SOFIA UNIVERSITY "ST. KLIMENT OHRIDSKI"
FACULTY OF HISTORY
DEPARTMENT OF ANCIENT HISTORY, THRACOLOGY AND MEDIEVAL HISTORY
DOCTORAL PROGRAM "OLD HISTORY"

SCIENTIFIC FIELD: 2. HUMANITIES,
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REVIEW
ON
THE DISSERTATION OF
LYUDMILA ZHELEVA CHAKAROVA-PRISOEVA

ON TOPIC
THE THRACIAN LANDS AND THE LEGAL TEXTS OF THE ROMAN EMPIRE (212 - 249 AD)

FROM
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General remarks for the student and the dissertation

Lyudmila Zheleva Chakarova-Prisoeva became a full-time Doctoral student at the Department on 01.03.2021 by order of the University Rector (No RD 20-609/25.02.2021). Her enrolment, based on a report from the Dean (70.02-52/19.02.2021), has a deadline of 01.03.2024. Dilyana Vasileva Boteva-Boyanova. The Doctoral student successfully passes mandatory exams according to the approved individual plan in the specialty and in English. Presents a dissertation to the primary unit, which makes a positive decision allowing the public defence. Based on it, the decision for approval by the Faculty Council (Protocol No. 6) and the report of the Dean of the Faculty (No. 70-02-120/20.03.2025), the Rector of the University releases her respectively by Order, RD 20-671/21.03.2025, as of 26.02.2025.

The Doctoral student graduated in 1998 with a degree in law, field of law, at Sofia University and passed the state theoretical and practical exam at the Ministry of Justice in 2001. In 2021 she graduated in History (bachelor's degree), field of Ancient History and Thracology, again at Sofia University. The attached CV shows the activities of Mrs. Chakarova-Prisoeva as a practicing lawyer.

The abstract (48 pages in Bulgarian and English) corresponds to the dissertation and meets the established requirements and standards. The attached evidence material proves for three publications in periodicals: *Publius Iuventius Celsus*, a notable Roman jurist as governor of Thrace; *History*, 6, 30 (2022), 587-600; Was Celsus also a land surveyor? *D. Vladimirova, A. Georgieva, D. Khasan. Scripta manent (comp.),* Sofia, Publishing House "St. Cl. Ohridski", 2022, 9-14; *Constitutio Antoniniana* – the beginning of the end of ancient Roman identity. *History*, 33 (2025), stamped according to an attached certificate from NION Alphabets. The attached reference shows compliance with national minimum requirements: 30, 10, and 30 points, respectively.

The 302-page dissertation is divided into an introduction, four chapters (First, Roman Law and the Thracian Lands; Second, The Self-Government of Caracalla and the Year After His Assassination (212-218 AD); Third, Late Severi (218-235 AD); Fourth, The Soldiers' Emperors after the Period 235-249 AD), Conclusion, References and Four Appendices. It is important to note that Article 27, paragraph 2 of PPZRASRB mandates a "Bibliography" rather than "Used Literature". We consider this discrepancy formal (in the title) rather than substantive. In fact, we consider this section "Bibliography". Anti-Plagiarism Report is available in the dissertation books. It considers similarities for KS 1 – 5.83%, KS 2 – 3.36%; KC – 2.39%, which is fully within the expected and within the standards, as well as the Declaration of

Authorship and Correctness of the Bibliographic Citations by Lyudmila Zheleva Chakarova-Prisoeva dated 07.03.2025. Secondary literature includes approx. 365 titles.

Content of the dissertation

Introduction

The author suggests that Roman law supersedes the understanding of state doctrine, which may be related to the concept of the nation-state that is relevant today; however, this is unexpected in the context of ancient history. The focus of the study is Roman law in the Thracian region, particularly the *Corpus iuris civilis* (*Codex* and *Digesta*). The criteria for selecting texts include thematic, geographical, and chronological aspects, and it also provides an overview of the study's history. The objectives of the study are to establish the monuments and their context, to trace the chronology and types of legal acts and their relationship with the emperors, building a complete picture of the historical situation in the first half of the III century. Methodology includes induction and deduction (elements of formal logical reasoning), as well as chronology and text-criticism. However, the dissertation lacks data for a codicological, or critical analysis of the texts known from critical editions, and their content is still undisputed. The research classifies the sources into five categories: legal, narrative (i.e., histories), numismatic, epigraphic, and papyrus.

The First Chapter – Roman Law and the Thracian Lands

This chapter provides a comprehensive conceptual analysis. In addition to the historical timeline, it presents an overview of the application of Roman law in the provinces, as well as the interactions between the central authority and the peripheral regions. This examines the military and political history of the region, the formation of Moesia and Thrace provinces, and the Roman administration's interaction with local Greek Black Sea colonies. Additionally, the analysis explores the structure and administration of the Roman conquest of the lower Danube. It also investigates evidence of colonies in the region, including *Ulpia Ratiaria* and compares the extant fragments of the *lex coloniae* with the structure of the Iberian Roman colony of Irni (*lex Irnitana*). Author assumes that the organizational structure of the colonies resembles that of Roman municipalities, which also included an oath administered to magistrates. The study, however, lacks essential information about the concept of a province, its association with the mandate granted to magistrates by the senate (both with and without military authority), and the different classifications of provinces, including praetorian, consular, and imperial types. There is no clear idea of the federal structure of the empire, the autonomy and law of local

communities, as well as the central Roman administration, the functions of the colonies, as a form of government of the Roman land.

Subsequently, the author provides an overview of the history of the province of Thrace and its Roman colonies, such as Apri and Deultum. The author also acknowledges the importance of the city of Philippopolis and discusses the reforms implemented during the rule of Emperor Trajan, including the province's transformation into an imperial territory and the appointment of an imperial legate. This process is associated with the formation of the imperial council under Hadrian (Trajan's successor) and with Juventius Celsus (67-130), to whom the doctoral student has dedicated a separate article. The study presents arguments suggesting his presence in the Province during Trajan's reign. It omits the creation of the *Edictum perpetuum* by Salvius Julian under Hadrian in 130 AD, which unified provincial edicts with those of the city and Peregrine praetors, forming the first uniform procedural model for the entire empire.

The following discussion examines the Greek Black Sea colonies, detailing their gradual conquest by Rome and highlighting their status as federates. However, it does not delve into the specific nature of the distinct types of *foedus, aequa et iniqua*. The text notes structural and autonomous differences without detailing them. The cities feature a centralized administration, provincial census registration, and some residents obtain Roman citizenship, while the government do not use these provinces to recruit slaves. In fact, the provinces did not create slaves themselves, and their inhabitants were friends and allies whom Rome reliably defends against the abuses of administration.

The author assumes land to fall under public law, since the Roman people or the emperor owned it. However, the emperor’s estates (specifically under the Julio-Claudian dynasty in Egypt) seem to fall more under private law. Concerning what the author refers to as the "tax regime" (more accurately "fiscal," as it encompasses revenues beyond taxes), we should note that the sources primarily discuss rents from properties, which are private law relationships. Some of the land remained in the hands of the local population, under what was known as peregrine ownership, while Roman veterans received other parts under the framework of provincial ownership. This situation reflects a complex landscape of diverse landholding forms. To properly understand this topic, one needs more data on the process of *centuriatio* in the provinces—something well-documented even for the territories of Moesia and Thracia. On page 30, the author concludes that the governor managed land ownership based on the emperor’s mandate. However, this conclusion raises doubts because of its sharp nature. Historical records show that governors sometimes sold land—such as to veterans—to dispose of infertile plots.

However, veterans could complain to the emperor, and these transactions often ended in cancellation.

The text reserves a special place to Roman jurisprudence in the third century. The author assumes that both jurisprudential and imperial law lack of systematization. Although the orientation of the writings of the legal advisers to the structure of the Permanent Edict is clear. She argues (p. 32) that due to the absence of separation of powers, there is a concentration of power in the emperor and the seizure of the functions of private lawyers. This so far is too general and unjustified, since the separation of powers is a creation of modern times. In ancient Rome, the emphasis was on a balance between the magistrates themselves, and the emperor remained equidistant and protected usually the weaker, small landowners, etc.

The Doctoral student writes that in the period jurisprudence died out (p. 34, legal interpretations are reduced to their main sources, imperial constitutions, and senate consultations). In fact, the practice of granting the right of reply with the permission of the princeps began as early as Augustus and Tiberius sets it up finally. Until the end of the classical period, private jurisprudence continued to function, as shown by the preserved passages in the Digests, and even after that the conclusions of the jurists, stayed a source of law. The substantial change is in the *senatus consulta*, because of the emperors' policy of belittling the place of the senate.

One of the subsections includes in its wording the presumption of the existence in Rome of a systematic division of law into 'substantive' and 'procedural', a distinction which arose in much later times. In Rome, the creation of the specific legal protection depends on the construction formulated by the Edict and therefore differs from today's continental view on this issue.

The study at this stage concentrates on the characteristics of local law and the opposition to constitutions. The study sometimes identifies the former with the customary law (p. 45), but this is not necessarily the case. Roman jurists point to the mores as the main source of civil law (*Gai. 1.1*). The analysis continues with the topic of the application of *ius gentium* in the provinces, concluding, that this continued until Caracalla's Constitution of 212. The constitution itself hardly changed the law so radically as to obliterate its entire system. The Permanent Edict amalgamates the sources of *the ius gentium* (the honorarial right of the Peregrinian and provincial praetors). Traditionally, the scholars assume that the opposition between the two systems ended with Caracalla, but we continue to find the term and its corresponding in Hermogenian (*D. 1.1.5 Herm. l. 1 i. epit.*), and in the context of the law of war, of slavery, in the etymologies of Isidore, it applies latter with a new scientific use (*v*. M. Kaser, *Ius gentium* (Forschungen zum Römischen Recht, Abh.40). Köln/ Weimar / Wien: Böhlau, 1993, 47-52).

After a systematic review of the law, the study continues with the possibility of creating provincial regulations and laws for the respective provinces. After the reform of Caracalla, the supreme jurisdiction of the emperor became available to more citizens. However, this reasoning overlooks the fact that even before the powers of the Caesars cannot be as narrower than those after the Constitution. In this context, the author analyses the criminal and civil proceedings, particularly the performance of *a cognitio* before the magistrates. She proposes a concept of the "normative legal text" with an etymology of the word *norma* or *ius* and associates the latter with "oath" (*ius iurandum*). On this etymology, the author should check the objections of Emile Benveniste (É. Benveniste, Le vocabulaire des institutions indo-européennes. 2. Pouvoir, droit, religion, II, Paris, Minuit 1969, s. v. *ius*) who expressly excludes such a link. In general, we should point out that the Romans did not construct a concept of a norm that would have an analogous content and structure to the modern understanding and content (with hypothesis, disposition, and sanction, see pp. 52-55 of the Study). In this context the author could explore authentically Roman concepts *ius* or *lex*, which are characteristic of ancient thinking and have a variety of etymological uses. These theoretical considerations are necessary in view of the working concept of "legal text" developed in the Study, which distinguishes legal from ordinary narratives. Further, the same chapter continues with the importance of the constitutions included in the Theodosian Code and the Novels of Justinian, related to Thrace and Moesia.

The next section describes the legal texts in the epigraphic sources and gives a detailed catalogue of the inscriptions available today. We should note that this is the second study of this kind from recent years, which is indicative of the scientific interest in this field and the relevance of the scientific topic (see, L. Radulova, *Monumenti epigrafici di contenuto giuridico della Moesia Inferior*, Sofia, 2013, dissertation). This work cites significant part of Lyuba Radulova research, but here the author compares and analyses this corpus along with the constitutions preserved in the Justinian and Theodosian codices, the Digests, the Novellas, as well as fragments of Roman jurisprudence, looking for their significance for the studied provinces. The doctoral student interprets five epigraphic monuments (Istrum, Tira, Pizos, Augusta Trayana and Skaptopara), and then comes to a specific source, the military diplomas.

Next chapters, second, third, fourth and conclusion

The exposition offers a chronological overview according to the reign of the individual emperors and dynasties, respectively the reign during the time of Caracalla and after his death, the late Severus and finally the military emperors. The author begins with Septimius, his legacy and legal reforms related to the establishment of a favourable regime for veterans. She refers

and examines the rescripts in which Moesia and Thrace and underlines the importance of *postliminium (D. 49.15.9 Ulp. l.4 ad l. Iul. et Pap., D. 38.17.1.3 Ulp. l.12 ad Sab.*, in the context of Tertullian's and Orphytian's Senate Consultations, *C. 8.50.1, l. Cornelia de captivis*). These parallels and comparisons are an interesting and useful approach to clarifying the matter and provide a basis for future research.

Author then pays special attention to the reign of Caracalla, initially jointly with his brother Geta (until his assassination in 211). She traces the conquests and policy of the emperor in relation to soldiers and veterans, monetary and tax reform. This is a centre in the analysis not only of this chapter, but of the entire Study. The exploration begins with the reflection of the Edict in written sources and traces the historical development of citizenship concept. It shows as a source of the rights and obligations of citizens the XII Tables. We should emphasize, however, that they do not have a direct sign of using the term "citizens". The author describes the status and methods of getting citizenship and their main rights, the distinction with peregrines and their species.

The study presents the Constitution itself as a reform with a significant effect on Roman society and refers some of its indirect effects on the appearance of coins of the period. In addition, it discusses various scientific theories on its political significance. On this topic, the Doctoral student has an article in the journal "History", which is under print and makes a detailed analysis of the problem.

The study in this part continues with reflections on the division of law into public and private, even though the studied act of the emperor is not related to this problem. The author believes that the constitution also affects the concept of "freedom" (*libertas*), but does not clearly illustrate its mechanism.

The next problem is the rescripts of Caracalla (preserved in the Codex Justinian and the Digests) related to the topic, emphasizing their procedural importance. They have a general significance for the "Roman world" in view of the unlimited nature of the jurisdiction of the Caesars, who often directly solve problems, clarify obscure legal issues or directly administer justice. Their acts have a direct connection with the administration of the provinces and cut off problems related to *postliminium*, desertion, etc. Often, they address to citizens, among them clearly distinguishing the category of the soldiers. A separate grouping is imperial indulgences. After the death of Caracalla, the author dwells on the short reign of Macrinus and examines his rescripts.

The exposition in Chapter III, refers the so-called "late" Severi (Elagabalus and Alexander Severus) tracing their policies and evaluating their rule based on the main historical

sources. It notes the change in the social situation because of military conflicts and invasions of Germanic tribes along the Rhine and Danube, as well as the weakening of the role of the Senate. The Doctoral student analyses the rescripts of Alexander, preserved in the Codex, which concern the privileges of soldiers and veterans, their rights to own land or its confiscation. She Separately discusses the provisions of the various magistracies in Rome and the provinces. In one of the rescripts there is a Thracian name (C. 2.3.9 from 222). Along with them are those of a criminal and procedural nature. The author discusses (p. 188) "Fabius Law for Plagium" (*lex Fabia plagiaria*) which, however, is a republican law on the abduction of free persons, *plagium*. Here she should add and analyse that the Code devotes a whole chapter to it.

In Chapter IV there is a special attention to the period of the soldier emperors. Among them, in the first place is Maximinus the Thracian, who is associated with the imposition of "military rule", with the wars on the northern borders. The author mentions the few and almost absent constitutions, like epigraphic, numismatic, and historical sources supporting this conclusion. It passes to the "emperors elected by the senate", pays attention to Gordian I and II, Maximinus and Balbinus, who ruled together. She examines separately Gordian III and his military campaigns and assumes that the rescripts in the Codex bearing this name associate with him, and not with the earlier two, because of their short rule. These provisions concern soldiers, often related to their camp peculium, restoration of privileges and rights, dispute resolution. Again, it is noteworthy that under the term "public law" the author includes the criminal and procedural understanding, characteristic of the systematization that is relevant today, but not of antiquity. Included in this category are acts within the direct jurisdiction of the emperor. The study continues by examining separately the imperial correspondence with magistrates in view of their powers and cemetery law.

The following is a section on the reign of Philip the Arab, where there is a brief description of his policies and military campaigns. This group of rescripts again concerns the powers of various magistrates, soldiers, cemetery law and procedural issues. It contributed to the Romanisation of the provinces, the spread of the law of nations. The emphasises the importance of the Antonine Constitution of 212, which equalised the status of the inhabitants of the empire and helped their assimilation into Roman culture, the laws of individual provinces, individual imperial acts and mainly the rescripts.

The conclusion summarizes the activities of the emperors of the period, related to their constitutions, referring the law-making and law enforcement, but pay attention to the place and importance of jurists.

Scientific contributions

The abstract lists nine scientific contributions of different nature, which, against the background of what is known from previous research on the topic in our country and abroad, can be concentrated in the comparison of part of the preserved epigraphic material with the sources remaining in the Justinian legislation, the Code, the Digests and the Theodosian Code. This allows the author to trace the processes of concentration of power around the emperors, their council, and the members of their office. In addition, the historical change in the role of private jurisprudence in the classical period is visible and the presence of few acts from the two Codes and the Digests directly related to the studied provinces. Nevertheless, all of them have direct significance for them due to the general jurisdiction of the emperors and should be considered together with the local monuments, thus creating an idea of the legal regime in force for the region of Thrace and Moesia of the period.

Proposal for awarding the scientific and educational degree "Doctor"

In the above, there are several notes and comments with critical significance or a different understanding of the issue under consideration. Regardless of them, the presented work offers an interesting problem for discussion, and the awareness, thoroughness of the development, the abilities of the doctoral student for in-depth independent work, analysis of sources and secondary literature are obvious. The work fully meets the requirements for a doctoral dissertation. In conclusion, I recommend to the esteemed committee to award the doctoral student, Lyudmila Zheleva Chakarova-Prisoeva, the educational and scientific degree of "doctor".

Konstantin Veselinov Tanev

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