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THE SO-CALLED DIVISION OF THE ROMAN EMPIRE IN AD 395

Notes on a Persistent Theme in Modern Historiography

KAJ SANDBERG

The genius of Rome expired with Theodosius; the last of the successors of Augustus and Constantine, who appeared in the field at the head of their armies, and whose authority was universally acknowledged throughout the whole extent of the empire.

Edward Gibbon

The History of the Decline and Fall of the Roman Empire, Ch. xxix

Few single events in history have been attributed so much significance, actual or symbolic, as the passing of the Roman emperor Theodosius I in AD 395. Still widely perceived as a defining moment in the decline (or, alternatively, transformation) of the Ancient World, this date actually used to be one of the customary starting-points for the Middle Ages in western historiography. With the advent of the notion of a Late-Antique era (*Late Antiquity* or *Spätantike*) as a self-contained transitional period in the Mediterranean World, roughly between the accession of Diocletian in the late third century and about AD 600 (see below), it has lost some of its standing as a turning-point in world history. Even so, in Roman history it remains one of those epoch-making dates that need no validation in order to be used as chronological termini in historical writing. Of course, all historians recognize that such termini are nothing but conventional labels reflecting the arduous and unremitting struggle to organize and accord significance to the mass of historical data that they have to deal with, but – however artificial in theory – in practice conventions of this kind do influence perceptions of historical processes and, indeed, the very ways scholars select and present their material. As is well known, scholarly works providing general overviews of Roman history, or presenting one or another specific

aspect of Roman culture or society, tend to cut off at the end of the fourth century.¹

Conventionally, the death of Theodosius – better known to history as Theodosius the Great – marks the division of the Roman Empire into a Western and an Eastern Empire. That a formal division of the Empire never actually took place – either in AD 395 or at any subsequent point in the following decades, and that the whole concept of a partition is merely a modern construction – seems not necessarily to be common knowledge among all historians and classical scholars. Whereas the significance of the events of 476 has been repeatedly discussed (see below, p. 209), the so-called division of the Empire has received much less attention. It is manifest that it is considered something more than a mere convention, even among scholars fully embracing the notion of a Roman history extending well into the centuries formerly known as the Early Middle Ages. For instance, in his edition of the Roman coins of the period 395–491, John Kent speaks of the "definitive division of the Roman Empire" in 395.² Though some historians do note that the Roman Empire remained a legal and constitutional unity well beyond this date, even after the deposition of Romulus Augustulus,³ this state of affairs is rarely given emphasis per se. A notable exception is James Robinson's long-forgotten essay "The Fall of Rome", published nearly a hundred years ago.⁴ Among the very few scholars

¹ As examples abound it makes little sense to cite a selection, but it is interesting to note that also works intended to be scholarly aids are prone to follow suit. We may note at least D. Kienast, *Römische Kaisertabelle. Grundzüge einer römischen Kaiserchronologie*, Darmstadt 1990 (2. durchges. und erw. Aufl., Darmstadt 1996), the standard one-volume guide to the genealogies, chronologies and titles of the Roman emperors, which goes no further than Theodosius. A very good example of a scholarly treatise which, conditioned more by the conventional standing of AD 395 than by the chronological extension of the subject, clearly cuts off too early is A. Piganiol, *L'empire chrétien (325–395)*, Paris 1972.

² *RIC X = J. P. C. Kent, The Roman Imperial Coinage X. The Divided Empire and the Fall of the Western Parts A.D. 395–491*, London 1994, vii. Cf. A. Cameron, *The Later Roman Empire, AD 284–430*, Cambridge, MA 1993, 1.

³ See, for instance, S. Mitchell, *A History of the Later Roman Empire, AD 284–641. The Transformation of the Ancient World*, Malden, MA 2007, 102.

⁴ J. H. Robinson, "The Fall of Rome", in Id., *The New History. Essays Illustrating the Modern Historical Outlook*, New York 1912, 154–194. This essay, written for a more general readership, is heavy with tedious background and very sparsely documented. However, in a single sentence Robinson makes several of the points that I will make in the present paper (169): "The Roman Empire was divided but remained one; Theodosius had never been sole emperor; and in no sense does the separate history of the East and West begin with the death of Theodosius."

who more recently have expressly rejected the idea of a division we note another American, William Bayless, who in 1972 wrote his dissertation on the political unity of the Empire in the fifth century. This work, which was only published in microform and never reached the book market, has been very little noted by subsequent scholarship on the themes discussed here.⁵

The present paper constitutes an attempt to call renewed attention to a much neglected question which, nevertheless, is nothing short of crucial for our perception of the evolution of the Late Roman Empire, not least in its broader historical context. Unlike Bayless (stressing the unity) and Émilienne Demougeot (stressing the split between the two halves of the Empire),⁶ I will not be concerned with individual events in yet another attempt to assess to what extent they represent instances of antagonism between Ravenna and Constantinople. As the history of imperial Rome, after all, to no little extent is a story of conflicts within the elite, enmity between key actors cannot reasonably be employed as a criterion.⁷ Largely focusing on legal and constitutional form, I will merely restate some of the basic facts and lay bare the discrepancies between the current conventional view and the formal situation as it emerges from the primary sources.

Theodosius I and his co-emperors

The commonplace that Theodosius I was the last emperor to rule the Roman Empire in its entirety is so observably inaccurate that it is outright astounding that it has not been more seriously challenged. Instead, it is being repeated over and over again as a well-established fact in scholarly literature.⁸ The plain truth

⁵ W. N. Bayless, *The Political Unity of the Roman Empire during the Disintegration of the West, AD 395–457* (diss. Brown University 1972, available through *University Microfilms International*, Ann Arbor, MI).

⁶ E. Demougeot, *De l'unité à la division de l'empire romain, 395–410. Essai sur le gouvernement impérial*, Paris 1951.

⁷ This observation is also made by Bayless, *Political Unity* (above n. 5) 1.

⁸ For a recent example, see J. Moorhead, *The Roman Empire Divided, 400–700*, Harlow 2001, 35: "Theodosius the Great was the last ruler of the whole Empire. Following his death in 395, it was divided between his two sons, the elder, Arcadius, succeeding to his power in Constantinople, while the younger, Honorius, reigned in Rome." See also H. Leppin, "Theodosius der Große und das christliche Kaisertum. Die Teilungen des Römischen Reiches", M. Meier (Hrsg.), *Sie schufen Europa. Historische Portraits von Konstantin bis Karl dem Großen*, München 2007, 27–44.

is that Theodosius never was sole emperor. It will not be considered here whether or not Gibbon was right in his discernment of a "true Roman Emperor",⁹ that is, a political figure worthy enough to be counted among the successors of Augustus and Constantine – and whether Theodosius really was the last one who met this standard. We will merely take a look at the constitutional situation, which, though well and unambiguously recorded in our sources, is so frequently disregarded by modern scholars.

In late summer of 378 the Roman Empire all of a sudden faced deep crisis. The defeat against the Tervingian Goths at Adrianople on 9 August had been just as unexpected as disastrous, leaving the East with a semi-destroyed army and an enemy roaming about largely out of control. As the senior emperor Valens had fallen in the battle, the task of handling one of the severest military crises ever to befall Rome went to his nephew, his western colleague Gratian. Ruling together with his half-brother Valentinian II, who was still in his infancy, the young emperor realized that he was in short need of an able officer and administrator to deal with the situation in the East. His choice fell on Flavius Theodosius, a member of a distinguished military family from Hispania.¹⁰ Theodosius began his dealings in his capacity of *magister militum per Illyricum*, but was promoted to *augustus* at Sirmium in the very beginning of the following year, on 19 January.¹¹ Living up to the expectations vested in him, Theodosius rebuilt the eastern army, gloriously won a series of decisive victories and induced the Goths, by formal treaty, to settle as *foederati* along the Danube in Thrace.¹²

⁹ Gibbon's characterization is echoed by Mitchell, *A History of the Later Roman Empire* (above n. 3) 102. As is well known, in spite of his famous observation as to the rather early demise of the "genius of Rome", Gibbon took his story all the way to the fall of Constantinople.

¹⁰ On the evidence of most ancient sources it is usually held that Theodosius was a native of Cauca in Gallaecia (Zon. 4,24,4; *Consul. Constant.* s.a. 379; *Aur. Vict. epit.* 48,1; *Soc.* 5,2; *Soz.* 7,2,1, *Oros. hist.* 7,34,2), but it has recently been argued that Marcellinus Comes was perfectly right in indicating Italica as his birthplace (*chron.* s.a. 379: *Theodosius Hispanus Italicae divi Traiani civitatis*), see A. M. Canto, "Sobre el origen bético de Teodosio I el Grande, y su improbable nacimiento en Cauca de Gallaecia", *Latomus* 65 (2006) 388–421.

¹¹ The elevation of Theodosius: *Consul. Constant.* s.a. 379; *Consul. Ital.* s.a. 379, *Soc.* 5,2; *Theod. hist. eccl.* 5,6,3; *Paneg.* 12,11,1 ff.; *Aur. Vict. epit.* 48,1; *Soz.* 7,2,1; *Oros. hist.* 7,34,2. The documentation concerning Theodosius' accession is treated in detail by R. M. Errington, "The Accession of Theodosius I", *Klio* 78 (1996) 438–453.

¹² One of the focal points in modern scholarship regarding the reign of Theodosius, is Rome's dealings with and policies with regard to the Tervingian Goths (later known as the

It is perfectly clear that Theodosius, throughout his reign, ruled together with several co-regents. The co-regency with Gratian lasted until late August of 383, that with Valentinian II until May of 392.¹³ Moreover, in the earlier part of his reign he had to face the usurpation of Magnus Maximus (383–388),¹⁴ and in his later years that of Eugenius (392–394). It is commonly asserted that Theodosius was sole ruler of the Roman World after the battle of the Frigidus (6–8 September, 494), when Eugenius was eliminated, but the certain fact is that the Empire at this point had not one single, but three emperors. Theodosius' elder son Arcadius had been made *augustus* already during the celebration of the *quinquennalia* of his father (19 January 383),¹⁵ the younger son Honorius was elevated to this rank ten year later, on 23 January of 393.¹⁶

The co-regencies in which Theodosius was part are important features in all surviving contemporary documentation. In the coins circulating in the Roman World the specific number of *augusti* was always made perfectly clear. The legends celebrating the *victoria* or *concordia* of the sovereigns regularly feature the element AVGGG (or AVGGGG) if AVGVSTORVM was abbreviated,¹⁷ whereas in the inscriptions the names and titles of the imperial colleagues appear alongside.¹⁸

These are all important observations, with bearing on the formal situation at the demise of Theodosius, which took place at Mediolanum on 17 January 395.¹⁹ There was technically no succession to the imperial throne on the part of

Visigoths). Recent studies include R. M. Errington, "Theodosius and the Goths", *Chiron* 26 (1996) 1–27.

¹³ Gratian was murdered on August 25: *Consul. Constant. s.a.* 383; *Aur. Vict. epit.* 47,7; *Soc.* 5,11; *Zos.* 4,35,5 f. Valentinian II was found dead, probably by suicide, on May 15: *Epiphan. de mensur.* 20; *Zos.* 4,54,3; *Marcell. chron. s.a.* 391; *Paul. Med. vita Ambr.* 26; *Claud. Hon. cos. IV* 75 ff., 93 ff.; *Soc.* 5,25,4; *Oros. hist.* 7,35,10; *Philost. hist. eccl.* 11,1; *Hier. epist.* 60,15; *Ioh. Ant. fr.* 187.

¹⁴ According to one source (*Zos.* 4,37,3) Maximus was recognized as a legitimate colleague for some time; this has been confirmed by epigraphic evidence, see e.g. *CIL VIII* 27 = *ILS* 787.

¹⁵ *Consul. Constant. s.a.* 383; *Soc.* 5,10,5; *Soz.* 7,12,2; *Philost. hist. eccl.* 10,5; *Theod. Lect.* 2,63; *Synes. regn.* 5c.

¹⁶ *Consul. Constant. s.a.* 393; *Soz.* 7,24,1; *Philost. hist. eccl.* 11,2; *Claud. Hon. cos. IV* 169 ff.; *Lib. epist.* 1100. One source, *Soc.* 5,25, provides a different date, 10 January.

¹⁷ For the coinage of Theodosius I, see *RIC IX* = J. W. E. Pearce, *Roman Imperial Coinage IX. Valentinian I – Theodosius I*, London 1951, 1–304.

¹⁸ Examples abound, but there is a convenient selection of Theodosian inscriptions in *ILS*, nos. 780–792.

¹⁹ *Consul. Constant. s.a.* 395; *Chron. Edess.* 39; *Soc.* 5,26,4, 6,1,1; *Theod. hist. eccl.* 5,25,2.

the two sons; Arcadius and Honorius merely continued to rule, having received their powers long before.²⁰ This state of affairs was in stark contrast with the situation at the death of Constantine I almost sixty years earlier, when the three surviving sons of the deceased emperor actually succeeded their father, advancing from *caesares* to *augusti*.²¹ True, the two young sons of Theodosius were notoriously weak rulers relying heavily on a series of strong men, but the formal situation is nonetheless all clear and beyond dispute.

Unity and continuity in the post-Theodosian Empire

In the scholarly discussion concerning the development after the death of Theodosius it is customary to speak of a *Western Roman Empire* and of an *Eastern Roman Empire*.²² Examining the evidence we have for the operation of the political machinery of the Roman Empire in the fifth century, however, it is easy to agree with Robinson,²³ who notes that "[t]he elements of continuity are more striking than the changes." Similar observations, though more controversially, have been made about the developments in the western areas

²⁰ Modern accounts commonly fail to give a clear picture of the constitutional situation at the death of Theodosius; see, for instance, see Moorhead, *The Roman Empire Divided* (above n. 8, with quotation) 35. A notable exception is R. C. Blockley, "The Dynasty of Theodosius", A. Cameron and P. Garnsey (eds.), *The Cambridge Ancient History XIII. The Late Empire, A.D. 337–425*, Cambridge 1998, 113: "Theodosius died ..., leaving his two sons already Augusti, Arcadius since 383, Honorius since 393."

²¹ Constantinus II had been proclaimed *caesar* already on 1 March 317: *Consul. Constant. s.a.* 317; Anon. *Vales.* 5,19; *Aur. Vict. caes.* 41,6, *epit.* 41,4; Euseb. *Const.* 4,40; *Oros. hist.* 7,28,22; *Zos.* 2,20,2. Constantius II and Constans received this title in, respectively, 8 November 324 and 25 December 333: *Consul. Constant. s.aa.* 324, 333. All three brothers were elevated to *augusti* on 9 September 337: *Consul. Constant. s.a.* 337.

²² Recent examples of scholars adhering to the use of these geo-political terms include D. Henning, *Periclitans res publica. Kaisertum und Eliten in der Krise des Weströmischen Reiches 454/5–493 n. Chr.* (Historia Einzelschriften 133), Stuttgart 1999; R. W. Mathisen, "Sigisvult the Patrician, Maximus the Arian, and Political Strategems in the Western Roman Empire, c. 425–440", *Early Medieval Europe* 8 (1999) 173–196; T. Stickler, *Aëtius. Gestaltungsspielräume eines Heermeisters im ausgehenden Weströmischen Reich* (Vestigia 54), München 2002; T. Janssen, *Stilicho. Das weströmische Reich vom Tode des Theodosius bis zur Ermordung Stilichos (395–408)*, Marburg 2004. Some scholars avoid to use such terms, preferring the notion *the Roman West*, see, for instance, P. S. Barnwell, *Emperors, Prefects and Kings. The Roman West, 395–565*, London 1992, and G. Halsall, *Barbarian Migrations and the Roman West, 376–568*, Cambridge 2007.

²³ Robinson, "The Fall of Rome" (above n. 4) 161.

which were settled by barbarians. Arther Ferrill, commenting on modern scholarship regarding these areas (the rudiments of later territorial kingdoms) speaks of "a kind of nationalistic bias in favour of change rather than continuity".²⁴ In the Anglo-Saxon world there has actually been a trend in the last few decades, originating with the work of Peter Brown,²⁵ to describe the political, social, economical and cultural evolution in western Europe after the Romans in terms emphasizing the elements of transformation, change and transition – as opposed to decline and crisis. I will not, however, enter here into the discussion concerning the nature of post-Roman developments, which obviously constitute a problem per se.²⁶ In this paper I will focus on the political system that incontestably formed part of the Roman realm, regardless of whether it is perceived as a unified Late Roman Empire or as two separate ones.

The fact that there were no changes as to the formal structures of the Roman Empire in 395 cannot be overstressed, given the prominence of this alleged end-point or (depending, of course, on the point of view) new beginning. The post-Theodosian Empire is, in every important respect, an undeviating continuation of the politico-administrative edifice of the preceding period.²⁷ The two consuls, whatever their actual powers, were common to the entire Empire. The two capitals were common to the whole Empire. In the coins of the period there are several joint representations of Roma and

²⁴ A. Ferrill, *The Fall of the Roman Empire. The Military Explanation*, London 1983, 17 f. Cfr. A. Cameron, *The Mediterranean World in Late Antiquity, AD 395–600*, London – New York 1993, 203: "the often exaggerated claims based on national interest which have been made in the modern literature". In this connection it is crucial to point out that a *regnum* in this period did not necessarily have a territorial extension. It related first and foremost to a certain ethnic group. Moreover, many kings, such as those of the Ostrogoths in Italy after 493, acknowledged the lordship of the emperor residing in Constantinople.

²⁵ P. R. L. Brown, *The World of Late Antiquity. From Marcus Aurelius to Muhammad*, London 1971; Id., *The Making of Late Antiquity*, Cambridge, MA 1978. The inspiration for this kind of approach is, of course, derived from the ideas of Henri Pirenne; these are collected in the posthumous work *Mahomet et Charlemagne*, Paris – Bruxelles 1937 (available also in English translation: *Muhammed and Charlemagne*, London 1939).

²⁶ It must be noted here that the notion of a gradual and allegedly peaceful development has been vehemently contested by B. Ward-Perkins, *The Fall of Rome and the End of Civilization*, Oxford 2005.

²⁷ Cf. A. Demandt, *Geschichte der Spätantike. Das Römische Reich von Diocletian bis Justinian, 284–565 n. Chr.*, 2. vollständig bearbeitete und erweiterte Auflage, München 2007, 499 f.

Constantinopolis.²⁸ Most importantly, the emperors were common to all Romans, despite the ubiquitous current practice to insert their names in two separate lists of rulers. In the coins of the fifth century the emperors are invariably referred to as co-regents. Legends such as *VICTORIA AVGVSTORVM* and *CONCORDIA AVGVSTORVM* are legion, and there are many examples of coins where the emperors are represented together.²⁹ Also in the inscriptions of the period the emperors appear together, communicating with, or being honoured by, their subjects.³⁰

A very important element of continuity after 395 is, obviously, the Theodosian dynasty, which retained its power after the deaths of Theodosius' sons. Arcadius was succeeded by his son Theodosius II, who had been proclaimed *augustus* in 402.³¹ At the death of his father in 408 he became sole emperor in the East.³² The succession was not as smooth in the West, but after the two-year usurpation of a certain Iohannes, Honorius was eventually succeeded by his nephew Valentinian III in 425 (see below). The dynastic element of the history of this whole period was further enhanced by marriage bonds between the courts of Constantinople and Ravenna. Imperial nuptials, such as those between the western emperor Valentinian III and Licinia Eudoxia (the daughter of the eastern emperor Theodosius II) in 437, received much public visibility, as they were celebrated in coins with the legend *FELICITER NUBTIIS*.³³

That the unity of the Empire was no empty fiction is evident from legal and administrative documents giving clear evidence that key functionaries of the imperial system were subordinate to the authority of both emperors. For instance, it is interesting to note that officials such as the *praefecti urbi* of Rome and the *praefecti praetorio* received instructions issued in the name of both

²⁸ Specimens are known for Theodosius II and Leo I, see Kent, *RIC* X, 58. See also J. M. C. Toynbee, "Roma and Constantinopolis in Late-Antique Art from 365 to 578", B. E. Mylonas (ed.), *Studies Presented To David Moore Robinson II*, St Louis 1951, 261–277.

²⁹ For a good overview of the relevant numismatic material, see A. Blanchet, "Le monnayage de l'empire romain après la mort de Théodose I^{er}", *CRAI* (1908) 77–82.

³⁰ Again, there is a selection, albeit a very short one, in *ILS*, nos. 793 ff.

³¹ On 10 January: *Chron. Pasch.* s.a. 402; *Marcell. chron.* s.a. 402.

³² On 1 May: *Soc.* 6,23,7 and 7,1,1; *Marcell. chron.* s.a. 408.

³³ *RIC* X, 267. For references to imperial marriages in the coins see G. Zacos and A. Vegler, "Marriage *Solidi* of the Fifth Century", *Spink's Numismatic Circular* (1960) 73–74.

emperors.³⁴ Also after the end of Theodosius' dynasty, terminating with the deaths of Theodosius II and Valentinian III in 450 and 455 respectively, the unity of the Empire was a prominent and omnipresent feature in all political discourse. Just like the Theodosian emperors, the rulers continued to appear as co-regents. This can be seen both in inscriptions and in the coins.³⁵ Moreover, several of the many examples of joint measures on the part of both emperors are from this period.³⁶

It is vital to point out that, throughout the fifth century, the imperial succession was never a mere internal concern for either part of the Empire. It is clear that, throughout this period, it was important for the individuals who were elevated to the western throne to gain recognition not only from the Roman Senate, but also from the emperor reigning from Constantinople. For instance, Eparchius Avitus immediately upon his accession in 455 sent *legati* to the eastern court in order to gain Marcian's formal approval.³⁷ An important state of affairs, the significance of which has not been fully appreciated, is that some of the western emperors were actually appointed by the ruler at Constantinople. In 425 Valentinian III was put on the western throne by Theodosius II.³⁸ In 467 Anthemius was appointed by Leo I.³⁹ Also Iulius Nepos, the last western

³⁴ *Novell. Valent.* 14 pr., 18 pr.: *Imp. Theodosius et Valentinianus a(ugusti) Albino II. pr(aefecto) p(raetorio)*, 19 pr.: *Imp. Theodosius et Valentinianus a(ugusti) Maximo pr(aefecto) p(raetorio) II. et patricio*, 21.1 pr.: *Imp. Theodosius et Valentinianus a(ugusti) Albino II. pr(aefecto) p(raetorio) et patricio*, 21.2 pr.: *Idem a(ugusti) Albino II. pr(aefecto) p(raetorio) et patricio*, etc. *Novell. Marc.* 2 pr.: *Imp. Valentinianus et Marcianus a(ugusti) Palladio pr(aefecto) p(raetorio)*, 3 pr.: *Imp. Valentinianus et Marcianus a(ugusti) Palladio pr(aefecto) p(raetorio) Orientis*, 4 pr.: *Imp. Valentinianus et Marcianus a(ugusti) ad Palladium pr(aefectum) p(raetorio)*. *Novell. Maior.* 4: *Imp. Leo et Maiorianus a(ugusti) Aemiliano p(raefecto) u(rbi)*, 7 pr.: *Imp. Leo et Maiorianus a(ugusti) Basilio pr(aefecto) p(raetorio)*. *Novell. Sev.* 1 pr.: *Imp. Leo et Severus a(ugusti) Basilio pr(aefecto) p(raetorio) et patricio*.

³⁵ Not only does the legend AVGG continue in use, there are also joint representations of the emperors in the coin types. In the coinage of the 450s, 460s and 470s, there are several issues depicting the eastern emperor Leo I together with Majorian (*RIC X*, 398 nos. 2601 ff.) and Anthemius (*RIC X*, 411–421 nos. 2801 ff.).

³⁶ See above, n. 34.

³⁷ *Hyd. chron.* 163 (s.a. 455): *Per Avitum ... legati ad Marcianum pro unanimitate mittuntur imperii*.

³⁸ *Olymp. fr.* 46; *Philost.* 12,13; *Soc.* 7,23; *Prosp.* s.a. 424; *Hyd. chron.* 84 (s.a. 425); *Marcell. chron.* s.a. 424; *Ioh. Ant. fr.* 195.

³⁹ *Sidon. carm.* 2,212–215; *Fast. Vind. prior.* s.a. 467; *Pasch. Camp.* s.a. 467; *Hyd. chron.* 234 (s.a. 466); *Marcell. chron.* s.a. 467; *Iord. Get.* 236, *Rom.* 336; *Prok. Vand.* 1,6,5; *Ioh.*

emperor formally recognized in the East (see below), was appointed by Leo I, who in 474 sent him to Italy in order to depose Glycerius.⁴⁰

Another undeniable fact, which seems to have been more or less completely lost to view, is that the Roman Empire, at least formally and nominally, was united under one man's rule during several periods after AD 395. This date, of course, is really irrelevant here, and is cited only because of its conventional standing as the end-point of the history of a united Empire; as was established above, Theodosius I had not been sole ruler for a single day. It is rarely noted that the Roman Empire during the 450s and the 460s repetitively had only one emperor, due to vacancies in the West. The first instance occurred after the deposition of Eparchius Avitus on 17 October 456,⁴¹ when there was a delay until 1 April 457 before Majorian was put on the western imperial throne.⁴² After 2 August 461, when Majorian was deposited (he was put to death four days later),⁴³ the western throne was vacant until 19 November of the same year, when Libius Severus (461–465) was declared emperor.⁴⁴ At Severus' death, which seems to have taken place on 14 November 465,⁴⁵ there was an interregnum that lasted until 12 April of 467, when Anthemius was installed as

Mal. 368 f.; *Chron. Gall.* 511 no. 645; Cassiod. *chron.* s.a. 467; Vict. Tonn. *chron.* s.a. 467; Theoph. *chron.* a.m. 5957.

⁴⁰ Ioh. Ant. fr. 209; Anon. Val. 7,36; *Auct. Haun. ordo post.* s.a. 474; Marcell. *chron.* s.a. 474; Evagr. *eccl. hist.* 2,16.

⁴¹ *Auct. Haun.* s.a. 456; Hyd. *chron.* 183 (s.a. 456); Vict. Tonn. *chron.* s.a. 456; *Chron. Gall.* 511 no. 628; Theoph. *chron.* a.m. 5948.

⁴² *Fast. Vind. prior.* s.a. 457: *levatus est imp. d. n. Maiorianus kald. April.* Another source provides a much later date, 28 December of the same year, see *Auct. Haun.* s.a. 457: *levatur ... Maiorianus v kal. Ian.*

⁴³ *Fast. Vind. prior.* s.a. 461; Hyd. *chron.* 210 (s.a. 461); Marcell. *chron.* s.a. 461; *Chron. Gall.* 511 no. 635; Ioh. Ant. fr. 203; Evagr. *eccl. hist.* 2,7; Ioh. Mal. 375; Theoph. *chron.* a.m. 5955; Mich. Syr. 9,1.

⁴⁴ *Fast. Vind. prior.* s.a. 461; Cass. *chron.* s.a. 461; Marcell. *chron.* s.a. 461; *Chron. Gall.* 511 no. 636. Two sources, clearly erroneously, provide 7 July as the date for Severus' accession: Vict. Tonn. *chron.* s.a. 461; Theoph. *chron.* a.m. 5955.

⁴⁵ *Pasch. Camp.* s.a. 465; Iord. *Rom.* 336, *Get.* 236. The date 15 August is given by *Fast. Vind. prior.* s.a. 465; this must be wrong, as we know of a law of Severus issued on 25 September, see J. R. Martindale, *The Prosopography of the Later Roman Empire II. AD 395–527*, Cambridge 1980, 1005 s.v. Libius Severus 18.

emperor.⁴⁶ It is all clear that the whole Empire, at least formally, was ruled from Constantinople during these interregna.⁴⁷

It is outside the scope of the present considerations to deal with the development after 476, when Romulus Augustulus was deposed at Ravenna (in early September).⁴⁸ We just note that this boy emperor, from the point of view of Constantinople, was actually a usurper. The last legitimate emperor in the West was Iulius Nepos, who on 28 August 475 had been expelled from Italy by the patricius Orestes, the father of Romulus.⁴⁹ Having taken up refuge in Salona, Dalmatia, and being still recognized by his eastern colleague Zeno, Nepos continued to strike coins featuring his imperial titulature until his assassination in 480.⁵⁰ Moreover, it is clear that Odoacer and, from 493, Theoderic and his successors acknowledged the authority of the emperor at Constantinople. Therefore, from a purely constitutional point of view, it is by no means incorrect to perceive the situation as a return to the rule of one single emperor – at any rate for the Roman citizens living in Italy. I will not, however, go into an argument over whether this represents a meaningful way of looking at the period.⁵¹

⁴⁶ See above, p. 207 with n. 39.

⁴⁷ Dirk Henning does note these interregna, but merely interprets them as evidence for the increasing insignificance of the western imperial throne, see *Periclitans res publica* (above n. 22) 331 n. 10.

⁴⁸ Anon. Vales. 10,45; Iord. *Get.* 241 f., *Rom.* 344; Prok. *Goth.* 1,1,7, Theoph. *chron.* a.m. 5965.

⁴⁹ Anon. Vales. 7,36; *Fast. Vind. prior.* s.a. 475; *Pasch. Camp.* s.a. 475; *Auct. Haun. ordo prior* s.a. 475, *ordo post.* s.a. 475; Marcell. *chron.* s.a. 475; Iord. *Get.* 241, *Rom.* 344; Evagr. *eccl. hist.* 2,16; Theoph. *chron.* a.m. 5965.

⁵⁰ For the coinage of Nepos, see *RIC X*, 204–207 (discussion) and, for the specimens, 427–434 (nos. 3201 ff.). See also J. P. C. Kent, "Julius Nepos and the Fall of the Western Empire", *Corolla Numismatica Memoriae Erich Swoboda Dedicata*, Graz – Köln 1966, 146–150. Nepos was killed by his own people (*a suis*) in his villa outside Salona. Three different dates are provided by the sources; 25 April, 9 May, and 22 June: Anon. Vales. 7,36; *Fast. Vind. prior.* s.a. 480; Marcell. *chron.* s.a. 480; *Auct. Haun. ordo prior* s.a. 480, *ordo post.* s.a. 480, *ordo post. marg.* s.a. 480.

⁵¹ The significance of the end of the western line of emperors has been much discussed, not least in the decade or so around 1976, which was celebrated as the fifteenth centenary of the "Fall of the Western Roman Empire". Among studies that appeared in those years we note the following items: P. Hübinger, *Zur Frage der Periodengrenze zwischen Altertum und Mittelalter*, Darmstadt 1969; K. Christ (Hrsg.), *Der Untergang des Römischen Reiches* (Wege der Forschung 269), Darmstadt 1970; A. Momigliano, "La caduta senza rumore di un impero nel 476 d.Chr.", *ASNP*, ser. 3, 3.2 (1973) 397–418; L. Várady, *Die Auflösung des Altertums. Beiträge zu einer Umdeutung der Alten Geschichte*, Budapest 1978; E.

Finally, we note here that the very first known reference to a fractional Roman Empire, *hesperium Romanae gentis imperium* (implying of course the existence of another, eastern part), and to Romulus Augustulus as its last emperor, is found in Marcellinus Comes.⁵² Brian Croke has shown that this kind of perception of the events of the fifth century originated in Constantinople in the sixth century, during the Gothic wars.⁵³

The transformation of the Roman World in Late Antiquity

As we have seen in the foregoing discussion, there is no doubt that the transition between the fourth and fifth centuries was a very smooth one, in terms of political and administrative continuity. We have not been dealing with questions relating to cultural development, the history of the Church or mentality, but since Nicaean Christianity was already well established in the late fourth century, it seems safe to affirm that the transition was gentle also in these respects. The conventional notion of a transition or shift is clearly misleading, and can be justified only in hindsight, knowing that the large-scale invasions of Germanic tribes over the Rhine (from 406) and the first sack of

Demougeot, "Bedeutet das Jahr 476 das Ende des römischen Reiches im Okzident?", *Klio* 60 (1978) 371–381; B. Croke, "A.D. 476: The Manufacture of a Turning Point", *Chiron* 13 (1983) 81–119; A. Demandt, *Der Fall Roms. Die Auflösung des römischen Reiches im Urteil der Nachwelt*, München 1984 and G. Zecchini, "Il 476 nella storiografia tardoantica", *Aevum* 59 (1985) 3–23. The events of 476 were also commemorated with seminars and exhibitions. Among the publications resulting from these initiatives we should note at least *476, segno di transizione. Giornata di studi promossa dalla Società di studi Romagnoli nel XV centenario della fine dell'impero romano in Occidente* (Istituto di Antichità Ravennati e Paleobizantine), Ravenna 1976 and B. Luiselli et al., *La fine dell'Impero romano d'Occidente* (Istituto di Studi Romani), Roma 1978.

⁵² Marcell. *chron.* s.a. 476: *Hesperium Romanae gentis imperium, quod septingentesimo nono urbis conditae anno primus Augustorum Octavianus Augustus tenere coepit, cum hoc Augustulo periit, anno decessorum regni imperatorum quingentesimo vigesimo secundo, Gothorum dehinc regibus Roman tenentibus.*

⁵³ Croke (above n. 51) 119. See also Moorhead, *The Roman Empire Divided*, (above n. 8) 266: "In many parts of the Empire, it was possible to live through the fifth century without feeling that it was a time of great change. It was eastern authors writing some decades later who first attributed significance to the deposition of the last emperor of the West in 476". For the development in the West from the view-point of Constantinople, see also W. E. Kaegi Jr., *Byzantium and the Decline of Rome*, Princeton 1968, and J. Irmscher, "Das Ende des weströmischen Kaisertums in der byzantinischen Literatur", *Klio* 60 (1978) 397–401.

Rome (in 410) – events foreboding the eventual disintegration of the Roman West – took place under the immediate successors of Theodosius I.

Summarizing the essence of our observations thus far, we note that, in the fabric of the Roman Empire as a political and administrative entity, there are no structural changes to cite around the time of Theodosius' death in order to sustain the idea of a breach, of any kind, with the preceding period. Clearly, the most momentous changes transforming Roman society in Late Antiquity are rather to be associated with the reigns of Diocletian and Constantine. The former was the principal architect of the administrative structures of the Late Roman Empire, whereas the latter, together with his sons, was responsible for the religious revolution that so profoundly altered Roman culture.⁵⁴ It is, therefore, quite remarkable that modern historiography has been so insistent on maintaining the terminus at AD 395, a state of affairs which is all the more notable given that Theodosius, as we have seen, actually founded a dynasty that ruled the entire Roman World until the middle of the fifth century.

At this point it must also be stressed that the administrative division of the Roman Empire in two parts was no novelty of the post-Theodosian period. If, for say analytical purposes, it is deemed advantageous for modern scholarship to maintain a conceptual distinction between a Western Roman Empire and an Eastern one, it would no doubt be a better and less arbitrary reflection of actual facts to make the accession of Diocletian, in the final years of the third century, the starting point for such usage.⁵⁵

As is well known, Diocletian's reign stands out as a watershed between the Empire of Augustus and his successors and that of Late Antiquity. The significance of the innovations of Diocletian has always been duly noted by modern scholarship. Indeed, in standard periodization the accession of Diocletian marks the end of the 'Principate' and the beginning of the 'Dominate'. It is, accordingly, fully recognized that his rule marked a decisive move away from the old fiction of republicanism toward a real autocracy. Much less attention has been paid to the fact that the Empire from this point on –

⁵⁴ For a very valuable synopsis of all the characteristics of the Late Roman Empire, see T. D. Barnes, *The New Empire of Diocletian and Constantine*, Cambridge, MA 1982.

⁵⁵ This kind of perspective, prominently present already in A. H. M. Jones, *The Later Roman Empire, 284–602. A Social, Economic, and Administrative Survey I–III*, Oxford 1964, has been applied in many recent studies, such as A. Demandt, *Geschichte der Spätantike* (n. 27 [first edition, München 1998]; cf. Id., *Die Spätantike. Römische Geschichte von Diokletian bis Justinian 284–565 n.Chr.*) and S. Mitchell, *A History of the Later Roman Empire, AD 284–641. The Transformation of the Ancient World*, Malden, MA 2007.

regardless of the ultimate failure of the tetrarchic system (or of the number of rulers at any time) – was permanently divided in two parts. It is in the reign of Diocletian that the provinces of the Roman Empire, the number of which was greatly increased by way of divisions into smaller units, were grouped into two large clusters named *Occidens* (or *pars Occidentis*) and *Oriens* (*pars Orientis*).⁵⁶ Though there had always, throughout Rome's imperial history, been a linguistic and cultural bifurcation between an increasingly Latin West and the old Greek East, this polarity did not exist on an institutional level before the administrative reforms of Diocletian.⁵⁷

Christianity's final victory over paganism in the reign of Theodosius I, though an important symbolic event, actually entailed no or little change in the lives of most Romans of the time. It simply marked the culmination of a process that, in any case, had been well under way for decades before the accession of the Theodosian dynasty.⁵⁸ It seems to me that it has been overstressed by

⁵⁶ The scholarship on Diocletian's reforms is immense; there is an overview of the various debates in R. Rees, *Diocletian and the Tetrarchy*, Edinburgh 2004, 3 ff. (for the administration, see 24–37). Among older studies still valuable are J. G. C. Anderson, "The Genesis of Diocletian's Provincial Reorganisation", *JRS* 22 (1932) 24–32, and W. Seston. *Dioclétien et la tétrarchie I. Guerres et réformes (284–300)*, Paris 1946. More recent work includes K. L. Noethlichs, "Zur Entstehung der Diözesen als Mittelinstanz des spätrömischen Verwaltungssystems", *Historia* 31 (1982) 70–81; F. Kolb, *Diocletian und die Erste Tetrarchie*, Berlin 1987; S. Corcoran, *The Empire of the Tetrarchs. Imperial Pronouncements and Government, AD 284–324*, Oxford 1996; B. Rémy, *Dioclétien et la tétrarchie*, Paris 1998; W. Kuhoff, *Diokletian und die Epoche der Tetrarchie. Das römische Reich zwischen Krisenbewältigung und Neuaufbau (284–313 n. Chr.)*, Frankfurt a. Main 2001; B. Bleckmann, "Bemerkungen zum Scheitern des Mehrherrschaftssystems. Reichsteilung und Territorialansprüche", A. Demandt et al. (Hrsg.), *Diokletian und die Tetrarchie*, Berlin 2004, 74–93.

⁵⁷ That the Roman world had been divided at earlier times as well, for instance between Octavian and Mark Antony in the final years of the Republic, is sometimes cited as a relevant fact in accounts treating (*ab ovo*, obviously) the "final division" of the Empire. Therefore it is important to point out that the *de facto* division of the triumviral period was an *ad hoc* arrangement not associated with any administrative structures, but solely with the number of members in the alliance in power. It suffices to take note of the fact that, as long as M. Aemilius Lepidus had been part of the coalition, the Empire was divided in three parts.

⁵⁸ The real focal point of scholarship concerned with the reign of Theodosius has been his policies with regard to religion, both pagan and Christian. Among standard works we should note W. Ensslin, *Die Religionspolitik des Kaisers Theodosius des Großen* (SBAW, Phil.-hist. Klasse), München 1953 (cf. Id., "Die Religionspolitik des Kaisers Theodosius des Großen", G. Ruhbach [Hrsg.], *Die Kirche angesichts der Konstantinischen Wende* [Wege der Forschung 306], Darmstadt 1976, 87–111) and N. Q. King, *The Emperor Theodosius and the Establishment of Christianity*, London 1961. Recent contributions to the scholarly discussion

western, and of course mostly Christian, scholars. With less religious bias the periodization of Roman history would no doubt have been given a different structure.

Conclusion

In this paper a construction of modern scholarship has been discussed. Though in principle a well-known fact, it is commonly overlooked, forgotten, or simply ignored, that there was never a formal division of the Roman Empire, either in AD 395 or at any subsequent point in the fifth century. It was also reminded that Theodosius I (379–395), whose principal claim to fame is his reputation for being the last sole emperor of the Empire, never reigned alone. A succession of co-emperors ruled together with him throughout the duration of his reign. Moreover, during several shorter or longer periods in the fifth century the Roman World was actually united under the rule of a single sovereign. Finally, it was argued that the significance of the religious policies of Theodosius has been overstressed by modern scholars, who largely on account of his religious legislation have seen the Theodosian period as a transitional phase in Roman history. The really significant changes that gave rise to the Late Roman Empire had taken place earlier, in the reigns of Diocletian and the emperors of the Constantinian dynasty.

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include R. M. Errington, "Church and State in the First Years of Theodosius I", *Chiron* 27 (1997) 21–72; Id., "Christian Accounts of the Religious Legislation of Theodosius I", *Klio* 79 (1997) 398–443. See also N. B. McLynn, *Ambrose of Milan. Church and Court in a Christian Capital*, Berkeley – Los Angeles 1994.