

Abstract of D.Phil. thesis: The Creation of the Roman State, AD 200-340: Social and Administrative Aspects by R. W. B. Salway, The Queen's College, Oxford submitted to the Sub-Faculty of Ancient History in Hilary term 1994.

1995 } TT

The subject of the thesis is that of the transformation of the Roman empire in the third and fourth centuries. The starting date in the title reflects a belief that the impetus for this change was generated by the decree of the emperor M. Aurelius Antoninus (Caracalla), whereby all free subjects were made citizens in AD 212. This laid the foundations for the transformation of the Roman empire, centred on the city of Rome, into a Roman nation-state, with a government dissociated from that of the City. The study is divided into three parts. Part One is an examination of the impact of the *Constitutio Antoniniana*. It is argued that both the extent and nature of this impact can be measured by an examination of the changes that Roman naming practices underwent in the subsequent period, and that the new naming practices of the later third century onwards reflect the creation of a new basis for the social hierarchy. Part two analyses the development of the praetorian prefecture, an office which is recognised to be one of the key institutions of the late Roman state. It traces the change in the nature of the office from one of personal service to the emperor to its later fourth-century incarnation as virtual viceroy for civil affairs over discreet portions of the empire. This is followed by a prosopographical catalogue of the prefects from 284-344, and appendices laying out the documentary evidence for the analysis. In Part Three an analysis of the holders of the ordinary consulship from 260 to 360 is undertaken. This begins with a prosopographical catalogue, in which the consuls are classified as to social origin and occupation. These results are analysed statistically in order to elucidate the relationship between the magistrates of the city of Rome and the imperial administration, concluding that there was a symbolic divorce between the two during the reign of Constantine. Appendix 3 provides revised fasti for the consulship 260-360. The Conclusion draws together the findings of these three studies to show their implications for our interpretation of the nature of the late Roman state.

The Creation of the Roman State

AD 200-340

Social and Administrative Aspects

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For Susan and Alison

Preface

Ancient History is a field in which absolute certainty can rarely be attained. Hence the following dissertation can do little more than argue, with supporting evidence, a thesis which proposes a particular way of distinguishing the later Roman state from that of the early empire. This resulted from the growing dissatisfaction I experienced with the so-called 'third century crisis' as an explanation for the transformation of the Roman world. However, this theory did not dictate the course of my research from the outset; rather it came only as a gradual realisation formed out of my progressive investigations. For the most part this thesis does not introduce any new evidence but rather relies on an original interpretation of existing evidence. The discussion depends largely on the study of documentary sources, which for this period are primarily epigraphic and papyrological. Nevertheless I have on occasion considered the material evidence of archaeology and architecture where it becomes relevant; but, for instance, in the early stages of my research I expended considerable effort on the study of the coinage of the Second Tetrarchy which has found no place in the final presentation.

The starting point for my research was, in fact an interest in the career of the emperor Maxentius (AD 306-312). However, as is immediately apparent to the reader, despite my honest intentions, this is not the dissertation that my researches have produced. Maxentius had attracted my attention as an emperor of the Tetrarchic period who was, unusually for the times, resident in the ancient imperial capital of Rome and as a result had to work with the senatorial aristocracy in a way which his immediate predecessors and contemporaries had or did not. That is, that Maxentius (perhaps perforce, since he was largely restricted to Italy) appeared to be reversing the policy of Diocletian and the other Tetrarchs towards the employment of aristocrats in offices of high state. In fact Maxentius went even further by employing senators in positions which had traditionally been reserved to those following an equestrian career, most notably the praetorian prefecture. This clearly called for an examination of the development of the praetorian prefecture in the third and early fourth centuries. Familiar was the praetorian prefect of the first century AD whose function it was to act as close aide to the emperor—one who might abuse this position to gain political influence, e.g. Sejanus—as was also the prefect of the later fourth century and beyond who acted as viceroy for civil affairs over discreet portions of the Empire. How and, more importantly, why the former developed into the latter seemed obscure. The

discussions contained within the general surveys such as Ernst Stein's *Histoire du Bas-Empire* and A. H. M. Jones' *Later Roman Empire* did not appear to provide satisfactory answers. More detailed studies such as Laurence Lee Howe's *Praetorian Prefect from Commodus to Diocletian* and chapter eight of Timothy Barnes' *New Empire of Diocletian and Constantine* did not offer much more illumination. Both were handicapped by their own chronological coverage, since the former ends at, while the latter only begins with, Diocletian. Thus Howe looked back at the prefecture of the early empire and Barnes forward to that of the later empire, neither having really to tackle the problem of how the two were related.

The study of the praetorian prefecture hinged particularly upon questions of social origin and social status. Contemporary with the transformation of the nature of the prefecture, there had been a general rearrangement of the status of such imperial administrative posts. Since the time of Augustus the prefecture and imperial procuratorships had, as a rule, been equestrian posts. However by the mid fourth century not only did the holders of the office of praetorian prefect possess senatorial status, and also regularly achieve the consulship while in office, but even those of senatorial birth were seeking to fill the function. This social revolution seemed to be more than a simple matter of the equalisation of the status of senatorial and equestrian offices. It raised general questions about the relationship between the aristocracy of the city of Rome and the imperial government. My thoughts were further prompted towards a reconsideration of the structure of the later Roman state by a series of seminars entitled "Fundamentals of Imperialism—Ancient to Modern" in Trinity 1990, organised by Robert Evans, Michael Hurst and Fergus Millar. Thus, in order to clarify this transformation, I embarked on an analysis of the distribution of the ordinary consulship among private individuals, with profitable and entirely unforeseen results.

In attempting the social categorization of the consuls I was inexorably drawn into analyzing their naming habits, especially since for the consuls of the later third century we frequently have little else to go on. I had naturally already been aware of the use of the imperial *nomen* Flavius as a status designation from the middle of the fourth century, and it was noticeable that it dominated the consular fasti from the 330s, but that at the same time it was rarely, if ever, employed by the senatorial nobility. An investigation into the origin of the phenomenon produced an independent article on the general development of

the Roman naming system, but seemed also to confirm my suspicions as to where the origins of the later Roman state lay.

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* *

I must thank, above all, my supervisor, Professor John Matthews for his understanding with an often recalcitrant student, in particular during periods when the writing has had to be interrupted under very difficult circumstances. Amongst those who have helped me with specific problems are Professor Heikki Solin, Dr Greg Woolf and Miss Joyce Reynolds for discussing of Roman naming practices, Dr Roger Tomlin for epigraphy, Dr John Rea for introducing me to papyrology (and also informing me of the content of unpublished papyri held in the collection of the Egypt Exploration Society at the Ashmolean) and Professor Keith Hopkins in Cambridge on concepts of the 'State'. I ought to mention Professor Cyril Mango's lectures on Art and Architecture of Constantinople and Byzantine Historiography which I attended over many years and which had a major influence over my initial decision to concentrate my studies in this period. I have benefited much from the discussions of both fellow graduates and senior members in the regular Later Roman Empire at Queen's College, in particular Dr Sam Barnish for his helpful advice on matters of senatorial protocol. The other forum which has most contributed to the development of my views is that of the weekly graduate Ancient History Work-in-Progress seminars, the chief virtue of which lies in the sheer range of topics and discussion into which it allows one access, even if only at a most superficial level. Two fellow graduates, both visiting scholars to Queen's, deserve mention for contributing to the formation of my views in countless conversations—fuelled by gallons of coffee—in the congenial surroundings of The Queen's College Middle Common Room, namely, (at an early stage of my research) Pan Dariusz Pajor of the Jagelloński Uniwersytet, Kraków and (in the later stages) Herr Uli Wiemer of the Philipps-Universität, Marburg. None of the above, naturally, should in any way be held responsible for my errors and idiosyncrasies.

As well as the dedicatees, I wish to thank my parents for their unflinching moral support throughout the long struggle with this topic and, of course, to acknowledge the financial support of the British Academy, which, in the form of a Major State Studentship, allowed me to undertake this project and The Queen's College for its generosity, by which I was enabled to complete its latter stages in comfort.

April 1994

R.W.B.S.

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Abbreviations

Listed below are the source collections, works of reference and journals titles cited by abbreviation. In the footnotes journal articles are referred to by their full title at first instance, thereafter by the name of the journal alone, while books with cumbersome titles are cited in an abbreviated form, the full title being available in the bibliography.

SOURCE COLLECTIONS

Omitted from the following list are publications of inscriptions and papyri which are cited according to the abbreviations described in, respectively:

inscriptions F. Bérard, D. Feissel, P. Petitmengin, M. Sève, *Guide de l'épigraphiste: bibliographie choisie des épigraphies antiques et médiévales*² (Bibliothèque de l'Ecole Normale Supérieure, guides et inventaires bibliographiques 2; Paris, 1989)

papyri J. F. Oates, R. S. Bagnall, W. H. Willis, K. A. Worp, *Checklist of Editions of Greek Papyri and Ostraca*³ (BASP Supplement No 4; Atlanta, 1985)

Otherwise:

AE *L'Année épigraphique. Revue des publications épigraphiques relatives à l'Antiquité romaine*, edd. R. Cagnat, A. Merlin, A. Chastagnol, et al. (Paris, 1888-)

Chron. min. *Monumenta Germaniae Historica inde ab anno Christi quingentesimo usque ad annum millesimum et quingentesimum, Auctores antiquissimi* vols 9, 11 & 13 *Chronica minora saec. IV.V.VI.VII* vols 1-3, ed. Th. Mommsen (Berlin, 1892-1898)

CJ *Codex Justinianus*, ed. P. Krüger (Berlin, 1877)

Const. Sirm. *Constitutiones Sirmondianae*; cf. *CTh*

CTh *Theodosiani libri XVI cum constitutionibus Sirmondianis et leges novellae ad Theodosianum pertinentes*, edd. Th. Mommsen & P. M. Meyer (Berlin, 1905) 2 vols, *Volumen I. Theodosiani libri XVI cum constitutionibus Sirmondianis*, ed. Th. Mommsen (with apparatus by P. Krüger)

Descrip. cos. *Descriptio consulum ex quo primum ordinati sunt* (vulgo *Consularia Constantinopolitana*), ed. and trans. R. W. Burgess, *The Chronicle of*

- Hydatius and the Consularia Constantinopolitana* (Oxford, 1993)
- ERC** M. Chelotti, R. Gaeta, V. Morizio & M. Silvestrini, *Le epigrafi romane di Canosa* 2 vols (Bari, 1985-1990)
- FHG** *Fragmenta historicorum Graecorum* (Bibliotheca Graecorum scriptorum) 5 vols, ed. K. Müller (Paris, 1849-1870)
- FIRA²** *Fontes iuris Romani antejustiniani* 2nd ed., 3 vols, edd. S. Riccobono, J. Baviera, C. Ferrini, J. Furlani & V. Arangio-Ruiz (Firenze, 1968-1972)
- Frag. Vat.** *Fragmenta quae dicuntur Vaticana* in *FIRA²* vol. 2, 463-540
- ILPG** M. Pastor Muñoz & A. Mendoza Eguaras, *Inscripciones latinas de la provincia de Granada* (Granada, 1987)
- Nov.** *Novella*; cf. *CTh*
- Patr. Syr.** *Patrologia Syriaca*, ed. F. Graffin (Paris, 1894-1926)
- P.Diog.** *Les archives de Marcus Lucretius Diogenes et textes apparentés* (Papyrologische Texte und Abhandlungen Band 39) ed. P. Schubert (Bonn, 1990)
- PG** *Patrologiae cursus completus, series Graeca* vols 1-161, ed. J.-P. Migne (Paris, 1857-1866); index, ed. F. Cavallera (Paris, 1912)
- PL** *Patrologiae cursus completus, series Latina* vols 1-221, ed. J.-P. Migne (Paris, 1844-1890); *Supplementum* vols 1-5, ed. A. Hamman (Paris, 1958-1974)
- RIC** *The Roman Imperial Coinage* vols 1-7 & 9, edd. H. Mattingly, E. A. Sydenham, C. H. V. Sutherland & R. A. G. Carson (London, 1923-1967); vol. 8, ed. J. P. C. Kent (London, 1981)
- RRC** M. H. Crawford, *Roman Republican Coinage* 2 vols (Cambridge, 1974)
- SB** *Sammelbuch griechischer Urkunden aus Ägypten* vols 1-2, ed. F. Preisigke (Strassburg, 1915-1918); vol. 3, ed. F. Bilabel (Berlin & Leipzig, 1926) & vol. 4 (Heidelberg, 1931); vols 5-11, ed. E. Kiessling (Wiesbaden 1955-1973); vols 12- , ed. H.-A. Rupprecht (Wiesbaden, 1976-)
- SEG** *Supplementum Epigraphicum Graecum* vols 1-25, edd. J. J. Hondius, et al. (Leiden, 1923-1971); vols 26-27, edd. H. W. Pleket & R. S. Stroud [1976/77-1978] (Alphen aan den Rijn, 1979-1980) & vol. 28 [1979]- (Amsterdam, 1980-)

JOURNALS AND REFERENCE WORKS

<i>AC</i>	<i>L'Antiquité classique</i>
<i>AIPhO</i>	<i>Annuaire de l'Institut de Philologie et d'Histoire Orientales et Slaves de l'Université Libre de Bruxelles</i>
<i>AJAH</i>	<i>American Journal of Ancient History</i>
<i>AJP</i>	<i>American Journal of Philology</i>
<i>Archiv</i>	<i>Archiv für Papyrusforschung und verwandte Gebiet</i>
<i>Arctos</i>	<i>Arctos: Acta philologica Fennica</i>
<i>ANRW</i>	<i>Aufstieg und Neidergang der römischen Welt (Festschrift J. Vogt). Geschichte und Kultur Roms im Spiegel der neuren Forschung, edd. W. Haase & H. Temporini (Berlin and New York, 1972-)</i>
<i>BAA</i>	<i>Bulletin d'archéologie algérienne</i>
<i>BAM</i>	<i>Bulletin d'archéologie marocaine</i>
<i>BASP</i>	<i>Bulletin of the American Society of Papyrologists</i>
<i>BCAR</i>	<i>Bulletino della Commissione Archeologica Comunale di Roma</i>
<i>BCTH</i>	<i>Bulletin archéologique du Comité des Travaux historiques</i>
<i>BEO</i>	<i>Bulletin d'études orientales</i>
<i>BF</i>	<i>Byzantinische Forschungen. Internationale Zeitschrift für Byzantinistik</i>
<i>BICS</i>	<i>University of London, Institute of Classical Studies Bulletin</i>
<i>BMB</i>	<i>Bulletin du Musée de Beyrouth</i>
<i>Britannia</i>	<i>Britannia: a Journal of Romano-British and kindred studies</i>
<i>BSAF</i>	<i>Bulletin de la Société nationale des antiquaires de France</i>
<i>Byzantion</i>	<i>Byzantion: Revue internationale des études byzantines</i>
<i>BZ</i>	<i>Byzantinische Zeitschrift</i>
<i>CdE</i>	<i>Chronique d'Egypte</i>
<i>Chiron</i>	<i>Chiron. Mitteilungen der Kommission für alte Geschichte und Epigraphik des deutschen archäologischen Instituts</i>
<i>Class. Phil.</i>	<i>Classical Philology</i>
<i>CLRE</i>	<i>R. S. Bagnall, A. D. E. Cameron, S. Schwartz, K. A. Worp, Consuls of the Later Roman Empire (Philological Monographs of the American Philological Association 36; Atlanta, 1987)</i>
<i>CR</i>	<i>Classical Review</i>

<i>CQ</i>	<i>The Classical Quarterly</i>
<i>CRAI</i>	<i>Comptes rendus de l'Académie des Inscriptions et Belles-Lettres</i>
<i>Dacia</i>	<i>Dacia: Revue d'archéologie et d'histoire ancienne</i>
<i>DACL</i>	F. Cabrol & H. Leclercq, <i>Dictionnaire d'archéologie chrétienne et de liturgie</i> (Paris, 1903-1952)
<i>DOP</i>	<i>Dumbarton Oaks Papers</i>
<i>Emerita</i>	<i>Emerita: Revista de lingüística y filología clásica</i>
<i>Epigraphica</i>	<i>Epigraphica: rivista italiana di epigrafia</i>
<i>GRBS</i>	<i>Greek, Roman and Byzantine Studies</i> [vol. 1 (1958), <i>Greek and Byzantine Studies</i>]
<i>Helikon</i>	<i>Helikon: rivista di traduzione e cultura classica dell'Università di Messina</i>
<i>Hermes</i>	<i>Hermes: Zeitschrift für classische (klassische) Philologie</i>
<i>Historia</i>	<i>Historia: Zeitschrift für alte Geschichte</i>
<i>HLL</i>	<i>Iwan von Müllers Handbuch der Altertumswissenschaft. Neubearbeitung</i> , edd. W. Otto & H. Bengtson (München, 1928-) 8. <i>Abteilung: Handbuch der lateinischen Literatur der Antike</i> , edd. R. Herzog & P. L. Schmidt
<i>HSCP</i>	<i>Harvard Studies in Classical Philology</i>
<i>HZ</i>	<i>Historische Zeitschrift</i>
<i>Ivra</i>	<i>Ivra: Rivista internazionale di diritto romano e antico</i>
<i>JEA</i>	<i>Journal of Egyptian Archaeology</i>
<i>JHS</i>	<i>The Journal of Hellenic Studies</i>
<i>JJP</i>	<i>Journal of Juristic Papyrology—Rocznik papirologii prawniczej</i>
<i>JRA</i>	<i>Journal of Roman Archaeology</i>
<i>JRS</i>	<i>The Journal of Roman Studies</i>
<i>JTS</i>	<i>The Journal of Theological Studies</i>
<i>JWI</i>	<i>Journal of the Warburg and Courtauld Institutes</i>
<i>Labeo</i>	<i>Labeo: rassegna di diritto romano</i>
<i>Latomus</i>	<i>Latomus: Revue d'études latines</i>
<i>MEFR</i>	<i>Mélanges d'archéologie et d'histoire de l'Ecole française de Rome</i>
<i>MEFRA</i>	<i>Mélanges de l'Ecole française de Rome Antiquité</i>
<i>MEFRM</i>	<i>Mélanges de l'Ecole française de Rome Moyen âge et temps modernes</i>
<i>MRR</i>	T. R. S. Broughton, <i>The Magistrates of the Roman Republic</i> (Philological

- Monographs of the American Philological Association 15) 2 vols. (New York, 1951-1952), vol. 3 *Supplement* (Atlanta, 1987)
- OCD*² *The Oxford Classical Dictionary* 2nd ed., edd. N. G. L. Hammond & H. H. Scullard (Oxford, 1970)
- OLD* *Oxford Latin Dictionary*, ed. P. G. W. Glare (Oxford, 1968-1982)
- ODB* *The Oxford Dictionary of Byzantium*, edd. A. P. Kazhdan et al. (New York and Oxford, 1991)
- PAPS* *Proceedings of the American Philological Society*
- PBA* *Proceedings of the British Academy*
- PBSR* *Papers of the British School at Rome*
- Philologus* *Philologus: Zeitschrift für klassische Philologie*
- Phoenix* *Phoenix: the Journal of the Classical Association of Canada*
- PIR* H. Dessau, E. Klebs, P. de Rohden, *Prosopographia Imperii Romani saec. I. II. III* 3 vols. (Berlin, 1897-8)
- PIR*² E. Groag, L. Petersen, A. Stein, *Prosopographia Imperii Romani saec. I. II. III* 2nd ed. (Berlin and Leipzig, 1933-)
- PLRE 1* A. H. M. Jones, J. R. Martindale, J. Morris, *The Prosopography of the Later Roman Empire, volume I A.D. 260-395* (Cambridge, 1971)
- PLRE 2* J. R. Martindale, *The Prosopography of the Later Roman Empire, volume II A.D. 395-525* (Cambridge, 1980)
- PLRE 3* J. R. Martindale, *The Prosopography of the Later Roman Empire, volumes IIIA & IIIB A.D. 525-640* (Cambridge, 1992)
- PP* *La parola del passato. Rivista di studi classici* (from vol. 10 (1955) *di studi antichi*)
- P&P* *Past and Present: a Journal of Historical Studies*
- RE* *A. F. von Pauly's Real-Encyclopädie der classischen Altertumswissenschaft. Neue Bearbeitung*, edd. G. Wissowa, W. Kroll, K. Mittelhaus, K. Ziegler (Stuttgart 1894-1980)
- REA* *Revue des études anciennes. Annales de la Faculté des Lettres de l'Université de Bordeaux III*
- REG* *Revue des études grecques*
- REL* *Revue des études latines*

<i>Rev. Hist.</i>	<i>Revue historique</i>
<i>RHD</i>	<i>Revue historique de droit français et étranger</i>
<i>RIDA</i>	<i>Revue internationale des droits de l'Antiquité</i>
<i>RPh</i>	<i>Revue de philologie de littérature et d'histoire ancienne</i>
<i>Rhein. Mus.</i>	<i>Rheinisches Museum für Philologie</i>
<i>Röm. Mitt.</i>	<i>Mitteilungen des deutschen archäologischen Instituts. Roemische Abteilung</i>
<i>Romania</i>	<i>Romania. Recueil trimestriel consacré à l'étude des langues et des littératures romanes</i>
<i>RSA</i>	<i>Rivista storica dell'Antichità</i>
<i>SDHI</i>	<i>Studia et documenta historiae et iuris</i>
<i>Speculum</i>	<i>Speculum: a Journal of Medieval Studies</i>
<i>Syria</i>	<i>Syria: Revue d'Art oriental et d'Archéologie</i>
<i>TAPA</i>	<i>American Philological Association Transactions</i>
<i>TAPS</i>	<i>Transactions of the American Philological Society</i>
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>Tyche</i>	<i>Tyche: Beiträge zur Altengeschichte, Papyrologie und Epigraphik</i>
<i>TLL</i>	<i>Thesaurus Linguae Latinae (Leipzig, 1900-); Supplementum (Leipzig, 1958)</i>
<i>T&MByz</i>	<i>Travaux et mémoires du Centre de recherche d'histoire et civilisation de Byzance, Collège de France</i>
<i>ZPE</i>	<i>Zeitschrift für Papyrologie und Epigraphik</i>
<i>ZSS</i>	<i>Zeitschrift der Savigny-Stiftung für Rechtsgeschichte (Romanistische Abteilung)</i>

Introduction

1. *Definition*

The main title of this thesis, "The Creation of the Roman State", might strike the reader as more than a little strange, seeing that its subject is the transformation of the social and administrative structure of the Roman empire during the third and early fourth centuries AD. Discussion of the whole period is greatly influenced, whether implicitly or explicitly, by the debate on the question of the 'fall of the Roman empire', especially as concerns the search for internal structural explanations. This is not primarily my concern here, since, as will become apparent, I do not understand the most significant social and administrative changes that the empire underwent at this time as a response to crisis.¹ There can be little doubt that this was indeed a period of transition. However, the precise nature of the transition appears somewhat more elusive. One impediment to the understanding of this is, I believe, the prevailing terminology for the historical periods concerned. The very diversity of terms in current use reflects the diversity of interpretations of the subject. Clearly these are all far from being either synonymous or synchronous with each other, but it is not without significance that one can group these pairs around a fulcrum which is usually to be placed in third and early fourth centuries. Thus, in English at present, one finds employed in opposition to the 'the Roman empire', the 'early empire', the 'principate' or 'classical antiquity', the terms 'Byzantine empire', 'late(r) Roman empire', the 'dominate', 'late antiquity' and most recently 'the new empire'.² These are accompanied by a variety of chronological definitions. While most scholars would see the turning point as coming somewhere in the third century AD, at precisely what point there is less certainty. Estimates vary between the extremes of as early as the reign of Septimius Severus and as late as that of Diocletian. Thus in the English-speaking world the *termini* of the 'later Roman empire' have been set to a large extent by A. H. M. Jones' influential *Later Roman*

¹ As argued (or at least assumed), for instance, by R. MACMULLEN, *Roman Government's Response to Crisis AD 235-337*, and A. DEMANDT, *Die Spätantike*, 1-46.

² Although here I confine my argument to English, most of these terms have direct equivalents in current academic usage in, for example, German, French, Italian and Spanish. The title of T. D. BARNES' *The New Empire of Diocletian and Constantine* (1982) has been taken up by A. M. CAMERON in chapters 3 and 4 of *The Later Roman Empire* (1993).

Empire AD 284-602, though the same author's *Prosopography of the Later Roman Empire* runs from 260, while the *Prosopographia Imperii Romani* ends with the reign of Diocletian. The overall impression gained is that the third century represents a broad and murky threshold across which scholars seem to tread only with extreme trepidation. Hence there is a tendency for early imperial studies to set their terminal date at the death of Severus Alexander in 235, or to coincide with the end of Herodian's history in 238. Much more rarely is the definition taken down to the death of Constantine.³ On the other hand, authors of studies of the later period often choose, as Jones did, the elevation of Diocletian in 284 as their starting point;⁴ indeed this date is not infrequently and somewhat illogically taken as the beginning of something known as 'the fourth century'.⁵ Such is the confusion that the *Roman Empire* volume of the Fontana History of Ancient World covers the period 44 BC to AD 235, while its successor only takes up the story in 284.⁶ The designation of historical periods is, of course, the retrospective construction of the historian. Such designations are nonetheless influential, even if only at an unconscious level, in shaping the thoughts of historians. The very variety of terminology reflects the variety of historiographical approaches, most of which I consider to be unhelpful in discussing the transition and some to be actively misleading.

Of these terms the least misleading is probably that of 'late antiquity', purely by the fact of its very looseness and flexibility. The term derives from the translation of the venerable German 'Spätantike' but owes its popularity in English, I believe, to the title of Peter Brown's *The World of Late Antiquity* (1971) and an article of the same vintage.⁷

³ F. G. B. MILLAR, *The Emperor in the Roman World (31 BC – AD 337)* and *The Roman Near East, 31 BC – AD 337*.

⁴ e.g., O. SEECK, *Geschichte des Untergangs der antiken Welt*, R. S. BAGNALL et al., *Consuls of the Later Roman Empire*—the last a book which perhaps ought better to have taken AD 314 as its starting point (see Part Three).

⁵ e.g. R. DELMAIRE, *Les responsables des finances impériales au Bas-Empire romain (IV^e-VI^e s.)*, who starts his catalogue with the reign of Diocletian. Cf. the 'fifth century' BC of Greek history which not infrequently seems to terminate prematurely with the end of Thucydides in 410.

⁶ C. M. WELLS, *The Roman Empire*², v 'on the Roman Empire from 44 BC to AD 235' Cf. A. M. CAMERON, *The Later Roman Empire, AD 284-430*. However, this lacuna may be more the result of accident than design, since the later volume was not conceived as a part of the original series, having only been commissioned to coincide with the preceding volume's second edition.

⁷ P. R. L. BROWN, "The Rise and Function of the Holy Man in Late Antiquity", *JRS* 61 (1971), 80-101.

neither of which make any inherent claims to define a political system. On the contrary it is a predominantly cultural definition. The ambiguity of the term is clear from the very asymmetry of the pair: classical v. late antiquity. For, 'late' is not under normal circumstances understood as a natural antonym of 'classical'. One might perhaps understand 'late antiquity' as an ellipsis for 'late (classical) antiquity'. Alternatively it might be the hybrid offspring of the terms 'late Roman' and 'classical antiquity', in order to indicate the survival of classical antiquity in the late Roman world. Whichever the genesis, the connotation of the term is the same: that the basics of classical civilization survived, albeit in a changed environment. Averil Cameron has warned that this environment is in danger of becoming 'an exotic territory, populated by wild monks and excitable virgins and dominated by the clash of religions and lifestyles.'⁸ It is a world defined more than anything by an atmosphere of heightened religiosity and introspective meditation, which, if we are to believe E. R. Dodds, is to be discerned already in M. Aurelius' *Meditations*.⁹ One of the chief symptoms of this new religiosity is naturally the rise of Christianity. However, tempting as it may seem, taking the 'triumph of Christianity' as the distinguishing feature¹⁰ does not in itself satisfy as an explanation for the clear differences between the social and governmental structures of the second and fourth centuries. As Peter Brown has himself said,

*'The drastic rearrangement of so many classical traditions in order to create a whole new heraldry of power was one of the greatest achievements of the late Roman period. Yet it would be misleading to claim that changes in this large area of social and cultural life reflected in any way a process of Christianization.'*¹¹

Useful in its elasticity,¹² the concept of late antiquity does little to clarify the distinctive-

⁸ A. M. CAMERON, *The Mediterranean World in Late Antiquity*, 6.

⁹ E. R. DODDS, *Pagan and Christian in an Age of Anxiety*, 3f. For a lengthy analysis of the psychological aspect see now also K. STROBEL, *Das Imperium Romanum im 3. Jahrhundert' Modell einer historischer Krise?*

¹⁰ As did G. GLOTZ's *Histoire générale* series, which makes a break at the council of Nicaea, dividing the fourth volume of its *Histoire romaine* between M. BESNIER's *L'Empire romain de l'avènement des Sévères au concile de Nicée* and A. PIGANOL's *L'Empire chrétien*.

¹¹ P. R. L. BROWN, "The Problem of Christianization", *PBA* 82 (1992), 96.

¹² Compare, for instance, P. R. L. Brown, *The World of Late Antiquity, AD 150-750* with C. M. ROUECHÉ, *Aphrodisias in Late Antiquity*, covering the period 250-641, or A. M. CAMERON, *The*

ness of the historical periods divided by the third century.

As for the terms 'later Roman empire' and 'dominate', the use of the latter explicitly reflects a belief that the later third century saw the imposition by military force of an oppressive bureaucratic system in order to stem a decline. Its obviously negative connotations have caused it to go out of fashion in the circle of later Roman studies, but it still retains some currency.¹³ With the dominate we are clearly engaged in the debate on the origins of the 'decline of the ancient world'; a debate which has frequently inspired undeniably great writing, but which is, equally as often, less than entirely persuasive as history. The classic account is that of the twelfth chapter of Mikhail Rostovtzeff's *Social and Economic History*, entitled "The Oriental Despotism and the Problem of the Decay of Ancient Civilization", in which he took the theory of decadence in the third century to new heights, or rather lows.¹⁴ While the shadow of the Bolshevik Revolution might loom over Rostovtzeff's historiographical interpretation, similar sentiments are to be found in Edward Gibbon's *History of the Decline and Fall of the Roman Empire*; though Gibbon himself sought the turning point as far back as the accession of Commodus. And even if Rostovtzeff's interpretation is not derived directly from Gibbon, it certainly stems from the same Enlightenment perception which valued what it saw as the 'rationalism' of classical Athens as the most praiseworthy legacy of Antiquity (a fact reflected in the eighteenth-century predilection for classical Greek architecture). The Roman era was distinctly second best and worse still was Rome in the Christian era. This is not to say that Gibbon saw Christianity as the sole cause of the fall of the empire. In fact he names no one cause, since his purpose was primarily descriptive rather than analytic. Nevertheless the advent of the Christian empire represented the triumph of superstition over rationalism, which was associated in the political field with an 'oriental despotism'. Although there has been a secularisation of the debate since the eighteenth century—that is scholars prefer not to see Christianity as playing so much of a positive or negative role in the transformation of classical antiquity—the theme of decadence is still strong.¹⁵ The judgement remains

Mediterranean World in Late Antiquity, AD 395-600.

¹³ e.g., A. W. LINTOTT, *Imperium Romanum* (1993), 190.

¹⁴ Even ROSTOVITZEFF himself later admitted that he might have been too pessimistic (*SEHRE*² II, 748 n.1).

¹⁵ viz Frank WALBANK's, *The Awful Revolution: the Decline of the Roman Empire in the West.*

implicit, for instance, in the persisting French terminology which contrasts 'Haut-Empire' with 'Bas-Empire'.¹⁶ The whole concept of the dominate ultimately rests upon a false contrast with the term 'principate'. Although we can with some justification term Augustus' rule 'principate', since this is how Tacitus himself describes it at *Annals* 1.1, that writer does so in explicit contrast to the *libera res publica* which it has replaced. It is clear from a passage of the *Agricola* that Tacitus did not intend *principatus* in any sense approaching 'constitutional monarchy', with which meaning it is used by some modern scholars.¹⁷ Thus *principatus* remained the normal word for the rule of an emperor as long as there were such in the Latin West.

Even to use the apparently neutral term 'later Roman empire' is in some aspects problematic. Simply in employing the qualification 'later', an uninterrupted continuity with the (early) Roman empire is suggested; i.e. that it was an empire in the same way as was the earlier empire. This, I argue, encourages the notion that it was some sort of rather heavy-handed attempt to reproduce the conditions of the principate after military disaster in the third century. From this point of view the term comes to bear much the same meaning as the more obviously pejorative 'dominate' (see above). I need only quote, by way of recent example, a passage from a chapter entitled "Government and Administration in the Late Roman Empire" written by Wolfgang Liebeschuetz, whose vocabulary clearly expresses the negative judgement:

'From the point of view of administration the most harmful aspect was the weakening of city organization. . . . By leaving most administrative tasks to city authorities the Empire had been able to manage with a very small staff of officials of its own. This would no longer be possible after the third century. Another damaging development was that the patriotic pride of the ruling and privileged Roman nation which had once held the empire had been diluted out of existence with the conferment of citizenship on all free inhabitants of the empire by Caracalla (AD 212). More damaging still,

¹⁶ Coined, apparently, by Charles LE BEAU, author of the 28-volume *Histoire du Bas-Empire en commençant à Constantin le Grand* (1752-1817); on which see A. CHASTAGNOL, *L'Evolution politique, sociale et économique du monde romain*, 7-11.

¹⁷ cf. the contrast drawn at *Agricola* 3.1: 'Nerva Caesar res olim dissociabilis miscuerit, principatum ac libertatem, . . .' On the pairing of the terms 'principate' and 'dominate' in historiography see generally Jochen BLEICKEN's pamphlet *Prinzipat und Dominat. Gedanken zur Periodisierung der römischen Kaiserzeit*.

*privilege of Roman citizenship had been progressively replaced by a privilege of class, the division of the inhabitants of the empire into honestiores (soldiers, decurions, equestrians and senators) and humiliores (everybody else, including the peasants), with the inevitable long term result that those without privilege became completely alienated from the empire.'*¹⁸

At the root of the problem lies the deficiency inherent in the terms 'Roman empire' or 'imperial period' as a definition of the period from the reign of Augustus onwards, ultimately dependent as this is upon a distinction between empire and republic as systems of political organisation. But *imperium* and *res publica* are not used as antonyms by classical authors. In fact when referring to the 'state' as an abstract concept, *res publica* remained the normal term throughout the 'principate' and into the fourth century and beyond. This in itself is hardly a surprise. For Augustus to have admitted that he had in any way established a *regnum* would have been politically unsupportable, undermining the credibility of his own rhetoric promoting the notion of the *res publica restituta*. Innovation was best dressed up with an appeal to the *mos maiorum*. If we are to describe Augustus' new regime in contrast to the republic, we can legitimately use 'principate' in the sense originally intended by Tacitus (see above). German scholars are at a distinct advantage here, having to hand the terms Kaiserzeit or Kaiserreich. For, although used in English (as well as French, Spanish and to some extent Italian) to connote the rule of an emperor, the noun 'empire' and the adjective 'imperial' do not at root bear this meaning. *Imperium* might indeed be the authority of an *imperator*, but his rule, I suppose, ought to be described as imperial rather than imperial.¹⁹ Thus, when I use the term 'Roman empire', I do not intend to designate the government of Augustus and his successors but a meaning closer to the original sense of the Latin, *imperium Romanum*; that is literally the authority of Rome beyond its natural *territorium*, the territorial extension of which began long before Augustus, of course. Thus the *imperium Romanum* was geographically more extensive than the *res publica*. For in basic etymology, as well as reality, the *imperium Romanum* comprises, in Greek terms, the rule of the citizens of the city-state (πόλις) of Rome over other non-Roman, non-citizen elements, as opposed to a homogeneous nation (ἔθνος). In

¹⁸ J. H. W. G. LIEBESCHUETZ, "Government and Administration in the Late Roman Empire" in J. WACHER (ed.), *The Roman World*, 455.

¹⁹ Supported for instance, by the usage of the elder Pliny, *NH* 7.44, Tacitus, *Agr.* 39.3, Suetonius, *Vesp.* 14.1 and Fronto, *ad Verum* 2.123N [Haines, 136].

this sense the constitution did not change with the institution of the Caesarian monarchy. Indeed the historian of the fourth century AD, Eutropius, began his brief history of the *imperium Romanum* with the foundation of the city of Rome by Romulus. While ancient writers of the post-Augustan era would mostly agree in seeing Augustus as ushering in a new order,²⁰ the first *princeps* does not for them mark the beginning of the Roman *imperium* or ἀρχή. It is thus natural that Romans of the ‘imperial’ period should not use ‘empire’ in opposition to *res publica*.

By the structural definition of empire, then, the empire of Romans over non-Romans did indeed come to an end in the third century, or more specifically with the grant of the emperor M. Aurelius Antoninus (Caracalla) in AD 212, whereby all free subjects of the empire, perhaps with minor exceptions, received the Roman citizenship. This is not to profess a belief in hermetically sealed historical periods, at the opening of which everything suddenly changes. Although it was almost certainly not the emperor’s intention, nevertheless by this single action the empire ceased to be such, I believe, and became in theory a nation-state of Roman citizens, whether they became immediately conscious of the fact or not. Mikhail Rostovtzeff, rather implausibly, considered it Caracalla’s intention to degrade the Roman citizenship out of hatred of the empire’s aristocracy and bourgeoisie.²¹ While I cannot concur, I do believe that the new citizens regarded their citizenship in different light from those who possessed the franchise before 212. In time the vast majority of the empire’s inhabitants came to look upon themselves no longer as subject to an empire of Rome—as had been the case both symbolically and in fact since the days of the Republic—but as constituents of a nation-state, ‘Romania’ in their own parlance. The *imperium* and the *res publica* had become all but co-terminous. However, for the new citizens this did not necessarily entail a denial of their own communal identity nor herald any increase in loyalty to the Roman state or the formation of a new homogeneous empire-wide culture. Rather, I will argue, local cultural differentiation was included within a new broader definition of Roman (see Part One).

²⁰ Signalled, for example, in the *Histories* of Cassius Dio by the fictionalised debate between Agrippa and Maecenas (52.1-41). On Dio’s treatment of Augustus as founder of the new order see J. W. RICH’s commentary on Books 53-55, *Cassius Dio: the Augustan Settlement*, and on the debate itself as a senatorial perspective on the Severan regime, U. ESPINOSA RUIZ, *Debate Agrippa-Mecenas en Dion Cassio*.

²¹ M. I. ROSTOVITZEFF, *SEHRE*², 418-20.

This, I believe, had an influence on the subsequent development of social and administrative institutions. While some of the developments within the Roman government must clearly be the result of the political and military disruptions of the five decades between the 230s and 280s, I do not consider that all of them can be convincingly explained as responses to the ‘third-century crisis’. The need to adapt during this period may have given some impetus to the transformations effected in the third and early fourth centuries, but their course was determined, I believe, by a deep-seated re-orientation of the identity of the Roman world—a logical consequence of the *Constitutio Antoniniana*. By the end of Constantine’s reign the institutions of the city of Rome had been removed both symbolically as well as practically from their central role in the government of the Roman state. In place of the Rome-centred administration of the earlier period a structurally and symbolically independent imperial state, tied to no particular geographical centre, was installed (Part Three). This is the essence of the ‘new empire’ of Diocletian and Constantine. Thus the appellation ‘Byzantine empire’ (if one understands this as being inaugurated by the foundation (AD 325) or consecration (AD 330) of Constantine’s city) has to be rejected for this state on two counts. Firstly, and not least, because the inhabitants of the latter never used Byzantine with reference to themselves, unless specifically as residents of the city, and still less with reference to the state in which they lived. And secondly because it was not an empire of the city of Constantinople in the same way as it had earlier been one of the city of Rome and consequently there was never any question of it becoming known as a ‘Constantinopolitan’ or ‘Byzantine’ empire.

It is these various considerations which have dictated the chronological limits of this dissertation and at the same time have prompted me to avoid such terms as ‘later Roman empire’, ‘new empire’, etc., in its title and instead to alight upon ‘the Roman state’. I do not expect it to achieve any currency but I feel that it is necessary in order to express the contrast I intend with the concept of ‘the Roman empire’. Just as this dissertation does not concern itself with the advent of the Christian empire, neither is it engaged in the debate about the ‘decline of the Roman empire’, nor is it a comparison of the effectiveness of the earlier and later empires as systems, since this can only be attempted once it is appreciated that we are not comparing like with like. In truth the Roman empire after the *Constitutio Antoniniana* was to be neither Roman nor an empire in the same way as it had been beforehand. The nature of the transformation from empire to nation-state has been

obscured for modern and ancient scholars alike by the advent of the Christian empire which overlaid it in the century following the conversion of Constantine. For both pagan writers, such as Zosimus, and Christians, such as Orosius, this was the single most important aspect of the state in which they lived. Although the new religion was an important new factor in social relations and the formation of government policy from the Theodosian age onwards, the transformation of the structures of the Roman empire was an independent phenomenon. Therefore the aim of this thesis is simply to attempt a definition of the nature of this later Roman state in the social and administrative aspects crucial to its definition.

II. Method

Ancient History has traditionally taken its lead from the narrative accounts of ancient historians. In the absence of such narrative histories dark ages intervene. The period from the 230s until the 350s is just such a period. Between the close of the text of Herodian in 238 and the start of the first surviving book of Ammianus Marcellinus, Book Fourteen, in 353/4 there survives no extensive narrative of political history in the mould of Tacitus or Cassius Dio. Skeletal accounts are preserved in the Latin tradition by Sex. Aurelius Victor's *Historiae abbreviatae* (vulgo *liber de Caesaribus*), the *Epitome de Caesaribus*, and Flavius Eutropius' *Breviarium historiae Romanae*—all of which are closely related and appear to be dependent upon a common source of imperial biography, known after its hypothesizer as Enmann's *Kaisergeschichte*.²² The only significant independent account is the anonymous, enigmatic and extremely valuable *Origo Constantini imperatoris*, but this itself is very brief and is limited to Constantine's reign alone.²³ It is, however, doubtful that even if the *Kaisergeschichte* were preserved it would represent a significant supplement to our knowledge of the period. From the evidence of the multifarious inventions of the *Historia Augusta*, which also seems to have been dependent upon the lost *Kaisergeschichte* for the period from the end of Marius Maximus' history (probably with Elagabal), the lost history cannot have been a particularly full source itself. Indeed at least one piece of

²² A. ENMANN, "Eine verlorene Geschichte der römischen Kaiser", *Philologus* Supp. 4 (1884), 337-501. For a recent discussion of its chronological coverage (up to 337 or 357?) see H. W. BIRD, "Further Observations on the Dating of Enmann's *Kaisergeschichte*", *CQ* n.s. 23 (1973), 375ff.

²³ T. D. BARNES, "Jerome and the *Origo Constantini Imperatoris*", *Phoenix* 43 (1989), 160f, has recently defended its independence and mid-fourth century date.

information it has provided has been proved false, which further undermines the credibility of its vestiges.²⁴ Since each one of the lost thirteen books of Ammianus covered on average a period of twenty years, compared with the twenty-five covered by the surviving eighteen, he is hardly likely to have been any better informed. The one Latin source that does discuss Diocletian's programme of governmental reforms, namely the *de mortibus persecutorum* of the Christian rhetor Lactantius, unfortunately has an avowedly polemical purpose; according to which, as one of the originators of the Great Persecution, Diocletian can only have had the oppression of the people as his purpose.

The Greek historiographical tradition, somewhat more robust, also suffered something of a hiatus. For the third century after Cassius Dio, it is represented by a history of his own times to c. 270 by the Athenian P. Herennius Dexippus, then no activity until his continuation by Eunapius in the early fifth century. Neither survives in full: Dexippus' *Chronica* only in fragments and Eunapius largely as the source of the early sixth-century Zosimus.²⁵ The significance of these losses is difficult to assess. It has recently been doubted whether Dexippus had any better grip on the outline of political events of his own time than had the near contemporary composer of the thirteenth Sibylline oracle.²⁶ Zosimus on the other hand presents a problem of religious bias. As an ardent pagan, his polemical purpose, makes it highly likely that the account of Constantine is deliberately distorted in order to ascribe to him the decline of the empire. To judge from the evidence of Photius' epitome, Praxagoras of Athens' two-book *Historiae de Constantini Maximi* of the mid fourth century had little insight to offer concerning the emperor's policies; it is biography rather than history.²⁷ The poor quality of the fragments of the mutilated twelfth book of the sixth-century *Chronographia* of John Malalas is a further indication that historians of the Greek East were little better informed on the third century than those of the Latin West.²⁸ The new genre of ecclesiastical history, pioneered by Eusebius of Caesarea—who has some claim to be the first scientific historian—is naturally less informative about administrative developments. Because of the dominance of a partisan

²⁴ For the argument see R. SYME, *Emperors and Biography*, 149.

²⁵ Those fragments which survive from the Suda and the tenth-century encyclopaedic works, *de sentiis* and *de legationibus*, are collected in *FHG* 4, 7-56.

²⁶ So argues D. S. POTTER, *Prophecy and History in the Crisis of the Roman Empire*, 82.

²⁷ Photius, *Bibliotheca* 62 [Bekker, 20] = *FHG* 4, 2f.

²⁸ Fragments assembled by E. JEFFREYS et al., *The Chronicle of John Malalas*, 157-162.

religious agenda, what little the same author's *Vita Constantini*, composed shortly after the emperor's death, has to contribute to the reconstruction of the political history of the reign is highly problematic.²⁹ These sources can be supplemented by the odd titbit from the meagre entries of world chronicles, another genre popularized by Eusebius, but reconstruction of a coherent narrative history of the period remains as impossible a task for us as it seems to have been to Romans of the later fourth century. This in itself is a significant fact. It seems highly likely that those in literary circles in the third century did not have the kind of access to political circles that would allow them to write history in the same vein as Tacitus or Dio. A symptom of the third-century divorce of the intellectual from the governmental class.

Perforce, then, we must fall back on documentary sources, chiefly epigraphic and papyrological, but not forgetting the important corpus of imperial constitutions provided by the *Codex Theodosianus* and *Codex Justinianus*. For the fourth-century development of the praetorian prefecture we also have the valuable snippet of Aurelius Arcadius Charisius' one-book legal manual, *de officio praefecti praetorio*, preserved in Justinian's *Digest*.³⁰ Thus, while we are unable to write narrative history from these sources, they do enable us to reconstruct a different sort of history, which was probably not of interest nor accessible to the writers of the third and fourth centuries but by which the transformation of the state can be measured; namely institutional history. This was not a recognised genre of classical literature (save, perhaps, the collection of city constitutions by the school of Aristotle), until established by the example of the *Historia ecclesiastica* of Eusebius. As a genre it remained largely restricted to ecclesiastical history, however. The sole surviving exception is John the Lydian's *de magistratibus* of the mid sixth century.³¹ Although his work is

²⁹ On which see T. D. BARNES, "Panegyric, History and Hagiography in Eusebius' *Life of Constantine*", *The Making of Orthodoxy*, 94-123.

³⁰ *Digest* 1.11. Arcadius Charisius fulfilled the office of imperial *magister libellorum* sometime after AD 331, according to A. H. M. JONES, *LRE*, 37 n.1, though an earlier fourth-century date has been proposed (cf. D. LIEBS, *HLL* 5, § 508.1). For a collection of all the known fragments of Arcadius' work see O. LENEL, *Palingenesia Iuris Civilis*, cols 57-60.

³¹ Begun in December 554 but still unfinished in 557 (*PLRE* 2 Ioannes 75). His contemporary, Peter the Patrician (*PLRE* 3 Petrus 6), wrote a similar history of the *magister officiorum* (which office he filled from AD 539-565) from the age of Constantine to Justinian, referred to by John Lydus, *de magistratibus* 2.25. All that survives are the descriptions of court ritual preserved in the *de caeremoniis* of Constantine Prophyrogenitus.

largely devoted to the praetorian prefecture, its usefulness for determining its important third and fourth-century developments is limited as much by the paucity of the author's genuine knowledge as by his peculiar historiographical scheme.³²

Therefore, since the nature of the source material does not allow me to present a continuous narrative of the creation of the late Roman state out of the empire of Rome, I have instead attempted to provide a coherent general overview of the transformation by means of the analysis of a series of specific themes and the corresponding problems which accompany them. These are necessarily technical discussions of some detail. However, the detail is not without a purpose. I have concentrated on those aspects of society and administration which seemed to be most amenable to some kind of constructive solution and most relevant to unravelling the nature of the evolution of the form of the Roman state in the third and fourth centuries.

Since I consider the *Constitutio Antoniniana* as the seed for the genesis of the fourth-century Roman state, a fact reflected in the shape of society and administration, Part One is dedicated to a discussion of the impact of the *Constitutio*. Prefaced by a brief outline of the social and administrative structure of the empire before 212, is an analysis of the impact of the grant of citizenship upon both the subject individual and the institutions of the Roman state. This in itself is not easy to demonstrate, and the plausibility of the argument rests to a large extent upon an ability to prove that Caracalla's grant was not the culmination of a long process of acculturation and broadening of the franchise, but was instead a revolutionary event for which neither the administration nor the vast majority of its beneficiaries were prepared. In fact both the scale and nature of the effect of the *Constitutio* on Roman society can, I believe, be measured and clarified with reference to the change it wrought in Roman onomastic practice. The effect of the *Constitutio* on the formation of a new type of Roman identity, divorced from the Roman provincial culture hitherto produced by the process of Romanisation, is also analyzed by an examination of personal naming practices of the new citizens. Further still, the development of Roman onomastics in the later third and early fourth centuries is used to demonstrate the manifestation and orientation of the social order of the emerging Roman state, at the same time shedding light on the vertical as well as horizontal divisions of society.

³² On Lydus' sources and the elaborate historical fiction with which he filled the deficiency see M. MAAS, *John Lydus and the Roman Past*, 83-92.

Part Two explores the development of the praetorian prefecture, which has the virtue of providing a thread of continuity through the third century. Moreover, as one of the key institutions of both the 'early' and the 'new empire', the very nature of the transformation of the prefecture provides an indication of the way in which the administrative structure was evolving. The crucial period of its development requiring elucidation proved to be that of the reigns of Diocletian and Constantine. Chapters Five to Seven trace the outline of the current state of theory and research with the implications for these theories of epigraphic discoveries made in the 1980s. A firm basis for the relative chronology of the known prefects under Constantine, with its implications for the nature of the prefecture, is provided by a new theory of interpretation of the epigraphic material. Building on this new interpretation the other disparate evidence, chiefly that of the law codes, is reappraised, resulting in an updated prosopography of the praetorian prefects under Diocletian and Constantine. My conclusions concerning the Constantinian prefecture made desirable an extension of the scope of the prosopography of the prefects into the early 340s, in order to clarify the relationship between the aristocracy of Rome and the imperial state. As a clarificatory aid to the discussion of the disparate evidence a tabulated comparison of the different sources and the texts of all relevant inscriptions are appended.

Part Three offers a prosopographical catalogue of the consuls over the century between AD 260 and 360, but to a very specific end. Drawing upon the previous analysis of Roman naming practice and the discussion of the praetorian prefecture, the holders of the consulship over the period are examined with particular reference to the internal relationship of each consular pair and their relationship with other pairs. Scrutiny of the consulship, which almost uniquely amongst the offices of the *cursus honorum* maintained its prestige throughout the period, recommends itself on two counts: firstly, the register of consuls provides a fairly good indication as to who was most highly esteemed by the emperors at any period, and secondly, since like the praetorian prefecture it also bridges the historical divide of the third century, its evolution as a continuous institution offers a guide to the nature and chronology of the development of the social and administrative hierarchy of the Roman state. Hence Part Three pulls together the results of both the preceding two discussions and is followed by the overall Conclusion which places the evolution of the hierarchical relationships of the imperial ruling class in the context of the emergence of the institutions of the new Roman state.

Part One

THE CONSTITUTIO ANTONINIANA

The Empire before the *Constitutio Antoniniana*

It is my proposition that the emperor Caracalla's grant of citizenship to the majority, if not all, free subjects of the Roman empire in, or about, AD 212 not only laid the foundations for the growth of the later Roman state but was also its very moment of conception. The eventual result was almost certainly not that foreseen and did not, in any case, make itself felt immediately. I suggest that the change wrought in onomastic practice was one of the unintended results of the *Constitutio Antoniniana* and one which, furthermore, can grant us an insight into not only the proportion of the population affected but also, and more significantly, the nature of its impact. Both the nature and extent of the impact of the *Constitutio* can, I believe, be measured by an analysis of the development of Roman naming practices. Thanks to the Romans' own very individual naming practices, the analysis of onomastic practice can be a very telling indicator of social and political changes. A casual perusal of the fasti of the consulship is enough to indicate that naming practices did not stand still for the thousand-year history of the institution.¹ Again the third century AD is generally acknowledged as the period of transformation. But before any analysis of the impact of the *Constitutio Antoniniana* on the structure of the state can be attempted, I ought to elaborate what I understand this structure to have been in the preceding period.

1. *Nature and Structure*

The Romans' perception of the role of the city within the empire was vital to shaping the structure of the early Empire. The general picture of republican Rome which emerges from the published papers of a recent conference entitled "City-States in Classical Antiquity and Medieval Italy" is that already during the Republican period Rome had long ceased to be a simple city-state. By several criteria it had outgrown the model represented by the classical Greek πόλις. How far it had ever fulfilled this model is also questioned. Polybius' famous description of Rome's constitution has been criticised for anachronism, and Rome's democratic credentials impeached.² Whatever the practical reality, it is of the

¹ On distinguishing the onomastic impact of the *Constitutio Antoniniana* from other unconnected developments in Roman onomastic practice see R. W. B. SALWAY, "What's in a Name? A Survey of Roman Onomastic Practice from c. 700 BC to AD 700", *JRS* 84 (1994), forthcoming.

² J. EMLEM et al. (edd.), *City States in Classical Antiquity and Medieval Italy*; in which see in

utmost importance that the Romans themselves—taking the second-century AD account of Sex. Pomponius' *Enchiridion* (*Dig.* 1.2.2 pr.-§34) as typical—perceived their city to be in the mould of the city-state. For the Romans there was no abstract concept of the state distinct from the community of the citizens of Rome; the Latin *civitas* indicates both 'city' and 'citizenship', and *res publica* similarly encompasses what would be rendered in English as 'constitution', 'state' and 'public affairs'. Despite first the Roman conquest of Italy and then dominance in the entire Mediterranean basin, the *res publica* still preserved the forms of a city-state, however impractical this may have been in reality. The ideological importance of maintaining the basic framework of a city-state form of organisation restrained the development of an openly imperial structure. Thus during the period of the middle and late republic, while the Roman state was undoubtedly aggressive, it frequently displayed a remarkable reluctance to establish formal dominion over those it vanquished. As a consequence much of its hegemony was exercised through quasi-autonomous kingdoms or in the form of unequal treaties of alliance and friendship with other πόλεις.³ Those areas under direct Roman administration (the provinces) were governed by the magistrates, ex-magistrates—or their nominees (*legati*)—who derived their authority (*imperium*), at least in theory, from election by the *populus Romanus*.⁴ The magisterial positions had been developed in order to meet the needs of administering and defending the city-state of Rome, and the *imperium* of provincial governors, when not actually holding the urban offices of quaestor, praetor or consul themselves, remained defined in terms of these magistracies; i.e. *pro praetore* or *pro consule*. Hence, when the constitution (*res publica*) was functioning as it should, the right and opportunity to undertake these provincial administrative posts was dependent on holding offices proper to the city-state of Rome. So the governing class of the empire was defined by the office-holding class of the city, which in modern terms we might term its 'executive'; that is the Senate. There could be no distinction between the executive management of city and empire because the Romans themselves saw no distinction between the government of their city and empire.⁵

particular, T. J. CORNELL, "Rome: the History of an Anachronism", 53-69 and K. A. RAAFLAUB, "City-State, Territory, and Empire in Classical Antiquity", 565-88.

³ For discussion of these various relationships see A. W. LINTOTT, *Imperium Romanum*, 32-42.

⁴ F. W. JASHEMSKI, *The Origins and History of the Proconsular and Propraetorian Imperium*.

⁵ This argument is developed from the analysis of M. I. ROSTOVITZ, *SEHRE*², 136-138.

Here lay the weakness. According to established custom, which received the philosophical support of Greek political theory, it was not merely the privilege of the 'better sort' (i.e. the rich) to govern but also a duty of their station. Thus the annual urban magistracies of the Roman republic were unpaid positions which did not bring a salary but did confer *honor*. This rewarded fulfilment of one's obligations by underpinning the social stratification within the ruling aristocracy. For example, performance of the highest regular magistracy, the consulship, conferred the *consularis dignitas* for life and the inherited caché of *nobilis* for one's descendants. The internal stability of the *res publica* was fatally undermined by the existence of its empire because of ever increasing competition amongst the aristocracy for power which gave access to the rewards to be had from exploitation of the existing provinces and conquests of yet more peoples. Eventually the private wealth acquired by individual commanders began to challenge the official resources of the state. The ugly truth was that, rather than a failure in the *consensus ordinum*, it was a failure in the consensus within the senate's own order which brought down the republic. The republican constitution of the city of Rome failed because it was inadequate to the job of maintaining a large empire. It was simply overwhelmed. The political pretensions of the ruling class of the city, enriched by the empire acquired in the city's name outgrew the checks and balances of the city's constitution. The collapse precipitated the genesis of what is, perhaps misleadingly, entitled imperial government; that is the monarchical government instituted by Augustus. By the time Augustus seized the reigns of government Rome was for all practical purposes mistress of the Mediterranean basin, though expansion continued for some decades and brought vast extra territories within Rome's grasp. It is no mere chronological coincidence that imperial expansion slowed to a very measured pace with the stabilization of Rome's internal politics by the securing of the monarchical succession.

Nevertheless the myth of Rome as a city-state remained symbolically important. Indeed, the concentration of overall power in the hands of one individual—Augustus—was justified specifically on the pretext of preserving the *res publica*. It should be borne in mind that, while there might arise bodies of administrative law concerning the rights and powers of particular offices, the Roman constitution was not a system of written ordinances. This was probably the more typical situation of antiquity.⁶ The classical *πόλις/res publica*

⁶ The nature of the so-called 'Solonian constitution' at Athens is problematic; was it much more than a collection of legal pronouncements on various aspects of common case law? Aristotle's

had in essence a dual nature (institutions and persons) and it functioned largely through precedent and religious prescriptions; i.e. through appeals to the 'mos maiorum' and the 'auspicia', both of which were susceptible to the manipulation of senior statesman, since legality of action, in the modern sense, was not an issue.⁷ The establishment of the monarchy was no more or less 'legal' than the assumption of independent executive power by the republican senate had been. The writ of the senate (the *senatus consultum*) was no more or less a *lex* (an enactment of the sovereign *populus*) than an emperor's *constitutio*. In terms of legal theory neither derived their authority from *imperium* conferred by the *populus Romanus*. So the Augustan monarchy did not mark a great departure in this sense. There was nevertheless a generally understood framework within which one had to operate, the assumptions of which are best observed in the written constitutions the Romans felt able to give to others. For, although lacking one of their own, they felt it necessary to donate them to others. After all the Romans themselves knew by nature how the *res publica* should operate; it was others who needed to be told how to behave. A useful analogy is the twentieth-century spectacle of the British Parliament approving constitutions, drafted by the British government, for its various Dominions and ex-Colonies, while at the same time proudly wearing its own lack of written constitution as a symbol of political maturity. Exactly the same attitude is manifest at Rome.⁸ Such a flexible system allows innovation, evolution, even effective revolution, while at the same time as professing the purpose of restoring the old order. This was Augustus' *modus operandi*.

In a pragmatic sense Augustus' restoration of the Roman republic meant the preservation of the senatorial order as the ruling class of the empire. Thus the advent of the empire so-called did not fundamentally change the relationship of the *res publica* of Rome to the administration of the provinces. Two consuls continued to be nominated

analytic work on constitutions relied on descriptions of how various πόλεις worked, not the texts of constitutions. The *Athenaion Politeia* is of course such a document, being not the description of a fixed written constitution but a historical account of the development of the polity/policy of the Athenian people.

⁷ This analysis derives in the first instance from R. SYME, *The Augustan Aristocracy*, 5.

⁸ Thus the texts of municipal constitutions, The most significant texts are those of Tarentum (*FIRA*² I, No 18), Urso (ibid., No 21) and the generic Flavian law for the Spanish municipalities, known from Malaca and Irni (J. GONZÁLEZ, "The *lex Irnitana*", *JRS* 76 (1986), 147-238), are useful for the light they shed on the assumptions of the political consensus by which Rome was governed, if not the specifics of the workings of the mother *res publica*.

annually and lend their name to the year, and tenure of the urban magistracies remained the basic qualification for administrative office. In fact, two innovations had the effect of further reinforcing the link between the *cursus* of urban magistracies and imperial government. Firstly, since the practical administration of the *urbs aeterna* was put into the hands of a newly created *praefectus urbi*—an appointment made from amongst the most senior consulars—the urban magistracies became, if anything, more relevant to imperial than to city administration. Secondly Augustus effected some accommodation of the city's constitution specifically to the needs of empire by the regular appointment of supplementary magistrates (the *consules suffecti*), so as to produce an increased number of individuals qualified for imperial administration. Despite the division of the responsibility for provincial appointments between the emperor and the *populus Romanus*, both groups of provinces were staffed (with the one major exception of Egypt) by members of the senatorial aristocracy fulfilling traditional offices (as praetorian or consular proconsuls) or delegating for the emperor in positions described in the traditional constitutional forms (as *legati Augusti pro praetore*).⁹ Indeed a case might be made that even the equestrian prefects of the emperor were covered by the republican constitution since the emperors themselves, partly to hide the true nature of their power, employed 'republican' offices, or powers defined in relation to republican offices, to define their position: i.e. *pontifex maximus*, *tribunicia potestas*, *consul*, *proconsul*.¹⁰ Moreover these titles and other imperial titles were, at least in theory, confirmed by a vote of the Senate. Indeed, in the sense that administration largely continued to be done through the constitutional posts of the *res publica* Augustus might justifiably claim to have restored the 'republic'.

The Augustan settlement meant that for most ambitious citizens, it remained the case that it was necessary to gain entry to the Senate in order to become eligible for positions of significant responsibility in the government of the empire. The *res publica* of Rome was thus not simply symbolically but also practically still at the centre of affairs. The replacement of an oligarchical system of government at Rome by a monarchical one had

⁹ On the partition between public and imperial sectors see F. G. B. MILLAR, "The Emperor, the Senate and the Provinces", *JRS* 56 (1966), 156-166, idem, "Triumvirate and Principate", *JRS* 63 (1973), 50-67, and most succinctly "'Senatorial Provinces': an Institutionalised Ghost", *Ancient World* 20 (1989), 93-97.

¹⁰ see further G. RÖSCH, *ONOMA ΒΑΣΙΛΕΙΑΣ*, 72-75 on the use of these 'Funktionstiteln' by emperors.

little effect on the mechanisms of imperial government, bar the prudent precaution of making proconsular governorships salaried posts, to discourage the buccaneering that had been so destructive to the stability of the late republic.¹¹ To the subject Greek or barbarian the situation would scarcely seem to have changed, except perhaps slightly in the direction of clarity. No longer did one have the problem of deciding with which senator or group at Rome it was most advantageous to curry favour. There was now only one patron and benefactor of major significance—the emperor. The realities and ideology of empire had changed little from either the Roman or provincial perspective.

The vast empire was administered by few officials and while the emperors introduced a small number of administrative posts this could in no sense be interpreted as a change from the tradition of ‘government without bureaucracy’, as it has been characterised.¹² The tendency was to plant city institutions in newly conquered territory where such did not already exist, and to use them to take the pressure of administration off the Roman government. To this same end supra-local associations of cities, the *κοινά* of the East, *concordia* of the West, were also fostered to encourage the local communities to stand on their own two feet.¹³ After all, intervention in the local administration of the subject communities for intervention’s sake was not the primary concern of the ruling city and thus Rome exercised little coercive pressure upon them, except on occasions of open rebellion (as notoriously in Judaea). Interference by the emperors or other government representatives was infrequent and usually in response to specific events or interested parties locally.¹⁴ In consequence generally binding enactments and direct initiatives from the centre were not characteristic of the imperial government of the principate. The correspondence of Pliny while governor of Bithynia with the emperor Trajan amply demonstrates how much Roman government was a case of responding to local demands rather than implementing centrally conceived policies; one of the best examples being Pliny’s handling of the Christians denounced to him.¹⁵ To put it crudely, the empire was

¹¹ R. SYME, *The Augustan Aristocracy*, 9.

¹² So runs the analysis of P. D. A. GARNSEY & R. P. SALLER, *The Roman Empire*, 20-40.

¹³ A. H. M. JONES, “The Cities of the Roman Empire”, *Roman Economy*, 2-5 and 33.

¹⁴ Thus, as pointed out by A. RODGER, “The Jurisdiction of Local Magistrates”, *ZPE* 84 (1990), 174-151, the Flavian municipal charters contain a chapter (No 84) designed to prevent less significant cases (worth less than HS 1,000) ever being taken beyond the court of the civic *duoviri*.

¹⁵ Pliny, *Epp.* 10.96; see, in particular, the discussion by F. G. B. MILLAR, *ERW*, 556-558.

left to produce its own profits for the Roman élite, while the emperors engaged in such operations as were necessary to prevent anything disturbing these processes. The Roman government of the imperial period still behaved as if their state was a classical πόλις, even if it was a rather bloated and distorted example.

II. *Citizenship*

The Roman attitude to citizenship was naturally conditioned by the perception of the state as a πόλις. Possession of the *civitas Romana* meant membership of the sovereign body, the *populus Romanus*, of the physical *civitas Romana*, the *urbs* itself.¹⁶ It was within this conceptual framework that the pragmatics of the Romans' policy towards the extension of their citizenship were worked out. The empire was still run by and for the benefit of the Romans, primarily the upper classes of Rome and the Italian communities and Roman citizens elsewhere, and rather as by product for the benefit of the urban plebs in the capital.

The structure of the state had not been unchanging, however. The outcome of the Social War of the early first century BC was effectively to transform this city-state into an Italian nation-state, most of the free inhabitants of the peninsula south of the Po valley receiving Roman citizenship. The Italian peninsula became an extension of the *urbs*. Even in practical terms this was true, since Cicero actually went campaigning in the trans-Appennine region when he was a magisterial candidate. The *populus* of the city was now the populace of the Italian peninsula, an extension of exemption from tribute marking the region out from the subject provinces as an integral part of the πόλις. The concept of dual citizenship also obfuscates the outlines of the Roman imperial state as still adhering to the πόλις and subject territory model; it does not however negate it. The idea that new citizens could retain their native along with their Roman citizenship caught on in the last few decades of the late republic onwards. It was a practical response to the fact that Rome had grown beyond the normal dimensions of a πόλις, controlling the territory and policies of those communities within its empire which were theoretically autonomous or allied to the ruling city.¹⁷ The maintenance of mutually exclusive citizenships was no longer

¹⁶ The *urbs* is referred to as the *civitas Romana* by writers as disparate as Livy and St. Augustine: Livy, 24.8.17, 26.50.6, 27.11.11, 34.9.3; Valerius Maximus, 5.4.3, 5.6.6; Aurelius Augustinus, *de civitate Dei* 2.17.3, 21; Paulus Diaconus, *Epitome Festi* [Lindsay p.160], 344; and is explicitly identified as the *civitas populi Romani* by Vitruvius Pollio, *de architectura* 6.1.11.

¹⁷ For an account of the detailed stages of the development see A. N. SHERWIN-WHITE, *The*

appropriate. Roman involvement in the domestic affairs of subject cities resulted in the presence of an increasing number of Roman citizens who remained resident in their native cities. In order that the cities should not lose their valuable services it became a regular condition of citizenship that it should be received without exempting the recipient from local duties (*salvo iure gentium*) while at the same time now being liable to Roman taxation (*sine diminutione tributorum et vectigalium populi et fisci*). Thus are the terms of the grant of the *civitas Romana* to the family of Aurelius Iulianus *princeps gentis Zegrensi* expressed in the document known as the *Tabula Banasitana*.¹⁸ This document, in fact a dossier of several documents, put together after AD 177, is significant for our discussion of the citizenship in a number of respects: as an indicator of its continuing importance to both the individual and the state in the later second century, as well as for attesting the formula whereby the the rights of the native community were preserved.

The role of Roman citizenship in the scheme of the Roman empire is a result of the Roman attitudes to non-Romans: both Greeks and other barbarians. To the Greeks the barbarian, however noble and virtuous, was never able to partake of the divine gift of Hellenism. The Athenian State was notoriously covetous of its citizenship but the attitude is more generally observable. Greek colonies, although founded in not uninhabited regions, paid little or no attention to the pre-existing population, and parcelled out all the land and political rights to the new colonists from the Greek homeland. There was little interest in extending political sway over non-Greeks and none in their assimilation. The sharp division is most easily observable in the separateness jealously maintained by the Alexandrians in their Egyptian surroundings. Another obvious instance is that of the Massiliot colony of Emporiae (modern day Ampurias), which actually consisted of two autonomous communities, one Greek and one native, separated by a wall within one overall *enceinte*. The community was only united with the settlement of Caesarian colonists there in 45

*Roman Citizenship*², 291-306.

¹⁸ For the text see W. SESTON & M. EUZENNAT, "Un dossier de la chancellerie romaine: la *Tabula Banasitana*" in SESTON, «*Scripta Varia*», 85ff. An excellent photograph of the bronze is reproduced by A. MASTINO, "La ricerca epigrafica in Morocco (1973-1986)", *L'Africa romana* 4, between pp. 368-9. On the implications of the wording see SESTON & EUZENNAT, "La citoyenneté romain au temps de Marc-Aurèle et Commode d'après la *Tabula Banasitana*", «*Scripta Varia*», 77-84; A. N. SHERWIN-WHITE, "The *Tabula Banasitana* and the *Constitutio Antoniniana*", *JRS* 63 (1973), 86-98.

BC.¹⁹ On the other hand being a Roman, while undoubtedly the birthright of the Latins of the city of Rome and their descendants, wherever they might be, was also a possibility for those who were not born racially Romans. The Roman citizenship was certainly more permeable than that of Greek cities but this is not to minimise the divide between membership and exclusion from the sovereign *populus Romanus*. A. N. Sherwin-White emphasises the importance of the inclusion of diverse groups in the foundation myths of the Roman state, which he saw as the key to the Roman unification of Italy and finally, so he claims, of the civilized world.²⁰ One was able, by adopting Roman ways and rendering services, or demonstrating one's potential usefulness to, the Roman state, to prove oneself worthy of the *civitas Romana*.²¹ Thus there was a purpose for the non-Roman to undergo the cultural process of Romanisation beyond the mere aesthetic; since it was possible under certain circumstances to gain access to that Roman ruling élite, and this voluntary acculturation would improve one's chances. The accessibility of the Roman citizenship, compared to those in the Greek world, does not detract from the fact that there remained a sharp and perceptible difference between citizen and peregrine.

The Romans even made use of the divisive affect of the uneven distribution of citizenship, particularly in the Greek world, in order to foster oligarchies favourable to Roman rule. Limited grants to members of the ruling élites of such communities could serve as a status symbol by which they were distinguished from their fellows, who did not share in its advantages, and also to make people so marked out identify their interests with those of the ruling power. The present example of the limited grant of British citizenship in Hong Kong demonstrates how social divisions can be affirmed by such a policy.²² The hallmark of the Roman policy on the spread of citizenship before Caracalla was the requirement for the assimilation of Roman values and culture.²³ Thus the emperor

¹⁹ Strabo, *Geography* 3.4.8.; on which see M. T. GRIFFIN, "The Elder Seneca and Spain", *JRS* 62 (1972), 1. The arrival of the Caesarian colonists is mentioned by Livy, 34.9.

²⁰ A. N. SHERWIN-WHITE, *The Roman Citizenship*², 7f.

²¹ Thus, D. DELIA has argued, the Alexandrian citizenship became for native Egyptians a common, but not compulsory, intermediary stage to the Roman because it could be offered as proof of a certain level of civilisation (*Alexandrian Citizenship*, 39-47).

²² See T. H. MARSHALL, *Citizenship and Social Class*, 29 on the way in which citizenship can cut across the existing definitions of social class.

²³ For a full discussion see J. P. V. D. BALSDON, *Romans and Aliens*, 90-96.

Claudius deprived a Lycian ambassador of his Roman citizenship when he failed to understand a question put to him in Latin, and on many occasions 'deprived unworthy men (i.e. those without sufficient Latin culture) of their status.'²⁴ The peculiarity of Roman naming was one of the aspects to be mastered by those seeking to acquire sufficient Latin culture. For, in the distinctiveness of Roman nomenclature, which lies not primarily in the use of three names (*tria nomina*), but in the use of a heritable family name (the *gentilicium*), there was a constant reminder of the distinction between citizen and peregrine at an everyday level.²⁵ Such was the association of the two—gentilicium and citizenship—in the popular mind, that there was clearly a fear that peregrines would usurp the use of the gentilicium as a way of gaining citizen status by the back door. Indeed Suetonius praises Claudius for his particular vigilance in this respect.²⁶

Given the clear interest in maintaining a control on processes of enfranchisement, it would be dangerous to over-estimate the spread of citizenship.²⁷ The calculation of C. A. Goodfellow, that number of citizens increased by 10,000 per annum seems to my mind to be a gross over-estimation.²⁸ The performance of magistracies in communities with the *ius Latii*, service in the armed forces and the manumission of slaves by Roman masters were undoubtedly important institutional methods by which the franchise was extended to large numbers. However, in the case of Latin magistracies the tendency of certain groups of families to monopolise office generation after generation in any community, will have limited the effect of the *ius Latii* to some extent. In respect of citizenship as a reward for military service, it is undeniable that the numbers involved here must have been considerable, but the extent to which other members of the family could benefit also was actually curtailed over time, not increased. And as for the category of manumitted slaves the work

²⁴ Cassius Dio, 60.17.4-5.

²⁵ The dichotomy is maintained even in the most Romanized of provinces; see, e.g., A. CHASTAGNOL, "L'onomastique de type pérégrin dans les cités de la Gaule narbonnaise", *MEFRA* 102 (1990), 573-593.

²⁶ Suetonius, *de vita Caesarum* 5. *Divus Claudius* 25.3: 'Peregrinae condicionis homines vetuit usurpare Romana nomina dumtaxat gentilicia. c(ivitatem) R(omanam) usurpantes securi percussit.'

²⁷ e.g. J. P. V. D. BALSDON, *Romans and Aliens*, 95, 'All the time, until the climax was reached with Caracalla's grant, the number of Romans in the provinces, especially the western provinces, was increasing regularly.'

²⁸ Quoted by Dacre BALSDON, *op. cit.*, 86.

of Paul Weaver has demonstrated that, as a result of the *lex Iunia* concerning informal manumission, a large proportion of slaves and their descendants will have enjoyed Latin citizenship rather than Roman.²⁹ He calculates that the proportion to gain full Roman citizenship was at a maximum two-thirds and to gain Latin citizenship was at a minimum one-third. He draws particular attention to the fact that possession of the *tria nomina* has too readily been equated with Roman citizenship, and that it might equally well indicate Latin citizenship. Often this is a more reasonable explanation. He quotes by way of demonstration the many fishermen who contributed to the customs house at Ephesus and are attested with the *tria nomina*. This would be evidence of a remarkable social penetration of the Roman citizenship unless the notion that they are Latins, the freedmen or the descendants of freedmen of someone with the Roman citizenship, is entertained. Since the presence of a Roman magistrate with *imperium* was required for formal manumission by a Roman of his slave, the remoter the part of the Empire usually was from such people the higher the likelihood that men attested there with the *tria nomina* will be Latins rather than Romans. Only the possession of a voting tribe should be taken as unequivocal indication of Roman citizenship. Moreover, as the empire ceased its expansionist phase, so the supply of large numbers of fresh slaves dwindled and with it manumission on a large scale as a source of new citizens. The time-consuming nature of the process of consideration of petitions for citizenship borne witness to by the *Tabula Banasitana* as late as AD 177 should caution against postulating direct petitioning as a method of mass indiscriminate spread of Roman citizenship.³⁰ It could be a precarious business, requiring the intervention of powerful patrons, whose efforts were occasionally commemorated in the successful enfranchisee's Roman nomenclature.³¹

So the general principle is that citizenship was granted in the imperial period according to a principle of desert. Those who had performed some service to individual Romans as slaves or to the state as slaves or *peregrini* might receive the franchise. Emperors might on occasion make unprompted grants, but on the whole it was the

²⁹ P. R. C. WEAVER, "Where Have All the Junian Latins Gone?", *Chiron* 20 (1990), 275-305.

³⁰ See M. CHRISTOL, "Une correspondance impériale", *RHD* 66 (1988), 36. G. di VITA-EVRARD, "L'édit de Banasa: un document exceptionnel?", *L'Africa romana* 5, 294f, considers the petition the result of a desire to solve an ambiguity of status arising from the imperial census of 176-177.

³¹ On which see O. SALOMIES, *Adoptive and Polyonymous Nomenclature*, 62; M. CHRISTOL, "Le préfet d'Égypte Titus Pactumeius Magnus et la diffusion de la cité romaine", *RHD* 71 (1993), 408f.

communities' competitive yearning to prove that they were now worthy of the franchise that stimulated emperors to grant the *ius Latii* etc. For the grant of colonial status to a peregrine community, even if honorary, implied an acceptance of Latin as the official language at least nominally, and, one might assume, the establishment of the chief cult of the mother city by the dedication of a *capitolium*.³²

How was the citizenship viewed by those on the outside? At a practical level enrolment in a voting tribe gave one, since the last half of the first century BC, negligible or no access to any greater political power, but by being a Roman as opposed to a *peregrinus*, and thus coming under Roman and not local jurisdiction, tangible benefits could be felt. It was clearly a sought after status. Cassius Dio remarks that 'seeing that the Romans were preferred in everything to speak of over the *peregrini* (ξένοι), many asked for the citizenship from [the emperor Claudius] himself, and many bought it from Messalina and the imperial freedmen' (60.17.5). The near contemporary 'appeal to Caesar' by Saint Paul is just one famous incidence of the practical advantages of being a Roman citizen.³³ The attractiveness of this aspect of the citizenship will not have been affected by the second-century development of social distinctions between the *honestior* and *humilior* citizen, because being a member of the latter class did not prejudice the right to Roman courts. The distinction was simply one of treatment when it came to judicial torture and legal penalties.³⁴ Since the Roman citizenship required a sufficient demonstration of Roman virtues or culture, 'Romanisation' as a cultural phenomenon should not be seen as a disinterested process for either side. A willingness to imitate Roman *mores* might taken into account in the decision to enfranchise. Certainly those who were unwilling to humble themselves in this way were not likely to receive the citizenship. This helps to explain the imbalance between East and West. For certain sections of the Greek city populations the political domination of an intellectually inferior culture (in their opinion) was something with which was hard to come to terms.³⁵ They were on the whole outsiders to the *civitas*

³² On colonial foundation policy in the principate see P. M. BRENNAN, "A Rome away from Rome" in J.-P. DESCOEUDRES (ed.), *Greek Colonists and Native Populations*, 491-502.

³³ On which more specifically, A. H. M. JONES, *Studies in Roman Government and Law*, 51-65; A. N. SHERWIN-WHITE, *Roman Society and Roman Law in the NT*, 57-70.

³⁴ P. D. A. GARNSEY, *Social Status and Legal Privilege*, 103-178.

³⁵ The whole genre of the Greek novel can be seen as an expression of a desire to escape from the present reality. For, although a product of the first three centuries AD, they contain a timeless

Romana, though given the high profile of Greek sources for Roman history, it is difficult to keep this in perspective.

The Romanized élite, of which Aelius Aristides in the Greek East and the Mauretanian potentates whose petitions concerning citizenship are recorded on the *Tabula Banasitana* were members, was a deliberate creation of the Roman government, and its usefulness to the government lay in its remaining socially distinct and superior to the generality of the empire's subjects. Those felt to be of service to the state were offered exemptions, on which the state itself had constantly to place limits.³⁶ Citizenship policy still continued on the same decisive way dividing between members of the sovereign *populus* and the disenfranchised subjects. I cannot see the consistent and overall policy of Romanisation designed to create a *communis patria* out of the *orbis Romanus* which A. N. Sherwin-White discerned. It is not so much a question of the absolute numbers enfranchised before 212, but of the controlled process of political and social acculturation by which they reached the Roman citizenship. It is this process of acculturation which is to be understood when I use the term 'Romanisation'. Thus some aspects of Romanisation might be absorbed without an individual's political incorporation into the *populus Romanus*, such as the adoption by a *peregrinus* of a Latin name as a single name, but this should not be confused with the adoption of the Roman system of the *tria nomina* which was strictly proper to Latins and Roman citizens alone.³⁷ The former may imply some degree of acculturation, but the latter is, I believe, a far more certain indicator, because the very peculiarity of the Roman naming system, if it was to be maintained by the newly enfranchised, demanded a psychological reorientation of one's personal identity.³⁸

It is for this reason that, at the risk of being accused of an outdated, Mommsen-like view of the Roman empire and society as a conglomeration of legal and status differenti-

vision of life in the Greek cities into which the Roman domination does not intrude.

³⁶ F. G. B. MILLAR, "Empire and City, Augustus to Julian" *JRS* 73 (1983), 84.

³⁷ As noted by A. CHASTAGNOL, "A propos du droit latin provincial", *Ivra* 38 (1987), 15f, it is assumed in the Flavian municipal charters from Spain that Latin citizens will bear *praenomen*, *nomen* and *cognomen* in exactly the same way as might Roman citizens.

³⁸ cf. the problems R. MACMULLEN makes for himself by failing to make the distinction between these onomastic phenomena ("Notes on Romanization", *Changes in The Roman Empire*, 60f), leaving him in a state of some exasperation: 'Questions of this sort [i.e. of the level of Romanisation] are as urgent as they are hard to answer. . .; yet quantification requires tools of analysis that we still seem to lack.' (op. cit., 61).

ations, I intend to uphold the importance of making this distinction between the acquisition of certain items of Roman cultural baggage—amphorae, Samian ware, brick construction, Roman deities, Latin names, etc.—and the adoption of a ‘Roma-centric’ (sic) political and cultural outlook. A failure to make such a distinction between the acceptance of the trappings of Roman culture and the acceptance of its cultural and political assumptions puts validity of the conclusions of any discussion of Romanisation into doubt.³⁹ For, this Romanisation of personal identity and sentiment can only be assumed with a high degree of certainty amongst those who sport the *tria nomina*. Thus one may encompass those non-citizens who may be masquerading in our documentary record as Latin or Roman citizens, through having unilaterally assumed the *tria nomina*, under the definition of those Romanised. For, the distinctive and alien nature of Roman onomastic practice means that its voluntary adoption is sufficient to indicate a thorough level of Romanisation.⁴⁰

Where we are familiar with the products of this homogenising process the extent of the assimilation produced by Romanisation is clearly demonstrated. Such is the case of the third-century senator Cassius Dio. A native of Bithynia, to where he returned continually throughout his life, a Greek by birth, education and literary culture, there is nevertheless no doubt that his political identification was with Rome and his political culture entirely Roman.⁴¹ It could hardly be otherwise. He was, after all, at the centre of the Roman political stage, partnered in his second consulship in AD 229 by the reigning emperor, himself a Syrian by origin, and left an almost equally successful descendant who was still in Rome in the last years of the century.⁴² Without the ability to make critical distinctions concerning the nature and quality of Romanisation, the scope and quality of the impact of the *Constitutio Antoniniana* cannot be appreciated. Without this one is simply left with a vague impression that the third century was in some unquantifiable way the turning point in the tide of Romanisation, thus leading to conclusions of decline and decay.⁴³

On the eve of the *Constitutio Antoniniana*, the users of the Roman naming system—that is the use of a gentilicium—comprised native Italians, their descendants in the

³⁹ A classic case is R. MACMULLEN, *Changes in The Roman Empire*, 56-66.

⁴⁰ On this whole question see further the next chapter.

⁴¹ See F. G. B. MILLAR, *A Study of Cassius Dio*, especially 190.

⁴² *PLRE* 1 Dio; T. D. BARNES, *New Empire*, 98. This Cassius Dio was consul in AD 291, proconsul of Africa 294-5 and *praefectus urbi* in 296.

⁴³ e.g., R. MACMULLEN, *Changes in the Roman Empire*, 40, 65f.

provinces, and foreign enfranchisees who had embraced the Roman name with their citizenship (whether Roman or Latin). The conditions under which the majority of these non-Italian citizens came by their citizenship entailed exposure at close quarters to members of the Roman ruling classes. Thus they assimilated a Roman's mental, psychological attitude to personal names with their citizenship. In the provinces the *tria nomina* marked one apart as the possessor of certain privileges, which was motivation enough for the ex-peregrines to hand down their nomina like native Italians. Soldiers could be issued with diplomas to verify their right to bear the *tria nomina*, and, as noted above, the scrutiny of one claim by no less a body than the *consilium* of the emperors Marcus Aurelius and Commodus emphasises the importance laid on the issue of political status by the authorities.⁴⁴ For, despite the enormous growth in the size of the citizen body since the days of the republic, on the eve of Caracalla's grant any change from peregrine, slave or Latin to Roman citizen status remained an event of significant moment for both individual and state.

⁴⁴ On the purpose of military diplomas see J. C. MANN & M. M. ROXAN, "Discharge Certificates of the Roman Army", *Britannia* 19 (1988), 344. The *Tabula Banasitana* records imperial scrutiny of the claim of the chief of the Zegrenses, Aurelius Iulianus, for Roman citizenship for his wife and children; for the text see A. N. SHERWIN-WHITE, *JRS* 63 (1973), 86-7.

The Constitutio: Intentions, Extent and Impact

1. *The Grant*

It was Augustine's judgement that the enfranchisement of 'omnes ad Romanam imperium pertinentes' as 'Romani cives', while a most welcome and humane act (making a privilege of all 'quod erat ante paucorum'), could have been profitably achieved even earlier than it was (*de civitate Dei* 5.17). If, as seems plausible, Augustine here refers to Caracalla's grant, then it was to his mind a most significant moment, converting the citizenship from a minority into a universal privilege.

However, modern assessment of the impact of the *Constitutio Antoniniana* remains surrounded by several problems, not the least of them arising from the relation (or not) of Caracalla's grant to the badly preserved text found in *Papyrus Gissensis* 40 column 1.¹ The text in question is the first of three imperial pronouncements bearing upon a case of the right of an Egyptian to reside in Alexandria: the first concerning citizenship, the second a decree of amnesty for exiles and the third a letter (represented by two extracts) to the prefect of Egypt ordering the expulsion of Egyptian peasants from Alexandria.² The first was identified by Paul Meyer in his original 1910 publication of the papyrus as the *Constitutio Antoniniana*. The fragmentary nature of the document has allowed much speculation both as to the nature of the document and to the emperor's motives. Caracalla represents the decree as if in thanks to the Gods for a recent favour. The vagueness of the language led Sherwin-White to suggest that it might be some general proclamation of policy rather than the *Constitutio* itself.³ Might the text be recording an *oratio* before the Senate?

¹ A basic text can be found at *FIRA*² I, No 88 (photo of whole papyrus: *P. Giss.* vol. 1, Tafel 6; of col. 1: C. SASSE, *Die Constitutio Antoniniana*, between pp. 12-13). Christoph SASSE gave an exhaustive bibliography in *Die Constitutio Antoniniana.*, 128-143 and "Literarübersicht zur Constitutio Antoniniana I. Teil", *JJP* 14 (1962), 109-49 & "II. Teil", *JJP* 15 (1965), 329-366. To which should now be added the text(s) and critical bibliography of J. M. MODRZEJEWSKI, *Les lois des romains*, 478-485, the discussion of J. H. OLIVER, *Greek Constitutions*, 495-497, and again MODRZEJEWSKI, "Papyrologie documentaire 1989-1991", *JJP* 22 (1992), 201-203.

² On the dossier as whole see F. M. HEICHELHEIM, "The Text of the *Constitutio Antoniniana*.", *JEA* 26 (1940), 10-22, who wrongly thought it comprised *four* decrees in all) and A. LUKASZEWICZ, "Quelques remarques sur l'expulsion des *Aigyptioi* d'Alexandrie", *Symposion 1988*, 341-347

³ A. N. SHERWIN-WHITE, *The Roman Citizenship*², 287.

Though, had that been the case, one might have expected the result to be termed a *senatus consultum* rather than a *constitutio*, which is what Ulpian calls it (see below). We might expect a legal writer to be precise on these matters.

If the dossier of documents, that *P.Giss.* 40 comprises, was put together according to their chronological order, then the first must be dated before 11 July 212, the date of the amnesty decree. With reference to the *νίκη* mentioned in line 10, Kostas Bourazelis has recently upheld the thesis that the grant of citizenship was a vote of thanks to the gods for Caracalla's survival of the 'plot' of his brother Geta, which is to be placed in late 211 or early 212.⁴ We can be no more precise than *c.* 212-213 on the current evidence of the explosion of 'M. Aurelii' in inscriptions, papyri etc. The wording of the *P.Giss.* 40 I text raised doubts as to whether the grant was universal. This question arose because the crucial sentence of the text seems to contain a clause of exclusion, but of whom, and from what, is not so clear. It is possible that *dediticii*—specific groups of defeated barbarians settled inside the empire—are mentioned.⁵ This group, if excluded, need not be significant in numbers, nor permanent in that status. The idea that the papyrus contained the text of the *Constitutio* at all was rejected by Elias Bickermann and doubted by A. N. Sherwin-White.⁶ But, if it were a supplementary edict including federate barbarians within the grant, its inclusion in the dossier compiled by the petitioner at Alexandria would seem puzzling. Similarly, the claim that the rural populations of the empire were excluded seems to be unfounded.⁷ Certainly there was some discrimination at the blurred fringes of the empire, since some tribal groups, such as the Baquates of Mauretania, remained *peregrini* after

⁴ K. BOURAZELIS, *Θεῖα Δωρεά*. There are questions over its exact date: F. G. B. MILLAR, "The Date of the C. A.", *JEA* 48 (1962), 124-131, preferred the second half of 214, J. F. GILLIAM, "The Dura Rosters and the C. A.", *Historia* 14 (1965), 74-92, the beginning of 213 at latest, while W. SESTON, "Marius Maximus et la date de la «Constitutio Antoniniana»", «*Scripta Varia*», 65-76, the autumn of 213, connecting the victory with Caracalla's acclamation as *Germ. max.* in May 213.

⁵ *P.Giss.* 40 I, lines 7-9: Δίδωμι τοῖ[ν]υν ἄπα|[σιν - - τ]ῆν οἰκουμένην π[ολι]τεῖαν Ῥωμαίων, [μ]ένοντος |[τῶν πολιτευμάτων, χωρ[ίς] τῶν [δηδ]ειτικίων. Whether *χωρίς* implies an exception from the main clause, or solely from the lost proviso following *μένοντος*, is debatable. See H. W. BENARIO, "The Dediticii of the C. A.", *TAPA* 85 (1954), 188-196; A. H. M. JONES, *Studies in Roman Government and Law*, 136.

⁶ E. J. BICKERMANN, *Das Edikt des Kaiser Caracalla*; A. N. SHERWIN-WHITE, *The Roman Citizenship*², 286.

⁷ So E. CONDURACHI, "La C. A. e la sua applicazione", *Dacia* n.s. 2 (1958), 281ff.

212.⁸ Was Palmyra one such borderline case? For, its inhabitants adopted the nomen Iulius along with Aurelius, which suggests that the emperor's mother, Iulia Domna, may have intervened to have them included within the grant.⁹ It is doubtful whether Caracalla's motives can ever be fathomed. On the one hand, the hostile Cassius Dio considers it to be a cynical revenue-raising measure, while, on the other, the speaker in *P.Giss.* 40 1, appearing to profess gratitude to the gods for their protection, claims that the measure will repay them by adding to the number of their worshippers.¹⁰ Leaving aside these problems, in confirmation of the grant's universality it is perhaps enough to quote the opinion of the contemporary jurist, Ulpian, *ad edictum 22 (Digest 1.5.17)*: 'In orbe Romano qui sunt ex constitutione imperatoris Antonini cives Romani effecti sunt.'¹¹ And it is this magnitude of the grant which is the crucial point for our immediate discussion, and this reveals itself through the analysis of naming habits before and after 212.

By giving Roman citizenship at one stroke to all free subjects the controlled process of assimilation was swept aside. The most rustic of peasant farmers had become Roman citizens without necessarily intimate or prolonged contact with the Roman naming system. Nevertheless they now assumed the names of their benefactor: Marcus Aurelius. Indeed Aurelius Zosimus, who had been Zosimus Leonidou before 212, specifically attributes his change of name to what he calls Caracalla's 'sacred gift' (*θεῖα δωρεά*).¹² Such people had not had to undergo the change in psychological attitude of the earlier enfranchisee, and this showed in the way they employed their new nomen. Their almost ubiquitous omission of the praenomen is not significant, seeing that it was already almost totally redundant even

⁸ E. FRÉZOULS, "Les Baquates et la province romaine de Tingitane", *BAM* 2 (1957), 87ff.

⁹ For the 'Iulius Aurelius' adopted by the Palmyrenes in 212, perhaps commemorating a special favour of the empress Iulia Domna, see D. SCHLUMBERGER, "Les gentilices romains des Palmyréniens", *BEO* 9 (1942/43), 53-82.

¹⁰ Cassius Dio, 78[77].9.5, since it would boost the revenue from the 5% tax levied on inheritances received by, and manumissions performed by, Roman citizens: the *vicesima (XX) hereditatum* and *XX libertatis*. W. WILLIAMS, "Caracalla and the Authorship of Imperial Edicts and Epistles", *Latomus* 38 (1979), 69-72, defends the sentiments of *P.Giss* 40 1 as consistent with the style and philosophy exhibited in other examples of this emperor's output.

¹¹ Note also the testimony of another contemporary, Cassius Dio (78[77].9.5): '[Caracalla] Ῥωμαίους πάντας τοὺς ἐν τῇ ἀρχῇ αὐτοῦ. . . ἀπέδειξεν.'

¹² *BGU* 655 (Arsinoite nome, 16 August 215): 'Ἀυρήλιος Ζώσιμος πρὸ μὲν τῆς θίας (sic) δωρεᾶς καλούμενος Ζώσιμος Λεωνίδου. . .'

amongst those native to the system.¹³ More important, I suggest, is the different way in which ‘Old’ and ‘New’ Romans from the same ethnic backgrounds treated their names once enfranchised.¹⁴

Kostas Bourazelis has undertaken an onomastic survey of the epigraphic evidence of both East and West. His researches revealed that in the East Aurelius is the most common nomen and even in the West it runs a close second to the well-established Iulius.¹⁵ We must allow that some proportion of these Aurelii were enfranchised under M. Aurelius and Commodus. Nevertheless the figures are most striking, for the western provinces particularly, in the light of the received wisdom as to the extent of the citizenship there before 212; even more so since epigraphic testimony generally represents the more wealthy, amongst whom one would assume the highest proportion of Old Romans. My own examination of the *laterculi* listing the members of praetorian cohorts making dedications to the emperor confirms Bourazelis’ argument as to the drastic extent of the change wrought by the *Constitutio*. Of the 802 names extant from *CIL* VI 1058, of July 210, only 39 are M. Aurelii (i.e. less than 5%). Of the 20 names of *CIL* VI 2799, of June 227, 19 (i.e. 95%) are M. Aurelii.¹⁶ According to the formulae of such documents these latter Aurelii are all equipped with filiation and voting tribe; however all are uniformly ‘M. f. Fl(avia tribu)’, which immediately invites the suspicion that they are post-212 enfranchisees since the voting tribe Flavia probably never existed. Similarly their filiation as been impugned as ‘fictive’ but, at least in the case of the praetorians of 227, they are not fraudulent in the sense that their fathers will have almost certainly been living at the

¹³ On the general fossilization of the praenomen by AD 100 see O. SALOMIES, *Die römischen Vornamen*, 378-89. The last certain instance is Q. Aurelius Memmius Symmachus (cos. 485), though Lucius Map[. . .] *procos. Africae* AD 565-578 (*PLRE* 3 Map...) may be a yet later example.

¹⁴ The only legal difference between Old and New Romans is that there is no evidence that the latter were ever enrolled in voting tribes. This is hardly surprising given the practical difficulty involved for the bureaucracy in digesting such an enormous number simultaneously.

¹⁵ K. BOURAZELIS, *Θεῖα Δωρεά*, 120-132; e.g. Aurelius accounts for c. 23% of the nomina attested in the Christian epigraphy of Carthage and Rome, Iulius only c. 5% (I. KAJANTO, *Onomastic Studies*, 16).

¹⁶ Even if the changed proportion of new citizens in the ranks can be ascribed to a change in recruitment policy, deriving more recruits from the Danube region, it is still significant that there could be such a high proportion of new citizens in that region despite the long established military presence there.

moment of enfranchisement sixteen years before and thus received the citizenship along with their offspring. The right to vote in the popular assemblies at Rome had been an almost entirely irrelevant privilege of citizenship ever since the earliest days of the principate. For most Romans the voting tribe must have meant little more than providing demonstrable proof of their citizen status. Since there is some evidence to suggest that the authorities had been negligent in allocating new citizens to voting tribes even before 212, it is logical to assume that the new citizens created by the *Constitutio* were never distributed into tribes.¹⁷ Still, given that Cassius Dio—writing at a date very close to the *laterculus* of 227—describes the continued meeting of the *comitia centuriata* and *tributa* for the election of magistrates under Tiberius ‘καθάπερ καὶ νῦν’ (just as now)¹⁸, might the new tribes attested after 212 have been created for the new citizens?¹⁹ The answer is almost certainly no. After all, Dio’s purpose in mentioning the continued existence of the popular assemblies is to make the point that already under Tiberius the elections were entirely a matter of form. Therefore such an administratively colossal task would have been relatively pointless. Caracalla is hardly likely to have been interested in this detail, whether his grant was made in a spirit of religious piety or simply for economic gain.

Whether the addition of pseudo-tribes for the praetorians originated from a desire for tidiness on the part of the stonemason or a social anxiety on the part of the soldiers themselves, the phenomenon demonstrates how the impact of the *Constitutio Antoniniana* on onomastic practice was relative to the local cultural environment. Thus such fictitious voting tribes are widely attested among praetorians recruited from the Danubian provinces in the decades immediately after 212.²⁰ Indeed, in the army, in Rome, it is no surprise to find a tradition perpetuated long after it ceases to serve any practical purpose. Certainly

¹⁷ On the phenomenon of ‘fictitious’ tribes before 212 see G. FORNI, “Tribù e pseudo-tribù romane in epigrafi”, *Sodalitas 1: Scritti*. . . A. Guarino, 97-104 and idem, *Le tribù romane* III, 1.

¹⁸ Cassius Dio, 58.20.4. Dio tells us himself (73[72].23.5) that his researches took ten years and composition twelve—the final version including his own consulship in 229. It is thus fairly safe to place the date of composition of this passage after 212.

¹⁹ e.g. Aelia, Aurelia (*CIL* VI 2832 & 2833), Aelia, Antonia, Augusta, Flavia, Iulia, Septimia and Ulpia (*EE* IV 891-895), all in *laterculi praetorianorum* from Rome and all excluded from consideration as genuine in J. W. KUBITSCHK’S, *Imperium Romanum tributim discriptum*.

²⁰ e.g. the ex-praetorian ‘[M. Aur.] M. f. Ulp. Syrio’ from Nicopolis posted as a commander to Carlisle (for whom see M. W. C. HASSALL & R. S. O. TOMLIN, “Roman Britain in 1988. II Inscriptions”, *Britannia* 21 (1990), 331-333).

military practice had not jettisoned the declaration of tribal accreditation as late as the mid 240s. An inscription of 244 mentions a register of those soldiers who had been recruited to the *legio II Parthica* in 217 in which the names are listed in the traditional fashion *cum tribibus et patriis*.²¹ This is perhaps not so surprising, given that it would be the mid-250s before the last generation of recruits born before 212 retired from the legionary ranks. Nevertheless, as a consequence of the *Constitutio Antoniniana*, by the second half of the third century redundancy of the tribe as an indicator of citizen status is reflected by its disappearance from the epigraphic record. Two solitary fourth-century instances show that on occasion family tradition had jealously guarded the memory of a genuine tribe. The motive for recording it in these instances was perhaps a desire to lend a certain distinction by demonstrating the antiquity of citizenship. It may be significant that both examples hail from Italy but from outside aristocratic circles.²²

Turning away from Rome, the picture is somewhat different. In the East, further away from the influence of Latin models, many New Romans, while adding the nomen Aurelius before their single given name in the standard manner, retained their native system of finally placed patronym. The contrast is clear in an example from the world of the Graeco-Hamitic peasants of Egypt. In AD 229 the farmers Aurelius Iulius Ammoniou, Aurelius Acaeraeus Papontotos, Aurelius Copreus Saratos and Aurelius Papontos Corneliou applied for a loan of seed corn.²³ The addition of the gentilicium has not disturbed their traditional naming formula. On the other hand M. Lollius Leonides, steward of the crown

²¹ *CIL* VI 793 = XIV 2258 = *ILS* 505 Albanum, lines 4-9, a dedication to M. Iulius Philippus Aug. and Otacilia Severa Augusta, by the 'milites leg. II | Parth. [Philippianae] p. f. | aet(ernae) q(ui) m(ilitare) c(oeperunt) Oclatinio Ad|vento cos, quorum nomi|na cum tribubus (*sic*) et patri|is inserta sunt, . . .' (23 July 244). Cf. the *Lex Repetundarum* (*FIRA*² 1, No 7), line 17, on the listing of the *iudices*: '[eorum, quei]. . . lecti erunt, ea nomina omnia. . . patrem tribum co[g]nomenque' (c. 122 BC) and the Flavian *Lex Irnitana* c. 86 (9C, lines 21-22): 'praenomina nomina item patrum praenom[i]na et ipso|rum tribus cognomina in tabulis scripta' (J. González, *JRS* 76 (1986), 177).

²² G. MANGANARO, "Iscrizioni latine nuove e vecchie della Sicilia", *Epigraphica* 51 (1989), 189, no. 79 Termini Imerese (Sicily) = *AE* 1989.345c of c. 324/330: C. Popillius C. f. Mae(cia tribu) Priscus—a memorial dedicated by half-sister Turrana P. f. Primilla; and *ILS* 6623 Hispellum (Umbria) from 333/337: C. Matrinius Aurelius C. f. Lem(onia tribu) Antoninus.

²³ In fact even their metronyms are included, according to local custom but entirely against traditional Roman practice: *P. Oxy.* 3906, lines 2-5: 'παρὰ Ἀδρηλίων Ἰουλίῳ Ἀμμωνίου μητρὸς Καρ[.].ος | καὶ Ἀκαϊραίου Παποντῶτος μητρὸς Διονυσίας καὶ Κοπρέως | Καρατος μητρὸς Ταύριος καὶ Παποντῶς Κορηλίου μητρὸς | Κάψιος πάντων ἀπὸ κώμης Σιγκέφα.'

land on which they wished to sow, is distinguished as one whose citizenship predates 212 not only by his nomen but also by the way in which he uses it.

This distinction between Old and New Romans comes through in the files of the auxiliary *cohors XX Palmyrenorum* stationed at Dura. The papyri include a record of the unit's distribution made in AD 219. The scribe has credited all the soldiers with Aurelius for convenience since they were predominantly New Roman citizens.²⁴ The layout strongly suggests that this nomen was written in for aesthetic reasons as a central column around which the postings (on the left) and individual names (on the right) were then inserted, e.g. *P.Dura* 100, col. xxxii, lines 12-17:

ad Sacr[ahi]mag.	Aurel.	Bassus Tiberini
Becchuf.	Aurel.	Iulius Marinus
	Aurel.	Iulius Marinus alter
	Aurel.	Male(s) Matthana
sig.	Aurel.	Flavius Euclides
	Aurel.	Ie[r]haeus Themarsa

Although all members of the unit now have three names, these are not all of the same construction. There is a dichotomy between those who have Aurel. + nomen + cognomen (e.g. the Iulii Marini, Fl. Euclides) and those who have Aurel. + cognomen + patronym in genitive (e.g. Bassus Tiberini, Males Matthana).²⁵ It seems reasonable to understand this dichotomy as that between those who (whether by Roman or Latin status) possessed the *tria nomina* previous to the *Constitutio* of seven years before and those that had not. The above extract apart, in *P.Dura* the names of the Aurel. + cognomen + patronym type far outnumber those of the other type, as might be expected in an auxiliary cohort.²⁶ I suspect that the fate of those who had borne the nomen Aurelius before 212 is represented by the few curious cases who are ascribed a praenomen and cognomen after Aurelius (e.g. Gaius Germanus, Marcus Victor, Marcus Maior, Quintus Iulianus). Having already supplied 'Aurel.' as the nomen of default, I suggest that the scribe was anxious to be consistent in giving everybody three names, but was at the same time reluctant to commit the aesthetically displeasing combination 'Aurel. Aurelius'. And, so to avoid leaving them with only Aurel. plus their cognomen, as a compromise he was forced to insert the

²⁴ This was not a scribal habit confined to the army; see e.g. 'Aurelius Ignatius Apollinaris' of Nov/Dec 213, from a family of Lucii Ignatii, in *P.Diog.* 11, cf. 10 & 17.

²⁵ On the Aramaic/Arab genitives (as might be expected in a unit of Palmyrenes) represented by 'Matthana' and 'Themarsa' see J. F. GILLIAM, *P.Dura* (1959) introduction, 60.

²⁶ For a statistical analysis see J. F. GILLIAM, "The Dura Rosters and the *Constitutio Antoniniana*", *Historia* 14 (1965), 81-84.

otherwise uniformly omitted praenomina after the anticipatory Aurelius. Nor is this without precedence. It is, after all, the order for registering names in census lists that was prescribed by the *Tabula Heracleensis* of the first century BC.²⁷

II. *The Impact on Naming Practices*

It is not only in this first enfranchised generation that Old and New Romans can be distinguished. The New Romans of the Greek East never embraced the traditional Roman form of expressing the patronym between nomen and cognomen. When stating their name for official purposes the formula Aurelius with cognomen and patronym became the established norm.²⁸ Having never been assimilated to the Latin system, while feeling that their nomen was an integral part of their nomenclature they did not consider that it signified patrilineal ancestry. Although they handed it down from father to son, descent was still indicated primarily by patronym and metronym. 'Aurelius' was borne merely as a badge of citizen, as opposed primarily to slave, status. In any case the ubiquity of the nomen Aurelius in regions that had been only slightly touched by Roman citizenship before 212 (e.g. rural Egypt) meant that it could not function practically as a normal gentilicium. In fact, not only did the Romanisation of naming practice fail to increase after 212, it also went into reverse in some respects. There is evidence that families of non-Italian extraction whose citizenship was of no great antiquity apostatised from the traditional system, abandoning their distinctive nomina. Such was the case of the family of M. Lucretius Diogenes, whose descendants in the male line a generation after 212 are recorded with simply the 'default-nomen' Aurelius. Presumably to such a family the gentilicium had never felt natural and, once there was no motivation to maintain it as an indicator of citizenship, they let it lapse.²⁹ This process explains the drastic reduction in the incidence of nomina formed from peregrine cognomina that occurs in the third century. By the fourth

²⁷ *FIRA*² I, No 13, line 146: '...eorumque nomina praenomina, patres aut patronos, tribus, cognomina. . .'

²⁸ G. DAUX, "L'onomastique romaine en Grèce. Appendice: Passage du nom grec au nom romain", *L'Onomastique latine*, 413-416, discusses the development of this formula.

²⁹ P. SCHUBERT, *Les Archives de Marcus Lucretius Diogenes*, 16-19. Other proofs of citizenship, birth certificates and signet rings soon disappeared. The last known birth certificate (*AE* 1948.121) dates from 25 January 240 and finds of signet rings cease in mid third-century contexts (oral communication of Dr M. HENIG).

century those gentilicia in use represent a hard core of traditional Roman nomina.

In official contexts it was still understood that a nomen was required of a Roman citizen. For New Romans and pre-212 enfranchisees in contexts dominated by New Romans, Aurelius sufficed as their nomen in default of any other. On the other hand, those of Italian and peregrine extraction in contexts dominated by Old Romans might retain their family gentilicia. Thus in the empire's isolated corners, areas of Italy and amongst the western aristocracy family gentilicia are attested to the middle of the seventh century AD.³⁰ Generally, however, since the cognomen performed the function of both diacritic and principal name of address, it was natural that New Romans (and under their influence Old Romans too increasingly) should omit their nomen except when the occasion explicitly demanded it.³¹ Its eclipse in common parlance was such that the fourth century *Historia Augusta* cannot be relied upon for the nomina of third-century individuals, not even those of emperors.³² Indeed, already before AD 270, the term 'nomen', without qualification, could be reapplied to designate the now dominant cognomen, since 'Aemilius' is termed a praenomen on in an inscription from Dacia.³³ Certainly in Ammianus Marcellinus' terms gentilicia are 'praenomina'.³⁴

In measuring the extent of Caracalla's grant it should be remembered that, since Aurelius had been an imperial gentilicium for a considerable period before the *Constitutio*, many ex-soldiers and imperial slaves will have received it in the same way as previous

³⁰ e.g. the population of Altava and Pomarium in Mauretania, where the emperor Septimius Severus planted veteran colonies, habitually use gentilicia; the last datable instance is Iulia Rogatiana who died in 655 (*IAM* II 608 Volubilis). In Italy Melminius Cassianus, the last recorded member of a family which dominated the municipal offices of Ravenna since c. 500, was *magistratus* in 575 (*P.Ital.* 6). The 'Lucius' of the *procos. Africae* of *CIL* VIII 1020 (AD 565/578) is probably Luc <ce> ius (*PLRE* 3 Map...).

³¹ As noticed in the epigraphic record of Rome and Carthage by I. KAJANTO, *Onomastic Studies*, 16-17. See also KAJANTO, *L'Onomastique latine*, 421-430.

³² On which see R. SYME, "The Ancestry of Constantine", *Historia Augusta Papers*, No 5, 76.

³³ *CIL* III 1228 Apulum, cited by P. VEYNE, "Le «prénom» de Naucellius", *RPh* 3^{me} série 38 (1964), 256. [*ibid.*, 256]. VEYNE was evidently disturbed that the term 'praenomen', which in classical usage denoted the diacritical element, was by the fourth century being used to denote the invariable nomen.

³⁴ Ammianus Marcellinus, 28.4.7. There is, however, no sanction for R. J. WEBER's calling the cognomen Albinus a praenomen, as he does in "Albinus: the Living Memory of a Fifth-Century Personality", *Historia* 38 (1989), 472-491 *passim*!

generations had acquired the nomina C. Iulius, T. Flavius, M. Ulpius, etc. Not all M. Aurelii attested after 212 can be assumed to be of New Romanity. On the one hand, not all citizens enfranchised subsequent to 212 will have been Aurelii; for, they will have adopted the nomen (and perhaps practices) of whomsoever was their respective patron. On the other, those apostatizing from traditional gentilicia will have swelled the ranks of Aurelii to some extent. Despite these considerations, the overwhelming majority of Aurelii in the generations immediately after 212 may be considered New Romans. Thus the rapid and dramatic change in the composition of the governing élite in the later third century may be detected. Within a decade of Gallienus' removal of the senatorial monopoly of major military commands the first of the new generals, recruited from not merely non-aristocratic but even New Roman backgrounds, had reached the point at which they could aim for the throne. The most significant impact of the military pressure upon the empire in the third century in its transformation was the way in which it meant that men of New Roman origin and outlook were thrust to positions of power. No less than seven of the thirteen emperors who reigned between Gallienus and Diocletian bore the names Marcus Aurelius.³⁵

III. *Further Effects on Naming Practices*

One of the most striking aspects of late Roman onomastics is the high proportion of cognomina ending in '-ius'. Their popularity is another indirect consequence of the *Constitutio Antoniniana* and a direct indication of the profundity of the transformation it provoked. For, with the gentilicium's declining significance, the possessive -ius suffix, with which the gentilicium had been so closely associated, was freed for this new onomastic use. Thus in the course of the third century the use of these names (which had a long history amongst Hellenophones)³⁶ as cognomina spread rapidly amongst the inhabitants of

³⁵ M. Aurelius Valerius Claudius (AD 268-270), M. Aurelius Claudius Quintillus (270), M. Aurelius Probus (276-282), M. Aurelius Carus (282-283), M. Aurelius Carinus (283-285), M. Aurelius Numerius Numerianus (283-284) and M. Aurelius Iulianus (284/5).

³⁶ The suffix had long been common in theo- and herophoric names (e.g. *Ἀπολλώνιος) but since c. AD 100, Hellenophones had begun to suffix it to straightforward vocabulary words to create new expressive names, often stressing abstract qualities, perhaps in response to widespread homonymy in relatively closed communities, where they were first employed as extra names (D. W. HOBSON, "Naming Practices in Roman Egypt", *BASP* 26 (1986), 189f). Their popularity was such that by 350 they had become the single most common form of name in Greek. Plotting the popularity of just one example, W. J. CHERF, "What's in a Name? The Gerontii of the Later Roman Empire",

the Latin West, both by borrowing Greek coinages (e.g. Gelasius) as well as creating new formations on Latin roots (e.g. Equitius, Honorius).³⁷ In the masculine, coincidence of lexical termination with the Latin comparative adverb, may have inspired Latin speakers to the novel coinages from present participles (e.g. Constantius, Florentius). The feminine versions, of course, coincided with a variety of abstract nouns (e.g. Constantia).

Until the early fourth century the Roman upper classes limited their employment of these -ius formations to nicknames, known as signa (especially favouring formations on Greek roots), and did not use them as given names. Some, such as the signum, Dogmatius, of the senator Saturninus, might reflect a learned humour but we should not over-estimate the general level of this humour.³⁸ The signum borne by Aconius Catullinus, a noble aristocrat and consul of AD 340, which has been reported as 'Philomatius' from the manuscript of the *Chronography of 354*, is generally understood as 'Philomathius' and taken to refer to a love of learning. That it is better understood as a simple -ius formation on φίλημα (kiss) puts this naming practice in a slightly different light.³⁹ On epitaphs these novel signa were often detached from the body of the name, being placed above the main text in the form of an invocation in the vocative. Even in the later fourth century, when the -ius names became used as regular cognomina among the senatorial aristocracy, they continued to be incised separately, reluctant as this group was to accept such a non-traditional form into the body of their names.⁴⁰

As might be expected, the -ius formations caught on as regular given names more rapidly among the New Romans and those communities where there was a strong admixture of non-Italian stock than in those Old Roman circles where the nomen gentilicium remained in everyday use. Nevertheless the identity of their lexical termination made it possible to assimilate the signum to the position of the gentilicium as a convenient shorthand method

ZPE 100 (1990), 145-174, demonstrates the pattern.

³⁷ The earliest etymologically Latin -ius cognomen known to I. KAJANTO (*Onomastic Studies*, 29) is borne by the pantomimist M. Aurelius Augg. lib. *Agilius* Septentrio (CIL XIV 2113+2977) in 187 or 192, but they were not common amongst the freeborn until the late third century.

³⁸ On Saturninus' signum see the discussion of his praetorian prefecture in Chapter 9.II.

³⁹ O. MASSON, "Quelques noms grecs récents en -μάτιος (type Κλημάτιος)", *Arctos* 21 (1987), 74, who reveals that all the other instances of the name in Latin apparently reported in *PLRE* 1-2 have been 'corrected' from Filimatius *vel sim*.

⁴⁰ I. KAJANTO, *Onomastic Studies*, 38-48.

of referring to an individual with multiple nomina. While there is no reason to assume that the Tetrarchic emperors initiated this shorthand practice, they may have popularised it, since they did substitute their theophoric signa for their nomina on occasion.⁴¹ The metathesis can be observed for private citizens in the scribal formula for the consulship of L. Aradius Valerius Proculus *signo* Populonium in AD 340, who appears as simply *Populonium* Proculus in the dating formula of papyri, and perhaps already in the case of the enigmatic *Ionius* Iulianus (cos. 325).⁴²

Another, and far more significant, consequence of 212 was the development of a name to indicate social status. Within a century of the *Constitutio Antoniniana* the New Romans, and those Old Romans who had abandoned the use of the gentilicium, are both employing this novel onomastic usage for the Latin nomen. Since New Romans primarily perceived their names 'M. Aurelius' as signifying simply citizenship rather than family relationship, the idea that the nomen signified patrilineal ancestry had been severely weakened. It is this perception of the function of the nomen that explains the otherwise astonishing development of the 'status' nomen, the most striking characteristic of late Roman onomastics. Naturally such an obvious phenomenon has not passed unnoticed. However despite its importance it has received surprisingly little attention. A failure to focus on the development of Roman onomastics in the third century after 212 has led either to misdiagnosis or only partial comprehension of its causes and dynamics.

Recourse to papyrological and epigraphic corpora reveals that Aurelius remains the most frequently attested nomen in late antiquity.⁴³ However from the early fourth century Flavius suddenly displaces Iulius as the second most common. In the Christian epigraphy of Rome and Carthage the ratio of attestation is roughly 11:4 (Aurelius : Flavius).⁴⁴ However the nomen Flavius was concentrated in the higher echelons of society, to the

⁴¹ e.g. Maximinus in the heading of an imperial letter, recorded by Eusebius, 'Ἰώβιος Μαξιμῖνος Σαβίνω' (*Historia Ecclesiastica* 9.9a.4) and Galerius as Iovius Maximianus on *ILS* 661 from Solva (Noricum).

⁴² *PLRE* 1 Proculus 11 (full name: *CIL* VI 1690, 1691) appears as Populonium Proculus in the dating formula of, e.g., *P.Col.* VII 148, 149, etc.; for full references see *CLRE*, 215. On Iulianus *Ionius* see my notice in Chapter 11. The consistency of the formulae precludes the possibility of a simple misunderstanding of the syntax of their names.

⁴³ e.g. F. PREISIGKE, *Namenbuch*, D. FORABOSCHI, *Onomasticon alterum papyrologicum* and the indices of *ICVR*.

⁴⁴ Based on the figures of I. KAJANTO, *Onomastic Studies*, 16.

extent that in *PLRE* 1 (AD 260-395) it is approximately one and three-quarter times more common than Aurelius. It represents more than half the attested nomina in *PLRE* 2 (AD 395-527) and is so ubiquitous as to not be worth indexing in *PLRE* 3 (AD 527-641). The origin of the nomen is no mystery in itself; it was borne by the dynasty of Constantine and most of his successors. However the phenomenon starts too quickly, and the number of eminent persons involved is too great, for it to be credibly attributed to imperial enfranchisement of barbarians or slaves. It had similarly been noted that a high proportion of Tetrarchic soldiers and officials bore the nomen Valerius. However 'die neue flavische Aristokratie', as it was termed by András Mócsy, long defied specific definition.⁴⁵ Three articles by James Keenan have amply demonstrated that throughout Egyptian papyri from the fourth to eighth century those individuals called Flavius are generally in a superior position to those called Aurelius in any one document.⁴⁶ This was clearly so predictable to the scribes that drafts and exemplars for loan contracts could be drawn up in which the nomina of the lender and borrower were filled in as Flavius and Aurelius in anticipation, leaving gaps for the cognomina which were never filled.⁴⁷ Keenan has rightly emphasised that the Flavius/Aurelius divide could not be equated with that between *honestiores* and *humiliores* which separated citizens into two classes in respect of legal privileges and penalties. For instance, not all municipal decurions are Flavii by any means, whereas they would be classed as *honestiores*. Furthermore the nomen of these Valerii and Flavii behaves unlike a normal Roman gentilicium, since it could clearly be passed from husband to wife but conversely was not universally heritable. Only amongst the most illustrious does it appear hereditary. The parents and children of soldiers called Flavius are often

⁴⁵ A. MÓCSY, "Der Name Flavius als Rangbezeichnung in der Spätantike" in *Akte des int. Kongresses für griech. und latein. Epigraphik, Wien 1962*, 261; G. M. BROWNE, *P.Mich.* x (1970) introduction, 55; cf. the vague explanation of the 'coutume qui s'établit au IV^e siècle' by E. STEIN, *Bas-Empire* 1, 68. Discussion of the problem was not aided by R. I. FINK, *Scholae Palatinae*, 51 who wanted to detect the phenomenon as early as under Claudius Gothicus and Aurelian. This was on the mistaken basis that the status-nomen to be derived from the emperor Claudius was Claudius (when it would have been Aurelius) and that from Aurelian, Aurelius (when it would have been Domitius).

⁴⁶ J. G. KEENAN, "The Names Flavius and Aurelius as Status Designations in Later Roman Egypt", *ZPE* 11 (1973), 33-63, idem, part 2, *ZPE* 13 (1974), 283-304 and "An Afterthought on the Names Flavius and Aurelius", *ZPE* 53 (1983), 245-250.

⁴⁷ J. G. KEENAN, *ZPE* 53 (1983), 250.

Aurelii.⁴⁸ Moreover individuals added what we may term the ‘dynastic’ nomen to, or placed it instead of, their own gentilicia on achieving an elevated position in the community; e.g. Valerius Dioscurides Iulianus, *curator* of Oxyrhynchus in 322/323, had been simple Aurelius Dioscurides Iulianus in 315.⁴⁹

The essence of this phenomenon was undoubtedly the commemoration of benefaction, being analogous to an individual’s adoption of a gentilicium resulting from a grant of citizenship. In fact as early as the age of Hadrian certain members of the élites of the cities of the Aegean rim had prefixed ‘P. Aelius’ to their nomenclature as if considering the emperor their patron, although they did not owe their citizenship to him.⁵⁰ Valerius and Flavius are symptoms of a similar expression of gratitude to the emperor, but one arising from the specific social and political conditions of the later Roman state. For, it was an easy step for those to whom the nomen no longer connoted ancestry but rather status to replace it by that of the reigning dynasty on taking up ‘an imperial *dignitas, honor, administratio*, . . . [or work] in an imperial *militia*’.⁵¹ This explains the peculiar onomastic employment of the dynastic nomen compared with traditional gentilicia. Being concomitant with imperial rank, the dynastic nomen obeys the same rules as that rank; being adopted only when the rank was conferred, hereditary only when the rank is hereditary, and transferable to one’s spouse again only when the rank was so transferable.⁵² The dynastic nomen arose as a badge of the immunity from civic obligations which the possession of such imperial posts conferred for the first time in the Tetrarchic period.⁵³ Despite the

⁴⁸ As recognised, though little comprehended, by A. SEGRÉ, “La Costituzione Antoniniana e il diritto dei «novi cives»”, *Ivra* 17 (1966), 7-9.

⁴⁹ He is plain *Ἀυρήλιος Διοσκουρίδης Ἰουλιανός* in *P.Oxy.* 2585 (Oct/Nov 315), but *Οὐαλέριος Διοσκουρίδης Ἰουλιανός curator* in *P.Oxy.* 42; 900; 2767 and 1509 (322-323).

⁵⁰ P. Aelius Vibullius Rufus at Athens, P. Aelius Flavius Apollonius at Miletus and P. Aelius Otacilius Moschus at Pergamum, on whom see O. SALOMIES, *Adoptive and Polyonymous Nomenclature*, 62 n.8.

⁵¹ J. G. KEENAN, *ZPE* 11 (1973), 63.

⁵² The dynastic nomen is surely best seen as the natural accompaniment of rank conferred by certain appointments rather than the result of individual imperial codicils in each case as J. G. KEENAN would have (*ZPE* 11 (1973), 40). The principle of transferability of *honor* to the spouse is expressed in *CTh* 2.1.7: *IMPPP. VALENTIN. THEOD. ET ARCAD. AAA. MARTINIANO COM. ORIENTIS. Mulieres honore marito erigimus, genere nobilitamus. Iisdem forum ex eorum persona statuimus et domicilia mutamus.* (10 November 392).

⁵³ A. H. M. JONES, *LRE*, 40-745; F. G. B. MILLAR, *JRS* 73 (1983), 76-96; idem, “Italy and the

ubiquity of the phenomenon, there appears to be only one explicit instance where an individual felt the need to comment on the acquisition of the emperor's *sacratum nomen*; in this case being inspired to record it in verse.⁵⁴ So, with the arrival of the dynastic nomen, the default-nomen system has been transformed into one indicating status; the status being that of belonging to the new class of privilege: those possessing an office in the imperial service.

In cases where the dynastic nomen was added to existing nomina the result can be differentiated from straightforward polyonymy by the predictability of its placement. In the case of Valerius it is employed as the ultimate, in the case of Flavius as the primary, nomen. Hence, rather than examples of secondary gentilicia, those of the Tetrarchic governor of Flaminia et Picenum, M. Aur. Val. Valentinus, and the son of Constantine's praetorian prefect C. Caelius Saturninus, C. Fl. Caelius Urbanus, are better understood as dynastic nomina.⁵⁵ Both this oscillation and the switch from Valerius to Flavius as the higher status-nomen are the natural result of a change in imperial dynasties.

Valerius originated as the gentilicium of C. Valerius Diocles who, considering his obviously Greek cognomen to be not of sufficient dignity, disguised it in a more Latin form—Diocletianus—on gaining the throne in 284. In the absence of natural sons, Valerius was established as the nomen of the dynasty when Diocletian made his comrade-in-arms M. Aurelius Maximianus a co-emperor in 286 at the same time creating a fictive brotherhood by the expedient of exchanging nomina, producing the elder brother C. Aurelius Valerius Diocletianus and the younger M. Aurelius Valerius Maximianus. When in 293 the imperial college was doubled by the recruitment of two Caesars, each to be lieutenant and designated heir to an Augustus, a change in naming strategy was forced. Mutual exchange of nomina being impractical between four, and in any case not representative of the relationship of fictive filiation, each of the new Caesars adopted the senior Augustus' nomen after their

Roman Empire", *Phoenix* 40 (1986), 306f.

⁵⁴ According to the new supplement of *ILPG* 138, line 5, by M. LE ROUX, "*Domesticus* et poète: le *cursus* versifié d'Abla (Almeria)", *Institutions, société et vie politique*, 272: 'Militias nobis et praemia [Caesar iunxit] / accepi gemini bis praem[ia torquis turmae] / armigeræ primum comes al[terum excubiarum] ? / palatarum custos datu[s ita nostros] / auxit fortunas ut avuncu[li Constantini] / olim sacrato de nomin[e nos decorarat].'

⁵⁵ *PLRE* 1 Valentinus 12 (and cf. stemma 27, where a family connection with the Symmachi is proposed on the basis of the combination 'Aur. Val.', borne also by Symmachus 6); Vrbanus 4.

own (as Maximian had done), in conjunction with the praenomen of their immediate superior. So Galerius Maximianus, Diocletian's Caesar, became C. Galerius Valerius Maximianus and Flavius Constantius, Caesar to Maximian, became M. Flavius Valerius Constantius.⁵⁶ In this fashion two artificial dynasties were created: the C. Valerii (*signo Iovii*) descended from Diocletian and the M. Valerii (*signo Herculii*) descended from Maximian. This assumption of Valerius by Diocletian's colleagues may indeed be the very inspiration of the dynastic nomen.⁵⁷

Continuing the Tetrarchic pattern in the guise of heir to the Herculan dynasty, Constantine naturally assumed the nomina Marcus. . .Valerius. So his full nomenclature in 306 was M. Flavius Valerius Constantinus. After defeating the rival claimant M. Aurelius Valerius Maxentius in 312 and after C. Galerius Valerius Maximinus, the heir to the Jovian dynasty, was eliminated in 313, the ambiguity of Constantine's position on the dynastic arrangements is apparent in his nomenclature. He allowed his partner Licinius to pretend that the Tetrarchic scheme would be continued; i.e. that he would continue the Herculan and Licinius the Jovian dynasty.⁵⁸ But Constantine played down the Herculan connection, ceasing himself to propagate the praenomen as part of his official nomenclature. Moreover in the wake of the civil war of 316, when Constantine's sons Crispus and Constantinus and the younger Licinius were elevated as Caesars, in Licinius' realm they were regularly termed Valerii, whereas Constantine himself pointedly omitted the Valerius from their nomina. In the West they are always called Flavius Iulius Crispus and Flavius Claudius Constantinus; their ancestral gentilicium being the one consistent element. By this Constantine stressed his hereditary claim to the throne by blood, and explicitly rejected the

⁵⁶ As he is correctly called by T. E. GREGORY, *ODB*, 524f. The form C. Flavius Valerius Iulius Constantius, given by *PIR*² [F 390] is a chimaera produced by cross-breeding the evidence of the ill-informed (a few milestones) with the plain wrong (the *Historia Augusta*). The more cautious *PLRE* 1 (Constantius 12) does not give him a praenomen and sensibly rejects the Iulius. The 'Caius' of the milestones is hardly surprising given a public no longer accustomed to varying praenomina, since the last imperial dynasty to differentiate them had been that of Septimius Severus.

⁵⁷ The phenomenon may be prefigured as early as the 240s, if the 'Iulius' adopted by Sentius Malchus βουλευτήης, σύνδικος καὶ ἐπιμελητήης of Philippopolis in Arabia reflects the patronage of the emperor M. Iulius Philippus (A. SEGAL, *Town Planning and Architecture in the Province of Arabia*, 95-100 No 401a, cf. No 395).

⁵⁸ Licinius even celebrated the arrangement by the creation in 314 of the twin provinces Aegyptus Iovia and Herculia, on which see T. D. BARNES, *New Empire*, 211.

Tetrarchic arrangement. However by this time the principle of the dynastic gentilicium as a status-nomen was already established. Thus on Licinius' defeat in 324, Constantine's gentilicium, Flavius, became definitively entrenched as the nomen indicating higher status. Not only was it borne by his sons as their ancestral gentilicium but also by their successors, so that it became established as the definitive imperial nomen. For, with very few exceptions, the emperors of the rest of the fourth, fifth and sixth centuries were from families of non-aristocratic military backgrounds. They belonged to the new élite created by imperial service, whose members had naturally replaced their original nomina with the dynastic Flavius on taking up an imperial *militia*. Flavius thus became self-perpetuating as the nomen of the emperors.⁵⁹

Close on the heel of these changes, the new respectability accorded to Christianity by Constantine's conversion, popularised Hebrew and Aramaic names from the scriptures, as well as compound formations reflecting Christian interests.⁶⁰ At least one bishop preached that parents ought to give their children such Christian cognomina in preference to the names of ancestors.⁶¹ The advent of the Christian empire thus greatly expanded the canon of Roman cognomina but it did not undermine the binominal system. It was the dominance of New Romans that was eventually to do that. In fact the Egyptian papyri reveal that the Church developed its own equivalent to the status-nomen: 'Abba' (father), which was prefixed to the name of the ordained as an indicator of clerical status.⁶²

It is, in fact, rather uncommon to find the dynastic nomen and the traditional gentilicium together in an individual's nomenclature. For, while the official use of the imperial court, the dynastic nomen was never compulsory. Just as they were loath to replace the traditional *vir clarissimus* by new titles such as *illustris* or *spectabilis*, the independently-minded aristocracy of Rome were unwilling to use a nomen which behaved

⁵⁹ The only exceptions are four Western Emperors of the fifth century: Petronius Maximus (455), Iulius Valerius Maiorianus (457-461), Libius Severus (461-465) and Anicius Olybrius (472), all but Majorian from the Italian senatorial aristocracy.

⁶⁰ The adoption of Christian names was examined by R. S. BAGNALL, "Religious Conversion and Onomastic Change in Early Byzantine Egypt", *BASP* 19 (1982), 105-124 to estimate the rate of conversion and was criticized by E. WIPSYCKA, "La valeur de l'onomastique pour l'histoire de la christianisation. A propos d'une étude de R. S. Bagnall", *ZPE* 62 (1986), 173-181; cf. BAGNALL, "Conversion and Onomastics: a Reply", *ZPE* 69 (1987), 243-250.

⁶¹ John Chrysostom, *Sur la vaingloire et l'éducation des enfants* [Malingrey, 146], 648-651.

⁶² On the use of 'Abba' by clergy see J. G. KEENAN, *ZPE* 13 (1974), 283-304.

in a fashion unsanctioned by the *mos maiorum*.⁶³ However, simple *novitas* was not the only factor rendering use of these unpalatable. For, more importantly, turning upon its head the classical ethos, whereby one's social rank brought with it a duty of service to the *res publica*, both the new rank titles and the dynastic nomen reflected a dignity acquired by service to the emperor. Nevertheless New Romans, such as Egyptian scribes, not unnaturally tended to credit the dynastic nomen, either through indifference or ignorance of the proper nomen, to all those in imperial employ, regardless of whether those concerned would ever use it themselves. Thus, frequently Roman senators of the old aristocracy, attested in glorious polyonymy in inscriptions put up by themselves or their circle, simply have Flavius prefixed to their diacritic cognomen elsewhere. This contrast explains Ausonius' reference to the 'tria nomina of the more noble'.⁶⁴ Their use of gentilicia, let alone praenomina, contrasted with the *parvenus*, raised to prominence through service in the civil or military command of the late Roman state, who rarely bore anything but Flavius. Indeed the Antiochene Ammianus Marcellinus considers the sporting of obscure and grand-sounding gentilicia one of the symptoms of the pretentiousness of the aristocracy of Rome.⁶⁵

As I have argued then, the period after the *Constitutio Antoniniana*, far from being a period in which 'the distinction between the given name and the *nomen gentile* appeared blurred',⁶⁶ was rather one in which the Roman world became divided between those who employed two co-existing systems, both sharing the diacritic cognomen: the one prefixing ancestral gentilicia, the other the default-nomina, Aurelius or Flavius. To individuals

⁶³ On the different employment of Flavius and the new senatorial rank titles between between the élites of East and West see A. D. E. CAMERON, "Flavius: a Nicety of Protocol", *Latomus* 47 (1988), 32f.

⁶⁴ Ausonius, *Opuscula* 16. *Griphus ternarii numeri* 80: 'tria nomina nobiliorum' Known only as Decimius (not Decimus as W.-L. LIEBERMANN in R. HERZOG (ed.), *HLL* 5 (1989), § 554, 268 n.1 and *CLRE* 292f) Magnus Ausonius, we are, ironically, ignorant of the poet's own praenomen.

⁶⁵ Ammianus Marcellinus, 28.4.7: 'Praenominum [i.e. nominum] claritudine conspicui quidam (ut putant) in immensum semet extollunt, cum Reburri et Flavonii et Pagonii Gereonesque appellentur, ac Dalii cum Taraciis et Ferasiis, aliisque ita decens sonantibus originum insignibus multis.' Ammianus' parody works by mixing genuine but obscure gentilicia (Reburri, Flavonii) with the almost real (Pagonii, cf. Ragonii) and the no doubt fanciful (Dalius, etc.); a passage worthy of a contemporary fraudster, cf. R. SYME, *Ammianus and the Historia Augusta*, 151f.

⁶⁶ A. P. KAZHDAN, *ODB*, 1453.

whose status remained the same as their parents', the nomen fulfilled both functions and they may never have reflected on the dichotomy. The long-heralded loss of the praenomen, filiation by praenomen and the redundancy of voting tribe, did not fundamentally undermine the classical gentilicium-based system. In fact the last datable inscription from Volubilis in Mauretania, of AD 655 precisely, happens to be the epitaph of one Iulia Rogatiana.⁶⁷ Both the default-nomina, where they are best documented in the Egyptian papyri, continued to be used for over sixty years after the Arab conquest; e.g. Fl. Titus, *dux* of Arcadia and the Thebaid on 30 July 699, and Fl. Basilius, pagarch of the village of Jkôw in 710.⁶⁸ Examples of almost as late date can be mustered from both manuscript and epigraphical sources from both Latin and Greek areas still within the Empire. For instance, an Istrian diplomatic codex attests a certain Fl. Parsinus, *praefectorius vir gloriosissimus* at Caesena in 680, and an inscribed copy of a constitution of the emperor Flavius Iustinianus (II) himself, dated to September 688, survives at Thessalonica.⁶⁹ The dynastic nomen survived also in the western successor kingdoms, being copied along with other Roman ranks and titles by the barbarian kings. Thus Paul the Deacon relates how Authari took the name Flavius 'ob dignitatem' when he became king of the Lombards in 584.⁷⁰

The consequences of the *Constitutio Antoniniana* lie ultimately behind the demise of both systems. For, while the two systems existed side by side for four hundred years, there is no doubt that the default-nomina (which approximately represent the New Romans), in a majority from the outset, were constantly gaining ground. The arrival of new populations further weakened the Italian concentration. Nevertheless, while that great preserver of traditional *mores*, the senatorial aristocracy of Rome, continued to play a significant role in the state, it was still felt necessary for those who counted themselves Romans to bear a nomen in official contexts. However after the old aristocracy's Italian

⁶⁷ *IAM* II 608: 'D. M. S. | Memoria Iulia Roga|tian(a) de Altava Ko(o)ptativa | cui fili et nep(otes) fec(e)r(unt), | vix(it) ann(os) pl(us) m(inus) LXXVI | d(i)sc(essit) in p(ace) an(no) p(rovinciae) DCXVI'. Even on the most conservative interpretation the gentilicium must still have been in use in Altava when she was born there in seventy-six years before in AD 579.

⁶⁸ *SB* 9460 (Arsinoë), line 3: 'Φλ. Τίτω εύκλεεστάτω δουκι 'Αρκαδίας και Θηβαίδος'; *P.Lond.* 1540 (Greek subscription): 'Φλ. Βασιλείου (sic) τών (sic) ένδοξοτάτον πάγαρχον.'

⁶⁹ On Fl. Parsinus see T. S. BROWN, *Gentlemen and Officers*, 272. 'Φλάμιος 'Ιουστινιανός' in lines 1 & 2-3 of the text provided by A. A. VASILIEV, "An Edict of the Emperor Justinian II, September 688", *Speculum* 18 (1943), 5-6.

⁷⁰ Paulus Diaconus, *Historia Langobardorum* 3.16.

power base was undermined by the devastation of the sixth century and those that fled to Constantinople had been absorbed by the eastern court, it is not surprising to find recorded gentilicia becoming rarer and rarer.⁷¹ The default-nomina themselves were jettisoned within little over half a century after the disappearance of gentilicia, since they no longer served any purpose after the disappearance of the binominal model. Certainly by the early ninth-century, when Patriarch Nicephorus' was revising his *Historia syntomos* (or the tenth-century copyist was transcribing it), the system can no longer have been generally understood in Constantinople. Otherwise the blunder of giving the emperor Heraclius' son Fabius the single name Flavius could not have been committed, even if the slip is readily intellegible palaeographically.⁷²

The final demise of the nomen-based system of naming, after approximately 1,400 years, did not result in a loss of Roman identity. The two had become detached by Caracalla's universal grant. The nomen's demise was the logical consequence of the demographic dominance of the New Romans (enfranchised by Caracalla) over their erstwhile social superiors. Thus the initially confusing aspect of late Roman nomenclature is the result not of any slide of the classical *tria nomina* into anarchy but rather of the concurrent use of two different naming systems, which were themselves internally coherent. Old Romans, Italian and peregrine alike, continued to employ the binominal system based on a hereditary gentilicium. New Romans, on the other hand, applied their alternative notion of the significance of the nomen to the social order to produce a new naming practice, reflecting the new significant division in the Roman World, (replacing that between citizens and peregrines) that between holders of imperial *dignitates* and private citizens. The ordinary mass of the free population retained the 'M. Aurelius' of Caracalla's grant, without appreciating its proper use, while those with an *honor* in the imperial hierarchy adopted the nomen of the reigning dynasty.

This history of Roman naming practice from the third century on can, then, serve as a demonstration of the impact of the *Constitutio Antoniniana*. The novel phenomenon of the default-nomen and its eventual swamping of the *nomen gentile* are attestation of both

⁷¹ On the eclipse of the old aristocracy see T. S. BROWN, *Gentlemen and Officers*, 21-37.

⁷² i.e. ΦΑΒΙΟC v. ΦΛΑΒΙΟC (Nikephoros, *Brief History* [C. A. Mango, 11.8]). An earlier draft (the incomplete MS L) retains the original form Φάβιον, which, as Cyril MANGO comments, is to be preferred since 'Flavius is a mere gentilicium.' Of course so is Fabius, but it is a ancient gentilicium used as a cognomen, whereas Flavius is a mere status-nomen.

the suddenness of Caracalla's grant and that it conferred Roman citizenship on the majority of subjects for the first time, confirming Augustine's opinion that 'what had before belonged to the few now belonged to the many.' This brought into being a Roman World numerically dominated by people who considered themselves Roman but who had not been Romanised in the traditional sense: who acquired the *nomen Romanum* without *Romanitas*.

IV. *Impact on Imperial Government*

As far as its effects upon legal statuses are concerned, A. N. Sherwin-White boldly claimed that the *Constitutio Antoniniana* would have been a dead-letter within years of its promulgation.⁷³ Historians have scoured ancient authors in search of contemporary witness of its effects. Indeed, a treatise entitled *The Division of Epideictic Speeches*, attributed to the late third-century sophist, Menander of Laodicea-ad-Lycum, has been invoked since the late seventeenth century to demonstrate the impact of the *Constitutio* not on individuals but on the constitutions of the non-Roman cities of the empire.⁷⁴ In listing the accomplishments for which one could traditionally praise a city, Menander says that it is now impossible to praise a city for its legal autonomy 'since all Roman cities are now governed by one [rule]'.⁷⁵ Later in the same section of this treatise, in the context of praising cities for their equitable dealings between their own citizens and foreigners, he says 'nowadays the topic of laws is of no use, since we conduct public affairs by the common laws of the Romans.'⁷⁶ However, Joseph Méléze-Modrzejewski has recently argued, in a most convincing manner, that Menander is not comparing conditions before and after 212 but those before and after the intrusion of the *imperium Romanum* into the Hellenistic East.⁷⁷ He understands Menander to be complaining that the cities no longer have any independence in policy making. Similarly, the Syriac philosopher Bardesanes' comment,

⁷³ A. N. SHERWIN-WHITE, "The Roman Citizenship", *ANRW* 1.2 (1972), 58.

⁷⁴ Most recently by M. TALAMANCA, "Su alcuni passi di Menandro di Laodicea relativi agli effetti «Constitutio Antoniniana»", *Studi. E. Volterra* 5, 433-560; cf. the bibliography of J. M. MODRZEJEWSKI, "Ménandre de Laodicée et l'Edit de Caracalla", *Symposion* 1977, 335 n.1.

⁷⁵ Menander rhetor, 360.14-15 [Russell & Wilson, 1.3 p.60]: ὑπὸ γὰρ μι[ᾶς ἀρχῆς] αἱ ῥωμαϊκαὶ ἄπασαι νῦν διοικούνται πόλεις.

⁷⁶ Menander rhetor, 363.11-12 [Russell & Wilson, 1.3 p.66]: ἀλλὰ τὸ τῶν νόμων ἐν τοῖς νῦν χρόνοις ἄχρηστον· κατὰ γὰρ τοὺς κοινούς τῶν ῥωμαίων νόμους πολιτευόμεθα.

⁷⁷ J. M. MODRZEJEWSKI, *Symposion* 1977, 335-366.

in his dialogue *On the Laws of Countries*, of c. 196-223, that the Romans had in Arabia recently ‘done away with all the laws there used to be, particularly circumcision’,⁷⁸ cannot be understood as a reference to the effects of the *Constitutio*. For the sweeping aside of local Arabian customs is ascribed to the Roman conquest, not the extension of citizenship.

The remarks of Menander and Bardesanes would only apply to an impact upon the legal systems of the cities, if the *Constitutio* had constitutionally transformed all non-Roman communities into Roman *municipia*. This was not the case.⁷⁹ Rather, the persistence of *civitates liberae* is tangible evidence to the contrary.⁸⁰ Thus the *Constitutio* operated in practice as a grant to each subject individually rather than to subject communities, which retained their statuses unmolested, as in the grant recorded by the *Tabula Banasitana*.⁸¹ Thus it should be no surprise to find the demes of Athens and Alexandria attested well into the late third century.⁸² The *Constitutio* simply extended the already well-established principle of a dual citizenship (of Rome and of one’s local community), so subsuming to the *civitas Romana* all those free subjects previously excluded.

Nevertheless, Menander’s lament may, after all, have a bearing on the interpretation of the impact of the *Constitutio*, even if he was not specifically making the complaint in reference to it. For the extension of the citizenship may have encouraged an already existing trend for Roman subjects, given the opportunity, to try and seek redress from Roman administrators; after all, they were backed by the superior force. If *P.Giss.* 40 I

⁷⁸ *Liber legum regionum* 43 [= *Patr. Syr.* 1.2 (1907), cols 603-4], trans. H. J. W. DRIJVERS, *The Book of the Law of Countries*, 57. The dialogue was recorded by his pupil and interlocutor, Philip.

⁷⁹ See W. KUNKEL, *Introduction to Roman Legal and Constitutional History*², 78f; A. N. SHERWIN-WHITE, *ANRW* 1.2 (1972), 58; R. L. DISE, *Cultural Change and Imperial Administration*, 104. Caracalla himself issued a new charter to Lauriacum (*FIRA*² I, No 26) and the continued issue of new grants of municipal status to communities in Africa is attested under Severus Alexander, Gordian III, Iulius Philippus and Gallienus (C. LEPELLEY, *Les cités de l’Afrique romaine* I, 122).

⁸⁰ J. M. REYNOLDS, *Aphrodisias and Rome*, 131-143, docs. 20-22 & 25 (= *MAMA* VIII 424), letters of Gordian III and Decius confirming the Aphrodisians’ traditional rights to autonomy.

⁸¹ On this basis W. SESTON, «Scripta Varia», 72 completed the proviso of *P.Giss.* 40 I, lines 8-9, as [μ]ένοντος | [παντὸς δικαίου τῶν πολιτευμ]άτων (preserving entire the *ius* of the *civitates*). If the exception of the *dediticii* is from this subsidiary clause rather than from the main grant, then they are not only to benefit from the main grant but also have their local organisation reviewed, as suggested by M. I. ROSTOVITZEFF, *SEHRE*², 719 n.38.

⁸² S. FOLLETT, *Athènes au II^e et III^e siècle*, 89; D. DELIA, *Alexandrian Citizenship*, 135-141.

is the text of the *Constitutio*, and if (as seems likely) it contains a clause safeguarding local rights, it would indicate a conscious desire on behalf of the Roman government to avoid this outcome. When one considers the workload undertaken by the Roman government in the one province which was largely devoid of any independent local municipalities, Egypt, then one can readily understand why they would be anxious to avoid a repetition of this level of involvement elsewhere. For instance, the Prefect of Egypt received 1,804 petitions at a single *conventus* at Arsinoë over the space of some two-and-a-bit days in 209;⁸³ and this even in the period after Septimius Severus had established self-government for the Egyptian towns.⁸⁴ Of course many of the cases were destined to be returned to lower courts or officials for judgement, but the very fact of processing all this paperwork must have absorbed a colossal proportion of the administration's time and effort. This perspective may explain why the Roman administration was so uninterested in the legal niceties, giving rise to a tendency to class all non-Roman law in Egypt, whether Greek or native, under the heading 'Egyptian law.'⁸⁵ Free and allied cities might retain their autonomy in theory but see their authority in practice drain away. This might explain the consistent desire of the Aphrodisians to have their local autonomy confirmed. The city received a number of imperial letters to the effect, the last one known dating from AD 250. Such confirmations were proudly recorded by being inscribed in public.⁸⁶ Were the Aphrodisians at all conscious of the irony of an autonomy that could only be maintained by the despatch of repeated embassies to seek its confirmation from the very authority which put that freedom at threat in the first place? The moment of the *Constitutio Antoniniana* did not mark a change in this relationship.

The significance of the *Constitutio* may be that the possession of Roman citizenship encouraged in the individual provincial a greater expectation of receiving a hearing from the Roman administration. For the first time all subjects would come under Roman civil

⁸³ The statistic is recorded on *P. Yale* I 61; discussed by N. LEWIS, "The Prefect's *Conventus*", *BASP* 18 (1981), 120.

⁸⁴ Their councils served to relieve some of the responsibilities of the central authorities, at least in the collection of taxes (A. K. BOWMAN, *The Town Councils of Roman Egypt*, 69-82).

⁸⁵ A fact most upsetting to the modern academic lawyer; see J. M. MODRZEJEWSKI, "«La loi des Egyptiens»", *Proc. 18th Int. Congr. of Papyrology* vol. 2, 383-399.

⁸⁶ The series of imperial letters confirming the rights of Aphrodisias only comes to an end with Decius' of the latter part of 250 (J. M. REYNOLDS, *Aphrodisias and Rome*, 140ff, doc. 25).

jurisdiction (at least in theory); the automatically binding legal authority of local communities will presumably have evaporated overnight. The legal changes may have been minimal,⁸⁷ but Roman administrators will have had their ability to dispose of cases summarily reduced now that all subjects possessed the right of appeal above their heads. Given the enormous explosion in citizen numbers indicated by the impact (or lack of it) on naming practices, one can imagine the increased amount of administrative effort that would be required of the Roman authorities. The very dossier of *P. Giss. 40* itself indicates the kind of legal questions the *Constitutio* generated, by granting Roman citizenship universally while simultaneously preserving local statutes.⁸⁸ One can hardly imagine that this would have been a one-off case created by the *Constitutio*. Tony Honoré has postulated an increased level of legal queries as the explanation for the exceptionally large number of imperial constitutions clustered around the years 212-213.⁸⁹ A rescript of 224 (*CJ 8.52.1*) is testimony to the way in which imperial sanction was sought by the newly enfranchised for the recognition of their established custom as a source of law. Moreover, it has been argued that the *Constitutio* was still having an impact on the legislative policy of Gordian III (AD 238-244).⁹⁰ It is a fact that, according to Honoré's analysis, it is not until the 250s that ^{the} volume of imperial rescripts once again subsides to the levels of before 212.⁹¹

Whether local jurisdictions were formally abolished or not, given the choice people would no doubt opt for the system that had greater authority. Indeed by the later third century Menander confirms that the whole subject of civic customs (*νόμιμα*) and laws (*νόμοι*) covering inheritance is useless as a subject for praise because of the use of the common laws of the Romans.⁹² Moreover, the population of the provincial territories, who in the Hellenised East had often been excluded from participation in the public life of their local urban centre, would not unnaturally now look to Rome for their government and

⁸⁷ A. SEGRÉ, "La costituzione Antoniniana e il diritto dei «novi cives»", *Ivra* 17 (1966), 1-26, argues that provincial civil law had already been transformed under Roman influence.

⁸⁸ For detailed discussion of the case see F. M. HEICHELHEIM, *JEA* 26 (1940), 22.

⁸⁹ A. M. HONORÉ, "The Severan Lawyers" *SDHI* 28 (1962), 176f.

⁹⁰ A. NICOLETTI, *Sulla politica legislativa di Gordiano III*, 62f.

⁹¹ A. M. HONORÉ, *SDHI*, 168-170. The yearly average for AD 200-9 is 11.9, compared with 25.4 for 210-9, 36.8 for 220-9, 23.3 for 230-9, 18.6 for 240-9 and 6.7 for 250-9.

⁹² Menander rhetor, 364.13-14 [Russell & Wilson, 1.3 p.68]: ἀλλὰ καὶ τοῦτο τὸ μέρος διὰ τὸ τοῖς κοινοῖς χρῆσθαι τῶν Ἑρωαίων νόμοις ἄχρηστον.

law. As Ramsey MacMullen noted, jurists were compelled to come to terms with the use in Roman legal procedures of languages other than Latin or Greek for the first time.⁹³ And it is probably more than a coincidence that first work on Roman law in Greek, Herennius Modestinus' six books on exemption from *cura* and *tutela*, appears in the 220s. It may also be significant that, as Fergus Millar noted,⁹⁴ Modestinus goes beyond the title to deal extensively with exemption from city liturgies, as provincials tried to use their new citizenship to withdraw from the local political arena in favour of imperial careers. The exemptions from local obligations offered to central government employees simply encouraged these ambitions and exacerbated the problems of city councils. This hardly builds up to a picture of indifference to the new possibilities on the part of the New Romans. As they woke up to the potentialities of their new status the result will have been the increased involvement of the imperial authorities at the local level. Consequently, as Vivian Nutton noted, from c. 250 the provincial governor displaces the civic magistrate as the chief subject of the traditional inscribed epigrams in the cities of the Greek East.⁹⁵

With a fairly restricted number of Roman citizens to deal with, it had been just about reasonable to expect the Proconsul of Asia, with the help of a couple of legates, to cover in his assize circuit the whole of the proconsular province of the principate with its legendarily large number of cities.⁹⁶ However, even before 212 there was a 'substantial deficit of administrative resources'.⁹⁷ Therefore, this was not nearly such a reasonable expectation when every free person of the area had, in theory at least, access to Roman law. A necessity to subdivide the Julio-Claudian provinces in order to ease administration will have been the obvious result. The inevitable increase in pressure upon imperial procurators to become involved in civil cases, is sufficient explanation for Caracalla's action extending procurators' powers in this respect.⁹⁸ Provincial partition is, of course,

⁹³ In c. AD 215 in *de fideicommissis* 2 (*Dig.* 32.11. pr.) Ulpian envisages the use of Punic or Gallic and in *ad Sabinum* 48 (*Dig.* 45.1.1 §6) the use of Punic or Assyrian (i.e. Syriac) to establish a valid contract by *stipulatio*; R. MACMULLEN, *Changes in the Roman Empire*, 32f.

⁹⁴ See F. G. B. MILLAR, *JRS* 73 (1983), 77f, on Herennius Modestinus, *de excusationibus libri VI* (O. LENEL, *Palingenesia* II, cols 707-718, frags. 54-69).

⁹⁵ V. NUTTON, "The Beneficial Ideology", *Imperialism in the Ancient World*, 210-212.

⁹⁶ On which see G. P. BURTON, "Proconsuls, Assizes and the Administration of Justice", *JRS* 65 (1975), 92-106.

⁹⁷ G. P. BURTON, "Provincial Procurators and the Public Provinces", *Chiron* 23 (1993), 25.

⁹⁸ On the procurator's existing powers see P. A. BRUNT, "Procuratorial Jurisdiction", *Roman*

a process which begins before 212. But it is also worthy of note that in the wake of one of the earliest provincial divisions (Britain—for which one can find a cogent military reason) a *iuridicus* is to be found acting.⁹⁹ Of the process in general, it is notable that some of the most divided areas are those of least military significance: e.g., Asia, Hispania Tarracensis, etc. Indeed the division of Asia begins as early as the 240s, with appearance of Caria and Phrygia as a joint province.¹⁰⁰

This factor in the genesis of the larger administration of the fourth century has not usually been given its full weight because of a tendency to overestimate the spread of citizenship before the *Constitutio Antoniniana*, combined with a tendency for discussion of this innovation to concentrate on an examination of Caracalla's motives rather than on the long term effects that can be identified or reasonably postulated. Perhaps the irony of the *Constitutio* is that, while according to established Roman policy, it ought to have signified that all Roman subjects were now at a sufficient state of development to live as citizens of mini-reproductions of Rome all over the empire, it in fact fatally undermined the independent institutions of the cities. The long-term effect cannot have been but to generate more work for the Roman government. The increased penetration of imperial government into the local sphere to the detriment of city councils is a familiar aspect of the later empire, of which the growing ubiquity of the dynastic nomen through *PLRE* 1-3 is a visible symptom. On the whole, the long term effects of the *Constitutio Antoniniana* seem, to my mind, a far more convincing explanation for the elaboration of civil administration in the later third century than a response to barbarian pressure. After all, the Roman army, which one would have expected to be most effected by the so-called 'third century crisis', was subject to no real elaboration of the chain of command during the third century, or even until the middle of the fourth.¹⁰¹ Far from being a 'dead-letter', it was in the longer term rather than in the immediate aftermath of its promulgation that the consequences of the *Constitutio Antoniniana* really made themselves felt.

Imperial Themes, 183-187, cf. F. G. B. MILLAR, "The Development of Jurisdiction by Imperial Procurators", *Historia* 14 (1965), 362-367; and on the pressures upon them, G. P. BURTON, *Chiron* 23 (1993), 20-28.

⁹⁹ P. SALWAY, *Roman Britain*, 227.

¹⁰⁰ C. M. ROUECHÉ, *Aphrodisias in Late Antiquity*, 3f.

¹⁰¹ A. H. M. JONES, *LRE*, 607-610.

Towards a Nation-State

1. *Romani*

The individual reaction of the average New Roman citizen to his or her new status is also extremely significant. Caracalla's grant was clearly viewed as a benign act by its beneficiaries and their descendants, even if other more fondly-remembered emperors of similar name sometimes got the credit.¹ However, it did not produce a population Romanised in the traditional sense. Rather, the sudden nature of the *Constitutio Antoniniana* bypassed the established processes of Romanisation. The New Romans were not required to abandon their local culture to become Roman, but rather it could be included in a wider definition of Roman culture. An identification with Rome the city, its institutions and its culture was no longer paramount. Thus in social terms the late Roman empire marked a shift away from the classical city-state to something approaching a nation-state, but not in the modern European racial and linguistic sense, rather in the same way that the United States of America are a nation-state. One could scarcely deny that America possesses an identifiable shared, basic culture and ideal. Within this it is possible to be an Irish, or an Italian, or a Hispanic American without diluting one's Americanness. For, I would connect the extension of the term 'Ρωμαῖος by Greek writers of the fourth century onwards to describe their own nationality specifically with the *Constitutio Antoniniana*, rather than simply ascribing it to a process of Greek 'Romanisation' through growing familiarity with the ruling power over time.²

Caracalla's grant gave Roman status to cultures which had previously been excluded by the Greco-Roman cultural monopoly of the imperial period. These local cultures were now the legitimate expression of the sovereign *populus*. This surely must be the explanation for the cultural history traced by Ramsey MacMullen in the personal naming

¹ To Aurelius Zosimus in AD 215 it was a 'divine gift' (*BGU* II 655) and an action 'gratissime atque humanissime factum', in the words of St. Augustine c. 413/426 (*de civitate Dei* 5.17) who, as an Aurelius himself, may have been descended from one of the beneficiaries of 212. Aurelius Victor (16.12) credits the grant to Marcus Aurelius and Justinian (*Novella* 78.5) to Antoninus Pius.

² Ascribed to a triumph of 'Romanisation in sentiment' by P. A. BRUNT, "Laus Imperii", *Roman Imperial Themes*, 265.

practices of native Egyptians.³ In the Ptolemaic and early Roman period Egyptians who desired to raise their social profile adopted Greek etymological or phonetic equivalents for their native names: so ‘Dionysius also known as Petosiris’ or ‘Theon who is Thionis’, etc. This style reaches a peak of popularity in the second century AD, dropping off dramatically in the third and becoming rare in the fourth. There is even a revival of native Egyptian names amongst those literate in Greek. This ought surely to be put down to an elevation in the status of Egyptian culture to something approaching an equivalence with the prestige of Greek in Egypt and not (as MacMullen would have us believe) to a perceptible decline in the prestige of the latter. For Greek does not relinquish its hold; rather there is a new equivalence, eloquently expressed by the increasing frequency of the hybrid compound formation, Phoebammon, among the upper classes.⁴ The same logic applied between Greek and Latin. Diocletian was the last emperor with a Greek cognomen who felt any need to disguise it, though some stigma clearly still attached to an Isaurian origin in the fifth century (hardly surprising given the Isaurian reputation for brigandage).⁵ In general, however, the validation of formerly peripheral or subject cultures meant that the social pressure on barbarians, army recruits for example, to swap their names for more acceptable, Roman ones, was relieved. The result is that the number of non-Romans amongst the armed forces is brought into sharp contrast for the first time, with the result that the army is accused of becoming ‘barbarised’. For the first time, in AD 348, an ‘unreconstructed’ barbarian, Flavius Salia, scaled to the social heights of the ordinary consulship. Of course the relaxation of the Graeco-Roman hegemony on citizen nomenclature, means that one can no longer be so certain of the assumption that those with ‘barbaric’ names are first generation citizens and least of all should such names be taken as token of divided loyalties. To think in such terms is in any case anachronistic. A Frankish Roman was just as much a Roman in his own eyes as was a man of ancient Italian stock. Even if a people might be kept at arms length by the Roman state, as for instance

³ R. MACMULLEN, *Changes in the Roman Empire*, 36f.

⁴ While only a solitary Phoebammon makes it into *PLRE* 1, seven are of sufficient status to qualify for inclusion in *PLRE* 2 and no less than eighteen in *PLRE* 3.

⁵ The future emperor, Tarasi(o)s of Rusumblada, swapped his original cognomen for the more weighty Zeno (R. M. HARRISON, "The Emperor Zeno's Real Name", *BZ* 74 (1981), 27f.). Given that his brother was a Longinus—also a name borne by philosophers (cf. *PLRE* 1 Longinus 2), it is tempting to see the brothers as a philosophical *namenpaar*.

the Goths, there remained no bar to their being admitted to the *populus Romanus* on individual bases.

It might be objected to this interpretation—which puts the event of the *Constitutio Antoniniana* at the root of this widening of the definition of what it was to be a Roman—that the non-citizen subjects of the empire had been called Romans in non-technical contexts long before 212. It is certainly established fact (i) that there was a distinct tendency for Roman emperors, already from the time of Hadrian on, to refer generally to their subjects as Romans in their pronouncements,⁶ (ii) that the Christian orator Tertullian uses *Romani* in the sense of ‘people in general’,⁷ and (iii) that the Greek satirist Lucian of Samosata describes the legions as ‘our soldiers’.⁸ However none of these can serve as a genuine example of *peregrini* describing themselves as Romans. This is obviously so of the usage of emperors. As for Tertullian, as A. N. Sherwin-White noted, he is speaking as a citizen from an upper-class viewpoint in one of the most heavily municipalised of the Latin-speaking provinces, where *Romanitas* and *civilitas* might legitimately be considered co-terminous. Lucian is a less straightforward case. On the one hand there is no explicit evidence that he held the citizenship. Indeed, in the context of a dialogue with Philosophy (*Reviviscentes sive Piscatores* 19), he identifies himself as Syrian, though in contrast to pure Hellene rather than Roman. On the other hand his writings show no obvious hostility to the Roman dominion and the very form of his name—whether formed on the base of Latin Lucius, or more probably Lucia, (cf. Gaius, Quintianus, Tiberianus) or a hybrid, formed from Loukas (cf. Ammianus, Moschianus, Timonianus)—is suggestive of a level of familiarity with Roman culture.⁹ Indeed, his defence of his own employment in imperial service, looking forward to promotion to procuratorship or higher (*Apologia* 12), implies his possession of Roman citizenship.¹⁰ Thus, while Roman rulers and other members of the citizen body may have occasionally termed the subjects of the empire in general

⁶ As recalled by John Chrysostom, *Homilia* 48.1: ἀπὸ γὰρ Ἀδριανοῦ φασὶ πάντας Ῥωμαίους δνομασθῆναι, τὸ δὲ παλαιὸν οὐχ ἦν. (c. AD 400); J. H. OLIVER, *Greek Constitutions*, 502.

⁷ A. N. SHERWIN-WHITE, *The Roman Citizenship*², 434-437.

⁸ P. A. BRUNT, *Roman Imperial Themes*, 269.

⁹ Though not necessarily, cf. the contemporary popularity of the names Tanya or Sasha in English, frequently in ignorance of their Russian origin.

¹⁰ His post was possibly as high as *sexagenarius*: H.-G. PFLAUM, "Lucien de Samosate, archistator praefecti Augusti", *MEFR* 71 (1959), 281-4; cf. idem, *Carrières*, 976f.

'Roman' before 212, there is no unequivocal instance of a non-citizen identifying themselves as Roman before the *Constitutio*.

Aelius Aristides' oration *Εἰς Ρώμην* has been used as a quarry for evidence of psychological acceptance by the élites of the Greek cities of the legitimacy of the ruling power.¹¹ Whether or not the favorable views presented in Aristides' oration are representative of his class is in a sense irrelevant. For, however much Rome is praiseworthy for the quality of government it has brought to the nations of the world and despite his own Roman citizenship, it remains implicit in Aristides' own choice of words and argumentation that for his fellow-countrymen it is still the dominion of an essentially foreign power which is his subject,¹² that his panegyric is essentially an *apologia*. Indeed, even if as time went on such pro-Roman sentiment became ever more widespread amongst the non-citizen subjects of the empire, I do not see how the profound alteration in the perception of self-identity could have come about without the specific extension of citizenship to the entirety of the peregrine population. For, the redefinition was total and deep-rooted.

The masses enfranchised in 212 did not simply assume a thin veneer of Romanness. This is observable in examining the labels used by the post-Roman populations to identify themselves.¹² It is noteworthy that the only group to return immediately to using an appellation which existed before the Roman conquest is the *Brittones* (though even then it is to the generic term rather than their forgotten tribal identities that they return).¹³ This is explicable by the special circumstances under which they left the empire—being, after all, positively abandoned to their own devices by the government at Ravenna.¹⁴ Far more telling, I think, is the usage of Isidore of Seville in the seventh century, who faces the problem in his *History of the Gothic, Vandal and Suevoic Kings* (continuing Hydatius'

¹¹ J. H. OLIVER, "The Ruling Power: a study of the Roman Empire in the second century after Christ through the Roman oration of Aelius Aristides", *TAPS* n.s. 43 (1953), 871-1003.

¹² These persisted, frequently into the eighth century, until assimilation occurred, which was usually eventually facilitated by the victors' adoption of Christianity (or the right brand of it). Where assimilation did not occur, as in the case of the Balkan Latins, the Roman name persisted. The disparate references were collected by G. PARIS, *Romania*, 1 (1872), 4-10.

¹³ *Brythoniaid* in Welsh. Even so it is notable that Gildas in the *de excidio Britanniae* uses *cives* as a synonym for the native Britons and in opposition to the incoming Saxons.

¹⁴ On the appeal for aid to Honorius (Zosimus, 6.10.2), and again later to the *magister militum* Aëtius (Gildas, *de excidio Britanniae* 20), see P. SALWAY, *Roman Britain*, 442-445 and 479-482.

Chronicle) of differentiating for his readers between the native ‘Spanish’ *Romani*—who appear in the earlier sections and with whom his non-Gothic readership would identify—and the ‘Byzantine’ *Romani*—who make an appearance in the last eighty years of the story. The fact that the eastern church was in schism at the time comes to his aid, since the Spanish may be termed *fideles* while the Byzantines, correctly, *Romani*. What is interesting is that nowhere does he develop a generic term for the non-German, Christian population of the Spanish provinces in opposition to the *Romani*. One suspects that this is because they still identified themselves as *Romani*, as did the post-Roman population of the Latin provinces generally, with the exception of Britain. Neither does Isidore accept the argument of the Gothic leader Totila, who in urging resistance to the reconquest of Italy, dismissed the eastern Romans as ‘Greeks’.¹⁵ Nor would this have made sense, since a significant proportion of the Byzantine soldiery would still have been Latin-speaking.¹⁶ In fact Totila could hardly have been wider of the mark. For, adoption by the Greek population of Ῥωμαῖος to designate themselves was so absolute as to exclude their original Hellenic identity.

This can hardly be the result of the process of cultural Romanisation which had made such little progress among the Greeks of the eastern provinces before 212. What else, other than a genuine reorientation of identity as a consequence of the *Constitutio Antoniniana*, can explain the Greek denial of their own ethnic identity in favour of the Roman? With the further introduction of Christianity into the equation, Ἕλληνη took on the connotation of pagan, but not simply in the sense of the paganism of literary culture. In medieval Greek terms Ἕλληνισμός was used indifferently to denote the paganism of the Peloponnesian Slavs and the Christian heresy of Iconoclasm, and even the deities of ancient Egypt might be described as Ἕλληνικοί. The eighth/ninth-century Patriarch Nikephoros does use Ἕλληνηες to mean Greeks, of the subjects of Alexander, and Ἕλληνης φωνή to denote the Greek language, of the translation of the Septuagint from Hebrew into Greek under Ptolemy Philadelphos.¹⁷ In both cases Hellene is obviously

¹⁵ Procopius, *de bellis (Bellum Gothicum)* 5(1).18.40: Ῥωμαῖοί. The episode is discussed in detail by W. E. KAEGI, "Procopius the Military Historian", *BF* 15 (1990), 80.

¹⁶ e.g., including Comentiolus *magister militum (Hi)spaniae* in 598-602, whose name in -iolus is typical of the Balkan Latins of the sixth and seventh centuries (cf. Comitiolus, Domnentiolus).

¹⁷ Nikephoros, *Chronographikon syntomon*. The empire of Alexander is said to comprise twenty-two barbarian ἔθνη and thirteen φυλαί of Hellenes.

appropriate to the pre-Roman context, so that it renders a meaning akin to ‘Ancient Greek’. Again his biographer Ignatius uses Ἑλληνικὴ γλῶσσα, but specifically in the context of his classical education, emphasising his mastery of this foreign language. Much has been made out of the use of Hellene by a handful of fourteenth- and fifteenth-century Greek authors to refer to ethnic Greeks, most notably by the Patriarch Gregory the Cypriot, who considered that in invading Cyprus the Italians had enslaved ‘τὸ ἐκεῖσε. . . Ἑλληνικόν’.¹⁸ But this is from the pen of a man who left his native Cyprus to seek an education in classical philosophy, having—in his words—been advised that he would find in Nicaea ‘an abundance of wise men and witness ancient Athens’.¹⁹ He writes in a prose style so artificial that he forces the meaning ‘Latins’ or ‘Italians’ upon Ῥωμαῖος; a meaning so idiosyncratic that it would most certainly have been as baffling to his fellow-countrymen as it would have been to the Latin overlords of Cyprus. Far more typical is the idiom of his fellow Cypriot, Leontios Makhairas, who complained that the replacement of the atticizing officialese of Constantinople by Frankish as the language of state on the island ‘βαρβαρίσαν τὰ Ῥωμαϊκά’.²⁰ Had Ἑλλην had any sort of currency in medieval Greek it is seems unlikely that Turkish would have had to resort to the ethnic *Yunan* (Ionian), borrowed ultimately from Persian usage via the Caliphate, in order to designate the newly differentiated Greek of the nineteenth century. For *Rum* was the normal Turkish word for a ‘Byzantine’ Greek (*Rumca* for the language) and this term, with the modern connotation of ‘Greek resident of the Islamic Near East’, remains in current usage. In fact so strong was the ethnic and cultural identity of Greek and Ῥωμαῖος that it could lead to some strange formulations. Thus in the mediaeval Persian tradition the empire of Alexander the Great had become that of *Ishkandar i-Rumi!*²¹

It is not, then, surprising if the demise of the empire of Constantinople did not lead to a natural re-emergence of a Hellenic consciousness. Indeed it is questionable whether,

¹⁸ Gregorios Kyprios, *Historia particularis* (PG 142) col. 20. For a discussion of Gregory’s use of Hellene see S. VRYONIS, *Byzantine Cyprus*, 16-19, with a bibliography of the phenomenon in general at 17 n.40.

¹⁹ Gregorios Kyprios, *op. cit.*, col. 21: σοφῶν ἀνδρῶν ἀφθονίαν, τὰς παλαιὰς Ἀθήνας ὁρᾶν.

²⁰ Leontios Makhairas, *Chronicle* [R. M. Dawkins ed.], 1.42.

²¹ As noted by R. L. WOLFF, "Romania: the Latin Empire of Constantinople", *Speculum* 23 (1948), 32, though he implies, rather unconvincingly, that the appellation arose from a geographical identification of the Byzantine empire with that of Alexander.

if the Greek independence movement had been based on a home-grown nationalism, rather than being born out of the Western European Enlightenment, it would have been 'Ελλάς ('Greece') that emerged in the southern Balkans from the disintegration of the Ottoman empire.²² Nor has the creation of Hellas been the last word on the issue. While it is a vast over-simplification to equate the 'language question' which has bedeviled Greece since 1821 as a struggle between 'Byzantinizing' and 'Hellenizing' political and cultural outlooks, it is nevertheless no mere coincidence that the first official introduction of the 'Demotic' language into the state education system (1917) should have been quite soon succeeded by the launch (in 1919) of a war of which the aim was the recovery of Constantinople and Greek Asia Minor; the so-called *Μεγάλη 'Ιδέα*.²³ Indeed, the 'Byzantine' substantive and adjective for 'Greek' are still alive and well in the current Demotic *Ρωμιός* and *ρωμαίικος* (cf. Katharevousa *Ρωμαίιος* and *ρωμαϊκός*, with the meaning 'Ancient Roman') and there exists a somewhat untranslatably emotive noun denoting the modern (as opposed to the classical) Greek people, or Greek national spirit: *Ρωμιοσύνη*. The connection of this Rhomaic spirit in the eyes of the educated (Hellenized) élite with a backward-looking sentimentality is clear from the pejorative connotation of *τὸ Ρωμαίικο* (sc. *μέρος?*), glossed in 1965 as 'Greece (with all her shortcomings)'.²⁴ From the opposite perspective, the exasperated 'man-in-the-street' might still exclaim of the classically educated '*μίλα ρωμαίικα!*' ('speak Rhomaic', i.e. as opposed to Hellenic);²⁵ a sentiment of exasperation which we may thus with some legitimacy gloss by the English expression 'it's all Greek to me!'

The persistence of the Rhomaic identity is remarkable.²⁶ This is not to say that the modern Greek vocabulary reflects a conscious claim to the heritage of ancient, pagan Rome. Far from it. It is the very fact that *Ρωμιός* does not immediately bring ancient

²² On the role of the Enlightenment in the birth of Greek nationalism see C. A. MANGO, "Byzantinism and Romantic Hellenism", *JWI* 27 (1965), 29-43.

²³ On the complexities of modern Greek diglossia see P. A. MACKRIDGE, *The Modern Greek Language*, 6-14. The 'Great Idea' is analysed by S. G. XYDIS, "Modern Greek Nationalism", *Nationalism in Eastern Europe*, 207-258.

²⁴ J. T. PRING, *The Oxford Dictionary of Modern Greek*, 169

²⁵ cf. Lat. *Romano more* (Cicero, *ad familiares* 7.5.3), Fr. *franc*, Ger. *deutlich*—all meaning clear(ly), straightforward(ly).

²⁶ D. DVOICHENKO-MARKOV, "The Vlachs", *Byzantion* 54 (1984), 508-526, analyses the similar, but less well-documented, survival of the Roman identity of the Latin-speakers of the Balkans.

Rome to mind that is significant. It represents a living example of the new definition of Roman arising from the *Constitutio Antoniniana*. In the case of Greek subjects this was a fusion of the Hellenistic cultural tradition with new Roman political identity—two elements which were at the heart of ‘Byzantine’ culture, the third and most famous of course, which was added somewhat later, being the concept of Christendom.²⁷

II. *Romania*

Indeed had history taken a different turn, we might today know the Greek state by the name ‘Ρωμανία (*Romania*). In philological terms this belongs to a group of feminine nouns denoting countries (cf. Gallia, Hispania, Britannia) and, while it is ultimately derived from the basic substantive noun *Roma*, it is via the mediation of the adjectival suffix -ano-.²⁸ That is to say, the adjective *Romanus* is the necessary, and thereby significant, intermediary stage linking *Roma* and *Romania*. *Romania* stands in the same relationship to *Romanus* as *Romanus* does to *Roma*, and must then chronologically and/or logically follow from it. As Roman denotes ‘of the place Rome’, so *Romania* denotes ‘composed of Romans’.

It is, to my mind, no accident that the word *Romania* does not surface until after AD 212. I also think it extremely significant that it appears to have originated in popular usage rather than as the creation of a belle-lettriste (cf. *Romanitas*, which, I suspect, has a literary origin). Simply to ascribe the emergence of the word *Romania* to the post-classical trend towards abstraction, that produced such terms as *Romanitas* (which makes its first appearance in Tertullian, *de pallio* 4), does not convince. Neither should it necessarily be assumed that the term was coined first in a Latin context. It is quite possible that it was produced according to what would have been familiar rules of formation in, for instance, a Greek context.²⁹ Its first recorded use in Greek lags only twenty years behind that in Latin, admittedly by a man who had recently spent a good deal of time in exile in the West (see below), but it still need not be dependent on its currency in Latin first and it is equally,

²⁷ This led to the replacement of the classical polarisation by, Hellene/Barbarian, by separate political and religious pairs of distinctions: Roman/Barbarian and Christian/Hellene.

²⁸ G. PARIS, “Romani, Romania, lingua Romana, Romancium”, *Romania* 1 (1872), 1.

²⁹ cf. the first use of ‘Christianus’ (formed with the Latin possessive adjectival suffix -ianus) at Syrian Antioch (Acts 11.26). Unfortunately it is not made clear whether the coinage was due to a speaker of Latin or Greek.

if not more current in Greek thereafter. A. N. Sherwin-White expressed the opinion that the *Constitutio Antoniniana* provided 'the juridical foundation for the later idea of *Romania*', because he saw the effect of Caracalla's grant being the identification of the whole population of the empire with Rome.³⁰ However, the preceding analysis of onomastic practice demonstrates that, at least in this respect, the *Constitutio* did not result in extensive Romanisation in the sense of acculturation to the customs of the *urbs aeterna* but rather in the extension of the Roman identity to cover the constituent cultures of the empire, at whatever level of Romanisation they may then have been. This, I suggest, is the essence of *Romania*.

Therefore, I agree with Sherwin-White that the appearance of *Romania* does have a political explanation, or at least that political change is a precondition of its development. However, it took centuries before it found its way into any kind of official usage. For, it suffered the double handicap of lacking the sanction of the canon of classical authors in both Greek and Latin. It did eventually gain some sort of legitimacy in 'official' usage by the time of the early tenth-century writings of the emperor Constantine VII Porphyrogenitus, in which 'Ρωμανία is the normal word for the empire.³¹ In official Latin the Roman state's constitution was to remain the *res publica* and its authority the *imperium Romanum*. For instance, in the epigraphic formulae of the Tetrarchy and Constantinian dynasty emperors are be praised as *bono rei publicae natus*, and in a letter of Constantius II the emperor waxes lyrical on the subject of the services rendered to the *res publica* by his late praetorian prefect.³² Nor should one expect a change, since the legitimacy of emperors' authority relied on their inheritance of the principate of Augustus, which itself had the manifest purpose of defending the *res publica*. The republican paraphernalia of tribunician and proconsular powers, etc. was meticulously maintained throughout the third century but suffered a dramatic decline in the Constantinian period. They are recorded for the last time in 369 and it seems likely that they disappeared along with the Gratian's repudiation of *pontifex maximus*.³³ Nevertheless, the emperor remained the *imperator*

³⁰ A. N. SHERWIN-WHITE, *The Roman Citizenship*², 283.

³¹ e.g. *de administrando imperio*, passim (at least 17 instances).

³² A. CHASTAGNOL, "Le formulaire de l'épigraphie latine officielle dans l'Antiquité tardive", *La terza età dell'epigrafia*, 21; on the imperial letter see the discussion of L. J. SWIFT & J. H. OLIVER, "Constantius II on Fl. Philippus", *AJP* 83 (1962), 247-264.

³³ *CIL* VI 1175 = *ILS* 771 Rome: 'Ddd. nnn. imppp. Caesss. Fl. Valentinianus p. f. maximus

Caesar. . . *Augustus*, the Βασιλεὺς Ρωμαίων.³⁴ Similarly, just as before the *Constitutio*, Roman writers continued^{το·ελε} to the whole empire by synecdoche as *Roma*. Indeed, from its earliest appearance, the Moslem state it knew its great rival as *al-Rum*,³⁵ a term which, with the eventual geographical confinement of the Byzantine state, came to be in the usage of the Caliphate definitively attached to Anatolia as a geographical description.

Whatever the official usage of the Roman or Byzantine court, it is clear that the common perception was otherwise. Thus it was, reflecting popular usage, that the thirteenth-century Latin rulers of Constantinople for the first time titled themselves *imperatores Romaniae*.³⁶ It is not surprising that the term tended to become applied by the Romans' neighbours specifically to that part which bordered them most closely. Pope Martin already encountered the problem c. 655 when writing back from exile in the Chersonese. He complained that the only bread supply came 'from those parts of Romania, as those who are here (i.e. the Chersonians) name these regions, namely those of the Greeks called the Pontic parts.' His clarification was required, not because his Italian readers were ignorant of the term *Romania* (*pace* WOLFF), but because in normal circumstances they would understand by it the Exarchate of Ravenna, whose memory has accordingly been preserved in the name of the modern Romagna.³⁷ This confusion reflects the 'popular' as opposed to 'official' nature of the name. In day-to-day experience this was how the inhabitants described their country to the outsider, whereas the central government might talk of the area in terms of provinces or prefectures. *Romania* was a name imposed from below rather than above, ultimately by the descendants of the new citizens.³⁸

Despite the considerable time it took for it to receive official sanction, the word *Romania* can be traced back in written sources to within almost a century of the *Constitutio* itself. However, in discussions of its origin, the term has been seen as symptomatic of the

victor ac triumphator semper Aug. pont. max., Germ. max., Alaman. max., Francic. max., Gothic. max., trib. pot. VII, imp. VI, cos. II, p. p., procos. et Fl. Valens p. f. . . procos. et Fl. Gratianus p. f. . . procos. . .'

³⁴ G. RÖSCH, *ONOMA ΒΑΣΙΛΕΙΑΣ*, 115ff.

³⁵ From the lips of the Prophet himself it would seem (*Qur'ān* 30.1).

³⁶ R. L. WOLFF, *Speculum* 23 (1948), 1ff.

³⁷ cf. R. L. WOLFF, *Speculum* 23 (1948), 7-13. Martin's letter is quoted by Anastasius bibliothecarius, *Collectanea—de furore haeretic. in Martinum pp.* (PL 129) col. 601: 'ex partibus Romaniae, ut hi qui hic sunt nuncupant, partes videlicet Graecorum Ponticas partes vocantes.'

³⁸ J. ZEILLER, "L'apparition du mot *Romania* chez les écrivains latins", *REL* 7 (1929), 194.

forging of a common national identity for Roman subjects specifically in response to the threat from intrusive barbarians.³⁹ Certainly the most often quoted and famous instance of the word *Romania* reinforces such a view; that is the vow of the Gothic leader Ataulf in 410, as reported by Orosius, to utterly destroy the Roman state so that, 'as I [Orosius] might say in common parlance, "what had been Romania would be Gothia."⁴⁰ In fact, however, no example of the apparent antonym, *Barbaricum* (sc. *solum*), can be securely dated before the first example of *Romania*.⁴¹ This suggests that it is equally as likely that the concept of an undifferentiated *Barbaricum* might have arisen in contrast to a unified *Romania* as vice versa.

As it is, *Romania* surfaces in the written record for the first time in the *Descriptio consulum*, commonly known as the *Consularia Constantinopolitana*. That the first recorded use of the word should come from what is considered a 'sub-literary' genre again accords with a popular origin. The entry under the consuls of AD 261 reads: 'Hiss cons., hostes multi inruerunt in Romania.' The term is used by the same source again in the entries for the years 295, 334, 376, 382 and 386, on each occasion when drawing a contrast with barbarian peoples.⁴² Although the *Descriptio consulum* was bound in with the manuscripts of the fifth-century *Chronicle* of Hydatius, this section at least is much older—though this does not mean that the first use of *Romania* can be put back as early as the dramatic date of the first entry (AD 261). In fact the consular list and related entries for the years up to 337 were put together in 337 or early 338. The location of composition was certainly western and is assumed to be Rome itself.⁴³ Of course there is no way of knowing

³⁹ G. PARIS, *Romania* 1 (1872), 2-4; J. ZEILLER, *REL* 7 (1929), 197f.

⁴⁰ Orosius, *Historia adversus paganos* 7.6.43: '[Ataulf] ardentem inhiasse ut, oblitterato Romano nomine, Romanorum omne solum Gothorum imperium faceret et vocaret, essetque, ut vulgariter loquar, Gothia quod Romania fuisset.' Earlier on (3.20.11) Orosius has said that 'Isti [i.e. the barbarians] hostes Romaniae sunt'.

⁴¹ cf. *TLL* 2.8 (1905), col. 733 s.v. *Barbaricum*.

⁴² *Descrip. cos.* s.aa. 295: 'Carporum gens universa in Romania se tradidit'; 334: 'Sarmatae servi universa gens dominos suos in Romaniam expulerunt.'; 376: 'victi et expulsi sunt Gothi a gente Unorum et suscepti sunt in Romania pro misericordia iussione Aug. Valentis.'; 382: 'universa gens Gothorum cum rege suo in Romaniam se tradiderunt die V non. Oct.'; 386: 'victi atque expugnati et in Romania captivi adducti gens Greothyngiorum a nostris Theodosio et Arcadio. . '

⁴³ For an analysis of this section of the *Descrip. cos.* see R. W. BURGESS, *The Chronicle of Hydatius and the Consularia Constantinopolitana*, 193, who supports Theodor MOMMSEN's dating (*Chron. min.* I, 288) against O. SEECK, *RE* 3 (1899), cols. 2454-2460 and S. MUHLBERGER, *The*

whether the word *Romania* was employed by the source used by the compiler of 337/338 for his historical notes (that is assuming a contemporary written source at all, rather than popular memory). Thus the appearance of *Romania* in Latin cannot be firmly dated earlier than 337. Its next known use in Latin, by bishop Auxentius of Durostorum in AD 383/384, again relates to barbarians crossing into the empire.⁴⁴ It probably makes its first appearance in polite letters in Ammianus (c. 390), although Theodor Mommsen sought to emend it away.⁴⁵ Once again the context is of barbarian settlement in Roman territory. These instances would appear to reinforce the impression that the primary connotation of *Romania* was as a contrast to *barbaricum*.

In fact the first couple of examples of 'Ρωμανία in Greek show a more positive meaning, drawing less of a contrast with barbarians. The first datable instance is in a work of bishop Athanasius of Alexandria written in 357 according to Timothy Barnes' chronology. Here the city of Rome is defined as the 'metropolis of Romania'.⁴⁶ Within a decade the word was used by bishop Epiphanius of Salamis, once in the context of claiming that the Arian heresy 'has captured the whole of Romania', and again in explaining that the Red Sea gives access to Romania from the Orient.⁴⁷ It is not encountered specifically in connection with barbarian inroads, as it is in the Latin sources, until the first quarter of the fifth century.⁴⁸ The early Greek instances do not suggest that it arose primarily from the confrontation of Roman and barbarian. This in turn suggests the fact that our earliest Latin source, the *Descrip. cos.*, uses it in such a fashion simply reflects the preoccupations of the compilers: imperial events, including wars, foreign and domestic, major natural disasters, etc. What I find most significant in Ataulf's words is

Fifth Century Chroniclers, 34f., who favour composition in Constantinople in the 360s.

⁴⁴ Auxentius, *Epistula* (quoted by Maximinus, *Dissertatio contra Ambrosium* 37[59]): 'sanctissimus vir beatus Ulfila. . . de varbarico pulsus in solo Romaniae. . .' and later (38[60]), 'Degens cum suo populo in solo Romanies (*sic*). . .' On the complicated history of the text and on the identity of Auxentius see P. J. HEATHER & J. F. MATTHEWS, *The Goths in the Fourth Century*, 145f.

⁴⁵ Ammianus Marcellinus, 16.11.7: 'sciens se id contra utilitatem Romaniae iussisse. . . relatione fefellit Constantium' ([Barbatio], knowing what he had ordered to be counter to the interests of *Romania*, deceived Constantius in his report), is the reading of MS V (*Fuldensis*), the oldest extant.

⁴⁶ Athanasius, *Historia Arianorum ad monachos* 35 (*PL* 25, col. 753); see T. D. BARNES, *Athanasius and Constantius*, xii, 126-135.

⁴⁷ Epiphanius, *adversus haereses* 66 and 69 (*PG* 42, cols 29, 204) of AD 365.

⁴⁸ Nilus, *Ep.* 1.75 (*PG* 79, col.116).

the equivalence and contrast that he draws between *Gothia* and *Romania*. For, *Gothia* was as much an amalgamation of heterogeneous elements into a single political identity as was *Romania*.⁴⁹ Those instances contrasting *Romania* to barbarians simply represent the natural usage of a word whose very etymology contained the concept of ‘country comprising Romans’, which we may permissibly gloss as ‘Roman nation-state’. Hence ‘Ρωμανία naturally becomes the standard term for the Roman state in the usage of non-classicising Greeks, such as John Malalas (c. 565), from the sixth century onwards, appearing, for example, in an inscribed prayer to preserve Sirmium from the Avars (579/582).⁵⁰ For, while the *Constitutio* gave a new identity to those enfranchised, so those enfranchised perceived the state in a new light, which was expressed by the term *Romania*.

III. *Conclusion*

The Roman world was transformed forever by Caracalla’s ‘monstrous piece of patronage’. The legal effects of the *Constitutio Antoniniana* were to increase ~~to~~ the burden upon the machinery of provincial government in a way which would change the shape of imperial government (see Part Two) but its prime significance is that it brought the majority into an élite club without their having first accommodated themselves to it. Previously, the various avenues to Roman citizenship had been reasonably well controlled. The New Romans were able to fuse their own culture with their Roman political identity and so produce a definition of *Romanus* which was able to weather the disappearance of the old city-state from which it had originated. Thus, the sixth-century historian Procopius may have consciously taken his literary and historiographical models from Herodotus and Thucydides, but I doubt that he would have agreed with the judgement that he did so with the purpose of recording Justinian’s age as ‘a climactic period of Greek supremacy.’⁵¹ He unequivocally identifies

⁴⁹ On the political and ethnic diversity of the Goths before they crossed the Danube and the subsequent forging of a Gothic nation and identity through their experiences with the Romans see P. J. HEATHER & J. F. MATTHEWS, *op. cit.*, 17-26 and HEATHER, *Goths and Romans, AD 332-489*, *passim*, especially chapter 3.

⁵⁰ *SEG* 39.1096: ‘†Κ(ύρι)ε, βοήτι τῆς πό|λεως κὲ ρύξον τὸν *Αβα|ριν | κὲ πύλαξον τὴν *Ρω|μανίαν κὲ τὸν γρ|άψαν|τα, | *Αμῆν.’ For literary examples see R. L. WOLFF, *Speculum* 23 (1948), 5.

⁵¹ J. HERRIN reviewing A. M. CAMERON’s, *Procopius and the Sixth Century* in *JRS* 78 (1988), 265.

himself as Roman not Hellene, even if use of *Romania* is ruled out by his classicizing style.

Even within the Latin-speaking community a diversity of cultural outlooks was permissible. The new, inclusive definition of Roman allowed of provincial culture being just as much Roman as that of the capital and not a barbarised version of it. The *Romanitas* of the Gallic orator and poet Ausonius was a different type of *Romanitas* from that of Tertullian, but no less Roman for that difference. This is the sentiment of Ausonius' *Mosella*. Such sentiments might still ruffle feathers in Rome itself and certainly Symmachus found the idea distasteful, if not ludicrous, that the Moselle could in any way be as quintessentially Roman a river as the Tiber.⁵² Symmachus may have found the reality hard to come to terms with, but he and his class no longer possessed a monopoly on the definition of Roman culture.⁵³ Roman was no longer simply, or even primarily, defined by 'of Rome' but described a concept that had been dissociated from geographical identification with Rome itself. It is therefore, I believe, a misconception (in which Symmachus and his like would no doubt share) to ascribe Ammianus Marcellinus' decision in the 380s to come to Rome and write his history there in Latin to his Roman patriotism.⁵⁴ The Eternal City's continued role as cultural centre, where one might hope to catch the eye of a literary patron, is a more probable motive. Without this perspective it is quite possible to exaggerate greatly the impact of the sack of Rome in 410 on the Roman population at large. It was undoubtedly an extremely embarrassing episode for Honorius' government but to see it as a psychological body-blow to the Roman world would be to overplay its importance. To those intellectual, pagan circles centred on the *urbs aeterna* it was obviously significant, representing a decline of imperial power, for which they evidently blamed Christianity. Such criticism provoked divergent *apologiae* from Orosius and Augustine. Orosius reacted by composing the *Historia adversus paganos*, which sought to demonstrate that the Romans had suffered equal if not greater misfortunes before Constantine's conversion. Augustine's reaction, the *de civitate Dei*, was to advocate that

⁵² M. VESSEY, "Poetry and Propaganda at the Court of Valentinian I, or, the Making of the Poet Ausonius (Part One)" in the seminar series *After Rome: Aspects of the History and Archaeology of the 5th-8th Centuries* organised by J. F. MATTHEWS & B. R. WARD-PERKINS (Oxford, 7 June 1990), relating to Symmachus, *Ep.* 1.14.8.

⁵³ The cultural *milieu* of Symmachus is evocatively described by J. F. MATTHEWS, *Western Aristocracies and Imperial Court*, 1-31.

⁵⁴ As does F. PASCHOU, *Roma Aeterna*, 37.

the secular and religious spheres be seen as separate. However much the Gothic sack of 410 was made an issue in contemporary historiography by the pagan-Christian debate made, to the cultural perspective represented by Ausonius, whose attitudes, I suspect, represent a majority opinion, it was another provincial event.

The *Constitutio Antoniniana* may have expanded the definition of Roman overnight, but it did not produce a single homogeneous culture, rather an alternative culture (or cultures) which did not share the Old Roman outlook, just one symptom of which was their attitude to the gentilicium. The new dichotomy between the outlook of the New Roman and that of the Old Roman is exemplified by the incomprehension Symmachus expresses that anyone should choose to live in the semi-barbarous border regions of the empire. It is hard to imagine that Symmachus would have let such an unpleasant neologism as *Romania* pass his lips. Not only did it lack the sanction of classical precedent, but also implied a view of the Roman world to which he did not subscribe. Whether as the result of self-delusion or genuine myopia, he was unable to perceive that the conduct of affairs had passed into the hands of men who did not share his assumptions about the centrality of the city of Rome in both a political and cultural sense. But for the creation of this New Roman outlook by the suddenness of its impact, the *Constitutio Antoniniana* need not have undermined the ideological centrality of the city-state of Rome and its institutions to the government of the empire. However, as suggested by the chronology of the appearance of the term *Romania*, it was not until the fourth century that this ideological centrality was to be challenged. Indeed, as Part Three is intended to demonstrate, the domination of imperial government by those of New Roman outlook led to a fundamental structural transformation which gives validity to the appellation *Romania* rather than *Roma*.

Part Two

THE PRAETORIAN PREFECTURE

The Story So Far

André Chastagnol, in the introductory paragraph to his article "Les préfets du prétoire de Constantin" of 1968, commented that the study of the praetorian prefecture in the reign of Constantine had been dominated by two successive pairs of scholars: Otto Seeck and Ernst Stein, and then Jean-Rémy Palanque and Wilhelm Enßlin.¹ In the intervening quarter of a century since that article was published it has been Chastagnol himself along with Timothy Barnes who have established themselves as the current pair of 'spécialistes éminents' in this field. Although treating the development of the prefecture in the confused period between the 280s and 340s, it will soon be apparent that the Constantinian period, which emerges as the era of greatest transformation, forms the focus of this study. Since the nature of this study necessitates repeated citation of the same source material, in order to avoid cluttering the text with indigestible amounts of detail all the datable epigraphic, papyrological, and literary references relevant to the discussion of the praetorian prefects of this period have been collected and chronologically collated in Appendix One, while the full texts of the most significant inscriptions are brought together in Appendix Two.

I. Current Theories

The praetorian prefecture is generally acknowledged to be one of the cornerstones of the administration of the later Roman empire. From the death of Theodosius I in AD 395 it became regular for there to be four praetorian prefects, one each taking responsibility for Galliae (i.e. Britain, Gaul, the Germanies and Spain), Italy-Africa, Illyricum and Oriens, though the dispositions were not rigid. Official protocol of the reign of Arcadius and

¹ O. SEECK, *Geschichte des Untergangs der antiken Welt* II (1901), 64f, 505f, idem, "Die Reichspräefektur des vierten Jahrhunderts", *Rhein. Mus.* n.F. 69 (1914), 1-39, idem, *Regesten*, 142-145, idem; E. STEIN, *Untersuchungen über das Officium der Prätorianerpräfektur*², idem, "A propos d'un livre récent sur la liste des préfets du prétoire", *Byzantion* 9 (1934), 327-353, idem, *Histoire du Bas-Empire* I, 39-41, 117-120, 131f; J.-R. PALANQUE, *Essai sur la préfecture du prétoire du Bas-Empire*, idem, "Les préfets du prétoire de Constantin", *Mélanges H. Grégoire* 2, 483-491; W ENßLIN, *RE* 22.2 (1954), cols 2428-2431, 2495f, s.v. praefectus praetorio; PALANQUE, "Les préfets du prétoire sous les fils de Constantin", *Historia* 4 (1955), 257-263, idem, "La préfecture du prétoire de Junius Bassus", *Mélanges A. Piganiol* 2, 837-842.

Honorius also makes it clear that these prefectures were considered separate entities which could be ranked according to importance: Italy-Africa and Oriens before Illyricum and Galliae.² The great importance of the prefects lay in their capacity as heads of the empire's civil administration and judiciary as well as organising army supply,³ and this importance was acknowledged by the initial position taken by the prefecture in the late fourth-century *Notitia dignitatum* (*Oc.* 2.3; *Or.* 2.3) and the supreme senatorial rank which pertained to the post—*vir inlustris*—the highest in the contemporary honours system. Eunapius (*Vitae sophistarum* 11.6.2) went as far as to describe the position of Anatolius, a prefect of the late 350's, as a βασιλεία ἀπόρφυρος. The prefecture was accordingly one of the most coveted dignities of the senatorial *cursus*, on a par with the office of Prefect of the City and the purely decorative consulship, and—in this respect resembling a senatorial magistracy—was exercised by an individual for a relatively short period, occasionally being iterated.⁴ Indeed the sixth-century Cassiodorus considered Joseph, in his position of adviser to Pharaoh, as the archetype of the *praefectus praetorio*.⁵

This all seems a very far cry from the initial appointment by Augustus of two equestrian officers to the joint command of his pre-existing guard regiment, the praetorian cohorts. The praetorian prefecture of the Principate was, from the late first century AD at least, the culmination of the equestrian career,⁶ a position which came to be distinguished

² The protocol is subjected to a detailed analysis by D. FEISSEL, "*Praefatio chartarum publicarum*", *T&MByz* 11 (1991), 441-455.

³ For good general accounts of the responsibilities of the late Roman prefecture see A. H. M. JONES, *LRE*, "The Praetorian Prefecture", T. D. BARNES, *Constantine & Eusebius*, 250-256 & 448-462, A. CHASTAGNOL, *L'évolution politique, sociale et économique*, 249-253. Cf. L. L. HOWE, *Praetorian Prefect*, 21-40 on the military and civil powers of the pre-Diocletianic prefecture.

⁴ The prefecture was considered first amongst *dignitates* in Valentinian I's law fixing their order of precedence (*CTh* 6.7.1, AD 372) and second, only to the consulship, of the senatorial *officia* by Tribonian's *Digest* compilers (1.11) in the early sixth century; on which see E. DEMOUGEOT, "Le fonctionnariat du Bas-Empire éclairé par les fautes des fonctionnaires", *Latomus* 45 (1986), 161ff, cf. K. L. NOETHLICH, *Beamtenum und Dienstvergehen*, 38-47, who anachronistically places the *magistri militum* in the preeminent position.

⁵ Cassiodorus, *Variae* 6.3.1f; see the commentary of S. J. B. BARNISH, *Cassiodorus: Variae*, li-iii.

⁶ Velleius Paterculus (2.127.3) describes L. Seius Strabo, prefect from AD 14 to 16, as 'princeps equestris ordinis', and Tacitus, his son Sejanus' position, as 'equestre fastigium' (*Ann.* 4.40); though it was, in fact, regular until AD 70 for *praefecti praetorio* to proceed to the Egyptian prefecture rather than, as common thereafter, *vice versa* (on which see P. A. BRUNT, "The Administrators of Roman Egypt", *Roman Imperial Themes*, 215 nn.2 and 3). On the development of a coherent career

by the title of *eminentissimus vir*, first attested under Marcus Aurelius (*CIL* IX 2438). Although the first certain example of an *illustris* prefect comes from the reign of Constantius II,⁷ the transformation of the prefecture from ‘fastigium’ of the equestrian to ‘fastigium’ of the senatorial *cursus* is generally acknowledged to be the work of Constantine. But by what avenue this was achieved remains problematic. For, while serving prefects had long been honoured with senatorial *ornamenta* and in the third century even with the consulship itself, the emperors up to Constantine, at least, continued as a rule to appoint equestrian officers rather than senators to the post.⁸ Moreover, exactly how (or whether) the prefects’ change of social status relates to the office’s alleged demilitarisation and regionalisation (that is the divorce of the prefects from personal service to the emperor and the allocation to them of responsibility for a specific territorial subdivision of the empire) remains a matter of debate, and one to be addressed further. Given the prefecture’s pivotal role, clarification of these matters should shed some light on the general processes of transformation in government at less well-documented levels.

There have been two main interpretations of the development of the praetorian prefecture under the Later Roman Empire. That of longest standing, and of least favour amongst modern scholars, is that which is ultimately descended from the account in Zosimus’ *Historia nova*, written in the fifth century and here dependent upon a now lost section of the history of Eunapius, who was hostile to Constantine. Accordingly, Zosimus criticises Constantine for meddling with the established offices.

Δύο γὰρ τῆς αὐλῆς ὄντων ὑπάρχων καὶ τὴν ἀρχὴν κοινῇ μεταχειριζομένων, οὐ μόνον τὰ περὶ τὴν αὐλὴν τάγματα τῆ τούτων ᾤκονομεῖτο φροντίδι καὶ ἐξουσίᾳ, ἀλλὰ καὶ τὰ ἐπιτετραμμένα τὴν τῆς πόλεως φυλακὴν καὶ τὰ ταῖς ἐσχατιαῖς ἐγκαθήμενα πάσαις· ἡ γὰρ τῶν ὑπάρχων ἀρχὴ δευτέρα μετὰ τὰ

Previously there were two *praefecti praetorio* administering the office jointly; not only the regiments at court formed part of their concern and authority, but also those charged with the defence of the city and those placed on the frontiers. For the prefects’ office

structure based on posts in the emperor’s service see H.-G. PFLAUM, *Procurateurs équestres*, 29-109 and on the rationale of their hierarchy see S. DEMOUGIN, *L’ordre équestre sous les Julio-Claudiens*, 712-743.

⁷ *CTH* 11.1.6 (AD 354): ‘viri clarissimi et inlustris praefecti praetorio’; but cf. pp.99-100 below.

⁸ A. BROUWERS, “Des préfets du pretoire «clarissimes» antérieurs au règne de Sévère Alexandre”, *Latomus* 5 (1946), 41-46; M. T. W. ARNHEIM, “Third Century Praetorian Prefects’ Senatorial Origin: Fact or Fiction?” *Athenaeum* n.s. 49 (1971), 74-88.

σκήπτρα νομιζομένη καὶ τῶν σιτήσεων ἐποιεῖτο τὰς ἐπιδόσεις καὶ τὰ παρὰ τὴν στρατιωτικὴν ἐπιστήμην ἀμαρτανόμενα ταῖς καθηκούσαις ἐπηνώρθου κολάσεσι.

Κωνσταντῖνος δὲ τὰ καλῶς καθ-
εστῶτα κινῶν μίαν οὖσαν ἐς τέσσαρας διείλεν ἀρχάς. (There follows a description of the prefectural divisions much as they were in the late fourth century). . . ταύτη διελόμενος τὴν τῶν ὑπάρχων ἀρχὴν καὶ ἄλλοις τρόποις ἐλαττώσαι ταύτην ἐσπούδασεν· ἐφεστῶτων γὰρ τοῖς ἀπανταχοῦ στρατιώταις οὐ μόνον ἑκατοντάρχων καὶ χιλιάρχων ἀλλὰ καὶ τῶν λεγομένων δουκῶν, οἱ στρατηγῶν ἐν ἐκάστῳ τόπῳ τάξιν ἐπεῖχον, στρατηλάτας καταστήσας, τὸν μὲν τῆς ἵππου τὸν δὲ τῶν πεζῶν, εἰς τούτους τε τὴν ἐξουσίαν τοῦ τάττειν στρατιώτας καὶ τιμωρεῖσθαι τοὺς ἀμαρτάνοντας μεταθείς, παρείλετο καὶ ταύτης τοὺς ὑπάρχους ἀθθεντίας.

(Zosimus, 2.32.2-33.3)

was acknowledged as second only to the throne and it undertook the corn dole and corrected offences in the court martial with fitting punishments.

Constantine, meddling with things thus soundly established, divided what was a single into four offices. . . After dividing the prefects' office in this way, he was keen to reduce this in other respects; for whereas the soldiers everywhere used to be headed by not only centurions and tribunes but also the aforementioned *duces*, who held the position of generals in each place, by instituting the *magistri militum*, of the horse and the infantry respectively, transferring to these the authority to direct soldiers and to punish those who offended power to command the troops and to punish those guilty of crimes, he deprived the prefects of this power.

Following Zosimus, John Lydus, writing in the mid sixth century, likewise held Constantine responsible for the creation of multiple prefectures, though he described it as a more gradual process since he considered the prefecture of the East to have been created after the others (*de magistratibus* 3.33 & 3.40.1). On the other hand, Lydus went further in his assessment of the reduction in the prefecture's competence, considering it to have reached into the administrative as well as the military sphere:

. . . τὸ λοιπὸν τοῖς μὲν στρατηγοῖς τὰ τῶν πολέμων τῷ δὲ μαγίστρῳ διοικεῖν τὰ τοῦ παλατίου γέγονε χώρα, ὡς μηδὲν ἕτερον ἔχειν τὴν ἐπαρχότητα ἢ μόνην ἐπὶ ταῖς δαπάναις φροντίδα. . .

(Lydus, *de magistratibus* 2.11)

. . . from then on the conduct of wars was entrusted to the generals while that of the palace to the *magister [officiorum]*; thus the prefecture was left with nothing but authority over expenditure. . .

It is to be remembered that both of these are hostile to Constantine; Eunapius (Zosimus) on religious grounds, while Lydus wishes to demonstrate the historical pre-eminence of the prefecture in Roman government, perhaps in response to Peter the Patrician's now lost

history of the *magister officiorum*.⁹ Despite these biases, accounts of the development of the prefecture under Constantine have too often been little more than a paraphrase of these tendentious accounts. According to what is essentially an elaborated version of Eunapius (Zosimus), the argument is that it was in Constantine's reign that the praetorian prefecture underwent a complete evolution. Having suppressed the praetorian cohorts and established the *magistri militum*, Constantine deprived the prefects of their military responsibilities and (multiplied in number) they became administrative officials within defined territorial sectors. As encapsulated recently in the catalogue to an Italian exhibition of 1990, *Milano capitale dell'impero romano*, the prefecture 'privano del potere militare, perde molto della sua precedente autorità; resto comunque la magistratura di rango più elevato. . . Dai *praefecti* dipendeva l'amministrazione civile e ad essi facevano capo i vicari delle diocesi e i governatori delle province; fungevano poi da supremi giudici d'appello, si occupavano dell'arruolamento dei soldati e delle imposte necessarie all'approvvigionamento dell'esercito, del servizio postale e dei lavori pubblici.'¹⁰

Thus, according to this view, by the time of Constantine's death the essence of the prefecture had changed from that of prime-ministerial official, commander of the imperial bodyguard, who could on occasion act as a general military commander, to that of civilian bureaucrat. As Edward Gibbon put it, '. . .after those haughty troops [i.e. the praetorians] had been weakened by Diocletian and finally suppressed by Constantine, the prefects, who survived their fall, were reduced without difficulty to the station of useful and obedient ministers.'¹¹

In contrast, the view that has found most champions in recent times is that expressed by A. H. M. Jones in the *Later Roman Empire*, by André Chastagnol in the *Revue des études anciennes* of 1968, by Timothy Barnes in *Constantine and Eusebius* and *The New*

⁹ A work which is only known through John Lydus' reference to it at *de magistratibus*, 3.25.3.

¹⁰ M. SANNAZARO in M. P. LAVIZZARI PEDRAZZINI et al. (edd.), *Milano capitale del'impero romano*, 38; cf. G. WATSON, "Praefectus Praetorio", *OCD*², 872 or J. L. TEALL, "The Age of Constantine: Change and Continuity in Administration and Economy", *DOP* 21 (1967), 23; see also A. D. MOMIGLIANO, "An Unsolved Problem of Historical Forgery: the *Scriptores Historiae Augustae*", *Studies in Historiography*, 161, where he unfortunately considered the appearance of regional prefects in the *HA* as evidence *in favour* of the work's spurious Constantinian dating.

¹¹ e.g. E. GIBBON, *History of the Decline and Fall*, I, 527. J.-R. PALANQUE, *Mélanges H. Grégoire* 2, 483ff, (followed by C. DUPONT, "Constantin et la préfecture d'Orient", *Studi. Scherillo*, 810ff) identified Evagrius in Oriens in AD 326 as Constantine's first regional prefect.

Empire and by Alexander Demandt in his contribution to *Müllers Handbuch der Altertums-wissenschaft* dedicated to late antiquity.¹² Aware that the earliest known documentary record of a regionally defined prefecture relates to the reign of Constantius II and that a prefect attached to the emperor rather than a region can still be found under Julian,¹³ these scholars condemn as anachronistic Zosimus' testimony (2.33.1-2) that Constantine established four territorial prefectures of Gaul, Italy, Illyricum and Oriens, and hold that the multiple praetorian prefects of Constantine were still, by and large, attached to a specific imperial court as a result of the territorial division of the empire among Constantine's sons. However, Barnes would deny Constantine even the innovation of attaching praetorian prefects to Caesars as well as Augusti. Rather, he sees this as a continuation of Tetrarchic practice. Jones and Chastagnol, on the other hand, while not specifically discussing the prefecture under Diocletian and the Tetrarchy, imply in their treatments of Constantine's prefecture that two prefects remained the norm throughout the Tetrarchic period.

Recent scholars, then, hold that it was not until after Constantius II's death in 340 that an independent regional prefecture became permanently established for the first time: that of Gaul by Constans.¹⁴ With this I would concur. However, Jones, Chastagnol and Barnes, following Seeck, all also allow a precedent under Constantine for the development of regionalisation, adducing as proof the supposed Praetorian Prefecture of Africa from c. 332 to 336 or 337. This same scholarly triumvirate concur in associating the trend towards regionalisation with a demilitarisation of the prefecture, retaining the hypothesis that the office of *magister militum* was established by Constantine, and thereby implicitly associating the two developments.¹⁵ Thus current *communis opinio* does not differ from the view of

¹² T. MOMMSEN, "Die diocletianische Reichspräefectur", *Gesammelte Schriften* 6, 288; A. H. M. JONES, *LRE*, 101-103; A. CHASTAGNOL, "Les préfets du prétoire de Constantin", *L'Italie et L'Afrique au Bas-Empire*, 179-210; T. D. BARNES, *Constantine & Eusebius*, 251f, *New Empire*, 123, "Regional Prefectures", *HAC* 1984/5, 13-18; A. DEMANDT, *Die Spätantike*, 245f.

¹³ *AE* 1934.159 Forum Traiani (Rome), erected 364/7, describes Flavius Taurus as 'praef. praet. per Italiam atq. Africam', a post he held from 355 to 361 (*PLRE* I Taurus 3); Ammianus Marcellinus, 23.5.6: 'praefectus Salutius praesens' with Julian at Circesium in AD 363.

¹⁴ Argued most succinctly by Timothy BARNES in his *HAC* 1984/5 paper.

¹⁵ Despite the lack of any evidence to corroborate Zosimus (2.32.2 following the same passage which they criticize on its claims about the praetorian prefects) and the confused Lydus (2.10)—A. H. M. JONES, *LRE*, 97 & 371-2; T. D. BARNES, *Constantine & Eusebius*, 255.

Eunapius (Zosimus) that it was under Constantine that the transformation of the prefecture to a purely civil post took place. However I will argue that this arises from a misconception of the role of the praetorian prefects before the Tetrarchic period.

No attempt to divine the nature of the prefecture's development can escape the need to scrutinise the relevant office-holders. To this end, there have been numerous attempts to determine the identities, periods of tenure and locality of activity of the prefects of this period; each one naturally influenced by its author's particular conception of the nature of the post and number of simultaneous prefects. The most recent attempt to provide a possible list is that of Timothy Barnes in *The New Empire*,¹⁶ who also gives a useful list of references to previous attempts (page 123, note 3). Nevertheless, difficulties subsist. Early attempts by Otto Seeck and Ernst Stein depended almost entirely upon the evidence of the addresses of constitutions contained in the Theodosian and Justinianic Codes, which comprised, along with some inscriptions and the odd literary reference, the bulk of the evidence available in the last quarter of the last century. However, since nearly all the inscriptions that shed any light on Constantine's prefects have been unearthed since the turn of the century, and in the light of certain additions to the body of papyrological material, some reconsideration of their notions of the Constantinian prefecture was clearly required. Still, it is the case that those theories formulated on the basis of the Codes have been allowed to dominate the interpretation of the epigraphic material rather than letting this speak for itself. No radical reassessment of the suitability of these theories, with the partial exception of Barnes' *The New Empire* (chapter 8), seems yet to have been undertaken.

II. *The pre-Constantinian Prefecture*

It was Augustus in 2 BC who first appointed two men of equestrian status to the position of *praefectus praetorio* (i.e. 'headquarters' commander').¹⁷ The prefects' duties included

¹⁶ T. D. BARNES, *New Empire*, chapter 8 "Praetorian Prefects", 123-139. The treatment is now continued for the Constantian period in "Praetorian Prefects, 337-361", *ZPE* 94 (1992), 249-260.

¹⁷ Cassius Dio, 55.10.10: καὶ μέντοι καὶ ἑπαρχοὺς τῶν δορυφόρων τότε πρῶτον Κύνιτον τε Ὀστώριον Σκαπούλαν καὶ Πούπλιον Σάλουιον Ἄπρον ἀπέδειξεν. (Furthermore [Augustus] appointed now, for the first time, Q. Ostorius Scapula and P. Salvius Aper as prefects of the guards). Despite Dio's usage, in non-literary Greek the office was usually rendered ἑπαρχος τοῦ (ἱεροῦ) πραιτωρίου or, Hellenized, as τῆς ἀυλῆς (which became a technical translation, but appears already in Mark, 15.16, when Jesus is led off ἔσω τῆς ἀυλῆς, ὃ ἐστὶν πραιτώριον of Pont. Pilate).

responsibility for guarding the emperor's personal safety, which was ensured by the praetorian cohorts, stationed on the city's periphery in the *castra praetoria*. The poet Martial succinctly defined these duties of the post in an epigram of which the subject was Domitian's prefect, Cornelius Fuscus: 'Ille sacri lateris custos Martisque togati / credita cui summi castra fuere ducis, / hic situs est Fuscus.'¹⁸ Theodor Mommsen considered the command of the guard to have been the prefects' basic and original preoccupation.¹⁹ Nevertheless, however high profile was the prefects' command of the praetorian cohorts, it should not be confused with their prime responsibility; the administration of the emperor's *praetorium*, which the formula of a number of military diplomata clearly treats as a separate entity.²⁰

The number of *praefecti* of the *praetorium* at any one moment varied over time. While Augustus' arrangement of two colleagues was in abeyance for most of Tiberius' reign, when the infamous Aelius Seianus wielded command alone, for most of the rest of the first, second and third centuries AD there were, according to the strong Roman tradition favouring collegiate responsibility, more often two prefects jointly fulfilling a single *praefectura*.²¹ While Rome was still the emperor's usual abode, when he left the capital to tour the provinces or launch a military campaign, it was the custom for one of the prefects and some of the praetorian cohorts to accompany the emperor, and the other to remain with the rest at home. However, in the course of the third century, when it became more common for there to be two Augusti ruling as colleagues, and ties with Rome became more tenuous, it was commonly the case that the praetorian prefects would be attached one to each emperor. This was almost certainly the arrangement with Valerian ruling in the East and his son, Gallienus, in the West from 253 to 260, and was certainly the case on the eve of Diocletian's elevation in 284. While the prefect Aper had accompanied Numerian

¹⁸ Martial, *Epigrammata* 6.76.1-3, written c. AD 90.

¹⁹ T. MOMMSEN, *Droit public romain*, 138-144, esp. 140 n.3; followed by L. L. HOWE, *Pretorian Prefect*, 10f.

²⁰ e.g. ILS 1993: 'Imp. Caes. Vespasianus Aug. . . nomina speculatorum qui in meo praetorio militaverunt, item militum qui in cohortibus novem praetoriis et quattuor urbanis, subieci: . . .' (cf. *CIL* XVI 21, 95, 98, 114 & 135). On the *praetorium* staff see W. ENBLIN, *RE* 22.2 (1954), col. 2422.

²¹ R. SYME, "Guard Prefects of Trajan and Hadrian", *Roman Papers* III, 1276-1302 passim; Cassius Dio, 52.24.I, puts in Maecenas' mouth the consideration that two praetorian prefects is the optimum number. That the prefecture was traditionally a single entity was, of course, stressed by Zosimus, 2.33.1 (quoted above p.75).

on his Persian campaign, the other prefect, Aristobulus, had remained in the West with Carinus the senior Augustus. After Diocletian himself had killed Aper and been proclaimed Augustus by the troops, he will probably have appointed a replacement to act as his own praetorian prefect, and, as Aurelius Victor reports (39.14), he retained Aristobulus in the prefecture after the battle of the Margus in 285.

Thus at the outset of Diocletian's reign (or at least after the removal of Carinus in 285) the traditional pattern, of a single emperor attended by a pair of praetorian prefects, was still adhered to fundamentally. However, the number of emperors soon once again matched that of the prefects, when Diocletian appointed Maximian, a fellow officer, as Caesar on 31 July 285.²² It is impossible to tell whether or not one or other of the two prefects was formally attached to Maximian in his brief spell as Caesar. In any case Maximian was soon (in spring 286)²³ elevated to the status of Augustus. As now the equal of Diocletian, Maximian would, I suggest, naturally have been accompanied on his travels by one of the two praetorian prefects. This arrangement would thus resemble that of Valerian and Gallienus, with Diocletian ruling the East and Maximian ruling the West, each with his own independent court and administration, including a prefect and a detachment of praetorian guards.²⁴ There is no evidence for Timothy Barnes' claim (*The New Empire*, 134-138) that the number of praetorian prefects was increased on the appointment of Constantius and Galerius as Caesars in 293 in order to attach a prefect to each Caesar as well as Augustus. Although Lactantius complains that Diocletian divided the world 'in quattuor partes' (*de mortibus persecutorum* 7.2),²⁵ there is a good deal of difference between the establishment of separate spheres of activity and separate administrations. It is certainly anachronistic to think in terms of an empire divided into separate eastern and western halves under the two Augusti at this date, let alone four parts. In fact what evidence exists concerning their number points is consistent with two praetorian prefects remaining the norm under the First and Second Tetrarchies (AD 293-306). All the dedications known from this period that were made by the prefects to an emperor bear the

²² For the determination of the precise date see T. D. BARNES, *New Empire*, 4 n.5.

²³ Maximian's elevation to Augustus took place on 1 April 286 (*Descrip. cos.*, s.a. 286).

²⁴ Diocletian's detachment of praetorian guards were responsible for pulling down the Christian church in Nicomedia in 303 (Lactantius, *de mortibus persecutorum* 12.1f).

²⁵ A view reiterated in the accounts of Aurelius Victor (39.40) and Praxagoras (*FHG* 4, 2).

names of two prefects only. It is not likely that when acting collegiately, as in these cases, only half a college of four prefects would be represented.²⁶ The Caesars of the First Tetrarchy were strictly subordinated to the) Augusti, an example with which, according to Ammianus Marcellinus, Constantius II in 354 admonished his unruly Caesar Gallus at the end of a letter:

Quibus subserebat non adeo vetus exemplum, quod Diocletiano et eius collegae, ut apparitores Caesares non resides sed ulro citroque discurrentes, obtemperabant, et in Syria Augusti vehiculum irascentis, per spatium mille passuum fere pedes antegressus est Galerius purpuratus.

(Ammianus, 14.11.10)

[Constantius] appended to this a recent precedent, that the Caesars attended upon Diocletian and his college as servants, possessing no permanent base but running about hither and thither, and in Syria Galerius, clad in the purple, walked in front of carriage of the raging Augustus for the space of a full mile.

If this anecdote, recorded in the late fourth century, reflects some real knowledge of the relationship between the Augusti and Caesars of the Tetrarchy, it is hard to imagine Diocletian's Caesars running almost autonomous governments, with their own praetorian prefects helping to organise their administrative and legal affairs. The burden of proof would seem to lie with those who would argue that all four Tetrarchic emperors, Augusti and Caesars alike, employed a praetorian prefect each.

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* *

A much more difficult question to answer satisfactorily, than simply the number of praetorian prefects, is that of their precise function. This cannot be assumed, and is a necessary preliminary to any discussion of the transformation of the prefecture. For, to decide whether and when the prefecture was transformed, we must tackle the question of the exact role of the prefecture before Diocletian and after Constantine. The very nature of the post, however, makes any clear cut answer almost impossible.

²⁶ The dedication at Oescus to Diocletian from c. 290, that to Constantius Caesar from Brixia of 293/305 and that to Maximian in the Forum Romanum (*ILS* 8929, *AE* 1987 456 & *CIL* VI 36947 = Appendix 2, Nos 1, 3 & 4) are all made in the name of two prefects. Moreover the vicarius Septimius Valentio describes himself c. 292 quite clearly as 'a. v. praeff. praett. cc. vv.', and Rusticianus in 300/306 is 'a. v. pra[eff. praetorio] eemm. vv.' (*ILS* 619 & *CIL* XIV 4455 = Appendix 2, Nos 2 & 6).

The prefecture was not simply just a post in the emperor's patronage but had been a special creation of the emperors themselves. Thus unlike both the civil and military posts of the Roman republic, which were constitutional (i.e. had generally recognised degrees of authority, *imperium*, and sphere of operation, *provincia*, granted them) the praetorian prefecture did not have powers and functions specified by law.²⁷ As noted above, one would imagine from Mommsen's treatment that the competence of the prefects *ex officio* ought only to have run to their command of the praetorian cohorts. However, while this may have been originally a major preoccupation, it had become a very minor, if not totally insignificant, part of the prefects' duties by the beginning of the fourth century. For when Galerius, in 306, and Constantine, in 312, suppressed successively the provincial and Roman detachments of the guard this did not entail the suppression of the praetorian prefecture. In fact this had no perceptible repercussions on the status of the prefects in the scheme of imperial government, and emperors subsequently continued to appoint and employ praetorian prefects. The reason for the survival of the prefect, but the suppression of the guard regiment, was that, while the former had always been more than simply the commander of the praetorian guard, the latter had ceased even to fulfil their original function as guardians of the emperor's safety. In fact, by the last quarter of the third century a new corps had developed which displaced the praetorians from their role both as protectors of the emperor and as the élite corps, membership of which allowed ordinary rankers rapid promotion to the officer grades; this new corps was that of the *protectores*.²⁸ The praetorian regiment had become simply an obsolete and decorative body and thus dispensable, while the prefects had become an important and integral part of the imperial administration and thus indispensable.

Discussion of the function of the praetorian prefects has, in fact, been obfuscated by their link with the praetorian guard. The command of the guard had never been the

²⁷ A technicality noted by the Hadrianic jurist Pomponius in his *Liber singularis enchiridii* (*Digest* 1.2.19): '... quod officium [sc. magistri equitum] fere tale erat, quale hodie praefectorum praetorio, magistratus tamen habebantur legitimi.' (This office [i.e. of the republican *magister equitum*] was of approximately the same kind as today's *praefecti praetorio*, although the magistrates were considered statutory.)

²⁸ See A. H. M. JONES, *LRE*, 53f, 636-640; although the title *protector* is first attested under Valerian and Gallienus c. 258 (*ILS* 1332), these *protectores* held independent military commands. The *protector domesticus* first appears under Diocletian.

sole, or even major, preoccupation of the prefects. The salient features of the prefecture were largely prefigured by the career of Caesar's lieutenant Aulus Hirtius. He was an equestrian officer whom Caesar entrusted with organising his *praetorium* (military headquarters) during the Gallic campaigns. That is to say, that while Hirtius was a military officer, he was a staff officer in Caesar's Headquarters, not a field commander. Hirtius gathered information from Caesar's legates in the field and co-ordinated supply. He may also have acted as a sort of research assistant gathering anecdotes for inclusion in Caesar's *Commentaries*, since in 44 BC Balbus expressed the opinion that Hirtius was the natural choice to continue them.²⁹ Although a mere equestrian (in the class-conscious late Republic) the extent of the powers delegated to him are clear from his minting coin of Caesar's types in his own name. He can also be found in action screening visitors to his master. Cicero's son had to have an interview with Aulus Hirtius before it could be decided whether his business was important enough to justify disturbing Caesar. He also interestingly prefigures an imperial development by attaining the consulship as his first senatorial magistracy. The election that Caesar secured for him as consul designate for 43 BC was his reward for loyal and personal (not public) service to Caesar. There is no evidence that Hirtius held any junior magistracies before becoming *consul posterior* in 43.³⁰ This was extremely irregular for the time but was to become an established practice for rewarding praetorian prefects.

The prefects' link with the guards has led to undue emphasis on their military role. In the same way as Hirtius the praetorian prefects, while commanding the praetorian cohorts (and no doubt Hirtius had had some troops under his immediate command), were fundamentally staff officers who acted as aides, not field commanders. The nature of the job itself dictated that the prefect be in the emperor's company most of the time. A point which the emperor Domitian himself emphasised in a letter recalling L. Laberius Maximus, *praefectus Aegypti* AD 83-84, to serve as colleague to the aforementioned Fuscus.³¹ A

²⁹ A. Hirtius wrote the last book of the *Commentaries* according to Suetonius, *Divus Iulius* 56.

³⁰ Despite T. R. S. BROUGHTON's claim (*MRR* II, 274 & 295) that A. Hirtius held a tribunate of the plebs for 48 BC and praetorship for 46.

³¹ A. PIGANIOL, "Le codicille impérial du Papyrus de Berlin 8334", *CRAI* 1947, 376 (lines 11-13): '[advol]aturum [mi Maxime | favente pel]ago te ut primum po[tuer]is ab[. . .] Romam la]teris mei dubito cupidissimum [fore.]' (I desire you to fly here my dear Maximus, with favorable sea at the earliest opportunity. . . I doubt not you will be most desirous of remaining by my side).

prefect remained at the emperor's side at both work and rest.³² So that as the emperor's constant companion the praetorian prefect might exercise considerable influence on decision making, being probably the most consistent presence in an emperor's *consilium*.³³ The prefects' influence will have been enhanced by the fact that his presence among the high echelons of the state was almost uniquely dependent on the emperor's pleasure. An appointment to the prefecture was a direct reflection of the emperor's preferences in a way that the magistracies and pro-magistracies never became. Although with the magistracies the emperor could exercise considerable, if not dictatorial, authority over who should be awarded them, he was largely restricted to selecting from an already given pool.³⁴ Augustus and his successors followed the example set by Caesar in deliberately avoiding the appointment of members of the senatorial aristocracy to positions in their personal employ. For, it is understandable that Augustus when creating the prefecture in 2 BC would not have wanted to entrust the position to senators, who might still harbour political ambitions of their own. Far better to patronize an equestrian, whose status could be enhanced by employment by the *princeps* (and would thus repay this honour with his loyalty), than a senator who might consider the position beneath him. The open-ended nature of the post made it much more suitable to the pattern of the pre-existing equestrian *militia* (such as *praefectus castrorum* and *praefectus fabrum*) than that of a fixed-term public magistracy.³⁵ Thus a person of equestrian rank, who had such a background, was more likely to bring with him the ethos of a full-time employee as opposed to that of a part-time politician and gentleman all-rounder. However, this distinction should not be pressed too hard, as the two orders were closely linked, and a lack of professionalism among equestrian officials of the Early Empire has been suggested in the case of the procurators.³⁶ On the other hand Peter Brunt has remarked on the large number of Prefects of Egypt who went

³² e.g. A drunken emperor Galerius is 'a praefecto admonitus' (*Origo Constantini imp.* 11.1).

³³ On the composition of the imperial *consilium* and the praetorian prefects' role within it see L. L. HOWE, *Praetorian Prefect*, 32-40; J. A. CROOK, *Consilium Principis*, 23-25 & 80-83; F. G. B. MILLAR, *Emperor in the Roman World*, 39 & 94-97.

³⁴ Although the emperor exercised control over new entries to the pool by the grant of the *latus clavus*, he was still left with a sizeable number of hereditary entrants.

³⁵ On which see C. NICOLET, *L'ordre équestre à l'époque républicaine* 1, 434-439.

³⁶ R. P. SALLER, "Promotion and Patronage in Equestrian Careers", *JRS* 70 (1980), 58f; nearly all had less than 10 years' experience of working in government office.

on to become praetorian prefects. This is explicable, as the office of *praefectus Aegypti* was the only other post to combine administrative, financial and military duties in the same way as the prefecture, which suggests that a notion of selecting people for their experience (for the praetorian prefecture, at least) did exist.³⁷

The praetorian prefects clearly came to be regarded as trusted advisers to whom certain functions could on occasion be delegated. Consequently, by the third century at the latest, the praetorian prefects were regularly delegated by an emperor to hear cases brought to the imperial court in his stead, *vice sacra iudicans*. Contemporary jurists thus consider the judicial decisions of the praetorian prefects binding without appeal to the emperor himself.³⁸ The justification given for this delegation being precisely that the prefects' past career experience is sufficient proof of their competence.³⁹ Moreover, it appears that in the Severan period the prefects' court was given jurisdiction in Italy (beyond the hundredth milestone from Rome) over cases to be tried under the *lex Fabia* on the infringement of liberty.⁴⁰ However, it is possible to over-emphasise the extent to which the prefecture became dominated by legal experts. As Laurence Lee Howe pointed out, even when men of known forensic ability occur most frequently among the ranks of the praetorian prefects (under the Severan emperors of the early third century), they still account for less than twenty-five percent of appointments.⁴¹ In fact the competence of the prefects outside their role as commanders of the praetorian cohorts was highly flexible, and varied from

³⁷ See P. A. BRUNT, *Roman Imperial Themes*, 217f, for a good discussion of the greater continuity of equestrian compared to senatorial careers, and of the selection of Prefects of Egypt, which is worth noting in this context. Still, he warns that the greater continuity of employment was relative (BRUNT, *op. cit.*, 244; *idem*, "Princeps and Equites", *JRS* 73 (1983), 51f).

³⁸ Hermogenianus, *Iuris Epitomae* (*Digest* 4.4.17) states that there is no appeal against the decision of the prefect, though this may not have been universally applied (see L. L. HOWE, *Pretorian Prefect*, 35f). Constantine ruled definitively against the right of appeal from the prefect's court (*CTh* 11.30.16).

³⁹ Aurelius Arcadius Charisius, *Liber singularis de officio praefecti praetorio* (*Digest* 1.11.1 §1), quotes the published constitution of an unnamed emperor that, ' . . . eos, qui ob singularem industriam explorata eorum fide et gravitate ad huius officii magnitudinem adhibentur, non aliter iudicaturos esse. . . quam ipse foret iudicaturus.' (those men [i.e. the prefects], who were brought to the magnitude of this office on account of their outstanding industry after a thorough testing of their faithfulness and seriousness, would judge no differently. . . than would he have done himself).

⁴⁰ Ulpian, *de officio proconsulis* 9 (*Collatio legum Mos. et Rom.* 14.3.2), cf. *Digest* 1.12.1 §4.

⁴¹ L. L. HOWE, *Pretorian Prefect*, 47f.

individual to individual as well as over time. This is amply illustrated by the different career patterns of a couple of third-century prefects. The prefect C. Furius Sabinius Aquila Timesitheus pursued a career almost entirely made up of financial or civilian administrative posts, except for a short stint as prefect of an cohort of auxiliaries in Spain. On the other hand the prefect L. Petronius Taurus Volusianus had a totally military career.⁴² In the pre-Constantinian period, it seems that a combination of the appointee's individual skills and the emperor's preoccupations dictated the functions of any particular prefect. So in periods when military action dominated the emperor's agenda men of a military bent are more likely to have been chosen, and alternatively when legislative concerns took up the emperor's time it was men of legal ability who were more likely to fill the post. Nevertheless, the prime qualifications were familiarity and fidelity.⁴³ Still, by far the most important factors in the success of an equestrian career in the imperial bureaucracy were patronage, influence, and family relationships. This applies equally to the selection of praetorian prefects by emperors as to that of junior officials by their chiefs.

This should be borne in mind when assessing the role of the prefects as military commanders. As noted before, both Zosimus (Eunapius) and John Lydus believed that the office had once possessed far-reaching powers of military command of which it had been shorn in the fourth century. Laurence Lee Howe appears to endorse the idea that the praetorian prefects had possessed some formal supreme command, either of all the troops throughout the empire according to Zosimus, or just over those in Italy as proposed by Cassius Dio through the mouth of Maecenas (52.24.3f). The genesis of Eunapius' (and thus Zosimus and John Lydus') mistaken notions, is most probably to be traced to his confounding Dio's historical fiction with historical fact (whether considered as of the early third or first century is immaterial), which he then compounded by exaggeration. For Eunapius might find support for his notion of an overall military command, if he had misunderstood Pomponius' analogy of the praetorian prefects' position with that of a republican dictator's *magister equitum* (perhaps as quoted by Arcadius Charisius) as implying a continuity of function as vice commander-in-chief of the armed forces. John

⁴² Timesitheus' career is given by *CIL* XIII 1807 Lugdunum, *PIR*² F 581; Volusianus' by *ILS* 1332 Arretium (Etruria), *PLRE* 1 Volusianus 6.

⁴³ cf. the qualities assumed by the anonymous emperor quoted by Arcadius Charisius, *op. cit.*, *Digest* 1.11.1 §1 (see n.40 above).

Lydus' similar assertion of the prefecture's former supreme command is not to be treated as independent evidence. It would seem to be grounded on the view of Zosimus (Eunapius), reinforced by his own reading of Arcadius Charisius, no doubt in the *Digest* excerpt rather than the original.⁴⁴ Lydus was then able to clinch the argument by appeal to his fanciful etymological derivation of ὑπαρχος—by this time a synonym of ἑπαρχος (the Greek term used to translate *praefectus*)—from ἵππαρχος, which he uses to translate the archaic Republican title of *magister equitum*.⁴⁵

In reality, for most of the time the prefect's direct military competence was restricted to his command of the praetorian cohorts, which in itself did not give him much scope for battlefield command. It is true that as well as acting as an imperial guard in Rome the praetorians did accompany the emperor on campaign. But while they were an élite force, they were an élite force in terms of prestige not military action. As Brian Campbell pointed out in *The Emperor and the Roman Army*, they did not act as an élite striking force; their role on the battlefield was the same as in the palace or the camp—to safeguard the emperor. Campbell is clear that 'Up to the reign of Marcus Aurelius, the Praetorian prefect took the field only in exceptional circumstances'.⁴⁶ This was precisely because the emperors since Augustus were generally infrequent visitors to the battlefield once they had achieved the imperial throne. This is in contrast with late second-, third- and fourth-century emperors who were frequent visitors to the field of battle. Thus it is no surprise to find instances of prefects from this period in positions of general military command. The prefect Asclepiodotus' participation alongside the Caesar Constantius in the invasion of Britain in 297 is one conspicuous example, as well as Volusianus' command of the Maxentian forces in Africa in 311 and Pompeianus Ruricius' at Verona in 312. However the idea that there existed a regular formal designation as some kind of

⁴⁴ Arcadius Charisius, op. cit., *Digest* 1.11.1; quoted by John Lydus, *de magistratibus* 1.14.2.

⁴⁵ John Lydus, *de magistratibus*, 2.6: 'ἀντὶ ἵππάρχου ὑπαρχος προσηγορεύθη.' (. . . he was addressed as [h]yparchos instead of [h]ipparchos.). Thus Lydus suggests the connection between ὑπαρχος (prefect) and ἵππαρχος (master of the horse) by the similarity of their contemporary pronunciation. M. MAAS, *John Lydus and the Roman Past*, 83-92, discusses Lydus' clumsy etymological reasoning and the historian's own peculiar historical theories which underlay his desire to connect the praetorian prefecture with the republican *magister equitum*. On the chronology of the use of ὑπαρχος for ἑπαρχος see H. J. MASON, *Greek Terms for Roman Institutions*, 13.

⁴⁶ J. B. CAMPBELL, *Emperor and the Roman Army*, 114.

commander-in-chief of the armed forces must be rejected as *a priori* unlikely. The praetorian prefects were, as Aulus Hirtius had been, primarily organisers of men and material and not tactical commanders. The limits of the office were demonstrated by Sejanus who came to an untimely end when he tried to use it as a springboard to the imperial dignity. In this light, the notion that the praetorian prefecture was transformed by Constantine because the prefects had concentrated too much political and military power in their hands is not credible. Here Commodus is perhaps the exception that proves the rule. It has been commented before that the remarkable number of known praetorian prefects under that emperor lends weight to the statement in the *Historia Augusta*, 'mutabatur enim praefectus praetorio per horas ac dies. . .' (for the praetorian prefect changed by both the hour and the day).⁴⁷ It was only because Commodus had resigned his responsibilities to such an unprecedented degree that the pleasure-seeking emperor left himself vulnerable to both real and imagined conspiracies to remove him.⁴⁸

However none of this alone explains how the praetorian prefect of the later fourth century had developed into a regional administrator; a sort of prime minister of a devolved government. The central importance of the praetorian prefects to the general administration of the empire is almost certainly a result of the changed circumstances of the second quarter of the third century onwards. The imperial court was now frequently a peripatetic entourage, largely military in character, and the emperor's absence from Rome meant that almost the only way to approach him was through his *praetorium* and its commandant the prefect. It was a natural progression that he who was charged with controlling access to the emperor for his safety should become the filter through which the emperor enacted his commands and legislation. As the channel for correspondence with the provincial administration and Senate, and given the court's isolation from those institutions fixed in Rome, the praetorian prefects had greater responsibility thrust upon them. This process will only have been accelerated by the long-term consequences of Caracalla's universal grant of citizenship. The opening up of the Roman citizenship—with the increased access to Roman law it provided—could only help to undermine local institutions and in turn generate more work for the Roman legal and administrative system. The increase in

⁴⁷ A. PASSERINI, *Coorti pretorie*, 307f; Scriptor *Historiae Augustae*, *Vita Commodi* 6.6.

⁴⁸ Cassius Dio (72.9.3f) states that Perennis, Commodus' praetorian prefect AD 180-185, was looking after both the civil and military administration of the empire for the indolent emperor.

workload, without any correspondingly adequate increases in the machinery of government until Diocletian's reforms, will have forced emperors to delegate more and more of the duties that they safely felt they could. It also fell to the lot of the praetorian prefects to settle the amount of and organise the collection of the exactions in kind (*indictiones*), which took over from taxation in money as the basic source of government funding during the third century.⁴⁹ It was thus as a result of the expansion of the role of central government in the third century that, just as the imperial procurators had done earlier on a provincial scale, the praetorian prefects crossed the blurred boundary between administrators of the emperor's affairs to administrators of the empire. The timing of the prefecture's entry into the sphere of public administration is indicated by the the classical jurists' general failure to discuss the office and, hence, its relatively meagre coverage by the *Digest*.⁵⁰ Nevertheless, the nature of the prefect's job did not change so much as its scope. By the Tetrarchic period it was the financing of central government, organisation of recruiting and army supply, the overseeing of local governors' administration as well as providing a high court for legal judgement that were the functions of the prefecture.

The burden of these duties, obvious from Diocletian's institution of a regular echelon of deputies (*agentes vice praefectorum praetorio*, latterly known as *vicarii*) between the provinces and the prefects,⁵¹ meant that the prefects' duty of commanding the praetorian cohorts declined relatively in importance. Hence Galerius' decision to abolish the praetorians did not affect the work of the prefects. It did not deprive the prefects of a position as important military commanders since they had never exercised such authority by virtue of their command of the *praetoriani*. Nor will chronology allow a close relationship to be established between the grouping of the provinces into dioceses and the

⁴⁹ For a full description of this system and the extent of the prefects responsibility for it see A. H. M. JONES, *LRE*, 448-462.

⁵⁰ Title 11, *de officio praefecti praetorio*, of Book One being restricted to the sole excerpt from the late third-/early fourth-century work of Arcadius Charisius.

⁵¹ M. T. W. ARNHEIM, "Vicars in the later Roman Empire", *Historia* 19 (1970), 595, is right to reject Arthur STEIN's attempt ("Stellvertreter der Praefecti Praetorio", *Hermes* 60 (1925), 97-102) to make distinction between the post of *vicarius* and that of *vices agens* in this period on the basis of the valid but later distinction drawn by the grammarian Cledonius Romanus, who was referring to the changed situation of the fifth-century (*Gramm. Lat.* 5.13).

proliferation of vice-prefects under the Tetrarchs and the later regionalisation of the praetorian prefecture, even if this did occur as early as the reign of Constantine.

By the time of Constantine's accession in AD 306 the praetorian prefecture was long established as the highest office in the equestrian *cursus*, of which the essence was personal service to the emperor as his aide in administration. Up to the time of the Tetrarchy the imperial *praetorium* was normally headed jointly by two prefects who had served a considerable length of time in the military and/or civil posts of the equestrian *militia*. We may safely say that the prefecture retained its ministerial character under the Tetrarchy. Nor should the proliferation of vice-prefects be used to diagnose the territorial regionalisation of the prefecture; especially since the pattern of association between diocese and *vicarius*, familiar from the *Notitia dignitatum*, did not take shape before the reign of Constantine at the earliest.⁵² Nevertheless, Diocletian's division of power between two Augusti and two Caesars did bring one innovation—the formalisation of the attachment of one prefect to each Augustus. Thus the Empire was divided into two separate spheres of organisation headed by praetorian prefects but the division between their spheres of operation was defined by that of the operation of each's respective Augustus and not some permanent geographical definition. The prefecture, like the imperial throne, remained an undivided collegiate responsibility.

⁵² As emphasised by K. L. NOETHLICH, "Zur Entstehung der Diözese als Mittelinstanz des spät-römischen Verwaltungssystem", *Historia* 31 (1982), 72-76.

The Epigraphic Record

The testimony provided by the inscriptions which name praetorian prefects has a significant bearing on the discussion of the prefecture in two ways. Firstly the inscriptions generally provide, along with papyri, the most reliable category of evidence. They are first hand evidence without, as with literary material, the mediation of a commentator's interpretation or, as with the Codes, the sort of mistakes which arise in transmission from manuscript to manuscript. They also present the reality at one particular fixed moment in time, and where they do suffer from retrospective alteration this is usually transparent. Thus, if their date can be accurately ascertained, they can provide a firm basis from which to begin to determine the size and personnel of the college of prefects at the relevant date. Secondly, it would be most out of character if the order in which the prefects are listed when attested as a college was merely random. Taking this as read, a belief that the relative chronology of various prefects can be ascertained from them has underlain most discussions of Constantine's praetorian prefects. However, as the result of misinterpretation of the pattern in which the prefects are listed, great problems have hitherto been encountered in synthesising the epigraphic evidence with that of the Codes. The result of this apparent conflict between the two categories of evidence has occasionally led some scholars, most unfortunately, to prefer inferences drawn from the addresses in the Codes over those drawn from the inscriptions.

It will be simpler to discuss separately in the first place the two areas on which the epigraphic discoveries bear (i.e. the African prefecture and the protocol of precedence), before drawing conclusions from them both together in the next chapter.

1. *The 'Prefecture of Africa'*

and the Size of the College of Prefects under Constantine

It has been claimed that Constantine's reign provides a precedent for a regional as opposed to a ministerial praetorian prefecture. It was Otto Seeck who first suggested the possibility that Constantine had devolved the administration of the African diocese on its own to a praetorian prefect. He argued that the arrangement had its origin in an *ad hoc* arrangement during the proconsulate of Africa of L. Aradius Valerius Proculus Populonium, it being clear

that Valerius Proculus was given extraordinarily the right to hear appeals from all the African provinces, not just Proconsularis.¹ Proculus' proconsulate is usually dated to 331-332 and was, according to the conventional view (expounded most recently by André Chastagnol and Timothy Barnes),² the forerunner to a formally established Praetorian Prefecture of Africa from c. 333, which persisted until suppressed some time after Constantine's death by the emperor Constans. The legal historian Clemence Dupont was even able to reconstruct its own peculiar social and political history by collating the imperial constitutions addressed to those assumed to have filled the office.³

However on what exactly do these claims rest? In an inscription contemporaneous with his proconsulate, recording his repair of a temple in Carthage, Valerius Proculus gives his current office as 'procons(ul) prov(inciae) Afr(icae) iudicio sacro [pe]r provincias Africana[s]'.⁴ The right to judge *vice sacra iudicans* had probably meant in the stead of the emperor as a court of last appeal. It was probably also originally restricted to the praetorian prefects, but in this period the prerogative was regularly extended to the proconsuls (but not to the *vicarii*).⁵ Nevertheless it was, no doubt, extraordinary for the proconsul's appellate jurisdiction to extend over the whole African diocese. The argument for this authority as a proto-praetorian prefecture stems from a phrase 'perfuncto officio praefecturae praetorio', which recurs in two similar inscriptions from Rome describing his career up to and including his consulship in 340.⁶ This phrase is certainly offered as a summary of the preceding six lines which describe how he exercised the *iudicium sacrum* over the provinces of Numidia, Byzacium, Tripolis, Mauretania Sitifensis and Mauretania Caesariensis simultaneously with the proconsulship of Africa. And that this does refer to

¹ O. SEECK, *Rhein. Mus.* 69 (1914), 33-34, and *Regestèn*, 143-144; his theory has been followed by A. H. M. JONES, *LRE*, 102.

² A. CHASTAGNOL, *L'Italie et l'Afrique*, 202ff; T. D. BARNES, *Constantine & Eusebius*, 250ff, *New Empire*, 133-135, *HAC* 1984/5, 14 and *ZPE* 94 (1992), 249-251. The only sceptic in recent years has been M. SARGENTI, "Le strutture amministrative dell'Impero da Diocleziano a Costantino", *Accademia romanistica costantiniana* 2, 228, 233-235.

³ C. DUPONT, "Constantin et la préfecture d'Afrique", *Studi in onore di G. Grosso* 2, 517-535.

⁴ *CIL* VIII 24521, lines 6-7; see Appendix 2, No 13 for the full text.

⁵ The right of *vice sacra iudicans* was known to the Diocletianic jurists Arcadius Charisius and Hermogenianus as a prerogative of the praetorian prefects alone. On which see the discussion A. H. M. JONES, *LRE*, 37 n.1; cf. M. T. W. ARNHEIM, *Historia* 19 (1970), 597-99.

⁶ *CIL* VI 1690, line 21 and 1691, lines 17-18; see Appendix 2, Nos 18 & 19 for texts.

his stint in Africa, rather than, for instance, some later period as an acting praetorian prefect, is clear from an even later verse inscription, again from Rome (*ILS* 1241 = Appendix 2, No 23). This ditty honouring him as patron of the *collegium suariorum* (guild of pork butchers) dates from during or after his second time as *praefectus urbi* under the usurper Magnentius from December 351 to September 352. It runs ‘Hic bis praefectus patriae | praefectus et idem | hic Libyae idem Libyae | proconsul etc. . .’ and was thus used as evidence to clinch the argument that he must have been a *praefectus praetorio per Africam* as well as proconsul in 332. In fact, in 332, if Proculus *iudicium sacrum* was completely inappellable, then he would indeed have been exercising a judicial power which Constantine had then recently restricted once again to the praetorian prefects.⁷ It seems most likely, therefore, that the significance of the phrase ‘perfuncto officio praefecturae praetorio’ is that it records a special privilege, exempting Proculus from this general ruling.⁸

Nevertheless, what is striking about these inscriptions is the way in which Valerius Proculus’ perception of his post in Africa changed over the twenty years that separate the Carthage temple from the Butchers’ Guild inscriptions. Why does he describe his post at the time in 332 as simply proconsul with extended appellate jurisdiction over the whole African diocese, while considering it retrospectively in 340 as performance of the duties of praetorian prefect, and again even later in 352 as actually having been a praetorian prefecture? The answer is to be found in the changing social rank of the prefecture and the persons who filled it. In 332, although the praetorian prefecture now carried with it the rank of *clarissimus*, the college of prefects was still made up of men who had had equestrian careers, and it was as yet extremely unusual for someone of senatorial birth to work as a praetorian prefect. This state of affairs prevailed until at least the time of Constantine’s death in 337.⁹

⁷ Constantine reaffirmed the inappellability of the praetorian prefects’ jurisdiction in a general edict addressed ‘ad universos provinciales’ (*CTh* 11.30.16 = *CJ* 7.62.19 of 1 September 331).

⁸ cf. the comments of H. DESSAU at *ILS* 1240 & 1241 and N. H. BAYNES, “Three Notes on the Reforms of Diocletian and Constantine”, *JRS* 15 (1925), 207.

⁹ Before AD 337 the only praetorian prefects known to have been members of the senatorial order before their prefectures are M. Arrecinus Clemens and the future emperor Titus, both under Vespasian (L. L. HOWE, *Praetorian Prefect*, 17 n.22), and Rufius Volusianus under Maxentius (see notice in Chapter 9.1).

On the other hand when the career inscriptions of 340 were inscribed both Constans' prefects were of senatorial birth (Antonius Marcellinus and Aconius Catullinus) and possibly also Constantius' too (Septimius Acindynus).¹⁰ Thus it was now respectable for a senator to hold this post, which had been historically the culmination of the equestrian *cursus*. Moreover, when the verse inscription in which he is styled as *praefectus Libyae* was erected in 352 it had been the case that the western praetorian prefectures had been a monopoly of the Roman senatorial aristocracy for over a decade.¹¹ So it was no longer merely respectable for a man for a man of senatorial birth to hold the post, it was normal. It is this development that allowed Valerius Proculus to entertain the notion, with increasing assertion over time, that he had performed the duties of the post. He obviously considered that the powers he had exercised in 332 in Africa were equivalent to those his fellow senators were now able to exercise in the post of *praefectus praetorio*, which he had missed the chance to add to his *curriculum vitae* by being only a couple of years their senior. It is also telling that Valerius Proculus never, in fact, dared employ the official designation of *praefectus praetorio*, which would be very out of character had he actually been a prefect proper. It would thus be dangerous to see Proculus' retrospective claims as evidence for the post of *praefectus praetorio per Africam*.

Having disposed of Proculus' own prefecture, what then becomes of the supposed evidence in the Codes for a Praetorian Prefecture of Africa from 333? The notion of the continuation of Valerius Proculus' post as a regular praetorian prefecture beyond his own period of tenure rests primarily on the clause 'sublimitas tua in provinciis Africanis ad hoc studium impellat' in *CTh* 13.4.1, addressed to the prefect Felix and posted up in Carthage 27 August 334.¹² In addition that same prefect was issued a law posted up in Carthage on 7 September 334 (*CTh* 13.5.6), another on 4 August 335 (334 according to Seeck) concerning African *curiales* (*CTh* 12.1.12), and *Const. Sirmond.* 4 (= *CTh* 16.8.5 + 16.9.1) posted up in Carthage on 9 March 336. The last of these contains the clause 'volumus ut excellens sublimitas tua litteris suis per dioecesim sibi creditam commeantibus iudices moneat'. However, the meaning of *dioecesis* here need not be restricted to that of

¹⁰ See relevant biographies in Chapter 9, sections I and II.

¹¹ See the table of A. H. M. JONES, "Collegiate Prefectures", *Roman Economy*, 304f.

¹² Although Felix is not addressed as 'PPO' in this law, he does appear as such in a batch of laws from 335-336, for which see Appendix 1, s.aa. 335-336.

the local vicar's diocese, and hence refer to Africa alone, but could simply have its literal meaning of 'that which is under (one's) management'. Nor is this an otherwise unattested usage. For this interpretation of the word must clearly be understood as it occurs, for example, in a law issued to Mecilius Hilarianus the *praefectus urbi* on 28 June 339.¹³ He is instructed that,

Omnes clarissimi, qui per dioec-
esim sublimitatis tuae degunt,
nostri auctoritate praecepti ad
Urbem Romam venire cum impen-
sis, quas ludī scaenorum vel circ-
ensium vel muneris ratio poscit,
cognantur.

All the senators who reside in Your
Sublimity's diocese are to be
informed to come by the authority
of our command to Rome with the
money which the cost of theatrical
shows or circus races or games
requires.

(*CTh* 6.4.4)

After all, the jurisdiction of the Prefect of the City to the hundredth milestone, which is referred to here, was never a proper administrative diocese in the same sense as those of the Verona List of circa AD 314.¹⁴ Thus there is no reason why the mention of Felix's *dioecesis* in *Const. Sirmond.* 4 should imply that his jurisdiction was restricted to the 'dioecesis Africae' of the Verona List. What then of the phrase 'sublimitas tua in provinciis Africanis'? Certainly this is addressed to Felix in Africa, but need it imply that Africa was the sole area of his jurisdiction? The presence there at some point of the praetorian prefect, in whose charge both Italy and Africa were placed, is not incomprehensible, especially if the struggle between the Catholics and Donatists there was causing the imperial government so much trouble.

On the other hand, none of the evidence for the man identified as the last Praetorian Prefect of Africa, Gregorius, actually requires his physical presence in the area; only that the African diocese be within his competence.¹⁵ He is last recorded in office by a law dated 4 February 337 (*CTh* 3.1.2), so that according to the prevailing theory the Prefecture

¹³ The address calls him 'PPO', but this is impossible; see Appendix 1, s.a. 339. There even exists a later example of diocese as the sphere of a praetorian prefect in *CTh* 13.3.11 (AD 379), as well as of *iudices* in *CTh* 13.5.4 (AD 410).

¹⁴ This lists the provinces of the Roman Empire grouping them into 12 dioceses. Its text has most recently been published by T. D. BARNES (*New Empire*, 202f).

¹⁵ See under the entry for Gregorius in Chapter 9.1.

of Africa perished along with Constantine's other arrangements in the summer of 337, being suppressed some time after his father's death by the emperor Constans.¹⁶

Against this theory, the creation of a devolved administration in Africa under a praetorian prefect may on the face of it seem unlikely for two reasons. Firstly, on the basis of Eusebius' statement that each Caesar possessed a separate imperial establishment (*Vita Constantini* 4.51-52), it is a reasonable hypothesis that each Caesar had his own praetorian prefect.¹⁷ Therefore to add a second prefecture to Constans' portion (Italy and Africa) would suggest to that the third Caesar received unexpectedly preferential treatment, which would be an unnecessary provocation to sibling jealousies. It would, after all, mean that Constantine's youngest son, Constans, had a larger administration than the eldest surviving, Constantinus II. Indeed, the dangers of this sort of sibling jealousy were to be fatally realised later. For it was precisely Constantinus' feeling of having lost some of his rightful precedence, when his younger brothers had made their territorial gains at the demise of Dalmatius, that caused the estrangement which led to his fateful attack on Constans in 340.

Secondly, although the praetorian prefect was primarily concerned with non-monetary forms of taxation and supply, a prefect's ability to run an independent prefecture of Africa without an accompanying imperial mint within its bounds would be limited. Thus, an argument of perhaps a more practical kind against the African prefecture's existence, is the diocese contained no mint of its own at this period.¹⁸ In fact, there had been no mint at Carthage since the suppression of the usurper L. Domitius Alexander by Maxentius' forces c. 311, and no imperial mint was established there again until after Africa's recapture from the Vandals in 533. This, of course, was when Justinian definitely created a new separate *praefectus praetorio per Africam*.¹⁹ It seems inconceivable, given the prime importance of the praetorian prefect as budget co-ordinator, that a prefecture could be expected to run itself independently in Africa without a mint in its own

¹⁶ See above all T. D. BARNES, *New Empire*, 134-6, *Constantine & Eusebius*, 250f.

¹⁷ The hypothesis of T. D. BARNES, *New Empire*, 131 and *ZPE* 94 (1992), 250f.

¹⁸ On the non-monetary taxation see A. NICOLETTI, "I prefetti del pretorio e la riscossione dell'annona militare", *Labeo* 15 (1969), 177ff. On the mint see C. H. V. SUTHERLAND, *RIC* 6, 49.

¹⁹ First recorded by *CJ* 1.27.1 (13 April 534), addressed 'ARCHELAO PP AFRICAE'; which law appears under the heading *de officio praefecti praetorio Africae et de omni eiusdem dioeceseos statu*, in which diocese may now, of course, legitimately describe that same area previously under a vicar.

territory.²⁰ Thus an interpretation of the epigraphic material that admitted the operation of Valerius Proculus in Africa with extraordinary judicial authority, equivalent to that normally now restricted to the praetorian prefects and greater than any *vicarius* or proconsul alone, but not as the precedent for a full praetorian prefecture, would seem to be the most satisfactory solution.²¹

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* *

On the other hand Otto Seeck's original hypothesis that there existed an independent Praetorian Prefecture of Africa was given its first substantial support by the reinterpretation of an inscription discovered at Tubernuc, Africa Proconsularis in 1924 and since lost (*AE* 1925.72 = *ILT* 814). As its original publishers, Louis Poinssot and Raymond Lantier, deciphered it, it is a dedication by four praetorian prefects, all *viri clarissimi*, to Constantinus II as Augustus, with an erasure of approximately eight letters after the name of the second prefect Ablabius.²² Moreover, it was clear that it had been retrospectively altered from an original dedication to him as *nobilissimus Caesar*. As then published it read:

VIRTUTE CLEMENTIA M[EMOR]ANDO PIE-
TATE OMNES A[INTE]CELLENTI[UM] D N FL CLAV-
DIO CONSTA[N]T[I]NO IV[N]IORI
[AVG]
L PAP PACATIANVS FL ABLABIVS [REDACTED]
[REDACTED] C ANNIVS TIBERIANVS NES-
[TO]RI[V]S TIMONIANVS VIRI CLA-
[RISSIMI] P[RAEFECTI] PRAETORIO

Poinssot and Lantier suggested a phrase denoting Ablabius' relation by marriage to the imperial family, such as *adfinis* or *necessarius Caesaris*, to be restored in the erasure after his name.²³ They also dated it to the period of Constantinus iunior's *vicennalia*, which

²⁰ On the prefect's budget responsibilities which see A. H. M. JONES, *LRE*, 448-462—in which capacity they resented having their expertise challenged (cf. J. F. MATTHEWS, *Roman Empire of Ammianus*, 96f). For a description of the fiscal administration in the provinces of the late third and early fourth centuries see R. DELMAIRE, *Largesses sacrées et res privata*, 171-176, with the accompanying prosopography, *Les responsables des finances impériales*; on the supply of coin, P SALAMA & J.-P. CALLU, "L'approvisionnement monétaire des provinces africaines". *L'Afrique dans l'Occident romain*, 91-116.

²¹ As argued by M. T. W. ARNHEIM, *Historia* 19 (1970), 598f.

²² L. POINSSOT & R. LANTIER, "Quatre préfets du prétoire contemporains de Constantin", *CRAI* 1924, 229-233; the same interpretation is retained by J. GAUDEMET, "Mutations géographiques et politiques", *La géographie administrative et politique d'Alexandre à Mahomet*, 264. Cf. A. CHASTAGNOL, *L'Italie et l'Afrique*, 190.

²³ On which see A. PIGANIOL, *Scripta Varia*, 245-257; T. D. BARNES, *New Empire*, 134 n.45;

ran from 1 March 336. However Jean-Rémy Palanque in a paper of 1950 suggested that it represented one of a set of dedications to all the Caesars from the period of uncertainty after Constantine had died (22 May 337), but before Constantinus had become Augustus (9 September 337).²⁴ This explained the obvious emendation from *nobilissimus Caesar* to Augustus. The erasure of the postulated phrase denoting Ablabius' relationship to the imperial family was explained as a result of his falling from grace; being dismissed by Constantius as his prefect after Constantine's death. Given this explanation, the strange omission of Ablabius' name itself from the erasure was put down to his being in only partial disgrace in the period between his dismissal in mid 337 and his eventual execution in early 338 after some months in retirement on his Bithynian estates.²⁵ Accordingly Palanque identified the four prefects as those of the Caesars of 337, Constantinus iunior, Constantius, Constans and Dalmatius.²⁶

What breathed new life into Seeck's hypothesized African prefecture was André Chastagnol's realisation that, since the erasure ought to mask the name of another prefect, rather than, as initially thought, naming only four praetorian prefects, the inscription actually named five.²⁷ Both Chastagnol and Barnes retained Palanque's dating to the context of summer 337. But while Chastagnol noted that one or two words of eight letters in total needed to be supplied, he shied away from actually putting a name to the missing prefect. Barnes, on the other hand, offered identification of the prefect as the recipient of *CTh* 13.4.2 (2 August 337), 'MAXIMUS PPO'. The identity of this Maximus with the Valerius Maximus who was praetorian prefect and consul in 327 was also assumed, so that his restoration for the lacuna was 'VAL. MAXIMUS'.²⁸ He also suggested that the *damnatio*

Ablabius' daughter Olympias was betrothed to the young Caesar Constans (Ammianus Marcellinus, 2.11.3).

²⁴ J.-R. PALANQUE, *Essai sur la préfecture du prétoire*, 18 and *Mélanges H. Grégoire* 2, 489-490, following A. PIGANIOL, *Scripta Varia*, 250 (cf. idem, *L'Empire chrétien*, 74), proposed that the inscription recorded a conference of the Caesars in Africa, to be dated to precisely July 337.

²⁵ See the biography of Ablabius in Chapter 9.1 for references.

²⁶ This reconstruction is followed by A. H. M. JONES, *LRE*, 100-102.

²⁷ A. CHASTAGNOL, *L'Italie et l'Afrique*, 191; that it contained a college of only four prefects was still assumed by M. T. W. ARNHEIM, *Historia* 19 (1970), 595.

²⁸ A. CHASTAGNOL, *L'Italie et l'Afrique*, 189 n.2, 190, 191-2; T. D. BARNES, *New Empire*, 134f; for evidence pertaining to Valerius Maximus' prefecture see Appendix 1, s.aa. 327-333.

memoriae might be the result of Maximus having been the prefect of the ill-fated Caesar Dalmatius.

Both Chastagnol and Barnes, therefore, counted a college of five prefects at a time when there were only four rulers: Constantinus II, Constantius II, Constans, and Dalmatius. This, of course, allowed them to postulate that the ‘excess’ prefect belonged to the supposed Praetorian Prefecture of Africa, which by now had become something of an article of faith. Both in fact identified the last named, Nestorius Timonianus as the holder of that office.²⁹

Moreover, since Timothy Barnes wrote *The New Empire*, an important inscription has come to light, again in Africa Proconsularis, at Aïn-Rchine in Tunisia. This bears witness to the collegiate action of the members of a still undivided *praefectura praetorio* of this period. Comprising six fragments, it appears to be the dedicatory inscription from the attic of a triumphal arch, on which at least one of the prefects mentioned (Flavius Ablabius), and maybe another, appears in the Tubernuc inscription. In fact the number of prefects listed is itself not entirely beyond doubt. As first described by Naïdé Ferchiou when it was found in 1980, only four prefects are explicitly attested. She reported the number of Cs (abbreviating *clarissimorum*) in line 4 as four. However Chastagnol on its publication in *L'Année épigraphique* 1981 added an extra C, having discerned its traces at the edge of one of the fragments:³⁰

1 [D N FL VALERIVS CONSTANTINVS MAXIMVS VICTOR SEMPER AVG ET FL CLAVDIVS
CONSTANTINVS ET FL IVLIVS CONSTANTIVS NOB]ILISSIMI CAESARES
[ET FL CONST]ANS NOB CAES
2 [----]IS SVI CONSI[LII?----]INO[. .]VNO[---]A VTRIVSQVE FORI AC PV[---] ---]FACIEM
3 [VI]AMQVE PORT[ICATAM?-----]IBRI[---]PRAEFECTVRA PRAETO[R]IO VALERI MAXIMI
IV[NII BASSI]
4 [F]L ABLABI VA[----]TRIVM VVVV[V] CCCCC [PER INSTANTIAM] DOMITI ZENOFILI V C
PROCONSVLIS INCHOANT[E]
5 NOVAM[--]VI[--]IO[--]VO[----]IANO[---]D D P P

The most recent attempt to establish the date of this dedication securely is that of Chastagnol in his 1986 article "Les inscriptions africaines des préfets du prétoire de Constantin", where he argues that Domitius Zenophilus' proconsulate ought to fall in 330-331. According to this chronology the inscription ought to date from between the spring

²⁹ As had E. STEIN, *Histoire du Bas-Empire* 1, 473 n.113, before them; A. CHASTAGNOL, *L'Italie et l'Afrique*, 194; T. D. BARNES, *New Empire*, 135, 138.

³⁰ *AE* 1981.878: 'A la ligne 4, nous lisons un cinquième C alors que l'éditrice n'en donne que quatre: la photo nous pourrait netter sur ce point.' The photo apparently being that accompanying N. FERCHIOU's original article in *Echanges* 1980 (2) 3, 307-312.

and early summer of 330 and approximately the same period in 331, as it was in the spring or early summer that the new proconsul would normally take up office.³¹ Chastagnol also offered further emendations to the text of the inscription. Firstly he proposed that the order of two of the fragments be reversed so that line 4 should read, instead of '[---]trium vvvv[v(irorum)] cccc(larissimorum)' as in *AE* 1981, 'cccc(larissimorum) [et illu]trium vvvv[v(irorum)]'; in so doing bringing forward by more than twenty years the first attestation of the rank title *illustris*. Secondly he suggested that the traces 'VA' after 'ABLABI' could be read PA[p] equally as well as VA[l]. Thus the prefect Papius Pacatianus, who is named first at Tubernuc, might be named fourth here.³² It is well to be cautious on this point and the existence of a fifth prefect, though they are both plausible. For, as Ernst Badian has recently commented, there are inherent dangers in constructing elaborate theories based more on the words inserted by an editor between square brackets in a fragmentary text than on the actual remains of an inscription as it stands. 'The epigraphic facts will be admitted. . . with the conclusion that the supplement is *necessary* or *inevitable*. As every epigraphist knows, and some historians as well, such a statement. . . is often a warning that the wish has been father to the thought, and that scrutiny is needed', he remarks.³³ In fact, while Chastagnol may have wanted to see five prefects in this inscription, the problems he caused for himself in reading PA[p] here (as will be demonstrated below) lent his suggestion an air of verisimilitude. If, however, VA[l(erius)] is to be read, then the nomen might belong to Evagrius, attested as active at this date and who had probably served Licinius before 324 (as had Valerius Maximus) and might, therefore, be expected to bear the Tetrarchic dynastic nomen.³⁴

More recently still a Greek inscription, also dedicated to Constantinus iunior by the college of praetorian prefects, has been found at Antioch in Syria and was published by Denis Feissel in 1985.³⁵ It is a duplicate of the Latin dedication of Tubernuc. Unlike that

³¹ A. CHASTAGNOL, *L'Africa romana* 3, 266-268. On date of Zenophilus' proconsulate see T. D. BARNES, *New Empire*, 168 n.75.

³² A. CHASTAGNOL, *L'Africa romana* 3, 271; see Appendix 2, No 12 for the revised text.

³³ E. BADIEN, "History from 'Square Brackets'", *ZPE* 79 (1989), 59.

³⁴ On the details of Evagrius' career see the notice in Chapter 9.II. On the significance of the dynastic nomen see Chapter 3.III.

³⁵ G. DAGRON & D. FEISSEL, "Inscriptions inédites du Musée d'Antioche", *T&MByz* 9, (1985), 421-434; reproduced as *AE* 1985.823.

text however, it has not suffered from later tampering and erasure, so gives both the title of Constantinus as *nobilissimus Caesar* and the complete college of prefects as Papius Pacatianus, Flavius Ablabius, Valerius Felix, Annius Tiberianus and Nestorius Timonianus. Thus it fills the lacuna in the Tubernuc inscription, not with Valerius Maximus as Barnes had hoped, but with a man, Valerius Felix, whom he had identified as ‘praetorian prefect of the African diocese from 333 to 336.’³⁶

ΤΟΝ ΔΕΣΠΟΤΗΝ ΗΜΩΝ ΦΛ ΚΑ
 ΚΩΝΣΤΑΝΤΕΙΝΟΝ ΤΟΝ ΑΝΔΡΙΟΤΑΤΟΝ
 ΚΑΙ ΕΠΙΦΑΝΕΣΤΑΤΟΝ ΚΑΙΣΑΡΑ (*hedera*) ΠΑΠΙ
 ΠΑΚΑΤΙΑΝΟΣ ΦΛ ΑΒΛΑΒΙΟΣ ΟΥΑΛ ΦΗΛΙ[Ε]
 ΑΝΝ ΤΙΒΕΡΙΑΝΟΣ ΚΑΙ ΝΕΣ ΤΙΜΩΝΙΑΝΟΣ ΟΙ Λ[ΑΜ]
 [ΕΠ]ΑΡΧΟΙ

The improbability of the very same dedication, out of an assumed set of three (or four) to the Caesars in the aftermath of Constantine’s death, turning up twice was recognised by Feissel. On this basis he postulated that they were probably connected to some significant event specific to Constantinus iunior, and, given that Felix is attested as prefect between 333 and 336, he identified this as his *vicennalia*.³⁷

This re-dating back to the date suggested by Poinssot and Lantier when the Tubernuc inscription was originally discovered (i.e. c. 1 March 336) has been accepted by Chastagnol in his *Africa romana 3* paper and noted by Barnes in his paper from the *Historia Augusta Colloquium 1984/5* and elsewhere.³⁸ However, neither of them appears to have grasped the full ramifications of this, especially as concerns the question of the existence of the Praetorian Prefecture of Africa. Barnes, while acknowledging that his original explanations required ‘fundamental revision’, has most recently asserted ‘These discoveries (I believe) strengthen rather than impair my general conclusions about the nature of the prefecture under Constantine’.³⁹ For his part, throughout his discussion of the new discovery Chastagnol remains wedded to the notion that one of the five prefects named must fill the office of prefect in Africa; namely of course Valerius Felix, whose name was newly provided by *AE* 1985.823.⁴⁰ Following this lead, Alexander Demandt, while acknowledg-

³⁶ T. D. BARNES, *New Empire*, 133.

³⁷ For Felix’s period of office see Appendix 1, s.aa. 333-336.

³⁸ T. D. BARNES *HAC 1984/5*, 14 n.7, idem, “Himerius and the Fourth Century”, *Class. Phil.* 82 (1987) 217 n.53.

³⁹ T. D. BARNES, *ZPE* 94 (1992), 249ff.

⁴⁰ A. CHASTAGNOL, *L’Africa romana 3*, 270-273. T. D. BARNES, *New Empire*, 135, had identified Valerius Maximus as the missing prefect and Timonianus as his Praetorian Prefect of

ing that each of Constantine's Caesars was probably provided with a prefect, retains the idea of a prefecture of Africa in 336.⁴¹

However, it ought to be unnecessary to point out that the re-dating of the inscription to AD 336 places the dedication in a period when there were not four but *five* emperors ruling simultaneously: one Augustus and four Caesars. For on 18 December 335 Constantine had made Dalmatius, the son of his half-brother Flavius Dalmatius (*cos.* 333), a Caesar alongside his three surviving sons.⁴² So on 1 March 336 the imperial college comprised *Constantinus maximus Augustus et Constantinus iunior, Constantius, Constans, Dalmatius nobilissimi Caesares*. Thus, if Eusebius' assertion that each of Constantine's sons had his own establishment (*Vita Constantini* 4.51-52) is taken to apply to Dalmatius, then he too will have had a praetorian prefect attached to his service. That he did is highly probable, seeing that he too, like his cousins, was entrusted with the government of a portion of the Empire:

Dalmatium filium fratris sui Dalmatii, Caesarem fecit. Eius fratrem Hannibalianum, data ei Constantina filia sua, regem regum et Ponticarum gentium constituit. Itaque Gallias Constantinus minor regebat, Orientem Constantius Caesar, Illyricum et Italiam Constans, ripam Gothicam Dalmatius tuebatur.

(*Origo Constantini imp.* 35.2-4)

Hi singuli has partes regendas habuerunt: Constantinus iunior cuncta trans Alpes; Constantius a freto Propontidis Asiam atque Orientem; Constans Illyricum Italiamque et Africam; Dalmatius Thraciam Macedoniamque et Achaiam; Annibalianus, Dalmatii Caesaris consanguineus, Armeniam nationesque circumsocias.

(*Epitome de Caesaribus* 41.20)

[Constantine] made Dalmatius, his brother's son, a Caesar. The latter's brother, Hannibalianus, he established as the King of Kings and of the Pontic peoples, his daughter Constantina having been given him. Thus Constantinus minor was ruling Galliae, Constantius Caesar the East, Constans Italy and Illyricum, and Dalmatius guarded the Gothic rim.

Each of them had these sectors to rule: Constantinus everything over the Alps; Constantius Asia, from the Dardanelles strait, and the East; Constans Illyricum, Italy and Africa; Dalmatius Thrace, Macedonia and Achaia; Hannibalianus, Dalmatius Caesar's brother, Armenia and the surrounding peoples.

Africa.

⁴¹ A. DEMANDT, *Die Spätantike*, 246.

⁴² *Origo Constantini imp.* 35.2; Aur. Victor, 41.15; *Descrip. cos.* s.a. 335 (precise day); at the same time Constantine made another of Flavius Dalmatius' sons, Hannibalianus, *rex* of Armenia.

Both of these passages are unambiguous in making Dalmatius an equal partner with the other Caesars in ruling a portion of the Empire; namely the dioceses of Thrace and Macedonia (which in fact included Achaëa), where he can even be shown to have been administratively active.⁴³ Consequently one of the five praetorian prefects named on the Tubernuc and Antioch inscriptions ought to belong to him. This leaves no prefect unassigned, so that the notion of the existence of the Praetorian Prefecture of Africa is deprived of the only tangible evidence for its existence.⁴⁴

II. *The Order of Precedence of Constantine's Prefects*

André Chastagnol said of the dedication to Constantinus iunior from Tubernuc 'Ce document capital est encore loin, cependant, d'avoir livré tous ses secrets'. But now that the continuing close tie between the college of praetorian prefects and the college of emperors under Constantine has been established, some of the mysteries that have been vexing commentators on these inscriptions can be unravelled.

That the praetorian prefecture in this period was considered as a college analogous to that of the emperors is clear from the several inscriptions presenting them as such. Just as the emperors of the Tetrarchy represented their constitutions as having been issued in concert with all the other members of the imperial college, so the prefects represent their dedications as a collegiate action.⁴⁵ More telling perhaps is that their *vicarii* considered themselves as deputies of the prefects as a whole rather than of a particular prefect.⁴⁶

⁴³ A sole surviving example of Dalmatius' administrative activity is identified by T. D. BARNES, *New Empire*, 87 n.172 & *Constantine & Eusebius*, 261: *CJ* 5.17.7 issued at Naissus to his father Flavius Dalmatius sometime in 337.

⁴⁴ Despite this, aware of the logic of this argument but still clinging to the notion of the African prefecture, Timothy BARNES, *ZPE* 94 (1992) 249ff, somewhat implausibly, prefers to push the date of the inscription back before Dalmatius' accession to summer 335 and so attribute to Felix the African prefecture.

⁴⁵ Hannibalianus & Asclepiodotus (*ILS* 8929 = Appendix 2, No 1); Asclepiodotus & Hermogenianus (*AE* 1987.456 = 2, No 3); ...nus et ...mus (*CIL* VI 36947 = 2, No 4); Annianus et Iulianus (*ILS* 8938 & *I.Ephesos* 312 = 2, Nos 10 & 11); Maximus, Bassus, Ablabius, ?Evagrius & ?Pacatianus (*AE* 1981.878 = 2, No 15); Pacatianus, Ablabius, Felix, Tiberianus, Timonianus (*AE* 1985.869 & 823 = 2, Nos 19 & 20); Marcellinus, Leontius, Titianus (*ILS* 8944 = 2, No 23).

⁴⁶ *ILS* 619 (Appendix 2, No 2), line 9: 'a. v. praeff. praett.'; *P.Oxy.* 2952 passim: 'a. v. praeff. praet.'; *CIL* XIV 4455, line 2: 'a. v. pra[eff. praet.]'; II 2203, line 5: 'a. v. praeff. praet.' (Appendix 2, Nos 5 & 12). For further discussion see K. L. NOETHLICH, *Historia* 31 (1982), 74.

This is clearly not merely an unconscious habit since the inscriptions of the period before prefects were always *virī clarissimi* are quite often sensitive to the status of their current superiors. For example, Septimius Valentinus in *ILS* 619 (Appendix 2, No 2) describes himself as ‘a. v. praef. praet. cc. vv.’, and Manilius Rusticianus in *CIL* XIV 4455 (Appendix 2, No 6) as ‘a. v. pra[eff. praet. | eemm. vv.’. If any more proof were needed, the heading of the travel permit issued to the representatives of the African churches in Trier ‘Petronius Annianus et Iulianus Domitio Celso vicario Africae’ shows that the office of one of the prefects, Annianus, produced its documentation as if emanating from both prefects.⁴⁷

No problems are encountered in the discussions of the inscriptions listing colleges of prefects under Diocletian and Maximian, Constantine and Licinius, or Constantius and Constans. In these cases, other evidence corroborates the order of precedence followed as that of seniority by appointment.⁴⁸ In contrast, the precedence of the prefects presented on the Aïn-Rchine triumphal arch and the dedications of 336 to Constantinus iunior has caused commentators all sorts of difficulties.

For instance, when only the inscription of Tubernuc was known the precedence of Pacatianus over Ablabius was already causing problems. Norman Baynes was compelled to resort to the hypothesis that Pacatianus was placed first as the prefect locally responsible for the dedication’s erection.⁴⁹ Both Chastagnol and Barnes concluded that, although the first legal evidence for Ablabius (AD 330) and his consulship (AD 331) preceded the first legal evidence for (AD 332) and consulship (AD 332) of Pacatianus, the latter must have been appointed first because he is listed first.⁵⁰ On the other hand, the same problem most unfortunately led John Martindale, in composing Ablabius’ entry in the first volume of the *Prosopography of the Later Roman Empire* (Ablabius 4), to state that Ablabius’ name had ‘erroneously been placed second instead of first.’

Following the discoveries of the Aïn-Rchine and Antioch inscriptions the confusion has only been compounded. As Chastagnol pointed out, the hypothesis of an accidental

⁴⁷ The letter is preserved by Optatus, *Appendix* 8; Iulianus was the prefect of Licinius in the East (see Chapter 9.1 below) and so therefore cannot have been physically present in Trier as well.

⁴⁸ See A. CHASTAGNOL, *L’Italie et l’Afrique*, 182, 193f; T. D. BARNES, *HAC* 1984/5, 17-19; D. FEISSEL, *T&MByz* 11 (1991), 440.

⁴⁹ N. H. BAYNES, *JRS* 15 (1925), 207.

⁵⁰ A. CHASTAGNOL, *L’Italie et l’Afrique*, 193; T. D. BARNES, *New Empire*, 135.

reversal of the names was made impossible by the discovery of the parallel dedication at Antioch, which confirmed the order on the Tubernuc inscription. For it is inconceivable that the same slip could have been made in two such disparate locations. But despite this assertion he was at a loss to offer any convincing explanation of the order. He only added to his problems by his suggestion (which need not necessarily be rejected) that the fourth prefect's name on the Aïn-Rchine inscription should be read as PAP instead of VAL and hence identified as Papius Pacatianus. In answer to the problem of why Pacatianus should appear in AD 330/1 behind Flavius Ablabius but in 336 before him, he offered (i) the, admittedly rather weak, conclusion that the pair had perhaps been appointed on the very same day and thus no precise seniority between them could be established, or alternatively (ii) that Ablabius had left the prefecture at some point only to take it up again before 336; his seniority depending on the date of his last appointment.⁵¹ And Chastagnol again, commenting on the inscription from Aïn-Rchine professed puzzlement at the fact that Iunius Bassus, a prefect whose career is known to have begun at the latest in 320, should appear second after Valerius Maximus whose prefecture is only attested between 327 and 333.⁵² Denis Feissel, considering the three Constantinian inscriptions as forming a group with those of the prefectural colleges of the 340s from Traiana Augusta and Delphi, said of Pacatianus' oscillation 'Cette exception reste à expliquer, sans suffire à nos yeux à infirmer la règle.'⁵³

The reason for commentators' failure to find an adequate explanation of the precedence in these two formulae, compared with their ease in doing so for the inscriptions of the immediately preceding and following periods, lies in their constant assumption that hierarchy was simply a matter of seniority. This assumption underlies all previous discussions of these inscriptions, even when it is not explicitly stated.⁵⁴ Chastagnol, discussing the Tubernuc inscription, asserted 'On ne peut en effet mettre en doute, à mon avis, que l'ordre hiérarchique selon lequel les préfets sont inscrits sur la pierre est celui de

⁵¹ A. CHASTAGNOL, *L'Africa romana* 3, 270, proposes simultaneous appointments; cf. 273, where he proposes the solution of Ablabius' multiple prefectures.

⁵² A. CHASTAGNOL, *L'Africa romana* 3, 269. See Appendix 1, s.aa. 320, 327-333 for full details of attestations of Bassus' and Maximus' prefectures.

⁵³ D. FEISSEL, *T&MByz* 11 (1991), 440 n.20. On the prefects of these texts see pp.141-146.

⁵⁴ For instance, that of A. H. M. JONES, *LRE*, 102; A. CHASTAGNOL, "Un nouveau préfet du prétoire de Dioclétien: Aurelius Hermogenianus", *ZPE* 78 (1989), 165.

l'ancienneté de nomination dans la fonction'. Likewise Barnes states 'The prefects are clearly listed in the order of their entry into the college'.⁵⁵ And Chastagnol again most recently, writing of the Aïn-Rchine inscription, asserted 'l'ordre d'ancienneté dans la fonction est le critère normal de la hiérarchie interne des préfets. . .'.⁵⁶ He was closer to the truth here than he realised when he said 'le critère *normal*'. For, while seniority by appointment might, all other things being equal, determine precedence in the college, there is another consideration in operation in the formulae of 330/1 and 336.

By the later fourth century seniority of tenure of the consulship and/or possession of the Constantine's new personal honour of *patricius* were both factors taken into consideration when determining precedence between office-holders of otherwise equal status.⁵⁷ However, given the relative chronology of the Ablabius' and Pacatianus' consulships and since neither is known to have been honoured with the patriciate, both the consulship and patriciate must be excluded as criteria in this instance.⁵⁸ Similarly, the protocols determining precedence between fellow prefects of a later period—both that calculated by a combination of the consideration of seniority and the number of times an individual had exercised the prefecture, which operated in the Theodosian age, and that determined by a hierarchy of regional prefectures varying according to location, which operated from the mid fifth century onwards—have to be rejected.⁵⁹ Both are inappropriate to the Constantinian age because they belong to the era when the prefecture had developed into a purely regionalised office which was held for short periods of time and might be exercised on several separate occasions by one individual.

In fact it should be no surprise that the overriding consideration in determining precedence stems from the intimate relationship of the prefecture with the emperors. It

⁵⁵ A. CHASTAGNOL, *L'Italie et l'Afrique*, 192 and T. D. BARNES, *New Empire*, 135.

⁵⁶ A. CHASTAGNOL, *L'Africa romana* 3, 270.

⁵⁷ For an analysis of the imperial rulings on the subject, which begin under Gratian with *CTh* 6.6.1 (1 April 382), see R. DELMAIRE "Les dignitaires laïcs au Concile de Chalcedoine", *Byzantion* 54 (1984), 141-156 (on the operation of these criteria in determining precedence) and R. W. MATHISEN, "Emperors, Consuls and Patricians", *BF* 17 (1991), 173-188 (on the role of specific instances of disputed precedence in the development of protocol).

⁵⁸ As securely demonstrated for the consulship by A. CHASTAGNOL, *L'Italie et l'Afrique*, 193 and T. D. BARNES, *HAC* 1984/5, 17.

⁵⁹ The operation of these two protocols have been elucidated by D. FEISSEL, *T&MByz* 11 (1991), 441-447 and 448-465 respectively.

was, it should be remembered, not a constitutional position, like that of the proconsul with powers fixed by statute, but a creation of the emperors; a position in their personal employ. It is the origin of the office in its personal attachment to the emperor that is important. As I have argued earlier, between AD 286 and 318 only Augusti had praetorian prefects, and the same is true again after 337 since all the sons of Constantine were then Augusti.⁶⁰ But between 318 and 337 the imperial college comprised both Augusti and varying numbers of Caesars with their own praetorian prefects. It was in times when their masters were of equal status (e.g. between 286 and 318, and after 337) that the rule of seniority prevailed in determining the precedence of the prefects. But under the conditions that held between 318 and 337, I contend that this was displaced as the most important criterion by the consideration that the prefect(s) attached to the Augustus/i should have precedence over all others in the college.

Accordingly, when the inscription on the triumphal arch at Aïn-Rchine was carved in 330/1, and the dedications to Constantinus iunior composed in 336, the prefect who was currently in the service of *Constantinus maximus Augustus* was considered the senior in the hierarchy of prefects regardless of his seniority by appointment. His name was then followed by those of the other prefects as normal in strict order of their seniority by appointment.⁶¹

Indeed, such a protocol is not without precedent in epigraphy of the first half of the fourth century. And it is natural that this hierarchy should find analogy in the formulae of the imperial college—and it does. It can be seen at work in the varying relative precedence of Maximinus, Constantine and Licinius in the period between 308 and 313. By the original agreement at the Conference of Carnuntum Licinius was made an Augustus immediately without having been first a Caesar. Maximinus and Constantine, on the other hand, remained as Caesars (though Constantine never accepted this). So Licinius as Augustus, while being second to Galerius the senior Augustus, preceded both Maximinus and Constantine despite the fact that they had entered the imperial college as long ago as 305 and 306 respectively. However, in 310, when Galerius had reluctantly to accept

⁶⁰ The claim of T. D. BARNES, *New Empire*, 123, that the Caesars of the first Tetrarchy had praetorian prefects, is surely erroneous (cf. the discussion at pp.80-81 above).

⁶¹ Presumably in AD 318-324 the order would have been prefects of Constantine and Licinius Augusti by seniority, followed by the prefect of Crispus Caesar. In the absence of epigraphic attestation this will have to remain untested.

Constantine's persistent claim and could not prevent Maximinus from similarly proclaiming himself Augustus, Licinius dropped from being the first of the three of them to the last.⁶² Their respective order in the imperial college now that they were all of equal status (i.e. Augustus) was determined by their seniority of appointment to the imperial college: Maximinus, Constantine, Licinius.⁶³ However, Constantine had himself promoted to *maximus Augustus* by the Senate in 312, thereby explicitly claiming an elevated status vis-à-vis the other two Augusti and putting himself at the head of the imperial college.⁶⁴ Maximinus was, thereby, snubbed by his loss of precedence in the new order: Constantine, Maximinus, Licinius.⁶⁵ Thus we have here a protocol of precedence within a collegiate office decided not merely by simple seniority of entry but also an additional criterion: the acknowledgement that one colleague is more equal than the others.

It should now be clear why it has been the precedence of the first-named praetorian prefect in these texts of the Constantinian period that has been the real stumbling block in trying to relate these inscriptions to the other evidence. For once it is realised that Valerius Maximus is named before Iunius Bassus at Aïn-Rchine, and Pacatianus before Ablabius at Tubernuc and Antioch, not because Maximus and Pacatianus were senior by appointment (indeed all the other evidence points to the contrary), but because they were at the respective moments the prefect *in praesentia* at the court of Constantine, the contradictions found with the other epigraphic, legal and papyrological evidence evaporate. They are listed first because they are in possession of an attribute not shared by the other prefects of the time, namely their attachment to the sole Augustus. This promoted them from their natural position within the order of seniority by appointment to the head of the list, while the other prefects remained listed according to simple seniority; just as in the case of Constantine in 312.

⁶² Lactantius, *de mortibus persecutorum* 32.2-33.5, reports Maximinus' assumption of the title Augustus without Galerius' prior consent.

⁶³ To be seen on *ILS* 663 (Asia), 664 (Noricum); *AE* 1963.141 (Cyrene); E. VARINLIOĞLU & D. H. FRENCH, "Four milestones from Ceramus", *REA* 93 (1991), 130, No 2.2 (Asia). See also T. D. BARNES, *New Empire*, 6 n.18.

⁶⁴ Lactantius, *de mortibus persecutorum* 44.11.

⁶⁵ Displayed on *CIL* v 8021a (Verona), 8963 (Comum) xi 6667 (Centumcellae) and now *AE* 1987.1010 = *ILAfr* 662 (Thuburbo maius)

The Constantinian Prefecture

That the text of the Ain-Rchine dedication refers to joint action by the single 'praefectura praeto[ri]o' of four (or even five) prefects is sufficient demonstration that, in AD 330/1 at least, the multiplication of prefects, long recognised to be a feature of Constantine's reign, had not entailed the creation of multiple *praefecturae* and hence the prefecture's transformation into an independent regional command. Moreover, the protocol of precedence displayed in the inscriptions of Constantine's praetorian prefects shows how closely the college mirrored the imperial college. The protocol, that he who was attached to Constantine—the sole Augustus—was deemed the most important, demonstrates how the order of precedence in the imperial college had a direct effect on that in the college of prefects. This direct correlation in itself implies that in 336 the praetorian prefecture was still in essence a ministerial office attached to an imperial court rather than a regional centre.

In fact, the new interpretation of the protocol of the prefectural college offered here confirms the reality of Constantine's innovation of providing Caesars with their own praetorian prefects, previously only hypothesised from Eusebius' description of the Caesars' independent establishments (*Vita Constantini*, 4.51-2). Thus Constantine's reign does mark a significant expansion of the highest tiers of government. For, not only was Constantine overseeing the general running of the empire from Constantinople, but he had established his Caesars with four independent administrations of equal status to succeed him. Thus, if Constantine's arrangements had not been frustrated by the murder of Dalmatius in mid 337, he would have bequeathed an empire run by four Augusti and so divided in four administrative-fiscal blocks. This contrasts with Diocletian's Tetrarchic arrangement of two Augusti and two dependent Caesars, which divided the Empire into two basic blocks. However, as with the Tetrarchy, Constantine's system of multiple emperors proved unworkable. Nevertheless, that Constantius and Constans were to retain a multiplicity of praetorian prefects proves that Constantine was right in his assessment that the demands of government did require a further expansion of the administration.

Eunapius (as preserved in Zosimus) was, then, not entirely anachronistic in ascribing to Constantine the expansion of the college of praetorian prefects. However, he was

certainly wrong to identify Constantine's appointment of multiple prefects with the creation of the four regional praetorian prefectures that had become an established feature of the administration by the last quarter of the fourth century. Moreover, both Zosimus (Eunapius) and Lydus are mistaken in thinking that the development of the regional prefecture entailed the prefects being deprived of great powers of military command. As suggested in Chapter 5, section II (above), Eunapius may have originated this notion by misunderstanding of a passage of Cassius Dio's *Histories*. Here Dio uses the narrative device of a fictional debate between Augustus' familiars, Agrippa and Maecenas, on the 'pros' and 'cons' of monarchical government to put forward his own blueprint for imperial government. Maecenas is given the role of the advocate of monarchy, and as part of his speech outlines the appropriate duties and powers of the praetorian prefects. As with the rest of the speech this section contains a mixture of the established practice of Dio's day (the early third century) and the author's own ideas for improvements. Eunapius may have taken this description of the prefecture as entirely factual rather than, at least partly, hypothetical. Even so, Zosimus (Eunapius) still makes far greater claims for the prefects' command than did Dio. While Dio suggested they be given command over all the troops in Italy and not merely the praetorians, Zosimus represents them as having exercised an overall command of the armies of the Empire.¹ Lydus in the *de magistratibus* then bolstered this theory by appeal to his false etymology of the prefect's title.² Their theory may have been bolstered by their consciousness of the fact that the establishment of the regional prefectures and the first appearance of a *magister militum* were close in time, even though they dated this incorrectly. In fact the first secure attestation of a Master of Soldiers does coincide quite closely with the development of the regional prefecture, but not with the praetorian prefects' loss of the praetorian cohorts. For, it is again in the early years of Constantius and Constans that the *consul posterior* of 344, Sallustius, is given the title *magister peditum* in contemporary papyri.³ The *magister militum* is not the only great office of the later Roman state, whose birth has been ascribed to a fragmentation of the power of the prefects

¹ Cassius Dio, 52.24, (cf. Zosimus, 2.33.3, quoted in Chapter 5.1 above); naturally, before the creation of the *magistri militum*, the emperor alone would have possessed overall command. The proportion of fact to fiction in this section of the Maecenas speech is discussed by L. L. HOWE, *Praetorian Prefect*, 29f.

² See Chapter 5.1 above.

³ *P.Abinn.* 59 and *P.Princ.* 81 = 181.

by John Lydus, so that the conclusions about the relationship of its genesis to the history of the praetorian prefecture may have implications for theories concerning the creation of the *magister officiorum* (first attested under Licinius).⁴ It is a reminder that the structure described by the *Notitia dignitatum* of the end of the fourth century was only came together gradually and was not conceived as a coherent system. Also, if we reject ascription by Zosimus (Eunapius) and Lydus to Constantine of the creation of the *magistri militum*, as we surely should, there is no evidence to say that they were not a creation of the sons of Constantine.⁵ Moreover, the religious hostility of Zosimus (Eunapius) to Constantine was motive enough to ascribe to him such a detrimental innovations, even if it was imaginary, while Lydus was anxious to emphasise the superior age and power of praetorian prefecture in comparison with the office of *magister militum*, then recently the subject of a monograph by Peter the Patrician.

Undermining the notion that the prefects were deprived of military command is significant because upon that premise depends the idea that the multiplication and regionalisation of the prefecture was the result of emperors fearing their prefects' powers, which they thereby sought to reduce, and of which process Constantine's suppression of the praetorian guard supposedly marks a significant stage. Close examination of the prefects' role before Constantine proves all this to be untrue.⁶ For the desire to reduce the powers of the prefects was not the motive for the transformation of the prefecture. This should rather be sought in the need to expand the imperial administration to cope with the increasing demands made on its time. This was achieved by the appointment of four successors, each with his own embryonic independent administration (including a praetorian prefect), rather than by devolving civil administration to praetorian prefects as the heads of supposed territorial regions. This now clarified, the general transformation of the prefecture between the late third and mid fourth century can be put into its correct perspective.

⁴ John Lydus, *de magistratibus* 2.11 (quoted in Chapter 5.I above); PLRE 1 Martinianus 2. A. E. R. BOAK, *The Master of the Offices*, 29-31 and M. CLAUSS, *Der Magister Officiorum*, 116f both accept Lydus' arguments.

⁵ A Constantinian origin for the imperial *quaestor*, who is similarly not securely attested until the Constantian period, has, I think, been too readily assumed by G. de BONFILS, *Il Comes et Quaestor nell'età della dinastia Costantiniana*, 1-39 and J. D. HARRIES, "The Roman Imperial Quaestor from Constantine to Theodosius II", *JRS* 78 (1988), 153f.

⁶ See Chapter 5.II above.

The Use of the Evidence

À propos of Constantine's prefects, André Chastagnol affirmed in 1968 that 'replacer chacun des préfets connus et datés dans le cadre de l'évolution générale est en effet la démarche indispensable pour quiconque veut se faire une idée des modifications qui sont intervenues dans la structure institutionnelle de l'Empire romain à ce moment décisif.'¹ Thus, in order to provide the indispensable preliminary for the discussion of the prefecture's general evolution between Diocletian and Constantius II, the evidence for each prefect has been laid out in Chapter 9. On the basis of these discussions a hypothetical list of prefects is offered at the end of that chapter in Section III.² However the problematic nature of much of the evidence, which continues to make most conclusions highly provisional (still worthwhile making nevertheless), makes prudent the provision of some cautionary remarks as to the way in which the evidence has been handled. Most important are the general principles of evaluation that underlie the following specific discussions.

The four types of source for the prefects of this period are inscriptions, papyri (consular dating formulae), literature and the Theodosian and Justinianic Codices of imperial constitutions. In fact, this sequence more or less represents the order of their quality as sources for the chronology of the prefecture at this period. In contrast, if listed in the order of the quantity of evidence they provide, the Codes provide by far the largest volume, followed by the inscriptions and papyri and lastly by the scant literary references. The reason that the Codes, while providing the vast bulk of the evidence, should be generally the least reliable lies in the problems associated with their original method of compilation. The only comment that needs to be made of the inscriptions and papyri is that their prime quality as sources lies in their usually being separated from the contemporary 'reality' by only a single layer of interpretation—namely that of the stonecutter or scribe.

¹ A. CHASTAGNOL, *L'Italie et l'Afrique au Bas-Empire*, 179.

² cf. B. BORGHESI, "Les préfets du prétoire" (completed by E. CUQ), *Oeuvres complètes* 10 (1897), 5-182; O. SEECK, *Regesten*, 141ff; J.-R. PALANQUE, *Essai sur la préfecture*, 1ff; A. PASSERINI, *Le coorti pretorie*; L. L. HOWE, *Pretorian Prefect*, 65-95; W. ENBLIN, *RE* 22.2 (1953), cols 2423-26 & 2495-2501; J. R. MARTINDALE, *PLRE* 1, pp.1047-49; T. D. BARNES, *New Empire*, 123-139 and *ZPE* 94 (1992), 249-260, for previous *fasti* of the praetorian prefects which cover this period in whole or part.

Thus they are, as near as can be, first hand witnesses; the information they give speaking for itself without much need for further comment. Literary sources are, of course, subject to the usual opportunities for textual corruption associated with manuscript tradition. On the whole though, literary sources do not suffer from the problems contingent with the multiple authorship of the Codes. The factor of textual corruption is only the last influencing the Codes as they appear today.

A. H. M. Jones in his article "Collegiate Prefectures" summed up most of the problems encountered in using the Codes as evidence for establishing who filled the prefecture and when. From the outset he made it clear 'All hypotheses based on addresses and dates of the Codes are fragile, for while most laws are no doubt correctly addressed and dated, there are some which are certainly not.'³ Chastagnol considered Jones over-cautious in his use of the Codes and Barnes adopts a fairly uncritical attitude to the testimony of the addresses of the Codes in dealing with Constantine's prefects between 324 and 337.⁴ The problems this has caused for them, as the basis of their chronology of the prefects, in interpreting the new epigraphic evidence have already been demonstrated in Chapter 6. The implication of the reinterpretation of the epigraphic evidence is again to urge caution in using the Codes.

Just as it is dangerous to base elaborate theories on what is contained between square brackets in publications of inscriptions, so it is also dangerous to do so to too great an extent on laws that have been emended in some way. The weakness of the argument increases almost exponentially, the larger the proportion of laws adduced that are ones emended (without independent corroboration).⁵ In an attempt to avoid this phenomenon

³ A. H. M. JONES, *Roman Economy*, 375. For typical patterns of corruption see the studies of R. DELMAIRE, "Problèmes de dates destinataires dans quelques lois du Bas-Empire", *Latomus* 46 (1987), 829-840 and "Etude sur les souscriptions de quelques lois du Code Théodosien: les lois reçues à Regium", *Institutions, société et vie politique*, 315-328.

⁴ A. CHASTAGNOL, *L'Italie et l'Afrique*, 180: 'Je ne peut que souscrire, sur ce point, aux réticences formulées par A. H. M. Jones à l'égard des reconstitutions proposées'; T. D. BARNES, *New Empire*, 131-135.

⁵ See J. R. MARTINDALE's entry for Evagrius (*PLRE* 1 Evagrius 2), in his supposed second period as praetorian prefect, for a prime example of this; cf. also M. J. HIGGIN's exposure ("Reliability of Titles and Dates in the Codex Theodosianus", *Byzantion* 10 (1935), 622) of J.-R. PALANQUE's difficulties in trying to fit the evidence of the Tubernuc inscription with that of the Codes (with PALANQUE's reply, *ibid.*, 641-642). See similarly A. GIARDINA, "L'epigrafe di Iunius Bassus ad Acqua Viva e i criteri metodici di Godefroy", *Helikon* 11-12 (1971-72), 253-278, on the impact of

as far as possible, the evidence as presented in Appendix 1 is largely free of the emending zeal of Otto Seeck (*Regesten der Kaiser und Päpste*) and John Martindale (*PLRE* 1). Where any emendations have been accepted the reasons are fully indicated.

It is not only dating that contains pitfalls. Location is also less than straightforward. As Jones pointed out, ‘the assumption that an *acceptum* or *propositum* invariably gives a clue to the area which a given prefect controlled’ is not universally valid.⁶ A possible cause of confusion here is that, faced with two copies of the same law addressed to two different prefects, the compilers of the Theodosian Code combined the address of one with the subscription of the other. It is also possible that under Constantine, when the prefecture still retained its traditional character as single office, filled collegiately, that the addresses of imperial constitutions may have originally named all the current prefects, irrespective of specific destination. Thus when copied the address might be abbreviated to include only the first name, which might or might not represent the recipient in each event. For instance, I suspect this to be the case with *CTh* 14.4.1 (8 March 334) and 8.9.1 (17 April 335), which all bear Pacatianus’ name but whose contents concern the city of Rome. This should not automatically be taken to imply that Pacatianus was active in Italy.⁷ For the epigraphic evidence, discussed in Chapter 5, demonstrates that Pacatianus was, in fact, probably prefect to Constantine at this time rather than to Constans in Italy.

Furthermore, Jones pointed out the tendency for men who eventually became praetorian prefects to get styled as such in laws addressed to them holding lower offices earlier in their careers, and produced some good examples for the later fourth century. This factor has also sometimes been underestimated by those studying Constantine’s praetorian prefects. Among the particularly noticeable examples from this period are *CTh* 15.21.1 (1 October 325) addressed ‘AD MAXIMUM PPO’ when Maximus is securely attested as *vicarius Orientis* at this stage,⁸ and *CTh* 6.4.3 + 6.4.4 of spring 339 addressed ‘AD MECILIUM HILARIANUM PPO’ when he was *praefectus urbi*.⁹ Jones asserted ‘This form of

the discovery of that inscription on the interpretation of the legal evidence.

⁶ A. H. M. JONES, *Roman Economy*, 376.

⁷ As assumed by, e.g., O. SEECK, *Regesten*, 142-145, N. H. BAYNES, *JRS* 15 (1925), 207, A. H. M. JONES, *LRE*, 102, J. R. MARTINDALE, *PLRE* 1 Pacatianus 2 and T. D. BARNES, *New Empire*, 132 & *ZPE* 94 (1992), 250f.

⁸ See Appendix 1, s.a. 325.

⁹ Hilarius was not praetorian prefect until the mid 350s; see Appendix 1, s.a. 339.

error is, I suspect, commoner than is generally admitted.’ His suspicions are proved to be correct when one takes a look at the prefecture hypothesised for Evagrius by John Martindale in *PLRE* 1 and Timothy Barnes in *The New Empire*, where implausible (for this date) iteration of tenures or a very lengthy tenure is the result. Another result of not being aware of this factor has been the tendency to accept the office given in preference to the date of the law, in order to alter the date to one nearer to a period when a particular individual is securely attested in office. Take, for instance, Seeck’s eagerness to redate *CTh* 11.27.1 (MSS 315), 16.2.6 (MSS 326) and 13.5.5 (MSS 326), all addressed to Ablabius, to AD 329.¹⁰ The first of these does not give any office, and the other two were no doubt originally addressed to him as *vicarius Asianae*, in which post he probably received the imperial letter at Orcistus (*MAMA* VI 305) some time in the years 324 to 326.

The reason for the commonness of this retrospective alteration lies, as Jones identified, in the source of much of this material—the family archives of the descendants of these prefects.¹¹ Thus it is an understandable slip on the part of the compilers, faced with a dossier containing copies of all the laws received by the prefect since the beginning of his public career, to have added the title to some of the earlier laws where it did not properly belong.

On the other hand manuscript corruption at some stage is undoubtedly a source of some curiously addressed laws. For instance, Celsinus, who never was a praetorian prefect, is called ‘PPO’ in the address of *CTh* 10.10.4 (12 June 338) when he is known in fact to have been serving as *proconsul Africae*. Also *CTh* 1.5.1 (29 August 326), which reads ‘AD CONSTANTIUM PV’, ought to give the office as PPO.¹² Still, there has been a tendency to see textual corruption of this sort where it has not necessarily occurred. The confusion has come about as a result of the drastic abbreviation the addresses of the laws underwent in the compilation of the Codes. After all, the purpose of the Theodosian Code was not to preserve constitutions intact but to excerpt them and break them up, filing the

¹⁰ See T. D. BARNES, *New Empire*, 132.

¹¹ Here I incline to the view of J. F. MATTHEWS, “The Making of the Text” in J. D. HARRIES & I. N. WOOD (ed.), *The Theodosian Code*, 19-44, that the vast bulk of the Code was compiled from non-governmental, provincial sources (including laws perhaps still left posted up in public) rather than there existing much in the way of reliable central archives as A. J. B. SIJRKS, “The Sources of the Code”, *ibid.*, 45-67, esp. 65f, postulates.

¹² See Appendix 1, s.a. 326.

sections under headings of specific legal interest, arranged in chronological order. The original full form of the addresses was along the lines of: [name(s) of issuing authority—usually emperor(s)] + [name of recipient] + [recipient's rank]¹³ + [recipient's post]. Of this often only the emperors' names and that of the recipient alone are preserved, though frequently his office also survives. However, it is also possible for the rank to be preserved without the office (perhaps even sometimes due to a confusion by the Code's compilers between the two). For, while PV is commonly used in the Theodosian Code to abbreviate P(RAEFECTUS) V(RBI),¹⁴ this cannot always be the appropriate expansion since it is occasionally attached to individuals of a different name to the known current incumbent.¹⁵ In fact *perfectissimus vir* is listed among the abbreviation's regular expansions by both René Cagnat and Ida Calabi Limentani.¹⁶ The order adjective-noun rather than noun-adjective was clearly an acceptable, though less common, alternative in this period.¹⁷ There are several types of men of perfectissimate rank who receive constitutions in the Codes: *rationales* (e.g. *CTh* 10.19.1), *praesides* (e.g. *CTh* 1.16.3) and *vicarii* (e.g. *CTh* 12.1.12), but all praetorian prefects appear with clarissimate rank after the mid 320s, whether or not they held the consulship, and they had always been *viri eminentissimi* before that, not *perfectissimi*.¹⁸ Caution should, then, be urged in assigning laws addressed in such a way to currently serving praetorian prefects, as the occurrence of the title 'PV' might be a better indication that the individual definitely was *not* yet praetorian prefect at this date.¹⁹

¹³ Rank was clearly a regular part of full nomenclature on paper (*P. Oxy.* 2952 passim: 'Iulianus v. p. a. v. praeff. praett.') as well as stone (Appendix 2, No 4, line 5: 'Val. Alexander v. p. agent. vic. praeff. praet. et Val. Flori v. p. p. N. '), and was used in imperial correspondence (*MAMA* VI 305, Panel 3, lines 23-25: 'Hoc igitur ad virum perfectissimum rationalem Asianae dioecesis. . .').

¹⁴ e.g., 'AD CATULLINUM PV.' in *CTh* 16.10.3 (1 November 342).

¹⁵ Missing *praefecti urbis* are unlikely in the first half of the fourth century, since the *Chronographer of 354* provides very full fasti. One result of assuming MSS 'PV' always to signify the urban prefect is the creation by some scholars of imaginary acting *praefecti urbis*. Cf. A. CHASTAGNOL, *La préfecture urbaine à Rome*, 29 and M. T. W. ARNHEIM, *Historia* 19 (1970), 604 on the case of Ianuarinus *p. v.* in *CTh* 9.37.1.

¹⁶ R. CAGNAT, *Cours d'épigraphie latine*⁴, 457; I. CALABI LIMENTANI, *Epigrafia latina*, 479.

¹⁷ e.g., *ILS* 1446 = *CIL* VI 1587, a dedication to 'P. Aelio Dionysio *p. v. rationali.*'

¹⁸ L. L. HOWE, *Praetorian Prefect*, 19; A. CHASTAGNOL, *Recherches sur l'HA*, 49.

¹⁹ cf. T. D. BARNES, *New Empire*, 131, where he assigns *CTh* 7.20.7, addressed 'EVAGRIO PV',

The consulships of praetorian prefects may also be an aid to establishing their relative chronology. Certainly where the consular pair are both known prefects the priority of one over the other must have been based on their seniority by appointment, as is the case with imperial consulships. It is also a noticeable phenomenon that when prefects attain the consulship under the Tetrarchy and Constantine they frequently do so either very near their date of first attestation or their last. It is a reasonable inference from this that they were regularly awarded either to celebrate a recent appointment or approaching retirement. For example, Hannibalianus in 292 and Iunius Bassus in 331 appear to have been awarded the consulship near the end of their careers, though there is no evidence as to whether they left office at some point during the year or not until the year following their consulship. It may also have been normal practice to honour new prefects (those that achieved the consulship) on 1 January of the year immediately following their appointment, except where their appointment came too late in the year for this to be arranged.²⁰ On two occasions there appears to be a pairing of soon outgoing prefect with recent newcomer, namely Flavius Constantius, Valerius Maximus in 327 and Iunius Bassus, Flavius Ablabius in 331. This may well also be the case earlier too, in the consular pairings of Hannibalianus, Asclepiodotus in 292 and Andronicus, Probus in 310, though it would be highly dangerous to be too dogmatic about this.²¹

The consular formulae themselves, as recorded in papyri, are a useful source for who was praetorian prefect and when. For, beginning with the consulship of the prefects Andronicus and Probus in AD 310, the consular dating formulae quite often indicate if one (or both) of the consuls is a praetorian prefect. The practice of indicating office only occurs with prefects and (from the 340s) *comites* and *magistri militum*. Some need was perhaps felt to explain why a private citizen of non-senatorial birth was being honoured with the consulship. In connection with this, it is noticeable that the proportion of papyri stating the prefecture of such eminent senators as Placidus and Marcellinus is much lower than those for non-aristocratic prefect-consuls.²² One question arises that cannot however

to Evagrius as praetorian prefect. The consular date it carries, 'CONSTANTIO A VI ET CONSTATE II CONSS', clearly requires alteration (see Appendix 1, s.a. 321).

²⁰ e.g., Pompeius Probus appointed prefect to Licinius on, or soon after, 11 November 308 and named consul for 310 (*PLRE* 1 Probus 6).

²¹ Andronicus was forced into retirement on Galerius' death in April/May 311 in any case.

²² Only two out of the nine papyri naming Placidus give him a job title and as yet none for

be readily answered; does an indication in a papyrus dated in December that a consul was also a praetorian prefect mean that he was still a prefect in December, or only that he had been on 1 January when the consular dating formula was first disseminated? The fact that Constantius and Galerius remained Caesars in the consular formulae for the whole of 305 (despite *CLRE*), when they had been made Augusti on 1 May, rather suggests that the formula, once disseminated, remained impervious to changes in status. On the other hand, the papyri of 344 may display some signs of sensitivity to change in nomenclature. The junior consul, Sallustius, is entitled *comes* in *P.Abinn. 2* but *magister peditum* in the other two papyri which state any office. This may reflect a promotion during the year, perhaps even the moment at which the position of *magister militum* was created, given that this is the first known contemporary reference. On the other hand the title *comes* and office *magister peditum* were not exclusive, so that the variation may simply reflect the dissemination of alternative versions of the formula.

It is sobering to reflect that several praetorian prefects are known only from the Codes or only from inscriptions without attracting the notice of any of our meagre literary sources. Therefore, any list purporting to represent completeness should be treated with great suspicion. For indeed, while, as Chastagnol declared à propos of the new finds of the 1960s, 'la découverte de nouvelles inscriptions permettra d'éclairer les zones d'ombre qui subsistent', it is murky darkness, rather than just shadow, that still reigns over considerable periods of this study, especially over that spanning the years 305 to 324.

Marcellinus, whereas the papyri of this period more often than not record the office of the prefect-consuls of the 330s (see Appendix 1, s.aa. 327, 331, 332).

The Personnel of the Praetorian Prefecture

AD 284-344

1. *Known Praetorian Prefects of Certain Date*

To late 284 **APER**

The prefect accompanying the emperor Numerian during his ill-fated eastern campaign, Aper concealed the fact of his master's death and thus laid himself open to the accusation that he was responsible for it. Diocletian killed him with his own hand sometime before being elevated to the purple on 20 November 284.¹ The identification of the praetorian prefect Aper with L. Flavius Aper *praepositus legionum* at Poetovio (Pannonia Superior) and *v. p. praeses* (Pannonia Inferior) is not improbable.²

Between 284 and 285 **T. CLAUDIUS AURELIUS ARISTOBULUS**, *cos.* 285

The praetorian prefect of Carinus in the West, Aristobulus was the most high profile beneficiary of Diocletian's enlightened attitude after his victory at the Margus in July 285, being retained in office, as well as in the consulship.³ It is impossible to ascertain whether or not he continued to serve as prefect after Maximian's appointment as Augustus on 1 April 286, when the pair of prefects will have been divided between the Augusti.⁴ In any case he must have been honourably pensioned off since, once he was a member of the Senate by reason of his consulship, he went on to progress to the highest reaches of the senatorial cursus. He served as proconsul of Africa for four years between 290 and 294,

¹ Aur. Victor, 38.6-7; 39.14; Lactantius, *de mortibus persecutorum* 17.1, dates the day of Diocletian's *vicennalia* to precisely 20 November 303.

² As suggested by L. L. HOWE, *Praetorian Prefect*, 83 and *PLRE* 1 Aper 2; *praepositus* (*AE* 1936.53, 54, 57), *praeses* (*CIL* III 15156).

³ Aur. Victor, 39.14: 'ceteris venia data retentique hostium fere omnes ac maxime vir insignis, nomine Aristobulus, praefectus praetorio, per officia sua.'

⁴ On the date of Maximian's accession see *Descrip. cos.* s.a. 286 and T. D. BARNES, *New Empire*, 4 n.6. F. KOLB, *Diocletian und die erste Tetrarchie*, opts for 13 December 285. O. SEECK, *Geschichte des Untergangs der antiken Welt* I, 25 (with notes pp. 446-450) reckoned that Maximian proclaimed himself first, Diocletian having to accept a *fait accompli*—hence the confused evidence as to his *dies imperii*.

and then filled the office of *praefectus urbi* from 11 January 295 to 18 February 296.⁵ He was possibly immediately succeeded in the praetorian prefecture by Asclepiodotus (see below).⁶

Between 291 and 293 **AFRANIUS HANNIBALIANUS**, *cos.(prior)* 292

An inscription from Oescus in Moesia has him as the senior colleague in the prefecture with Iulius Asclepiodotus.⁷ As both prefects are described together as *virī eminentissimi* the text must date to before 1 January 292, when the pair became ordinary consuls and hence *virī clarissimi*. There is no explicit evidence as to which prefect belongs to which Augustus, though, seeing that Asclepiodotus took part in Constantius' invasion of Britain in 296, he ought to have been attached to Maximian, the Augustus to Constantius Caesar (see below). Thus Hannibalianus is, in all probability, to be identified as the prefect of Diocletian. His seniority of appointment over Asclepiodotus would fit with the hypothesis that he was possibly appointed soon after Diocletian's accession in 284 to replace Aper (see above). Nevertheless other men may have served Diocletian and Maximian in the prefecture between c. 285 and 290.⁸

It seems that he remained in office as praetorian prefect at least until the end of his consular year. The dedication by the vice-prefect Septimius Valentio, dating from between 1 January 293 and 31 December 296, indicates that Hannibalianus was still prefect at least into 293, since both the prefects are titled *clarissimi viri*.⁹ This cannot refer to Hannibalianus' colleague, Asclepiodotus, and the latter's next known colleague, Hermogenianus, because Hermogenianus was only a *vir eminentissimus* and never achieved the consulate.¹⁰ Thus Hannibalianus' prefecture may have extended from late 284 to 293. Within five years of entering the Senate Hannibalianus too, like his predecessor Aristobulus, filled the urban

⁵ *PLRE* I Aristobulus; T. D. BARNES, *New Empire*, 169 for references to the numerous inscriptions of his proconsulate, none of which incidentally mention his past praetorian prefecture; *Chron.* 354 (*Chron. min.* 1, 66): 'Tusco et Anulino iii idus Ian. Aristobolus praefectus urbis. Diocletiano VI et Constantio II xii kal. Mar. Cassius Dion praefectus urbis.'

⁶ But cf. the entries for Ulpius Silvinus in Section II and Pomponius Ianuarianus in Section III.

⁷ *ILS* 8929 (Appendix 2.1), lines 6-10: 'Afranius Hanni|balianus Iul. As|clepiodotus v[v.]| eemm. prae[ff. praet.]'.

⁸ e.g., see under Ulpius Silvinus in Section II and Pomponius Ianuarianus in Section III.

⁹ *ILS* 619 (Appendix 2, No 2), lines 8-9: 'Septimius Valentio v. p. | a. v. praeff. praett. cc. vv.'

¹⁰ *AE* 1987.456 (Appendix 2, No 3), line 7, quoted below n.13.

prefecture, becoming *praefectus urbi* in 297.¹¹

Between 291 and 296 **IULIUS ASCLEPIODOTUS**, *cos.(posterior)* 292

Attested as the colleague of Hannibalianus before their consulship by the Oescus inscription (see above), he ought also, despite Barnes' reservations, to be identified with the Asclepiodotus who accompanied Constantius Caesar in the recovery of Britain from the usurper Allectus in 296.¹² As the junior colleague of Hannibalianus he was attached to Maximian, as his secondment to serve alongside Maximian's Caesar in 296 shows. He is also found as the senior praetorian prefect, with Aurelius Hermogenianus *v. em.* as his junior colleague, sometime after 293 since both the praetorian prefects were *viri clarissimi* in 293 (see above, under Hannibalianus).¹³ Asclepiodotus might have been appointed as early as April 286 to serve the new Augustus (Maximian). Although still active in 296, Asclepiodotus was certainly out of office by the end of 298, since the prefects at that time were both mere *eminentissimi*.¹⁴

Between 293 and 295 **AURELIUS HERMOGENIANUS**

On the strength of an undoubtedly fictitious late-fifth century martyrology, the jurist responsible for the Diocletianic *Codex Hermogenianus* and *Iuris Epitomae* had already been identified as a possible candidate for the praetorian prefecture.¹⁵ In its shortest recension the *Passio Sancti Sabini* of Asisium (or Spolegium?) represents a certain Eugenius Hermogenianus as praetorian prefect at Rome with Maximian Herculius, specifically between 22 and 30 April of an unnamed year.¹⁶ An inscription unearthed recently in

¹¹ *Chron.* 354 (*Chron. min.* 1, 66): 'Maximiano V'et Maximiano II Afranius Annibalianus praefectus urbis.'

¹² Aur. Victor, 39.26; Eutropius, 9.22.2; Jerome, *Chron.* 227^a T. D. BARNES, *New Empire*, 126.

¹³ *AE* 1987.456 (Appendix 2, No 3), lines 5-8: '[I]ul. Asclepio[dotus] | v. c. et Aur. Her[mo]-glenianus v. [em.] | praeff. prae[t.]' On the other hand, that both serving prefects (i.e. Hannibalianus and Asclepiodotus) were *clarissimi* in 293 is confirmed by the dedication of Septimius Valentinus 'a. v. praeff. praett. cc. vv.' to Maximian *cos. IIII* (i.e. AD 293/6) (see above n.9).

¹⁴ *P.Oxy.* 1469, line 1 (quoted below, under Rusticianus). The papyrus, lacking any diurnal indicator, is dated simply by the consuls of the year, Anicius Faustus II and Virius Gallus.

¹⁵ cf. T. D. BARNES, *New Empire*, 136f.

¹⁶ AD 301, according to C. BARONIUS, *Annales ecclesiastici* 2, 697 anno 301, §§ 18-19; G. BORGHESI, *Oeuvres complètes* 10, 152f, preferred AD 303; and T. D. BARNES, *New Empire*, 136.

Brescia (Brixia) confirmed the prefecture but undermined the rest of the passion's testimony. The inscription not only revealed Hermogenianus' genuine gentilicium to be Aurelius but also revealed him to have been a junior colleague of Asclepiodotus.¹⁷ While Hermogenianus is styled simply *eminentissimus*, Asclepiodotus is qualified as *clarissimus*, so that the latter's consulship (AD 292) provides a *terminus post quem* for both the inscription and Hermogenianus' prefecture.¹⁸ Hermogenianus was, then, most probably Hannibalianus' immediate successor as Diocletian's prefect, if the latter's consulship indeed marked the end of his period in office.

According to Tony Honoré's stylistic analysis, the *a libellis* whose output was codified as the *Codex Hermogenianus* was active at the court of Diocletian between 1 January 293 and 13 April 295.¹⁹ Honoré identifies this secretary as Hermogenianus himself. In this case he cannot have been promoted to the prefecture until the spring of 295. On the other hand Honoré also identifies the same secretary at work for Maximian in 295 to 298 Maximian and again for Diocletian in 299.²⁰ However, since we now know that he became praetorian prefect and served with Asclepiodotus (whose prefecture ended by 298, see above), it is difficult to imagine that he would have worked simultaneously in the inferior post of *a libellis*. Either this later output belongs to a different secretary or Hermogenianus and the *a libellis* of 293-295 are different men. If the latter, perhaps his

AD 304. Two longer versions name him as Hermogenianus *praefectus urbi*. For a synopsis of the three recensions see D. LIEBS, *Hermogenians Iuris Epitomae*, 32-33. The spurious 'Eugenius' was no doubt inspired by the late fourth-century usurper, whose cause drew prominent pagan support.

¹⁷ AE 1987.456 (Appendix 2, No 3), lines 5-8, quoted above n.13. The inscription is discussed by A. CHASTAGNOL, "Un nouveau préfet du prétoire de Dioclétien", *ZPE* 78 (1989), 165-168, and D. LIEBS, "Hermogenians Prätorianerpräfektur inschriftlich bezeugt", *ZSS* 107 (1990), 385-386.

¹⁸ Although Hermogenianus' rank falls within a lacuna, the supplement is hardly in doubt. For had they both been *vv. cc.*, their rank would surely have been written together after both their names and not separately as it was here. A direct parallel for this is provided by AE 1938.85 (Appendix 2, No 11), lines 6-8: 'Petron[ius Annianus] | v. cl. et Iu[l. Iulianus] | v. em. prae[ff. praet.]'. Hermogenianus cannot be one of the prefects of *ILS* 619 (Appendix 2, No 2), erected after 1 January 293, since both are *clarissimi*.

¹⁹ A. M. HONORÉ, "Imperial Rescripts AD 193-305", *JRS* 69 (1979), 58ff. W. TURPIN, "The Law Codes and Late Roman Law", *RIDA* 32 (1985), 340, envisages *CHerm* as a supplement to the *Codex Gregorianus*, which contains constitutions from the reign of Hadrian to AD 291.

²⁰ A. M. HONORÉ, *JRS* 69 (1979), 64, also suggests another possible stint for Diocletian from 301 to 303.

name became attached to the law book because it was compiled at his instruction, in which case he would have been in office during 294 and 295. These dates also fit well with the hypothesis that Hannibalianus retired after his consulship in 292. Since Hermogenianus was never honoured with the ordinary consulship he might be identified with one of the anonymous pair of *eminentissimi* who dedicated a statue to Maximian in the Roman Forum.²¹

Since we can now identify the jurist and praetorian prefect as Aurelius Hermogenianus as praetorian prefect, it may be possible to link him with 'Aurelius Hermogenes', a Tetrarchic proconsul of Asia, and *praefectus urbi* (30 October 309-28 October 310) under Maxentius.²² For the end of the proconsul's cognomen is restored in a lacuna, which allows more than enough space to restore Hermogenianus instead,²³ while the form 'Aurelius Hermogenes' in the Chronographer of AD 354's list of urban prefects could be corrupt, a not unusual occurrence in this text.²⁴ If these (admittedly) bold emendations are accepted, a plausible reconstruction of a career, similar in its later stages to that of Aristobulus (see above), might be: *a libellis* 293-295; praetorian prefect 295-?300; adlection to the Senate, followed by proconsulate of Asia *c.* 300/305; *praefectus urbi* 309-310.²⁵ We might, therefore, be able yet to rescue something from the testimony of the

²¹ *CIL* VI 36947 (Appendix 2.4); see notice relating to ...mus & ...nus in Section II below.

²² *PLRE* I Hermogenes 8; *Chron. 354* (*Chron. min.* 1, 67): 'Maxentio II et Romulo II iii kal. Novem. Aurelius Hermogenes praefectus urbis. Maxentio III consule v kal. Nov. Rufius Volusianus praefectus urbis.'

²³ *CIL* III 7069 Troy (Asia), *c.* AD 286-305, a dedication to Diocletian (or Maximian?):

[P]RO [SALVTE ET]
 VICTOR[IA D N IMP CAES]
 [C? A]VRELIO V[ALERIO DIOCLETIANO?]
 [PIO FE]LICI AVG
 [A]VR HERMOGE[NIANVS ? V C]
 [PR]OCONSVL [ASIAE]

²⁴ e.g., in the MSS of the *Chron. 354* Pomponius Ianuarianus' name appears as 'Ianuarino' in the consular date but 'Pomponius Ianuarius praefectus urbis' under the same entry for 288 (*Chron. min.* 1, 66). In addition 'Hermogenes' might have been a slip committed by the compiler in AD 354, suggested by his familiarity with the recent prefecture of 'Hermogenes praefectus praetorio et urbis' from 19 May 349 to 27 February 350 (*Chron. min.* 1, 69).

²⁵ The career of Aristobulus (see above) provides a good analogy for the latter stages of this reconstruction. One strong argument against this reconstruction is that it would be unprecedented in this period for an equestrian to reach the great proconsulships and the urban prefecture via adlection to the Senate rather than the ordinary consulship (cf. Volusianus *cos.* 261, PVR 267-268;

Sabinus' passion. If the genuine Hermogenianus *praef. praet.* 295-300, *praef. urbi* 309-310, provided the inspiration for the persecutor, then his being credited variously with the praetorian and urban prefecture is simply the result of alternative dramatic contexts envisaged by the composers of the different recensions.

Between 303 and 304 **FLACCINUS**

Flaccinus was *praefectus* at Nicomedia c. 303-304 according to Lactantius, and he is perhaps the same as the anonymous prefect whose *praetoriani* tore down the church there on 23 February 303.²⁶ Although both Diocletian and his Caesar Galerius were present in Nicomedia at this time, if only the Augusti had praetorian prefects and not Caesars also, he should be assigned to Diocletian's service. He might then be Hermogenianus' successor.

The under-exploited *Vita Acacii* may also bear independent witness, presenting him as active in Byzantium in May 304.²⁷ Acacius, a centurion in a *numerus* of *Martenses* (Μαρτήσιοι) at Heraclea-Perinthus, was arrested for flouting the orders to sacrifice. He is eventually despatched to Flaccinus, styled anachronistically *proconsul Europae*, at Byzantium (*Vita Acacii* 19) who has him executed.²⁸ Cyril Mango considers that the rarity of the name Flaccinus, combined with the fact that Lactantius' fourth century Latin *de mortibus persecutorum* was unlikely to have been read by the fifth century (at the earliest)

Ianuarianus *cos.* 288, PVR 288-289; Hannibalianus *cos.* 292, PVR 297). On the other hand between 293 and 305 considerations of dynastic politics meant that Diocletian was only able to give three years over to non-imperial consuls, so that there may simply not have been the opportunity to reward Hermogenianus similarly.

²⁶ Lactantius, *de mortibus persecutorum* 16.4; on the demolition of the church (*ibid.*, 12.1ff). Flaccinus appears in a digression on the sufferings of the Christians under the anti-Christian edicts, and is mentioned before Diocletian's *vicennalia*. However it does not follow that he was prefect before 20 November 303, because Lactantius admits (*de mortibus persecutorum* 16.11) that he has strayed from the chronological order of events before coming back to describe the *vicennalia*.

²⁷ Simeon Metaphrastes, *Vita S. Acacii*, PG 115 cols. 217-240 (which does not appear anywhere in T. D. BARNES' *New Empire*). For the date and reliability of this hagiography see Appendix 1, s.a. 304.

²⁸ In fact, if the inevitable emendation of the MS 'Λικινίου' at c.13 is accepted, this would give his title correctly as prefect: 'Ἐγένετο δὲ τὸν Βιβιανὸν γράμματα δεξασθαι παρὰ Φλακκίνου τοῦ ἐπάρχου τοῦ προλαβεῖν αὐτὸν εἰς τὸ Βυζάντιον' (Meanwhile Vibianus received letters from the prefect Flaccinus that [Acacius] should be sent on to him in Byzantium); and indeed it is Flaccinus, miss-styled ἀνθύπατος τῆς Εὐρωπῆς, who tries the martyr at Byzantium (*Vita Acacii* 20).

Greek recorders of the *Vita*, indicated that this source had a genuine basis.

Flaccinus may also be identified with one of the anonymous prefects who dedicated a statue to Maximian in Rome.²⁹ He will presumably have retired along with his master Diocletian on 1 May 305.

310 MANILIUS RUSTICIANUS

Two separate dedications to the emperor Maxentius, by Rusticianus as *vir eminentissimus praefectus praetorio*, have been retrieved from the Roman Forum.³⁰ Neither is explicitly dated, but the more recently published of the two has been convincingly dated by André Chastagnol to the latter part of 309, on the basis that the qualification, *consul saepius*, given Maxentius is equivalent to *cos. II, cos. III designatus*.³¹ This prefect can confidently be identified with the Manilius Rusticianus who is attested by an inscription from Ostia as the colony's civic *patronus* while *praefectus annonae* and simultaneously vice-praetorian prefect.³² It is plausible that he may also have been the vice-prefect who received in Egypt, in AD 298, *P.Oxy.* 1469, a petition from the comarchs of village of Païmis in the Oxyrhynchite nome. Although this vice-prefect was given the nomen Aemilius by the scribe, it is not beyond the bounds of belief that he might have misheard or misread the familiar Αἰμιλίω for the comparatively rare Μανιλίω.³³ If so, his career might be reconstructed as follows: *v. p. a. v. praeff. praet* in Egypt in 298, *v. p. praef. ann. a. v. praeff. praet.* recorded at Ostia sometime between 298 and 306, appointed *v. em. praefectus praetorio* by Maxentius, probably soon after the emperor's elevation on 27 October 306,

²⁹ *CIL* VI 36947 (Appendix 2, No 4); see the notice relating to ...mus & ...nus in Section II below.

³⁰ *CIL* VI 36949, lines 8-9: 'Manil. Rusticianus | v. em. praef. praet.' and S. PANCIERA, "Un prefetto del pretorio di Massenzio: Manilius Rusticianus", *Institutions, société et vie politique*, 253, lines 7-8: '[Manili]us Rusticianus v. em. |[pr. praet]t.' (Appendix 2, Nos 8 & 9).

³¹ A. CHASTAGNOL, "Consul saepius", *Latomus* 52 (1993), 856-859.

³² *CIL* XIV 4455 (Appendix 2, No 6), lines 1-3: 'Manilio Rus[ticiano] | praef. ann. a. v. pra[eff. praetorio] | eemm. vv. . . ' The doubts expressed by H. PAVIS d'ESCURAC, *La préfecture de l'annone*, 369 seem unnecessary.

³³ *P.Oxy.* 1469, line 1: Αἰμιλίω 'Ρουστικιανῶ τῷ διασμο(στάτῳ) διαδεχ(όμενῳ) τὰ μέρη τῶν ἐξοχωτάτων ἐπάρχων. Although an examination of a photograph of the original papyrus (kindly undertaken by J. R. REA) confirms the reading, this was only the draft copy (as indicated by its incomplete date as well as the filling in of the signatures by the scribe's). Therefore the scribe may have been taking less care, as the poor quality of the Greek might suggest (see the commentary of B. F. GRENFELL in *P.Oxy.* vol. XII (1916)).

and certainly in office in late 309.

310 **TATIUS ANDRONICUS**, *cos.(prior)* 310

He is recorded by numerous papyri as holding the prefecture concurrently with the consulship along with Pompeius Probus likewise (see Appendix 1, s.a. 310). As clearly the senior of the two, he is most likely to have been the prefect of Galerius, who had been Augustus since 1 May 305, rather than of Licinius, only Augustus since November 308. He is also the most likely candidate for the praetorian prefect, *vir eminentissimus*, whose name was erased on a dedication erected to a Caesar of the Jovian Tetrarchic dynasty at Heraclea-Perinthus.³⁴ The erasure of the prefect's name (possibly along with that of Diocletian) suggests a date during the Great Persecution of the Christians (AD 303-311). If Andronicus is identified as the prefect in question, then the inscription would have to date to before his consulship in 310 since this bestowed on him the *clarissime*. In any case Maximinus, whom is probably the honorand, unilaterally elevated himself to the rank of Augustus in the same year (AD 310).³⁵

Between 310 and 314 **POMPEIUS PROBUS**, *cos.(posterior)* 310

A junior colleague of Andronicus as praetorian prefect and consul in 310 (see above), he is first mentioned alongside Licinius as an envoy sent to parley with Maxentius during Galerius' unsuccessful Italian campaign in 307.³⁶ Thus it is eminently plausible that as a close associate of Licinius he should become his praetorian prefect. He may have served

³⁴ *CIL* III 12326 = *ILS* 665 as reported by the fifteenth-century antiquarian Ciriaco de'PIZZECOLLI (Cyriacus of Ancona): 'Diis auctoribus ad rei publicae amplificandae | gloriam procreato pi[--- ---] nostro Iovio | maximo [--- ---]ti nobilissimo Caesari [--- ---]us v.c.m. praef. | praetor.' (see the MS layout reproduced by E. W. BODNAR & C. MITCHELL, *Cyriacus of Ancona's Journeys*, No 5. Hermann DESSAU reckoned that it honoured both an Augustus and a Caesar. However the invocation of the *Dii Auctores* at the beginning ought to be dissociated from the body of the dedication, which, as the singular forms 'procreato' and 'nostro' clearly indicate, honoured a Caesar alone. The emendation of 'v.c.m.' to 'v. em.' is straightforward enough. The inscription might be reconstructed thus: 'Diis auctoribus. Ad rei publicae gloriam procreato pi[issimo (or pi[entissimo). .domino] nostro Iovio Maxim <in> o [Diocletiani patris Augg. nepo]ti nobilissimo Caesari [Tatius Andronic?]us v. em. praef. praetor.' (Appendix 2, No 7).

³⁵ Possibly on 1 May, the day of his original accession; cf. T. D. BARNES, *New Empire*, 6 n.21.

³⁶ *Origo Constantini* 7.1: 'Tunc [Galerius] legatos ad urbem misit Licinium et Probum.'

from the time of Licinius' elevation as Augustus on 11 November 308. He may, plausibly, be identified as the recipient of the undated *CJ* 6.1.3, addressed 'IMPP. CONSTANTINUS ET LICINIUS AA AD PROBUM', as well as the letter *CTh* 4.12.1 (1 April 314), which would imply that he was still in office on that date; although Barnes rejects the latter identification.³⁷

Between 311 and 313 **SABINUS**

He is recorded by Eusebius as τῷ τῶν ἐξοχωτάτων ἐπάρχων ἀξιώματι τετιμημένος (having been honoured with the dignity of the *praefecti eminentissimi viri*) in the early summer of AD 311, when he composed on behalf of the emperor Maximinus the letter addressed to the provincial governors informing them of Maximinus' decision to implement only partly Galerius' edict of toleration of Christian worship (Eusebius, *HE* 9.1.1-6).³⁸ The context of this action is Maximinus' annexation after Galerius' death of the Anatolian provinces in which the edict of toleration had already been published, whereas Maximinus had managed to prevent the publication of its terms in Oriens and Egypt, which he had controlled.³⁹ Hence the instruction that governors should notify local magistrates to ignore 'that letter', i.e. Galerius' edict.⁴⁰ There can be little doubt that the office which Eusebius' Greek paraphrase describes is that of praetorian prefect since (i) the adjective ἐξοχώτατος had for some time been the accepted translation used for the Latin *eminentissimus vir*;⁴¹ and (ii) the eminentissimate rank can only mean that he was specifically a *praefectus praetorio*, because by the late third century this title was exclusive to praetorian prefects.⁴²

³⁷ T. D. BARNES, *New Empire*, 127. Cf. O. SEECK, *Regesten*, 162, and *PLRE* 1 Probus 6, who both accept the identification.

³⁸ cf. the text of Galerius' edict to be found in Eusebius' translation from the Latin at *HE* 8.17.3-5.

³⁹ We learn from Lactantius, *de mortibus persecutorum* 33.11, that the edict was published at Nicomedia circa 30 April 311. Instead of circulating Galerius' letter allowing freedom of congregation and encouraging church building, Maximinus merely issued verbal to his officials to relax the persecution (Eusebius, *HE* 9.1.2).

⁴⁰ But cf. S. MITCHELL, "Maximinus and the Christians in AD 312", *JRS* 78 (1988), 105-124, for an alternative but (to my mind) less plausible explanation.

⁴¹ It was the conventional translation from the mid third century onwards; on which the evidence is collected by H. J. MASON, *Greek Terms for Roman Institutions*, 44.

⁴² L. L. HOWE, *Praetorian Prefect*, 18-20.

Sabinus was clearly still Maximinus' praetorian prefect in 313 when the emperor learnt of the resolution concerning Christian worship formulated by Constantine and Licinius in Milan in February 313,⁴³ because the letter Maximinus subsequently wrote, distancing himself from the past persecutions and instructing the recipient to issue an edict in his own name to end the persecution, is addressed 'Ιώβλιος Μαξιμίνος Σαβίνω'.⁴⁴ Thus Sabinus probably served as Maximinus' prefect from the Caesar's unilateral elevation to the status of Augustus in 309/10 until he killed himself at Tarsus in Cilicia in autumn 313.

Circa 311 C. CEIONIUS RUFIVS VOLVSIANVS, cos. 311, cos. II (prior) 314

According to Zosimus and Aurelius Victor, Volusianus was sent to Africa with the title of praetorian prefect to command the expedition that suppressed the usurper L. Domitius Alexander (whose coinage stops in late 310 or 311).⁴⁵ That he held the office of *praefectus urbi* from 28 October 310-28 October 311 and so, therefore, could not be *praefectus praetorio* at the same time, is not a compelling argument.⁴⁶ In fact, with an emperor permanently in residence at Rome, the duties of the office would have been greatly reduced. What is clear above all is that Maxentius' appointment of Volusianus to the praetorian prefecture was highly unconventional. For Volusianus was a member of the senatorial aristocracy by birth, which would normally have meant that he would not be considered for the highest post in the equestrian *cursus honorum*. However, given Maxentius' isolation in Italy, conditions were abnormal. Before Maxentius' reign Volusianus had pursued a conventional late-third century senatorial career, holding a correctorship of Italy and the proconsulship of Africa.⁴⁷ The title of praetorian prefect may have been little more than honorific. In any case Maxentius made Volusianus consul in September 311, probably as a reward for returning victorious from Africa. He survived

⁴³ Latin text in Lactantius, *de mortibus persecutorum* 44.2-12; cf. Eusebius, *HE* 10.5.1-14.

⁴⁴ Eusebius, *HE* 9.9a.4-9, preserves a Greek copy of the letter which, as he says, would originally have been written in Latin.

⁴⁵ Zosimus, 2.14.2ff; Aur. Victor, 40.18. On the chronology of Domitius Alexander's regime see the discussion by C. H. V. SUTHERLAND, *RIC* 6, 49ff.

⁴⁶ *Chron.* 354 (*Chron. min.* 1, 67) has for 310-311: 'Maxentio III consule v kal. Nov. Rufius Volusianus praefectus urbis. Consules quos iusserint DD. NN. Aug., ex mense Septembro factum est Rufino et Volusiano {MSS Rufino et Eusebio} v kal. Nov. Iunius Flavianus praefectus urbis.'

⁴⁷ *CIL* vi 1707 + p.3173 = *ILS* 1213: 'corr(ectori) Italiae per annos octo, proconsuli Africae'.

Maxentius' downfall to become a *comes* of Constantine, *praefectus urbi* again in 313-315, consul again in 314, but only to be exiled by senatorial decree c. 315.⁴⁸

312 POMPEIANUS RURICIUS

A certain Pompeianus is described by the anonymous orator of AD 313 as the *pertinacissimus praefectus* who commanded the enemy forces at Verona in the summer of 312.⁴⁹ The same orator relates that Maxentius' commander (the reference is presumably to Pompeianus) was subsequently killed in battle with Constantine's forces (*Pan. Lat.* 12(9).10.3). On the other hand, in Nazarius' panegyric of 321 Maxentius' commander is given the name Ruricius.⁵⁰ The events being described are the same, so the context suggests he ought to be the same man as Pompeianus. Although Ruricius it is not otherwise attested as a Roman nomen, the prefect's name is generally reconstructed as Ruricius Pompeianus.⁵¹ Alternatively, and more probably, Ruricius is a late Roman '-ius' type cognomen or *signum*, so that the prefect's name would more likely be Pompeianus Ruricius.⁵² If indeed, as is generally accepted, the *praefectus* of the panegyric is the praetorian prefect, then he may have been Volusianus' successor or even his colleague, if Volusianus' prefecture was an extraordinary command conferred only for the African expedition. In the latter case Pompeianus may, in fact, be the successor to Rusticianus.

⁴⁸ *PLRE* 1 Volusianus 4. T. MOMMSEN suggested that he be identified with the twice ordinary consul of Iulius Maternus' *Mathesis*; an identification supported by T. D. BARNES, "Two Senators under Constantine", *JRS* 65 (1975), 40ff.

⁴⁹ *Pan. Lat.* 12(9).8.1: '...civile sanguine maculata Verona maximo hostium exercitu tenebatur, acerrimus ducibus pertinacissimoque praefecto, scilicet ut, quam coloniam Cn. Pompeius aliquando deduxerat, Pompeianus everteret.' (Verona, stained by civilian blood, was held by a great enemy army, by savage commanders and the most stubborn prefect; to be sure, Pompeianus devastated that colony which Cn. Pompeius had once reduced).

⁵⁰ *Pan. Lat.* 4(10).25.4: 'Ruricius, experientissimus belli tyrannicorum ducum columen, . . .' (Ruricius, the very war-accustomed chief of the tyrannical commanders); 25.7: 'Idemque Ruricius magna suorum clade reiectus in moenia. . .' (The very same Ruricius was thrown back to the city walls with severe losses to his men).

⁵¹ Ruricius is not attested epigraphically (at least it does not appear in the indices of *CIL*, *IG* or *IGR*) and no other Ruricii appear in, *MRR*, *PIR* or *PLRE* 1. However the appearance of the related female name 'Ruriciola', on a fifth-century epitaph from Trier (*CIL* XIII 3872, line 4), might be taken to imply the existence of the gentilicium Ruricius.

⁵² As proposed by G. RADKE, *RE* 8A.2 (1958), col. 2429; cf. O. SEECK *RE* 1A (1914), col. 1232.

Between 314 and 317/8 **PETRONIUS ANNIANUS**, *cos.(posterior)* 314

Although he is not qualified as praetorian prefect by the consular dating formulae of papyri for AD 314, this should not count against his holding the post already on 1 January 314.⁵³ It would be unusual in normal circumstances for someone known as a praetorian prefect in this period to reach the consulate in any other capacity. It was also common practice for them to be active in office during their consular year. At any rate Annianus is recorded as the senior partner in the prefecture to Iulianus by a travel permit, issued at Trier on 28 April 315, which was preserved in the Appendices to Bishop Optatus of Milevis' books against the Donatists.⁵⁴ Since Iulianus is well attested as Licinius' prefect, Annianus must have served Constantine. The two prefects also appear together on an inscription from Tropaeum Traiani commemorating Danubian victories, dating from before the autumn of 316 (outbreak of civil war with Licinius).⁵⁵ Both prefects survived the civil war and appear together again as dedicants at Ephesus, honouring Crispus Caesar. This dedication extends the attestation of Annianus' prefecture to between 1 March 317 and sometime in 318.⁵⁶

Between 315 and 324 **IULIUS IULIANUS**

He is known to have been in office as Licinius' Prefect of Egypt sometime between 15 January and August 314, and is no doubt the same man as the *vicarius* operating in Egypt *c.* 314/5.⁵⁷ Nevertheless, already on 28 April 315 he was the junior colleague of Annianus (see above), and as such was possibly the immediate successor to Probus as Licinius' praetorian prefect. He also epigraphically attested as prefect by the inscription from Tropaeum Traiani, dating from between 1 January 314 and the first war with Constantine (autumn 316), and that from Ephesus, from between 1 March 317 and *c.* mid

⁵³ For the consular dating formula of 314 see *CLRE*, 163.

⁵⁴ Optatus, *Appendix 8 (CSEL 26, 212 [Ziwsa, ed.]*): 'Item exemplum epistolae praefectorum praetorio ad Celsum vicarium. Petronius Annianus et Iulianus Domitio Celso vicario Africae. . .iiii kal. Maias, Treberis.'; T. D. BARNES, *New Empire*, 243.

⁵⁵ *ILS 8938* (Appendix 2, No 10), line 8: 'Petr. Annianus v.c. et Iul. Iulianus v.em. praeff. praet.'

⁵⁶ *I.Ephesos 312* (Appendix 2, No 11); the *terminus ante quem* is provided by the establishment of Crispus in Gaul with his own praetorian prefect (see below, under Iunius Bassus).

⁵⁷ *P.Isid. 73* (314); *P.Oxy. 2952* passim: 'Iulianus v. p. a. v. praeff. praett.' (314/5). He is also mentioned as a former governor of Egypt by Julian in *Ep. 60*.

318.⁵⁸ According to Libanius (*Or.* 18.9), after Licinius' defeat Constantine upheld Iulianus' administration as an example to be emulated, which suggests that he was still in office when Licinius abdicated in September 324.

Retaining AD 314/5 as the approximate dating of *P.Oxy.* 2952, Iulianus' known career may then be reconstructed as follows. He will have been the incumbent Prefect of Egypt when that post was abolished and lower Egypt divided into the provinces of Aegyptus Iovia, Herculia and Arabia Nova, all governed by *praesides*. Iulianus, however, was kept on by being promoted to the post of diocesan vicar, with authority over the whole of Oriens, since Egypt is listed as part of that diocese in the Verona List.⁵⁹ He can have served in this position only a short time before being picked by Licinius as his praetorian prefect in late 314 or early 315. Licinius' ex-prefect, who survived the fall of his master, has been generally assumed to be identical with the Iulianus, consul in 325. He was, according to Libanius (*Or.* 18.9) held up as a paragon of the good administrator by Constantine.⁶⁰ However, a growing body of papyri give the name of the consul as Ionius Iulianus, which, although it does not rule out the identification, makes it less certain.⁶¹

Between 318 and 332 **IUNIUS BASSUS**, *cos.(prior)* 331

Bassus is attested as praetorian prefect by laws ranging from 18 March 320 (*CJ* 7.57.7) to 20 October 331 (*CTh* 1.5.3) as well as by papyri of 331, the last of which dates from 22 December.⁶² It is stated on a posthumous dedication to his son Iunius Bassus Theotecnius that he was praetorian prefect for fourteen years.⁶³ Since he seems to have still been in office for the duration of his consular year, and since it is probable that this was meant to mark the culmination of his career, it is more than likely that he retired from office some time in the course of 332. Hence he would have been appointed some time during 318.

⁵⁸ *ILS* 8938 and *I.Ephesos* 312 (Appendix 2, Nos 10 & 11).

⁵⁹ Fol. 255 recto, lines 15-17 as edited by T. D. BARNES, *New Empire*, 202.

⁶⁰ J. BIDEZ, "Notes sur quelques passages des écrits de l'empereur Julien, 2.", *Mélanges P. Thomas*, 58.

⁶¹ See J. R. MARTINDALE, "PLRE: Addenda & Corrigenda to Vol. II", *Historia* 29 (1980), 487; cf. Appendix 1, s.a. 325 and the notice relating to the consuls of 325 in Chapter 11.

⁶² See Appendix 1, s.aa. 320-331 passim for a complete list.

⁶³ *AE* 1975.370 (Appendix 2, No 27) Aqua Viva (Etruria), Front Face, lines 9-12: ' . . . Iuni Bassi v. c. | praefecti praeto|rio per annos | XIII. . . '

It is a reasonable supposition that he was attached to Crispus in Gaul, since that Caesar had his own establishment there from 318, and then after Crispus' execution in 326 to his successor there Constantinus iunior.⁶⁴

Bassus is recorded by only one inscription contemporary with his prefecture: that on the triumphal arch of Aïn-Rhine, dating from 330/1.⁶⁵ He appears second in the hierarchy of prefects after Valerius Maximus, which is confirmation that he was the longest serving of the Caesars' prefects by then, as it would have been his twelfth or thirteenth year in the job.

He probably retired to the environs of Rome and perhaps to the villa at Aqua Viva in Etruria where the posthumous dedication to his son was discovered. In any case he built a basilica on the Esquiline in Rome sometime after 331 as the dedication reads 'Iunius Bassus v. c. consul ordinarius propria impensa a solo fecit et dedicavit feliciter' (*CIL* VI 1737). This should not be taken as a definite indication that he was a Christian, as the basilica was a secular not an ecclesiastical construction. On the other hand his son, Iunius Bassus Theotecnius, is known to have been a Christian, baptized at the end of his life.⁶⁶

Between 324 and 328 **FLAVIUS CONSTANTIUS**, *cos.(prior)* 327

The prefecture of Flavius Constantius is well attested by the inscription he dedicated in Ancyra to Constantine as *maximus victor*, which implies a date after the defeat of Licinius in 324, though by this stage his clarissimate need not be attendant upon his consulship of 327.⁶⁷ Further activity of his in the East may be attested by a building inscription from Aqaba, to be dated AD 324/326, given the erasure of Crispus Caesar's name.⁶⁸ He also

⁶⁴ On the chronology of Crispus' reign see T. D. BARNES, *New Empire*, 83. Coin evidence suggests that Crispus was campaigning against the Franks by 319 (*RIC* 7, 76.).

⁶⁵ *AE* 1981.878 (Appendix 2, No 15), line 3. Only 'IV' survives but the restoration 'Iu[ni Bassi]' seems certain enough. On the date see further the discussion in Chapter 6 above.

⁶⁶ The basilica, the decoration of which included a scene of a chariot race, was only later converted into the church of S. Andrea in Catabarbara between 476 and 483 (see R. P. DAVIS, *Liber Pontificalis* 49: Simplicius). Although Theotecnius went to God as a neophyte, according to the inscription on his sarcophagus under the Vatican (*CIL* VI 32004 = *ILS* 1286: 'neofitus iit ad Deum'), his conversion may have been considerably earlier since deathbed baptism was a not uncommon practice even for believers at this period, the prime example being Constantine himself.

⁶⁷ *CIL* III 6751 (Appendix 2, No 13), lines 5-6: 'Fl. Constantius | v. c. praefectus praetorii'

⁶⁸ *AE* 1989.750d (Appendix 2, No 14; where I have changed original publication's nominative of

received a number of laws as praetorian prefect; the first of which is *CTh* 15.14.1 of 324 annulling the pronouncements of Licinius. The subscription has 'PP. XVII KAL. IUN.', but Seeck's emendation (*Regesten*, 99) to XVII KAL. IAN. is one of his soundest. As a law posted up in December 324 (i.e. after Licinius' abdication in September), it makes much more sense than one of May. Constantius thence appears as the addressee of four more laws, the last of which was given on 11 June 327 (*CTh* 2.24.2), as well as five papyri giving him as praetorian prefect and consul in 327 alongside, similarly, Valerius Maximus; the last of these on 20 December.⁶⁹ As his name does not appear among the first three on the Aïn-Rchine inscription, he was almost certainly out of office by 330/1.⁷⁰ For it is hardly credible that his name could have appeared after that of Flavius Ablabius, who is known to have still been *vicarius* in Asia 324/6 (see below) when Constantius was already praetorian prefect. It is, in fact, likely that the consulship marked the latter stages of Constantius' career as prefect and that he retired soon after 31 December 327.

As for Constantius' earlier career, he is almost certainly the recipient of *CTh* 8.2.1 (22 Jan. 315) and *CTh* 8.4.1 (28 April 315). In the latter he is addressed as praetorian prefect, but this should be rejected as a retrospective addition, and seeing that *CTh* 8.2.1⁷¹ was received in Cagliari he was probably either the *praeses Sardiniae* or a vicar with authority over him. The personal dedication to Constantine at Ancyra suggests that he was attached to the Augustus and may thus have succeeded Annianus (see above) as Constantine's prefect, being in turn superseded by Maximus (see below).

Between 326 and 333 **VALERIUS MAXIMUS**, *cos.(posterior)* 327

He is addressed as praetorian prefect as early as 28 September 321 (*CTh* 1.4.2, though Seeck emended it to 328) and by another law (*CTh*.9.38.1), which was received at Rome on 30 October 322. Both of these might be better assigned to Valerius Maximus Basilius *praefectus urbi* from 1 September 319 to 13 September 323.⁷² Maximus himself is almost

the prefect's name to a genitive, since I agree with W ECK's comment in *ZPE* 79 (1989), 166f, concerning the oddity of a text 'in dem der Kaiser und seine Söhne und ein praef. praetorio gemeinsam etwas anordnen.').

⁶⁹ *P. Col.* VII 178; see Appendix 1, s.aa. 324-327 for a complete list.

⁷⁰ *AE* 1981.878 (Appendix 2, No 15), lines 3-4: 'Valeri Maximi lu[ni Bassi | F]l. Ablabi. .'

⁷¹ On *CTh* 8.4.1 see Appendix 1, s.a. 315 n.11.

⁷² *Chron.* 354 (*Chron. min.* 1, 67): 'Constantino VI et Constantino Caes., Valerius Maximus

certainly attested as *vicarius Orientis* by a run of laws dated between 17 June 325 and 22 May 326. Though only one bears this title (*CTh* 12.1.12; 26 December 325) and one has him as 'PPO' (*CTh* 15.12.1; posted at Beirut on 1 October 325), the rest have him simply as 'PV'.⁷³

However, Maximus took up the prefecture at some point before 1 January 327 when he is attested as consul and prefect by several papyri.⁷⁴ He also appears as first in the hierarchy of prefects on the Aïn-Rchine inscription, which indicates that he was the praetorian prefect accompanying Constantine in 330/1.⁷⁵ He is probably last attested as prefect in 333 by *CTh* 8.1.3, issued (*emissa*) on 5 May 333. *CTh* 13.4.2 (2 August 337) is also addressed 'AD MAXIMUM PPO', but his absence from the dedications of 336 to Constantinus iunior makes a continuous prefecture from 326 to 337 impossible.⁷⁶ Several explanations present themselves: (i) a homonym, to whom PPO has been wrongly attributed, is involved; (ii) he was re-appointed by one of Constantine's sons; (iii) the law, though dated by 'reliable' non-imperial consuls has suffered the phenomenon Seeck termed 'ergänzte Konsulate' and should belong to another year entirely; or (iv) it belongs to 337 but to a different Maximus who was also prefect (see below).

Maximus the prefect may be the same person as Maximus the *rationalis Africae* of *CTh* 10.19.1 (30 September 320), if the common source is his family archives. The laws of 314 and 316 addressed 'AD MAXIMUM PV' may similarly relate to him in a junior post. Therefore, his career might be reconstructed as follows: *v. p. rationalis Africae* in 320; *v. p. vicarius Orientis* between 325 and 326; promoted to *praefectus praetorio* in mid 326, nominated consul for 327; and continuing as praetorian prefect till at least 333. In any event the suggestion that he ought to be a relative of Valerius Maximus Basilius the *praefectus urbi* (1 September 319-13 September 323) and the noble Valerii is unwarranted and should be resisted. After all, the two components of the prefect's name were extremely banal. Maximus had always been common and Valerius was now banal, being the dynastic nomen of the first and second Tetrarchies (see Chapter 3).

praefectus urbis. . . Probiano et Iuliano, Valerius Maximus praefectus urbis.'; *PLRE* 1 Maximus 48.

⁷³ See Appendix 1, s.a. 325-326 for a complete list.

⁷⁴ See Appendix 1, s.a. 327 for full references.

⁷⁵ *AE* 1981.878 (Appendix 2, No 15), line 3: 'praefectura praeto[ri]o Valeri Maximi Iu[ni Bassi]'

⁷⁶ *AE* 1985.869 & 823 (Appendix 2, Nos 19 & 20).

328 AEMILIANUS

Aemilianus is another prefect who is only known from the addresses of laws. *CTh* 11.16.4 (9 May 328) is addressed to him as praetorian prefect and was read at Rome. There seems no need to doubt this evidence, though in the absence of any corroborative epigraphic or literary evidence nothing can be said for definite. Nevertheless his name probably did not acquire the qualifying title PPO without good reason and the absence of any homonym in the fasti of the *praefecti urbis* makes confusion with 'P(RAE)FECTUS U(RBI)' unlikely. He may then have been the first in the prefecture of Italy-Africa, which could have been established by Constantine after he celebrated his *vicennalia* in Rome on 25 July 326.⁷⁷ At any rate his tenure of the post must have expired before 330/1, since he does not feature on the Aïn-Rchine inscription.⁷⁸

Between 330 and 337 FLAVIUS ABLABIUS, *cos.(post.)* 331

Ablabius is the only one of Constantine's prefects whose fame impressed itself on the popular imagination. He is, moreover, strongly identified by tradition as an adherent of Constantine's favoured religion. The contrast between Ablabius' inauspiciously lowly birth and his subsequent rise to power and influence at court became the subject of legend.⁷⁹ Libanius, stressing his ignoble origin, records what is his first known post in government service: an *officialis* on the staff of governor of Crete.⁸⁰ He next surfaces as vicar of Asiana, which post is known from a petition of the would-be *civitas* of Orcistus in Phrygia and subsequent imperial letter, preserved by an inscription dated some time in the years 324 to 326.⁸¹ It may have been while in this post that he received the laws of 326, whose dates were emended to 329 by Seeck.⁸²

⁷⁷ For references on the date of the *vicennalia* celebrations see T. D. BARNES, *New Empire*, 77.

⁷⁸ *AE* 1981.878 (Appendix 2, No 15), on the date of which see p.99 above.

⁷⁹ In his life of Sopater, Eunapius alleges that Ablabius as praetorian prefect was responsible for the death of the prominent pagan sophist and relates what must be a popular legend about his fortune having been foretold by an Egyptian soothsayer who, paying a visit *εἰς τὴν πόλιν* (the context implies Byzantium), happened to witness his birth in an inn (*V.Phil.* 6.3.1-7).

⁸⁰ Libanius, *Or.* 42.23: τὰ πρῶτα ὑπηρετῶν τοῖς ὑπηρέταις τοῦ τῆς Κρήτης ἄρχοντος. . . (first officer of the officials of the governor of Crete).

⁸¹ *MAMA* VI 305 = *ILS* 6091; A. CHASTAGNOL, "L'inscription constantinienne d'Orcistus", *MEFRA* 93 (1981), 381-416, for text (with photographs, 384-8), translation and discussion.

⁸² See Appendix 1, s.a. 326 for full references.

Ablabius was certainly already in office by the first of January 331 when he held the ordinary consulship, as demonstrated by the dating formulae of numerous papyri (see Appendix 1, s.a. 331). If the consulship marked his first full year in office, then an appointment to the prefecture at some point in 330 is indicated. He is first addressed as 'PPO' by a law of unemended date on 29 November 330 (*CTh* 16.8.2) and for the last time on 13 November 333 (*CTh* 7.22.5). His prefecture is well known from a wide range of literary sources, of which the only case of a specifically datable episode is Athanasius' *Festal Letter* 4 of 332. This mentions him at the court in Constantinople around January of that year.⁸³ His prefecture is securely recorded epigraphically, since his name appears third in the college on the triumphal arch of Aïn-Rchine of 330/1 and second on the dedications of 336 to Constantinus iunior. Hence he will not have been attached to Constantine at either of these dates.⁸⁴ In fact it is recorded that he was appointed by Constantine to supervise Constantius Caesar, who on becoming Augustus (9 September 337) dismissed him. Ablabius retired to his estates in Bithynia, but soon fell victim to Constantius II's suspicions, along with many other nobles.⁸⁵ Thus the most plausible thesis is that he was from the start attached to Constantius, and remained, at least nominally, in his service rather than Constantine's when the two were together in Constantinople. His sphere of operation, and therefore that of Constantius, would seem to have been the East from the beginning, since *CTh* 16.8.2 of 330 concerns the Jews of Palestine.

Ablabius' advancement under Constantine cannot have been harmed by his having been a Christian. In *Const. Sirmond.* 1 he is described as *probae religionis* and by bishop Athanasius as truly God-fearing.⁸⁶ His notability as a Christian was such that it was remembered even in the first half of the seventh century by bishop John of Nikiu (*Chronicle*

⁸³ Athanasius, *Ep. fest.* 4.5; see *PLRE* 1 Ablabius 4, for the literary references of less datable context.

⁸⁴ *AE* 1981.878, line 4, and 1985.869, line 5, & 823, line 4 (Appendix 2, Nos 15, 19 & 20). *PLRE* 1 Ablabius 4, has him as praetorian prefect at the court of Constantine from 330 to 335/6.

⁸⁵ Eunapius, *V.Phil.* 6.3.9-13; Zosimus, 2.40.3; Jerome, *Chron.* 234^c: 'Ablabius praefectus praetorio et multi nobilium occisii' in late 337/early 338. The date of Constantius' accession is given by the *Descrip. cos.* s.a. 337.

⁸⁶ Athanasius, *Ep. fest.* 4.5: 'ab eo concessum qui vere Deum timet, id est, Ablabio praef. praetorio' (permitted by that man who truly fears God, namely the praetorian prefect Ablabius).

77.71), who curiously records, 'Amongst the most notable officials there was one named Ablawijus, a Christian who laboured zealously to discover the glorious cross on which our Lord and Saviour Jesus Christ was crucified.' (a deed that was usually associated in legend with the empress Helena). The fact that he shared Constantine's favoured faith may also explain why he is addressed in profuse terms by that emperor in the Orcistus inscription as 'carissime et iucundissime nobis'.

Between 330/331 and 336 **L. PAPIUS PACATIANUS**, *cos.(prior)* 332

Papius Pacatianus is recorded by a milestone found between Cagliari and Sulci as *v. p. praeses Sardiniae* during L. Domitius Alexander's occupation of the island (c. 308/310).⁸⁷ He went on to serve as *vicarius Britanniarum*, which is known from the address of a law of 319 (*CTh* 11.7.2). By 1 January 332 he had been made a praetorian prefect, since he is recorded as both prefect and consul by the formulae of five papyri of 332 (Appendix 1, s.a. 332). He is first attested in the office by legal evidence from *CTh* 3.5.4 + 3.5.5 (12 April 332). He is probably the most junior prefect of the college on the Aïn-Rchine inscription of 330/1, unless Chastagnol's suggestion that the traces of the last name are to be deciphered PAP rather than VAL is accepted.⁸⁸ If so, then his appointment may have been as early as 330 (although evidently he was still junior to Ablabius). In this case he will have been made to wait until 332 for his consulship, rather than sharing it with his fellow appointee of 330, because of the need to reward Iunius Bassus before his impending retirement. He is last attested by a law as prefect on 17 May 335 (*CTh* 8.9.1), but was evidently still prefect around 1 March 336, since he appears first in the hierarchy of prefects on the Tubernuc and Antioch dedications to Constantinus iunior.⁸⁹ At this point he was in the service of Constantine Augustus, hence being pulling rank over his senior by appointment, Ablabius.

If Pacatianus is attested as the most junior of the prefects of 330/1, when Valerius Maximus was still in Constantine's service, then he must have begun his prefectural career

⁸⁷ *AE* 1966.169; the connection with the vicar and prefect Pacatianus was first made by H.-G. PFLAUM, "L'alliance entre Constantin et L. Domitius Alexander", *L'Afrique romaine*, 227.

⁸⁸ *AE* 1981.878 (Appendix 2, No 15); A. CHASTAGNOL, *L'Africa romana* 3, 269. It is more likely that the VAL belongs to Evagrius, whose prefecture may be contemporary (see Section II below).

⁸⁹ e.g. *AE* 1985.869 (Appendix 2, No 19), lines 5-7: 'L. Pap. Pacatianus, Fl. Ablabius, [[Val. | Felix]], C. Annius Tiberianus, Nes|[to]rius Timonianus . '

elsewhere. The argument for placing Pacatianus' sphere of activity in Italy on the basis of the subject matter of *CTh* 14.4.1 (8 August 334: on the provision of pork for Rome) and 8.9.1 (on the corporations of the city of Rome) need not be compelling (see Chapter 8 above), since the survival of Pacatianus' name in their addresses may indicate instead that he was at the time the highest ranking prefect, i.e. that in attendance upon Constantine. Pacatianus may have been the successor to Aemilianus (see above) in Italy, transferring to Constantine's court sometime later, perhaps at the time of Felix's appointment (see below). Evagrius, perhaps attested as praetorian prefect on 22 August 336, may have been his successor as Constantine's prefect (see Section II below).

Between 333 and 336 VALERIUS FELIX

Felix was the recipient of a run of laws from 18 April 333 (*CTh* 3.30.5) to 9 March 336 (*Const. Sirmond.* 4; *CJ* 4.62.4). While the first in which he is addressed as prefect is *CTh* 12.1.21 (4 August 335, but according to Seeck, 334), they can all safely be assigned to his prefecture.⁹⁰ This is made more likely by his relative seniority in the Tubernuc and Antioch inscriptions above both Tiberianus and Timonianus, the latter having been appointed in late 335 (see below). These inscriptions also prove that his tenure of office extended until 1 March 336 at least, although his successor Gregorius was already prefect on 21 July 336 (*CTh* 4.6.3). Anyway it is clear from the erasure from the Tubernuc copy of the dedication that his career ended soon afterwards in unhappy circumstances.⁹¹

As for Felix's earlier career, he is probably to be identified with the *praeses Corsicae*, who received *CTh* 1.16.3 + 2.6.2 (24 October 319), and may have also been the recipient of the letters addressed 'have Felix carissime nobis' of 19 October 325 and 22 July 326, possibly holding the post of *vicarius*.⁹² However both or either of these might belong to the Furius Felix of *CTh* 2.11.1 (28 July 320).⁹³

Valerius Felix was probably Pacatianus' successor in Italy, and will hence have

⁹⁰ *PLRE* 1 Felix 2; T. D. BARNES, *New Empire*, 133. See Appendix 1, s.a. 336 n.28 for a complete list.

⁹¹ *AE* 1985.869 (Appendix 2, Nos 19), lines 5-6: 'Fl. Ablabius, [Val. | Felix], C. Annius. ' However, this erasure is no basis upon which to identify him with the anonymous proconsul of *AE* 1917/18.99 = *ILAfr* 456, as most recently proposed (see p.141 n.104 below).

⁹² This is the hypothesis of J. R. MARTINDALE in *PLRE* 1 Felix 2.

⁹³ To whom they are assigned by *PLRE* 1 Felix 8.

become the first prefect attached to Constans when he was made Caesar on 25 December 333. Since Africa fell within Constans' sphere the location there of various laws addressed to Felix does not necessarily imply his physical presence, though neither is this an impossibility.⁹⁴

335/6 C. ANNIUS TIBERIANUS

Though still in the post of *vicarius Hispaniarum* when *CTh* 3.5.6 (15 July 335) was issued by Constantine in Constantinople, Jerome records under the thirtieth year of Constantine (i.e. 25 July 335-6) that 'Tiberianus vir disertus praefectus praetorio Gallias regit.' (*Chron.* 233^m). He was certainly in office by the time of the ordering of the Tubernuc and Antioch dedications to Constantinus iunior in 336. Since he was already no longer the most junior by c. 1 March 336, being listed fourth in the hierarchy out of five, a date for his appointment earlier rather than later in Constantine's thirtieth year is most likely.⁹⁵ If Nestorius Timonianus is correctly identified as Dalmatius Caesar's praetorian prefect, then Tiberianus cannot have been appointed later than 18 December 335 (see below). It is even tempting to speculate that his codicil of appointment might have been sent out with, if not soon after, the issuing of *CTh* 3.5.6. Tiberianus ought anyway to have already left office as Vicar of the Spains when a copy of the law finally got posted at Seville on 18 April 336.⁹⁶ As praetorian prefect serving in Gaul he will have been attached to the court of Constantine's eldest son, Constantinus iunior, at Trier.

336 NESTORIUS TIMONIANUS

No laws are addressed to Timonianus, but he is mentioned as the most junior prefect in the college on the dedications to Constantinus iunior in 336. Since these inscriptions belong to c. 1 March 336 he was almost certainly the prefect of Dalmatius, who was made Caesar by his uncle Constantine on 18 December 335 and received authority over the lower Danube and Achaëa.⁹⁷ Thus Timonianus' appointment was only a few months old when

⁹⁴ *Descrip. cos.* s.a. 335; Eusebius, *VC* 4.51.1; *Origo Constantini imp.* 35; *Epit. de Caes.* 41.20.

⁹⁵ *AE* 1985.869, line 7, and 823, line 5 (Appendix 2, Nos 19 & 20).

⁹⁶ See Appendix 1, s.aa. 335-336 and n.27.

⁹⁷ *AE* 1985.869 & 823 (Appendix 2, Nos 19 & 20). *Descrip. cos.* s.a. 335 (date of Dalmatius' elevation); *Origo Constantini imp.* 35; Aur. Victor, 41.15; *Epit. de Caes.* 41.20 (political divisions of Empire). A. H. M. JONES, *LRE*, 102, and T. D. BARNES, *New Empire*, 135, also concluded that

the inscriptions were cut. His prefecture came to an unhappy end in 337, if he fell victim to the military uprising that brought down Dalmatius soon after Constantine's death.⁹⁸

Between 336 and 337 **GREGORIUS**

First attested as prefect by *CTh* 11.1.3 (9 October 336), Gregorius was the immediate successor to the disgraced Felix (see above) as Constans Caesar's praetorian prefect. Felix is last attested by *CJ* 4.62.4 (posted on 9 March 336) and Gregorius by *CTh* 3.1.2 (4 Feb 337; no office recorded). That Africa came under his authority, and that hence he served Constans, is clear from the works of bishop Optatus of Milevis, in which he is mentioned twice: firstly when denounced as 'macula Senatus et dedecus praefectorum' in a letter of Donatus of Carthage; secondly in the context of the persecution of the Donatists 'sub Gregorio'.⁹⁹ It is worth noting, however, that *CTh* 3.1.2, addressed to Gregorius, also turns up in Italy in a more elaborate version sent on 'a praefecto <praetorio> ad correctorem Piceni' (*Frag. Vat.* 35).

The next known prefect of Constans is Antonius Marcellinus, the consul of 340 (see below). It is also quite possible that Gregorius lost his job soon after Constantine's death, if Constans did as his brother Constantius and removed his father's appointee.

Although there is no evidence for the prefect's *gentilicium*, he is possibly to be identified the Flavius Gregorius known to have been a *vir perfectissimus* and *praeses* of the Thebaid from *P.Panop.* 28 on 9 July 329. At this date the dynastic *nomen* 'Flavius' is unlikely to have been used by someone of aristocratic birth, so that Gregorius would almost certainly be of non-senatorial birth. His clarissimate status will have been acquired on becoming prefect, if not before.¹⁰⁰

Between 338 and 340 **SEPTIMIUS ACINDYNUS**, *cos.(prior)* 340

He was probably a senator by birth, if the homonym who was Prefect of the City from 13 March 293 to 11 January 295 was an ancestor. He is first recorded as *vicarius Hispani-*

he must be Dalmatius' prefect, but only on the basis of elimination.

⁹⁸ Aur. Victor, 41.22; *Epitome de Caesaribus* 41.19.

⁹⁹ Optatus, *contra Parmenianam Donatistam* 3.3.22-23, 3.10.21.

¹⁰⁰ cf. the Caelius Saturninus (*ILS* 1214 = Appendix 2, No 17), who acquired not only clarissimate status but even true membership of the curia before his prefecture by a specific act of adlection.

arum by a dedication at Tarraco in Spain.¹⁰¹ This is a dedication to a Caesar who subsequently suffered *damnatio memoriae*. The Caesar has usually been identified as Crispus, but Dalmatius cannot be ruled out entirely. Associated dedications to *Constantinus maximus victor semper Augustus* and *Constantius nobilissimus ac fortissimus ac felicissimus Caesar* only provide a date post-324.¹⁰² If it was Crispus' name that was erased then his time as *vicarius* should be dated sometime between 324 and 326, if, as is equally possible, Dalmatius then December 335 and 337.

Acindynus is attested as praetorian prefect by *CTh* 2.6.4, which was apparently given and posted on the same day (27 December 338) at Antioch. He was, then, probably the prefect of Constantius II, who ruled in the East. His last attestation by a law is that of *CTh* 9.3.3 (9 April 340), though he is also known as prefect in 340 by the consular dating formulae of six papyri, the last of which dates from between 24 and 28 August.¹⁰³

Given his known dates, Acindynus was probably Ablabius' immediate successor as Constantius' praetorian prefect and was succeeded himself by Domitius Leontius (see below), who received his first law on 11 May 342 (*CTh* 11.36.6). Acindynus' prefecture probably came to an end sometime in 341, the year after his consulship.

Between 340 and 341 **ANTONIUS MARCELLINUS**, *cos.(prior)* 341

Marcellinus is known to be of aristocratic birth from an inscription from Bulla Regia in Africa Proconsularis describing him as of 'illustri familiae' (*CIL* VIII 25524). This inscription was put up in his honour as patron of Bulla Regia and Proconsul of Africa. André Chastagnol has convincingly argued that he should also be identified as the honorand of an acephalous inscription from the same town which mentions a four year term as proconsul under *Constantinus maximus victor ac triumphator* (i.e. AD 224-337).¹⁰⁴ He identifies these four years as 332 to 336. An impeccable senatorial cursus is recorded by

¹⁰¹ *CIL* II 4107 = *I.Tarraco* 97.

¹⁰² *CIL* II 4106 & 4108 Tarraco (Spain).

¹⁰³ *P. Vind.Sijp.* 5; see Appendix 1, s.a. 340 for full references.

¹⁰⁴ *AE* 1917/18.99 = *ILAfr* 456; A. CHASTAGNOL, *L'Africa romana* 3, 264-267; cf. T. D. BARNES, *New Empire*, 106f, who ascribes it to Domitius Zenophilus. I find the argument of Y. THÉBERT, "Le proconsul inconnu de Bulla Regia: une nouvelle hypothèse", *L'Africa romana* 7, 883-885, that this belongs to Valerius Felix as simultaneous proconsul and praetorian prefect of Africa, highly implausible.

this inscription, starting with more than one correctorship and a consular governorship before *proconsul Achaëae* and *proconsul Asiae* (for two years).

Marcellinus is addressed by two laws of 340 (see Appendix 1, s.a. 340), the first on 29 April and the second on 28 June. Only the second (*CTh* 6.22.3) gives him the title PPO, but both should be attributed to his period as prefect of Constans.¹⁰⁵ He also appears as the most senior in the college of praetorian prefects who put up a dedication to Constans at Traiana in Thrace. This should be dated to late 341 or 342 on the grounds that it does not mention Catullinus, prefect on 24 June 341, but does list Leontius and Titianus, first attested by laws on 11 May 342 and 1 July 343 respectively.¹⁰⁶ Marcellinus was also consul in 341, and though no papyri as yet record him as prefect and consul, this should not be held against him as the same was true of Placidus until *P.Oxy.* 3389.¹⁰⁷ His consulship probably marked his last full year in office, so his retirement should be placed in 342. At any rate Placidus had replaced him in the college of prefects by the time of his consulship in 343 (see below) and the letters sent by the college of prefects to the priest of Apollo at Delphi in 342/3.¹⁰⁸

341 ACO(NIUS)¹⁰⁹ CATULLINUS *signo* PHILEMATIUS, *cos.(posterior)* 349

Catullinus' senatorial status from an early stage in his career is confirmed by the fact that he had already held a suffect consulship, or had benefitted from adlection *inter consulares*, when he served as *praeses Gallaeciae*. He is recorded in this post as a *vir consularis* by a dedication to Iuppiter Optimus Maximus from Asturica in Gallaecia (*CIL* II 2635), which incidentally indicates that he was a pagan at least at that stage. The next office Catullinus

¹⁰⁵ His prefecture under Constans in Italy, Africa and Illyricum is deduced by elimination from the college of prefects which dedicated *ILS* 8944 (Appendix 2, No 23), since the respective areas of operation of the others are known (see Leontius and Titianus below).

¹⁰⁶ See Appendix 1, s.aa. 341-343 for a complete list.

¹⁰⁷ *CLRE*, 217; cf. T. D. BARNES, *HAC* 1984/5, 18.

¹⁰⁸ The text remains unpublished, but is reported by C. VATIN, *Delphes à l'époque imperial* (Diss.: Paris, 1965), Nos 258-9, mentioned by A. CHASTAGNOL, *L'Italie et l'Afrique*, 194 n.3 and quoted by D. FEISSEL, *T&MByz* 11 (1991), 440.

¹⁰⁹ Opinion is divided over the form of his name: inscriptions have 'Aco' but the MSS of *CTh* give the dative as 'Aconio'. While the former could easily be an abbreviation, the latter could just as easily be a corruption of a dative *Aconi*. For the form Aconius see further the notice relating to his consulship in Chapter 11.

is known to have held is that of *vicarius Africae* between 338 and 339. The laws addressed to him in this office range from 27 July 338 to 29 August 339.¹¹⁰ At some point between the last of these laws and *CTh* 8.2.1 + 12.1.31 (24 June 341) he was made praetorian prefect, since the latter was issued to him in that post at Lauriacum in Noricum (by Constans therefore).

As a prefect of Constans he has often been assumed to be a predecessor or successor of Marcellinus in Italy, Africa and Illyricum.¹¹¹ However he need not be either of these and the date of his appointment (between 339 and 341) is suggestive of his having been made the first prefect to administer the late Constantinus' territory after the unfortunate emperor's death in his war with Constans in 340.¹¹² Thus, as the first *praefectus praetorio per Gallias*, he would have been the first man appointed to a properly established devolved regional prefecture. By the time the inscription from Traiana in Thrace had been commissioned in late 341 or 342 he had clearly been replaced by Fabius Titianus, since his name is absent (see below).

Catullinus' career did not end there. On 6 July 342 he was installed as *praefectus urbi* in Rome, in which capacity he received *CTh* 16.10.3 (1 November 342) addressed 'AD CATULLINUM PV' He relinquished this office on 11 April 344 and was eventually rewarded the other most highly coveted prize in the senatorial cursus, the ordinary consulship, for the year 349.

Between 341/2 and 344 **DOMITIUS LEONTIUS**, *cos.(prior)* 344

All the evidence points to him as a praetorian prefect of Constantius II, who ruled the East. Most importantly one of the laws addressed to him has a location of publication in Oriens and the decurions of Beirut honoured him with a bronze statue as praetorian prefect and consul.¹¹³

¹¹⁰ *CTh* 15.1.5 (no office) = *CJ* 10.48.7 (28 July 338); *CTh* 12.1.26 (1 November 338); *CTh* 6.22.2 + 12.1.24 (pp. 27 Nov., accepta 16 December Thumagadi); *CTh* 11.36.4 (29 August 339: no office).

¹¹¹ He was Marcellinus' predecessor according to T. D. BARNES, *HAC* 1984/5, 18 and *ZPE* 94 (1992), 256; but successor according to J.-R. PALANQUE, *Historia* 4 (1955), 259 & 263; *PLRE* 1 Catullinus 3.

¹¹² Which T. D. BARNES hinted (*HAC* 1984/5, 18), but did not go as far as to propose.

¹¹³ *CTh* 12.1.35 + 7.22.4, addressed 'AD LEONTIUM PPO' was posted at Hierapolis in Syria on 9

He is first addressed as praetorian prefect in *CTh* 9.1.7 (18 October 338), but as Jones stated it is preferable to assume that this was addressed to him in a more junior position, since Septimius Acindynus was still prefect at this time.¹¹⁴ Both Seeck and Jones would have him receive his first law as prefect on 11 October 340 (*CTh* 7.9.2), but *PLRE* 1 dates this to 344.¹¹⁵ The law's subscription reads as it stands 'DAT. V ID. OCT. CONSSS' (sic), which could equally plausibly refer to 344 as 340 and, given that Acindynus is unlikely to have relinquished his prefecture until after the expiry of his consulship, 344 is to be preferred.¹¹⁶ He is first firmly attested as praetorian prefect by *CTh* 11.36.6 (11 May 342), which while not giving his office does concern the appellate jurisdiction of praetorian prefects. He then appears as prefect in a string of laws until *CTh* 13.4.3 on 6 July 344 or, probably, *CTh* 7.9.2 on 11 October. He was certainly still in office on 1 January 344 as three papyri of the year (no diurnal dates) record him as simultaneously praetorian prefect and consul with a certain Sallustius, called initially *comes* and afterwards *magister peditum*.¹¹⁷

Leontius' name appears twice on stone in a college of prefects; for the first time on the Traiana inscription of 341/2 and secondly in the letters to the priest of Apollo at Delphi of 342/3. In the first case he is second in precedence and therefore seniority and in the second he has graduated to first.¹¹⁸ On both occasions he appears before Titianus who is first securely attested on 1 July 343 (*CTh* 12.1.36). The absence of Catullinus on the Traiana inscription implies a date after 24 June 341 (see above) and in any case Leontius' predecessor Acindynus will have been in office until the end of 340. He probably retired himself soon after his own consulship for 344 had ended. His successor as Constantius II's praetorian prefect, Flavius Philippus, is first attested in office on 28 July 346 (*CTh* 11.22.1; despite Seeck's emendation to 353).¹¹⁹

June 343. The base (*ILS* 1234) probably never did record his gentilicium (cf. Appendix 2, No 25).

¹¹⁴ A. H. M. JONES, *Roman Economy*, 377.

¹¹⁵ *PLRE* 1 Leontius 4. Cf. O. SEECK, *Regesten*, 188; A. H. M. JONES, *Roman Economy*, 377.

¹¹⁶ See Appendix 1, s.a. 344 n.38 for an interpretation of this dating formula.

¹¹⁷ See Appendix 1, s.aa. 342-344 for specific references.

¹¹⁸ *ILS* 8944 (Appendix 2, No 23). A. CHASTAGNOL, *L'Italie et l'Afrique*, 194, T. D. BARNES, *HAC* 1984/5, 17 and D. FEISSEL, *T&MByz* 11 (1991), 440, discuss the Delphi texts' protocol.

¹¹⁹ A. H. M. JONES, "The Career of Flavius Philippus", *Historia* 4 (1955), 229; O. SEECK, *Regesten*, 41.

The wording of the inscription put up in Leontius' honour in Beirut may indicate that he did not share the senatorial background of some of his contemporaries in the prefecture. The decurions invoke his *merita* 'quae per singulos honorum grados ad hos eum dignitatum apices provexerunt'.¹²⁰ This would seem to draw attention to his ascension to the heights of the prefecture and consulship by long-service in the civil *militiae*.¹²¹ This contrasts with the more privileged passage to the prefecture, via a largely senatorial career, of such individuals as Marcellinus, Catullinus, Titianus and Placidus.

Between 341/2 and 349 **FABIUS TITIANUS, cos.(posterior) 337**

Born into the senatorial aristocracy, he appears to have been very well connected. His career up to 341 is detailed by *CIL* VI 1717 = *ILS* 1227 from Rome: *corrector Flaminiae et Piceni; consularis Siciliae; proconsul Asiae; comes ordinis primi*; ordinary consul in 337; and *praefectus urbi* from 25 October 339 to 25 February 341.¹²² Clearly this is an impressively successful senatorial career that might have been thought to be over by 341, but sometime after the end of his tenure of the urban prefecture he added the praetorian prefecture to this list. He was praetorian prefect in charge of the Gallic provinces for Constans by the eighth year of Constantius and Constans (i.e. AD 344/5) and he is already listed as the most junior in the college of prefects in the Traiana inscription, which cannot be any later than 342.¹²³ Since Titianus takes precedence over Furius Placidus in the Delphi letter of 342/3, his appointment must have occurred before that of Placidus, who was prefect by the beginning of 343 (see below), but come after that of Leontius, appointed in 341 (see above) and senior in both cases.¹²⁴ Titianus received

¹²⁰ *CIL* III 167 + p.971 = *ILS* 1234 (Appendix 2, No 25), lines 3-5.

¹²¹ On the role of *merita* in promotions in the civil *militia* see F. S. PEDERSEN, *Late Roman Public Professionalism*, 24f.

¹²² His proconsulate of Asia should be dated sometime between 330 and 336 according to T. D. BARNES, *New Empire*, 158. *Chron. 354* (*Chron. min.* 1, 68): 'Constantio II et Constante. . .viii kal. Novemb. Fabius Titianus praefectus urbis. . . Marcellino et Probino v kal. Mar. Aurelius Celsinus praefectus urbis.' For his family connections see *PLRE* 1 stemma 27, p.1146.

¹²³ Jerome, *Chron.* 236^d: 'Titianus vir eloquens praefecturam praetorio apud Gallias administrat.' *ILS* 8944 (Appendix 2, No 23), line 5.

¹²⁴ On his position within the protocol of the Delphi letters see A. CHASTAGNOL, *L'Italie et l'Afrique*, 194, T. D. BARNES, *HAC* 1984/5, 17 and D. FEISSEL, *T&MByz* 11 (1991), 440.

three extant laws, *CTh* 12.1.36 on 1 July 343 and the other two in 349, the last on 12 November.¹²⁵

The most likely reconstruction is that he was appointed by Constans late in 341 or 342 to replace Catullinus in Trier, where he stayed as prefect until Constans' death in 350. At this point he remained in favour and was appointed *praefectus urbi* for a second time by the usurper Magnentius from 27 February 350 to 1 March 351.¹²⁶

Between 343 and 344 **M. MAECIUS MEMMIUS FURIUS BABURIUS**

CAECILIANUS PLACIDUS, *cos.(prior)* 343

As if his plethora of nomina was not indication enough of his aristocratic birth, an inscription erected to him at Pozzuoli outlines his career up to his consulship in 343.¹²⁷ As well as holding several traditional pagan priesthoods at Rome and being *corrector Venetiarum et Histriae*, he had also been *praefectus annonae* (which could be held by senators since *c.* 326), a *comes ordinis primi* and a diocesan *comes* with responsibility for Oriens, Egypt and Mesopotamia. He then performed some extraordinary function on behalf of an emperor, before being made praetorian prefect, in which post he is recorded as the most junior in the college by the Delphi letter of 342/3.¹²⁸

His appointment as prefect belongs to 342, since he is recorded as praetorian prefect and consul in the consular formula of 343 by *P.Oxy.* 3389 (14 March 343), which implies tenure of the post by 1 January 343. It is clear from comparison of the Delphi letter with the Traiana inscription that Placidus must be Marcellinus' replacement as prefect of Constans in Italy, Africa and Illyricum.¹²⁹ He received only one surviving law as praetorian prefect (*CTh* 12.1.37) on 28 May 344 and must have left the post, to be replaced by Vulcacius Rufinus, sometime before 26 December 346 when he became *praefectus urbi*, in which post he continued until 12 June 347.¹³⁰

¹²⁵ *CTh* 7.1.13 (30 May 349); *CTh* 9.24.2 (1 November 349).

¹²⁶ *Chron. 354* (*Chron. min.* 1, 69): 'Sergio et Nigriniano. .iii kal. Mar. Fabius Titianus praefectus urbis. Magnentio et Gaisone. . Kal. Mar. Aur. Celsinus praefectus urbis.'

¹²⁷ *ILS* 1231 (Appendix 2, No 24). The dominant gentilicium in abbreviation was Furius; e.g. he appears as Furius Placidus in *P.Oxy.* 3389. On his career see W. KUHOFF, *Laufbahn*, nr.42.

¹²⁸ A. CHASTAGNOL, *L'Italie et l'Afrique*, 194; T. D. BARNES, *HAC* 1984/5, 17.

¹²⁹ *ILS* 8944 (Appendix 2, No 23). This sequence is proposed by A. H. M. JONES, *Roman Economy*, 382, 392; *PLRE* 1 Placidus 2; T. D. BARNES *HAC* 1984/5, 19.

¹³⁰ *Chron. 354* (*Chron. min.* 1, 68): 'post cons. Amanti et Albini . . . vii kal. Ianuar. Placidus

II. Known Prefects of Uncertain Date

Third/fourth century **ULPIUS SILVINUS** and **PORCIUS AELIANUS**

The *Βουλή* and *Δῆμος* of Termessus in Pisidia dedicated a statue to a certain Ulpus Silvinus as their saviour and benefactor (*TAM* III 126):¹³¹

Τὸν ἐξοχώτατον	To the <i>eminentissimus</i>
ἑπαρχον	prefect
τοῦ ἱεροῦ πραιτωρίου	of the sacred <i>praetorium</i>
[[--- 14-16 letters ---]]	[of (emperors). . .]
[[--- 14-16 letters ---]]	[--- (names) ---]
[[5-6 letters]]	[--- (erased) ---]
Οὔλπιον Σιλουῖνον	Ulpus Silvinus.
ἡ βουλή καὶ δῆμος	The council and people [dedicate this]
τὸν σωτήρα καὶ εὐερ-	to the saviour and bene-
γέτην τῆς πόλεως	factor of the city.

Although Hermann Dessau reckoned that the date ought to be post-Diocletianic, the angular (Σ) rather than lunate (C) sigmas and closed (Ω) rather than open (W) omegas of the script would suit better the third than the fourth century.¹³² On the other hand a later date is far from impossible.¹³³ The Greek formula describing the prefecture as ‘of the sacred praetorium’ offers no sure indication of date.¹³⁴ However, since Silvinus is a *vir eminentissimus*, he must predate the mid 320s, when the prefecture became an office of senatorial dignity.

praefectus urbis, Rufino et Eusebio . . . prid. idus Iunias Limenius praefectus urbis.’ A joint post is unlikely, as the Chronographer of 354 records such things carefully (the first to do so being Ulpus Limenius from 12 June 347-8 April 349); contrary to A. H. M. JONES, *Roman Economy*, 382 & 392, Rufinus need not have been prefect as early as 344.

¹³¹ Silvinus is discussed by L. L. HOWE, *Pretorian Prefect*, 81, though only to dissociate him from a Silvanus mentioned by Zosimus (1.38.2) as a commander in Gaul under Gallienus and guardian of the Caesar Saloninus.

¹³² H. DESSAU, *PIR*¹ V 570: ‘fortasse post Diocletianum demum vixit.’ T. D. BARNES, *New Empire*, 136, follows Dessau, asserting ‘Date uncertain, possibly between 284 and 311.’

¹³³ Basing his judgement concerning orthography on the text of *IGR* III 435, line 2, which read ὑπαρχος (instead of ἑπαρχος), L. L. HOWE, *Pretorian Prefect*, 81, considered a date before c. AD 300 out of the question—mistakenly, given its use for the ἑπαρχος τῆς πόλεως already in the second century (*AE* 1937.167). In any case the new reading of *TAM* removes this objection.

¹³⁴ For, while it is used of Papius Pacatianus, in *P. Panop.* 22 (of 332), Septimius Acindynus, by the papyri of 340 (see Appendix 1, s.a. 340), and Furius Placidus, by *P. Oxy.* 3389 (of 343), it was already used of Iulius Priscus by *IGR* III 1033 (cf. *SEG* II 827), lines 15-18, from Palmyra in Syria (in 242/3).

The nature of the dedication to Silvinus suggests that he was active during his prefecture in Asia Minor. Thus, if his prefecture belonged to the Tetrarchic period, he might have served Diocletian, Galerius, Maximinus or Licinius. However, although there is most scope under Diocletian—only three of whose appointees are known (Hannibalianus, Hermogenianus, Flaccinus) for a twenty-one year reign—, this hypothesis cannot work, because Diocletian’s memory was never condemned in Asia Minor.¹³⁵ Sabinus appears to have served Maximinus for the entirety of his short reign, but a space for Silvinus might be found under Galerius *c.* AD 305-309 or in 311 (before or after Tattius Andronicus) or Licinius *c.* 314/5 or 318-325 (before or after Iulius Iulianus).¹³⁶

There is also a slim possibility that a certain Porcius Aelianus, known as *vir eminentissimus* from a Latinized Greek dedication to his son Cornelianus at Massilia (Marseille), belongs to the reign of Diocletian (*IGR* I 110 = *ILS* 8852, lines 1-4):

Τ. Πορκίῳ Πορκίου Αἰ-
λιανοῦ ἐξοχωτάτου ἀνδρὸς
καὶ προφήτου νιῶ Κυρείνα
Κορνελιανῶ ἱερεὶ Λευκοθέας

To T. Porcius, son of Porcius
Aelianus *vir eminentissimus*
and prophet (of Isis?), (by tribe) Quirina
Cornelianus priest of Leucothea

The remainder of the inscription details Cornelianus’ civil and military imperial career up to *procurator et praeses Alpium maritimarum* where it breaks off. As Laurence Lee Howe noted, the use of *ἐξοχώτατος* alone, leaving the office to be understood, suggests that the text belongs to a period when it was already well established as the equivalent to *vir eminentissimus*. This can hardly be earlier than the mid third century when the translation is first attested.¹³⁷ Given the late Constantinian examples of the use of the voting tribe, its presence here cannot be used to exclude a post-Diocletianic date for Aelianus.¹³⁸ Nor do his son’s offices provide a certain date. The last post provides only a *terminus post quem* of the Severan age and cannot be said to exclude a date in the 280s or early 290s.¹³⁹ If his father’s prefecture belongs to the early Diocletianic age, he might have served either

¹³⁵ Whereas the other three emperors all suffered this to a greater or lesser extent: Galerius under Maximinus in 311; Maximinus under Licinius in 313; and Licinius under Constantine in 324/5.

¹³⁶ See Section I above for details of their prefectures.

¹³⁷ H. J. MASON, *Greek terms for Roman Institutions*, 44; *IGR* III 1033 = *SEG* II 827.

¹³⁸ On the chronology of the redundancy of the voting tribe see p.35 above.

¹³⁹ H.-G. PFLAUM, *Carrières*, No 310, 796. Thus, although he appears in H. DEVIJVER, *Prosopographia militiarum equestrium. . . ab Augusto ad Gallienum* (P 95), L. L. HOWE, *Praetorian Prefect*, 86, would consider a later third-century date.

Diocletian or Maximian since, after all, nothing is known for certain about their prefects for the period *c.* 286 to 290. While either or both of Silvinus and Aelianus might be identified with the anonymous prefects attested by a dedication from Rome (see below), on balance, their prefectures more probably belong to the period between 244 and 284, for which the *fasti* of the prefecture are extremely lacunose.¹⁴⁰

Circa 286/291 or 296/305 . . .MUS and . . .NUS

The names of a pair of praetorian prefects who dedicated a statue to the emperor Maximian as Augustus in the Forum Romanum have all but been erased (*CIL* VI 36947 = Appendix 2, No 3). In fact the title of their office has also been effaced but, since they are qualified as *viri eminentissimi*, it is certain that it was the praetorian prefecture. Both the known pairings of prefects under Diocletian and Maximian, Hannibalianus and Asclepiodotus or Asclepiodotus and Hermogenianus, would appear to be excluded by the remaining traces of the names, since . . .tus is hardly likely to have been misread as . . .mus or . . .nus. Thus the inscription cannot date from within the known period of Asclepiodotus' prefecture (i.e. AD 291 to 296). In any case from 292 Hannibalianus and Asclepiodotus were *clarissimi* by virtue of their ordinary consulships. The only Latin cognomen that was in common use to end . . .mus is Maximus, but no prefect called Maximus is known for the first Tetrarchy. Still, names terminating . . .anus or . . .inus might leave similar traces, so that the inscription might belong to a pairing including the names of probable prefects, such as Ianuarianus (see below), or known but undatable prefects, such as Silvinus and Aelianus (see above). It seems highly likely that at least one of the anonymous prefects should be identified with one of the four prefects definitely known from Diocletian and Maximian's joint reign; Hannibalianus, Hermogenianus or Flaccinus would all fit the traces.

Between 324 and 337 **C. CAELIUS SATURNINUS** *signo* DOGMATIUS

His prefecture is known solely from a dedication erected by his son at the foot of the Quirinal in Rome. The earlier stages of his career are supplied by another honorific

¹⁴⁰ L. L. HOWE, *Praetorian Prefect*, 79-83, can name only nine prefects definitely between Iulius Philippus and Aper. Cornelianus' location in Gaul is no aid in determining which emperor Aelianus might have served.

inscription from the same location.¹⁴¹ From this text it is apparent that Saturninus worked his way up through the relatively lowly equestrian posts in various imperial bureaux from *advocatus fisci* for Italy to become eventually *praefectus annonae*, *examinator per Italiam*, diocesan *vicarius* twice, once in Rome and once in Moesia, and *vicarius praefecturae urbis*, before becoming a *comes* of Constantine. At this point Saturninus was adlected to the Senate. He is the only man to become praetorian prefect under Constantine for whom adlection is attested. The fact that the Senate specifically petitioned the emperor to effect this suggests that it was not standard procedure.¹⁴² Given that Saturninus was an equestrian, rather than senatorial, *praefectus annonae* and *vicarius*, and a *comes* before Constantine divided the *comites* into orders, he must have filled these posts before the 330s. On the other hand his adlection to the Senate cannot be put before 324, since it was achieved by petition to *Constantinus victor Augustus*.¹⁴³

Saturninus' appointment as praetorian prefect will have followed after some time as a *comes* advising at Constantine's court. He may then be identified as the prefect who filled the post attached to Constantinus junior's court in Trier between the retirement of Iunius Bassus in 332 and before the appointment of C. Annius Tiberianus in 335/6.¹⁴⁴ His service as *rationalis vicarius rationum per Gallias* might have recommended him for this job. Thus Caelius Saturninus will have served as praetorian prefect for about four years from 332 to 335/6.

326 and 331 and/or 336 EVAGRIUS

Evagrius on the other hand is known only from the Codes. The reliably dated laws fall into three groups. The first (including two imperial letters in which no office is given) is in 326, second in August 331, and finally one law of 22 August 336 (*CTh* 12.1.22).¹⁴⁵ The

¹⁴¹ *ILS* 1214 & 1215 (Appendix 2, Nos 17 & 18).

¹⁴² *ILS* 1214 (Appendix 2, No 17), lines 4-5: 'Allecto petito Senatus inter | consulares. .'. Furthermore, his *signum*, Dogmatius, may be a humorous reference to his affection for the body; *δόγμα* being an equivalent for *senatus consultum* (E. A. SOPHOCLES, *Greek Lexicon of the Roman and Byzantine Period*, 390 *Δόγμα* 3).

¹⁴³ T. GRÜNEWALD, *Constantinus Maximus Augustus*, 180; this inscription probably belongs to Grunewald's Phase 5 in Constantine's titulature (AD 324-330).

¹⁴⁴ For the dating of the prefectures of Bassus and Tiberianus see Section I above.

¹⁴⁵ See Appendix 1, s.aa. 326, 331, 336 for full references.

fragmentary nature of the Aïn-Rchine inscription means that we can neither firmly place him in 331, nor rule him out. If he had indeed been prefect in August 331, then he ought to appear on the dedication of the triumphal arch. Three explanations present themselves: (i) Evagrius' name is absent altogether and hence his prefecture had either ended before it was made or started afterwards; (ii) his name is present as the fourth, in which case his *gentilicium* might be Valerius, or he is Chastagnol's 'fifth man':¹⁴⁶ or (iii) his prefecture belongs to after March 336. If he was originally mentioned on the Aïn-Rchine inscription he must have been junior to Ablabius, whose prefecture did not begin until *c.* 330, so that his term of office ought to be placed later, not earlier, than 330/1. This would imply that only those laws extant from 331 are to be assigned to his prefecture. Those of 326 must belong to an earlier stage in his career. While, if he really was prefect in 336, then his absence from the now complete college of prefects of the Antioch inscription means that we must assume that either his prefecture lasted only for the period 336-337—and that the laws of 331 also belong to an earlier posting—or that he had an interrupted tenure.¹⁴⁷ However, despite the necessary rejection of *CTh* 12.1.22 of 336 (because it post-dates the dedication Constantinus iunior *c.* 1 March 336),¹⁴⁸ I prefer to assume that there were five prefects in 330/1 and place his prefecture in this period, ranking him in seniority before Pacatianus but after Ablabius; reconstructing lines 3-4 of the Aïn-Rchine text: '. . . praefectura praeto[ri]o Valeri Maximi, lu[ni Bassi | [F]l. Ablabi, Val. [Evagri, Pap. Pacatiani] ccccc. et i[llus]trium vvvvvv.'. Perhaps Evagrius administered the Balkan portion of the empire eventually given over to the Caesar Dalmatius.

III. *Some Other Possible Candidates*

The supposed praetorian prefectures of Menander, a Volusianus in 321, Vettius Rufinus and Acilius Severus, have been discussed and sufficiently disposed of by Timothy Barnes in

¹⁴⁶ *AE* 1981.878 (Appendix 2, No 15), line 4; A. CHASTAGNOL, *L'Africa romana* 3, 268, 272.

¹⁴⁷ *PLRE* I Evagrius 2, opts for three separate periods in office; T. D. BARNES, *New Empire*, 132f, for 'a continuous prefecture from 326 to 336 and perhaps beyond'; A. H. M. JONES, *LRE*, 102f, and T. D. BARNES, *New Empire*, 138, suggest he was Constantine's own praetorian prefect, whose office will have lapsed on his master's death in 337.

¹⁴⁸ To be rejected despite its dating by private consuls, which are usually more reliable. It is, of course possible that it was addressed on that date to another Evagrius who acquired PPO through confusion with the prefect during the process of the compilation of the Code.

Chapter 8 of *The New Empire* and will thus not be dealt with here. Veturius, whom Barnes included under "Other Possible Prefects", would seem to be a military commander rather than a praetorian prefect.¹⁴⁹ Barnes' putative prefectures of future emperors are discussed together under the entry for Licinius. Barnes did not mention as a possibility a certain Mucianus, listed at *PLRE* 1 Mucianus 1 as a late third-century praetorian prefect on the strength of a statue base from Traiana Augusta in Thrace, dedicated (as Veselin Beshevliev originally published it) to Apollinaris, *praeses* of the province and ἀ[δελ]φὸν τοῦ ἐξοχω[τά]του ἐπάρχου [τοῦ] ἱεροῦ πραιτω[ρίου] Μουκιανοῦ. . .].¹⁵⁰ Barnes' omission presumably stems from either a belief that this prefect was definitely pre-Diocletianic or an awareness of Georgi Mihailov's rereading and pairing of the inscription in *IGBulg* III.2 with another to Heraclianus, Gallienus' prefect (*AE* 1948.55). This makes it clear that they belong to the period *c.* 266/68 and that Mucianus is the dedicator, honouring Heraclianus and his brother as his benefactors, and not the prefect himself; permitting us to reject *PLRE* 1's spurious prefect and reconstruct the texts as follows (cf. *IGBulg* 1568 & 1569):

Ἄγαθῆι τύχῃι
τὸν ἐξοχωτά-
τον ἔπαρχον τοῦ
ἱεροῦ πραι-
τωρίου Αἰρ.
Ἡρακλιανὸν
Μουκιανὸς τὸν
εὐεργέτην
εὐτυχῶς

Ἄγα[θῆι] τύχῃι
τὸν διασημ[ότατον]
ἡγούμενον [τῆς]
ἐπαρχείας Μ. Α[ἰρ.]
Ἀπολλινάριον ἀ[δελ-]
φὸν τοῦ ἐξοχω[τά-]
του ἐπάρχου [τοῦ]
ἱεροῦ πραιτω[ρίου]
Μουκιανὸς [τὸν εὐ-]
[εργέτην εὐτυχῶς]

288 POMPONIUS IANUARIANUS, *cos.(posterior)* 288

As Barnes pointed out, the rise of Ianuarianus from equestrian Prefect of Egypt in 283/4 to consul in 288 and *praefectus urbi* from 27 February 288 to some time in 289, may require the supposition of a praetorian prefecture as a missing step in this progression.¹⁵¹

¹⁴⁹ T. D. BARNES, *New Empire*, 136; *PLRE* 1 Veturius. He is called ὁ στρατοπεδάρχης by Eusebius, *HE* 8.4.3 and, anachronistically, *magister militum*, in Jerome's translation of Eusebius' *Chronicle* (*Chron.* 227^d), which hardly suggests that Eusebius intended the praetorian prefect to be meant.

¹⁵⁰ V. BESHEVLIIEV, *Επιγραφικὸν πρῖνος*, No 23 = *REG* 67 (1954), 150 (J. & L. ROBERT, *Bulletin épigraphique*, No 175) = *AE* 1955.215 = *SEG* 15.460

¹⁵¹ This was previously suggested by J. R. MARTINDALE in *PLRE* 1 (Ianuarianus 2). Ianuarianus

This is indeed possible, and the fact that he shared the honour of the consulship in 288 could be seen as a doublet of Aristobulus' with Diocletian in 285. However, whereas it had become practice by this period for praetorian prefects to remain in office during their consulship, Ianuarianus filled the post of *praefectus urbi* concurrently with his consulship.¹⁵² Ianuarianus can hardly have fulfilled the praetorian and city prefectures simultaneously, since at this period, in contrast to the later fourth century, the praetorian prefecture still required personal attendance on an emperor based far from Rome. Another explanation for his tenure of the consulship, as a private citizen, alongside the Caesar Maximian might be a family relationship with Diocletian, or more likely Maximian. Such a connection might also account for his rapid career progression.

302 ASCLEPIADES

In his Christian ballad *Crowns of Martyrdom*, written in the last quarter of the fourth century, Prudentius presents the martyr Romanus as being tried by the 'praefectus' Asclepiades.¹⁵³ On the other hand, in Eusebius' *Martyrs of Palestine* (an earlier and superior source) he was called merely a *δικαστής* (i.e. *iudex* = ? *praeses*), which is unspecific.¹⁵⁴ However Eusebius' account does also include the detail that Diocletian was in Antioch at the time of the trial, which Barnes dates to c. autumn 302. On this basis Barnes suggests that Asclepiades was Diocletian's praetorian prefect at that date, but the evidence is flimsy to say the least.¹⁵⁵

is recorded as Prefect of Egypt by *P.Thead.* 18 (2 November 283); *P.Oxy.* 1115 (21 May 284); *SB* 7206 (undated). *Chron.* 354 (*Chron. min.* 1, 66): 'Maximiano II et Ianuarino, iii kal. Mar. Pomponius Ianuarius (*sic*) praefectus urbis Diocletiano IIII et Maximiano III, Turranius Gratianus praefectus urbis.' Comparison with the careers of Aristobulus and Hannibalianus suggests that Ianuarianus may have held the praetorian prefecture before gaining the consulship and urban prefecture (see Section 1).

¹⁵² The pattern was established by the emperor Gallienus' nomination of his praetorian prefect, L. Petronius Taurus Volusianus, to the ordinary consulship in 261; which example was followed in the consulships of Iulius Placidianus in 273 under Tacitus and T. Cl. Aurelius Aristobulus in 285 under Carus.

¹⁵³ Aurelius Prudentius, *Peristephanon* 10.41-45: 'Praefectus istis imminens negotiis / Asclepiades ire mandat milites / Ecclesiasten usque de sacra tiis / Raptare plebem, mancipandum vinculis, / Ni disciplinam Nazarenam respuat.'

¹⁵⁴ Eusebius, *Mart. Pal.* L+S 2.2-4.

¹⁵⁵ T. D. BARNES, *New Empire*, 124. The reference to Diocletian's presence is not retained in the

306 ANULLINUS

An Anullinus is often mentioned as the praetorian prefect of the emperor Severus in 306, at the time of Maxentius' usurpation, on the evidence of Zosimus, who styles him ὑπαρχος τῆς ἀυλῆς.¹⁵⁶ He defected to the Maxentian cause at the same time as the loyalty of Severus' Moorish troops was bought with large bribes. He was therefore with Severus' army when it marched down from Milan in spring 307 to attack Maxentius in Rome.

Both Barnes and Chastagnol would identify an Anullinus as *praefectus praetorio* with one or other of the Anullini who held high senatorial offices in the late third and early fourth century. However none of the prefects, under normal circumstances, between 284 and 337, of known social background, belonged to the senatorial order by birth; and until the mid 320s normally only gained access to it by the consulship.¹⁵⁷ Had Anullinus not been such a well-known aristocratic cognomen it would probably not have got itself attached to the story that Diocletian had started out as the *libertus* of a certain senator Anullinus.¹⁵⁸ The fourth-century Annii Anullini were themselves no doubt descended from C. Annius Anullinus Geminus Percennianus, *procos. Africae* and Arval Brother in 231.¹⁵⁹

On the whole it seems most probable that Zosimus' Anullinus of 306-7 is the *praefectus urbi* Annius Anullinus of 19 March 306 to 27 August 307, since there are good reasons why the Prefect of the City should have been at Severus' court in Milan in October 306. He might have been paying his respects, as leader of the Senate to the new Augustus, but more probably also receiving instructions on the abolition of the praetorian guard at Rome and the enrolment of the *plebs urbana* in the tax census for the first time. Both these actions had been decreed that year by Galerius (*Lactantius, de mortibus persecutorum* 26.2),

short recension of the *Mart. Pal.*

¹⁵⁶ Zosimus, 2.10.1: τὸν τῆς ἀυλῆς ὑπαρχον. . . Ἀνουλλῖνον; A. CHASTAGNOL, *Fastes*, 45ff, 63; T. D. BARNES, *Phoenix* 27 (1973), 139; but not *PLRE* I Anullinus 3.

¹⁵⁷ The exception is Rufius Volusianus, appointed praetorian prefect by Maxentius in 311 under abnormal circumstances (the invasion of Africa to dislodge the usurper L. Domitius Alexander), on whom see the notice in Section I above.

¹⁵⁸ Eutropius (9.19.2), the *Epit. de Caes.* (39.1) and Zonaras (12.31) all relate a version of this fairy-tale.

¹⁵⁹ *PIR*² A 633. Who, it seems, had one descendant maintaining the hereditary membership of the Arval brotherhood, serving as *magister II* in 304 (J. SCHEID, "Le dernier arvale", *Institutions, société et vie politique*, 221; idem, *Le collège des frères arvales*, 138, No 166).

but would have to be enacted by Severus, as the new western Augustus since Constantius' death on 25 July. If ὑπαρχος τῆς αὐλῆς was not simply a *lapsus calami* for τῆς πόλεως, then Zosimus (or a later copyist) may have altered the reading of his source, because he found the presence of the urban prefect of Rome in Milan incongruous.¹⁶⁰

The removal of this excess Anullinus makes a reconstruction of the careers of the various Anullini possible that does not create anomalous early fourth-century senatorial careers. The simplest explanation is that there were three closely related Anullini—perhaps an elder and younger brother with overlapping careers, followed by the son of the elder:

1. Annus Anulinus praefectus urbi 306-307 = Ἀνουλλῖνος ὑπαρχος τῆς <πόλεως>¹⁶¹
2. Annus Anullinus cos. 295 = C. Annus Anullinus procos. Africae 303-305 = Annus Anulinus praefectus urbi 312¹⁶²
3. [Annus?] Anulinus proconsul Africae 312-313¹⁶³

This avoids most of the problems contingent with the other reconstructions.¹⁶⁴

Between 307 and 308 LICINIUS

Timothy Barnes has asserted that Constantius served as the praetorian prefect of Maximian before 293, that Allectus may have been Carausius' before 293, Galerius Diocletian's before 293, Severus Galerius' (or Maximian's) before 305 and Licinius Galerius' in 307.¹⁶⁵ However that these future emperors ever served as praetorian prefect is extremely unlikely. In reality, non-inheriting emperors of the late third and fourth centuries came from a military background, specifically from the professional officer class of the army. For instance, both Diocletian and Maximinus are known to have been *domestici* (however

¹⁶⁰ The emendation was suggested by J. R. MARTINDALE in *PLRE* 1 Anullinus 3.

¹⁶¹ *Chron.* 354 (*Chron. min.* 1, 66): 'Constantio VI et Maximiano VI, xiiii kal. Apr. Annus Anulinus praefectus urbis.'

¹⁶² *ILT* 1308 = *AE* 1942/3.82 = *CIL* VIII 14910: 'dedicante C. Annio An[ullino]'; *Chron.* 354 (*Chron. Min.* 1, 67): 'Maxentio IIII consule, qui sunt Constantino II et Licinio II, . . .vi kal. Nov. Annus Anulinus d. xxxiiii praefectus urbis'; no indication of iteration of the office is stated, as it is for Aradius Rufinus who held the urban prefecture before and after Anullinus, so there is no need to identify this Anullinus with urban prefect of 306-7 as did A. CHASTAGNOL, *Fastes*, 63.

¹⁶³ e.g., Augustine, *Ep.* 88.2: 'A <u> ggg(ustis) nnn(ostris) Anulinus v. c. proconsul{e} Africae' (15 April 313); see *PLRE* 1 Anullinus 2 for full references to his proconsulate.

¹⁶⁴ A. CHASTAGNOL, *Fastes*, 45ff; *PLRE* 1, 79; T. D. BARNES, *New Empire*, 117

¹⁶⁵ Constantius (T. D. BARNES, *New Empire*, 125f); the rest (*ibid.*, 136f).

briefly) before ascending the throne.¹⁶⁶ It is far more likely that this was the route by which most of the Tetrarchs reached the throne. Carus, who became emperor in 282 on the death of Probus, to whom he had been praetorian prefect, was indeed a recent exception to this. That he is an exception rather than the rule is clear from his origin in Narbonensis, which did not share the martial traditions of the middle and lower Danube provinces, the Tetrarchs' homelands.¹⁶⁷

Still the prefecture of Licinius might find some support in the testimony of the *Vita S. Acacii*, were it not more likely that this is a textual corruption. While the martyr Acacius languished in prison at Perinthus for seven days, his arresting-officer Vibianus received orders from 'Licinius the prefect' to send him to Byzantium. However the judge who tries Acacius in Byzantium is called Flaccinus throughout, so that it would appear that Licinius has arisen here from corruption in the manuscript of Flaccinus' name. Indeed in Migne's Latin translation this is presumed.¹⁶⁸ In fact Licinius' presence alongside the future praetorian prefect Probus in the embassy to Maxentius in 307 indicates the complementary (but different) nature of their competences, which they would continue to display as Augustus and praetorian prefect from 308.¹⁶⁹

Between 332 and 333 **L. ARADIUS VALERIUS PROCULUS**

signo POPULONIUS, *cos. (posterior)* 340

He was evidently of impeccable senatorial ancestry, since an excerpt from Constantine's address in 337 to the Senate recommending the erection of a statue to Proculus in the Forum Traiani in 337 refers to the 'insignem nobilitate prosapiam Proculi c. v.'¹⁷⁰ He is included by Barnes in his section on regular praetorian prefects on the basis of the phrase 'perfuncto officio praefecturae praetorio', which appears, immediately after a description

¹⁶⁶ Diocletian 'Domesticos regens' (Aur. Victor, 39.1; SHA, *Vita Cari* 13.1); κόμης δομειστίκων (Zonaras, 12.31). '[Maximinus]. . .statim scutarius, continuo protector, mox tribunus, postridie Caesar' (Lactantius, *de mortibus persecutorum* 19.6).

¹⁶⁷ If the SHA, *Vita Cari* 4-5, can be believed on Carus' origins; see *PLRE* 1 Carus.

¹⁶⁸ Simeon Metaphrastes, *Vita S. Acacii* 13: 'Εγένετο δὲ τὸν Βιβιανὸν γράμματα δέδεξασθαι παρὰ Λικινίου τοῦ ἐπάρχου τοῦ προλαβεῖν αὐτὸν εἰς τὸ Βυζάντιον'; cf. Appendix 1, s.a. 304 n.5.

¹⁶⁹ *Origo Constantini imp.* 7.1: 'Tunc [Galerius] legatos ad urbem misit Licinium et Probum per conloquium petens.'

¹⁷⁰ The speech was quoted on an inscription (*AE* 1934.138); see *PLRE* 1 stemma 30, p.1147, for his family connections.

of extraordinary powers he had as Proconsul of Africa, in two identically worded dedications from Rome and a verse inscription calling him 'praefectus. . .Libyae'.¹⁷¹ The more common view is that, while not a fully fledged prefect, his position did establish the precedent for a Praetorian Prefecture of Africa.¹⁷² That such a prefecture ever existed has already been shown to be inherently unlikely (see Chapter 6), so where does this leave Proculus?

In the first of the two career inscriptions the stonecutter has carefully begun each of Proculus' functions on a new line, in sharp contrast to the layout of the second stone. Nevertheless it is clear that his performance of the office of praetorian prefect belongs to the same time as the proconsulship and the added appellate jurisdiction, since he is only *vice sacra iudicans iterum* when Prefect of the City. Since the praetorian prefect regularly had the power to judge *vice sacra*, had he exercised a prefecture at a separate date from his proconsulate he ought to have been *vice sacra iudicans* for the third time with his urban prefecture. Thus the phrase 'perfuncto officio praefecturae praetorio' is undoubtedly being used as a summary of his position when proconsul.

It is the date of the carving of these inscriptions that is significant. Proculus' career inscriptions belong in or after the year of his consulship, 340, and the verse inscription during or after his second time as *praefectus urbi* under Magnentius from 18 December 351 to 9 September 352.¹⁷³ In contrast, on an inscription actually put up at Carthage during his proconsulate of 332 to 333, he gives his post as 'item procons(ul) prov(inciae) Afr(icae) agens iudicio sacro per provincias Africanas' (*CIL* VIII 24521 = Appendix 2, No 16, lines 6-7). That is, while he but does not liken the office to a praetorian prefecture, Proculus makes it clear that he was exercising the unappellable jurisdiction recently restricted once again to the praetorian and urban prefects. Nevertheless, as argued in Chapter 5, from the perspective of the 340's, with inappellable jurisdiction long since restricted to the great prefectures and with his aristocratic fellows filling the prefecture on a regular basis, Proculus saw fit to define his function in 332/3 as having been equivalent to a prefecture.

¹⁷¹ T. D. BARNES, *New Empire*, 133; *ILS* 1240, *CIL* VI 1691 & *ILS* 1241 (Appendix 2, Nos 21, 22 & 26).

¹⁷² e.g., A. H. M. JONES, *LRE*, 102; see further the discussion at pp.77 & 92 above.

¹⁷³ *Chron.* 354 (*Chron. min.* 1, 69): 'Magnentio et Gaisone. . . xv kal. Ian. Valerius Proculus praefectus urbis. Decentio et Paulo, Valerius Proculus praefectus urbis iterum.'

337 MAXIMUS

The Maximus named by *CTh* 13.4.2 as praetorian prefect on 2 August 337 is highly unlikely, if the title is not corrupt, to have been the Valerius Maximus known as prefect from 326 to 333, since that man is missing from the dedications to Constantinus iunior in 336.¹⁷⁴ It is just about possible that Valerius Maximus was reappointed by one of Constantine's sons. Nevertheless, if the non-imperial consular date of the constitution ('Feliciano and Titiano consss') is not wrong (which it might well be),¹⁷⁵ it should, in all probability, be attributed to another Maximus in a post other than praetorian prefect, to whom Valerius Maximus' title 'PPO' has got added by interpolation. After all, Maximus was hardly an uncommon name, to which fact the forty-nine entries for Maximi in *PLRE* 1 bear witness!

339/340 AMBROSIVS

According to his biographer Paulinus, bishop Ambrose of Milan was born after his father has been posted *in administratione praefecturae Galliarum*.¹⁷⁶ The year of Ambrose's birth was AD 339/340 and Ambrosius senior died soon afterwards, whereupon mother and infant moved to Rome.¹⁷⁷ His father's untimely end is probably not unconnected with Constantinus II's ill-fated civil war with his younger brother Constans in Italy, after which Gaul came into the latter's possession.¹⁷⁸ However, the translation of Paulinus' 'in administratione praefecturae', to mean that Ambrosius administered the prefecture of the Gauls (i.e. Britain, Gaul and Spain) and was hence the praetorian prefect of Constantinus II, as *PLRE* 1 and Barnes have taken it, is not beyond doubt.¹⁷⁹ The phrase might be taken to mean that Ambrosius was simply employed in the *officium* or *administratio* of the prefecture. On the other hand the usage of the late fourth-century writer of the *Historia Augusta* (*Vita Commodi* 4.7), in which the prefect Perennis is described as ousting his rival

¹⁷⁴ *AE* 1985.869 & 823 (Appendix 2.16 & 17); see further the notice of his prefecture above.

¹⁷⁵ See A. H. M. JONES, *Historia* 4 (1955), 233, for just such a case.

¹⁷⁶ Paulinus, *Vita Ambrosii* 3.1: 'Igitur posito in administratione praefecturae Galliarum patre eius Ambrosio, natus est Ambrosius. . .'

¹⁷⁷ Paulinus, *Vita Ambrosii* 4.1.

¹⁷⁸ This reconstruction is offered by *PLRE* 1 Ambrosius 1; T. D. BARNES, *Phoenix* 34 (1980), 161 n.5.

¹⁷⁹ T. D. BARNES, *HAC* 1984/5, 16.

Paternus 'a praefecturae administratione' (from the prefecture's administration), does add weight to the orthodox interpretation of Paulinus' similar phrase. On balance, Ambrosius may be plausibly identified as Constantinus II's last prefect.

IV. *List of Praetorian Prefects AD 284-344*

Distillation of the arguments in the above catalogue produces the following list. The rejection of Tim Barnes' claim, that all emperors of the First and Second Tetrarchies had their own praetorian prefects, allows us to imagine that fewer names are missing than he assumed.¹⁸⁰ Those prefects definitely attested are presented in chronological order according to the dates given in the lemmata of the above discussions; that is, only those dates at (or between) which they are recorded in office by reliable evidence.

Aper	284	Flavius Constantius	324-328
Aurelius Aristobulus	284-285	Valerius Maximus	326-333
Afranius Hannibalianus	291-293	Aemilianus	328
Iulius Asclepiodotus	291-296	Flavius Ablabius	330-337
Aurelius Hermogenianus	293-295	Evagrius	330/1-331
. . . mus & . . . nus	286/291 or 296/305	Papius Pacatianus	330/1-336
Flaccinus	303-304	Caelius Saturninus	324/337
Manilius Rusticianus	309	Valerius Felix	333-336
Tatius Andronicus	310	Annius Tiberianus	335/6
Pompeius Probus	310-314	Gregorius	336
Sabinus	310-313	Septimius Acindynus	338-340
Rufius Volusianus	311	Ambrosius	339/340
Pompeianus Ruricius	312	Antonius Marcellinus	340-341
Petronius Annianus	314-317/8	Aconius Catullinus	341
Iulius Iulianus	315-324	Domitius Leontius	341/2-344
Iunius Bassus	318-332	Fabius Titianus	341/2-349
		Furius Placidus	343-344

¹⁸⁰ cf. T. D. BARNES, *New Empire*, 138.

Below is a partly conjectural reconstruction of the succession of praetorian prefects from c. 314 to 344; the complicated period from the end of the Tetrarchic system, of one prefect per Augustus, up to the establishment of the first permanent independent regional prefecture. All dates of tenure are entirely notional; for actual dates of attestation in office see above. The principles of precedence in the prefectural college having been ascertained, a much more plausible and coherent reconstruction than that offered in *PLRE* 1 can be produced.¹⁸¹ The layout is intended to give an impression of their geographical distribution from West (left) to East (right). Thus where an emperor's name is repeated it marks a change in his sphere of operation. The table can be read across to give the composition of the college of prefects at any one time (though not the order of precedence within it).

WEST		EAST	
<u>Constantinus A</u>		<u>Licinius A</u>	
Annianus (313-320)		Iulianus (314/5-324)	
<u>Crispus C</u>		<u>Constantinus A</u>	
Bassus (318-326)		Constantius (320-328)	
<u>Constantinus C</u>	<u>Italy</u>		<u>Oriens</u>
Bassus (326-332)	Aemilianus (326-329/30)	<u>Constantinus A</u>	Maximus (326-328)
	Pacatianus (330-332)	<u>Balkans</u>	<u>Constantius C</u>
		Evagrius (331)	
Saturinus (332-335)	<u>Constans C</u>		Pacatianus (332-337)
	Felix (333-336)	<u>Dalmatius C</u>	Ablabius (330-337)
Tiberianus (335-337)		Timonianus (335-337)	
	Gregorius (336-337/8)		
<u>Constantinus A</u>	<u>Constans A</u>	<u>Constantius A</u>	
Ambrosius (338-340)	Marcellinus (338-342)	Acindynus (338-341)	
<u>Gaul</u>			
Catullinus (340-342)		Leontius (341/2-345)	
Titianus (342-349)	Placidus (342-346)		

¹⁸¹ c.f. *PLRE* 1, p.1048, based on the work of J.R. MARTINDALE.

Some Conclusions

Re-examination of the full range of evidence suggests that the reign of Constantine did not mark such a great transition in the function and personnel of the praetorian prefecture as has sometimes been claimed—that is, from prefects of uniformly equestrian origins, attached to the court of a specific emperor and sharing performance of an office which was conceived of as a single entity to prefects of often senatorial origin, filling a multiplied and divided office which was attached to a circumscribed geographic region.¹ The most significant development of the prefecture under Constantine lay elsewhere.

*
* *

By the late third century the praetorian prefects had achieved almost prime-ministerial competence, acting as ministers of general finance, army supply and recruitment as well as having civilian provincial governors (*praesides*) subordinate to them through the *vicarii*. These regular duties are in fact those traditionally identified as typical of the ‘transformed’ praetorian prefects of the later fourth century. The suppression of the praetorian cohorts by Galerius and Constantine and the creation of the honour of *magister militum*, a post that is recorded for the first time only under Constantine’s sons, did not result in the prefects being deprived of important military responsibilities. The prefects had simply never been battlefield commanders as a regular part of their job. As the definition of their title—*praefectus praetorio*—implies, they were primarily staff officers.² However an important development of the late third century in the equestrian career structure emerges from the preceding prosopography of praetorian prefects. As discussed in Chapter 5, it had been a feature of the pre-Diocletianic age that prefects might be promoted to the post via either primarily civilian or military equestrian careers, or a mixture of the two. However for prefects of the Constantinian period, for whom any prior offices are attested, only offices of the civilian equestrian *militia* are known, which suggests that careers of the type of Caelius Saturninus’ were now the typical route to the prefecture (*ILS* 1214 = Appendix 2, No 17). This demonstrates that the later third century witnessed not only the exclusion of senators from military posts but, more significantly, the divergent evolution of the

¹ cf., for instance, the analysis of J.-R. PALANQUE, *Essai sur la préfecture*, 2.

² See Chapter 5, Section II.

equestrian *militia* into a separate civilian and military branches. From the last decades of the third century onwards it was the military branch that gave rise to new imperial dynasties and the civilian that provided the non-aristocratic personnel of the praetorian prefecture.

A second significant development was the establishment, as a consequence of Diocletian's Tetrarchic arrangements, of a natural equation of the number of praetorian prefects with that of Augusti. While the number of prefects remained two, Diocletian appointed himself a colleague as Augustus, and the empire was divided into two (*not* four) administrative zones each under an Augustus accompanied by a prefect and aided by a Caesar.³ This did not bring about the prefecture's division and territorial regionalisation. Nor, as the examination of the collegiate hierarchy of Constantine's prefects in Chapters 6 and 7 has confirmed, was the multiplication in the number of prefects a symptom of this transformation. The protocol (that he who was attached to Constantine was deemed the most important) demonstrates how closely the prefectural mirrored the imperial college; a direct correlation which implies that in AD 336 (and probably still at Constantine's death in 337) the praetorian prefecture was in essence a ministerial office, not one attached to a circumscribed geographic region. However, in practice the difference might well be negligible. For example, the position of the late fourth-century *praefectus praetorio per Gallias*, controlling the administration and finance of Britain, Gaul and Spain from his base in Trier might seem indistinguishable from that of the *praefecti praetorio* of Constantine from 306 to 312, of Crispus, or of Constantinus iunior, who fulfilled the same functions over the same geographic area from the same base. Hence the ease with which, from a later fourth-century perspective, the Constantinian prefect's post might be described in, by then familiar, regional terms.⁴

The increase in the size of the prefectural college was effected in order to maintain sufficient coverage of government as Constantine's realm expanded to take in the whole empire. After all, in 311 there had been as many as five Augusti ruling simultaneously, each with his own praetorian prefect: Galerius, Maximinus, Constantine, Maxentius and Licinius. By the end of 313, after the death of Galerius and elimination of Maxentius and Maximinus, the situation had returned to that of the Tetrarchy, the empire being divided

³ On the Caesars' subordinate, rather than independent, position in the administrative structure see W. SESTON, *Dioclétien et la Tétrarchie*, 241-245 and Chapter 5.ii above.

⁴ e.g. Jerome's statement that 'Tiberianus. . . praefectus praetorio Gallias regit.' (*Chron.* 233^m).

almost equally between two Augusti each with one praetorian prefect.⁵ However, with the subsequent expansion of Constantine's realm to the Bosphorus at Licinius' expense in 317, it is easy to imagine that his administration became overstretched. Thus he entrusted the administration of his original portion (the Gallic provinces) to his eldest son, Crispus, aided by his own praetorian prefect Iunius Bassus.⁶ By 326 it is clear that there were already at least three praetorian prefects simultaneously, and there may well have already been the arrangement of five attested by the Tubernuc and Antioch inscriptions of 336.⁷ For Constantine's adoption in 335 of his nephew Dalmatius into the imperial college alongside his three surviving sons, may have been necessitated by the requirements of arrangements for the succession already in place before Crispus' execution in 326. The importance of the arrangement to Constantine may be reflected in the establishment in his new city of a public square, the centre-piece of which was a porphyry sculpture (now outside S. Mark's in Venice) of the two pairs of Tetrarchs embracing each other. Since the square became known as the Philadelphion, it is tempting to see in this arrangement a symbolic representation of the imperial structure Constantine intended to bequeath his successors.⁸ Whatever the truth, it is clear that Constantine's multiple prefectures were not intended as devolved units within a single imperial administration, but rather as fiefs for his Caesars and heirs. Thus where praetorian prefects did operate away from an imperial court, as appears the case in Italy and Oriens from 326 and possibly also in the Balkans, it was merely a temporary situation until a Caesar was old enough to be sent out to join them. Given then that Constantine intended to bequeath the empire to four Augusti, each ruling independently

⁵ Constantine with Annianus and Licinius with Iulianus: the arrangement attested by *ILS* 8938 from Tropaeum Traiani (Appendix 2, No 10).

⁶ This took place almost certainly sometime in 318, for which year Crispus was made ordinary consul with Licinius. T. D. BARNES, *New Empire*, 83, cf. 236, suggests that the Caesar may have won a victory over the Alammani in 319. Moreover in his panegyric of 321 Nazarius suggests that Constantine is accustomed to being separated from Crispus (*Pan. Lat.* 4[10].37.1): 'cui tanto intervallo videre filium licuit' ([Constantine] has been able to see his son after a great interval). See also the biography of Bassus in Chapter 9.1.

⁷ On the number of prefects in office in 326 see Chapter 9.IV and Appendix 1, s.a. 326. The college of five prefects of 336 was responsible for the erection of *AE* 1985.869 & 823 (Appendix 2, Nos 19 & 20).

⁸ On the location of Philadelphion and of the porphyry group there (confirmed by the discovery of the missing foot in excavations nearby) see C. A. MANGO, *Le développement urbain de Constantinople*, 28-30.

with his own praetorian prefect, Zosimus' claim that Constantine created four praetorian prefectures may reflect some knowledge of this abortive arrangement, and should not, therefore, be condemned out of hand as anachronistic. However, either Zosimus or his source committed a readily understandable mistake in confounding these four prefectures with the four regional praetorian prefectures which become an established feature of the administration from the death of Theodosius I.

Constantine's dynastic arrangements of 335 also demonstrate that he intended to adhere to the Diocletianic pattern, with each Augustus accompanied by his own ministerial praetorian prefect. Still there was one important difference; where Diocletian had the empire divided between two administrations, Constantine intended four. This marks a distinct expansion further, and elaboration of, the machinery of government beyond the Tetrarchic system. At the same time, as under the Tetrarchy, if the continued unity of the prefecture (confirmed by line 5 of the Aïn-Rchine inscription of AD 330/1) may be taken as an indicator, Constantine did not envisage this arrangement establishing any conceptual division of the imperial college (and by implication of the empire).

Therefore, the epigraphic evidence of the Constantinian period can actually be shown to confirm the continued unified and ministerial nature of the prefecture, rather than providing evidence for an early example of regionalisation in Africa.⁹ Thus regionalisation did not take place until the reign of Constans (340-350), and then only affected the West. The first clearly identifiable regional appointment is that of Aconius Catullinus by Constans to administer *Galliae* after the death of Constantinus iunior in 340.¹⁰ The logic of this action is manifest, since the Gallic provinces had been separately administered as a distinct entity continuously since Constantine established his eldest son Crispus at Trier in 318. Whether in time Constans, like his father before him, would have established an heir alongside the praetorian prefect in Trier is impossible now to know. Whatever his intentions, the Gallic prefecture was the first of the four regional prefectures familiar to Zosimus to be established. In reality it was the political developments of the 350s, by which the imperial college was reduced to simply one Augustus and one Caesar, that led

⁹ On the elimination of Valerius Proculus' supposed African prefecture see Chapter 6.I. A later parallel for a independent *praefectus praetorio per Africam*—in the form of a certain Claudius Petronius Probus—has also been disposed of, by A. CHASTAGNOL, "L'inscription de Petronius Probus à Capoue", *L'Italie et l'Afrique au Bas-Empire*, 339-342.

¹⁰ T. D. BARNES, *HAC 1984/5*, 21ff; idem, *ZPE 94* (1992), 251.

to the definitive crystallisation of the regionalised praetorian prefecture.¹¹ Constantine's arrangements were obviously a preliminary step on this road but this was not his intention.

Having removed the 'red-herring' of territorial regionalisation from the history of the Constantinian prefecture, its developments can be analyzed for their true significance. The discounting of Valerius Proculus' Praetorian Prefecture of Africa means that there is no good evidence that Constantine deviated from the established policy of appointing men of equestrian service to the prefecture. Indeed, the only securely attested senatorial praetorian prefect before 338 is Ceionius Rufius Volusianus under Maxentius in 311. This is hardly a case of an appointment under normal circumstances. Maxentius, being resident in Rome, would have needed to win the support of the senatorial aristocracy to an extent that none of his rivals would. What better way than by allowing a senatorial aristocrat access to a post of real power of the sort that had been denied to them since the early years of Diocletian's reign.¹² Even more to the point, the reconquest of Africa from the usurper L. Domitius Alexander would have been a project dear to the hearts of the senatorial aristocracy, many members of which had considerable landed interests there.

The precedent set by Maxentius did not lead immediately to a spate of senatorial praetorian prefects, but it did establish it as an office potentially worthy of a aristocrat.¹³ Constantine did pick up on Maxentius' involvement of senators in the imperial government, honouring some as his *comites ordinis primi* as well as with diocesan appointments, but not with the prefecture.¹⁴ Moreover, Constantine's use of praetorian prefects as guardians to his young sons suggests that he would have been unwilling to entrust such an important job to men whose loyalty did not lie, first and foremost, in service to the imperial government. This, of course, would be the case with men who had attained their social pre-eminence only through service to the imperial system, and would thus identify their interests with

¹¹ On which see the study of C. VOGLER, *Constance II*, chapter 2 section 2, 110-143; here it is clear that even into the reign of Julian the prefecture maintained some of its 'ministerial' quality.

¹² On the curtailed senatorial careers of Tetrarchic period see A. CHASTAGNOL, "La carrière sénatoriale du Bas-Empire (depuis Dioclétien)", *Epigraphia e ordine senatorio* 1, 167ff.

¹³ cf. the displacement of imperial *liberti* from the imperial bureaux by free-born equestrians in the second and third centuries (noted by P. R. C. WEAVER, "Social Mobility in the Early Roman Empire", *Studies in Ancient Society*, 136-139), once the *liberti* in those posts were being regularly rewarded with equestrian status.

¹⁴ e.g., Fabius Titianus (*ILS* 1227) and Furius Placidus (*ILS* 1231 = Appendix 2.24).

those of the imperial court rather than the city of Rome.¹⁵ This might not be true in the same way of senatorial aristocrats, who by birth had a claim to high social status, and who historically displayed a distinct tendency to identify the sum of their own individual interests as the interests of the state.¹⁶

The prosopographical study demonstrates clearly how Constantine's policy contrasts with the appointments of Constans, who regularly included men of noble senatorial origin within his inner circle.¹⁷ From that point the senatorial aristocracy came to get a firm grip on the office for the first time, establishing the two prefectures of Constans' western realm as regular features of the senatorial cursus in the 350s and 360s.¹⁸ While to some extent this no doubt represents a political decision taken by Constans, it is also a symptom of what is in fact the most significant change wrought in the prefecture by Constantine. This was his innovation was of promoting all his high equestrian civil officials to senatorial rank as a matter of course.¹⁹ Eusebius, in his *Vita Constantini*, praises the emperor for his generosity in appointments to the prefectures, senatorial rank and the consulship (VC 4.1.2) but it was more than simple generosity that was involved.

The Tetrarchs had already established a firm tradition of honouring prefects while still in office with the ordinary consulship.²⁰ Nevertheless the epigraphic record demonstrates that it was still normal practice for prefects to remain equestrians, unless conferred senatorial status by nomination to the consulship, throughout the period of the Tetrarchy up until at least AD 317.²¹ However, as the Aïn-Rchine inscription of 330/1 and the dedications of 336 clearly demonstrate, in this period of Constantine's sole reign all his

¹⁵ A number of fourth-century praetorian prefects are known to have come from very humble backgrounds; e.g., Fl. Ablabius (see Chapter 9.1 above), Fl. Taurus (Libanius, *Or.* 42.24-5) and Fl. Philippus, who was the son of a sausage maker (*ibid.*).

¹⁶ On the attitudes of the senatorial aristocracy of Rome in the 4th century see J. F. MATTHEWS, *Western Aristocracies and Imperial Court*, chapter 1 *passim*.

¹⁷ Compare their notices in Chapter 9.1 above. On those *intra consistorium* under Constans see J.-P. CALLU, "La dyarchie constantinide". *Institutions, société et vie politique*, 50-55.

¹⁸ On these individuals see *PLRE* 1, p.1049f, based on the work of A. H. M. JONES, *Roman Economy*, 392-395.

¹⁹ His prefects were certainly all *virī clarissimi*, whether or not they had held the consulship, by the time of the Aïn-Rchine inscription (*AE* 1981.878 = Appendix 2.15).

²⁰ Aristobulus (285), Hannibalianus and Asclepiodotus (292), Andronicus and Probus (310); before the late third-century prefects were not normally honoured until they had left office.

²¹ See above Chapter 5.1, esp. p.74.

prefects, not simply those who had been honoured with an ordinary consulship, were qualified as *virī clarissimi*. While these promotions may have been effected by the systematic awarding of suffect consulships to or senatorial adlection of newly appointed prefects, other developments to be elucidated in Part Three make this improbable. In fact, as the addition of the novel epithet of *illustres* in the Aïn-Rhine text indicates, the prefects' senatorial status was of a novel kind.²² This extra epithet suggests a status superior to traditional senators, which is no more than a just recognition of the importance of their rôle. What this development certainly did not mean was the end of the equestrian order.²³ Nor did it immediately result in the employment of men of senatorial birth to the prefecture.²⁴ Instead, it heralded the growth of a senatorial class which had not acquired its status through the magistracies of the city of Rome. On the other hand, it should hardly be a surprise that members of the aristocracy should reach the conclusion that, since the prefecture was worthy of senatorial dignity, then, conversely, it was an office worthy of being held by a senatorial aristocrat. It is certainly the case that during the late 320s and 330s senators managed to get themselves appointed to some of the other traditionally equestrian posts, notably the Prefecture of the Annona at Rome and vicariates in Spain and Africa (both connected with areas where there were many senatorial interests).²⁵ On the other hand, it can hardly be over-emphasised that the greater employment of members of the senatorial order did not entail the reversal of the policy of exclusion of holders of the urban magistracies—bar the two great proconsulates of Africa and Asia—from the government of the empire. The consequence of Constantine's promotion of the senior civil equestrian posts to senatorial status was to open them in theory to noble senators. The avenue to significant government position was reopened but it entailed the performance of those functions of the imperial service which had formerly been the exclusive preserve of the equestrian class.

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* *

²² *AE* 1981.878 = Appendix 2, No 15, lines 3-4: '---]praefectura praeto[ri]o Valeri Maximi Iu[ni Bassi | F]l. Ablabi Val.[Evagri Pap. Pacatiani?] ccccc. et i[llus]trium vvvv[v(ironum). .]'

²³ In fact Eusebius (*VC* 4.1.2) also praises Constantine's generosity with the perfectissimate. Cf. A. CHASTAGNOL, "La fin de l'ordre équestre: réflexions sur la prosopographie des «derniers» chevaliers romains", *MEFRM* 100 (1988), 199-206.

²⁴ Pace M. T. W. ARNHEIM, *Senatorial Aristocracy*, chapter 1.

²⁵ On this development see W. KUHOFF, *Laufbahn*, 232-236.

It seems, then, that not all the features associated with the transformation of the praetorian prefecture can be ascribed to Constantine's reign. Where Constantine did innovate was in the multiplication of the number of prefects beyond that of Augusti (though not of emperors all told), their attachment to his Caesars, and, most significantly, in the raising of the prefects' status, or rather that of their office itself, from *eminentissimus* to *clarissimus*. So the reign of Constantine marks significant changes in the number and social status of the praetorian prefects, but it does not mark any 'civilianization' nor the establishment of the later regionalised form.

Such are the results of this enquiry but how should they be interpreted? While it has been demonstrated that Constantine did not create the regional prefecture of the later fourth century, he did pursue a policy of sharing administration more broadly. By establishing four embryonic administrations of equal rank he was furthering the process of accommodating the state's structures to cope with the increased demands of governing the Roman nation-state as compared with the former empire. But the promotion of the office of praetorian prefect to senatorial status is symptomatic of a more fundamental revolution. As is clear from the prosopographical catalogue of Chapter 9, this did not mean that the praetorian prefecture became associated with the urban *cursus* of magistracies and the exclusive preserve of enrolled senators, as was the urban prefecture. Rather, it is indicative of a revolution in the social and political structure of the Roman empire. Constantine's policy not only enabled the praetorian prefects to receive social recognition worthy of the role they played in the government of the empire but, moreover, entailed a change in the very nature of senatorial status. For, by promoting the office of praetorian prefect (rather than adlecting or nominating prefects individually to the consulship) Constantine was severing the exclusive link between the curial class of the *urbs* and the highest social class of the empire. That is, senatorial dignity was no longer exclusively determined by tenure of an urban magistracy or the grant of honorary office by receipt of the symbols (*ornamenta*) of office. The emperor's personal administrative machine, headed by his praetorian prefects, had usurped the traditional social dignity of the magisterial class of the city of Rome. The logic of the Roman nation-state was clearly beginning to manifest itself. It will become clear in Part Three that these developments were but one symptom of a fundamental revolution within the symbolic structure of the Roman state which may be analysed through an examination of the office of consul.

Appendix One

Conspectus of Documentary Evidence

This appendix presents in a tabular form the dateable evidence for the personnel and distribution of the praetorian prefecture between AD 284 and 344. The aim is to present a synthesis of the evidence of the law Codes with the other contemporary documentary evidence, whether from papyri, epigraphy or dated references in literary accounts. It is this collection which has formed the raw data for the compilation of the prosopography in Chapter 9.

The information is presented in a table of five columns, allowing one for each prefect. All the evidence for a particular individual's prefecture is collected in the same column, though evidence that is probably applicable to an earlier post or could even belong to somebody different is usually displaced to another column. The table fills up from left to right, so that in 284 when there were only two prefects only two columns are filled, but in 336 when five prefects are attested all the columns are filled. As new prefects are inserted in the order in which columns fall vacant, the order of prefects from left to right has no significance for their seniority.

Conventions followed:

Where the evidence is incontrovertible (by and large the inscriptions and papyri) this is indicated by bold type. Where the evidence is of a lesser quality but of reasonable certainty (usually the Codes) normal type is used. Italics indicate that the attestation is extremely uncertain, if not wholly dubious. In the case of the evidence of the addresses of the Codes this treatment may be reserved for the office given, indicating that the date and addressee of the law are certain, but that his title is almost certainly anachronistic.

All references are to the Theodosian Code unless otherwise stated. With the legal evidence, where only one date—whether of issue, receipt or posting—is known the law is inserted under this date without indication of the action. If more than one date survives, then the law is noted at both, and where a date of receipt is known this too is indicated. Places of issue, even when known, are not noted, as by and large they are of limited help and under Constantine especially they are of no particular help. Where they may have

significance for the area of a prefect's function it is noted in the individual biographies (Chapter 9).

284	T.Cl. Aurelius Aristobulus PPo Aur. Victor, 39.14	Aper PPo (to Nov) ¹ Aur. Victor, 38.6			
285	Aristobulus cos. T.Cl. Aur. Aristobulus PPo Aur. Victor, 39.15 (spring)				
285/ 292	Afranius Hannibalianus v.em. P[Po] <u>ILS</u> 8929	Iul. Asclepiodotus v.em. P[Po] <u>ILS</u> 8929			
292	Hannibalianus cos.	Iul. Asclepiodotus cos.			
296		Asclepiodotus PPo in invasion of Britain Aur. Victor, 39.26; Eutropius, 9.22.2; Jerome, <u>Chron.</u> 227 ^a			
293/ 305	Aur. Hermogenianus v.[em.] PPo <u>AE</u> 1987.456	Iul. Asclepiodotus v.c. PPo <u>AE</u> 1987.456			
302				<i>Asclepiades praefectus</i> ² Antioch (? autumn) Prudentius, <u>Peristephanon</u> 10.41 ff: T.D. Barnes, <u>New Empire</u> , 124	

¹ For full references to literary accounts see *PLRE* 1 Aper 2.

² For the difficulty of this identification made by T. D. BARNES, *New Empire*, 124, see Chapter 9.III.

Date					
303		Flaccinus praefectus at Nicomedia (23 Feb) Lactantius, <u>de Mort.</u> <u>Pers.</u> 16.4			
304	<i>Hermogenianus PPo</i> at Rome (22-30 Apr) <u>Passio S.Sabini</u> 1- 2.3 ³				
?304		Flaccinus <i>procos.</i> <i>Europae</i> (= ?PPo) at Byzantium (May) <u>Vita S.Acacii</u> 229- 237 ⁴	<i>Licinius</i> (= ?Flaccinus) praefectus at Byzantium (May) <u>Vita S.Acacii</u> 229, c. 13 ⁵		
305/ 309	[?Tatius Andronic]us v.em. praef. praetor. <u>ILS</u> 665				
309			Manil. Rusticianus v.em. PPo <u>ILS</u> 8934 (after 27 Oct) + Chastagnol, <i>Latomus</i> 52 (1993), 856-858		

³ For the historical reliability of this saint's passion see T. D. BARNES, *New Empire*, 136.

⁴ Simeon Metaphrastes, vol. 3. *Vita Sanctorum. Mensis Maius: Acacius Cappodocus*, (PG 115), cols 217-240. The date given at c. 2 as 'in the month of May, the eighth, Maximian the tyrant ruling' is possibly a corruption of 'in the month of May, [Diocletian IX and] Maximian VIII cons.' i.e. May 304. As for the reliability of the source (there is considerable verisimilitude in the setting) and Flaccinus' title see the notice relating to his prefecture in Chapter 9.I above.

⁵ On the creation of Licinius' prefecture as a result of textual corruption see the notice relating to his pseudo-prefecture in Chapter 9.III above.

Date					
310	Tatius Andronicus PPo + cos <u>P.Sakaon</u> 1 (27 Feb) <u>P.Isid</u> 50 (16 May) <u>P.Heid</u> 323 (15-24 May) <u>P.Isid</u> 127 (29 Jul) <u>P.Col</u> VII.141 (18 Oct) <u>P.Panop</u> 3 (Oct-Nov)	Pompeius Probus PPo + cos⁶ <u>P.Sakaon</u> 1 (27 Feb) <u>P.Isid</u> 50 (16 May) <u>P.Heid</u> 323 (15-24 May) <u>P.Isid</u> 127 (29 Jul) <u>P.Col</u> VII.141 (18 Oct) <u>P.Panop</u> 3 (Oct-Nov)			
Nov 311			Rufius Volusianus PPo in Africa (spring/summer) Aur. Victor, 40.18; Zosimus, 2.14 Rufius Volusianus cos	Sabinus v.em. P(Po) ?at Antioch (c. Jun) Eusebius, <u>HE</u> 9.1.3	
312			Pompeianus Ruricius praefectus at Verona (summer?) <u>Pan.Lat</u> 12(9).8.1, 10.3; <u>Pan.Lat</u> 4(10).25.4ff		
313		<i>Rufinus PPo⁷</i> <i>7.21.1</i> (10 Aug) pp Sirmio		Evagrius 12.1.1 (15 March) Sabinus at Antioch? (spring) Eusebius, <u>HE</u> 9.9a.1	Bassus <u>CJ</u> 1.22.3 (1 Oct)

⁶ This pair also mentioned as PPo + Coss at an unknown date in 310 by *P.Isid.* 39 and *SB* 12167.4 (a document of 314).

⁷ The title PPo is impossible at this date since the prefects of the three Augusti of 313 were almost certainly Annianus, Probus and Sabinus. This law probably better belongs with Vulcacius Rufinus under Constans and Constantius in the 350s, as do the laws of 319; see also note 19.

Date					
314	Petronius Annianus cos ⁸	Iulius Iulianus v.p. praefectus Aegypti <u>P.Isid</u> 73 (15 Jan/29 Aug) Iulianus v.p. a.v. praef. praett. <u>P.Oxy</u> 2952 (no day/month)	Rufius Volusianus cos II Maximus p.v. 9.5.1 + <u>CJ</u> 9.8.3 (1 Jan)		
315 (315)	Petronius Annianus PPo Optatus, <u>Appendix</u> 8 (28 April)	Iulianus PPo Optatus, <u>Appendix</u> 8 (28 April) ⁹		Ablabius 11.27.1 (13 May) Evagrius PPo ¹⁰ 14.8.1 (d 18 Sept. acc 6 Nov) Evagrius 16.8.1 (18 Oct)	Constantius 8.5.1 (22 Jan) acc. Caralis Constantius PPo ¹¹ 8.4.1 (28 April) Bassus 2.16.2 (d 25 Jun. pp Romae 7 Oct)
316	Petronius Annianus v.c. PPo <u>ILS</u> 8938 (before Sept)	Iulius Iulianus v.c. PPo <u>ILS</u> 8938 (before Sept)	Maximus p.v. 3.30.2 (5 Feb) 8.12.1 (20 Apr)		

⁸ Interestingly no papyri record him as PPo (see *CLRE*, 163), though this should not be counted against his being prefect during his consular year too much, as he is unlikely to have gained the office in any other capacity.

⁹ See T. D. BARNES, *New Empire*, 243, for the argument concerning the year.

¹⁰ Evagrius cannot be PPo at this date as Annianus and Iulianus known as the only two prefects from 314/5-318, but again the date need not be altered as Evagrius appears in the closely associated *CTh* 16.8.1 without the title. Still O. SEECK, *Regesten*, 187, wanted to emend to 339.

¹¹ Constantius was not a praetorian prefect at this time, because he would have appeared in the heading of the letter issued by the prefects preserved in Optatus *Appendix* 8 (also 28 April 315), if he had been.

Date					
317	Petron[ius Annianus] v.cl. P[Po] I. Ephesos 312 (after 1 Mar) Bassus I.16.2 (pp Carali 24 Sept)	Iu[lius Iulianus] v.em. P[Po] I.Ephesos 312 (after 1 Mar)			Bassus p.v. 9.10.2 (10 Mar)
318					
319	Bassus 9.12.1 (11 May) 4.9.1 (15 July)	Rufinus PPo 6.35.3 (27 April) ⁷ Rufinus PPo 5.2.1 (1 Dec) ⁷			Bassus p.v. ¹² 9.10.3 (pp Romae 6 Oct) 8.12.4 (7 Oct) 3.17.1 (13 Oct)
320	Bassus PPo CJ 7.57.7 (18 Mar) 16.2.3 (18 July) CJ 1.51.2 (18 Aug)				
321			Maximus p.v. ¹³ 1.4.1 (28 Sept)	Evagrius p.v. 7.20.7 ^{RWBS} (11 Aug) ¹⁴	Bassus p.v. 2.6.3 (19 May) 5.1.1 (20 May) 9.16.3 (23 May)
322			Maximus PPo ¹³ 9.38.1 (acc Romae 30 Oct)		
323					
324	Constantius PPo 15.14.1 ^S (16 Dec) ¹⁵				

¹² These probably belong either to Septimius Bassus, *praefectus urbi* 15 May 317-1 September 319 (in which case they were posted up only just after he left office), or a *vir perfectissimus*, rather than Iunius Bassus the PPO.

¹³ This law and *CTh* 9.38.1, which was actually received in Rome may more properly belong to Valerius Maximus Basilius the *praefectus urbi* 1 September 319-13 September 323, who had been sent *CTh* 1.4.1 on 28 September 321.

¹⁴ MSS have consular date 'CONSTANTIO A VI ET CONSTATE II CONSS' (AD 353), though this could quite easily have been incorrect editorial expansion from vestiges of the damned consuls of 321 in the East 'LICINIO A VI ET LICINIO C II CONSS'.

¹⁵ MSS have 'PP. XVII KAL. IUN.', but O. SEECK's emendation to PP. XVII KAL. IAN. seems

Date					
324/ 326	Fl. Con[stantius ? praef. praet. ?] <u>AE</u> 1989.750d (Nov 324-c.May 326)				
325	Constantius p.v. ¹⁶ 1.5.1 (29 Aug) Constantius PPO 12.1.11 + <u>CJ</u> 11.68.1 (7 Oct)	<i>Iulius Iulianus</i> cos (May-Dec) ¹⁷	Maximus p.v. 7.20.4 (pp Antiochiae 17 Jun) 12.1.10 (pp Antiochiae 11 Jul) Maximus PPO ¹⁸ 15.12.1 (pp. Beryto 1 Oct) Maximus vicarius Orientis 12.1.12 (26 Dec)		

inevitable here since the law concerns abolition of Licinius' acts and Licinius was not defeated till September 324.

¹⁶ Emendation of the address to AD CONSTANTIUM PPO seems reasonable.

¹⁷ T. D. BARNES, *New Empire*, 102, argues for identification of this consul with Iulius Iulianus, Licinius' praetorian prefect, whose nomen had been corrupted. However, more recent papyrological discoveries are making this seem increasingly unlikely; see *CLRE*, Critical Appendix on AD 325 and the entry for this year in Chapter 11 below.

¹⁸ He was *v. p. vicarius Orientis* at this point not PPO; see *CTh* 12.1.12 (26 December 325).

Date					
326	<i>Rufinus PPO</i> 13.3.2 (21 May) ¹⁹	<i>Acindynus PPO</i> 8.5.3 (15 Feb) ²⁰	Maximus p.v. 2.22.1 (30 Jan)	Evagrius 9.3.2 (3 Feb)	Bassus p.v. 2.10.4 (8 Mar)
	Constantius PPO 4.4.1 (22 Dec)	Ablabius PPO ²¹ 16.2.6 (1 Jun)	Maximus p.v. 9.19.2 (25 Mar)	Evagrius 9.7.2 (pp Nicomediae 25 Apr)	Bassus vicarius Italiae 9.8.1 (4 Apr)
		Ablabius PPO ²¹ 13.5.5 (18 Sept)	Maximus p.v. 9.1.5 (22 May)	Evagrius PPO ²² 12.1.13 (26 June)	Bassus 16.5.2 (25 Sept) ²³
				Evagrius PPO ²² CJ 2.19[20].11 (22 Sept)	

¹⁹ Consular date emended by O. SEECK, *Regesten*, 199 from MSS 'CONSTANTINO A VII ET CONSTANTIO C CONSS' (326) to CONSTANTIO A V ET CONSTANTIO C CONSS (352). This seems highly plausible, since a certain Vulcacius Rufinus is known to have been PPO under Constans and then Magnentius.

²⁰ Consular date emended by O. SEECK, *Regesten*, 199 from MSS 'CONSTANTINO A VII ET CONSTANTIO C CONSS' (326) to CONSTANTIO II ET CONSTANTE AA CONSS (339) the period in which Acindynus is known to have been PPO of Constantius.

²¹ Unlikely that Ablabius was PPO at this date, more probably received these as *vicarius Asianae* as he did the letter preserved in an inscription at Orcistus (*ILS* 6091) between 324 and 326.

²² Evagrius was more probably a vicar than prefect at this date.

²³ Given at Spoleto, it may belong to the *vicarius Italiae* of *CTh* 9.8.1 (4 April 326), though places of issue are no guide to the location of the recipient.

Date					
327	<p>Flavius Constantius PPo + cos <u>P.Oxy</u> 83 (16 Jan ?328)</p> <p>Fl. Constantius PPo + cos <u>Pack</u>² 2731 (24 Apr)</p> <p>Constantius PPo 2.24.2 (11 June)</p> <p>Fl. Constantius PPo + cos <u>P.Flor</u> 53 (24 Jun)</p> <p>Fl. Constantius PPo + cos <u>P.Harr</u> 215 (29 Oct/27 Nov) <u>P.Col</u> VII 178 (20 Dec)</p>		<p>Valerius Maximus PPo + cos <u>P.Oxy</u> 83 (16 Jan ?328)²⁴</p> <p>Maximus PPo 1.5.2 (21 Jan)</p> <p>Val. Maximus PPo + cos <u>Pack</u>² 2731 (24 Apr)</p> <p>Val. Maximus PPo + cos <u>P.Flor</u> 53 (24 Jun)</p> <p>Maximus PPo 1.4.2 (27 Sept)</p> <p>Val. Maximus PPo + cos <u>P.Harr</u> 215 (29 Oct/27 Nov) <u>P.Col</u> VII 178 (20 Dec)</p>		
328	<p>Aemilianus PPo 11.16.4 (9 May) lecta Rom.</p>		<p>Maximus 1.16.4 (29 Dec)</p> <p>Maximus PPo 7.20.5 (30 Dec)</p>		
330		<p>Ablabius PPo 16.8.2 (29 Nov)</p>			<p>Bassus p.v.²⁵ 2.26.2 (20 June) lecta apud Acta</p>

²⁴ The date so early in January makes the possibility that this is really a post-consulate quite high.

²⁵ Perhaps belonging to a vicar or someone else of the perfectissimate than to Bassus PPo.

Date					
330/1	Iu[nius Bassus] <u>AE</u> 1981.878	[Fl. Ablabius] <u>AE</u> 1981.878	Valerius Maximus <u>AE</u> 1981.878	Val? [Evagrius?] <u>AE</u> 1981.878	[Pap. Pacatianus?] <u>AE</u> 1981.878
331	Iunius Bassus PPo + consul <u>P.Stras</u> 43 (14 Jan) Bassus PPo 4.8.7 (28 Feb) Bassus PPo + cos <u>SB</u> 12335 (Mar-Apr) <u>P.Oxy</u> 3384 (14 Apr) Bassus PPo + cos <u>P.Oxy</u> 3195 (13/4 Jun) Bassus PPo + cos <u>P.Oxy</u> 990 (21 Aug) Bassus PPo 1.5.3 (20 Oct) Bassus PPo + cos <u>P.Panop</u> 30 (23 Oct) <u>P.Bad</u> 28 (29 Nov) <u>P.Oslo</u> 41 (2 Dec) <u>P.Lond</u> n.978 (6 Dec) <u>CPR</u> VII.36 (22 Dec)	Flavius Ablabius PPo + consul <u>P.Stras</u> 43 (14 Jan) Ablabius PPo + cos <u>SB</u> 12335 (Mar-Apr) <u>P.Oxy</u> 3384 (14 Apr) Ablabius 3.16.1 (...) 5.9.1 (17 Apr) Ablabius PPo + cos <u>P.Oxy</u> 3195 (13/4 Jun) Ablabius PPo + cos <u>P.Oxy</u> 990 (21 Aug) Ablabius PPo + cos <u>P.Panop</u> 30 (23 Oct) <u>P.Bad</u> 28 (29 Nov) <u>P.Oslo</u> 41 (2 Dec) <u>P.Lond</u> n.978 (6 Dec) <u>CPR</u> VII.36 (22 Dec)	Maximus PPo <u>CJ</u> 6.36.7 (May/Jun)	Evagrius 7.22.3 + 12.1.19 (4 Aug) Evagrius PPo 12.1.20 (12 Aug) ²⁶	

²⁶ Since it is undoubtedly an extract of the same constitution as the two above, the MSS 'PRID. ID. AUG.' in its subscription must be a slip for PRID. NON. AUG.

Date					
332	<p>Papius Pacatianus cos</p> <p>Pap. Pacatianus PPo + cos</p> <p><u>SB</u> 11711 (Jan-Feb)</p> <p><u>P. Panop</u> 22 (17 Mar)</p> <p>Pacatianus PPo 3.5.4 + 3.5.5 (12 Apr)</p> <p>Pacatianus PPo + cos</p> <p><u>P. Oxy</u> 3128 (29 Jun)</p> <p><u>P. Panop</u> 29 (1-24 Jul)</p> <p><u>P. Panop</u> 30 (5 Jul)</p>	<p>Ablabius PPo Athn. <u>Fest. Ep</u> 4.5 (at court c. January)</p>			
333		<p>Ablabius PPo 7.22.5 (13 Nov)</p>	<p>Maximus PPo 8.1.3 (5 May)</p>	<p>Felix 3.30.5 (18 Apr)</p> <p>Felix 1.32.1 (late Oct)</p>	
334	<p>Pacatianus PPo 14.4.1 (8 Mar) 10.15.2 (5 Jul)</p>			<p>Felix 13.4.1 (27 Aug) pp Karthagine 13.5.6 (7 Sept) pp Karthagine</p>	
335	<p>Pacatianus 8.9.1 (17 May)</p>			<p>Felix PPo 12.1.21 (4 Aug)</p>	
335/6	<p>Tiberianus PPo in Gaul (25 Jul 335-25 Jul 336) <u>Chron</u> 233^m336)</p>				

Date					
336	L. Pap. Pacatianus <u>AE</u> 1925.72 + 1985.823 (c.1 Mar)	Fl. Ablabius <u>AE</u> 1925.72 + 1985.823 (c.1 Mar)	C. Annius Tiberianus <u>AE</u> 1925.72 + 1985.823 (c.1 Mar) Tiberianus vic. Hispaniar. ²⁷ 3.5.6 (18 Apr) Acc. Hispalis	Val. Felix <u>AE</u> 1925.72 [erased] + 1985.823 (c.1 Mar) Felix PPo <u>Const.Sirmond</u> 4 (9 March) pp. Cartg. 16.8.5 + 16.9.1 (8 May) ²⁸ pp Carthagine <u>CJ</u> 4.62.4 (9 Mar) pp Karthagine Gregorius 4.6.3 (21 July) [lecta..] Carthag. ²⁹ Gregorius PPo 11.1.3 (9 Oct)	Nestorius Timonianus <u>AE</u> 1925.72 + 1985.823 (c.1 Mar) Evagrius PPo 12.1.22 (22 Aug)
336/7				Gregorius v.c. PPo 'macula Senatus et dedecus praefectorum': Optatus 3.3	
337	Fabius Titianus cos		Maximus PPo 13.4.2 (2 Aug)	Gregorius 3.1.2 (4 Feb) = <i>Frag. Vat.</i> 35	

²⁷ The title is probably correct as of the date of issue of the constitution, 15 July at Constantinople the previous year. By the time it was posted up in Seville Tiberianus had already become PPO.

²⁸ Given that the Theodosian texts are extracts from *Const. Sirmond.* 4, emendation from MSS 'PP. VIII ID. MAI.' to the latter's 'PP. VII ID. MAR.' seems best.

²⁹ The presence of 'LECTA' suggests that the subscription may originally have read 'L[ECTA APUD ACTA (followed by a date and then) PP.] CARTHAG.', indicating that it had been read to the Senate in Rome and then a copy subsequently posted up in Carthage.

Date					
337/8	Ablabius PPO Zos. 2.40.3 <u>Chron</u> 234 ^c				
338		Acindynus PPO 2.6.4 (27 Dec) dat et pp Antioch.		Celsinus PPO ³⁰ 10.10.4 (12 Jun)	Domitius Leontius PPO ³¹ 9.1.7 (18 Oct)
339	Ambrosius PPO Galliarum (c. 390 - 340) Paulinus <u>V. Ambr.</u> 2.3	Acindynus PPO 8.5.3 ^s (15 Feb)	Evagrius ³² 16.8.6 + 16.9.2 (13 Aug)	Celsinus carissimus nobis 12.1.27 (8 Jan)	Mecilius Hilarianus PPO ³³ 6.4.3 (Mar/Apr) 6.4.4 (28 Jun)

³⁰ Celsinus was in fact *proconsul Africae* at this time.

³¹ Since the prefects of the three Augusti of AD 338 can be said with some certainty to have been Acindynus, Ambrosius and Marcellinus, Leontius' title here must be a retrospective addition.

³² This need not be the same Evagrius as the PPO, though O. SEECK, *Regesten*, 187, added the title here.

³³ Hilarianus was rather PPO under Constantius II in the mid 350's, and O. SEECK, *Regesten*, 200, emends the year of *CTh* 6.4.3 and 6.4.4 to 354; see A. H. M. JONES, *Roman Economy*, 383 and 393. The dates however should be retained, but the address changed to read PV as Hilarianus was PVR from 13 January 338 to 14 July 339 *Chron. min.* (*Chron. min.* 1, 68).

Date					
340		Septimius Acindynus PPo + cos <u>P.Col</u> VII.148 (21 Mar) Acindynus PPo 9.3.3 (9 Apr) Sept. Acindynus PPo + cos <u>CPR</u> VII.16 (3 May) Sept. Acindynus PPo + cos <u>P.Col</u> VII.149 (15 Jun) <u>P.Vind.Sijp</u> 4 (29 Jun) <u>BGU</u> 21 (14 Aug) <u>P.Vind.Sijp</u> 5 (24/28 Aug)	Marcellinus 11.12.1 (29 Apr) Marcellinus PPo 6.22.3 (28 Jun)	Valerius Proculus cos <i>Philippus PPo</i> <i>11.30.2 (9 Jun)³⁴</i>	
341	Catullinus PPo 8.2.1 = 12.1.3 (24 Jun)		Antonius Marcellinus cos		
341/2	Fab. Titianus v.c. PPo <u>ILS</u> 8944	Dom. Leont[ius] v.c. PPo <u>ILS</u> 8944	Ant.Marcellinus v.c. PPo <u>ILS</u> 8944		
342		Leontius 11.36.6 (11 May) Leontius PPo 1.5.4 (30 July)	•	Catullinus PVR installed (6 Jul) Catullinus p.v. 16.10.3 ⁵ (1 Nov) ³⁵	
342/3	Fab. Titianus v.c. Vatin <u>Diss</u> (1965)	Dom. Leontius v.c. Vatin <u>Diss</u> (1965)	Furius Placidus v.c. Vatin <u>Diss</u> (1965)		

³⁴ Consular date emended by A. H. M. JONES, *Historia* 4 (1955), 229, to AD 347.

³⁵ The MSS have 346 but O. SEECK's emendation (*Regesten*, 191) to 342 seems safe seeing that Catullinus was only PVR between 6 July 342 and 11 April 344.

Date					
343	Titianus 12.1.36 (1 Jul)	Leontius PPO 12.1.35 + 7.22.4 ³⁶ (9 Jun) pp. Hierapoli	Furius Placidus cos Furius Placidus PPO + cos <u>P.Oxy</u> 3389 (14 Mar)		
344		Fl. Leontius PPO + cos ³⁷ Leontius PPO 13.4.3 (9 Jul) Domitius Leontius 7.9.2 ^M (11 Oct) ³⁸	Placidus PPO 12.1.37 (28 May)		

³⁶ *CTh* 7.22.4 bears the date 11 April 332 which must be wrong as since is patently an excerpt from the same constitution as *CTh* 12.1.35.

³⁷ He is recorded as PPO + COS by the formulas of *P.Abinn* 2 (though not PPO in 59 as *PLRE* 1 Leontius 20) and *P.Princ* 81 = 181, neither of which have diurnal dates.

³⁸ MSS read 'DAT. V. ID. OCT. CONSSS', which O. SEECK, *Regesten*, 188, and A. H. M. JONES, *Roman Economy*, 377, take this to be a contraction of CONS S(UPRA) S(CRIPTIS) and so refer to the consuls of the preceding law (*CTh* 7.9.1) Acindynus and Proculus (AD 340). However, John MARTINDALE's interpretation in *PLRE* 1 Leontius 4, CONS S(UPRA) S(CRIPTO)—which would then refer the law to Leontius' own consulship in 344—, seems equally as convincing and even preferable, since Acindynus was probably in office till the end of 340.

Appendix 2

Inscriptions Relevant to the Praetorian Prefecture

Since the inscriptions form the single most important category of evidence for this discussion, but are, at the same time, much more inconvenient to locate for reference, being dispersed between many publications, it seemed wise to present them together. Those collected here are those pertinent specifically to the discussion of the size and personnel of the college of prefects from Diocletian's accession in 284 to the early post-Constantinian period. Only the references to the publications where the inscriptions can be most readily found are given. An indication is also given in cases where a photograph has been published.

- (1) *ILS* 8929 Oescus, Moesia. Date: 285-31 December 291 at the outside, though as Diocletian is only Germanicus Maximus (285; see T. D. BARNES, *New Empire*, 255) and there is not much space for a possible *trib. pot.* number, it may be earlier rather than later. Hannibalianus and Asclepiodotus were consuls in 292, and thence *viri clarissimi*.

IMP CAES C AVREL
VAL DIOCLETIANO
P F INV AVG PON[T]
MAX GERMANICO
5 MAX TRIB POTEST
P P PROCOS
AFRANIVS HANNI-
BALIANVS IVL AS-
CLEPIODOTVS V[V]
10 EEMM PRAE[FF PRAET]
D N [MQ E]

- (2) *CIL* vi 1125 = *ILS* 619 Forum Romanum, Rome, now in the Museo Vaticano. Date: in or after Maximian's fourth consulship (293) and before his fifth (297).

MAGNO ET INVICTO AC
SVPER OMNES RETRO
PRINCIPES FORTISSIMO
IMP CAES M AVR VALERIO
5 MAXIMIANO PIO FEL
INVICTO AVG COS IIII
P P PROCOS
SEPTIMIVS VALENTIO V P
A V PRAEFF PRAETT CC VV
10 D N MQ EIVS

- (3) *AE* 1987.456 Brixia, Italy, Regio X. Date: under the First Tetrarchy, 1 March 293-1 May 305. Photo: ALBERTINI, *Commentari dell'Ateneo di Brescia* (1986), 3-16.

[F]LAVIO V[AL]
 CONSTAN[TIO]
 FORTISSIM[O AC]
 NOBILISS CA[ES]
 5 [I]VL ASCLEPIO[DOTVS]
 V C ET AVR HER[MO-]
 [G]ENIANVS V [EM]
 PRAEFF PRAE[T]
 D N MQ EIVS

- (4) *CIL* vi 36947 Forum Romanum, from in front of the Curia. Statue base dedicated to Maximian Herculius. Date: c. 286-305. The names of the pair of prefects would appear to have been deliberately erased.

PROPAGATORI ROMANI [IMP]
 [OM]NIVM VIRTVTVM
 [COMPO]TI D N M AVREL
 [VALER]IO MAXIMIANO
 5 [P] FE[L]ICI SEMPER
 [AVGV]STO
 ::::: NVS ET :::::
 ::::: MVS VV EE
 10 ~~PRAEFF~~ DEVOTI N MQ
 EIVS

- (5) *AE* 1942/43.81 Ain-Naimia, Numidia. Date: 303 (Diocletianus VIII et Maximianus VII AA. cons).

IMPP DD NN DIOCLETIANO ET MAXIMIANO AETERNIS AVGG ET
 CONSTANTIO ET MAXIMIANO FORTISSIMIS CAESARIBVS PRINCIPIB
 IVVENTVTIS CENTENARIVM QVOD AQVA VIVA APPELLATVR EX PRAECEPTO
 VAL ALEXANDRI V P AGENT VIC PRAEFF PRAET ET VAL FLORI V P P P N A SOLO
 5 FABRICATVM CVRANTE VAL INGENVO PRAEP LIMITIS DEDICATVM
 DD NN DIOCLETIANO VIII ET MAXIMIANO VII AVGG CONSS

- (6) *CIL* XIV 4455 = *AE* 1903.11 Ostia, from near the Temple of Roma et Augustus in the Forum. Date: sometime in the late 290's/early 300's?, at the latest probably before 306/7. Photo: CHASTAGNOL, *L'Italie et l'Afrique*, 328.

MANILIO RVS[TICIANO]
 PRAEF ANN A V PRA[EFF PRAETORIO]
 EEMM VV CVRATO[RI ET P]ATRONO
 SPLENDIDISSIME COL OS[T] OB EIVS FIDEM AC
 5 MERIT¹ ERGA REM P[V]BLICAM ORDO
 ET POPVLVS OSTIENSIVM QVO CIVITAS
 TITVLIS ADMINISTRA[TI]ONIS EIVS
 FIERET INLVSTR[IOR ?]DECREVIT ADQ
 CONST[ITV]IT

¹ for *merit(a)*

- (7) *CIL* III 12326 = *ILS* 665 Heraclea-Perinthus, Thrace. Dedication by a *vir eminentissimus* praetorian prefect on behalf of Maximinus as Caesar, perhaps Tattius Andronicus who was consul in 310. Date: 1 May 305-1 Jan 310. For explanation of the reconstruction offered here see discussion of Andronicus' prefecture in Chapter 9.

DIIS AVCTORIBVS AD REI PVBLICAE GLORIAM PROCREATO PI[ISSIMO DOMINO]
NOSTRO IOVIO MAXIM<IN>O [DIOCLETIANI PATRIS AVGG NEPO-]
TI NOBILISSIMO CAESARI [TATIVS ANDRONIC?]VS V EM PRAEF PRAETOR

- (8) *CIL* VI 36949 = *ILS* 8934 + A. CHASTAGNOL, *L'Italie et l'Afrique*, 335 Rome, from the Forum Romanum. Date: sometime under Maxentius probably between 27 Oct 306-311, when Rufius Volusianus was appointed praetorian prefect. Photos: CHASTAGNOL, op. cit., 329 & 330.

DOMINO NOSTRO
CLEMENTISSIMO
ET PISSIMO
MAXENTIO
5 INVICTO
ET PROVIDENTISS
SEMPER AVG
MANIL RVSTICIANVS
V EM PRAEF PRAET
10 DEVOTVS N MQ E

- (9) S. PANCIERA in M. CHRISTOL et al. (edd.), *Institutions, société et vie politique*, 253 + A. CHASTAGNOL, *Latomus* 53 (1993), 856-58 Rome, from the Forum Romanum. Date: during the period when Maxentius was *cos. II, cos. III designatus*, i.e.? latter half of 310. Photos: PANCIERA, op. cit., Plate 12.

[DO]MINO NOSTRO
[IMP]ERATORI CAESARI
[MARC]O AVRELIO VALERIO
[MAXE]NTIO PIO FELICI
5 [IN]VICTO AVGVSTO
[CONSVLI] SAEPIVS P P PROCONSVLI
[MANILI]VS RVSTICIANVS V EM
[PR PRAE]T N M Q EIVS SEMPER
[D]ICATISSIMVS

- (10) *CIL* III 13734 = *AE* 1894.111 = *ILS* 8938 Tropaeum Traiani, Scythia Minor. Date: between 1 January 314 (Annianus' consulship) and late 316 (outbreak of civil war with Licinius).

ROMANAE SECVRITATIS LIBERTATISQ VINDICIBVS
DD NN FL VAL CONSTANTINO ET V[AL LICINIANO LICINIO]
PIIS FELICIBVS AETERNIS AVGG
QVORVM VIRTUTE AC PROVIDENTIA EDOMITIS
VBIQVE BARBARARVM GENTIVM POPVLIS
5 AD CONFIRMANDAM LIMITIS TVTELAM ETIAM
TROPEENSIVM CIVITAS AVSPICATO A FVNDAMENTIS
FELICITER OPERE CONSTRVCTA EST
PETR ANNIANVS V C ET IVL IVLIANVS V EM PRAEFF PRAET
NVMINI EORVM SEMPER DICATISSIMI

- (11) *AE* 1938.85 = *I.Ephesos* 312 Ephesus area, now in the Selçuk Müzesi. Originally dedicated to Crispus Caesar. Date: 1 March 317-summer 318 (appointment of Iunius Bassus as praetorian prefect). Dedication altered to Constantius Caesar in 326.

[D]OCT[RINA AEQVITA-?]
 [T]E IVDIC[IO REI PV-]
 [B]L[I]CAE REC[TORI]
 [F]L IVL _CON[STANTIO] NOB]
 5 CAESARI
 PETRON|IVS ANNIANVS|
 V CL ET IV|L IVLIANVS|
 V EM PRAE|FF PRAET _NV-|
 10 MINI EIVS_ SEMPE|R DICA-|
 TISSIMI

- (12) *CIL* II 2203 Corduba, Baetica. Dedication to *Constantinus maximus*. Date: c. 313/315-324.

D N IMP CAES
 FLAV [VAL] CONSTANTINO MAX
 PIO FELICI AETERNO AVG
 Q AECLANIVS HERMIAS V P
 5 A V PRAEFF PRAET ET
 IVDEX SACRARVM
 COGNITIONVM
 NVMINI MAIESTATI Q
 EIVS SEMPER
 10 DICATISSIMVS

- (13) *CIL* III 6751 Ancyra, Galatia. Dedication to *Constantinus maximus victor*. Date: November 324/328?

[C]LEME[N]TISSIMO ADQV-
 E PERPETVO IMPERATORE
 D N CO[NSTANTI]NO
 MAXI[MO] VICTORI SEM-
 5 [P]ER A|VG| FL CONSTANTIVS
 V C PRAEFECTVS PRAETORII
 PIETATI EIVS SEMPER
 DICATIS[SIM]V[S]

- (14) *AE* 1989.750d = H. I. MACADAM, *ZPE* 79 (1989), 168-9 Ayla-Aelana, Palestina. Records building restoration possibly in the name of Constantine and sons by order of the praetorian prefect Fl. Constantius. Date: Nov 324-c. May 326. Drawing: MACADAM, op. cit., 166.

[D]D D D N N N N IMP CAES FL VAL CONSTANTII]NVS SEMPER[AVGVSTVS]
 [PONTIFEX MAX PATER PATRIAE ET] [REDACTED] [VS FL CL CONST-]
 [ANTINVS FL IVL CONSTANTIVS NO]BILISS CAESS FL CON[STANTIO ?]
 [V C PRAEF PRAET INSTANTE? PERFICI? REFICI?] Q IVSS[ERVNT. .]
 |--- ---DE]DICA[V[IT]

- (15) *AE* 1981.878 (+ A. CHASTAGNOL, *Africa romana* 3, 268-270 + suggestions of E. V. THOMAS) Ain-Rhine, Africa Proconsularis. Dedication to triumphal arch, during Domitius Zenophilus' proconsulate from spring/summer 330-spring/summer 331; Constans Caesar added after 25 December 333. Photos: N. FERCHIOU, *Echanges* 2 (1980) 307-312 + *Antiquités africaines* 15 (1980), 249-251.

1 |DDD NNN FL VAL CONSTANTINVS MAX VICTOR SEMPER AVG ET FL CL CONSTANTINVS ET FL IVL CONSTANTIVS
 NOB|ILISSIMI CAESARES [ET FL CONST]ANS NOB CAES
 2 |--- ---]IS SVI CONSI]LI?--]INO[.....]VNO[...JA VTRIVSQVE F]ORI AD PV]L]CHIRI]OREM] FACIEM
 3 |]VI]AMQVE PORT]ICATAM?----]IBRI]----]PREFECTVRA PRAETO]RI]O VALERI MAXIMI IV[NI BASSI]
 4 |]F]L ABLABI VAL]EVAGRI PAP PACATIANI?]CCCC EF]I[LVS]TRIVM VVVV]V PER INSTANTI]AM
 DOMITI ZENOFILI V C PROCONSVLIS INCHOANT]E]
 5 NOVAM[...]VI[...]IO[...]VO[--- ---]IANO[--- ---]D] D P P

- (16) *CIL* VIII 24521 Carthage, Africa Proconsularis. Commemoration of temple restoration carried out, I suggest, by the proconsul's own son (name lost) as *legatus Carthaginensis*. Date: sometime during Valerius Proculus' proconsulate, spring/summer 331-spring/summer 332.

[M]ATRI DEVM MAGNAE IDEAE ET] ATTI
 [L ARADIVS VALERIVS PROCVLVS V C AVGV]R] PONT MAI XV S F
 [PONT FLAV PRAETOR TVTELARIS LEGATO] PRO PRAET PROV NV]MID
 [PERAEQVATOR CENS P]ROV GALLAE]C P]RAES PROV BIZAC CONVLAR
 5 [PROV EVROP CONSVLA]R PROV THRAC CONSVLAR PROV SICIL COM
 [ORDINIS PRIMI ITE]M PROCONS PROV AFR AGENS IVDICIO SACRO
 [PE]R PROVINCIAS AFRICANA[S]
 [PORTICVM TEMPLI? AB VT]ROQ LATERE [R]ESTITVIT D:~~XXXXXXXXXXXX~~?
 [CVRANTE?--- ---?PRO]C FILIO]LEG KARTH]AGINIE]NS]

- (17) *CIL* VI 1704 = *ILS* 1214 Rome, from the foot of the Quirinal. Date: sometime before Saturninus was made praetorian prefect c. 332? Photo: A. E. GORDON, *Introduction to Latin Epigraphy*, Plate 56.

DOGMATII
 HONORI
 C CAELIO SATVRNINO V C
 ALLECTO PETITV SENATVS INTER
 5 CONSVLARES COMITI D N CONSTANTINI
 VICTORIS AVG VICARIO PRAEFECTVRAE
 VRBIS IVDICI SACRARVM COG VICARIO
 PRAEFF PRAETORIO BIS IN VRBE ROMA
 ET PER MYSIAS EXAMINATORI PER ITA-
 10 LIAM PRAEFECTO ANNONE VRBIS RATIO-
 NALI PRIVATE VICARIO SVMMAE REI
 RATIONVM RATIONALI VICARIO PER
 GALLIAS MAGISTRO CENSVM VICARIO
 A CONSILIIS SACRIS MAGISTRO STV-
 15 DIORVM MAGISTRO LIBELLORVM DVCE-
 NARIO A CONSILIIS SEXAG A CONSILIIS
 SACRIS SEXAG STVDIORVM ADIVTORI
 FISCO ADVOCATO PER ITALIAM
 C FL CAELIVS VRBANVS V C
 CONSVLARIS PATRI

- (18) *CIL* vi 1705 = *ILS* 1215 Rome, again from the foot of the Quirinal. Date: probably at sometime during his period as praetorian prefect c. 332-335/6.

C CAELIO SATVRNINO V C
 PRAEFECTO PRAETORIO
 C CAELIVS VRBANVS V C
 CONSVLARIS
 5 PATRI POSVIT

- (19) *AE* 1925.72 = *ILT* 814 + *AE* 1985.869 Tubernuc, Africa Proconsularis. Erected in connection with Constantinus' vicennalia from 1 March 336.

VIRTUTE CLEMENTIA M[EMOR]ANDO PIE-
 TATE OMNES A[NTE]CELLENTI] D N FL CLAV-
 DIO CONSTA[N]T[INO IV]NIORI
 ὙΑΥΓ

- 5 L PAP PACATIANVS FL ABLABIVS [[VAL]
 [[FELIX]] C ANNIVS TIBERIANVS NES-
 [TO]RI[V]S TIMONIANVS VIRI CLA-
 [RISSIMI P]RAEFECTI PRAETORIO

- (20) *AE* 1985.823 Antioch, Syria. Parallel inscription to the above. Date: c. 1 March 336. Photo: D. FEISSEL, *T&MByz* 9 (1985), Plate 1, Figure 1.

TON ΔΕCΠΟΤΗΝ ΗΜΩΝ ΦΛ ΚΑ
 ΚΩΝCΤΑΝΤΕΙΝΟΝ ΤΟΝ ΑΝΔΡΙΟΤΑΤΟΝ
 ΚΑΙ ΕΠΙΦΑΝΕCΤΑΤΟΝ ΚΑΙCΑΡΑ ♠ ΠΑΠ
 ΠΑΚΑΤΙΑΝΟC ΦΛ ΑΒΛΑΒΙΟC ΟΥΑΔ ΦΗΛΙ[Ξ]
 5 ΑΝΝ ΤΙΒΕΡΙΑΝΟC ΚΑΙ ΝΕC ΤΙΜΩΝΙΑΝΟC ΟΙ Δ|ΑΜ|
 [ΕΠ]ΑΡΧΟΙ

- (21) *CIL* vi 1690 = *ILS* 1240 Rome. Statue base erected in or after 340, and before 351 (Proculus PVR II). Photo: A. CHASTAGNOL, *L'Italie et l'Afrique*, 227.

POPVLONII
 L ARADIO VAL PROCVLO V C
 AVGVRI
 5 PONTIFICI MAIORI
 QVINDECIMVIRO SACRIS FACIVNDIS
 PONTIFICI FLAVIALI
 PRAETORI TVTELARIO
 LEGATO PRO PRAETORE PROVINCIAE NVMDIAE
 PERAEQVATORI CENSVS PROVIN-
 10 CIAE CALLECIAE PRAESIDI PROVIN-
 CIAE BYZACENAE CONSVLARI PROV
 EVROPAE ET THIRACIAE
 CONSVLARI PROVINCIAE SICILIAE
 COMITI ORDINIS SECVNDI
 COMITI ORDINIS PRIMI
 15 PROCONSVLI PROVINCIAE AFRICAE VICE
 SACRA IVDICANTI EIDEMQ IVDICIO SACRO
 PER PROVINCIAS PROCONSVLAREM ET
 NVMDIAM BYZACIVM AC TRIPOLIM
 ITEMQVE MAVRETANIAM SITIFENSEM ET

- (22) *CIL* vi 1691 Rome. Parallel to No 18 (but more careless, e.g. *l.5 tutelario* for *tutelari*) by Puteoli to Proculus as their patron.

POPVLONII
 L ARADIO VALERIO PROCVLO V C
 AVGVRI PONTIFICI MAIORI XV VIR SAC
 FACIVNDIS PONTIF. FLABIALI PRAEFORI
 TVTELARIO LEGATO PRO PRAETORE PROV
 NUMIDIAE PERAEQVATORI CENSVS PRO-
 VINCIAE CALLECIAE PRAESIDI PROVIN-
 CIAE BYZACENAE CONSVLARI PROV EV-
 10 ROPAE ET THIRACIAE CONSVLARI PROV
 SICILIAE COMITI ORDINIS SECVNDI
 COMITI ORDINIS PRIMI PROCOS PROV
 AFRICAE VICE SACRA IVDICANTI EIDE[M]
 QVE IVDICIO SACRO PER PROVINCIAS
 PROCONSVLAREM ET NVMDIAM BY-
 ZACIVM AC TRIPOLIM ITEMQVE MAV-
 15 RETANIAM SITIFENSEM ET CAESA-
 RIENSEM PERFVNCTO OFFICIO PRAEF
 PRAETORIO COMITI ITERVM ORD-
 INIS PRIMI INTRA PALATIVM PRAEF

- 20 CAESARIENSEM
PERFVNCTO OFFICIO PRAEFECTVRAE PRAETORIO
COMITI ITERVM ORDINIS PRIMI INTRA PALATIVM
PRAEFECTO VRBI VICE SACRA ITERVM IVDICANTI
CONSVLI ORDINARIO
- 25 HVIC CORPVS SVARIORVM ET CONFECTVRARIORVM
AVCTORIBVS PATRONIS EX AFFECTV EIDEM IVRE DEBITO
STATVAM PATRONO DIGNO PONENDAM CENSVIT
- VRBI VICE SACRA ITERVM IVDICAN-
TI CONSVLI ORDINARIO
VIRI PERFECTISSIMI ET PRIN-
CIPALES ET SPLENDIDISSIMVS OR-
DO ET POPVLVS PVTEOLANORVM
PATRONO DIGNISSIMO
CVRANTE SEPT CARITONE V P

- (23) *CIL* III 12330 = *ILS* 8944 Traiana Augusta, Thrace. Dedication in somewhat incompetent Latin to Constans Augustus, originally one of a pair to himself and Constantius. Date: late 341-342.

- [P]ACIFICO PISSIMO[Q]VE [P]RI|NCIPI|I
D N FL CL CONSTANTI VICTOR|I|
[E]T [T]RIVMFATORI [P]ERPETVO AV|G|
ANT MARCELLINVS FD¹ DOM LEONTIN|S|²
5 [E]T FAB TITIANVS VV CC PRAEEE³ PRAET
N MO⁴ EORVM SEMPER DEVCTISSIM|I|⁵
[P]ROCVRANTE PALLADIO V P PRAESI|DE|
[P]ROVINCIAE THRACIAE
⚭ CONSECRAVERVNT ⚭
- ¹ for *et*
² for *Leontius*
³ for *praeff.*
⁴ for *m(aiestati)q(ue)*
⁵ for *devotissimi*

- (24) *CIL* X 1700 = *ILS* 1231 Puteoli, Campania. Dedication to Furius Placidus as the patron of the *Regio Palatina*. Date: in or soon after 343 when Placidus was consul.

- M MAECIO MEMMIO FVRIO BABVRIO
CAECILIANO PLACIDO C V
PONTIFICI MAIORI AVGVRI PV-
BLICO P R QVIRITVM QVINDECIM-
5 VIRO SACRIS FACIVNDIS CORREC-
TORI VENETIARVM ET HISTRIAE
PRAEFECTO ANNONAE VRBIS
SACRAE CVM IVRE GLADII COMITI
ORDINIS PRIMI COMITI ORIENTIS
10 AEGYPTI ET MESOPOTAMIAE IVDI-
CI SACRARVM COGNITIONVM
TERTIO¹ IVDICI ITERVM EX DE-
LEGATIONIBVS SACRIS PRAE-
FECTO PRAETORIO ET IVDICI
15 SACRARVM COGNITIONVM
TERTIO CONSVLI ORDINARIO
PATRONO PRESTANTISSIMO
REGIO PALATINA
POSVIT
- ¹ to be ignored as a mistake of the carver due to the recurrence of the phrase below. This was his first time as *iudex sacrarum cognitionum*.

- (25) *CIL* III 167 + p.971 = *ILS* 1234 Berytus, Syria-Phoenice. Base for honorific statue, dedicated by the decurions of Beirut (his *patria*?). Date: in or very soon after 344 when Domitius Leontius was consul.

LEONTIO [V C PRAEFECT]O
PRAETORIO ADQVE O[RD]INARIO CONSVLI
PROVOCANTIBVS EIVS MERITIS QVAE PER

5 SINGVLOS HONORVM GRADOS AD HOS
 [E]VM DIGNITATVM APICES PROVEXERVNT
 DECRETIS PROVINCIAE PHOENICES SENTEN-
 TIA DIVINA FIRMATI DD NN CONSTANTI ET
 CONSTANTIS AETERNORVM PRINCI-
 PVM ORDO BERYTIORVM STATVAM
 10 SVMPTIBVS SVIS E]X] AERE LOCATAM
 CIVILI HABITO DEDICAVIT

(26) *CIL* vi 1693 = *ILS* 1241 The Caelian, Rome. Date during or after Valerius Proculus' second tenure of the urban prefecture (18 December 351-9 September 352).

HIC BIS PRAEFECTVS PATRIAE
 PRAEFECTVS ET IDEM
 HIC LIBYAE IDEM LIBYAE
 PROCONSVL ET ANTE
 5 TER VICE QVI SACRA
 DISCINXIT IVRGIA IVDEX
 CONSVL ET AETERNO
 DECORAVIT NOMINE FASTOS
 CETERA QVID MEMOREM
 10 TANTO SVB IVDICE GESTA
 CVM PROCVLVM VIDEAS
 TOTO QVI NATVS HONORI EST?
 COLLEGIVM SVARIORVM PATRONO
 PRESTANTISSIMO

(27) *AE* 1964.203 = *AE* 1975.370 Aqua Viva, Etruria. Statue base for the son of Iunius Bassus, praetorian prefect 318-332, dated 18 July 364. Photos: G. di VITA-EVRARD, *MEFR* 74 (1962), 611 and 615.

Front face:

THEOTECNII BASSI
 IVNIO BASSO V C
 COMITI ORDINIS
 PRIMI VICARIO
 5 VRBIS ROMAE
 PRAEFECTO VRBI
 IVDICI SACRARVM
 COGNITIONVM
 FILIO IVNI BASSI V C
 10 PRAEFECTI PRAETO-
 RIO PER ANNOS
 XIII ET CONSV-
 LIS ORDINARI

Side face:

DEDICATA
 XV KAL AVG
 DIVO IOVIANO
 ET VARRONIA-
 NO CONSS

Part Three

THE CONSULSHIP

The Consuls, 260-360

1. *Significance*

‘Inspection of the Fasti in any age can lend sudden illumination to history, even from bare names—if due regard is paid to the limits of method and guesswork. Best if a long tract be put under scrutiny. If not, benefit may still accrue from a section that is short and sharply defined, where no names are missing or persons conjectured.’¹

The supreme magistracy of the Roman Republic had been emasculated ever since Augustus took the decision to justify his power in terms other than repeated tenures of the consulship. While retaining the reality of power himself, he appointed others to the annual chief magistracy of the Roman state. On entering office every 1 January the two new consuls no longer inherited the power of executive decision making but were rather committing themselves to the costly expense of putting on public games. Nevertheless the consulship retained enormous prestige.²

While the consuls themselves were deprived of executive power, the arrangements concerning provincial government arrived at in 27 BC ensured that the magistracy remained an essential part of the upper stages of the career of any senator involved in the government of the Roman Empire. For the Augustan settlement meant that the consulship became a necessary qualification for appointment to the posts of greater responsibility within the imperial government. By reserving most of the high offices of state to the senatorial aristocracy, including the newly created urban prefecture, Augustus ensured that the traditional public career retained its attraction. To this end, Augustus in 5 BC also introduced the system of suffect consulships, whereby a sufficient number of new consuls were produced each year to maintain the supply of ex-consuls (*consulares*) to the various positions designated as consular.³ While the suffect consuls were in no way inferior in

¹ R. SYME, "The Early Tiberian Consuls", *Roman Papers* III.94, 1350.

² Once the actual heads of state, they now no longer even took effective responsibility for the municipal government of the city of Rome, in which they were replaced by a nominee of the emperor, the *praefectus urbi Romae* (PVR).

³ Cassius Dio, 53.11-15 describes the arrangements of 27 BC in detail. For modern discussion, see F. G. B. MILLAR, "Triumvirate and Principate", *JRS* 63 (1973), 50-67. The whole government of the Empire was still in legal fiction subordinated to the magistrates of the *Res Publica*, while the

legal status, it was the ordinary consuls alone who gave their names to the year, and were thus used consistently as the official dating system of Roman government throughout the Empire.⁴ This meant that the ordinary consulship (that entered on the 1 January) retained its prestige. Indeed, far from being devalued by the addition of suffect consuls, as is sometimes argued, it retained its prestige because only appointment to the ordinary consulship guaranteed immortality for the individual. The importance of this factor should not be underestimated.

Given the intrinsic value of the consulship, from the time of Augustus onwards the selection of the consuls for each year was reserved to the patronage of the emperor. Thus, although the emperor might be bound to respect certain agreed norms in conducting the selection of consuls, the consular pair of any given year reflects the personal favour of the emperor responsible for their nomination. It is thus axiomatic that establishing the identity of the consuls of a given year is central to determining the general politics of the relevant regime.

It is thus, with regard the wise words of Sir Ronald Syme, quoted above, that a study of the consuls of the hundred-and-one years from AD 260 to 360 has been undertaken. The conclusions of the notices for individual years form the basis of the closer analysis, in which the century is broken down into smaller periods, offered in Chapter 12. Much work has already been done to establish the correct form of the consular fasti and the identity of the individuals who gained the honour of the consulship. Here the intention is neither to add anything of substance to the consular fasti, as they are at present established, nor to provide exhaustive biographies for each individual consul.⁵ Rather the intention is to

emperors continued to justify their power in terms of the *imperium* of those magistracies and govern their provinces by the system of *legati* inherited from the Late Republic.

⁴ The suffect consuls were also used for dating some documents until the third century, but the usage was never widespread or universal (see W. ECK, "Consules ordinarii und Consules suffecti als eponyme Amsträger", *Actes. .Degrassi*, 15-44). A local provincial era was also commonly used, but in the first three centuries AD the only system of dating common to the whole Empire was that by the annual ordinary consuls. As the use of the fifteen-year indiction cycle as a dating system proliferated, so the annual consulate was weakened as an immediate dating formula. It was no longer necessary to use the latest consuls; a post consular date would suffice (cf. R. S. BAGNALL & K. A. WÖRPER, *Chronological Systems of Byzantine Egypt*, and BAGNALL, "Chronological Notes on Byzantine Documents, IV", *BASP* 17 (1980), 5-18 and *CLRE*, 26-29). However the consulate still remained vital as the only universal system for long term dating.

⁵ For the most recent list covering 260-360, see *PLRE* 1, 1041-1044, and for 284-360, see *CLRE*.

produce an updated overview of the consulship from AD 260 to 360 by focusing on the consuls as pairs. For it is the case that by the end of this period the ordinary consulship no longer had a role to play as a necessary qualification for holding higher government positions. Rather it had become an honour, pure and simple. Furthermore, by the 380s the precedence of one consul over the other within each annual pair had become an issue decided by the relative importance of the current government posts held. The criteria determining this precedence became an issue of sufficient importance to attract the attention of imperial constitutions.⁶ This legislation to determine an agreed consular formula is a clear indication of the extent of transformation that the consulship had undergone. It is a stark contrast with the situation that clearly still pertained as late as AD 289, whereby, if both individuals were of broadly equal status, there was no concept of a correct order of precedence between the consuls.⁷ As with the history of the praetorian prefecture, the reign of Constantine clearly marks a period of profound transformation in this respect. Constantine's creation of a new personal honour of *patricius*, which thereby implied that the old hereditary patriciate (to which special privileges in access to public office had previously attached) was now defunct, is alone sign enough of a great upheaval in the traditional social order. Once again the paucity of and difficulties surrounding our sources for his reign have made precise description of the nature of Constantine's policy towards the Roman senate and the senatorial order extremely difficult and a matter of some scholarly debate.⁸ André Chastagnol considers a reform of the relationship between the

102-255. The latter, although criticised by R. W. BURGESS, "Consuls and Consular Dating in the Later Roman Empire", *Phoenix* 63 (1989) 143-157, can be relied upon in this period for their names at least (*ibid.*, 149). Above all see the studies of M. CHRISTOL, *Essai*, 97-301, (consuls of 250-301) and T. D. BARNES, *New Empire*, 91-109, (consuls of 284-337). For complete biographies of individual consuls see *PIR*, *RE* & *PLRE* 1.

⁶ The earliest surviving being *CTh* 6.6.1 issued by Gratian to the prefect of Rome on 1 April 382. Cf. R. DELMAIRE, "Les dignitaires laïcs au Concile de Chalcedoine", *Byzantion* 54 (1984), 141-175; R. W. MATHISEN, "Emperors, Consuls and Patricians: Some Problems of Personal Preference, Precedence and Protocol", *BF* 17 (1991), 174f.

⁷ The extent of attested variation in the formula of the consular formula in the first three centuries AD is something at which the apparatus of A. DEGRASSI's, *Fasti consolari* does not hint.

⁸ C. LÉCRIVAIN, *Le sénat romain depuis Dioclétien à Rome et à Constantinople*, 16-23; A. CHASTAGNOL, "Les modes du recrutement du sénat", *Recherches sur les structures sociales*, 187-206, *idem*, "Constantin et le Sénat", *Accademia romanistica costantiniana* 2, 51-69, *idem*, "L'«adlectio inter consulares»", *Sodalitas* 1, 393f, 401, *idem*, *Le sénat romain*, 233-291; H.

ordinary and suffect consulship (which nevertheless continued to exist into the late fourth century) c. AD 315 as the most significant change.⁹ It is particularly in clarifying the nature of the transformation under Constantine, which was indeed intimately bound up with the fate of the suffect consulship, that this study of the consulship aims to be an advance on past scholarship.

To this end, each notice is dedicated to establishing the context of the consulship in relation to the individual consuls' careers up to that date. Reference to future stages of their careers is restricted to positions and honours to which they might reasonably already have been designated at the time of the consulate. In other words, the intention is to look at the consulship in the light in which it would have been seen at the time. This limitation is imposed in order to clarify the reasons for which an individual attained the consulship.

The one aspect of the ordinary consulate that needs to be constantly borne in mind is that, even while possession of the consulship was itself the basis for social distinction, the consuls' relationship vis-à-vis each other was equally determined by their position within the hierarchy of status. In turn social status is fundamentally determined by the distribution of power in society whether among groups or individuals. I say 'fundamentally determined' because historical tradition is a strong element in determining social status at any one moment. To this end, attention will be paid to the classification of the consuls according to the type of career they have pursued up to the consulship; the basic dichotomy being between

- (a) those who become consul as part of a traditional senatorial career, which was focused on the performance of the successive public magistracies (i.e. of the city of Rome, e.g., *quaestura*, *tribunatus*, *praetura*, *consulatus*), interspersed with provincial proconsular commands and imperial governorships. Such individuals were members of the traditional hereditary aristocracy of the empire, who might either have been born into the *ordo senatorius*, perhaps as the descendant of a

LÖHKEN, *Ordines dignitatum*, 121ff; P. GARBARINO, *Ricerche sulla procedura di ammissione al senato*, 39ff and S. GIGLIO, *Il tardo impero d'Occidente e il suo senato*, 18-27, with the review article by I. de FALCO, "Studi sul tardo «senatus» occidentale ed orientale", *Labeo* 37 (1991), 365-382.

⁹ A. CHASTAGNOL, "Observations sur le consulat suffect et la préture du Bas-Empire", *L'Italie et l'Afrique*, 83-115 and *Le sénat romain*, 247

previous consul (the noble), or have sought the *latus clavus*, and entering the senate as a junior magistrate or by adlection to a specific magisterial grade previous to their consulship (the traditional senator). Those who fall into these categories I shall include under the heading of senatorial aristocrat. An individual's enjoyment of a suffect consulship¹⁰ and performance of proconsular commands and/or senatorial governorships within Italy¹¹ can be considered as particular indications of membership of this category.

and (b) those originating outside the hereditary aristocracy and often pursuing equestrian careers who might nevertheless, in the age of Constantine, have already gained senatorial status (the *clarissimus*) attendant upon appointment as a palatine official or high military officer, before achieving the consulship.¹² In this case the consulship would still have been their first experience of a public magistracy.

The aim of the succeeding study is to identify, firstly, whether there exist any patterns in the distribution of the consulship between these two groups and, secondly, whether there

¹⁰ Given the desuetude of consular *ornamenta* after Gallienus and, in any case, the discontinuance already by the time of Gordian III of the Severan policy of considering these honours granted to equestrian officers as equivalent to a consulship should they subsequently attain an ordinary consulship (B. RÉMY, "*Ornati et ornamenta. . . consularia* sous le Haut Empire romain", *REA* 78/79 (1976/77), 174-176; M. PEACHIN, *Roman Imperial Titulature and Chronology* 52f), the possession of a first ordinary consulship as an iteration can be taken as a sure indication of a previous suffect consulship in this period.

¹¹ After their creation in the 280s the *correcturae* of the Italian regions replaced the traditional consular provincial commands, which had by now been largely phased out, as the posts most often filled by senators after a first (usually suffect) consulship (A. CHASTAGNOL, "La carrière sénatoriale du Bas-Empire", *Epigrafia e ordine senatorio* 1, 167-194). It was thus a natural development that these *correcturae* should come to be known as *consulares* in the 320s, just as traditional legateships had been in popular idiom (cf. H.-G. PFLAUM, "Titulature et rang sociale", *Recherches sur les structures sociales*, 159-185; W. KUHOFF, *Laufbahn*, 63f; B. RÉMY, "Υπατικοί et consulares", *Latomus* 45 (1986), 318f). An ordinary consulship subsequent to a consular correctorship will thus be held as equivalent to the iterated consulship of the pre-Constantinian period, since such a post would appear to be almost certain indication of tenure of an otherwise unrecorded suffect consulship or, at the least, adlection *inter consulares* prior to its performance.

¹² On the establishment of posts which automatically conferred the *clarissimus* see C. LÉCRIVAIN, *Le sénat romain depuis Dioclétien*, 16ff. Whether this *clarissimus* then implied the right to a seat in the senate house itself is a matter of some debate, for a review of which see S. GIGLIO, *Il tardo impero d'Occidente*, 18-27. I tend to the belief that the *clarissimus* itself did not accord one a seat, though subsequent tenure of the consulship or adlection to a specific grade would do so.

occurs any change in the established pattern which would indicate an alteration in the rules of the social hierarchy. This, in turn, would indicate that a change in the distribution of power in society had occurred. The extent of the time-lag involved between the actuality of such a shift in the balance of power and its reflection in social status may be a matter open to question, but that such a shift will have taken place by that time ought to be certain.

It is on this basis—assuming that the ordinary consulate *can* be taken as a paradigm of several aspects of Roman society simultaneously—that the consulships of private citizens between AD 260 and 360 have been analyzed, but those of reigning Augusti and Caesars ignored, by this study.¹³ For, while the patterns of tenure and precedence of consulates taken by the emperors is a fascinating and worthwhile subject in itself, the nature and occasion of imperial consulates do not change over the period concerned and had not changed significantly since the late first century AD. For example, in the case of consulates where an emperor is coupled with a private individual, there is no instance in the whole imperial period of a ruling emperor, however junior, ceding precedence to his private colleague, however senior. Similarly when both consuls were emperors their precedence was always decided by their seniority.¹⁴

By contrast, the ordinary consulate is a uniquely important tool for defining and analyzing the Empire's ruling élite. After all, this role of definition was, perhaps, its prime function at the time. The immortality the eponymous office conferred on its holders meant that it remained in its unique and prestigious position throughout a period of revolution in so many other fields of the Roman state. Its very persistence allows it to serve as a measure of the speed, extent and nature of the transformation of the 'early empire' into the 'late empire'. As an expression of social and political affairs, the ordinary consulate also

¹³ Also omitted is discussion of the non-imperial consuls proclaimed by the 'Gallic' Empire of the 260s and 270s. Suffice it to say that the consular formulae attested indicate that Postumus and his successors were not using the consulship in anything other than a traditional way. See J. F. DRINKWATER, *The Gallic Empire*, 188 for a possible dating for those known. The imperial consulships are discussed in Chapter 12 only in so far as they impinge on the availability of the consulship to private individuals.

¹⁴ Thus when seniority was a subject of dispute it is reflected in divergences in their order: e.g. AD 313 when both Constantine and Maximinus considered themselves to be the senior emperor. On imperial consulates in general, see *CLRE*, 23f.

stands out as uniquely quantifiable. For the extent of the sample is already defined and unvarying (two per annum).¹⁵ As a constant piece of data, it thus allows of valid comparability over time. In addition its role as a dating system means that the ordinary consuls are also the consistently best documented aspect of the Roman world after the emperors themselves.

II. *Notices*

260 P. CORNELIUS SAECULARIS *signo* CALLIEPIUS II ET C. IUNIUS DONATUS II

Both consuls are Roman senators pursuing careers of traditional type. Saecularis was in the third year of his term as *praefectus urbi* (258-260) and enjoying a second (ordinary) consulship as the prefecture's frequent accompaniment. Edmund Groag also put forward the theory that Saecularis was related to the emperor Gallienus' wife, Cornelia Salonina.¹⁶

Donatus had been Saecularis' predecessor as *praefectus urbi* in 257. One might expect that Donatus' precedence in the urban prefecture might dictate his seniority in the consulate. If Saecularis was closely related to the imperial family and so considered as a quasi-imperial consul, it may be that he was able to pull rank on Iunius Donatus. Nevertheless it is a consistent pattern that urban prefects in office when consul take precedence over ex-prefects.¹⁷

¹⁵ Only very extraordinary circumstances led to the proclamation of more than two consuls a year. The most frequent occasion is that of the *damnatio memoriae* of a deceased emperor who happened to be currently holding the consulship, which led to his replacement by a rival.

¹⁶ *PIR*² C 1432; M. CHRISTOL, *Essai*, 128f, 188f. Cf. Lucillus s.a. 265 for another example of an imperial relative as private citizen consul.

¹⁷ This is contrary to the expectation one might form on analogy with the role of the great proconsulates in determining seniority in second consulships. The difference may lie in the fact that unlike proconsulates and consulates the urban prefecture was not strictly one of the regular fixed-term magistracies of the *res publica* of the city of Rome, but was rather an imperial appointment of variable length. The first in the continuous series of PVRs was L. Calpurnius Piso pontifex, cos. 15 BC (*PIR*² C 289), appointed towards the end of Augustus' reign (c. AD 13) and PVR until his death in 32. The same pattern of precedence is exhibited in AD 323, Severus (PVR) et Rufinus (ex-PVR); 349, Limenius (PVR & PPO) et Catullinus (ex-PPO & ex-PVR).

261 P. LICINIUS EGNATIUS GALLIENUS AUG. III ET L. PETRONIUS TAURUS VOLUSIANUS

This was Gallienus' first consulship as senior Augustus, as he now was on account of his father Valerian's capture by the Persians in the previous year. His colleague was not a traditional senatorial aristocrat, but a current praetorian prefect, who had risen through a largely military equestrian career all the way up from centurion.¹⁸ This was a highly irregular and almost unparalleled nomination to the consulship, but by it Gallienus established a precedent followed by his successors.¹⁹ Thus his ordinary consulship was naturally his first and afforded entry to the senatorial order.

262 P. LICINIUS EGNATIUS GALLIENUS AUG. V ET NUMMIUS FAUSTIANUS

Gallienus' consular colleague for this year is a senatorial aristocrat who belongs to the patrician *gens Nummia*.²⁰ Although frequently corrected to Faustinus or Faustianus, the form 'Faus<t>ianus', is not to be despised. It stands in the one inscription bearing the consular date as well as the moderately reliable *Chronography of 354* (the errant 'T' may be restored from an otherwise unreliable source, the *Historia Augusta*).²¹ On the contrary Faustianus can be explained as a regular formation from the cognomen 'Faustus/-a'; cf. Nepos, Nepotianus.²² One might postulate a mother called Fausta. Nothing is known of him apart from this consulate. As a patrician it would be within Faustianus'

¹⁸ His rise from *centurio deputatus* to *praefectus praetorio* and *consul ordinarius* is detailed by *CIL* XI 1836 = *ILS* 1332 Arretium (Etruria); for a detailed discussion see *PLRE* 1 Volusianus 6.

¹⁹ C. Fulvius Plautianus, cos. 203 and PPO 197-205, was the only previous praetorian prefect to have been nominated to the consulship while retaining his office (A. CHASTAGNOL "L'Histoire Auguste et le rang des préfets du prétoire", *Recherches sur l'HA*, 63).

²⁰ The family had been patrician since c. AD 170 according to F. JACQUES, "L'ordine senatorio attraverso la crisi del III secolo", *Soc. Rom.*, 122.

²¹ 'Fausianus' in *CIL* XIV 5357 Ostia, and *Chron. 354* (*Chron. min.* 1, 59); 'Faustianus' in *Historia Augusta*, *V. Gall.* 5.2; cf., e.g., 'Faustinus' of *Frag. Vat.* 25 and 'Faustianus' of the *Descrip. cos. s.a.* 262.

²² On the arguments for the orthography of his cognomen see M. CHRISTOL, *Essai*, 102f; *PLRE* 1 enters him as Faus(tin)ianus 1. The prefect of Egypt of AD 185/186-187, Pomponius Faustianus, is another Faustianus who has persistently suffered the same sort of scholarly emendation since F. KREBS' publication of *BGU* 842 (see e.g. P. BURETH, "Le préfet d'Egypte (30 av. J.C. - 297 ap. J.C.)", *ANRW* 2.10.1, 489, G. BASTIANINI, "Lista dei prefetti d'Egitto dal 30^a al 299^a", *ZPE* 17 (1975), 301), despite the overwhelming testimony of *P. Oxy.* 237 & 3242, *SB* 5693 and *CIG* 4683 + p.1186 = *SEG* 24.1192 = *AE* 1968.530.

expectation to hold an ordinary consulship as his first. The fact that another Nummius, Nummius Albinus, was the current *praefectus urbi* (AD 261 to 263) will have enhanced his chances of this.²³ It is therefore unnecessary to suppose that this was anything other than the first consulship of a young patrician aged about thirty.

263 NUMMIUS ALBINUS II ET DEXTER/MAXIMUS

This is probably a coupling of two traditional senators, one at least noble. Nummius Albinus belonged to a prominent patrician family (see above) and was currently in the third year of his second term as *praefectus urbi*, having occupied the office once before in 256.²⁴ Nothing else is known of the second consul, though he is presumed to be a young man of senatorial family. The matter is further confused by two separate and divergent, but equally good, traditions concerning his cognomen.²⁵ Although some prefer to distinguish two individuals, Olli Salomies has presented a good case for detecting contemporary, principally 'Danauprovinz' and Italian, regional patterns of abbreviation of the name of a single polyonymous consul, Dexter Maximus or Maximus Dexter.²⁶ Although the cognomen Dexter is not uncommon, it is worth noting that it was borne by one Nummius Aemilianus Dexter, Praetorian Prefect of Italy in the late fourth century.²⁷ It is not impossible then that the families of the two consuls of 263 were linked by marriage.

264 P. LICINIUS EGNATIUS GALLIENUS AUG. VI ET SATURNINUS

Nothing is known for certain about Saturninus. Cf. M. Christol, *Essai*, 104f.

²³ *Chron.* 354 (*Chron. min.* 1, 65).

²⁴ *PLRE* 1 Albinus, accepting the dubious evidence of the *Historia Augusta* (*V. Aur.* 9.2), gives his full name as Nummius Ceionius Albinus. On the good grounds for rejecting Ceionius as an element of his nomenclature, see T. D. BARNES, "Two Senators under Constantine", *JRS* 65 (1975), 44f; M. CHRISTOL, *Essai*, 216-218.

²⁵ The dichotomy is not confined to the manuscript fasti: 'Dexter', *CIL* X 6465; *P. Oxy.* 3054; *ICVR* 16007; and 'Maximus', *CIL* III 417, 14549.

²⁶ O. SALOMIES "Zur Namengebung der Konsuln in den handschriftlich überlieferten Konsulverzeichnissen", *Arctos* 26 (1992), 116, cf. 133ff, where he detects the same sort of pattern of regional variation in the divergent testimony on the consuls of AD 230 and 238. M. CHRISTOL, *Essai*, 103, prefers simply Maximus.

²⁷ *PLRE* 1 Dexter 3.

265 [P.] LICINIUS VALERIANUS II ET LUCILLUS

The consul prior was a brother of the emperor Gallienus and his colleague probably a relative.²⁸ Valerianus is usually identified as the younger brother of Gallienus who, having held a suffect consulship at the same time, or sometime since, his brother was elevated to the throne and consulship (AD 254), gained a second (ordinary) consulship before the normal time through royal privilege.²⁹ However a suffect consulship is a curiously modest honour for the son and brother of ruling emperors. Perhaps he was in fact an elder brother, who was excluded from power because he lacked leadership skills or inclination. His first suffect consulship might then plausibly be placed in the period before the accession of his homonymous father in 252, when the family was still a private senatorial one.³⁰

It is most probable that Lucillus was related to Gallienus' mother, Egnatia Mariniana, since the cognate forms Lucilianus and Lucilla are found borne by other Egnatii.³¹

266 P. LICINIUS EGNATIUS GALLIENUS AUG. VII ET SABINILLUS

Nothing is known for certain about Gallienus' colleague for 266. Cf. M. Christol, *Essai*, 106.³²

267 PATERNUS ET ARCESILAUS

Michel Christol identifies the first as a patrician senator, Ovinus Paternus, who went on to be *praefectus urbi* at an unusually early date (in 281), because he had passed

²⁸ *Historia Augusta, V. Gall.* 12.1: '...nam consulatu Valeriani sui et Lucilli propinqui' Such an otherwise unreliable source has been lent credibility by an inscription from Aphrodisias in Caria which honours Licinius Valerianus as the city's benefactor and *filius et frater Augustorum* (C. M. ROUECHÉ, *Aphrodisias in Late Antiquity*, 9, No 4).

²⁹ So M. CHRISTOL, *Essai*, 105 & 208.

³⁰ That the Licinii were senatorial before Valerian's elevation is guaranteed by the fact that he held his first imperial consulship as cos. II, indicating that he had held a suffect consulship sometime before (M. CHRISTOL, *Essai*, 98).

³¹ *PLRE* 1 Gallienus; M. CHRISTOL, *Essai*, 105, suggesting Egnatius Lucilianus (governor of Lower Britain under Gordian III) and one Triaria Egnatia Lucilla as relatives.

³² G. BARBIERI, *Albo senatorio*, 1718 & *PLRE* 1 Sabinillus 1, associate him with a pupil of Plotinus.

over one of the great proconsulships. He identifies the second as a descendant of T. Flavius Arcesilaus (or Archelaus) attested as one of the *fratres Arvales* in the first half of the third century.³³ There is no reason to doubt that both are true first consulships.

268 ASPASIUS PATERNUS II ET MARINIANUS

The cos. II (prior) is undoubtedly the urban prefect of 264-266, Aspasius Paternus. Marinianus is generally accepted as another relative of Gallienus' mother (cf. Lucillus cos. 265). However the proposal that he is a third son of Gallienus should be rejected; not least on the grounds that it is inconceivable that the son of a ruling emperor should take second place to a private individual.³⁴ Thus there is no reason to doubt that this is anything other than a conventional first consulship in the context of a traditional senatorial career.

269 M. AURELIUS CLAUDIUS AUG. ET PATERNUS

The identification of the private citizen who held the consulship with the new emperor is uncertain. Cf. M. Christol, *Essai*, 110.

270 FLAVIUS ANTIOCHIANUS II ET VIRIUS ORFITUS

Both consuls are senators pursuing careers of traditional pattern. Antiochianus was the *praefectus urbi* of AD 269 to 270, and Orfitus was the son of the eminent consular and future *praefectus urbi* (273 to 274) of the same name. Orfitus probably gained an ordinary consulate as his first through a combination of patrician privilege and paternal patronage.³⁵

³³ On the orthography of the name, see P. M. FRASER and E. MATTHEWS, *Lexicon of Greek Personal Names* I, 80, 85; nevertheless the name had a tendency to attract unwarranted aspiration—hence the form of the *Chron.* 354, 'Harcasilaus' (*Chron. min* 1, 65), as a result of hypercorrection concerning the breathing, and the 'Archesilaus' of, for example, the *Descrip. cos.* s.a. 270 (retained by M. CHRISTOL, *Essai*, 106, 108), resulting from anxiety to preserve the hard c. On the ancestor, T. Fl. Arcesilaus, see *PIR*² F 214.

³⁴ M. CHRISTOL rejects the idea on the grounds that a third son would have been too young in 268 (*Essai*, 109). *PIR*² L 198 accepts the hypothesis.

³⁵ On Antiochianus' links with established senatorial families, see M. CHRISTOL, *Essai*, 193. On distinguishing the two Virii Orfiti, see CHRISTOL, *Essai*, 270-272; if they were closely related to the Virii Lupi they might also be patrician, but Virius is too common a nomen to say for certain (F JACQUES, *Soc. Rom.*, 123, 221-223).

271 L. DOMITIUS AURELIANUS AUG. ET POMPONIUS BASSUS II

The consular colleague of the new emperor was a senatorial aristocrat who held the post of *praefectus urbi* at some point unknown, but which should be placed in proximity to this iterated consulship. He is absent from the list of urban prefects in the *Chronographer of 354*, probably because his tenure lasted for less than a year.³⁶

272 POSTUMIUS QUIETUS ET VELDUMNIANUS

Both consuls are undoubtedly hereditary members of the senatorial aristocracy. Quietus' nomen suggests that he was related to the *praefectus urbi* of 271, T. Flavius Postumius Varus, which suggests that he gained an ordinary consulship as his first through the influence of his elder relative. Michel Christol retains the association of the second consul with an attested Iunius Veldumnianus *praetor urbanus*, but is uncertain if he is the same man or the latter's father.³⁷

273 A. CAECINA TACITUS ET IULIUS PLACIDIANUS

This consular pair represents the coupling of a patrician senator with the current praetorian prefect of previously equestrian status. As Christol pointed out, the consul prior ought to be identified with A. Caecina Tacitus whose cursus up to, and including, the consulship is recorded on an inscription from Sala in Mauretania.³⁸ Placidianus was still a *vir perfectissimus* as *praefectus vigilum* in 269, but is recorded as *v. c. praefectus praetorio* by a later inscription. Thus this consulship will have been his entry to the senate.³⁹

³⁶ M. CHRISTOL, *Essai*, 221-224; and see the general comment on *Chron. 354* at 127 n.3.

³⁷ *CIL* VI 319 = *ILS* 3405 Rome; M. CHRISTOL, *Essai*, 207. The formula of the inscription: ' .Post. Qui. et Veld. cos.', might even suggest that both consuls were Postumii, since it is highly irregular for a consular pair to be listed without a balancing number of names each cf. *CLRE*, 37). If this were the case they might both be related to the current PVR, Postumius Varus. As pointed out in *PLRE* I Veldumnianus, a family relationship with the emperor Trebonianus Gallus (251-3), whose son Volusianus also bore the unusual cognomen, is a possibility.

³⁸ *CIL* VIII 10988 + p.2079 = *IAM* II 306; M. CHRISTOL, *Essai*, 111-113, 153-158; cf. *PLRE* I Tacitus 2 & 3, where the consulship of 273 is attributed to the future emperor M. Claudius Tacitus.

³⁹ *Praef. vigil.*: *CIL* XII 2228 = *ILS* 569 Gratianopolis (Narbonensis); *praef. praet.*: *CIL* XII 1551 Ager Vocontiorum (Narbonensis). On the contemporaneity of his prefecture and consulship, see A. CHASTAGNOL, *Recherches sur l'HA*, 50f.

274 L. DOMITIUS AURELIANUS AUG. II ET CAPITOLINUS

The career of Aurelian's colleague is not known. Cf. M. Christol, *Essai*, 113.

275 L. DOMITIUS AURELIANUS AUG. III ET IULIUS MARCELLINUS

The Marcellinus whom Aurelian took as his colleague is confidently identified as the equestrian officer Iulius Marcellinus. The last post he is known in is that of *praefectus Mesopotamiae rectorque Orientis*, responsible for the defence of the eastern frontier in 272. In view of his previously non-senatorial career this was clearly his first consulship.⁴⁰

276 M. CLAUDIUS TACITUS AUG. II ET AEMILIANUS

Nothing definite is known of the emperor Tacitus' colleague. He is plausibly identified as a descendant of Aemilianus cos. ord. in 244, in which case his nomen would be Fulvius.⁴¹ Although both fasti and inscriptions omit any mention of an iteration, this is still not impossible.⁴² The likelihood remains that he is a Roman aristocrat in his first consulship.

277 M. AURELIUS PROBUS AUG. ET PAULINUS

Again the identity of the private individual who was the emperor's colleague remains enigmatic, although he might belong to the patrician *gens Anicia*, among whom Paulinus and its cognate forms were common cognomina. In this case the twenty year gap strongly suggests that he belongs to the same generation as Anicius Faustus cos. II in 298.⁴³ That

⁴⁰ M. CHRISTOL, *Essai*, 113f. His known career might then be reconstructed thus: *tribunus* (or *praefectus*) *legionis* at Verona in 265, *praefectus Aegypti* in 271, *praefectus Mesopotamiae rectorque Orientis* in 272, cos. ord. 275; cf. *PLRE* I Marcellini 1, 2, 19, 20 & 21.

⁴¹ Though of what generation is problematic. M. CHRISTOL, *Essai*, 114, points out that the chronology of the proposition of *PLRE* I (Aemilianus 2) that he is the son of Fulvius Aemilianus cos. 244 and grandson of Aemilianus cos. II 249 seems impossible.

⁴² On the general tendency for the iteration number of a private individual, when paired with an emperor in the consulate, to drop out in both fasti and inscriptions alike, see comments of M. CHRISTOL, *Essai*, 114 & 117.

⁴³ M. CHRISTOL, *Essai*, 114f, cf. 199, rejects the identification with L. Iulius Paulinus, proconsul of Africa in 283 (as suggested in *PLRE* I, Paulini 2 & 18), because he considers the length of time between consulship and great proconsulate too short. See *ibid.*, 123, for comparative table of career chronology.

Probus shared the rest of his five consulships with known aristocrats increases the likelihood of the hypothesis. The careful formula of a contemporary Mauretanian inscription almost certainly rules out the possibility that this might be a second consulship.⁴⁴

278 M. AURELIUS PROBUS AUG. II ET VIRIUS LUPUS

The career of Virius Lupus is better known.⁴⁵ He currently occupied the office of *praefectus urbi* (from 278-280). As Hans-Georg Pflaum argued, this implies that his ought to be an iterated consulship, although the iteration is missing from the fasti.⁴⁶

279 M. AURELIUS PROBUS AUG. III ET NONIUS PATERNUS II

Although the iteration of Nonius Paternus' consulship (and thus his aristocratic background) is assured by two epigraphic attestations, his name is not found in the list of *praefecti urbis* of the *Chronographer of 354* as might be expected.⁴⁷ Instead Ovinus Paternus, the consul of 267, is found as Virius Lupus' successor as urban prefect in 281.⁴⁸ Michel Christol resists creating a composite 'Nonius Ovinus Paternus' (or the like), in which case it is quite possible that Nonius Paternus also held the urban prefecture some time in proximity to this consulate, since the list of urban prefects is not exhaustive for this period.⁴⁹

280 MESSALA ET GRATUS

It is likely that both consuls belong to noble patrician families. Both are certainly first consulships; Messala is a cognomen proper to the illustrious Valerii and Gratus to the Vettii.⁵⁰

⁴⁴ *AE* 1920.44 = *IAM* II 360: 'D. N. Probo Aug. et Paulino cos.'

⁴⁵ Thanks to *CIL* VI 31775 = *ILS* 1210 Rome, the implications of which are discussed in detail by M. CHRISTOL, *Essai*, 263-270.

⁴⁶ H.-G. PFLAUM, "La fortification de la ville d'Adraha", *La Gaule et l'Empire romain*, 231.

⁴⁷ *ILCV* 645 (cf. *AE* 1979.60) & *CIL* III 10488 Aquincum (Pannonia).

⁴⁸ *Chron. 354* (*Chron. min.* 1, 66).

⁴⁹ M. CHRISTOL, *Essai*, 116; cf. Pomponius Bassus (cos. ord. II in 271) whose prefecture is known only from an inscription: *AE* 1964.223 Aversa (Campania).

⁵⁰ M. CHRISTOL, *Essai*, 116; *ibid.*, 225-262 (on the Vettii). The Valerii Messallae had been

281 **M. AURELIUS PROBUS AUG. III ET IUNIUS TIBERIANUS**

Probus' colleague is once again a Roman aristocrat. He is probably the son of the *praefectus urbi* and cos. II of 291, Tiberianus. Cf. M. Christol, *Essai*, 117, 204ff.

282 **M. AURELIUS PROBUS AUG. V ET POMPONIUS VICTORIANUS**

The 'Victorinus' of the fasti has long been identified as the urban prefect of the same year, Pomponius Victorianus.⁵¹ In which case this is probably an iterated consulship.⁵²

283 **M. AURELIUS CARUS AUG. II ET M. AURELIUS CARINUS CAES.**284 **M. AURELIUS CARINUS AUG. II ET M. AURELIUS NUMERIUS NUMERIANUS AUG.**

Diocletian's from 20 November:

C. VALERIUS DIOCLETIANUS AUG. ET L. CAESONIUS OVINIUS MANLIUS RUFINIANUS BASSUS II

The patrician senator, Caesonius Bassus, whom Diocletian associated as consul on his elevation in late 284, having successfully scaled the traditional senatorial *cursus* (including a three-year stretch as proconsul of Africa in the 270's), was at hand since he had accompanied the deceased Numerian as a *comes* on his Persian campaign. As was common custom, Diocletian complemented the iterated consulship with an appointment to the urban prefecture in 285.⁵³

285 **M. AURELIUS CARINUS AUG. III/**

C. VALERIUS DIOCLETIANUS AUG. II ET T. CLAUDIUS AURELIUS ARISTOBULUS

Carinus appointed his praetorian prefect as his consular colleague. After the battle of Mursa Diocletian retained him in both positions. As a former equestrian prefect this will

patricians since the Republic and the Vettii since c. 220/225 (F JACQUES, *Soc.Rom.*, 122).

⁵¹ *PLRE* I Victori(a)nus 3; though some caution is shown by M. CHRISTOL, *Essai*, 133.

⁵² Still the possibility that he was a promoted equestrian officer cannot be entirely excluded; cf. Pomponius Ianuarianus cos. 288.

⁵³ T. D. BARNES, *New Empire*, 97. Bassus career is listed by *AE* 1964.223 Aversa (Campania). On distinguishing his career from that of his son, L. Caesonius L. f. Qui. Ovinus Rufinus Manlius Bassus, see M. CHRISTOL, *Essai*, 158-176.

have been a first consulship.⁵⁴

286 M. IUNIUS MAXIMUS II ET VETTIUS AQUILINUS

Maximus was currently *praefectus urbi* (from 286 to 27 February 288).⁵⁵ Vettius Aquilinus is otherwise unknown. He certainly belonged to the senatorial aristocracy, and that his was a first consulship, suggests the family was quite eminent, even if he cannot be tied in with the patrician Vettii.⁵⁶

287 C. AURELIUS VALERIUS DIOCLETIANUS AUG. III ET M. AURELIUS VALERIUS MAXIMIANUS AUG.

288 M. AURELIUS VALERIUS MAXIMIANUS AUG. II ET POMPONIUS IANUARIANUS

The emperor's colleague is an ex-equestrian official enjoying a first consulship, rather than a senatorial aristocrat. He is attested as prefect of Egypt between November 283 and May 284, and thus may have still been in office and ensured the loyalty of Egypt at the moment of Diocletian's elevation in late 284.⁵⁷ The consulship and the urban prefecture, which he held from 27 February of this same year until spring 289, were no doubt the reward for his support.⁵⁸

289 M. MAGRIUS BASSUS ET L. RAGONIUS QUINTIANUS

Both consuls are probably young senators. Quintianus belongs to an already noble

⁵⁴ W. KUHOFF, *Laufbahn*, Nr.1; see my notice on his prefecture Chapter 9.1.

⁵⁵ *Chron.* 354 (*Chron. min.* 1, 65).

⁵⁶ All the forty or more laws and three Italian inscriptions are consistent in employing the formula 'Maximo II et Aquilino' F JACQUES, *Soc.Rom.*, 220 relates him to C. Vettius Aquilinus *clarissimus vir* of the late second century (G. BARBIERI, *Albo senatorio* 882).

⁵⁷ *P.Theod.* 18 (2 November 283); *P.Oxy.* 1115 (21 May 284). His successor, M. Aurelius Diogenes is only known to have been in office sometime before the association of Maximian as co-emperor on 1 April 286 (T. D. BARNES, *New Empire*, 4, 148).

⁵⁸ So M. PEACHIN, "A Note on the Early Days of Diocletian's Reign", *AJAH* 9 (1984), 153-157. Perhaps he had acted as a *rector totius Orientis* while Diocletian went West to confront Carinus in 285; cf. Iulius Marcellinus rewarded with cos. 275 for his services in the East in 272. Macrinus' appointment of M. Oclatinus Adventus to the urban prefecture and consulate for 218 is a precedent for Ianuarianus' achievement of the double culmination of a senatorial career direct from equestrian status (A. CHASTAGNOL, *Recherches sur l'HA*, 64).

and patrician family from Opitergium in Venetia.⁵⁹ Bassus has no identifiable senatorial forebears, which has led some to suppose that the family may have been of fairly recent senatorial status and this an iterated consulship. Indeed Bassus is credited with the iteration, but only in a minority of sources.⁶⁰ To be set against this is the fact that indications of iteration very rarely fall out of after the consul prior of manuscript lists and that the contemporary record of the designation of a *sacerdos Matris deum* gives 'M. Magrio Basso, L. Ragonio Quintiano' as the formula (*CIL* x 3698 = *ILS* 4175). Above all, had Bassus indeed been a cos. II, the inversion of the order of the consuls (compared with attestations elsewhere) in the *Fasti* of Cales would have been impossible.⁶¹ It is best to reject the notion of Bassus' iteration.⁶²

290 C. AURELIUS VALERIUS DIOCLETIANUS AUG. IIII ET M. AURELIUS VALERIUS
MAXIMIANUS AUG. III

291 C. IUNIUS TIBERIANUS II ET CASSIUS DIO

This consulate is a pairing of senatorial aristocrats. Tiberianus was soon to take up office as *praefectus urbi* (from 18 February 291 to 3 August 292), which came at the end of a long senatorial career of traditional pattern.⁶³ Michel Christol prefers to dissociate Dio the consul of 291 from the homonym who was proconsul of Africa in 294 to 295 and *praefectus urbi* from 11 February 296 till 297. He argues that he is better identified as the

⁵⁹ *PIR* R 13: L. Ragonius Urinatus Larcus Quintianus, a cos. suff. under Commodus and his son L. Ragonius Urinatus Tuscenius Quintianus (R 14). Patrician since the late second century (F JACQUES, *Soc. Rom.*, 122).

⁶⁰ The *Chronographer of 354* (not especially reliable on these matters) has 'Basso II et Quintiano' in the consular list (*Chron. min.* 1, 60) as well as the list of prefects (*Chron. min.* 1, 66) as does Theo (*Chron. min.* 3, 379); in this respect see the analysis by O. Salomies, "Zu den Iterationen in den handschriftlichen überlieferten Konsulverzeichnissen", *Arctos* 25 (1991), 107-120, esp. 110-113. It may be that these entries stem from an early contamination of the lists due to a reminiscence of the iterated consulship of Caesonius Bassus (284) which does not feature in their lists.

⁶¹ *CIL* x 4631 = *Inscr. It.* XIII (i) s.a. 289. I believe that at this period there was as yet no concept of a fixed order in the consular formula when both consuls were first-time consuls of equal standing. Had Bassus been known to the people of Cales as cos. II, then they would have had no choice but to inscribe his name first.

⁶² As does *CLRE*, 112f; but cf. M. CHRISTOL, *Essai*, 120f.

⁶³ He is attested as *tribunus militum leg. X Geminae P. F. Decianae* in 249 by *CIL* III 4558 Vindobona (Noricum); for discussion, see M. CHRISTOL, *Essai*, 204-206.

latter's son, whose ordinary consulate was gained through his father's prestige.⁶⁴

292 **AFRANIUS HANNIBALIANUS ET IULIUS ASCLEPIODOTUS**

In contrast to the previous year both consuls are ex-equestrian officials. Hannibalianus was currently praetorian prefect to Diocletian and Asclepiodotus to Maximian. Hannibalianus appears to have been coming to the end of his tenure of the prefecture, so that his precedence no doubt depends on his seniority in the post.⁶⁵

293 **C. AURELIUS VALERIUS DIOCLETIANUS AUG. V ET M. AURELIUS VALERIUS
MAXIMIANUS AUG. IIII**

294 **M. FLAVIUS VALERIUS CONSTANTIUS CAES. ET C. GALERIUS VALERIUS MAXIM-
IANUS CAES.**

295 **NUMMIUS TUSCUS ET C. ANNIUS ANULLINUS**

Both consuls are noble aristocrats. Tuscus is clearly another member of the patrician Nummii, whose claims to privilege will have helped him gain an ordinary first consulship. There appear to have been at least two, if not three Annii Anullini active in the same fifteen-year period of the late third to early fourth century. That between them they held two proconsulates of Africa and two urban prefectures is clear indication of their high status among the senatorial elite. Since both of these were first consulships, it is perhaps best to dissociate these two young men from their namesakes, the *praefecti urbis* of 302 to 303 and 306 to 307 respectively.⁶⁶

296 **C. AURELIUS VALERIUS DIOCLETIANUS AUG. VI ET M. FLAVIUS VALERIUS
CONSTANTIUS CAES. II**

297 **M. AURELIUS VALERIUS MAXIMIANUS AUG. V ET C. GALERIUS VALERIUS
MAXIMIANUS CAES. II**

⁶⁴ M. CHRISTOL, *Essai*, 121f, 135; cf. W. KUHOFF, *Laufbahn*, Nr.2.

⁶⁵ See my notices on the prefects Hannibalianus and Asclepiodotus in Chapter 9.1.

⁶⁶ As proposed by M. CHRISTOL, *Essai*, 122-124; cf. W. KUHOFF, *Laufbahn*, Nrs 7 & 12. On the difficulties surrounding the various Anullini, see T. D. BARNES, *New Empire*, 116f. A plausible career for this consul might be constructed as: cos. 295, *procos. Africae* 303-5, *praefectus urbi* 312.

298 ANICIUS FAUSTUS II ET VIRIUS GALLUS

Both consuls are senatorial aristocrats and possibly both patricians. This second consulship of the patrician Faustus was probably intended as the complement to his spell in the office of *praefectus urbi* which he was due to take up sometime in 299.⁶⁷ Gallus is probably a young noble, though his relation to the other illustrious Virii of the period is obscure. He might even be a brother of Nepotianus cos. ord. in 301.⁶⁸

299 C. AURELIUS VALERIUS DIOCLETIANUS AUG. VII ET M. AURELIUS VALERIUS MAXIMIANUS AUG. VI

300 M. FLAVIUS VALERIUS CONSTANTIUS CAES. III ET C. GALERIUS VALERIUS MAXIMIANUS CAES. III

301 T. FLAVIUS POSTUMIUS TITIANUS II ET VIRIUS NEPOTIANUS

This consulate probably repeats the pattern set in 298; urban prefect designate accompanied by young aristocrat. Titianus held the prefecture from 12 February 305 to 19 March 306.⁶⁹ Nepotianus is otherwise unknown, but no doubt belonged to the illustrious *gens Viria* which had recently provided the consul posterior of 298. This is the last consulate in which for certain a previous suffect consulship was officially reckoned in the calculation of the consular formula.⁷⁰

302 M. FLAVIUS VALERIUS CONSTANTIUS CAES. IIII ET C. GALERIUS VALERIUS MAXIMIANUS CAES. IIII

⁶⁷ T. D. BARNES, *New Empire*, 111. The family had been patrician since c. 230 (F JACQUES, *Soc.Rom.*, 123).

⁶⁸ For a discussion of the careers of some late third-century Virii, see M. CHRISTOL, *Essai*, 263-272. One branch of the *gens Viria* had certainly been patrician since the early third century (F JACQUES, *Soc.Rom.*, 122).

⁶⁹ *Chron. 354* (*Chron. min.* 1, 66). On his previous career see W. KUHOFF, *Laufbahn*, Nr.9.

⁷⁰ cf. the discussion of consulate of Volusianus' consulship of 314 below. We cannot be sure of the presence or absence of iteration numerals in the formula for Maxentius' consuls of 311 (Rufinus et Volusianus) in the absence of contemporary epigraphic or papyrological attestations. The consular pair are preserved only by *Chron. 354* (*Chron. min.* 1, 67, cf. 76) and the *Descrip. cos.* s.a. 311, neither of which records any iterations for them, (the *Chron. 354* is even inconsistent as to the consuls' order; its consular list, agreeing with the *Descrip. cos.*, gives 'Rufino et Volusiano', the list of PVRs reverses the order. The variation suggests that both were cos. I, cf. AD 289).

{For the complicated sequence of consulates, all taken by the emperors, between 302 and 309 see R. S. BAGNALL et al., *Consuls of the Later Roman Empire*, 138-153}

309 VALERIUS LICINIANUS LICINIUS AUG. ET M. FLAVIUS VALERIUS CONSTANTINUS CAES.

310 TATIUS ANDRONICUS ET POMPEIUS PROBUS

The consular pair disseminated by Galerius, Licinius and Maximinus are known from the papyri to have been praetorian prefects at the time of their consulship. It is most probable that each was attached to the court of one of the two Augusti (Galerius and Licinius).⁷¹ As with Aristobulus in 285 and Hannibalianus and Asclepiodotus in 292, the consulship will have been their entry into the senatorial order. Since neither had formerly held any posts of the senatorial cursus, their order of precedence in the consulship was probably decided by seniority of appointment as praetorian prefect.⁷² Thus Andronicus is more likely to have been associated with Galerius (Augustus since 1 May 305) and Probus with Licinius (Augustus since November 308).

311 C. GALERIUS VALERIUS MAXIMIANUS AUG VIII ET C. GALERIUS VALERIUS MAXIMINUS AUG. II

312 M. FLAVIUS VALERIUS CONSTANTINUS AUG. II ET VALERIUS LICINIANUS LICINIUS AUG. II

313 M. FLAVIUS VALERIUS CONSTANTINUS AUG. III ET C. GALERIUS VALERIUS MAXIMINUS AUG. III

then from *c.* August:

M. FLAVIUS VALERIUS CONSTANTINUS AUG. III ET VALERIUS LICINIANUS LICINIUS AUG. III

314 C. CEIONIUS RUFIVS VOLUSIANUS ET PETRONIVS ANNIVS

In this consular pair an aristocrat is partnered by an imperial official. Most significantly this is in all probability the first year in which a previous suffect consulship

⁷¹ See my notices on their respective prefectures in Chapter 9.1.

⁷² Alternatively by the seniority of the emperor whom they served, so that Galerius' candidate would precede Licinius'. In any case this produces the same result.

was deliberately ignored in the official calculation of the consular formula. For Volusianus' career is known in considerable detail from an inscription from Rome (*CIL* VI 1707 + p.3173 = *ILS* 1213), although it omits the high offices granted by Maxentius. His consular career had begun with an eight-year term as a 'corr(ector) Italiae' c. 282, by which time he ought already to have held a suffect consulship.⁷³ If indeed he is the anonymous twice ordinary consul of Iulius Firmicus Maternus' *Mathesis*, as Theodor Mommsen proposed, then he was of senatorial birth but the first generation of his family to reach the consulship.⁷⁴

In 314 Volusianus was currently occupying the office of *praefectus urbi* for a second time (from 8 December 313 till 20 August 315, neither fasti nor inscriptions referring to the iteration of the prefecture). In contrast to the *cursus* inscription another Roman inscription (*CIL* VI 1708 = 31906 = *ILS* 1222) does allude to the consulship of 311, by qualifying him as *consul bis ordinarius*. Volusianus was stressing the point that he had been twice ordinary consul, although, of course, by a classical reckoning he was already cos. II in 311 and (if the Maxentian consulship is not discounted) cos. III in 314. This inscription is clearly a private document and cannot be used as evidence for the official consular formula of 314. Indeed, whatever Volusianus' personal views on the matter, there are strong indications that the authorities considered the matter otherwise. Contemporary papyri do not note this consulship as his second ordinary consulship; though, given that his Maxentian consulship of 311 was naturally not current in Egypt, this is unsurprising. But more significantly the contemporary papyrus *CPR* VIII 22, in a most extraordinary and unprecedented fashion, appears to state explicitly that both consuls of the year were cos. ord. I. For the scribe wrote 'τὸ α/' at the end of the formula after the names and titles of both consuls. This does not accord with any known previously established scribal habit and must, I believe, therefore reflect some official statement to this effect.⁷⁵ If Constantine

⁷³ A. CHASTAGNOL, *Fastes*, 52f; cf. M. CHRISTOL, *Essai*, 123; W. KUHOFF, *Laufbahn*, Nr.14.

⁷⁴ T. MOMMSEN, "Firmicus Maternus", *Gesammelte Schriften* 7 (1909), 449. MOMMSEN's thesis is upheld against its detractors by T. D. BARNES, *JRS* 65 (1975), 40-49.

⁷⁵ A point emphasised by R. S. BAGNALL *et al.*, commenting that 'The addition of the numeral I after the consular formula. . .is remarkable.' (*CLRE*, 162). Nevertheless it might be best to sound a note of caution, since the crucial 'τὸ α/' read by the editors falls largely into a somewhat damaged area of the papyrus (cf. photograph at *CPR* VIII, Tafel 9).

did decree that Volusianus should be considered as a consul for the first time only,⁷⁶ not only did this annul Volusianus' Maxentian consulship but also by implication it entailed a break with the tradition that on assuming an ordinary consulship, subsequent to having held a suffect one, the iteration was noted by the numeral II after one's name in the fasti of the ordinary consulate. On the other hand the absence of Volusianus' iteration throughout the abundant contemporary papyri⁷⁷ and in most manuscript fasti cannot be taken as positive support to this hypothesis, since the former were never in the habit of recording the iterations of non-imperial consuls⁷⁸ while the latter are of more than questionable reliability in this matter.⁷⁹ More damning is the absence of the iteration where it might be expected, in epigraphy and above all in the subscriptions to imperial laws.⁸⁰ Indeed, given that the *Chronographer of 354* preserves Volusianus' ordinary consulship of 311, the fact that he studiously ignores the iteration in 314 can be considered as strong positive evidence for the proposition that its absence is more than the result of mere accident.⁸¹ On balance, then, the majority of the evidence points firmly to 'Volusianus et Annianus' (ignoring any previous consulships whether suffect or not) as the formula current in 314.

Petronius Annianus was currently Constantine's praetorian prefect.⁸² He undoubtedly shared the non-senatorial background of the other praetorian prefects of the period and would thus have been a *novus homo* to the Senate and consulship, which honour he received

⁷⁶ Just such an act of deliberate policy is proposed by A. CHASTAGNOL, "Observations sur la consulat suffect et la préture du Bas-Empire", *L'Italie et l'Afrique au Bas-Empire*, 83-87).

⁷⁷ To the thirty-three examples cited by *CLRE*, 163 add now *P.Oxy.* 3982 and 3983 (5 and 7 May respectively).

⁷⁸ cf. *CLRE*, 107, 117, 131 and 137 in respect of the consulates of AD 286, 291, 298 and 301.

⁷⁹ On which see O. SALOMIES, *Arctos* 25 (1991), 107-120, especially 110-113.

⁸⁰ In fact the only inscription is *SEG* 23.1051 Cyzicus; thirteen laws, two from in the *CTh* and three in the *CJ* bear the dating 'Volusiano et Anniano' (*CTh*, p.CCX).

⁸¹ In fact one manuscript list, the *Descrip. cos.*, does give 'Volusiano II et Anniano' as the formula for 314, but it is a slightly special case as the only source, other than the *Chron. 354*, to note Volusianus' consulship of 311. R. W. BURGESS, *The Chronicle of Hydatius and the Consularia Constantinopolitana*, 191 (with n.14), detecting a recension of the consular list (his codex C) that was the source for the *Descrip. cos.* of the consuls from AD 162 and which was completed in 314, has suggested that the dating 'Volusiano II et Anniano' might have been the culmination of a special edition to celebrate Volusianus' consulship, rather than the result of scribal interpolation.

⁸² See my notice on his prefecture in Chapter 9.1.

in estimation of his services.⁸³ Nevertheless, as in the case of Tacitus and Placidianus in AD 273, the praetorian prefect cedes precedence to the Roman aristocrat, even if the enumeration of their consulships had been equalised.

315 M. FLAVIUS VALERIUS CONSTANTINUS AUG III ET VLAERIUS LICINIANUS LICINIUS
AUG III

316 ANTONIUS CAECINIUS SABINUS ET VETTIUS RUFINUS

There has been no doubt that the consular pair are senatorial aristocrats, and possibly both patricians, but the nomina of the prior consul have been the subject of some debate. The *fasti Heracliani* appear to give the form 'Antonius Caecina Sabinus' but the twenty-one papyri to date, which give a nomen, consistently have the form 'Caecinius Sabinus'.⁸⁴ While the name as disseminated in the formula in Egypt may have been corrupt, the manuscript fasti are, on *a priori* grounds, more likely to have garbled the name. An equally plausible solution is that Sabinus was related to the patrician Caecinae through his mother.⁸⁵ He might then be a nephew, rather than son, of the Caecina Sabinus recorded in the list of senators which probably includes four consuls of the 280s and 290s; that is men of the generation previous to this one. Nothing other than this consulship is known of Antonius Caecinius Sabinus' career.

Both the consul posterior of this year and that of AD 323 are similarly attested simply as Vettius Rufinus by papyrological (for 316) and epigraphic evidence (for 323). The consul of 316 is usually identified with the *praefectus urbi* in office from 20 August 315 to 4 August 316, C. Vettius Cossinius Rufinus, and the consul of 323 as a close relative, possibly a son.⁸⁶

⁸³ Though A. CHASTAGNOL, "Les préfets du prétoire de Constantin", *L'Italie et l'Afrique*, 183, argues for senatorial birth and M. T. W. ARNHEIM, *Senatorial Aristocracy*, 111 & 135, claims him as an aristocrat by birth for no good reason (cf. F. JACQUES, *Soc. Rom.*, 204-6).

⁸⁴ 'Caecina' preferred by E. USENER, *Chronica minora* 3, 397, and *PLRE* 1 Sabinus 12. On the form in the papyri, see *CLRE*, 166.

⁸⁵ The Caecinae had been patrician since c. 255/260 (F. JACQUES, *Soc. Rom.*, 123). The female form of Caecina is *Caecinia*, cf. Caecinia Lolliana (*CIL* VI 512 = *ILS* 4154). The nomen Caecinius is found in Etruria at Pisa (*CIL* XI 1460) and Volsinii (XI 2742); the latter case might provide a parallel, since here the nomen does indeed appear to be inherited from a mother called Caecinia.

⁸⁶ A. CHASTAGNOL, *Fastes*, 63-68 (attributing both consulships to Cossinius Rufinus); *PLRE* 1 Rufini 15 and 24; T. D. BARNES, *New Empire*, 100f; *CLRE*, 166, 180. Conversely, without

This apparently straightforward solution presents problems. For it would seem that it was the usual protocol of the period that an urban prefect in office on his inauguration as consul took the place of consul prior, even preceding those who had preceded him in the urban prefecture but were now out of office.⁸⁷ Moreover two inscriptions, one bearing a full and the other an abbreviated cursus, mention Cossinius Rufinus' urban prefecture but not the ordinary consulship. If he is the consul of 316, then both of these inscriptions have to be assigned to the months of August to December 315.⁸⁸ An even shorter time-frame might be imposed if knowledge of his designation to the consulship from at least November is allowed for.⁸⁹ This problem led Edmund Groag to the hypothesis that both consulships should be attributed not to the urban prefect of 315 but a homonymous father.⁹⁰

The simplest solution that does not create any extraordinary early fourth century careers would seem to be to ascribe the consulate of 316 to the son of the current urban prefect and that of 323 to Cossinius Rufinus as ex-urban prefect.⁹¹ Vettius Rufinus is thus a young patrician senator holding a first and ordinary consulship.⁹² This does not help to decide whether Sabinus' was a first or second consulship. Comparison with the pattern of the consulate of 317 suggests that it was more probably a second than a first.

discussion, the identification of the PVR 315-316 with the cos. 316 is rejected by M. CHRISTOL, *Essai*, 123, cf. 253f.

⁸⁷ Except of course to a ruling emperor. Cf. AD 260, Saecularis II (PVR) et Donatus II (ex-PVR); 263, Albinus II (PVR) et Dexter; 270, Antiochianus II (PVR) et Orfitus; 270, Probus A. et Lupus (II) (PVR); 282, Probus A. v et Victorianus (II) (PVR); 286, Maximus II (PVR) et Aquilinus; 288, Maximianus A. II et Ianuarianus (PVR); 291, Tiberianus II (PVR) et Dio; 314, Volusianus (PVR) et Annianus; 317, Gallicanus (PVR) et Bassus; 349, Limenius (PVR & PPO) et Catullinus (ex-PPO & ex-PVR).

⁸⁸ As acknowledged by A. CHASTAGNOL, *Fastes*, 65.

⁸⁹ On the mechanics of designation, see CLRE, 18-21. If T. D. BARNES, "Two Senators under Constantine", *JRS* 65 (1975), 40, is right, Lollianus Mavortius' designation as consul for 338 must have been decided before Constantine's death on 22 May 337.

⁹⁰ E. GROAG, *Reichsbeamten von Achaia*, 16-20. He also credited to his hypothetical elder Vettius Rufinus a praetorian prefecture, which has since been dismissed by T. D. BARNES, *New Empire*, 130.

⁹¹ cf. the solution adopted by M. CHRISTOL, *Essai*, 204-206, concerning the uncomfortably close consulships (AD 281 and 291) of the two Iunii Tiberiani.

⁹² On the patrician status of the Vettii Rufini, see the notice s.a. AD 323 below.

317 **OVINIUS GALLICANUS ET CAESONIUS BASSUS**

The disruption caused by the civil war between Constantine and Licinius meant that the consuls were not proclaimed until 17 February. Both consuls are in all likelihood members of the same patrician gens, the Caesonii Ovinii which was represented in the previous two generations by L. Caesonius Ovinus Manlius Rufinianus Bassus (cos. II in 284) and his son L. Caesonius Ovinus Rufinus Manlius Bassus (cos. suff. c. 280).⁹³

Gallicanus was currently *praefectus urbi* (from 4 August 316 till 15 May 317) and at the end of a traditional senatorial career.⁹⁴ Therefore this ordinary consulship will have been his second according to a classical reckoning. That he was a prominent Christian in a predominantly pagan milieu no doubt favoured his advancement under Constantine.⁹⁵ His colleague Caesonius Bassus remains a mystery apart from this consulship. If his is a true first consulship he may be a junior relative enjoying an ordinary consulship as his first thanks to the influence and prestige of Gallicanus.

318 **VALERIUS LICINIANUS LICINIUS AUG. V ET FLAVIUS IULIUS CRISPUS CAES.**319 **M. FLAVIUS VALERIUS CONSTANTINUS AUG. ET VALERIUS LICINIANUS LICINIUS CAES.**320 **M. FLAVIUS VALERIUS CONSTANTINUS AUG. VI ET FLAVIUS CLAUDIUS CONSTANTINUS CAES.**321 **FLAVIUS IULIUS CRISPUS CAES. II ET FLAVIUS CLAUDIUS CONSTANTINUS CAES. II**322 **PETRONIUS PROBIANUS ET AMNIUS ANICIUS IULIANUS**

This consular pair represent what were to be the two most dominant senatorial dynasties of the fourth century: the Petronii and Anicii.⁹⁶ Probianus' career is not known in detail, but he had previously been proconsul of Africa (from 315 to 317).⁹⁷ Since the

⁹³ M. CHRISTOL, *Essai*, 159-176. For various suggestions as to the precise relationship of the two consuls, see E. J. CHAMPLIN, "Saint Gallicanus (consul 317)", *Phoenix* 36 (1982), 71.

⁹⁴ *Chron.* 354 (*Chron. min.* 1, 67). He is recorded as curator (probably as an ex-*praetor*) of Teanum Sidicinum in Campania between 293 and 300 (*CIL* x 4785).

⁹⁵ E. J. CHAMPLIN, *Phoenix* 36 (1982), 71f, plausibly identifies him with the Gallicanus who endowed the church of Saints Peter, Paul & John the Baptist at Ostia with three central Italian estates (*Liber pontificalis* 34.29).

⁹⁶ See *PLRE* 1 stemmata 7 p.1133 (the Anicii) and 24 p.1144 (the Petronii).

⁹⁷ *PLRE* 1 Probianus 3; T. D. BARNES, *New Empire*, 101 and 170; W. KUHOFF, *Laufbahn*, Nr.21.

ordinary consulship came between the proconsulate and the urban prefecture (which office he held from 8 October 329 to 12 April 331), he will almost certainly have held a suffect consulship in his youth. Even if he had not held the consulship itself, the norms of a senatorial career would, in any case, have required his adlection *inter consulares* before his proconsulship of Africa.⁹⁸

Knowledge of Anicius Iulianus' career is equally sketchy. He is known to have been proconsul of Africa when his son, the consul of 334, was his *legatus Carthaginiis* (*CIL* VI 1682 = *ILS* 1220 Rome). Since he cedes precedence to Probianus as the more senior consular, his proconsulship should be placed between 317 and 322.⁹⁹ Iulianus did, however, overtake Probianus by preceding him as *praefectus urbi* from 13 November 326 until 7 September 329.¹⁰⁰ Again this ordinary consulship had no doubt been preceded by a suffect one in his youth.

323 ACILIUS SEVERUS ET VETTIUS RUFINUS

Both consuls almost certainly belong to senatorial families of good pedigree. Although Severus' nomen is not known from fasti or papyri, it is hard to believe that he is any other than the Acilius Severus who was soon to be *praefectus urbi* (from 4 January 325 until 13 November 327) during Constantine's *vicennalia* celebrations at Rome in 326.¹⁰¹ He probably belonged to the patrician *gens Acilia*.¹⁰² As a future urban prefect this will have been a second consulship according to the classical reckoning. His Christianity may also have smoothed his path to the top of the senatorial cursus and the senior

⁹⁸ cf. A. CHASTAGNOL, *L'Italie et l'Afrique*, 83ff, who considers that neither of the ordinary consuls of this year had held prior suffect consulships.

⁹⁹ T. D. BARNES *New Empire*, 171, opts for 320-321 and W. KUHOFF, *Laufbahn*, Nr.19 for c. 316/321. In *PLRE* I (Iulianus 23) an identification with the proconsul Iulianus of 301-2 is suggested (!), whom BARNES, *New Empire*, 102, suggests might be his father.

¹⁰⁰ Probably by being able to pull rank as a patrician over a plebeian (cf. F. JACQUES, *Soc.Rom.*, 123).

¹⁰¹ This is celebrated on a souvenir glass dish from Rome, depicting him beside the emperor (H. FUHRMANN, "Studien zu den Consulardiptychen verwandten Denkmälern: 1. Eine Glasschale von der Vicennalienfeier Constantins des Grossen zu Rom im Jahre 326 nach Chr.", *Röm. Mitt.* 54 (1939), 161-175).

¹⁰² F. JACQUES, *Soc.Rom.*, 152-155, cf. 121, tentatively identifies him as one of the family which had been patrician since the first century AD.

place in the consulate.¹⁰³

Rufinus, the consul of 323, is known as Vettius Rufinus from one southern Italian inscription alone. However it seems unequivocal.¹⁰⁴ Although not without its problems, identification with C. Vettius Cossinius Rufinus, the *praefectus urbi* of 20 August 315 to 4 August 316, is a distinct possibility. Cossinius Rufinus was also from a patrician family.¹⁰⁵ One might have expected an ex-urban prefect to have taken precedence; however ex-prefects seem usually to have taken second place to those actually in office. Though the inversion of the consular formula may indicate that this protocol, certainly observed in the latter half of the century, was perhaps not yet not so firmly established.¹⁰⁶ It may be that Severus' cursus contained more prestigious posts or that his suffect consulship was more senior, or simply that his close friendship with Constantine secured him the prior designation. Conversely, Rufinus' well documented career contained nothing more prestigious than a governorship of Campania before the urban prefecture.¹⁰⁷ Despite the lack of any explicit mention, Rufinus ought to have been a consular for approximately twenty years before attaining the twin peaks of a senatorial career. Thus, if this consul can be identified with Cossinius Rufinus, by the classical reckoning this would be his second consulship.¹⁰⁸

¹⁰³ Jerome, *de viris illustribus* 80 (cf. 111); the Christian rhetor Lactantius wrote two books of letters to him.

¹⁰⁴ *Inscr.It.* III (i).17 Buccino (Lucania et Bruttium): '[Acil.] Sev., Vett. Ruf.' Licinius' refusal to accept Constantine's consuls in this period means that we are deprived of the usually invaluable papyrus evidence.

¹⁰⁵ F. JACQUES, *Soc.Rom.*, 123, puts the *adlectio inter patricias familias* c. 220/225, so that they could not claim the antiquity of the Acilii. Rufinus held the pagan priesthood of augur and *pontifex dei Solis*, which were restricted to patricians (*ILS* 1217, *CIL* VI 32040).

¹⁰⁶ *AE* 1969/1970.657 El Ayida (Africa); cf. *CLRE*, 180. On this protocol of precedence see R. DELMAIRE, *Byzantion* 54 (1984), 154.

¹⁰⁷ *CIL* X 5061 = *ILS* 1217 Atina (Campania). Although clearly a patrician, Rufinus' career is not as abbreviated as one might expect. His father may be the third century proconsul of Asia, Cossinius Rufinus (*PLRE* 1 Rufinus 14). It may be that the Cossinii were relative newcomers and only gained patrician status through marriage into the more established patrician *gens Vettia* (F JACQUES, *Soc.Rom.*, 123, 177f, cf. 218-220).

¹⁰⁸ His career is discussed by M. CHRISTOL, *Essai*, 253f, cf. 123. Cf. Catullinus cos. post. 349 for a similar delay between urban prefecture and ordinary consulship.

324 FLAVIUS IULIUS CRISPUS CAES. III ET FLAVIUS CLAUDIUS CONSTANTINUS CAES. III
 325 V[ALERIUS?] PROCULUS ET SEX. ANICIUS PAULINUS

from c. May:

SEX. ANICIUS PAULINUS ET IONIUS IULIANUS

The striking off and replacement of the first consul implies his disgrace. The original two consuls of the year have been considered as an aristocratic pairing, and this Proculus, who clearly fell from grace part way through the year, has been identified as the Proculus the proconsul of Africa of 319-320.¹⁰⁹ However, if the nomen has been correctly adduced as Valerius, this allows of another explanation. His disgrace has been plausibly associated with the alleged plot of Licinius, which Constantine used an excuse to have his former colleague murdered.¹¹⁰ Since Proculus may have borne the dynastic nomen of the Tetrarchs, it is equally possible that he was a military commander or imperial official, either of Constantine or Licinius.¹¹¹ The apparent association of the disgrace with the execution of Licinius suggests that he had served the defeated emperor. Thus his designation as consul prior in 325 may have been part of the peace and abdication settlement of September 324 (cf. Diocletian's retention of Aristobulus, Carinus' praetorian prefect of Carinus and cos. 285). Thus Proculus' consulship was the true first consulship of an ex-equestrian official.

Only the later stages of Sex. Anicius Paulinus' public career are known. However, he was a member of a patrician family and was himself clearly already an eminent consular as he had been proconsul of Africa for two years prior to the ordinary consulship.¹¹² Although it may seem unorthodox that a senator, who would be cos. II by the classical reckoning, should cede precedence to a non-aristocrat holding a first consulship, the

¹⁰⁹ T. D. BARNES, *New Empire*, 171; for the nomen Valerius see BARNES, "Three Imperial Edicts", *ZPE* 21 (1976), 280, on *P. Oxy.* 889 (cf. *New Empire*, 236f). The proposed restoration of *Valerius* is accepted by *CLRE*, 184f.

¹¹⁰ *Origo Constantini imp.* 5.29 (*Chron. min.* 1, 10), the execution of Licinius was accompanied by a slaughter of his supporters; T. D. BARNES, *New Empire*, 102.

¹¹¹ The dynastic nomen indicated imperial patronage (i.e. employment in imperial administrative or military services); in this case the patronage of the Tetrarchic imperial *gens Valeria* founded by C. Valerius Diocletianus. Constantine along with the elder and younger Licinii were the last of the Tetrarchic Valerii. See further Chapter 3 section III.

¹¹² *CIL* VI 1680; T. D. BARNES, *New Empire*, 171, suggests 322-324.

arrangement is consistent with the pattern for the rest of Constantine's reign.

The peculiar nomen of Iulianus as it appears in the papyrus documents has aroused suspicion. The majority of commentators have identified the consul with M. Ceionius Iulianus, the *praefectus urbi* of 333, on the grounds that the peculiar nomen is the result of haplography over the *καὶ* of the formula and the initial syllable of his name (<κα>ωνίος).¹¹³ Some have preferred emendation to **Iulius** Iulianus and identified him with Licinius' praetorian prefect.¹¹⁴ However that three papyri consistently attest to the form **Ionius**, as well as his position as consul posterior ceding precedence to an aristocrat, make the latter identification difficult.¹¹⁵ While it is not impossible that Iulianus belongs to an otherwise unknown aristocratic *gens Ionia*, a more elegant solution might be to understand Ionius as a *signum* used in the papyrological formulae in place of several nomina.¹¹⁶ Our consul is, then, a Iulianus **Ionius** whose *gentilicium* remains unknown.¹¹⁷ Thus the possibility remains that he is a senatorial aristocrat holding a second (ordinary) consulship according to a classical reckoning.¹¹⁸

326 M. FLAVIUS VALERIUS CONSTANTINUS AUG. VII ET FLAVIUS IULIUS CONSTANTIUS CAES.

327 FLAVIUS CONSTANTIUS ET VALERIUS MAXIMUS

Both consuls are attested by papyri as currently praetorian prefects. Their order of

¹¹³ O. SEECK, *RE* 3 (1899), 1960; J. R. REA, commentary on *P.Oxy.* 3125; A. DEGRASSI, *Fasti consolari*, 59.

¹¹⁴ *PLRE* 1 Iulianus 35; T. D. BARNES, *New Empire*, 102.

¹¹⁵ *P.Stras.* III 137, 138; *P.Charite* 13; cf. *CLRE*, 629.

¹¹⁶ An Ionius Iulianus might even be found a consular forerunner in the *Fasti Caleni*, if the name Ionius Proculus was left to stand rather than amended as usual to [Ce]ionius Proculus (*CIL* x 4631). For metathesis of cognomen with *signum* cf. the case of Populonium Proculus cos. 340. The *signum* Ionius is attested before, borne by Q. Axius Aelianus and his son, on three inscription from Dacia in 238 (*CIL* III 1422, 1432 and *CIG* 6813 Sarmizegetusa); on which see I. KAJANTO, *Supernomina*, 70f.

¹¹⁷ A solution made all the more attractive by the popularity of Greek *signa* among the Roman aristocracy. It would also preclude for certain identification with Ceionius Iulianus, already excluded on other grounds (T. D. BARNES, *New Empire*, 102), because his *signum* was Kamenius (*CIL* VIII 25525 Bulla Regia).

¹¹⁸ Probably as an ex-proconsul. The fasti of Achaëa and Asia are particularly incomplete for this period (T. D. BARNES, *New Empire*, 158, 160).

seniority as consuls was probably dictated by their seniority of appointment as prefect. Moreover Constantius' consulate appears to come towards the end of his time as prefect, while Maximus' appears to mark his recent appointment.¹¹⁹ The dynastic nomina and extremely colourless cognomina the consuls bear strongly suggest a humble background for both of the consuls.¹²⁰ It is possible that both were already *virī clarissimi* (i.e. of senatorial status) by virtue of their appointments to the praetorian prefecture but in any case these would still constitute their first consulships.¹²¹

328 FLAVIUS IANUARINUS ET VETTIUS IUSTUS

This would appear to be a pairing of ex-equestrian official with senatorial aristocrat. Ianuarinus probably came to prominence through the equestrian cursus, if he is rightly identified with the *vicarius Moesiarum* of 319 and *vicarius urbis Romae* of 320.¹²² He is almost certainly another Christian consul and his dynastic nomen suggests a humble background.¹²³

Of Iustus nothing more is known for certain. His nomen suggests that he is another member of the patrician *gens Vettia*.¹²⁴ As a patrician he would traditionally have had a higher expectation of gaining an ordinary consulate as his first, but no certain examples are known from the period of Constantine's sole reign. Comparison with the consulates of 330, 332 to 335 and 337 suggest that by a classical reckoning this would have been an iterated consulship.

¹¹⁹ See my notices on their respective prefectures in Chapter 9.1.

¹²⁰ On the avoidance of the dynastic nomen by the senatorial aristocracy of Rome see A. D. E. CAMERON, "Flavius: a Nicety of Protocol", *Latomus* 47 (1988), 32. On Valerius as a dynastic nomen see Chapter 3, Section III, above. After the removal of Licinius, Flavius was now the common nomen of the ruling dynasty. Maximus was certainly of non-senatorial origin since he is addressed as 'p(erf-ectissimus) v(ir)' in some laws addressed to him while *vicarius Orientis* (*CTH* 2.22.1, 7.20.4, 9.1.5 & 9.19.2).

¹²¹ FJ. Constantius made a dedication to Constantine—*CIL* III 6751 Ancyra (Galatia)—on which he qualifies himself as 'v(ir) c(larissimus)' and its location suggests a context soon after the defeat of Licinius in 324.

¹²² So *PLRE* 1 Ianuarinus 1 & 2 and T. D. BARNES, *New Empire*, 103; his known posts suggest a career analogous to that of C. Caelius Saturninus (*CIL* VI 1704 = *ILS* 1214).

¹²³ The sarcophagus of his wife, Marcia Romana Celsa, at Arles (on which see J.-M. ROUQUETTE, "Trois nouveaux sarcophages de Trinquetaille (Arles)", *CRAI* 1974, 257ff) is overtly Christian.

¹²⁴ F JACQUES, *Soc.Rom.*, 123. He was presumably related to the consuls of 316 and 323.

329 M. FLAVIUS VALERIUS CONSTANTINUS AUG. VIII ET FLAVIUS CLAUDIUS CONSTANTINUS CAES. IIII

330 FLAVIUS GALLICANUS ET AURELIUS VALERIUS TULLIANUS SYMMACHUS

This is almost certainly a pairing of one imperial (i.e. ex-equestrian official) and one aristocratic consul, with the imperial candidate taking precedence as in 328. Although Gallicanus is otherwise unknown, the dynastic nomen Flavius is suggestive of a non-aristocratic origin and his career may form part of the basis of the fictitious *Acta S. Gallicani*. Ovinus Gallicanus, the consul of 317, and the Caesar Constantius Gallus have already been identified as two of the inspirations to the author of the *Acta*.¹²⁵ It is then possible that Flavius Gallicanus was the inspiration for St. Gallicanus as a military commander of Constantine operating in the Danubian region. Therefore the consul of 330 might plausibly be one of Constantine's generals for whom this would certainly be a first consulship.¹²⁶

On the other hand it can hardly now be doubted that Symmachus was of citizen, if not senatorial, birth.¹²⁷ Though once identified with Phosphorius, proconsul of Achaëa in 319, it is now uncertain whether Symmachus bore that *signum*. Achaëa being a consular province from the reign of Constantine, this would have been certified as a second consulship according to the classical reckoning. Nevertheless this remains highly probable.¹²⁸

¹²⁵ E. J. CHAMPLIN, *Phoenix*, 36 (1982), 74. However, he does not explore the idea of a the saint as a composite character constructed from aspects of the lives of similarly named characters (i.e. Ovinus Gallicanus, Fl. Gallicanus, Constantius Gallus). A. CHASTAGNOL has already identified this method of composition in the creation of the 'faction' of the *Historia Augusta* ("Sources, thèmes et procédés de composition dans les «Quadrigae Tyrannorum»", *Recherches sur l'HA*, 69ff) and CHAMPLIN (ibid., 75) himself draws notice to other similarities between that work the *Acta S. Gallicani*.

¹²⁶ If anyone, it is Fl. Gallicanus who is the prime candidate for the 'barbarian' Constantine allegedly appointed to the ordinary consulship. It is only via a military career that barbarians later did reach the consulship (e.g. Fl. Nevitta cos. 362, Fl. Dagalaifus cos. 366, Fl. Merobaudes cos. 377, etc.). Gallicanus' Latin cognomen is no bar to the identification; cf. Silvanus the Frank (Ammianus Marcellinus, 25.5.16).

¹²⁷ A. D. E. CAMERON, "The Roman Friends of Ammianus", *JRS* 54 (1964), 21f; J. F. MATTHEWS, "Later Roman Prosopography", *CR* n.s. 24 (1974), 101.

¹²⁸ T. D. BARNES, *New Empire*, 104; for consular status of this governorship cf. *AE* 1917/1918.99 = *ILAfr.* 456 Bulla Regia (Proconsularis). Re-reading of *P.Theod.* 12 has deprived Symmachus of

331 IUNIUS BASSUS ET FLAVIUS ABLABIUS

Both consuls were currently praetorian prefect and as such had risen to prominence via an equestrian career. Bassus was coming to the end of a fourteen-year run as prefect in Gaul to the senior Caesar Crispus and then his successor Constantinus (318-332).¹²⁹ Ablabius on the other hand was a more recent appointment to the prefecture and, accordingly, Bassus takes precedence as consul. The humbleness of Ablabius' origins, which his dynastic nomen would suggest, is for once confirmed.¹³⁰ It is quite likely that both of the consuls were Christians: Ablabius was certainly so and Bassus' family may already have converted, indeed his son was buried in the apse behind the high altar of St. Peter's on the Vatican.¹³¹

332 L. PAPIUS PACATIANUS ET MECILIUS HILARIANUS

This is a pairing of an imperial official and a Roman aristocrat. Papius Pacatianus was currently a praetorian prefect, having come up through the equestrian cursus.¹³² Although Pacatianus may already have been a received the clarissimate along with his appointment to the prefecture, the ordinary consulship will have been his first.¹³³

Mecilius Hilarianus was a senatorial aristocrat and already an eminent consular, since he had been *corrector Lucaniae et Bruttiorum* as long ago as 316 (*CTh* 9.19.1 + 12.1.3). In traditional terms his ordinary consulship was his second, coming between his proconsulate of Africa in 324 to 325 and urban prefecture from 13 January 338 until 14 July 339.¹³⁴

the hypothesised *signum* (*P. Sakaon* 65).

¹²⁹ *AE* 1964.203 = 1975.370 Aqua Viva (Etruria); see my notice in Chapter 9.1.

¹³⁰ Libanius, *Or.* 42.23; Eunapius, *V. Phil.* 6.3.3-7 Of 'low birth' he first entered government service as an *officialis* of the governor of Crete. See my notice of his prefecture in Chapter 9.1.

¹³¹ Ablabius' Christianity: *Const. Sirmond.* 1; Athanasius, *Fest.Ep.* 4; John of Nikiu, *Chron.* 77.71. Bassus Theotecnius' sarcophagus: *CIL* VI 32004 = *ILS* 1286.

¹³² T. D. BARNES, *New Empire*, 105; see my notice on Pacatianus in Chapter 9.1.

¹³³ It is probable that he is the fifth of the praetorian prefects qualified as 'cccc. [et illu]s triu[m] vvvv[v.]' in 330/331 (*AE* 1981.878 + A. CHASTAGNOL, "Les inscriptions africaines des préfets du prétoire de Constantin", *L'Africa romana* 3, 268-270 = Appendix 2, No 12).

¹³⁴ *PLRE* I Hilarianus 5; T. D. BARNES, *New Empire*, 105; W. KUHOFF, *Laufbahn*, Nr.57.

333 FLAVIUS DALMATIUS ET DOMITIUS ZENOPHILUS

A member of the imperial family is placed at the head of this year's consular pair, before a senatorial aristocrat. Dalmatius was the emperor Constantine's half brother, being the son of the emperor Fl. Val. Constantius and his second wife Theodora. By spring 334 Dalmatius was ruling the East from Antioch with the title of *ensor*.¹³⁵ Dalmatius had pursued no conventional career before 333, having spent his time first in forced retirement at Toulouse (Ausonius, *Professores* 17[16].11-13) and then at court; so this was a true first consulship.

Zenophilus' career as a traditional consular had begun at least thirteen years before this consulate, and he had recently completed a term as proconsul of Africa (from 330 to 331).¹³⁶ By a classical reckoning he would no doubt have been *cos. II*.

334 FLAVIUS OPTATUS ET AMNIUS MANIUS CAESONIUS NICOMACHUS ANICIUS PAULINUS
signo HONORIUS

This year's consuls are a pairing of an imperial favourite and a patrician senator. Optatus pursued no conventional equestrian or public career but was a powerful friend and confidant of emperors. He had tutored Licinius iunior as *grammaticus* and remained in imperial favour under Constantine, becoming the first person on whom Constantine bestowed the new personal non-hereditary honour of *patricius*.¹³⁷ This was undoubtedly a first consulship.

Paulinus, sometimes qualified as *iunior* to distinguish him from the Anicius Paulinus *cos. 325*, belonged to the prestigious *gens Anicia*.¹³⁸ Paulinus' father was Amnius

¹³⁵ *PLRE* I Dalmatius 6; T. D. BARNES, *New Empire*, 85, 105.

¹³⁶ Zenophilus is attested as *consularis sexfascalis provinciae Numidiae* on 13 December 320 (Optatus, *Appendix* 1^c) and had been corrector of Sicily before that (*CIL* X 7234 Lilybaeum). On the date of his proconsulship see A. CHASTAGNOL, *L'Africa romana* 3, 267.

¹³⁷ Specifically qualified as *patricius* in the formulae of eight papyri (*CLRE*, 203); Libanius, *Or.* 42.26/7; Zosimus, 2.40.2. T. D. BARNES, *New Empire*, 107 suggests his enormous influence was gained via some family relationship with Constantine's mother Helena.

¹³⁸ Though clearly he was also related to the Caesonii. Thus his second nomen—for which the sole record is the careless *ILS* 1220, which gives 'Manius' (it also has *Ammius* for *Amnius*),—might plausibly be taken as 'Manlius' (a ligatured 'LI' having been intended where 'I' now stands), since this was one of the *nomina* borne by the Caesonii Ovinii in the third century (M. CHRISTOL, *Essai*, 158-176).

Anicius Iulianus, the consul of 322, and his own abbreviated career demonstrates that the family was still able to exercise its patrician privileges.¹³⁹ This second consulship was clearly intended to complement Paulinus' term as *praefectus urbi*, which post he held from 27 April 334 until 30 December 335). Nevertheless, it is worthy of note, that the new imperial type of *patricius* takes precedence over the old republican type.

335 IULIUS CONSTANTIUS ET CEIONIUS RUFIOUS ALBINUS

The consuls are again, as in 333, a coupling of a member of the imperial family with a noble aristocrat. Iulius Constantius was the younger brother of Dalmatius and similarly followed no public career. He also received the refurbished personal title *patricius* and in the year of his consulship was even honoured as *nobilissimus vir*, a title that implied designation for the throne and as such was the usual accompaniment to the position of Caesar.¹⁴⁰

The certain facts of Albinus' career are few.¹⁴¹ However he clearly repeated the achievement of his father, C. Ceionius Rufius Volusianus, in obtaining an ordinary consulship (following an earlier suffect one in his teenage years?) along with the post of *praefectus urbi*, which he held from 30 December 335 until 10 March 337.

336 VIRIUS NEPOTIANUS ET TETTIUS FACUNDUS

At first sight these two consuls are simply a pair of senatorial aristocrats. Indeed Virius Nepotianus is undoubtedly a descendant of the homonymous consul of 301 and, therefore, belongs to the same patrician *gens Viria*.¹⁴² If the latter's son, this could be expected to be his first consulship. However, unless his fellow was also a young aristocrat of lesser status, it is extraordinary that he should enjoy the position of consul ordinarius

¹³⁹ His consular career is given by *CIL* VI 1682 = *ILS* 1220; W. KUHOFF, *Laufbahn*, Nr.30. The family had been patrician since c. 230 (F. JACQUES, *Soc.Rom.*, 123).

¹⁴⁰ *Patricius* in six papyri (*CLRE*, 205) and Athanasius, *Apologia contra Arianos* 76; for *nobilissimus* see Zosimus, 2.39.2.

¹⁴¹ *PLRE* 1 Albinus 14, cf. Anonymus 12; T. D. BARNES, *JRS* 65 (1975), 42f, 47f, cf. *New Empire*, 108, for a possible reconstruction of a fuller cursus based on the *Mathesis* of Iulius Firmicus Maternus.

¹⁴² *PLRE* 1 Nepotianus 7; M. CHRISTOL, *Essai*, 125.

prior.¹⁴³ His position as consul prior increases the attractiveness of the theory that he is the husband of Constantine's half-sister Eutropia, and so father of Iulius Nepotianus, who was briefly elevated in Rome in 350 as a rival emperor to the usurper Magnentius.¹⁴⁴ Nepotianus will thus have enjoyed precedence, even though it may be a true first consulship, because he was an imperial candidate as Constantine's brother-in-law.

No other information exists concerning Facundus apart from his consulship. The central Italian nomen Tettius cannot be said to weigh in favour of a senatorial aristocratic over an equestrian background in the light of the cases of the contemporary equestrian officers Iunius Bassus and Papius Pacatianus.¹⁴⁵ However comparison with the pattern exhibited by all the other consulates from 332 to 337 makes an aristocratic origin for the consul posterior most likely. Without further information it is impossible to decide whether this was a first or second consulship, but again analogy with the other consuls of the years 332 to 337 argues in favour of a second.

337 FLAVIUS FELICIANUS ET FABIVS TITIANVS

This pair of consuls is another example of juxtaposition of an imperial official and a senatorial aristocrat. Flavius Felicianus recorded as the first *comes Orientis* and as a Christian.¹⁴⁶ That Felicianus sports the dynastic nomen suggests he was of humble origins and that he worked his way up through the equestrian administrative offices.¹⁴⁷ This ordinary consulship was thus, no doubt, his first public magistracy.

Fabius Titianus on the other hand had pursued a well documented and traditional senatorial career up to this point. He had also spent some time at court, perhaps that of the Caesar Constans in Italy, being honoured with rank of *comes ordinis primi* (*CIL* VI 1717

¹⁴³ cf. AD 270, 298 and 301 in which the young patrician takes second place to a consul enjoying his second consulship.

¹⁴⁴ *PLRE* 1 Nepotianus 7 & stemma 2 p.1129; T. D. BARNES, *New Empire*, 108.

¹⁴⁵ cf. my notices on them in Chapter 9.1. Iunius was an Etruscan, and Papius is a nomen native to ancient Latium (cf. L. Papius & L. Papius Celsus, two *monetales* from Lanuvium, *RRC*, 398f, No 384 & 481f, No 472 of the first-century BC, and the duovir of Sinuessa, L. Papius L. f. L. n. Pollio, *CIL* I² 1578 = x 4727 = *ILS* 6297 = *ILLRP* 667 Ager Falernus).

¹⁴⁶ Malalas, 318-319 Bonn. This was a civil administrative post (equivalent to *vicarius*) rather than a military one; the job description 'totius Orientis gubernacula' is given by Firmicus Maternus, *Mathesis* 1 pr.7.

¹⁴⁷ cf. Ablabius cos. 330 and *PLRE* 1 Saturninus 9.

= *ILS* 1227). This ordinary consulship, coming after a proconsulship of Asia, would traditionally have been an iteration.¹⁴⁸

338 FLAVIUS URSUS ET FLAVIUS POLEMIVS

Nothing is known for certain about this pair of consuls. Both bear the dynastic nomen Flavius which is often indicative of humble origins. It is tempting to see in these *parvenus* the kingmakers of the three-month interregnum between Constantine's death and the proclamation of Constantine, Constantius and Constans as Augusti.¹⁴⁹ Certainly Ursus sounds like the sort of cognomen a barbarian taking up service in the Roman army might adopt.¹⁵⁰ This makes an identification with the Ursus *στρατηλάτης*, to whom a soldier of the Constantinian period named Apsyrus addressed writings on equine illnesses, all the more plausible.¹⁵¹ He would then be the first definitely identified genuinely military man to be honoured with the consulship since Iulius Marcellinus in AD 275.

Polemivus is most likely another general or possibly a palatine official. He has been plausibly identified with the Polemivus *comes* who was at Constantius' court in 345/6, from where he wrote to bishop Athanasius in Gaul pleading with him to return to Alexandria.¹⁵² He is mentioned first in the list of *comites* who appealed to Athanasius, which if the list represents some sort of seniority, accords with the consulship of 338, since he precedes Datianus (the future consul of 358), Bardio (*praepositus sacri cubiculi*), Thalassius (the future praetorian prefect of Gallus Caesar), Taurus and Florentius (respectively the future consuls prior and posterior of 361).¹⁵³

339 FLAVIUS IULIVS CONSTANTIVS AVG. II ET FLAVIUS IULIVS CONSTANS AVG.

¹⁴⁸ Also falling only two years before he was *praefectus urbi* (25 October 339-25 February 341); A. CHASTAGNOL, *Fastes*, 107ff; *PLRE* 1 Titianus 6.

¹⁴⁹ T.D. BARNES, *JRS* 65 (1975), 40, argues that the original consular arrangements for 338 appear to have been disrupted by the events following Constantine's death.

¹⁵⁰ cf. *PLRE* 1 Ursus 1 the *tribunus cohortis XI Chamavorum* in late February 300.

¹⁵¹ As suggested in *PLRE* 1 Ursus 4.

¹⁵² Athanasius, *Historia Arianorum* 22.1.

¹⁵³ For a discussion of these men, presumably Christians, see T. D. BARNES, "Christians and Pagans in the Reign of Constantius" in A. DIHLE (ed.), *L'Eglise et L'Empire au ive siècle*, 313f.

340 SEPTIMIUS ACINDYNUS ET L. ARADIUS VALERIUS PROCULUS *signo* POPULONIUS

Although Acindynus was certainly from a senatorial family this consulate follows the Constantinian pattern of imperial over public candidates. Septimius Acindynus' family had probably been noble for at least two generations, though he would appear to be the first member of the family to obtain a second consulship.¹⁵⁴ He is the first clear example of a senator pursuing the new integrated equestrian-senatorial cursus made possible by Constantine's status reforms.¹⁵⁵ Acindynus had previously held a vicariate, at a point in his career where a proconsulate might be traditionally expected, and takes precedence over his more eminent senatorial colleague because he was currently serving as praetorian prefect to Constantius.¹⁵⁶

Populonium Proculus (as he was known for short)¹⁵⁷ had pursued up to this point a career made up of traditionally senatorial offices, except for acting as *vicarius* of Africa while proconsul and a short period standing in for the praetorian prefect.¹⁵⁸ He had had close contact with the imperial court over a long period, being honoured three times as *comes*, on the last occasion significantly as *comes ordinis primi intra Palatium*. This consulship, which would be his second according to a classical reckoning, was the accompaniment to the urban prefecture he recently had held from 10 March 337 to 13 January 338.

341 ANTONIUS MARCELLINUS ET PETRONIUS PROBINUS

This consulate follows the same arrangement as for 340. The consul prior, although a senatorial aristocrat, was an imperial candidate and the posterior a purely senatorial

¹⁵⁴ A Septimius Acindynus, whom chronology suggests ought to be his grandfather, was *praefectus urbi* in 293-295 (A. CHASTAGNOL, *Fastes*, 21; *PLRE* 1 Acindynus 1). The intermediate generation is thus perhaps represented by the *praefectus urbi* of 317-319, Septimius Bassus (*Chron. min.* 1, 65).

¹⁵⁵ W. KUHOFF, *Laufbahn*, Nr 37; cf. the better documented case of Furius Placidus cos. 343.

¹⁵⁶ He is recorded as *v. c. vicarius Hispaniarum* on a dedication to a Caesar whose name was subsequently erased (*CIL* II 4107 Tarraco). The Caesar Dalmatius and the period 335/337 best suits the chronology, despite the fact the Caesar is conventionally identified as Crispus (*PLRE* 1 Acindynus 2; T. D. BARNES, *New Empire*, 145). On his prefecture see my notice in Chapter 9.1.

¹⁵⁷ This is the form given consistently in the papyri (*CLRE*, 215). Cf. Ionius Iulianus (cos. 325) for another possible case of transposition of a *signum* to stand in place of a gentilicium.

¹⁵⁸ See my discussion in Chapter 6.1.

candidate. Even if Marcellinus cannot be securely identified with the anonymous of Bulla Regia his senatorial and consular pedigree is assured from his known proconsulate of Africa.¹⁵⁹ His ordinary consulship, however, came while he was currently Constans' praetorian prefect supervising Italy, Africa and Illyricum.¹⁶⁰

Petronius Probinus was the son of Probianus cos. 322 and was soon himself to follow in his father's footsteps as *praefectus urbi* (from 5 July 345 until 26 December 346).¹⁶¹ Nothing more is known of his career. Nevertheless the proximity of the urban prefecture implies that Probinus', as well as Marcellinus', would have been a second consulship according to a traditional career pattern.

342 FLAVIUS IULIUS CONSTANTIUS AUG. III ET FLAVIUS IULIUS CONSTANS AUG. II
343 M. MAECIUS MEMMIUS FURIUS BABURIUS CAECILIANUS PLACIDUS ET FLAVIUS
ROMULUS

Both this and the next year's consulates follow the same pattern. Furius Placidus, although undoubtedly of Roman aristocratic birth, largely abandoned the traditional senatorial career at the consular level, preferring to hold the newly clarissimate former equestrian offices.¹⁶² He was honoured with the ordinary consulate because he was currently Constans' praetorian prefect of Italy, Africa and Illyricum.¹⁶³ On account of his earlier public career this was no doubt his second consulship according to the classical reckoning.

Nothing for certain is known of the career of Romulus. However comparison with the consuls of 344 suggests that he was a military man, possibly a general of Constans. If Flavius Romulus is a western general, he might be identified with the *magister equitum*,

¹⁵⁹ A. KUHOFF, *Laufbahn*, Nr. 38; cf. *PLRE* I Anonymus 37; A. CHASTAGNOL, *Fastes*, 89, identifies the anonymous with Marcellinus. His proconsulship is attested by *CIL* VIII 25524 Bulla Regia, which also describes him as 'illustris familiae' so that a relationship with Antonius Caecinius Sabinus cos. 316 is possible (father? uncle?). His precise relationship with Antonius Marcellinus *praeses Lugdunensis primae* in 313 (or 319) is also problematic (T. D. BARNES, *New Empire*, 106f).

¹⁶⁰ See my notice in Chapter 9.1.

¹⁶¹ *Chron.* 354 (*Chron. min.* 1, 68).

¹⁶² *CIL* X 1700 = *ILS* 1231 Puteoli, lines 7-11: 'praefecto annonae urbis | sacrae cum iure gladii, .|. . . comiti Orientis, | Aegypti et Mesopotamiae iudi|ci sacrarum cognitionum' W KUHOFF, *Laufbahn*, Nr. 42.

¹⁶³ See my notice in Chapter 9.1.

Romulus, who commanded the forces of Magnentius at the battle of Mursa in 351.¹⁶⁴

344 DOMITIUS LEONTIUS ET IULIUS SALLUSTIUS

(in the West till April/May) ET FLAVIUS BONOSUS

The consuls, as disseminated in Constantius' domains and in the West after the spring are securely attested, as respectively the praetorian prefect and *magister peditum* of Constantius. No previous history is known for Domitius Leontius, but he was currently serving as Constantius' praetorian prefect.¹⁶⁵ He probably rose through an equestrian cursus in the imperial administration rather than a public senatorial career, so that this will have been a true first consulship.¹⁶⁶

Iulius Sallustius is qualified in the dating formulae of the papyri once as *comes* and several times as *magister peditum*.¹⁶⁷ He is conventionally identified as Constantius' general, and this would explain the confusion over the consulship in the West. The formula as disseminated in the West at the beginning of the year, 'Leontius et Bonosus', must, I believe, have been the result of a breakdown in communication with the eastern court, which was then regularly at Antioch, while Constans was in the Gallic provinces at this time.¹⁶⁸ I propose that the explanation lies in a misunderstanding of a prior arrangement between Constantius and Constans that the consuls of the year were to be the praetorian prefect and a general of Constantius, in order to complement the similar consulships awarded to Constans' prefect and general in 343. Thus relying on this agreement Constans went ahead, without consulting his brother further, I suspect, and as a result simply proclaimed the wrong general by mistake—Constantius' *magister equitum* instead of *magister peditum*.¹⁶⁹ The correction to this clerical error clearly did not reach all quarters until the late spring.¹⁷⁰ On the other hand Roger Bagnall et al. have recently proposed

¹⁶⁴ On the *magister equitum* see *PLRE* 1 Romulus 2.

¹⁶⁵ See my notice on his prefecture in Chapter 9.1.

¹⁶⁶ The wording of a statue dedication from Beirut (*CIL* III 167 + p.971 = *ILS* 1234), which praises his *merita* 'quae per singulos honorum grados ad hos eum dignitatum apices provexerunt', might be read as an allusion to a rise from modest beginnings.

¹⁶⁷ *CLRE*, 223.

¹⁶⁸ T. D. BARNES, *Athanasius and Constantius*, 219f & 225, with n.18, 312.

¹⁶⁹ *CTh* 5.6.1, given at Hierapolis in Syria on 11 May 347, is addressed 'AD BONOSVM MAG. EQVITVM'.

¹⁷⁰ This is the solution implied by *PLRE* 1 Bonosus 4, where the eastern *magister equitum* and the

dissociating the consul of 344 from the general, since the latter is only attested in 347 (*CTh* 5.6.1) while 'the removal and replacement of an ordinary consul normally implies disgrace and *damnatio memoriae*.'¹⁷¹ However Bonosus has not suffered the retrospective *damnatio memoriae* that one might expect on any of the eight western inscriptions which record his consulship;¹⁷² rather western practise simply switches over from *c.* May to accord with that of the East. Manuscript *fasti* were naturally able to take note of the 'correction'. In fact there exists a parallel for such a phantom consulship arising from a similar misunderstanding; that of Honorius Aug. VIII in 411. The court of Theodosius II acting on what it understood to be a prior arrangement proclaimed 'Honorius Aug. VIII et Theodosius Aug. IV' for 411.¹⁷³ As it turned out, Honorius did not fulfill the expectation but delayed his consulship till 412, probably because of the disruption of 410 in Italy. Theodosius took longer than Constans to duly correct his error, which he did only by proclaiming 'Honorius Aug. VIII et Theodosius V' for 412.¹⁷⁴

345 FLAVIUS AMANTIUS ET M. NUMMIUS ALBINUS *signo* TRITURRIUS

The consular pairing of this year in all probability reverts to the Constantinian type, whereby an imperial official is honoured in company with a senatorial aristocrat, in this case a patrician. Amantius is otherwise unknown but the dynastic nomen does suggest imperial service, either military or administrative.

Nummius Albinus' sparse career is known from a Roman inscription which reveals that, remarkably, it comprised exclusively public magistracies (*quaestor candidatus*, *praetor urbanus*, *consul sc. suffectus*) other than the honorific position of *comes*, and held no administrative office at all between his first and second consulship, which he unequivocally

consul are firmly identified.

¹⁷¹ *CLRE*, 222; followed by T. D. BARNES, Athanasius and Constantius, 313 n.22, who describes Bonosus as 'a western consul'

¹⁷² Seven from Italy, one from Dalmatia; for references see *CLRE*, 222, adding now the bronze *tabula patronatus* dated 1 April, published by M. BUONOCORE, "C. Herennius Lupercus patronus Larinatium", *Tyche* 7 (1992), 21, which was inscribed on the back of the famous *SC* of AD 19 from Larinum, restricting public performance by members of the upper class (*AE* 1978.145).

¹⁷³ R. W. BURGESS, "The Ninth Consulship of Honorius, A.D. 411 and 412", *ZPE* 65 (1986), 211-221; *CLRE*, 17 & notes on 356-359.

¹⁷⁴ *CLRE*, 359 (The eastern lemma "Theodosius Aug. V" alone, which contradicts their own argument below, is to be ignored).

describes as ‘cos. ord. iterum.’¹⁷⁵ The fact that he managed to obtain a second consulship can probably be put down to a combination of the old patrician privilege of the Nummii and personal friendship with one of the emperors.¹⁷⁶ The close relations with the imperial family are indicated by his title of *comes domesticus ordinis primi*.¹⁷⁷ Alternatively he may have been designated to the urban prefecture but died before taking up office, since this was the usual complement to the ordinary consulship of an aristocrat. However, because he currently held no office, despite his previous suffect consulship, he ceded precedence to the imperial candidate.

346 FLAVIUS IULIUS CONSTANTIUS AUG. IIII ET FLAVIUS IULIUS CONSTANS AUG. III

347 VULCACIUS RUFINUS ET FLAVIUS EUSEBIUS

This consulate exhibits the same pattern as in 343; senatorial aristocrat taking precedence over imperial general, but only because the imperial position Rufinus was employed in outranked that which Eusebius filled. The reverse order of the names given in the subscription to one Constantian law in the Theodosian Code is probably to be ascribed simply to scribal error, in the light of the superior and unanimous testimony of the contemporary documentary sources.¹⁷⁸ Vulcacius Rufinus, although a noble aristocrat, pursued, in a similar manner to Furius Placidus (cos. 343), after the post of *consularis Numidiae*, a career of untraditional pattern (i.e. omitting a consular proconsulate): *comes ordinis primi*, *comes per Orientem, Aegyptum et Mesopotamiae*, *praefectus praetorio*.¹⁷⁹ The title of his governorship of Numidia implies a prior suffect consulship or, at least,

¹⁷⁵ *CIL* VI 1748 = *ILS* 1238; to be contrasted with *consul bis ordinarius* as Volusianus styled himself in 314. Since it states that he was *praetor urbanus*, he may be identified with M. Nummius Ceionius Annius Albinus, whose urban praetorship has been re-dated to the vicinity of 321 (T. D. BARNES, *New Empire*, 120f). At *CLRE*, 3f, the possibility that he might have held two ordinary consulships is discussed but it seems unlikely. W. KUHOFF, *Laufbahn*, Nr. 40.

¹⁷⁶ The senatorial *gens Nummia* had been patrician since c. 170 (F. JACQUES, *Soc. Rom.*, 122).

¹⁷⁷ cf. Furius Placidus (cos. 343) *comes ordinis primi intra Palatium*.

¹⁷⁸ With the singular exception of *CTh* 11.36.8, which gives ‘Eusebio et Rufino’ (cf. *CTh*. 5.6.1: ‘Rufino et Eusebio’), the manuscript fasti, numerous inscriptions and papyri, as well as literary sources all agree as to the order of names (see *CLRE*, 228f, to which add now the *tabula patronatus* of Aquilius Nestorius dated 1 August 347, *AE* 1990.211 Paestum).

¹⁷⁹ Rufinus’ consular career up to and including the ordinary consulship is given by *CIL* VI 32051 = *ILS* 1237 Rome.

adlectio inter consulares, which suggests that his ordinary consulship takes the position of the iterated consulship of a traditional senatorial career. Like Placidus and Nummius Albinus, Rufinus too was a familiar of Constans. Indeed Rufinus' sister Galla had married Constantine's half-brother Iulius Constantius (cos. 335).¹⁸⁰

Eusebius' dynastic nomen suggests quite humble origins and he was certainly the first consul of the family.¹⁸¹ Some papyri qualify him as *comes* in their consular dating formulae and he is recorded as having been *magister equitum et peditum* at some point.¹⁸² The testimony of the papyri should not be taken to exclude the possibility that he was an active general at the time of his consulship. In fact it is most likely that he was currently holding the command of *magister equitum et peditum* during his consulship.¹⁸³ If, as seems likely, he is correctly identified with silverware found at Aquileia which celebrates a consular Eusebius, he ought to be a general of Constans rather than Constantius.¹⁸⁴

348 FLAVIUS PHILIPPUS ET FLAVIUS SALIA

As in the previous year this is a pairing of praetorian prefect and general. Flavius Philippus is recorded by the papyri as being currently praetorian prefect, and was in fact Constantius' prefect in succession to Domitius Leontius, the consul of 344.¹⁸⁵ The humble origins suggested by his dynastic nomen are confirmed by Libanius, who mocks

¹⁸⁰ The Roman inscription records that Rufinus was *comes ordinis primi intra consistorium*; on Galla see *PLRE* 1 Galla 1 and stemma 26, p.1145.

¹⁸¹ Julian, *Or.* 3.107D-109A.

¹⁸² *CLRE*, 229; posthumously described as 'exconsule et exmagistro equitum et peditum' by *CTh* 11.1.1 (18 January 360).

¹⁸³ *PLRE* 1 Eusebius 39 states that the styling solely as *comes* implies that he had retired. However this should not be taken to exclude him from being a currently active general; cf. the case of Iulius Sallustius (cos. 344) who is described variously as either *comes* or *magister equitum* in the papyri (*CLRE*, 223).

¹⁸⁴ *CIL* v 8122.10. His home town, Thessalonike in Macedonia (Julian, *Or.* 3.106Bff, 107D & 110B), had also been governed by consistently western based governments since 317 (E. DEMOUGEOT, "Le partage des provinces d'Illyricum entre la pars Occidentis et la pars Orientis", *La géographie administrative et politique d'Alexandre à Mahomet*, 241-250. However *PLRE* 1 Eusebius 39, suggests he was attached to Constantius; a theory retained at *CLRE*, 14, through the desire to have an anachronistically tidy reciprocation of consuls between Constantius and Constans.

¹⁸⁵ *CLRE*, 231; A. H. M. JONES, "The Career of Flavius Philippus", *Historia* 4 (1955), 229-33, cf. idem, "Collegiate Prefectures", *Roman Economy*, 382f, 392. W. KUHOFF, *Laufbahn*, Nr. 43.

him as the son of a sausage-maker and that he entered the imperial administration as a *notarius* (*Or.* 42.24-5.). Therefore this was, by any criteria, a first consulship.

Salia is probably the first unassimilated barbarian to appear in the consular *fasti*.¹⁸⁶ The papyri record that he held the office of *magister equitum*, and one would expect him to be a general of Constantius on the analogy of the consulate of Constans' praetorian prefect and *magister utriusque militiae* in 347. However, he was undoubtedly a commander of Constans since he brought a letter from Constans to Constantius in 343 after the Council of Serdica.¹⁸⁷ This mission would obviously brought him to Constantius' attention. Therefore Constantius, perhaps having decided to allow his own current *magister equitum*, Fl. Bonosus, to retain the consular honour with which Constans had accidentally credited him, may have taken the opportunity to reciprocate.¹⁸⁸ This might explain the apparently curious nomination of his brother's general rather than his own. Needless to say, this would have been Fl. Salia's first consulship.

349 ULPIUS LIMENIUS ET ACONIUS CATULLINUS *signo* PHILEMATIUS

Limenius had been *praefectus urbi* since 12 June 347 and, in early 349, at least, held the office simultaneously with that of praetorian prefect.¹⁸⁹ The most plausible reason for this conjunction is that he took on the responsibility of the praetorian prefecture on the untimely death of the prefect Flavius Eugenius.¹⁹⁰ The designation of Eugenius to the ordinary consulship recorded on a posthumous dedication from Rome (from which his untimely death is presumed) therefore ought to have been for this year, 349.¹⁹¹ Limenius,

¹⁸⁶ 'Unassimilated' in the sense that he had not adopted a more Roman-sounding cognomen (cf. Fl. Gallicanus cos. 330?), but would have appeared to have retained his native name. His name might suggest a Frankish origin.

¹⁸⁷ *CLRE*, 231; Theodoret, *HE* 2.8.54ff. On the episode see T. D. BARNES, *Athanasius and Constantius*, 87-90.

¹⁸⁸ See the discussion of the consuls of AD 344 above.

¹⁸⁹ *Chron. min.* 1, 68, which is confirmed by *CTh* 9.21.6 (12 February 349) addressed 'LIMENIO PPO' and *CTh* 9.17.2 (28 March 349) addressed 'AD LIMENIUM PPO'. On his praetorian prefecture see V. NERI, "Le prefettura del pretorio in Occidente. .346-350 d.C.", *RSA* 4 (1974), 103-111.

¹⁹⁰ Eugenius' prefecture has been rejected as honorary by A. H. M. JONES, *LRE*, 344 (followed by *PLRE* 1, Eugenius 3; *CLRE*, 19, where it is simply asserted that it was 'clearly honorary'), but the argumentation seems spurious. Its reality has been upheld by C. VOGLER, *Constance II*, 124.

¹⁹¹ *CIL* VI 1721 = *ILS* 1244. Therefore, his death ought probably to be placed in the latter half

it seems, soon followed Eugenius to the grave, dying in office as consul on 8 April.¹⁹² Although Limenius' name suggests that he was from an eastern family whose Roman citizenship was of long standing, his background remains obscure. He is usually identified with the Limenius, proconsul of Constantinople in 342, who clashed with the orator Libanius.¹⁹³ However this does not aid in determining whether he was of imperial service or aristocratic origin, so that it is impossible to say whether this was a true first or second consulship.¹⁹⁴

Catullinus on the other hand is certainly a member of the senatorial aristocracy, being a relation of Aco Catullinus, proconsul of Africa in 317 to 319. Though, since the nomen seems to be clearly Aconius rather than Aco, he might be a nephew rather than simply a son (cf. the discussion Caecinius Sabinus cos. 316).¹⁹⁵ Catullinus had held the suffect consulship in his youth, since he described himself explicitly as 'vir consularis praeses prov(inciae) Callaeciae'.¹⁹⁶ He currently held no office, having completed his active career as praetorian prefect to Constans in Gaul and then *praefectus urbi* from 6 July to 11 April 334.¹⁹⁷ That Catullinus' consulship did not accompany either his praetorian or urban prefecture but came only five years later at a time when he held no office suggests he was a second choice as consul to fill the gap left by Eugenius' death.¹⁹⁸

of 348, which is not contradicted by the evidence for Limenius' praetorian prefecture; but cf. *CLRE*, 19, which places Eugenius' designation and death in 349; W KUHOFF, *Laufbahn*, Nr.47.

¹⁹² Limenius' untimely death is presumed from the vacancy of forty-one days (8 April to 18 May) that ensued until he was succeeded in both offices by a certain Hermogenes *Chron. 354 (Chron. min. 1, 68-9; A. CHASTAGNOL, Fastes, 129; PLRE 1 Hermogenes 2)*.

¹⁹³ Libanius, *Or.* 1.44-48; A. CHASTAGNOL, *Fastes*, 129; *PLRE 1* Limenius 2.

¹⁹⁴ A. CHASTAGNOL, *Fastes*, 129f, hypothesizes an eastern service origin for both Limenius and his successor as *praefectus praetorio & urbi*, Hermogenes. However families of senatorial Ulpii originating from Athens and Hypata in Thessaly are attested in the third century (F JACQUES, *Soc.Rom.*, 224) and Hermogenes might plausibly be identified as a grandson of Aurelius Hermogenes PVR in 309-310 *Chron. 354 (Chron. min. 1, 67); W KUHOFF, Laufbahn*, Nr.46.

¹⁹⁵ On the attestations of this form of the nomen see *CLRE*, 232. A. CHASTAGNOL, *Fastes*, 121, argued for the form Aco, but see my notice on Catullinus' praetorian prefecture in Chapter 9.1.

¹⁹⁶ *CIL II 2635 Asturica (Gallaecia); W. KUHOFF, Laufbahn*, 53 (Nr.45).

¹⁹⁷ A. CHASTAGNOL, *Fastes*, 121-3. On his Gallic prefecture see my notice in Chapter 9.1.

¹⁹⁸ Catullinus' paganism (*CIL II 2635 Asturica*: an altar he dedicated to *Iuppiter Optimus Maximus; CTh 16.10.3*, concerning the preservation of temples, was his inspiration) may not have endeared him to Constans, though he was hardly unique among the Roman aristocracy in this! Cf. also Vettius Rufinus cos. 323 for another possible example of a considerable time-lag between urban

In the light of the above discussion we may propose that the consular pair originally intended for AD 349 was *Flavius Eugenius et Ulpus Limenius (II?)* or *Ulpus Limenius (II?) et Flavius Eugenius*; the precedence to be determined by their relative seniority of appointment to the prefecture (whether praetorian or urban). Whatever the truth, the consuls of 349 appear to be Constans' nominees.

350 FLAVIUS SERGIUS ET FLAVIUS NIGRINIANUS

A problematic year. The personality of the first consul is a mystery but his dynastic nomen suggests an ex-equestrian imperial official rather than senatorial aristocrat. The use of Sergius as a cognomen is suggestive of an eastern origin, since it might result from parental devotion to the cult of the odd-sounding pair of purportedly Diocletianic military martyrs of Resafa in Syria, Sergius and Bacchus.¹⁹⁹ However, although it has been thought that the martyrs were honoured with a church at Philippopolis in Arabia as early as 354, the inscription in question ought to be re-dated to 498/500, which accords much better with the other indications of the cult's popularity.²⁰⁰ In fact our consul stands out as the only prominent Sergius until the next century, when even then the name does not become common until the generation born in the last quarter of the century.²⁰¹ It is possible that the consul Sergius may have inspired the detail in the fictitious *Acta* that the

prefecture and consulate.

¹⁹⁹ That Sergius was understood as a 'Christian' name derived from this cult is made explicit by the full nomenclature of the *dux Thebaidis* of 568-569/570, Fl. Marianus Michaelius Gabriellus **Sergius Bacchus** Narses Conon Anastasius Domninus Theodorus Callinicus (*PLRE* 3 Callinicus 4); on such Christian polyonymy see further R. W. B. SALWAY, *JRS* 84 (1994), forthcoming. Although Bacchus does sound like a hagiographer's improbable invention (one would have expected Bacchius; cf. *CIG* 2919b, *SEG* 39.929), the name is actually borne by two men at Rome, one, indeed—M. Cestius Bacchus—a soldier, of the *cohors V vigilum* in AD 210 (*CIL* VI 1057 col. II, 33).

²⁰⁰ The re-reading of *CIG* 8819 by LE BAS-WADDINGTON, *Voyage archéologique en Grèce et Asie mineure* III 2124, revealed a dedication in year $\sigma\mu\theta'$ (i.e. 249), which they attributed to the Bostran era. However, given the location in Philippopolis a dating by the era of that city, founded in 247/249 (demonstrated by LE BAS-WADDINGTON, III 2072) seems far more plausible. The date accords well with the dedication of the church to the same cult in nearby Bostra by archbishop Iulianus in 511/512 (*CIG* 8625 = LE BAS-WADDINGTON, III 1915).

²⁰¹ The consul is the only man with the cognomen Sergius in *PLRE* 1, whereas there are nine in *PLRE* 2 (only two whom are likely to have been born before 475—Nos 1 and 2) and fifty-five in *PLRE* 3.

martyr Sergius had been a *φίλος τοῦ Βασιλέως*, which in turn suggests that Sergius may have been a Christian and military man himself.²⁰² Plausible as it may seem it remains entirely hypothetical. In fact there is some indication that he may have been serving on the staff of Constans in the West, rather than of Constantius, though this would not rule out a Syrian origin. For, his name appears to have been erased in an inscription from Rome. Perhaps Sergius suffered death and *damnatio memoriae* along with his master following Magnentius' coup in this year.²⁰³ The inscription in question, however, is known only from manuscript copies which record the enigmatic consular date 'FL. ANICIO ET NIGRINIANO'.

Two possibilities present themselves. The first is that Magnentius nominated a member of the noble *gens Anicia* to replace the disgraced Sergius.²⁰⁴ This requires the hypothesis that the consul is being referred to here most irregularly by his nomen alone after 'FL.', which itself remained as a vestige of Sergius' nomenclature. The reason presumed being that Anicius was the only element of the consul's name that could be squeezed into the restricted space.²⁰⁵ However this results in the aesthetically displeasing effect of a pairing of the nomen of one consul with the cognomen of the other. It also begs the question why 'FL.', which, as the dynastic default-nomen, is unlikely to have belonged to a member of the *gens Anicia*, was not also erased in order to create enough space for a cognomen? The second possibility is that the copyists misread the cognomen Aniceto as Anicio because the ET of Aniceto had been ligatured in order to fit the seven letter name into the six letter space originally occupied by 'SERGIO'.²⁰⁶ One might imagine that, in

²⁰² Cf. Gallicanus cos. 317, who formed the basis for another saint. On the quality of the *Acta* see the comments of T. D. BARNES, *New Empire*, 186. 'Sergius is described as *primicerius*, and Bacchus *secunducerus* (sic), of the *schola Gentilium*, a unit not otherwise attested until 354 by Ammianus Marcellinus (14.7.9). Sergius is a 'friend of the emperor' in the version edited by I. van den GHEYN, *Analecta Bollandiana*, 14 (1895), 376 and 'powerful at his court' in the version of Symeon Metaphrastes, *PG* 115, col. 1005.

²⁰³ *CIL* VI 498, which dates from either 27 February or 29 April; *PLRE* I Sergius.

²⁰⁴ In *CLRE*, 234, it is proposed that Anicius might be an additional name of Nigrinianus, Sergius' name having dropped out altogether; cf. *PLRE* I Anicius, where the possibility that it was rather Sergius who superseded Anicius everywhere else is discussed and firmly rejected.

²⁰⁵ The alternative possibility that Anicius itself is a cognomen is slim since it is never found elsewhere as such.

²⁰⁶ That is to understand the ligature of a reverse E to a T as in, for example, *CIL* XIII 7335 and

order to limit the effort of recutting to a minimum, the ultimate 'IO' of Sergius' name might be left unmolested and the ligatured ET grafted onto the upright of the I. This restoration relies on an identification of the mysterious consul with the Anicetus whom Magnentius appointed as praetorian prefect and who unsuccessfully resisted the counter-coup of Iulius Nepotianus at Rome in June.²⁰⁷ Thus the text of the inscription could possibly be restored as 'III KAL. MA. FLL. ANICETO ET NIGRINIANO CONSS.'²⁰⁸ However, as always, ingenuity of argument cannot make up for the absence of any other confirmation, so that 'Anicius' must remain an enigma. Moreover, it would be unusual if Magnentius had honoured a private individual in this way before taking up the fasces himself. Similarly a posthumous honour, granted after Magnentius terminated Nepotianus' 28-day interlude, would be unprecedented.²⁰⁹

Nigrinianus was the father of Florentius of Antioch, who served Constantius as *magister officiorum* at the end of the next decade.²¹⁰ He himself may have preceded his son as a palatine official. Conversely he may simply have been a close confidant and adviser of Constantius without portfolio.²¹¹ If both consuls were indeed easterners, it might explain Constantius' failure to proclaim his own consuls in 351. For, Constans may have arranged the nomination of a pair who, as it turned out, succumbed to Magnentius.²¹²

351 POST CONSULATUM FLAVII SERGII ET NIGRINIANI

352 FLAVIUS IULIUS CONSTANTIUS AUG. V ET FLAVIUS CLAUDIUS CONSTANTIUS CAES.

353 FLAVIUS IULIUS CONSTANTIUS AUG. VI ET FLAVIUS CLAUDIUS CONSTANTIUS CAES.

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²⁰⁷ Zosimus, 2.43.3; Aur. Victor, 42.3.

²⁰⁸ One might legitimately expect a reduplication of the 'L' of 'FLL', missed by the copyists, which would accord with contemporary practice and is plausible since Nigrinianus is not otherwise given a nomen (*CLRE*, 37).

²⁰⁹ Most damning is that this Magnentian consulship, if it existed, is not recorded in the list of urban prefects of *Chron. 354* (*Chron. min.* 1, 68) whereas it otherwise preserves the Magnentian consulships of 351 and 352.

²¹⁰ Ammianus Marcellinus, 15.5.2, 22.3.6; *PLRE* 1 Florentius 3.

²¹¹ cf. Optatus cos. 334 and Datianus cos. 358.

²¹² Socrates, *HE* 2.29, blames the absence of consuls on the 'tumults of war'; see commentary of R. S. BAGNALL *et al.*, *CLRE*, 237.

II

354 FLAVIUS IULIUS CONSTANTIUS AUG. VII ET FLAVIUS CLAUDIUS CONSTANTIUS
CAES. III

355 FLAVIUS ARBITIO ET Q. FLAVIUS MAESIUS EGNATIUS LOLLIANUS *signo* MAVORTIUS

This consular pair represents not only the coupling of *magister militum* and praetorian prefect but also that of a man of possibly barbarian origin with one of impeccable noble ancestry. Arbitio was Constantius' *magister equitum* and had been entrusted with the review of the ex-Caesar Gallus' troops at Aquileia the previous year.²¹³ However his beginnings had been humble, having started his career as a common soldier.²¹⁴ He was currently commanding the army in Gaul, engaged in a campaign against the Alamanni.²¹⁵

Lollianus Mavortius belonged to a noble patrician family.²¹⁶ His career, begun as long ago as the early 320s and known in detail from seven inscriptions, followed an initially traditional pattern: being quaestor, praetor, a consular curator three times, *consularis Campaniae*, a *comes* of Constantine, *comes Orientis* proconsul of Africa c. 336-7 and a *comes ordinis primi intra Palatium* of Constans. He had been *praefectus urbi* from 1 April to 6 July 342 but did not enjoy an accompanying ordinary consulate, although he had been designated to it for one of the preceding years.²¹⁷ Mavortius finally obtained the ordinary consulship as part of a belated revival in his career, since Constantius had also

²¹³ Ammianus Marcellinus, 15.3.2. Although the form of his cognomen conforms to a known Latin type, creating names ending -io from adjectives (here presumably *arbiter*). This name is not otherwise found as a Latin cognomen and might thus have been assimilated to a Latin type from a similar sounding Celtic or Germanic name; see I. KAJANTO, *Latin Cognomina*, 122, on the popularity of -io form because of its coincidence with Celtic suffixes.

²¹⁴ 'Ab imae sortis gregario' (Ammianus Marcellinus, 15.2.4), 'a gregario' (ibid., 16.6.1); for details of his career see *PLRE* 1 Arbitio 2.

²¹⁵ Ammianus Marcellinus, 15.4.1.7ff.

²¹⁶ He is undoubtedly a descendant of L. Egnatius Victor Lollianus, *praefectus urbi* in 254 and brother-in-law of the emperor Valerian, on whom see *PIR*² E 36; A. CHASTAGNOL, *Fastes*, 114; M. CHRISTOL, *Essai*, 127f, & stemma on 192. Mavortius' augurate indicates that the family was patrician by his day (*ILS* 1224a-c, *CIL* VI 1723 = *ILS* 1225 + *CIL* VI 37112 = *ILS* 1232 Rome). The Egnatii Lolliani probably received the promotion under Valerian or Gallienus.

²¹⁷ See *PLRE* 1 Lollianus 5; W. KUHOFF, *Laufbahn*, Nr.59. T. D. BARNES, *JRS* 65 (1975), 40, argues plausibly for a designation for 338. Mavortius was then presumably displaced by the generals who held the reins of power after Constantine's death.

recently appointed him as praetorian prefect.²¹⁸ The traditional course of his early career, comprising the junior public magistracies, demonstrates clearly how his ordinary consulship occupies the position of a second consulship according to a traditional senatorial career.

However it is worthy of note that despite the fact that Mavortius was a noble, patrician senator and consular of around thirty years standing, he still ceded precedence to a non-aristocratic *novus homo* and military commander.

357 FLAVIUS IULIUS CONSTANTIUS AUG. VIII ET FLAVIUS CLAUDIUS IULIANUS CAES.

II

358 CENSORIUS DATIANUS ET NERATIUS CEREALIS

This pair of consuls are again from widely divergent backgrounds, and once again the *novus homo* takes precedence over the noble senator. Datianus, who, according to the hostile Libanius, had been born the son of a bath-attendant, rose to prominence through the profession of notary in the imperial administration under Constantine.²¹⁹ He currently held no official position but was honoured with the consulship and the personal honour of *patricius* as a close friend and adviser of the emperor Constantius, being attested as a *comes* of the emperor as early as 345/6.²²⁰

Cerealis is undoubtedly a descendant of Neratii of Saepinum, who were senatorial under the early empire. He was a brother of Vulcacius Rufinus (cos. 347) and of Galla, the mother of Constantius Gallus Caesar. Details of his early career are few. He is addressed as *praefectus annonae* (an office made senatorial by Constantine) in *CTh* 14.24.1 of 1 March 328. He was urban prefect at Rome from 26 September 352 until 8 December 353, probably the first after it was liberated from Magnentius.²²¹ In view of his good

²¹⁸ A. H. M. JONES, *Roman Economy*, 383f.

²¹⁹ Libanius, *Or.* 42.24-5, *Or.* 62.10; *PLRE* I Datianus 1; W. KUHOFF, *Laufbahn*, Nr.64. His nomen, not noted in *PLRE* 1, is given by *CIL* XI 5434 Asisium (Umbria).

²²⁰ Libanius, *Epp.* (in chronological order) 490, 114, 1184 & 1260. His patriciate is recorded in the consular dating formula in *P.Oxy.* 3624, 3625; also mentioned by *CTh* 11.1.1 (18 Jan. 360); Philostorgius, *HE* 8.8. He is listed second in the list of *comites* who appealed for bishop Athanasius to return to Alexandria in 345/6 (cf. discussion of Polemius cos. 338 above).

²²¹ Ammianus Marcellinus, 14.11.27. While urban prefect he dedicated a statue to Constantius as 'Restitutori urbis Romae adque orbis et extinctori pestiferae tyrannidis' (*CIL* VI 1158 = *ILS* 731). On his career see W. KUHOFF, *Laufbahn*, Nr.63.

connections and impeccable lineage he might have been expected to gain an ordinary consulship as an accompaniment to the prefecture. However, Constantius' disgrace and execution of Gallus Caesar in 354 will not have recommended his uncle to imperial favour at that juncture.²²² Clearly Constantius did not hold it against Cerealis in the long run. Being of aristocratic birth, his career no doubt started with the urban public magistracies. In which case, he may well have held a suffect consulship in the 320s but, in any event, his ordinary consulship occupied the place of an iteration in a traditional senatorial career.

359 FLAVIUS EUSEBIUS ET FLAVIUS HYPATIUS

The two consuls were brothers and the sons of Fl. Eusebius, the consul of 347. However both no doubt gained the consulship through the intercession of their sister Eusebia, who had been the wife of the emperor Constantius since about 354.²²³ The brothers had not yet begun any kind of career and were certainly not engaged in a traditional senatorial career involving tenure of the junior public magistracies at Rome. These consulships can be considered true first consulships, gained as ordinary because of their royal connections.²²⁴ These brothers are the first representatives of the second generation of the new aristocracy of service; neither parent nor children attaining or validating their status by pursuing a career of traditional senatorial offices.²²⁵

360 FLAVIUS IULIUS CONSTANTIUS AUG. X ET FLAVIUS CLAUDIUS IULIANUS CAES. III

²²² A. CHASTAGNOL, *Fastes*, 137.

²²³ Before the final defeat of Magnentius (Julian, *Or.* 3.129A). Eusebius, whose precedence had suggests was the elder, had held the governorships of Hellespontus and Bithynia in the mid-350s but was certainly not at a stage where he might normally expect to be appointed to an ordinary consulship (Julian, *Or.* 3.116A). No offices are attested for Hypatius at all before his consulship.

²²⁴ A. CHASTAGNOL, *L'Italie et l'Afrique*, 93.

²²⁵ On Eusebius' career see W. KUHOFF, *Laufbahn*, Nr.68.

Analysis

If we are to subject the patterns of consulate over a century to statistical analysis, we have to be sure that the results can be made to be meaningful. Two different approaches are possible. General trends in the distribution pattern of ordinary consulships are best examined by taking averages at series of fixed chronological periods. This has the virtue of comparison of equal sized samples which ought to increase the reliability of the results. On the other hand, since advancement to the ordinary consulship was so much dependent on the favour of the emperor, it is legitimate to allow a role to the personalities of individual emperors. On that presumption an analysis based on division into separate regimes would seem also to be a valid method.

For the sake of simplicity and consistency the sample of consulates subjected to statistical analysis comprises those proclaimed and recognised by the current senior Augustus, including those later revoked (i.e. Proculus cos. 325 & Bonosus cos. 344).¹ Thus the consuls of usurping regimes are excluded. This should not bias the results to any significant extent, since the overwhelming majority of citizen consuls of usurping regimes are mere names and would thus have only increased the size of the category of unknowns. The exclusion of rival consulates also avoids the problem of the gross unevenness in the size of sample from period to period that would result from, for instance, including all the rival consulates proclaimed in the period AD 306 to 313. The exact extent of the sample (205 consuls in total) is indicated by bold type in the fasti in Appendix 3.

In order to be sensitive to patterns of social change as well as changes to the pattern of distribution of the ordinary consulship in careers, the group of citizen consuls (i.e. all bar reigning Augusti and Caesars) has been divided into three categories: (i) men born into the senatorial aristocracy (or entered it via the junior magistracies at Rome) who gained an ordinary consulship as their first; (ii) the 'new men' (*novi homines*) of non-senatorial birth

¹ A minor exception is the case of 284 where both Diocletian and Carinus' consuls have been counted since, although Carinus' were used in retrospective dating, Diocletian's consulship was still employed for the reckoning of the emperor's consulships. However in 285 only one set has been included in the sample total, because the citizen consul remained unchanged. So it would be misleading to count this as two separate pairs of consuls. The exact extent of the sample is indicated by the fasti in Appendix 3.

whose ordinary consulship was their first contact with the Roman senatorial cursus;² and (iii) those who gained an ordinary consulship as their second (unless emperors, invariably men of the first category in this period). Under this scheme there remain eleven individuals who cannot be classified with certainty. All without exception are probably aristocrats.

They are:

Saturninus	cos. post. 264	(cos. I ?)
Sabinillus	cos. post. 266	(cos. I ?)
Paternus	cos. post. 269	(cos. I ?)
Capitolinus	cos. post. 274	(cos. I ?)
Caesonius Bassus	cos. post. 317	(cos. I ?)
Vettius Rufinus	cos. post. 323	(cos. II ?)
Iulianus Ionius	cos. post. 325	(cos. II ?)
Vettius Iustus	cos. post. 328	(cos. II ?)
Virius Nepotianus	cos. prior 336	(cos. I ?)
Tettius Facundus	cos. post. 336	(cos. II ?)
Ulpus Limenius	cos. prior 349	(cos. II ?)

It is only in the case of the first three individuals, who belong to a particularly poorly documented period, that the suggested attribution is little more than arbitrary; the probability being based on the general pattern for the period. For the arguments in favour of the categorisation in the other cases, see the discussion at the notice of the relevant year in Chapter 11.

1. *Method A: Equal Time Phases*

In order to detect changing patterns over time it is obviously necessary to divide the period into subsections of a type that will allow of valid comparability. Division into five sections (four of twenty years each and one of twenty-one) produces samples large enough for statistical validity (approximately forty individual consulships) and sufficiently discrete for

² Thus group (i) is not to be understood as synonymous with the term *nobilis*. For *novi homines* of the classical type (e.g. M. Tullius Cicero) are also included. Although there may be a few such individuals lurking among the sample, the likelihood is small given the fossilization of the senatorial order described by F. JACQUES, *Soc. Rom.*, 89-91. In any case they still represent a social status validated in the traditional way by tenure of the public offices at Rome.

historical relevance. Thus the following is, I believe, a reasonable division of the period:

- I. 260-280 (42 consulships)
- II. 281-300 (42 consulships)
- III. 301-320 (41 consulships)
- IV. 321-340 (41 consulships)
- V. 341-360 (39 consulships)

The results are presented in Table 1 below.

Table 1. Distribution of ordinary consulships by twenty-year periods

Period	N°	imperial consuls	as %	arist. COS I	as %	nov. hom. COS I	as %	COS II	as %
260-280	42	12	28.57	14 ³	33.33	3	7.14	9	21.43
281-300	42	25	59.52	8	19.05	4	9.52	5	11.90
301-320	41	31	75.61	2 ⁴	4.88	3	7.32	4	9.76
321-340	41	10	24.39	2 ⁵	4.88	12	29.27	12 ⁶	29.27
341-360	39	16	41.03	2	5.13	12	30.77	8 ⁷	20.51
Totals ⁸	205.00	94.00	45.85	28.00	13.66	34.00	16.59	38.00	18.54

The cumulative totals for the whole range show how examining the results over an extended time period will mask considerable fluctuations. The average proportions for the century taken as a whole do not correspond closely to the pattern exhibited in any single one of the twenty-year phases. Nevertheless how do these results compare with generalisation drawn across other extended periods?

The calculations of M. Christol have shown that in the period AD 98 to 193 the proportion of imperial consulships was 14%, which rose to 18% for AD 194 to 244 and then to 50% for AD 245 to 305. The results of the above table appear to show that the long-term trend for the proportion of imperial consulships to increase had levelled off and

³ The addition of the four probable candidates brings the figure up to 18 (42.86%).

⁴ With the addition of Caesonius Bassus cos. 316 the figure would be 3 (7.3%).

⁵ The inclusion of Virius Nepotianus cos. 336 brings the total to 3 (7.3%).

⁶ The addition of the four probable candidates brings the figure up to 16 (39.02%).

⁷ If Ulpian Limenius cos. 349 is included, the figure is 9 (23.07%).

⁸ Although the addition of the probables can alter the ratios in any single period quite drastically, when added into the overall averages they do not effect the picture significantly: Arist. cos. I 34 (16.6%); cos. II 44 (21.5%).

perhaps even slightly reversed. However a violent fluctuation in the ratio of imperial to citizen consulships is apparent between AD 300 and 340. How do the results compare to a classification by political regime?

II. *Method B: Separate Regimes*

Classification of the data under different regimes makes it possible to attribute changes in policy concerning the awarding of consulships to individual imperial governments. Clearly division into sections of too short a duration will aid little in our understanding. For instance, it is hard to draw meaningful conclusions about the policy of the emperor Claudius Tacitus (AD 275-6) concerning nomination to the ordinary consulate when he only reigned long enough to designate one pair of consuls. Happily this is not a problem for most of the century analyzed here. The period might justifiably be divided into eight distinct phases according to regimes of sufficient differentiation and internal coherence. These are:

I.	Gallienus' reign as sole Augustus	(260-268)
II.	Aurelian to Carinus	(269-284)
III.	Diocletian & the First Tetrarchy	(284-305)
IV.	the Second Tetrarchy	(306-313)
V.	Constantine & Licinius	(313-325)
VI.	Constantine as sole Augustus	(325-337)
VII.	Constantius & Constans	(338-350)
VIII.	Constantius as sole Augustus	(351-360)

Only the validity of Regime II is seriously brought into question. In the years between the death of Gallienus and the elevation of Constantine, no emperor reigned long enough to nominate more than six pairs of consuls. The only two to reign for any significant length of time were Aurelian (270-275) and Probus (276-282). Whether or not they were able to stamp their personalities on the period, it does not seem that there is much profitability in breaking such a disjointed period down into smaller units for the purpose of this analysis (see Table 2).

Naturally while the same general patterns are exhibited as in Table 1, division of the data by regime does prove its worth by, for instance, highlighting the stark contrast in policy between the period of the Second Tetrarchy and the joint reign of Constantine and

Licinius. Division by regime demonstrates the extent of the polarisation of policy between that period dominated by the personality of Galerius and that by the personality of Constantine. Conversely Regime II, although not truly representing a recognisable regime, does serve a useful function by straddling the first two phases of Table 1. In doing so it demonstrates all the more clearly the extent to which the reign of Diocletian is marked by a continuation of the trends seen under his predecessors since Gallienus and not fundamental reversals of policy.

Table 2. Distribution of ordinary consulships by imperial regime

Regime	N°	imperial consuls	as %	arist. COS. I	as %	nov. hom. COS. I	as %	COS. II	as %
I	18	4	22.22	6 ⁹	33.33	1	5.56	5	27.78
II	32	14	43.75	9 ¹⁰	28.13	2	6.25	6	18.75
III	44	27	61.36	8	18.18	4	9.09	5	11.36
IV	16	14	87.50	0	0.00	2	12.50	0	0.00
V	25	13	52.00	1 ¹¹	4.00	2	8.00	7 ¹²	28.00
VI	25	4	16.00	2 ¹³	8.00	9	36.00	6 ¹⁴	24.00
VII	27	6	22.22	0	0.00	12	44.44	8 ¹⁵	29.63
VIII	18	12	66.67	2	11.11	2	11.11	2	11.11
Total	205.00	94.00	45.85	28.00	13.66	34.00	16.59	39.00	19.02

III. Comparison of Results of Methods A and B

It is reassuring that, when the results of the two methods are represented graphically (Figs. 1 & 2), what is recognisably the same pattern emerges. The pattern for the general trends shows sufficient definition to pick up the large fluctuations that do occur in consulship distribution within the century. This 'de-personalisation' of the data by arbitrary division into twenty-year phases has the benefit of reducing the risk of distraction by ephemeral phenomena which might have no significance for longer term trends in the distribution.

⁹ If Saturninus cos. 264 and Sabinillus cos. 266 are included the figure is 8 (44.4%).

¹⁰ Once Paternus cos. 269 and Capitolinus cos. 274 are added in the figure is 11 (35.5%).

¹¹ If the probable cos. I Caesonius Bassus is included the proportion is 2 (8%).

¹² The inclusion of Vettius Rufinus cos. 323 increases the figure to 8 (32%).

¹³ The addition of the one probable (Nepotianus cos. 336) brings the proportion to 3 (12%).

¹⁴ When the 3 probable cos. IIs are included the figure is raised to 9 (36%).

¹⁵ If Ulpian Limenius cos. 349 is added in the figure is 9 (33.3%).

ANALYSIS

Figure 1. Ordinary consulships by twenty-year phases

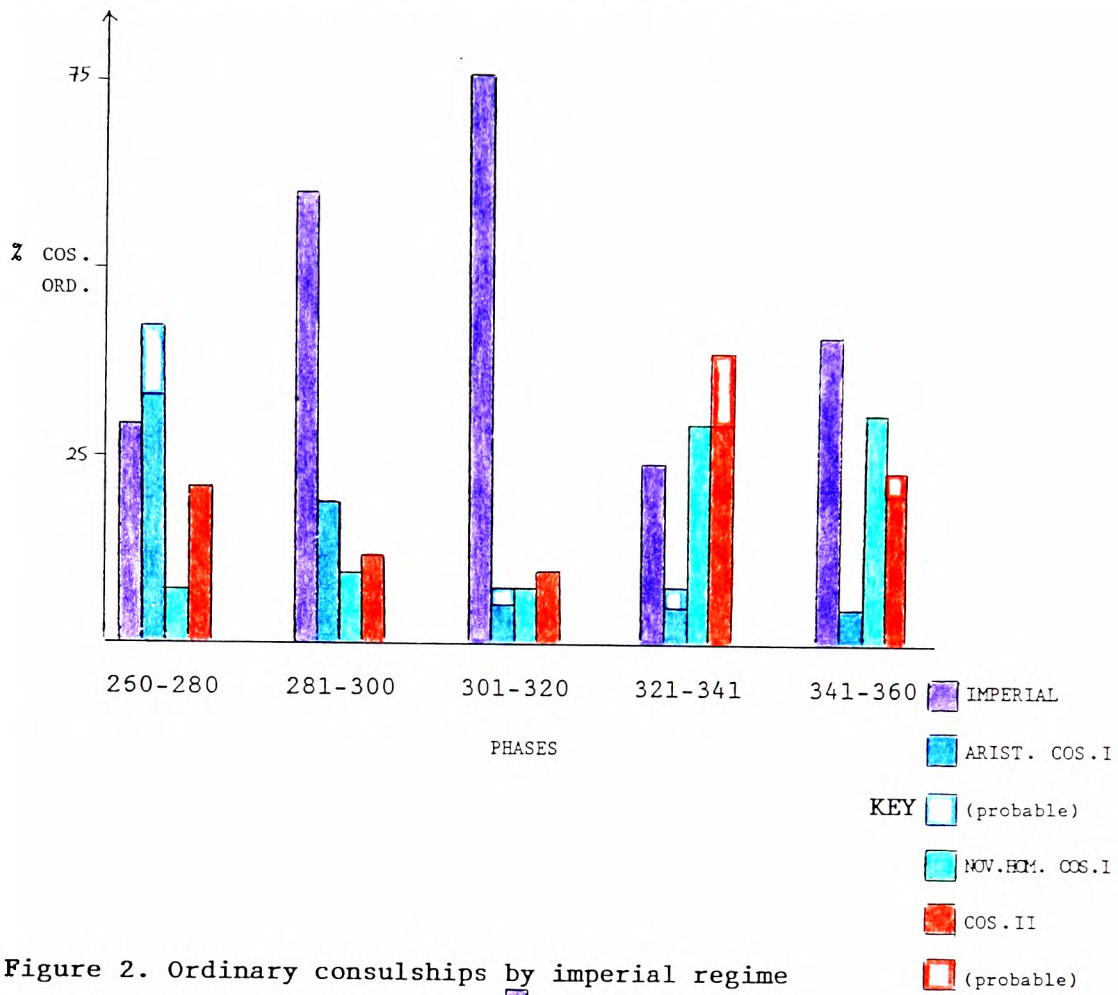
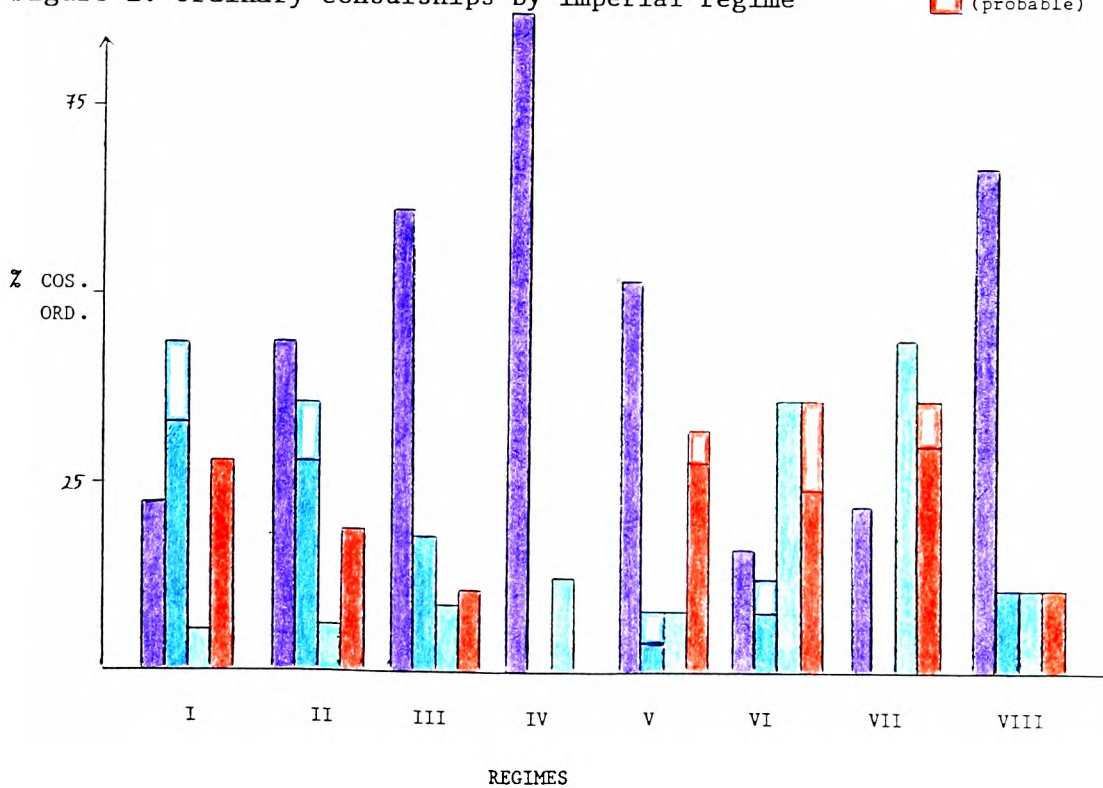


Figure 2. Ordinary consulships by imperial regime



When the unknowns are added into the categories to which they probably belong the impression is not greatly altered, except in the case of second consulships between 321 and 340. It is a choice between second consulships being roughly equal to, or exceeding by about a quarter, the number of consulships of *novi homines*. In any event this does not detract from the more significant result; the threefold leap between 300 and 340 in the proportion of ordinary consulships awarded to ex-equestrian *novi homines*.

The steady rise in the number of imperial consulates in the third century can be quite easily accounted for by, as Michel Christol put it, 'le rythme accéléré des avènements impériaux'.¹⁶ According to a practice which became established by Vespasian in AD 71, it was customary for each new emperor to take up the fasces on the 1 January following his elevation and on significant anniversaries thereafter. It has been suggested that the consulship was even more important an element in the bolstering of imperial prestige as more emperors came from non-senatorial and increasingly humble origins.¹⁷ Comparison of Christol's period AD 245 to 305 with the shorter periods analyzed in the table tends to bear out this hypothesis. Period 260-280 exhibits a proportion of imperial consulates significantly below the average (29%) when compared to Christol's figure for the second half of the third century as a whole (50%). On the other hand the period 281-300 has a proportion mildly above the average (60%). The explanation no doubt partly lies in the fact that almost half of the previous period is accounted for by the reign of Gallienus (accounting for only 22 percent of the consulates of his reign) who was of an established senatorial family, while all the emperors of the period 281-300 were *novi homines* from humble backgrounds. The permanent quadrupling of the size of the imperial college from AD 293 is sufficient explanation for the peaking of imperial consulates in the Tetrarchic period. The correlation between number of effective ruling emperors and the number of imperial consulships is clear from the equally dramatic decline in the number of imperial consulates. Between 310 and 325 the succession of civil wars reduced the number of Augusti from four to one, which reduction is mirrored by a roughly corresponding reduction in the proportion of consulships held by reigning emperors.

¹⁶ M. CHRISTOL, *Essai*, 90.

¹⁷ *CLRE*, 1-6. There are a good number of Marci Aurelii amongst the later third-century emperors: Claudius II (268-270), Probus (276-282), Carus, Carinus & Numerianus (in all 282-285), Maximian (285-305) and Carausius (286-293).

With the reversal of the emperors' near monopolisation of the ordinary consulship the proportion of citizen consuls rises from an all-time low of 24 percent in the period 301-320 to 76 percent in 321-340; the highest it has been since the early third century. Although the proportion falls back to 59 percent in the period 341-360, Constantine's sons did not return to the Tetrarchic pattern. Michael Arnheim saw this reversal of the dominance of imperial consulates as evidence of the senatorial aristocracy's return to favour and their traditional position of esteem after their years of suppression under Diocletian 'hammer of the aristocracy'. A viewpoint which did not go uncriticised.¹⁸ Indeed, a more sophisticated articulation of the data may yield a subtler interpretation.

A measure of the ease or difficulty of access to the ordinary consulship is the ratio of those attaining an ordinary consulship as their first rather than second.¹⁹ It was apparent from Table 1 that iterated consulships continued to rise from AD 260 to 320 as a proportion of citizen consulships, at the expense of ordinary consulships being awarded to young aristocrats.²⁰ The development of this trend from AD 245 has already been commented on and quantified by Michel Christol.²¹ Conversely a glance at Table 2 might give the impression that during the regimes from Gallienus to Diocletian the numbers of aristocratic cos. IIs decrease at almost exactly the same rate. However, once the probables are included the picture given by Table 1 is confirmed. This demonstrates that the period of the joint reign of Constantine and Licinius (Regime V) continues the trends of the First Tetrarchy after the hiatus in aristocratic ordinary consulships in the troubled years of the Second Tetrarchy (see Table 2). It may also be significant that all of the ordinary consulates of young senators from AD 291 onwards can be accounted for by the influence of known or probable eminent fathers.²² This is a clear symptom of the

¹⁸ M. T. W. ARNHEIM, *Senatorial Aristocracy*, 49-73. Cf. the reviews by J. H. W. G. Liebeschuetz, *JRS* 63 (1973), 258f., T. D. BARNES, *Phoenix* 27 (1973), 305-309, A. CHASTAGNOL, *RPh* 47 (1973), 373-377 and W. ECK, *Gnomon* 26 (1974), 673-681.

¹⁹ As used by M. CHRISTOL, *Essai*, 91f.

²⁰ The proportion was roughly two-thirds that of aristocratic first consulships, 21.4% to 33.3% (42.9%), in the period 260-280 but double (or a third, including probables) more in 301-320, 9.8% to 4.9% (7.3%).

²¹ M. CHRISTOL, *Essai*, 91f. In the period 245-254 cos. IIs made up 16.6% of citizen consuls, from 255-264 50%.

²² See notices at the relevant years in Chapter 11; cf. M. CHRISTOL, *Essai*, 92f.

'fossilization' of the senatorial aristocracy described by François Jacques.²³ This reduction in the number of families represented in the consular fasti, combined with the fact that those who do attain the ordinary consulship belong to already noble lines, is surely the symptom of a reduced inflow of new blood to the senatorial order. As the demographic study of Keith Hopkins demonstrated the hereditary senatorial aristocracy of Rome would not be able to sustain its numbers if it was a closed group.²⁴ The staggeringly low fertility of the Roman aristocracy has been ascribed to a desire to keep the number of heirs to a minimum in order to preserve the patrimony in a system which operated partible inheritance.²⁵ This was a risky strategy given the high rates of mortality. However, historically political and social ambition had ensured a steady supply of new recruits from the equestrian order. In the light of evidence to the contrary, assuming that the pay-scales of high equestrian officials bore the same relationship to the senatorial census threshold as in the earlier third century, it cannot have been lack of financial resources that was keeping new blood out of the senatorial order.²⁶ More probably, despite the social prestige the senate retained, its political emasculation meant that membership became a decreasingly attractive option to the emperors' high equestrian officials. Their current positions offered them greater access to power than the offices which senatorial membership might open to them. Thus the senatorial aristocracy of Rome under the Tetrarchy and first half of Constantine's reign was for the most part an increasingly isolated and gradually decreasing circle, even if remaining at the peak of the social hierarchy.²⁷

The defeat of Licinius in 324 emerges as a period of discontinuity in imperial policy

²³ F. JACQUES, *Soc. Rom.*, 89-92.

²⁴ M. K. HOPKINS with G. P. BURTON, *Death and Renewal*, 70ff; HOPKINS, "Elite Mobility in the Roman Empire", *Studies in Ancient History*, 103-120.

²⁵ R. ETIENNE, "La démographie des familles impréiales et sénatoriales", *Transformations et conflits au IV^e siècle ap. J.-C.*, 139-140; R. SYME, "Dynastic Marriages in the Roman Aristocracy", *Roman Papers* VI, 338ff.

²⁶ Annual rates of pay of HS 200,000-300,000 for imperial procurators and prefects would not have made the HS 1 million senatorial census out of the reach of the more successful imperial officials (R. P. DUNCAN-JONES, *The Economy of The Roman Empire*², 4).

²⁷ Cf. MACPHERSON, *Rome in Involution*, for an analogous situation in Italy under Theoderic and the Justinianic reconquest and F. M. L. THOMPSON, "English Landed Society in the Twentieth Century: II", *TRHS* 6th ser. 1 (1991), 1-20, for a strikingly similar analysis of the English hereditary aristocracy after the First World War.

concerning the appointment of Roman aristocrats to the ordinary consulship. The only nobles certainly to gain an ordinary consulship as their first under Constantine are Flavius Dalmatius (cos. 333) and Iulius Constantius (cos. 335). They could hardly be less traditional cases: they gained the consulship as a consequence of being Constantine's half-brothers, and derived their nobility from the imperial consulships of their father the emperor Constantius I. Interestingly, although suffect consulships were no longer officially recognised as the equivalent of the eponymous magistracy of the Roman state from AD 314 at the latest, the distribution pattern of the continuingly eponymous ordinary consulship among the senatorial order does not immediately change. That is to say, while a senator's ordinary consulate was marked similarly without iteration in the consular formula (regardless of whether it was his first or second), ordinary consulships were still awarded to them at the point of both first or second consulship. It is only from AD 322 that the correlation for senators between ordinary and iterated consulship becomes all but absolute.²⁸

The shift in distribution of ordinary consulships between the three groups of citizen consuls is shown below in Table 3.

Table 3. Distribution of consulships among citizens (probables included)

Period	N° citizen consuls	arist. COS I	as %	nov.hom. COS I	as %	COS II	as %
260-280	30	18	60.00	3	10.00	9	30.00
281-300	17	8	47.06	4	23.53	5	29.41
301-320	10	3	30.00	3	30.00	4	40.00
321-340	31	3	9.68	12	38.71	16	51.61
341-360	23	2	8.70	12	52.17	9	39.13
Totals	111.00	34.00	30.63	34.00	30.63	43.00	38.74

Table 3 clearly shows that in the period AD 321-340 the number of senatorial aristocrats, as a proportion of citizen consuls, achieving iterated consulships (38.7% or, if the probables are included, 51.6%) has remained steady (or even risen somewhat) in comparison with the period 301-320 (40%). The other beneficiaries of the rise in citizen consulships were the non-senatorial *novi homines*; up from 30 percent of citizen consuls in 301-320 to 38.7

²⁸ The only likely exception being Virius Nepotianus (cos. 336), whose consulship is undoubtedly the result of his marriage to Constantine's half-sister, Eutropia, rather than belonging to the context of a traditional public career.

percent in 321-340. However, this rise cannot be explained from the need to reward growing numbers of equestrian officials with senatorial status. For from c. AD 325 the praetorian prefects, the equestrian officials who received the honour of the ordinary consulship most frequently, received clarissimate status with their appointment to office.²⁹ This, however, is not to be confused with enrolment in the album of the senate at Rome.³⁰ For, I do not consider the two known cases of equestrian officials adlected to the senate after AD 325—Caelius Saturninus and Ablabius Tatianus—to be typical of the times.³¹ Both men were resident in Italy and the very particular wording of Saturninus, that he was *allectus petitu senatus inter consulares* when *vicarius urbis Romae* suggests to me a special case. In all probability no specific enrolment was involved in the cases of the majority of the ex-equestrian functionaries and, since these new senators would rarely have come to Rome, the question simply would not have arisen. Perhaps the senate was desirous to see a regularisation of Saturninus' status since he was not only present in Rome but acting for the *praefectus urbi* himself.³² In fact, Constantine's attachment of clarissimate status to the highest equestrian positions not only meant that it was unnecessary to confer the consulship in order to reward his officials with the highest social rank but also reversed the traditional relationship between senatorial rank and office-holding.³³ No longer did hereditary or acquired membership of the senatorial order give access to the holding of important government offices. Instead promotion to high office now conferred senatorial status. This revolution meant that in making his praetorian prefects and others clarissimate Constantine was not making them senators in the traditional sense but rather creating an imperial clarissimate class (whose members might nevertheless be referred to as *senatores*), superior and separate from the Roman senate, and in which seniority was decided by the tenure of imperial offices and not the magistracies of the urban cursus at Rome. This

²⁹ Of the 24 known *novi homines* to achieve the ordinary consulship between 260 and 240 (see Table 2) 11 (45.8%) are known to have been praetorian prefect.

³⁰ See the discussion of this problem in Chapter 11 Section 1.

³¹ *Contra* A, CHASTAGNOL, *Le sénat romain*, 233-258, who considers that *adlectio inter consulares* will have been the regular method of granting *clarissimatus*.

³² *CIL* VI 1704 = *ILS* 1214 Rome. Ablabius Tatianus' adlection is recorded on *CIL* X 1125 = *ILS* 2942 Abellinum (Campania).

³³ On the link between the traditional class/rank system and the magisterial cursus of Rome see H.-G. PFLAUM, *Recherches sur les structures sociales dans l'Antiquité classique*, 159-185.

analysis is consistent with Constantine's known disassociation of the equality of status of the *suffect* and ordinary consulship (noted above in the discussion of the consuls of AD 314 in Chapter 11) and a subsequent development in the protocol of precedence in the consular formula to be investigated below. The relative position of the imperial officials and traditional senators in this new hierarchy is illustrated by the very fact that men such as Tatianus and Saturninus, who had not yet reached the top of the old equestrian career, were considered sufficiently important to be ranked among those aristocratic senators who had held one consulship (i.e. usually *ex-suffect* consuls in this period).³⁴ The increased proportion of *ex-equestrian* officials receiving the ordinary consulship between 321 and 340 is a symptom of the gradual transfer of the ordinary consulship from most senior position in the magisterial career at Rome to supreme honour in the newly separate imperial honours system.

Table 3 also clearly illustrates the decline of aristocratic first ordinary consulships. Why, after *c.* 325 should senators increasingly only reach the ordinary consulate in the position of second consulship? As we have seen it is not a consequence of a squeeze on the number of citizen consulships. After all the proportion of citizen consuls greatly expands under Constantine (see Table 2) and when citizen consulships were in shortest supply the proportion of first to second consulships was not greatly altered. The answer is to be sought elsewhere. An examination of the context within which consuls were nominated might elucidate the point.

IV. *Reclassification of Citizen Consuls by Type*

Citizen consulships (i.e. all those not held by reigning emperors) can be divided up into two basic types: those attained in the context of a traditional senatorial career and those attained in the context of an imperial appointment. Under the heading of 'senatorial' can be classified those honoured with a first consulship at the end of a purely urban *cursus* or after a praetorian governorship and those reaching a second consulship after a traditional consular

³⁴ It is unfortunate that the whole of Chapter 1 *de dignitatibus* and constitutions 1-11 of Chapter 2 *de senatoriae dignitate* have been lost from the beginning of Book 6 of the *Codex Theodosianus*, leaving us with nothing before AD 377. For by that time the word *consularis*, unless otherwise qualified, is used in contexts where, if it is to have any force at all as 'ex-consul', it must have the specific sense of 'ex-suffect consul'.

career.³⁵ Under the heading of 'imperial' can be classified close imperial relatives and those honoured with an ordinary consulship after a career in imperial service (e.g. as an equestrian official or governor) or, in the case of senators, in association with appointment to an imperial office (e.g. urban, and later praetorian, prefecture). Classification is decided by the position an individual held at the time of their designation or inauguration as consul, as well as by positions to which they can reasonably be held to have been designated in association with the consulship. Thus senators who were ex-proconsuls at the moment of taking up the *fasces* but took up the office of *praefectus urbi* during their consular year are included in the 'imperial' category. Ex-praetorian or urban prefects out of office by the time of their consulship are also counted among the 'imperials'. Those that defy certain classification under this scheme are:

Saturninus	cos. post. 264	(senatorial ?)
Sabinillus	cos. post. 266	(senatorial ?)
Paternus	cos. post. 269	(senatorial ?)
Capitolinus	cos. post. 274	(senatorial ?)
Vettius Rufinus	cos. post. 323	(senatorial ?)
Tettius Facundus	cos. post. 336	(senatorial ?)

For our purposes here it will probably be sufficient to analyze the data under division into regimes alone. The results are presented in Table 4 below.

Table 4. Distribution of citizen consulships by regime

Regime	N° citizen consuls	'imperial'	as %	'senatorial'	as %	unknown	as %
I	14	7	50.00	5	35.71	2	14.29
II	18	6	33.33	10	55.56	2	11.11
III	17	6	35.29	11	64.71	0	0.00
IV	2	2	100.00	0	0.00	0	0.00
V	12	4	33.33	7	58.33	1	8.33
VI	21	14	66.67	6	28.57	1	4.76
VII	21	19	90.48	2	9.52	0	0.00
VIII	6	6	100.00	0	0.00	0	0.00
Totals	111.00	64.00	57.66	41.00	36.94	6.00	5.41

³⁵ So under the traditional 'senatorial' career understand, in addition to public magistracies and pro-magistracies, legateships (of the Augusti or proconsuls) and correctorships and post-320 *consularis* governorships.

This analysis helps to clarify the transformation in the consulship which was only really hinted at by analysis along traditional lines into 'old' and 'new men'. It is clear from Table 4 that until the end of the First Tetrarchy (Regime III, AD 305) a fairly stable ratio of approximately one-third 'imperial' to two-thirds 'senatorial' consuls was maintained.³⁶ One might have expected a steady decline in the numbers of 'senatorial' consulships since senatorial consular governorships were gradually eliminated from the reign of Gallienus onwards. However the ratio remains steady even under the First Tetrarchy, a period when consular government had been reduced effectively to the Italian *correcturae* and the proconsulates of Africa and Asia.

The Second Tetrarchy marks a period of profound discontinuity, but this is rather a reflection of Rome's isolation from the senior emperors during Maxentius' usurpation than of anything else. When Rome comes once again under the government of a regime whose consuls are recognised empire-wide, the pre-Galerian pattern re-emerges. The great break comes with the beginning of Constantine's sole reign. While 'senatorial' consuls do not disappear, their proportion halves, and the ratio is almost exactly reversed. The decline is even more drastic under the regime of his sons and 'senatorial' consuls are no more after the death of Constans. This was no temporary phenomenon. To the end of the fourth century the only consuls to achieve the ordinary consulship in any other context than that of imperial service are the pair of AD 395, Anicius Hermogenianus Olybrius and Anicius Probinus. The exceptional nature of their consulate was remarked upon by Claudian in the panegyric which celebrated their inauguration.³⁷ Their achievement was based rather more on the three praetorian prefectures of their father Cl. Petronius Probus than on the privilege of ancient nobility.³⁸

³⁶ This is the picture when the 4 probables are aggregated to the 'senatorial' total. The high figure of 'imperial' consuls under Gallienus is the result of the appointment of his relatives Valerian and Lucillus to the ordinary consulship. Since the family was a senatorial one these may actually belong in the context of public careers as far as these two individuals are concerned (see discussion at notice of AD 264 in Chapter 11 above). This would bring the ratios for Gallienus' reign into line with those of his successors.

³⁷ Claudian, *Pan. in cons. Olybrii et Probini* 5.66-69. 'You are beginning, they say, equal to where others finish'; as A. CHASTAGNOL points out (*L'Italie et l'Afrique*, 233), the abnormality of the situation lies in their achieving an ordinary consulship at the beginning of their career, a position now normally occupied by the suffect consulate.

³⁸ On the political influence of Petronius Probus, militant Christian and confidant of emperors, see

The change of policy concerning the awarding of ordinary consulships can be illustrated in another way. This is by examining the relative status of 'imperial' and 'senatorial' consuls. The established rules governing precedence in the consulate inherited from the Augustan period appear still to be in force in AD 260 and to remain in force into the Tetrarchic period. The order of the consuls was of course decided by the emperor. Nevertheless the emperors did abide by tradition in these matters, more or less.

It had been a basic principle that precedence was determined by seniority in previous magistracies and pro-magistracies of the *res publica* of the city of Rome. Thus, all things being equal, the names of the consuls might be put in either order (see, for example, the notice of the consuls of 289). However, if either individual had already held a consulship previously would always take precedence over a man entering his first consulship. If both were already consulars, precedence would be decided by the antiquity of their first consulship. Even when we do not know the date of first consulships because they were suffect ones, the pattern can be discerned from seniority in the great proconsulships (of Asia and Africa). Naturally such considerations did not apply to ruling emperors and their close kin who invariably took precedence over private citizens. Tenure of the office of *praefectus urbi* concurrent with the ordinary consulship seems to have afforded precedence in the consulate. However, because it was not strictly part of the *res publica* of Rome, seniority in the office did not dictate precedence, so that former urban prefects had to cede precedence to those currently in office.³⁹

In accordance with these principles when equestrian officials, who had spent their entire careers in the service of the *princeps* and had held no previous magistracies, were appointed directly to the ordinary consulate they would naturally cede precedence to a senatorial colleague. This is precisely what happens, in AD 273, when a patrician aristocrat of the rank of ex-praetor is consul prior to a praetorian prefect currently in office.⁴⁰

J. F. MATTHEWS, *Western Aristocracies and Imperial Court*, 98, 196f.

³⁹ See the discussion at the notice of AD 260 in Chapter 11 above.

⁴⁰ A. Caecina Tacitus & Iulius Placidianus. Most of the time, it seems, the emperors before Constantine avoided embarrassing the senatorial aristocracy by making them share the consulate with mere imperial officials. It was the tendency for imperial officials to share the consulate with their imperial patrons or each other. The practice of nominating actively serving equestrian officials to the ordinary consulate only became established with Gallienus' consulate with Petronius Volusianus in 261 (M. CHRISTOL, *Essai*, 102; A. CHASTAGNOL, *Recherches sur l'HA*, 63).

While iteration numerals still form a regular part of the consular formula (i.e. up to 314), it is obvious that these rules were still in force. Even when Constantine broke from tradition in ruling that previous suffect consulships should be ignored in the calculation of the formula of the ordinary consulate, the senator with a public career behind him still took precedence over the praetorian prefect. It is just possible that this arose out of a specific precedent, designed to annul Rufius Volusianus' Maxentian consulship, being interpreted more widely to exclude also his previous suffect consulship.⁴¹ The question remains, why should Constantine not recognise a suffect consulship held under Carus or before, and why should this rule be applied to all subsequent consuls, none of whom had held ordinary consulships under Maxentius? Constantine may have 'levelled the playing field' but the traditional senatorial career retained some of its prestige. As noted above (see Table 2), the removal of the iteration numeral did not give rise to an immediate equation of ordinary with second consulate and suffect with first consulate. Indeed senators continued throughout Constantine's reign to be able to reach the ordinary consulship without any imperial service; even if after 325 no member of the traditional aristocracy managed to gain an ordinary first consulship, with the possible exception of Virius Nepotianus who was an imperial in-law.

Constantine's major break with tradition comes with the consular nominations for AD 325. It is perhaps no coincidence that this should coincide with the first new year of his reign as unchallenged sole Augustus. For it is with Valerius Proculus that there occurs for the first time the phenomenon of imperial official taking the place of consul prior over the head of an ex-proconsul. This remains the consistent pattern for the rest of Constantine's reign and beyond. For the rest of the 320s and 330s a whole series of praetorian prefects, *ex-vicarii* and possibly also a general decorate the fasti. Not once, out of the six occasions in which they share the fasces with senatorial aristocrats, do they cede precedence. Conversely, with the exception once again of Virius Nepotianus, no member of the traditional Roman aristocracy is found as consul prior until Septimius Acindynus in AD 340. It is as if Constantine were operating a policy of positive discrimination. There could hardly be a stronger contrast with the situation of 314 to 325, when the senatorial aristocracy accounted for ten out of twelve of the citizen consulates.

⁴¹ On Constantine's refusal to recognise Volusianus' praetorian and urban prefectures and consulship granted by Maxentius, see A. CHASTAGNOL, *Fastes*, 56.

The career patterns of *novi homines* after their ordinary consulship are illuminating of the change in the role of the ordinary consulship. When Petronius Volusianus, Aurelius Aristobulus and Afranius Hannibalianus gained entry to the consular class of the senatorial aristocracy by their consulships of 261, 285 and 292 respectively, they used the opportunity to follow a traditional (if accelerated and abbreviated) consular career. Volusianus went on to be *praefectus urbi* in 267-8, Aristobulus exercised an extraordinary four-year proconsulate of Africa (290 to 294), then the urban prefecture from 295 to 296, and Hannibalianus similarly held the urban prefecture from 297 to 298.⁴² A traditional career in structure indeed, but not in time-scale. Five or six years between first consulship and urban prefecture is unheard of, even for contemporary senators of patrician family.⁴³ Already the equestrian *novi homines* were gaining ground on the traditional social élite. Hannibalianus is the last high equestrian official known to have considered even an accelerated consular career at Rome worth pursuing after his consulship.⁴⁴ This was a logical development, since the top posts of the equestrian career now carried with them more responsibility and real power than any of the positions of the consular cursus, with the possible exception of the urban prefecture.

It was not until 325, however, that the protocol of the consular formula adjusted to the new realities. From then on a novel protocol of precedence applied. Possession of imperial office gave precedence over those who had exercised only the public magistracies. In the same manner as had long been practice concerning urban prefects, those in office took precedence over those who had already relinquished it. As had been the case with Hannibalianus and Asclepiodotus (292) and Andronicus and Probus (310), when both consuls were currently occupants of equivalent offices seniority of appointment decided the order. This was certainly the case in 379, since Ausonius states explicitly that it was for this reason that he was proclaimed as *consul prior* ahead of his fellow consul and praetorian

⁴² M. CHRISTOL, *Essai*, 120; *PLRE* 1 Aristobulus, Hannibalianus 3, Volusianus 6; A. CHASTAGNOL, *Fastes*, 21-25, 27-29. One might add Hermogenianus to this list (cf. the notice relating to his prefecture in Chapter 9.1 above).

⁴³ See M. CHRISTOL's comparative table (*Essai*, 123), which makes it clear that fifteen years is probably a minimum and twenty years more normal.

⁴⁴ It may be significant that his fellow praetorian prefect and consular colleague Asclepiodotus, whose term as praetorian prefect may have extended beyond 300, did not follow in Hannibalianus' footsteps. Alternatively it may simply be that the isolation of Rome under Maxentius' usurpation from 306 precluded him doing so.

prefect, Hermogenianus Olybrius.⁴⁵ Possession of the new personal honour of *patricius* also entitled one to the prior position in the consulate, even if one held no official position of any kind.⁴⁶

This change was the second stage in the revolution that had begun in 314 when Constantine had distinguished a senatorial aristocrat's (first) suffect consulship as different in kind from his second ordinary consulship. They were no longer comparable because the former marked the end of urban stages of the senatorial career of the city of Rome and the latter the culmination of the imperial career.⁴⁷ Constantine's revolution was the reversal in the order of priority between service to the state and service in the *res publica* of the city of Rome. No longer were equestrian officials at the height of their careers equated with the bottom rungs of the senatorial ladder. The entire senatorial career up to, and including the first consulship (after 325 always suffect) was now considered inferior in status to those offices, such as the praetorian prefecture, which had had their origins in personal service to the emperor not the *res publica*. This was recognition of the fact of the evolution of the emperor's private bureaux, at both provincial and central levels, into the government of the empire as a whole, at the expense of government through the constitution of the city of Rome.⁴⁸ The classic illustration of this change is the consulate of AD 345, when a noble, patrician senator who had fulfilled all the offices of the Roman municipal cursus (quaestor,

⁴⁵ Ausonius, *Gratiarum Actio* 12.

⁴⁶ Most notably Fl. Optatus in 335, but also Censorius Datianus in 358. The rule is confirmed by *CTh* 6.6.1 (1 April 382). The situation could become more problematic if one had to decide precedence between, e.g., a more junior official with the patriciate versus a more senior one without. It was a problem that provoked a several pieces of legislation (see R. W. MATHISEN, *Emperors, Consuls, and Patricians*, *BF* 17 (1991), 173-190).

⁴⁷ This was a necessary prerequisite to the consular pattern of the late 320s and 330s which in many cases would have been by a traditional reckoning the impermissible *cos I* preceding *cos II* (see the *fasti* in Appendix 3). For the development in the later third century of the first consulship into the first significant stage of the senatorial career in the wake of Gallienus' reforms, see M. CHRISTOL, *Essai*, 61-89.

⁴⁸ On the social promotion of the high equestrian posts under Constantine see A. CHASTAGNOL, "La fin de l'ordre équestre: réflexions sur la prosopographie des derniers «chevaliers» romains", *MEFRM* 100 (1988), 199-206; and on the third-century encroachment of equestrian provincial *praesides* into areas traditionally reserved to senators acting as imperial *legati* see C. W. KEYES, *The Rise of the Equites*, L. HOMO, "Les privilèges administratives du Sénat romain et leur disparition", *Rev. Hist.* 137 (1921), 161-203 & 138 (1921), 1-52, and A. STEIN, *Römische Ritterstand*, 449-459.

praetor, suffect consul) ceded precedence to an imperial official and *novus homo*.⁴⁹ It forms a satisfying counterpoint to AD 273 when the patrician senator Caecina Tacitus in only his first consulship could pull rank on the current praetorian prefect Iulius Placidianus.

Nummius Albinus may have be the last senator to achieve the ordinary consulship on the strength of a career confined solely to the traditionally senatorial offices, but he is far from the last representative of the traditional aristocracy to grace the fasti. Indeed approximately two-thirds of the citizen consuls of the reign of Constantius and Constans were of aristocratic birth (Table 2, Regime VII), but also over 90 percent were ‘imperial’ appointments. A new structure of career for senatorial aristocrats was taking shape, the first clear example of which is that of Septimius Acindynus (cos. 340). He, and all the consuls of Roman aristocratic extraction, after Albinus and until 395, were honoured with the ordinary consulship through tenure of the civilian offices of the ex-equestrian *cursus*,⁵⁰ access to which had been opened by their promotion to clarissime status bit-by-bit under Constantine and his sons from *c.* 325 to the 340s. Although their wealth and influence did give the Roman aristocracy an advantage, men of the most ancient lineage were essentially competing on equal terms with *novi homines* for the same offices.⁵¹

v. *Conclusion*

The position of the ordinary consulship as a regularly occurring phenomenon (annually) of fixed extent (two individuals) and political relevance (they were chosen by the emperor himself) of unparalleled documentation (thanks to its employment as a dating system), means that it presents us with an almost uniquely quantifiable source in the field of ancient history. Careful analysis of this phenomenon should thus provide useful insights into the social and political processes of the day.

I believe that four basic phases can be distinguished in the development of the

⁴⁹ Flavius Amantius et M. Nummius Albinus *signo* Triturrius (II). Albinus is perhaps (cf. the *cursus* of L. Turcius Secundus *signo* Asterius, *CIL* VI 1772 = *ILS* 1230) the last senator known to explicitly record his suffect consulship in an epigraphic *cursus honorum*. See the discussion at notice s.a. 345 in Chapter 11.

⁵⁰ *Praefectus vigilum, praefectus annonae, vicarius, comes Orientis*, praetorian prefect.

⁵¹ cf. M. K. HOPKINS, "Social Mobility in the Later Roman Empire", *CQ* n.s. 11 (1961), 239-249. On the other hand the military hierarchy remained closed to them, as it had been since Gallienus' reforms of *c.* 262 (M. CHRISTOL, *Essai*, 35-44).

consulship over the century from AD 260 to 360. The first, represented by the period 260 to 290, is fundamentally a continuation of the political and social conditions of the early empire. Some alien elements have certainly been introduced; in the form of equestrian imperial officials becoming consuls and the ascendance of non-senatorial emperors from humble backgrounds after the death of Gallienus. However, traditionalism is still strong and the outward forms do not change unduly.

Phase two comprises the period from *c.* 290 to the defeat of Licinius in 324. Despite the almost total hiatus in citizen consuls caused by the troubles of the Second Tetrarchy, this period does represent a coherent whole. There is a continued gradual decline in the proportion of first consulships being awarded to the senatorial aristocracy and a noticeable 'fossilisation' in the range of families represented in the *fasti*. The decline in tenure of first consulships as ordinary is almost certainly the long term effect of the elimination by Gallienus and his successors of extra-urban pre-consular offices from the senatorial *cursus*. Without the praetorian proconsular governorships or governorships as *legati Augusti*, it simply became very hard for a young senator to come to the attention of the emperor. Thus the majority, if not all, of those young senators who achieved an ordinary consulship after 291 did so because of the influence of their fathers or other elder relatives. Conversely this period is marked by no great strides in the social position of the non-senatorial ruling class, except that their declining interest in recruitment to the senatorial order indicates that the margin of social advantage enjoyed by the senatorial aristocracy no longer outweighed its dramatically decreasing role in imperial government. If the position of the consuls of 310, as the only citizen consuls the Second Tetrarchy managed to proclaim, is ignored, roughly the same proportion of imperial servants was being honoured by the ordinary consulship as had been for the past forty years.⁵² The senatorial aristocracy may have been losing their grip on the reins of power since the days of Gallienus, but considering the extent to which their social status remained unassailed under Diocletian, that emperor seems a little miscast as Arnheim's 'hammer of the aristocracy'.

The third and most significant phase is basically described by the duration of Constantine's reign as sole Augustus (AD 325-337). However, in one respect it may be taken to begin in 314 with Constantine's equalisation (by the exclusion of suffect consulships from the calculation of the formula) of the status of non-senatorial imperial

⁵² Admittedly this figure in itself marked an enormous increase on the previous centuries.

officials and senatorial iterated consuls in the ordinary consulship. The result was the severance of ordinary consulship from its traditional place as the chief magistracy of the city of Rome. This would seem to be an act of deliberate policy and was a necessary prelude to the *boulversement* Constantine effected from 325.⁵³ Constantine's innovatory move was to give senatorial status to the holders of higher imperial offices, such as the praetorian prefecture, and to rank their newly-promoted offices above those of the traditional urban senatorial magistracies. This adjusted the Roman social hierarchy to take account of contemporary reality and was revolutionary in that it laid the foundations for a senatorial order no longer defined by tenure of the urban magistracies and whose members were not necessarily enrolled in the album of the Roman *curia*. This revolution is epitomized by Constantine's adoption of the term *patricius*, traditionally defining the privileged stratum of the hereditary aristocracy of Rome, as a personal honour by which to distinguish specially certain members of the new aristocracy of service. It is hard to correlate this Constantine with Arnheim's great friend to the Roman aristocracy, though in fact his promotion of the ex-equestrian posts to senatorial status was to allow the traditional aristocracy to regain access to influential government positions under his sons.

The timing of this great revolution of course coincides with a period of great change in other aspects of Constantine's government. The defeat of Licinius in September 324 was soon followed by Constantine's decision to refound the city of Byzantium as his 'New Rome'⁵⁴ and it seems most likely that it was during his visit to the old capital in 326 that the emperor declined for the first time to sacrifice to the traditional gods.⁵⁵ The executions of his eldest son, Crispus, and wife, Fausta, for which his motives remain unclear, are indicative of the magnitude of the upheaval at his court, if nothing else.⁵⁶

⁵³ It is hard to believe that the discontinuation of the iteration mark was simply the result of loss of continuity. A break of only thirteen years since the last iterated consul (Titianus in 301) is surely too short a space of time after so many centuries of tradition.

⁵⁴ On the contemporaneity of the epithet *nova* or *altera Roma* see A. BISCARDI, "Constantinopolis nova Roma", *Accademia romanistica costantiniana* 2, 9-34 and T. D. BARNES, "Publius Optatianus Porphyrius", *AJP* 96 (1975), 179f.

⁵⁵ Following the dating of H.-U. WIEMER, "Libanios und Zosimos über den Rom-Besuch Konstantins I. im Jahre 326", *Historia* 43 (1994), forthcoming, in preference the dating to 315 by F. PASCHOUD, "Zosime 2, 29 et la version païenne de la conversion de Constantin", *Historia* 20 (1971).

⁵⁶ On which see J. W. DRIJVERS, "Flavia Maxima Fausta", *Historia* 41 (1992), 500-506.

However, whether or not Constantine's motive in founding Constantinople was the creation of a distinctively Christian capital in opposition to Rome (which seems *a priori* unlikely on several grounds),⁵⁷ it did not become the ruling city of the empire in the same way that Rome had been before. If Constantine did create a 'senate' of Constantinople, it certainly did not enjoy the same constitutional link with the government of the empire as had the senate of Rome.⁵⁸ Even after Constantius II deliberately recruited 2,000 *curiales* from the cities of the eastern Mediterranean, in order to provide his capital with an assembly of equivalent size to the Roman senate which had recently fallen under the control of the usurping Magnentius, tenure of the praetorship of Constantinople did not operate as a qualification for office in the provincial government of the empire or as a step up in the social hierarchy as it had done in the Roman senate of the Republic and Principate, but instead remained an expensive burden rather to be avoided. The relationship of the senate of Constantinople to the government of the empire unsurprisingly mirrored that of the contemporary senate of Rome after Constantine's reformation of the ordinary consulship and senatorial hierarchy. Rome continued to be a city-state but it was now subordinate to the Roman empire rather than subordinating it.⁵⁹

Phase four has no clear-cut beginning, but rather overlaps by five years or so with

⁵⁷ e.g. Rome had a stronger Christian tradition than did Byzantium (cf. R. KRAUTHEIMER, *Three Christian Capitals*), where the dearth of local martyrs Constantius made up for by the translation of relics (C. A. MANGO, "Constantine's Mausoleum", *Byzantion*, 83 (1990), 51-62, with addendum 434). E. JASTRZEBOWSKA, "La Basilique des Apôtres à Rome, *Hommages à H. Stern*, 223-229, has even argued that Rome's first monumental church was begun before the defeat of Maxentius.

⁵⁸ Given Libanius' general attitude to both Constantine (cf. H.-U. WIEMER, "Libanius on Constantine", *CQ* n.s. 44 (1994), forthcoming) and Constantius' Constantinopolitan senate (cf. J. H. W. G. LIEBESCHUETZ, *Antioch*, 10f) his retrospective description of Ablabius and other Constantinian officials of humble origin as senators of Constantinople (cf. P. PETIT, "Les sénateurs de Constantinople dans l'oeuvre de Libanius", *AC* 26 (1957), 348) is not to be preferred to the testimony of the *Origo Constantini imp.* (6.30) that the curials of emperor's new capital were of inferior status to those of Rome and bore the title of *clarus* rather than *clarissimus*.

⁵⁹ Pace F. de MARTINO, *Storia della costituzione romana* 5, 290-291, who considers the loss of Rome's dominance to entail its demise as a city-state and, *ibid.*, 313-320, fails to realise the implication of the separation of the suffect and ordinary consulships for the status of both the senate at Rome and at Constantinople. For, while the senate(s) might continue to exercise a corporate role in trying cases against their own members (cf. U. VINCENTI, *La partecipazione del senato all'amministrazione della giustizia nei secoli III-IV d.C.*), this is not to be confused with a continued constitutional significance in the government of the empire.

the end of phase three. It is characterised by the emergence of a new integrated social order, in which all social status is measured from one's relative position in the hierarchy of service to the emperor, not by one's rank relative to the municipal cursus of Rome. The magistracies of the city have lost their central position in the running of the empire, while the most successful and influential senatorial families are those which involve themselves closely in the new imperial structure. This transformation is exemplified by the fact that no longer was it solely tenure of the consulship that conferred upon one's family the cachet of *nobilis* but also of the urban or praetorian prefectures, offices of imperial rather than republican origin.⁶⁰ The higher imperial offices now clearly ranked above most of those of the traditional senatorial career and new epithets such as *spectabilis* and *illustris* developed in order to distinguish their holders from mere *clarissimi*.⁶¹

The ruling élite represented by the fasti of the last ten years of the period is one made up of two members of the traditional aristocracy—there by virtue of imperial service (as praetorian prefect) and relationship by marriage to the imperial family respectively—the son of a bath-attendant who had risen as a notary to achieve the new patriciate, a general of possibly barbarian origin and two young nobles (sons of a general, consul in 347) who represent a second generation of the new nobility of service. The revolution may have been slow but it was certain and absolute.

As the highest honour in the Roman state and as the personal gift of the emperors, the separation of the ordinary consulship from the *res publica* of the city of Rome is symptomatic of the separation of the emperors and the Roman state from the constitution of the classical city state of Rome. The subordination of the magistrates of the *res publica* of Rome to the officers of the emperor is indicative of the subordination of *res publica* of Rome to the government of the empire. This state of affairs is the complete reversal of that of the period of the Roman Republic, of whose constitution the empire was arguably a by-product initially, and of that of the Early Empire under which the Empire had been governed through the mechanism of the *res publica* of Rome. Analysis of the development

⁶⁰ T. D. BARNES, "Who Were the Nobility of the Roman Empire?", *Phoenix* 28 (1974), 448. See W. KUHOFF, *Laufbahn*, 239-248, on the newly senatorial *Hofdienst/Hofämter* in senators' careers.

⁶¹ If André CHASTAGNOL is correct in his rearrangement of the inscription from Aïn-Rhine (*AE* 1981.878 = Appendix 2, No 15), then the new hierarchy of titles had already gained currency as early as AD 330/1.

of the consulship has demonstrated that far more significant than his foundation of Constantinople was Constantine's disposal of the symbolic structure of the city-state and its replacement by a social hierarchy linked to an imperial government no longer constitutionally attached to any one city.

Appendix Three

Fasti Consulares AD 260-360

The following list of consuls is largely based on those given by Michel Christol, *Essai sur la carrière sénatoriale*, 97-125, for the period 260 to 301 and by *Consuls of the Later Roman Empire* for the period 284 to 360. The consuls of Postumus and his Gallic successors see the table of John Drinkwater, *The Gallic Empire*, 188, and for those of the usurper Carausius see Timothy Barnes, *The New Empire of Diocletian and Constantine*, 10f.

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* *

The bold type indicates those consuls included within the sample studied. This more or less equates with the consuls proclaimed or recognised by the senior Augustus of the time. Consuls considered illegitimate retrospectively, such as those of the usurping regimes, have been noted only where they have a bearing on the discussions in Chapter 11. After AD 314 the iteration numerals in brackets are not a guide to the official formula but an aid for comparison with the preceding period in which suffect consulships were counted. Square brackets indicate where an identification is only tentative or the form of the name doubtful.

*
* *

AD

Gallienus':

- 260 P. Cornelivs Saecvlaris *signo* Calliepius II
C. Ivnius Donatvs II
- 261 P. Licinius Egnativs Gallienvs Avg. IIII
L. Petronivs Tavrvs Volvsianvs
- 262 P. Licinius Egnativs Gallienvs Avg. V
Nvmmivs Favstianvs
- 263 Nvmmivs Albinvs II
[-----] Dexter
- 264 P. Licinius Egnativs Gallienvs Avg. VI
[-----] Satvrninv
- 265 Licinius Valerianvs II
[Egnativs?] Lvcillvs
- 266 P. Licinius Egnativs Gallienvs Avg. VII
[-----] Sabinillvs
- 267 [Ovinivs?] Paternvs
[Flavivs?] Arcesilavs
- 268 Aspasius Paternvs II
[Egnativs?] Marinianvs
- 269 M. Avrelivs Clavdivs Avg.
[-----] Paternvs
- 270 Flavivs Antiochianvs II
Virivs Orfitvs
- 271 L. Domitivs Avrelianvs Avg.
Pomponivs Bassvs II
- 272 Postvmivs Qvietvs
[Ivnius?] Veldvnmianvs
- 273 A. Caecina Tacitvs
Ivlivs Placidianvs
- 274 L. Domitivs Avrelianvs Avg. II
[-----] Capitolinv
- 275 L. Domitivs Avrelianvs Avg. III
Ivlivs Marcellinv

- 276 M. Clavdivs Tacitvs Avg. II
[Fvlvivs?] Aemilianvs
- 277 M. Avrelivs Probvvs Avg.
[Anicivs?] Pavlinvs
- 278 M. Avrelivs Probvvs Avg. II
Virivs Lvpvs (II)
- 279 M. Avrelivs Probvvs Avg. III
Nonivs Paternvs II
- 280 [Valerivs?] Messala
[Vettivs?] Gratvs
- 281 M. Avrelivs Probvvs Avg. IIII
Ivnivs Tiberianvs
- 282 M. Avrelivs Probvvs Avg. V
Pomponivs Victorianvs (II)
- 283 M. Avrelivs Carvs Avg. II
M. Avrelivs Carinvs Avg.
- 284 M. Avrelivs Carinvs Avg. II
M. Avrelivs Nvmerius Nvmerianvs Avg.
- Diocletian's from 20 November:*
C. Valerivs Diocletianvs Avg.
L. Caesonivs Ovinivs Manlivs
Rvfinianvs Bassvs II
- till Carinus' downfall.*
- 285 M. Avrelivs Carinvs Avg. III
T. Clavdivs Avrelivs Aristobvlvs
- C. Valerivs Diocletianvs Avg. II
T. Clavdivs Avrelivs Aristobvlvs
- 286 M. Ivnivs Maximvs II
Vettivs Aqvilinvs
- 287 C. Avrelivs Valerivs Diocletianvs Avg. III
M. Avrelivs Valerivs Maximianvs Avg.
- 288 M. Avrelivs Valerivs Maximianvs Avg. II
Pomponivs Ianvarianvs
- 289 M. Magrivs Bassvs
L. Ragonivs Qvintianvs
- 290 C. Avrelivs Valerivs Diocletianvs Avg. IIII
M. Avrelivs Valerivs Maximianvs Avg. III
- 291 C. Ivnivs Tiberianvs II
Cassivs Dio

- 292 Afranius Hannibalianus
 Iulius Asclepiodotus
- 293 C. Avrelius Valerius Diocletianus Avg. V
 M. Avrelius Valerius Maximianus Avg. IIII
- 294 M. Flavius Valerius Constantius Caes.
 C. Galerius Valerius Maximianus Caes.
- 295 Nummius Tuscus
 C. Annus Anullinus
- 296 C. Avrelius Valerius Diocletianus Avg. VI
 M. Flavius Valerius Constantius Caes. II
- 297 M. Avrelius Valerius Maximianus Avg. V
 C. Galerius Valerius Maximianus Caes. II
- 298 Anicius Faustus II
 Virius Gallus
- 299 C. Avrelius Valerius Diocletianus Avg. VII
 M. Avrelius Valerius Maximianus Avg. VI
- 300 M. Flavius Valerius Constantius Caes. III
 C. Galerius Valerius Maximianus Caes. III
- 301 T. Flavius Postumius Titianus II
 Virius Nepotianus
- 302 M. Flavius Valerius Constantius Caes. IIII
 C. Galerius Valerius Maximianus Caes. IIII
- 303 C. Avrelius Valerius Diocletianus Avg. VIII
 M. Avrelius Valerius Maximianus Avg. VII
- 304 C. Avrelius Valerius Diocletianus Avg. VIII
 M. Aurelius Valerius Maximianus Avg. VIII
- 305 M. Flavius Valerius Constantius Caes. V (*both Avgvsti*
 C. Galerius Valerius Maximianus Caes. V *from 1 May*)
- 306 M. Flavius Valerius Constantius Avg. VI
 C. Galerius Valerius Maximianus Avg. VI
- 307 Flavius Valerius Severus Avg. (*till late Sep*)
 C. Galerius Valerius Maximianus Caes.
- 308 C. Avrelius Valerius Diocletianus pater Avgg. X
 C. Galerius Valerius Maximianus Avg. VII

- 309 Valerivs Licinianvs Licinivs Avg.
M. Flavivs Valerivs Constantinvv Caes.
- 310 Tativv Andronicvv
Pompeivv Probvv
- 311 C. Galerivv Valerivv Maximianvv Avg. VIII (*to May*)
C. Galerivv Valerivv Maximinvv Avg. II
- 312 M. Flavivs Valerivv Constantinvv Avg. II
Valerivv Licinianvv Licinivv Avg. II
- 313 M. Flavivs Valerivv Constantinvv Avg. III
C. Galerivv Valerivv Maximinvv Avg. III
then from c. August:
M. Flavivs Valerivv Constantinvv Avg. III
Valerivv Licinianvv Licinivv Avg. III
- 314 C. Ceionivv Rvfvv Volvsvianvv (II)
Petronivv Annianvv
- 315 M. Flavivs Valerivv Constantinvv Avg. IIII
Valerivv Licinianvv Licinivv Avg. IIII
- 316 Antonivv Caecinivv Sabinvv (II)
Vettivv Rvfvv
- 317 Ovinivv Gallicanvv (II) (*not proclaimed*
Caesonivv Bassvv *till 17 February*)
- 318 Valerivv Licinianvv Licinivv Avg. V
Flavivv Ivlvv Crispvv Caes.
- 319 M. Flavivs Valerivv Constantinvv Avg. V
Valerivv Licinianvv Licinivv Caes.
- 320 M. Flavivs Valerivv Constantinvv Avg. VI
Flavivv Clavdivv Constantinvv Caes.
- 321 Flavivv Ivlvv Crispvv Caes. II
Flavivv Clavdivv Constantinvv Caes. II
- 322 Petronivv Probianvv (II) II
Annivv Anicivv Ivlianvv (II)
- 323 Acilivv Severvv (II)
C. Vettivv [Cossinivv?] Rvfvv (II?)

- 324 Flavivs Ivlivs Crispvs Caes. III
 Flavivs Clavdivs Constantinvs Caes. III
- 325 V[alerivs?] Procvlvs (*till May*)
 Sex. Anicivs Pavlinvs (II)
 [-----] Ivlianvs *signo* Ionivs (II?) (*from May*)
- 326 M. Flavivs Valerivs Constantinvs Avg. VII
 Flavivs Ivlivs Constantivs Caes.
- 327 Flavivs Constantivs
 Valerivs Maximvs
- 328 Flavivs Ianvarinvs
 Vettivs Ivstvs (II?)
- 329 M. Flavivs Valerivs Constantinvs Avg. VIII
 Flavivs Clavdivs Constantinvs Caes. IIII
- 330 Flavivs Gallicanvs
 Avrelivs Valerivs Tvllianvs Symmachvs (II)
- 331 Ivnivs Bassvs
 Flavivs Ablabivs
- 332 L. Papivs Pacatianvs
 Mecilivs Hilarianvs (II)
- 333 Flavivs Dalmativs
 Domitivs Zenophilvs (II)
- 334 Flavivs Optatvs
 Amnivs Manivs Caesonivs Nicomachvs Anicivs Pavlinvs *signo* Honorivs (II)
- 335 Ivlivs Constantivs
 Ceionivs Rvfivs Albinvs (II)
- 336 Virivs Nepotianvs
 Tettivs Facvndvs (II?)
- 337 Flavivs Felicianvs
 Fabivs Titianvs (II)
- 338 Flavivs Vrsvs
 Flavivs Polemivs
- 339 Flavivs Ivlivs Constantivs Avg. II
 Flavivs Ivlivs Constans Avg.

- 356 **Flavivs Ivliivs Constantivs Avg. VIII**
 Flavivs Clavdivs Ivlianvs Caes.
- 357 **Flavivs Ivliivs Constantivs Avg. VIIII**
 Flavivs Clavdivs Ivlianvs Caes. II
- 358 **Censorivs Datianvs**
 Nerativs Cerealis (II)
- 359 **Flavivs Evsebivs**
 Flavivs Hypativs
- 360 **Flavivs Ivliivs Constantivs Avg. X**
 Flavivs Clavdivs Ivlianvs Caes. III

Conclusion

My choice of title, ‘the creation of the Roman state’, reflects my belief that there was a real break between the Roman empire of the third and fourth centuries AD. The genesis of this, I believe, is to be found in the decree of the emperor M. Aurelius Antoninus (Caracalla), whereby all free subjects were made citizens in AD 212. The result of this act was, in fact, to lay the psychological foundation for the transformation of the state from an empire centred on the city of Rome to a Roman nation-state, with a government dissociated from that of the City. This change, rather than, for instance, Christianisation, marks the prime distinction between the world of classical and that of late antiquity; it is the essence of the ‘new empire’. This thesis has aimed only to indicate the reasons for the development of this new Roman state, not attempted to describe it in all its aspects. The approach I have adopted, that of the examination of naming habits and of two key institutions (the praetorian prefecture and the consulship) has been designed to provide a firm foundation on which to base any further analysis of the success or failure of the Roman state of the later third and fourth centuries.

In Part One I argued that both the extent and nature of the impact of the *Constitutio Antoniniana* can be discerned through an analysis of naming practices. The adoption of Caracalla’s ‘M. Aurelius’ by what must be a majority of the population, especially in the eastern provinces, demonstrates that its impact was felt by the ordinary citizen. However, the extension of citizenship universally did not result in the universal dominance of traditional Roman culture. Rather, the way in which the new citizens employed their newly accorded names demonstrates that they were not Romanised in the same way as those who had received the franchise before 212 had been. The very suddenness of the grant bypassed the established processes of acculturation, producing a whole new class of citizens, whom I have termed the New Romans. That the previously non-Roman population did genuinely personally re-identify themselves as Roman is demonstrated by the persistence of the term as an ethnic label long after the demise of the Roman state itself. Nevertheless, the result of the failure of Romanisation at this juncture is that, although they identified with the Roman government as their government and desired to take advantage of their membership

of the now greatly expanded citizen-body, they did not look upon the city of Rome as the natural cultural centre of their world. They considered themselves members of a nation-state of Romans, not as citizens of the city-state of Rome. It is this *Weltanschauung* that was eventually to be expressed by the coining of the new term *Romania*. Lacking the same reverence for classical models, the New Romans naturally did not subscribe to the rationale which preserved the Roman state as symbolically an empire of the city-state of Rome; and the replacement of senatorial commanders by career soldiers during the years of external military pressure and civil war during of the mid to later third century was to thrust men of such New Roman outlook into positions of power, including the imperial throne itself.

The effects of the *Constitutio Antoniniana* may not have been immediate, but they were thorough-going. The increased demands made upon the administration of justice in the provinces forced an elaboration of the civil administration of the imperial regime, which is particularly clearly seen in the increased responsibilities of the praetorian prefecture, analysed in Part Two. However, although this structural change was largely complete by the end of the third century it was not immediately accompanied by an equivalent re-ordering of the social hierarchy. Nevertheless, by the later fourth century the prefecture was transformed in nature from one of personal service to the emperor into one of the key institutions of the late Roman state, the prefects being virtually viceroys for civil affairs over discreet portions of the empire. The re-examination of all the available evidence concerning the praetorian prefecture of the late third and early fourth centuries has clarified this transition. By disposing of the problems of 'de-militarisation' and 'regionalisation', it was demonstrated that, in fact, the function of the office before and after Constantine was not so different after all. This, in turn, reveals the most significant development to have been Constantine's attachment of senatorial (*clarissime*) status to the post. For, as the prosopographical catalogue of prefects shows, there is no evidence that the prefecture was immediately filled with men of hereditary aristocratic origin. Instead the post continued to be filled for the time being by ex-equestrian officers, whose new social status was symptomatic of the symbolic separation of the imperial government from the institutions of the city of Rome.

When this is considered alongside the developments visible in the consulship, analysed in Part Three, the reality of the divorce of the government of the Empire from that of the city of Rome is clearly demonstrated. This is detected by a reversal in the formal

social hierarchy of the relative status conferred by tenure of posts attached to the urban government and those directly in the service of the emperor. This reversal reflects the development of the latter into an alternative to the traditional imperial government linked to the magistracies of the city of Rome. Until the beginning of the fourth century the ordinary consulship remained the eponymous magistracy of the city of Rome, normally attained in the course of the traditional magisterial career. However by the 330s it was firmly established as one of the highest ranks in the new system of imperial honours conferred by the emperor on his loyal functionaries.

The tenor of Constantine's reform of the basis of the social hierarchy—which now rested upon the position of the individual in relationship to the administrative hierarchy of the Roman state, rather than upon a social hierarchy still tied to the magisterial positions of the city of Rome—is consistent with the New Roman outlook. If the number of Valerii and Flavii amongst his prefects and consuls is any guide, then his reign truly inaugurates the predominance of the New Romans in the highest echelons of the state. Constantine's symbolic separation of the government of the empire from that of the *urbs*, effectively gave political validity to the concept embodied in the term *Romania*, so it is hardly surprising to find the term making its first appearance soon thereafter. By Constantine's revolution the logic of the New Romans' view of the Roman world had been taken to its conclusion and the Roman State (*Romania*) was established in both name and structure.

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