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R.MALCOLM ERRINGTON

Theodosius and the Goths

I

Several major studies have been written in recent years about the Gothic Wars of Theodosius I, including parts of two major monographs.¹ Nevertheless, further attention to contemporary sources – in particular to the laws and to Themistius' speeches – seems to offer the possibility of more precise knowledge, at least the indication of areas where advances still seem possible. The present article is to be understood as a contribution to an ongoing discussion.

Theodosius' first task after his accession on 19 January 379 was the Gothic war, the conduct of which he had formally accepted together with his rule over the eastern parts of the empire.² The fact that he made his first base Thessalonica and not Constantinople, which he first entered on 24 November 380,³ suggests that the Gothic problem extended in the meanwhile far beyond the confines of the eastern diocese of Thrace and clearly affected the neighbouring western dioceses of the Praetorian Prefecture of Illyricum, to which Thessalonica belonged. That Theodosius took up residence in the Illyrican city means that he had, along with the war, taken over conduct of the war in this prefecture; formal administrative responsibility with the appointment of a Praetorian Prefect specifically for Illyricum – not just for the immediate war zones in the eastern Illyrican dioceses of Dacia and Macedonia, but also for Pannonia⁴ – will probably have been transferred at the beginning of the next tax-year (indiction) on 1 September 379.⁵

Gratian and Theodosius worked closely together for the next years, though there is no evidence that they ever met again personally after spring 379.⁶ Crisis-management demanded flexibility of approach, and the transfer of the administra-

¹ H. WOLFRAM, *Die Goten*, Munich 1990³; P.J. HEATHER, *Goths and Romans 332–489*, Oxford 1991; cf. J. H. W. LIEBESCHUETZ, *Barbarians and Bishops*, Oxford 1990.

² Sokrates HE 5.2.3; Sozomenos HE 7.4.1–2.

³ Chron. Pasch. ad ann.; Sokr. HE 5.6, cf. n. 90.

⁴ The explicit mention of Aquincum as part of the area of responsibility of Theodosius' *magister militum* Maiorianus (Sid. Apoll. Carm. 5.107) seems to solve this old problem: see in detail appendix, p. 23.

⁵ For argument see appendix below.

⁶ The opposite is often assumed, but the sources offer no support for it: see appendix.

tion of the war-zone in Illyricum to the supreme commander in the war was a good beginning, since it meant that he could make direct use of the recruitment and revenue facilities of this traditional military area for the pursuance of the war.

Theodosius also drew largely on the experienced civilian and military personnel of the West for his first senior staff appointments. Q. Clodius Hermogenianus Olybrius, whom Gratian had appointed Praetorian Prefect of Illyricum in the crisis of 378 and who was present with him at Sirmium, where he was given the consulship for 379, went with Theodosius as first Praetorian Prefect of the East.⁷ His successor Fl. Neoterius, who was in office by 15 January 380, was also a westerner, who had served with Valentinian as *notarius* in 365. After being relieved of his prefecture sometime before 30 July 381, he returned to the West, where his service in this crisis was rewarded by the appointment as Praetorian Prefect of Italy in 385 and of the Gauls in 390, in which year he also held the consulship together with the emperor Valentinian II.⁸ His successor, Florus, seems also to have had western connections when he became Theodosius' *magister officiorum* before 16 June 380;⁹ on becoming Praetorian Prefect he was succeeded as *magister* by an Illyrian with strong Italian connections, Palladius, who had already served Theodosius as *comes sacrarum largitionum* from sometime before 6 July 381.¹⁰ In Illyricum, when an independent prefecture was again created on 1 September 379, the first and only known incumbent of this difficult and unrewarding post of the administration of the war-ravaged provinces was the Latin historian Eutropius. Eutropius had already served with Valens in the East, as Proconsul of Asia in 371/2, therefore had some administrative experience when he was appointed to this important position, which he seems to have held for most, if not all, the three years that the Illyrican prefecture was attached to Theodosius. His reward for services rendered in the crisis of the Gothic war – like his colleague in the oriental prefecture, Neoterius – was the consulship, in his case that of 387.¹¹

The upper échelons of the civil administration were thus from the beginning of Theodosius' reign firmly in the hands of personnel imported from the West. The crisis was, however, basically military, though here we are not so well informed. The only eastern general who survived the battle of Adrianople and who to our knowledge played a leading role under Theodosius was Fl. Saturninus. His known activity, however, is restricted to 382/3, when together with the Frank Fl. Richomerus he was responsible for the policy leading to the peace agreement of October 382, for the negotiation of which he was, it seems, mainly responsible. His role

⁷ PLRE 1 s.v. Olybrius 3.

⁸ Refs. in PLRE 1 s.v. Neoterius.

⁹ PLRE 1 s.v. Florus 1.

¹⁰ PLRE 1 s.v. Palladius 12.

¹¹ PLRE 1 s.v. Eutropius 2; cf. J. F. MATTHEWS, *Western Aristocracies and Imperial Court, AD 364–425*, Oxford 1975, 97. On the dates and identification cf. appendix, p. 24.

was clearly critically important, for he was not only rewarded with the consulship of 383, but retained his influence at court in Constantinople even beyond the death of Theodosius in 395.¹² Fl. Richomeres, the other peacemaker in 382, was the sole senior representative of the western army present at Adrianople. As Gratian's *comes domesticorum* he served as a high-level communications officer between the two armies, survived the battle, and remained in the East under Theodosius. He also earned a consulship, that of 384, for which he had already been pre-selected in January 383.¹³ The later emperor Maiorian's maternal grandfather, doubtless also a westerner, was *magister militum* under Theodosius at the beginning of his reign and operated, it seems, both in Pannonia and against «Skyths», that is Goths.¹⁴

Otherwise relatively little is known about Theodosius' commanders in this phase. The renegade Goth Modares is said by Zosimos to have had some successes as *magister militum* in 380;¹⁵ in 380, or more probably 381, Gratian sent two senior officers, Fl. Bauto and Arbogastes, to support Theodosius in the war in Macedonia;¹⁶ his experienced *comes rei militaris* Vitalian operated somewhere in Illyricum in 380,¹⁷ but otherwise there is an absence of concrete information about the leading persons, just as the actual operation of the war cannot be recovered with any reliability from the inadequate accounts of Zosimos and Jordanes.¹⁸

¹² PLRE 1 s.v. Saturninus 10. Themistius' oration 16 celebrating Saturninus' consulship was held before the Senate and court in Constantinople in January 383. See below, p. 14.

¹³ PLRE 1 s.v. Richomeres. An exceptionally prominent role for Richomeres, together with Saturninus, in events of 382, which I have interpreted as peacemaking, is implied by Themistius Or. 16.290.14–17 (201 b), where he joins him to Saturninus in the phrase ξυνωρίς δὲ τῶν στρατηγῶν who were present, one receiving already the consulship, for the other οὐκ ἂν ἐλπίδος ἐστὶ τὸ ἔπαθλον («the prize is not beyond hope»). Given Themistius' semi-official status, this can only mean that Richomeres had already in January 383 in effect been selected for the consulship of 384 (it is inconceivable that Themistius as official speaker is here merely trying to influence the emperor to honour R.: this was not his function in the formal ceremony before the Senate, rather to prepare the Senate for planned future developments. On this function I agree entirely with P.J. HEATHER and J. MATTHEWS, *The Goths in the Fourth Century*, Liverpool 1991, 15 f.; cf. also below, p. 8 f.). If Richomeres deserved his «prize» already in January 383, his important services were therefore earlier than this and cannot be related to his activity as *magister militum* in the East later in 383, the only office recognised for him after 378 by PLRE. His rhetorical association with Saturninus and his presence in Constantinople in January 383 make it clear that he must already have been στρατηγός (*magister militum*) before this, and services parallel to those of Saturninus and equally deserving of a consulship can only have been brought in connection with the Gothic war.

¹⁴ Sid. Apoll. Carm. 5.107 f. In PLRE 1, s.v. Maiorianus, «paternal» is to be corrected to «maternal»: the emperor Maiorian's mother was daughter of Theodosius' *magister militum* (ib. 117).

¹⁵ Zos. 4.25.2; cf. PLRE 1 s.v. Modares.

¹⁶ Zos. 4.33.1; on the date see HEATHER (as n. 1) 155.

¹⁷ Zos. 4.34.1; cf. PLRE 1 s.v. Vitalianus 1.

¹⁸ See below, p. 15 f.

What seems fairly clear is that the western emperor Gratian, despite offering substantial material support, did not himself personally make any further significant contribution to the actions of the war.¹⁹ In spring 379 he retired from Sirmium to Trier, where he had to cope with further Alamannic incursions over the Rhine;²⁰ in 380 he spent time at Aquileia, but nothing suggests a move further East.²¹ In 381, after spending the spring in North Italy he travelled to Sirmium and Viminacium, but no military activity is known. A law, or laws, addressed to the *PPO Italiae* Syagrius deal with routine civilian matters: palatine officials given regionally limited tasks, doubtless of a financial nature, may not leave their area without leaving a full written account of their activities;²² children of decurions may not shirk their curial duties, children of veterans who are not on active service may be called upon for curial duties.²³ Otherwise a conversation at Sirmium with

¹⁹ HEATHER's statement (as n. 1) 171, based on SEECK's unreliable «Regesten», that Gratian «spent part of every campaigning season between 378 und 382 in the Balkans,» is thus severely misleading.

²⁰ The last apparent evidence for his presence at Sirmium is CTh 6.30.1, dated 24 February, 379. The first law from Trier issued already on 5 April (CTh 11.36.26) (for the Alamanni cf. Sokr. HE 5.6.2). This timing is rather tight for an early spring travel schedule, so that since Theodosius was certainly at Sirmium until 19 January, and his first law from Thessalonica dates from 17 June, we must consider the possibility that the law CTh 6.30.1 might be Theodosius'. It is directed to one Asellus, whom PLRE suggests might have been a *vicarius*, but is rightly uncertain about whether he was eastern or western. In any case Gratian had left Sirmium before the campaigning season 379 began.

²¹ The only sure date for Gratian's visiting Aquileia in 380 is 27 June (CTh 6.35.10). He was still at Trier on 18 March (CTh 11.16.12) and, it seems, back there by 12 July, though SEECK, *Regesten ad ann.*, might well be right here in changing the MS *Jul.* to *Jan.*, thus giving 10 January. It is, however, quite uncertain whether he is right to follow a suggestion of MOMMSEN and change the date of 10.20.10 from *Mart.* to *Mai.*, since the year date, given by a postconsulate (*Auxonii et Olybrii*) cannot be original. The compilers clearly placed the law in the wrong order, realised their mistake too late to correct it and instead of putting in the real consul pair of 380, Gratian V and Theodosius I, they adapted the names Ausonius and Olybrius which must have been attached in some way to the fragment. Thus the law seems most likely to belong to 379 (so MOMMSEN, *ad loc.*), in which case *Mart.* fits better than *Mai.* This means that Gratian will have called in briefly at Aquileia between Sirmium and Trier in 379. This recognition also removes a problem in the career of Ausonius' son Hesperius, to whom the law is directed. Dated to 380 it sticks out like a sore thumb in his career as *PPO* (the last law is otherwise 3 August 379: CTh 16.5.5), and is alone responsible for PLRE's assuming that he was gradually stripped of his powers as *PPO It. et Gall.*, losing *Gall.* in late 379. This assumption, for which there seems to be no other basis, is unnecessary. PASCHOUD's suggestion (Zosime II 2, 401 n. 160) that the notice of Cons. Const. under 380: *victoriae nuntiatae sunt amborum Augustorum* suggests a meeting and joint campaign is absurd. For centuries emperors had claimed all victories as their own.

²² CTh 1.10.1.

²³ CTh 12.1.89. On the dates of these laws (381) see, supporting MOMMSEN *ad loc.*, R. M. ERRINGTON, *The Praetorian Prefectures of Virius Nicomachus Flavianus*, *Historia* 41, 1992, 458 f.

bishop Palladius of Ratiaria about the planned synod at Aquileia rounds off his known activities.²⁴ In 382 he did not leave Italy at all.²⁵ Communications with Theodosius and vice-versa will have been upheld in the usual way by post or by meetings of officials.²⁶

Other information about military re-structuring is difficult to interpret. Zosimos complains – reflecting the opinion of the hostile contemporary Eunapios – that Theodosius instituted an irresponsible extension of the number of those holding high commands – «more than five», instead of the two *magistri militum* previously known: this increased costs and exposed the soldiers to the corrupt demands of the increased number of generals. It is difficult to know what to make of this.²⁷ Neither Eunapios nor Zosimos was favourable to Theodosius – and they had made a similar accusation of their other pet hate, Constantine²⁸ – both because of his favouring christianity and his (in their view) less than successful Gothic policy. On the other hand, although insufficient individuals can be named to support the charges, the challenge of the crisis and the necessity of fighting in several places at once, coupled with the need to restore morale in the decimated officer corps, make it a reasonable assumption that at least temporarily an increase in top brass could be observed to match the recruitment drive which both the laws and some items in the literary tradition evidence. The structure of the eastern army registered in the *Notitia Dignitatum* shortly after the formal division of the empire under Theodosius' sons in 395 – two *magistri militum praesentales* stationed near the imperial residence, and three «regional» *magistri* for Thrace, Illyricum and the East – will doubtless have resulted from the experience gathered during the Gothic war, though there is no need to believe that the structure under Theodosius himself was, at least at first, so formalised and hierarchic.²⁹

The literary evidence for the renewal of the eastern army is relatively unpromising, being too imprecise. Zosimos reports the recruitment of trans-Danubian barbarians³⁰ and tells at some length the adventures involved in transferring some troops from Egypt to the European sector and their replacement by Gothic auxiliaries; but this, apparently, only because his source Eunapios lived at Sardis

²⁴ *Gesta conc. Aquileia* 10, with G. GOTTLIEB, *Das Konzil von Aquileia*, AHC 11, 1979, 293 n. 26.

²⁵ The widespread assumption that he did (most recently HEATHER [as n. 1] 171, with the accompanying speculation that «he was probably just as intimately associated with the peace process as Theodosius») is based on SEECK's improbable dating of CTh 1.10.1 and 12.1.89 to 382, not 381 (see n. 23 above).

²⁶ Cf. e.g. Zos. 4.32.1.

²⁷ Zos. 4.27; cf. PASCHOUD, n. 155 ad loc., A. DEMANDT, RE Suppl. 12 s.v. *Magister Militum* 720f.

²⁸ Zos. 2.32–34.

²⁹ Cf. DEMANDT, RE Suppl. 12 s.v. *Magister Militum* 720f.

³⁰ Zos. 4.30.1.

and had local knowledge of violence which took place at neighbouring Philadelphia when the two troop contingents met.³¹ The troop exchange was nevertheless real enough – «Egyptians» fought under Theodosius in Macedonia in 380³² – even though attempts to find traces of it in the army lists of the *Notitia Dignitatum* have not been successful.³³ Only units bearing imperial Theodosian names can be attributed with certainty to the time of Theodosius' rule, but even these might have been recruited later, and not necessarily from the Danube region.³⁴ Themistius, in his first speech to Theodosius, which cannot be much later than early summer 379,³⁵ speaks of Theodosius' having already turned farmers into soldiers feared by the barbarians, and transferred miners from civilian gold working to military iron working.³⁶ Libanios, writing after Adrianople for a local Antiochene audience in a speech nominally directed to Theodosius, perhaps at the time of writing even intended to be conveyed to the emperor, also mentions the recruitment of farmers, though he is less sanguine than Themistius about their effectiveness.³⁷ He also notes that troop units had been withdrawn from the frontier.³⁸

The documentary evidence confirms that new standing army units were raised during Theodosius' reign, which remained in existence at the time of the final redaction of the army lists in the *Notitia Dignitatum*, the eastern part of which dates

³¹ Zos. 4.30.2f.

³² Zos. 4.31.1.

³³ Widely followed attempts by O. SEECK, *Geschichte des Untergangs der antiken Welt*, vol. 5, Stuttgart 1920–22², 482–3, to explain some apparent dual mentions of legionary units in the *Notitia Dignitatum* by assuming an exchange of troops at this time have been demolished by D. HOFFMANN, *Das spätrömische Bewegungsheer und die Notitia Dignitatum*, *Epigraphische Studien* 7/I–II, Düsseldorf 1969–1970, 460–1, though unfortunately still maintained by PASCHOD, *Zosime II* 2, 397. Whether all the auxiliary units with «Germanic» names listed for Egypt (Not. Dign. Or. 28; 31) go back to the tetrarchic period, or even before, as HOFFMANN suggests (140), remains to be proved, but there is certainly no firm basis for attributing any of them to Theodosius.

³⁴ Cf. the *Ala Theodosiana nuper constituta* of Not. Dign. Or. 28.20. The explicit *nuper constituta*, which is also applied to the directly following *Ala Arcadiana* (21) suggests perhaps a later development. The *cohors prima felix Theodosiana* (Or. 31.64) stationed at Elephantine is, despite SEECK, l.c. (and PASCHOD, *Zosime II* 2, 397, following him) not likely to come from the Danube region, since it is a cohort of a camel corps, the *Ala prima Valeriana dromedariorum* (ib. 57).

³⁵ H. SCHOLZE, *De Temporibus librorum Themistii*, Diss. Göttingen 1911, 50 writes «primo vere», and is followed by DOWNEY, *Themistii Orationes* 260. But Theodosius was not certainly at Thessalonica before 17 June (CTh 10.1.12).

³⁶ Them. Or. 14.261 (181 b). Themistius does not seem to imply that the miners were turned into soldiers (so HOFFMANN [as n. 33] 460).

³⁷ Lib. Or. 24.16.

³⁸ Ib. 38, not 28, as HEATHER (as n. 1) 152, who interprets Libanios as complaining. This is quite the opposite of what Libanios (however sincerely) wished to convey: despite the withdrawal of troops, safety was guaranteed to Syria by Julian's achievement!

to around the time of Theodosius' death in 395.³⁹ Unfortunately the raising of the units can only be approximately dated, since they are only recognisable as Theodosian by their imperial names. Listed are thirteen units of the field army, two of the Egyptian garrison and four of the Armenian garrison which are called *Theodosiani* or *Theodosiaci*,⁴⁰ which must all have been newly raised or organised at some time by Theodosius. But how many of these were raised at the earliest period for the war against the Goths, and how many later for the wars against Maximus and Eugenius, as well as the question of whether all units newly raised by Theodosius must have had a dynastic name – regional or functional names for the units listed are in any case far commoner than imperial ones – are questions to which the evidence of the Notitia Dignitatum does not permit any answer. We can, however, probably exclude from this early period the units bearing other dynastic names of the Theodosian House. *Arcadiani*/*Arcadiaci*⁴¹ are presumably only conceivable after Arcadius became Augustus in 383; *Honoriaci*/*Honoriani* only after 393 for the same reason, and certainly not before 384 when Honorius was born.⁴²

If the Notitia Dignitatum indicates the raising of new permanent units on a significant scale – even if some of them were merely units reformed under a new name after Adrianople – the legislation of Theodosius during the period of the Gothic war shows a particular attention to problems associated with recruitment. No less than four laws, sections of which the compilers of the Theodosian Code included under the rubric «On Recruits» (*de tironibus*) were issued by Theodosius between January 380 and May 382 dealing with various aspects of the problem⁴³ (all later laws known to the compilers of this rubric are western and concern the crisis period from 397 onwards); in addition two laws of 380 and 382 attended to the treatment of deserters,⁴⁴ and three, all of 380, contained regulations about the sons of veterans.⁴⁵ The cumulation of legislative activity in this area during the Gothic war is striking and impressive. Only one further law on any of these areas, a law on deserters dated to 12 July 383, was ever issued by Theodosius, and this seems likely to have concerned a local problem in the Pontic diocese.⁴⁶

³⁹ So HOFFMANN (as n. 33) 469f., 529f.

⁴⁰ Not. Dign. Or. 5.64, 65, 66; 6.33, 62, 64, 67; 7.47, 57; 8.27, 32; 9.41, 46, 47; 28.20; 31.64; 38.18, 19, 32, 33. One of the field-army units is named twice, *Secundi Theodosiani* under *Auxilia Palatina* of the *Mag. Mil. Praes. II* (6.64) and under *Pseudocomitatenses* of the *Mag. Mil. per Illyricum* (9.46). If, with HOFFMANN (as n. 33) 519, 531, the Illyrican list is dated slightly later than the other eastern lists, the solution suggests itself that the unit was transferred to Illyricum after list Or. 6 was complete in the form we have it.

⁴¹ Not. Dign. Or. 6.63; 7.36; 8.25; 28.21.

⁴² Not. Dign. Or. 5.62; 7.37; 8.26; 31.40; 36.22.

⁴³ CTh 7.13.8–11.

⁴⁴ CTh 7.18.3; 5.

⁴⁵ CTh 7.22.9–11.

⁴⁶ CTh 7.18.7, issued to the Pontic *vicarius* Constantianus probably as a result of an enquiry from him.

II

The combined evidence of literary and documentary sources shows a great burst of at least organisational activity in areas immediately related to the war. When we come to consider the events of the war itself the nature of the evidence makes it easier to analyse the official version of war-aims than to trace actual events on the ground in detail. The reason is that three contemporary speeches of Themistius are extant, dating from spring/summer 379 (Or. 14), 19 January 381 (Or. 15) and January 383 (Or. 16).⁴⁷ Each of them seems to be a public speech actually held in the presence of the emperor, the latter two were held before the assembled Senate in Constantinople and had as their objective not only the ostensible function of praising the emperor (Or. 15) or the new consul Fl. Saturninus along with the emperor (Or. 16) but also to influence senatorial opinion on central questions concerning the war in the interests of those official persons being praised, in whose service Themistius had placed himself.⁴⁸ The speeches are not, however, of equal value as evidence for imperial policy.⁴⁹ While Or. 15 and Or. 16 are full-blown public orations, held on formal festal occasions before a large audience in Constantinople, Or. 14 is a brief address to the new emperor, the personal introduction of the public orator and speaker of the Senate of Constantinople who had proved himself so useful to several emperors, in particular to Constantius and Valens.⁵⁰

Themistius had been ill when the official delegation of the Senate of Constantinople congratulated Theodosius on his appointment – whether in Sirmium or in Thessalonica is unknown – but he travelled separately to Thessalonica once the sailing season had opened. The oration, brief as it is, will presumably have been held before Theodosius' *consilium*, therefore not before a wide public. More importantly, it cannot have reflected in any real sense knowledge of Theodosius' policy and wishes, cannot therefore, like the other two speeches, be assumed to be fulfilling an imperial publicity purpose. It alone therefore can claim to reflect

⁴⁷ Dates and circumstances first illuminated by SCHOLZE (as n. 35) 49f. See now W. PORTMANN, *Geschichte in der spätantiken Panegyrik*, Frankfurt – Bern 1988, 182f.

⁴⁸ On this function of at least the formal anniversary speeches of Themistius see wholly convincingly HEATHER and MATTHEWS (as n. 13) 13f., against e.g. G. DAGRON's view, *L'empire d'orient au IV^e siècle et les traditions politiques de l'hellénisme. Le Témoignage de Thémistios*, *Travaux et Mémoires* 3, 1968, 1–242, 100f.; id., *Naissance d'une capitale*, Paris 1974, 196f., that he was trying to express senatorial opinion in order to influence the emperor in his sense, or, as earlier writers thought (e.g. J. STRAUB, *Die Wirkung der Niederlage bei Adrianopel*, in: *Regeneratio Imperii*, Darmstadt 1972, 201) that he had no active function, offered merely a rather undirected and amorphous expression of what they regard as «public opinion».

⁴⁹ The important difference not noticed however by HEATHER (as n. 1) 166f.

⁵⁰ In DOWNEY's Teubner edition Or. 14 is merely 119 lines long, whereas Or. 15 measures 514 and Or. 16, the longest of all Themistius' λόγοι πολιτικοί, 670.

what Themistius himself, and presumably his senatorial friends in Constantinople, thought was appropriate, and it includes his wishes that Theodosius will extend the honours and offices of the Senate and the facilities of the city of Constantinople, which he represented.⁵¹ The speech, entitled *Presbeutikos*, is therefore typical of its genre. Themistius' praise of the emperor here reflects the hopes and aspirations of his class, not the policy of the emperor. The brief references to the war are thus conventional, perhaps even genuine. Theodosius is the hope of all; already an improvement in military morale is noticeable; the comparison with Achilles may not be omitted nor that with Epaminondas; Gratian was wise beyond his years, but in the end it was Theodosius' military quality (ἀρετή) shown by his defeating the Sarmatians which summoned him to power, Gratian who merely announced the choice when he recognised his quality.⁵² Themistius, it seems, knows little about this new westerner on the throne beyond his success against the Sarmatians,⁵³ his hopes of victory are conventional, his wishes for the senate express the wishes and traditional hopes of the Constantinopolitan Senate.⁵⁴

By the time Themistius held his Or. 15, probably on 19 January 381, the purpose of which was to celebrate the beginning of Theodosius' third regnal year,⁵⁵ he is clearly better informed about imperial policy and seems to have regained the position under Theodosius which he had held under Constantius and Valens, of semi-official speaker of the «government».⁵⁶ The main audience was almost certainly the Constantinopolitan Senate. There is much in the speech that is merely rhetorical show material in the Greek tradition, there is much play with the Greek educational canon, no less than seventeen direct quotations from classical literature, above all Homer, are included. One wonders how, if at all, the Spanish soldier emperor coped with this flood of Greek rhetoric. But the question is almost irrelevant: the emperor was not the primary audience, and the Constantinopolitan aristocracy will have known how to read between the lines.

They will doubtless have been anxious to know what was coming to them, since the emperor had been resident in the city for less than two months at the time of

⁵¹ Or. 14.264–5 (183 a–184 a), cf. DAGRON (as n. 48) 200–201.

⁵² Or. 14.261–3 (181 a–183 a).

⁵³ On this see my article, The accession of Theodosius I, *Klio* 78, 1996.

⁵⁴ Cf. DAGRON (as n. 48) 191 ff.

⁵⁵ Or. 15.275,14 (190 b): ἡδὴ οὖν τρίτος οὗτος ἐνιαυτός.

⁵⁶ There is no basis for R. LAQUEUR's influential suggestion, *Das Kaisertum und die Gesellschaft des Reiches*, in: R. LAQUEUR – H. KOCH – W. WEBER, *Probleme der Spätantike*, Stuttgart 1930, 30, that Theodosius might have been dissatisfied with this «pacifist speech» (which it is not!) and demanded the more aggressive second part (from πλέομεν δέ. 280,27 [194 d]), or, as BOUCHERY, *Contribution à l'étude de la chronologie des discours de Thémistios*, AC 5, 1936, 200f. argues, that the two «parts» which he calls XVA and XVB, were originally two speeches held at different times and united merely by some speculative loss of pages in a manuscript; cf. A. PIGANIOL, *L'empire chrétien (325–395)*, Paris 1972², 213 n. 82; PORTMANN (as n. 47) 279 n. 11.

the speech.⁵⁷ Apart from the formal ceremonies surrounding his *adventus*, the ceremony in the Senate on 19 January 381 will have been one of the first formal occasions on which policy can have been declared. As far as the war was concerned, a Roman emperor must be victorious: the *Consularia Constantinopolitana* accordingly registered victories already in 379 and again in 380; and Theodosius had staged his *adventus* into Constantinople on 24 November 380 as a triumphal procession.⁵⁸ Shortly afterwards, on 11 January 381 and only a week before Themistius' speech before the Senate, one of the older Gothic chiefs, Athanaric, with whom Valens had made a famous peace treaty in 369, but who had remained behind in Transsylvania when the main Terwingian Gothic groups crossed into the Empire in 376 and then lost much influence among his people, arrived at Constantinople seeking asylum, and was received with extraordinary honours.⁵⁹ The Roman tradition which mentions him by name describes him unanimously as «king of the Goths», which suggests that he must have been officially received and presented as such.⁶⁰ It seems that Athanaric was destined to play an important part in Theodosius' solution of the Gothic problem, and doubtless would have, had he not died on 25 January, a mere two weeks after his arrival and seven days after Themistius' speech.⁶¹

Official policy towards the Goths can be determined from Themistius' treatment of Athanaric's arrival. The speech is not, as might have been expected in view of the recent victory announcements, a celebration of Theodosius' military success but, set in the form of a disquisition on the virtues which most become an emperor, it regards justice and generous humanity (*philanthropia*) as being superior to military virtues, for they obtain the help of God.⁶² He then begins a section on Theodosius' justice as demonstrated by his not having signed a single death sentence in two years, therefore no one need fear to approach him.⁶³ Then comes the short passage concerning Athanaric.⁶⁴ This however bears signs of being a late insertion into a speech already virtually complete, which would hardly be surprising in view of the shortness of time between Athanaric's arrival and The-

⁵⁷ Since 24th November: Chron. Pasch., cf. n. 90.

⁵⁸ Zos. 4.33.1. On the formal context of these celebrations see M. McCORMICK, *Eternal Victory. Triumphal Rulership in Late Antiquity, Byzantium and the Early Medieval West*, Cambridge – Paris 1986, 41 f.

⁵⁹ Cons. Const. ad ann. for the date. On Athanaric see esp. HEATHER (as n. 1) 154 and 335 f.

⁶⁰ Cons. Const. ad ann. 381; Orosius 7.34.6; Jordanes, *Getica* 27.141 (following Cassiodorus); cf. Zos. 4.34.3: παντός τοῦ βασιλείου τῶν Σκυθῶν ἄρχοντα. Themistius' style is characteristically allusive: he speaks merely of τῶν πολεμίων ὁ τῶς σπονδὰς ὑφορώμενος (275,26 [190c]) or τὸν Γέτην δυνάστην (276,5 [190d]).

⁶¹ Cons. Const. ad ann. 381. On his sumptuous funeral cf. Zos. 4.34.4–5; Amm. 27.5.10.

⁶² Or. 15.268–75 (180c–190b).

⁶³ Ib. 275,14 f. (190b/c).

⁶⁴ Ib. 275,25–276,14 (190c–191a).

mistius' speech, for it seems unreasonable to assume that Themistius only began to compose this delicate and important piece (514 lines in the Teubner text) only after Athanaric's arrival a mere week before its delivery. The immediate context into which it is inserted is concerned with Theodosius' civil activity as a judge. The theme is imperial justice, access without fear and nearness to God.⁶⁵ This is broken off to deal with Athanaric, but continued immediately after the excursion into «foreign policy» with two examples of how justice which is pleasing to God helps the ruler help the ruled,⁶⁶ and then goes on to deal with the equally satisfactory behaviour of the court and courtiers, who were certainly present to hear their praise, and who take their example from their master, as he himself from God.⁶⁷

The Athanaric section, only half a Teubner page long, is professionally welded into the existing text on the one hand at the beginning by using Athanaric as a concrete example of how nobody need fear approaching the emperor (though the context is purely judicial and internal),⁶⁸ on the other at the end by an adapted citation from Euripides, which however does not fit too well with the Homeric line introducing an anecdote about Antoninus Pius, which brings Themistius back to the «justice» and god-loving theme.⁶⁹ Despite these patching efforts the passage remains a foreign body, a short section dealing with the theme of generous treatment of defeated enemies in the middle of a passage praising generous treatment of subjects. Since we know that this section must have been composed within eight days of its delivery, it seems best to explain it as a hasty insertion by Themistius into an already completed manuscript.

A translation will help to show its full significance: «No one who regards you would not cast all fear from his soul, so that that enemy, who long ago scorned a treaty and did not even find it easy to summon the courage to share a table because of his suspicion,⁷⁰ now approaches without shield and without sword. He offers himself for you to treat him as you might wish, well-knowing that you will not wish to treat him as an enemy, but as Alexander treated the Indian Poros and Artaxerxes the Athenian Themistokles and the Romans the Libyan Massanissa. In this way even those we have not conquered with weapons we attract automatically because of their trust in you, and just as a magnetic stone attracts inactive iron, so you without any effort have brought over the Gothic dynast; he who earlier was unapproachable and arrogant has come to you willingly as a suppliant into this imperial city – he whose father mighty Constantine appeased with a statue, which

⁶⁵ People approach him «as if to the holy-of-holies of temples» (ib. 275,22 [190c]).

⁶⁶ Ib. 276,15–277,15 (191b–192a).

⁶⁷ Ib. 277,16f. (192a/b).

⁶⁸ Ib. 275,25f. (190c).

⁶⁹ Ib. 276,12 (191a).

⁷⁰ Referring to Athanaric's peace with Valens made on the Danube island in 369 (Amm. 27.6.9).

still stands near the rear of the Senate House. So we see that a good reputation is much more effective for an emperor than many shield-bearing soldiers, and wins over of their own accord those who despise force; and we see also that it is not so much that «a clever scheme defeats many hands» as that respect for God and generous humanity not only «defeat many hands» but even preserve them.»⁷¹

Two points in this inserted excursus seem particularly important in view of their explicitness in a rhetorical context which is otherwise characteristically unspecific and nebulous. They seem to reflect an official imperial view: not weapons but generosity can defeat not just the commonplace of enemies in general, but explicitly the Gothic enemy; and enmity with the Goths was not always inevitable. Secondly, the explicit reference to Constantine, also in other respects a model for Theodosius, founder of the city, and the concrete evidence of past honour of Athanaric's father in Constantinople point the way to a possible future. Athanaric was, of course, an old man, perhaps already sick when he arrived, and he had not participated actively in the recent war against the Romans. This Themistius will have known, and it doubtless accounts for the brevity of his treatment, being merely a hint for those able to read between the lines, a brief preparation of opinion of how things might conceivably develop, if other chiefs followed Athanaric's example.⁷²

Most of the rest of the speech is concerned with the relations of a ruler with his subjects. Titus and Lycurgus, above all the standard models of the ship of state (this time with two steersmen) and the charioteer as driver of the chariot of state are extensively developed. Then comes the present war, metaphor abandoned, as climax of the speech, suddenly, unexpectedly – though a *lacuna* in the text might

⁷¹ Or. 15.275,24–276,14 (190 c–191 a): οὐδ' ἂν προσιδῶν σέ τις μὴ ἅπαν ἐκβάλῃ τὸ δέημα ἐκ τῆς ψυχῆς· ὥστε καὶ τῶν πολεμίων ὁ τέως τὰς σπονδὰς ὑφορώμενος καὶ μὴδὲ τραπέξης ὁραδίως κοινωνήσαι θαρρήσας δι' ὑποψίαν νῦν πρόσεισιν ἄνοπλος καὶ ἄνευ σιδήρου, διδοὺς ἑαυτὸν χρῆσθαι ὃ τι ἂν ἐθέλῃς, εἰδὼς ὅτι οὐχ ὥς ἐχθρῷ ἐθελήσεις, ἀλλ' ὥς Ἀλέξανδρος Πύρρῳ τῷ Ἰνδῷ καὶ Ἀρταξέρξης Θεμιστοκλεῖ τῷ Ἀθηναίῳ καὶ Ῥωμαῖοι τῷ Λίβυι Μασσανάσῃ. τοιγαροῦν ὦν τοῖς ὅπλοις οὐκ ἐκρατήσαμεν, τούτους τῇ σῇ πίστει προσηγαγόμεθα αὐτοκλήτους, καὶ ὥσπερ ἡ μαγνητὶς λίθος ἡσυχῇ ἐφέλκεται τὰ σιδήρια, οὕτω καὶ αὐτὸς ἀκονιτὶ ἐφειλκίσω τὸν Γέτην δυνάστην, καὶ ἥκει σοι ἐθελοντῆς ὁ πάλας σεμνὸς καὶ ὑψηλογνώμων ἱκέτης εἰς τὴν πόλιν τὴν βασιλίδαν, οὗ τὸν πατέρα ὁ παμμεγέθης Κωνσταντῖνος εἰκόνι ἀπεμειλίσσεται τῇ νῦν ἔτι ἀνακαμμένη πρὸς τῷ ὀπισθοδόμῳ τοῦ βουλευτηρίου. οὕτω δόξα ἀγαθῇ βασιλεῖ πολλῶν ἀσπίδων δυνατώτερα καὶ ὑπάγεται ἐθελουσίους τοὺς τῆς ἀνάγκης καταφρονοῦντας, καὶ οὐχ οὕτω σοφὸν βούλευμα τὰς πολλὰς χεῖρας νικᾷ ὥς εὐσέβεια καὶ φιλανθρωπία οὐ μόνον νικᾷ τὰς πολλὰς χεῖρας, ἀλλὰ καὶ σφῆξει.

⁷² LAQUEUR (as n. 56) 30 misunderstands this section when he says that Themistius claims that Theodosius has won greater foreign-policy successes through his justice than through force. The context is restricted to Athanaric, the present tense ὑπάγεται is not a «historic present» but merely a parallel to the gnomic νικᾷ (276,11–13 [191 a]), the plural ἐθελουσίους ... καταφρονοῦντας is merely a rhetorical plural referring to Athanaric. At the most Themistius expresses a hope for the future based on Athanaric's action, he is certainly not making a literal statement about the historical past.

be the cause of the abruptness.⁷³ Our two emperors march in harness to East and to West, fighting the good fight, restoring easily the empire to its former order, healing the wounds which others before their time of responsibility had torn. They attack from all sides, wearing down the last remains of that ominous and unrighteous race. Discipline is the key to success – historical and recent examples⁷⁴ are cited, Homer above all called upon in support. The objective is to drive the foe to the Danube.⁷⁵

Were it not for the passage on Athanaric, there would be in this whole speech no hint of a concern with a negotiated peace. The speech is not indeed full of victory aims, but its rhetorical strategy is nevertheless clear. Theodosius in his newly entered capital wished to be praised before the Senate, which he needed to impress, primarily for civilian virtues, from which the hearers might profit directly, virtues however – this could not be omitted in the middle of a war – which served to unify and revive discipline and other social values and thus form a platform from which the Goths, the ungrateful guests, could be driven back to the Danube. The conclusion from this speech seems clear. Until Athanaric arrived in Constantinople on 11 January 381 the aims of the government as communicated to Themistius were to strengthen the internal cohesion of the state in order to defeat the Goths militarily and drive them back to the Danube. When Athanaric arrived, merely a few days before the speech, his arrival could hardly be ignored, since it raised new perspectives which had to be hinted at in case his attitude might be imitated by others. Athanaric himself was however no longer so influential that a whole new policy could be built around him and his example – at least, not at such short notice – whatever secret hopes Theodosius might have harboured for the longer term. The prospects were not immediately so good that the objectives of the speech needed to be fundamentally changed. And when a mere week later Athanaric suddenly died and his use as a rhetorical example or diplomatic weapon died with him, Themistius and his influential friends at court will have been grateful that they had not changed the general line of policy agreed in advance and presented on 19 January to the Constantinopolitan Senate.⁷⁶

⁷³ Ib. 283,15 f. (197 a).

⁷⁴ The difficult phrase at 284,23 (198 a), οὐδὲ ἰππάρχων Σαυρομάταις, has been variously emended by editors, since as it stands it seems to apply to Iulius Caesar, but can with a minimal alteration be made to refer to Themistius' favourite recent example, Theodosius' own recent defeat of the Sarmatians as *magister equitum* (cf. Or. 14.263,8 [182 b]): read: οὐδὲ ἰππαρχῶν οὐ Σαυρομάταις, οὐ having fallen out before Σαυ-. So G. C. HANSEN, *Nachlese zu Themistios*, *Philologus* 111, 1967, 119.

⁷⁵ 286,5 (199 a).

⁷⁶ This interpretation of Them. Or. 15 makes it clear why I cannot follow HEATHER (as n. 1) 167 in seeing a change of imperial policy between Or. 14 and Or. 15. The speeches serve such different purposes that it is misleading to conclude from their differences of emphasis that a development had taken place. Or. 15 is a speech to the Senate, concerned to win over its senatorial hearers by emphasising Theodosius' ultimately civilian aims (following up, but expressing differently, the civilian requests for Constantinople formulated in Or. 14). It

Two years later Themistius celebrated in January 383 the consulship of his friend Fl. Saturninus,⁷⁷ who on the previous 3 October after long negotiations had concluded some kind of peace agreement with «the Goths». As the *Consularia Constantinopolitana* for 382 put it, «the whole nation of the Goths together with their king surrendered into Roman hands».⁷⁸ The speech which Themistius held marks the importance of the occasion. It is the longest of his so-called political speeches, the one which far more than most others is obviously arguing a real case. The argument is for peace, the praise for the peacemakers.⁷⁹ The agreement should be accepted and interpreted as victory. It is clear from the unusual vehemence with which Themistius expresses his arguments that opposition was anticipated among the listeners. This suggests that the change of policy must have been fairly recent, that even after the agreement not all were convinced.

It is not necessary to summarise the speech in detail here,⁸⁰ but some points must be made. The less than wholly convincing assertion that the peace meant that the Romans had won the war is kept up from beginning to end. The first lines of the speech introduce the metaphor of the successful wrestler, the last express the hope that «just as we won this bloodless victory over the «Skythians»» so the same will happen in Armenia and Persia,⁸¹ and there occur throughout references to this victory theme, in particular the assertion that the Goths were immediately ready for peace and willing to surrender themselves and their weapons.⁸² There are however also realistic arguments, clearly meant to convince listeners that there was no sensible alternative to peace: the characterisation of the war as «that indescribable Iliad of disasters on the Danube»;⁸³ the emphasis on Theodosius, that God had chosen him, Gratian merely announcing the choice;⁸⁴ his going on to praise Theo-

is the rhetorical function of the two speeches and the difference in Themistius' own status – in Or. 14, merely a representative of the Senate, unknown to the new emperor – which explains the differences, not a change in the war-aims themselves. I do not therefore see that «the bulk of the speech told its audience ... to expect a more peaceful solution to the war than that anticipated in 379». The whole question was still open.

⁷⁷ Or. 16, cf. SCHOLZE (as n. 35) 52 f. PORTMANN (as n. 47) 280 n. 1 points out that the passage 289,13 f. (200 b/c) rules out 1 January as the date of the speech. It must have been held shortly afterwards.

⁷⁸ *Ipsa anno universa gens Gothorum cum rege suo in Romaniam se tradiderunt die V non. Oct.*

⁷⁹ So the transmitted title of Or. 16: Χαριστήριος τῷ αὐτοκράτορι ὑπὲρ τῆς εἰρήνης καὶ τῆς ὑπατείας τοῦ στρατηγοῦ Σατορνίνου.

⁸⁰ Cf. PORTMANN's resumé (as n. 47) 187 f.

⁸¹ Or. 16.288,13 (199 d); 304,5 (213 a).

⁸² Ib. 299,8 f. (209 a/b).

⁸³ Ib. 296,17 (206 d): τὴν ἀδιήγητον τῶν ἐπὶ Ἰστροῦ κακῶν Ἰλιάδα.

⁸⁴ Ib. 297,4 f. (207 f); a similar phrase in Or. 14. 263,12 f. (182 d), where Theodosius' own ἀρετὴ picked him out. There seems no reason to conclude from this that relations between Gratian and Theodosius were not still good: the change of emphasis is important for the

dosius' «superlative wisdom» in recognising the force of persuasion rather than of military power,⁸⁵ but also the admission that the peace had not emerged out of military superiority.⁸⁶

The critical argument has still to fall. Even if the Goths have not been annihilated root and branch, there is no need for qualms: it is the nature of victories based on reason and humanity not to destroy those who have hurt us, but to improve them. Even on the assumption that we could have destroyed them easily and done all these things without suffering for it, it would, after all that has happened, have been neither consequent nor reasonable. But let us assume it would have been possible: is it then better to fill Thrace with corpses or with farmers? To show it full of tombs or of people? To walk through it as a wilderness or as a cultivated land? To count up the killed or the ploughmen? To transplant Phrygians and Bithynians, or to settle those whom we have tamed?⁸⁷

This is important political argument of a sort we only rarely have access to in Late Antiquity. The war was over; military means had not produced the hoped-for success; the Goths had not been driven back to the Danube, as the war-aim still was in January 381, but both sides had accepted a compromise. Moreover Themistius comes as near as he dared to admitting explicitly that this had happened – a quite remarkable way of selling «victory». The turnabout in policy was so complete that it was perhaps no wonder that Theodosius had trouble with hard-liners in the Constantinopolitan Senate.

III

When we try to examine the events which led to this dramatic and controversial change of policy in 382 we are immediately confronted with the inadequacies of the literary tradition represented above all by Zosimos, which is not easy to make sense of. These inadequacies will be, at least in part, Zosimos' own fault, but it may also have been difficult for his main source Eunapios – himself not over-interested in *militaria* – to obtain reliable information about events in Macedonia and Dacia in his home in Lydian Sardis. The war itself seems to have been a piecemeal affair, unstructured, without great events. Moreover Zosimos seems to have supplemented Eunapios with another source for the war, combining their accounts in such a way that he does not himself seem to have realised that he was

retorical strategy, since Theodosius is here depicted as wise, not just militarily competent. Wisdom is not so self-evident. Gratian's function remains identical: κηρύττει/ἐκήρυξε. For a different view cf. HEATHER (as n. 1) 172.

⁸⁵ Ὁ σοφώτατος βασιλεύς: ib. 298,9 (208 a).

⁸⁶ Φρονήσει νικῶν καὶ εὐνοίᾳ (298,15–16 [208 b]); cf. 299, 17–18 (209 a): the Goths ἡττημένοι ταῖς γνώμας, οὐχὶ τοῖς σώμασι.

⁸⁷ Ib. 301,20 f. (211 a/b).

recounting the same chain of events from two different perspectives, since he offers a different selection of events and facts from the two sources. But the two versions are not necessarily mutually exclusive.⁸⁸

The only chronologically structured account we have is a rudimentary chronicle, a consul-list with some events attached, the so-called *Consularia Constantinopolitana*.⁸⁹ It does not amount to much. After Theodosius' enthronement at Sirmium in the consulship of Ausonius and Olybrius (379) the *Consularia* continue (only items related to the war are cited): «In that same year the Romans fought many battles against Goths; thereafter victories against Goths, Alans and Huns were announced on 17 November. In the fifth consulship of Gratian and the first of Theodosius (380): under these consuls victories of both Augusti were announced and in this same year Theodosius Augustus entered Constantinople on 14 November.⁹⁰ In the consulship of Syagrius and Eucherius (381): under these consuls Athanaric king of the Goths entered Constantinople on 11 January. In the same month on 25 January the same Athanaric died. Under the consuls Antonius and Syagrius (382): in this same year the whole nation of the Goths with their king surrendered themselves into Roman hands on 3 October.»⁹¹

It might be thought that victories announced and registered in some official or semi-official way at Constantinople would be easy enough to trace in the narrative sources. This is unfortunately not so, since Zosimos' account pays little attention to chronology or coherence, consisting merely of a series of disconnected episodes. Two actions related by Zosimos might conceivably be brought into the context of the victories announced on 17 November 379, one being the successful operation of the Gothic renegade *magister militum* Modares in Thrace against a wandering group of Goths,⁹² the other being the massacre, carried out with the knowl-

⁸⁸ Zos. 4.25–33 (Eunapios); 34 (other source). This distinction was convincingly demonstrated by HEATHER (as n. 1) 147f.

⁸⁹ On the nature of this text see R. W. BURGESS, *The Chronicle of Hydatius and the Consularia Constantinopolitana*, Oxford 1993, 177f., with a new edition replacing MOMMSEN's in MGH AA 9 (Chron. Min. 1).

⁹⁰ The date is incorrect, since on 16 November a law was issued by Theodosius in Thessalonica (CTh 10.10.15). The *Chronicon Paschale* ad ann. and Sokrates, HE 5.6 both give 24 November, which fits with the law. Cons. Const. has thus read *die XVIII kal. Dec.* where *die VIII kal. Dec.* would be correct. It is pointless to speculate where the superfluous X came from. HEATHER's reference (as n. 1) 152 n. 74, is incorrect.

⁹¹ *Ipsa anno multa bella Romani cum Gothis comiserunt* (2). *Deinde victoriae nuntiatae sunt adversos Gothos, Alanos atque Hunos die XV k. Dec.* (3). *Gratiano Aug. V et Theodosio Aug. His cons. victoriae nuntiatae amborum Augustorum* (2) *et ipso anno ingressus est Theodosius Aug. Constantinopolim die XVIII kl. Dec.* (3). *Syagrio et Eucherio. His cons. ingressus est Aithanaricus rex Gothorum Constantinopolim die III id. Ian.* (1). *Eodem mense diem functus idem Aithanaricus VIII kl. Febr.* (2). *Antonio et Syagrio. ipso anno universa gens Gothorum cum rege suo in Romaniam se tradiderunt die V non. Oct.* (2).

⁹² Zos. 4.25.

edge of the Constantinopolitan Senate, of Gothic units stationed in Asia Minor by the *magister militum per orientem* Iulius.⁹³

For 380 not even this much can be convincingly assembled to support the record in the Consularia of «victories of both Augusti» announced before Theodosius' entry into Constantinople on 24 November. The only concrete military events mentioned by Zosimos are skirmishes by Theodosius' army in Macedonia⁹⁴ and some kind of activity of Gratian's general Vitalianus in Pannonia.⁹⁵ For neither is any significant success registered, though Theodosius' troops are supposed to have killed huge numbers of barbarians, while suffering large losses themselves. Vitalianus is merely characterised by Zosimos as inadequate – not stuff out of which victories are made. Perhaps the western victories were in quite a different sector, possibly against the Alamanni on the Rhine.

If it is difficult to explain the victories registered for 379 and 380, one clear fact emerges from the meagre record of events after 380. Between Theodosius' entry into Constantinople on 24 November 380 and the formal peace agreement on 3 October 382 no great victory was announced in Constantinople. This fact indeed seems to have led later sources to associate Athanaric's asylum with the peace agreement, not realising that more than 18 months separated Athanaric's death from this event.⁹⁶ But it is certainly co-incident with the form of Themistius' apology for the peace, that the Goths had been defeated mentally but not physically. What had then been going on militarily in these 18 months of Theodosius' residence in Constantinople? The only events in Zosimos' narrative of events taken from Eunapios which might be placed after 380 are activities of the western generals Bauto and Arbogast, sent by Gratian on appeal, in Macedonia and Dacia, but if they belong to 381 they certainly do not belong after it.⁹⁷ From his second source he records the expulsion of Skiri, «Carpodacians» and Huns across the Danube as a peace-making factor after the death of Athanaric, therefore in 381.⁹⁸ We have, however, also seen that the crisis, as far as Illyricum was concerned, was over sufficiently early in 382 – long before the formal cessation of hostilities in Thrace –

⁹³ Zos. 4.26. The event is listed by Ammianus 31.16.8 as one of the immediate results of Adrianople, and it might therefore belong to 378. Zosimos 4.26.5 places it after Theodosius' arrival in Macedonia, therefore in 379.

⁹⁴ Zos. 4.31, esp. 4.

⁹⁵ Zos. 4.34.1–2. How little we know about military activities is illustrated by the case of Maiorianus, maternal grandfather of the later emperor Maiorianus, whose activities as *magister militum* in Illyricum around the time of Theodosius' becoming emperor are known only from Sidonius Apollinaris' panegyric on his grandson (Carm. 5.107f.). Since both Pannonia (line 107) and, it seems, «Skythia» (113) belonged to his field of operation, he must have been Praesental *magister militum*; according to Sidonius he accomplished deeds which *Latiis sunt condita fastis*. Nothing further is known.

⁹⁶ Zos. 4.34 (implicit); Orosius Hist. adv. pag. 7.34.6–7; Jordanes, Getica 145 (explicit).

⁹⁷ Zos. 4.33. The arguments of HEATHER (as n.1) 155 for 381 seem plausible.

⁹⁸ Zos. 4.34.6.

for the formal responsibility for the administration of Illyricum to be returned to the west, by at the latest 1 September 382,⁹⁹ which suggests that Goths remaining in Illyricum had been ejected or otherwise neutralised by Bauto and Arbogast after Theodosius had transferred his residence from Thessalonica to Constantinople, as Zosimos says.¹⁰⁰ This means that by 382 the problem had ceased to affect Illyricum directly and was restricted to Thrace, where it had begun and for which Theodosius was directly responsible. There is no evidence that Gratian was a direct party to the peace (except formally, as co-ruler of the empire); but he had been at Viminacium and Sirmium in July 381,¹⁰¹ by which time Bauto and Arbogast might well have seen the end of their work in Illyricum approaching and (as far as Illyricum was concerned) have seen peace at hand and reached some sort of agreement with their immediate enemies there. This might even be the origin of a garbled notice in Jordanes,¹⁰² which attributes the first peace agreement with the Goths, with which he associates (certainly wrongly) Athanaric, to Gratian, and depicts Theodosius as merely accepting this initiative gladly.

Whether or not there was some sort of separate earlier agreement with the Goths concerning Illyricum, there can be no doubt that the peace in Thrace was a negotiated peace, which resulted from Theodosius' realisation, as Themistius tactfully put it after the event, that it was better to win by generosity than by force of arms. The first evidence of this attitude is Themistius' depiction of his reception of Athanaric in his hasty addition to the speech prepared for 19 January 381, where the possibility of winning by diplomacy was first touched upon. Zosimos – normally no friend of Theodosius' but here using a friendly source – comments on these events, in particular the pompous burial ceremony for Athanaric, that the barbarians were struck by wonder at Theodosius' noble sentiments and returned «home»¹⁰³ to guard the Danube for the Romans; while both Orosius and Jordanes, as we have seen, do associate Athanaric with the peace.¹⁰⁴

These authors clearly massively foreshorten the historical perspective, but it might be wrong to neglect their indication that Athanaric's arrival and treatment at Constantinople might have been the beginning of a new attitude on both sides in a war which could not be won. Certainly he was not the peacemaker, but it would be wrong to deny the old man all influence among the Goths merely because he had not led the roving bands which crossed the Danube in 376.¹⁰⁵ They had in the end not done too well. Their leaders, apart from their fortunate, almost

⁹⁹ Cf. appendix below.

¹⁰⁰ Zos. 4.33.2: τῶν τόπων ἐκείνων ἐκστάντες ἐπὶ τὴν Θράκην ἐπαλινδρομοῦν.

¹⁰¹ Cf. appendix below.

¹⁰² *Getica* 142.

¹⁰³ Οὐκ ἄδε: Zos. 4.34.5.

¹⁰⁴ Cf. n. 96 above.

¹⁰⁵ On Athanaric see now HEATHER (as n. 1) 99f.; for a more traditional view WOLFRAM (as n. 1) 73f.

accidental success at Adrianople, had been anything but successful in forcing the Romans to grant them the lands they wanted. They had ravaged and plundered, but were still no nearer to a long-term solution of their problems. Had they forgotten the wily old peacemaker of 369? Could Theodosius and his Gothic experts have been so misinformed about Athanaric's reputation and influence among the Goths that they hoped merely for some good propaganda from their extravagant reception of the old chief?

Athanaric's arrival and his reception at Constantinople – certainly prepared diplomatically, since Theodosius knew he was coming and met him at some distance outside the walls of the city¹⁰⁶ – opened a new initiative towards reconciliation, at least with the old treaty-partner and those whom he still represented. Athanaric had been, according to Zosimos, finally abandoned by those Goths wishing to attack Epeiros and the Greek cities.¹⁰⁷ Since this new split among the Goths, if it was real, must have occurred in 380, because Athanaric was in Constantinople by 11 January 381, a new Gothic attack on Macedonia can be inferred for 381. During the winter 380/381 Theodosius had written to Gratian from Constantinople telling him this and asking for help – this was the reason for his sending Bauto and Arbogast. They operated precisely there, where the new Gothic attacks were expected, in Macedonia and Thessaly. They were successful and expelled such attackers as survived back to Thrace.¹⁰⁸ It is easy enough to understand that the defeat of these aggressors will have given impetus to those Goths who were encouraged by Theodosius' friendly treatment of Athanaric to resume or intensify negotiations. Zosimos reports at about the same time a success for Theodosius in Thrace against – not Goths – but Skiri, «Carpodacians» and Huns, who had attacked over the Danube and were driven back, an event which he regards as contributing to the general improvement of conditions,¹⁰⁹ though it was not sufficiently important, it seems, to be registered as an official victory at Constantinople.

This brings us to winter 381/382 or spring 382, by which time plans had already been made for transferring the administration of Illyricum back to the West. The basis for this decisive step must have been an important change in the war situation, which can scarcely be anything other than the expulsion of the Goths from Illyricum and the prospects of peace in Thrace. We cannot assume that the negotiations in Thrace were brief or easy. Two *magistri militum*, Saturninus and Richomer, were involved, both of whom were rewarded with the consulship,¹¹⁰ which

¹⁰⁶ Zos. 4.34.4: πόρῳ που τῆς Κωνσταντινουπόλεως προελθών.

¹⁰⁷ Zos. 4.34.3–4.

¹⁰⁸ Zos. 4.33.1–2. The leaders of this attack, Fritigern, Alatheus and Saphrax (ib. 34.2) play no further part in events. They presumably did not survive.

¹⁰⁹ Zos. 4.34.6.

¹¹⁰ Them. Or. 16.290, 14f. (201 b). The fact that on 1 January 383 before Senate and emperor Themistius refers to Richomer's prospects of the consulship means that barring accidents and emergencies the decision in his favour had already been taken.

suggests at least a show of force, even if it did not come to violence. Although the *Consularia Constantinopolitana* speak of the surrender of the Goths «with their king», no Goth is identifiable by name who could fit this description – none of the Gothic leaders who had achieved any sort of prominence up to this time is known to have participated in the negotiations or to have been prominent after the peace.¹¹¹ This does not mean that there was no such person. Although even the *Consularia* do not know his name, somebody must have done the negotiating for the Goths and taken the formal steps required by tradition. It does, however, seem perfectly feasible to reckon with the possibility that serious negotiations might have continued throughout the summer and only reached a formal agreement on 3 October.

The aspect of the peace which the official negotiators and the emperor emphasised above all was the restoration of agriculture in Thrace. The opposite side of the medal, which the opponents of the peace doubtless above all emphasised, was that the Goths, despite their formal surrender,¹¹² had not been driven back to (and over) the Danube, but had been allowed to occupy, or remain in occupation of, Roman land.¹¹³ The precise conditions under which this happened are unclear. The area of Thrace involved seems most likely to have been that between the Haimos mountains and the Danube, though certainty is not attainable.¹¹⁴ Whether the detailed distribution of the land was carried out by Romans or by Goths, what its precise legal status was, whether it was expected that taxes would be paid – if so, to whom? –, how the existing city communities which had survived the war fitted into the Gothic settlement pattern, on what terms, if any were Goths to serve in the Roman army, are all questions which have interested and troubled modern historians much more than ancient sources, which seem to have universally regarded them as subsidiary to the restoration of peace and the stimulation of agricultural production. They give, at least, no precise information on these questions. Even Themistius, whose official pleading for the acceptance of the peace before the Senate in January 383 is our main contemporary source, veils himself in rhetorical vagueness – as the genre of panegyric naturally allowed him to do. We can perhaps, however, occasionally read a little between the lines.

Themistius gives the impression that when the settlement took place the land was not only neglected but that farmers were no longer available. Without the

¹¹¹ HEATHER (as n. 1) 157 thinks this probably refers back to Athanaric in 381, but since his death is recorded there, this makes no sense.

¹¹² On this see F.M. AUSBÜTTEL, *Die Dedition der Westgoten von 382 und ihre historische Bedeutung*, *Ath.* 66, 1988, 604f.

¹¹³ Them. Or. 16.301,27f. (211 a/b); cf. Zos. 4.34.6.

¹¹⁴ Cf. Them. Or. 16.303,6–7 (212 b): οὐδ' ὁ πρὸς Ἰστροῦ ἄλλεται χῶρος ἐπὶ πολέμων ὀρχήστρα ἀλλ' ἀνεῖται τοῖς σπέρμασι καὶ τοῖς ἀρότοις.

Goths, so his argument, the government would have had to import farmers from Asia Minor.¹¹⁵ The immediate problem was therefore not primarily one of taxation but of production. Taxation was secondary. A historical parallel which he draws suggests that such technical problems were not immediately solved, were perhaps no formal part of the agreement at all. Themistius chooses the Galatians in Asia Minor – whose history he will have known from his home in Paphlagonia – as his major parallel, not indeed exact or ideal, but at least a clear indication that the peacemakers were thinking that the integration of the Goths would be a long-term process rather than a short-term one. Neither Pompey nor Lucullus nor Augustus nor the other emperors had destroyed the Galatians, but nevertheless they had abandoned their misdeeds and become part of the empire. They now pay taxes and contribute soldiers, receive governors and obey the same laws. «So within a short time we shall also see the Skythians: at present their offences are still fresh, in the not too distant future we shall have them sharing our religious celebrations, joining our banquets, serving along with us in the army and paying taxes with us».¹¹⁶

These are hopes for the future, not rules for the present, a statement of imperial aims, not achievements. The comparison with the Galatians shows that Themistius is thinking in terms of generations and gradual integration, not of immediate contractual obligations. His «short time» reflects therefore merely the casual optimism of panegyric rhetoric. Since it would have suited Themistius' purpose even better were he able to claim contractual obligations, that the Goths would do these things now immediately, we must assume that the peace agreement contained no explicit statement regulating either compulsory military service or tax payment.¹¹⁷ And since the other items of the parallel with the Galatians, their receiving (Roman) governors and obeying Roman laws are not mentioned even as a future prospect, we must assume that the Goths were allowed total freedom in the organisation of their communities. In this area Themistius' hopes are merely for social integration of the two communities. Nevertheless, peace meant not

¹¹⁵ Or. 16.302,2–3 (211 b) – from Phrygia and Bithynia.

¹¹⁶ Ib. 16.302,11–26 (211 c/d), esp. 23–26: οὕτω καὶ Σκύθας ὁπόμεθα ὀλίγου χρόνου· νῦν μὲν γὰρ ἔτι τὰ προσκρούσματα αὐτῶν νέα, ληψόμεθα δ' οὖν οὐκ εἰς μακρὰν ὁμοσπόνδους, ὁμοτραπέζους, ὁμοῦ στρατευομένους, ὁμοῦ λειτουργούντας.

¹¹⁷ So WOLFRAM (as n.1) 140, though this seems a mere assumption. HEATHER's recent statement of the opposite view (as n.1) 159) is marred by his misinterpreting his key passage Them. Or. 34.22 φορτηγεῖν ἐθίσαι. Φορτηγεῖν does indeed mean «bear burdens», but its context is a simile, where the Goths are compared with a captured lion or leopard, which is not killed off, but «accustomed to bear burdens» i. e. become tame and useful like a beast of burden or (concretely here) a Gothic farmer. Themistius does not therefore say that the Goths paid tax. He says they were useful because they were now tame (τὴν ἀγριότητα αὐτῶν κατεκλήσας [227,10–11]) and because they were producing as farmers. That is the whole point. It is short-sighted to argue that only tax-paying farmers are useful to emperors.

only plenty, but also security. When he says that the Danube area was turning prosperous, the corollary is that it was also defended.¹¹⁸

Modern scholars demand too much of this agreement, doubtless echoing in this the Roman opposition. Themistius emphasises social factors and integration prospects, notes the growing friendship between Theodosius and the Goths and the Goths' break with their past as enemies, because more than anything written into a document the future relationship with the Goths depended on such moral factors. The relationship was one of patronage after *deditio*, not that of equal partners negotiating a *foedus*.¹¹⁹ Themistius makes this clear by saying – no doubt in the presence of Gothic guests – that the once-hated name «Skyth» (Goth) is now pleasing to the ear; they join the festive gathering for Saturninus' consulship, thus participating in the festival celebrating their own defeat.¹²⁰ We must surely conclude that the relationship between Theodosius and the Goths in Thrace was less legal than moral. It is not until Jordanes that the idea crops up that the erstwhile Gothic agreement with Constantine, which he thinks turned Gothic soldiers into *foederati*, was in effect renewed by Theodosius. Since Jordanes almost certainly has an anachronistic conception of Constantine's agreement with the Goths, his comparison is unhelpful.¹²¹ Goths were, of course, recruited, even some standing units of the army receive Gothic names, and these may have been raised now or somewhat later.¹²² But there is no evidence that these resulted from the legal obligations of a treaty rather than from moral and economic pressure. Service in the Roman army could be lucrative and honourable, and was by no means necessarily unattractive to young Goths.¹²³

Appendix *Illyricum: 378–382*

The status of Illyricum in the years immediately following the battle of Adrianople is a standard but still unsolved problem of the later Fourth Century. The only source which explicitly mentions a division of responsibility between East and West at this juncture, Sozomenos, writes that Gratian entrusted «Illyrians and the

¹¹⁸ Them. Or. 16.303,5f. (212 a/b). On obeying Roman laws cf. Synesios, *Peri Basileias* 19 (p. 43,19f. TERZAGHI).

¹¹⁹ So AUSBÜTTEL (as n. 112) 604f., in this point correctly interpreting the sources.

¹²⁰ Them. Or. 16.301,16f. (210 d–211 a). It is improbable that any Goths present will have appreciated the nuances of this rhetorical conceit.

¹²¹ On this HEATHER (as n. 1) 107f.

¹²² In particular the palatine auxiliary units called Visi and Tervingi (Not. Dign. Or. 5.61; 6.61) come into question (cf. LIEBESCHUETZ [as n. 1] 29).

¹²³ See the extensive but entirely speculative discussion by HEATHER (as n. 1) 160f., concluding basically that we simply do not know! («... the Goths' military obligations after 382 may not have been dissimilar to those placed on them at an earlier date by Constantine's treaty.») Jordanes, much earlier, made the same guess.

eastern parts of the empire to Theodosius». ¹²⁴ His source for this part of his work seems to have been in general his predecessor Sokrates, who however here says merely that Gratian «gave him the struggle against the barbarians», ¹²⁵ a phrase which Sozomenos, in his typical improving way, extended to «activities concerning the barbarians in the Danube region». ¹²⁶ Since Sozomenos' second precision, «in the Danube region», will simply be an «improvement» based on his own knowledge of the subsequent fighting, so it is most likely that his first «improvement», «Illyrians» also represents no more than his own addition, and does not therefore reflect any more precise knowledge than Sokrates had of a formal division of the area between Gratian and Theodosius. For what it is worth then, we can say that Sozomenos knew nothing of that modern construct, a division of Illyricum under which Theodosius allegedly received the dioceses of Dacia and Macedonia, but not Pannonia: ¹²⁷ from his knowledge of events he thought he could improve on Sokrates and assert that Theodosius was responsible for «the Illyrians», that is, transferred into administrative terminology, the Praetorian Prefecture of Illyricum. Since this was intimately related to the war against the Goths (the aspect especially emphasised by Sokrates) the arrangement for Illyricum will clearly have been intended to serve the needs of the war; and in view of the fact that Illyricum was indeed at some time restored to western administration, ¹²⁸ we should assume that the arrangement was intended, as Sokrates might be thought to imply, only to last as long as the war against the Goths. That Pannonia was included emerges from the explicit mention of Aquincum as part of the field of responsibility of Theodosius' *magister militum* Maiorianus. ¹²⁹

The prosopography of the Praetorian Prefects supports this view. Whereas under Valentinian and Valens Illyricum had been administered together with the Prefectures of Italy and Africa, ¹³⁰ the urgency of the situation in 378 seems to have

¹²⁴ Soz. H. E. 7.4.1: Ἰλλυριοὺς καὶ τὰ πρὸς ἥλιον ἀνίσχοντα τῆς ἀρχῆς Θεοδοσίου ἐπιτρέψας.

¹²⁵ Sokr. H. E. 5.2.3: μερίζεται αὐτῷ τοὺς κατὰ βαρβάρων ἀγῶνας.

¹²⁶ Soz. H. E. 7.4.2: τὰ πρὸς τοὺς ἀμφὶ τὸν Ἰστρον βαρβάρους.

¹²⁷ Most recently HEATHER (as n. 1) 149, following a long scholarly tradition. The most recent detailed discussions are by V. GRUMEL, L'Illyricum de la mort de Valentinien I^{er} à la mort de Stilicon (408), REByz 9, 1951, 5–46 and D. VERA, La carriera di Virius Nicomachus Flavianus e la prefettura del' Ilirico Orientale nel IV. sec. d. C., Athenaeum 61, 1983, 24–63; 390–426.

¹²⁸ The first explicit western regulation relating to Illyricum is CTh 11.13.1 addressed to Petronius Probus on (probably) 19 Sept., 383 (the MSS give January, but Hypatius was in office as *PPO Italiae* until at least 27 May [2.19.5], therefore SEECK's suggested change is likely); the next is CTh 1.32.5 of 29 July, 386. But already on 18 August 382 Nicomachus Flavianus had the title *PPO Illyrici et Ital.* (CTh 9.40.13): on the correctness of the transmitted date cf. ERRINGTON (as n. 23) 439f.

¹²⁹ Sid. Apoll. Carm. 5, 107.

¹³⁰ Except for the special case of Ausonius' nonagenarian father, Iulius Ausonius ca. 377, who must surely have been merely a nominal *PPO* (cf. PLRE 1 s.v. Ausonius 5). See in general the convenient table in PLRE 1, p. 1050.

suggested to Gratian and his advisers the need for a specialist *PPO* for Illyricum, and Q. Clodius Hermogenianus Olybrius was duly appointed¹³¹ and present at Sirmium with Gratian's court in summer 378. When he went on to join Theodosius as his first *PPO Orientis*,¹³² the administration of Illyricum reverted briefly to Italy,¹³³ but by the beginning of the next year 380 a separate administration was again in force, this time attached to Theodosius. Since the purpose of the administrative change can only have been to facilitate the administrative side of the war, taxation and recruitment above all, the transfer of responsibility cannot have been so haphazard as the evidence *prima facie* suggests. The date of change will doubtless have respected administrative rules governing the tax year, and will therefore have become effective at the first indiction after Theodosius' becoming emperor on 19 January, therefore on 1 September 379. This explains why a law concerning Illyricum could be legitimately issued in the West as late as July 379, without throwing into doubt that Gratian had agreed in January to transfer Illyricum to Theodosius. The man chosen for the hot seat was none other than the historian Eutropius, a westerner who had attached himself to Valens and so was equally at home in East and West, perhaps an ideal choice for Illyricum in the crisis.¹³⁴

The day-to-day administrative functions of the *PPO* which will have been particularly important were those concerned with the army, recruitment, supplying and above all financing; and Eutropius kept his post until at least the end of September 381, but almost certainly somewhat longer,¹³⁵ since no other *PPO*

¹³¹ PLRE 1 s.v. Olybrius 3. The urgency of the Illyrican situation is the explanation of PLRE.

¹³² There is no reason to follow PLRE 1 here in assuming the appointment to have been Gratian's rather than Theodosius'.

¹³³ CTh 13.1.11 addressed to Hesperius on 5 July, 379 and dealing explicitly i.a. with Illyrican affairs.

¹³⁴ PLRE 1 s.v. Eutropius 2. The identity of the historian with the *PPO Illyrici* as set out in PLRE 1 was challenged by R. VON HAEHLING, *Die Religionszugehörigkeit der hohen Amtsträger des römischen Reiches seit Constantins Alleinherrschaft bis zum Ende der Theodosianischen Dynastie*, Bonn 1978, 211 f., who points out that the sources offer no explicit reason for the identification. The point is not of primary importance for my purpose, though an application of OCKAM's razor – «Eutropii non praeter necessitatem multiplicandi» – might suggest that at least VON HAEHLING's nos. 1–3, the writer who wrote for Valens, the *Procos. Asiae* 371 who served Valens, and the *PPO Illyrici* and eastern consul of 387 ought to be the same person (so PLRE 1). VON HAEHLING however does not accept the validity of A. H. M. JONES's magistral demonstration of the impossibility of «collegiate prefectures», JRS 54, 1964, 78 f. (= *The Roman Economy*, ed. P. A. BRUNT, Oxford 1974, 375 f.) and lists Eutropius under the *PPO Orientis*. This must be incorrect.

¹³⁵ CJ 5.34.12 from 28 Sept. 381. CJ 12.43.2 dated *Id. Mai.* 382 was issued to Eutropius, though the equivalent text in CTh (7.13.11) names no recipient. The circumstances are given as *d. Tyro p.p. Beryto*, which immediately causes two problems: Eutropius was not *PPO Orientis*, was certainly not at Tyre in 382, nor was Theodosius; but even if *d.* is changed to

with even titular responsibility for Illyricum is known until 18 August, 382.¹³⁶ This is indeed two weeks before the beginning of the new indiction, but peace negotiations with the Goths in Thrace led to the conclusion of a formal treaty on 3 October¹³⁷ and they seem to have been driven out of Illyricum before the end of 381.¹³⁸ This means that it was clear long before the formal cessation of hostilities in October that the war, as far as Illyricum was concerned, was effectively over and that the wartime eastern administration of the Illyrian Praetorian Prefecture would end at the new indiction. The title *PPO Illyrici et Ital.* which Virius Nicomachus Flavianus is given in this law will therefore anticipate the planned extension of his field of responsibility into Illyricum for the next tax year. The content of the law which was issued to him at this time has nothing to do with Illyricum. Eutropius' relatively long tenure of this normally marginal and unattractive post at a critical time for Theodosius will doubtless have earned the emperor's gratitude, and will serve to explain his otherwise remarkable eastern consulship in 387, held together with the emperor Valentinian II, and the fact that as late as 390 he seems to have maintained a high reputation at court.¹³⁹

There is no evidence that the two emperors ever met again personally, but there is no reason to believe that there was not regular consultation at the perhaps more important level of officials. Theodosius' most westerly point of visitation known is Sirmium on 8 September 380,¹⁴⁰ the only time at which, to judge by the itineraries,

accepta (so MOMMSEN, ad loc. in CJ) the question of responsibility arises. We must assume that Neoterius or his successor Florus took over the Eutropian law from Illyricum and sent it on unchanged, which is perhaps not impossible. If the transmitted text can be so emended, we have then a further piece of evidence for Eutropius' being in office until sometime before the Ides of May 382. MOMMSEN's later comment (ad CTh 7.13.11) that CJ is wrong in naming Eutropius, since all his laws were in 380 and 381, is based on his mistaken belief that Eutropius was *PPO Orientis*.

¹³⁶ CTh 9.40.3.1.

¹³⁷ Cons. Const. ad ann.

¹³⁸ Cf. above, p. 17f.

¹³⁹ Libanios Ep. 979.

¹⁴⁰ CTh 7.22.1 + CJ 12.47.2. This law, issued to Neoterius *PPO Orientis* implies an extremely fast journey for Theodosius, who was still in Thessalonica on 31 August (CTh 10.10.13), and only a brief stay at Sirmium, since he was back in Thessalonica on 20 September (CTh 10.10.14). This suggests indeed a certain urgency for the journey, which might be explained by a meeting with Gratian, if other evidence made such a meeting seem probable – which it does not. Sirmium was the traditional administrative capital of the prefecture of Illyricum and September the beginning of the financial year, which suggests that financial-administrative questions might have been the reason for the journey. (Cf. HEATHER [as n. 1] 153–4, who also rejects the assumption of a meeting with Gratian. On the other hand he follows PASCHOUD [Zosime II 2, 401 n. 160] in misinterpreting SEECK, Regesten 254 as indicating a proved presence of Gratian at Sirmium on 8 August 380. SEECK however registers nothing of the kind, merely an eclipse [HEATHER's refs. to CTh and CJ are also

a meeting with Gratian would have been even technically possible, since he was in Italy until the end of June.¹⁴¹ Then in July 381 Gratian visited Viminacium with his Italian administration and will no doubt have had contact with Eutropius or members of his staff in the course of the journey.¹⁴² Probably during the same journey, while at Sirmium, he had a conversation with bishop Palladius of Ratiaria, whose orthodoxy had been questioned by Ambrose and was to be the subject of a synod, which met at Aquileia in September 381.¹⁴³

The relationship between the emperors was thus friendly and in principle co-operative. Gratian made the income and the recruits from Illyricum available for the conduct of the war by Theodosius, just as in 381 he provided direct military help under Fl. Bauto and Arbogastes.¹⁴⁴ But as soon as it was clear in 382 that peace with the Goths was on the cards, that the dire emergency at least in Illyricum was over, the Illyrican administration returned to the West, as foreseen in the agreement of 379. Already in August Virius Nicomachus Flavianus held the title *PPO Illyrici et Ital.* in anticipation of his change in area of responsibility which would take place in the following 1 September.

The argument may be summarised as follows: Sokrates says Theodosius was given control of the war; Sozomenos interpreted him correctly, that he implied that Illyricum – not just part of it – became Theodosius' territory. This is supported by Theodosius' having a *magister militum* at Aquincum and by Eutropius' holding office in the East as *PPO Illyrici* in 380 and 381, perhaps into 382, which implies the financial (indiction) years 379/80, 380/81 and 381/82. The end of the war in Illyricum in 381, even more the negotiations leading to formal peace with the Goths in Thrace in October 382, ended Theodosius' period of administrative responsibility for the Illyrican Prefecture. On 1 September 382 it returned to the West, where the administrative change had already been anticipated by the appointment of Nicomachus Flavianus, the *PPO Italiae*, also to Illyricum. We may

incorrect]. There is no evidence that Gratian left Aquileia [cf. n.21] – which in any case is hardly «in the Balkans» [so however HEATHER (as n.1) 171 n.45; for another example of «Oxford geography», situating Sirmium north of the Danube, see MATTHEWS (as n.1) 89]. There seems no good reason for MOMMSEN's suggestion that *pp.* should be read for the *MSS dat.*)

¹⁴¹ CTh 6.35.10 (27 June). The next two known laws of Gratian are attributed to Trier. The first (CTh 14.3.7) is dated 12 July in the MSS, a date which allows merely two weeks for the journey from Aquileia, and therefore summoned a question mark from MOMMSEN (CTh I, CCLVII) and a re-dating to 10 January by SEECK (Regesten, ad loc.). The second is from 27 Feb. 381 (CTh 8.5.36). Were SEECK correct, we would know nothing of Gratian's movements between 27 June 380 (Aquileia) and 27 Feb. 381 (Trier).

¹⁴² CTh 1.10.1; 12.1.89. That the July visit to Viminacium was in 381, as MOMMSEN ad loc. thought, not 382 as suggested by SEECK, Regesten, ad ann. and widely followed, I have shown in *Historia* 1992 (as n.23), 458–9.

¹⁴³ *Gesta Conc. Aquileia* 10. Cf. GOTTLIEB, AHC 1979 (as n.24), 293 and n.26.

¹⁴⁴ Zos. 4.33.1–2.

assume that his successor in Italy, as explicitly attested for Petronius Probus in 383 and Fl. Eusignius in 386, also retained the traditional western joint responsibility for the administration of Illyricum.¹⁴⁵

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¹⁴⁵ I wish to thank H.-U. WIEMER for constructive discussion of this paper.

