

# WHO WERE THE NOBILITY OF THE ROMAN EMPIRE?

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IN 1912 MATTHIAS GELZER proved that the contemporaries of Cicero reserved the term *nobilis* to denote strictly and solely consular rank and descent from a consul, and this demonstration has provided the basis for most subsequent study of the social structure of the Roman Republic.<sup>1</sup> Three years later, Gelzer attempted a similar definition for the imperial period, which was far less conducive to understanding and, unfortunately, almost as influential.<sup>2</sup> As recently as 1969, when both studies were published in an English version, the translator was bold enough to assert that, despite minor difficulties, "as long as there is no unquestionable instance where *nobilitas* is ascribed to a man descended from a consular of the triumviral period or later, it seems better to accept Gelzer's view," viz., that under the Roman Empire the term *nobilis* was restricted to the descendants of Republican consuls.<sup>3</sup>

A single passage, overlooked by Gelzer and his translator, provides conclusive refutation.<sup>4</sup> Tacitus makes the freedmen of Claudius describe C. Silius, the lover of Messalina, as *iuvenem nobilem* (*Ann.* 11.28.3). The first consul in the family was P. Silius Nerva, *cos. ord.* 20 B.C., and the unfortunate C. Silius (consul designate when he died in 48) appears to be his grandson in the direct line.<sup>5</sup> Moreover, on the most natural interpretation, other passages in Tacitus and other writers of the early imperial period clearly state or imply that *nobilitas* could still be created or acquired both under Augustus and under his successors.<sup>6</sup> The present brief

<sup>1</sup>*Die Nobilität der römischen Republik* (Berlin 1912). On the significance of the thesis, R. Syme, *Roman Revolution* (Oxford 1939) 10 ff.

<sup>2</sup>"Die Nobilität der Kaiserzeit," *Hermes* 50 (1915) 395–415. Both studies are reprinted in Gelzer's *Kleine Schriften* 1 (Wiesbaden 1962) 17–153. For subsequent discussion, cf. R. Syme, *Tacitus* (Oxford 1958) 654. Imperial *nobiles* were defined as the descendants of Republican senators (not consuls) by E. Groag, *Buličev Zbornik/Strena Buliciana* (Zagreb/Split 1924) 254; G. Barbieri, *L'Albo Senatorio da Settimio Severo a Carino (193–285)* (Rome 1952) 474.

<sup>3</sup>R. Seager, in his introduction to M. Gelzer, *The Roman Nobility* (trans. R. Seager, Oxford 1969) xiv.

<sup>4</sup>The sociological implications of Gelzer's definition are also impossible: it becomes necessary to believe that by A.D. 200 there existed no senatorial nobility of any sort, that under the empire "new fortunes were hardly ever amassed" (*Kleine Schriften* 1 [1962] 150; 152–153 = *Roman Nobility* [1969] 157; 159–160), and that "Die Kaiserzeit hat keine neue Nobilität gebildet" (H. Strasburger, *RE* 17 [1936] 790).

<sup>5</sup>*PIR*<sup>1</sup> S 505 ff., with stemma on p. 246. C. Silius' mother, Sosia Galla (S 563), appears to descend from C. Sosius, *cos. suff.* 33 B.C. (556).

<sup>6</sup>For full references and discussion, see H. Hill, "Nobilitas in the Imperial Period," *Historia* 18 (1969) 230–250. He described Gelzer's thesis as "clearly indefensible on the evidence of the *Annals* alone" (232).

note is mainly lexicographical, and concerns itself with a later period than that considered by Gelzer and most of those who have discussed his definition.<sup>7</sup>

In the fourth century the *nobilitas* still formed a special group within the senatorial order, even though the word was sometimes used to designate the Senate as a body (Ammianus 16.10.13; 21.12.24). Symmachus clearly viewed the nobility as a category within the Senate which enjoyed a marked predominance over newcomers. Speaking on behalf of Synesius, whose father was a senator and had probably already served as both *magister memoriae* and proconsul of Africa,<sup>8</sup> he remarked that *propago generis, quanto longius recedit a novis, tanto altius tendit ad nobiles* (Orat. 7.4). Whether the observation is general or specific ("a family tree" or "his extraction"), Symmachus reveals that Synesius could advance no claim to nobility simply because his father was a senator.

Ammianus Marcellinus makes the same distinction. Memmius Vitrasius Orfitus, who was less cultured than befitted a *nobilis* (14.6.1), is lauded on inscriptions as being pre-eminent for both nobility of birth and personal distinction (*CIL* 6.1739–42):<sup>9</sup> although no immediate forebears are attested, his pedigree was presumably believed to derive from consular families of the second century.<sup>10</sup> Alypius, a *nobilis adulescens* (28.1.16), is Faltonius Probus Alypius, whose father had been Prefect of the City and whose mother was related to the great Petronius Probus.<sup>11</sup> Aginatus, whom Ammianus describes as *iam inde a priscis maioribus nobilem* (28.1.30), appears to belong to the family of the Anicii, whose first consul was a general of Septimius Severus.<sup>12</sup> By contrast, and in the same context, Ammianus names four men as being *clarissimi*: Tarracius

<sup>7</sup>M. T. W. Arnheim, *The Senatorial Aristocracy in the Later Roman Empire* (Oxford 1972) 8, alleges that in the fourth century "writers such as Symmachus and Ammianus" use the word *nobilis* "to refer to someone of senatorial birth or senatorial origin," and this definition is accepted by A. Chastagnol, *RevPhil*<sup>3</sup> 47 (1973), 375. For summary disproof, *Phoenix* 27 (1973) 306–307.

<sup>8</sup>*PLRE* 1.479–480 Julianus 37: attested as *magister memoriae* in 367, proconsul of Africa from 371 to 373, *praefectus urbis Romae* in 387 or 388. Symmachus' speech cannot be independently dated.

<sup>9</sup>A. Chastagnol nevertheless argued that "il semble bien avoir été lui-même l'artisan de sa propre nobilitas" (*Les Fastes de la Préfecture de Rome au Bas-Empire* [Paris 1962] 140).

<sup>10</sup>As possible consular ancestors, observe T. Pomponius Proculus Vitrasius Pollio, *cos. II ord.* 176, Scipiones Orfiti as *cos. ord.* 110, 149, 172, 178, and C. Memmius Fidus Julius Albius, *cos. des.* on 18 September 191 (*ILS* 9082). Discussing the Orfitus of the fourth century, Arnheim alleges that "Vitrasius is a rare name, only one other holder of it being known", viz., Vitrasius Praetextatus from *ILS* 4844 ([above, note 7] 127).

<sup>11</sup>*PLRE* 1.49; 192–193; 732.

<sup>12</sup>Viz., Q. Anicius Faustus (*PIR*<sup>2</sup> A 595). Aginatus' connexion with the Anicii was postulated by O. Seeck, *RE* 1 (1894) 809–810.

Bassus, his brother Camenius, Marcianus, and one Eusafius (28.1.27). Even though the brothers may be related to the noble Ceionii,<sup>13</sup> the choice of a different word implies the existence of a social distinction.

A precise definition can be offered. In the fourth century, or at least after Constantine, a senator was a *nobilis* if he or a forebear had been either ordinary consul or Prefect of the City or a pretorian prefect. Two passages seem explicit enough for proof. First, Ammianus on the maternal uncles of Gallus Caesar, Vulcacius Rufinus (*cos.* 347) and Naeratius Cerealis (*cos.* 358)—*quos trabeae consulares nobilitarunt et praefecturae* (14.11.27). Rufinus was several times a pretorian prefect (ca 345, 347–352, 354, 364–368) but never *praefectus urbis Romae*, while Cerealis was Prefect of the City in 352/3 but never (so far as can be ascertained) a pretorian prefect.<sup>14</sup> Second, when lauding the virgin martyr Sotheris, Ambrose twice implies a formal equation between *nobilitas* and “consulates and prefectures”:

*habemus enim nos sacerdotes nostram nobilitatem praefecturis et consulatibus praefereendam;*

*nobilis virgo maiorum prosapia, consulatus et praefecturas parentum sacra posthabuit fide.*  
(*Exhortatio Virginitatis* 12.82; *PL* 16.376)

Ambrose need not have possessed any precise or authentic evidence about Sotheris' extraction. Indeed, the less he knew, the more valuable will be his testimony for the meaning of the word *nobilis* in the late fourth century.<sup>15</sup>

A third passage, however, seems at first to imply a somewhat wider definition. In his hymn on the martyr, Prudentius narrates at some length how the death of St. Laurentius affected the Roman aristocracy (*Peristephanon* 2.489 ff.). The luminaries of the Roman Senate, who once held pagan priesthoods, have been converted to Christianity, and families of the highest rank now dedicate their children to God:

*videmus inlustres domos,  
sexu ex utroque nobiles,  
offerre votis pignera  
clarissimorum liberum.*

(521–524)

Since the language is almost technical (the son of a *vir illustris* was by birth a *clarissimus puer*),<sup>16</sup> Prudentius appears to equate the rank of *illustris* with nobility. Hence (so it might be deduced) the ordinary consulate and the high prefectures were not the only offices to confer

<sup>13</sup>As is assumed by Chastagnol (above, note 9) 195–196; *PLRE* 1.158; 177.

<sup>14</sup>For the evidence, see respectively *PLRE* 1.782–783; 197–198.

<sup>15</sup>The true significance of Ambrose's words has unfortunately escaped W. Eck, *Chiron* 1 (1971) 388–389.

<sup>16</sup>A. H. M. Jones, *The Later Roman Empire* (Oxford 1964) 2.529; 3.151–152.

nobility. When Prudentius was writing (ca 400), the rank of *illustris* was possessed not only by consuls, *praefecti urbis*, and pretorian prefects, but also by *patricii* (a higher title than any other), by *magistri officiorum*, *comites sacrarum largitionum* and *comites rerum privatarum*.<sup>17</sup> But Prudentius may in fact be employing the same definition as Ammianus and Ambrose. For he elsewhere makes the martyr Romanus explain how Christian *nobilitas* differs from the pagan variety:

*absit, ut me nobilem  
sanguis parentum praestet aut lex curiae;  
generosa Christi secta nobilitat viros.* (10.123–125)

On the contrary, Christian nobility consists in obedience to God, with martyrdom the *honor novus et splendor ingens* which comes like a magistracy (126–135). The martyr wins an everlasting crown but earthly glory soon fades:

*incumbe membris, tortor, ut sim nobilis!  
his amplius si fruor successibus,  
genus patris matrisque flocci fecero.  
haec ipsa vestra dignitatum culmina  
quid esse censes? nonne cursim transeunt  
fasces secures sella praetextae togae<sup>18</sup>  
lictor tribunal et trecenta insignia,  
quibus tumetis maxque detumescitis?* (138–145)

The high dignities to which Prudentius alludes are precisely the consulate (*fasces, secures, sella, praetextae*),<sup>19</sup> the urban prefecture (*togae*),<sup>20</sup> and the pretorian prefecture (*lictor, tribunal*),<sup>21</sup> and he clearly associates them with the acquisition of nobility.

Furthermore, the narrower definition accords better with the usage of other authors writing in the fourth century,<sup>22</sup> and can also be illustrated from the fifth century. The clearest case is perhaps Sidonius Apollinaris on Avitus:

<sup>17</sup>A. Berger, *RE* 9 (1916) 1070–1085, s.v. *illustris*.

<sup>18</sup>As some mss and most editions (e.g., M. Lavarenne, Paris: Budé<sup>3</sup>, 1963, 124). M. P. Cunningham prints Heinsius' emendation *praetexta et toga* (CCL 126 [1966] 335).

<sup>19</sup>Cf. 146: *cum consulatum initis*.

<sup>20</sup>The toga was the distinctive garb of the *praefectus urbi*, cf. A. Chastagnol, *La Préfecture urbaine à Rome sous le Bas-Empire* (Paris 1960) 197. Note Rutilius Namatianus' reference to his own tenure of the office as *iura meae togae* (*De Reditu* 1.468).

<sup>21</sup>Romanus is being tried by a pretorian prefect at Antioch (41 ff.), and these are the judge's normal appurtenances (*Perist.* 3.64–65).

<sup>22</sup>E.g., Firmicus Maternus *Math.* 1.7.5 (*consularium fascium nobilitas*); Ausonius *Epp.* 16.1 (*nobilitas tua* of Petronius Probus when pretorian prefect); *Grat. Actio* 7.32 (on the consulate of Fronto); Claudian *Cons. Prob. et Olyb.* 13 ff. (consulates in every generation renew the nobility of the Anicii); Gregory of Nazianzus *Orat.* 42.24 (PG 36.488).

*sed portio quanta est  
haec laudum, laudare patres, quos quippe curules  
et praefecturas constat debere nepoti?  
sint alii per quos se postuma iactet origo,  
et priscum titulis nureret genus alter: Avite,  
nobilitas tu solus avos.* (Carm. 7.157-162)

Once more, nobility is implicitly equated with "consulates and prefectures."<sup>23</sup>

The evidence from the late Empire confirms the view that the Roman nobility, even of the early Empire, was an open, not a closed class. For it indicates that *nobilitas* was conferred (as it had been earlier) by tenure of the highest office or offices in the Roman state.<sup>24</sup> Under the late Republic and early Empire, the term *nobilis* (in its strictest sense) was reserved for consuls and their descendants, whether their consulate had been ordinary or suffect. By the later fourth century, the suffect consulate no longer counted, but nobility could be acquired not only through an ordinary consulate but by becoming pretorian prefect or Prefect of the City (either at Rome or at Constantinople).<sup>25</sup> It is thus the qualification for *nobilitas* rather than the meaning of *nobilis* which undergoes significant alteration.

These linguistic phenomena are clearly the result of historical changes, whose nature may not be entirely beyond rational conjecture. A deliberate reform has been inferred, and dated to the early years of the fourth century, whereby the standing of both the ordinary consulate and pretorian prefecture was elevated, while that of the suffect consulate was degraded.<sup>26</sup> But the change may be partly the product of a gradual evolution. For the status of the pretorian prefecture had begun to rise significantly much earlier. When the imperial *consilium* met on 6 July 177, former consuls took precedence over the pretorian prefects;<sup>27</sup> a generation later, other *amici* of the emperor were preceded by the prefects.<sup>28</sup> Further, the order in which the town of Canusium listed its patrons in 223 may be relevant: the first name appears to be that of the Prefect of the City (Ap. Claudius Julianus, *cos.* II 224);<sup>29</sup> there follow two pairs of pretorian

<sup>23</sup>W. B. Anderson mistranslates *curules* as "curule rank" (Loeb ed., I [1936] 131).

<sup>24</sup>For the second century, note Fronto *Ad amicos* 1.27, p. 178 van den Hout. In Apuleius *Flor.* 8.1, all modern editors add the words *pauci consulares ex*, following a suggestion of J. F. Gronovius (see the edition of F. Oudendorp and G. F. Hildebrand [Leipzig 1842] 2.31). On the correct definition of *nobilis*, the addition may not be needed.

<sup>25</sup>The Theodosian Code consistently assumes that the urban prefecture of Constantinople had the same status as that of Rome (*CTh* 1.6; 6.4.12; 6.6; 6.7).

<sup>26</sup>A. Chastagnol, *RHist* 219 (1958) 224 ff.; (above, note 20) 398-399.

<sup>27</sup>*CRAI* 1971.

<sup>28</sup>*Syria* 23 (1942-43) 178 (216); *CJ* 9.51.1 (Caracalla), cf. Dio 77 (76). 17.3-4.

<sup>29</sup>*PIR*<sup>2</sup> C 901: attested as *praefectus urbi* under Severus Alexander (*Dig.* 31.87.3).

prefects;<sup>30</sup> only then come consuls, probably ranked in the chronological order of their consulates, whether ordinary or suffect (*CIL* 9.338).<sup>31</sup> It is normal to deduce that the four pretorian prefects must have acquired consular rank either by the grant of *ornamenta consularia* or by adlection *inter consulares*, or from holding suffect consulates.<sup>32</sup> If the order of names can be taken to reflect the enhanced prestige of the prefecture, then none of these hypotheses may in fact be necessary.

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<sup>30</sup>Viz., T. Lorenus Celsus (*PIR*<sup>2</sup> L 343), M. Aedinius Julianus (A 113); L. Didius Marinus (D 71: add *AE* 1954, 171), L. Domitius Honoratus (D 151). For discussion, see now R. Syme, *Emperors and Biography* (Oxford 1971) 151 ff.

<sup>31</sup>M. Statius Longinus, *cos. suff.* before 217 (*Albo* no. 486) precedes C. Bruttius Praesens, *cos. ord.* 217 (*PIR*<sup>2</sup> B 166).

<sup>32</sup>A. Chastagnol, *Recherches sur l'Histoire Auguste* (Bonn 1970) 47–48.

<sup>33</sup>I am grateful to Professor P. S. Derow for his help in greatly clarifying an earlier version of the argument presented here.