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## Ammianus and the Status of Armenia in the Peace of 363\*

## 1. The Peace Terms of 363

The peace negotiated between Rome and Persia in 363, after the disastrous expedition of Julian, his death and Jovian's accession, is described by Ammianus as follows (25.7.9–12, 14): *Petebat autem rex obstinatius, ut ipse aiebat, sua dudum a Maximiano erepta, ut docebat autem negotium, pro redemptione nostra quinque regiones Transtigritanas: Arzanenam et Moxoenam et Zabdicenam itidemque Rhimenam et Corduenam cum castellis quindecim et Nisibin et Singaram et Castra Maurorum, munimentum perquam opportunum. (10) et cum pugnari deciens expediret, ne horum quidquam dederetur, adulatorum globus instabat timido principi Procopii metuendum subserens nomen eumque affirmans, si redit cognito Iuliani interitu cum intacto milite, quem regebat, novas res nullo renitente facile moliturum. (11) hac perniciose uerborum ille assiduitate nimia succensus sine cunctatione tradidit omnia, quae petebantur, difficile hoc adeptus, ut Nisibis et Singara sine incolis transirent in iura Persarum, a munimentis uero alienandis reuerti ad nostra praesidia Romana permetterentur. (12) quibus exitiale aliud accessit et impium, ne post haec ita composita Arsaci poscenti contra Persas ferretur auxilium, amico nobis semper et fido. quod ratione gemina cogitatum est, ut puniretur homo, qui Chilio-comum mandatu uastauerat principis, et remaneret occasio, per quam subinde licenter inuaderetur Armenia. unde postea contigit, ut uiuus caperetur idem Arsaces et Armeniae maximum latus Medis conterminans et Artaxata inter dissensiones et turbamenta raperent Parthi. . . . (14) foederata itaque pace annorum triginta eaque iuris iurandi religionibus consecrata . . .*

No clear and coherent statement of the terms is offered.<sup>1</sup> Instead Ammianus first states Sapor's territorial demands (25.7.9), then comments at length on how shameful it was to accede to them and why they were nevertheless accepted (25.7.10–11). He deals next with the status of Armenia (25.7.12), but what he says is manifestly not a statement of the content of a clause of the treaty, but rather

\* I am grateful to ROGER BLOCKLEY for commenting on a draft of this paper. He is not of course responsible for the views expressed or for such defects as may remain.

<sup>1</sup> For detailed discussion of all the peace terms, cf. R. C. BLOCKLEY, *Florilegium* 6, 1984, 35 ff.; id., *Historia* 36, 1987, 223 ff.; id., *East Roman Foreign Policy*, 1992, 27 ff.

a highly emotional comment on a clause the terms of which he unfortunately does not see fit to reproduce.<sup>2</sup> He goes on to express an opinion on the motives of the Persians who devised the clause. These, he says, were twofold: to punish Arsaces for services rendered to Julian and to leave Persia free to invade Armenia unopposed whenever it seemed convenient. So it came about that Arsaces was later taken alive and a large part of Armenia, bordering on Media, fell into Persian hands.

This initial failure to state the contents of the crucial clause bedevils all attempts to make sense of his subsequent references to the Armenian question. This paper will examine each of those references in turn, to discover, if possible, not so much what the wording of the clause actually was, as what Ammianus thought it was, or at least how he thought it was interpreted by both sides.

Despite the inadequacies of Ammianus' account, one feature of it stands out. He stresses that this clause, like the peace as a whole, was imposed by the Persians from a position of strength and was drafted specifically to further their own political and territorial ambitions. Whatever the precise nature of the restraints placed on Rome's dealings with Armenia, it is therefore highly unlikely that the Persians set similar limits on their own freedom of action. It would, however, be rash to infer that the peace overtly and explicitly guaranteed Persia's right to invade Armenia at will. The inclusion of such a positive statement might well have moved the Romans, desperate as they were, to protest. It is more plausible that the Persians simply said nothing about any restrictions on their own freedom of action and so left themselves at liberty to infer that no such restrictions in fact existed, even though this might somewhat weaken their position in any future debate with Rome on the issue.

## 2. Persian Intervention 365

Ammianus returns to the subject under the year 365 (26.4.6): *Persarum rex manus Armeniis iniectabat eos in suam dicionem ex integro uocare ui nimia properans, sed iniuste, causando, quod post Iouiani excessum, cum quo foedera firmarat et pacem, nihil obstare debebit, quo minus ea recuperaret, quae antea ad maiores suos pertinuisse monstrabat.*

Sapor was in a hurry to bring Armenia once more under his control. He offered a justification: since the death of Jovian, with whom he had concluded the peace, nothing should prevent him from recovering what had belonged to his ancestors. But Ammianus describes his actions as unjust.<sup>3</sup> Thus Sapor now appears to be claiming that the peace of 363 had lapsed because Jovian was dead. This should

<sup>2</sup> Cf. BLOCKLEY (1987), 223 f., who also deals with the account of the treaty in Faustus of Byzantium (4.21).

<sup>3</sup> It is clear that *iniuste* is to be construed with *properans*, not with *causando*; otherwise *sed* would not make sense.

surely imply that, if the peace were still in force, Sapor would not have felt free to invade Armenia. Several crucial questions instantly arise. (1) Ammianus states (25.7.14) that the peace was made for thirty years. How then could its validity be impaired by the death of Jovian? (2) According to 25.7.12 the Armenia clause had been devised to leave Sapor free to invade the country without fear of Roman intervention. Though the peace was drafted in a hurry, can the Persian representatives possibly have been so inept as to produce a formula that did not in fact allow this? (3) If the peace was no longer valid, Rome would be free to resist any Persian attempt to gain control of Armenia. Why should Sapor bring this consequence upon himself? (4) Why did Ammianus think that Sapor was being unjust, when on his own showing the treaty gave, or at least did not deny, Sapor the right to do precisely what he was now doing?

To the first three of these questions no answer can be given for the moment. The fourth is perhaps more tractable. Given Ammianus' vehement disapproval of the treaty as a whole<sup>4</sup> and of this clause in particular, he might conceivably describe action taken under it as unjust, on moral rather than strictly legalistic grounds, because he regarded as in themselves unjust the terms which encouraged or permitted that action.<sup>5</sup>

### *3. Persian Intervention and Roman Response from 368*

Ammianus treats Armenian affairs in more detail in 368 (27.12.1): *Rex uero Persidis, longaeuus ille Sapor et ab ipsis imperitandi exordiis dulcedini rapinarum addictus post imperatoris Iuliani excessum et pudendae pacis foedera icta cum suis paulisper nobis uisus amicus calcata fide sub Ioniano pactorum inieciabat Armeniae manum, ut eam uelut placitorum abolita firmitate dicioni iungeret suae.*

Sapor's attempt to gain control of Armenia – the language here consciously echoes that of 26.4.6 – is stigmatised as a trampling under foot of the treaty made with Jovian, as if the agreement had come to an end. But Ammianus has made two significant changes of ground. Here he does assert that Sapor was in breach of the peace, but not that Sapor actually claimed that the peace had lapsed, merely that he was behaving as if this were the case. This prompts closer consideration of the significance of *causando* in 26.4.6. How and where did Sapor expound this argument, and how did Ammianus know about it? Not surely through an embassy: Ammianus would hardly have omitted specific mention of it, and since Sapor, as Ammianus stresses, was in a hurry, he would hardly have wasted time in pointless negotiations. There is thus a strong temptation to believe that behind *causando* there lies nothing more than an assumption on Ammianus' part, not any recorded utterance by Sapor himself.

<sup>4</sup> Cf. 25.7.10, 13, 17, 9.1 ff.

<sup>5</sup> He does not specifically state that Sapor had broken the treaty, pace BLOCKLEY (1984), 46 n. 55. Cf. BLOCKLEY's own comment, at (1984), 47 n. 57, on Valens' words at 30.2.4.

If Sapor had not in fact claimed that the peace had died with Jovian, the three unanswerable questions posed above need no longer be asked, and Sapor and his diplomats need not be suspected of incompetence or stupidity. But now it is impossible to comprehend or justify Ammianus' criticism of Sapor, if the Armenia clause gave the Persians the freedom that he himself says it did (25.7.12), since this time Ammianus unequivocally claims that Sapor was breaking the peace. His comment is intelligible only if he is now maintaining that the treaty guaranteed Armenian independence.

Sapor succeeded in capturing and killing Arsaces and driving out Sauromaces, the Roman nominee to the throne of Iberia. To rule Iberia he appointed Aspacures, to Armenia Cylaces and Arrabannes (27.12.3 ff.). These latter, in the hope of reward, sent to Valens asking for his help in installing Papa as king (27.12.9). Valens' response is given at 27.12.10: *Sed pro tempore adiumentis negatis per Terentium ducem Papa reducitur in Armeniam recturus interim sine ullis insignibus gentem, quod ratione iusta est observatum, ne fracti foederis nos argueremur et pacis.*

The denial of aid is consistent with 25.7.12 on the not unreasonable assumption that Rome was bound to refrain from helping not just Arsaces but any future king of Armenia,<sup>6</sup> or more simply to abstain from all military interference in Armenian affairs. But it is the refusal to provide Papa with the insignia of kingship that Ammianus singles out as prompted by the desire not to lay Rome open to a charge of violating the peace. This provides a further clue to one of its terms: presumably Rome had abandoned all claim to nominate a candidate for the Armenian throne.

Despite Valens' caution, his actions were sufficient to infuriate Sapor, and a Persian invasion of Armenia followed (27.12.11). This in its turn provoked an escalation of the Roman response: Arintheus was sent with an army to assist the Armenians if the Persians invaded again (27.12.13): *Quas ob causas ad eas regiones Arintheus cum exercitu mittitur comes suppetias laturus Armeniis, si eos exagitare proinctu gemino temptauerint Persae.*

Thus Valens, now free of his Gothic war,<sup>7</sup> was prepared to contemplate the prospect that Arintheus would have to fight the Persians. Either he believed that the treaty guaranteed Armenian independence and so could claim that Sapor had already broken it and was preparing to do so again, or he preferred to face an accusation of breaking the peace rather than stand by and watch Sapor secure complete control of Armenia.

The mission of Arintheus had considerable consequences (27.12.15–18): *Hac clade* (sc. Papa's liquidation of Cylaces and Arrabannes) *late diffusa Armenia omnis perisset impropugnata, ni Arinthei aduentu territi Persae eam incursare denuo distulissent hoc solo contenti, quod ad imperatorem misere legatos petentes natio-*

<sup>6</sup> Cf. BLOCKLEY (1987), 223 n.7.

<sup>7</sup> For the importance of this factor in determining Valens' attitude to Sapor, cf. E. STEIN, *Histoire du bas-empire I*, 1959, 187; BLOCKLEY (1992), 34.

*nem eandem, ut sibi et Iouiano placuerat, non defendi. (16) quibus repudiatis Sauromaces pulsus, ut ante diximus, Hiberiae regno cum duodecim legionibus et Terentio remittitur et eum amni Cyro iam proximum Aspacures orauit, ut socia potestate consobrini regnarent, causatus ideo se nec cedere nec ad partes posse transire Romanas, quod Vltra eius filius obsidis lege tenebatur adhuc apud Persas. (17) quae imperator doctus, ut concitandas ex hoc quoque negotio turbas consilio prudenti moliret, diuisioni acquieuit Hiberiae, ut eam medius dirimeret Cyrus et Sauromaces Armeniis finitima retineret et Lazis, Aspacures Albaniae Persisque contigua. (18) his percitus Sapor pati se exclamans indigna, quod contra foederum textum iuuarentur Armenii et euauit legatio, quam super hoc miserat corrigendo quodque se non assentiente nec conscio diuidi placuit Hiberiae regnum, uelut obseratis amicitiae foribus uicinarum gentium auxilia conquirebat suumque parabat exercitum, ut reserata caeli temperie subuerteret omnia, quae ex re sua struxere Romani.*

Thus the Roman riposte was enough to deter Sapor from his planned second invasion (27.12.15).<sup>8</sup> Instead he sent envoys asking Valens to respect the peace and refrain from defending Armenia. This again implies that, in his own view at least, Sapor was free under the treaty to attack Armenia if he chose, while Rome was bound not to interfere. Ammianus' account of Valens' response is obscure (27.12.16). The only possible antecedent of *quibus* in strict grammar is *legatos*, which leaves it uncertain whether Valens rejected the Persian interpretation of the peace or simply refused to promise to abide by it.

His next move was the restoration of Sauromaces to Iberia (27.12.16). This could hardly be construed as a breach of the peace of 363, which had, to the best of our knowledge, made no direct mention of Iberia.<sup>9</sup> But it could not but be seen as a provocation by Sapor. Yet Valens too seems for the moment to have had no desire for a fullscale confrontation. Although Terentius had twelve legions, Aspacures' proposal to partition the country was accepted readily enough – to avoid upheavals, as Ammianus puts it.<sup>10</sup> Not surprisingly Sapor was not happy with this. He complained again of a Roman breach of the treaty in helping the Armenians and of their refusal to admit the justice of his earlier protest, and objected also to the partition of Iberia without his consent or knowledge (27.12.18).<sup>11</sup>

<sup>8</sup> For Sapor's hesitation in confronting the Romans in the field, cf. B. H. WARMINGTON in: J. FITZ, *Limes, Akten d. XI. Internat. Limeskongr.*, 1977, 517; BLOCKLEY in: C. DEROUX, *Studies in Latin Literature and Roman History V*, 1989, 486f.

<sup>9</sup> But cf. BLOCKLEY (1984), 36; (1992), 188 n.27, for the probability that the Persians believed or affected to believe that Iberia was subsumed under Armenia in the treaty.

<sup>10</sup> The different emphasis in BLOCKLEY (1984), 37, is perhaps misleading.

<sup>11</sup> There is nothing in the text of Ammianus, pace BLOCKLEY (1984), 37, to indicate that Sapor described the Roman action in Iberia as a breach of the peace. It seems rather that the reference of *contra foederum textum* is limited to *iuuarentur Armenii*.

## 4. Events of 371

Ammianus' next notice belongs to spring 371 (29.1.1–3): *Exacta hieme rex Persarum gentium Sapor pugarum fiducia pristinorum immaniter arrogans suppleto numero suorum abundeque firmato erupturos in nostra catafractos et sagittarios et conductam misit plebem. (2) contra has copias Traianus comes et Vadomarius ex rege Alamannorum cum agminibus perrexere perualidis hoc observare principis iussu appositi, ut arcerent potiusquam lacesserent Persas. (3) qui cum uenissent Vagabanta, legionibus habilem locum, rapidos turmarum procursus hostilium in se ruentium acriter exceperunt inuiti operaque consulta retrocedentes, ne ferro uiolarent aduersorum quemquam primi et iudicarentur discissi foederis rei, ultima trudente necessitate congressi sunt confossisque multis discessere uictores.*

When Ammianus speaks of Sapor's intention of invading Roman territory (29.1.1), what he means by *nostra* is unclear.<sup>12</sup> But events appear to have fallen back into what is for Ammianus a very familiar pattern: Persian aggression inspired by unbridled territorial acquisitiveness, which Rome is concerned to do no more than check.<sup>13</sup> This is spelt out with unusual clarity: the mission of the Roman commanders was to keep the Persians off – unfortunately Ammianus does not say from what – not to provoke them (29.1.2). The Romans are still presented as eager not to appear to break the peace (29.1.3). When they were attacked by the Persians at Vagabanta they were very concerned not to strike the first blow, so as not to be judged guilty of a breach of the treaty. Interpretation of this passage is difficult, since the location of Vagabanta is uncertain. If it is to be identified with Bagravand, the instructions to the generals in 29.1.2 become very hard to understand.<sup>14</sup> Moreover, if Rome was debarred from all military intervention in Armenia she was breaking the peace whether the Romans struck the first blow or not.<sup>15</sup> If the peace had made Armenia independent, then neither side had a right to be there in arms, but it might at least look better if Rome did not initiate hostilities.

<sup>12</sup> BLOCKLEY (1987), 224f., believes that Persia had conceded western Armenia to Rome, at least informally, in 363. He is therefore able to suppose that *nostra* here might mean Roman Armenia. But nothing in Ammianus has hinted at formal or informal partition – 26.4.6 can hardly be pressed that far – and to argue for it from this passage would be circular.

<sup>13</sup> Cf. e.g. 17.5.14; 18.4.2, 6.2, 6.6, 9.1; 19.11.17; 25.8.14, 9.3, 9.8.

<sup>14</sup> Cf. L. DILLEMANN, *Syria* 38, 1961, 100f.; id., *Haute Mésopotamie orientale et pays adjacents*, 1962, 259.

<sup>15</sup> The assumption that Armenia was informally partitioned in 363 of course avoids these problems. Cf. BLOCKLEY (1987), 225.

### 5. The Proposal of Terentius 373

Nothing is then heard of the eastern frontier till 373 (30.1.4): ... *tandem secretiore indicio comperit* (sc. Papa) *per litteras Romano rectori suadere Terentium mittere prope diem alterum Armeniae regem, ne odio Papae speque, quod reuertetur, natio nobis opportuna deficeret ad iura Persarum eam rapere ui uel metu uel adulatione flagrantium*. This recommendation, to remove Papa and appoint a new king, is striking. Whatever its precise terms, it is inconceivable that the peace allowed Rome to nominate a king of Armenia. Terentius was therefore suggesting to Valens that he abandon any pretence of respect for the treaty in favour of a purely pragmatic resistance to Persian expansionist ambitions.<sup>16</sup>

### 6. Sapor's Embassy and Valens' Response 377–8

Important developments ensued, perhaps in winter 377/8 (30.2.1–3): *Sapor uero post suorum pristinam cladem comperto interitu Papae, quem sociare sibi impendio conabatur, maerore graui percussus augenteque nostri exercitus alacritate formidinem* (2) *maiora sibi praeseminans Arrace legato ad principem misso perpetuam aerumnarum causam deleri penitus suadebat Armeniam, si id displicuisset, aliud poscens, ut Hiberiae diuisione cessante remotisque inde partis Romanae praesidiis Aspacures solus regnare permitteretur, quem ipse praefecerat genti*. (3) *ad quae Valens in hanc respondit sententiam nihil derogare se posse placitis ex consensu firmatis, sed ea studio curatior defendere. glorioso proposito contrariae regis litterae hieme iam extrema perlatae sunt uana causantis et tumida. asseuerarat enim non posse semina radicitus amputari discordiarum, nisi interuenissent conscii pacis foederatae cum Iouiano, quorum aliquos uita didicerat abscessisse*.

Though Sapor's motives are clear, his proposals are unfortunately rendered uncertain by doubts about the text of 30.2.2. The retention of V's *deleri* raises obvious problems. (1) What does it mean? Two possibilities have been canvassed: the partition of Armenia and the abolition of the Armenian monarchy.<sup>17</sup> But *deleri penitus* ... *Armeniam* is hardly a natural form of words to express either possibility. (2) The progression of thought from either partition or abolition of the monarchy in Armenia to abandonment by Rome of the partition of Iberia is not at all

<sup>16</sup> Ammianus omits to mention that Valens took Terentius' advice not only in removing Papa but in appointing a successor. It is possible that the historian, who makes no reference to the coronation of Papa beyond a vague allusion put into the mouth of Sapor (27.12.14: *maiestatis regiae uelamento*), deliberately suppressed this flagrant breach of the peace.

<sup>17</sup> Partition: P. ASDURIAN, *Die politischen Beziehungen zwischen Armenien und Rom von 190 v. Chr. bis 480 n. Chr.*, 1911, 162 f.; STEIN (op. cit. n. 7) 187; E. CHRYSOS, *Kleronomia* 8, 1976, 37 f. Abolition, to be followed by eventual partition: BLOCKLEY (1987), 226; (1992), 35 f.

easy to follow. (3) It is odd, on either interpretation of *deleri*, that such a novel notion should be so perfunctorily introduced into the discussion.

WAGNER's *deseri* avoids the second and third of these objections. It makes Sapor address the two issues that had been troubling him: the Roman tendency to meddle in Armenia and the partition of Iberia. It echoes his advice to Constantius (17.5.7), and produces a more rational train of thought: 'Stop interfering in Armenia, which has never given you anything but trouble; or, if you are too obstinate for that, at least stop trying to interfere in Iberia as well.' But this suggests too aggressive a posture for Sapor at this juncture, and there is a serious objection to the word *deseri* itself. Given its pejorative moral overtones and its virtual implication that Rome had a duty not to abandon Armenia, it is not a formulation that Sapor is likely to have chosen.<sup>18</sup> It would have to be assumed that Ammianus was working his own moral comment into his version of Sapor's message.

It is therefore better tentatively to keep *deleri*. There is, however, no warrant here for the supposition that Sapor was offering to accept Roman control of Armenia or even Armenian independence.<sup>19</sup> Nevertheless, the muted tone is remarkable for Sapor. He does not accuse the Romans of breaking the peace by overthrowing Papa and imposing a successor,<sup>20</sup> though on any view of its terms they had clearly done so. Nor are there any dire threats should Rome fail to comply.

Valens replied in oracular fashion (30.2.3). He could not depart from what had been agreed by consensus but would defend those agreements vigorously. There is no good ground for supposing that a reference to anything other than the peace of 363 is intended. Sapor's reply was conceived as a rebuttal (*contrariae*), and it spoke only of the terms of the peace. Admittedly Ammianus dismisses his arguments as *uana*, but this is surely because they asked the impossible, not because they were irrelevant.<sup>21</sup> Despite Ammianus' accusation of bad faith, Sapor was now even more moderate. Instead of insisting on his own interpretation of the treaty, he suggested that the differences between Rome and Persia could be settled only in the presence of those who had been witnesses to its conclusion in 363. But Valens sent a clear firm answer<sup>22</sup> (30.2.4): ... *id conducere rebus existimans Victorem magistrum equitum et Vrbicium Mesopotamiae ducem ire propere iussit in Persas responsum absolutum et uniusmodi perferentes, quod rex iustus et suo contentus, ut iactitabat, sceleste concupiscat Armeniam ad arbitrium suum uiuere cultoribus eius permissis et, ni Sauromaci praesidia militum impertita principio se-*

<sup>18</sup> The closest parallel in Ammianus would be 18.7.3 on the evacuation of Carrhae.

<sup>19</sup> As BLOCKLEY (1992), 35.

<sup>20</sup> He may not yet have known of the latter move; cf. BLOCKLEY (1992), 35.

<sup>21</sup> Nevertheless BLOCKLEY (1984), 48 n. 61; (1987), 225 n. 17, takes the *placita* to be the agreement with Aspacures to partition Iberia, with the addition at (1987), 227, of a commitment to defend Papa's successor.

<sup>22</sup> BLOCKLEY (1987), 227; (1992), 37, very plausibly suggests a connection between Valens' increasing belligerence and favourable developments in Arabia or on the Danube frontier.

*quentis anni, ut dispositum est, impraepedita reuerterint, inuitus ea complebit, quae sponte sua facere supersedit.*

Since Sapor claimed to be content with his own possessions, he was, said Valens, criminal in coveting Armenia, whose inhabitants had been granted the right to independence. Valens also insisted on upholding the partition of Iberia, and threatened force if Sapor did not accept it. Ammianus thus at last openly states the Roman interpretation of the peace terms, which has hitherto been only implied. Moreover, Valens' concluding threat reflects not only the belief that Sapor would shy away from a major confrontation but a readiness to face the consequences should that belief be proved false.

The ambassadors made, however, what Ammianus sees as an error (30.2.5). They accepted the offer of certain small areas in Armenia to place themselves under Roman protection. This gave Persia the opportunity elegantly to assert her right to control Armenia: the Surena graciously offered to concede to Rome precisely those regions which had just gone over of their own accord. Inevitably this was refused. To accept would have been to acknowledge Persia's right to make the gift, and so would have suggested that Rome was not firmly committed on the issue of Armenian independence.<sup>23</sup> Valens set about making good his threat by planning a three-pronged invasion of Persia for spring 378 (30.2.6). Sapor was, however, able to regain lost ground in Armenia and make progress in Iberia; he instructed the Surena to recover by force the territories taken over by the Roman envoys and to take action against the troops protecting Sauromaces (30.2.7). He succeeded in these limited objectives, as Valens was distracted by a new and ultimately fatal threat, the Goths (30.2.8).<sup>24</sup>

## 7. Conclusion

A summary may now be attempted of the information to be gleaned from Ammianus. (1) There was a clause which debarred Rome from military intervention in Armenia even if Persia invaded (25.7.12). This Rome at first respected (27.12.10) but later chose to ignore (27.12.13), provoking complaints from Sapor that also imply the existence of the clause (27.12.18). (2) There was a clause which debarred Rome from nominating a king of Armenia. This is implied by 27.12.10. But again Rome later chose to ignore it (30.1.4). (3) At some point the Romans began to claim that the peace guaranteed the independence of Armenia. This is first clearly stated at 30.2.4, but must be assumed earlier, perhaps at 26.4.6 and certainly at

<sup>23</sup> Cf. BLOCKLEY (1987), 227f.; (1992), 36. The situation is not dissimilar to that exploited by Hegesippus (Ps.-Dem. 7.2, 6): Athens should accept Halonnesus from Philip only if he admits he is giving it back, not if he purports to be giving it tout court (since the latter would imply acceptance of his claim that it was his to give).

<sup>24</sup> On the embassy of Victor (31.7.1), cf. BLOCKLEY (1987), 229.

27.12.1 f., if these passages are to make sense. (4) The Persians on the other hand consistently claimed the right to intervene in Armenia unhindered by Rome (25.7.12; 26.4.6; 27.12.1 f., 15, 18). (5) No reference in Ammianus suggests the making in 363 of any agreement, formal or informal, regarding the partition of Armenia.

It remains to attempt to reconcile (3) and (4). It may be taken for granted that the treaty contained no clause positively guaranteeing Armenian independence: the Persians would never have inhibited themselves in this fashion. The simplest and most likely explanation is that, even in their strong position in 363, they fought shy of claiming a positive right to invade Armenia and confined themselves to ordering Rome to keep out. The positions of both sides will thus have been based on an *argumentum ex silentio*. The treaty did not state that Persia must not invade Armenia. Persia therefore inferred that she was free to do so. But neither did it state that Persia was permitted to invade Armenia. Rome therefore inferred that she was not, and by extension that Armenia had been declared independent. That the Roman position was disingenuous cannot be doubted, but Rome deserves credit for exploiting Persian carelessness or timorousness in drafting.

It is perhaps prudent to end with a slightly cynical warning against arguing from appeals to the peace and accusations of breaking it to the supposed beliefs of either side concerning its contents or importance. Such appeals and accusations were employed by both sides as weapons to support policies that were determined pragmatically, not by devotion to the peace. This is particularly clear in the case of Valens, who was ready to break one clause of the peace and insist on a pro-Roman interpretation of another as soon as he felt militarily strong enough to do so.

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