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THE LEGIONS OF DIOCLETIAN AND CONSTANTINE

By H. M. D. PARKER

In *JRS* xiii, 1923 (pp. 1-55), Dr. E. Nischer published a paper on 'The Army Reforms of Diocletian and Constantine,' in which, in opposition to the opinions of other scholars, including Mommsen, Seeck and Grosse, he attempted to prove that a proper appreciation of the reforms of the two Emperors could only be attained if a sharp distinction were drawn between their respective policies.¹ According to this theory, Diocletian is the augments, Constantine the reformer, of the Roman military system, in the sense that the former doubled the number of existing legions, while the latter created the field-army of *palatini* and *comitatenses* by disbanding some of the frontier-legions and withdrawing detachments from others to form independent units in his new mobile army. In a note in *JRS* xv, 1925,² Professor Norman Baynes suggested some general grounds for caution in the acceptance of Nischer's opinions, and it is the purpose of this paper to examine more closely the latter's arguments and, while rejecting part of his conclusions, to consider what inferences may safely be drawn from the evidence which we possess for the work of Diocletian and Constantine.

I

I propose first to consider how many legions were in existence on the accession of Diocletian, how many were created by him and upon what principle they were distributed in the Roman Empire.

On pp. 1-2 Nischer contends that Diocletian found in existence the thirty-three Severan legions whose names we know and I *Julia Alexandria*, which he supposes to have been raised by Severus Alexander for his Persian campaign. All other legions mentioned in the *Notitia* which are designated by a number only, or bear a number in addition to another title, he regards as the creations of Diocletian.³ This conclusion is arbitrary and unsatisfactory—arbitrary in its suggestion that we have definite evidence that Diocletian raised no fewer than thirty-four legions whose names survive or can be inferred from the *Notitia*, unsatisfactory because

¹ The same theory with some modifications appears in Nischer's contribution to Kromayer-Veith, *Heerwesen und Kriegführung der Griechen und Römer*, pp. 482-5 and 568-572.

² Pp. 201-4. I wish here to acknowledge with gratitude the help which Professor Baynes has given

me in the writing of this paper. On many points of detail I have received from him most valuable advice and criticism.

³ Legions which bear the names of post-Constantinian emperors (e.g. I-II *Valentinianae*) are, of course, omitted from the discussion.

it does not take account of such literary and epigraphic evidence as we possess for the history of the Roman army in the third century A.D. Now, although certainty cannot be claimed, there is reason to think that six new legions were added to the Roman army between the death of Septimius Severus and the accession of Diocletian. When Severus Alexander was preparing for his Persian campaign of A.D. 231, an extensive *dilectus* was carried out—ἐκ τε οὖν αὐτῆς Ἰταλίας καὶ τῶν ὑπὸ Ῥωμαίοις πάντων ἐθνῶν λογάδες ἐς τὴν στρατιὰν ἡθροίζοντο,⁴ and the *Historia Augusta* states that Alexander appointed Maximinus tribune 'legionis quartae ex tironibus quam ipse (sc. Alexander) composuerat.'⁵ From an inscription we have evidence confirming Herodian that a *dilectus* was held in Transpadane Gaul.⁶ This suggests that the new legion may in all probability be IV *Italica*,⁷ which in the time of the *Notitia* was *legio pseudocom.* under the *magister militum per Orientem*,⁸ and may have been stationed earlier as a frontier-legion on the Euphrates. Less doubtful are the new legions added by Aurelian when he replaced the garrisons of Palmyrenes by contingents from the western half of the Roman Empire. To this occasion may be dated the stationing of I *Illyricorum* in Phoenice and IV *Martia* in Arabia as a sister-legion to the previously existing III *Cyrenaica*.⁹ Lastly, legions I–III *Isaurae*, of which in the time of the *Notitia* the first is *pseudocom.*¹⁰, the two others frontier-legions in Isauria,¹¹ have been attributed by Ritterling on the strength of two passages in the *Historia Augusta* to Probus.¹² That they are not Diocletianic in origin is at least suggested by the absence of any mention of military activity in Isauria during Diocletian's reign.

Of this evidence, even if it is not conclusive, Nischer takes no notice,¹³ but rather surprisingly claims I *Julia Alexandria* as the only addition to the Roman legionary army between A.D. 211 and 285. The choice is strange; for of such a legion we have no information except for a reference in the *Notitia* to a *Julia Alexandria* among the *legiones comitatenses* under the *magister militum per Thracias*.¹⁴ Possibly this *leg. com.* may be in origin a vexillation from a frontier-legion of the same name—if the absence of a number before its title is regarded as accidental. But in any case it is difficult to see why Severus Alexander should be selected for its founder. The adjectival form of Alexander in the titles of other legions (e.g.

⁴ Hdn. vi, 3, 1.

⁵ SHA *Max.* 5, 5.

⁶ *ILS* 1173.

⁷ Cf. the recruiting of I, II, III *Italicae* (H. M. D. Parker, *The Roman Legions*, pp. 98 and 116).

⁸ *Or.* vii, 54.

⁹ *Zos.* i, 52, 3; *ILS* 8875; Ritterling in *Festschrift für O. Hirschfeld* (1903), pp. 345–9, at p. 347. The new legion in Arabia was so numbered as to continue the numerical sequence.

¹⁰ *Or.* vii, 20=56.

¹¹ *Or.* xxix, 7–8.

¹² SHA *Prob.* 16, 5, and 17, 1; Ritterling in *P-W* xii, col. 1348.

¹³ In Kromayer-Veith, *Heerwesen und Kriegsführung der Griechen und Römer*, p. 503, n. 13. Nischer admits the possibility of IV (*Martia*) having been raised by Severus Alexander.

¹⁴ *Or.* viii, 51.

VII *Gemina*)¹⁵ is *Alexandriana* not *Alexandria*, while to find in the other title—*Julia*—a reference to Alexander's grandmother is a somewhat desperate remedy.

Of the remaining legions which are designated by a number only or bear a number in addition to another title, those which have the *cognomina* 'Jovia,' 'Herculia,' 'Maximiana' and 'Diocletiana' were certainly raised in the reign of Diocletian. This gives us I *Jovia*, II *Herculia*, III *Herculia*, V *Jovia*, VI *Herculia*, I *Maximiana*, III *Diocletiana*. Arguing that the legions with the titles 'Jovia' or 'Herculia' represent a series of six raised by Diocletian, Nischer (p. 5) adds to the list IV *Jovia*, which is not found in the *Notitia*, but is deducible from the continuous numbering of the legions bearing the titles 'Jovia' and 'Herculia'; this legion he assumes to have been destroyed in the intervening century. This may be right, but is in my judgment very doubtful. It must be pointed out that, if the hypothetical six legions were a series, we should expect the title of III to be 'Jovia' and not 'Herculia.' I am inclined to think that of the five legions known to us four were raised in pairs—viz. I *Jovia* and II *Herculia*; V *Jovia* and VI *Herculia*,—and that III *Herculia* was created to make a pair with a previously existing legion in a province whose garrison was increased by Diocletian from one to two legions.

To support this opinion, Diocletian's policy must be briefly considered. The most important feature in his scheme of provincial re-organisation is a preference for small provinces, which were created by dividing existing provinces into two or more separate units. Now, although the primary purpose of this new territorial delimitation was doubtless to facilitate the work of administration, it is worthy of note that in each case the re-organisation appears to have followed a period of extensive military operations. This suggests that at least a secondary motive for the change may have been the creation of a more effective system of frontier defence. For the subdivision of provinces situated in a danger zone would, if each province had its own garrison legions, provide a stronger and more intensive resistance to hostile attacks from beyond the frontier. Further, this interpretation helps to elucidate the connection between the provincial policy and the army reforms of Diocletian and receives some confirmation from Zosimus, who praises Diocletian for his care of the frontiers.¹⁶

Now since the time of Septimius Severus it had been the practice to assign not more than two legions to each frontier province, and, although in some provinces one legion was sometimes deemed sufficient, the upper limit was not exceeded. This end was at first achieved by a fresh demarcation of provincial boundaries. Thus in

¹⁵ *ILS* 1176.

¹⁶ ii, 34, 1.

the principate of Septimius Severus Raphanaeae, the headquarters of III *Gallica*, was transferred for administrative purposes from Syria to the new province of Phoenice,¹⁷ and later Caracallus attached Brigetio to Lower Pannonia, so that I *Adjutrix* became with II *Adjutrix* the garrison of the lower,¹⁸ while X *Gemina* and XIV *Gemina* remained as the legions of the upper, province. This policy appears to have been continued during the third century A.D., and we find Aurelian raising the garrisons of Phoenice and Arabia to the normal strength of two legions apiece. It is surely then not improbable that Diocletian adhered to what had become a recognised principle. Certainty is unattainable; but, if we adopt the theory that Diocletian garrisoned his frontier-provinces on the basis of not more than two legions to a province with a preference for a system of pairs, then we can both account for the increase in the number of the legions and also discover the plan of their distribution without having recourse to Nischer's theory of 'Divisional and Main Reserves', for which not a shred of evidence exists.

A second group of legions consists of those that bear a number and a territorial title, viz. I *Noricorum*, I *Pontica*, I-II *Armeniaca*e, IV-V-VI *Parthica*e, I-II-III *Juliae Alpinae*. The formation of all these, with the exception of the *legiones Alpinae*, may with much probability be ascribed to Diocletian. Epigraphic evidence dated to the reign of Diocletian shows that I *Noricorum* was stationed in Noricum to make a pair with the existing II *Italica*,¹⁹ and that I *Pontica* garrisoned Pontus Polemoniacus without, as far as we know, a sister - legion.²⁰ Secondly, the *cognomina* 'Parthica' and 'Armeniaca' imply that the legions bearing these titles were raised for garrison duty in the eastern half of the Empire. Now the victories which followed the initial defeat of Galerius in A.D. 297, and which led to a peace with Persia, had for their sequel the rehabilitation of the eastern provinces and the organisation in provincial form of the freshly won territory. The result is reflected in the *Laterculus Veronensis*. The *Dioecesis Orientis* and the *Dioecesis Pontica* comprise between them eleven frontier-provinces, excluding Egypt, Libya and Isauria.²¹ Now on the accession of Diocletian there were probably fourteen legions on this sector of the eastern frontier.²² If we add to these I *Pontica*, IV-V-VI *Parthica*e and I-II *Armeniaca*e, that gives us a total of twenty legions. On the assumption that Diocletian's policy was to place garrisons of a *normal* strength of two

¹⁷ CIL iii, 205 of A.D. 198; Hasebroek, *Untersuchungen zur Geschichte des Kaisers Septimius Severus*, pp. 66-70. The Syrian legions were thus reduced from three to two (IV *Scythica* and XVI *Flavia*). Cf. ILS 2288.

¹⁸ ILS 2375.

¹⁹ CIL iii, 4803, from Virunum; cf. P-W xii, coll. 1434-5.

²⁰ ILS 639.

²¹ Arabia, Augusta Libanensis, Palaestina, Phoenice, Syria Coele, Augusta Euphratensis, Mesopotamia, Osroene, Cappadocia, Pontus Polemoniacus, Armenia Minor. (Seeck, *op. cit.*, pp. 247-8.)

²² III *Cyrenaica*, IV *Martia*, IV *Italica*, VI *Fer-rata*, X *Fretensis*, I *Illyricorum*, III *Gallica*, IV *Scythica*, XVI *Flavia*, I-II-III *Parthica*e, XII *Fulminata*, XV *Apollinaris*.

legions in each frontier province, twenty legions is about the force required for distribution among eleven provinces, two of which may well have received only a single legion apiece.

The *legiones Alpinae*, on the other hand, were probably not raised by Diocletian. Nischer plausibly suggests that they were called after the Julian Alps which he selects as the site of his 'Main Reserve.' More likely the legions, of which, in the time of the *Notitia*, I–II were *pseudocom.* in Italy and Illyricum respectively,²³ and III a *leg. com.* in Italy,²⁴ were originally the garrison forces of some province or provinces, and either the Alpes Cottiae in the diocese of Italy or the Alpes Graiae et Poeninae in the diocese of the Gauls might be suggested.²⁵ In this way their second title 'Alpinae' may be explained, while the first title 'Juliae' (*cf.* I *Maximiana Thebaeorum* and II *Flavia Constantia Thebaeorum*) will have reference to their founder. Ritterling has suggested Julius Crispus (Constantine's Caesar) or Constans I (Flavius Julius Constans) as possibilities,²⁶ and as a further alternative we may add Constantius II (Flavius Julius Constantius). Perhaps, too, *Julia Alexandria* was raised by the founder of the *legiones Alpinae* as an additional legion for Egypt, which alone among the eastern provinces was called upon to provide legions for the field-army. However that may be, the great uncertainty attaching to the origin of these 'Julian' legions militates seriously against Nischer's contention that all frontier-legions named and numbered in this way are necessarily either Diocletianic or pre-Diocletianic.

The third and last group of legions consists of those designated by a number and the title 'Flavia.' In the *Notitia* the following *legg. comm.* belong to this class:—in the East I *Flavia Gemina*,²⁷ II *Flavia Gemina*,²⁸ I *Flavia Constantia*,²⁹ and II *Flavia Constantia Thebaeorum*;³⁰ in the West I *Flavia Pacis*,³¹ II *Flavia Virtutis*,³² III *Flavia Salutis*,³³ and II *Flavia Constantiniana*,³⁴ while among *legg. pseudocomm.* are found I *Flavia Gallicana Constantia*³⁵ and I *Flavia Martis*.³⁶ All these legions, with the exception of the last two, which he considers to have been formed out of auxiliary cohorts, Nischer traces back to previous Diocletianic legions. He further postulates the existence of a I *Flavia Constantiniana*, and seeks to establish the source of a *leg. com.* called in the *Notitia* 'Flavia Victrix Constantina [id est Constantiaci]'³⁷ in a hypothetical I *Flavia Victrix*, which he assigns to Britain (*op. cit.*, pp. 25–6). Lastly, he

²³ *Occ.* v, 257 = vii, 34; *Occ.* v, 258 = vii, 60.

²⁴ *Occ.* v, 248 = vii, 35

²⁵ Seeck *op. cit.*, p. 250.

²⁶ P-W xii, col. 1405.

²⁷ *Or.* viii, 40.

²⁸ *Or.* viii, 41.

²⁹ *Or.* vii, 44.

³⁰ *Or.* vii, 45; xxxi, 32.

³¹ *Occ.* v, 249 = vii, 146.

³² *Occ.* v, 250 = vii, 147.

³³ *Occ.* v, 251 = vii, 148.

³⁴ *Occ.* v, 253 = vii, 149.

³⁵ *Occ.* v, 264 = vii, 90.

³⁶ *Occ.* v, 269 [*Metis* = *Martis* (Seeck)] = vii, 95: *cf.* Nischer, p. 5, note, who prefers to read *Metis*.

³⁷ *Occ.* v, 252 = vii, 150 (*Constantiaci*). Nischer however, *op. cit.*, p. 28, denies Seeck's identification (*op. cit.*, p. 126).

explains the title 'Constantia' or 'Constantiniana' by the supposition that Constantine 'early in his reign, before he essayed the complete re-organisation of the army,' renamed after himself such legions as had previously borne the names of the imperial colleagues of Diocletian who were his personal enemies.

Having thus established to his satisfaction the Diocletianic origin of these 'Flavian' legions, Nischer proceeds to distribute them as follows (*op. cit.*, pp. 8-9). I *Flavia Constantia* he places in Africa as a partner for III *Augusta*, and I *Flavia Victrix* in Britain as a complement to II *Augusta*. The remainder are grouped as 'Divisional Reserves' or 'Reserves' on the East Danube and Rhine frontiers and in Egypt and Africa respectively. This reconstruction is arbitrary and unsupported by evidence. With the exception of II *Flavia Constantia* which, as we shall see, may have been under Diocletian a frontier-legion of Thebais, we have no positive information about either the origin or the distribution of the different 'Flavian' legions. There is no reason to attribute their creation to the reign of Diocletian: they may no less probably have been raised by any member of the second Flavian dynasty, and in the present state of our knowledge further speculation is idle.

Enough has been said to show that the evidence at our disposal is too uncertain to enable us to arrive at any exact estimate of the number of Diocletianic legions. Further, the re-organisation of the frontier defences on the Rhine³⁸ and in Africa was almost certainly not completed till after the death of Diocletian, and consequently some of the legions which Nischer has attributed to him are much more probably the creation of one of his successors. But, if we omit Gaul and Africa from our consideration and multiply by two the remaining frontier provinces found in the *Laterculus Veronensis*, we shall, I think, not be far wrong in our estimate of the number of legions stationed in the rest of the Empire in Diocletian's reign. The *Laterculus* gives us twenty-nine such provinces and that should mean a total of fifty-eight legions. How far is this borne out by our previous computations? On the death of Septimius Severus there were in existence thirty-three legions, from which we must subtract the one African and four German legions (leaving twenty-eight legions). We saw reason to suppose that six more legions were raised between A.D. 211 and 285, and of fairly certain Diocletianic origin we found seven by reason of their imperial, and seven by reason of their territorial, nomenclature. That gives us a total of forty-eight legions. To this list we may add three more on the following grounds. We are better informed about Diocletian's work in Egypt than in any other part of the Empire. From Eutropius³⁹ we can infer that the

³⁸ E. Stein, *Geschichte des spätrömischen Reiches* i, pp. 139 and 197.

³⁹ ix, 23: 'ea tamen occasione ordinavit [*i.e.* Diocletianus] provide multa et disposuit, quae ad nostram aetatem manent.'

division of the province into three parts, viz. Thebais, Aegyptus Jovia and Aegyptus Herculia was carried out by Diocletian. Secondly, a papyrus, unfortunately mutilated, informs us that his expeditionary force in Egypt was composed of *vexillationes* from pairs of legions under nine *praepositi*. IV *Flavia*, VII *Claudia* and XI *Claudia* are mentioned as providing detachments, and it may be conjectured that all the Danube legions contributed their quota.⁴⁰ Lastly, in the *Notitia* we find Thebais garrisoned by a number of legions including I *Maximiana* and II *Flavia Constantia Thebaeorum*,⁴¹ while the provinces Jovia and Herculia (now united under the *Comes limitis Aegypti*) are garrisoned each by a pair of legions—viz. II *Traiana* and III *Diocletiana*, V *Macedonica* and XIII *Gemina*.⁴² Of these legions II *Traiana* had been in Egypt since the principate of Hadrian, I *Maximiana* and III *Diocletiana* by their titles must be Diocletianic, II *Flavia Constantia Thebaeorum* is of uncertain origin and V *Macedonica* and XIII *Gemina* have the same names as the two Dacian legions. Now Egypt suffered fewer dislocations during the fourth century A.D. than any other part of the Empire, and consequently the legions stationed there at the beginning of the century may have remained in continuous occupation. We are, I think, justified in suggesting that the six legions mentioned in the *Notitia* were originally established in the three Egyptian provinces by Diocletian. For V *Macedonica* and XIII *Gemina* may be identified as *vexillationes* in Diocletian's field-army, which did not return to their original units but were retained for garrison work, and II *Flavia Constantia* looks like a sister-legion for I *Maximiana* (of whose origin there is no question), just as III *Diocletiana* was numbered to make a numerical sequence with the previously existing II *Traiana*.

We have thus a total of fifty-one legions (excluding the four German and one African legions) for which a Diocletianic or pre-Diocletianic origin may with some reason be suggested. When it is remembered that some provinces (e.g. Spain, Britannia Secunda, Pontus and perhaps Raetia) appear to have been given only one legion apiece, the figure is not far short of the strength required to put into effect the principle that the garrison of a frontier province should normally consist of a pair of legions.

The conclusions that have been reached may now be conveniently summarised.

1. Legions whether *palatinae*, *comitatenses* or *pseudocomitatenses* which are designated by a number only, or bear a number in addition to another designation, date back to frontier-legions bearing the same titles.

2. Many of these frontier-legions were raised in the pre-

⁴⁰ P. Oxy. 43; Wilcken, *Grundzüge* i, 362. P-W xii, coll. 1359-60.

⁴¹ Or. xxxi, 31-39.

⁴² Or. xxviii, 18-19, 14-15.

Diocletianic or Diocletianic periods: the origin of others may with greater probability be ascribed to Constantine or even to one of his successors.

3. The theory of a system of 'Divisional and Main Reserves' created by Diocletian has no foundation. The policy of Diocletian was to increase the number of provinces and to establish garrisons of the normal strength of two legions in each of those that were situated on the frontiers.

II

I turn now to Nischer's second contention, *viz.* that the field-army and Palatine Guard were created by Constantine. On p. 4 he puts forward four main arguments, which must be examined.

1. 'In the field-armies (*palatini* and *comitatenses*)—with one or two easily explained exceptions'—he says, 'no pre-Constantinian names are to be found,' to which on p. 13 he adds that 'the troops of the field-army occur in the *Notitia* and in contemporary authors under designations which were quite unknown to the pre-Constantinian army.' These statements, I take it, mean that in the field-armies very few legions are found which are designated by a number only, or by another title in addition to the number, and the exceptions can be explained by holding that the legions so styled date back to frontier-legions of Diocletian. Now if we take the list of *legiones palatinae et comitatenses* in the *Notitia* we find in the eastern half of the Empire two Palatine legions (*Primani*, *Undecimani*)⁴³ designated by a number, nine *legiones comitatenses* (*V Macedonica*, *VII Gemina*, *X Gemina*, *I Flavia Constantia*, *II Flavia Constantia Thebaeorum*,⁴⁴ *I Maximiana Thebaeorum*, *III Diocletiana Thebaeorum*, *I Flavia Gemina*, *II Flavia Gemina*)⁴⁵ by a number and name, and three *legiones comitatenses* (*Tertiodecimani*, *Quartodecimani*,⁴⁶ *Secundani*)⁴⁷ by a number; while in the western half of the Empire we meet with one Palatine legion designated by a number (*Octavani*),⁴⁸ ten *legiones comitatenses* (*Secundani Italiciani*, *III Italica*, *III Herculia*, *II Britannica*, *I Flavia Pacis*, *II Flavia Virtutis*, *III Flavia Salutis*, *II Flavia Constantiniana*, *Tertio Augustani*, *III Julia Alpina*) by a number and name,⁴⁹ and one *legio comitatensis* (*Undecimani*) by a number.⁵⁰ If we subtract from this list the eight 'Flavian' legions and *III Julia Alpina*, whose origin we have shown to be doubtful, that leaves us with no

⁴³ *Or.* vi, 45-46. For this adjectival form of designation cf. Tac. *Hist.* iii, 24.

⁴⁴ *Or.* vii, 39, 41, 42, 44, 45.

⁴⁵ *Or.* viii, 36, 37, 40, 41.

⁴⁶ *Or.* viii, 38, 39.

⁴⁷ *Or.* ix, 35.

⁴⁸ *Occ.* v, 153 = vii, 28.

⁴⁹ *Occ.* v, 235 = vii, 144; v, 237 = vii, 53; v, 238 = vii, 54; v, 241 = vii, 84; v, 249 = vii, 146; v, 250 = vii, 147; v, 251 = vii, 148; v, 253 = vii, 149; v, 254 = vii, 151; v, 248 = vii, 35.

⁵⁰ *Occ.* v, 234 = vii, 134.

fewer than seventeen 'easily explained exceptions.' Further, the explanation which Nischer rightly gives of these so-called 'exceptions' is in my judgment fatal to his theory. For these 'exceptions' are nothing more or less than *vexillationes* designated in the same way as the frontier-legions from which they were drawn. Now the papyrus, to which I have already referred,⁵¹ gives us an account of how Diocletian formed his expeditionary force for his campaign in Egypt. Nine *praepositi* are mentioned, and it is clear that each of them was in command of *vexillationes* from a pair of legions. In other words Diocletian was continuing the practice of his predecessors of drawing contingents for a field-army from frontier-legions, and it was doubtless to increase the available resources that he added so largely to the frontier-army of the Empire. The transition from this policy to the field-army of Constantine is simple and, properly understood, does not involve any great difference of policy. The only real change is the *permanent* concentration by Constantine of those *vexillationes* in an army separate from the frontier-army and their subdivision into two sections which differed from each other only in rank and distinction. Even if we were to admit for the moment that the title 'comitatenses' for the legions was an invention of Constantine, this would not justify the assertion that the policy of Constantine represents a radical change from that of Diocletian. But, unfortunately, Nischer in his article confines his attention to Diocletian's frontier policy: he does not discuss the method by which his campaigning armies were raised. Not unnaturally, then, with such a one-sided picture of Diocletian's work, the reforms of Constantine can be represented as marking a complete change of policy and organisation.

2. Nischer's second argument is as follows: 'Had [Diocletian] been the creator of the field-army, he would never have begun by carrying through this enormous increase of the old army units, . . . and then have fashioned a set of entirely new units out of units whose formation was barely completed. A much longer period than the principate of Diocletian would have been needed for the execution of all these measures and for testing the old system and replacing it by something else' (p. 4). In other words, if Diocletian is to be credited with the formation of the field-army, then, according to Nischer, we must suppose that *first* he augmented all the frontier-legions and that *later*, finding that this system was unsatisfactory, he proceeded to substitute small mobile units for the large units which he had stationed on the frontiers. If these are the correct premises, then I should entirely agree with Nischer that twenty years was too short a period for carrying out the necessary experiments and reforms. But the argument is both artificial and contrary to

⁵¹ See above, p. 181 (*P. Oxy.* 43).

the evidence. The re-organisation of the frontier provinces was not carried out simultaneously: consequently new frontier-legions were raised at different times, as the system of smaller provinces was gradually evolved. Further, such a re-adjustment frequently necessitated campaigns of long duration. In Diocletian's Egyptian expeditionary force there were eighteen *vexillationes*, and some of these at any rate were drawn from the Danube provinces, *i.e.* from an area where the work of re-organisation had already been completed. It is clear therefore that to describe Diocletian's system as representing 'for the first and last time, a definite preference for large units' (p. 11), is to give only one side of the picture. The increase in the number of frontier-legions, it must be repeated, was not merely a defensive measure, it was also an attempt to provide for a mobile army raised on the principle enunciated by previous emperors. By A.D. 297 there were in existence mobile detachments, each in all probability 1,000 strong, drawn from the larger frontier-legions, and these, whether they had received by then the title of 'comitatenses' or not, are the foundation of Constantine's field-army. There is no break between the policies of Diocletian and Constantine: the latter is a natural evolution from the former, which in its turn is but the development of a system that had grown up in the preceding centuries.

3. Nischer next looks for support for his theory to the literary authorities. In Lactantius⁵² he finds a statement that the armies of Diocletian and his three colleagues far outnumbered the army of the period when the Empire was under the rule of one man. Secondly, Zosimus contrasts the work of Diocletian and Constantine, and, while commending the former for his care of the frontiers upon which he stationed his legions, condemns Constantine for depleting the garrison legions and establishing his units in the interior of the provinces.⁵³ Lastly, Victor with a favourable opinion of Constantine uses language which is consistent with calling him a reformer.⁵⁴ As far as it goes, this evidence may give some additional support to Nischer's theory; but is it sufficient for the construction of any reasoned statement of policy? Lactantius merely asserts in an exaggerated form the otherwise attested fact that Diocletian increased the size of the army: the purpose of this augmentation he does not suggest. Similarly Victor appears to praise Constantine for a reform of the military system, but specifies neither its nature nor its consequences. Only Zosimus attempts to compare the work of the two Emperors, and his judgment is neither comprehensive nor impartial. His insistence upon the importance of frontier defence seems to have blinded him to the other military requirements of the Empire, and this prejudice vitiates his judgment of Diocletian and Constantine.

⁵² *de mortibus persecutorum* 7.

⁵³ ii, 34.

⁵⁴ *de Caesaribus* 41, 12, 'simul novando militiae ordine.'

The literary evidence is thus of no great assistance in attempting to come to some conclusion on the relation of Diocletian to Constantine : it will accord no less readily with a theory that seeks to establish an antithesis as with one that postulates a harmonious development in their respective policies.

4. In his final argument Nischer attempts to dispose of certain epigraphic evidence referring to troops called 'lanciarrii' which Mommsen and his followers have used to support their contention that the field-army was in part at least created by Diocletian. Two of the inscriptions in question must have reference to the Roman army as it was in the reign of Diocletian.

'd.m. Val. Tertius militi corti X pretorie, qui vixit annis XXXVI mes. III dies XV, militabit legione Mesiaca annis V, inter lanciaros annis XI, in pretoria ann[is] . . .';⁵⁵ 'Marcella Martino coiugi bene merenti fecit, qui vixit ann. XXXVIII, in prima Minerbes mil. ann. V, in und(ecima) ann. IIII, in lanciarria ann. V, in pr. ann. V . . .'.⁵⁶ It is clear that the two soldiers after serving in the legions were promoted to be *lanciarrii* and finished their military careers in the praetorian guard, and, as the praetorians were disbanded in A.D. 312, the *lanciarrii* must have been in existence under Diocletian. Who, then, are these *lanciarrii*? Nischer [citing Josephus *Bell. Jud.* iii, 6, 2, 120, and v, 2, 1, 47 where λογχοφόροι (= *lanciarrii*) are mentioned as a *corps d'élite*] maintains that they are 'apparently a detachment of the praetorian guard' (p. 55), and in consequence not part of the field-army. Therefore, he holds, the evidence has no direct bearing on our main problem. This interpretation is in my opinion almost certainly wrong. The natural meaning of the two inscriptions is that the period of service of the two soldiers in the *lanciarrii* came between the years in which they belonged to a frontier-legion and their final promotion to the praetorian guard. If *lanciarrii* were part of the praetorian guard, surely in the inscriptions 'in pretoria' would precede 'in lanciarria' and 'inter lanciaros.' For the soldiers, *ex hypothesi*, when serving as *lanciarrii* would also be praetorians. Secondly, a third inscription mentions a legionary of XI *Claudia* who was 'lectus in sacro comit(atu) lanciarus.'⁵⁷ This suggests that the *lanciarrii* were troops especially selected to serve as a bodyguard to the *Augusti* or their *Caesares* on their campaigns, and, so far from being part of the praetorians, were much more probably created in their place, when Diocletian limited the function of the old guard to garrison duties in Rome.⁵⁸ Again, Arrian tells us that part of the legionaries under his command were armed with the *pilum* and part with the *lancea*.⁵⁹ This evidence

⁵⁵ *ILS* 2045.

⁵⁶ *ILS* 2782.

⁵⁷ *ILS* 2781.

⁵⁸ Victor, *de Caesaribus* 39, 47; Grosse, *Römische Militärgeschichte*, pp. 58-9.

⁵⁹ ἑκταξίς καὶ Ἀλανῶν, 16-17.

shows that even in the second century A.D. *lanciarrii* existed in the legions, and it seems probable that what Diocletian did was to create an independent unit (or units) of *lanciarrii*, drawn, as we should expect, from one or more of the Danube legions, to form his *sacer comitatus*. These *lanciarrii* are, despite Nischer, to be closely connected with the *lanciarrii seniores* and *juniore*s of the later Palatine Guard, and an additional argument that they are Diocletianic in origin may be drawn from the fact that in the list of *palatini* the *lanciarrii seniores*⁶⁰ take precedence even of the *Joviani iuniores* and *Herculiani iuniores*.⁶¹ The *lanciarrii* were thus a unit of the field army and were created by Diocletian.

‘But,’ adds Nischer, ‘even if it is conclusively shown that this one unit, the *lanciarrii*, had already been constituted by Diocletian on the same lines as those adopted by Constantine for the whole of the field-army, to what extent would the main argument be strengthened?’ At least to this extent, we might reply,—that the conception of a field-army had already been evolved by Diocletian: and, once this is granted, then the theory of an antithesis which Nischer postulates between his and Constantine’s policy must be given up. But our evidence is not limited to the *lanciarrii*. It has already been demonstrated that in Diocletian’s Egyptian expeditionary force there were *vexillationes* from eighteen frontier-legions; and, as two of these remained to form the garrison of Herculia, it is probable that the others did not return to their old legions but continued as mobile independent units. Again, inscriptions of centurions and soldiers of XI *Claudia* from Aquileia⁶² show that a detachment of that legion was stationed there, and that it was used for foreign campaigns is indicated by an epitaph of one of its soldiers, ‘obitus in Mauretania,’ which most probably means in Maximian’s African War of A.D. 297–8.⁶³ There is thus sufficient evidence to prove that Diocletian made use of a large number of *vexillationes* of infantry which in all probability continued to serve as mobile units separate from their frontier-legions. Whether these in addition to the *lanciarrii* received from him the title ‘comitatenses’ there is no certain means of judging. Perhaps it was Constantine who first made extensive use of the name when he divided the field-army definitely from the frontier troops, but it is possible, I think, that those Palatine legions which in the *Notitia* are designated by a number (*primani*, *octavani*, *undecimani*)⁶⁴ or by a Diocletianic name (*lanciarrii*, *Joviani*, *Herculiani*)⁶⁵ were promoted by Constantine to

⁶⁰ *Or.* v, 42–44.

⁶¹ These Palatine legions may be in origin detachments from I *Jovia* and II *Herclia*, but were more probably formed out of auxiliary cohorts from Illyricum: cf. Vegetius i, 17 and Jullian ‘La carrière d’un soldat au quatrième siècle’ in *Bull. épig.* iv (1884), pp. 1–12.

⁶² e.g. *CIL* v, 895, 896 (*ILS* 2332); P-W xii, col. 1700.

⁶³ *CIL* v, 893.

⁶⁴ *Or.* vi, 45–46; *Occ.* v, 153 = vii, 28.

⁶⁵ *Or.* v, 42–44; *Or.* vi, 47; *Occ.* v, 145–6 = vii, 3–4.

this higher grade in the field-army because they had already been *legiones comitatenses* in Diocletian's army. However that may be, it is clear that these mobile infantry units of Diocletian are the foundation of the field-army of Constantine.

We must now consider the history of the cavalry of the field-army, which is designated in the *Notitia* by the technical term *vexillationes*, in contrast with *legiones* which are purely infantry units. Nischer holds that this separation was made by Constantine and argues (p. 27) that 'if regard be had to the fact that Diocletian continued to raise units organised on the old lines, while all really drastic reforms were originated by Constantine, it becomes apparent that this step too should in all probability be attributed to the latter.' From another passage in his paper (p. 9) it is clear that by 'units organised on the old lines' the author means 'an effective strength of 5,500 infantry with the usual complement of legionary cavalry,' while in a footnote (p. 19, n. 2) he reckons the new legions in the west at 4,000 and those in the east at 3,000 apiece. It is difficult to accept these conclusions. In the first place, with regard to the size of the legions there is no evidence for the assertion that the strength of the western legions was higher than that of the eastern, while the figures of 4,000 and 3,000 respectively are mere guess work. Further, there are strong reasons for questioning the statement that Diocletian's new legions were all organised on the old lines. Possibly those that were raised earliest in his reign were of the same effective strength as the pre-Diocletianic units, if they were required in addition to their garrison duties to furnish troops for foreign campaigns. But we have already seen that detachments, probably 1,000 strong, from V *Macedonica* and XIII *Gemina* were retained as the frontier troops of *Herculia*; and, if units of this strength were considered adequate for the garrisoning of one province, it is not improbable that the same principle was followed in at least some other provinces where new Diocletianic legions are found. This hypothesis may be applied with some degree of certainty to the Diocletianic legions on the Euphrates frontier which were not called upon to provide contingents for the field-army.

Secondly, it seems improbable that cavalry was included in any of the legions raised by Diocletian. Ritterling,⁶⁶ using the evidence of Zosimus⁶⁷ and Cedrenus,⁶⁸ has argued that Gallienus is the founder of mobile cavalry units organised separately from the infantry and unrelated to the old *alae*. This new system is illustrated by the Grenoble inscription of A.D. 269, where the *equites* are distinct from the infantry *vexillationes*.⁶⁹ Again, in Aurelian's army against Palmyra, Dalmatian and Moorish horsemen are found side by side

⁶⁶ *Festschrift für O. Hirschfeld*, pp. 345-9.

⁶⁷ Zosimus i, 52, 3-4 and cf. i, 40, 1-2.

⁶⁸ Cedrenus i, 454 (ed. Bonn)—Γαλλίηνος . . .
πρῶτος ἱππέων τάγματα κατέστησε.

⁶⁹ ILS 569.

with German legionaries,⁷⁰ and it is not improbable that the cavalry contingents called 'Illyriciani,' which in the *Notitia* are found in the provinces of Phoenice, Syria, Palaestina, Osroene, Mesopotamia and Arabia, date back in origin to Aurelian's resettlement of the eastern provinces.⁷¹ Further, among these independent cavalry contingents are units called 'promoti.'⁷² These were formed out of the old legionary cavalry and may best be regarded as *vexillationes* from the legions. Now, as has been said, in Constantine's army *vexillatio* is the term used to denote cavalry, whereas previously it had meant an infantry detachment operating separately from its main body. When did this change of meaning take place? In the Grenoble inscription⁷³ the cavalry units are called 'equites' and are differentiated from the infantry *vexillationes*. But by the early years of Diocletian's reign it seems probable from two rescripts, one of which is previous to A.D. 293, that *vexillatio* at least in official documents has acquired its new meaning,⁷⁴ and a papyrus dated A.D. 293 further attests the existence of *promoti*.⁷⁵ That these *vexillationes*, however, were not yet regarded as altogether independent of the legions from which they were drawn is to be inferred from a papyrus of A.D. 302, of which the relevant words are στρατιώτης ἵππεὺς προμωτῶν σεκοῦντων ἀπὸ λεγεῶνος β' τραϊανῆς.⁷⁶

Whether Gallienus or Aurelian was the founder of the units called 'promoti' cannot be definitely decided, but it is certain that they formed part of the Diocletianic army. Further, in the detail of Diocletian's expeditionary force in Egypt are included *comites* and another *vexillatio* the name of which is missing,⁷⁷ while an inscription from Noricum, set up before the death of Maximin but after the death of Galerius in A.D. 311 records a 'p(rae)p(ositus) eq(uitibus) Dalm(at)is Aquesianis comit(atensibus).'⁷⁸ Lastly, in the later *vexillationes palatinae*, *promoti* and *comites* figure as the most distinguished units,⁷⁹ and, as in the parallel case of the legions, this may be accounted for by the suggestion that they were *vexillationes comitatenses* in Diocletian's army.⁸⁰

The separation of the legionary cavalry from the infantry was thus not, as Nischer holds, an innovation of Constantine. The process had begun in the years preceding the accession of Diocletian, and was continued during the latter's reign. But, whereas in the Diocletianic

⁷⁰ Zosimus i, 52, 3-4.

⁷¹ Or. xxxii-xxxvii; cf. Ritterling *loc. cit.* p. 346.

⁷² The *equites* in a legion were *principales*, i.e. they had been 'promoted' from the rank of *miles gregarii* (ILS 2332-3, CIL vi, 3409).

⁷³ ILS 569.

⁷⁴ 'veteranis ita demum honorum et munerum personalium vacatio iure conceditur, si post vicesimum annum militiae quam in *legione vel vexillatione* militaverunt honestam vel causariam missionem consecuti esse ostendantur' (Cod. Just. x, 55, 3: cf. *ibid.* vii, 64, 9: E. Stein, *Geschichte des spätrömischen Reiches* i, p. 92, n. 1).

⁷⁵ P. Grenf. ii, 110, 1.

⁷⁶ P. Grenf. ii, 74, 1-2.

⁷⁷ P. Oxy. 43, col. ii, 24-28 and col. i, 15.

⁷⁸ ILS 664.

⁷⁹ *Notitia Dignitatum*, Or. v, 28; vi, 28; Occ. vi, 43 and 44.

⁸⁰ Cf. *aurei* of Diocletian and his colleagues with the legend 'Comitatus Augg.' and the mounted Dioscuri (Cohen vi², 417, no. 23 and vi², 497, nos. 39 and 40: P-W xii, col. 1358, and P-W iv, col. 622).

army the legionary cavalry retained a connection with its infantry unit, in the army of Constantine the cavalry *vexillationes* attain complete independence of the infantry *legiones*.

The conclusions that have been reached may now be summarised.

1. The expeditionary forces of Diocletian were composed (in addition to auxiliary troops) partly of infantry detachments drawn from the frontier-legions, and partly of mobile cavalry contingents. The former are the foundation of the infantry, the latter of the cavalry of Constantine's field-army, and the titles 'comitatenses,' 'comites,' 'sacer comitatus' were already current in Diocletian's reign.

2. The work of Constantine in separating the field-army permanently from the frontier-army is not an innovation, but the culmination of a natural process of evolution in the history of the Imperial Roman army.