

HUMANITAS ROMANA AND EDICTUM MEDIOLANENSE. INTER-CONDITIONALITIES AND TRANSITIONS FOR THE BENEFIT OF EQUITY AND TOLERANCE

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Abstract

The humanist education of the empire's elites led to the creation of global forms of connectivity based on the notions generated by the concept of *humanitas Romana*, useful for an efficient and a successful administration and for maintaining a shared culture of toleration and understanding over all space governed by Rome. Constantine the Great was influenced by this humanist education of the Roman elites, but also by a Christian education. Combining the notions of *humanitas* with the teachings of Christianity, Constantine changed the religious strategy of the Roman state. Christianity became an official religion of the empire together with other religions and cults. In fact, Constantine the Great legislated – in some degree, as an application of *humanitas* – not Christianity, but toleration and equity. The Roman Empire will be governed for a period of time by a policy of universal religious toleration.

Keywords: *humanitas Romana*, toleration, equity.

Antiquity was supported in its bright manifestations by the concept of *humanitas Romana*. The psycho-moral hemisphere of the notion, consolidated on humanity, goodness, mercy, and the cultural-philosophical hemisphere, based on instruction, education and culture, combined harmoniously, improving fundamental aspects of the human condition in ancient Rome. The benefic influences of the concept and the results of such influences in Greco-Roman Antiquity allowed us to establish connections with human rights in modern times. The valuing factors of the concept of *humanitas Romana* are in a large number: the notion has an impact on reducing the number of cruelty acts or of torture practices; the concept has an effect on freedom of speech, on capital punishment or on international law/ *ius gentium* applicable in the Roman Empire not only to citizens but also to foreigners. The foreigners acquire rights in front of the Romans through the law entitled *lex*

Calpurnia repetundarum, sprung also from the notion of *humanitas Romana*. The concept generates also the appearance of exile as a form of avoiding punishment by the guilty and reduces the hardness of the way in which the condemned were sentenced to death.¹ The concept also inspires improvements of the condition of slaves or debtors, of the law of obligations, being accompanied by the notion of equity. Not least, *humanitas* gives us the key to understanding universalism and multiculturalism proved by ancient Rome. The concept refers to the human capacity to act civilized and to be cultivated, inculcated in people through education and training and also the notion acts as an incentive for avoiding a savage and brutal behavior towards other members of the human race. Viewed from this perspective, the concept has beneficially influenced the attitude of the Romans towards ethnic and cultural diversity and scored ancient Rome on the list of first significant events of multiculturalism. Ancient Rome, champion of multiculturalism, acquires durability not only through the seductive aspect of its civilization so much based on technique and engineering, but as well as through its religious eclecticism. While Greece remains a fragmented geographical area, united by a common culture, the Roman Empire is an integrator space of populations, cultures and, at the same time, religions. Rome's religious strategy embraced the religious diversity since the beginning of Roman expansion and even before of the triumph of Christianity. However, although, in general, the Roman Empire in its pagan form was tolerant towards all religious cults, not least because of the influence of the concept of *humanitas Romana* in the collective

Roman mentality, Christianity and Judaism for a long time will be restricted or suppressed for political reasons. Already here we encounter a matter in strict connection with the devaluation factors of the concept of *humanitas*. If in the first two centuries AD Christians tried to adapt and to accept the structure of Roman society, from the third century AD, the Christian community began to contest the social and governmental customs and the cultural and religious traditions of the Empire.² The radical contesting attitude of Christians towards ancient society, towards the Roman state or the imperial cult, the transformative tendencies vis-à-vis the pagan tradition caused the labeling of Christians by the Romans attached to pagan cults as destabilizing elements of the state, dangerous implicitly even for the Emperor. This way we can understand to a certain extent why the precepts of the concept of *humanitas Romana* and therefore the legal forms that took this notion failed to prevent the religious persecution, although the spirituality of humanist type of the third century AD directed the Roman state rather towards a climate of understanding and tolerance and, in addition, the multicultural and the ecumenical component of the space inhabited by the new *homo Romanus* was obvious. However, despite all of these aspects, the repression and the religious persecution against Christians could not be prevented by the postulations of the notion of *humanitas*. The main accusation against Christians was referring to their refusal to honor the imperial cult, which meant a sort of politic religion and also the protection and the support of the state. The pagan Romans – even influenced by Syncretism or by Henotheism – did not understand the rejection of the imperial cult. In the eyes of the polytheist Romans the emperor deification did not appear so grotesque and exaggerated as appear to us in the modern age marked by Christianity or other monotheistic religions, but seemed somewhat natural. Paul Veyne tries to explain this “natural” deification in the ancient mentality.³ Divinity in Christian, Mohammedan or Judaic conception is an eternal and absolute entity positioned in the exterior of the created material world and being superior to it. The pagan deities instead are part of this world, sometimes interacting with people or

other times acting parallel with them - as claimed the Epicureans - without being necessarily the creators of this universe. The gods of paganism were a sort of environmental fauna, occupying one of the steps of the world. While the Christian God is located beyond this world, is extramundane, the pagan gods form the part of the superior class of the known universe. This classification appears quite evident from Ovid's poem *Metamorphoses*. The most powerful entities of this world are gods, who are placed on the superior step, without, however, having an extramundane character, while on the other steps follow the animal kingdom and the vegetable and the mineral kingdoms. The upper step belongs to the race of gods, rational and immortal, while on the next two steps are placed two races or species: the people, rational and mortal beings, and the animals, mortal beings without reason. The lowest step contains the plants and the minerals. The transition from gods to humans, from humans to plants or from plants to minerals and conversely is only a simple matter of changing the step. Finally, the transition from the human step to the step of gods did not represent a so unnatural and impossible leap as nowadays. To become a god one should not get in the extramundane and absolute zone, but immediately in the space from above people, in the superhuman area. The adjective *divinus* accompanied by *somewhat* / *somehow* mean rather genius, superior, without sacred connotations.⁴ This explains, says Veyne, how was possible the deification of the Hellenistic kings or of the Roman emperors. To treat such powerful and extraordinary persons as gods mean rather a hyperbolization than an absurdity. In addition to the accusation of rejecting the imperial cult, the polytheistic Romans did not understand the intransigence towards pagan cults manifested by Christians. Supporters of Syncretism and of Henotheism, the Romans attached to pagan cults did not understand why the symbiosis of Christian God with pagan deities was not possible. The tendency of polytheistic Romans was to ally with any god, as long as it was imagined as before, in a positive way, more biological than metaphysical. The Romans, says Paul Veyne, perceived gods as a fauna and believed that all gods are real, even those of other

nations. Here arise two possibilities: either other nations were aware of deities unknown to Romans or it is about the same gods wearing other names. Gods therefore did not reject themselves, but could be joined or overlapped. Ancient world lived in a universal tolerance, says Veyne, comparable to the one that we can encounter nowadays between the Hindu sects. Jews and Christians will provoke scandal not because they had a personal God, but because they denied or rather despised the other gods.⁵ However, the Romans attached to pagan cults did not understand and did not agree with the circumvention of duties towards the state or with the rejection of the traditional Roman way of life. Moreover, the imperial authorities did not understand the violation of Roman conformism nor in other cases. The stoic Thræsea is sentenced to death during the reign of Nero for not respecting the rules of the "game", rejecting business, refusing to be present at the theater spectacles or to attend the temple.⁶

Such acts of rejection were seen as a threat to the state and, although predisposed to tolerance because of the dissemination of the concept of *humanitas* at legislative, philosophical or literary levels, the pagan Romans applied Christianity the exigencies of the so-called public interest / *utilitas publica*. The notion of public interest acts as a brake when *humanitas Romana* enjoyed too much enthusiasm. The difference between the ancient and the modern model is not, however, so obvious. In the modern world, braking mechanisms such as those constituted by commercial interests have an effect comparable to that held by *utilitas publica*.⁷

Even though they were often blocked by *utilitas publica*, in whose name happened many atrocities as demonstrated by the so many Christian martyrs, the postulations of the concept of *humanitas Romana* prepared an expectation horizon favorable to Christianity. It was a sort of soil preparation for the implantation of the Christian message. In fact, here we can notice another kind of 'Syncretism'. *Humanitas* and the Christian love were almost the only 'rays of light' of antiquity. Their common purpose could be considered, to a certain degree, the humanization of the ancient world, if we ignore the misunderstandings of the concept or of the

precepts of Christian faith. The moment *In hoc signo vinces*, punctuated by Constantine the Great, marks the change of the religious strategy of the Roman state. In February 313 AD, following the meeting between Constantine and Licinius to celebrate the marriage of Licinius with Constantia, was born the Edict of Mediolanum. The two emperors forbid the persecutions of Christianity or of any other religious cults and grant both Christians and the followers of other faiths, the freedom to practice the religion to which they opted. The Constantinian Peace and the *Edictum Mediolanense* score the change of the previous religious attitude of ancient Rome. *Humanitas* and the teachings of Christianity worked together to forge a new state of things, in other words, a better world.

If the approach of religious diversity operated by pagan Rome registered, in many moments, failures regarding Christianity, the age of Constantine the Great will mean the application of equity and tolerance in the two contrasting and concomitant realities of Roman antiquity, the pagan and the Christian ones. Constantine the Great initiates a policy of universal religious tolerance.⁸ His desire is that the inhabitants of the empire, regardless of their religious affiliation, to enjoy peace and concord. Here the concept of *humanitas Romana* manifests itself through its Christian component of protecting the humanity. The emperor has between its titles that of *humanitas*, having to do what it is right and having the mission to protect the human race as a subject of God. In a statement conserved by Eusebius (VC II. 56), Constantine indicates how his *humanitas* is shown through his equity and tolerance:

"My own desire, for the common good of the world and the advantage of all mankind, is that your people should enjoy a life of peace and undisturbed concord. Let those, therefore, who still delight in error, be made welcome to the same degree of peace and tranquility that is enjoyed by those who believe. For it may be that this restoration of equal privileges to all will prevail to lead them onto the straight path. Let no one molest another, but let everyone do as his soul desires."⁹

Thus were respected precepts and laws that will be stipulated later in the *Universal Declaration of Human Rights* as "the right to life, privacy,

reputation, opinion, religion, mobility, nationality." The ideology of the emperor from now on embraced the idea that the faith of a person can be served without pretending exclusivity. On the triumphal arch erected by Constantine in Rome in 315 AD is spoken of a deity that is not so much the Christian God but the supreme deity of all intellectuals, whether pagan or Christian.¹⁰ Even the concept of *divinitas* appeared in the Constantinian period, so that all religions have equal status and no one gets offended. Everyone had the right to opinion and religion.

Constantine pursued to ensure tolerance, peace and welfare over all space governed by supporting the economy and the arts. When Constantine was not left in campaigns (this happened in the period in which he was trying not to interfere in the conflict from Italy between Maxentius, the usurper, and Galerius and Severus, the legal emperors), he passed through the area under his government promoting his benevolence and support for economy and arts.

Constantine the Great legislated not so much Christianity, but tolerance and equity as resultants of the notion of *humanitas*. Constantine adopted the idea of *humanitas* from ancient literature and philosophy studied in Nicomedia, where he was held almost as a prisoner by Diocletian and Galerius. At the same time, Constantine understood the valences of *humanitas* from thinkers such as Lactantius and Eusebius, who promoted the notion in a Christian view. Lactantius, for example, according to a study by Elizabeth DePalma Digeser,¹¹ was perhaps the "architect of the emperor's developing religious policy." Joining Constantine at Trier, Lactantius was promoting that universal empathy marked by *humanitas* according to which the true justice consists in recognizing the substantial equality of all people as children of God (*Divinae Institutiones*).¹² The Hellenistic conception of *paideia*, melted in the notion of *humanitas*, is still present at Lactantius. In *Divinae Institutiones*, Lactantius exposes the "education of God" intended for the human beings. A man must be cultivated, educated, civilized and the main directions in this regard are given by divinity. Moreover, in his *Divine Institutes*, says Stephenson,¹³ Lactantius transmit as central message that tolerance and equity, not persecution, is the path to universal justice and to re-establishment of Rome's ancient

constitution, that famous mixed constitution celebrated by Polybius. These ideas in connection with *humanitas* and the teachings of Christianity were employed later by Constantine in his speeches and epistles and concur in portraying the emperor as a restorer of justice and a protector of the human race:

"Monotheism was, in Lactantius' formulation, superior to polytheism, and Constantine, long a monotheist, although not yet fully a Christian, was on the path to restoring truth and justice to Rome. The *Divine Institutes* swiftly became a source of language and ideas for the emperor, which he employed in his letters and orations."¹⁴

Lactantius, in other well-known work entitled *De mortibus persecutorum*, referring to the religious reprisals and persecutions, mentions that pagan Romans through their acts of inhumanity also violated the true values of Romanity, which included *humanitas*, not only the rights of Christians.

Eusebius of Caesarea, another Christian author that heavily influenced Constantine, in his works, especially in *Vita Constantini*, highlights another aspect of the emperor characterized by *humanitas*: his role as a common bishop fervent for peace between churches and benevolent to those who provoked disorder. Constantine's humanity and the benevolent protection granted to the churches will determine the portraying of the emperor as 'lover of God', as a new Moses.¹⁵ These ideas have had a major impact on Constantine as we can see from his actions.

Later, after the reign of Constantine, *humanitas* will be further prized, revalued and by resemblance to the Christian love will be further considered a Christian virtue by Christian emperors. *Humanitas Romana* will become *humanitas nostra* and through it the emperors will claim that they protect the entire human race.

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3. See Paul Veyne, *Sexualitate și putere în Roma antică* (București: Editura Humanitas, 2009), 47-61.
4. Veyne, *Sexualitate și putere*, 56.
5. Veyne, *Sexualitate și putere*, 49-50.
6. Veyne, *Sexualitate și putere*, 82.
7. Bauman, *Human Rights*, 7.
8. I am especially indebted with the topic of 'Legislating toleration' to Paul Stephenson, *Constantine – Unconquered Emperor, Christian Victor* (London: Quercus, 2011).
9. *Apud*. Stephenson, *Constantine*, 182.
10. Claudio Moreschini and Enrico Norelli, *Istoria literaturii creștine vechi grecești și latine I.*, trans. Hanibal Stănciulescu and Gabriela Sauciuc (Iași: Polirom, 2013), 422.
11. See Elizabeth DePalma Digeser, *The Making of a Christian Empire. Lactantius and Rome* (Ithaca and London, 2000).
12. Moreschini and Norelli, *Istoria literaturii creștine*, 434.
13. Stephenson, *Constantine*, 170.
14. Stephenson, *Constantine*, 170.
15. Moreschini and Norelli, *Istoria literaturii creștine*, 452.

Endnotes

1. For issues about human rights in Antiquity, see: Richard A. Bauman, *Human Rights in Ancient Rome* (London: Routledge, 2000).
2. See Eugen Cizek, *Istoria Romei* (Bucharest: Paideia, 2002), 611.