COGNITIO CARACALLAE DE GOHARIENIS: TWO TEXTUAL RESTORATIONS

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This "Dmeir Inscription," as it is sometimes called, is well known to students of Roman law and history.[1] It was first published by P. Roussel and F. De Visscher in *Syria* 23 (1942–43) pp. 173–94. By 1960, when it was reprinted as *SEG* xvii 759, it had been the subject of further commentaries by V. Arangio-Ruiz, L. Wenger, and W. Kunkel.[2] These legal studies understandably concentrated their attention on the procedural aspects of the case. As a result, the reading of the text has not advanced beyond that of the *editio princeps*. In the pages that follow I deal with the text of lines 42 and 43, which can, I think, be restored with reasonable assurance.

At this point in the text the defendant is being accused of having usurped a priesthood and its attendant privileges. The relevant portion of the inscription, as published, reads:

38   Διὸς ἱερὸν
   ἐπιφανές ἐστιν παρ' αὐτοῖς· ἀμέλει παρὰ τῶν περιχώρων
40 ἁπάντων ω.ει.η θεωρεῖται· βαδίζουσιν αὐτόσε καὶ πομ[π]ὰς
   πέμπονται. τοῦ ἀντιδίκου τοῦτο πρῶτον ἀδίκημα·
   .... ἀλιτουργίᾳ χρῆται καὶ στέφανον χρυσοῦν ἔχων
   .... ίᾳ χρῆται καὶ σκῆπτρον ἐν[κ]εχίρισται
44 καὶ ἱερέα τοῦ Διὸς ἑαυτὸν ἀνεκήρυσεν. ὅπως
   ταύτης] ἠξίωται δωρεᾶς ἐπιδεικνύτω.

I propose to read lines 42–43 as follows: ἀτελείᾳ καὶ ἀλιτουργίᾳ χρῆται καὶ στέφανον χρυσοῦν ἔχων προεδρίᾳ χρῆται. Let us consider the two restorations in turn.

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[1] This paper has benefited from discussion at a meeting of the Ancient Civilization Group of New York. The clue to the restoration in line 43 was provided by Professor C. Bradford Welles. Frequent reference will be made in these pages to F. Sokolowski, *Lois sacrées de l'Asie Mineure* (Paris 1955), abbreviated in citation as **Lois**.

[2] The references are given in *SEG, loc. cit.*

Despite a passing doubt expressed by Wenger,[3] there is nothing equivocal or inappropriate about ἀλιτουργίᾳ. Many local priests in the eastern provinces of the Roman Empire were exempt from some or all of the compulsory services (λειτουργίαι) to which the non-privileged population was subject.[4] In granting these exemptions the Roman emperors continued (with abridgments) a practice of the Hellenistic kings. Particularly noteworthy in connection with the Dmeir Inscription is the language of the following grant by a Pergamene king (Attalos I?) to the holder of a priesthood (the name of the divinity is lost): ἀφείσθω δὲ καὶ τῶν λητουργιῶν πασῶν ὃν ἂν χρόνον ἔχηι τὸν στέφανον.[5] The crown—in this inscription of olive, in others of gold—was a common insigne of priesthood in the Greek cults of the eastern Mediterranean.[6]

Returning to our inscription of Caracalla's hearing, a sizeable body of evidence supports the suggestion that the beginning of line 42 is likely to have read ἀτελείᾳ καὶ ἀλιτουργίᾳ χρῆται. The two concepts—exemption from taxation and exemption from liturgies—are associated in Greek literature and inscriptions of all periods; sometimes the terms are coupled, sometimes the first is used in place of the second. Thus, in two inscriptions of Roman date, men are honored ἀτελείᾳ καὶ ἀλειτουργησίᾳ.[7] In an inscription of 74 B.C. a benefactor is rewarded by being declared ἀνείσφορον καὶ ἀτελῆ καὶ ἀλειτούργητον.[8] The locution ἀτέλεια (-ης) τῶν λειτουργιῶν is found in SIG³ 344 and 876 (ca. 303 and ca. 200 B.C.), in Milet I 3, 149 (182[?] B.C.), and perhaps (without τῶν) in a diatagma of the Emperor Hadrian quoted

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3 *Ann. de l'Inst. de philol. et d'hist. orientales et slaves* 1951, p. 488, note 1.

4 Cf. e.g. P. Stengel, *Die griechischen Kultusaltertümer*³ (München 1920) 43. On the evidence from Roman Egypt see *YCS* 10 (1947) 181–281 (esp. 199–207), and 17 (1961) 265; also *Actes du Xᵉ* [1961] *Congrès international de papyrologues*, pp. 78–79.

5 *Lois* 11 = C. B. Welles, *Royal Correspondence in the Hellenistic Period* 24 = *SIG*³ 1018, lines 15–18 (cf. also *Lois* 5, lines 2–3).

6 Cf. e.g. Welles (above, note 5) p. 117. Some texts on the privilege (secular and priestly) of wearing gold crowns in the Hellenistic and Roman East are collected by A. Wilhelm, *Jahresh. österr. arch. Inst. Wien* 17 (1914) 39–40, and *Mitt. deutsch. arch. Inst., Athen. Abt.* 51 (1926) 7–8. Cf. also *Lois* 1, note to line 8; and see further below. The trappings of the Zeus cult mentioned in the Dmeir inscription are clearly in the Greek tradition; "ce n'est pas le costume ordinaire du prêtre syrien"—Roussel-De Visscher, *Syria* 23.189, note 4.

7 *Hesperia* Suppl. 6, p. 153, no. 40; *SEG* IV 307 (ἀτ[ελείᾳ κ]αὶ restored).

8 *IG* IV² 66.

in *POxy.* 2476.   Similar expressions are found in *Lois* Nos. 1, 5, 37, and 38, and in a variety of other texts.[9]

Cogent parallels suggest that the second clause under discussion, lines 42–43, is to be read καὶ στέφανον χρυσοῦν ἔχων προεδρίᾳ χρῆται.   Particularly apposite are the following passages.

> *Lois* No. 13 = *SIG*³ 1007 (Pergamon, second century B.C.): The priesthood of Asklepios belongs for all time to one Asklepiades and his descendants, [εἶναι δ]ὲ καὶ ἀτέλειαν Ἀσκληπιάδηι πάντων [ὧν] ἡ πόλις κυρία, καὶ εἰς τὸ λοιπὸν ἀεὶ τῶι τὸν στέφανον ἔχοντι, ἀναγορεύεσθαι δ[ὲ] εἰς προεδρίαν τὸν ἱερέα ἐν ἅπασι τοῖς ἀγῶσιν (lines 19–22).
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> *Lois* No. 37 = *SIG*³ 1003 (Priene, second century B.C.): The priest of Dionysos shall have life tenure, εἶναι δὲ αὐτῶι καὶ ἐν τῶι θεάτρωι ἐμ προεδρίαι καθῆσθαι καὶ στολὴν ἔχειν ἣν ἂμ βούληται καὶ στέφανον κισσοῦ χρυσοῦν ... ἐχέτω δὲ καὶ στολὴν ἣν ἂμ βούληται καὶ στέφανον χρυσοῦν ... στολὴν ἔχων ἣν ἂν θέληι καὶ στέφανον χρυσοῦν ... (lines 13–15, 19–20, 23–24).
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> *Lois* No. 38 = *I. v. Priene* 201, 202 (Priene, second century B.C.): The priest of Poseidon shall have life tenure, ἐξεῖναι δὲ αὐτῶι ... καὶ προε[δρίαν ἐν] τοῖς ἀ[γῶσι πᾶ]σι στέφανον ἔχοντι χρύσεον (lines A10–12 = B5–7).

Examples of προεδρία as a priestly privilege can be cited from as far back as the fourth century B.C.[10]   The privilege of wearing a crown (usually of gold, occasionally of ivy or laurel) frequently accompanies the privilege of προεδρία also in secular contexts, notably in honors awarded by cities to benefactors; over a dozen Hellenistic instances occur in Dittenberger's *Sylloge*.[11]

As a final point it should be noted that the two textual restorations proposed above are mutually supportive, in that the privileges of ἀτέλεια and προεδρία are often found together.   They appear in combination as early as Herodotus 1.54, where the reference is to sixth-century Delphi (the Croesus episode).   Other examples, from many Greek cities, can be cited in inscriptions from the fifth century

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[9] For further examples cf. *LSJ*, s.vv. ἀτέλεια, ἀτελής, and *Atti dell' XI* [1965] *Congresso internazionale di papirologia*, p. 513, note 3.   Similarly Sokolowski, adopting the ancient idiom, speaks of exemption from liturgy as "L'atélie des prêtres" (*Lois* 11, note to line 15).

[10] *SIG*³ 912, 915.

[11] *SIG*³ 330, 331, 345, 352, 374, 381, 385, 409, 587, 637, 656, 673, 734, 761, 1045, 1094.   Cf. also note 6, above.

on, over twenty such instances being found in Dittenberger's *Sylloge*
alone.[12]   In two-thirds of these—as also in the restorations proposed
above for the "Dmeir Inscription"—ἀτέλεια (the more considerable
privilege) is mentioned before προεδρία.

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[12] *SIG*[3] 105, 126, 195, 254, 286, 307, 330, 355, 383B, 395, 414, 438, 452, 548, 549,
644, 645, 734, 941, 956, 1045, 1094.