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SOSSIANUS HIEROCLES AND THE ANTECEDENTS OF THE "GREAT PERSECUTION"

T. D. BARNES

EUSEBIUS' tract, which is printed under the title "Against the Life of Apollonius of Tyana written by Philostratus, occasioned by the parallel drawn by Hierocles between him and Christ," tends to be edited as a pendant to Philostratus' work,¹ and it has been studied more for its comparison of Jesus and the pagan sage than for its relevance to the early fourth century.² To be sure, its few readers must find the writing dreary and pedestrian, and the bulk of the treatise consists of a somewhat wearisome examination and criticism of specific episodes or passages in the *Life of Apollonius*, book by book (chaps. 8–44 Kayser). But Eusebius provides historical and literary information which is often overlooked.³ When combined with the evidence normally adduced, the *Contra Hieroclem* can be made to disclose additional facts about

I am grateful to Professors G. W. Bowersock and C. P. Jones for helping me to refine the arguments presented here. I am fully aware that many of them remain highly speculative.

¹ The most recent edition is that of C. L. Kayser, *Philostrati opera* 1 (Teubner 1870) 369–413, reprinted and translated into English by F. C. Conybeare, *The Life of Apollonius of Tyana* 2 (Loeb Classical Library, 1912) 482–605. The title as given in the text is Conybeare's translation from Kayser. Photius, *Bibliotheca*, cod. 39, gives a different version, but neither is likely to be authentic, since the original title ought to have identified the person whom Eusebius addresses at the outset (p. 369.1: ὁ φιλόσοφος; cf. p. 373.19: ἑταῖρε). Nor does Kayser's edition meet modern critical standards: he did not collate what appears to be the archetype of all the other manuscripts of the *Contra Hieroclem*, viz. Codex Parisinus Graecus 451, fols. 368–401. On this famous manuscript, written in A.D. 914, see esp. A. Harnack, *Texte und Untersuchungen* 1.1/2 (1882) 24ff; O. Staehlin, *GCS* 12 (1905) xviff; K. Mras, *GCS* 43.1 (1954) xiiiff; and on deficiencies in Kayser's treatment of manuscripts of Philostratus, M. Schanz, *Rh. Mus.*, n.s. 38 (1883) 305f.

² As by F. Faulhaber, *Die griechischen Apologeten der klassischen Väterzeit. I. Buch: Eusebius von Cäsarea* (Diss. Würzburg 1895) 108ff; H. Doergens, *Theologie und Glaube* 25 (1933) 292ff; G. Petzke, *Die Traditionen über Apollonius von Tyana und das Neue Testament* (1970) 6ff.

³ I too have been guilty of this oversight and consequential errors (in: *JTS* n.s. 24 [1973] 437f, 440f).

Hierocles' career, about the publication of his polemic against the Christians, and about the antecedents of the "Great Persecution."

I. THE DATE OF THE *CONTRA HIEROCLEM*

The date of the *Contra Hieroclem* was discussed early in this century by A. Harnack and E. Schwartz, with divergent results. The former saw in the *Contra Hieroclem* a youthful work which differed from Eusebius' later manner, and he argued that, since Eusebius virtually nowhere refers to the persecution of Christians, and never at all to Hierocles' own activities as a persecutor, he must have been writing before persecution began (early in 303).⁴ The latter detected an allusion to the death of Galerius (April/May 311), and dated the work between that event and the death of Maximinus Daia (summer 313).⁵ Although at least one other date has been proposed,⁶ the majority of recent scholars who offer an opinion follow Schwartz and date the *Contra Hieroclem* to the years 311-313, albeit sometimes with hesitation.⁷ The arguments advanced by Harnack are, I believe, cogent, and may therefore be restated and amplified.

The most general and powerful consideration is a subjective one. On the later chronology, the *Contra Hieroclem* was written very shortly before Eusebius began the *Praeparatio Evangelica* (in or shortly after 313).⁸ Yet the tone of the two works is so different that it is hard to believe that the author wrote both at the same period of his life. Moreover, this general consideration is reinforced by something more objective. Eusebius states that the comparison of Jesus and Apollonius of Tyana was Hierocles' sole claim to originality: he "of all the writers,

⁴ A. Harnack, *Chronologie der altchristlichen Literatur bis Eusebius* 2 (1904) 118; *Abh. Berlin*, Phil.-hist. Kl. 1916, Nr. 1, 29. Harnack also accepted the hypothesis that Hierocles wrote in Palmyra, following L. Duchesne, *De Macario Magnete et scriptis eius* (1877) 11.

⁵ E. Schwartz, *RE* 6 (1909) 1394 = *Griechische Geschichtsschreiber* (1959) 531.

⁶ J. Stevenson, *Studies in Eusebius* (1929) 70ff, dated the work 306/307, on the grounds that Eusebius implies that he was writing when Hierocles was prefect of Egypt (pp. 373.10/11, 386.30/31).

⁷ P. de Labriolle, *La réaction païenne* (1934) 310; J. R. Laurin, *Orientations maîtresses des apologistes chrétiens de 270 à 361* (1950) 130f; W. S. Wallace-Hadrill, *Eusebius of Caesarea* (1960) 18; J. Quasten, *Patrology* 3 (1960) 334 ("most probably between 311 and 313, or even earlier").

⁸ K. Mras, *GCS* 43.1 (1954) lv, arguing from *PE* 4.2.10ff. The date cannot be long after 313, since Eusebius completed not only the *Praeparatio* (in fifteen books), but also its longer sequel, the *Demonstratio Evangelica* (in twenty), before 324.

who have ever attacked us, stands alone in selecting Apollonius, as he has recently done, for the purposes of comparison and contrast with our Saviour" (p. 370.9–12). The rest was plagiarized from others, especially Celsus, and hence had been refuted in advance by Origen (p. 369.7ff). But Porphyry's *Against the Christians* also drew a comparison between Jesus and Apollonius.⁹ Apparently, therefore, when Eusebius wrote the *Contra Hieroclem*, he did not yet know of Porphyry's work.¹⁰ Such ignorance is harder to explain on the later chronology, for the *Praeparatio Evangelica* is largely directed against Porphyry,¹¹ and a niche must be found for the composition of the lost *Contra Porphyrium*, in twenty-five books.¹² The argument for a date of 311–313 rests exclusively on a single passage, whose alleged allusion to Galerius is most uncertain:¹³

[Jesus] is the only example of a teacher who, after being treated as an enemy for so many years, by practically all men, subjects and rulers alike, has at last triumphed and shown himself far mightier, thanks to his divine and mysterious power, than the infidels who persecuted him bitterly, easily overcoming those who on occasion attacked his divine teaching,¹⁴ and making the divine doctrine which he firmly laid down and handed on prevail for ages without end over the inhabited world (p. 372.15–23 Kayser: Conybeare's translation, slightly modified).

But those who "on occasion" or "from time to time" attacked Christianity may have been earlier emperors, principally Decius and Valerian, whose surrender to the Persian king (in 260) inaugurated four decades of peace for the Christians. The presumed allusion becomes less plausible when it is observed that Eusebius consistently fails to mention contemporary persecution or martyrdom in contexts where it would aid his argument. Thus, just before the passage quoted, there is mention of Jesus' original disciples and their readiness to die for his words, and to

⁹ Jerome, *Tract. de Ps. lxxxi* 225ff (CCL 78.89) = frag. 4 Harnack.

¹⁰ A. Harnack, *Abh. Berlin*, Phil.-hist. Kl. 1916, Nr. 1, 29. Against Harnack's hypothesis that Hierocles had used Porphyry, cf. *JTS* n.s. 24 (1973) 440.

¹¹ Note esp. *PE* 1.2.2ff, which is Eusebius' paraphrase of Porphyry's general thesis, rather than the quotation of a single passage, as argued by U. von Wilamowitz-Moellendorf, *Zeitschr. für neutest. Wiss.* 1 (1900) 101ff.

¹² For the evidence, A. Harnack, *Geschichte der altchristlichen Litteratur* 2 (1898) 564f.

¹³ Harnack disallowed it (above, n. 10) 29.

¹⁴ P. 372.19/20: τοὺς κατὰ καιρὸν ἐπανισταμένους . . . μετιών. Eusebius elsewhere uses the phrases κατὰ καιρὸν and κατὰ καιροῦς in identical senses, *Ecl. Proph.* 1.20 (PG 22.1081). For persecutions κατὰ καιρὸν/κατὰ καιροῦς, cf. *Ecl. Proph.* 1.8 (PG 22.1048), *HE* 1.1.2, *DE* 8.1.61, *In Is.* 49.26 (PG 24.440).

the conversion of countless throngs in Eusebius' own day (p. 372.8-10, 13ff), but no hint that Christians are still being or have recently been executed. Perhaps more significant, Eusebius not infrequently adverts to Hierocles' activity as a judge in court in order to ridicule his frivolity in believing improbable stories about Apollonius of Tyana or in too readily damning Christian beliefs (pp. 373.9ff, 382.24ff, 384.23ff, 386.29ff, 398.16f). If Eusebius knew that Hierocles had already condemned, tortured, and executed Christians, he would surely not have failed to allude to the fact. Such conduct manifestly belied Hierocles' pretense that he was an impartial "lover of truth."¹⁵

Taken by itself, therefore, it seems that the *Contra Hieroclem* should be dated before 303. A later date, however, appears to be entailed by the testimony of another writer, who is normally more accurate and reliable than Eusebius. Lactantius was in Bithynia when persecution began, and he describes how two pamphleteers in the imperial capital attacked the Christians (*Div. Inst.* 5.2.2ff). One cannot be identified,¹⁶ but the other was clearly Sossianus Hierocles: "alius eandem materiam mordacius scripsit, qui erat tum e numero iudicum et qui auctor in primis faciendae persecutionis fuit: quo scelere non contentus etiam scriptis eos quos afflixerat insecutus est" (2.12). That corresponds closely to the description which Lactantius elsewhere attached to Hierocles' name: "qui auctor et consiliarius ad faciendam persecutionem fuit" (*Mort. Pers.* 16.4). But Lactantius implies that the publication of Hierocles' work was subsequent to the beginning of persecution.¹⁷ Hence the deduction that he wrote the "Lover of Truth" in 303 precisely.¹⁸ On the other hand, if Eusebius wrote his *Contra Hieroclem* before 303, it would follow that Hierocles' work was already circulating in Syria and Palestine. How shall the contradiction be resolved? Unless the arguments advanced earlier contain some flaw, it will have to be supposed that Lactantius,

¹⁵ Eusebius states the title of Hierocles' work as Φιλαλήθης (esp. p. 369.4: ἐν τῷ Φιλαλήθει) and consistently applies the epithet φιλαλήθης to the author, not to his work (pp. 371.30, 373.10, 382.26, 384.24, 389.7, 398.16, 406.26). Modern scholars sometimes report the title as Φιλαλήθης λόγος or Φιλαλήθεις λόγοι (e.g. respectively, Christ-Schmid-Stählin, *Gesch.d.gr.Litt.* 2⁶ (1924) 776; T. D. Barnes, *JTS* n.s. 24 (1973) 438, adducing Lactant. *Div. Inst.* 5.3.22). But where Eusebius uses the words τὸν . . . Φιλαλήθη λόγον (p. 371.16/17), and τοῦ Φιλαλήθους τούτου λόγου (p. 370.5), he means "the book entitled 'Lover of Truth'" (Conybeare [above, n. 1] 487).

¹⁶ *JTS* n.s. 24 (1973) 438f.

¹⁷ Harnack tried to deny the implication: "Aus Lactant., i.e., folgt es nicht notwendig, dass Hierokles erst nach dem Ausbruch der Verfolgung geschrieben hat" (*Chronologie* 2 [1904] 118).

¹⁸ Labriolle (above, n. 7) 307.

who heard Hierocles recite his work in Nicomedia (*Div. Inst.* 5.4.1), was unaware of an earlier publication in Syria — which Hierocles may have rewritten and expanded in the meanwhile.¹⁹

Since the chronological inference from Lactantius can thus be declined without impugning his general credibility, the consequences of an early date for the *Contra Hieroclem* deserve at least an exploration. The following pages seek to show that on this chronology Hierocles and the future emperor Constantine will probably have encountered each other on a highly significant occasion.

II. THE CAREER OF HIEROCLES

Four official posts are attested for Sossianus Hierocles, none of which is entirely free from uncertainties of one sort or another. First, his name appears on two inscriptions from Palmyra, which both belong to the period of the Diocletianic tetrarchy (293–305). On one, Hierocles is described as “v. p. praes. provinciae” (*CIL* 3.133 = 6661), i.e. governor of the province in which Palmyra then lay.²⁰ The other inscription names two officials in connection with the building of baths: one may be a *vicarius Orientis*, the other is Hierocles, clearly acting in his capacity as governor (*AE* 1932.79 = *SEG* 7.152).²¹

Hierocles subsequently became *vicarius*, then governor of Bithynia (Lactantius, *Mort. Pers.* 16.4: “ex vicario praesidem”). He was in the latter post when, or at least soon after, the persecution of the Christians began in 303, and he had done much to bring it about: Lactantius characterizes him as “auctor in primis faciendae persecutionis” (*Div. Inst.* 5.2.12) and as “auctor et consiliarius ad faciendam persecutionem” (*Mort. Pers.* 16.4). Hierocles’ apparent demotion, from a vicariate to a post of lower rank and status, has been denied or explained away by a variety of devices.²² A more plausible reason offers. Hierocles was transferred to Bithynia because of his known religious prejudices, in order to enforce anti-Christian policies in the imperial capital.²³

¹⁹ Observe that Lactantius speaks of a work in two books, *Div. Inst.* 5.2.13, 3.22.

²⁰ Which perhaps bore the name Augusta Libanensis; cf. A. Alt, *Zeitschrift des deutschen Palästina-Vereins* 71 (1955) 173ff.

²¹ From H. Seyrig, *Syria* 12 (1931) 321–323 no. 4.

²² K. J. Neumann, *Realencyclopädie für protestantische Theologie und Kirche* 8 (1907) 39; E. Schwartz, *RE* 6 (1909) 1395; O. Seeck, *RE* 8 (1913) 1477; W. Seston, *Dioclétien et la tétrarchie* 1 (1946) 318; W. H. C. Frend, *Martyrdom and Persecution in the Early Church* (1965) 485.

²³ J. Moreau, *Lactance: De la mort des persécuteurs*, Sources chrétiennes 39 (1954) 293.

Technically a demotion, the move brought (or kept) him close to the presence of the emperors and the real center of power.

A similar explanation can be given for the last post which is attested for Hierocles, the prefecture of Egypt. After describing the execution of Apphianus (2 April 306), Eusebius refers forward to the martyrdom of his brother Aedesius: "a little later" he assaulted the prefect Hierocles in Alexandria and was put to death (*Mart. Pal.* 5.3).²⁴ A papyrus from Karanis offers a precise date, with a consular year (*P. Cairo Isid.* 69 = *Sammelbuch* 9186). Unfortunately, the date is badly preserved and has been read both as January 307 and as January 310, though the weight of expert opinion inclines toward the later year.²⁵ The *fasti* of Egypt appear to allow either date: no prefect is unambiguously certified either between Clodius Culcianus on 29 May 306 (*POxy.* 1104) and Valerius Victorinus in 308 (*POxy.* 2674) or between Aelius Hyginus on 22 June 309 (*POxy.* 2667) and Aurelius Ammonius on 18 August 312 (*Chrestomathie* 2.64).²⁶ But an appointment in 309/310 would accord well with the known policy of Maximinus elsewhere: in 308 he dispatched a new governor to Palestine, who, on his arrival, alleged express imperial orders to treat Christians more harshly than before (*Eus. Mart. Pal.* 8.1).

So far the evidence from which recent scholarship has reconstructed Hierocles' career.²⁷ The *Contra Hieroclem* may now be adduced. Eusebius twice refers to Hierocles' official functions, in practically identical words:

τοῦ τε Φιλαλήθους τὰ ἀνωτάτω τε καὶ καθ' ὧν δικαστήρια διειληφότος (4, p. 373.10/11 Kayser);

Ἱεροκλεῖ τὰ ἀνωτάτω καὶ καθόλου δικαστήρια πεπιστευμένῳ (20, p. 386.30/31).

²⁴ Epiphanius also refers to Hierocles' prefecture, *Pan.* 68.1.4f.

²⁵ In favor of 307, C. Préaux, *CE* 27 (1952) 247ff; C. Vandersleyen, *JJP* 13 (1961) 109ff; *Chronologie des préfets d'Égypte de 284 à 295*, Coll. Latomus 55 (1962) 80ff; for 310, H. C. Youtie, *CE* 28 (1953) 147ff; A. E. R. Boak and H. C. Youtie, *The Archive of Aurelius Isidorus* (1960) 274, 276; E. G. Turner, *CR* n.s. 15 (1965) 129.

The present article was written in autumn 1974: *POxy* 3120, published in 1975, now registers Hierocles unambiguously as prefect of Egypt in April 310.

²⁶ *PLRE* enters Titinnius Clodianus as prefect c. 310 (1.217, 1084). He is held to be a *praeses Thebaidos* by C. Vandersleyen, *Chronologie* (1962) 106.

²⁷ The *Contra Hieroclem* is nowhere cited in *PLRE* 1.432, Hierocles 4. Nor is the omission rectified in the *addenda et corrigenda* to that entry offered by J. R. Martindale, *Historia* 23 (1974) 248.

The words have been translated, respectively, "who has . . . taken possession of the supreme courts all over the province" and "who has been entrusted to administer the supreme courts of justice all over the province."²⁸ But this rendering hardly does full justice to the words "the highest and general courts"; since Eusebius elsewhere uses very different vocabulary to describe provincial governors, he probably does not here refer either to the governorship in Bithynia or to Hierocles' prefecture of Egypt.²⁹ If the *Contra Hieroclem* was written before 303, then the reference must be to Hierocles' vicariate. Eusebius surely has in mind the function of a *vicarius* in trying cases remitted to him by provincial governors.³⁰ Now, if this be so, Hierocles should be *vicarius* of the diocese in which Eusebius was writing, and his words may thus be taken to imply that Hierocles was *vicarius Orientis* shortly before 303.³¹

III. PRELUDE TO PERSECUTION

Lactantius records an episode which shortly preceded the first imperial edict against the Christians (23 February 303). It occurred when Diocletian was "in partibus Orientis" (*Mort. Pers.* 10.1-5).

As the *haruspices* were sacrificing in the imperial presence, some Christian attendants made the sign of the cross and frustrated the attempt at divination. The cause being detected, Diocletian ordered everyone in the palace to sacrifice, and dispatched letters to provincial governors ordering that soldiers be forced to sacrifice or dismissed from the army. Since the next event to be recorded is the emperor's departure after an interval to spend the winter of 302/303 in Bithynia (10.6), the date must be 302 or not long before, while the place seems to be Antioch.³²

²⁸ Conybeare (above, n. 1) 495, 533.

²⁹ Compare the descriptions of Urbanus, governor of Palestine: τῆς ἐπαρχίας ἡγούμενος (*Mart. Pal.* 3.1); τοῦ ἔθνους ἡγούμενος (4.11); ἡγεμῶν (4.8, 7.2 [short recension]); ἀρχῶν (7.1); δικαστῆς (4.11); τὴν Παλαιστίναν διείπεν ἀρχὴν (7.2 [long recension], cf. 7.7). Duchesne (above, n. 4) 19 detected a reference to the Bithynian governorship, E. Schwartz, *RE* 6.1395, to Hierocles' prefecture of Egypt.

³⁰ Most clearly documented in the *Acta Marcelli* (ed. H. Delehaye, *Anal. Boll.* 41 [1923] 260-267).

³¹ For another possible holder of the post, cf. *POxy.* 1469 (*PLRE* 1.787).

³² Note the reference to "universos qui erant in palatio" (*Mort. Pers.* 10.4). Moreau (above, n. 23) 266 argues for a date of 299/300, adducing Eus. *HE* 8.4.1, 8 app. 1. But the action which Eusebius places "long before" 303 appears to be a purge of Galerius' own entourage and army alone.

The latter part of Lactantius' account corresponds closely to something which Eusebius regarded as the beginning of persecution. The commander (ὁ στρατοπεδάρχης) gave the soldiers in the camps a simple choice, either to obey an order incompatible with Christian beliefs and keep their rank or to disobey the order and lose it: many Christians confessed Christ and forfeited their privileges, and a few were even executed (HE 8.4.3f). The commander's name was Veturius, and Jerome's version of the *Chronicle* describes him as "magister militiae" (227^a Helm, cf. *Chronicle* p. 227 Karst). What was his precise and official title? Eusebius seems to regard him as the supreme commander of Roman forces in Syria and Palestine, but his precise post could conceivably be that of pretorian prefect.³³ For the date, 297 has recently been advocated.³⁴ But it is hard to avoid identifying Veturius' order to sacrifice with the order to sacrifice which Lactantius recounts.³⁵

Date and place suggest that Sossianus Hierocles may have played some part in these transactions. If, as has been argued above, he was *vicarius Orientis* shortly before 303, then he may have been on hand when Diocletian was in Antioch. Now Lactantius professes to know that not all the emperor's advisers in Nicomedia in the winter of 302/303 were equally hostile to the Christians (*Mort. Pers.* 11.4ff), and he reports that Hierocles urged persecution in the imperial *consilium* (*Div. Inst.* 5.2.13; *Mort. Pers.* 16.4). A similar divergence of views may also have occurred when the ill-omened sacrifice was discussed "in partibus Orientis."

IV. DIOCLETIAN AND THE MANICHEES

The compilation known as the *Mosaicarum et Romanarum legum collatio* preserves a rescript concerning the Manichees (15.3), which reveals the assumptions underlying imperial religious policy in the period preceding the "Great Persecution". The rescript is quoted from the seventh book of the Codex Gregorianus, bore the names of Diocletian and Maximian, Constantius and Galerius, is addressed to one Julianus as proconsul of Africa, and was issued at Alexandria on 31 March of an unspecified year.³⁶ Its text reveals that Diocletian had

³³ Compare, however, HE 9.5.2, 6.1; *Mart. Pal.* 9.2, 13.2f, where στρατοπεδάρχης or a periphrasis is used of a much lower military commander (cf. *PLRE* 1.1017). Veturius, therefore, may be the *dux* commanding troops in the province of Palaestina.

³⁴ *PLRE* 1.955 (failing to distinguish carefully enough between Jerome's additions and the original text of Eusebius' *Chronicle* which he was translating).

³⁵ Moreau (above, n. 23) 266.

³⁶ *FIRA*² 2.580/581.

received a report from the proconsul, which catalogued the crimes of the Manichees (5) and presumably enquired whether and how they were to be punished: the reply orders that the ringleaders be burned with their scriptures and their followers either beheaded or sent to the mines of Phaeno or the quarries of Proconnesus (6/7). The preamble justifies such severity: innovation in religion always verges on the criminal (1/2), and the Manichees have come from a foreign power and are trying to corrupt the innocent Roman race by introducing wicked Persian ways (3/4).

The indirect relevance of this rescript (which many style an edict) to the Christians has long been recognized.³⁷ But the sharpness of such relevance depends in part on the date. Most recent writers assign the document to 31 March 297, when Rome and Persia were at war (4: "de Persica adversaria nobis gente").³⁸ The preamble, however, speaks of "otia maxima," which better suits a later date, while the heading and subscription indicate with something which approaches certainty that the correct date is 31 March 302.³⁹

The rescript was issued on a 31 March between 293 and 305 to a proconsul of Africa whose name was Julianus.⁴⁰ It cannot, therefore, be assigned to any year when another man is known to be holding that office. Now it seems that the proconsulate of Africa was still an annual appointment (inscriptions record iterated tenures),⁴¹ and by singular

³⁷ T. Mommsen, *Römisches Strafrecht* (1899) 576, 599.

³⁸ W. Seston, *Mélanges Ernout* (1940) 345ff; *Dioclétien* 1 (1946) 156; W. Ensslin, *RE* 7A (1948) 2442, 2481; J. Vogt, *Constantin der Grosse und sein Jahrhundert* (1949) 126; A. Chastagnol, *Les fastes de la préfecture de Rome au Bas-Empire* (1962) 37; Frend (above, n. 22) 488; P. Brown, *JRS* 59 (1969) 92 = *Religion and Society in the Age of St. Augustine* (1972) 95; H. Chadwick, *Oxford Classical Dictionary*² (1970) 643; J. Molthagen, *Der römische Staat und die Christen im zweiten und dritten Jahrhundert* (1970) 114.

³⁹ In favor of 302, see T. Mommsen, *Collectio librorum Juris antejustiniani* 3 (1890) 188f; P. Jörs, *RE* 4 (1901) 162; L. Poinssot, *Mémoires de la Société nationale des antiquaires de France* 76 (1924) 292ff.

⁴⁰ The provenance of the law does not help, as Mommsen believed, *Abh. Berlin* 1860, 443f = *Ges. Schr.* 2 (1905) 288f (arguing in favor of 31 March 296). Recent students of Roman law seem agreed that the Codex Gregorianus was completed in 291 or 292; cf. J. Gaudemet, *La formation du droit séculier et du droit de l'église au IV^e et V^e siècles* (1957) 40ff; A. H. M. Jones, *The Later Roman Empire* 1 (1964) 474. If so, the rescript under discussion and *Mos. et Rom. leg. coll.* 6.4 (295) are subsequent additions, like the seven laws of 365 quoted elsewhere from the Codex Hermogenianus, which was probably completed in 295 (*Consultatio veteris cuiusdam iuriconsulti* 9.1-7).

⁴¹ Even into the reign of Constantine: *ILAfr* 456, cf. B. Malcus, *Opuscula Atheniensia* 7 (1967) 101f.

good fortune the fasti of the province are complete, or almost complete, for these dozen years.⁴²

T. Cl. Aurelius Aristobulus was proconsul from 290 to 294: he held the post for four years (*ILS* 5477), is attested as proconsul in 294 (*ILS* 637), and became *praefectus urbi* on 11 January 295.⁴³ The *Acta Maximiliani* certify Cassius Dio as proconsul in March 295; he therefore held office from summer 294 to summer 295, as Aristobulus' successor.⁴⁴ Dio was in turn succeeded by T. Flavius Postumius Titianus (*CIL* 8.26566 (295), cf. *ILAfr* 532).⁴⁵ The next precisely dated proconsulate is that of L. Aelius Helvius Dionysius, which also lasted for four years (*CIL* 8.12459); since Dionysius is attested in 297 or 298 (*ILAfr* 531) and 298 (*Frag. Vat.* 41 [March 298]), and was *praefectus urbi* in 301/302, the four years are either 296–300 or 297–301. However, although the day and month of its commencement have dropped out of the text of the Chronographer of 354, Dionysius' prefecture ended on 19 February 302, so that the later date for the proconsulate would limit his prefecture to a brief six or seven months. Accordingly, the earlier date is preferable, and Dionysius' proconsulate should run from 296 to 300.⁴⁶ After 300 no proconsul is precisely dated until C. Annius Anullinus, whom *acta martyrum* show enforcing imperial legislation against the Christians from July 303 to December 304.⁴⁷ Moreover, the *Acta Felicis* state that he was already proconsul in early June 303, which has been taken as proof that he entered office in July 302.⁴⁸ Perhaps so, but the *acta* could be mistaken on this detail (Anullinus did not actually try Felix until 28 June), and it is possible that his proconsulate began c. 1. June 303.⁴⁹ On present evidence, therefore, Anullinus should be regarded as adequately attested as proconsul only for the biennium 303–305. There remain three proconsuls who are not precisely dated:

⁴² Poinssot (above, n. 39) 264ff. The list of proconsuls in *PLRE* 1.1073 fails to draw the permissible deductions from the fact of annual tenures.

⁴³ Chastagnol (above, n. 38) 21ff.

⁴⁴ On the *Acta Maximiliani*, see H. Delehay, *Les passions des martyrs et les genres littéraires*² (1966) 77ff. Dio succeeded Aristobulus as *praefectus urbi* on 18 February 296 (Chastagnol [above, n. 38] 25ff).

⁴⁵ Later consul in 301, *praefectus urbi* 305/306 (Chastagnol [above, n. 38] 41ff).

⁴⁶ Poinssot (above, n. 39) 313ff. Chastagnol (above, n. 38) 37 prefers 297–301 — in order to put Julianus in 296/297. It is argued below (from *P. Cairo Isid.* 1) that Diocletian was not in Alexandria on 31 March 297.

⁴⁷ Most reliably, the *Acta Felicis* (June/July 303) and *Acta Crispinae* (December 304); cf. Optatus 3.8 (*CSEL* 26.90). For other evidence, see *PLRE* 1.79.

⁴⁸ *Acta Felicis* 2.2/8 (5 June), cf. Poinssot (above, n. 39) 315.

⁴⁹ On the problem of the proconsular year, see recently *Tertullian: A Historical and Literary Study* (1971) 260f; G. W. Clarke, *Latomus* 31 (1972) 1053f.

Julianus, M. Tullius T[. . .]nus (*CIL* 8.1550 + 15552: between spring 293 and summer 305), and C. Ceionius Rufius Volusianus, whose proconsulate appears on an inscription which omits all the offices which he held under Maxentius (*ILS* 1217).⁵⁰

Diocletian issued the rescript to Julianus from Alexandria: therefore it belongs to a 31 March when he was in the city. Two visits of Diocletian to Egypt are attested (in 298 and 302), and, if there was a third visit between 293 and 305, it occurred in a year when Julianus cannot have been proconsul of Africa. The preserved subscriptions to laws exclude a visit in 293 or 294.⁵¹ In March 295 and 296 proconsuls other than Julianus are known to have been in office (Cassius Dio and Postumius Titianus). As for March 297, the edict of the prefect Aristius Optatus, promulgated in Alexandria on 16 March 297, renders the emperor's presence or imminent arrival highly improbable (*P. Cairo Isid.* 1 = *Sammelbuch* 7622).⁵² In the following spring, Diocletian was certainly in Egypt, for preparations were being made for his journey up the Nile in September 298 (*P. Beatty Panopolis* 1.53ff), but Helvius Dionysius was proconsul of Africa (*Frag. Vat.* 41; *ILafr* 531). The emperor then seems to have proceeded to Syria,⁵³ but he visited Alexandria again in 302, after which the detailed narrative of Lactantius enables his movements to be closely followed (*Mort. Pers.* 10.6ff). The second visit is attested in two sources, which both give the consular date, the so-called Barbarus Scaligeri and the Paschal Chronicle.⁵⁴ Their testimony deserves credence, for both derive from earlier Alexandrian chronicles and preserve valuable items of local tradition.⁵⁵ Since the

⁵⁰ On his career, *JRS* 65 (1975) 40ff.

⁵¹ T. Mommsen, *Ges. Schr.* 2 (1905) 273ff.

⁵² The revolt of L. Domitius Domitianus, which Diocletian came to Egypt to suppress, began in the summer of 297 (not 296, as was formerly supposed) and ended in spring 298; cf. A. C. Johnson, *CP* 45 (1950) 15ff; T. C. Skeat, *Papyri from Panopolis* (1964) xff; *PLRE* 1.263; A. K. Bowman, *Akten des XIII. Internationalen Papyrologenkongresses* (1973) 50f. To the evidence there discussed, add *Pan. Lat.* 8(5).5.2: "dent veniam trophaea Niliaca sub quibus Aethiops et Indus intremuit." Since this speech was delivered on 1 March 297, the revolt of Domitianus had not yet begun; the allusion is to the earlier troubles in which Busiris and Coptos were destroyed, and the context indicates that between 1 March 293 and 1 March 297 Egypt was visited either by Diocletian or by Galerius. I hope to discuss this earlier revolt more fully elsewhere.

⁵³ W. Ensslin, *RE* 7A, 2442ff.

⁵⁴ A. Schoene, *Eusebi chronicorum libri duo* 1 (1875) 233 = *Chr. Min.* 1.290; *Chronicon Paschale* p. 514.16/17 Bonn.

⁵⁵ See, respectively, A. Bauer, *Texte und Untersuchungen* 29.1 (1905) 162ff; *GCS* 46 (1956) ixff; and E. Schwartz, *RE* 3 (1899) 2460ff. No reason, therefore, for concluding that "the evidence for a visit in 302 is unsound" (*PLRE* 1.474).

fasti of Africa permit Julianus to be lodged in 301/302, the rescript concerning the Manichees can accordingly be dated 31 March 302.⁵⁶

A list of proconsuls of Africa from 290 to 305 may now be given:

T. Cl. Aurelius Aristobulus	290-294
Cassius Dio	294/295
T. Fl. Postumius Titianus	295/296
L. Aelius Helvius Dionysius	296-300
	300/301
Julianus	301/302
	302/303
C. Annius Anullinus	303-305

One of the two vacant spaces must be occupied by M. Tullius T[...]nus, while Anullinus' tenure might have included 302/303. C. Ceionius Rufius Volusianus, therefore, should provisionally be lodged in 305/306.⁵⁷

V. CONSTANTINE IN ANTIOCH

Eusebius saw Constantine once before he became emperor. He was in the imperial entourage, traveling through Palestine with Diocletian, who gave him the place of honor at his right hand (*Vita Constantini* 1.19). The court was clearly either going to Egypt or coming from Egypt: hence the date cannot be 296 (as is often assumed)⁵⁸ but must be either c. 298 or 301/302. That it was the latter can be established with a high degree of probability. Early and precise evidence exists for Constantine's career.

Born not long after 270,⁵⁹ Constantine, like many another, was able to distinguish himself as an officer in the victorious campaigns which the Caesar Galerius waged at the very close of the fourth century. Three sets of facts disclose the details. First, he served "per maximos tribunatus" (*Pan. Lat.* 7[6].5.3, cf. 6[7].3.3) to become, before 305, a "tribunus ordinis primi" (*Lactant. Mort. Pers.* 18.10). Second, he fought with

⁵⁶ Julianus is normally identified with Amnius Anicius Julianus, *praefectus urbi* from 326 to 329 (*PLRE* 1.473f). The abnormally long interval renders the identification less than certain; cf. Chastagnol (above, n. 38) 79.

⁵⁷ Poinssot (above, n. 39) 333ff; Chastagnol (above, n. 38) 54 also allows 306/307 as a possibility.

⁵⁸ Note, however, F. Millar, *JRS* 60 (1970) 216: "probably in 298."

⁵⁹ For the ancient evidence, see D. J. A. Westerhuis, *Origo Constantini imperatoris sive anonymi Valesiani pars prior* (Diss. Groningen 1906) 8. No source makes Constantine less than sixty-two or more than sixty-six at the time of his death (22 May 337).

bravery under Diocletian and Galerius "in Asia" and also under Galerius alone against the Sarmatians (*Exc. Vales.* 1.2/3). Third, according to his own statement, he saw the ruins of Memphis and Babylon in person and with his own eyes (*Oratio ad coetum sanctorum* 16, p. 177.1-4 Heikel).⁶⁰ The latter pair of items can be combined without difficulty. Constantine served under Diocletian and Galerius at the time of the Persian War, and he accompanied the Caesar when he invaded Mesopotamia in 298, captured the harem and treasury of the Persian king, and advanced to Ctesiphon.⁶¹ Subsequently he served under Galerius on the Danube; success again attended the Caesar, so that by 301 the emperors could proclaim that the world lay in the lap of deep peace (*Edictum de pretiis*, praef. 5).⁶²

In 298, therefore, Constantine was on campaign in Mesopotamia and cannot have traveled with Diocletian to Egypt. The occasion on which he traversed Palestine and on which he saw the ruins of Memphis must be Diocletian's later visit, in the winter of 301/302. Furthermore, since Constantine was with the imperial court at Nicomedia in February 303 (*Oratio ad coetum sanctorum* 25, p. 190.24ff Heikel), he presumably remained with Diocletian throughout the intervening period, and retained his place of honor at Diocletian's right hand both in Egypt and later in Syria. It follows that Constantine participated in the deliberations of the imperial *consilium* when it discussed the Manichees in March 302 and that he may have been present at the fateful sacrifice which led to persecution in the army.

VI. THE ORACLE AT DAPHNE

If Constantine was in Antioch in 302, that has some relevance to the authenticity of the *Oratio ad coetum sanctorum*, which Eusebius appended to his life of Constantine (cf. *Vita Constantini* 4.32). The speech refers in passing to stories about the origin of the oracle at Daphne (18, p. 179.13/14 Heikel: κατὰ τὰ αὐτὰ τοῖς ἱστορουμένοις περὶ τῆς Δάφνης). This passage has recently been adduced as proof, not only that Constantine cannot have composed the speech, but also that it must have been written after Julian consulted the oracle (in 362).⁶³ But Constantine

⁶⁰ The authenticity of the speech has often been denied, most recently by R. P. C. Hanson, *JTS* n.s. 24 (1973) 505ff. He affirms that "it is highly improbable that Constantine could in fact have visited either of these ruins" (506).

⁶¹ For the date, *Pan. Lat.* 9(4).21; *Joshua the Stylite*, trans. W. Wright (1882) p. 6.

⁶² On these Danubian operations, cf. W. Ensslin, *RE* 14 (1930) 2523. Their existence is denied by Seston (above, n. 22) 134.

⁶³ Hanson (above, n. 60) 507ff.

had visited Antioch. Why then should he not be capable of remembering and referring to stories which he had heard in the city? Moreover, the oracle of Daphne may have been employed in 302 by the advocates of persecution. Theotecnus, the *curator* of Antioch, was assiduous in persecution and propaganda some years later: besides executing Christians, he erected a statue of Zeus Philios and instituted a cult with mysteries and oracles (Eus. *HE* 9.2.2ff; 11.5f; *PE* 4.2.10f). Now Gelasius of Caesarea alleged that Theotecnus also made play with oracles before the persecution began: he went into a cave, where Galerius used to sacrifice, and emerged with an oracle ordaining that the Christians be persecuted, which Galerius used to persuade his imperial colleagues to attack Christianity.⁶⁴ As it stands, the story must be false, at least in part, and Gelasius seems to have had other misconceptions about the early fourth century.⁶⁵ But it might have a basis in fact. If it were functioning in 302, the oracle at Daphne ought not to have kept silence.⁶⁶ During the following winter, the oracle of Apollo at Didyma was consulted, and the god replied "ut divinae religionis inimicus."⁶⁷

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⁶⁴ G. C. Hansen, *Theodoros Anagnostes, Kirchengeschichte* (GCS, 1971) 158.9-14, cf. Theophanes p. 9.30-33 De Boor. This evidence is not noted in *PLRE* 1.908, Theotecnus 2.

⁶⁵ *JRS* 63 (1973) 34.

⁶⁶ The oracle was in operation fifty years later: Julian *Misopogon* 346b; Gregory of Nazianzus *Orat.* 5.22 (*PG* 35.704f); John Chrysostom *Liber in s. Babylam* 18f (*PG* 50.561ff); Sozomenus *HE* 5.19.12ff.

⁶⁷ Lactant. *Mort. Pers.* 11.7.