

THE 'MARCELLUS CASE' AND THE LOYALTY OF JULIAN:
 'LATENT ARGUMENTS' AND OTHERNESS
 IN AMMIANUS' *RES GESTAE*

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This paper explores the traces of 'latent' argumentation in the account of Julian's initial moves in Gaul under the guidance of the magister equitum Marcellus. Consequently it is considered whether or not the Panegyric in Honour of Eusebia, sent to the Court at that time, should be read as part of Julian's defence against the accusations made by Marcellus in Milan, and if it had any bearing on Constantius' decision. Finally, the leitmotif of Julian's loyalty in the Panegyric in Honour of Eusebia and the Res Gestae (πιστός and apparitor fidus) prompts a consideration of key cultural differences in the works of Julian and Ammianus.

Ammianus Marcellinus, a soldier of Greek origin, wrote a history of Rome (*Res Gestae: RG*) in which he endeavoured to be wholly faithful to facts by drawing on authoritative texts (Amm. Marc. 16.1.3: *quicquid autem narrabitur, quod non falsitas arguta concinnat, sed fides integra rerum absolvit documentis evidentibus fulta, ad laudativam paene materiam pertinebit* ("Now whatever I shall tell – and no wordy deceit adorns my tale, but untrammelled faithfulness to fact, based upon clear proofs, composes it – will almost belong to the domain of *panegyric*"))¹. However, "the historical truthfulness" of Ammianus' account is the most common subject of debate among scholars, whose views range from regarding the *RG* as an 'accurate document' to describing it as a 'complex work of art', and encompass a broad spectrum of intermediary positions².

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¹ See also Amm. Marc. 31.5.10. Latin text taken from Seyfarth's edition, Vol. 1 (1990); English translations are based on Rolfe 1935, except few instances on Yonge 1862.

² Castillo *et alii* 2010, 15; see Thompson 1947, 464; Sabbah 1978, 3-8; Blockley 1996 (*passim*, with a global overview of the matter); Barnes 1998, 10, 19; Kelly 2008, 1-9.

Sabbah (1978, 375-453) argues that Ammianus' text operates at two levels, the historical and the rhetorical, which are to be differentiated; Sabbah shows how, throughout his work, Ammianus insists on the idea that his historical evidence rests on proof (*documenta, exempla*, technical vocabulary), a discourse which is altogether unlike rhetoric. However, according to Sabbah, by means of compromised and disguised persuasive strategies, the historian draws on the authority which certain 'objective' accounts accrue to invest 'subjective' evidence with the appearance and force of objective evidence. In this regard, Sabbah (1978, 407-410) deployed the terms 'overt' and 'latent' argumentation to explain that Ammianus rarely pursued an explicit line of argument, but he frequently suggested subtle reasons that required significant interpretation: this technique involves the strategic *dispositio* of contents, insinuation as a discursive strategy, rumour as a source of information, and the framing of the conclusion to a proposition as its premise (Sabbah 1978, 405-453).

One of the examples that Sabbah cites to illustrate this mode of analysis is the depiction of Julian as *imperator* in Gaul (Sabbah 1978, 463-466). He points to two 'overt arguments', located at the beginning and the end of Book 16, respectively³. The former comprises a critique of those who failed to see the true value of Julian's first feats, as a young man *ex academia*, rather than a man of arms; and the latter, more extravagant, assertion amounts to an attack on Constantius for having claimed in the wake of the battle of Strasbourg responsibility for victories that were due to Julian. These two statements bookend a narrative that seems, on the surface, uncontroversial; however, not only did Ammianus set out to describe the stages in Julian's military career, he also intended to convince his contemporary audience of Julian's true worth, in marked contrast to the 'truth' presented in official propaganda⁴, which would have downplayed his role.

³ 16.1.5: "And since (as the authority of Cicero informs us) we take delight in the loftiness of all noble arts, as we do of trees, but not so much in their roots and stumps, just so the beginnings of his surpassing ability were then veiled by many overshadowing features. Yet they ought to be preferred to his many admirable later achievements, for the reason that while still in early youth, educated like Erechtheus in Minerva's retreat, and drawn from the peaceful shades of the Academy, not from a soldier's tent, to the dust of battle, he vanquished Germany, subdued the meanders of the freezing Rhine, here shed the blood of kings breathing cruel threats, and there loaded their arms with chains"; 16.12.70: "In short, there are extant statements filed among the public records of this emperor ... boasting ... [the text is uncertain] and exalting himself to the sky. When this battle was fought near Strasbourg, although he was distant forty days' march, in his description of the fight he falsely asserts that he arranged the order of battle, and stood among the standard-bearers, and drove the barbarians headlong, and that Chonodomarius was brought to him, saying nothing (oh, shameful indignity) of the glorious deeds of Julian, which he would have buried in oblivion, had not fame been unable to suppress his splendid exploits, however much many people would have obscured them": García Ruiz based on Rolfe.

⁴ The reference is to Constantius' edicts and other statements (*edita et dicta*), the latter of which were preserved in *tabulariis principis publicis* (16.12.69-70); Gr. Naz. *Or.* 5.8.2 did not have a high opinion of the beginning of Julian's career either, which suggests that the official version was the most widespread view of the matter.

The purpose of this paper is to explore the traces of latent argumentation in what is referred to here as the ‘Marcellus case’, the account of Julian’s initial moves in Gaul under the guidance of Marcellus, the *magister equitum*, including the incursions undertaken during the 356 campaign, the siege of Sens, and the subsequent appearance of Marcellus and Eutherius the eunuch at the imperial Court in Milan (Amm. Marc. 16.2-5; 7.1-3). A secondary objective concerns whether or not Julian’s speech, the *Panegyric in Honour of Eusebia*, sent to the Court at that time, should be read as part of his defence against the accusations made by Marcellus in Milan, and if it had any bearing on Constantius’ decision. Finally, the Leitmotif of Julian’s loyalty is analyzed in the *Panegyric in Honour of Eusebia* and *Res Gestae*. The contrast between πιστός and *apparitor fidus* prompts a consideration of key cultural differences in the works of Julian and Ammianus.

1. The Marcellus case

In his *Letter to the Athenians*, Julian lamented the fact that during his first two years as Caesar (from November 355, when he was appointed, until the spring of 357) he had remained subordinate to the officials who were already stationed in the provinces of Gaul: Marcellus, the *magister equitum et peditum*, Ursicinus his predecessor, Florentius the prefect, and Salutius the *quaestor*⁵. Whereas the latter received their orders directly from the emperor, Julian’s role was limited to parading the imperial banner and he was kept under close watch at the emperor’s command, to ensure that he did not stir up a riot (Jul. *Or.* 5 277d). Libanius went so far as to say that Julian was authorized only to wear the uniform and that the generals made the real decisions (Lib. *Or.* 18.42). By contrast, Ammianus suggests that Julian took the initiative in the operations in which he was involved, although Marcellus was in command of the army (Amm. Marc. 16.2.8: *praesidebat*) with the help of Ursicinus. Given that Julian arrived in Gaul without having acquired any previous military experience, most scholars have come to the conclusion that Constantius set a probationary period of testing and training, during which the young Caesar was supervised by generals Marcellus and Ursicinus (Bowersock 1978, 34; Hunt 1998, 49; Tougher 2007, 31).

Ammianus highlights Julian’s self-assurance in the first campaigns, his swift and bold action, and describes how he reconquered some lands on the left bank of the Rhine, including Brumath and Cologne (Amm. Marc. 16.2-4). However, he also notes a number of failings. On his way to Auxerre, for instance, Julian decided to take a shorter but more dangerous route in Marcellus’ eagerness to imitate the audacity of Silvanus before him (Amm. Marc. 16.2.4), “taking with him only his *cataphractarii* and *ballistarii*”, who would not have been strong enough alone to protect a general (Amm. Marc. 16.2.5). Julian was ambushed

⁵ *PLRE* 1 *Marcellus* 3, 550-551; *Fl. Florentius* 10, 365; *Ursicinus* 2, 985-86; *Saturninus Secundus Salutius*, *Secundus* 3, 814-817. The internal contradictions of the *Epistula* correspond to the one-sided nature of the narrative, see Tougher 2007, 31-32.

later on his way to Ten Cantons when the barbarians, who were more familiar with the lie of the land, launched an attack on the two legions that brought up the rear of the company and “would almost have destroyed them if the uproar which suddenly arose had not brought the auxiliary troops of the allies to their support” (Amm. Marc. 16.2.10). Ammianus excuses this failure on the part of Julian, the young Caesar, by asserting that then and thereafter, Julian was hesitant and wary of ambush when crossing roads and rivers (Amm. Marc. 16.2.11).

Reading between Ammianus’ lines, however, despite the tone of praise, the reader gleans that the inexperienced and impetuous Julian ran serious risks⁶, and, in my view, that such boldness fell foul of the generals in command, Marcellus and Ursicinus⁷. The syntax of such passages is kept vague: the dangerous situations take place without anyone being held directly responsible.

Following the conquest of Cologne, the Caesar Julian withdrew to the winter quarters in Sens, leaving only a few men to defend the city⁸. Once again Julian’s imprudence left him exposed to attack by the enemy, which soon came about. Although Marcellus was based at a guard-post nearby, he did not come to his aid. Nevertheless, Julian succeeded in defending his position using only his own resources, and the barbarians lifted their siege after thirty days (Amm. Marc. 16.4.1-3).

Ammianus says that Constantius was told of what had happened and that Marcellus was then ordered to leave the army. The *magister equitum* made his way quickly to the Court in Milan to lay furious accusations against Julian, prompting the latter to send his *praepositus sacri cubiculi*, Eutherius the eunuch⁹, to contradict the former’s lies (Amm. Marc. 16.7.1). Both Marcellus and Eutherius appeared before the *consistorium* (Amm. Marc. 16.7.2-3)¹⁰: *Verum ille hoc nesciens mox venit Mediolanum strepens et tumultuans, ut erat vanidicus et amenti propior, admissus in consistorium Iulianum ut procacem insimulat iamque ad evagandum altius validiores sibi pinnas aptare: ita enim cum motu quodam corporis loquebatur ingenti. haec eo fingente licentius Eutherius, ut postulavit, inductus iussusque loqui, quod vellet, verecunde et modice docet velari veritatem mendaciis. magistro enim armorum, ut crede-*

⁶ De Jonge 1972, *ad loc.*: “when one reads the paragraphs with an open mind, one sees how Ammianus clearly indicates, in spite of the panegyric tone, that the impetuous and inexperienced Julian took considerable risks”; Bowersock 1978, 39, 41; Matthews 1989, 299-300; Hunt 1998, 51; Tougher 2007, 35.

⁷ Amm. Marc. 16.2.9: *post variatas sententias* (“after the expression of many various opinions”); an equivalent expression (*habita deliberatione*) in 16.2.3.

⁸ According to Amm. Marc. 16.4.1, because he had sent the rest of the troops out to stock up on provisions in other towns; according to Jul. *Or.* 5.278b, he could not gather the army because another general (Marcellus) was their commander and he had sent most of the soldiers out in response to calls for aid issued by neighbouring towns, thus leaving Julian alone.

⁹ *PLRE I Eutherius* 1, 314-315.

¹⁰ Presided over by the Augustus, this body functioned as both a council of state and a court of law, Seeck 1900, 926-927; Jones 1964, 333-341; De Jonge 1972 *ad* 14.7.11; Den Boeft *ad* 20.4.22.

batur, cessante consulto industria vigili Caesarem obsessum apud Senonas diu barbaros reppulisse apparitoremque fidum auctori suo, quoad vixerit, fore obligata cervice sua spondebat (“But Marcellus, unaware of this [i.e. that Eutherius, too, had travelled to the Court], as soon as he arrived at Milan, began talking loudly, and seeking to create alarm, like a vain chatterer half mad as he was. And when he was admitted into the council-chamber, he began to accuse Julian of being insolent, and of preparing for himself stronger wings in order to soar to a greater height. For this was his expression, agitating his body violently as he uttered it. While he was thus uttering his imaginary charges with great freedom, Eutherius being, at his own request, introduced into the presence, and being commanded to say what he wished, speaking with great respect and moderation showed the emperor that the truth was being overlaid with falsehood. For that, while the commander of the heavy-armed troops had, as it was believed, held back on purpose, the Caesar having been long besieged at Sens, had by his vigilance and energy repelled the barbarians. And he [Eutherius] pledged his own life that the Caesar would, as long as he lived, be a faithful subordinate to his promotor”)¹¹.

Given that he had just been removed from his post and his career in the military, the idea that Marcellus would have been received at the *consistorium* in response to his own petition, as Ammianus has it, seems less than credible. In fact, the news that Constantius had ordered him to leave the army is prefaced by the phrase “about the same time, Constantius having learnt, from common report...”¹². Such detail is important because, as Sabbah points out, Ammianus uses terms like *rumor* and *fama* to communicate information for which he offers neither *documenta* nor proof¹³. The most likely scenario is that, as was the case on other occasions cited in the *RG*¹⁴, Constantius set in motion a process

¹¹ “A faithful subordinate to his promotor” instead of “faithful to the author of his greatness” (Yonge). There are forthcoming studies by I. Moreno Ferrero and A. Quiroga Puertas about *actio* of Ammianus’ characters.

¹² Amm. Marc. 16.7.1: *Isdem diebus allapso rumore Constantius doctus obsesso apud Senonas Caesari auxilium non tulisse Marcellum eum sacramento solutum abire iussit in larem. qui tamquam iniuria gravi percussus quaedam in Iulianum moliebatur auribus Augusti confisus in omne patentibus crimen* (“At that same time Constantius, apprised by approaching rumour that when Caesar was blockaded at Sens, Marcellus had not brought aid, discharged the latter from the army and commanded him to depart to his home. Whereupon Marcellus, as if staggered by a grievous insult, began to contrive a plot against Julian, presuming on Augustus, whose ears were open to every slander”).

¹³ Sabbah 1978, 397-403, 469. This use of the word *rumor* is in the positive sense meaning support for an argument; the *RG* also contains a negative usage, rendering the comment less credible by reducing it to mere hearsay; see the list of both types of usage, with adjectives, in Sabbah 1978, 398, n. 103. On *rumor* and *fama* as a historiographical strategy in the work of Latin writers, see Hardie 2012, ch. 7 and 8, esp. 284-286 (*Fama* in Tacitus’ *Histories* and *Annals*).

¹⁴ See, for instance, Amm. Marc. 15.5.5-8, the *consistorium* at which the decision was taken to replace Silvanus and to send Ursicinus to short-circuit the mutiny mounted by the *magister equitum*.

designed to clarify the circumstances of the situation, at which Marcellus appeared – as did Eutherius on Julian’s behalf.

Marcellus, the *magister equitum*, accused Julian of “being insolent” and “of preparing for himself stronger wings in order to soar to a greater height”; Eutherius, in turn, rebuked Marcellus for having deliberately failed to fulfil his duty and underscored the Caesar Julian’s true worth during the lengthy siege. There is clearly no logical overlap between the two opposed sets of accusations: Marcellus does not provide a justification for his dereliction of duty in Sens, and Eutherius does not defend Julian from an implied charge of overweening ambition¹⁵. However, it may be inferred from the accusations that Marcellus regarded Julian’s behaviour in the early months as insolent, and refused to come to his aid at Sens (Amm. Marc. 16.4.3), as he probably had come at Ten Cantons (Amm. Marc. 16.2.10), because he was fed up with the imprudent actions on Julian’s part that repeatedly put the troops at risk, and wanted to teach him a lesson by leaving him to his own devices and fate. Eutherius explained away such behaviour in his master by swearing that Julian would be a loyal subject to Constantius “as long as he lived”. Was not Julian the one who had been left to suffer alone by an officer of the army? What could have prompted so strident a defence?

Ammianus’ portrait of Marcellus is mocking, *vanidicus et amenti propior*, “a vain chatterer, half mad as he was”; Eutherius is depicted, by contrast, as a paragon of respect and moderation, *verecunde et modice*. This scene is followed by a long and detailed passage in praise of Eutherius, the only description devoted to a eunuch in the whole of the *Res Gestae* (Amm. Marc. 16.7.5-6; Fontaine 1978, 48)¹⁶. It seems clear that the moral depiction of the characters has a bearing on the line of argument pursued in the text: by portraying Marcellus as unhinged, his accusations too are called into question¹⁷, thus drawing the focus of interest or inquiry away from Julian’s behaviour.

In the *Letter to the Athenians*, Julian offers his account of the siege (Jul. *Or.* 5.278a-c): πρὸς τὰ χειμάδια πάλιν ἐπανελθὼν εἰς τὸν ἔσχατον κατέστην κίνδυνον οὔτε γὰρ ἀθροίζειν ἐξῆν μοι στρατόπεδον ... αὐτός τε ζῆν ὀλίγοις ἀποκεκλεισμένος, εἶτα παρὰ τῶν πλησίων πόλεων αἰτηθεὶς ἐπικουρίαν ... ὡς δὲ καὶ ὁ τῶν στρατοπέδων ἄρχων ἐν ὑποψία γενόμενος αὐτῷ παρηρέθη καὶ ἀπηλλάγη τῆς ἀρχῆς, οὐ σφόδρα ἐπιτήδειος δόξας, ἔγωγε ἐνομίσθην ἤκιστα σπουδαῖος καὶ δεινὸς στρατηγός, ἅτε πρᾶον ἐμαυτὸν παρασχὼν καὶ μέτριον· ... ἅπαξ δὲ καὶ δεύτερον <οὐ> καθηκόντως μοί τινων χρησαμένων, ἐμαυτὸν ᾤθηθην χρῆναι τιμᾶν τῇ σιωπῇ (“I returned to the winter quarters, and there I was

¹⁵ Neither Ammianus himself nor any other source traces signs of this attitude to so early a date, *pace* Tougher 2007, 40.

¹⁶ For a broader account of Ammianus’ view of eunuchs in general, and Eutherius in particular, in the *RG*, see Tougher 1999.

¹⁷ Sabbah 1978, 420 defines the portrait of the character prior to the events in which they are involved as a form of argument: the principle is that subsequent action stems from pre-established nature.

exposed to the utmost danger ... I was quartered apart with only a few soldiers ... And when the commander in chief of the forces fell under the suspicions of Constantius and was deprived by him of his command and superseded, I in my turn, no longer being regarded as suitable for the post, was thought to be by no means capable or talented as a general, merely because I had shown myself mild and moderate ... But after certain persons had treated me with disrespect on one or two occasions, I decided that for the future I ought to show my own self-respect by keeping silence”).

As if these were two separate questions, Julian purports to see no link between the attack on Sens and the suspicion that fell on Marcellus at around the same time. Constantius deprived Marcellus of his command because he no longer “regarded [him] as suitable for the post”, while Julian himself “was thought to be by no means capable or talented as a general”. But who other than the general entrusted with his military training could have formed such an opinion concerning his ability? The tone of the passage is laced with sarcasm; the assertion that he had been thought by no means capable or talented because “I had shown myself mild and moderate” is an ironic allusion to the accusations made against him by Marcellus; and the aside that “after certain persons had treated me with disrespect on one or two occasions” betrays Julian’s real sense of indignation.

In the *Funeral Oration* on the death of Julian, Libanius refers to Marcellus as follows (*Lib. Or.* 18.48): “he thought it better generalship to avoid fighting and not to succour his own people”. In his desire to honour Julian, Libanius articulates more clearly what Ammianus endeavoured to hide and what Julian hinted at obliquely: Marcellus did not want to run unnecessary risks, so he tried to put a stop to a Julian’s unchecked audacity, thus coming into conflict with him¹⁸.

Therefore, Constantius’ command to Marcellus that he resign from the army and return to his homeland for having failed to come to the aid of Julian, the highest imperial authority in Gaul, was an outcome of the *consistorium* and not, as Ammianus would have us believe, a cause. Ammianus presents Marcellus’ resignation from the army as a defeat (*Amm. Marc.* 16.7.1; cf. 16.8.1): *superato Marcello*. But, Constantius did not put Julian in command of the troops in spring of 357, although he himself says so in an effort to embellish his own importance (*Jul. Or.* 5.278d; cf. *Lib. Or.* 18.48; *Zos.* 3.2.2); the emperor himself continued to appoint imperial representatives throughout the time that Julian was Caesar¹⁹. He made Severus *magister equitum* (*PLRE I, Severus* 8, 832), a man Julian

¹⁸ In his speech at the beginning of the year 363, Libanius, who had had access to the reports on the campaigns in Gaul written by Julian himself, commented also on the relationship between Julian and Marcellus, *Lib. Or.* 12.44: “at that time [Julian] showed the fruit of his education, obeying – as Heracles had done – a lesser man; bound in chains – as Ares had been – by evil men”.

¹⁹ Following the Battle of Strasburg, Constantius appointed new commanders and in 360, after the uprising in Paris, Julian requested that Constantius grant him the authority to appoint military and civic leaders (*Amm. Marc.* 16.12.14; 20.8.14).

favoured because he was happy to obey his orders (Amm. Marc. 16.11.1): *exercitum regebat Severus nec discors nec adrogans, sed longa militiae frugalitate conpertus et eum recta praeaeuntem secuturus ut ductorem morigerus miles* (“Severus was commanding the army, a man neither insubordinate nor overbearing, but well known for his long excellent record in the army, who had followed Julian as he advanced straight ahead, as an obedient soldier follows his general”). The phrase *nec discors nec adrogans* (“although neither subordinate nor overbearing”) clearly comprises an inverted image of Marcellus, sourced from Libanius’ oration discussed above.

Likewise, it seems clear that ‘latent arguments’ in Julian’s favour and defence may be traced in the account of Julian’s first incursions in Gaul. Ammianus highlights the hero’s swift boldness and bravery, and obscures his impulsive nature by using a looser syntax that absolves him of imprudence (Amm. Marc. 16.2.4)²⁰. Although it is true that he may be said to admonish Julian’s impulsive behaviour to a certain extent in Eutherius’ remark on his *levitas* (Amm. Marc. 16.7.6)²¹, Ammianus includes two consecutive breaks, the *laus Iuliani* and Arbetio’s investigation (Amm. Marc. 16.5-6), thus making any reading of Julian’s behaviour during the campaigns in relation to Eutherius’ reprimand untenable²².

2. The intercession of Eusebia

Julian wrote his first two works during the winter of 356-357: the *Panegyric in Honour of Constantius* and the *Panegyric in Honour of Eusebia*, Constantius’ wife²³. Both texts must have been dispatched with Eutherius when he travelled to Milan at the beginning of the year 357²⁴. According to Bidez (1932, 3-4), the need to defend himself against Marcellus’ attack is likely to have moved Julian to send the panegyrics to bolster the arguments presented by his chamberlain²⁵, neither of the texts makes explicit reference to the events outlined above. Probably, this is due to the fact that the original version of the *orationes* has not come down to us; rather, the version of the text we read was revised by Julian years later²⁶.

²⁰ On the subtle selection and framing of information in relation to the purpose of argumentation, Sabbah 1978, 403.

²¹ Likewise in the depiction of Julian, Amm. Marc. 25.4.16: *levioris ingenii* (“inconsistent in deposition”).

²² Another form of implicit argument is to present a fact or opinion unrelated to the events being described in that context, thus implying some connection, Sabbah 1978, 406-407.

²³ *Oratio* 1 and *Oratio* 2, respectively, according to the chronological order established by Bidez 1932, xxx-xxxii.

²⁴ Van Borries 1918, 34, 68. Agreement with this interpretation in Bidez 1965 (=1930), 379 note 7; 1932, 3; Andreotti 1936, 186, note 11; Vogt 1955, 339; Ricciotti 1956, 116 ff.; García Blanco 1979, 101 ff.; Atthanassiadi 1981, 74; Portmann 1988, 138, 262; Angiolani 2008, 17-18; García Ruiz, 2012, 71.

²⁵ This author also argues that there are signs in the text that *Oratio* 1 was completed in somewhat of a rush; in my opinion, the set of recommendations by Menander regarding the *basilikós logos* underscores other ‘lapses’ (see Men. Rh. 376.31-377.9).

²⁶ See García Ruiz (forthcoming), where I discuss which passages may have been included in the first version and which added or redrafted later.

Both panegyrics emphasize the emperor's gentleness, sense of justice and mercy, and his capacity for forgiveness²⁷. Such emphasis (cf. Angiolani 2008, 9) may intimate a plea for clemency on the author's part. A number of passages in the *Panegyric in Honour of Eusebia* claims that the emperor's sense of mercy is stronger because of the influence of the empress – in particular, the section in which Julian recalls the Athenian custom of the 'vote of Athena' (115a-d), whereby the person who presided over a case could absolve the accused of guilt by using his casting vote²⁸. According to Julian, Constantius had granted his wife, the empress, the privilege of interceding on behalf of the accused (115d): "this man ... that man, thanks to her has been saved from punishment, though he was guilty in the eyes of the law, how a third escaped a malicious prosecution, though he came within an ace of the danger, how countless persons have received honour and office at her hands". Bidez and Angiolani read Julian's meaning in this passage as referring to the many occasions that Eusebia had intervened on his behalf *before his departure for Gaul*. However, since he devotes a separate, lengthy passage to the empress's intercession on those occasions (117a-123c, especially 117d-118d), the reference to a trial and the intervention of the empress here may comprise an allusion to the process *then under way in the Court*.

On the other hand, however, Julian explicitly flags his loyalty to Constantius and his wife twice in the *Panegyric in Honour of Eusebia* (118a, 123b), as Eutherius was to do before the *consistorium* in Milan (Amm. Marc. 16.7.3). First, Julian recalls the many favours he had received from Constantius dating back to his childhood, and the help and support he had been given to retain his goods, clear reasons to be grateful and faithful throughout the remainder of his life (Jul. *Pan. Eus.* 118a): Καὶ ἄλλα ἂν ἔχοιμι περὶ αὐτοῦ πρὸς ὑμᾶς εἰπεῖν εἰς ἐμαυτὸν ἔργα πολλῆς ἄξια χάριτος, ὑπὲρ ὧν τὸν ἅπαντα χρόνον εὖνον ἐμαυτὸν ἐκείνῳ καὶ πιστὸν παρέχων ("And I could tell you of still other kindnesses on his part

²⁷ Jul. *Or.* 1.9b; 16b; 26d; 31d-32b; 33c; 38b-c; 48a and *Or.* 2.109a, 114c, 115a-b.

²⁸ A type of absolution in early legal procedures in Athens, recorded by Aeschylus, *Eu.* 734-743; 752-753, based on the case of Orestes. Julian's account differs from the tradition in that the vote of Athena could also be cast for the accusers, not only in favour of the accused. There has been considerable debate in critical circles in recent times as regards how late in Late Antiquity such allusions to laws and legal institutions dating to the Classical era may have been valid, or if they were nothing more than instances of nostalgia. A number of scholars have argued that given the limits on knowledge of Latin in the Eastern Empire, it would have been too costly, in terms of both time and money, to implement the Roman legal system, and therefore some laws and customs based on local (Syrian, Egyptian, Greek) legal systems would have remained in force (Kraus 2013, 133-135 and the bibliography cited there). However, given that the *consistorium* was held in Milan, such linguistic difficulties need not have applied. The 'vote of Athena' is used here as a commonsense proverbial expression, rather than a legal term (Reinhold 1981, 139). Julian would have known the meaning in a general cultural context, and may also have seen it in D. C. 51.19.6-7; Luc. *Pisc.* 21, Philostr. *VS* 2.3; he is known to have read Dio Cassius, though not that he read either Philostratus or Lucianus, see Bouffartigue, 1992, 294-296, 321, 401.

towards myself, which deserve all gratitude, in return for which I always showed myself loyal and faithful to him”).

It is unlikely that these words of gratitude were included in the original version²⁹. Here it should be noted that the promise to be faithful, ὑπὲρ ὧν τὸν ἅπαντα χρόνον εὐνοῦν ἐμαυτὸν ἐκείνῳ καὶ πιστὸν παρέχων, echoes the promise articulated by Eutherius to Constantius (Amm. Marc. 16.7.3), *apparitoremque fidum auctori suo, quoad vixerit* (“a loyal servitor to his superior so long as he should live”), during the same period of time.

This testament to loyalty recurs in the scene recounting the meeting between Julian and Eusebia shortly after he had been appointed Caesar, where she addressed him. Whereas before Julian compared Eusebia’s power to absolve to that of Athena herself, in this instance she is depicted as the personification of Σωφροσύνη, ‘Prudence’ (Jul. Or. 123b)³⁰: «Τὰ μὲν» ἔφη «παρ’ ἡμῶν ἤδη ἔχεις, τὰ δὲ ἕξεις σὺν θεῷ, μόνον εἰ πιστὸς καὶ δίκαιος εἰς ἡμᾶς γένοιο». Τοσαῦτα ἤκουσα σχεδὸν οὐδὲ γὰρ αὐτὴ πλεῖον ἐφθέξατο. (““Certain favours”, she said, “you have received from us and yet others you shall receive, if God will, if only you prove to be loyal and honest towards us”. This was almost as much as I heard. For she herself did not say more...”).

The main gift Julian had received from Constantius and Eusebia was his appointment as Caesar. According to this statement, later favours were to depend on Julian’s loyalty and honesty. The question that arises in this regard is whether Julian is citing words that were truly spoken, or if he sought to account for his actions before the empress.

It is possible that the original texts of *Orationes* 1 and 2 established a stronger link to the process at the Court in Milan. It may never be known if, so as to conceal his guilt, Julian replaced promises to be more prudent and moderate (cf. Jul. Or. 5.278c) in the earlier version with commitments to faithfulness in the later texts³¹. Whatever the case may have been, the *Panegyric in Honour of Eusebia* hints that Julian appealed for mercy through the intercession of the empress while the *consistorium* was taking place. The dismissal of Marcellus would have been Eusebia’s response to his appeal³².

²⁹ Indeed, in the *Letter to the Athenians*, he berates him for the murder of his family and the confiscation of his maternal inheritance; to include such words in the original version of Or. 2 would have amounted to a very dangerous irony, given the circumstances surrounding the delivery of this speech; so they are more likely to comprise a later addition.

³⁰ For a more detailed account of this interpretation, see García Ruiz 2012.

³¹ Such promises of faithfulness recall those Julian articulated in the *Letter to the Athenians*, which may imply that the second version of the *Panegyric in Honour of Eusebia* be dated to the time Julian spent in Sirmium in 361. Definitive confirmation of this hypothesis would rest on a close comparative analysis of the two texts.

³² Zosimus 3.2.2 echoes the version of the narrative whereby Constantius did not initially trust Julian, but later put him in command of the troops. He regards the three episodes discussed here as interrelated: the ‘Marcellus case’; the issue of Julian’s loyalty to Constantius (in words similar to those used at Jul. Or. 2.118a, εὐνοῦς αὐτῷ καὶ πιστὸς); and Eusebia’s

3. The loyalty of Julian, *πιστός-apparitor fidus*: an instance of Otherness

According to the extant version of the text, Julian framed his excuses in terms of promises of faithfulness in the *Panegyric in Honour of Eusebia*. Years later, Ammianus cited Eutherius' speech at the *consistorium*, because Eutherius himself told him what he had said or – as seems more likely – because Ammianus borrowed and adapted the words from the *oratio* 2. Whatever the case may be, there are only slight differences between the words used by Julian and Ammianus, a similarity that may bear further, more detailed consideration.

In *Or.* 2.118a, Julian declares: “I ever showed myself well-disposed (εὖνους) and faithful to him”. The adjective εὖνους means ‘well-disposed’ or ‘grateful’, and πιστός ‘faithful’, ‘trustworthy’³³. The words Eusebia addresses to Julian at 123b comprise a variation on the preceding statement, “certain favours you have received from us and yet others you shall receive, if God will, if only you prove to be loyal (πιστός) and honest (δίκαιος) towards us”; the meaning of δίκαιος in this instance is close to that of πιστός in a hendiadys used for emphasis: ‘trustworthy’ (πιστός) and ‘faithful’ (δίκαιος)³⁴.

Julian used the term πιστός in most of his works³⁵ to describe a relationship between friends³⁶; πιστός also binds him to his closest collaborators, as he explains by referring to a text by Plato (*Pl. Ep.* 7.325c-d): “Ever more difficult did it seem to me to govern a state rightly. For neither is it possible to achieve anything without good friends and loyal fellow-workers, not is it very easy to obtain enough of these”³⁷. On all five of the occasions in which πιστός is used to characterise the relationship between Julian and Constantius, Julian speaks of a father-son type of relationship (be it real or desired) and of friendship. Prior to

intercession to alleviate Julian's situation. Zosimus' account presupposes that these three matters were also connected in the original source – in all likelihood the report produced by Julian himself concerning his actions in Gaul.

³³ *LSJ* s.v. B.2. The syntagma εὖνους καὶ πιστός is commonly used by other writers, see *TLG electronicum* (17-09-2012).

³⁴ With this meaning in *Jul. Or.* 4.241d: τῆς ἀδόλου καὶ δικαίας ὁμιλίας. The syntagma does not appear in other writings by Julian or in later texts.

³⁵ The twenty-eight uses of the adjective in Julian's works may be categorised in five groups: 1) meaning ‘truthful’ or ‘credible’ in reference to people or testimony (eight instances); 2) loyalty to a friend (four); 3) the faithfulness of a servant (four); 4) seven passages in which Julian speaks of the loyalty or faithfulness of a collaborator who is also a friend (four instances in *Or.* 4 in relation to the *praepositus* Salutius); and 5) three remaining uses where the meaning is not so clear as to assign them to category 4).

³⁶ In *To the cynic Heracleios*, in the myth where Julian explains how he was chosen by the gods, Helios refers to the sphere of this virtue: “For everywhere we (i.e. Helios, Athena, Hermes) shall be with thee ... so long as thou art pious towards us and loyal to thy friends, and humane towards thy subjects, ruling them to what is best”: *Jul. Or.* 7.233d.

³⁷ *Jul. Or.* 4.243a.

his conflict with Constantius in 361, one of Julian's primary concerns³⁸ was to prove he was as loyal to the emperor as a son is to his father and that he had paid him greater honour than any Caesar to any Emperor in the past (*Or.* 5.280d)³⁹. Therefore, Julian saw πίστις between men as a value that stemmed from the bonds of friendship, in line with the philosophical principles that framed his work as a whole.

In the *Res Gestae*, Eutherius swore on his own life that Julian would be a faithful servant (Amm. Marc. 16.7.3), *apparitorem fidum... fore*, to his promoter, *auctori*, for as long as he lived, *quoad vixerit*. *Apparitor* means 'assistant to the magistrate' and was normally used in other texts dating from this period to designate officials serving in the Court⁴⁰. Ammianus also uses the word in a figurative sense, to express the subservience of a number of Caesars to their respective Augustus: Galerius and Constantius, *apparitores non resides* to Diocletian and his co-emperor; Julian, *apparitor* to Constantius II; and Valens, *apparitor* to Valentinian⁴¹. However, only Julian was described as *apparitor fidus* (Amm. Marc. 16.7.3; 20.8.6). The connotation of such submission is positive, involving legitimate participation in power-broking⁴². The primary meaning of the adjective *fidus* used in the *RG* denotes the quality of a civil or military subordinate who fulfils his duty and obeys his superior⁴³. Of the fifty occurrences, only three refer to *fides* between friends, and none of those are related to Julian⁴⁴.

Julian is depicted as *apparitor* to Constantius in three instances: during Eutherius' appearance at the Court in Milan (Amm. Marc. 16.7.3); following the Battle of Strasburg, when he would have been expected to account for his actions before Constantius (Amm. Marc. 17.11.1); and in a passage purporting to be a letter sent by Julian to Constantius (Amm. Marc. 20.8.6), in which he justified the uprising in Paris and his proclamation as Augustus in 360, a letter that Eutherius was also called upon to deliver⁴⁵. Hence, the term *apparitor fidus*

³⁸ Julian defends his own action in taking up arms against his sovereign lord and cousin. On loyalty to Constantius as a message and form of propaganda in the *Letter to the Athenians*, see Caltabiano 1974; Bouffatigue 1978, 20; Labriola 1983.

³⁹ All the references to the relationship between Constantius and Julian throughout the *opera Iuliani* call for an in-depth study, as they suggest a view other than that proposed by Julian himself. In the Baker-Brian/Tougher 2012 collection on Julian's writings, Drake 1988, 43-44; Baker-Brian/Tougher 2012, 273 point to the influence of the works of Julian, Libanius, and Ammianus on the later historiographical fate of the figure of Constantius.

⁴⁰ *TLL* s.v. *apparitor*, in *CTheod.* 8.7 and *Notitia dignitatum* 5, 6, and 7.

⁴¹ Amm. Marc. 14.11.10; 16.7.3, 17.11.1; 20.8.6; 26.4.3.

⁴² Amm. Marc. 20.8.6: [Julian] *potestate delata contentus* ("content with the power committed to me"); 26.4.3: [Valens] *participem quidem legitimum potestatis, sed in modum apparitoris morigerum* ("indeed a lawful partner in his power, but one who was as compliant as a subordinate").

⁴³ Viansino 1985 s.v. *fides* and *fidus*.

⁴⁴ Varronianus (25.20.26), Procopius (26.6.5), Valens (31.14.2); see Brandt 1999, 233

⁴⁵ Bowersock 1978, 52: "there is no reason to regard (the letter) as an authentic fragment of Julian's own writings"; in fact the only other source mentioning this particular letter is Zos. *Epit.*

clearly describes Julian's faithful submission to Constantius during his time as Caesar, a one-way relationship of subordination to one's lord and master in a military and institutional context. Tellingly, Ammianus' figurative use of *apparitor fidus* is linked to a specifically Roman framework of the hierarchy of *officia imperii*, which is markedly different to the moral-philosophical perspective of πιστός in Julian's writings.

The letter Julian addressed to Constantius on the occasion of his proclamation as Augustus in 360 could be read as revising the former's sense of *fides* in relation to the latter. Julian states that he was faithful to *his* principles and the agreement between them for as long as it lasted⁴⁶; in other words, he was faithful, first and foremost, to himself, and only thereafter to the institutional bond linking him to Augustus⁴⁷. In practice, there were never any written agreements on government or the distribution of powers between Caesars Augustus and other Caesars; rather, a Caesar Augustus would vest the Caesar with power and responsibility on the basis of existing need⁴⁸. Therefore, this subtle expression ought to be seen as a rhetorical device used by Ammianus to buttress the image of Julian as self-assured in the aftermath of the uprising.

The divergent perspectives opened up by πιστός and *apparitor fidus* prompt a brief reflection on the different cultural assumptions that shaped the mindsets of Julian and Ammianus. On the one hand, Julian's expression of loyalty pertains to the existential and cultural context of a person of Greek origin versed in philosophy (Jul. *Or* 1.4b; 2.120b; 6.254b), as Julian was wont to present himself⁴⁹. Most of Julian's works draw on an autobiographical impulse and offer personal testimony, including the *Panegyric in Honour of Eusebia*⁵⁰. On the other hand, as a historian endeavouring to place a critical distance between himself and the narrative he is recounting, Ammianus relied on testimony, letters, and official documents (Caltabiano 1998, 345). In the case of Marcellus' appearance at the Court, he cites the testimony proffered by Eutherius. Fluent in the language of the Court, the eunuch was well-placed to compare Julian's faithfulness to Constantius with the loyalty of an *apparitor fidus*. However, besides striking the

13.10.16-18, a passage which contains a few remarkable parallels with Ammianus, Den Boeft *et alii* 1987, *ad loc.*

⁴⁶ Amm. Marc. 20.8.5: *Ego quidem propositi mei fidem non minus moribus quam foederum pacto quoad fuit* ("I for my part have remained true to my principles, not less in my conduct than in the observance of agreements so long as they remain in force").

⁴⁷ Beranger 1976, 55. Den Boeft *et alii* argue that Ammianus is referring here only to the orders issued by Constantius in the proclamation appointing him Caesar (Amm. Marc. 15.8.14) and the *libellus* he gave him, which Julian consulted regularly (Amm. Marc. 16.5.3).

⁴⁸ Blockley 1972. Ammianus himself, 15.8.8 and 20.9.4, explains that the functions of the Caesar were circumscribed in terms of both time and place.

⁴⁹ In light of Platonic thought, especially the work of Jamblichus, virtue was defined as the essential concern of the philosopher; see Huart 1978, 105.

⁵⁰ Bouffartigue 1978, 15; Marcone 1993, 8-9.

right note in terms of register, Ammianus' *forma mentis* colours his depiction of characters with the moral categories of a soldier, as Sabbah noted (2003, 73): "Ammianus' morality has little to do with that of a philosopher... basically his morals are those of a soldier, and his scale of virtues that of a State servant. In a perhaps anachronistically republican view, for him the emperor is not the master but the first servant of the State."

In short, although both were pagan and Greek, Julian and his historian, Ammianus, evince a curious case of Otherness in relation to both their lives and works. Julian's distinguishing feature as an intellectual writer is his exclusive use of Greek cultural models, a theorist immersed in Platonic categories, a servant of the gods whose goal was to 'Hellenize' Roman paganism⁵¹. "He talks gushingly about τὸ Ἑλληνικόν. It is a loaded concept, which not only expresses admiration for the tradition, but also rejects everything that is alien to it, first and foremost the Christian religion" (Den Hengst 2010, 220). Ammianus was a Greek who had assimilated to Roman culture – its language, and cultural models and paradigms – to a degree that Fontaine describes as a fascination⁵². He shows a complex bicultural identity which is still a matter of debate. Note, for instance, the intricate innuendos of the expression *ut miles quondam et Graecus* ("a former soldier and a Greek": Amm. Marc. 31.16.9), a remark that, as usual in Ammianus' style, leads to multiple and complementary explanations⁵³. In terms of cultural identity, it seems clear that *Graecus* represents "a stand for civilization against barbarism and paganism against Christianity" (Kelly 2007, 220-221), and a vindication of Greek cultural background as superior; meanwhile *miles* would be just a synonym for 'Roman'. In fact *miles* is a pose of (false) modesty, since Ammianus was a member of the exclusive, minority corps of *protectores domestici*⁵⁴ in which Ammianus was steeped from early youth in a profound 'Latin' education and a distinctive sense of belonging to the Empire. Therefore, by defining himself as *miles*, he pointed out his strong identification with the most authentically Roman culture and values (Kulikowski 2008, 72, 74-76)⁵⁵.

⁵¹ On the intellectual world evinced by Julian's works, see Bouffartigue 1992; on the prevalence of Greek values in Julian's thought and works, see Weiss 1978, 130, who explains how Julian 'hellenises' the myth of Romulus and the foundation of Rome in *Hymn to king Helios* and points out passages in Julian's writings where Roman values appear to be satirised (131-132); on Ammianus' stern view of Julian's Latin, see Sánchez-Ostiz 2007, subscribed by Torres Guerra in this volume.

⁵² Fontaine 1978, 61. For an in-depth and enabling account of the complex matter of intertextuality in the *RG*, see Kelly 2008, part. II.

⁵³ For a summary of scholars' positions in this matter: Guzmán Armario 2006; Kelly 2007. Regarding Ammianus' Latinity and Greekness, see the overview of arguments in Kulikowski 2008, 64-76; and Kelly's contribution to this volume (§1).

⁵⁴ On the *protectores domestici*, Kelly 2008, 118-121; Barnes 1998, 59.

⁵⁵ In fact, as Kelly's contribution indicates, for Ammianus, *nos* can denote his identity as a Roman, especially in military situations.

But πιστός and *apparitor fidus* refer to Julian's 'Romanization' in the *RG* rather than Ammianus' own Roman identity. Ammianus aimed to 'Romanise' Julian, to turn him into a hero worthy of the Roman tradition (Weiss 1978, 134) to which he did not yet belong when Ammianus was beginning to write the *RG*. This purpose underpinned the shift from πιστός to *apparitor fidus*, and other such changes interwoven throughout the work⁵⁶. Tellingly, Ammianus' figurative use of *apparitor fidus* is linked to a specifically Roman framework of the hierarchy of *officia imperii*, which is markedly different to the moral-philosophical perspective of πιστός in Julian's writings.

4. Final Remarks

The comparative reading of the texts by Ammianus in relation to passages from the works of Julian and Libanius carried out here yields a clearer understanding of the events and interpretations surrounding the so-called 'Marcellus case'. The traces of 'latent arguments' in the *RG* have been shown to serve the purpose of masking the imprudence of an inexperienced Caesar who put the troops at risk at Ten Cantons and caused the siege at Sens; they also hide the open hostilities that broke out between Julian and Marcellus, the *magister equitum*, and avoid an accurate account of the circumstances relating to the *consistorium*, at which Marcellus exposed the negligent behaviour of the young Caesar. Because he had tried to rein in Julian's *modus operandi*, the narrative presents a distorted picture of Marcellus' character, depicting him as conniving and disturbed, a strategy which functions as a face-saving measure for Julian at the same time.

To a certain degree, Ammianus respects the principle of truth: he does not wholly obscure Julian's impulsive nature; rather, he presents it in a cleverly disguised way (Fontaine, 1978, 48, 55-56). This is also the case as regards the 'overt argument' at Amm. Marc. 16.1.5, as cited in the introductory section above. Adapting an image from the tradition of Cicero, Ammianus points out that Julian's noble character was clouded by a number of factors, *sic praeclarae huius indolis rudimenta tunc multis obnubilantibus tegebantur*, and describes him as an *adolescens primaevus*⁵⁷. In light of the events that underlie the text, it would seem clear that Julian's youthful impetuosity was a feature of his persona among a contemporary audience, a perception that the historian was keen to counter.

⁵⁶ Den Hengst 2010 points out other examples of Julian's Romanization in the *RG*; in those passages Ammianus 'romanizes' Julian's religious views (Amm. Marc. 20.5.10; 21.2.2) and translates to Roman categories Julian's virtues (25.4.1) and posthumous memory (25.10.5).

⁵⁷ 16.1.5: *et quoniam, ut Tulliana docet auctoritas, "omnium magnarum artium sicut arborum altitudo nos delectat, radices stirpesque" non item, sic praeclarae huius indolis rudimenta tunc multis obnubilantibus tegebantur, quae anteferri gestis eius postea multis et miris hac ratione deberent, quod adolescens primaevus* ("And since (as the authority of Cicero informs us) "we take delight in the loftiness of all noble arts, as we do of trees, but not so much in their roots and stumps", just so the beginnings of his surpassing ability were then veiled by many overshadowing features. Yet they ought to be preferred to his many admirable later achievements, for the reason that while still in early youth" [tr. Rolfe]).

There are some traces in the *Panegyric in Honour of Eusebia* that Julian sought the aid of the empress. In all probability due to the influence of the empress, the emperor decided to support the Caesar rather than his generals, giving Julian his vote of confidence and appointing a military man who was more likely to obey his bidding unquestioningly.

As Caltabiano (1998, 354-355) has averred, the Julian portrayed by Ammianus, a portrait produced through this ‘Romanising’ impulse, was a Julian stripped of his Greek soul and, above all, of the personal dimension disclosed in the emperor’s writings – and, at the same time, a figure who would be comprehensible to the Roman aristocracy in whose eyes Julian’s behaviour had to be justified⁵⁸.

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⁵⁸ On the lack of *gravitas* as one of the possible criticism of Julian’s conduct among Roman aristocracy, cf. Den Hengst 2010, 222-223; 225.