



FRONT PANEL OF CONSULAR DIPTYCH OF BASILIUS (541). MILAN, CASTELLO SFORZESCO (Photograph by Castello Sforzesco). 19.9 × 12.4 CM. (TRIMMED AT TOP AND BOTTOM).



REAR PANEL OF CONSULAR DIPTYCH OF BASILIUS (541). FLORENCE, MUSEO NAZIONALE DEL BARGELLO (*Alinari*).
34 × 12.7 CM.



CONSULAR DIPTYCH OF BOETHIUS (487). BRESCIA, MUSEO CIVICO CRISTIANO (*Alinari*). 35 × 12.6 CM.



FRONT PANEL OF ANONYMOUS CONSULAR DIPTYCH. PARIS, COLLECTION MARQUIS DU GANAY (*Photograph by Nancy Netzer*). 34.7 × 12 CM.



CONSULAR DIPTYCH OF APION (539). OVIEDO, CATHEDRAL SACRISTY (Photograph by D. Gaborit-Chopin). 41 × 15 CM.

THE LAST CONSUL: BASILIUS AND HIS DIPTYCH

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Plates IV–VIII

I. INTRODUCTION

This article is concerned with a late antique consular diptych now divided between Florence and Milan.¹ The front panel, in the Castello Sforzesco at Milan, displays a personification of Victory, seated frontally on the back of an eagle and holding an oval shield to her left (Pl. IV). In the centre of the shield is a bust of the consul and around the edge the inscription BONO REI PUBLIC(a)E ET ITERUM. A small portion of the top and the lower third of the panel are missing. The rear panel of the diptych, still intact, is in the Museo Nazionale del Bargello in Florence (Pl. V). The figure of the consul is standing, holding the mappa in front of his chest, and in his left hand a cross-surmounted sceptre. To the left of the consul stands the figure of Roma, who places her right hand on the consul's right shoulder and in her left holds the fasces. In the lower quarter of the panel is a scene of a chariot race and to the right are two small male figures. Across the top of both panels runs the inscription: ANIC(ius) FAUST(us) ALBIN(us) BASILIUS V(ir) C(larissimus) ET INL(ustris) EX COM(ite) DOM(esticorum) PAT(ricius) CONS(ul) ORD(inarius).

The diptych was first published in 1716 by Filippo Buonarroti, who assigned it to the eastern consul of 541² on the basis of a judicious and well-informed prosopographical argument. Buonarroti's argument was repeated by A. F. Gori in 1759³ and generally accepted till 1892, when H. Graeven⁴ assigned it to the western consul of 480 because of stylistic similarities with the diptych of Boethius, western consul of 487. This date was canonized in the standard works of R. Delbrueck and W. F. Volbach, and no art-historian since has questioned it.⁵ Historians, on the other hand, from De Rossi and Mommsen to Sundwall, Stein and Jones, have continued to identify Basilius as the consul of 541 without question—though also without any awareness of the objections of art-historians. In fact, just as art-historians have studied the diptych without reference to its inscription, so have historians used the inscription without reference to the diptych on which it is inscribed.

Now inscribed consular diptychs constitute the only series of exactly dated monuments throughout the late antique period. G. Egger's study 'Zum Datierungsproblem in der spätantiken Kunst' of 1968⁶ quotes only two dated objects of any significance between 406 and 540 other than consular diptychs. Inevitably therefore they are the yardstick to which all undated objects have to be compared. So it makes a difference whether one of the fifteen⁷ extant dated diptychs should turn out to be no. 15 on the list rather than no. 4, to date from 541 rather than 480.

We shall be arguing that the Basilius diptych was indeed issued by the eastern consul of 541. The proof is largely negative. Neither the names nor the offices of the consul of the diptych are possible for the consul of 480, and an ingenious argument of Delbrueck that its iconography suits an unrecognized consul of the barbarian king Odoacar is shown to be based on a misconception of the standing of Odoacar's consuls. Neither is it possible to produce stylistic proof positive in favour of 541, but the stylistic arguments for 480 are shown to be so fragile as to yield instantly to the historical objections.

But positive conclusions also follow. The unlikeness of Basilius' diptych to those of his two immediate predecessors as eastern consul, Apion (539) and Justinus (540), together with certain other formal differences, are best explained by the hypothesis that it was made in a western workshop. For Basilius was a westerner whose home, after as before his

¹ W. F. Volbach, *Elfenbearbeiten der Spätantike und des frühen Mittelalters*³ (1976), 31, Taf. 3, nr. 5. (Henceforth, all references to individual ivories in Volbach will be given as V plus the number of the ivory under discussion); R. Delbrueck, *Die Consulardiptychen und verwandte Denkmäler* (1929), 100, nr. 6, Taf. 6.

² *Osservazioni sopra alcuni frammenti di vasi antichi di vetro* (1716), 254–5.

³ *Thesaurus veterum diptychorum* II (1759), 127 f.

⁴ 'Entstellte Consulardiptychen', *Röm. Mitt.* VII

(1892), 210, 216–17.

⁵ e.g. most recently J. C. Anderson in K. Weitzmann (ed.), *The Age of Spirituality* (1979), nos. 46–7, pp. 47–8.

⁶ *Jahrbuch der Kunsthistorischen Sammlungen in Wien* LX (1968), 45–92.

⁷ Not counting separately those of which we have multiple (not always identical) copies: e.g. those of Areobindus (506), Anastasius (517), Magnus (518), Justinian (521) and Philoxenus (525).

consulship, was in Rome. A concluding section will explore the wider phenomenon of the survival and eventual decline of the consulship in both barbarian West and imperial East.

II. BASILIUS

The diptych gives the names and titles of its honorand in full as follows: Anic(ius) Faust(us) Albin(us) Basilius v(ir) c(larissimus) et inl(ustris) ex com(ite) dom(esticorum) pat(ricius) cons(ul) ord(inarius).

A Roman aristocrat of this age was all but invariably known by the last of his three or four names, and four Basilius held the consulship during the period in which the diptych must fall: the consuls of 463, 480, 484, and 541. These are the only four candidates who come into consideration, since we possess the consular fasti entire and the diptych itself makes it clear that Basilius was ordinary, not suffect or honorary consul.⁸

(1) The future consul of 463⁹ (*PLRE* II, Basilius 11) is named on an inscription securely datable between 457 and 461 as 'Caecina Decius Basilius' (*ILS* 810). Sidonius refers to him in 467 as 'Caecina Basilius' (*Epp.* I. 9. 2-4). By the time of his consulship he was praetorian prefect of Italy for the second time as well as patrician. Clearly this man cannot be the consul of the diptych.

(2) The full names of the consul of 484 (*PLRE* II, Basilius 13) were 'Decius Marius Venantius Basilius' (*ILS* 5635), but to avoid confusion with either his father (*cos.* 463) or his elder brother (*cos.* 480), he was, exceptionally, known as Venantius, and is so styled in all consular documents. The point is made quite clear on one of the inscriptions commemorating his restorations in the Flavian amphitheatre: his full name and titles are preceded by the words VENANTI V. C. COS.¹⁰ Once more, neither his name nor his offices (prefect of Rome while consul) agree with the inscription on the diptych.

(3) The consul of 480 (*PLRE* II, Basilius 12) is usually (and surely correctly) identified with the 'Caecina Decius Maximus Basilius v(ir) i(n)lustris' named on a piece of lead piping found in Rome (*CIL* xv. 7420).¹¹ Graeven, however, identified this man with Basilius, *cos.* 463. That is to say, he assumed that the additional name 'Maximus' attested by the lead pipe had been omitted from the bronze tablet *ILS* 810 erected by Basilius himself. This is not an assumption to be made lightly. Then as now a man with four names might, in different contexts, be called by his last name alone, or by his last name and one other, or by all four names, but never by a *selection* from his full name. The obvious inference is that Caecina Decius Maximus Basilius is the eldest son of Caecina Decius Basilius, deliberately given one extra name so as to distinguish him from his father.

Stripped of the names on the lead pipe, the consul of 480 would be a bare Basilius, eligible for Graeven's identification with the consul of the diptych. Now our best source by far for the much reduced Roman aristocracy of the reign of Odoacar is the owners' names engraved on the senatorial seats in the Flavian amphitheatre after their restoration

⁸ Indeed the suffect consulship had almost certainly disappeared by now, and the honorary consulship was apparently limited to the East: see A. Chastagnol, *Le sénat romain sous le règne d'Odoacre* (1966), 55.

⁹ The appearance of *PLRE* II (1980), edited by J. R. Martindale, has enabled us to dispense with much routine annotation; reference should also be made to the still invaluable *Abhandlungen zur Geschichte des ausgehenden Römertums* (1919) of J. Sundwall, to whom belongs the credit of sorting out the Decii (pp. 128-30) and whose stemma we have adapted.

¹⁰ *CIL* vi. 4. 32094 a, b, c; cf. A. Chastagnol, *Sénat romain*, 44.

¹¹ Chastagnol (p. 83) and Sundwall (p. 98), while correctly referring *CIL* xv. 7420 to Basilius 480, nonetheless by oversight give Basilius 463 the name Maximus. The error is the more unfortunate in that it makes it seem almost perverse to attribute xv. 7420 to Basilius 480 rather than Basilius 463. In fact it would be without parallel at this period for an

aristocrat to give his son *exactly* the same names as himself—for the obvious reason. It is true that most consular fasti and inscriptions call Basilius 480 'Basilius iunior' (Mommsen, *Chron. Min.* III (1898), 537; De Rossi, *ICUR* I (1857-61), 492), but this does not prove either that they were exact homonyms, or (as Chastagnol thought, p. 40) that Basilius senior was still alive when Basilius 480 entered on his consulship. It was done solely to distinguish homonyms on the consular fasti. Basilius 480 was sole consul in his year, and by coincidence Basilius 463 was the only consul recognized in the West in his year (De Rossi, *ICUR* I, 356; Seeck, *Regesten*, 412). So without some distinguishing mark, documents and monuments of both years would have been dated indistinguishably 'Basilio v.c. consule'. Thus it is an error to list Basilius 480's full names (as in both Sundwall and *PLRE* II) 'Caecina Decius Maximus Basilius iunior'. He is either Caecina Decius Maximus Basilius or (in consular dates) Basilius iunior.

by Odoacar c. 480. We might expect to find the consul of 480 here. That no seat inscribed 'Anicius Faustus Albinus Basilius' has been found is not in itself fatal, since not all the seats survive. More serious is the presence of *three* Caecinae Decii.

Chastagnol identifies 'Caecina Decius. . . ex cons. ord.' (*CIL* VI. 32164) as the consul of 463 and the more fragmentary '[Cae]cina De[cius . . .]' (ib. 32166) as the (?future) consul of 480. There is also a '[Caec]ina Dec[ius . . .] Albinu[s]' (ib. 32165), who is probably to be supplemented 'Caecina Decius [Faustus] Albinus', eldest son of the consul of 480 and consul in his turn in 493.¹² There is scarcely likely to have been a fourth member of the family in this period whose name began 'Caecina Decius . . .', and one of the two others must be the consul of 463 and the other Caecina Decius Maximus Basilius, who (given the approximate date of the inscription) must have been the consul of 480.¹³

Graeven's identification of the consul of 480 with the consul of the diptych runs into problems of career and rank no less than nomenclature. Anicius Faustus Albinus Basilius is described on his diptych as 'ex com(ite) dom(esticorum)', patrician and consul. Now under Odoacar the *comitiva domesticorum* was still an active military rank: the *comes domesticorum* Pierius who fell in battle against Theoderic in 490 was undoubtedly a fighting man in command of troops. And the unfortunately anonymous '[com. d]om. et m[ag. utr. mil.]' of an amphitheatre inscription (*CIL* VI. 32223) was also clearly a military man. But by the reign of Theoderic it had become a purely honorary title conferred on aristocrats to give them the rank of *illustris*,¹⁴ and as such it appears on a number of sixth-century diptychs: for example those of Anastasius (*cos.* 517), Philoxenus (525), Apion (539), Justinus (540), and two anonymous diptychs.¹⁵ With the exception of Philoxenus, none of these men held any true office before their consulships; only the honorary title *ex com. dom.* So too Venantius, *cos.* 507 and Mavortius, *cos.* 527. If Anicius Faustus Albinus Basilius were the consul of 480, he would be the earliest dated honorary *comes domesticorum*.

There is another respect too in which Anicius Faustus Albinus Basilius' career would be anomalous if he were the consul of 480. In the 480s the aristocracy continued to hold, indeed to monopolize, the urban and praetorian prefectures.¹⁶ Here at least we may contrast the one praetorian and two urban prefectures recorded on the diptych of Boethius, *cos.* 487, and the two urban prefectures of the diptych of Sividius, one of the two western consuls of 488. His colleague Dynamius was likewise urban prefect before his consulship, as too were Faustus, *cos.* 483, and Symmachus, *cos.* 485. Of the two brothers of Basilius, *cos.* 480, Venantius, *cos.* 484, held the urban prefecture by his consular year and Decius, *cos.* 486, both prefectures. It would be surprising if their elder brother had not held at least the urban prefecture by 480 (he was praetorian prefect, not necessarily for the first time, in 483). So Anicius Faustus Albinus Basilius' career and titles would be as anomalous in 480 as they would be normal in 541.

(4) Now it is obviously more likely than not that in an age when the western consulship was almost the monopoly of a few aristocratic families, Basilius, *cos.* 541, was a descendant of the late fifth century Basili, a member of the great family of the Decii. No other late Roman house so dominated the consulship (see fig. 1). In addition to Basilius, *cos.* 463, and his three consular sons, Basilius iunior (480), Venantius (484) and Decius (486), there is Decius' son (or grandson) Vettius Agorius Basilius Mavortius (527), Venantius' son Basilius Venantius (508), and Basilius iunior's four consular sons, Caecina Decius Faustus Albinus (493), Avienus (501), Theodorus (505) and Inportunus (509). Basilius Venantius (508) was the father of Decius (529), Paulinus (534) and at least one other unidentifiable consular son.¹⁷

¹² *PLRE* II, 52 oddly follows the old supplement [Aginatius] for the missing name in *CIL* VI. 32165, thus confusing him with the consul of 444, his great-grandfather. Given the evidence for the name Faustus (*PLRE* II, 51), the full name is surely as given above (so already Sundwall, 87).

¹³ Chastagnol thought he had proved that Basilius 463 was still alive in 480, but with the lapse of that argument (n. 11), it becomes possible that he was dead and that the *ex cons. ord.* of VI. 32164 is Basilius 480—and that the Severinus *ex cons. ord.* of VI. 32206 is Severinus, *cos.* 482, rather than his father, *cos.* 461 (where Chastagnol, 81, relies on the same

argument from the use of *iunior*).

¹⁴ Mommsen, *Ges. Schriften* VI, 403; Sundwall, 183, 191; Chastagnol, 49.

¹⁵ Anastasius (V 18, 20, 21); Philoxenus (V 28, 30); Apion (V 32); Justinus (V 33); Anon. (V 41, 49).

¹⁶ See the relevant entries in *PLRE* II for details, and Appendix, p. 144.

¹⁷ Cassiodorus' praise of Venantius, *cos.* 508, in 533, 'fecunda prole gaudentem et tot consularibus patrem . . . tot protulit consulares . . . tot meretur in filiis consulatus' (*Var.* IX. 23. 3-4) implies more than two.

Now Caecina Decius Faustus Albinus, *cos.* 493, is reported to have been related ('*parens*', Ennodius, *Epp.* II. 22) to Anicius Probus Faustus, *cos.* 490, son of Gennadius Avienus, *cos.* 450. According to Sidonius, Caecina Basilius, *cos.* 463, and Gennadius Avienus, patriarchs of the two great families of the Decii and Corvini, were the most powerful men in Rome when he was there in 467 (*Epp.* I. 9. 2.). Sidonius particularly remarks on the efforts Avienus made to advance the careers of his 'sons and sons-in-law' (ib. 3.). A marriage alliance between two such grandees, each with a large family, would be almost inevitable, and the names of two of the children of Basilius 480—Faustus Albinus and Avienus—strongly suggest that it was he who married a lady of the house of Avienus, presumably a daughter. Given such a connection, it was almost inevitable that one of the many sons of Basilius 480 (most probably Faustus Albinus) should sooner or later hit on the precise combination Anicius Faustus Albinus Basilius (two names from the Corvini and two from the Decii) to pass on to one of his sons—and that that son should sooner or later become consul. That is to say, as Buonarotti saw in 1716, on the evidence of his names alone the consul of the diptych belongs at least one generation later in the Decii than the consul of 480. If so, then he has to be the consul of 541.

There is one last objection to the hypothesis that the Basilius of the diptych is the consul of 480. If this were so, the Corvinian connection his names so clearly indicate would have to be a marriage between Basilius 463 and Gennadius Avienus. Now Basilius 463 was no youth by the time he became consul if he was the son of Caecina Decius Aginatus Albinus, consul in 444 and urban prefect for the first time as early as 414.¹⁸ There is also the seventeen-year gap between Basilius' consulship in 463 and that of the eldest of his three sons, all of them experienced administrators by the time they reached their consulships. Their father's marriage can hardly be placed much later than 450. Yet the only identifiable son of Gennadius Avienus, Anicius Probus Faustus, was consul as late as 490, and it is not likely that so noble a person had to wait till past middle age; his consulship is his first recorded office, and his two sons, Avienus and Messala, were perhaps hardly out of their teens when they became consuls in 502 and 506 respectively, since they did not marry until 512 and 513.¹⁹ Even if Faustus was Gennadius Avienus' youngest son, there are obvious chronological problems in positing a sister old enough to marry Basilius 463 as early as 450. There is also the distribution of Corvinian names in the Decian line to consider. If Basilius 463 had made such a match, we should expect at least one of his younger sons to bear at least one Corvinian name. Yet there is no trace of any Corvinian name in either Decius or Venantius (both of whose names are known in full) or indeed any of their sons or grandsons. But two at least of Basilius 480's sons bear Corvinian names—Faustus Albinus and Avienus—and we have only the last names of his two youngest to go on. It might be added that Faustus Albinus is the first of the Decii in three generations to bear the old family name Albinus. The obvious inference is that it was from Faustus Albinus and Basilius 480, his father and grandfather, that the consul of the diptych derived his two key names, Albinus Basilius.

As with the consuls of 463 and 480, the consular fasti and dated documents give only the bare name Basilius for the consul of 541. But there is a text (not reported in modern editions of the fasti) which suggests that he bore at any rate the name Albinus as well.

The only thing we know about the man apart from his consular year is that he escaped from Rome and fled to Constantinople immediately after its capture by Totila in 546. This is recorded in two complementary accounts, Procopius (*BG* III. 20. 18) and the Life of Pope Vigilius in the *Liber Pontificalis*.²⁰ According to Procopius, 'Decius and Basilius with some others' escaped, while 'Maximus, Olybrius and Orestes and some others'

¹⁸ *PLRE* II, Albinus 2, 7 and 9 are more cautious than necessary; the prefect of 414 is surely to be identified with the consul of 444.

¹⁹ *PLRE* II. 192, 454–6, 760 for the details. On

very young consuls see J. J. O'Donnell, *Cassiodorus* (1979), 21, though he does not observe that this was not common before the reign of Theoderic.

²⁰ ed. Mommsen, *Gesta Pont. Rom.* I (1896), p. 153.

took refuge in St. Peter's. These men can all be identified with western aristocrats and former consuls, those (in order) of 529, 541, 523, 526, and 530. Here is the account of the *LP*:

tunc quidam de senatoribus fugientes, Citheus, Albinus et Basilius patricii exconsules, ingressi sunt Constantinopolim et presentati ante imperatorem adfficti et desolati. tunc consolatus est eos imperator et ditavit eos, sicut digni erant consules Romani.

Then some of the senators, Citheus, Albinus and Basilius the patrician ex-consuls, fled and went to Constantinople and presented themselves before the emperor in affliction and desolation. The emperor consoled and enriched them as befitted consuls of Rome.

Basilius is again the consul of 541, and 'Citheus', as has long been recognized, conceals the final name of the head of the Roman senate, Rufinus Petronius Nicomachus Cethegus, *cos.* 504. There is independent evidence that Cethegus escaped to Constantinople, and despite a consulship as early as 504, he was still active in the 550s.²¹ It was the seniority conferred by this early consulship that made him head of the senate by at any rate 545 (when he is so described by Procopius, *BG* III. 13. 12).

Thus far then the prosopography of the *LP* seems as impeccable as that of Procopius. The fact that Procopius omits Cethegus and the *LP* Decius is no problem; Procopius at least refers to 'others' unnamed. But who is the *LP*'s Albinus?

The writer begins by referring to 'patrician ex-consuls' and ends with the statement that Justinian rewarded them 'as Roman consuls deserved.' The implication is clearly that Albinus no less than Basilius and Cethegus was a patrician and ex-consul. But the last Albinus to hold the consulship was Faustus Albinus (in all probability Basilius' father), consul in 493. This man was accused of treason in 522, in the tragic affair that led to the execution of Boethius. Albinus' fate is unknown, but he must in any case have been dead by 545, since otherwise he and not Cethegus, ten years his junior as consul, would have been head of the senate then.

Of course, it is always possible that the writer was less well informed than we have been supposing. But the simplest solution is that of H. Usener:²² transpose *Albinus* and *et*. The original text (perhaps the source of *LP* rather than *LP* itself) ran: 'Cethegus et Albinus Basilius'. It was normal for such polyonymous senators to be known informally by their last name plus one other: e.g. (Magnus Aurelius) Cassiodorus Senator. There were still enough Basilii around in early-sixth-century Italy²³ to make it prudent to avoid confusion.

So if the consul of 541 was Albinus Basilius, we are virtually compelled to identify him with the consul whose full name, as revealed on his diptych, was Anicius Faustus Albinus Basilius.

It is not surprising that Basilius should have returned to Italy after his consular inauguration at Constantinople in January. It is true that the renewal of the Gothic war later in 541 spelled the destruction of the landed wealth of the old senatorial aristocracy. But things may have looked bright enough early in the year—especially from Constantinople. It was largely because of the disunity and inertia of the Roman commanders left in Italy after Belisarius' withdrawal that the Gothic resistance was allowed to get out of hand. And it was not till the autumn of 541 that Totila was elected king and Justinian finally began to realize that all was not well.²⁴ Rome was where Basilius and his family had lived for generations. He must have had extensive estates in Italy, the source of his wealth and power. And after all, Rome was Rome. Why should he have stayed in Constantinople?

On the other hand it is not surprising that (together with his cousin Decius) he should have fled to Constantinople on the fall of Rome in 546. Not only had he served as consul there five years earlier; his family had long maintained close relations with the eastern court. In 522 his father Albinus was arrested for what Theoderic considered treasonous

²¹ *PLRE* II, 281–2.

²² *Anecdoton Holderi: Ein Beitrag zur Geschichte Roms in ostgotischer Zeit* (1877), 8.

²³ *PLRE* II, 215–8.

²⁴ E. Stein, *Histoire du Bas-Empire* II (1949), 564 f.

correspondence with Justin,²⁵ and in 525 two of his uncles, Theodorus, *cos.* 505, and Inportunus, *cos.* 509, accompanied Pope John on an embassy to Constantinople.²⁶ Basilius himself may well have made the trip before 541, perhaps often. He must have been well known in eastern court circles, at least by reputation. He cannot have been an altogether unexpected choice as consul, and it is not surprising that he was welcomed and given a generous allowance by Justinian. He will have found many old acquaintances at court, fellow émigrés such as Cassiodorus. He is bound to have played a role in what has recently been called the 'vigorous Latin subculture in Constantinople'²⁷ in the 540s and 550s. Justinian will have wanted such pillars of the Roman establishment on his side in divisive issues such as the Three Chapters controversy.

Roma alone stands beside the consul of the diptych. Delbrueck²⁸ argued that Constantinopolis would have shared the honours with Roma for an eastern consul of the sixth century, as on the diptychs of Clementinus (513) and Magnus (518).²⁹ Yet, though eastern consul, Basilius was a westerner, a protégé of the old rather than the new Roma. Furthermore, in January 541 when he entered on his consulship, it was only a few months since the Gothic surrender of Ravenna to Belisarius. Basilius might well have gone with Belisarius to Constantinople, an ambassador to convey to Justinian the congratulations and loyal wishes of the city of Rome. At such a moment Roma presenting a westerner as consul would take on a new and appropriate significance.³⁰ Compare too the front panel, where Victory holds the image of Basilius in relief on a shield, with the legend 'bono reipublic(a)e et iterum'. What could have been conquered, what done 'for the good of the state *once more*' in 480? But in January 541 there would have been a highly satisfactory answer to both questions: Basilius' consulship symbolized the restoration of Italy and her aristocracy to the empire.

III. ODOACAR'S CONSULS

Interpretation of the Basilius diptych has long been shackled by a specific consequence of Graeven's identification. The consul of 480 was the first Roman consul appointed by a barbarian king instead of a Roman emperor, and it has been widely believed—by historians no less than art-historians—that Odoacar's consuls were not recognized in the East. Delbrueck's interpretation of the iconography of the diptych was accordingly based on the assumption that Basilius entered on his consulship 'without imperial sanction'. This, he argues, is why Roma alone is shown, without diadem, and why Basilius' sceptre is surmounted by a cross instead of the usual imperial bust or busts.³¹

The strength of this hypothesis lies in the fact that it also seems to fit both the extant diptychs undoubtedly issued by consuls of Odoacar: that of Boethius,³² whose sceptre is surmounted by an eagle; and that of Sividius,³³ which is purely ornamental. And it is certainly true that almost all other extant consular diptychs, from the earliest to the latest, do have bust-surmounted sceptres.³⁴

But what of the two and perhaps three other cross-surmounted sceptres on unidentifiable and undated diptychs? Solely on the strength of his own hypothesis, Delbrueck identified two without hesitation as consuls of Odoacar, and the third, despite its affinities with sixth-century eastern diptychs, as at any rate western.³⁵

²⁵ The best account of this affair is now that of Henry Chadwick, *Boethius: the Consolations of Music, Logic, Theology and Philosophy* (1981), 48–56.

²⁶ Chadwick, 60–62.

²⁷ Averil Cameron, *JRS* LXXI (1981), 185.

²⁸ Delbrueck, 100.

²⁹ V 15, 23, 24.

³⁰ It is interesting to note that Justinian's funeral vestments displayed personifications of both Roma and Libya—but not Constantinopolis—for the express purpose of representing his military achievements (Corippus, *In Laudem Iustini minoris* 1. 287 f.).

³¹ Delbrueck, 61–2; 102–3, unfortunately followed

unquestioningly by E. K. Chrysos, *Byzantion* LI (1981), at 458–60.

³² Delbrueck, 105–6.

³³ Delbrueck, 106–7.

³⁴ Those of Lampadius (suff. 396), Felix (W 428), Constantius (W 417), Asturius (W 449), Areobindus (E 506), Clementinus (E 513), Anthemius (E 515), Anastasius (E 517), Orestes (W 530—but see further below), Apion (E 539), Justinus (E 540), anon. 36 and 42 Volbach.

³⁵ Anon. 40, 41, 43 Volbach; see Delbrueck, 171 (no. 40, where the top of the sceptre is in fact broken off, but was most likely a cross); 173; 198–9.

If Delbrueck's hypothesis is as watertight as generally supposed, prosopographical arguments notwithstanding, there might seem to be a case for dating the Basilius diptych to 480. There would also be wider implications for the dating and interpretation of a number of other diptychs. In fact the assumption on which it rests is undoubtedly false.

Mommsen³⁶ long ago saw that all Odoacar's consuls were recognized in the East, and more recently E. Stein³⁷ and A. H. M. Jones³⁸ came to the same conclusion. But all three expressed themselves with the brevity appropriate to the self-evident. Thus Chastagnol has now come to precisely the opposite conclusion: 'Rien ne laisse croire que les consuls occidentaux aient jamais été publiés officiellement en Orient.'³⁹ Others have argued that Zeno recognized some of Odoacar's consuls but not the rest. For Degrassi,⁴⁰ those of 481, 485, 486 and 489; for De Rossi,⁴¹ those of 480, 485 and 486; for Bury⁴² all but those of 486 and 487; for Martindale (*PLRE* II) all but those of 483, 484 and 486. The startling variations between these lists are hardly reassuring.

The documentation of eastern consuls at this period falls into three main categories: imperial laws, dated papyri and consular lists. Both Delbrueck and Chastagnol were impressed by the allegedly eastern consular list of Victor Tunnunensis,⁴³ which gives none of the western consuls of 480-90. But Victor's fasti are a thoroughly hybrid compilation, as might be expected in late-sixth-century Africa. From 502 his list suddenly turns 'western', giving only three eastern consuls in the next fifteen years. There are in fact no fewer than three indisputably authentic eastern consular lists, which neither Delbrueck nor Chastagnol mentions: the Chronicle of Marcellinus,⁴⁴ compiled under Justinian; the fasti incorporated in the *Paschal Chronicle*,⁴⁵ and the *Fasti Heracliani*,⁴⁶ both from the reign of Heraclius. All three invariably present consular pairs in the eastern sequence (that is to say, eastern consul first, unless the western consul was an emperor). By contrast, where Victor Tunnunensis' erratic list offers both consular names, it is usually in the western sequence, both before and after the reign of Odoacar.

They do not agree about all of Odoacar's consuls, but each consul does appear on at least one list. There seems no reason to doubt that all were recognized equally, but fortunately there is no need to settle that issue here.⁴⁷ It is enough for our present purposes that three of the four consuls who appear on all three lists are the three under discussion: Basilius (480), Boethius (487) and Sividius (488).

It is true that Odoacar's consuls are curiously under-represented in the consular formulas of eastern laws and (as Chastagnol especially emphasized) Egyptian papyri.⁴⁸ But they are not completely absent. Basilius himself appears in no fewer than four eastern laws⁴⁹ and two papyri.⁵⁰ M. A. Wes⁵¹ and A. Lippold⁵² did their best to eliminate this decisive proof of Basilius' recognition by maintaining that the Basilius registered as consul in 480 was an easterner, the Basilius who was praetorian prefect of the East in 486. Yet western consular lists and western inscriptions with consular datings designate Basilius 480 'Basilius iunior'.⁵³ As we have already seen, this suffix is a western device to distinguish homonyms as consular dates.⁵⁴ Since Basilius 463 was not sole consul in the East as he had been in the West, there was no need so to distinguish Basilius 480 in the East, nor is he so distinguished in eastern fasti, laws or papyri. It follows that Basilius 480 has to be western consul, and that he at least was beyond question recognized in the East.

So for all its superficial attraction, Delbrueck's hypothesis falls to the ground. It might be added that, even if Odoacar's consuls had entered office 'without imperial

³⁶ 'Ostgotische Studien', *Ges. Schriften* VI (1910), 382.

³⁷ *Bas-Empire* II (1949), 47, n. 1.

³⁸ 'The constitutional position of Odoacar and Theoderic', *JRS* LII (1962), 126 = *The Roman Economy* (1974), 365.

³⁹ Chastagnol, 55, n. 123.

⁴⁰ *Fasti consolari* (1952), 94-5.

⁴¹ *ICUR* I (1857-61), 390.

⁴² *Later Roman Empire* I (1923), 410, n. 4.

⁴³ *Chron. Min.* II, ed. Mommsen, 190 f.

⁴⁴ *Chron. Min.* II, 92 f.

⁴⁵ *Chron. Pasch.*, ed. L. Dindorf, I, 602 f.

⁴⁶ *Chron. Min.* III, 405-6.

⁴⁷ For further details, see Alan Cameron, 'Odoacar's Consuls', to appear in *ZPE*.

⁴⁸ See preceding note.

⁴⁹ *Cod. Just.* VI, 23, 22 (1 May); II, 21, 9; V, 12, 28; V, 75, 6.

⁵⁰ *BGU* XII, 2155, 2, of 18 Oct. (p.c. of 481); *P. Lond.* III, 991, of 22 June (p.c. of 481), with R. S. Bagnall and K. A. Worp, *BASP* xvii (1980), 7-8.

⁵¹ *Das Ende des Kaisertums im Westen des röm. Reichs* (1967), 150-1.

⁵² Zeno 17, *PW* x A (1972), 177.

⁵³ See Mommsen's index to his *Chronica Minora*, III, 537.

⁵⁴ See above, n. 11.

sanction', it would be astonishing if they had been so scrupulously legalistic as to underline the illegality of their status in the very iconography of their diptychs. There was no point in being anything but a legitimate consul.⁵⁵

It is possible nonetheless that Boethius felt it more appropriate to forego the usual imperial bust on his sceptre⁵⁶—though out of deference to Odoacar rather than Zeno. He was after all a subject of the King of Italy, not of a Roman Emperor. The eagle-surmounted sceptre, a less explicitly imperial attribute, made a perfectly acceptable alternative. It is also found on the diptych of the unquestionably legitimate eastern consul of 518, Anastasius' great-nephew Magnus (V 24).

It was no doubt considerations of economy rather than prudence that led Sividius to adopt the simpler ornamental form, again a regular alternative: e.g. those of Justinian (521), Philoxenus (525), Apion (539), Justinus (540) and three of the six Areobindus diptychs. It might be added that we cannot be sure this was the only sort of diptych Sividius issued. Areobindus' other three were all decorated with full length portraits of the consul presiding at the amphitheatre. It was standard practice to send more elaborate diptychs to the really important people and simpler ones to the rest.⁵⁷

As for the diptychs with cross-surmounted sceptres, a panel in the collection of the Marquis de Ganay in Paris is proved by its subject's honorary *comitiva domesticorum* to be at any rate later than the reign of Odoacar.⁵⁸ An anonymous diptych in Monza is similar in both style and composition to sixth-century eastern diptychs.⁵⁹ Clearly the cross-surmounted sceptre of the Basilius diptych is no objection to the hypothesis that he is the eastern consul of 541. Indeed, it is unfortunate that Delbrueck focussed attention on the absence of imperial busts on Basilius' sceptre rather than the presence of the cross. For the earliest dated diptych to incorporate a cross is the Lucca Areobindus panel of 506,⁶⁰ and the next is the Clementinus diptych of 513.⁶¹ By 540, on the diptych of Justinus, a bust of Christ is included in the central medallion at the top of each panel.⁶² In 480, Basilius' cross would be much the earliest intrusion of a Christian motif into the highly traditional secular iconography of consular diptychs. De Rossi showed a sound instinct when he remarked that Basilius' cross '*Justinianae aetatis magnum mihi videtur indicium*'.⁶³

IV. THE DIPTYCH

There are two apparent art-historical problems in assigning the Basilius diptych to the eastern consul of 541. First, the other diptych it most resembles is that of Boethius, western consul of 487 (Pl. VI)—whence Graeven's reassignment to the western consul of 480.⁶⁴

Yet the stylistic affinities between the Basilius and Boethius diptychs have been exaggerated. The treatment of the drapery on the standing figures of the two consuls appears very similar in form, but the manner of carving the folds is quite different. On the toga of Boethius, the drapery curves gently inward to the edge of the fold and the inside of the

⁵⁵ Which is why there is nothing to be said for Delbrueck's solution (repeated by Chrysos, *Byzantion* LI (1981), 459, n. 102) that Basilius' consulship was recognized in the course of but not at the beginning of 480. As Sundwall saw (Kap. IV, *passim*; see too 'Odoacar's Consuls'), western consuls were only nominated when their acceptance was agreed; in periods of uncertainty there were no western nominations.

⁵⁶ Indeed, now that the Orestes diptych has been shown not to be a genuine western diptych (below, p. 135), it can be said that no consul of Italy under barbarian rule was shown holding a sceptre surmounted by imperial busts. But the sample is very small.

⁵⁷ Delbrueck, 16.

⁵⁸ V 41.

⁵⁹ V 43; compare this diptych with those of Clementinus (V 15), Anastasius (V 16-21) and Magnus (V 23 and 24 *bis*).

⁶⁰ V 14.

⁶¹ V 15.

⁶² V 33. According to David Wright, 'the medallions on the ivory diptych of Justin are not merely rubbed . . . most of them are partly recut, and any discussion of their iconography needs that warning' (*University Publishing* (Spring 1981), 23). The cross behind the head of Christ on the front panel may be a later addition. It is incised rather than raised, and only appears on one of the two panels. Furthermore, the upper arm of the cross at the top of the head is extremely truncated and does not look like a deliberately planned detail. Even without this cross, the presence of Christ is significant enough for our purpose.

⁶³ *ICUR* I, 492; cf. A. Cutler, *AJA* LXXXV (1981), 240.

⁶⁴ See H. Graeven, *Röm. Mitt.* VII (1892), 216-7. E. Capps, interestingly enough, accepted the 480 date for Basilius yet considered it to have been of Alexandrian origin because of the great differences in workmanship between the diptychs of Basilius and Boethius (*Art Bulletin* X (1927), 92).

fold is a smoothly cut incision. Basilius' toga is given a more superficial treatment; the material does not fold, but has harsh edges as if starched and heavily pressed. The folds themselves are shallow and the rough gouges of the artisan's tools are clearly visible. The subtle ripples of fabric over Boethius' right shoulder are indicated by broad planes placed at angles to one another. On the Basilius panel, this modelling has been transformed into deep, often parallel gouges, such as those running diagonally across the consul's chest. Compare too the acanthus-leaf capitals and borders of the two diptychs.⁶⁵ On Boethius, the leaves of the capitals are carefully delineated, fleshy and bend three-dimensionally at the tips, whereas on Basilius they are flat and schematic. Once again, the forms are similar but the rendering differs markedly. It is often precisely in the rendering of decorative details such as these that the artist's own workshop tradition is most clearly revealed.

Nor is it just in technique that the style of the diptychs differs. The figures on the Basilius panels are tall and thin, with broad and square shoulders; the consul's head, depicted frontally on each panel, is long and narrow, tapering at the jaw and chin. But Boethius is short and stocky and shoulderless. Although shown in three-quarters view, his head is very broad and square, qualities that are emphasized in the jaw and chin. Basilius' egg-shaped eyes are recessed into their sockets and have large and heavily drilled pupils. Boethius' eyes are not deeply recessed, and are further flattened by the line of his heavy lids. A thin incision delineates his irises, and his pupils are small points.

In short, the similarities between the Basilius and Boethius diptychs are hardly close enough to require (or even permit) the assumption that both emanate from the same workshop within less than a decade. From a technical standpoint there is no reason to place them close together in time. Indeed, the difference in quality might be thought to suggest a long interval.

There is in fact an unnoticed iconographic argument for dating the Basilius diptych after 480. The first extant representation of a personification holding the fasces appears on the consular missorium of Aspar in 434.⁶⁶ Here the fasces are represented as a tall, narrow rod with a banner attached near the top. They retain this form on the Clementinus diptych of 513,⁶⁷ where a small bust is inscribed on the banner. By 525, however, on a diptych of Philoxenus in Paris,⁶⁸ they are shown (in a medallion on the lower half of each panel) as (at least) two rods contained in a case covered with a hatched pattern, and the banner is decorated with a wreath. This is exactly the form of the fasces held by the figure of Roma on the Basilius diptych, right down to the hatched pattern on the case.

We are fortunate enough to possess copies of the diptychs issued by both of Basilius 541's immediate predecessors, Apion (Pl. VIII) and Justinus,⁶⁹ eastern consuls in 539 and 540. Yet both are unlike Basilius' in both style and technique. The figure of Apion is more three-dimensional and plastically rendered than Basilius; his face is fleshy and his cheeks rounded and full, unlike the gaunt face of Basilius; his left hand is composed of individually rounded fingers which wrap around the staff of his sceptre, quite unlike the harsh incisions which merely indicate the spaces between Basilius' fingers. The carving of the decorative details is technically far superior. The lines of the roundel in which Apion is placed are carefully rounded in section and project from the surface of the panel. Here we may contrast the borders of the Basilius diptych, where all modelling is created by linear incisions. The plasticity and high quality of the carving of the Apion diptych are also suggested in the curvilinear vegetation on the badly worn diptych of Justin. It seems impossible to believe that Basilius' diptych was carved by the same artisans who carved the Apion and Justinus diptychs in the two preceding years.

Much other high quality ivory carving is generally attributed to Constantinople in the age of Justinian: for example, the British Museum archangel panel, and the Barberini ivory.⁷⁰ Why should Basilius, from an older and probably wealthier family than either Apion or Justin, have gone to different and inferior practitioners?

⁶⁵ For this motif, see too the five-part diptych in Milan, V 119, usually dated to the late fifth century: Volbach, *Avori di scuola ravennate nel V e VI secolo* (1977), 13-17.

⁶⁶ Delbrueck, 154-6, nr. 35.

⁶⁷ V 12.

⁶⁸ V 28.

⁶⁹ V 32, 33.

⁷⁰ V 48 and 109, with bibliography.

This brings us to the second problem in the identification with the eastern consul of 541. There are two clear formal indications that the diptych is that of a western rather than eastern consul. The first is a point to which Delbrueck drew attention: ⁷¹ on western diptychs the consul's names are inscribed on the rear panel and his offices on the front, while the reverse is true of the diptychs of eastern consuls. There are no exceptions to this rule, and proof that the practice was deliberate has now been provided by the Orestes diptych. As Nancy Netzer has recently shown, ⁷² the diptych of Orestes, one of the two western consuls of 530, is not in fact a new western carving of 530 but a partially recarved diptych of Clementinus, eastern consul in 513. The Clementinus diptych displays the names of the consul, in eastern fashion, on the front panel, with his offices on the rear. ⁷³ When the panels were recarved for Orestes, his names were inscribed in western fashion on the rear and his offices on the front. The Basilius diptych is likewise inscribed in the western fashion—which Delbrueck naturally saw as confirmation of Graeven's reassignment to the western consul of 480.

The other indication is a small but significant detail of protocol. Basilius is styled *v(ir) c(larissimus) et inl(ustris)* rather than just *v(ir) inl(ustris)*. By the sixth century, the clarissimate was merely a hereditary title which did not even carry membership of the senate. Nonetheless, almost all examples we have of the full titulature of high western dignitaries on consular diptychs, ⁷⁴ subscriptions to manuscripts ⁷⁵ and inscribed senatorial seats in the Colosseum, ⁷⁶ begin *v.c. et inl.* In some cases a western consul or prefect would be content with a *v.c.* alone (the invariable style in consular dating formulas). *v. inl.* alone is exceptionally rare in western inscriptions, though normal in official correspondence addressing dignitaries by their current rank, as in the *Variae* of Cassiodorus ⁷⁷—who nonetheless styles himself *v.c. et inl.* in the title to his book. In the East, by contrast, there is no trace of this archaizing affectation for *v.c.*; all eastern diptychs and other official eastern documents of the age make it clear that *v. inl.* alone was the normal and perhaps invariable style. ⁷⁸ Why should an eastern craftsman have deserted standard eastern practice in these two details?

The obvious explanation is that the diptych was made in a western workshop—a hypothesis strongly supported by its similarities to western rather than eastern diptychs. There is no reason to suppose that all the diptychs Basilius issued were identical to the one that has survived, and he will certainly have sent out diptychs in the West as well as the East. We know that Basilius returned to Rome after his consulship, and he will surely have wished his own consular diptychs to stand beside those of his ancestors in the palaces of his Roman peers.

It is unfortunate that no western consular diptych (or other ivory carving) firmly datable to the early sixth century survives for comparison, especially now that the Orestes diptych has to be removed from the discussion. But it is not entirely frivolous to observe that it was on the basis of only one ivory, the Boethius diptych of 487, that Basilius was redated in the first place to 480. If Boethius had not survived or if (more interestingly) only its (by itself undatable) front panel had survived, no one would ever have thought of moving Basilius from 541. The front panel of Boethius would probably have been assigned to a western consul of the early sixth century on the basis of stylistic similarities to Basilius.

⁷¹ Delbrueck, 16–18.

⁷² *Burlington Magazine* 1982 (forthcoming).

⁷³ That is to say, the unretouched original Clementinus diptych V 15.

⁷⁴ See the diptychs of Felix (V 2), Asturius (V 3), Boethius (V 6), Sividius (V 7), and Orestes (V 31).

⁷⁵ e.g. Asterius, *cos.* 494, in subscriptions to Vergil and Sedulius MSS (quoted *PLRE* II. 173); Boethius, *cos.* 510, referring to both himself and his father-in-law Symmachus, *cos.* 485 (quoted *PLRE* II. 233–4); Mavortius, *cos.* 527, in his Horace MS (ib. 736–7).

⁷⁶ Chastagnol, *Le sénat romain*, 74–6; 20 inscriptions are well enough preserved to give the necessary information: 15 give *v.c. et inl.* (or *v.c. et [.]*); 2 give *v.c.* alone (of *virii illustres*); only 3 give *v.i.* alone.

⁷⁷ Almost all high officials addressed in the *Variae*

are styled either *v.i.* or the intermediate rank of *v(ir) sp(ectabilis)*; *v.c.* occurs perhaps only four times in the entire corpus, three times applied to lowly officials who had risen no higher than the clarissimate, and the fourth, significantly enough, to a consul of the house of the Decii ('Paulino *v.c. consuli*', *Var.* IX. 22). It is worth remarking that, on the evidence of inscriptions and subscriptions, men of the rank *spectabilis* affected the style *v.c. et sp.*, but on promotion to *illustris* changed to either *v.i.* or *v.c. et inl.*, but never to *v.sp. et. inl.*

⁷⁸ Compare too the extant portion of a (probable) five-part diptych now in Milan (V 49). Delbrueck had already argued (198–9) on stylistic grounds, but also because the consul's offices are inscribed on the rear panel, that the consul was eastern. The argument is clinched by the fact that he is styled VIR ILLUSTR(is).

There were 30 western consuls between 500 and 534, and the disproportionately large number of diptychs surviving from the 24 eastern consuls of the same period is surely coincidental—as the absence of any eastern diptych before 506 must be.⁷⁹ It has indeed long been tacitly if not explicitly assumed that the art of ivory carving was abandoned in sixth-century Italy. This is a particularly vulnerable argument from silence, precariously bolstered by the mistaken earlier assumption that the ‘eastern’ diptych of Orestes was carved in a Constantinopolitan workshop. Yet up till the damage inflicted by the Gothic wars, the Roman aristocracy was still fully engaged in the ostentatious display that was so essential a feature of their way of life. Cassiodorus alludes often to the immense financial outlay required by the western consulship well into the sixth century (see p. 138). And if there were still wealthy and willing customers in Rome, why should there not still have been workshops to produce consular diptychs for them?

There is in fact one anonymous western ivory which, though not precisely datable, should nevertheless be assigned to the sixth rather than (as hitherto) to the fifth century. It is a single panel of a consular diptych now in the collection of the Marquis de Ganay in Paris (Pl. VII). The panel portrays the bust of its consul in a wreath in the centre of the ivory. He holds a mappa in his right hand and a cross-surmounted sceptre in his left. Four rosettes, one in each corner, frame the central wreath. This was the front panel of the diptych, and the ansate tablet bears the inscription: V(ir) C(larissimus) ET INL(ustris) EX C(omite) D(omesticorum) CONS(ul) ORD(inarius). Since the offices are inscribed on the front and the style is *v.c. et inl.* rather than just *v. inl.*, it appears to be the diptych of a western consul. As for the date, we have already seen that the cross-surmounted sceptre points to the early sixth rather than late fifth century. This is also suggested by the anonymous’ career, nothing but an honorary *comitiva domesticorum* before his consulship.⁸⁰

The style of the Ganay panel reinforces the assumption of western origin. Although the composition of the ivory is common on eastern consular diptychs—the consul’s bust placed within a medallion, as on the diptychs of Areobindus, Philoxenus, Apion and Justinus⁸¹—the handling of the forms is very different. The anonymous projects from within his wreath, overlapping it with his head, sceptre and hands. The consuls on the eastern ivories, in contrast, are all contained within their roundels; they lack the three-dimensionality and prominence of the bust on the Ganay panel. The floral ornaments in the corners of the anonymous panel appear on the western diptychs of Sividius (488) and the eastern diptychs of Justinian (521) and Apion (539). The carving of the flowers with the four flat leaves curling slightly at the ends and articulated with a simple incision is similar to the flat spiralling flowers of the Sividius panel. The flowers on the diptychs of Justinian and Justinus are fleshy with bending petals that are deeply undercut. No such technical expertise is found on either the Sividius or the Ganay panel.

Delbrueck was certainly right to observe that the Ganay panel is stylistically related to the diptychs of Basilius and Boethius.⁸² The eyes of the anonymous are heavily drilled like Basilius’, and yet the shape of the sockets and curve of the brows are unlike either Basilius’ or Boethius’. His left hand is too large in proportion to his body, and his fingers are neither as rubbery as those of Boethius nor as flat and schematic as those of Basilius. Despite many differences, the Basilius diptych remains stylistically closer to the western diptychs of Boethius and the Ganay consul than to the ivories being produced in the east at the time.

It is now possible to follow the evolution of western ivory carving in the late fifth and sixth centuries within a more accurate framework. The mere fact that Orestes used spolia for one of his diptychs suggests that the art was no longer in a healthy state—perhaps too that ivory was scarce. Furthermore the recarving of the Orestes panels is of a much lower

⁷⁹ Alan Cameron, *AA* LXXXVI (1982), 128–9.

⁸⁰ It might be added that the consul is obviously portrayed as a very young man.

⁸¹ V 12, 13, 28, 32, 33.

⁸² Delbrueck, 172.

quality than the unretouched portions of the diptych.⁸³ The outlines of the head of the figure of Athalarich are rough and coarse, as is the cap of Amalasantha. The medallions that contain the monogram were not even planed down to the same level on each panel. It seems natural to assume that the recarving was done in the West—that is to say in Rome, the centre of Roman aristocratic life as never before under Ostrogothic rule, especially after the growing estrangement between the Gothic court at Ravenna and the Roman senate from the 520s on.⁸⁴ First, because it is so improbable that a western consul should have gone so far afield as Constantinople to get such a minor job of recarving done: second, because the recarving is of so much lower quality than the abundant surviving work being produced in Constantinople at the time. So the crude recarving of the Orestes diptych now becomes important evidence for the decline of ivory carving at Rome just eleven years before the consulship of Basilius.

Rome suffered badly from famine and pestilence during Witigis' siege of 537–8, but the city was not captured and even luxury trades will surely have begun to pick up again by the time Basilius became consul, nearly three years after the lifting of the siege.⁸⁵ There seems no reason to doubt that there were still one or two ivory carvers to be found in 540. Their skill and experience (no consular diptychs had been required since 534) might be another matter. The harshness and crudity of the carving of the Basilius diptych proclaim that Roman ivory carving was all but dead. The second siege of Rome and its sack by Totila in 546 must have dealt the final blow.

V. THE DECLINE OF THE CONSULSHIP

The eventual disappearance of the consulship seldom evokes more than a sentimental pang from the historian. When Basilius assumed the fasces it was after all exactly one thousand and fifty years on the traditional reckoning since L. Junius Brutus was elected the first consul. Quite long enough, it might seem, for an office without power whose only duty—at ruinous cost—was to provide games.

Even as a means of numbering the years it was worse than inadequate. Not only did new names have to be learned each year; in practice, as original documents show, the greater part of any given year was dated by the postconsulate of the preceding year, or by one new consul 'and whoever shall have been announced'.⁸⁶ So inefficient was the administration that it was nothing out of the ordinary for the new consul not even to be proclaimed until he was already out of office. For example, the consulship of Basilius 480 was not announced in Egypt till (at earliest) April 481; the scribe of *BGU* XII. 2155 may be pardoned for supposing 'that the newly announced name meant the consul of the current year' and so misdating his document.⁸⁷ For day-to-day purposes most people used the more convenient fifteen-year indiction cycle; by itself, however, this was useless for long term reckoning. In 537 Justinian laid down that all legal documents were henceforth

⁸³ For detailed discussion of the recarving see Netzer's article in *Burlington Magazine* 1982 (n. 72). In the light of this one indisputable example of a reused consular diptych, the possibility must at least be entertained that the Basilius diptych was also recarved. But we have attempted to show that if it has no clear congeners in the mid sixth century, its similarity to late-fifth-century ivories is much less close than hitherto assumed. So that even if it should ever turn out to have been reused, there would be no reason to date the original carving as early as 480 (the representation of the fasces points much later). Secondly, the closest parallel for its low quality of workmanship is precisely the recarved elements of the Orestes diptych, datable to 530. Thirdly, there is no trace of recarving on either the *tabulae ansatae* or the shield on the front leaf (as Anthony Cutler, Roger Bagnall and Kathleen Shelton have confirmed for us); the lettering on the shield and *tabulae* matches; and it does not seem likely that any other inscription ever stood on the shield. Fourthly, Netzer shows that Clementinus'

beard was shaved off and his face made narrower, evidently to suit the different physiognomy of Orestes (it seems clear that some attempt was made to achieve a likeness of each consul on his diptych). But the gaunt, stern faces of Basilius, Roma and (to a lesser extent) the Victory are strikingly similar. No one could doubt that the same hand carved all four faces at the same time. It follows that no attempt has been made to alter the rather individual features of the original honorand.

⁸⁴ For example, numerous passages in Procopius imply that the senate as a body was resident in Rome during the successive sieges of the 530s and 540s; after capturing Rome in 546 Totila immediately 'called together the members of the Roman senate' (*BG* III. 21. 12–17; cf. III. 36. 29; IV. 34. 2–6).

⁸⁵ Procopius happens to mention that during the siege Belisarius drafted unoccupied craftsmen to guard the walls for a small wage (*BG* I. 25. 11).

⁸⁶ Bagnall and Worp, *BASP* xvii (1980), 27–36.

⁸⁷ Bagnall and Worp, art. cit., 7–8.

to be dated not only by consuls and indiction number but also by his regnal year ⁸⁸ (*Nov.* 47), and the consulship did not long survive.

But it would be wrong to suggest that the consulship was abolished because of its shortcomings as a chronological system. The standard view, that the honour simply became too expensive, ⁸⁹ is also an oversimplification. Nor should we lightly assume that there was the same shortage of candidates in the West as there was in the East. Least of all should we see the fact that it lasted longer in the East as a sign of greater health there.

There had in fact long been more gaps in the eastern consular fasti. Between 480 and 534 (the last western consul) there were 21 years without a consul in the East as against 10 in the West. ⁹⁰ Of the 47 western consuls in this period, 46 were private citizens. Of the 36 eastern consuls only 29 were private citizens—or 21 if we count kin of emperors with emperors. And of that 21 only 9 were civilians as against 12 generals. In the West all 46 private citizens were civilians (military commands being reserved for Germans). We may contrast the 53 western consuls in a corresponding period in the early fifth century (400–55): 18 imperial consulships, 16 for generals and only 19 for civilians, of whom about 14 were aristocrats.

So in the early fifth century Roman aristocrats filled just over a quarter of the western consulships, while by the turn of the sixth century they were filling 46 out of 47. In the reigns of Odoacar and Theoderic the burden of the consulship came to fall on the aristocracy of Rome as never before—or at least as not since the days of the Republic. There are no signs that this development was beyond their means or even against their wishes. Families like the Decii, Boethii and Corvini continued to furnish consuls generation after generation. The fortune of the Decii was seemingly inexhaustible. Not just a consul in every generation: three sons of Basilius, *cos.* 463, (himself a consul's son) became consul, six grandsons and at least three great-grandsons.

There is nothing to indicate that the Decii were finding it harder to make ends meet by the 530s. Indeed, by a lucky chance we have the letter ⁹¹ in which King Athalaric congratulated Venantius, *cos.* 508, specifically on the promotion of his son Paulinus to what was to prove the last western consulship, and more generally on the honestly won wealth that had allowed him to finance the consulships of so many other sons already. After his capture of Rome in 546, Totila called the senate together (after the flight of Decius and Basilius) and reproached them for their ingratitude to the Goths after 'amassing vast wealth' under both Theoderic and Athalaric (Procopius, *BG* III. 21. 12). If there were occasional gaps in the western fasti, this was not because the western aristocracy as a whole was becoming impoverished. It was just that, with no emperors and generals to help them out, there were not quite enough aristocrats rich enough to provide a consul every single year.

Nobody was forcing these families to continue so expensive a tradition. It is true that, for obvious reasons of convenience, the German kings of Italy took over most of the Roman administrative framework, but they cannot have had any motive to perpetuate so useless an office as the consulship. It was the aristocrats themselves who refused to let it lapse. There were no consuls for the first seven years after Odoacar's deposition of the last legitimate western emperor Romulus, and it would not have been at all surprising if the office had lapsed for good with what amounted to the political disappearance of the western empire. It seems to have been a senatorial embassy that included recognition of western consuls among the terms Odoacar was negotiating with the Emperor Zeno. ⁹²

⁸⁸ On the competing chronological systems in use in early Byzantine Egypt see Bagnall and Worp, *GRBS* xx (1979), 279–95. Bagnall, Worp and Cameron are preparing a comprehensive study of the consulship between 284 and 642.

⁸⁹ e.g. J. B. Bury, *Later Roman Empire* II² (1923), 346–8.

⁹⁰ It must be borne in mind that the lack of western consuls in 491–2 and 496–7 may have been due to the failure of Theoderic and Anastasius to come to terms (see 'Odoacar's Consuls'); there is no reason to believe that there were no candidates in these years, as the withdrawn consulship of Speciosus

in 496 indicates (see *PLRE* II. 1024–5). There may also have been political reasons for the lack of western consuls in the 530s: see below, p. 140, and Sundwall, 274.

⁹¹ Cassiodorus, *Variae* IX. 23.

⁹² See 'Odoacar's Consuls'. Procopius claimed (*BG* I. 1. 8; cf. Jones, *Later Roman Empire* I, 250–1) that Odoacar took a third of the land of Italy for his followers; whether or not this is true, one is struck by the continuing prosperity of the great landowners; see W. Goffart, *Barbarians and Romans* (1980), 70–102; E. A. Thompson, *Romans and Barbarians* (1982), 64–5.

Nor is there any mystery why. Leading Roman senators were powerful landowners who wielded extensive power. It was essential for them to maintain their prestige in the traditional way as patrons and providers of public entertainments. The correspondence of Symmachus, *cos.* 391, reveals what his less perceptive commentators have felt to be a disproportionate concern for the games he put on—two years of preparation and 2,000 lbs. of gold for the praetorian games of his son.⁹³ Symmachus' letters and the *History* of Ammianus also underline the importance to the aristocracy of the urban prefecture—no less vividly documented in the age of Odoacar and Theoderic by the careers revealed in the inscriptions of the Colosseum. Venantius, *cos.* 484, served as urban prefect in his consular year, and in that capacity, on top of the expense of his consular games, rebuilt *de sumptu suo* the podium and arena of the Colosseum after an earthquake.⁹⁴ It was vital to the aristocracy to maintain good relations with the people of Rome, well worth the expense of the consulship. This is why the western consulship continued to thrive until it was suspended by Justinian—and then made impossible by the destruction of senatorial wealth in the Gothic wars.

There is nothing to suggest that Odoacar or Theoderic discouraged such competitive personal expenditure among the aristocracy. Quite the contrary. Here is King Theoderic's form letter (courtesy of Cassiodorus) to the new consul of the year: ⁹⁵

It becomes consuls to be generous. Do not be anxious about your private fortune, you who have elected to win the public favour by your gifts. It is for this cause that we make a difference between your dignity and all others. Other magistrates we appoint, even though they do not ask for the office. To the consulship we promote only those who are candidates for the dignity, those who know that their fortunes are equal to its demands; otherwise we might be imposing a burden rather than a favour. Enjoy therefore, in a becoming manner, the honour which you wished for. This mode of spending money is a legitimate form of bribery (*hic est ambitus qui probatur*). Be illustrious in the world, be prosperous in your life, leave an example for the happy imitation of your posterity.

And this was his exhortation to Felix, *cos.* 511: ⁹⁶

This is an occasion where extravagance earns praise; where it is a kind of virtue not to love one's own possessions; and where one gains in good opinion all that one loses in wealth.

In *Var.* iv. 51 Theoderic congratulates Symmachus, *cos.* 485, at length on rebuilding from his own pocket (among other decaying ancient monuments) the theatre of Pompey—and closes by reimbursing him from the royal treasury.

The situation was quite different in the East. The aristocracy of the West ruled supreme in Rome, far from king and court at Ravenna. But Constantinople was the permanent seat of both the emperor and his administration. The common assumption that eastern aristocrats were less wealthy than their western counterparts is no doubt true enough,⁹⁷ but it is not the only relevant factor.

First, there is one illuminating statistic. According to Procopius, the consulship cost at least 2,000 lbs. in gold, though he adds that only a small portion of this was the consul's own money, most being supplied by the emperor (*Anecd.* xxvi. 12). Now Symmachus spent 2,000 lbs. of gold entirely from his own pocket, and a generation later the senator Maximus spent double that sum.⁹⁸ Not only then were eastern consuls required to spend far less than their western colleagues; it was evidently common knowledge that the emperor had footed most of the bill and deserved most of the credit.

⁹³ The fullest collection of evidence is in J. A. McGeachy, *Q. Aurelius Symmachus and the Senatorial Aristocracy of the West* (1942), 103 f. See too A. Chastagnol, *La préfecture urbaine à Rome sous le Bas-Empire* (1960), 458 f.; John Matthews, *Western Aristocracies and Imperial Court* (1975), 20 f.

⁹⁴ Chastagnol, *Le sénat romain*, 44.

⁹⁵ *Var.* vi. 1, in the paraphrase of T. Hodgkin, *The Letters of Cassiodorus* (1886), 295.

⁹⁶ iii. 2, p. 172 Hodgkin; *Var.* iii. 39 actually

reproaches Felix for being remiss in his consular largess. Asterius, *cos.* 494, reflected ruefully on the cost of his consular games and their compensating immortality in a poem he wrote in his MS of Vergil (the *Medicean*) on the very day of the games: *Anth. Lat.* i. 1², ed. A. Riese (1894), pp. 18–9, with J. E. G. Zetzel, *Latin Textual Criticism in Antiquity* (1981), 217–8.

⁹⁷ Jones, *Later Roman Empire* II (1964), 554–7, 706, 782–4.

⁹⁸ Olympiodorus, *frag.* 44 (*PHG* iv. 67–8).

Second and more important, it was not prudent for a private citizen, however rich, to make the same sort of bid for popular favour in Constantinople as was customary in Rome. No emperor would tolerate that sort of competition, least of all the insecure Justinian. A study of A. H. M. Jones's collection of eastern laws relating to the provision of games over nearly two centuries⁹⁹ suggests a conclusion not explicitly drawn by Jones: that, unlike the Ostrogothic kings, successive eastern governments did their best to discourage lavish private expenditure on public entertainments.¹⁰⁰ There was a persistent attempt to get first praetors and later consuls to contribute instead (or as well) to more essential public services, such as the aqueduct fund.

Zeno appointed very few ordinary consuls (none in 477, 480, 481, 483, 485, 487, 488), a fact presumably not unconnected with his introduction of the honorary consulship, conferred in return for a contribution of 100 lbs. of gold to the aqueduct fund. An 'unwise vulgarization of the supreme magistracy,' according to Jones, which 'probably hastened its decline'.¹⁰¹ Yet both emperor and consul were surely well satisfied; the consul acquired the highest of titles at a bargain rate and the treasury reaped the full benefit. It was only the people who missed the games an ordinary consul might have provided. At Constantinople the honorary consulship soon became widespread.¹⁰² It is significant that it did not exist in Rome.

Both Zeno and Justinian (who also appointed very few ordinary consuls) seem to have thought that it was a dangerous opportunity for self-advertisement to give a potential rival. Zeno suffered from two rebellions, led respectively by his brother-in-law Basiliscus and the generalissimo Illus—both of them former consuls (465, 478). Hypatius and Pompeius, the ill-fated beneficiaries of the Nika revolt against Justinian, had also both been consuls (500, 501). And Justinian evidently came to feel that he had been played false by the two most conspicuous of his few consuls, Belisarius (535) and John the Cappadocian (538). While still a private citizen in 521, not yet sure of the succession, Justinian had given the most extravagant consular games remembered in Constantinople,¹⁰³ and he had no intention of encouraging emulation. In the first ten years of his reign Belisarius was the only citizen consul appointed.

Novel 105 of 28 December, 537, which reduces the scale and duration of consular games, has often been interpreted as a straightforward attempt 'to rescue the endangered institution'.¹⁰⁴ This is only half the story.

In the first place, we ought not to assume that the lack of consuls in Justinian's first ten years (in the West as well as the East) reflects a lack of candidates rather than Justinian's own reluctance to appoint them. It is true that *Novel* 105 gives as the emperor's motive the wish that all men he judges worthy of the consulship may in the future be able to afford it. But in the preamble he also says that in the past some have used it to advertise their own generosity. And having laid down the modest, seven-day consular programme he thinks appropriate, he goes on to state that these limits are under no circumstances to be exceeded. Anyone who does exceed them will have to pay a fine of 100 lbs. of gold 'for having destroyed the entire purpose of the law', that is to say 'frightening off' others because of the expense. So no one, he repeats, is to exceed these limits, whether he is an official or a senator or holds no office at all. There are to be no exceptions whatever, he thunders yet again.

Clearly the problem was not just a lack of candidates able to afford the honour. Justinian was evidently afraid that there might be some only too ready to exceed his newly imposed limits.¹⁰⁵ The law was issued shortly before John of Cappadocia became consul in January 538, and no more consuls were appointed after John's fall in May 541. Stein

⁹⁹ *Later Roman Empire* II, 538-9.

¹⁰⁰ Alan Cameron, *AJA* LXXXVI (1982), 126.

¹⁰¹ *Later Roman Empire* II, 533.

¹⁰² C. Courtois, 'Ex-consul: observation sur l'histoire du consulat à l'époque byzantine', *Byzantion* XIX (1949), 37 f.; cf. R. Guiland, *ib.* XXIX (1954), 545 f., and Alan Cameron, *GRBS* XVII (1976), 183.

¹⁰³ *Chron. Min.* II, 101. It is interesting that Marcellinus should specify that Justinian was the

most extravagant of all eastern consuls (*Orientalium consulum*), as though aware that his display might not have been thought exceptional at Rome. He goes on to say that Justinian spent 4,000 pounds of gold (288,000 solidi)—the same figure spent on praetorian games by Maximus a century before at Rome.

¹⁰⁴ Bury, *Later Roman Empire* II² (1923), 347.

¹⁰⁵ As rightly pointed out by Averil Cameron, *Fl. Cresconius Corippus: In laudem Iustini Augusti Minoris libri* IV (1976), 175, cf. 196.

long ago connected the reform of the consulship with John ¹⁰⁶—but failed to provide any satisfactory overall explanation of its purpose. It cannot just have been that John wanted to become consul on the cheap. The object was not merely to restore so popular an institution, but to restore it on an altogether more modest scale in the furtherance of two quite separate aims. First in the interests of economy, so that it could easily be afforded by a private citizen without the huge imperial subsidy which Procopius tells us had been necessary in the past. And second, so that it no longer provided ambitious individuals with an opportunity of currying favour with the masses on a large scale.

The source of this particular anxiety is not hard to identify. Belisarius' consulship had closely followed on his Vandalic triumph, the first triumph awarded to a private citizen for more than half a millennium. His consulship had been celebrated with extraordinary munificence :

He was borne aloft by the captives, and as he was thus carried in his curule chair, he threw to the populace those very spoils of the Vandalic war. For the people carried off the silver plate *and golden girdles* and a vast amount of the Vandals' wealth of other sorts as a result of Belisarius' consulship, and it seemed that after a long interval of disuse an old custom was being revived (Procopius, *BV* II. 9. 15–16).

It is not surprising that the people were pleased if Belisarius distributed gold. In this context it is easy to see why *Novel* 105 expressly forbids civilian (but not imperial) consuls to make distributions in gold. The restriction of the consular games (and so in effect the consulship itself) to the first week of January was also inspired by Belisarius' consulship. The first move of Belisarius' Italian campaign of 535 was to seize Sicily, which he did in a rapid and brilliant campaign, entering Syracuse on December 31, the last day of his consular year. Procopius' account is instructive :

There fell to Belisarius a piece of good fortune beyond the power of words to describe. For having received the dignity of the consulship because of his victory over the Vandals, while he was still holding this honour, and after he had won the whole of Sicily, on the last day of his consulship he marched into Syracuse, loudly applauded by the army and by the Sicilians *and throwing golden coins to all*. This coincidence, however, was not intentionally arranged by him, but it was a happy chance which befell the man, that after having recovered the whole of the island for the Romans he marched into Syracuse on that particular day; and so it was not in the senate house in Byzantium, as was customary, but there that he laid down the office of the consuls and so became an ex-consul. Thus then did good fortune attend Belisarius (*BG* I. 5. 18–19).

Whether or not Belisarius did plan this spectacular conclusion to his consulship, it is plain that Procopius is defending him against just that charge. Justinian saw to it that no future consul should be able to exploit his office for twelve months—or while campaigning abroad. *Novel* 105 makes it clear that the new restrictions do not apply to the emperor. There was to be no question in future of ambitious private citizens rivalling their emperor's generosity. By keeping the limits low and forcing consuls to pay all their expenses themselves Justinian could easily outspend citizen consuls whenever he chose to take the consulship himself.

On the face of it the reform worked. For the first time in more than half a century there were four consecutive citizen consuls in the East : John (538), Apion (539), Justinus (540) and Basilius (541). Why then no more thereafter? Not (it seems) because there were no more candidates, since Procopius implies that it was a deliberate act of policy by Justinian for which he was widely criticized :

But although at first a consul was appointed for the Romans after a long interval, yet finally the people never saw that official even in a dream, and consequently mankind was being most cruelly pinched by a kind of poverty, since the emperor no longer provided his subjects with what they had been wont to receive (*Anecd.* xxvi. 15).

¹⁰⁶ *BZ* xxx (1929/30), 379–81; *Bas-Empire* II (1949), 461–2.

The first 'after a long interval' must be Belisarius' consulship of 535; that is to say Procopius is not counting Justinian's own second, third and fourth consulships in 528, 533 and 534. In his second (according to the *Paschal Chronicle* 617. 20 B), the first since his accession in 527, Justinian made more spectacular distributions than any previous emperor, but there was apparently nothing special about the other two.

Stein thought that since the restoration of the consulship was John the Cappadocian's idea, Justinian naturally discontinued it on John's fall. There was surely more to it than this. Whether or not John's successors kept within the new limits for their games, they did not stint themselves in other ways. All three issued diptychs, the only extant sequence of three consecutive consular diptychs. And if Basilius unwittingly entertained on anything approaching the usual Roman scale, he is bound to have aroused Justinian's apprehensions.

There were also two external factors that may have influenced the emperor. First, there was Belisarius' triumphant return in 540 from what for the moment seemed another brilliantly successful victory. Justinian refused him a second triumph, but Belisarius both behaved and was treated like royalty, parading around the city with (for a private citizen) an unprecedented and exotic retinue—Vandals, Goths and Moors.¹⁰⁷ The other factor was the arrest and disgrace of John the Cappadocian on the charge of treason, soon after his return from a triumphant trip through the eastern provinces making his own unwise bid for popular favour, boasting of the way he was taxing the rich and flaunting his allegiance to the more rowdy Green faction.¹⁰⁸ Each of the two great ministers saw the other as his rival; Justinian was naturally suspicious of both. It would not be surprising if they had confirmed his worst fears about the dangers of the consulship. Justinian naturally became more anxious about the possibility of rivals for popular favour the more his own popularity declined. The continuation of the wars on all fronts left less money for games, and in the remaining 25 years of his reign Justinian never took the consulship again himself. And if the emperor could not afford to be consul, it was clear that no one else could be allowed to.

The new emperor Justin II won himself great popularity, skilfully exploited, by reverting to the tradition of taking the consulship in the first January after his accession (i.e. 566). In Corippus' panegyric (II. 351 f.) the emperor himself is presented as proclaiming at his accession:¹⁰⁹

ditabo plebes opibus, nomenque negatum
consulibus consul post tempora tanta novabo,
gaudeat ut totus Iustini munere mundus.

I shall enrich the people and bring back as consul the name denied to consuls for so long, so that all the world may rejoice in Justin's gift.

At the 'unexpected name of consul' the people burst out in joy! Every emperor followed suit down to Constans II in 642.¹¹⁰ But the last citizen consul, appropriately enough, was a senator of Rome, Anicius Faustus Albinus Basilius.

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¹⁰⁷ Procopius, *BG* II. 1.

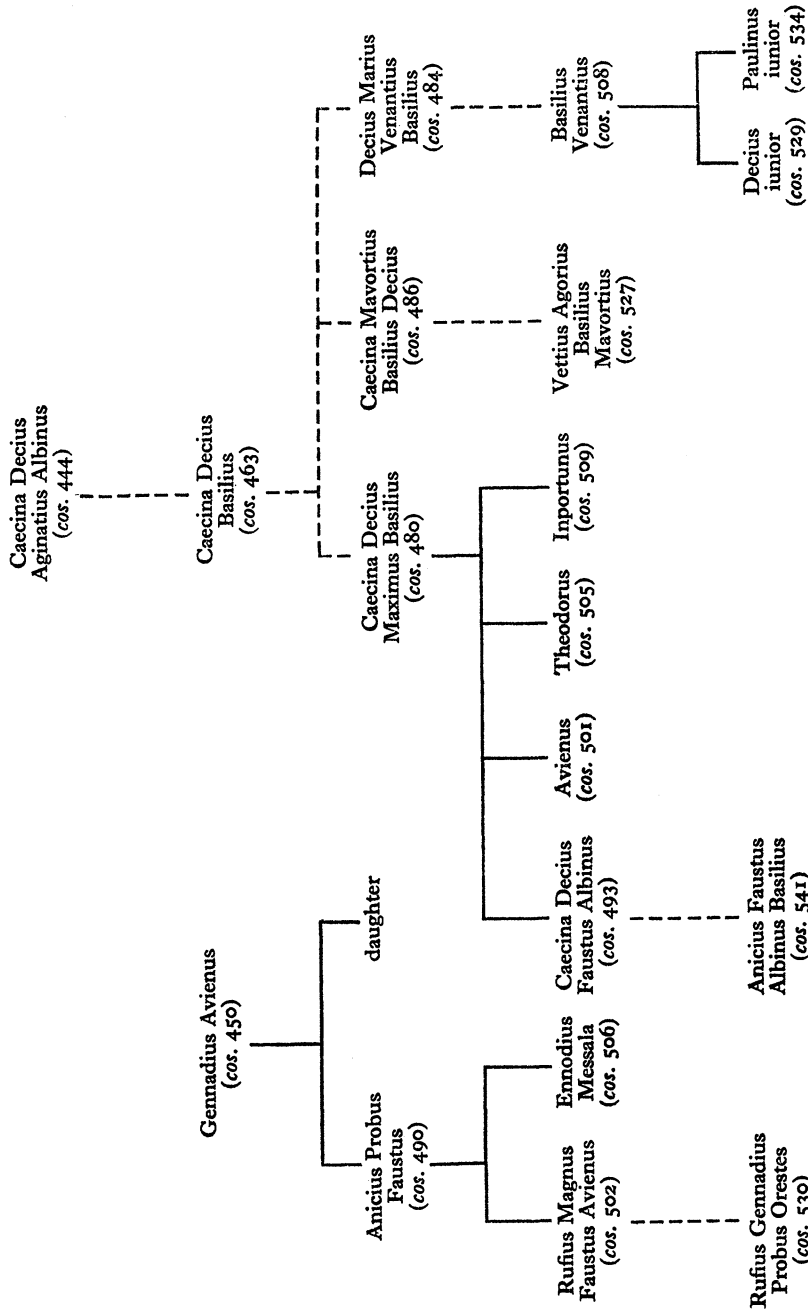
¹⁰⁸ John the Lydian, *De Magg.* III. 62 f., with Stein, *Bas-Empire* II, 480-3, and Alan Cameron, *Circus Factions* (1976), 96, 102-3.

¹⁰⁹ See Averil Cameron's commentary here and elsewhere on Corippus' treatment of Justin's consulship.

¹¹⁰ E. Stein, *Mélanges J. Bidez* (1933/4), 894-6 = *Op. Min. Sel.* (1968), 342-4.

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FIG. 1. STEMMA OF THE CORVINI AND DECII



SENATORIAL SEATS IN THE FLAVIAN AMPHITHEATRE

It was assumed above that the honorary *comitiva domesticorum* pointed later than the reign of Odoacar. The amphitheatre seats reveal three more former *comites domesticorum*, [Glabr]io Anastasius (*CIL* vi. 32158), Venantius Severinus Faustus (ib. 32212) and an anonymous (ib. 32158). Hitherto it has been assumed that these *comites* were active, though Martindale (in their *PLRE* entries) has suggested that the first two at least, being Roman aristocrats, should be regarded as titular. The distinction only becomes relevant if Chastagnol was right to date the majority of the amphitheatre seats to the brief period 476–83—whence the title of his influential book, *Le sénat romain sous le règne d'Odoacre*.

Chastagnol argues that most of the seats were inscribed when Odoacar provided the 'new seats' (*novi gradus*) mentioned on the inscription published by A. M. Colini and L. Cozza (Chastagnol, 42). He goes on to use these inscriptions as evidence for the policy of Odoacar towards the Roman senate, to discuss the role of the great families under Odoacar and even to calculate the size of the senate under Odoacar. If he is right, then (as Stroheker put it in *Gnomon* 40 (1968), 808) we have 'ein grosser Teil des album senatorium aus der Zeit des ersten germanischen Königs in Italien'.

This thesis was greeted with universal and virtually uncritical acceptance, and has now been canonized in the new volume of *PLRE* as follows (pp. 33–4): 'the seats were mostly inscribed under Odovacer before 483; some, however, are reinscriptions, slightly later in time though still probably under Odovacer (before 490); they were owned by senators (see Chastagnol, *Le sénat romain*, 41–2)'.

That many of the extant seats are Odoacar's *novi gradus* will readily be granted. But they are inscribed in differing styles, in letters of differing size and on several different sorts of stone. It is not obvious that they are *all* Odoacar's seats—nor does Chastagnol produce any archaeological or epigraphical evidence that they are. Some may be earlier and some (as I hope to show) are certainly later. In a paper to appear in *Tituli 5 (Epigrafia e ordine senatorio)* 1982, Stefano Priuli has suggested that on archaeological and epigraphic grounds it might be more prudent to return to the wider limits allowed by Huelsen (*CIL* vi, pp. 3199 ff.), 'tra la fine del IV e l'inizio del VI secolo'. Priuli promises a further study of these aspects of the problem. But even on his own prosopographical grounds there are grave objections to Chastagnol's narrow chronological limits.

In the first place no fewer than 12 ordinary consuls (including one new anonymous published by Priuli) appear on the seats, together with 21 urban prefects. This is surely far too many for Chastagnol's hypothesis of simultaneous mass inscription, especially since on his own estimate we are not likely to have more than a third or at most a half of the total number of seats. Who can believe that as many as perhaps 20/30 former consuls and 40/50 former urban prefects were alive at one time between 476 and 483 (or even 490)?

Among the identifiable consuls are the following (for references, see Chastagnol's index or the entries in *PLRE* II): Severus (*cos.* 470), Festus (472), Basilius (? 463 or 480), Placidus (481), Severinus (? 461 or 482), Faustus (483), Symmachus (? 446, 485, or 522), Sividius (488), Faustus iunior (490) and in all probability Faustus Albinus (493) and Volusianus (503). Venantius (484) is attested on three separate inscriptions elsewhere in the amphitheatre (Chastagnol, 44). In only one case (Volusianus, *v.c.*) is the inscription complete enough to indicate titles and offices in full. There are also eight anonymous consuls: *CIL* vi. 32182; 32215; 32216; nos. 3 and 5 of the new inscriptions published by Chastagnol, p. 68; and Priuli's new consul. None of these headless inscriptions can be matched up with the inscribed names listed above (with Chastagnol I agree that 32162 and 32182 do not match). They must therefore be different consuls. Few if any can have been consul earlier than 480, since only two other western consuls of the preceding quarter century can possibly still have been alive in 480, namely Magnus (460) and Probianus (471). No western consuls at all were appointed between 473 and 479, and few before then. The probability is that most were consuls between 490 and 510.

Two specific cases require closer consideration. Like his predecessors, Chastagnol had no doubts that 'Q. Aur. Symmachi v.c.' of vi. 32162 was Q. Aurelius Memmius Symmachus, *cos.* 485. Yet it would be very surprising for an inscription purporting to give its owner's full names and titles to omit one—the Memmius—that appears in every source that gives the consul's name in full: that is to say the subscription to Bk I of Macrobius' *Somnium Scipionis* and (omitted from *PLRE* II, 1044) the dedication to Boethius' *De Trinitate*, both preserved in numerous MSS without variation. Symmachus would never have omitted this name, since without it there was no way of distinguishing him from his father the consul of 446, who (as we know from *Nov. Val.* 21. 1, oddly missed in *PLRE* II, 1042) bore exactly the same names Q. Aurelius Symmachus—as too did his great-grandfather the consul of 391. So the Symmachus of the amphitheatre has either to be the *cos.* 446—or perhaps his great-grandson the *cos.* 522, only known to us as 'Fl. Symmachus'.

Then there is 'Rufius Turcius Apronianus v.c. et [...]']' of *CIL* vi. 32103, assumed by Chastagnol (and *PLRE* II, 173) to be Turcius Rufius Apronianus Asterius, *cos.* 494. But how can Asterius have failed to include on his seat the name by which he was inscribed on the consular fasti? And for the order of his two first names we have the famous Medicean Vergil subscription in what may be the consul's own hand. The double discrepancy cannot be explained away. Most male members of this famous family bore the names Turcius Apronianus (four in *PLRE* I), which means that especial care would have been taken to get the sequence correct and include any other differentiating names. The owner of the seat must be a different man, a kinsman of the consul, probably the recently promoted *vir illustris* Apronianus of 506 (Ennodius, *Epp.* iv. 35; *PLRE* II, 124); the inscription shows that he had already risen higher than v.c.

Chastagnol allows that some of these names belonged to men who lived into the sixth century, but tends to assume that the seat was engraved during the owner's youth (e.g. p. 49, 'le futur consul de 494 . . .'). A good example is Marcius Caelianus (vi. 32185). Chastagnol is quite mistaken in claiming that he is recorded as only *vir spectabilis* on his seat (p. 39). The traces]ET SP[are on a different line, in a different and larger script, and clearly belong with a different name. Beyond any reasonable doubt the inscription is to be supplemented: '[Ma]rcius Caelia[nus v.c. et inlust]ris consisto[rianus]' or '[rii comes]'. He is presumably the Caelianus mentioned several times by Cassiodorus who was a patrician in 507/11 (*PLRE* II, 247-8).

There is one more important general observation to be made. Chastagnol's working assumption that a seat will always record its owner's highest office is not secure. There are several complete inscriptions that close v.c. et inl. without specifying the office that must have conferred the illustrate. We simply cannot be sure that an apparently complete inscription such as 'Ruff[i] Achili Maeci Placidi v.c.' (vi. 32200) implies no higher title or office; that is to say we cannot assume that the seat was engraved before Placidus became consul in 481 (if he is the same man).

Chastagnol's remarks about the continuity of the great old families under Odoacar are certainly well founded. But the same families—the Decii and Corvini, the Symmachi and Boethii—also continued in power under Theoderic. And for this very reason, since so many of the names on the seats are otherwise unknown to us, we cannot be sure that they belong to the age of Odoacar rather than Theoderic.

Furthermore, there is an excellent reason why, when in doubt, we might be tempted to prefer a later date. One of the more curious regular features of these seats is the erasure of entire inscriptions and reinscription with a different name, often in a different script. The explanation is obviously that the seat changed hands (so to speak) on the previous owner's death. Chastagnol suggests promotion, which may explain some cases, but surely not the majority. For we know that the amphitheatre continued in use till at any rate the early decades of the sixth century (Chastagnol, pp. 60-3; Alan Cameron, *Porphyrius the Charioteer* (1973), 228-30). So we should expect the present state of the seat inscriptions to reflect the time when the amphitheatre fell into disuse rather than the time when the seats *began* to be inscribed in this way.

This brings us back to the seats of the *comites domesticorum*. On the top half of one such seat, vi. 32212, is engraved '[Ve]nantius Sever[in]us Faustu[s come]s domest. ex p.u. at[que patricius]', while beneath it, as so often carefully erased, though still legible, '[? Glabr]io Venantius Fau[stus . . .] ex prefecto urb.' These men are clearly related, and the obvious guess is that they are father and son, son taking over the father's seat on his death. (Cassiodorus, *Var.* iv. 42. 2-3 shows sons protesting that their father's seat in the amphitheatre had been illegally siezed by officials of the city prefect: *PLRE* II, 716, s.v. Marcius 14). If so, then the son's career, with its doubtless honorary *comitiva domesticorum*, is likely to have fallen under Theoderic rather than Odoacar. It might be added that even so Venantius Severinus Faustus' career differs from that of the Basilius of the diptych in its (presumably active rather than titular) urban prefecture. The other aristocratic *comites dom.* of the amphitheatre seats may also be later, though the honorary conferment of the title may have begun under Odoacar.