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PETITIONING A FOURTH-CENTURY EMPEROR: THE *DE REBUS BELLICIS*

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In different societies there are different ways by which new ideas can be circulated to those who will have to decide whether they ought to be implemented. Where the responsibility for putting innovations into practice is spread over a large number of individuals, we like to think that there is a "free market" in ideas as in other commodities: proposals for reforms are advertised in print, and distributed to as wide a section of informed opinion as possible -- typically through the letters-page of a quality newspaper: anyone scrutinising the letter-columns of (for example) the London *Times* will see that this is where a reformer with inventions to market, be they sound or idiosyncratic, hopes to convert the decision-makers.

The contents of the late Latin petition ("libellus," 91.5; "oratio," 92.8, 93.6 and 97.24)[1] entitled in the manuscripts *De Rebus Bellicis* remind us of nothing so much as one of the more particularly bizarre epistles addressed to the editor of the *Times*. It contains five different groups of proposals:

1. Cutting tax requirements by reducing the largesse distributed by the imperial court, including a section (93.17 - 95.7) complaining about the increasing role of gold since the time of Constantine. This is really a digression legitimating the author's proposals by appealing to the precedent of antiquity, ending with the pun (which appears to be the author's

own invention) "certe aurea nuncupamus quae aurum penitus non habebant," and is accompanied in the manuscripts by an illustration of what purport to be ancient coin-types.

2. Saving the amount of gold available for circulation by increasing control over the mint, largely by imprisoning the workers concerned on an island; this is accompanied by an illustration of the author's designs for a new coinage issue.

3. Protecting the taxpayer ("collatores," 95.27) by appointing only good men as provincial governors.

4. Military economies -- firstly, pay (96.12 - 97.11); this section is obscure, but apparently the idea is to increase the proportion of junior or lower-ranking soldiers, who can be paid at a lower rate; secondly, the introduction and use on a large scale of military machines (97.12 - 105.6): this sub-section alone takes up over half of the text and is accompanied by ten illustrations; and thirdly, financing frontier fortifications ("burgi") through local landowners ("possessores") rather than the central treasury (105.7 - 14).

5. The publication of a systematic legal code (105.15 - 21).[2]

One obvious and widely-held explanation for the proportion of the work devoted to the military inventions is that it was this aspect of his proposals that really interested the author. But could anyone have taken such a list of inventions seriously -- was the writer just a crank?[3]

Late antiquity was *par excellence* a society in which decision-making was centralised: there was no market-place for ideas mediating between "inventor" and "decision-maker." To initiate change, to get any kind of governmental decision, one had to approach the decision-maker directly. In theory, and to a very great extent also in practice, only one individual could take major decisions: the Emperor.[4] Hence it is not surprising that the writer of the *De Rebus Bellicis* formally addresses not a civil servant somewhere down the ministerial hierarchy, but the supreme officials: "sacratissimi principes." The formality of this address to the two (or more) members of the Board of Emperors is maintained throughout the preface (91.27; cf. "vestrae," 92.3, "vestri," 92.5, "vestrae," 93.1); and the author associates with the emperors their sons (92.1, "propagatis" -- second person plural -- "in filios:" i.e., there must be

at least one son for each emperor).

This preface, if not exactly rhetorical, is certainly formal.[5] Does this mean that the document was no more intended or expected to be read by the emperors than we expect a letter to the editor of a newspaper conventionally addressed "Dear Sir" and ending "Yours Faithfully" to be read by him rather than an impersonal public? It has been suggested that a petition as absurd as this could not in fact have been allowed to get as far as the emperor and waste his sacred time (cf. 96.16, "occupatio augusta fastidiat"): it would have been "intercepted by a civil servant and pigeon-holed without ever reaching the emperor" (Thompson p. 6).

It could be argued that the fact that in the main body of the work the author often abandons the plural (kept at 95.15) for the singular (94.30, "curae prudentiae tuae," and especially 103.17, "invicte imperator" and 105.15, "sacratissime imperator") shows that he is being conventionally formal in his introductory address (which he may of course have composed after the rest of the text had been completed).[6] This would imply that the notion of a Board of Emperors as addressee is a polite fiction; but if the author had thought his document would have been read by a clerk in the bureaucracy, he would surely have maintained that fiction throughout. The use of the singular only makes sense if he thought of himself as actually writing for the eyes of one individual emperor. Seeck pointed out that this individual must have been either Valentinian I or Valens, since this (366-375 A.D.) was the only period between the time of Constantine and that of Honorius and Arcadius at the end of the century when there was a plurality of emperors, with a plurality of offspring ("filios," 92.1: the *Consularia Constantinopolitana* tell us that Valentinian's son Gratian was born on April 18, 359, while Valens' son, Valentinianus Galates, was born on January 18, 366).[7] There are arguments in favour of Valens, who was ruling the East, as the addressee: the author's interest in Persians (104.19) and Arabs (101.21), the Danube (103.14), a plurality of usurpers (94.29), the use of Greek technical terms ("tichodifrus," "thoracomachus," "†ascogefrum") and his generally involved Latin; none of these points is convincing (Persians, as the counterpart to barbarians, are germane to any review of defence

needs, Arabs merely explain the name given to inflatable skins, *tyrannos* could be a rhetorical plural referring to Firmus in Africa,[8] the upper Danube was within Valentinian's sphere of activity, Greek technical terms are used by other Latin-speaking engineers like Vitruvius, and if we suppose that Latin was not the author's native tongue, he might just as well have been a germanic soldier as a Greek).

Valentinian is worth consideration as the intended addressee, not just because the *libellus* is written in the language of the western empire, but because, as John Matthews has pointed out,[9] this emperor was exactly the kind of man who might be interested in the material contained in the *De Rebus Bellicis*. Ammianus Marcellinus describes him in his necrology (30.9.4) as "scribens decore, venusteque pingens et fingens, et novorum inventor armorum," and in a parallel passage in his biography, the writer of the *Epitome de Caesaribus* lists among his qualities "pingere venustissime . . . nova arma meditari, fingere cera seu limo simulacra" (45.6). If we assume that in late antiquity the individuality of the emperor did matter a great deal -- that the emperor in person would be expected to look at this just as at any other *libellus* sent to him -- then it becomes much less curious that the author should have thought these military machines worth the emperor's attention, and that his original *libellus* should have included the illustrations whose descendants, via a hypothetical Carolingian and a lost tenth-century codex, are to be found in three of the four main surviving manuscripts. The emperor liked to be told about new weaponry, and he liked coloured drawings ("*imaginem* coloribus *adumbratam*," 97.23 f.).

The proposals referring to frontier fortifications (105.7 ff.) are further links with the personality of Valentinian. It was Valentinian who was responsible for the last major organisation of the north-western defences of the Roman Empire. Ammianus tells us how in 368/9: "Valentinianus magna animo concipiens et utilia, Rhenum omnem a Raetiarum exordio, ad usque fretalem Oceanum, magnis molibus communiebat, castra extollens altius et castella, turresque assiduas per habiles locos et opportunos, qua Galliarum extenditur longitudo: non numquam etiam ultra flumen aedificiis positis, subradens barbaros fines" (28.2.1). These fortifications managed to save the Rhine frontier for another generation;

they are archaeologically very well attested.[10] It would be wrong to ascribe to Valentinian in person major innovations in the military architecture of the period, such as putting internal buildings up against the walls of forts as protection against fire or bombardment. But there can be no doubt that it was Valentinian himself who was responsible for systematically applying these innovations to the Rhine frontier. The orator Symmachus, who visited the emperor at the head of a delegation from the Roman Senate in 369, tells us in his Second Oration how he watched Valentinian supervising the construction of a fort (either Altrip near Neckarau, or Breisach to judge by 2.20: "brachiis utrinque Rhenus urgetur") in July or August 369 (2.18 f.): "Invideant novis moenibus ceterae civitates, quas manus designavere privatae; si quae sunt conditionis principum, livore aemulo mordeantur. Habent auctores inclutos: numquid artifices †(purpu)ratos? Interfui . . . cum positis armis fundamenta describeres, felicem dexteram fabrilibus lineis occupares." Alta Ripa/Altrip is a perfect example of a fort with the internal buildings built up against the walls, and it also has a quite unparalleled trapezoidal shape. Whether or not this was his original idea, it was Valentinian who personally decided that this was the plan that was to be put into effect.[11]

Valentinian's policy of major defensive works on the Rhine, initiated as early as 367 ("custodia Rheni:" cf. *CTh* 7.1.9, Rheims, January 29), and on the upper Danube (from 373: cf. *CTh* 15.1.18, Sirmium, January 26, 374) and the massive expenditure they entailed, required equally vast increases in taxes: the connection is explicitly made by Zosimus 4.16. Although Valentinian made every attempt to lighten the burden of taxes and compulsory municipal services which fell on the provincials (Ammianus 30.9.1: "in provinciales admodum parcus, tributorum ubique molliens sarcinas"), military needs resulted in a drastic tightening up of the relevant regulations (Ammianus 30.5.5-6: a rhetorical passage), as can be seen from a whole series of enactments in the Theodosian Code.[12] The solution proposed in the *De Rebus Bellicis* to the cost of fortifying the frontiers, that landowners should pay for the new *burgi*, may not have gone down well with *possessores*; but the imperial addressee was well aware of the problem of public expenditure.

Other passages in the *De Rebus Bellicis* are equally germane to contemporary problems which Valentinian's laws were trying to come to grips with. The author recognises that the poor suffer unjust oppression at the hands of the rich and powerful (94.21 f.). The same attitude is shown by the institution of *defensores civitatum* in *CTh* 1.29.1, "ut plebs omnis Inliyrici officiis patronorum contra potentium defendatur iniurias," with the same appeal to *utilitas* as occurs so often in the *De Rebus Bellicis* ("utilitas" occurs in this sense in the preface at 91.7 and 13; cf. "utilia" 93.4). This does not of course throw any light on the emperor's "class origins" but rather illustrates the Good King's feelings of responsibility towards his subjects. The concern that those in authority should be morally upright is found elsewhere in Valentinian's legislation (*CTh* 8.15; 11.11.1).[13] There is also an enactment preserved in Justinian's Codex (4.63.2) suggesting that Valentinian was worried by the amount of gold that was disappearing from circulation, and tried to ban the export of bullion to the barbarians; this may be relevant to the claim in the preface (92.13) that the author's proposals will double the amount of gold and silver in circulation. Valentinian's regulations concerning the mining of precious metals fit the same context (*CTh* 10.19.3, 365 A.D.; 5 and 6, 369 A.D.; and 7, 373 A.D.).

The tract's concern with both finance and frontier defences thus appears to fit the hypothesis that it was intended for the eyes of Valentinian in person. This hypothesis also, I believe, explains the long illustrated digression on military inventions which makes the work so unbalanced -- so much so that it has been suggested that our MSS are incomplete. One possible explanation, which has been one of the main assumptions of scholarship about the *De Rebus Bellicis* during this century, is that it was in fact the author's primary purpose to advertise labour-saving mechanical devices which he had invented; that was why the work has been so attractive to Marxists and others seeking to prove that the decline of slavery led to a labour crisis in late antiquity. A.E. Astin has pointed out recently[14] that there are great difficulties in taking the author's interests to be primarily technological: almost exactly half the work deals with subjects that have nothing to do with

technology; many of the machines are certainly not his own inventions (taking just the evidence of the text itself: "currodrepanus," 100.4: he appeals to those with experience of war; the "thoracomachus," 100.28: invented by "antiquitas;" and the "ballista fulminalis," which not only "usu compertum est," 102.28, but has even been used to shoot across the Danube -- "testatur," 103.14 ff.). His references to the small number of men needed to man his machines are intended as proof of efficiency, rather than solutions to a supposed manpower shortage. In any case the proposals about frontier fortifications make nonsense of the view that the author can have intended primarily to save manpower, as even Thompson grudgingly admits (p. 73). In fact the *libellus* is not a plea for the adoption of new weapons at all: it is a plea for the more efficient use of the government's fiscal resources. The inventions merely illustrate one of the author's proposals to this end. If we consider the five groups of proposals the author puts forward (p. 140 f. above) and compare them with his own summary in the preface to the work (92.9 ff.), we shall see that it is the financial aspect that he wishes to stress: reducing tax requirements, establishing self-financing *burgi*, increasing the output of the mint, and cutting army pay: "Referemus enim quemadmodum, remissa tributorum medietate, in robur proprium provinciarum cultor habeatur; unde etiam, ratione †exactionum, cessante contumelia limitum, solitudinem, erectis castrorum munitionibus, incola securus illustret; quo etiam pacto auri argentique modus sine dantium poena duplicetur, vel quo argumento, extra solitam largitatem cumulatus honoribus, miles exultet." The author leaves his machines until last in this list; and he is as aware as we are of the imbalance of having one of his many points take up half his tract. In effect, he tells the emperor to treat the passage describing military machines as a pure digression: " His etiam *adnectenda* credidimus quae bellorum necessitatibus terra vel mari in acquirendis victoriis procurentur." And he even goes so far as to give a totally unpretentious reason why he feels the need for such an excursus: "Ex quibus, *fastidii levandi gratia*, pauca machinarum inventa referemus" (there follows a passage describing some of the more colourful of the machines). Who was it who was likely to be bored by an account of mere financial technicalities? Clearly Valentinian,

This is hardly surprising, if he spent the first few hours of every working day going through an in-tray full of petitions of every conceivable kind. The author again mentions his concern that he may bore the emperor when he talks about pay for the army (unfortunately his success in achieving his aim -- "brevius . . . declarabo," 96.17 -- is such that parts of his exposition are so concise as to be unintelligible).[15] What better method to sustain the interest of an emperor who was both "novorum inventor armorum" and "venuste pingens," or even an "artifex †(purpu)ratus," than by having a dozen eye-catching drawings scattered about his *libellus* (it may well have been the visual preponderance of these illustrations that led a ninth- or tenth-century copyist to entitle this anonymous work *De Rebus Bellicis*).[16] The author had no connection with the court (93.3 ff.) and there is no reason to assume that Valentinian had previously been aware of his existence: the author had to exploit Valentinian's personal tastes and interests to ensure that his *libellus* would not immediately be rejected, but that the emperor would hold on to it to look at again at his leisure. In this he was at least partially successful, for the tract did survive, and -- since it is associated in the MSS with other administrative documents like the *Notitia Dignitatum* and *Itinerarium Antonini* -- presumably in an official file (from the fifth century on, perhaps in the archives of the Gallic Praetorian Prefecture at Arles, if not at Ravenna).[17] The clue to an understanding of the nature of this document is not any hypothetical technological interest on the part of the petitioner, but rather on the part of the addressee. The petitioner was neither an inventor of genius nor a crank: what he did know was how to package his proposals for financial reform in such a way as to attract the attention of the one man upon whom all decisions depended -- the emperor Valentinian.

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NOTES

[1] References are to E.A. Thompson's edition, *A Roman Reformer and Inventor* (Oxford 1952), by page and line. For the MSS tradition cf O. Seeck, "Zur Kritik der *Notitia Dignitatum*," *Hermes* 9 (1875) 217-42; and generally O. Seeck, "Anonymus" (3) *PW* 1 (1894) 2325. On the technology see especially R.P. Oliver, "A Note on the *De rebus bellicis*," *C. Phil.* 50 (1955) 113 ff.

[2] Possibly misplaced: cf. P. Lejay, *Rev. Phil.* 36 (1912) 345.

[3] "Ein verrückter Projektmacher," Seeck, *PW* 1.2325.

[4] F. Millar, *The Emperor in the Roman World* (London 1977). On the accessibility of the Emperor see esp. 3 ff., 465 ff., 537 ff.

[5] The *clausulae* were studied by P. Lejay, *Revue critique d'histoire et de littérature* NS 68 (1909) 289-91. At 91.15 the Anonymus gives us a literary quotation which he ascribes to an "optimus orator." The sentence cannot be traced to any surviving work of Cicero's, and one wonders whether the orator may have been a contemporary -- say, Symmachus?

[6] There do seem to have been contexts where a single emperor was addressed with the plural in late antiquity. Thus Vegetius normally uses the singular, but the plural in the conventional phrases "clementia vestra" (1 intr.; 2 intr.; 4 intr.) and "maiestas vestra" (2 intr.; 4 intr.); on the other hand we have "maiestas tua" twice (2,3 and 4,31) where he goes on to address the emperor directly ("imperator Auguste/invicte") and therefore has to use the singular. The plural would appear to be confined to introductions (cf. "vestrae perennitatis" at 2 intr. but "tua" at 2,18) but in all four introductions Vegetius uses the singular as well. -- S. Mazzarino, *aspetti sociali del quarto secolo* (Rome 1951) tried to explain the Anonymus' inconsistency by suggesting that there were two *principes* but only one *imperator* (pp. 72-86).

[7] Mommsen *Chronica Minora* = *MGH AA* 9.239 and 241.

[8] For an example of the rhetorical use of plurals for singulars cf. *Historia Augusta*, Probus 2.7, "Sallustios, Livios, Tacitos, Trogos atque omnes dissertissimos . . . viros."

[9] J.F. Matthews, *Western Aristocracies and Imperial Court A.D. 364 - 425* (Oxford 1975) 49 f., which summarises the situation perfectly; although 93.3 ff. suggests that the author cannot have been an official

at the imperial court, since he carefully sets himself apart from the *occupati*.

[10] H. Schönberger, "The Roman Frontier in Germany: an Archaeological Survey" *JRS* 59 (1969) 144, and (with reservations about the role of Valentinian) H. von Petrikovits, "Fortifications in the North-Western Roman Empire from the Third to the Fifth Centuries A.D." *JRS* 61 (1971) 178 ff. There is a plan of the fort at Alta Ripa on p. 202 (fig. 31.2).

[11] Similar defences were being put up in Britain by Count Theodosius at exactly the same time, although there is no need to suppose with C.E. Stevens, "A Roman Author in North-West Britain" *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society* 50 NS (1950/51) 70-79, following the antiquary William Camden, that it was Theodosius' operations, rather than Valentinian's, that lie behind chapter 20 of the *De Rebus Bellicis*.

[12] E.g., *CTh* 11.10; 11.11; 12.3; 11.16.11; 12.1.57-59.

[13] The use of the *medicina*-metaphor (96.1; 105.17) for measures combating social or moral evils is a standard topos (e.g. Cicero, *Rep.* 2.34.59) very popular in late antiquity: cf. Vegetius, *Epit.* 3.4, or Salvian, *Gub. Dei* 7.3.

[14] Address to the Society for the Promotion of Roman Studies in London, June 6, 1978; an expanded version of this paper is being prepared for publication.

[15] The sheer number of petitions an official might have to deal with is illustrated by Pap. Yale 61, published in J.F. Oates et al., *American Studies in Papyrology* 2 (1967) 184 ff.: at a *conventus* at Arsinoe held in 208-210 A.D., Subatianus Aquila, Prefect of Egypt, accepted 1804 pleas in two and half days. Not surprisingly, brevity in official memoranda was highly esteemed at this time: "Brevem fieri clementia tua praecepit" says Festus.

[16] A.E. Astin, *lect. cit.*

[17] There is no reason to assume that the different texts which appear in the Codex Spirensis were all to be found in one and the same place before Charlemagne urgently needed to read up all available literature on how to run a Roman empire.

The late Professor Arnold Toynbee was the first to draw my attention to the importance of the *Anonymus De Rebus Bellicis* for understanding the fourth century. I would like to thank all those with whom I have had the opportunity to discuss this text, in particular Mr. B.H. Warmington and the M.A. students taking the course in Late Roman Studies at Bristol in 1977/78, Prof. A.E. Astin, Dr. J.F. Matthews and Dr. J. Schlumberger.