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THE EXECUTION OF CRISPUS

PATRICK GUTHRIE

A PUZZLING PROBLEM in the reign of Constantine I is the execution of the Emperor's son, the Caesar Crispus, in 326 at Pola. Crispus had served his father faithfully and efficiently in Western Europe, on the northern frontier, and, in 324-325, during the campaign against Licinius. The execution—apparently without a hearing or a trial—must have been due to what Constantine regarded as an unavoidable exigency in an absolutist regime. In this paper an attempt will be made to suggest a reasonable solution to the problem. The method to be followed is, first, to present the information available about the life and public career of Crispus, and, second, to consider the suggestions made by critics, ancient and modern, to account for Constantine's seemingly cruel act, and, in conclusion, to present evidence in support of the view that the Emperor was deliberately following a policy that may be described as "dynastic legitimacy."

Crispus was born the son of Constantine and of the concubine Minervina. The date of his birth is uncertain, but the year 305 is a reasonable guess.¹ In this connection, the significant fact is that Crispus was illegitimate. Probably on March 1, 317, he was appointed Caesar along with the infant Constantine (the future emperor Constantine II) and the younger Licinius. Until his death Crispus was the senior among the Caesars, and in 318, 321, and 324, he held consulships.² While still a youth

This discussion is a part of a longer paper on "Aspects of Constantinian Imperialism" read at the annual meeting of the Classical Association of Canada held in June, 1965 in Vancouver, British Columbia.

¹Zosimus 2.20.2, Anon. *Epit. de Caes.* 41.4, Zonaras (ed. Dindorf) 13.2.5b name Minervina as the mother, and she is referred to as a *παλλακή*. For the year of birth, O. Seeck, *RE* 4.2 (1901) 1723, s.v. "Crispus (9)," suggests 307, but, in view of Crispus's later military and political appointments, this date seems too late. J. Vogt, *Constantin der Grosse und sein Jahrhundert* (Munich 1949) 143, suggests 305, while J. Palanque, "Chronologie Constantinienne," *REA* 40 (1938) 245 ff., argues for 303.

²Anon. *Val.* 5.19. The appointment of the three Caesars was probably a dynastic measure to promote harmony between the Augusti. Referring to the appointments, Zosimus 2.20.2 describes Crispus as a *νεανίας* and Constantine as an infant born *οὐ πρό πολλῶν ἡμερῶν*. So Nazarius (ed. R. Mynors) *Pan.* 4.36.3 (Crispus as *Caesarum maximus*) and 4.36.4 (Crispus as *Caesarum nobilissimus*), Victor *Caes.* 41.6, Anon. *Epit. de Caes.* 41.4. Seeck, *RE* 4.2.1723, suggests March 1 as the specific date and is followed by Vogt, *Constantin* 165, 189. A. Piganiol, *L'Empire Chrétien* (Paris 1947) 35, expresses the belief that enmity existed between Crispus and the younger Constantine, but adduces no evidence. An appraisal of Orosius *Adv. Pag.* 7.28.23 ff. is presented in Appendix A to this paper. For the consulships, see Seeck, *RE* 4.2.1723, and E. Stein, *Histoire du Bas-Empire* 1 (Bruges 1959) 104.

...rning and protecting the Western
...ement of Nazarius, he met with
...bably on March 1, he celebrated
...married a woman whose name is
...But Crispus' chief claim upon
...able service in the final struggle
...r appointed him to the command
...sia. And Crispus was successful.
...Licinius' admiral Amandus, the
...partly destroyed. Subsequently
...Byzantium. The ancient sources
...the services rendered by the
...um, the history of Crispus is
...s sent to Rome by the Emperor
...caea. But at Pola he was seized
...between May 15 and June 17.¹
...n are unconvincingly given in
...to discuss them, and such con-
...re understandably silent about
...was generally believed to have
...the Caesar or to have unjustly
...ly, 326 she was herself put to
...mother, Helena.² But this

moralistic interpretation rests upon the slimmest of evidence. First, the ancient sources referring to the Crispus-Fausta relationship are late and unreliable. Second, there is no evidence whatsoever to support the theory advanced by some modern critics that there is a connection between the "godly" edicts of 326 and the alleged irregularities of Crispus.⁷ Again, Constantine, while he may have been ruthless in establishing his military and political power over a unified Empire, was anything but irrational or irresponsible in dealing with those who had served him well.

We must look, it would seem, for the answer to the problem, not in Constantine's concern for personal morality or in a spectacular bit of palace scandal, but in a specific aspect of the Emperor's theory of imperial absolutism. As it was noted above, Crispus was the eldest of Constantine's sons, but was illegitimate; and, though highly esteemed by his contemporaries and seemingly the logical heir to the imperial power, he was obviously disqualified from promotion to the rank of Augustus by the circumstances of his birth. We must bear it in mind that Constantine the Younger, Constans, and Constantius—their very names are suggestive of family solidarity⁸—were legitimate.⁹ Now Constantine was obviously well aware of the possibility, or rather the virtual inevitability, of military chaos after his death, especially as the illegitimate son was the eldest and the most experienced in civil and military administration and therefore in a position to dominate, if not annihilate, the younger legitimate heirs. And in Constantine's mind was the recollection of the disintegration of the tetrarchy, from which he had himself emerged as the sole survivor. Thus the Emperor considered it to be his responsibility to minimize the possibility of anarchy (though he could not banish it completely) through the simple, if brutal, expedient of removing Crispus.

This interpretation of Constantine's motives is not derived merely

¹*Cod. Iust.* 5.26: *De Concubino* (dated 326), which is an edict to the people; *Novels* of Marcian 4.1 (in *Cod. Theod.* ed. Pharr *et al.*) cites Constantine's enactment on concubinage in connection with the re-marriage of senators. For modern views based upon a supposed relationship between these regulations and the alleged misconduct of Crispus and Fausta: Seeck, *RE* 4.2.1724; *Geschichte* 3 (Berlin 1909) 425; 4 (Berlin 1922) 3; H. Kraft, *Kaiser Konstantins religiöse Entwicklung* (Tübingen 1955) 131; Stein, *Bas-Empire* 1.108; Vogt, *Constantin* 241; 256; Piganiol, *L'Empire Chrétien*. 35. Jones, *Constantine* 244–245, mentions this interpretation, but observes that, if it is correct, Crispus' delinquencies are unknown.

²In a number of documents dated after 326 this close family association is suggested by the grouping of Constantine's name with those of the three surviving Caesars and of the names of the Caesars together: *CIL* 8.7011; 11.5265 (*ILS* 705), dated 333–337; *MAMA* 6.94(b), dated early in 337; *AEpigr* (1934) no. 158, dated between September 8, 336, and May 22, 337; *AEpigr* (1927) no. 165, dated 337–340.

³As the question of the legitimacy of these three Caesars is of prime importance, a discussion of the evidence, along with the writer's conclusions, is presented in Appendix B.

n. 17, and Seeck, *Geschichte der*
quinquennalia, Nazarius *Pan-*
Theod. 9.38.1 (dated October 30,
discussed by H. von Schoene-
Constantin," *Klio* Beitr. 43

tropius (ed. H. Droysen in
2.5d. It is noteworthy that

des Dichters Porphyrius,"
n. 55, concurs. Attempts
are inconclusive.

Ep. 5.8.2; *Chron. Min.*
Suda s.v. Κρίσπης (sic).
lytus-Phaedra legend.

of the alleged palace
ersion was due to his
Conversion of Europe
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his capacity as spokesman for the clearest expression to the principle of Constantine's concern. Throughout for imperial unity both in the political and this preoccupation with unity Eusebius theorizing on political principles. In his kingship—which is tantamount to an divine right of kings—Eusebius affirms (ὑπαρχος) of the Christian God and for the governance and the amelioration ally to this proposition is that the must needs be transmitted to the er words, the principle of dynasticism, of the constitutional practice of the Aurelius reverted to it, reinforced by ated by divine sanction and by the s).¹¹ Now, in the light of this doctrine cluded from the succession in favour n 326 Constantine could observe the he was anxious to assure the main- ists. Therefore Crispus was executed

37 at Constantinople and elsewhere p... Crispus Constantius, the th h... the patrician Optatus, Con... us, and, in 354, the b... which as would seem to policy.¹³

The present writer hopes in a later paper.

le earlier than Crispus. but do not give details. Licinius, and *numerosi* er, can be adduced to Crispus, was a victim of

er. Suffice it that the uch varied means as in Byzantine history, nastic murder" was a *Konstantins religiöse* tanismus on the odd. So also Benjamin,

APPENDIX A: THE TESTIMONY OF OROSIUS

OROSIUS *Adv. Pag.* (edit. C. Zangemeister) 7.28.23 ff.:

His diebus Arrius, Alexandrinae urbis presbyter, a veritate fidei catholicae devians, exitiabile plurimis dogma constituit. qui simul ut primum Alexandriae vel notus vel notatus inter confusos vulgo sectatores insectatoresque factus est, ab Alexandro, eiusdem tunc urbis episcopo, pulsus ecclesia est. cumque homines, quos in errorem seduxerat, etiam in seditionem excitaret, apud Nicaeam urbem Bithyniae conventus trecentorum decem et octo episcoporum factus est, per quos Arrianum dogma exitiabile et miserum esse evidentissime deprehensum, palam proditum ac reprobatum est. sed inter haec latent causae, cur vindicem gladium et destinatum in impios punishmentem Constantinus imperator etiam in proprios egit affectus. nam Crispum filium suum et Licinium sororis filium interfecit.

So far as one can determine, no modern critic has taken note of this curious passage. Orosius is describing the rise and spread of Arianism and the measures taken by Constantine to check it. He asserts that Crispus was executed because of his adherence to the heresy, as is made clear by the use of the word *nam* at the beginning of the last sentence. In appraising the passage we may dismiss Orosius' statement for the following reasons: (i) chronology is against it, for the Council of Nicaea was convened in 325 and Crispus was executed early in 326, and thus the interval between these dates would have been insufficient for Constantine to formulate a coherent plan for the extirpation of Arianism such as the historian attributes to him; (ii) though Constantine's legitimate son, the future Emperor Constantius II, was an avowed Arian—and an Anomoean Arian into the bargain—he certainly suffered no disabilities for his beliefs; (iii) Constantine did not impose capital punishment upon those adhering to Arianism. One can only conclude that Orosius was attributing to Constantine the less liberal religious attitudes observable in the fifth century.¹⁴

APPENDIX B: THE LEGITIMACY OF THE CAESARS

(1) *The problem*

The question whether the three Caesars who succeeded Constantine in 337 were legitimate was apparently first seriously raised by Mommsen

¹⁴A critic of this paper has suggested the further possibility that Orosius' view may be rejected because he would know that Crispus had been educated by Lactantius: Hieron. *Vir. Ill.* 80; *Die Chronik des Hieronymus* in Eusebius *Werke* (ed. R. Helm) (Berlin 1956) vol. 7, p. 230. There is probably much truth in this suggestion, although it would not account for the execution of Licinius the Younger. I regret that I am unable to make a more personal acknowledgment of my indebtedness for this interesting observation.

in his commentary on *CIL* 10.678 (*ILS* 710), of which the unamended text runs as follows:

piissimae ac veneravi-
li d. n. [...] Aug.
[...] d. n. maximi
victoris Aug.
Constantini [...] 5
[...] ddd. nnn.
[...] Constantini
Constanti baea-
tissimorum [Caesarum]
[re]sp. S[urrentin]or.

Although his predecessors had understood the name *Helenae* in line 2 and the word *matri* in line 3, Mommsen preferred to understand *Faustae* and *uxori* in the respective places along with the name *Crispi* in line 7. In line 5 he suggested that the word *[n]o[vaercae]* (*sic*) might be a suitable restoration, and stated that a closer examination of the actual document led him to discern a few additional letters. These he believed confirmed his conjecture so that he proposed the reading *[n]o[v]aerc[ae]*. On the basis of this restoration and of the statement by Zosimus, 2.39.1 (the reference to Zosimus given in the *CIL* commentary is incorrect), to the effect that Constantine had no children by Fausta, Mommsen seems to have concluded that the Caesars in question were illegitimate. For four reasons one is reluctant to agree with this conclusion: first, there is no proof that Fausta is the person to whom the inscription refers; second, the restoration of *novaercae* is entirely arbitrary; third, one can find no other instance of the epithet *noverca* applied to an empress; fourth, the statement of Zosimus cited by Mommsen is an egregious blunder, as is shown by the evidence presented below.

(2) The evidence

(a) Literary: Julian, *Orat.* 1.9B-c (ed. J. Bidez) and *Orat.* 3.51c, specifically states that Constantius' mother was the daughter of an emperor, i.e., Fausta, daughter of Maximian, and that she was *πολλῶν αὐτοκρατόρων, οὐχὶ δὲ ἐνὸς μητέρα*. In 1.9D Julian refers to the three brothers as being the *αὐτοκράτορες* in question. In 1.7D Julian also refers to the marriage of Constantine and Fausta and in 1.9c he pays a glowing tribute to Fausta as an empress and a mother. Confirmation of Julian's statements is found in Zonaras (13.2D), who says that Constantine had by Fausta three sons, the younger Constantine, Constantius, and Constans.

(b) Epigraphical: *CIL* 2.6209 (*ILS* 725) states that Constans was the grandson of Maximian, i.e., he was Fausta's son. *CIL* 2.4844 (*ILS* 730) similarly identifies Constantius as the grandson of Maximian.

AEpigr (1952) no. 107, mation for the interpretation text is fragmentary but fort

[.....divo Constantino max. p
 [...dominonostro semper Aug
 [...piissimae et venerabili
etc.

The rest of the document i
 inscription leaves no doub
 of the Augusti.

(3) Modern views

(a) Seeck, *RE* 6.2 (1909) not only takes *CIL* 10.678 a reading *novaercae*, not as a l cated and visible reading younger Constantine was legitimacy of Constantius :

(b) Palanque, *REA* 40 younger Constantine was the son of Fausta, althou Benjamin, *RE* 4.1.1022, Constantine was legitimat he relies, does not furnish

(c) Hartmann, *RE* 4.1.10 2.20.2 and *Epit. de Caes.* 4 317. As Constantius was b points out that it would l have been the mother of notoriously unreliable and

(4) Conclusion

The legitimacy of Cons As to the younger Cons the testimony of Julian that he was legitimate. produced, it would certa tentation. Be that as it may, younger brothers, as is sh on the other hand, being his fellow Caesars.

(*ILS* 710), of which the unamended

veneravi-
...] Aug.
maximi

o.....] 5

nnn.
tantini

esarum]
in]or.

understood the name *Helenae* in line 2
en preferred to understand *Faustae*
ong with the name *Crispi* in line 7.
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third, one can find no
an empress; fourth, the
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ghter of an emperor,
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Constans.
Constans was the
2.4844 (*ILS* 730)
mian.

AEpigr (1952) no. 107, dated 337–340, gives supplementary information for the interpretation of *CIL* 12.668, and is most specific. The text is fragmentary but fortunately the part referring to Fausta is intact:

[.....divo Constantino max. principi d]ivi Constanti filio divi Claudii nepoti
[.....dominonostro semper Augusto Claud]io Constantino p.f.i.d.Constanti[nif.]
[.....piissimae et venerabili Fl]aviae Faustae August(orum) matri atavisque
.....etc.

The rest of the document is not relevant to the present discussion. This inscription leaves no doubt about the status of Fausta as the mother of the Augusti.

(3) Modern views

(a) Seeck, *RE* 6.2 (1909) 2084 ff., *s.v.* "Fausta (3)" and *Geschichte* 4.3, not only takes *CIL* 10.678 as referring to Fausta but accepts Mommsen's reading *novaercae*, not as a highly unlikely conjecture, but as the authenticated and visible reading of the text. He therefore believes that the younger Constantine was illegitimate, though he acknowledges the legitimacy of Constantius and Constans.

(b) Palanque, *REA* 40 (1938) 248 ff., expresses the view that the younger Constantine was born in the summer of 316 and that he was the son of Fausta, although he does not adduce conclusive evidence. Benjamin, *RE* 4.1.1022, *s.v.* "Constantinus (2)," also believes that Constantine was legitimate. However, the text of *CIL* 8.7011, on which he relies, does not furnish confirmation for this view.

(c) Hartmann, *RE* 4.1.1026, *s.v.* "Constantinus (3)," following Zosimus 2.20.2 and *Epit. de Caes.* 41.4, dates the birth of Constantine to February, 317. As Constantius was born on August 7, 317 (*CIL* 1² p. 302), Hartmann points out that it would have been physically impossible for Fausta to have been the mother of this Caesar. But the evidence of Zosimus is notoriously unreliable and the reference in the *Epitome* is very vague.

(4) Conclusion

The legitimacy of Constantius and Constans is not open to question. As to the younger Constantine, the weight of the evidence, especially the testimony of Julian and the text of *AEpigr* (1952) no. 107, shows that he was legitimate. The critics who deny his legitimacy have not produced, it would certainly seem, enough facts to support their contention. Be that as it may, Constantine was early identified with his two younger brothers, as is shown in the documents cited in note 8. Crispus, on the other hand, being much older, apparently stood rather aloof from his fellow Caesars.

from speculation. Eusebius, in his capacity as spokesman for the Emperor's regime, has given the clearest expression to the principle of dynastic legitimacy, the object of Constantine's concern. Throughout his reign Constantine had struggled for imperial unity both in the political sphere and in the ecclesiastical. To this preoccupation with unity Eusebius gives the central place in his theorizing on political principles. In his discussion of the new theory of kingship—which is tantamount to an explication of the doctrine of the divine right of kings—Eusebius affirms that on earth the Emperor is the vicar (*ὑπαρχος*) of the Christian God and the instrument employed by God for the governance and the amelioration of the human society.¹⁰ The corollary to this proposition is that the absolute monarchical authority must needs be transmitted to the Emperor's legitimate heirs. In other words, the principle of dynasticism, which is the complete negation of the constitutional practice of the Principate from 96 until Marcus Aurelius reverted to it, reinforced by the claims of legitimacy, is validated by divine sanction and by the "ordinance of nature" (*θεσμὸς φύσεως*).¹¹ Now, in the light of this doctrine Crispus would automatically be excluded from the succession in favour of the legitimate sons. Assuredly, in 326 Constantine could observe the increasing power of Crispus; but he was anxious to assure the maintenance of harmony among the heirs. Therefore Crispus was executed at Pola.¹²

This action set a precedent. In 337 at Constantinople and elsewhere the possible rivals to the imperial position—Julius Constantius, the Caesar Delmatius probably along with his father, the patrician Optatus, the Prefect Ablabius, perhaps the Consul Felicianus, and, in 354, the Caesar Gallus—were the victims of a blood-bath such as would seem to be the inevitable consequence of the Constantinian policy.¹³

¹⁰Eus. *Vita Const.* 7.12–13, 10.6–7, *Pan.* 1.6, 3.4–5, 5.1, 5.4. The present writer hopes to develop this aspect of Constantinian imperialism more fully in a later paper.

¹¹*Vita Const.* 3.1 ff.

¹²The younger Licinius was also executed, probably a little earlier than Crispus. Many of the ancient sources contain references to this execution, but do not give details. It is tempting to imagine a palace conspiracy, Crispus, Fausta, Licinius, and *numerosi amici* (Eutrop. 10.6.3) being the plotters. No evidence, however, can be adduced to support such a supposition. It would seem that Licinius, like Crispus, was a victim of Constantine's dynastic plans.

¹³This topic also the writer hopes to develop in a later paper. Suffice it that the elimination of possible claimants to the royal power through such varied means as blinding and banishment to a monastery was common enough in Byzantine history, while in the Sultanate of the Ottoman Empire the practice of "dynastic murder" was a standard procedure as late as the seventeenth century. Kraft, *Konstantins religiöse Entwicklung* 130, seeks to acquit Constantine of the charge of *Sultanismus* on the odd ground that Eusebius portrays the Emperor as a "kindly" man. So also Benjamin, *RE* 4.1 (1900) 1021, s.v. "Constantinus (2)."

OROSIUS *Adv. Pag.* (ed.

His diebus Arrius, Alexandr
plurimis dogma constituit. q
confusos vulgo sectatores in
episcopo, pulsus ecclesia est.
excitaret, apud Nicaeam urb
factus est, per quos Arrianus
palam proditum ac reprobat
destinatum in impios puniti
nam Crispum filium suum e

So far as one can de
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in the fifth century.¹⁴

(1) *The problem*

The question whet
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¹⁴A critic of this paper
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Hieron. *Vir. Ill.* 80; *Die*
(Berlin 1956) vol. 7, p. 23
it would not account for
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observation.