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## Grave Monument of M. Octavius Diadumenus

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## 29. GRAVE MONUMENT OF M. OCTAVIUS DIADUMENUS

### Description:

Marble slab 42.5 cm in width, 2.2 cm in depth, 47 cm in height. The stone, which is complete and in a good condition (with only some chipping on the left side), is inscribed on both sides. On the back there is a fourfold border on all sides, and the writing is considerably nicer here than on the front. The text is organized around a central axis on both sides, but there is considerable crowding towards the end of the line (e.g., in 2, 3 and 4) on the front, and less so in the back (e.g. in 1). Word breaks are inconsistently marked by small triangular interpuncts on both sides. On the recto, the letters measure between 2.5 cm and 3 cm in height. On the verso, the letters in line 1 measure 4 cm in height, in line 2 they are 3 cm. This sort of *titulus* would have been attached to the wall above the entrance either of a mausoleum or of a walled burial site, or, alternatively, to a standing base in the center of a burial site marked off by *cippi* (Eck 1987, 61-62).

### Bibliography:

Unpublished

Recto:

*Dis* ° *Manibus*. °

*M(arcus)* ° *Octavius* ° *Diadumenus*

*fecit* ° *sibi et suis* ° *libertis* ° *liber-* °

*tabus* ° *que* ° *pos* ° *teris* ° *que* ° *eorum*.

5 *h(oc)* ° *m(omumentum)* *h(eredem)* ° *n(on)* ° *sequetur* °

*neque* ° *veniet* ° *neque* ° *con-* °

*cedere* ° *ulli* ° *neq(ue)* ° *de no* ° *mine* °

*exeat*. °

*in* ° *fr(onte)* ° *p(edes)* ° *XVII*, ° *in* ° *agr(o)* ° *p(edes)* °

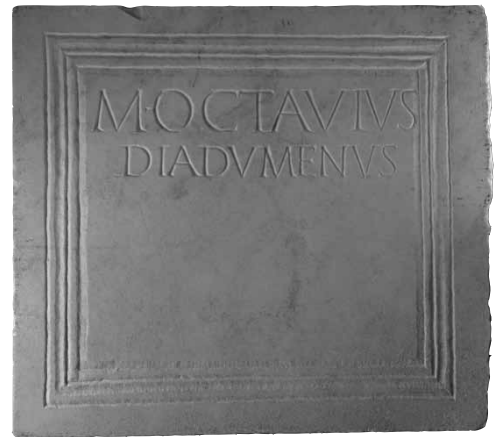
*XXXXVII*.



Verso:

*M(arcus)* ° *Octavius*

*Diadumenus*.



2: The *us* in *Diadumenus* is about a third the size of the other letters due to crowding. 3: Word divisions (i.e., interpuncts) are missing between *sibi et suis*. 4: Superfluous interpuncts preceding *-que* in *libertabusque* and *posterisque*, and needlessly splitting the word *posteris*; small *m* in *eorum* due to crowding. 5: An interpunct is missing between *m* and *h* in the formula *hmhn*.

7: Word division missing in *de nomine*, but an interpunct has pointlessly been added, thus splitting the word *nomine*. 9: The stonemason originally wrote *xxii* and corrected to *xvii* by erasing the bottom half of the second *x* and turning the top half into *v*.

v1: The *s* in *Octavius* is squeezed in at the end of the line due to crowding. I consider this side the back, because the front inscription provides more information.

### Translation:

To the divine shades. Marcus Octavius Diadumenus dedicated (this monument) for himself and his (family), for his freedmen and his freedwomen, and for their descendants. This monument shall not go over to an heir, nor shall it be sold nor turned over to anyone, nor shall it pass from the family name. (The plot is) 17 feet wide, 47 feet deep.

### Comments:

2: There are 151 instances of the name Diadumenus at Rome, of which 2 are freeborn, 79 *incerti*, 6 freedmen, 62 slaves and freedmen, and 2 sons of freedmen (SOLIN 2006, 928-930). Ours was the freedman of an unidentifiable Marcus Octavius (*CIL VI* has a few, but there is no way of knowing whether the patron of Diadumenus is among them).

3-4: It is clear that Diadumenus ordered the inscription for himself while he was still alive. Saller and Shaw have noted that among freedmen relatively few epitaphs are set up by children for their parents, and they suggest that this may be explained by the “late age of manumission and legitimate marriage to produce free children, who would be of a sufficient age to commemorate their freed parents when they died” (SALLER and SHAW 1984, 138).

5-8: The misappropriation formula here is notably elaborate. Shorter versions of this type of formula are quite common, and *hoc monumentum heredem non sequetur* and *ne de nomine exeat* have hundreds of citations in *CIL VI* (cf. KASER 1978, 40). Toynbee writes that many inscriptions listing the size of the plot, as Diadumenus’ epitaph does, will also have a *HMHNS* formula (TOYNBEE 1971, 75). The closest match for our formula comes from a Roman epitaph, where a M. Aurelius Romanus and his wife Antistia Chresime stipulate: *hoc autem monumentum cum aedificio / neque veniet neque donabitur neque / pignori obligabitur sed nec ullo modo / alienabitur ne de nomine exeat familiae suae* (*CIL VI* 13203, l. 8-11). N.b., *veniet* here is the future of *veneo* not of *venio* (cf. OLD 2027, citing *CIL VI* 13203), and it must be understood in the same way in our inscription. The use of *veniet* for *venibit* is colloquial, and also occurs in legal language, for instance in Gaius (NELSON and DAVID 1981, 397). *Neque concedere ulli* is difficult grammatically, and probably rests on a mistake, which can be explained by the fact that this element in the misappropriation phrase is not formulaic, and in fact unusual. *Concederet* or *concedet* must have been meant.<sup>1</sup> The reasons for, and purpose of these kinds of formulas have been debated among scholars, but the most convincing argument is offered by Ferdinand de Visscher (1963, 103–127), who writes that they served to prevent the plot from being sold, given that we do have evidence for sales, transfers and sharing of burial sites (TOYNBEE 1971, 76-80; cf., CARROLL 2006, 102-105). Mierow (1934, 163-177), however, had earlier argued that *HMHNS*, and similar formulas, served to refuse the right of burial to heirs of the estate. The crux lies in the interpretation of Gaius’ definition of *res religiosas*, i.e., tombs (Gaius, *Inst.* 2. 1-9). According to Mierow, this definition entails that tombs are exempt from inheritance and commercial transactions; according to de Visscher, *res religiosas* can be sold and inherited, as long as they continue to be used for burial exclusively (note also KASER 1978, 36-37).

9: The size of this burial plot is remarkably large. Katherine Mackay writes, for example, that few grave monuments are larger than 12 x 18 Roman feet at the porta Salaria (BODEL 1992, 80), and Werner Eck considers an *in fronte* measurement between 10 and 14 feet to have been ‘a kind of standard size’ for mausoleums at Rome in general.<sup>2</sup> Our size of 17 x 47 Roman feet suggests that Diadumenus was relatively wealthy.

<sup>1</sup> The usage, though, is odd. KASER 1978, 40-41 does not list *concedere*. He has, rather, examples with: *distrahere*, *dividere*, *abalienari*, *transvendere*, *vendere*, or *tradere*.

<sup>2</sup> See ECK 1987, 63-64, 82; also ECK 2001.

v1-2: The verso of the stone is also inscribed, as in the case of the previous inscription (no. 28). Here, too, re-appropriation after installation does not apply, since we have the same name on both sides of the stone. Furthermore, because there are no mistakes on the verso, and because the quality of the writing is better, rather than worse, it hardly seems that we are dealing with a practice text. The presence of the elaborate border on the verso makes it quite unlikely that the text on the verso served as a draft. It thus seems to me that the act of inscribing both sides of this stone should be interpreted as was done in the case of the previous stone. Moreover, a 2<sup>nd</sup> century AD *titulus* for an imperial freedman and his wife, set up by their daughter, provides a particularly good *comparandum*. *AE* 1985, 199:

a) *T(ito) Flavio Aug(usti) lib(erto) Carpo et / Claudiae Fortunata[e]*.

b) *T(ito) Flavio Aug(usti) lib(erto) Carpo patri / et Claudiae Fortunatae matri, / Flavia Aug(usti) lib(erta) Auge filia bene / merentibus fecit et libertis libertabus posterisque eorum / et Ti(berio) Claudio Zosimo patri.*

The (probable) verso contains only the names of the dedicatees, while the (putative) recto sports the full funerary inscription. Furthermore, just like on Diadumenus' stone in line 9, there is an error on the recto, and not on the verso. This clearly did not induce the daughter to have the whole inscription redone on the verso, and then to use that as the visible side of the stone, further supporting the notion that she intended, from the outset, for the stone to be inscribed just as it is. Here, too, I would argue that the opisthography functions as described for inscription no. 28 just above.

**Date:**

This stone should be dated to about the second half of the first century AD. This is indicated by the fully written *Dis Manibus*, and by the style of the letters. The palaeography on the front can best be compared with *AE* 1915, 100 (= GORDON 1958-1965, no. 128) found in Rome, and dated to AD 70. The back can best be compared to *CIL* VI 451 (= *ILS* 3619 = GORDON 1958-1965, no. 160) found in Rome, and dated to AD 100.

INGER NEELTJE IRENE KUIN