P.Giss. 40 and the Constitutio Antoniniana

Language English

An edict issued by the emperor Caracalla records a universal grant of citizenship as an expression of magnificence and gratitude to the immortal gods.

Typology: Imperial edict
Original Location/Place: Apollonopolites Heptakomias in Egypt
Actual Location (Collection/Museum): Library of the University of Gießen (Germany)
Physical Characteristics: The papyrus roll contains three edicts with different states of preservation. Unfortunately, our text is very fragmentary. A high-resolution image of the papyrus roll can be found at http://bibd.uni-giessen.de/papyri/images/pgiss-inv015recto-1600kb.jpg

Date: 211 CE to 215 CE
Measurements: 1 column, 16 lines.
Language: Greek
Category: Roman
Publications: P.Giss.40 = HGV P.Giss. 1 40 = Trismegistos 19436

Commentary: This document contains one of the most important pieces of evidence surviving from the Roman Empire. It is recorded in a papyrus roll coming from the region of Apollonopolites Heptakomias (southern Egypt) and, later, acquired by the University of Gießen (Germany) at the beginning of the 20th century. Since its early publication as P.Giss. 40 it was clear that the papyrus contained three different texts related to the emperor Caracalla (Marcus Aurelius Severus Antoninus Pius). In the first one (1st column, lines 7-8), the sequence “I give (??????/didômi) to everyone across the word (?????????/oikoumenê) the citizenship of the Romans (???????/politeia Rômaiôn)” could be read with a considerable degree of certainty, so it sparked a prolific series of debates on the nature and circumstances of this message of universal enfranchisement. The aim of this commentary is not to review the historiography of these scholarly discussions which, already by the mid-20th century, provided enough material to write two extensive bibliographical articles (see Sasse 1962, 1963, “Literaturübersicht”). Instead, I seek to analyse the text on the basis of four basic (and recurrent) issues originating from a document that both improves and complicates our understanding of the so-called Constitutio Antoniniana.

The first problem becomes immediately obvious after reading and trying to understand the text included in this edition. The first column of the papyrus roll on which the document was written is extremely fragmentary. From line 12, the letters are almost completely lost and the beginning also contains numerous crucial lacunae. This has led scholars to suggest various readings after the publication of P.Giss. 40, from which that by Wolff, Die Constitutio, must be highlighted. Such restorations can improve the understanding of the text but should be taken with caution considering that this is a unique document for which formulaic parallels are not available. Accordingly, our edition follows a less creative trend of interpretation which in the last years has rather been focused on certain elements directly readable from the material surviving (see Kuhlmann, Die Giessener, Ando, Citizenship). In the first line, the most clearly recognisable letters form the word ??????/legei (“he says”), which was normally used by Roman authorities to proclaim edicts – either imperial or provincial (see Galatia and Ephesus Edicts). Preceding the verb, the name Antoninus survives and this allows us to safely restore the titulature of Caracalla which is also fully attested at the beginning of the other two edicts recorded in the roll. The series of titles, however, is not complete; neither Caracalla’s triumphal titles are stated nor his terms of office as consul or tribune of the people. This absence is the origin of the second problem: what is the exact date of the document?

The text does not provide any internal chronological mark beyond the reference to Caracalla’s sole reign that started at the end of 211 CE. The fact that the papyrus roll contains a collection of documents is not very helpful because the last edict needs to be placed only after 215 when Caracalla visited Egypt. This time span of 4 years is significant because it leaves slightly open the date of the promulgation of the Constitutio Antoniniana, the modern name bestowed on Caracalla’s universal grant of Roman citizenship (see D’Ors, “Estudios”). Despite the early position of Millar (“The Date”), this question can partly be solved by virtue of dated inscriptions in different places of the Empire showing new Roman citizens with the name Aurelius/a (see below) as early as 212/3 CE. This early date is important because it could be connected to the shady events leading to the accession of Caracalla to the
imperial throne after obliterating his brother Geta. If that was indeed the case, the reference to a personal salvation (????/synetêrêsan) made in line 4 can be better understood. Caracalla presents this edict as a possible expression of gratitude (????/eucharistêsaimi) to the immortal gods (????/athanatoi theoi), whom he most likely believed responsible for his preservation. This motivation is absent in the ancient sources and, in fact, the only surviving note comes from Cassius Dio (77 (78) 9.5), who affirms that money and damaged tax revenues were the actual reasons. In the edict of Caracalla, by contrast, this positive presentation is even more evident through the reference to the megaleiotês (“magnificence”) which he wished to repay adequately (????/ikanon). His act, nonetheless, was not solely personal but also involved human beings (????/anthrôpoi) that he considered his own (????/emoji, l.6).

The third issue of the papyrus is concerned with the extent to which Caracalla’s edict applied. As has been translated above, the emperor affirmed that all the people across the world were to be granted Roman citizenship. This information complies with the note of the contemporary jurist Ulpian (Digest 1.5.17), and, later, Augustine (De civitate Dei 5.17), who hinted at the universal nature of the Constitutio Antoniniana. The only exception (????/chôris) according to the edict were the dediticii singled out in line 9. This is a Latin legal loanword that was traditionally used for those who took arms against Rome but surrendered and were conquered. The problem is that we do not know how many people may have qualified as such before 212 CE, or what exactly was their status (see e.g. Benario, “The Dediticii”; Sherwin-White, Roman Citizenship, 382-383). Likewise, Caracalla refers to the oikoumenê as the geographical framework of his edict, but the delimitation of this “inhabited world” is not straightforward. Consequently, we cannot know with certitude how truly universal was this grant of citizenship in which victory (????/nikê) may have played a part according to line 10. From here, the text in the papyrus almost completely vanishes, although we can see that the emperor probably presented his action not only as an expression of personal gratitude to the gods but also as a sign of magnificence – again the word megaleiotês –, most likely of the Roman people (l. 11).

The last and most challenging issue raised by this document is not even treated in the available text. It concerns the impact and consequences of the Constitutio Antoniniana as an unprecedented historical event (see Buraselis, ????. ???.?). Prior to Caracalla’s decision, only a minority in the eastern Mediterranean enjoyed Roman citizenship and they mostly belonged to privileged groups such as veterans, athletes or those with enough resources to achieve a personal grant from the emperor himself (e.g. Aurelia Paulina in Perge; see Lavan, “The Spread” for some possible statistics). Theoretically, this kind of unexpected and quasi-universal grant should have profound effects on the provincial population. Late-antique authors indeed reflected upon this gift: so generous that they were probably prevented from assigning it to an emperor, Caracalla, so cruelly portrayed in the historiography. John Chrysostom (Homilies on the Acts 48) wrongly attributed it to Hadrian, Justinian (Nov. 78.5) to Antoninus Pius and De Caesariibus (16.12) to Marcus Aurelius. Moreover, witnesses such as Cassius Dio do not seem to be particularly mesmerised and other contemporary writers such as Herodian neglect it completely in a period in which surviving historical accounts are limited. Consequently, modern scholars are dependant on direct sources such as inscriptions and papyri that were still produced in considerable numbers. These testimonies show, for example in Aphrodisias, that the majority of the new citizens after 212 CE adopted a naming system based on the Roman model of nomenclature with the addition of Caracalla’s nomen Aurelius, but sometimes containing references to their Greek patronymic (i.e. the name of the father). In Macedonia, it is also possible to see that the Roman governor needed to regulate the donations of slaves at the sanctuary of Leukopetra, almost certainly as a result of the Constitutio Antoniniana. And yet, one needs to remain cautious about the complete transformation and abolition of local customs. Indeed, the very edict of Caracalla appears to state that the new Roman citizens still needed to observe the local laws (l. 8-9). In other words, this grant of citizenship, despite its unprecedented scale, retained the notion of salvo iure gentis that from Augustus to Marcus Aurelius had been conveyed by the emperors in their individual enfranchisements (Edicts of Cyrene and Tabula of Banasa). As a result, it is recommendable to approach the impact of the Constitutio Antoniniana more selectively, conceiving the rather mixed image available, for example, from regions such as Asia Minor that were still well documented in the early 3rd century CE (see Kantor, Local law). After all, the Severan period was not yet the consolidation of a Late Antique world in which a man from Laodicea (Phrygia) recommended his readers not to praise the local laws of the cities any longer because everyone conducted then “public affairs by the common laws of the Romans” (Russell and Wilson, Menander the Rhetor, p. 67)

Keywords in the original language:

- ???????? [4]
Thematic keywords in English:

- Roman citizenship [20]
- Antonine Constitution [21]
- Constitutio Antoniniana [22]
- Caracalla [23]
- immortal gods [24]
- Egypt [25]
- Roman provinces [26]
- local law [27]
- Roman law [28]
- salvation [29]
- maiestas [30]
- Roman generosity [31]

Bibliographical references:

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- Millar, Fergus, The Date of the Constitutio Antoniniana [41], The Journal of Egyptian Archaeology 48 (1962) : 1962

Other sources connected with this document: Inscription

Nomenclature and Constitutio Antoniniana in Aphrodisias [45]
A funerary text inscribed on a sarcophagus of Aphrodisias records the change of nomenclature caused by the
*Constitutio Antoniniana*.

- Read more about Nomenclature and Constitutio Antoniniana in Aphrodisias [45]

Inscription

**Offering slaves to the Mother of Gods in Leukopetra after the Constitutio Antoniniana** [46]

A dedication of slaves in the sanctuary of the Mother of Gods in Leukopetra (Macedonia) records a new Roman
citizen following the regulation of the provincial governor in 213 CE, i.e. immediately after the issue of the
*Constitutio Antoniniana*.

- Read more about Offering slaves to the Mother of Gods in Leukopetra after the Constitutio Antoniniana [46]

Inscription

**The Roman Citizenship of Aurelia Paulina in Perge** [47]

Aurelia Paulina, who was granted Roman citizenship by Commodus, dedicates a grand construction soon before
the *Constitutio Antoniniana*.

- Read more about The Roman Citizenship of Aurelia Paulina in Perge [47]

Inscription

**Cyrene Edicts of Augustus: I and III** [48]

Augustus sets new rules on the way Greek and Roman citizens shall chose their tribunals and juries (I). Roman
citizens without immunity in the Cyrenaica shall contribute to the local liturgies (III)

- Read more about Cyrene Edicts of Augustus: I and III [48]

Inscription

**Edict of the governor of Galatia on the requisitioning of transport and accommodation** [49]

The governor Sextus Sotidius Strabo Libuscidianus sets the rules for requisitioning official transport and
accommodation in the territory of Sagalassos

- Read more about Edict of the governor of Galatia on the requisitioning of transport and accommodation [49]
Edict of Tiberius Julius Alexander on Egypt and Galba [50]

The provincial governor of Egypt introduces Galba as a saviour of humankind in his response to many petitions sent by the local population.

- Read more about Edict of Tiberius Julius Alexander on Egypt and Galba [50]

Provincial Edict and the Market Days of Mandragoreis (Asia) [51]

Edict responding to a village in the Maeander valley that petitioned for market days. The legal procedure concerning the reproduction of this official document is also detailed.

- Read more about Provincial Edict and the Market Days of Mandragoreis (Asia) [51]

Octavian and the Roman citizenship of Seleukos of Rhosos [52]

Octavian sends several letters to the city of Rhosos concerning the rights and privileges granted to his sea-captain Seleukos.

- Read more about Octavian and the Roman citizenship of Seleukos of Rhosos [52]

Senatus Consultum de Asclepiade [53]

Grant of Roman friendship and privileges to a group of Greek sea-captains after the Italic war.

- Read more about Senatus Consultum de Asclepiade [53]

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