

*Usurpation and the Construction of
Legitimacy in Imperial Panegyric, 289-389*

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for Simon Digby
d. 10th Jan 2010

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Acknowledgements

This thesis, like any piece of work spanning across a period of years, is in no sense the product merely of my own labour. It has been helped to completion by an innumerable crowd of people whose contributions, often unrecognised by them or even by me, can only be acknowledged *en masse*. There are, however, a number of individuals without whose specific input I simply could not have finished this project, and I would not want for them to pass unnoticed. In the first place, a great debt of thanks is owed to my supervisor, Neil McLynn, whose seemingly bottomless well of inspiration has created something from an initial project which was rigid, dull, and utterly unmanageable, which can, I hope, claim thought and insight. My thanks also go to Neil and to Bryan Ward-Perkins for inviting me to speak at their Late Roman Seminar at Corpus Christi, Oxford, where I first had the chance to present the ideas within these pages to a serious academic audience. I am similarly grateful to the Graduate Work in Progress Seminars at Oxford and at the Institute of Classical Studies in London, as well as to the Oxford-Princeton-Vienna exchange conference in Late Antiquity.

Secondly, an enormous debt is owed to those brave souls who, over three years, have turned me from someone unfamiliar with any language but my own to an individual capable of producing research based so closely upon classical texts and drawing on modern European scholarship: to Ida Toth and Juliane Kerkercher in Latin; to Mary Whitby in Greek; to Christine Eckhard-Black in German; and to Chrystelle LeBoeuf in French. I consider myself deeply fortunate to have studied at an institution with such excellent provision for the teaching of languages.

In addition to my teachers, thanks is owed to a number of individuals who have aided my fumbling efforts beyond the confines of the English language: to Boris Chrubasik for guidance on German scholarship; to Juliane Kerkercher (again) for an unending willingness to talk the finer points of Latin syntax; and to Morgan Di Rodi for providing translations of obscure Italian articles.

Lastly, my thanks go to David Omissi, for his professional insight throughout my doctorate and for the invitation to speak at his research seminar in the coming year; to Sven Ernst, for his willingness both to compensate for and to point out the fact of my computer illiteracy; to Cesare Omissi, for his tireless efforts in proof reading (sustained, only in part, by a taste for highlighting my mistakes); and to my wife, Chloé Omissi, for the love and support that made it all seem worthwhile.

Notes on translations

I owe a great deal to the help others have given me in reading various texts, ancient and modern, that have challenged the narrow limits of my ability. In part, I have needed so much guidance because this thesis focusses on words – it matters very much what specific words an author is using and when. Because of this, I have been at pains throughout to provide my own translations for most original source material quoted. The few exceptions to this rule are those instances when I have quoted a text whose specific phrasing I deem to be of no importance. It is not always indicated when I have given someone else's translation, but I include in my bibliography any modern editions of classical texts on which I have heavily relied. All quotations from the panegyrics are my own, but it would be dishonest of me to suggest that I have not made considerable use of modern translations (particularly of the Greek texts) in English, French, and German. These I include below.

Pan. Lat. collection:

Galletier, E., *Panégyriques Latins: texte établi et traduit par Édouard Galletier* (Paris: Belles lettres, 1949-1955; 3 vols).

Nixon, C.E.V., and Rodgers, B. S., *In Praise of Later Roman Emperors: the Panegyrici Latini* (Berkeley; Oxford: University of California Press, 1994).

Symmachus:

Pabst, A., *Quintus Aurelius Symmachus: Reden* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1989).

Julian:

Wright, W. C., *Loeb* edition.

Themistius:

Hartmut Leppin, H. and Portmann, W., *Staatsreden: Themistios, Übersetzung, Einführung und Erläuterungen* (Bibliothek der griechischen Literatur. Abteilung Klassische Philologie 46; Stuttgart: Hiersemann, 1998).

Heather, P., and Moncur, D., *Politics Philosophy and Empire in the Fourth Century: Select Orations of Themistius* (Liverpool University Press, 2001).

Libanius:

Norman, A. F., *Loeb* edition.

Malosse, P.-L. (ed. and tr.), *Libanios: Discours*, vol. IV (Paris: Les Belles Lettres, 2003).

* For the original texts, the *Teubner* series has been employed throughout unless otherwise indicated.

Abbreviations

AC	<i>Acta Classica</i>
AE	<i>L'année épigraphique</i>
AJP	<i>American Journal of Philology</i>
AncSoc	<i>Ancient Society</i>
ANRW	<i>Aufstieg und Niedergang der römischen Welt</i>
AW	<i>Ancient World</i>
Barnes, <i>Constantine</i>	T. D. Barnes, <i>Constantine: Dynasty, Religion and Power in the Later Roman Empire</i> (Chichester; Malden: Wiley-Blackwell, 2011)
BZ	<i>Byzantinische Zeitschrift</i>
CAH	<i>Cambridge Ancient History</i>
CISA	<i>Contributi dell'Istituto di Storia Antica</i>
CIL	<i>Corpus Inscriptionum Latinarum</i>
CLRE	<i>Consuls of the Later Roman Empire</i>
CP	<i>Classical Philology</i>
CQ	<i>Classical Quarterly</i>
CW	<i>The Classical World</i>
DOP	<i>Dumbarton Oaks Papers</i>
EHR	<i>English Historical Review</i>
Errington, 'Theodosius'	M. Errington 'The Accession of Theodosius I', <i>Klio</i> 78:1 (1996), 438-53
Galletier	E. Galletier, <i>Panegyriques Latins: texte établi et traduit par Édouard Galletier</i> (Paris: Belles lettres, 1949-1955; 3 vols)
GOTR	<i>Greek Orthodox Theological Review</i>
GRBS	<i>Greek, Roman, and Byzantine Studies</i>
Heather-Moncur	Heather, P. J. and Moncur, D., <i>Politics, Philosophy, and Empire in the Fourth Century: Select Orations of Themistius</i> (Liverpool: Liverpool University Press, 2001)
<i>Historia</i>	<i>Historia: Zeitschrift für alte Geschichte</i>
HSCP	<i>Harvard Studies in Classical Philology</i>
ICUR	<i>Inscriptiones Christianae Urbis Romae</i>
ICUR n. s.	<i>Inscriptiones Christianae Urbis Romae nova series</i>
ILS	<i>Inscriptiones Latinae Selectae</i>
IstMitt	<i>Istanbuler Mitteilungen</i>
JLA	<i>Journal of Late Antiquity</i>
JRS	<i>Journal of Roman Studies</i>
<i>Kaisertabelle</i>	D. Kienast, <i>Römische Kaisertabelle: Grundzüge einer römischen Kaiserchronologie</i> (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996)
LSA	<i>The Last Statues of Antiquity</i>
MAAR	<i>Memoirs of the American Academy in Rome</i>
NC	<i>The Numismatic Chronicle</i>
Nixon-Rodgers	C.E.V. Nixon, and B. S. Rodgers, <i>In Praise of Later Roman Emperors: the Panegyrici Latini</i> (Berkeley; Oxford: University of California Press, 1994)
PLRE	<i>Prosopography of the Later Roman Empire</i>
RE	<i>Paulys Realencyclopädie der classischen</i>

<i>REA</i>	<i>Altertumswissenschaft</i>
<i>REAnc</i>	<i>Revue des Etudes Augustiniennes</i>
<i>RhM</i>	<i>Revue des Études Anciennes</i>
<i>RIC</i>	<i>Rheinisches Museum</i>
<i>RIDA</i>	<i>Roman Imperial Coinage</i>
<i>RSdA</i>	<i>Revue Internationale des Droits de l'Antiquité</i>
Sivan, 'Theodosius'	<i>Revista Storica dell'Antichita</i>
<i>YCS</i>	H. Sivan, 'Was Theodosius I a Usurper?', <i>Klio</i> 78:1 (1996), 198-211
	<i>Yale Classical Studies</i>
<i>Anon. qui Dio. cont.</i>	<i>Anonymus qui Dionis Cassii historias continua</i> (K. O. Müller, <i>Fragmenta Historicorum Graecorum</i> , vol. IV (Paris: Ambrosio Firmin-Didot, 1851))
<i>Ambr., de ob. Theod.</i>	Ambrose, <i>de obitu Theodosii</i>
<i>Ambr., Ep.</i>	Ambrose, <i>Epistulae</i>
<i>Ambr., Ep. extra coll.</i>	Ambrose, <i>Epistulae extra collectionem</i>
<i>Amm.</i>	Ammianus Marcellinus
<i>Ath., Apol. ad Const.</i>	Athanasius, <i>Apologia ad Constantium</i>
<i>Ath., Apol. contra Ar.</i>	Athanasius, <i>Apologia contra Arianos</i>
<i>Arist., Pol.</i>	Aristotle, <i>Politica</i>
<i>Arist., Rhet.</i>	Aristotle, <i>Rhetorica</i>
<i>Aug., Conf.</i>	Augustine, <i>Confessiones</i>
<i>Aug., de Civ. Dei</i>	Augustine, <i>de Civitate Dei</i>
<i>Aur. Vict., de Caes</i>	Aurelius Victor, <i>Liber de Caesaribus</i>
<i>Aur. Vict., Epit</i>	pseudo-Aurelius Victor, <i>Epitome de Caesaribus</i>
<i>Aus., Grat. Act.</i>	Ausonius, <i>Gratiarum Actio</i>
<i>Cic., de Prov. Cons.</i>	Cicero, <i>de Provinciis Consularibus</i>
<i>Cic., de Rep.</i>	Cicero, <i>de Re Publica</i>
<i>Cic. Philip.</i>	Cicero, <i>Philippicae</i>
<i>Chr. Min.</i>	<i>Chronica Minora</i>
<i>Claud., de III con. Hon.</i>	Claudian, <i>Panegyricus de tertio consulatu Honorii Augusti</i>
<i>Claud., de IV con. Hon.</i>	Claudian, <i>Panegyricus de quarto consulatu Honorii Augusti</i>
<i>Claud., de VI con. Hon.</i>	Claudian, <i>Panegyricus de sexto consulatu Honorii Augusti</i>
<i>Claud., de bello Gild</i>	Claudian, <i>de Bello Gildonico</i>
<i>Claud., Man. Theod. cons.</i>	Claudian, <i>Panegyricus dictus Manlio Theodoro consuli</i>
<i>Coll. Av.</i>	<i>Collectio Avellana</i>
<i>CTh</i>	<i>Codex Theodosianus</i>
<i>Cyr. Jer., Ep. ad Const.</i>	Cyril of Jerusalem, <i>Epistula ad Constantinum</i>
<i>Dig.</i>	<i>Iustiniani Digesta</i>
<i>Dio.</i>	Cassius Dio
<i>Eunap., V. Soph.</i>	Eunapius, <i>Vitae Sophistarum</i>
<i>Eutr.</i>	Eutropius, <i>Breviarium</i>
<i>Euseb., HE</i>	Eusebius, <i>Historia Ecclesiastica</i>
<i>Euseb., VC</i>	Eusebius, <i>Vita Constantini</i>
<i>Greg. Tur., Hist.</i>	Gregory of Tours, <i>Decem Libri Historiarum</i>
<i>HA</i>	<i>Historiae Augustae</i>
<i>Jerome, Chron.</i>	Jerome, <i>Chronicon</i>

Jer., <i>Ep.</i>	Jerome, <i>Epistulae</i>
Joh. Ant. fr.	<i>Joannis Antiocheni Fragmenta</i> (K. O. Müller, <i>Fragmenta Historicorum Graecorum</i> , vol. IV (Paris: Ambrosio Firmin-Didot, 1851))
Jn.	<i>The Gospel of John</i>
Jul., <i>Ath.</i>	Julian, <i>Epistula ad Athenienses</i>
Jul., <i>Caes.</i>	Julian, <i>Caesares</i>
Jul., <i>Or.</i>	Julian, <i>Orationes</i>
Lact., <i>de Mort.</i>	Lactantius, <i>de Mortibus Persecutorum</i>
Lib., <i>Or.</i>	Libanius, <i>Orationes</i>
Mk.	<i>The Gospel of Mark</i>
Mt.	<i>The Gospel of Matthew</i>
ND	<i>Notitia Dignitatum</i>
<i>Origo</i>	<i>Origo Constantini Imperatoris</i>
Oros.	Orosius, <i>Historiae adversus Paganos</i>
<i>Pan. Lat.</i>	<i>Panegyrici Latini</i>
Paus.,	Pausanias, <i>Descriptio Graeciae</i>
Philostorg., <i>HE</i>	Philostorgius, <i>Historia Ecclesiastica</i>
Pliny, <i>Nat. Hist.</i>	Pliny, <i>Naturalis Historia</i>
Ps.	<i>Psalms</i>
Ruf., <i>HE</i>	Rufinus, <i>Historia Ecclesiastica</i>
Sallust, <i>Iug.</i>	Sallust, <i>Bellum Iugurthinum</i>
Soc., <i>HE</i>	Socrates, <i>Historia Ecclesiastica</i>
Soz., <i>HE</i>	Sozomen, <i>Historia Ecclesiastica</i>
Suet.	Suetonius, <i>de Vita Caesarum</i>
Sulp. Sev., <i>Chron.</i>	Sulpicius Severus, <i>Chronica</i>
Sulp. Sev., <i>Dial.</i>	Sulpicius Severus, <i>Dialogi</i>
Sulp. Sev., <i>V. Mart.</i>	Sulpicius Severus, <i>Vita Sancti Martini</i>
Symm., <i>Or.</i>	Symmachus, <i>Orationes</i>
Symm., <i>Rel.</i>	Symmachus, <i>Relationes</i>
Tac., <i>Hist.</i>	Tactius, <i>Historiae</i>
Them., <i>Or.</i>	Themstius, <i>Orationes</i>
Theodor., <i>HE</i>	Theodoret, <i>Historia Ecclesiastica</i>
Theoph.	Theophanes, <i>Chronographia</i>
Thuc.	Thucydides
Xen., <i>Hell.</i>	Xenophon, <i>Hellenica</i>
Zon.	Zonaras, <i>Epitome Historiarum</i>
Zos.	Zosimus

Usurpation and the Construction of Legitimacy in Imperial Panegyric, 289-389

Short Abstract

This thesis is an attempt to address the surprising lack of study into the question of usurpation in late antiquity. During a period defined by a textual corpus (289-389), the thesis looks at how usurpers and usurpation were presented in the panegyrics delivered to emperors and their courts. That usurpation features very heavily in this corpus should tell us something in itself, but it is a feature of these texts which has hardly been observed. The thesis shows how the panegyrics employed aggressive rhetorical tactics that sought not to bury usurpers in silence but rather to glory in their destruction and to create characters for the usurpers and their regimes that were designed to reinforce the legitimacy claims of the victorious emperor. The language of the panegyrics concerning usurpers and usurpation is thus virtually worthless as a tool to reconstruct the historical actualities of the people and times that they discuss. It cannot be used, as some scholars have done, to give insight into the working of particular usurpations. But the study also demonstrates that the panegyrics are far too valuable a body of sources to simply ignore, as many more scholars have tended to do. The panegyrics demonstrate the beginnings of the processes of memory sanction, or *damnatio memoriae*, that were imposed upon defeated usurpers and, as such, give us a valuable insight into how imperial Romans recorded their history and conceived

of the power structures through which they were governed. Panegyrics are vital to our understanding of usurpers and usurpation because they are the first step in the process of understanding why our narrative sources are so unreliable concerning such men.

Usurpation and the Construction of Legitimacy in Imperial Panegyric, 289-389

Long Abstract

This thesis arises out of the surprising lack of scholarship on the question of usurpation in the later Roman Empire. This deficiency is the result, at least in part, of the processes of memory sanction which were imposed upon defeated usurpers and so have obscured them within the source material. The thesis seeks to understand usurpation in the period by looking at a body of sources that are intimately concerned with usurpation: imperial panegyrics. These speeches, whose value for the study of usurpation has generally been unrecognised, provide a window to the processes by which the reputations of defeated usurpers were destroyed and their characters defined for future generations of historians. Using the prose panegyrics delivered to emperors (which range in date from 289-389), the thesis looks at how court propaganda manipulated public understanding and how panegyrics can be used to understand the methods by which emperors legitimated themselves in the late Roman period.

The thesis begins with important reflections on the ways in which imperial power had changed and evolved over the centuries, demonstrating that, by the middle of the third century, the pool of both available candidates for power and of military forces capable of backing a usurpation had become such that usurpation became endemic to the imperial

system. With this as the backbone of all that follows, the thesis seeks to demonstrate that panegyrics played a vital role in a battle for legitimacy that was being played out between competing emperors. With constant competition, emperors needed to demonstrate to their subjects that theirs was the legitimate exercise of power.

The first chapter looks at the first tetrarchy. This period is a particularly fertile one in which to begin this study as, between the years 289 and 297, three panegyrics set out the rhetorical program being advanced against the British Empire. The initial language (*Pan. Lat. X*), confident and dismissive, saw Carausius described as a *pirata* and looked forward to his rebellion's extermination. Carausius' presentation as a mere criminal on the edge of the world fit in with the wider construction of dyarchic ideology, which saw the world as united between a pair of omnipotent rulers. In the wake of defeat by the rebels, the dyarchs drew ranks (*Pan. Lat. XI*), ignoring the existence of the separatist Empire almost entirely and reaffirming their bond with one another. When the final victory came (*Pan. Lat. VIII*), Carausius retained his position as a pirate whilst Allectus was characterised as a vicious schemer who presided over a criminal *factio* that was little more than a barbarian tribe. It was collegiate language, which defined the usurpers as outside not only of the legitimate exercise of Roman power, but also beyond the sphere of Roman culture.

Chapter two shows how the second tetrarchy was shaken when one of its Augusti, Constantius, died unexpectedly in the summer of 306. This chapter engages with the growing body of modern literature that seeks to accommodate Constantine's proclamation within the system. Constantine was a hostage with Galerius as both a guarantor of peace between the two halves of the Empire and so that his father, or his officials, might not be tempted to reinstitute a policy of hereditary succession. Looking closely at *Pan. Lat. VII* and VI, at the *Origo Constantini imperatoris*, it is demonstrated that Constantine escaped

his hostage position in the East, joined his father in 306 (when Constantius was already dying), and took power illegally in the July.

In chapter three we see how the position thus created for Constantine informed the character of his reign in the years that followed. Constantine was an outsider in the second tetrarchy after 306. After experimenting with various configurations that saw Maximian in and out of retirement, Constantine finally decided to secure his position by defeating an enemy of the tetrarchs. In his victory over Maxentius, in 312, Constantine was invading territory which had been promised to Licinius. The presentation of this war was thus managed with extreme care, and a new language of tyranny can be seen in the panegyrics of this period, which present Constantine's war as a necessary undertaking to liberate a city bowed by the oppression of the tyrant Maxentius. The unity of the program as advanced by the panegyrics (*Pan. Lat.* XII and IV) with other modes of Constantinian propaganda in the period cannot be a coincidence, but is the result of a focussed strategy by the court to legitimate both Constantine's seizure of Italy, which should have gone to Licinius, and his use of the title Augustus. The chapter also shows, in brief, the extent to which later narrative sources owe their presentations of Maxentius and Licinius, whether directly or indirectly, to the images of these men circulating in contemporary panegyric and public media.

The second half of the chapter looks at the striking absence of Licinius from both *Pan. Lat.* XII (313) and especially *Pan. Lat.* IV (321). Based on the context in which both panegyrics were delivered – the aftermath of the meeting at Milan between Constantine and Licinius (XII) and the fifth anniversary of Crispus, Constantine II, and Licinius II's declaration as Caesars (IV) – we would expect Licinius to be praised alongside Constantine, following the tetrarchic precedent. In fact, nothing of the sort took place. Rather, beneath the rhetoric of *Pan. Lat.* IV, ostensibly describing the war of 312, we can

see subtle indications that this speech had as much to do with Constantine and Licinius' relationship as it did with Constantine and Maxentius'. Constantine's court was preparing the ground for the final war against Licinius.

Chapter four looks at the legacy of Constantine's reign and how it influenced the imperial careers of his sons. Beginning with a brief section on the dynastic massacre of 337, the theory that no emperor could consider their power assured is reaffirmed; if the three sons of Constantine, men with a better claim to inherit imperial power than any others yet in imperial history, could not consider that power assured, then who could? From this, the chapter examines the single example of a panegyric that survives from the period 337-50, that is Libanius' *Oratio* LIX (delivered in the later 340s). The chapter observes both that the triumphal rhetoric of Constantine's reign was being repeated into that of his sons' and that an enormous emphasis was placed, by Libanius, on the fraternal love and harmony that existed between Constantius and Constans. Drawing on other source material that demonstrates that Constantius and Constans hated one another and were, at times, on the brink of open war, the chapter demonstrates how empty this rhetoric was and, therefore, argues that its inclusion – contrary to known facts – must demonstrate its importance to the two courts.

The second half of the chapter looks at the unravelling of this fraternal rhetoric after the death of Constantius and the war with Magnentius. Firstly, the chapter looks at the carefully avoidance of the subject of Magnentius made by the orator Themistius in his *Oratio* I, delivered as Constantius was returning to Constantinople to address the crisis caused by his brother's death. Following this, the chapter examines five panegyrics from the triumphal period after Magnentius' death in 353 (Julian's *Orationes* I and II and Themistius' *Orationes* II, IV, and III). From these, two main conclusions may be drawn. The first, based upon the ambivalent position adopted towards Vetranio by both authors

(and based on Vetricano's own survival following his demotion) is that Constantius had supported Vetricano's proclamation and offered his recognition, allowing Vetricano to claim to speak for Constantius and thereby holding Magnentius in the West with the promise of a peace treaty. Secondly, we see Magnentius being attacked with precisely the same tyrannical language that Constantine's orators had used of Maxentius. This went hand in hand with a conscious reproduction, across multiple media, of Constantinian tropes, intended to reinforce Constantius' relationship to his father and to relegate his deceased brothers and family to nonentities. Lastly, the chapter examines the relative absence of Silvanus from the panegyrics (he is ignored by Themistius and given very little space by Julian) and shows that he was left out for the simple reason that he complicated an otherwise neat story of Constantius' ultimate victory.

Chapter five begins with Julian's *Epistula ad Athenienses* as a unique example of a text both written by a usurper and about his usurpation. The chapter considers how Julian set about undermining the pillars of Constantius' legitimacy that, as an orator, he had helped to erect during the latter 350s. Careful attention is paid by Julian to ideas of justice, loyalty, and compromise; Julian shows himself desirous of all three and Constantius as rejecting them. But at the same time, Julian is careful to limit direct criticism of Constantius himself, deflecting it onto his subordinates, and to continually stress that he played no part in his own proclamation.

The second half of this chapter looks at the last emperor of the house of Constantine, the usurper Procopius. Procopius' usurpation provides a unique opportunity from the point of view of our sources. Themistius' *Oratio VII* is the only surviving panegyric written to an emperor by someone who had been involved in the usurpation that it describes. As such, we see an enormous personal bias in the presentation; Themistius shows Procopius as a liar and a schemer who had total control over information within

Constantinople. In this way, he attempts to exonerate himself and any other Constantinopolitan senators who may have played a part in the rebellion. What is particularly striking about this, however, is that it is this presentation that has been taken up by Ammianus. The influence of panegyric on our narrative sources, which we have already seen with Maxentius and Licinius, is thus underscored. Themistius' image of Procopius is contrasted with that in Symmachus' *Oratio* I, also a unique source in that it spoke of a usurpation which the honoured emperor had played no part in suppressing. Symmachus' emphasis was upon older language of collegiality and fraternity, and Procopius was presented as an outsider and a criminal, leading little more than a common uprising.

Chapter six, finally, looks at Theodosius I. The first part considers the question of Theodosius' accession to imperial power. As with Constantine, by looking at the panegyrics of the period (in particular Themistius' *Oratio* XIV and Ausonius' *gratiarum actio*) and their particularly silences and emphases, the thesis demonstrates that Theodosius' accession was a usurpation confirmed *post actionem* by Gratian. Following this, the usurpation of Magnus Maximus is considered. The main focus of the chapter is Pacatus' *Panegyricus Latinus* II, which is examined in close detail against what we know of Maximus. The conclusion is that the Maximus of the panegyric has been constructed along the lines we first observed under Constantine, with Maximus portrayed a despotic tyrant bleeding the Empire dry. Further details emerge, however. Though Gratian is evoked for dramatic effect, considerable distance is placed between Theodosius and the Valentinianic dynasty (for whom Theodosius had notionally fought the war). Secondly, quasi-theatrical episodes are set up within the panegyric that give Pacatus a chance, point by point, to refute the propaganda claims of Maximus, the most important being his claim

to alliance with Theodosius. The chapter concludes with a look at the political and textual changes that separate the period after Theodosius' death from that which went before.

The thesis shows a number of important points about usurpation. The first is that we can never hope to see the 'true' usurpers, as the processes of historical obfuscation, often called *damnatio memoriae*, began the moment the usurper had died, if not before. The distinction between usurper and emperor is thus a distinction not between legitimate ruler and illegitimate interloper, but a distinction between winner and loser. Huge amounts of energy went into creating the rhetorical programs that surrounded a usurper's defeat, programs which reconstructed recent history in order to legitimate the victorious ruler. Finally, the thesis shows that panegyrics are one of the most vital clues that we possess into how this process of legitimation took place. In the panegyrics, as in no other texts, we can see how a consensus began to be formed and history altered to suit the victor's needs.

Introduction

The Problem of Usurpation

omnia, patres conscripti, quae de aliis principibus a me aut dicuntur aut dicta sunt, eo pertinent ut ostendam, quam longa consuetudine corruptos depravatosque mores principatus parens noster reformet et corrigat. alioqui nihil non parum grate sine comparatione laudatur. praeterea hoc primum erga optimum imperatorem piorum civium officium est, insequi dissimiles; neque enim satis amarit bonos principes, qui malos satis non oderit.

(Pliny, *Pan. Lat.* I.53.1-2)

Virtue consisted in winning: it consisted in being bigger, stronger, handsomer, richer, more popular, more elegant, more unscrupulous than other people – in dominating them, bullying them, making them suffer pain, making them look foolish, getting the better of them in every way. Life was hierarchical and whatever happened was right. There were the strong, who deserved to win and always did win, and there were the weak, who deserved to lose and always did lose, everlastingly.

I did not question the prevailing standards, because so far as I could see there were no others. How could the rich, the strong, the elegant, the fashionable, the powerful, be in the wrong? It was their world, and the rules they made for it must be the right ones.

(George Orwell, ‘Such, Such Were the Joys’)¹

Why usurpation?: the problem of the imperial succession in the late Empire

Writing from the comfortable hindsight of his old age, Tacitus pronounced a crisp judgement upon a central cause of the civil wars of 69 AD: “the secret of the Empire had been uncovered: that an emperor could be made elsewhere than Rome.”² Ultimately he

¹ In P. Davison (ed.), *The Complete Works George Orwell, vol. XIX: It Is What I Think* (London: Secker & Warburg, 1986), 378-9.

² Tac., *Hist.* I.4: *evulgato imperii arcano posse principem alibi quam Romae fieri.*

was observing that it was the Empire's armies that had the power to make an emperor (and, indeed, to unmake him).

It is a simplification, but by no means a misleading one, to say that the usurpation of Galba in the spring of 68 marked the beginning of a steady broadening of the criteria which, to Romans, qualified a man for imperial office.³ Before Galba, the emperors had been drawn from a single family, one of the most illustrious of the city of Rome's ancient bloodlines, the so-called Julio-Claudians. Galba was the first emperor not born or adopted into this family. By the end of the year 69 a new emperor, Vespasian, had taken power. Vespasian was the first man to hold this office who did not hail from an ancient Roman family; though enormously rich and highly influential in absolute terms, Vespasian's family were Italian, as opposed to Roman, and comparatively low upon the ranking of the senate's social hierarchy. Vespasian dated his reign not from 21st December 69, when the senate had confirmed him as Augustus, but to 1st July, when his soldiers had hailed him by this title in Alexandria. When Vespasian's dynasty collapsed, in September 96, with the murder of Domitian, power eventually passed, after the brief reign of Nerva, to Trajan. Like Vespasian, he belonged to a powerful Italian family, but Trajan was Spanish born, making him the first non-Italian emperor. His successor, Hadrian, was likewise a Spaniard. Not only did Hadrian bring to a final halt the process of expansion which, in theory and in practice, had characterised Roman foreign policy for some five centuries; he also spent more than half of his twenty one year reign outside of Italy.

³ For some discussion of questions of imperial legitimacy and ideology, see (arranged roughly chronologically by period of focus): F. Millar (ed. H. M. Cotton and G. M. Rogers), *Rome, the Greek World, and the East*, Vol. 1, *The Roman Republic and the Augustan Revolution* (Chapel Hill and London: University of North Carolina Press, 2002), 241ff., esp. 292-313; K. Wellelsley, *The Year of the Four Emperors*, 3rd ed. (London: Routledge, 2000); P. A. Brunt, 'Lex de Imperio Vespasiani', *JRS* 67 (1977), 95-116.; B. Levick, *Vespasian* (London: Routledge, 1999), 65-78; C. Ando, *Imperial Ideology and Provincial Loyalty in the Roman Empire* (Berkeley; London: University of California Press, 2000), esp. 131-205, and *Imperial Rome AD 193-284: The Critical Century* (Edinburgh: Edinburgh University Press, 2012), 3-17; Flaig E., *Den Kaiser herausfordern: die Usurpationen im Römischen Reich* (Frankfurt: Campus, 1992).

Following the death of Commodus, at the close of the year 192, an ensuing period of civil conflict saw L. Septimius Severus rise to imperial power. Not only the first non-European to take the purple (he had been born to a family of mixed Italian-Punic descent in Leptis Magna), he also finally put to rest the myth of the senate's involvement in the process of emperor making. After his acclamation in May of 193 by the troops at Carnuntum, on the Danube, the senate had declared him a public enemy. By June 193 Severus had invaded the city and the senate was forced to declare him Augustus, a title he held until his natural death in February 211. Severus' son, Geta, outlived his father by a little more than ten months; he was murdered by his brother Caracalla, who ruled alone until his own murder in April 217. He was succeeded by a man named Macrinus who, as well as probably having been involved in Caracalla's death, was the first man not of senatorial rank to take the imperial power (he was equestrian). But this relatively lowly status was far outdone by a man, Maximin Thrax, who claimed the imperial title in the early spring of 235. Thrax was a first generation Roman, the son of barbarian parents, and had joined the army as a mere private soldier, rising through the ranks to a generalship. He had the reigning emperor Severus Alexander murdered, at which point his soldiers acclaimed him. This date is also generally used to mark the start of the so called third century crisis, a fifty year period in which more than eighty men may have claimed imperial power (historical records from this period are so poor that it is difficult to separate the real emperors from the fictional) in a string of short, invariably violent reigns that frequently saw numerous rivals simultaneously claiming supreme power. This bloody period is generally regarded as having been brought to an end by Diocletian, an emperor who never made Rome his home.

Three basic changes had thus taken place to the office of emperor between its instigation and the end of the third century. Firstly, potential candidates were no longer

required or even expected to come from important Roman aristocratic families; though, wherever the vicissitudes of biology allowed for it, the policy of succession by blood was generally adhered to, bloodlines often failed or provided incompetent candidates. Any man who had been born within the confines of the Empire and who could command the loyalty of a large army could claim the imperial title. Secondly, the senate's role in imperial power, tenuous from the outset, was reduced to a mere rubber stamp. Though the support of the powerful men that made up the senate, as individuals, was still necessary for any emperor's success, the senate as a body lost any role it might once have claimed in the choice or election of an emperor. Its job was to confirm appointments, not to make them. Thirdly (and clearly connected to this phenomenon), Rome had ceased to be the residence of emperors. Though the city retained an enormous political significance, its control was no longer the be-all and end-all of political power (as it had been, for example, in 69).

It was not simply that more people were *able* to become emperor, however; more people were taking this opportunity. In part this was a direct result of the phenomena observed above. It was also a product of the highly centralised nature of the imperial system. The Roman Empire, the largest land empire that Europe has ever seen, was able to concentrate enormous resources in order to solve its problems. But it was also an absolute and unrestrained monarchy (Aristotle would have called it a tyranny) and so the exercise of power was ultimately concentrated in the hands of the emperor. Even the most powerful provincial governor or general lacked, if not the near absolute power of the emperor, certainly the recognised right to appoint men to high office, raise soldiers at his own discretion, mint coins, or change laws. When crisis struck a region, the emperor might be three thousand miles away; he might be an incompetent; or he might simply be too busy to react. Under such circumstances, the choice to seize imperial power would become, if nothing else, expedient. Furthermore, since the emperor's will was absolute

and unquestionable, his enmity presented a powerful man with a simple choice – rebellion (which increasingly became synonymous with usurpation) or death.

Three other features of the imperial office also tended towards endemic usurpation. The first was the fiction of the emperor's meritocratic position. Despite the huge body of evidence to the contrary, imperial Romans continued to pretend that theirs was a body politic ruled by the best man. This was a fiction given weight by the fact that, in the first two centuries of imperial rule, only two emperors, Vespasian and Marcus Aurelius, produced male heirs that succeeded them.⁴ The natural corollary of rule by the best was that the political spirit would tend to be favourable (at least compared to certain other systems) to the deposition of monarchs that were deemed unacceptable.⁵ Usurpation was, therefore, built into the ideological framework of the Empire.

Secondly, there was a lack of definitive criteria that marked one accession out from another. Romans had no required place of coronation or of residence (as we have seen, Rome lost this distinction relatively early) as Rheims was for the French kings of the medieval period. They had no unique artefacts, the possession of which confirmed one's right to the throne, as the Three Sacred Treasures were for Japanese emperors.⁶ Blood and heredity were respected but were ultimately no guarantor of obedience (Commodus and Domitian, both murdered, were sons of well-loved emperors). The theory of rule by the best man was likewise respected, but there was no established body whose choice could be deemed to be final, as the Electors of the Holy Roman Empire or the cardinals of the

⁴ And two out of three of these – Domitian and Commodus – were ultimately murdered by the senators whom they tyrannised.

⁵ A point also made by A. E. Wardman, 'Usurpers and Internal Conflicts in the 4th Century A.D.', *Historia* 33:2 (1984), 227-8.

⁶ There were symbols of power, but they were hardly unique. An emperor wore purple, for instance; heavy regulation was brought in to restrict the use of purple dye, but a prospective usurper could always improvise something (i.e. Amm., XV.5.16 and, less impressively, XXVI.6.15; W. T. Avery, 'The 'Adoratio Purpurae' and the Importance of the Imperial Purple in the Fourth Century of the Christian Era', *Memoirs of the American Academy in Rome* 17 (1940), 66; Reinhold. M., 'Usurpation of Status and Status Symbols in the Late Roman Empire', *Historia* 20:2 (1971), 283-4).

Catholic Church; the senate had only ever possessed this distinction in name.⁷ Acclamation by the army was an absolute and necessary precursor to any claim for imperial power, but the supply of armies was far too abundant to be a meaningful control on usurpation (in 303, an army officer named Eugenius was superintending a mere five hundred soldiers in the deepening of the harbour mouth at Seleucia; crushed by the weight of this labour, the soldiers declared Eugenius emperor and marched on Antioch, where they were slaughtered in the streets). A situation was thus in existence in which usurpation was at once rife and meaningless – meaningless because there was no process or set of processes that granted universal recognition of an emperor's right to rule and distinguished a legal emperor from an illegal. There was no crown, no capital, no pope or archbishop, no proscribed formula which could not be absolved once undertaken, that provided confirmation of a 'true' accession. European medieval monarchies made much better provision for such structures, both in actual practice and in their conception of the hierarchy of human society. But to late Romans, only consensus could ultimately confirm consent and their own history proved to them, time and again, that consent, once given, could be withdrawn. In the nine and a half centuries since William conquered England, only seven English monarchs have been murdered by their subjects; to a Roman of the fourth century, such figure would have been virtually unbelievable.⁸

Thirdly and finally, it became increasingly acceptable that emperors would not – again in contrast to medieval kings – rule alone. From the very earliest days of the Empire, emperors had associated their prospective heirs with themselves via imperial titles (usually

⁷ In a little under 2,000 years, there have been approximately forty 'anti-popes', slightly less than twice the number of usurpers in the mere hundred years covered by this thesis, and significantly fewer than in the fifty years preceding.

⁸ Even this figure of seven includes three individuals whose deaths were very probably, but not definitely, murder (Edward II, Richard II, and Edward V) and a queen who should never have been given the throne in the first place: Jane, the so called Nine Day Queen.

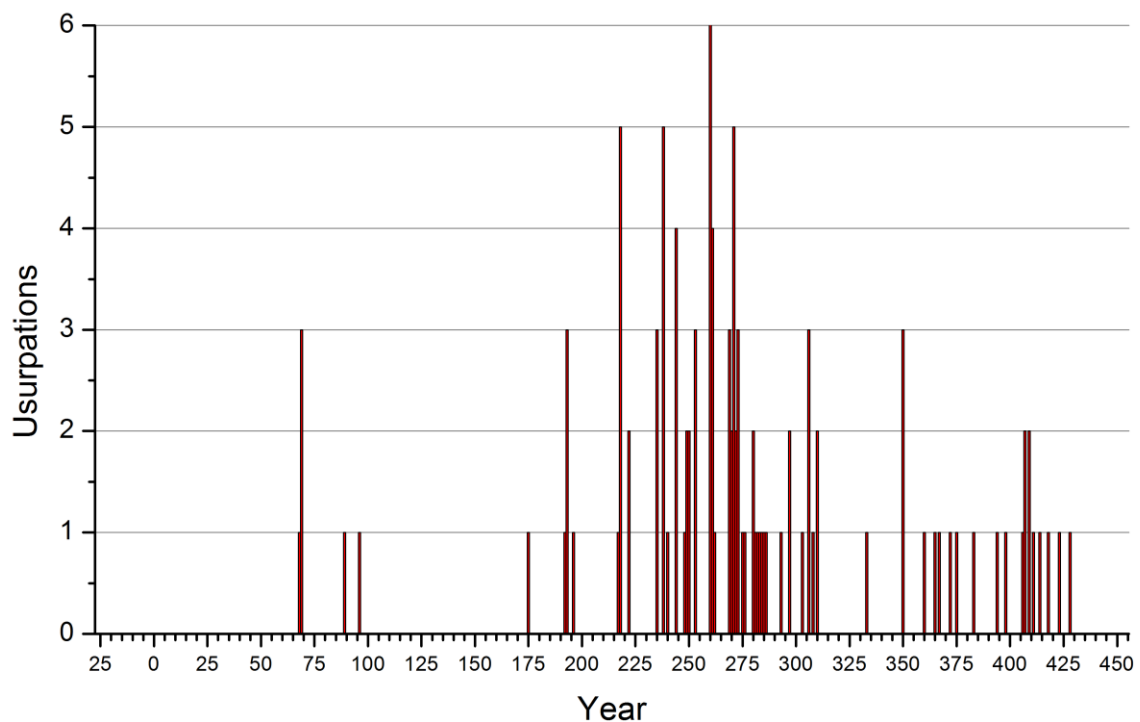
the junior title of Caesar).⁹ True joint rule occurred as early as March 161, when Antoninus Pius died and left imperial power to his two adoptive sons, Marcus Aurelius and Lucius Verus; both were hailed as Augustus and together held supreme, but equal, power. Joint rule had theoretical precursors: the Spartans had been ruled by two kings, and the Romans themselves had ruled their Republic, save in times of dire crisis, under two consuls. After Aurelius and Verus, joint rule was never truly abandoned, and various regimes turned to dyarchies, triarchies, and even tetrarchies to address their political problems. But the concept of collegiate government likewise admitted the potential to tend towards usurpation; it created the possibility, albeit an infrequently realised one, that a usurper need not be in conflict with the reigning emperor, but might be welcomed by him into joint rule.

By the turn of the second century, therefore, there existed within the imperial system a number of factors which, under best conditions, could prove to be incredible strengths: imperial power was open to a wide variety of candidates, encouraging excellence; it was not dependent upon the decisions of a conservative centre but could be created by provincial elites; it allowed the possibility of innovation and flexibility within its own (unwritten) constitution that could adapt to crisis; it was (theoretically) not dependant on the accidents of biology which, in hereditary monarchies, see children, imbeciles, and monsters upon the throne. But the beginning of the third century was not best conditions and a trident of regional dissent, military defeat, and financial collapse brought the imperial system into crisis. Furthermore, the expansion of potential candidates for imperial power meant that, unlike the first and second centuries, rebellion and usurpation had become virtually synonymous. To challenge the emperor meant becoming an emperor.

⁹ Augustus' adoptive son, Gaius, for instance, had been named *princeps iuventutis* in 5 BC, when he took the *toga virilis* (*Kaisertabelle*, 74).

Displayed graphically, the picture is striking. The graph represents every year from 27 BC, when Octavian was declared Augustus, until 455 AD, when Valentinian III died and the idea of a united Empire and of Western imperial power can safely be said to have vanished in all but name. A clear period of calm runs from 27 BC until around the end of the second century AD, punctuated only by isolated crises. After this, there is an explosion: there were more usurpations in the three decades from 192-222 than in the preceding two hundred and twenty years. All told, this graph shows one hundred and nine usurpations, an average of more than one every four and a half years. If we begin our count from 192, that average rises to almost one usurpation every two and a half years! But what is particularly striking is that, over the period of our study, that is from 289-389, a period when the Empire is generally regarded as having been returned to stability, no

Usurpations per year, 27 BC – 455 AD



fewer than nineteen usurpations took place.

There are obvious limitations and objections to such a pictorial representation of so complex a phenomenon as usurpation, the most pertinent of which will gravitate around a central question: how do we define usurpation? Why, for example, is Valentinian II included in this graph (the single spike in the year 375), but Scribonianus (a rebel against Claudius, whose rebellion lasted for five days in the year 42) is not?¹⁰ The *Oxford English Dictionary* defines usurpation as, “The action of usurping, illegally seizing, or wrongfully occupying some place or property belonging to a person or persons; unlawful encroachment upon or intrusion into the office, right, etc., of another or others; unjust or illegal possession.” There is an obvious problem of relativity here; for the seizing of power by party A from party B to be declared definitively “unlawful”, we must be able to definitively declare party B’s power or office legitimate. As we have attempted to show, this is a far from easy task.

Modern authors are often far too quick to pass clear judgements, allowing hindsight to give them a clarity that cannot have existed at the time. Stephan Elbern, for example, writes of the fourth century that “Im Gegensatz zum 3. Jahrhundert ist in der Spätantike kaum je umstritten, ob ein Kaiser legitim oder illegitim war.”¹¹ Thomas Grünewald writes, of Magnentius and Magnus Maximus, “Beide Gegenkaiser wurden angesichts widriger politischer Umstände über mehrere Jahre in ihren usurpierten Stellungen geduldet und galten in den von ihnen beherrschten Provinzen faktisch als Kaiser.”¹² I see no reason to view either of these men “faktisch als Kaiser”; both were capable of leading enormous armies into battle, both appear to have been unchallenged within the territory they claimed as their own, and, in the case of Magnus Maximus, there is good evidence that he was

¹⁰ Cf. Dio, LX.15. Scribonianus apparently promised to restore the republic.

¹¹ S. Elbern, *Usurpationen im Spätromischen Reich* (Habelts Dissertationsdrucke: Reihe Alte Geschichte 18; Bonn, 1984), 4.

¹² T. Grünewald, *Räuber, Rebellen, Rivalen, Rächer: Studien zu Latrones im römischen Reich* (Forschungen zur antiken Sklaverei 31; Stuttgart: Steiner, 1999), 117-24, at 121.

liked and respected in the West. If these two men can only be seen as “faktisch als Kaiser”, whilst men like Diocletian and Constantine can be deemed the real thing, it is because history has been carefully constructed to have us see it this way.¹³

Objective criteria by which individual emperors may be judged are very often lacking. In part, this is because it is impossible to create any set of criteria which denounces as usurpers every emperor who is today known as such, without also condemning those whom we deem legitimate. Alan Wardman provides a simple rule: “A usurper in one sense is merely one who seeks to set himself up as an emperor when there is a ruler already established.”¹⁴ Less empirically, but perhaps more accurately, Hagith Sivan has said that “on the one hand, usurpers were failed rulers, while, on the other, many emperors were successful usurpers.”¹⁵ Here, both in this graph and in the remainder of this thesis, the net has been cast as widely as possible.¹⁶ Any individual who acceded to imperial power – that is, displayed himself in imperial regalia, used the imperial titles, minted coins, etc. – under any one of the following conditions is to be considered a usurper:

- i) whilst another emperor was alive, if that emperor had not either overseen the appointment or given his express blessing to it *prior to the event*. In the case of a collegiate system, the senior emperor stands as the arbiter. *Post actionem* confirmation of a usurper as a legitimate emperor is still a usurpation,
- ii) in the immediate aftermath of the murder of a reigning emperor, whether that emperor be considered legitimate or otherwise,

¹³ M. Errington, *Roman Imperial Policy from Julian to Theodosius* (Chapel Hill: University of North Carolina Press, 2006), 15-16, eloquently makes a similar point concerning Magnentius.

¹⁴ Wardman, ‘Usurpers’, 226.

¹⁵ Sivan, ‘Theodosius’, 201.

¹⁶ For the purposes of the graph, the appointment of subordinate emperors is not counted as a usurpation; thus, as an example, Magnentius is represented (the single point in 350) but his Caesar, Decentius, appointed in 350 or 351, is not.

- iii) if the acclamation was as successor or colleague to an emperor considered to be illegitimate by any of these criteria.
- iv) if an emperor, not murdered by his own adherents, died either in battle against a foreign enemy or of natural causes and there was a contest over his successor,
- v) and finally, if an individual had formerly laid down imperial power and then resumed it in violation of the first criterion.

Three points follow from this. The first is that, as well as the men we traditionally think of as usurpers, the criteria established above also make illegitimate the accessions of Diocletian, Constantine, the second and third accession of Maximian, Maximin Daia, Julian, Valentinian and Valens, Valentinian II, and Theodosius. Indeed, technically speaking, this also makes all men whose accessions were dependant on these emperors usurpers as well: the tetrarchs, the sons of Constantine, the Valentinians, the sons of Theodosius. In other words, these five perfectly reasonable criteria make invalid the accession of every Roman emperor between 289 and 389 bar Jovian! In what follows, the consequences of such a view point will be discussed. Secondly, the criteria above exclude *suspected* usurpers – i.e. men executed in suspicion of a sedition they were going to, but never did, commit. Thirdly and perhaps most importantly of all it should be seen that, within the dictionary definition given above, and implicit within the viewpoints offered by any historian, sociologist, or political thinker who tackles the subject of usurpation, it is *legitimacy* that is central – usurpation, as a concept, is only useful if we can say that there is a legal and legitimate power that is being usurped. It is generally assumed that, for the later Roman Empire, this is the case. But as this section has shown, determining a *true* Roman emperor is like determining left from right: very easy, but entirely dependent on where you're standing.

This thesis will show that the fourth century did not see an end to usurpation; what it *did* see is a series of emperors who worked very hard at creating a clear line between themselves, as the true rulers, and their enemies, as tyrants and madmen. An articulate vocabulary of usurper vs. emperor was developed which created sharp, clear lines based upon nothing more than the ancient principle that history is written by the victors.¹⁷ This vocabulary has influenced our understanding of the period, of usurpation, and of the very idea of legitimate Roman authority across seventeen hundred years of history and into the present day. We ought to be more cautious.

Studying the unsaid: the historiography of usurpation

The historiography of usurpation is the study of the unsaid for two reasons. In the first place, one may claim to be “studying the unsaid” because the state of modern research on usurpation is so wanting. Despite its clear importance, no monograph exists in English which deals with this important process. A few articles have been published and they make fine introductions to the subject but are simply too short to go much further than this. Alan Wardman (1984) makes a superb summary of some of the major thematic elements involved in usurpation and of the structural idiosyncrasies of the imperial system that brought these about. Ramsey MacMullen (1985) provides some general comments about how a usurper might seek to create support but, aside from a few examples garnered from *HA*, is concerned largely with the Empire pre-200.¹⁸ Articles and, more rarely, books on individual usurpers or on specific actions or policies of usurpers abound, and indeed are far

¹⁷ Cf. Wardman, ‘Usurpers’, 232-3.

¹⁸ R. MacMullen, ‘How to Revolt in the Roman Empire’, *RSdA*, 15 (1985), 67-76.

too numerous to be quoted.¹⁹ But just as MacMullen and Wardman's articles fail to provide us with the detail which we require for a genuine understanding of usurpation, so these individual studies can give us insights into the specifics of individual usurpations but, of themselves, cannot provide the basis for a synthesised understanding of usurpation as a structural feature of later Roman imperial politics.²⁰

Ironically, given that usurpation is a defining feature of later as opposed to High Imperial politics, the dearth of studies for the later period is not mirrored by those of the earlier. This may be a result of the very paucity of usurpation in the High Imperial period, making the subject seem a far more manageable one. Certainly, studies tend to group themselves around the specific moments of crisis that led to individual spikes in early usurpation; Wellesley (1975) is still the fundamental text on the civil war of 69; Birley's biography of Septimius Severus likewise provides a critical insight into the period following the death of Commodus.²¹ Similarly, the best – indeed, perhaps the only – attempt to provide a true synthesis of usurpation as a structural phenomenon, is Egon Flaig's *Den Kaiser herausfordern: die Usurpationen im Römischen Reich* (1992). Flaig, who rightly asserts that viewing individual usurpations in isolation cannot provide us with an understanding of the wider process, ultimately drew the conclusion that the Principate was an *Akzeptanzsystem*, with the right to rule based on consent from three main parties: army, senate, and *plebs urbana*, foremost among which was the army.²² But Flaig was

¹⁹ Relevant studies are quoted throughout the thesis at appropriate points and can thus be found in the bibliography.

²⁰ Some remedy to this deficiency may be on the way in the form of Mark Humphries' provisionally titled *Emperors and Usurpers: Civil War, Tyranny, and the Fall of the Roman Empire*, which at the time of this thesis' completion is still forthcoming.

²¹ K. Wellesley, *Year of the Four Emperors* (London: Routledge, 2000); originally published as *The Long Year*. See also B. W. Henderson, *Civil War and Rebellion in the Roman Empire, A.D. 69-70: A companion to the 'Histories' of Tacitus* (London: Macmillan, 1908).

²² Flaig, *Den Kaiser herausfordern*. Given what we have already said about changes to the imperial system, it should be evident that two out of three of Flaig's "maßgeblichen Sektoren" were already heading towards irrelevance by 200.

only concerned with the Empire as far as the end of the first century; his work took little account of the chaos that followed.²³

The lack of rigorous scholarship means that the importance of usurpation to the Empire's history is grossly underestimated, whilst the processes themselves are poorly understood. Mistaken beliefs abound. In *The Cambridge Companion to the Age of Constantine*, for instance, Robert Frakes writes that, "The problem of usurpation, so familiar in the third century but largely brought to heel under Diocletian's and Constantine's reigns, re-emerged after Constantine's death."²⁴ This is a historical illusion, in part a testament to the success of the propaganda of these two men. There is no question that the period 284-337 saw an incomparable level of political stability to the fifty years preceding, but all this represented was the emergence of concrete tactics with which to tackle usurpation, rather than the cessation of the problem. During Diocletian's reign, which began with Diocletian's own usurpation, there were perhaps as many as nine other usurpations.²⁵ During Constantine's reign, again beginning with his own usurpation, there were a further five usurpations (two perpetrated by the same man, refusing to stay in retirement), as well as *post actionem* legislation against a number of emperors, primary among them Licinius (whose own appointments of junior emperors were thus also invalidated).

The subject has, it must be admitted, received markedly greater attention amongst German scholars; three works in particular stand out as worthy of mention. Stephan

²³ Although see his article in Paschoud and Szidat (n. 27). For a treatment of the third century crisis, see F. Hartmann, *Herrscherwechsel un Reichskrise: Untersuchungen zu den Ursachen und Konsequenzen der Herrscherwechsel im Imperium Romanum der Soldatenkaiserzeit (3. Jahrhundert n. Chr.)* (Europäische Hochschulschriften, Reihe III, Geschichte und ihre Hilfswissenschaften 149; Frankfurt am Main: P. Lang, 1982).

²⁴ R. M. Frakes, 'The Dynasty of Constantine Down to 363', in N. Lenski (ed.), *The Cambridge Companion to the Age of Constantine* (Cambridge: Cambridge University Press, 2006), 100.

²⁵ Nine includes the almost certainly fictional Amandus and Aemilianus, does not allow for the possibility that L. Domitius Domitianus and Aurelius Achilleus were the same man, and assumes that Iulianus, leader of the Quinquegentiani, was declared emperor. But it ignores the fact that, since Diocletian was a usurper, then so technically were the other tetrarchs, and also ignores the posthumous attitude to Carus and Carinus.

Elbern (1984) and Joachim Szidat (2010) have both produced monographs upon the subject of usurpation in late antiquity.²⁶ The latter is unquestionably the superior of the two, but both are subject to the same central failing. Though they demonstrate an impeccable attention detail and, as such, provide first rate reference works for usurpation in the period, both also evidence a lack of analysis. They are compilations of source material, rather than extensive examinations of it. This results in a seemingly unthinking credulity in the face of source material that, at times, is transparently doing little more than advancing the narrative of the victorious party. One looks in vain for critical engagement with the historiographical issues that a subject as politically charged as usurpation presents for us. There is also an edited volume of papers from a colloquium held in Switzerland in 1996.²⁷ This last provides interesting and thought provoking reading (in particular, Egon Flaig restates his thesis on the imperial structure in view of the different environment of late antiquity). Though it has the inevitable problem that (as already mentioned with such English scholarship on usurpation as exists) short articles cannot deal comprehensively with a subject of this scale, nevertheless no work I have come across provides such a thought provoking range of insights into the sheer mass of potential research there is to do in the field of usurpation.

The weakness of modern scholarship on the subject of usurpation is both the result and the cause of the absence of any decent study on *damnatio memoriae* in late antiquity. *Damnatio memoriae* is a modern term, masquerading in its Latinity as a Roman one.²⁸ Beneath this convenient umbrella nestle a considerable range of possible activities which might all be considered, to use Harriet Flower's term, memory sanctions. Flower's book,

²⁶ Elbern, *Usurpationen*; Szidat, J., *Usurpator tanti nominis: Kaiser und Usurpator in der Spätantike, 337-476 n. Chr.* (Wiesbaden: Franz Steiner, 2010).

²⁷ Paschoud, F., and Szidat, J., (eds.) *Usurpationen in der Spätantike: Akten des Kolloquiums "Staatsstreich und Staatlichkeit," 6.-10. März 1996, Solothurn/Bern* (Historia Einzelschriften 111; Stuttgart: Steiner, 1997).

²⁸ See F. Vittinghoff, *Der Staatsfeind in der römischen Kaiserzeit: Untersuchungen zur "damnatio memoriae"* (Neue deutsche Forschungen: Abteilung alte Geschichte 2; Berlin, 1936), 64-74.

The Art of Forgetting, is a superb study of the process of memory sanction, ranging across a broad sweep of the ancient world, from ancient Greece through the Republic and into the Principate, but sadly concluding with the reign of Hadrian.²⁹ Flower's great contribution is to demonstrate firstly the enormous range of memory sanctions available to political actors, secondly the adaptability in the application of this corpus of sanctions, and thirdly the ultimately *creative* aims of the process. The major work on the subject for the later period is Charles Hedrick's *History and Silence: Purge and Rehabilitation of Memory in Late Antiquity*, whose title promises more than is truly delivered. The work may roughly be divided into three parts, one being a biography of Nicomachus Flavianus (who was, it is true, made subject to memory sanctions), one a consideration of *damnatio memoriae*, and one an investigation into the culture of literary criticism in the later fourth century. The first and third parts are admirable, the second disappointing, for what promises to be a consideration of memory sanctions in the fourth century proves to be nothing of the sort; despite engaging with a range of memory sanctions and not being blinkered by a more traditional focus on statues and inscriptions, Hedrick's discussion of *damnatio memoriae* (pp. 89-130) is symptomatic of the difficulties that have already been observed. In the first place, he draws his evidence almost exclusively from Tacitus, Suetonius, and Cicero, making conclusions about both the theory and practice of the processes he describes virtually devoid, at times, of reference to the late Roman world; it is not sufficient merely to assume their continuity, it must be proven. Further, though he acknowledges that the language of silence and oblivion in the rhetoric of *damnatio* is broadly empty, he offers little by way of explanation as to the constructive and creative role of the processes he describes.

²⁹ H. Flower, *The Art of the Forgetting: Disgrace & Oblivion in Roman Political Culture* (Chapel Hill: University of North Carolina Press, 2006).

In some senses, our poor understanding of the influence of *damnatio* in late antiquity is actually compounded by the existence of a number of excellent studies on the visual elements of memory sanctions, most specifically the destruction of statues.³⁰ This has the effect that *damnatio*, even in the minds of some modern scholars, is conceived largely as a process of smashing statues and defacing inscriptions.³¹ In the first place, this approach actually greatly underestimates the insidious and violent character of *damnatio*, which, in its most extreme expressions, amounted to a purge of friends and family, of political allies and of historical mention of their names, the excising of laws and cancellation of major acts, ritual violence against the body of the condemned, and the savage persecution both of those who survived the condemned and of the very conception of his legacy.

Secondly, focus on statues and inscriptions at the expense of all else reinforces the idea that *damnatio* was a solely destructive process. Nothing could be further from the truth. *Damnatio* involved not just the destruction of memorials and testaments to the condemned, but their replacement by a new narrative; the buildings they had constructed were rededicated, the laws and schemes they had enacted, as well as being annulled, were twisted and recast to create a new story. The anniversaries of their deaths were commemorated, their characters evoked through preconceived ideas of tyranny and barbarity, and – above all – their defeat and death was played out again and again by orators, both before the emperors and in provincial cities, upon holidays and imperial

³⁰ E. R. Varner, 'Tyranny and Transformation of the Roman Visual Landscape', in *idem* (ed.), *From Caligula to Constantine: tyranny & transformation in Roman portraiture* (Atlanta, Ga.: Michael C. Carlos Museum, 2000), 9-26; *idem*, *Mutilation and Transformation: Damnatio Memoriae and Roman Imperial Portraiture* (Brill, 2004); R. R. R. Smith, 'The Public Image of Licinius I: Sculptured portraits and imperial ideology in the early fourth century', *JRS* 97 (1997), 170-202.

³¹ It is slightly unfair to single Dietmar Kienast, whose excellent reference book on imperial biographies (*Kaisertabelle*) would make no claim to deal with such theoretical intricacies, nor would this be at all appropriate in such a work. But nevertheless, his work is indicative of the problem. Of the usurpers considered in this thesis (ignoring the men whose usurpations were legitimised), two are listed as not having suffered *damnatio memoriae*: Vetricianus and Silvanus. This is done on the basis of representation in stone: no known inscriptions to or statues of these men exists, which means there is no evidence of such things ever being vandalised, which means we cannot say that *damnatio memoriae* was carried out against them. This is simply not the case, as the relevant sections of this thesis will demonstrate.

anniversaries. Whilst, therefore, it is widely acknowledged that usurpers could expect to be the victims of *damnatio memoriae*, there is little realisation of what this actually entails. A number of shorter works, do exist which engage incisively with the issues presented by memory sanctions, and there is also a doctoral thesis on the subject forthcoming.³² But the truth remains that a work on *damnatio* in late antiquity, on the scale of that which Flower has produced for the Republican and High Imperial period, is still waiting to be produced.

This thesis will not and cannot rectify either the gap in scholarship on usurpation or that on *damnatio memoriae*. What is truly needed is a work taking usurpation and legitimisation as its themes and charting their evolution across a period beginning with Augustus, or perhaps even with earlier potentates of the later Republic, and concluding no earlier than the fall of the Roman West. Such a work would far exceed the limits upon content imposed by a doctoral thesis and would require a command of little known and elusive source material ranging across a period of some five centuries. In other words, it would require an established academic with a lifetime of research behind him. Furthermore, it would be forced to grapple, through an ever-changing cultural milieu, with the exceedingly complex historiographical problems created by memory sanctions. It is with this latter problem that this thesis, in a chronological window defined by a textual corpus, takes up the fight.

³² For instance S. Corcoran, 'Hidden from History: the legislation of Licinius' in J. Harries and I. Wood (eds.), *The Theodosian Code: Studies in the Imperial Law of Late Antiquity* (London: Duckworth, 1993), 95-119; S. Lunn-Rockliffe, 'Commemorating the Usurper Magnus Maximus: Ekphrasis, Poetry, and History in Pacatus' Panegyric of Theodosius', *Journal of Late Antiquity* 3:2 (2010), 316-336. The doctoral thesis: R. Usherwood, *Political Disgrace in Late Antiquity* (Diss., Nottingham, 2013), provisional title and date.

Known unknowns and unknown unknowns: the value of panegyric

Imperial panegyric might, at first glance, seem to be the last place to begin a study of usurpation. The third century grammarian, Menander, advises those wishing to compose an imperial address, that: “The imperial oration is an encomium [panegyric] of the emperor. It will thus embrace a generally agreed amplification of the good things attaching to the emperor, but allows no ambivalent or disputed features, because of the extreme splendour of the person concerned.” He further advises that, “if it is possible to invent, and to do this convincingly, do not hesitate” (ἐὰν δὲ οἶόν τε ἦ καὶ πλάσαι καὶ ποιεῖν τοῦτο πιθανῶς, μὴ κατόκνει).³³ To this already underwhelming endorsement of panegyric as a historical source, we might further add that, though Menander *does* advise his readers to speak about the emperor’s deeds in war wherever possible, it seems clear that these wars are conceived as waged against *external* enemies (hence Menander talks about the personification of resisting countries), and that beyond the suggestion that the emperor may be (favourably) compared to a hypothetical tyrant, there is no mention anywhere of the need to discuss conflicts with, or even the existence of, usurping emperors.³⁴ As a genre, panegyric’s sole aim was the abject flattery which St Augustine recalls with such distaste: “How wretched was I, and how did you deal with me, that I might know my own wretchedness, on the day when I was preparing to recite a panegyric to the emperor, in which I would tell many lies, and would be viewed with favour by those who knew them to be such.”³⁵

So why panegyric? As we have seen, we face the problem that all or most of our evidence has been destroyed, corrupted, or contaminated by later opinion. Though *damnatio memoriae* might later be lifted, it was generally considered a permanent legacy,

³³ Tr. in D. A. Russell and N. G. Wilson (eds. and trs.), *Menander Rhetor* (Oxford: Clarendon, 1981), 77, 83.

³⁴ Russell and Wilson, *Menander Rhetor*, 87, 91.

³⁵ Aug., *Conf.* VI.6.

particularly for those who had earned the punishment for usurping imperial power.³⁶ An individual thus marked out could never again be viewed with equanimity: his physical and legislative legacy would be erased or defaced, and written history could only ever be composed in the prior knowledge that he had been condemned. As the *Historia Augusta* puts it,

“It is an unusual thing, and a difficult one, to set fairly in writing the deeds of those made tyrants by the victory of others (*rarum atque difficile est ut, quos tyrannos aliorum victoria fecerit, bene mittantur in litteras*), and thus few things concerning them are kept in the records and histories. For in the first place, the great deeds that did them honour are perverted by authors; secondly other things are suppressed; lastly no great care is taken in researching their ancestry and life, since it seems enough to mention their effrontery, the battle in which they were conquered, and their punishment.³⁷

In such unpromising circumstances imperial panegyrics present themselves, paradoxically, as a viable starting point for inquiry on the topic of usurpation. Before we consider why this is, let us first begin by defining our corpus.

A remarkable quantity of imperial panegyrics have survived from late antiquity.³⁸ Indeed, the vast majority of prose panegyrics that survive from the classical world date from the period 289-389, which has led some scholars, erroneously, to assert that panegyric only emerged as a popular rhetorical form in the later period.³⁹ There seems to me no reason to conclude this; the official dates in the calendar and the imperial ceremonies in which panegyric was known to take a part in late antiquity were celebrated, under the early Empire, with equal pomp and ceremony. These ceremonies included (but were not limited to) the birthday of the emperor or a member of his family, the *dies imperii*

³⁶ Commodus' memory was rehabilitated by Septimius Severus, for instance, but this was relatively unusual: O. Hekster, *Commodus: An Emperor at the Crossroads* (Amsterdam: Gieben, 2002), 186-195.

³⁷ *HA Pesc. Nig.* 1.1-2.

³⁸ “Imperial panegyrics” mean those whose honorand was the present emperor.

³⁹ Born, for instance, remarked on the “almost spontaneous growth of this genre”, for which “the *Zeitgeist* is alone responsible” (‘The Perfect Prince according to the Latin Panegyrists’, *AJP* 55:1 (1934), 34-5).

of the emperor, the celebration of an important victory or the anniversary of such, the celebration of the birthday of the city of Rome or, if in the provinces, of other local cities of importance, the arrival of the emperor in a new city (the *adventus*), the marriage of the emperor, the coming of age of one of his children, etc. This said, the opportunity for such speeches had certainly increased by the late third century. Emperors moved around a great deal more. Given that one of the most important imperial ceremonies was that of the *adventus*, imperial itinerancy would have given increased opportunity for speech making.⁴⁰ Furthermore, the emperors themselves had multiplied; dyarchy doubled the opportunity for such speeches, triarchy trebled it, and so on. The wide array of possible occasions for delivery were further augmented by the fact that, firstly, orators were clearly perfectly happy to deliver panegyrics to emperors *in absentia*, the speech being performed before a crowd of local dignitaries and then forwarded on to the court, and secondly by the fact that orators were clearly not limited to a single speech over official celebrations that might, on occasion, last for weeks or even longer.⁴¹ Given this, it seems to me no exaggeration to suggest that tens of thousands of panegyrics must have been delivered across the Empire's history.

For the most part, the panegyrics that survive are the products of the most important rhetors and politicians of the day. Two panegyrics (*Or.* I and II) written by Julian in honour of Constantius are to be found amongst the last pagan emperor's preserved works. Themistius, one of the greatest statesmen of the age, has eighteen extant imperial panegyrics, delivered to five emperors (Constantius I, Jovian, Valens, Gratian, and Theodosius I) across a period ranging from the delivery of *Or.* I in either 347 or 350 to his

⁴⁰ Cf. S. MacCormack, 'Latin Prose Panegyrics', in T. A. Dorey (ed.), *Empire and Aftermath: Silver Latin II* (London; Boston: Routledge and K. Paul, 1975), esp. 41ff., and *Art and Ceremony in Late Antiquity* (Berkeley; London: University of California Press, 1981), esp. 8ff.

⁴¹ The orator Nazarius delivered at least two speeches, on consecutive days, to celebrate the quinquennialia of Crispus and Constantine II in March 321. Constantius' visit to Rome in 357 lasted for fifty six days, from 3rd March to 28th April, and was itself the culmination of four years of thanksgiving for his liberation of the West from the usurper Magnentius.

Or. XIX, dating to 386.⁴² Libanius delivered a staggering range of public speeches over his long career, of which perhaps thirteen can be said to be imperial in terms of their honorand or their central subject; most concern Julian; a few are addressed to Theodosius; one is addressed to Constantius II and Constans.⁴³ Three fragmentary speeches (*Or.* I-III) of Symmachus, delivered to Valentinian I and Gratian early in his political career, have been preserved. The poet Ausonius also delivered a *gratiarum actio* to Gratian in thanksgiving for his consulship of 379. Lastly, there is the collection of the *Panegyrici Latini* (henceforth *Pan. Lat.*), comprising eleven Latin speeches dating from 289-389, all delivered either in Gaul or by Gallic orators, and organised under a Silver Latin *exemplum* in the form of Pliny's famous *Panegyricus* (*Pan. Lat.* I). These last are the only panegyrics we have written by men about whose careers we are not well informed; some of the authors are named, other speeches are anonymous, and it has been a subject of some debate how many individual panegyrists actually contributed work to this collection, which was almost certainly put together by Pacatus, the author of *Pan. Lat.* II. The panegyrics are addressed to a total of five emperors: Maximian, Constantius I, Constantine, Julian, and Theodosius I.

All told, this means we have a corpus of forty eight speeches from the period 289-389. In relative terms, when compared to the number of panegyrics that must have been delivered in this hundred year period, the surviving corpus probably represents as little as 1% of the total, if not considerably less. But in absolute terms, this is an incredible degree of survival, given the ephemerality of the medium (below), and truly staggering when compared to the dearth from earlier and subsequent centuries. Quite apart from the number of speeches, we ought also to be impressed by the range of material they provide:

⁴² Nineteen orations are actually attributed to him, but *Or.* XII, *ad Valentem de religionibus*, is widely agreed to be a later forgery (cf. H. Schenkl (ed.), *Themistii Orationes quae supersunt* (Leipzig: Teubner, 1965-74), III, 137).

⁴³ *Or.* XII-XX, XLV, XLIX, and LIX.

these forty eight speeches were delivered by an unknown number of authors (ranging from a hypothetical minimum of ten to a hypothetical maximum of sixteen),⁴⁴ to no fewer than eleven emperors across a period of one hundred years, in many of the great cities across the Empire (with Trier, Rome, Constantinople, and Antioch claiming the lion's share), and in both the Empire's official languages.

It has been mentioned that panegyrics are ephemeral. For the present study, this is both a blessing and a curse. It is a curse because it means that (comparatively) few speeches have survived from late antiquity. All the speeches we have are thanks either to collections of *opera omnia* of great writers or to the chance survival of this single Gallic style manual. But the ephemerality of the speeches is also one of their greatest advantages as historical sources. Panegyrics were composed to reflect the political circumstances of a particular moment. They were collected and preserved (on the occasions when they *were* collected and preserved) for stylistic reasons, and not for reasons of content. The proof of this may be seen in contradictions between speeches within individual collections; Maximian is praised to the stars in *Pan. Lat.* VII and damned as a traitor in *Pan. Lat.* VI; Libanius sings the praises of Constantius in *Or.* LIX and castigates him as a monster in every speech he delivered under Julian and after. Themistius praises heredity succession in *Or.* I, but declares that only the election of a private citizen will give the Empire its best candidate in *Or.* V.

For the study of usurpation, this highly contextual nature is of unparalleled value.⁴⁵ As the author of the *Vita* of Pescinnus Niger points out, above (and he would know, being a late fourth century writer masquerading as a late third!), time corrupted the historical

⁴⁴ Nixon-Rodgers, 3-10.

⁴⁵ It is also largely ignored in earlier writing on the panegyrics, such as Born, 'The Perfect Prince', 20-35, which sees the panegyrics as a static and unified corpus of material.

legacy of few men so completely as it did the *tyrannus*.⁴⁶ Even Ammianus, Gibbon's "accurate and faithful guide", wrote about the usurpations of Silvanus, Julian, and Procopius at the remove of some thirty five, thirty, and twenty five years (approximately), during which incalculable processes of political and historical manipulation, which went hand in hand with the oscillations of contemporary power-play, influenced Ammianus' recollections and feelings of the events he described. The ultimate and irrevocable demise of the Constantinian dynasty cannot but have affected the way Ammianus saw Procopius; the knowledge of the rise of his tragic hero, Julian, cannot but have altered his perception of Silvanus. Panegyrics, by contrast, were a highly contemporary medium, recording events that had happened within a few years or even months of their own delivery. Aside from some of Libanius' more backward looking orations on Julian, the greatest delay we find in the panegyrics between delivery and the usurpations with which they deal is the seven years that separated the rise of Magnentius and Julian's *Oration II* and the eight and a half years that divided Nazarius and *Pan. Lat. IV* from the battle of the Milvian Bridge. As we have already shown, the panegyrics *as collections* have not been edited to suit the moment of their publication.⁴⁷ Though each, of course, is a carefully crafted piece suited to the necessities of its own time, as a whole they provide a series of individual vignettes in which one may thus clearly perceive the changing requirements of the historical moment.⁴⁸ A historical source usually presents a single editorial viewpoint, dated to the moment of publication; a corpus of panegyrics presents the viewpoints of as many time periods as it contains speeches.

⁴⁶ Tacitus explains that he composed his *Agricola* specifically to fight this cloaking power of the past: "For forgetfulness will engulf many of the ancients, as if they were unknown and of ignoble stock" (*nam multos veterum velut inglorios et ignobiles oblivio obruet*; *Agr.* 46.4).

⁴⁷ C. E. V. Nixon, 'Latin Panegyrics of the Tetrarchic and Constantinian Period' in B. Croke and E. M. Emmett (eds.), *History and Historians in Late Antiquity* (Sydney and New York: Pergamon Press, 1983), 90; his observations on the *Pan. Lat.* collection hold true for the other authors as well.

⁴⁸ For an example of exactly this approach, see B. S. Rodgers, 'The Metamorphosis of Constantine', *CQ* 39:1 (1989), 233-46. Compare this idea of static vignettes to the revisions of Eusebius, in which the entire text was repeatedly edited to fit with contemporary politics (T. D. Barnes, 'The Editions of Eusebius' *Ecclesiastical History*', *GRBS* 21:2 (1980), 191-201).

It may be deemed that this particular advantage is utterly outweighed by the propaganda value of panegyric. After all, as Augustine says, panegyrics intentionally *mentiebantur*. But, on these grounds, to reject panegyrics and instead concentrate solely on narrative history (as, for example, Elbern and Szidat have broadly done) is to fundamentally exaggerate the extent to which our non-panegyric sources are free from their own prejudices, distortions, and downright lies. The panegyrics, it is true, are capable of the most monumental distortions of the truth (although, whatever Augustine might say, they very rarely lie – that is speak untruthfully on points of factual information – so much as provide highly perverse *interpretations* of points of fact, or else avoid points of fact all together), but their distortion is so pantomime, so grossly exaggerated, and their motivations so painfully transparent, that there is – or at least there should be – far less danger of modern scholars being tricked by what they read, since we are instantly put on our guard. Whilst, of course, this doesn't increase the value of the panegyrics as historical texts *per se* (knowing something is nonsense doesn't suddenly make it anything but), it *does* allow us to easily address the panegyrics as what they are (at least in reference to usurpers), that is political polemic. We may learn little about what a usurper did, and even less about why they did it, but we will be able to gain some understanding of the political processes in the late Roman world which “made tyrants by the victory of others.”⁴⁹ We have already seen the difficulty in attempting to glean any hard information about usurpers; the panegyrics are the key to understanding this problem, the sharp end of a wedge that destroyed the reputation of the usurper and created a monster in its place. In consideration of panegyric, therefore, we are not trying to somehow overcome the bias of our sources, to peel it away like a skin in order to get at the pulp of facts beneath; this is impossible for us (if, indeed, it is possible in any history). Rather, the aim is to understand

⁴⁹ *HA Pesc. Nig.* 1.1-2 (above).

the bias itself, to uncover the ways in which late Roman orators contributed to the efforts made by the court (as embodied by the particular reigning emperor) to complete a process of obfuscation against its enemies that aimed at a combined process of destroying historical traces of their existence and ensuring that what little remained behind was dictated by the political programme of the court.

Panegyrics, finally, recommend themselves in the study of usurpers and usurpation because the speeches themselves are, quite frankly, *obsessed* with usurpers. Though the speeches are short (with the exception of Julian's orations to Constantius, and some of Libanius' more fulsome pronouncements to Julian), and thus evidently had to make careful selection of the material with which they dealt, usurpers appear as objects of discussion *whenever* there is a viable usurpation to discuss.⁵⁰ There is no *prima facie* reason why this should be. It is not enough to say that, because the various usurpations discussed by the panegyrics were significant landmark events in the reigns of the emperors addressed, any orator would therefore have to tackle them in some detail. This explanation fails on two counts. Firstly, the panegyrics are famous for their omission of details which might be considered inconvenient, uncomfortable, or in any way controversial for the emperor. If emperors did not want to hear about the usurpers they had defeated, and orators did not want to speak about them, then they simply would not appear, or would be passed over rapidly. But, in fact, usurpation often features as a theme of panegyric, either commanding a considerable portion of the speech or else placed so as to form the climactic moment of the orator's encomium (or, indeed, both). Secondly, and even if we were unwilling to accept the challenge presented by the first objection, we would have to agree that, were usurpers only included in the panegyrics because of their importance in terms of the

⁵⁰ A 'viable usurpation' is one that is currently on-going or, more usually, recently subdued. Perhaps the one exception to this rule is the virtual silence concerning Carausius' rebellion in Britain in *Pan. Lat.* XI; a very plausible interpretation for this is given in Nixon-Rodgers, 79, 107. See also my comments on Magnentius in *Them., Or. I* (below, pp. 165-9).

narrative of a particular reign, we would expect to only find them mentioned at moments when it is the narrative of conquest of rivals that is of prime importance. But again, quite the opposite is true, and a number of speeches whose occasion and date would *not* make them candidates for the discussion of a usurpation nonetheless make usurpation the focus of their speech.

These two objections can both be illustrated with reference to the same example, the panegyric of Nazarius delivered before the Roman senate, 1 March 321.⁵¹ It supports the first objection because of the utter absence of Licinius or his son from the speech; given that the occasion of its delivery was the quinquennial anniversary of the creation of Constantine's sons, Crispus and Constantine II, and Licinius' child, Licinius II, as Caesars to mark a peace between the two Augusti, the omission of any mention of the Eastern emperors is striking and its cause lies in the increasingly frosty relations between East and West at this time.⁵² It supports the second objection because, though delivered on the occasion of the anniversary of *his sons*, the main body of the speech nonetheless dwells on Constantine's defeat of Maxentius some eight and half years earlier.⁵³ Given the (relatively) considerable remove in time, the inappropriateness of the occasion, and the significant portion of the speech devoted to Maxentius, we cannot claim that Nazarius felt any discomfort in delivering a speech on a subject he could have chosen to utterly avoid. Far more examples for both points can and will be enumerated, but suffice it to say here that the predilection of speech writers for the topic of usurpation does not accord with the behaviour one might expect based on an understanding of *damnatio memoriae* as a purely destructive process (i.e. one concerned primarily with silence and erasure).

There has, it must be said, been a renewed interest in panegyric in the last generation, and our understanding of the genre has been thus considerably advanced. Building on the

⁵¹ *Pan. Lat.* IV.

⁵² Corcoran, 'Hidden from History', 245. For my discussion of this speech, see below, pp. 136-49.

⁵³ Of the speech's thirty eight chapters, twenty two bear directly on the war with Maxentius (6-15, 21-32).

early giants of the 20th century, such as Pichon (1906), Klotz (1911), and Straub (1955), the canonical text in English is Sabine MacCormack's *Art and Ceremony in Late Antiquity* (1981), much of which stems from her own earlier article (1975).⁵⁴ MacCormack's most important contribution to modern scholarship is to defend the political relevance of the panegyrics, and their accompanying ceremonies, as a dynamic communication between emperors and elites, something which earlier authors discounted.⁵⁵ Since she wrote, it has been taken for granted that panegyrics can and should be used as historical material; as C. E. V. Nixon (1983) put it, "the place of panegyric in a book on historiography needs no elaborate justification."⁵⁶ Nixon himself has made a considerable contribution to panegyric studies, particularly in stressing the idea of "hidden audience" and the formative effect that panegyrics must have had in disseminating messages to young Romans, via their centres of production, the schools.⁵⁷ This idea has also been taken up by the French author l'Huillier (1992), who has also urged a greater clarification of our understanding of the panegyrics as political speeches; he wishes us to see them not simply as tribute from a servant to a master, but as an essential part of the self-presentation of the emperor.⁵⁸

With the acceptance of the position that panegyric is of a historical value that goes beyond a simple understanding of court ritual, increasing emphasis has been placed on the ways in which it can be used to unlock not just the political orientation of a string of emperors, but perhaps even their thoughts and feelings at various moments in history. More than any other emperor, this debate has focussed upon Constantine (thanks in part,

⁵⁴ R. Pichon, *Études sur l'histoire de la littérature latine dans les Gaules: les derniers écrivains profanes: les panégyristes, Ausone, le Querolus Rutilius Namatianus* (Paris: Leroux, 1906); A. Klotz, 'Studien zu den *Panegyrici Latini*', *Rheinisches Museum* 66 (1911), 513-72; J. Straub, 'Konstantins Verzicht auf den Gang zum Kapitol', *Historia* 4:3 (1955), 297-313; MacCormack, *Art and Ceremony*; S. MacCormack, 'Latin Prose Panegyrics: Tradition and discontinuity in the later Roman Empire', *REA* 22 (1976), 1-49.

⁵⁵ They are a "sophisticated and delicate means of political communication almost unprecedented in the ancient world" (MacCormack, *Art and Ceremony*, 3).

⁵⁶ Nixon, 'Panegyrics of the Tetrarchic and Constantinian Period', 88.

⁵⁷ Nixon, 'Panegyrics of the Tetrarchic and Constantinian Period', 95ff.

⁵⁸ M.-C. L'Huillier, *L'Empire des Mots: Orateurs gaulois et empereurs romains, 3^e et 4^e siècles* (Centre de Recherches d'Histoire Ancienne 114; Paris: les Belles Lettres, 1992), 112ff.; on the schools see 134ff.

no doubt, to the fact that five Latin panegyrics survive that are addressed to him).⁵⁹ But if the last thirty years have seen greater efforts to map the foreign shores of late antique panegyric, we are still far from a complete knowledge of the terrain. A number of deficiencies may, briefly, be highlighted. Firstly, the bias of historical study appears to be heavily laden upon the *Panegyrici Latini*, to the exclusion of both Symmachus' panegyrics and of the considerable body of Greek panegyric, for which one must often rely on the historical introductions to modern translations for any kind of discussion.⁶⁰ Since I am aware of no good reason why not to do so, I will consider *any* imperial address delivered in my period, whether Greek or Latin, as worthy of consideration; though author and circumstance must be taken into account, there seems to be little reason why this is more true between Themistius' *Or. V* and *Pan. Lat. VI* (for example), than between *Pan. Lat. V* and *Pan. Lat. VI*. But the second deficiency is perhaps the more critical, both for the purposes of this work and more generally for a full understanding of the political purposes of late antique panegyric; this is the almost total absence of the discussion of usurpation.

MacCormick laments that panegyric studies have been neglected by those who wished to see the panegyrics as:

a body of 'evidence', which was to act as a mirror for them – a mirror that should ideally reflect without distortion the reality that lay outside the surface. They have been led to conclude that, in the later Roman Empire, as in Byzantium, much of reality can be glimpsed only through a 'distorting mirror,' and that, of these distorting mirrors, the most warped was panegyric.⁶¹

⁵⁹ *Pan. Lat.* VII, VI, V, XII, VI (in chronological order).

⁶⁰ For instance Heather-Moncur and the more complete translation, if less comprehensive discussion, H. Leppin and W. Portmann, *Staatsreden; Themistios: Übersetzung, Einführung, und Erläuterungen* (Stuttgart: Hiersemann, 1998). The bias of the *Pan. Lat.* is not universal (for instance, W. Portmann, *Geschichte in der spätantiken Panegyrik* (Europäische Hochschulschriften 3, Geschichte und ihre Hilfswissenschaften 363; Frankfurt am Main: P. Lang, 1988)).

⁶¹ MacCormack, *Art and Ceremony*, 2.

Though this opinion is increasingly being pushed aside, nonetheless I suspect it still holds sway as regards usurpers. Those writers willing to engage closely with the panegyrics tend to shy away from discussion of usurpation. Heather and Moncur, for instance, in their *Select Orations of Themistius*, choose not to translate *Orations* II, IV, VII, XVIII, and XIX which deal with the usurpers Magnentius and Vetranio, Procopius, and Magnus Maximus. Nixon observes that *Pan. Lat.* XII is all but devoid of mention of Constantine's victories over the Franks (the celebration of which was the occasion for the panegyric's delivery), instead focussing almost entirely on Maxentius, but passes virtually no comment on this.⁶² Mause's superb work on the presentation of the emperor in Latin panegyric (1994) has little indeed to say about usurpers and usurpation.⁶³

In much the same way, writers whose subject is usurpation, rather than the panegyrics, have little room for these speeches: Elbern, aside from the occasional citation, largely omits use of the panegyrics as evidence in his work on usurpation and even Cullhed's very admirable monograph on Maxentius, though he does not shy from drawing evidence from the panegyrics, draws nearly twice as many citations from the rest of the *Pan. Lat.* collection as he does from *Pan. Lat.* XII and IV, the speeches which bear directly on Maxentius.⁶⁴ Some attempt to rectify this discrepancy comes in the form of an article by Lassandro (1981).⁶⁵ But Lassandro's article, whilst it provides a brief list of some of the

⁶² C. E. V. Nixon, *Constantinus Oriens Imperator: Propaganda and Panegyric: On Reading Panegyrics 7 (307)*, *Historia* 42 (1993), 232-3.

⁶³ M. Mause, *Die Darstellung des Kaisers in der lateinischen Panegyrik* (Palingenesia: Monographien und Texte zur klassischen Altertumswissenschaft 50; Stuttgart: Steiner, 1994). In his section "Der Kaiser in Kriegzeiten" (183-204), for example, Mause has much to say on the emperor's relationship with his soldiers and with war in general (used to reflect the triumphal nature of his rule), but the opportunity to engage with specific issues of usurpation, or how the presentation of a usurper reflected on the emperor, is not taken.

⁶⁴ *Pan. Lat.* XII and IV cited at M. Cullhed, *Conservator Urbis Suae: Studies in the Politics and Propaganda of the Emperor Maxentius* (Skrifter utgivna av Svenska Intitutet Rom, 8°, 20; Stockholm, 1994), 9, 61, 66, 69, 70, 86, 88, 93.

⁶⁵ D. Lassandro, 'La demonizzazione del nemico politico nei Panegyrici Latini', *CISA* 7 (1981), 237-49. Note the standard focus on the *Panegyrici Latini*. For an approach less founded on panegyrics, yet taking a slightly broader sweep of both Latin and Greek evidence, see V. Neri, 'Usurpatore come tiranno nel lessico politico della tarda antichità' in F. Paschoud and J. Szidat (eds.), *Usurpationen in der Spätantike; Akten des Kolloquiums 'Staatsstreich und Staatlichkeit', 6.-10. März 1996* (Historia Einzelschriften 111; Stuttgart: Steiner, 1997), 71-86.

names applied to the various usurpers of the *Panegyrici Latini*, has no real discussion or consideration of the significance of these terms, or what they might be able to tell us.⁶⁶ Broadly, there is a clear feeling in modern literature that, despite their obsession with usurpers (mentioned above), panegyrics have little to tell us about them.

One can, of course, express a certain degree of sympathy for the writers mentioned, who might all, with some justice, claim that it was not their intent either to discuss usurpation (if they are writing on the panegyrics) or to discuss panegyrics (if they are writing on usurpation). Either of these groups might well object that any such study would be rendered pointless by the fact that there is nothing of the ‘real’ usurpers appearing in the panegyrics, merely grossly distorted caricatures. Again, whilst we might concede that there is some truth in this, several objections can nonetheless be raised. Firstly, we should not allow ourselves to fall into the classic trap, whereby some sources are marked as unworthy by that elusive pariah of ‘bias’, whilst others are free from any such taint. The panegyrics, unquestionably, present a picture of usurpers that might well be compared to a modern political cartoon, an image whose relation to reality is a tenuous and a suggestive one, as both author and audience know; they *are* a caricature, but then so is every image painted of any individual in historical narrative.⁶⁷ The second objection centres on the anticipated rejoinder to the first; it may well be argued that, whilst we may admit that all historical accounts, to a greater or lesser extent, distort the reality they record, the panegyrics do so to an extent well beyond that of any other source. Broadly, this is true; but it is therefore required of us to enquire as to why this should be. Let it be noted that the answer, ‘because it suits the emperor to have his enemies talked of in such a manner’ is not enough. The third objection follows on from the second as the second followed on

⁶⁶ See also similarly cursive offerings: R. MacMullen, ‘The Roman Concept Robber-Pretender’, *Revue Internationale des Droits de l’Antiquité* 10 (1963), 221-5; Born, ‘The Perfect Prince’, 29-30.

⁶⁷ A fantastic defence of this position comes in T. D. Barnes, *Ammianus Marcellinus and the Representation of Historical Reality* (Ithaca and London: Cornell University Press, 1998), particularly 11-19, 107-166.

from the first. We must grant that merely establishing the usurpers of the panegyrics as monstrous caricatures gets us not very far at all. But if we then consider the form these caricatures took, the ways they were used, the aims of their authors, the desires of their recipients, and the feelings of their audiences then we can learn something important about the political culture of the late Roman world – if the panegyrics are political cartoons, then by understanding them we can learn something about both the artists and the audiences and, most important of all, why they were so obsessed with drawing monsters.

Several recent works in English, it must be conceded, have begun to move towards some *implicit* answers to these questions, or skirted their edges. Rees (2002), for instance, has demonstrated that solid political history can be written based on the panegyrics.⁶⁸ He eschews the normal approach, in which panegyrics are occasionally brought in to aid with issues of dating, or to add an incidental detail, and instead attempts, through an extremely detailed analysis of the rhetoric and consideration of the resonances of the historical and literary *exempla* of *Pan. Lat.* X, XI, VIII, IX, and VIII, to construct a highly nuanced history of the political landscape in the years 289-307, focussing on the relationships between the various emperors of the First and Second Tetrarchies and the Constantinian breakdown. Despite his detailed approach, however, his focus is squarely upon the imperial addressees of the panegyrics, and usurpers receive no attention. More recently, Humphries (2008) has taken up the baton of Constantinian studies, and produced a new consideration of the years before Constantine achieved ultimate supremacy in 324, stressing the incredibly important role that aggressive politicking (particularly in the form of casting his enemies in the role of *tyranni*) played in supporting his eventual rise. Humphries work dwells on the extent to which Constantine retrospectively bolstered his own position by “consigning to oblivion” as a “nameless tyrant” those who opposed him

⁶⁸ R. Rees, *Layers of Loyalty in Latin Panegyric, AD 289-307* (Oxford: Oxford University Press, 2002).

(in this case, Maxentius); he shows the political value of the caricature tyrant.⁶⁹ Similarly Corcoran (1993), though his theme is law and not oratory, is keen to demonstrate that, “Licinius was a tyrant only in retrospect”, and that there was enormous present political value in Constantine ensuring that this view took hold.⁷⁰ Chapters in Grünewald (1990) and Lenski (2002) are also worth mentioning, as is an article by Lunn-Rockliffe (2010).⁷¹

At root, the question we are dealing with here is legitimacy. It is the question that lurks in the shadows of the arguments of virtually every text quoted in this introduction; how did emperors attempted to achieve that most ephemeral of states, in which their personal rule was acknowledged by their subjects as not simply a fact, but the right and proper order of things? What I hope to show in the following is that the presentation of usurpation in imperial panegyric is intimately bound up in this on-going process; the obsession of the panegyrics with defeated usurpers demonstrates the extent to which legitimacy could never be taken for granted and the degree to which each individual emperor had to *argue* his legitimacy, to demonstrate it to his subjects, always in the face of challenge (there is no emperor in this period, with but one minor exception, who did not, at some point, have to face a usurpation, quasi-usurpation, or civil war, whose very existence formed a question, explicit or implicit, about that emperor’s right to rule).⁷² Defeated usurpers provided the simplest and clearest vehicle with which to demonstrate that legitimacy, bringing with them the confirmation of status that victory gave to emperors in the Roman world, a palpable and recognisable darkness against which their own *lux aeterna* would thus be thrown into starker relief, and a vindication of claims to sufficiency as ruler of the world

⁶⁹ Humphries, ‘From Usurper to Emperor: the politics of legitimation in the age of Constantine’, *JLA* 1:1 (2008), 82-100 (quotes at 95-6).

⁷⁰ Corcoran, ‘Hidden from History’, 103.

⁷¹ T. Grünewald, *Constantinus Maximus Augustus: Herrschaftspropaganda in der zeitgenössischen Überlieferung* (Historia Einzelschriften 64; Stuttgart: Steiner, 1990), 63-73; N. Lenski, *Failure of Empire: Valens and the Roman State in the Fourth Century A.D.* (Berkeley; London: University of California Press, 2002); Lunn-Rockliffe., ‘Commemorating the Usurper Magnus Maximus’, 316-336.

⁷² The exception, of course, is Jovian, whose reign was so short, and was in itself of a quasi-usurpatory quality, that it need not cause too much upset.

by the repeated denunciation of the alternative that had been presented (i.e. the usurper and his regime) and its insufficiency.

The panegyrics, then, are political fallacy; they are a core of grossly distorted praise, about which is twisted a rabid polemic, in which the character of the usurper is forever lost. But by understanding them as they are (works with an important political purpose, inexorably bound to the office of the emperor) we find answers to the question of why usurpers have been so thoroughly buried in the mire of the past, so ‘hidden from history’, as Corcoran has it. Furthermore, this realisation provides us with a tantalising glimpse of an Empire divided not between emperors and tyrants, but between men of broadly equal status, all vying for supremacy and attempting to rise to the top of a struggle, the prize of which was the voice of history, the ultimate arbiter of their legitimacy.

Lies from above or lies from below?: who dictated the content of panegyrics?

Our final consideration is the sources of information for the panegyrics. This thesis demonstrates the existence of central, court-inspired programmes that worked defeated usurpers into a triumphal narrative for the emperor, giving the correct ‘spin’ to turn costly civil wars into historical events that worked *for* the reigning emperor, augmenting his public image and perhaps even shoring up his claims to legitimacy. For these arguments to function at all, we must be willing to concede that the panegyrics reflect official propaganda.

The tide of modern opinion has increasingly turned to the idea that emperors had a fair degree of control, whether direct or indirect, over the content of the panegyrics they heard. Rodgers (1989) has already been mentioned; along with Grünewald (1990) she (implicitly)

takes the viewpoint that the panegyrics are a direct expression of the emperor's self-image, contained meaningful political messages, and were closely controlled by the court.⁷³ This viewpoint is not without its contenders. A generation ago, the great A. H. M. Jones called the secular prose panegyrics of late antiquity "for the most part vapid and turgid in the extreme."⁷⁴ More recently, John Matthews has echoed this dismay, accusing panegyrists of "expressing stylized and calculated flattery, repetitiously asserting loyalty, and (one regretfully concludes) delighting their audiences."⁷⁵ One can certainly sympathise with panegyric's detractors; on initial reading, one might certainly wonder what possible value such texts could have to the historian.⁷⁶

Comments such as these invite a general objection that we cannot use the panegyrics to talk about court policy because they are clearly not products of the court. Orators not employed by the state were invited to give speeches before the emperor; their speeches cannot thus be used to reflect the emperor's intentions, nor can we say of them that they show the emperor as he wished to be portrayed. Two main complaints follow from this. The first, which is particularly levelled against the *Pan. Lat.* collection, is provinciality. The speeches were not, as all agree, gathered for their political value. They were *exempla* brought together for literary reasons. Their survival, therefore, has nothing to do with their popularity, their relevance, or their importance. In the case of named orators, it is a testament to their literary reputation; in the case of the *Pan. Lat.* collection, it is little more than an accident of the manuscript tradition. As such, it is highly dangerous to treat these

⁷³ Rodgers, above, n. 48; Grünewald, *Constantinus Maximus Augustus*.

⁷⁴ A. H. M. Jones, *The Later Roman Empire, 284-602: A social, economic, and administrative survey* (Oxford: Blackwell, 1964, II, 1008).

⁷⁵ J. Matthews, *Western Aristocracies and Imperial Court, AD 364-425* (Oxford: Clarendon Press, 1975), 228.

⁷⁶ More recently still (June 2012, at a colloquium in Oxford on the transformation of the imperial office), Chris Kelly expressed extreme reservations about the *Pan. Lat.* collection as a whole commenting that Pacatus' speech before Theodosius and the Roman senate in 389 was nothing more than a "posh cultural interlude", a chance for one of the Western Empire's literati to display his talent to an indulgent but bored emperor; ultimately, it was devoid of any political importance. Kelly stressed that the *Pan. Lat.* collection could not be seen as representative of any imperial intention or policy.

texts as in any way politically relevant. This argument may be buttressed, more generally, by observing the staggering absence of any reference whatsoever to Christianity within the panegyric corpus. Though the speeches (after Constantine) often make reference to a single god, the language of these references is highly un-Christian and would have been far more acceptable to Neoplatonic monotheists than to devout Christians. This total absence of the Christianising discourse of imperial power, in and of itself, is enough to dismiss any notion that the panegyrics had any relevance as conveyors of the political climate, or that any contemporary treated them seriously as such.⁷⁷

These potential objections are too significant to pass over without comment. To deal with them in reverse order, the absence of Christianity from the panegyrics has certainly been noted and raises important questions. If orators say nothing about Christianity under devoutly Christian emperors, then can we really claim that they had any concept whatsoever of how emperors viewed the world? Certainly, as a feature of the speeches, the absence of Christianity hardly needs elucidation; whilst we can make only educated guesses as to the religious affiliations of the *Pan. Lat.* authors (after the tetrarchic panegyrics), the author of every other panegyric we possess outside of this collection (barring only Ausonius) was a confirmed pagan.⁷⁸ Nowhere in any of the forty eight speeches we will be discussing was an overtly Christian sentiment ever expressed.

The truth of this is undeniable, yet it overstates the point. What we can see in the panegyrics, from the time of Constantine's reign onwards, is a marked reservation in speaking on divine issues. The confident Jupiter/Hercules vocabulary of the tetrarchy, assumed to be the norm, may in fact be the result of highly specific political

⁷⁷ For instance: *Pan. Lat.* XII.26.1; *Pan. Lat.* IV.7.4, 16.1-2, 27.5.

⁷⁸ The *Pan. Lat.* authors were also, almost certainly, all pagans. Ausonius' *Gratiarum actio* avoids any direct Christian references, speaking about God that, like Themistius', would have been acceptable to any tolerant Christian or monotheist pagan (*Grat. act.* i.5, iv.17-vi.29, xiv.63-64, xviii.79-80). The first of these (*nec iam miramur licentiam poetarum, qui omnia deo plena dixerunt*) has been convincingly claimed by Green as reference to Vergil and Aratus: *The Works of Ausonius: Edited with introduction and commentary by R. P. H. Green* (Oxford: Clarendon, 1991), 540.

circumstances. Even under Julian, when a confident reassertion of *pagan* values was undertaken, we see hesitation in the relevant *Pan. Lat.* speech.⁷⁹ The hesitance of the panegyrics may thus show careful consideration of the emperors' positions and a response to the vacillations of the first secular Christian powers, whose own policies were characterised by ambivalences and inconsistencies. Furthermore, fluctuations in religious policy *can* be viewed within the panegyrics, even if not directly.⁸⁰ But this is far from troubling; nothing in the panegyrics can be viewed directly.

The second objection is the question of appropriate register. Those who wish to see clear Christian values espoused in the panegyrics ignore the fact that considerations of genre impose themselves. Ammianus Marcellinus has had every religious position from a devout Christian apologist to a hardline pagan attributed to him; but all sides agree that one of the driving reasons for the absence of Christian history within the *res gestae* is the inappropriateness of such matters to his genre, secular history.⁸¹ Likewise, a true Christian panegyric would require an utter reinvention of the genre, something that appears to have only been attempted in the fourth century by two of the most brilliant and ardent churchmen of the age, Eusebius (in his *laus Constantini* and, to a lesser extent, in his *vita Constantini*) and Ambrose of Milan (in his *de obitu Valentiniani* and *de obitu Theodosiani*). These texts, replete with quotations from scripture and musing on the relationship of the emperor to the divine, seem to meet the criteria that could claim for their author the title of a Christian panegyrist. But these speeches required the creation of new rules for their composition. Indeed, we may note that emperors themselves, in their own self-presentation, were far more reticent when it came to Christian vocabulary, at least

⁷⁹ *Pan. Lat.* III; the speech was delivered less than two months after Constantius' death on 3rd November 361: Nixon-Rodgers, 389.

⁸⁰ Note, for example, the renewed emphasis on divine influence evidenced in *Pan. Lat.* IV, of 321, compared to *Pan. Lat.* XII, of 313. In the intervening eight years, Constantine's position as a Christian had become increasingly clear and Nazarius, the author of *Pan. Lat.* IV, thus felt more confident about speaking of his emperor's relationship with a loosely defined divine.

⁸¹ See for instance J. Matthews, *The Roman Empire of Ammianus* (London: Duckworth, 1989), 435-51.

until late in the fourth century. Laws and proclamations continued to be couched in a more general language of truth, divinity, and true religion. The public, secular idiom was not yet ready for such language, whether it came from above or below.⁸²

As to arguments of provinciality or indeed irrelevance, though tempting when levelled again the *Pan. Lat.* collection (focussed as it was on Gaul), they are harder to sustain against the panegyric corpus as a whole. Symmachus was a Roman, Themistius a Constantinopolitan, Libanius an Antiochene; Ausonius lived out his adult life at court. Even in the *Pan. Lat.* collection, the charge of provinciality can be overstated. A significant proportion of these speeches (perhaps as many as half) were delivered in Trier, which was the most important city in Gaul and, whilst it perhaps lacked the antiquity and heritage of some of the Empire's other great cities, was nevertheless an important political centre.⁸³

Themistius is a perfect counter-example to the idea of irrelevant or provincial literati creating cultural noise. Throughout a career spanning more than four decades and as many changes of emperor, Themistius very publicly advertised his close association with the emperors of his day.⁸⁴ If we may believe his boasting, he was a close confidant of Constantius, Jovian, Valentinian, and Theodosius (though, strikingly, not Julian) and, indeed, a close friend to Constantius. He dined with emperors often and, with due disdain for material advancement, refused their gifts. Both emperor and philosopher benefited hugely from Themistius' carefully orchestrated panegyrics, which he often delivered at moments of great political importance (for instance, at the beginning and end of Valens'

⁸² Witness the difficulty in ascribing a religious affiliation to the poet Claudian (A. Cameron, 'Claudian', in J. W. Binns (ed.), *Latin Literature of the Fourth Century* (London: Routledge & Kegan Paul, 1974), 154-7). It is worth noting that not all authors see contradiction within the message of the panegyrics and the messages of Roman-Christian imperial power (for instance, L'Huillier, *L'Empire des Mots*, 391-6, on *Pan. Lat. II*).

⁸³ See Rees' comments in 'Bright Lights, Big City: Pacatus and the *Panegyrici Latini*', in L. Grig and G. Kelly (eds.), *Two Romes: Rome and Constantinople in Late Antiquity* (Oxford: Oxford University Press, 2012), 220-22.

⁸⁴ Indeed, he felt forced to defend himself against critics who claimed that his constant advancement and preferment were utterly at odds with his professed vocation, philosophy (*Or. XXXIV*).

Gothic war, or in the wake of the usurpation of Procopius). So close to the emperor, Themistius, whilst claiming impartiality all the while, could advance exactly the programme the emperor wished him to. It will be observed throughout this thesis that the techniques and strategies employed by Themistius were of the same quality and tenor as those used by the Gallic orators in their panegyrics. Themistius was an individual unquestionably reproducing the propaganda of the court; with authors of whom we know less, we can show that, if their methods were the same, then so, perhaps, were their intentions.

The viewpoint taken by this thesis is thus broadly that expounded by Nixon (1993). Nixon has strongly challenged the idea that the message of the panegyrics was fed to orators by employees of the court and urged us to see the panegyrists as broadly autonomous individuals making intelligent responses that reflected, but did not directly voice, imperial propaganda.⁸⁵ It is more proper, then, to think of the panegyrics not as *being* court propaganda, but rather as *reflecting* it. Panegyrists were professional, they were ambitious, and above all they had no wish to antagonise the emperor.⁸⁶ Flattery is a feature of absolute government, and repetition of the court's own messages was in the interests of both emperor and panegyrist; for the emperor, it placed his own words in the mouth of another, thus confirming their authenticity; for the orator it placed him before a crowd of important men and gave him the opportunity to say the right things.

A final question is to ask to whom the panegyrics were speaking. Another argument against the idea that the panegyrics contained any value as tools of propaganda is that their audiences were so small and, indeed, were made up of people not in need of the kind of reinforcement that propaganda gives; they were members of the court circle and so familiar with the messages in imperial propaganda. Again, this viewpoint has certain

⁸⁵ Nixon, 'Constantinus Oriens Imperator', 229-46.

⁸⁶ Mause, *Die Darstellung des Kaisers*, 43ff.

appealing qualities; at face value, its contentions on both the size and the composition of panegyric audiences seem strongly persuasive. But we are falling into the trap of assuming that the audience of a panegyric went no further than the walls of the room in which it was (once, and once only) delivered. This is far from the case. Nixon reminds us that panegyrics, so often delivered by teachers and professors of rhetoric, would be used as style models in the schools by the men who produced them.⁸⁷ The *Pan. Lat.* collection itself was very probably put together for exactly this reason. The pupils thus exposed to panegyric material were the sons of powerful men across the Empire, and would themselves go on to be the politicians and bureaucrats of the successive generation. Mause also reminds us that literate men were in close contact with one another across the Empire. Professors would share, with colleagues in their region or even across the Roman world, exemplary speeches that they had either produced themselves or had come upon in some other fashion. Again, these were prized as style models from which material could be culled. This latter group might then be expected to widen the audience still further by using particular speeches, received from friends and colleagues, as part of their own teaching. The *direct* audience of individual speeches, therefore, was potentially large, even if confined to a political and educational elite.⁸⁸

If this educational elite did not need to be told the political messages that they were fed through panegyric, that did not stop them hearing them. Indeed, given the probable number of panegyrics that would be delivered, any individual travelling with the court would doubtless hear central themes endlessly repeated, day after day, week after week, month after month. Repetition has enormous value, engraining messages into the minds of those who heard them. Through constant repetition, messages could be expected to diffuse beyond the direct audiences. Confronted with these iterative messages, the central themes

⁸⁷ Above, n. 57.

⁸⁸ Mause, *Die Darstellung des Kaisers*, 60.

of speeches delivered to the small, elite circle of the court would begin, via the institutional hierarchies beneath each and every ‘great man’, to filter downwards, as he discussed with his subordinates what he had heard. Army officers and bureaucrats, after all, talk to one another.⁸⁹

The idea that presenting propaganda messages to members of the court is a politically meaningless activity is fallacious. Firstly, proximity to the centre does not remove the necessity to communicate propaganda. Indeed, it was precisely the rich and powerful individuals of the political elite that were the most important receptors of political messages. Importantly, a man at court would not usually be a man at court his whole life. High level bureaucrats would go into comfortable retirements in their native lands as rich and influential landowners, or be sent out as governors of provinces and trusted administrators in regions beyond the emperor’s immediate influence. Powerful generals would move to take up command of equally powerful field armies and military forces that could rival the emperor’s own. The continued loyalty of these men to the court’s message – whatever that might be – was a matter whose importance cannot be understated. Emperors needed the men who stood beside them listening to endless panegyrics one year to be the men out in the provinces repeating the central tenets of those panegyrics to their subordinates the next.⁹⁰

We find ourselves, therefore, at a unique moment in history. By the 280s, the political chaos of the preceding decades was beginning to calm. But the developments of three centuries of imperial history, outlined in the first section of this introduction, could not, without time and great difficulty, be undone. As the third century marched onwards towards the fourth, the new imperial regimes that came to power had to contend with the fact that they could never count their position secure, that every powerful subordinate with

⁸⁹ Lenski, *Failure of Empire*, 68ff., for instance, stresses the dependence of later historians on Themistius’ *Or. VII* (and imagined others like it) in their construction of narratives for the usurpation of Procopius.

⁹⁰ Cf. MacMullen, ‘How to Revolt in the Roman Empire’, 200-1.

an army at his command was a potential emperor, and that the legitimacy of their own power was something which needed constant reassertion. In the panegyrics, we have a unique body of sources, a window on the historical processes that made one man an emperor and another a tyrant.

I

The First Tetrarchy

It has been stated, and rightly, that stability did not magically return to the Empire in 284. The commencement of the reign of Diocletian is a convenient moment to mark a transition from chaos to ‘The Later Empire’, but it remains the case that Diocletian’s predecessors, in particular Probus and Aurelian, had already done much to reform an overworked imperial system and to address the military and administrative problems facing the Empire.⁹¹ Diocletian’s greatest achievement, the reason that he ruled the Empire for twenty years and died a peaceful death on his own estate, was to address the crisis of legitimacy that emperors had faced in the third century. Diocletian’s tetrarchy underpinned its military successes, its economic reordering, and its provincial restructuring with a persuasive and wide-reaching new language of legitimacy, based around the idea of the imperial college.⁹² Diocletian and his court had clearly learnt the lesson that fifty years of purple bloodshed had to teach, that no emperor could rule unless his officials and his armies accepted his right to do so. This chapter begins our consideration of usurpers in panegyric, and looks at how the tetrarchy created a language of legitimacy that defined the emperors as members of a club, the entry to which was strictly invite only.

⁹¹ D. S. Potter, *The Roman Empire at Bay, AD 180-395* (London; New York: Routledge, 2004), 268ff.

⁹² For each of these, see relevant sections in R. Rees *Diocletian and the Tetrarchy* (Edinburgh: Edinburgh University Press, 2004).

Us and them: the British Empire under Carausius and Allectus

The beginning of Diocletian's reign can hardly have filled contemporaries with confidence that the tide was beginning to change. An unmarked nobody from common stock, he had, with the support of a disgruntled army returning from campaign, publicly murdered a relation by marriage of the ruling house in order to take power. Though his victory over Carinus gave him *de facto* power over the entire Empire, *de facto* emperors had come and gone. When one of Diocletian's own generals, the naval commander Carausius, rebelled against him in 286, only a year after Carinus' defeat, there would have been little cause to believe that anything had truly changed.

Chronology is far harder to establish than we would like, but a basic framework can be laid out. Maximian had been created emperor by Diocletian, being made first Caesar and then Augustus. It is generally believed that he took the former title in 285 (with possible dates ranging from April to December and even, by some estimates, into the following year) and the latter in the spring of 286.⁹³ Maximian's initial objective seems to have been the suppression of unrest on the Roman side of the Rhine; he campaigned against the Bagaudae in 285-6 and suppressed this rebellious group with apparent ease. Military necessity then drew him south, to fight against the Alamanni, but the lower Rhine was still far from settled. Maximian left behind a subordinate, Carausius, who was given control of the Rhine fleets and charged with the clearing of the Channel and the pacification of the stretch of coastline that would later be known as the Saxon Shore.

We know exceedingly little of Carausius' personal history. Aurelius Victor tells us he was a citizen of Menapia, a region between the Scheldt and Meuse rivers, who was

⁹³ F. Kolb, *Diocletian und die erste Tetrarchie: Improvisation oder Experiment in der Organisation monarchischer Herrschaft?* (Untersuchungen zur antiken Literatur und Geschichte 27; Berlin and New York: Walter de Gruyter, 1987), 24-5, gives a summary of the range of dates offered by scholars.

possessed of a distinguished military record and a particular skill with ships.⁹⁴ Eutropius confirms Carausius' military reputation, earned despite humble origins.⁹⁵ What little we know of him, therefore, suggests that Carausius was a good choice for the role Maximian had assigned him. But it appears that the situation quickly turned sour. The accusation levelled against Carausius by the sources was that he was allowing Frankish raiders to land and to pillage the provincials, only intercepting them as they made for their bases east of the Rhine; he would descend on the Frankish vessels, now rich with plunder, and capture them, keeping the plunder for himself and thereby enriching himself at the expense of the people he was supposed to be protecting. It is impossible for us to know whether or not these accusations had any truth in them, but Maximian clearly believed them and ordered Carausius' death. His life now forfeit, Carausius followed the pattern that several generations of generals had set for him and declared himself emperor.⁹⁶ Armies in Gaul and Britain declared their allegiance to him.

This was a serious crisis for the new dyarchy. Perhaps twelve months had passed since Carinus' defeat. Though Carausius, as yet, commanded a numerically inferior army in the mostly northerly provinces of the Empire, that support might grow. Furthermore, although a swift response was needed, the Rhine was still in foment and Maximian was forced to campaign upon the German side in 287.⁹⁷ It seems likely, therefore, that the first action against Carausius was taken in 288, a campaign described by *Pan. Lat. X* as pushing

⁹⁴ Aur. Vict., *de Caes.* 39.20.

⁹⁵ Eutr., IX.21. Low beginning no longer provided a barrier for a successful military career; the violence of the third century had created a world in which talented soldiers would rise to the highest positions (Diocletian and Maximian were both just such; S. Williams, *Diocletian and the Roman Recovery* (London: B. T. Batsford, 1985), 25).

⁹⁶ Evidence for the date of these events can be variously cited for the years 286 and 287; P. J. Casey, *Carausius and Allectus: The British Usurpers* (London: Batsford, 1994), 39-43 suggests a solution for this problem which sees Carausius taking power in Gaul in mid-286 but the revolt not spreading more widely (in particular, to include Britain) until 287. See also B. Leadbetter, *Galerius and The Will of Diocletian* (London: Routledge, 2009), 59.

⁹⁷ Barnes, 'Imperial Campaigns, A.D. 285-311', *Phoenix* 30:2 (1976), 178.

Carausius back as far as the Channel.⁹⁸ The second stage of the war, confidently looked forward to by *Pan. Lat. X* but not yet undertaken at the time of delivery (spring 289), was the preparation of large fleets on a number of rivers leading to the “Ocean”.⁹⁹ But the utter silence of *Pan. Lat. XI* (summer 291) concerning this naval campaign shows that it must have been a failure; indeed, it must have been a very serious failure, for no further action appears to have been taken against Carausius until 293. This failed campaign in the Channel must have been launched, at the latest, by 290, following which an uneasy ceasefire was clearly concluded between Carausius and the dyarchs.¹⁰⁰ Carausius appears to have treated this as a far more permanent arrangement than the Maximian and Diocletian, famously minting a coin issue bearing the heads of all three emperors and the inscription *CARAVSIVS ET FRATRES SVI*, which advertised to all who cared to look that Carausius, Maximian, and Diocletian were now a three-part college.¹⁰¹

No such gestures were extended to Carausius by the dyarchs, who made a show of unity by meeting together at Milan in the winter of 290/1. Maximian’s recent defeat must have been one of the prime motivating factors – if not *the* prime motivating factor – behind this meeting, which allowed the tetrarchs to publicly reassert their dyarchic relationship. A discussion concerning a second tier to the dyarchy was almost certainly held.¹⁰² Though the full tetrarchic system took some time to be decided upon, its genesis can be traced to Milan and, indeed, to the problem created by Carausius.¹⁰³ As we will see, the failure of

⁹⁸ *Pan. Lat. X.11.7*. The events of *Pan. Lat. VIII.6ff.* make clear, however, that at the very least Carausius held on to Boulogne and its hinterland (though it has also been claimed that Bolougne was regained after Maximian’s failed invasion of Britain: A. R. Birley, *The Roman Government of Britain* (Oxford: Oxford University Press, 2005), 375).

⁹⁹ *Pan. Lat. X.12ff.*

¹⁰⁰ Eutr., IX.22; Aur. Vict., *de Caes.* 39.39, strikingly suggests that Diocletian and Maximian granted Britain to Carausius, and that it was only the latter’s murder that brought the dyarchs into war again with the British Empire, but this stands in contradiction to all other evidence we possess.

¹⁰¹ For this and other issues by Carausius, see Rees, *Diocletian*, 82.

¹⁰² Kolb, *Diocletian*, 70ff.

¹⁰³ B. Leadbetter, ‘The Illegitimacy of Constantine and the Birth of the Tetrarchy’, in S. N. C. Lieu and D. Monserrat (eds.), *Constantine: History, historiography and legend* (New York; London: Routledge, 1998),

Maximian's expedition had caused a serious crisis in the dyarchy, wounding its prestige. Junior emperors presented the possibility for military failure that left the Augusti untainted.¹⁰⁴ Thus, on 1st March 293, Constantius was proclaimed Caesar and he inaugurated his new reign with a march on Carausius' position at Bolougne. The city was taken in a siege which saw the mouth of the harbour blockaded with piles.¹⁰⁵ The fall of Boulogne appears to have ended Carausius' hold on the continent. It also appears to have ended his hold on his own court, and the orator of *Pan. Lat.* VIII connects the fall of Boulogne with Carausius' death at the hands of one of his own adherents, often identified with Allectus, the man who succeeded him. His death appears to have occurred in the late spring of 393.¹⁰⁶

At any rate, the barrier provided by the Channel earned Allectus three years on the throne of a British Empire, now totally confined to its eponymous island, whilst Constantius built a new fleet. This set sail in the spring of 296, apparently in two main detachments.¹⁰⁷ The details of what follows are not entirely clear, but essential facts can be reconstructed. The detachment under Constantius departed from Boulogne whilst another, under the command of the praetorian prefect Julius Asclepiodotus followed from the mouth of the Seine, some 100 miles west and south. Departing with his fleet appears to have been the limit of Constantius' involvement in the campaign; nothing more is said of his part until the triumphal arrival in London and we can be certain that, if he had been involved in the fighting, it would have been reported by the panegyrist.¹⁰⁸ Meanwhile, heavy mists around the Isle of Wight allowed Asclepiodotus' forces to bypass a waiting

74-8. Leadbetter, it should be noted, believes that arrangements were already being made for the tetrarchy when Diocletian and Maximian met in the spring of 288.

¹⁰⁴ This sense of the Caesar as a 'fall guy' may be the source of the story that Galerius was forced to walk before Diocletian's chariot after his defeat in Persia (Amm., XIV.11.10; Eutr., IX.24).

¹⁰⁵ *Pan. Lat.* VIII.6.2.

¹⁰⁶ Casey, *Carausius and Allectus*, 42.

¹⁰⁷ For the dating of the final campaign, see Nixon-Rodgers, 105-6, with notes.

¹⁰⁸ It has been proposed (Williams, *Diocletian*, 73) that this was actually entirely in keeping with a pre-set plan; Constantius' fleet was merely a decoy, to draw Allectus' forces east, whilst the real assault came from the south, under Asclepiodotus (perhaps confirmed by *Pan. Lat.* VIII.15.5-6?).

ambush. They landed, unopposed, presumably on the south coast, and marched towards London. Constantius' feint, if feint it was, appears to have worked; Allectus realised too late that the southern force was the main one and appears to have doubled back to face it. His army was caught out of position and routed, he himself dying in the battle. Constantius marched on London and massacred the garrison there. The war was won.¹⁰⁹

Three panegyrics relate to the rebellion of Carausius and the so-called British Empire: *Pan. Lat.* X, XI, and VIII (in chronological order). It is generally accepted that *Pan. Lat.* X and XI were composed by the same author, one Mamertinus, a Gallic rhetor who is otherwise unknown.¹¹⁰ There are both stylistic and manuscript reasons to believe this to be the case and (though it makes little difference to the present discussion) it will be assumed that this is indeed true.¹¹¹ As for date and location, *Pan. Lat.* X makes clear that it was delivered in a city close to the Rhine frontier; the implied scale of the city and of the celebrations held there, as well as common sense and prolonged imperial residence, leave little doubt that the city in question was Trier.¹¹² As for its date, it can be reliably attributed to 21st April, the traditional date of Rome's birthday.¹¹³ The year of composition, however, proves slightly more difficult, though by process of elimination it can be whittled down to either 288 or 289, the latter date tending to find favour with historians (and being assumed here).¹¹⁴ For *Pan. Lat.* XI, by contrast, the year is undisputed (291), but the exact day and month are unclear. Again, debate ranges, but it

¹⁰⁹ *Pan. Lat.* VIII.14.3ff.

¹¹⁰ He is *not* the same Mamertinus as delivered *Pan. Lat.* III over seventy years later.

¹¹¹ The best consideration of these two texts is Rees, *Layers of Loyalty*, 193-204. The similarities are striking enough that it is very hard not to believe that, if the author is not the same in each case, then at the very least the author of the 291 speech must have had the 289 before him as a style model. It may also be said that the 291 panegyrist had certainly addressed Maximian on a previous occasion (5.1), and the description of the kind of speech delivered would certainly fit with *Pan. Lat.* X. Finally, the manuscript evidence (summarised by Galletier, I, xviii-xix) would appear to make the case conclusive.

¹¹² For imperial residences, see T. D. Barnes, *The New Empire of Diocletian and Constantine* (Cambridge, Mass.; London: Harvard University Press, 1982), 56 (with n. 45), 60-1.

¹¹³ *Pan. Lat.* X.1.4

¹¹⁴ The speech must post-date Maximian's first consulship in 287, which occurred in *ille annus* (7.1; i.e. at least one year previously), whilst it must likewise pre-date Diocletian's Sarmatian campaign (290), about which it makes no mention; cf. Galletier, I, 8-9.

seems that most scholars are happy with a date on or around 21st July 291, a day considered to be the joint ‘birthday’ of Diocletian and Maximian, being the date on which they adopted their religious *cognomena*.¹¹⁵ Trier is, again, the most probable location for the speech.

Pan. Lat. VIII, however, is the product of an anonymous writer. Paradoxically, his speech gives us far more insight into his life than can be gleaned of Mamertinus, of whom we know little beyond his name. The author was clearly a onetime professor of rhetoric before he received employment within the imperial government.¹¹⁶ He seems to refer, early in the panegyric, to a speech that he delivered to Maximian in the years before Constantius’ elevation as Caesar.¹¹⁷ This speech, *qui me in lucem primus eduxit*, appears to have been the result of an already established connection with Constantius, and likewise seems to have launched his career in the Western court. He clearly accompanied Constantius on a German campaign (or campaigns?) across the Rhine, prior to the latter’s elevation.¹¹⁸ The immediate context of this panegyric would seem to be Constantius’ quinquennalia (1st March 297), which would again make Trier the likely location for this speech.¹¹⁹

Given the importance of the first tetrarchy to the history of the later Empire, it is frustrating, for our purposes, that we possess panegyrics relating to only one of the number of usurpations that the tetrarchs faced. Nevertheless, the tetrarchic panegyrics do have

¹¹⁵ Galletier, I, 9-11; Nixon-Rodgers, 81, n. 2, also suggest an emendation to the Latin text following MS H, substituting *genuinus* for *geminus* at 1.1, 2.2, 19.1, and 19.3, arguing that this gives a much easier reading for the idea of a birthday. The consensus on this date is not universal, however. Barnes, for instance, (‘Imperial Campaigns, A.D. 285-311’, *Phoenix* 30:2 (1976), 177) dates the panegyric to Diocletian’s birthday on 22nd December.

¹¹⁶ *Pan. Lat.* VIII.1.2, 4: *cum in cotidiana illa instituendae iuventutis exercitatione versarer; sed [et] cum et me[ro] illo vetere curriculo aut inter adyta Palatii vestri alia quaedam sermonis arcani ratio demoverit...*

¹¹⁷ *Pan. Lat.* VIII.1.5.

¹¹⁸ *Pan. Lat.* VIII.2.1; this invasion may have been Maximian’s campaign of 289 (cf. Galletier, I, 72; Nixon-Rodgers, 110, n. 6).

¹¹⁹ The date 1st March is given explicitly by the panegyric (3.1). The year may be concluded from the fact that Allectus’ defeat is discussed as only recently concluded, and therefore the speech must be in the spring following the 296 campaigning season.

certain features which recommend them. Most importantly, there are three of them; they cover a period from the early days of the usurpation, into the cold war period of the early 290s, to its eventual suppression; they were delivered to two different emperors (X and XI to Maximian Augustus, VIII to Constantius Caesar); and *Pan. Lat. X* is thus also a rare example of a panegyric addressing a usurpation that was still in progress.¹²⁰ This range gives us a chance to see an evolving programme that responded to changing circumstances. It is also clear, as will be shown, that these panegyrics fit neatly into the new idiom of the tetrarchy, and conform to the tetrarchs wider scheme of self-presentation. Would a panegyric delivered, say, to Diocletian in 298, following the fall of Alexandria and the death of Aurelius Achilleus, substantially change this picture? Such is impossible to say, but what follows is an attempt to show that the evidence we *do* have from the British usurpers shows a rhetorical programme in keeping with the wider tetrarchic emphasis on collegiality and that, therefore, we should expect that that which we do *not* have would fit likewise.

Given the evolving programme, the best way to treat the speeches is in a chronological order, beginning first with *Pan. Lat. X*. The speech opens with an introduction uniting the themes of the emperor and the birthday of Rome through the claim that Maximian and Diocletian were, in a sense, founders of the Empire thanks to their restoration of its glory (1).¹²¹ There follows a brief account of Maximian's heritage, both as a Pannonian soldier and as the divine Hercules, and of his shouldering the burden of rule (2-3). The labours of the emperor are then enumerated, cast against the backdrop of Hercules aiding Jupiter; first

¹²⁰ There are other panegyrics that fall into this category, but, as we shall see, none of them tackle the usurpations with which they deal as directly as *Pan. Lat. X*. *Pan. Lat. XI* will be discussed below. As for Them., *Or. I*, which it will be argued was given in 350 after the death of Constans and the usurpations of Magnentius and Vetranio, and his *Orationes XVII, XVIII, XIX*, which were given after Magnus Maximus had taken power but before his final suppression, it is the avoidance of the theme of usurpation that is striking, not its consideration.

¹²¹ *revera enim, sacratissime imperator, merito quiuis te tuumque fratrem Romani imperii dixerit conditores: estis enim, quod est proximum, restitutores et, sit licet hic illi urbi natalis dies, quod pertineat ad originem populi Romani, vestri imperii primi dies sunt principes ad salutem* (1.5).

the suppression of the *bagaudae* in Gaul, then the defeat of Germanic tribes ravaging the region, then a crossing of the Rhine into German territory (4-8).¹²² It is then briefly mentioned that Diocletian crossed the Danube, thus allowing Mamertinus to declare the unity of the two emperors and the harmony of the Empire under them (9-11). There then follows a dire warning to *ille pirata*, Carausius. Having mentioned a victory on the shores of the Ocean, Mamertinus describes the construction of a great fleet, aided by the elements (of which the divine emperor is master), and predicts the fall of the pirate (12). His conclusion then reunites the themes of Rome's greatness and the harmony of the emperors, looking forward to the days of peace to come and to the return of the emperors to Rome. He reminds Maximian, however, not to forget Trier when that day comes, and to return again (13-14).

The whole tone of the piece is unashamedly triumphal. As we have mentioned, the rebellion of Carausius would have struck contemporaries not (as it is now treated by historians) as a hiccup in the early days of a glorious and long-lasting dynasty, but as yet another page in the endless story of power struggle and imperial competition. Mamertinus' job was to show that this was not the case, and he rose laudably to the task.

As can be seen from the summary above, the tone of *Pan. Lat. X* was one of confident victory. Mamertinus provides his own summary of what will follow in his opening chapter: "In truth, most sacred emperor, one might justly call you and your brother founders of the Roman Empire: for you are, which is nearly the same thing, its restorers (*restitutores*) and, though it is the birthday of that city, which marks the origin of the Roman people, the first days of your rule (*vestrum imperium*) mark the origin of its salvation."¹²³ The campaigns of the emperors, which Mamertinus will go on to discuss (with particular emphasis on the efforts of Maximian in Gaul and across the Rhine), have,

¹²² For the German campaigns, see Barnes, 'Imperial Campaigns', 178.

¹²³ *Pan. Lat. X.1.5*.

in a manner of speaking, re-founded the Empire. Mamertinus then continues that, on this account (*quare*), it is well and proper that, just as the people of Rome venerate Hercules in his temples, they “who are gazing upon you, a god manifest, victor over the whole world”, should also do proper reverence to Maximian. The reason for this is that Maximian is not simply *deus* and *victor*, but, “now, at this very moment, suppressing in that same western region, not the disfigured three-headed shepherd, but a far more terrible monster” (*non pastorem trino capite deformem, sed prodigium multo taetrius opprimens*).¹²⁴ The “far more terrible monster”, of course, was Carausius. Mamertinus confident present participle, *opprimens*, anticipated the usurper’s fall. He bolsters this confident prediction, in what follows, by the enumeration of Maximus’s victories in the West.

The victory narrative, as we have seen, then runs to roughly the centre-point of the speech. Following this, Mamertinus speaks of the unity of the Empire, expounding the important doctrine that two emperors nonetheless ruled the world with one will:

Your harmony (*vestra concordia*), all-conquering emperors, brings it about that even Fortune responds to you with such a symmetry of successes. You rule the republic with one mind; nor does so great a separation of space stop you from governing, as it were, with your right hands joined. Thus, though you increase your royal majesty with your twinned divinity (*geminatum numen*), by your harmony (*consentiendo*) you retain the advantage of a single Empire.¹²⁵

Just as their divine progenitors, Jupiter, *rector caeli*, and Hercules, *pacator terrarum*, share the guardianship of the world, so Diocletian creates the initiatives and Maximian carries them through.¹²⁶ Thus, through the *fortuna* and *felicitas* of the emperors, it has come about that, “your soldiers have reached as far as the Ocean, and already the receding waves

¹²⁴ *Pan. Lat.* X.2.1. The *pastor trino capite deformis* is the giant Geryon (*cf.* Apoll., *Bib.*, II.5.10).

¹²⁵ *Pan. Lat.* X.11.1-2.

¹²⁶ *Pan. Lat.* X.11.6; the translation here is difficult; the *Teubner* edition of the text prints *Diocletianus facem, tu tribuis effectum*, offering the emendation *facit* for *facem*. Galletier, I, 34, translates, “c’est Dioclétien qui prend les initiatives, et c’est toi qui réalises.” Nixon-Rodgers, 71, follow this, with “Diocletian makes the decisions, and you carry them out,” though they admit themselves somewhat perplexed in the footnote (n. 40).

have drunk up the blood of enemies slain upon that shore” (*iam caesorum in illo litore hostium sanguinem reciproci fluctus sorbuerunt*).

The speech now enters its final phase. After considering the victories of the emperors (4-8) and the unity of the Empire (9-11), Mamertinus draws his final theme, the promise of the ultimate victory against the pirate. The first part of this passage is worth quoting in full:

In what mind is that pirate (*ille pirata*) now, when he sees your armies have almost entered that narrow sea which has thus far delayed his death and, forgetful of their ships, have pursued the retreating sea where it falls before them? What more remote island, what other Ocean can he now hope to find for himself? By what bargain can he escape the punishment he owes the Republic, unless he is swallowed into the earth or cast by a whirlwind onto some remote rock?¹²⁷

The most obvious point, first of all, is that this presented a very clear message to Carausius’ court. This language, diminutive and contemptuous, almost comic in its presentation of the cornered emperor trapped at the edge of the world and looking for somewhere further to flee to, was the language of open conflict. No emperor, wishing peace with another, could afford to have him maligned in such a fashion before the court; this panegyric therefore sent a clear message to Carausius that he was forever an enemy of the dyarchs, that the war against him would be seen to its conclusion.

More important, of course, is the place of this passage within the story of the evolving dyarchic/tetrarchic ideology. Mamertinus’ Carausius stood beyond the college. The emperors had been defined as brothers, a unified pairing capable of ruling the world with a united mind. There existed no place in this world for a third emperor, an emperor lacking divine patronage and not sharing in the fraternity of Diocletian and Maximian. Indeed, Carausius was *not* an emperor. The language levelled against him is not the language of

¹²⁷ *Pan. Lat.* X.12.1-2.

tyranny but of criminality. He is merely *ille pirata*, the war against him nothing more than a simple *res maritima*. Mamertinus fails even to acknowledge that the enemy had made claim to imperial title, or that he was in possession of Roman territory. Though he can look forward to the moment when “the security of the whole world has been re-established,” there is no sense of any impending threat from Carausius.¹²⁸ Indeed, it is treated as quite in keeping with the divinity of Hercules Maximian that he should suppress piratical uprisings.¹²⁹

As well as lacking the imperial title, Carausius clearly lacks the favour of the gods. Mamertinus demonstrated this in two ways. Firstly he showed that the dyarchs were aided by the elements. Across the winter of 288/9, when Maximian was building the fleets that he would use to assail Carausius’ position, a strikingly mild winter allowed construction crews to work throughout the cold season.¹³⁰ But when spring came, and it was time to set the ships on water, the depleted rivers were suddenly replenished by a great rush of heavy rains, so that the ships hardly needed any impetus at all to move along the swollen waters. “One can thus easily see, emperor,” says Mamertinus, “what fortunate successes are going to meet you in this maritime business, given that such opportunity of the weather yields thus to you.”¹³¹ Not only the political order, but the very natural order itself were stacked against this pirate.

But the promised campaign against Carausius must have been a failure. In 291, therefore, Mamertinus’ second panegyric was thus cast against a very undesirable backdrop. The British Empire was still there, and for perhaps the first time in their

¹²⁸ *Pan. Lat.* X.14.4; this point might even be strengthened further by point out that the ablative absolute (*cum vos totius orbis securitate composita illa imperii vestri mater acceperit*), whilst paired with a future perfect in *acceperit*, could be taken as referring to an action already completed from the point of view of the speaker (i.e. the world has already be restored, though the emperors have yet to return to Rome); though it should be noted that neither Nixon-Rodgers, 75 nor Galletier, I, 37, translates it this way.

¹²⁹ *Pan. Lat.* X.13.5.

¹³⁰ *Pan. Lat.* X.12.5: *hiems ipsa temperiem veris imitata est. iam non septentrioni nos putavimus subiacere, sed quasi translatis sideribus aut terris meridiani caeli clementiam sensimus.*

¹³¹ *Pan. Lat.* X.12.8.

strikingly successful reign, the tetrarchs had been defeated in a military campaign. It was a significant blow to their prestige. *Pan. Lat.* XI bears the imprint of this uncomfortable fact.

The speech begins with one of the stranger introductions in the panegyric corpus; Mamertinus tells us that he was disappointed not to have been able to deliver a speech on the occasion of Maximian's quinquennalia but that he will, in time, give it at his decennalia (1). Mamertinus addresses the theme of perpetual motion; Diocletian and Maximian move tirelessly through the Empire and in both a real and in a figurative sense, are present everywhere (3-4). Though their victories are given in brief summary (5), the theme of this speech would not be military success. Rather, we are given an extended discourse on the virtues of the emperors, first *pietas* (6-12) and then *felicitas* (13-18). The conclusion reminds us that the *pietas* and *felicitas* of the emperors will preserve their Empire (19).

Mamertinus' choice of theme is striking. He specifically and explicitly opts to exclude from his speech the numerous achievements of the tetrarchs in war. "Many men of the highest eloquence" have, Mamertinus says, spoken of Maximian's "victories and deeds in war;" Mamertinus himself had the honour of doing so at one point.¹³² But on this day, he continues, he will speak of only two things most appropriate to the occasion (*aptissimae*), and begs forgiveness for silence on the rest (*de ceteris veniam silentii petam*).¹³³ Like any good panegyrist, Mamertinus eats his cake and has it too, of course, and there follows a summary of the military successes under the dyarchs. But even so, he returns to his original assertion: "I will show that there are other, greater things (*alia maiora*) among your praises."¹³⁴ The suppression of military virtue in favour of more pacific qualities, however, was little more than an orator's trope, shorthand for an awareness of some

¹³² See n. 111.

¹³³ *Pan. Lat.* XI.5.1-2; the *duae res* are *pietas* and *felicitas* (6.1).

¹³⁴ *Pan. Lat.* XI.5.3-4.

embarrassment or failure in the recent past.¹³⁵ The theme of military success, despite being an area in which the dyarchs had built up a considerable corpus of successes, was no longer a safe topic in light of the obvious failure of the campaign against Carausius' British and continental territories. If Mamertinus had chosen to compose a speech that dwelt upon the military glories of the dyarchs then he would be forced either to attempt to explain an embarrassing defeat, or else to leave an equally embarrassing blank in the narrative of his rulers' campaigns. Neither of these appears to have been considered a viable option. Further, if we look at what Mamertinus *did* choose to speak about and name as his *alia maiora*, we can see clearly the weight of that embarrassment.

Mamertinus groups the main matter of his speech under two headings, *pietas* and *felicitas*. But whilst these headings may give Mamertinus his structure, the entire speech may be seen as one long plea for the harmony, the indivisibility, and the permanence of these two emperors. Beneath the banner of both *felicitas* and *pietas*, Mamertinus concentrates his efforts upon the divinity, the omnipresence, and, above all, the abiding personal harmony of the two emperors. This begins almost from the commencement of the speech: "For we realise why you would never wish to take the ease of leisure. For surely that heavenly founder, or rather parent, of your family would not allow this. For first of all, whatever is immortal does not know how to come to rest, and eternity protects itself with perpetual motion."¹³⁶ Certainly, Mamertinus was well within his rights to comment on the energy of the dyarchs; Roger Rees has famously calculated that, in 290, Diocletian travelled an astounding *c.* 3,500 miles, averaging some 10 miles per day.¹³⁷ But this perpetual movement, which Mamertinus connects from the first with the divinity of the emperors, actually amounted to a virtual omnipresence of the emperors within their

¹³⁵ E.g. Them., *Or.* X.130d ff.

¹³⁶ *Pan. Lat.* XI.3.1-2; the remainder of the passage continues to expound the theme of divine motion, drawing examples for both Jupiter and Hercules.

¹³⁷ Rees, *Layers of Loyalty*, 1.

territory. After first listing the various regions of the Empire that have seen the emperors, concluding with the first mention of the sudden (*repente*) arrival in Italy, Mamertinus says that, “Thus, all your provinces, through which you pass with divine speed, do not know where you will be next; yet they do know you have conquered everywhere.”¹³⁸ Later he claims, “And nor does any part of the territory of your majesties lack your presence, even if you yourselves seem to be absent.”¹³⁹ Finally, and most strikingly, after proclaiming that “everything is filled with Jupiter,” and that the mind of Jupiter spreads throughout the entire world, Mamertinus tells his audience, “This I now dare to proclaim of you both, that, wherever you are, even if you retire to a single palace, your divinity (*divinitas vestra*) abides everywhere; all the earth and every sea is filled with you (*plenus vestri*). For what wonder is it if, since everything can be filled with Jupiter, everything can be filled with Hercules too?”¹⁴⁰

Part of the reason that Mamertinus talked about the emperors’ omnipresence, of course, was that both Maximian and Diocletian had, in the winter of 290/1, withdrawn from the frontiers to meet together in Milan. The meeting in Milan is particularly stressed, and the central portion of the speech is broadly devoted to describing this event.¹⁴¹ Mamertinus certainly uses the event to great effect; some of the most famous passages from the panegyric collections may be found here; the imagined crowd asking, “ ‘Do you see Diocletian? Do you see Maximian? They are both here, they are both together! How close they sit! How amicably they speak to one another! How swiftly they go by!’ ”, is as

¹³⁸ *Pan. Lat.* XI.4 (quote at 4).

¹³⁹ *Pan. Lat.* XI.13.5.

¹⁴⁰ *Pan. Lat.* XI.14.4.

¹⁴¹ *Pan. Lat.* XI.8-13. For the visit to Milan, see Williams, *Diocletian*, 56-60.

familiar a trope of modern discussion on the triumph as is Ammianus' stiff necked Constantius.¹⁴²

A number of important rhetorical devices were employed by Mamertinus in his description of the Milanese visit. In the first place, just as he had done in 289 and just as the author of *Pan. Lat.* VIII would do in 297,¹⁴³ Mamertinus demonstrated the subservience of the elements to the will of the emperors. He marvels at the swiftness with which the dyarchs came together, faster than any boat or ship could travel: "It was a divine speed by which you came suddenly to the same region from the opposite boundaries of the sun." They outstripped the report of their arrival and even all but a very few of their companions who were able to keep up with them.¹⁴⁴ But it is not merely the speed of the emperors that demands comment; the conditions in which the journey was achieved were those of an unusually savage winter (*hiems saevissima*) in which the snow and ice weighed down upon the earth "when sky and earth were as one" (*cum... caelo pariter ac terris uniformibus*).¹⁴⁵ For the emperors, however, who both had to make the tricky crossing of the Alps, this proved no problem, for, "with the mists drawn back and the rays of sun directed to your path, fair winds and spring-like breezes followed you alone; with such ease you overcame things which were then unapproachable to others and you crossed from one direction the Julian, from the other the Cottian Alps, as if they were sands of open shores, left by the tide."¹⁴⁶ This crossing merited (favourable) comparison with that of Hannibal, though that of the emperors met with the favour of men and gods.¹⁴⁷

¹⁴² *Pan. Lat.* XI.11.4; note that even the chiasmic word order stresses the closeness between the emperors: 'vides Diocletianum? Maximianum vides?' The passages on the Milanese visit also bear comparison with Pliny on the entry of Trajan into Rome (*Pan. Lat.* I.22).

¹⁴³ E.g. *Pan. Lat.* X.12.3-8; VIII.14.3-15.1.

¹⁴⁴ *Pan. Lat.* XI.8.3.

¹⁴⁵ *Pan. Lat.* XI.9.1.

¹⁴⁶ *Pan. Lat.* XI.9.2-3.

¹⁴⁷ *Pan. Lat.* XI.10.1-3.

Aside from the subjugation of the physical world to the emperors, the other great themes of the visit to Milan were the dual, divine presence of the emperors before the eyes of their subjects and the continued omnipresence of the emperors. As the latter has already been discussed, it only remains to show how Mamertinus drew the former before his audience.

The presence of the emperors was a powerful image. As the twin emperors cross into Italy:

...when first your deity shone forth from each peak of the Alps, when a clearer light spread over Italy, wonder and uncertainty seized all who looked up, whether gods were rising from the crests of those mountains, or descending from heaven, by these slopes, to the earth. But as came closer and closer they began to recognise you and every field overflowed, not with men only, but with flocks of animals running from remote fields and pastures in order to see you: farmers ran about amongst each other announcing what they saw, altars were lit, incense laid out, libations poured, sacrificial victims slain, everything glowed with joy, everything danced with the applause; praise and thanksgiving was sung to the immortal gods; they invoked not a god transmitted by belief, but visible and present Jupiter among them; they adored not a stranger, but Hercules, their emperor.¹⁴⁸

Mamertinus builds on this picture of a people rushing to meet its emperors by then casting the scene to the imperial palace where those admitted into the imperial presence were so bowled over by the dual emperors that they stood stupefied before the twinned godhead (*geminatum numen*) attempting to venerate both equally.¹⁴⁹ Beyond the palace walls, the amazed shouts of the crowd as the two emperors passed by in procession have already been quoted.¹⁵⁰ Combined with the language of omnipresence, this had a calculated effect. In the first place, Mamertinus' audience was reminded that the emperors were, in some mystical sense, *everywhere* within the Empire. Secondly, this colourful evocation of the great *adventus* into Milan drew a vivid picture of the emperors as present to one another

¹⁴⁸ *Pan. Lat.* XI.10.4-5.

¹⁴⁹ *Pan. Lat.* XI.11.1-2.

¹⁵⁰ See n. 142.

and sharing council with one another. Thirdly and finally, before the audience at Trier, this message served to reinforce the point that Diocletian was among them; for Maximian was very literally present on the occasion of this oration's delivery, sitting amongst the listeners. But a few months previously, he had been with Diocletian in Milan.

As a final point, it is particularly worthy of note that the theme of presence was cast against the backdrop of a highly personal harmony and affection between the dyarchs. This was not simply a meeting of rulers, but a meeting of *fratres*. Mamertinus claims:

But meanwhile, while I think on you daily talks, your right hands joined in every conversation, light-hearted or serious, the banquets passing with mutual gazes, this thought steals in on me, with what greatness of spirit you departed [Milan] in order to return to your armies and conquered your piety for the sake of the Republic! What then did you feel? How did you set your faces? How incapable were you of concealing the evidence of disturbance from your eyes? To be certain, you looked back often; this is no empty tale made up about you. You gave such signs because you will soon return to see each other.¹⁵¹

The relationship between the emperors, therefore, is a highly personal one. The language used to describe their meeting is almost romantic, the pain each feels at parting a sign of their commitment to Empire. A simple exercise in counting demonstrates the shifting emphasis on collegiality evidenced in *Pan. Lat. XI*; *Pan. Lat. X* sees the use of the second person singular personal pronoun, *tu* (and its variants), and the possessive adjective, *tuus*, a total of fifty three times, whilst *Pan. Lat. XI* sees them used only eight. By contrast, *Pan. Lat. X* uses the plural forms, *vos* and *vester*, some forty two times, whilst *Pan. Lat. XI* uses them on a staggering one hundred and twenty occasions. Given that both of these panegyrics were delivered to a single emperor they are both a striking reminder of the ideology of perpetual co-presence for the emperors and the undeniable emphasis on this point in *Pan. Lat. XI*, which sees the plural pronouns and adjectives used fifteen times

¹⁵¹ *Pan. Lat. XI*.12.3-5; likewise, 7.6-7.

more than the singular.¹⁵² Mamertinus showed the emperors drawing together, presenting a united front in a partnership of such closeness that no interloping third emperor could ever hope to come between them.

As a message in the wake of a pre-291 defeat, this must have had a strong resonance. Whilst unity and divinity had certainly played their part in his speech of 289, they had played second fiddle to victory and military power. Now the roles were reversed and the oneness of the two emperors was stressed. In the face of claims, on the part of Carausius, to a shared rule with the dyarchs,¹⁵³ Mamertinus' speech provided a clear rebuttal. There was no place in the world which Mamertinus described for an emperor in Britain. The explicit discussion of a twin godhead allowed no possibility of the peace, which now existed between the dyarchs and the British Empire, becoming a permanent arrangement.

It remains finally to be said that, though no direct mention is made of Carausius at any point, there are sections of the speech that brush on the rebellion. Mamertinus asserts that, in sharing one another's triumphs, Diocletian could revel in the "victories over the Rhine and the wars with the pirates (*bella piratica*) in which the Franks were suppressed."¹⁵⁴ Though Mamertinus could, with perfect legitimacy, claim that this was a reference to the Frankish victory of 288/9 or the naval campaigns undertaken against Frankish and Saxon pirates in 285/6,¹⁵⁵ the use of the adjective *piraticus* could not but suggest Carausius, who had been denounced as *ille pirata* in 289, and who would be so named again in *Pan. Lat.* VIII. The audience would be all too aware that it was Carausius that had commanded the latter of these two campaigns. Mamertinus could not afford to dwell on the subject for

¹⁵² For *tu/tuus*: *Pan. Lat.* X.1.1, 1.3-4, 2.1-7, 3.3, 4.1-3, 5.1-6.2, 6.4, 7.2, 7.6, 8.2-3, 8.6, 9.2-3, 10.4, 10.6, 11.4, 11.6, 12.6, 13.1-2, 13.5, 14.3-5; XI.1.1, 1.3, 3.6, 4.2, 5.1, 7.7, 15.1, 19.1. For *vos/vester*: X.1.1-2, 1.4-5, 2.4, 3.2-3, 4.2, 7.4-5, 9.2-10.1, 10.3, 11.1, 11.3-5, 11.7-12.1, 13.4, 14.1-2, 14.4; XI.1.1-2, 2.1-4, 3.2-3, 3.8, 4.1, 4.3-5, 6.1-7, 7.3-8.1, 8.3-5, 9.2, 9.5-10.1, 10.4, 11.1, 11.3-12.1, 12.3-14.3, 15.1, 15.3, 16.1, 17.4, 18.3-4, 19.3-4, 19.6. It should be noted that repeat uses within single passages are not indicated.

¹⁵³ See above, p. 46.

¹⁵⁴ *Pan. Lat.* XI.7.2.

¹⁵⁵ cf. Barnes, 'Imperial Campaigns', 178.

even a few lines, but a passing reference, such as this, had two benefits. In the first place, it served the association between the Frank and the pirate.¹⁵⁶ This was an association that would be further developed by *Pan. Lat.* VIII and would, by the early years of Constantine, appear to have become so successful an approach that an orator could speak of the suppression of Allectus purely in terms of a Frankish war.¹⁵⁷ Secondly, the clipped reference to concluded wars with the pirates may well have been intended as a dismissal of the British Empire. If his audience found reference to Carausius in Mamertinus' words, they would hear in their confident summary a dismissive attitude towards a war all but won.

Nixon and Rodgers observe that the silence of *Pan. Lat.* XI on the subject of the projected expedition against Britain shows that the expedition was a failure.¹⁵⁸ But we can go further than this. The whole tone of *Pan. Lat.* XI is one of consolation, of buoyed up enthusiasm for the system in the face of setback. The author apologises for choosing to pass quickly over the emperors' victories, thereby avoiding drawing attention to that which was not only unaccomplished, but had been tried and failed. Rather, he makes his focus the supreme and indivisible unity of the emperors, their joint divinity, and the love of their people for them. Unable to pronounce victory over the British Empire, Mamertinus instead proceeds to describe a world order in which the rebels have no place, to remind his audience of the proper state of things.

Between 291 and 297 a lot had changed. When the anonymous author of *Pan. Lat.* VIII spoke, his task was an eminently pleasant one, for the British Empire had finally been unmade and Britain was once again subject to the control of the dyarchs, their ranks now swollen to a tetrarchy by the addition of their junior Caesars. If Carausius had been a

¹⁵⁶ See also the claim that *sancte Iuppiter et Hercules bone, tandem bella civilia ad gentes illa[s] vesania dignas transtulistis omnemque illam rabiem extra terminos huius imperii in terras hostium distulistis* (*Pan. Lat.* XI.16.2).

¹⁵⁷ *Pan. Lat.* VII.4.2-4.

¹⁵⁸ Nixon-Rodgers, 79.

looming presence behind the rhetoric of *Pan. Lat.* X and XI and the formation of the ideology of the dyarchic college, then his successor Allectus was certainly the star of *Pan. Lat.* VIII, thrust to a central position within a speech which delighted in the final victory of the tetrarchs and the final submission of the world to their divine rule.

The speech begins with an introduction steeped in the confident tone of victory (1). After apologising for passing over important campaigns of Constantius, prior to his election as Caesar, the panegyrist evokes the shared birthday of the emperors, presumably the *dies imperii* of Constantius and Galerius (2-4). He then summarises the triumphs of the four emperors, reminding us that each enjoys the triumphs of the others (5). The following chapters then describe the coming of Constantius to Gaul and his assault upon Gesoriacum (Boulogne), the Continental stronghold of Carausius (6-7). Despite his activities against the usurper, however, Constantius continued to prosecute war against the Germans, capturing many prisoners, repopulating the deserted regions of the Roman lower Rhine and filling the towns of Gaul with slaves for sale (8-9). There then follows a historical digression on the chaos under Gallienus' reign (10). Next, Britain itself is introduced, and comparison is made between Julius Caesar, as the first conqueror of the land, and Constantius Caesar, as its recent pacifier (11). There then follows the account of the war against Britain, essentially occupying the entire second half of the speech (12-21). First, the orator describes the outbreak of the rebellion and the more recent death of Carausius at the hands of his own men (12). Next, we hear that Maximian came to Gaul to guard the Rhine whilst Constantius prepared to advance with the fleets (13). Constantius is then favourably compared to the emperors of old, who received the honours of wars fought by their generals, while they themselves remained in Rome; Constantius leads from the front (14). The fleets sail against Britain; an ambush by an enemy fleet is bypassed and a landing made; Allectus falls back before this landing (15). Allectus, now fleeing, is

ambushed by a second column, is defeated and killed (16). A body of Constantius' forces that appear to have become separated at sea make their way to London and massacre the Frankish garrison (17). If it had not been checked, the rebellion in Britain could have spread across the sea and laid low the entire Western Empire; Constantius has saved the West (18). The joy of a liberated Britain, and the triumphal reception of Constantius is then described (19). The section is concluded by the declaration that the Roman world is finally a reunited whole (20). Finally, the speech itself is concluded with the reminder that the deserted lands of the Empire have been repopulated through the numerous victories of the emperors across the Empire (21).

Two main themes come through clearly in the presentation of Carausius, Allectus, and the British rebellion in general: the criminal and the barbarian. Both placed the rebels beyond the boundaries of *romanitas* and *urbanitas*, indeed beyond the whole civilised order (and thus firmly beyond the imperial college). For the audience, these devices marked the rebels as distinctly alien, as separate from themselves by a gulf over which the emperors stood as guardians and warders.

A distinction is drawn between Carausius and Allectus, although it requires relatively close attention. The panegyrist followed the trend that had clearly been set in the preceding years by calling Carausius *pirata* and even *archipirata*.¹⁵⁹ He managed deftly the transfer of power following the death of Carausius. We begin with the passage in which he describes the initial outbreak of the rebellion, in 286. The language is so colourful that it deserves to be quoted in full:

But truly, by that nefarious act of brigandage (*istud nefarium latrocinium*), first a fleet, which had once protected the Gauls, was abducted by the pirate

¹⁵⁹ *Pan. Lat.* VIII.7.3, 12.1; *archipirata*: 12.2; the choice of *archipirata* is particularly striking, and it reinforces what we have already suggested about the purpose of this language as a way of disdaining Carausius and diminishing his importance (cf. Cic. *Philipp.* XIII.18: *hoc archipirata – quid enim dicam tyranno?*).

as he fled (*a fugiente pirata*), next a great many ships were constructed after our fashion (*in nostrum modum*), a Roman legion was captured (*occupata legione Romana*), some detachments of foreign soldiers were intercepted, Gallic merchants were brought together for a levy, not insignificant forces of the barbarians were attracted by the spoils of the provinces themselves (*sollicitatis per spolia ipsarum provinciarum non mediocribus copiis barbarorum*), and all these were trained for military service under the oversight of the authors of that outrage (*his omnis ad munia nautica flagitii illius auctorum magisterio eruditus*); your army, though unconquered in courage, nevertheless were novices in maritime affairs, and we heard that a great and wicked war (*mala... belli moles*) had grown from this most shameful act of brigandage (*ex indignissimo latrocinio*), although we were confident of the outcome. For, in addition, long impunity for the crime (*diuturna sceleris impunitas*) had enflamed the audacity of these desperate men, so that they put it about that that inclemency of the sea, which, by some necessity of fate, had delayed your victory, was instead fear of them, and they believed that the war had not been interrupted by a deliberate decision, but abandoned in despair, to such a degree that, fear of a common punishment having been set aside, one of the accomplices of the archpirate killed him, thinking imperial power to be recompense for such a crime (*archipiratam satelles occideret et illud auctoramentum tanti discrimins putaret imperium*).¹⁶⁰

There is a huge amount of detail crammed into this passage, and it will pay careful examination.

In the first place, the theme of Carausius as a pirate continues to prevail. The panegyrist, early in the speech, has already referred to the “piratical faction” (*piratica factio*) trapped within Boulogne in their “unhappy error” (*error miser*).¹⁶¹ But the classification of Carausius as *pirata* is not simply a noun employed to avoid mentioning the usurper’s name, but a characterisation of his entire enterprise. Far from being a usurpation, Carausius’ taking power was “that nefarious act of brigandage” (*istud nefarium latrocinium*) and “this most shameful act of brigandage” (*indignissimum latrocinium*), as well as being a crime (*scelus*). Every single move he made was an act of theft. The four military resources which the pirate found at his disposal (ships, soldiers, foreign detachments, and barbarian federates) were *all* stolen. The ships, *quae*

¹⁶⁰ *Pan. Lat.* VIII.12.

¹⁶¹ *Pan. Lat.* VIII.6.1.

olim Gallias tuebatur, were abducted (*abducere*), reminding us not only that they were stolen, but they had been stolen at the expense of the provincials whom they had been deployed to defend. The foreign detachments that served him were “intercepted” (*intercludere*; clearly implying they had been destined for Maximian’s armies), whilst the barbarian federates were enticed with promises of spoil, perhaps from those very provincials whom Carausius had stripped of their maritime protection. The most striking phrase, however, is *occupata legione Romana*. From his coins we know that Carausius had at least two field legions serving under him, II Augusta and XX Valeria Victrix.¹⁶² Doubtless this was not the extent of his regular army, particularly when it is considered that the fleets he held must have had a large number of marines. The idea that Carausius somehow “seized” or “captured” these legions is highly implausible. Whilst, admittedly, it is impossible to know the true feelings of these units, two observations *can* be made. Firstly, no one could be made emperor without at least the passive consent of the soldiers and officers under him (witness the sorry fate of the usurper Procopius, who lacked deep and resilient support within the military establishment).¹⁶³ Secondly, the image given to the audience in the verb *occupare* is a patently ridiculous one. Carausius could not possibly have held the troops under him against their will, not even with the full support of their officers. But the image is a

¹⁶² Carausius’ coins name a total of nine legions. There is some dispute over what this means. Webb (*RIC* V.2, 440) argues that the coins for legions on the Rhine (I Minerva, VIII Augusta, XXII Primigenia, and XXX Ulpia Victrix) were intended to woo legions outside Carausius’ control but within his sphere of influence. This has been contested, for example by N. Shiel, *The Episode of Carausius and Allectus: the Literary and Numismatic Evidence* (Oxford: British Archaeological Reports 40; 1977), 189-90, who argues that these rather represent legions from which *vexillationes* had been drawn by Carausius to make up the force that he led against the Franks before his rebellion. Shiel’s argument would appear to be lent weight by the fact that Webb seems to have mistakenly assumed that two of the other legions on Carausius’ coins, II Parthica and IV Flavia, were Gallic (and thus under Carausius’ control) when in fact there seems every reason to believe that they were based in Moesia Superior, half a world away; both legions clearly moved around a great deal, but their base was undoubtedly on the Lower Danube at the end of the third century: for II Parthica, see C. Ricci, ‘Legio II Parthica. Una messa a punto’ in Y. Le Bohec (ed.), *Les légions de Rome sous le Haut-Empire: Actes de Congrès de Lyon (17-19 septembre 1998)* (Collection de Centre d’Études Romaines et Gallo-Romaines, Nouvelle série, N20; Lyon, 2000), 397-405; for IV Flavia, see Le Bohec and Wolff, ‘Legiones Moesiae Superioris’, in *ibid.*, 239-42.

¹⁶³ See below, pp 205-227.

powerful one, of Roman forces tricked and corralled into unwillingly supporting a rebellion of which they wanted no part. Allectus, when he came to meet Constantius' army in battle, came dragging (*trahebat*) his forces behind him. One can almost picture them digging their heels into the ground as their general pulled them along after him.

The characterisation of Carausius as a *pirata* was a powerful one. Carausius, a skilled sailor, had been, as we have seen, an imperial general charged with the duty of clearing the Saxon Shore of pirate bands; a sentence of death had fallen upon him when accused of allowing the pirates to plunder Roman territory before engaging them and keeping the resultant booty for himself. The association between Carausius and piracy was, therefore, already strong. *Pan. Lat.* X (and doubtless countless others like it) had already made this characterisation. But what can be seen here, in *Pan. Lat.* VIII, was an expansion of this idea to become a totality; it was no longer simply a slur used to insult him, but had come to characterise the entire nature of his rebellion. Carausius was not pirate-like, he truly *was* a pirate, the kind of parasite that men like Gnaeus Pompey had so famously put down in the days of the Republic.¹⁶⁴ Carausius had lived by theft and treachery, a man beyond the law; he was no emperor.

Allectus, too, surfaces in this passage and is characterised differently from Carausius. Though the rebellion as a whole seems to have retained its piratical character in the eyes of the orator, Allectus is never a *pirata*.¹⁶⁵ As we have seen, he is first introduced as a *satelles*, which, neutrally cast, would be “an attendant” or “a follower” but here probably has the sense of “an accomplice” or “an abettor”.¹⁶⁶ Throughout the rest of the text, he often appears as an impersonal third person embedded within the verb.¹⁶⁷ At

¹⁶⁴ Reference is made to the pirate wars of the Republic at *Pan. Lat.* VIII.11.3.

¹⁶⁵ For instance, *Pan. Lat.* VIII.18.3.

¹⁶⁶ As, for example, Cic., *de Prov. Cons.*, 3.5: *iis praeposuit, quos putavit fore diligentissimos satellites scelerum, ministros cupiditatum suarum.*

¹⁶⁷ *Pan. Lat.* VIII.15.6, 16.2.

other times he is merely “him” or “this man” (*ille*).¹⁶⁸ He is also referred to as a “madman” (*demens*) for believing that there was anywhere he could go where the divine power of Constantius would not find him; he deployed his forces *in modum amentis* for the final battle.¹⁶⁹ Most notably of all, he is twice referred to by the striking appellation “that same standard bearer of the nefarious faction” (*ipse ille signifer nefariae factionis*) and “that standard bearer of the brigandage” (*ipse vexillarius latrocinii*).¹⁷⁰ Allectus, a shadowy figure, was cast as the chief of a small and perverse conspiratorial clique, made all the more despicable because they were traitors both against their legitimate emperors, the tetrarchs, and against their own master, Carausius.¹⁷¹

The panegyrist shows a particular desire to describe Allectus’ death:

“and among them [the bodies of Allectus’ army] [lay] the standard-bearer of the brigandage. Having, of his own accord, discarded that finery which he had so violated while alive he was recognised by hardly a single item of clothing. Indeed truly, it having been appointed to him that death was near, he wished that his body not be recognised” (*atque inter hos ipse vexillarius latrocinii, cultu illo quem vivus violaverat sponte deposito et vix unius velaminis repertus indicio. adeo verum sibi dixerat morte vicina, et interfectum se nolle agnosci*).¹⁷²

Whilst the stripping of a defeated victim was part of the pantomime of their defeat, a ritual of humiliation drawn out to complete the public disgrace of an enemy, this passage presents some problems, most importantly the admission that Allectus was recognised *vix unius velaminis repertus indicio*.¹⁷³ This seems tantamount to an admission that the body

¹⁶⁸ *Pan. Lat.* VIII.13.1, 16.1.

¹⁶⁹ *Pan. Lat.* VIII.15.6; 16.2.

¹⁷⁰ *Pan. Lat.* VIII.15.5, 16.4; these are ambiguous terms, and could be taken more literally to mean an actual standard bearer. In both cases, however, the fate of this *signifer/vexillarius* is so intimately bound up with the fate of the rebellion as a whole, his decisions seen to be so clearly driving the enemy, that *only* Allectus can be meant.

¹⁷¹ For instance, see Eutr., IV.16 for the story of the death of Viriathus.

¹⁷² *Pan. Lat.* VIII.16.4-5.

¹⁷³ The ritual stripping and mockery of Roman political prisoners has been forever immortalised in the stripping of Christ before he was led to his execution (Mt. 27:27-31; Mk. 15:16-20; Jn. 19:1-3), but it

which had been recovered from the field and declared to be Allectus' was not actually his. Why would the panegyrist have allowed such a highly damaging intimation to enter into his speech?

The only possible conclusion is that there were serious rumours flying about that Allectus' body had never been recovered. Such rumours, if believed, would be highly damaging to Constantius and to the completeness of his victory.¹⁷⁴ The orator, therefore, felt it important to make clear in his speech that the body *had* been recovered and to provide a convincing explanation for the confusion over the identity. With oratorical flair, his explanation for why the body drawn from the field was lacking any of the imperial regalia that would identify it as Allectus' is made in perfect keeping with the character he had already drawn for Allectus (he was, remember, *demens*) and for the force of divine power that fought upon the side of the emperors (and beat upon his enemies).

The rebel party itself is twice referred to by the orator as a *factio*.¹⁷⁵ This noun carried a heavy political significance to Latin speakers (far stronger and more pejorative than its English cognate, "faction"), and was synonymous with divisiveness, with criminality, and with despotic rule.¹⁷⁶ For the panegyrist, therefore, it was a perfect label for the British rebels. It was an uncomfortable truth that a significant portion of the Empire had, for seven years, been ruled by emperors whom the tetrarchs did not recognise as legitimate. The sense of a hostile party, a small group of conspirators, is reinforced by certain phrases which appear in the second half of the speech. The military forces gathered in Britain, for example, were trained in naval combat by "the authors of that outrage" (*flagitii illius*

appears to have been a commonplace in the drama of a tyrant's fall: Gallus (Amm., XIV.11.20-23); Magnus Maximus (*Pan. Lat.* II.43.3).

¹⁷⁴ The 'false Neros' who sprang up after this emperor's death stand as witness to the power of an uncertain death: Tac., *Hist.* 2.8f., *Ann.* I.2; Dio, LXVI 19.3; Suet., *Ner.* 57.

¹⁷⁵ *Pan. Lat.* VIII.6.1, 15.5. It is worth remembering that, thanks to the silences of contemporaries, we cannot name a single member of this *factio*.

¹⁷⁶ Cic., *de Rep.* III.23, 44; Sallust, *Iug.*, 31.15. For discussion of the significance of *factio*, see L. R. Ross, *Party Politics in the Age of Caesar* (Berkeley; London: University of California Press, 1949), 9ff.

auctores); they were “desperate men” (*desperati*).¹⁷⁷ Likewise, when Allectus hastily rushed into battle, he did so, as well as with his barbarian mercenaries, accompanied by “the old authors of that conspiracy” (*veteres illius coniurationis auctores*).¹⁷⁸ Likewise, the entire rebellion was “the conspiracy of that crime” (*coniuratio illius sceleris*).¹⁷⁹ *Coniuratio*, like *factio*, implied the worst and most base kind of political scheming. Most importantly, it divided the British Empire; rather than a united front against the Empire of the tetrarchs, the rebellion became the brain-child of a small group of conspirators who kept the rest of the men serving beneath them in line with threats and lies. All of Britain and Gaul had not rebelled against the emperors, but merely a small group of political outcasts.

Perhaps the most striking language of the entire speech, however, is the language of barbarianism. The panegyrist, as we have seen, characterised Carausius as a pirate, Allectus as a cowardly hanger-on of a criminal conspiracy, and the rebellion itself as a *factio* and *coniuratio*. But his final invective theme saw the entire rebellion denounced in terms that reduced it to little more than a barbarian invasion.¹⁸⁰

The first hint of this approach occurs in the section of the speech in which the panegyrist compares the contemporary rebellion to the dark days of Gallienus, when the Empire was utterly riven by usurpations.¹⁸¹ “The defection of these provinces from the light of Rome (*harum provinciarum a Romana luce discidium*),” he claims, “although distressing, was less shameful under the rule of Gallienus.”¹⁸² The theme of “Roman

¹⁷⁷ *Pan. Lat.* VIII.12.2.

¹⁷⁸ *Pan. Lat.* VIII.16.2.

¹⁷⁹ *Pan. Lat.* VIII.17.2.

¹⁸⁰ For general comments on the presentation of barbarians in the panegyrics, see J. Burian, ‘Der Gegensatz zwischen Rom und den Barbaren in der Historia Augusta’, *Eirene* 15 (1977), 91-96.

¹⁸¹ We may also be tempted to see an implicit connection between the suppression of the rebels at Boulogne and the campaigns undertaken by Constantius in Batavia; not only do these sections follow on one from the other without any obvious distinction (there is nothing in the text itself to let us know that the *hostes* of 7.4 are not the same as those against whom Constantius had fought at Boulogne), but the better informed in the audience would have known that Batavia was Carausius’ native land.

¹⁸² *Pan. Lat.* VIII.10.1.

light”, indeed, occurs again in the speech, when the orator describes the triumphant reception of Constantius in Britain. A triumphal throng poured out to meet the emperor, “Nor is it any wonder that they were borne away by such joy after so many years of miserable captivity, after the violation of their wives, after the shameful enslavement of their children, they were at last free and at last Roman, at last restored by the true light of Empire” (*tandem liberi tandemque Romani, tandem vera imperii luce recreati*).¹⁸³ The rebellion had somehow removed the territories within its grip from ‘Roman-ness’. But the orator did not stop with these subtle intimations, for throughout his description of the campaign he proceeded to deliberately blur the distinction between rebel and barbarian, ultimately going so far as to accuse the rebels of adopting barbarian mores.

To begin with, in the passage describing the outbreak of the rebellion: after the fleet, *quae olim Gallias tuebatur*, was stolen, “next a great many ships were constructed after our fashion,” (*aedificatisque praeterea plurimis in nostrum modum navibus*) and “a Roman legion was captured” (*occupata legione Romana*).¹⁸⁴ We have already seen the implicit criminality within these statements, but it is also clear that, by his subtle choice of language, the orator was demonstrating the un-Roman-ness of the rebels. In the first place, it is not claimed that ships were constructed, but ships *in nostrum modum*, “in our fashion”. Carausius’ ships were copies of “our” style; in other words, Carausius was not a Roman commander building Roman ships to supply his fleet, but rather an outsider, with no claim upon *noster modus*, merely copying the Roman style. Likewise, the addition of the adjective *Romanus* in the phrase *occupata legione Romana* serves to create a division

¹⁸³ *Pan. Lat.* VIII.19.2.; it has been remarked (Nixon-Rodgers, 140, n. 71) that both this and the preceding seem to consciously echo the court’s own propaganda, exemplified in the beautiful Arras Medallion, which depicts a supplicatory London, on her knees, receiving with open arms a mounted Constantius, all beneath the legend *REDDITOR LUCIS AETERNAE*. The medallion, struck at a weight of ten aurei (52.88g), is an impressive piece, given as part of a donative, apparently to one *Vitalianus Protectoris* (P. Bastien, and C. Metzger, *Le Trésor de Beaurains (dit d’Arras)* (Wetteren: Éditions Numismatique Romaine, 1977), 200ff.). The value of the metal alone is in the environs of £1,800, based on the price of gold in mid-Dec 2012. Such a piece would have had a huge value both to giver and receiver and the message marked upon the medallion may be considered to be something that the court was keen to have its subjects understand.

¹⁸⁴ *Pan. Lat.* VIII.12.1.

between Romans, those loyal to the tetrarchs, and the rebels, who were in some sense non-Roman. If this distinction was not intended, then *occupata legione* would have sufficed; that it did not shows us that we need to see a distinction. Whilst the legion may have been Roman, those who stole it were not (remember, also, that the other two elements of Carausius' force were intercepted foreign soldiers and barbarians attracted by the promise of plunder from the provinces).

As the speech progresses the distinction between rebel and barbarian becomes finer and finer until, stopping just short of actually calling them barbarians, the orator presents us with a conspiratorial party who have all but abandoned Roman ways. Approaching Britain, Carausius' ships are the "enemy fleet" (*inimica classis*) and simply "the enemy" (*hostes*), notably the same noun used of the Batavians.¹⁸⁵ As Allectus fell back from Constantius' advance and into the waiting jaws of Asclepiodotus' force, "stricken with madness he so hurried toward death that he neither deployed his battle line nor drew up all the forces that he was dragging behind him, but, forgetful of this vast apparatus, dashed headlong with the old authors of that conspiracy and detachments of barbarian mercenaries" (*cum veteribus illius coniurationis auctoribus et mercennariis cuneis barbarorum*). Events could hardly have turned out better for, thanks to this (which the orator attributes firmly to the *felicitas* of Constantius), "hardly a single Roman died in this victory of the Roman Empire" (*nemo fere Romanus occiderit imperio vincente Romano*). He continues:

"For, as I hear, none but the scattered corpses of our foulest enemies (*non nisi taeterrimorum hostium corpora fusa*) covered those hills and plains. The corpses of barbarians and those who had formerly imitated the barbarians in their manner of dress and their long, reddened hair (*imitatione barbariae olim cultu vestis et prolixo crine rutilantia*), now lay, befouled

¹⁸⁵ Above, n. 183.

with dust and gore and scattered in various postures as a result of the pain of their wounds...¹⁸⁶

From here he then goes on to describe Allectus' own end, which we have already discussed. For our purpose, of course, the section of particular note is the second group of corpses to which the orator draws our attention, which must surely be those of the *veteres illius coniurationis auctores*. Nixon and Rodgers call this "an intriguing item", asking whether it points to "two-way acculturation, calling into question the prevailing rhetoric of the panegyrics, with its stark dichotomy between 'Roman' and 'barbarian'?" or whether "the panegyrist seek[s] to imply that barbarian ways were forced upon those few adherents of Allectus who happened not to be barbarian?"¹⁸⁷ This seems to be a fundamental misunderstanding of the nature of this text; one cannot assume from this passage that this shows a proliferation of barbarian influence in Allectus' court. One should not even think that this passage had any bearing on reality; it *may* be that Allectus and his generals wore barbarian clothes and their hair long, but on the strength of the panegyric alone there is no good cause to think this.¹⁸⁸ There was an important and aggressive rhetorical purpose to this language, to remind the audience that this man was a sub-Roman, relying on barbarians and falling back upon their customs. We should no more readily believe that Allectus' Roman officers had adopted barbarian fashions than we should believe that Allectus was a madman or that, in his last moments, he cast off his imperial regalia in recognition of his coming death. The orator's purpose is clear; throughout the speech, he has built the impression of a small and criminal political clique driving this rebellion and relying, if only to some degree, on barbarian manpower to enforce their rule. Now he ties the two threads together, showing us that this group of renegades had fallen so far from the

¹⁸⁶ *Pan. Lat.* VIII.16.2-4.

¹⁸⁷ Nixon-Rodgers, 137, n. 62.

¹⁸⁸ The images that we have of Allectus from his coins show him as heavily bearded (though less so than Julian) and appearing with both laureate and radiate crowns on a head of short Roman hair (for example: Shiel, *The Episode of Carausius and Allectus*, Plates C-D and U).

Roman order that they had come to look to barbarian civilisation, rather than Roman, as their most important cultural touchstone. The point is further reinforced through what remains of the speech, for the victory over Allectus becomes synonymous with a victory over barbarian power: “O manifold victory of innumerable triumphs, by which the Britons have been recovered, by which the power of the Franks has been utterly destroyed, by which, besides, the necessity of surrender has been imposed upon the many peoples caught up in the conspiracy of the crime, by which finally, the seas have been swept clean and made perpetually quiet.”¹⁸⁹ The war against Frankish pirates, undertaken in 285/6 by Carausius, had, under the orators telling, finally been brought to a close by the suppression of the British Empire under Carausius’ successor, Allectus; Frank and usurper had become identical.¹⁹⁰ Little wonder, then, that the Britons were so enthusiastic in their greeting Constantius, if such were there masters.

In a sense, this was the inevitable conclusion for the invective to reach. The panegyrist wished to show Carausius and Allectus as pirates, beyond the Roman order.¹⁹¹ The waters of rebellion’s beginning, in the context of suppressing Frankish pirates, had already been muddied with the taint of barbarism. Further (as any late Roman general who wanted to win the wars he fought would do), Carausius and Allectus had used barbarian federates

¹⁸⁹ *Pan. Lat.* VIII.17.2; likewise, in explaining that the subjugation of Britain has ended an episode that threatened to upset the entire Western world, the orator chooses the example of a group of Frankish pirates in the time of the emperor Probus, (perhaps the events of *HA Probus* 18.2-3 and *Zos.* I.71.2). The choice of this example was obviously calculated to resonate with the earlier pronouncement concerning *Francorum vires penitus excisae*.

¹⁹⁰ The success of this political program can be aptly demonstrated by the fact that, a little more than a dozen years later, the author of *Pan. Lat.* VI could speak to Constantine of this rebellion, so bravely put down by his father, as if it were a purely Frankish invasion of Britain, mentioning Carausius merely as “a former native of [Batavia]” (*quondam alumnus suus*; VI.5.1-3).

¹⁹¹ The technique certainly had the stamp of antiquity: *Cic. Philip.* XIII.22. E. Mayer, ‘Civil War and Public Dissent: The State Monuments of the Decentralised Roman Empire’, in W. Bowden, A. Gutteridge, and C. Machado (eds.), *Social and Political Life in Late Antiquity* (Late Antique Archaeology 3.i; Leiden: Brill, 2006), 146-7, claims that this was the default method of portraying a civil war, but given the lack of consistent evidence (the Cicero quote above is separated from *Pan. Lat.* VIII by just less than 340 years) and given the innovative methods of portrayal by the tetrarchy more generally, this seems to me a very risky conclusion to draw.

within their armies.¹⁹² It was a simple step, therefore, for the rebels to cross into the world of the pseudo-barbarian. In so doing they would become utterly repellent to a cultured Roman audience; barbarians, and those who might imitate them, could be useful, they could be tolerated, they could even be befriended, but they could never be emperors. They could never rule. Rome had been made to rule the barbarians, not the other way around. The idea that men who wore trousers and stained their long hair with red could rule over Romans would be as unthinkable as someone with facial piercings and a Mohican running for Prime Minister.

Finally, there is the question of how *Pan. Lat. VIII* fit more broadly into the evolving narrative of the tetrarchic order. The collegiate language of the preceding years had been reinforced, not weakened, by the addition of the two new Caesars. Though the Augusti had previously been hailed as a unique and self-sufficient pairing, the accommodation of a second generation of divine emperors was managed skilfully, and was augmented by the confident declaration of victory over the British Empire. Victory in Britain was the final confirmation of the tetrarchy. The orator took, as a starting point for his speech, “that divine birth of your majesties” (*ille vestrae maiestatis ortus*).¹⁹³ Through the passage, he alternated between singular and plural personal pronouns, addressing both Constantius alone and the pairing of Constantius and Galerius, the two new Caesars. From here, after marvelling at the summerlike spring which saw the emperors created,¹⁹⁴ he preceded to marvel at the unity of the new college. The Empire is so large (and is always increasing thanks to the efforts of the emperors), that it demands “greater guidance” (*gubernacula maiora*); the piety of the emperors demanded that they give the Empire sons.¹⁹⁵ Indeed, it was natural for the Empire that there be four emperors, since four is a number occurring

¹⁹² For the impact of barbarians, see Campbell, ‘The Army’, in *CAH XII*, 112-3. Constantius undoubtedly used barbarian soldiers as well – *Pan. Lat. VIII* actually boasts about this very thing (9.4)!

¹⁹³ *Pan. Lat. VIII.2.2.*

¹⁹⁴ *Pan. Lat. VIII.2.2-3.1.*

¹⁹⁵ *Pan. Lat. VIII.3.2-3.*

again and again throughout the natural order.¹⁹⁶ As others had done before, the orator marvelled at the shared triumphs that the emperors enjoyed, both for their own deeds and those of their colleagues.¹⁹⁷ The narrative of the British campaign was merely the last triumph of the emperors; indeed, Britain was specifically declared to be the last conquest required to put the Empire wholly back in order.¹⁹⁸ Constantius' victories in Gaul and Britain fit neatly into the back catalogue of victories won by the tetrarchs, and into the story of the reclamation of the Roman world.¹⁹⁹

Though tetrarchs and usurper were never directly contrasted, the speech is peppered, throughout, with implicit contrasts which demonstrated that the British emperors failed to enjoy the divine benefits of the tetrarchic emperors. Most notable is the recurrent theme of a divine control over the elements evidenced by the emperors (a theme which had been employed to great effect in *Pan. Lat.* X and XI as well). Twice during the speech we see the weather become a direct weapon in the war against the usurpers. In the first place, a calm sea allowed Constantius to drive piles and sink boulders in the mouth of the harbour at Boulogne; but, as soon as the city had fallen, and the need for the piles was gone, the sea rose up and washed them away: "the line of trees, unconquered by the waves so long as it needed, melted away as if a signal had been given and its guard duty ended"; it "opened of its own accord for our victory."²⁰⁰ Secondly, when Constantius crossed the Channel, thick mists came down which hid the fleet from an enemy ambush off the Isle of Wight.²⁰¹

The *factio* of the rebels also stood in stark contrast to the *familia* of the tetrarchs. Whilst Carausius was murdered by a *satelles*, we see Constantius working in absolute

¹⁹⁶ *Pan. Lat.* VIII.4.

¹⁹⁷ *Pan. Lat.* VIII.5.

¹⁹⁸ *Pan. Lat.* VIII.10.4.

¹⁹⁹ *Pan. Lat.* VIII.21.1; interestingly, though Diocletian and Maximian are both specifically named (indeed, addressed in the vocative), Galerius does not seem to have merited his own notice in this passage. Presumably the Eastern Caesar was not considered important enough to be specifically picked out. The fact that Galerius' own military career as Caesar had, at this point, been less than glorious doubtless also contributed to this decision (see above, n. 104).

²⁰⁰ *Pan. Lat.* VIII.7.3; for the blockade of the harbour see also *Pan. Lat.* VI.5.2.

²⁰¹ *Pan. Lat.* VIII.15.1.

harmony with his *pater*, Maximian.²⁰² Likewise, in contrast to the ways in which the usurpers had exercised force upon their soldiers and subjects, Constantius (and so the entire tetrarchy) were the recipients of spontaneous and united demonstration of *consensus omnium*. Allectus dragged his army behind him, but Constantius' men, looking out at the stormy Ocean, cried, "Why are we hesitating? Why do we delay? ...What is there to fear? We are following Caesar."²⁰³ The liberated people of Britain could not contain their joy, after the horrors of Allectus' rule, on seeing Constantius: "As they gazed on you and distinguished each of [your virtues], they cried out together with shouts of joy; they pledged themselves to you, they pledged their children, to your children they pledged all the descendants of their race."²⁰⁴

Victory in Britain was portrayed as the final chapter in a story of mounting and inevitable success. When Diocletian took power in 284, there was no reason for anyone to believe that his reign had the power to transform the Roman world. A private soldier, who murdered his social better to gain his position, Diocletian was everything that embodied the political chaos of the third century. The author of *Pan. Lat. VIII* can hardly have been unaware of this when he used the conclusion of the civil war to pronounce peace once more restored to the entirety of the world. Though, when it suited him, the orator might disparage the rebellion as a mere flash in the pan, for the most part he showed it to be a powerful and dangerous force that threatened the order of the entire world.²⁰⁵ At several points he stressed the scale of the preparations made against the British Empire. The war was "necessary and difficult" (*necessarium et difficile*).²⁰⁶ The orator counterpoised the enormous effort of the war itself against the excellence of the emperor: "This war, Caesar,

²⁰² *Pan. Lat. VIII.13.2-4* (see also 1.3).

²⁰³ *Pan. Lat. VIII.14.5*.

²⁰⁴ *Pan. Lat. VIII.19.4*.

²⁰⁵ At *Pan. Lat. VIII.6.1*, for instance, the orator remarks that, "thus you conquered Gaul at once, Caesar, by coming here", and at 10.4 he calls it "that one disgrace of so great an Empire".

²⁰⁶ *Pan. Lat. VIII.9.6*.

so necessary, so difficult of access, so long in the making, so carefully planned, you undertook in such a manner that, as soon as you directed the hostile thunderbolt of your majesty against him, it seemed to all to be accomplished.”²⁰⁷ Likewise, the orator shows himself keen to hurry to “that peerless victory, by which the entire Republic was at last liberated.”²⁰⁸ Ultimately, it was judged to have restored order to the entire world. It was only “from fear of you” (*metu vestri*; i.e. Constantius) that “this plague has only wasted away the vitals of Britain” (*lues illa solis Britanniae visceribus intabuit*) was stopped. Otherwise, it might have spilled out to overrun the whole world.²⁰⁹ He concluded, “Thus, by this victory of yours, not only has Britain been liberated from slavery, but security has been returned to all nations which, in their employment of the sea, acquire as much danger in time or war as they acquire benefits in peace.”²¹⁰ The suppression of “that mighty force of naval rebellion” (*illa vis nauticae rebellionis*) had brought a final peace.²¹¹ With this victory, the tetrarchs had finally demonstrated the reach of their *felicitas*. Nowhere upon the entire *orbis terrarum* was there an opponent, foreign or domestic, who had stood up to them and had not been conquered.

Pan. Lat. VIII is the first speech of its kind in the *Pan. Lat.* collection, a speech whose main topic was the defeat and suppression of a usurper.²¹² The praise of Constantius, of his co-emperors, and of the political order they had established was cast against the backdrop of the victory in Britain. Indeed, the panegyrist hints at what has already been suspected by modern historians, that the military situation in Britain was one of the prime motivating factors behind the creation of the Caesars, for in explaining the need for a four rulers he claims, following a list of the provinces restored to the Empire, that, “...since the

²⁰⁷ *Pan. Lat.* VIII.13.1.

²⁰⁸ *Pan. Lat.* VIII.9.5.

²⁰⁹ *Pan. Lat.* VIII.17.3-18.2.

²¹⁰ *Pan. Lat.* VIII.18.4.

²¹¹ *Pan. Lat.* VIII.18.6.

²¹² At both 5.4 and 9.5-6 the orator makes clear that he is hurrying over other material in order to focus on the war with the British Empire.

emancipation of Batavia and Britain had been resolved upon, the Republic, enlarged and about to be further enlarged, sought greater government and those, who had carried forward the boundaries of Roman power, were bound by piety to give imperial power to their sons.”²¹³ Constantius, the tetrarchy, and the fall of the British Empire were all inexorably bound up together. But, more importantly, the failure of the British Empire, and the success of the imperial college of the tetrarchs, had become linked propositions. The tetrarchy was not just the best option, it was the *Roman* option; it was the only option. As the tetrarchs were omnipresent throughout their Empire, so true rule could only be exercised within that Empire under the auspices of the tetrarchic college. The defeat of Allectus, the subjection of Britain, and the celebrations that followed were, to the panegyrist, the confirmation of the virtue of the tetrarchs’ world order.

²¹³ *Pan. Lat.* VIII.3.3; one might read this, as Nixon-Rodgers do, “...were bound to give imperial power to a **son**” (113). The Latin reads *filio*, the singular, but the general context, which discusses all four rulers, and the plural verbs, would suggest that this is certainly talking about both Constantius and Galerius. The singular *filio* can communicate this in Latin, but it sounds odd in English.

II

The Second Tetrarchy

Since the publication of Timothy Barnes' seminal *Constantine and Eusebius* (1981), it has become canonical to stress that Constantine's accession in 306 was the expected course of events.²¹⁴ Constantine was, as far as any contemporary was concerned, Constantius' heir and therefore the heir to his imperial title. Though this interpretation is still far from universal, its acceptance is growing.²¹⁵ Those who dissent from it tend to offer little justification.²¹⁶

A legitimate Constantine stands as a junior prince in a collegiate system that had restored order to the world and initiated a new golden age for Rome. But what of the alternative? Constantine the usurper finds himself an uneasy interloper. His 'brother', 'father', and 'uncle' defined their power in terms of their relationship to one another and of their inheritance from the great *pater familias*, Diocletian. Constantine the usurper could access this language only tentatively. His position within the college was thus never truly

²¹⁴ "Constantine could only be called a usurper on the most tendentious of definitions" (*Constantine and Eusebius* (Cambridge, Mass.; London: Harvard University Press, 1981), 28). Barnes has since restated this position in every work of his dealing with the topic (see bibliography).

²¹⁵ Nixon-Rodgers, 228; Lieu's introduction to the text in *From Constantine to Julian: Pagan and Byzantine Views: A Source History* (New York; London: Routledge, 1996), 39-43; Sivan, 'Theodosius', 201; Potter, *Empire at Bay*, 344-6; J. Bardill, *Constantine, Divine Emperor of the Christian Golden Age* (Cambridge: Cambridge University Press, 2012), 5; N. Lenski, 'The Reign of Constantine', in *idem* (ed.), *The Cambridge Companion to the Age of Constantine* (Cambridge: Cambridge University Press, 2006), 61, follows Barnes' chronology but gives greater credit than others to the idea that Constantine escaped, but in so doing fails to explain why this caused no diplomatic problem (see below, pp. 85-6).

²¹⁶ For instance R. Van Dam, *The Roman Revolution of Constantine* (New York; Cambridge: Cambridge University Press, 2007), 83f; Grünwald: "Seine Kaiserproklamation durch die Truppen war daher Usurpation" (*Constantinus Maximus Augustus*, 13). Leadbetter, 'Illegitimacy of Constantine', is a striking exception to this rule, providing an intriguing discussion of the issues surrounding Constantine's legitimacy, both paternal and imperial. Authors writing before Barnes' book are much happier to describe Constantine as a usurper, for instance A. H. M. Jones, *Constantine and the Conversion of Europe* (London: Hodder and Stoughton Ltd., 1948), 58-9.

secure. Under such conditions, a change of circumstances could topple Constantine, as it did Carausius, and as it would do some eighty years later to Magnus Maximus who, like Constantine, took power in Britain and, in the short term, won recognition for it. For Constantine the usurper, any other emperor presented an implicit challenge to his right to rule.

Rome's greatest usurper: Constantine the Great and the usurpation of 306

By the criteria established in the introduction, Constantine's declaration of power was, without question, a usurpation. His father died at York on the 25th July and he was proclaimed Augustus by his father's soldiers. Three emperors still lived: Galerius as Augustus in the East, Maximin as his Caesar, and Severus as Caesar in the West. Though the tetrarchy provided no true precedent for this situation (the only previous handover of power having occurred without the death of any member of the college), it seems reasonable to conclude that the following would be expected to take place: Severus would be promoted by Galerius to Western Augustus. A junior individual would then be chosen by the two Augusti as Caesar; ideally, this man would be someone already linked to Severus or else a man who could be joined to him by marriage. Such an arrangement would best follow the pattern established by Diocletian. This is exactly what Galerius did in August, raising Severus to Augustus and confirming Constantine as his Caesar.²¹⁷ Constantine's acceptance into the college was not, as some have seen it, an inevitability.

The standard contemporary account of this period, based upon the writings of Eusebius and Lactantius, is well known. At the court of Galerius, Constantine was continually

²¹⁷ Humphries, 'From Usurper to Emperor', 83-4.

assigned dangerous military tasks in the hope that he would be killed. In the spring of 306 he fled from Galerius, killing the post-horses behind him in order to frustrate pursuit, arrived at York just in time to be with his father as he died, and was then proclaimed Augustus by the soldiers.²¹⁸ Barnes, and those who have followed him, have repeatedly denied this story as a Constantinian fiction. A brief summary of Barnes' position, therefore, ought to be made before we continue.

In the first place, Barnes has shown that, based on the evidence provided by victory titles, the campaign which Constantius undertook in Britain against the Picts must have occurred in 305.²¹⁹ In tandem with this, he rejects the account of the flight to Constantius as the latter lay dying. Based on the evidence of a pair of contemporary sources, which dissent from the "official story", Barnes offers the "more prosaic" reality that Constantine joined his father in Gaul in 305 and that they crossed to Britain together. The sources in question are *Pan. Lat.* VI and the *Origo Constantini Imperatoris*.²²⁰ The first of these was a speech delivered in (perhaps) August 310, at Trier, the second a biography of Constantine dating from c. 390 which is generally accorded a high degree of reliability.²²¹ These sources, Barnes argues, demonstrate that Constantine joined his father in Gaul, before the latter crossed to Britain. Given the revision of chronology for the Pictish campaign, this means that Constantine must have joined his father in Gaul not long after the conference at Nicomedia in May 305. Together, they journeyed to Britain, fought against the Picts, and spent the winter of 305/6 at York. As Barnes puts it, "Constantine

²¹⁸ Euseb., *VC* 20-22; Lact., *de Mort.* 25.2-5; also Aur. Vict., *de Caes.* 40.2; Zos., II.8.1-9.2.

²¹⁹ As Barnes points out, Constantius and Galerius were styled *Britanici maximi II* by 7th January 306 (*AE* 1961.240), meaning that Constantius must have won a victory in Britain during the campaigning season of 305.

²²⁰ *Pan. Lat.* VI.7; *Origo* ii.2-4.

²²¹ For problems of date, see Nixon-Rodgers, 212-214; for the reliability of the *Origo*, see I. König, *Origo Constantini*, Anonymus Valesianus *Teil 1: Text und Kommentar von Ingemar König* (Trierer historische Forschungen 11; Trier: Trierer historische Forschungen, 1987), 5ff. Whilst König stressed the importance of unique material in the text, it seems to me he overestimates its reliability (see my own comments below).

was always at his father's side, again a destined heir to the imperial purple."²²² But this retelling creates as many problems as it solves, and Barnes has been incautious in employing these sources (particularly the panegyrics, which he mines for the details he wants without full consideration of wider context or authorial intent).

What problems does this new account raise? Firstly, it is assumed that Constantine was the designated heir of Constantius. Constantine, however, had been specifically excluded from the succession in 305 and had not been primed as future candidate through a dynastic marriage (as had Constantius and Galerius).²²³ By the precedent established under Diocletian's tetrarchy, heredity did not provide a basis for the imperial title.²²⁴ To demonstrate that Constantine was the expected successor, we are forced to turn back to Eusebius and Lactantius. These authors, Barnes asserts, make clear that Constantine was being groomed for rule at Diocletian's court on the strength of comparisons made between Constantine and Moses in the former, and the fictitious conversation that preceded the conference at Nicomedia in the latter.²²⁵ To the former, these kind of poetic allusions (whether Biblical or Classical) were often highly tendentious and these Eusebian citations cannot stand up against the explicit statements of the greater part of the source material.

²²² Barnes, *Constantine and Eusebius*, 27.

²²³ Kolb, *Diocletian*, 139, rightly argues that he would have been fourth in line to such a marriage, behind the sons of Constantius by Maximian's daughter, Theodora (a point Zosimus makes, at II.9.1). Constantine's right to inherit is often assumed because he was the oldest son; but he was not the oldest *purple* son, and this was a distinction that mattered. It is often forgotten that Constantine had his son Crispus murdered in order to secure the succession for the children of Fausta.

²²⁴ This was proved both in 293 when Maxentius, still probably very young, was passed over in favour of Constantius and Galerius, and again in 305, when both Constantine and Maxentius were excluded from power in favour of Severus and Maximin Daia.

²²⁵ T. D. Barnes, *Constantine: Dynasty, Religion and Power in the Later Roman Empire* (Chichester; Malden: Wiley-Blackwell, 2011), 54-60, referencing Euseb., *HE* X.9.5-8 and *VC* I.12, and Lact., *de Mort.* 18.2-15. For Eusebius' comparisons of Constantine with Moses more generally, see M. S. Williams, *Authorised Lives in Early Christian Biography: Between Eusebius and Augustine* (Cambridge: Cambridge University Press, 2008), 36-42. Barnes also gives no evidence for why Constantine had been intended to be Caesar in the East (when his father had ruled and was ruling the West) whilst Maxentius had been intended as ruler in the West (when his father-in-law Galerius had ruled and was ruling the East). Any explanation for this would, it seems to me, invite the thesis that the young protégé emperors were hostages to guarantee good behaviour. It is, furthermore, worth noting that, whilst Constantine, son of a living emperor, was kept close to Galerius, Maxentius, son of a retired emperor, was allowed to enjoy untroubled otium at Rome, at a considerable remove from his nearest imperial supervisor (Severus seems to have spent the period from the meeting at Nicomedia until his march on Rome between Milan and the Danube; Barnes, *New Empire*, 65).

As for the Lactantian passages, Barnes himself admits that this reported conversation is obviously not intended as a real account of the discussion, only an exploration of the motives which the author attributed to each party. But Lactantius can hardly be trusted on this account anyway; where Constantine was concerned he showed not a drop of impartiality.²²⁶ Barnes' assumption that Constantine was being groomed for rule in the East, is just that: an assumption, and one for which there seems to be very little evidence. As a propagandist, Barnes has done more for Constantine's legitimacy than any writer since Eusebius.

Furthermore, after Constantine's soldiers declared him Augustus in July, he sought recognition of his title from Galerius. This Galerius granted in August, but acknowledged him only as Caesar.²²⁷ The only possible way to explain this demotion is that the original proclamation was not undertaken with Galerius' consent. If Galerius had already approved the proclamation, why then did he change his mind? Likewise, if Constantine had been promised Augustan power by Galerius then why, without the slightest hint of upset, did he agree to a demotion of status? Lastly, if Galerius had in any way approved the appointment, why are our sources united in agreement on the fact that Galerius was terribly enraged by the news and only agreed to confirm Constantine as Caesar grudgingly, in order not to start a war?

Finally, our narrative sources seem virtually unanimous concerning the fact that both Galerius and Severus wished to prevent Constantine from being with his father. Present at the negotiations at Nicomedia in 305, Constantine did not follow his father West after the reorganisation of power, but stayed with Galerius, serving in his army (almost certainly

²²⁶ See, for example, passages on Constantine's enemy, Maxentius: Lact., *de Mort.* 18.8-15, 26.6-8, 44.1-9.

²²⁷ J. Moreau, *Lactance, De la mort des persécuteurs: introduction, texte critique et traduction de J. Moreau* (Sources chrétiennes 39; Paris: Éditions du Cerf, 1954), 342-3.

against the Sarmatians).²²⁸ Only later did he join his father. It is the date and circumstances of this journey that provide the focus of the remainder of this chapter.

The *Origo Constantini Imperatoris* explicitly states that Constantine joined his father in Gaul, before he sailed to Britain to campaign in 305. It reads:

Then Galerius sent him [Constantine] back to his father. Constantine, in order to avoid meeting Severus as he passed through Italy, crossed the Alps with the greatest haste, maiming the post horses behind him; he came thus to his father Constantius in Bononia, which the Gauls formerly called Gesoriacum. After a victory over the Picts, his father Constantius died at Eboracum, and Constantine was made Caesar with the consent of all the soldiers.²²⁹

Barnes also uses this passage to avoid the question of how Constantine was able to leave Galerius' court, because it suggests that he was granted permission by Galerius. But for all the solution this appears to provide, the passage is riddled with difficulties. Whilst the passage *does* allow that Galerius gave Constantine leave to go to his father, it nevertheless reproduces the story that Constantine killed the post horses in his wake, to prevent his being pursued (this time by Severus). Further, whilst it may skirt the question of why Constantine was allowed to leave Galerius' court, it certainly does not answer it, particularly given that Severus tried to intercept him. This passage could be used as evidence that Constantine met his father in Gaul, not on his death bed, but can hardly demonstrate that he did so with the full consent of his father's imperial partners, and this raises some very difficult questions, most importantly: if Constantine slipped away from Galerius' court, where he was stationed as a hostage, in the summer of 305, how was it

²²⁸ Aur. Vict., *de Caes.* 40.2; Lact., *de Mort.* 24.2-5; *Origo* ii.3; Galerius' movements for this period are slightly hard to place. Barnes ('Imperial Campaigns', 191-2) notes a Sarmatian victory which he attributes to "late 306 or early 307", though it seems to me that there is no reason that this victory could not be earlier in the year 306, when Constantine was still with Galerius. As it happens, this point is in a sense moot; all that is being argued here is that Constantine remained with Galerius and fought in his army till relatively late in 306 – there is no requirement to connect this to a specific victory. Barnes argues that the Sarmatian campaign referred to must have been that of 302/4 (Barnes, *Constantine*, 180), but this is only because he is determined that Constantine had already left Galerius by 306.

²²⁹ *Origo*, ii.4.

that no serious breach appears to have occurred between the various emperors, whilst Constantius openly harboured his fugitive son for over a year?²³⁰ Barnes himself can only explain the assertion, in the *Origo*, that Constantine killed the post horses as a piece of propaganda: “so early and so prevalent was this false version of history that it is repeated in the *Origo Constantini Imperatoris*.”²³¹ The source, in other words, is a reliable refutation of this story, except at those moments where it corroborates it. Samuel Lieu’s main justification for the reliability of the *Origo* as a source is that it includes the detail of Constantine meeting his father in Gaul otherwise ‘suppressed’ in other sources.²³² This argument is circular: a piece of information in the *Origo* which contradicts otherwise known facts is taken as true because the *Origo* is more accurate source. The *Origo* can be shown to be more accurate because it contains this piece of information.

It can hardly be claimed that the *Origo* is a source free of Constantinian bias, as a brief analysis of the section of the text from Constantine’s proclamation to the death of Maxentius (ii.4-iv.12) will show. In actuality, the *Origo*’s account of what follows can be demonstrated, point by point, to be highly influenced by the dictates of Constantinian propaganda. After telling us *Constantinus omnium militum consensus Caesar creatus*, it goes on to say, *interea Caesares duo facti, Severus et Maximinus*.²³³ The adverb *interea* can only be taken to mean “at this time”, “meanwhile”, or some equivalent phrase implying that the creation of Severus and Galerius was contemporaneous with Constantine’s proclamation. Such a reading implies that Constantine was thus filling a gap where, at that time, no Caesars existed, whereas in fact his proclamation as Caesar post-dated that of Severus and Maximin by fourteen months. Indeed the *Origo* goes on to claim (after denouncing the characters of Severus and Maximin) that Galerius created them as

²³⁰ In 316, Constantine used a similar situation as pretext to go to war (see below, n. 448). An emperor could not afford to openly harbour fugitives from the court of one of his colleagues.

²³¹ Barnes, *Constantine*, 54-60.

²³² Lieu’s introduction to the text in *From Constantine to Julian*, 39-43.

²³³ *Origo* ii.4-iii.5

Caesars *Constantino nihil tale noscente!*²³⁴ Whether this is intentional deception on the part of the author or merely ignorance, it is certainly not true. Constantine knew full well that these men were being created Caesar because he had been present at the time. He might have been aggrieved about it, but as a private citizen whose imperial father had taken part in the proclamation, he had no grounds to complain.

After explaining about the miserable conditions of Galerius' death and maligning Severus, another *interea* compresses a period of several years, bringing us to Constantine's invasion of Italy. Maxentius, we are told, was defeated and killed. His body was recovered and his head brought into the city. Then, the text continues, *de cuius origine mater eius, cum quaesitum esset, Syro quodam genitum esse confessa.*²³⁵ The *Origo* thus repeats a piece of slander against Maxentius, which there is absolutely no reason, beyond blind credulity, not to regard as anything but *post mortem* abuse against a man who had an uncomfortably close association with Maximian, Constantine's father in law and *auctor imperii*. Questions over Maxentius' paternity first arise in 313, in the speech *Pan. Lat. XII*, whose main topic was the defeat of *monstrum illud*. It is a lie only ever repeated by the *Origo* and the exceedingly pro-Constantinian history *epitome de Caesaribus* of pseudo-Aurelius Victor.²³⁶

The first source that Barnes cites is an equally poor witness. He quotes from *Pan. Lat. VI*, a passage relating to Constantius' campaigns in the north of Britain.²³⁷ The appeal of this passage is that it also shows Constantine joining his father before he sets out for Gaul. Given that Barnes shows that Constantius must have campaigned in Britain in 305, not 306, this is sufficient testimony for him to conclude that Constantine joined his father in 305, perhaps as much as a year before the latter died. Barnes employs this passage against

²³⁴ *Origo* iv.9.

²³⁵ *Origo* iv.12.

²³⁶ *Pan. Lat.* XII.4.3-5; Aur. Vict., *Epit.* 40.13; below, p. 132.

²³⁷ *Pan. Lat.* VI.7.

the traditional narrative of Constantine's flight; its date (summer 310), he argues, provides a guarantee of greater faithfulness to the actual course of events than later sources, influenced by the likes of Eusebius and Lactantius. Others have been quick to follow, and the evidence is treated as conclusive.²³⁸

If we inspect the passage, we find it riddled with chronological inconsistencies. Firstly, the orator introduces the theme of Constantius' final mission to Britain, saying that Constantius did not "desire British trophies", as was widely (*vulgo*) believed, but that he was seeking the edge of the world, since he knew his death was coming (7.1). He wished to gaze upon the lands at the world's edge, and perhaps even see the Isles of the Blessed (7.2). Constantius is admitted into the presence of Jupiter (7.3). There then follows a very interesting passage, worth quoting in full:

Indeed he was at once asked his opinion as to whom he would pick for command, and he spoke as was fitting for Constantius Pius: for manifestly you, emperor, were chosen by the decree of your father (*manifeste enim sententia patris electus es, imperator*). And, indeed, though truth bids me say it, it is also, as I see, pleasing to your piety. But why should I flatter your private feelings only, since that was the opinion of all the gods and, indeed, it has long since been recorded by their authority, although it was confirmed, at that time, by a full council?²³⁹ For you were called that moment by these heavenly voters, in order to save the Republic, at the moment when your father was crossing to Britain, your sudden arrival illuminating the fleet even as it made sail (*classi iam vela facienti repetinus tuus adventus inluxit*), as if you had not been carried by the public post, but seemed rather to have flown on some divine chariot.

For no Persian or Cydonian darts ever hit their targets with such sure blows as you, a most timely companion, when you came to your father as he was departing the earth and relaxed, by the security of your presence, all those cares of his which troubled his silent and foreboding mind. Good gods, what felicity did you give to Constantius Pius in his death! The emperor, about to make his journey into heaven, saw he who was his heir

²³⁸ See above, n. 215.

²³⁹ The phrase *quamvis tunc pleno sit firmata consilio* seems, again, to be deliberately ambiguous. The *consilium* in question, based on the context of the passage, would presumably be the assembled body of the gods. But it also allows the interpretation that this means Constantius' officers and officials, again implying without saying that Constantine's election was done with Constantius' full consent. Nixon-Rodgers, 228, translate simply as "the full conclave", whilst Galletier, II, 60, adds a possessive adjective, to remove the ambiguity, with "leur assemblée plénière".

(*heres*). For, the moment he had been taken from the earth, the entire army agreed upon you, and the minds and eyes of all marked you, and although you referred to the senior rulers (*ad seniores principes*) over what they deemed best for the Republic, the soldiers anticipated, in their zeal, what those rulers soon confirmed by their judgement.²⁴⁰

This passage seems internally contradictory. It tells us i) that Constantius went to Britain and won a victory there, ii) that Constantine joined his father's fleet as it was preparing to depart for Britain from Gaul, and finally that iii) Constantine reached his father as he lay on his death bed. Those who have been eager to find a complementary source to *Origo* have not acknowledged these internal contradictions within the text. Even without introducing the complicating factor of the chronology of the campaign against the Picts, this account makes no sense. If Constantine joined his father's fleet as it sailed from Gaul, then he was in Britain for the duration of his father's northern campaign. If he came to his father on his deathbed, then he cannot have joined his father's fleet in Gaul. As evidence for a revised chronology, this is not a source upon which we should wish to rely.²⁴¹

More important, however, is something that the panegyric is *not* saying. Throughout, though it is strongly *implied* that Constantius decreed that his son would succeed him, this is never once said outright.²⁴² If we look at the passage, the orator avoids ever directly confirming that this is the case, and on occasion appears to be explaining away some difficulties. Firstly, his direct pronouncement on Constantius' choice of Constantine comes in the context of the former addressing the gods (i.e. once he was already dead). This is a clever technique – on a casual reading the passage appears to say that Constantine was elected by some sort of assembly of his father's men; in reality, the assembly described is that of the gods, a decision-making body whose activities are much more open

²⁴⁰ *Pan. Lat.* VI.7.3-8.2.

²⁴¹ König, *Origo Constantini*, 74-5, fails to note this in his commentary on this passage. He remarks that *Pan. Lat.* VI is the only other source for the contention of Constantine's meeting with his father in Gaul, but fails to note that the panegyric contradicts itself.

²⁴² It is certainly assumed by modern authors, for instance Potter, *Empire at Bay*, 345-6.

to authorial invention than most. Secondly, though Constantius “saw he who was his heir,” nowhere do we get a definitive pronouncement that Constantius actually named Constantine – no imagined words pass between father and son, no ceremony takes place in which power is conferred. Rather, as the orator makes clear, it is Constantius’ soldiers that acclaim Constantine, without any suggestion that Constantius was at all involved.

This kind of vagueness in fact pervades *Pan. Lat.* VII and VI. Earlier in his speech, the author of VI had declared, “the guardian deities of you father recognised you as the legitimate successor;” again this allows him to stress the inevitability of Constantine’s succession whilst carefully avoiding any suggestion of Constantius’ involvement in the decision.²⁴³ Even VII, pronounced at Constantine’s wedding feast, could only manage the rather timid: *cum tibi pater imperium reliquisset*. Imperial power is described as a right of inheritance, but nowhere is it claimed that Constantius *gave* it.²⁴⁴ Maximian’s bestowal of power on Constantine is not spoken of – in the same speech – in nearly such ambiguous terms.²⁴⁵ A comparable transference of power, however, may be seen in 379; Themistius adopts similarly evasive methods of description for Theodosius’ ‘accession’ (in reality, a usurpation, confirmed *post actionem*, just as was Constantine’s).²⁴⁶

Importantly, the chronology established by Barnes produces another problem. What was Constantine doing between his arrival and Britain and his declaration as Augustus? Of itself, of course, our inability to establish any kind of itinerary for Constantine in Britain does not, by any means, prove he was not there. *But*, Barnes would have us believe that the story of his last minute appearance was a lie, a story concocted to add drama to the narrative and to reinforce Constantine’s devotion to his father. If Constantine had been in

²⁴³ *Pan. Lat.* VI.4.1.

²⁴⁴ *Pan. Lat.* VII.5.3.

²⁴⁵ Esp. *Pan. Lat.* VII.14.4ff.; note also that whilst Constantius merely leaves (*relinquere*) to Constantine, Maximian is said to have freely chosen the young man (*sponte deligere*; 6.1) and to have made a gift of imperial power (*ita tu potes, Maximiane, donare*; 7.6).

²⁴⁶ Below, pp. 229-38. Also, *Pan. Lat.* II.11.4.

Britain for some twelve months, however, this claim, which can be shown to have been in circulation as little as four years after Constantine's acclamation, would have been dangerously transparent. Anyone who had served in Constantius' army or administration would have had memories of Constantine in York throughout the year 305-6, before he became emperor. They would have seen him often in the company of his father. Anyone stationed along Constantine's route from the Danube to northern Gaul would remember him passing through, perhaps in some hurry and certainly still a private individual, only a few months or even weeks after the momentous announcements that Diocletian and Maximian had done the unthinkable and voluntarily yielded imperial power. A full year would pass before the news came to these same men of Constantius' death, and a new emperor in Britain.

So what? Panegyrics are full of misrepresentation. Though most turned on the finer points of analysis, rather than on outright contravention of fact, nonetheless truth was always an unwelcome guest within the panegyrist's art.²⁴⁷ Unfortunately for Barnes, however, a much more convenient lie was also at hand – that Constantine had campaigned with his father against the Picts. In every way, this story would have had greater appeal and utility. In the first place, it did not require, to anything like the same extent, putting Constantine where he was not; it would have been a far simpler exercise for Constantius' generals to remember Constantine with them on campaign, perhaps a quiet background figure listening in on important meetings, than to forget his presence throughout the winter and the following spring. For those at Galerius' court, who knew Constantine had left them a year before he was made emperor, it would not require reinserting him until the middle of 306.

²⁴⁷ Despite Augustine's contention that he told many lies in panegyrics (*laudes, quibus plura mentirer*; Aug., *Conf.* VI.6), the panegyrists "sinned in the main by omission, rather than by falsity" (Galletier, I, xxv). Augustine was, after all, a man given to poetic exaggerations and to extreme self-criticism.

Secondly, it would have allowed the orators to assert the relationship between father and son in even stronger terms, uniting them through martial prowess. This was a tactic which the orators of both *Pan. Lat.* VII and *Pan. Lat.* VI were clearly fond.²⁴⁸ The orator of VI vaunted Constantine's martial pursuits before he took power.²⁴⁹ He even seized the opportunity to explicitly connect the campaigns of Constantius with Constantine, claiming that Constantine had been fathered by Constantius in the flower of his youthful vigour, and mentioning the victory at Vindonissa.²⁵⁰ The orator of VII, likewise, takes the opportunities given to him to present Constantine and Constantius side by side in a military context. He draws direct parallels between Constantius' campaigns on the Rhine and Constantine's own.²⁵¹ But of Britain, he says only that, "[Constantius] liberated Britain from slavery; you [Constantine] made it noble by rising there."²⁵² References to Constantine's early career are, it is true, easy enough to find, and these references tend to include praise of his martial training.²⁵³ *Pan. Lat.* VII, for instance, makes a series of general remarks about Constantine's "first campaigns" (*prima stipendia*).²⁵⁴ But though the orator might claim that *quidquid tu iuste ac liberaliter feceris, filium Constantii necessario praestitisti*,²⁵⁵ nowhere does he make any claim that Constantine fought with his father. Barnes infers this, but the campaigns to which the orator refers could, perfectly

²⁴⁸ It was used, for example, by Symmachus to Valentinian (*Or.* I.1-3) and by Pacatus to Theodosius (*Pan. Lat.* II.8).

²⁴⁹ *Pan. Lat.* VI.3.3.

²⁵⁰ *Pan. Lat.* VI.42ff. This connection shows the length to which the orator was willing to go; the fighting at Vindonissa, which the orator appears to link to Constantine's birth, actually took place in the late 290s, when Constantine was probably in his mid-twenties. Nixon-Rodgers, 223, n. 17, have some discussion of this passage, which contains textual problems.

²⁵¹ *Pan. Lat.* VII.4.2.

²⁵² *Pan. Lat.* VII.4.3.

²⁵³ He had served, with apparent distinction, in the armies of both Diocletian and Galerius (Barnes, *Constantine*, 51-56).

²⁵⁴ *Pan. Lat.* VII.5.3.

²⁵⁵ *Pan. Lat.* VII.5.1.

reasonably, be those that Constantine participated in in the East with Diocletian and Galerius.²⁵⁶

Two observations follow from this. The first is that, had Constantine actually fought in northern Britain alongside his father it would be very odd indeed for a panegyrist, in a passage in which he explicitly extols the relationship between father and son and compares their martial vigour, to fail to mention this.²⁵⁷ The only reasonable conclusion to draw, based on the absence of any such evidence in the panegyrics despite ample opportunity (rhetorically speaking) for its inclusion, is that Constantine *did not campaign* with his father in Britain in 305. Further, as I have attempted to demonstrate, this also implies that Constantine was not in Britain at all in 305.

Secondly, it is vital to recall that these panegyric accounts, far from being ‘true’ contemporary narratives, were pieces of oratory delivered under tense political circumstances, one a wedding ceremony with two attendant usurpations, the other in the wake of a civil war and the execution of Maximian. That one of only two sources which can be presented to support Barnes’ hypothesis is a panegyric and that it is itself demonstrably inconsistent (even on purely internal criteria) should be a strong warning to us that something is amiss. Barnes uses the fact that the story of the flight from Galerius only appears in 310 as a method of demonstrating that it is a fiction; no mention is made of this in *Pan. Lat. VII* and, therefore, the story of the peaceful journey to his father is corroborated. But closer consideration of the circumstances of *Pan. Lat. VII* reveal such a conclusion to be too simplistic.

²⁵⁶ Barnes has, in his recent biography of Constantine, so far as to state explicitly what he has, until now, only implied: “Constantine accompanied his father on this campaign and subsequently returned with him to York” (*Constantine*, 62). He is, of course, far from the first person to suggest this: for instance Macmullen, *Constantine* (London: Weidenfeld & Nicolson, 1970), 38-9.

²⁵⁷ By way of comparison, Symmachus (*Or.* I.1-3) draws considerable rhetorical effect from the fact that Valentinian I received his military training in his father’s camp.

The wedding of 307 was a delicate matter for a number of reasons. In the first place, Constantine's marriage to Fausta was an unquestionable declaration of his loyalty to Maximian, who had overturned the settlement of 305 and returned from a life of enforced leisure in Italy to resume imperial power. Though the orator might argue that imperial power, once taken up, could never be laid down, doubtless he would find that Galerius felt differently. Secondly, Constantine had accepted from Maximian a promotion to the status of Augustus, overturning the equilibrium that had briefly been achieved in August 306. The position was an incredibly difficult one to justify; the orator of *Pan. Lat. VII* had to tread on eggshells to avoid the suggestion that Constantine and Maximian were upstarts or were fomenting war. This explains his vague and evasive comments over Constantine's previous campaigns. The orator wished to avoid any suggestion of Constantine's flight from Galerius and Severus, which would further draw into question the groom's entitlement to an imperial title.²⁵⁸ Far from presenting a prosaic reality, the orator was attempting to gloss over the extremely questionable circumstances of Constantine's arrival in the West; it was prosaic, yes, but it was a fiction.²⁵⁹

Pan. Lat. VII therefore avoided any mention of the other emperors, or of Constantine and Maximian's involvement in the wider politics of the Empire. But by 310, the situation was changed. Maximian had rebelled and been defeated. Another usurper had sprung up in Africa, and the tensions between Constantine and Maxentius were moving towards open conflict. Furthermore, Constantine's demotion to Caesar, his clear refusal to accept this decision, the increasing severity of Galerius' necrosis, and the consequently emergent dominance of Licinius were all beginning to reveal the fiction of Constantine's friendly relations to his other imperial colleagues. In 310, therefore, we find ourselves a little

²⁵⁸ Galerius actually ceased to recognise Constantine as a legitimate emperor after his marriage and continued to hold this position until the Conference of Carnuntum (Barnes, *Constantine*, 69).

²⁵⁹ Though his marriage to Fausta was a strong statement, Constantine clearly continued to look to Galerius for consent and support; in 308 he both acknowledged the eastern consuls (Diocletian X and Galerius VII) and, at least notionally, submitted himself to the decisions of the Conference of Carnuntum.

closer to the truth; though the orator (wisely) avoids explaining that Constantine fled from Galerius (this would mean criticising a living emperor, something the panegyrist could not afford to do), he is now willing to speak about Constantine's arrival in Britain. Constantine came late; his father was already dying.

Barnes is right to say that Constantius fought in Britain in 305; the epigraphic evidence he provides seems irrefutable. But he is wrong to suggest that, in uncovering this, he has unpicked the Constantinian story and found a 'true' account beneath the propaganda. Constantine did not fight with his father in Britain. Every single source we have tells us that he fled Severus and Galerius to be with his father. The only exceptions can be easily explained; *Pan. Lat.* VII avoids the issue entirely, not daring to suggest any kind of diplomatic break with the East; *Pan. Lat.* VI mumbles its way around the issue, avoiding direct reference to flight but revealing to us that Constantine came late to his father, and suggesting, by its silences, that his inheritance of power was anything but a clearly laid out process.

As was made clear in the introduction to this chapter, this is not mere quibbling over points of detail. The period 305-310 is a tangled and confused one, a period in which an unprecedented number of emperors were ruling at one time. To a great extent it is a period in which we can explain roughly *what* happened, but find it much harder to explain *why*. A rough chronology of events can and has been established, but the motivations of the various imperial actors remain elusive. It is for precisely this reason that points of detail matter, particularly points of detail that have been obscured by propagandistic texts such as the panegyrics. The story of Constantine's flight to his father clearly emerged as part of an increasingly self-confident victory narrative propagated to advance his dynasty; we can see its roots already in 310. But the story of Constantine's rise was nowhere near as peaceable as many writers, both contemporary and modern, might have us believe. His bellicose

quest for legitimacy, far from being an exercise in punctiliousness, was a necessary response to his own position. We have been fooled, because Constantine was successful, into thinking that his recognition was therefore inevitable. By demonstrating that the evidence still weighs heavily in favour of a flight to Britain, we can see that Constantine was lucky to avoid a civil war in 306. In everything that follows, we must keep this in mind, that Constantine was constantly addressing the problem of how to achieve a widely recognised legitimacy. Amongst the devices employed, as we shall see, was the aggressive use of civil war.

III

The Rise of Constantine

Constantine had gained power, but he had done so at terrible risk. If Severus had been nearer at hand, he might have found himself a new Carausius, trapped at the edge of the world, his ancestry denied, his followers denounced as trouser-wearing Celts. It should never be forgotten that he held his position by a thread and that, over the next few years, attempts were made to cut that thread. If he had breathed a heavy sigh, counted himself lucky on a gamble made and won, and contented himself with maintaining the Rhine frontier as Constantine Caesar, then the second tetrarchy might have yielded to a third. Equally, it might, in time, have seen Constantine deposed and replaced by a man more suited to Galerius' liking. Constantine must have known that he would always be in danger as the smallest cog in the tetrarchic machine. In this chapter, we see how he was able to pull down the system that Diocletian had spent the better part of his life erecting, and to cast himself as the salvation of the state at the same time.

The *tyrannus*: Maxentius and the rewards of civil war

It is hardly surprising that a second usurpation followed hard on the heels of Constantine's. Maxentius, living in Rome since the negotiations at Nicomedia, found a number of

circumstances amenable to a bid for power.²⁶⁰ In the first place he was able to count on the support of his father, who had clearly retired from imperial office with great reluctance. Maximian had had a long and successful imperial career in the West and had been one of the *patres* of the tetrarchy; his seal of approval would count for much.²⁶¹ Maxentius could also exploit growing discontent amongst the Praetorian Guard, whose status had already been compromised under Diocletian and who were now set for final redeployment along the frontiers, away from their privileged barracks and pay scales in Rome.²⁶² Lastly, Rome was in want of a protector; the privileged status of the City, and of Italy more generally, was under assault. Tax exemptions in the peninsula were steadily cancelled during the tetrarchy and Galerius had recently made clear his intention to bring southern Italy, including Rome herself, into the new taxation scheme.²⁶³ Maxentius thus had access to a former emperor, a body of soldiers, and a city of a million disgruntled people, not to mention the chip on his shoulder.

On the 28th October 306, therefore, just over three months after Constantine's acclamation in York, Maxentius took power in Rome.²⁶⁴ Once the north Italian winter loosened Galerius sent Severus to bring Maxentius to heel. But though Maxentius' army must have been small compared to that which Severus could deploy, Galerius had underestimated the effect of the resources of the greatest city in the Roman world and the weight of the loyalty which the soldiers felt to their old Augustus, Maximian.²⁶⁵ Maxentius was able to bring the majority of Severus' soldiers over to his side, as well as

²⁶⁰ For Maxentius' residence, see Aur. Vict., *Epit.* 40.2; Eutr., X.2.3.; also *ILS* 666-7 from the Via Labinica, generally dated to 305 or 306.

²⁶¹ Maximian holds the distinction of being the only Roman emperor to retire twice and to take up power three times. It must be noted that Maximian was not actually involved in Maxentius' proclamation, but joined his son's cause, by request, very soon after.

²⁶² Lact., *de Mort.* 26.3; Aur. Vict., *de Caes.* 39.47.

²⁶³ For the removal of tax privileges, see Lact., *De mort.* 26.1-3.

²⁶⁴ Suborning the praetorians and a number of key figures in the city, Maxentius was raised as emperor. One of his first actions was to execute Abellius, the *vicarius Urbis Romae*, because he refused to support the uprising (Zos., II.9).

²⁶⁵ Lact., *de Mort.* 26.5-7.

the urban prefect Annius Anullius.²⁶⁶ Severus fled but was taken captive by Maximian at Ravenna. He resigned imperial power and was executed (or committed forced suicide), dying sometime in mid-to-late 307. Galerius now undertook an invasion of Italy himself, advancing on Rome in the autumn of 307. But he had underestimated the sheer size of the city and found himself unable to surround it properly.²⁶⁷ As desertions to Maxentius' camp began he withdrew, mindful of the fate of Severus, allowing his troops to plunder Italy as they returned to the Balkans.

From the outset, Maxentius stood outside the tetrarchy. He seems to have recognised this relatively early on. For the year 307 Maxentius appointed two consuls, Galerius (VII) and Maximin Daia, a combination not recognised elsewhere in the Empire.²⁶⁸ In this pairing, Maxentius must have been hoping, however forlornly, that Galerius would consent to offer him the imperial title, as he had done with Constantine.²⁶⁹ By 1st April 307, the consuls' names were replaced with the phrase *post sextum consulatum*, repudiating the previous selections.²⁷⁰ Maxentius never again made overtures to any other emperor in his consular appointments; between 308 and 312 he awarded himself the honour four times, gave it twice to his son Romulus, and, in 311, bestowed it upon two private individuals, Aradius Rufinus and Rufius Volusianus.

His relationship with his father and with Constantine is even more complex. For a brief period during 307 and possibly into 308, some sort of alliance existed between the three

²⁶⁶ Zosimus mistakenly calls Anullius the praetorian prefect; his urban prefecture ran from 19th March 306 – 27th August 307 (cf. *Chron. Min.* I, 66-7).

²⁶⁷ This claim is the polemic of hostile sources keen to mock an uncultured Pannonian (Lact., *de Mort.* 27.2). Nevertheless it probably reflects the very real difficulty of putting the largest city in the world to siege.

²⁶⁸ Galerius' consuls were Severus and Maximinus. Constantine's were Galerius VII and himself, which at once marked a break with Galerius, in not accepting the Eastern consuls, and at the same time looked to him for approval. Galerius was replaced by Maximian IX in September. For a general account for the consuls from 306-12, see *CLRE*, 146-59 and *RIC IV*, 27-36.

²⁶⁹ Cullhed's observation that the sources show no evidence for Maxentius seeking Galerius' approval (*Conservator Urbis Suae*, 35-6) are largely irrelevant; the sources for Maxentius' activities are so limited and so biased that the omission of a detail such as this cannot be taken as evidence for its non-existence. Likewise, his claims that the choice of consuls in 307 stemmed from Maximian assumes (without demonstrating this fact), that it was Maximian who was calling the shots in Italy.

²⁷⁰ e.g. *ICUR* n. s. IV 9549, *ICUR* I 29.

emperors. But we may posit that it ceased to exist except in name very early on. The panegyric delivered to Constantine and Maximian on the occasion of the former's marriage to Fausta (which may have been as early as March 307, but was more likely delivered in mid-summer), makes no mention of Maxentius, and this omission suggests, at the very best, an icy disregard.²⁷¹ Barnes suggests that the alliance was intended to defend Italy against Galerius, but it may have been a move by Maximian intended to secure his own position against an ambitious son.²⁷² Cullhed suggests that Maximian saw himself as replacing Severus within the second tetrarchy, thus marrying his daughter to Constantine, as his (junior) Augustus. If so, there was little space for Maxentius, and the lack of evidence for any meaningful political exchange between them may indicate this. At any rate, Maxentius appears to have been styling himself Augustus from the spring of 307.²⁷³

Maxentius embarked on an extensive building programme within the city of Rome (the temple of Romulus, the temple of Venus and Rome, the basilica of Maxentius, baths on the Palatine and Quirinal as well as restoration of baths on the Campus Martius, the building or rebuilding of the Lateran palace, repairs to the city walls, as well as a number of other miscellaneous buildings) and beyond its limits (the palace/mausoleum/hippodrome complex on the Via Appia); combined with the use of Rome in Maxentius' coinage and of other sources indicating the emperor's patronage of the city, not least his protection of Rome's traditional privileges, Cullhed has concluded that "his coinage and monuments perhaps constitute the most massive display of *romanitas* in the history of the empire, considering the brief period within which it was realized."²⁷⁴ Maxentius' patronage of the

²⁷¹ See Nixon-Rodgers, 179-85 for discussions of the dating.

²⁷² Barnes, *Constantine*, 69; Humphries, 'From Usurper to Emperor', 90-1.

²⁷³ Cullhed, *Conservator Urbis Suae*, 41-4. The argument for a lack of evidence of diplomacy between Gaul and Italy in this period is, it must be admitted, a tricky one, as arguments from silence are dangerous where usurpers are concerned.

²⁷⁴ Cullhed, *Conservator Urbis Suae*, 45-67 (quote at 63). For the building program, see W. Oenbrink, W., 'Maxentius als *conservator urbis suae*: ein antitetrarchisches Herrschaftskonzept tetrarchischer Zeit', in D. Boschung and W. Eck (eds.), *Die Tetrarchie: ein neues Regierungssystem und seine mediale Präsentation* (Wiesbaden, 2006), 169-204.

city and of its protecting deities, his residence there, and public declarations such as his famous *CONSERVATOR VRBIS SVAE*, placed Rome at the heart of Maxentius' political message.²⁷⁵ This was a revolution, a return to Rome as not just the ideological but the also the political capital of an Empire, and it won for Maxentius, whatever later hostile sources claim, great support amongst both senate and people.

Maxentius' relationship with his subjects has often been conjectured as being a poor one; this seems to me to involve a simple-minded acceptance of sources written after Constantine's victory in 312.²⁷⁶ Details are seized upon: the *Calendar of 354*, for example, claims that there was a famine in Rome, which led to a Moesian soldier being hanged by the people; in the resultant massacre 6,000 people were killed.²⁷⁷ Much has also been made of apparent financial demands imposed on the populace which (if they were indeed made) would obviously have sat ill with Maxentius' initial position as defender of Rome's tax status. But the famine, the riot, and possible taxation can all be explained with reference to the revolt of Domitius Alexander which, for perhaps two and a half years, severed the grain-rich provinces of Africa from the million mouths of Rome. These problems are thus perfectly explicable in terms of *Realpolitik* and need not depend upon defects of Maxentius' character.²⁷⁸ Maxentius is generally believed to have reversed tetrarchic trends to exclude the senatorial aristocracy from the business of rule, a tendency notably shared with Constantine. He also granted religious toleration in 306 and, later, even the restitution of Christian property taken in the persecutions.²⁷⁹ Ultimately, so little

²⁷⁵ Cf. *RIC* VI, 277, 294-6, 307-8, 325-6, 340, 343-7, 340, 367, 369, 372, 374-5, 377-8, 382-5, 395, 400.

²⁷⁶ Such sources took their cue from the same contemporary themes that informed the panegyrics we will consider below; for modern writers who have essentially followed the Constantinian judgements on Maxentius, see, for example, M. T. W. Arnheim, *The Senatorial Aristocracy in the Later Roman Empire* (Oxford: Clarendon, 1972), 49ff.

²⁷⁷ *Chron. Min.* I, 148.

²⁷⁸ Maximus, who inherited the financial burdens of the less than capable sons of Valentinian, was likewise easily branded as avaricious by his polemicist (see below, pp. 259-60).

²⁷⁹ B. Leadbetter, "Constantine", in P. F. Esler (ed.) *The Early Christian World* (London: Routledge, 2000), II, 1073.

is known about Maxentius' six year reign that it is difficult to make much but the most general comments with any certainty.²⁸⁰

If Maxentius was in any doubt about his position in relation to the other emperors before Carnuntum, he would have had no reason to doubt it afterwards. The new compromise agreed upon saw Galerius, yet again, enforcing the continued existence of the tetrarchy. Maximian agreed, for a second time, to hang up his purple cloak and to retire to a position as an unofficial advisor to Constantine. Licinius, another of Galerius' protégés, was promoted to Augustus of the West, with Constantine as his Caesar. Galerius retained his position as senior Augustus, with Maximian as his junior. Maxentius was utterly excluded from negotiations. This version of the second tetrarchy was designed, amongst other things, to solve the Maxentian problem.

Carnuntum likewise provided a series of problems for Constantine. At the end of two years of manoeuvring he had found himself back where he started: a junior Caesar confined to Gaul, this time subordinate to a man who had held imperial power for even less time than he had.²⁸¹ Maximian had manoeuvred him to Augustus in 307 and had then, within little more than a year (through either action or inaction), manoeuvred him back to Caesar again. If Licinius were to suppress Maxentius (which, to judge by numismatic and epigraphic evidence, he attempted to do almost immediately in the campaigning season of 309), Constantine would find himself subject to a universally recognised Augustus in control of Italy and Africa.²⁸²

Maximian's revolt, in 310, taught Constantine an important lesson about imperial politics, one which he was to apply again and again throughout the remaining 27 years of his reign. Whilst Maximian was alive, Constantine had to give to the senior emperor his

²⁸⁰ A. Chastagnol, *Le Sénat Romain à l'Époque Impériale: Recherches sur la composition de l'Assemblée et le statut de ses membres* (Paris: Les Belles Lettres, 1992), 236.

²⁸¹ Cf. Humphries, 'From Usurper to Emperor', 91-2.

²⁸² Barnes, *Constantine and Eusebius*, 33.

due as both father-in-law and *sui auctor imperii*. As a dead rebel, Maximian's reputation was Constantine's for the forging; Maximian the rebel served Constantine better than Maximian the emperor ever could have. With Galerius on the wane and Severus long dead, Constantine was able to begin asserting his power and, importantly, his right to rule, as independent of other living emperors. Constantine, therefore, had to move before Licinius could beat him to it. The political situation was conducive to such a move, as the Empire was in turmoil. In this period, the number of imperial claimants reached an unprecedented high.²⁸³ In this chaos, strong action would be needed to determine a new equilibrium.

Our narrative sources demonstrate a clear attempt to hide the fact that it was Constantine, not Maxentius, who started the war of 312.²⁸⁴ The two most immediate contemporary historians, Eusebius and Lactantius, give different accounts of the outbreak of the war, but with a single aim. Lactantius declares that Maxentius opened hostilities, *quasi necem patris sui vindicaturus*.²⁸⁵ Eusebius, by contrast, gives the impression that it was Constantine who undertook the war, but goes to some length to demonstrate the necessity of this measure; Constantine had seen that the "royal city of the Roman Empire was bowed down by the weight of tyrannous oppression" and had hoped that other emperors might overthrow Maxentius. Perhaps the only author to unequivocally attribute the war to Constantine is Eutropius, who states baldly that *quinto tamen Constantinus imperii sui anno bellum adversum Maxentium civile commovit*.²⁸⁶ Orosius, in a passage clearly dependant on Eutropius, chooses to render this in the passive voice, saying merely,

²⁸³ From 1st May 310, when the soldiers of Maximin Daia declared him Augustus until sometime in the mid-summer of this same year, when Maximian was defeated and executed by Constantine, seven men claimed the title Augustus. They were, in a roughly chronological order of their proclamation, Maximian, Galerius, Constantine, Maxentius, L. Domitius Alexander, Licinius, and Maximin Daia.

²⁸⁴ For a more complete summary of the sources, though with a typically uncritical reading, see E. Groag, 'Maxentius', *RE* 14.2 (1930), 2470-74.

²⁸⁵ Lact., *de Mort.* 43.4. Zosimus, whom we would expect to relish a chance to attack the Christian emperor, essentially reproduces the Lactantian story: Zos., II.14.1.

²⁸⁶ Eutr., X.4.

*deinde inter Constantinum et Maxentium bellum civile exortum est.*²⁸⁷ Between Lactantius' obviously partisan account (echoed in Zosimus!), Eusebius' discomfort, and Orosius' retelling of Eutropius, an effort was clearly being made to bury any suggestion that Constantine had started the war. This, as we will see, was instrumental to the presentation of the war produced by Constantine's propagandists in its immediate aftermath. For Constantine to be a tyrant slayer, he needed to be an unwilling participant in the conflict.²⁸⁸

The course of the war was as follows. Constantine crossed the Alps and met his first resistance at Segusio, modern Susa, the capital of the province of *Alpes Cottiae*, which he quickly captured.²⁸⁹ He was next met with resistance at Turin, a little over thirty miles east of Segusio, this time in a pitched battle outside the walls of the city.²⁹⁰ Constantine drove his enemy back on the city with considerable slaughter, at which point, it appears, the cities of the upper Po Valley (including Turin) surrendered.²⁹¹ Constantine entered Milan in triumph.²⁹² He then advanced on Verona. It may be assumed the mainstay of Maxentius' forces in the north of the Italian peninsula were gathered here, since it appears to have been here that Ruricius Pompeianus, Maxentius' praetorian prefect and a man whom Nazarius called *tyrannicorum ducum columen*, was stationed.²⁹³ Constantine crossed the river Adige after engaging a force of heavy cavalry in the vicinity of Brixia, modern Brescia. This advance guard was defeated and fled back on Verona, which

²⁸⁷ Oros., VII.28.16..

²⁸⁸ Though historians in the early twentieth century did, on occasion, follow the ancient sources (e.g. O. Seeck, *Geschichte des Untergangs der antiken Welt* (Berlin: Siemenroth & Troschel, 1897-1920), 117ff), modern historians are fairly unanimous in attributing the war to Constantine (e.g. Barnes, *Constantine*, 80-1; *Constantinus Maximus Augustus*, 60-1; Cullhed, *Conservator Urbis Suae*, 86). But all military action took place in Maxentius' territory and, based on the apparent lack of concentrated resistance in northern Italy, probably took Maxentius by surprise.

²⁸⁹ *Pan. Lat.* XII.5-6.1; IV.21; cf. Nixon-Rodgers, 290-1.

²⁹⁰ The details of this battle are unclear. The problem is that the two panegyrics seem to describe two different battles; Nazarius has the Maxentian *clibanarii* absorbed by infantry manoeuvres, whilst *Pan. Lat.* XII describes skirmishing on the flanks which in turn pushed the army back on itself and into flight.

²⁹¹ *Pan. Lat.* XII.6.2-7.4; IV.22-24.

²⁹² *Pan. Lat.* XII.7.5-8.

²⁹³ The position of these forces in the north east – as opposed to north west – of the peninsula would also seem to be a good indication both that Maxentius was preparing for war with Licinius and not Constantine.

Constantine then encircled. Pompeianus sallied out from the city and fought his way through Constantine's lines; he gathered reinforcements from the vicinity and made a counter attack, attempting to lift the siege; he was defeated and died in the fighting, after which time Verona appears to have surrendered, followed by Aquileia (which, according to *Pan. Lat. XII*, surrendered without a fight, though Nazarius implies that the other cities of the north had to be forcefully subdued).²⁹⁴ This appears to have marked the conclusion of fighting north of the Apennines and left Constantine the undisputed possessor of northern Italy.

As Constantine advanced south, Maxentius marched out from Rome to meet him. His plan may have been to draw Constantine into the Italian peninsula, hoping that disease and the defenders of the northern cities would sap his numbers and morale, before smashing him before the walls of the City. That Africa had only recently been regained from L. Domitius Alexander may also have been a deciding factor; the city's grain reserves were low and Maxentius may have feared a siege that could have lasted months. Given that *Pan. Lat. XII* implies a naval element to the war, with Constantine blockading Italian ports, there may have been further issues of supply to the capital.²⁹⁵ At any rate, on 28th October 312, somewhere north of the Milvian Bridge, a crossing of the Tiber less than two miles north of the walls of the city along the Via Flaminia, Maxentius met Constantine in battle. The bridge was cut by Maxentius, who placed some sort of pontoon across the gap. When the two armies met, Maxentius' force was broken and, in the ensuing rout, Maxentius was drowned along with a great many of his soldiers. Constantine entered Rome in triumph on 29th October, and the war was over.

²⁹⁴ *Pan. Lat. XII.8-11.2; IV.25-27.2*; note that *Pan. Lat. XII* calls him Pompeianus, whilst *Pan. Lat. IV* calls him Ruricius. It is always assumed, perfectly reasonably, that these must be the same man (i.e. Ruricius Pompeianus; cf. *PLRE I*, Ruricius Pompeianus 8).

²⁹⁵ *tu et Alpes gradu et classibus portus Italicos occupasti (Pan. Lat. XII.25.2).*

Two panegyrics deal with the events of Constantine's war with Maxentius. The first is *Pan. Lat. XII*. The author was clearly a Gaul, an old man, in his seventh or eighth decade, and showed himself familiar both with public speaking and with an imperial audience.²⁹⁶ Regarding location, Trier is generally assumed, based on the suggestion both that Constantine had been to the city before and that he held a triumph and games there.²⁹⁷ Regarding the date, the clearest *terminus post quem* is the battle of the Milvian Bridge, which took place on 28th Oct 312. But a further campaign, on the Rhine, had also taken place before the delivery of the speech. Given that no mention is made of Constantine's activities in Britain, at the close of 313, this campaign must be that undertaken on the lower Rhine in this same year and, therefore, the speech was delivered sometime between the end of the summer campaigning season and his visit to Britain in the autumn.²⁹⁸

The panegyric is utterly dominated by the war with Maxentius. The orator begins with the usual rhetorical protestations of inadequacy; nonetheless he must raise his voice in praise of Constantine's restoration of the state (1). This restoration is then taken as a theme and described in a level of detail unparalleled by anything that survives for us from the tetrarchic panegyrics. The description of the war with Maxentius consumes virtually the entirety of the speech (2-21). The orator first praised Constantine's force of will for undertaking the war when all others, including fellow emperors, hesitated (2). Others had tried but failed against Maxentius (3). Direct comparison was made between Constantine and Maxentius (4). Constantine's campaign in northern Italy was then described, with the adornment of a number of historical comparisons (5-11): first his swift capture of Segusio

²⁹⁶ As well as a deference to Roman oratory (1.2), which could suggest virtually any region of the Empire, even Italy itself, his Gallic heritage is made clear by a number of passages which show Gaul to be his point of reference (2.5-6, 7.7, 14.2). As to his age, he refers to a battle near Verona which occurred *media aetate nostra* (8.1) and which, both Nixon and Rodgers and Galletier agree, must be the battle between Carinus and the usurper M. Aurelius Julianus in 285.

²⁹⁷ *Pan. Lat. XII* 1.1 and 23.1-3 respectively. Constantine had recently campaigned over the Rhine (22-3) and so a Gallic city is required.

²⁹⁸ Barnes, *Constantine and Eusebius*, 65. See also Galletier, II, 105-6 and Nixon-Rodgers, 288-90.

(5), next his victory in the environs of Turin and *adventus* there (6-7). This section was then concluded by the description of the siege of Verona (8-11); the city was surrounded and captured (8), Constantine joined in the fray (9-10), and finally Constantine received the surrender of Verona, along with Aquileia and other towns (11). A dreary excursus on iron and the sword as vehicles of violence and on Constantine's virtue in using such tools for protection rather than destruction (12-13) marks a divide in the Maxentian portion of the speech, following which the orator begins the second part of his narrative, on the recovery of Rome. Maxentius' sloth, remaining within the walls of Rome and suppressing news of Constantine's victories in northern Italy, is contrasted with Constantine's vigour in pursuing the war (14-15). Divine forces, however, pushed Maxentius into a sudden and mad rush against Constantine (16). The battle was easily carried by Constantine and Maxentius was killed in trying to escape (17). The Tiber disgorged his corpse so that it could be mutilated and paraded by the soldiers (18). Constantine entered the city in triumph, surrounded by adoring crowds (19). The orator praised Constantine's conduct in the senate and his lenience in victory (20). The armies that fought against him are now armed for the protection of the Empire (21). Finally, the orator briefly recounts a campaign of Constantine's against the Franks and the utter defeat of this nation (22-3). He notes that Constantine has defeated powerful foes and already surpasses his great father (24), that Constantius looks down from heaven on the honours of his son (25), and closes with a prayer for Constantine and his progeny (26).

Nazarius' speech is rather easier to place. Our knowledge of his name may lead us to believe we know rather more of him than we do. Though he is known to us from another source than his own speech (Jerome mentions him as a famous orator), he is otherwise a shadowy figure.²⁹⁹ Galletier believed he was the same Nazarius mentioned by Ausonius in

²⁹⁹ Jerome, *Chron.* s.a. 324.

his *Commemoratio professorum Burdigalensium*, which, combined with Jerome, would suggest that he was a Gallic orator of some note.³⁰⁰ The speech itself seems to have been delivered at Rome.³⁰¹ Its date would appear to be 1st March 321, the commencement of the quinquennial year of the young emperors Crispus and Constantine II.³⁰²

The war with Maxentius again provides the dominant theme of the speech, though Nazarius is slightly less single-minded than the orator of XII. From the outset it is made clear that, though this panegyric is delivered as part of the *quinquennial* celebrations for the young Caesars Crispus and Constantine II, its object will be the praise of Constantine himself (1). The confident hope of an endless reign for the princes is then advanced (2). Nazarius then shows the ways in which his sons mirror, or else will come to mirror, their father (3-5). There follow several chapters which deal with the motivations for the war with Maxentius (6-15). The plight of Rome and Constantine's liberation of the city are evoked (6) and the certainty of divine favour in the enterprise (7); despite Maxentius' terrible vices, Constantine attempted to secure peace in order to moderate him by kindness rather than defeat him by force (8-9); but Maxentius' natural opposition to Constantine, being of an utterly different nature to him, showed through and he refused peace (10); the orator asked if Maxentius thought he would be ignored, or thought he could be victorious, or thought he could deceive Constantine (11); but ultimately, divine madness provoked Maxentius to make war on one whom he ought to have courted (12); above all, Rome mourned for the overthrow of Constantine's images, and the emperor was forced to act (13); wonder is expressed at the heavenly forces, led by Constantius Chlorus, which fought for Constantine (14-15). There then follows a short digression on a war fought against Frankish invaders (16-18). The narrative of the Italian campaign is then taken up and, with

³⁰⁰ Galletier, II, 149 (commenting on Aus., *Prof.* 14). Cf. A. D. Booth, 'Notes on Ausonius' *Professores*', *Phoenix* 32:3 (1978), 243-4.

³⁰¹ W. Kroll, 'Nazarius 2', *RE* 16 (1935), 2098 seems to be the only dissent from this viewpoint.

³⁰² Notionally, these celebrations would also have been for Licinius II, who is never mentioned. More on this below, pp. 136-49.

its aftermath, lasts for virtually the remainder of the speech (19-38). First, the ability of Constantine to fire his soldiers with valour is praised (19-20); next the conquest of Segusio (21), the battle outside Turin (22-4), and finally the siege of Verona (25-6); the orator passes over other details to explain how one who had fed on the vitals of the city was now induced to come forth (27-8); Constantine throws himself in where the fighting is hardest (29); Maxentius' battle line is crushed (30); Constantine enters the city in triumph (31); triumph and celebration spreads, first through Italy and then Africa (32). Finally Nazarius extolls the clemency of Constantine and shows how Rome and her people had flourished since its recapture (33-5), wishes health and continued prosperity to the sons of Constantine (36-7), and rejoices in the happiness of the times (38).

Whilst a significant span of time (some eight years) divides these two speeches, nonetheless they may easily be considered together as, unlike the tetrarchic panegyrics of the previous chapter, the two pieces present a strikingly unified programme so that only a few evolutions over time need to be pointed out. Indeed, the unity of outlook regarding Maxentius in these two speeches is one of their striking features and, as we will see in this section and on into the next, one of the most remarkable features of Constantine's reign was the development of a clear programme of victory which not only incorporated the messy business of his civil wars, but positively glorified in it.

We have seen already that the question of who was the aggressor in this war is a complex one. The panegyrics prevaricate, and avoid overly clear pronouncement on the issue. XII is particularly striking for this; the orator's first topic, after his proemium, is one that he claims no one has spoken about before.³⁰³ He praises Constantine being the first to undertake a war "stirred up (*conflatum*) with such vast resources, such a conspiracy of greed, such a contagion of crimes, such a despair of pardon", remarking on the fearfulness

³⁰³ This, without any sense of irony, follows hot on the heels of his protestations of unworthiness and his claim that *experiar igitur, ut possum, quamquam opletis auribus tuis ut sic dixerim insusurrare, sine aemulandi fiducia cupidus imitandi* (1.5).

and inaction of both Constantine's imperial comrades and his companions and generals.³⁰⁴ The suggestion (particularly in the impersonal *conflatum*) is that it was Maxentius who stirred up war, and that it was only Constantine who had sufficient fortitude to answer this challenge. This implication reemerges at several points throughout the speech. After explaining that the attack of Segusio was *simul coepta et patrata*, the orator of XII refers to the enemy soldiers as *rebeldes*.³⁰⁵ The word hides behind it (exactly as it was meant to) a tangle of complications. The soldiers under Maxentius' command had, after all, never rebelled against Constantine or slighted him. No soldier of Maxentius' had ever taken up arms against Constantine's soldiers or violated Constantine's territory. The orator also posed the question to a hypothetical *miles infelix* of Turin: "What else could you have hoped for yourself, devoted, as you were, to that most loathsome monster (*turpissimo illi tunc devote prodigio*)? ...You compelled Constantine (to whom, because you did not allow him to preserve you, the victory itself was almost distasteful) to shed so much blood."³⁰⁶ Likewise, he lauds Constantine's speed in marching on Rome after his conquests in northern Italy, saying that he has no desire to prolong the war.³⁰⁷ This was a manipulation of the wider imperial reality. Maxentius had stood outside the tetrarchy in its every iteration. He had fought wars against three other emperors, two of whom, by 313, were dead. By stressing that Maxentius had brought war against the tetrarchy, and by highlighting previous failures to check this problem, the orator made Constantine's own war, which saw his power expanding into territory that *should* have belonged to Licinius, a legitimate and even restrained use of power.

Nazarius, in *Pan. Lat.* IV, is more direct. He echoes *Pan. Lat.* XII's general assertions that Constantine had been forced into a war he did not desire: "you waged a war, greatest

³⁰⁴ *Pan. Lat.* XII.2.3-4.

³⁰⁵ *Pan. Lat.* XII.5.6.

³⁰⁶ *Pan. Lat.* XII.7.1-2.

³⁰⁷ *Pan. Lat.* XII.15.3-6; this is a particularly duplicitous, given that it is the speed of Constantine's advance that provides one of the strongest indicators that he, not Maxentius, instigated the war.

of emperors, which the honour of the city imposed upon you (*tibi... imposuit*) no less than the plight of this same city persuaded you.”³⁰⁸ A moment later, he urges his audience not to even think of the conflict as a war (since “wavering Mars” did not once shift his favour from Constantine), but merely a “punishment demanded of the impious” (*impiorum poenas expetitas*).³⁰⁹ But he also goes further, and across four chapters, spanning some 100 lines (more than a ninth of the total length of the speech), explains the grounds on which the war was undertaken. In the first place, we learn that Constantine had attempted to broker a peace between himself and Maxentius, a peace of which *Pan. Lat. XII* makes no mention.³¹⁰ The impossibility of any kind of lasting peace, however, is then declared: “But no force can hold together things which are at variance because of an innate separation, nor is there any bond so sure that it can hold, by its ties, things which strain in opposite directions.”³¹¹ Nazarius then shows his hand, and makes clear to his audience the position he is adopting: “Virtue no longer has power to remain neutral (*iam certe quiescere virtuti integrum non est*); for to wage war in spirit whilst disdaining arms is not regard for concord, but fainthearted dissent.”³¹² Even if (and Nazarius still leaves this unspoken) Constantine *was* the first to take military action against Maxentius, and not the other way around, it was not merely justifiable but necessary. Maxentius not only refused an offer of peace (as good as a declaration of war), but the conduct of his own rule made peace impossible. Maxentius’ schemes and wiles come to nothing, until eventually, “he advanced so far in madness that he provoked one whom he ought to have courted.”³¹³ Nazarius then evokes, with florid hyperbole, the overthrow by Maxentius of Constantine’s

³⁰⁸ *Pan. Lat. IV.6.4.*

³⁰⁹ *Pan. Lat. IV.7.1.*

³¹⁰ *Pan. Lat. IV.9*; Nazarius urges us to see the reality of this peace offer: *quin extorques animo tuo conveniendi studium et concordiae voluntatem, si concordiam quam veniam appellari fas est, cum qui potest vincere optat ignoscere* (9.3). But as Nixon-Rodgers, 353, n. 45, the peace is totally absent from other sources and, indeed, conflicts with information we have (*Lact., de Mort. 43*) concerning inter-imperial relations in this period.

³¹¹ *Pan. Lat. IV.10.1.*

³¹² *Pan. Lat. IV.10.3-4.*

³¹³ *Pan. Lat. IV.12.1.*

statues and the erasure of his images (*venerandarum imaginum acerba deiectio et divini vultus litura deformis*). Here, at last, a concrete detail is given. The imperial image was sacrosanct, and for one emperor to show disrespect to the images of another was, and could only ever be, a clear and deliberate act of war.³¹⁴ Constantine could thus be reasonably shown by Nazarius to have fought “under compulsion” (*coactus*).³¹⁵ It is clear that if Maxentius *had* declared war on Constantine, then we would expect our panegyrics to draw great rhetorical value from this fact. The absence of any reference to the destruction of statues in *Pan. Lat. XII* may also lead us to suspicion of this single concrete detail that we possess.³¹⁶ The conclusion, therefore, must surely be, as most historians have tended to believe, that Constantine declared war on Maxentius, and not the other way round.

Why does this matter? In part the answer to this question must be simply that it mattered to the panegyrists. *Pan. Lat. XII*, with its vague obscurity, and *Pan. Lat. IV*, with a significant proportion of its total length devoted both to explaining the reasons for war and absolving Constantine from responsibility (and this at more than eight years remove from the events being described), suggest that this was something that both speakers were worried about. This concern, as we have seen, would hardly have been unjustified; Constantine was technically in Licinius’ territory and, though the treaty made at Milan in 313 had redefined the division of the Empire, legitimising Constantine’s conquest, nevertheless the point clearly needed careful and continual restatement

For this reason, it was important that the character of the war be carefully defined as a liberation movement aimed at the freedom of Rome, in order to remove any suggestion

³¹⁴ P. Stewart, ‘The Destruction of Statues in Late Antiquity’, in R. Miles (ed.) *Constructing Identities in Late Antiquity* (London: Routledge, 1999), 159-162, gives a good introduction to the significance of the imperial image.

³¹⁵ *Pan. Lat. IV.12-13*.

³¹⁶ That *Pan. Lat. IV* was delivered in March 321, when the frosty peace between Licinius and Constantine was becoming truly glacial may also have been a significant motivating factor for Nazarius’ choice. This is discussed below, pp. 136-49.

that Constantine was fighting for personal gain. Both authors thus described the war not, primarily, as a contest between two emperors, but rather as a necessary undertaking fought for the sake of Rome herself. Though on a number of occasions the war was described as a *bellum*, with near equal frequency, verbal forms derived from *libero* and the idea of *libertas* for the people in Maxentius' territory were employed.³¹⁷ Hand in hand with the idea of *liberator*, Constantine was also invoked as a *fundator* of Rome, as contrasted with Maxentius, who sought to destroy the city: "Rome has been founded and established for ever, since all who attempted to weaken her have been destroyed down to the very root" (*constituta enim et in perpetuum Roma fundata est, omnibus qui statum eius labefactare poterant cum stirpe deletis*).³¹⁸

The use of Rome throughout the speech was central to both authors' purpose. Though Rome's direct political influence had dwindled in the fourth century, it was still the heartland of the Empire.³¹⁹ Emperors held their greatest triumphs there, drawing the political elite from every corner of the Roman world.³²⁰ Even without an emperor's presence, the city drew talented men like wasps to honey.³²¹ Some of the best remembered set-pieces of late Roman history took place there.³²² Its sack, in 410, provoked dismay throughout the Mediterranean and fears that the end of the world had come.³²³ Maxentius' possession of the ancient capital of the Empire was, therefore, a significant ideological weapon, and one which he had wielded with considerable skill. Constantine's orators both

³¹⁷ For *bellum*: *Pan. Lat.* XII.2.3, 2.6, 3.2, 5.2, 7.4, 7.6, 9.6, 15.2, 15.4, 21.2, 21.3, 21.5, 22.2, 24.3; IV.6.4, 7.1, 10.4, 17.3, 19.3, 25.7, 26.3, 26.4, 28.3, 37.2. For forms from *libero*: XII.2.4, 3.2, 19.4; IV.19.3, 33.3. For *libertas* and *liber*: XII.2.2, 3.6, 24.1, 26.5; IV.2.6, 3.7, 4.1, 26.1, 31.5, 32.8, 36.2.

³¹⁸ *Pan. Lat.* IV.6.6.

³¹⁹ As recently as 289, Mamertinus had confidently looked forward to the moment when the emperors would again take up residence in Rome (*Pan. Lat.* X.14.4-5).

³²⁰ See below, pp. 121-3, 130, 182-4, 270-1.

³²¹ *Aug., Conf.* V.viii.14.

³²² For Constantius' visit, see *Amm.* XVI.10f. For the Altar of Victory, see *Symm., Rel.* 3, and *Ambr., Ep.* 17, 17a, and 18. Also R. Klein, *Der Streit um den Victoriaaltar: Die dritte Relatio des Symmachus und die Briefe 17, 18 und 57 des Mailänder Bischofs Ambrosius* (Texte zu Forschung 7; Darmstadt: Wissenschaftliche Buchgesellschaft, 1972).

³²³ *Aug., de Civ. Dei* I-X *passim*; *Jer., Epp.* 126.2 and 127.12-13. We might contrast these with Orosius' determined efforts to dismiss the disaster (*VII.39.1-40.2*).

demonstrated that, more than anything else, it was the suffering of Rome herself that drove Constantine to war. The orator of *Pan. Lat. XII* makes this point very forcefully. He begins, amongst the false modesty of his proemium, by declaring his theme: "...I am unable to keep silent from trying to say something about the recovery of the city and the restitution of Roman power after a long-lasting upheaval" (*de recuperata urbe imperioque Romano tandem ex diuturna convulsione solidato*).³²⁴ Within the following forty four lines he restates the point twice over, making reference to the *liberanda urbs*.³²⁵ Once Northern Italy had been recovered, we are told that "Rome herself now reached out her supplicant hands to you."³²⁶ *Pan. Lat. IV*, likewise, takes the theme up early. As he moves from his introductory remarks into the main body of the speech, Nazarius remarks on Constantine's outstanding virtue, employing the tired trope that Constantine's deeds are such that no praise can equal them. But Nazarius continued that "your divine virtue and its companion mercy and its adjunct victory" needed to be especially singled out, since they saved Rome from a disaster towards which she was crashing headlong.³²⁷ The war was nothing less than the salvation of Rome.

Maxentius was intimately involved in this portrayal. Both panegyrics speak of his rule almost exclusively as the rule of the city of Rome. This takes place at the expense of any real discussion of the other territories in Maxentius' power.³²⁸ This was a direct response to Maxentius' own propaganda, which had focussed so closely on Rome, and to the historical reality of the fact that Maxentius, unlike any other emperor of this generation, had spent the entirety of his reign within the city. By focussing on Rome the orators were

³²⁴ *Pan. Lat. XII.1.3.*

³²⁵ *Pan. Lat. XII.2.4, 3.2.*

³²⁶ *Pan. Lat. XII.14.2*; a similar sentiment had been expressed a few chapters previously when the orator described Verona as under siege not by Constantine, but by the internal siege of Maxentius' supporters (*intestina satellitum pressit*; 8.2).

³²⁷ *Pan. Lat. IV.3.3.* The last two clauses (*in cuius laudibus id maximum non est quod in terrarum orbe primum est?*) caused me considerable confusion and I give Nixon and Rodgers' translation here; they also express doubt over this: "Nazarius' fulsomeness is the reader's undoing." (Nixon-Rodgers, 346, n. 15).

³²⁸ Africa receives only a very brief mention (*Pan. Lat. XII.16.1; IV.32.6-9*). Italy is mentioned only to allow both orators to narrate Constantine's campaign in the north of the peninsula.

able to construct an image of Maxentius steeped in the tropes of classical tyranny, a fitting monster for Constantine to overthrow.

Pan. Lat. XII sets out with this programme almost from the outset. Maxentius was pictured as a criminal tyrant who had, as tyrants are wont to do, set up about himself a band of the very worst kinds of men, intent on using their master's rule as a license for their own advancement and the indulgence of vice. The orator writes:

That monster heaped upon bands of men, hired for civil brigandage, the wealth gathered from the whole world over 1,600 years (*mille et sexaginta annis contractas ex toto orbe divitias monstrum illud redemptis ad civile latrocinium minibus ingesserat*). To this end, he bound traitors (*parracidae*) to him unto death by making gifts to them of the wives of other men and the heads of the innocent, along with all their worldly goods; all who plotted against him or who openly attempted something for the sake of their freedom he afflicted with punishments and oppressed with arms. And whilst he enjoyed the majesty of that city, which he had taken, he filled the whole of Italy with henchmen gathered in order to conduct every manner of crime (*conducti ad omne facinus satellites*).³²⁹

Both orators treat Maxentius as a vicious and destructive ruler, whose tyrannical reign in Rome brought considerable grief upon the city. We have already seen that Nazarius described the city as having been “once overwhelmed by the crimes of an impious tyrant” (*demersa quondam tyrannidis impiae malis*).³³⁰ Likewise, the anonymous author of XII argued that, “the majesty of the city had abandoned him because of his crimes” (*flagitia*).³³¹ In perhaps the most visceral metaphor of the entire panegyric corpus, Nazarius likens Maxentius to a disease or a parasite, feeding upon the city: “Thus, Italy having been recovered, this was the first step towards liberating the city and an easy step towards victory, that the force of the divinity shook out from his accustomed hiding place

³²⁹ *Pan. Lat.* XII.3.5-7.

³³⁰ *Pan. Lat.* IV.6.2; see also 6.4 and 11.2.

³³¹ *Pan. Lat.* XII.15.1.

he who had clung to the bowels of the city in order to devour them” (*quod illum semper exedendae urbis visceribus inhaerentem ex adsuetis latebris vis divinitatis excussit*).³³²

The difference in tone between a passages such as these and the invective levelled against Carausius and Allectus in the 280s and 90s should be immediately apparent. The latter usurpers had been cast as rebels and quasi-barbarian criminals and the illegitimacy of their rule defined in terms of their relationship to the college and to more vaguely formed ideas of *romanitas*.³³³ Maxentius, however, was shown to be illegitimate because of his relationship to his *people*.³³⁴ This is in keeping with everything that we have seen about Constantine so far. He had come to power through a usurpation. His individuality and his stress upon dynastic legitimacy made collegiate language useless to him, if not actively dangerous. The presentation of Constantine’s enemies, therefore, required a radical reassessment. Dismissing Maxentius as a *pirata* or a *latro* was no good. Maxentius had held Rome for six years; he was the son of one of the greatest emperors in living memory; he had presented himself in a deeply traditional – indeed anachronistically so – model of imperial power. Nor could he be an outsider, as Carausius had been. Constantine was the outsider, proclaimed in one of the Empire’s frontier cities, on the *insula remota* of *Pan. Lat. X*.³³⁵ Maxentius, therefore, had to become Constantine’s equal and opposite. Constantine ruled because of his dynastic claims to power and, above all, because of his divine mission. Constantine was a general, an individual, and a charismatic ruler imbued with divine sanction. Maxentius had likewise to be an individual; but a coward, a despot, and a thing cursed by god.

It was, therefore, to the image of the classical tyrant that the orators turned. This was the fundamental difference between the presentation of Maxentius and that of Carausius

³³² *Pan. Lat. IV.27.5*; Nazarius also refers to the rebellion as a plague (*labes*; *IV.33.7*).

³³³ Only once in these two speeches is there anything even comparable to the de-Romanising invective of the tetrarchic panegyrics (*Pan. Lat. XII.5.3: milites (pro nefas!) paulo ante Romani*).

³³⁴ Only one example of this kind of language exists in the tetrarchic panegyrics, at *Pan. Lat. VIII.19.2*.

³³⁵ *Pan. Lat. X.12.2*.

and Allectus. It was also to become a defining characteristic of the presentation of Constantine's reign by contemporaries.³³⁶ Constantine, more generally, drew upon classical models in his self-image; his evocation of Augustus, Trajan, and Alexander has been noted.³³⁷ The model of Maxentius that was constructed in his reign, therefore, was conceived within traditional models of despotic tyranny that the Romans had inherited from the Greeks and applied to their own Republican and imperial history.³³⁸ It evoked the crimes against the Roman people committed by the worst of Rome's despotic emperors.³³⁹ Rome, and the Roman people, over whom Maxentius was conceived as exercising tyrannical government, became the ultimate justifiers of Constantine's position.

The city's suffering is a palpable presence. When Constantine enters the city in triumph, in *Pan. Lat.* XII, the masses that surge to see him find themselves amazed that, after six years of slaughter (*post illam sexennii cladem*), so many men remain in the city.³⁴⁰ As it continues into its next section, this idea develops with examples from the bad old days of the Republican wars of the first century BC. "O Rome, fortunate at last in a civil victory!" the orator exclaimed. The civil wars of the past had only brought greater bloodshed and suffering upon the city; he names Cinna, Marius, and Sulla for his audience. These canonical tyrants left in their wake, as all Romans would know, a city filled with blood and a butchered senate;³⁴¹ these were examples of what Rome "had now suffered for

³³⁶ *CIL* VI.1139; Jul., *Or.* I.7a-8d; II.52a-b (even when Julian chose to satirise his uncle's reign (i.e. *Caes.* 328d-329d), the two tyrants still featured heavily); Libanius, *Or.* LIX 19-21; Lact., *de Mort.* 43-44; Euseb., *VC* I.13, 33-8; *Pan. Lat.* XII and IV (throughout this chapter).

³³⁷ Bardill, *Constantine*, 11-24.

³³⁸ For instance, J. R. Dunkle, 'The Rhetorical Tyrant in Roman Historiography: Sallust, Livy and Tacitus', *The Classical World* 65:1 (1971), 12-20. Also various essays in S. Lewis, *Ancient Tyranny* (Edinburgh: Edinburgh University Press, 2006).

³³⁹ For instance, Suet., *Nero* 26-38.

³⁴⁰ *Pan. Lat.* XII.19.3.

³⁴¹ See, for instance, M. Lovano, *The Age of Cinna: Crucible of the Late Republican Period* (Historia Einzelschriften 158; Stuttgart: Steiner, 2002), 19ff. and 105ff. If we may consider the violence of this period exaggerated, we ought to remember that it was to fourth century Romans as well (i.e. Senec., *de Clem.* I.xi.4-xii.2).

six years past.”³⁴² Nazarius echoes this sentiment in his *nam quidquid mali sexennio toto dominatio feralis inflixerat, bimestris fere cura sanavit*.³⁴³ After praising Constantine’s conduct in the triumph and remarking on the enormous crowds that turned out to see him, the orator of XII asks, “For why should I speak of your decisions and acts in the curia, by which you restored the former authority of the senate (*senatui auctoritas pristina*), did not boast of the salvation which the senate had received through you, and promised that its memory would remain in your heart eternally?”³⁴⁴ The orator suggests that Constantine had restored rights and privileges to the senate which were their due (*pristina*) and which had been denied them until now. The obvious cause of this denial is Maxentius, and we see Constantine being presented both as a protector of ancient values and as the antidote to the misrule of Maxentius.³⁴⁵

Nazarius likewise juxtaposed Constantine and Maxentius as rulers of the city, and though the exact target of his invective-praise was slightly different, the effect was identical. After he declared that the wounds of a six year slaughter had been healed by Constantine’s presence in Rome for a bare two months, he explains to the audience, with a typical rhetorical flourish, that, “I pass over the restoration of inheritances to all those private individuals whom that monstrous plague (*illa monstrosa labes*) made exiles from

³⁴² *Pan. Lat.* XII.20.3.

³⁴³ *Pan. Lat.* IV.33.6.

³⁴⁴ *Pan. Lat.* XII.20.1.

³⁴⁵ Solid evidence for Maxentius having made attacks upon the senate is virtually non-existent, while a strong case can be made for his good relations with this body (there is no value in an approach like that of Groag’s (‘Maxentius’, *RE* 14.2 (1930), 2454-5), which draws a hostile conclusion based solely upon quotations from the panegyrics and Aurelius Victor, which mention ill-defined exactions against the senate). Constantine, however, made enormous changes to the body, increasing its size and thus opened the senate to both equestrians and provincial men. A hostile orator would have been quick to pounce on it as the admixture of unworthy individuals in the senate (*cf.* Julian’s comments at *Amm.*, XXI.10.8). Though Constantine oversaw a reintegration of the senatorial aristocracy into the higher positions of the Empire’s administration, a number of Constantine’s senatorial appointees had held equally important positions under Maxentius.³⁴⁵ And though Constantine never allowed senators to hold military positions, Maxentius had on at least one occasion (Arnheim, *Senatorial Aristocracy*, 71; Rufius Volusianus, who had suppressed Alexander in Africa, was a senator: *CIL* VI.1707). What little material we can find for Maxentius’ policies, therefore, suggests to us that Maxentius was a highly traditional Roman ruler and that Constantine, by contrast, was something of an innovator.

their own homes.”³⁴⁶ After devoting a few lines to this subject that he has chosen to pass over, he then embarks again, now choosing the theme of lustfulness and chastity: “Now, I hardly dare to relate the following concerning such a ruler, that no married woman possessed of beauty felt sorrow on this account, since under temperate rulers a splendid countenance is not an incitement to lust (*incitatrix licentiae*), but an ornament of modesty.”³⁴⁷ If his audience were at all slow to grasp the point, Nazarius made sure to spell it out for them as he drew this section to a close. “Everyone was so bound by wonder over these things not because they had borne that tyrant for so long (*illum tyrannum ita diu tulerant*), but because they had enjoyed such a ruler so late.”³⁴⁸ The goodness of Constantine reminded a people, who had been so blinded by tyranny, what it was to have a gracious ruler.

These passages imply strongly that Maxentius’ reign had been marked by extreme oppression of the people of the city. These references were not limited to those quoted above, but were scattered throughout both speeches at any point at which the orators spoke of Maxentius. Even if we are willing to give the orators the credit of linking their veiled references to rioting in the city during Alexander’s rebellion, this is still an isolated event and in no way merits the idea that Maxentius’ reign saw a six year period of barbaric slaughter of the city’s populace.³⁴⁹ We should utterly reject the temptation to be drawn in by this and other such highly rhetorical statements among Constantine’s promoters into thinking that Maxentius’ reign was particularly draconian. It may well have been, but the testament of the panegyrics is utterly worthless as evidence to that effect.

In every respect this mirrored Constantinian propaganda as we see it in other media. Inscriptions to Constantine across Italy hailed him as the *liberator Urbis* and the *liberator*

³⁴⁶ *Pan. Lat.* IV.33.7.

³⁴⁷ *Pan. Lat.* IV.34.1.

³⁴⁸ *Pan. Lat.* IV.34.4.

³⁴⁹ Indeed, the evidence we have suggests that it was Maxentius who was responsible for calming this riot once it had broken out (Zos., II.13).

rei Romanae.³⁵⁰ The idea of Constantine as *fundator* was likewise taken up; the arch named him *fundator quietis* whilst statue bases in the city declared him *fundator securitatis aeternae* and *fundator pacis*.³⁵¹ Eusebius tells us that Constantine had erected a statue of himself in “the most frequented spot in Rome” whose inscriptions declared, “in the tongue of the Romans”: “By this saving sign, by this true proof of courage, I have delivered your city, which I have saved from the yoke of the tyrant (ἀπὸ ζυγοῦ τοῦ τυράννου), and I have, moreover, liberated the senate and the Roman people, whom I have restored to their ancient distinction and splendour.”³⁵² The day of Maxentius’ death was even made a permanent holiday in the city’s year, with 28th October marked in the *Calendar of 354* as *evictio tyranni*.³⁵³

All this rhetoric unquestionably found its greatest expression in the Arch that the senate constructed for Constantine as part of the decennalia celebrations he held in Rome in 315. Emmanuel Mayer has described the Arch as “a radical breach with the tradition of imperial praise and [crying] out for an explanation.”³⁵⁴ He is unquestionably correct; the erection of a triumphal arch to commemorate a victory in civil war was, like the triumph of 312 itself, unprecedented in Roman history. The arch was situated in the centre of the city, surrounded by buildings built by Maxentius and dedicated to Constantine.³⁵⁵ It represented, if such were needed, a final confirmation from a senate that had already voted Constantine senior Augustus of both the finality and the importance of Constantine’s

³⁵⁰ See Grünewald, *Constantinus Maximus Augustus*, 63, n.1.

³⁵¹ *fundator quietis*: *CIL* VI.1139; *fundator securitatis aeternae*: *CIL* VI.1140; *fundator pacis*: *CIL* VI.1145, 1146. Though *fundator* was not an appellation unique to Constantine (Diocletian, *LSA* 2643; Constantius I, *LSA* 1259 (= *CIL* VI.1132); Licinius, *LSA* 2069 (= *CIL* X.7284); Valentinian and Valens, *LSA* 2155, 2156, 2562, 2563), it seems to have been particularly associated with him. The juxtaposition of founder and tyrant is an old trope (cf. Quintillian, *Declamatio* 274f.).

³⁵² Euseb., *HE* IX.9.11; *VC* I.40.

³⁵³ M. R. Salzman, *On Roman Time: The Codex-Calendar of 354 and the Rhythms of Urban Life in Late Antiquity* (Transformation of the Classical Heritage 17; Berkeley; Oxford: University of California Press, 1990), 141.

³⁵⁴ Mayer, ‘Civil War and Public Dissent’, 146. He notes (147) that the graphic depiction of Romans killing Romans is virtually unique in Roman history (though see below, n. 938).

³⁵⁵ J. R. Curran, *Pagan City Christian Capital: Rome in the Fourth Century* (Oxford: Oxford University Press, 2000), 76-83.

victory.³⁵⁶ The inscription drew directly on the themes we have witnessed already, themes already expounded in *Pan. Lat.* XII and which would go on to be repeated in *Pan. Lat.* IV (and doubtless countless other like it), themes that had been voiced again and again in statues and inscriptions from 312-5. It read:

The Senate and the People of Rome have dedicated this arch to the triumphs of the Emperor Caesar Flavius Constantine, Greatest, *Pius, Felix*, and Augustus, who, inspired by the divinity and in the greatness of his mind, with his army and through his just arms, delivered the Republic at one time both from a tyrant and from all of his faction (*tam de tyranno quam de omni eius factione... republicam ultus est*).³⁵⁷

There was a unity of expression in all public media relating to Constantine and to his conquest of Rome. Constantine was a liberator or a founder, drawn into a war not of his own making. This war was fought, under divine auspices, to liberate the city of Rome from a tyrant who was slowly destroying the city and its people. The war was a necessary one, fought to ensure the survival of the Empire's heartland. It was a question never asked in any medium whether the means were justified by their end; with such a victory, how could they not?

Constantine's entry into Rome could have left little doubt in the mind of contemporaries that a great victory had been won. This entry was clearly intended as a triumph, and both panegyrists describe it in some detail. In particular, this extended paragraph from *Pan. Lat.* IV shows how the theme of the triumph was not only explicitly engaged with, but utilised to great rhetorical effect:

Defeated generals were not driven before the chariot, but the nobles marched along, freed at last. Barbarians were not thrown into prison, but consuls led from it. Foreign captives did not adorn that entrance, but Rome

³⁵⁶ Lact., *de Mort.* 44.11.

³⁵⁷ *CIL* VI.1139.

now free... It certainly seemed to all that a line of the vices (*agmina vitiorum*), which had grievously besieged the City, were led now in subjection: crime was mastered, treachery conquered, and audacity, mistrustful of itself, placed in chains with insolence; fettered fury and bloody cruelty gnashed their teeth, devoid now of terror; pride and conceit were vanquished; luxury was constrained and lust held tight with iron bonds (*scelus domitum, victa perfidia, diffidens sibi audacia et importunitas catena; furor vincitus et cruenta crudelitas inani terrore fredebant; superbia atque adrogantia debellatae, luxuries coercita et libido constricta nexui ferreo tenebantur*). The most foul head of the tyrant himself (*tyranni ipsius taeterrimum caput*) followed this court; but, if the reports can be believed, savagery still lingered upon it, and death itself had not conquered the menacing omen of his dreadful face (*suberat adhuc saevitia et horrendae frontis minas mors ipsa non vicerat*). Insulting words were hurled by the crowd, for it delighted them to inaugurate their freedom with mockery of their oppressor (*ludibriis oppressoris*) and with wonderful pleasure the terror inspired by his life was crushed in the mockery of his death.³⁵⁸

This device was a fantastically inventive one. Though it has endlessly been pointed out that Ammianus' caustic comments on the inappropriateness of Constantius' triumph, a triumph *ex sanguine Romano*, were both deeply anachronistic and deeply unfair, it nevertheless remains a useful indication that at least some fourth century Romans were still very uncomfortable about a triumph following a civil war.³⁵⁹ Ammianus, writing in the 390s, lived in a society that had had some three generations longer than Constantine's to grow accustomed to this idea. Nazarius was addressing this concern – or perhaps distaste – over the triumph head on. By acknowledging the reality of a triumphal procession, but inverting its norms, Nazarius skilfully negotiated treacherous waters. The triumph was used not (as later by Ammianus) to demonstrate Constantine's megalomania, but rather to reinforce his position as a protector of traditional liberties in the face of a tyranny that sought to extinguish them.

³⁵⁸ *Pan. Lat.* IV.31.1-5.

³⁵⁹ *Amm.*, XVI.10.1; cf. M. McCormick, *Eternal Victory: Triumphal Rulership in Late Antiquity, Byzantium, and the Early Medieval West* (Cambridge: Cambridge University Press; Paris: Editions de la Maison de sciences de l'homme, 1986), 80-3.

An important participant in the 312 triumph was the severed head of the drowned Maxentius. Both authors also made a point of noting – and, indeed, describing in some detail – that Maxentius’ disfigured head was torn from his body, and, mounted on a pike, used to lead the triumphal procession that accompanied Constantine on his entry into the city. After Maxentius’ corpse had been “cut up” (*trucidatus*), in a scene the orator imagines populated by a rejoicing Roman people, “that sinful head” (*caput illud piaculare*) was mounted on a pike, was disfigured, was jeered at, and was paraded in triumph.³⁶⁰ We saw that Nazarius, likewise, recalled a crowd jeering at the decapitated trophy, rejoicing in their freedom by mocking the severed head.³⁶¹

Before we consider these passages, it is important to contextualise the significance of this act within the Roman tradition of post-mortem violence. It goes without saying that acts of violence committed against a dead body carry with them a clear message of dishonour for the deceased and for all those who loved him. The same impulse that leads human beings to tend to the bodies of their dead makes natural the revulsion we feel towards physical damage or disrespect being shown to a corpse. But in the modern world, though we can still feel this same revulsion, we have no real context by which to understand the formalised rituals of corpse abuse that existed in the Roman world. Human behaviours and rituals, much like a language, function at their best when there is a high degree of shared and mutually intelligible symbolism; when it came to post-mortem abuse of the human body, the Romans were highly developed linguists.

The mistreatment of corpses (*off* the battlefield) had, for the Romans, a very long history, and had come to be associated almost exclusively with two classes of people: firstly, criminals of the worst sort (in particular slaves, prisoners of war, and Christians) who were killed either in the arenas or by some of Rome’s most brutal methods of torture,

³⁶⁰ *Pan. Lat.* XII.18.3.

³⁶¹ *Pan. Lat.* IV.31.4.

in particular crucifixion,³⁶² and secondly those accused of *crimen maiestatis*, high treason.³⁶³ Inevitably, such methods of punishment were used as a method of terror over the living (Pliny reports that Tarquinius Priscus, one of the semi-legendary kings of Rome, had crucified the bodies of men who hanged themselves to escape the horrors of labour in the sewers).³⁶⁴ As Keith Hopkins put it, death in the ancient world was a “protracted social process”, and for failed emperors this observation was especially true.³⁶⁵ Maxentius’ death in the river fit neatly within traditional Roman conceptions of the post-mortem life of the body. The orator of XII tells us that Sacred Tiber (*sanctus Thybris*) swallowed up the *impii* (this presumably being a general reference to Maxentius’ soldiers) and Maxentius himself.³⁶⁶ For the Romans, the Tiber had strong religious associations as a resting place for the body of *noxii*, the river acting as a purifier of the unclean.³⁶⁷ Like Rome herself, the Tiber is personified in the speech (it is actually addressed in the vocative at 18.1) and is credited with disgorging Maxentius’ corpse in order to confirm his death.³⁶⁸

Maxentius’ death, in the river, also marked his character. The orator of XII explains that Maxentius attempted to flee (further manifestation of his cowardice) and, equally importantly, that he did so “with his horse and his conspicuous arms” (*cum equo et armis insignibus*)... “lest so deformed a monster (*tam deforme prodigium*) leave this report of his

³⁶² D. G. Kyle, *Spectacles of Death in Ancient Rome* (London and New York: Routledge, 1998), *passim*. For an ancient example of refused burial, see Petronius, *Satyricon* 110.6-113.4.

³⁶³ *Dig.* XLVIII 24.1, a law forbidding the return of the bodies of those convicted of *maiestas*.

³⁶⁴ Pliny, *Nat. Hist.* XXXVI 107.

³⁶⁵ K. Hopkins, *Death and Renewal* (Sociological Studies in Roman History 2; Cambridge: Cambridge University Press, 1983), 217. Many of the most notable examples of corpse abuse in Roman history are those committed upon the bodies of hated emperors after their death (Vitellius: Suet., *Vit.* 17-18, Dio, LXIV 20; Elagabalus: *HA Heliog.* 17.1-3; corpse abuse was demanded, though not given, for Tiberius, Suet., *Tib.* 75.1).

³⁶⁶ *Pan. Lat.* XII.17-18. For Nazarius’ on Maxentius as *impius*, see *Pan. Lat.* IV.12.3: “O impious hands! O savage eyes! (*o manus impiae! O truces oculi!*). One might also be tempted to hold this up against his description of Constantine’s own visage at *Pan. Lat.* IV.18.4. For Christian interpretations of Maxentius’ death in the Tiber, see Williams, *Authorised Lives in Early Christian Biography: Between Eusebius and Augustine* (2008), 38-40.

³⁶⁷ Cf Suet., *Tib.* 75.1: “*Tiberium in Tiberim!*” *clamitarent*. For a general discussion on the Tiber as purifier, see Kyle, *Spectacles of Death*, 213-225.

³⁶⁸ *Pan. Lat.* XII.17.3.

death, that he had fallen by the sword or spear of some brave man.”³⁶⁹ This exact same sentiment was reproduced by Nazarius.³⁷⁰ This position was not adopted by either orator in isolation, and throughout both speeches, Maxentius was characterised as both fearful and idle. This contrasts with the personal heroism of Constantine, who is described as personally engaging in close fighting at Verona³⁷¹ and Rome,³⁷² as well as having taken great personal risk in his campaigns against the Germans.³⁷³

Pan. Lat. XII, as we would expect, presents this image in its starkest terms. The orator, after describing Constantine’s great victories in northern Italy, speaks of a Rome reaching out supplicant hands. The passage is striking, both for the invective itself and for its length. It is quoted here in full:

When all of Italy this side of the Po³⁷⁴ had been regained, Rome herself now reached out her supplicant hands to you; Rome, where that monster (*portentum illud*) had sat, never daring to do anything in response to the news of so many defeats for his men. Indeed, the very idleness of that most vile man (*vilissimus homo*) besieged him, and, as it is said, fear revealed the spirit of an unworthy man (*degeneris... animi*); that foolish and licentious creature (*stultum et nusquam animal*) never dared to go beyond his own walls, for he was warned either by omens or the forebodings of his fear. What shame, an emperor within the protection of his walls!³⁷⁵ Not for him (*ille*) exertion on the training ground, not for him training in arms, not for him sufferance of dust; indeed, he was clever in this, lest those who saw him strolling the marbled pavements of the palace should hold him in contempt if he attempted a man’s duties; for to go to the Salustian Gardens was considered a great journey and a military expedition. And these pleasures covered this most shameful fear (*turpissima haec formido*) for the whole time that he enclosed (*obsederat*) the city and shut himself in. He wanted to appear not unwarlike but blessed, not idle but secure (*non enim se imbellem, sed beatum, non inertem, sed securum videri volebat*). Daily he called his soldier to parade and would boast that he ruled alone with them, and that

³⁶⁹ *Pan. Lat.* XII.17.2.

³⁷⁰ *Pan. Lat.* IV.30.1.

³⁷¹ *Pan. Lat.* XII.9, IV.26.

³⁷² *Pan. Lat.* IV.29.

³⁷³ *Pan. Lat.* IV.18.4.

³⁷⁴ *cis Padum* here refers to the land north of the Po (the oration being delivered in Trier).

³⁷⁵ *pro pudor, intra parietum custodias imperator!* This is an interesting phrase, in as much as we should not expect the appellation *imperator* to ever be applied to a usurper in a panegyric. The explanation, however, seems relatively self-evident; given the tenor of the passage, there is clearly a degree of irony. Maxentius’ behaviour demonstrates how very *unworthy* of the title *imperator* he in fact was.

others fought on the frontier on his behalf.³⁷⁶ “Enjoy!” he would say, “Squander! Consume!” (*fruimini... dissipate, prodigite*) This is the fated felicity of wretched men.³⁷⁷

The passage is skilfully worked. It turned Maxentius’ occupation of Rome into a weapon to be used against him rather than the basis of his own propaganda. His residency in the city was taken not as return to an older and nobler form of government, but was described as an *obsidio* and the result of fearful idleness. The suggestion of a collusion between him and a corrupt and idle military establishment would have resonated strongly with the audience of the speech – the hardened generals present with the court at Trier, familiar with campaigns both foreign and domestic, would have had little time for the praetorian guard, who had enjoyed a privileged position in Rome for centuries. The assertion that Maxentius met with his soldiers to make boastful claims about the other emperors fighting on his behalf was also delightfully sharp. In the first place, it ignored the fact that Maxentius’ armies *had* been involved in a number of campaigns, against Severus, Galerius, and Domitius Alexander. Secondly, and more importantly, it engaged with and subverted Maxentius’ own propaganda and diplomacy regarding the other emperors, from whom he had notably stood aloof and with whom he had made little attempt at a formal alliance.³⁷⁸ As the best lies contain in them some grain of truth, the fictional scene the orator calls to mind must have had an alluring plausibility. As for the command *fruimini... dissipate, prodigite*, this was the upside down morality of the worst kind of tyrant, pure and simple.³⁷⁹

³⁷⁶ Cullhed (Conservator Urbis Suae, 76) argues that, whilst clearly a fabrication of the orator’s, it represented Maxentius’ actual position. But this is unfair; the orator damned Maxentius as an enemy of the tetrarchy whilst covering for the fact that Constantine was well on his way to burying this institution for good.

³⁷⁷ *Pan. Lat.* XII.14.2-6.

³⁷⁸ Cullhed, *Conservator Urbis Suae*, 32-44.

³⁷⁹ For instance, *divitiarum et pecuniae fructum non alium putabat quam profusionem, sordidos ac deparcos esse quibus impensarum ratio constaret, praelautos vereque magnificos qui abuterentur ac perderent* (Suet., *Nero* 30.1).

This is the most extensive attack on Maxentius' cowardice, but other examples abound. Hard on the heels of the passage quoted above, the orator of XII explains how it was that Maxentius could keep the Roman populace quiescent with Constantine bearing down upon the city. Rather than meet him in northern Italy, Maxentius simply remained in Rome and suppressed the letters that reported his various defeats (*litteras calamitatum suarum indices supprimebant*).³⁸⁰ When he finally did go out to meet him in battle (driven, as we have seen, by divine agency), both orators agree that the deployment of his forces revealed Maxentius for the fool he was. XII asks, "But how did the little slave, purpled for so many years (*tot annorum vernula purpuratus*), arrange his battle line?"³⁸¹ The only other explanation for this battle array, says the orator, is that perhaps he knew that the day of his death had come and he wished to drag as many people with him as possible, "in order to have as companions in his end all who had been partner to his crimes (*ut omnes essent exitus sui comites qui scelerum participes excitissent*)."³⁸² Nazarius claims that the organisation of his forces demonstrated that Maxentius was "in a desperate state of mind and confused in counsel" (*mente perdita implicatoque consilio*), placing his men in such a position as to make any kind of escape and impossibility.³⁸³

An extended passage, from early in *Pan. Lat. XII*, is such an excellent example of the light-and-dark approach to the narration of imperial politics that it is worth seeing alone and in its entirety. After considering Constantine's thinking behind going to war with Maxentius, the orator concludes that Constantine must have known that he had justice fighting for him. And why?:

For, omitting those things which it is not suitable to compare, that he was Maximian's counterfeit (*Maximiani suppositus*), you Constantius Pius' son;

³⁸⁰ *Pan. Lat. XII.15.1.*

³⁸¹ *Pan. Lat. XII.16.3.*

³⁸² *Pan. Lat. XII.16.4.*

³⁸³ *Pan. Lat. IV.28.1.*

he a most contemptible stature, his limbs distorted and enfeebled, his very name mutilated by mistaken attribution (*ille despectissimae parvitas, detortis solutisque membris, nomine ipso abusiva appellatione mutilato*), you (it suffices to say) of such a size and form as you are; to omit these things, I say that you, Constantine, were attended by paternal piety, he, not to grudge him his false heritage, impiety (*ut falso generi non invidemus, impietas*); you by clemency, he by cruelty (*crudelitas*); you by modesty dedicated to a single spouse, he by lust contaminated by every defilement (*libido stupris omnibus contaminate*); you by divine precepts, he by superstitious sorceries (*superstitiosa maleficia*); finally he by the sin of despoiled temples, the butchered senate, the plebs killed off by hunger (*spoilatorum templorum, trucidati senatus, plebis Romanae fame necatae piacula*), you by the thanksgiving of the abolition of false accusations, the prohibition of informers, and the avoidance of shedding even murderers' blood. Considering such different causes you, by divine counsel – that is, by your own counsel – you counted not on the number of your soldiers but on the merits of each party.³⁸⁴

This passage is a stunning piece of oratory. In the first place, it stands as a virtual roll-call of the tyrannical vices: *impietas*, *crudelitas*, *libido*, the practice of *maleficia*, and finally a host of *piacula* against senate, gods, and people – thefts and murders. The positioning of the passage, in the opening section of *Pan. Lat. XII*, when the orator is remarking on Constantine's resolution for the campaign, explicitly demonstrates the motivation for the war. But, more generally, the passage serves as a perfect illustration of a guiding principle that a usurper provided a mirror for the emperor; he was everything the emperor was not, his vices matched, toe to toe, with the virtues of the emperor. The catalogue begins by at once reinforcing Constantine's foremost claim to legitimacy, his paternity, whilst undermining Maxentius' rival claim. It reaches its rhetorical crescendo at Maxentius' attacks upon Rome and her people, Constantine's second great claim to legitimacy. Point by point, this passage reminds us that Constantine is the true emperor, with his virtues strung between the two pillars of his legitimacy, and contrasted against the sins of Maxentius.

³⁸⁴ *Pan. Lat. XII.4.3-5.*

Returning now to the issue of Maxentius' body, we saw, in the previous chapter, the care that might be taken to explain how and why a body was discovered. The orator makes the point of stressing Maxentius' armour, an addition which has no obvious purpose other than to remind that audience that Maxentius wore distinct armour and that, therefore, his corpse would be easy to pick out. The orator wanted no doubt in his audience's minds that the head, displayed in triumph the following day, belonged to the person to whom it was claimed to belong a point brought out in further detail in what follows. Though, the orator tells us, the Tiber bore away the bodies of other "enemies" (*hostes*), "that man, however, the river held in the place where it had killed him, in order that the Roman people would not longer doubt whether he, whose death they longed to confirm (*cuius mortis probatio quaereretur*), had somehow escaped."³⁸⁵ The point could hardly be made more explicitly.

Nazarius, again, echoes this sentiment. He says that Constantine wanted no one to be denied sight of the tyrant's corpse (*tyrannici funus*), again demonstrating a concern that the display of the body be fully acknowledged. Here that concern is made manifest by the stress on the number of people who had viewed the body. The corpse, just as it had in 313, provided the physical confirmation of both the end of Maxentius' 'rebellion' and of its sinister character. Though the body itself must have long rotted away and its bones been discarded, its evocation and the evocation of its abuse and parade still held force. Similarly (Nazarius says *pari studio*), Maxentius' head (*tyranni caput*) was sent to Africa to give satisfaction to a province that Maxentius had abused whilst alive.³⁸⁶ The unfairness – or at least the exceeding partiality – of such claims has already been discussed, but again we can see the emphasis on the viewing of the corpse, here also combined with a stress on

³⁸⁵ *Pan. Lat.* XII.17.3.

³⁸⁶ *Pan. Lat.* IV.32.6ff.

the unity of the Empire in rejoicing (Nazarius has vividly described all of Italy flowing to Rome to celebrate the victory, and all of Africa rejoicing to receive this morbid gift).

The triumph is often talked about as a watershed moment in Roman history, which it undoubtedly was. But no contemporary would have thought of it in such terms; to the Romans who lined the streets of their city on 29th October 312, and to the people of the Western Empire to whom the news of so great a spectacle will have filtered over the coming weeks and months, the triumph was something much simpler – it was a declaration of ultimate victory. The triumph declared the war with Italy over, forever and all time. With Maxentius' bloody head marching at its front, this message became a double one: Constantine victor, Maxentius monster. No one but the most idle-minded individual, on viewing this gruesome parade, could claim any surprise at the tenor of Constantine's propaganda over the following years. Perhaps the senators might have looked on nervously and wondered whether they might soon find their own heads so separated, but they could have no doubt that Maxentius' name was about to become something infamous, something unutterable.

The catalogue of Maxentius' crimes meant that things divine, as well as things human, united against him. Rome, as we have seen, could be employed by the orators as a personal agent. Roma, the patron goddess of the city, had been clearly shown to have passed her allegiance over to Constantine. Likewise, the Tiber acted for Constantine as a personal agent, destroying the *falsus Romulus* and the city's murderer (*parricida urbis*).³⁸⁷ But divine favour for the emperor was hardly limited to the poor city-goddess or to her fluvial partner. Again, both speeches return time and again to the idea of divine aid for

³⁸⁷ *Pan. Lat.* XII.18.1. *falsus Romulus* presents a considerable problem; on the one hand, as Nixon-Rodgers, 321, n. 113, points out, the language of the piece would seem to suggest that Valerius Romulus, Maxentius' son who died in infancy, is meant here (they point out that *nec diu vivere* would fit better with a child, which seems reasonable, and that the correlative *nec... nec...* implies a change of objects, which seems less so). I would, however, be tempted to say that this fails an Okham's razor test: why would the panegyric, in such an oblique manner, make reference to a young boy who had died several years before? Galletier ('Notes complémentaires,' to 2: 138 [n. 2]), also assumes this to refer to Maxentius.

Constantine, and divine opposition for his enemies. The theme is more muted in *Pan. Lat.* XII. The orator asks what it could be, besides divinity (*divinum numen*) that counselled Constantine to leave such ample protection on the Rhine and thus denude his own army of men, placing him at such a disadvantage in numbers against Maxentius.³⁸⁸ Likewise, Constantine was protected by “divine virtue” when he joined battle before the walls of Verona.³⁸⁹ Most strikingly of all, it is the influence of Roma herself, “the divine intellect and the eternal majesty of this self-same city”, which robbed “the accursed man” (*nefarius homo*), Maxentius, of his reason and sent him suddenly rushing from behind the walls of Rome to fight Constantine.³⁹⁰

Pan. Lat. IV is even more explicit in its use of divine influence. Like the author of XII, Nazarius claims that a divine force lay behind Maxentius’ sally from Rome to engage Constantine north of the Tiber, though he gives the credit simply to a “hostile god and the immanence of his death” (*infestior deus et pereundi maturitas*).³⁹¹ Nazarius also claims the aid of a divine force, here described as something like a neo-Platonic/Christian divine One, aided Constantine’s “invisible army.”³⁹² But unlike XII, Nazarius goes into some detail about the form of divine aid which Constantine received: “It is the talk of all the Gauls that armies were seen which let it be known that they had been divinely sent” (*divinitus missi*). Though, Nazarius conceded, “divine things are not accustomed to come before the eyes of men”, nevertheless the appearance of these soldiers showed that they were celestial. They cried out, “We seek Constantine, we go to help Constantine.” Though the armies were from heaven, nevertheless they bragged because they were

³⁸⁸ *Pan. Lat.* XII.4.1; *numen* occurs again at 5.5 when the orator says that the soldiers at Segustio ought to have yielded “not only to the presence of your numen but to the announcement of your name (*non solum praesenti numini tuo, verum etiam nuntiato nomini*).

³⁸⁹ *Pan. Lat.* XII.10.3.

³⁹⁰ *Pan. Lat.* XII.16.2; similarly, at 15.1, we hear that that “the city’s majesty” had transferred its allegiance to Constantine as a result of Maxentius’ *flagitia*.

³⁹¹ *Pan. Lat.* IV.28.1; see also 27.5 which attributes the sally to a hazily defined *vis divinitatis*.

³⁹² *Pan. Lat.* IV.7.4.

serving under Constantine. Most importantly, they were led by Constantius, Constantine's father.³⁹³ Later, Nazarius laments that he does not have time to ask where Constantine deployed his heavenly forces (*caelestis exercitus*) at the battle of the Milvian Bridge.³⁹⁴

The emphasis on Constantius also highlights one particularly striking point of attack in *Pan. Lat. XII*, on Maxentius' parentage. The orator then claims, "Finally, he who was believed to be his father (*qui pater illius credebatur*), having tried to tear the purple from his shoulders, perceived that his fate had passed to that abomination" (*in illud dedecus*).³⁹⁵ This attack is repeated again in the section that follows, which is quoted above.³⁹⁶ We have already seen that the relationship between Constantine and Maximian was a complicated one, as was the issue of Maximian's reputation after his eventual death in 310. Nevertheless there clearly was some sort of rehabilitation of the older emperor after 310, and particularly after Constantine's break with Maxentius. The assault on Maxentius' parentage should be seen in light of this, nothing more than an attempt to yet further smear the name of Constantine's enemy and to distance him from a father whose own connections to Constantine were still being employed by orators for rhetorical effect. Furthermore, Constantine's best claim to legitimacy was his paternal relation to a previous emperor and his declaration by his father's troops. In this regard, Maxentius' claim was every bit as good as Constantine's, if not better. It is thus hardly surprising to see the orator launching a few select jabs at Maxentius' paternity, seeking to undermine one of the foundations upon which he could build a claim that would challenge Constantine's.

³⁹³ *Pan. Lat. IV.14*. This clearly has its roots in a renewed emphasis on dynasty. Constantius' achievements are recounted in XII (at 25). His children, however, are given but the barest mention in the closing prayer of the speech (26.5). *Pan. Lat. IV*, however, was delivered in Rome on the *dies imperii* of both Crispus, now a young man, and his brother Constantine II. The occasion for the delivery was the commencement of the two boys' quinquennial year as Caesars. The speech has a great more to say about the dynastic element of Constantine's position. The virtues of the young Caesars are discussed, at first in passing (3.4-5), and then in greater detail (36-38). The focus on Constantius as an active contributor to Constantine's victory (14.5-6) is therefore in keeping with the heightened focus on the family of the emperor.

³⁹⁴ *Pan. Lat. IV.29.1*.

³⁹⁵ *Pan. Lat. XII.3.4*.

³⁹⁶ *Pan. Lat. XII.4.3-5*.

We have, throughout this chapter, spoken of the presentation of Maxentius as a tyrant. But *Pan. Lat. XII* eschewed the Latin equivalent, *tyrannus*, as had all previous works in the *Pan. Lat.* collection. Nazarius is the first extant Latin panegyrist to employ this word against a usurper. Indeed, the emergence of *tyrannus* as synonymous with “usurper” has been confidently dated to precisely this period and the downfall of Maxentius.³⁹⁷ *Tyrannus*, previously reserved as a technical designation for a specific kind of (usually Greek) ruler, or, more rarely, as an invective term levelled against figures from Roman history who exercised power violently and arbitrarily, was now applied to a recently deceased usurper. This was in keeping with the rhetorical strategies of Constantine’s own court, and it intersected neatly with Constantinian propaganda in other media, not least in the great arch that the senate erected in his honour.

Tyrannus may have appealed, in part, because it provided a convenient short hand. *Pan. Lat. XII* employed a wide array of monster- and animal-language which certainly *invoked* the idea of tyranny, but stopped short of an explicit declaration of such. Nazarius’ palate of terms was much more limited; he referred to Maxentius as a *tyrannus* from the very first (Rome, we are told, was once overwhelmed by the crimes of an impious tyrant – *demersa quondam tyrannidis impiae malis*),³⁹⁸ and employed the term no fewer than seven times throughout the speech, more than any other single noun or adjective, or indeed their sum combined.³⁹⁹

³⁹⁷ Grünewald, *Constantinus Maximus Augustus*, 66-7. Grünewald quotes a German doctoral thesis which deals with this question at length: Springer, *Tyrannus: Untersuchungen zur politischen Ideologie der Römer* (Diss., Köln, 1952). See also T. D. Barnes, ‘Oppressor, Persecutor, Usurper: The Meaning of ‘tyrannus’ in the Fourth Century’, in G. Bonamente and M. Mayer (eds.), *Historia Augustae Colloquium Barcinonense (Historiae Augustae Colloquia*, n. s. 4; Bari: Edipuglia, 1996), 55-65. Humphries, ‘From Usurper to Emperor’, 85-7, rejects the idea of *tyrannus* as meaning “usurper” because it could be applied to individuals who had demonstrably not usurped power (i.e. Licinius). This may be unnecessary hair-splitting, since the value of *tyrannus* was precisely that it implied usurpation for emperors whose accession had been perfectly legitimate.

³⁹⁸ *Pan. Lat.* IV.6.2.

³⁹⁹ *Pan. Lat.* IV.6.2, 30.1, 31.4, 32.3, 6, 34.4. Otherwise, he is called simply *homo* (8.2, 9.1), *ille* (9.1, 27.5), or the *oppressor* (31.5). There are a number of instances in which Maxentius appears simply as a third

The idea that a defeated enemy of the state might be thought of as a tyrant was, of course, far from new. But as we have seen in the selection of examples quoted above, the noun *tyrannus* itself was, in the main, reserved for men long dead, very often foreign kings or (in Christian sources) persecutors of the Christian faith (and again, generally persecutors long dead). *Pan. Lat.* XII differs strikingly from the examples that survive from the tetrarchic period, resurrecting language and modes of invective that would have been familiar to Suetonius and to Pliny, to Tacitus and to Livy. Whilst we must express *extreme* caution, given the complete disappearance of panegyric material between 100 and 289, in saying that the 310s saw a revolution in the way in which panegyrics dealt with enemies in the state, we can certainly say that they paved the way for a new dominance of the Latin vocabulary by the word *tyrannus*.⁴⁰⁰

We close this section by observing the overarching success of the programme that sought to paint Maxentius as a tyrant and Constantine as liberator. If we take a broad sweep of near contemporary viewpoints of Constantine's reign, we see this programme being recycled again and again. From an early stage, we begin to see Maxentius as jealous, petty, incapable of rule, and religiously unclean; Constantine, meanwhile, was a deliverer and a saviour for the beleaguered city.⁴⁰¹ Within the later *breviaria* we see the entire business simplified down to its constituent parts, with the confusing events of 306-12 made into a clear victory narrative for Constantine.⁴⁰² Julius Firmicus Maternus Junior produced a handbook of astrology in 337, which included a passage on Constantine and

person embedded within the verb or as a neutral personal pronoun (*is*). His rule was also called a *dominatio* and "that monstrous plague" (*illa monstrosa labes*; 33.6, 7).

⁴⁰⁰ In 386 Ambrose of Milan was accused of being a *tyrannus* during the controversy of the basilicas (N. B. McLynn, *Ambrose of Milan: Church and Court in a Christian Capital* (Berkeley; London: University of California Press, 1994), 194). Orosius, writing in the second decade of the fifth century, says that Magnus Maximus, otherwise a good man, shamed himself by becoming a *tyrannus* (Oros., VII.34.9). By 460, when Paulinus of Pella wrote his *Eucharisticos*, so tragic and powerless a character as Priscus Attalus could be termed a *tyrannus* (293ff.).

⁴⁰¹ Lact., *de Mort.* 43-4; Euseb, *HE* IX.9.1-13; *VC* I.40-41.

⁴⁰² Aur. Vict., *de Caes.* 40.15-41.9; Eutr., X.4-6.

neatly reproduced the rhetoric of the court.⁴⁰³ The reproduction of this rhetoric is particularly striking in Aurelius Victor's *de Caesaribus*, but ought not to surprise us. Victor's work, published in 360, was a work loaded with praise of the Constantinian family.⁴⁰⁴ Strikingly, for a work of history, it brought the narrative up to the present date, which meant including the reign of Constantius, and allowed Victor to end with a virtual paean to the emperor.⁴⁰⁵ In discussing Maxentius, the work reproduced a striking number of the characterisations that we have seen of Maxentius within the panegyrics.⁴⁰⁶ To cite them in the order they appear, he was accused of devastating Africa because he was savage and inhuman (*ferus inhumanusque*) and because of he had been made more foul by his lust (*libidine multa tetrior*); he was an unwarlike coward (*pavidus et imbellis*), hiding in Rome while Constantine took northern Italy; the senate and people exalted at his death for he had massacred them; and lastly, he twisted the law to steal from senators and farmers alike.⁴⁰⁷ Such claims echo the panegyrics far too closely to be coincidence, and represent the deep and abiding effect that Constantinian propaganda had had upon Maxentius' reputation.⁴⁰⁸

In panegyric material, particularly that directed at members of the house of Constantine, the story of the suppression of the two tyrants, Maxentius and then Licinius, expanded to become equivalent to an *epitoma* of his rule. Julian's eulogistic summary of Constantine's reign is told solely as a suppression of tyranny (admittedly with additional digressions on Constantine's patronage of Athens).⁴⁰⁹ Libanius, likewise, remembered

⁴⁰³ The relevant passage is translated by Barnes, *Constantine*, 168-9.

⁴⁰⁴ For the date, see P. Dufraigne (ed. and tr.), *Aurelius Victor: Livre des Césars* (Paris: Les Belles Lettres, 1975), xv-xvii.

⁴⁰⁵ Aur. Vict., *de Caes.* 42.20-24.

⁴⁰⁶ This is also a point of more general importance, reinforcing the fact that panegyrics were not meaningless noise, but that they either informed public perceptions or, at the very least, reproduced and mirrored the same sources which informed public perceptions.

⁴⁰⁷ Aur. Vict., *de Caes.* 40.19-24.

⁴⁰⁸ Note, for instance, that Aur. Vic., *Epit.* 40.13, and *Origo* iv.12 repeat the unquestionably unfounded accusations of Maxentius' (paternal) illegitimacy.

⁴⁰⁹ Jul., *Or.* I.7a-8d; II.52a-b. Even when Julian chose to satirise his uncle's reign (i.e. *Caes.* 328d-329d), the two tyrants still featured heavily.

Constantine to his audience almost solely as a suppressor of tyrants.⁴¹⁰ The programme that Constantine created to justify his unprecedented expansion of power became his legacy. This programme is so ubiquitous in our sources that modern historians have often succumbed to it, and seen Maxentius' reign as a bloody tyranny.⁴¹¹ Others, particularly more recently, have been more cautious.⁴¹² Where Maxentius is concerned we must be willing to admit our ignorance. This is not to say that we cannot or should not attempt to gain some insight into the character of an ancient individual, or the tenor of his reign or period in office. Such attempts are often both successful and insightful. It is merely to point out that this exercise is an impossible and a pointless one with a usurper. We have as much chance of understanding the Third Reich from *Punch* as we do of gaining a meaningful impression of Maxentius the man, or even Maxentius the emperor, from the pages of Eusebius or Lactantius. The real Maxentius long ago disappeared behind the mask that the Constantinians created for him.

Notable by his absence: Licinius and the rise of the Constantinian dynasty

In 315, as Constantine rode beneath the arms of the great arch that the senate had erected to commemorate his liberation of the city, he must have known that, whatever it took, whatever pretext was required, he would do to Licinius what he had done to Maxentius; he would foment a war, depose an emperor, and have his new subjects thank him for it. But in 313, when he and Licinius met at Milan, we should hardly be surprised that the talk was of peace. Constantine had just fought a bloody civil war; Licinius was just about to fight

⁴¹⁰ Below, p. 158.

⁴¹¹ Above, n. 276.

⁴¹² J. R. Fears, 'The Theology of Victory at Rome: approaches and problems', *ANRW* 17.2 (1981), 751, for instance, has no illusions as to the political purpose of Constantine's victory narrative: "...his personal victories transformed usurpation into legitimate kingship."

one.⁴¹³ What is more, the Rhine frontier was, yet again, beginning to grow troubled. But if anyone was fooled into thinking the peace agreed in 313 was sincere, it should not be us.

The tetrarchy established a language of collegiality that was something genuinely new in the Roman world. Tetrarchic ideology held that all emperors were universally present throughout the Empire, and that each emperor, in a more particular way, carried the presence of the others about with him. That a given speech was delivered in the presence of only one emperor did not prevent it being addressed, in parts, to other members in the college (often directly, in the vocative case). Though never invoked quite so strongly again, the idea of imperial collegiality continued to be employed by orators throughout the remainder of the fourth century; Libanius delighted in the (entirely fictional) unity of Constantius and Constans; Symmachus and Themistius, at opposite ends of the world, both praised Valentinian and Valens for their harmony; Themistius went on to roll out this trope (whilst Gratian was still alive) when addressing his new master, Theodosius. But Constantine, as we have seen, began increasingly to establish himself as a unique emperor. His legitimacy was not based upon a college, but upon a divine mission. In what follows, we will see that, after the defeat of Maxentius, there was no room in Constantine's praises for imperial colleagues.

The absence of Licinius is both complex and intriguing. *Pan. Lat.* XII was delivered in the year 313.⁴¹⁴ Based on the internal evidence of the speech, we can surmise that it would be late in this year; Constantine defeated Maxentius at the end of October 312, and it seems unlikely to the point of implausibility that he followed the Italian campaign by an immediate march to the Rhine, and a campaign there, all in time to be back at Milan in

⁴¹³ As Patrick Bruun ('Portrait of a Conspirator: Constantine's break with the Tetrarchy', *Arctos* 10 (1976), 22) points out, were it not for Maximin on Licinius' flank, Constantine, the *liberator Urbis*, might have found his territory being invaded by the man who had every reason to claim that he was Italy's rightful emperor.

⁴¹⁴ Nixon-Rodgers, 289-90; Galletier, II, 106.

February for the marriage of his sister Constantia to Licinius.⁴¹⁵ The speech, therefore, postdates the meeting at Milan. The significance of this should be clear. At Milan, Constantine had married his sister to Licinius, had agreed that his policy of returning Christian property, confiscated in the persecutions, would be extended to the East, had made a number of administrative changes to the running of the Empire, and had, more generally, agreed upon a new partition of Roman territory, along a West-East division, that provided peace under a new dyarchy.⁴¹⁶ It was a momentous event in the history of the Empire and in the story of Constantine's rule. Yet it receives no mention – not even the hint of a mention – in *Pan. Lat.* XII; neither the meeting at Milan, nor Constantia, nor even the very existence of Licinius, are so much as alluded to.

The motives for reticence on the orator's part do not *have* to be sinister. In the limited time afforded to an imperial panegyrist, only so many things can be said, and the exclusion of Licinius may simply have been part of the painful process that any writer knows too well: the cutting of detail for the sake of the whole. But it must be said that this does not seem too likely. By comparison with the collegiate language of the First Tetrarchy, with the simulated fraternal love to be found in Libanius' *Or.* LIX, or the admiration for a more genuine brotherly affection in speeches to Valentinian (by Symmachus) and Valens (by Themistius), the *total* absence of any reference to Constantine's imperial partner is striking.⁴¹⁷ To take a comparable modern example, it would be akin to a best man's

⁴¹⁵ Nixon-Rodgers, 326, n.138, confusingly, appear to suggest that Zos. II.17.2-3 claims Constantine journeyed to Gaul, then returned for the marriage at Milan, then returned to Gaul; this is not what this passage says. Rather, Zosimus writes that Constantine set out for Gaul, paused at Milan, and then carried on his way (he does, admittedly, use the verb ἀναχωρεῖν, which can imply a return, but since Constantine had been in Gaul for virtually his entire reign until his campaign against Maxentius, this need not be a problem). In Nixon and Rodger's defence, they do not actually claim that Constantine returned to Gaul before the wedding at Milan, only mistakenly report Zosimus before discounting him. For the dating of the conference at Milan see Barnes, *New Empire*, 71, 81.

⁴¹⁶ A situation confirmed with Maximin's death in the autumn. Cf. Barnes, *Constantine*, 90-97. For Constantia, see H. A. Pohlsander, 'Constantia', *AncSoc* 24 (1993), 151-67.

⁴¹⁷ For Libanius, see below, p. 158; Symm., *Or.* I.22-3; Them., *Or.* VI *passim*.

speech that failed even to mention the existence of the bride; it could, of course, be done, but it would raise eyebrows.

What, then, are we to make of this silence? It seems that the only reasonable reading is that the peace between Constantine and Licinius was a distinctly cool one. Constantine's hostility toward Licinius must have been a very open secret; why else would the orator of this piece choose to avoid all mention of him? Rather than risk Constantine's displeasure by dwelling on his hated brother in law, the orator chose subjects far safer. The defeat of Maxentius, and to a lesser extent the recent campaigns in Germany, were solid pillars of Constantine's rule. Licinius was a reminder of an imperial college to which Constantine had never comfortably belonged.

Further indicators that the omission of Licinius was not merely a stylistic choice come at a select few moments in the speech. The first is when the orator explains that Constantine took up his war with Maxentius only after his imperial counterparts were inactive and holding back (*quiescentes cunctantesque... imperii tui socii*). Unusually, the orator goes on to name specific names:

Severus had led a great army and, having been deserted because of treachery, had armed his enemy; Galerius⁴¹⁸ brought on greater forces and it seems that he was fortunate, shorn by desertions, to make his escape. Finally, he who was believed to be his father, having tried to rip the riven purple from [Maxentius'] shoulders, perceived, in that shameful act, that he had handed over his destiny.⁴¹⁹

Licinius gets no mention, despite the fact that, as we have already seen, the evidence is good that he campaigned in Italy in 309. At the very least, even if we are unwilling to accept this, admittedly conjectural, position, we must acknowledge that *some sort of*

⁴¹⁸ The actual name in the Latin text is *Maximianus*, but this clearly means Galerius, whose full name was C. Galerius Valerius Maximianus. Even if the historical context of this remark did not make this clear, the fact that reference to Maxentius father (i.e. Maximian) then follows, and is clearly a reference to a different person, confirms it.

⁴¹⁹ *Pan. Lat.* XII.3.4.

military action must have been taken place between the forces of the two emperors as, by the end of 310, Licinius was in control of Istria.⁴²⁰

Whilst it could be argued that the orator is doing this to save face for Licinius, given that this military action had been far from successful, this would be an odd proposition given that he is utterly ignored throughout.⁴²¹ It also rings hollow when we consider the other moment in the speech when we can see Licinius' name waiting in the wings, but never quite called on stage. The orator purposefully avoids mention of the meeting at Milan as he passes from discussion of Constantine's war in Italy to that of his war in Germany; he claims Constantine at once (*statim*) brought war from the Tiber to the Rhine, with no suggestion of the important stop-over at Milan.⁴²² Even more revealingly, he takes the opportunity to sneak in a little jab which cannot fail to have been noticed by his audience. Constantine's victories in the West, against Roman soldiers and savage Franks, are all the more impressive when it is remembered that "it is easy to conquer timid and unwarlike men (*timidi et imbelles*), such as the pleasant regions of Greece and luxuries of the East produce, who can hardly stand a light garment and a silken covering to keep the sun from them, and who, if they ever come into danger, become forgetful of freedom and beg to be made slaves."⁴²³ This would have relevance even if the point was simply that Constantine was ruler in the West, Licinius in the East. But the sting in the tail of this remark is that Licinius had actually tried and failed to take Italy. Whatever he would achieve in the East must always be thrown against the backdrop of what he had failed to achieve in the West.⁴²⁴ The orator closed his speech with a declaration that Constantine was the chosen of God, that he was the greatest emperor ever given to the human race, and

⁴²⁰ Above, n. 282.

⁴²¹ Eusebius had no difficulty providing a favourable presentation of Licinius in the early recessions of his *Historia Ecclesiastica*: Barnes, 'The Editions of Eusebius', 196-201.

⁴²² *Pan. Lat.* XII.21.4-5.

⁴²³ *Pan. Lat.* XII.24.1 (cf. Nixon-Rodgers, 330, n. 148).

⁴²⁴ Given that Maximin Daia died in the summer of 313, the orator of this speech must have known that Licinius himself had won a civil war in the Balkans.

that the future would be “truly blest” once Constantine had installed his sons “at the helm of the world.”⁴²⁵ Two conclusions follow from this. Firstly, *Pan. Lat.* XII suggests that it was public knowledge in the Western court, almost from the moment of the alliance with Licinius, that Constantine had no love for the man who had once been created his imperial master. Secondly, we see that there was no place within Constantinian propaganda for other emperors, most specifically emperors whose position provided a reminder of Constantine’s shaky climb to power. The Maxentian story was a golden recipe for Constantine, one that had put him in control of Italy and put away all but one other emperor. It needed to be Constantine’s story alone.

Pan. Lat. IV has an even more interesting tale to tell, both because the situation between the two emperors had developed so significantly between 313 and 321, and because, as a corollary of this, the absence of Licinius from the speech was an even sharper slight to the Eastern colleague. To briefly recapitulate, after the union agreed at Milan, the two emperors went to set their respective houses in order, Licinius putting down Maximin Daia in the Balkans, Constantine subduing troublesome groups on the Rhine. By 316, hostilities had broken out between the two emperors that, at their conclusion, saw Licinius confined to Asia Minor and the eastern rump of Europe (the territory that would later become Constantinople’s European hinterland).⁴²⁶ As part of the peace treaty following this conflict, three Caesars were declared on 1st March 317: Constantine’s militarily capable son by his first marriage, Crispus, and the two infants Constantine II and Licinius II, perhaps one and two years old respectively.

⁴²⁵ *Pan. Lat.* XII.26.

⁴²⁶ The details of this war are very obscure. Eusebius famously conflates this and the war of 324 in order to better disguise Constantine’s aggression (*VC* I.49-56, II.1-18). The only source to give any detail is the *Origo*, which reports that Constantine proposed his brother in law Bassianus as emperor in Italy, to stand as a buffer between his and Licinius’ territory. Licinius co-opted Bassianus, through his brother Senecio, in an attempt on Constantine’s life. Bassianus was executed and, when Licinius refused to hand Senecio over to Constantine, war was undertaken (*Origo*, v.13-15). Given Constantine’s aggressive invasion of Italy, the whole process smacks of a holding strategy on the part of Constantine (*Cf.* Barnes, *Constantine*, 100-3).

Constantine then appears to have begun quietly manoeuvring himself into position for a final attack on Licinius, building a harbour at Thessalonica with a fleet that could operate against Asia Minor in the Aegean. From 321 (and on until the end of Licinius' power) the two halves of the Empire began to recognise different consuls; significantly, the break seems to have been Constantine's, who, in March 321, rejected Licinius (VI) and his son (II) and instead nominated his own children, Crispus and Constantine (both II).⁴²⁷ Constantine had also moved his own base of operations eastward, campaigning on the Danube every summer from 321-3. The last of these campaigns, against the Sarmatians, seems to have been a deliberately provocative violation of Licinius' territory. The Sarmatians had raided Thrace which, by the 317 division, belonged to Licinius; but Constantine pursued them across the Danube, marching his soldiers over Licinius' territory in the process. Licinius refused to circulate the gold coinage that Constantine minted to celebrate this victory, instead having it melted down.⁴²⁸ As persecutions in the East against Christian communities began again, Constantine had the pretext needed to make war on his enemy; as had happened with Maxentius, this war was presented as a liberation movement, this time for the Christians of the East. Licinius was defeated, made to surrender his imperial authority, and was quietly executed two years later.

The panegyric, it must be remembered, was pronounced on the significant date 1st March 321, that is at the time that Constantine rejected Licinius and his son as consuls and instead pronounced his children, who were celebrating their quinquennial anniversary. The absence of Licinius II, who was also celebrating his quinquennalia, is thus the most immediately striking feature of the speech. The express purpose of the speech's delivery was the celebration of this five-year anniversary. Nowhere is it so much as hinted at that Crispus and Constantine II had a young colleague in the East, also celebrating the

⁴²⁷ Zos. II.22.1; Barnes, *Constantine*, 104-5.

⁴²⁸ *Anon. qui Dio. cont.*, fr. 14.1 (= *Excerpta Vaticana* 187).

commencement of his fifth year as Caesar. Indeed, nowhere in the speech is there the slightest hint that Licinius and his son even exist; they are never mentioned or referred to and a listener in the Roman senate, who had somehow managed to find himself totally oblivious to the wider political world, would have come away from Nazarius' speech with the impression that Constantine ruled as the sole Augustus, with his two eldest sons as Caesars beneath him. Constantine is hailed throughout in the singular, as the greatest Augustus.⁴²⁹ Crispus and Constantine II are always dealt with as a pair.

But if the singular failure of the speech to mention either Licinius immediately catches the eye, other features of the piece relating to the Eastern emperors are more subtle, and require teasing out. In the first place, the choice of theme for the panegyric was significant. A great deal had happened in the eight and a half years that separated the speech from Constantine's victory in Rome, but we would not know this from the speech itself. Indeed, we would hardly think that any time had passed at all, for Nazarius' speech, though slightly different in shape and emphasis, discusses virtually nothing pertaining to Constantine that had not already been discussed in *Pan. Lat. XII*.⁴³⁰ The only genuinely new material we see is in relation to the Caesars themselves.⁴³¹ But in the atmosphere of increasingly hostility between East and West, the reiteration of the story of the war with Maxentius was more than just a reminder of Constantine's most glorious exploit to date; it was a strong statement of confidence and, one might say, intent. Nazarius reminded the Roman senate (and I see no reason not to imagine other orators around the Roman world adopting similar strategies) that Constantine had already overthrown a tyrant and freed a people from bondage. By looking back, he implicitly looked forward.

⁴²⁹ *maximus princeps*, 2.2; *imperator optimus*, 4.5, 16.4; *Constantinus maximus*, 6.2, 29.1.37.4, 38.3; *imperator maxime*, 6.4, 16.1; *imperator*, 13.4, 18.2, 23.2, 26.1, 28.3, 32.2; *imperator prudentissimus*, 24.1; *praestantissimus imperator*, 27.6.

⁴³⁰ Incidental details, such as Frankish raiding on the Spanish coast (IV.17.1), do crop up, but generally speaking these speeches are remarkable for their similarities, not their differences.

⁴³¹ *Pan. Lat.* IV.3.4-5.8, 36.3-38.2; in 313 Crispus had been a private individual who had only lived some eight years. Constantine II was not to be born for another three years.

Certain emphases within the text show to us that this is not mere fancy, but an implicit message of the speech. In the first place, Nazarius evidences a renewed emphasis on Constantine's divine mission. Although the orator of *Pan. Lat. XII* had not been utterly blind to divine influence, when compared with the speeches that had gone before he maintained what Barnes has referred to as "an extremely eloquent silence on the religious plane."⁴³² Nazarius, however, evidences a renewed enthusiasm for Constantine's special relationship with the divine. That the orator's God is a monotheistic one has been repeatedly noted.⁴³³ But the one God is united with the one ruler; it is by the direct influence of a God directly interested in human affairs that Constantine was able to defeat Maxentius: *illa igitur vis, illa maiestas fandi ac nefandi discriminatrix, quae omnia meritorum momenta perpendit librat examinat, illa pietatem tuam texit, illa nefariam illius tyranni fregit amentiam, illa invictum exercitum tuum.*⁴³⁴ As we have seen, Constantine was declared to have been aided by heavenly armies, led by his father, which helped him fight his way from Gaul to Rome.⁴³⁵ Lastly, of course, it was the *vis divinitas* that drove Maxentius from within the walls of Rome.⁴³⁶

The significance of this renewed emphasis on Constantine's divine mission should be clear. Broadly, Maxentius and Constantine appear to have seen eye to eye on religious policy and Maxentius seems to have shown an equal disposition to Constantine's to respect the Christians. He had both granted toleration and returned Christian property and may even have accepted the religion himself.⁴³⁷ Licinius' was a rather different story. Although the meeting at Milan had extended the restitution of church property to the East,

⁴³² Barnes, *Constantine*, 98. What few explicitly religious comments he makes are generally passing and involve little detail.

⁴³³ Nixon-Rodgers, 360-1, n. 68; B. S. Rodgers, 'Divine Insinuation in the *Panegyrici Latini*', in R. Rees (ed.) *Latin Panegyric* (Oxford Readings in Classical Studies; Oxford: Oxford University Press, 2012), 314-5.

⁴³⁴ *Pan. Lat. IV.7.3-4* (quotation at 4).

⁴³⁵ *Pan. Lat. IV.14-16.2*.

⁴³⁶ *Pan. Lat. IV.27.5*.

⁴³⁷ J. Ziegler, *Zur religiösen Haltung der Gegenkaiser im 4. Jahrhundert n. Chr.* (Kallmünz: M. Lassleben, 1970), 35-53.

and Maximin's fall in the autumn had seen toleration, once again, extended to the entirety of the Empire, Licinius appears to have begun to waver.⁴³⁸ His commitment to Christianity never appears to have been complete, and as relations again began to sour with Constantine, after 321, Christians appear to have come under suspicion as a potential fifth column in the East.⁴³⁹ Furthermore, if Barnes is correct that Constantine's decision to allow Donatist bishops to return from exile, issued 5th May 321, was a direct result of Constantine's desire to appear a patron of Christianity in contrast to Licinius, its persecutor, then we have specific documentary evidence, from within two months of Nazarius' speech, that the court was again beginning to manipulate Constantine's divine mission.⁴⁴⁰

That a renewed emphasis on Constantius appears to be visible in this speech as well is, likewise, entirely consistent with the fact that this panegyric was as much about Licinius as it was about Maxentius.⁴⁴¹ The emergence of Constantine's children made emphasis on the dynasty a valuable political tool. The role of Constantius in this speech, actively fighting beside his son in his battle against tyranny, provided a reminder for the audience (albeit an implicit one) that, whilst Constantine had an imperial father, Licinius had not. Indeed, with the nonsense about Claudius Gothicus, Constantine was the successor to two generations of imperial forebears; Licinius was a just soldier raised high.⁴⁴²

Much the most significant matter in the speech, however, comes from within the extended justification of the reasons for going to war with Maxentius (6-15). As has already been mentioned, this passage seems odd; in the first place, it takes up a startling proportion of the speech (chapters 9-15 make up more than a sixth of the total length);

⁴³⁸ For Galerius' grant of universal toleration in 311, Lact., *de Mort.* 34-5.

⁴³⁹ Corcoran, 'Hidden from History', 98.

⁴⁴⁰ Barnes, *Constantine*, 105.

⁴⁴¹ Constantius appears briefly in *Pan. Lat.* XII (4.3, 25.1-3), but as a much more passive figure, a paternal standard against which Constantine is measured.

⁴⁴² Humphries, 'From Usurper to Emperor', 98.

secondly, why is the orator of 321 so much more concerned by the motivations for war than the orator of 313? and thirdly, how do we explain a number of details in this section which appear to be unique to Nazarius' account? It is in the answer to the last of these questions that we will also find explanations for the first two.

A number of details emerge from Nazarius' account that have raised commentators' eyebrows. Most important is the repeat suggestion that Constantine attempted to draw Maxentius into a treaty. Constantine's endurance and patience are praised, for "nevertheless, you endured him at play amongst such evils." Constantine was hoping to find a peaceful solution, to heal rather than to amputate. Thus it was that he came to offer Maxentius a peace treaty: "But you drew forth from your spirit the desire for a meeting and the wish for concord, if it is right to call it concord and not pardon, when he who could conquer chooses to forgive."⁴⁴³ But, Nazarius declares, *nec ulla tam fidelis est copula quae in diversum tendentia mexu suo teneat.*⁴⁴⁴ Finally, he claims, "*vocas ad societatem:* he refuses your advance, he opposes you, he bristles in fear, he reckons that there is nothing in common between himself and you because there is no resemblance." Only after this does Constantine finally acknowledge that peace is no longer an option.⁴⁴⁵ Lastly, and extraordinarily, Nazarius then appears to contradict the case he has so tendentiously constructed to defend Constantine's aggression (which, he seems to be suggesting, was unprovoked) by stressing that the final cause of war was that Maxentius overthrew Constantine's statues and erased his images.⁴⁴⁶

All told, we get some 77 lines (9-12) on Maxentius' being offered peace but intentionally provoking Constantine, none of which fits at all with what we know of the situation from 310-2. This whole passage has appeared confusing to commentators. On

⁴⁴³ *Pan. Lat.* IV.9.1-3.

⁴⁴⁴ *Pan. Lat.* IV.10.1.

⁴⁴⁵ *Pan. Lat.* IV.10.3-4.

⁴⁴⁶ *Pan. Lat.* IV.12.1.

Nazarius' *vocas ad societatem*, Nixon and Rodgers can only declare "again, this is very strange", and dismiss this claim as "nothing more than a display of moralising." More generally, they declare that, "this whole rather embarrassing passage sounds like an apology, as if Nazarius felt compelled to counter a recent accusation that Constantine had turned on the man with whom he had recently entered into an alliance."⁴⁴⁷ Their suggestion is absolutely correct, except they have failed to see that the man in question was Licinius, not Maxentius.

This passage, if treated as referring to the events of 315-6 and the war with Licinius, suddenly makes perfect sense. There, a treaty had been concluded, in 313. The bonds (*copula*), to which Nazarius makes reference, were the bonds of that treaty and the marriage pact between Constantia and Licinius which had sealed it. The presentation of Constantine attempting to seek peace but ultimately being forced into war is also in much better keeping than with 312. Barnes has demonstrated how carefully Constantine manipulated the political situation in 315, through his cipher Bassianus, allowing events to unfold in such a way that he was given a clear pretext for war.⁴⁴⁸ Likewise, the otherwise unattested claim that Maxentius overthrew Constantine's statues takes us by surprise in reference to 312; but we know for a fact it was used as a justification of hostilities in 316, after Licinius overturned images and statues of Constantine at Emona.⁴⁴⁹ We could even go so far as to suggest that the lengthy description of an engagement with Maxentius' heavy cavalry outside Turin owes more to Licinius than it does to Maxentius.⁴⁵⁰ Perhaps

⁴⁴⁷ Nixon-Rodgers, 354, n. 48 and 353, n. 45.

⁴⁴⁸ Barnes, *Constantine*, 100-3.

⁴⁴⁹ *Origo* v.15; the *Origo* even uses the same word, *concordia*, that Nazarius had used at 9.3. Barnes, incidentally, calls this claim "suspicious" (*Constantine*, 101). His scepticism is not unwarranted but, for our purposes, it does not actually matter whether statues were overturned or not, merely that this was being claimed.

⁴⁵⁰ *Pan. Lat.* IV.22.3-24.7. Nazarius' description differs from that of *Pan. Lat.* XII to the extent that it could almost be describing a different battle. It thus catches the eye immediately. The seemingly disproportionate level of detail into which he goes in describing the *clibanarii*, their armour, and the methods by which they were defeated is striking. *Clibanarii* were a feature of Eastern armies to a far greater extent than Western: *Notitia Dignitatum* lists fifteen Eastern units with the designation *clibanarii* or *catafractarii* and three

most interesting of all, the emergence of the word *tyrannus* to mean a contemporary usurper – which, as we showed in the previous section, can be dated to this period – may have something to do with the fact that Licinius was emperor of the East. Given that the word had associations with Greek kings, its rise in the 310s may have owed a great deal to the breakdown of East-West relations.⁴⁵¹

Was Nazarius' audience conscious of what was taking place in this speech? Perhaps not, unless they were very well versed in the politics of the last ten years. In point of fact, the orator himself may not have been aware of what he was doing; anachronisms can be purposeful insertions but, as often as not, they are the accidental by-product of approaching past events with an understanding of contemporary ones. As he wove the story of Constantine's last great destruction of a tyrant, it is perfectly reasonable to believe that he drew in material from Constantine's next great destruction of a tyrant, which was playing out its middle phase even as he spoke. This may not have been a conscious choice.⁴⁵² But whether it was or it wasn't, we see in this speech a reflection of the subtle invective that must have been beginning to be levelled at Licinius during this period.

What this shows us is a more or less integrated programme across Constantine's reign; Maxentius, and before him Maximian, had taught Constantine valuable lessons about how best to iron out the creases of his own – highly illegitimate – grasps for power. The value of *Pan. Lat.* IV, therefore, is that we can see the early stages of the process by which

clibinaria, factories for the production of cataphract armour, whilst for the West there are only two units of *clibinarii* (both of which appear to be mounted archers), one of *catafractarii*, and only one *clibinaria*. Julian similarly describes the cataphracts of Constantius' army when he waged war against a Western usurper (Jul., *Or.* I.37c-38a and II.57b-c). Ammianus notes them as a feature of the Persian royal armies (e.g. Amm., XXV.1.12-13).

⁴⁵¹ Tyrant was a term associated with the Greeks (e.g. Cic., *de Rep.* I.47) and so particularly appropriate for a Western emperor looking East. Perhaps the earliest appearance of *tyrannus* in the public discourse surrounding Constantine, on the Arch of Constantine, came in 315 when relations with Licinius were beginning to break down.

⁴⁵² Something similar took place in the minds of British historians who, during the heyday of the British Empire, found in the Anglo-Saxons a confident and social advanced nation expanding naturally in the face of a backward Celtic people (B. Ward-Perkins, 'Why did the Anglo-Saxons not become more British?' *EHR* 115 (2000), 513-533).

Licinius was 'de-legitimised'. *Pan. Lat.* XII and IV are strikingly similar speeches. Both focus, in the main, on the same event. But within the subtle shifts in emphasis that are evidenced in Nazarius' telling of this tale lie keys to understanding the political climate of 321, as Constantine's court, and the orators who fawned upon it, prepared the ground for the final push against Licinius.

IV

The Sons of Constantine

The propaganda victory of Constantine's reign was to tear down the system of collegiate government introduced by the tetrarchs and yet still be portrayed as a defender of the Republic. In Maxentius (and Licinius after him) Constantine created a tyrannical figure whose personal evil and destructiveness was paralleled against the charismatic rule of Constantine himself. In this chapter, we will see the continued struggle for legitimacy, played out under his sons, and the repetition, under Constantius, of a language of tyranny that gave legitimising force to the overthrow of a collegiate system, the conquest of the entire Empire, and rule by a single Augustus. One after another, a series of attempts at collegiate government were pulled apart. This chapter is ultimately about how that process was managed.

You can't be too careful: the massacre of 337 and its implications for imperial politics

When Constantine died in a villa on the outskirts of Nicomedia, on 22nd May 337, contemporary Romans must have known that a unique emperor had died. His extraordinary imperial career, lasting nearly thirty one years, had left an indelible mark on the Roman world – on its military, political, administrative, and religious structures – and had given Romans what they had not seen for two generations: a single Augustus. That the accession of his sons was marked by the bloody massacre of virtually every other male

member of his house is thus indicative of the critical crisis of legitimacy outlined in the introduction to this thesis.

No emperors could have wished for a better claim to the throne than the sons of Constantine; not only the sons of a reigning emperor, they possessed two imperial grandfathers in Constantius and Maximian.⁴⁵³ Their mother, Fausta, was an imperial princess. No emperors in history could claim blood so purple. As for the boys themselves, all three had been designated Caesars from their earliest years.⁴⁵⁴ Constantine had made it abundantly clear that they would succeed him and had made them active members of his own administration. Though Constans was very young, Constantine II and Constantius II could both claim the vigour of youth without the associated taint of inexperience. They had both led their father's armies into battle, with success, in West and East. Individually and as a trio, these young men could command the institutional and personal loyalty of the army and the administration.⁴⁵⁵ Furthermore, both Constantine and Constantius had already been operating, as commanders and governors, in the parts of the Empire that would become theirs on their father's death. Finally, their father's death, though it came earlier than expected, was neither sudden nor violent. This was as ideal a succession as could be conceived of.

The roots of the massacre lay in the fact that Constantine had, after 326, begun to reintegrate the children and family of his father's second wife, Theodora, into the workings of his government. This extensive branch of Constantius Chlorus' descendants had, until then, been kept out of the business of government in quasi-exile. Constantine awarded his half-brothers the consulate in 333 (Flavius Dalmatius) and 335 (Flavius Constantius). His

⁴⁵³ Maximian's reputation, by this point, seems to have been firmly rehabilitated (Humphries, 'From Usurper to Emperor', 97).

⁴⁵⁴ Constantine II had been perhaps a year old when he received the title, Constantius a little over seven, and Constans perhaps ten.

⁴⁵⁵ Both were packed with 'new men' who had risen under Constantine and so could be expected to owe allegiance to his progeny (Potter, *Empire at Bay*, 386ff.).

nephews, Flavius Dalmatius (son of the father of the same name) and Flavius Hannibalianus, he made respectively Caesar and (rather strangely) king of kings and the Pontic people (*rex regum et Ponticiarum gentium*).⁴⁵⁶ Constantine had clearly decided, by the mid-330s, that his sons would rule alongside emperors drawn from the legitimate offspring of Constantius Chlorus. To the sons of Constantine, however, the expansion of power into this wide section of the Flavian family meant only one thing: competition.

The reality of this feeling of competition can be amply demonstrated by the massacre that followed Constantine's death, in the hazy period between 22nd May and 9th September 337.⁴⁵⁷ Rightly or wrongly, the descendants of Theodora were deemed, at some point between the death of Constantine in the early summer and the elevation of his sons to the rank of Augusti in the autumn, to have become an unacceptable threat to the security of Constantine II, Constantius, and Constans. Richard Burgess has recently produced a superb study of this period, and a summary of his conclusions follows; they demonstrate that, even for a trio of royals so eminently qualified for a painless succession, the question of unchallenged rule could not be taken for granted.⁴⁵⁸

Burgess' most important conclusion is that Constantius was indeed, as latter critics alleged, the originator of the massacre. Burgess observes that the very earliest sources (Eusebius, Libanius, Julian) that reported this period passed over any difficulty in total silence, giving no hint that anyone other than the sons of Constantine had ever been expected to succeed, that any violence had taken place in Constantinople, or that three and a half months had elapsed since Constantine's death in Asia Minor and the proclamation of

⁴⁵⁶ This latter title may have been an expression of Constantine's territorial ambitions in the East (B. Dignas and E. Winter, *Rome and Persia in Late Antiquity: Neighbours and Rivals* (Cambridge: Cambridge University Press, 2007), 33).

⁴⁵⁷ This period has been badly neglected by scholars until recently (see M. Di Maio Jr., 'Zonaras, Julian, and Philostorgios on the Death of Constantine I', *GOTR* 26:1-2 (1981), 118; see also Burgess, note following).

⁴⁵⁸ R. W. Burgess, 'The Summer of Blood: The "Great Massacre" of 337 and the Promotion of the Sons of Constantine', *DOP* 62 (2008), 10-11.

his sons as Augusti in Sirmium.⁴⁵⁹ All three of these texts were panegyric offerings to the house of Constantine, and, in their silence, they clearly followed an official suppression of the events of the summer of 337 and memory sanctions against the deceased. Combined with the certainty that Constantius would have rushed to take control of matters on news of his father's death (and could, by Burgess' estimate, have reached Nicomedia from Antioch fifteen days from his father's passing), the finger of blame for the massacre must be pointed squarely at Constantius.⁴⁶⁰ Later sources, more free to discuss the events of the massacre but still constrained from impugning Constantius, blamed the violence on a military revolt against rule by any but the sons of Constantine. This explanation dealt with the unavoidable facts, but kept the present emperor blameless; indeed, on this reading, Constantius calmed a turbulent army (though too late to save his cousins and uncles). But this story makes no sense; if the massacre was a spontaneous and uncontrolled explosion of violence, why were only male members of the house killed? Why was the child Julian spared because of his age, and Gallus because of his ill health? Why were the deceased not commemorated and deified (two had been emperors, after all) if their deaths had been unwanted? And why, most importantly of all, is there no evidence of reprisals against a military that had taken it upon itself to summarily execute eight members of the imperial family?⁴⁶¹ The conclusion can only be that Constantius either gave permission for, or actually ordered the massacre, which took place in June of 337.

⁴⁵⁹ Euseb., *VC* IV.51., 68-70; Lib., *Or.* LIX.48-9, 72-5; Jul., *Or.* I.16d-18d. Jul., *Or.* I.17a, makes a passing reference to others "going wrong" (ἐξαμαρτεῖν), an extremely restrained description of the murder of his family. The supposedly accurate and insightful *Origo Constantini Imperatoris* reads merely: *item Constantinus cum bellum pararet in Persas, in suburban Constantinopolitano villa publica iuxta Nicomediam, dispositam bene rem publicam filiis tradens, diem obit* (vi.35).

⁴⁶⁰ Given that Constantine knew he was dying (he received baptism: Euseb., *VC* IV.62.4; cf. G. Fowden, 'The Last Days of Constantine: Oppositional Versions and their Influence', *JRS* 84 (1994), 146-170), Constantius may have arrived within days of his father's death (Jul., *Or.* I.16d).

⁴⁶¹ For this number, see Jul., *Ath.* 270c-d.

The Brothers Grim: Libanius addresses Constantius and Constans

The unease of 337 was not to disappear, and Constantine II, Constantius, and Constans proved virtually as incapable of sharing power with one another as they had with their cousins. Constantine II, the oldest of the three brothers, made it clear from an early point that he expected to be treated as the senior emperor.⁴⁶² He imposed coin types upon his brothers commemorating their grandmothers, Helena and Theodora.⁴⁶³ More importantly, he began exercising his power directly in the Empires of both of his brothers. On 17th June 337, he ordered the Bishop Athanasius to be returned to his see of Alexandria (in Constantius' territory).⁴⁶⁴ Over Constans, he claimed even greater control, arguing that he stood as guardian for his younger brother and thus the territories he ruled: Italy and Africa.⁴⁶⁵ Eventually, this determination to control his youngest sibling led to a military expedition into Italy in which Constantine II was killed. His territory passed to Constans and, after only three years of triarchy, the sons of Constantine became a dyarchy.⁴⁶⁶

If relations between the remaining two brothers were more peaceful, it was only by virtue of the geographical distance that separated them and the disturbances on the Rhine and Persian frontiers that kept their attentions focussed outwards.⁴⁶⁷ But a conflict for power and dominance that was not fought with soldiers continued to be waged with bishops and with doctrine. Constantius was an Arian, Constans a Catholic, and their

⁴⁶² This was not entirely unreasonable; as well as his senior age, he could claim imperial seniority over his brothers, having been made Caesar on 1st March 317, seven and a half years before his brother Constantius.

⁴⁶³ Burgess, 'Summer of Blood', 22-4.

⁴⁶⁴ Ath., *Apol. contra Ar.* 87.

⁴⁶⁵ Constantine appears to have even been addressing laws to members of Constans' bureaucracy (*CTh* XII.1.27; the law is in the name of both Constantine and Constans, but it was given at Trier and so must have come from Constantine).

⁴⁶⁶ Constans even appears to have annulled his brothers laws, a suggestion that memory sanctions may have been imposed on the fallen brother: cf. *CTh* XI.12.1. In a striking irony, Constans' own name appears also to have been erased from this law, but since it dates from April 340 and was addressed to Marcellinus, the praetorian prefect in the West, it must surely have come from Constans).

⁴⁶⁷ Dignas and Winter, *Rome and Persia in Late Antiquity*, 88-90; J. Drinkwater, *The Alamanni and Rome 213-496 (Caracalla to Clovis)* (Oxford: Oxford University Press, 2007), 199-200.

religious difference saw a cold war between the Empire's two halves. This friction was exacerbated by the (roughly) East/West division between the two ecclesiastical parties, the main Catholic support bases lying in the West, the main Arian ones in the East. Constantius had not sought compromise. In concord with Eusebius of Nicomedia (the bishop who had baptised Constantine and who, after the expulsion of Paul, the bishop of Constantinople, in 340 took over this imperial see) had embarked on a mission to overturn the settlement of 325 and to make Arianism the official religion of the Empire.⁴⁶⁸ Athanasius left Alexandria for Rome on 16th April 339, less than two years after Constantine II had browbeaten Constantius into taking him back.⁴⁶⁹ Athanasius and other deposed bishops were reinstated to their sees by a synod at Rome in 341. Constans was prevailed upon to call a council of Eastern and Western bishops, which took place at Serdica in 343. The Council quickly split into two separate bodies, East and West, with the Western bishops arriving first, opening their council by confirming the return of Athanasius to his see.⁴⁷⁰ Constans supported his bishops and wrote to his older brother threatening civil war if Athanasius and Paul were not returned to their sees.⁴⁷¹ Athanasius, years after Constans' death, was still having to defend himself before Constantius on charges of having turned the younger brother against the elder.⁴⁷² But a foreign war on the Eastern frontier was brewing again (Nisibis was besieged in 346) and the death of Gregory, the Arian bishop who had replaced Athanasius in Alexandria, gave Constantius the opportunity to back down, however unwillingly. Athanasius returned to his city on 21st

⁴⁶⁸ Cf. S. Elm, *Sons of Hellenism, Fathers of the Church: Emperor Julian, Gregory of Nazianzus, and the Vision of Rome* (Berkeley: University of California Press, 2012), 32-42. Elm gives considerable credit to Constantius as attempting to negotiate a compromise with his recalcitrant brothers.

⁴⁶⁹ T. D. Barnes, *Athanasius and Constantius: theology and politics in the Constantinian Empire* (Cambridge, Mass.: Harvard University Press, 1993), 34-46.

⁴⁷⁰ H. Hess, *The Early Development of Canon Law and the Council of Serdica* (Oxford: Oxford University Press, 2002), 98ff.

⁴⁷¹ Soc., *HE* II.22.5; cf. Philostorg., *HE* III.12; Soz., *HE* III.20.1; Theodor., *HE* II.9; Theoph. 5849.

⁴⁷² Ath., *Apol. ad Const.* 2-5.

October 346.⁴⁷³ The icy peace between the two remaining sons of Constantine was preserved. Just.

Into this period we may fit Libanius' *Or.* LIX. The speech was pronounced in Nicomedia, while Libanius was teaching in this city, that is sometime during the period 344 to 349.⁴⁷⁴ It is a unique example of panegyric oratory from this exceedingly tense period, when the Empire tottered on the brink of a second civil war between Constantine's sons. Though addressed to both emperors, it is impossible that the speech was delivered in the presence of Constans and highly unlikely that it was delivered in the presence of Constantius either.⁴⁷⁵ It may be the oration referred to by Libanius in his autobiography, which he pronounced before Pompeianus, the governor of Bithynia.⁴⁷⁶ The speech is valuable both of itself and as a comparison with the triumphal rhetoric that followed Constantius' final victory in the West over Magnentius in 353. What immediately strikes us is the utter absence of any suggestion that tension existed between two emperors on the brink of war who, though joined by blood, clearly hated one another. In this we see the central importance of the concepts of family, dynasty, and college. Constantius and Constans justified their power as an inheritance from the great Constantine. Like the tetrarchs, they formed a college, a closed circuit joined – in this case – by blood.

The tone of the speech is quasi-historical, moving chronologically through the lives of its two subjects.⁴⁷⁷ Libanius keeps loosely to the schema set out by Menander in ὁ βασιλικὸς λόγος; he opens with a general introduction on the virtue of his subjects followed by an exposition of their heritage (1-9; 10-31). Next he speaks of their education

⁴⁷³ Barnes, *Athanasius and Constantius*, 92.

⁴⁷⁴ R.-L. Malosse (ed. and tr.), *Libanios: Discours*, vol. IV (Paris: Les Belles Lettres, 2003), IV, 7-8; date: J. P. Callu, 'Un Miroir des princes: le "Basilikos" libanien 348', *Geryon* 5 (1987), 135-6, declines particular comment, merely sketching the boundaries; W. Portmann, 'Der 59. Rede des Libanios und das Datum der Schlacht von Singara', *BZ* 82 (1989), 1-18, is an excellent survey of opinion on the topic.

⁴⁷⁵ Though Burgess, 'The Summer of Blood', 12, believes Constantius was present.

⁴⁷⁶ Lib., *Or.* I 70-74.

⁴⁷⁷ Libanius notes the differences between his oration and a true historical account, but nonetheless maintains that he is providing a relatively systematic biography (*Or.* LIX 56-7).

and of their early years as junior rulers under Constantine (32-58). He recounts their deeds in war, treating them each separately, Constantius first and then Constans (59-122; 123-149). Finally, he addresses their deeds in peace, focussing on their harmony with one another, their preservation of order, and their attention to justice (150-173). He closes with a general eulogy on the Empire (169-173).

The speech is firmly dynastic. Its opening and closing sections dwell upon the inheritance of the sons from the father and the grandfather and on the harmony of the two brothers. From the roots of the dynasty, Libanius draws Constantius and Constans' legitimacy; indeed, he contrasts the accession to inherited power with usurpation and corruption:

For they did not enter into another's inheritance after having expelled the possessors, nor again did they buy their position, like something for sale in the market, by fawning on the crowd, but, just as individuals come into the inheritance of their father's and grandfather's property, because they are authorized by law, so the Empire belongs to them divinely out of three generations.⁴⁷⁸

This idea was of paramount importance, and ultimately informed the following sections of the speech, in which Libanius extolled the virtues of first Constantius and then Constantine. Libanius not only praised the idea of a hereditary succession, he presented a framework in which the Empire had become family property. Inheritance by blood, therefore, was not merely desirable; it was the only condition in which the throne might pass legally from one emperor to another. Without explicitly doing so, Libanius turned his audience's minds to the bloody summer of 337. Libanius' logic turned the sons and grandsons of Theodora from ousted participants in government into greedy relatives attempting to crowd in upon the patrimony of deserving heirs.

⁴⁷⁸ Lib., *Or.* LIX 13.

The rhetoric of Libanius' Constantine was in perfect accord with that which we saw in the previous chapter. His reign was recounted, almost exclusively, in terms of the overthrow of tyranny. In the first place, Maxentius was given pride of place, commanding nearly half the narrative (21 of 56 lines in Malosse's edition).⁴⁷⁹ Libanius wrote,

Saying this [that rulers must eliminate injustice or be accomplices to it] to himself and having strengthened natural courage with this reasoning, seeing the great city supposedly governed, but in reality laid waste by an overlord (ὁ κρατῶν), he was unable to endure that the ruler was at the same time an enemy (πολέμιος), nor could he reckon it endurable that he, living and looking upon the sun, should see the capital of the world mutilated by the violence of a tyrant.⁴⁸⁰

He then described how Maxentius brought about his own downfall with the collapse of the bridge and how the city was liberated, delivered from the cloud which hung over it and allowed to breathe again (Ἀπαλλάξας... τῆς ἐπικειμένης νεφέλης καὶ παρασχῶν ἀναπνεῦσαί).⁴⁸¹ Though mention was made of Constantine's barbarian campaigns, Libanius moved almost immediately into the narrative of Licinius' defeat. Again, the details were elided to follow the accepted version of events. Constantine restored land and sea, waging war against the barbarians, "not envying the emperor who ruled that same race (τῶ δὲ τῶν ὁμοφύλων βασιλεῖ τῶν ὑπαρχόντων οὐ φθονῶν)." But, Libanius continues, he proved himself doubly virtuous, for though he sought to avoid (civil) war if possible, he pursued that war with such vigour that he was victorious, even though it had been Licinius who broke the treaty (τὰς μὲν συνθήκας ἕτερος ἐκίνησε).⁴⁸² Libanius adhered closely to the interpretation of Constantine's reign that was created while this emperor was alive in which the war with Maxentius, waged for the salvation of an oppressed Rome, provides a central focus, whilst the war with Licinius complements it and is shown to stem from

⁴⁷⁹ Malosse, *Libanios*: Discours, IV.

⁴⁸⁰ Lib., *Or.* LIX 19.

⁴⁸¹ Lib., *Or.* LIX 20-21.

⁴⁸² Lib., *Or.* LIX 21.

Licinius' personal jealousy and smallness of character. Constantine's conflicts with his civil enemies provided the foundations of his regime. Constantine's own rhetoric had sunk deep into the collective consciousness and, though we may be sure that he did not believe it, Libanius reproduced it.

Having thus established the credentials of their family and of their succession, Libanius turned to the emperors themselves. The rhetoric of fraternity thus produced is perhaps some of the most transparent falsity that this thesis considers. Libanius used the structure of his speech to stress this harmonious pairing. While he discussed their education and their years as Caesars, he spoke of them together. He then turned to their deeds in war, which necessitated a separate treatment, given that they fought wars at opposite ends of the Empire. He dealt with Constantius first and in greater length, both because Constantius' wars were nearer to hand for Libanius and because they required considerably less delicate handling (more on this below). Finally, his concluding section united the brothers again, praising them together. The reuniting of his subjects was more than just a structural feature of the speech; Libanius made unity his concluding focus. He began by musing on the past: "For previously envy had fixed to all dominion; the masters of smaller kingdoms plotted against the holders of larger, those of the larger against those who possessed small domains, and they were jealous of their inferiors." His interesting phrase, "and the law of nature went second to the desire for tyranny, and the whole family was filled with rage against itself" suggests that it is the tetrarchic 'families' that were here meant, contrasting the newly established order, after Constantine, with that which had gone before.⁴⁸³ The moral of this comparison was then drawn in the contemplation of the state of the Empire under Constantius and Constans:

⁴⁸³ Lib., *Or.* LIX 151.

But now all that has passed is inferior, all ill-feeling thanks to envy is banished, an unbreakable link of friendship unites the souls of the emperors. The Empire is divided in space, but united by their love, and the fame of their closeness is confirmed by their actions. For, far from suffering from each other's successes, each gives the other the first place. Daily, horses and *quadrigae*, increasing their speed thanks to relays, carry the will of each to the other. And their envoys each come to the realm of the other with equal authority. The region in which the borders of the emperors' realms meet is not watched by a continuous deployment of army camps, but by the immovable strength of a guileless trust.⁴⁸⁴

Libanius concluded by observing that, whilst past ages were rife with usurpation, since subjects feared their masters (even when their masters were handing out gifts) the age of Constantius and Constans is one of peace, untroubled by the emergence of pretenders to the throne.⁴⁸⁵ The language is familiar to us, and borrows from earlier, tetrarchic style, mixing it with the new triumphal vision of the Flavian dynasty.

As we have seen, this tale could scarcely be further from the truth. Constantius and Constans stared at one another across Greece and the Balkans, divided by their religious creeds, divided by the bitterly feuding bishops beneath them, and divided by a personal hatred. The audience that Libanius addressed in Nicomedia must have been aware of this rift. That the house of Constantine was an unhappy one was testified by a string of Flavian bodies. Most had bled their life out in 337 but, more recently, Constantine II had died on campaign in his youngest sibling's territory. There had been no grand meetings between the brothers, as the tetrarchs had engineered, for example, in Milan (290/1) or in Rome (303), no shows of united strength against common enemies; only angry letters, frustrated attempts at dictating the governance of the other's territory, and the threat of war.

Yet however flimsy the screen of brotherly love had become, neither court could afford to abandon it. The fraternal succession was a fundamental pillar of their rule. Ultimately, it explained why they, and they alone, were emperors. Libanius' extensive eulogy on the

⁴⁸⁴ Lib., *Or.* LIX 152.

⁴⁸⁵ Lib., *Or.* LIX 154-6.

harmony existing between East and West, therefore, was not based upon anything that he, or indeed any contemporary, had observed.⁴⁸⁶ His focus on usurpation, and its non-existence under the brothers, was a desperate tactic designed to provide some kind of hard evidence to an audience whose credulity was being stretched to breaking point. Of course, his audience would have sympathised with Libanius' plight; they too, doubtless, had to go about in public pretending that "an unbreakable link of friendship unites the souls of the emperors."

No better proof of the vacuity of Libanius' rhetoric can be demonstrated than the utter absence of Constantine II from this speech. So inimical was Constantine's end to the rhetorical model Libanius was advancing that he could in no way encompass the third brother within his scheme. The only option available to him, and the option that he took, was a total avoidance of the subject. Throughout the speech, Libanius gives no hint whatsoever that Constantine ever fathered more than two sons. No mention is made of the fact that the Empire, after the loose ends of the other Flavians had been tidied away, was initially divided into three territories. The harmony of Constantius and Constans is preserved through a studied ignorance of the civil war that ended their eldest brother's life. To achieve this end, Libanius is forced into a highly truncated account of Constans' imperial career; he gives only 223 lines, compared to 586 on Constantius. In short, Libanius' rhetoric, even by the standards of late antique panegyric, was shockingly empty.

Such was the language of the 340s; its assertions concerning the legitimate authority of the two emperors was based upon an increasingly transparent lie, but a lie so embedded within the ideology of their Empire that it could not be abandoned. As it had been for Constantine, it was crisis that released Constantius from the strictures of the rhetoric he had inherited from the previous generation. With the death of Constans and the great

⁴⁸⁶ This observation is only strengthened by Malosse's conjecture that, "Libanios semble vouloir faire comprendre dans le prologue qu'il avait d'abord préparé l'éloge du seul Constance, mais qu'il fut contraint par son commanditaire à y ajouter celui de son frère" (Malosse *Libanios: Discours*, IV, 10).

victory in civil war against Magnentius, Constantius was at last free to redefine the terms of his right to rule. This he did energetically, following the model that his father had established for his own reign. Constantine II and Constans disappeared into obscurity.

The son of the father: Constantius the tyrant-slayer

Magnentius had been born at Amiens to Germanic parents (or possibly a Frank and a Briton) in the early part of the fourth century.⁴⁸⁷ He had joined the army and apparently flourished under Constantine, serving as a *protector* and then *comes rei militaris* in the years before 350.⁴⁸⁸ By 350 itself he had attained command of the two most important units of the field army, the *Ioviani et Herculiani*.⁴⁸⁹ He was proclaimed Augustus on 18th January 350 at the home of Marcellinus in Augustodunum (Autun), in response to alleged misgovernment on the part of Constans (drunkenness, homosexuality, granting undue license to foreign soldiers, as well as more general mismanagement, are all charges levelled by the sources).⁴⁹⁰ Following his proclamation, Magnentius had Constans hunted down and executed, at the same time expanding his sphere of influence from Gaul into Italy and from Italy to Africa.⁴⁹¹

Magnentius' inscriptions advertised him as *liberator orbis Romani, restitutor libertatis et rei publicae, conservator militum et provincialium*, and likewise his coinage announced

⁴⁸⁷ Aur. Vict., *de Caes.* 41.25, *Epit.* 42.7.

⁴⁸⁸ Zos., II.46.3, 54.1; Zon., XIII.6.

⁴⁸⁹ Zos., II.42.2.

⁴⁹⁰ Aur. Vict., *de Caes.* 41.24, *Epit.* 41.22; Zos., II.42.1; Zon., XIII.6. Marcellinus was the *comes rerum privatarum* of Constans and was to go on and serve as *magister officiorum* under Magnentius (Zos., II.43.4)

⁴⁹¹ P. Bastien, *Le monnayage de Magnence (350-353)* (Numismatique romaine: 1; Wetteren, Belgique: Éditions numismatique romaine, 2e éd., 1983), 11; J. Šašel, 'The Struggle between Magnentius and Constantius II for Italy and Illyricum', *Živa Antika* 21 (1971), 205-6; P. Salama, 'L'empereur Magnence et les Provinces Africaines', in H. Huvelin, M. Christol, and G. Gautier (eds.), *Mélanges de numismatique offerts à Pierre Bastien à l'occasion de son 75^e anniversaire* (Wetteren: Editions NR, 1987), 203-4.

FEL TEMP REPARATIO, the return of fortunate times.⁴⁹² Within his territory, he clearly attempted to present himself as a liberator, capitalising on the harm Constans appears to have done to his own reputation through his favouritism and idle lifestyle. We may expect that Magnentius received panegyrics that condemned Constans in similar tones to those which had been used to castigate Maxentius and Licinius during Constantine's reign. Certainly, evidence for the imposition of memory sanctions upon the fallen emperor can be found in the form of defaced or even recarved inscriptions.⁴⁹³ The recarving of Magnentius' name over Constans', thus placing it alongside those of Constantine and Constantius, expressed Magnentius' ambitions to join the Flavian dynasty, ambitions perhaps also expressed in his revival of the laureate bust on his coinage, reminiscent of images of Constantine (the elder).⁴⁹⁴ And, though a Christian, Magnentius showed himself willing to grant greater tolerance to pagans within his territory, a gesture designed, no doubt, both to win support from this religious group and to show, more generally, that he would not be drawn into the feuding that had split East and West under Constans.⁴⁹⁵

Two loyalist rebellions sprang up to meet Magnentius. The latter of this pair, the usurpation of Constantius' cousin, Julius Nepotianus, was a short and ill-omened affair.⁴⁹⁶ Nepotianus was made Augustus in Rome on 3rd June 350.⁴⁹⁷ Magnentius' forces, under his *magister officiorum* Marcellinus, took the city back a mere twenty eight days later, and Nepotianus was executed.⁴⁹⁸ Far more successfully, on 1st March, probably around the time of Magnentius' expansion into Italy, Vetrico, Constans' *magister peditum* in

⁴⁹² E.g. *CIL* V.8066, IX.5937, 5940, 5951; *RIC* VIII, 40-1.

⁴⁹³ For instance, *ILS* 729; *CIL* VIII.7012, 7013. For recarvings, see *CIL* VIII.22552, 22558 (a pair of African milestones where Constans' name has been removed and replaced with Magnentius').

⁴⁹⁴ See Bardill, *Constantine*, 13, figs. 2-4.

⁴⁹⁵ Ziegler, *religiösen Haltung*, 53-73. This said, Magnentius was willing to approach Catholic bishops in Constantius' territory, however surreptitiously, for their support: Barnes, *Athanasius and Constantius*, 102ff.

⁴⁹⁶ Nepotianus was the son of Constantine's sister, Eutropia. His father may have been Virius Nepotianus, the consul of 336, who is believed to have perished in the 337 massacre. He may well, like Vetrico, have taken power under the direction of Constantia (Bastien, *Le monnayage de Magnence*, 14).

⁴⁹⁷ *Chron. Min.* I, 237.

⁴⁹⁸ Aur. Vict., *de Caes.* 42.6-8, *Epit.* 42.3; Eutr., X.11; Oros., VII.29.11; Soc., *HE* II.25; Soz., IV.1.2; Zos., II.43.2.

Illyricum, was declared emperor with the support of Vulcacius Rufinus and of Constantius and Constans' sister, Constantia (the wife of the late Hannibalianus).⁴⁹⁹ Vetranio's uprising succeeded in halting Magnentius' eastward advance in Italy.

It is very difficult to assess the extent to which Vetranio and Constantius were working in concord. Constantius himself clearly wished to place considerable distance between himself and this Balkan usurper, but the clear political advantages of creating such a distance may call us to question its reality. It is difficult to suggest that Constantius orchestrated the proclamation of Vetranio himself; the news of Magnentius' usurpation would not have reached Constantinople until mid-February.⁵⁰⁰ If Constantius was in the city at this time, he may have been able to give the order for Vetranio's accession. Constantius is last attested in the city on 3rd October but, given his presence on the Eastern frontier during the campaigning season, combatting the Persian siege of Nisibis, which lasted from April-August 350, it seems probable that he had moved on by this point.⁵⁰¹ If not the instigator of the rebellion, however, there is evidence that Constantius supported it. Philostorgius reports that he sent Vetranio a diadem.⁵⁰² Though this is reported nowhere else, we may be willing to give credit to Philostorgius, who composed his history in Constantinople, as having genuine information. At any rate, we know that Constantius minted coins for Vetranio and this would seem to confirm that, at the very least, Constantius acknowledged the usurpation after the act.⁵⁰³ As we shall see below, this is also the only reasonable conclusion to draw from the evidence of the panegyrics.

⁴⁹⁹ Aur. Vict., *de Caes.* 41.26, *Epit.* 41.25; Eutr., X.10.2; Philostorg., *HE* III.22; Soc., *HE* II.25; Soz., *HE* IV.1.1; Zos., II.43.1; Joh. Ant. fr. 173; Chron. Pasch. a. 350; Theoph. 5849; Zon., XIII.7. Šašel, 'The Struggle between Magnentius and Constantius II', 207-8.

⁵⁰⁰ Burgess, 'The Summer of Blood', 49-51. Burgess estimates the distance between Trier and Nicomedia at roughly 1,800 Roman miles. In an emergency, this distance could be covered in *c.* 20 days. Though the journey from Autun to Constantinople is slightly greater (perhaps 100 miles more), this gives a rough estimate of timescales.

⁵⁰¹ *CTh.* XV.1.6.

⁵⁰² Philostorg., *HE* III.52.

⁵⁰³ Cf. R. Stiglitz, 'Vetranio', *RE* 8.A.2 (1958), 1839. These coins are rare, but their paucity should not trouble us. Few will have been struck, as this was an issue for show rather than for widespread circulation.

This position may help us to understand why Vetranio appears to have made some sort of treaty with Magnentius. Constantius could afford to do no such thing, but Vetranio's somewhat indeterminate status allowed him to claim to speak for the Flavians, whilst at the same time it gave Constantius the deniability to repudiate any decisions that the Balkan emperor made. Vetranio is unlikely to have had the manpower to meet Magnentius in the field.⁵⁰⁴ But Magnentius wanted recognition from Constantius, not to destroy him; Vetranio may, therefore, have extended to him a treaty, claiming to speak for Constantius. Ambrose of Milan, a generation later, was to use similar stalling tactics in his first mission to Magnus Maximus.⁵⁰⁵ With this explanation, we may make sense of the otherwise confusing embassy sent by both emperors to Constantius, asking for recognition.⁵⁰⁶ By agreeing to such, Vetranio had bought peace for the summer of 350, whilst Constantius was still in East. As he returned home, Constantius was then able to toss the embassy back, revealing his hand. At this point, Magnentius appears to have given up hope of entrance into the college and declared Magnus Decentius, who is believed to have been his brother, as his Caesar.⁵⁰⁷

Constantius, then, showed the same cool and ruthless calculation that he had displayed in 337. With Vetranio playing for time in Illyricum he was free to stay on the Eastern frontier until the end of the summer, seeing the siege of Nisibis through to its grim conclusion. Shapur repulsed, he hastened West. En route to Constantinople he passed through Ancyra and here received a panegyric from a philosopher named Themistius, then a (relatively) obscure writer, who would go on to be one of the greatest politicians of the

Given that the window for their production was only a few months and that Constantius will probably have sought to restrike them after Vetranio's fall, it would be surprising if these coins were found in great quantities.

⁵⁰⁴ Julian tells us that Constantius was sending him soldiers (Jul., *Or.* I.30b-c).

⁵⁰⁵ McLynn, *Ambrose of Milan*, 161-3.

⁵⁰⁶ Zon., XIII.7; *Anon. qui Dio. cont.*, fr. 16.

⁵⁰⁷ There is some dispute over the relative chronologies of the promotions of Decentius and Gallus to the rank of Caesar: Barnes, *Athanasius and Constantius*, 101-2, with accompanying note.

age. Themistius' *Oratio* I, his first address to an emperor, is a chance to glimpse the tense political circumstances of 350's closing months, as the Roman world waited to see how Constantius would react to the death of his hated brother.

The dating of *Oratio* I, however, is far from secure, and others have sought to place the speech in a different period. It is necessary, therefore, to justify why 350 is the most plausible date for the speech. The greatest problem for dating the oration comes from its lack of internal context, most specifically, the utter absence of either of two figures: Constans or Magnentius. If the speech pre-dated Constans' death, we would expect him to be mentioned in it and the language of fraternity, employed by Libanius in the previous section and used later by Themistius when addressing Valens, to appear. But if it post-dated Constans' death, then why is no mention made either of this or of the gamut of usurpers in Gaul, Rome, and the Balkans?

That the speech was delivered at Ancyra is attested by the MS tradition itself.⁵⁰⁸ Since Constantius is known to have been in this city on 8th March 347, the speech has often been believed to have been delivered on or around this date.⁵⁰⁹ Perhaps the only reference made to dateable events within the speech is Themistius' discussion of recent warfare with the Persians, and this would certainly fit with a 347 date (Nisibis was besieged in 346).⁵¹⁰ However, this would also fit with any number of dates ranging from the aftermath of the siege of Singara, in 343 or 344, to Constantius' departure for the West in 350, as would

⁵⁰⁸ See the *Teubner* edition of the text, 4. This heading also confirms that Constantius was present at the speech's delivery (ὅτε πρῶτον συνέτυχε τῷ βασιλεῖ).

⁵⁰⁹ *CTh.* XI.36.8. The 347 thesis has been recently, if tentatively, restated in Heather-Moncur, 67-71.

⁵¹⁰ Heather-Moncur identify 11b-c, though one could certainly debate whether this passage necessitates recent conflict between Persia and Rome, or merely a general background of hostility.

Constantius' presence in Ancyra.⁵¹¹ We turn, therefore, to the speech itself, to demonstrate that the autumn of 350 is the most appropriate choice.⁵¹²

The speech, as Themistius himself appears to admit, was the work of a young man not yet fully at ease with the demands of public rhetoric.⁵¹³ The demands we make of the speech, as representative of contemporary rhetoric, ought therefore to be fewer than we have so far made of other speeches.⁵¹⁴ Yet the absence of either Constans or of Magnentius must be conclusively explained, and of the two by far the easiest to account for is Magnentius. Based on what we saw of Libanius' speech in the previous section, for Themistius to ignore a living Constans seems virtually impossible. Yet the absence of Magnentius in a speech delivered to Constantius as he returned from the Persian front in the closing months of 350 is perfectly explicable. Constantius' reaction to his brother's death and Magnentius' usurpation must have seemed neither determined nor clear at this point. Though he had concluded peace on the Eastern front and was returning to Constantinople, it may not yet have been obvious that he intended to march West. Public support had been given to Vetrician's usurpation in the Balkans and some form of alliance had been made between Vetrician and Magnentius. Constantius' position towards this new Western claimant was not, therefore, immediately apparent. A man outside the court circle, as Themistius then was, would have felt trepidation speaking about him. If Themistius predicted victory in a coming war and peace was concluded, he would have been made to look a fool and might have angered Constantius along with it. If Magnentius

⁵¹¹ Cf. Barnes, *Athanasius and Constantius*, 313, n. 21; Barnes discounts the possibility of a post-349 date because of the absence of mention of Magnentius, but this will be dealt with below. W. Portmann, 'Zum Datum der ersten Rede des Themistius', *Klio* 74 (1992), 411-21, argues that the speech belongs in 351, claiming that the heading of the oration should not be considered to contain genuine information.

⁵¹² Following O. Seeck, *Die Briefe des Libanius* (Leipzig: J. C. Hinrichs, 1906), 293-4.

⁵¹³ Heather-Moncur, 76.

⁵¹⁴ This simple fact may explain why the speech has proved so hard to date. Themistius avoids the kind of specific commentary on imperial policy that, elsewhere, makes the placing of his work (or indeed the panegyrics of others) much easier.

was praised as a colleague of Constantius' and then defeated and deposed, Themistius would have praised a usurper, with identical consequences.

Oratio I therefore carefully avoids reference to current events. Only two historical details may be drawn from the speech, the first being the victory over the Persians already discussed and the second being an apparent softening of the laws of capital punishment that had taken place under Constantius (and even this latter may be disputed).⁵¹⁵ The speech's title, "On Love of Mankind, or Constantius" (Περὶ Φιλανθρωπίας ἢ Κωνσταντίου), is in no way misleading, and virtually everything Themistius has to say revolves around a generalised ideal of the perfect king as the perfect example of *φιλανθρωπία*, the love of mankind. Themistius' unfamiliarity with Constantius and his hesitance in speaking about future policy are both made manifest within a striking lack of detail in the speech. In reference to an unmentioned Magnentius, the speech carefully hedges its bets so that, whatever the course of future events, it might be read as having supported them. On the one hand, comparison of Constantius to imagined tyrants occurs early and continues throughout the course of the speech. Though, on one occasion, such references are explicitly tied to the Persian king, Shapur, in the main they are kept general.⁵¹⁶ Themistius tells us that Constantius' deeds point to his kingly nature, leading us down a broad a clear path rather than "the kind along which most tyrants slink as if to the dens of beasts".⁵¹⁷ He compares Constantius, in his self-control, to "the tyrant, who at one and the same time rules other men and gives himself up as a slave to his passions" (τοῖς πάθεσι).⁵¹⁸ He praises the king who controls his anger, having the power to do as he wishes, and contrasts this to "the madness of Cambyses."⁵¹⁹ The man who rules mankind not from love, but from a desire to make himself rich, will destroy the very people he had

⁵¹⁵ Heather-Moncur, 92 n. 136.

⁵¹⁶ For Shapur in the speech, see Them., *Or.* I.11b-13a.

⁵¹⁷ Them., *Or.* I.3a-b.

⁵¹⁸ Them., *Or.* I.6a.

⁵¹⁹ Them., *Or.* I.7b-c.

been charged to watch over; the true king governs through love and not fear.⁵²⁰ Finally, he urges his audience to see that “to be exalted in tyrants’ affairs is dangerous,” but that the true king cares for his friends and earns their trust.⁵²¹ Yet on the other hand, Themistius goes to particular lengths to stress Constantius’ mildness.⁵²² The king softens his anger with kindness; he knows that rule by force does not produce beneficial results; mild correction will bring about those who cross the king, when harsher measures might turn them away. There exists then, within the speech, a possible subtext either for or against war with Magnentius. Themistius chooses not to make any direct mention of the usurpation in the West, because to do so would require him to take a stance on it.⁵²³

But if Constantius had been careful to keep his position regarding Magnentius ambiguous prior to his return to Constantinople, following this his actions were swift and decisive. Constantius may well have hated his younger brother, but there were bigger issues at stake, namely the prestige of his house. Constantius drew enormous political value from his place within the House of Constantine.⁵²⁴ The central claims for his legitimacy as a ruling emperor originated from his father and grandfathers and from the fictitious harmony that existed between the brothers. It was one thing for Constans to kill Constantine; this was Constans’ problem, his uncomfortable truth to explain or to cover up. But for Constantius to stand idly by after the murder of Constans would publicly give the lie to the rhetoric of their fraternal college and question the Constantinian succession. Thus, in the closing days of 350, his army met with that of Vetranio, in Naissus, and, after an address to the assembled forces, Constantius had Vetranio stripped of his imperial garb

⁵²⁰ Them., *Or.* I.10a-d.

⁵²¹ Them., *Or.* I.17d-18a.

⁵²² For instance Them., *Or.* I.4d, 7c, 13c-16b.

⁵²³ Themistius would later use similar, if slightly less equivocal, silences in the early years of Magnus Maximus’ regime (see below, pp. 240-1).

⁵²⁴ It is a testament to the strength of the Constantinian ‘brand’ that both the counter-usurpations of 350 were undertaken by members of the family: Nepotianus was Constantius’ cousin and Vetranio was crowned by Constantius’ sister.

and sent away into retirement.⁵²⁵ The following September (28th) he met Magnentius in battle at Mursa from where, after a considerable slaughter and the defection of a cavalry force under one of Magnentius' allies, Magnentius was driven back in defeat.⁵²⁶ The following autumn, Constantius pushed him from Italy back into Gaul where, at Lugdunum on 10th August 353, he committed suicide. Eight days later, at Sens, Decentius followed suit and Constantius found himself master of the entire Empire.⁵²⁷

As part of the celebrations this victory engendered, a number of panegyrics were delivered to Constantius in the years that followed; several have survived to the present day. Sometime between September and November 355, before he went to Gaul, Julian wrote and delivered his *Oratio* I, a panegyric to Constantius.⁵²⁸ Also in November 355, Themistius delivered a panegyric before the senate in Constantinople which was then forwarded on to the emperor in Italy (*Oratio* II). His *Oratio* IV was similarly delivered in Constantinople and forwarded on to the emperor, probably on the occasion of the latter's joint consulate with Julian, beginning 1st January 357,⁵²⁹ but it appears that he travelled to Rome in person to deliver *Oratio* III during the *vicennalia* celebrations for Constantius later that year (28th April – 29th May). Finally, sometime between March and October 359, Julian wrote his *Oratio* II and, we must presume, forwarded it on to Constantius in the East.

In the previous section, we examined how Libanius established a strongly fraternal and dyarchic model for the rule of the Empire in the 340s. After 353, virtually the entire Flavian dynasty had been extinguished, and Constantius ruled the world as the sole Augustus. Just like his father, therefore, Constantius had moved from the position of a

⁵²⁵ Zos., II.44.2-3; Philostorg., *HE* III.22.

⁵²⁶ Eutr., X.12.1; Zon. XIII.8.

⁵²⁷ Aur. Vict., *de Caes.* 42.10, *Epit.* 42.6, 8; Eutr., X.12.2; Philostorg., *HE* III.26; Soc., *HE* II.32; Soz., *HE* IV.7.3; Zos., II.53.3, 54.2; Joh. Ant. fr. 174; Zon., XIII.9.

⁵²⁸ P. Athanassiadi, *Julian: An Intellectual Biography* (London: Routledge, 2nd ed., 1992), 61, argues that it was written in the winter of 356/7, though for the purposes of this study either date is perfectly acceptable.

⁵²⁹ Note that this dating is disputed: Bastien, *Le monnayage de Magnence*, 13-4.

single participant in a game with many players to the sole possessor of true imperial power in the Empire.⁵³⁰ Like his father, the processes that had brought this about were bloody and reflected incredibly poorly upon the ruler himself. To recap: Constantius had either ordered or condoned the massacre of the descendants of Theodora; Constantine II had then died in civil war against Constans; Constans had then been murdered by one of his own adherents; finally, Constantius had played for time through puppet emperors before marching West and destroying Magnentius. Like Constantine, Constantius saw that the best way to recast this uninspiring story was to jettison its unnecessary elements and to place centre-stage those parts of the story which provided the foundation for a narrative of liberation. The slow accretion of power in Constantius' hands, an unpleasant tale of scheming and betrayal, became recast in the model of a Constantinian liberation of the Empire and of Rome from a tyrannical and oppressive regime. Though Julian and Themistius' styles vary from one another (indeed the style and focus of each panegyric is itself unique), nevertheless three clear themes emerge that define the new narrative. Firstly, the story of the Flavian dynasty was recast, effectively erasing the brothers of Constantius and recasting him as the predestined senior member of the house. Secondly, in order to protect Constantius' central position within the narrative, Vetricano, who had given loyal service to the House of Constantine, was presented virtually as an ally of Magnentius. In a similar fashion, conspicuously little was said about Julian and virtually nothing (save the most general hints) about Gallus. The usurper Silvanus was likewise pushed from the picture as an extraneous detail bringing little credit to Constantius.⁵³¹ Finally, Magnentius was blackened as a barbaric and debauched character, who usurped the throne in order to commit grave injustices against the Empire. All of this served to legitimate the new power that Constantius exercised without uncomfortable reference to

⁵³⁰ A condition which endured until Julian broke from the constraints of his junior position in February 360.

⁵³¹ This will be covered in the following section.

the period 337-53, to his brothers, or indeed to any member of his family bar his father and his grandfathers.

Both Julian and Themistius airbrushed Constantius' brothers from their accounts to an enormous degree. That Magnentius had risen up against Constans and had had him murdered could have been brought forward as the greatest stick with which to beat the usurper, at once extolling the fallen brother's virtues whilst demonising his murderer. In fact, Themistius, across three speeches, studiously avoided virtually any direct mention of Constans. In Rome, before the emperor himself, he contented himself with describing the usurpation as the moment, "When that barbarian revolt broke out and the Roman Empire hung in the balance."⁵³² Later in the speech, it is true, he evoked the idea of vengeance, but only to draw the moral of Constantius' superiority to his brothers.⁵³³ Earlier, in 355, he had claimed that Constantius, "in a dilemma from two sides, whether to commit an unlawful act or an unmanly one" (i.e. whether to make war against his brother or to tolerate his small share of the Empire), was delivered from this quandary by events, and so came naturally into his paternal succession, avenging his brother rather than making war against him.⁵³⁴ This latter statement is an astoundingly bold one, crediting the usurpation of Magnentius with bringing Constantius into the succession he truly deserved and bringing the Roman world to a better state of governance. Though he stopped short of explicitly stating this, Themistius presented the murder of Constans as a necessary and even desirable event!

Julian echoed this. Julian's orations were longer and more historical in their tone and so worked less hard to completely avoid any mention of the brothers at all. Nevertheless, his emphasis, throughout, was on their unsuitability.⁵³⁵ The brothers quarreled with one

⁵³² Them., *Or.* III.43a.

⁵³³ Them., *Or.* III.45b.

⁵³⁴ Them. *Or.* II.9d-10a; *cf.* IV.58b.

⁵³⁵ Jul., *Or.* I.9d-10a, 18c-20a, II.52b; note that 9d also makes reference to Crispus.

another over their inheritance, but bore Constantius no ill-will.⁵³⁶ They did nothing to make the Persian war easier for Constantius, yet nonetheless it was he who kept the peace between them.⁵³⁷ Though Constantine and Constans had their merits, “yet in the whole tale of their felicity one could pay them no greater compliment than merely to name their sires and grandsires.”⁵³⁸ This sentiment reinforced the importance of the dynastic inheritance whilst, at the same time, denigrating Constantine II and Constans. Constantius, by his personal moderation and mild acceptance of a place within the college (when he could easily have ruled all), thus showed himself the best of the sons of Constantine.⁵³⁹ Like Themistius, Julian had no doubt that the usurpation and the war were in accord with the proper order of things, for, “Fortune offered you the opportunity to claim as your right the Empire of the world.”⁵⁴⁰ Similarly, he made little effort to connect Constans’ murder with the outbreak of Magnentius’ rebellion; although, in his earlier *Oratio* I, Julian made an early link between the usurper and the murder,⁵⁴¹ his later mentions were first ambiguous,⁵⁴² and then utterly ignored Constans’ involvement, listing Magnentius’ crimes without any reference what so ever to the murder.⁵⁴³ By 359, and *Oratio* II, Constans’ murder had virtually disappeared from the picture, and though Magnentius might have been, “a rash and traitorous man [who] tried to grasp at power to which he had no right, and assassinated the emperor’s brother and partner in Empire,”⁵⁴⁴ nonetheless the episode was used merely to demonstrate Constantius’ superiority to his brother.⁵⁴⁵ Ultimately, Magnentius’ crimes were “the wrongs done to Constantius” and not to his brother.⁵⁴⁶

⁵³⁶ Jul., *Or.* II.94c-d.

⁵³⁷ Jul., *Or.* I.18c-d.

⁵³⁸ Jul., *Or.* I.10a.

⁵³⁹ Jul., *Or.* I.19a-20a, 41b-d.

⁵⁴⁰ Jul., *Or.* I.41d.

⁵⁴¹ Jul., *Or.* I.26b-c.

⁵⁴² Jul., *Or.* I.34a.

⁵⁴³ Jul., *Or.* I.41d-42d.

⁵⁴⁴ Jul., *Or.* II.57d.

⁵⁴⁵ Jul., *Or.* II.95a.

⁵⁴⁶ Jul., *Or.* II.95c.

The distance thus created allowed both orators to draw special connection between Constantius and his father. This connection marked the period of fraternal, collegiate rule out as an anomaly. Both orators had much to say on Constantius' devotion to his father. Julian noted that it was Constantius alone of his sons who rushed to his side as he lay dying.⁵⁴⁷ Like Libanius before him, Julian evoked the image of Constantine as a tyrant-slayer in his speeches, and even drew a direct comparison between Constantine and Constantius in this regard (noting the superiority of Constantius' victory over Magnentius to his father's over Licinius).⁵⁴⁸ Themistius used this same connection to advance the cause of Constantinople, reminding Constantius of his special connection with his father's capital.⁵⁴⁹ *Oratio* III is essentially an extended discourse on the relationship between Rome and Constantinople and the way in which Constantine and Constantius, each having a special relationship with both cities, echo one another.⁵⁵⁰ "The father first freed this city [Rome] from a tyranny that was similar and all but identical in name, and then progressed to the foundation of the Fair City, the son first furnished that city [Constantinople] with what it needed, and in this way has bestowed freedom upon this one, both men completing a single cycle of benefaction upon them."⁵⁵¹ All this reinforced Constantius' uniqueness.

Vetranio compromised the independent position of Constantius and opened the emperor up to the accusation that he had colluded with his enemies. Even without this, Constantius' support of an emperor whom he later cashiered reflected badly upon him. The true course of events risked presenting Constantius either as disloyal to a subordinate who had done him considerable service or else as showing improper reverence for the

⁵⁴⁷ Jul., *Or.* I.16c-d.

⁵⁴⁸ Jul., *Or.* I.8a-b, 37b, II.52a-b.

⁵⁴⁹ Them., *Or.* III, throughout, IV.53a-58d (esp. 58a-d).

⁵⁵⁰ Esp. 43a-44b, 46d-48d.

⁵⁵¹ Them., *Or.* III.44a-b.

imperial office.⁵⁵² Julian and Themistius were thus in a difficult position; it was known that Constantius had supported Vetranio and used him as a delaying action against Magnentius. It was known that Constantius had met with Vetranio and had ceremonially demoted him of his office, sending him off into retirement. Vetranio could not, therefore, be presented as an enemy of the state in the same bald terms that would be applied to Magnentius. The approach of the orators had to be more subtle, accommodating the uncomfortable realities of Vetranio and Constantius' involvement without discrediting Constantius.

Vetranio was treated with remarkable even-handedness. Both Julian and Themistius used the relatively inoffensive appellation “the old man” to describe him.⁵⁵³ Julian even went so far as to call him “that honourable and prudent old man” (ὁ καλὸς καὶ συνετὸς πρεσβύτης) when describing the moment at which he and Constantius met face to face.⁵⁵⁴ The latter was also happy to describe him as the man who, “for the moment was your colleague in Empire”⁵⁵⁵ and to acknowledge that Constantius had sent Vetranio soldiers.⁵⁵⁶ This is in no way the expected language to be levelled at a usurper and there is no question that Julian and Themistius' presentations of Vetranio are certainly less severe than those of Magnentius; they are shorter, do not dwell on wrongdoings, and avoid the more critical language.

Yet for all this, Vetranio is unfairly treated by the panegyrics. He is described as he “who was masquerading as emperor” (ὁ τῆς βασιλείας ὑποκριτῆς) at the moment in which he hands over the purple to Constantius.⁵⁵⁷ Though “the old man” is a relatively timid

⁵⁵² Themistius and Julian faced a similar problem with Gallus, but since the latter's involvement in events was peripheral they were both able, for the most part, simply to ignore his existence. Nepotianus, likewise, was ignored. This approach is very similar to that taken towards Licinius and his subordinates (especially Bassianus; see above pp. 136-49).

⁵⁵³ ὁ πρεσβύτης: Jul., *Or.* I.30b, Them., *Or.* III.45b; πρεσβύτης ἀνήρ: Jul., *Or.* II.76c.

⁵⁵⁴ Jul., *Or.* I.31a.

⁵⁵⁵ Jul., *Or.* I.31c; cf. II.76d-77a.

⁵⁵⁶ Jul., *Or.* I.30b-c.

⁵⁵⁷ Jul., *Or.* II.77c.

appellation when compared to those normally applied to usurpers, both Julian and Themistius nevertheless contrast his age with the immaturity of his attempt at Empire.⁵⁵⁸ To Themistius he was also one “who had made a mockery of the Empire” (ὁ ληρήσας τὴν βασιλείαν),⁵⁵⁹ and he used the image of a snake shedding its skin when he described Vetranio removing the purple (ἀπεδύσατο οὐ τὸ γῆρας καθάπερ οἱ ὄφεις, ἀλλὰ τὴν ἔξωρον ἀλουργίδα).⁵⁶⁰ Perhaps more strikingly, neither panegyrist shied away from lumping Magnentius and Vetranio together on occasion, usually under the appellation τύραννοι.⁵⁶¹ Vetranio was accused by Julian of being “traitorous” (ἄπιστος).⁵⁶² Even some of the kinder expressions used of him above are heavily qualified. Julian’s use of καλὸς and συνετὸς, for instance, were laden with sarcasm, for he immediately contradicted these adjectives by saying Vetranio was a man “who used to change his opinions more easily than any child, and, though he begged for them, forgot all your favours as soon as the need had passed.” He arrived to meet Constantius with his army “playing an enemy’s part and claiming an equal share of Empire.”⁵⁶³ Vetranio’s claims to have rebelled on Constantius’ behalf were made to seem like childish excuse-making.⁵⁶⁴

The description of the moment at which Vetranio was stripped of imperial power gives us particular pause. The orators report this incident as if it were the meeting of two hostile emperors, but this is impossible. Eutropius calls the event “novel and extraordinary” (*novus inusitatusque*) and rightly so.⁵⁶⁵ Both Themistius and Julian describe Constantius, alone and unarmoured, addressing the soldiers.⁵⁶⁶ Even allowing for panegyrists’ license, there is no way to imagine the emperor exposing himself before an enemy army, and with

⁵⁵⁸ Jul., *Or.* I.31a, II.76c; Them., *Or.* II.38a.

⁵⁵⁹ Them., *Or.* II.37b.

⁵⁶⁰ Them., *Or.* II.56b.

⁵⁶¹ Jul., *Or.* I.1, 26b-c, 27a, 30d, 47c-d; Them., *Or.* IV.55d-56b, 62b-c.

⁵⁶² Jul., *Or.* I.26d, I.30d.

⁵⁶³ Jul., *Or.* I.31a.

⁵⁶⁴ Jul., *Or.* I.26d.

⁵⁶⁵ Eutr., X.11.

⁵⁶⁶ Jul., *Or.* I.31b-c, II.76d-77a; Them., *Or.* II.36d-37b, III.45b-c.

an enemy emperor's bodyguard close at hand, unless an agreement had already been reached. This conjecture is strengthened by a passing mention in Ammianus, where the historian comments that Julian feared to promote Gomoarius, because he was an "old-time traitor" (*proditor antiquus*), having betrayed his *princeps* Vetranio, whilst leading the Scutarii.⁵⁶⁷ Julian also stresses that even though the total pool of soldiers available to Constantius was considerably in excess of that available to Vetranio, Constantius' actual force was smaller than Vetranio's, since Constantius had kept the majority of his soldiers in reserve.⁵⁶⁸ It seems highly improbable that Constantius would not have led a superior force against Vetranio, even if he was keeping troops in reserve, unless he had already come to some sort of agreement with him. Indeed, that the armies came together peacefully at all demonstrates a concord between them. Given Constantius' track record in the treatment of dangerously powerful associates, Vetranio would hardly have submitted peaceably to this unless he already had a prior guarantee that his life would be spared.⁵⁶⁹ What happened when Constantius addressed the assembled armies, therefore, was not the happy but unforeseen result of Constantius' oratorical skill. It had clearly been arranged in advance that Vetranio's army, having completed the task of holding the Balkans while Constantius was in the East, would cede to Constantius and that Vetranio would be allowed a peaceful retirement with a generous pension.

A number of themes come out of this rather unusual presentation. In the first place, it was clearly important to stress the *defeat* of Vetranio. Themistius, across each of his three speeches from this period, drew enormous political capital from Constantius' use of oratory to defeat a usurper. In 355 he remarked, "But I know not what victory may be

⁵⁶⁷ Amm., XXI.8.1.

⁵⁶⁸ Jul., *Or.* I.31b.

⁵⁶⁹ Note also that Vulcacius Rufinus, who had been instrumental in Vetranio's proclamation, appears to have been the only member of the delegation sent to Constantius by Magnentius and Vetranio not to have been arrested (*Anon. qui Dio. cont.* fr. 16). Indeed, he went on to a long and distinguished career (*PLRE* I, Vulcacius Rufinus 25).

considered holier, purer, and more fitting for a philosopher than that here in my speech.”⁵⁷⁰ Constantius eschewed arms and won victory alone, upon the tribunal, under the protection of Philosophy.⁵⁷¹ In Rome, in 357, he praised the victory as a bloodless one, a sentiment he had already expressed in the oration he had forwarded the emperor from Constantinople, in which he declared: “for he [Vetranio] was not taken at the point of a spear, but enslaved by a speech.”⁵⁷² Julian also used this moment to great effect; the troops were rapt during Constantius’ speech until, when it reached its climax, “They hailed you as their only emperor, demanded that you alone should rule the whole Empire, and bade you lead them against their enemy [Magentius]” (ἐπὶ τὸν πολέμιον).⁵⁷³ The stress on Vetranio as a fool clutching at Empire at once confirmed Constantius as right to divest him of that power and reminded the audience that it was wise and fair of Constantius to allow him to live.

Secondly, the official distancing from Vetranio was significant to Constantius’ overall scheme of sole rule; it marked Vetranio out as an enemy and not a partner, making his defeat without violence all the more laudable. Vetranio had, for a few short months, been a colleague of Constantius’, evoking the fraternal college of 337 (especially since Constantia was so intimately involved in the accession). It was vital that Constantius not be seen in any way to have supported this, on the one hand because it would open him up to charges of having betrayed an imperial colleague in Vetranio, and on the other because the idea of a college of Augusti was one that needed to be forgotten. Constantius was supreme ruler and he ruled alone.⁵⁷⁴

⁵⁷⁰ Them., *Or.* II.37d.

⁵⁷¹ Them., *Or.* II.36d-37b.

⁵⁷² Them., *Or.* III.45b, IV.56b.

⁵⁷³ Jul., *Or.* I.71d; *cf.* 76d-b.

⁵⁷⁴ Note the way the Caesars are also downplayed. Julian alludes only briefly to his promotion, stressing that it was Constantius who had undergone hardship whilst he merely enjoyed the rewards of office (Jul., *Or.* I.44d-45b); Themistius similarly draws Julian in on occasion, and then only to enhance Constantius as a philosopher (Them., *Or.* II.40a-b) and as a patron of Constantinople (Them., *Or.* IV.58d-c).

All this brings us to the character of Magnentius, the real focus of invective in these speeches. It was upon the demonization of his character that Constantius' rule in the West hung. Because of this, and because of the enormous loss of life that the campaign had caused, it was of vital importance that the orators blacken Magnentius' character with the heaviest brush strokes. Both rose laudably to the task, painting Magnentius as equal parts wild barbarian and classical tyrant.

Throughout the panegyrics, Magnentius was characterised as a barbarian. As we have already seen, Magnentius was a second generation Roman, having been born within the Empire, and had served in the army with distinction. But both Themistius and Julian exploited Magnentius' heritage to the extent that the usurpation was described as a barbarian invasion. Julian states in both his speeches that Magnentius himself was a slave taken from across the Rhine, a contradiction of the known facts.⁵⁷⁵ His career of service was ignored in favour of sentiments such as the following: "Civil war one could not call it, for its leader was a barbarian who had proclaimed himself emperor and elected himself general."⁵⁷⁶ To Themistius the uprising was "that barbarian revolt" (ἡ βαρβαρική ἐκείνη ἐπανάστασις).⁵⁷⁷ He reinforced this by twice eliding Constantius' campaigns on the upper Rhine and Danube with his description of the usurpation's suppression, giving the impression that they were one and the same.⁵⁷⁸ Magnentius was deemed to display various barbaric vices, which affected the entire tenor of his reign. Julian claims that he was full of boastfulness (he compares him to Capaneus); he was easily buoyed up by small victories, advancing against Constantius after defeating his advance guard "because he

⁵⁷⁵ Jul., *Or.* I.33c-34a, II.97c-d.

⁵⁷⁶ Jul., *Or.* I.42a.

⁵⁷⁷ Them., *Or.* III.43a.

⁵⁷⁸ Them., *Or.* III.43a-c, IV.56d-57a. Presumably this is Constantius campaign in Raetia: P. A. Barceló, *Roms auswärtige Beziehungen unter der Constantinischen Dynastie (306-363)* (Eichstatter Beiträge, 3; Regensburg: Friedrich Pustet, 1981), 27-8.

thought speed would serve him better than force of arms or courage.”⁵⁷⁹ Both Julian and Themistius, drawing on the fact that Magnentius had been proclaimed emperor at a banquet, evoked the traditional image of the drunken barbarian. Julian says that his Roman soldiers, followed him only reluctantly, as “a barbarian and a stranger (βαρβάρως καὶ ξένος) who conceived the idea of ruling and embarked on the enterprise at the time of a drunken debauch.” This led him to rely, not “on the energy of his soul or on his physical strength but on the number of his barbarian followers”, to whom he promised rich plunder from the Romans.⁵⁸⁰ Themistius mocked Magnentius’ entire reign as a kind of drunken mistake, declaring that “at the feast, in drunkenness and gluttony, men choose not him [the philosopher-king], but artlessly pick a ‘dessert-king’, though it is lamented soon after with the hangover, as in the Kronia.”⁵⁸¹

Julian compounds this barbarian image with the use of a number of animal similes.⁵⁸² In *Oratio* I he both calls him a “wild usurper” (ἄγριος τύραννος)⁵⁸³ and claims that, when he withdrew to northern Italy he “hid his army away there in the mountains, wild-beast fashion, (καθάπερ θηρίων) and never even dared to carry on the war beneath the open heavens.”⁵⁸⁴ In *Oratio* II he added that he rushed out to battle at Mursa and, “thus he was taken unawares, like a bird or fish in a net” (καθάπερ ὄρνιθες καὶ ἰχθύες δικτύοις).⁵⁸⁵ Like a typical barbarian, Magnentius was possessed of a brash courage which was quickly dissipated by misfortune. We have already seen how he rushed against Constantius, full of misplaced confidence in his barbarian troops. Julian cites both Magnentius’ inexperience

⁵⁷⁹ Jul., *Or.* I.35c-d; cf. II.57b.

⁵⁸⁰ Jul., *Or.* II.56c-57a.

⁵⁸¹ Them., *Or.* II 36a.

⁵⁸² Describing barbarian using animal language was a technique frequently employed by Ammianus (cf. Barnes, *Ammianus Marcellinus*, 109-10).

⁵⁸³ Jul., *Or.* I.31b.

⁵⁸⁴ Jul., *Or.* I.38c.

⁵⁸⁵ Jul., *Or.* II.57b.

in placing the battle line and his own personal cowardice as causes of the defeat.⁵⁸⁶ As a result, he fled behind the mountains and begged Constantius for forgiveness which, Julian asserts, he would have received if he had merited it.⁵⁸⁷ There, whilst he should have been actively pursuing the war, he amused himself with lewd tortures, beast shows, and chariot races.⁵⁸⁸

Beyond simple barbarism, Magnentius was painted as a tyrant of the worst sort by both. Julian names him, “the most execrable of mankind, the common enemy of all who care for peace and cherish harmony above all things, and more particularly your enemy for personal reasons” (τῷ πάντων ἀνθρώπων ἀνοσιωτάτῳ καὶ πολεμίῳ κοινῇ μὲν ἀράντων, ὅποσιν εἰρήνης μέλει καὶ τὴν ὁμόνοιαν ἐκ παντὸς στέργοθσιν, ἰδίᾳ δὲ σοὶ καὶ πλεον τῶν ἄλλων).⁵⁸⁹ He lists Magnentius’ perceived crimes in *Oratio* I: he assassinated his own master (no mention of who that master was), he imprisoned and killed generals, treated the soldiers with servility and thus enervated them, imposed a fifty per cent property tax, allowed slaves to inform against their masters, forced people to purchase imperial property, and used an army collected to defend the Rhine frontier against the Romans; on account of these, Constantius waged a “holy war” (πόλεμος ἱερός) against the man who had slaughtered so many citizens.⁵⁹⁰ Themistius, in each of his orations, comes to Magnentius’ crimes from a slightly different angle. In *Oratio* II he was, “a wicked and insane man (κακεργάτις τε καὶ ἔμπληκτος)... [who], like Typhon, threw everything into disorder,”⁵⁹¹ whilst in *Oratio* IV he speaks of the terror of a personified Constantinople, “but when she learned that the murderer and criminal (ὁ ἀθηντής καὶ παλαμναῖος) was raising his hand in rebellion against the emperor who pressed him hard, and that he was

⁵⁸⁶ Inexperience: Jul., *Or.* I.36a (another ridiculous assertion, based on what we know of Magnentius’ military career); cowardice: Jul., *Or.* II.59c.

⁵⁸⁷ Jul., *Or.* II.62a.

⁵⁸⁸ Jul., *Or.* I.30c-d.

⁵⁸⁹ Jul., *Or.* I.30c-d.

⁵⁹⁰ Jul., *Or.* I.33c-35b; this last charge also neatly served to exonerate Constantius

⁵⁹¹ Them., *Or.* II.33d-34a.

full of wrath, and also that he, hated by the gods (θεοβλαβῶν), threatened the city with plundering, slavery, and exile.”⁵⁹² Both stress a directionless and a violent upheaval. *Oratio* III, delivered in Rome herself, highlights the plight of the ancient city in language that was strongly reminiscent of that used against Maxentius: “It was from that city [Constantinople] and from his father’s tomb in our midst that this noble man set out and inflicted a deserved punishment on the man who had raged drunkenly against this people, who had hacked at the senate and filled Tiber’s waters with slaughterings and pollution.”⁵⁹³ The purpose of such language is clear for, much as it had done for Constantine, it legitimated the expansion of Constantius power. Constantius had not simply rushed West to steal territory not belonging to him, he had come to save the Empire’s most important city from the machinations of a tyrant. Themistius continues: “When you had a chance to live quietly and in peace after doubling the portion of your dominion, you neither ignored nor neglected the freedom of the city nor allowed it to pass away, but held your invincible hand over it.”⁵⁹⁴ Likewise, Julian urges us to see that Constantius, “thought it your duty to endure anything rather than see a barbarian ruling over Roman citizens, making himself master of the laws and constitution and offering public prayers for the common weal, guilty as he was of so many impious crimes and murders.”⁵⁹⁵

The language directed at Magnentius, therefore, clearly evoked the language of tyranny that Constantine’s panegyrists had employed so forcefully against Maxentius, and that had been repeated in eulogies on that emperor’s reign ever since. Both Julian and Themistius had commented at various points on the way in which Constantius’ actions echoed his father’s, and this parallel was hardly lost upon Constantius himself, whose triumphant

⁵⁹² Them., *Or.* IV.56c-57a.

⁵⁹³ Them., *Or.* III.43a-c.

⁵⁹⁴ Them., *Or.* III.43c-d.

⁵⁹⁵ Jul., *Or.* I.42b-c.

entry into Rome, calculated to coincide with his vicennalia celebrations, recalled the visits of his father to that city.⁵⁹⁶ Constantine had been there in 326, for a joint ceremony to mark his suppression of Licinius and his own vicennalia, in 315 for his decennalia, and, perhaps most famously, in 312 following the defeat of Maxentius.⁵⁹⁷ The visit to Rome and its appearance in the panegyrics was designed specifically to evoke Constantine, for Rome had played no part in the campaign nor had Magnentius ever visited it. Constantius chose the city both because it was the emotional heartland of the Empire and because it so spectacularly recalled his father's own suppression of tyranny.

Constantine's victory over the *tyrannus* in Rome had left its mark upon the topography of the city, most notably in the Arch of Constantine but also in the ceremonial buildings that Constantine co-opted from Maxentius. Constantius, likewise, was to immortalise his great triumph with an enormous monument to his victory over Magnentius. In the hippodrome, he had erected the enormous obelisk that now stands behind the church of St John Lateran.⁵⁹⁸ At over thirty two metres in height, it is the largest obelisk surviving from the ancient world and, positioned in perhaps the most public space in the city, it stood as a permanent reminder of the pre-eminence of Constantius. Inscribed upon its base was a verse, the relevant parts of which are quoted here:

Having recovered the entire world, Constantius Augustus dedicated to you,
Rome, the work of his father and his own tribute, and has founded this,
which no land has borne nor age has seen...

...

Meanwhile, with a foul tyrant laying Rome to waste (*Romam taetro
vastante tyranno*), the gift of the Augustus, and the zeal for putting it up, lay
idle, not from the contempt of a thing neglected, but because no one
believed that the work of such a mass might rise into the high heaven.

⁵⁹⁶ Mayer, 'Civil War and Public Dissent', 148-9.

⁵⁹⁷ T. D. Barnes, 'Constans and Gratian in Rome', *Harvard Studies of Classical Philology*, 79 (1975), 326-7.

⁵⁹⁸ H. Wrede, 'Zur Errichtung des Theodosiusobelisken in Istanbul', *IstMitt* 16 (1966), 180; *Amm.*, XVII.4.

Now again, this thing torn away leaps out in red and metallic hues and beats upon the heavens. This glory, having been long kept for its author, returned with the fall of the tyrant (*cum caede tyranni redditur*), and with access to Rome found once more through virtue, the victor, rejoicing and favouring the City, founds this exalted trophy and the tribute of a prince and adorns it with triumphs.⁵⁹⁹

Less than a third of a mile from the Arch of Constantine and the Basilica Nova, this monument echoed the father's triumph in the achievements of the son and proclaimed to the city of Rome that Constantius, like his father, had saved Rome and indeed the world from a terrible tyranny.

Parallels with his father did not stop there. Before or perhaps shortly after his victory at Mursa, Constantius had been minting coins marked with the legend *HOC SIGNO VICTOR ERIS*.⁶⁰⁰ The prefect of Rome praised Constantius as *restitutor urbis Romae adque orbis et extincor pestiferae tyrannidis*.⁶⁰¹ Christian authors fell upon the barbarian character of Magnentius, evoked by panegyrists like Julian and Themistius, and added to it the taint of savage paganism. Again, in language that evoked Constantine's great Christian victories over the *persecutores*, Constantius' victory was presented, by many Christian writers, as the triumph of the true God over a barbaric and resurgent paganism (and this despite the overwhelming evidence that Magnentius was himself a Christian).⁶⁰² This had been encouraged by the court itself.⁶⁰³ In March 351, Cyril of Jerusalem wrote to Constantius to tell him of a vision he had seen of a great burning cross in the sky above Jerusalem. This, he told Constantius, would allow him to: "face your enemies with greater heart when you understand how the miracle which has occurred in your time gives concrete proof that your reign is the object of God." The parallel between this and the vision that Constantine had

⁵⁹⁹ *CIL* VI.1163, lines 1-4 and 15-24.

⁶⁰⁰ *RIC* VIII, 368, 386, 416.

⁶⁰¹ *ILS* 731 (= *CIL* VI.1158).

⁶⁰² Above, n. 495.

⁶⁰³ For instance, *CTh* XVI.10.5: *idem a. ad Cerealem praefectum Urbi. aboleantur sacrificia nocturna magnentio auctore permissa et nefaria deinceps licentia repellatur. et cetera. dat. VIII kal. dec. Constantio a. VI et caes. II cons.*

seen before the battle of the Milvian Bridge is obvious; so obvious, in fact, that Philostorgius, in his history, moved the flaming cross from Jerusalem to appear in the sky before the Battle of Mursa.⁶⁰⁴ Within a few years, the victory had been concreted in the public consciousness as a triumph of the true religion.⁶⁰⁵

A character had thus been constructed for Magnentius, at once barbarian and tyrant, to whom a string of fairly generalised crimes was attributed. Some may have been connected to real events (the frequent dark references to murders in Rome may be linked with the purges that followed Nepotianus' defeat),⁶⁰⁶ but broadly we need not attempt to see them as such. The crimes were the generic faults to be associated with a tyrant and a barbarian. They described a Western world under siege by a foreign ruler and created the necessary environment in which to explain Constantius' takeover. The murder of the emperor's brother, which any reasonable listener might have expected to play centre-stage, was consigned, in every one of the five speeches, to a minor aside. Thanks to Magnentius, the college of Augusti had been stamped out. Constantius now stood as the new Constantine. His victory had been told as a mirror of his father's and had had for him the same result.

An inconvenient truth: the usurpation of Silvanus

The usurpation of Silvanus is one of the better documented usurpations in the history of the later Empire. Thanks to Ammianus, the confusion and obscurity that dogs so many

⁶⁰⁴ Cyr. Jer., *Ep. ad Const.* 2; Philostorg., *HE* III.26. Cf. A. Cameron, *The Last Pagans of Rome* (Oxford, Oxford University Press, 2011), 95-6.

⁶⁰⁵ Ath., *Apol. ad Const.* 6-7; Soz., *HE* IV.7; Sulp. Sev., *Chron.* II.38.5-7; Philostorg., *HE* III.26. This said, religious association between father and son did not always work to Constantius' favour: M. Humphries, 'In nomine patris: Constantine the Great and Constantius II in Christological Polemic', *Historia* 46 (1997), 448-64.

⁶⁰⁶ Aur. Vict., *de Caes.* 42.7, *Epit.* 42.3; Eutr., X.11.2; Socr., *HE* II.25; Soz. IV.1.2; Zos., II.43.2-4; Theoph. 5849.

other usurpers has been, to some extent, pierced.⁶⁰⁷ Any account of the usurpation is, largely, fated to be a summary of Ammianus (so I will not go into any particular detail here), but a brief summary of events is worth providing.⁶⁰⁸

Silvanus was a Frank, the son of Bonitus, who had fought with Constantine against Licinius. Silvanus' own career had brought him to the command of a corps of heavy cavalry under Magnentius.⁶⁰⁹ At the battle of Mursa, Silvanus was induced to change sides and appears to have come over to Constantius midway through the battle. Once the war in the West was settled, Silvanus found himself, at a remarkably young age, promoted to *magister peditum* in Gaul, charged with the responsibility of restoring the Rhine frontier. His promotion apparently owed much to the jealousy of Arbitio, who wished to see Silvanus away from court and engaged on a dangerous frontier. Resentment went further than Arbitio, however, and Silvanus quickly found himself embroiled, even at a distance, in the intrigues of Constantius' court. Letters of recommendation, which he had written, were altered to appear to be documents urging a rebellion, and the commander of the arms factory at Cremona was sent cryptic letters, asking him to prepare for a pre-arranged undertaking; when the commander replied in confusion to these last, the case against Silvanus was thus augmented.⁶¹⁰

Constantius appears to have reacted with equal parts suspicion and trepidation; he clearly found these rumours easy to believe – it appears to have been in his nature – but was, at the same time, suspicious; the poor conduct of his own officials in investigating the case made him more so. However, as the affair began to be investigated, which involved

⁶⁰⁷ But for Ammianus, we might have to content ourselves for our understanding of Silvanus with passages like Aur. Vict., *de Caes.* 42.14-16.

⁶⁰⁸ For what follows, see Amm., XV.5. Material from other sources is indicated where it is used.

⁶⁰⁹ Ammianus calls him *pedestris militiae rector* (Amm., XV.5.2), but this is in reference to his promotion to command in Gaul which took place in 352/3. The obvious inference is that Silvanus served, after Magnentius' demise, as an infantry officer (his promotion to Gaul was likewise to an infantry position). *PLRE* (I, 840) lists him as *tribunus scholae armaturarum* in 351.

⁶¹⁰ There was a *scutaria* at Cremona (*ND Oc.* IX).

the torture of men close to Silvanus, the Frankish general panicked and sought the only recourse that he felt was available to him; on 11th August 355 he declared himself emperor at Trier.⁶¹¹ Constantius then sent Ursicinus, whom he had recalled to the Western court, to treat with Silvanus. Ursicinus met with the Frank and attempted to mollify him. Finally, in a seeming panic, Ursicinus took the simple step of bribing some of Silvanus' soldiers. These latter stormed Silvanus' quarters on 7th September 355, dragged him from a private chapel where he had sought refuge, and butchered him. Silvanus' twenty eight day reign was over.

Though the affair of Silvanus hardly showered Constantius' court in glory, it was nonetheless concluded swiftly and with virtually no bloodshed (beyond the usurper's own). The question arises, therefore, given the decisive conclusion of this business by Constantius, as to why Silvanus did not appear more prominently in the panegyrics that we have just discussed (which all post-date the Frank's usurpation).

Before we go on to answer this question, it is worth explaining exactly what the panegyrics have to say about Silvanus. Themistius maintains a virtual silence on the issue. *Oratio* III, his speech in Rome during Constantius' vicennalia celebrations, appears to utterly avoid mention of him, though it dwells in detail (as we have seen) on Magnentius and Vetricianus. Of the other two relevant speeches, at best we can find two small references; whilst speaking of Constantius' greatness of heart towards the close of *Oratio* IV, some mention is made of a pair of men, one pardoned and the other punished. The second of these two, who was not saved from ruin after he, "simulated loyalty for his own

⁶¹¹ W. den Boer, 'The Emperor Silvanus and his Army', *AC* 3 (1960), 105-9, suggests that Silvanus was forced into usurpation by the soldiers, but this argument is refuted both by common sense and by the comments made in D. C. Nutt, 'Silvanus and the Emperor Constantius II', *Antichthon* 7 (1973), 80-89.

profit”, may plausibly be Silvanus.⁶¹² There is also, potentially, the most passing mention in *Oratio* II.⁶¹³

Julian is more forthcoming. Both his panegyrics make reference to the usurpation in their closing remarks. *Oratio* I presents a slight problem in that damage to the manuscript has destroyed the last few lines of the speech and so his statements on Silvanus are cut short. This said, it does not appear that we have lost much. The comments are short and, broadly, are included not for their own sake but to provide opportunity to speak of Constantius’ clemency, and of the loyalty of his armies.⁶¹⁴ Of the usurpation proper, Julian has little to say, commenting merely that “when one, emboldened by his isolation, threw on the effeminate purple (ἡ γυναικεία ἀλουργίς), [the soldiers] tore him to pieces in an instant, as if he were a wolf.”⁶¹⁵ He then goes on to speak of Constantius’ clemency, before the speech abruptly breaks off.

In *Oratio* II, the passage concerning Silvanus is certainly more developed; “he was wicked and despicable and wilder than a beast” (μοχθηρὸς καὶ ἀνόητος καὶ ἀγριώτερος τῶν θηρίων).⁶¹⁶ Quoting Homer, he tells us first that, “he was more treacherous ‘than lions, for whom there are no faithful pacts with men’ ” (ἤν ἀπιστότερος τῶν λεόντων, οἷς οὐκ ἔστι, φησί, πρὸς ἄνδρας ὄρκια πιστά) and then accuses Silvanus of plundering the cities and giving the spoils over to invading barbarians (an outrageously hypocritical claim, given that Gaul’s barbarian problems were the direct result of Constantius’ use of

⁶¹² Them., *Or.* IV.62b-c.

⁶¹³ Hartmut Leppin and Portmann, in their translation of this text, suggest that the individual referred to at Them., II.34b, may be either Silvanus or Nepotianus (ὁ μὴδ’ αἰσθανόμενος; cf. H. Hartmut Leppin and W. Portmann, *Staatsreden: Themistios, Übersetzung, Einführung und Erläuterungen* (Bibliothek der griechischen Literatur: Abteilung Klassische Philologie 46; Stuttgart: Hiersemann, 1998), 59, n. 54).

⁶¹⁴ Both claims would certainly appear to be unfounded: Constantius conducted court purges of Silvanus’ friends following the usurpation (Amm., XV.6) and had to buy off a number of the units under Silvanus in order to bring the general down. Constantius did, however, spare Silvanus’ infant son, who was in his custody (Jul., *Or.* I.49a).

⁶¹⁵ Jul., *Or.* I.48c.

⁶¹⁶ Jul., *Or.* II 100b.

barbarian tribes to undermine Magnentius).⁶¹⁷ Julian also reports that Silvanus dressed himself in a purple dress after no purple robe could be found, and thus “showed himself a truly laughable tyrant, and tragic indeed” (γελοῖος ἀληθῶς τύραννος καὶ τραγικὸς ὄντως ἀνεφάνη); he connects this with Persian despotism (depicted in the crescent moon), and says that this was why the soldiers killed him (no mention, of course, of bribery by Constantius’ generals).⁶¹⁸ Given the emperor’s obvious clemency (shown by the fact that he did not kill Silvanus’ son, who was a hostage at court), Silvanus is “many times over wicked and base and unfortunate for desiring to be at enmity with such a man” (πολλάκις δὲ ἦν πανοῦργος καὶ δυστυχής, πολέμιος ἐθέλων εἶναι τῷ τοιούτῳ).⁶¹⁹ He is accused, vaguely, of having committed “crimes” (πονηρεύματα).⁶²⁰

If we are to attempt to root out a rhetorical tactic here, it would be satire; the suggestion that Silvanus presented himself dressed in woman’s clothes and the more generally dismissive language, suggesting that he was instantly met with disgust by the soldiers and was killed by them, are tragically comic. The more general point, however, is that Silvanus is passed over rapidly. Admittedly, compared to Themistius, Julian is a fount of information, but compared to the way Julian deals with Magnentius and Vetranio, or the Persian war, Silvanus is dismissed incredibly quickly. Indeed, the (relatively) large amount that Julian has to say on Silvanus may, in fact, be somewhat anomalous. Julian’s two panegyrics are, firstly, of truly gargantuan length when compared to Themistius’, or indeed to most examples we have of imperial panegyric, barring one or two of Libanius’ lengthier offerings.⁶²¹ As such, they provided opportunity for levels of detail not usually afforded by this medium. Secondly, Julian’s own association with Gaul must surely have

⁶¹⁷ Jul., *Or.* II 98c-d; *Iliad* 22.262.

⁶¹⁸ Jul., *Or.* II 98d-99a.

⁶¹⁹ Jul., *Or.* II 100a.

⁶²⁰ Jul., *Or.* II 100c.

⁶²¹ The speeches are 1440 and 1594 lines long respectively (according to the Bidez edition: J. Bidez (ed. and tr.), *L’Empereur Julien: Oeuvres Complètes* (Paris: Les Belles Lettres, 1932).

made him disposed to discuss a usurpation within the territory. Julian, a confident young man with an overdeveloped sense of his own importance, had reason to remind the court of the bungled mess that had been the last commander in Gaul, a man prancing about in a purple dress and calling himself emperor. A previous disaster, after all, could only reflect well on him. Given this and the length of Julian's panegyrics, we can explain the (relatively) large amount of space given to Silvanus. Even this, however, amounts to only some eighty one lines, barely a twentieth of the speech. Even for Julian, Silvanus was more of a rhetorical hindrance than a help.

As a proof of this, we may observe the interesting double presentation of Silvanus in *Oratio* II. Silvanus appears in the speech as two distinct individuals who, based on reading of the text alone, cannot be connected with one another. Julian says, when speaking of the battle of Mursa, that "a division of chosen cavalry, together with their standards and their leader, preferred to share danger with this man [Constantius] than good fortune with that one [Magentius]."⁶²² There is no question, of course, that the members of the court who formed the potential audience for Julian's panegyrics would have been tricked into thinking that the στρατηγός Julian refers to in this passage was someone other than Silvanus; his switching sides must have made him one of the most famous men in the most important war of a generation. But it is nevertheless significant to observe the way Silvanus, even in this later panegyric, written as Julian's break with Constantius was in the offing, was still disconnected from perhaps the most glorious event of his career.⁶²³

Ultimately, "the affair of Silvanus" (as Julian calls it) was a mess.⁶²⁴ Constantius was portraying himself as a suppressor of tyrants and the restorer of peace in the Roman world; the defeat of Magentius was the natural concluding point of this story. That another

⁶²² Jul., *Or.* II.97c; Nutt very rightly points out that this passage reduces Silvanus' agency in this action ('Silvanus and Constantius', 83).

⁶²³ 'Double presentation' is likewise a feature of Gratian in *Pan. Lat.* II (below, pp. 247-50).

⁶²⁴ Jul., *Ath.* 274c.

usurpation had taken place so soon after Magnentius' death (within two years) was inconvenient; that the man who undertook this usurpation was the same man who had so dramatically swung the battle of Mursa for Constantius was plain embarrassing; that it must have been widely known that Silvanus was an innocent victim of Constantius' own court politics was a major discredit to the emperor.

V

Towards the Valentinians

In this section we examine two unique texts that present to us a pair of imperilled voices, the first that of a man in the midst of usurping imperial power, the second that of career politician all too aware that he had been on the wrong side in a civil war.

The usurper speaks: Julian's *Epistula ad Athenienses*

Julian's proclamation as Augustus is so well known as to need little elucidation here.⁶²⁵ From the point of view of this thesis, however, Julian's usurpation provides a unique textual opportunity: the chance to hear a usurper speaking about and defending his own usurpation. Though a single text will hardly allow us a comprehensive understanding, nevertheless it will give us a glimpse at that rarest of things: a usurper's voice.⁶²⁶ As we have seen, usurpers are either scrubbed from history or else become emperors. Though Julian followed the latter course, the chance survival of his *Epistula ad Athenienses* lets us hear him speaking at a moment when his fate was still in the balance.

The *Epistula ad Athenienses* – or, to give it its full Greek name, “the Emperor Julian to the Senate and People of Athens” (Ιουλιάνος Αυτοκράτορος Ἀθηναίων τῇ βούλῃ καὶ τῷ Δημῷ) – is the only surviving example of the host of letters that Julian sent to the great

⁶²⁵ R. Browning, *The Emperor Julian* (Weidenfeld & Nicolson: 1975), 98-122; G. W. Bowersock, *Julian the Apostate* (London: Duckworth, 1978), 46-52; Athanassiadi, *Julian*, 70-81.

⁶²⁶ Perhaps the only other example that we possess from this period is the letters composed by Magnus Maximus and preserved in the *Collectio Avellana* (see below n. 813-4).

cities of the Balkan peninsula (and perhaps to Italy).⁶²⁷ Of these, we can name Rome, Sparta, Corinth, and Athens as recipients, but only the letter addressed to the last of these has actually survived.⁶²⁸ The letters were sent out from Naissus, where Julian had decided to take up his quarters for the winter 361/2, and addressed the cities (roughly) of the territories that lay ahead of his advance. Julian wanted to win as many hearts and minds as was possible in advance of an expected conflict with Constantius.⁶²⁹ Yet strategic imperatives cannot have been the only motivating force behind Julian's decision to write these letters; the four cities we have named as recipients (Rome, Sparta, Corinth, and Athens) were all militarily irrelevant and could never have been conceived as having strategic importance. Julian's aims, therefore, clearly went beyond simply securing the loyalty of potential enemy strongholds. He wished to have displayed in the cities of the Empire a justification of his right to imperial power. Julian knew as well as anyone the tenor of Constantius' claims to legitimacy and authority; he had, after all, repeated them at length to his cousin in 355 and 359. In the *Epistula*, we see Julian advancing his own political rhetoric, a rhetoric that struck against the pillars of Constantius' rule whilst, at the same time, attesting Julian's loyalty to his own house and to his superior. This, then, was the language of a usurper – the cautious delineation of misrule coupled with the continued assertion of a will to compromise and to cooperate.⁶³⁰

It is tempting, but mistaken, to see here a division between truth and fiction, with the picture of Constantius provided in Julian's *Epistula* as a 'real' description, where that of

⁶²⁷ Bowersock, *Julian*, 60; *Pan. Lat.* III.9.4; *Lib., Or.* XII.64, XVIII.113; *Amm.*, XXI.10.7-8; *Zos.*, III.10.4.

⁶²⁸ There is enough material in the *Epistula* that is specifically targeted at an Athenian audience (for instance *Ath.* 268a-270c) to make it clear that each letter was individually targeted towards the city that received it (a point which Libanius confirms: *Or.* XII.64). Nevertheless, though each city may have had its letter tailored to its own history and position, we may assume that the basic information contained within them was the same.

⁶²⁹ Julian knew that the sentiments of individual garrisons were of extreme importance. He had lost Aquileia in Northern Italy after regiments he had sent back to Gaul declared their loyalty to Constantius and closed the city's gates (*Amm.*, XXI.11).

⁶³⁰ We have seen, time and again, that a usurper's primary goal was almost always recognition by the emperors who might become his colleagues. This was simple pragmatics; not only did it spare bloodshed, but recognition by a ruling emperor was the best guarantor of a wide acceptance.

his panegyrics had been fawning and lies. Undeniably, the *Epistula* must have been closer to Julian's own feelings than the panegyrics, and in that sense was a more truthful portrayal. But Julian's personal sincerity should not blind us to the fact that the *Epistula*, much as were his panegyrics, was a carefully constructed piece with a definite political agenda. Its value to us, therefore, is not to provide a true story against which to measure the lies of the panegyrics, but rather as evidence for the process of image construction. Like Libanius' *Or. LIX*, the *Epistula* provides a foil to Constantian rhetoric. As with the panegyrics that he wrote for Constantius, Julian uses the *Epistula* to create a dichotomy between himself (the good emperor) and Constantius, who is not quite painted as a usurper or *τύραννος*, but nevertheless made into a figure whose vices serve to augment Julian's virtues. Ultimately, these are the techniques of panegyric.

This is not, of course, to suggest that the *Epistula* is, or should be considered to be, a panegyric. Julian, as both author and object of the *Epistula* was not writing a speech of praise but rather one of persuasion. He had a case to put across to an audience whose sentiments he could not rely on; indeed, there is every possibility that the Athenians might have received the *Epistula* with considerable hostility.⁶³¹ Likewise, his aims as regards Constantius are not as simplistic as those of an ordinary panegyrist dealing with an emperor's enemies. Julian needed at once to communicate the injustice of Constantius' treatment towards him whilst at the same time avoiding a fully-fledged polemic against him. As such, the *Epistula* is a considerably more balanced piece than a panegyric. In particular, Julian makes much more effort to underline the political, social, and military tensions that informed events than would be expected in a panegyric, which focussed rather on the charismatic motivations of good and bad rulers. For Constantius, this served to partially absolve him of direct responsibility for his misdeeds. Julian tells us that

⁶³¹ The Romans had been far from receptive to the letter that Julian sent to them (Amm., XXI.10.7-8).

Constantius pleaded that the purges of 337 were not his fault, but that he had been deceived and had yielded to a mutinous army.⁶³² Likewise, Julian attributes a particularly malicious influence to a number of Constantius' adherents. To take one example, he accuses "the friends of Constantius" (οἱ Κωνσταντίου φίλοι) of distributing money to the soldiers in an attempt to turn them against him (Julian doubtless intended to evoke memory of Silvanus).⁶³³ Distance from undesirable events could likewise be employed by Julian to shield himself from blame; in particular he noted the influence of the local army in raising him to his position, stressing the role both of an anonymous letter sent out amongst the soldiers and of one of his staff officers in rousing the crowd.⁶³⁴ Awareness that the happenings of the Empire were not the sole responsibility of the emperor allowed Julian to sketch a path of compromise between himself and his cousin.⁶³⁵

The *Epistula* advanced a political programme, reconstructing the idea of how imperial power (and its current incumbent) should be viewed. This was the aim of every panegyric. Likewise, Julian employs the techniques of contrast so beloved by panegyrists. Up till now, we have seen this technique used only to contrast the emperor with a usurper or tyrant, real or imagined. Julian never goes quite so far as to declare Constantius a tyrant (his avowed desire for peace would be irreconcilable with such a claim), but he nonetheless describes a Constantius whose character stands, like a usurper, as a counter to Julian, the good king.

Julian opens the *Epistula* by hailing Athens as the leader of the world in the matter of justice. It is, he argues, the city's primary claim to fame that her citizens love just men and hate the unjust.⁶³⁶ "For this reason," he says, "I wish to report my conduct to you, though indeed you know it well, in order that if there is anything you do not know – and it is

⁶³² Jul., *Ath.* 271b.

⁶³³ Jul., *Ath.* 285a-b.

⁶³⁴ Jul., *Ath.* 283a-284a, 285b-d.

⁶³⁵ Jul., *Ath.* 285d-286a.

⁶³⁶ Jul., *Ath.* 268c-270c.

likely that some things you do not, and those in fact which it is most important for all men to be aware of – it may become known to you and through you to the rest of the Greeks.”⁶³⁷ Julian’s arguments will not invoke heritage or noble birth, but will be based solely upon the justice of his case.⁶³⁸ He presents himself in the model of a humble first-citizen, countered against the despotic Constantius. Ultimately, he observes that Constantius’ favouring of his courtiers over Julian, at every turn, made mockery of Julian’s own continual loyalty to a man who has been the executioner of his entire family.⁶³⁹

Julian attempts to communicate to the Athenians that he is an emperor (and a man) who is pious to the gods, who has never made any attempt to gain power, who is humble and mild, but who has nonetheless restored Gaul to prosperity through personal courage and military skill. Beginning with piety, Julian shows throughout not simply that he possesses a devotion to the old gods, but that he is both personally guided by them and that his exalted position is attributable directly to them.⁶⁴⁰ While Julian resides in her namesake city, Athena protects him; he calls himself her “suppliant” (ὁ ἰκέτης).⁶⁴¹ At Milan, the gods warn him not to write to Eusebia and they advise him on how to protect himself at the court.⁶⁴² Likewise, when he crosses into Germany they protect him.⁶⁴³ He closes his *Epistula* with the affirmation that he has trusted himself to the gods.⁶⁴⁴ As mentioned, however, their hand might be more direct in his actions than simple guardianship. In taking the title of Caesar, Julian is clear that he had yielded to the will of the gods.⁶⁴⁵ Likewise, in opening his account of his proclamation as Augustus, he writes, “And now in

⁶³⁷ Jul., *Ath.* 270a-b.

⁶³⁸ Elm, *Sons of Hellenism*, 75-7.

⁶³⁹ Jul., *Ath.* 281b-c.

⁶⁴⁰ Jul., *Ath.* 277b-c.

⁶⁴¹ Jul., *Ath.* 275a-b).

⁶⁴² Jul., *Ath.* 275c-277a.

⁶⁴³ Jul., *Ath.* 280b.

⁶⁴⁴ Jul., *Ath.* 287d.

⁶⁴⁵ Jul., *Ath.* 277a.

what terms shall I describe to you the work of the gods?”⁶⁴⁶ When he heard the commotion outside his rooms, as the soldiers began clamouring to crown him, he prayed to Zeus, uncertain as how to proceed; the king of the gods showed him clearly that he ought to yield to the army.⁶⁴⁷ But even despite this sign, Julian writes that he was still unwilling to betray Constantius’ trust, and was reluctant to accept the crown. Zeus took a more direct hand still, and he spurred the crowd on to greater and greater acclamations, not allowing their zeal to cool.⁶⁴⁸ Julian manages to create an imperial *recusatio* that goes on, even beyond the moment of accession. Julian is an unwilling emperor, called to the task by his destiny, not his will.⁶⁴⁹

On four separate occasions in the *Epistula* Julian demonstrates the efforts to which he has gone to avoid power and distinction. At Athens, he wished for death rather than to have to travel to the court.⁶⁵⁰ In Gaul, following the cashiering of Sallust, he intended to surrender his imperial office and retire.⁶⁵¹ Before his proclamation as Augustus, he had no idea that the troops intended to make him Augustus until they began declaring it in his presence.⁶⁵² Even after he had surrendered to their wishes, he refused the “salutation” (ἡ πρόσρησις) and the diadem for as long as he possibly could.⁶⁵³ Like piety to the pantheon of the pagan gods, the refusal of power marked Julian out as someone deserving of the very power he refused (and someone very distinct from Constantius). Even after accepting the title Augustus, he continued to write with deference to Constantius and style himself Caesar.⁶⁵⁴ “I have behaved to him,” he asserts, “as I would have chosen that my own son

⁶⁴⁶ Jul., *Ath.* 282d-283a.

⁶⁴⁷ Jul., *Ath.* 284c.

⁶⁴⁸ Jul., *Ath.* 284d.

⁶⁴⁹ Elm, *Sons of Hellenism*, 71-75.

⁶⁵⁰ Jul., *Ath.* 275a-b.

⁶⁵¹ Jul., *Ath.* 283a.

⁶⁵² Jul., *Ath.* 284a-c.

⁶⁵³ Jul., *Ath.* 284c-d.

⁶⁵⁴ Jul., *Ath.* 281c.

should behave to me.”⁶⁵⁵ Julian never begrudged the senior emperor the fame that he claimed for Julian’s victories.⁶⁵⁶ When dressed as a soldier by the courtiers, he writes, “I walked not like them, staring about me and strutting along, but gazing on the ground as I had been trained to do by the preceptor who brought me up.”⁶⁵⁷ Julian was attempting, here, to dodge the easiest charge that could be levelled at any usurper, that of having upset the political order. He shows himself a willing subordinate, at the same time as he illustrates the insufficiency of his seniors.

The contrast with Constantius is thus strongly drawn, although always implicitly and often at the remove of criticising Constantius’ officials. This necessitates a total recasting of the character of Constantius as presented so forcefully in Julian’s *Oratio I*. Julian makes no mention of his heritage, or of Constantine. Indeed, Constantius’ family, perhaps the most successful dynasty ever to hold power in the later Roman Empire, is mentioned only to remind us of the blood relation between Constantius and Julian, itself merely serving to remind us that Julian’s murdered family are also Constantius’ flesh and blood.⁶⁵⁸ Dwelling on these murders, directly after having praised Athens for its love of justice and reminded the city of its intolerance of misdeeds, produces great rhetorical effect. Far from extolling the nobility of his ancestors, as one would be expected to do here, Julian is merely reminding his audience of the emptiness of Constantian rhetoric concerning his own heritage; yes, Constantius was descended from a line of emperors, but see what little value he placed upon blood! Likewise, just as Julian had shown himself obedient to his cousin, as emperor and therefore law-giver, he demonstrates how unwilling Constantius was to subject himself to the dictates of the law. In particular, the theme of

⁶⁵⁵ Jul., *Ath.* 280d-281a.

⁶⁵⁶ Jul., *Ath.* 279b-d.

⁶⁵⁷ Jul., *Ath.* 274d.

⁶⁵⁸ Jul., *Ath.* 270c-d.

murder without trial is invoked, and twice more Julian laments the death of his brother, put to death “in defiance of the laws.”⁶⁵⁹

Julian continually shows himself acting alone, isolated from all council. Constantius invests him with the power of Caesar, which was, in reality, merely a kind of slavery (ἡ δουλεία).⁶⁶⁰ He was kept under lock and key, his servants were searched, he was forbidden discourse with his friends.⁶⁶¹ The generals in Gaul had been ordered by Constantius, “that they were to watch me as vigilantly as they did the enemy, for fear I should attempt to cause a revolt.”⁶⁶² Virtually the only guidance or help he receives comes from the gods. Otherwise, he acts alone. The picture presented is, thus, a man capable of ruling himself and possessed of great personal virtue. By contrast, we see Constantius forever operating through a web of corrupt officials, who filter the information he receives and who influence his decisions. On the one hand, this serves to partially exonerate Constantius for responsibility for the worst of the crimes that are committed, but in the main it merely shows him as an ineffectual ruler. The eunuch Eusebius is particularly cited; he keeps Julian from seeing Constantius when he comes to Milan, and it was to gratify Eusebius, Julian claims, that Gallus was murdered.⁶⁶³ Constantius is only too happy to listen to the fabrications of his συκοφάνται, and springs into action when Gaudentius brings charges against Africanus and when Dynamius does the same against Silvanus.⁶⁶⁴ As has already been mentioned, Julian expressed deep personal resentment that Constantius always sided with his officials and not with his Caesar and cousin.⁶⁶⁵ Indeed, Julian presents Constantius as having a paranoid fear of co-rulership. He apparently became instantly jealous of Gallus after raising him to the throne, and looked

⁶⁵⁹ Jul., *Ath.* 271a; 272a-d.

⁶⁶⁰ Jul., *Ath.* 277a.

⁶⁶¹ Jul., *Ath.* 277a-b.

⁶⁶² Jul., *Ath.* 277d.

⁶⁶³ Jul., *Ath.* 274a-b, 272d.

⁶⁶⁴ Jul., *Ath.* 273c-d; cf. *Amm.* XV.3.7-11, XV.5-6.

⁶⁶⁵ Above (Jul., *Ath.* 281b-c).

for ways to strip him of his rank.⁶⁶⁶ Likewise, though he was unable to fault Julian for his loyalty, he invented “absurd pretexts for his resentment,” growing angry with Julian for detaining a number of officials whom Julian accused of plotting against him.⁶⁶⁷

But the problem ran deeper than mere favouritism and a distrust of Gallus and Julian. Constantius’ paranoia and inability to maintain a division of power led to a virtual despotism, in which Gaul had been sacrificed to Constantius’ personal needs. Julian describes Gaul as he found it when he arrived at the beginning of his reign: barbarians had wasted forty five cities, encamped in the lands west of the Rhine, and ravaged the country to a distance of three hundred stades from the river (to name but a few of the conditions cited).⁶⁶⁸ Though Julian never expressly accuses Constantius of culpability in this state of affairs, he hints at it when he calls Constantius one “overly accustomed to placating the barbarians.”⁶⁶⁹ But, following Julian’s proclamation, hints are done away with, and Julian makes it clear that Constantius employed barbarians against Roman territory (as everyone would have known he had done whilst Magnentius was on the throne). As well as sending the hated Paul and Gaudentius to attack Julian, whilst removing Julian’s friend Sallust from office, Constantius supported plans to have Julian removed from military command and wrote to his Caesar with insults and “threatening ruin to the Gauls.”⁶⁷⁰ Finally, Julian declares that, “he let loose against us the barbarians, and among them proclaimed me his foe and paid them bribes so that the people of the Gauls might be laid waste.”⁶⁷¹ Indeed, Julian pleads that he marched against Constantius, “not only on behalf of my own safety

⁶⁶⁶ Jul., *Ath.* 272a.

⁶⁶⁷ Jul., *Ath.* 281a-b.

⁶⁶⁸ Jul., *Ath.* 278d-279b; three hundred stades is around fifty kilometres.

⁶⁶⁹ Jul., *Ath.* 280b.

⁶⁷⁰ Jul., *Ath.* 282c-d.

⁶⁷¹ Jul., *Ath.* 286a.

but far more for the sake of the general welfare and the freedom of all men and in particular of the people of Gaul.”⁶⁷²

Constantius is thus marked out as a jealous, capricious, and incapable ruler. Compared to the panegyrics of the 350s, this man is unrecognisable. With a panegyrist’s skill, Julian had created in the *Epistula* a new image of the man against whom he would compare himself. Hints of this change can, perhaps, already be seen in Julian’s *Oratio*. II, delivered shortly before the break with Constantius. *Oratio* II contains a number of features that mark out an emerging, Julianic interpretation of the role of the emperor. Florin Curta’s study of the speech has drawn out a number of remarkable features.⁶⁷³ In summary, his argument runs thus: firstly, Julian ignores the rhetorical structure laid out by Menander Rhetor in his ὁ βασιλικὸς λόγος, a structure that he had stuck closely to in *Oratio* I. Of itself, this is far from remarkable, but Julian’s digressions are striking in their length and subject matter. In particular, considerable emphasis is placed on the religious duties of the emperor towards the gods. Julian avers that the emperor can only hope to succeed by due reverence to the gods through the proper rituals (i.e. sacrifice). The true ruler did not depend on hereditary claims, but drew his authority from a relationship with the divine, whom Julian associates directly with the sun. Ultimately, the true king understands god because of kinship with him (διὰ συγγένειαν), something no Christian king could claim.⁶⁷⁴ The picture of the true king thus painted bore virtually no relation to Constantius, but every similarity to Julian’s own image of himself; “His second encomium for Constantius is therefore a genuine political manifesto veiled in rhetoric.”⁶⁷⁵

⁶⁷² Jul., *Ath.* 286d-287a.

⁶⁷³ F. Curta, ‘Atticism, Homer, Neoplatonism, and Fürstenspiegel: Julian’s Second Panegyric on Constantius’, *GRBS* 36:2 (1995), 188-211. Curta’s remarks expand upon Athanassiadi, *Julian*, 64-66.

⁶⁷⁴ Julian, of course, does not say this explicitly, but how could a Christian king claim “kinship” with God, particularly an Arian Christian like Constantius who denied συγγένεια with God even to Christ?

⁶⁷⁵ Curta, ‘Atticism, Homer, Neoplatonism, and Fürstenspiegel’, 209.

This altered tone has profound effects on the way in which Julian handles Constantius' usurpers. In the section above, we drew evidence from both of Julian's panegyrics. But it should be noted that the majority of citations related to the usurpers were drawn from the first and not the second oration.⁶⁷⁶ The reason for this, simply put, is that the usurpers feature far less centrally. Vetrano barely appears in the second panegyric at all. Julian almost entirely restricts discussion of his rebellion to a single passage.⁶⁷⁷ His actual usurpation is utterly passed over, and the only thing that is mentioned against him is his treaty with Magnentius.⁶⁷⁸ Indeed, the section itself is not really on Vetrano at all, but a digression about Constantius' oratorical skill, which is then elided into a lengthy discussion of the value for kings of virtue over power, which itself moves into a consideration of virtue against noble heritage, with Julian finding that virtue is more important to a king than noble heritage.⁶⁷⁹ Such a sentiment is far from unusual in a panegyric, but seems starkly out of place in a speech delivered to a man with emperors for his father and both grandfathers.⁶⁸⁰

Magnentius is given slightly more space, but Julian's approach is notably altered to that of *Oratio* I, since the prominence of Magnentius himself in the accounts is notably diminished. In the first place, Marcellinus, at whose home Magnentius was first proclaimed, who had served as Constans' *comes rerum privatarum* and was made Magnentius' *magister officiorum* after the proclamation, was acknowledged as an important figure. He was credited as "the author of that extraordinary and abominable drama" (ὁ ποιητής τοῦ τερατώδους καὶ ἐξαγίστου δράματος), "the trainer of the tyrant" (ὁ παιδοτρίβης τοῦ τυράννου), and "the architect of the whole enterprise" (ὁ μηχανοποιός τῆς

⁶⁷⁶ See above, pp. 172-82.

⁶⁷⁷ Jul., *Or.* II.76b-78a.

⁶⁷⁸ Jul., *Or.* II.76c-d.

⁶⁷⁹ Jul., *Or.* II.79a-83d, particularly 83c-d.

⁶⁸⁰ Julian was not above exploiting his noble heritage: Athanassiadi, *Julian*, 62.

ὄλης ὑποθέσεως).⁶⁸¹ As well as complicating the narrative of Magnentius, implicitly reminding the audience that it had been a close associate of the emperor's brother that had helped Magnentius take power, it allowed Julian to point out that the man truly responsible for the uprising was never definitively brought to justice. Julian speaks at some length about the fact that Marcellinus' fate was never known, and no body was ever discovered.⁶⁸² Certainly Julian muses on the terrible fate he doubtless suffered, but given the energy usually put into demonstrating the visual confirmation of a usurper's fate, it is striking that Julian is here willing to acknowledge defeat. Julian likewise, in his discussion of the war itself, gives over a considerable portion of the narrative to discussion not of Magnentius, but of his soldiers.⁶⁸³ Furthermore, his account of the war in northern Italy, following the battle of Mursa, is actually almost entirely taken up by a digressions on the history and nomenclature of Aquileia and the regions around it, and more generally on the geography of Italy, and his account of the taking of Aquileia peters out in a string of comparisons to ancient exempla which he makes virtually no effort to link to Constantius. The entire narrative is only finally drawn together in a few simple lines, relating several years' campaigning in barely a moment.⁶⁸⁴

None of this, of course, is to suggest that Magnentius was not subjected to polemical attacks in *Oratio* II; we have seen that he was. But given that *Oratio* II showed a considerable cooling of Julian's zeal for Constantius, and given that it eschewed a number of the panegyric features of *Oratio* I, it is striking to note that both the usurpers were edged into the background in favour of discussing the virtues that Julian saw as more proper to an emperor. As for the *Epistula ad Athenienses*, we are given a unique view of

⁶⁸¹ Jul., *Or.* II.57d-58a, 58c, 59b-c.

⁶⁸² Jul., *Or.* II.58c-59b.

⁶⁸³ In the section describing the early phases of the war and coming to a close when Marcellinus is mentioned (Jul., *Or.* II.55c-57d), the passages 56a-c and 57b-d are concerned primarily with the origins, armament, and motivations of the soldiers serving in the Western armies.

⁶⁸⁴ Jul., *Or.* II.71c-74d.

the process by which a usurpation might be justified and an emperor begin to form his reputation. Notably we see greater subtlety and a genuine effort to persuade an audience, with appeals made to justice and with events cited in detail. This is strikingly unlike panegyrics, which, at least ostensibly, make no effort to persuade, which allude to, rather than directly address events, and which above all speak in absolutes. Nevertheless, Julian's approach bears similarities to the panegyric strategies we have seen thus far; he constructed a straw man (in this case, a reigning emperor) against which he could be measured in order to demonstrate integrity of his own cause.

Julian creates an image of himself, in the *Epistula*, that we know to be very much in keeping with a more general image of himself that he cultivated – humble, erudite, yielding and forgiving, but above all capable as a ruler and a general. He distances himself from any of the major decisions that led to his position. Instead, we are given an insight into a corrupt court and the disassociation between self-serving officials and an army intent on protecting Roman territory from barbarian incursions. Julian shows himself caught in the middle, utterly unwilling to have been involved in the first place, but incapable, as a man of decency, of abandoning Gaul now that she has become his responsibility. The *Epistula* had a calculated rhetorical strategy. Julian was advancing his own program of legitimacy and at the same time engaging with Constantius' in order to undermine it. Julian, as he presents himself, is a remedy to the ills of Constantius' rule.

The enemy inside: Valentinian, Valens, and Procopius

“In a century filled with usurpation attempts,” writes Noel Lenski, “that of Procopius stands out as perhaps the least typical.”⁶⁸⁵ Lenski cites three main criteria for this assertion: that the usurpation occurred in the East, that it was undertaken without major military backing, and that it received considerable coverage in written sources, most importantly the history of Ammianus and panegyrics by the contemporaries Themistius and Symmachus.⁶⁸⁶ It is this last feature that makes the usurpation of Procopius so tantalising a topic for this study. The sources dealing with Procopius are of a completely unique character and, through analysis of them, we gain priceless insights into the processes that informed the conception of imperial legitimacy and presentation of usurpers in imperial panegyric.

Two panegyrics deal with Procopius, whose usurpation sprang up in Constantinople and lasted from September 365 until the following May. Rarely are we presented with two such different speeches. Themistius, whom we have already encountered as an orator, delivered a panegyric (*Oratio* VII) to Valentinian sometime in winter of 366/7.⁶⁸⁷ It was composed in Greek, delivered to the emperor who put the rebellion down and, most importantly of all, was delivered by a man who had been intimately involved with the rebellion it described, something unique in the surviving panegyric corpus.⁶⁸⁸ A year later, during the winter of 367/8, Q. Aurelius Symmachus, then a young man just beginning his senatorial career, travelled to Trier to deliver what would be his first public

⁶⁸⁵ Lenski, *Failure of Empire*, 68.

⁶⁸⁶ In the main, Themistius, *Or.* VII, and Symmachus, *Or.* I, though other of both orators' speeches bear relevance to the discussion.

⁶⁸⁷ In the speech, Themistius speaks of the months, in the plural, counted as an outstanding balance by Valens: Them., *Or.* VII.84c.

⁶⁸⁸ Pacatus, the author of *Pan. Lat.* II, had lived in the territory ruled by a usurper (Magnus Maximus), but there is no evidence he was actually involved with the usurper's government. It is a great shame, though hardly a surprise, that neither the panegyric that Symmachus delivered to the usurper Magnus Maximus, nor the formal speech of apology he made to Theodosius, are extant: C. Sogno, *Q. Aurelius Symmachus: A Political Biography* (Ann Arbor: University of Michigan Press, 2006), 68-71.

oration (*Oratio* I). Symmachus was heading a senatorial delegation that was bearing *aurum oblativum* from the city of Rome to Valentinian on the occasion of the latter's quinquennalia.⁶⁸⁹ Symmachus' speech, which is extant thanks only to its chance survival on a palimpsest, was in Latin, delivered by a man to whom the events he recounted were distant news from a foreign land, and, most importantly of all, was delivered to an emperor who had had nothing whatsoever to do with either the rebellion it described or its suppression, something unique in the panegyric corpus. By comparing the image of Procopius derived from these two panegyrics with one another and with the historical narrative of Ammianus, we can see first how artificial and self-serving were the images of usurpers presented in the panegyrics and secondly how influential these images might be on the works of contemporary historians.

We begin with the historical narrative of Ammianus, perhaps the most detailed account of an imperial usurpation that survives from antiquity. Ammianus recounts Procopius' early career: born to a good family, he served diligently and for a long time as both a *notarius* and a tribune. Ammianus asserts that he was already capable of attaining the highest positions when, thanks to his relation to Julian (*ea consideratione qua propinquitate Iulianum*), he rose to the rank of *comes* following the death of Constantius. Notably, Ammianus asserts (from the comfortable certainty of the 390s) that it was obvious from these early days that Procopius would disturb the public peace, given the first opportunity.⁶⁹⁰ When Julian marched on Persia, Procopius thus took joint command, with Sebastianus, of a reserve of some 30,000 picked troops, if Ammianus is to be believed, 18,000 if we favour Zosimus. Ammianus records that this force was to remain west of the Tigris to guard Julian's flank for a time, before rendezvousing with Arsaces, king of Armenia, and make its way south, ravaging the rich territory of Chilicomum en

⁶⁸⁹ Sogno, *Q. Aurelius Symmachus*, 2-3.

⁶⁹⁰ Amm., XXVI.6.1.

route, before meeting up with Julian in Persia, an opinion which Zosimus echoes in summary.⁶⁹¹

In what follows, Procopius' involvement with imperial power is far from clear. The simple account usually runs that Procopius, who had been entrusted with future imperial power by Julian, fled into hiding on the latter's death and remerged, two years later, to take the throne.⁶⁹² Unfortunately, however, the sources somewhat contradictory. Both Ammianus and Zosimus assert that Julian had given Procopius a purple cloak before the Persian campaign, with orders that, should he die in Persia, Procopius was to seize the throne, but there are several problems with this account.⁶⁹³ With Zosimus there is an obvious historiographical issue that, separated from events by perhaps one hundred and fifty years, he was simply following a tradition that had developed in the interim.⁶⁹⁴ This would be of less concern if Ammianus' account inspired more confidence. He begins, in book XXIII, "It is said" (*dicitur*), instantly putting distance between himself and the rumour. He then claims that the purple was handed over, and the order given that Procopius should take the throne, "with no witnesses present" (*nullo arbitrorum admisso*) and "secretly" (*occulte*). Later, in book XVI, he calls the story "a very uncertain rumour (*obscurior fama*), for no witness ever testified to its truth". Ammianus has clearly gone to pains to report the story of the purple robe as rumour rather than fact.

All this concerns Julian and Procopius' relationship whilst the former was still alive. Complications again arise in the narrative following Julian's death. Zosimus' account is, again, less problematic (if still less trustworthy). He asserts that Procopius made his peace with Jovian, after Julian died, and was allowed to go into an honourable retirement. He

⁶⁹¹ Amm., XXIII.3.5, *cf.* XXVI.6.2; Zos., III.12.5, *cf.* IV.4.2.

⁶⁹² R. C. Blockley, *Ammianus Marcellinus: A Study of his Historiography and Political Thought* (Collection Latomus 141; Bruxelles: Latomus, 1975), 55-6; Matthews, *The Roman Empire of Ammianus*, 191-2.

⁶⁹³ Amm., XXIII.3.2, XXVI.6.2; Zos., IV.4.2.

⁶⁹⁴ For some discussion of Zosimus' date, see A. Cameron, 'The Date of Zosimus' New History', *Philologus* 113 (1969), 106-110 and R. T. Ridley (tr.), *Zosimus: New History* (Byzantina Australiensia 2; Canberra: Australian Association for Byzantine Studies, 1982), xii-xiii.

remained thus until the accession of Valentinian and Valens, at which time the new emperors, suspecting him of designs on the throne, made a bungled attempt to arrest him, after which he fled into hiding.⁶⁹⁵ Though there is no explanation given as to what drove the Valentinians to suspicion after Procopius had enjoyed so peaceful a relationship with Jovian, this would not be out of keeping with what we know of the early days of their reign. Ammianus, however, reports a different story. According to him, Procopius went into hiding during Jovian's reign, staying in the public eye only long enough to discharge the duty of seeing Julian buried at Tarsus. Though he was carefully sought, he was not seen again until he appeared in Constantinople, clothed in purple.⁶⁹⁶ Concerning the purple robe, Ammianus repeats himself in book XXVI, this time adding further detail. A false rumour was circulating that Julian had named Procopius successor on his death bed. Procopius, accordingly, feared for his life and fled into hiding. The decision was motivated, in particular, by the death of Jovian, the *primicerius notariorum*, who had been put to death because he had fallen under suspicion of treason after a small number of the soldiers had suggested his name as a successor at the deliberations that followed Julian's death.⁶⁹⁷ Ammianus thus contradicts Zosimus' interpretation, claiming that Procopius was in hiding from a very early stage, well before Valens took the throne, but at the same time casting doubt on the idea that any agreement had been made between Procopius and Julian regarding the throne.⁶⁹⁸

From here the story seems clearer. Ammianus records that Procopius made his way stealthily to Chalcedon, where he was harboured by Strategius, an old friend. From Chalcedon he was able to make secret forays into Constantinople to learn of discontented elements in the capital, unhappy with Valens' rule. In particular, the financial exactions of

⁶⁹⁵ Zos., IV.4.3.

⁶⁹⁶ Amm., XXV.9.12-13.

⁶⁹⁷ For Jovian's death, see XXV.8.18.

⁶⁹⁸ Ammianus' account appears to have been reproduced by Philostorgius (*HE IX.5*).

Valens' father-in-law, Petronius, appear to have aroused opposition. Procopius therefore looked for an opportunity to seize power, which came when Valens, on his way to the Persian frontier, ordered soldiers to be redeployed in the west to defend the Danube against Gothic disturbances. Among those redeployed were the Divitenses and the Tungricani Juniores, who passed through Constantinople on their way to Thrace, stopping in the city for two days. Soliciting a few men whom he knew in these units, Procopius managed to win their support and, a little after sunrise on 28th September 365, he was hailed emperor by them at the Anastasian Baths, where the troops were billeted.⁶⁹⁹ Procopius was then escorted to the palace, where he addressed the people from the tribunal, and then to the Senate House, where he spoke with only a small number of the less important senators, before finally withdrawing to the palace.⁷⁰⁰ With the possible exception of his Julian's promotion from Caesar to Augustus, no other usurpation from the period possesses such a detailed narrative.

Procopius worked quickly to secure his rather tenuous position.⁷⁰¹ His first priority appears to have been the full control of the capital. To this end, he brought forward emissaries, pretending to be from Gaul and the East, announcing that Valentinian was dead. He also made a number of replacements in senior administrative positions: Nebridius, the praetorian prefect, and Caesarius, the urban prefect, were arrested, whilst the Gauls Phronimius and Euphrasius were made urban prefect and *magister officiorum* respectively, Gomoarius and Agilo were placed in charge of the military, and Araxius was made praetorian prefect, as well as a number of other, unnamed appointments.⁷⁰² The *comes* Julius, commander in Thrace, was summoned to Constantinople, where he was at

⁶⁹⁹ For the date, *Consularia Constantinopolitana*, s. a. 365 (*Chron. Min.* I, 240).

⁷⁰⁰ *Amm.*, XXVI.6.3-18.

⁷⁰¹ For a strategic analysis of the campaign: N. J. E. Austin, *Ammianus on Warfare: An Investigation into Ammianus' Military Knowledge* (Collection Latomus 165; Bruxelles: Latomus, 1979), 88-92.

⁷⁰² *Amm.*, XXVI.7.3-4, 6-7.

once arrested and so the army of Thrace was added to Procopius' resources.⁷⁰³ Other military units passing west were also suborned and emissaries bearing gold minted with Procopius' image were sent to Illyricum to win the armies there. Only the loyalty to Valentinian of the commander Aequitius, who closed the mountain passes against Procopius, prevented this gold buying units in Illyricum and beyond. But better luck came when he was again able to recruit enemy troops without bloodshed; Valens had sent the Jovii and Victores ahead to strike at Procopius near Nicaea, but before the battle began the usurper was able to win them over with a speech.⁷⁰⁴ Nicaea and Chalcedon themselves were liberated from siege and Valens was pushed back deeper into Asia Minor, to Ancyra, narrowly avoiding capture at Chalcedon.⁷⁰⁵ Procopius then captured the city of Cyzicus, where a considerable quantity of money for soldiers' pay had been secured; arresting only Serenianus, Valens' *comes domesticorum*, who had taken charge of the defence of Cyzicus, he pardoned the remainder and made further appointments, including granting Hormisdas the rank of proconsul.⁷⁰⁶

Procopius' success did not last long into the following year, however. He had seized the property of the old general Arbitio after it had become apparent that the latter was not going to join his rebellion.⁷⁰⁷ But this moved the general, from a neutral position in retirement, to declare himself for Valens. Given his notable career under the House of Constantine, from whom Procopius claimed his right to rule, Arbitio provided Valens with a much needed ally. He was sent against the forces under the command of Gomoarius and won them and their general over, again apparently without bloodshed. Valens then engaged Procopius in battle near Nacolea. Here, Procopius was deserted by his other military commander, Agilo, who appears to have led the army over to Valens. Procopius

⁷⁰³ Amm., XXVI.7.5.

⁷⁰⁴ Amm., XXVI.7.8-17.

⁷⁰⁵ Amm., XXVI.8.1-3.

⁷⁰⁶ Amm., XXVI.8.6-12.

⁷⁰⁷ Amm., XXVI.8.13-15.

fled the field but was betrayed by his companions, who bound him and brought him before Valens. Procopius was executed and the revolt was at an end.⁷⁰⁸

Procopius' great claim to power was his relationship to the House of Constantine. The longest lasting dynasty the Roman Empire ever produced, barring only its first (the Julio-Claudians), a member of the House of Constantine had sat on the throne from Constantius' appointment as Caesar in 293 until the death of Julian in 363; seventy years. The Constantinians had ruled the Empire alone since 324 and, barring the exceptions discussed above, their rule had been unchallenged throughout that time. When Procopius took power, in September 364, Julian had been dead only fifteen months. The name of the Constantinians, in short, carried great weight, and it was fully exploited by Procopius.

His exact position within the family is not quite clear. The emphasis of the sources, stressing relationship to Julian but not to any of the other emperors of that house, appears to suggest that Procopius was related to Julian on his mother's side and so not a member of the Constantinian dynasty *per se*.⁷⁰⁹ This did not stop him claiming connection, however. In particular, he made use of Faustina and Constantia, the wife and daughter of Constantius, whom Ammianus called "a very favourable means of winning [the soldiers] over." Faustina was present when Procopius received some of the imperial insignia, and he used to carry Constantia about with him and claim kinship (*necessitudinem praetendebat*) with Constantius and Julian.⁷¹⁰ Valens found the resistance of his enemies particularly stiff, thanks to the fact that Faustina and Constantia were even brought in a litter almost to the battles themselves.⁷¹¹ The speeches that Ammianus reports Procopius as giving certainly dwell on the Constantinians.⁷¹² He advertised this connection through his coinage, resurrecting the old Constantinian legend *FEL TEMP REPARATIO*, which

⁷⁰⁸ Amm., XXVI.9.4-11.

⁷⁰⁹ Lenski, *Failure of Empire*, 69.

⁷¹⁰ Amm., XXVI.7.10.

⁷¹¹ Amm., XXVI.9.3.

⁷¹² Amm., XXVI.6.18, 7.16.

had been eschewed by Jovian and the Valentinians.⁷¹³ Procopius also appeared on his coins wearing a beard. This was not quite the unkempt philosopher's beard of Julian, but longer than the more typical soldier's beard of the tetrarchs and markedly distinct from the clean-shaven Valentinians; the resemblance of Julian and Procopius' images is instantly apparent. Evocation of Julian must have been intended, among other things, to remind people of the rumours of Procopius' appointment by Julian, rumours which must surely have emanated from Procopius himself. The success of these tactics can be marked by the fact that many of Procopius' supporters owed more loyalty to the dynasty of Constantine than to the new emperors. His military commanders, Gomoarius and Agilo, and the Persian prince Hormisdas, for example, had all served under Constantius and Julian but had not found appointment under the new regime.⁷¹⁴ Likewise, much of the Constantinopolitan senate, not least Themistius himself, owed its position to Constantius, who had greatly increased the size and importance of that body.⁷¹⁵ It was a Constantinopolitan senator, Strategius, who harboured Procopius in Chalcedon.

Yet Procopius' reliance on Constantinian loyalists was, to some extent, a virtue from necessity. That Procopius had surrounded himself with a Constantinian old-guard was as much a result of Valens' persecution of this very group as it was of Procopius' personal appeal. Even under Jovian, a number of Julian's supporters had come under suspicion, being removed from their posts and even, on occasion, suffering physical danger (most notably, of course, Libanius).⁷¹⁶ Shortly after Valens was invested with power, the brother-emperors fell ill at Constantinople, and for a time it was clearly feared that they

⁷¹³ Cf. *RIC* IX, 191. This legend had been used so extensively in the 340s and 50s, following the eleventh centenary of Rome in 348, that it would take considerable space to list every occurrence; rather, consult the index of *RIC* VIII, 557, 564, 567-8.

⁷¹⁴ Cf. *PLRE* I, Agilo, Gomoarius; their reinstatement: Amm., XXVI.7.4; cf. Lenski, *Failure of Empire*, 109.

⁷¹⁵ For Themistius' promotion: translation of Constantius' letter, promoting Themistius to the senate in 355, in Heather-Moncur, 108-14; J. Vanderspoel, *Themistius and the Imperial Court: Oratory, Civic Duty, and Paideia from Constantius to Theodosius* (Ann Arbor: University of Michigan Press, 1995), 87-89, 104-5. For Constantius' expansion of the senate: *CTh.* VI.4.11; Vanderspoel, *Themistius*, 55, 61-69.

⁷¹⁶ Lib., *Or.* I.136-38; cf. Lenski, *Failure of Empire*, 106-7.

would die. It was believed that sorcery had been used to try and kill the new emperors, and witchcraft trials were instigated. But Ammianus claims that “persistent rumour” (*pertinax rumor*) had it that the Valentinians were using the magic trials to stir up hatred against the friends of Julian and the memory of the emperor himself.⁷¹⁷ Zosimus claims that Procopius’ initial funding came from a eunuch, Eugenius, whose main motive for support was a grievance against Valens for having discharged him from the court.⁷¹⁸

Valens was also clearly desperate for money, and purges were often accompanied by fiscal exactions. Ammianus paints a lurid picture of the conduct of Petronius, Valens’ father-in-law, who appears to have spearheaded Valens’ campaign to raise some desperately needed cash by any means necessary. Together Valens and Petronius, “closed the houses of the poor and the palaces of the rich in great numbers... and with universal sighs everyone prayed (although darkly and in silence) for a change in the present condition of affairs with the help of the supreme deity.”⁷¹⁹ A long list of Julian’s friends and colleagues against whom financial penalties were imposed can be drawn up, in particular Julian’s close friend Oribasius (who had his property confiscated and was sent into exile) and Maximus, Julian’s teacher (who was fined and later tortured within an inch of his life).⁷²⁰ There were, therefore, a number of good reasons, both positive and negative, why men might flock to Procopius’ banner.⁷²¹

Valens’ retribution in the wake of the usurpation was brutal.⁷²² Most of Procopius’ adherents are either known to have been executed following the revolt, or else disappear from the historical record (whether to execution, exile, or simply disgrace). Andronicus,

⁷¹⁷ Amm., XXVI.4.4; cf. Zos., IV.2.4.

⁷¹⁸ Zos., IV.5.3-4.

⁷¹⁹ Amm., XXVI.6.6-9 (at 9); cf. XXVI.8.14.

⁷²⁰ Oribasius: Eunap., *V. Soph.* 498-9; Maximus: Eunap., *V. Soph.* 473-81; Zos. VI.2.2; cf. Lenski, *Failure of Empire*, 107-8.

⁷²¹ Blockley, *Ammianus Marcellinus*, 56, suggests that this was a “pagan reaction against the choice by Valentinian I of his brother, the Christian Valens, as co-emperor.” Though a number of the rebels were pagans, they were first and foremost adherents of the Constantinian dynasty, and it is unhelpful to suggest that the rebels were religiously motivated.

⁷²² Vanderspoel, *Themistius*, 162, 165-6; cf. Elbern, *Usurpationen*, 142.

who had claimed that he had served the usurper under duress, was nonetheless executed and his property confiscated.⁷²³ The men who surrendered Procopius to Valens, Barchalba and Florentius, were likewise murdered, which Ammianus considered a very unworthy punishment.⁷²⁴ Marcellus, Procopius' relative who attempted himself to seize power after the latter's death, was executed.⁷²⁵ Helpidius, Procopius' proconsul of Asia, was imprisoned and his property confiscated.⁷²⁶ Phronomius, urban prefect in Constantinople, was exiled, Ammianus claims, largely on account of a former friendship with Julian.⁷²⁷ A few, admittedly, did survive. Aliso, the general who had helped Procopius capture Cyzicus, was clearly pardoned, and died years later, fighting the Isurians.⁷²⁸ Hormisdas appears to have survived, as did Agilo, who betrayed Procopius and was pardoned.⁷²⁹ But Ammianus says that the members of Procopius' faction were treated savagely and implies investigations against anyone suspected of having been involved in the rebellion.⁷³⁰ Libanius, we know, had to work very hard over the following years to shake the accusations of his enemies that he had delivered a panegyric to Procopius.⁷³¹ Even those who have attempted to play down the intensity of the trials that followed are forced to acknowledge that Valens meted out significant punishments; Lenski concedes that Valens punished Constantinople, removing its tax privileges and rarely making the city his home after 366.⁷³² In the following years, bitter trials for treason and magic in both halves of the Empire made considerable impact on contemporaries.⁷³³

⁷²³ Lib., *Or.* LXII.58-60.

⁷²⁴ Amm., XXVI.9.8-10.

⁷²⁵ Zos., IV.8.3-4.

⁷²⁶ Philostorg., *HE* VII.10.

⁷²⁷ Amm., XXVI.10.8.

⁷²⁸ Amm., XXVI.8.10.

⁷²⁹ Hormisdas: Amm., XXVI.8.12. Agilo: Amm., XXVI.9.7, 10.7; Philostorg., *HE* IX.5; Zos., IV.8.3.

⁷³⁰ Amm., XXVI.6.5, 8.10.

⁷³¹ Lib., *Or.* I.163-5.

⁷³² Lenski, *Failure of Empire*, 111-4.

⁷³³ Matthews, *Western Aristocracies*, 56-63; Lenski, *Failure of Empire*, 218-34.

It was onto this bloody stage that Themistius, a leading member of the Constantinopolitan senate, came before Valens in the winter of 366/7 to deliver a panegyric. Themistius was under a terrible cloud. He spoke for a body that had supported the emperor's enemy in a mortal contest. This was an oration like no other for the self-professed philosopher, and the unique circumstances of its delivery are writ large upon the speech itself, which is of a strikingly different character from Themistius' usual style. In the first place, Themistius devotes an uncommonly large amount of space to Procopius. We saw, in the section on Constantius, that Themistius' approach to usurpers appears to have been much more cursory than that which we would expect in a panegyric. His style was to speak more generally on the virtues of the emperor, drawing Homeric and Hellenic parallels and linking the emperor to himself through a discourse on the emperor as the Philosopher King. His *Oratio* III, being the other panegyric of Themistius' which most focuses on a usurpation, engages with Magnentius and Vetranio with remarkable brevity. Magnentius is given only eighteen lines in the text, and Vetranio is but a passing mention.⁷³⁴ The main tenor of the speech to extol the glory of the emperor and of Rome and link Rome, Constantius, and Constantinople: "A dance is formed which in its three perfect elements is the most perfect of all."⁷³⁵ With *Oratio* VII, however, Procopius fills the central portion of the speech, and the direct discussion of his character and the usurpation occupies some 123 lines, something like five times the amount of space given to Magnentius and Vetranio combined in *Oratio* III.⁷³⁶ Even accounting for the fact that *Oratio* VII is longer than *Oratio* III (roughly twice the length), this still shows an uncharacteristic amount of detail. Themistius needed to show how it was that Procopius had come to commandeer the support of the senate.

⁷³⁴ Them., *Or.* III.43a-c (Magnentius), 45b-c (Vetranio).

⁷³⁵ Them., *Or.* III.42b.

⁷³⁶ Them., *Or.* VII.90a-93c.

Procopius prominence is not the only unusual feature of the text. The title of the piece, “Concerning the Unfortunates” (περί τῶν ἡτυχηκότων), is misleading as an indication of the real subject. If we consider its structure a clear focus will emerge. Themistius begins with an apology for the delay in giving this speech (84b-d). He observes that the emperor deserves the sole praise for the recent victory, which was achieved bloodlessly (84d-87c). The armies can, of course, claim some part, but the emperor alone is responsible for the clement handling of the victory; in this he accords with the idea of the Good King, who is humane (87c-90a). The rebellion is then described (90a-93c). From the conclusion of this section to the end of the speech, Themistius resumes the theme of the emperor’s clemency and benevolence, comparing the emperor to a physician who heals, rather than amputates, drawing historical exempla of clement rulers, showing that clemency makes friends of the hostile, declaring clemency to be an especially kingly virtue, showing that Valens has calmed a great number, using reason to cool violent passion, and finally naming some specific examples of Valens’ clemency (93c-101a). This considerable prominence of the theme of clemency, occupying something like two thirds of the speech, is countered by a number of notable absences, most important of all being that of Constantinople, usually a favourite topic of Themistius’, and of Valens’ brother Valentinian. Even philosophy, around which Themistius’ public orations invariably revolved, takes something of a back seat, being evoked generally only as an adjunct to mercy.

The cause of these anomalies is clear. Procopius’ usurpation had been centred upon Constantinople, a city which Themistius had spent his career to-date lauding for its loyalty to the reigning emperor. That the Constantinopolitan senate had been complicit in Procopius’ rebellion, however unwillingly, was an embarrassment only compounded by the strong association between the city and the House of Constantine. Although some time had elapsed between the end of the usurpation and delivery of the speech, this does not

mean that Themistius or his peers could afford to think that their position was assured. Constantius had offered initial pardon to the supporters of Magnentius and then initiated a bitter persecution.⁷³⁷ Valens might still enact violent purges within the city.⁷³⁸ For Themistius, therefore, the future might well have looked very uncertain. Themistius' object was not simply to glorify the emperor and hold the usurper up for ridicule, but to justify and pardon the conduct of a very broad body of men who had, implicitly or explicitly, supported the usurper. Themistius, as the senior figure in the senate, had much to answer for and to explain away. This concern was the determining factor in everything that Procopius inserted into this speech.

Themistius opens his consideration of Procopius in a very telling manner. He prefaced his observations by commenting that Valens, “the god-beloved sovereign”, defeated “this Typhon” without any bloodshed. Then he writes: “Zeal and ambition of the sinful and devious head were, from then on, bent to dragging as many people as possible into this ruin, which alone is fitting to him.”⁷³⁹ Deception was the way that Procopius won himself a following. He was escorted from the baths with spears and shields, “wearing a necklace, a falsely-marked leader (παράσημος αὐτοκράτωρ), smiling, calling all to him, wearing a deceitful smile (μειδίαμα δολερόν), a laugh full of lamenting, a laugh that drew forth many tears.” He cancelled debts and partitioned land, “a bitter trick (πικρὰ δελεάσματα) for those who were drawn in by these things.” Procopius opened the treasury but sealed the harbours, so that, “a siege enclosed the city within its walls, with those determined to save it besieged from without.”⁷⁴⁰ His use of a pair of messengers, ostensibly from Illyria and from “Italy and the Western Ocean” (in actual fact from the city suburbs) to report “the absurd rumours” (αἱ ἄτοποι φῆμαι; these are surely the rumours of Valentinian's death), is

⁷³⁷ Matthews, *The Roman Empire of Ammianus*, 33-9.

⁷³⁸ See above, n. 733.

⁷³⁹ Them., *Or.* VII.90a.

⁷⁴⁰ Them., *Or.* VII.91c-d.

noted, as is the fact that embassies were also given entry to the palace from Syria, Assyria, Egypt, Lybia, and Iberia. “It was necessary either to believe firmly or be firmly bound,” Themistius claims, and it was impossible even to be silent or complain or laugh, since there were spies and eavesdroppers with more eyes than Argus and sharper looks than Lynceus.⁷⁴¹

Themistius’ Procopius, then, seals the city inside a net, restricting the flow of information to those besieged within and coercing the appearance of support. Lenski uses these passages in Themistius to argue that Procopius’ usurpation was characterised by an intelligence war, claiming that, “The key to [Procopius’] progress was above all his careful control of information.”⁷⁴² Whilst there is truth to Lenski’s claims, we should not be fooled into thinking that Procopius was in anyway unique in this approach. Information was a usurper’s most valuable commodity; once committed to their course of action, they moved quickly to secure loyalties and territory.⁷⁴³ Themistius picks these features to comment on not because they were unusual, but because they helped to excuse those who had supported him.⁷⁴⁴ The emphasis on compulsion is particularly important. Themistius tells us that the moment of usurpation came in the night, that men were taken in their beds and thrown in jail, that, “the highest dignitaries sat in custody like criminals and the whole course of the night was grim.”⁷⁴⁵ He also makes a particular point of noting that Procopius exacted “taxes which caused great sorrow” from the “august Senate”, taxes which should

⁷⁴¹ Them., *Or.* VII.91d-92a; Argus (Panoptēs) was the guardian set to watch over Io by Hera, having eyes all over his body (Ovid, *Metamorph.* I.625-29); Lynceus was one of the Argonauts, said to have sight so good that he could see through the earth (Apoll., *Bib.* I.8.2, 9.16, III.10.3, 11.2; Apoll. Rhod., *Argon.* I.151-55; Ovid, *Metamorph.* VIII.304).

⁷⁴² Lenski, *Failure of Empire*, 74.

⁷⁴³ Ammianus observes that Julian moved against Constantius with great awareness of the need to move quickly in anticipation of the news of his advance (XXI.5.13, 8.3-4, 9.1-2) and Julian criticised Magnentius for his reliance on speed (Jul., *Or.* I.35c-d; cf. II.57b). See also MacMullen, ‘How to Revolt in the Roman Empire’, 67-76.

⁷⁴⁴ The same is true of Pacatus, whose native Gaul had been the centre of power for the usurper Magnus Maximus (see below, pp. 254-6).

⁷⁴⁵ Them., *Or.* VII.91a-b.

have been a year's contributions but were in fact drawn over a single winter.⁷⁴⁶

Themistius then continues:

The feasting people of Constantine, who lived in plenty, who up to that evening had experienced nothing untoward, whom you have taken on from his heirs and have not allowed to perceive the change of dynasty: from it was snatched the accustomed nourishment (ἡ συνήθης τρυφή) by him who used Constantine as his pretext and whose name he obscenely brandished before himself like an olive-branch, (ὕπὸ τοῦ Κωνσταντῖνον προῖσχομένου καὶ τοῦνοματοῦτο ἀναισχύντως προσείοντος), and they were fed like the cattle of the fields. Of the two highest dignitaries, the death of the one was disbelieved, whilst the one who lived was believed to have died.⁷⁴⁷

The technique is subtle, and in a single utterance Themistius is able to make a number of important points. In the first place, this provides the crown and conclusion to Themistius' assertion that Procopius coerced consent. How could the Senate and the people have truly loved Procopius, when from the one he exacted extortionate taxes, and from the other he removed traditional corn and meat rations?⁷⁴⁸ Secondly, Themistius reiterates the point that Procopius had control of information. It is not entirely clear who exactly is meant by the two highest dignitaries, though Vanderspoel's suggestion that this refers to Procopius and Valens is not impossible, but the point remains vividly clear that those within the city had no true grasp on what was going on beyond its walls.⁷⁴⁹ Ammianus certainly claims that Valens, when he heard the news of Procopius' uprising, was so distraught that he considered renouncing the purple, and that Valentinian, in the West, had no idea whether

⁷⁴⁶ Them., *Or.* VII.92a-b; the exact meaning of this is not quite clear. R. Delmaire, *Largesses Sacrées et Res Privata: l'aerarium imperial et son administration du IVe au VIe siècle* (Collection de l'École française de Rome, 121; Rome: École française de Rome, 1989), 403, argues that Procopius demanded both the yearly contribution and a special contribution for his accession from the Senate, whilst Lenski, *Failure of Empire*, 84, n. 103, argues that this was the *collatio lustralis*, which would normally be collected over five years.

⁷⁴⁷ Them., *Or.* VII.92b-c.

⁷⁴⁸ G. Dagron, *Naissance d'une Capitale: Constantinople et ses institutions de 330 à 451* (Bibliothèque Byzantine: Etudes 7; Paris: Presses Universitaires de France, 1974), 304, connects this firmly with the *annona*: "La mesure évoquée ici est sans aucun doute une suppression de l'annone: τρυφή a ce sens concret; associé à ἄδεια il désigne la sécurité matérielle... et les libertés traditionnelles, très vaguement définies, qui l'accompagnent."

⁷⁴⁹ Vanderspoel, *Themistius*, 164-5.

his brother was alive or dead.⁷⁵⁰ With Procopius' proto-Empire positioned between the two brothers, the flow of information must certainly have been impeded. Thirdly and finally, Themistius attempts at once to address the connection between the city and Constantine, and to quash any suggestion that this connection helped to fuel the rebellion. He claims that the Valentinians had managed the change of dynasty so smoothly that no one had perceived it, while at once observing that Procopius harmed the very "people of Constantine", taking away the privileges that that emperor had given them. Here, Themistius attacked the heart of Procopius' claims to power. The foundations of Procopius' claims to legitimacy were not merely dismissed, but utterly overturned; Valens was the true heir to Constantine (and to Julian), Procopius an upstart and a meddler.

Procopius' character, as Themistius paints it, is therefore an extend plea for forgiveness on behalf of the city of Constantinople. But Themistius does not stop with this. In fact, he indulges in an uncharacteristic tirade of abuse against the person of Procopius. Throughout, Themistius draws comparison between Procopius and a number of historical and mythological figures: Typhon, Spartacus, and Crixus;⁷⁵¹ Mithridates;⁷⁵² Phalaris, Aristomachus, Apollodorus, and Dionysius;⁷⁵³ Nero;⁷⁵⁴ Xerxes and Cambyses.⁷⁵⁵ Such comparisons were a favourite tactic of Themistius' and he often used historical exempla for either panegyric or polemic, but the sheer number and density of classical references presents and overwhelming impression of monstrosity. Themistius again and again heaps bitter invective upon Procopius. One passage in particular deserves quotation:

⁷⁵⁰ Amm., XXVI.7.13, 5.9-10.

⁷⁵¹ Them., *Or.* VII.86b-c; Pacatus would compare Magnus Maximus in 389 (*Pan. Lat.* II.23.1-2). Cicero had used the same strategy against Marc Antony (*Philip.* XIII.22).

⁷⁵² Them., *Or.* VII.87a-b.

⁷⁵³ Them., *Or.* VII.90b.

⁷⁵⁴ Them., *Or.* VII.92b.

⁷⁵⁵ Them., *Or.* VII.99a.

Zeal and ambition of the wicked and unholy head were, after that, aligned, towards dragging as many people as possible from the mass into this corruption, which is alone to be ascribed to him. He was never considered worthwhile as a servant, but as a calumniator, a sinner, always bowed down, always gloomy, frowning his brows, who sought silence as something reverend, who was anti-social, ill-omened, full of wickedness, who boasted, on account of this, of his hatred for all and the hatred that all bore him.⁷⁵⁶

Themistius continues this diatribe by unfavourably comparing him to four of the great tyrants of old (Phalaris, Aristomachus, Apollodorus, and Dionysius), observing that even they could make favourites of those they loved (and who loved them). He then makes a comparison with the scorpion and the serpent, who can at least love their own kind. Elsewhere Themistius calls him a mere secretary who had dared to leave his ink and pens and take rulership of the Roman world, doubtless a jibe at Procopius' position in the *notarii*, ignoring the fact that he had also held a senior military post.⁷⁵⁷ He calls Procopius “a festering wound” (ῥῆγμα ὕπουλον) in the heart of the Empire, and he speaks of how his “maliciousness and deceit and poverty of soul” (τὸ κακόηθες καὶ δολερὸν καὶ ὑποδεδυκὸς τῆς ψυχῆς) were discovered.⁷⁵⁸

This sort of language, common to panegyric in general, was absent from Themistius' speeches throughout the 350s, which took a much cooler and less focussed tone against Magnentius and Vetrano. This is not to say that they did not come into criticism (we have shown that they did), but that criticism was far more generalised and far less sustained. The barrage of adjectives levelled at Procopius, the descriptions of his character, physical appearance, even his moods, are all utterly absent from Themistius' other public orations. The explanation for this must be that Themistius' own connections to Procopius had a profound effect on the orators' approach. It was not enough that Themistius demonstrate Procopius' crimes and show his insufficiency as a ruler in comparison to Valens;

⁷⁵⁶ Them., *Or.* VII.90a-b.

⁷⁵⁷ Them., *Or.* VII.86b-c.

⁷⁵⁸ Them., *Or.* VII.91a, 92d.

Themistius needed to communicate a personal loathing for him as a man. If Themistius' Procopius is a grotesque figure, it is because the orator needed to show to Valens the utter impossibility of his, or any of his peers, feeling any loyalty towards the man who had usurped power in their city.

All this provides a context in which Themistius can then ground the second half of his speech. It was not the usurpation on which Themistius wished to focus, but its aftermath. Clemency was his real theme. Building on his claims that Procopius was a master of deception, Themistius excused Valens' slow suppression of the regime with the extraordinary claim that Valens had held back, waiting for Procopius' true nature to reveal itself to those beneath him. Like a doctor, he waited till the high point of the sickness before curing it, the better to show his skill.⁷⁵⁹ If he had struck too early, many might not have had time to see Procopius' true nature! Likewise, Valens showed considerable wisdom in apportioning punishments, distinguishing between those who had concocted the treason and those who had been drawn along with it.⁷⁶⁰ Themistius places great stress on Valens' personal composure and on the bloodlessness of the victory (Valens' two major victories having been secured by the defection of Procopius' armies, and not decided by battle).⁷⁶¹ This reminded the audience that Valens brought his enemies to sense, rather than smashing them into defeat, reinforcing the image of Procopius he had created. It both excused Valens' failure to win any significant military victory and also reminded him that it was better and stronger to win friends, than to crush enemies.

Themistius' congratulatory remarks on Valens' clemency were highly duplicitous. Valens was already engaged in a witch hunt, rounding up Procopius' supporters for execution or exile. Themistius' panegyric was a *Fürstenspiegel*, a plea for mercy on behalf of his city and his peers. As such, it should be treated very cautiously as a source of

⁷⁵⁹ Them., *Or.* VII.92c-d.

⁷⁶⁰ Them., *Or.* VII.93b-c.

⁷⁶¹ Them., *Or.* VII.86a-c, 87a, 90a, 92c-d.

true information about the revolt, for its author had produced a text designed not only to please the emperor, but to personally exonerate himself and his peers from involvement in a rebellion. What is more shocking, however, is the extent to which Themistius' speech, and the countless others like it which must have been delivered in the months and years that followed May 366, have informed our understanding of Procopius' rebellion. Lenski has demonstrated convincingly just how dependent upon Themistius Ammianus was for his portrayal of Procopius and the 365-6 war. Still in the East at this time, and perhaps already beginning to accumulate notes for what would become his *res gestae*, Ammianus would have been presented with an image of Procopius as a loathsome and tragic character, whose short lived reign was based upon falsities and the support of desperate men.⁷⁶²

Comparison between the Themistius/Ammianus presentation and that which we find in Symmachus' *Or. I* is instructive of the processes at work here. Delivered approximately a year after Themistius' speech to Valens, Symmachus' panegyric was the formal vote of thanks from the Roman senate for Valentinian's fifth anniversary. Not personally familiar with the emperor, Symmachus' speech took a safely biographical/synoptic overview of Valentinian's life and reign. Included in this is a surprisingly lengthy consideration of Procopius' rebellion, which is strikingly different from that of Themistius' *Oratio VII* and which allows us a greater insight into both the rebellion and the processes of composing panegyric.

Symmachus' speech, as it survives (nine folia are missing), is divided into twenty three chapters, of which six are devoted to the usurpation in the East. Symmachus begins by recounting Valentinian's military upbringing with his father (1-3). A lacuna in the text then brings us back midway through extolling Valentinian for protecting the state in some

⁷⁶² Lenski, *Failure of Empire*, 71-4.

ill-defined crisis, probably the *sedition* which Ammianus mentions having occurred in 363 (4-6).⁷⁶³ Symmachus describes Valentinian's greatness and his election as emperor (7-10) which, after another lacuna, is followed by a description of Valens' election and the unbreakable harmony of the two brothers (13-14). Symmachus eulogises Valentinian for making his home in the Empire's most troubled region (15-16), before moving to speak about Procopius (17-23). Procopius breaks in on the peace of the Empire whilst Valentinian is fighting the Alamanni (17), but Valentinian preferred that his power should permit a rival for a time rather than open the borders to the Germans and have Roman territory diminished (18). Valentinian tells the soldiers that the public enemy is of more importance than his private one (19), considering his private grievances as unseemly to imperial power, whilst overlooking the fact that anyone who gave the emperor cause for grievance was thus a public enemy (20). The praises for the downfall of "that brigand" (*ille latro*) should be reserved for Valentinian's worshipful brother, save only for the observation that Valens was very temperate in his victory (21). Valentinian rightly trusted his brother to bring "the captive rebel" (*captivus rebellis*) and the "usurper of so great a title" (*usurpator tanti nominis*) to justice; Valentinian did not even do him the honour of appearing hostile to him (22). The speech ends abruptly, with a final lacuna of six folia, as Symmachus is explaining the happy state of the Empire after Procopius' fall.

The dictates of Symmachus' panegyric were completely different from those of Themistius'. Symmachus had no stake in either Procopius or in Valens, except in so far as Valens' reputation mattered to Valentinian. Accordingly, we have a speech completely divorced not simply from the image of Procopius that Themistius had created, but indeed from the entire rhetorical framework of Themistius' argument. Symmachus' language is that of the tetrarchy, albeit without the pagan dual divinities that Maximian and Diocletian

⁷⁶³ Amm., XXV.10.6-8; cf. Zos., III.35.1-2.

possessed. A new college is imagined, in which the brothers, united by blood, are also brother-emperors along the old model. Valentinian grants Valens equal power and holds nothing back, as befits a true prince; their partnership puts shame to sun and moon, who are unequal to one another, for the two share everything in common.⁷⁶⁴ Symmachus' Procopius fits into this schema. Rather than being a tyrant or a manipulator, he appears as a *latro* and a *rebellis*, a common thief trying to break into a college to which he has no right. He is, in other words, an outsider to a closed group. Even the rebellion shows Valens and Valentinian as mirrors of one another: "What miraculously similar piety there is between you! You do not know how to pursue civil conflict, he cannot avenge it."⁷⁶⁵ For Symmachus, the rebellion was used to confirm the harmony of the brothers' relationship, and Procopius was delineated accordingly.⁷⁶⁶ His tone is all dismissive self-confidence.

Symmachus also takes a distinctly more aggressive line towards the House of Constantine. We have already seen that Themistius tackled this issue with extreme caution. Writing in Constantinople, mere months after a man claiming relation to Constantine himself, Themistius urged his audience to see that the Valentinians were the true heirs to the Constantinians, whilst Procopius falsely held the great man's name before himself. He spoke warmly of "the feasting people of Constantine."⁷⁶⁷ Symmachus, by contrast, made no mention whatsoever of Procopius' claims to relation with the Constantinians, nor is he anywhere near so cautious when referring to their dynasty. Though he never speaks about them directly, he makes two clear and unfavourable references to them. In the first place, he observes that Valentinian "took care in confirming an Augustus with equal rights, that he never be suspect to you," which no

⁷⁶⁴ Symm., *Or.* I.11-13.

⁷⁶⁵ Symm., *Or.* I.22.

⁷⁶⁶ Note that Themistius never once mentions Valentinian in *Or.* VII, choosing rather to utterly avoid the awkward issue of the older brother's inaction during the rebellion.

⁷⁶⁷ Them., *Or.* VII.92b.

Gallic audience could have heard without recalling the narrowly avoided civil war between Julian and Constantius.⁷⁶⁸ But Symmachus went further still, for he claimed that Valentinian had come West to “defend, out of shame for ancient cowardice, provinces given over by the extravagance of your predecessors.” Valentinian’s hardiness, his willingness to live the life of the camp, was a novelty: “You rather taught the royal estate what a man ought to do, than learn from it what previous emperors had done.”⁷⁶⁹

Symmachus, therefore, was not simply looking down upon the Constantinian dynasty, but refusing to employ the rhetorical strategies that had flourished under them. He eschews description of Procopius as a *tyrannus* or an evocation of his crimes against the people and the capital. We may posit that, beyond the immediate environs of Constantinople, this was the manner in which Procopius was publicly denounced. If not for Themistius and his ilk, and their influence on Ammianus (the most important historian of his time), we might depend, for our understanding of Procopius, on texts whose main influence was the collegiate language of Symmachus.⁷⁷⁰ In this case, we would find ourselves with an image of a kind of popular and ultimately lower class uprising in the city of Constantinople, something wild and lacking the support of any of the political elite and which was put down as soon as it was met with serious resistance.

The creation of a character for a usurper in the panegyrics was decided by immediate political goals. We have seen this again and again. Yet with the addition of Ammianus’ narrative, we can also gain a rare glimpse of the insidious impact that panegyric narratives could have upon the historical record. We are presented, in Symmachus and

⁷⁶⁸ Symm., *Or.* I.11.

⁷⁶⁹ Symm., *Or.* I.14.

⁷⁷⁰ Though Ammianus drew his understanding of Procopius from Constantinopolitan sources, he had clearly read Symmachus’ orations, or works based on them: Sogno, *Q. Aurelius Symmachus*, 11. Note the similarity of language in the account given by the *Consularia Constantinopolitana s. a. 365: et ipso anno latro nocturnus hostisque publicus intra urbem Constantinopolim apparuit die IIII kal. Oct.* (and this despite this section of the source being of Constantinopolitan origin, for which R. W. Burgess (ed. and tr.), *The Chronicle of Hydatius and the Consularia Constantinopolitana: Two Contemporary Accounts of the Final Years of the Roman Empire* (Oxford: Clarendon, 1993), 187-98).

Themistius, with two wildly different stories. Distance has reduced Symmachus' Procopius to a stereotypical criminal. But proximity to events did not make Themistius a more reliable witness. Far from it; Themistius' personal stake in his speech renders everything he has to say suspect. Themistius' Procopius *had* to be in control of information, to be able to bend unwilling subjects to his will, and to keep them in his thrall. This is no more a representation of the real Procopius than to claim that Maxentius really had been the worst tyrant that Rome had ever seen, or that Allectus was, in reality, little more than a Frankish chieftain.

VI

The Rise of the Theodosians

In the closing months of 378, a usurpation occurred. Valens' death had opened a wound in the imperial college, but only Gratian, as senior Augustus, could decide how that wound would be closed; would he send his younger brother East as a figurehead emperor under a capable regent? Would he go East himself? Would he create a new emperor to fill his uncle's shoes? Or would he do nothing, holding Illyricum against the Goths and waiting to see what the spring of 379 would bring? When it became apparent that Gratian was taking the latter option, Theodosius, the *dux Moesiae* and the son of a famous general who had met a traitor's end, risked all and donned the purple hoping, perhaps, that relieving Gratian of the burden of the Balkans would be considered sufficient payment for the theft.

This is not a story that can be found in any contemporary history, but it is one that can be teased from the panegyrics of the day. Theodosius joined the small elite of usurpers who were able to legitimate their rule and rewrite the histories of their reign. From an enterprising gambler in the Balkans, he became an emperor who ruled both halves of the Empire and founded a dynasty that ruled for some seventy years. His usurpation earned him power; the usurpation of others allowed him to expand it.

καλῶς ἔατοῦ πεποίηται ψῆφον: the usurpation of Theodosius

The relationships, both personal and political, between Gratian and Theodosius have caused considerable discussion. Broadly, modern viewpoints coalesce around two articles, both published in the journal *Klio* in 1996, by Hagith Sivan and Malcolm Errington, which engage with the confused chronology of Theodosius' accession.⁷⁷¹ Both authors agree that the standard account, which relies heavily on the clearly fanciful narrative of Theodoret of Cyrrhus, is simply unacceptable. Theodoret writes that, faced with the crisis in the Balkans, Gratian recalled the disgraced Theodosius from Spain, whereupon he won such a great victory against the barbarians that Gratian, once this victory was confirmed, promoted him to imperial power.⁷⁷² Even were Theodoret an author of otherwise unimpeachable historical veracity, contradictions with what we know from other sources of events in 378-9 would raise questions.⁷⁷³

Errington's solution to the problems of the traditional account is to propose a reintegration of Theodosius into the imperial hierarchy almost immediately after the death of Theodosius the Elder. Theodosius the younger was thus serving in the Balkan region at the time of Adrianople, probably as *dux Moesiae*, his previous post. After the disaster, Gratian promoted Theodosius to *magister equitum* and then, following his victory over the Sarmatians in the late autumn of 378, promoted him to Eastern Augustus. This solution is doubly attractive in that it does away with the obvious fabrications of the traditional account and does so through a careful reading of a wide range of texts that place Theodosius' career convincingly in the Balkans. But it also raises a number of problems, two of which seem important enough to force us to pause. In the first place, it requires us

⁷⁷¹ Sivan, 'Theodosius', 198-211; M. Errington, 'Theodosius', 438-53.

⁷⁷² Theodor., *HE* V.5-6.

⁷⁷³ "Emperors and warfare are presented not for their own sake, but to further the historian's moralizing purposes, and his accuracy concerning secular events is correspondingly low" (Rohrbacher, *The Historians of Late Antiquity*, 134); Sivan, 'Theodosius', 198-9; Errington, 'Theodosius', 439.

to feel certain that Theodosius was promoted to *magister equitum*. Errington entertains no doubt on the subject, but his evidence is less convincing than it may seem. Much weight is given to Pacatus' summary of Theodosius' career.⁷⁷⁴ Errington, following Galletier, stresses that Pacatus makes it clear that Theodosius was promoted whilst already in his "Sarmatian tents."⁷⁷⁵ Thus, promotion occurred whilst he was already on the Danube. But the interpretation that sees this promotion being to imperial power is rejected by Errington, who tells us that Themistius' *Oratio* XIV actually indicates Theodosius' promotion to *magister militum*. To draw this conclusion requires Errington to suggest a rewriting of a passage in Themistius whose meaning seems perfectly clear and whose rewriting seems justifiable only to provide evidence for Errington's assertions.⁷⁷⁶ The assertion that Theodosius was made *magister equitum* is of central importance for Errington, however, because he concludes by arguing that Theodosius was the only viable candidate for imperial power in the region who was of sufficiently high rank and was not tainted by the stigma of association with Adrianople or of barbarian descent.⁷⁷⁷ But Errington's trial and error approach to the viable imperial candidates fails because of an erroneous assumption: that is that we know the names of all the men who might have been considered for office.

Valentinian provides an ample counter-example. Valentinian had been a relatively junior officer before he was made emperor. Even at the moment of his accession, he was only a tribune in command of an Eastern *schola*. This was an important rank, but junior to

⁷⁷⁴ Cf. *Pan. Lat.* II.9-10.

⁷⁷⁵ Cf. Galletier, III, 116, n. 77.5: "De *dux Moesiae*, Théodose a été promu au rang de *magister equitum*. On ne saurait voir dans *altioem gradum* la dignité imperial, comme on le veut parfois. La dernière phrase du chapitre le prouve clairement." I see no reason, however, for this assertion, based on Pacatus. As we have it, Pacatus describes Theodosius returning to Spain (9), then his rapid recall to the Danube, prevented from enjoying his honourable retirement (10.1-3), and finally his promotion to emperor (10.4f.). Clearly, Pacatus' sequence has Theodosius serving on the Danube before his promotion, but there is no need to interpret this to mean three stages: *dux Moesiae*, *magister equitum*, emperor. The first and the last suffice.

⁷⁷⁶ Errington, 'Theodosius', n. 70: he proposes substituting οὐδὲ ἱππαρχῶν σὺ Σαθρομάταις for οὐδὲ ἱππαρχῶν Σαθρομάταις at Them., *Or.* XV.198a, thereby making the passage refer to Theodosius and not Caesar.

⁷⁷⁷ Errington, 'Theodosius', 448ff.

any of the ranks that Errington considers as viable options for a candidate to the throne.⁷⁷⁸ Furthermore, nothing we know of Valentinian's career prior to his accession to the throne can be shown to be anything but the direct result of his taking power; we might never have heard Valentinian's name if he had not become emperor.⁷⁷⁹ The same is true of Jovian (and indeed a host of other emperors).⁷⁸⁰ Errington's process of elimination of potential candidates is thus flawed, because it assumes that we would know the names of every individual who might have been under consideration.

Secondly, even Errington's revised narrative and timescales do not appear to work well. Errington rightly rejects the standard conclusion that Theodosius was recalled from Spain; if this were the case, as some writers assert, then why was he called on at all?⁷⁸¹ This was a military crisis and summoning a relatively junior general from the other side of the world seems a deeply perverse decision.⁷⁸² But if Theodosius was on hand, why did it take five months for Gratian to decide to appoint him? If an emperor was needed to take the situation in hand, then why not make Theodosius emperor immediately? If Theodosius was placed under some sort of trial period, needing a major victory before he could be given imperial honours, then why was a relatively minor victory against the Sarmatians considered good enough?⁷⁸³ Why was Theodosius not married into Gratian's house, as

⁷⁷⁸ Errington, 'Theodosius', 450-1 considers five men in all, all of whom were or had been a *magister peditum* or *equitum*. A tribune of a *schola* was several ranks junior to the *magistri* in the military hierarchy (cf. Jones, *The Later Roman Empire*, 372-3).

⁷⁷⁹ Valentinian is mentioned only twice in Ammianus in roles prior to his accession (XVI.11.6, XXV.10.6-10). In the first mention, where we find him serving as a cavalry tribune in Gaul, in 357, *postea imperator* is appended to his name. In the second, now a tribune of the *secunda schola scutariorum*, we find him coming East to confirm the allegiance of western armies to the rule of Jovian. These mentions are fleeting and are clearly included to add colour to a narrative by noting the involvement of a man *qui postea imperator erat*.

⁷⁸⁰ We know that Jovian was a *protector* in 361 (Amm.XXI.16.20: *etiam tum protector domesticus*) and had risen to *primicerius domesticorum* by the time of his accession (Amm., XXV.5.4).

⁷⁸¹ For instance, Matthews, *Western Aristocracies*, 91.

⁷⁸² Valentinian, who was chosen as emperor under far less pressing circumstances, had been summoned to Nicaea from Ancyra, a distance of less than 200 miles overland (something like one tenth the proposed distance of Theodosius' journey; cf. Amm., XXVI.1.5). Jovian, chosen in a real moment of crisis, was picked on the spot (and this was by far the more common approach; the Romans disliked interregna).

⁷⁸³ However much attention Themistius and Pacatus might draw to this Sarmatian victory, the Goths were the Romans' greatest concern and if a victory was needed to secure Theodosius the imperial title, surely it must have been a victory against them and not some token success against the Sarmatians?

was the custom when forming imperial alliances?⁷⁸⁴ Why did Gratian not choose a man closer to him? An emperor at a distance had a great deal to fear from his subordinates or, indeed, his colleagues; why then, in a moment of utter chaos, would Gratian pick, rather than one of the officers of his father's household, whom he had inherited in 365 and amongst whom he had grown up, the scion of a house that, owing to the execution of Theodosius the Elder, was unlikely to owe the Valentiniani any deep loyalty? Why did this choice take five months? Further, if we agree that, for whatever reason, this choice *did* take five months, then why was Theodosius not made consul in 379?⁷⁸⁵ And ought we not to be troubled by the coincidence that, after a period of apparently careful consideration of possible candidates, a man was chosen who happened to be on hand in the Balkans?

Sivan's solution is simpler and more elegant, so long as we are willing to face up to the serious reorientation of our understanding that it requires; Theodosius took power, he was not given it. Sometime in the autumn, perhaps in November, he claimed the imperial title for himself. In so doing, he gave himself the authority to begin making a serious reorganisation of the Eastern military hierarchy that would allow a determined response to the Gothic crisis. Sivan writes that, "both Themistius and Pacatus indicate that the choice of Theodosius as emperor preceded Gratian's stamp of approval."⁷⁸⁶ Theodosius, an enterprising man who saw a chance to reinstate his family's fortunes with decisive action, rolled the dice. After weighing his options for a time, perhaps as much as a month but

⁷⁸⁴ Theodosius was already married (to Aelia Flaccilla), but it was far from unheard of for emperors to set aside a wife in order to marry an imperial princess (both Constantius I and Galerius had done it prior to their accessions in 293).

⁷⁸⁵ Theodosius was, in fact, remarkably sparing with his consulships, taking only three in his sixteen year reign (compare this to Diocletian's ten or, more recently, Valens' six; cf. *CLRE*). Perhaps in this we may see a calculated show of disregard for an office he so conspicuously did not hold in 379. See also his use of the consulships to express his own seniority: N. B. McLynn, 'Genere Hispanus': Theodosius, Spain, and Nicene Orthodoxy' in K. Bowes and M. Kulikowski (ed. and tr.), *Hispania in Late Antiquity: Current Perspectives* (Leiden: Brill), 17-18.

⁷⁸⁶ Sivan, 'Theodosius', 208; cf. Them., *Or.* XIV.182b-c. Pacatus' sixty eight lines (*Pan. Lat.* II.10.4-12.6) on Theodosius' *recusatio* ought also to alert us to the possibility of controversy around this issue.

certainly no more, Gratian must have contacted Theodosius and agreed to confirm his appointment. They met together at Sirmium in what must have been tense circumstances. If he remembered Vetranio, Theodosius would have been on guard. But Gratian needed Theodosius more than Constantius had needed Vetranio, nor could he be as certain of the loyalty of Theodosius' soldiers as Constantius had been of Vetranio's. He kept his word, and, on 17th January, he confirmed Theodosius as Augustus. This important fiction became gospel and Theodosius, who had been claiming imperial power for weeks or even months, marked his *dies imperii* from this point.

That we find no trace of this in the narrative sources should not surprise us. As with Constantine's accession, the accepted narrative was too important to be publicly questioned and, over time, it passed from living into written memory and so became 'true'. Clues to the real story can be found, firstly, by looking at the problems and inconsistencies that the sources raise (just as we did with Constantine). Secondly, we may turn to the panegyrics, written for contemporaries, who knew the course of events in the Balkans. Outright lies would be impossible, or at the very least unadvisable. In the manoeuvrings of the panegyrists, we find hints of the truth.

Themistius' *Oratio* XIV, an embassy speech to Theodosius, was delivered before the court at Thessalonica in the spring or perhaps early summer of 379.⁷⁸⁷ It is short and very generalising in tone and avoids reference to any specific events, appropriate to a speech accompanying the presentation of *aurum coronarium*, but also indicative of Themistius' relative unfamiliarity with his subject (Theodosius had been on the throne less than a year and Themistius makes clear that he had not yet visited Constantinople when the speech was delivered).⁷⁸⁸ Themistius dances carefully around the issue of Theodosius' accession. The child Valentinian is utterly ignored by Themistius, who chooses instead to draw out

⁷⁸⁷ Heather-Moncur, 218-23.

⁷⁸⁸ Them., *Or.* XIV.183a; though see Vanderspoel, *Themistius*, 192ff.

the inherent contradictions (to the benefit of both parties) in the relationship between Gratian and Theodosius; the former, though a young man and lacking in experience, being senior Augustus and choosing, in Theodosius, a notionally junior partner who nonetheless carried the weight of age.

For it was not a kinship of blood which led you forward to the purple, but a kinship of excellence (ἀγχιστεία... ἀρετῆς), not the close bonds of family, but a display of strength and manhood. Gratian acted wisely in not deeming his closest relation to him to be best man, but in making the best man his closest relation. And nobly he has made the vote his own, which the moment had made (καὶ καλῶς ἑατοῦ πεποιήται ψῆφον, ἦν προλαβὼν ὁ καιρὸς ἐμεψηφίζετο).⁷⁸⁹

This is a staggering statement, which reveals Gratian's role in Theodosius' confirmation. The relative positions of the two emperors are more problematic. Themistius notes on several occasions that Gratian was the source of Theodosius' rise, stressing an implicit seniority.⁷⁹⁰ At the same time, however, the emphasis on Theodosius' virtue (Gratian chose Theodosius, but he chose him because he was the best) and, more particularly, the image of father and son ("Both men share equal praise, the one for proclaiming his elder, the other because, being older, he was entrusted with a son's goodwill"),⁷⁹¹ sit ill with one another. The implicit contradiction, of a junior emperor who was senior in age and experience, which we have suggested may have been a major factor in Gratian's *not* creating an Eastern emperor, was already working to Theodosius' favour. But most striking of all was Themistius' claim that Gratian merely ἑατοῦ πεποιήται ψῆφον. For Gratian to "make the vote his own" requires us to acknowledge that the vote preceded Gratian's confirmation of it. Lulled by Theodosian propaganda, we have allowed ourselves to see this as a mere colourful expression. We can see Themistius negotiating a

⁷⁸⁹ Them., *Or.* XIV.182b-c; repeated at 182c: "your virtue made you emperor."

⁷⁹⁰ 182d: "it was Gratian who crowned you... for a king is not diminished by the gift, but gains from it"; 183a: "he has made you powerful."

⁷⁹¹ Them., *Or.* XIV.183a.

similar problem, in the closing months of 364, when he addressed Valens and the senate. Valens' election had been an uncomfortable and a rowdy affair, brought about by military pressure. Themistius felt the need to explain, at some length, why it was in fact ordained from above.⁷⁹² Themistius knew he could not, outright, name Gratian Theodosius' *auctor imperii*; rather, he skirts by in a quick few words.

A Western panegyric survives which can also be dated to this period; it is Ausonius' *gratiarum actio*, given to Gratian at Trier in the second half of 379 (perhaps August) as a thanksgiving for Ausonius' consulship of that year.⁷⁹³ We have already seen that the absence of consular honours for Theodosius in 379 (the other consul that year was Q. Clodius Hermogenianus Olybrius) sits very poorly with the idea that he was prepared for rule of the East by Gratian. But the absence of Theodosius from Ausonius' speech is more striking still. Ausonius was a man close to Gratian and who knew the young emperor's mind. That he chose to make no mention whatsoever of Theodosius – a man whom, we are led to believe, Gratian had groomed to take over management of his uncle's Empire – cannot be made to square with the prevailing narrative of Theodosius' accession. I quote, in full, Ausonius' comments on the present state of imperial affairs and of the East:

For I am giving thanks, not in order flatter your majesty, nor without offering proof to a most valiant emperor: witness that the Rhine and Danube both have been pacified in a single year; to a most generous emperor: the wealth of the army shows this; to a most mild emperor: the safety of human error shows this; to a most learned emperor: the organisation of the East by so great a prince shows this (*probat hoc tali principe oriens ordinatus*); to a most pious emperor: and there is most ample evidence of this tribute – his father, consecrated with divine honours, his brother, adopted to Empire as if he were a son, his uncle, avenged for the affront she suffered in war (*pater divinis honoribus consecrates, instar filii ad imperium frater adscitus, a contumelia belli patruus vindicatus*), a son and father, joined in a prefecture, his teacher, elected to the consulship. I could run through these titles which your valour has won for you thus far, which Fortune has so recently granted,

⁷⁹² Them., *Or.* VI.73cff.

⁷⁹³ Green, *The Works of Ausonius*, 537.

and which divine concession is still devising for you: I may call you Germanicus, because of the surrender of that people to you, Alamannicus, because you carried over their captives, Sarmaticus, because you conquered and forgave them;⁷⁹⁴

He even goes on to describe his election to the consulate, in the midst of the Gothic war, in Sirmium.⁷⁹⁵ Theodosius' absence is striking. Great rhetorical value could have been drawn from his proclamation as emperor – victories had been won in the East, and Gratian could now claim to be an *auctor imperii* – and so the decision to avoid mention of the other emperor entirely can stem only from Gratian's distaste for this upstart colleague who had forced himself upon the Empire.⁷⁹⁶ Nor is this passage alone notable for Theodosius' absence. Ausonius, in speaking of the special value of his consulship, speaks of the others whom Gratian has appointed and will appoint to this office; he mentions *viri gloriae militaris*, *viri nobilitatis antiquae*, and *viri fide incliti et officiis probati*, but never once does he mention the new emperor who will hold this office in 380.⁷⁹⁷ Of himself, Ausonius uses exactly the sort of rhetoric – a man in his old age to whom an August youth adds honour and virtue – that we might expect him to use of Theodosius.⁷⁹⁸ This contrast, with one court expressing fraternity whilst the other maintained a frosty silence, is reminiscent of nothing so much as Carausius' hopeful issue, *CARAVSIVS ET FRATRES SVI*.⁷⁹⁹

⁷⁹⁴ Aus., *Grat. Act.* ii.6-9. He likewise omits Theodosius from a list of father, uncle, and brother at x.48. Green, *The Works of Ausonius*, 541, claims that *principe* fits better to Theodosius than Gratian. This is certainly true, but it doesn't mean we should think Ausonius intended it to refer to Theodosius; Theodosius is studiously ignored throughout the speech and to suddenly include him now, without any introduction, in the midst of a discourse on Gratian's virtues (*imperatorii fortissimo... liberalissimo... indulgentissimo... consultissimo... piissimo*), seems unlikely. What Green is observing is precisely the glaring oddity of Theodosius' absence from this speech.

⁷⁹⁵ The city in which Theodosius was made emperor (or perhaps, more properly, confirmed as emperor) by Gratian; Aus., *Grat. Act.* ix.42-44.

⁷⁹⁶ Sivan, 'Theodosius', 198-211; Errington, 'Theodosius', 205. Errington's contention that that the Sarmatian victory was, for Gratian, the spur to make Theodosius his co-emperor ('Theodosius, 449, n. 72), looks distinctly weak in the light of these silences.

⁷⁹⁷ Aus., *Grat. Act.* iv.16.

⁷⁹⁸ Aus., *Grat. Act.* v.24.

⁷⁹⁹ See above, p. 46.

Themistius' next surviving pronouncement, his *Oratio XV*, can be dated to 19th January 381.⁸⁰⁰ Themistius begins: "It is as if we sail in a ship that is under the command of two helmsmen on a voyage towards the storm which suddenly fell on it" (πλέομεν δὲ ὡσπερ ἐν νηὶ δουῖν κυβερνήταιν ἐφεστηκότων τῇ ναυτιλίᾳ πρὸς τὸν ἐξαίφνης ἐπιπεσόντα χειμῶνα). This metaphor of the two Augusti as pilots on the ship of state is carried on into discussion of how a man who "steers" cities must act, that he must be ever mindful of his subjects. Weapons of virtue are more potent than those of iron, and in this, the "beauty of their spirit" (τὸ κάλλος τῆς ψυχῆς; contrasted with their physical lack of resemblance, stressing again that Theodosius was not chosen for relation to Gratian), Themistius claims "I have come upon a single king upon the banks of the Rhine and the Tigris. These two have extended order from the Ocean to the Tigris and, from the west to the east... one spirit and one intelligence (μία ψυχὴ καὶ μία γνώμη)... rival contenders with each other in doing good for mankind."⁸⁰¹ Their shared mission was thus evoked and, as the pair were cast as equal partners, talk of one having promoted the other could be neatly forgotten. By 1st January 383, with Theodosius now claiming victory against the Goths (however Pyrrhic that victory may have been in reality), Themistius spoke of an election by God, merely confirmed by Gratian.⁸⁰²

Theodosius' panegyrist continuously shied away from saying that Gratian had made Theodosius emperor. Gratian's panegyrist eschewed any mention of the man who was supposedly his partner in Empire.⁸⁰³ Later Christian authors, fond of the deeply devout Theodosius, invented pious fables and truncated the anomalous and tell-tale period between Valens' death and Theodosius' official *dies imperii*. Behind it all was concealed an unorthodox route to power. As with Constantine, the sheer difficulty of disentangling

⁸⁰⁰ Heather-Moncur, 230.

⁸⁰¹ Them., *Or.* XV.194d-198b.

⁸⁰² Them., *Or.* XVI.207a.

⁸⁰³ Them., *Or.* XVI.202d (of Gratian): ὁ κοινωνός τῆς βασιλείας.

truth from reality shows the enormous power of ‘official stories’ to take hold. Like Constantine, Theodosius was able to secure a shaky beginning with victory in a civil war.

Divided loyalties: the usurpation of Magnus Maximus

The relationship between Theodosius and his supposed patron and creator gained a new relevance when, on 25th August 383, Gratian was captured and executed by a new emperor, Magnus Maximus. Maximus had served under Theodosius the Elder in Britain and Africa (and was thus personally known to Theodosius Augustus).⁸⁰⁴ In the spring of 383, he had been declared emperor by the armies of Britain. The exact motivations for the promotion are, as is often the case, unclear. In the *res gestae*, Ammianus darkly points to a general discontent and likens Gratian to the emperor Commodus, saying that he allowed hunting and demonstrations of martial prowess to draw him away from the serious business of rule at a time when the Empire was in dire need of good governance.⁸⁰⁵ Certainly, this must have played its part. But we ought not to be quick to dismiss the claim of Zosimus, that though Maximus exploited discontent amongst the army over Gratian’s having shown undue favour to Alan soldiers, whom he had accepted into the ranks, nevertheless he was personally motivated by jealousy over Theodosius’ rise to power.⁸⁰⁶ Given what had taken place in the winter of 378/9, Maximus’ military commission in Britain must have seemed small consolation when he looked upon a man, once his peer, now ruling all the East. Theodosius had responded to the torpor of Gratian’s court by seizing power and taking matters into his own hands. If Maximus saw the military

⁸⁰⁴ Britain: Zos., IV.35.1; Africa: Amm., XXIX.5 (at 6 and 21).

⁸⁰⁵ Amm., XXI.10.18-19.

⁸⁰⁶ Zos., IV.35.2-6; cf. Aur. Vict., *epit. de Caes.* 47.6.

situation in the West being neglected by the young emperor, why should he not feel able to do the same?

Maximus crossed into Gaul and advanced south against Gratian, then campaigning against the Alamanni. The two emperors came together near Lyons and for five days there was a standoff, with only minor skirmishing, until defections from Gratian's camp began. Gratian clearly fell into enemy hands and was summarily executed.⁸⁰⁷ All agree that he was murdered by the general Andragathius (many intimate that he personally swung the sword that ended Gratian's life). Maximus was now in control of the whole of Gaul and, in all probability, Spain as well. He moved south and established himself at Trier.⁸⁰⁸

This must have thrown the Italian court into chaos. Gratian's death, quite apart from the personal loss it may have inflicted on Valentinian, was a serious blow to the prestige of the house. Perhaps more importantly, however, Italy now had a serious security problem. Maximus had under his command the forces of Britain and the lower Rhine. With Gratian's death, he had gained control of the army that the latter had taken north to fight the Alamanni. Maximus, divided from the Milanese court by little more than the natural barrier of the Alps, thus possessed a considerable military superiority over Valentinian.⁸⁰⁹ Added to this, Maximus obviously bore Valentinian and his protectors (Ambrose tells us he named Bauto specifically) a particular enmity, and saw the Italian court as a puppet emperor at the mercy of its courtiers.⁸¹⁰ Though he made no serious move to cross the

⁸⁰⁷ Aur. Vict., *epit. de Caes.* 47.7; Oros., VII.34.10; Soc., *HE* V.10; Soz., *HE* VII.11; Sulp. Sev., *Chron.* II.49.5; Zos, IV.35.4-6.

⁸⁰⁸ J. R. Palanque, 'Sur l'usurpation de Maxime', *REAnc* 31 (1929) 33-6.; Amb., *Ep.* 30.2; Greg. Tur., *Hist.* I.43; Sulp. Sev., *Chron.* II.49.6.

⁸⁰⁹ The adjective "Milanese" for Valentinian's court is used to distinguish it from that which Maximus established at Aquileia. But it is, in some ways, misleading, since Valentinian's court moved back and forth between both of these two north Italian cities between 383 and 387 (though with the emphasis on Milan); cf. O. Seeck, *Regesten der Kaiser und Päpste für die Jahre 311 bis 476 n. Chr.: Vorarbeit zu einer Prosopographie der Christlichen Kaiserzeit* (Stuttgart: J. B. Metzlersche, 1919), 264-272.

⁸¹⁰ Amb., *Ep.* 30.4. Given that Valentinian's own accession was open to question, Maximus was right to press this angle and to remind the political elite West that Valentinian's own claims to power were not unassailable (cf. Errington, 'Theodosius', 440-1). J. H. W. G. Liebschuetz, *Ambrose of Milan: Political Letters and Speeches* (Liverpool: Liverpool University Press, 2005), 350, raises serious questions over the

mountains in the first years of his reign, it was evident that Maximus' eye was turned southwards. In a highly unusual survival, we possess a pair of letters written by Maximus to Valentinian and to the pope in Rome (Siricius). Both show the dangerous position of the Italian court. The first, that to Valentinian, adopts the confident tone of a parental advisor and rings with the barely veiled threat that Valentinian's conduct towards the Catholic Church will not be long tolerated by Maximus.⁸¹¹ The letter to Siricius opens with Maximus assuring the pope he has received *litterae sanctitatis tuae* and continues with the usurper telling the pope that he will call a council to address concerns the he had raised.⁸¹² If the mountains provided a military frontier, they in no way stopped a two way exchange that saw Maximus exercising influence within Valentinian's territory. These two letters are merely the surviving signs of the new emperor's power play in the Italian peninsula.

Theodosius's reaction to Maximus's usurpation is far harder to establish. Some sort of Western expedition against him was at least mooted. Themistius, in his *Oratio XVIII* (difficult to date, but presumably from some time mid-to-late 384) makes passing references to an "expedition" to the Rhine, "to avenge the Ἀρχηγέτης, carried off before his time and to salvage the remainder of that dynasty."⁸¹³ Ἀρχηγέτης is a striking choice. Applied as an epithet, it was usually reserved for the founding or patron gods of cities and as such is a markedly clearer distinction for Gratian than had appeared, for example, in *Oratio XVI*, delivered in the previous year.⁸¹⁴ Themistius draws the moral from this "expedition" that the mere conception of Theodosius' deeds often outweighs and stands as

authenticity of this letter. My own comments on the text will show that I feel these questions can be answered.

⁸¹¹ *Coll. Av.* 39 (esp. 1-3).

⁸¹² *Coll. Av.* 40.

⁸¹³ Them., *Or.* XVIII.220d-221a (at 220d); see also 224c. Themistius' virtual silence on the subject of Maximus in his *Or.* XIX strongly suggests that the issue was a delicate and somewhat ambivalent one.

⁸¹⁴ For Ἀρχηγέτης, see for e.g. Thuc., VI.3.1 (of Apollo at Naxos); Xen., *Hell.* VI.3.6 (of Hercules at Sparta); Paus., X.32.12 (of Asclepius in Phocis).

more important than their fulfilment. It was, in other words, abortive. We have no evidence that Theodosius ever arrived in the West or came into direct conflict or contact with Maximus or his forces.⁸¹⁵ The emphatic Ἀρχηγέτης is used to evoke the strength of Theodosius' sentiment in the face of his failure to deliver a military response. In all, the striking feature is not the force of this passage, but the fact that the murder of the notionally senior emperor mere months previously was passed over by Themistius virtually in silence. Aside from the Themistian passage, the evidence we have from the East is for an (albeit low key) acceptance of Maximus as an imperial colleague.⁸¹⁶ Zosimus reports that Theodosius ordered Cynegius, Praetorian Prefect of the East, to display Maximus' statues in Alexandria (and, we may therefore presume, they were thus generally disseminated throughout the Eastern Empire).⁸¹⁷ Theodosius also minted coins for Maximus and, most strikingly of all, recognised his consul, Flavius Evodius, for the year 386.⁸¹⁸

The question of whether Maximus always intended to break the uneasy peace that followed 383 is also a difficult one. His letters showed he had an interest in Italy during the period 383-387. Dynastically, he was also in a difficult position. The continued existence of Valentinian was a living reminder of Gratian's death. One of Ambrose's main objectives in his second mission appears to have been to secure the return of the body of

⁸¹⁵ Vanderspoel, *Themistius*, 210. It may have amounted to little more than a conference with Valentinian's court (P. J. Casey, 'Magnus Maximus in Britain', in *idem* (ed.), *The End of Roman Britain: Papers arising from a Conference, Durham 1978* (Oxford: British Archaeological Reports 71; 1979), 70).

⁸¹⁶ Palanque is in no doubt about Theodosius' reaction. Of Maximus, he says: "de 384 à 387, il a été un empereur légitime, reconnu par ses collègues" ('L'empereur Maxime', in *Les Empereurs Romains de l'Espagne* (Colloques internationaux du Centre national de la recherche scientifique; Paris: Éditions du Centre national de la recherche scientifique, 1965), 257).

⁸¹⁷ Zos., IV.38.3.

⁸¹⁸ *CLRE*, 307. It seems that Theodosius had not recognised the consulship that Maximus himself claimed in 384. Though coinage struck in the east recognising Maximus appears to have been limited, it certainly existed: *RIC IX*, xxii-xxii; also J. Kent, 'Concordia' solidi of Theodosius I: a reappraisal', *NC* 153 (1993), 77-90; though see P. Bastien, 'Y a-t-il eu un monnayage d'or au nom de Maxime à Constantinople?', *Bulletin cercle d'études numismatiques*, 20:3 (1983), 51-55. This evidence is also considered in Lunn-Rockliffe, 'Commemorating the Usurper Magnus Maximus', 319-20, along with an inscription from Tripolitania dedicated to all three emperors (though Maximus' name was later erased), indicating that recognition of the usurper was also filtering out into the localities. See also *AE* 1967, Nr. 561, from (Western) north Africa.

Gratian, which Maximus was still holding on to for its political value; Maximus did not want the Milanese court to have control over this potent reminder of Maximus' own origins.⁸¹⁹ Zosimus certainly believed that Maximus intended to take Italy from the outset, and merely paused in Gaul in order to gather sufficient strength to break through the Alpine passes.⁸²⁰ Sozomen broadly agrees with this assessment, accusing Maximus of attempting to disguise the tyranny of his reign with a feigned wish to combat “innovation in the ancient form of religion and of the ecclesiastical order.”⁸²¹ Feigned or no, this latter pretence for war certainly accords with what we know of Maximus as an emperor from his writings in the *Collectio Avellana*, a man interested in the preservation of the Catholic faith against other heretical viewpoints.⁸²² Whatever the reasons, Maximus crossed the Alps in the Summer of 377. Valentinian offered no resistance and he, his mother Justina, and his guardian Probus, perhaps along with other court notables, fled the invasion and made their way east, by ship, to Thessalonica.⁸²³ Maximus now controlled Italy and, we may presume, Africa with it.⁸²⁴ He established himself at Aquileia.

Theodosius' motivations for now pursuing a war which, three years ago, he had avoided, are not entirely clear. Zosimus intimates that the war was undertaken by Theodosius in order to marry Galla, the teenage sister of Valentinian.⁸²⁵ Orosius, ever Theodosius' exponent, reports that the war was fought to avenge Gratian (though to do so, he is forced to elide the events of 383-87 into a single course of action).⁸²⁶ Military reality may have also played its part. As long as Valentinian had been in Italy, Theodosius had

⁸¹⁹ Amb., *Ep.* 30.9-10. The dating of this mission is highly difficult. See summary in Liebschuetz, *Ambrose of Milan*, 349.

⁸²⁰ Zos., IV.42.

⁸²¹ Soz., *HE* VII.13.

⁸²² Maximus also declared his infant son, Victor, Augustus in 384, again an indication that he would not be satisfied with a background role in the imperial college (Aur. Vict., *epit. de Caes.* 48.6).

⁸²³ Soz., *HE* VII.13; Zos., IV.53.

⁸²⁴ An inscription to Maximus and Victor presumably dates from this period (*CIL* VIII.22076). For a discussion of Africa's position from 383-388, see Nixon-Rodgers, 505, n. 136.

⁸²⁵ Zos. IV.44.2-4. Theodosius did indeed marry Galla in the autumn of 387.

⁸²⁶ Orosius makes Theodosius' Western campaign appear an immediate and decisive reaction to Maximus' usurpation (VII.34.9-35.4). Cf. Errington, *Roman Imperial Policy*, 36-7.

had a buffer Empire between himself and the territory of the ambitious Maximus. With the latter's push into Italy, they were now neighbours. Furthermore, protestations of loyalty to the Ἀρχηγέτης were now far harder to accompany with inaction, given that Valentinian and his family, ousted from Italy, were unwelcome guests in Theodosius' Empire. Continued peace with Maximus would require Theodosius to publicly renounce his connection to Gratian. Too much rested on that.

Theodosius thus advanced upon Italy with a combined force of Roman regulars and Balkan Goths. The first conflict between the two sides appears to have occurred near the town of Siscia (situated in modern Croatia) where Theodosius' army crossed the river Sava and engaged the enemy holding the opposite bank, routing them quickly.⁸²⁷ A second engagement followed hard on the heels of the first. Pacatus gives no location, but it is generally believed to have taken place at Poetovio. The two defeats pushed Maximus's forces back into Italy. Whilst Theodosius advanced to Emona, at the head of the Sava, Maximus crossed the Alps and fell back to Aquileia.⁸²⁸ Here, he was captured, delivered up to Theodosius, and executed.⁸²⁹ Maximus' infant son, whom Maximus had declared Augustus, was hunted down and murdered, whilst Andragathius, when he heard of his emperor's defeat, took his own life.⁸³⁰ The war was over.

As part of his victory celebrations, Theodosius visited Rome, the first securely attested imperial visit to the city since Constantius, in 357.⁸³¹ He was there from 13th June – 1st September 389, and at some point during this period Pacatus delivered *Pan. Lat.* II in the presence of the emperor and of the Roman senate. The speech is a remarkable one. In the

⁸²⁷ *Pan. Lat.* II.34.

⁸²⁸ *Pan. Lat.* II.37-8.

⁸²⁹ His capture is, again, highly contentious. Pacatus gives the impression that Maximus was bottled up in Aquileia, which was stormed by Theodosius' men, and he was taken (*Pan. Lat.* II.43.1-2), which Zosimus, Aurelius Victor, and Orosius corroborate (Aur. Vict., *epit. de Caes.* 48.6; Oros., VII.35.4; Zos., IV.46.2-3). Socrates, however, suggests that Maximus was betrayed by his own men (V.14), whilst Sozomen even claims that it was his own men who killed him (VII.14).

⁸³⁰ Oros., VII.35.3, 5; Soc., *HE* V.14.2; Soz., *HE* VII.14.6; Zon. XIII.18; Zos., IV.47.1.

⁸³¹ For discussion of imperial visits to Rome in the fourth century, see Barnes, 'Constans and Gratian in Rome', *HSCP*, 79 (1975) 325-333.

first place, it is far and away the longest of the late antique speeches in the *Pan. Lat.* collection, standing at a monumental 1279 lines.⁸³² Furthermore, like Themistius' *Oratio* VII or Julian's *Oratio* II, *Pan. Lat.* II bears the distinct marks of its author and his wider agenda. It is highly probable that it was Pacatus himself who put the *Pan. Lat.* collection together.⁸³³ Pacatus' panegyric heads the collection, coming immediately after the ancient *exemplum* provided by Pliny, and is the last in the collection chronologically, both of which make Pacatus as the compiler plausible. This accords with Pacatus' declared intent to go beyond mere panegyric, and he seeks to blur the boundaries between narrative history and more traditional praise.⁸³⁴ This has profound effects on the speech, as we shall see.

Pacatus begins with an introduction decked with the usual topoi, including gratitude that an era of free speech has returned (1-2). He then discusses Theodosius' heritage and his life before taking power, concluding that Theodosius is the only suitable candidate for his role (3-12). Following this, he extols the virtues of Theodosius' rule, bringing us to roughly the mid-point of the speech (13-22). Pacatus then changes pace, and brings us to the historical moment of Maximus' usurpation, from which point he recounts the wrongs that Maximus has inflicted on the Empire and the usurper's own personal vices (23-9). The war is then prefixed by a description of the moment Maximus crossed into Italy, a direct comparison of Maximus and Theodosius, and a description of Theodosius' preparations for the campaign (30-3). There follows the narrative account of the war, which we have already discussed in part (34-8). The next section then gives us interesting

⁸³² According to the *Teubner* edition. The next longest panegyric in the collection, *Pan. Lat.* IV, stands at roughly two thirds that length (889 lines), and Pacatus' work dwarfs the tiny *Pan. Lat.* VII (342 lines).

⁸³³ R. Pichon, 'The Origin of the *Panegyrici Latini* Collection', in R. Rees (ed.) *Latin Panegyric* (Oxford Readings in Classical Studies; Oxford: Oxford University Press, 2012), 68-72.

⁸³⁴ Pacatus' famous phrase *ad me fidem sumet historia* (47.6) has been made true by time (particularly if we grant Pacatus the credit for assembling the *Pan. Lat.* collection). But beyond the historical accident that has made Pacatus such an important source, we shall see that he had genuine pretensions to historical value for his text.

consideration of Maximus' fall and on the duty of the representative arts to warn future generations, concluding with the description of Maximus' death and Theodosius' clemency (39-45). Finally he concludes the speech itself with general remarks on the liberation of Rome and on the universality of Theodosius' appeal, ending with his famous exultation to future generations to draw their lessons from his speech (46-7).

Pacatus drew on a great number of tyrannical tropes as part of his presentation of the war itself. Maximus was driven to make war by God, who put *hic furor* into Maximus' *sacerrimum caput* so that Maximus broke a treaty, violated the laws of conflict, and declared war.⁸³⁵ Pacatus was clear that this must have come about through a divine influence (*divino numine*), since Maximus could have remained "under a nominal peace" (*sub nomine pacis*) but instead chose to make war on Theodosius, who up to then had offered him pardon.⁸³⁶ Theodosius, therefore, was coming "not so much to join battle as to exact punishment from that nefarious head" (*nec tam ad proelium conserendum quam ad supplicium de nefario capite sumendum*).⁸³⁷ The defeats in battle were typical examples of the zeal of the righteous, with Theodosius' army (which Pacatus goes to torturous lengths to eulogise, despite its heavy barbarian element)⁸³⁸ crossing obstacles of terrain with lightning speed and falling upon armies incapable of opposing them.⁸³⁹ Similarly to Julian, Pacatus gives credit to the native valour of the enemy soldiers (who fought *gladiatoria desperatione*), observing that they were driven also by knowledge of their guilt.⁸⁴⁰ As they enemy soldiers died, "they poured out their spirit in admiration of your name and in renunciation of their leader."⁸⁴¹

⁸³⁵ *Pan. Lat.* II.30.1.

⁸³⁶ *Pan. Lat.* II.30.2; divine madness is a repeat theme (e.g. above, p. 68ff., 127ff.).

⁸³⁷ *Pan. Lat.* II.32.1.

⁸³⁸ *Pan. Lat.* II.32.3-33.5.

⁸³⁹ *Pan. Lat.* II.34-36.

⁸⁴⁰ *Pan. Lat.* II.35.4; *Jul., Or.* I.36b-c.

⁸⁴¹ *Pan. Lat.* II.36.2.

Pacatus presented Maximus' armies as somehow sub-Roman; he urges us to see that Theodosius showed clemency to the soldiers who surrendered: "having treated them kindly and graciously, you ordered them to become Romans!" (*iussisti [manum] esse Romanam!*).⁸⁴² Given what we know of the makeup of Theodosius army, this last statement drips with hypocrisy, but such are the prerogatives of the victor. Pacatus casts the enemy as un-Roman, but re-Romanised by their submission to the true emperor. Maximus, likewise, displays his lack of *romanitas* in the unravelling of his mind; he fled following his defeat *in modum amentis*. "He followed no council, nor reason, and in the end no hope" (*nec ullum ille consilium ullamque rationem aut denique spem... sequebatur*), and "wove an uncertain course" (*incertum iter... texebat*).⁸⁴³ Maximus weighs up his options, and realises that no land will welcome him as he recalls his crimes ("Shall I seek Africa, which I bled dry? Shall I return to Britain, which I abandoned? Shall I trust in Gaul? But I am hated there. Shall I make for Spain? But I am known there").⁸⁴⁴ Thus, "as wild animals do when caught in a trap" (*ut clausae cassibus ferae*), he bolted wildly to Aquileia, where he was run to ground.⁸⁴⁵

Pacatus also demonstrated his ability to play with topoi, as witnessed by his description of the entry into Emona. The description may well have been intended by Pacatus to mirror the *adventus* of Theodosius in Rome (which may have occurred only hours before Pacatus spoke). But into the Emonan triumph, Pacatus introduces a striking individual detail. Amongst the traditional figures of the triumph – the joyous crowds, the priests and nobles, the decorations in the public spaces, young and old united – Pacatus includes a very interesting sentence: "Here a chorus sang a triumphant hymn for you, there mournful

⁸⁴² *Pan. Lat.* II.36.3.

⁸⁴³ *Pan. Lat.* II.38.1.

⁸⁴⁴ *Pan. Lat.* II.38.2.

⁸⁴⁵ *Pan. Lat.* II.38.4ff.

funeral dirges and a song of death against the tyrant.”⁸⁴⁶ Nixon and Rodgers admit themselves somewhat perplexed by this, and certainly the passage is an unusual one, all the more confounding for the fact that Pacatus chooses not to expand upon it.⁸⁴⁷ What then might Pacatus have meant? Answer may come in the fact that, at the time of Theodosius’ entry into Emona, Maximus was still very much alive. Pacatus, therefore, describes the funeral arrangements without irony because the irony was in their happening at all.⁸⁴⁸ For the citizens of Emona to engage in funerary rituals for a man still living was a mark of their contempt, the mournfulness of the occasion mere pageantry. To mourn a man still living and to sing funeral songs for him was in no way inconsistent with Theodosius’ triumph; rather, it marked the anticipation felt by Theodosius’ new subjects for the death of the hated tyrant and the end of the war. It looked forward to the great triumph to come in Rome.

The two figures of Gratian and Valentinian stand in distinct relation to the war and to the service that it was made to do for Theodosius’ own dynastic propaganda. We have already seen that Theodosius’ relationship to his supposed *auctor imperii* was a complex one. Though Gratian provided the legitimation for Theodosius’ rule, the older emperor clearly wished to stand alone. Gratian’s death, had it been swiftly avenged, would have provided an uncomplicated justification for the campaign against Maximus. As it was, five years had elapsed between Maximus’ murder of Gratian and the usurper’s own execution. Gratian, therefore, appears under two distinct personas in the speech: the first is

⁸⁴⁶ *Pan. Lat.* II.37.3.

⁸⁴⁷ “The implication of mourning is odd” (Nixon-Rodgers, 504, n. 131). It is difficult to detect irony or sarcasm in the passage. That said irony or sarcasm could be used by the panegyrists (for instance, *Pan. Lat.* XII.19.1, where the anonymous orator moves from a description of the post-mortem disfiguration of Maxentius’ body by asking *sed quid ego huc usque iocularia?*). For other occurrences of mock mourning, see J. E. Lendon, ‘Roman Honor’, in M. Peachin (ed.) *The Oxford Handbook of Social Relations in the Roman World* (Oxford: Oxford University Press, 2011), 381.

⁸⁴⁸ It is important to note that the question of whether the description of triumphal celebrations found in panegyrics can be considered to have any bearing on reality is a difficult one (M. Beard, *The Roman Triumph* (London: Belknap, 2007), esp 80-92). Did the citizens of Emona really conduct funeral services for Maximus? It is very hard to say.

an impersonal one, the imperial patron who created Theodosius, the second a personal one, Gratian the man. These personas are kept separate by the use of Gratian's name, avoided in the first case, employed in the second.

In the first half of the speech, Gratian is not named. We meet him first in the section that Pacatus' devotes to Theodosius' life before he took power; Pacatus wonders who could be called to face such a troubled state of Empire, "the sort of man who was capable of watching over the youth of one emperor and aiding the labour of another."⁸⁴⁹ Later, describing the moment at which Theodosius was called forth, Gratian is again placed in an anonymous pairing with his brother, this time in the speech of a personified Republic: "The elder of the princes (*principum senior*) is not up to the task of so many wars; the other (*alter*) may one day be a most valiant man, but at the moment is still a child."⁸⁵⁰ Gratian receives his final mention of the section when the Republic tells Theodosius, "It is no more right for you to refuse the Empire that has been offer by the emperor (*ab imperatore*) than for you to have desired it before."⁸⁵¹ Gratian, therefore, appears in an ambiguous position; whilst clearly involved in the accession of Theodosius, he never the less appears both passive and nameless *princeps* or *imperator*, an emperor incapable of the challenge of rule. Pacatus reaffirmed the utter legality of Theodosius' proclamation without overshadowing him.

The second half of the speech sees the emergence of Gratian's second persona, in which his death is evocatively called to mind. Gratian's name first occurs in the same passage as the first instance of Maximus'. Gaul, Pacatus writes, of all the countries "which that plague oppressed" (*quas illa pestis insederat*), can "not unjustly claim for yourself a particular privilege in miseries", because she had been "compelled to bear the victory of

⁸⁴⁹ *Pan. Lat.* II.3.5.

⁸⁵⁰ *Pan. Lat.* II.11.5.

⁸⁵¹ *Pan. Lat.* II.11.7.

Maximus, the death of Gratian” (*ferre compulsam victoriam Maximi, interitum Gratiani*).⁸⁵²

The pairing of the names is important, for the Gratian of the second half of the speech is the Gratian murdered by Maximus, the Gratian for whom the war in the West had notionally been fought. Thus, when Pacatus describes the murders of Vallio and Merobaudes he uses Gratian’s name twice. He says of them that “the tyrant” hated them especially, “for indeed each of them had stood in Gratian’s battle line and Gratian loved them” (*steterat enim uterque in acie Gratiani et Gratianus utrumque dilexerat*).⁸⁵³ Again, close links are forged between Maximus’ vice and Gratian as a named individual, a connection borne out by the final instance of the late emperor’s name. Having deemed fortune the only likely cause of Maximus’ madness in not taking his own life, Pacatus posits:

Unless, in truth, you, venerable Gratian (*venerabilis Gratiane*), accompanied by avenging Furies, beset your murderer (*tuum carnificem*) and, an angry and menacing shade (*irata et minax umbra*), shook before his face and eyes torches smoking with infernal flames and whips crackling with twisted snakes, lest he be spared an honourable death, lest he pollute that regal and sacred clothing with his impious blood, lest that garment, once yours and, in turn, destined for your brothers (*fratres*), received the deathly blood, even as it was punished, and lest, at the last, the hand of the tyrant (*manus tyranni*) avenge you and you owe to Maximus even his own death.⁸⁵⁴

Here again, Maximus and Gratian’s names are paired, and the link between the dead emperor and the tyrant reasserted. Nowhere in the panegyrics is a deceased emperor so vividly evoked as in this passage. Emperors, it is true, are often known to smile down on their successors, but here we see the fallen emperor taking direct action in civil war.⁸⁵⁵ We are reminded of Gratian’s troubled and (at this point) unavenged death by his appearance as a shade, stressing the illegality of Maximus’ rise. Importantly, we also see him working

⁸⁵² *Pan. Lat.* II.24.4.

⁸⁵³ *Pan. Lat.* II.28.5.

⁸⁵⁴ *Pan. Lat.* II.42.3; cf. 30.3.; also, compare this to Suet., *Ner.* 34.

⁸⁵⁵ Cf. *Pan. Lat.* IV.14.

in consort with Theodosius and serving the agenda of the campaign. The passage strongly reaffirms Theodosius' commitment to Gratian's house and the programme that Pacatus advances elides, in its careful omissions, the five year period that separated the murder from the vengeance.⁸⁵⁶

It is wholly unreasonable to suggest that Pacatus' audience would have been fooled into thinking that the man who had stood as Theodosius' patron was a different individual from the man on behalf of whom Theodosius had waged war, or into seeing Theodosius' 'vengeance' (if it may be so termed) as swift and righteous. But it has, at no point, been the aim of this thesis to demonstrate that panegyrists attempted, or were even capable of, *fooling* their audiences, who were generally far more closely connected to and personally familiar with the events and individuals described than the orators themselves. A panegyric did not tell the emperor what the audience actually thought but rather told the audience what they *ought to* think. Pacatus' dual Gratian was not an attempt at deception but the advancement political of a programme that now established Theodosius as a senior emperor and his house as heirs to that title.

The advancement of Theodosius' sons had been going on for several years before 389 and was, by any reckoning, both perfectly natural and well within Theodosius' rights as an emperor.⁸⁵⁷ With the fall of Maximus and Theodosius' move West, however, it took on a new dimension. Theodosius' position within the college made up of him, Gratian, and Valentinian had been a difficult one. Notionally junior even to the adolescent Valentinian, the position must have chafed. The move West, therefore, was an opportunity for Theodosius to reassess his position. Pacatus saw this, and responded accordingly. Gratian was carefully balanced; his part in Theodosius' election was pushed backwards, but his fate and the theme of vengeance for his death were drawn out for their emotive effect. In

⁸⁵⁶ This is exactly the tactic employed by Orosius (VII.34.9-35.4). One wonders if he was familiar with Pacatus' speech, or others like it.

⁸⁵⁷ Cf. Them., *Or.* XVI.204b-d, XVIII.224b-225c.

stark contrast, Valentinian is not named in the speech, and referred to only infrequently. The young emperor is in fact so thoroughly ignored that Pacatus is able to recount the story of Maximus' crossing of the Alps without any mention of him.⁸⁵⁸ Given that the ostensible purpose of the campaign had been to avenge Gratian *and* restore Valentinian to his throne, the young emperor's absence is palpable. Pacatus' panegyric is very firmly a panegyric to Theodosius alone (this is no divided speech, as, for example, *Pan. Lat.* VII had been). Indeed, the fiction of the restitution of Valentinian was just that; a fiction. Following the war, Valentinian was sent north, ostensibly to deal with the military situation in Gaul, but in reality to be kept under close supervision by the general Arbogast and to be removed from Italy, which Theodosius now intended to hand over to the rule of his son.⁸⁵⁹

Valentinian never appears alone at any point in the speech, but only ever in pairing. He must be (along with Theodosius and perhaps even Theodosius' sons) one of the *fratres* referred to in the section, quoted above, in which Pacatus describes the torment of Maximus visited by Gratian.⁸⁶⁰ This is as close as the speech ever comes to true praise of Valentinian, pairing him with Theodosius. More ambivalently, and again in passing, he is mentioned near the speech's close, when Theodosius is described as "the father of the ruler, the avenger of the ruler, the restorer of the ruler (*illum principis patrem... illum principis vindicem... illum principis restitutorem*)."⁸⁶¹ Only two further references are to be found, and they are neither direct nor complimentary. Firstly we hear that Theodosius was a man "who could watch over the age of one emperor and aid the efforts of another."⁸⁶² In reference to Theodosius' rise to power in 379 (as it is) this is not an unreasonable comment

⁸⁵⁸ *Pan. Lat.* II.30; given the emphasis in the narrative sources on Valentinian's plight and on the dynastic marriage of Theodosius and Galla (Soc., *HE* V.12; Soz., *HE* VII.13-4; Zos., II.44.3-4), its absence in Pacatus must be a studied choice (it is likewise absent from Orosius' truncated account of the years 383-8).

⁸⁵⁹ Matthews, *Western Aristocracies*, 293-6.

⁸⁶⁰ See n. 854854.

⁸⁶¹ *Pan. Lat.* II.47.5.

⁸⁶² *Pan. Lat.* II.3.5.

to make. In 379, Valentinian was a boy of less than eight years, and Pacatus might be forgiven for making reference to a contemporary issue. But the final mention of Valentinian, again in the context of 379, contains a far more striking statement (it is quoted above, but deserves restating). Pacatus writes of the difficulties facing the Empire, saying, “The elder of the princes is not to the task of so many wars; the other may one day be a most valiant man, but at the moment is still a child” (*alter etsi futurus sit aliquando fortissimus, adhuc tamen parvus est*).⁸⁶³ The choice of the subjunctive here is striking, expressing a wish and not a certain condition. Though the context of the statement was 379, the date of its composition and delivery was the summer of 389, when Valentinian was now eighteen years old and ought to have been considered, by any Roman standard, a grown man. The expression of any uncertainty in his eventual *fortitudo*, therefore, was an important statement. Without directly impugning Valentinian’s valour – indeed, *almost* implying that he was, in fact, a courageous man – Pacatus is able to remind the audience of his utter ineffectuality. Likewise, dwelling on his youth (he is mentioned twice as a child, twice ambivalently, and not at all as an adult) served to prolong and to emphasise his infant status.⁸⁶⁴

Contrasted with this is the presentation of Theodosius’ own children. Though they appear only briefly in the speech, they are handled very differently from Valentinian. In the first place, the future rule of Arcadius is evoked as a certainty, echoing the propaganda that had already been circulating in the East for many years: “Whatever the Goth reduces, whatever the Hun drags off, whatever the Alan obtains, that Arcadius will one day feel the want of.”⁸⁶⁵ Pacatus avoids any suggestion of doubt here, as he shows later in the speech towards Valentinian. Likewise, whilst Valentinian had been brushed over with phrases

⁸⁶³ *Pan. Lat.* II.11.5.

⁸⁶⁴ Sulp. Sev., *V. Mart.* 20.9 is perhaps the only source to present the victory as Valentinian’s.

⁸⁶⁵ *Pan. Lat.* II.11.4.

that emphasised his youth or inadequacy, Pacatus names Theodosius' sons "those twin hopes and ornaments of the state" (*geminae illae spes oculique rei publicae*).⁸⁶⁶

We turn now to Pacatus' presentation of Maximus himself. The section that extols Theodosius' virtues constitutes the chapters 3-12, roughly the first quarter of the speech. We learn that the state was lying low (3), then of the virtues of Theodosius' native Spain (4), then of his father (5-6). We learn that Theodosius was predestined for imperial power, hardened by adverse fate, trained alike in military and private life, used to constant action (7-10). Pacatus then describes Theodosius' accession (11) and finally brings this section to its conclusion (12). Here he prefigures what will come later in the speech by summarising Theodosius' character in reference to an imagined tyrannical antithesis. No audience member could have failed to hear a description of Maximus in this. He speaks of Theodosius' being summoned to the throne against his will, then exclaims:

Hear this, you parricides of the state (*publici parricidae*), who, the murder of your masters (*caedis dominorum*) having been forgotten, have seized sceptres and, risking danger no less than the crime, have bargained for power with your life and bought the name of sovereign with the price of blood: the Principate suffers a rebuff and the one aim of the candidate is not to be elected.⁸⁶⁷

That this is a reference to the usurpation of Maximus and the death of Gratian should be clear. But there is more than mere comparison at work here; Pacatus not only uses this hypothetical tyrant to provide a contrast to Theodosius but, in so doing, adds yet further support to the important rhetoric of Theodosius' refusal of power and unwillingness to take office. Given what we have already seen about Theodosius' beginnings, this assertion has no basis in reality. But it served the admirable purpose of making Maximus' usurpation a counterexample that served Theodosius' agenda. Theodosius could not have been a

⁸⁶⁶ *Pan. Lat.* II.16.4. Claud., *de VI con. Hon.* 87-91 actually makes the point that Honorius got hold of Italy because tyranny arose there!

⁸⁶⁷ *Pan. Lat.* II.12.2.

usurper; his defeat of and moral superiority to a fallen usurper demonstrated this. Pacatus gives us a foretaste of what is to come in his description of Maximus, saying: “Let those, indeed, avidly covet rule who are delighted by a life free from the law, whose cruelty in killing those not condemned, whose cupidity in the ravaging of private property, and whose lust in defiling the pure demand the right of impunity.”⁸⁶⁸ As he moved from the first section of his speech into the second, Pacatus was preparing his audience for Maximus the *tyrannus*.

Pacatus, as Themistius had done with Procopius, needed to show the control that Maximus exercised over his unwilling subjects. He began early. Speaking in the context of his own panegyric, at the speech’s opening, he stressed that he had come to speak as a spontaneous expression of joy, a service of pious labour not to be ruined by an impious silence (*timui, fateor, pii laboris officium impia taciturnitate corrumpere*).⁸⁶⁹ Pacatus draws the contrast between the happy condition, in which orators willingly speak before their emperor, and what had gone before:

For extorted panegyric (*coacta laudatio*) and utterances compelled by fear no longer redeem the danger of silence. Let that miserable necessity of subservient rhetoric, when false flattery gratified a wild overlord (*trux dominus*) grasping every breath of public approval by the vain courting of favour, when those who suffered would give thanks and not to have praised the tyrant (*tyrannus*) was seen as an accusation of tyranny, be a thing done and now absent.⁸⁷⁰

This passage forms the rhetorical endpoint of Pacatus’ introduction and leads on into his section on Theodosius’ heritage and virtue (3-12). But Pacatus clearly wanted the theme of compelled consent to be more than a rhetorical framing, for he returns to it again, with some force. After he reports the early outbreak of the rebellion, Pacatus pauses. It is

⁸⁶⁸ *Pan. Lat.* II.12.4.

⁸⁶⁹ *Pan. Lat.* II.2.1; cf. 3.2.

⁸⁷⁰ *Pan. Lat.* II.2.3.

wrong, he urges us to see, to blame those “miserable people” (*miseri*) who were taken in by the “purpled butcher” (*carnifex purpuratus*) who boasted of both of kinship with and favour from Theodosius. Though they committed “the most grave crime of all” (*gravissimum omnium nefas*) they did so in innocence (*innocentes*).⁸⁷¹ Describing the terrible afflictions those in Maximus’ territory suffered, Pacatus continues, “wretched men we were; we were forbidden to show our wretchedness, but rather were compelled to feign joy, and when, at home and in private, we had confided our secret anguish to our wives and children only, we then proceeded in public with our faces showing nothing of our fortune.”⁸⁷² Pacatus builds on this, putting words in the mouths of imagined informers, who wonder why a rich man grieves for lost wealth when he still has his life, or why another grieves for a dead brother when he still has a son; for the expression of grief was not available to Maximus’ subjects. So says Pacatus, “there is no greater punishment than to be wretched but not to show it.”⁸⁷³

This stress on the coercive nature of Maximus’ government should not surprise us. It is important to note that Pacatus stresses that the usurper not only cowed his subjects, but that they were so repressed that they had to go to their unwilling action with bright faces, as if willingly. This is a well-known trope of tyranny. But we should not imagine that Maximus was the monster that Pacatus paints him to be. *Pan. Lat.* II, with Themistius’ *Or.* VII, was composed by a man who had lived within the territory ruled by a usurper at the time of his usurpation. For Themistius, as we have seen, the tactic was to stress that Procopius both kept his nature hidden and enclosed Constantinople in a reverse siege, so that no true information could enter the city.⁸⁷⁴ Pacatus chose rather to show the oppressive force of his subject, his tyranny being so complete that no one dared manifest

⁸⁷¹ *Pan. Lat.* II.24.1.

⁸⁷² *Pan. Lat.* II.25.2.

⁸⁷³ *Pan. Lat.* II.25.4-5.

⁸⁷⁴ *Cf. Them., Or.* VII.91c-d.

their dissatisfaction with it. The result, in either case, was the same – the exculpation of those individuals who had colluded with the usurper, serving in his government and armies, or else simply passively accepting his rule.

Why was this important to Pacatus? For one, there is the obvious argument, advanced by Nixon and Rodgers, that Pacatus was speaking in his own defence, or at least in the defence of his fellow citizens and Gallic countrymen.⁸⁷⁵ That Pacatus himself had any particular involvement with Maximus' government seems unlikely, given his meteoric rise from obscurity after 388.⁸⁷⁶ We do have, however, a very famous example of the pitfalls of imperial power play in the career of Symmachus. Whether by compulsion or volition, Symmachus had become embroiled in Maximus' usurpation, and appears to have delivered a panegyric to him at some point before his fall in 388. His efforts to rehabilitate himself (including a panegyric delivered to Theodosius at Milan, justifying his conduct), were unsuccessful, and Symmachus was thrust out into the political cold for two years, devoid of office and in virtual exile in Campania.⁸⁷⁷ It is during this period that Symmachus excised from his letters all material addressed to Maximus or directly pertaining to his usurpation.⁸⁷⁸ It is common, therefore, to read, in Pacatus' *coacta laudatio*, a direct reference to the unfortunate fate of Symmachus.⁸⁷⁹

Symmachus' case is interesting for several reasons. In the first place, it gives us an opportunity, through his letters, to witness first-hand the effects of this sort of fall from grace. Secondly, it gives us an insight into the lesser reprisals taken in the wake of a usurpation. For the most part, our sources dwell on the more sensational punishments –

⁸⁷⁵ “Pacatus is at such pains to exculpate his fellow countrymen, whom he claims were misled by Maximus, that an unkind auditor might even surmise that his own conscience was not clear” (Nixon-Rodgers, 478, n. 81).

⁸⁷⁶ He appears to have been serving as proconsul of Africa in February 390 (*CTh* IX.2.4) and as *comes rerum privatarum* in June 393 (*CTh* IX.42.13); cf. Symm., *Ep.* VIII.12, IX.61, 64.

⁸⁷⁷ Sogno, *Q. Aurelius Symmachus*, 68-76.

⁸⁷⁸ J. A. McGeachy Jr., ‘The Editing of the Letters of Symmachus’, *CP* 44:4 (1949), 223-4.

⁸⁷⁹ Sogno, *Q. Aurelius Symmachus*, 68-9.

the close confidants and generals subjected to summary execution. Men like Symmachus, whose crimes were seen as more minor and whose punishments accorded (Symmachus appears to have faced no concrete punishment, only the less definite, if still galling, loss of imperial favour) tend not to be remembered. But thirdly and finally, the fate of Symmachus shows us that the task engaged by *all* orators was no small thing. Symmachus' crime had been to address Maximus with a panegyric. We have already seen that Libanius' enemies attempted to engineer a similar fate for him following Procopius' fall.⁸⁸⁰ It is a reminder that the orators' words mattered. By delivering them, he forever associated himself with the political message he espoused.

Pacatus' agenda, heeded or not, is certainly clear. Like Themistius, he couples his assertions concerning the compulsion exercised by the usurper with descriptions of Theodosius' remarkable clemency.⁸⁸¹ As he drew to his conclusion, he rejoiced that only "two or three trainers of that insane gladiator fell (*duobus an tribus furiosi gladiatoris lanistis caesis*), as expiatory offerings of the war, [whilst] pardon embraced all the remainder, as if, so to speak, drawn to the maternal bosom." No one, he claims, had their property confiscated, their liberty taken, or their position removed.⁸⁸² Though protestations of clemency on the part of the victor are so ubiquitous as to be a virtual commonplace, Pacatus' words work in collaboration with his claims about Maximus' compulsion.⁸⁸³ We know enough about events to know that Pacatus' words are not true. Maximus' infant son (who could hardly be considered a *furiosi gladiatoris lanista*) was executed and acts and appointments made by Maximus were certainly annulled by

⁸⁸⁰ Lib., *Or.* I.163-5.

⁸⁸¹ Early in the speech he observed the emperor's accessibility: *Pan. Lat.* II.21.3-5.

⁸⁸² *Pan. Lat.* II.45.5-6; cf. Cic. *Philip.* XIII.16: *unus furiosus gladiator cum taeterrimorum latronum contra patriam, contra deos penatis, contra aras et focos, contra quattuor consules gerit bellum* (also XIII.20, 25).

⁸⁸³ E.g. *Pan. Lat.* XII.20.4; Jul., *Or.* I.49a; Them., *Or.* VII. 93c-101a, etc.

Theodosius.⁸⁸⁴ Pacatus' words may well, therefore, have been partly advisory, just as had been Themistius'; a plea for clemency, rather than a true commentary on the emperor's behaviour.

Explicit consideration of Maximus himself begins at chapter 23 and moves in several phases. He speaks first of the commencement of the rebellion (23) and then of the area that was affected by it, drawing the moral of the particular sufferings of Gaul (24). He then deals with the (already discussed) compulsion to feign happiness under Maximus tyrannical rule (25) and concludes the section with a description of vices: thievery for the simple joy of theft, the murder of prominent men, the torture and murder of a woman, and collusion with corrupt priests (26-9); as Pacatus himself summarises, "the possessions of the wealthy for his greed, the punishment of the innocent for his cruelty, the injury of religion for his impiety."⁸⁸⁵

To treat each section in turn, we begin with chapters 23-5, detailing the early days of the rebellion and the general suffering of the provinces. Pacatus creates a contrast across these chapters. Pacatus tells us of the emergence of a tyrant in remote parts (*invenit tyrannus ad scelera secretum*) and then draws a comparison with the revolt of Spartacus.⁸⁸⁶ The Spartacus comparison signals Pacatus' first rhetorical strategy, that of mockery. "Who did not laugh at the first news of this new crime?" (*novum scelus*) he asks. He uses Britain's isolated position to indicate the contemptibility of the revolt: "a few men and islanders" (*pauci homines et insulani*) were attempting to kindle a fire against a whole continent, "and, exiled from the world, were trying to clothe their exile with a royal cloak."⁸⁸⁷ But the rebellion, a "plague" (*pestis*) was given force when everything

⁸⁸⁴ For Victor, see Aur. Vict., *Epit.* 48.9; *Cons. Const.* s. a. 388; Oros. VII 35.10, Zos. IV 47.1. For the laws, *CTh.* XV.14.6-8.

⁸⁸⁵ *Pan. Lat.* II.29.5.

⁸⁸⁶ *Pan. Lat.* II.23.1-2; see Them., *Or.* VII.86b-c; Cicero compared Mark Antony to Spartacus (*Philip.* XIII.22).

⁸⁸⁷ *Pan. Lat.* II.23.3.

which had been armed for the protection of the state (*quidquid pro re publica armatum*) was turned against it “by the treachery of its generals and the defection of the legions” (*peridia ducum, defectione legionum*).⁸⁸⁸ Pacatus’ technique is reminiscent of the panegyrics that dealt with the British Empire of Carausius and Allectus; he dismisses the rebellion as at once laughable in its stature and also distinctly un-Roman. In what follows, however, he portrays a growing strength showing that men were tricked into believe Maximus’ rule to be legal.

Pacatus’ central diatribe against Maximus is extensive, the longest of any such in the *Pan. Lat.*, lasting some 179 lines. But its length belies its lack of substance. Pacatus begins, for instance, by denouncing Maximus’ rapacity. Maximus, whom he now calls a “robber” (*praedo*), was incapable of satisfying his “madness for acquisition” (*parandi rabies*).⁸⁸⁹ As Pacatus presents it, Maximus’ desire for wealth was limitless for, unlike a robber, who steals, “in order to supply his gullet and his belly and not to lack the funds for his expenditures,”⁸⁹⁰ Maximus stole merely for theft’s sake. *Noster ille pirata*, Pacatus says, drew *bona nostra* to himself and gave nothing back. “To him, indeed, all methods of winning praise seemed foolish” (*stulta*).⁸⁹¹ He neglected the mines and, indeed, “considered purer and more splendid gold which weeping men had given, which the tears of men, and not the water of rivers, had washed over.” In the first person, Pacatus tells us how Maximus’ subjects longed for poverty.⁸⁹² Though Pacatus’ approach to the hackneyed theme of the avarice tyrant is innovative, the theme itself remains a cliché. Maximus had financial problems and he almost certainly was forced to great lengths to try and remedy these. But there is virtually no emperor in the period of whom this is not true (Theodosius was certainly suffering under the financial demands of his Balkan wars), and

⁸⁸⁸ *Pan. Lat.* II.23.4.

⁸⁸⁹ *Pan. Lat.* II.25.6; *praedo*: 25.5; *latro*: 26.2, 3.

⁸⁹⁰ *Pan. Lat.* II.26.3.

⁸⁹¹ *Pan. Lat.* II.28.1.

⁸⁹² *Pan. Lat.* II.28.2-3.

in the financial power play that surrounded the court there would always be losers.⁸⁹³ Of course, for Pacatus, the fairness of his claims were of little importance, only their plausibility.

Pacatus moves from the general to the specific as he describes Maximus' wrath. He names three victims of Maximus, beginning firstly with the pairing of Vallio, triumphator (*triumphalis*), and Merobaudes, consul (*trabeatus*). Pacatus laments that such noble men should be subjected to capital punishment under Maximus, one driven to suicide, another ambushed at his own home by *satellites Britanni*, who hanged him in order to make it seem as if he had, in fear of a blade, taken his life by more cowardly means.⁸⁹⁴ Pacatus also speaks of the death of Euchrotia, the wife of a "famous poet", who was executed as part of the Priscillian affair (below) and clearly endured torture (meeting death, as she did, *unco*: "by the hook").⁸⁹⁵ Though the use of a female execution was doubtless emotive, we may, again, be tempted to see through the rhetoric; in all, though Pacatus gives his case strength by making reference to specific victims, he brings forward only three names, two of whom were close political allies of Gratian and who had fought with him.

Pacatus springs from the murder of Euchrotia to his final theme, Maximus' *impietas*. "For there was, indeed, a species of informers, who were priests in name (*nominibus antistites*) but in truth were lackeys and butchers (*satellites atque adeo carnifices*), who, not content with tearing the wretched from their ancestral patrimonies, brought false accusations in blood and threatened the lives of those whom they had already made paupers." These men, "when they had drunk in with eyes and ears the groans and torments of the wretched" would return to their sacred rituals with "hands polluted by contact with

⁸⁹³ Financial considerations may have played their part in the trial and condemnation of Priscillian (H. Chadwick, *Priscillian of Avila: The Occult and the Charismatic in the Early Church* (Oxford: Clarendon, 1976), 144). The assertion that Maximus closed the mines, however, is wholly ridiculous.

⁸⁹⁴ *Pan. Lat.* II.28.4-5.

⁸⁹⁵ *Pan. Lat.* II.29.1-2.

punishment.”⁸⁹⁶ Pacatus laments that, “these that Phalaris had as friends, these were the apples of his eye and were held dear to him.”⁸⁹⁷ This is doubtless a reference to the events surrounding the execution of Priscillian, who is often cited as the first person in the history of Christianity ever to be executed for heresy.⁸⁹⁸

Pacatus’ unwillingness to foist this completely on Maximus (his murders of senior men had, likewise, been perpetrated by *satellites*) may suggest to us that even the usurper’s most vocal critics felt unease at connecting Maximus directly with these crimes. Indeed, far from being the victim of bloodthirsty ecclesiastical consorts, the Maximus we meet in many other sources appears as a devout and goodly man. Orosius, a firm Theodosian partisan, admits that Maximus was “an active and honest man, worthy of the name of Augustus had he not taken that title as a tyrant against the bonds of faith” (*uir quidem strenuus et probus atque Augusto dignus nisi contra sacramenti fidem per tyrannidem emersisset*).⁸⁹⁹ Sulpicius Severus’ *Vita S. Martin* shows us a Maximus willing to be advised, even admonished, by one of Roman Gaul’s most famous saints.⁹⁰⁰ In his *Dialogi*, Severus concedes that Maximus may have acted rashly and fallen under the influence of certain priests, but he defends Maximus as “otherwise a good man” (*alias sane bonus*). Indeed, Severus seems to suggest that Maximus’ involvement in the death of Priscillian was passive, rather than active, and that his crime was allowing himself to be tricked into protecting his murders, rather than subjecting them to the full force of the law.⁹⁰¹ Indeed, the Maximus we find in the writings of Severus appears as a man deeply concerned with

⁸⁹⁶ *Pan. Lat.* II.29.3.

⁸⁹⁷ Phalaris was tyrant of Agrigentum in Sicily during the first half of the 6th century BC; he would apparently have his enemies roasted alive inside a bronze bull (see Pindar, *Pythian Odes* I.95-8); also Arist., *Pol.*, V.8.4, *Rhet.* II.20.5; Tatian, *Oratio ad Graecos*, 34.

⁸⁹⁸ Chadwick, *Priscillian of Avilla*, 111-69, esp 115-48.

⁸⁹⁹ Oros., VII.34.9.

⁹⁰⁰ Sulp. Sev., *V. Mart.* 20.

⁹⁰¹ Sulp. Sev., *Dial.* III.11.

matters spiritual, and anxious to care for the Church within his territory.⁹⁰² This, likewise, is the impression we gather from Maximus' letters in the *Collectio Avellana*. Writing to Valentinian, Maximus shows, with considerable delicacy, that it is the young Arian emperor, not he himself, who is upsetting the proper order with innovations and with violence. Maximus says that he hears that force has been deployed against the Catholic Church by Valentinian's new edicts (*novis clementiae tuae edictis*). "There is blame," he says, "in having done something new in things thus long established and held in common."⁹⁰³ Every region of the West holds truth to "this creed" (*hoc sacramentum*), save Illyricum alone.⁹⁰⁴ Indeed, Maximus reminds the young emperor, "the divine Valentinian, of venerable memory, the father of Your Clemency, ordered fidelity to this faith" (*haec fides*).⁹⁰⁵ From his letter to Siricius, we gain an even stronger impression of a man committed to upholding an orthodox creed. Maximus' letter makes clear that he was responding to the pope's own inquiries about the Church in Maximus' territory (*fidei uero catholicae, de qua clementiam nostram consulere uoluisti*). More impressively, however, Maximus seems to suggest that his accession had also included a baptism:

this [the divinity] I confess that I have greater care for, I who have clearly been raised to empire immediately from that same font of salvation (*qui uidelicet et ad imperium ab ipso statim salutari fonte conscenderim*) and for whom God is ever present in every attempt and success as a patron and of whom, as I hope, he shall deem worthy to be a perpetual protector and guardian, dearest father.⁹⁰⁶

⁹⁰² For instance, Sulp. Sev., *Dial.* II.6. It is interesting to note, however, the effect of Theodosian propaganda over time; by the sixth century, at which time we know that Maximus' death was still being celebrated as a public holiday in Rome (Proc., *de Bellis* III.4.16). Gregory of Tours was in no two minds about Maximus, a man whom he names *rex impius* and whom he declares to have been punished by "the Eternal King" (*ab imperio depulsus Maximus morte pessima condemnatus est; Hist.* V.19).

⁹⁰³ *Coll. Av.* 39.3.

⁹⁰⁴ *Coll. Av.* 39.4.

⁹⁰⁵ *Coll. Av.* 39.5.

⁹⁰⁶ *Coll. Av.* 40.1.

If this is indeed Maximus' meaning – the combination of the traditional accession rituals with the Christian rite of baptism – it would constitute an impressive and unprecedented Christianisation of the imperial office and, combined with what we know of him from Severus, shows the charge of *impietas* is hardly justifiable.

The explanation for this charge can be easily found with Theodosius himself. Theodosius marked himself out as a firm and pious ruler. He was also in the awkward position that, whilst he shared a religious creed with Maximus, he was in fact religiously divided from Valentinian and his mother by their patronage of Arianism. Pacatus was keen for anything he could use to demonstrate that Maximus was in fact a religious outsider. Such a tactic may similarly explain the surprisingly combative line that Ambrose of Milan appears to have taken on his second mission to Trier. Ambrose, as he reports his own conduct, seems to have instantly picked a fight with the emperor in the consistory. True, he felt slighted by Maximus' refusal to meet with him in private, but his reaction was violent and uncompromising, refusing to come forward for the kiss of peace which Maximus stood to offer him. The impertinence with which Ambrose addresses Maximus is striking.⁹⁰⁷ Ambrose may well have been seeking conflict with the strongly Catholic emperor to avoid the establishment, in such a public forum, of common ground between the two. Ambrose, his relationship with his legitimate Arian emperor verging on open conflict, could ill afford to be drawn into any discussion about the faith in which, he would know, Maximus stood as a far more desirable patron than Valentinian. Further, Ambrose, just like Pacatus, was keen to demonstrate to Theodosius that Maximus was no true Christian, stressing that (in opposition to the behaviour he predicted for Theodosius) he had forced Christians to contribute to the reconstruction of a synagogue that had been

⁹⁰⁷ Amb., *Ep.* 30.3f.

destroyed in Rome; “the king has become a Jew” (*rex iste Judaeus factus est*), he wrote.⁹⁰⁸ Maximus’ impiety was not a reaction to a reality, but a construct designed to mark him as separate from Theodosius.

Maximus is named by Pacatus on no fewer than nine separate occasions, including four instances in the same chapter.⁹⁰⁹ As a stylistic choice, this device is so striking as to be impossible to pass over without comment, for no other panegyrist ever calls a declared tyrant by his proper name. Even usurpers long dead are often alluded to through their pejorative titles rather than directly named. Sophie Lunn-Rockliffe has recently written on Pacatus’ speech and proposed three reasons for this extraordinary choice.⁹¹⁰ Firstly, she claims, since Theodosius had at one time recognised Maximus it was therefore impossible to cast him as always a villain. Secondly, Pacatus “exploited the obvious paradoxes in the post-mortem fate of a usurper”. In essence, these are the “*significant silences and erasures*” that Hedrick describes,⁹¹¹ the sanctions upon memory, notional interdicts of silence, which, paradoxically, had to be prominent and attention-grabbing if they were to be effective. Pacatus, Lunn-Rockliffe argues, was observing an exploiting this contradiction. Thirdly and finally, Pacatus’ experimentation with the genre of panegyric was a manifestation of his own wider ambitions to transcend the genre and attain the importance and longevity of true history.

Of these three alternatives, only the final one is persuasive. One need only compare, for instance, the way in which Maximian is discussed in *Pan. Lat. X*, the way in which *Pan. Lat. IV* utterly ignores Licinius, or the studied silences in Themistius’ panegyrics

⁹⁰⁸ Amb., *Ep.* 74.23; Ambrose, of course, had his own reasons for advancing this thesis, wishing, as he did, to bring Theodosius about to his way of thinking. This, however, in no way detracts from the central point that the post mortem reputation of a usurper bore little association to the man himself but was, rather, available for political manipulation by its negative example.

⁹⁰⁹ *Pan. Lat.* II.24.4, 38.1, 40.3, 41.2, 42.3, 45.1, 45.2 (twice), 45.4.

⁹¹⁰ Lunn-Rockliffe, ‘Commemorating the Usurper Magnus Maximus’, 316-336, at 336.

⁹¹¹ C. W. Hedrick Jr., *History and Silence: Purge and Rehabilitation of Memory in Late Antiquity* (Austin: University of Texas Press, 2000), 117.

regarding Constantine II and Constans to see that a former recognition of status was not, ordinarily, grounds for a panegyrist to give an individual the honour of a name.⁹¹² As we saw with Gratian, Pacatus was aware of the subtle power of names, but no evidence of this kind of selection is evident for Maximus, whose name appears throughout the sections relevant to him in the speech. If, as Lunn-Rockliffe's second explanation argues, Pacatus was subverting and highlighting the conventions of his genre by intentionally flouting them and using Maximus' name to evoke the contradictions of *damnatio memoriae*, then it remains to be explained why the name appears in various chapters throughout the speech. Admittedly the cluster of four in chapter 45 does certainly come at the moment in which Pacatus brings out the importance of the moral example Maximus will set for the future, but nonetheless the five other instances of the name still require explanation and seem to evidence no particular pattern. Without these other occurrences, the case might appear persuasive. With them, however, we are left with only our third explanation.

That Pacatus had intentions for his work above and beyond the aims of panegyric seems clear. We have already discussed the extraordinary length of the piece, which put Pacatus' work on a par for length with Julian's two orations and the more monumental of Libanius' works. Both these authors produced panegyrics that were notable for their levels of detail and their prolonged consideration of their subject.⁹¹³ Likewise, Pacatus' likely authorship of the *Pan. Lat.* collection shows an individual with an interest in the past, a strong literary awareness, and with an eye for the sort of documents likely to catch the attention of a literate public. We have already seen (though Pacatus could hardly have known that this would be the case), that for the events of the campaign itself Pacatus provides virtually our only source. Furthermore, by his own admission Pacatus sought a historical value for his work (again commensurate with the suggestion that he put the *Pan. Lat.* collection

⁹¹² Licinius: above, pp. 136-49; Constantine II and Constans: p. 172.

⁹¹³ E.g. Lib, *Or.* XVIII.

together, placing his own speech at its head) that would insure its longevity: “Distant cities will flock to me; every pen will receive from me the story of your deeds in order; from me poetry will get its themes; from me history will derive its credibility.”⁹¹⁴ But aside from this candid (and rather arrogant) admission, Pacatus shows himself highly aware of the aims, value, and raw materials of history.⁹¹⁵ “It is important,” Pacatus writes, “to the security of every age for what has been done to be seen so that, if anyone had ever entertained any nefarious desires, he may review the monuments of our times and drink in innocence with his eyes.”⁹¹⁶ He is unafraid to state explicitly the role of the panegyrist (the task it has been, in the main, the aim of this thesis to elucidate): let those who dream of draping their shoulders with “royal purple” come upon the depiction of Maximus being stripped; if anyone wishes to put an emperor’s shoes on his feet, let “barefooted Maximus” (*Maximus plantis nudus*) appear before him; “If anyone considers placing the diadem upon his head, let him look upon the head of Maximus, plucked from his shoulders, and his nameless corpse” (*avulsum humeris Maximi caput et sine nomine corpus adspiciat*).⁹¹⁷ Maximus stands, therefore, as the confirmation of Theodosius’ position. His example demonstrates the futility of opposition to the divinely appointed order, and the fate of those who try.⁹¹⁸

Pacatus dwells in a remarkable level of detail of that fate; Maximus’ final moments were described in considerable detail. Other panegyrists had focussed on the post-mortem fate of the usurper, with particular emphasis placed on the display and mutilation of the

⁹¹⁴ *Pan. Lat.* II.47.6.

⁹¹⁵ A point Lunn-Rockliffé makes (‘Commemorating the Usurper Magnus Maximus’, 234ff.).

⁹¹⁶ *Pan. Lat.* II.45.1.

⁹¹⁷ *Pan. Lat.* II.45.1-2.

⁹¹⁸ It may also be said that this may also be a question of changing styles. This is a proposition which there is simply not the space to explore here, but it may be that by the end of the fourth century the dictate that an enemy of the state never be named in a panegyric, adhered to so closely by our earlier authors, had, for whatever reason, begun to loosen. Though not strictly a panegyric, we may note that Claudian, in his *de bello Gildonico*, names Gildo so often it is impossible to suggest that he considered the name to provide any difficulty (10, 66, 86, 90, 93, 113, 144, 145, 153, 238, etc.).

corpse.⁹¹⁹ But Pacatus' approach was different, and his speech created a narrative of Maximus capture, his humbling before Theodosius, his admission of guilt, and of his final death and the mutilation of his corpse. There are two explanations for this, one exceedingly straightforward, the other perhaps less so. In the first place, there had clearly been some sort of meeting between Theodosius and Maximus before the latter was executed. In terms of rhetorical potential, few orators were ever gifted with such a fantastic set-piece, and Pacatus was not a man to waste such an opportunity. But secondly and far more importantly, the elucidation of Maximus' final moments served an essential political purpose, both for Pacatus' speech and for the object of that speech, Theodosius. The greatest threat to Theodosius' position as a legitimate emperor, the proper successor to the (helpfully) late Gratian, was that Maximus had made claims to an alliance with and even kinship to Theodosius. These claims, we know, had some basis in truth; Theodosius had done nothing in the wake of Maximus' usurpation and had even, perhaps, entered into open alliance with him. Even were these two factors not the case, members of the Roman elite would have known of Theodosius' professional and personal connections to Maximus at an earlier stage in their respective careers. By dwelling on Maximus' final moments, therefore, Pacatus not only gave himself an dramatic scene, but a platform from which to categorically deny any relationship between emperor and tyrant, a denial which gained even greater force placed, as it was, in the mouth of the tyrant himself.⁹²⁰

Pacatus, we saw, emphasised the madness of Maximus' end, describing him wild and unmanned as he attempted to flee from his fate. He knew he should have taken his life, but lamented, "behold! My hand neither obeys my will nor my sword my hand; my iron slips and falls, my right hand trembles, my mind grows weak. Oh how difficult it is for the

⁹¹⁹ See above, pp. 68-9 and 123-5. The display of the body of a defeated usurper was clearly an important part of the aftermath of any successful civil war; the allies of Procopius in Philippopolis would not surrender themselves until they saw his severed head: *Amm.* XXVI.10.6.

⁹²⁰ Cf. Casey, 'Magnus Maximus in Britain', 449.

wretched even to die!”⁹²¹ But it was no mere accident of his own nature that led Maximus to fail in this last act of courage, for Pacatus has Fortune claim four parts in Theodosius’ success: “I aided the speed of the army, I hindered the flight of the enemy, I confined Maximus within his walls, and I preserved alive for his master he whom you were driving on to death.”⁹²² Pacatus compares Maximus to others for whom death should no longer be a thing to be avoided: the man sentenced to capital punishment, the slave fleeing the terrors of a wicked master.⁹²³ But, he asks us again, “who doubts that Fortune was responsible for his loss of reason?” She “blinded the tyrant’s judgement” (*tyranni consilia caecavit*), “blunted his mind” (*animum eius obtudit*), and “struck aside and held his hand” (*manum percussit et tenuit*) when he wished to strike the mortal blow.⁹²⁴

Maximus then, rather than ending his life or dying in battle (the more common fates of a tyrant), was taken alive by Theodosius’ forces. The highly symbolic violence that Pacatus describes is worth quoting in full:

...the diadem was struck from his head, the robe snatched from his shoulders, the ornament plucked from his feet, and, in short, the whole man was made fit for his due reward. The despoiler of the public (*publicus spoliator*) was publicly stripped, the rapacious hands (*manus rapaces*) were bound, the fugitive’s legs were laid bare, in short he was brought before your eyes as a captive ought to be brought before a victor, a slave before a master, a tyrant before an emperor.⁹²⁵

The ceremonial stripping of the defeated is again no mere topos, but a fundamental feature of the process by which a tyrant was punished. It marked him out as one already destined for *damnatio memoriae*.⁹²⁶ The stripping of Maximus actually makes its way into two of the narrative sources as well, and it should not be imagined as a simple rhetorical trick of

⁹²¹ *Pan. Lat.* II.38.4.

⁹²² *Pan. Lat.* II.40.3.

⁹²³ *Pan. Lat.* II.41.4.

⁹²⁴ *Pan. Lat.* II.42.2.

⁹²⁵ *Pan. Lat.* II.43.3.

⁹²⁶ See above (see pp. 68-9).

Pacatus'.⁹²⁷ The orator uses it, however, to great effect, conjuring the image of the tyrant, the “man of death” (*homo funebris*),⁹²⁸ stripped and laid low, lying at the feet of the merciful and still glorious emperor. Pacatus had, earlier in the speech, compared the two, calling Maximus “that man, formerly the most worthless little slave of your house and an attendant stationed at the tables of slaves” (*ille quondam domus tuae negligentissimus vernula mensularumque servilium statarius lixa*).⁹²⁹ Pacatus’ comparison was extensive, drawn out in language by turns cutting and exultant across nineteen lines. He compared Theodosius, the son of triumphant general, to Maximus, the bastard; Theodosius, the ancient noble, to Maximus, the vassal (*cliens*); the Roman commander to the banished fugitive (*patriae fugitivus*); the chosen ruler to one who “in the furthest reach of the world, unbeknownst to the legions, contrary to the wishes of the provinces, and finally with no auspices, had aspired to the theft of the name of tyrant” (*in illud tyrannici nominis adspiravisset furtum*).⁹³⁰ Now, at the speech’s conclusion, that comparison bore fruit. With the emperor enthroned before a naked, weeping man, any talk of an association between the two fell away. The bloodthirsty tyrant was very nearly spared by Theodosius; he lowered his eyes and began to blush, turning his thoughts away from death and towards pardon.⁹³¹ Only the zeal of Theodosius’ own men sees Maximus dragged away to his deserved death.

This was Pacatus’ political crescendo. Theodosius had been lukewarm in his response to Maximus. He had given passive and, at times, active recognition of the usurper’s regime and had made no concrete attempt to avenge the death of the man who had been cast as his patron. Maximus, clearly, had made full use of the ambivalence of the Eastern court in his own propaganda and, if Pacatus’ assertions are correct, had even gone so far as

⁹²⁷ Zos. IV.46.2; Philostorg., *HE* 10.8.

⁹²⁸ *Pan. Lat.* II.43.4.

⁹²⁹ *Pan. Lat.* II.31.1.

⁹³⁰ *Pan. Lat.* II.31.2.

⁹³¹ *Pan. Lat.* II.44.2.

to claim kinship with Theodosius. Politically, this was disastrous for Theodosius and it made any claim he might produce to altruistic and consistent motivations for his western campaign dangerously untenable. The meeting between slave and master, tyrant and emperor, therefore, provided Pacatus with an unmissable opportunity. Pacatus lays the aim out clearly, saying that Theodosius would not have wanted Maximus even to come into his sight, “had you not wanted to refute the lying rumours and to clear yourself with the same witness who had fabricated them.”⁹³² Theodosius questions Maximus, and a full confession is quickly forthcoming:

At your first words a confession was drawn from his nefarious breast, nor could he so much as delay or stay silent to prevent his whole plan from being revealed, namely that he had hidden behind the pretext of your favour, because he would not otherwise have been able to win the partnership of the soldiers if he had not presented himself as operating under your authority.⁹³³

From his own lips, Maximus denounces the very claims upon which he had apparently been basing his authority. More importantly, the stain of association between Maximus and Theodosius was being scrubbed out, as the man who had claimed kinship and association with the true emperor, Theodosius, admitted before all that his claims had been fabrications.

The grand rhetoric of Pacatus’ speech, like that of all the orators before him who had addressed victorious emperors in Rome, was cast against the backdrop of the imperial *adventus* and triumph in the ancient capital. Theodosius’ court had, since his accession, been attempting to portray an image of victory to the citizens of the Eastern Empire.⁹³⁴ The arrival in Rome allowed that message to be carried Westward in the most dramatic fashion. The urban prefect, Ceonius Rufius Albinus, commemorated the occasion by

⁹³² *Pan. Lat.* II.43.4.

⁹³³ *Pan. Lat.* II.43.5.

⁹³⁴ McCormick, *Eternal Victory*, 41-4.

commissioning three statues (of Theodosius, Honorius, and Valentinian) which were erected in the Forum Romanum, outside the *curia*, where Theodosius will have sat as Pacatus recounted the course of his victory. They were dedicated “to the destroyer of the tyrants and the author of public security, our lord, Theodosius [or Arcadius, or Valentinian], constant and fortunate eternal Augustus.”⁹³⁵ But perhaps the most striking feature of this visit, that best expressed what the Theodosian victory in the West meant for the future of imperial politics, was that, of the four emperors then ruling, only two were present. Arcadius had been left in the East, a representative of the Theodosian dynasty. Theodosius entered Rome in triumph with his younger son Honorius, the future ruler of the Western Empire. Valentinian was nowhere to be seen.⁹³⁶ The message, so clearly echoed in Pacatus’ speech, was clear; though this victory was notionally a restoration of Valentinian to his birthright, in truth Valentinian had no place in the world that had emerged after Maximus’ death. This was Theodosius’ world now.

Celebrations in the West appear to have been mirrored in the Eastern capital. In a ceremony whose echoing of Constantius victory monument in Rome must have been a conscious one, the urban prefect Proculus had erected in the hippodrome an obelisk of red granite that originally stood at a comparable height to that Constantius raised in Rome, though damage has since shortened it. The obelisk, which still stands today, was placed upon a base thus inscribed: “I was formerly reluctant to obey the serene masters, even when ordered to proclaim the victory over the extinct tyrants, but since all things yield to Theodosius and his everlasting offspring, I was conquered and subdued in three times ten days and raised to high heaven on the advice of Proclus.”⁹³⁷ In the Forum Tauri (which was renamed, in the 390s, from the Forum of Constantine to the Forum of Theodosius) a bronze equine statue (now lost) was also erected, along with a triumphal column which

⁹³⁵ *CIL* 36958 (cf. 31413-4).

⁹³⁶ Matthews, *Western Aristocracies*, 227, n. 3.

⁹³⁷ Wrede, ‘Zur Errichtung des Theodosiusobelisken in Istanbul’, 189.

commemorated Theodosius' victories against the Goths and against Maximus; Speidel has shown that the column, like the Arch of Constantine, depicted Romans killing Romans.⁹³⁸ Theodosius, like Constantine, was willing to see artistic convention broken in order to commemorate the victory that had won him the Empire.

Pacatus' speech, then, re-enacted a drama that had been played out many times before, in which a civil war was used to push its victor into a new position of dominance over the Empire. Maximus was evoked as a character both deceptive and tyrannous. He had made his way to power through violence and trickery. Pacatus delighted in his slow and cowardly end, using it to distance Maximus from Theodosius, whose response to the usurpation of 383 had been far too consensual. As for Theodosius himself, he had, ostensibly, waged a war of vengeance and of restitution – vengeance for Gratian, restitution for Valentinian. Only the former motive was brought out by Pacatus, and this because it was safe, a relic of a murder that had taken place six years before the speech was delivered. As for the living emperor whose return to power was a supposed object of the campaign, he was relegated to a position of utter unimportance while the tyranny of the fallen Maximus was drawn to the fore, legitimising the war and Theodosius' presence in the West (at the head, it might be added, of an army that was in a great part composed of foreign mercenaries). With Maximus, Valentinian was now consigned to a position of even greater impotence than that which he had so far experienced, and the ascendancy of Theodosius and his dynasty was confirmed.⁹³⁹

⁹³⁸ M. Speidel, 'Die Garde des Maximus auf der Theodosiusäule', *IstMitt* 45 (1995), 131-6. The column, Speidel shows, depicted the bodyguard of Theodosius defeating that of Maximus in battle at Poetovio.

⁹³⁹ This was to form the core of the presentation of Theodosius during his sons' reigns, as Constantine's had done into the reigns of Constantine II, Constantius, and Constans (*cf.* Amb., *de ob. Theod.* (esp. 4, 39, 53)).

The end of an era: politics and panegyric after the death of Theodosius

The period of inquiry for this thesis, 289-389, was determined on textual, not historical grounds; it is the span of time covered by the secular, prose panegyrics that survive from late antiquity. But it also has a historical rationale as well; this period is, in essence, the period that runs from the accession of Diocletian in 284 to the death of Theodosius in 395.⁹⁴⁰ Historically and historiographically, this period is distinct. The reasons for this period's separation from what went before are fairly obvious, and have already been discussed. The reasons for the choice of concluding date for the study may be less obvious, and demand some brief explanation.

Both textually and historically, the period of the delivery of *Pan. Lat. II* (389) and the death of Theodosius (395) marks a watershed. Textually, it marks the end of the secular, prose panegyric. Unquestionably, this is an issue of survival, not actuality – we know that emperors continued to receive prose panegyrics; the fragments of such speeches later in the fifth century confirm this.⁹⁴¹ But no such speeches survive. When we find our next examples of panegyric, it is in a new world; the Empire had been shorn down to the Italian peninsula and its hinterland. The emperor was fast becoming an irrelevant figure, a civilian official presiding over a sham-court, whilst the business of politics and warfare was carried out by the warlords who would become the *reges* that finally made the emperor an irrelevance. Sadly, the last great dynastic conflicts of the Western Roman Empire, played out between 406 and 428, have no accompanying panegyrics.

⁹⁴⁰ This is exactly the period chosen for the colloquium on usurpation in late antiquity held in Solothurn and Bern, 6-10 March 1996 (cf. Szidat, 'Vorwort', in *Usurpationen in der Spätantike*, 11).

⁹⁴¹ A. Gillett, 'Epic Panegyric and Political Communication in the Fifth Century West', in L. Grig and G. Kelly (eds.), *Two Romes: Rome and Constantinople in Late Antiquity* (Oxford: Oxford University Press, 2012), 280, n. 57, and 289-90. See this article more generally for a summary of the changes that were occurring in the panegyric genre at this time.

The period immediately after 389 exemplifies this problem. Theodosius had to face a final usurpation within his lifetime. After the suicide of the lamentable Valentinian II, the general Arbogast looked to the East. As it became increasingly clear that Arbogast was not about to be sent a Theodosian child to look after as he had Valentinian, the die was cast. A new emperor was needed in the West if Arbogast was to save his skin; but the pattern of more than three hundred years was to be broken; Arbogast did not claim imperial power, but rather supervised the election of another. Flavius Eugenius, *magister scrinii*, a former grammarian, and a Roman senator, was proclaimed Augustus at Lyons on 22nd August 392. Theodosius once again marched West and was again victorious. On 5th September 394, battle was met on the Frigidus River, the modern Vipava. Over the course of two days, Theodosius' forces drove those of the Western usurper from the field. Eugenius was handed over to the emperor and was executed, his head paraded before the troops, and Arbogast, upon hearing the news, took his own life. For the second time in five years, Theodosius marched into Italy in triumph.⁹⁴²

Theodosius was given little enough time to enjoy this final victory. On 17th January 395, whilst presiding over chariot races in Milan, he was taken ill. He did not rise again from the bed in which they laid him. He left the Empire to Arcadius and Honorius, his sons. The boys were eighteen and eleven respectively. Both courts were riven by internal feuding, as generals and bureaucrats attempted to dominate their respective captive emperors. Furthermore, after the settlement of a Gothic polity on imperial soil, conflict against barbarian leaders became a matter of *internal* security. Alaric rose to power in the late 380s or early 390s and rampaged through the Balkans and the Italian peninsula, on and off, for some twenty years, at the command of an enormous army, negotiating constantly with the Eastern and Western courts for preferment, but never once attempting to claim for

⁹⁴² Matthews, *Western Aristocracies*, 247-52; McLynn, *Ambrose of Milan*, 353-6. See also A. Cameron, 'Theodosius and the Regency of Stilicho', *Harvard Studies in Classical Philology* 73 (1969), 247-80.

himself imperial power.⁹⁴³ Indeed, when he finally needed an emperor's power he chose, rather than to wrap himself in the purple, to support the accession of a Roman senator, Priscus Attalus, whom he used as a puppet until it became apparent that this was doing him more harm than good. Between the infancy of the legitimate emperors and the rise of barbarian warlords both at their courts and beyond them, the imperial office was being demilitarised and becoming the top civilian office in a divided establishment. It was a system that would have been unrecognisable to the great usurpers and emperors of the fourth century.

A number of texts stand out as indicative of the changed political culture, and the creation of a world where the observations of this thesis were growing increasingly irrelevant. These are Ambrose's *de obitu Theodosii* and Claudian's *de bello Gildonico* and panegyrics on the third, fourth, and sixth consulships of Honorius. *De obitu*, the funeral oration for the emperor pronounced by the great bishop before Theodosius' body was sent East to be interred in Constantinople, though it is not strictly speaking a panegyric text, nevertheless shares many features with the panegyric genre.⁹⁴⁴ *De bello* was composed shortly after the defeat of Gildo in the summer of 398 and again, though not a panegyric, shares certain features with the genre.⁹⁴⁵ Only the first book of the work survives; in all probability no more was ever written.⁹⁴⁶ The three panegyrics were delivered in 396, 398, and 404 respectively. All praised an emperor that had become a cipher for the powerful figures about him.

⁹⁴³ Jones, *The Later Roman Empire*, I, 182ff.

⁹⁴⁴ The place of delivery was Milan; its date, if *quadragesimam* (Amb., *de ob. Theod.* 3) can be taken literally to mean a period of forty days, was 26th February 395. It was not the first text of its kind to be delivered by the bishop; in the summer of 392 he had delivered the *de obitu Valentiniani*, his eulogy for the tragic young emperor.

⁹⁴⁵ J. H. E. Crees, *Claudian as an Historical Authority* (Cambridge historical essays 17; Cambridge: Cambridge University Press, 1908), 85.

⁹⁴⁶ When Mascezel, Gildo's brother, fell from favour and was executed, *de bello Gildonico* became an unviable tract; Mascezel could not be edited out from the narrative, and could not be mentioned (cf. E. M. Olechowska, *Claudii Claudiani, de Bello Gildonico: texte établi, traduit et commenté par Elżbieta M. Olechowska*, (Roma Aeterna 10; Leiden: Brill, 1978), 5-6).

Ambrose spoke, in *de obitu*, with remarkable bluntness concerning the sons of Theodosius. “But he [Theodosius] has left behind very many, and most especially his sons, destitute without a father’s protection.”⁹⁴⁷ Ambrose urged his audience on to a somewhat patronising version of imperial adulation: “let us render an attentive and fatherly affection to the children of so pious a prince” (*pii pignoribus principis sedulum ac patrium inpendamus adfectum*); he urges them to remember that it is a crime (*scelus*) to violate “the rights of minors” (*iura minorum*).⁹⁴⁸ Claudian’s *de bello Gildonico*, barely touches upon Honorius. The emperor is mentioned briefly in the speech’s opening (lines 4-6) and then not again until line 261, and that very passingly. The young emperor played no meaningful part in the war and Claudian makes no real effort to portray this otherwise. The *de bello Gildonico* formulates no relationship between emperor and usurper. Gildo is certainly castigated, often with language like that utilised by the panegyrists, but he is not opposed to Honorius, emperor to *tyrannus*.⁹⁴⁹ Honorius, indeed, is roused to war not by his own innate imperial virtues, but by the urgings of his grandfather’s shade; once set upon doing something about the situation in Africa, Honorius’ first action is to summon Stilicho and ask him what to do!⁹⁵⁰

The verse panegyrics delivered directly to Honorius likewise demonstrate an emperor rendered a figure head. This is most striking in the panegyric for Honorius’ third consulship, delivered in 396, when the twelve year old Honorius had only been on the throne for a year. The speech’s structure alone is sufficient to reveal the change: Claudian begins with a declaration of the joy at the peace and prosperity of an age ruled by Honorius and his brother (1-12). Honorius was born to the purple and raised in the camp. He would often be held by Theodosius, newly returned from battle. He learnt martial skills (13-62).

⁹⁴⁷ Amb., *de ob. Theod.* 2.

⁹⁴⁸ Amb., *de ob. Theod.* 11.

⁹⁴⁹ For instance, Claud., *de bello Gild.* 14-16, 163-200, 276-83, 392-414.

⁹⁵⁰ Claud., *de bello Gild.* 325-414.

Theodosius went to war against Arbogast and Eugenius, and Honorius longed to join him (63-111).⁹⁵¹ Honorius joins his father in West and, it appears, they went to Rome together (111-141). At the palace, Theodosius entrusted Stilicho with the guardianship of his sons, and thus the world (142-62). Theodosius is then taken up to heaven (162-88). A final conclusion on the future glory of Arcadius and Honorius' joint rule is made (189-211). The speech, in other words, though its titular honorand is Honorius, is in actual fact a speech almost entirely about Theodosius.

It might be tempting to ascribe this merely to Honorius' age and the fact that his reign was only just begun, but Claudian's second speech is little better. Some two thirds of the text are complete before we reach the death of Theodosius.⁹⁵² Even once Theodosius is dead, Honorius remains a passive figure. The next section of the speech is equal parts a panegyric to Stilicho and an expression of the devotion of the provinces and of Rome to Honorius.⁹⁵³ All the while, the emperor remains a passive figure.⁹⁵⁴ Though his skills and virtues are praised, perhaps the only *action* of his that receives any mention is a visit to Liguria.⁹⁵⁵ Claudian can only look forward to future triumphs.⁹⁵⁶ The speech for the emperor's sixth consulship is even more striking, for though Theodosius had, by this juncture, somewhat faded into the background (his death now coming after little more than 100 lines; about a sixth of the speech), this diminution of the father was made up by the advancement of the father-in-law. Though Claudian has Rome addressing Honorius, and begging him to visit her, and in a general way can claim that present felicity comes from the emperor, Honorius plays a very small part in the speech.⁹⁵⁷ Stilicho, by contrast, is the unquestioned hero of the piece, and Claudian makes no effort to present the emperor as an

⁹⁵¹ A victory attributed to Honorius' auspices (*de III con. Hon.* 88-101)!

⁹⁵² Claud., *de IV con. Hon.* 1-430.

⁹⁵³ Claud., *de IV con. Hon.* 430-518.

⁹⁵⁴ 'His' victories are shown clearly to be Stilicho's (Claud., *de IV con. Hon.* 439-483).

⁹⁵⁵ Claud., *de IV con. Hon.* 565f.

⁹⁵⁶ Claud., *de III con. Hon.* 639-40.

⁹⁵⁷ For Rome, see Claud., *de VI con. Hon.* 356f.; for blessing from the emperor, see 383-88.

actor in the recent triumphs, or to diminish Stilicho's role.⁹⁵⁸ Indeed, but for the title of the piece, it would hardly be an exaggeration to say that this reads more easily as a panegyric to Stilicho, than it does as one to Honorius. In short, the panegyrics of Claudian praised Honorius for his office, not for his person.

Compare this to the panegyrics we have seen throughout the rest of this thesis, in which personal agency is virtually reserved to the emperor. Occasionally we see the soldiers or a whole population acting *en masse*, but otherwise the only other actors within the speeches are the usurpers or, more rarely, foreign kings. The emperor that Ambrose advised Honorius to be, the emperor whom Claudian described, were aliens to the great conquerors that had been the tetrarchs, Constantine, Constantius, and Theodosius. Claudian's writings more generally are indicative of the political changes of the period; his *in Rufinum* and *in Eutropium*, savage diatribes against the powers behind the Eastern throne, are indicative of a political milieu in which the emperor was increasingly a tool in the hands of men sensible enough not to put the diadem on their own head. The same author was capable of delivering public diatribes against the leading figures of the Eastern court whilst expressing the fraternity and close harmony of the emperors themselves.⁹⁵⁹ When Claudian writes, in his panegyric on the consulship of Manlius Theodorus, *nil licet invidiae, Stilicho dum prospicit orbi sidereusque gener*, his subordination of the emperor is not simply rhetoric.⁹⁶⁰

⁹⁵⁸ For instance Claud., *de VI con. Hon.* 210-237, 300-55, 431-93, 578-602. In the passage 431-93, Claudian even has Honorius addressing Rome and praising Stilicho himself!

⁹⁵⁹ For example, Claud., *de III con. Hon.* 189-90: *unanimi fratres, quorum mare terraque fatis debetur.*

⁹⁶⁰ Claud., *Man. Theod. cons.* 265-6.

Conclusion

quos tyrannos aliorum victoria fecerit

sileantur haec sane, non tantum ne sopitam malorum memoriam oratio mea suscitet, sed ne sanctissimas principis laudes, dum aliena vitia depromimus, sermo talis incestet... sic Constantini laudibus satis est, dum efflorescentia bona cernimus, ne mala excise reputemus.

(Nazarius, *Pan. Lat.* IV.8.4-5)

This thesis began with a quotation from Pliny, who explained to his audience the value of a tyrant's memory for the reputation of a living monarch. We conclude with a quotation from Nazarius, the orator who addressed Constantine *in absentia* in the spring of 321. Nazarius' sentiment is the antithesis of Pliny's. Given what we have seen in the preceding pages, there need be no question at all of attempting to marry these disparate viewpoints; Nazarius is dissembling, Pliny speaking openly. The *aliena vitia* that Nazarius claims would so pollute "the most sacred praises of our prince" did nothing of the sort. In many cases, they *were* the most sacred praises. Pliny chose to highlight the duty to recall the wickedness of past masters because it suited his purpose to do so. Nazarius chose to pretend that all that was passed had to be forgotten because it suited him to do so. Such was a panegyrist's prerogative. But Nazarius chose to speak, across *Pan. Lat.* IV, of little other than these *aliena vitia*. Usurpers and their wicked crimes were too important to stay silent about. And if spoken about with due sensitivity, they could make to emperors some recompense for the political inconvenience they had caused by being alive.

Creating Emmanuel Goldstein: the importance of panegyric and the value of the usurper

This thesis has been about legitimacy. Legitimacy, in the field of power relations, denotes the idea that the exercise of power, physical or otherwise, is not only possible but is accepted, by those over whom it is exercised, as both right and reasonable. As outlined in the introduction, there existed an inherent failure of legitimacy within the imperial office. It was not a failure in the legitimacy of the office itself, which imperial Romans seem never to have questioned as the only possible method for governing their world. Rather, it was a failure of the legitimacy of the *holders* of that office. Usurpation was the confirmation of that failure; that the power-making parties of the Empire could no longer agree on a single candidate or group of candidates for imperial power demonstrates the undeniable fact that emperors now struggled to convince their subjects of their right to hold imperial office. The result was the crisis that ruptured the Roman world in the period roughly bounded by the years 235 and 284.

The change that occurred in the time of Diocletian was not an end to the failure of legitimacy, although it has sometimes been portrayed as such. Usurpation continued, throughout the remainder of the third and the entirety of the fourth centuries, to challenge the imperial succession. The period after 284 is distinct rather because it was a time in which possible solutions to the problem began to be created. No emperor could ever take his legitimacy for granted; but there came to exist, in the late Roman world, new strategies by which that legitimacy might be bolstered and reinforced. It has been the goal of this thesis, in one sense, to unpack the myth that usurpation was a marginal and cancerous process upon the imperial office, presenting a series of ill-qualified challengers as obstacles in the paths of the legitimate emperors. This is not to deny, as has occasionally been attempted, that usurpation and above all civil war were an incredibly destructive and

wasteful drain upon the resources of an overstretched Empire.⁹⁶¹ It is rather to show that usurpation and imperial power were inseparably linked. All emperors were, in some sense, usurpers.

This thesis has been a tale of four great dynasties. Three of these dynasties (the first tetrarchy, the house of Constantine, and the house of Theodosius) came to power through the usurpation of their founding members and the subsequent suppression of all rival claimants. The fourth, the house of Valentinian, though it began in an orderly election, nevertheless faced violent challenge from the last scion of the house of Constantine and was finally brought down through the machinations of two discontented usurpers: Maximus, who killed Gratian and drove Valentinian from Italy, and Theodosius, who killed Maximus and took Valentinian's Empire into his own supervision. That we have looked back on the period post-284 and seen a world divided between the black of usurpation and the white of legitimacy is not a reflection of contemporary reality but a manifestation of the success of the processes just mentioned, which sought to underscore the legitimacy of dominant imperial regimes.

Historically speaking, the struggle for imperial power was a game, the pieces of which, once the game had been won, were cleared away, leaving only the final score as a testament to the contest. The choice to focus entirely upon panegyric has been made in recognition of this. Panegyric, which we have demonstrated to be an accurate and detailed reflection of contemporary imperial propaganda, gives us a rare opportunity to witness the game in play, to see how a story was crafted whose dictates were not the desire to separate fact from fiction but the desire to rewrite as inevitable the rise of the victor. Though the value of panegyric as a historical source has increasingly been recognised in the past decades, the utter *obsession* of panegyric writers with usurpers and usurpation has never

⁹⁶¹ Wardman, 'Usurpers', 220.

been addressed, either for what it can tell us or simply as a feature of the corpus. The processes of historical obfuscation are so complex because they are self-concealing. We can never see clearly what took place. But, through close attention to the sources we can gain glimpses; mountain tops rising above the clouds.

Three fundamental points, which have recurred in various forms in every chapter of this thesis, deserve reiteration. In the first place, it is simply impossible to reconstruct in any detail the reigns of the men we now call usurpers. Even the closest studies, drawing every ounce of information from the sources we have, cannot give us anything like a clear picture of the government, the policies, and the character of the usurper and his regime. A truly historical reconstruction will always and must always be partial, tentative, and filled with lacunae. This is not simply a declaration to abandon all hope, but merely a brake upon incautious conclusions. Historically viable inferences *can* be drawn concerning usurpers.⁹⁶² But we must remember that, when it comes to usurpers and usurpation, all we can do is to see through a glass, darkly.

Secondly, we must keep always in mind that the distinction between usurper and emperor was one made after the event. We may recall that Hagith Sivan, quoted in the introduction, gave perhaps the best definition possible of what we mean when we use the words “usurper” and “emperor” in this period: “on the one hand, usurpers were failed rulers, while, on the other, many emperors were successful usurpers.”⁹⁶³ With this definition in hand, a new road ahead is paved. This thesis has been an attempt to walk that road and to uncover the processes that made usurpers into emperors, and emperors into usurpers. We have seen the successful usurpers of the period time and again: Diocletian, Constantine, Theodosius. As for the failed emperors, how little would we know of Constantius II if Magnentius had defeated him and become the unchallenged ruler of the

⁹⁶² To pick but one example, I claim (above, pp. 68-9) that Allectus’ body was never recovered from the field of battle, and I feel confident in so doing.

⁹⁶³ Sivan, ‘Theodosius’, 201.

entire Roman world? How much happier might the condition of the Roman Empire have been if Theodosius had ignored the pleas of Valentinian's court in 383, declared his support for Magnus Maximus, and done nothing as the Gallic armies marched into Italy? These are not amusing 'what-ifs'; they are real possibilities that would have changed the history of the late Roman world and its transmission to us.

Yet not everything that this thesis has shown is negative. In the panegyrics, we find our way forward, a cipher to late antiquity's mysterious code of legitimacy. We have seen that the panegyrics were neither isolated nor marginal texts, nor were they the production of literary circles withdrawn from events, but were rather the reflection of an entire cultural and political milieu. Panegyric created a setting in which the central messages of imperial propaganda were consumed by the rhetors and grammarians of the Empire's schools and then re-produced *ad nauseum* in imperial palaces, praetoria, governors halls, public squares, senate houses, army camps, and, eventually, even in basilicas across the Empire. These speeches, which utilised usurpers and usurpation as one of their foremost tools of adulation, formed new narratives that rushed in to fill the voids created by memory sanctions and by the interdictions of silence that surrounded the disgraced dead. To leading soldiers and administrators across the Empire, who knew that a fallen usurper could never again be spoken of as he had been, they gave a new vocabulary, a shared dialect of invective made all the more acceptable because it was derived not from the usurper himself, but from the needs of the imperial court.

But the panegyrics have allowed us to go deeper than this. Through their attempts at legitimacy-construction we can see not only the redefinition and re-classing of the men we call usurpers, but we can also gain an insight into the processes whereby usurpers made themselves emperors. In the silences of inconvenient truths skirted around, we can see how Constantine came to power as a usurper in 306 and Theodosius in 379. We can see

how Constantine began to undermine Licinius and to flex the muscles of his triumphal rhetoric as the 310s turned to the 320s. We can see that Constantius, in his efforts to win the war in the West in 350, supported the proclamation of an emperor whom he later stripped of his title and sent away into retirement. We can see that Julian, in the months that led up to his break with Constantius, began to realign his own panegyric output so as to serve the rhetoric of his own coming reign and not that of his cousin's.

The period may be divided roughly into two distinct, if unequal, chronological units. The reign of Diocletian and his tetrarchy shows us a world in which usurpers were characterised as outsiders, not because they were so but because it served the political rhetoric of the time to call them such. Legitimacy under the tetrarchy was defined as a relationship to other rulers. For the tetrarchs, therefore, their enemies were first and foremost disqualified for imperial power because they lacked this relationship. This simple fact characterises everything we believe we know about the rebels Carausius and Allectus.

The usurpation of Constantine changed this, and over a period of twenty years Constantine dismantled the tetrarchy that Diocletian had established. Constantine created a new – or perhaps one might say an old – idea of the legitimacy of the emperor, at once personal and derived from the relationship of the emperor to God. Maxentius, therefore, was designed as the antithesis of this model. His was a tyranny – a personal tyranny – that manifested equally and in opposite the self-presented characteristics of Constantine's own reign. Applying a broad brush, the model created by Constantine was the model that endured for the rest of the period. Constantius and Theodosius, the two other major examples that we have, bolstered their position and justified vast expansions in the boundaries of their own territory through the language of tyranny and liberation.

Any broad summary, however, hides complications. In Symmachus and his first oration to Valentinian, we see a resurrection of an older style. Symmachus never calls Procopius a *tyrannus*. Again, a college had been created, this time a college of blood brothers, outside of which Procopius stood. Themistius' Procopius owed his character to neither form, but rather to the intensely uncomfortable realities of his own position within the orbit of the usurpation. The strategies were varied, but their aim was the same: to sanitise the unpalatable and to make it work for the emperor rather than against him.

We might fittingly conclude with Emmanuel Goldstein, the fictional *agent provocateur* of George Orwell's *Nineteen Eighty Four*. The rulers of Orwell's world knew, as did the emperors of late antiquity, that however great their power was, the continued acceptance of that power could never be taken for granted. There were, in this world, those that sought to oppose the Party, and the most well-known of these was Emmanuel Goldstein. Though his name might have been buried, instead a more insidious route was chosen; Goldstein was held up (literally) before the eyes of the people as a figure of hate, as a focus for anger, as a scapegoat for everything that was wrong in the world, and, ultimately, as a confirmation of the justice and importance of the Party's rule. Though, in the late Roman world, the choice to cover emperors with total silence and erase them utterly from the records was not available – no pre-modern state has ever had the capability to exercise such control over the flow of information – nevertheless the lessons of the fictional Goldstein are relevant. The usurpers that come to us in the panegyrics of late antiquity are not reflections of real men and real imperial regimes, nor are they trying to be. The purpose of the depiction of usurpers in imperial panegyric was entirely political and was commemorative only in the most insidious sense. They were designed as counter-examples, the details of which were determined by the political needs of the reigning

emperor. The panegyrics were confirmations of victory that rewrote upon a struggle, often between equals, a story of good versus evil.

This final point is one that is routinely overlooked, ignored, or underestimated. When John Vanderspoel claims, by reference to parallels in Themistius' presentation of Procopius and Ammianus' account of his usurpation, that, "Themistius' observations were based on fact," we are observing a writer missing the point.⁹⁶⁴ Usurpers are shadowy figures in the historical record, and it is tempting, as recent German volumes on the subject have done, to pull together all the disparate threads of information we have on these men and, thereby, to make something from the sum of the parts, whilst showing relatively little attention to historiographical issues. To take the example of Vanderspoel again, whilst we may concede similarities between the accounts of Ammianus and Themistius regarding Procopius, it is difficult if not impossible to ask where one finishes and the other begins. Historians are not the arbiters of unblemished fact, and, when Ammianus composed his history, the historical figure of Procopius had been buried beneath nearly thirty years of what Hedrick terms "significant silences and erasures",⁹⁶⁵ the subtle processes of memory sanction, and had been subjected to the invective of untold panegyrics and official proclamations. If Ammianus saw Procopius' proclamation as a laughable spectacle, it was because Themistius, and countless others like him, had told him that he should. We ought not to be so conditioned.

⁹⁶⁴ Vanderspoel, *Themistius*, 165.

⁹⁶⁵ Hedrick Jr., *History and Silence* (2000), 117.

Bibliography of secondary sources cited

- Ando, C., *Imperial Ideology and Provincial Loyalty in the Roman Empire* (Berkeley; London: University of California Press, 2000).
- *Imperial Rome AD 193-284: The Critical Century* (Edinburgh: Edinburgh University Press, 2012).
- Arnheim, M. T. W., *The Senatorial Aristocracy in the Later Roman Empire* (Oxford: Clarendon, 1972).
- Athanassiadi, P., *Julian: An Intellectual Biography* (London: Routledge, 2nd ed., 1992).
- Austin, N. J. E., *Ammianus on Warfare: An Investigation into Ammianus' Military Knowledge* (Collection Latomus 165; Bruxelles: Latomus, 1979).
- Avery, W. T., 'The 'Adoratio Purpureae' and the Importance of the Imperial Purple in the Fourth Century of the Christian Era', *Memoirs of the American Academy in Rome* 17 (1940), 66-80.
- Bagnall, R. S., Cameron, A., Schwartz, S. R., and Worp, K. A., *Consuls of the Later Roman Empire* (Atlanta, Ga.: Published for the American Philological Association by Scholars Press, 1987).
- Barceló, P. A., *Roms auswärtige Beziehungen unter der Constantinischen Dynastie (306-363)* (Eichstatter Beiträge, 3; Regensburg: Friedrich Pustet, 1981).
- Bardill, J., *Constantine, Divine Emperor of the Christian Golden Age* (Cambridge: Cambridge University Press, 2012).
- Barnes, T. D., 'Constans and Gratian in Rome', *Harvard Studies of Classical Philology*, 79 (1975) 325-333.
- 'Imperial Campaigns, A.D. 285-311', *Phoenix* 30:2 (1976), 174-93.
- 'The Editions of Eusebius' *Ecclesiastical History*', *GRBS* 21:2 (1980), 191-201.
- *Constantine and Eusebius* (Cambridge, Mass.; London: Harvard University Press, 1981).
- *The New Empire of Diocletian and Constantine* (Cambridge, Mass.; London: Harvard University Press, 1982).
- *Athanasius and Constantius: theology and politics in the Constantinian Empire* (Cambridge, Mass.: Harvard University Press, 1993).
- 'Oppressor, Persecutor, Usurper: The Meaning of 'tyrannus' in the Fourth Century', in G. Bonamente and M. Mayer (eds.), *Historia Augustae Colloquium Barcinonense (Historiae Augustuae Colloquia, n. s. 4; Bari: Edipuglia, 1996)*, 55-65.
- *Ammianus Marcellinus and the Representation of Historical Reality* (Ithaca and London: Cornell University Press, 1998).
- *Constantine: Dynasty, Religion and Power in the Later Roman Empire* (Chichester; Malden: Wiley-Blackwell, 2011).
- Bastien, P., *Le monnayage de Magnence (350-353)* (Numismatique romaine: 1; Wetteren, Belgique: Éditions numismatique romaine, 2e éd., 1983).
- 'Y a-t-il eu un monnayage d'or au nom de Maxime à Constantinople?', *Bulletin cercle d'études numismatiques*, 20:3 (1983), 51-55.
- Bastien, P. and Metzger, C., *Le Trésor de Beaurains (dit d'Arras)* (Wetteren: Éditions Numismatique Romaine, 1977).
- Beard, M., *The Roman Triumph* (London: Belknap, 2007).
- Bidez, J. (ed. and tr.), *L'Empereur Julien: Oeuvres Complètes* (Paris: Les Belles Lettres, 1932).
- Birley, A. R., *The Roman Government of Britain* (Oxford: Oxford University Press, 2005).

- Blockley, R. C., *Ammianus Marcellinus: A Study of his Historiography and Political Thought* (Collection Latomus 141; Bruxelles: Latomus, 1975).
- Booth, A. D., 'Notes on Ausonius' *Professores*', *Phoenix* 32:3 (1978), 235-49.
- Born, L. K., 'The Perfect Prince according to the Latin Panegyrists', *American Journal of Philology* 55:1 (1934), 20-35.
- Bowersock, G. W., *Julian the Apostate* (London: Duckworth, 1978).
- Brunt, P. A., 'Lex de Imperio Vespasiani', *JRS* 67 (1977), 95-116.
- Bruun, P., 'Portrait of a Conspirator: Constantine's break with the Tetrarchy', *Arctos* 10 (1976), 5-23.
- Burgess, R. W. (ed. and tr.), *The Chronicle of Hydatius and the Consularia Constantinopolitana: Two Contemporary Accounts of the Final Years of the Roman Empire* (Oxford: Clarendon, 1993).
- 'The Summer of Blood: The "Great Massacre" of 337 and the Promotion of the Sons of Constantine', *Dumbarton Oaks Papers* 62 (2008), 5-51.
- Burian, J., 'Der Gegensatz zwischen Rom und den Barbaren in der Historia Augusta', *Eirene* 15 (1977), 55-96.
- Chadwick, H., *Priscillian of Avila: The Occult and the Charismatic in the Early Church* (Oxford: Clarendon, 1976).
- Callu, J. P., 'Un Miroir des princes: le "Basilikos" libanien 348', *Geryon* 5 (1987), 133-52.
- Cameron, A., 'Theodosius and the Regency of Stilicho', *Harvard Studies in Classical Philology* 73 (1969), 247-80.
- 'The Date of Zosimus' *New History*', *Philologus* 113 (1969), 106-110.
- 'Claudian', in J. W. Binns (ed.), *Latin Literature of the Fourth Century* (London: Routledge & Kegan Paul, 1974).
- *The Last Pagans of Rome* (Oxford, Oxford University Press, 2011).
- Casey, P. J., 'Magnus Maximus in Britain', in *idem* (ed.), *The End of Roman Britain: Papers arising from a Conference, Durham 1978* (Oxford: British Archaeological Reports 71; 1979).
- *Carausius and Allectus: The British Usurpers* (London: Batsford, 1994).
- Chastagnol, A., *Le Sénat Romain à l'Époque Impériale: Recherches sur la composition de l'Assemblée et le statut de ses membres* (Paris: Les Belles Lettres, 1992).
- Corcoran, S., 'Hidden from History: the legislation of Licinius' in J. Harries and I. Wood (eds.), *The Theodosian Code: Studies in the Imperial Law of Late Antiquity* (London: Duckworth, 1993), 95-119.
- Crees, J. H. E., *Claudian as an Historical Authority* (Cambridge historical essays 17; Cambridge: Cambridge University Press, 1908).
- Cullhed, M., *Conservator Urbis Suae: Studies in the Politics and Propaganda of the Emperor Maxentius* (Skrifter utgivna av Svenska Intitutet Rom, 8°, 20; Stockholm, 1994).
- Curran, J. R., *Pagan City Christian Capital: Rome in the Fourth Century* (Oxford: Oxford University Press, 2000).
- Curta, F., 'Atticism, Homer, Neoplatonism, and Fürstenspiegel: Julian's Second Panegyric on Constantius', *GRBS* 36:2 (1995), 177-211.
- Dagron, G., *Naissance d'une Capitale: Constantinople et ses institutions de 330 à 451* (Bibliothèque Byzantine: Etudes 7; Paris: Presses Universitaires de France, 1974).
- Davison, P. (ed.), *The Complete Works George Orwell, vol. XIX: It Is What I Think* (London: Secker & Warburg, 1986).
- Delmaire, R., *Largesses Sacrées et Res Privata: l'ærarium imperial et son administration du IVe au VIe siècle* (Collection de l'École française de Rome, 121; Rome: École française de Rome, 1989).

- den Boer, W., 'The Emperor Silvanus and his Army', *AC* 3 (1960), 105-9.
- Di Maio Jr., M., 'Zonaras, Julian, and Philostorgios on the Death of Constantine I', *Greek Orthodox Theological Review* 26:1-2 (1981), 118-24.
- Dignas B. and Winter E., *Rome and Persia in Late Antiquity: Neighbours and Rivals* (Cambridge: Cambridge University Press, 2007).
- Drinkwater, J., *The Alamanni and Rome 213-496 (Caracalla to Clovis)* (Oxford: Oxford University Press, 2007).
- Dufraigne, P. (ed. and tr.), *Aurelius Victor: Livre des Césars* (Paris: Les Belles Lettres, 1975).
- Dunkle, J. R., 'The Rhetorical Tyrant in Roman Historiography: Sallust, Livy and Tacitus', *The Classical World* 65:1 (1971), 12-20.
- Elbern, S., *Usurpationen im Spätromischen Reich* (Habelts Dissertationsdrucke: Reihe Alte Geschichte 18; Bonn, 1984).
- Elm, S., *Sons of Hellenism, Fathers of the Church: Emperor Julian, Gregory of Nazianzus, and the Vision of Rome* (Berkeley: University of California Press, 2012).
- Errington, M., 'The Accession of Theodosius I', *Klio* 78:1 (1996), 438-53.
- *Roman Imperial Policy from Julian to Theodosius* (Chapel Hill: University of North Carolina Press, 2006).
- Fears, J. R., 'The Theology of Victory at Rome: approaches and problems', *ANRW* 17.2 (1981) 736-826.
- Flaig E., *Den Kaiser herausfordern: die Usurpationen im Römischen Reich* (Frankfurt: Campus, 1992).
- Flower, H., *The Art of the Forgetting: Disgrace & Oblivion in Roman Political Culture* (Chapel Hill: University of North Carolina Press, 2006).
- Fowden, G., 'The Last Days of Constantine: Oppositional Versions and their Influence', *JRS* 84 (1994), 146-70.
- Frakes, R. M., 'The Dynasty of Constantine Down to 363', in N. Lenski (ed.), *The Cambridge Companion to the Age of Constantine* (Cambridge: Cambridge University Press, 2006), 91-107.
- Galletier, E., *Panegyriques Latins: texte établi et traduit par Édouard Galletier* (Paris: Belles lettres, 1949-1955; 3 vols).
- Gillett, A., 'Epic Panegyric and Political Communication in the Fifth Century West', in L. Grig and G. Kelly (eds.), *Two Romes: Rome and Constantinople in Late Antiquity* (Oxford: Oxford University Press, 2012), 265-290.
- Green, R. P. H., *The Works of Ausonius: Edited with introduction and commentary by R. P. H. Green* (Oxford: Clarendon, 1991).
- Groag, E., 'Maxentius', *RE* 14.2 (1930), 2417-2483.
- Grünewald, T., *Constantinus Maximus Augustus: Herrschaftspropaganda in der zeitgenössischen Überlieferung* (Historia Einzelschriften 64; Stuttgart: Steiner, 1990).
- *Räuber, Rebellen, Rivalen, Rächer: Studien zu Latrones im römischen Reich* (Forschungen zur antiken Sklaverei 31; Stuttgart: Steiner, 1999).
- Hartmann, F., *Herrscherwechsel un Reichskrise: Untersuchungen zu den Ursachen und Konsequenzen der Herrscherwechsel im Imperium Romanum der Soldatenkaiserzeit (3. Jahrhundert n. Chr.)* (Europäische Hochschulschriften, Reihe III, Geschichte und ihre Hilfswissenschaften 149; Frankfurt am Main: P. Lang, 1982).
- Hartmut Leppin, H. and Portmann, W., *Staatsreden: Themistios, Übersetzung, Einführung und Erläuterungen* (Bibliothek der griechischen Literatur: Abteilung Klassische Philologie 46; Stuttgart: Hiersemann, 1998).
- Heather, P. J. and Moncur, D., *Politics, Philosophy, and Empire in the Fourth Century: Select Orations of Themistius* (Liverpool: Liverpool University Press, 2001).

- Hedrick Jr., C. W., *History and Silence: Purge and Rehabilitation of Memory in Late Antiquity* (Austin: University of Texas Press, 2000).
- Hekster, O., *Commodus: An Emperor at the Crossroads* (Amsterdam: Gieben, 2002).
- Henderson, B. W., *Civil War and Rebellion in the Roman Empire, A.D. 69-70: A companion to the 'Histories' of Tacitus* (London: Macmillan, 1908).
- Hess, H., *The Early Development of Canon Law and the Council of Serdica* (Oxford: Oxford University Press, 2002).
- Hopkins, K., *Death and Renewal* (Sociological Studies in Roman History 2; Cambridge: Cambridge University Press, 1983).
- L'Huillier, M.-C., *L'Empire des Mots: Orateurs gaulois et empereurs romains, 3^e et 4^e siècles* (Centre de Recherches d'Histoire Ancienne 114; Paris: les Belles Lettres, 1992).
- Humphries, M., 'In nomine patris: Constantine the Great and Constantius II in Christological Polemic', *Historia* 46 (1997), 448-64.
- 'From Usurper to Emperor: the politics of legitimation in the age of Constantine', *JLA* 1:1 (2008), 82-100.
- Jones, A. H. M., *Constantine and the Conversion of Europe* (London: Hodder and Stoughton Ltd., 1948).
- *The Later Roman Empire, 284-602: A social, economic, and administrative survey* (Oxford: Blackwell, 1964).
- Kent, J., 'Concordia' solidi of Theodosius I: a reappraisal', *NC* 153 (1993), 77-90.
- Kienast, D., *Römische Kaisertabelle: Grundzüge einer römischen Kaiserchronologie* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1996).
- Klein, R., *Der Streit um den Victoriaaltar: Die dritte Relatio des Symmachus und die Briefe 17, 18 und 57 des Mailänder Bischofs Ambrosius* (Texte zu Forschung 7; Darmstadt: Wissenschaftliche Buchgesellschaft, 1972).
- Klotz, A., 'Studien zu den Panegyrici Latini', *Rheinisches Museum* 66 (1911), 513-72.
- Kolb, F., *Diocletian und die erste Tetrarchie: Improvisation oder Experiment in der Organisation monarchischer Herrschaft?* (Untersuchungen zur antiken Literatur und Geschichte 27; Berlin and New York: Walter de Gruyter, 1987).
- König, I., *Origo Constantini, Anonymus Valesianus Teil 1: Text und Kommentar von Ingemar König* (Trierer historische Forschungen 11; Trier: Trierer historische Forschungen, 1987).
- Kroll, W., 'Nazarius 2', *RE* 16 (1935), 2097-99.
- Kyle, D. G., *Spectacles of Death in Ancient Rome* (London and New York: Routledge, 1998).
- Lassandro, D., 'La demonizzazione del nemico politico nei Panegyrici Latini', *CISA* 7 (1981), 237-49.
- Le Bohec, Y., and Wolff, C., 'Legiones Moesiae Superioris', in Y. Le Bohec (ed.), *Les légions de Rome sous le Haut-Empire: Actes de Congrès de Lyon (17-19 septembre 1998)* (Collection de Centre d'Études Romaines et Gallo-Romaines, Nouvelle série, N°20; Lyon, 2000), 239-45.
- Leadbetter, B., 'The Illegitimacy of Constantine and the Birth of the Tetrarchy', in S. N. C. Lieu and D. Monserrat (eds.), *Constantine: History, historiography and legend* (New York; London: Routledge, 1998), 74-85.
- 'Constantine', in P. F. Esler (ed.) *The Early Christian World* (London: Routledge, 2000), II, 1069-87.
- *Galerius and The Will of Diocletian* (London: Routledge, 2009).
- Lendon, J. E., 'Roman Honor', in M. Peachin (ed.) *The Oxford Handbook of Social Relations in the Roman World* (Oxford: Oxford University Press, 2011), 377-403.

- Lenski, N., *Failure of Empire: Valens and the Roman State in the Fourth Century A.D.* (Berkeley; London: University of California Press, 2002).
- ‘The Reign of Constantine’, in *idem* (ed.), *The Cambridge Companion to the Age of Constantine* (Cambridge: Cambridge University Press, 2006), 59-90.
- Leppin, H., and Portmann, W., *Staatsreden; Themistios: Übersetzung, Einführung, und Erläuterungen* (Stuttgart: Hiersemann, 1998).
- Levick, B., *Vespasian* (London: Routledge, 1999).
- Lewis, S., *Ancient Tyranny* (Edinburgh: Edinburgh University Press, 2006).
- Liebschuetz, J. H. W. G., *Ambrose of Milan: Political Letters and Speeches* (Liverpool: Liverpool University Press, 2005).
- Lieu, S. N. C. and Montserrat, D. (eds.), *From Constantine to Julian: Pagan and Byzantine Views: A Source History* (New York; London: Routledge, 1996).
- Lovano, M., *The Age of Cinna: Crucible of the Late Republican Period* (Historia Einzelschriften 158; Stuttgart: Steiner, 2002).
- Lunn-Rockliffe, S., ‘Commemorating the Usurper Magnus Maximus: Ekphrasis, Poetry, and History in Pacatus’ Panegyric of Theodosius’, *Journal of Late Antiquity* 3:2 (2010), 316-336.
- MacCormack, S., ‘Latin Prose Panegyrics’, in T. A. Dorey (ed.), *Empire and Aftermath: Silver Latin II* (London; Boston: Routledge and K. Paul, 1975).
- ‘Latin Prose Panegyrics: Tradition and discontinuity in the later Roman Empire’, *REA* 22 (1976), 1-49.
- *Art and Ceremony in Late Antiquity* (Berkeley; London: University of California Press, 1981).
- MacMullen, R., ‘The Roman Concept Robber-Pretender’, *Revue Internationale des Droits de l’Antiquité* 10 (1963), 221-5.
- *Constantine* (London: Weidenfeld & Nicolson, 1970).
- ‘How to Revolt in the Roman Empire’, *RSdA*, 15 (1985), 67-76 (= *Changes in the Roman Empire: Essays in the Ordinary* (Princeton University Press, 1990), 198-203).
- Malosse, P.-L. (ed. and tr.), *Libanios: Discours*, vol. IV (Paris: Les Belles Lettres, 2003).
- Matthews, J., *Western Aristocracies and Imperial Court, AD 364-425* (Oxford: Clarendon Press, 1975).
- *The Roman Empire of Ammianus* (London: Duckworth, 1989).
- Mause, M., *Die Darstellung des Kaisers in der lateinischen Panegyrik* (Palingenesia: Monographien und Texte zur klassischen Altertumswissenschaft 50; Stuttgart: Steiner, 1994).
- Mayer, E., ‘Civil War and Public Dissent: The State Monuments of the Decentralised Roman Empire’, in W. Bowden, A. Gutteridge, and C. Machado (eds.), *Social and Political Life in Late Antiquity* (Late Antique Archaeology 3.i; Leiden: Brill, 2006), 141-55.
- McCormick, M., *Eternal Victory: Triumphal Rulership in Late Antiquity, Byzantium, and the Early Medieval West* (Cambridge: Cambridge University Press; Paris: Editions de la Maison de sciences de l’homme, 1986).
- McGeachy Jr., J. A., ‘The Editing of the Letters of Symmachus’, *CP* 44:4 (1949), 222-9.
- McLynn, N. B., *Ambrose of Milan: Church and Court in a Christian Capital* (Berkeley; London: University of California Press, 1994).
- ‘Genere Hispanus’: Theodosius, Spain, and Nicene Orthodoxy’ in K. Bowes and M. Kulikowski (ed. and tr.), *Hispania in Late Antiquity: Current Perspectives* (Leiden: Brill, 2005), 1-43.

- Millar, F. (ed. H. M. Cotton and G. M. Rogers), *Rome, the Greek World, and the East*, Vol. 1, *The Roman Republic and the Augustan Revolution* (Chapel Hill and London: University of North Carolina Press, 2002).
- Moreau, J., *Lactance, De la mort des persécuteurs: introduction, texte critique et traduction de J. Moreau* (Sources chrétiennes 39; Paris: Éditions du Cerf, 1954).
- Neri, V., 'Usurpatore come tiranno nel lessico politico della tarda antichità' in F. Paschoud and J. Szidat (eds.), *Usurpationen in der Spätantike; Akten des Kolloquiums 'Staatsstreich und Staatlichkeit', 6.-10. März 1996* (Historia Einzelschriften 111; Stuttgart: Steiner, 1997), 71-86.
- Nixon, C. E. V., 'Latin Panegyrics of the Tetrarchic and Constantinian Period' in B. Croke and E. M. Emmett (eds.), *History and Historians in Late Antiquity* (Sydney and New York: Pergamon Press, 1983), 88-99.
- 'Constantinus Oriens Imperator: Propaganda and Panegyric: On Reading Panegyrics 7 (307)', *Historia* 42 (1993), 229-46.
- Nixon, C.E.V., and Rodgers, B. S., *In Praise of Later Roman Emperors: the Panegyrici Latini* (Berkeley; Oxford: University of California Press, 1994).
- Nutt, D. C., 'Silvanus and the Emperor Constantius II', *Antichthon* 7 (1973), 80-89.
- Oenbrink, W., 'Maxentius als *conservator urbis suae*: ein antitetarchisches Herrerrschfts konzept tetrarchischer Zeit', in D. Boschung and W. Eck (eds.), *Die Tetrarchie: ein neues Regierungssystem und seine mediale Präsentation* (Wiesbaden, 2006), 169-204.
- Olechowska, E. M., *Claudii Claudiani, de Bello Gildonico: texte établi, traduit et commenté par Elżbieta M. Olechowska*, (Roma Aeterna 10; Leiden: Brill, 1978).
- Palanque, J. R., 'Sur l'usurpation de Maxime', *REAnc* 31 (1929) 33-6.
- 'L'empereur Maxime', in *Les Empereurs Romains de l'Espagne* (Colloques internationaux du Centre national de la recherche scientifique; Paris: Éditions du Centre national de la recherche scientifique, 1965), 255-67.
- Paschoud, F., and Szidat, J., (eds.) *Usurpationen in der Spätantike: Akten des Kolloquiums "Staatsstreich und Staatlichkeit," 6.-10. März 1996*, Solothurn/Bern (Historia Einzelschriften 111; Stuttgart: Steiner, 1997).
- Pichon, R., *Études sur l'histoire de la littérature latine dans les Gaules: les derniers écrivains profanes: les panégyristes, Ausone, le Querolus Rutilius Namatianus* (Paris: Leroux, 1906).
- 'The Origin of the *Panegyrici Latini* Collection', in R. Rees (ed.) *Latin Panegyric* (Oxford Readings in Classical Studies; Oxford: Oxford University Press, 2012), 55-74 (=Études sur l'histoire de la littérature latine dans les Gaules: les derniers écrivains profanes: les panégyristes, Ausone, le Querolus Rutilius Namatianus (Paris: Leroux, 1906), 270-91).
- Pohlsander, H. A., 'Constantia', *AncSoc* 24 (1993), 151-67.
- Potter, D. S., *The Roman Empire at Bay, AD 180-395* (London; New York: Routledge, 2004).
- Portmann, W., *Geschichte in der spätantiken Panegyrik* (Europäische Hochschulschriften 3, Geschichte und ihre Hilfswissenschaften 363; Frankfurt am Main: P. Lang, 1988).
- 'Der 59. Rede des Libanius und das Datum der Schlacht von Singara', *BZ* 82 (1989), 1-18.
- 'Zum Datum der ersten Rede des Themistius', *Klio* 74 (1992), 411-21.
- Rees, R., *Layers of Loyalty in Latin Panegyric, AD 289-307* (Oxford: Oxford University Press, 2002).
- *Diocletian and the Tetrarchy* (Edinburgh: Edinburgh University Press, 2004).

- ‘Bright Lights, Big City: Pacatus and the *Panegyrici Latini*’, in L. Grig and G. Kelly (eds.), *Two Romes: Rome and Constantinople in Late Antiquity* (Oxford: Oxford University Press, 2012), 203-22.
- Reinhold, M., ‘Usurpation of Status and Status Symbols in the Late Roman Empire’, *Historia* 20:2 (1971), 275-302.
- Ricci, C., ‘Legio II Parthica. Una messa a punto’ in Y. Le Bohec (ed.), *Les légions de Rome sous le Haut-Empire: Actes de Congrès de Lyon (17-19 septembre 1998)* (Collection de Centre d’Études Romaines et Gallo-Romaines, Nouvelle série, N20; Lyon, 2000), 397-405.
- Ridley, R. T. (tr.), *Zosmius: New History* (Byzantina Australiensia 2; Canberra: Australian Association for Byzantine Studies, 1982).
- Rodgers, B. S., ‘The Metamorphosis of Constantine’, *CQ* 39:1 (1989), 233-46.
- ‘Divine Insinuation in the *Panegyrici Latini*’, in R. Rees (ed.) *Latin Panegyric* (Oxford Readings in Classical Studies; Oxford: Oxford University Press, 2012), 289-334.
- Rohrbacher, D., *The Historians of Late Antiquity* (London: Routledge, 2002).
- Ross, L. R., *Party Politics in the Age of Caesar* (Berkeley; London: University of California Press, 1949).
- Russell, D. A., and Wilson, N. G. (eds. and trs.), *Menander Rhetor* (Oxford: Clarendon, 1981).
- Salama, P., ‘L’empereur Magnence et les Provinces Africaines’, in H. Huvelin, M. Christol, and G. Gautier (eds.), *Mélanges de numismatique offerts à Pierre Bastien à l’occasion de son 75^e anniversaire* (Wetteren: Editions NR, 1987), 203-216.
- Salzman, M. R., *On Roman Time: The Codex-Calendar of 354 and the Rhythms of Urban Life in Late Antiquity* (Transformation of the Classical Heritage 17; Berkeley; Oxford: University of California Press, 1990).
- Šašel, J., ‘The Struggle between Magnentius and Constantius II for Italy and Illyricum’, *Živa Antika* 21 (1971), 205-16.
- Schenkl, H. (ed.), *Themistii Orationes quae supersunt* (Leipzig: Teubner, 1965-74).
- Schwartz, J., *L. Domitius Domitianus: étude numismatique et papyrologique* (Bruxelles: Fondation égyptologique reine Élisabeth, 1975).
- Seeck, O., *Geschichte des Untergangs der antiken Welt* (Berlin: Siemenroth & Troschel, 1897-1920).
- *Die Briefe des Libanius* (Leipzig: J. C. Hinrichs, 1906).
- *Regesten der Kaiser und Päpste für die Jahre 311 bis 476 n. Chr.: Vorarbeit zu einer Prosopographie der Christlichen Kaiserzeit* (Stuttgart: J. B. Metzlersche, 1919).
- Shiel, N., *The Episode of Carausius and Allectus: the Literary and Numismatic Evidence* (Oxford: British Archaeological Reports 40; 1977).
- Sivan, H., ‘Was Theodosius I a Usurper?’, *Klio* 78:1 (1996), 198-211.
- Sogno, C., *Q. Aurelius Symmachus: A Political Biography* (Ann Arbor: University of Michigan Press, 2006).
- Smith, R. R. R., ‘The Public Image of Licinius I: Sculptured portraits and imperial ideology in the early fourth century’, *Journal of Roman Studies* 97 (1997), 170-202.
- Speidel, M., ‘Die Garde des Maximus auf der Theodosiusäule’, *IstMitt* 45 (1995), 131-6.
- Springer, K. F., *Tyrannus: Untersuchungen zur politischen Ideologie der Römer* (Diss., Köln, 1952).
- Stewart, P., ‘The Destruction of Statues in Late Antiquity’, in R. Miles (ed.) *Constructing Identities in Late Antiquity* (London: Routledge, 1999), 159-189.
- Stiglitz, R., ‘Vetranio’, *RE* 8.A.2 (1958), 1838-41.

- Straub, J., 'Konstantins Verzicht auf den Gang zum Kapitol', *Historia* 4:3 (1955), 297-313.
- Szidat, J., *Usurpator tanti nominis: Kaiser und Usurpator in der Spätantike, 337-476 n. Chr.* (Wiesbaden: Franz Steiner, 2010).
- Van Dam, R., *The Roman Revolution of Constantine* (New York; Cambridge: Cambridge University Press, 2007).
- Vanderspoel, J., *Themistius and the Imperial Court: Oratory, Civic Duty, and Paideia from Constantius to Theodosius* (Ann Arbor: University of Michigan Press, 1995).
- Varner E. R. 'Tyranny and Transformation of the Roman Visual Landscape', in *idem* (ed.), *From Caligula to Constantine: tyranny & transformation in Roman portraiture* (Atlanta, Ga.: Michael C. Carlos Museum, 2000), 9-26.
- *Mutilation and Transformation: Damnatio Memoriae and Roman Imperial Portraiture* (Brill, 2004).
- Vittinghoff, F., *Der Staatsfeind in der römischen Kaiserzeit: Untersuchungen zur "damnatio memoriae"* (Neue deutsche Forschungen: Abteilung alte Geschichte 2; Berlin, 1936).
- Ward-Perkins, B., 'Why did the Anglo-Saxons not become more British?' *EHR* 115 (2000), 513-533.
- Wardman, A. E., 'Usurpers and Internal Conflicts in the 4th Century A.D.', *Historia* 33:2 (1984), 220-237.
- Williams, M. S., *Authorised Lives in Early Christian Biography: Between Eusebius and Augustine* (Cambridge: Cambridge University Press, 2008).
- Williams, S., *Diocletian and the Roman Recovery* (London: B. T. Batsford, 1985).
- Wellesley, K., *The Long Year, A.D. 69* (London: Elek, 1975).
- *The Year of the Four Emperors*, 3rd ed. (London: Routledge, 2000).
- Wrede, H., 'Zur Errichtung des Theodosiusobelisken in Istanbul', *IstMitt* 16 (1966), 178-98.
- Ziegler, J., *Zur religiösen Haltung der Gegenkaiser im 4. Jahrhundert n. Chr.* (Kallmünz: M. Lassleben, 1970).