

THE PUBLICATION OF THE PRICES EDICT: A NEW INSCRIPTION FROM
AEZANI *

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(Plate II)

At the bottom of the fifth column of what is now the ninth block of the Aezani copy of the Prices Edict of Diocletian ¹ there stand fifteen lines of Greek; of these, the end of line nine and lines ten to fifteen are transcribed by R. and F. Naumann, ² who conjecture that they are the work of the local governor; their conjecture is substantiated by the complete text, though hardly the view that it represents a 'Greek résumé' of the Edict. ³ Internal evidence (line 15) shows that this Greek text always stood, as it stands now, at the end of the text of the Prices Edict itself.

Φούλβιος Ἀστικός ὁ διασημότατος ἡγεμῶν *vac.* λέγ[ει]
καὶ τοῦτο τῆς θείας προμηθείας, λεγόντων (τῶν) ἀηττήτων
καὶ πάντα γεικόντων δεσπότην ἡμῶν βασιλέων τε
καὶ Καισάρων εὐχερείαν βίου, ἵνα τῶν ὀνίων [. . . c. 5 . . .]νας κα-
5 ταστάσης ἐν τειμαῖς δι[κ]αίαις κα[ι] ΡΗΤΗΘ[. . . c. 7 . . .]αῖς τὸ αὐτὸ ἢ ἀν-
θρώποις ἅπασιν, καὶ δι' ὑπερβάλλουσαν ὄρμην καὶ φιλαργυρίαν
τινῶν ἀπορεῖν τῶν πρὸς τὴν χρεῖαν ἀνανκαίων μηδένα, ἀ-
πάσης περικοπέσεως ἐνθυμήσεως πανούργου, ἴσῃν καὶ ὠ-
ρισμ *vac.* ἐνήν τὴν ἐφ' ἐκάστοις τετάχθαι τειμῆν ὅπερ ἵνα πα-
10 ραφυλ *vac.* (λ)άττηται καὶ δι' ἅπαντος α(ι)ῶ(ν)νος μένη τῇ θειότητι
αὐτῶν προνεοῖται, ἀλλ' ἵνα καὶ ὑμεῖ(ι)ν δῆλον καταστῆ σὺν
(συν) ἐπιμελεία(ς) πάση τοῦ θείου διατάγματος τοῦ ἐπὶ τῇ τειμῇ
τῶν τε ὀνίων καὶ συναλλαγμάτων δοθέντος νόμου τὸ ἀντί-
15 τάγματος προτεταγμένον φαίνεται. *Proponatur.*

Ll. 1-9 (except the last five letters of l. 9) omitted, R. and F. Naumann; their text is simply reproduced by M. Giacchero in her edition of the Prices Edict, Genoa, 1974.

L. 4, after the gap ΡΙAC is possible and would suggest εὐπορίας (so R. Syme), which is not inconsistent with such traces as we seem to see in the gap.

L. 5, κα[ι] is far from certain; Ρ may well be Β, otherwise ῥητῆς or even ῥηταῖς is attractive, but the letters which follow are so far wholly obscure to us.

L. 6, τόλμην might give better sense than ὄρμην, but the space is distinctly small for it, unless the ο is very narrow (as, however, sometimes occurs in this inscription).

L. 10, καὶ ἅπαντος and μένη θειότητι [*sic*], R. and F. Naumann.

L. 11, προνεοῖται . . . ἵνα, R. and F. Naumann; τῇ τειμῇ, R. and F. Naumann.

L. 12, ἐν ἐπιμελεία, R. and F. Naumann; καταστῆσον, R. and F. Naumann.

L. 13, συναμ . . . ματων, R. and F. Naumann.

Ll. 13-14, νόμου/ἀντίγραφον, R. and F. Naumann.

Ll. 14-15, τοῦ δήμου τοῦ/τὸδιατάγματος, R. and F. Naumann.

Translation

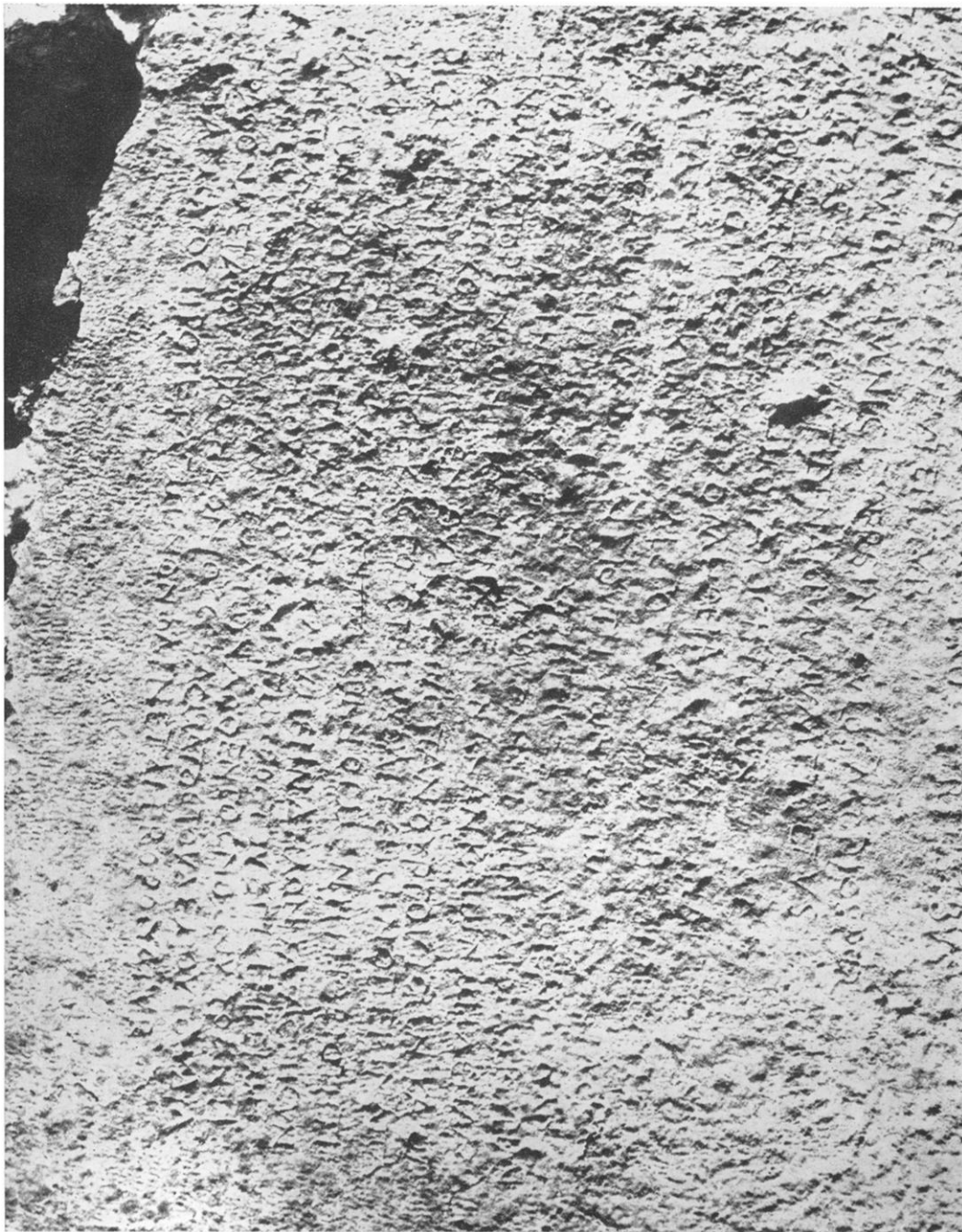
Fulvius Asticus, the most perfect governor, proclaims: this also is a sign of the divine foresight (of the Emperors), namely that a fair and fixed price has been laid down in respect of everything, since our unconquered and all-conquering masters, the Augusti and Caesares, proclaim (that there must be) a plentiful livelihood (for all), in order that by the establishment of a [plentiful supply] of things for sale in a context of just prices and [. . . ? . . .] the same may be available to all men, and (that there must be) a state of affairs in which no-one lacks the things which are necessary for use because

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¹ R. Naumann and F. Naumann, *Der Rundbau in Aezani (Istanbul Mitteilungen, Beiheft 10)*, Tübingen, 1973. Reference to the nine blocks which survive more or less intact is complicated by the fact that the building has been reconstructed with the blocks in an order other than that in which they originally stood and in the publication the blocks are numbered in the order in which they now stand.

² R. and F. Naumann, pp. 34-5.

³ p. 28.



AEZANI: INSCRIPTION WITH THE PRAISES' EDICT PROMULGATING THE PRICES EDICT

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of the excessive ambition and greed of some, all desire for wrong-doing having been eliminated. The divinity of the Emperors has provided that this measure may be preserved and last for ever, but in order that it may be clear to you also, together with every aspect of the care expressed in the divine edict, a copy of the law issued in respect of the price of things for sale and contracts appears placed with the appropriate reverence above this my edict. Let it be displayed.

Commentary

1, Fulvius Asticus is attested as governor of Caria probably between 293 and 305, see *PLRE* i, p. 119, citing *CIL* iii, 480 = *CIG* iii, p. 1087; see pp. 162–3 below. Fulvius Asticus is here attested as equestrian governor of Phrygia; ὁ διασημότατος ἡγεμών = *perfectissimus praeses*.

2, compare *Praef.* 7, *remediis provisionis nostrae*; ⁴ also *P. Oxy.* 2558, an edict of the Prefect of Egypt of 303–6, line 2: [ἡ θεία πρόνοια (of the Emperors)]. For καί as the first word of an Imperial rescript see the papyrus published by C. J. Kraemer and N. Lewis in *TAPA* 1937, pp. 359 and 373, line 23 (= *FIRA* ² iii, no. 101).

3–4, βασιλέων τε καὶ Καισάρων (closely paralleled in *P. Panop.* 2, 216–7, A.D. 300), surprising as the equivalent of *Augusti et Caesares*. H. J. Mason, *Greek Terms for Roman Institutions*, pp. 120–1, traces the tendency for βασιλεύς to be associated with and then to be substituted for αὐτοκράτωρ; and *ILS* 657 is an Egyptian inscription to ‘Maximiano et Severo imperatoribus et Maximino et Constantino nobilissimis Caesaribus’; but it is itself anomalous.

4–7, it seems to us that something like δεῖν εἶναι must be understood before εὐχερεῖαν and δεῖν before ἀπορεῖν . . . μηδένα.

4–5, in claiming that the Emperors aim at a plentiful livelihood (for all), Fulvius Asticus perhaps goes rather beyond the brief provided by the Preface to the Edict, as also in looking to the establishment of a plentiful supply of things for sale (if our restoration is correct at this point). This, of course, is what did *not* come about, according to Lactantius, *de mort. pers.* 7, 6.

5, the notion of fair prices appears in lines 8–9; although the Preface to the Edict proclaims *iustitia* as its aim in *Praef.* 5, cf. 7, the statement of Fulvius Asticus that the Edict establishes just (if our reading is correct at this point) or fair prices goes beyond *Praef.* 15, which explicitly disclaims any intention of fixing prices and only claims to fix a *modus*; see p. 161 below, and cf. *PSI* 965.

6, compare *Praef.* 7, ‘et gliscentis avaritiae ac rapidis aestuantis ardoribus’, also *Praef.* 6 for *avaritia* which is *sine respectu generis humani*.

7, note that Asticus maintains that the Emperors aim at a state of affairs in which no-one lacks the things which are necessary for use, again going beyond his brief, see p. 161 below; for the phraseology compare *Praef.* 19, *species victui adque usui necessarias*.

8, compare *Praef.* 16, *licentiam . . . esse praecisam*; *P. Cairo Isidor.* 1, lines 4–5, τὴν κακίστην ταύτην καὶ διέθριον συνήθειαν ἐκκόψαι.

9–10, compare *FIRA* ² i, 64, lines 5–6, *at perpetuitatis memoriam*; i, 93, line 30; for παραφυλάττει compare *P. Cairo Isidor.* 1, line 19. Note that there is no explicit reference in the Preface to the Edict to its lasting for ever, see p. 161 below.

11, προνεοῖται, compare *Praef.* 7, *P. Oxy.* 2558, cited on line 2 above; also Diocletian’s Currency Edict, *JRS* 1971, 171, Fragment b, line 8; *FIRA* ² i, 93, lines 7, 10–11, 20, 30 and 34.

12–13, we are provided with what is perhaps the official title of the Prices Edict, in Latin, *Lex de pretio (de pretiis) rerum venalium et conversationum (συναλλαγμάτων)* (compare *Praef.* 10; *CTh.* ix, 23, 2), of which Lactantius, *de mort. pers.* 7, 6 implies a shorter version, ‘legem pretiis rerum venalium statuere conatus est’ (see Lauffer, p. 3 with n. 12). Is the θεῖον διάταγμα the Preface only?

13–15, τὸ ἀντίγραφον . . . προτεταγμένον φαίνεται, a very close parallel, both for the procedure implied and for the language, appears to occur at Eusebius, *HE* x, 5, 14, at the end of the ‘Edict of Milan’: προταχθέντα τοῦ σοῦ προστάγματος ταῦτα τὰ ὑφ’ ἡμῶν γραφέντα (πανταχοῦ προθεῖναι . . . ἀκόλουθόν ἐστιν); the MS of the Latin version of Lactantius, *de mort. pers.* 48, 12, has: ‘praelata programme tuo haec scripta (et ubique proponere . . . conveniet)’; it seems to us that προτάσσω (with the genitive) and *praefero* (with the ablative) both refer to the physical placing of one document before another and that R. Laqueur, *Epitymbion Svoboda*, 132, ‘Die Beiden Fassungen des sog. Toleranzedikts von Mailand’, at 134, n. 5 (Laqueur is followed by Moreau in his edition of Lactantius; Bardy in his edition of Eusebius translates ‘affiché par ton ordre’!), is surely wrong to take the words as meaning ‘make known’.

P. Cairo Isidor. 1, lines 8–10, has a gap at the crucial point: ἀπὸ τοῦ προτεθέντος (= *propositi*) θεοῦ διατάγματος καὶ τοῦ αὐτῷ συννηνωμένου βρεοῦ [2–3] τὰ ἀντίγραφα τούτου μου τοῦ διατάγματος δημοσίᾳ προύταξα. Boak and Youtie, following Collomp, restore οἷς on the grounds that ‘the prefect’s edict is the covering document and must precede, not follow the imperial edict and schedule’; this

⁴ We cite the Prices Edict according to the text of S. Lauffer, Berlin, 1971; *Praef.*, not further defined, means the Preface to the Edict.

argument is now clearly invalid, and we should restore $\delta\upsilon\nu$, producing smoother Greek and better sense.

O. Seeck, *Regesten*, 9–10, discusses some fifth-century cases of imperial measures followed by explanatory edicts of lesser officials; note especially *Nov. Valent.* 23 (A.D. 447), a letter to Albinus PPO, described as *antelata edicto Albini v. inl. p.p.o. et patricii*.

14, $\sigma\acute{\epsilon}\beta\alpha\sigma\mu\alpha$ = reverence, compare, e.g., Eusebius, *HE* ix, 7, 7 and 12.

15, *proponatur*, the engraver at Aezani appears to have copied slavishly everything in front of him, including what are presumably the endorsement written at the end of the document sent down by the governor. For the word compare Eusebius, *VC* ii, 42, $\pi\rho\omicron\tau\epsilon\theta\eta\tau\omega$; Lactantius, *de mort. pers.* 35, 1; Justinian, *Inst.* i, 2, 7.

Discussion

Not the least interest of this text is that it provides us with a governor's edict of the Tetrarchic period, joining the edict of a Prefect of Egypt preserved in *P. Cairo Isidor.* 1, which also promulgates an Imperial measure. In the Tetrarchic period Imperial edicts come to be published locally, in a way which had previously been more characteristic of letters.⁵ It is also clear that the sharp distinction between edict and letter, valid earlier, has disappeared. Eusebius, *HE* viii, 17, 3–10 (corresponding to Lactantius, *de mort. pers.* 34, 1–5) is a $\delta\iota\acute{\alpha}\tau\alpha\gamma\mu\alpha$ of Galerius (note 17, 2 = Lactantius 33, 13); yet at 17, 9 (corresponding to Lactantius 34, 5) we have $\delta\iota'$ $\acute{\epsilon}\tau\epsilon\rho\alpha\varsigma$ $\delta\acute{\epsilon}$ $\acute{\epsilon}\pi\iota\sigma\tau\omicron\lambda\eta\varsigma$. . . $\delta\eta\lambda\acute{\omega}\sigma\omicron\mu\epsilon\nu$. *HE* x, 5, 15–17 is an edict in the form of a letter; *VC* ii, 24–42 and 48–60 are letters in the form of edicts; the epistolary form in the Currency Edict of Diocletian should not have surprised us (*JRS* 1971, 171, esp. 175), any more than we need be surprised that $\delta\iota\sigma\tau\acute{\alpha}\xi\epsilon\iota\varsigma$ at *HE* x, 5, 1 appears as *litterae* in *de mort. pers.* 48, 1 (*litterae* at *de mort. pers.* 48, 7 appears as the vague word $\gamma\rho\acute{\alpha}\mu\mu\alpha\tau\alpha$ in *HE* x, 5, 6).

Our edict is also remarkable for another reason. Although it echoes many phrases of the Preface of the Tetrarchs, it sets the ideas involved in a different context; and, unlike the Preface of the Tetrarchs, it seems to emphasise a fair price rather than a maximum price;⁶ the military concern of the Preface of the Tetrarchs is also wholly absent from our edict. There is also an insistence which may be implied, but is not explicit in the Tetrarchic Preface, on the eternal duration of the regulations, and this is perhaps what induced certain cities to inscribe it on stone. Fulvius Asticus seems in fact to have been remarkably enthusiastic over the Tetrarchic initiative to control prices, and this makes all the more interesting the possibility that he was responsible for the publication of the Prices Edict in both Phrygia and Caria, the only provinces in Asiana from which copies have turned up on more than one site.

The distribution of find-spots of fragments of the Edict is in fact surprisingly limited, probably significantly so, given the range of archaeological survey. The Aezani, Eumeneia, Synnada and Sandikli (Eucarpia) copies of the Edict are all from Phrygia (the first two from Pacatiana, the last two from Salutaris), where Fulvius Asticus is attested as governor by the document under discussion (there is no evidence that Pacatiana and Salutaris were ever governed separately). The Aphrodisias, Bargylia, Halicarnassus, Heraclea Salbace, Mylasa and Stratonicea copies are all from Caria, where Fulvius Asticus is also attested as governor. That leaves a fragment said to have come from Egypt and another from Samos (we suspect Caria as the original home of the latter),⁷ and the numerous fragments from Achaëa on the one hand (in which we include the Pettorano fragment) and several each from Crete and from Cyrenaica on the other.

The first problem is to decide whether Fulvius Asticus governed Caria and Phrygia in succession or simultaneously. There is so far explicit dated evidence for the merging of

⁵ F. Millar, *The Emperor in the Roman World*, ch. v. 5 (forthcoming).

⁶ Even the imposition of a maximum price throughout the Empire is, for the Roman government, a radical departure from earlier practice (for evidence see Michael H. Crawford, *CR* 1975, 276 f., reviewing S. Lauffer); there is perhaps Diocletianic legislation on *laesio enormis* (gross mis-pricing), see D. Sperber,

Israel Law Review 1973, 270 (citing Jewish parallels).

The curious view of the Lex Cornelia sumptuaria in Macrobius, *Sat.* iii, 17, 11, that it imposed *minora pretia*, is no doubt to be ascribed to the climate of opinion fostered by the Tetrarchs.

⁷ Compare G. Dunst, 'Verschlepptes und nicht Verschlepptes aus Samos', *Acta of the Fifth International Congress of Greek and Latin Epigraphy* 1967 (1971), 101.

Diocletianic provinces only for the period after the abdication of Diocletian, and the tendency has been to place undated examples in this period also.⁸ But since Asticus was certainly responsible for the publication of the Prices Edict in Phrygia and probably stimulated its inscription on stone, we feel it a likely hypothesis that its widespread publication on stone in Caria is due to him too; and we doubt whether the two operations should be regarded as separate in time, since it perhaps seems unlikely that, coming to one of the two provinces after the other and presumably some months at least after the promulgation of the Prices Edict by the Tetrarchs, he would then have felt it his duty to do anything about it.⁹

As for Crete and Cyrenaica, in the developed Diocletianic organization they were split; Cyrenaica became two provinces in the diocese of Egypt, and Crete was in the diocese of Macedonia; but the date of these arrangements is uncertain, and it may well be that Crete and at least that part of Cyrenaica which includes Ptolemais were still governed in 301 by one man.¹⁰ It is worth noting in this context that Numidia was not divided until after 303.¹¹

The problem of the publication of the Prices Edict has always been seen as centring round the question of why it was not published on stone in the West (we assume Achaëa as the original home of the Pettorano fragment). But if we are right in supposing that only three to five men stimulated all the copies that we have—in Caria with Phrygia, Achaëa, Crete and Cyrenaica perhaps linked, and perhaps Egypt (we leave open the question of whether the fragment that was bought in Alexandria and came to Aix-en-Provence in 1807 is really from Egypt)—the problem appears in a rather different light. Governors were busy men, and perhaps only those who had some enthusiasm for the Prices Edict, at any rate enough to stress a belief in its intended permanence that was sufficient to counteract the deterrent to its inscription resulting from its length and complexity, could be bothered to take much trouble with it, perhaps men for one reason or another momentarily close to Diocletian. The publication of the Prices Edict in Bithynia, attested by Lactantius, and in Egypt, attested by numerous papyrus references to purchases made in conformity with its provisions, may well have been by the ephemeral posting of painted boards or by the circulation of notices on parchment or papyrus; a few governors only may be regarded as stimulating the inscription of the Prices Edict on durable stone;¹² and of these only the governor of Achaëa had the intelligence to have it translated into the vernacular of his subjects.¹³

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⁸ The Verona list shows Phrygia divided, also Asia and Hellespontus; the signatures of the Council of Nicaea of 325 show Phrygia united, and Asia linked with Hellespontus; the latter union is also attested by the governorship of Paulinus, *PLRE* no. 14. Note Eusebius, *PLRE* no. 4, governor of Lycia and Pamphylia in 311; also Marcianus, *PLRE* no. 22, governor of Lycia and Pamphylia in the late third or early fourth century; Constans, *PLRE* no. 1, governor of Phrygia and Caria between 324 and 335; Madalianus, governor of Pontus and Bithynia in the 330s; Proculus, *PLRE* no. 11, governor of Europa and Thracia after the defeat of Licinius in 324.

⁹ The unknown governor of *IGRR* iv, 814 and of the inscription published by J. G. C. Anderson, *JRS* 1932, 24, was governor at the same time of Phrygia and Caria; although cited in *PLRE* under Constans, no. 1, he is not separately registered. J. G. C. Anderson, interestingly, suggests that this joint governorship of Phrygia and Caria dates from *before* the separation of the two provinces, perhaps from around 300 (a suggestion endorsed verbally to us by Dr. J. Martindale).

¹⁰ Note Aglaus, perhaps proconsul of Crete and the Cyrenaicas between 286 and 293 (so *PLRE*); Buzes is governor of Crete alone before 305.

¹¹ A. H. M. Jones, *JRS* 1954, p. 21 with *addendum* on p. 29 = *The Roman Economy*, 264 and 279.

¹² The long-standing Greek predilection for engraving documents on stone must also be remembered.

¹³ An edict of Constantius and Galerius of 305-6 is known in a Latin copy from Tlos (*CIL* iii, 12134) and a Greek copy from Athens (*IG* ii-iii, 3 1121); Paulus, *PLRE* no. 11, governed Achaëa between 293 and 305—in 301 and still in 305?

Note that the copies of the Prices Edict from Achaëa attest at least two different translations, of the Latin into the Greek see J. Bingen, *BCH* 1953, 648-9; this in no way disproves gubernatorial initiative behind the making of the translations.

It should in any case be clear that the publication of the Prices Edict, normally in Latin, provides no evidence for the hypothesis that Diocletian attempted to impose Latin on the Greek East, cf. Giaccherio o.c. (p. 160), 4-5.