designations “impious” and “grave-rober”<sup>51</sup> are attested in certain Asia Minor epitaphs with information pertaining to the protection of the funerary monuments, where they constitute abbreviated references to the punishments for the offenses of impiety and grave-robbing, which has been suggested that they were legally punished within the context of the polis.<sup>52</sup> Apart from the abbreviated designations *asebes* and *tymborychos*, some Asia Minor inscriptions provide references to a νόμος ἀσεβείας, and an ἔγκλημα τυμβωρυχίας and a νόμος τυμβωρυχίας.<sup>53</sup> However, no such references are attested in Aphrodisias, and so the existence of civic prosecutions for impiety and grave-robbing in Aphrodisias is unlikely. In Apollonios’ epitaph, the designations “impious” and “grave-rober” form a correlation between the violation of his mandates concerning the disposal of the funerary monument and the repulsive acts of impiety,

<sup>49</sup> The Roman legal prosecution for the violation of the funerary monuments *par excellence* was the *actio de sepulchro violato*. For this *actio* and in general the legal measures aiming at the protection of the funerary monuments within the context of Roman law, see the discussions of F. De Visscher, *Le droit des tombeaux romains*, Milano 1963, 139–158; Kaser, *Grabrecht* (s. n. 2) and the synopsis of G. Klingenberg, *Grabrecht (Grabmulla, Grabschändung)*, RAC 12 (1983) 590–637. Cf. the legal prosecution within the polis level traced by K. Harter-Uibopuu, K. Wiedergut (‘Niemand anderer soll hier bestattet werden...’. *Grabschutz im kaiserzeitlichen Milet*, in: G. Thür [ed.], *Tagungsakten des Symposiums „Grabrituale, Tod und Jenseits in Frühgeschichte und Altertum“ des Zentrums Archäologie und Altertumswissenschaften an der Österreichischen Akademie der Wissenschaften 21.–22 März 2010* [Origines 3], Wien 2014, 158–160), who note that the exact stages (e.g. the officials who received the written accusation, the court, the time limit) of the legal procedure concerning τυμβωρυχία cannot be reconstructed (*ibid.* 160).

<sup>50</sup> L. 7–8.

<sup>51</sup> Aphrodisian epitaphs provide many attestations: see e.g. impiety and curse: *I Aph 2007* 2.308; *I Aph 2007* 13.206 and *I Aph 2007* 13.604; impiety and *tymborychia*: *I Aph 2007* 11.35 and *I Aph 2007* 15.314; curse and *tymborychia*: *I Aph 2007* 12.320; impiety: *I Aph 2007* 12.1205; curse: *I Aph 2007* 15.245; for the threefold designations see: e.g. *I Aph 2007* 11.12; *I Aph 2007* 11.31; *I Aph 2007* 11.38; *I Aph 2007* 11.65; *I Aph 2007* 12.508; *I Aph 2007* 13.109; *I Aph 2007* 13.111; *I Aph 2007* 13.154 and *I Aph 2007* 15.246.

<sup>52</sup> See Harter-Uibopuu, Wiedergut, *Grabschutz* (s. n. 49) 159–160. This is not certain in the cases of impiety. See in detail A. Delli Pizzi, *Impiety in Epigraphic Evidence*, Kernos 24 (2011) 59–76 and especially pp. 67–69, who stresses that the sanctions concerning impiety cannot be associated automatically with a trial.

<sup>53</sup> See in detail E. Gerner, *Tymborychia*, ZRG 61 (1941) 230–275 and Harter-Uibopuu, Wiedergut, *Grabschutz* (s. n. 49) 158–160.

which in this case had only austere religious and social repercussions, and grave-robbing, which, in addition to the serious religious and social consequences, could hypothetically also be prosecuted within the context of Roman law.

More information is provided with respect to the imposition of the pecuniary fines (the fine of 5,000 denarii in the case of the interment of a non-beneficiary and the removal of the corpse of a beneficiary and the fine of 5,000 denarii for the erasure of the inscription). The legal prosecution referring to the imposition of the fines in both cases is noted as ἐκδικία and ἐκδίκησις.<sup>54</sup>

As Apollonios ordained, the legal prosecution for the punishment of the illicit acts would have to be carried out by the temple builders of Aphrodite's temple at that time. This board is also authorized to carry out the legal prosecution in two other Aphrodisian epitaphs.<sup>55</sup> The temple builders would not receive a reward, as in the case of the volunteer prosecutor, who is called upon in other Aphrodisian funerary inscriptions, in which infringements and respective fines are set. In these cases, the volunteer prosecutor always received a pecuniary sum, which in Aphrodisias was normally  $\frac{1}{3}$  of the total funerary fine,<sup>56</sup> as a reward. The fact that the beneficiary of the pecuniary fine was the

<sup>54</sup> L. 9 and 11. The restorations are plausible, due to the attestations of the terms in contemporary Aphrodisian inscriptions: *Iaph 2007* 11.508, 98–117 CE, l. ii29: ἐγδικίας τετελεκότα; *Iaph 2007* 15.247, 1<sup>st</sup>–3<sup>rd</sup> c. CE, l. 3–6: ὄν τὴν ἐγδικίαν ποιήσονται οἱ κατὰ καιρὸν | νεοποιοί. For the nouns see *LSJ*, s.v. The attestations of ἐκδικέω, mainly in the form of the participle ἐκδικήσας/ἐγδικήσας are numerous; see e.g. *Iaph 2007* 11.29, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 7: ὄν τὸν τρίτον ἔστω τοῦ ἐκδικήσαντος and *Iaph 2007* 14.17, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 2–3: ἐ[ξ]ουσίας οὔσης παν|τὶ τῷ βουλομένῳ ἐγδικεῖν ἐπὶ τρίτῳ μέρει.

<sup>55</sup> *Iaph 2007* 15.245, 1<sup>st</sup>–4<sup>th</sup> c. CE, l. 9–10; *Iaph 2007* 15.247, 1<sup>st</sup>–3<sup>rd</sup> c. CE, l. 3–6. In *Iaph 2007* 15.245 the founder ordains that Aphrodite would become his heir, in case his actual heirs failed to comply with his mandates. In this way, the founder established a bequest to Aphrodite's sanctuary, which could, however, be realized only if his heirs disobeyed his ordinances. Cf. *Iaph 2007* 13.154, mid. 3<sup>rd</sup> c. CE, l. 9–17, where the temple builders would receive the fine, even though the volunteer prosecutor would be involved in its imposition. Officials are not designated as the recipients of the funerary fines in the Carian epitaphs, while there are only two attestations in Ionia, Mysia and Troas (Rupp, *Verbote* [s. n. 3] 154).

<sup>56</sup> Cf. Rupp, *Verbote* (s. n. 3) 154–155. However, in an Aphrodisian epitaph the reward amounted to half of the fine; see Chaniotis, *New Inscriptions* (s. n. 8) 409–411, no. 28. Indicative examples are: *Iaph 2007*, 12.322, later 2<sup>nd</sup> to early 3<sup>rd</sup> c. CE, l. 12–15 and *Iaph 2007* 14.17, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 1–3. The role of the volunteer prosecutor could also include the *praxis*, namely the collection of the money, as is noted in *Iaph 2007* 12.803, 1<sup>st</sup> c. CE, l. c43–49: εἰάν δέ τις τῶν ὀφειλόντων πράξει τὸ ἀργύριον μὴ πράξει ἢ μὴ ποιήσεται τὴν | διάδοσιν ὡς προγέγραπται, ἀποτεισά|τω ἱερά Ἀφροδείτη δη(νάρια) τρισχέιλια ἃ καὶ | πράσσεσθαι ἐπάνανκες ὑπὸ τοῦ βουλομένου τῶν πολεϊτῶν ἐπὶ τρίτῳ | μέρει (Rupp, [s. n. 3] 155). Cf. a funerary inscription from Hierapolis, where the reward of the person who would denounce and prosecute would derive from the founders' property: Ritti, *Iura sepulcrorum* (s. n. 41) 571–572, no. 4, l. 12–14: καὶ τῷ ἀποδείξαντι καὶ ἐπεξε|θόντι περὶ τῶν προστειμῶν δοθήσεται ἐκ τῶν | ὑπαρχόντων τοῦ Τρύφωνος καὶ τῆς Τατίας (δηνάρια) φ'. Cf. the specific reference to a *delator*/δηλάτωρ, which is rare in the Asia Minor inscriptions (see an inscription from Hierapolis: Ritti, *Iura sepulcrorum* (s. n. 41) 594–595, no. 40, l. b2–3: θήσει | τοῖς ἀγοραίοις (δηνάρια) σ' καὶ δηλάτορι (δηνάρια) ν'), but is well attested in the Roman colony of Philippi, where the *delator*/δηλάτωρ operated within the context of the Roman law (see K. Lempidaki, *Οἱ επιτύμβιες επιγραφές με χρηματικές ποινές από τους*



temple's treasury may justify the lack of a reward for its officials, who would in any case be prompted to collect this particular fine. In contrast, the volunteer prosecutor, namely every willing person, could not have any specific connection with the founder or the beneficiary and thus would have to be motivated appropriately with a reward.

The infringement of the erasure of the inscription is noted in a somewhat abrupt way, after the phrasing of the first double infringement and the punishments awaiting the culprit, even though the same punishments are ordained. One of the reasons for this discrepancy in what would be expected, if the text followed a consistent structure in setting forth infringements and punishments, may be due to the fact that the author of the text or the engraver at this point developed further the theme of the legal prosecution pertaining to the punishment of the illicit acts by referring to the founder's additional arrangements with respect to the involvement of the council by way of a donation on condition.<sup>57</sup>

The pecuniary sum of the donation on condition was specifically to be paid in silver denarii.<sup>58</sup> The designation ἀρχαῖα has traditionally been interpreted as a reference to currency that predated the period of devaluation,<sup>59</sup> which could be viewed as a reaction to any of the debasements of the coinage that took place in the middle of the third

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Φιλίππου, in: M. Youni [ed.], *Πρακτικά ΙΘ' Συνάντησης Ιστορικών του Δικαίου, Κομοτηνή, 15–16.10.2016* [Δίκαιο και Ιστορία 3], Athens, Thessalonike 2018, 139–169).

<sup>57</sup> Cf. the donation to the council and the temple builders of a sum for the “eternal distribution” to their members: *I Aph 2007* 1.161, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 2–10. For the problems pertaining to the terminology used for donations and bequests on condition, which aimed to implement a perpetual aim see I. Arnaoutoglou, *Δωρεές, κληροδοσίες και “ιδρύματα” στην ελληνο-ρωμαϊκή αρχαιότητα. Προβλήματα ορολογίας*, *EHHD* 44 (2012) 59–85, E. M. Harris, *Toward a Typology of Greek Regulations about Religious Matters: A Legal Approach*, *Kernos* 28 (2015) 53–83, especially pp. 71–77 and S. Aneziri, *Associations and Endowments in the Hellenistic and Roman Period: A Multifaceted Relation*, in: A. Dimopoulou, A. Helmis (edd.), *Ίουλίαν Βελισσαροπούλου-Καράκωστα ἐπαινέσαι: Laws of Greek and Roman Antiquity. Πρακτικά του Διεθνούς Συνεδρίου* (Ελληνική Επιγραφική Εταιρεία), Athens, in print. For another case in which the council was responsible for the protection of a sarcophagus see *I Aph 2007* 13.148, probably first half of the 3<sup>rd</sup> c. CE. However, this fragmentary inscription does not state the reason why (a similar donation on condition?).

<sup>58</sup> L. 12.

<sup>59</sup> See Strubbe, *Arai* 91. See e.g. *IG X.2.1.Suppl.1.1429*, ca. mid. of the 3<sup>rd</sup> c. CE, l. 5–6: δόσι ταῖς συναγωγαῖς λα<μπ>ράς | (δηναρίων) μ(υριάδας) ζ' ε and Nigdelis, *Sarkophage* 200–201, no. 69, first half of the 3<sup>rd</sup> c. CE (post 212, probably ca. mid. of the 3<sup>rd</sup> c. CE), l. 5–6: δόσι προστίμου τῷ ἱερωτάτῳ ταμίῳ (δηναρίων) μ(υριάδας) ἕ λανπράς. For the relation between the funerary fines and the economic conditions of the Imperial period see H. Lotz, *Studien zu den kaiserzeitlichen Grabinschriften aus Termessos (Pisidien): Zur Höhe der Grabbußen*, *Chiron* 48 (2018) 219–261. The view that the designation ἀρχαῖα could be a reference to the capital of the donation on condition (K. Harter-Uibopuu, *per litteras*; for this meaning see *LSJ*, s.v. ἀρχαίων.V as substantive; cf. *I Aph 2007* 1.158, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 15–20; *I Aph 2007* 1.179, 3<sup>rd</sup> c. CE, l. 19–23) is not plausible based on the evidence to date and the use of adjectives with respect to denarii in the epitaphs with funerary fines from the Roman provinces of Macedonia, Thrace and Achaia. I am also indebted to Angelos Chaniotis for his insightful comments on this subject.

century.<sup>60</sup> The date and the phrasing of the epitaph under consideration denote that in this case the designation ἀρχαῖα refers to denarii that predated a debasement of coinage.

The exact role of the temple builders and of the council in relation to the legal prosecution is not clarified in the text. Nevertheless, their role most probably superseded the mere denunciation of the illicit acts and it entailed their involvement in the imposition of the fines.<sup>61</sup> The two boards (temple builders and councillors) are referred to collectively and thus each one of them acted collectively as a board. This interpretation is in accord with the fact that in other instances, where the temple builders and the councillors received donations or were authorized to act when the terms of the establishment of a funerary monument were violated, they are always noted collectively.

Consequently, the involvement of these boards must have entailed collective responsibility.<sup>62</sup> However, the content of their culpability was not identical. The temple builders assumed the responsibility for participating in the imposition of the fines *and* for using the fines for a specific aim, namely Aphrodite's *decorum*, whereas the council accepted Apollonios' donation on the condition that it would participate in the legal prosecution for the punishment of the violations. Thence the twofold duties of the temple builders entailed a wider degree of culpability, which encompassed the possibility of neglecting their duties with respect to the legal prosecution and the possibility of mismanaging or neglecting to exploit the funerary fines. The text does not allow us to understand what would happen if the temple builders failed to comply with their obligations; in that case, of course, the sanctuary of Aphrodite would be deprived of the opportunity to acquire adornment (κόσμος) for the goddess.

Within this context, the founder's intelligent involvement of the council provided the suitable means to control and also further secure his regulations concerning the temple builders. The participation of the council in the legal prosecution for the punishment of the illicit acts might not only refer to the punishment for the infringements, but also to the illicit acts or the neglect of the temple builders in relation to their stated duties. In this respect, the combined and also distinct roles of the temple builders and the council in the legal prosecution permitted Apollonios to articulate an intricate frame of legal regulations which served his aims.

<sup>60</sup> Cf. J. M. Reynolds, C. Roueché, *The Inscriptions*, in: F. Işık (ed.), *Girlanden-Sarkophage aus Aphrodisias mit einem Beitrag zu den Inschriften von Joyce M. Reynolds und Charlotte Roueché* (Sarkophag-Studien 5), Mainz am Rhein 2007, 151.

<sup>61</sup> For this matter see K. Harter-Uibopuu, *Tote soll man ruhen lassen ... Verbote und Strafen zur Sicherung von Gräbern am Beispiel der Inschriften von Ephesos*, in: J. Fischer, E. Trinkl (edd.), *Der Beitrag Kleinasiens zur Kultur- und Geistesgeschichte der griechisch-römischen Antike. Akten des internationalen Kolloquiums, Wien, 3.–5. November 2010* (ETAM 87), Wien 2014, 157–180 and especially pp. 176–178.

<sup>62</sup> For this topic in the Late Classical and Early Hellenistic period see L. Rubinstein, *Individual and Collective Liabilities of Boards of Officials in the Late Classical and Early Hellenistic Period*, in: B. Legras, G. Thür (edd.), *Symposion 2011: études d'histoire du droit grec et hellénistique: Paris, 7–10 septembre 2011 = Vorträge zur griechischen und hellenistischen Rechtsgeschichte: Paris, 7.–10. September 2011* (Akten der Gesellschaft für griechische und hellenistische Rechtsgeschichte 23), Wien 2012, 329–354.

## 5. The legal acts

Apollonios' establishments entailed the realization of certain legal acts,<sup>63</sup> which were carefully and closely interlinked.

The older legal act was the donation on condition to the council, which entailed the annual distributions to the councillors, that may have led to the council's decision to erect the honorary statues of Apollonios, his wife and his son. Of course, the text does not mention any involvement of the council in the erection of the statues, but we may assume on the basis of the numerous honorary statues erected in Aphrodisias that the honorific statues for Apollonios and his family were the result of a decision by the council (and possibly the *demos*).<sup>64</sup> The elaborate statement of this donation and the relevant terms, namely the way the pecuniary sum would have to be handled, so that the accumulated profit would suffice for the "eternal" distributions to the councillors,<sup>65</sup> which probably took place on Apollonios' birthday at his funerary monument<sup>66</sup> or, more likely, in front of his statue,<sup>67</sup> are not mentioned in the abbreviated reference of the epitaph. This donation, which was most possibly commemorated in inscriptions engraved on the statue bases,<sup>68</sup> entailed the involvement of the Aphrodisian council in

<sup>63</sup> A different, less plausible, interpretation would be to detect another legal act implied in the noun ἀνάθεσις (l. 12–13), namely a donation by Apollonios to the city council with which he financed the erection of the honorary statues and the inscriptions engraved on their bases.

<sup>64</sup> For a direct parallel see *I Aph 2007* 12.28, second half of the 2<sup>nd</sup> c. CE, perhaps already into the 3<sup>rd</sup> c. CE.

<sup>65</sup> There are many parallels of money distributions to the councillors: e.g. *I Aph 2007* 1.171, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 16–21; *I Aph 2007* 1.179, 3<sup>rd</sup> c. CE, l. 14–27; *I Aph 2007* 11.23, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 13–20 ("eternal" distributions to the council, the *gerousia* and the temple builders); *I Aph 2007* 12.317, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 9–13 ("eternal" distributions to the council and the *gerousia*); *I Aph 2007* 12.534, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 21–28; *I Aph 2007* 14.12, late 2<sup>nd</sup> or 3<sup>rd</sup> c. CE, l. 14–17; *I Aph 2007* 15.321, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 17–23. Cf. Laum, *Stiftungen* no. 41, Rhodes, Reign of Caracalla, l. 7–12; Laum, *Stiftungen* no. 81, Lydia-Thyateira, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 8–13; Laum, *Stiftungen* no. 84, Lydia-Philadelphia, Imperial period, l. 10–16 (distribution to the council and the *gerousia*); Laum, *Stiftungen* no. 96 (= *I. Tralleis* 220); Laum, *Stiftungen*, no. 99 (= *I. Tralleis* 66, second half of 2<sup>nd</sup>–first half of 3<sup>rd</sup> c. CE), l. 7–9. Cf. the bequest on the condition that the "eternal" shares are given for the payment of debtors in *I Aph 2007* 15.333, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 11–15: τε|λευτώ|σα κατέ|λιπε τῆ| ἱερω|τάτῃ βου|λῇ εἰς αἰωνίους | κλή|ρους ἐν παρα|ταγῇ χρε|ωστῶν ἀργυ|ρίου (δη|νάρι|α) βφμε'; also the donation of funerary gardens, so that from the profit accumulated from their cultivation annual distributions to the council of Thyateira would take place: Laum, *Stiftungen* no. 94 (= *TAM* V.2 939), Lydia-Thyateira, Imperial period, l. 7–13: τὸν ἀνα|θέν|τα τῆ| βου|λῇ τοὺς κή|πους, ἐν οἷς τέ|θαπται, | εἰς τὸ ἐξ αὐ|τῶν τὴν | πρόσ|οδον κατ' ἔ|τος | διανέ|μεσθαι τοῖς | βου|λευταῖς.

<sup>66</sup> Such regulations are well attested. See e.g. Laum, *Stiftungen* no. 17 (= *IG* II<sup>2</sup> 2773, ca. 240 CE), Athens; Laum, *Stiftungen* no. 82 (= T. Drew-Bear, *An Act of Foundation at Hypaipa*, *Chiron* 10 [1980] 533–536, 301 CE), Lydia-Hypaipa; Laum, *Stiftungen* no. 173, 92 CE, Phrygia-Akmonia.

<sup>67</sup> See *I Aph 2007* 1.171, 2<sup>nd</sup>–3<sup>rd</sup> c. CE. The honorific inscription for L. Antonius Karpion Aurelianos mentions his donation on behalf of the council; the date on which the distribution was to take place (προθεσμία κλήρου) is written on the statue base, probably because this is where the distribution took place.

<sup>68</sup> L. 12–14.

the legal prosecution. The council's involvement referred only to the legal prosecution and did not effectuate any alterations to Apollonios' regulations, according to which the pecuniary fine imposed on the culprit would have to be allocated to Aphrodite's *decorum*.<sup>69</sup>

The establishment of the funerary monument according to Apollonios' wish constituted the most recent legal act. Within this context, a "copy"<sup>70</sup> of the epitaph was deposited in the *chreophylakion*.<sup>71</sup> The statement that a "copy" of the funerary inscription commemorating the ordinances regarding the protection of the disposal of the funerary monument and the respective penal clauses was submitted in an archive is also attested in Miletus, Smyrna, Ephesos, rarely in Mysia and Troas, regularly in Caria (mostly in Aphrodisias), in Bargylia, Herakleia Salbake and Nysa.<sup>72</sup> The earliest attestations are traced in Lycia and Pisidia, where the clause pertaining to the archiving is already attested in the 1<sup>st</sup> c. BCE.<sup>73</sup> In the inscription under consideration, the phrasing of the reference does not allow us to understand whether the archiving of the "copy" of the inscription must be viewed within the terms of a wider involvement of the archives<sup>74</sup> in the establishment of the funerary monument. This procedure is attested in Aphrodisias and in certain Asia Minor inscriptions and is articulated with a prepositional phrase.<sup>75</sup>

Apollonios' funerary inscription provided abbreviated references to the previously performed donation on condition and the establishment of his funerary monument; it was this "edited" text that was eventually engraved. In Apollonios' case, this "copy"

<sup>69</sup> L. 8.

<sup>70</sup> Cf. the terms ἀντίγραφον (copy), αὐτόγραφον (original document) and χειρόγραφον (original document) in the manumission inscriptions from Delphi (discussed by K. Harter-Uibopuu, *Epigraphische Quellen zum Archivwesen in den griechischen Poleis des ausgehenden Hellenismus und der Kaiserzeit*, in: M. Faraguna [ed.], *Legal Documents in Ancient Societies. Archives and Archival Documents in Ancient Societies: Trieste 30 September – 1 October 2011* [Legal Documents in Ancient Societies 4. Graeca Tergestina. Storia e civiltà 1], Trieste 2013, 286–288). Cf. the term ἀντίτυπον used in *Iaph 2007* 12.1205, 1<sup>st</sup>–2<sup>nd</sup> c. CE, l. 13–14: τῆς ἐπιγραφῆς ταύτης ἀπετέθη τὰ νῦν ἀντίτυπον εἰς τὸ χρεοφυλάκιον.

<sup>71</sup> L. 20. For the Aphrodisian archives see the comments by Chaniotis, *Twelve Buildings* (s. n. 15) 66–70, no 4. As Chaniotis notes (*Twelve Buildings* [s. n. 15] 67), "the parallel use of several terms suggests — but does not provide firm evidence for — the existence of more than one archive in the city." For the archiving of documents with respect to the establishing of funerary monuments see Harter-Uibopuu *Epigraphische Quellen* (s. n. 70) 294–302.

<sup>72</sup> Harter-Uibopuu, *Epigraphische Quellen* (s. n. 70) 294.

<sup>73</sup> Harter-Uibopuu, *Epigraphische Quellen* (s. n. 70) 294–295 and n. 71 with bibliography.

<sup>74</sup> For this matter see Harter-Uibopuu, *Epigraphische Quellen* (s. n. 70) 299–302 with references; cf. *ibid.* 287–294 concerning the manumission inscriptions from Delphi.

<sup>75</sup> For this matter see Harter Uibopuu, *Epigraphische Quellen* (s. n. 70) 294–302. Especially for Aphrodisias see *Iaph 2007* 12.610, 1<sup>st</sup>–2<sup>nd</sup> c. CE, l. 1: διὰ τοῦ χρεοφυλακίου; *Iaph 2007* 12.634, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 2: [. . . (?) . . . κατὰ τὴν δια[ταγὴν] δηλοῦσθαι διὰ τῶν ἀρχείων; *Iaph 2007* 12.1107, 2<sup>nd</sup>–3<sup>rd</sup> c. CE, l. 2–3: καθὼς καὶ διὰ | τῆς γενομένης ἐκδόσεως διὰ το[ῦ] χρε[ο]φυλακίου δηλοῦται; *Iaph 2007* 15.246, 1<sup>st</sup>–2<sup>nd</sup> c. CE, l. 1–2: κατὰ τὴν δοθεῖσαν [α]ὔτῳ [σ]υν[χώρησιν] ὑπὸ | [Γε]νεθλίου καὶ Ζήνωνος διὰ τοῦ χρεοφυλακίου. For the role of the archives in the establishment of the funerary monuments in Miletos see Harter-Uibopuu, Wiedergut, *Grabschutz* (s. n. 49) 150, 153 and mainly 160–164.

especially must be viewed as the “edition” of the aforementioned acts, which have been noted in legal documents. This “edition” was drafted before the funerary inscription and the deposition of the “copy” in the *chreophylakion*, which must be understood as the final step in the series of Apollonios’ establishments. Within this context, the reference to “the fine and the curses that have been written *below*”,<sup>76</sup> even though the pecuniary fine and the curses were actually inscribed *above*, can be explained: Apollonios phrased the second infringement in a careless way, possibly within the context of his wish to further refer to the theme of the legal prosecution implemented by the council.

The official submission of the “copy”, namely the edited text of the funerary inscription, to the *chreophylakion* provided the founder with the “official” acknowledgment of the terms of the establishment of his funerary monument, and thus an additional overall validation of his establishments. However, the role of the epitaph and the inscriptions engraved on the honorary statues mentioned in the text was also important. As has already been noted, they served as the means to immortalize his constructed commemoration and to publicize his ordinances. The disclosure of the founder’s mandates also confirmed that any potential violator or even negligent temple builders or councillors who had accepted the founder’s terms would be held accountable. Within this context, the prohibition on erasure of the funerary inscription was not only linked with the wish to commemorate the dead, but also with the need to publicize and warn, and also to confirm that the founder’s regulations would be respected.<sup>77</sup>

## 6. Conclusions

If examined individually, the legal regulations to which Apollonios resorted may appear common: the infringements and the pertinent penal clauses are well attested not only in Aphrodisias,<sup>78</sup> but also in other Asia Minor cities and the mainland of Greece, whereas the establishment of a donation on condition rendered to the council for the “eternal” distributions to its members is also well attested.

The distinctiveness of Apollonios’ case is traced in the skilful way that he connected the protection of his personal wish with regard to his funerary monument, which entailed the imposition of two funerary fines if it was breached, with the city council by way of a donation on condition, entailing the involvement of the councillors in the

<sup>76</sup> L. 10. Cf. the reference in *I Aph 2007* 13.148, probably first half of the 3<sup>rd</sup> c. CE, l. 4–5: ὡς ὑπογέγραπται (as has been written below), where nothing had ever been engraved on the sarcophagus below the text (Reynolds and Roueché, *The Inscriptions* [s. n. 60] 157); this was either a phrase in the written document, deposited in the civic archive, which was carelessly copied, or the chest stood on a base which provided available space for an inscription (Reynolds, Roueché, *The Inscriptions* [s. n. 60] 157).

<sup>77</sup> The importance rendered to the inscription is noted in many cases: see e.g. Ritti, *Iura sepulcrorum* (s. n. 41) 572–573, no. 6, ca. second half or end of the 2<sup>nd</sup> c. CE, l. 5–6: εἴ τις παρὰ τὴν ἐπιγραφ[ὴν] | ποιήσει, θήσι τῆ γερουσία (δηνάρια) α.

<sup>78</sup> The formulaic structure of the wording referring to the punishment of the violator in the Aphrodisian funerary inscriptions with pecuniary fines has already been noted by Chaniotis, *New Inscriptions* (s. n. 8) 402.

legal prosecution for the imposition of the funerary fines and, within this framework, also the supervision of the temple builders, who, according to Apollonios' ordinances, would assume the implementation of the legal prosecution and exploit the funerary fines for Aphrodite's *decorum*. The donation on condition to the council constituted a benefaction, which carried a distinct personal trait, as these distributions were going to be rendered to each member of the council. In a different manner, by regulating the disposal of the funerary fine to the sanctuary of Aphrodite on the condition that it would be used for the ornamentation of the goddess, even though this would only be realized if his wish was breached, Apollonios managed to turn the fine not merely into a potential dedication, but, in the case of Aphrodite of Aphrodisias, where the goddess had a clear "political" character,<sup>79</sup> into a potential civic benefaction. In this respect, this regulation may be compared to the funerary fines that were allocated to the erection of statues in honour of the emperors, a practice attested in Aphrodisias from the early 3<sup>rd</sup> (or perhaps from the late 2<sup>nd</sup>) c. CE onwards.<sup>80</sup> In this way, Apollonios succeeded in correlating his legal regulations with two boards of civic magistrates, the councillors and the temple builders, a fact that had far wider implications, since it elevated and broadened the impact of his regulations from the private level to the civic level.

The funerary inscription of Apollonios provides important evidence for the intricate combination of legal regulations in order to implement the founder's wish, not merely with respect to the disposal of his funerary monument, but also with regard to the creation and perpetuation of his desired commemoration as a civic benefactor with respect to his contemporaries and the future generations. This was accomplished by means of his funerary monument and the possible ornamentation of Aphrodite, and by means of his legal regulations that complemented and implemented them. By setting up a complex framework of legal regulations and brilliantly linking their implementation with two of the most important Aphrodisian boards, the temple builders and the city council, Apollonios succeeded in linking his regulations with the city.

It is noteworthy that Apollonios' complex legal regulations referred only to civic officials and do not point to or hint at any Roman officials. Aphrodisias, as a *civitas libera*, was exempted from the governor's jurisdiction, but this did not prevent the city (or any of the *civitates liberae*) from becoming the setting of the proconsul's jurisdiction.<sup>81</sup>

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<sup>79</sup> See in detail A. Chaniotis, *Aphrodite's Rivals: Devotion to Local and Other Gods at Aphrodisias*, CCG 21 (2010) 235–248.

<sup>80</sup> See Chaniotis, *Inscriptions* (s. n. 21) 349 with references.

<sup>81</sup> See F. Millar, *Civitates liberae, coloniae and Provincial Governors under the Empire*, *MediterrAnt* 2.1 (1999) 109–110. This legal privilege did not entail any sort of legal prohibition to enter the city, at least during the time of the Empire and certainly not in the province of Asia (C. Kokkinia, *Aphrodisias's 'Rights of Liberty': Diplomatic Strategies and the Roman Governor*, in: Ratté, Smith [edd.], *Aphrodisias Papers 4* [s. n. 15] 53). Of course the actual privileges were subject to constant redefinition (Kokkinia, *ibid.* 54 citing Millar, *ibid.* 112), since, as Kokkinia notes "the status of a free city — or a free city exempted from the *formula provinciae* — could have many or no legal consequences, depending on the negotiating skills of the city's representatives" (*ibid.* 54–55).

In fact, a relatively large number of testimonia from 2<sup>nd</sup>–3<sup>rd</sup> c. CE Aphrodisias commemorates the opposition to the intervention of a Roman authority with regard to testaments, which may be the reaction to a particular event of which we have no knowledge.<sup>82</sup> The fact that Apollonios did not envisage such interventions, at least in the surviving text, may be interpreted within the context of his successful combination of the legal regulations which involved the temple builders and the city council, who would thus serve and not contravene his aims. Of course, it is not possible to ascertain what would happen, in case an accused person resorted to an appeal to the Roman authorities. Nevertheless, we must acknowledge that Apollonios did his best to secure his establishments within the city level.

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<sup>82</sup> Chaniotis, *New Inscriptions* (s. n. 8) 402 and the analysis of the evidence in pp. 400–403. See especially Chaniotis, *New Inscriptions* (s. n. 8) 400–403, no. 23, ca. the second half of the 3<sup>rd</sup> c. CE, l. 3–10.