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UNIVERSITY OF CALIFORNIA
RIVERSIDE

Julian and Themistius:
Panegyric, Communication, and Power in the Fourth Century Roman Empire

A Dissertation submitted in partial satisfaction
of the requirements for the degree of

Doctor of Philosophy

in

History

by

Moysés Garcia Marcos

September 2017

Dissertation Committee:

Dr. Michele Salzman, Chairperson

Dr. Thomas Scanlon

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The Dissertation of Moysés Garcia Marcos is approved:

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ABSTRACT OF THE DISSERTATION

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Panegyric, Communication, and Power in the Fourth Century Roman Empire

by

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Doctor of Philosophy, Graduate Program in History
University of California, Riverside, September 2017
Dr. Michele Salzman, Chairperson

This project focuses primarily on the Greek imperial panegyrics of the Roman Emperor Julian (r. 355-363 CE) and the philosopher-statesman Themistius (c. 317-389) to the Emperor Constantius II (r. 324-361), Julian and Themistius' correspondence, and the panegyrics of the rhetoricians Claudius Mamertinus, Himerius, and Libanius to Julian as emperor, in Latin and Greek, which cover the period from about 350 to 363. As is apparent from their extant writings, both Julian and Themistius, like many of their predecessors, contemporaries, and successors as orators and panegyrists, saw the ruling of the Roman Empire, indeed the very existence of the Empire, as something meant to benefit its subjects; this view led both men to conceive of their imperial speeches of praise in practical and political terms. My thesis centers on how Julian and Themistius used panegyric to assert the image of the emperor against classical models and contemporary forces while promoting themselves as panegyrists and political actors. I

demonstrate, for example, the varying degrees of independence that panegyrists exercised in the delivery of their speeches. Such analysis sheds light on the much debated issue of imperial communications, and offers an avenue into the successful administration of emperors who, I argue, demonstrated their “responsiveness” to their subjects through panegyrics. Moreover, I show how the genre of panegyric was inherently flexible and was employed variously to shape, to finesse, to promote, to reinforce, and to punish, and sometimes all at the same time.

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Chapter 1 Julian, Themistius, and Panegyric

In the nearly seventeen hundred years since his death on 26 June 363 CE, the Roman Emperor Julian continues to fascinate, in large part because of the relative abundance of source material which survives Late Antiquity. This great fascination is due in no small part to Julian himself, whose writings in Greek received new life during the Renaissance with numerous editions of his orations and letters.¹ His works have sparked increasing interest ever since some of the first modern biographies of the emperor appeared in the eighteenth century. In fact, we have more from Julian's pen than from any other Roman emperor; this becomes more noteworthy and even ironic when we consider that he was an ardent pagan whose writings were preserved in various manuscripts by Christian copyists, and only partially so,² whereas we have much less from Christian emperors such as Constantine I and Constantius II, who may have been far less prolific writers.³

¹ The first editions of Julian's orations and letters appeared in the late fifteenth and early sixteenth centuries. See n. 4.

² E.g., we do not have Julian's *Contra Galilaeos* outside of the reconstructed fragments from Cyril of Alexandria's *Contra Iulianum* in the fifth century, and other known treatises. Nor do we have all of Julian's correspondence and edicts. No doubt that the edict of Theodosius II in 448 ordering the destruction of the *Contra Galilaeos* is a prime reason for its largely being lost (see *Edictum Theodosii et Valentiniani* [Schwartz and Straub 1960], p. 66, lines 3–12).

³ For Constantine, we have his *Oration to the Saints*, some letters as preserved in Eusebius, and many laws as preserved in the Theodosian and Justinian Codes. For Constantius II, we have even less, just a few letters to some bishops, more laws in the Codes, and an inscribed letter to one of his top officials. Of course, they probably produced more than this, which has been lost in the process of textual transmission, though not likely anywhere near Julian's level of output.

To be sure, Julian was particularly prolific, an emperor who wrote numerous types of orations and letters, and in various contexts. Some of his earliest prominent works include two imperial panegyrics on his cousin, Constantius (*Orr.* 1 and 3), and one on the latter's wife, Eusebia (*Or.* 2 [Bidez 1932]), written when Julian resided in Gaul as Caesar (Chs. 2 and 3). And then there is Julian's *Epistle to the Athenians*—written by the emperor when he resided in the Balkans at Naissus (Niš) in 361 as part of a 'public relations offensive' during his brief civil war with Constantius—which tells us, among other things, about his early childhood and upbringing under Constantius (337–351), his years as Caesar in Gaul (355–360), his acclamation as Augustus at Paris (360), and his subsequent (failed) negotiations with Constantius that culminated in civil war (360–361; Ch. 4). Altogether, we have ten orations written by Julian, two political pamphlets/essays in the form of epistles, and other variously complete or fragmentary letters which number over one hundred in Joseph Bidez's magisterial edition.⁴

Scholars who have written about the emperor have naturally focused on his voluminous writings in attempts to (re)construct the "historical" Julian. One of these writings is Julian's extant correspondence, which has been said to be a "broken mirror"

⁴ See Hertlein 1875–76 (first comprehensive modern edition); Wright 1913 and 1923 (Greek text with English translation and notes); Bidez 1924 and 1932 (Greek text with French translation and notes of the letters of Julian and the orations of Julian as Caesar); Rochefort 1963 (Greek text with French translation and notes of the first orations of Julian as sole emperor); Lacombrade 1964 (Greek text with French translation and notes of the last orations of Julian as sole emperor); and now Nesselrath 2015. Bidez also preserves a fair amount of apocrypha and letters of doubtful authenticity that raise Julian's epistolary corpus to over two hundred pieces.

(espejo quebrado) that reflects the figure of the emperor well.⁵ But we should be careful with this “broken mirror,” for emperors were complex figures who used their writings to project carefully constructed images of themselves to the public and to posterity, few of which should be accepted at face value. Moreover, emperors’ writings were responses to issues and circumstances that were themselves complex. As Peter Brunt (1988: 89) cautioned,

In practice no systematic theory can explain without remainder the complex interweaving of human activities, especially if the course of events can be altered by the apparently contingent influence of individuals. And on this premiss the historian can never provide any complete explanation of the past. The origins of the personality of every individual are necessarily hidden from him. Moreover, he can seldom comprehend it as it was. His only direct evidence would be a man’s own intimate revelations of his ideas and feelings, and even then doubts would arise whether any man truly understands himself.

This is not to say that we can never understand the personality and motivations of historical figures such as Julian, rather aspects of who they were are necessarily hidden from us and so should lead us to treat them as the complex individuals they no doubt were instead of painting them with broad brushstrokes. For example, modern scholars tend to see Julian as Bowersock (1978) saw him, that is, as something of a duplicitous figure as Caesar, and later, as sole emperor, as a religious zealot, a “puritanical pagan.” More sympathetic has been Athanassiadi’s intellectual biography, which counters and complements Bowersock’s *libellus*. But scholarship on Julian has not fully explored his panegyrics and so his role in the intricacies of imperial government, which is a critical

⁵ Alonso–Nuñez 1972: 55: “El epistolario que se ha conservado de Juliano es como un espejo quebrado donde se refleja de la manera más fiel la figura del Emperador.”

aspect of his public career. Nor have his speeches been considered alongside Themistius'.⁶

Imperial panegyrics were one aspect of the complexities of Roman government, a literary genre and a mode of élite communication that has great potential to shed light on Julian as a panegyrist-Caesar and on his conception of good government since his speeches of praise on Constantius and Eusebia focus on proper rule during his tenure in Gaul. As emperor, Julian was not wholeheartedly a traditionalist or reactionary any more than modern leaders are all one thing or another. Instead, it would be better for us to study Julian from the premise that, like his predecessors and successors in office, he was both traditional and innovative, depending on the issues and circumstances. Julian's two panegyrics on his cousin Constantius are cases in point, speeches of praise that display originality and that would be at odds with how Julian presents Constantius in his rather clever *Epistle to the Athenians* during their brief civil war, that is, as a villain of the first order. In light of the latter pronouncement, scholars have commented on Julian's presumed insincerity in praising Constantius, but we should consider that, if he did not believe in much of the substance of his Constantian speeches, Julian at least believed in

⁶ See Wiemer 1995 and Elm 2012. Wiemer approaches his dual study of Libanius and Julian by assessing the former's orations to the latter in chronological order and in context, and by exploring what these tell us about Libanius and Julian's rhetorical and political interests and interactions. Wiemer's study in many respects reads like a dossier or commentary of Libanius' Orations to Julian. Elm approaches her study of Julian and Gregory by assessing their prominent writings chronologically and in context, and also by exploring them biographically and intellectually in nearly equal measure. Here we might also consider Gleason 1995, which studies sophists and their self-presentation during the Second Sophistic by focusing on the orators Favorinus of Arles and Polemon of Laodicea. My own approach is similar to that taken by Wiemer, but much closer to that taken by Elm.

the underlying purpose behind his praise to a great degree, that is, that it aided his public career, and so it need not be judged as completely disingenuous. Julian might even have believed in some of the substance behind his praise at the moment in which he produced it. And in one respect, Julian's panegyrics provide a better "broken mirror" or reflection of him than his letters because the genre of panegyric had stricter rules regarding what an author could (or should) say, and so both adherence to and deviation from those rules are revealing of personality and character.

As for Themistius, he too has stimulated some scholarly interest,⁷ as a philosopher, senator of Constantinople, and panegyrist for eastern and western emperors, though far less than Julian. In the most recent critical edition of his extant writings by Maisano (1995), the text of Themistius' thirty-three surviving orations, those considered "official" and "public" and those categorized as polemical and "private," are all collected together with an Italian translation and notes.⁸ The current consensus divides Themistius' works into two parts: *Orations* 1–19 (political ones delivered before emperors and so "public"; *Oration* 12 is not extant) and *Orations* 20–34 (not delivered before emperors and on various philosophical and other topics, and so "private," but some of which Themistius wrote in defense of his political career as a senator of Constantinople and urban prefect of the city, cf. *Orr.* 17 and 34). My focus here is primarily on his "official" and "public" speeches during Julian's reign as Caesar and then Augustus, that is,

⁷ E.g., see Vandespoel 1995.

⁸ See also the standard text of Schenkl, Downey, and Norman in three volumes (1965–74).

Orations 1–4, and on his *Epistle to Julian*, which Swain (2013) recently has translated from Arabic to English.

Scholars of Themistius are divided on him, perhaps even more so than those of Julian are divided on the emperor. Errington (2000: 873–8) has argued for Themistius as a kind of official propagandist, citing Themistius’ consular oration to Jovian (*Oration* 5) and pointing out that the emperor had already decreed religious tolerance prior to 1 January 364, which thus suggests that Themistius was just repeating the official line. But this is not a certainty. It may be that Themistius was not simply repeating official policy already enacted so much as arguing for its permanence, which is a very different thing. If so, this would show Themistius to be more independent as a panegyrist, a view that is in keeping with what I see in Themistius’ *Epistle to Julian*. In fact, some scholars such as Heather and Moncur (2000: 61–2, 73–4) credit Themistius with deftly portraying Constantius’ Christianity as not incompatible with Hellenism in *Oration* 1, a portrayal they describe as “daring,” “bold,” and “the sign of a great risk-taker” (74). This view, which I subscribe to, precludes a mere propagandist.

In addition to Julian and Themistius’ speeches, two panegyrists of Julian, Claudius Mamertinus and Libanius of Antioch, have left us three panegyrics between them that they delivered before the emperor in 362–3 and that reveal much of Julian’s concerns as emperor, first during his stay at Constantinople and subsequently at Antioch (Chs. 5 and 6). A highly-placed staff officer in the Roman army (*protector domesticus*), Ammianus Marcellinus is also a vital contemporary and knowledgeable eyewitness of much of the fourth century who, by 391, produced an indispensable Latin History (*Res*

Gestae) of events during his own lifetime (353–378), a period which includes the entirety of Julian’s public career and nearly eight-year hold on imperial power (355–363). Unfortunately, Ammianus says nothing about Themistius, at least not directly; at best, it may be that Ammianus has Themistius in mind when he remarks disapprovingly upon the “learned flatterers” (*eruditis adulatoribus*) of the Emperor Valens, before whom Themistius delivered several panegyrics.⁹

The pairing of Julian and Themistius in a dual study, which closely explores their writings and activities, generally from about 350 to 363, has been long overdue. They share many attributes: they both were born and raised in the Greek East (although Themistius was Julian’s senior by about fifteen years); both were highly educated adherents of rhetoric and philosophy who espoused their own ideas on proper kingship in numerous orations and letters; both had political careers initiated by Constantius in late 355 and wrote panegyrics to him around the same time (which have not yet been studied comprehensively); and, perhaps most importantly, Julian and Themistius’ relationship, at one point, seems to have been that of student and teacher.¹⁰ Studying the interaction of these two men in this last context will shed new light on what I perceive as Themistius’ influence on Julian, particularly with respect to Julian’s writing of panegyrics on Constantius (which also has implications for Julian’s view of governance), what their

⁹ Amm. 31.4.4: *eruditus adulatoribus in maius fortunam principis extollentibus*; Heather and Moncur 2001: 201. For Themistius and Valens, see Orations 6–8 and 10–11, esp. 10.

¹⁰ Jul. *Ep. ad Them.* 257D, 259C; cf. Bouffartigue 2006: 118–19.

relationship looked like once Julian became sole emperor in late 361, and what all this reveals about panegyric, communication, and power during the Late Empire.

As the position of Julian's name in the title of this project suggests, greater emphasis will be placed here on the emperor, with Themistius occupying a subordinate position. While the imperial office in this age was autocratic in nature to a great extent, nevertheless the power of that office was based on the occupant's ability to maintain many healthy relationships other than just with the Roman army. Local and regional élites and the populace at large were also critical. Studying Julian's panegyrics alongside those of Themistius can provide new insights into those non-military relationships which an emperor such as Julian had to cultivate in order to keep a strong hold on the imperial power.

Both Julian and Themistius, like many of their predecessors, contemporaries, and successors, saw the ruling of the Roman Empire, indeed the very existence of the Empire, as something meant to benefit its subjects; this required both men to conceive of a practical or political philosophy, one that is apparent in their speeches of praise. For example, both Themistius and Julian discuss Constantius' *philanthropia* in their panegyrics, and to various degrees, and how this virtue shaped and was emblematic of his governance; though it remains to be seen whether they deployed this as a true trait of the emperor or as a way to influence him and his policies. Scholars have noted that the two options available to practitioners of epideictic oratory, that is, to praise or to blame, were not really choices at all with respect to what could or should be said before Roman

emperors.¹¹ But a panegyrist had the potential to influence his emperor, and so imperial policy, and vice versa. Whether a panegyrist had independence of expression and to what degree he had it is a thorny question; but, as I will show, Julian and Themistius display degrees of independence in their panegyrics, the one with respect to what he could say about the imperial family and their interrelations, and the other on the philosophical topic of his orations and how the emperor would be depicted in relation to it.

While my focus here is on Julian and Themistius, nonetheless what follows is not a dual biography, nor a biography by any means. As John Paul Adams (1979: 460) has well-noted, in a vein similar to that of sociologist and Roman historian Keith Hopkins, “Writing biography is a dangerous business. It compels us to generalize on the basis of single instances; it invites us to extrapolate on the assumption that a person’s actions and thoughts are consistent, when in truth a person is often ‘compelled in his public and official capacity to do things which in his private and personal capacity he heartily deplores’.” The best description of what *Julian and Themistius* is, perhaps, is that of a comparative study which seeks to understand these two figures and the world in which they lived better through the prism of imperial panegyric, one that focuses on people and processes at particular points in time. Panegyrics contained critical messages that emperors wished to be communicated, not only about themselves as individuals but also about their governments and policies. No less important are the contexts in which

¹¹ Note, however, the views of panegyric espoused by Ahl (1984), who, drawing upon Demetrios of Phaleron and Quintilian, conceives of a “figured speech” in oratory, a type of speech that consists of using emphasis and ambiguity as ways to communicate criticism safely. See also Bartsch 1994, for the coexistence and overlapping of praise and blame in Pliny.

emperors communicated these messages, the expectations that Roman subjects had of emperors, and how emperors and their top officials responded to those expectations.

A recurring theme throughout this study is that imperial panegyrics allowed Roman emperors to display their responsiveness to their subjects, with responsiveness being a message in itself in an age when personal access to the emperor in the interests of redressing grievances tended to be highly restricted, and that these panegyrics preserve much about contemporary social and political concerns on the part of both emperor and subject. Imperial speeches of praise, such as those of Pliny the Younger, Marcus Cornelius Fronto, Julian, Themistius, and Libanius, were often circulated among fellow notables in polished, written form, and the messages they contained would have spread orally as well. The primary powers and benefits of such speeches consisted of their ability to communicate important messages to the educated élite regarding the emperor and his policies and to shape the public reception of these topics. When an anonymous Latin panegyrist spoke before Constantine (probably) at Trier in 307 (7[6]), his showcasing of the emperor's legitimacy would not have reflected the interests of the new imperial court alone. No doubt that the public at large was curious about the traits and abilities of a man whom they apparently had never known before his assumption of power in summer 306. By enlisting the talents of an orator to praise and to promote him as emperor, Constantine can be seen responding to some of his new subjects' concerns about his imperial credentials and objectives and his performance in the imperial office. Here we might also consider a subsequent Latin panegyric before Constantine in early 313, again at Trier (12[9]), after the emperor concluded his civil war against Maxentius, a

speech delivered before an audience that would have been interested in Constantine's doings after this victory and what they meant for the city and region moving forward. And the speech's pointed references to the emperor's recent visit to Rome (1.1) and to his restoration of some senatorial authority there (20.1) suggest that this panegyric had a wider intended audience in Italy. Roman subjects had expectations regarding how their emperors should perform as commanders in the field and as civil administrators at home, in peacetime and in war, and panegyrics went some way to informing them on these critical points and aspects of imperial rule contemporaneously. Thus, we should consider that panegyrists' references to emperors' responses to civic concerns and barbarian activity along the frontiers, and to their approaches to appointing governors and administrative subordinates, are meant to display imperial responsiveness to Roman subjects, who would have been concerned with such matters that impacted daily life. We shall find similar expectations in and motives behind the panegyrics to Constantius and Julian as emperors.

The central questions which this investigation thus seeks to answer are: How did Julian and Themistius conceive of imperial panegyric in relation to Roman imperial power, and to what ends did they apply this genre during their public careers? How the genre of imperial panegyric functioned, even as it was expressed in different forms (see below), is of vital importance. While panegyrics must be used carefully as historical evidence since orators could take great license with the historical details they chose to present, they nonetheless afford vital windows into how panegyrists and political actors manipulated the conventions and the fabric of praise-giving in particular contexts, and

into what such manipulation tells us about panegyrist, emperor, audience, and genre. It is critical to explore these texts on their own terms in order to understand better the degree to which authors of this genre, such as Julian and Themistius, exercised independence from emperors and their court officials. And in so doing, this study will make observations that will help us understand how such panegyrics portrayed emperor and policy purposefully, and both shaped and were shaped by them.

While panegyric found a prominent place in Roman imperial discourse during the fourth century, it had a long relationship in the Mediterranean world that went back to Greece in the fourth century BCE. Isocrates and Xenophon, among others, produced some of the earliest written examples of panegyric, and what can be termed proto-panegyric is evident in poetical works and oral traditions, such as in Homer's works, where praise of honorable actions is displayed throughout. Panegyric played a part in important religious festivals and occasions and in athletic contests. During such events, speeches of praise on the dearly departed (*epitaphioi logoi*) and on relevant social and political questions were delivered before wide audiences. Greek oratory would be divided primarily into three branches: forensic or judicial, deliberative, and epideictic or "display" oratory, the latter being the category in which praise-giving and its opposite, censure or blame (*psogos*), were placed. Judicial oratory was practiced by those who tried public cases in law courts, while deliberative speech was the domain of office-holders and politicians before assemblies of fellow citizens. Epideictic oratory, however, seems to have had a wider arena, for it could be delivered before members of the élite in various places and contexts. And in all three of these branches, persuasion took a central role in

the performance of a speech, since all three types of oratory would be delivered before gatherings of citizens who would decide on issues of state.

Gradually, such oratory evolved into ornate speeches or essays on kings and their performance as holders of high authority, such as Isocrates' *Evagoras*, which is an early extant panegyric on the king of the city-state of Salamis in Cyprus.¹² Indeed, panegyric and proper rule would become inextricably linked. As Isocrates' contemporary Xenophon put it in the opening line of his *Agesilaus*, which is a panegyric on the Spartan king Agesilaus II, "For it would not be a fine thing if a man who was completely good, on account of this [completeness], did not gain praise, even if lesser [than he deserves]."¹³ And, as Xenophon also relates elsewhere, "But kings and rulers, he [Socrates] said, are not those who possess staffs of royal authority, nor those who are elected by those who happen to be around, nor those who obtain [their position] by lot, nor those who engage in force or deception, but those who know how to rule."¹⁴ Speeches of praise on kings (*basilikoi logoi*) would become standardized as part of a unique literary genre all its own with several subtypes.¹⁵ In fact, the existence of so many subtypes indicates not only that

¹² For an introduction, see Pernot 1993: 19–53.

¹³ Xen. *Ages.* 1.1: οὐ γὰρ ἂν καλῶς ἔχοι εἰ ὅτι τελέως ἀνὴρ ἀγαθὸς ἐγένετο, διὰ τοῦτο οὐδὲ μείονων ἂν τυγχάνοι ἐπαίνων.

¹⁴ Xen. *Mem.* 3.9.10: Βασιλέας δὲ καὶ ἄρχοντας οὐ τοὺς τὰ σκῆπτρα ἔχοντας ἔφη εἶναι οὐδὲ τοὺς ὑπὸ τῶν τυχόντων αἰρεθέντας οὐδὲ τοὺς κλήρω λαχόντας οὐδὲ τοὺς βιασαμένους οὐδὲ τοὺς ἐξαπατήσαντας, ἀλλὰ τοὺς ἐπισταμένους ἄρχειν.

¹⁵ E.g., see Russell and Wilson 1981, for their text and translation of the third century CE *Handbook of Menander Rhetor*.

there were numerous functions that panegyric could perform, but also that the genre itself was open to various definitions and interpretations. What, then, was panegyric?

A Roman counterpart to Greek panegyrics, Latin speeches of praise took a similar trajectory and shape. Some of the earliest Latin speeches were those which praised the dead (*laudationes funebres*), such as Julius Caesar's speeches on his aunt Julia and on his wife Cornelia (Suet. *Caes.* 6.1), orations that apparently had a long tradition during the Roman Republic. Another type was Cicero's *De Imperio Cn. Pompei* ("On the *imperium* of Cnaeus Pompey"), otherwise known as his *Pro lege Manilia* ("In favor of the Manilian law"), a speech (*oratio*) that Cicero delivered in 66 BCE in favor of a law that would grant the Roman politician and general Cnaeus Pompey extraordinary authority in the eastern Mediterranean in a war against Mithridates VI, the king of Pontus, and in so doing praised Pompey as a man worthy of such authority.¹⁶ To be sure, these Republican orations are not Latin panegyrics in the strict sense according to rules laid down later by rhetoricians, but they are kinds of proto-panegyrics, early speeches of praise that would evolve in an imperial context to serve the interests of emperors and other members of the élite.

About four years after the death of the hated Emperor Domitian, Pliny wrote and delivered before the Senate of Rome what would be the most well-known and influential Latin panegyric during the imperial period, his "speech of thanks" (*gratiarum actio*) to Trajan for a suffect consulship in 100 that is more commonly known as the *Panegyricus*

¹⁶ E.g., see Cic. *De. Imp. Pomp.* 3: *Dicendum est enim de Cn. Pompei singulari eximiaque uirtute.*

and that was ranked first in the extant Gallic corpus of Latin speeches of praise, the XII *Panegyrici Latini*. Pliny's speech was followed by many others and perhaps strongly influenced Fronto's Latin panegyric to Antoninus Pius in 142.¹⁷ During the imperial period, Latin discourse on praise-giving tended to be pointedly positive declarations on imperial character and policy.¹⁸ Unfortunately, only a handful of these panegyrics survive. In addition to twelve Latin panegyrics in a single collection (XII *Panegyrici Latini*), we have three fragmentary speeches of Symmachus and Ausonius' *Gratiarum Actio*, speeches that praise emperors from Maximian to Theodosius and span the fourth century.¹⁹ As to the particular purposes of these speeches, one was delivered on an emperor's birthday, another on the occasion of an emperor's wedding, one was presented to commemorate an emperor's anniversary in holding imperial power, two were delivered in order to thank emperors for their granting of the consulship or the highest magistracy in the state for one year, and other speeches were presented on emperors' triumphs in war, both civil and external. Dozens of such panegyrics were delivered before emperors every year, and for various reasons, such as an emperor's arrival and his departure from a city, or even to reconcile himself with members of the educated élite.²⁰ That so many

¹⁷ *Pan. Lat.* 8(5). 14.2.

¹⁸ See Nixon and Rodgers 2015: 1–37 and Rees 2012: 3–48, for introductions to the history of Latin panegyric.

¹⁹ For the XII *Panegyrici Latini*, see Mynors 1964 and Nixon and Rodgers 2015. For Symmachus' fragmentary panegyrics to Valentinian I and Gratian (*Orr.* 1–3), see Seck 1883. For Ausonius' *Gratiarum Actio* to Gratian, see Green 1999.

²⁰ See *Lib. Or.* 1. 96–7, who suggests that he felt compelled to produce a panegyric for Gallus Caesar at Antioch c. 353/4 (which is unfortunately lost). Libanius does not note

speeches were delivered every year would have stimulated a degree of creativity in how praise (or censure) of the emperor was conceived.

In 360, the bishop Hilary of Poitiers created his *In Constantium*, a rather unique speech/essay, an “anti-panegyric” on Constantius that was circulated in a bid to undercut the emperor’s promotion of Homoian bishops and policies in the West.²¹ This work came on the heels of Hilary’s conversely reverential letter to the emperor in the *Ad Constantium*, one that shows that Julian’s own volte face in the following year from panegyrics on Constantius to polemical letters against him was not an anomaly. As Humphries (1998: 202, 211–21) has observed, Hilary’s polemical work contains several panegyric components that Hilary adopted and inverted cleverly into censure, the counterpart of praise, for his own theological and political purposes. Subsequently, while Quintus Aurelius Symmachus would deliver several Latin orations before emperors, such as Valentinian I and Gratian, he also produced a panegyric on his father, Avianus Symmachus (*Or. 4, Pro patre*). This speech was delivered in the Senate of Rome as a *gratiarum actio* on behalf of Avianus in 376, probably due to his being consul designate

the exact reason for Gallus’ request, but it is revealing that he paints Gallus in dark colors and describes the Caesar’s relationship with Antioch’s élite as strained to say the least. An emperor’s request for a panegyric was typically considered an honor, and imperial rewards often followed a panegyrist’s delivery of a speech of praise, such as those that Libanius received for delivering his *Oration 59* on Constantius and Constans c. 348. Thus, Gallus may very well have requested a panegyric from Libanius in order to express his desire for a positive relationship with the rhetorician and for them to be reconciled publicly.

²¹ See Humphries 1998.

for 377.²² Such a speech resembles Pliny's *Panegyricus* in that the senate, not the emperor, is addressed directly, a fact that suggests the senate's greater influence in the early months of Gratian's reign than in the last months of his father's. In addition to serving as testimony regarding the authors' advanced rhetorical education, these speeches exemplify that epideictic oratory, both praise and censure, constituted a vital part of social, political, and religious discourse, and one used by both pagans and Christians, on an elite level. Both of the examples above, and especially that of Hilary, illustrate that praise possessed an inherent versatility and usefulness in the fourth century, when panegyrics seemed to have played more prominent roles in elite communication than ever before.

Greek imperial panegyrics also flourished during this same period, of which only a small sample remains, speeches that were typically delivered before emperors. In the fourth century, Libanius looms large for the panegyric that he delivered on Constantius and Constans (*Or.* 59), though not in their presence, two speeches of praise before Julian at Antioch (*Orr.* 13 and 12), and several post-Julian encomia such as the *Epitaphios* (*Or.* 18), among others.²³ No less important are the panegyrics that Themistius performed before emperors from Constantius to Theodosius, which are closely connected to imperial policies. And then there is the rhetorician Himerius of Prusa, who produced numerous panegyrics on various individuals, from Roman emperors to governors to students, of

²² Sogno 2006: 25–6.

²³ See Foerster 1963 and Norman 1969.

which only a small number survive in fragmentary form.²⁴ Overall, we have a relatively small number of Latin and Greek panegyrics that are complete. But the Greek imperial speeches of Julian and Themistius that we have are complete and they are the most important eyewitness sources for much of the 350s and 360s CE.

A learned and careful reader of Isocrates and Xenophon, among others, Julian drew from classical models, such as the *Agésilau*s (cf. *Jul. Or.* 2, 104A–B) and the *Memorabilia* (*Or.* 3, 83C–D), to produce speeches that also function as treatises on kingship, such as the *Second Panegyric on Constantius* (Ch. 3). Julian’s is a notable case because he himself was Caesar or deputy emperor when he wrote these speeches, which were dedicated to his cousin and superior, Constantius. Less rare but still remarkable was when a philosopher turned senator produced praise for emperors, as in the case of Themistius, who also showed himself well-versed in Greek rhetorical models. More typically, famous Greek and Latin rhetoricians and orators, such as Dion of Prusa, Fronto, Libanius, and Ausonius, delivered speeches of praise on and to Roman emperors. The Greek panegyrics of Julian and Themistius that form the basis of this study are conspicuous for the social and political positions of their authors and their dealings with Constantius’ government. These speeches of praise also exemplify critical modes and lines of communication during the fourth century, and so they have great potential to shed light on imperial panegyric, communication, and power.

To adapt Lendon’s (1997: 63–69) remarks on Roman reciprocity, the relationship between panegyrist and emperor is an important example of a code of reciprocity in an

²⁴ See Penella 2007.

empire of honor where each actor had and performed power. By “power” I mean the ability of an emperor such as Constantius to request a speech of praise, and so to have a hand in the dissemination of his public image as an occupant of the imperial office, and the ability of a panegyrist to deliver praise voluntarily on the emperor that the latter expected; the emperor was honored by praise of his execution of his office and the orator was honored in turn with gifts and status. Both emperor and panegyrist were united in a complex, codependent relationship and both performed on a grand stage that Roman subjects keenly observed. Thus, the delivery of an imperial speech was a significant public act that showcased the close social and political connection between an emperor as the most powerful patron within the empire and a panegyrist as member of the educated élite. But, as I will argue, panegyrists such as Julian and Themistius were no mere mouthpieces for Constantius and his court; they were responsible for selecting the contents of their panegyrics to a great degree and so they too had “power,” both to affect how audiences received the subjects of their works and how these same audiences thought of them as orators and politicians, explicitly and subtly, for the delivery of a panegyric was an important social and overtly political act. Speeches of praise on emperors were often delivered in vital public places, such as the palace, the senate house, or the assembly of a major imperial residence and civic center, places that would be filled with high government officials and with local and regional élites.²⁵ While it seems that

²⁵ E.g., see *Pan Lat.* 11(3). 11, for the delivery of a panegyric in the imperial palace at Milan before Diocletian and Maximian in 290; 3(11). 2.3–4, for delivery in the senate house of Constantinople before Julian and his court at the start of 362; and *Lib. Or.* 12, for possible delivery in the bouleuterion of Antioch at the start of 363 (see Ch. 6).

common citizens were not able to attend such events,²⁶ some of the messages that orators delivered within stately buildings did penetrate to the outside in different ways.

In discussing panegyric and its relation to Roman imperial government in the fourth century, I follow here the view proposed by Sabbah (1984) in his influential article, and subsequently adopted by Rees (2002; 2012), namely, that imperial panegyric was not a mere display of flattery before a Roman emperor but an integral part of how Roman government functioned. Indeed, “flattery” (*blanditiae*/κολακείαι) was one of the most important nonviolent tools that emperors used to achieve their ends,²⁷ and panegyrists could tap into this power and reverse its flow on behalf of their own interests, or at least appear to. As we have noted above, panegyric represented a key literary medium for disseminating imperial messages to the empire’s subjects, what Sabbah has termed *communication descendante*, and, conversely, for influencing imperial ideology and policy by means of *communication ascendante*. Therefore, panegyric can provide insights into the inner workings of Roman government and those who participated in them.

Assessments of Julian and Themistius as public figures cannot and should not be divorced from these speeches of praise, which represent a vital forum for their conceptions and expressions of power. To be sure, panegyrics often portrayed emperor and panegyrist, not as they were, but as they wished to be seen, and so their value as

²⁶ *Pan. Lat.* 11(3).11; Rees 2002: 10 and n. 37.

²⁷ E.g., see Euseb. *HE* 9.9a.2: κολακεία καὶ προτροπαῖς (the praetorian prefect Sabinus on behalf of Maximinus Daia); Rufin. *HE* 10.33: *praemiis honoribus blanditiis persuasionibus* (Julian).

historical documents has suffered from charges of insincerity. However, whether Julian and Themistius were sincere or otherwise in their praise of Constantius as emperor is beside the point; what matters is that Julian and Themistius played active roles in the workings of Roman government by producing panegyrics and that they represented Constantius in them in ways that conceivably would have been acceptable to the emperor and even to the empire's subjects. Since panegyric was a critical medium for communications from and to the government and so performed a critical function within it, the ways in which Julian and Themistius depict imperial power in their speeches are revealing of that government. And knowing how panegyrists wished to be seen is itself valuable, for it can provide insights into contemporary Roman political culture and events.

Scholars have noted generally how the genre of panegyric was quite versatile, as it could be deployed in poetry or prose, and for different purposes, such as to commemorate imperial birthdays, anniversaries, and other important occasions publicly. In keeping with this view, this study seeks to underscore just how flexible and versatile a genre praise-giving could be in the hands of Julian and Themistius, particularly in the case of the former, who considered the power of praise well-suited to advancing his social and political interests and who tailored this genre to his needs of the moment, such as when he desired to maintain Constantius' good will and political support, and later, to engage in self-promotion during civil war against the same man. The following chapters will show how panegyric was multivalent, in addition to its formal subdivisions listed in rhetorical handbooks such as that of Menander Rhetor, that is, how it could be and was

employed to shape, to finesse, to promote, to reinforce, and to punish. These diverse functions that speeches of praise could perform underscore the overarching value of panegyric as a critical tool in imperial communications and public relations, that is, the role it played in how and what the empire's subjects thought of their emperors and government.

In Chapter 2, I discuss how Themistius and Julian each used their first panegyrics on Constantius *to shape* Constantius' public image as a learned man and as a philosopher in 355/6, likely to support his standing as a man of letters and to strengthen his ties with the educated élite. Constantius had just promoted Themistius to the Senate of Constantinople and Julian to the rank of Caesar in late 355, and so their panegyrics can be classified as speeches of thanks; moreover, Themistius and Julian's new positions gave their speeches of praise wider audiences and greater significance than those of private orations. Their shaping of Constantius' image in these speeches was accomplished by presenting Constantius' eloquence and education, his commutation of capital punishment, apparently in a specific case, and his generous treatment of his brothers after the death of their father, among other items, as examples of his *philanthropia* (see Daly 1975). In addition to revealing remarks of Ammianus (21.16.4), Constantius' language in his *Demegoriā*, the public speech that adlected Themistius to the senatorial order, illustrates that he was interested in cultivating his image as a man of letters. That he seemingly desired such image management through Greek panegyrics also suggests that he was particularly interested in how he was perceived by the educated

élite in the East since Themistius' speeches were delivered there, while Julian's first speech was produced in the West but eventually circulated in the East.

In Chapter 3, I then explore Julian and Themistius' panegyrics to Constantius from 357–359 as diplomatic texts, which the panegyrists used *to finesse* their relationships with the emperor. During this two-year period, Julian resided in Gaul and produced two distinct and rather unique panegyrics, one speech of thanks on the empress Eusebia and another type of panegyric on Constantius, both of which convey Julian's concerns with maintaining positive relations with the imperial couple generally. Indeed, Julian emphasizes Constantius and Eusebia's generosity as his benefactors and promoters and their penchant for clemency and reconciliation, traits that indicate the panegyrist-Caesar's interest in maintaining political support from his Augustan superior. As for Themistius, he actually traveled as a senator and envoy from Constantinople to Rome in early 357 to deliver an "ambassadorial speech" (*presbeutikos logos*) before Constantius on the occasion of the emperor's triumphal celebrations in the Eternal City, a speech aimed ultimately at securing greater favor both for his adopted city and himself. Moreover, Themistius' oration speaks to the cooperative relationship between Constantinople and Rome as due to Constantius, and so portrays the emperor as benevolent and pragmatic. This was a message that Constantius seemingly desired to be conveyed to his western subjects, particularly to the Senate of Rome, with whom he would have sought to build *consensus* for his rule after having ultimately defeated the usurper Magnentius in a civil war.

In Chapter 4, I consider the brief civil war between Julian and Constantius in 361, when Julian, as a new Augustus since his acclamation at Paris in early 360, marched on and seized much of Illyricum. The Latin historian Ammianus Marcellinus is the most important source on this period and he employed panegyric to help him explain and to advertise Julian's imperial credentials in his History. This historiographical approach, one in which panegyric material (*laudatiua materia*) figured prominently, can be traced back to Julian, who wrote his propagandistic *Epistle to the Athenians* and similar epistles to other Greek cities in the region in a panegyric mode, literary works with which Ammianus was well acquainted. Julian's *Epistle* functions as open letter, autobiography, and self-panegyric, for Julian used conventional elements of biography and panegyric in this letter *to promote* himself as a worthy emperor and Augustan candidate against Constantius. This imperial self-promotion is also manifest in a series of milestone inscriptions from the Balkans that are dedicated to Julian, whom, I argue, is the author of what should be seen as short epigraphic panegyrics.

In Chapter 5, I discuss Claudius Mamertinus' panegyric to Julian at Constantinople at the start of 362, which is a "speech of thanks" (*gratiarum actio*) to Julian for the consulship he received from the emperor that also doubles as a well-crafted outline of Julian's political program. In addition to being Julian's Latin panegyrist and consul, Mamertinus also served as his praetorian prefect, and these offices imbue Mamertinus' speech with an 'official' quality and cast him as the emperor's spokesman. When Mamertinus' speech of praise is read carefully, it is evident that his concern was *to reinforce* Julian's new government in Constantinople and his position as sole emperor

empire-wide by highlighting Julian's positive actions in the imperial office and so highlighting his qualifications for occupying it. In so doing, Mamertinus, I shall argue, conveys the emperor's interest in building *consensus* with his new eastern subjects in 362 in much the same way that Constantius had desired *consensus* with his western subjects in 357. In connection to this, Julian's *Epistle to Themistius* and Themistius' *Epistle to Julian*, which were both meant for public consumption and which I both date to late 361/early 362, are placed in dialogue with Mamertinus' imperial speech and considered alongside one another for what they all reveal about Julian's new administration, of which, I argue, Themistius was a part.

In Chapter 6, I consider other instances of Julian's self-promotion as sole Augustus in his epistles and edicts to eastern cities such as Alexandria, where panegyric is clearly employed with an eye to increasing the emperor's authority and standing with cities that he had hitherto not controlled. I also explore Greek panegyrics to Julian from the renowned rhetoricians Himerius and Libanius, the one having delivered a speech of praise on Julian at Constantinople in spring/summer 362 and the other having delivered two panegyrics before the emperor on two particular occasions in Antioch, that is, Julian's arrival in the city in late July 362 and his assumption of the consulship at the start of 363. In so doing, I show how these panegyrics promote Julian's political and religious program in a gradual 'rollout' of new imperial policy. I then closely scrutinize the last oration that Julian produced before his death in Persia in June 363, the *Antiochikos [logos]/Misopogon* ("Oration on Antioch"/"Beard Hater"), which apparently was published outside of the imperial palace at Antioch earlier that year and which was

employed simultaneously *to promote* and *to punish*. After his relations with Antioch deteriorated, Julian produced a rather unique imperial pronouncement that promoted himself as emperor and that censured the city for its recent social and political missteps during his residency there. As in the *Epistle to the Athenians*, there are some panegyric components in the *Antiochikos/Misopogon*, which, I argue, can be read as a self-panegyric, for Julian refers to his family history and upright behavior in clear acts of self-promotion. Moreover, there are other similar panegyric elements in this oration that, when considered with its publication on the eve of the emperor's departure for Persia, indicate that Julian wrote a cleverly inverted "speech of leave-taking" (*suntaktikos logos*) that conveyed his joy at leaving Antioch. In this light, Julian's imperial pronouncement, which bore two distinct titles, was his way of punishing the city with dishonor while promoting his actions in and towards the city for posterity.

In Chapter 7, I summarize my main conclusions and contributions in this study. Panegyric in the fourth century Roman Empire was a flexible genre. It could be and was employed in diverse forms and contexts to shape, to finesse, to promote, to reinforce, and to punish, and in many cases it was able to do all these things all at once. In an attempt to answer the question above, "What, then, was panegyric?," I posit that panegyric was both a literary genre and a mode of expression that discloses a rhetoric of government, one that focused on advertising that good government was the underpinning of imperial legitimacy and success. The discourse of praise was often used to showcase an emperor's new political program and to communicate his interest in building *consensus* after civil war. Panegyric also allowed emperors such as Constantius and Julian to display their

responsiveness to their subjects, which was an important message in itself in an age when personal access to the emperor was highly restricted. And, in addition to imperial policies, speeches of praise convey much about contemporary social and political concerns on the part of both emperor and subject. All this has a direct bearing on interpretations of Julian's conduct in the imperial office; indeed, it necessitates that we revise current views of him. Far from the irrational and "puritanical pagan" emperor of Bowersock (1978), the Julian that emerges throughout the present investigation is that of a pragmatic man, both as a panegyrist and as an emperor, one who knew what was expected of him in every role that he played within Roman government and who engaged in building some kind of *consensus* with those around him in the interest of attaining his goals. This is the Themistius that emerges here as well, one who did not engage in mere base flattery of Constantius and Julian as a court propagandist but who adapted himself to men and circumstances in the interest of promoting good government as a philosopher and senator.

Chapter 2
Panegyric and the Shaping of Imperial Image and Power: Themistius, Julian, and
Constantius, 355–356 CE

For all its rules and conventions, panegyric was a versatile literary genre and practice that could be employed in different ways and for different ends. As we shall see in this and subsequent chapters, a key feature and utility of speeches of praise lay in their image management of an emperor and his interests by means of praising him in select areas, and prudently, and even by not praising him in others. No two panegyrics are exactly the same, and so careful scrutiny of their differences can shed some light on an emperor's desired image of himself in a particular moment. But such speeches were also valuable for the opportunities they presented for emperors to display their responsiveness to their subjects and to address their concerns during important public occasions, such as imperial promotions of worthy individuals and imperial visits to cities. The three imperial speeches that form the basis of study in this chapter were all produced for the Emperor Constantius II on three separate occasions and over the course of about a decade (though the dates of these speeches are highly contested, as we shall see below), and so they afford us a rather unique contemporary window into how this emperor desired his public image to be conceived of and disseminated over time, as well as into how Constantius addressed the concerns of his subjects during this same period, when Themistius and Julian came to share the imperial stage with him in various ways and in other ways even came to dominate it.

Sometime in 355/6 CE, Julian began writing his earliest extant panegyric and oration, the *First Panegyric on Constantius* (*Or.* 1).²⁸ This imperial panegyric and the two subsequent ones, each addressed to Constantius' wife Eusebia and to the emperor in turn, belong to a unique class all their own: carefully constructed *basilikoi logoi* by one emperor, a Caesar, for his Augustus, a fact that would explain the placement of these orations among Julian's imperial oeuvre and their survival, since they would have served as prime examples of imperial eloquence and encomia worthy of emulation.²⁹ This chapter focuses on the first oration of Julian and the first two orations of the philosopher-statesman Themistius (*Orr.* 1 and 2), as well as the *Demegoriā Constantii*, an imperial letter of Constantius to the Senate of Constantinople in late 355. My aim here is to explore Julian and Themistius' representations of Constantius as emperor, and in turn what these representations tell us about Constantius' interests and motives in enlisting these two men as his panegyrists. The *Demegoriā* will serve an important role in this study of Julian and Themistius' orations because it purports to be an official pronouncement of Constantius', and so is a document whose presentation of the emperor can provide insights into orations written for him. Scholars of Julian and Themistius have

²⁸ I should note here at the outset that my uses of "Panegyric *on* Constantius" and "Panegyric *to* Constantius" as titles for Julian and Themistius' speeches are my subtle ways of distinguishing between speeches that we know for certain were delivered to or for Constantius in a public setting and those that we are not sure were delivered to that emperor but where he is the subject.

²⁹ Scholars have noted that the collection and survival of Julian's orations and letters indicates that, despite his having been a pagan emperor, these works were highly valued on stylistic grounds during the Byzantine period. E.g., see Bidez 1932: xiii–xxxvi, for the standard introduction to Julian's first orations, and now Elm 2017, for Julian's letter collection.

studied each of their speeches relatively little and none have explored them together comprehensively, nor have they adequately explained why Constantius employed Julian and Themistius in the capacity of panegyrists and what the underlying purposes of their panegyrics to Constantius were. In particular, these imperial speeches elucidate Constantius' relationships with the educated élite and exemplify his responsiveness to his subjects. They even act as kinds of policy pronouncements (an approach I will take in Chs. 5 and 6 with respect to Julian),³⁰ in part, since they were delivered on (Themistius) or produced for (Julian) important public occasions (below). And Julian's imperial speech is rather unique.

To be sure, prospective heirs, on occasion, had delivered *orationes* on behalf of their emperors in the Senate of Rome during the early empire, speeches that played an important role in policymaking.³¹ But we know of no other occasion when one emperor praised his superior in a formal epideictic speech, and in Greek instead of Latin (more below). While Julian's three Greek panegyrics have been understudied by scholars, this has begun to change.³² In a paper on Julian's coinage as emperor, López Sánchez (2012: 167–8) recently has argued that Constantius seriously had considered and planned

³⁰ See Vandespoel 1995: 88, who notes that Themistius' adlection was important to Constantius because it "advertised support from some pagans and a willingness to accept diversity of opinion." But we can and must go further.

³¹ For Nero delivering a speech under Claudius in the Senate, see Suet. *Nero* 7.2 and Cass. Dio 60.33.9. For Hadrian's *oratio* under Trajan, see HA *Hadr.* 3.1, 3.11. For imperial *orationes* and *senatus consulta*, see Talbert 1984: 437–59.

³² See Tantillo 1997: 11–50; Tougher 2012 (*Or.* 1); García Ruiz 2012 (*Or.* 2); and Drake 2012 (*Or.* 3).

Julian's elevation to Caesar at Arelate (Arles) in late 353/early 354, and he has suggested redating Julian's first panegyric on Constantius to this period.³³ But how can this be? Constantius already had a Caesar, Gallus, at this time; why would he have wanted to elevate another? If we answer this by saying that Gallus' independent streak and bloody

³³ See also Vanderspoel 1995: 86–7, 116, who suggests that Julian was with Constantius at Arles in 353 and campaigned with him against the Alamanni in 354 “under duress” (86). Vanderspoel (2013) argues this point at some length and does so unconvincingly. Firstly, Julian's suggested attendance of Constantius' *tricennalia* at Arles in late 353 is plausible; but neither Julian nor any other source tells us where, exactly, he was in 353/4, and he need not have been at Constantius' court so much as somewhere in northern Italy, just as he would be later when he resided at Comum in 354. Secondly, contrary to what Vanderspoel (2013: 330–1) states, that it “may make little difference” what Julian means either by “army” or “court” (τὸ στρατόπεδον) in his open letter to Themistius, how we interpret this word (and others) is of the utmost importance for understanding what Julian is communicating. Vanderspoel (2013: 331, n. 14) does not fully appreciate that the highest risks that Julian says he was running (τῶν ἐσχάτων...κινδυνεύων) when he was standing by with the army or court (ὅτε περὶ τῶν ἐσχάτων, ὡς ἂν εἴποιεν οἱ πολλοί, κινδυνεύων ἐγὼ τῷ στρατοπέδῳ παρέμενον, *Jul. Ep. ad Themist.* 259D) may refer to military *and* political risks, although Julian himself fails to elaborate on what those risks were. Indeed, the key to understanding what Julian means by τὸ στρατόπεδον, which also can be rendered as “army camp” (e.g., see *Jul. Or.* 1, 24C, *Or.* 3, 66A), is what, exactly, does he mean by “highest risks” with respect to it. Here it would be instructive to consider what Julian says in his *Epistle to the Athenians* (278B), where he tells us in similar language about the high risk that he was placed in (εἰς τὸν ἔσχατον κατέστην κίνδυνον) while being besieged at Sens in 356, that he did not have the authority to assemble the army at this time (οὐτε γὰρ ἀθροίζειν ἐξῆν μοι στρατόπεδον), that is, that he felt himself in a powerless and vulnerable position since he could not call it to his aid. If we are right to focus on this latter passage as of particular intertextual and interpretative value for Julian's statement in the *Epistle to Themistius* (259D), then it would seem that Julian is actually conveying a general sense of powerlessness and vulnerability which he had felt at Constantius' court (which is consistent with the overall portrait that the sources paint of Julian's position there in 354/5), not that he was actively engaged in military training in 354, as Vanderspoel asserts. Furthermore, while Vanderspoel is certainly right to note that Julian apparently made two visits to Greece, Julian's first visit there could have taken place at any time, and it probably occurred earlier than 353/4 since he had spent considerable time in Asia Minor. In fact, Julian's references to the timing of his visits to Greece are less than clear since his account is quite condensed; we do not even know the length of his visits. Thus, all we can say for certain is that he made at least two visits to Greece.

record in Antioch were prompting Constantius not only to eliminate him,³⁴ but also to consider replacing him right away, the next question is why would Constantius seek to elevate another man to the rank of Caesar while the first experiment in shared rule was failing so miserably? It is better to conclude that Constantius allowed himself time between late 354, after the execution of Gallus, and late 355, before Julian's investiture, to consider his options than that he immediately and perhaps impulsively promoted the younger brother of a disgraced Caesar. Additionally, compared to the power-sharing system of Diocletian, who had shared his *imperium* with a fellow Augustus and two Caesars, Constantius more narrowly defined the power and authority of his two Caesars, such as their exercising of military authority but apparent lack of the *ius edicendi* in the legislative sphere.³⁵ This suggests that Constantius, who was sole Augustus in his own system and had but one colleague at a time, only reluctantly shared power, in contrast to Diocletian, and so that Constantius preferred to retain unitary hold on *imperium* in the military *and* civilian spheres.

About a year after Gallus Caesar's deposition and execution in late 354, Constantius elevated Gallus' younger half-brother and the last male member of the House of Constantine to the rank of Caesar in the West. These two promotions, of Gallus and Julian, represent Constantius' primary interest in acquiring loyal assistants for the defense

³⁴ On Gallus' growing independence as a threat to Constantius in Ammianus, see Matthews 2007: 33–5.

³⁵ See Blockley 1972, for Constantius' careful limiting of the power and authority of his two Caesars. For the apparently greater power and authority of Diocletian's Caesars, such as their apparent holding of the *ius edicendi*, see Corcoran 2000: 266–74.

of Roman frontiers in the East and the West respectively, for military concerns appear to have been foremost among Constantius' reasons for elevating his two cousins.³⁶ The date of an emperor's investiture or his *dies imperii* is also of interest in determining the motive behind his promotion. While Constantius had chosen an inauspicious date for Gallus' promotion to Caesar or deputy emperor in 15 March 351, that is, the anniversary of Julius Caesar's assassination, and so perhaps implied that Gallus was destined to a limited tenure in the imperial office, Julian's *dies imperii*, 6 November 355, on the other hand, may have been his birthday,³⁷ or some other significant and symbolic event that escapes us. Roman emperors did not choose such important dates haphazardly. Indeed, Constantine had carefully chosen each of the investiture dates for all six of his Caesars,³⁸ one of which was Constantius himself, and later, as Augustus, Constantius probably did the same for his own Caesars. This evident interest in using the symbolism of dates to convey broader messages is also apparent in the case of Themistius (below). Furthermore, Constantius also needed loyal assistants in the intellectual area of Roman life, men whom he could use to convey his preferred image among the educated élite. As I will argue below, when we consider Constantius' self-presentation in the *Demegoriā Constantii* as a man of learning and one who values philosophy, as well as Julian and Themistius' similar representations of the emperor in their panegyrics, it becomes evident that Constantius tapped Julian and Themistius as panegyrists so that he could display,

³⁶ See Blockley 1972: 433, 445–6.

³⁷ *CIL* 1², p. 277 (in the Calendar of Polemius Silvius).

³⁸ Marcos 2014: 762–3.

increase, and enhance his own *paideia* by associating himself closely with them in imperial speeches of praise. To be sure, Julian's position as Constantius' cousin, and so a member of the imperial family, gave him a more unique and favored status than that of Themistius; but Julian also was highly learned and his intellectual credentials would have reflected well on Constantius as one who seemingly had taken an active hand in his upbringing and who subsequently chose to make him his colleague and fellow philosopher, as Themistius frames it (*Or.* 2, 40A; more below).

On 1 September 355, Constantius adlected the philosopher Themistius to the Senate of Constantinople by means of the so-called *Demegoriā Constantii* ("public speech of Constantius") but actually an epistle or open letter to the Senate (which was probably read aloud as an *oratio*), ostensibly due to Themistius' standing as a prominent philosopher and professor in the capital (*Demeg. Const.* 19A–20B, 21A–D).³⁹ We are not told within the text of this letter what precise senatorial rank Themistius was promoted to, but given Constantius' subsequent action in placing the Senate of Constantinople on an equal footing with its counterpart at Rome in terms of ranking, it would seem that Themistius was made *clarus* if not *clarissimus* already in late 355;⁴⁰ moreover, the *incipit* or rubric of the *Demegoriā Constantii* refers to Themistius as *clarissimus*. No doubt that

³⁹ For a survey of this imperial letter and Themistius' orations relating to his public career, see Vanderspoel 1995: 87–8 and Heather and Moncur 2001: 97–107.

⁴⁰ On the relationship between Rome and Constantinople in Themistius' *Oration 3* and Constantius' restructuring of the Senate of Constantinople and its rank alongside the Senate of Rome, see Heather and Moncur 2001: 120–25, esp. 122. Cf. Skinner 2008, who argues for Constantius' restructuring at a much earlier date. But there is a problem with Skinner's argument: none of the men he adduces as holders of *clarissima dignitas* are explicitly said to have held this rank (2008: 134–5). See also Ch. 3 below.

this adlection was also a reward for the imperial speech that Themistius had delivered for Constantius some years before (*Or.* 1; below). As Heather and Moncur (2001: 97, n. 154, 100, n. 162) have suggested, it would appear that Themistius had a hand in the writing of his own letter of adlection, for the style and messaging of the letter closely parallel those of Themistius' orations. In fact, this letter is quite discursive and flowery in tone and seems to be unlike anything else that we have by Constantius, although the other texts attributed to the emperor may not be fully representative of his education and cultural attainments.⁴¹ If correct, Themistius' authorship, or perhaps just his editing, would further indicate the emperor's strong interest in being closely associated not only with philosophy but with *paideia* more broadly in addition to his praise for these topics in his letter. In any case, the contents of the emperor's letter of adlection show him to be quite interested in his public image as an educated man. Constantius declares that he desired philosophy, and by extension *paideia*, to shine forth throughout the empire, and especially so in Constantinople (*Demeg. Const.* 20D). It is with this in mind that we should view Julian's first panegyric on Constantius, which was written shortly after the *Demegoriā Constantii* (Section I).

Moreover, the choice of date for Themistius' adlection supports this view of a Constantius keenly interested in broadcasting himself as a learned emperor and a patron of learned men, for 1 September was also the date on which Pliny the Younger had delivered his speech in praise of Trajan before the Roman Senate (1 September 100).⁴² If

⁴¹ On these texts, see Teitler 1992.

⁴² For an introduction to Pliny's *Panegyricus*, see Roche 2011.

so, then we can see that there are two implicit allusions at play here, each one reinforcing the other, one that compares Themistius to Pliny and another that pairs Constantius with Trajan. Although we do not have any indication that Themistius had read Pliny's *Panegyricus* or *gratiarum actio* to Trajan, Pliny stood as an important model for subsequent Roman senators and Latin panegyrists in the West during the fourth century,⁴³ such as Claudius Mamertinus and Q. Aurelius Symmachus, an influence that may have carried over to the Senate of Constantinople, whose members still conducted state business in Latin during Themistius' time there and so would have looked to their Latin forerunners and counterparts in Rome for models on all senatorial matters. Pliny also had been governor of Bithynia-Pontus under Trajan and he produced a popular letter collection.⁴⁴ Such an illustrious career would have made Pliny well-known in the East. Themistius was one of the most important panegyrists of Constantius and one of the most visible and active in politics, and Julian would have been somewhat well-known among the educated élite around the same time as a Constantinian prince and young intellectual due to his stints at eastern educational centers in Asia Minor and Greece and his public interventions on behalf of friends there.⁴⁵ By comparison, Constantius' education

⁴³ See MacCormack 1976.

⁴⁴ On Pliny's governorship of Bithynia-Pontus, see Talbert 1980. On Pliny's letters, see Gibson and Morello 2012.

⁴⁵ See Jul. *Ep. ad Themist.* 259B–60A.

apparently was modest.⁴⁶ Nevertheless, as Van Hoof (2013) has shown, Constantius actively promoted learned men, such as Libanius, Themistius, and Julian, and supported Greek *paideia*.⁴⁷ While Ammianus' well-known verdict on Constantius' literary attainments has been seen as excessive,⁴⁸ Ammianus' description of the emperor as *doctrinarum diligens affectator* nonetheless reveals that Constantius himself was very much interested in shaping his image as a man of letters. Thus, by promoting such educated men as Themistius and Julian, among others, Constantius may have hoped to increase his own *paideia*, or at least the perception of it, by careful associations, something that Constantine had done by promoting learned men to high office.

This chapter is divided into two sections. In the first part (Section I), I explore Themistius' two panegyrics to Constantius (*Orr.* 1 and 2) in terms of their dating, specifically that of the first oration which has been highly contested. I then move on to consider Themistius' independence as a panegyrist and assess the potential motives behind his production of philosophical panegyrics to the emperor. Finally, I consider what Constantius expected to gain by these. In the second part (Section II), I assess Julian's first panegyric on Constantius (*Or.* 1) in terms of its dating and context and what

⁴⁶ See Arce 1979 and Henck 2001a, who discuss Constantius' education, which was by no means lacking and which actually surpassed the education of most of his immediate successors, although it paled in comparison to Julian's.

⁴⁷ See also *CTh* 14.1.1, for a law dated to 360 that presents Constantius and Julian as interested in promoting learned men.

⁴⁸ Amm. 21.16.4: *doctrinarum diligens affectator, sed, cum a rhetorice per ingenium desereretur obtunsum, ad uersificandum transgressus nihil operae pretium fecit*. Cf. Arce 1979; Teitler 1992; Henck 2001a.

these tell us about the underlying purpose(s) of Julian's speech as Caesar to his Augustan superior. Subsequently, I move on to demonstrate several instances of implicit criticism that Julian directs at Constantius, instances which highlight Julian's independence as a panegyrist and which, I would argue, were meant cleverly to undercut Constantius' reputation in the East among the educated élite as much as Themistius' panegyrics were meant to enhance it.

I

The dating of an oration is fundamental to its context and therefore to understanding its underlying purpose. Scholars have typically dated Themistius' *First Oration to Constantius* to either 347 or late 350, primarily based on the *incipit* prefacing it in its manuscripts which states that it was delivered before the emperor at Ancyra (Ankara). This is correlative to the Theodosian Code, which places Constantius at Ancyra in those years.⁴⁹ However, Skinner (2015: 241–2) recently has closely scrutinized the contents of this speech and concluded, quite radically, that it should be antedated to early 342, probably to March, shortly after a civic disruption at Constantinople that ended in the lynching of Constantius' *magister equitum* Hermogenes.⁵⁰ This was a serious offense and stain on Constantinople, and a direct challenge to Constantius' authority. But Skinner, in arguing for 342, does not appear to consider fully the time that an emperor such as

⁴⁹ On the dating and context of *Oration 1*, which have been highly debated, see Seeck 1906a: 293–4, who proposed 350, Gladis 1907: 2–5, who proposed 348, Vanderspöel 1995: 71–7, who argues for 347, Errington 2001, who supports late 350, and Heather and Moncur 2001: 69–73, esp. 69–71, who consider 347 and late 350 as possibilities. Cf. Skinner 2015: 238–40, who now argues for early 342.

⁵⁰ *PLRE* 1.422–3, Hermogenes 1.

Constantius would have needed in order to assess popular and élite receptions to such significant events—and the time needed for those very receptions to form and then become manifest—before the emperor in turn formed (counter)responses or “briefs” that a panegyrist such as Themistius must have used when crafting a speech to him.⁵¹ In my view, the interval of less than two months between events in January 342 and the delivery of *Oration* 1 in March of that same year on those events seems insufficient, as do Constantius’ choices of Themistius and Ancyra (more below). While élite responses to the lynching of a high imperial official would have needed time to form, Constantius also would have taken time in considering his response, which initially may not have been conceived in the form of a panegyric, and in selecting who should deliver that response. And we should not overlook the fact that Themistius himself would have needed time to gather information and to digest both élite and imperial concerns and responses before writing his panegyric. Scholars tend to undervalue matters of time and to calculate quick imperial responses/movements worthy of the digital age; we should be more cautious.

Why would Themistius, who was only about twenty-five years old in 342 (he was born c. 317), have been chosen to deliver an imperial speech to Constantius, indeed, his very first speech to an emperor, in place of a more seasoned panegyrist like Prohaeresius, Himerius, or even Libanius?⁵² This question has not been adequately answered and it is a

⁵¹ See Heather and Moncur 2001: 28, n. 81, for Libanius being briefed on content that would appear in *Or.* 59. This is not to say that Themistius was a mere mouthpiece for Constantius’ court but that the court provided guidance on certain content.

⁵² Skinner’s redating of Themistius’ speech to 342 places Themistius at the same stage of his career as Libanius (cf. 2015: 245). So why Themistius?

fundamental one since we do not even know the duration of Themistius' philosophical training or how old he was when it ended. Perhaps Themistius' palace patron, Flavius Saturninus,⁵³ was decisive in his selection, which a more experienced man would have obtained.⁵⁴ As Skinner (2015: 246) himself recognizes, his redating would mean that there was about a thirteen-year interval between the delivery of *Oration* 1 and Constantius' adlection of Themistius to the Senate of Constantinople in late 355, a gap which may be harder to understand than the five- to eight-year interval between these events that earlier scholars had conceived, and when Themistius was about thirty or thirty-three years old. And this redating would also require us to reevaluate Themistius' relationship with Saturninus, whether the latter was in an important enough position in 342 instead of 347 or 350 to act as Themistius' patron in his selection as Constantius' panegyrist, if indeed he was Themistius' patron for this speech at all. Additionally, the reference in the rubric of *Oration* 1 to Themistius' "still being a young man" (νέος ὄν ἔτι) at the time he delivered this speech is, as Vanderspoele (1995: 73–4) realized, no real guide to dating the speech since a man might be deemed "young" even in his thirties. Indeed, we should place emphasis on the adjectival construction of "still being" (ὄν ἔτι), language that supports viewing Themistius as more likely in his thirties than in his twenties since such language implies that he was more seasoned in age; and in connection to this, it is worth noting that Themistius seemingly lived into his mid to late seventies (c.

⁵³ *PLRE* 1.807–8, Flavius Saturninus 10.

⁵⁴ Cf. Vanderspoele 1995: 87.

393), and so the comment on Themistius' youth may be a relative one that considers the orator's lifespan.

Another issue of relevance is Constantius' choice of Ancyra instead of Constantinople as the place for Themistius to deliver his speech. If *Oration 1* is in fact connected to the riot at Constantinople in winter 341/2, where Constantius' authority had been challenged by the lynching of his general, then it would have been the logical place for delivering a speech designed to rectify this serious affront, to disseminate the emperor's image, and to (re)frame his response to such a disruption as due to his love of mankind and so as something praiseworthy, for the topic of *Oration 1* is *philanthropia* (below). Perhaps Ancyra was a safer venue than Constantinople for Themistius' speech at this time; but how would a speech delivered there have helped Constantius with the Senate of Constantinople? If true, this would have serious consequences for our understanding of Constantius' hold on and exercise of power in Asia Minor during the early 340s. In fact, that Themistius did not deliver his speech at Constantinople is even more remarkable in light of Skinner's (2015: 241–2) own assertion that the speech served Constantius' propaganda interests in debates with the Constantinopolitan Senate over the emperor's course of clemency. If so, Constantius' choice of a "young man" who had never before delivered an imperial panegyric and who lacked serious prestige and influence with the Constantinopolitan élite becomes even more inexplicable.

More importantly, Themistius' apparently veiled reference in his speech to recent dynastic upheaval might make better sense if read as delivered in late 350, that is, after the murder of Constans earlier that year. When Themistius tells Constantius and his

audience that God benefits the good emperor by enlarging his domains but that he conversely removes territory from those who are inferior (*Or.* 1, 9C), this recalls Constans, whose western half of the empire was thus Constantius' by right, although the latter received only part of Illyricum since Magnentius de facto controlled the West.⁵⁵ And Constans apparently had not been popular with some members of his court, nor with the broader military and civilian population in the last years of his reign.⁵⁶ In 340, when Constantinus met his end near Aquileia at the hands of Constans' troops, it was the latter, not Constantius, who enlarged his territory by acquiring Gaul, Spain, and Britain.⁵⁷ Thus, in accordance with these points, there is a stronger case for dating Themistius' first panegyric to late 350. And yet it must be admitted that the summer of 337, when Dalmatius Caesar and his younger brother Hanniballianus were assassinated, is also a distinct possibility, for their deaths led to Constantius annexing Thrace and a part of Illyricum directly while also bringing the Pontic regions under his control.⁵⁸ However, if Themistius delivered *Oration 1* in 342, this would then mean that he is referring to a series of events that had occurred five years earlier. And if so, delivery in 342 would thus diminish the immediate propaganda value of his panegyric on these events. What Themistius tells us about the dynasty's internal politics fits better with Constans' death in

⁵⁵ Cf. Heather and Moncur 2001: 70–1.

⁵⁶ *Aur. Vict. Caes.* 41.23; *Eutrop.* 10.9.3; *Amm.* 16.7.5; *Zos.* 2.42.1–2.

⁵⁷ *Aur. Vict.* 41.22–3; *Eutrop.* 10.9.2; *Jer. Chron.* s. a. 340; *Rufin.* 10.16; *Oros.* 7.29.5; *Soc.* 2.5; *Soz.* 3.2.10.

⁵⁸ Marcos 2014: 766–7.

early 350. Such problems with 342 as have been discussed here bring us back to late 350, which seems to be a more attractive date for Themistius' first imperial speech.

In any event, Constantius' promotion of Themistius to the senatorial order is almost certainly tied to the latter's delivery of his *Oration* 1, notwithstanding the emperor's focus in his *Demegoriā* or public statement on Themistius as a gifted and true philosopher as prime among the reasons for his adlection. In fact, Constantius also notes that Themistius was qualified for service in the Senate due to his "cleverness in speech" (λόγων δεινότης, *Demeg. Const.* 19C), a phrase that Heather and Moncur (2001: 77; "forcefulness in words") rightly have highlighted as of particular importance for understanding Themistius' value to Constantius as an orator and, I would argue, as a senator. In fact, in his *Oration* 3, in an example of (false) modesty (see Ch. 3), Themistius describes himself as "clever in speaking" (τὸν εἰπεῖν δεινόν, 44C). In my view, "cleverness in speech" strongly suggests that Constantius was thinking of *Oration* 1, which, we should emphasize, Themistius had consciously crafted as an innovative imperial oration with its focus on philosophy and *philanthropia*, and one that implicitly put forth that, while Greek *paideia* had long been associated with paganism, it was quite compatible with Christianity.⁵⁹ Indeed, as Heather and Moncur (2001: 100) have observed, "Themistius thus advocated a brand of Hellenism [in *Oration* 1] which minimised the possibility of conflict with the Christian religion." But we might go further

⁵⁹ On *philanthropia* in religion and statecraft during the fourth century, see Downey 1955b. On Themistius' concept of *philanthropia*, see Daly 1975. For Themistius as an innovative panegyrist, see Heather and Moncur 2001: 5–11, 73–4, 97–101. See also *Or.* 2, 27B, where Themistius makes an interesting reference to Socrates as the witness of the god or God.

here and say that *Oration 1* is an important imperial panegyric that advertised that pagan-Christian cooperation over conflict was possible, and it is certainly difficult to underestimate the value of such a message to Constantius, who ruled over an eastern population that was still pagan in majority.

Furthermore, Constantius and Themistius' descriptions of Themistius as "clever in speaking" are rather revealing for another reason. Plato tells us at the very outset of his *Apology* that Socrates had been charged with being "clever in speaking" (δεινὸς λέγειν, Plat. *Apol.* 17B). This was not how the Platonic Socrates thought of himself and it was not something that he endorsed. In the fourth century CE, however, it seems that there was a Themistian or late-antique Socrates in opposition to the Platonic Socrates; Themistius, I believe, adapted this Socrates and alludes to him to suit his purposes as a panegyrist, that is, in a bid to show some of his own critics that he as both philosopher and clever speaker had a notable precedent.⁶⁰ As Themistius' own defenses of his life and career later indicate (*Orr.* 17 and 34), few of his critics had bought into his view that he was a kind of Socrates, one who acted properly as a philosopher and who did so in the interests of the public good. Nonetheless, Constantius' language in the *Demegoriā* (or Themistius', if he wrote/edited it) illustrates well that he was interested in showcasing that he had a measure of learning and so could truly appreciate Themistius as a learned man and a philosopher, just as Themistius himself would praise Constantius as a

⁶⁰ It is possible that Constantius and Themistius' references to "cleverness in speech" above is a stock description taken from Demetrius, who discusses it in his rhetorical handbook *On Style* (27, 255); however, Socrates was far more famous and the allusion would seem to be to Plato's *Apology* since it is made with respect to Themistius as a philosopher.

philosopher because he had promoted Julian, a fellow philosopher, to the Caesarship (below).

But several questions linger: why philosophy and *philanthropia* instead of other topics, and why did Themistius make these the focus of his first two speeches when he did, whether in 342 or later? Compared to the rather lengthy imperial speech that Libanius had (or would) deliver on Constantius and Constans c. 348 (*Or.* 59), Themistius' debut as an imperial panegyrist in *Oration 1* is notable for its relative brevity and its banality, despite its seemingly innovative use of philosophy in relating the emperor's wielding of power, that is, in consistently linking Constantius' *philanthropia* to his self-restraint towards his subjects (e.g., *Or.* 1, 16A–C). Yet such brevity also underscores the speech's very orality, and so that Themistius placed high value on his panegyric being focused, didactic, and relatively short, a trait not normally associated with speeches of praise;⁶¹ and the very brevity of *Oration 1* would suggest speedy composition, though we do not know how much time was dedicated to the "research stage" before writing. While Julian would adhere closely to the rules of Menander Rhetor in large part, as we shall see below, Themistius boldly defied these rules. Instead, Themistius' aims are revealed to be the shaping of Constantius' image and government by means of carefully selected and focused praise on the emperor's education and his

⁶¹ While Pliny's panegyric of 95 long sections had been expanded for publication, an expansion which also may be apparent in Libanius' rather lengthy *Oration 59*, which consists of 173 short sections, yet Themistius' *Oration 1*, which contains about 18 short sections, is a brief composition overall compared to other panegyrics from the fourth century, such as Julian's. The Caesar's three panegyrics were produced at far greater length, as were most of the imperial speeches collected in the *Panegyrici Latini* in addition to Pliny's.

regard for philosophy as a component or foundation of his rule. Such careful selection and focus were typical for a speech of praise, but Themistius' unconventionally centers on Constantius as philosopher. Another more notable feature of Themistius' first panegyric is the degree to which it is bereft of autobiographical details; we are not told anything about the panegyrist and his station in life beyond his ability to deliver a panegyric, though a lack of autobiographical details is also apparent in Julian's *Oration 1* (and yet the opposite is true in his *Oration 3*; Ch. 3). This is a typical omission of imperial panegyric since the subject, that is, the emperor, is the focus; however, it is worth noting that Themistius' utter lack of such details is in marked contrast to the *Gratiarum Actio* of Claudius Mamertinus (Ch. 5) and Himerius and Libanius' own imperial speeches (Ch. 6). All this begs the question, "How independent was Themistius as a panegyrist?" And what were élite receptions to Themistius' speech shortly after he delivered it?

Themistius begins his *First Oration to Constantius* (*Or. 1*), which is titled "On Philanthropy or Constantius" (Περὶ φιλανθρωπίας ἢ Κωνσταντίου) in the heading and which consists of about 18 short sections (about 21 Teubner pages), by addressing Constantius directly (ὦ βασιλεῦ) and asserting both that the speech he is about to give is an independent one (λόγος...ἐλεύθερός) and that he is a truthful praise-giver (ἀψευδῆς ἐπαινέτης, 1A).⁶² While such assertions of sincerity were stock claims made by

⁶² For a survey of *Oration 1*, see Vanderspoel 1995: 77–83 and Heather and Moncur 2001: 73–7.

panegyrists,⁶³ Themistius' language and assertions here appear to be somewhat unique in fourth century panegyric discourse. He elaborates that those things which he will praise are those things which are in accordance with philosophy,⁶⁴ and he ends his panegyric by reaffirming this view.⁶⁵ Thus, those things which Themistius praises in the emperor are those things which he himself admires, comments that are meant to underscore his independence as a panegyrist since orators could be expected to praise and to admire whatever it was that the emperor did. In fact, Themistius states that he will not focus on the traditional material elements of emperorship, such as an emperor's trappings of power and his military engagements and victories (2A). Instead, the material for his panegyric of Constantius shall be the immaterial, that is, the emperor's true essence. This decision to deviate from the conventions of panegyric is bold not only because it entailed a more creative approach to praising Constantius but also because it implies and advertises a certain degree of intimacy with the emperor that is not common for such speeches. Mamertinus' panegyric of Julian is a close analogue in this respect (Ch. 5). Themistius signals his bold claims above with *Nūn σοι πρῶτον* (1A), that now, for the first time, he is

⁶³ E.g., see Bartsch 1994: 178–80, for similar assertions by Pliny. See also *Pan. Lat.* 6(7). 7.4; *Lib. Or.* 59, 126.

⁶⁴ *Or.* 1, 1A: *Nūn σοι πρῶτον εἰσέρχεται λόγος, ὃ βασιλεῦ, ἐλεύθερός τε καὶ ἀψευδῆς ἐπαινέτης, καὶ ῥῆμα οὐδὲ σμικρὸν ἐκὼν εἶναι προοῖτ' ἄν οὐ τὰς εὐθύνας οὐχ ἔξει δοῦναι φιλοσοφία.*

⁶⁵ *Or.* 1, 18B: *ὣν γὰρ ἔνεκεν ἄνθρωπος ὑποκρίνεται τοὺς ἐπαίνους, τούτων ἐλευθέρα ἐστὶ φιλοσοφία. χρημάτων τε γὰρ αὐτῇ οὐδὲ εἷς λόγος τιμῆς τε οὐκ ἐνδεής, οἴκοι τὸ τίμιον ἔχουσα.*

presenting something new for Constantius, that is, a truly candid speech of praise in contrast to those that have come before (!).

The very fact that Themistius consciously presents his speech as a philosophical panegyric shows that he is carving out a particular literary space or genre for himself, one that heralded the advent of a new type of ‘late-antique panegyric’, though the strong influence of Dion of Prusa’s kingship speeches to Trajan,⁶⁶ which take on a philosophical presentation, is certainly discernable. It would seem that Themistius’ new type of panegyric was subsequently well-known to and used by Synesius of Cyrene for his *Peri basileias* to the Emperor Arcadius at Constantinople c. 399, for Synesius adopts the philosopher’s mantle in his praise of the emperor in much the same way that Themistius does (*De Regno* 1), although Synesius also pointedly challenges imperial policy regarding the inclusion of ‘barbarians’. The vast majority of Themistius’ speech is dedicated to discussing both *philanthropia* and self-restraint as fundamental and correlative imperial virtues that are unique to Constantius, and in some detail (1A–12A, 12C–14A, 15B–18B), which thus frames this oration as a kind of philosophical treatise or handbook on these topics. To be sure, Pliny had focused his praise on Trajan’s *modestia* and *moderatio*, that is, on the emperor’s self-restraint in the exercising of power.⁶⁷ However, unlike Themistius, Pliny does not prominently link these to imperial *philanthropia* and to Trajan exclusively, rather that Trajan exhibited the virtues of other

⁶⁶ Heather and Moncur (2001: 7–8, 75, 78, n. 86) have seen a close connection to Dion’s *Or.* 3.

⁶⁷ See García Ruiz 2013b.

good emperors in general, such as Caesar Augustus, Vespasian, and Titus, and in contrast to Domitian.

At several points, Themistius briefly breaks off his tutorial and apparently delves into current affairs, specifically Constantius' foreign policy with Persia (12A) and some unknown legal reform involving the removal of capital punishment (14B–15B), though for one particular crime and not a blanket amnesty.⁶⁸ These short but pointed digressions are notable moves for Themistius, perhaps ones that were even bolder than his break with the structure and conventions of panegyric, for, as we shall see in Julian's *Oration 1* (Section II), Constantius' record against the Persians left much to be desired in terms of producing traditional material worthy of praise, such as undisputed victories in the field. This is another feature of Themistian panegyric, whereby the orator seems to comment on current events rather than on distant (and safer) topics. One wonders whether Themistius' decision to depart from praising Constantius in terms of his military prowess also reflects the emperor's thin military résumé, a portrayal quite evident in Julian's two orations on Constantius.

⁶⁸ Skinner (2015: 237–8) has seen this as a reference to Constantius' clemency towards those rioters who were responsible for the lynching of Hermogenes in 342, and so has used it, among other items, to date Themistius' speech to that year. However, Themistius' reference to the emperor's setting aside of capital punishment is so vague that it could refer to anything or anyone. Indeed, Leppin (2015: 200–1) has interpreted this same passage as a reference to an amnesty for supporters of Magnentius in 353 (!). Such adaptable vagueness is perhaps what the panegyrist intended: specificity narrowed the value of the speech, whereas generalization increased its value as a seemingly ever-current testament to Constantius' *philanthropia*.

Furthermore, Themistius places himself on the side of seeing the emperor's will as absolute, for he describes him as “embodied law,”⁶⁹ a view that Themistius would reassert with Julian, who, unlike Constantius, saw his position as more of a constitutional monarch and so did not wholly buy what Themistius was selling (Ch. 5).

But what is of particular interest is Themistius' conception of what function his panegyric was serving. The panegyrist clearly saw praise as serving a vital function of and for government: “All government requires both praise and punishment together as its tools, the one increasing virtue, the other curtailing wickedness.”⁷⁰ Themistius was well-aware of how late Roman government worked: the panegyrist praised an emperor in a bid to secure personal favor and honor, to advance his standing and career. However, his comment here is no mere self-serving platitude. Themistius also knew that “praise” was a multivalent tool of the panegyrist; what one praised was just as important as what one failed or omitted to praise, and both helped to shape an emperor's image before his subjects and so to influence what that government might do to a degree.

The task of Themistius' *Second Oration to Constantius* (*Or. 2*), which consists of about 16 long sections (about 28 Teubner pages) and which was delivered before the Senate of Constantinople in late 355 after Julian's investiture as Caesar at Mediolanum

⁶⁹ *Or. 1, 15B*: ὁ δὲ φιλόανθρωπος βασιλεὺς...οἶμαι, καὶ αὐτὸς νόμος ὢν καὶ ὑπεράνω τῶν νόμων; Heather and Moncur 2001: 93, n. 138.

⁷⁰ *Or. 1, 13A*: καὶ μὲν δὴ τιμῆς τε καὶ τιμωρίας ἀμφοῖν μὲν ἅπασα ἀρχὴ καθάπερ ὀργάνων προσδεῖται, τοῦ μὲν αὖξοντος ἀρετῆν, τοῦ δὲ κολούοντος μοχθηρίαν. For the translation, see Heather and Moncur 2001.

(Milan) on 6 November,⁷¹ was twofold: to repay Constantius with words for adlecting him to the Senate of Constantinople, especially since the emperor had issued fulsome praise of Themistius in a public letter and speech, and to reinforce his earlier representation of the emperor in *Oration 1* as a philosopher who exercised imperial power for the common good and who ruled well.⁷² Members of the élite such as Themistius were quite conscious about debts of honor and were eager to repay those whom they owed, especially if the creditor was the emperor himself, in the hopes of begetting further favors in turn.⁷³ In fact, it is notable that Themistius alludes to Julian as a philosopher in *Oration 2*. In an instance of circular logic, Constantius is portrayed as a philosopher because he has chosen a fellow philosopher in Julian to be his colleague due to their similar holding of excellence.⁷⁴ By implication, Julian is also presented as fit for rule. Moreover, his philosophical credentials certainly add color to Themistius' claim about Constantius being a philosopher and, in my view, reveal that Julian's *paideia* more broadly conceived was of particular interest to Constantius when disseminating his image in the East, especially so since his military résumé appears to have been relatively thin and Julian had as yet no military credentials to speak of (cf. n. 33); that is, that

⁷¹ Themist. *Or.* 2, 24A–C, 40A. See also Gladis 1907: 7–8.

⁷² For the date of *Oration 2* and its purpose, see Vanderspoel 1995: 88–90, 91–4.

⁷³ For the role of gratitude in a reciprocal exchange of honor, see Lendon 1997: 154–60.

⁷⁴ See *Or.* 2, 40A: οὕτω γὰρ τῷ ὄντι φιλόσοφος ἐστὶν ὁ γενναῖος ὥστε καὶ τὸν συνάρχοντα φιλόσοφον ἐποιήσατο, οὐχ ὅτι προσήκει αὐτῷ κατὰ γένος, ἀλλ' ὅτι αὐτῷ κατὰ τὴν ἀρετὴν ἀγχιστεύει.

Constantius sought to focus on an aspect of his image which could be viewed more positively and enhanced with little difficulty.

The dedication of *Oration 2* to Constantius as emperor in the manuscripts includes a revealing subtitle, “without a doubt because the philosopher is emperor, or [my speech] of thanks” (ὅτι μάλιστα φιλόσοφος ὁ βασιλεύς, ἢ χαριστήριος [λόγος]), and which commences with an address presumably to his fellow senators of Constantinople (ὦ ἄνδρες, *Or. 2*, 24C), one that differs from that of his debut speech. Having been praised as a true philosopher in Constantius’ letter of adlection, Themistius needed to display his philosophical acumen, his eloquence, and his usefulness, especially since the emperor had used him as an example to other potential honorands (*Demeg. Const.* 19A). And yet, like *Oration 1*, Themistius again strays from the handbook of Menander Rhetor in that he also omits the traditional components of panegyric, such as ancestry, education and upbringing, military accomplishments, etc. In many respects, Themistius’ second imperial speech reads as a kind of philosophical handbook, and more so than his *Oration 1*, one replete with references to Socrates, Plato, Aristotle, Zeno, Cleanthes, Xenophon, and many others. This second panegyric does much to shape Constantius’ image as a “philosopher-king/emperor” (φιλοσόφου καὶ βασιλέως),⁷⁵ and more so than *Oration 1*. This is also implied in the *incipit* of *Oration 2* (24A–C; cf. Vanderspoel 1995: 91–2). No doubt that his numerous references to many different philosophers reflect Themistius’ interest in advertising his learning and qualifications as a philosopher, but they also

⁷⁵ *Or. 2*, 29D: Μὴ οὖν ὑμεῖς ἐξαπατᾶσθε μηδὲ ὀρῶντες πόρρωθεν καὶ ἀκούοντες ἔπαινον φιλοσόφου καὶ βασιλέως, ἄλλον τινὰ οἴεσθε τὸν φιλόσοφον ἢ τὸν βασιλέα.

appear to be meant to introduce these philosophers to Constantius and so to edify him in philosophy in a general survey. Themistius' focused presentation of philosophers implies that they were valued by the emperor and so that Constantius was interested in promoting such men within his government.

In fact, in his *Oration 2*, the dutiful panegyrist portrays the emperor early on just as Constantius had portrayed himself generally in Themistius' letter of adlection, that is, as "a very philosophical man" (φιλοσοφώτερος) and a ruler who contributes to the philosopher (ὁ Κωνσταντίος ξυμβαλεῖν ἀνδρὶ φιλοσόφῳ), and more so than Alexander of Macedon had been, a portrayal which places Constantius in rather high kingly company as much as it places, by implication, Themistius alongside philosophers such as Aristotle, who famously had advised Alexander in his youth.⁷⁶ Additionally, Themistius ends his second speech by once again invoking "the thoroughly wise" (ὁ πάνσοφος) Plato and offering this philosopher as a model for how Constantius might rule moving forward.⁷⁷ By framing his panegyric as a philosophical exposition for the benefit of the emperor, Themistius can be seen using philosophy not only to enhance Constantius' public image as a man of learning and virtue but also to temper his manner of rule, and presenting a more enlightened form of emperorship that was closely advised by philosophers and eastern intellectuals such as the panegyrist. One suspects here that Themistius is subtly alluding to some less than enlightened behavior by Constantius. Indeed, Themistius notes

⁷⁶ *Or. 2*, 26A: Ἀλλὰ φιλοσοφώτερος ἄρα, ὡς ἔοικεν, ὁ Κωνσταντίος ξυμβαλεῖν ἀνδρὶ φιλοσόφῳ ἢ Ἀλέξανδρος ὁ Φιλίππου.

⁷⁷ *Or. 2*, 40A–B.

that, while an emperor and a tyrant struggle and oppose one another,⁷⁸ it is understanding and philosophy that marks out the one who rules well (36A), that is, the emperor, Constantius. If Themistius has a particular “tyrant” in mind here, it would seem to be Gallus Caesar, given that he was executed in the Balkans in late 354 and Themistius’ speech was delivered in late 355. And if so, it may be that Constantius’ suppression of Gallus included some typical housecleaning in the East, actions that probably left many among the educated élite in a state of some anxiety over the emperor’s intentions moving forward. This interpretation, which also reads Themistius’ second speech as indicative of Constantius’ responsiveness to concerns of his eastern subjects, would also help explain Themistius’ presentation of Julian as a philosopher, that is, as the opposite of his brother Gallus, and so a far better choice for a colleague in empire.

II

Julian’s *First Panegyric on Constantius* (*Or.* 1), which is designated an “encomium” (ἐγκώμιον) in the manuscript headings and which constitutes 39 long sections (58 pages in the Budé edition of Bidez [1932]),⁷⁹ could not be more different than Themistius’. While Themistius consciously had chosen to depart from the conventions of panegyric and to reimagine imperial speeches in the mode of philosophical tutorials, Julian just as purposefully opted to adhere to the rules of Menander Rhetor to a great extent when

⁷⁸ *Or.* 2, 35C: Καὶ ἐντεῦθεν μάλιστα, ὃ μακάριοι, τὰ δύο ταῦτα ὀνόματα ὁ βασιλεὺς καὶ ὁ τύραννος πᾶν ἀλλήλοιν πολεμεῖ καὶ ἀνθέστηκε.

⁷⁹ See also *Jul. Or.* 1, 2D, where Julian uses ἐγκώμιον (in the plural) within the text to allude to his oration. For a recent study of *Oration* 1, see Tougher 2012.

crafting his *Oration 1*;⁸⁰ however, as scholars have observed, Julian did not adhere to Menander slavishly, for philosophical elements are also present,⁸¹ elements which thus make Julian's imperial speech a kind of "hybrid panegyric" (Tougher 2012: 23), and so a rather interesting piece to place in dialogue with Themistius' speech to the same emperor. This is a particular desideratum since scholars have suggested that Themistius' first two orations to Constantius had served as two of Julian's models for his own first panegyric to Constantius.⁸² If so, then considering where Themistius and Julian diverge in their presentations of the emperor would be instructive.

In contrast to Themistius' opening remarks in his first speech about his being a truthful panegyrist, Julian makes no such claims for himself early on, as we shall see below, instead telling Constantius at the very start of his speech, perhaps sarcastically, that he had long desired to praise him for his valor and doings on the battlefield, including his suppression of tyrants.⁸³ Nonetheless, such a statement suggests that Julian

⁸⁰ On Menander as a model for Julian, see Tougher 2012: 24–8.

⁸¹ Tougher 2012: 23–6. Cf. Bowersock 1978: 37; Athanassiadi 1992: 61–2.

⁸² See Gladis 1907: 15–19 and Tougher 2012: 22–4. Cf. Curta 1995: 185, for Themistius' apparent influence on both of Julian's panegyrics on Constantius.

⁸³ *Or.* 1, 1D: Πάλαι με προθυμούμενον, ᾧ μέγιστε βασιλεῦ, τὴν σὴν ἀρετὴν καὶ πράξεις ὑμνῆσαι καὶ τοὺς πολέμους ἀπαριθμήσασθαι, καὶ τὰς τυραννίδας ὅπως ἀνήρηκας. Cf. *Lib. Or.* 59, 1, who declares at the outset of his speech that he was not coerced into giving it, which would indicate just the opposite, as Lieu and Montserrat (1996: 162) have observed. If so, then Julian is actually relating that he had no interest in producing such a panegyric on Constantius. But the fact that he did so then requires us to consider the potential diplomatic and other motives behind its production. Athanassiadi (1992: 61–2) has seen sarcasm elsewhere in this speech, but has not considered that Julian may be sarcastic in his avowed interest in discussing Constantius' victories against tyrants such as Magnentius and Silvanus.

had taken up the writing of this panegyric voluntarily; if so, the Caesar can be seen acknowledging that speeches of praise had an important role to play within and for Roman government, and for his own image, just as Themistius had acknowledged. Panegyrists typically focused on emperors' achievements on Rome's frontiers to underscore their effectiveness in the imperial office and so their legitimacy in holding that office. That Julian pointedly refers to Constantius' success against usurpers implies that the latter lacked similar success against external enemies. In any case, Julian's opening declaration of his desire to praise Constantius' military record signals to his audience and/or readers that he will closely follow the rules of panegyric, which are explicitly referred to within the text (τῶν ἐπαίνων νόμος, *Jul. Or.* 1, 5B); this is in marked contrast to Themistius' defiance of the rules of Menander Rhetor when crafting his oration on Constantius' *philanthropia*. Even the traditional display of avowed modesty in delivering an imperial panegyric finds a place at the beginning of Julian's speech.⁸⁴ In my view, this first oration of Julian's is best seen as a bookish Caesar's declaration of loyalty to his Augustan superior.

Scholars such as Bowersock (1978: 37) and Athanassiadi (1992: 60–1) have asserted that Julian's first oration served a diplomatic function in helping to maintain good relations between the Caesar and his Augustus. No doubt this was one of Julian's chief concerns at the time he wrote his debut speech; we shall have more to say about panegyric and diplomacy in Chapter 3. But diplomacy through praise explains only one

⁸⁴ *Or.* 1, 1D: τὸ μέγεθος εἶργε τῶν πράξεων, οὐ τὸ βραχὺ λειφθῆναι τῷ λόγῳ τῶν ἔργων δεινὸν κρίνοντα, ἀλλὰ τὸ παντελῶς τῆς ὑποθέσεως διαμαρτεῖν δόξαι; cf. 2D.

aspect of Julian's first panegyric. Another aspect is the careful and detailed shaping of Constantius' image within the text of the speech, a shaping which includes implicit criticisms that therefore affect an audience's perception of the panegyrist as well. This complex approach suggests that Julian considered that his panegyric benefited not only Constantius but Julian himself, and so that his speech had an important public role to play for both men beyond helping to maintain good relations between an emperor and his deputy generally.

Tantillo (1997: 36–40) has argued that Julian produced his first panegyric specifically for the occasion of Constantius' visit to Rome in April 357, when Constantius celebrated his *uicennalia* as an Augustus.⁸⁵ This may very well be the case, but there is nothing within the speech that dates it after 355. For example, there is no mention of Constantius having crossed the Rhine in 356,⁸⁶ as in Julian's subsequent orations (*Or.* 2, 129B–C, *Or.* 3, 74B), nor are there any references to Constantius' campaigns on the Danube in 358–9.⁸⁷ The latest firmly datable entry within the speech is to Silvanus' brief usurpation in Gaul in mid 355 (*Or.* 1, 48C).⁸⁸ This question of date raises a series of interrelated questions about the motive(s) behind Julian's oration: Did

⁸⁵ See *Or.* 1, 6A–C, for his singular remarks about the city of Rome in relation to Constantius.

⁸⁶ Cf. Bidez 1932: 3. Julian is still referring to Gallus at *Or.* 1, 45B.

⁸⁷ See Marcos 2015: 701–2, for Julian's reference to Constantius' crossing of the Rhine in *Oration* 3, which dates to c. 358/9. If this dating is correct, then Constantius' first Danubian campaign was just getting underway and so was happening at the same time that Julian wrote *Oration* 3 (see Ch. 3).

⁸⁸ *PLRE* 1.840–1, Silvanus 2.

Julian himself conceive of writing this oration on Constantius? If not, at whose urging and to what end? And was this panegyric even delivered?⁸⁹ With regards to the latter question, if we are right to date the writing of this panegyric to c. late 355/early 356, no doubt that Julian himself did not deliver his oration since he was then campaigning in Gaul and again later during Constantius' visit to the Eternal City in spring 357; moreover, the two men never saw each other in person again after they each went their separate ways at Augusta Taurinorum (Torino) in early December 355 (Amm. 15.8.18).⁹⁰ Given what we know, it seems right to conclude that Julian would have wanted early on to produce a notable expression of his loyalty and gratitude to his cousin for having been offered (or conscripted into) a share of the imperial power. In fact, Julian's subsequent panegyric on Eusebia is consciously framed as an expression of gratitude to the empress for the part she played in his promotion (Ch. 3), most of the credit for which belonged to Constantius.

Joseph Bidez (1924: 2–3) argued that Julian had sent a copy of his first panegyric on Constantius to Libanius because, in a letter of Libanius to Julian that is still extant (*Ep.* 30 Norman [369 Foerster]), Libanius states that the Caesar has excelled him in writing (30.2) and thanks him for his long letter (30.5), remarks that provide some support for

⁸⁹ For similar vital questions, see Tougher 2012: 21–2.

⁹⁰ However, it is possible that Julian produced his panegyric on Constantius right after his investiture, when the new Caesar spent about a month in Milan preparing to depart for Gaul (see Browning 1976: 74–6).

Bidez's argument, although another interpretation of Libanius' letter is possible.⁹¹ Nonetheless, if Julian did indeed send his panegyric to Libanius, then it probably was circulated in Antioch, and perhaps elsewhere in the East. A panegyric on an emperor did not need to be delivered before him to be influential. For example, Libanius' imperial speech on Constantius and Constans (*Or.* 59) was delivered at Nicomedia c. 348 but in the absence of both emperors.⁹² And yet Libanius' speech still brought him Constantius' favor, perhaps because it had been requested by and delivered before Constantius' close advisor and praetorian prefect in the East, Flavius Philippus.⁹³ Given Philippus' apparent support for Libanius, it may be that the prefect also supported Themistius around the same time. And if the motive behind Julian's own imperial speech was similar to Libanius', that is, to secure and to maintain Constantius' favor, then the young Caesar will have desired its circulation in the East in the interests of broadcasting his loyalty and

⁹¹ Editors of Libanius' letter have dated it to c. 358, which, if so, would mean that, whatever it was that Julian sent to Libanius, it could also have been the emperor's now-lost *libellus de proelio Argentorati* (βιβλίδιον τῆ μάχῃ, Eunap. *Fr.* 17 [Blockley]; see Ch. 3), where he won a remarkable victory in summer 357. See also Browning 1976: 74, who assumes that Julian's first panegyric was circulated among high officials and members of the élite.

⁹² On the date and context of *Oration 59*, see Lieu and Montserrat 1996: 158–64. While they prefer 344 as the date of delivery because of Libanius' reference to the battle of Singara in that year, I prefer post 344, perhaps c. 348, since the delivery of a panegyric need not be anchored to the most recent datable reference in it. It seems that Constantius did not achieve any notable successes against the Persians between 344 and 348, and so Libanius' reference to the battle of Singara in 344 simply might reflect his making the best out of what he had to work with. Thus, Libanius' reference to Singara could just as easily be interpreted as his pointing to an earlier success of Constantius in order to overshadow more recent and less fruitful engagements with the Persians post Singara.

⁹³ *PLRE* 1.696–7, Flavius Philippus 7.

cultivating support for his own position as much as Constantius presumably would have desired its circulation in the interests of having his image promoted before his eastern subjects by a learned easterner. If the success of Libanius' *Oration 59* is any indication, perhaps Julian's first speech helped to enhance his own standing with Constantius, a standing which would help explain Constantius' subsequent support for Julian over imperial officials with whom the Caesar would come into conflict (Ch. 3).

When one places Julian's first panegyric on Constantius alongside those of Themistius which we know for a fact were delivered before that emperor, it would appear that Julian's oration was delivered before Constantius as well. The sheer orality of Themistius' panegyrics, evinced by their relative shortness, vocative markers and direct interaction with their audiences,⁹⁴ and almost conversational tone, make it manifest that his speeches were delivered before the emperor (*Or.* 1) or an audience consisting of his officials (*Or.* 2). Conversely, Julian's panegyric to the same emperor is much longer, seemingly less interactive, and almost encyclopedic in terms of the sheer scope of its contents.

To be sure, Julian's imperial speech is more like a textbook treatise, but it does contain traditional vocative markers that suggest delivery (or that it was intended), such as an opening and pointed address to Constantius: ὦ μέγιστε βασιλεῦ (*Or.* 1, 1D). Julian continues to address the emperor directly in several places throughout his speech, and particularly near the end (6B, 36A, 39B, 40C), where he also refers to Constantius as the

⁹⁴ For Themistius addressing Constantius directly, see *Or.* 1, 1A, 14B. For Themistius addressing his fellow senators at Constantinople, *Or.* 2, 24C.

“great emperor” one final time (ὁ μέγιστε βασιλεῦ, 40C). Similar orality is also apparent in Pliny’s panegyric (addressed to his fellow senators), in the *Gratiarum Actio* of Claudius Mamertinus (Ch. 5), and in the (fragmentary) oration of Himerius (Ch. 6), which, like Themistius’ orations, also markedly contrast with those of Julian’s in other ways. But scholars have not considered the possibility that Julian delivered a shorter version of *Oration 1* at Milan in late 355 and that he later polished his speech in written form for publication, just as Pliny had, and so Julian’s published version retained vocative markers such as those above. In any case, Julian’s first oration, I would argue, was sent to the imperial court at Milan or Rome to commemorate Constantius’ *uicennalia* as an Augustus in 357, perhaps as part of an early celebration in 356, or to commemorate Constantius’ thirty-fifth year as a Caesar, which Constantius apparently also celebrated in 357.⁹⁵ Moreover, *Oration 1* was intended, for lack of a better term, as a declaration of loyalty for the “filing cabinet” to a great extent.⁹⁶ This becomes more evident when we view Julian’s oration as largely a textbook panegyric, one that closely adhered to the rules of Menander Rhetor. However, as we shall see below, Julian, like Themistius, was also interested in being bold in his mode for praising Constantius, though he did so rather covertly.

⁹⁵ See Burgess 1988: 83–4, for Constantius’ early celebration in 357 of his thirty-fifth year since his promotion to Caesar in 324.

⁹⁶ Cf. Drake 2012: 40, who sees Julian’s second oration on Constantius as possibly “‘received and placed on file’ (or whatever the fourth-century equivalent of that bureaucratic notation was).”

Indeed, close readings of Julian's panegyric reveal some subtle criticisms of Constantius and so some subtle examples of Julian's partial independence as a panegyrist. In my view, Julian intended for his oration to be a kind of "mirror for princes," particularly a "mirror" for Constantius. Libanius' *Oration 59* to Constantius and Constans similarly has been seen as a panegyric and "mirror,"⁹⁷ an oration that Julian would have known and one that he probably used to some extent.⁹⁸ Dion of Prusa's orations were also certainly known to Julian, who consulted them for his panegyrics to Constantius while creating his own unique speeches.⁹⁹ But the independence behind Julian's first imperial speech has not been appreciated fully.

Near the outset of his *Oration 1*, Julian states that audiences do not fault an orator if the subject of his praise does not deserve it (*Or.* 1, 2B), a rather strikingly bold statement to be making to Constantius. The *prooemium* of the speech is rather lengthy (1D–5B), in part because Julian dedicates some space to defining his role as a panegyrist by actually disassociating himself from panegyrists, poets, and rhetoricians, until he subtly implies that he is actually a philosopher (3C–D). That Julian carefully makes this point here supports reading the rest of what he says in his speech carefully as well. In keeping with Menander, Julian commences to praise Constantius' ancestry in his grandfathers, father, mother, and even his brothers (5B–10A). In fact, Julian here embeds a mini panegyric of Constantine, who is adduced as Constantius' initial *exemplum* in

⁹⁷ See Callu 1987.

⁹⁸ Cf. Gladis 1907: 20–31.

⁹⁹ See Asmus 1895: 12–15.

learning how to behave as an emperor (7D–9B, 11D–12C). And Fausta, Constantius’ mother, is also praised (9B–C), which indicates that her memory had been rehabilitated sometime before 355/6,¹⁰⁰ or perhaps even by means of this very speech. This is followed by a description of Constantius’ physical prowess, his marksmanship and horsemanship, and his upbringing (10C–12C), all of which are in keeping with a traditional panegyric. Julian also touches upon Constantius’ eloquence. Initially, this trait receives relatively little praise (11C), but it is elaborated on later in one instance against the usurper Vetrano, whom Julian describes as having been deposed by means of Constantius’ eloquence (31C–32A, 33A, 47D),¹⁰¹ which would seem to be showcased as an instance of *ciuilitas*.

But Julian discusses the emperor’s other virtues, he moves from Constantius’ *andreia* to his *phronēsis* (12C). He relates that after Constantius had spent time in Gaul (under his father) he next took up residence in Syria (13B, D), which is an important stage in Constantius’ presentation in dealing with the Persians (more below). Thus, Constantius’ *arête* or “excellence” is attested (13D). And another important virtue that is extolled here is self-restraint, which is alluded to strongly, regarding Constantius’ governing of the East (ἀρχεσθαι κρείττον ἔμαθες, ἀρχῇ τῇ πασῶν ἀρίστη καὶ δικαιοσύνη φύσει τε καὶ νόμῳ σαυτὸν ὑποτιθεῖς, 14A). Julian continues by promoting Constantius’ mildness and humaneness: he ruled mildly and humanely over all (ἄρχων μὲν πρῶως καὶ

¹⁰⁰ On Julian’s reference to Fausta and her sons, see Barnes and Vander Spoel 1984.

¹⁰¹ Cf. Jul. *Or.* 3, 76B–77D, where the episode with Vetrano at Naissus is described further. See also Themist. *Or.* 3, 45C.

φιλανθρώπως τῶν ἄλλων, 16B). In fact, Julian ends his speech by reaffirming his cousin's mildness to all and his love for mankind (καὶ ὅπως πράως ἅπασιν καὶ φιλανθρώπως τοῖς ἐκείνου γνωρίμοις προσηνέχθης, 48C). While “mildness” (πραότης) is a commonly espoused imperial trait or virtue, Julian's repeated uses of *philanthropia* in his descriptions of Constantius are key references, for they suggest that he had drawn on Themistius, who recently had made *philanthropia* the central trait or virtue associated with Constantius and had made his name synonymous with it in the East; and *philanthropia* is a favorite trait of the second century orator Aelius Aristides, whose orations Julian also may have consulted here.¹⁰² Interestingly enough, Julian would later apply “mild” (πρᾶος) to himself during his civil war with Constantius (Ch. 4) and then as sole emperor (Ch. 6). In the hands of Julian, such words as “mildness” take on a sarcastic tone when applied to his cousin, as we shall see below.

Moreover, Julian dedicates some space to a brief survey of the practices of other people and nations in bringing up their children, to which Constantius' education is compared positively (14B–16A). Next, Constantius is at last said to possess *dikaioṣunē* and *sōphrosunē*, along with *enkrateia* (16A). That Constantius acted justly and prudently is repeated along with a reference to his *andreia* (17A). Near the end of his oration, Julian praises Constantius for his *sōphrosunē* and *phronēsis* (45B–C, 46D, 47A–B). While these references to Constantius' virtues are once again in keeping with the handbook of

¹⁰² See Athanassiadi 1992: 129–31, for Julian's apparent use of Aelius Aristides for his orations against the Cynics.

Menander Rhetor, they nonetheless tend to minimize or obscure other, less praiseworthy references, in addition to glimpses of Julian asserting his independence as a panegyrist.

As a counterpoise to Themistius' notion of the emperor as "embodied law" (*Or.* 1, 15B), a notion which we have already seen above, Julian here remarkably asserts that Constantius has behaved as a citizen (*politēs*) who is bound by the laws, not as a king/emperor (*basileus*) who is above them (45C–D). Such a portrayal of Constantius is rather unusual for a late antique panegyric. In addition to his use of *philanthropia*, this appears to be an instance when Julian drew on Themistius, but an instance in which he takes issue with him. The substance of what Julian evidently is asserting here independently as Constantius' panegyrist and Caesar has been largely overlooked and affords a view of the political philosophy and presentation of the imperial office that Julian would again promote later when sole Augustus (Chs. 5 and 6). By promoting such a view of the imperial power, that is, where the emperor is placed within a system of law that he himself is also bound to, Julian can be seen attempting to influence Constantius directly towards a more constitutional view of the imperial office, and conversely, perhaps purposefully so, attempting indirectly to address Themistius, whose first two Greek orations on Constantius must have been well-known to the learned Caesar, and especially so since Themistius' adlection to the Senate of Constantinople and his *Oration* 2, a copy of which was presumably sent to Constantius at Milan, were conducted within a few months of Julian's elevation to the Caesarship in late 355.

However, there are also some notable comments on Constantius that might be veiled criticism, and so additional examples of Julian's independence as a panegyrist.¹⁰³ If these are criticisms, they are rather interesting in that they are not examples of what Ahl (1984: 177) has termed "figured speech" (*schema* or *eschematismenon*) in rhetoric, that is, indirect and "safe criticism" through metaphors and similes, but subtle and direct references to less than praiseworthy events during Constantius' reign, particularly those at its outset. Praise and blame could occupy the same space within a speech, in which an orator could employ flexible language regarding an emperor that allowed audiences to make various interpretations of what was said about him.¹⁰⁴ At *Oration* 1, 17A, Julian seems to offer a subversive comment when he puts forth that Constantius guarded Constantinople and kept it safe from civil discord,¹⁰⁵ for other sources report that, far from maintaining a peaceful and safe city, Constantius actually had been directly responsible for instigating the soldiery to engage in assassinations of members of the imperial family in and around Constantinople.¹⁰⁶ Indeed, Julian himself, who had been at Constantinople at this time and who, along with his brother Gallus, narrowly escaped death, adds that Constantius could not prevent others from engaging in upheavals in the

¹⁰³ See Tougher 2012: 27–8, for some odd comments regarding Constantius and his actions.

¹⁰⁴ See Bartsch 1994: 63–69, 93–97, 169–75, for the art of allusion, doublespeak, and the ability of praise and blame to overlap in early second century writers such as Pliny the Younger, particularly in his panegyric on Trajan.

¹⁰⁵ See Marcos 2014: 767.

¹⁰⁶ See Burgess 2008.

city (17A).¹⁰⁷ Such remarks, in my view, appear to be intended to portray Constantius as an ineffective and false emperor and so to undermine his legitimacy subtly, at least in the East, where Julian sent a copy of his panegyric when he apparently sent it to Libanius at Antioch. On the other hand, the massacre at Constantinople in 337 may have been less well-known in the West, and so Julian's remarks about Constantius keeping the city free from civil discord even though he could not restrain others completely can be read as Julian asserting his loyalty by shielding Constantius from any blame.

But, at 17C, Julian signals his intention to move on and to speak about Constantius' record of success against the Persians post 337, when Constantius assumed the rank of Augustus, alongside his brothers Constantinus and Constans, and took over Constantine's eastern military operations in full, when affairs were chaotic and in disarray in the East (18C–22A). The newly minted Caesar Julian makes a reference to Galerius' defeat as Caesar at the hands of Narses that is rather interesting because Julian notes that his defeat occurred since Galerius had attacked Narses "on his own behalf" (*καθ' αὐτόν*), that is, in the interests of personal glory rather than in the interests of Diocletian as his superior (18A). This may be a veiled admission by Julian that he himself as Constantius' Caesar will do no such thing, that whatever he does militarily will be done with the best interests of Constantius and the empire as a whole in mind, comments that no doubt would have been welcome to Constantius. This view is supported by Julian's subsequent remark that it was only when Diocletian brought to bear the resources of the empire in conjunction with Galerius that victory in the field was

¹⁰⁷ Tougher 2012: 27.

achieved (18B). Such remarks suggest that Julian is communicating subtly to Constantius that not only will he be a dutiful subordinate but also that he will act in concert with Constantius for the ‘common good’.

While Julian praises Constantius as an emperor who had to face down serious challenges, ones from which he emerged successful, the Caesar also asserts his independence as a panegyrist carefully when he cleverly presents details that were still embarrassing to Constantius, such as the civil strife that had engulfed Constantinople, which would have been well-known to an eastern audience (17A). Indeed, Julian even acknowledges that there were times when the Persians had bested Constantius (22D). When an emperor did not produce military exploits and victories, it was best for a panegyrist to avoid relating such setbacks in the field altogether and to move directly to an emperor’s achievements in peacetime.¹⁰⁸ Thus, Julian’s comments on Constantius’ less than praiseworthy military actions stand out. It is shortly after this statement that Julian, in what seems to be a stock claim, asserts his independence as a panegyrist explicitly in a passage that is worth quoting in full here:

...τὴν ἀλήθειαν...ἥς εἴ τις ἐκὼν ἀμαρτάνοι, τὴν ἐκ τοῦ κολακεύειν αἰσχύνῃ οὐδαμῶς ἐκφεύγει, προστίθησι δὲ τοῖς ἐπαινουμένοις τὸ δοκεῖν μὴδ’ ὑπὲρ τῶν ἄλλων εὖ ἀκούειν κατὰ τὴν ἀξίαν· ὃ παθεῖν εὐλαβησόμεθα. Δείξει δὲ ὁ λόγος αὐτὸς εἰ μὴδαμοῦ τὸ ψεῦδος πρὸ τῆς ἀληθείας τετίμηκεν.

...For when a man deliberately sins against the truth he cannot escape the reproach of flattery, and moreover he inflicts on the object of his panegyric the appearance of not deserving the praise that he receives on other accounts. This is

¹⁰⁸ Men. Rhet. 2.372.25–373.1. Cf. Lib. *Ep.* 40.7–11 Norman (19 Foerster), who explains his approach to producing panegyric, which is similar to Menander’s.

a mistake of which I shall beware. Indeed my speech will make it clear that in no case has fiction been preferred to the truth...¹⁰⁹

These remarks might well have been part of the *prooemium*, but Julian deliberately inserted them here, near the center of his speech, after presenting some of Constantius' failings in the field against the Persians. More importantly, Julian is actually asserting with some force that he is speaking and will continue to speak the truth about Constantius. In support of his claim, Julian discusses the battle of Singara in 344, when Constantius' forces suffered heavy losses against the Persians, in part because of the lack of discipline on the part of the Roman army (23B–26A). It is rather surprising that Julian mentions these details since they reflect poorly on Constantius as a commander and can be viewed as criticism of one who, once again, could not maintain the discipline of his soldiers, just as at Constantinople. That Julian does so raises new questions regarding what his motives for writing this panegyric were and what he hoped to accomplish by it. It would seem that the clever Caesar uses his avowed commitment to telling the truth about the emperor, which includes references to his virtues, as a license to engage in subtle and direct criticism for his own ends, and especially so if Julian sent a copy of this panegyric to Libanius at Antioch and that it was circulated in the East.

Next follows Julian's other (critical) comments on the challenges that Constantius faced in the usurpations of Magnentius and Vetranio, which the Persians took advantage of by preparing to invade the eastern provinces in the emperor's absence (26B–30B), among which Julian relates the third siege of Nisibis in 350 (27B–30A). Constantius'

¹⁰⁹ *Or.* 1, 23A, cf. 45B. The text is that of Bidez 1932; the translation is that of Wright 1913.

success against these usurpers, one of whom (Magentius) had killed his brother Constans, is put forward unambiguously (30B–33A). Interestingly, however, Julian’s claims about Constantius’ fraternal comity do not exactly ring true, and Julian has to admit that there was some hostility between the three brothers, though he minimizes it (33B–C); Julian repeats his claim of comity near the end (41B–D). The panegyrist and Caesar dedicates considerable space to Constantius’ civil war with Magentius, to the latter’s supposedly flawed character and government, and his ultimate loss in battle (33D–40C, 41D–42D, 47D–48C). Here Julian tells us about Magentius’ cruelty, his treatment of Italians, and his frivolous living at Aquileia and in Gaul. If Tantillo (1997: 36–40) is right to date this panegyric to the occasion of Constantius’ *aduentus* at Rome in 357, or even earlier to 356, as I suggest, then Julian’s portrayal of Magentius would have been in keeping with one of the key reasons behind Constantius’ triumph in the Eternal City, and it may have been meant to shame those who had sided with the usurper in Rome and who were allowed to live only because of Constantius’ clemency.

In this light, Julian also makes general statements on Constantius’ *philanthropia* and his generosity to cities (43A–44D). There is also an interesting concordance at 17B with Themistius’ references to Constantius’ friends (*Or.* 1, 10C), whom Julian goes on to praise along with Constantius’ treatment of them, near the end of his own first oration (46B–C). Nonetheless, Julian alludes, rather strikingly, to his disgraced brother Gallus (44D–45A), whom Constantius had appointed Caesar of the East in early 351 and whom he had just executed in late 354, that is, about a year before Julian’s own promotion and about a year before Julian presumably began writing this speech. Given that Gallus had

been executed and disgraced, and that he suffered *damnatio memoriae* only recently, this was a particularly bold allusion for Julian to make when silence might have been a better choice. Why did Julian not simply omit Gallus and the other embarrassing events we have noted above? Perhaps Julian's raising of Gallus was meant to help revive conversations on the former Caesar and his management of Antioch and the East, and on the rightness of Constantius' decision to execute him. One wonders if Julian's imperial speech, which is far more philosophical than Themistius', was not constructed in purposeful contrast to his immediate predecessor's philosophical panegyric. However, it would be a mistake not to see that Julian also infuses philosophy into his panegyric, if but in the form of a few invocations of Plato and the worth of his teachings to Constantius (11D, 12B), invocations that still might be read as subtle criticism, that Constantius had failed to live up to Plato's model ruler, regardless of what Themistius had said. Furthermore, there is nothing explicit about Constantius' Christianity in Julian's speech, a topic we might well have expected to be covered directly or at least subtly alluded to since Themistius had done so.

When we recall that, in addition to a copy of his panegyric presumably having been sent to Constantius at Milan or Rome and delivered in one of these cities in 357, Julian apparently sent a copy of his first panegyric on Constantius to Libanius at Antioch, it seems right to conclude that the bookish Caesar intended it to be disseminated in the East among the educated élite, and probably in the West as well. But different audiences would have found different messages in this speech. Once read, Julian's panegyric would have been seen largely as a declaration of loyalty to Constantius, as it was no doubt

intended to. But in between instances of praise, Julian embedded some instances of veiled criticism of Constantius that would not have been lost on careful readers. Such criticism, in my view, is best seen, in part, as a response or counter-panegyric to the first two speeches of Themistius, who had praised Constantius as a philosopher and lover of mankind, a representation of the emperor that Julian does much to damage and undercut. Of course, given that Julian's *Oration* 1 apparently was circulated shortly after its composition, it is possible that criticisms of Constantius were embedded later in a published version; however, these criticisms are so subtly made that Julian may well have inserted them into his original draft as proofs of his *parrhesia* as a philosopher (cf. *Or.* 1, 3C–D), and once again in contrast to Themistius' supposed freedom of speech.

As I have shown here, Julian's first panegyric is a tale of two speeches, a carefully constructed, detailed, and sophisticated imperial speech that advertises Julian's loyalty and deference to Constantius as his Caesar to a great extent while occasionally and delicately casting some serious doubts about the very worth of the man whom he is loyal to. Conversely, Themistius had avoided using specific historical episodes and details such as those provided by Julian, a choice that purposefully frames his panegyrics as general speeches of praise and philosophical tutorials for an emperor that Themistius wished to honor and to influence in his manner of rule while seeking personal favor and perhaps anticipating his place as a key philosopher and advisor for the "philosopher-king/emperor" Constantius. As sole Augustus and primary ruler of the Roman Empire, Constantius prompted the production of at least three Greek imperial panegyrics to him from 347/350 to 356; but how he was presented and how his image was shaped within

these speeches gave Themistius and Julian great license as his panegyrists, a license which, as we have seen, they each used for various ends.

Chapter 3
Panegyric, Diplomacy, and (Self-)Presentation: Julian, Themistius, and Constantius in the
West, 357–359

In his panegyric of January 357 (*Or.* 4), Themistius makes a reference to Constantius' allotment of funds for the copying of manuscripts and for the construction of a public library in Constantinople,¹¹⁰ references which serve once again to highlight the emperor's *paideia* and to build up the image that Constantius desired to project in supporting and in encouraging intellectual pursuits among his subjects. Themistius adds that such imperial support for education in the city would attract highly learned men to Constantinople (*Or.* 4, 60C–61C).¹¹¹ Such a comment indicates that Themistius and the emperor both took careful note of elite audiences in the East and the growing importance attached to attracting talented individuals, like Themistius, to Constantinople. Themistius' *Oration* 4 was his third oration to Constantius in seven years (see Ch. 2) and it represents continued interest in using panegyric as a vital mode of communication for official policy, for Themistius seemingly delivered *Oration* 4 before the Senate of Constantinople and in the next few months would be traveling to Rome to deliver another kind of panegyric before Constantius (*Or.* 3; more below). As a speech, Themistius' *Oration* 3 is of particular importance for understanding the relationship between panegyric and government in the fourth century because it was an "ambassadorial speech" (*presbeutikos logos*), that is, a speech delivered by Themistius in his official capacity as senator of and envoy from Constantinople to Constantius at Rome, and so is an example of the overtly diplomatic

¹¹⁰ Themist. *Or.* 4, 59D–60D; Vanderspöel 1995: 99–100.

¹¹¹ On *Oration* 4, see n. 138 below.

role that speeches of praise could play in an ‘open line’ of communication between panegyrist, emperor, and audience. We have already noted the attention that Themistius and Constantius paid to élite audiences in the East, but they did not overlook members of the western élite.

In Chapter 2, we saw how Themistius and Julian each used their panegyrics to shape Constantius’ public image as emperor, and in distinct ways. Both Themistius and Julian strayed from the rules of Menander Rhetor, but they each did so according to their own interests and conceptions of the proper exercising of the imperial office. Themistius’ first two imperial speeches to Constantius illustrate his focus on presenting the emperor as a philosopher, one whose *philanthropia* marked him out as particularly qualified to rule and who valued learned men such as Themistius himself for the role they might play in producing good Roman government. On the other hand, Julian focused his debut imperial speech on more traditional topics, such as the emperor’s military responsibilities and achievements internally against usurpers and on the frontiers against foreign foes, though, as we have seen, Julian also inserted philosophical topics into his speech. In this chapter, I shall discuss Themistius and Julian’s rather different emphasis on Constantius as an alert and just administrator, and their appeals to him on these grounds in the form of three panegyrics (Jul. *Orr.* 2 and 3; Themist. *Or.* 3), all of which were produced in the West during a two-year period (357–359) and which were conceived of, in part, as diplomatic texts, and so three imperial speeches that tell us much about the panegyrists and the dynamic relations between Constantius and his new western subjects. This shift from the shaping and management of Constantius’ image—which, I have argued, is the

primary goal of Themistius' first two orations—to matters of diplomacy with respect to the emperor in *Oration 3* is suggestive of a new phase in the relationship between Themistius and Constantius, and, as we shall see, one that is also discernable in Julian's subsequent orations as well.

As I will argue, Julian's *Oration 2* and *Oration 3* contain diplomatic elements and so suggest underlying diplomatic purposes behind these speeches. Moreover, there is also veiled criticism of Constantius in Julian's *Oration 2* and *Oration 3*, criticism that underscores what I see as Julian's keen interest in self-presentation, and more so that in *Oration 1*. Based on what we can glean from the first of these two speeches, it appears that Julian began composing his *Panegyric on Eusebia* (*Or. 2*) in late 356 (more below). My intention here, in part, is to support and to build on Tougher's (1998a: 122–3) observation that the panegyric on Eusebia “does not seem to be purely diplomatic. It contains both implied and direct criticism, and is self-referential, even at this early stage of Julian's Caesarship” (123). As we have discussed above, panegyric could serve multiple purposes beyond shaping an emperor's public image for important public occasions: it could be used for broad diplomatic purposes, to secure favor for the panegyrist and those in his community whose interests he might seek to advance along with his own, and it could afford the panegyrist with an opportunity for self-presentation and promotion within the speech itself that could be disseminated, subtly (*Jul. Or. 1*) or explicitly (*Or. 2* and *3*), together with the image of the speech's subject. In fact, as Tougher (1998a: 121) has put it, Julian's “emphasis on self-image means that in this panegyric (*Or. 2*) the rhetorician is in danger of eclipsing his subject [Eusebia].” Furthermore, “The propaganda of power in

the case of this panegyric reflects much more upon the rhetor than his subject” (123). Such emphasis was lacking, or rather understated, in *Oration 1*, as we have seen. And yet Julian’s notable insertions of himself into *Oration 2* and *3*, as we shall see, indicate his increasingly active hand in his own image management separate from Constantius’ influence, and so his growing confidence and concern with how the empire’s élite subjects should perceive him as Caesar in the West.

This chapter is divided into three parts. In the first part (I), I will explore Julian’s imperial speech on the empress Eusebia (*Or. 2*), the second wife of Constantius and the one whom the extant sources credit to a great degree with influencing Constantius in his decision to elevate Julian to the Caesarship. It seems that Eusebia was Julian’s single most important patron after Constantius, a status that is illustrated by the young Caesar’s decision to dedicate a separate imperial speech to her and a positive relationship that Julian would have desired to maintain. Subsequently, in the second part (II), I consider Themistius’ third panegyric to Constantius (*Or. 3*), which the philosopher and recently adlected senator delivered before the emperor at Rome on the occasion of Constantius’ celebrations of certain imperial anniversaries sometime in April/May 357. This panegyric is formally framed in the diplomatic mode, and it reveals much of Constantius’ interactions and relations with the Senate of Rome and the western élite. Finally, in the third section (III), I explore Julian’s second panegyric on Constantius (*Or. 3*), which apparently was written shortly after his victory at Argentoratum but before he and Constantius raced to confront one another in civil war in 361. This speech is one of some significance for understanding Julian as Caesar since it contains a large section on the

good king and on proper kingship, a section which accentuates other areas of the speech that reflect upon Julian.

I

Julian's second oration, the *Panegyric on Eusebia*, typically has been dated to 356/7, and for good reasons. This dating is consistent with some of the entries within the speech. At 110D, Julian makes a remark that helps us date his panegyric. He notes that Constantius had set up victory trophies (βασιλεὺς...μετὰ τὰ τρόπαια [προτίθησι]), presumably those triumphal monuments that he set up after his successful contest against Magnentius that ended in summer 353,¹¹² which is related earlier in the speech (109B). And Julian's remark here is followed by references to his campaigning in Gaul and to the small library of books that accompanied him (124A–D). These references could indicate any point within 356–360, but the tone and substance of the references suggests that Julian only recently had begun to campaign in Gaul and that campaigning was still a new experience for him. Furthermore, at the very end of Julian's panegyric, he tells us that Eusebia recently had been at Rome and at the same time that Constantius had been campaigning near the borders of Gaul in Raetia (129B–C), that is, during the pincers movement that Constantius coordinated with Julian in 356.¹¹³ If Constantius undertook a spring/summer campaign, then Julian would have begun writing after this campaign had ended that year, and so late 356. However, 357 is also a possible date, for the reference to Eusebia's visit

¹¹² See Amm. 21.16.15, who notes that Constantius set up victory monuments in Gaul and Pannonia, which may refer to his victories at Mons Seleucus and Mursa respectively, and so victories over Magnentius.

¹¹³ See Marcos 2015: 689.

to Rome can be read as having taken place shortly before or after Constantius' visit to the city in spring 357, although he departed from Rome for the Danube, not the Rhine, that year. In the course of providing us with these important details, Julian notes that Eusebia had traveled to Rome without Constantius, where she received senators and dispensed largess to those assembled in the city (129C). Such an image of Eusebia is an important one within the text, for Julian consistently depicts her as a benefactor and a distributor of favor.

Scholars often have asserted that Julian sent his imperial speech to Constantius' court at Milan in 356/7, specifically with his *praepositus sacri cubiculi* Eutherius in order to counter the accusations of the disgraced and disgruntled Marcellus, who had been *magister equitum* in Gaul during the first year of Julian's tenure there;¹¹⁴ but this is nowhere attested and must remain only an attractive and unproven suggestion given the current state of the evidence. Nevertheless, the very structure of Julian's speech conveys his diplomatic concerns (more below), as do references to Eusebia and Constantius as his benefactors, that is, as bestowers of imperial favor and benefits including but not limited to his promotion in late 355. The Caesar's careful praising of Eusebia as one of his promoters would have served a diplomatic function. Indeed, when Julian notes Constantius' clemency and Eusebia's intercession on behalf of individuals under

¹¹⁴ See Bidez 1965: 144–6, and 1932: 3–4, and García Ruiz 2013a: 88 and n. 24, who suggest that Julian's second oration is specifically connected to Julian's breach with Marcellus and his attempt to gain Constantius' support against the general. See also *PLRE* 1.314–15, Eutherius 1 and *PLRE* 1.550–1, Marcellus 3.

prosecution,¹¹⁵ the Caesar may very well be alluding to himself as a potential beneficiary in proceedings at court.¹¹⁶ But Julian need not be engaging in praise as a reaction to a particular problem, rather, he might have proactively and prudently praised his benefactors so as to maintain good relations with them in his ongoing exercise of power and in the event of conflict with imperial officials, such as Marcellus and, as we shall see below, Constantius' praetorian prefect of Gaul, Florentius, with whom Julian would come into conflict c. 357/8.¹¹⁷

García Ruiz (2013a: 89–90) argues, unconvincingly, that Julian's expressions of gratitude in his *Panegyric on Eusebia* were not a part of his original speech since they clash with his portrayal of Constantius in the *Epistle to the Athenians*.¹¹⁸ But this is a highly problematic approach. As we shall see in the following chapter (Ch. 4), Julian's hostile depiction of Constantius in the *Epistle* was made in the context of civil war in 361, after Julian as Augustus had seized control of much of Illyricum and was on the verge of annexing Macedonia and Greece as well. Moreover, to assert what, exactly, Julian did and did not include in an "original" draft that we do not possess is excessively speculative and perilous. No doubt that the panegyric we possess is a "polished" version,

¹¹⁵ Jul. *Or.* 2, 116D–119A.

¹¹⁶ García Ruiz 2013a: 89–90.

¹¹⁷ See Amm. 17.3; *PLRE* 1.365, Flavius Florentius 10.

¹¹⁸ García Ruiz (2013a: 90–5) does manage to demonstrate, however, that Julian's oration on Eusebia likely influenced Ammianus' portrayal of Eutherius' audience with Constantius at Milan; but this is a very different matter from what Julian may have said "originally" in his speech on the empress since Ammianus seems to have had the same version that we have.

but its contents are completely consistent with Julian's representation of Constantius in his first panegyric on the emperor and are in keeping with the apparently good relations that Julian enjoyed with Constantius when he produced his oration on Eusebia, that is, c. 356/7, at a time when both men strongly supported one another and so when it would have been in the Caesar's best interests to continue portraying his superior in glowing terms. In short, Julian's *Panegyric on Eusebia* should be taken on its own terms and read for what it is in this context. In fact, Julian's panegyric has much in common with an "ambassadorial speech" (*presbeutikos logos*) as prescribed by Menander Rhetor: the panegyrist should praise the emperor's clemency and his benefactions (more below). But one key difference with Menander is that Julian does not present himself as pleading a special case, or any case for that matter, another point that should lead us to reconsider Julian's supposed sending of this speech to Milan specifically as a response to Marcellus; there are no signs within the speech that the Caesar is in need of Constantius' mercy at that moment. Therefore, I favor reading Julian's second oration, at least on the surface, as a proactive and prudent measure geared towards preserving good relations with Constantius, not one specifically intended to counter Marcellus, but rather the potential for a Marcellus.

Furthermore, we do not know what role, if any, Eusebia played in deliberations at Constantius' court over Marcellus' accusations against Julian (cf. García Ruiz 2013a: 90); it is just as likely, perhaps even more so, that the testimony of Eutherius, who had served Constantius faithfully for many years and whom Constantius subsequently appointed over Julian (Amm. 16.7.2–7), swayed Constantius in Julian's favor at Milan. While

Ammianus' divergent representations of Eutherius and Marcellus may owe much to the author's own interpretation, his representations of each are still revealing: Eutherius' careful deportment and manner of delivery before the emperor resemble Constantius' own reported demeanor and so would have contributed greatly to winning the emperor over, in contrast to the apparently vain and haughty Marcellus, whose wild gestures, loud voice, and aggressive charges against Julian (*strepens et tumultuans, ut erat uanidicus et amenti propior*, Amm. 16.7.2) were just as likely to alienate potential supporters at court as they were to convince them that what he said about the Caesar was true. It has not been appreciated fully that, whatever Constantius' personal feelings on the matter may have been, he had promoted Julian to a share of imperial power and it was in his best interests to maintain a united dynastic front, especially in a clear-cut case of negligence by a subordinate, such as Marcellus' failure to aid the besieged Caesar at Sens in 356.

Julian's *Panegyric on Eusebia* (*Or. 2*) consists of 19 long sections (about 32 pages in the Budé edition of Bidez [1932]).¹¹⁹ As with Julian's first panegyric on Constantius, his imperial speech to Eusebia is described as an "encomium" (ἐγκώμιον) in the manuscript headings and within the text of the speech itself (τῶν ἐπὶ τοῖς ἔργοις ἐγκωμίων, 104C). More specifically, like Themistius' second oration (*Or. 2*), which thanked Constantius for his adlection to the Senate, Julian's own *Oration 2* is a kind of *gratiarum actio* or χαριστήριος λόγος ("speech of thanks/gratitude") for the friendship that Eusebia had extended to Julian at Milan in 354/5, when his position within the dynasty was being reconsidered, and for the part that she played in his subsequent

¹¹⁹ For studies on this oration, see Aujoulat 1983a, Tougher 1998a, and James 2012.

promotion to Caesar in late 355.¹²⁰ This is evident at the very outset of the speech, where Julian focuses on the theme that one should be grateful to benefactors and avoid the charge or even the appearance of “ingratitude” (ἀχαριστία).¹²¹

In an empire of honor, favors dispensed and received between members of the élite, especially between the emperor and his top aristocrats, as we have noted in Chapter 2, created a binding and enduring relationship.¹²² As I would suggest, it is this relationship that Julian was primarily concerned with, and so he produced a panegyric meant for Eusebia, Constantius, those around them at court, and others among the educated élite, perhaps both in the West and the East. This concern and target audience, in my view, makes better sense than that Julian intended his speech for Constantius’ administrators in Gaul, or even for a coterie of men around the newly minted Caesar.¹²³ What would Julian have hoped to gain from either audience? Constantius’ men in Gaul may have been an initial audience, but for a Caesar interested in maintaining an open line of communications and a positive relationship with his Augustan superior, without which success as a subordinate would not be possible, Julian would have wanted his two benefactors to listen to (or to read) and to appreciate his speech without any intermediaries or filters. As we shall see below, however, a western and perhaps more

¹²⁰ See Aujoulat 1983b: 425–34 and Tougher 1998b. On Ammianus’ contradictory portrayals of Eusebia, see Tougher 2000 and García Ruiz 2008b.

¹²¹ *Jul. Or.* 2, 102A–C.

¹²² Lendon 1997: 154–60.

¹²³ See Tougher 1998a: 109–10, who briefly considers these possible scenarios.

regional, Gallic audience congeals well with the substance and tone of Julian's second panegyric on Constantius (Section III). Moreover, if Tougher (1998b) is right to see Eusebia as an agent or intermediary employed by Constantius, who used her to obtain Julian's acceptance of his promotion to Caesar, then Julian would have known this also. Thus, by writing a panegyric on Eusebia, Julian likely saw that he, too, could use the empress for his own ends, but in reverse: to obtain further favor and support from Constantius. This would help explain Julian's effusive praising of Constantius in Eusebia's speech apart from merely observing the general protocol of praising the current Augustus (more below).

Scholars such as Aujoulat (1983a: 78–9) and Tougher (1998a: 115) have noted the uniqueness of the fact that Julian produced an oration on the empress in which his very elevation to Caesar is ascribed to the influence of a woman, albeit an important one. Those among the Roman élite had long been accustomed to delivering funerary speeches or eulogies (*laudationes funebres*) to important women and matrons within their families, such as the speeches that Julius Caesar delivered for his aunt Julia and his wife Cornelia (Suet. *Caes.* 6.1). To be sure, orations on and to living women were not unheard of in Late Antiquity,¹²⁴ but Julian's *Panegyric on Eusebia* is the only extant imperial speech written by a Caesar for an empress, and the wife of his Augustan superior. Thus, the very

¹²⁴ Libanius mentions a panegyric on the daughter of Strategius Musonianus, one presumably written while she was still alive and written by Libanius himself (Lib. *Ep. ad Aristaen.* 25.2 Norman [580 Foerster]). See also James 2012: 48, for some examples of speeches to imperial women after Julian's. However, none of the orators were emperors. It would be worth knowing if Julian had used a particular model for his oration.

uniqueness of Julian's speech calls for us to pay particular attention to its contents and to the tone of the messages that it delivers.

It is a notable feature of Julian's panegyric on Eusebia that it lacks vocative markers such as those in his first panegyric and in Themistius' imperial speeches: neither the empress nor any others among a presumed audience, such as senators and members of Constantius' court, are addressed. No less interesting is the fact that, unlike his first panegyric on Constantius, Julian inserts himself emphatically, implicitly, and consistently into his imperial speech on Eusebia. The Caesar turned panegyrist offers his audience rather interesting autobiographical details that shed some light on his motives for producing a panegyric on the empress (more below). There is a clear marker of Julian's confidence in his remark that: "For I already hold, because god grants and so does the emperor, all these benefits, and, I think, also because this woman herself [Eusebia] was an eager promoter for me" (Ἔχω γὰρ ἤδη, τοῦ θεοῦ διδόντος καὶ τοῦ βασιλέως, ἅπαντα τὰ ἀγαθὰ, αὐτῷ τε οἶμαι καὶ αὐτῆς ταύτης ξυμπροθυμουμένης, 117A). Julian notes that he is grateful for all the imperial *beneficia* (ἅπαντα τὰ ἀγαθὰ) that he has received, and his use of "all" (ἅπαντα) implies that he does not need to receive further benefits from Constantius and Eusebia. Indeed, Julian proposes this as the basis for his audience taking his praise, not as flattery, but as truth; he has nothing left to gain. But this is certainly not true, and so we need not take his statement here at face value.¹²⁵ By pointing to his recent history of receiving benefits from the emperor and empress, such as gold, silver, and

¹²⁵ Tougher 1998a: 117–18.

better yet, books (123D–126A), Julian seems to hint at his willingness to receive further dispensations from them, a stance that gives this oration a diplomatic quality and value.

Once again, as in his first panegyric, we find Julian expressing (false) modesty at his having undertaken this speech on Eusebia (126B). More importantly, like Themistius (*Or.* 1, 13A; Ch. 2), Julian, too, considered that panegyric played an important function of and for Roman government:

...πολλοὶ δὲ ἀποκρύπτουσι τὸ δοκεῖν εὖ παθεῖν, οὐκ οἶδα ὅ τι βουλόμενοι. Φασὶ δὲ ὅμως θωπείας τινὸς καὶ ἀγεννοῦς κολακείας τὴν δόξαν ἐκκλίνειν... Οὐδὲ γὰρ τοῦτο ἔνεστιν εἰπεῖν, ὡς ἀνωφελὲς χρῆμα ἢ εὐφημία οὔτε τοῖς ὑπὲρ ὧν γέγονεν οὔτε αὖ τοῖς ἄλλοις, ὅποσοι τὴν ἴσην ἐκείνοις κατὰ τὸν βίον τάξιν εἰληχότες τῆς ἐν ταῖς πράξεσιν ἀρετῆς ἀπελείφθησαν. Τοῖς μὲν γὰρ ἄκουσμά τέ ἐστιν ἡδὺν καὶ προθυμότερους παρέχει περὶ τὰ καλὰ καὶ διαφέροντα τῶν ἔργων· τοὺς δὲ ἐπὶ τὸ ζηλοῦν ἐκεῖνα πειθοῖ καὶ βία παρώρμησεν ὁρῶντας, ὅτι μηδὲ τῶν προλαβόντων τινὲς ἀπεστερήθησαν ὁ μόνον δοῦναί τε καὶ λαβεῖν ἐστὶ δημοσία καλόν...

...But many men conceal the appearance that they received a benefit (ungrateful men), I do not know why they wish [to do so]. And they claim all the same that [they wish] to avoid the reputation of some kind of sycophancy and of common flattery... For this is not something that it is possible [for them] to say, that solemn praise is a useless thing, either to those on whose behalf it is given or on the contrary to others [who have not received it], as many, after having obtained an equal station in life, were parted from the excellence in those things that they accomplished. For hearing [solemn praise] is a pleasant thing for the former and makes them eager in regards to fine [acts] and superior for the sake of deeds; but it will urge on the latter by means of persuasion and force to emulate those things, since these men see that none of those who have received [solemn praise] beforehand were defrauded of that which alone is a fine thing both to give and to receive publicly...¹²⁶

¹²⁶ Jul. *Or.* 2, 102C, 103C. The text is that of Bidez 1932; the translation is my own. I translate ἡ εὐφημία as “solemn praise” since Julian uses this term to communicate his sincerity in praising Eusebia instead of the more typical ὁ ἔπαινος or “(conventional) praise/panegyric,” which also can be associated with more typical flattery that was prone to interpretations of insincerity. In fact, by comparison, it is revealing that, while Julian does deploy εὐφημία in his first panegyric on Constantius, he artfully avoids referring to his own speech specifically as an example of such (*Or.* 1, 4C, 5A). On the other hand, Julian unambiguously and consistently refers to what he is about to say on Eusebia as εὐφημία (*Or.* 2, 103C, 104B, 104C, 106B).

Unlike his first panegyric on Constantius, Julian inserts this programmatic statement on the purpose of his speech and his stance on truth-telling near the outset, where it receives greater emphasis. As the Caesar himself frames it, sincere praise could affect behavior and nudge recipients of it towards exemplary deeds, presumably to the benefit of all.

Near the end of his speech, Julian repeats his claim to being a truth-teller while also engaging in avowed modesty: “For it might happen that you have not listened to these words with pleasure since [you have listened to] a man who is ignorant and exceedingly unlearned in speech, and one who does not know [how] to shape or [how] to employ a craft, but who points out the truth just as it occurs [to him]” (τυχὸν γὰρ οὐδὲ τῶν ῥηθέντων ἀκροᾶσθε ξὺν ἡδονῇ ἅτε ἀνδρὸς ιδιώτου καὶ σφόδρα ἀμαθοῦς λόγων, πλάττειν μὲν οὐδὲν οὐδὲ τεχνάζειν εἰδότος, φράζοντος δὲ ὅπως ἂν ἐπὶ τὰ ληθέες, 126B). Such a comment, though somewhat typical of panegyric, would have had the effect of disarming the audience’s expectations somewhat, and it constitutes an instance of Julian’s conscious self-presentation as an honest Caesar and participant in his dealings with the imperial family, a presentation that was largely lacking in his first oration.

A more potent example of Julian implicitly inserting himself into his speech is detectable in a section where he quotes from Homer regarding Odysseus’ interactions with the king of the Phaeacians and his daughter, Alcinous and Arete respectively (104C–105D). The young Caesar clearly alludes to Eusebia as Arete and he himself as Odysseus, for Julian records a particularly revealing passage that refers to what Odysseus can expect from properly praising Arete:

...Ταύτην δὴ οὖν ἰκετεύσας, εἰ τύχοις
εὖνου, πρὸς αὐτὸν ἔφη,
Ἐλπώρῃ τοι ἔπειτα φίλους τ' ἰδέειν καὶ ἰκέσθαι
Οἶκον ἐς ὑπόροφον...

...Therefore, at any rate, [when] you beseech this woman [Arete], if you should happen upon her well-disposed [to you], she [Athena] said to him [Odysseus], there is hope for you, then, that you will see your loved ones and come into your high-roofed home...¹²⁷

Tougher (1998a: 112) has noted the parallels between Odysseus and Julian, and Eusebia and Arete, but we can go further. Homer's passage above seems meant to communicate to Eusebia and Constantius that Julian desires (whether truly or not) to return to Greece or Ionia, presumably to continue his philosophical studies there, and that he hopes that one day, like Odysseus, he will return home. While such a message might seem impractical, given that imperial power once accepted was rarely able to be renounced, Julian may very well have considered the prospect of returning to a more private station at some point; if Eusebia produced a male heir for Constantius, this would have impacted Julian's position as Caesar.¹²⁸

To be sure, at 124A, Julian states that when he was summoned to Milan he thought that he would be returning home soon, and so left most of his library behind in Asia Minor. The value of such self-presentation to Julian should not be underestimated and it conveys several messages at once: it projects the view that his promotion to Caesar was unsought; that he hopes to resume his prior life as a *priuatus* in some form; that he

¹²⁷ Jul. *Or.* 2, 105D; cf. Hom. *Od.* 7.75–7. The text is that of Bidez 1932; the translation is a modified version of Wright 1913.

¹²⁸ On Eusebia's political concerns, see Aujoulat 1983b: 432–38 and Tougher 1998a: 122.

intends to act appropriately to Eusebia and Constantius, and so remain loyal and faithful to them; and that he will take on his new toils like Odysseus and do what Constantius deems necessary so that he, Julian, can receive his reward. Much of this would have drawn a marked contrast to Gallus, who had been executed in late 354 because he seemed out of control and on the verge of rebelling and so was disloyal. Moreover, such a view is consistent with what Julian subsequently states, that his elevation to Caesar had been forced upon him and that he had accepted only reluctantly (121C). Here we seem to have an instance of *recusatio imperii*, which would suggest that Julian actually means the opposite, that he considered himself qualified as a holder of imperial power. This has some implications for how we might understand Julian's comments on dynastic legitimacy (below), but what matters is that all this further supports treading carefully when attempting to decipher Julian's descriptions, and that some instances of praise may actually be veiled censure.

In this light, there may be implicit criticism of Constantius when Julian observes that power, when used incorrectly, can harm houses and cities and produces serious disasters (121D–122A), and again later, when he asks his audience if there can be any greater proof of virtue than not to have killed any citizen, seized money, or placed anyone in an unjust exile (129A).¹²⁹ These may or may not be veiled criticisms of Constantius, and that is the point. Different audiences could pick up on different messages in this and other panegyrics, which thus gave these imperial speeches a highly interpretive quality and so made them highly flexible and valuable as methods of communication for various

¹²⁹ Tougher 1998a: 119–20 and James 2012: 52–3.

purposes and for various audiences. Praise of an emperor could be praise of what he held and displayed, or it could be implicit censure for what he lacked.¹³⁰ This was all part of the art of allusion and of doublespeak. Praise also could be employed to give a positive face to some negative personal traits, such as when an emperor's generosity was praised in place of his extravagance.¹³¹

However, Julian does seem to pay Eusebia high praise when he outlines for his audience her prudence, justice, mildness, reasonableness, love for her husband, Constantius, her generosity with respect to money, and the honor that she dispensed to those within her household and to her relatives (σωφροσύνης καὶ δικαιοσύνης, ἢ πραότιτος καὶ ἐπιεικείας, ἢ τῆς περὶ τὸν ἄνδρα φιλίας, ἢ τῆς περὶ τὰ χρήματα μεγαλοψυχίας, ἢ τῆς περὶ τοὺς οἰκείους καὶ ξυγγενεῖς τιμῆς, 106A). Julian's effusive praise of Eusebia continues: she is a holder of practical wisdom, mildness, prudence, a love for mankind, both reasonableness and generosity, and other virtues (φρόνησιν καὶ πραότητα καὶ σωφροσύνην καὶ φιλανθρωπίαν ἐπιεικειάν τε καὶ ἐλευθεριότητα καὶ τὰς ἄλλας ἀρετὰς, 112B–C). Moreover, when Julian describes his private audience with Eusebia she is twice styled as prudence personified (σωφροσύνης αὐτῆς, 123B), one of the traits that Julian ascribes most often to her.¹³² The empress thus receives no less than five vital imperial virtues in σωφροσύνη, δικαιοσύνη, πραότης, φρόνησις, and

¹³⁰ See Bartsch 1994: 156–7, who reaches a similar conclusion about Pliny's *Panegyricus*.

¹³¹ See Bartsch 1994: 169–73.

¹³² Aujoulat 1983a: 79–80 and García Ruiz 2012.

φιλανθρωπία, virtues which Julian had applied conspicuously to Constantius, as we have seen (Ch. 2). The use of φιλανθρωπία is particularly interesting since Themistius had made this virtue the centerpiece of his first oration to Constantius and framed it as one unique to this emperor. That Julian also ascribes a “love of mankind” to Eusebia would seem to challenge Themistius indirectly and to place Eusebia on a level on par with Constantius. But, as James (2012) has well noted, Julian’s portrayal of Eusebia in many respects corresponds to typical literary “types” of women, or, more precisely, how orators considered that imperial women should be portrayed in public orations that reflected contemporary social expectations and values.

In keeping with the advice of Menander Rhetor, Julian discusses Eusebia’s native Macedonia, her *patria* Thessalonica in particular (106B–107D, 110B), her ancestry in her father’s ennobling of their family as its first holder of the consulship (107D–109A), and the uprightness of Eusebia’s mother and of Eusebia herself (110A–D). But Julian’s subsequent remarks reveal that Eusebia and her intimates were not the only presumed audience for this speech, for Constantius himself is referenced rather pointedly, or rather his virtues are. The panegyrist-Caesar also ascribes a lengthy list of virtues to Eusebia’s husband: Constantius is an emperor who is brave, prudent, intelligent, just, useful, mild, and magnanimous (γαμετὴ δὲ ἐστὶ βασιλέως ἀνδρείου, σόφρονος, συνετοῦ, δικαίου, χρηστοῦ καὶ πράου καὶ μεγαλοψύχου, 109A–B). Julian goes on to reinforce this praise of Constantius by repeating most of these virtues: Eusebia is the wife of an emperor who is brave, magnanimous, and prudent (γαμετὴ τε οὗσα βασιλέως ἀνδρείου καὶ μεγαλοψύχου καὶ σόφρονος, 114B). Subsequently, Constantius is also styled “the noble and truly

godlike sovereign” (Ὁ γενναῖος δὲ καὶ θεῖος ἀληθῶς αὐτοκράτωρ, 123A). And near the very end of his speech, Julian tells us about how Constantius crossed the Rhine by means of a pontoon bridge in 356 (129B–C), a reference that gratuitously promotes the Augustus and can only be explained by the fact that Constantius and those around him were also part of this panegyric’s intended audience.

In his first panegyric, the Caesar had deployed “magnanimity” (μεγαλοψυχία) with respect to Constantius in reference to the emperor’s treatment of his brothers and co-rulers and to his pardoning of many of Magnentius’ supporters.¹³³ Therefore, the reappearance of this trait in Julian’s speech to Eusebia, again in reference to Constantius, suggests that Julian is particularly interested in cultivating the emperor’s generosity and calling upon it to his benefit. This view is supported by the fact that Julian almost immediately goes on to emphasize that Constantius is a mild man by nature, and an emperor who is useful and considerate (καὶ πρᾶον ὄντα φύσει τὸν βασιλέα καὶ χρηστὸν καὶ εὐγνώμονα, 114C). While such portrayals of Constantius as a mild, measured, and thoughtful emperor are traditional and even tactful in a panegyric to his wife, they nonetheless suggest that he is the primary target of this imperial speech and with an eye to encouraging Constantius’ exercising of these particular virtues. Julian’s motive for producing a panegyric on Eusebia is indicated in how he twice portrays her as a partner in Constantius’ deliberations (κοινωνὸς βουλευμάτων).¹³⁴ To support his claim, Julian

¹³³ See *Jul. Or.* 1, 18B, C, 38B, 41C. Cf. *Amm.* 14.5, for Constantius’ punishing of some of Magnentius’ supporters.

¹³⁴ *Or.* 2, 114B: ἀλλὰ ἡξίου κοινωνὸν γίνεσθαι τῶν βουλευμάτων καὶ ὅ τι πρακτέον εἴη συννοεῖν καὶ συνεξευρίσκειν. 114C: βουλευμάτων τε αὐτῷ γέγονε κοινωνὸς.

describes the moderating role that Eusebia has played in how Constantius dispenses justice and punishments (114D–115D). As scholars have seen, this apparent instance of praise might be of the backhanded variety, for this passage can be read as Constantius being subservient to the wishes of his wife.¹³⁵ Nonetheless, as we have seen, Julian particularly ascribes prudence to Eusebia, and he uses himself as proof of this, so that it would be better to see the panegyrist genuinely praising the empress here as one who provides her husband, the emperor, with good counsel and with opportunities for greater consideration of pressing and significant issues.

In fact, Julian uses emphatic language here: “And I myself could put forward that I speak exceedingly well in terms of confidence [in what I am saying], that I do not speak falsely” (προσθείην δ’ ἂν ἔγωγε, θαρρῶν εὖ μάλα ὅτι μηδὲν ψεῦδος φημι, 115C, cf. Καὶ ταῦτα οὐκ ἔστιν ὅστις ἐμὲ ψεύδεσθαι τῶν ἀπάντων φήσει, 115D). Such language signals to listeners/readers that a change in the trajectory of his speech is imminent, that Julian has himself in mind here as one of the examples he could produce for how Eusebia has counseled Constantius to display clemency. Indeed, in a rather lengthy section, Julian inserts himself rather pointedly in the last half of his speech by relating his relationship with the imperial court prior to his promotion to Caesar, Eusebia’s intercession on his behalf in convincing Constantius to allow him to continue his philosophical training at Athens, and how Julian seemingly felt at being conscripted into a share of the imperial

¹³⁵ Eutrop. 10.15.2: *uxoribus deditior*; Amm. 21.16.16: *uxoribus...nimium quantum addictus*. See Tougher 1998a: 119 and James 2012: 52–53.

power alongside Constantius, among other items (116D–126B).¹³⁶ It is here that the *gratiarum actio* or χαριστήριος λόγος begins in earnest. Julian's relatively detailed autobiographical narrative regarding the favor that Eusebia had shown him illustrates that the underlying motives of his speech on Eusebia differ somewhat from those behind his speech on Constantius.

To be sure, Julian intends himself to serve as a proof of the empress' penchant and track record for bestowing imperial favor and kindness, either directly herself or indirectly through Constantius, and so Julian's autobiographical comments cohere well with this goal. But Julian's autobiographical passages exceed what is necessary in achieving his objective of solemnly praising Eusebia and in repaying a debt of gratitude to her. His extended passages on his status and position in 355 before his promotion to the Caesarship and on his subsequent campaigning on the Rhine as Caesar in 356/7 reveal a keen interest in self-promotion, an interest we will see again and explore in chapters on Julian's subsequent writings (Chs. 4, 5, and 6). In his second oration, Julian's self-presentation regarding his actions and behavior prior to his promotion in late 355 is that of a dutiful and loyal subordinate who has acted according to the wishes of Constantius. This image is one that Julian seeks to maintain as a Caesar in Gaul, and it supports viewing his speech on Eusebia as serving a diplomatic function in communications with Constantius' court at Milan.

By describing Eusebia's bestowing of favor and kindness and her moderating of punishments meted out by her husband, Julian can be seen making an appeal to her on

¹³⁶ See also Tougher 1998a: 121, who outlines Julian's self-presentation and preoccupation with himself.

these grounds to continue such behavior not only generally but also specifically on Julian's behalf, perhaps with Julian's consequential breach with Marcellus in mind, though a desire to build up a repository of good will generally may be more likely. Moreover, in the course of his self-portrayal as a faithful member of the Constantinian dynasty, Julian also represents Constantius carefully as one who had looked after Julian and treated him with favor and generosity (117D–118A, 121A). As a result, Julian presents himself in turn as well-disposed and faithful to his cousin (εὖνοον ἐμαυτὸν ἐκείνῳ καὶ πιστὸν παρέχων, 118A). Constantius is again depicted quite favorably as senior emperor in his treatment of an important member of the imperial family, and Julian may be not so subtly alluding to his desire that Constantius continue to act in this way toward him.

It is interesting, however, that Julian also admits that some degree of tension had existed between him and Constantius later in his life, apparently in the year leading up to his promotion, for Julian perceived that he was treated harshly (τραχυτέρως ἔχοντος, 118B). What is revealing about this information is what Julian follows it up with, namely, Eusebia's intercession on his behalf and the role that she played in repairing Constantius' perception of him (118B–C, 120C, 121A–B). In fact, it was Eusebia who, we are told, had requested that Julian be sent to Greece, and to that end petitioned Constantius to grant his assent (118C). Therefore, the empress is shown playing an active, perhaps a proactive, role in Julian's fortunes as he reached the age of majority and in helping Constantius and Julian maintain a semblance of cordial relations between them. Given how Julian frequently casts Eusebia as his steadfast benefactor, it becomes clearer as to

what Julian hoped to gain by producing an imperial speech to her: he sought to keep her as his benefactor for the foreseeable future. In connection to this, it seems that Julian respected the empress for her literary tastes.

When Julian states that Eusebia was a woman of proper *paideia* and sound in terms of intelligence (παιδείαν ὀρθήν, σύνεσιν ἐμμελῆ), he asserts that the empress had a thorough Greek education (cf. δὴ γένος μὲν αὐτῆ σφόδρα Ἑλληνικόν, Ἑλλήνων τῶν πάνυ, καὶ πόλις ἢ μητρόπολις τῆς Μακεδονίας, 110B), and in so doing perhaps even infers that she was actually a pagan (παιδείαν ὀρθήν, 109C). Julian had earlier stated that Alexander was the first among the Greeks to conquer Asia and to worship the sun there (107C), a remark that prompted Aujoulat (1983a: 80–1) to consider whether Eusebia was in fact Christian or pagan if Julian felt comfortable enough to make such a reference in a speech to her. In any case, Julian goes on to hold up Penelope, the dutiful wife of Odysseus, as Eusebia’s model in most respects (127C, D).¹³⁷ As a well-known and key literary “type” of woman in Homer, Julian’s use of Penelope as Eusebia’s model probably was not offensive to a Christian.

Finally, Julian ends his panegyric on Eusebia by reminding us about her reasonableness, prudence, practical wisdom, and other virtues that have formed the basis for his panegyric (Ἀλλὰ οἶμαι κρεῖττον ἐπιείκειαν καὶ σωφροσύνην καὶ φρόνησιν καὶ ὅσα δὴ ἄλλα περὶ αὐτῆς λέγων πολλοὺς μὲν καὶ ἄλλους), and, once again, that he himself has been a witness to her generosity (129D–130A). If we are right to read this speech as serving a diplomatic function, then this would help explain Julian’s ample testimony

¹³⁷ On Eusebia and Penelope, see García Ruiz 2012: 82–5.

regarding her kind treatment of him. Furthermore, his speech concludes on a protreptic note, that his panegyric should inspire others to praise Eusebia similarly (εἰ δὴ οὖν καὶ ἄλλοι τὴν ἐμὴν εὐγνωμοσύνην ζηλοῦν ἐπιχειρήσειαν, πολλοὺς ἔχει τε ἤδη καὶ ἔξει τοὺς ἐπαινέτας, 130A).

As we have seen in this chapter, Julian's panegyric on Eusebia appears to have been calibrated to serve a diplomatic function, but it also afforded Julian an opportunity to criticize Constantius implicitly in a few places, and, perhaps more importantly, to engage in self-promotion by presenting his audience with carefully constructed images of Julian, both before and after his promotion to Caesar. Tougher (1998a: 122–3) has recognized that there are various layers to Julian's second oration, various tasks that are being performed simultaneously. Indeed, we have seen Julian the Caesar and panegyrist praise Eusebia on several counts, praise and perhaps censure Constantius in some pointed places, and promote himself both as a man who reluctantly took on a share of imperial power and who repays his debts.

II

Sometime in April/May 357, Themistius arrived at Constantius' court in Rome to deliver his fourth oration to the emperor but only the second one before the emperor himself.¹³⁸

¹³⁸ The third oration is *Oration* 4, which Themistius apparently delivered before the Senate of Constantinople on 1 January 357, when Constantius was still residing at Milan (see Vanderspöel 1995: 96–100). Because Themistius recycles several aspects of this panegyric into *Oration* 3, which he would deliver before Constantius at Rome in April/May 357 and which maintains several points of contact with *Oration* 1, I have preferred to give his third speech (*Or.* 4) secondary consideration in favor of his fourth one (*Or.* 3). *Oration* 4 is also far less revealing of Constantius as emperor and Themistius as panegyrist. See also MacCormack 1990: 40–3 and Vanderspöel 1995: 101–3.

The occasion appears to have been Constantius' twentieth year as an Augustus since 337 *and* his thirty-fifth year since his promotion to Caesar in 324, which he celebrated at Rome early.¹³⁹ Themistius' *Third Oration to Constantius* (*Or.* 3), which is titled "Ambassadorial [Speech] on behalf of Constantinople delivered in Rome" (Πρεσβευτικὸς [λόγος] ὑπὲρ Κωνσταντινουπόλεως ῥηθεις ἐν Ῥώμῃ) in the heading and which consists of about 8 short sections (about 10 Teubner pages), is one of the shortest speeches that the philosopher-statesman ever delivered. However, as we shall see below, the panegyrist manages to convey much in his speech despite its relative brevity. Themistius had been chosen by the Constantinopolitan Senate to deliver to Constantius both this speech and the city's contribution of crown gold (*aurum coronarium*), which Roman cities traditionally offered to emperors on their accession to the imperial office or on important, symbolic occasions, such as the regnal anniversaries that Constantius was celebrating at Rome in 357. Thus, Themistius' third panegyric to Constantius is both an "ambassadorial speech" (*presbeutikos logos*) and a "crown speech" (*stephanōtikos logos*), two types that are combined skillfully into one panegyric that was probably delivered before the Senate of Rome as well.

The handbook of Menander Rhetor places these two categories of imperial panegyric side by side, with the ambassadorial immediately following the crown speech.¹⁴⁰ Themistius seems to have followed Menander closely. Indeed, Themistius

¹³⁹ Burgess 1988: 83–4.

¹⁴⁰ Men. Rhet. 2.422.5–423.5 (*stephanōtikos*), 423.6–424.2 (*presbeutikos*).

even makes his speech rather short; Menander had recommended that a crown speech should not exceed 200 lines (2.423.4–5). However, the relative shortness of Themistius’ panegyric also might suggest that it was but one in a long procession of such speeches given by ambassadors from cities across the empire who had come to Rome to offer Constantius both praise and coin. We do not know where it was in Rome, exactly, that Constantius received Themistius and other ambassadors, but, given Constantius’ apparent penchant for receiving senators at the Great Palace of Constantinople instead of at the senate house there,¹⁴¹ the imperial residence on the Palatine seems rather likely.

At the very outset of his speech, Themistius addresses Constantius as “the most divine sovereign” (ὁ θεϊότατε αὐτοκράτορ) and wastes no time in presenting the purpose of his panegyric and visit to Rome: to repay the emperor for his benefactions to Constantinople with crown gold (στέφανον) and with honor (τιμὴν).¹⁴² That Themistius addresses Constantius as “most divine” (θεϊότατος) indicates that the philosopher is reinforcing his earlier position from *Oration* 1, where the emperor, we should recall, is said to be above the laws. Indeed, Themistius compares Constantius’ position as Augustus to Zeus’ position as lord of Olympus (41D–42A).

Moreover, scholars such as Heather and Moncur (2001: 123) have noticed one area of rivalry between Rome and Constantinople that plays out in Themistius’ oration: senatorial rankings. Themistius had been promoted to senator of Constantinople less than

¹⁴¹ See Lib. *Or.* 18, 154.

¹⁴² Themist. *Or.* 3, 40C: Ἔστι μὲν οὐδὲ ἄλλη πόλει δυνατόν, ὁ θεϊότατε αὐτοκράτορ, πρέποντά σοι στέφανον ἐξευρεῖν ἢ χαριστήριον ἄλλο τῆς ἀρετῆς, ἀλλὰ ἀνάγκη λείπεσθαι πολὺ τῆς ἀξίας τοὺς πειρωμένους ἀντισφάμεν τιμὴν ἐφάμιλλον ὧν εὖ πάσχουσι.

two years before, apparently at the rank of *clarissimus*, though perhaps actually *clarus* (see Ch. 2), and at Rome we see him vigorously promoting his newly adopted city and her interests, one of which was a senatorial recruitment drive that would elevate the Constantinopolitan Senate to a level of parity with Rome's.¹⁴³ But there is also some competition over claims to Constantius' attentions. Themistius claims that Constantinople can rightfully be designated Constantius' city as much as Constantine's, perhaps even more so, because of the former's civic largess and euergetism (*Or.* 3, 40C–41A, 47A–48D).¹⁴⁴ As far as we know, Constantius had never visited Rome until April 357, and he would never see it again after departing from it in May. This is not to say that the city lacked importance. On the contrary, Rome was still a fundamental hub for politics and commerce, and her senators controlled vast estates in Italy, Africa, Gaul, and Spain, and so were critical to controlling the western provinces. Indeed, Themistius states that he was delivering Constantinople's payment of honor to Constantius "in the watchtower of the world" (ἐν τῇ σκοπιᾷ τῆς οἰκουμένης),¹⁴⁵ that is, in Rome. Themistius goes on to reaffirm Rome's status by relating that he is speaking "in the empress of cities" (ἐν τῇ βασιλευούσῃ τῶν πόλεων, 41C).

Rome's status is consistently emphasized as being chief among cities, with Constantinople taking second place (41C–D, 42C). Such emphasis is purposeful; in my

¹⁴³ Heather and Moncur 2001: 122–3.

¹⁴⁴ Themistius had already portrayed Constantius as a benefactor of Constantinople a few months earlier in *Oration* 4 (see Vanderspoel 1995: 98–9).

¹⁴⁵ *Or.* 3, 41B: προσάγουσα μὲν τὴν τιμὴν ἐν τῇ σκοπιᾷ τῆς οἰκουμένης, ἀνδρὶ δὲ χρωμένη διακόνῳ, ὃν ἀληθεύειν ἀνάγκη.

view, it communicates Rome's primacy and Constantius' interest in acknowledging that primacy so as to gain senatorial support there.¹⁴⁶ In this light, we can see Themistius' *presbeutikos/stephanōtikos* as an early communiqué that was meant to help cement strong ties between East and West, between the Senate of Rome and Constantius, or perhaps as part of a capstone to prior communications between emperor and senate culminating in Constantius' triumph in the Eternal City, for Themistius describes Rome as "the metropolis of [triumphal] monuments" (τὴν μητρόπολιν τῶν τροπαίων, 42B), and he immediately goes on to refer to Constantius' victory celebrations there (42C–D). Moreover, Themistius presents Constantinople as Rome's steadfast ally and friend, an eastern city that had sent forth material support to the West in dislodging Magnentius' forces from the Eternal City and all Italy (43A–D). These remarks serve to underscore that Rome had nothing to fear from Constantius, who had offered the city some support and who was a legitimate emperor of the House of Constantine. Themistius even compares Constantius' entry into Rome after his defeat of Magnentius with that of Constantine after his defeat of Maxentius (44A–B). One key message being communicated here is that Constantius would treat Roman senators in the same way that his father had, that is, he would compromise with and promote them to office in a display of clemency and generosity.¹⁴⁷

All this suggests the emperor's desire for *consensus* in 357. Constantius would have considered that maintaining good relations with the senatorial order in Rome was

¹⁴⁶ Heather and Moncur 2001: 120–1.

¹⁴⁷ On Constantine's treatment of senators at Rome following Maxentius' defeat, see now Salzman 2016.

fundamental to maintaining his control of the West. This had been evident to Magnentius, whose forces invaded Italy from Gaul and seized Rome in 351, and to Julian, whose own Gallic army would do much the same in 361; both Magnentius and Julian made overtures to the Senate. Furthermore, it is no accident that Themistius provided his senatorial counterparts at Rome with testimony regarding Constantius' treatment of Constantinople and her senators, one of which was Themistius himself. By focusing on Constantius' largess to Constantinople and her citizens, Themistius is at once showing his western audience what they could expect from Constantius, and especially so if they preserved good relations with him. Such a depiction of Constantius as an active and beneficent emperor also promotes Constantius' responsiveness to his subjects, which, I argue, was one of the vital functions that panegyrics such as Julian's and Themistius' served.

Another function of panegyric was self-promotion for the panegyrist. Themistius alludes to himself as no mere panegyrist whose aim it is to flatter, but who is in fact a truth-teller (41B), the man we have already seen in *Oration 1* (see Ch. 2). But Themistius goes further in his third oration when he promotes himself as a well-chosen ambassador since he, being a philosopher, was well-suited to praising Constantius (44B–D). In the kind of avowed modesty we have come to consider traditional for a panegyrist, Themistius tells us that he is not a clever speaker, is not great, and does not have a loud voice, nor is he one who is able to clamor for something both easily and without drawing breath; instead, he is a philosopher (οὐ τὸν εἰπεῖν δεινὸν...οὐδὲ τὸν μέγαν καὶ μεγαλόφωνον καὶ ῥαδίως καὶ ἀπνευστὶ κεκραγόμενα, ἀλλ'...φιλόσοφον, 44C). Had Themistius stopped there, his self-promotion may have seemed somewhat unordinary,

but, after addressing the most divine emperor directly once again (ὦ θειότατε αὐτοκράτορ, 44C), he continues and belabors the point:

...νῦν πρῶτον εἰσέρχεται μάρτυς τῆς ἀρετῆς ἐλεύθερος καὶ ἀνύποπτος, ὃν οὐκ ἔστι ψευδομαρτυρίας ἐλεῖν, ἀλλ' οὐδὲ γράψασθαι ὡς χρημάτων ἐαλωκῶς ἢ δυνάμεως ἐφιέμενος ἐδωρήσατο ἐπαίνους οὐδὲν προσήκοντας, ἀλλ' ὃν κατέχει τοῦνομα ὃ ἐπιέγραπται μὴδὲ μικρὸν ῥῆμα προέσθαι οὗ τὰς εὐθύνας οὐχ ἔξει δοῦναι παντὶ τῷ ἔπειτα χρόνῳ. διόπερ ἀναγκαῖον αὐτῷ μόνα ἐκεῖνα μαρτυρεῖν ἃ θαυμάζει καὶ συνεπίσταται...

...now, for the first time, an independent and unsuspected witness of your excellence comes forward whom cannot be charged with false testimony, nor yet indicted as one taken in by money or being incited by power as one who has given praise that is unfitting, rather one [comes forward] whom the name [philosopher] with which he is registered restrains [him] from putting forth even a slight phrase that he will not have to render an account of thereafter for all time. For that reason, it is necessary for him to testify only to those things which he admires and knows perfectly well...¹⁴⁸

We have already seen similar language in his *Oration* 1, where Themistius opens his first imperial panegyric before Constantius with the emphatic Νῦν σοι πρῶτον and describes this speech as independent (λόγος...ἐλεύθερός, 1A); however, here in *Oration* 3 it is the panegyrist himself who is now independent. That Themistius makes this subtle syntactical shift might suggest that there were already some questions regarding his integrity as a philosopher and panegyrist in 357, and so his use of this panegyric to address some of those questions.

Our orator's pointed insertions of himself into the text of his speech serve to promote him as philosopher, panegyrist, and senator of Constantinople, although such

¹⁴⁸ Themist. *Or.* 3, 44D–45A. The text is that of Schenkl and Downey 1965; the translation is my own. For another translation, see Heather and Moncur 2001. Interestingly, some of the language from this passage, especially from the first line, was recycled from *Or.* 1, 1A.

self-promotion pales in comparison to that of Claudius Mamertinus, as we shall see (Ch. 5). Themistius' very presence in Rome as one recently adlected to the senatorial order would have served as a visible example of the kind of man favored by Constantius and the kind of man he was looking to promote in the future, just as the emperor intended when he declared that Themistius would be an example to all men seeking office and to all potential honorands.¹⁴⁹ At 46A, Themistius engages in further introspection and self-promotion: "For the philosopher is not ashamed with respect to panegyric, but [he is ashamed] to flatter, nor does he flee from [giving] testimony of true excellence, but [he does flee from] fawning over wickedness" (οὐ γὰρ ἔπαινον αἰσχύνεται φιλόσοφος, ἀλλὰ κολακείαν, οὐδὲ φεύγει μαρτυρίαν ἀληθοῦς ἀρετῆς, ἀλλὰ θωπείαν κακίας). Themistius' remarks here resemble what he had related about the role of the panegyrist in *Oration 1* (13A), that praise-giving served a vital function of and for government, and much like Julian's statements in his own *Oration 1*. Themistius thus conceived of a wide scope for praise-giving: it could be used directly in reference to the emperor, whose excellence could be promoted and encouraged in distinct areas, and indirectly in reference to the audience, who would presumably take the subject of the orator's praise as an *exemplum* to emulate if they wished to be esteemed in their own right.

In keeping with this view, Themistius once again refers to Constantius as an emperor who is a good man and a philosopher in *Oration 3* (βασιλέως...ἀγαθοῦ καὶ φιλοσόφου, 44C). This description of Constantius at once advances the emperor's profile as an educated and a reasonable man. Indeed, this is also evident in what Themistius tells

¹⁴⁹ *Demeg. Const.* 19A.

us near the end of his oration about Constantius, whom is addressed directly, that he exhibits mildness in victory, that he continues to be more prudent than wholly restrained private individuals, that he causes *paideia* [to be counted] beyond the highest [premium], and that he closely follows philosophy (ὅτι πρότητι νικᾶς, ὅτι σωφρονέστερον διάγεις τῶν πάνυ μετρίων ιδιωτῶν, ὅτι παιδείαν περὶ πλείστου ποιῆ, ὅτι φιλοσοφίαν μεταδιώκεις, 45B). These remarks represent the most important messages of Themistius' speech for a western senatorial audience that would still have been largely unfamiliar with the emperor in early 357:¹⁵⁰ Constantius is depicted as holding the key monarchical virtues of mildness (πρότης), prudence (σωφροσύνη), and restraint (μέτριος; by implication), and of highly valuing *paideia* and philosophy.¹⁵¹ Themistius had closely associated Constantius with philosophy in *Orations* 1 and 2 as much as he had also associated his own name with the emperor. That Constantius is said to possess these monarchical virtues takes on greater significance in the aftermath of civil war.

As we shall be below, Julian expressed a keen interest in broadcasting himself as a holder of the same key monarchical virtues when he listed them in his *Epistle to the Athenians* during his subsequent contest with Constantius in 361 (Ch. 4). The importance

¹⁵⁰ After his defeat of Magnentius in late 353, Constantius resided at Arles and then along the Upper Rhine, where he campaigned in 354 (Amm. 14.10), before wintering at Milan, a pattern he would repeat over the next several years (see Barnes 1993: 221). In short, senators at Rome would have known the emperor primarily through communications and not in person, though senatorial embassies would have been sent. Constantius' *adventus* at Rome, which was a highly stylized and intricate affair (Amm. 16.10), would have allowed closer communication and contact between emperor and senate. See also below.

¹⁵¹ Cf. Themist. *Or.* 3, 46A: βασιλεὺς νέος, σώφρων, μνήμων, ἀνδρεῖος, μεγαλοπρεπής, εὐμαθής.

to Constantius and his audience of his being presented as a practitioner of restraint after civil war (πρώτητι νικᾶς) should not be underestimated. And Themistius' promotion of Constantius' *paideia* here is somewhat remarkable since the philosopher-panegyrist had failed to use this term in his first two orations, although he frequently alluded to it. That Constantius is said to possess *paideia* is meant to contrast with the supposedly uncouth Magnentius, and to show the senatorial and educated élites that Constantius was one of them, and so that they could expect to be respected and to flourish under him. To be sure, Themistius notes that Constantius had punished "those drunkards" (μεθ' ὧν δίκην ἐπράξω τοὺς παροινήσαντας, 45B), that is, supporters of Magnentius,¹⁵² perhaps in Rome; but the panegyrist prefaces this comment with Constantius' self-restraint, and so communicates that the punishments of Magnentius' men were limited and that Roman senators and provincials could feel at ease now.

As we saw in his *Oration*s 1 and 2 in the preceding chapter, Themistius had depicted Constantius as a philosopher on the throne due to his exercise of *philanthropia* (*Or.* 1), and due to his adlection of Themistius himself to the senate and his selection of Julian as his colleague (*Or.* 2). Constantius himself seemingly reinforces this view in his public letter to the Senate of Constantinople that promoted Themistius to that body (*Demegoriā Constantii*). These are imperial speeches in which Themistius shaped the image of Constantius and his imperial power. But all these speeches were delivered before eastern audiences at Ancyra and Constantinople. That Themistius represents the

¹⁵² Heather and Moncur 2001: 131, n. 265. However, where I render "drunkards" they render "abusers."

emperor as a philosopher now, in a speech before the emperor in a western setting, in Rome, indicates that both Constantius and the philosopher-statesman desired to perpetuate this image of the emperor and his power as closely connected to philosophy empire-wide, and especially so in the western empire, which only recently came under Constantius' control when he defeated Magnentius at Mons Seleucus in Gaul. After Magnentius' defeat, military operations on the Rhine and the behavior of Gallus apparently occupied much of Constantius' time and energy in 354.¹⁵³ In 355, while based at Milan, Constantius' attentions continued to be on military operations in the West and ultimately on his general Silvanus' 'revolt' in Gaul in summer of that year. Subsequently, the emperor promoted his cousin Julian to Caesar in late 355 and then cooperated with him in a joint campaign in 356. In short, Constantius' bringing the western empire under his control was a gradual and time-consuming process (perhaps not unlike Julian's own consolidation efforts in the East in 361/2; see Ch. 5), one that would have continued through 357 and advanced significantly in his *aduentus* at Rome, when Constantius finally celebrated a triumph over his rival and put an exclamation point on his control of the West.

At 45C, Themistius, addressing Constantius directly (βασιλεῦ) once more, adds the interesting remark that he had seen the tribunal where Constantius, by his eloquence, brought about the 'usurper' Vetrician's deposition on 25 December 350, that is, the

¹⁵³ See Marcos 2015.

tribunal at Naissus (Niš).¹⁵⁴ This comment is a nice touch and it indicates that Themistius had traveled the *uia diagonalis/militaris* northwest from Constantinople through the Balkans to Naissus and eventually to Rome (cf. *Or.* 4, 49C–50A; on this vital *uia publica* in the Balkans, see Ch. 4). By connecting Constantius’ triumphal entry at Rome to his ‘victory’ at Naissus, Themistius can be seen showcasing a kind of topography of praise, and one that links the emperor’s eastern or Balkan success to his subsequent one in the West. Such a move highlights not only the emperor’s perfect record of success against usurpers, but also his continuous movements and interest in directly overseeing his territory. And yet the intangible is another aspect of Themistius’ speech.

As Heather and Moncur (2001: 132, n. 268) have seen, Themistius continues to claim to be offering something new in *Oration* 3 (45C–D), that, unlike other panegyrists, he does not fix his gaze upon the emperor’s trifling external features but on the soul of the man he is praising, just as he had claimed in *Oration* 1 (2C–D). This claim and the way in which he demonstrates it is rather interesting, for it subtly implies a high degree of intimacy with the emperor. For a panegyrist, such a claim had to be made delicately, if made at all; we shall see a similarly subtle claim in Mamertinus’ panegyric before Julian (Ch. 5).

As Heather and Moncur (2001: 120, 123) also have observed and emphasized, Themistius’ silence on Julian in *Oration* 3 is rather striking. Such an omission seems inexplicable, given that Julian had been Caesar in the West for over a year by spring 357.

¹⁵⁴ Εἶδον, βασιλεῦ, καὶ τὸ βῆμα ἐφ’ οὗ δημηγορῶν αἰχμάλωτον εἶλες τὸν παραληρήσαντα εἰς τὴν ἀλουργίδα.

This omission of Julian is even more striking when we consider that Constantius had seen fit to include Julian's name in imperial legislation and in official inscriptions. So why did Themistius fail to mention the Caesar in his speech at Rome? One suspects that Themistius' silence on Julian is suggestive of an already growing tension between the Augustus and his Caesar, who had successfully campaigned in Gaul in 356 and who was gradually building a strong reputation for himself as a capable general, a reputation that might have made Constantius feel somewhat ill at ease. In this light, Themistius' omission of Julian in his speech may have sent a message to western notables: that they should look to Constantius and not to Julian for direction and favor. Indeed, Themistius ends his panegyric with a request for greater honors for Constantinople, whose claim to being Julian's birthplace is not even alluded to, and with praise for Constantius as the sole inheritor of empire (48C–D), a rather loaded comment since Julian was then deputy emperor residing in Gaul. Themistius had ended *Oration* 1 with his promotion of the value of praise from a philosopher (18B), that is, with a self-referential statement; in *Oration* 3, the philosopher-panegyrist ends with Constantius alone, which illustrates the emperor's preoccupation with being perceived as a holder of unitary power.

III

In summer 357, Julian earned a remarkable victory in the field against a large force of Alamanni at Argentoratum (Strasbourg).¹⁵⁵ The Caesar had only recently received the official command (ἡ ἡγεμονία) of Roman armies in Gaul from Constantius earlier that

¹⁵⁵ Amm. 16.12.

year.¹⁵⁶ After this campaign had ended, probably sometime in 358, Julian set himself to composing some ‘commentaries’ on the battle, and perhaps also on his earlier campaign in Gaul in 356. In the East, Libanius apparently had received a copy of, what I term, Julian’s *libellus de proelio Argentorati* or “little book on the battle of Argentoratum,”¹⁵⁷ just as he seems to have received a copy of Julian’s first panegyric on Constantius (Ch. 2).¹⁵⁸ Unfortunately, this *libellus* is not extant; but in Libanius’ eyes, Julian had produced a notable example of imperial prose and self-promotion on Julian “the rhetor and general” (ρήτορά...καὶ στρατηγόν), who was both an Achilles and a Homer (Ἀχιλλεῖ μὲν γὰρ Ὀμήρου ἔδει), one whose deeds (τὰ ἔργα) in war were thus made more manifest to an eastern audience (*Ep.* 38.6 Norman [35 Foerster]).¹⁵⁹ Libanius’ comparison of Julian with Achilles was apt and perhaps even influential, for the Caesar himself would make the same comparison shortly after receiving Libanius’ letter, which is dated to 358/9 (more below). While we lack the contents of Julian’s “little book,” Libanius’ description of it

¹⁵⁶ Jul. *Ep. ad Athen.* 278D: Ἐξ ὧν ὁ Κωνσταντίος νομίσας ὀλίγω μὲν ἐπιδώσειν, οὐκ εἰς τοσοῦτον δὲ μεταβολῆς ἤξειν τὰ τῶν Κελτῶν πράγματα, δίδωσί μοι τῶν στρατοπέδων τὴν ἡγεμονίαν ἦρος ἀρχομένου; Blockley 1972: 447. Cf. Bowersock 1978: 39, who asserts that Julian had command of Roman forces from the beginning since the Caesar takes some credit for the recapture of Cologne in 356. However, it would be better to see Julian striking a delicate balance here, of trying to downplay both his lack of official authority in 356 and the actual authority vested in his top generals, under whose direction Cologne was retaken, so that he might take a measure of credit for the early successes that occurred under his watch and perhaps due to some of his input and/or influence.

¹⁵⁷ See Eunap. *Fr.* 17 (Blockley): βιβλίδιον τῆ μάχῃ.

¹⁵⁸ Lib. *Ep.* 38.6 Norman (35 Foerster).

¹⁵⁹ Julian’s *libellus* can be seen as a response to Constantius’ assumption of full credit for the victory at Argentoratum by means of *epinikia* or “victory bulletins” (= *edicta*, Amm. 16.12.69–70) that Constantius had disseminated empire-wide.

bears some resemblance to Julian's self-presentation in his subsequent *Epistle to the Athenians*. If so, Julian's *libellus* may have been a kind of 'dress rehearsal' for the self-panegyrics or open letters that he would write to various cities and communities in Greece during his civil war with Constantius in 361 (Ch. 4).¹⁶⁰

Julian had been a particularly prolific Caesar. By 358, he had produced one panegyric on Constantius, one on the latter's wife Eusebia (which includes praise for Constantius), and a *libellus* on his remarkable victory at Argentoratum, all of which seemingly were circulated in the East. As Libanius' remarks on these writings hint, apart from his positive reception of these writings and his admiration for Julian, the Caesar's literary productions, especially his *libellus*, were building him some 'political capital' in the eastern empire. If correct, this would help explain Julian's recourse to writing open letters to Greek cities and territories that he had hitherto not controlled in 361, that is, he saw their potential in helping him to build support for his bid against Constantius. By praising Constantius and shaping his cousin's imperial image in panegyrics, Julian simultaneously advanced his own imperial profile.

Julian's third oration, the *Second Panegyric on Constantius* (*Or.* 3), which is titled "On the actions of the sovereign or On kingship/emperorship" (Περὶ τῶν τοῦ αὐτοκράτορος πράξεων ἢ περὶ βασιλείας) in the heading and which consists of 39 long sections (about 64 pages in the Budé edition of Bidez [1932]), was written in Gaul c.

¹⁶⁰ When we consider the tone and substance of Libanius' remarks (*Ep.* 38.6 Norman [35 Foerster]), we can see that Julian had written a *libellus* as his own victory bulletin, one that also served as a self-panegyric. Thus, Julian's *libellus* would have been a practice run for greater self-promotion, an interest in which he continued to exhibit in his *Second Panegyric on Constantius* and in his *Epistle to the Athenians*.

358/9,¹⁶¹ that is, after the battle of Argentoratum when the Caesar would have had reason to feel great confidence in his conduct and holding of the imperial office second only to Constantius. Indeed, this great self-confidence is manifest in Julian’s self-presentation in his second oration on the emperor, which is also the longest of Julian’s extant orations. Scholars such as Curta (1995: 190, 194, 197) have seen a “rejection” (197) of the principle of dynastic legitimacy in Julian’s second panegyric on Constantius (cf. *Jul. Or.* 3, 80A–B, 81A–82C, 83C–D); but this “rejection” is not explicit in the text, and it needs to be qualified. All Julian tells us here is that inborn “excellence” or “virtue” (ἀρετή) qualifies a man for kingship (80A), and that it is better than a flawed character [of one who is nobly born] (81B),¹⁶² not that dynastic considerations automatically disqualify him, and so that they should be rejected. If Julian was putting forth the latter message subtly, then this would undercut the very basis on which his ability to make such a claim rests. It would constitute a strange irony for a Caesar to reject dynastic notions of kingship in an imperial speech to his cousin, the senior emperor (!).

¹⁶¹ On this panegyric, see Bidez 1965: 174–6, and 1932: 108–15, Bowersock 1978: 43–4, and Athanassiadi 1992: 63–6. For the dating of 358, see Bidez 1932: 108–9 and Bowersock 1978: 43; cf. Marcos 2015: 702, for 358/9. The Caesar’s remarks on the brief usurpation of Silvanus in mid 355 provide the latest firmly datable entry within the speech (98C–99A); cf. Bowersock 1978: 43, who sees allusions to campaigns in Gaul in 358. However, the Persian king Shapur II apparently did not begin his attack on Mesopotamia until early spring 359 (Amm. 18.4.1); Julian may have completed his speech shortly before or during the outset of the Persian invasion, that is, when he had not yet received word of Shapur’s movements in the East. For studies of this panegyric, see Curta 1995 and Drake 2012.

¹⁶² *Or.* 3, 80A: ἀρετῆς...Ταύτην δὲ τῆ ψυχῆ φασιν ἐμφύεσθαι καὶ αὐτὴν ἀποφαίνειν εὐδαίμονα καὶ βασιλικὴν, 81B: Κρείττων μὲν εὐγένεια φαυλότητος γένους, κρείττων δὲ ἀρετὴ διαθέσεως οὐ πάντῃ σπουδαίας. Καὶ μὴ τις οἰέσθω τὸν λόγον δύσεριν καὶ βίαιον, εἰς τὴν συνήθειαν ἀφορῶν τῶν ὀνομάτων.

Rather, what Julian seems to be proposing is that Constantius as emperor meets both qualifications for rule, that is, noble birth *and* virtue, though it appears that Julian actually has himself in mind here; or, better yet, Julian is adducing that ἀρετή makes a man such as him noble. This is consistent with the fact that Julian praises Claudius Gothicus as the founder of his and Constantius' dynasty (51C), as we shall see below. Furthermore, while Julian apparently rejected dynastic considerations in naming a successor on his deathbed,¹⁶³ we need not retroactively superimpose this view on his earlier works. After all, as a full member of the Constantinian dynasty, Julian saw himself as a legitimate Caesar and a worthy deputy to Constantius in 358, one qualified for the higher rank of Augustus, and so it would be better to say that Julian allows for dynastic claims to power to be rejected in some cases when the claimant lacked excellence or virtue (81C), unless we are to suppose that Julian considered his role as a panegyrist separately from his position as a member of the dynasty.

Interestingly, unlike his first panegyric, the heading of Julian's second panegyric on Constantius does not actually state that it was dedicated to him, only that an emperor's actions were the focus of the work and one that alternatively functioned as a some kind of treatise on kingship. Omission of Constantius' name might suggest that he was less important than in Julian's first panegyric, and, conversely, that the Caesar was more interested in his self-presentation than had been the case previously (more below). Moreover, given the current state of the evidence, we do not know, for certain, whether

¹⁶³ Cf. Amm. 25.3.20.

this panegyric was delivered before Constantius or not, nor are we likely ever to know, since we lack explicit external testimony on Julian's speeches on the emperor.

However, there are some detectable and notable features in the third oration. Julian's third panegyric in chronological sequence according to Bidez (1932) has been seen as diplomatic in nature.¹⁶⁴ And Robert Browning (1976: 97) described this oration as "a cold, technically competent piece of work." But, while this speech is a competent work, it is not a detached, impersonal production. The opening sentences of Julian's second panegyric on Constantius are quite emphatic and revealing of the Caesar's strained relationship with his superior by 358,¹⁶⁵ and they lay the foundation for Julian's self-presentation within the text of the speech:

Τὸν Ἀχιλλέα φησὶν ἢ ποιήσας, ὅποτε ἐμήνισε καὶ διηνέχθη πρὸς τὸν βασιλέα, μεθεῖναι μὲν ταῖν χεροῖν τὴν αἰχμὴν καὶ τὴν ἀσπίδα, ψαλτήριον δὲ ἀρμοσάμενον καὶ κιθάραν ᾄδειν καὶ ὑμνεῖν τῶν ἡμιθέων τὰς πράξεις, καὶ ταύτην διαγωγὴν τῆς ἡσυχίας ποιεῖσθαι, εὖ μάλα ἐμφρόνως τοῦτο διανοηθέντα· τὸ μὲν γὰρ ἀπεχθάνεσθαι καὶ παροξύνειν τὸν βασιλέα λίαν αὐθαδὲς καὶ ἄγριον...

Achilles, as the poet tells us, when his wrath was kindled and he quarrelled with the king, let fall from his hands his spear and shield; then he strung his harp and lyre and sang and chanted the deeds of the demi-gods, making this the pastime of his idle hours, and in this at least he chose wisely. For to fall out with the king and affront him was excessively rash and violent...¹⁶⁶

Libanius had already compared Julian with Achilles, and the opening sentences of Julian's third panegyric have an autobiographical quality that is subtly communicated

¹⁶⁴ Bidez 1965: 175.

¹⁶⁵ See Curta 1995: 186–7.

¹⁶⁶ Jul. *Or.* 3, 49C–D. The text is that of Bidez 1932; the translation is that of Wright 1913.

through the *exemplum* of the relationship between Achilles and Agamemnon, between the greatest warrior of the Greeks and his king and political superior during their joint campaign against Troy. If Julian is using Achilles as a stand-in for himself here, as is almost certainly the case, then the Caesar is conveying that he has turned to writing, to “amusement” (διαγωγὴν), perhaps including this panegyric on Constantius, as a way to let his anger at and frustration with the emperor subside. Moreover, while the above passage can be read as one directed to Constantius as a fellow admirer of Homer, and so as a fellow learned man, it is more than a bit striking that Julian would make such a comparison, one that declared that the relationship between Caesar and Augustus was not as harmonious as it could (or should) be.

Julian goes on to relate a key reason for Achilles’ anger and hostility towards Agamemnon:

...Οὐ μὴν οὐδὲ τὸν Ἀγαμέμνονά φησιν ὁ πατήρ ἐκείνων τῶν λόγων μετρίως καὶ πολιτικῶς προσενεχθῆναι τῷ στρατηγῷ, ἀλλ’ ἀπειλῆ τε χρῆσθαι καὶ ἔργοις ὑβρίζειν, τοῦ γέρωσ ἀφαιρούμενον...

...Though indeed the author of that tale tells us that Agamemnon also did not behave to his general moderately and civilly, but first used threats and proceeded to insolent acts, when he robbed Achilles of his prize of valour....¹⁶⁷

As some scholars have noted, this description strongly suggests the victory of Argentoratum,¹⁶⁸ which Ammianus tells us Constantius claimed as his own, partially due to the goading of his courtiers, in *edicta* that the senior emperor disseminated about the

¹⁶⁷ *Or.* 3, 50A. The text is that of Bidez 1932; the translation is Wright 1913, which I have slightly modified.

¹⁶⁸ Athanassiadi 1992: 63 and Drake 2012: 38.

victory (16.12.67–70). These *edicta* apparently did not mention the Caesar’s exploits (*super Iuliani gloriosis actibus conticescens*, 16.12.70), and perhaps did not even mention the Caesar at all. While those around Constantius assigned the victory at Argentoratum to his blessed *auspicia* (*felicibus eius auspiciis assignantes*, 16.12.68),¹⁶⁹ the general who achieved that victory in person would not have been unknown to the public. In Diocletian’s tetrarchic system, victory titles were shared among all members of the imperial college, and it was routine for a Caesar’s honorific title or cognomen won in the field also to be adopted by the Augusti.¹⁷⁰ However, it seems that Constantius did not take his proper share of the credit for Julian’s victory against the Alamanni so much as he assumed all of it, and it is that which irked the Caesar.¹⁷¹ If Julian wrote his second panegyric on Constantius in 359, then it is striking, as Drake (2012: 40) has seen, that the Caesar omits telling us of Constantius’ campaigns on the Danube in 358–9. If this dating is correct, then Julian’s omission of these campaigns from the text of his speech might be seen as another counter-response of the kind that had led him to produce a *libellus* on his victory at Argentoratum; if Constantius could take all the credit for this victory in official pronouncements, then Julian could deny him any credit for those contemporary and successful military movements that the Augustus did in fact undertake elsewhere. It is possible that the Caesar did not know about Constantius’ doings on the Danube in any

¹⁶⁹ This practice of tracing victories in the field won by generals back to the emperor’s *auspicia* had been standard since Caesar Augustus (*RG* 4.2; see Cooley 2010: 124; cf. *Aur. Vict.* 42.19).

¹⁷⁰ See Barnes 1976b and Corcoran 2006.

¹⁷¹ Cf. *Jul. Ep. ad Athen.* 279B–C.

detail when he wrote his third oration; but Julian would openly display contempt for his cousin's Danubian operations in the *Epistle to the Athenians*, where Julian mocks Constantius' campaigns against the Sarmatians and Quadi along the Danube as a "friendly encounter" (279D; see Ch. 4).

Furthermore, Julian can be seen cleverly undercutting Constantius' imperial credentials early on by implying at the beginning of the speech that Agamemnon (Constantius) had not acted "moderately and civilly" (μετρίως καὶ πολιτικῶς, 50A), that is, he had not displayed key monarchical virtues and so had not acted in keeping with his high office. The learned Caesar used the story of Achilles and Agamemnon to convey advice to Constantius, specifically that the emperor should not engage in hubris (μηδὲν ὕβρει πράττειν), that it is not necessary for him to be overwhelming in his use of power (μηδὲ τῇ δυνάμει πρὸς ἅπαν χρῆσθαι), and that he should not yield to his anger (μηδὲ ἐφιέναι τῷ θυμῷ) in his interactions with his top subordinate (50B), advice that illustrates that Constantius had in fact done these very things. Conversely, Julian implies that he himself should (and does) bear criticisms from his superior with self-restraint and mildness (φέρειν δὲ ἐγκρατῶς καὶ πράως τὰς ἐπιτιμήσεις, 50C), traits, we should add, which are synonymous with moderation and civil behavior and so synonymous with good emperors. Thus, Julian's portrayals reveal his careful self-presentation and the dual nature of what he tells us in his speech.

And yet, Julian strikes a balance between criticizing Constantius' inappropriate behavior towards him in a particular case and how the emperor favorably treated his

Caesar generally.¹⁷² As Athanassiadi (1992: 63) has put it, in reference to the increased attention Constantius' courtiers were giving to Julian after his victory at Argentoratum, "It was essential for the Caesar at this stage to produce a new guarantee of his loyalty to the emperor." This would seem to ring true, and if so, it squarely places Julian's *Second Panegyric on Constantius* in the diplomatic mode. One suspects that Julian may have produced this oration shortly after publishing his *libellus* on the battle, a short work which seemingly made its way to the East and which may have given Constantius some cause for concern.

As in his first panegyric on Constantius, Julian's second speech to the emperor twice deploys a vocative marker that suggests delivery (or that it was intended): "O dear emperor" (ὦ φίλε βασιλεῦ, 50C, 53B). There is something poised and sarcastic about such an address, one that Julian had not used until now. A clearer indication of Julian's self-confidence is discernable when he relates that "the affairs of our family began with Claudius" (τά γε μὴν τῆς ἡμετέρας ξυγγενείας ἤρξατο μὲν ἀπὸ Κλαυδίου, 51C; cf. *Or.* 1, 6D), that is, he and Constantius both emanated from the line of Claudius Gothicus. At first, this would seem to be an innocuous statement, but we should recall that Julian omitted inserting himself into the text of his first panegyric on Constantius, an omission that is particularly apparent when the Caesar praises Constantius for his connection to Constantius I and Constantine, and so his legitimate right to rule the empire; Julian, too,

¹⁷² *Or.* 3, 50C–D: Ταῦτα κατ' ἑμαυτὸν ἐννοῶν, ὦ φίλε βασιλεῦ, καὶ σὲ μὲν ὁρῶν ἐπὶ τῶν ἔργων τὴν Ὀμηρικὴν παιδείαν ἐπιδεικνύμενον καὶ ἐθέλοντα πάντως κοινῇ τε ἅπαντας ἀγαθὸν τι δρᾶν, ἡμῖν δὲ ἰδίᾳ τιμὰς καὶ γέρα ἄλλα ἐπ' ἄλλοις παρασκευάζοντα, τοσοῦτω δὲ οἶμαι κρείττονα τοῦ τῶν Ἑλλήνων βασιλέως εἶναι ἐθέλοντα, ὥστε ὁ μὲν ἠτίμαζε τοὺς ἀρίστους, σὺ δὲ οἶμαι καὶ τῶν φαύλων πολλοῖς τὴν συγγνώμην νέμεις, τὸν Πιττακὸν ἐπαινῶν τοῦ λόγου, ὃς τὴν συγγνώμην τῆς τιμωρίας προὔτιθει.

was connected to both men, though he does not say so, instead preferring to focus on his cousin's illustrious ancestry and strong claim to power. That Julian speaks of "our family" (τῆς ἡμετέρας ξυγγενείας) and inserts himself alongside Constantius in terms of having an equal claim to rule is a clear marker of the Caesar's increasing self-confidence and his interest in managing his own image after having done the same for Constantius for several years by 358/9. This reference to their mutual ancestry in Claudius is not an isolated case, for Julian also refers to his and Constantius' mutual honor being usurped (ἀφελέσθαι τοῦ γέρωσ ἡμᾶς) by Magnentius in 351 (58A). This is an interesting remark, for Julian earlier used similar language to imply that this is what Constantius had done to him (cf. 50A). But Julian also provides us with something new: Constantius had declared some kind of amnesty after in the aftermath of his final defeat of Magnentius (58B–C). If this speech is, in part, diplomatic in nature, then such as reference to the emperor's pardoning of a rival would have significant meaning, namely, that if Constantius could forgive supporters of the 'barbarian' Magnentius, then he could (and should) be similarly generous to his own cousin.

As Menander prescribes, Julian next turns to Constantius' ancestry in some detail by mentioning Maximian, Constantius I, and Constantine's turns, one after the other, in holding the imperial power as Augustus (51C–52B). In fact, much of what follows adheres closely to Menander's rules: Julian mentions the trappings of power, such as an emperor's possessions, his horsemanship, his victories against barbarians (generally) and against usurpers, such as Magnentius. What is remarkable about this panegyric is Julian's consistent recourse to Homer, who is often mined for supporting anecdotes and material

that supplement and elucidate (or even take the place of) Constantius' deeds as emperor; Julian comments on his recourse to Homer, that his placement of the poet alongside the emperor adds honor to both.¹⁷³ For example, Julian dedicates space to Constantius' war with Magnentius (and more so than in the first panegyric), including a relatively detailed description of the battle of Mursa in 351, replete with Homeric references (55D–62A). The Third Siege of Nisibis in 350, a city that was successfully defended against the Persians on Constantius' behalf, is also given some space in the text (62B–68B). And yet, in the course of describing Constantius' military achievements, such as his ultimate defeat of Magnentius, Julian manages to insert himself into the text explicitly. At 56B, after relating the kind of opponent that Constantius faced in Magnentius, Julian notes that the coastline of northern Gaul is littered with fearsome barbarians whose subjugation is no easy matter, which is perhaps a reference to his campaign of 358 against the Franks.¹⁷⁴ Such a comment underscores a key difference between Constantius and Julian: the former expends imperial resources and energy on civil wars, while the latter fought external enemies and looked to stabilize Roman frontiers.

No less interesting are Julian's statements about proper piety and worship, that a general or king should always worship the god in accordance with a priest or prophet (68B–C), which appears to be a reference to the emperor as *pontifex maximus*,¹⁷⁵ an image that runs counter to Themistius' philosopher-emperor who is not shown

¹⁷³ Jul. *Or.* 3, 74D–75A.

¹⁷⁴ Bowersock 1978: 43 and Curta 1995: 191.

¹⁷⁵ Curta 1995: 192–3, 208.

propitiating the gods but ruling on their behalf.¹⁷⁶ This is a theme to which Julian returns later in his speech, and it is perhaps another instance of the Caesar letting his Christian mask fall somewhat.¹⁷⁷ Indeed, as Julian puts it, “No one ought to stand apart (apostatize) from lawful worship nor lightly esteem such honor to the higher one, on the contrary, one should consider that in the distribution of excellence piety is the highest [virtue]” (Ὁὐ μὴν οὐδὲ τῆς ἐννόμου θεραπείας ἀποστατέον οὐδὲ τὴν τοιαύτην τιμὴν ὑπεροπτεύον τοῦ κρείττονος, θετέον δὲ ἐν ἀρετῆς μοίρᾳ τὴν εὐσέβειαν τὴν κρατίστην·, 70D). Such a reference to “the higher one” (τὸ κρείττων) is important, for it highlights Julian’s use of a neutral type of religious language,¹⁷⁸ one that would be used by other Greek men of letters, such as Himerius in a panegyric on Julian at Constantinople in 362. Julian’s use of this language is suggestive of his interest in building some support and even *consensus* in the religious sphere (Ch. 6). At 80C, Julian states, disapprovingly, that temples of Helios had been despoiled, and that some of the perpetrators had been punished,¹⁷⁹ though he fails to tell us about what form their punishment took. What matters here is that we can see that the Caesar’s Christian mask has slipped even more since his panegyric on

¹⁷⁶ See Curta 1995: 208. Cf. Athanassiadi 1992: 90–3, for Julian’s views in his *Epistle to Themistius*, which takes issue with Themistius’ notion of kingship. See also Ch. 5.

¹⁷⁷ Cf. Jul. *Or.* 2, 110B, 120B–C, Aujoulat 1983a: 91–4, for other, more subtle hints of Julian’s true religiosity in his panegyric on Eusebia. See also Jul. *Or.* 2, 109C.

¹⁷⁸ Cf. Curta 1995: 193, who notes that Julian’s use of τὸ κρείττων reflects Neoplatonic influence. Nonetheless, as Drake (2012: 42) points out, τὸ κρείττων was part of an apparent “lingua franca of religious thought in the fourth century, centered on vaguely monotheistic thought and framed around solar imagery.” Indeed, “the higher one” is an inherently neutral term and so would have had wide currency (see Ch. 6).

¹⁷⁹ See Curta 1995: 194–5.

Eusebia, that he is interested in expounding on religious matters and that he felt strong enough to stray somewhat from the official Christian line.

Next, Julian tells us, briefly, about how Constantius besieged Aquileia and took it from Magnentius (72D–73B). Subsequently, Julian resourcefully changes registers by switching from panegyric and epic to philosophy, from Menander Rhetor and Homer to Plato, whose thoughts on the soul are put forth (68C–70B). In fact, Julian expounds on philosophy and virtue to the point of reorienting his entire panegyric from a speech of praise on an emperor to a kind of philosophical exposition or tutorial (79A–85D), and perhaps as a response to Themistius’ first two orations. At 79B, Julian focuses on Socrates and his praising of courage, prudence, practical wisdom, and justice as the most important virtues. The Caesar seems to employ Socrates as a stand-in for himself here, but without going on to praise Constantius explicitly as someone who holds these virtues. Moreover, in keeping with his first panegyric on Constantius, Julian describes the emperor as the guardian of the laws and not as the law himself; the law was a divine dispensation from Justice (88D, 89A), though there was a measure of divinity in each of us (68D). If Julian did indeed read Themistius’ panegyrics on Constantius, then such a notion was, in part, a response to Themistius’ view of the relationship between the emperor and the law, which was defined as an exercising of power as God’s representative.¹⁸⁰ There may be another hint of this challenge earlier at 78D, where Julian lambasts learned sophists for their pretensions of offering novel praise to emperors that

¹⁸⁰ See Curta 1995: 202–8. But there is actually very little that divides Julian and Themistius in their conceptions of the emperor’s relationship with the divine; they agree on much more than typically has been allowed.

were merely emperors' own views of themselves. Such language suggests Themistius, who, if we recall, had claimed to be offering something new to Constantius in *Oration 1*, and then again in *Oration 3*.

Julian's self-presentation as Caesar and deputy emperor becomes quite evident at the culmination of his philosophical section, where he inserts what appears to be a lengthy treatise on proper rule with himself in mind as general and administrator. That Julian viewed panegyric as a useful means of disseminating his political program as emperor shall become more manifest in Claudius Mamertinus' *gratiarum actio* to Julian as sole Augustus (Ch. 5). Scholars have already seen evidence of a "political manifesto" in Julian's *Oration 3*,¹⁸¹ but they have not appreciated his self-presentation in this panegyric more fully, nor have they outlined and discussed what his "political manifesto" comprises, and why, in detail. Per the imperial program outlined by Julian in his second panegyric on Constantius, the good king/emperor *par excellence* will:

1. Be pious and worship the gods (*Or. 3, 86A*)
2. Be pious towards and take care of his parents, both when alive and dead (86A)
3. Be well-disposed to his brothers, mild and gentle to strangers and subjects (86A)
4. Aim to govern for the benefit of his subjects, doing good as its own reward since he cares for the citizens and cities (86A–B, D)
5. Seek wealth in friendships, not in gold or silver (86B)
6. Be least content in war, though brave and magnificent, and utterly hate civil strife (86B)
7. Engage his enemies bravely and defend himself strongly when attacked, and

¹⁸¹ See Bidez 1932: 113: "A lire ce discours, par moments, on le prendrait pour un manifeste politique"; Curta 1995: 182: "...the Second Panegyric may be seen as a veritable political program of the future emperor...", and 209: "...a genuine political manifesto veiled in rhetoric." Cf. Athanassiadi 1992: 64: "...in this new oration each passage dealing with the idea of lawful power has a definite auto-panegyric flavour...", and 66: "Thus Julian, drawing on his own experience as a ruler in Gaul, composed a panegyric of his own deeds and sent it to Constantius."

- impose complete defeat on them (86B–C)
8. Refrain from unnecessary and excessive bloodshed which causes pollution (86C)
 9. Share in the labors of his soldiers and serve as an example to them and others (86C–88A)
 10. Be a prudent sovereign and train the soldiers to be his partners in war and keep them obedient (86D–88B)
 11. Check civil strife, wicked habits, extravagance, licentiousness, hubris, illegality, injustice, and greed in the cities (88B–C)
 12. Be a careful legislator, add just statutes as proper, and be a good role model (88D, 90C)
 13. Be a guardian of the laws and of justice as an impartial judge (88D)
 14. View and care for his fatherland as both his commonwealth and home (89A)
 15. Preside as a judge over cases where the defendant can be rehabilitated, and be merciful; refrain from presiding over capital cases, preferring to appoint a panel of judges (89B–D)¹⁸²
 16. Appoint subordinates to the appropriate office depending on their nature and character: brave, bold, highly energized, and intelligent men to military posts; just, mild, humane, and compassionate men to administrative office; and men who have both sets of qualities to the highest offices in the state (90C–91B)
 17. Appoint good men to be his councilors and top officials and rely on the best of them to choose lesser officials (91B–D)
 18. Be on guard against deception by wicked men masquerading as good (91C–D)
 19. Provide subsidies for the farmers to help them maintain their livelihood and contributions to the guardians and assistants of the king (91D–92A)

In compiling this manifesto, Julian draws heavily on Platonic texts, such as the *Republic*. More importantly, this treatise on the duties and responsibilities of the good king/emperor illustrates a responsiveness on Julian's part to his subjects in Gaul (and perhaps elsewhere), the vast majority of whom would have welcomed the substance of what he said here; this manifesto may even have reminded them of what the Caesar had already done for them and so given them further grounds for supporting him in the hopes of seeing his successful administration continue. Such an outline of the good

¹⁸² This may very well reflect Julian's guiding policy as sole Augustus in late 361/early 362, when he appointed a military commission at Chalcedon to try the high officials of Constantius' government (cf. Amm. 22.3).

king/emperor in a panegyric also serves as a kind of mirror for princes, one that Julian held up for himself as much as for Constantius. Indeed, Curta (1995) sees Julian's *Oration 3* on Constantius as a *Fürstenspiegel*. But, unless we conclude that Julian's manifesto implicitly and wholly charges that Constantius had fallen short of what constitutes a good king/emperor, that is, he had failed in his duties, such as in worshipping the gods and in refraining from causing *miasma* (cf. #1–6, 8), this panegyric is not an “anti-encomium”, as Curta (1995: 191, cf. 196–7: “anti-oration”) would have it, at least not completely, rather, it is a form of self-reflection and praise for what Julian has done and for what he would like to do.¹⁸³ Indeed, as Drake (2012: 42) has observed, Julian's third oration “is something virtually unique in ancient panegyric: a *speculum principis* written not for but by the prince.” Curta (1995: 186, 197) argues that “the audience” is the main addressee of this speech, one composed of members of the educated élite.¹⁸⁴ If so, then both western and eastern audiences may be implied. However, I would argue that one key audience for this speech is Julian himself.

When Constantius promoted Julian to the rank of Caesar in late 355, he specifically did so envisaging that Julian would solely or primarily play a military role in the West in much the same way that Gallus seemingly had in the East (Blockley 1972). What Julian tells us above in his manifesto certainly reflects his primary concern with performing his military duties (#6–10). Constantius had given Julian a hand-written

¹⁸³ For better examples of an “anti-encomium,” see Julian's *Epistle to the Athenians* in Ch. 4 and his *Antiochikos/Misopogon* in Ch. 6.

¹⁸⁴ See Curta 1995: 186: “...the Second Panegyric never distinguishes the *Iliad* and the *Odyssey*, thus suggesting that he [Julian] addresses connoisseurs.”

‘memo’ (*libellum...quem Constantius...manu sua conscripserat*) outlining his authority, among other things (Amm. 16.5.3, cf. *Jul. Ep. ad Athen.* 278A, 282B: γραπτὸς...ὥσπερ νόμους), and the contents of this ‘memo’ to the Caesar apparently harmonized with Constantius’ communiqué to his top military and civilian officials in Gaul (*Jul. Ep. ad Athen.* 277D). Despite these written instructions, however, the exact scope of Julian’s authority and influence as Caesar was something that he would have needed to work out to some extent on the ground, that is, Julian would have needed to understand and to test precise and theoretical limitations on his exercise of power in practice. Indeed, this view is evident in Julian’s admission that he occasionally challenged Marcellus and perhaps other generals (*Jul. Ep. ad Athen.* 278C–D), as well as in his subsequent interactions and increasingly strained relationship with the praetorian prefect of Gaul, Flavius Florentius, who denied that the Caesar had the authority to overrule him as praetorian prefect in the administrative sphere (Amm. 17.3). In this light, the presence of a manifesto in his panegyric on Constantius reads as Julian’s attempt to define the parameters of his office for himself, and possibly also for Constantius, whose support he still needed in 358/9. The Caesar also seems to have been considering what an increase to his power and authority would look like as an Augustus or senior emperor (αὐτοκράτωρ, #10), for his manifesto includes greater administrative competencies than those he initially had upon his investiture as Caesar (#10–19). If Julian’s second panegyric on the emperor does indeed date to 358/9, to after the battle of Argentoratum, then the Caesar would have had good reasons for envisaging and considering his credentials and viability as a future Augustus. In fact, Ammianus tells us that Julian was named Augustus by the harmonious

acclamation of the entire army after this battle (*Julianus...Augustus acclamatione concordi totius exercitus appellatus*, 16.12.64).

But Julian does not end his speech with a self-reflective manifesto. After outlining the attributes and actions of the good king/emperor, Julian goes on to return to Constantius' noble ancestry as a son of Constantine, and he even cites Constantius by name for the first time (94B). Julian next tells us about Constantius' good relations with his two brothers (94B–95A), and his noble war of vengeance against Magnentius (95A–D). These remarks on Constantius, which come on the heels of the manifesto, would seem to have been made to project the view that the treatise on good kingship above was directed to or reflective of Constantius as emperor. This careful approach is also manifest in one of Julian's subsequent statements which has an autobiographical quality: he tells us about the noble man who is made to bear insults directed at his sense of honor and self-worth, along with charges that are fabricated against him, although the emperor is framed as the subject (96B–D).

Interestingly, near the very end of his panegyric, Julian makes a reference to those senators of Rome who were the most notable in standing, wealth, and intelligence that fled to Constantius in Pannonia before the battle of Mursa in 351 (97B–C). By implication, there were some who had not gone over to Constantius' side. Thus, the Caesar counted the Senate of Rome among his audience, and he appears to be addressing some of her senators who had chosen the wrong side in civil war and who perhaps felt some anxiety about how Constantius might treat them moving forward. This might be a subtle hint that some of Rome's senators had not fared well after Constantius defeated

Magnentius, a hint that would have served to contrast Constantius' style of governance with Julian's own handling of affairs in Gaul. Julian ends his speech by stating that he does not have any more time for leisure, that is, time to praise Constantius further in a panegyric, and that he must return back to the task at hand (101D), which is perhaps a reference to his campaigning along and beyond the Rhine and/or to some matters of administration. This remark is ruthlessly deflating, especially since it is the very last line of the speech. But, as we have seen, this panegyric is complex, a literary production that conveys several messages about author and subject simultaneously. For example, we can see that Constantius is both worthy of praise generally and that he has wronged his Caesar, that Julian wished to praise his superior and yet was resentful of him, and that after several years as Caesar in Gaul, Julian's confidence had increased, and so his interest in engaging in an updated self-presentation and managing his own imperial image followed accordingly.

To conclude, we have explored three imperial speeches in this chapter, two from Julian and one from Themistius, all three of which display a prominent concern on the part of both panegyrists with framing their speeches, at least in part, as diplomatic texts that formed an important mode of communication and discourse with Constantius' court and with the educated élite on an empire-wide scale. As a senator and official envoy from Constantinople, Themistius certainly produced a diplomatic text in *Oration 3*, which he delivered at Rome before the emperor during important celebrations there and probably before the Senate of Rome as well. The careful presentation of the emperor and his relationship with Rome in that oration, I argue, is suggestive of Constantius' interest in

building *consensus* with his western subjects and with the Senate of Rome in particular. But Themistius also displays a heightened interest in his self-presentation as a philosopher-panegyrist here, more so than in his first two orations, which suggests that his and Constantius' relationship had entered a new phase and that there were already questions regarding Themistius' blending of philosophy and praise-giving, questions that he sought to address. In Julian's case, I have argued that his panegyrics on Eusebia and Constantius display a keen desire on the Caesar's part to maintain good relations with his two imperial benefactors and promoters in general, and so we should see these texts as diplomatic in nature and produced carefully in a bid to advance Julian's interests, which would require continued political support from his Augustan superior while he was still building his own power base in Gaul among the civilian population and the military. On the other hand, like Themistius' panegyric, Julian's two orations also reveal attentiveness by the panegyrist to his self-presentation, explicitly in some places and implicitly in others, which led Julian to make some subtle criticisms of Constantius that invite comparisons between the two emperors. As we shall see in subsequent chapters, Julian's awareness of the value in using panegyric for purposes of self-promotion would only increase, first during his civil war with Constantius (Ch. 4) and then during his consolidation of power in the eastern empire (Chs. 5 and 6). And in all these cases, as we shall see, the emperor's responsiveness to his subjects plays a crucial role.

Chapter 4

Laudatiua materia: Panegyric and (Self-)Promotion in a Period of Imperial Transition, 360–361*

Panegyric permeates and informs the literary productions of Julian and Ammianus on the former's acclamation at Paris in 360 and on his occupation of Illyricum and Thrace in 361 CE, productions which carefully portray how imperial power was and could have been exercised in the fourth century. This use of panegyric in promoting imperial power is particularly manifest in two *adlocutiones* or formal speeches to assemblies of soldiers which Ammianus attributes to Julian as a new Augustus in Books 20 and 21. Given the opportunity for praise and self-promotion that such speeches afforded, Julian's *adlocutiones* in Ammianus' *Res Gestae* provide useful comparanda for Julian's *Epistle to the Athenians*, which was written during the period in which these speeches are placed. As we have seen, Julian was well-versed in the genre of panegyric with all its conventions and produced three Greek imperial panegyrics—two on Constantius and one on the latter's wife, Eusebia—while he himself was a wielder of a share of imperial power as Caesar. Ammianus, too, was well-acquainted with panegyric in general and with Julian's works in particular and these influenced Ammianus' historiographical approach in narrating events during Constantius and Julian's reigns,¹⁸⁵ and afterwards. A

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¹⁸⁵ Cf. Amm. 16.5.7, for Ammianus' reference to Julian's orations and letters. See Ross 2014, for a recent exposition of the influence of Julian's panegyrics on Ammianus with

discourse of praise also helps to shed new light on what is clearly a series of prominent milestones in the Balkans dedicated to Julian. Therefore, panegyric can be used as a heuristic device in Julian and Ammianus' writings for better understanding not only their representations of imperial power and how it was wielded in their eyes, but also the historical "reality" of the very events that they narrate. This chapter explores imperial ideology and the various methods employed to communicate it during civil war in 361. I focus here on the inherent flexibility of panegyric as a genre and the different and abbreviated forms which it and its opposite, polemic, might take, such as through an imperial *adlocutio*, an open letter, or an inscription.

This chapter is divided into two parts. The first part (I) explores Ammianus' relating of Julian's acclamation at Paris in 360 and the historian's subsequent presentation of two of Julian's speeches as an Augustus in Books 20 (20.5.3–7) and 21 (21.5.2–8) by reading them with panegyric and self-promotion in mind. Such a reading sheds new light on historical events in Ammianus' narrative and how they are presented with an eye to increasing Julian's legitimacy. This presentation of the emperor must be traced back to Julian's *Epistle to the Athenians* and his promotion of imperial ideology in the Balkans by means of this document, which was written by Julian during his stay at Naissus (Niš) in the context of civil war with Constantius and which combines panegyric and self-promotion in careful representations of imperial power under these two

respect to the latter's narration of the siege of Amida in 359; and Marcos 2015: 702, for the possible influence of Julian's *Epistle to the Athenians* on Ammianus' narration of Constantius' campaigns on the Danube in 358–9. The text of Ammianus used throughout this chapter is from Seyfarth's (1999) critical edition; translations are my own.

emperors. In the second part (II), I first outline and discuss Julian's Balkan itinerary as presented by Ammianus, which has been relatively understudied; I argue that the city of Serdica likely served as one of Julian's residences and that the historian has obscured this in his text. I then adduce that Julian's literary activity at Naissus was not confined to open letters such as to the community at Athens and to the Senate of Rome, among others, and that he deftly used milestones as another public and pragmatic form for propaganda and self-promotion in Illyricum and Thrace. My focus here is on a particular series of milestones from the territory of Serdica along the *uia militaris* dedicated to the emperor that have hitherto not been identified as belonging to the same series. Subsequently, I briefly consider the audience for Julian's milestone inscriptions and what these tell us about the emperor's administrative activities in this region in addition to the literary sources.

I

In Ammianus, imperial acclamation and the circumstances in which it takes place often reflects the influence or adoption of an "official story," the kind of story in which legitimacy and thus panegyric play an important part.¹⁸⁶ Indeed, the promotion of

¹⁸⁶ See Kelly 2013, for a useful comparandum in Ammianus' description of Valentinian II's acclamation as Augustus. Kelly (2013: 363), following McLynn (1994: 84, n. 20), sees Ammianus' narration of the elevation of Valentinian II as the promotion of an "official story." The latter's acclamation as Augustus in late November 375 is even more interesting when placed alongside Julian's acclamation in early 360; we might take Ammianus' narration in each case as his telling of an "official story" in which panegyric plays a prominent part because of the significance of the event. Ammianus emphasizes that Valentinian's acclamation by a part of the army was legitimate, and this despite the fact that the latter had not held any prior office or area of responsibility, indeed he was only four-years old. Such emphasis on Valentinian's legitimacy has the effect, perhaps intentionally so, of greatly increasing the legitimacy of Julian's acclamation by

legitimacy is a central feature and function of imperial panegyric. One example of this is in the Latin panegyric to Maximian and Constantine (7(6)), where one of the aims of the panegyrist is to solidify Constantine's claim to Augustan rank by his association with Maximian, who became his step-father and Augustan guarantor of legitimacy in 307, a point to which we shall return below in connection with Julian.¹⁸⁷ But there were other ways to convey legitimacy in addition to closely associating an imperial aspirant with an imperial predecessor, such as through the conveying of military achievements and *recusatio imperii*, which were important components of panegyric (below). In this light, Ammianus' treatment of Julian's acclamation at Paris in Book 20 is an interesting case study of his historiographical approach in narrating this pivotal event in Julian's career and the series of actions that led to it (20.4); and, as we shall see below, it is tinged with panegyric.

In fact, at the start of Book 16, which commences with Julian's residency at Vienne (16.1.1), where he had been received as Caesar in a kind of *aduentus* (15.8.21), another component of panegyric, Ammianus tells us that whatever will be narrated on Julian's reign will almost pertain to panegyric material on the emperor (*quidquid autem narrabitur...ad laudatiuam paene materiam pertinebit*, 16.1.3). Ammianus' noting of

comparison, for Julian was about thirty-years old and had been a legitimate Caesar in the West for more than four years by the time of his promotion to Augustus.

¹⁸⁷ As Nixon and Rodgers (2015: 187) have well put it, "[the panegyrist] had to justify, or gloss over, usurpation. Upon the legitimacy of Maximian's authority depended Constantine's status." Legitimacy is also a central feature in other panegyrics which address Constantine's acclamation as Augustus upon his father's death in 306; in Julian's assumption of sole rule after the death of Constantius; and in Theodosius' qualifications for holding imperial power (more below).

laudatiua materia is instructive and we need to make a distinction here: he does not say *laudatio* nor does he use the adjective *laudatiua* alone, that his subsequent narrative on Julian will be almost a panegyric in the strict sense, as some scholars have taken Ammianus' statement,¹⁸⁸ but *laudatiua materia*, that the material, and thus the components of his narrative, will nearly be panegyric in nature.¹⁸⁹ By making this statement, Ammianus indicates that his *Res Gestae* contains panegyric elements, which are a key part of his historiographical approach.¹⁹⁰

In early 360, Julian was acclaimed Augustus by his troops at Paris in a well-known and studied episode.¹⁹¹ Ammianus' account of this event is the most detailed and elaborate among the sources. The historian prefaces the section of his text which deals with Julian's acclamation by describing Constantius as jealous and fearful of his Caesar's military achievements and concerned about the possibility for these to increase and presumably to overshadow him as senior emperor (20.4.1–2). Indeed, when we consider that military achievements were a key component of an emperor's legitimacy, we can see

¹⁸⁸ Fournier 2010: 17: "...Ammianus concedes that he will write *almost* a panegyric of Julian..."

¹⁸⁹ See Rolfe 1950: 203 (ad 16.1.3): "Now whatever I shall tell...will almost belong to the *domain* of the panegyric" (emphasis added). Cf. de Jonge 1972: 5–6 and Gärtner 1968. See also Amm. 16.12.16, for Ammianus' similar use of *materia*: *sedata iurgiorum materia*. Ammianus uses *laudatiua* only once in his extant History, but *materia* is used frequently, which allows for intratextual readings and thus a better understanding of what is meant at 16.1.3.

¹⁹⁰ See Sabbah 1970: 597, Fournier 2010: 20, for Ammianus' use of panegyric elements in his historiographical approach, possibly inspired by Lucian.

¹⁹¹ E.g., see Müller–Seidel 1955; Rosen 1969; Szidat 1997.

that Ammianus deploys Constantius' reaction to Julian's feats here not only to portray Constantius in a generally negative light, but also to show that Constantius was particularly concerned about Julian impinging on his own imperial credentials and legitimacy. Ammianus' description here, in my view, alludes to the kind of fear that Tiberius had of Germanicus in 14 CE.¹⁹² There are no verbal echoes, and so this allusion is not lexical but thematic. When Germanicus is offered the empire by his Rhine legions after the death of Caesar Augustus, he steadfastly refuses their offer out of loyalty to Tiberius.¹⁹³ This Tacitean portrayal of Germanicus' steadfast *recusatio imperii* or refusal of empire in Gaul and loyalty to his superior and uncle is panegyric and it sheds some light on Ammianus' portrayal of Julian's own consistent *recusatio* and loyalty to his elder cousin since Ammianus was well-versed in Tacitus.

To be sure, there are some notable differences between these two portrayals, such as the contexts, where we see one displaying *recusatio* during the period when the

¹⁹² Cf. Tac. *Ann.* 1.7.6: *causa praecipua ex formidine, ne Germanicus, in cuius manu tot legiones, immensa sociorum auxilia, mirus apud populum fauor, habere imperium quam exspectare mallet.* The sentiment here perfectly describes the kind of fear that Ammianus implies on the part of Constantius at 20.4.1. Although Ammianus makes no explicit comparisons of Constantius and Tiberius, and Julian and Germanicus, these relationships (and concerns) seem to rest just below the surface when Ammianus narrates Constantius and Julian's interactions. For Tacitus' narration of the mutinies under Germanicus and Drusus having inspired Ammianus' portrayal of mutinies under Julian, see Williams 1997. See also Pighi (1936: 113), Sabbah (1978: 15–17), Barnes (1998: 194–5), and Marcos (2015: 678–9), who note places where Ammianus apparently owes much to Tacitus' *Histories*. The philological and historical commentaries on Ammianus' extant books also note similarities to Tacitus.

¹⁹³ Tac. *Ann.* 1.34.1: *Sed Germanicus quanto summae spei propior, tanto impensius pro Tiberio niti.* 1.35.3–4: *et si uellet imperium, promptos ostentauere. tum uero, quasi scelere contaminaretur, praeceps tribunali desiluit. opposuerunt abeunti arma, minitantes, ni regrederetur. at ille moriturum potius quam fidem exueret clamitans...*

position of the presumptive emperor was somewhat uncertain after the death of his long-lived predecessor, and the other displaying *recusatio* after redeployment orders have been issued by a well-established and still living emperor; however, all the essential elements are there in both Tacitus and Ammianus, namely, the strained relationships between imperial superiors and their subordinates and blood relations which present a possibility of usurpation, the reasonable complaints on the part of the soldiers which underlie their rebellious moods and provide support for possible usurpation, and the loyalty which two young Caesars and subordinates consistently display to their superiors in word and deed. As Jean Béranger (1948) observed in a classic article on the refusal of power, *recusatio* was a formal ceremony by which a candidate seeking to become emperor publicly displayed his suitability and legitimacy for the office. And this ceremony is an important element of Latin panegyric.¹⁹⁴ Thus, Germanicus' consistent *recusatio* and loyalty to Tiberius in Tacitus has the effect of imbuing Germanicus with greater legitimacy while also revealing an element of Tacitus' historiographical approach, whether Germanicus actually engaged in *recusatio* or not.

Germanicus was the presumptive heir of Tiberius in accordance with the will of Caesar Augustus, who was Germanicus' blood relative. In Ammianus, Julian is the heir de facto of Constantius since there is no other male member of the dynasty to succeed the senior emperor;¹⁹⁵ but the Caesar's military achievements in Gaul also qualify him for

¹⁹⁴ *Pan Lat.* 7(6). 11.5–6. 6(7). 8.4. 2(12). 11.1–12.1; Nixon and Rodgers 2015: 23.

¹⁹⁵ This status is also apparent on Constantius and Julian's "spes reipublice" coinage, where Julian as Caesar seems to be alluded to as Constantius' heir (see Kent and Sutherland 1981: 40). In fact, as Kent has observed, this series continued to be minted

higher rank and they increase his legitimacy.¹⁹⁶ In fact, Ammianus references Julian's military successes and implies their dynastic implications at the very start of 20.4 by noting that they disturbed Constantius (*Constantium...urebant Iuliani uirtutes*, 20.4.1); we should note that Germanicus' standing with his soldiers and the general populace had affected Tiberius similarly (cf. Tac. *Ann.* 1.7, 35). Ammianus goes on to define Julian's *uirtutes* precisely: certain kingdoms of the Alamanni were laid low and cities in Gaul were recovered, while the barbarians in turn were made tributaries and subjects of the Roman state (20.4.1).¹⁹⁷ This statement that *Alamanniae quaedam regna prostrata receptaque oppida Gallicana* is not made casually; it is deployed by Ammianus as a capstone for his coverage of Julian as general in Books 16–18, where *regna Alamanniae* are consistently the Caesar's targets and his success against them underscores both his military objectives and effectiveness as a commander in contrast to Constantius (see Marcos 2015).

Ammianus' overall portrayal of Julian's record on the Rhine frontier (cf. *efficacissimus Caesar*, 16.4.4) and his reference to Julian's success against Alamannic

and used throughout Julian's tenure as Caesar up to Constantius' death, which, in my view, would therefore indicate that Julian was being advertised as Constantius' heir when the latter had no other male relative to succeed him.

¹⁹⁶ E.g., note the panegyrist's (7(6). 4.2–4) talking up of Constantine's quite limited record of military accomplishments in 307 in order to highlight him as a legitimate successor of his father Constantius.

¹⁹⁷ *Iuliani uirtutes, quas per ora gentium diuersarum fama celebrior effundebat magnorum eius laborum factorumque uehens adoreas celsas post Alamanniae quaedam regna prostrata receptaque oppida Gallicana ante direpta a barbaris et excisa, quos tributarios ipse fecit et uectigales.* See den Boeft et al. 1987: 54–56.

regna in particular serve to increase the latter's legitimacy, especially when we consider that Ammianus references Julian's success here at the very start of 20.4, where he sets the stage for Julian's acclamation at Paris. An emperor's record on "the frontier" was directly connected to his legitimacy;¹⁹⁸ indeed, in the *Panegyrici Latini* we find emperors' activities on the Rhine, Danube, and Euphrates being showcased as a prerequisite for or a foundation of their *imperium*.¹⁹⁹ And Julian is consistently shown outdoing Constantius in this regard. That Julian possessed greater legitimacy than Constantius is implied in the consistent attention which Ammianus gives to Julian's martial exploits and program of hard power on the Rhine frontier as Caesar, exploits and the kind of program, we should note, which Constantius lacks,²⁰⁰ and in Julian's subsequent *recusatio*, which is made under conditions created by an emperor who is presented as more interested in how his own handling of imperial power in the East is perceived than in how it is able to be practiced by his colleague in the West. Like Tacitus in his description of Tiberius' (apparently unfounded) fear of Germanicus, Ammianus disapproves of such envy and its deleterious effect on imperial collegiality by superiors who are portrayed as having no reason to question the motives and loyalties of their subordinates.

¹⁹⁸ Goffart 1981: 280–1; Guzmán Armario 2006a: 38, 42–3, 54, 56, 57–59.

¹⁹⁹ *Pan. Lat.* 10(2). 2.5–6, 6.1. 11(3). 4.1, 5.1–4. 8(4). 1.4, 2.1. 7(6). 4.2–4. 6(7). 3.3; Claud. Mamert. 3.1, 4.3, 4.5–6, 6.1–3. Note that the panegyrists place the military exploits of their respective emperors near the beginning of their panegyrics and thus underscore such exploits, among others, as serving a legitimizing function for those holding imperial power at the outset of their reigns. See Men. Rhet. 2.372, 25–2.375, 6, for the importance given to outlining an emperor's military accomplishments and activities and near the beginning of a panegyric.

²⁰⁰ See Marcos 2015.

Furthermore, the long sequence of events and Julian's reactions to them as outlined by Ammianus at 20.4 is revealing. Most notably, Constantius' tribune and secretary, Decentius, arrives at Paris with departure orders for Julian's Gallic troops and begins their implementation without any interference from the Caesar (20.4.2–5); after some prudent deliberation on his own since he lacked the advice of his absent general Lupicinus and prefect Florentius, Julian then begins to proactively support Constantius' orders by summoning all his troops from winter quarters and expediting their departure (20.4.9). A mysterious and inflammatory *libellus* is subsequently floated in the camp of the Petulantes and reported to the Caesar (20.4.10), who acknowledges the complaints which it contains as valid but continues to expedite the departure of his troops, makes provision for them to take their families with them (*cum familiis*, 20.4.11), which is no small favor,²⁰¹ and reminds them of Constantius' rightful power (*potestas*, 20.4.12); soon after, Julian's army revolts and acclaims him Augustus, not in sight of the emperor but while he is secluded in the palace (20.4.14). Julian then appears but continually resists (*resistebat*, 20.4.15) what his soldiers have done, delivers a formal *recusatio* and promises to speak to Constantius on their behalf (20.4.15–16); but Julian's army persists in its revolt and compels him to accept promotion (20.4.17–18). Finally, Julian is so disturbed by the acclamation that he forsakes wearing a diadem, going out in public, and conducting any pressing business (*nec diadema gestavit nec procedere ausus est usquam nec agere seria, quae nimis urgebant*, 20.4.19) because, we are told, he was thoroughly

²⁰¹ See den Boeft et al. 1987: 77, for Julian's granting his soldiers' families use of public conveyance to the east as a special privilege.

terrified (*perterritus*, 20.4.20), until forced to reappear by his concerned soldiers (20.4.20–22).²⁰² The image presented here is not that of a usurper, or at least a far from willing one; time and again, in word and deed, Julian is depicted by Ammianus as refusing an acclamation being foisted on him, a refusal which serves to present him as a legitimate candidate for Augustan rank in keeping with panegyric.

Undoubtedly, this was a delicate subject, for the Latin panegyrist Claudius Mamertinus in 362 avoids Julian's acclamation at Paris altogether, although he obliquely refers to Constantius' redeployment orders, the apparent catalyst for the acclamation, by relating potential consequences for Gaul's security (cf. 5.2); and Mamertinus glosses over the fact that Julian was subsequently at war with Constantius, noting quite strikingly that Julian simply crossed into Illyricum from Alamannia, where he had campaigned quite successfully (6.2). This gloss in Mamertinus is instructive, for it seemingly connects Julian's campaigns in Greater Germany with his invasion and occupation of Constantius' territory in Illyricum and so subtly connects Julian's military record with his right to advance elsewhere in the empire. It is worth noting here that we cannot say with certainty what Julian's plan of action at this time was, if the emperor intended only to seize Illyricum and a part of Thrace, to use this part as a launching pad ultimately to annex all Thrace and Constantinople, as Thompson (1943: 90–1) considered, if Julian's objectives in marching east against Constantius remained fluid and dependent on circumstances, or a combination of these last two, as, in my view, seems to be the case. Conversely,

²⁰² Note the concordance in Julian's subsequent letter to Constantius about the pronouncement, where the soldiers' rushing of the palace and forcibly acclaiming Julian Augustus and the latter's concealment there out of fear are repeated (20.8.8–10).

Ammianus' entire passage at 20.4 is structured very precisely around how Julian acts properly throughout the whole affair leading up to and including the acclamation; Ammianus thus sought to remedy the glossing over of Julian's acclamation by Mamertinus and to elaborate on the simple statement in the *Breviarium* of Eutropius (*consensu militum Iulianus factus Augustus est*, 10.15.1) for Latin historiography.

As this episode is presented in Ammianus in terms of cause and effect, the reader is left wondering how Julian's actions end with his acclamation. Not only does Ammianus seemingly relate all these doings leading up to the pronouncement and immediately afterwards in strict chronological order, but he also portrays Julian in such a way here that the entire text at 20.4, as a unit, acts as a *recusatio imperii* for the newly elevated Augustus in addition to the formal *recusatio* by Julian which is embedded within it (20.4.16); moreover, this text is saturated with various kinds of *recusatio*, both in word and deed, to the point where it offers theatrical scenes, which frequently find a place in Latin panegyric,²⁰³ of various intensity: we see Julian refusing to interfere with Decentius' orders (20.4.4); humbly and persistently seeking the counsel of the praetorian prefect of Gaul Florentius and being rebuffed, even though Julian has threatened to

²⁰³ E.g., note the theatrical scene presented by Constantine's panegyrist, who relates that Constantine had engaged in *recusatio* to the point where the emperor spurred his horse on in a bid to escape from his soldiers while they were in the very act of promoting him (*Pan. Lat.* 6(7). 8.4). Note also the theatrical scene in Tacitus' panegyric account of Germanicus, where Germanicus displays *recusatio* to the point where he threatens to commit suicide before an assembly of soldiers rather than accept their offer of empire (1.35.4–5). See MacCormack 1990: 8–10, for panegyric as “theater” and the emperor as “player.”

abdicate his authority as Caesar altogether (20.4.8);²⁰⁴ refusing to address the potentially volatile *libellus* (20.4.11); *recusatio* proper outside the palace and before the army (20.4.16); and refusing to show his person or speak to anyone after the acclamation (20.4.19–20), until a decurion of the palace runs into the camps of the Petulantes and Celts screaming that Julian has been killed (20.4.20, cf. Jul. *Ep. ad Athen.* 285B–C),²⁰⁵ which draws soldiers into the palace demanding to see the new Augustus (20.4.21–22).

All this has the cumulative effect of making Julian’s formal *recusatio* appear more credible to the reader—after all, Julian had been consistent throughout. We see Julian operating during these events in such a way that everything he says and does is the least likely to result in a revolt and acclamation by the army.²⁰⁶ This observation is important because of its bearing on Julian’s legitimacy as a new Augustus, one who had wielded his authority as a Caesar properly in keeping with the orders of his superior and who still managed to be promoted to Augustan rank by his soldiers, a promotion which accordingly comes off as his reward for his handling of Constantius’ orders. From first to last, Julian’s conduct is presented as exemplary, of an obedient and faithful subordinate,

²⁰⁴ On *proiceret insignia principatus*, see den Boeft et al. 1987: 71.

²⁰⁵ It seems to have gone unnoticed that the Petulantes is the military unit in which the *libellus* is circulated (20.4.10) and the unit to which the palace decurion goes to announce the false story that Julian is dead. In both cases, it seems that the Petulantes are targeted as the unit to agitate in order to produce a desired result. If so, one suspects that the palace decurion might be the author of the *libellus*, perhaps with Julian’s knowledge.

²⁰⁶ See also den Boeft et al. 1987: 78–80, who focus on the opaque role of Decentius in selecting Paris as the city through which Julian’s soldiers would march and conclude that “Amm. wants to emphasize that Julian had nothing to do with the usurpation and subtly forces this opinion upon his readers” (80).

not unlike Germanicus right after Caesar Augustus' death and not unlike the Caesars Constantius I and Galerius, who obeyed their Augustan superiors, Maximian and Diocletian respectively, during the First Tetrarchy. Indeed, Galerius' respect for and deference to Diocletian became proverbial under Constantius II and his Caesars, for Constantius used Galerius as an *exemplum* when attempting to convince Gallus Caesar to obey his summons in 354 (14.11.10), which Gallus ultimately did; and later, c. 360, we find Aurelius Victor drawing comparisons of Julian with Tiberius and Galerius as subordinates of emperors, undoubtedly as a warning to the very successful Caesar.²⁰⁷ Ammianus takes pains to show Julian's behavior at Paris in 360 as proper and befitting a faithful Caesar; however, he carefully and cleverly pivots to Julian's concern for Gaul and the provincials when Julian does offer some dissent to Constantius' orders, a concern which is a criterion for legitimacy.

The series of events culminating in Julian's acclamation begins with his dutiful response to the redeployment orders which Constantius' officer Decentius had brought to Paris and thus his deference to his senior colleague, a response which Ammianus is keen to emphasize right at the outset: "Julian had submitted and kept quiet during these events, yielding all things to the judgment of the more powerful man [Constantius]" (*Conticuit hisque acquieverat Iulianus, potioris arbitrio cuncta concedens*, 20.4.4).²⁰⁸ But Julian

²⁰⁷ 42.19: *Quod adeo praestat, ut Tiberius Galeriusque subiecti aliis egregia pleraque, suo autem ductu atque auspicio minus paria experti sint*. See Nixon 1991: 121–2 and Bird 1996: 870–1.

²⁰⁸ In Ammianus, *potior* often means "the more powerful" (cf. 15.7.10, 15.8.16, 16.12.17). In the context of troop redeployments ordered by Constantius and carried out by his tribune, "the more powerful" one here clearly refers to the emperor (cf. den Boeft

breaks his silence in a bid to sway the tribune away from removing recruits which Julian had enlisted from beyond the Rhine under promises that they would never be required to serve beyond the Alps (20.4.4). When Julian speaks up in opposition, he still comes off well, however, since his objection depicts him as an honest broker and it shows his concern for the provincials, and so he comes off as prudent and selfless while Constantius and his orders (*Augusti iussis*, 20.4.5) come off as neither. Indeed, Julian's prudence in thinking about the consequences for frontier security along the Rhine, and thus his legitimacy, is highlighted at 20.4.6, where he gives due consideration to two pressing concerns: [*eum*] *hinc barbara feritas, inde iussorum urget auctoritas*. This latter phrase provides insights into the characters and motives of Constantius and Julian during this consequential period when read closely: the underlying motive for Constantius' redeployment orders, as we have seen, is given in the preface to this chapter as *Constantium...urebant Iuliani uirtutes* (20.4.1),²⁰⁹ whereas [*eum*] *iussorum urget auctoritas* (20.4.6), that is, Julian's recognition of Constantius' authority over him is what ultimately governs his behavior and actions, which again emphasizes the Caesar's loyalty and contributes to viewing his subsequent *recusatio* as credible.

et al. 1987: 61–2, for *potior* at 15.8.16 referring to Constantius, and 63, for Constantius' orders at 20.4.5). Moreover, it seems to have gone unnoticed that, in Ammianus, *arbitrium* is reserved for emperors and so denotes their authority, as in *potioris arbitrio*. But *arbitrium* is also reserved for divinity; in his speech as an Augustus at 21.5.3, we find Julian invoking *arbitrio dei caelestis*. And such language evokes the legitimacy of Julian's promotion to Caesar in late 355, when Constantius, also in a speech, is made to say that he would invest him *nutu dei caelestis* (15.8.10).

²⁰⁹ Ammianus portrays Constantius' possible use of Julian's troops for a Persian war as a secondary consideration; in fact, Ammianus dubs the latter consideration as a 'cover' (*hac specie*, 20.4.2) for the redeployments. Cf. den Boeft et al. 1987: 58.

Ammianus' focus on the *auctoritas* of Constantius' orders raises questions about how imperial *iussa* and power are shown being wielded during this time; for the place of Constantius' orders among Julian's two pressing concerns noted above indicates that imperial power was often a means unto itself, and it did not always coincide with the perceived best interests of the empire's subjects. Furthermore, Ammianus' presentation of Julian, of his behavior and activities throughout these events and their ultimate outcome, exhibits all four cardinal virtues (though they are not explicitly invoked), which are the hallmarks of Latin panegyric (Nixon and Rodgers 2015: 23), including Claudius Mamertinus' one to Julian (5.4–5).²¹⁰ Temperance, fortitude, justice, and wisdom are all on display here in scenes in which Julian faces off against *iussa Augusti*: restraint in how he reacts to Constantius' orders; fortitude in facing his obligation to accept them; justice in promoting the interests of soldier and provincial but in ultimately showing deference to his Augustan superior; and wisdom in not obstructing Constantius' orders and even in helping to facilitate their execution.

²¹⁰ See also *Pan. Lat.* 11(3). 19.2, for Maximian's possession of *fortitudo*, *continentia*, *iustitia*, and *sapientia*, as well as *pietas* and *felicitas*; and 7(6). 3.4–5.3, where Constantine is shown in possession of all four cardinal virtues in a rather lengthy section. These references to Maximian and Constantine's possession of virtues occur in panegyrics delivered at the outsets of their reigns, when they would have needed to display their virtues among their qualifications for imperial office. Note also *Pan. Lat.* 2(12). 7.1, for Pacatus' explicit reference to Theodosius' virtues as qualifications for holding imperial power. These references imply that these emperors possessed the necessary qualifications for the imperial office prior to being invested formally. Consequently, this may be Ammianus' intention at 20.4: to show Julian in possession of the four cardinal virtues in the lead up to his pronouncement at Paris and his transition to Augustan rank so as to increase his legitimacy in holding that rank.

As presented by Ammianus, Constantius' less than noble motives in conceiving of the redeployment orders for Julian's troops, when combined with Julian's exemplary behavior and actions in executing those very orders, effectively grants Julian the right to usurp if he so chooses since Constantius is depicted as unconcerned with Rhine frontier security and thus diminishing if not abrogating his legitimacy. In fact, what Julian is made to say about Constantius in the very last line of his formal *recusatio*, that is, *Augustum capacem rationis et prudentissimum* (20.4.16), is revealing when we closely consider Constantius' reaction to Julian's acclamation in the subsequent negotiations between them (20.8–9). Julian sought recognition of his new rank from Constantius and engaged in negotiations with him in the hopes that he might be accepted as Augustus of the West. There is no reason to doubt seriously Julian's willingness to compromise at this time.

Yet all depended on Constantius; he might have chosen to recognize Julian's Augustan rank and accept the status quo, and Julian for his part might have been content to remain Augustus of the West, just as his paternal grandfather Constantius I had been in 305. Therefore civil war could have been averted. While Julian was hostile to Constantius and perhaps vice versa, these two men had still managed to coexist peacefully and to support one another for five years before Julian's pronouncement at Paris. These two men were still of the same House, after all; personal feelings aside, Julian needed to support the dynasty in order to support his own claims. But the trouble, according to Ammianus, lay with Constantius' evident lack of reciprocity and willingness to accept Julian's Augustan rank. Constantius did not tolerate sharing of his Augustan power, just like his

father, who after Licinius' defeat and deposition in late 324 would not share his Augustan rank with any of his sons, who were only allowed the rank of Caesar, while he was still alive (see Marcos 2014). In his angry response to Julian's letter initiating negotiations (20.9), Constantius is shown as anything but capable of reason and most prudent, unlike Galerius, who had managed to recognize Constantine as a new Caesar.²¹¹

At this stage, Julian's split status as Augustus in the West but recognition by Constantius only as Caesar in the East in 360 finds a near analogue in the situation that Constantine faced in 306: the latter had been proclaimed Augustus by his soldiers in the West but was recognized only as Caesar by Galerius in the East.²¹² While the contexts of Constantine and Julian's elevations to Augustan rank differ in most respects, there is overlap on three main points: 1) The role of the army in acclaiming them Augusti (though Constantine was not a Caesar first); 2) their subsequent acknowledgement of their superiors' authority over them and displays of respect; and 3) their engaging in negotiations in the hopes of receiving recognition and thus greater legitimacy. However, we should note that, according to Eutropius, Constantine's promotion to emperor in 306 was less legitimate than Julian's in 360 since the latter alone is said to have been elevated *consensu militum*.²¹³ With regard to the third point above, Julian was not as successful in

²¹¹ See Amm. 20.8.17, where Julian appears to be alluding to the early Tetrarchs, perhaps even to Constantine and Galerius. For Constantine and Galerius' negotiations and compromise on Constantine's imperial rank, see Barnes 2014: 63–4. Cf. Woods 2015: 928–9.

²¹² Lact. *DMP* 25; Barnes 1981: 29, and 2014: 64.

²¹³ Eutrop. 10.2.1: *Constantinus...in Britannia creatus est imperator*. 10.15.1: *consensu militum Iulianus factus Augustus est*. Eutropius, who had been a soldier, uses *consensu*

his negotiations as Constantine, at least not until just before Constantius II died, when the latter finally granted Julian greater legitimacy by apparently naming him his heir (21.15.2, 5). But Constantine and Julian handled their promotions to Augustan rank in similar fashion; perhaps Julian, who would have known more about Constantine's promotion in 306 than we do, even had his uncle's elevation in mind as a model for his own. Both emperors are shown to have acted appropriately by those who wrote the histories of their reigns such as Eusebius of Caesarea and Ammianus, and both of these employ similar methods in doing so. One distinct difference between Constantine and Julian's acclamations, however, is that the latter is recorded giving several kinds of *adlocutiones* to his army after the pronouncement at Paris.²¹⁴

In the *Res Gestae*, imperial *adlocutiones* or formal addresses before an assembly of soldiers are made to reflect the characters of the speakers;²¹⁵ and these addresses, which are presented as direct speech (*oratio recta*), sometimes include official conceptions of how imperial power should be wielded. In fact, Sabbah (1978: 209, 325–6

militem (9.2, 9.12, 10.10) or *consensu exercitus* (10.17.1) as a formula for legitimate promotion, and so it is noteworthy that he uses it for Julian and others but does not use it for Constantine while the author of the *Origo* does (*Origo* 4: *Constantinus omnium militem consensu Caesar creatus*).

²¹⁴ It is quite possible that Ammianus assigned similar speeches to Constantine in the lost books of the *Res Gestae*, which, if so, is all the more unfortunate that they do not survive for comparison with Julian's speeches. Eusebius (*VC* 1.21–2) notes that Constantine conversed with his father just before the latter died and subsequently presided over the latter's funeral, two notable events worthy of speeches, especially since they signal Constantine's assumption of imperial power.

²¹⁵ On the *adlocutio* during the Principate, see Campbell 1984: 69–88. On Constantius and Julian's speeches reflecting their characters, see Marcos 2015. For speeches and imperial characterization in Ammianus, see O'Brien 2002.

and n. 20) has detected Ammianus' uses of an official panegyric and of an official communiqué in explaining imperial policy on the Danube in 358 in his opening and closing remarks in one section and in the lead up to one of Constantius' speeches in another.²¹⁶ If so, we should not be surprised since such usage is in keeping with what Ammianus has told us about his *laudatiuam materiam* at 16.1.3 (above). In Constantius' speeches, we find vocabulary which acts as a marker for the emperor's preferred limited responses to frontier incursions by various barbarian tribes.²¹⁷ As presented by Ammianus in Books 14, 17, and 19, Constantius' policy preferences serve to detract from his legitimacy by portraying his military résumé as thin and lackluster; however, while these preferences detract, they do not eliminate Constantius' legitimacy because Ammianus nonetheless singles out the emperor's campaign in 358 as successful and thus praiseworthy (17.12.17).²¹⁸

Praise also finds a place in Constantius' speech to his army on the Danube (17.13.26–33), which is prefaced with the remark that the emperor was acclaimed *Sarmaticus* by his soldiers for the second time (17.13.25). And Julian's imperial speeches, as we shall see below, are similarly written with panegyric in mind. Thus, there is a close relationship between imperial speeches and panegyric in Ammianus. While one

²¹⁶ On this, see Marcos 2015: 697, and 699–700.

²¹⁷ See Amm. 14.10.14, 17.13.30, for Constantius' avowed *lenitas*. 17.12.9, 17.13.2, for *lenius*.

²¹⁸ See Sabbah 1978: 325–6 and n. 20 and Marcos 2015: 697. Note also that Aurelius Victor (42.18), when referring to Julian's military victory at Argentoratum, nonetheless places it under *fortuna principis...et consilio*, that is, of Constantius.

was delivered by an emperor and the other to him, both *adlocutio* and panegyric contained similar elements of positive representation of imperial power, reflections of imperial personalities and preferences in the exercise of that power, and both tended to present the emperor and his policy to an audience in the best possible light. We should view Julian's imperial speeches as mini panegyrics by the historian.

Immediately after relating Julian's acclamation at Paris, Ammianus presents us with an *adlocutio* (20.5.3–7) by Julian, his first one as an Augustus. In his exordium, the emperor begins by first acknowledging the difficult situation in which he and his soldiers now find themselves in following the acclamation: "The difficult situation demands and implores [us], loyal and brave defenders of me and the Roman state...so that just and cautious remedies be brought together for this thoroughly changed situation" (*Res ardua poscit et flagitat, propugnatores mei rei que publicae fortes et fidi...ut remedia permutatae rei iusta colligantur et cauta*, 20.5.3).²¹⁹ These references to *res ardua* and *permutata res* are rather vague, though Julian is likely thinking of the pronouncement and the difficult situation it represents with respect to Constantius' preference for holding Augustan power alone. More revealing is that Julian as a new Augustus associates his very person with the state and describes his soldiers as *propugnatores*, a description which not only casts them as defenders of his legitimate rights and very person, but also as the proper distributors of his new rank.²²⁰

²¹⁹ See den Boeft et al. 1987: 117.

²²⁰ By using *propugnatores* to describe Julian's soldiers, Ammianus may be connecting them to divine authority through the god of war, who is depicted as Mars Propugnator on coinage of Constantine from Trier at the very start of his reign c. 307 (*RIC* VI, 155, 158,

Indeed, Julian tells us that they had raised him to the highest summit of all by means of their strong judgment (*quoniam Caesarem uestrum firmo iudicio ad potestatum omnium columen sustulistis*). He reminds his men that he was scarcely a fully grown man when he arrived in Gaul as Caesar (*uixdum adolescens specie tenus purpuratus, ut nostis, 20.5.4*) but that he was entrusted to their care by heavenly will (*uestrae tutelae nutu caelesti commissus*),²²¹ and all the while he has lived rightly and joined them in all their labors (*numquam a proposito recte uiuendi deiectus sum uobiscum in omni labore perspicuus*).²²² Prominent among these labors are, of course, their joint military exploits against the Alamanni, which Julian outlines in panegyric language (*indomitos antea cum iactura uirium suarum reppulimus Alamannos*), before leading into the battle of Argentoratum and that most blessed day which in a certain manner brought perpetual liberty to Gaul (*cum prope Argentoratum illuxisset ille beatissimus dies uehens quodam modo Galliis perpetuam libertatem, 20.5.5*); he then tells us about this manner, of how he himself had been rushing about amidst the most densely packed hurling of spears and how his soldiers secured themselves by means of their strength and stamina and hurried

170–1, 212, 218). Since the early panegyrics on Constantine show a tendency to play up his limited military victories as qualifications for imperial office in 307 (cf. n. 196), this coinage bearing Mars may have been intended to do much the same. Thus, Ammianus' description would appear to imbue Julian's soldiers with greater authority in promoting him to Augustus and to support what follows: *quoniam Caesarem uestrum firmo iudicio ad potestatum omnium columen sustulistis*.

²²¹ Cf. 15.8.10, where Constantius prefaces Julian's promotion to Caesar with *nutu dei caelestis*.

²²² See den Boeft et al. 1987: 120, for the view that *numquam a proposito recte uiuendi deiectus sum* refers to Julian's loyalty towards Constantius.

on the enemy like a torrent (*inter confertissima tela me discurrente uos uigore ususque diuturnitate fundati uelut incitatos torrentes hostes*).

Such words of praise and the images these words conjure serve not only as self-promotion for Julian, but also as a kind of panegyric to the Roman soldier by whose service the Caesar had gained the victory. Indeed, this section of Julian's speech functions as an encomium for his fallen soldiers, whose funeral rites are invoked and said to be filled with celebrated praise for what they achieved in life rather than grief due to their death (*paucis relictis nostrorum, quorum exsequias honestauimus celebri potius laude quam luctu*). This is followed by invoking the judgment of history (and not for the last time) for the living, that posterity will not be silent regarding their services to the state, which are already fully known among all nations (*nec posteritatem tacituras uestris in rem publicam meritis, quae gentibus cunctis plene iam cognita sunt, 20.5.6*).²²³ However, Julian presents this statement as part of two conditions: posterity will reward his soldiers, if, by means of their valor and seriousness, they were to defend him whom they have fitted with a higher peak of dignity, if any adversity should assail him (*si eum, quem altiore fastigio maiestatis ornastis, uirtute grauitateque, si quid aduersum ingruerit, defendatis*).

These conditions indicate that the emperor was already considering the prospects of civil war. Having paid homage to his military record and that of his soldiers, Julian ends his speech with a political promise of promotions to high offices free from

²²³ Cf. Claud. Mamert. 31.1: *solo immortalitatis amore flagrare, derigere omnes opes et cogitationes tuas ad memoriam posteritatis aeternam, atque his maxime seruire iudicibus qui de rebus gestis tuis sine odio et gratia uenturis saeculis iudicabunt*.

corruption and in keeping with merit (20.5.7). This speech is quite Caesarean in terms of common themes when we consider its references to military victories by a commander and his soldiers and the appeal of the former to the latter as his defenders; Ammianus may well have had the well-known speech of Julius Caesar in Gaul, where Caesar appealed to his soldiers for aid and thus began civil war, in mind when crafting Julian's.²²⁴ Without ever naming Constantius here, this speech (20.5.3–7) reveals a tension between Julian's need to demonstrate that he had been loyal to Constantius and followed his instructions as Caesar in Gaul (below), and so held *imperium* legitimately, and that he had a dire and legitimate need to protect himself and assert his rights to Augustan authority by appealing to his soldiers. When all its themes are considered, this speech lays the groundwork for Julian's march east against Constantius, a process which Julian completes later in one final *adlocutio* (21.5.2–8).

After Julian failed in subsequent negotiations with Constantius over recognition of his Augustan rank, we see Julian preparing for a preemptive strike against his cousin in 361. One part of these preparations is presented in the form of another *adlocutio* (21.5.2–8) to the Gallic army, whose support for a march east against Constantius Julian needs to win over (21.5.5). As with Julian's earlier speeches, Ammianus seems to have constructed this one here for the emperor as well; however, since he had served in Gaul for a time under Ursicinus and Julian and interviewed highly-placed figures such as Julian's *praepositus sacri cubiculi* in Gaul, Eutherius, for his History (cf. 16.7), the

²²⁴ Cf. Caes. *BC* 1.7.7: *hortatur, cuius imperatoris ductu VIII annis rem publicam felicissime gesserint plurimaque proelia secunda fecerint, omnem Galliam Germaniamque pacauerint, ut eius existimationem dignitatemque ab inimicis defendant.*

content of Julian's speeches may have some claim to historicity. This speech which Ammianus puts into the mouth of Julian is interesting in that, like his earlier one above (20.5.3–7), it functions as a mini panegyric of the emperor and an *apologia* for his actions as Caesar and for those of his soldiers in Gaul. Indeed, in his exordium at 21.5.2, Julian tells his soldiers that it is fitting for a general to have no other thoughts except for those things which can be praised and approved,²²⁵ a statement which is meant to testify to his noble motives. And immediately following this speech, Ammianus compares it to the pronouncement of some oracle because of its effect on Julian's soldiers in their increased willingness to join the emperor in his enterprises while also praising Julian's military record in Gaul.²²⁶

At 21.5.3, Julian begins by invoking a nameless heavenly god, who is always connected to imperial power in panegyrics,²²⁷ and by reminding his soldiers of his arrival in Gaul as a youth (*Arbitrio dei caelestis uobis inter ipsa iuuentae rudimenta permixtus*), immediately moving on to his effectiveness as Caesar in breaking the unchecked incursions of the Alamanni and Franks and their license for destruction there (*irruptiones Alamannorum assiduas et Francorum populandique iugem licentiam fregi*). This theme

²²⁵ 21.5.2: *plus enim audire quam loqui militem decet actibus coalitum gloriosis nec alia spectatae aequitatis sentire rectorem quam ea, quae laudari digne potuerunt et probari.*

²²⁶ 21.5.9: *Hoc sermone imperatoris uice alicuius oraculi conprobato mota est incitatus contio et rerum cupida nouandarum unanimanti consensu uoces horrendas immani scutorum fragore miscebat magnum elatumque ducem et, ut experta est, fortunatum domitorem gentium appellans et regum.*

²²⁷ On expressions of divinity in the Latin panegyrics, see Béranger 1970 and Rodgers 1986. See also Amm. 16.12.18, where Julian invokes the *superum numen* in a mini *adlocutio* before the battle of Argentoratum.

of a youthful but successful emperor is one which Julian had already touched upon in his earlier speech and his continued references to it here serve to emphasize his military credentials for holding *imperium*. He then states that, by means of their common strength, he has made the Rhine thoroughly passable for Roman troops whenever it is agreeable to them (*et uigore communi Romanis agminibus, quotiens libet, Rhenum peruium feci*), that is, whenever they want to take the fight to the enemy in their territories. Right at the outset of this speech, Julian focuses on his military exploits and the benefits that his wielding of imperial power has provided; he points to his actions in the field in the same line by using the first person perfect active indicative: “I have broken,” “I have made” (*fregi, feci*). But his soldiers are yoked to his success; he and they have joined together in common cause, and so Julian’s reference to them in the very first line of this speech as *magni commilitones* (21.5.2) and that he has relied without a doubt on the support of their valor (*uirtutis uestrae nimirum firmamento confisus*, 21.5.3).

Consequently, it is no surprise that we next see Julian shift from the first person singular to the plural, to “we,” to their joint labors (*et haec laborum, quos exhausimus*, 21.5.4, cf. *indomitos antea cum iactura uirium suarum reppulimus Alamannos*, 20.5.4); and the results of these jointly executed labors is nothing less than a Gaul reborn (*Galliae...recreatae*). Such language presents Julian holding a rather unique relationship with the Roman army, and their camaraderie is deployed here to support Julian’s acclamation further. As in his previous speech in Book 20, the emperor is made to take a longer view beyond his reign and to strike a panegyric tone here by saying that Gaul will commend their military achievements to posterity through the multitude of ages

(*posteritati per aetatum examina commendabunt*, 20.5.4). Julian then recalls and emphasizes his *recusatio* at Paris while apparently also self-legitimizing his holding of Augustan rank by vesting his soldiers retroactively with the authority to elevate him (*at nunc cum auctoritate uestri iudicii rerumque necessitate compulsus ad Augustum elatus sum culmen*, 21.5.5), an authority which might be implied in the earlier speech (*firmitate iudicio*, 20.5.3) but not explicitly stated as it is here.²²⁸ In his *recusatio* proper at 20.4.16, Julian had exhorted his soldiers to restrain their anger and described their acclamation of him as Augustus as the incitement of revolution against Constantius (*Cesset ira, quaeso, paulisper absque dissensione uel rerum appetitu nouarum impetrabitur facile, quod postulatis*), thus implying that the latter alone and not the army had the authority to make such promotions. Julian may not have believed that, but it adds to the strength of his *recusatio* as something genuine.

Although deployed in a speech, Julian's statement regarding his soldiers at 21.5.5 is certainly feasible, as it would have empowered both him and his soldiers in the rightness of the pronouncement before openly opposing Constantius; however, it is clearly deployed here by Ammianus in his narrative as the beginning of an *apologia* for Julian's actions as Caesar. This defense is further evident in Julian's subsequent invoking of the soldiers' favor along with that of the unnamed heavenly god (cf. *Arbitrio dei caelestis*, 21.5.3) as the prerequisites that need to be met before he can move against his Augustan rival (*deo uobisque fautoribus, si fortuna coeptis affuerit, altius affecto maiora*, 21.5.5). To solidify that earthly support, in the same breath Julian reminds his army about

²²⁸ Cf. den Boeft et al. 1991: 56–7.

his good administration of Gaul as Caesar, that he has been highly successful in the field as their general against the combined strength of many foreign nations, and that he then, just as now, did not undertake any grand design without due consideration (*domi moderatus uisus sum et tranquillus et in crebritate bellorum contra conspiratas gentium copias consideratus et cautus*). Indeed, the latter references to his success against the combined strength of foreign nations and to his consideration and caution are clearly meant to evoke his great success at Argentoratum (which he explicitly mentioned earlier at 20.5.5), and to the speech preceding that engagement where Julian invokes caution and reflection (*cautiorem uiam*, 16.12.9. *regibilem et consultam*, 16.12.10). Therefore, the soldiers are subtly told that they can expect similar success now against Constantius because Julian is approaching the coming engagement in the same manner. Additionally, we can see that Ammianus deploys such language about Julian's caution in order to demonstrate that Julian as Caesar had only acted in accordance with Constantius' instructions to him during his investiture back in late 355.²²⁹

In Ammianus, imperial speeches, as we have seen, have a particular intratextual quality which reinforces imperial thought and action by the speakers. The close bond between Julian and his soldiers is again made explicit at 21.5.6 by the emperor's reference to their most close association in purpose (*mentium societate iunctissima*); thus, they should follow the salutary path of his plan (*sequimini uiam consilii mei salutarem*). Given that Julian was about to ask them to undertake civil war, it is understandable that his two speeches in Books 20 and 21 time and again pay tribute to his soldiers and to

²²⁹ Amm. 15.8.13; Marcos 2015: 686, n. 59.

their very close relationship, a relationship, we should note, which is not referenced in Constantius' speeches and implies that the latter did not enjoy such camaraderie with his troops. That Julian constantly focuses on his military record and strong relationship with his soldiers should be read as panegyric and self-promotion in the form of *adlocutio*; and such focus pays Julian an additional compliment since it depicts him as a rational actor in preparing to engage in civil war.

But what is Julian's plan against Constantius? Ammianus gives us a glimpse of the near future when he has Julian tell his men what he has in mind: "and while the regions of Illyricum are lacking in greater garrisons, let us, spreading out by means of an unobstructed course, occupy the furthest limits of the Dacias in the meantime" (*et dum maioribus uacant praesidiis regiones Illyricae, impraepedito cursu tendentes Daciarum interim fines extimos occupemus*, 21.5.6).²³⁰ As will be discussed further below, Julian's projected itinerary consists of a swift penetration of Illyricum, which, as Julian notes above, lacks a greater force of soldiers, presumably one greater than his army, and then to proceed to the limits of the Dacias. It is important to emphasize here that what Julian is proposing in his address is not a penetration of territory north of the Danube but of the two Roman provinces south of the river, that is, to Dacia Ripensis and Dacia Mediterranea, which were the two easternmost provinces of the Diocese of Dacia that bordered the Diocese of Thrace along the *uia militaris/diagonalis*,²³¹ Julian's eventual

²³⁰ See den Boeft et al. 1991: 58–9.

²³¹ See den Boeft et al. 1991: 59–60. For a thorough survey of the *uia militaris/diagonalis*, see Madzharov 2009: 70–131.

route of travel. Julian then ends his speech by cautioning his men to abstain from plundering their fellow citizens as they move eastward, highlighting that their ultimate goal has been and still is the security and safety of the provinces (*indemnitas prouinciarum et salus*, 21.5.8).²³² By highlighting this as their ultimate goal, Julian is effectively claiming Illyricum among his provinces, which accordingly allows a subtle reading of Eutropius' brief explanation of Julian's march eastward: "Julian...advanced in order to possess Illyricum as its governor" (*Iulianus...ad Illyricum obtinendum profectus*, 10.15.1).²³³ In fact, this reading of Eutropius is consistent with Ammianus' presentation of Julian's actions in Illyricum, where we find the emperor promoting men to high offices both within and outside Illyricum in the West along with general indications of his administration of the region as its foremost governor (21.10.6, 21.12.24–5; more below).

Sometime in early 361, perhaps in spring, Julian assembled his Gallic legions at Augusta Rauracorum (Kaiseraugst) for the invasion of Illyricum (Amm. 21.8.1). In a clever but risky tripartite division of his army, Julian ordered one large contingent to advance through northern Italy, a second to march through Raetia, and a third and smaller contingent of some three thousand troops would be led by Julian himself down the

²³² For *indemnitas* as security of property, see den Boeft et al. 1991: 63.

²³³ Cf. Bird's (1993: 68) translation: "Julian...set out to seize possession of Illyricum." Bird has made a subtle reading of Eutropius here, but I think we can go further in terms of how we read *obtinendum* as a gerund of purpose (see Allen and Greenough, *NLG*: 506, where the gerund in the accusative plus an *ad* indicates purpose). In fact, *obtinendum* not only can indicate the seizure of something in general terms, but the holding of something, like a province, as its governor: s.v. *obtineo*, in Lewis and Short. This more subtle reading of *obtinendum* is not inconsistent with Eutropius' only other use of it in Book 10: *Iouianus...ad obtinendum imperium consensu exercitus lectus est*, 10.17.1).

Danube in swift-moving boats.²³⁴ Ammianus tells us that the emperor thus moved rapidly towards his goal of Sirmium (Sremska Mitrovica) like a comet or military fire-dart (*sed ille ut fax uel incensus malleolus uolucriter ad destinata festinans*, Amm. 21.9.6, cf. Claud. Mamert. 6.2: *superuolans*, Lib. Or. 18, 111–12). Despite his rapidity, however, news of Julian’s advance still preceded him and reached the commander of Roman forces in Illyricum, the *comes* Lucillianus, whose headquarters were at Sirmium and who managed to make some preparations for defending this important city in anticipation of Julian’s arrival (Amm. 21.9.5).²³⁵

Sometime in mid-361, perhaps in June/July,²³⁶ Julian’s forces advanced upon Sirmium and nevertheless seized a befuddled Lucillianus from his bedchamber under cover of night (Amm. 21.9.6–8, cf. Lib. Or. 18, 111–12). Thus far, Ammianus presents us with Julian’s military effectiveness, an effectiveness which the historian was keen to emphasize in Julian’s speeches as a feature of imperial legitimacy. But it is here, at Sirmium, where Ammianus again takes up the opportunity to buttress Julian’s imperial credentials by framing his triumphal entry into Sirmium as *aduentus* (21.10.1–2), a highly stylized late antique ceremony that conveyed Roman imperial legitimacy.²³⁷

²³⁴ Amm. 21.8.2–3, 9.2; Zos. 3.10.2.

²³⁵ *leuibus tamen indiciis super Iuliani motu Lucillianus percitus comes, qui per illas regiones rem curabat ea tempestate castrensem, agensque apud Sirmium milites congregans, quos ex stationibus propinquis acciri celeritatis ratio permittebat, uenturo resistere cogitabat.*

²³⁶ Cf. Szidat 1975 and Nixon 1991. Szidat argues for mid-May and Nixon for c. mid-July. But see Nixon and Rodgers 2015: 424–5, n. 139, for “ca. July.”

²³⁷ See MacCormack 1972, and 1990: 17–89.

However, Julian's hand in his *aduentus* has gone unnoticed; by quietly and efficiently removing Lucillianus from his bedchamber and his post, the emperor would have sent Sirmium a clear message that it was in their best interests to receive him as Augustus. With their military commander and the one who had been spearheading resistance to Julian thus neutralized, the garrison of Sirmium would have been in disarray and their sense of uncertainty probably spread throughout the city; in short, little or any resistance to Julian was now possible. By removing Lucillianus, Julian therefore helped to bring about and to manage his own *aduentus* as surely as any literary embellishment by Ammianus.

Scholars such as Fournier (2010) have explored this episode in Ammianus so as to uncover how and to what extent Julian's *aduentus* is a literary construction by the historian. That Ammianus describes Julian's entry into Sirmium in order to increase the latter's claim to legitimacy should not be doubted, but it is worth noting that Ammianus does not explicitly call Julian's entry into Sirmium an *aduentus*. Ammianus similarly relates Julian's entries into other cities such as Vienne (15.8.21–2; about 9 lines of Teubner text), Constantinople (22.2.4–5; about 11 lines of text), and Antioch (22.9.14–15; 9 lines of text), and Vienne while he was only Caesar; it is also worth noting that these instances are given the same amount of space as Julian's entry into Sirmium (9 lines of Teubner text).²³⁸ As a result, we need not overvalue Ammianus' narration of

²³⁸ Ammianus' meager description of Julian's entry into Heraclea/Perinthus (22.2.3; about 4 lines of Teubner text) is an interesting case; far from describing the emperor's entry in adulatory language, it implies that the inhabitants opened the city gates more out of fear than of jubilation (more below).

Julian's arrival at Sirmium, important as it was, too heavily over these other instances of Julian's entries into cities since Ammianus himself does not appear to do so. Furthermore, while it was typically in a city's best interests to greet and receive an emperor, they did not always do this.²³⁹ In fact, that Sirmium apparently chose to receive Julian during civil war, and thus to reject Constantius, indicates agency on their part and a willing bestowal of legitimacy on Julian, and/or acknowledgement of legitimacy that he already had, and while there may be some literary embellishment at play here, it is this agency, perhaps, that Ammianus also intends to communicate alongside the view that it was right for Julian to be so received.

After Sirmium, Julian subsequently based himself and his forces at Naissus, likely at the imperial villa southeast of the city at Mediana,²⁴⁰ from where he wrote a series of open letters in Greek to various communities in Greece such as Athens, Corinth, and Sparta, as well as a 'letter' to the Senate of Rome in Italy,²⁴¹ all of which sought to

²³⁹ See Hdn. 8.2, for the well-known example of Aquileia, which refused the emperor Maximinus I entry in 238. While cities had something to gain from an *aduentus*, sometimes it served their interests better to refuse one during civil war and to support another contender for the imperial office.

²⁴⁰ See Vasić 2003 and Popović 2006, for a bronze railing with busts of Asclepius and Luna from Mediana that may date to Julian's tenure there. For a recent geophysical survey of Mediana, see Milošević, Peters, and Wendling 2011.

²⁴¹ Cf. Lib. *Or.* 12, 64, Amm. 21.10.5–7, Zos. 3.10.3–4. For Julian's epistolary outreach and dissemination of ideology possibly having been larger, see Thompson 1943: 93–95. Contrary to what Elm (2012: 64, 75) states and Watts (2015: 108, 258, n. 15) repeats (he cites only the *Epistle to the Athenians* and Elm 2012: 75–80), however, Julian apparently did not write a letter to the Senate of Constantinople, as he had for that of Rome, which is worth considering (cf. Athanassiadi 1992: 84–5). Elm (2012: 80) takes Julian's *Epistle to Themistius* as such a letter due to Themistius' position as a chief senator of

explain his usurpation of Augustan rank in early 360 while Caesar in Gaul. In fact, this ‘public relations offensive’ is best seen as a continuation of Julian’s tripartite division of his army whereby letters were sent as advance forces to do what soldiers could not always do as well: win over people. Of these letters, the *Epistle to the Athenians* alone has come down to us almost completely intact. This is an important imperial ‘letter’ that functions as an autobiography and *apologia* of the emperor and his actions, one which Julian produced for the purpose of advancing his bid for supreme power during his short and ultimately bloodless civil war with Constantius.²⁴² In this context, the *Epistle to the Athenians* is a unique and informative pronouncement that illustrates Julian’s ideology/propaganda during a critical period of imperial transition, a pronouncement which the emperor used simultaneously to consolidate his claim to higher rank and authority and to promote his legitimacy in holding such power, all the while undermining the authority and legitimacy of Constantius in the eyes of the public in the process.

Scholars such as Labriola (1975) have focused on the autobiographical quality of Julian’s *Epistle* where he comes off as a wronged man who is worthy of greater power; while Humphries (2012) more recently has explored it as an exposition of good and bad government by its negative depiction of Constantius as a “tyrant.” However, scholars

Constantinople. But it is important to note that this letter is addressed to Themistius alone and that it makes no references to Constantius or to a state of civil war. In short, the *Epistle to Themistius* belongs to another context (see Ch. 5). Conversely, perhaps Julian counted on his very birth in Constantinople as a point of support for his rebellion against Constantius and thus did not deem it necessary to produce a letter to his native city.

²⁴² For studies of this *Epistle*, see Caltabiano 1974, Labriola 1975, and Martin 2009b: 42–48.

have not appreciated fully how Julian employs the genres of autobiography and panegyric in his *Epistle* not only to promote what he accomplished as Caesar in Gaul, but also what he would do as sole Augustus empire-wide. Indeed, as a genre, autobiography was a narrative type and strategy well-suited to advancing the imperial image and agenda such as utilized by Caesar Augustus in his Latin *Res Gestae*, which also can be read as propaganda for posterity. While Constantius' depiction in Julian's 'letter' and autobiography is certainly polemical, it seems to have gone unnoticed that Julian, who had written two masterful panegyrics on Constantius c. 355/6 and 358/9, also uses his *Epistle to the Athenians* to build on his self-presentation in the *Second Panegyric on Constantius* (*Or.* 3, 86A–92C), which offers a political program for proper rule by the good king/emperor. In his *Epistle to the Athenians*, Julian thus makes subtle references to other texts that give this *Epistle* a particular intertextual quality which blurs the boundaries between autobiography and panegyric as narrative types and strategies. In so doing, Julian presents readers of his *Epistle* with both an autobiography and self-panegyric of Julian as a good king/emperor and an anti-panegyric and biography of Constantius as a bad and therefore a false one, a portrayal which Gregory of Nazianzus would challenge later by embedding a mini panegyric and biography of Constantius in his First Invective against Julian (*Or.* 4, 34–42, 45).²⁴³

Here I use the term “self-panegyric” to describe Julian's act of self-praise while employing components of panegyric in his *Epistle to the Athenians*. Indeed, note that Julian begins his *Epistle* by first outlining his ancestry, followed by his boyhood and

²⁴³ For a similar “anti-panegyric,” see Julian's *Misopogon* in Ch. 6.

upbringing (270C–272A), the traditional themes and starting places for panegyric, before eventually going on to put forth his military accomplishments in Gaul in some detail (278D–280D). Additionally, Julian may have drawn some inspiration for his *Epistle to the Athenians* from Alexander of Macedon’s own public exposition, the propagandistic *Epistle to Darius* in Arrian (*Anab.* 2.14.4–9),²⁴⁴ in which Alexander manages to praise himself while condemning Darius. In fact, Alexander’s ‘letter’, which is quite haughty in tone, reads like an anti-panegyric of Darius, for it begins with the misbehavior of the latter’s ancestors and then that of Darius himself, both of which Alexander uses to justify his invasion of Persian territory (2.14.4–5); moreover, Alexander’s letter sheds light on Julian’s own letter in that Alexander’s also represents an instance of self-promotion on display, for the *Epistle to Darius* portrays Alexander in a highly favorable light as a justified actor against Darius. This ‘letter’ was clearly meant for public consumption and its charges against Darius resemble Julian’s public censure of Constantius in that each author vigorously frames his military and other actions against his opponent as justifiable responses instead of preemptive strikes; thus there are some common themes and even a verbal echo of Alexander’s letter in Julian’s.

In his *Epistle*, Alexander puts forth the charge that Darius had hired men to kill his father Philip II (14.5); that Darius sent unflattering letters to the Greeks about

²⁴⁴ It may be that Julian’s knowledge of the ‘plots’ of Hermolaus, Callisthenes, Philotas, and Parmenion were derived from Arrian (see *Jul. Ep. ad Nil.* [50 Wright, 82 Bidez] 446A, cf. *Arr. Anab.* 3.26, 4.13–14). However, there is also overlap here with Plutarch (*Alex.* 49, 55), whose works Julian certainly knew and who speaks of a plot against Philotas (*Alex.* 49), whereas Arrian condemns Philotas (*Anab.* 3.26.1). See also Bouffartigue 1992: 288, for Julian’s knowledge of *Anab.* 4.8.5.

Alexander so that they might make war against him and generally that he tried to sow instability in Alexander’s domain (14.5–6); and he presents a well-constructed and yet simple phrase that encapsulates not only the tone of the letter overall but also the actions that purportedly led to its production: “I marched against you, since you yourself commenced hostilities” (ἐστράτευσα ἐπὶ σὲ ὑπάρξαντος σοῦ τῆς ἐχθρας, 14.6).²⁴⁵ In short, we are told that Darius is a criminal (ἀδικοῦντος, Arr. 14.9, cf. τοὺς ἀδικίας ὑπάρχοντας, Jul. 272C) and thus, by implication, that Alexander is an avenger. As we shall see below, these main charges and themes of Alexander against Darius find close parallels in Julian’s own charges against Constantius: Julian blames Constantius for the death of his father and others (*Ep. ad Ath.* 270C–D); puts forth that in moving against Constantius he is defending his legitimate rights against the man who had begun hostilities (272C); and he charges that Constantius had sent letters to the barbarians along the Rhine so that they might sow instability in territory under Julian’s control (286A).²⁴⁶

The autobiographical and panegyric component of Julian’s *Epistle* is first evident at 269D, where the emperor begins by advertising his movements from Gaul to Illyricum as swift and energetic, just as Ammianus does. Such self-promotion advertises Julian’s feat of wresting control of Illyricum from Constantius and that his swiftness and energy in doing so are likely to continue; by contrast, it implies that Constantius is slow and lacks energy since he was caught off guard at Julian’s advance. The panegyric

²⁴⁵ Cf. Jul. *Ep. ad Athen.* 272C: οὐχ οὗτός ἐστιν ἀνθρώποις ἅπασιν κοινὸς Ἕλλησιν ἅμα καὶ βαρβάρους ὁ νόμος, ἀμύνεσθαι τοὺς ἀδικίας ὑπάρχοντας;

²⁴⁶ On Constantius’ letters to the Alamannic “king” Vadamarius, see Thompson 1943: 83–88.

aspect of this ‘letter’ becomes apparent quickly when, in keeping with the rules of panegyric as laid down by Menander Rhetor, Julian informs the Athenians about his ancestors, which are well known to them (270C). But Julian quickly subverts this into an anti-panegyric of Constantius when he tells us that his cousin was responsible for the death of nine of their close relatives, which included Julian’s father and uncle, both of whom were uncles of Constantius (270C–D). This public display of Constantius’ role in a dark chapter in the dynasty’s history would have de-legitimized Constantius by casting him as a tyrant in the traditional Greek sense; and it cleverly inverts any charges of usurpation against Julian by portraying Constantius as a usurper since summer 337. Of course, this has implications for Julian’s claim to power since he had been promoted to the Caesarship by Constantius in late 355. But, as Julian may have intended, questions regarding the legitimacy of his acclamation as Augustus were made moot, if not nullified.²⁴⁷ Indeed, in addition to Illyricum, which Julian controlled directly, both Macedonia and Greece came over to Julian’s side, apparently after he had engaged in a public relations offensive.²⁴⁸

Furthermore, Julian does this by first prefacing these remarks with an ironical description of Constantius as “the most humane emperor” for how he treated those whom

²⁴⁷ The well-known response of the Senate of Rome to Julian’s letter to them as recorded by Ammianus comes to mind here: *auctori tuo reuerentiam rogamus* (21.10.7). But we do not know what Julian’s missive to this body said in its entirety, or if and how it differed in any respects from his *Epistle to the Athenians*. Regardless of whatever claims Julian had made in his missive to them, the senators of Rome would have felt obliged to Constantius, who had visited Rome and paid respects to the Senate in 357. In any case, their response may have been exceptional.

²⁴⁸ Lib. *Or.* 18, 113–14.

were closest to him by blood (Οὕτω δὲ πλησίον ἡμᾶς ὄντας συγγενεῖς ὁ φιλανθρωπότατος οὗτος βασιλεὺς ἃ εἰργάσατο, 270C),²⁴⁹ which is ironical not only because of the outline of the dynastic murders that follows, but also for its probable reference to Constantius' *philanthropia* as advertised energetically by Themistius in his *First Oration to Constantius* (*Or.* 1).²⁵⁰ As for how Constantius treated Julian himself, Constantius relegated him and the latter's older half-brother Gallus to a kind of protective custody during the early years of their upbringing.

This section of Julian's 'autobiography' is interesting for its emphasis on the fact that the relatives whom Constantius put to death did not receive a trial beforehand, but were quickly condemned and executed, which conveys Julian's interest in proper legal procedure or at least in the appearance of it. Julian casts this dark dynastic chapter as a "tragedy" (270D),²⁵¹ and it undoubtedly served his interests to advertise that his slain relatives had been denied their due process (cf. 270D, 272B–C),²⁵² which consequently paints Constantius' actions as extralegal and tyrannical; but it also reflects well on Julian,

²⁴⁹ See also 273B, for another caustic description of Constantius: ὁ γάρ τοι καλὸς Κωνσταντίος ἐκληρονόμησεν ἀντ' ἐμοῦ τὴν πατρῶαν οὐσίαν ἅπασαν, ἐμοί τε, ὅπερ ἔφην, οὐδὲ γρὺ μετέδωκεν αὐτῆς, ἀλλὰ καὶ τῷ ἀδελφῷ τῷ μῶ τῶν πατρῶων ἔδωκεν ὀλίγα, πάντων αὐτὸν ἀφελόμενος τῶν μητρῶων.

²⁵⁰ Skinner 2015 argues for 341/2 as the date for Themistius' First Oration; however, I tend to favor late 350 (see Ch. 2).

²⁵¹ See Wright 1913: 249, n. 2, who has detected a quote here from Euripides (*Orestes* 14).

²⁵² There may be a faint hinting here of Constantine's well-known execution of Crispus Caesar, who apparently did receive a trial before being executed by his father (*Quorum cum natu grandior, incertum qua causa, patris iudicio occidisset*, Aur. Vict. *Caes.* 41.11).

who thus promotes himself as a man concerned with proper procedure and with justice. Indeed, Julian begins his case against Constantius by depicting himself as someone who is challenging his cousin in a just cause and in accordance with justice (269D–270A). Additionally, Julian’s reference to practical wisdom being a close brother of justice is in truncated form a reference to having proceeded on this course of action only after due consideration (270A). In fact, he subsequently showcases his attempts at reconciliation with Constantius (285D–286D).

Later, Julian describes his movements prior to his elevation to Caesar as wholly dependent upon the whim of Constantius and that of his chamberlain, Eusebius, who acts as a foil for Julian, who is presented as a man without power in a constant state of uncertainty about his status and standing with Constantius (272D–274B); for his part, Julian declares, he was loyal to his cousin (274B) and depicts the latter as not returning that loyalty. Interestingly, Julian tells us that he had strongly refused to have contact with the palace (Ἄρνουμένου γάρ μου τὴν συνουσίαν στερεῶς ἐν τοῖς βασιλείοις, 274C), which is a strange statement and must be read as a kind of *recusatio* (cf. 277A) since he also relates and belittles how he looked being dressed in a military cloak (χλανίδα, 274C) when on the verge of being promoted to Caesar.²⁵³ But a military cloak (*paludamentum*), we should note, was often the garb of an emperor such as Julian, who is depicted still wearing one after his acclamation as Augustus (Amm. 21.5.12, cf. χλανίδιον, Jul. 277A), which shows that he continually wore it as a mark of legitimacy. Julian then states that,

²⁵³ ...χλανίδα δὲ ἀμφιεννύουσι καὶ σχηματίζουσιν, ὡς τότε ὑπελάμβανον, πάνυ γελοῖον στρατιώτην.

after his promotion to Caesar, he was not sent to Gaul as a general more than he was sent as a subordinate for the generals there (οὐκ ἄρχοντα μᾶλλον τῶν ἐκεῖσε στρατοπέδων ἢ τοῖς ἐκεῖσε στρατηγοῖς ὑπακούσοντα, 277D). Of course, Constantius was quite reasonable and prudent in restricting Julian in this way, at least at first, since Julian apparently had no military experience whatsoever; however, Julian does not say that this was Constantius' concern, only that Constantius feared that Julian might start a rebellion (Γέγραπτο γὰρ αὐτοῖς καὶ ἐνετέταλτο διαρρήδην οὐ τοὺς πολεμίους μᾶλλον ἢ ἐμὲ παραφυλάττειν, ὡς ἂν μὴ νεώτερόν τι πράξαιμι), which has the effect of highlighting the fact that, despite having grounds for rebellion, Julian had consistently displayed loyalty to Constantius (280D).

After Julian's portrayals of his loyalty and prudent behavior thus far in the *Epistle*, such a seemingly innocuous statement as Constantius' fear of Julian starting a rebellion nonetheless casts Constantius not only as ungrateful once again, but also paranoid and it sets the stage for the reader's reception of the redeployment orders that Julian would receive from his cousin in 360.²⁵⁴ However, Julian does add that Constantius had emphasized in his orders to the generals in Gaul that he was not sending Julian to them as an emperor but one who would carry about Constantius' likeness in Gaul on his behalf (καὶ γὰρ τοι καὶ τοῦτο εἶρητο καὶ ἐγγέγραπτο, ὅτι τοῖς Γάλλοις οὐ

²⁵⁴ Note also that Julian inserts the infamous cases of Africanus, Marinus, and Felix, who were executed by Constantius based on innuendo from his informants (273C–D), so as to present his audience with a consistently paranoid Constantius who eventually came to distrust Julian also due to innuendo from informants (282C). Ammianus, likely drawing from Julian's account, similarly frames Constantius' redeployment orders for Julian's troops as emanating from jealousy (20.4.1–2).

βασιλέα δίδωσιν, ἀλλὰ τὸν τὴν ἑαυτοῦ πρὸς ἐκείνους εἰκόνα κομιοῦντα, 278A). While Constantius had experienced generals in Gaul in command of Roman forces there, Julian implies that they had been less than successful in that Germans had made incursions into Roman territory and settled there (278D–279B). Julian also observes that Constantius thought little of his Caesar’s potential as a general because he appeared mild and measured (ἔγωγε ἐνομίσθην ἥκιστα σπουδαῖος καὶ δεινὸς στρατηγός, ἅτε πρᾶον ἐμαυτὸν παρασχὼν καὶ μέτριον, 278C). Interestingly, Julian appears to subvert the typical value of the adjective μέτριος as a key monarchical virtue.²⁵⁵ In the context of being a commander in the field, Julian here equates the adjective from Constantius’ perspective with something like ‘overly restrained’ or even ‘unwarlike’.

Nevertheless, Julian manages to turn this perception to his advantage by first portraying himself defending the town of Sens with but a few soldiers at his disposal since he had dispatched the majority of the forces which he did command to protect neighboring towns (278B); in this way he projects his concern for the safety of the provincials that Ammianus would highlight later. More importantly, Julian uses πρᾶον ἐμαυτὸν παρασχὼν καὶ μέτριον to convey the self-image of a loyal subordinate who has kept to his assigned station (278C–D);²⁵⁶ indeed, in a somewhat dramatic scene, Julian shows himself as obedient before the emperor when requesting written instructions from him as to the scope of his duties in Gaul (282A–B). This depiction at 278C underscores

²⁵⁵ For imperial self-restraint, see Wallace–Hadrill 1982: 41.

²⁵⁶ Cf. Amm. 21.5.5, where Ammianus has Julian refer to himself as *moderatus...et tranquillus* and *consideratus et cautus* in a speech on the eve of marching against Constantius in 361 to show that Julian had acted properly as a Caesar.

both Julian's deference to Constantius and the limitations placed on him in his new role; but we next find that Julian is subsequently rewarded with command of Roman forces in Gaul in spring 357, although Constantius' faith in him as a capable general is qualified by his apparent expectation that Julian would do no harm (ὁ Κωνσταντίος νομίσας ὀλίγω μὲν ἐπιδώσειν, οὐκ εἰς τοσοῦτον δὲ μεταβολῆς ἤξειν τὰ τῶν Κελτῶν πράγματα, δίδωσί μοι τῶν στρατοπέδων τὴν ἡγεμονίαν ἦρος ἀρχομένου, 278D).

From this point forward, we see Julian transform himself from Constantius' image bearer into Julian the general by outlining his record of military activities and achievements from spring 357 forward (278D–280D). Julian deftly panegyricizes himself when we consider that he begins his narrative by presenting himself as a young prince whose position and very life were anything but secure, and then builds himself up to a capable and successful general of the first order in what comes off as a meteoric and truly unexpected rise. When viewed individually and as a whole, all these events as related by Julian constitute an instance of self-promotion; indeed, just as we have seen above in Ammianus' account, Julian's exercising of all four cardinal virtues are put on display here for public consumption. In due course, and in a short space of text, Julian speaks of practical wisdom or prudence (φρόνησις, 275D), justice (τὸ δίκαιον, 276B), courage (ἀνδρεία, 276C), and depicts himself exercising restraint or temperance (277A, 277C, cf. 278C). Julian is careful not to ascribe these virtues to himself explicitly, but he invokes them subtly and leaves it up to the reader to associate them with Julian, just as Ammianus does at 20.4.

Moreover, while piety is not invoked by name, piety towards the gods is a virtue that is particularly manifest throughout this *Epistle*. By his well-placed and vigorous invocations of Heracles,²⁵⁷ Athena,²⁵⁸ Helios and Selene (275B), Helios alone (284B), Ares (284B), and Zeus,²⁵⁹ along with general references to the gods,²⁶⁰ Julian thus communicates his support for traditional pagan worship to the Athenians. It is important to emphasize here that, at the time when Julian wrote this letter, he was challenging Constantius and sought to engender public support for his usurpation by appealing to many sections of the public, such as those who shared his support for traditional pagan worship. And, as we shall see below, this is not the only instance at this time in which Julian is subtly communicating his support for pagan worship in place of Christianity; the emperor also made clever use of milestones dedicated to him in 361 (Section II). As a ‘letter’ and ‘panegyric’ of Julian by Julian, the *Epistle to the Athenians* was also timely and necessary in the context of advancing against Constantius because nobody else was going to do it for him.

At 282D, Julian finally comes to the point at issue and commences his version of events at Paris that culminated in his acclamation there, a version of events we have already seen in Ammianus. First, Julian presents Constantius’ redeployment orders as having been conceived from jealousy (which is supported by the previous references to

²⁵⁷ Jul. *Ep. ad Athen.* 272C, 277B.

²⁵⁸ Jul. 269D, 270A, 275A, 284B.

²⁵⁹ Jul. 280D, 284B, 284C, 285A.

²⁶⁰ Jul. 271D, 272D, 273A, 275C, 276A, 276C, 276D, 277A, 280D, 282D, 284B, 284D, 285D, 286D, 287B.

Constantius' role in the dynastic murders of 337), and notes that these orders were addressed to Lupicinus and a certain Gintonius, who may be Sintula, Julian's stable master. Here Julian relates that he had threatened to resign his share of imperial power as Caesar (283A). Julian then remarks that Lupicinus and Florentius, his top military and civilian officials respectively, were absent from Paris, the one in Britain and the other at Vienne. The anonymous *libellus*, or ἀνόνομον γραμματεῖον as Julian calls it, is now introduced and Julian elaborates that its author had reproached Constantius for the effect his orders would have on the Gallic provincials and that the author sympathized with the Caesar's plight (283B). These straightforward remarks serve to authenticate Julian's concerns about Constantius' orders in that a third party judged them, according to Julian, to be unwise and unjust.

This development in the appearance of the *libellus* prompts Constantius' officers to speed up their timetable for the troop redeployments out of fear of another *libellus* emerging (283B–C). Here Julian suggests waiting for the absent Lupicinus and Florentius, but in this he is overruled by Constantius' officers who assert that there should be no delays and we then see them expediting the troop movements with Julian's assistance (283C–284A). When Julian tells us that he then retired to the palace, he denies that he knew what the army had in mind and thus his *recusatio* begins in earnest (284B) and then is stated explicitly (284D). Here Julian asserts that he had served Constantius consistently (285A). As for Constantius' officials, they are said to have tried to bribe the troops into rejecting Julian (285A), that is, to assassinate him. Julian's *recusatio* is strengthened here when he tells us that he knew about this attempt to bribe his troops but

did nothing; however, it was one of his palace guards who rushed into the agora, implored the soldiers and others not to abandon the emperor, and inspired the troops, who then surrounded the palace (285B–C, cf. Amm. 20.4.20). At 286A–C, Julian subsequently outlines a series of acts by Constantius which depict him in turn as duplicitous in that he not only had rejected Julian’s acclamation, but also had sent letters to the German tribes along the Rhine in a bid to undermine the frontier stability which Gaul only recently began to enjoy, and he had apparently made advance preparations for a march west against Julian. These charges, as we have noted above, resemble Alexander’s charges against Darius. And Ammianus in turn saw fit to use much of Julian’s narrative, which employs panegyric elements with a particular emphasis on *recusatio*, for his section on the emperor’s acclamation at Paris at 20.4.

By this point in his *Epistle*, Julian has given the reader two very different practitioners and images of imperial power: one (Julian) who faithfully executes his superior’s orders, is successful as a commander, and abstains from rebelling against him, although we are repeatedly told that he had cause to, and that Augustan rank is foisted on him; and another (Constantius), who suspects his subordinate and places his exclusive hold on unitary power above frontier security and stability for his subjects. What is clever here is that Julian refers to Constantius’ cruelty in a blanket statement that is purposefully vague but all encompassing (286D); this is undoubtedly deployed so as to legitimize Julian’s movements east against him, for if Julian could stipulate that Gallus had acted too cruelly and deserved execution (272A–B), that leaves little room for what he is asserting that Constantius deserves. Julian immediately follows this up by conversely

declaring that he has done what seemed just to him (286D). He next tethers this declaration to his acts of piety for traditional pagan worship, and that he is doing all this for the freedom of all men and of the Gauls (287A).

These consistent references to the wellbeing of his provinces in Gaul, rhetorical flourishes aside, are carefully interwoven to contrast with Constantius' handling of his own provinces in the East, which had fared less well under *his* wielding of imperial power. What is evident here in this *Epistle*, which can be seen as Julian engaging in public negotiations with Constantius, is that Julian is shrewdly offering Constantius an opportunity for reconciliation (287A–B), an opportunity which he, but not the public, must have known that Constantius would reject; Julian declares that he would accept reconciliation with the status quo in mind, that is, including his annexation of Illyricum. Such public declarations likely undercut Constantius' public support in Greece, Macedonia, and Thrace in addition to relating his responsibility in the dynastic murders of 337, which would have been common knowledge. Interestingly, however, Julian, while writing this letter at Naissus, nonetheless leaves the possibility open that he may fail and die in his bid against Constantius (287B–C), in which case his *Epistle to the Athenians*, with all its autobiographical and panegyric components, would serve as a kind of final statement and memoir; but as we shall see below, Julian employed other media for communicating his record of accomplishments and propaganda.

II

Emperors since Augustus, who had his *Res Gestae Divi Augusti* inscribed posthumously on his mausoleum in Rome and on his temple in Ancyra (Ankara), among other places

empire-wide, knew the value of epigraphy as a means of disseminating messages and propaganda to the public at large and occasionally imbued it with panegyric language for the purpose of greater self-advertisement and promotion.²⁶¹ Later, in the fourth century, Constantine and Constantius II, during separate visits to Rome in 315 and 357 respectively, each had inscriptions dedicated to them on conspicuous monuments that promoted their successes as emperors, the former on an attic of his triumphal arch alongside the Coliseum and the latter on the base of an obelisk in the Circus Maximus written in poetic verse.²⁶² Subsequently, Julian also had notable inscriptions dedicated to him, although in and around Serdica and on a smaller scale and on far less ostentatious objects such as *miliaria* or milestones,²⁶³ which nonetheless were conspicuously placed on roads as mini monuments and were more practical than inscriptions on large-scale monuments such as triumphal arches and obelisks in that milestones could reach the great number of people who traveled by road (more below).

²⁶¹ Augustus' *Res Gestae* is full of panegyric references to his doings, such as to how he added the world into the empire of the Roman people and to his restoring of the 'republic' to a state of liberty from a state of domination, references which set the tone early on for what is to follow.

²⁶² For Constantine, see *CIL* 6.1139 = *ILS* 694. For Constantius II, see *CIL* 6.1163 = *ILS* 736, cf. *Amm.* 16.10, 17.4. For the role of the Senate of Rome in erecting the arch of Constantine, see Lenski 2008 and Salzman 2016: 20–22. For Constantius' obelisk inscription, see Kelly 2008: 225–30. But who were the audiences for these inscriptions? While Constantine's inscription was placed on a monument that would have received a heavy amount of foot traffic, by comparison, Constantius' obelisk inscription was isolated and perhaps more limited in its impact.

²⁶³ On Roman milestones, see Hirschfeld 1913: 703–43, Pekárý 1968: 15–22, and Kolb 2004.

In the inscriptions of Constantine and Constantius on the one hand and those of Julian on the other, the impact of epigraphy was limited to those who could visit Rome and read the inscriptions and to those who traveled along the *uia militaris* from Naissus to Philippopolis (Plovdiv).²⁶⁴ In both these cases the intended impact of the inscriptions is different in that one was produced largely for a local audience (Rome) and the other for a more regional one (province of Dacia Mediterranea), but both clearly sought to imprint themselves on their respective landscapes and the people who interacted with them, that is, their subjects. It is to this matrix of imperial self-promotion that Julian's inscriptions belong, and as we shall see below, his inscriptions find an insightful comparandum in Constantine's milestones in northern Italy, which are also dedicated to the emperor in the dative, as most inscriptions from this period are. As Witschel (2002) has argued with respect to milestones from Aquileia, this consistent use of the dative in inscriptions dedicated to emperors represents an interest in honoring emperors more than in promoting that any road repair was done; indeed, fourth century milestones seldom even mention road repair.²⁶⁵ Julian's milestones from the territory of Serdica support this view. But we should go further than Witschel. An emperor's erecting of milestones was an act

²⁶⁴ For this road between Naissus and Philippopolis, see Miller 1988: 528–36, Wendel 2005: 108–20, and Madzharov 2009: 75–97. See also *TIR* K-34, for a detailed map of the route from Naissus to the Succi Pass with known changing stations (*mutationes*) and rest stops (*mansiones*).

²⁶⁵ See *CIL* 3.3705 = *ILS* 732, where Constantius' milestone inscription states that he completed repairs on roads and bridges, and that he set up a series of boundary stones throughout Illyricum. The emperor's remarks seem like pointed declarations to provincials that he had done something out of the ordinary. Indeed, the very elaborate presentation of this milestone supports its elaborate message.

of legitimacy since it showcased his very power and authority in setting up such columns that also served as mini monuments to him. Furthermore, when read in the context of civil war with Constantius, Julian's milestones from Illyricum show him particularly interested in promoting his legitimacy and in imprinting his authority on territory that he had not controlled before summer 361.

Kaegi (1975) noted the symbolic value of Julian's residency at Naissus, the birthplace of his uncle Constantine, in 361; and Naissus was a formidable city that had long been strategically important, a city critical to controlling the Balkans (Syme 1999: 130; Kaegi 1975: 163). In this light, we should not overlook the multi-faceted value of Sirmium to Julian. In addition to being an important strategic center and base of operations for the Danubian army, Sirmium also possessed symbolic value. It is likely where Diocletian promoted Galerius to Caesar on 1 March 293.²⁶⁶ And it is the possible birthplace of Constantius II in 317.²⁶⁷ Moreover, on 9 September 337, after Constantine's death on 22 May of that year, Constantinus, Constantius II, and Constans all met at Sirmium for a conference from which they departed as fellow Augusti. Later, on 15 March 351, Constantius chose Sirmium as the place at which to elevate Gallus, his cousin and Julian's half-brother, to the rank of Caesar. Thus, by 361, Sirmium was a prominent imperial residence with a long history of confirming imperial legitimacy. By seizing it, Julian not only acquired an important military base and administrative center, but he could hope that his possession of Sirmium would also provide him with an increased

²⁶⁶ Barnes 1982: 52, 62 and n. 73.

²⁶⁷ Fournier 2010: 24, 37, n. 84.

measure of legitimacy. As we have noted above, Eutropius provides us with only a brief statement on Julian's march from Gaul to Illyricum: "Julian...advanced in order to possess Illyricum as its governor" (*Iulianus...ad Illyricum obtinendum profectus*, 10.15.1; cf. n. 233). But Julian did far more than that. As Ammianus relates in a general fashion at the very start of Book 22, Julian was engaged in many projects during his time in Illyricum (*Iulianus inter multa, quae per Illyricum agitabat*, 22.1.1).

Apart from the attention which scholars have given to Julian's residencies at Sirmium and Naissus and his apparent 'public relations offensive' from the latter,²⁶⁸ the emperor's itinerary, activities, and imprint on the Balkans, specifically his passage through the Dioceses of Dacia and Thrace, have been overlooked in studies on this critical period in Julian's career. In fact, after discussing Julian's residency at Naissus, scholars of Julian, such as Browning, Bowersock, Athanassiadi, and Elm, tend to pass over exploring his potential subsequent residencies in Illyricum and Thrace by next jumping ahead and relating the emperor's *aduentus* at Constantinople as outlined by Ammianus.²⁶⁹ To explore what an emperor may have been doing during a critical period of imperial transition, that is, before solidifying his hold on power by entering a key imperial capital and center after the death of his predecessor, is of fundamental importance for understanding him and his reign. Indeed, as Trout (1989) has argued

²⁶⁸ See Ricciotti 1960: 155–69; Browning 1976: 115–20; Bowersock 1978: 58–61; Athanassiadi 1992: 79–87; Hunt 1998: 59–60; Elm 2012: 62–64 and 75.

²⁶⁹ While Browning has done somewhat better than others in considering Julian's Balkan activities, historians too often privilege literary texts and do not consider material evidence and its bearing on those texts. For all his value, Ammianus leaves out much of Julian's movements.

regarding our understanding of the Emperor Philip's itinerary and first year in office (244 CE), as quickly as Philip may have wanted to reach Rome to establish his authority there after the death of Gordian III in Persia, he nonetheless engaged in numerous important activities along the way; his journey from Syria to Italy has been telescoped and leaves out glimpses of both administrative and military actions. Julian's march southeast from Sirmium to Constantinople (which took about six months), though demonstrably quicker in pace than Philip's march west out of Syria, nonetheless also has been telescoped and leaves out glimpses of greater administrative activity than just the attested promotions of Aurelius Victor and others at Naissus (Amm. 21.10.6, 21.12.24–5).

In fact, Claudius Mamertinus describes much administrative activity undertaken by Julian along the Danube in a general sense, probably with stops at Sirmium, Singidunum (Belgrade), and Viminacium (Kostolac) in mind,²⁷⁰ activity which continued to and beyond Naissus; and Mamertinus relates in greater detail Julian's administrative actions regarding areas in the Balkans that the emperor did not pass through such as Dalmatia and Epirus (e.g., a renovation of Nicopolis).²⁷¹ These remarks support the view

²⁷⁰ 7.3. Here Mamertinus remarks distinctly that *Omnes urbes quae Danuuium incolunt aditae*, presumably those cities in which the emperor stopped at, and that these received Julian's favor. This would certainly indicate Sirmium, as well as Singidunum and Viminacium, which Julian would have needed to stop at briefly as he made his way east along the *uia Danubia* in order to connect to the *uia militaris* at Viminacium (cf. n. 271 and below).

²⁷¹ 9.1–4. Here Mamertinus remarks that Julian's favors to Dalmatia and Epirus were dispensed while the emperor resided along the Danube. Since Ammianus tells us that Julian remained at Sirmium only for about three days (21.10.2), then it seems right to conclude that Julian subsequently resided at Singidunum and Viminacium and for some time if he in fact received embassies from Dalmatia and Epirus while along the Danube.

that Julian received embassies comprised of local and regional élites from throughout Illyricum and that he was quite active as the chief administrator of this region.²⁷² Indeed, as Mamertinus puts it, *omnium audita decreta* (7.3), though by *decreta* he means petitions since he subsequently refers to Julian's dispensations of legal immunities, privileges, and money to all (*de Iuliani lembis liburnisque...omnibus populis immunitates priuilegia pecunias largiuntur*, 8.3). Curiously, there is no legislation attributed to Julian from this time that is preserved in the Theodosian and Justinian Codes (below), which requires us to look elsewhere for sources on this period in Julian's journey and career. To attempt to fill in this gap in scholarship on Julian and provide a bigger picture of him in the Balkans, we must turn to epigraphic evidence and reconcile it with what Ammianus and other sources tell us. As we shall see below, there were other important cities in Illyricum and Thrace between Naissus and Constantinople that occupied Julian's attention and that served as his residences.

Ulpia Serdica (Sofia) was an important Roman city in fourth century Illyricum along the *uia militaris* that bordered the Diocese of Thrace. Trajan had granted municipal status and so autonomy to the city, and hence its adoption of "Ulpia." Later, Aurelian made Serdica the capital of his reorganized province of Dacia Aureliana, and Serdica's

²⁷² Cf. Amm. 21.12.23–25. Ammianus specifically notes that Julian listened (*audiens*) to cases involving private individuals of cities and promoted many of these same men. And though Ammianus tells us that the embassy from Italy specifically set out to petition Constantius, it is instructive that they still interacted with Julian and made requests of him. Once Julian's presence in the region was known, many petitioners would have flocked to him in the hopes of redressing grievances, regardless of whether he was a usurper or not. See Zos. 3.11.1, who says that ambassadors were summoned from throughout Greece while Julian was at Sirmium, presumably to meet the emperor at Naissus.

prominence also continued under Diocletian, who resided in the city early in his reign and made Serdica both the provincial capital of his newly reorganized Dacia Mediterranea and the capital of the Diocese of Dacia.²⁷³ As a result, Serdica also served as the headquarters of the provincial governor. Subsequently, Constantine made Serdica his chief residence during the Cibalensian War in late 316/early 317, and he continued to reside there on occasion leading up to the founding of Constantinople in May 330.²⁷⁴ Thus, Serdica had an illustrious history of imperial favor, among which was that it served as an important imperial residence; and it was a strongly fortified city on the *uia militaris* and the only such city along that route between Remesiana (Bela Palanka) and Philippopolis, a distance of more than one hundred and fifty miles. In 361, after departing Naissus, Julian, I argue, likely also made Serdica his temporary residence while he moved southeast towards Constantinople. Ammianus does not explicitly tell us that Julian resided in Serdica, but he does not do so probably for a few reasons (below).

Ammianus had an interest in omitting such details about Julian's movements so that they would not detract from the rapidity of the emperor's march in the narrative, a rapidity which the historian is keen to emphasize by consistently depicting Julian as

²⁷³ Cf. Barnes 1982: 51, for Diocletian's residencies at Sirmium, Adrianople, and Byzantium in 290 (early Jan. – Apr.). The traveling time and duration of these residencies indicate Diocletian's use of the *uia militaris*, which would have entailed a stay at Serdica between Sirmium and Adrianople. Diocletian is attested at Serdica in June 293 (*CI* 5.16.18, 8.44.21; Barnes 1982: 52). On the administrative divisions of Thrace in Late Antiquity, see now Dumanov 2015.

²⁷⁴ Barnes 1982: 73–78.

moving to and through Illyricum and Thrace with trademark speed.²⁷⁵ We should remember that, as Sabine MacCormack (1972: 727, n. 38) observed, the rapidity of an emperor's advance is a topos of panegyric. As we have seen above, Ammianus was well-versed in this genre, yet he likely had this literary usage of speed in mind to portray Julian as moving swiftly the way an emperor should, to illustrate that Julian's speed was indeed one of his trademarks, and to avoid relating anything that could potentially detract from the emperor's reputation. Nothing illustrates Julian's trademark speed better than the speed with which his advance forces seized Sirmium after capturing a dazed and confused Lucillianus from his bedchamber in the middle of the night, especially since the *comes* had expected Julian and made preparations (Amm. 21.9.5–8); indeed, we should recall that Ammianus sets up Julian in this episode with the panegyric description *sed ille ut fax uel incensus malleolus uolucriter ad destinata festinans* (21.9.6).²⁷⁶

Ammianus twice emphasizes Julian's speed in Book 22 in the same chapter (22.2.2, 22.2.5), once when the emperor is about to reach Constantinople and again after he has done so; thus, the historian gives the impression that Julian reached

²⁷⁵ Amm. 21.4.8, 21.5.1, 21.9.6, 21.10.1–2, 21.13.6, 22.2.2, 22.2.5, 26.5.11. See also Jul. *Ep. ad Athen.* 269D, where Julian addresses the Athenians and describes his own movements as particularly swift and energetic: εἰκός ἐστιν ὑμᾶς οὐκ εἰς τὸ μέγεθος τῶν πραττομένων ἀφορᾶν οὐδὲ εἶ τις ὥσπερ δι' ἀέρος ἱπτάμενος διὰ τῆς γῆς ἐβάδισεν ἀμηχάνῳ τάχει καὶ ἀτρύτῳ ῥώμῃ, σκοπεῖν. Ammianus consistently emphasizes Julian's speed throughout Book 21 and in the beginning of Book 22, which treat the emperor's movements from Gaul to Thrace; he likely adapted Julian's self-description above and enhanced it for his own portrayal of the emperor.

²⁷⁶ Here we might consider, in light of Ammianus' focus on Julian's interactions with military commanders in the region (e.g., Lucillianus and Marcianus), what Julian's effect on and interactions with civilian officials were.

Constantinople in a single bound from Heraclea/Perinthus (22.2.3–4), omitting important rest stops/stations in between which Julian must have stopped at. In fact, after leaving Sirmium, likely from the east by way of Bassiana (Donji Petrovci), Julian would have stopped at the cities of Singidunum and Viminacium, which connected the *uia Danubia* along the *limes* with the *uia militaris* (cf. n. 270),²⁷⁷ before reaching Naissus; this was the quickest and most direct route to the latter. And later, when traveling from Naissus to Constantinople, the emperor probably stopped briefly at Serdica, Philippopolis, and Hadrianopolis, and after Heraclea/Perinthus likely also at Melantias in southeastern Thrace, where there was an imperial villa and the last station before reaching Constantinople.²⁷⁸ From a narratological perspective, Ammianus' rapid narration of Julian's march from Gaul to Illyricum and the cities in which he is shown to reside along the way, that is, from Paris to Sirmium to Naissus and finally to Constantinople, is meant to convey the speed of the march itself to readers—relating all of Julian's rest stops (*mansiones*) and changing stations (*mutationes*) as well as all stops in cities in between would have classified as excessive details for Ammianus (below).²⁷⁹

²⁷⁷ For a thorough survey of the *uia Danubia*, see Madzharov 2009: 131–83. See also Miller 1988: 495–500, 530–32, for the connection of the *uia Danubia* to the *uia militaris* at Viminacium.

²⁷⁸ See *CI* 2.4.33, 4.49.7, for Diocletian's use of Melantias on his way to and from Byzantium; and *Amm.* 31.11.1, 12.1, for Valens' use of Melantias after leaving Constantinople before continuing along the *uia militaris* and eventually arriving at Adrianople.

²⁷⁹ For a helpful review with plans of Roman stations, see Madzharov 2009: 43–51. Ammianus seldom mentions rest stops and stations along main roads except when they have great historical significance, such as stations Mopsucrenae, which was the site of Constantius' death (21.15.2), Hibita, at which place Constantius had sought refuge after

Indeed, note that when Ammianus tells us of Julian's decision to depart from Sirmium after a two-day stay there (21.10.2) that the next stop he tells us about is Julian's placement of forces in the Pass of Succi (*claustra Succorum*), which was located between Serdica and Philippopolis (!); Ammianus has glossed over Julian's initial stay at Naissus (cf. 21.10.5) so as to highlight the swiftness of Julian's march, and perhaps for another reason. When Ammianus does tell us about Julian's stops in cities, he does so typically to tell us about the enthusiastic support among their inhabitants for the emperor, such as at Sirmium and Constantinople (more below). Interestingly, we are told that Julian entered Heraclea but not what his reception was, although it is implied that fear of the emperor played a role in his entry (*perque terras et maria formidatus, nullis obstantibus moris Heracleam ingressus est Perinthum*, 22.2.3). In this light, it is revealing that Ammianus also does not tell us about Julian's reception at Naissus; this might indicate Ammianus' lower estimation of the overall importance of Naissus in narrating Julian's accession to sole rule and/or that his reception there was less enthusiastic than at Sirmium and Constantinople. Scholars such as Fournier (2010) have noted how the historian builds up Julian's imperial credentials during civil war with Constantius by presenting his arrival at Sirmium as an *aduentus*. If Julian's receptions at Naissus and Heraclea were indeed less

an unsuccessful engagement with the Persians (25.9.3), Dadastana, where Jovian died in 364 (26.8.5), Panchariana, where Theodosius the Elder stopped at after his successful campaign against Firmus in Africa (29.5.9), and Nice, where Valens stopped at on the way to Adrianople (31.11.2, 31.12.3). With the exception of his reference to the *comes* Theodosius, Ammianus relates stations by name in circumstances that are decidedly negative for emperors. Other examples consist of references to stations during digressions on the geographies of Gaul (15.10.6) and Thrace (27.4.8).

than enthusiastic, to say so would detract from Julian's legitimacy as surely as *aduentus* at Sirmium and Constantinople added to it.

To take this point further, we can now see how Ammianus has carefully bookended his narration of the emperor's Balkan movements around Julian's *aduentus* at the two most important imperial capitals and centers in the region, not only to strengthen Julian's imperial credentials in a general sense, but also to legitimize his march into and occupation of Illyricum and Thrace by noting the enthusiastic support of the populations in Sirmium and Constantinople, which are made to represent their respective regions. That Sirmium and Constantinople are made to hold distinctive places in Julian's march is further evident in that Ammianus relates the emperor's entry into each in very similar terms (21.10.1, cf. 22.2.4). Additionally, it is clear that Ammianus has yoked emperor and city together in panegyric language at 21.10.2 when we consider that in the same breath he praises Sirmium as "a populous and celebrated mother of cities" (*urbium matris populosae et celebris*) and Julian as "a health-giving star" (*ut sidus salutare*), the latter of which, we should note, Ammianus repeats later when Julian enters Antioch in a similar kind of *aduentus* ceremony or scene (*salutare sidus illuxisse eois partibus acclamantis*, 22.9.14); moreover, Ammianus first describes Julian's entry into Vienne during the start of his Caesarship in a kind of *aduentus* scene and in similar language (*salutarem quendam genium affulsisse conclamatis negotiis arbitrata*, 15.8.21).²⁸⁰ As for Constantinople, Ammianus sets the stage for Julian's entry on 11 December 361 by

²⁸⁰ For Mamertinus as Ammianus' apparent source for the phrase *ut sidus salutare*, see Galletier 1955: 9 and Nixon and Rodgers 2015: 395, n. 14. See also MacCormack 1990: 46–50 and García Ruiz 2006b.

stating that all ages and genders poured out of the city as if to look upon someone sent down from heaven (*effundebatur aetas omnis et sexus tamquam demissum aliquem uisura de caelo*, 22.2.4).²⁸¹

Of all the cities and stations along the *uia militaris* pertaining to Julian's Balkan itinerary, Ammianus discusses the emperor's residencies and activities at Sirmium and Constantinople in the most detail by far. The historian thus presents Sirmium and Constantinople as the two most important cities and narrative markers of Julian's imperial transition from Constantius' fellow Augustus at Sirmium to sole Augustus at Constantinople; details of what happened in between these two key imperial residences were kept to a minimum for the purpose of highlighting Julian's rapid march and imperial transition more clearly. In a similarly abbreviated account, and one with a similar purpose, Zosimus propels Julian forward in quick succession from his arrival at Sirmium to his march to Naissus and finally to his triumphal entry into Constantinople, all the while not mentioning any other specific stops in between (3.10.3–11.2).²⁸² Like Ammianus, Zosimus focuses intently on Julian's arrivals in Sirmium and Constantinople (though somewhat more on Naissus than Ammianus does), which were all that mattered in terms of producing a narrative that related the emperor's accession to sole rule as swift and nearly seamless. An additional purpose in narrating such rapidity is to underscore that Julian's swift course of action was farsighted and favored by fortune, for Ammianus

²⁸¹ For the date, see Amm. 22.2.4; and *Descr. cons.* 361.2: *et introiuit Iulianus Aug. Constantinopolim die III id. December.*

²⁸² However, Zosimus does record Julian's stops at cities in a general statement, relating his outreach towards them (3.10.4), a point which is discussed further below.

tells us that Eusebius, the former *praepositus sacri cubiculi* of Constantius and an enemy of Julian, contemplated inciting a revolt against Julian after Constantius' death by supporting another candidate as Augustus in the East but that Eusebius was dissuaded from doing this because Julian was close enough to threaten such a plan.²⁸³ This statement leaves readers with the impression that, despite Constantius' death, the empire still might have been subjected to a destructive civil war had Julian not preemptively marched east from Gaul into Illyricum.

Such narrative rapidity and careful selection of details is in keeping with Ammianus' statements in his well-known prefaces (15.1.1, 26.1.1) about his not tracing out the little details of insignificant situations (*non humilium minutias indagare causarum*, 26.1.1, cf. 27.2.11) in order to write (grand) history properly.²⁸⁴ In my view, one of these details is a short stay at Serdica by Julian. What Ammianus means by *humiles causae* is of course open to interpretation, but relating details of Julian's movements in and around Serdica might have seemed unnecessary and even undesirable to the historian. By contrast, Ammianus saw fit to describe carefully Julian's battle at Argentoratum in great detail (16.12), from the *casus belli* to Julian's pre-battle speech to the play by play of the battle itself and finally to the outcome and aftermath.

²⁸³ 21.15.4: *paucisque occulte super eligendo imperatore temptatis, incitante, ut ferebatur, Eusebio, quem noxarum conscientia stimulabat, cum nouandis rebus imminens obsisteret Iulianus.*

²⁸⁴ For Ammianus writing 'grand history', see Sabbah 2003. For studies of Ammianus' prefaces, see Fornara 1990 and Blockley 2001.

As is evident throughout his *Res Gestae*, Ammianus carefully crafts his portrayals of Julian and others to show the emperor in the best possible light, as a field commander and otherwise.²⁸⁵ It may be that omitting a stay by Julian at Serdica was done for several reasons. Firstly, as Ammianus does tell us, Serdica was the *patria* of the disgraced *magister equitum* Marcellus and the place to which the latter retired after having been cashiered by Constantius in 356/7 for not having come to Julian's aid at Sens in 356 (16.8.1, cf. 16.7.1–2). It is conceivable that Marcellus was still residing at Serdica in retirement in 361, and if so, his presence in the city along with Julian would have been quite an embarrassment to both men; moreover, for Ammianus to tell us about this embarrassment would slow down the narrative, and hence Julian's march, as well as reveal that a serious breach existed between Julian and the family of Marcellus.²⁸⁶ Secondly, Ammianus saw Naissus, along with Sirmium and Constantinople, as a more important marker in his narrative of Julian's Balkan itinerary than Serdica. Julian's stay at Serdica was probably also a short one (below). Since Julian planned on writing several epistles to cities in the region and to the Senate of Rome, and he needed to supply his

²⁸⁵ See Marcos 2015.

²⁸⁶ In connection to this silence on Julian and Serdica, note also the subsequently embarrassing situation with Marcellus' son, Marcellus the Younger, who was executed by Julian under strange circumstances after the latter's accession in late 361. Ammianus seems to disapprove of the execution of Marcellus, whom he says, rather vaguely, was apparently aiming for the supreme power (*post quem Marcelli ex magistro equitum et peditum filius ut iniectans imperio manus publica deletus est morte*, 22.11.2). Indeed, Ammianus' description of Marcellus the Younger, *ut iniectans imperio manus*, betrays the historian's disbelief to a degree (cf. Marcos 2015, for Ammianus' occasionally subtle and negative use of an *ut*). Moreover, we are not told where Marcellus the Younger met his end, nor what became of his father. Consequently, Ammianus considered that elaborating on these events was evidently to Julian's disadvantage.

large army, Serdica initially may have seemed less appealing and suitable a place in which to undertake such activity than Naissus (*Naissum, copiosum oppidum*, 21.10.5), which apparently was better supplied than Serdica;²⁸⁷ Naissus was also the birthplace of Constantine and therefore a powerful dynastic symbol in Julian's firm possession. Serdica had been a chief residence of Constantine from 316–330 and so was closely associated with that emperor, an association which Julian would have wanted to exploit; but Naissus would have provided Julian with a more secure base of operations at first since it was a safer distance from the Pass of Succi, which was the farthest point he had hitherto advanced into Thrace.

Ammianus also tells us many other things that collectively point to a brief residency at Serdica by Julian. First, Ammianus relates the path of the *uia militaris* in a general digression after first noting that Julian, who would not brook delay, advanced as far as the Pass of Succi (*morarum impatiens percursis aggeribus publicis Succos nemine auso resistere praesidiis occupavit*, 21.10.2), which was situated between Serdica and Philippopolis, when the emperor then ordered his general Nevitta to halt and fortify the Pass (*isdemque tuendis Neuitam praefecit ut fidum*).²⁸⁸ Julian halted here since he was undoubtedly concerned with the strength and movements of the forces under Constantius'

²⁸⁷ Cf. 21.10.3, where Ammianus describes Serdica along with Philippopolis as *ciuitates amplas et nobiles*, which refers to their glorious history and not to their capacity as is done with Naissus.

²⁸⁸ It is possible that Julian's well-known march through here set a precedent for further fortifying this Pass, for the Byzantines would later construct a full-scale fortification in the Pass of Succi/Ponte Ucası around the late fifth/early sixth century (see Madzharov 2009: 84–86, with a plan of the fortification).

general in Thrace, the *comes per Thracias* Marcianus (cf. Amm. 21.12.22, Lib. *Or.* 12, 65),²⁸⁹ and thus Julian’s summoning of auxiliaries from the region of Illyricum to his standard so that he might advance into Thrace with greater strength (*Iulianum...accita undique praestolantem auxilia, ut multitudine stipatus armorum peruaderet Thracias*, Amm. 21.13.6). It is worth noting here that there was a Trajanic fortification southeast of Serdica near *mansio* Hilica (Ihtiman) known as Trajan’s Gate,²⁹⁰ which was in a formidable position near the *uia militaris* leading down to the Pass of Succi from the northwest and which would have proved necessary to occupy along with the Pass.²⁹¹ After issuing orders to Nevitta, Julian, we are told, returned to Naissus (*imperator reuertitur Naissum*, 21.10.5).

Ammianus’ statement here that Julian “returned” (*reuertitur*) is instructive, for it highlights the fact that the emperor initially resided at Naissus before he then pushed on

²⁸⁹ For a discussion of Julian’s objectives and concerns in Thrace, see Thompson 1943: 90–93. Marcianus’ full title and sphere of responsibility beyond *comes* appear to be left unstated by Ammianus at 22.12.22, but note that Ammianus first tells us about Julian *audiens dispersum per Thracias militem*; this should not be taken as Ammianus making a simple geographical reference but as using an official designation of Roman forces in Thrace, with Marcianus as their *comes*. Therefore, Marcianus was stationed in Thrace specifically and similar to Julius, who is described as *comes per Thracias* (26.7.5). See also Amm. 31.4.9, for Lupicinus as *per Thracias comes*.

²⁹⁰ In the early eighteenth century, Count Luigi Marsigli visited this area and produced some topographical maps and sketches of the architectural remains at the Succi Pass (see Madzharov 2009: 82–84).

²⁹¹ See Amm. 21.10.3–4, for Ammianus’ brief digression on the topography of this area and its strategic importance.

beyond this city to the Succi Pass in person.²⁹² If so, Julian probably stopped briefly at the Pass and/or resided somewhere else west along the road; a *mansio* between Naissus and Serdica may be indicated here, though, as we shall see below, the *ciuitas* of Serdica seems more likely. Ammianus' description of these events and the speed with which Julian advanced illustrates that Nevitta commanded a vanguard of troops, perhaps initially under Julian's personal command, while the main force of the army was probably still assembling further back near Naissus, the place to which Julian "returned."²⁹³ In any case, the emperor would have passed by Serdica on the way to and back from the Pass of Succi.

Additionally, Ammianus tells us that Julian's lightning march yielded him control of a part of the Danubian army in Illyricum,²⁹⁴ though not the military detachments in Thrace, into which Julian had as yet not marched and where he faced some hastily

²⁹² Cf. den Boeft et al. 1991: 59, who do not take account of Julian's return to Naissus when considering his movements *intra terminos Daciae*.

²⁹³ See Zos. 3.10.3: φθασάσης δὲ μετ' οὐ πολὺ καὶ τῆς ἀπὸ Κελτῶν αὐτῷ παρακολουθούσης δυνάμεως. Therefore, Zosimus notes that it took time for the main force of Julian's army to march overland and reach him at Sirmium since Julian himself had traveled more swiftly via the Danube in boats. However, Zosimus seems to confuse Julian's literary and other activities at Naissus with his doings at Sirmium, and so we might name Naissus as the place where Julian's main force finally caught up with him. In any event, Julian is consistently presented at the forefront of his army in both Ammianus and Zosimus and so apparently far outstripped his main force's arrival at Naissus, which would additionally explain his return to the city to assure their readiness to proceed at his command.

²⁹⁴ See Zos. 3.11.1, who also notes this but describes Julian's enlargement of his army as acquisition of separate contingents of Roman troops stationed in Pannonia and Moesia. But how big was the Danubian army at this time in light of Constantius' supposed amassing of troops for a Persian campaign?

organized opposition (21.12.22). Before he could march into Thrace, Julian would have needed to be certain of Serdica's loyalty and that he could leave that city safely in his rear. Indeed, Valentinian's general Equitius would besiege the strongly fortified Philippopolis (to no avail) for the same reason during the revolt of Procopius in 365 (26.10.4); Equitius was moving east in a bid to assist Valens and could not afford to leave a hostile Philippopolis in his rear.

My assertion about Julian's residency at Serdica also can be supported by a close reading of what Ammianus tells us at 22.2 about where Julian was when he learned of Constantius' death. Scholars have asserted that Julian was at Naissus when he received word of Constantius' demise.²⁹⁵ To be sure, Zosimus states that Julian was at Naissus at this time (3.11.2), but Ammianus does not say this explicitly; in fact, there is a strange lack of preciseness on Ammianus' part regarding Julian's location at this time that has been underappreciated. It is important to remember here that Ammianus narrates these events with clear distinctions of the boundaries between the Dioceses of Dacia and Thrace. While Julian is making preparations and awaiting news of Constantius' movements, he is said to have remained within the limits of Dacia (*intra terminos Daciae se continebat*, 22.1.3),²⁹⁶ that is, the Diocese. After the *comites* Theolaifus and Aligildus report Constantius' death to Julian (22.2.1), the latter is then said to have ordered a march

²⁹⁵ Browning 1976: 120; Bowersock 1978: 70–1; Athanassiadi 1992: 87; Rosen 2006: 228; Elm 2012: 64.

²⁹⁶ Cf. Claud. Mamert. 14.1: *usque ad Thraciae fines peruentum foret*. Ammianus rarely uses the phrase *intra terminos*; cf. 18.4.5, where he uses *intra terminos iuris dictionis Romanae* with respect to the bounds of Roman law and thus the bounds of Roman territory.

into Thrace (*edixit iter in Thracias*, 22.2.2), that is, the Diocese, marched through the Pass of Succi, and headed for Philippopolis, which Julian probably stopped at briefly as implied by Ammianus' recording of *Philippopolim petit* (22.2.2). Subsequently, Julian is explicitly said to have entered Heraclea (22.2.3), immediately followed by his triumphal entry into Constantinople (22.2.4).

Such is the outline of Julian's itinerary post Constantius according to Ammianus. Firstly, Ammianus' rather vague and unique statement about Julian's location *intra terminos Daciae*, in my view, is highly suspicious when we also consider the likely presence of the former *magister equitum* Marcellus and his family at Serdica (cf. n. 286), and so *intra terminos Daciae* might point to the emperor's residing at Serdica,²⁹⁷ which

²⁹⁷ Cf. Dancheva–Vassileva (2008: 14–16; in Bulgarian with an English summary), who also seems to have discerned a strange vagueness in Ammianus' text here (though she does not discuss it in detail) but comes to the opposite conclusion, that Serdica remained loyal to Constantius in 361 and so denied Julian entry into the city. If correct, this would certainly help explain Ammianus' reticence in discussing Julian's activities at and near Serdica, which would have been an embarrassment to Julian if he was indeed barred from the city. Nevertheless, Julian's inscriptions at Serdica and in territory under the city's control can be read to support the alternative view that the emperor marched into Serdica and briefly resided there without much if any difficulty (though, admittedly, much depends on the dating of these inscriptions) on his way to the Pass of Succi (which was beyond Serdica and which we know he had occupied and fortified), Philippopolis, and ultimately to Constantinople. Once the population of Serdica learned that Julian had taken nearby Sirmium and Naissus with ease, and that their respective populations welcomed him into their cities, the people of Serdica may have responded to Julian similarly. Indeed, note the effect that Julian's attested entry into Heraclea had on nearby Constantinople (Amm. 22.2.3–4); however, admittedly, their positive reception of Julian was likely also influenced by the fact that Constantius had just died and that Julian was a native son of Constantinople and of Thrace. The only city which we know opposed Julian openly was Aquileia, and then only because two of Constantius' legions from Sirmium, which were marching to Gaul on Julian's orders, rebelled against Julian's authority and seized control of the city; but Julian was not at Aquileia himself, and so his presence at Serdica may have been sufficient to lead the population to receive him, just as at Sirmium

was located right near the diocesan boundary between Dacia and Thrace and was the last fortified city before crossing into the Diocese of Thrace along the *uia militaris*, the route Julian was taking. Consequently, it was Serdica and not Naissus that controlled the Pass of Succi from the west and thus Serdica that controlled access to Thrace;²⁹⁸ and as the provincial capital of Dacia Mediterranea, Serdica was the most important city there.

While Julian seems to have been at Naissus when he learned of Constantius' death, he still would have needed to stop and rest in a well-fortified location on his way southeast, and Serdica, we should recall, was the only fortified city between Naissus and Philippopolis after Remesiana. It seems right to conclude that Julian stopped (briefly) at each city along the *uia militaris* in Illyricum and Thrace, including Serdica, especially after he had heard of events at Aquileia, where forces loyal to Constantius seized the city (21.11–12.20), and proceeded only when he was assured of a city's loyalty to him; this would explain, in part, Ammianus' silences on the receptions of Julian's arrivals at Naissus and Heraclea/Perinthus. Ammianus has no trouble elsewhere stating that Julian resided at Naissus, and so he might easily have said that Julian was *apud Naissum*, as he does twice elsewhere (cf. 21.12.1, 21.12.21), when the latter learned of Constantius' death. Ammianus is quite precise about Julian's whereabouts in these two cases, so why is he not equally precise about where Julian learned of his cousin's demise? Either he did not wish to tell us Julian's exact location or he did not know it, and the latter seems

and Naissus. Finally, it is unlikely that Julian would have left a well-fortified and hostile city such as Serdica in his rear.

²⁹⁸ Cf. Elm 2012: 64, n. 12, who erroneously states that "Naissus controlled access to Thrace via the pass of the Succi."

unlikely. I have suggested that one reason for Ammianus' vagueness about Julian's whereabouts at 22.1.3 is Marcellus' likely presence at Serdica in connection to Julian's activities around this time, such as Marcellus the Younger's execution (22.11.2). Ammianus also tells us that Julian ordered his forces from Dacia into Thrace (22.2.2), which would again imply their close proximity to the diocesan border and that Julian himself had been stationed right by it (undoubtedly assessing the threat posed by the *comes* Marcianus, cf. 21.12.22), and that he went through the Pass of Succi before heading for Philippopolis. Alternatively, Ammianus' wording of *intra terminos* might be taken to mean that Julian was residing somewhere within the overall confines of the Diocese of Dacia, perhaps still residing at Naissus (cf. 21.12.1) when he learned of Constantius' demise; however, there is no good reason to suppose that Ammianus would not have named Naissus outright had this in fact been the place where Julian received word of his cousin's death. On the contrary, as we have seen above, Ammianus would have had good reasons for omitting details about Julian's itinerary, such as a stop at Serdica.

What Ammianus does relate about Julian's Balkan itinerary can be combined with newly assembled epigraphic evidence to support the emperor's residency at Serdica further (below).²⁹⁹ In connection to this, we should remember that while Nevitta led Julian's advance forces beyond Serdica to the Pass of Succi, which he was tasked to hold for the emperor, Julian likely charged others, if not Nevitta himself, with ascertaining the loyalty of Serdica as a critical and well-fortified city along the *uia militaris* that could

²⁹⁹ For an outline of Julian's Balkan itinerary in Ammianus, see Szidat 1996: 96–104.

hamper the movement of his army southeast towards Philippopolis, the next well-fortified city, and his communications with Naissus, Sirmium, and the West. This presumable reconnaissance by Julian's officers is a point to which we shall return shortly. Furthermore, the epigraphic evidence collected here, which presents an official view of the emperor,³⁰⁰ serves to highlight the creative ways in which Julian praised and advertised himself and so it illustrates that the genre of panegyric and the means by which it could be expressed were inherently flexible.

As a writer of imperial panegyrics and a pamphlet or more on his Gallic campaigns, Julian understood well the value of praise and self-promotion; he also understood how traditional media could be employed in new ways to achieve that promotion. As McLynn (2014: 126) recently has put it, "Julian was one of the most inventive communicators ever to wear the purple, comparable with Augustus, Hadrian, and his hated uncle Constantine." In fact, as we shall see below, Julian and Constantine employed similar methods in communicating imperial ideology. One common method for engaging in self-promotion lay in the erecting of milestones, which often showcased an emperor's military prowess by listing official victory titles along with other titles and messages. While Julian's advertising of his victory titles on milestones was in keeping with imperial tradition, it is the overall content and timing of his milestone inscriptions in Illyricum and Thrace that stand out, as we shall see below.

³⁰⁰ See Conti 2004, for many inscriptions which lack Julian's official titulature and thus can be classified as 'unofficial.'

There is an extensive series of *miliaria* in the Balkans dedicated to Julian, more than to any other emperor in this region, that tell us much about Julian and his activities there when they are studied in tandem. The inventory of Julian's Balkan milestones assembled here for the first time consists of ten (10) items: two (2) milestones at Turre (Piro),³⁰¹ one (1) from near Ballanstra (Dragoman),³⁰² one (1) at Slivnica,³⁰³ one (1) from Scretisca (Maslovo/Kostinbrod),³⁰⁴ one (1) from Gurmazovo,³⁰⁵ three (3) apparently from

³⁰¹ Vulić 1933: 62, nrr. 181, 182; *ILJug* 1460, 1461; Gerasimova–Tomova and Hollenstein 1989: 53–4; Conti 2004: 101–2, nrr. 60, 61.

³⁰² Gerasimova–Tomova and Hollenstein 1989: 50–54; *AÉ* 1992, 1510; Conti 2004: 100–1, nr. 59. It should be noted that Julian's milestone at Dragoman is not in situ. Gerasimova and Hollenstein (1989: 53) considered that it lay near Roman station Ballanstra. An elderly gentleman of the town told Prof. Sharankov and I that he had been among the first to discover Julian's milestone about thirty years ago, along with a milestone of the Emperor Philip, some 7km northwest the town at "Dervent," after which both milestones were moved into the central square alongside the railway to Sofia. Unfortunately, the exact location of station Ballanstra in relation to Dervent and Dragoman is apparently unknown. Thus far, station Scretisca has been located and excavated (see Madzharov 2009: 77–79, with references to recent archaeological work), as well as Bona Mansio, where the Balkan Heritage Field School is currently excavating. Of all Julian's milestones in the Balkans, the milestone inscription from near Ballanstra is the most legible but it is also exposed to the elements.

³⁰³ See *CIL* 3.13715, for a fragmentary inscription from a milestone found at Slivnica (located between Dragoman and Sofia) that has been attributed to Aurelian, but which should be attributed to Julian because of the rare phrase *recuperata re publica* (RECV[er]A[t]A R[e] PVBLICA) and its position in the text, which is found thus far only in Julian's inscriptions, such as those from Dragoman (*AÉ* 1992, 1510) and Sofia [Maslovo/Kostinbrod] (*CIL* 3.12333/13714 = *ILS* 8945). See also Gerasimova–Tomova and Hollenstein 1989: 54: "Der in Analogie zur Säule von Sofia zunächst Aurelian zugeordnete Stein gehört ebenfalls in die Zeit Julians"; Conti 2004: 191, nr. 8.

³⁰⁴ This is the column that has been wrongly identified as having been found in Sofia (*CIL* 3.12333 = *ILS* 8945). Thanks to Prof. Nicolay Sharankov we can now rightfully state that the provenance of this milestone in the Sofia Archaeological Museum is "Maslovo," as recorded in the Museum's inventory register (inv. 1430).

in and around Serdica,³⁰⁶ and one (1) at Kalugerovo monastery, Pazardzhik,³⁰⁷ all of which were found at important stations and cities (or near them) located directly along the *uia militaris*. My focus here is on the first nine milestones, all of which lay within the municipal territory of Serdica and which hitherto have not been identified as belonging to the same series; the tenth, that from Pazardzhik, was located in the territory of Philippopolis and is unique from the others. Of all these milestones, the ones from Ballanstra and Scretisca are the best preserved, especially the former, while one

³⁰⁵ *AE* 2010, 1459. This milestone is in two fragments which are currently in the lapidarium of the Sofia Archaeological Museum; it probably lay near a sanctuary along the main road originally.

³⁰⁶ The discovery of three (3) milestones which apparently were found in and around Sofia is an unfortunate and complicated story to tell. One was originally found by V. Dobrusky in the late 1880s (and subsequently lost) near the site of the modern Lion's Bridge (Lavov Most), which lies about half a mile north of the northern gate of old Serdica. Bulgarian archaeologists recently excavated this area anew in 2014, when they found that the Lion's Bridge was built over the remains of a large Roman building complex which led to the *uia militaris* and which was connected to Serdica's northern gate and *cardo maximus* (see National Archaeological Institute with Museum 2011: 319–20, and 2015: 511–14). This is suggestive of the importance given to Julian's milestone column (though it remains to see where, exactly, the other columns from in and around Serdica were found). Since Julian's milestone was located in such a conspicuous place, we might infer that not only did Julian likely enter the city, but that he did so through the northern gate. A second milestone lies in a small lapidarium next to the remains of the northern tower of Serdica (it is a small and neglected fragment) and has hitherto not been attributed to Julian. And the third column is in the Sofia Archaeological Museum but hitherto not identified as belonging to the same series of milestones dedicated to Julian (only the bottom half is extant, but the last three lines are somewhat readable and this is the largest of all Julian's milestones in the region, which perhaps implies that it was originally placed in a more prominent location than the others; perhaps Dobrusky's lost column?). The provenances of these last two milestones are not certain due to missing documentation, but they probably derive from the municipal territory of Serdica, given that they share language with the other seven milestones in the series which were apparently all erected within the territory of Serdica and thus under the city's authority.

³⁰⁷ *CIL* 3.7413; Beshevliev 1964: 160–1, nr. 228; Conti 2004: 94–5, nr. 51.

milestone from Serdica apparently has been lost, although the text is published (Dobrusky 1890); moreover, an inspection of the first two columns (and the published lemma of the third) reveals that they were not reused but were produced specifically for Julian, unlike the one from Pazardzhik, which was reused for him. These milestones, which I date to around the same time from mid to late 361 (see below),³⁰⁸ find useful comparanda in earlier milestone inscriptions dedicated by Marcus Aurelius near Sirmium at Crepovac, which dates between 161 and 166,³⁰⁹ and by Constantius II at Sirmium, which likely dates to around summer/autumn 354,³¹⁰ among others.

Like Marcus Aurelius' milestone, Constantius' name on his own milestone appears in the nominative and thus showcases his authorship, which sheds some light on Julian's *miliaria*. Of particular interest are Constantius and Julian's uses of the phrase *recuperata re publica* (see Appendix A) which, to my knowledge, are the only attested epigraphic uses of this Latin phrase. When we consider the dating of Constantius' milestone, it is possible that *recuperata re publica* refers to Constantius' suppression of

³⁰⁸ Cf. Gerasimova–Tomova and Hollenstein 1989: 52–3, for the dating parameters.

³⁰⁹ *CIL* 3.10615. Lucius Verus' two consulships provide the *termini post quem* and *ante quem*.

³¹⁰ *CIL* 3.3705 = *ILS* 732. Analysis of the internal evidence dates this inscription to sometime in 354/5. But when we consider Constantius' known itinerary for 354 (cf. Barnes 1993: 221), there is a gap for his residencies and activities in summer/autumn of that year, which may very well be when he resided at Sirmium. In 352, Constantius had resided at Sirmium during the spring and summer months before wintering at Milan in 352/3; he may have followed this pattern for 354. If so, then this also has consequences for how we should interpret his use of "recuperata re publica": it need not refer to his suppression of Gallus, who was not disposed of until October 354 (see Barnes 1989b), but perhaps to his suppression of Magnentius the year before, some minor show of force along the Danube, or both.

Magnentius in late 353.³¹¹ Indeed, a reference to the successful concluding of civil war is inherent in Constantius' use of *Victor Maximus*. However, the long and careful listing of Constantius' victory titles would also seem to point to his promotion of the securing of Roman territory from foreign enemies as the context of *recuperata re publica*; this reading also fits well with the overall context of Julian's use of this phrase, as we shall see below.

Moreover, Constantius' milestone inscription, which was authored by the emperor and which is adorned rather elaborately for a milestone, prefaces the reference to *recuperata re publica* by noting that Constantius fortified roads and repaired bridges (*uiis munitis pontibus refecti<s>*), and then follows it by noting that he erected [boundary] stones five at a time throughout Illyricum from Atrans (Trojane, Slovenia) in the west, which bordered Pannonia, to the Sava River, that is, to Sirmium in the east (*quinarios lapides per Illyricum fecit ab Atrante ad flumen Sauum*).³¹² Did Julian see this rather conspicuous milestone inscription at Sirmium during his short stay there in summer 361 and draw inspiration from it for his own milestone inscriptions along the *uia militaris*? For one who was well-versed in the power of propaganda and a careful observer of language, this is quite possible; and if so, we can see that Julian subtly and cleverly took Constantius' use of *recuperata re publica* for his own milestone inscriptions in which this

³¹¹ Cf. Cic. *Phil.* 14.38, where *re publica recuperata* is used in the context of civil war against Antony, specifically after his defeat at Mutina in 43 BCE.

³¹² For some examples of boundary stones with photos, see Šašel Kos 2014.

phrase is used to devastating effect against his Augustan superior when we consider that Julian also appropriated Constantius' victory title of *Sarmaticus*.³¹³

In most respects, Julian's extant inscriptions from near Ballantra and Scretisca and the published one from Serdica are nearly identical and, in my view, should be dated to mid/late 361 (cf. n. 337). Consequently, by adopting both *recuperata re publica* and the title *Sarmaticus* in his milestone inscriptions along the *uia militaris* in Illyricum and Thrace during civil war, Julian is declaring that he, not Constantius, has made the state whole again and secured the Danube. Julian's name in these inscriptions (where readable) is in the dative but without a dedicant; whereas Constantius' name is in the nominative and also without a dedicant since he is the author of his milestone inscription in Sirmium. However, that Julian's name is in the dative does not preclude his participation in authorship of his own milestones (below). An emperor's name in the nominative and in the dative can indicate his authorship where each case denotes a unique agenda: in the nominative, an emperor's name shows him making claims directly to a local or regional area; in the dative, it cleverly projects the view that a local or regional area supports him and his claim to power. By placing Julian's name in the dative in milestone inscriptions,

³¹³ *Sarmaticus* is not listed on Constantius' Sirmium milestone but it is a title that he subsequently acquired for the second time while campaigning on the Danube in 358/9 (Amm. 17.13.25). For Constantius' claiming of this title for the first time, likely in 338, see Marcos 2014: 767–69. Julian likely knew of Constantius as *Sarmaticus* as he traveled through the same region. On assumption and sharing of military titles among members of the imperial college, particularly during the Tetrarchy, see Barnes 1976a, 1976b, 1983 and Corcoran 2006.

the author(s),³¹⁴ whether an individual and/or a corporate body, would have conveyed a powerful message of support for the emperor in the region to those who read his inscriptions, compared to Constantius' inscription in which he himself is the dedicant and which conveys no message of regional support for him; on the contrary, its aim is to seek support by broadcasting what he has done for the regional population such as the repairing of roads and bridges. That Julian's name is in the dative is also apt for one engaged in civil war and seeking to broadcast regional support for his rule. As is apparent from close inspection of Julian's milestone from near Ballantra, the last two readable lines of the inscription beginning with *in antiquam* were inscribed by the same hand that produced the text up to *recuperata re publica*, after which an erasure is evident,³¹⁵ but not a *damnatio* since Julian's name is completely intact (see Appendix A); thus, the author of the erasure was only interested in one particular line of text. Karadimitrova (1992) has suggested that the motive for the erasure between *recuperata re publica* and *in antiquam* was probably related to Julian's promotion of paganism, a suggestion which will be supported further below.

That Julian's name in the dative does not disqualify his hand in authorship of the text of his milestone inscriptions is in keeping with studies of certain Constantinian

³¹⁴ When I speak of "authors" I am speaking of a dedicant and/or *curans* who was the issuing authority responsible for setting up these inscriptions, as well as the one who actually wrote the text. Thus we might have one or more authors involved in the producing of a given inscription.

³¹⁵ Cf. Gerasimova–Tomova and Hollenstein 1989: 51 (photo), and 52, for the view, which apparently is based only on their photo, that the last two lines were possibly inscribed by a different hand. Close inspection of the milestone itself shows otherwise.

milestones and their connection to the dissemination of imperial ideology. In his study of Constantine's *Herrschaftspropaganda*, Grünewald (1990: 146) focused on milestone inscriptions, among other evidence, and concluded with respect to one particular column that, although the emperor's name is in the dative, Constantine in fact had a hand in the authorship of the text of the inscription.³¹⁶ In Grünewald's view, Constantine's authorship stands out, in part, due to the milestone inscription's more prominent display of panegyric than usual.³¹⁷ As Buonopane and Grossi (2014) recently have reminded us, milestones were a simple and effective way—and we should add, a relatively cheap way—to disseminate imperial ideology among a great number of Roman subjects, that is, all those traveling by road.³¹⁸ That Constantine and Julian's milestones were co-authored by them though dedicated to them in the dative is also supported by a milestone of Septimius Severus, Caracalla, and Geta from Crepovac near Sirmium. While the names of all three Severans are in the dative, particular language from this inscription reveals

³¹⁶ *CIL* 5.8011; Grünewald 1990: 224, nr. 288. See also Tantillo 2006.

³¹⁷ Grünewald 1990: 146: "Das sorgfältig gestaltete und mit Panegyrik noch mehr als gewöhnlich befrachtete Formular..." See also Buonopane and Grossi 2014: 161–2, 168. The phrase that has caught much scholarly attention is *humanarum rerum optimus princeps*.

³¹⁸ See Buonopane and Grossi 2014: 168: "Questo consistente numero di miliari, posti in due serie omogenee lungo le vie dell'Italia settentrionale, rappresenta, dunque, anche per la sua eccezionalità, un'ulteriore prova della particolare attenzione posta da Costantino nell'elaborare la sua identità imperiale e la sua immagine di *princeps* e nel diffonderla capillarmente, servendosi anche di *media* epigrafici molto semplici, ma, proprio per questo, particolarmente efficaci nel raggiungere un notevole numero di sudditi."

that Septimius Severus as the father and senior emperor is the author.³¹⁹ And Constantine's co-authorship of the milestone (*CIL* 5.8011 = *ILS* 697) studied by Grünewald along with other columns becomes even more evident when we consider that Constantine's milestone was part of an extensive series of *miliaria* dedicated to the emperor along the main roads throughout northern Italy from Mediolanum to the Cottian Alps c. 328,³²⁰ when it appears that Constantine traveled through this area to campaign on the Rhine.³²¹ Thus, this milestone series of Constantine in northern Italy is a particularly instructive comparandum for Julian's own series of milestones along the *uia militaris* in Illyricum and Thrace.

Like Constantine's milestones from northern Italy and Constantius' milestone from Sirmium, Julian's *miliaria* served an ideological purpose. Indeed, Gerasimova–Tomova and Hollenstein (1989: 53), in their edition and lemma of Julian's inscription from near Ballantra (1989: 50–54), have observed that the emperor's activities in Illyricum overall represent a “Zeit intensiver Herrscherpropaganda,” and that his conspicuously placed milestones were “Instrumente” of that propaganda. And Dietz (2000: 836) has rightly described some of Julian's inscriptions, including the one above,

³¹⁹ *CIL* 3.10616. Interestingly enough, this milestone, like Marcus Aurelius' noted above (*CIL* 3.10615), is also from Crepovac. Although the *legatus Augusti propraetore* Tiberius Claudius Claudianus is the *curans*, this inscription describes Caracalla and Geta each in turn as *nostrī filio*, which indicates Septimius Severus' ultimate authorship.

³²⁰ See Buonopane and Grossi 2014: 169–73 (nn. 9–26), for useful tables of Constantine's milestone inscriptions that include *humanarum rerum optimus princeps*. On this phrase, see Tantillo 2006.

³²¹ For Constantine's itinerary in 328, see Barnes 1982: 77–8.

as “Propagandainschriften.” To be sure, many if not all imperial inscriptions can be so described since they all functioned as an advertisement of imperial power and legitimacy and so “propaganda” to one degree or another. Therefore, we now need to explore what Julian’s inscriptions signify and what he might have intended them to do more precisely.

Gerasimova–Tomova and Hollenstein (1989: 53) noted that Julian’s milestone inscription from near Ballanstra lies on the important central road between Naissus and Serdica, but they did not explore fully its intertextuality with other milestones from this region and what these potentially tell us about the emperor’s activities in Thrace at this time; thus, the milestone from near Ballanstra now takes on greater importance when we consider its location in relation to the eight other milestones from the territory of Serdica that we have collected here for the first time.³²² The ideological purpose behind all of Julian’s milestones in Illyricum and Thrace becomes more apparent when we consider that, in the forms that we have them, they do not convey any distances for travelers, only the emperor’s titles and messages,³²³ and they were all located at or near roadside stations

³²² Gerasimova–Tomova and Hollenstein (1989: 53–4) had a total of six (6) milestones in their inventory: two (2) at Piroto; one (1) at Dragoman; one (1) at Slivnica (which they qualified as belonging to the “time of Julian” but did not outright say that it belongs to Julian’s milestone series); one (1) at Sofia (the one actually from Maslovo/Kostinbrod); and one (1) at Pazardzhik. I have added four more columns to this list (Gurmazovo and three from Sofia) for a total of ten (10) items, and given support to attributing the column at Slivnica to Julian as one of the milestones from his Balkan series.

³²³ In the second century under Marcus Aurelius, we find that his milestones, such as one near Sirmium (*CIL* 3.10615), often convey messages about his imperial lineage, and thus imperial ideology, and distance calculations. Cf. Nesselhauf 1937: 175, Alföldi 1939: 228, and Madzharov 2009: 57–59, for the view of a gradual trend in the late third century when emperors increasingly used milestones more as means of communicating their imperial titles and messages than as markers of distances for travelers.

and even sanctuaries, where all travelers would have stopped to rest before moving on, which indicates that great importance was given to maximizing the inscriptions' visibility.

It is evident from close inspections of Julian's (fragmentary) milestone inscriptions from near roadside stations Ballantra and Scretisca that the inscriptions are deeply cut with rather large letters (especially the one from near Ballantra, which is the best preserved) that cover more than half the surface area of the milestones, which thus were inscribed specifically for the emperor by the stonecutter, and perhaps in as short a time as a few days for both columns (though it remains to be seen whether all nine milestones (or more) from the territory of Serdica were inscribed by one stonecutter or more).³²⁴ And Julian's inscriptions are presented on simple, unadorned columns that are far less elaborate and ornate than the column of Constantius from Sirmium and more like those of Constantine from northern Italy (Appendix B). This observation has implications for how we might interpret the presentations of Julian's milestone inscriptions along the *uia militaris*. While the elaborate adornment of Constantius' milestone, the careful centering of the small letters, the number of short lines (24) of its inscription, and its language indicate that it was produced with time and care and when the emperor was

³²⁴ On the stonecutter and his craft, see Keppie 1991: 12–16 and Edmondson 2014: 111–30. It is worth noting here Prof. Sharankov's observation to me that a faint inscription of "DN VALENT...AVG," which was rather poorly cut when compared to Julian's on the front side, is discernable on the back of Julian's milestone from near Ballantra, which indicates that the milestone was reused.

already at Sirmium,³²⁵ by contrast, it seems that the simple presentations of Julian's *miliaria*, the much larger lettering of their inscriptions, and the fewer lines (13) indicate that they were produced more hastily and before his arrival but with a greater desire to advertise the emperor in simpler language throughout Illyricum and Thrace. Of course, it is also possible that Julian's milestone inscriptions were not produced until after he left this region; but, as will be discussed below, the value of setting up such inscriptions for a city like Serdica diminishes if they are set up after an emperor has moved on. In my view, this observation mitigates the possibility that these milestones were produced after the emperor left the region when we also consider their value to him as methods of communicating imperial ideology, ideally with an *aduentus* in mind in order to maximize the impact of the imperial messages that the milestones are disseminating.

Indeed, as Gerasimova–Tomova and Hollenstein (1989: 54) observed in their closing remarks on Julian's milestone from near Ballanstra, the emperor's milestones found in Thrace suitably "proclaim" his triumphal march through the region and his personal presence by means of all his imperial victory titles.³²⁶ In addition to indicating Julian's presence in Thrace and route of travel from Naissus to Constantinople, these milestones may also indicate that the emperor engaged in some form of repair work on the road as he went along (though, unlike Constantius' column from Sirmium, the text of

³²⁵ The distance calculations in Constantius' inscription along with the pointed notice of *ad flumen Sauum* indicate his presence at Sirmium before the milestone was set up.

³²⁶ "Die in Thrakien gefundenen Meilensteine Julians verkünden, seinem triumphalen Zug durch das Land und seiner persönlichen Anwesenheit angemessen, die gesamte kaiserliche Siegestitulatur."

Julian's milestones do not speak to this), repair work that not only improved the road by which his armies were marching, but also allowed him to advertise his imperial credentials during a critical period of imperial transition. We should also note that none of these milestone inscriptions, or apparently any others of Julian that survive for that matter, state that he held the *tribunicia potestas* of an Augustus.³²⁷ This is a notable omission for Julian when compared to his predecessors and successors' claiming of this power, which was apparently granted to an heir prior to his assuming of full *imperium*, the tradition that Caesar Augustus had instituted with his prospective and actual heirs.³²⁸ Given that Julian's milestone inscriptions from this region contain careful and detailed outlines of his titles, this omission cannot simply be an accidental oversight. Therefore, that Julian is nowhere attested in his Balkan milestones to have held *tribunicia potestas* would support their being dated to 361, to before Julian assumed sole *imperium* in proper succession to Constantius as a full-fledged Augustus. In his system, Constantius had shared a measure of his authority with both his Caesars (Gallus and Julian), but he held *tribunicia potestas* exclusively as sole Augustus and senior emperor. This usage is in

³²⁷ See Conti 2004. Cf. *ILS* 695, 696, 697, for Constantine's advertisements of his tribunician power as Augustus throughout his reign; 732, for Constantius' milestone from Sirmium which lists his holding of *tribunicia potestas* as Augustus; and 771, where the seventh year of the tribunician power of Valentinian and Valens and the third year of Gratian's holding of that power (c. 370) are advertised along with their official victory titles and titlature as Augusti.

³²⁸ Before Tiberius succeeded Augustus as emperor in 14 CE, he had been awarded *tribunicia potestas*, as had Caius and Lucius Caesar, and Agrippa before them. After Germanicus' death, Tiberius asked the Senate to bestow this power on Drusus the Younger. See Rowe 2004: 41, 52.

keeping with Tetrarchic practice under Diocletian, who shared the tribunician power with his fellow Augustus Maximian but not with his Caesars.³²⁹

As scholars have noted regarding three *miliaria* of the Emperor Philip in the territory around Serdica, the local population of the city erected such columns as expressions of loyalty to the new emperor during his march west from Syria to Rome sometime between 244 and 247.³³⁰ Philip's milestone inscriptions from around Serdica are dedicated to him in Greek (ὕπερ plus the genitive), which was common for this region during this period until around the late third century, when Latin gradually displaced Greek as the preferred language of milestone inscriptions in Thrace (Sharankov 2011: 145).³³¹ This is understandable, for Latin was the official language of the imperial administration and army, and in the late third and early fourth centuries, emperors seemingly paid closer attention to Thrace after Aurelian's administrative divisions in the region and Diocletian and Galerius' subsequent uses of cities such as Serdica and

³²⁹ E.g., *ILS* 630, 639, 640. Cf. *ILS* 642, where Constantius I and Galerius are recorded as having the tribunician power; but this inscription is meant to illustrate longstanding collegiality between the Tetrarchs by all their shared titles and it dates to c. 302, when Constantius and Galerius would have been designated as future Augusti with all the required powers before Diocletian and Maximian's retirements on 1 May 305. It seems that Constantius and Galerius' tribunician powers were retroactively backdated to c. 293, when they were first proclaimed Caesars and were not shown holding this power in contemporary inscriptions.

³³⁰ Gerasimova–Tomova and Hollenstein 1978: 96, 98, 102–3; *SEG* 28.589–91 (Pleket and Stroud). See also Nesselhauf 1937: 175 and Alföldi 1939: 228, for milestones as advertisements of loyalty to new emperors in the third century.

³³¹ See Sharankov 2011 and Dana 2015, for the persistency of the Greek language in Thrace while Latin was relatively limited and only increased in usage gradually throughout the Roman imperial period.

Philippopolis as important imperial residences. We should note that Philip's three milestones are inscribed in nearly identical language, like Julian's milestones from near Ballanstra, Scretisca, and Serdica; in fact, as I have noted above (n. 119), Philip and Julian each have a milestone from Ballanstra, and they each have another in close proximity to one another: Philip also has a milestone at modern Aldomirovci, which is near Julian's one at Slivnica, as well as at station Sparata (Vakarel),³³² northwest and southeast of Serdica respectively, along the *uia militaris*.

To be sure, inscriptions dedicated to an emperor were quite often formulaic, as in the case of Philip, whose three identical milestone inscriptions are all dedicated to him and his wife, Marcia Otacilia Severa, and under the same governor of Thrace, S. Furnius Publianus,³³³ by the municipality of Serdica (ἡ Σερδῶν πόλις) at various points within the territory under its control, such as near Dragoman, Aldomirovci, and Vakarel, points still under its control in the mid fourth century during Julian's reign. Philip's milestone inscriptions from around Serdica thus provide a particularly insightful precedent for discerning the author(s) of Julian's inscriptions in this region, for the areas around Pirot, Dragoman, Slivnica, Maslovo/Kostinbrod, and Gurmazovo were all part of the municipality of Serdica. It is instructive that both Philip and Julian traveled through this

³³² It is worth noting that the area of Vakarel is also where a milestone of Valerian and Gallienus was found (*SEG* 28.592, Pleket and Stroud).

³³³ Publianus' name and official titles are in the genitive along with those of Philip and his wife, but there is no καί that connects him to the emperor and empress as dedicatees (ἡγεμονεύοντος τῆς Θρακῶν ἐπαρχίας Φουρνίου Πουβλιανοῦ πρεσβ(ευτοῦ) σεβ(αστοῦ) ἀντιστρατήγου, *SEG* 28.590), and so the genitive case used for Publianus here is a temporal one denoting "during his governorship" or "when he was governor of Thrace."

region and had milestones dedicated to them; they even have milestones in two of the same districts where there were changing stations (*mutationes*). It would appear that their arrivals in the region were anticipated by milestones.

Consequently, given the locations and apparently identical texts of Julian's milestone inscriptions from near Ballanstra, Scretisca, and Serdica, and despite a lack of attestation in these fragmentary inscriptions of a dedicant, we should conclude that it was the city of Serdica, under the auspices of the provincial governor of Dacia Mediterranea (whose headquarters would have been at Serdica),³³⁴ that was responsible for erecting Julian's *miliaria* and for similar reasons as those of Philip's more than one hundred years earlier: as expressions of loyalty in anticipation of an emperor's march through the region, which in Julian's case was a march southeast through Illyricum and Thrace on the way to Constantinople (below); however, we do not know whether this was standard practice for Serdica or the outcome of particular circumstances since there is a relative paucity of milestones in its territory along the *uia militaris*. Milestones were far easier and cheaper to set up than elaborate monuments, and they could be done far more quickly. We know that Julian lingered for some time at Naissus and news of his residency there would have spread quickly to neighboring Serdica, which, I argue, responded by issuing milestone inscriptions dedicated to him throughout its territory northwest of the

³³⁴ Inscriptions from this period that are dedicated to emperors often do not list a dedicant and/or a provincial governor, perhaps because his/its identity was implied not only by the language and location of the inscription, but also by the date in which it was set up. We do not know the full, original height and surface of Julian's milestones since nearly all of them are broken and so fragmentary; thus, it may be that a dedicant was originally listed near the bottom.

city in anticipation of his arrival along the *uia militaris* and so advertised the city's support for the emperor. Indeed, we should remember that, despite Julian's rapidity, the *comes* Lucillianus had still heard about Julian's advance into Illyricum and managed to make some preparations to defend Sirmium (Amm. 21.9.5). Given that news of Julian's march had reached Sirmium quickly, it is likely that this news continued to spread east throughout the provinces such as Dacia Mediterranea and that Serdica therefore likely had advance warning of Julian's approximate movements in the region. In this light, it is important to note here that two of Julian's milestones are from Turres and these were probably the first *miliaria* to be set up since Turres was located around the western boundary of the territory of Serdica and the eastern boundary of the city of Remesiana, the first fortified city east of Naissus along the *uia militaris*.

However, it is also important to observe here that Julian's milestone inscriptions differ from those of Philip's in four key respects: first, they are in Latin, whereas Philip's are in Greek; second, they advertise Julian's victory titles,³³⁵ the kinds of titles that Philip's inscriptions, which are simpler and less detailed, lack; third, whereas Philip's inscriptions do provide a temporal marker in the name of a provincial governor (S. Furnius Publianus) and a dedicant (the city of Serdica), Julian's inscriptions do not name either, although they are incomplete; and fourth, the party responsible for erecting Julian's rather detailed inscriptions displays a keen knowledge of the emperor, not only with respect to his military titles—*Germanicus maximus*, *Alamannicus maximus*,

³³⁵ See also Oikonomides 1987: 41–2, for new editions of inscriptions at Ma'ayan Barukh and Iasos which bear Julian's victory titles, similar to *ILS* 8945 and *AE* 1992, 1510, with the exception of *Germanicus Maximus*.

Francicus maximus—, which are enumerated in the proper order,³³⁶ but also with the civil ones—*Pius Felix, semper Augustus, pontifex maximus, pater patriae, proconsul*—as well (see Appendix A; cf. n. 300). This also includes specific messages which someone from among the general populace or even the governing council of a city would likely have been unaware without the aid of a highly-placed source of information, such as a provincial governor or a court official (more below). Whoever the author of this inscription was, he/it was particularly well informed about Julian’s imperial titulature and either his acclamations as commander/emperor (*imperator*) by the army or the number of years in which he held the power of an emperor (*imperium*), which is a very different thing.³³⁷ Moreover, many of the bottom portions of the milestones, the places where a

³³⁶ See Amm. 16.2, 16.11, 16.12, and 17.1, for Julian’s successful campaigns against Germans and Alamanni and so his right to claim the victory titles *Germanicus Maximus* and *Alamannicus Maximus*, in that order; and 16.3, 17.2, 17.8, and 20.10, for his fruitful engagements against Franks and thus his right to claim *Francicus Maximus*. Julian’s claim to the title *Sarmaticus Maximus* (CIL 3.12333 = ILS 8945; AE 1992, 1510), however, requires careful explanation.

³³⁷ All editions of Julian’s inscription from Serdica [Maslovo/Kostinbrod] read “IMPERATORI II” and date it to 361/2, while noting that this place in the text may also read “IMPERATORI VII.” As editors have noticed (though, in my view, they have not appreciated it fully), the Latin text appears to contain a digamma which denotes the number “5” and is located in between two single Roman numerals (II); thus, this place in the text might read either IMPERATORI II or VII, depending on whether the Greek digamma is part of Julian’s inscription or an older one that simply pokes through the Latin. But note the dedicant’s display of Greek spelling in *bictori* in place of the Latin *uictori*. Moreover, this numeration of IMPERATORI should be compared to Julian’s milestone inscription from Ballanstra, where Gerasimova–Tomova and Hollenstein (1989: 50) read “IMPERATORI VI” (a digamma and just one Roman numeral (I)). This milestone from Ballanstra is the most complete and best preserved of Julian’s milestones in the Balkans and is undoubtedly a duplicate of the ones from Scretisca and Serdica; in my view, the reading of the Scretisca and Serdica inscriptions should be emended to match the reading of the milestone from Ballanstra. We should also note that this reading depends on what, exactly, the dedicant of the inscriptions means by “IMPERATORI,”

city like Serdica might have inserted itself into the text as a dedicant, are incomplete or missing; and those milestones that do have bottom portions are heavily worn. But attributing responsibility for the placement of nine of Julian's ten milestones in the Balkans to the municipality of Serdica has the benefit of having one civic body issuing and managing the inscriptions as a dedicant.³³⁸

Nonetheless, there is still a question of content: how to know what to inscribe. As we have noted above, Julian briefly resided at Sirmium and news of his advance likely continued to precede him eastwards; and after reaching Naissus, Julian dispatched forces

whether this title indicates that the dedicatee held imperial power as an Augustus or possibly that he was the recipient of an acclamation as emperor by the Roman army, which are two different things. If the inscriptions were erected in 361, the dedicant would be right on both counts, since Julian could claim that he was then in his second year of *imperium* as an Augustus from early 360 and that he had been proclaimed emperor by the army twice, once in 357/8 and a second time in 360. However, we should note not only what Julian's inscriptions from Ballantra, Scretisca, and Serdica contain but also what they omit (in the forms that we have them), namely, any reference to Julian as *restaurator templorum* and other such titles which first appeared sometime in 362 after he began implementing new religious policy (see Oikonomides 1987), a policy which is not at all alluded to in his milestone inscriptions from the Balkans. In any case, "IMPERATORI VI" from the milestone currently at Dragoman may be the correct rendering, which would indicate that Julian was in his sixth year of *imperium*, dated from 6 November 355 when he was made Caesar and thus that the inscription was produced in 361. It is also instructive here to consider an inscription of Constantius on a milestone from Sirmium that dates to c. 354 and lists him as "imp. XXX," which correctly calculates his holding of *imperium* back to 8 November 324, when Constantius was invested with the title of Caesar (see also *ILS* 695, 696, 697, for the same use of "imp." in earlier inscriptions of Constantine; and Euseb. *HE* 8.17.3–4 and Rufin. *HE* 8.17.3–4, for Galerius and Constantine's identical uses of "imp."). Consequently, this usage additionally supports reading "IMPERATORI VI" for Julian's texts from Scretisca and Serdica, which represents his holding of *imperium* and calculates this from the date of his investiture as Caesar. On *imperator* and its numerations in official titulature, see Corcoran 2006: 231–2.

³³⁸ The tenth inscription from Pazardzhik was in territory under the control of Philippopolis, which Julian seems to have stopped at briefly (Amm. 22.2.2).

under the command of his general Nevitta with all speed to occupy and fortify the Pass of Succi, a strategic district located between Serdica and Philippopolis. While this section of the *uia militaris* between Sirmium and the Succi Pass was being brought under Julian's control, it seems likely that some officials and agents from his court would have advanced as far as Serdica to ascertain its loyalty. As a result, an additional author of the content of Julian's milestone inscriptions, and perhaps even the very desire to erect them to begin with, may be either Julian himself or someone from his court,³³⁹ otherwise, in my view, we more likely would have simple and purely formulaic expressions of loyalty to the emperor on milestones like those dedicated to Philip instead of detailed outlines of Julian's titulature that advertise his imperial credentials. Such imperial input is in keeping with Constantine's milestones in northern Italy. We should also consider the erased text on Julian's milestone from near Ballantra, text which has now been largely recovered after careful inspection of the erasure and is so unique as to support further the possibility of Julian's authorship (below).

Whenever a milestone listed an emperor's name and titles, it conveyed his power, prestige, and authority. That Julian may have had a hand in the authorship of the text of his inscriptions (as Constantine apparently had had in some of his own) need not mitigate their value either to Serdica or to Julian himself; indeed, that Serdica was willing to express its loyalty and inscribe messages approved by the emperor would have increased

³³⁹ Cf. Gerasimova–Tomova and Hollenstein 1989: 53: “Ob die Initiative zu ihrer Aufsteilung von Julian selbst oder von der Bevölkerung der thrakischen Städte ausging, kann nicht entschieden werden.” Such a view is in keeping with the apparent interactions between the imperial court and panegyrist, who may well have been influenced with respect to their content.

its claim to imperial favor, messages that would still have served Julian's interests by promoting him in the region at the very time when he needed such advertisement against Constantius. If so, then the contents of Julian's milestone inscriptions take on a new and more pointed meaning. These inscriptions can and, in my view, should be read as epigraphic panegyrics that were part of the emperor's overall 'public relations offensive' in the Balkans at this time, like his *Epistle to the Athenians*, where we have seen how Julian employed autobiography and panegyric to his advantage. Such an offensive and the diverse means by which it was waged were critical to Julian's bid for supreme power in 361; his 'letters' and inscriptions well illustrate his claim to imperial power and his legitimacy in holding such power, messages that would have gone a long way to helping Julian consolidate control of the region.

Alternatively, Julian's milestone inscriptions along the *uia militaris* might have been set up after his passage through the region and after the local populations had learned of Constantius' death, when dedications to Julian might have been considered more prudent and safer, especially since Constantius' success against usurpers was well-known. This view is quite tempting since it would explain the erecting of milestones dedicated to Julian on numerous levels: the emperor's passage through the region; the possible repairing of roads; and the content of the inscriptions. But we should consider three important counterpoints and the psychological effect these would have had on the regional population: first, that Julian's preemptive lightning march east from Gaul against Constantius brought him unexpectedly to Sirmium and then Naissus, and soon afterwards his advance forces reached and secured the Pass of Succi in Thrace, the farthest and

fastest that any rival of Constantius ever penetrated into his territory (a point which Ammianus emphasizes often); second, usurper or not, Julian was a legitimate member of the dynasty and one who had been well-established in Gaul as Caesar of the West for over five years; and third, which is connected to the first point, Julian had made a reputation for himself as a daring and successful general against barbarian tribes along the Rhine, most notably at Argentoratum in 357, a reputation which Constantius lacked.³⁴⁰ Outnumbered or not now in a civil war against Constantius' eastern army in 361, Julian, as the apparently more capable commander, reasonably might have been expected by many to win against Constantius despite the latter's successful record against usurpers. To my mind, these three points, along with Julian's occupation of Sirmium and Illyricum, would have prompted serious discussion among the people of Serdica, as well as other cities further southeast such as Philippopolis, as to what their response to Julian's incursion into Illyricum and foreseeably into Thrace should be.

In the end, cities in this region likely decided, perhaps after discussions with Julian and/or members of his court, that the potential rewards from supporting Julian openly (e.g., by dedicating milestones to him in praiseworthy language, with some unique messages) as he made his way southeast from Naissus towards their territory outweighed the potential drawbacks of opposing him. Although Zosimus' account of Julian's

³⁴⁰ Lib. *Or.* 15, 45, *Or.* 17, 14, *Or.* 18, 74, 93, for news of Julian's victory having spread east to Antioch; Claud. Mamert. 3.1, Amm. 20.4.1–2, for reports of Julian's military activities in general flowing throughout the East where Constantius resided. See also Amm. 16.12.69–70, for Ammianus' references to Constantius' *edicta* on Argentoratum where Greek *epinikia* are clearly meant. Constantius' victory bulletins regarding this battle would have augmented Julian's reputation.

movements in Illyricum and Thrace is quite condensed, he nonetheless still manages to tell us that a swiftly moving Julian courted the good will of all cities (πάσας...τὰς πόλεις) which he encountered along his route of travel, presumably including the *uia militaris*, and implies that Julian made them promises in return for their good will.³⁴¹ Thus, Zosimus' statement might include Serdica as one of these cities. This is the kind of outreach program we should expect from Julian, who, as we know, sent various open letters to the Senate of Rome and to the communities of the Athenians, Corinthians, and Spartans, the very outreach that Zosimus notes immediately after relating Julian's courting of all the cities which he encountered (3.10.4). Zosimus does not tell us specifically which cities Julian courted, or what their reception was, but it seems right to conclude that they responded to the emperor's entreaties and promises at least somewhat favorably, especially in light of the three points raised above and the psychological effect that these would have had on the regional populations of Illyricum and Thrace.

Furthermore, time is a factor that undermines the possibility that Julian's milestone inscriptions were erected after Constantius' death and after Julian left the region. First, the very worth of erecting such inscriptions dedicated to an emperor lay in their value in anticipating an emperor's arrival and placing the dedicant(s) at the forefront

³⁴¹ 3.10.4: πάσας δὲ τὰς πόλεις ὅς ἔτυχεν ἤδη διαδραμῶν ἐφιλοφρονεῖτο, χρηστὰς ἐναποτιθέμενος πᾶσιν ἐλπίδας. Zosimus makes this statement in the midst of relating Julian's arrival at Sirmium, which may indicate that Zosimus is referring to all the cities along the Danube *limes* (cf. Claud. Mamert. 7.3); but Zosimus immediately notes Julian's movement to Naissus and may be including that city and others along the *uia militaris* in his remark above.

of those seeking to declare their loyalty and to be repaid with imperial favor and honor;³⁴² the value of erecting dedications to Julian in order to gain this favor diminishes if they are erected after he has left the region and so unseen by him. In this light, we should consider the remarks of Claudius Mamertinus, who, in his *Gratiarum Actio* delivered before Julian on 1 January 362, tells the emperor that the provinces of Illyricum deserved well of him (*prouincias de te egregie meritas*, 1.5), likely because they had thrown their support to Julian against Constantius during their brief civil war.³⁴³ Second, once Julian learned of Constantius' death (3 November 361), probably near the end of November,³⁴⁴ he clearly made haste to reach Constantinople and to establish his authority in the East since we know that he entered the imperial capital on 11 December 361,³⁴⁵ probably about two

³⁴² There are numerous examples of this, such as in Pescennius Niger's support among cities and communities in the East under his direct control against Septimius Severus, support which was presumably rewarded by Niger before his death and which was punished by Severus afterwards (SHA *Vit. Sept. Sev.* 9.3–8).

³⁴³ See Nixon and Rodgers 2015: 394, n. 10. As praetorian prefect of Illyricum under Julian in 361, Mamertinus was well-situated to know the sentiments of the provinces under his care towards Julian; moreover, Mamertinus' comment at 1.5 may be somewhat self-complimentary since as prefect he was responsible for managing Illyricum and thus was partly responsible for how its inhabitants thought of Julian. See also Lib. *Or.* 18, 112.

³⁴⁴ This interval includes time spent by Constantius' court in discussions on how to proceed after his death before deciding to inform Julian (cf. Amm. 21.15.4). See also den Boeft et al. 1991: 156.

³⁴⁵ See also Amm. 21.12.3: *Hisque dispositis ipse haud diu postea cognita morte Constanti discursis Thraciis Constantinopolim introiit.*

weeks after news of his predecessor's death in Cilicia had reached him.³⁴⁶ At this point, Julian would have had little if any time for or interest in delays of any kind.

Additionally, the value of erecting inscriptions dedicated to the emperor to the local populations in Illyricum and Thrace would have been greatly impaired post Constantius since Julian could expect them to fall in line after they had heard that he, the last male relative of the House of Constantine, had become sole Augustus with support from the Roman armies in the East; this is in fact what finally brought Aquileia, which had revolted before Constantius' death, under Julian's control (Amm. 21.12.16, 18–19, 22.8.49). Later, Procopius, Julian's maternal cousin, would manage to secure the loyalty and support of Thrace for his usurpation with far less resources at his disposal and far fewer achievements to his name in 365/6; that he was a relative of Julian's and so connected to the Constantinian dynasty was among the foremost of his recommendations for imperial office which he paraded as a badge of legitimacy.³⁴⁷ As a result, the erecting of Julian's milestone inscriptions at Serdica and at points along the *uia militaris* northwest of the city, in my view, makes better sense as set up in anticipation of Julian's arrival, with input from Julian himself or someone from his court in terms of content

³⁴⁶ Travel times in the ancient world are notoriously difficult to determine. However, conservative estimates from ORBIS.stanford.edu have been used here as tentative timetables.

³⁴⁷ See Amm. 26.7.16, where Procopius' connections to the Constantinian dynasty are alluded to in his speech during an engagement with Valens' legions in Asia minor. 26.10.4–6, for Philippopolis' support of Procopius and his relative Marcellus. In addition to Philippopolis, Procopius had managed to secure the loyalty of Constantinople, and with the imperial capital in his possession we can presume that other cities in Thrace, for a time, followed suit.

management; there would have been time for this while Julian lingered at Naissus and near Serdica. In this light, it is also important to consider questions of audience for these inscriptions.

Connected to this question of audience, we should remember the phrase *recuperata re publica*, which is rarely attested in inscriptions or anywhere else; it is found on Constantius' milestone from Sirmium and Julian's milestone inscriptions between Turre and Serdica along the *uia militaris*. The audience for Julian's inscriptions here was limited to those who traveled the military road and who could read Latin. Here we should recall that Julian had summoned auxiliaries from the region of Illyricum to join him in his advance down the *uia militaris* (21.13.6); but whoever read his milestones would also need to contextualize them. In regards to Constantius' milestone from Sirmium, which dates to c. summer/autumn 354, one of the ways in which someone reading *recuperata re publica* might have taken this phrase was as a reference to Constantius' defeat of the usurper Magnentius in late 353. As for Julian's use of that phrase, it is doubtful that he would have deployed it or that it would have been read with Constantius in mind, for Constantius was not a usurper like Magnentius but rather a distributor of Julian's legitimacy both as Caesar and as Augustus. Instead, it would seem that the phrase *recuperata re publica* (in the ablative) was anchored by Julian to his victory titles won in Gaul and in this context was used to compete with Constantius' own use of that phrase alongside his own victory titles. Julian's inscriptions promote him as one who has acquired military victories in the field and therefore as one who can

rightfully claim that *recuperata res publica*.³⁴⁸ By promoting his victory titles won during campaigning in Gaul and claiming the victory title of *Sarmaticus* in Illyricum, the latter of which is an appropriation of Constantius' title, Julian can be seen making a targeted appeal to key constituencies who paid careful attention to an emperor's military effectiveness. Soldiers and imperial administrators, who knew Latin and traveled the *uia militaris* and whose support Julian needed in order to consolidate his control of this region, are likely the primary intended audiences of the emperor's milestone inscriptions.

Conversely, the phrase *recuperata re publica* on Julian's Balkan milestones might be taken to indicate his assumption of sole power over the entirety of the empire after Constantius' death in late 361; moreover, Constantius is not mentioned in the inscription. However, we need not expect Julian (or Serdica), who was challenging Constantius' authority in Illyricum by seizing it directly, to mention him by name.³⁴⁹ Given that Julian had seized Illyricum and a part of Thrace from Constantius so quickly and successfully, we can see that his milestone inscriptions there provided the public at large with carefully crafted advertisements of his claim to ruling this region in his own right as an effective and worthy Augustus. Here we might recall the milestones of the Emperor Philip and their messages, which were dedicated to the emperor by the city of Serdica in anticipation of his arrival but do not show any signs of the emperor's hand in their production; in fact,

³⁴⁸ But Constantius' milestone also lists his titles of *Gothicus maximus* and *Adiabenicus maximus*, titles which Julian lacks.

³⁴⁹ Omission of other members of the imperial college from inscriptions is not uncommon. E.g., note how some of Constantine's milestones from northern Italy dated to c. 328 do not mention his two sons, Constantinus or Constantius II, who were then Caesars (*CIL* 5.8011 = *ILS* 697; *AE* 1996, 674).

they do not even list his full imperial titulature, as we would expect. It is worth noting that the language and content of these inscriptions dedicated to Philip are quite formulaic and banal, all the more so when placed alongside Julian's own inscriptions, which, by contrast, are far more informative and specific with respect to the presentation of the emperor as successful military leader and civil administrator, a presentation which almost certainly indicates Julian's input to some degree, or at least his approval. That Julian's milestone inscriptions are dedicated to him in Latin with messages emphasizing his military and civil credentials points to and projects support for him among the military and civilian élite in the region.

But there is also an important final phrase common to all Julian's Balkan *miliaria* that would have had potential appeal for a wider audience. Interesting and problematic is the phrase and last line of text *in antiquam ce(n)suram dignitatemque reuocauit*, which immediately follows the sections of erased text in Julian's inscriptions, such as the one from near Ballanstra at Dragoman. It is significant that Julian's name was left intact along with his titles; only the text following *re publica* and preceding *in antiquam* suffered ignominy by an erasure that was quite surgical (see Appendix A). From what we can ascertain, the subject of *reuocauit* here is Julian, who has "brought [something] back into a state of ancient judgement and dignity." It is suggestive of administrative activity that *reuocare* is an official legal term that denotes a particular power of an emperor.³⁵⁰ This is another indication that Julian had engaged in administrative activities in Illyricum

³⁵⁰ See *CTh* 3.1.3, 15.1.10 (Julian), 8.13.1 (Constantius and Constans), 14.17.7 (Valens), for some examples of emperors' uses of this power (*reuocamus*).

and Thrace; he had probably issued some now-lost law regarding this “something” above which was later overturned by or under his successors and thus the erasure, which would represent an official action, though, when, exactly, is the question. Identifying what that “something” is in the text above will shed light on the motive(s) behind the erasure. We know that that “something” must be grammatically feminine and singular in order to agree with the state to which it has been brought back into by the emperor; perhaps Julian revived a particular office or temple or cult, or all three, and ones unique to the region of Serdica. Be that as it may, we have an antecedent to the erasure that fits well with what that “something” is: the *res publica*. Therefore, Julian is depicted as having done something for the *res publica* which returned it to what Serdica, at the time, considered an old and venerable state. As noted above, Karadimitrova (1992) has suggested that this section of the text was erased due to motives of religious difference with the emperor. This is a reasonable suggestion when we consider that Julian engaged in pro-pagan policy as sole Augustus shortly after Constantius’ death, and so religion may indeed be what motivated the erasure.

In fact, careful inspection of the erasure on Julian’s milestone at Dragoman has yielded the missing text: *...recuperata re publica [quam infectam ad fatale exitium] (eam) in antiquam ce(n)suram dignitatemque reuocauit* (see Appendix A).³⁵¹ This is rather unique language for a milestone inscription, and it has several implications. For one, the use of “infecta” in connection to “recuperata re publica” in an inscription

³⁵¹ While I detected the faint *quam* and thus identified the relative clause, Prof. Sharankov managed with great skill to read the remaining four words in the sentence.

dedicated to a pagan emperor would appear to have been taken as a reference to Christianity, and thus the same erasures on all of Julian's milestones from the region of Serdica. In pagan and Christian discourse, each side often referred to the other as a "disease" or "pollution," language which Julian himself employs with respect to Christianity in several of his writings.³⁵² Therefore, this may further support viewing Julian's input in the text of his inscriptions; it seems rather unlikely that a city such as Serdica would have inscribed such language without imperial consent. Interestingly, the relative clause which includes "infectam" makes no direct reference to Christianity whatsoever, which leaves the source of "infectam" open to interpretation. That some Christians clearly took it as making a reference to their faith would have played rhetorically into Julian's hands, who could then claim that Christians were admitting that they were indeed an "infection" or a "disease." Such cleverness is in keeping with what we know of the emperor. The timing of this message, which indicates Julian's pro-pagan posture or policy, is also consistent with the emperor's pagan piety as displayed in his *Epistle to the Athenians*, which was circulated in the Balkans in summer of 361. Thus, the revival of a temple or cult seems likely. However it was that Julian "brought back" (*reuocauit*) the state, he likely issued some statement or directive that had some bearing on religious policy, and one which the city of Serdica supported strongly.

³⁵² See Jul. *Ep. ad Bostr.* 438C, for κακῶν or νόσῳ, or something else since there is a small lacuna here; and *Ep.* 36 Wright (61c Bidez) 424B, *Ep. ad Lib.* 401C (58 Wright, 98 Bidez), and *Cont. Galil.* 327B, for ἡ νόσος. Cf. Euseb. *HE* 9.7.11, for Maximinus Daia's reference to Christianity as a "weighty disease" (νόσου βαρείας). Such language was common in pagan and Christian discourse (see Kahlos 2007: 107–9).

It is important to note here the striking fact that we have no laws issued by Julian during his residencies in Illyricum and Thrace that are preserved in the Theodosian or Justinian Codes. Unfortunately, scholars have not addressed this gap in Julian's legislative and legal output from the Balkans.³⁵³ This gap in the emperor's known legal texts and activity is perhaps best explained by three possibilities: Julian issued some laws at this time which the compilers and editors of the Codes left out, perhaps because they deemed them issued by an Augustus whose legitimacy and right to issue laws was in doubt at the time; the compilers disagreed with the nature, implication, and/or significance of his laws; or Julian did not issue any laws at this time, instead preferring to appoint governors and officials in territory under his direct control and to delegate legal matters to them until a resolution was reached in the civil war with Constantius. The first of these possibilities seems the most likely since the compilers of the laws still saw fit to retain Julian's legislation regarding the revoking of privileges for Christian decurions and his well-studied law on classical education from 362,³⁵⁴ but these were issued in the East.

As for the third possibility, it is significant that Julian made far-ranging administrative appointments in the Balkans and the West while the outcome of his civil war with Constantius was still in doubt; while at Naissus, he appointed, most notably, Sextus Aurelius Victor consular governor of Pannonia Secunda, Maximus Prefect of the

³⁵³ E.g., see Matthews 2000 and Harries 2012, neither of which addresses the silence in the Theodosian Code on Julian's administrative and legal activities in the Balkans.

³⁵⁴ See *CTh* 12.1.50, for Julian's revoking of Christian decurions' privileges. 13.3.5, for his 'education' law.

city of Rome, and Claudius Mamertinus Praetorian Prefect of Illyricum.³⁵⁵ Indeed, Mamertinus himself tells us that Julian dispensed favors to all cities in the Balkans by means of letters (*unis an binis epistulis maximi imperatoris*, 9.4). Any administrative actions in these regions which Julian might have desired that are not preserved in the Codes could easily have been implemented by such imperial epistles or directives to his governors and lost by the fifth century, or ignored.

This apparent gap in Julian's issuing of imperial laws also might be connected to the fact that we have relatively few laws issued by Constantius after May 361,³⁵⁶ and then only in his own name, around the time when Julian occupied Sirmium and thus when Constantius would have focused more on his military responses than on jurisprudence; the next extant laws issued by Constantius are not until August of that year (*CTh* 8.4.7, 11.36.14, 12.1.49). Imperial laws were usually issued empire-wide under the names of all emperors then ruling; but Constantius' legislation at this time, which was directed towards eastern interests, shows him alone in control of the East while also revealing that Julian's administrative actions at this same time were probably preserved only in the West where there were archives that the compilers of the Codes may not have drawn from or been able to.³⁵⁷ It is also worth noting that many of Julian's administrative acts in

³⁵⁵ *Amm.* 21.10.6, 21.12.24–5.

³⁵⁶ For a series of laws issued in early May, perhaps on the same day, see *CTh* 1.6.1, 1.28.1, 6.4.12, 6.4.13, 7.8.1, 11.1.7, 11.15.1, 11.23.1, 12.1.48, 13.1.3, 15.1.7, and 16.2.16 (Feb. 361).

³⁵⁷ Cf. *CTh* 13.3.5, which is a copy of a law that Julian issued in the East, probably at Ancyra, but was preserved only in an archive at Spoleto. The compilers thus collected laws from wherever they could be found.

the Balkans were focused on addressing specific problems in specific cities and regions there (Claud. Mamert. 9.1–4) which the compilers may have considered as not applicable on an empire-wide scale and so not worthy of inclusion in the Codes.

In the end, Ammianus would have had good reasons for not noting and discussing Julian's residency at Serdica, such as the possible embarrassing presence of Marcellus and his family there and the fact that telling us about such details would slow down the speed of the narrative and therefore the speed of Julian's march to Constantinople and sole rule. The historian, as we have seen, also took pains to emphasize Julian's legitimacy in the lead up to the acclamation at Paris and afterwards, an emphasis which undoubtedly reflects Julian's own concerns during this period. Additionally, when the epigraphic evidence is read alongside Ammianus and combined with archaeological evidence from Serdica (cf. n. 306), we can argue that Julian entered Serdica through the northern gate along the *cardo maximus* and briefly resided in the city before moving on to the Succus Pass and then to Philippopolis, not only to rest while moving southeast to Constantinople, but also to ascertain the loyalty of these cities' inhabitants.

All of Julian's milestone inscriptions from this region are nearly identical and they represent a concerted effort and means of imperial self-promotion through the listing of titles, particularly those acquired from successful campaigns in the field. Like his uncle Constantine in northern Italy, Julian used *miliaria* as mini monuments to his authority, power, and prestige and in so doing imbued them with messages regarding his military prowess and administrative acts, all of which would have been targeted at the military and civilian élite in Illyricum and Thrace whose support Julian needed during

civil war. That one of the messages on Julian's milestones makes an apparent oblique negative reference to Christianity also indicates that the emperor appealed to the region's pagan inhabitants for support on religious grounds, support which they granted; moreover, it raises serious questions about the "Christianization" of Serdica and its territory, indeed what such a term even means, in the generation after Constantine. For example, this "Christian" emperor often supported the building of churches in cities across the empire and even provided immunities to the clergy in order to promote Christianity; but it remains to be seen how effective this top-down support was on converting Constantine's subjects, both élite and non-élite, many of whom still supported traditional cult despite the emperor's efforts, as was apparently the case in Serdica during the "pagan" Julian's reign.

Therefore, it seems right to conclude that Julian had milestones advertising his claim to Augustan power placed along the Tures-Serdica corridor by the city of Serdica in order to solidify his hold on Illyricum up to the border with Thrace, and in anticipation of his arrival in this region. Serdica placed itself at the forefront of those seeking to declare their loyalty for Julian in the hopes of being repaid with imperial favor; perhaps it was not disappointed. As we shall see in Chapter 6, this was not the last time that Julian employed epigraphy for imperial self-promotion. But, as we shall see in Chapter 5, Julian used media other than milestones and agents other than Serdica in advancing his imperial profile; the emperor also used his correspondence with Themistius in Greek and the Latin panegyric of Claudius Mamertinus in this regard.

Chapter 5
Panegyric and the Reinforcement of New Roman Government: Claudius Mamertinus,
Themistius, and Julian in the East, 361–362*

On 1 January 362 CE, Claudius Mamertinus, the Latin rhetorician and *consul prior* for that year, delivered an imperial “speech of thanks” (*Gratiarum Actio*) for his consulship to the Emperor Julian in the senate house of Constantinople. This panegyric of Mamertinus is a vital document for understanding the beginning of Julian’s brief reign from one who served under the emperor in the highest imperial offices (below). Thus, Mamertinus was well-situated to know Julian’s imperial policy and perhaps even to shape it. As a Gallic rhetorician who delivered a Latin panegyric in the East to a Greek Roman emperor, Mamertinus’ imperial speech and relationship with Julian is also consequential for our understanding of relations between Latin and Greek *paideia* in the Julianic Empire, and it illustrates the emperor’s use of panegyric to promote new imperial policy and to build support for his new régime. Indeed, scholars of Mamertinus’ imperial speech, such as Galletier (1955: 7–9) and Barabino (1965: 49–61), have noted how his panegyric functions as an outline of Julian’s political program. We should take this view further by seeing Mamertinus’ position under Julian as that of an official ‘spokesman’, which resembles, in many respects, the subsequent position of the poet and panegyrist Claudian under Stilicho. Moreover, Mamertinus’ *Gratiarum Actio* should not be seen as a part of Julian’s apparent interest in “provoking a wide-ranging confrontation” with the Constantinopolitan élite, as Wienand (2016: 348) recently has argued,³⁵⁸ but rather as a

* I would like to thank Alan Ross for his invitation to present an abridged version of this chapter as part of his panel on imperial panegyrics at the 9th Celtic Conference in Classics

part of the emperor's carefully crafted political program for building on his successes in Gaul and outlining a new empire-wide *consensus* between the Latin West and the Greek East after civil war (below).

Many scholars have studied the fourth century Latin panegyric of Claudius Mamertinus and the two extant epistles of Julian and Themistius to one another, but none, to my knowledge, have assessed all three texts in tandem. This chapter will assess these three texts, the panegyric of Mamertinus to Julian as sole emperor, Julian's *Epistle to Themistius*, and Themistius' *Epistle to Julian* in order to show how they present the emperor and what they communicate to Julian's subjects about his new Roman government. Blockley (2012: 355) has noted Mamertinus' emphasis on Julian's efforts at cultivating *ciuilitas* or, as he puts it, "fellow citizen status" with his administrators, one of whom, we should note, was Mamertinus himself. Thus, Mamertinus' Latin panegyric can provide further insights into this early period of Julian's reign as sole Augustus when placed in dialogue with the emperor's *Epistle to Themistius*, written in Greek, and the philosopher and Constantinopolitan senator Themistius' response, the *Epistle to Julian*,

at University College Dublin (25 June 2016) and those in the audience for their helpful questions, thoughts, and suggestions, and especially Shaun Tougher for his own paper on Mamertinus, in which it became evident that we share many of the same views and questions about the Latin panegyrist's relationship with the Greek Julian.

³⁵⁸ While Wienand (2016: 349–54) has well noted the connection between the terms *ultor iuris* and *uindex Romanae libertatis*, and the metaphorical representation of Julian's journey down the Danube in Mamertinus' panegyric, his conclusion about this speech being reflective of Julian's "confrontation" fails to consider Mamertinus' presentation of the emperor more holistically, both intratextually and intertextually, as one interested in building *consensus* with his new eastern subjects. For example, Wienand does not consider Julian's clearly non-confrontational stance on religion and his clear deference to the Senate of Constantinople, and so members of the administrative élite (below).

originally written in Greek but preserved only in Arabic, both of which, in my view, should be dated to c. December 361/early 362 (see Section II).³⁵⁹ Although they are not panegyrics and are preserved in Greek and Arabic respectively, these two *Epistles* shed light on Mamertinus' contemporary representation of Julian as a *ciuilis princeps* and his reinforcement of Julian's imperial legitimacy and authority at the time when the emperor was consolidating his power over the eastern empire.³⁶⁰ All three works were written with an eye to being disseminated to the public and discuss Julian's virtues and qualifications for holding the imperial office in keeping with Pliny the Younger's *Panegyricus* (more properly a *gratiarum actio*), which became an important model for subsequent Latin panegyrists such as Mamertinus.

By building on the texts of Mamertinus, Julian, and Themistius, I will show that these texts helped to create a 'buy-in' or *consensus* among their élite audience and perhaps the public at large for the emperor's new Roman government. Furthermore, all three works subordinate religion to political and military concerns, which is in keeping with the rather conventional political and military messages and iconography on Julian's

³⁵⁹ I differ here with Swain's (2013: 88–90) recent dating of these two *Epistles* to 356 CE. Unfortunately, the fact that the three extant texts are written in Latin, Greek, and Arabic does not allow us to engage in close intertextual readings in the same language, which are often most promising; however, there are common themes, such as Julian as *ciuilis princeps*.

³⁶⁰ See also Eutrop. 10.16.3: *ciuilis in cunctos*. On Julian as *ciuilis princeps* in Ammianus Marcellinus, see Neri 1984, esp. 61–69. On the *ciuilis princeps*, see Wallace-Hadrill 1982.

coinage as sole emperor issued empire-wide;³⁶¹ this, I argue, should be traced back to Julian's desire early in his reign to engender wide-ranging support for his new administration and to promote cooperation between all social classes and groups within the empire, regardless of religious identity, by addressing their common expectations for safety and security from a government that could be more responsive and less oppressive in its wielding of power than it had been under Constantius II, and earlier.

Mamertinus' panegyric is the only one of these three texts that can be securely dated and so my primary focus on it around which the other two 'letters' will be placed and evaluated. It is also important to note that, while Julian and Themistius' 'letters' are not panegyrics strictly speaking, since they do not follow the same structure and conventions that Mamertinus was required to consult and to follow regarding how to describe an emperor and his wielding of power, Julian and Themistius' letters do promote imperial policy (as imperial letters often did), which is a common feature of Mamertinus' panegyric. Admittedly, Julian and Themistius' texts seem to be particular responses to particular letters and as such what is said about the emperor and his posture or policy positions does need to be teased out or extracted rather carefully. But if we are right to date these three texts, based on the internal evidence of each, to about the same time, a dating which also gives new meaning to their common themes, as we shall see below, then the ways in which they represent Julian will require us to reevaluate the emperor's

³⁶¹ For classic studies on Julian's coinage, see Webb 1910, Elmer 1937, Kent 1959, and *RIC* 8. As scholars have noted, Julian's coin issues as sole Augustus, even his so-called "Bull coinage," are quite Constantinian and conventional with emphasis on the valor of the Roman military and on state security (see López Sánchez 2012).

policies and goals immediately after his accession in late 361, in particular with respect to the degree of *consensus* which Julian sought to build for his reign as sole Augustus, which, as I will show, was considerable.

This chapter is divided into three parts. The first part (I) explores the panegyric of Mamertinus, where the panegyrist's careful representation of Julian and his actions as emperor are closely considered, along with numerous instances of Mamertinus' self-promotion in which he reinforces his position as a kind of official spokesman for Julian and thus that his imperial speech reflects official policy. Analysis of this speech reveals a careful effort to deemphasize religion and instead to focus on military and in particular civil concerns, an effort which is consistent with the political and military messages and iconography on the emperor's coinage. Thus, attention is also paid here to how Mamertinus builds *consensus* for Julian's new government by portraying him as a traditional emperor, highlighting his *ciuilitas*, and using historical and contemporary *exempla* to promote new imperial *libertas* under Julian. This is followed by the second part (II), where I briefly present my arguments for dating Julian's *Epistle to Themistius* and Themistius' *Epistle to Julian* to about the same time as Mamertinus' panegyric, that is, to c. December 361/early 362. Finally, the third part (III) makes close assessments of representations of imperial power in Julian and Themistius' epistles and draws attention to their commonalities in light of Mamertinus and how they also build *consensus* for Julian's sole rule. Let us now turn to the panegyric of Claudius Mamertinus (3[11]), which the late antique editor of the twelve *Panegyrici Latini* ranked third after the panegyrics of Pliny and Pacatus.

I

Mamertinus' Latin panegyric is the earliest extant speech of praise to Julian as sole emperor, and it may have been among the very first that Julian received after entering Constantinople on 11 December 361. As Braund (1998: 66) has observed regarding Pliny's Panegyric to Trajan, "Panegyric produced so early in the reign can serve another function besides praise: it can reflect or even prescribe a programme of behaviour to the new emperor." No doubt Mamertinus had some notions about how Julian should rule and some subtle criticisms are apparent in his panegyric (below), criticisms which are consistent with what Guy Sabbah (1984: 377–79) has considered the *communication ascendante* of such imperial speeches of praise. Conversely, an emperor might use panegyric to disseminate his image and ideology in what Sabbah has called *communication descendante*, as is certainly the case in Mamertinus' panegyric to Julian, who, I argue, uses his panegyrist as a kind of court spokesman not unlike Claudian, who would produce poetry and propaganda for Honorius and Stilicho.

In a journey that was the reverse of Claudian's, or perhaps more accurately the reverse of Themistius' in 357 (Ch. 3), the provincial Mamertinus left the Latin West for the Greek East, although he did not display Greek language competence (if he even knew Greek; more below) but kept to his Latin competence. One can only wonder what the senators of Constantinople thought of a Gallic provincial invading their eastern metropolis as *consul prior* at the very start of 362. It is not by chance that the Gallic Mamertinus delivered a Latin panegyric before a Greek Roman emperor in Constantinople, which was Julian's *patria* and so added greater significance to the first

panegyric of the New Year there; this was undoubtedly what Julian desired for a reason. This becomes even more evident when we consider that Julian preferred to speak to his consistory and discuss legal issues and state business in Greek.³⁶²

The emperor might have chosen someone else to deliver a panegyric to him in Greek, as we would expect from one who championed Greek *paideia* vigorously. But Julian did not. The choice of a Latin panegyrist makes good sense, however; Latin was still the official language of the Senate and of the imperial administration. Indeed, as we have seen, Constantius had adlected the Greek Themistius to the Senate of Constantinople in late 355 by means of a Latin letter to that body, a letter which was translated into Greek for Themistius and for others among the Greek-speaking élite (Ch. 2). Thus, by mandating that Mamertinus deliver a Latin panegyric before him in the senate house on New Year 362, Julian conspicuously communicated his interest in maintaining the Latin tradition there to the Constantinopolitan élite. That Mamertinus held high public office also gave his speech an ‘official’ quality. This will be an important point to remember when we discuss Himerius’ subsequent panegyric (*Or.* 41), which was delivered at Constantinople, probably in early summer 362, and in Greek (Ch. 6). But why did Julian select Mamertinus for this dual honor, of being *consul prior* and delivering a *gratiarum actio*? In light of what Julian says, half-jokingly, about the lack of Greek *paideia* in Gaul,³⁶³ it would be worth knowing under what conditions he became acquainted with the Latin rhetorician Claudius Mamertinus and how the latter came to be

³⁶² See *CTh* 11.39.5.

³⁶³ *Jul. Ep. ad Eumen. et Phar.* (3 Wright, 8 Bidez) 441B–C.

respected by the emperor, promoted to high offices, and designated *consul prior* for 362. It would seem right to conclude that Mamertinus knew some Greek, and if so, that he learned it in the West, particularly in the Gallic schools. In fact, Greek language and literature represented an important component of the Gallic curricula, such as at Bordeaux and Lyons, and well into the fifth century, as is evident in the case of Sidonius Apollinaris.³⁶⁴ In connection to this, we should consider the Gallic- or Spanish-born Flavius Sallustius, who was Julian's praetorian prefect of Gaul from 361 to 363, *consul posterior* with the emperor himself in 363, and author of the Greek treatise *On the Gods and the Universe*;³⁶⁵ the westerner Sallustius clearly knew Greek quite well and this knowledge may help explain not only his promotions and close relationship with the emperor, but also Mamertinus'.

Julian had been supported as Augustus by provincials in Gaul and the western provinces in his bid against Constantius, and he also entered Constantinople at the head of western troops. Mamertinus' fellow consul for 362, the *consul posterior* Nevitta, who was one of Julian's top generals, was also a westerner. The emperor's choice of Mamertinus for delivering what is apparently the first panegyric of his reign, then, was quite purposeful; it must stand as Julian's desire to promote western interests by markedly giving a western intellectual and a staunch western military supporter each the

³⁶⁴ See Marrou 1982: 258 and Kaster 1988: 102, 104, 467–8.

³⁶⁵ See *PLRE* 1.797–8, Flavius Sallustius 5 and 1.814–17, Saturninius Secundus Salutius. The careers and identities of these two men in relation to Julian have been debated, but both were westerners, possibly from Gaul, which may indicate that it was there where they learned Greek.

consulship, as well as granting Mamertinus the added honor of the opportunity to display his Latin *paideia* in Constantinople. Julian likely also did all this in the interests of building a new equilibrium or *consensus* for his sole rule after civil war by first asserting western dominance at the outset of his reign in order to solidify his hold on the West before then turning to reorganize the East; this is further illustrated by the fact that, as has been noted above, the emperor's fellow consul for 363 was not an easterner but the westerner Flavius Sallustius. In this regard, we should see a similar motive on Julian's part in his early appointment at Constantinople of the learned Roman senator Vettius Agorius Praetextatus as proconsul of Achaia (Amm. 22.7.6), a position often reserved for those from among the eastern élite.³⁶⁶

This is not to say that there were inherent tensions between West and East but that periods of civil war, such as the one between Julian and Constantius, were often followed by the need to build a new *consensus* in such a way that was in accordance with how strong the winning emperor's position was and how interested he was in accommodation.³⁶⁷ An emperor could assert his right to rule over his defeated rival's

³⁶⁶ Our knowledge of who served as proconsuls of Achaia in the fourth century is rather limited, but it is significant that Praetextatus' immediate predecessors and successors in this office hailed from Antioch (see *PLRE* 1.1077). An interesting parallel with Julian's appointment of Praetextatus as proconsul is Constantine's appointment of the Roman senator and poet Publilius Optatianus Porphyrius to the same post after his defeat of Licinius in 324, perhaps c. 325/6 (see *PLRE* 1.649 and Barnes 1975). On Optatianus' relationship with Constantine and with fellow senators at Rome, see Salzman 2016: 33–4.

³⁶⁷ Two examples of this are how Constantius and Julian each behaved after civil war. After Constantius defeated Magnentius in 353 (and when the East was secure under Gallus), he apparently engaged in an intense purge of Magnentius' supporters in Gaul (Amm. 14.5), whereas Julian, after Constantius' death, apparently targeted relatively few of Constantius' appointees and put them on trial at Chalcedon (22.3). Constantius could

subjects and they might accept it, but he still needed to earn their support for long-term success. As we shall see below, the need for *consensus* was also manifest when the élite of the losing side championed opposing religious beliefs, as was the case with the Senate of Constantinople, which seems to have been Christian to a great extent under Constantius (though, interestingly enough, its chief senator, Themistius, was not). This is the context in which Julian had buried Constantius with a state funeral and according to Christian rites in the Church of the Holy Apostles at Constantinople.³⁶⁸

Once he was sole emperor, Julian displayed an interest in showing the West that he had not forgotten them after reaching Constantinople, perhaps as much as his interest in winning over the East, where he had hitherto not yet ruled; offices and rewards for easterners would be forthcoming, but westerners had a first claim to Julian's favor and the emperor seems to have had this on his mind. This would help explain why Julian designated Mamertinus and Nevitta as consuls while residing at Naissus in 361, when the issue of civil war was still unresolved, instead of waiting to see if he would emerge as the victor before making such designations (Amm. 21.10.8); this would indicate that Julian needed or thought he needed to shore up western support for his continued march

assert his supremacy in the West after civil war with relatively little difficulty and seemingly with little interest in accommodating former partisans of his rival (cf. Ch. 3); Julian, on the other hand, needed to be more careful in his early reorganization of the East and seems to have been interested in reconciliation because his position as sole emperor was somewhat insecure initially. That Julian allowed such an individual as Ursulus, who had supported him in Gaul but who had run afoul of the eastern army (20.11.5, 22.3.8), to be executed illustrates both Julian's difficult position and his interest in reaching early agreement on his rule as sole Augustus.

³⁶⁸ Claud. Mamert. 27.5; Greg. Naz. *Or.* 5, 16–17; Amm. 21.16.20.

eastwards. By contrast, we should note Constantine's promotion of the easterner Julius Julianus (Licinius' former praetorian prefect of the East and Julian's maternal grandfather) to the consulship alongside the westerner Sextus Anicius Paulinus in 325,³⁶⁹ after Constantine had defeated his eastern rival Licinius for the last time. At this point, Constantine had ruled the West undisputed as an Augustus for some thirteen years and so could feel secure in his hold on the western provinces when reorganizing the East, whereas Julian had controlled the West undisputed in this capacity only for a few months by early 362 and so needed to buttress his hold on the western half of the empire while imprinting his authority on the newly-acquired eastern half. Despite his brief reference to Julian's years in Gaul (Claud. Mamert. 3.1; below), we should see in Mamertinus' speech to Julian his building on the emperor's record of success in the West, primarily in the military and economic spheres, by outlining what the East could expect from its new Augustus. In this light, given that Julian's education and literary productions were all in Greek, he may have intended for Mamertinus' panegyric to help Romanize him further as sole emperor for certain Latin-speaking audiences, such as the Senate of Constantinople and the western provinces.

To help build *consensus* between sovereign and subjects after civil war, recourse also might be made to common and expected portrayals of the emperor through imperial panegyric, in which a panegyrist engages in communications between emperor and audience the moment he first speaks in a highly choreographed ceremony that was still

³⁶⁹ See *PLRE* 1.478–9, Iulius Iulianus 35 and 1.679–80, Sextus Anicius Paulinus 15.

part of a dynamic process. In his recent study of Pliny's panegyric to Trajan and Pacatus' panegyric to Theodosius, Kelly (2015: 220) notes that:

Like the elaborate and well-regulated protocols of grand imperial ceremonies, panegyric was principally concerned with the demonstration of things as they ought to be, both in the past and the present. An orator did not promise to set out a balanced or dispassionate version of events; and, perhaps more important, his listeners did not expect to hear one.

But this does not exactly hold true for Mamertinus, whose panegyric stands as a rather unique speech in many respects, not least of which for its instances of Mamertinus engaging in self-promotion and for his skillful selectivity in narrating and framing recent events that culminated with the emperor's residing at Constantinople.³⁷⁰

To be sure, his version of events is far from balanced or dispassionate, and it is unlikely that Mamertinus' audience expected anything less; indeed, Julian is praised and presented in many ways just as we would expect in a panegyric. That a state of civil war had existed between Julian and Constantius is downplayed, but it is hinted at subtly (Claud. Mamert. 14.5). There is no attempt to recast Julian and Constantius' relationship before open civil war as anything but a strained one (3.1–2, 5.2), although Mamertinus glosses over Julian's subsequent invasion and annexation of Illyricum (6.2). The panegyrist builds his narrative around a careful selection and portrayal of particular and recent historical events that are at times meant to signal what the East can expect from Julian (more below). While literary embellishments are frequent, Mamertinus nonetheless also presents his material with a unique emphasis on his authority as an actor in and

³⁷⁰ Cf. Aus. *Grat. Act.* 8.36–40, for similar self-promotion, but one that focuses pointedly on more personal aspects of the panegyrist's character and habits. Moreover, Ausonius tells us less about Gratian than Mamertinus does about Julian.

witness to Julian's activities and thus his reliability as a source of information on the emperor. As we shall see below, Mamertinus inserts himself into the speech with such regularity as to clearly indicate his interest in self-promotion before the emperor and the Constantinopolitan Senate and élite with a clear eye to the future. To be sure, this was not unheard of. In his ambassadorial speech before Constantius at Rome in 357, Themistius, as we have seen, certainly engaged in self-promotion before a western audience that was likely unfamiliar with him (Ch. 3), but not to the extent that Mamertinus would engage in before Julian and an eastern audience.

*Etsi scio te, imperator, et cunctos qui consilium tuum participant posse mirari...*³⁷¹ So begins Claudius Mamertinus' panegyric to Julian, in which the panegyrist indicates his place among those in the know. And at the very end of his panegyric, Mamertinus pointedly places himself among the *consilium principis* when he tells the emperor (and us) that he promises that he will always be sure that neither truth will fail him when he is offering his counsels (*hoc tibi polliceor semperque praestabo, mihi neque in suggerendis consiliis ueritatem, 32.3*) nor confidence in conveying his opinion plainly (*neque in sententia simpliciter ferenda fidem*), among other things.³⁷² While Ausonius'

³⁷¹ For Mamertinus' meaning and inspiration here, see García Ruiz 2006a: 101.

³⁷² Cf. 25.1, where Mamertinus notes that some previous emperors, because they were unskilled and inexperienced, chose whoever was the most uneducated for their councils so that their own practical wisdom might stand apart to an extent from the crowd of their advisers (*nonnulli alii principes...quod imperiti ac rudes indoctissimum quemque in consilium delegabant, scilicet ut ipsorum prudentia uulgo suorum aliquatenus emineret*). By implication, when we also consider his remarks above, Mamertinus is subtly highlighting himself as a learned man and thus that he is eminently qualified to advise Julian as a member of his council and that Julian is not an unskilled and inexperienced emperor for promoting him.

Gratiarum Actio to the Emperor Gratian comes closest (cf. 18.83),³⁷³ no other extant Latin panegyric but Mamertinus' commences and ends in this way with the panegyrist pointing to his close relationship with the emperor and to those who advise him so emphatically,³⁷⁴ which thus imbues what is said regarding Julian with unique authority.

Mamertinus as praetorian prefect of Illyricum had been the one whom Julian placed in charge of investigating the revolt at Aquileia and punishing the vilest offenders (Amm. 21.12.20), and he was a member of the military court that Julian formed to investigate and punish officials under Constantius (22.3.1). And as Julian's former *comes sacrarum largitionum* and his then *consul prior* and praetorian prefect of Illyricum, Italy, and Africa, offices which the panegyrist is keen to point to early on (1.4, 1.5), Mamertinus was well-situated to know the subject of his panegyric and what that subject desired to be disseminated through panegyric to those in attendance, namely, to fellow high officials of the new régime and to the Senate of Constantinople, which Mamertinus reverentially calls "the most august temple of public counsel" (*augustissimum consilii publici templum*, 2.3).³⁷⁵

³⁷³ Note also *Pan. Lat.* 8(5). 1.4, where the anonymous panegyrist engages in self-authentication but to a lesser extent than Mamertinus and Ausonius.

³⁷⁴ Pliny both opens and closes his panegyric by addressing, not Trajan, but *patres conscripti*, that is, his fellow senators (1.1, 95.1). To be sure, as Noreña (2011b) has argued, one of Pliny's chief concerns in his *gratiarum actio* was on fashioning his self-image. But Pliny is both more subtle and expansive in his self-promotion than Claudius Mamertinus, who also knew his emperor better.

³⁷⁵ See García Ruiz 2006a: 103–4.

Interestingly, while the subject of Mamertinus' panegyric is the emperor, whom he appears to have known fairly well,³⁷⁶ the panegyrist frequently inserts himself into the speech throughout, usually explicitly but also subtly, in what are clear examples of self-promotion,³⁷⁷ several examples of which are rather lengthy.³⁷⁸ Even Mamertinus' seemingly respectful exclamation of mighty Greek eloquence (*O facundia potens Graecia!*, 8.1) and subsequent complimentary reference to its prior standing can be read as self-promotion since it is Latin and Gallic eloquence, his eloquence, and not Greek that won the day in delivering a panegyric before Julian.³⁷⁹ Yet it is possible that the panegyrist's exclamation is one of sincere humility and admiration, and if so, it makes Mamertinus come off well in duly paying his respects to Greek eloquence while in the eastern capital; and such a remark may have been targeted at Themistius, who would have been in attendance, and his public record of eloquence under Constantius. In any case, Mamertinus draws attention to himself and his self-promotion verges on self-panegyric; indeed, as Edward Gibbon (1974: 447) puts it with his usual irony,

³⁷⁶ We do not know when, exactly, they first met in Gaul and under what circumstances, except that it was when Julian was still Caesar and so before early 360, when the Gallic army promoted Julian to Augustus: *Nam primum, cum Caesar esses, marcentem iam cupiditatis meae flammam spei bonae flatibus excitasti* (17.4).

³⁷⁷ 1.1, 1.3–5, 2.1, 2.4–5, 3.3, 6.3, 15.2–5, 25.1–5, 31.3–32.3.

³⁷⁸ 17.1–19.1, 21.1–23.3, 28.1–4, and 29.1–30.2.

³⁷⁹ 8.1: *Omnium tuorum principum gesta in maius extollere sola potuisti, sola factorum glorias ad uerborum copiam tetendisti*. Mamertinus' use of *sola...sola* emphasizes that Greek eloquence at one time had a kind of monopoly on imperial praise-giving and esteem, but not so now, ironically under the Greek Julian. This might indicate that Julian's choice of a Latin panegyrist to deliver an imperial speech before him in Constantinople surprised many.

Mamertinus' "merit is loudly celebrated by the doubtful evidence of his own applause." By outlining the offices he holds due to Julian's favor, Mamertinus engages in self-authentication, he showcases his credentials for speaking about Julian and his new government while also promoting himself as a westerner worthy of holding a place in that government.

Thus, Mamertinus' self-references squarely cast him as a spokesman for the new régime; but in so doing he also appears to showcase a degree of independence in earnestly seeking to remain a useful member of Julian's inner circle. In fact, Mamertinus remarks that Julian has steeled himself against "yes-men" (*adsentatores*), a reference to the courtiers of Constantius, and the panegyrist implies that he does not count himself as one of those types of men (21.3). One particular point of interest is Mamertinus' reference to Constantius' reliance on eunuchs (19.4); such a reference might emanate from Julian's *Epistle to the Athenians* (272D), a document which Mamertinus was probably well-acquainted with since he traveled through the Balkans with the emperor when the latter wrote it (*Vidimus, felices illius uiae comites*, Claud. Mamert. 6.3). If so, this would indicate Mamertinus' acquaintance with Greek. Moreover, Mamertinus casts a critical eye on some of Julian's intimates, that the emperor as a steadfast friend tolerated their vices (*tolerandis familiarium uitii immutabilis est amicus*, 26.5). This is a remarkable statement, although we do not know who, exactly, Mamertinus has in mind here.³⁸⁰ Whoever is meant, Mamertinus may be advising the emperor to be wary of those who would take advantage of his favor and those who are not even worthy of it.

³⁸⁰ See Nixon and Rodgers 2015: 429, n. 161.

Mamertinus' panegyric is not only interesting for the close relationship between panegyrist and emperor that is put on display, but also for the carefully crafted contents of that panegyric, which scholars such as Barabino noted generally for how it functions as an outline of Julian's political program. But what, exactly, was Julian's political program? In a revealing scene near the end of his panegyric, Mamertinus emphasizes Julian's accessibility and so his *ciuilitas* by noting the emperor's close interactions with him and Nevitta (*suis prope nos manibus impositos mixtus agmini togatorum praeire pedes coepit, gradum moderans paene ad lictoris nutum et uiatoris imperium*, 30.2).³⁸¹ In connection to this sense of *ciuilitas*, which Mamertinus never uses by name, the panegyrist immediately goes on to relate that *libertas* has returned to the advantage of the Roman state (*Credet aliquis tanto post ueterem illam priscorum temporum libertatem rei publicae redditam?*, 30.3).³⁸² But *libertas* is a vague and abstract word – freedom for whom and free to do what? Since Mamertinus immediately goes on to invoke Lucius Brutus as consul in 509 BCE, then it seems right to see his use of *libertas* here as denoting a restoration of a more Republican form of government under Julian, not unlike Pliny's claim that under Trajan both principate and freedom coexist (*Pan.* 36.4, 78.3).³⁸³ Consequently, Blockley (2012: 356) may be right in his view that Mamertinus, like

³⁸¹ See García Ruiz 2006a: 154.

³⁸² See García Ruiz 2006a: 154. Cf. Claud. Mamert. 8.4, 21.1, 29.2, and 32.3, for other references to *libertas*.

³⁸³ See also Tac. Agr. 3.1: *Nerua Caesar res olim dissociabiles miscuerit, principatum ac libertatem, augeatque cotidie felicitatem temporum Nerua Traianus.*

Ammianus, conceives of *libertas* as a particular trait of the new administrator under Julian who is able to speak to his emperor openly and honestly.³⁸⁴

With respect to military policy, which was of no small concern to an eastern audience after the recent Persian invasion of Roman Mesopotamia in 359/60, Mamertinus also provides some material. At 3.1, Mamertinus asks if he should relate how Julian recovered Gaul by means of his valor and how he subdued all barbarity as if these were new and unheard of things (*An ego nunc receptas uirtute tua Gallias, barbariam omnem subactam pergam quasi noua et inaudita memorare?*). By his silence, Mamertinus answers his own question, but even this short reference would have served Julian's interests in that it reminded the East of his valor and success and his prospects for success elsewhere. As Nixon and Rodgers (2015: 396, n. 18) have noted, the panegyrist gives us fewer details here than an epitomator. Indeed, Mamertinus' subsequent remark is not even worthy of an epitomator such as Eutropius: *una acie Germania uniuersa deleta est, uno proelio debellatum* (4.3).³⁸⁵ And yet a general overview of Julian's military role as Caesar is given some space in the text.³⁸⁶ Mamertinus clearly had much more material he could have provided regarding Julian's exploits along the Rhine and beyond, but he deliberately chose not to use it, likely, as Blockley (2012: 359) has suggested, because

³⁸⁴ Cf. Nixon and Rodgers 2015: 433, n. 180, citing Gutzwiller 1942, who considers that a lessened court protocol and religious freedom are meant.

³⁸⁵ Cf. Eutrop. 10.14.1–2: *a quo modicis copiis apud Argentoratum, Galliae urbem, ingentes Alamannorum copiae extinctae sunt, rex nobilissimus captus, Galliae restituae. multa postea per eundem Iulianum egregia aduersum barbaros gesta sunt summotique ultra Rhenum Germani et finibus suis Romanum imperium restitutum.*

³⁸⁶ *Grat. Act.* 3–6; Wienand 2016: 353.

the emperor's victories had been with the western army and he did not wish to it to be overly celebrated over its eastern counterpart, whose support he needed in order to consolidate his hold over the East. Kaegi (1967) had reached a similar conclusion about Julian's relationship with the eastern army early in his reign, that the emperor apparently was aware of his tenuous hold on it and thus his need to conciliate it. If so, then all this suggests Julian's sensitivity and responsiveness to eastern military attitudes and so that he was interested in building *consensus*.

And we might go further than Blockley in his line of thought regarding Julian's desire not to alienate the eastern army—the emperor was attempting to communicate reconciliation and to build a new *consensus* between West and East after civil war. Julian had a sense of optics. The desired reconciliation above becomes more apparent when we consider that the subsequent military court that Julian convened at Chalcedon contained two prominent eastern army officers of Constantius, that is, Arbitio and Agilo (Amm. 22.3.1), and that Julian acquiesced to their demand that Ursulus be executed, an act which the emperor deeply regretted (22.3.7–8).³⁸⁷ Moreover, by choosing Chalcedon instead of Constantinople as the site for this military commission, Julian was physically and politically distancing the commission's actions away from the imperial court, and so away from himself personally to an extent, while no doubt intentionally sparing his native city from the kind of turbulent atmosphere that angry soldiers there could create, as they had in summer 337, when Julian himself nearly fell prey to them. Julian's military

³⁸⁷ *PLRE* 1.28–9, Agilo and 1.94–5, Flavius Arbitio. On the military trials at Chalcedon, see Thompson 1969: 73–78, Blockley 1972b: 449–50, Bowersock 1978: 66–70, and García Ruiz 2007.

prohess and record of success were important components of his legitimacy, so why did Mamertinus choose to downplay them? Blockley (2012: 359) has added that Julian's triumphs in the West "would have been of little interest to the people of Constantinople." But this is not a certainty. After all, Julian's exploits were unambiguous victories (in contrast to Constantius' military résumé in the East) and these showcased his imperial credentials in the military sphere. And Julian was a native son. It might be better to say that a *detailed* discussion of Julian's military résumé was of little interest to the Senate of Constantinople, which, if so, further supports viewing Mamertinus' panegyric as a carefully calibrated speech and message geared towards building *consensus*.

Consequently, Mamertinus dedicated far more time to Julian as civil reformer and administrator, to his benefactions to cities in the Balkans and across the empire, and to the sense of renewal these are said to have brought about (7.3–10.3). Interestingly, as further testimony to Julian's sense of optics, there may be a hint here of Julian's building program in Constantinople, which is said to have been extensive and which was probably underway by 1 January 362.³⁸⁸ During his short stay in his native city, Julian enlarged the imperial library, constructed a large port, completed the senate house in the Augusteion, and likely renovated the Tychaion.³⁸⁹ Allusions to such civic euergetism are worthy of

³⁸⁸ Amm. 22.9.2: *reliquit Constantinopolim incrementis maximis fultam*.

³⁸⁹ See Zos. 3.11.3, who states that Julian "granted a senate to the city [of Constantinople] just as Rome possessed" (ἔδωκε μὲν τῇ πόλει γερουσίαν ἔχειν ὡσπερ τῇ Ῥώμῃ), built a large port (cf. *CTh* 14.6.5, which refers to *diui Iuliani portum*), and founded an imperial library; Soc. 3.11.4, Soz. 5.4.8, for Julian sacrificing to Tyche in Constantinople, likely at the Tychaion, which he would have renovated in keeping with his temple policy. Zosimus exaggerates some items, such as the establishment of the Senate as a body, which had been done by Constantine and augmented by Constantius.

panegyric. Mamertinus portrays Julian as a workhorse, as an emperor who worked hard on behalf of the common interest (12.3). We find Julian managing a food shortage at Rome successfully, an account that Mamertinus no doubt advances to show Julian as a traditional emperor in the mold of Trajan, one who looked after the well-being of his subjects by such dispensations of grain and benevolence (14.1–5; more below). But, while Julian is said to have directed imperial resources to meet this challenge (14.2), it was likely the pragmatic choice of Maximus, whom he appointed urban prefect of Rome at Naissus sometime in mid or late 361, who actually distributed the grain wisely and resolved the crisis; in fact, Ammianus tells us that under Maximus the city never lacked food and did not experience any civil unrest (21.12.24).³⁹⁰ For Julian's part, his resolution

However, as Bassett (2007: 90, 92) has observed, Zosimus actually may be indicating Julian's completion of the Augusteion Senate, that is, the building. This certainly would be in keeping with Julian's more republican form of government whereby he accorded great respect to the Senate of Constantinople, often presided over its meetings in the senate house, and even delivered speeches there (see Amm. 22.7; Lib. *Or.* 18, 154), whereas, if Libanius is correct, Constantius never attended meetings of the Senate (*Or.* 18, 154), and so probably did not care for completing the senate house. But Constantius had established some kind of imperial library in Constantinople (Them. *Or.* 4, 59D–61D; cf. Henck 2001b: 286), so it would be better to see that Julian augmented this, whatever it comprised, or perhaps he in fact did build a new library. On the Tyche of Constantinople, see Lenski 2014.

³⁹⁰ See *PLRE* 1.582, Maximus 17. Ammianus opines that Avianius Symmachus was the better man (*potiore*) and so should have been appointed over Maximus. However, Maximus' uncle was Vulcacius Rufinus (see *PLRE* 1.782–3, Vulcacius Rufinus 25), who had been *consul prior* in 347 and had served long tenures as praetorian prefect of various prefectures, such as Italy, Illyricum, and Gaul, under both Constans and Constantius. Such a career indicates very close ties to the Constantinian dynasty. Indeed, Vulcacius Rufinus was also the maternal uncle of Gallus Caesar. Thus, in selecting Maximus for urban prefect of Rome, Julian was prudently maintaining or renewing an important dynastic relationship with an illustrious Italian senatorial family, especially one whose support Julian would have needed in order to consolidate his control of Rome during civil

of Rome's food shortage, however he and his urban prefect managed to solve it, would have encouraged the emperor when it came time to deal with the famine at Antioch in 362/3, which may illustrate what Julian did with respect to Rome, although the former instance proved unsuccessful due to how merchants and the Antiochene élite responded to his measures (see Ch. 6). In any case, Mamertinus' discussion of the food shortage at Rome and its resolution projects the view that Julian was a responsible emperor and one who was responsive to the needs of his subjects, a view that Julian himself would have wanted to be conveyed.

While Mamertinus' panegyric provides a highly condensed narrative of Julian's life and times as Caesar in Gaul, he uses that truncated narrative to illustrate potently to Julian's new eastern subjects what they could expect from their new Augustus. Nonetheless, as scholars have noted, Mamertinus anchors Julian's right to rule not on his military successes in the West in particular, which are reduced to a few sentences as we have seen above, but on the emperor's holding of moral qualities in a general sense, which are given a wider field of expression.³⁹¹ At 5.4, Mamertinus first outlines Julian virtues and qualifications for the imperial office: *aequitas*, *temperantia*, *fortitudo*, and *prouidentia*.³⁹² And at 21.4, we find *iustitia*, *fortitudo*, *temperantia*, and *prudencia* on display. This list is a slightly modified version of what had been said about the virtues of

war, whereas the family of Symmachus apparently was not as well connected to the dynasty and perhaps was less vital to Julian's concerns at this time.

³⁹¹ Blockley 2012: 349, 354 and Rees 1998: 92–3.

³⁹² On these and other virtues in Mamertinus' panegyric, see Seager 1984: 155–58.

emperors such as Maximian and Constantine,³⁹³ which may be one way that Mamertinus indicates that Julian was an improvement over his predecessors, who are not explicitly said to have *aequitas*. This virtue is particularly ascribed to Julian, who, conversely, is not granted *pietas*, which shall be discussed further below. The citing of *aequitas* and its place in the first position at the head of these virtues is also suggestive of Julian's interest in *consensus*. Furthermore, by presenting Julian's care for his subjects at Rome and resolution of the foot shortage, a situation that had occurred mere months or even weeks before 1 January 362, Mamertinus advertises the emperor's recent display of benevolence and so what could be expected of him elsewhere in the immediate future; indeed, in the very same passage, the panegyrist emphasizes Julian's high regard for Constantinople as the city of his birth when he tells us that the emperor was pleased that a grain shipment from Africa had reached the city even though it was still under Constantius' control (14.5–6). Thus Rome and Constantinople are linked to Julian and presented with an eye to building *consensus* and equilibrium between West and East under one emperor.

The very heart of this panegyric of 32 sections (23 OCT pages) lies in sections 15.1–22.5, where Mamertinus evokes the Roman Republican past through various *exempla* to broadcast what can be expected from Julian's new government, and the panegyrist inserts himself directly into the speech by name. At 16, Mamertinus tells us about the orator L. Licinius Crassus and his father-in-law, the augur and jurist Q. Mucius Scaevola, and the methods that Crassus and those like him needed to employ in

³⁹³ Cf. *Pan. Lat.* 11(3). 19.2, for Maximian's possession of *fortitudo*, *continentia*, *iustitia*, and *sapientia*, as well as *pietas* and *felicitas*; and 7(6). 3.4–5.3, where Constantine is shown in possession of all four cardinal virtues in a rather lengthy section.

Republican Rome to get elected to office. Mamertinus employs Crassus as an example of how the Republican state had functioned, using himself as an *exemplum* for how Roman citizens now come to office under Julian as part of a new and improved state (*in nouum ac florentem statum re publica restituta*, 15.1). The theme of restoration is a common one in the Latin panegyrics,³⁹⁴ but Mamertinus adduces numerous trappings of the new order in 362. The panegyrist emphasizes that the consulship, contrary to practice under Constantius, came to him unsought (16.3–4, 17.2, 18.5), and in this we may believe him; he tells us that he gained his high office as a divine favor (*diuinum...munus*, 16.4), where Mamertinus clearly uses a multivalent sense of *munus* as both favor and obligation (see also 1.1). In short, he is telling us that he owes the emperor for this benefaction and that he plans to carry out his duty as consul. In so doing, Mamertinus puts on full display the kind of interaction that Lendon (1997: 106, 155) has noted as illustrating a code of reciprocity between an emperor and one of his subjects where the distribution and acceptance of an honor enhances the public standing of both parties involved. Uniquely in the Latin panegyrics, Mamertinus inserts himself by name into his speech before the emperor (17.4), which can have only further stressed his close association with Julian since such a break with protocol was uncommon.³⁹⁵

³⁹⁴ For various uses of *restituta*, see *Pan. Lat.* 8(5). 1.4, 3.3, 17.2, 18.4. 9(4). 18.4. 7(6). 10.4. 6(7). 22.7. 12(9). 1.1. Some of these references are made with respect to a province or a frontier zone, but Mamertinus' use of *res publica restituta* closely parallels panegyric 12(9) to Constantine (1.1).

³⁹⁵ This marked instance self-promotion has gone unnoticed by Nixon and Rodgers and others. Not even Ausonius inserts himself by name into his *Gratiarum Actio* to Gratian.

Mamertinus admits that he had desired the consulship “when,” as he puts it, “the Roman state was in the power of other emperors” (*Cum in aliorum principum esset potestate res publica*, 17.3), but that he had been lacking in resources and did not know how to go about seeking votes (*opum uacuo et ignaro ambiundi*). This had been the way of things in Crassus and Scaevola’s time (16) and later when Aulus Gabinius sought the consulship (19.2), when the *comitia centuriata* elected officials (19.1). Mamertinus is the first among the extant Latin panegyrists to mention the *comitia centuriata* and to graft it to his emperor’s reign in order to link present times to a freer past, that is, to Republican *libertas*. This use of the *comitia centuriata* as a rhetorical device worked well enough that it was also used later by Symmachus in his *Or.* 1 to Valentinian c. 368 (9), and alluded to in *Or.* 4 on his father Avianus in 376 (6),³⁹⁶ by Ausonius for his own *Gratiarum Actio* to Gratian after the consular ‘elections’ in Sirmium in 379 (9.42), and by Pacatus in his panegyric to Theodosius at Rome after the emperor’s defeat of Maximus in 389 (2[12]. 3.6).³⁹⁷

³⁹⁶ I am grateful for this additional textual concordance to Robert Chenault, whose paper on the panegyrics of Symmachus and Ausonius at the 9th Celtic Conference in Classics in Dublin prompted much fruitful discussion, including his suggestion that Mamertinus’ influence also may be evident in Symm. *Or.* 4, where Symmachus alludes to the *comitia centuriata* and advances the notion that bribery and campaigning for public office under Gratian is unnecessary. In fact, Mamertinus’ message that no good men need campaign for office since Julian will seek them out finds a closer thematic parallel in *Or.* 4. The allusion to the *comitia centuriata* in *Or.* 4 is perhaps apparent in Symmachus’ use of *praerogatiua*, which signifies a voting authority (see <http://www.uvm.edu/~bsaylor/>, for an unpublished online translation and commentary), although this could also refer to the *comitia tributa* or even the Senate. See also n. 397.

³⁹⁷ See Nixon and Rodgers 2015: 451, n. 11. We should add that since Pacatus is already known to have borrowed from Mamertinus on several fronts, then we can see that both Pacatus and Ausonius may have used Mamertinus as a source here; it would have been

However, in late Republican Rome, liberty and corruption often went hand in hand. Mamertinus tells us that this was the way of things when even in ancient times the Campus Martius had been infamous by the bribery of many men (*etiam illis priscis temporibus multorum ambitu fuit Campus infamis*, 19.1). Yet Mamertinus uses *etiam* to emphasize how far back such corruption went because it was still prevalent until recent times, “when the Roman state was in the power of other emperors,” that is, under Constantius II and his immediate predecessors, but under Constantius in particular. That Mamertinus has Constantius in mind is evident from the panegyrist’s references to recent times (*paulo ante*, 19.3), when, we are told, those who sought office and acquired favor from the emperor did so through foul arts and then unremitting compliance and gifts, and they also had to canvass courtiers and eunuchs at the imperial court (19.3–4). Thus the panegyrist makes a not so subtle dig at Constantius and his government, which he paints as having had all the corruption but none of the liberty of Republican Rome. Conversely, while Mamertinus rejects the free but corrupt elections of the past, by invoking them he still paints Julian’s new government with greater freedom but with none of the corruption.

It is here that we might return to the topic of what Mamertinus relates about Julian’s tenure as Caesar for how it presents the emperor’s actions in Gaul as anticipating his new government as Augustus empire-wide. When Gaul is mentioned in a non-military

proper for them to review the Latin panegyric of such a successful and recent predecessor as Mamertinus. Alternatively, Symmachus, Ausonius, and Pacatus all may have consulted some rhetorical handbook that used the *comitia centuriata* as an *exemplum* or an ornament of the Republican past.

matter, it is to underscore her corrupt governors prior to Julian's arrival as Caesar and how the latter was the right man to put an end to their peculation (4.2, cf. 1.4). But Mamertinus goes further than this. He does not simply say that Julian ended their corruption but that Julian restored legal rights to Roman citizens (*ciuibus iura restituat*, 4.7).³⁹⁸ This seemingly innocuous statement supports what is to follow, namely, that Julian looked to the Roman Republican past as a model to emulate and an example to communicate to his subjects on what they could expect from his new and more responsive government; indeed, Mamertinus emphasizes the emperor's *ciuilitas* in several places by personal references to Julian being even more civil after his accession (*ciuilior*, 27.3) and to his civil disposition (*ciuilis animi*, 28.1). Looking at how Julian is presented and with what traits in mind, Blockley (2012: 355) noted that Mamertinus particularly claims *ciuilitas* or, as Blockley puts it, "fellow citizen status" for the emperor.³⁹⁹ While Wallace-Hadrill (1982: 43) has observed that the adjective *ciuilis* became an ethical term denoting the good behavior and personality of an emperor; and one aspect of that good behavior lay in deference to the Senate and the senatorial order, as other scholars also have noted.⁴⁰⁰ This emphasis on *ciuilitas* is consistent with

³⁹⁸ But what rights (*iura*) is Mamertinus referring to? Considering Julian's well-known penchant for dispensing justice in person, several examples of which are preserved by Ammianus, one of these rights would appear to be a Roman citizen's right of appeal to the emperor.

³⁹⁹ See Claud. Mamert. 12, 28–9, 30. It should be noted again, however, that Mamertinus never actually invokes *ciuilitas* by name, instead alluding to it by the images he presents of Julian as emperor. On *ciuilitas* in the fourth century, see Scivoletto 1970.

⁴⁰⁰ Scivoletto 1970: 24–30; Wallace-Hadrill 1982: 45–6; Rees 1998: 93; García Ruiz 2013b: 208–10.

Mamertinus' underpinning of Julian's right to rule on his moral qualities. *Ciuitas* and *ciuilis* as variously applied to Julian by Mamertinus also stand for accessibility and responsiveness to his administrators and subjects, a description of his behavior and personality which casts him squarely as a *ciuilis princeps*.

Additionally, we are told that under Constantius there had been no zeal for the fine arts (*nullum iam erat bonarum artium studium*, 20.1),⁴⁰¹ that military service was rejected by the most noble in favor of sordid and illiberal things (*Militiae labor a nobilissimo quoque pro sordido et inliberali reiciebatur*),⁴⁰² that the study of law was considered to be the profession of freedmen (*Iuris ciuilis scientia...libertorum artificium dicebatur*), and that the skill of the orator went unappreciated (20.2). Under Constantius, office-seekers sought to enrich themselves and so approached the emperor and his court. All zeal was spent for the purpose of accumulating wealth (*omne studium pecuniae coaceruandae*, 20.3), which is presented in sharp contrast to the lack of zeal for the fine arts, and so those among the élite only sought to increase their prestige by increasing their wealth and to attain office through flattery (20.3–4). To be sure, this is a quite polemical

⁴⁰¹ This is, of course, not quite true, as Henck (2001a) and Van Hoof (2013) have shown; see Ch. 2. However, Mamertinus is presenting an image of Constantius in relation to Julian, who far exceeded his cousin in learning and who seems to have promoted more learned men, such as Mamertinus, to high office. Therefore, by comparison, Constantius is said not to have cared for the fine arts.

⁴⁰² Cf. Nixon and Rodgers 2015: 421, for a not quite accurate translation of this sentence: "The labor of military service was despised by all the nobles as nasty and vulgar." The image presented here is also reminiscent of what Ammianus famously says about many among the élite in Rome, that they preferred to languish in idleness over engaging in serious matters (14.6.18).

and generalized picture of civil life during Constantius' reign, but one adduced with an eye to highlighting new civil life under Julian or rather the political promise of change, that the contrary could now be expected. Mamertinus presents himself as proof of this, as an orator whose eloquence Julian not only has appreciated but also rewarded with the consulship.

Our panegyrist emphasizes this change in emperor and atmosphere by the emphatic *At nunc*, that under Julian it is not necessary for one seeking offices, such as provincial governorships, tribuneships, prefectures, and the consulship, to employ money and flattery to gain an appointment (21.1). In fact, the emperor, we are told, proactively rewarded men with offices who had not sought them to begin with (21.4–5, 25.3). In short, the panegyrist declares that “the greatest emperor shall come to you and he will demand that you take hold of the Roman state” (*ad te maximus imperator accedet et ut capessas rem publicam flagitabit*, 21.4). This in itself communicates Julian's republican attitudes since it depicts his officeholders with real power and authority in the *res publica*. As Blockley (2012: 355) has suggested, Mamertinus' description of this new kind of man (*aliud quoddam hominum genus*) resembles Julian in appearance—*rude (ut urbanis istis uidetur), parum come, subrusticum* (21.2);⁴⁰³ if so, then the panegyrist may be asserting that virtue accompanies such an appearance while finery embodies the opposite.

As we have been told, Julian has brought about a new and improved state (*in nouum ac florentem statum re publica restituta*, 15.1), one where the corruption

⁴⁰³ See Jul. *Misop.* 339B–C, for Julian's self-description, which is similar.

associated with office-seeking no longer has a place or is pointless since men such as Mamertinus are selected by the emperor for their merits and not because of their canvassing and bribes, neither of which Mamertinus engaged in, so he affirms. Mamertinus puts forward the view that those men who share in the emperor's friendship have determined that the greatest resources lie in the health of the Roman state and in glorious praise of their emperor (*Tum aliud quoddam hominum genus est in amicitia principis nostri...maximas opes in rei publicae salute et gloriosa imperatoris sui laude constituit*, 21.2), words which no doubt reflect Mamertinus himself but also advance the notion of the kind of citizen Julian is likely to promote to high office: loyal, humble, and educated men, as if these had been lacking under Constantius. But Mamertinus notes that officeholders will still be enriched by the emperor with money, wealth, and offices (25.5). Thus, the incentives for individuals to continue seeking imperial favor still existed. If Mamertinus sincerely believed in such statements above, that Julian's accession heralded political change and improvement over Constantius, then he might have been somewhat disappointed with subsequent events with respect to office-seeking, for it seems that venal *suffragium* still persisted under Julian, although it was regulated to an extent; under Julian, venal *suffragium* and promotion based on merit were not mutually exclusive.⁴⁰⁴

⁴⁰⁴ See Goffart 1970 and Barnes 1974a. As Barnes (1974a: 290–1) has observed, Julian's law did not make venal *suffragium* and promotion by merit mutually exclusive. One would pay for access to the emperor to have his case heard by him and the emperor in turn decided the case on its merits. In support of this view, note what Ammianus says about Julian's treatment of a man who had used his imperial belt as a means to gain access to the palace and to the emperor to plead his case against a certain woman: the

To authenticate further all that he has spoken regarding the emperor and to underscore his close relationship and position of high favor, Mamertinus tells us near the end of his panegyric that, on the very day on which he was to deliver his speech, he and his fellow consul, Nevitta, went to the Great Palace of Constantinople to pay their respects to Julian, who received Mamertinus with great affection in the form of a coveted kiss and by offering him his right hand, which were distinct marks of honor (28.1–4). García Ruiz (2013b: 207–8) recently noted how this scene mirrors Trajan’s behavior in a similar setting in Pliny’s *Panegyricus*. Mamertinus is no doubt advancing an image of Julian in keeping with that of Trajan and the latter’s manner of personal rule. We should recall that Trajan’s reign is when principate and freedom are said to coexist (Plin. *Pan.* 36.4, 78.3; Tac. *Agr.* 3.1). Mamertinus’ portrayal, therefore, has the effect of introducing Julian’s notion of imperial *libertas* and manner of personal rule to those listening to Mamertinus’ panegyric, that is, to an eastern audience accustomed more to Hellenistic notions of rulership, and of contrasting it to that of his immediate predecessor, who was not known for such displays of accessibility and favor (cf. 30.3).

To be sure, Mamertinus knew his Pliny, but Mamertinus’ panegyric is distinctive in several respects: it tells us far less about Julian’s early life and career and little about his years as Caesar before ruling as sole Augustus; it reduces Julian’s military successes to a few condensed references; aside from a few respectful remarks, it downplays the Senate and senators and instead promotes Julian and even Mamertinus himself; its praise

man merely used his belt to gain access, but he, Julian, would still decide the case on its merits (22.10.5).

is in places profuse but overall the speech is relatively short; it ascribes divine traits to Julian but it associates him with divinity and invokes it on his behalf less than Pliny does with Trajan; and while Constantius and his régime are certainly criticized in several places, it is far short of the lampooning that Pliny gives to Domitian, for Constantius is still a *diuus* (3.2). Undoubtedly, this was due, in part, to Julian's legitimacy as sole Augustus resting on his being the proper successor of Constantius. What is undeniably a commonality is Mamertinus' insistence on showing Julian as an accessible emperor who is almost "one of us," that is, a fellow citizen, just as Pliny does with Trajan (*unum ille se ex nobis, Pan. 2.4*). Therefore, Mamertinus overlays the *ciuitas* mantle of Trajan onto Julian to show him as a worthy successor of that emperor. Another common theme is Mamertinus' exposition on Julian's handling of a grain shortage at Rome, as we noted above, which the emperor is said to have resolved in exemplary fashion, though we are not told how exactly (14.1–2); this focus mirrors Pliny's similar exposition of Trajan's exemplary handling of a famine in Egypt (*Pan. 31.1–32.4*). In each case, the emperor is shown displaying concern for his subjects and fellow citizens, and so fully aware of his responsibilities, and displaying his effectiveness in the imperial office and so his legitimacy in occupying it.

Mamertinus' careful portrayal of Julian overall, which, I argue, reflects the emperor's interest in building *consensus*, overshadows the instances of "confrontation" that Wienand (2016: 354–5) has focused on in this panegyric, confrontation which he

overstates.⁴⁰⁵ While Mamertinus' comments on corruption and greed under Constantius are confrontational to an extent, the corruption and greed of earlier governments are common *topoi* of panegyric;⁴⁰⁶ Mamertinus also traces these vices here back to the Republican period (19.1–2), and so is interested in showing continuity until Julian. Furthermore, the Senate of Constantinople could hardly have expected Mamertinus' panegyric before the emperor and them to have painted many from their side, the losing side, in any other way. Levels of confrontation often followed civil war when the victor outlined a new political order, and Julian's conflict with the eastern élite pales by comparison with the actions of other emperors.⁴⁰⁷ In fact, the choice of venue for

⁴⁰⁵ Mamertinus is certainly critical of Constantius' courtiers and many of his appointees, but he is careful not to condemn them all (cf. Wienand 2016: 354); we should also note that *honor* at 19.3 can also refer to "honor" more broadly and not just "office." And while Mamertinus is rather vague about both which men and which provinces he is referring to (cf. 19.5), it seems likely that he is referring to individuals with which he was acquainted, that is, to those who governed Gaul prior to Julian's arrival and shortly afterwards (cf. 4.2), when the Caesar began to assert himself as a chief administrator. Mamertinus' portrayal of Constantius' appointees is consistent with that of Ammianus. Moreover, a limited confrontation is evident in the fact that Julian deified Constantius, who is referred to as a *diuus* in Mamertinus' speech (3.2). See also nn. 11 and 51.

⁴⁰⁶ E.g., see Plin. *Pan.* 34–5; *Pan. Lat.* 6(7). 16.5, 2(12). 26. See also Nixon and Rogers 2015: 25, who note that the rivals of emperors were often referred to as "robbers" and other derogatory terms in panegyrics. Mamertinus is careful not to describe Constantius himself as such, rather he describes the system over which Constantius presided as largely corrupt. Furthermore, such a careful representation is also found in what Mamertinus tells us about the poor relations between Constantius and Julian: while a degree of jealousy is laid at Constantius' feet (3.1), greater attention is paid to those around Constantius at court as responsible for his enmity towards his junior colleague (4.3–5.2).

⁴⁰⁷ E.g., Constantine and Constantius each disseminated propaganda against their defeated rivals after civil war, particularly on their general misgovernment, Constantine after wars with Maxentius and Licinius (the case of Julius Julianus would seem to be a notable exception), and Constantius after his war with Magnentius. Julian's limited

Mamertinus' imperial speech, that is, the senate house, is suggestive of Julian's interest in cooperation. And Mamertinus, we should recall, was a senator himself, one who had referred to this venue reverentially early on (*augustissimum consilii publici templum*, 2.3). Mamertinus also notes that the emperor had restored the Senate's ancient prestige and heaped new honor upon it,⁴⁰⁸ though he does not tell us how Julian did this. Such action and language is a clear example of the emperor's cooperation with the Senate of Constantinople, and it had a close precedent in an anonymous panegyrist's use of similar language to describe Constantine's actions towards the Senate of Rome shortly after his defeat of Maxentius,⁴⁰⁹ whose memory Constantine assaulted while seeking reconciliation with Roman senators.

Therefore, it seems that Mamertinus delineates his comments within the text of his panegyric: criticism for some of Constantius' administrative appointees (most of whom were not senators), specifically governors of western provinces, and praise for the senatorial order (of which Mamertinus was now a part), specifically the Senate of Constantinople and presumably that of Rome as well. Julian needed a panegyric at this time that could encourage his supporters *and* mollify his recent opponents, and

propaganda against Constantius after their own civil war also should be seen in a better light when compared to prior dynastic practice, such as when Constantius' troops defeated and killed Constantine in 340 and the latter suffered a *damnatio memoriae* as a tyrant, a memory sanction that Julian's brother Gallus Caesar also suffered under Constantius. This is not how Constantius' memory was treated under Julian.

⁴⁰⁸ 24.5: *An metuenda tibi curia est, cum senatui non solum ueterem reddideris dignitatem sed plurimum etiam noui honoris adieceris?*

⁴⁰⁹ *Pan. Lat.* 12(9). 20.1: *senatui auctoritatem pristinam reddidisti*. Other parallels suggest that Mamertinus used this panegyric to Constantine as one of his models.

Mamertinus' imperial speech reflects this balance. Confrontation in one area was balanced by cooperation elsewhere, as in attitudes towards the senatorial order and towards religion (more below).

Wienand (2016: 362) has failed to note that the "ominous portrait of a degenerate state" that Mamertinus paints at 1.4 and 4.2 is in reference to Gaul and not to the empire as a whole. While Mamertinus' remarks on the corruption of Constantius' officials are an exaggeration, it would be better to see the panegyrist making such remarks in order to draw a contrast between Constantius and Julian as the chief administrators of the state in general and to build on Julian's public record of success as chief administrator of Gaul in particular, all with an eye to communicating to the empire's eastern subjects that Julian's western policies, his economic relief and administrative uprightness, could and would be replicated elsewhere. Indeed, the desire to provide such contrasts between Julian and his predecessor are prevalent, for, as we have already seen, Mamertinus takes a similar approach early in his speech when he presents Julian's sound administration of Gaul as Caesar in contrast to what the emperor initially had found upon his arrival there under Constantius' appointees (4.2, cf. 1.4). The Constantinopolitan elite would not have welcomed Mamertinus' derogatory description of Constantius' men, but there were also westerners in attendance who would not have welcomed a positive portrayal of these same men either, especially after civil war. Nor should we forget that Mamertinus' hostile remarks against Constantius' men were made at about the same time as the military trials at Chalcedon, that is, when two of Constantius' eastern generals sat on the commission that condemned many of Constantius' civilian officials, perhaps some of the

very ones that Mamertinus describes in his speech. Thus, Mamertinus was not alone in his opinion of Constantius' civilian officials, and so his negative portrayal of these in a panegyric would not have come as a surprise; it was all part of the spectacle and what Julian felt the occasion required.

Mamertinus' imperial speech is also revealing for how it treats Julian's religious policy: it appears to ignore it altogether. But this abstention from religion is the policy. As has been argued above, Mamertinus was a kind of official spokesman for Julian and his administration, a position that the panegyrist reinforces with numerous references to his close relationship to the emperor and to the high offices he holds (and held) due to his favor. Therefore, in contrast to the Latin panegyrics of his predecessors, where a panegyrist owed his content to the imperial court to one degree or another, Mamertinus' speech to Julian is remarkably neutral in the religious sphere in many respects, a neutrality which must have been desired by Julian. There are no indications of anything like Iovian or Herculian ideology,⁴¹⁰ no invocations of any gods by name, no hints of solar monotheism (or henotheism),⁴¹¹ no allusions to edicts of toleration (which we know Julian issued), no references to the emperor's *numen* or even to his *pietas*,⁴¹² as we have

⁴¹⁰ E.g., see *Pan. Lat.* 10(2). 1.3, 4.1–2. 11(3). 10.5–11.1, 14.2–4.

⁴¹¹ See *Pan. Lat.* 6(7). 21.3–4. For samples of the vast literature on this, see Nixon and Rodgers 2015: 248–9, nn. 91 and 92 and Drake 2009.

⁴¹² E.g., see *Pan. Lat.* 10(2). 1.1 and 6(7). 22.6, 23.3, for Maximian's *numen*. 8(5). 19.1, for Constantius' *numen*. 12(9). 5.5, 19.1, for that of Constantine. See 11(3). 6.1, 6.7, where Maximian's piety towards the gods is celebrated. It should be noted that Mamertinus' sole reference to *numen* at 3.2 is not connected explicitly to Julian but is invoked by the panegyrist in order to emphasize the veracity of what he tells us about the emperor.

already noted. Such omissions are deliberate and they must reflect the emperor's desire to be mindful of the different beliefs of his subjects at this early and fragile stage. Mamertinus does state, rather vaguely, that festival days were celebrated and that old and new ones were consecrated in honor of the emperor (*dies festos et celebrari ueteres et nouos in honorem principis consecrari*, 9.4), but these could refer to any number of occasions and they are not given a particularly overt religious character apart from their connection to honoring Julian upon his accession, which would seem unobjectionable. The populace of Constantinople and other cities would have been eager to learn about the intentions of their new emperor, and so Mamertinus' messages presumably made their way outside of the senate house to the forum/agera by means of those who attended the delivery of his panegyric. In addition to the senators, high officials of the new régime, and local and regional élites, there were soldiers in attendance who could also share what they saw and heard with members of the public that were not fortunate enough to be a part of the audience. In fact, Mamertinus refers to the military men around Julian and their support for him in strong terms that highlight their status as a key constituency.⁴¹³

All this is in keeping with the political and military messages and iconography on Julian's coinage issued empire-wide,⁴¹⁴ which should be traced back to the emperor's desire early on in 362 to build *consensus* for his new government and to promote cooperation between sovereign and subjects in areas of mutual agreement, and hence

⁴¹³ Claud. Mamert. 24.4–7, 25.3.

⁴¹⁴ See Webb 1910; Elmer 1937; Kent 1959; *RIC* 8; Arce 1984a: 181–214; and López Sánchez 2012.

Julian's celebrated *ciuilitas* in Mamertinus. A survey of the emperor's initial coin issues from such imperial mints as Sirmium and Constantinople from late 361 to early 362 shows him concerned with disseminating messages regarding the valor and glory of the Roman army (where its loyalty to the emperor after civil war is a part of the subtext). Late in 362, when Julian resided at Antioch, a coin type appeared making general declarations in favor of state security (SECVRITAS REI PVB[LICAE]) on the reverse and featuring a bull, the interpretation of which has been controversial.

But Tougher (2004), in supporting Kent (1954), has offered a nuanced and undoubtedly more correct way to interpret this type where the bull represents Julian as leader while also allowing for the possibility that multiple messages may have been intended or perceived.⁴¹⁵ In my view, however, the military aspect of the bull image is chief among these messages. Indeed, Julian's bull type first appeared around the same time when he was planning his Persian campaign and when the emperor declared in a law from Antioch that military service was of primary importance to the Roman state,⁴¹⁶ contexts that cohere well with the type's explicit message of state security on the reverse. In fact, the bull was the mascot of many Roman legions. Such a view fits well alongside

⁴¹⁵ Cf. Woods 2000, for an attractive interpretation of this type, that the bull is an implicit reference to Sol or Helios. However, it is important to note that no explicit reference to solar theology is made, only to state security, and that a winged horse also seems to have represented Sol on the coinage of Gallienus that Woods cites, which further complicates whether contemporaries readily viewed Julian's bull as a solar symbol. For an alternative and interesting view of the bull as representing the military aspect of the Roman *pomerium*, see López Sánchez 2012: 172–76.

⁴¹⁶ *CTh* 6.26.1: *In rebus prima militia est, secundus in litterarum praesidiis pacis ornatus...* (25 September 362).

that of López Sánchez (2012: 172–76), who recently has proposed that the bull represents the military side of the Roman *pomerium* and so emphasis on the *militia* part of *domi et militia*, that is, affairs at home and in the field. By placing a bull on his coinage, Julian was reinforcing what he also declared in a law to his praetorian prefect of the East (*CTh* 6.26.1). Moreover, among the coinage issued in late 361 and early 362, around the time that Mamertinus delivered his speech, we find Julian depicted wearing the *toga picta/trabea* or chlamys, the typical civilian garb of an emperor, and a pearled diadem with a military helmet that illustrate his civil and military responsibilities and focus; the reverse of these issues conveys vows to serve the state for several decades, vows that are remarkably similar to those on Constantine and Constantius' coinage (see López Sánchez 2012). None of these coin issues have any overt messages that relate to religious policy, which is consistent with Mamertinus' panegyric.

At best, divinity is invoked in a general sense as guiding behavior. The panegyrist early on implores an immortal deity and then his own sacred conscience in place of a nameless divinity (*Testor immortalem deum, testor ad uicem numinis mihi sanctam conscientiam meam*, 3.2) before Julian,⁴¹⁷ language that would have been objectionable to no one and would have gone a long way toward building *consensus*,⁴¹⁸ particularly before a senatorial audience, which was probably composed of Christians to a great extent. And by invoking his *sancta conscientia* Mamertinus also can be seen appealing to the

⁴¹⁷ On expressions of divinity in the Latin panegyrics, see Béranger 1970 and Rodgers 1986.

⁴¹⁸ See Sabbah 1984: 385–6 and García Ruiz 2008a: 147–8, who note the neutrality of such language as *deus*, *numen*, and *diuinitas*.

consciences of his listeners on how they should receive the emperor. Later, Mamertinus implores sacred divinity (*Pro sancta diuinitas*, 7.2) and then invokes divinity as the guiding hand behind Julian's plans when the emperor was considering possible magistrates for 362 (15.2), one of which was Mamertinus himself and so another instance of self-promotion. This is followed by numerous references to a nameless *deus* (22.1, 23.2, 27.2, 28.5). Of particular interest is Mamertinus' invocation of *deus* and *Fortuna* side by side in the same sentence where they are placed on a level of parity (*Quae maiora expectabimus dei praemia, quae uberiora dona Fortunae*, 27.2),⁴¹⁹ where both are described as dispensers of rewards and gifts. Subsequently, the panegyrist ascribes the avoidance of civil war and Julian's accession to heavenly aid (*caelesti ope*, 27.5). And he again invokes sacred divinity, which he associates with the emperor (*pro sancta diuinitas*, 28.4; *sancta diuinitas*, 32.1).

By carefully invoking divinity in these ways, the audience is reminded of the emperor's inherent connection to the divine and that both are responsible for directing the Roman state; thus, hopes and prayers must be focused on the emperor and his well-being. Indeed, Mamertinus not only invokes a nameless divinity but also evokes the divine nature of the emperor, his *sacra mens* and *sacrum pectus*, which Julian applied to the benefit of the Roman state (15.1). In this regard, the panegyrist also makes much of Julian's great and divine practical wisdom (*ipse ingenti diuinaque prudentia...munitus est*, 21.3). Such language and presentation on divinity finds precedents and perhaps models in an anonymous Latin panegyric to Constantine (12[9]. 11.4: *diuino monitus*

⁴¹⁹ See García Ruiz 2006a: 146–7.

instinctu) c. 313, the Latin panegyric of Nazarius to Constantine (4[10]. 17.1: *diuino instinctu*) in 321, and in the inscription on the attic of the triumphal arch of Constantine in Rome (*CIL* 6.1139 = *ILS* 694: *instinctu diuinitatis*).⁴²⁰ As in the imperial speech of Mamertinus, the anonymous Latin panegyric to Constantine above was delivered immediately after civil war against an opponent of apparently opposing religious beliefs; in this context, the use of neutral religious language should be seen as a measure for building *consensus*.

While some of Julian's qualities are presented as divine, the emperor himself is not. As Rodgers (1986: 91) has observed, "Although Julian receives divine guidance and help, he himself never leaves the human realm...Claudius Mamertinus is the most careful of the orators to represent the emperor as a human being." Such a portrayal serves to support Julian's *ciuilitas*. This careful presentation is completely consistent with what Julian discusses in his *Epistle to Themistius*, both in terms of seeing himself as a kind of constitutional monarch and one who was not divine (below). As García Ruiz (2006a: 37) has noted, Mamertinus' objective is to unite all around the emperor and his new political program. This cannot be overemphasized. The invocations of divinity above are similar to those in the panegyrics to Constantine after 307, whom some scholars have seen as a consensus-builder, with the exception that Mamertinus is even more careful than his predecessors in that he does not invoke any gods by name, as is the case in Latin Panegyric 6(7), where Apollo and Victory are named and put together side by side along

⁴²⁰ On the remarkably neutral phrase *instinctu diuinitatis*, see Lenski 2008 and Salzman 2016.

with Constantine (21.4) and before his civil war against Maxentius in 312. By contrast, that Julian does not invoke and associate himself with Apollo and Victory, whom he favored, is striking and must again reflect a policy of reconciliation toward the Christian élite after civil war. This is a remarkable fact that scholars have not appreciated fully. Mamertinus' careful word choices here, I argue, indicate Julian's wishes; indeed, we can recall Mamertinus' opening words in his panegyric where he states that he knows what Julian and his advisers think, and, presumably, what they want.

Consequently, Mamertinus' references to nameless divinities must reflect Julian's wish for language that was unifying rather than divisive in early 362.⁴²¹ Such a desire is also borne out by the fact that Mamertinus does not mention or even allude to a religious act or posture by Julian, an omission that should be understood in the context of Julian's now-lost edicts of toleration, which the emperor had probably first issued late in the prior year. Furthermore, as will be discussed below, neither Julian nor Themistius discuss religious policy in public 'letters' which date to c. December 361/early 362, further omissions that cannot be a coincidence when viewed in tandem with Mamertinus' panegyric of 362. Now we can look at Julian and Themistius and offer some observations on their letters to one another and on their relationship; but first, the dating of their letters.

II

While we are certain that Mamertinus delivered his *Gratiarum Actio* to Julian on 1 January 362, the dating of Julian and Themistius' two letters have fluctuated between

⁴²¹ See García Ruiz 2006a: 34.

either 356 or late 361.⁴²² Elm (2012: 64 and n. 13) placed the *Epistle to Themistius* alongside Julian's 'letters' to the Senate of Rome, Athens, Corinth, and Sparta, and so dated them all to late 361, and considered that the Senate of Constantinople was the intended audience of the letter to Themistius since Themistius was one of the city's chief senators (2012: 80, 82 and n. 86). But it is important to note that, unlike the other letters mentioned above, this letter is addressed to Themistius alone and that, unlike the *Epistle to the Athenians*, it makes no references to Constantius or to a state of civil war. In short, the *Epistle to Themistius* belongs to another context. More recently, Swain (2013) has cautiously dated these letters to around spring 356, offering some points of support in the process.

However, there are still some unresolved problems with 355/6 as the date of composition and publication. First, as many scholars have noted, the authoritative manuscript V (Leidensis Vossianus gr. 77) markedly attributes the *Epistle to Themistius* to "Julian Emperor," and distinct from the works of "Julian Caesar." Second, where is Constantius in the text? He shines on account of his absence. Constantius is not mentioned or alluded to even once in an epistle which was clearly meant for public

⁴²² For the recent dating of the *Epistle to Themistius* to 356, see Bradbury 1987 and Swain 2013: 53–91. For the more traditional dating of late 361, see Bidez 1929: 133–41, Prato and Fornaro 1984: vii–x, and Athanassiadi 1992: 90, n. 7. Cf. Barnes and Vander Spoel 1981, for composition in 355/6 and publication in 361. The traditional dating also can be supported, in addition to the points raised below, by seeing in the very first line of Julian's epistle a *recusatio* or refusal of imperial power (253A, cf. 255D), a refusal which, in my view, would be inconsistent with his holding the Caesarship as a subordinate of Constantius. Moreover, there is another *recusatio* in Julian's disavowal at being a philosopher (254B, 266D). These refusals, especially the former, would be consistent with Julian's accession as sole emperor because *recusatio* was an expected component in the assumption of the imperial office (see Ch. 4).

consumption, a striking omission if it was written in 355/6 when Julian composed a panegyric to him. This cannot be explained away easily. The absence of Constantius might be better understood if the *Epistle* was written shortly after the brief civil war between the two men in late 361, when Julian became sole Augustus and the very name of Constantius was still anathema to him. If correct, this may also help explain Julian's occasionally combative tone with Themistius (cf. Swain 2013: 57–63), who became closely associated with Constantius by 360. And Themistius had recommended that Julian “emulate” (προκεῖσθαι, 262D. Wright trans.) the famous lawgivers Solon, Pittacus, and Lycurgus, a recommendation which seems out of place in 355/6 when Julian did not yet have the authority to act in legal cases; it is not until c. 358/9 that we see Julian acting as a chief judge in Gaul (cf. Amm. 16.5.12–13, 17.3, 18.1). And Julian's inclusion as Caesar in laws in the Theodosian Code alongside Constantius as Augustus is consistent with imperial protocol established in the early fourth century; but it need not signify that Julian as Caesar actually held the *ius edicendi* (cf. Corcoran 2000: 266–74). When we consider Constantius' tight restrictions on Julian as Caesar, it is likely that Julian did not possess this authority.⁴²³

As a result, I am not convinced by Swain (2013: 55) that Themistius' mentioning of the three lawgivers above is “a call to act” for Julian as Caesar, but for Julian as sole Augustus. And Themistius' *Epistle to Julian* appears to be a response to Julian's *Epistle to Themistius*. But what was the purpose of Themistius' second epistle? Such an epistle/essay on proper rule which focuses on Julian alone would have been an awkward

⁴²³ See Blockley 1972a, for Julian's power, authority, and restrictions as Caesar.

piece to publish while Constantius was still alive; thus I argue for c. December 361/early 362. This dating also has implications for Themistius' position under Julian.

III

It is only by chance that we know anything about Themistius as an active member of the Senate of Constantinople in 361 and 362. Nowhere else, not even in his own writings, do we learn anything about Themistius' particular movements and activities during this critical period of imperial transition. His literary corpus is of course incomplete, but given his relationships with both Constantius and Julian and thus the delicate position that he would have found himself in during their civil war, Themistius' silence on this period in his extant literary productions may not be accidental. As a result, we can only speculate about Themistius' doings at this time. As a prominent senator of Constantinople, Themistius probably resided at the capital during the brief civil war between Julian and Constantius in 361; and since he owed his adlection to the Senate to Constantius, it is likely that Themistius remained loyal to that emperor and expressed that loyalty in some mild but appropriate speech before the Senate consistent with his pragmatism and desire to remain active in public life in the event of Julian's victory, however unlikely it may have seemed to everyone in the East at the time.

After Constantius' death, Themistius likely was still at Constantinople, along with other senators, to greet Julian upon his entry into the city on 11 December 361. Based on what we know about his whereabouts during this time from what survives of his correspondence with Libanius, it seems that Themistius had remained at or near

Constantinople from 360-62.⁴²⁴ While we have only one side of their correspondence in Libanius' letters to Themistius, these letters do allow us to determine that Themistius resided in Constantinople at this time, perhaps consistently so since senatorial business would have required his presence there. Indeed, in one of Constantius' missives to the Senate dated to 3 May 361 (*CTh* 6.4.12), we see the emperor invoking Themistius by name (the only senator to be so invoked in this missive) as a learned philosopher of high rank in the Senate and directing that Themistius' presence is required among men of consular, proconsular, and praetorian rank for that august body to designate new praetors.⁴²⁵

By late 361, Themistius had established himself as a political philosopher with imperial favor and a prominent senator of Constantinople. That meant that he was flexible, adaptable, and ambitious. Scholars have been divided on the exact nature of Themistius' position under Julian as sole emperor.⁴²⁶ Both men were Hellenes or

⁴²⁴ It also appears that Themistius remained in Constantinople during the entirety of Julian's short residency there since we have no indications that he was elsewhere at this time. See Lib. *Epp.* 84, 85 Bradbury (252, 793 Foerster), and 102, 116 Norman (818, 1430 Foerster).

⁴²⁵ Idem a. [Constantius] ad senatum. Praetores designentur senatus consulto legitime celebrato, ita ut adsint decem e procerum numero, qui ordinarii consules fuerint quique praefecturae gesserint dignitatem, proconsulari etiam honore sublimes, Themistius quoque philosophus, cuius auget scientia dignitatem, et iam his praesentibus qui praeturae insignia honoremque ante susceperint latis per ordinem sententiis designentur, ita ut, si qui forte medio tempore humana sorte decesserint, alii in eorum locum, qui eandem dignitatem, ut utamur veterum verbis, subsortiti fuerant, subrogentur, scilicet ut, qui sequenti post eum anno eandem suscepturus praeturam fuerat, in demortui locum senatus consulto et sententiis substitutus praeturae insignia dignitatemque suscipiat. Dat. v non. mai. Gyfyrae Tauro et Florentio cons. (361 mai. 3).

⁴²⁶ E.g., see Daly 1980 and 1983, and Brauch 1993a and 1993b.

“pagans,” but they each had their own ideas about philosophy, politics, and religion and so did not always see eye to eye, or so it seems. Thus scholars tend to see Julian and Themistius’ relationship as a cool or even an icy one or that there was a serious breach between the two,⁴²⁷ whereas Brauch (1993a and 1993b), drawing upon an entry in the *Suda* (Theta 122) and a reference in one of Himerius’ orations (*Or.* 41, 15), has argued energetically that Themistius actually served as Julian’s Prefect of Constantinople in 362, and so was favored by the emperor. I myself support this latter view (although with some modification) since Julian might well have alienated a substantial part of the Constantinopolitan Senate by not favoring Themistius, a body whose support the emperor appears to have been keenly interested in cultivating such as through Mamertinus’ panegyric; moreover, by promoting Themistius to urban prefect, Julian could be seen building *consensus* rather visibly by including another prominent supporter of his dead rival in his new government.

⁴²⁷ See Vanderspoele 1995: 122–6; Schamp 2014; and Watts 2015: 106, who, like many other scholars, adopts the view that Themistius was essentially *persona non grata* under Julian. We should note, however, that such a view rests on a foundation of sand, for the evidence usually cited in support is Julian’s partial disagreement with Themistius in his *Epistle to Themistius*. But does such disagreement as is evident there require us to conclude that the emperor cast Themistius into a kind of exile or limbo, or that he would not have employed Themistius in his new administration? That seems like a bridge too far. Watts (2015: 118) also points to the letters of Libanius to Themistius in the early 360s where Libanius does not ask Themistius for favors and so concludes that Themistius’ influence had seriously diminished under Julian. But should we expect to see the author of a letter always asking for a favor? Better to conclude that Libanius wrote to Themistius in between favors so as to maintain their good relationship; indeed, this is exactly Libanius’ stated concern in his letters. Thus I support the view that Themistius actually was in favor with Julian, and so Libanius’ concern with not offending Themistius. Why else would Libanius write to a man who was without power and influence, and who might be expected to remain so into the foreseeable future?

Penella (2007: 45–6) has raised an important objection to this identification, although based *ex silentio*, that Himerius, while he notes the prefect's eloquence, makes no mention of his philosophical acumen, a reference we would expect of the philosopher Themistius. Therefore, Penella identifies the prefect in question as Domitius Modestus.⁴²⁸ However, Penella's objection depends much on Himerius' conception of Themistius, whether he considered him more of an orator or a philosopher, and if he would even have felt it necessary to mention Themistius' philosophical acumen. More importantly, we should consider when, exactly, Julian appointed Modestus as prefect. It may be that Julian appointed Themistius Prefect of Constantinople on an interim basis until he decided on Modestus, who was still *comes Orientis* at Antioch in early 362.

Modestus carried two letters of Libanius while en route to take up his new post as urban prefect, dated to late summer 362 by Bradbury (2004; *Lib. Epp.* 108, 180). Julian would hardly have left Constantinople without a prefect when on the verge of leaving for Antioch in mid-362;⁴²⁹ and there had been charges against Modestus that may have

⁴²⁸ *PLRE* 1.605–8, Domitius Modestus 2.

⁴²⁹ The first urban prefect of Constantinople was Honoratus (*PLRE* 1.438–9, Honoratus 2), who was appointed by Constantius on 11 December 359 and who by Julian's entry into the city on 11 December 361 had already served as prefect for two years. That Honoratus had been appointed by Constantius and had served for two years suggest, in my view, that Julian probably replaced him shortly after entering Constantinople, when we know that many of Constantius' officials were fired and/or tried at the military court at Chalcedon, some of whom had run afoul of Julian. In this light, we should also consider that, prior to his appointment as urban prefect, Honoratus had served as praetorian prefect of Gaul under Julian from 355 to 357 and, while we do not know anything about their relationship, Ammianus' silence on it is suspect and may indicate that Julian and Honoratus had not gotten along. Honoratus also had served as *comes Orientis* under Gallus and Julian may have held him partly responsible for his brother's downfall.

delayed his promotion to Prefect of the City in absentia until an interview with Julian in Antioch apparently cleared him and allowed his promotion to take place. Consequently, this suggests that Himerius' fragment (*Or.* 41, 15) dates to between January and late summer 362, when Modestus reached Constantinople to relieve his predecessor. Thus, that Themistius may have been interim urban prefect is compatible with the view that Modestus may be the urban prefect being referred to in Himerius' oration. In short, this plausibly leaves us with Themistius as prefect in early 362. If correct, this would then also explain Themistius' silence on this point in his *Oration* 34 (c. 385): the holding of the office was somewhat brief, under particular circumstances where he had not been the first choice, and due to an emperor whose name may have become impolitic under Theodosius.⁴³⁰

Additionally, the author of the Suda entry uses προεβλήθη, the aorist passive indicative of προβάλλω, which Penella (2000: 2, n. 6), following Daly (1983: 204, n. 103), translates as "he was nominated." But, as Swain (2013: 69) recently observed, προεβλήθη here actually means "appointed," that is, one who actually served. In support of this latter reading we should consider that the Suda uses προεβλήθη in another instance to describe the "appointment" of an imperial official, Flavius Taurus Seleucus Cyrus, who actually served in office under Theodosius II.⁴³¹ This reveals that προεβλήθη was a technical term similar to the Latin *nuncupatus est*. In fact, the Suda entry on Themistius,

⁴³⁰ For Julian's name being impolitic at the time of *Or.* 34, see Brauch 1993: 42–3.

⁴³¹ Suid. Kappa 2776, for the appointment of Cyrus to praetorian prefect and prefect of the city; *PLRE* 2.336–9, Flavius Taurus Seleucus Cyrus 7. See also Suid. Alpha 783.

which uses Hysechius of Miletus as a source, does not say that Themistius rejected the prefecture, and so that he was prefect designate; and Hysechius' entries on other figures, such as Claudian, have been considered reliable enough by Alan Cameron (1970) for his reconstruction of Claudian's public career.⁴³² Who, then, served as urban prefect between Honoratus and Modestus? Given what we know, it may be better simply to say that Themistius served as Prefect of Constantinople for an interim period before he was relieved of that office by Domitius Modestus, and that Themistius did not consider it worthwhile to list his holding of this office when recounting his public career later (*Orr.* 17 and 34) since it was of relatively short duration and under Julian.

My view of Julian and Themistius' relationship after the former's accession in late 361 is similar to that of Francis Dvornik (1955: 78), who, in his readings of the *Epistle to Themistius* and the Arabic text now referred to as the *Epistle to Julian*, concludes that: "Neither [Julian nor Themistius] was a Christian, both knew their philosophy and agreed on sufficient points to create mutual sympathy and tolerable agreement." If Themistius did indeed serve in Julian's administration as both a prominent senator and an urban Prefect of Constantinople, then the implications are clear: by employing a prominent pagan intellectual and senator with whom he had some differences of opinion, Julian was more pragmatic in building social and political *consensus* and less fanatical in his agenda as sole emperor than some scholars, such as

⁴³² Cf. Schamp 2014: 469–70, for Byzantine- and Renaissance-era commentators' recording of Themistius as "prefect."

Bowersock, have supposed, a policy that is inherent in Claudius Mamertinus' panegyric, as we have seen above.

Conversely, by agreeing to serve under Julian, Themistius showed himself capable of finding common ground with a new emperor who did not completely accept his views of philosophy and government, behavior, we should note, which is completely consistent with Themistius' relationships with Julian's diverse successors. This is not to say, however, that Themistius can be regarded as a kind of official spokesman for Julian as I have argued for Mamertinus; the latter was far closer to the emperor, he had recently been with Julian in Gaul, accompanied him on his march east against Constantius, and served in a series of high offices, whereas Themistius had not seen Julian since before the latter became Caesar in late 355 and does not appear to have been as close to the emperor. Rather, as a relatively favored public official, Themistius was in a position to know to some extent what Julian wished to be disseminated publicly as statement and policy, for public letters between an emperor and his officials, like panegyrics delivered by an orator before an emperor and his court and other audience members, were meant, in large part, to broadcast an emperor's image, personality, and desires to his subjects, that is, *communication descendante*. For his part, as one of these officials, Themistius was conscious of his political value to and influence with emperors and who occasionally used it to nudge imperial policy towards what he saw as the right direction.⁴³³ This

⁴³³ See Soc. *HE* 4.32, Soz. *HE* 6.37, who both note that Themistius produced panegyrics to Valens with an eye to moving him to clemency in his treatment of 'heretic' Christians.

opportunity for *communication ascendante* is how Themistius conceived of his role as a political philosopher and this is how we should read his public letters to Julian (below).

When we consider that he continued to serve in the Constantinopolitan Senate under the at times difficult Christian Valens and delivered numerous panegyrics to that emperor, Themistius likely found a way to adapt to and serve under Julian. The extant literary evidence, including the Suda entry, makes it highly unlikely that Themistius receded from public life in the early 360s due to a supposedly serious friction with Julian, only to reemerge later under Jovian and then Valens; after all, in his now-lost letter to Julian, to which Julian's *Epistle to Themistius* is a response, Themistius had championed the *bios praktikos* over the *bios theoretikos* (262D–63A, 263C, 265B).⁴³⁴ Indeed, we know from Libanius' correspondence that Themistius had produced a panegyric to Julian sometime after the emperor's accession in late 361—hardly the action of a frustrated and relegated politician—a copy of which Libanius requested (Lib. *Ep.* 1430, cf. *Ep.* 818 Foerster). Libanius' reference to it and request for it alone reveals that the panegyric was not only thought well of by Libanius' friends, who had informed the rhetorician about it, but also, by implication, by Julian himself. Would Themistius have written a panegyric to change the mind of an emperor who had kept him out of public life? In my view, it is far more likely that he did so to thank the emperor for keeping him in the fold. In any event, this illustrates a Themistius who engaged directly with Julian as sole emperor. For his part, Julian, however he felt about Themistius, could not dismiss him outright without alienating some of his fellow adherents of traditional pagan worship, and so he too would

⁴³⁴ On this, see Elm 2012: 81–86.

have had reasons to adapt somewhat to circumstances and to some officials, like Themistius, who already held fairly strong positions around him. As Tougher (2007: 46) has well put it with respect to the pragmatism inherent in Julian's military court at Chalcedon c. late 361/early 362, "It can be argued then that the beginning of Julian's reign exhibited the new emperor's grasp of the realities of power. He was interested in avenging the past, but not to the extent of endangering his future."

In this context, Julian's *Epistle to Themistius*, which I argue dates to shortly after Constantius' death, c. December 361/early 362, is also substantial and revealing as an example of the emperor's philosophical and political epistolography.⁴³⁵ As I have noted above, this Greek 'letter' is not actually a letter in the strict sense, although it presents itself as a response to an earlier letter of Themistius, nor is it a panegyric, which consequently diminishes the scope for comparison with Mamertinus' imperial speech. However, Julian uses panegyric elements in his epistle (though to a far lesser extent than in his *Epistle to the Athenians*), and so it sheds some light on his presentation in Mamertinus. The *Epistle to Themistius* is also a vital imperial pronouncement on Julian's political philosophy and so is a fundamental text for understanding his sole rule in many respects, one of which is for his apparent disagreement with Themistius over the nature of kingship, that it was not (or should not be) divine in basis but constitutional (cf. 260C–262D).⁴³⁶ But Julian does admit that a good ruler must have divine qualities to rule well,

⁴³⁵ For the most recent study of the philosophy in this letter, see Chiaradonna 2015.

⁴³⁶ See Criscuolo 1983. Cf. Schofield 2000: 662–65, esp. 664, for Julian espousing "a rationalist version of the theocratic idea of kingship."

and so he agrees with but modifies Themistius' view on kingship by espousing a kind of constitutionalist view of the imperial office that also contains a divine element, a composite view of kingship and proper rule that is reflected in Mamertinus' panegyric, where Julian's "fellow citizen status" (*ciuilitas*) and divine qualities are both emphasized while yet depicting the emperor more as a human being. This is in keeping with the fact that, ironically, Julian rejected hereditary kingship (260C–262D).⁴³⁷

As with Mamertinus' panegyric, the emperor clearly saw his response to Themistius as an opportunity to broadcast to his new eastern subjects what they could expect from him, but an opportunity to do so directly. Every aspect of his epistle presents serious contrasts to Constantius: Julian presents himself as a fluent and eloquent Greek essayist, as cultured, an astute student of philosophy, particularly of Plato and Aristotle, and as an emperor who will be accessible, responsive, and considerate to his subjects.⁴³⁸ These are precisely the kinds of contrasts to Constantius that Mamertinus makes in his panegyric to Julian. Indeed, Julian took pains at the outset of his reign to communicate where he departed from his predecessor, where he was an improvement (more below).

⁴³⁷ This view is borne out by Julian's statements in *The Caesars*, where he faults Marcus Aurelius for passing on the imperial power to his son Commodus when he had a more capable son-in-law available (312B, 334B–D), and by statements in Libanius (*Or.* 18, 181) and Ammianus (25.3.20).

⁴³⁸ It is worth noting that there is little reference here to Roman military affairs, indeed little reference to military affairs at all save through references to Alexander's courage and conquest of Persia. While there are only condensed references to Julian's military exploits in Mamertinus with greater emphasis on the emperor as civil administrator, the preference for the latter is even more pronounced in the *Epistle to Themistius*. Such emphasis on civil concerns and philosophers as officeholders indicates a targeted appeal to eastern intellectuals like Themistius.

Furthermore, we would do well to compare the language and tone of Julian's *Epistle to Themistius* to other similar 'letters', such as his *Epistle to Prohaeresius* (14 Wright, 31 Bidez) since both are letters to renowned rhetoricians and it may be that both were written about the same time. The *Epistle to Prohaeresius* is a rather short missive compared to the *Epistle to Themistius*. As Watts (2006: 64–72) has shown, Julian's tone and meaning here are anything but complimentary to Prohaeresius; indeed, the emperor is quite curt and seems to be giving the sophist two choices, either to produce a historical account of Julian's recent march through the Balkans to Constantinople using Julian's own letters as sources or to keep to his teaching and studies and keep his peace (Jul. *Ep. ad Prohaer.* 374AB).⁴³⁹ In fact, Julian's sarcastic tone is manifest in the very first line of the letter where he calls Prohaeresius a "fine man" (Προαιρέσιον τὸν καλόν, 373D), a term, we should add, which Julian had applied sarcastically to Constantius in the *Epistle to the Athenians* (273B; see Ch. 4) and which he does not apply to Themistius.⁴⁴⁰ But Julian's utter distaste for an addressee is nowhere more evident than in his *Epistle to Nilus* (50 Wright, 82 Bidez), which is about as long as the *Epistle to Themistius* and makes for a particularly instructive contrast. Nilus was an office-seeker and sometime after communicating with the emperor ran afoul of him. Using erudition and wit, Julian

⁴³⁹ See also Cribiore 2007: 54.

⁴⁴⁰ However, another reading is possible, such as that of McLynn (2014: 131–3), who sees Julian's treatment of the Christian Prohaeresius in his letter to the rhetorician as biting but not as wholly antagonistic; indeed, it may be that the emperor used his letter as a way to promote his "open-mindedness" towards such a Christian (133), a reading which gains strength when we consider Julian's similar treatment of other Christians and of Themistius.

makes it clear that Nilus would have no part in his government. Yet this is not how Julian treats Themistius in his epistle to the political philosopher.

In assessing Julian and Themistius' relationship during the subsequent period of Julian's sole reign (3 November 361 to 26 June 363), one of the questions that we should be asking is: Which option would Julian have deemed more useful to him as sole emperor at a time when he needed to consolidate his hold on the East, to exclude Themistius from office or to include him in his new administration? Would the supposedly fanatical pagan Julian (Bowersock 1978) have found it a better option to deny the seemingly flexible and tolerant pagan Themistius public office, or to advance this man's career further, which was a mark of imperial favor and honor, and so to create an obligation in him that would also double as an ideological victory for his rule early on? Since Themistius had served under the Christian Constantius and in the Senate alongside many Christians, then Julian's employment of Themistius in his new government would have been consequential and consistent with a policy of reconciliation after civil war.

It is consistent with his pragmatism that Themistius seemingly made the first move and reached out to Julian. And Themistius apparently had been one of Julian's teachers (Jul. *Ep. ad Them.* 257D, 259C; cf. Bouffartigue 2006: 118–19). Themistius' act of writing what may have been a public letter to the emperor of a philosophical and political nature was part of a tradition that went back to Plato, who had written 'letters' to former students who held political power such as Dion of Syracuse; this tradition was particularly alive in the fourth century, as is evident in the philosophical and political letters of the Neoplatonist philosopher Iamblichus of Chalcis, who wrote to many former

students turned imperial officeholders under Licinius (see Dillon and Polleichtner 2009). Other examples of this tradition are the public imperial letters of Constantine and Constantius II to their respective high officials that advertised their political philosophy as emperors in a general sense and the letters that these officials sent in turn to the emperor.⁴⁴¹ As noted above, Julian's *Epistle to Themistius* is but one of two 'letters' that are extant between Julian and Themistius, the second being Themistius' *Epistle to Julian*, which Swain (2013) recently has translated and studied. Reconstructing Julian and Themistius' correspondence based on these two 'letters' alone is a difficult task, but we can still detect small portions of it since letter-writing often required an author to reference material from a prior letter before offering a response. Julian used the opportunity that Themistius' letter presented to frame his response in the *Epistle to Themistius* as another vehicle for self-praise and promotion that verges on self-panegyric, one that echoes his *Epistle to the Athenians* in terms of his self-presentation as an emperor guided by proper procedure and law and justice, along with other virtues consistent with panegyric (see Ch. 4).

The *Epistle to Themistius* is also striking in terms of its content when we consider that there is no mention of or reference to Constantius, a peculiar omission if the letter was written by Julian during his Caesarship; indeed, this letter is more understandable if read as having been written during Julian's accession as sole Augustus c. December

⁴⁴¹ There are numerous examples of this, such as Constantine's letters to his proconsul of Africa, Anullinus, and Constantius' letter to his praetorian prefect Philippus. And, in turn, letters of Optatianus, who served as one of Constantine's urban prefects of Rome, to the emperor.

361/early 362, and in light of the panegyric to him by Mamertinus on 1 January 362. If we are right in the dating of this letter, then we can see how Julian showcasing his devotion to and understanding of philosophy and its many schools reminds us of Mamertinus' reference to Julian's restoration of philosophy and letters to a place of dignity (23.4), and thus of his presentation of the emperor as a devoted champion of the fine arts in contrast to Constantius. The *Epistle to Themistius* begins with Julian telling us about Themistius' high hopes for him as emperor and responding to the latter with avowed modesty (253A–254C), which is always a component of letter-writing and of panegyric. In connection to this, Julian also engages in *recusatio* or refusal of imperial power (253A, cf. 255D), which would be in keeping with what was required of a candidate for the imperial office at the outset of his rule, although we should note that no such *recusatio* is evident in Mamertinus.

Other elements of self-praise are visible throughout, none of which is more evident than Julian's display of a mastery of philosophy and of history through discussion of the works of Plato, Aristotle, and others and in so doing thus presents himself as learned, capable, fit, and of the right temperament to rule the empire. By portraying himself as humble, among other things, the emperor also portrays himself as a holder and practitioner of *ciuilitas* in keeping with Mamertinus' panegyric, although it is important to note here that we lack an equivalent word for *ciuilis* or *ciuilitas* in Greek in Julian's epistle. As in Mamertinus' speech, Julian also makes numerous references to a nameless

god but does not discuss or allude to religious policy,⁴⁴² references consistent with an interest in building *consensus*. Julian also responds to Themistius' comparisons of him to Solon, Pittacus, and Lycurgus in a prior letter by seeming to have doubts that he can meet Themistius' expectations, that he as emperor will (or desires to) accomplish more than these three iconic lawgivers (254A, 262D). But we should note that Julian does not outright deny that he is unable to meet Themistius' expectations (cf. 254B). In fact, by noting them twice in his letter, Julian seems to be signaling that he is considering them carefully and aspires to deeds worthy of those three men. And Julian's focus on the three lawgivers above again reflects his view that the emperor is subject to the law.

In a rather lengthy section, Julian expounds on the important role of Fortune for one seeking success in life while also showcasing his understanding of Plato's *Laws* (255D–259A). One problem with Fortune, Julian tells us, is her ability to corrupt a recipient at the peak of his success, such as happened to Alexander of Macedon, among others. In his missive to Themistius, Julian relates that Alexander had ridden Fortune all the way to the conquest of Persia, but that he did not bear her favor well after his success and was corrupted by it (257A–B). By relating this verdict, Julian is telling us that he will not make the same mistake; he will bear Fortune's favor well and not allow himself to be changed by her whims, that is, his *ciuilitas* shall continue unabated. Julian thus employs Alexander, ironically as events would prove, as a counterexample for what his subjects can expect from him as sole emperor. In his panegyric before Julian, Mamertinus also makes a reference to the potential of Fortune to change one at the peak of success,

⁴⁴² See Jul. *Ep. ad Them.* 253C, 254CD, 257D, 258B, 265B, 266D, 267AB. But note his invoking of Kronos (258D) and Zeus (265D).

interestingly enough, while asking the audience whether Julian himself has been changed now that he is sole emperor (27.1–2), with the answer actually being “yes,” that Julian has shown himself mild and moderate since his days in Gaul and has become more of a fellow citizen now after his accession to sole rule (*ciuilior factus prosperorum infregit inuidiam*, 27.3). Additionally, in relating his preference for the practical life (*bios praktikos*) over the contemplative one (*bios theoretikos*), Julian showcases how he often came to the aid of many of his friends when they were in distress and so was dependable and true to them (259B–D). Perhaps nothing illustrates Julian’s *ciuilitas* better than this telling us about how he came to the aid of his many friends and fellow citizens when a *priuatus*. To recount these acts of philanthropy now as emperor advertises indirectly that more of the same can be expected from him now as the sole wielder of imperial power and that he will not allow himself to be changed for the worse by Fortune.

From first to last, the emperor is keen on focusing on and emphasizing his knowledge of the four cardinal virtues, and in so doing that he also has these as qualifications for occupying the imperial office. Julian begins his letter by referencing the courage (*andreia*) of Alexander and the complete excellence (*arête*) of Marcus Aurelius (253B). Yet he makes it quite clear that his model of a philosopher taking on a proper, active role in public life is Socrates. Indeed, he describes Socrates as the embodiment of several virtues or rather that he inculcated certain virtues in his students Plato, Xenophon, Antisthenes, and others (264C). This is an interesting focus, for Julian, as one well-versed in philosophy (despite his protestations otherwise), appears to see himself as holding the position of a teacher whose behavior would thus serve as an *exemplum* for others to

follow. That Julian publicly works out and presents his qualifications for holding the imperial power also has the effect of displaying that he is aware of what virtues are needed in his officials, and so that he will select them carefully. In so doing, he challenges Themistius to rethink what Plato and Aristotle relate regarding good kingship and on what it meant to live the practical life, a challenge which Themistius did not shy away from.

In his response to Julian in the *Epistle to Julian*, Themistius takes pains to show the emperor that he does indeed know his Plato and Aristotle, particularly *The Republic* and *Nicomachean Ethics*, and thus that he is worthy of advising Julian in some capacity on how to govern the state well, which is the subheading of Themistius' 'letter' in the Arabic manuscripts (Swain 2013: 135). This focus on outlining and explicating Plato and Aristotle's texts is a fitting response from one whom Julian had chastised, but not rejected, for his interpretation of Aristotle, particularly his *Politics*. By addressing these texts and discussing their contents in great detail in a letter to Julian, Themistius is attempting to recover his public reputation as a philosopher and his standing as a politician and senator under Julian, who was still shaping his new government, one that Themistius would have wanted to be a part of. But this text has both defensive and protreptic qualities. In noting that evil arose and could continue to arise from human beings and their fellow citizens within cities as well as neighboring ones, Themistius alludes to the need for something like *ciuilitas* and that such a virtue is inherent in each of us and can be activated by us, which is described as the ability to remove evil from one's self (*Ep. ad Iul.* 13–14). The rule of law and discipline, Themistius tells us, is the

treatment (23); to rule oneself and to govern our passions. And this applies no less than to the emperor himself, who must be able to govern his passions if he is going to be able to help restrain those of his subjects (25–27). Not only does this fit well with Mamertinus’ remarks on and allusions to Julian’s *moderatio* but also with the emperor’s sentiments in his *Epistle to Themistius*, where he displays doubts about being able to emulate the great lawgivers Solon, Lycurgus, and Pittacus, probably not only in regards to their accomplishments but also their degree of power over the state (254A, 262D).⁴⁴³

Themistius’ prescription above, although comprising typical advice for a king or an emperor, also might reflect his concern with how Julian would choose to treat Constantius’ officials and supporters, including Themistius himself. Consistent with panegyric—and here we might note that the *Risālat* or *Epistle to Julian* was thought to be Themistius’ lost panegyric to Julian—, Themistius then reminds us that a good ruler possesses all the virtues. Interestingly, he does not explicitly tell us that Julian possesses these, but that to hold the virtues one must first be receptive to them and it is implied that the emperor is so receptive (28–9). And the good ruler must inculcate the virtues in his subjects (29), a point on which both Julian and Themistius agree. Indeed, the good ruler must know what each of his subjects is best suited for in the interests of the state, that is, what craft or position he should hold in accordance with his particular set of virtues (35–40).⁴⁴⁴ There is even an apparent verbal echo of Julian’s letter in Themistius’ response

⁴⁴³ For Julian’s *moderatio* in Mamertinus, see García Ruiz 2013b: 206–8. On Themistius’ use of Solon and other historical *exempla*, see Schamp 2014.

⁴⁴⁴ Cf. *Jul. Or.* 3, 90C–91D. This concordance may indicate that Themistius had read Julian’s second panegyric on Constantius and, if so, that he knew what to focus on and

where the latter also quotes from Aristophanes' *Wasps* regarding how each one ought to pursue the craft that suits him best.⁴⁴⁵ Themistius' 'dossier of job descriptions' for soldiers, generals, palace attendants, chamberlains, and others makes better sense if read in light of Julian's reduction of the imperial bureaucracy and palace officials at Constantinople, at a place and time when the emperor was carefully and publicly scrutinizing his officials and retained a relatively small number of them (Amm. 22.4); such a dossier makes less sense if read as dating to Julian's Caesarship, when Constantius (who is not even mentioned or alluded to once here) appointed nearly all Julian's officials in Gaul. Who should be retained? Themistius provides a general blueprint based on Plato's *Republic* and in so doing aims to demonstrate to the emperor that he is a worthy advisor. Furthermore, like Mamertinus and Julian, Themistius does not discuss any religious policy and his numerous invocations of the divine seem to be neutral or acceptable ones.

To a great degree, Themistius' *Epistle to Julian* expounds on the importance of self-control: to wholeheartedly commit oneself to physical pleasures is to lead the life of a beast, while to control (or reject) them is consistent with the divine (*Ep. ad Iul.* 5, 18–19; Swain 2013: 137, 145; cf. *Jul. Ep. ad Them.* 261C–D). This is precisely the kind of advice one would give to an emperor upon his accession to sole rule, when officials of the previous régime were being investigated and punished. And Homer's view that a

repeat in his letter to Julian in order to gain the latter's approval. Alternatively, such discussion of crafts within a city and how the good ruler chooses his officials also may have been a stock exercise.

⁴⁴⁵ *Jul. Ep. ad Them.* 260C (Wright 1913: 219, n. 3), cf. *Them. Ep. ad Iul.* 32.

good ruler is a “gentle father,”⁴⁴⁶ although it is a common quotation and trope, may have inspired Themistius in his writings such as the *Epistle* where the ruler there is a “sympathetic parent” (*Ep. ad Iul.* 27; Swain 2013: 149).⁴⁴⁷ More importantly, this Homeric phrase was a common marker of *paideia* in fourth century discourse among the powerful.⁴⁴⁸ This marker adds support to viewing the *Epistle to Julian* as an authentic work of Themistius, who seems to use the phrase in much the same way that Libanius does. In this light, Julian also makes use of Homer’s “gentle father” in one of his own orations (πατήρ ἡπιος, *Misop.* 345C). By deploying such a phrase, Themistius is at once reminding Julian of their shared *paideia* and exhorting him to be a good and gentle ruler like Odysseus, a prudent move after Julian’s relatively poor reception of his previous letter in the *Epistle to Themistius*. Moreover, while Themistius does discuss a ruler’s military responsibilities in a general sense (41–2), he discusses the emperor as administrator in far more detail. In my view, it is therefore attractive to consider that Themistius wrote this protreptic *Epistle to Julian* while he and the emperor both resided in Constantinople, probably from 11 December 361 to late May 362,⁴⁴⁹ at a time and

⁴⁴⁶ Hom. *Od.* 2.47, 234, 5.12.

⁴⁴⁷ See also Swain 2013: 31–2, for another view of Themistius’ “sympathetic parent.” Cf. Themist. *Or.* 1, 17A, for Themistius’ deployment of Homer’s “gentle father” with respect to Constantius. This earlier reference in *Oration 1* precedes the *Epistle to Julian*, and it may even precede Sopater’s *Epistle to Himerius*, which dates to the 340s or 350s.

⁴⁴⁸ Lib. *Or.* 46, 3; Brown 1992: 40.

⁴⁴⁹ See n. 424 above. The last known law which Julian issued in Constantinople dates to 12 May 362 (*CTh* 13.3.4); but the emperor may have lingered here towards the end of the month before departing for Antioch, which he reached in late July.

place where Themistius, as a senator of Constantinople and perhaps as urban prefect, may have felt that his potential influence with Julian was at its greatest.

To conclude, we have seen the ways in which Mamertinus carefully crafts his portrayal of Julian and how his Latin panegyric serves to promote the emperor's political program and the differences between his and Constantius' governments, in part, through the use of Republican *exempla* and allusions to earlier emperors. Julian is characterized as a traditional emperor, one who is shown as well-aware of his responsibilities through his benevolent dispensation of grain and successful resolution of a food shortage at Rome in late 361, where Julian's *ciuilitas* is highlighted, not unlike Trajan's in Pliny's *Panegyricus*. Mamertinus is also careful to make neutral references to divinity and to ascribe divine qualities to Julian but not explicitly to mark out the emperor as divine himself, an approach that again serves to underscore the emperor's *ciuilitas* and approachability, qualities that are found in Julian and Themistius' letters. Such careful portrayals suggest that Julian was quite responsive to what his subjects expected of him.

All this, including a downplaying of Julian's military record in the West in Mamertinus' speech, reflects a policy of reconciliation and consensus-building between West and East after civil war. As for Julian's *Epistle to Themistius*, which, I have argued, dates to around the same time as Mamertinus' imperial speech and which reflects some of its central themes, we find that the emperor conceives of his office as constitutional with a divine element; Julian places himself within the system of law. He also discusses the fundamental part that Fortune plays in the successful ruling of an empire and the inherent danger it poses to one at the peak of power since it can alter a ruler's character for the

worse, a concept Mamertinus is quick to point to and invert when he asks his audience whether Julian has been changed by his success and answers his own question by saying “yes,” that the emperor has improved on himself as a mild ruler and fellow citizen.

Analysis of the *Epistle to Themistius* and the *Epistle to Julian* tells us that both Julian and Themistius have *ciuilitas* in mind as an important pillar of imperial rule and they both promote this in compatible ways: Julian does so by seeing himself as a kind of constitutional monarch with divine qualities in his *Epistle to Themistius*, while Themistius notes that the good ruler must hold all the virtues and practice self-restraint in his exercise of power, a view he advances in his *Epistle to Julian*, as we have seen above. If these three texts of Claudius Mamertinus, Julian, and Themistius do indeed date to around the same time, then we should take their common themes and methods of imperial presentation as indicative of Julian’s political program and ideology where both Mamertinus and Themistius were beholden to the emperor and sensitive to what he wished to make known. This included a kind of religious neutrality, as we have seen in Mamertinus’ speech and in Julian’s epistle, a neutrality which Themistius follows in his response. In fact, Julian’s coinage as sole Augustus at such mints as Sirmium and Constantinople from late 361 to early 362, far from advertising his religious posture and policy, keeps to typical advertisements of an emperor as soldier and administrator; this also holds true for Julian’s so-called “Bull coinage” with its message of state security, which is not overtly religious. As a kind of official spokesman for Julian, Mamertinus focuses on precisely these aspects of the emperor, particularly on the administrative aspect, and, in my view, conveys Julian’s manifest interest in building *consensus*, at least

in early 362, an interest which Themistius was only too happy to follow in a bid to be useful to an emperor who was still forming his new government.

Some modern scholars have used Julian's religious policy, particularly his laws on the restoration of temples and on sacrifices,⁴⁵⁰ to define the emperor with broad brush strokes and charges of fanaticism, not unlike his Christian critics (see Bowersock 1978). However, the image presented here is that of an emperor who was concerned greatly, at least at the very start of his reign, with building *consensus* and equilibrium with all his subjects, pagan and Christian alike, more so than has typically been allowed. We might consider here Ammianus' remarks regarding Julian's tendency to sacrifice often and on a large scale (22.12.6–7, 22.14.3, 25.4.17).⁴⁵¹ But what is important to note here is that Ammianus does not say that Julian made such sacrificing, indeed sacrificing at all, mandatory, which the emperor might have done. To be sure, there is no indication that Julian enacted (or considered enacting) any imperial legislation akin to the well-known decree of Decius on mandatory sacrificing in 250 (on this decree, see Rives 1999) or to the more forceful policies of Diocletian and the Tetrarchs in the early fourth century.

⁴⁵⁰ *CTh* 15.1.3; *Amm.* 22.5.2. See also Arce 1975.

⁴⁵¹ We should not forget that Ammianus wrote c. 390 under Christian emperors such as Theodosius, who hated and rejected traditional pagan worship and sacrifice, and under whom Ammianus had to tread lightly when writing his *Res Gestae*. Thus, the pagan historian may not have actually disapproved of Julian's religious acts as much as he seems to, instead shaping his views on Julian's personal sacrificing to fit the times and to avoid being impolitic. Moreover, note that Libanius, while he states that Julian engaged in sacrificing more than was conventional (*Or.* 12, 80; *Or.* 18, 170), does not criticize it as excessive; his intention is to highlight Julian's zeal for the gods for a pagan audience and to contrast that zeal to that of Julian's Christian successors. It is quite likely that Ammianus, who had read Libanius, knew these passages and modified them.

Julian merely sought to engender such behavior by serving as an *exemplum* to his subjects, one which they were perfectly able to follow or reject (Lib. *Or.* 18, 121).

That Julian achieved some measure of equilibrium or *consensus* can be seen in the altar of Victory's presence in the senate house at Rome: having been removed by Constantius during his visit to Rome in 357, the altar apparently was brought back by Julian c. 362 into the senate house where it remained until about 382, after which time it was once again removed and Symmachus and Ambrose fought over its restoration in petitions to Gratian.⁴⁵² This episode illustrates that, for some twenty years, Julian's decision regarding the altar was respected and upheld, and by his Christian successors. To be sure, Julian displayed an adversarial stance against Christians and Christianity in other contexts;⁴⁵³ but this adversarial stance and a more consensus-building posture displayed in panegyrics to and letters and coin types by the emperor need not be mutually exclusive. Julian's posture towards Christians and Christianity may have hardened over time, yet, as we have seen with his milestones in the territory of Serdica in late 361 (Ch. 4), the emperor could calibrate his messages carefully depending on his audience.

⁴⁵² On pagans and Christians in late antique Rome, see now the volume of Salzman, Sággy, and Lizzi Testa (2016), esp. the paper by Chenault for one aspect of the altar of Victory controversy.

⁴⁵³ E.g., see Jul. *Cont. Gal.*, for a multi-volume work attempting to rebut Christianity; *CTh* 12.1.50, for the revoking of the exemptions of Christian decurions; Jul. *Ep.* 36 Wright (61c Bidez) 422–24A, Jer. s. a. 362, Amm. 22.10.7, 25.4.20, for the pronouncement against Christians teaching classical literature (cf. *CTh* 13.3.5); *CTh* 9.17.5, Jul. *Ep.* 56 Wright (136b Bidez), for an edict and subsequent letter against burials in daytime as they were seen as a pollution and a rejection of ancient custom. See also Caltabiano 1991: 252–3 and 276.

Thus, Julian might have wanted to have it both ways, to communicate where he stood on traditional pagan worship and to promote it while also limiting the extent to which his subjects might be alienated, and so he used various media to communicate different messages for different audiences. And the pagan Themistius, whom I think did serve as one of Julian's prefects of Constantinople for a short time, was both one of these media and audiences since as a prominent eastern senator and philosopher he would have had many supporters, supporters which the emperor would have needed on his side as he consolidated his control of the East.

Chapter 6
Promotion and Punishment: Panegyric and Polemic in Julian's Communications to Cities
in the East, 362–363

As we have seen in Chapter 5 in Claudius Mamertinus' *Gratiarum Actio*, Julian used this panegyric to reinforce his position as sole emperor and to disseminate his political program in Constantinople and throughout the East in early 362, particularly with respect to religious policy. Mamertinus' unwillingness to discuss religion or religious ideology would have sent a clear message to Julian's new eastern subjects early on about the emperor's interest in building *consensus* in areas of mutual agreement, such as in the need for the emperor to be a responsible and effective custodian of the public good in terms of his responsiveness to petitions and in civic and provincial management through his appointment of upright officials. These are the areas and aspects of imperial power that Mamertinus emphasizes in his speech to Julian. In this light, it is regrettable that Themistius' panegyric on Julian, which was probably produced in 362 (see Lib. *Ep.* 1430, cf. *Ep.* 818 Foerster), has been lost.

Nonetheless, close scrutiny of subsequent panegyrics to Julian that do survive shows us that the emperor continued to use imperial speeches to communicate important messages to the educated élite, although, as I will argue, there is a notable shift in imperial policy regarding religion in the speeches of Himerius (*Or.* 41) and Libanius (*Orr.* 13 and 12). And in the emperor's own pronouncement, the *Antiochikos/Misopogon*, we can see that, in contrast to Mamertinus' speech, new religious action is indeed promoted and discussed. However, in addition to the value of panegyric in praising the emperor and in promoting his religious program in particular, Julian viewed panegyric as

a useful tool in communicating other messages to his subjects and in displaying his responsiveness to them. Moreover, by carefully employing elements of panegyric in his letters to cities, the emperor increased his authority and standing with his subjects, and so he strengthened the power of his letters and pronouncements, such as his first extant *Epistle to the Alexandrians* (21 Wright, 60 Bidez), as advisory documents for those in the East that he came to rule over for the first time.

Julian consistently played an active role in how he would be represented and promoted to his subjects. He occasionally also directed his energy and skill at rebuking them as in the case of the Antiochenes. I propose viewing his “extraordinary” *Misopogon* as both a kind of self-panegyric and an “anti-panegyric” on the city of Antioch, one that both praised and promoted Julian as emperor and that censured and punished the Antiochenes as wayward and even unworthy subjects (below). Emperors and cities, particularly key administrative centers, were often closely connected and presented together in imperial panegyrics, such as in Themistius’ panegyric to Constantius at Rome in 357 (*Or.* 3; see Ch. 3), where Constantinople and Rome each lay claim to the emperor’s favor, and in Mamertinus’ panegyric to Julian (Ch. 5), where Constantinople is exalted for, among other reasons, that it was Julian’s birthplace (*Grat. Act.* 2.3). Such cities were places where an emperor typically wished to be portrayed as a *euergetēs* or benefactor, and Julian tapped his orators and panegyrists to advertise him as such. But Julian paid particular attention to cities, and he employed the flexible genres of letter-

writing and of panegyric, both as a discourse of praise and of censure,⁴⁵⁴ as methods for promoting himself and advising them (Section I). As we shall see below, this is how we should read his *Misopogon*, as a multivalent imperial ‘letter’, albeit an especially bitter and self-effacing one, focused on inviting Roman subjects to adopt new imperial preferences willingly (Section III).

This chapter is divided into three parts. The first part (I) surveys Julian’s use of panegyric during his stay at Constantinople after Mamertinus, and the emperor’s ‘letters’ to cities such as Alexandria, Bostra, and Edessa in the interests of self-praise and promotion and how he used these pronouncements to advise and to shape the behavior of these cities. In particular, I explore the Greek panegyric of the orator Himerius of Prusa, who delivered an oration in Constantinople c. mid 362 in which he represents Julian as a new founder of this city (*Or.* 41), a representation which, I suggest, reflects the emperor’s wishes to be communicated as such to a wider Greek audience in the interests of solidifying eastern support. Unlike Mamertinus (and Julian and Themistius in their two ‘letters’; Ch. 5), Himerius mentions the raising of temples and the introduction of religious rites to the city.

In the second part (II), I explore two orations of Libanius to the emperor, an address upon Julian’s arrival at Antioch (*Or.* 13) and the consular oration of 363 (*Or.* 12), through close readings of these texts in light of Mamertinus’ panegyric and I show how these panegyrics assert Julian’s imperial legitimacy while chiefly focusing on his political

⁴⁵⁴ In many respects, Julian’s *Epistle to the Athenians*, which, as I have shown (Ch. 4), employs elements of panegyric, is an “anti-panegyric” of Constantius II. See also Humphries 1998, for Hilary of Poitiers “anti-panegyric” of Constantius.

and military policies, which again reflects Julian's wishes and his responsiveness to his subjects. While Mamertinus omits all reference to religious policy at the start of 362 and Himerius mentions the erecting of temples c. mid 362, Libanius conversely touches upon the emperor's restoration of temples in late 362 *and* of blood sacrifice in early 363. This apparently gradual shift in imperial messaging is best seen as a gradual 'rollout' of new policy.

And in the third part (III), Libanius' two panegyrics are placed in dialogue with Julian's *Misopogon*, which will be reconsidered in its Antiochene context, in order to demonstrate that the emperor was interested in building *consensus* for his new religious program specifically and with Antioch more broadly in early 363, especially on the eve of invading Persia, and that Julian meant for his oration to help advise Antioch while he was on campaign. In so doing, I show Julian's interest in promoting himself as a responsible and responsive emperor and in advertising his legitimacy before subjects who seemed to have questioned him on both counts. In this light, Julian's *Misopogon* will be explored within the larger context of imperial pronouncements generally and his 'punitive' imperial pronouncements to Alexandria, Bostra, and Edessa more specifically, in order to demonstrate how the emperor employed panegyric to achieve his various aims.

I

As a literary genre, imperial panegyric thus had an important part to play in fashioning the public image of both an emperor and his city. Menander Rhetor records that there was a specific type of discourse on praise-giving on the city and he dedicates considerable

space to it.⁴⁵⁵ The components of this type of panegyric resemble the components of panegyrics to individuals (1.346.26–347.1), such as discussion of the philosophical virtues of a city, its piety, justice, temperance, prudence, and courage (1.361.11–365.9). Indeed, we have already seen how Themistius praised both the cities of Rome and Constantinople in relation to Constantius in his *Third Oration to Constantius* (*Or.* 3), and how Mamertinus and Himerius did the same for Julian and Constantinople. In fact, the latter two panegyrics illustrate that Julian as sole emperor recognized early on the important part that panegyric had to play in shaping the relationship between an emperor and his chief cities and residences such as Constantinople.

As we discussed above (Ch. 5), Themistius likely had been among those who welcomed Julian into Constantinople on 11 December 361 and who probably served as Julian’s interim urban prefect; Themistius certainly produced a panegyric on the emperor, and perhaps in response to his promotion to this office. But there were others whom Julian invited to join his court at Constantinople and who produced panegyrics to him. One of these was the Greek rhetorician Himerius,⁴⁵⁶ who, in a (fragmentary) Greek oration delivered there, describes Julian as “the greatest and most beautiful ornament of the city [Constantinople]...the divine emperor [Julian]” (τὸν μέγιστον καὶ κάλλιστον τῆς πόλεως κόσμον...βασιλέα...τὸν ἔνθεον, *Or.* 41, 8. Penella trans.). Such language presents Julian as the most vital fixture of the urban landscape and connects him to building projects in Constantinople, projects which we have noted above. Indeed,

⁴⁵⁵ Men. Rhet. 1.346.26–367.8; Russell and Wilson 1981: 33–75.

⁴⁵⁶ On Himerius, see Barnes 1987 and Penella 2007: 1–16.

Himerius goes on to connect his praise of Julian as “the greatest and most beautiful ornament of the city” explicitly to the emperor’s building program there (*Or.* 41, 8, 14), which the orator mentions after noting the “countless favors” (μυρία...αἰ χάριτες) that Julian had bestowed on Constantinople (*Or.* 41, 8).

It is instructive that building programs were marks of euergetism often associated with the (re)founding of cities. In this light, we should consider the date on which Julian triumphantly entered Constantinople (11 December 361), for such dates were important symbols that often convey greater meaning, and scholars have strangely ignored this red-letter day in Julian’s career. The emperor probably chose 11 December carefully as the day to enter Constantinople and to shine with an eye to casting himself as the new founder of his native city, for 11 December was the traditional date of the Septimontia,⁴⁵⁷ a festival that, I would argue, was closely connected to the founding of the city of Rome; indeed, the learned Varro notes that “Septimontium” was the name of pre-urban Rome (*LL* 5.7).⁴⁵⁸ Prior to Julian’s arrival at Constantinople in late 361, there were two dates keenly associated with this city, 8 November 324 (dedication) and 11 May 330 (consecration, opening ceremonies), but the emperor’s arrival did not coincide with these dates and they might not have served his purposes. In fact, as we have already noted,

⁴⁵⁷ See *CIL* 1², 278 and Salzman 1990: 124, for the listing of the date of this festival in the Calendar of Philocalus or Codex-Calendar of 354. While the Septimontia lacked *ludi* and *circenses*, it need not mean that Julian and his fellow Constantinopolitans did not consider the festival an important, symbolic occasion.

⁴⁵⁸ For some *Quellenforschung* on the Septimontia, see Platner 1906 and Adams Holland 1953.

Mamertinus refers to the celebration of festival dates and the consecration of old and new ones in honor of Julian,⁴⁵⁹ a reference which likely includes 11 December.

While Himerius may not be thinking of the date of Julian's entry into the city, we find the orator comparing Julian's relationship with Constantinople first to Romulus' with Rome, and then to other founders of cities (*Or.* 41, 9). We might have expected Mamertinus to make such a comparison, but he does not. Julian's *adventus* ceremony and subsequent building activity at Constantinople would have provided him with opportunities to advertise himself as a new founder of this city, as a native son returning home to "New Rome" in keeping with a tradition established by Caesar Augustus and his wife, the Augusta Livia.⁴⁶⁰ As Greco (2003: 157–60) and Penella (2007: 44–5) both have noted, Himerius may be alluding to the desire of Julian's fellow Constantinopolitans to cast their new emperor as the new founder of the city (*Or.* 41, 3). Thus, we have another example of Julian being closely and more substantively tied to an important imperial city such as Constantinople by means of an imperial panegyric before him that was meant to advertise the emperor's new government and to promote his interests. Undoubtedly, Julian desired to be portrayed as a new founder of Constantinople, one who bestowed benefits on the city, probably including senatorial privileges, and who adorned the

⁴⁵⁹ *Grat. Act.* 9.4: *dies festos et celebrari ueteres et nouos in honorem principis consecrari.*

⁴⁶⁰ Cf. Angelova 2015: 9–43, for Augustus and Livia's interests in their images as sacred founders of cities and new generations of Romans, and 111–60, for Constantine and Helena.

cityscape with new buildings, a representation of the emperor that would have gone some way to consolidating his control of the Senate, the city, and the East overall.

Most notably, among the things which Julian has done for his native city are the raising of temples to the gods and the establishment of traditional pagan rites there.⁴⁶¹ These are particularly interesting remarks in Himerius' oration because his remarks are on religious policy in marked contrast to Mamertinus' purposeful silence on this topic. Near the very end of his fragmentary oration, which is relatively short (16 sections), Himerius engages in protreptic speech by means of a series of hortatory subjunctives. He first implores Julian's unnamed urban prefect (either Themistius or Domitius Modestus) indirectly to be a gentle ruler, a common quotation of Homer and trope ("...Let the city's helmsman [the prefect] be gentle...Let him be mild in his words but quick in his actions..."), and to engage in several building projects meant to beautify the city and to enhance its infrastructure in order to better meet the needs of the city's growing population. Himerius continues: "Let him build up the city...Let him deepen the harbors and surround them with porticoes...Let him build temples to the gods...Let him extend the portico whose royal character is confirmed..." (*Or.* 41, 14. Penella trans.). We have already noted that Julian did in fact have a new harbor constructed for Constantinople and that the extension of the imperial portico may refer to the emperor's construction of a new library (Ch. 5), though we do not know if Himerius' statements here indicate that he saw what Julian had already done for the city through his urban prefect, and so is

⁴⁶¹ *Or.* 41, 8: τεμένη μὲν ἐγείρων θεοῖς, τελετὰς δὲ θείας καθιδρύων τῇ πόλει ξένας, τῶν δ' εἰς αὐτὴν θεῶν οὐρανίων μυστήρια θεοποιῶν.

providing a panoramic outline of these new buildings,⁴⁶² or if Himerius was privy to what the emperor intended to do, and so decided to advertise Julian's anticipated projects to the city population. How we interpret Himerius' statements here has a direct bearing on the dating of his speech. If we take an intermediate position between proposed and completed civic projects, that is, the Greek panegyrist describes construction projects well underway, then his speech can safely be dated to several months after Julian's entry into Constantinople on 11 December, and after Mamertinus' panegyric on 1 January. In any event, Himerius' remarks serve to portray Julian as a *euergetēs*. In this way, Himerius skillfully unites emperor and city in a Greek panegyric that would have enhanced Julian's standing both within and outside Constantinople, presumably with the Greek élite throughout the East, since Himerius enjoyed a strong following and reputation there.

Himerius' comments on Julian's building program in Constantinople are also important for understanding Julian's religious program, for the panegyrist makes two explicit references to the emperor's well-known temple policy, that is, to their renovation and reopening. Mamertinus had nothing to say about this to an audience that was presumably Christian to a great degree on New Year 362. Yet the fact that Himerius subsequently does some months later is suggestive of careful messaging on Julian's part,

⁴⁶² Cf. *Or.* 41, 7, where Himerius earlier provides his audience with a panoramic view of the 'senate house', bath complexes, and theaters in Constantinople, that is, buildings that presumably were already standing. However, it would be worth knowing what, exactly, Himerius means here by 'senate house' (ἡ βουλή) since it appears that Julian completed this building as part of the Augusteion, though Zosimus uses a different word for it (γερουσία).

especially since Himerius begins his panegyric by invoking Helios-Mithras and stating that he has become an initiate into this cult, perhaps in support of the emperor (*Or.* 41, 1), an invocation which can be read as an appeal to Julian's Greek coreligionists. This rather emphatic opening to an oration is purposeful, just as purposeful as Mamertinus' silence. But there are some key differences. While Mamertinus, too, was Julian's panegyrist, he was also the emperor's praetorian prefect and *consul prior*, and thus what Mamertinus discusses in his Latin oration before Julian and the Senate of Constantinople, including what he does not discuss, namely, religion, represents, as I have argued, official policy since Mamertinus can be viewed as Julian's spokesman; Latin was the official language of the Senate and the imperial administration.

On the other hand, Himerius did not hold public office under Julian and Greek was the language of the educated élite, and so the orator's mentioning of Helios-Mithras and his subsequent protreptic remark, "...Let him raise temples to the gods and may he conciliate the higher one (singular) [and] make it a friend for the city..." (ἐγχειρέτω δὲ καὶ τεμένη θεοῖς καὶ εὐμενίζοιτο τὸ κρεῖττον τῇ πόλει φίλον τ' ἐργάζοιτο, *Or.* 41, 14), which he does not elaborate on, can be seen as the public statement and suggestion of a *privatus*; moreover, it appears that Julian and his urban prefect were not present for this oration.⁴⁶³ In short, Himerius' was a message that could be floated publicly and tested without involving the emperor and his top representatives personally in an official capacity, although Julian and his prefect are referenced. Who is the "higher one" (τὸ κρεῖττον) that Himerius refers to? This is an interesting neutral term for divinity, one that

⁴⁶³ Him. *Or.* 41, 14–15, 16; Penella 2007: 34–5 and n. 3, and 46.

Julian had used while ostensibly still Christian (*Or.* 3, 70D) and one that Libanius would subsequently use, as we shall see below. Perhaps Helios is meant. Since such a message on Helios-Mithras and temples emanated from a learned and well-established Greek rhetorician, one whom Julian had invited to join his court in Constantinople (Eunap. *VS* 14.1), we can presume that the emperor intended for Himerius' comments to be communicated to those among the eastern élite who would have been sympathetic to his new policy.

Nevertheless, it is worth emphasizing that Himerius' two references to Julian's religious policy, to temples and to religious rites (*Or.* 41, 8, 14), are rather brief and generic in that they do not specify any particular temples or deities by name, though the Tyche of Constantinople, the protective deity of the city, may be meant in the reference to the "friend for the city" (14),⁴⁶⁴ and that he neatly places his remark amidst "secular" building projects, projects which would not have occasioned much if any opposition. Furthermore, there is no reference here to blood sacrifice, a reference we do find in Libanius' consular oration from the following year (Section II). The fact that Himerius does not dedicate inordinate space to discussing Julian's religious policy and limits his references to it is suggestive of the emperor's desire not to promote it excessively but to frame religious action as just one among many new imperial initiatives, albeit an important one.

⁴⁶⁴ Cf. Soc. *HE* 3.11.4, Soz. *HE* 5.4.8, for Julian's sacrificing to Tyche while in Constantinople.

To be sure, Julian refers to blood sacrifice several times in his hymns *To the Mother of the Gods* and *To King Helios*, which date to late March and December 362, respectively.⁴⁶⁵ If the dating of Julian's *Hymn to the Mother of the Gods* holds, it was three months removed from Claudius Mamertinus' panegyric and its religious neutrality, and so Julian's hymn reflects an explicit updating of imperial messaging with respect to new religious promotion and policy. And the dates of Julian's two hymns align closely with Himerius and Libanius' speeches, Himerius having delivered his, probably, in early summer 362, and Libanius having delivered his two speeches to Julian in late July 362 and at the start of January 363; the two panegyrists also may have taken their cues regarding content for their speeches, in part, from Julian's two hymns. Moreover, Julian had delivered his two hymns, among other orations, before audiences at his court,⁴⁶⁶ first at Constantinople and then at Antioch, which would suggest that these orations were meant for members of the educated élite, perhaps exclusively so. Panegyrics, on the other hand, were delivered in central civic and public spaces during public occasions and celebrations, when members of the élite and others from the populace would often listen to these imperial speeches. Such occasions provided opportunities for emperors to announce and to disseminate policy more broadly. In short, Julian was an emperor who

⁴⁶⁵ Fontaine et al. 2013: 43–4, 97–9; Nesselrath 2015: viii–ix. See also Elm 2012: 118–35, 286–99, who discusses the hymns *To the Mother of the Gods* and *To King Helios* but does not consider the immediate audience for these orations.

⁴⁶⁶ See Lib. *Or.* 18, 157, who specifically refers to the *Hymn to the Mother of the Gods* as having been “exhibited” (ἔδειξεν), that is, delivered, at Constantinople; and Jul. *ad Hel. R.* 143B, for a possible indication that Julian delivered this speech before an audience at Antioch as well. Cf. Athanassiadi 1992: 131 and Smith 2012: 49, both of whom suggest that Julian delivered his *Against Heraclius the Cynic* (*Or.* 7) before an audience at Constantinople.

carefully calibrated his messages; he could discuss and promote blood sacrifice in learned orations while taking care that panegyrics delivered before him disseminated his religiosity more carefully.

Julian's pronouncements to cities in 362 are also revealing of his objectives and methods at this time. Shortly after his accession and entry into Constantinople in late 361, Julian had to address civic disruptions in Alexandria that had largely centered on the bishop George of Cappadocia, who was lynched by the city's inhabitants, both pagans and Christians, due to his actions as an agent of Constantius.⁴⁶⁷ Partly in response to the citizens' lynching of George, Julian issued several imperial letters to Alexandria (three of which are extant) whereby he displayed clemency and yet rebuked them strongly for their recourse to mob justice. The exact dating of these letters is uncertain, but the apparently earliest extant one from early 362 (21 Wright, 60 Bidez) displays Julian's penchant for self-praise and promotion and his interweaving of rhetoric into his pronouncements,⁴⁶⁸ which are often quite lengthy and serve as both juridical documents and policy statements that promote the emperor and his interests. This particular imperial epistle begins with Julian praising Alexandria and its founder, Alexander of Macedon, along with its chief Hellenistic deity, Sarapis (378D), whom is invoked twice more (379A, 380B). But other than these dutiful invocations of Sarapis, there is no promotion of or concern with

⁴⁶⁷ *Hist. Aceph.* 2.8–10; *Jer. s. a. Chron.* 362; *Amm.* 22.11.3, 5–8; *Soc.* 2.28.1–15, 2.45.15–16, 3.2–3; *Theod.* 2.14; *Soz.* 5.7; *Chron. Pasch. s. a.* 362 (p. 546). See also Allard 1903: II.279, n. 2; Brennecke 1988: 116–19; Aja Sánchez 1991; and Hahn 2004: 66–74.

⁴⁶⁸ It seems that Julian had Dion of Prusa's oration to the Alexandrians in mind when writing his missive to the same, cf. *Or.* 32, 16.

religious policy, which fits well alongside Mamertinus' silence on such policy. While Julian praises Alexandria generally, he also praises the city more personally by connecting himself to it through his maternal grandfather, Julius Julianus, who had been prefect of Egypt and praetorian prefect of the East under Licinius for almost a decade (380B).⁴⁶⁹ That Julian connects himself to this city personally and praises both parties in the process, just as he does with Corinth and Constantinople,⁴⁷⁰ reflects his interest in using his close relationships with key urban centers as a way to enhance his authority with them and to encourage their compliance with his pronouncements. In short, Julian knew that the power of praise could be used to authenticate himself and his standing with his subjects.

What is also instructive about this letter to the Alexandrians is that it again shows the emperor carefully calibrating his messages in accordance with his audience; we have already seen this in his *Epistle to the Athenians* and in Mamertinus' *Gratiarum Actio*. Julian does not advertise any specific penalties for potential future upheavals in Alexandria, instead preferring to display clemency to the city at the outset of his rule while hinting at future imperial action that would be less benevolent in the event of repeat

⁴⁶⁹ See Bidez 1924: 71, who emended the text, rightly I think, to reflect “my [maternal] grandfather and namesake” (τὸν πάππον τὸν ἐμὸν καὶ ὁμώνυμον) instead of “my [maternal] uncle and namesake” (τὸν θεῖον τὸν ἐμὸν καὶ ὁμώνυμον), as in Wright. Indeed, Julian's maternal uncle Julianus was governor of Phrygia, not Egypt, prior to Julian's letter to the Alexandrians.

⁴⁷⁰ See Jul. *Ep.* 20 (Bidez), for a fragment of Julian's *Epistle to the Corinthians*, in which he appeals to the citizens for support during civil war with Constantius and claims a special relationship with the city by invoking his father's residency there; and Claud. Mamert., for Julian and Constantinople.

violence and offenses (380C). Other examples of this are Julian's letters to the citizens of Bostra in Arabia and to the citizens of Edessa, letters in which the emperor's rhetorical and authentic voice is evident just as in his epistle to the Alexandrians. At Bostra, Julian feared that there would be an upheaval in the city, that pagans and Christians would come into conflict and break civic order due to actions from the bishop Titus. By proactively issuing an imperial letter to the city, the emperor seems to have succeeded in helping to maintain peace within the community and in getting the citizens to eject Titus from the city as a rabble-rouser (Jul. *Ep.* 41 Wright [114 Bidez] 437B).⁴⁷¹ And at Edessa, certain Christians had assaulted the rival Christian community of Valentinians, which the emperor responded to by ordering the citizens there to keep the peace within their city or suffer harsh penalties (Jul. *Ep.* 40 Wright [115 Bidez] 425A). In the letter to Bostra, we can see Julian using his missive to forestall sedition and to steer the community in a new direction, whereas in his letter to the citizens of Edessa, while he steers them towards concord, the emperor also rebukes this city for violence that already had occurred and he warns them that they will suffer dearly in the event of repeat violence, just as in the case of Alexandria. In all three cases, Julian censures each city to various degrees, which was the 'punitive' aspect of his pronouncements, and then invites them to adopt his directives willingly.

More importantly, no mention is made of imperial religious initiatives, except when the emperor wishes to advertise the fact that he has not compelled any Christians to

⁴⁷¹ See also Soz. 5.15.10–12.

enter temples and worship other gods.⁴⁷² Indeed, while Julian displays his support for traditional cult generally, he makes no references to specific religious actions such as blood sacrifice. The tone and language of these imperial pronouncements overall show the emperor interested in inviting willing conformity, and to that end he utilized panegyric as an effective means for achieving it. Julian used these letters to cities, which date to 362, to communicate his policies and preferences to them and to nudge the behavior of their inhabitants towards his way of thinking and acting in non-coercive ways, which, as I will argue, is how we should understand, in part, his *Misopogon* (below). Julian's invocations of the gods was tailored to the specific city in question; the emperor invoked Helios, Sarapis, the Mother of the gods, and other deities depending on what he felt that the situation required, which reveals a practical and careful ruler and not one simply trying to impose his will.

Julian's actions thus reveal someone interested in building a new *consensus* in the religious sphere, which I have argued is evidently the case in Mamertinus' panegyric of New Year 362. This view of Julian is not unlike Drake's (2000) and Lenski's (2016) views of Constantine. For example, Constantine's measured response to a petition from the city of Hispellum in Umbria reflects the act of a pragmatic emperor interested in bringing his subjects to his side, but without employing physical coercion to do so, that is, as Lenski frames it, Constantine engaged in dialogue and negotiation.⁴⁷³ Although Constantine's rescript or letter to this city was produced in a context and language

⁴⁷² Jul. *Ep.* 41 Wright (114 Bidez) 436C and *Ep.* 40 Wright (115 Bidez) 424C.

⁴⁷³ For Constantine's communication to Hispellum, see Lenski 2016: 114–30.

different from those in which Julian wrote his own letters, they nonetheless share the same underlying approach to communicating with imperial subjects in inviting willing compliance to imperial preferences. But, unlike Constantine, Julian enhanced his letters by embedding panegyric in them.

Let us turn next to Libanius' address to Julian (*Or.* 13) and to his consular oration to the emperor (*Or.* 12) and consider what these panegyrics tell us about what Julian desired to be broadcasted in Antioch regarding his government, in late 362 and January 363 respectively, before moving on to compare what Libanius tells us with Julian's *Misopogon*, which was published in late February/early March 363.

II

Libanius of Antioch, unlike Mamertinus, did not hold public office under Julian beyond apparently holding the honorary rank of "quaestor," a title which is listed in the heading of one of Julian's letters to him that dates to early 363 (*Jul. Ep. ad Lib.* [58 Wright, 98 Bidez]). However, as a rhetorician, panegyrist, and friend of Julian, Libanius is still an important source for the emperor and his policies. Libanius had corresponded with Julian as early as 353 (see *Lib. Ep.* 13 Foerster), that is, before the latter's investiture as Caesar. More importantly for our purposes here, he delivered an "address" (*prosphonetikos logos*) before Julian shortly after his arrival at Antioch in late July 362 (*Or.* 13) and a consular oration (*hupatikos logos*) before him on 1 January 363 (*Or.* 12), the day on which Julian assumed his fourth consulship with Flavius Sallustius as his colleague. Like Mamertinus before him, Libanius produced an imperial panegyric on Julian and on a similar occasion, and so it would be instructive to closely scrutinize the orations of both

men side by side so as to explore whether Julian's interest in building *consensus* was limited to early 362 and to Constantinople or if it carried over into the following year and to Antioch, and to what degree. This is a particular desideratum since Libanius' *Oration*s 13 and 12 have yet to be studied carefully with respect to what they reveal about the emperor's political, religious, and military objectives.⁴⁷⁴ What part had the emperor intended for Libanius' speeches to play during their joint stay in Antioch? I will argue that Julian intended them to deliver updated outlines of his political program, particularly with respect to religious policy, to eastern élites.

Sometime after Julian arrived in Antioch on the Orontes in late July 362, Libanius delivered a panegyric to the emperor to commemorate his arrival in the city (*Or.* 13),⁴⁷⁵ a panegyric which Julian had requested (*Ep.* 88 Norman, 736 Foerster). Libanius tells us about this request in a letter to Celsus, his fellow Antiochene and Julian's newly appointed governor of Cilicia,⁴⁷⁶ which is notable not only for the apparent reference in it to *Oration* 13 but also for the fact that Celsus also had delivered an oration before Julian, probably in Tarsus, shortly before the emperor's arrival in Antioch.⁴⁷⁷ Unfortunately, we

⁴⁷⁴ For a comparative study of Mamertinus' *Gratiarum Actio* and Libanius' *Or.* 12, see García Ruiz 2008a, who notes some common imperial themes and virtues but does not fully explore the "evolution" of Julian's image and propaganda from the panegyric of Mamertinus on 1 January 362 to the consular oration of Libanius on 1 January 363, especially in terms of their outlining of religious policy.

⁴⁷⁵ On this type of speech, see Men. Rhet. 2.415–18. See Wiemer 1995: 77–123, for a study of *Or.* 13.

⁴⁷⁶ *PLRE* 1.193–4, Celsus 3.

⁴⁷⁷ See Amm. 22.9.13, for Julian's meeting of Celsus and their joint entry into Tarsus.

do not have the panegyric of Celsus, as well as those of others who would often produce orations after an emperor's arrival in a city, which makes Libanius' orations to Julian in late 362 and early 363 all the more valuable as kinds of 'official documents' outlining the emperor's political program,⁴⁷⁸ not unlike the panegyric of Claudius Mamertinus. However, there is a distinct difference between Mamertinus and Libanius' orations with respect to religious policy. In the very opening of his address to Julian, Libanius pays both Julian and himself a compliment simultaneously when he links eloquence with religious scrupulousness (μέρος τῶν ἱερῶν οὐκ ἐλάχιστον ἴσως οἱ λόγοι, *Or.* 13, 1); Mamertinus had been content merely to praise eloquence, both his own and Julian's. More importantly, Libanius' opening remarks on religion do not include any reference to blood sacrifice, only to a general remark on "honor for the gods" (τὴν τιμὴν τῶν θεῶν). As we have noted regarding Mamertinus and Himerius' orations, the opening lines of a panegyric were often where particular points of interest were emphasized, and so that Libanius also does not explicitly reference blood sacrifice at the outset of his panegyric is an important point to consider when assessing his statements on the emperor's policies, religious and otherwise.

In keeping with the familiar pattern of imperial panegyric, Libanius first outlines Julian's early life and education in some detail (7–13), where the orator makes some loaded comments regarding Julian's conversion to traditional worship, about his casting off of error and his recognition of the true from the false, among others (12), comments which are in large part repeated in the consular oration of 1 January 363 and are

⁴⁷⁸ See Wiemer 1995: 83–5, 151, and 166.

polemical (*Or.* 12, 33), although it is important to emphasize that Christianity is never named (below). Libanius then notes that the emperor had been greatly moved by the destruction and spoliation of temples (*Or.* 13, 13), no doubt to underscore the sincerity of Julian's conversion and new policy. As we would expect, Libanius subsequently relates that all that he has told us thus far in this panegyric is in accordance with Julian's wishes,⁴⁷⁹ including that the guiding hand of the gods lay behind Julian's accession to empire (20–1). In fact, the orator is keen to highlight the divine support and favor that Julian enjoyed by transitioning to the emperor's military accomplishments. Here Libanius moves to accentuate the difficulties that Julian faced as Caesar in Gaul and so to highlight his military reputation (22–32), although his description lacks meaningful details.

Consequently, Libanius can be seen advertising Julian's military credentials for holding the imperial office and that he had been divinely selected as emperor. But, in marked contrast to Mamertinus, Libanius now offers the names of two of Julian's guiding deities: Athena (28) and Helios (35). The latter had been invoked by Himerius, but was not connected explicitly to the emperor (at least in the form that we have his oration). In a further promotion of Julian as general, Libanius addresses the acclamation at Paris carefully by adducing a constrained soldiery and a Caesar worthy of higher rank, that is, by following Julian's version of events (33–4), including Julian's display of *recusatio imperii* (34), as we have seen in the *Epistle to the Athenians* (below). These remarks on Julian's military experience and on his handling of his acclamation to Augustus indicate

⁴⁷⁹ *Or.* 13, 17: Καὶ ταυτὶ μὲν, ὡς ἐνῆν, μάλιστα σκιάσας διήλθον ἐν ᾧ σοι τρόπῳ χαριούμενος ἦδειν.

that the emperor was concerned with asserting his legitimacy shortly after his arrival in Antioch, and more so than broadcasting his new religious policy.

Indeed, what follows here in Libanius' "address" is a general outline of Julian's movements from Gaul to Illyricum to Constantinople and the events surrounding his taking up of power as sole emperor upon the death of Constantius (36–42), whose unexpected death must have occasioned much disbelief and discussion in Antioch since Libanius felt required to cover it in some detail. Conversely, Mamertinus had artfully and briefly addressed this topic in his own panegyric before Julian in Constantinople by referring to Constantius as *diuus* (*Grat. Act.* 3.2), that is, that Julian, as a lawful successor, had his cousin divinized. Such varying approaches to relating Julian's legitimacy, I argue, illustrate the emperor's responsiveness to his subjects. More in keeping with Mamertinus is when Libanius gives his Antiochene audience a truncated but potent account of Julian's new government by outlining his select punishments of the guilty under Constantius and reforming of the *cursus publicus* (*Or.* 13, 42), his promoting of upright governors, reducing of imperial expenditures, rewarding of the soldiery, lifting of prohibitions on divination (43), and his personal austerity and preference for philosophers in his company (44). Some of the remaining sections of this oration do draw attention to Julian's restoration of the gods, presumably by means of restoring their temples, in part, and that there is now an atmosphere of offerings and blood sacrifice to the gods (45–47).⁴⁸⁰ Yet Libanius does not mention blood sacrifice until near the end of

⁴⁸⁰ On the outlining of the revival of temples and the state here, see Wiemer 1995: 101–7.

this oration, which suggests that it was a lesser consideration than promoting Julian's legitimacy and military credentials as emperor and what the Antiochenes could expect from Julian in terms of political and military policy.

As Wiemer (1995) has observed and as we noted above, Libanius used Julian's own writings when crafting his orations to the emperor, which thus imbues Libanius' speeches to Julian with a measure of authority and makes them official pronouncements on the emperor's new government like Mamertinus' panegyric (below). For example, Libanius points out that Julian had written an account of his Gallic campaigns and he draws the attention of his listeners and readers to that account for further details (*Or.* 13, 25). And at section 50, Libanius invokes Agamemnon, a figure that, although commonly cited by ancient authors, suggests, in my view, that Libanius had read Julian's second panegyric on Constantius in which Julian styles himself as an Achilles serving an Agamemnon (*Or.* 3, 49C–50A), that is, Constantius, a comparison we have discussed in some detail above (Ch. 3). That Libanius had read this panegyric is supported by the fact that he keenly notes Julian's orations, implying that he had read them closely (*Or.* 13, 51–2, cf. *Or.* 12, 92), which again highlights that Libanius took great care to espouse what would meet with the emperor's approval and thus that he is disseminating official policy despite not holding any office under Julian. In fact, there is great continuity in this regard with the consular oration to Julian on 1 January 363 (*Or.* 12), which Libanius again delivered at Julian's request and where he builds upon his previous address from late 362 (*Or.* 13).⁴⁸¹ As Wiemer (1995: 151) has put it, this oration is “ein offiziöses

⁴⁸¹ See Wiemer 1995: 151–88, for a study of *Or.* 12.

Dokument julianischer ‘propaganda’.” We do not know where, exactly, it was in Antioch that Libanius delivered his panegyric of 363 before the emperor. But, given what we know about Julian and what Libanius tells us about the occasion, it seems right to conclude that Libanius probably spoke before the emperor at the bouleuterion of Antioch.⁴⁸²

Moreover, we can see that Libanius considered *Oration* 12 one of his most important orations on Julian when we consider that its material and arrangement served as a model for his well-known and studied *epitaphios* on Julian (*Or.* 18). Yet *Oration* 12 is also quite revealing when evaluated in tandem with Mamertinus. What becomes readily apparent about Libanius’ consular oration when it is placed alongside that of Mamertinus is that it conversely focuses on Julian’s military credentials (and more so than *Or.* 13), particularly his successful record as a commander in Gaul along the Rhine and beyond it (20, 44–53, 57), and in contrast to those credentials of Constantius, who is

⁴⁸² Cf. Wiemer 1995: 151, who believes that Libanius delivered *Oration* 12, just like *Oration* 13, at the imperial palace in Antioch. See *Lib. Or.* 1, 127, where it appears that Libanius is conflating two events, that is, Julian’s request that Libanius produce and perform a panegyric before him for his fourth consulship and the actual delivery of it. Given Julian’s traditional respect for the senatorial order and his interest in strengthening city councils, the emperor probably sat in his curule chair in the bouleuterion of Antioch to hear Libanius’ consular oration and to inaugurate the festival of the *kalendae Ianuariae*; indeed, Julian had chosen to hear Mamertinus’ panegyric of New Year 362 in the Senate House of Constantinople. Moreover, Libanius notes that the audience of his consular oration was “countless” (μυρίους), which is a hyperbole; but Antioch was one of largest cities in the East and its bouleuterion likely accommodated a thousand individuals or more, whereas the audience chamber of the imperial palace there probably did not. On the bouleuterion of Antioch generally, see Downey 1961: 377. On the late Roman palace at Antioch during Julian’s reign, see Saliou 2009: 242–4, who compares this palace to the one at Split, which were augmented and built by Diocletian.

alluded to frequently (21, 39–44, 52, 53, 62). As we have seen, Mamertinus dedicates relatively little space to Julian’s military record, instead preferring to reduce it to a few references that tell us less about Julian as commander along the Rhine than Eutropius’ *Breuiarium*; this unusual brevity was probably due, in part, to certain tensions between the western and eastern armies at the conclusion of civil war. However, a year later in 363, when Julian’s position was more secure, we find Libanius focusing on the emperor’s martial valor and record in the context of his preparations for a war with Persia, support for which the orator was thus interested in encouraging, among other imperial measures.

Libanius’ consular oration of 102 short sections (35 Teubner pages) is more than twice the length of Mamertinus’ 32 longer sections (23 OCT pages) and yet far shorter than Libanius’ earlier panegyric on Constantius and Constans (*Or.* 59) of 173 sections (86 Teubner pages), which perhaps dates to c. 348. After a lengthy *prooemium* that takes up fully a quarter of his imperial speech (*Or.* 12, 1–24), which includes a short history and discussion of the consulship itself (7–19), Libanius invokes Tyche and the gods favorably on Julian’s behalf (25). Tyche was a protective deity of most cities and Libanius’ invocation of her here subtly casts her as Julian’s protector as well. In fact, Julian himself tells us in his *Misopogon* about his visits to her temple in Antioch (346B). The panegyrist signals to his audience that he will follow the conventions of Menander Rhetor by beginning his speech with Julian’s education and upbringing (26), although he glosses over the former and generalizes it (27, 30, 32), probably because Libanius felt that it was already apparent in the emperor’s own public writings (cf. *Or.* 13, 51–2, *Or.* 12, 92); however, the emperor’s penchant for philosophy is well noted and is presented as

a method for detecting and removing religious error (*Or.* 12, 33), a striking remark in light of Julian's own remarks on Christianity and a view inherent in his writings.⁴⁸³ Libanius' remark here can be read as another example of an oblique critique of Christianity (see Ch. 4), and so polemic. Indeed, Wiemer (1995: 170–1) has detected religious polemic here at section 33, polemic we have already seen in Libanius' "address" (*Or.* 13, 12). One wonders how the audiences of these speeches received such polemical remarks, which suggest that the audiences were predominantly pagan, in contrast to the one at Constantinople that had heard Mamertinus' panegyric.

Nonetheless, Julian's character and his temperament are given greater attention because they are prerequisites for ruling (*Or.* 12, 26), as are his dynastic connections and so his claim to legitimacy, for his cousin (Constantius) and brother (Gallus) were both emperors, an Augustus and a Caesar respectively (28–9). This highlighting of Julian's dynastic claims to imperial power is repeated and expanded to include his father (Julius Constantius), paternal grandfather (Constantius I), and paternal uncle (Constantine) (31), an expansion which seems to denote Julian's continued and increased concern with broadcasting his legitimacy from *Oration* 13, which suggests that the Antiochenes had questioned his validity as emperor. There was an additional aim here to showcase Julian's ascetic habits as a *priuatus* (that is, one who was a member of the imperial family but who apparently did not hold any public office) as one who did not live ostentatiously though a member of the imperial family (*Or.* 12, 31). Delivering his panegyric before a

⁴⁸³ E.g., see *Jul. Ep. ad Bostr.* 438C, *Ep.* 36 Wright (61c Bidez) 424B, *Ep. ad Lib.* 401C (58 Wright, 98 Bidez), and *Cont. Galil.* 327B.

Constantinopolitan audience, Mamertinus avoided discussing Julian's ancestors and imperial predecessors, likely because these were well-known in Julian's native city and perhaps because the Constantinopolitans had not questioned the emperor's legitimacy; the Latin panegyrist saw fit to refer only to Julian's familial connection to Constantius, whom Julian dutifully had enrolled among the gods as a *diuus*. That appears to have been sufficient.

While Libanius can be seen following the rules of panegyric closely by listing Julian's ancestors and imperial predecessors, one wonders whether the orator also put forth these predecessors specifically to remind the Antiochenes of their emperor's legitimacy and thus that he was worthy of greater respect than they had hitherto showed him (Section III). But Libanius plays a delicate game, for he also undermines Constantius' standing as Julian's immediate predecessor, one who had spent much of his reign in Antioch,⁴⁸⁴ in the interests of portraying Julian as a superior emperor. Mamertinus had alluded to the strained relationship between Julian and Constantius (*Grat. Act.* 3.1–2, 5.2, 14.5), as we have seen above (Ch. 5), and yet omitted telling us of Constantius' hand in the massacre of the imperial family in 337. Conversely, Libanius blackens Constantius' memory by publicly blaming him for this massacre in his consular oration (*Or.* 12, 41), and he goes on to censure Constantius for the eventual enmity between him and Julian (44). On both points, Libanius can again be seen drawing from Julian's *Epistle to the Athenians* (below), and so presenting what Julian wished to be broadcast.

⁴⁸⁴ See Barnes 1993: 219–24.

Libanius does not explicitly cite imperial virtues, such as justice, fortitude, temperance, and prudence, and associate them with Julian, as Mamertinus had done (5.4, 21.4), instead choosing to allude to such virtues by relating examples of Julian's proper behavior as a *priuatus*, Caesar, and sole Augustus in turn: *phronēsis* in how he behaved properly as a *priuatus* under his cousin Constantius and brother Gallus from 351 to 354 (*Or.* 12, 29, 35); *sōphrosunē* in his personal habits such as eating, drinking, and sleeping during the same period (31); *andreia* against German tribes as Caesar in Gaul (40–54); and *dikaiosunē* in his acceptance of his acclamation to Augustus at Paris (which was divinely conceived) and in his subsequent dealings with Constantius (59–62). We might have expected Libanius to name Julian's divine patron, perhaps Helios, but he does not; this may be an instance of consensus-building whereby it is implied that Julian enjoyed divine favor generally (59). Yet Libanius does not end there; to these imperial virtues he adds *eusebeia* in Julian's restoration of temples and traditional sacrifice (69). The remainder of this oration is dedicated, in large part, to Julian's pending invasion of Persia, which reflects the emperor's desire to display eastern *andreia* (70f). As Libanius presents him, Julian is shown acting properly at every stage of his life in contrast to Constantius and so that he is truly worthy of holding the imperial power. Such a presentation also appears to be implicit apologetic in the context of Julian's doings at Antioch, such as his measures to address a foot shortage, and the Antiochenes reception of them (below).

Also unlike Mamertinus, who appears to have known Roman Republican history somewhat well and adduced various *exempla* in support of Julian and his new régime in

Constantinople, Libanius drew only on Greek historical parallels in praise of the emperor in Antioch.⁴⁸⁵ This was fitting, for Libanius' audience in Antioch was primarily a Greek one. After outlining Julian's military resume once again and in greater detail (*Or.* 12, 40–54), which would have been of interest to a public who could see that Julian had prepared the Roman military for an invasion and who had suffered at the hands of Persia, Libanius goes on to shine a light on the emperor's cultured friends and tastes (54–56), undoubtedly as another contrast to Constantius. Libanius had disapproved of Constantius' defensive-minded military policy on Persia (*Or.* 18, 205–7), and he was likely not alone. If so, Libanius' emphasis on a shift in military policy in the East under Julian likely reflects broader interest among the populace for such a shift as much as Julian's own preference for it. Thus, Libanius and by extension Julian were attentive to public sentiment on such matters. The orator then turns to the relatively poor relationship between Constantius and Julian and puts forth the sequence of events we have already seen in Ammianus that are presented as leading to Julian's acclamation at Paris (57–62).

But, as García Ruiz (2008a: 143) has noted, Libanius preserves three different versions of the events at Paris in *Orations* 13, 12, and 18; at first, the orator stated that the soldiery did what they did of their own free will and with the agreement of the gods (*Or.* 13, 33–4, cf. *Or.* 18, 95–102), a reference that he subsequently modified in the consular oration so as to emphasize divine inspiration for Julian's acclamation (*Or.* 12, 59). Libanius' foray into this topic, which had apparently been too sensitive for Mamertinus to

⁴⁸⁵ Lib. *Or.* 12, 11, 17, 20, 28, 32, 36, 44, 47, 48, 49, 52, 97; cf. 66, for a comparison to Cyrus the Great.

mention in early 362, must again reflect that there were lingering voices discussing this episode in Antioch after Constantius' death and that Libanius (or Julian) considered that it was important to put those apparently discordant voices to rest during Julian's residency in the city, discordant voices that Julian himself would subsequently address in his *Misopogon*. This is another indication of imperial responsiveness, of a shift in imperial messaging whereby Julian gradually 'rolled out' his connection to the gods and his new policy regarding them. Much of what Libanius tells us, both here and in his prior address, comes directly from Julian's own panegyric *Epistle to the Athenians*, including Julian's display of *recusatio imperii* (61).⁴⁸⁶ We might even go further than Wiemer by suggesting that Libanius intended to draw public attention to Julian's 'letter', just as he had for Julian's books on his Gallic campaigns, so as to signal to his audience that what he spoke was part of the official line. Libanius thus recognized the panegyric elements in Julian's letter and in turn saw fit to use them in an official panegyric before the emperor, not only to please Julian and comply with his wishes but also to promote a new *pax deorum* (below).⁴⁸⁷

Indeed, as in *Oration 13*, Libanius makes general references in *Oration 12* to new religious policy, to Julian's raising of temples and altars, and that the very existence of the Roman ship of state and of Roman cities lie "in the worship of higher [ones]" (ἐν τῇ

⁴⁸⁶ See Wiemer 1995: 162–6, for textual concordances between Libanius' *Or. 12* and Julian's *Epistle to the Athenians*.

⁴⁸⁷ See Wiemer 1995: 110–11.

θεραπεία τῶν κρειπτόνων, *Or.* 12, 69),⁴⁸⁸ just as in Himerius' panegyric above (*Or.* 41, 14); this has the effect of highlighting both the emperor's piety and euergetism. In fact, Libanius states that Julian himself performed sacrifices (82). Such statements are not to be found in Mamertinus. However, while Himerius and Libanius each invoke Helios,⁴⁸⁹ which may have been offensive to some Christians, they nonetheless also use neutral religious language that would not have been particularly offensive to anyone, such as τὸ κρεῖττον (singular in Himerius, plural in Libanius), language which might have been deployed for purposes of greater inclusivity, perhaps even with Christians in mind.

In connection to this apparent sense of inclusivity, we might consider the full praise that is accorded to the emperor's high education near the end of Libanius' consular oration (91–4), where Julian's education and intellectual productions are tethered to Rome's perceived changing fortunes with Persia and they are put forth rather subtly as components of the emperor's policy to bring individuals to his side,⁴⁹⁰ a comment in which Libanius may well be alluding to Christians.⁴⁹¹ The panegyrist tells us that imperial eloquence was responsible for all these things (τούτων δὲ ἀπάντων αἴτιον οἱ λόγοι, 92), and it is strongly implied that it was being used in the interests of building

⁴⁸⁸ Lib. *Or.* 12, 69: ὡσπερ γὰρ ἐν τῷ ταύτης ἰσχυρῷ σώζεται τὸ πλοῖον, οὕτως ἐν τῇ θεραπείᾳ τῶν κρειπτόνων αἱ πόλεις.

⁴⁸⁹ Him. *Or.* 41, 1; Lib. *Or.* 13, 35, *Or.* 12, 80, 83.

⁴⁹⁰ *Or.* 12, 91: Τῇ μὲν οὖν Ῥωμαίων ἀρχῇ τοιοῦτον τεῖχος περιήλασας. εὖ δὲ ποιῶν καὶ τὸν ἄλλον μεταρρυθμίζεις ὄχλον, τὸ τοῦ Πρωτέως εἰς ἑτέρους ἐργαζόμενος. νῦν γὰρ δὴ τὸ τὴν γῆν οἰκοῦν ἀπὸ συῶν ἀτεχνῶς εἰς ἀνθρώπους μεταπλάττεται.

⁴⁹¹ Note Libanius' quoting of Homer about transforming swine into men (*Od.* 4.455; Norman 1969: 91).

support for the emperor and his pending invasion of Persia (below). Libanius states that he is thinking here of Julian's letters and other writings (92), perhaps letters such as the ones to cities that we explored above (Section I), where the emperor's clemency and carefully calibrated rhetoric are on full display. Such references to the emperor's eloquence and writing signal Libanius' interest in imperial approval for what he was saying, and they support viewing Julian as one who used panegyric to build *consensus* and support among his subjects.

What is truly pronounced in Libanius' consular oration is the overt connection that is made between military success abroad and acts of piety at home, a connection, we should note, that was quite in keeping with Roman tradition. Before one could engage an enemy on the battlefield, the gods first had to be propitiated and their support for success in war sought out. Libanius places emphasis on Julian's projected campaign against Persia, that Julian was on the verge of doing what Constantius had been unable or unwilling to do when he had directed affairs in the East (70–77), that is, to achieve victory in the field.⁴⁹² In early 362, Mamertinus had focused his skill and energies in representing Julian as a conscientious and skilled emperor who was fully aware of his responsibilities, one of which was the management of cities' grain supplies, and who favored the senatorial order; there is no hint of interest in the eastern frontier. But it is here, right after relating the Persians' embassy to Julian at Antioch, that Libanius presents

⁴⁹² On Constantius' eastern foreign policy and record against Persia, see Blockley 1992: 12–24 and Marcos 2012.

a significant change in script from Mamertinus and Himerius: Libanius specifically mentions blood sacrifice under Julian (69, 79, and 82).

I would suggest seeing this evident shift in imperial messaging as a gradual ‘rollout’ of new imperial policy in the religious sphere: Mamertinus abstains from discussing religion on 1 January 362; Himerius generally mentions the raising of temples and the conducting of religious rites alone in Constantinople sometime that same year, probably in early summer 362;⁴⁹³ Libanius spotlights the atmosphere of blood sacrifice under Julian around late 362, before moving on to draw a connection between this and Persian fear of Rome on 1 January 363 (79); and Julian himself discusses blood sacrifice in two orations (hymns *To the Mother of the Gods* and *To King Helios*) that date to about the same time as Libanius’ two panegyrics. In 363, Libanius presents an atmosphere of blood sacrifice, presumably in Antioch but perhaps also more broadly in the East: “...the frequent sacrifices and much blood [offerings] and the smoke of incense and the feasts of gods and of *daimones*...” (αἱ πυκναὶ θυσίαι καὶ τὸ αἷμα τὸ πολὺ καὶ οἱ τῶν ἀρωμάτων ἀτμοὶ καὶ θεῶν ἐστιάσεις καὶ δαιμόνων, 79). This language is a marked departure from Mamertinus and to a degree Himerius, both of whom had delivered speeches in the

⁴⁹³ See also *CTh* 15.1.3, for Julian’s earliest extant law on the rebuilding of temples, which dates to 29 June 362. While similar laws seem to have been issued before this one (cf. *Hist. Aceph.* 3.1), note that 15.1.3 dates to June 362, around the time when Himerius delivered his oration. Since Julian had left Constantinople by late May 362, this law was probably issued at Ancyra or at another stop between this city and Antioch, the emperor’s ultimate destination at this time. It may be that Himerius ‘announced’ Julian’s new temple policy in Constantinople first before it was implemented empire-wide or that he announced this policy shortly after it was enacted.

“Christian” city of Constantinople. Antioch, on the other hand, had a long and uninterrupted history associated with traditional cult.

If we are right to see this gradually changing imperial messaging on religion as a gradual ‘rollout’ of new policy, then such a rollout itself suggests that the emperor had carefully considered such policy with an eye to building some kind of *consensus*. In this light, it is worth noting that the atmosphere of sacrifices and manna that Libanius relates is specifically linked to expected success in the pending Persian war, not as something that is good for its own sake. Alternatively, it may be that, while Julian, over time, increasingly promoted traditional cult, he also carefully calibrated his promotion of new religious policy by targeting his messages on this policy to specific audiences. Himerius’ panegyric in Constantinople (*Or.* 41) appears focused on the educated elite in the East, as do Julian’s Greek orations on the Mother of the gods and Helios.

Additionally, we should note what Christian writers relate about this period, that there was substantial interest in and support for Julian’s religious program. Some Christian sources, such as Gregory, strongly allude to popular support for traditional cult under Julian, and others, such as Jerome, Socrates, and Theodoret, explicitly describe high attendance at and use of temples and altars.⁴⁹⁴ Theodoret provides us with a particularly vivid description:

⁴⁹⁴ See Greg. Naz. *Or.* 4, 11 and *Or.* 5, 8.2, which allude to this atmosphere; Jer. s. a. 362; Soc. 3.13.1–6; Theod. 3.6.1–2; *Chron. Pasch.* s. a. 363 (p. 548). Cf. Soz. 5.16.1, who takes pains to describe the exact opposite. See also Bowersock 1978: xi, 80, for a view similar to that of Sozomen.

Ἰουλιανοῦ δὲ τὴν οἰκείαν ἀσέβειαν ἐκκαλύψαντος, αἱ πόλεις στάσεων ἐνεπλήσθησαν. ἀναθαρρήσαντες γὰρ οἱ τῆ τῶν εἰδώλων πλάνη δεδουλωμένοι ἀνέφξαν μὲν τοὺς τῶν εἰδώλων σηκοὺς, τὰς δὲ μυσάρᾳς ἐκείνας καὶ λήθης ἀξίας τελετὰς ἐπετέλουν· καὶ ἤπτον μὲν τὸ ἐπιβώμιον πῦρ, τὴν δὲ γῆν τῷ αἵματι τῶν θυμάτων μαίνοντες ἐμόλυνον κνίσῃ καὶ καπνῷ τὸν ἀέρα. ὑπὸ δὲ τῶν θεραπευομένων βακχευόμενοι δαιμόνων, λυττῶντες καὶ κορυβαντιῶντες τὰς ἀγνιάς περιέθεον βωμολογίαις τε καὶ κωμωδίαις κατὰ τῶν ἀγίων ἐχρῶντο, καὶ λοιδορίας καὶ πομπείας οὐδὲν εἶδος ἀπῆν.

When Julian revealed his inborn impiety, cities were filled up with upheavals. For, having regained their courage, men subjected themselves to the error of idols, they opened the shrines of idols and were performing those foul rites that indeed deserve to be forgotten; they were also kindling fire at the altar, and polluting the ground with the blood of sacrifices they were staining the air with the steam of burnt offerings and with smoke. And they placed themselves in a state of Bacchic passion due to those *daimones* that they worshipped, raging and engaging in a corybantic frenzy they were roaming around the streets [and] making pronouncements against the holy men [saints] both by means of buffoonery and ridicule, and it seems that they were not lacking in abuse and revelry.⁴⁹⁵

These remarks strongly echo those of Libanius in his two orations to Julian above. And Julian himself testifies to enthusiastic and overzealous support for his new program in Emesa and in other eastern cities surrounding Antioch (*Misop.* 357C–D, 361A–B).

Contrary to what scholars such as Bowersock (1978: xi, 80) have asserted about a lack of support for Julian’s program, this testimony from Christian sources greatly strengthens Libanius’ claims about an atmosphere of support for traditional cult, and that Julian was responding to popular support for it as much as he was seeking to build it. Thus, Libanius’ remarks are not empty words; the panegyrist is conveying the reception and efficacy of the emperor’s religious policy. Libanius’ description on sacrifice above is followed by his comment that, on account of all this, Julian is happy when he is addressed as ‘priest’ no less than ‘emperor’ (διὰ τοῦτο χαίρει καλούμενος ἱερεὺς οὐχ

⁴⁹⁵ Theod. 3.6.1–2. The text is that of Parmentier and Hansen 1998; the translation is my own.

ἤττον ἢ βασιλεύς, 80). The orator then expounds on the frequency of blood sacrifice by the emperor himself, sacrifice which Libanius tells us Julian performed within the walls of the imperial palace, presumably at Antioch, though he also may have Constantinople in mind (80–82), and he tells us about Julian’s stop in Pessinus on the way to Antioch to pay his respects to the Mother of the gods (87). However, other than honoring the Magna Mater while on his way to Antioch, it is significant that we are not told to whom Julian sacrificed. All this, in my view, should be read as reflecting the emperor’s interest in revitalizing traditional cult generally, not in promoting one particular type of paganism.⁴⁹⁶ Furthermore, Libanius neatly places Julian’s acts of piety as bookmarks around statements regarding the gods, who are described as the emperor’s protectors in failed assassination attempts against him (84–7). These remarks are followed by Libanius’ invoking of those *daimones* who are the lords of war, implying that Julian prudently had sought to bring these to his side before any engagement with Persia (88–90).

Julian’s ‘rollout’ of new religious policy was closely connected to his ‘rollout’ of new military policy as well, with the implication that Constantius’ Christianity had played a part in his lack of victories on the eastern frontier. By explicitly linking Julian’s public displays of piety and religious scrupulousness to success in his pending Persian campaign, Libanius is presenting the emperor’s desire to build a new kind of *consensus* on the eve of war, one that is based on security for the Roman state, as we have seen

⁴⁹⁶ Cf. García Ruiz 2008a: 148: “Juliano no se conformaba con reinstaurar el paganismo sino que intentó fundar una nueva religión de la que él era el sumo sacerdote.”

advertised on Julian's so-called "Bull coinage" (Ch. 5), which was first issued in late 362 when he arrived at Antioch (below). In each of Libanius' remarks on religion and sacrifice, these actions and the salutary effect they provide are explicitly linked to the emperor's well-being and to his success in war, which were the traditional aims of blood sacrifice. In short, Julian's religious concern and policy is represented as a proactive measure focused on behalf of the security of the Roman state and the success of its eastern foreign policy more than one set against "false" religious beliefs such as Christianity. Indeed, when Libanius ends his oration he does so not with an exhortation for the empire's subjects to sacrifice, but with a prayer for the emperor and his projected campaign in Persia and to this end he invokes the support of a nameless deity (100). In light of what Libanius tells us, it is particularly unfortunate that we do not have Themistius' panegyric to Julian for a comparison. Nonetheless, in his panegyrics to Julian at Antioch, Libanius followed Julian's view of the emperor as operating within a system of law, as we would expect (see García Ruiz 2008a: 146), a view which Julian himself would perpetuate further in his own oration there.

III

While Julian, I contend, used the panegyrics of Mamertinus and Libanius to disseminate his imperial policies and preferences, namely, his interest in building *consensus* for his reign primarily centering on common political and military concerns, the emperor himself also communicated his preferences, including for traditional worship, through a rather interesting pronouncement. Shortly after hearing Libanius' panegyric on New Year 363, Julian published one of his most well-known orations from this period and the last one he

composed, the biting and sarcastic *Antiochikos* [*logos*]/*Misopogon* (“Oration on Antioch”/“Beard Hater”), which was directed towards the citizens of Antioch in response to the relatively poor relationship between sovereign and subjects. Scholars have had difficulty in defining precisely just what this oration is and what it was intended to accomplish. As I will argue, while Julian’s oration to Antioch is a complex and multivalent document, panegyric explains much of its contents and sheds light on what this oration was meant to do both for emperor and city, that is, to advance Julian’s image and interests, one of which was his depiction as an effective manager of cities and thus as a legitimate emperor. We have already seen Julian’s use of panegyric in other types of pronouncements and contexts, such as in his milestone inscriptions from the region of Serdica and in his *Epistle to the Athenians* (Ch. 4), which illustrates that the emperor was resourceful in his use of panegyric for purposes of self-praise and promotion. Panegyric could be used to praise and to enhance a recipient’s profile, whether an individual or a city, but polemic or anti-panegyric could do the opposite, that is, dishonor a recipient by taking aim at his/its status and reputation.

Some scholars such as Gleason (1986) have viewed the *Misopogon* as consistent with ‘normal’ imperial “edicts of chastisement” to cities that had behaved badly. But, as Athanassiadi (1992: 202) has observed, the *Misopogon* is “an extraordinary text, impossible to classify within the conventional limits of any literary genre.” Indeed, Marcone (1984) and Janka (2008) have shown that this imperial oration contains characteristics and components that are in common not only with satire but also with other literary genres such as Platonic symposium and apologia, which makes Julian’s

oration on Antioch more atypical. In comparing Libanius' two panegyrics to Julian at Antioch with the latter's satirical *Misopogon*, I follow Marcone and Janka in their view of the *Misopogon* as consisting of multiple literary genres, as well as Van Hoof and Van Nuffelen (2011: 176), who note the influence of panegyric. In fact, Marcone had termed Julian's *Misopogon* as "un panegirico rovesciato," though he and subsequent scholars have not fully explored just how this oration functions as a panegyric, indeed, how it functions as two panegyrics side by side, as we shall see below. Since, as Baker–Brian (2012: 270) has well noted, Julian's *Misopogon* displays the emperor's mastery of imperial panegyric (a mastery we have already seen in *Orations* 1–3; Chs. 2 and 3), it would be fruitful to assess how the emperor recalibrates and uses this genre to advance his interests in an Antiochene context, and beyond his use of the four canonical imperial virtues that are often found in panegyrics.

Mamertinus' panegyric disseminated what kind of emperor Julian would be and what he would do as sole Augustus. But Julian also applied the genre of praise in innovative fashion to communicate to Antioch what he had already done for them as emperor, and so to promote himself as a responsible and responsive administrator, and to upbraid and to punish the city by means of an oration instead of employing physical violence, a form of punishment that Julian's predecessors and successors had preferred to employ against the city. Julian composed his well-known oration to the city and citizens of Antioch, the *Misopogon* or *Antiochensis* as it was known to contemporaries such as Ammianus ([*Julianus*]...*uolumen composuit inuectiuum, quod Antiochense uel*

Misopogonem appellauit, 22.14.2),⁴⁹⁷ while residing in this “beautiful capital of the East” (*orientis apicem pulchrum*, 22.9.14) prior to launching his Persian campaign. This is a rather lengthy imperial composition which addresses the city and the relationship between sovereign and subject by means of careful representations of each.⁴⁹⁸ That Julian’s oration bore two distinct titles, and ones that Julian himself had chosen (*appellauit*), illustrates that it had distinct dual purposes: it was not merely an imperial oration on Antioch (*Antiochensis* or *Antiochikos*) and a kind of anti-panegyric on the city, as I will show, but also a kind of self-effacing oration (*Misopogon*) and a self-panegyric on Julian, who, as we have seen above in his *Epistle to the Athenians* (Ch. 4), was quite capable of engaging in both an anti-panegyric of an opponent and in self-promotion simultaneously, and in several contexts and literary genres.

And it appears that Julian considered and/or the public at large perceived his oration on Antioch as serving an advisory function in that it directed both city and citizen to align more closely with imperial interests, a function which, as I shall argue, was of primary importance to the emperor when on the verge of leaving for Persia. Indeed, both Ammianus and the manuscripts that preserve Julian’s discourse list the title of *Antiochensis/Antiochikos* in the emphatic first position, which, in my view, indicates that

⁴⁹⁷ See also Greg. Naz. *Or.* 5, 41 and Soc. 3.17.9.

⁴⁹⁸ On Julian’s *Misopogon*, see Bowder 1978: 118–22, Prato and Micaella 1979: 9–24, Marcone 1984, Gleason 1986, Athanassiadi 1992: 201–24, Long 1993, Janka 2008, Quiroga 2009, Van Hoof and Van Nuffelen 2011, Baker–Brian 2012, Elm 2012: 327–35, and Fontaine 2013: LX–LXXVII.

Antioch was the primary focus of this work, which consists of 44 sections (39 Teubner pages in the new edition of Nesselrath [2015]).

The emperor published his pronouncement after a series of poor interactions with the city and its citizens right before leaving Antioch in early March,⁴⁹⁹ when he made his way to Hierapolis, his forward operating base for his Persian campaign (Amm. 23.2.6). That Julian produced and published his oration when on the verge of leaving Antioch not only shows that he wanted to have the last word with the city but it also supports viewing his pronouncement, which seems to have been publicly posted outside the imperial palace, as intended to be a kind of final advisory document during his absence for all in Antioch to see (below). As Ammianus registers it, the *Antiochikos/Misopogon* is an invective volume (*uolumen...inuectiuum*, 22.14.2), and, we should note, one that Julian supplemented with his subsequent appointment of the “turbulent and cruel” (*turbulentum et saeuum*, 23.2.3) Alexander of Heliopolis as consular governor of Syria (or vice versa since we do not know when, exactly, Alexander was appointed) when about to depart for Persia.⁵⁰⁰ If Alexander had any doubts about how to govern Antioch while Julian was away, the emperor’s publicly posted *Misopogon* would have served as a very potent and visible reminder. In fact, Libanius tells us that, in Julian’s absence, Alexander administered Antioch well but hurled harsh words at the city council in the process,

⁴⁹⁹ Van Hoof and Van Nuffelen 2011: 174–5. For Julian’s stay at Antioch and the *Misopogon*, see also Wiemer 1995: 189–97 and 326–48.

⁵⁰⁰ *PLRE* 1.40–1, Alexander 5.

though it is not clear whether this refers to a speech or a letter.⁵⁰¹ Before assessing Julian's oration on and *to* Antioch and what he intended it to do, however, we should consider his relationship with this city within the larger context of emperors' residencies there, and especially so since scholars of Julian's *Antiochikos/Misopogon* have failed to take a fuller accounting of this context, in order to show that Julian's residency at Antioch was very much in line with the experiences of previous emperors in the city. In so doing, it will also become more apparent that while Julian's experience in the city was similar to the experiences of his predecessors, his response in the *Misopogon* was not.

Roman Antioch had a long history with emperors and occasionally had bad relationships with them, such as with Marcus Aurelius and Septimius Severus, although these two cases were the result of being on the wrong side during civil war.⁵⁰² A closer parallel to Julian's relationship with Antioch is perhaps that of Hadrian, who is said to have hated the city to the point that he intended to separate Syria from Phoenicia so that Antioch would not be the metropolis of so many cities, though we are not told why Hadrian hated Antioch so.⁵⁰³ Possibly in connection to this, we are told subsequently that Hadrian attacked one of his eastern administrative appointees by means of a most

⁵⁰¹ Lib. *Or.* 15, 74: ἔσωσε μὲν Ἀλέξανδρος τὴν πόλιν, ἔσωσεν, οὐκ ἂν ἄλλως φαίην, ἀλλὰ μετὰ πικρῶν ῥημάτων τῶν μὲν τὴν βουλὴν βαλλόντων.

⁵⁰² HA *Marc. Ant.* 25.8–12. *Auid. Cass.* 9.1. *Sept. Seu.* 9.4–7. *Carac.* 1.7.

⁵⁰³ HA *Hadr.* 14.1: *Antiochenses inter haec ita odio habuit ut Syriam a Phoenice separare uoluerit, ne tot ciuitatum metropolis Antiochia diceretur.* On Hadrian and Antioch, see Downey 1961: 219–23, and esp. Syme 1983: 180–88, who discusses what the HA records above.

infamous letter (*Heliodorum famosissimis litteris lacessiuit*, HA *Hadr.* 15.5).⁵⁰⁴ If the HA was produced near the end of the fourth century and perhaps under Julian, as some scholars maintain,⁵⁰⁵ then this description of Hadrian's relationship with Antioch and the means by which he assaulted one of his eastern subjects may have been inspired by Julian's own relationship with Antioch and the method by which he rebuked the city.

Nonetheless, what the HA claims about Hadrian here may have some claim to historicity, and if so, Hadrian's odium for Antioch was perhaps related to traditional public expressions against emperors, both as verbal outbursts in places such as the theater and the circus/hippodrome and in writing such as graffiti and leaflets (*famosi*). According to Herodian, who was himself from Antioch, the inhabitants of Syria and especially his fellow Antiochenes were well-suited for childish pursuits and frivolousness.⁵⁰⁶ Like the people of Alexandria, the citizens of Antioch had a reputation for taking great license and pleasure in freedom of speech with emperors of various temperaments in public places. Julian himself recognized Antioch's traditional claim to such independent speech (Jul. *Misop.* 355B–C). Even the apparently pleasure-loving Lucius Verus had been the object of ridicule during his stays in Antioch and throughout Syria.⁵⁰⁷ Later, Caracalla is shown

⁵⁰⁴ This is presumably C. Avidius Heliodorus, who was prefect of Egypt c. 138, when Hadrian became emperor and made numerous appointments to high office, and who was the father of Avidius Cassius.

⁵⁰⁵ See Baynes 1926 and Cameron 2011.

⁵⁰⁶ 2.10.7: ἐπὶ μὲν γὰρ τὸ χαριέντως καὶ μετὰ παιδιᾶς ἀποσκῶψαι ἐπιτήδειοι Σύροι, καὶ μάλιστα οἱ τὴν Ἀντιόχειαν οἰκοῦντες (cf. 2.7.9). See also Soc. 3.17.4.

⁵⁰⁷ HA *Luc. Ver.* 7.1–4.

having a poor relationship with the city council of Antioch, a relationship which he scoffed at and dismissed.⁵⁰⁸ Subsequently, Alexander Severus received insults from the Antiochenes, who are said to have referred to the emperor as a “Syrian high priest and chief of synagogues,”⁵⁰⁹ probably due, in part, to his inclusion of the biblical Abraham in his religious eclecticism (cf. *HA Alex. Seu.* 29.2).

While such relationships between emperors and Antioch during the second and third centuries apparently did not degenerate into physical conflict, the early fourth century saw Diocletian execute some city councilors of Antioch, one of which was a grandfather of Libanius. Libanius tells us that a segment of the Roman army, which was stationed near Antioch at Seleucia, mutinied and soon afterwards came into conflict with some Antiochenes (*Or.* 11, 158–62, *Or.* 19, 45–6). We are not given any details about the emperor’s relationship with Antioch prior to this episode, but Diocletian’s execution of some of the city’s leading men may have been based on more than their inability to control their fellow citizens and maintain civic order.⁵¹⁰ Diocletian had spent extended periods of his reign in residence at Antioch and his recourse to executing some of its leading citizens may be the result of seeing their seemingly poor response to the mutiny of soldiers as a ‘last straw’.⁵¹¹ As Libanius frames it, his fellow Antiochenes had challenged the mutinous soldiers out of regard for Diocletian’s legitimacy, for the

⁵⁰⁸ Cass. Dio 78.20.

⁵⁰⁹ *HA Alex. Seu.* 28.7: *Syrum archisynagogum eum uocantes et archiereum.*

⁵¹⁰ Cf. Liebeschuetz 1972: 103–4.

⁵¹¹ For the dates of Diocletian’s residence at Antioch, see Barnes 1982: 49, 51, 55.

soldiers had a usurper at their head who led them into the city and towards the imperial palace (*Or.* 11, 161). Thus, while the rhetorician was not a disinterested party due to the death of his grandfather at the emperor's hand and so may be engaging in some rhetorical flourishes here, it would seem that Diocletian had every reason to be grateful to Antioch's citizens for eliminating this usurper for him. That he was not grateful supports viewing his decision to punish some city councilors as a rebuke of Libanius' account or as delayed retribution for some additional, unknown outrage. In any case, this would not be the last time than an emperor punished the city with violence.

Indeed, in the mid-fourth century, the seemingly mercurial and cruel Gallus Caesar famously had a turbulent residency at Antioch (*Amm.* 14.1, 7). If the Antiochenes ridiculed Gallus in any way during his nearly three-year residency there (c. mid 351 – c. mid 354),⁵¹² the Caesar made some of them regret it, for he apparently had some city councilors executed,⁵¹³ though we are told that this was done in connection to his introduction of price control measures which were a response to an impending food shortage;⁵¹⁴ according to Ammianus, the city councilors “had responded more weightily

⁵¹² See Barnes 1993: 226.

⁵¹³ *Amm.* 14.7.2: *Antiochensis ordinis uertices sub uno elogio iussit occidi...et perissent ad unum, ni comes orientis tunc Honoratus fixa constantia restitisset*. One might well infer from Ammianus' remarks here, particularly from his recording of *et perissent ad unum*, that some city councilors were in fact killed despite Honoratus' firmly fixed resistance to Gallus' order. In short, Honoratus' opposition was consistent but only partly successful. Cf. *Lib. Or.* 1, 96, who notes that Gallus had some killed at this time; de Jonge 1972 (ad 14.7.2); Jer. s. a. 352.

⁵¹⁴ See Liebeschuetz 1972: 126–32, for a discussion of the workings of Antioch's food supply. For similar price control measures of the legate Lucius Antistius Rusticus in Antioch under Domitian, see Sherk 1988: 149–50 (Doc. 107).

than was reasonable” (*gravius rationabili responderunt*, 14.7.2) to Gallus. But it is important to note here that Gallus seems to have enjoyed some popularity with average citizens of Antioch.⁵¹⁵ While Ammianus’ sheer distaste for Gallus may have led him to portray the Caesar as the instigator of particularly violent upheavals of citizens in the city during a food shortage in early 354,⁵¹⁶ these upheavals were directed, not against Gallus, whose authority as Caesar belonged primarily to the military sphere, but against the consular governor of Syria Theophilus, the praetorian prefect of the East Domitianus, and the quaestor Montius, that is, against the high imperial administrative officials directly responsible for managing Antioch and Syria’s foodstuffs and overall economy.⁵¹⁷ It is also important to note here that Ammianus does not preface his telling of these violent deaths with any remarks that suggest a “crisis” or “failure of communication” between Gallus and the Antiochenes in such places as the hippodrome, an observation that has some bearing on Julian’s own residency at Antioch almost a decade later in early 363, when he produced his *Antiochikos/Misopogon* (below). In fact, alluding to the Antiochenes’ lynching of the governor Theophilus, and perhaps also to the killing of Domitianus and Montius, Julian tells us that Constantius punished the Antiochenes in

⁵¹⁵ Cf. Amm. 14.1.6: *laudes uero supprimerent Caesaris*. This remark is made in reference to opinions on Gallus that his agents had ferreted out of well-to-do citizens in Antioch. But Ammianus seems to imply at 14.1.9 that common citizens also praised Gallus when the Caesar himself canvassed them in disguise.

⁵¹⁶ On Ammianus’ representation of Gallus, see Thompson 1969: 56–71 and Blockley 1972: 433–45. On the upheavals under Gallus at Antioch in 354, see Aja Sánchez 1997.

⁵¹⁷ *PLRE* 1.262, Domitianus 3. 1.535–6, Montius Magnus 11. 1.907, Theophilus 1.

some way because of these events (δίκην δὲ αὐθις ἀποτίνων ὑπὲρ τούτων, *Jul. Misop.* 370C, cf. *Lib. Or.* 19, 47), which indicates that Constantius did not acknowledge any failure or wrongdoing on his part, though it must be admitted that regardless of whether he, through his top administrators, was wrong or not, the lynching of imperial officials could not be tolerated.

Any assessment of Julian's relationship with Antioch must consider the relationships which his predecessors and successors had with the Syrian metropolis. Julian, who, we are told, was as different from his brother Gallus as Titus was from Domitian (*Amm.* 14.11.28), was not spared from being the object of robust taunting during his own residency in Antioch; in addition to his physical appearance and ascetic habits, the emperor's handling of a food shortage in the city apparently served to inspire visceral anger and mockery of him (below). Thus, it would appear that, regardless of an emperor's personality and tastes, the Antiochenes tended to enjoy deriding whoever sat on the throne and took up residence in their city. While we lack detailed testimony on Diocletian, Galerius, Maximinus Daia, Constantine, and Constantius' stays in Antioch, stays which would illuminate Julian's own time in this city, it is doubtful that they wholly evaded ridicule. This dearth of evidence is especially unfortunate in the case of Diocletian, who was a vigorous supporter of traditional cult and who issued his Edict on Maximum Prices in 301, and probably at Antioch,⁵¹⁸ and so details of his residency there would have shed light on the events and motives behind Julian's issuing of a similar edict

⁵¹⁸ For Diocletian's residency at Antioch in 301, see Barnes 1982: 55. On Diocletian's Prices Edict, see Corcoran 2000: 205–33.

and on his other activities. It is also instructive to consider the stays and receptions of Julian's immediate successors in the Syrian metropolis. Even the apparently inoffensive and amiable Jovian was the target of biting *famosi* upon his entry into Antioch in late 363 since the Antiochenes blamed him for the new and humiliating peace treaty with Persia that he had agreed to (Eunap. *Fr.* 29.1 [Blockley]). And Valens' residency at Antioch in 370 and his relationship with the city was marked by treason trials and other serious disruptions,⁵¹⁹ a residency and relationship which was thus marked by physical violence in contrast to Julian's, whose own stay in the city the Antiochenes may have come to look on nostalgically.

Emperors might chastise the citizenry in word instead of deed, but they did not do so in the way that Julian did, a point that scholars of Julian's *Antiochikos/Misopogon* have not appreciated fully. To be sure, Constantine had written letters upbraiding the bishop Arius that were posted publicly throughout cities (not extant),⁵²⁰ but these letters were directed against a single individual and they apparently did not include a portrayal of the emperor himself nor of a particular city, as is the case in the *Antiochikos/Misopogon*. Better parallels for Constantine's letters are Julian's oration against the Cynic Heracleios (*Or.* 7) and his *Epistle to Nilus* (50 Wright, 82 Bidez), who was also lambasted in a lengthy and humiliating 'letter' that Julian published for public

⁵¹⁹ Amm. 29.1, 31.1.2. On some of Valens' variously disruptive religious activities at Antioch, see Lenski 2002: 218–19, 223–34, 244, and 251–2. For Valens' stays at Antioch between 370 and 378, see Barnes 1998: 251–3.

⁵²⁰ Soc. 1.9.64: Καὶ ἄλλας δὲ ἐπιστολάς ὁ βασιλεὺς κατὰ Ἀρείου καὶ τῶν ὁμοδόξων αὐτοῦ πανηγυρικώτερον γράψας πανταχοῦ κατὰ πόλεις προέθηκεν, διακωμῶδῶν καὶ τῷ τῆς εἰρωνείας ἦθει διαβάλλων αὐτόν.

consumption. However, by contrast, it is important to consider the exact form that Julian's oration on Antioch (περὶ τῶν αὐτῶν Ἀντιοχείων λόγον) may have taken originally: the emperor, we are told, had "added" (προσέθηκε) this oration onto the Tetrapylon of the Elephants, outside the imperial palace at Antioch (Malal. *Chron.* 13.19 [Dindorf, p. 328]).⁵²¹ We do not know what, exactly, the Tetrapylon of the Elephants was, but it may be that "added onto" here means "inscribed,"⁵²² not that a series of papyri were posted.

In fact, it is well-known that emperors, on occasion, publicly posted their various pronouncements—whether edicts, letters, rescripts, or something else—in epigraphic form. For example, in the early empire, either Augustus or the city of Aphrodisias inscribed a letter from the emperor to the city.⁵²³ Moreover, Eusebius states that Maximinus Daia had inscribed imperial edicts against Christians on pillars in Tyre and

⁵²¹ On the Tetrapylon of the Elephants outside the imperial palace at Antioch, see Saliou 2009: 240–2. It seems that many major cities had tetrapyla, which were kinds of triumphal monuments. The remains of one such monument can be found in the so-called Heidendor at Carnuntum. And the *Expositio totius mundi et gentium* records that tetrapyla could be found at Palestinian Caesarea (26) and Bostra (38). See also Rougé 1966: 246 and 270. But the tetrapylon at Antioch may have been something unique. Cf. Reinsch 2009, who expresses doubts on the posting of the *Misopogon* but does not consider that other cities had tetrapyla and that emperors could post rather lengthy epigraphic texts, such as Augustus' *Res Gestae*.

⁵²² In his edition of John Malalas, Dindorf (1831) noted that προσέθηκε (from προτίθημι) was a variant in the manuscripts, instead preferring προέθηκε. However, προσέθηκε (from προστίθημι) might subtly indicate that Julian had his oration "added onto" the Tetrapylon of the Elephants in a form more durable than papyrus, such as a bronze or stone inscription. Cf. Reinsch 2009: 250.

⁵²³ *Grk. Const.* 1 (Oliver 1989).

other eastern cities, presumably including Antioch.⁵²⁴ Subsequently, Constantine posted his response to a petition from the city of Orcistus in epigraphic form. And the city councilors of Hispellum chose to inscribe Constantine's response to their own petition publicly.⁵²⁵ Thus, Julian's posting of his own pronouncement, whether as an inscription or otherwise, was in line with established imperial practice. What was uncommon, however, was for such a publicly posted pronouncement to be geared towards punishing instead of rewarding a city, as is certainly the case in the examples of Augustus and Constantine. When the punitive aspect of Julian's oration to Antioch is considered alongside its being "added onto" a prominent gate complex, perhaps a monument or triumphal gate (Saliou 2009: 241), in a notable public space, then the emperor's oration takes on the form of a pillar of indictment (στηλογραφία) against the city, and is more in line with Maximinus' indictments (άντιγραφαί).

Thus, while Julian's oration on and to Antioch can be seen as part of a long tradition of imperial chastisement by means of edicts and public letters generally, the *Misopogon* nonetheless in many respects is *sui generis* because when inspected its combination of imagination, erudition, and wit are rather unique in comparison with other imperial pronouncements that also survive (cf. Gleason 1986: 106, 114–18). The *Misopogon* is representative of Julian's particular preference for using the written word to

⁵²⁴ Euseb. *HE* 9.7.1: Ἀνά μέσας γέ τοι τὰς πόλεις, ὃ μηδὲ ἄλλοτὲ ποτε, ψηφίσματα πόλεων καθ' ἡμῶν καὶ βασιλικῶν πρὸς ταῦτα διατάξεων άντιγραφαὶ στήλαις ἐντετυπωμένα χαλκαῖς ἀνωρθοῦντο. Cf. Greg. Naz. *Or.* 4, 93.2, for Gregory's probable reference to Maximinus' publicly posted pronouncements.

⁵²⁵ On these two epigraphic texts, see Lenski 2016: 97–108 (Orcistus) and 114–30 (Hispellum).

advance his interests. In Gaul, the young Caesar had produced two panegyrics on Constantius and one on the latter's wife Eusebia, as well as a pamphlet on his own campaigns there, undoubtedly, in part, to help disseminate his military reputation (Chs. 2 and 3), and he perhaps even had a hand in the *libellus* that would serve as a catalyst behind his acclamation to Augustus at Paris (Ch. 4). Afterwards, the new Augustus produced numerous 'letters' to cities in the Balkans, such as the *Epistle to the Athenians*, and elsewhere in a bid to undermine Constantius during a period of civil war. As we have seen, Julian consistently enlisted the written word in support of his public posture and policy, whether it concerned punishing his opponents or maintaining civic order, among other aims. In short, Julian was quite the litterateur as emperor and he was well-versed in how to communicate to his subjects and how to promote himself to them to achieve desired results in various literary modes.

Here we might recall that, when an upheaval erupted in Alexandria, Julian responded by issuing an imperial letter rebuking the city and its citizens in very pointed and personal language. Julian knew that as emperor he always had recourse to physical force and coercion to affect the atmospheres in cities, an attitude he explicitly reveals in his first epistle to the Alexandrians: "For the respect of authority and the firmness and purity of government would in no way overlook bold acts of a people, but would cleanse it by a rather harsh remedy just as a severe contagion."⁵²⁶ Instead, he preferred "recommendations and arguments" (*παραίνεσιν καὶ λόγους*, 380C) as proper remedies for

⁵²⁶ Jul. *Ep. ad Alex.* (21 Wright, 60 Bidez) 380C: Τὸ γὰρ τῆς ἐξουσίας ἀκαταφρόνητον καὶ τὸ ἀπηνέστερον καὶ καθαρὸν τῆς ἀρχῆς οὔ ποτ' ἂν δήμου περιίδοι τόλμημα μὴ καθάπερ νόσημα χαλεπὸν πικροτέρῳ διακαθᾶραι φαρμάκῳ.

what ailed a city. Such a sentiment is apparent not only in this letter to the Alexandrians but also in other missives to the cities of Bostra and Edessa (Jul. *Ep. ad Bostr.* [41 Wright, 114 Bidez] and *Ep.* 40 Wright [115 Bidez]). And it is consistent with Themistius' own views in his panegyrics on emperors' *philanthropia*; though we lack any attestation, Themistius likely approved of Julian's letters to these cities and his *Misopogon* precisely because they were acts of *clementia*. Just as with his letter to Alexandria, Julian's subsequent oration to Antioch in early 363 allowed him to voice his severe displeasure and to display his clemency to a city. Analysis of these imperial documents also reveals that Julian used his 'letters' and 'orations' as ways by which to advise and to guide civic behavior, particularly in response to civic disturbances of various types (Alexandria, Edessa, and Antioch) or the potential for them (Bostra).

Modern scholars have well noted how Julian's *Misopogon* was meant to dishonor Antioch, and how it succeeded in doing just that, but they have not appreciated fully how the emperor's imperial pronouncement also reflects his interest in shaping Antiochene behavior for the future. Recently, Van Hoof and Van Nuffelen (2011: 166) have argued that Julian's oration to Antioch represents "a crisis of communication," one that ultimately came about because "Julian failed to communicate with the people of Antioch and largely ignored them." As Van Hoof and Van Nuffelen (2011: 167) have put it, "...as the failure to communicate created a bad impression of the emperor, the *Misopogon* was an attempt to overturn that negative image." That Julian was interested in preserving (or

rehabilitating) his image is evident.⁵²⁷ But was the emperor's tarnished image in Antioch actually the result of "a crisis of communication"? Instead, I would argue, emperor and city came to understand each other all too well, and it was the inability of the city's inhabitants to accept their emperor's divergent character and vice versa that caused their poor relations. Viewing Julian's oration merely as a bid "to overturn" the negative image that the Antiochenes had of him oversimplifies the multifaceted aims of a complex document, for a strong argument can be made that the emperor cared relatively little for changing what the Antiochenes thought of him since he seems to have designated Tarsus, not Antioch, as his winter residence for 363/4, though we do not know what Julian actually would have done since he died in Persia in June 363.

To be sure, such a move was aimed at undercutting Antioch's prestige as a vital imperial residence, and Libanius prepared responses in kind in two distinct orations—one addressed to the emperor (*Or.* 15) and another to the city of Antioch (*Or.* 16)—that were meant to help reverse Julian's new position regarding the city. In my view, prime among the goals underlying Julian's caustic oration were to punish Antioch *and* to nudge them towards his way of thinking and acting. In short, it would be better to see in Julian's stay in Antioch a 'failure to cooperate' (below). Van Hoof and Van Nuffelen (2011: 175–6) are certainly right to observe that Julian's framing of his relationship with Antioch in his oration reflects his desire to affect the reception of that relationship, but then the same can be said for Libanius, whose literary responses to Julian's *Misopogon* in the form of orations they draw from in reconstructing Antioch's relationship with the emperor (cf.

⁵²⁷ E.g., see Athanassiadi 1992: 213, who notes that it was of primary concern to Julian "to rehabilitate his reputation as a good ruler."

2011: 178–82); Libanius cared as much for his own reputation and that of his native city as much as, if not more than, Julian’s memory. Van Hoof and Van Nuffelen have perceived this (182), but they have not taken this observation to its logical conclusion, that Libanius’ version of events and motives should not be trusted any more than Julian’s.

Van Hoof and Van Nuffelen (2011: 168–9) question the *Misopogon* as a ‘normal’ imperial text and that it should not be linked exclusively to the festivities of New Year 363. I tend to agree, although I arrive at different conclusions. For example, Van Hoof and Van Nuffelen’s (2011: 170–1) explanation of Julian’s oration as resulting from the emperor’s failure to engage in “ritualized communication” fails to provide a close analogue: the example of the Emperor Arcadius and John Chrysostom is forty years after Julian and Antioch (403 CE) and is set in a different city (Constantinople) and context altogether. Van Hoof and Van Nuffelen note that Julian, in one instance, failed to respond directly to the Antiochenes in the hippodrome regarding their complaints on the high cost of food (172), but Arcadius, in the very example they adduce, is not shown to respond in the same venue or in kind either, instead his eventual decision regarding the restoration of John Chrysostom is announced from the imperial palace by a subordinate, apparently a eunuch, a detail that is omitted (170). More importantly, the fifth century church historian Sozomen (*HE* 8.18), the source for this episode, states that supporters of John achieved his restoration, first by moving through the churches and the agora, where presumably they expanded their followers, and then by going to the Great Palace, that is, by petitioning the emperor directly, albeit in the form of public acclamations. This is not what the Antiochenes did during Julian’s stay in their city; they did not approach the

imperial palace to voice their grievances as they might have done, a point that Van Hoof and Van Nuffelen (2011: 174) have overlooked. Rather, the people of Antioch communicated their displeasure to Julian during those instances when he did attend the hippodrome, when he navigated the agora, and presumably through their representatives on the city council, among other officials. Furthermore, had previous and other diverse emperors such as Hadrian, Caracalla, Alexander Severus, Gallus Caesar, and Valens failed to communicate with the citizens of Antioch as well?

This vital question is a byproduct of observing that the *Misopogon* is not a completely ‘normal’ text. As Gleason (1986) has argued, the *Misopogon* was a kind of edict or, better stated, an open letter of chastisement meant to dishonor and undermine Antioch’s status as an important imperial city, a view supported by Libanius’ responses to the emperor and by Socrates’ appraisal of this episode (*HE* 3.17.9). But, as Marcone (1984) and Janka (2008: 185–206) have well noted, this ‘typical’ edict of chastisement shows a complex interplay with various literary genres, such as satire and Platonic apologia, among which I include the genre of panegyric. Indeed, as Van Hoof and Van Nuffelen (2011: 176) rightly have seen, Julian’s *Misopogon* uses typical components of imperial panegyric, a view I follow here and support by adducing close readings of the text (below). In short, the *Misopogon* is anything but a ‘normal’ imperial text; nor is it a ‘normal’ response to civic problems, especially when we consider Julian’s responses elsewhere and the imperial responses of Julian’s predecessors and successors to their own problems and difficulties with Antioch.

Why, then, did Julian's residency at Antioch fail? "Failure to communicate" in some traditional venues such as the circus or the hippodrome where the inhabitants of cities expressed themselves is a strange answer since the emperor did attend horse races on occasion (Jul. *Misop.* 340A; Lib. *Ep.* 88 Norman, 736 Foerster); and this type of "failure" is one better suited to a recourse to violence, not to the written word. By writing an oration instead of ordering exiles, confiscations, detentions, and/or executions of prominent Antiochenes (cf. Lib. *Or.* 16, 55, *Or.* 18, 195–8), the very things which his brother Gallus Caesar had done, Julian was communicating and displaying his clemency for all to see, and quite likely as an intended contrast to his brother. And later, after the turbulent residency of Valens in Antioch in 370 and after Theodosius' actions against the city in consequence of the overthrowing of his statues in 387, Julian's *Misopogon* would have looked like a potent display of clemency indeed; that clemency was a *topos* of panegyric is less revealing than the fact that actual clemency is known to have been employed (cf. Van Hoof and Van Nuffelen 2011: 177).

When we recall Julian's divergent experiences in Constantinople and Antioch, and that these cities had divergent histories and traditions, especially in terms of the latter's history of taking license in their freedom speech with those emperors who resided there, Julian's *Misopogon* emerges as a rather unique document that exhibits a similar taking of license in kind. Julian apparently maintained good relations with the senators and inhabitants of Constantinople during his six-month stay there (11 December 361 – c. late May 362), which is about the same amount of time that he would spend in Antioch, though we do not know if and how often Julian attended the hippodrome, one of the sites

of “ritualized communication,” in his native city. Consequently, it would seem that Julian’s stay in Antioch was a unique period in a unique place that produced a somewhat unique response. Van Hoof and Van Nuffelen adduce a Julian who had closed himself off to public communication in ways that were expected of him. But this is by no means clear; all we know is that Julian liked attending the hippodrome *less* than his predecessors (Jul. *Misop.* 340A),⁵²⁸ not that he refused to attend them altogether.

Additionally, petitions by provincials were the primary means of communicating grievances to an emperor, and that avenue to Julian, as he himself tells the Antiochenes, was still open to them (365D). Such a reference, in addition to the publishing of the *Antiochikos/Misopogon* itself, was Julian’s way of demonstrating that he was a responsive emperor and that further communication was possible since the Antiochenes could be expected to respond to the emperor’s oration, as indeed they did by sending an embassy to him after his departure from the city for his Persian campaign (*Ep. ad Lib.* [58 Wright, 98 Bidez] 399C). Moreover, there were numerous communications between Julian and the city councilors and the people that have not survived,⁵²⁹ a loss that skews interpretations of the *Misopogon* and does not allow us to appreciate it in its full context.⁵³⁰ No doubt that the events that ultimately led Julian to produce and to publish

⁵²⁸ Julian tells us here that he would attend horse races only during the festivals of the gods, but which festivals is he referring to?

⁵²⁹ E.g., see 362B–63C, for a partially preserved speech of Julian’s to the city council of Antioch.

⁵³⁰ Van Hoof and Van Nuffelen (2011: 168) have asserted “a long period of silence” between the emperor and his subjects that is unfounded. And yet, if so, such a silence would indicate that Julian had ignored the insults that were directed at him for almost the

his *Misopogon* were complex, with the representation of the imperial response to the food shortage in Antioch being one of many concerns and motives. But too much should not be placed on Ammianus' testimony regarding this food shortage and Julian's measures to deal with it (Van Hoof and Van Nuffelen 2011: 172), for the historian was not an uninterested party in the difficult relations between this emperor and city.⁵³¹

As Van Hoof and Van Nuffelen (2011: 174–5) have convincingly argued, the *Misopogon* dates to just before the emperor's departure from Antioch in early March, and so that this oration represents "Julian's attempt to have the last word" with the city (175), although, as we have noted above, the emperor could only have expected the Antiochenes to appeal to him in response. Not only does this interpretation support viewing this oration as a kind of imperial pronouncement of chastisement, but also that it was intended as a kind of final advisory document during Julian's absence in Persia. This is how Libanius seems to have taken Julian's oration, for in his immediate response to the *Misopogon* in the form of an oration (*Or.* 16), which is addressed to his fellow Antiochenes, Libanius proposes that Antioch should adopt measures in keeping with what the emperor appears to prescribe for the city in his biting oration, that is, that the

entirety of his residency in Antioch until he experienced a 'last straw' when on the verge of departing for Persia (below), which suggests that the emperor had granted the Antiochenes great latitude.

⁵³¹ Cf. Van Hoof and Van Nuffelen 2011: 178, where they see Ammianus' comments on Julian's "unnecessary" (172) measures regarding the food shortage as credible and yet discount other comments in Ammianus in favor of Libanius with respect to the emperor's underlying motive for producing the *Misopogon*. If, as they suggest, "Ammianus was not very well-informed on the precise course of events in Antioch," then *all* his comments on Julian's stay there, including the impact of his measures regarding the food shortage and its role in the writing of the *Misopogon*, should be assessed more carefully.

Antiochenes, of their own free will, should reduce their high degree of conspicuous consumption and the number of horse races they attend almost daily (Lib. *Or.* 16, 40–4, cf. Jul. *Misop.* 340A, 343D). The emperor’s anger with Antioch came through loud and clear in the *Misopogon*, as Van Hoof and Van Nuffelen (2011: 178–9) have argued based on Libanius’ response above, anger which, we should add, we have similarly seen in Julian’s missive to Alexandria in early 362.

Near the beginning of his oration, Julian makes several clever strikes against his detractors in Antioch all at once: by invoking the barbarians beyond the Rhine, the emperor promotes himself as a general and reminds his audience of his military victories in Gaul and Germany, implies that the Antiochenes could be next if he so desired, and mocks the latter’s taunting of him as tantamount to the dissonant and poor quality singing of barbarians in Alamannia.⁵³² Julian subsequently discusses his residency at Paris as Caesar (*Misop.* 340D–42A), seemingly to illustrate that his asceticism, which had been on full display in Antioch, was consistent with his lifestyle during his tenure in Gaul; for this discussion comes on the heels of him telling us about his choice of a meagre diet and little sleep there (340B–C), qualities that are often discussed in panegyric, such as in Libanius’ consular oration to Julian just a few months before (*Or.* 12, 31). Julian next turns to discussing his education and upbringing (351A–54C).

⁵³² Jul. *Misop.* 337C–38A: ἔθεασάμην τοι καὶ τοὺς ὑπὲρ τὸν Ῥῆνον βαρβάρους ἄγρια μέλη λέξει πεποιημένα παραπλησίᾳ τοῖς κρωγμοῖς τῶν τραχὺ βοῶντων ὀρνίθων ἄδοντας καὶ εὐφραινομένους ἐπὶ τοῖς μέλεσιν. εἶναι γὰρ οἶμαι συμβαίνει τοῖς φαύλοις τὴν μουσικὴν λυπηροῖς μὲν τοῖς θεάτροις, σφίσι δὲ αὐτοῖς ἡδίστοις·

The emperor was well-aware of the power of self-praise and blame and he signals near the outset that both these aspects of power will figure prominently in his oration to the city side by side (τὸ γὰρ εἰς ἑαυτὸν γράφειν οὔτε ἐπαινοὺς οὔτε ψόγους εἶργει νόμος οὐδεὶς, 338B). After mocking his own physical appearance (338B–39C, cf. 349C), Julian discusses his sheer distaste for the theater and the hippodrome (339C–40B). He tells us that he hardly ever (ὀλιγάκις) attends horse races (340A), but, as we have noted above, not that he abstains from attending them altogether. Later, the emperor’s dislike for the theater and for horse races is again emphasized (344A, 351A–D, 354D), emphasis that suggests, in my view, that the emperor had communicated this dislike to the Antiochenes by his relatively low attendance record and that they had not gotten the message. Furthermore, Julian’s mentioning of how his brother, cousin, and uncle, conversely, all liked to attend the hippodrome regularly (340B), has the effect not only of drawing contrasts with his predecessors’ fondness for the hippodrome but also of showcasing his imperial legitimacy as a Constantinian emperor in the process.

Julian’s interest in highlighting his legitimacy is more pronounced in Libanius’ *Oration 12*, as we have seen, but it is also of some concern in the *Misopogon*, an oration in which the emperor responds to Antioch’s criticisms, some of which obliquely impugned his legitimacy. For example, there might be an imputation in the Antiochenes’ criticism of Julian’s distaste for horse races that a love for these was ‘Constantinian’ and proper, and so Julian was standing apart from his family and what was expected of him as emperor in neglecting such entertainments. Libanius tells us that the emperor attended horse races shortly after his arrival in Antioch (*Ep.* 88 Norman, 736 Foerster), that is,

shortly before Libanius delivered his “address” (*Or.* 13). Thus, while Julian attended such spectacles at Antioch less than his immediate predecessors, he nonetheless did attend them on occasion, attendance which indicates that he was well-aware that he was expected to participate in such public events, albeit not as often as the Antiochenes expected.

Whereas Libanius had focused parts of his panegyrics on Julian on the emperor’s worthiness in holding the imperial office, Julian takes this same theme and places it in his own oration alongside a depiction of the citizens of Antioch as relatively unworthy subjects. The emperor had expected better of the Antiochenes. Julian tells them that they are acting in contravention of the laws when they ridicule one in authority, that is, Julian as emperor (342B–C). And the emperor implicitly references his authority when he readily advertises both his piety and temple policy by relating his frequent visits to temples in Antioch (344B), such as the temples of Zeus, Tyche, and Demeter (346A–C). Thus far in the oration, Julian had heaped abuse on himself, but his “anti-panegyric” of Antioch—for, this is how he conceives of it, as ἀντ’ ἐγκωμίων, literally “in place of an encomium” (349A), whereby the emperor adduces that the Antiochenes are imitating their ancestors, which, in the persons of Seleucus and Antiochus, are not presented as complimentary—begins in earnest here by relating the founding of Antioch under Seleucus and tracing the contemporary soft living of its inhabitants back to its founder and his son Antiochus (347A–48B). In this way, Julian attacks Antioch’s reputation and compares her citizens unfavorably to the Athenians, with whom Julian had resided prior to his promotion to Caesar in late 355 and with whom he formed a close affinity (348C).

Julian also describes the Antiochenes unfavorably by contrasting them to other *ethnē*, such as when Julian tells us that his family hails from the banks of the Danube, from the Moesians, that is, the region between Pannonia and Thrace (348D). Later, when noting that the Antiochenes are sons of Greeks, Julian is more specific when he tells us that his family is Thracian in origin, although he himself is Greek in his habits.⁵³³ This statement, I would suggest, is meant to be an implicit contrast to and critique of the Antiochenes, who are Greeks in origin but Syrians, that is, those who display a preference for luxurious living; this is also a revealing comment because Julian views his family stock as crude and rustic, not unlike the description of the new kind of administrator under the emperor that Mamertinus had mentioned in his panegyric (Ch. 5). This discussion of his and their ancestors serves to communicate that Julian and the Antiochenes were different in their habits, perhaps too different for the emperor's liking.

What Julian communicates to the citizens of Antioch is that, while he is well aware that his habits and theirs are often at odds with one another, he is also aware of the need to be mild and to display forbearance to those at odds with him (Ὁ δὲ τῷ τὰ ἐναντία ζηλοῦντι νέμων τὴν συγγνώμην εἶναί μοι δοκεῖ πρότατος, 349B), a statement that clearly indicates that the *Misopogon* was not a “failure of communication” but rather a lengthy, satirical, and unique imperial oration that upbraided the city and granted it clemency, which was a typical feature of Julian's government, while dishonoring the city simultaneously. As Bowder (1978: 119) has noted, “No absolute monarch, before or

⁵³³ 367C: ἀλλὰ νομίσας ὑμᾶς μὲν Ἑλλήνων παῖδας, ἐμαυτὸν δέ, εἰ καὶ γένος ἐστὶ μοι Θράκιον, Ἑλληνα τοῖς ἐπιτηδεύμασιν, ὑπελάμβανον ὅτι μάλιστα ἀλλήλους ἀγαπήσομεν. Cf. *Or.* 2, 118D.

since, has ever done such a thing,” at least as far as we know. It would be better, in my view, to read in such statements the failure of Julian and the Antiochenes to form a *consensus* and to cooperate within an established framework of imperial custom and law. After all, Julian repeats the claim that as emperor he is guardian of the laws (νομοφύλαξ, 356D), a view we have already seen him espouse in his *Epistle to Themistius* (Ch. 5). More importantly, the emperor seems to have extended an invitation for reconciliation to the Antiochenes (352C), an invitation which highlights that future communication was in fact possible despite his anger with the city.

But when we remember that Julian produced his oration on Antioch right before his departure from the city, it becomes evident that his *Antiochikos/Misopogon* is not just an “anti-panegyric,” whereby the emperor inverted the rules of Menander generally. More specifically, his oration is also an original and cleverly inverted “speech of leave-taking” (*suntaktikos logos*), which Menander describes at some length (2.430.10–434.9). As we have seen, Julian upbraids the Antiochenes in polemical language for their ‘soft’ character and habits, for their excessive love of horse races and the theater in contrast to his own personal austerity, and he tells them that Tarsus, his future residence, is a city that is superior to Antioch, among other items; in other words, the emperor relates the exact opposite of what Menander had of course suggested that one who is leaving a city should do. “A person who is taking leave of another is clearly distressed at the separation” (Ὁ συνταπτόμενος δῆλός ἐστιν ἀνιώμενος ἐπὶ τῷ χωρισμῷ, Men. Rhet. 2.430.10–11. Russell and Watson trans.). By producing his caustic oration or “speech of leave-taking” to the citizens of Antioch, Julian was declaring anything but distress at their

separation, although lines of communication, and so the possibility for reconciliation, as we have seen, were still open. The uniqueness and originality of the emperor's pronouncement is more evident when we consider it as a carefully inverted panegyric and speech of leave-taking aimed at dishonoring Antioch. No doubt that members of the educated élite in the city, in addition to Libanius, took careful notice.

However, Julian had already communicated something other than his ire with Antioch, he had presented his religious program, as we have seen, first when reminding the Antiochenes that the gods had decreed that he should win against Constantius during civil war by removing the latter altogether (357B–C), which advertises Julian's bloodless accession to sole rule and again implies that the Antiochenes ought to be careful in their treatment of him. Here we should note that this statement on Julian's divinely ordained accession follows his remark on the Antiochenes' mocking of certain items on his coinage at 355D, although it is not certain that the emperor is referring to his "Bull coinage" or, if so, that this issue was religious in nature.⁵³⁴ Mamertinus and Himerius had avoided making explicit claims about Julian and the gods in 362, but Libanius and Julian himself make a case for them in 363. When Julian attended the temples and the Antiochenes shouted, he communicated to the crowd by severe comments that they had engaged in bad form and that traditional form mattered (cf. *Jul. Misop.* 344B–D; Van Hoof and Van Nuffelen 2011: 173).

Later, Julian relates that the populace were at odds with him due to their "atheism" (ἀθεότης, 357D, cf. 362C; a term Julian applies to the "Galileans," that is, the

⁵³⁴ Cf. Szidat 1981, who sees the bull as a religious symbol. However, see Ch. 5.

Christians, though relatively irreligious pagans also may be meant), that the city élite despised him for his price controls, and that nearly all despised him for his lack of interest in the theater and hippodrome (357D–58A). The emperor subsequently tells us about his disappointment in finding a single priest with but a single goose as an offering in the Temple of Apollo at Daphne (362A–B); but this statement need not be taken literally since Julian may be engaging in hyperbole here for the sake of effect. To be sure, it was a particular irritant to Julian that the Antiochenes did not engage in public sacrifices (361D–63B). However, Julian presents a counterpoise to his relative neglect of the theater and hippodrome by showing that the Antiochenes neglected the traditional spiritual life and well-being of their city, which indicates a lack of *consensus* but that the emperor desired to build it.⁵³⁵ In fact, the emperor frames his public temple visits and acts of piety as undertaken not for his own benefit per se, but on behalf of the well-being of the Antiochenes (363D).

Near the end of this oration, Julian states explicitly what he had implied near the beginning when referring to his campaigns against the Alamanni, that he could punish the Antiochenes physically, but adds here near the end that he will not do so (364C). Instead, by implication, the *Antiochikos/Misopogon* itself is presented as the Antiochenes' punishment, and from Julian's perspective a more fitting and effective one since the inhabitants of the city had chosen to pelt him with weighty words. To illustrate his relationship with and sentiments against Antioch further, Julian adduces the example of Cato the Younger, who visited the city during the Late Republic and left Antioch in

⁵³⁵ See 345C, for a glimpse of Julian's interest in accommodation with the Antiochenes, which focuses on their acceptance of and cooperation with him.

disgust after citizens had assembled, not to greet him, but to greet Demetrius, a wealthy freedman of Pompey (358A–59A). Julian seems to use the Stoic Cato here as a kind of stand-in for himself and suggests by association that he too will leave Antioch in disgust (cf. 364D, 366A, 370B). But this should not preclude the possibility that Julian contemplated returning at some later date, for, in addition to his apparent openness to reconciliation at 352D, the books that he valued highly and had deposited in the Temple of Trajan remained in Antioch and were not transferred to Tarsus (Eunap. *Fr.* 29.1 [Blockley]). After relating the episode about Cato above, Julian returns to overt points of autobiography, of relating his time in Gaul and his philosophical education (359B–C), comments that are meant to underscore a key difference between subjects and sovereign: the latter valued philosophy and education for its own sake while the former did not. It is a particularly amusing strike against the Antiochenes that Julian tells them that he has more in common with Gauls in terms of personal disposition, such as their mutual distaste for the theater, than with the citizens of Antioch; the emperor also tells the Antiochenes that the Gauls, by comparison, were devoted to him (360B–C). This remark implies that the Antiochenes would reap rewards from devotion to Julian and represents an invitation to make amends, perhaps by adopting those measures that Libanius would relate in *Oration* 16.

The emperor was keen on using his *Misopogon* for purposes of self-promotion and to that end found it useful to structure his oration, to an extent, in the form of a panegyric. Two central themes of Julian's oration to Antioch are self-restraint (ἡ μετριότης) and mildness (ἡ πραότης), themes which the emperor repeatedly emphasizes

throughout the *Misopogon*, and that are evident elsewhere. These themes of self-restraint and mildness are key monarchical virtues, ones we have already seen in Julian’s *Epistle to the Athenians*, where he describes himself as mild and measured (πρᾶον ἐμαυτὸν παρασχὼν καὶ μέτριον, 278C; see Ch. 4). In the *Misopogon*, Julian redeploys these adjectives and self-descriptions in order to underscore not only that he is a moderate emperor in a general sense but also that his production of the oration itself, in place of physical measures, is an exercise in and specific example of his mildness and moderation. For example, we find that πρᾶον (360D), ἡ πραότης (361B), τὸ σωφρονεῖν (365B), πραότης...μετὰ σωφροσύνης (365D), and μέτριον [with respect to the cost of grain] (368D) are all presented as indicative of his manner of rule.

In his listing of imperial virtues in what is clearly an instance of self-panegyric and promotion, the emperor places the adjective and self-description “mild” (πρᾶον) in the emphatic final position of the sentence,⁵³⁶ a virtue with which he also closes his oration (ἡ πραότης, 371B). This sense of mildness is made synonymous with benevolence, for Julian further panegyricizes himself when he tells his subjects that he had taken an active interest in dispensing justice by personally hearing appeals to him, that he had intervened on their behalf during a food shortage by imposing price controls on grain (350A, 365D), that he had granted many monetary benefits to the cities in the form of some tax remissions (365B, 366D–67A, 367D), much to their lack of gratitude (367B), and that he had increased the size of Antioch’s curial order so as to place it on par with

⁵³⁶ 360C–D: Ὁ δὲ δὴ μέγιστον, ἐκεῖθεν εἰς ὑμᾶς ἐφέρετο πολὺ καὶ μέγα τὸ ἐμὸν ὄνομα, καὶ ἐβόων πάντες ἀνδρεῖον, συνετόν, δίκαιον, οὐ πολέμῳ μόνον ὁμιλῆσαι δεινόν, ἀλλὰ καὶ εἰρήνῃ χρῆσασθαι δεξιόν, εὐπρόσιτον, πρᾶον.

other great cities, perhaps a reference to Constantinople (367D–68A). Despite his apparent lack of building activity in Antioch, Julian’s listing of these *beneficia* that he granted to the city still portrays him as a *euergetēs* or benefactor of Antioch. The emperor even goes so far as to admit subsequently that part of what he has discussed is tantamount to self-praise.⁵³⁷ And these uses of the terms “mild” and “mildness” were not confined only to his manner of rule in the *Misopogon*, for we find that Julian also employed them in his letters in reference to the proper administration of Alypius, one of his officials (Περὶ δὲ τὴν διοίκησιν τῶν πραγμάτων ὅτι δραστηρίως ἅμα καὶ πράως...πραότητα καὶ σωφροσύνην, *Ep.* 7 Wright [10 Bidez] 403D), and to his treatment of Christians (Ἐγὼ μὲν κέχρημαι τοῖς Γαλιλαίοις ἅπασιν οὕτω πράως καὶ φιλανθρώπως, *Ep.* 40 Wright [115 Bidez] 424C). For all Julian’s anger with the citizens of Antioch, “mildness” was still foremost on his mind and it is presented as a particular trait of the emperor’s, though, as we have seen with his appointment of the turbulent and cruel Alexander as governor of Syria, relative mildness.

One key example of Julian’s mildness and benevolence is presented at 350A, where the emperor first references his price controls upon certain goods sold by shopkeepers in the city. Contrary to Van Hoof and Van Nuffelen’s (2011: 172) assertion that the emperor’s disgust with the failure of Antioch’s wealthy to observe his price controls honorably was of a secondary concern to him since he discusses it last in the *Misopogon*, I would argue that Antioch’s food shortage in fact was a chief concern to the

⁵³⁷ 367A–B: Ἄλλ’ ὅποσα μὲν κοινῇ πρὸς πάντας πεποιήται τοὺς ἀρχομένους ὑπ’ ἐμοῦ, πρέπει ἂν σιωπᾶν, ἵνα μὴ δοκοῖν ὥσπερ ἐξεπίτηδες αὐτοπροσώπως ἐπαίνους ἄδειν ἐμαυτοῦ, καὶ ταῦτα ἐπαγγειλάμενος πολλὰς καὶ ἀσελγεστάτας ὕβρεις καταχέαι·

emperor when writing his oration. By referencing the ‘economic’ crisis and context of his oration last, Julian can be seen placing it in an emphatic final position within the text. Indeed, here the emperor does not merely cite his price controls and Antiochene responses to them, something he had already done earlier in the oration (357D), but he also tells us about his secondary measures in some detail, about his importation of grain from elsewhere in Syria, such as from Chalcis and Hierapolis (which, we should note, was the emperor’s forward operating base for his Persian campaign, and so the grain imported from this city was likely meant for this campaign; Amm. 23.2.6), and from Egypt, and he discusses all this at some length, as much as anything else in the *Misopogon* if not more so (368C–70C). Perhaps the Antiochenes’ improper response to Julian’s price control measures was the ‘last straw’ for the emperor, the conclusion of a short but disappointing stay in the city that prompted him to conceive and to produce his oration on and to Antioch.

Scholars such as Van Hoof and Van Nuffelen (2011: 177–8, 180) have seen Julian’s mildness in the publication of the *Misopogon* as problematic because his stated refusal to return to Antioch would strike a serious blow to the city’s social and economic well-being, and so the emperor’s oration and his declarations within it were a rather serious penalty inflicted on the city. But how serious was this blow? Most emperors did not visit most of their cities, and imperial visits could prove costly as well as beneficial to a city, such as the costs associated with the billeting of soldiers, and so it would be better to see Julian refusing the social and economic boons and costs that his presence could

equally provide.⁵³⁸ That being said, there was undoubted value in imperial residencies and visits to a city in the ability of an emperor to address problems on site; a city's inhabitants could petition their resident emperor directly and receive a response relatively quickly, as opposed to their sending an embassy to deliver a petition to him in a distant city and then awaiting his decision, which could take several months or longer. It was this practical benefit and privilege that Julian was depriving Antioch of. Cities often vied with one another over honors from emperors, and Antioch may have genuinely been aggrieved at its reduction in honor and status as the metropolis of Syria when Julian rebuked it with a fierce oration and when he declared his intention to make Tarsus, the metropolis of Cilicia, his new eastern residence for winter 363/4. And yet, as harsh as the dishonor that Antioch suffered was, it was nothing like what Cappadocian Caesarea suffered, that is, it was not disenrolled from the catalog of cities, nor were some of its citizens, Christian clerics, we are told, conscripted into the lesser bureaucratic staff of the provincial governor, among other penalties.⁵³⁹ In short, compared to what Julian could have done and certainly did do elsewhere, his *Misopogon* was indeed a mild punishment. We have seen Julian's penchant for rebuking errant cities such as Alexandria, Bostra, and Edessa by means of imperial epistles in 362, and it is to this context that his *Antiochikos/Misopogon* belongs, a context that scholars have overlooked.

⁵³⁸ Not only had this been the case with Julian's army, which was largely encamped outside Antioch in preparation for the emperor's invasion of Persia, but also with Constantius' forces in 360 (Lib. *Or.* 11, 24, 178). In fact, given that Diocletian and Galerius each stayed at Antioch for extended periods in the context of campaigning against Persia, food shortages probably also occurred during their residencies.

⁵³⁹ Soz. 5.4.1–4, cf. Lib. *Or.* 16, 14.

As Ronald Syme (1983: 185) put it, “The people of Antioch were conceited and satirical, eagerly fastening on the habits and behavior of a ruler, not least if he paraded a superior intellect. The ordeal of Julian is the classic document.” Contrary to what Van Hoof and Van Nuffelen (2011: 183) assert (paradoxically), if Antioch knew that Julian’s death had precluded any chance for its rehabilitation, then it would not have rejoiced at it. To be sure, Julian, as we have seen, was not alone in being the target of Antiochene ridicule, but he was the only emperor, as far as we know, to respond to such ridicule in the way that he did. The uniqueness of his response, however, is still somewhat baffling; it is tempting, as Robert Browning (1976: 158) saw it, to say that, “Perhaps Julian wrote it [the *Misopogon*] more for his own satisfaction than for its political effect.” In short, the emperor “needed to justify himself to himself.” This may well be true to an extent. But Julian apparently had his oration posted outside the imperial palace at Antioch, and so “delivered” his oration, which shows that its contents and messages were not meant for him alone. The *Misopogon* was both a self-panegyric of the emperor and an anti-panegyric of Antioch, an oration meant to promote Julian, to punish the city’s inhabitants, and to shape their future behavior while he was away campaigning in Persia on behalf of their security.

We have now seen how Julian employed various literary mediums to communicate his official policies, programs, and preferences: letters, panegyrics of various types, and even orations/pronouncements like the *Antiochikos/Misopogon* which resist simple classification. Panegyric is a common thread and component in all these imperial productions, which indicates that the emperor was well-aware of the flexibility

and usefulness of using this genre to promote himself and his interests in various modes of imperial communication, and apparently more so than his predecessors. In his letters to Alexandria, Bostra, and Edessa, as we have noted, Julian rebuked these respective eastern cities and made his wishes clear to the inhabitants of each while prescribing certain measures to them for how to comply best with his wishes. Thus, Julian conceived of such letters, in part, as both punitive and advisory in nature, as methods for affecting and nudging the behavior of his subjects in his preferred direction. This conception of letters was not new, as the missives of previous emperors such as Constantine make clear (e.g., his letter to the provincials of Palestine). What was new, however, was the effect to which Julian embedded his letters with panegyric components and sections in order to advertise himself as an effective and legitimate emperor and at the same time to stimulate adherence to his preferences voluntarily. Moreover, while he displays support for traditional cult generally, it is notable that Julian does not refer to blood sacrifice in his letters dated to 362, an omission that fits well with what I argue is the emperor's gradual 'rollout' of new religious policy, which had popular support. The *Antiochikos/Misopogon*, though more lengthy and complex than these letters, promotes Julian's effectiveness in the imperial office and his legitimacy, and it prescribes measures for the inhabitants of a large eastern city and directs them to adopt his proposals and others in keeping with them willingly if they desire to maintain (or to repair) a good relationship with the emperor.

Chapter 7
Julian, Themistius, Panegyric, and the Rhetoric of Government

As Millar (1992: viii, repeated at 6) succinctly put it some time ago in an often quoted phrase, “the emperor ‘was’ what the emperor did.” Millar (1992: 6) went on to elaborate on this description of the emperor by presenting a kind of two-dimensional, static paper-pusher (from Augustus to Constantine):

It is the essential passivity of the role expected of the emperor both by himself and by others which explains the very limited and simple ‘governmental’ apparatus which he needed. A very large proportion of his contacts with his subjects fell into a pattern which may be called ‘petition-and-response’.

No doubt this was true to a great extent when one includes numerous ministers of state and their secretaries, that is, those who responded to most petitions and who represented what ‘The Emperor’ or government was to its subjects. But, as Keith Hopkins (1978) well noted, not all emperors were equally active and interested in dispensing justice in the form of answering petitions; and there is no way that emperors read all petitions to them, as there were always other demands on their time, nor was the system in which they exercised their authority always so limited and simple. Moreover, emperors were not always passive, nor were they expected to be, either by emperors themselves or their subjects. Indeed, “passive” is not how we tend to think of emperors such as Diocletian, Constantine, and Julian, just to name a few. How could and did an emperor communicate with his subjects? This is a critical question that has often led scholars to consider imperial decrees preserved in literary texts, epigraphic types of pronouncements, numismatics, with all their iconography and brief inscriptions, imperial portraiture on a large scale and smaller artifacts, and benefactions, whether concrete, such as monuments

and statues with dedicatory inscriptions, or abstract, such as rank and honor, that are said to have been dispensed both to cities and individuals. As modern scholars have argued, panegyrics before the emperor were modes of communication that were just as meaningful as petitions to him, a view that this study has supported with studies of panegyrics under Constantius II and Julian.

A particularly active and proactive emperor, Julian's usefulness as a counterexample to 'The Emperor' in Millar's book is manifest in his three imperial panegyrics, all of which appear to have been produced actively and voluntarily. The fact that both Julian and Themistius produced several speeches of praise on Constantius allows for a close study of the panegyrist at work, and in Julian's case, a rare breed of historical actor, the panegyrist-Caesar at work. The ability to persuade and to direct all manner of empire-wide action could take an emperor far since many Roman subjects looked to him as chief executive to address their concerns (or at least appear to) and provide practical solutions. These solutions were fundamental for emperors if they wished to maintain power. An emperor's charisma might convince, or obfuscate; but charisma alone was not enough. Indeed, imperial speeches of praise preserve both a measure of the emperor's charisma and his interest in addressing common, contemporary concerns among his subjects, what I have suggested is emperors' responsiveness to those they ruled over.

But how would such responsiveness have been communicated to the public? Imperial panegyrics before emperors, as we have seen, were often delivered in important public spaces, such as palaces, senate houses, and assemblies in cities. We cannot and

should not conclude that the contents of these speeches of praise were confined to stately venues. The messages delivered by means of panegyric and the reception of the panegyrics themselves would have spread in some fashion to the wider public; the orator who delivered a successful speech of praise and his élite allies in attendance would have had reasons to disseminate what an emperor found well-said about him and his government. And panegyrists were often important members of the local and regional élite. As Noreña (2009: 538) has seen, “Cities, and especially the local elites who ran them, were therefore the critical intermediaries between the imperial state and the mass of its subjects.” Of course, concerns of the populace varied from city to city, from time to time, and are rather elusive in many respects, such as in the degree to which they were loyal to the emperor, whether as an individual or an office. Indeed, as Peter Brunt (1990: 277) noted, “We can never know how deeply that loyalty penetrated the masses. They do not speak to us on parchment or stone.” Be that as it may, local aristocrats and notables of various stripes, I would argue, were critical conduits, facilitators, and perhaps even shapers of imperial ideology or propaganda and so responsible, to a great extent, for the reception of imperial messages among provincials and their sense of loyalty to the emperor.⁵⁴⁰ Some of these messages were conveyed by means of panegyrics that were delivered on various occasions throughout the year, both in the presence of the emperor and in his absence. The immediate audiences of these speeches, in addition to emperors, were the high officials and functionaries of the imperial court, others among the élite,

⁵⁴⁰ On imperial ideology and provincial loyalty, see Ando 2000. However, it is regrettable that Ando does not consider the role of élites, who would have been important actors in the dissemination of imperial messages and their reception by the wider public.

such as senators and local aristocrats, and perhaps many educated and well-connected spectators from the lower echelons of society.

Once imperial messages were received, as in the case of listening to or reading a panegyric, it seems right to conclude that listeners and readers of a speech would have shared its contents with others. Did local and regional élites help convey such messages and/or perceived directives to provincials verbatim, or did they alter and shape such things in order to suit local and regional (and personal) needs? Perhaps both. Conversely, did Roman subjects, in turn, pass on information which then helped the emperor shape his ideology, as evinced in panegyrics to him? In other words, was there a provincial “ideology” at play that was communicated up the ladder? Was the relationship between emperor and provincial largely one sided? And who was the provincial and who was the emperor, who “controlled” whom? After all, if Roman imperial subjects did indeed conceive of their world as a “*communis patria*,” as Ando (2000) contends, then certain rules of conduct and expectations also applied to the emperor, who was charged with maintaining equilibrium and harmony among his subjects. In short, it would seem that the periphery influenced the center as much as it was the other way around, and hence an emperor’s awareness of and interest in using panegyric as another mode of communication with those he ruled.

The balance between various factors comprising an emperor’s stable rule, his need to establish (and maintain) respectability and to gain acceptance and loyalty throughout the empire, both among the army and the upper classes, was a delicate matter, as Campbell has observed (1984: 424). Indeed, an emperor’s personal security and his

success in office depended on his skillful balancing of these factors. And imperial panegyric was one of the methods employed by emperors to project and to shape their images as rulers. Many more imperial panegyrics have been lost than have survived. And yet the fourth century appears to have been particularly active in terms of producing panegyric.

Shortly after Constantius promoted him to the rank of Caesar in late 355, Julian responded with a speech of praise on his cousin in *Oration 1*. Themistius had similarly thanked Constantius for his promotion to the Senate of Constantinople with *Oration 2*, perhaps in late November/December 355. Since these Greek speeches were produced for the same emperor, contemporaneously, and for similar reasons, Julian and Themistius' panegyrics provide vital testimony on how these panegyrists conceived of Constantius' image as emperor and how it was shaped and disseminated. By producing such panegyrics, Julian and Themistius at once showed themselves active participants in Roman government and promoters of their own images as panegyrists and public actors, for the production of such speeches were important social and overtly political acts. In Themistius' case, scholars have not seriously doubted that his praise for Constantius was sincere, whereas for Julian, his insincerity has been considered all but evident. And yet this need not be the case. However he felt at the time when he wrote his *Oration 1*, Julian clearly conceived of it as a useful speech of praise, one that he seems to have written voluntarily, a point that should shift lines of scholarly inquiry away from consideration of Julian's sincerity and to his perception of what function panegyric could serve, both for Constantius and himself.

While Constantius would have had reason to be pleased with Julian's debut panegyric, one that presumably was circulated and perhaps even performed by someone at the imperial court in Milan, the Caesar's speech seems to have been circulated in the East, where he did not rule and where his image as Caesar or deputy emperor would have been confined to Constantius' expressions of Julian's authority and power. By circulating a Greek panegyric in the East, Julian can be seen taking the first steps at managing his own public image, perhaps for the first time under the guise and protection of a panegyric to Constantius and under his new rank as Caesar. Constantius' actions in the imperial office are praised, his image as a learned emperor enhanced to a degree; but a panegyrist's praise of an emperor, if praised well, could elevate the fame and reputation of the orator along with his subject. In the act of praising the virtues of Constantius, Julian drew attention to virtues of his own: his *paideia* and ability to produce learned panegyric, his loyalty and support to the emperor, his political acumen in seeing the benefits of producing praise for his Augustan superior, and perhaps even a hint that he as Caesar would produce notable exploits of his own that would be worthy of praise.

What Themistius' first two orations and Julian's first oration suggest is that the panegyrists were focused on shaping Constantius' image as a learned man and a philosopher, an image that Constantius himself cultivated in the *Oratio/Demegoriā Constantii*, the very speech or open letter (*epistula*) that had adlected Themistius to the senatorial order on 1 September 355. Themistius shapes the emperor's image explicitly by calling him a philosopher on the throne and focusing on philosophical figures and themes, especially in *Oration 2*, that create kinds of philosophical panegyrics, ones that,

by implication, the emperor must have appreciated as a philosopher. Julian, on the other hand, is more implicit in his approach; he does not describe Constantius as a philosopher but he does connect the emperor to certain notable philosophical virtues, such as *philanthropia*, *praotēs*, and *megalopsuchia*. And in counterpoise to Themistius' conception of Constantius as "embodied law" (*Or.* 1, 15B), Julian calls Constantius a fellow citizen (*politēs*) who as emperor is bound by the laws (*Or.* 1, 45C–D). Interestingly, Julian's framing of the imperial office in a Greek panegyric resembles how Pliny the Younger had represented Trajan in a Latin one; such similarity invites us to consider Pliny's possible influence on Julian and the discourse of Greek praise-giving. It is attractive here to see Julian making this description of Constantius with Themistius' opposing view of the emperor in mind.

But it is quite possible that Julian's view of Constantius also represents a view of the emperor that was held by a wider audience. If so, this sheds some light on what I have seen as implicit criticism of Constantius. Julian accomplishes this by relating particular instances and leaving it up to his audiences to read these instances for themselves in a way that can be decidedly negative, as in the instance of stating that Constantius had kept Constantinople free from civil discord. Of course, audiences, particularly an eastern one, would have known this not to be true with respect to events in this city in 337, when members of the imperial family and their supporters were murdered by Constantius' soldiers. By alluding to this episode and engaging in a form of doublespeak, Julian can be seen subtly charging Constantius with having failed in one of his prime duties as an emperor and as a citizen, that is, to keep his fellows safe from harm.

But Julian was careful not to go too far. He still needed Constantius' good will and political support, and, to that end, he produced a diplomatic text in the *Panegyric on Eusebia* c. 356/7. Indeed, the Caesar's earnest desire to maintain this support helps explain why he chose to produce a speech of praise on the empress, which is our earliest extant imperial speech on a woman, since she had been one of his patrons and supporters, as Julian himself tells us. It would seem unlikely that Julian had been the first member of the imperial family to write such a speech, although he does not allude to any earlier Roman women and so earlier models for his work. More importantly, the text of the panegyrist-Caesar's second speech indicates that he was concerned with maintaining good relations with Eusebia as one of his most critical patrons, perhaps since she served as a potent channel of communication with Constantius and wielded some influence with him, communication and influence that Julian sought to uphold in the interests of his own exercise of power in Gaul.

In early 357, Themistius produced his own diplomatic text, an ambassadorial speech to Constantius that was delivered before the emperor in Rome, probably after Constantius' triumphal entry into the city that Ammianus describes so vividly (16.10). The emperor had defeated Magnentius over three years before, but, as far as we know, he had not chosen to enter the Eternal City until early 357. At this time, Themistius arrived in Rome as an official envoy from Constantinople, and so his panegyric was delivered in an official capacity as a recently adlected senator. In fact, that Themistius had been chosen for this embassy after less than two years as a senator shows that he had attained a high level of importance in a short time. Moreover, Themistius champions

Constantinople well in his speech while also connecting her success as a city to Constantius' civic management. Since Constantius had just entered Rome for the first time, Themistius' remarks were undoubtedly intended to provide a preview of what Constantius could do for Rome, which Constantinople had aided in war against Magnentius. Themistius' fourth oration (*Or.* 3) is concerned less with presenting the emperor as learned man and philosopher than on the emperor as *euergetēs* or benefactor. This was a common theme in imperial panegyric, but it seems that Themistius directed this message to the western élite, particularly to the Senate of Rome, with whom Constantius would discuss his new western policies. In this case, we find the panegyrist as an ambassador from Constantinople traveling to see the emperor in Rome so as to pay him honor and coin, but also, I would argue, to strengthen the emperor's position in Rome. In so doing, Themistius seems to preserve Constantius' interest in building *consensus* with the Senate there.

Like Julian, Themistius was not above using panegyric as a means of self-promotion. In his *Oration 3*, Themistius took the opportunity to defend himself and his speech as emanating from an independent witness of Constantius' virtues, a philosopher, senator, and panegyrist who merely relayed the truth about the emperor. Panegyric was a flexible genre that allowed the panegyrist to self-advertise in the course of praising another, and so a highly valuable literary category and a mode of expression.

As in *Oration 1*, we find Julian deploying such virtues as *andreia*, *praotēs*, and *megalopsuchia* in his second oration on Eusebia where it discusses Constantius (*Or.* 2, 114B), who, I argue, is the main audience of this speech. Thus, the Julian that is evident

here is one who is fully aware of the realities of power and who acted in calculated ways to preserve his good standing, no doubt while also projecting a positive image of himself as a faithful subordinate. In light of Gallus' tragic execution in late 354, ostensibly due, in part, to his attempt to seize the greater power of an Augustus, we should not underestimate the value of the contrast that Julian, consciously or otherwise, was subtly drawing to Constantius' previous Caesar, who was also Julian's older brother. In fact, the Caesar's penchant for self-promotion is more apparent in what would be a long line of literary and epigraphic activity of this type, as in Julian's *Oration 3* or *Second Panegyric on Constantius*, which in critical places doubles as a reflective treatise on (good) kingship, his letters to various Greek cities such as Athens, and in milestone inscriptions dedicated to Julian in the Balkans. All these productions, in my view, are interconnected and provide a bigger picture of Julian's conduct in the imperial office when studied in tandem.

When Julian wrote his *Second Panegyric on Constantius*, his relationship with his superior showed some signs of strain. This is a complex speech of praise, one that illustrates Julian's recourse to a literary genre that seemingly had served him well in sustaining positive relations with Constantius in the past. That Julian turned to write a panegyric on Constantius once more is indicative of his continued pragmatism, for the emperor is praised, but, as we have seen, there is more to this speech than that. If Julian circulated his third panegyric, then the section of the speech dealing with proper rule would have served to advertise Julian's views on what (good) government chiefly consisted of: leading the army, dispensing justice, and worshipping the gods. This was

typically expected of the exemplary king, but Julian adds further details that illustrate greater thought and earnestness on his part in carrying out such duties, and that invite a comparison with Constantius' actions with respect to these duties. This same earnestness and attention to proper rule is manifest in Julian's *Epistle to the Athenians*, where, as we have seen, Julian explicitly engages in both praise and censure: self-praise and promotion in his exercising of imperial power and censure of Constantius' exercise of the same, censure that inverts the conventions of panegyric to form an "anti-panegyric." As for Julian's Balkan milestones, they are oriented somewhat differently than his open letters in that they lack explicit criticism of Constantius, indeed he is not even referred to at all; and yet the inscriptions on these milestones are panegyric in that they testify to Julian's military and administrative abilities in the imperial office in a region that he was in the process of bringing under his control.

That Julian employed panegyric to some effect in Illyricum does not seem to have been lost on Ammianus, who used what he saw as panegyric material (*laudatiua materia*) when relating Julian's movements and activities in the Balkans, such as his singular speed. When Julian engaged in civil war with Constantius and invaded Illyricum in 361, it was not enough for him to assert his authority by means of military force alone, nor did he do so. The new Augustus realized that he also needed to assert himself politically. The series of milestones dedicated to Julian from the territory of Serdica suggests that city and emperor had engaged in some communications and negotiations over whom it would display its loyalty to during civil war. These Balkan milestones help to fill in an important gap in Julian's career and shed light on some of his administrative

doings in the region. In fact, a close reading of the text of the milestones reveals that Julian had issued some now-lost law(s) regarding some offices, perhaps religious ones, in Serdica. If so, and if these milestones do indeed date to summer/fall 361, that is, before Constantius' death on 3 November, then it would indicate that Julian had begun to promote paganism somewhat earlier than typically held. It would also reveal Julian engaging with an important Balkan city in the interests of securing its support and promoting himself to those who traveled through the region. Furthermore, that Serdica was apparently receptive to and even enthusiastic about Julian's promotion of paganism raises serious questions regarding the degree of "Christianization," indeed how we should even understand this term, during the late fourth century.

After entering Constantinople at the head of his western armies on 11 December 361, Julian seems to have taken careful note of what the moment required. He gave Constantius a state funeral and interred him there in accordance with Christian rites. Julian then commissioned Claudius Mamertinus, his *consul prior* for 362, to deliver a Latin panegyric before him in the senate house of Constantinople. In this carefully crafted speech, Julian's western military exploits were given their due, but not overly so, perhaps out of sensitivity to how the eastern armies, whose support the emperor needed, would perceive such western promotion. Instead, Julian's administrative uprightness was put on full display, his correction of corrupt governors in Gaul, his practical appointment in the urban prefect of Rome and management of Rome's food stuffs, his interest in promoting men due to merit in place of electioneering, and his prudent abstention from promoting paganism or even religiosity of any kind when consolidating his power and authority in

the East. The Julian that Mamertinus praised on 1 January 362 was an emperor who was well aware of his responsibilities and who could deliver on them (as in the case of Rome's grain supply), one who exhibited *aequitas*, so prominently noted by Mamertinus, in his exercising of the imperial office.

It is in this light that we should view the panegyrist's remarkable silence on religious policy, which, I have argued, indicates that Mamertinus as a kind of official spokesman communicated Julian's interest in building *consensus* with his eastern and Christian subjects shortly after civil war; the few instances of religious language that Mamertinus does use suggest that Julian wanted religious neutrality at this stage. Another notable example of this interest in *consensus* would be Themistius himself, whom, I argue, served as a member of Julian's administration as urban prefect of Constantinople in early 362, albeit for a rather brief period. The image of Julian that Mamertinus disseminates in his speech is that of a practical emperor; there is nothing here of the supposedly puritanical pagan who was overzealous or even zealous in promoting traditional cult. That this is not merely a construct of Mamertinus' is apparent in Julian and Themistius' epistles to one another, which I date to December 361/early 362, and is supported by actions that we know Julian took by early 362, such as his issuance of edicts of religious toleration, edicts that would have placed Christianity on an equal footing with paganism once again.

But Julian would soon gradually engage in pro-pagan policy, such as his directives that temples empire-wide should be (re)built and (re)opened, that blood sacrifice was not only allowed once more but also highly encouraged, and that

government subsidies, once enjoyed by Christian bishops, clerics, and their churches, be redirected to pagan priests, oracles, and temples. The Greek panegyric of Himerius is the apparently earliest panegyric that strays from the religious neutrality evident in Mamertinus' Latin speech. In Himerius' speech, we find a reference to Helios and to temples being rebuilt, but, interestingly enough, not to blood sacrifice, although this speech is somewhat fragmentary. Nonetheless, Himerius places his reference to new temple policy among innocuous and secular building projects. In short, Himerius did not emphasize Julian's temple policy above any other policy, just one among a larger number. More emphatically, the restoration of temples and of blood sacrifice is one of the messages that Libanius would deliver at Antioch in two separate but connected panegyrics before the emperor there in late July 362 and early 363. In my view, the increasingly pointed references to traditional cult suggest that Julian engaged in a gradual 'rollout' of new religious policy. Like Mamertinus' speech of thanks, Libanius' panegyrics can be seen as kinds of official pronouncements, ones whose messages Julian approved of and wished to be broadcasted. To that end, panegyric proved useful in communicating new policies to eastern élites, and not for the last time.

After his tenure in Antioch produced dissent among the populace, Julian once again turned to panegyric to aid him in communicating his intentions towards this great eastern city. By ridiculing the emperor, the city had struck a nerve. Julian retaliated in kind with his *Antiochikos/Misopogon*, which should be seen as a focused rebuttal of Antiochene ridicule that promotes the emperor's handling of a food shortage in the city that lasted several months. As we have seen (Ch. 6), at the same time that Julian engaged

in this careful self-promotion, he also censured Antioch in various ways and declared that he would not return, a declaration that served to punish the city by undercutting its prestige as an imperial residence. In so doing, the emperor had once again adapted and inverted conventions of panegyric to help him in his communications, not unlike his *Epistle to the Athenians*. The emperor in fact did not return to Antioch, and the city seems to have suffered serious dishonor as a result of Julian's oration being his last word to Antioch.

Mindful of Hopkins' valid criticisms of Millar's (and other "conventional" ancient historians) methods in *The Emperor in the Roman World*, references to Julian's unremitting energy and frequent activity as emperor should be treated carefully apart from Millar's own generalized, paradigmatic view of the emperor (constantly) at work. Indeed, Julian was a unique emperor, an oddity in many respects, such as in his frequent use of panegyric in his communications, and one who stands apart from his predecessors in addition to matters of religious identity and practice. Or so it would seem. So few imperial panegyrics and letters survive that the image we have of Julian's prominent use of panegyric may not be so unique.

As Glanville Downey (1939: 305) noted long ago, Julian was many things: "the military commander, the theosophist, the social reformer, and the man of letters."⁵⁴¹ As we have seen consistently, rhetoric and oratory were signature features of Julian's imperial pronouncements. In early 363, c. January 16/17 (*Datum XVI. kal. Febr.*), Julian

⁵⁴¹ Cf. Lib. *Or.* 18, 176, for Julian as "priest, writer, seer, judge, soldier and universal savior, all in one." Wright trans.

issued an interesting edict from Antioch to his urban prefect of Rome, L. Turcius Apronianus, whom he had appointed the year before. The law dealt with, in part, how many individuals could comprise the juridical staff of the prefect, and contains some notable opinions on orators and oratory:⁵⁴²

...Etenim qui semel praeconis obsequiis usi iudicauerunt, quid expectant dulcius marcentem tenere palmam quam florentem et uiridem consecrare? ...Ac nullus ornatior eloquentiae finis est quam in honore dedisse...

...For who have ever decided to employ obsequious laudations because they hope to hold a withering palm more dearly than to consecrate one that is flourishing and lively? ...Moreover, no end of eloquence is more distinguished than to have yielded [one's position] in honor...⁵⁴³

As is attested in the subscription, the Emperor Gratian apparently had his own urban prefect, Publius Ampelius, read aloud and/or (re)publish Julian's constitution (*[edictum] Lectum apud Ampelium*) at Rome, perhaps in the senate house, in 371.⁵⁴⁴ In many ways, the remarks quoted above serve as a fitting, final instance of self-promotion from Julian the panegyrist-emperor, and provide further testimony to the role and value of rhetoric in imperial pronouncements. As for Themistius, he seemingly returned to Rome to deliver another panegyric in 376, this time to Gratian (*Or.* 13), acts that highlight his continued political activity and belief in the function that panegyric could perform in and for Roman government.

⁵⁴² *PLRE* 1.88–9, L. Turcius Apronianus signo Asterius 10.

⁵⁴³ The text is that of Bischoff and Nörr 1963, lines 5–6, 9. I would like to thank Prof. Thomas Banchich not only for first alerting me to Julian's constitution here some time ago, but also for sharing his working translation of and notes on it. The translation above is a modified version of his.

⁵⁴⁴ *PLRE* 1.56–7, Publius Ampelius 3. I consider that this constitution was republished since Apronianus presumably first published Julian's law upon receipt of it in 363.

In the course of this study, we have seen that Constantius and Julian received no less than eleven panegyrics before them during their time as emperors: seven for Constantius (including Julian's panegyric on Eusebia, which was indirectly addressed to Constantius) and four for Julian. But, perhaps more than other emperors, Julian realized the power and flexibility of the written word and enlisted it often in his own interests: when he was Caesar seeking to maintain political support, when he was focusing on promoting himself during civil war, and when he was sole emperor desiring to reinforce his position, to promote his new political program, and even to punish some of his subjects, all the while displaying his responsiveness to his subjects. Panegyric could be employed to shape, to finesse, to promote, to reinforce, and to punish, and sometimes it could do all these things all at once. In the course of performing these functions, panegyric was always calibrated to perform a vital role of government, a role that reveals that panegyric was valued for its ability to advance an emperor's profile, priorities, and agenda. As the orations and letters of Julian and Themistius make plain, especially those of Julian, panegyric played an important part in fourth century social and political life, a more important part than some scholars have supposed.

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Appendix A

- I. Constantius' milestone from Sirmium (Sremska Mitrovica)
The text is from *CIL* 3.3705 = 3.10617 = *ILS* 732; the translation is my own.

M P V
IMP CAES FLA IVL
CONSTANTIUS PIVS FEL
AVG VICTOR MAXIMVS
TRIVMFATOR AETERNVS 5
DIVI CONSTANTINI OPTIMI
MAXIMI QVE PRINCIPIS [F(ILIVS)] DIVO
RVM MAXIMIANI ET
CONSTANTI NEPOS DIVI
CLAVDI PRONEPOS PONTI 10
FEX MAXIMVS GERMANIC
ALAMANNICVS MAXIMVS
GERM MAX GOHTICVS
MAXIMVS ADIABIN MAX
TRIBVNICIAE POTESTATIS 15
XXXI IMP XXX CONSVLI VII
P P PROCONSVLI VIIS MVNI
TIS PONTIBVS REFECTI<S>
RECVPERATA RE PVBLICA
QVINARIOS LAPIDES PER IL 20
LYRICVM FECIT
AB ATRANTE AD FLVMEN
SAVVM MILIA PASSVS
CCCXLVI

Five miles. Emperor Caesar Flavius Iulius Constantius Pius Felix Augustus, Victor Maximus, eternal triumphator, [son] of the divine Constantine and of the best and greatest princeps, grandson of the divine Maximian and of the divine Constantius, great-grandson of the divine Claudius, pontifex maximus, Germanicus, Alamannicus maximus,

Germanicus maximus, Gothicus maximus, Adiabenicus maximus, [holder of] tribunician power for the thirty-second time, emperor for the thirtieth year, consul seven times, father of his country, proconsul, after having fortified roads, after having repaired bridges, after having recovered the Roman state, he erected [boundary] stones five at a time throughout Illyricum from Atrans to the Sava River for 346 miles. (c. summer/autumn 354)

- II. Julian's milestone from near Ballanstra (Dragoman)
The text is from Karadimitrova 1992, which has been updated; the translation is my own.

[---] CAES
FL CL IVLIANO PIO FELICI
VENERABILI AC TRIVMFATORI
SEMPER AVGVSTO PONTIFICI
MAXIMO GERMAN MAXIMO 5
ALAMAM MAXIMO FRANC
MAXIM O SARMAT MAXIMO
IMPERATORI FI CONSVLI III
PATRI PATRIAE PROCONSVLI
RECVPERATA RE PVBLICA [QVAM 10
INFECTAM AD FATALE EXITIVM]
IN ANTIQVAM CESVRAM DIGNITA
TEMQVE REVOCAVIT

To [our Lord, Emperor] Caesar Flavius Claudius Iulianus Pius Felix, respectable and triumphator, forever Augustus, pontifex maximus, Germanicus maximus, Alamannicus maximus, Francicus maximus, Sarmaticus maximus, emperor for the sixth year (?), consul thrice, father of his country, proconsul, after having recovered the Roman state,

[which was infected to the point of fatal ruin], he brought [it] back into a state of ancient judgment and dignity. (361)

Appendix B

- I. One of Constantine's milestones from northern Italy in Pontestura (Alessandria)
The text is from *CIL* 5.8011 = *ILS* 697 and Grünewald 1990: 224, nr. 288; the translation is my own.

D N IMP CAES
FL CONSTANTINO
MAXIMO
P F VICTORI AVG
PONTIF MAX 5
TRIB POT XXIII
IMP XXII CONS VII
P P PROCONS
HVMANARVM RERVVM
OPTIMO PRINCIPI 10
DIVI CONSTANTI FILIO
BONO REI P NATO

To our Lord, Emperor Caesar Flavius Constantinus Maximus Pius Felix Victor Augustus, pontifex maximus, [holder of] tribunician power for the twenty-third time, emperor for the twenty-second year, consul seven times, father of his country, proconsul, *optimus princeps* of human affairs, son of the divine Constantius, [and] born for the benefit of the Roman state. (c. 328)