# Julian and the Consulship: Politics and Representation\*

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This article is a comprehensive study of the meaning of consulship in the writings and political activity of Emperor Julian (331-363 AD). The consulship was probably the only Roman institution deemed worthy of recognition by the philo-Hellenic ruler. In the *Panegyric in Honour of Empress Eusebia*, Julian ponders the excellence of the Republican consulship as a form of government that could put an end to the excesses of tyranny, an issue that Claudius Mamertinus and Libanius echo in their consular speeches addressed to him. Being Augustus, Julian was inspired by the ancient consular ceremonies of Republican times to banish the symbols of the Constantinian monarchy and promote the symbolic value of the consulship to encourage the troops marching towards Persia.

*Key words*: Emperor Julian; political thought; consulship; consular speeches; imperial representation; Claudius Mamertinus; Libanius.

Este artículo se centra en el estudio pormenorizado de la magistratura consular en los escritos y la actividad política del emperador Juliano (331-363 d. C.). El consulado fue probablemente la única institución romana considerada digna de reconocimiento por parte del gobernante filo-helénico. En el *Panegirico en honor a la emperatriz Eusebia*, Juliano reflexiona sobre la excelencia del consulado republicano como forma de gobierno que acabó con los excesos de la tiranía, cuestión de la que Claudio Mamertino y Libanio se hacen eco en los discursos consulares que le dirigieron. Siendo Augusto, Juliano se inspira en las antiguas ceremonias consulares para desterrar los símbolos de la monarquía constantiniana y promueve el valor simbólico del consulado para animar a las tropas en marcha hacia Persia.

Palabras clave: Juliano emperador; pensamiento político; consulado; discursos consulares; representación imperial; Claudio Mamertino; Libanio.

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#### I. Introduction

The political thought of Emperor Julian (331-363 AD) has been an object of both inquiry and controversy since ancient times. Despite the research carried out thus far¹, many questions remain with regard to the principles that grounded his political endeavours. The focus of this article is Julian's interest in the Roman consulship. To frame the analysis carried out here in an adequate context, a concise overview of Julian's views of the ideal ruler, the relationship between ruler, law and tradition, and the Roman contribution to the development of the οἰκουμένη is provided.

#### 1. Ruler, law and tradition in Julian's writings

Political thinking in relation to the figure of emperor in mid-fourth century AD was profoundly imbued with the Hellenistic notion of the emperor as *living law* (νόμος ἔμψυχος), as evinced by the work of both pagan (Libanius, Themistius) and Christian authors (Eusebius of Caesarea)². The views of Julian set out in tentative terms during his time as Caesar (when he was under the authority of his cousin, Constantius II) and further developed later when he became sole ruler, comprise a digressive contribution to this way of understanding the government of the Empire.

In the Second Panegyric to Constantius, also known as On Kingship<sup>3</sup>, commonly dated to winter 357-358, Julian outlines a preliminary theoretical conceptualization of the good king, the philosopher-king. Inspired by the

<sup>&</sup>lt;sup>1</sup> For a comprehensive account of Julian's political thought and a synthesis of the main interpretations thereof, see Bidez 1930, Browning 1975, Athanassiadi-Fowden 1981, Candau Morón 1986, Hidalgo de la Vega 1995 and 1997, Bowersock 1997, Tougher 2007, Elm 2012, Swain 2013, Redondo Moyano 2018 and Wiemer & Rebenich 2020 (especially pp. 1-63).

<sup>&</sup>lt;sup>2</sup> See, for instance, Them., *Or.* IV 3 in relation to Jovian; for a bibliographical overview of the issue, Ritoré Ponce 2002.

<sup>&</sup>lt;sup>3</sup> In this speech, Julian frames his praise first in rhetorical terms, followed by a second, philosophical commendation of the good king: see García Ruiz 2015.

Sophist tradition of Dio Chrysostom, Julian holds that the conduct of a good emperor ought to mirror the life of a good citizen, who respects the law and is subject to it, in contrast to the sovereign who sets himself as above the law: «If he is guardian of the laws (φύλαξ τῶν νόμων), he will be better artisan (δημιουργός) of them»<sup>4</sup>.

Once emperor, probably by the end of 361<sup>5</sup>, Julian wrote the *Letter to Themistius*, in reply to a previous one by the philosopher. In line with Aristotle<sup>6</sup>, Julian contends that no human nature is so honourable as to prevail over others and that it is not fair for a man to rule over a multitude of similar men. Hence, he proposes that the classical concept of law must govern the will of a single man dominated by his passions<sup>7</sup>. Julian also argues, following Plato, that the ruler must exercise power through the divine part of his being, stripping the soul of its animal nature<sup>8</sup>.

A few short months later, Julian had moved from a theoretical and abstract definition of the good and fair king to the exercise of power in line with a theocratic conception of kingship, which he would endeavour to justify in philosophical terms<sup>9</sup>. In the autobiographical myth included in *Against Heraclius*<sup>10</sup>, written in March 362, Julian presents himself as having been chosen by the gods to be ruler. He recounts how, as a boy, Helios offered him his protection, when Constantine and his sons had abandoned their worship of the god. As a descendent of Helios, Julian saw himself as participating in the divine intelligence by nature<sup>11</sup>, and not only by virtue in the Platonic sense. In subsequent visions, all the gods promised their support as long as Julian valued them above all goods and obeyed the immutable divine laws<sup>12</sup>.

<sup>&</sup>lt;sup>4</sup> Iul., *Or.* II 88d-89b. Unless stated otherwise, translations of Julian's writings are taken from Wright 1913-1923. I also follow Wright's numbering of Julian's *Orationes*. This text mentions the idea that the good ruler must be beyond reach, and endowed with a special, divine soul, but this idea is addressed in greater depth in the *Letter to Themistius*, Bouffartigue 1978, pp. 22-23.

<sup>&</sup>lt;sup>5</sup> Vanderspoel 1995, pp. 115-134.

<sup>&</sup>lt;sup>6</sup> Arist., Pol. 1286b, 1287a.

<sup>&</sup>lt;sup>7</sup> Iul., ad Them. 261b-c.

<sup>&</sup>lt;sup>8</sup> Iul., ad Them. 259a; Pl., Lg. 709b, 713c; Hidalgo de la Vega 1995, pp. 236-237.

<sup>&</sup>lt;sup>9</sup> Mas Torres 2006, p. 642.

<sup>&</sup>lt;sup>10</sup> Iul., Or. VII 222c-234c.

<sup>11</sup> Iul., Or. VII 229c.

<sup>&</sup>lt;sup>12</sup> Iul., *Or*. VII 233c, 234b.

From then onwards, in both his private and public writings, Julian sees the law(s), institutions and traditions as realities whose origin is divine, which is the reason why they are to be respected and protected<sup>13</sup>. In *Against Galileans*, Julian argues that the Empire and Greco-Roman civilization are grounded in traditions, and the fact that they were preserved is proof of the authenticity of paganism, as opposed to Christianity<sup>14</sup>, which had abandoned the Hebrew traditions<sup>15</sup>. Thus, his defence of law and tradition is part of his advocacy for the paganism he intends to reinstate.

In short, therefore, Julian presents himself as the interpreter of the law and frames his word as law, thus —as a number of scholars have pointed out—in practice acting in marked contradiction to his first principle that the good ruler be subject to the law<sup>16</sup>.

# 2. Rome's contribution to the Empire

In the *Hymn to King Helios* (December 362), Julian proclaims Helios the supreme divinity of the Empire, the true mythic founder of Rome, thus stripping Rome of its original identity. Although he states that Rome is the most powerful city and most beloved of the gods<sup>17</sup>, Julian sees the history and destiny of the Roman people as a continuation of Greece. From his strongly Hellenised perspective<sup>18</sup>, Julian describes the Romans as being merely heirs and guardians of the Greek tradition:

<sup>&</sup>lt;sup>13</sup> Iul., Ep. 89a.453b-c.

<sup>&</sup>lt;sup>14</sup> Iul., *Gal.* 115d-e: «Now look at our beliefs in comparison with yours (Galileans, i. e. Christians) ... If experience does not attest to the truth of our beliefs, then we concede that our traditions are a fiction and an inauspicious creed and will praise yours; but if, on the contrary, and from a very distant past, what we say is attested to and cannot be in any way reconciled with your teachings, why do you persist in such a great conceit?» (my translation).

<sup>&</sup>lt;sup>15</sup> Christians are accused of infidelity for their failure to keep to the Hebrew traditions in Iul., *Gal.* 115d-e, 238a, 245a, 252b, 261d, 276e, 290a, 298a, 298d, 305a, 314b-e, 353e, 356b, 358b; for their failure to keep to sacrifices and laws that Jews, and pagans, continue to obey and practice, 319e.

<sup>&</sup>lt;sup>16</sup> Hidalgo de la Vega 1995, pp. 350-353; Athanassiadi-Fowden 1981, p. 175; Browning 1975, pp. 133-134.

<sup>17</sup> Iul., Or. V 161b.

<sup>&</sup>lt;sup>18</sup> Julian's cultural world is comprised entirely of Greek cultural models: Bouffartigue 1992, pp. 408-412. He speaks passionately about τὸ ἐλληνικόν, Den Hengst 2010, p. 220.

And has not Apollo, who is his (i. e., Helios') colleague in empire, he ... has civilised the greater part of the world by means of Greek colonies, and so made it easier for the world to be governed by the Romans. For the Romans themselves not only belong to the Greek race, but also the sacred ordinances and the pious belief in the gods which they have established and maintain are, from beginning to end, Greek. And beside this they have established a constitution not inferior to that of any one of the best governed states, if indeed it be not superior to all others that have ever been put into practice. For which reason I myself recognise that our city (i. e. Rome) is Greek, both in origin ( $\gamma \acute{\epsilon} vo \varsigma$ ) and as to its constitution ( $\pi o \lambda tr \epsilon \acute{\epsilon} \alpha$ )<sup>19</sup>.

A number of aspects of this vision of Roman culture had already been articulated by Greek writers living under the protection of Rome and may have inspired Julian's outlook. According to Dionysius of Halicarnassus and Aelius Aristides, the Greeks had civilised the οἰκουμένη and accepted domination of Rome as a dispensation of the gods because the Romans had faithfully preserved the religious laws inherited from the Greeks<sup>20</sup>. Polybius and Plutarch, in turn, praised the excellence of the Roman political system, the  $\pi$ ολιτεία, the perfection achieved in the Republic and the Empire, respectively<sup>21</sup>.

What role might the Roman  $\pi$ oλιτεία of Greek origin described in this *Hymn* play in the Empire Julian set out to inaugurate under the patronage of Helios? And what was Julian's attitude in practice towards Roman institutions and traditions? This study of consulship in the writings of Julian himself and in other contemporaneous sources has been undertaken to address these questions, at least in part. Focus on consulship is motivated by the fact that the extant texts and material sources show that Julian paid particular attention to it.

#### II JULIAN AND THE CONSULSHIP

Consulate was the only magistracy whose persistence was uninterrupted from since the Republic's origins until the fifth century AD. Although it was di-

<sup>&</sup>lt;sup>19</sup> Iul., Or. IV 152d-153a; cf. Iul., Caes. 324a and Gal. 218b; Weiss 1978 passim.

<sup>&</sup>lt;sup>20</sup> D. H. I 11-13; Aristid., Or. XXVI 51, 103, cf. Bouffartigue 1992, pp. 663-664.

<sup>&</sup>lt;sup>21</sup> See Plb. VI 50.3-4; Plu. 2.316-317; 2.827BC.

vested of most of its functions during the Empire, it officially remained the highest magistracy and, as a result, a symbol of elite status<sup>22</sup>.

A detailed account of references to the consulship in written texts and material sources associated with the emperor is offered below: the writings of Julian himself, the criteria he applied in selecting consuls, the view of consulship articulated in speeches given during his time as ruler, namely Claudius Mamertinus' *Gratia-rum actio* and Libanius' *Oratio* XII, as well as Julian's self-representation as consul in 363. This study of sources has prompted a series of reflections on the meaning of consulship in Julian's political thought and activity, and on the rhetorical strategies deployed in relation to consulship in those texts.

1. *The excursus on consulship in Julian's* Panegyric in Honour of the Empress Eusebia

The *Panegyric in Honour of the Empress Eusebia* is the only extant work by Julian that deals with the consulship. This work and the *Panegyric in Honour of the Emperor Constantius* were probably written during winter 356-357 for the ceremonies held in spring 357 on the occasion of Constantius' visit to Rome to mark his *uicennalia* and to celebrate the defeat of Magnentius<sup>23</sup>.

In the section on the noble origin ( $\gamma \acute{e}vo\varsigma$ ) of the Empress, Julian devotes a brief *excursus* to Eusebia's father, focusing on how ten years earlier, in 347 AD, Flavius Eusebius, *magister equitum et peditum*, had been appointed *consul posterior*<sup>24</sup>. Given that Eusebius was a *homo nouus*, Julian celebrates his consulship as the origin of the noble status enjoyed by the family of the empress. Such is the context in which Julian comments on what the dignity of the office entails, its original powers, and who usually held it in his day (Iul., *Or.* III 107d-108b):

A man who was considered worthy to hold the office that gives its name to the year, an office that in the past was powerful and actually called royal, but lost that title because of those who abused their power. But now that in these days its power has waned, since the government has changed to a monarchy, the bare

<sup>&</sup>lt;sup>22</sup> On the consulship in Late Antiquity, Kübler 1900, Chastagnol 1958; Cecconi 2007; Sguaitamatti 2012; the latter has carried out an exhaustive analysis of the consulship in its historical contexts.

<sup>&</sup>lt;sup>23</sup> Angiolani 2008, pp. 22-29, especially pp. 26-27.

<sup>&</sup>lt;sup>24</sup> RE VI s. u. Eusebios, 2; PLRE s. u. Eusebius 39; Flavius Eusebius shared the status of consul with Vulcacius Rufinus, Bagnall et al. 1987, pp. 228-229.

honour, though robbed of all the rest, is held to counterbalance all power, and for private citizens is set up as a sort of prize and a reward of virtue, or loyalty, or of some favour done to the ruler of the empire, or for some brilliant exploit, while for the emperors, it is added to the advantages they already possess as the crowning glory and adornment ... Indeed there is no private citizen or emperor, nor has ever been, who did not think it an enviable distinction to be entitled consul.

Julian indicates a certain degree of respect for the original post of Roman consul, «an office that in the past was powerful and actually called royal», whose power was similar to the power of kings<sup>25</sup>, but which lost its status due to «those who abused their power»<sup>26</sup>. In this regard, Julian's perspective may have been influenced by Polybius' theory of the *mixed constitution*, which endorses the Roman consul formula as a counterbalance to royal excess<sup>27</sup>. As discussed in further detail below, this issue arise in the 362 and 363 speeches.

Julian underscores the idea that «there has never been an individual or an emperor who has not expressed his desire to be appointed consul», but he makes no reference in this *Panegyric*, nor in its complementary speech, the *Panegyric in Honour of the Emperor Constantius*, to the fact that both he himself and Constantius were consuls in 357<sup>28</sup>. What was the point of praising the consulate of the Empress's father, held ten years before, and omitting the consulate of that year, in a speech addressed to the emperor and his wife?

<sup>&</sup>lt;sup>25</sup> Polybius, Cicero and Livy all pointed out that the power of Roman consuls was equivalent to the power of kings, Plb. VI 11.12; Cic., *Leg.* 3.8; Liu. II 1.8. It is widely known that there was a two-king system in Sparta for centuries. Sparta's system will be referenced in Libanius' consular speech (see below, II.3.2).

<sup>&</sup>lt;sup>26</sup> On the trappings and restrictions on the power of consulship in the Republic and later in the Empire, see Angiolani 2008, p. 63.

<sup>&</sup>lt;sup>27</sup> In chapter VI of his *Histories*, Polybius offers an account of the cyclical rise and fall of political systems and argues for the superiority of Rome's *mixed constitution*, a combination of monarchy, oligarchy and democracy, which Polybius describes using the Republican division: *consulatus / senatus / plebs*. This constitution is better because it withstands the cyclical rise and fall of political regimes, an argument found also in Plato (*Lg.* III 691d-692b). According to the historian, despite its *mixed constitution*, Rome was also destined to fall, Martínez Lacy 2005. I am grateful to J. Torres for his comments on this point.

<sup>&</sup>lt;sup>28</sup> Amm. Marc. XVI 11.1. Julian shared the consulship with Constantius on three occasions, in 356, 357 and 360, and was later *consul prior* in 363, with Flavius Salustius, Bagnall et al. 1987, pp. 246-249, 254-255, 260-261. See below, II.3.2.

This anomaly prompts the view that this passage may not originally been part of the *Panegyric in Honour of the Empress Eusebia* but be part of the one addressed to Constantius, *consul prior* that year, and bolsters the theory that both *Panegyrics* were re-written once Julian had become emperor<sup>29</sup>. According to this line of thinking, Julian omitted some parts and revised others so as to depict himself as having been less cooperative with or deferential to Emperor Constantius. Libanius' 363 speech (see below, II.3.2) sheds some light on the causes of Julian's silence concerning the time both he and Constantius held the post of consul.

# 2. The appointment of consuls in 362

In February 360, Julian's troops proclaimed him Augustus in Paris. A year later, Julian led the advance from his positions in Gaul towards the East in order to confront Constantius II. The sudden death of Constantius II in November 361 facilitated Julian's sole rule; on his deathbed, Constantius had named Julian his successor. The brevity of Julian's rule allowed for only two *processus consulares*, in 362 and 363. This section focuses on the first process by commenting on an enlightening text by Ammianus Marcellinus.

Julian appointed Claudius Mamertinus and General Flavius Nevitta consuls in 362<sup>30</sup>. Mamertinus was a civilian, probably a member of one the most distinguished families of Gaul in his day. In 360, Julian had named him *comes sacrarum largitionum*<sup>31</sup>. During his time in Sirmium, as the Caesar drew closer towards confrontation with Constantius, Mamertinus was appointed *praefectus praetorio per Illyricum*, and in December 361 the new emperor extended the prefecture governed by Mamertinus to include Italy and Africa<sup>32</sup>. Flavius Nevitta was a barbarian who had won significant victories in the 358 campaign in Gaul. In 361, Julian promoted him to the rank of *magister equitum* in the West. In 363 he would accompany Julian

<sup>&</sup>lt;sup>29</sup> The theory of revision proposed by Geffcken 1914 and Raeder 1932 with regard to *oratio* I, and Angiolani 2008 and James 2012 regarding *oratio* II, explored in García Ruiz 2015 in relation to both speeches, read as mutually complementary.

<sup>&</sup>lt;sup>30</sup> Amm. Marc. XXII 7.1; cf. XXI 10.8, see *PLRE* I: *Mamertinus* 2, pp. 540-541 and *Nevitta*, pp. 626-627.

<sup>&</sup>lt;sup>31</sup> Pan. Lat. III(11).1.4, Amm. Marc. XXI 18.1.

<sup>32</sup> Amm. Marc. XXVI 5.5.

again on the Persian expedition<sup>33</sup>. In the early days of Julian's reign, at the end of December 361, Mamertinus and Nevitta were two of the six judges of the Trials at Chalcedon entrusted with the task of purging Constantius II's supporters<sup>34</sup>. Both men, who were likely to have been pagans<sup>35</sup>, clearly enjoyed Julian's trust<sup>36</sup>. As he himself noted in the *Panegyric in Honour of the Empress Eusebia*, the concession of the consulship to prominent magistrates was «a sort of prize and a reward of virtue, or loyalty, or of some favour done to the ruler of the empire»<sup>37</sup>.

Nevertheless, Ammianus Marcellinus did not consider Nevitta worthy of the honour, both because of his barbarian origins and his lack of aptitude for the position. Ammianus says that in spring 361, as Julian began to come into conflict with Constantius, he wrote a letter to the Senate in Rome to request their support, in which he criticised Constantine as *nouator turbatorque priscarum legum et moris antiquitus recepti*, «an innovator and a disturber of the ancient laws and of customs received of old», for having appointed barbarians to the post of consul. Ammianus reproaches Julian for doing exactly what he had previously criticised Constantine for having done:

Then he passed on to abuse the memory of Constantine as an innovator and a disturber of the ancient laws and of customs received of old, openly charging that he was the very first to advance barbarians even to the rods and robes of consuls. In so doing he showed neither good taste nor consideration; for instead of avoiding a fault which he so bitterly censured, he himself soon afterwards joined to Mamertinus as colleague in the consulship Nevitta, a man neither in high birth, experience, nor renown comparable with those on whom Constantine had conferred the highest magistracy, but on the contrary uncultivated, somewhat boorish, and (what was more intolerable) cruel in his high office<sup>38</sup>.

<sup>&</sup>lt;sup>33</sup> Amm. Marc. XVII 6.3; XXI 8.1, 3; XXIV 1.2; 4.13.

<sup>&</sup>lt;sup>34</sup> Amm. Marc. XXII 3. Particularly serious punishments were handed down to his predecessors, Taurus and Florentius, the consuls in 361, Amm. Marc. XXII 3.6.

<sup>&</sup>lt;sup>35</sup> Mamertinus: *Pan. Lat.* III(11) 3.2; 23.4; 5; see Galletier 1955, 5. Neuita: Amm. Marc. XXV 5.2.

<sup>&</sup>lt;sup>36</sup> *Pan. Lat.* III(11) 4.5 and 10.3. Flavius Sallustius, the prefect of Gaul, also enjoyed his confidence, and was appointed *consul posterior* with Julian in 363, Sguaitamatti 2012, pp. 92-127, especially pp. 98, 113-114. See section II.3.2.

<sup>&</sup>lt;sup>37</sup> Iul., Or. III 108a; cf. Pan. Lat. III(11) 17.3

<sup>&</sup>lt;sup>38</sup> Translation from Rolfe 1935-1939. Amm. Marc. XXI 10.8: Tunc et memoriam Constantini ut nouatoris turbatorisque priscarum legum et moris antiquitus recepti uexauit, eum

This text is controversial because Constantine never appointed a barbarian to the consulship. It would appear that Ammianus misunderstood Julian's words addressed to the Roman Senate<sup>39</sup>. Barnes argues that Julian used the term barbarian to mean 'non-Hellenic'40. There is no doubt that a clear dichotomy is made between Hellenes and Christians<sup>41</sup> in Julian's work, which Gregory of Nazianzus critiqued on the grounds that Julian had appropriated the paideia and deprived Christians of it42, excluding them not only from cultural events but also from assemblies and tribunals<sup>43</sup>. In light of this interpretation, therefore, Julian describes Constantine as nouator turbatorque priscarum legum et moris antiquitus recepti because he appointed Christians to high-ranking magistrate positions —in particular, to the consulate—. The passage sheds light on how Julian interpreted the protection of laws and customs: Constantine had destroyed traditional Roman values by appointing Christians to the consulship, while he himself defended them by naming a barbarian to it. Perhaps Ammianus did in fact understand Julian's perspective, but what he called into question was his interpretation of Roman tradition.

# 3. The consular speeches of 362 and 363

The speeches which survive from the 362 and 363 processus consulares were delivered by the consul Claudius Mamertinus and the orator Libanius, respectively<sup>44</sup>. The fact that both contain significant allusions to the rise and fall of the Republican consulship in Rome is of particular interest for the purposes

aperte incusans, quod barbaros omnium primus ad usque fasces auxerat et trabeas consulares, insulse nimirum et leuiter, qui cum uitare deberet id quod infestius obiurgauit, breui postea Mamertino in consulatu iunxit Neuittam nec splendore nec usu nec gloria horum similem, quibus magistratum amplissimum detulerat Constantinus: contra inconsummatum et subagrestem et, quod minus erat ferendum, celsa in potestate crudelem, see also XXI 12.25.

<sup>&</sup>lt;sup>39</sup> See Den Boeft et al. 1991, pp. 144-145 for a detailed discussion of different interpretations of this passage.

<sup>&</sup>lt;sup>40</sup> Barnes 1992, p. 9.

<sup>41</sup> Iul., Ep. 84a.429c, 430d; 114.437C.

<sup>&</sup>lt;sup>42</sup> Gr. Naz., Or. IV 5, 95-109 (M.35.536, 623-646).

<sup>&</sup>lt;sup>43</sup> Gr. Naz., Or. IV 96 (M.35.629).

<sup>&</sup>lt;sup>44</sup> On these speeches as «informal communications from the court», see Wiemer 1995, p. 166 (Libanius) and García Ruiz 2008, pp. 150-151 (Mamertinus), which does not deny that the speakers had their own agendas and criteria, a matter that would need a separate study.

of the paper. This perspective is not found in other consular panegyrics of the same period.

# 3.1. Claudius Mamertinus' gratiarum actio

The speech was delivered on the beginning of the consular year, 1 January 362<sup>45</sup>. The speaker and consul *prior* was the son or grandson of Mamertinus *maior* to whom two speeches in honour of Maximianus (in 289 and 291) are attributed<sup>46</sup>. Claudius Mamertinus was an expert orator educated in the schools of Gaul.

Mamertinus addresses the consulship first as a personal issue, as a long-coveted distinction (2.2, 15-18). It is striking that in order to extol the fact that Julian had granted him this office, he denounces the old system whereby consuls were selected at the end of the Republic (16, 19.1-2), linking it to the flattery and corruption of the members of the court at that time, the reign of Constantius II (19.3-5).

The speaker also devotes an extensive section of his praise of the emperor to recounting in detail Julian's behaviour towards the new *consules* during the ceremony on that day<sup>47</sup>: *hic ipse, hic inquam ipse dies praebuit ciuilis animi satis clara documenta*, «This very day, I repeat, this very day has offered clear enough proofs of his courteous spirit» (28.1). *Ciuilitas* was a typically Roman virtue, which, from Pliny's *Panegyric in Praise of Trajan* onwards, became a byword for the description of any emperor or magistrate who showed himself to be kind and approachable to his subjects, the Republican tradition and the Senate<sup>48</sup>.

In contrast to the formalities introduced by Diocletian and retained by Constantine and his descendants, the new emperor did not accept the *adoratio* or  $\pi$ ροσκύνησις, but greeted the new consuls by kissing them and shaking their hands (28.3-5), as was customary in the Republic and the early days of

<sup>&</sup>lt;sup>45</sup> García Ruiz 2006 edition, English translation from Nixon-Rodgers 1994.

<sup>&</sup>lt;sup>46</sup> Mamertinus maior was probably magister memoriae (private secretary) to Maximianus, Rees 2002, pp. 193-204; De Trizio 2009, pp. 11-13.

<sup>&</sup>lt;sup>47</sup> Pan. Lat. III(11) 28-30.

<sup>&</sup>lt;sup>48</sup> *Pan. Lat.* III(11) 28.1. On the origin and development of the meaning of *ciuilis* from the second to the fourth century, see Scivoletto 1970; Lana 1972, especially p. 486, n. 1; Wallace-Hadrill 1982; Pisapia 1997.

the Empire<sup>49</sup>. According to tradition, the consuls would preside over the Senate that day, so the emperor asked them where they had to go. Mamertinus and his colleague replied that the cortege would process to the Senate, where Mamertinus' speech was delivered (29.4). Julian accompanied the consuls on foot, in the midst of the crowd of senators, escorted by lictors, while the consuls were brought there in litters (30.2).

The speaker points out that Julian and his consuls were wearing the *toga* praetexta (29.5):

So he instantly offers himself as companion and walks along protected on either side by consuls clothed in the toga praetexta in the kind and color of his own dress not much different from his magistrates<sup>50</sup>.

Throughout the fourth century, the robes worn in the *processus consularis* by both consul and emperor were the *trabea* or *palmata vestis*, a toga and purple tunic, richly decorated with lavish scenes embroidered in gold<sup>51</sup>. However, Julian and his consuls used the white *toga praetexta* with red trimming worn by Roman senators and magistrates on special public occasions.

At the first public event after the funeral for his predecessor, Julian changed the ceremonies and the vestments for the occasion, following the customs of the Republic or the early days of the Empire. Thus, he illustrated in a very graphic way his style as a ruler —a ruler who aimed to comply with the law and ancient traditions<sup>52</sup>, even those that had fallen into disuse<sup>53</sup>—. These changes evince Julian's attitude of *ciuilis*, in marked contrast to the arrogance of his predecessors, a remark directed most likely at Constantius II (30.3):

<sup>&</sup>lt;sup>49</sup> Plin., Pan. 23.1, 24.2, 71.1, cf. Tac., Agr. 40.3.

<sup>&</sup>lt;sup>50</sup> Itaque comitem se statim praebet et utrumque latus consulibus praetextatis tectus incedit, non multum differens a magistratibus suis et genere et colore uestitus.

<sup>&</sup>lt;sup>51</sup> Schuppe 1937; purple became the defining characteristic of imperial status in Late Antiquity, Torres 2021.

<sup>&</sup>lt;sup>52</sup> In this regard, Ammianus offers an anecdote: he tells of how that same day Julian fined himself ten pounds of gold for having been mistaken in the jurisdiction he claimed as his own (Amm. Marc. XXII 7.2).

<sup>&</sup>lt;sup>53</sup> Consuls in Late Antiquity did not exercise these functions although they were granted to them, *RE* IV s.u. *consul* III, 1133.43-1138.10.

Will anyone believe this who not long ago observed the haughtiness of those who wore the purple? Who conferred honors upon their friends only that they not be despised as dishonored<sup>54</sup>.

Although the speaker emphasized the enthusiasm that this approach prompted among the crowd (29.1-3), it seems that this peculiar ceremony also provoked some astonishment. According to Ammianus, Julian going on foot among the senators during the *processus consularis* was criticised by some as affected and cheap, beneath him and his status as emperor<sup>55</sup>.

To round off his account of consular ceremonies, Mamertinus compares Julian's ascent to power and the first consulate of his reign in 362 with the early days of the Roman Republic (30.3-4):

Will anyone believe that the ancient freedom of former ages has been given back to the republic after such a long time? I do not think that the consulship of Lucius Brutus and Publius Valerius, who were the first to preside over the citizens with annual power after the kings were expelled, is to be preferred to ours. Each of the two was beneficial to the public good, each beneficial to the Roman State, each remarkable for marking the beginnings of better conditions; but each one has something special. They accepted their consular power through the people, we received it through Julian. In their year freedom came into being, in ours it was restored<sup>56</sup>.

<sup>&</sup>lt;sup>54</sup> Credet hoc aliquis qui illa purpuratorum uidit paulo ante fastidia? — qui ideo tantum honorem in suos ne inhonores contemnerent conferebant. Ammianus, based on Mamertinus, points to the contrast between the consular processes: Constantius superbus on his solemn entry into Rome wearing the consular robes, Amm. Marc. XVI 10.12 and Julianus ciuilis in Constantinople (XXIII 1.1). On interpretations of these passages, see Neri 1984, p. 68; Ross 2021 and Jussen 2021.

<sup>&</sup>lt;sup>55</sup> Amm. Marc. XXII 7.1. humilior princeps uisus est, in officio pedibus gradiendo cum honoratis, quod laudabant alii, quidam ut adfectatum et uile carpebant. Ammianus appears to be echoing the view of the Roman senator and proconsul *Achaiae* Praetextatus, Amm. Marc. XXII 7.6, *PLRE I* Vettius Agorius Praetextatus 1, pp. 722-724.

<sup>&</sup>lt;sup>56</sup> Credet aliquis tanto post ueterem illam priscorum temporum libertatem rei publicae redditam? Neque enim ego Lucii Bruti et Publii Valerii, qui primi exactis regibus potestate annua ciuibus praefuerunt, consulatum nostro anteponendum puto. Vterque bono publico, uterque Romanae rei publicae salutaris, uterque insignis principiis commodorum; sed habet aliquid unusquisque praecipuum. Illi consularem potestatem per populum acceperunt, nos per Iulianum recepimus. Illorum anno libertas orta est, nostro restituta.

In his concluding remarks, Mamertinus draws a comparison based on political affinity between Julian and the first consuls because in both cases and times freedom was restored in the wake of an overweening monarchy<sup>57</sup>. References to the Republic are unusually prevalent in both the account of Julian's attitude during the ceremonies and the new consul's speech. Mamertinus' text evinces a sense of appreciation for the ancient Roman consulship as a political system in which rulers are subject to the law and observe the traditions. The overall impression amounts to a critique of the ruling style of previous emperors and, in particular, the rule of Julian's cousin Constantius<sup>58</sup>.

# 3.2. Libanius' speech to Julian Consul

The next speech on consulship<sup>59</sup> was delivered the following year, on 1 January 363. The new consuls were Emperor Julian and his friend Flavius Sallustius, *praefectus praetorio Galliarum* from 361 to 363<sup>60</sup>. This was Julian's fourth appointment to the consulate, and the first and only time he was *consul prior*<sup>61</sup>. Two other speeches were made at the ceremony, one in Latin<sup>62</sup>, the other in Greek<sup>63</sup>.

The circumstances were very different to the previous year. Julian had left Constantinople in June 362 and moved to Antioch, intending to make the latter city the imperial capital, where he could implement his ideas about the State

<sup>&</sup>lt;sup>57</sup> Libertas and consulship, libertas and ruler are two classical binaries in Latin historiography. With regard to the first consuls, see Tac., Ann. I 1: Vrbem Romam a principio reges habuere; libertatem et consulatum L. Brutus instituit. With regard to the Principate, Augustus asserted himself as guardian and guarantor of freedom because he had overcome the domination of the civil factions, Mon. Anc. 1: rem publicam a dominatione factionis oppressam in libertatem uindicaui. See Wirszubski 2009, pp. 1-6, 97-123.

<sup>&</sup>lt;sup>58</sup> A few months before, Julian had sharply criticised him, calling him a tyrant in the *Letter* to the *Athenians*, Jul., ad *Ath.* 279b-280d.

<sup>&</sup>lt;sup>59</sup> Förster's 1904 edition, Norman's 1969 translation.

<sup>&</sup>lt;sup>60</sup> Flavius Sallustius 5, PPO Galliarum 361-3, cos. 363, PLRE I, pp. 797-798.

<sup>61</sup> Amm. Marc. XXIII 1.1.

<sup>&</sup>lt;sup>62</sup> The Latin speaker was probably *Latinus Alcimus Aletius* from Bordeaux; Aus., *Prof.* 2 discusses him and relates him to Julian, Sallustius and the consulship, *PLRE* I Alethius 2.

<sup>&</sup>lt;sup>63</sup> According to Libanius, the first was a minor success, and the Greek speaker performed like an incompetent fool; Lib., *Or.* I 127-128, Wiemer 1995, p. 154, n. 18.

and the new paganism<sup>64</sup>. However, his hopes were put to serious test: the shortage of food caused by the massive presence of troops in the city preparing for the Persian campaign, market speculation on basic and luxury goods, as well as growing tensions with the Christians, aggravated by the episode at the temple of Daphne<sup>65</sup>, led to increasing social discontent<sup>66</sup>. None of these problems are mentioned in the *hypaton*, a celebratory speech devoted to extolling Julian's character and consulship. As regards the ceremonies themselves, the fact that sacrifices were offered in the temples of *Tyche* and *Zeus Philios* would have stood in marked contrast to previous consular processes<sup>67</sup>.

At the time, Libanius was the most famous Greek orator in Antioch, and probably throughout the Eastern area of the empire. Like Julian, he was a staunch supporter of the *paideia* and Greek culture, although he disagreed from the emperor on other matters<sup>68</sup>. As an experienced orator, Libanius knew what subjects and strategies to deploy to please the emperor<sup>69</sup>. His speech was a great success: «Julian was so enraptured by this performance oration that he lost control of himself, jumped up from his seat, and flung out his arms to unfurl his cloak»<sup>70</sup>. Shaking out one's toga was a traditional gesture whereby people in authority could demonstrate approval for an orator's performance<sup>71</sup>. Julian insisted the speaker publish the speech immediately and followed its revision<sup>72</sup>.

<sup>64</sup> Lib., Or. XV 52: «he intended to make it a city of marble».

<sup>65</sup> Iul., Mis. 364A, 366C; Amm. Marc. XXII 13.1-3; Gleason 1986, pp. 109-110.

<sup>&</sup>lt;sup>66</sup> Just two days later, 3 January, a few young men openly mocked the emperor in satirical verses spoken in the public square. Julian wrote a sharp critique of the people of Antioch in response, the *Misopogon*, imposed a number of sanctions as punishment, and decided to leave the city on his return from the Persian campaign.

<sup>67</sup> Amm. Marc. XXIII 1.6; Iul., Mis. 346b-c; Lib., Or. XV 79; Gleason 1986, p. 108.

<sup>&</sup>lt;sup>68</sup> He was not one of the group of intellectuals who followed the religious sacrifices and practices of the emperor, Lib., *Or.* I 119, 121-123, nor did he approve of the campaign against the Persians, Lib., *Or.* XVII 19-20, XVIII 164.

<sup>&</sup>lt;sup>69</sup> Libanius had won Julian's trust to such an extent that, on this occasion, he had access to the reports written by Julian himself on the campaigns in Gaul (cf. Lib., *Or.* XIII 25).

<sup>70</sup> Lib., Or. I 129.

<sup>&</sup>lt;sup>71</sup> In Athens, in 330, the young Proheresius gave an outstanding speech before the proconsul, who shook out his toga as a sign of praise and mark of the learned man, Eun., *VS* 484, Brown 1992, pp. 44-45; also Philostratus, *VS* 626 (Caracalla). I am grateful to Alex Petkas for providing me with this reference.

<sup>&</sup>lt;sup>72</sup> Lib., *Ep.* 785, January-February 363; Wiemer 1995, p. 166.

Consulship is a significant issue throughout the speech. At the beginning, Libanius rejoices at the sight of Julian dressed as consul, that is, in the *toga picta* and the other attributes, which confirms the conclusion that the wearing of the *toga praetexta* in the 362 ceremonies was an isolated behaviour<sup>73</sup>.

Libanius devotes an extensive *excursus* to the consulship (7-25), a unique occurrence in his work, given that as a firm defender of Greek culture he tended to avoid any reference to the culture and history of Rome<sup>74</sup>; indeed, he accounted for this approach by ascribing it to the «rules of rhetoric»<sup>75</sup>. The digression may be divided into two parts. The first part (7-18) deals with the origin and development of consulship (12.8):

The early kings gradually overstepped the bounds of their royal power and diverted their constitutional monarchy into a tyrannical oppression. Then the city, in her love of liberty, though readily accepting the direction of a legitimate ruler, refused to endure the caprice of a master, and so she expelled that harsh, arrogant, brutal Superbus.

Like Mamertinus<sup>76</sup>, Libanius notes that the corruption of the first kings of Rome led to tyranny and draws a sharp contrast between the freedom enjoyed by the people of his time and their subjugation during the arrogant rule of the previous monarch, although no explicit reference is made to Constantius. The Greek orator also states that the consulship originated in Sparta (12.8):

In quest of some protection for her independence, the Senate followed a precedent set forth by Sparta and entrusted to two annually elected generals the command of the troops, giving them the honorific title of 'consuls'... Events proceeded in the manner I have described until monarchy was re-established and resumed its rightful place. As to the way in which this occurred, it is no part of the present occasion to relate. But the monarchy divested the consuls of their military command, reserving it for itself for the future and making the office a civilian one.

<sup>&</sup>lt;sup>73</sup> Lib., *Or.* XII 1. In another speech, Libanius says that Julian wore the royal purple, but he pays not particular attention to that fact, Lib., *Or.* XVIII 191.

<sup>&</sup>lt;sup>74</sup> Libanius avoids any reference to Latin culture and language, and even boasts of having no knowledge of the latter, Lib., *Or.* I 121.

<sup>&</sup>lt;sup>75</sup> Lib., Or. XII 7.

<sup>&</sup>lt;sup>76</sup> Pan. Lat. III(11) 30.3.

Likely Libanius drew on the work of Dionysius of Halicarnassus in his account of the fall of the Roman monarchy<sup>77</sup>. Not only did the latter discuss the Spartan origin of the consulate, he also referred to the accountability of magistrates, which Libanius addresses shortly after (24-25).

In the second part of the *excursus* (19-25), Libanius reflects on what type of monarch deserves to receive such honour (20-21):

I believe that the man who governs the world with the skill of an emperor and strengthens the fortunes of Rome while crushing her enemies, who makes Romans to rejoice and gives their foes cause to mourn, who preserves good institutions and mends the bad, such a man deserves to hold this office and gains the reward of immortal fame, as did Theseus, Peleus, Palamedes and all who were exponents of virtue. But whoever brings his people's fortunes low, while swelling the success of his foes, who has trained them to victory and himself to defeat, such as he should, in my opinion, not just refrain from aspiring to the fame that the consulship gives, but should damn with hatred the inventors of writing, for they pick upon troubles past, retain them and deny them the oblivion of time.

An emperor must meet two conditions to be worthy of consulship: to exercise fair government and fight bravely against enemies. The passage makes an implicit comparison between Julian and his predecessor, Constantius. Julian was eager to confront the Persians<sup>78</sup>, unlike Constantius, who would have preferred to appease and work with his enemies; a stance for which Julian reproached him, and a critique which Libanius himself echoes elsewhere in his speech<sup>79</sup>. A ruler «who preserves good institutions and mends the bad» is likewise worthy of being named consul. This observation mirrors the Julian ideal of a ruler subject to the law, in marked contrast to the sovereign who presents himself as the living law. At the same time, the orator later refines this position by saying that Julian's fate is beyond the authority of men, that he is accountable only to the gods (20, 24-25), a redefinition that reflects the theocratic line of thought Julian followed as Augustus<sup>80</sup>.

<sup>&</sup>lt;sup>77</sup> D. H. IV 72-76, especially 73.4 and 74.2-5 (speech by Brutus); Rivolta 1987, pp. 28-29. In fact, the Spartan model comprised two kings with identical powers; there was no interest here, however, in proposing two emperors with the same status and situation.

<sup>&</sup>lt;sup>78</sup> As noted above (n. 68), Libanius was not in favour of the campaign against the Persians.

<sup>&</sup>lt;sup>79</sup> Iul., ad. Ath. 279a; Lib., Or. XII 49.

<sup>80</sup> Wiemer 1995, pp. 168-169.

Libanius complains that some are not worthy of the eternal memory associated with the consulship. This furious lament may be read in this context as meaning that Constantius had achieved a reputation he did not deserve. Therefore, this section may cast light on the *excursus* in the *Panegyric in Honour of the Empress Eusebia*. Motivated by his desire to refrain Constantius' fame, Julian removed any mention of his own and Constantius' consulates.

Having concluded this *excursus*, the orator goes on to deliver the speech as such, setting out Julian's achievements and virtues during his reign as Caesar and defending him from the charge of usurpation (26-68), noting that when Julian proved victorious in the campaign against the Persians, a new age of prosperity would dawn for the Empire (69-95).

The topic of the consulship is addressed again in the epilogue, where the fact that the emperor had chosen as fellow consul a *privatus*, someone who was not a member of the imperial family, is presented as worthy of praise (96-97):

For his generous and noble character is further demonstrated by his choice as colleague of a man of far lower station, and by his refusal either to avoid the office because he has no peer, or, out of desire for it, to nominate a peer to himself before it was right and proper to do so. In any case, Xanthus, that immortal steed, did not disdain his team-mate Pedasus<sup>81</sup>; and besides this example, we know that Athena and Diomedes rode in the same chariot, «a dread goddess and a goodly man»<sup>82</sup>.

The appointment to the consulate of a *privatus* distinguished Julian from Constantius, who had not deigned to share it with someone alien to the imperial dynasty. Although he praised the gesture, Libanius did not read it as a sign of *ciuilis animus*<sup>83</sup>; he speaks, rather, of γενναιότης, 'nobility', and μεγαλοψυχία, 'magnanimity', and compares Julian to immortal beings in Greek mythology who were not ashamed to include mortal men among their company. Libanius emphasizes the distance between the emperor and his fellow consul, «who is inferior in position». These views reflect Liba-

<sup>81</sup> Cf. Hom., Il. XVI 148-154.

<sup>82</sup> Cf. Hom., Il. V 837-839.

<sup>&</sup>lt;sup>83</sup> See the comment on III(11).30.3 in II 3.1 and Amm. Marc. XXIII 1.1; Neri 1984; Den Boeft et al. 1998, pp. 3-4.

nius' political thinking, implying his support for a βασιλεία in the Hellenistic sense<sup>84</sup>.

Finally, the orator concludes that Julian's consulship augurs well for the year ahead (98) and prays to Cronos that, amongst other things, the emperor may enjoy long life and a resounding victory over the Persians (99-100). The link suggested here between Julian's consulship and the Persian campaign is a reminder that the text ought to be interpreted in the eve-of-war context in which it was written

# 4. (Self)-representation as consul

This section explores Julian's self-representation as consul. The only extant material evidence of such representation is coinage, two series of *solidi* struck exclusively in Antioch in 363<sup>85</sup>. The obverse view on both is a bust of Julian with the double-pearled diadem on his head, wearing the *toga picta*, with the *mappa* in his right hand and the sceptre in his left<sup>86</sup>. The reverse views also show the emperor, crowned and wearing consular robes; in one series, he is seated on a throne; in the other, he is standing. Both bear the same legend, VIRTVS EXERCITVS ROMANORVM, a common feature of coinage at that time and, in general, on Julian monetary iconography<sup>87</sup>.



Fig. 1. Julian Augustus, gold coin, Antioch, 360-363. Museum Number: 1921,0107.2, AN1613316679. (© The Trustees of the British Museum).

<sup>84</sup> Wiemer 2014, p. 211.

<sup>85</sup> RIC VIII Antiocheia nn. 204-206.

<sup>&</sup>lt;sup>86</sup> Consular representations of emperors were common in the fourth century, Arce 1984, p. 193, with the *mappa* included only in the later years of Constantius II, Grabar 1936, p. 12.

<sup>&</sup>lt;sup>87</sup> Plural ROMANORVM, including the armies of West and East, only after his acclamation as Augustus, Guidetti 2015, p. 28.





Fig. 2. Julian Augustus, gold coin, Antioch, 360-363. Museum Number: 1959,1004.1, 1AN1613316669 (© The Trustees of the British Museum).

These series are assumed to have been coined in Antioch to mark the ceremony inaugurating the consulship<sup>88</sup>. The representation of Julian as emperor-consul on both sides of the coins, accompanied by the military legend cited above, ought be read in the context of the imminent campaign against the Persians. In the fourth century, not only would the emperor have worn the *trabea* or *palmata uestis* at consular ceremonies, when he himself was also a consul, but also at festivities marking military victories<sup>89</sup>. Clearly, the emperor intended to instil confidence in the people of Antioch and among the soldiers stationed in the city.

Sguaitamatti takes the argument a step further, saying that Julian aimed to present himself in the style of the Republican consuls of old:

Although the consulship had been a purely civilian dignity for centuries, Julian used his consular coinage to propagate the virtuous strength of his army, in doing so, he linked the military with the iconography of the consulate, according to the republican tradition of the magistracy. Thus Julian placed the function of consular dignity at the centre of his self-representation, an image of the emperor that reinforced at the same time his bonds with the elite and the army<sup>90</sup>.

Nevertheless, the coins do not provide a sufficient basis for claiming that Julian intended to present himself as a consul of the Roman Republic. He is

<sup>&</sup>lt;sup>88</sup> According to Libanius, Lib., *Or.* XVIII 169-170, Julian invested amounts of gold to ensure the apostasy of soldiers during the ceremonies to mark the consular year; Gleason 1986, p. 109; cf. Gr. Naz., *Or.* IV 82 (M.35.608).

<sup>89</sup> Kübler 1900; Schuppe 1937; Grabar 1936, p. 12.

<sup>90</sup> Sguaitamatti 2012, p. 210 (my translation).

depicted wearing a diadem, the *toga picta*, *mappa* and scepter —that is, in the clothes and trappings of an emperor at a consulship inauguration ceremony in Late Antiquity<sup>91</sup>, an image that Constantine and his sons had also deployed—. At the same time, it would have been difficult for the people to interpret this image of the consul as representing anyone other than the emperor because, as Libanius noted, «consuls no longer held any military jurisdiction»<sup>92</sup>.

Ammianus suggests that Julian sought to project a resemblance to Scipio Aemilianus and the latter's campaign against the Carthaginians in the section of the account about the Persian campaign dealing with Pirisabora. Julian felt humiliated for having failed where Scipio had succeeded<sup>93</sup>. This notion of an *imitatio* of Scipio is intriguing, but that chapter contains a wide range of allusions to figures from the glory days of Rome. Therefore, it should be considered another point of Ammianus' 'Romanization' of Julian in his *Res Gestae*.

Julian's writings do not prompt that he took any Republican consul as a model for himself, whereas there is no doubt that that he did set out to emulate Alexander the Great as a general and conqueror, Marcus Aurelius as philosopher-emperor, and Numa as priest-king<sup>94</sup>.

#### III. FINAL REMARKS

An analysis of the sources discloses that Julian showed interest in and respect for the ancient Roman consulship, a political system similar to royalty, in which there was a balance of powers and tyranny was precluded.

The *excursus* on the consulate in Julian's *Panegyric in Honour of the Empress Eusebia* is an enlightening exercise in political theory where Julian weighs up the advantages of the ancient consulship and explores the contem-

<sup>&</sup>lt;sup>91</sup> Schuppe 1937; Sguaitamatti notes before (2012, pp. 28-29) that the *toga picta* became a distinctive feature of the imperial consulship.

<sup>92</sup> Lib., Or. XII 8.

<sup>&</sup>lt;sup>93</sup> Amm. Marc. XXIV 2.16: «After all, he got back with all his men; a few were slightly wounded, he himself was unhurt, but bore a blush of shame upon his face. For he had read that Scipio Aemilianus, accompanied by the historian Polybius of Megalopolis in Arcadia and thirty soldiers, had undermined a gate of Carthage in a like attack. But the admitted credibility of the writers of old upholds the recent exploit» (Rolfe's 1935-1939 translation). Polybius' mentioned passage is not preserved.

<sup>94</sup> Iul., ad Them. 253a, Caes. 317c, 333c-335a; Or. IV 155a-156c; Gal. 193c.

porary situation of the magistracy. The link to Eusebius, the empress's father, seems somewhat out of place; it is more likely that the text was originally addressed to Constantius, when he and Julian both enjoyed the status of consul in 357. This *Panegyric* also shows that Julian had a high opinion of what being a consul meant, an honorary title that ensured one's name would be remembered for all posterity. Hence his avid concern that Libanius' speech on the occasion of his 363 consulship be published and publicised, whereas he drew a veil over his shared consulship with Constantius and reframed it in the *Panegyric in Honour of the Empress Eusebia*.

Tradition was a key aspect of the religious heritage to be safeguarded in Julian's understanding of the Empire. This outlook is reflected in practice in his critique of Constantine's choice of consuls and in the development of consular ceremonies in 362. For Julian, the preservation of such traditions involved to resituate them in relation to the paganism he aimed to reinstate

Consular ceremonies in 362 which followed the ancient Republican rite, repudiating the purple robes and other symbols, comprised an attempt on the part of the new emperor to demonstrate in visible terms his vision of royalty, in line with the political principles he had set out in the *Letter to Themistius*: the idea of a sovereign subject to the law, the rejection of an absolute monarchy, the *pambasileia*, which he associated with the Constantinian dynasty.

It is likely that his praise of a Roman institution of Greek origin as a model of good government in the *Hymn to King Helios* (25 December 362), refers to the Republican consulship, a view that Libanius echoed and amplified in his consular address delivered a few days later (1 January 363).

Although they draw on different cultural principles and agendas, the consular speeches of both Claudius Mamertinus and Libanius echo Julian's view of the Roman consulship. Both figure Julian as an exemplar of the ruler who is subject to the law, and trace parallels between the development of the consulship in Rome and the historical moment in which Julian took over from Constantius. The end of the monarchy and the emergence of the Roman consulship lay in a distant, glorious past against the backdrop of which the marked contrast between Julian and Constantius could be mapped.

That Libanius' speech was consonant with the depiction of the emperor on the consular coins is a reasonable conclusion: the representation of Julian as consul and army leader augured well for the year ahead and the imminent campaign against the Persians. At the same time, however, there is not enough evidence to conclude categorically that the emperor himself sought to create an impression of resemblance to the Republican consuls by means of such iconic images.

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