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**Speculum Iuris, Speculum Historiae: The Value of Rescripts as Historical Documents**

Increasingly classicists are appreciating the value of law as a source of evidence for ancient history. My paper will focus on the historical value of rescripts, the answers to petitions sent to the emperor asking for legal judgment or advice. Although in modern scholarship rescripts have usually appeared only as references to legal principles in the footnotes to general discussions (e.g. Gardner 1998), a careful analysis of rescripts can provide insights into far more than legal principles; they have much to tell us about people's use of legal processes, the socio-historical context of the law, and the transmission of legal texts through successive historical periods. I shall offer a close reading of one rescript to show how fruitful these documents can be.

Little attention has been paid to the contents of rescripts. Scholars have discussed why collections of rescripts were made (Turpin 1987), how the texts were interpolated (Wieacker 1960), which social groups sent petitions (Huchthausen *passim*), and who composed rescripts (Honore 1994, Millar 1986). Historical analyses of rescripts have been brief and specialised; Evans Grubbs (2002) has analysed a number of rescripts in detail, but only those received by women.

Yet the rescripts offer much information. Each contains the names of the current emperor and the petitioner, the reply to the petition, the date of publication and the names of the current consuls. Analysis of these elements allows the following to be explored: the reason for the placement of the text in the collection, the situation behind the inquiry in the initial petition, legislation relevant to the respondent's judgment, social characterisation of the petitioner, the process of writing, sending and answering the petition, the historical setting of the document, and the transmission of the text.

I discuss one exemplary rescript (*CJ* 1.18.2 and *CG Visi* 3.8.1), a negative illustration of the ruling that minors were allowed ignorance of law. Juvenal, on the advice of a third party, had petitioned to claim as a legatee to his mother's estate, even though he had formerly renounced the role of heir. His excuse for the change of heart, that he had been ignorant of the rules regarding inheritance, was denied because he had already reached maturity. Juvenal's story is a real-life example of rules concerning not only ignorance, but also claiming and disclaiming inheritances.

The third party is, I believe, a *tabellio*, a notary. I argue that notaries, authors of most private legal documents, including petitions, played a more important role than they have previously been given credit for. From the names of the emperor and consuls, we can date the rescript to AD 243; I argue that, in providing evidence for people participating in relatively stable institutions, such as law, rescripts contribute to a more nuanced picture of a period otherwise characterised by crisis and change. Finally, I argue the text itself is of interest: the rescript is passed down to us in the *CJ* and the *CG Visi*, but with substantially differing texts; the divergences in the texts reflect the differing concerns of the respective collections' compilers.