Sorcery Trials of Antioch: Illicit Divination and the Response of the Emperor

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ABSTRACT

In 371, a group of men wanted to find out who will be the successor of the Emperor Valens. To gain this information, they secretly preformed a divination ritual. While at this point, public divination was still legally allowed, secret divination was forbidden by law, and was considered not only an illegal act of magic, but an act of treason as well. This event was the trigger for large-scale sorcery trials conducted in Antioch. Many people from all classes of society were accused of either directly participating in the ritual, or of unrelated acts of magic and sorcery. The punishments seem to have been severe, and many of the accused were executed, or exiled. Ammianus Marcellinus provides the most detailed account of the events, although information is available from several other Byzantine sources as well.

This thesis seeks to understand the circumstances that led to the trials of Antioch, the mechanisms according to which the process unfolded, as well as to investigate how this event was recorded and interpreted in later historical sources. In order to do that, I will evaluate Ammianus' account of the events against the background of contemporary legislation and developments on the religious scene. The information obtained from the analysis will be supplemented and compared with the accounts of other historical sources in order to better evaluate the events of the trials, as well as to understand what attitudes later historians held about the issues of magic and divination.

ÖZET

Yıl 371’de bir grup, İmparator Valens’ten sonra tahta kimin geçeceğini öğrenmek istedi. Bu bilgiyi elde etmek için, gizli bir kehanet ritüeli düzenlediler. Bu zamanda kamu önündeki kehanetler hala yasalken, gizli kehanetler kanun yoluyla yasaklanmış, sadece yasadışı büyü kullanımı olarak değil aynı zamanda vatan hainliği olarak da kabul edilmişti. Bu olay Antakya’da geniş çaplı büyücülük davalarını tetikledi. Toplumun bütün sınıflarından birçok kişi ya direkt olarak bu ritüele iştirak etmekle ya da bununla ilişkisi olmayan büyü yapma suçlarıyla itham edildi. Cezalandırmalar ağır görünüyordu. Suçlananların çoğu idam edildi ya da sürgüne gönderildi. Bu konuyla ilgili başka Bizans kaynakları olmasına rağmen, bu olayı en detaylı olarak anlatan Ammianus Marcellinus’tur.

Bu tez, Antakya davalarına yol açan koşulları ve bu süreci ortaya çıkaran mekanizmaları anlamayı ve bu olayın daha geç tarihli kaynaklarda nasıl kaydedildiğini ve yorumlandığını araştırmayı amaçlar. Bu amaçla, Ammianus’un olaya dair açıklamalarını aynı zamana ait kanunları ve dini gelişmeleri baz alarak değerlendireceğim. Bu analizden elde edilen bilgi, olayın daha iyi değerlendirilebilmesi ve daha sonraki tarihçilerin büyü ve kehanete karşı tutumlarının anlaşılabilmesi için diğer tarihi kaynaklardaki bilgilerle birleştirilecek ve karşılaştırılacaktır.

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INTRODUCTION

Sorcery trials of Antioch

In 371, a group of men wanted to find out who would be the successor of the Emperor Valens. To gain this information, they secretly preformed a divination ritual. While at this point, public divination was still legally allowed, secret divination was forbidden by law, and was considered not only an illegal act of magic, but an act of treason as well. Despite the legal prohibition, obviously private divination was still practiced, as our case shows. During their divinatory ritual, they learned the first four letters of the name of the future emperor: TH E O D. Excited, they stopped the ritual, thinking that they had their answer: it would be Theodorus, a promising young *notarius*. Seemingly, this was also the answer that they were hoping for. Apart from the name of the new emperor, or at least its beginning, the oracle told them the dying place of Emperor Valens, as well as the fact that they would come to regret their excessive curiosity.

This event was the trigger for large-scale sorcery trials conducted in Antioch. Many people from all classes of society were accused of either directly participating in the ri-tual, or of unrelated acts of magic and sorcery. The punishments seem to have been

severe, and many of the accused were executed, or exiled. The most detailed account of the trials is found in Ammianus Marcellinus' 29th book of *Res Gestae*. However, there are other sources from the 5th, 6th, and 12th centuries reporting about the trials in much less details. The controversy about the trials stemming from the later sources is that four different divination techniques were reported in them: divination conducted using a tripod, a lot divination, necromancy, and a divination ritual which involved chickens pecking grains.

The main objective of this thesis is to understand the circumstances that led to the trials of Antioch, the mechanisms according to which the process unfolded, as well as to investigate how this event was recorded and interpreted in later historical sources. The sorcery trials of Antioch have not received full attention from scholarship thus far, although several studies have studied some aspects of the process[1]. These studies rely exclusively on Ammianus' account. In my thesis I will extract pieces of information from other sources as well, in an attempt to better understand these events and their reception and interpretation in Byzantine historical sources. Finally, I will try to explain the reasons behind the different accounts of the divination ritual.

In Chapter 1, I will outline a set of background information against which I have approached this study. A brief history of the study of magic is presented, as studied both by anthropologists and historians, mostly historians of religion. The development of the understanding of the term "magic" is presented, staring with the anthropologists and sociologists whose main concern was to determine the clear boundaries between magic and religion, and moving to the studies which focused on understanding the social func-

[1]Funke, 1967; Matthews, 1989; Wiebe, 1995; Lenski, 2002.

tions of magic. Following the more theoretical issues, a brief overview of the magical practices in Late Antiquity is presented. The majority of these practices were not Late Antique inventions, but a continuation of earlier practices. Also, a range of different religious traditions which influenced the Late Antique magic practices is presented. Finally, the issue of institutionalized and private divination is addressed in the last section of the first chapter.

Chapter 2 deals with the legal treatment of magic, starting from the earliest Greek legislation, until the *Theodosian Code*. It will be shown how legislation can be used to see how the concept of magic was developing over time, constantly reshaping depending on the social circumstances of the period. Apart from the laws issued by the civil authorities, the Church authorities also expressed concern in limiting magical activities among the clergy and the lay alike. Relevant laws issued by the Church and trials conducted under its authorities are briefly discussed in order to be compared with the civil legislation. It will be shown that the fear of the illicit religious activities was not a novelty brought by Christianity, but that since the emergence of the Church, the criteria for defining magic became ever stricter.

The relation between paganism and Christianity is discussed in Chapter 3. The narrative of this chapter attempts to show that the borders between Christians and pagans in the 4th century were by no means clearly defined. The criteria for the definition of Christianity were a matter of personal preference, and although the Church authorities had tried to impose uniformly accepted criteria, this mission could not be fully accomplished in the 4th century. The speeches of John Chrysostom delivered to his congregation in Antioch serve as a good example how different people who all thought of themselves as Chris-

tian could exhibit radically different attitudes as to which practices were defining Christianity. It will also be shown, that despite the fact that the somewhat more stern attitudes of the Church officials are prevalent in our sources, the majority of people probably did not comply with them.

The final chapter presents an in-depth analysis of the sorcery trials of Antioch. In order to understand the development of these events better, parallels are made with two other sorcery trials which took place in the second half of the 4th century, the trials of Scythopolis under Constantius II, and the trials of Rome under Valentinian. The principal source for all of these trials is Ammianus Marcellinus. One part of Chapter 4 presents a detailed prosopographical study of the people involved in the Antioch trials. The other part deals with the treatment of these events in sources other than Ammianus, with the emphasis on the different divination techniques reported in those sources, and their implications.

CHAPTER 1: MAGICAL PRACTICES IN LATE ANTIQUITY

Magical practices in Late Antiquity and the studies of ancient magic

The practice of magic seems to have been present in the ancient world since time immemorial. The earliest textual accounts of the existence of magic within the Graeco-Roman culture are found in Homer (Graf, 1997), who himself was believed to possess magical powers and whose verses were often thought of as prophetic, or apotropaic (Collins, 2008: 105 – 30). Since Homer's times, in a continuous line of tradition, the practice of magic has reached Late Antiquity. As Greek, and later Graeco-Roman world extended its borders and reached other cultures, their religion accepted foreign influences and more and more gods entered the Graeco-Roman pantheon.

By the time of Late Antiquity, the sphere of Graeco-Roman religion was heavily populated by foreign deities, the majority of whom came from the Eastern cults, most notably Egypt and Persia. Just as Eastern cults influenced the public religion of the Roman Empire in the times before Christianity (itself an Eastern cult) became the exclusive official religion of the Empire, magical practices were also susceptible to these foreign elements. The most widely present influences in magical practices of Late Antiquity were Egyptian and Jewish.

Egyptian tradition is the one which had the most influence on the formation of the Graeco-Roman magic. This influence is seen in the frequent invocations of the Egyptian gods, both in the spells recovered from the *Papyri Graecae Magicae* and on the magical amulets worn across the Empire. Additionally, the figures often depicted on amulets, or curse tablets are reminiscent of the shape of the Egyptian demons, or even hieroglyphics (Bonner, 1950: 22 – 6). The connection of Egypt with magic was so strong that many of the ancient "magicians" were thought to have visited it. Pythagoras and Apuleius were said to have travelled to Egypt in their youth and been initiated into mystical rites there. Pagans who tried to question Jesus' status as the son of God and who claimed that he was just another magician, used to support their arguments by saying that Jesus *also* spent some time in Egypt in his youth (Graf, 1997: 91).

Given the strong ties that existed between the geographical region of Egypt and magic, it is not surprising that the magical spells, amulets, and curse tablets often contained words of Egyptian origin transliterated in Greek, and figures resembling the hieroglyphics. Beside the fact that the foreign words would add to the mystique of the spell in the eyes of the non-expert, the magicians opted for the employment of Egyptian words because it was believed that the gods had revealed their language to the Egyptians and Assyrians (Graf, 1997: 45). Addressing the gods in their secret language would ensure the success of the spells.

Some scholars have even suggested that the magical practices found in the *Papyri Graecae Magicae* were based exclusively on Ancient Egyptian religion (Graf, 1997: 5). This is hardly the case, since these magical rites found in the *PGM* are attested outside of Egypt, where Egyptian tradition had no, or very little influence (Graf, 1997: 5).

Additionally, unlike the *PGM,* and a great portion of the magical practices attested and unrelated to the *PGM*, most of the surviving evidence for Ancient Egyptian magic suggests that in Ancient Egypt magic was primarily used for protection and healing (Pinch, 1995: 163). The spells used to obtain sexual pleasure, financial gain and social success and the level of aggression found in the *PGM* are new phenomena in Egyptian magical tradition (Pinch, 1995: 163).

Another influence to Late Antique magic came from the Jewish tradition. This influence is seen mostly in the magical words used in the spells, many of which are said to be of Jewish origin. Like with the Egyptian elements, the incomprehensible words from an ancient language such as Hebrew added more mystery and more credibility to the magical operation. Another Jewish element often encountered in magical practices is the invocation and the worship of angels (Cline, 2011: 139), whose names suggest a strong Jewish influence (Arnold, 1996: 22). The worship of angels was closely connected to magic, as can be seen from the act of the church council at Laodicea, which explicitly prohibited the excessive worship of angels (*Acts of the Council of Laodicea,* 36)[2].

Throughout antiquity, Jews had the reputation of great magicians (Bohack, 2003: 69). Partly, they are themselves responsible for such a reputation because they claimed that they inherited magical knowledge and the secret symbols from king Solomon, who was the first one who used these symbols to defeat the demons. Even apart from this explanatory story of how Jews came into the possession of magical knowledge, it should not be surprising that they were often seen as the magicians in antiquity. They were often distrusted and discriminated, they were seen as "the other" community, with different

[2]The attempt on behalf of the Church to put an end to the worship of angels is a more complex issue than their connection to magic. Arnold, 1996 addresses some aspects of this issue.

religion and different customs, and thus not fully integrated into society. Following Mauss' view that a person from the margins of society in the one who is most likely to acquire the reputation of the magician, in addition to the story of the magical powers of king Solomon, it is easily understandable how Jews came to be regarded as skillful magic practitioners.

However, as with Egyptian elements, not everything that vaguely resembles a Jewish word comes from Hebrew. Bohack has shown that often non-Jewish practitioners would take a word from *koine* Greek add a typical Hebrew ending in order to make the word appear Hebrew (Bohack, 2003: 72). Even if not all the elements that were considered to be stemming from the Hebrew language are genuine, it still goes to show how important and "prestigious" Hebrew words were in the world of Late Antique magic.

Magic has always been present in the antique world. And although probably everyone, regardless of their social status or education believed at least in some of its powers, it was generally considered as pertaining to the lower classes of society. The magician was an outsider and those seeking his favors were usually not part of the respectable elite either. This was at least the general opinion that we encounter in the works of literature and historical writings, though the reality might have been different.

In Late Antiquity, a new "branch" of magic emerged: theurgy. It was considered "high magic" and practiced by the Neoplatonic philosophers who used it to achieve direct contact with the supreme divinity (Graf, 1997: 94). Although a Neoplatonic philosopher was also a marginal figure (Fowden, 1982: 32), he was definitely not considered merely a trickster as other magicians; he was well respected for his knowledge and education.

Although the Church was trying to fight and condemn magic throughout Late Antiquity and the Middle Ages, Christianity still made some influence on Late Antique magic practices, even if those influences seem to be very limited. The most striking trace Christianity has left in the magical practices is the appearance of Jesus' name among the names of the powerful beings that are called upon for protection. For magicians, Jesus was one more divine power among many they relied on, whereas for the Christians he was the only, almighty God (Fowden, 1982: 33).

Given the presence of several different religions, the nature of Late Antique religious syncretism, and all the different sources that influenced magical practices in Late Antiquity, it is very difficult to determine who were the people who were practicing magic, as well as who were the people who were seeking their favors. As seen, a seemingly Jewish element does not necessarily point to a Jewish practitioner or customer; just as an invocation to Jesus Christ does not point to Christian magic. Although the church and the state were issuing laws against magical practices, these practices did not stop by any means, and even those who were trying to sanction them, i.e. emperors and priests, were occasionally reported as seeking help from a magician, or even acting as magicians themselves.

For centuries, scholarship has neglected the study of magic and denied that any understanding of broader social phenomena from antiquity could be better understood if the data coming from the textual and material study of magic would be properly analyzed. The study of magic was considered not serious enough and not worthy of scholarly attention.

At the turn of the 20th century, an interest in the study of ancient magic emerged. Initially, this interest was mostly derived from the studies on the origins of religion and magic documents were seen as sources concerning earlier religion (Graf, 1997: 12).

The interest in magic on its own terms as part of the scientific study of antiquity reached its peak before World War II. In Europe, it was German scholars who started the scholarly study of ancient magic (Graf, 1997: 10).

The first historians of religion who turned to the study of magic tended to put magic under the vague term of religious practices and thus explain the relation between religion and magic (Noegel, Walker & Wheeler, 2003: 9). The new trend within the history of religion is not to regard magic as a phenomenon isolated from religion, or to simply include it as an undifferentiated aspect of religion. Instead, magic is seen as a distinct, but integral component of religion (Noegel, Walker & Wheeler, 2003: 11).

The early views on magic did not allow magic to exist in the sense that it had any impact upon the world. It was regarded as a purely irrational category. This is the view from which scholarship has been trying to distance itself in the past decades. As Collins (2008) points out, we must acknowledge the existence of magic simply because the society that we are studying did so. Since they believed in it and thought of it while going through daily life and while making decisions, we must take it into account when assessing those societies. To illustrate that magic actually could affect the "rational" world Collins brings an example of curse tablets. He makes the point that one of the important aspects of putting a curse on someone was actually letting the "cursed" person know about it. Simply by becoming aware that someone was against him or her, the "cursed

one" would have felt differently and probably acted differently. He goes on to conclude that magic could actively shape the behavior of people, and thus affect the everyday world (Collins, 2008: 6).

Luck's *Arcana Mundi* is an exhaustive compilation of ancient texts dating from the 8th century BC to 5th century AD. The texts used in the book are a mélange of literary works, philosophical works and discussions, pieces of history writing, as well as recipes of magical spells from Greek Magical Papyri. In his work, Luck is approaching the study of magic by acknowledging its presence in antique societies. By analyzing different sources, from Greek Magical Papyri, which were available to all classes of society, both educated and uneducated, to the highly profound writings of Neoplatonist philosophers, Luck is trying to understand the impact that magical practices had in Graeco-Roman society.

Whereas Luck (1992) offers a great source for the study of primary sources on the subject of magic, providing the accounts of magic featured in many genres, his book does not take into account the distinctions of the different genres which are being discussed. He approaches the rituals discussed in the works of literature using the same methodology with which he studies the magical papyri, or the philosophical writings. He disregards the features of the literary genre, and treats the literary descriptions of magical rituals as facts. This is problematic because, in the end, those writers were not experts in magic themselves, and as evidence shows, the knowledge of magical arts was transferred within closed circles, only to those already initiated (Graf, 1997: 4). What scholarship can gain from examining these works is the understanding of how common people of antiq-

uity thought magic worked, rather than the reconstruction of the actual practices (Graf, 1997: 175).

Graf (1997) pays greater attention to the methodology of the analysis of the literary works which are dealing with magic rites. He points out that when examining literary texts one has to have in mind the way in which the authors are using the motif of magic for their own poetic purposes, in addition to the inter-textual dialogue with their predecessors, as well as with other contemporary writers (Graf, 1997: 176). Comparing the evidence that comes from the papyri with the literary accounts of similar magical rituals, Graf emphasizes the irregularities found in the rituals, as described in the literary texts. His detailed analysis of the magic rituals as presented in the works of art, and the corresponding rituals found in the magical papyri shows that literary accounts of magical practices should be examined with caution. These accounts should rather serve to indicate what the general conception and understanding of magic was, than to give information for the reconstruction of the exact nature of the magical ritual.

Graf also examined the social function of magical practices. Following Evans-Pritchard (1937), who understood the function of magic as a tool which could explain the misfortunes of life, Graf takes his explanation of magic one step further and stipulates that the accusation of magic served as an explanation not only for an unfortunate event, but for any kind of event that contravened the social rule (Graf, 1997: 189), or challenged the social structure (Graf, 1997: 68). Be it a case of a foreign philosopher Apuleius who manages to marry a wealthy widow, or of a man falling madly in love with a woman, magic could be seen as a fit explanation for these situations, which would otherwise have to remain unexplainable and inappropriate.

Divination

Though magic was definitely omnipresent in the ancient world, one generally could avoid any encounters with it, if one wished to do so. One of its crucial features was secrecy and it was very unlikely that a city dweller would come across magical activities out in the open. The only case of magic which was expected to be often seen in public was divination.

In antiquity, divination was part of city life. It was practiced whenever the sacrifices were offered publicly to the gods, and it often accompanied the making of decisions of public importance, for example the prospects of undertaking a military campaign (Johnston, 2008: 4). Although public divination was considered a legal action, private divination was often the subject of sanctions. The Roman state tried to be in control of divination, and Senate took measures against private diviners and astrologers on several occasions, as it was considered that uncontrolled secret divination my result in civil revolt (Burkert, 2005: 45).

With Christian Emperors, the punishments for secret divination rites became even more severe. However, until Emperor Theodosius I and his ban on any rites concerning the old religion, most of the Christian emperors allowed the public divination, especially the practice of the haruspices, whom they regarded as a part of their Roman tradition, and considered it legal as long as it was not practiced to predict the outcome of a conspiracy (*Codex Theodosianus*, 9.16.2; 9.16.6; 9.16.9). Even the most pious of Emperors, occasionally sought the knowledge of a diviner. Augustine reports that Emperor Theodosius

in times of anxiety consulted a hermit from Egypt for divination (Augustine, *De Civitate Dei* 5.26).

As it was the case with other kinds of magic, the official view of the Church was that these practices were in opposition to Christian doctrine. Of course, this is no reason to suspect that Christians restrained from consulting the diviners, since even the Christian priests seem to have been performing these activities (*Acts of the Church Council of Laodicea,* 36). What is more, in the light of new religious developments in late antiquity, the practice of divination reshaped accordingly, thus becoming acceptable to the common Christian community, if not to the official Church. In addition to the evidence coming from the legislation of the Church Council of Laodicea, we find a number of Christian shrines which offered different kinds of divination services, as oracular sites, or as healing-incubation shrines (Frankfurter, 2005: 244). The martyrs' tombs were another "popular" place where Christians could come to inquire about the future, without having the feeling that they have betrayed their faith (Frankfurter, 2005: 244).

As with the other kinds of magic, the problem with divination was not the action *per se,* but the source of power from which that action was coming. So, as long as the prophecies were coming from the tombs of the martyred Christians, and the interpreters of the dreams and oracles were Christian priests, a common pious late antique person would not find anything wrong with wishing to learn the outcomes of the future.

The study of divination in antiquity, and especially in late antiquity, in modern scholarship has not been as extensive as the study of other aspects of late antique magic. While in the 1960s and the 1970s, the general theories of magic were being developed and re-

defined, the work on divination mostly focused on specific people's practices (Johnston, 2005: 9). The first compendium of the different divinatory techniques used in antiquity was compiled by Bouché-Leclerq in 1879 in a four-volume edition of *Histoire de la divination dans l'Antiquité.*Another extensive collection of the methods of divination was produced in 1920-3 by Pease in his commentary on Cicero's *De Divinatione* (Johnston, 2005: 19).

The first theoretical study of divination within modern scholarship was conducted by Halliday, in his *Greek Divination: A Study of Its Methods and Principles.* He understood divination as being closely related to magic, with the distinction that the diviner was a failed magician, because, unlike the magician who promised to influence the future, he could only promise to predict it (Johnston, 2005: 18). Most of the studies concerning divination have been done on the institutional oracles, and a great amount of work has been done by Perke in *GreekOracles* (1967), *TheOracles of Zeus: Dodona, Olympia, Ammon* (1967) and *Oracles of Apollo in AsiaMinor* (1985).

One of the works that initiated and in a way legitimized the scholarly interest in magic and divination was Dodds' *The Greeks and the Irrational* (1951). Dodds' treatment of divination was mostly limited to the institutionalized oracles, which he saw as the pillars of stability in times of turmoil, and thus not so irrational as other magical practices (Johnston, 2005: 25). Half a century later, the tendency within scholarship is to see divination, whether institutionalized or free-lance, as a phenomenon which could offer established forms of modeling reality and social interactions, especially in times of crises and conflicts (Burkert, 2005: 31).

The belief in the possibility of predicting the future relied on the principle of "cosmic sympathy", first suggested by Posidonius, which claims that all events in the universe are interconnected, and seemingly unrelated events actually might influence each other (Luck, 1992: 230). For Stoic philosophers, the divination was a direct evidence of the existence of the gods and their benevolence towards the human kind (Burkert, 2005: 36).

In his treatise on divination *De Divinatione*, following Posidonius, Cicero differentiated between two kinds of divination: natural and technical divination (*De Divinatione*). Natural divination included dreams and any kind of ecstatic prophecies, and technical divination included all the other numerous techniques of divination which needed to be learned from a professional: augury, haruspicy, necromancy, etc. In Late Antiquity, those following the Neoplatonic school of philosophy came to see the divination not only as means of predicting the future, but primarily as a way of becoming one with God (Athanassiadi, 1993: 119). Predictably, they did not value the methods of the technical divination, and regarded them as fallacious (Athanassiadi, 1993: 120), as one could have hardly expected to become closer to God by inspecting a sheep's liver.

The Neoplatonic school of philosophy emerged around 245 CE in Rome, and soon it extended its area of influence into Syria, AsiaMinor, Alexandria, and Athens (Remes, 2008: 1). Although the common prejudice against Neoplatonic philosophers, and especially so in the Christianera, was that they were actually practitioners of magic, the founder of Neoplatonism, Plotinus, was entirely uninterested in any sort of magical practices (Dodds, 1951: 285 – 6). In addition to the general Christian tendency to label all non-Christian practices as magic, the reasons behind this accusation migh thave been the theurgic rituals, which were widely practiced in the Neoplatonic circles of the 4th

century. Despite Christian hostility towards Neoplatonism, the teachings of this school still influenced a number of prominent Christian thinkers (Cameron, 2008: 680).

Theurgy was a technique which was meant to enable the direct contact between the theurgist and a deity (Luck, 1989: 185). Although theurgy was developed during the reign of Marcus Aurelius (Dodds, 1951: 284), a century before the birth of Neoplatonism, and it was not uniformly practiced and accepted by all of the prominent Neoplathonic thinkers (Luck, 1989: 204), in popular opinion it was closely connected to the Neoplatonists. It is not surprising that theurgic rituals were placed in the category of the occult, as they did share a number of features with magical practices (Dodds, 1951: 291). As it was the case with the magical rites, participation in theurgic rituals required initiation, and the details of the rituals were known only to the initiates (Luck, 1989: 188). Also, theurgy was supposed to summon a deity, which often happened against the deity's will, as attested in Fragment 220 of the *Oracula Chaldaica*: "Listen to me, though I am unwilling to speak, for you have bound me by compulsion" (quoted. in Luck, 1989: 191). The theurgist used two methods to access the divinity: animation of statues, and mediumistic trance (Luck, 1989: 192). Just like the linguistic formulas of the sorcerers of the Magical Papyri, the language used in the theurgic rituals abounded in foreign and unintelligible words and names (Luck, 1989: 202).

Two different procedures of theurgy can be distinguished. One relied on the use of symbols and tokens to consecrate and animate the statues of gods so that they would function as oracles (Dodds, 1951: 291 – 2). The symbols used were mostly magical herbs, stones, sacrificial animals accompanied with written down, or uttered magical formulae, which were known only to the professionals (Dodds, 1951: 292). The other

method involved an entranced medium. It was believed that the medium knew the means to invoke a spirit to enter his or her body and reveal the desired knowledge (Dodds, 1951: 296). The mediums wore specific kinds of clothes and accessories which were thought to facilitate the posibility to achieve the trance state, and probably some of they also used drugs to induce visions (Dodds, 1951: 296 – 7).

Unlike theurgy, which was a relatively late invention and always a controversial topic, divination through institutionalized oracles had long been a widely accepted practice. Institutionalized oracles, like the one in Delphi, could be found throughout the Graeco-Roman world. Most often, the patron god of the oracle and the one sending visions to the prophets was Apollo, though other gods are attested as well, e.g. Asclepius, Hecate, Fortuna. The oracles sometimes relied on the agency of a certain deity which would possess the prophet, or a prophetess, and grant him/her glimpses of the future. Apart from operating with an ecstatic prophet/prophetess, many oracles functioned as dream incubation centers. The oracle site was seen as a place in which meaningful dreams, granted by the gods, would come to those who would spend the night in one of the oracle's special chambers (Luck, 1992: 231). The dreams were rarely self-explanatory and would require an interpretation by a specialist. Apart from these methods of "natural divination", some oracles also used methods of technical divination. The sanctuary of Fortuna at Praeneste was very famous for the use of lots, or dice (Burkert, 2005: 38), and it is possible that even the great oracle of Delphi occasionally resorted to lot divination (Luck, 1992: 249).

As a consequence of the changing political and economic conditions in the Graeco-Roman world, and the emergence of Christianity, the power of oracles declined and they gradually disappeared (Luck, 1992: 249). Starting from the 4th century, in the territories

of the oracular centers, Christian constructions gradually started taking over, at a different place, depending on the importance of the oracle and the demography of the area (Athanassiadi, 1990).

The methods for "technical divination" were much more numerous. Following the principle of cosmic sympathy and the teachings of the Platonists and the Stoics, according to whom there was at least a part of the cosmic soul in everything, literally any being or object could be used to predict the future (Luck, 1992: 253). To name but a few methods: geomancy is divining by means of lines formed by throwing earth on the surface; aeromancy is casting sand/dust into the wind and interpreting the shape of the resulting dust clouds, pyromancy is divining by fire (Luck, 1992: 253). One could also seek his answers from *baityloi*, meteoric stones which could give oracular answers (Trombley, 1993: 46). The *Suda* gives an impressive list of things that could be used for divination. To name some of the seemingly more strange ones: mice, polecats, the squeaks of wood, the ringing of the ears, the twitching of the mouth, etc (*Suda*, pi2923).

Certainly more established and more respected methods of divination were augury – interpreting the flight of birds, and haruspicy – interpreting the liver of the sacrificial animals. These were well established practices in the Roman State, and augurs and haruspices were relatively respected professions, at least in the pre-Christian era (Burkert, 2005: 40). A much less respected practice was divination by *sortes.* Sortes were small objects of various shapes and materials with a short inscription used for a specific type of divination. They were kept in containers and drawn out at random, thus communicating the response of the gods to the question asked by the consultant (Grottanelli, 2005: 134). This practice was mostly despised by intellectuals, as it was considered to be cha-

racteristic of the low-bred specialists, who performed their art in the streets (Grotttanelli, 2005: 144). The most despised form of divination in the Roman world was certainly necromancy, the consultation of the dead, which often included the manipulation of the parts of the corpse (Faraone: 2005: 255). This form of divination was among the earliest ceremonies to be sanctioned by the law (Faraone: 2005: 256).

CHAPTER 2: MAGIC AND LEGISLATION

Magic in Greek law

The Greek world had seen an abundance of magical activities, as testified by the material evidence, as well as the written sources of various genres, in which the motive of magic frequently appears. Although it is impossible to draw concrete boundaries around the concept of magic in the Classical period (just as it remained impossible throughout Greco-Roman history), it seems that whatever it was that the people of Classical period considered magic, it was not looked upon with approval, as it can be most clearly seen from Hippocrates' medical treatise *On the Sacred Disease* from the 5th century BCE[3], or from Plato's discussion in *Laws* on ideal punishments for those who practice magic (Collins, 2008: 42 – 44).

That magic activities were not approved of is not surprising. What is surprising is the apparent lack of formal attempts on the part of the state institutions to systematically restrict these activities. The only surviving example of a law which *may* have been addressing the problem of magic working comes from the 5th century BCE inscription known as *Teian Curses*, from the Western coast of Asia Minor (Graf, 1997: 35). It sanc-

[3]Collins, 2008 discusses this treatise in details on pages 33 – 42

tions the production of harmful drugs, on pain of execution on those who disobey the law and their entire family (Collins, 2008: 134). In addition to this law, there also exist several legal cases dealing with the use of harmful drugs which resulted in deaths (Collins, 2008: 133 – 8).We do not have any documents that attest to the sanctioning of other attested forms of magic, such as curse tablets, binding spells, incantations, etc. (Collins, 2008: 133).

What is apparent from these examples is that their main concern was the protection of human life from harmful drugs, and not the sanctioning of magic per se. The word used for drugs *pharmaka* is in itself ambiguous (Graf, 1997: 28) and it cannot be concluded whether it refers specifically to magical drugs, or to any poison in general. Thus, the legislation of harmful *pharmaka* emerged in an attempt to prevent the actual physical harm they could inflict on affected people and it was not based on any ideology which would condemn the magical practice as inherently bad, regardless of the consequences and intentions behind it (Collins, 2008: 135).

Magic in Roman law: Republican period

Unlike Greeks, Romans were very keen on restricting and controlling magical practices. The legislation on magical activities is found throughout the existence of the Roman state – starting from the Republican period, until the late Imperial period. The laws against magic continued to be issued in the Byzantine Empire as well, relying on the earlier tradition of Roman law.

The earliest Roman legislation concerning magic is found in the section 8 of the *Twelve Tables*, dating back to 451/450 BCE (Ogden, 2002: 277). Two supposedly magical actions are addressed and pronounced as illegal. There is not enough evidence which would suggest the penalties inflicted upon those who disobey the ban (Ogden, 2002: 277). The original legislation of the *Twelve Tables* has been lost and what is known to us has been transmitted by the writers of the late Republic, who in all probability referred to a text produced around 200 BCE by Roman jurist Sex. Aelius Paetus Catus (Rives, 2002: 272). Pliny the Elder is the most important source for the two restrictions on magical activities from the *Tables* (Collins, 2008: 142).

The first restriction is against anyone who has sung an evil incantation (*malum carmen*) (Ogden, 2002: 227). It has been understood that the law was directed against magical incantations, that is spells. However, the phrase *malum carmen* does not necessarily mean a magical spell, although that is one of its possible meanings. It can also refer to slander, or even to using abusive and offensive language, i.e. cursing (Rives, 2002: 279 – 81).Rather than beings mutually exclusive, these two interpretations should both be seen as sanctioning harm inflicted on someone by means of *carmina*, be they magical incantations, or just slander (Rives, 2002: 286).

The second piece of "anti-magic" legislation from the *Twelve* Tables prohibits for anyone to "charm away another man's crops" (Ogden, 2002: 277). The verb Pliny uses for the restricted action is *excantare*, which suggests that the crime was executed through an incantation (Collins, 2008: 143). Pliny also records a court case from the 2nd century BCE, in which a rather poor Greek freedman C. Furius Cresimus has been repeatedly yielding a greater harvest from his fields than his rich neighbor. Consequently, he was

accused of having appropriated his neighbor's harvest through incantations and he was prosecuted under the law of the *Twelve Tables* (*Natural History*, 18.41 – 3). Rives analyses this case in detail and concludes that it is possible that *venena* were used to charm away the crops, and not the incantations (2002: 276)

When taking a deeper look into these two pieces of legislation from the *Twelve Tables*, it becomes apparent that both are directed against the possibility of inflicting harm on an individual, or to his or her property, rather than against magic in general. In the first case, the legislation is specifically against harmful incantations, which means that the non-harmful incantations most probably have not been outlawed (Ogden, 2002: 277). This is supported by the fact that *Theodosian Code* preserves a law from the beginning of the 4th century CE, more than 750 years after the *Twelve Tables,* which prohibits the use of harmful incantations, but explicitly allows benevolent incantations (*Codex Theodosianus* 9.16.3).

The second law seems to be concerned with the protection of private property rather than with the question of whether that same property is endangered trough magical, or non-magical means (Phillips, 1991: 264). On the other hand, there are "non-magical" ways through which someone could illegally acquire the crops of their neighbor, which are not covered by the law. However, these were probably obvious enough and were tried as any theft, so they did not require separate legislation (Rives, 2002: 277 – 8). The appropriation of another man's crops could result in social unrest, especially if the two men are of unequal social status. The accusation of magic follows only when the social order is endangered, as in the case of Cresimus: a poor man has obtained a better harvest than his rich neighbor, threatening to become rich and cause commotion in the social

ladder. Because of his unexpected success, he is suspected of being a magician and the trial is set up, as a means to either confirm the suspicion, and cast out Cresimus from society, or dismiss the accusation, definitely integrating him into society, possibly with a changed status (Graf, 1997: 62 – 5). Additionally, there is evidence of two large food shortages immediately in the years preceding these laws, which could suggest that when the law was issued, a bad harvest could cause even more insecurity than usual (Rives, 2002: 278).

It is important to acknowledge that the main point of the accusation is not that Cresimus used magic to increase the fertility of his fields, which would be not be considered illeg-al magical action at this point in time. What makes his supposed magical actions illegal is that he practiced magic at the expense of another person's property. Thus, apart from explaining one man's unexpected accomplishments and resolving the problem of the le-gitimacy of his success, accusing Cresimus of sorcery also provides possible justification for another man's unexpected failure, which is in line with Evans-Prichard's understanding of the social function of sorcery trials (1937: 63 – 106).

The most important legislation passed in the Republican era is L. Cornelius Sulla's *Lex Cornelia de Sicariis et Veneficiis*, or *Cornelian law on assassins and poisoners*. The law was enacted in 81 BCE and it served as the basic law for all subsequent Roman legisla-tion against magic (Graf, 1997: 46). The law was passed as part of a legislative program aimed at empowering the Roman Senate (Collins, 2008: 145). It does not exist in its original form, and our knowledge of its content is dependent upon later references and quotations. Judging by what has been possible to reconstruct from later sources, the law

had at least six sections, out of which three can be reconstructed with a fair amount of certainty; these are the first, fifth, and the sixth sections (Rives, 2003: 317 – 8).

The first section of the law applied only to the cases which took place within a mile of the area of the city of Rome, or within the city itself. It concerned those who armed themselves with a weapon in order to kill someone, or commit theft, as well as those killed a person themselves, or hired someone else to do it. Out of the three completely missing sections, one probably dealt with similar cases happening more than a mile outside Rome (Rives, 2003: 318). The fifth section is dealing with those who "for the purpose of killing a person" prepared, sold, bought, possessed or administered *venenum malum* (Rives, 2003: 318). The sixth section concerned people who caused someone to be wrongly condemned on a capital charge (Rives, 2003: 318).

Taken as a whole, the main concern of *Lex Cornelia* is to condemn premeditated actions which could endanger the lives of individuals, either through physical assault, poisoning, or false accusations (Collins, 2008: 146). The section which has been understood to be referring specifically to magical actions is the fifth one, in which the production, distribution, and usage of harmful drugs (*venena mala*) is prohibited. Graf (1997) suggests that this section of the law introduces the distinction between violent death (covered in the first section) and a sudden death, i.e. death inflicted by *venena*. Only through later developments of the understanding of the concept of magic did *veneficium* (death by *venena*) come to refer to any kind of evil spell (Graf, 1997: 48).It is important to notice that, as in the case of early Greek legislation from the *Teian Curses*, not all *venena* are sanctioned, but only the harmful ones.

What is problematic with understanding this law as an attempt to sanction specifically magical activities is the usage of the term *venenum*, which is equally ambiguous as the Greek term *pharmakon* (Collins, 2008: 134). Trying to understand the meaning of the word *venenum* in modern terms, it could mean both a poison, and a magical potion. As Rives points out, the distinction between the two is a construct of the modern Western mind, based on the extant physiological and pharmacological knowledge, through which the effects of the poison can be scientifically detected, explained and predicted, unlike the effects of a magic potion. The Romans could not make such a distinction. It is possible that they understood the operation of all *venena*, those that we would today classify as both magical and pharmaceutical, to be occult, in the literal sense of "concealed", since it was impossible for them to explain how certain substances reacted with the human body (Rives, 2003: 319 – 20). Since there was no universal definition of what magic is, nor in-depth understanding of the chemical processes in action behind the effects of a poison or magical potion, there was no need to distinguish between the two in legal terms (Phillips, 1991: 264).

Therefore, rather than to postulate that this law was sanctioning both magic and poisoning, which exist as distinct categories in modern mind, but most probably did not in the Roman, it would be better to understand it as a protective measure against death effected through covert and inexplicable means (Rives, 2003: 320). The non-harmful occult actions seem to have been of no concern to this set of laws, judging from the three fragments that can still be reconstructed.

Magic in Roman law: Imperial period

Over time, the original scope of *Lex Cornelia* was gradually extended, with the tendency to apply it to other malicious actions which could vaguely be defined as "magic", and not just the usage of *venena* (Rives, 2003: 320). As we can see from the *Apology of Apuleius*, by the middle of the 2nd century CE the *Lex Cornelia* was invoked also against those who tried to manipulate the sexual feelings of others through whichever magical means (Dickie, 2001: 243).

The trial of Apuleius, a young Platonic philosopher, took place in 156/158 in Sabartha, in North Africa (Graf, 1997: 65). From what can be concluded from his speech delivered at court, which is the only source of evidence concerning this case, the principal charge against Apuleius was that he has seduced a rich widow into marriage through sorcery, thus taking her fortune away from her relatives (*The Defense)*. Not surprisingly, it is the relatives who are pressing charges against him. Bradley points out that Apuleius was not accused only because of money, but also because he was an outsider to the community, who disrupted the patterns of local life, and unexpectedly advanced in the social scale at the expense of his accusers (Bradley, 1997: 220).

Apuleius was accused under *Lex Cornelia,* although no one had been physically hurt or killed, as in the principal cases prosecuted under this law. Still, the main accusation can be seen as a crime which could cause material damage to the victim and thus be considered a harmful action which needs to be sanctioned in order to preserve social order.

However, Apuleius was not charged only with having used love spells to marry a rich woman. Some of the other accusations were that in his presence a young boy and a woman fell into trance (*The Defense,* 2.27), that he secretly had in his possession some *instrumenta magicae* (*The Defense,* 3.53)*,* that he had a statuette in the form of a skeleton made for him in precious wood, which he later used for magical rites (*The Defense*, 3.61), and that he performed some nocturnal rites with a friend (*The Defense*, 3.57 – 8). It is possible that these accusations were employed in order to support the claim that Apuleius had the necessary knowledge of magic and that he would be capable of applying it to achieve personal goals. However, it seems these accusations were perceived as being punishable even if they would not result in inflicting harm upon an individual; they were simply considered wrong and unacceptable, regardless of their effect (Rives, 2003: 326). This shows the tendency in Roman law to start prosecuting magical actions that can rather be described as religious deviance than harmful actions (Rives, 2003: 317). The evidence coming from the later interpretations of *Lex Cornelia* shows the increasing tendency of the authorities to scrutinize any behavior which could threaten the tranquility of the state, and any kind of unusual religious behavior was seen as such (Collins, 2008: 147).

From the trial of Apuleius we see how the original scope of the Cornelian law had changed by the middle of the 2nd century CE, although there is no legal document which formally acknowledges the widening of the scope of this law. The first formal evidence for the change of the understanding of *Lex Cornelia* comes from the *Pauli Sententiae* (*The Opinions of Paulus)*, a summary of previous legislation, listing the crimes which are to be prosecuted under the Cornelian law and the corresponding punishments. Julius

Paulus, to whom the work is ascribed, was a Roman jurist from the early 3rd century CE (Rives, 2003: 328). However, *Pauli Sententiae* seem to be a compilation from ca. 300 CE, so they might not actually be a genuine work of Paulus (Rives, 2003: 331).

Section 23 of the fifth book of *The Opinions* is dedicated to the Cornelian Law. The situations in which *Lex Cornelia de sicariis et veneficiis* was applied and which were not directly connected to magical activities were murder with a weapon or poison and false testimony (*The Opinions,* 5.23.1), hiring a murderer (5.23.3), killing someone in self-defense (5.23.8), receiving bribe as a judge (5.23.10), instigating a murder (5.23.11), homicide (5.23.12), and castration (5.23.12). Here also the widening of the scope of the law is evident, since the law which originally prosecuted only premeditated actions which endangered the lives of others (Collins, 2008: 146) came to be invoked in the cases where death came as a result of an accident, or in the cases which did not result in death at all.

The second part of the section 5.23 is concerned with the crimes that can be considered as related to magical or religious activities. The text of the legislation is as follows:

> 14: Those who give abortifacients or love potions, even if they do not act with malicious intent, nevertheless, because it sets a bad example: *humiliores* are relegated to the mines, *honestiores* to an island, with partial forfeiture of their property; but if as a result a woman or a man has died, they suffer the supreme punishment. 15: Those who perform, or arrange for the performance of, impious or nocturnal rites, in order to enchant, transfix, or bind someone, shall either be crucified or thrown to the beasts.16: Those who sacrifice a man or obtain omens from his blood, or pollute a shrine or a temple, shall be thrown to the beasts or, if *honestiores*, be punished capitally. 17: It is agreed that those guilty of the magic art be inflicted with the supreme punishment, i.e., be thrown to the beasts or crucified. Actual magicians (*magi*), however, shall be burned alive. 18: No one is permitted to have in their possession books of the magic art; anyone in whose possession they are found shall have their property confiscated and the books

> publicly burnt, and they themselves shall be deported to an island; *humiliores* shall be punished capitally. Not only is the profession of this art but also the knowledge prohibited. 19: If a person has died from a medicine (*medicamen*) given for human health or recovery, the one who gave it, if *honestior*, is relegated to an island; a *humilior*, however, is punished capitally.

As in the case of activities unrelated to magic, magical actions which did not result in death or material damage came to be punishable under the Cornelian law. The section 5.23.14 explicitly stated that the distribution of abortifacients or love potions, even if it was not conducted with bad intentions, and even if it did not lead to death, was prohibited and strictly punishable simply because "it sets a bad example" (*The Opinions*, 5.23.14). "Impious or nocturnal rites" were prohibited on pain of crucifixion or being thrown to the beasts (5.23.15). Another section from *Sententiae* also shows how uneasy were the Roman authorities with any nocturnal religious activities. Breaking into a temple during the day was punishable either with exile or being sent to the mines, depending on the status of the offender, while "persons who break into a temple at night for the purpose of robbery and plunder, shall be thrown to wild beasts" (5.19.1). It is interesting that human sacrifice for the purpose of divination and the pollution of a shrine or a temple are grouped under the same act and are both punished with death (5.23.16). The pollution of a temple or a shrine is not further specified, and probably many religious acts which the authorities would not approve of could be interpreted as pollution. This could suggest how much zeal the authorities had to sanction the religious behavior which they found inappropriate. Even the possession of magical books, without any implications of magical activities was severely punished (5.23.18).

Looking at the prescribed punishments, the distinction between the *honestiores*, people of the higher rank, and *humiliores*, people of the low rank, has to be noticed, although

these two terms had never been legally determined within the Roman law system (Collins, 2008: 160). It seems to have been particularly difficult for a *humilior* to avoid punishment by death, and often through torture, regardless of the consequences of his supposed magical actions. On the other hand, the *honestiores* could often at least save their lives, although the complete or partial confiscation of their property was conducted, and they were sent into exile. They were sentenced to death only if their victim had died as well, and in that case they were most probably exempt from torture. The only instant in which no distinction was made between the lower and the upper classes was if someone was found guilty of magic art (*magicae artis conscios)*. In that case the punishment would be either being thrown to the beasts, or crucified, and those found to be "actual magicians" were burnt alive (*The Opinions,* 5.23.17). One possibility is that this was considered a serious enough crime, so that not even the *honestiores* would avoid death by torture, which would not be so surprising since starting from the Tetrarchic period, the upper classes were sometimes not exempt from harsher punishments (Rives, 2003: 332). Another option is that high-class Roman prejudice was lurking behind his legislation: that, as a rule, a magician had to be someone from the lower classes of society (Graf, 1997), thus there was no need for a more specific legislation.

Another section from *Pauli Sententiae* dealing with the legal limitations of magical activities is 5.21 entitled *Concerning soothsayers and astrologers*. Two of the pronouncements are concerned with people who are trying to incite new religious doctrines (5.21.1 – 2). Severe sanctioning of these actions is an indication of the trend that the authorities were increasingly interested in controlling the religious behavior of their subjects, classifying the undesirable actions as magic. The other two pronouncements

are concerned with divination. Wishing to learn about the death of the Emperor or the safety of the State would incur the death penalty on both the inquirer and the person who was consulted (5.21.3). Abstinence "not only from divination but also from the books teaching that science" is strongly advised, on pain of punishment for all the parties involved (5.21.4).

As Christianity became a major power in the Empire, the laws on magic expectedly were becoming ever stricter. However, throughout the 4th century there were few explicitly Christian concerns behind the legal sanctioning of magical activities (Dickie, 2001: 242). Much of the legislation was passed in effort to sanction harmful magic, while the benevolent or agricultural magic was still considered legal, which was even explicitly stated in the Theodosian Code (*Codex Theodosianus*, 9.16.3). Although the Theodosian Code was to provide general laws, the individual laws should not always be seen as mirroring ideological tendencies of the Emperors, as they were often passed in response to specific challenging situations each Emperor encounter during his rule (Mirrow and Kelley, 2000: 264 – 5).

The number of magical activities which came to be considered illegal under the Christian emperors was increasing with time, shifting from the ban on harmful activities to the attempt of eradication of any practices which were not in line with the Christian faith. The strictest punishments were prescribed for those who practiced divination in secrecy. While in the Republican Rome, magic and divination were kept separate, in the imperial period, private divination came to be considered as one of the disciplines of magic (Graf, 2002: 89). Two decrees from 319 CE prohibited exclusively private consultations of haruspices on pain of death for the diviner and the confiscation of property and exile for

the one who consulted him, while the public consultations were still allowed (*CTh* 9.16.1). Haruspices were forbidden form approaching private residences, even if their reasons were of a private nature and unrelated to divination (9.16.2).Both Graf and Trombley suggest a possibility that although haruspices were not allowed to provide divination in other people's houses, the law does not state that they were not allowed to give those services in their own house, thus implying that private divination services might have been provided within haruspices' households (Trombley, 1993: 60; Graf, 2002: 101). Given that the law's primary concern was stated clearly and it was the eradication of private divination ritual, it would seem unlikely that the lawmakers would consider it necessary to enumerate all the different places in which it would be possible to conduct such a ritual.

Another law of Constantine suggests that at this point in time the law was exclusively interested in sanctioning only secret consultations. A decree from 321 CE states that if a public building is struck by lightning, a haruspex should be consulted to interpret the omens (*CTh* 16.10.1). This decree could seem to be at odds with a decree issued two years earlier, which sanctions making sacrifices (16.10.4), since it was necessary for a haruspex to sacrifice in order to be able to interpret the omens from the liver of the sacrificial animal (Trombley, 1993: 61). However, the date and the content of the first law which banned the performance of sacrifice are debatable, as well as the degree of its enforcement at the local level (Bradbury, 1994).

Legislation against secret divination rituals is not a Christian development, although Christianity did consider any kind of divination to be a faulty action since it relied fully on the power of demons (Graf, 2002: 97). On the other hand, one of the most important

public rituals of the Roman state religion involved the art of haruspices. Despite the fact that haruspicina, as well as many other divinatory practices were acceptable or even desirable when practiced publically, the concern with secret religious rituals had a long tradition in pre-Christian legislation as well, particularly in the imperial period (Dickie, 2001: 243). The reason behind it is the fear of the emperors that someone might inquire about the tricky subject of the imperial succession, which could potentially endanger the life of the emperor. Therefore, rather than reflecting Constantine's wish to root out the pagan practice of haruspicina, on account of its inherent faultiness, these decrees should be seen as his attempt to prevent secret inquiries about imperial succession, which might result in a revolt, should the good omens be acquired. Since the times were tense given the threat imposed on him by Licinius Augustus in the East and the prevailingly pagan Senate of Rome, it is reasonable to assume that Constantine might have not felt entirely at ease, thus wishing to eliminate any situations which might provoke an attempt to endanger his position of power (Trombley, 1993: 60).

Unlike Constantine, whose legislation was rather concerned with eradicating specific cases of divination, without labeling the general practice as being wrong in itself, Constantius II took a more determined stand against these practices. In 357 he issued a decree in which consultation of haruspices, astrologers, or any prophets is strictly forbidden on pain of capital punishment (*CTh* 9.16.4). The law makes no distinction between private or public divination, nor is it concerned with the subject of inquiry. It seeks to outlaw the practice in general terms. Another decree from the same year comes in the form of an imperial curse (Pharr, 1932: 283). It invokes a deadly plague to destroy all of those who dare to resort to magic to harm their enemies, referring to them as ma-

gicians and those who act in ways alien to nature (*peregrini naturae*) (*CTh* 9.16.5). In 358, he even withdrew the immunity of *honestiores* from torture, should they be accused of being magicians, haruspices, prophets, augurs, astrologers, or dream interpreters, as these are all considered enemies of the human race (9.16.6). All three of these decrees see genuine wrongness in the magic working, not making any differentiation between harmful and non-harmful actions, but simply trying to force people to abandon these practices in totality, because of their obvious wrongness.

If we are to believe Ammianus Marcellinus, Constantius II was very eager to sanction any kind of magical activities, however harmless they might seem. Those who were accused of passing by the graves in the evening, or summoning ghosts, or dealing with poisons, even people who wore protective amulets, they were all condemned to capital punishment (Ammianus, 19.12.14).

From Ammianus we also hear about the trials of Scythopolis, which took place in 357. In a town called Abydus, in Egypt, there was a functioning oracle of Bes. The oracle was of great antiquity, reaching back to the Ptolemaic period (Frankfurter, 2000: 476). It was originally dedicated to Serapis, but in the Roman period the shrine shifted a dedication to Bes, who was traditionally associated with divinatory sleep (Frankfurter, 2000: 477). Although Bes had been a traditionally native Egyptian deity, judging by Ammianus' report of its popularity, it the 4th century CE, the oracular shrine was receiving inquiries from across the Mediterranean world (Frankfurter, 2000: 477).The oracle was providing answers to the written enquiries which people were sending from all parts of the Roman Empire, as Ammianus claims. It cannot be known with certainty which divination method the oracle was using, although given Bes' association with divinatory sleep, it is

possible that the answers were being obtained through incubation. In the incident which led to the Scythopolis trials in 357, some of the received inquiries remained in the shrine even after the replies had been given and they found their way to the Emperor. Upon seeing the inquiries, the Emperor got very upset and ordered the state-secretary Paulus to conduct a trial (Ammianus, 19.12.3 – 7). The trials were set in Scythopolis because the town was midway between Antioch and Alexandria, the two cities from which the greatest number of accused were brought (19.12.7). Ammianus insists that many, "noble and obscure alike" were accused, killed, and their property was confiscated, although he names only four people, out of which two were exiled, and two were acquitted (19.12.7). He portrays an atmosphere of "general calumny" in which people were tried and condemned for harmless offences, to the improper delight of Emperor Constantius II (19.12.14).

Although Constantius II passed quite severe laws with the obvious eagerness to root out numerous magical practices, and not just divination, there exists no legislation which would suggest that the authorities might be interested in prosecuting those who would be involved in some trivial magical actions. The decree from 358 which prescribes the punishment of magicians, haruspices, prophets, augurs, astrologers, and dream interpreters, ends the list with "or those who practice anything similar to these" (*horum simile exercens*), which could be seen as leaving an opportunity to include any kind of vaguely magical activities in the enumeration. Given the evidence for the frequent employment of amulets, incantations, and other non-harmful forms of magic in everyday life, it does not seem probable, that the state authorities would have eagerness, or even time, to prosecute them all, and with such severity. Dickie has great doubts about the factual value of

Ammianus' account of the trials. He claims that the historian is exaggerating in his claims on order to write an interesting-to-read horror story, whose truthfulness should not been taken for granted (Dickie, 2001: 244 – 5). However, if the scope and harshness of the trials had been exaggerated by Ammianus, this episode of his history illustrates well the fear that the Roman authorities had of the secret rituals, which could often trigger trials and purges, even if their consequences might not have been as dramatic as they would seem at first sight (Frankfurter, 2000: 477).

The 370s saw the greatest legal and judicial activity concerning the sanctions of magic. Valens and Valentinian have issued the largest number of laws on this subject collected in the Theodosian Code. Both emperors oversaw extensive sorcery trials, Valentinian in Rome (Ammianus, 28.1), and Valens in Antioch (29.1 – 2). The Valentinian brothers issued their first legislation against magic in 364, the same year when they assumed the throne. The decree prohibited nocturnal celebrations of impious prayers (*nefarias preces*), magical practices (*magicos apparatus*), or blood sacrifices (*sacrificia funesta*). (*CTh* 9.16.7) The punishment for those disobeying the law was vaguely formulated as 'the appropriate penalty' (*competenti animadversione*). An interpretation of the decree added probably around the year 500 AD (Pharr, 1932: 282) states that the punishment for those found guilty on these charges should be death. However, the intended punishment was not necessarily the same at the time when the law was originally passed. Zosimus suggests that this law was passed with the intention to disable the performance of the Eleusinian mysteries, whose rites were traditionally celebrated by night, but that it was later revoked at the request of Praetextus, who complained that "this law would make life unbearable for the Greeks" (Zosimus, 4.3.2 – 3). However, the Valentiniani did not

pass laws which would hinder the actions of pagans, which is supported by the fact that pagan temples were still being tended to, and that there is no evidence of the destruction of any pagan temple during their reign (Lenski, 2002: 215), it is quite unlikely that their original intention was to eradicate mystery religion. Additionally, the Valentiniani actually reestablished the Eleusinian mysteries, which continued functioning until 396, when the Visigoths pillaged the temenos at Eleusis (Trombley, 1993: 69). The comment made by Zosimus is rather one of his usual commonplace remarks about the omnipresent hostility towards pagans on the part of the Christian authorities.

In either 370 or 373, Valentinian and Valens passed a law against astrologers, whose purpose was to uncompromisingly end the practice of astrology (*CTh* 9.16.8). Capital punishment was intended for anyone who would practice astrology, either publicly or secretly (*publice aut privatim*), by day or by night (*in die nactuque*). The death was intended for both the teacher and the student. The law was certainly issued in an attempt to sanction the entire discipline, regardless on the intentions of the practitioner, or the manner of consultation. The decree reflected the Valentiniani brothers' fear of the supernatural, which was present throughout their reign (Lenski, 2002: 218). At the very beginning of their reign, after reaching Constantinople, they both fell ill. They believed that their disease was a consequence of magic working, and they started a minor witch-hunt (Lenski, 2002: 219). In the 370s they both conducted sorcery trials, which turned large-scale precisely because some officials manipulated their fear of the supernatural in order to pursue their personal gain.

Another law was issued concerning specifically astrologers. In 409, Arcadius and Honorius passed a decree proclaiming that all astrologers should be expelled from Rome and

all other cities, unless they are prepared to burn their books in front of the bishops, forever abandon their faulty faith, and convert to Christianity. If they refuse to do so, and continue to practice their discipline in the cities, they are to be deported (*CTh* 9.16.12). Although at the time of Arcadius and Honorius it was practically illegal to be a pagan, their proposed punishments for astrologers were much more moderate than those prescribed by Valentinian, who himself was not so interested in rooting out pagan practices in general. The decree of 409 even gives the opportunity to an astrologer to "repent" over his profession and embrace Christianity as redemption, whereas Valentinian's decree does not provide such an option. This could indicate that Valentinian's primary intention was the immediate suppression of the discipline. Unlike Arcadius and Honorius, he was not concerned with the Christianization of pagans and did not see it as a measure which would ensure the end of the practice.

Although both Valentinian and Valens showed great zeal to put an end to magical practices, in May of 371 a decree was issued proclaiming that haruspicina should not be considered a discipline of malicious magic (*haruspicina nullum cum maleficiorum causis habere*) (9.16.9). This decree perfectly illustrates Valentinian's acceptance of pagan practices. The law clearly states that neither haruspicina nor any other form of the ancestral religion (*aliquam praetera concessam a maioribus religionem*) should be considered a criminal act. The laws which Valentinian issued at the beginning of his reign, guaranteeing the freedom to every person to worship whatever he finds close to his heart are recalled in order to further emphasize that no legislation against magical activities was intended to affect the practices of civil pagan religion. Haruspicina is then once again proclaimed legal, except in the cases when it was practiced with bad inten-

tions. This law was issued during the Roman trials, and it confirms that Valentinian was not trying to sanction pagan civic practices, or mystery religion; his only concern was sorcery (Lenski, 2002: 222). In 385, a law was issued under Gratian, Valentinian II, and Theodosius I, which annulled Valentinian's approval of haruspicina. According to this law, divining the future through this art is strictly forbidden, and the violators are to be punished with torture (*CTh* 16.10.9).

In the aftermath of the sorcery trials of Rome, in December of 371, another decree was issued whose purpose was to regulate the jurisdiction over the court cases in which senators were accused of sorcery (9.16.10). The trials are to be conducted under the supervision of the city prefect. However, if the matters show themselves to be too complicated to be solved by the judgment of the city prefect, then the process is to be referred directly to one of the emperors.

In 389, Gratian, Valentinian II, and Theodosius I issued a law which ordered that whoever suspects another person to be guilty of magic, they should bring the suspect to the court, and not administer punishments by themselves. Those who kill a suspected magician will themselves face charges, because it will be assumed that they committed that crime, either because they wanted to prevent him from uncovering his accomplices, or that they have used this charge to take revenge on their personal enemy (9.16.11).

The Church and its concern with magic

It was not only the civil authorities who were interested in sanctioning magical activities, the Church wanted to see the end of these practices as well. Whereas the state

authorities sought to sanction primarily harmful magical actions, and probably did not pay much attention to more harmless instances of magic, the Church saw as part of its duties to eradicate magic and sorcery in their entirety, from simple amulet wearing to necromancy. The church authorities were so concerned with magic working because they saw any kind of magical actions as springing from the power of Satan, thus ruining the hope of eternal salvation at least of the compromised member of their flock (Dickie, 2001: 248).

Unlike the state, the Church could not proscribe harsher punishments for those caught red-handed, especially not for the lay. The most severe punishment that the Church could impose on laity was the exclusion from the catechumenate. There exist several documents, from the 3rd and the 4th century, which regulate the excommunication of those who do not act in accordance with church law. *Traditio apostolorum*from the 3rd century states that magicians (*magos*) cannot under any conditions be admitted to the catechumenate, while other magic practitioners (astrologers, diviners, dream interpreters, amulet makers, etc.) can be admitted only if they renounce their callings (Dickie, 2001: 248). The second document comes from the Church Council in Ancyra, held in 314. It proscribes that those who "practice divination, and follow the customs of the heathen, or who take men into their houses for the invention of sorceries, or for lustrations" are to be driven away from the church during the period of five years (*Council of Ancyra*, 24). In *Constitutiones apostolorum* dated to the 380sthere is no distinction between magicians and other magic-workers; magicians, astrologers, diviners, snake-charmers, purifiers, augurs, those who are "on the lookout for distortions of the face or feet and for weasels", etc. are to be under long scrutiny before they are accepted to the flock, since

"their vice is hard to eradicate"; only if they desist from it, can they be accepted (Dickie, 2001: 248). Several laws from the Alexandrian Canons also deal with this issue (Dickie, 2001: 250). According to one, presbyters should not give communion to any magic workers, and the door keepers should make sure that those people do not enter the church in the first place. The Alexandrian Canons are concerned with the constraints imposed on the magicians, and do not proscribe any disciplinary penalties for the members of laity who use their services (Dickie, 2001: 250).

In many cases, when it came to the laity, all that the Church authorities could do was point to the dangers that the usage of magic imposed on the human soul, and then try to cleanse their sins through a period of excommunication during which the sinner would follow a prescribed schedule of fasting and praying which was supposed to ensure the forgiveness of sins (Dickie, 2001). When it came to the members of the clergy, the Church courts had greater authority. The canons regulating the behavior of clergy mostly originate from the pronouncements of the Church Councils (Dickie, 2001: 251). In the Council of Laodicea, held in the 360s, the members of the priesthood, who would be designated as magicians, enchanters, mathematicians, astrologers, or amulet makers are to be cast out of the Church (*Council of Laodicea,* 36). This piece of church legislation shows that even clergy often resorted to magic working.

Apart from the evidence coming from the Church councils, there exists evidence of several trials conducted in the church in which members of the priesthood were prosecuted. Ever since Constantine, the Church had the authority to prosecute its own members and civil authorities generally tended not to get involved in those cases (Dickie, 2001: 260). However, in 386, the Spanish bishop Priscillian of Avila insisted on being tried by the

civil authorities, after having been condemned by the Council of Trier (Dickie, 2001: 260). Priscillian and his followers were accused of being involved in magic working on the basis of two-fold evidence. Firstly, the Priscillian women used to frequent the houses of men, to whom they were not related, in order to read the Bible. Secondly, because the Priscillians used to walk barefoot. Both of these practices had already been condemned at earlier synods.

In 449, at the Second Council at Ephesus, the so-called Robber Council, Sophronius, a bishop of Tella, was accused of magic (Dickie, 2001: 257). Sophronius was a nephew of Ibas, a Nestorian bishop, who himself was accused of magic-working. The accusations of being a heretic and a magician often went hand in hand. The point of departure for the accusation of Ibas was his unorthodoxy and no serious attempts were made to prove his involvement in sorcery. Accusing a heretic of being a magician was a very usual practice and should not be taken at its face value (Dickie, 2001: 258). However, Sophronius was primarily accused of sorcery. He allegedly engaged in dealing with daemons, he practiced astrology and various kinds of pagan divination and soothsaying. The accusations were submitted by three members of the clergy.

In 480s, the Church authorities took it upon themselves to prosecute a case of magic-working in which the principal suspects were members of laity. In the Beirut school of law, an illicit attempt of magic working was reported to a group of Christians and the bishop started an investigation. Magic books with weird drawings were uncovered, and the majority of those involved repented and denounced their evil practice. The reason why the Church authorities handled the investigation was the fact that those informed about the incident in the first place were primarily concerned with the salvation of the

souls of those accused of sorcery (Dickie, 2001: 255). There is no evidence for the involvement of the civil authorities.

Conclusions

Looking at the legislation passed with the aim to sanction certain activities which could be regarded magical, it can be concluded that the primary concern of the earliest laws was the protection of human life, and property, as can be seen from *Teian Curses* and *Twelve Tables*. Both of these pieces of legislation from the5th century BCE have been taken as directly referring to magical activities; however, as has been discussed at the beginning of this chapter, the actions that are under the sanction, can have a "non-magical" explanation as well. Although there exists a lot of material evidence for the practice of magic, and from what can be concluded from the written sources, such as *On the Sacred Disease*, or the writings of Heraclitus, magical actions were not looked upon with approval. Still, the legislative authorities did not find it necessary to react to "magic-working" which did not pose an immediate threat to human life, or property.

Even four centuries later, when Sulla passed his law against murderers and poisoners in 81 BCE, there was still no obvious attempt to sanction the non-harmful magical activities, and the main concern of the law is the protection of human life. However, already by the middle of the 2nd century CE, we see that the original scope of *Lex Cornelia* has extended to include also those who manipulate the sexual feelings of others through magical means, as can be seen from the case of Apuleius. An even more important development is that the accusations against Apuleius included some of the actions which

by no means can harm others. This shows that by the middle of the 2nd century CE, the authorities could prosecute people whose religious behavior they found to be deviant, even if it did not pose a direct threat to the community (Rives, 2003: 317).

This tendency only grew in time, and by late antiquity, an explicitly criminal tone was given to all magic-related activities (Collins, 2008: 147). An ever growing concern was the rituals performed in secrecy, and especially the attempts of secret divination. This development can to some extent be connected to the Christianization of the Empire and the greater influence of the Church. However, these are most definitely not the only, or even, the principal reasons for the outlawing of the private rituals. Already in the early imperial period, the authorities were increasingly trying to diminish occasions in which religious rituals could be performed away from the public eye. As early as the 1st century CE, Tiberius was trying to sanction professional divination (Barb, 1963: 102). Any religious activities which were not part of the civic rituals, that is, any rituals which were not funded by the state were considered private (Bowes, 2008: 21). It was the secrecy of its performance that made the ritual look suspicious and illegal; many of the supposed magical actions are remarkably similar to the rites of the civic religion, the only difference being that they were performed in contexts which could not be controlled by the state (Bowes, 2008: 45 – 6).

The legal conceptualization of magic continued to shift, corresponding to the shifts in the functioning of the Roman society, and to the challenges that the society was facing. The trend definitely was that religious deviance was a greater concern, and not only harmful actions. The border between the legitimate religious rites (*religio*) and the improper ones (*superstitio*) remained blurry, especially in pre-Christian times, and already

after the 1st century CE magic came to be the most commonly used example of *superstitio*(Collins, 2008: 147). However, the term *superstitio* was by no means exclusively reserved for magical activities, and depending on the situation, it could refer to illicit divination, magic, excessive religious fear, paganism, heretics, Jews, or even Christianity and this is something that should be taken into account when assessing laws which were directed against *superstitio* (Salzman, 1987: 172). In the first half of the fourth century, Christianity was not still the uncontested power of the Empire and Christians could not impose the Christian meaning of the term, especially in the predominantly pagan areas, in which pagan administrators could interpret the codes with their own understanding of *superstitio*in mind (Salzman, 1987: 182). There was no uniformed understanding of what exactly constituted a magical action, and designating certain behaviors as magic varied from case to case, depending on numerous factors, social standing, education, or local tradition (Rives, 2003: 335).

Emperors Valens and Valentinian issued the greatest number of laws directed at sanctioning magical activities preserved in the *Theodosian Code*. Opposed to that, they issued very few laws regulating the behavior of pagans, or trying to control the civic religion; their concern was the threat to their position which could stem from secret subversive rituals and the supernatural. Already at the beginning of his reign Valens had to deal with the usurpation and given the fact that he was probably aware that he was not particularly popular among the eastern aristocracy, it is not surprising that he was motivated to harshly address any potential threats to the throne. Although Valentiniani must have been aware of the events at the oracle of Abydos Bes which showed that even institutionalized oracles could pose a threat to the Emperor, they never tried to sanction the

work of public oracles, either through their actions or through legislation. They are recorded as the benefactors of the Delphic oracle in the late 360s (Lenski, 2002: 217), and at the beginning of the 370s, while they were trying to handle the sorcery trials which were taking place in both Rome and Antioch, they passed a law which singled out haruspicina as an acceptable form of divination, since they did not wish to sanction the institutions of the traditional Roman religion.

The evolution of Christianity as an Empire-wide religion made it easier to define universal limits of acceptable religious behavior (Rives, 2003: 335). Having a strictly defined proper religion, which was a novelty in the Roman world, made it easier to define the improper religious actions (Phillips, 1991: 265). The civil authorities in pre-Theodosian times did not equate all pagan rituals with sorcery, and the distinction between harmful and beneficial magic was still present in the law codes. On the other hand, the Church has always equated magic with paganism, banning its members from any practice which was not strictly Christian, no matter how harmful or beneficial it could be (Barb, 1963: 105). Anyway, it was never the matter of the effects of magical activities that concerned the Church authorities, but their belief that any magic activity springs from the alliance with Satan, and thus destroys the prospect of salvation of the practitioner.

CHAPTER 3: RELIGIOUS AFFAIRS IN THE 4TH CENTURYAND POLITICAL SITUATION UNDER VALENS

Christianization of the Empire

After Constantine issued the Edict of Milan in 312 CE, religious freedom was granted to Christians across the Empire. This ultimately changed the way Christians saw themselves, promoting them from an illegal religious group which had often been facing severe persecutions since its formation to the religion which ever since enjoyed the open support of the emperors and eventually became the official religion of the Empire. The emperors succeeding Constantine, with the sole exception of Julian, saw it as a part of their mission to make the Roman Empire a Christian empire (Salzman, 1993: 363).

As there was no notion of "correct" or "incorrect" belief in the Graeco-Roman religions (Matthews, 1989: 242), the 4th century Christianity was still a mostly flexible religion which had only started to acquire the new idea that it could be not only possible but also desirable to strictly define permitted religious beliefs and practices. However, in the course of the 4th and especially the 5th centuries it became increasingly important not only to convert to Christianity, but to convert to the right type of Christianity, which was preaching the correct doctrine (Salzman, 1993: 375). Those adhering to one of the numerous heresies often faced legal punishments, which occasionally were more severe

than those proscribed for the pagans. The number of the early Christian sects, which could attract the potential converts and lead them astray, was shockingly high. A law from 428 enumerates thirty-five Christian heretical sects whose members were prohibited to "assemble or live in a Roman place" (Mirrow & Kelley, 2000: 270), indicating that the intolerance against non-orthodox Christians was even higher than the intolerance directed against the pagans, whose protection was granted by law few years earlier (*CTh* 16.10.23). Also, it often depended on the religious affiliation of the emperor which doctrine was to be considered the correct one.

Emperors used both positive and negative inducements in order to facilitate the conversion (Salzman, 1993: 363). The appeal to Christianity was achieved among other means by granting various privileges to bishops, churches, and clerics. In this way it was assured that the numbers of men in Christian service would be enough to ensure conversion on a larger scale, as well as to suffice for the maintenance of ever larger congregations (Salzman, 1993: 366). Even in the formulation of the law which granted clerics the exemption from taxes and public service, it was clearly stated that the purpose of this law was to attract large numbers of people into Church service (*CTh* 16.1.10). The exemption from public service raised the Christian clergy to the same public and social status as the pagan priests (Salzman, 1993: 366). The material well-being of not only those who served the Church, but also of the Church itself was improved by the exemption of Church estates from the compulsory public service, or from any other financial burdens, like financing the building or restoration works, as well as by the possibility to give charity to the Church (Salzman, 1993: 367). Apart from providing material benefit, these measures also acted as a clear signal that the Emperor was a pa-

tron of the Church and that the preferred religion of the imperial family was Christianity, which would have certainly encouraged further conversions (Salzman, 1993: 367).

On the other hand, the amount of legislation which sanctioned or limited the activities of the pagans was constantly increasing. In the years after Constantine, the legislative measures against sacrifice were ever stricter, ranging from the payment of a large fine to even capital punishment (Salzman, 1993: 368). After the reign of Valentinian and Valens, whose religious policy was one of tolerance and co-existence, which is reflected in the comparatively small number of their laws concerning religion found in the Theodosian Code, the end of the 4th century saw especially strict legislation against paganism. In 379 Emperor Gratian renounced the title of *pontifex maximus* and three years later he cancelled state funding for pagan cults (Bloch, 1963: 196). Theodosius I wanted to distance the Roman state even further from paganism, so he prohibited judges and governors of provinces to perform pagan rites, or to enter pagan temples in order to worship (*CTh* 16.10.10). Also, apostasy among the members of the elite and high officials was punishable by loss of rank, position, and status (16.7.5). In 396, pagan priesthood lost their legal privileges, thus leaving Christian priests as the only priesthood sponsored by the state (*CTh* 16.10.14). Finally, in 399 pagan temples were officially ordered to be closed, which was the last piece of legislation proscribing such a measure (Salzman, 1993: 267).

Despite these measures which left no doubt as to which was the religion pleasing to the emperors, and despite the public proclamation of Christianity as the official religion, the rituals performed in the celebration of the cult of the emperor had very little Christian character in the 4th and the 5th centuries (MacMullen, 1997: 35). Also, there were still

considerable numbers of pagans in the Empire, but no enforced conversions were encouraged or considered legal until the time of Justinian (Salzman, 1993: 364). On the contrary, even as late as the 420s, laws were issued protecting pagans who were living in discretion and obeying the law (*CTh* 16.10.23), although a contradictory decree was passed in the same year stating that there were no pagans left in the Empire (16.10.22).The change to an entirely Christian society was slow, and as late as the 6th century, Symeon Stylites the Younger is found criticizing the celebration of some pagan festivals (MacMullen, 1997: 42). Also, sacrifices continued to be offered regularly in several places in the fifth century, and are mentioned sporadically even beyond the reign of Justinian (MacMullen, 1997: 42). In the late 6th century Emperor Tiberius still had pagans to prosecute, especially in Phoenicia, where many were captured and crucified (MacMullen, 1997: 27 – 8).His successor Maurice also brought pagans to court across the Empire (MacMullen, 1997: 28).

In accordance with Gibbon's view of the reasons for the decline of the Roman Empire, Christianization used to be seen as one of the forces stemming from the lower classes of society contributing to the decline. It has been claimed that Christianity had gained very little popularity among the educated upper class, and that in the 4th century CE it was still a vulgar religion, whose adherents were mostly the members of the lower and middle classes of the towns, while the elite mostly remained loyal to the ancient cults (Jones, 1963: 19 – 21).Apart from the obvious fact that Christianity was the choice of the family with the highest social status in the Empire, the imperial family, there are indications that a number of other influential families had already embraced Christianity by the end of the 4th century. Cameron has shown that as early as the 350s and the 360s Christians

made up a substantial part of the aristocratic families of Rome (Cameron, 2010). The cases of Marcella and Melania indicate that already at the time of Constantine and Constantius II, the heiresses of the important Roman family had converted to Christianity (Brown, 1961: 7). Also, the fact that the Church had collected a significant amount of wealth through charitable donations signals that the members of the upper class had been donating charity to the Church (Salzman, 1993: 367). There is no evidence that pagans remained at the core of the Roman intelligentsia, as has been previously assumed, and already at the end of the 4th century it was the Christian teachings that were "fashionable" amongst the elite of Rome (Cameron, 2010).In the 4th century, the society of the Empire was going through a transformation into a Christian society, which was not merely authoritatively imposed by the emperor, but happened gradually and with the help of at least one part of the members of the elite, who had enough power to influence political decisions (Brown, 1961).

In the 4th century, Christianity had spread mostly in the urban setting, while its influence in the rural areas was fairly limited. This has often been attributed to the alleged conservatism of the peasantry and to the inability of the Roman authorities and of the Church to effectively promote and oversee Christianization in the remote areas of the Empire (Jones, 1961: 18 – 23). Since the State and Church officials could not do much in advancing Christianity into the countryside, it seems that it was the monks who decided to take matters into their hands. Libanius' oration *Pro Templis* delivered to the Emperor Theodosius testifies to this practice. Libanius complained that groups of monks were attacking the temples, mostly in the countryside, "with sticks and stones, and bars of iron, and in some cases, disdaining these, with hands and feet" (Libanius, *Orations*, 30.8

– 9). Libanius goes on to reveal to us how pagan customs were still observed in the countryside, whenever people would gather to feast, libations were offered, though without sacrifices, which were considered illegal (30.17).

Apparently, the pagan inhabitants of the countryside endured a lot of suffering because of these violent acts of the zealous monks, but according to Libanius that only made the majority of them more determined in their faith (30.26). Some of them did convert to Christianity as a result of these actions. However, Libanius warns that this conversion was only apparent and that they actually continued to revere the old gods (30.28).

What makes a (good) Christian?

As can be glimpsed from Libanius' remark about the non-genuine conversions to Christianity, the attempt to simplify the religious affiliation of Late Antique people by classifying them as either pagans or Christians cannot contribute to better understanding of the religious scene in the 4th century. The image of paganism and Christianity as clearly defined and strictly opposed was the product of 4th century Christian writers and thinkers who certainly were not happy to admit to the level of interaction between the two religions (Marcus, 1990). In reality, matters were much more complicated.

As testified by Libanius, there were people who formally converted to Christianity, but were still, presumably secretly, observing the customs of the old religion. This phenomenon is also confirmed by an act from the Council of Ancyra, which prohibits Christians to take part in pagan rituals on the pain of excommunication. On the other

hand, there were pagans who acknowledged the divine nature of Jesus, but revered him as one of the many deities of Late Antiquity, and not as the sole God (Greenfield, 1998:273). Another significant religious group of Late Antiquity were the Jews, whose own connections with Christianity had been ambiguous from the very beginning. Around the time of Domitian, within the Jewish community emerged a Jesus-believing community, originally consisting of members who although believing in Jesus, had no intentions of leaving Judaism (Zetterholm, 2003: 99, 223). And those who considered themselves Christians were consulting rabbis for healing (Wallace-Hadrill, 1982: 18). Judaism was often attacked by Christian writers precisely because of the similarities which were shared between the two religions (Wallace-Hadrill, 1982: 19). The Jewish community also had interaction with pagans, who adopted some Jewish customs, such as observance of the Sabbath. Moreover, there existed some pagans, referred to as god-fearers, who associated themselves closely with the synagogue, but without ever undergoing the formal conversion (Zetterholm, 2003: 165).

Jews, pagans, and Christians were the three dominant religious groups in the 4th century. Out of the three, Christianity was the religion which had only relatively recently become officially accepted, and as such, its leaders tried hard to establish a firm religious identity for their followers clearly distinguishable from the adherents of paganism and Judaism (Sandwell, 2007: 3 – 5).John Chrysostom, a priest and a preacher in Antioch between 386 and 397 (Sandwell, 2007: 4), was the leading Christian figure of the 4th century in this innovative attempt to demarcate a constant and strictly defined religious identity based on religious practice, which would be apparent to anyone and which would easily single out Christians from pagans and Jews (Sandwell, 2007: 251).

In the pre-Constantinian times, there was no single marker of Jewish, Christian, or pagan identity, but rather different practices were singled out at different occasions to emphasize different religious affiliations (Lieu, 2004: 112 – 5).Many practices were shared between the three religions and assuming religious affiliation solely on the account of religious practice was not common. For example, simply attending a Jewish festival would not have been seen as a statement about religious identity. It was Chrysostom who first started making permanent connections between religious practices on their own right and religious affiliation (Wilken, 1983: 77 – 8).

In order to establish a clear-cut Christian identity, Chrysostom singled out certain practices which he saw as typical of paganism or of Judaism, and proclaimed them strictly forbidden for Christians (Lieu, 2004; Sandwell, 2007). By doing this, he denied that Christians could have common practices with Jews or pagans, marking the boundaries of acceptable Christian behavior by contrasting it with the behavior of the adherents of the other two religions (Sandwell, 2007: 3 – 8). This was not a new idea among the Christian thinkers, and already in the writings of the 2nd century author Tertullian the idea was expressed that Christians should not share any of the customs of the pagans, when it came to way of dressing, eating, celebrating, or in any other aspect of life (Tertullian, *On Idolatry*, 13, 18). Chrysostom advised his congregation to always exhibit the kind of behavior he found suitable for Christians, so that they would be clearly distinguishable from the adherents of other religions anywhere, and not just while they are attending the liturgy (Sandwell, 2007: 277). He expected from them to always adhere to the principles of Christianity, and show dedication in leading what he would define as good Christian lives (Shippee, 2000: 235).

Church leaders, including Chrysostom himself, tended to easily attach the labels of pagan, Judaizing, or heretical to a range of practices which diverged from what they considered the correct Christian belief and conduct (Maxwell, 2006: 170). One of the widespread practices among the people of Antioch, regardless of their faith, was wearing amulets. Chrysostom saw this practice as a marker of pagan identity, and as such entirely inappropriate for the members of his congregation. In *Homily 10 on 1 Timothy* he mocks the pagans for not believing in Christ, while maintaining belief in *their* auguries, *their* omens and superstitious observances, *their* amulets and divinations, and *their* magic arts, which are all “crying sins, enough to provoke the anger of God” (Chrysostom, *Hom 10 on 1 Tim)*. In *Homily 4 on 1 Corinthians*(1.25.11), he criticizes the fact that these Greek and heretic customs have passed on to the Christians, many of whom started wearing amulets and charms and holding superstitious beliefs. From two other speeches we learn that not only were the Christians of Antioch prone to using amulets, they were also producing them. In *Instructions to the Catechumenes* (2.5) Chrysostom wonders how Christians can put their faith in the image of a Greek king (referring to the coins with the image of Alexander the Great, which were used as amulets) and in the incantation of drunk women, after they had witnessed the miracle of the Cross. He goes on to say that even if the woman who is to produce the amulet or perform the incantations, says that she is Christian, and pronounces nothing but the word of God, no good Christian should hire her. Instead, it would be enough for anyone to utter that they renounce Satan and join the ranks of Christ; they would always be protected if they have these words on their mind. It was not unusual in Late Antiquity to see the rituals which employed any kind of objects as magic, and as much less powerful than the rituals which would fulfill their purpose solely through the use of language (Janowitz, 2002: 14). Sim-

ilar attitudes are expressed in *Homily 8 on the Colossians*. He praises the righteousness of a woman who refuses to use the amulets and incantations although her child is sick, and criticizes those who resort to such things. He says that although they are defending their actions by saying that these are just simple incantations, and that they are not falling into idolatry, it is precisely the devil's plan to disguise himself in the shape of these seemingly harmless actions. We also learn that the amulet makers were trying to excuse themselves by claiming that they were Christians and that they were calling upon God in these amulets. Not even if the amulet is just a text of one of the Gospels, rolled up and worn suspended around one's neck, does Chrysostom approves of it (*Hom 19,* 14). Regarding these statements, Chrysostom reaffirms his opinion stated in *Instructions to the Catechumenes* in *Homily 8 on the Colossians* that Christians do not need amulets to be protected, the name of God and a sign of Cross is enough protection from any malice.

In contrast to the Graeco-Roman cults, the leaders of Christian communities were very eager to have all of their members share the same beliefs (Maxwell, 2007: 171). The easiest and most effective way for the promotion of these beliefs was through sermons. Many of the topics addressed in Chrysostom's sermons were in response to practice or a belief already existent in the congregation, which he thought of as inappropriate (Maxwell, 2007: 143). As can be seen from the aforementioned examples, not every idea communicated by the preacher was immediately accepted by the laymen, and often the congregation would simply refuse to change or abolish some of their activities (Maxwell, 2007: 167).In the matter of amulet wearing, John Chrysostom and his congregation did not share the same views. Judging from the fact that he addressed the same issue on several different occasions, as well as from the material evidence from the region of An-

tioch, his congregation refused to accept his view on amulet wearing, and probably the majority of them continued with the practice.

When thinking about Christian or pagan practices in the 4th century, we should always have in mind that although Chrysostom's beliefs are dominant in our sources for that period, they most probably were not accepted by all members of the Christian community, and they certainly were not prevalent among the pagans (Maxwell, 2007: 175).In his sermons, there is no indication that the people who were using, or producing, amulets were thinking of themselves as any less Christian, or that they considered this practice as opposed to the principles of Christianity. Chrysostom's view was only one of many different views as to which practices should define Christianity. However, he was not the only prominent Christian thinker who equated paganism with magic. For Augustine of Hippo, all magic, and especially divination, came through the work of demons, and being a Christian meant abandoning all contact with demons. Therefore, the use of magic, and especially divination was one of the markers of religious identity for Augustine (Graf, 2002: 90 – 3). Unlike Chrysostom, who even thought of carrying Gospels for protection as idolatry, Augustine acknowledged the difference between miracles and divination performed by the magicians, who relied on the power of demons, and those performed by the angels and worthy Christians, in the name of God. Only the former were seen as idolatrous and were considered magic (Graf, 2002: 93).

In *De Civitate Dei* (5.26), Augustine informs us that on one occasion, when he was pressed by anxious cares, Emperor Theodosius consulted a man for divination. He emphasizes that since the emperor was a pious man, he did not resort to wicked superstitions, but instead visited a certain holy man who was residing in the Egyptian

desert. The practice of seeking divinatory answers from Christian desert hermits was quite common in Late Antiquity. Peter Brown suggests that the need for holy men as the providers of divinations emerged in Late Antiquity in order to substitute the institutional oracles, which came to an end in this period (Brown, 1971: 93). Other than Christian holy men, there existed also Christian oracular shrines, which used different methods of divination in order to obtain answers. At least two of these shrines existed in Egypt which were using a centuries-old "pagan" method of divination, which involved writing a query to the shrine worded in both positive and negative form, one which would be chosen and returned to the inquirer, indicating the answer (Frankfurter, 2000: 469 – 70). Frankfurter sees these shrines as widely accepted Christian practice, which was used to provide social guidance based on the institutionalized worldview, just like it used to be the case with the traditional oracles (Frankfurter, 2000: 470).

Apart than these men who were either members of the clergy, or were seen as the representatives of Christianity and who were providing the populace with the Christianized divination services, seemingly there were also other members of the Church who were engaged in different actions seen as pertaining to the realm of magic. This can be concluded form the canons of the Church Council of Laodicea which prohibits members of the clergy to be magicians, enchanters, mathematicians, or astrologers, or to make "what are called amulets, which are chains for their own souls". Also, those who wear amulets are to be excommunicated (*Council of Laodicea*, 36).

Eunapius tells a story of a renowned Christian consulting a famous traditional pagan oracle. During the reign of Emperor Julian, the Christian sophist Prohaeresius of Athens, whom the Emperor had deprived of his position, addressed "the goddess of Eleusis". It

was known that the goddess would tell the future to anyone who asked. He was curious about the end of Julian's reign, which was considered a serious crime (Eunapius, *Life of the Sophists*, 493; Matthews, 1989: 218).

These cases show that when it came to religious practices, the criterion for the borderline where a Christian practice becomes pagan was not as clearly defined as Chrysostom would have us believe. What Chrysostom would have considered an obvious act of idolatry, the Christian priests who were producing amulets might well have seen as perfectly aligned with their faith and their duties, at least before the Council of Laodicea, when this practice was condemned. Since the above mentioned examples present only some the cases of either clergy or prominent Christian figures in situations which would be considered contradictory to Christian faith, at least by the standards of Chrysostom, there is no reason to believe that these practices were not widespread among the laymen (Sandwell, 2006: 266). Still, all of them considered themselves Christian, although they might not have defined Christianity using the same strict terms Chrysostom used to define it (Sandwell, 2006: 9).

By defining religious practices appropriate for Christians through their direct opposition to the practices common in paganism, or Judaism, Chrysostom tried to establish a clear-cut religious identity for Christians, in which people would affiliate themselves with Christianity, and then act strictly in accordance with the rules established by the Church. He insisted that the markers of this identity should be visible at all times (Sandwell, 2006: 278 – 9). However, not all Christians and especially not all inhabitants of Antioch thought that they should always make their religious allegiances obvious; considering

the religious diversity of 4th-century Antioch, this would be highly impractical (Sandwell, 2006: 279).

A contemporary of Chrysostom, the pagan rhetor Libanius, provides a good example for a different approach to the construction of religious identity. Libanius expressed more flexibility in his attitudes towards religious alliances. He did not feel the need to put his religious beliefs under the spotlight on all occasions. Instead, he chose not to bring the issue of religion into the areas of his life that were not directly connected with it (Sandwell, 2006: 278).

The opposition between those in favor of clearly expressed religious alliances, like Chrysostom, and those who opted for a more discreet approach, like Libanius, should not be seen in terms of the opposition between Christians and pagans. Emperor Julian's approach to the construction and expression of religious identity was a mirror image of Chrysostom's approach. Judging from the material and written evidence, in the 4th century John Chrysostom's and Julian's approach did not find a fertile ground in Antioch. Despite Chrysostom's disapproval, Christians of Antioch continued to visit rabbis to receive healing (Wallace-Hadrill, 1982: 18 – 9). Regarding the material evidence, the amulets retrieved from the Antioch and its vicinity show influences from numerous religious traditions. They seem to have been used by the populace of this region regardless of their religious affiliation (Trzcionka, 2006: 106 – 8). Also, Emperor Julian received a cold shoulder in Antioch, as apparently very few Antiochene were eager to take part in public religious ceremonies with him (Ammianus). But instead of seeing the reason for their reluctance in the assumption that the majority of them had substituted Christianity

for the old religion, it should rather be supposed that they choose to be discreet in their expression of religious alliance (Sandwell, 2006: 280).

Political situation under Valens' rule

When Jovian suddenly died in February 364 there was no lawful heir in sight and the troops needed to make the decision and proclaim the new emperor. Several candidates rejected the offer to rule the Empire, before the consortium settled on Valentinian (Lenski, 2002: 19 – 20). This was the second time in a year that the troops needed to choose the new ruler[4], and in order to avoid such situations which could give rise to political instability in the future, it was demanded of Valentinian to appoint a co-emperor (Lenski, 2002: 22). Although there were other candidates with greater military and intellectual abilities, Valentinian opted for his younger brother Valens. One month after his own proclamation, Valentinian came in front of the troops again for yet another proclamation, this time of his brother (Lenski, 2002: 25).

In June, the emperors divided the army and the administrative personnel. Valens was given the rule of approximately one third of the dioceses of the Empire, leaving Valentinian with a far greater military, territorial and administrative control (Lenski, 2002: 26). Although officially Valentinian appointed Valens as his own equal, *augustus*, and not as *caesar*, it was obvious that he was in an inferior position in relation to his brother. However, this did not seem to bother Valens and he was willing to take orders from

[4] In 363, Julian's death led the troops to a similar situation, in which there was no legal heir and the troops had to reach a decision about the new ruler.

Valentinian and implement his policies (Lenski, 2002: 34). This was probably the principal reason for choosing Valens as a co-emperor in the first place: he could be con-controlled and trusted (Lenski, 2002: 24). The relation between the two emperors was harmonious and their c*oncordia* was often praised.

After a period of illness in 367, Valentinian decided to appoint his eight-year-old son Gratian as a new emperor. His illness was short, but serious enough to prompt talks about the possible candidates for the throne and Valentinian decided that it was better to ensure dynastic succession on time (Curran, 2008: 83). Valentinian continued his rule until 375, when he suddenly died. After his death his other son, the four-year-old Valentinian II, was promoted into a new *augustus* by the troops (Curran, 2008: 86). Valens shared the throne with his nephew Gratian until his own death in 378 (Curran, 2008: 101).

Valens' reign was the time of much turbulence. In the East, problematic relations with Persia arose again only few years after Jovian signed the truce. The Goths were trying to invade Roman territories in the Balkan Peninsula. In the Western part of the Empire, Valentinian had to defend the borders from other Gothic tribes. On top of the external issues, Valens had to face a partially successful attempt of usurpation by Procopius from late 365 until the middle of 366 (Lenski, 2002: 68).

The usurper Procopius was a native of Cilicia (Curran, 2008: 89). He had enjoyed a successful career under Constantius II, under whom he served as a high level secretary (*notarius*), and in 358 he was sent on an embassy to Persia (Lenski, 2002: 70). He further advanced under the rule of Constantius' cousin Julian, who promoted him to *comes*

and gave him joint command of the reserve military units in Mesopotamia (Lenski, 2002: 70). It is possible that Procopius first showed aspirations to the throne shortly following Julian's death in 363, after the rumors had started circulating that Julian had secretly nominated Procopius as his successor before starting the Persian campaign, or that he had pronounced Procopius' name on his deathbed (Curran, 2008: 89). The newly elected emperor Jovian was attentive enough to realize that Procopius' position might endanger his own, so he sent him away from the troops to transport Julian's body to Tarsus and bury it there (Lenski, 2002: 70).

After he had completed his task, Procopius settled in Chalcedon. On his occasional visits to Constantinople, he witnessed Valens' growing unpopularity (Curran, 2008: 89). Procopius seized a favorable moment to claim the throne for himself in 365 in the midst of Valens' shaken reputation in the capital, from which the emperor was absent and on his way to Antioch to attend to the Persian issue. At the same time, Thrace was under the threat of Gothic invasion and Valens was forced to send a pair of units westward to provide support to the troops already present in the region. Passing through Constantinople, his military units took several days' rest, at which point Procopius visited them in their camp (Lenski, 2002: 72). Procopius had already known some of the troops' commanders and he managed to persuade them to take his side in the upcoming revolt (Curran, 2008: 89). He acted quickly and on September 28, 365 the troops proclaimed him emperor (Lenski, 2002: 73).

Procopius realized that despite his growing unpopularity among the masses, Valens still had a lot of close associates in Constantinople who could undermine his plans. He acted promptly and already on the night of his proclamation he issued a series of warrants for

the arrest of Valens' officials (Lenski, 2002: 74). Procopius needed time to assemble more manpower loyal to his cause before Valens or Valentinian sent their troops to end the revolt. In order to do that he cut the communication ties between the two emperors (Lenski, 2002: 74). When the news of the usurpation eventually did reach Valentinian, the senior emperor was trying to protect the borders against the Alamanic invasion, and was in no position to send some of his troops to Constantinople (Lenski, 2002: 76). The news of usurpation reached Valens in one of the toughest situations in his reign; the problems with Persians were rising in the East, and the threat of a Gothic invasion was looming over Thrace. His position seemed so hopeless to him that he was even considering abdicating, but he was dissuaded from doing so by his generals (Curran, 2008: 89).

Despite the dubious rumors that it was Emperor Julian's wish that Procopius be his heir, Procopius must have been aware that his claims to the throne had little legitimacy. He relied heavily on his connections to the Constantinian dynasty to gather more allies and to create the air of legitimacy around his usurpation. He used Constantius II's infant daughter, whom he often took in front of the troops, as a symbol of his connections to the Empire's beloved dynasty (Curran, 2008: 90). His connections to the Constantinian dynasty helped him acquire allies not only among the Roman troops and officials, but also among the Gothic tribes. The Goths sent 3000 warriors to his help on account of his connection with Constantine the Great, who was still very much respected among the Goths because of the peace treaty he made with them (Curran, 2008: 90). He also circled the false news of Valentinian's death around Constantinople, hoping that making people believe that the senior emperor was dead would make it easier for him to gather support for himself in his fight against the less respected junior emperor (Lenski, 2002: 75).

As a result of his well-planned strategy, but also of the fact that both emperors had external issues to address at the time of usurpation, Procopius managed to assemble a large body of supporters for himself only months after the beginning of his revolt. Already in late 365 his army was nearly strong enough to openly confront the emperor's troops (Lenski, 2002: 75). He ensured support from Nicaea, Chalcedon, Nicomedia, and Helenopolis, joining Bithynia to the area under his control, in addition to Thrace where he had already gain support in the earliest days of his revolt (Lenski, 2002: 78).

In the winter of 365 Valens marched westward in an attempt to end the revolt, but his actions were unsuccessful and he had to put his troops on hold in Ancyra and wait for the winter to end (Lenski, 2002: 78 – 9). Procopius' gained a lot of confidence due to his victories over Valens, which encouraged him to enlarge the territories under his rule further into Asia. He was cruel in his conduct towards those who refused their cooperation, among whom was Constantius' former commander Arbitio, whose estates were confiscated (Lenski, 2002: 79). This pushed Arbitio to join Valens' troops in their struggle against Procopius. After appointing Arbitio magister millitium in 366, Valens finally was able to mark victories against the usurper (Lenski, 2002: 79).

After Valens' men had advanced into Lydia, thanks to Arbitio's great reputation among the soldiers, Procopius' troops were deserting to Valens, which neutralized half of Procopius' army (Lenski, 2002: 80). Valens' and Procopius' troops met for the decisive battle outside of Nacoleia. Procopius' commander deserted without fight, and Procopius was forced into refuge in the nearby forest with his two attendants, who proved not to be as loyal as he had hoped; they captured him and turned him over to Valens, who immediately beheaded him (Lenski, 2002: 81).

Although Valens managed to defend his right to the throne and deal with the internal threat, there were still unresolved issues both on the Eastern frontier and in the Balkans, with the Persians, and the Goths respectively. The conflict with the Persians arose over Valens' involvement in the problems between Armenia and Persia, which was against the conditions of the treaty signed by Jovian in 363 (Curran, 2008: 91 – 2). Soon it became obvious to Persian king Sapor that Valens would not respect the treaty of 363, and in 371 Persian troops crossed into Roman territory (Curran, 2008: 92). The sorcery trials of Antioch unfolded in the midst of the Persian crisis, (Curran, 2008: 92).

In 322 Constantine the Great signed a treaty with the Goths. The treaty lasted for over 40 years, until 366, when Valens decided to undertake military actions on the Danube frontier, declaring that it was the Goths who broke the treaty by helping Procopius in his attempt at usurpation (Curran, 2008: 94). Valens launched several campaigns between 367 and 369, which advanced into the Gothic territories, but still the Goths could not be subdued decisively and due to the rising issues with Persia in the East, Valens was forced to negotiate peace with the Goths (Curran, 2008: 94).

Almost ten years after the first attempt of Emperor Valens to solve the Gothic problem, the invasion of the Huns urged Gothic leaders to seek refuge on the Roman territory. They asked Valens for permission to cross the borders of the Empire, on condition that they do not disturb peace and supply Rome with recruits. In 376, they were allowed to cross into Thrace (Curran, 2008: 98). However, very soon the tensions between the Goths and the Roman troops, as well as the townspeople emerged, which led to the Roman advance on the Goths (Curran, 2008: 98). The Roman army was not only defeated, but humiliated; its standards were taken away and its generals left the battle field in

flight. Soon barbarian tribes were deserting the Roman troops, enriching the Gothic army with their numbers and the valuable inside information about the Roman troops (Curran, 2008: 98). After the Goths secured the alliance of bands of Huns and Alans, they started their ravaging actions in Thrace (Curran, 2008: 99).

Valens understood that the situation in Thrace demanded his immediate attention and in 378 he moved his court westward, from Antioch to Constantinople (Curran, 2008: 99). Hearing of military successes of his junior colleague Gratian, he felt pressurized to deal effectively with the Gothic issue in order to reaffirm his legitimacy as a senior augustus (Curran, 2008: 99). When he learned of a group of around ten thousand Goths moving towards Nike, he decided to intersect it with his troops at Adrianopole. Although Gratian's army was marching towards him to offer help and was only a few days away Valens decided not to wait, as he was certain in his power and he did not want to share his triumph (Curran, 2008: 99). This proved to be a disastrous decision. In the early August of 378, Valens decided to attack, but his troops were by far outnumbered and could not even last a day against the Goths (Curran, 2008: 100). Barely one third of his army survived the battle and Valens himself was killed by an arrow while he was trying to escape the battle field among a group of common soldiers (Curran, 2008: 101).

Valens' rule was full of challenging moments. Gothic and Persian issues came from outside the Empire. The usurpation of Procopius and the attempted usurpation that led to the sorcery trials of Antioch were the challenges rising within the imperial borders. On top of these frequent, but still only occasional challenges, Valens, as well as Valentinian, was continuously facing the challenge posed by his inability to even remotely fit into the 4th century image of an ideal emperor.

By the 4th century, the attributes of an ideal emperor had become clearly defined: he was to be from a famous homeland and a noble family, equipped with good education and military success, and exhibiting personality features such as clemency, justice and equality in his affairs (Lenski, 2002: 94 – 5). Apart from his prosperous homeland, Pannonia, which had the reputation of raising great warriors and producing several emperors, Valens could hardly fit into any of the other categories (Lenski, 2002: 36). His family tree was less than impressive, especially given the fact that with the exception of Jovian's short rule, the emperors of the previous six decades had all been born into the purple (Lenski, 2002: 89). Not only did he not come from an established dynasty, but he also could not offer the possibility of dynastic succession as his only son died at the age of six in 372 (Lenski, 2002: 91). Valens' education was certainly not worthy of an emperor either. His lack of historical knowledge, rhetorical skills and even the knowledge of Greek were all pointed out by his contemporaries, Ammianus, Eunapius and Themistius (Lenski, 2002: 94 – 5). His failure to efficiently address the Persian and the Gothic problems would make it hard to consider him a successful military leader. When it comes to his personality, he is often portrayed as impatient, unjust, and cruel (Ammianus, 29.1.18).

Valens realized too well that he fell short of the ideal Emperor, which increased his insecurity and his fears of usurpation, facilitating his more than harsh response in the case of the Antioch trials. The actual success of Procopius' usurpation, even if it did not last long, made him all the more aware of his own imperfections and of his subjects' dissatisfaction with his rule.

Conclusions

As has been shown, in the 4th century, the borders between religions were not uniformly defined, and what might have been seen as a perfectly acceptable Christian practice by one group, could have easily been seen as deviance from the true faith by another. The Church emerged as a new power, accumulating more influence in both religious and secular spheres. As opposed to the traditional Greco- Roman religions, in which religious power was coming from numerous sources, the Church attempted to present God and Christ as the ultimate source of religious power (Sandwell, 2006: 274 – 5). Any differing attitudes could lead to the accusations of heresy, paganism, or Judaism, and these were increasingly becoming equated with magic. However, it should not be forgotten that these attitudes of the Church and many of its officials were not shared by all members of the congregation, who continued with their "impious" practices while still thinking of themselves as Christians.

Given these new developments in the religious market of Late Antiquity, and the redistribution of power between the state and the Church, it should not be surprising that more is heard about sorcery accusation in Late Antiquity, and especially in the second half of the 4th century. It has been shown that the accusations of sorcery tended to arise more frequently in circumstances in which societies were undergoing transformation and redistribution of power (Brown, 1970: 21). Additionally, the imperial power was also quite unstable in the second half of the 4th century; emperors from four different dynasties were ruling the Empire and attempted usurpations were a constant threat. This only

increased the feelings of insecurity and contributed to the accusations of magic, facilitating three unrelated sorcery trials conducted directly under the imperial authority.

CHAPTER 4: THE TRIALS

The main objective of this thesis is to understand the circumstances that led to the trials of Antioch, the mechanisms according to which the process unfolded, as well as to investigate how this event was recorded and interpreted in later historical sources.

During the reign of emperors Valentinian (364 – 375) and his brother Valens (367 – 378) two large-scale sorcery trials took place at the beginning of the 370s. The first trial was conducted in Rome, under Valentinian in 369 (Lenski, 2002: 220). The process started when two members of the Roman nobility accused three men of having tried to poison them. Soon, the situation evolved to prosecute numerous seemingly unconnected instances of practicing magic. Numerous senatorial families were tried and their wealth was confiscated. Less than two years after the trials of Rome had begun, another sorcery trial unfolded in Antioch under Valens, in 371. The trigger for the trials was the accusation against several men who conducted a divination ritual with the purpose to learn the name of the emperor who would come to succeed Valens. Soon, numerous nobles were accused either of directly participating in the ritual, or in other unrelated magical actions.

The Antioch trials have attracted some scholarly attention. Matthews (1989: 206 – 28) and Wiebe (1995: 106 – 11) analyzed the trials and proposed that the trials were a reaction against a pagan conspiracy which was designed in order to restore the situation in

the Empire as it was during the reign of Julian[5].This presupposes that there indeed was a unified pro-Julianic opposition willing and able to make claims to the throne, or that Valens was particularly keen on destroying the remaining body of Julian's associates. Valens and Valentinian did attempt a purge of Julian's associates in 364 accusing them that they had caused the Valentiniani brothers to suffer from fever by magical means (Ammianus, 26.4.4). Consequently, several of Julian's former close associates were stripped of their offices and influence under the Valentiniani brothers (Lenski, 2002: 105 – 6). However, in the case of the trials of Antioch, there is no evidence to support this claim. Lenski has shown that among the large number of the accused only two individuals, Theodorus and Maximus of Ephesus, could be brought into direct connection with Julian and more importantly that there is strikingly little evidence to support the claim that there was ever an organized pagan pro-Julianic opposition which acted with the goal of the restoration of the old religion (Lenski, 2002: 226 – 9).

Unlike Wiebe and Matthews, Lenski sees the attempted usurpation of the throne and the harsh response of the Emperor as a consequence of the mutual distrust and contempt between Valens and the eastern aristocracy, who did not see Valens fit for the position he was holding (Lenski, 2002: 84 – 97; 229 – 30)[6].While it is true the eastern aristocracy definitely was not satisfied with Valens' rule, and the Emperor himself could not find support in them, there is some contradictory evidence which needs to be considered. Firstly, not all of the accused were members of the aristocracy. If we are to believe Ammianus and other contemporary historians, even if his account should be taken with some reservation, vast numbers of the accused and punished were common people who

[5]Wiebe interpreted the revolt of Procopius as being organized by the same pagan opposition.
[6]Funke, 1965 gives a similar interpretation

had nothing to do with the divination in the first place. Secondly, among the accused aristocrats, only the ones who were directly involved in the ritual were executed, while the others were mostly exiled and their property confiscated. However, as the prosopographical study will show, the majority of them were restored to their former rank, and their property returned in the years following the trials. Therefore, I will argue that the divination ritual was a consequence of the dissatisfaction with Valens on part of the eastern aristocrats, as Lenski suggested, but that the imperial response was on the most part the product of imperial high officials, who were in charge of the trials, and who saw it as a good opportunity to accumulate wealth, to secure their position, and to rule out competition, through manipulating the emperor's fear of the supernatural and his dynastic and personal insecurities.

The contemporary source which provides the most detailed information about the events in Antioch is Ammianus Marcellinus, who was himself present at Antioch at the time of the trials. He dedicates two sections of the 29th book of his history to the process and the events immediately succeeding it (Ammianus. 29.1 – 2). Some information about the trials can be extracted from three other contemporary writers, two of whom were also present in Antioch in 370s. These are Libanius, a famous pagan rhetor from Antioch, and John Chrysostom, a renowned Christian bishop, who at the time of the trials was in his youth. The third contemporary source is Eunapius of Sardis. Although he was not in Antioch at the time of the trials, the pieces of information he presents in his *Lives of the Philosophers and Sophists* can supplement Ammianus' account. Several historians from later centuries have sections in their work narrating the trials; however the information which they provide is often very scarce and superficial. Nevertheless, these accounts are

valuable for our understanding how later historians interpreted what had been happening in Antioch in 371, which can provide leads for our own understanding of these events. The intriguing fact about the accounts of the later historians is that they report about different divination techniques used to learn the name of the future emperor, which will be discussed in the second part of this chapter.

The sources for the study of the trials

The earliest account of the trials after Ammianus' *Res Gestae*, published at the end of the 4th century, is found in the historical writings of Philostorgius, who finished his work in the 430s (Treadgold, 2007: 128). In the following decade Socrates Scholasticus and Sozomen, in whose writings we find accounts of the trials, published their works (Rohrbacher. 2002: 110, 118). All of these historians were Christians and they incorporated the events of the trials into their ecclesiastical histories. The only non-ecclesiastical source narrating the trials after Ammianus was Zosimus, who published his *New History* around the year 501 (Treadgold, 2007). After the beginning of the 6th century, the sorcery trials of Antioch disappear from historical sources until they are addressed again in Cedrenus' *Compedium Historiarum*, published in the early 12th century, but probably incorporating a source from the 10th century. The latest Byzantine source addressing the events of 371 in Antioch is Zonaras' *Epitome of Histories*, written in the first half of the 12th century.

In my study of the sorcery trials of Antioch, I will address two issues. Firstly, I will conduct a prosopographical study of the individuals involved in the process, either as being the accusers or the accused, which will enable me to better understand the motives behind these accusations. Comparisons will be made with the trials of Rome, as both processes were happening at approximately the same time, and possibly they were both driven by the same force. Ammianus Marcellinus will be the principal source for the prosopographical study, as his account is the only one providing a relatively long list of names. I start the research with the assumption that Ammianus truthfully reported the names of those involved, although he might often be susceptible to exaggeration in his report of the trials of Rome and Antioch in the assessment of their scope and consequences. This assumption is supported by the fact that other historical sources either support the involvement of those individuals, or at least they do not present any evidence which would put their involvement under suspicion.

Secondly, I will analyze the four different accounts of the divination ritual which triggered the process of the trials. Ammianus Marcellinus presents an in-depth description of the ritual, which is supposedly coming as a confession from the two men who conducted it. The ritual comprised of a Delphic tripod, a board with inscribed letters of the alphabet, and a swaying ring. This version of the ritual, with some variations, is reported in the accounts of Eunapius, Sozomen, and Zosimus. Philostorgius claims that the name of the succeeding emperor was obtained through lot divination, while Socrates Scholasticus tells of a necromantic rite. Cedrenus and Zonaras bring a story of an enigmatic ritual which involved chickens and grain.

Ammianus Marcellinus and the sorcery trials of the 4th century

Ammianus Marcellinus (ca330 – after 391)was born into a local aristocratic family (Barnes, 1998: 1). The place of his origin is a much disputed subject. Fornara proposed that he was originally from Thessalonica (Fornara, 1992: 333 – 44), and Bowersock (1990: 247 – 8) considered him a native of Alexandria. The most widely accepted proposal is that Ammianus was a native either of Syria or Phoenicia (Matthews, 1989: 65 – 70), and Barnes (1998: 63) believes that his native city was either Tyre or Sidon. Whatever might have been his native city, he spent about twenty years of his life in Antioch, before he migrated to Rome, where he completed his work around 390 (Barnes, 1998: 60). His own designation of himself as a soldier and a *Greek* gives us a proclamation of not only his cultural identity, but of his religion as well, since by late 4th century, the term *Hellen* acquired a more specific meaning than *Greek*; it was often used with the meaning of "pagan" (Barnes, 1998: 79 – 80). Even if there was not for this suggestive declaration of his religious affinities, it would not be difficult to deduce what were Ammianus' feelings towards Christianity. His writing is abundant with anti-Christian vocabulary and throughout *Res Gestae* he is trying to diminish the importance of the role Christianity had to play in the 4th century by choosing not to report a single word about the turbulent ecclesiastical affairs happening during the reign of Constantius II (Barnes, 1998: 81 – 4). Despite the outright hostility towards Christianity, there are some instances in which Ammianus, seemingly subconsciously, uses typically Christian vocabulary and accepts typical Christian values when assessing a person's character, or a situation (Barnes, 1998: 83 – 4; Ammianus, 24.4.2 – 3.27). The education of an average Roman would not provide him with any understanding of Christian culture and

history (Momigliano, 1963: 82). Thus, Barnes sees this as a piece of evidence that Ammianus was not only a *Hellen*, but in fact an apostate from Christianity (Barnes, 1998: 82 – 4).

Ammianus' account of the 4th century events is the most precise and most reliable narrative of the military campaigns and political events available today (Barnes, 1998: 2). Although it can be said that the greatest part of his history represents a well-balanced account of persons and events, Ammianus had his own biases, the most obvious one being the deliberate downplaying of the importance of Christianity in the Roman Empire of his days (Barnes, 1998: 81 – 4). For the purpose of this thesis, Ammianus' objectivity in the reporting of the events of the sorcery trials is of particular importance.

Ammianus reports about three different sorcery trials: in Scythopolis (19.12.1 – 14), in Rome (28.1.1 – 42), and in Antioch (29.1 – 2). The trials of Scythopolis took place under the rule of emperor Constantius II (317 – 361), between 357 and 359 AD, when in the oracle of Bes in Egypt numerous inquiries about the imperial succession were reported. Ammianus refers to the incident as a "slight and trivial occasion" which infuriated the emperor and served as a good excuse for state- secretary Paulus and *comes Orientis* Modestus to conduct a large-scale investigation, harming numerous innocent persons (19.12.1 – 3). The language used to describe the process is very pompous and suggests vast and ruthless investigations, Ammianus is talking about men who were brought from all over the world, put into chains and imprisoned (19.12.7). Scythopolis was chosen as the site for the trials ("theatre of torture and death") because of its secluded location and its equal distance from Antioch and Alexandria, two places from which the greatest number of the accused came (19.12.8). We are told that many "died

from the mangling of their bodies", while others were punished in various ways and had their property confiscated. All the accused were at the mercy of Paulus, who enjoyed these acts of violence and did not hesitate to condemn to capital punishment anyone who wore a healing amulet, or was accused of being a poisoner, or a necromancer (19.12.13 – 4). Paulus Catena "met the fate which was to have been hoped for" and was burned alive in 360/1 in the aftermath of the death of Silvanus and Gallus (22.3.11).

However, when Ammianus moves away from his formulaic language and the dramatic atmosphere, we hear only of four cases in which the names of the accused are reported. Simplicius, son of a former prefect and consul, was accused of having consulted an oracle on the prospects of himself becoming an emperor. He was tortured and exiled (19.12.9). Apparently, he was soon acquitted and he was an influent member at court under Valens in 365 (*PLREI*, 843). Former prefect of Egypt Parnasius was also exiled, although Ammianus suggests that the charges were serious enough to cost him his life (Ammianus, 19.12.10). The specific charges are not revealed in the narration of Ammianus, but from Libanius we learn that the accusation was that he consulted an astrologer (*PLRE I*, 667). As Simplicus, he was also restored to his property no later than 363 (*PLRE I*, 667). Andronicus, an Egyptian poet (*PLRE I*, 65), was also summoned to court but was promptly acquitted (Ammianus, 19.12.11). Philosopher Demetrius Cythras was charged with offering a sacrifice. He admitted of doing so, but solely for the purpose of propitiating the deity, and not for trying to learn the future. He was also acquitted and returned to his native Alexandria without any harm inflicted upon him (19.12.12).

The account of Scythopolis trials should not be taken at its face value. Ammianus is conveying the atmosphere of utter terror, omnipresent during the rule of Constantius II,

who definitely was not one of Ammianus' favorite rulers. He calls him narrow-minded, cruel and superstitious on multiple occasions. Barnes reports Thompson's attitude that Ammianus' account of Constantius II was heavily influenced by his own admiration and sympathy for his commanding officer and friend Ursicinus. Ursicinus was dismissed as *magister militum* under Constantius II, which might have triggered Ammianus' outright hostility towards the emperor (Barnes, 1998: 16). However, Ammianus undoubtedly understands the need of a strict investigation of the intentions of those who were curious enough about the imperial succession to consult an oracle. What Ammianus holds against Constantius II is his eagerness to conduct a massacre, and his inclination towards despotism rather than the power of law (Ammianus, 19.12.17 – 8).

In the story of the Scythopolis trials, Ammianus is providing his readers with an exciting horror story, whose truth he most probably cannot vouch for, as its most terrifying parts are presented in very vague language, without providing any information on those allegedly condemned for the more harmless acts of magic (Dickie, 2001: 244). Additionally, if we take into account that any consultation of soothsayers with the purpose of learning the future was punishable with death (*CTh*9.16.14), it is hard to believe that those who wore healing amulets came to be executed, while those who were actually accused of treason for inquiring about imperial succession were only exiled, or even acquitted.

The man who was appointed as the main investigator in the treason accusations was Paulus, whom Ammianus describes as expert in bloodshed. Paulus had already been performing very important tasks for Constantius before: he had been dealing with Magnentius' supporters (Ammianus, 14.5.6), as well as those of Silvanus (15.6.1), and he was in charge on monitoring Julian's activities (*PLRE I*, 684). Ammianus probably

tries to give greater significance to these trials by having Constantius II sending one of his most loyal men, Paulus, all the way to Palestine specifically to lead the process. What Ammianus "forgets" to tell is that the principal reason for Paulus' trip to the East was probably another matter that needed settling. Two local sources record that Paulus came to Alexandria to publish an imperial edict supporting bishop George, who was appointed the bishop of Alexandria instead of Athanasius at the Council of Sirmium in 351, and to suppress the supporters of Athanasius (Barnes, 1998: 91 – 2).

The account of the Scythopolis treason trials ends with a seemingly unrelated episode. We are told that at the same time a disfigured child with two heads, two sets of teeth, a beard, four eyes and two very small ears was born in Antioch. In Ammianus' own interpretation this was the sign that the state was turning into a deformed condition, but unfortunately there were no public rites which could offer a better understanding of the reasons and consequences for such an event (Ammianus, 19.12.19 – 20).

The treason trials in Rome started around the year 369 under the emperor Valentinian. Whereas in the case of Scythopolis, Ammianus admits that there was reason for the investigation and that the life of the emperor needed to be protected, while criticizing Constantius II's lack of clemency and his excessive rejoicing in blood-shed, the prosecutions in Rome are assessed differently. He does not hint at any possibility that there might have been an actual conspiracy, but rather presents the cases as unrelated to each other and condemned to too harsh punishments for no reason other than the joy of the men in charge. Ammianus insists on the sheer cruelty of the investigators and the emperor. However, it should be said the cases were formally prosecuted as possible instances

of treason, in which case the law would allow for people of all ranks to be tortured (Matthews, 1989: 212).

Modern scholarship has often seen these trials as a reverberation of Valentinian's distrust towards the Roman senatorial elite[7]. However, the trials were not aimed exclusively against the senators, as not all accused were members of the senatorial class, even among those whose names and identities are familiar thanks to Ammianus' account. In addition to that Ammianus emphasizes on several occasions that many lower class citizens were executed as well. Given that during the process, Valentinian passed a law which clearly distinguished *haruspicina* from other illicit forms of divination (*CTh*9.16.9), and that in general his legislation did not reflect a great concern with pagans, it is unlikely that the trials were directed against the pagans of Rome. Additionally, Lenski shows that not all of the tried senators were pagans (Lenski, 2002: 222). Instead, Lenski claims that the trials were an attack on harmful magical practices, which were a great concern to Valentinian, and that the social status or religious affiliation played little or no role in the accusations (Lenski, 2002: 223).

The events that later unfolded into "lamentable massacres" (Ammianus, 28.1.1) started from a seemingly insignificant accusation made by a former deputy governor and his wife that an organ-builder, a wrestler, and a soothsayer had tried to poison them (28.1.8). As the investigation under Maximinus progressed, some nobles were incriminated, which infuriated Valentinian, who in his cruelty declared these events attempts of treason, leaving no one to be exempt from torture (28.1.11). The accusations were either of poisoning and dabbling with poisoners, or of adultery. Also, one person was accused of

[7]Lenski, 2002, p. 221 provides an extensive bibliography

writing a binding love spell and two people were accused of consulting a soothsayer. Ammianus provides the names of seventeen people who were executed, three people were exiled, and three people were acquitted. As with the trials of Scythopolis, Ammianus is painting an atmosphere of terror and lawlessness, led by those in charge of the investigations, and extensively encouraged by the emperor. However, the trials of Rome left a much greater number of victims, and many people were tortured and put to death, noble and poor alike (28.1.16).

Prefect of the grain supply Maximinus and secretary Leo, a Pannonian, were given the power to investigate the incident. Ammianus portrays Maximinus as a blood-thirsty person, a wicked beast, who was rejoicing at the opportunity of doing harm (28.1.6 – 10). He has no nicer words for Leo, either; he describes him as a grave-robber, a wild beast, equally cruel as Maximinus (28.1.12). At the later phase of the trials, Simplicius, another Pannonian (*PLRE I*, 844), took over the role of Maximinus, since Maximinus was promoted to the position of praetorian prefect. Not surprisingly, he is also characterized as a genuinely wicked and evil person (Ammianus, 28.1.41). At the very end of the trials Doryphorianus, a native of Gaul, was appointed *vicarius Urbis*, on the sole precept that he was willing to mercilessly execute some of the accused (28.1.53). Ammianus mentions a curious incident which happened during the course of the investigations; the brooms which were used to clean the assembly halls of the nobles were blooming. He interprets this as a divine omen that “some men of most despised station would be raised to high rank” (28.1.42), which is another comment on the worthiness of the investigators. All four men who were in charge of the investigations are described as extremely vicious, rejoicing over the blood-shed they were causing and trying to inflict the accusations on

as many nobles as possible (28.1.37). The account of the trials is ended with a brief mention of the subsequent chance of three out of those four men (28.1.57). With the remark that the curses of those for whose deaths they were responsible finally made way to their victims, we are informed that Maximinus, Simplicius, and Doryphorianus were all executed during the reign of Gratian.

The Valentiniani brothers and the sorcery trials of Antioch

Ammianus gives a detailed description of the Antioch sorcery trials in the 29th book of his history. According to his own claims, he was an eye-witness to the trials, and knew personally many of the accused individuals. The trials emerged as a consequence of a divination ritual in which several individuals tried to find out the name of the emperor who would come to throne after Valens. Trying to learn the name of the future emperor was considered an attack to the imperial throne and an act of treason, and would result in severe punishment for anyone involved, depending on their social status.

He begins his account by admitting that there was a real danger of treason, and that the initiators of the divination act needed to be punished. Also, Ammianus reports that this was not the first attempt at the emperor's life and that "many times men often eagerly made plots against his life"; once one of Valens' soldiers tried to kill him while he was resting in the woods around Antioch (Ammianus, 29.1.15 – 6). Rather than dismissing the possibility of a conspiracy, Ammianus was objecting to the fact that Emperor Valens, just like his brother Valentinian, "was swift to assail with malicious persecution guilty and innocent under one and the same law, making no distinction in their deserts"

(29.1.18). According to Ammianus' account, the numbers of the accused and tortured were so great that the public dungeons were overflowing despite having even private houses serve as prisons (29.1.12 – 3). There have been ancient historical accounts interpreting these trials as the Emperor's reaction against the pagans of Antioch[8]. Although this possibility should not be entirely rejected, it must be said that according to the legislation passed by both Valens and Valentinian, it seems that they never tried to destroy the remaining pagans and that they exhibited quite a high level of religious tolerance. Also, claiming that the trials were directed against the pagans who were plotting against him specifically hoping to have another attempt of the pagan revival would mean that the existence of a unified pagan front is assumed, for which there is little evidence (Lenski, 2002: 228).

When the law which banned the nocturnal sacrifices was passed in order to sanction magical activities, Valentinian received complains about it because it endangered the performance of mystery rites. The emperor relaxed the ban, on which occasion he was mentioned in an honorary inscription from Achaea (Lenski, 2002: 217). Another inscription from Delphi states both Valentinian and Valens as benefactors of the temple of Apollo (Lenski, 2002: 217). And in 367/8 a temple to Zeus Madbachos was rebuilt in Antioch (Trombley, 2004: 60). There is no evidence for any temple destruction under the reign of the Valentiniani brothers and it seems that they did not choose their court officials on the basis of their faith (Lenski, 2002: 216). Valentinian also applied the title of *pontifexmaximus* to himself, to Valens, and to his son Gratian (Lenski, 2002: 215). If there is a case in which Valens exhibited a very low level of religious tolerance, then it

[8] Those of Socrates Scholasticus, Sozomen, and Zosimus

was in his measures against the non-Arians, for which he was heavily criticized by the ancient historians, especially by Theodoret of Cyrrhus who claimed that while Valens did not care much about the actions of pagans and allowed them to publicly perform their rites, he zealously prosecuted the Orthodox (Lenski, 2002: 216; Theodoret of Cyrrhus). Even pagan orator Themistius urged Valens to soften his treatment of non-Arians (Lenski, 2002: 212; Themistius).

Additionally, Ammianus, who was a pagan himself, never makes any implications that the trials were in any way targeted specifically against pagans. Lenski has suggested that rather than trying to fight against the pagans, the trials were actually aimed at the aristocracy, to whom Valens could never relate (Lenski, 2002).

Taking into account the legislation of Valens and his brother it would be hard to prove that they ever attempted the eradication of paganism, or that even pagans were a major concern for them. On the other hand, it could be said that they did exhibit an amount of fear of the supernatural (Lenski, 2002: 219). Already at the beginning of their reign, in 365, they suspected that those still loyal to the emperor Julian had inflicted a disease upon them through sorcery. Their assumptions proved to be groundless and all charges were dropped (Ammianus, 26.4.4). The legislation they passed also shows their concern with the illicit religious activities. They passed their first law aimed at sanctioning magical practices and nocturnal rites in 364, the same year when they assumed the throne (*CTh*9.16.7). They passed a particularly severe law against astrology, which prohibited anyone to teach or learn this art on the pain of death (*CTh*9.16.8).

Ammianus' meticulous account enables us to study the process in great detail. A prosopographical study of those involved in the treason trial offers an opportunity to understand if there was a tendency towards the accusation of one specific group.

Following Ammianus' 29th book, everything started when a certain Procopius charged two courtiers with trying to kill count Fortunatianus. A poisoner and an interpreter of horoscopes were arrested, and during vigorous investigations, the former accused the ex-governor Fidustus, together with Pergamius and Irenaeus that they had learned the name of Valens' successor by the art of divination. Fidustius was caught immediately, and he admitted that together with his accomplices he had learned that Valens' successor would be Theodorus, whom they had informed about the information obtained from the oracle. When Valens learned all this, he was furious and his rage was additionally increased by the praetorian prefect Modestus, on whom Ammianus puts a lot of guilt for the cruelty of the trials.

Theodorus was brought from Constantinople, and numerous others of high birth and conspicuous rank were brought from other cities of the Empire. Pergamius gave out names of many accomplices, which led to countless executions. Heliodorus and Palladius, the two men who performed the divination ritual were led to court, where they gave detailed description of the procedure and their findings.

Following the orders of the Emperor, many accused were executed or exiled, among whom were men of all ranks, coming from all parts of the Empire, including numerous philosophers and even the two consuls for that year. All the books that could be seen as related to magic were burned, and many people burned their entire libraries out of fear

for accusations of sorcery (Ammianus, 29.1.41). People were being accused and punished for having used magic on occasions entirely unrelated to the treason divination. And Ammianus suggests that Heliodorus and Palladius were even rewarded for accusing all of those and were still walking around freely.

The trials in Rome under Maximinus and the developments at the trials in Antioch "inspired" Festinus, who held the office of the proconsul of Asia. Upon seeing how much Maximinus had advanced by accusing and processing others, he decided to try the same, taking advantage of the momentum that the treason trials in Antioch have generated. Ammianus again narrates about investigations that went far and wide, encouraging false accusations which inflicted death and exile upon many innocent people. However, only four concrete cases are reported, all being instances of harmless magical actions, which would have hardly been considered serious crimes.

Prosopographical study

Ammianus provides us with 30 names of those involved in the sorcery trials, both accusers and the accused. Out of those 30 individuals, 19 can be identified in other historical sources as well, which enables us to understand their social position better. The majority of those accused were coming from the aristocracy, or at least that is the impression one gets when reading Ammianus. However, we should not forget that Ammianus himself admits that he is more inclined to reporting about the elite, since "not everything that has taken place among the persons of the lowest class is worth narrating" (Ammianus, 28.1.15). As in the cases of the treason trials of Scythopolis and Rome, detailed informa-

tion about the accused people of lower class is usually not available. However, throughout the narrative of the trials he insists on numerous innocent people being accused and executed, for no other reason than to satisfy the cruelty of the investigators.

Name	**Ammianus' description**	**What happened to them**	**Religious affiliation**
Procopius	"turbulent man, always given to a lust for disturbances"		No evidence
Fortunatianus	Count, "molestus flagitator"		Pagan or Christian
Modestus	Praetorian prefect		Christian, a recent convert
Maximinus			No evidence
Festinus	"a man of lowest and most obscure parentage"	Sent to administration to Syria. Seeing how much Maximinus advanced his position, he wished to do the same.	Christian

Table 1: Accusers

Out of the five accusers, who are named in the narrative, biographical information about four of them can be retrieved from other sources. The remaining person, Procopius, probably was not of influential position during the trials and was not proactively involved with the process. Although Maximinus was not directly involved in the trials of Antioch, but was in charge of the sorcery trials in Rome, I have included him here since Ammianus makes him indirectly involved, and as a point of reference.

Fortunatianus served as *Comes Rei Privatae*in the East approximately in the years 370 – 371 (*PLRE I*, 369). He was the one who, “aroused to a mad degree of wrath”, brought the two men who unraveled the divination ritual to court. Ammianus describes him as hot-tempered (Ammianus, 29.1.5). Other than that, his role in the process of the trials is marginal and he was not mentioned again. It is very likely that he was aware of the relevant events in the west when he inflicted the first accusations together with Procopius (Lenski, 2002: 223). According to the *PLRE*(*I*, 369), the identification of Fortunatianus is uncertain. One possibility is that he was the correspondent of Libanius, who was a pagan rhetor, poet and a philosopher. Alternative identification, based on the inscription found in a church, suggests that he actually might have been a Christian (*PLRE I*: 827).

Modestus was the person in charge of the enquiries during the trials of Antioch, as well as the trials of Scythopolis a decade earlier (*PLRE I:* 606l; Ammianus, 19.12.6; Libanius, *Orations* 14.19 – 20). *PLRE*(*I:* 605 - 6)identifies him as Domimtius Modestus. He started his career as *Comes Orientalis* in approximately 358, and he stayed in this function until 362. Under Julian, he was elected as a *Praefectus Urbis Constantinopolitanae*. At the time of the trials, he served as praetorian prefect, and because of his services during the trials, he was made consul by Valens in the following year. Ammianus openly

accused him that he was the one who further enhanced the Emperor's rage that eventually led to many deaths. In fear of a successor, he manipulated Valens, "who was somewhat simple-minded", during the trials (Ammianus, 29.1.10 – 1). He is known to have exhibited other instants of large-scale cruelty as well. In 370, by the orders of Valens, he embarked 80 anti-Arian clerics on a ship and ordered it to be set on fire in the open sea (*PLRE I*: 607; Socrates, 4.16; Sozomen, 6.14). On the other hand, he is also known to have prevented a massacre of anti-Arians in Edessa (*PLRE I*: 607; Socrates, 4.18; Sozomen, 6.18). We hear of him from Libanius (*Ep.* 1367), who praises his honesty in office as *Comes Orientalis* and as *Praefectus Urbis Constantinopolitanae*. However, Ammianus presents him as a man, who directly influenced Valens' decisions in the process of the trials, and encouraged Valens' cruelty with "veiled but clever flattery" (Ammianus, 29.1.10 – 1).

Apparently, at the beginning of his career he seems to have been in some financial difficulties, however over the years, he seems to have multiplied his wealth extensively (*PLRE I*: 608). The information on his religious affiliation is very intriguing. He is usually identified as a pagan, who adopted Arian Christianity at some time during the reign of Valens, himself an Arian (*PLRE I*: 608). What is interesting is that there is evidence suggesting that this was in fact his second conversion to Christianity. A letter Modestus received from Libanius, soon after having been appointed prefect of Constantinople by Julian, shows that Modestus had abandoned Christianity and returned to the traditional religion between the reigns of Constantius and Julian (Libanius, *Ep.* B.74.5)[9].

[9] I have found the relevant part of this letter in Sandwell, 2007, p. 3

Libanius hints that Modestus revered the gods in secrecy even under Constantius, while he publicly presented himself as a Christian (Sandwell, 2007: 6 – 7).

Festinus was a man of humble origins from Tridentum in Raetia. He wrote a *Brevarium* of Roman history in 369 (*PLRE I*: 335). Ammianus reports that at the beginning of his career he was praiseworthy for his mildness and respect of law. However, when he saw how Maximinus rapidly advanced in his own career simply by "the recommendation of the deaths of those whom he had previously slain", he tried to do the same (Ammianus, 29.2.23). It is not clear what was his role in the trials of Antioch, apart from the fact that it was him who took Maximus back to Ephesus and beheaded him there (29.1). Eunapius (*Vita Sophistarum*, 459) tells that when he came to Ephesus, he did not solely carried out emperor's orders to kill Maximus, but out of sheer content, he killed numerous people. On two other occasions he was inflicting accusations of magic in the region of Syria. In 365, or 368, he accused a certain Martytuis of using magic, hoping to ensnare Libanius with these accusations as well (*PLRE I*: 334; Libanius, *Or.* 1.156 – 9). Libanius (*Or.* 1.156) did not have a high opinion of him; he calls him an ignoramus who despite not knowing any Greek took the office of a governor of Syria. As a proconsul of Asia, he had several people executed under the accusations of sorcery, as Ammianus suggests, influenced by the example of his close friend Maximinus, who had advanced in his rank and wealth after the trials of Rome (Ammianus, 29.2.23). Ammianus accuses Festinus of being the one who spread the storm of accusations of sorcery out of Antioch into the whole of Syria (29.2.22). After the death of Valens, he was dismissed from the civil service (*PLRE I*: 334). He died of a stroke on the stairs of the Temple of Nemesis (Eunapius, *Vit. Soph.)*.

Maximinus was not directly involved in the trials of Antioch, however, Ammianus reminds the readers of his role in the sorcery trials of Rome under Valentinian, which took place just a few months before the trials of Antioch, and during which Maximinus was the main instigator (Ammianus, 28.1.3). According to the Ammianus' account, the trials of Rome were as bloody as the ones of Antioch, and were mainly directed against the senators. Ammianus describes him as a genuinely evil and wicked man, with an insatiable taste for blood (28.1.5 – 8). Apparently, he was a man of moderate conduct at the beginning of his career, as Ammianus reports, mostly because of a fear from predictions made by his own father, who foresaw that he would rise to a powerful position, but then be executed. Ammianus also accuses him that he had been using the services of a necromancer to attain some predictions from the dead (28.1.7). This is a stereotypical accusation to emphasize Maximinus' wickedness, since necromancy was considered the most appalling of all kinds of magic. He was a native of Pannonia Valeria (*PLRE I*: 577). He was executed by Gratian early in his reign (28.1.57).

Examining the description of these men in Ammianus' writing, an almost typological characterization becomes apparent. There is a general tendency to present all of them in very similar terms: they were all genuinely wicked and corrupt, willing to do anything to accumulate power and wealth for themselves. Modestus, Maximinus and Festinus were said to have exhibited mildness and honesty at the beginning of their careers, but then suddenly they became like wild beasts in their thirst for blood. While Ammianus excuses the emperors for wishing to investigate the potential cases of treason, he never acknowledges that it was Modestus' and Maximinus' duty to insist on a thorough inves-

tigation, otherwise they might have been guilty of negligence, especially in the case of Valens, where there were certainly illicit activities (Matthews, 1989: 219).

Maximinus and Modestus are of the greatest concern for this study, as they were the ones appointed by the emperors to preside over the enquiries. Nothing can be concluded about the faith of Maximinus, either from Ammianus' writing or from other sources. On the other hand, Modestus seems to have been Christian during the reign of Constantius, who converted to paganism during the reign of Julian, and finally converted to Arian Christianity at some time during the rule of Valens, but no sooner than 370 (*PLRE I*: 608). Libanius(*Ep.* B.74.5) suggests that although he had publicly confessed to Christianity, Modestus secretly revered the gods. Therefore, at least in the case of the Scythopolis trials, it is very unlikely that the process could have been led by anti-pagan ideas, since Modestus himself was affiliated with paganism, although not openly. Ammianus puts a great deal of guilt upon these two men, accusing them that they were the ones who encouraged the rage of the emperors, leading to the ever-greater number of punished people. When it comes to Festinus, Ammianus is silent about his religious beliefs. However, Eunapius claims Festinus never showed any reverence for the gods. Moreover, Eunapius (*Vit. Soph.* 461) suggests that his motive for punishing his victims with death was precisely their worship of the gods.

Ammianus often hints that it was only through their wicked deeds that these men managed to progress so fast in their careers. Modestus served as a government official under four emperors. He started as *comes Orientis* in 358 under Constantius II, at which time he was placed in charge of the trials of Scythopolis. He received his first promotion into *praefectus Urbis Constantinoplitanae* under Julian (*PLRE I*: 606). It is highly un-

likely that Julian was interested in, or even more so impressed by Modestus' alleged cruelty in Scythopolis to give him the promotion solely on that account. However, Julian certainly did look with sympathy upon Modestus' apostasy from Christianity. He remained at that post until 369 when he was promoted into *proconsul Orientis*, and in 372 he received the consulship (*PLRE I*: 606 – 7). Before the treason trials of Rome Maximinus served as *praeses Corsicae, praeses Sardiniae*, and *corrector Tusciae.* He was holding the office of *praefectus annonae* when he was placed in charge of the trials. In 370-1, he was promoted to *vicarius Urbis* and in 372 he became *praefectus praetorio Galliarum* (*PLRE I*: 577 – 8).

It should be admitted that Maximinus' career developed rather fast; in less than ten years he went from a *praeses* to being a *praefectus praetorio.* Also, he made his progress exclusively under Valentinian, and was executed by Gratian in the early years of his reign (Ammianus, 28.1.57). Barnes considers that there is nothing unordinary about the career path of Maximinus and the unfolding of his career was by no means unique for a man of his own generation and it could have simply reflected his good education and his talent as a lawyer (Barnes, 1998: 108). However, Skinner has shown that it might not have been as easy as previously assumed for a member of an average curial family to be elected into a more prestigious imperial office. It was not impossible, but it certainly was not the standard (Skinner, 2013: 32 – 44). A man from a relatively modest background, whose father was a *tabular us* and who entered the service merely as a *pareses*, he would have had to deal with a lot of competitors coming from wealthier or more esteemed families (Skinner, 2013: 44). Although it would be too far-fetched to claim that it was indeed Maximinus' role in the investigations in the trials of Rome that secured

him the office of the praetorian prefect, his dedication and loyalty to Valentinian certainly must have helped to single him out from other potential candidates who were of better origins, or social standing. Modestus' career did take a more gradual development, however it should be noted that he changed his religion at least twice, both times converting to the religion of the current emperor. Although Valens was not overly concerned with the religious affiliation of his officials, Modestus' conversion could have contributed to his successful career.

Festus started his career at the end of the 360s as *consularis Syriae*, when he accused Martyrius of magic (Libanius, *Or.* 1.156 – 9). In 372 he was promoted to the position of *proconsul Asiae*. While in this office he was involved in the Antioch treason trials and soon afterwards started his own investigations into magic working in Syria (Ammianus, 29.2). He was dismissed after Valens' death (*PLRE I*: 334).

Considering these facts, it would be very difficult to agree with Ammianus that these men excelled in their careers solely because of their roles in the treason trials. This is especially true for Modestus, who served successfully at least under four emperors and whose career was steadily developing from the end of the 350s. Maximinus' and Festus' success could be assessed differently since they saw a less systematic and faster unfolding and they were limited to the reign of only one emperor, after whose death they were executed and dismissed respectively.

Ammianus names twenty-four individuals as accused in the process of the Antioch treason trials. Out of those twenty-four, fourteen were members of the upper class who either were currently serving as government officials, or they were ex-officials. Three

accused persons are referred to as philosophers. The information about the remaining seven people is quite vague; they are mostly described as men of low origin. However, these proportions of the different classes affected by the trials should be approached with caution. Firstly, because Ammianus himself elsewhere openly admitted that he was not too concerned with the events affecting the lower classes (Ammianus, 28.1.15). Secondly, throughout the narrative, he states several times that members of all classes were accused and convicted. On the other hand, these general statements could be seen as exaggerations, employed to convey the atmosphere for the reader rather than reflecting the actual numbers.

To make the analysis more comprehensible, the accused are grouped in three separate groups: current and ex-officials, philosophers, and others. Within the groups the accused individuals are listed according to the punishment they received.

Name	**Rank and description**	**Punishment**	**Accusation**	**Religious Affiliation**
Spudasius	courtier	Strangled		No evidence
Anatolius	courtier	Strangled		No evidence
Theodorus	"second rank among the secretaries, liberally educated"	Strangled		Pagan
Euserius	"remarkable learning, highly honored" Former vice-governor	Strangled		No evidence

	of Asia			
Fidustius	“ex-governor”	Strangled		No evidence
Salia	Master in the treasures in Thrace	Spontaneous-ly died on his way to the court		No evidence
Eutropius	Governor of Asia with proconsular activity	Escaped without harm thanks to Pa-siphilus		Pagan
Alypius	Former vice-governor of Britain			Pagan
Hierocles	Alypius’ son			Pagan
Basianus	“of a most illustrious family”, secretary of the first class	“saved from death, but stripped off his rich pa-trimony”	Accused of trying to learn the future, while he was only trying to find out the sex of his unborn	Christian

			child	
Eusebius	consul		Accused of inquiring about the future, and making plans about sovereignty	Christian
Hypatius	consul		Accused of inquiring about the future, and making plans about sovereignty	Christian
Diogenes	Noble by birth	“punished so that his patrimony might be plundered”		No evidence
Numerius	Tribune, “a man of surpassing wickedness”	Spared by Valens on account of	He confessed to having	No evidence

		their friend-ship	opened the womb of a pregnant woman to summon the ghosts and ask them about the successor.	

Table 2: Accused current officials and ex-officials

Spudasius and Anatolius were two courtiers accused of trying to poison count Fortunatinus, which led to the treason trials. There is no other information about them.

Fidustius was an ex-governor, who had taken part in the divination ritual which revealed the name of the future emperor. He was one of the first people to get arrested. He immediately admitted that he had sought information about the succession, and that the oracle foretold the naming of an “excellent prince”. He also named his accomplices, Hilarius and Patricius, and admitted that he had informed Theodorus about the oracle through Euserius (Ammianus, 29.1.7 – 9).

Theodorus was the one whom the oracle had indicated to succeed the Emperor, or at least that is how the interpreters understood the answer. He held the second rank among the secretaries in the East at the time of the treason trials (29.1.8). He came from a good family in Gaul. At the time of the trials, he was not in Antioch, but he was brought there

by the orders of the emperor (29.1.12). As Hilarius confessed, Theodorus had no knowledge of the consultation at the time (29.1.33), but he learned of the oracle from Euserius only later. He intended to report the incident to the emperor more than once, but was assured by the informer that no actions were to be taken against the throne. Despite Euserius confirming Theodorus' testimonial, a letter was found, written in Theodorus' handwriting, in which he seemed willing to act upon the information he received, encouraged by the response of the oracle (29.1.34 – 5). Ammianus speaks very highly of him, pointing out to his excellence in education, character, and conduct (29.1.8). At the time of the treason trials, he was still in his youth, to which fact Zosimus (4.13.3) ascribes his gullibility. Consequently, he was executed. He seems to have been a pagan (*PLRE I*: 898).

Even before the oracle gave the answer to the question who the future emperor might be, those inquiring had been anticipating that precisely Theodorus would be the one. Ammianus praises his qualities of being modest, wise, merciful, highly educated, and the conspirers shared Ammianus' opinion about Theodorus. The qualities praised in Theodorus are very similar to the ones Ammianus admired in Julian (Kelly, 2008: 288) and this possibly reflects the opinion of many of those involved that Theodorus would be a much better substitute for Julian than Valens, his exact opposite: stupid, hot-tempered, ruthless and uneducated.

Ammianus describes Euserius as a highly educated and honored man, who had served as a vice-prefect of Asia shortly before the trials. He was accused of informing Theodorus about the fact that his name came up in the divination, assuring him at the same time that they do not need to take any actions towards the realization of their hopes, since "some

inevitable will of fate" would certainly enable Theodorus to become the future Emperor (Ammianus, 29.1.34). He was tortured and executed because of his involvement.

Fidustius, Theodorus, and Euserius were tortured and punished with capital punishment due to their direct involvement in attempted treason through divination. Although Roman law normally exempted citizens of the upper classes from torture, this was not the case if the charges involved treason (Lenski, 2002: 220). Despite Ammianus' frequent emphasis on the cruelty of the Emperor, these cases were handled in accordance with the law. Fidustius was present during the ritual itself, and possibly even the instigator. Theodorus was the actual threat to the throne since he could have been encouraged by the predictions to take actions against Valens. His letter sent to Euserius proves that this was the case and that he had no intentions waiting for faith to make him the emperor. Therefore, through this letter-exchange, Euserius became his accomplice in the plotting, although it is not clear from Ammianus' text if he had been present at the ritual.

It is not surprising that Valens felt endangered and reacted in such a determined way in their case. At the beginning of his reign, in 365, Valens had already had to deal with the usurpation of the throne by Procopius, a maternal cousin of Julian. It took him around eight months to reclaim the throne for himself. Also, Ammianus admits that Valens' life was in real danger because of these events, as it had been several times before. He tells of one specific instant when one of the guards attacked Valens in the countryside of Antioch, suggesting that it was not the only time when conspiracies and plots were being made against his life (Ammianus, 29.1.15 – 6). Apart from these three men, the only state official who was punished with death was Diogenes.

Diogenes was a former governor of Bithynia. Ammianus describes him as "a man born of noble stock, eminent for his talent, his fearless eloquence, and his charm"(29.1.43). He was executed on the basis of false charges, so that "his rich patrimony might be plundered" (29.1.43).

The remaining eight of the accused men whose names are stated by Ammianus were not present when the illicit divination took place. Five of them were exiled, two were acquitted, and one died of natural causes during the trials.

Salia was master of the treasures in Thrace, when he suddenly died of natural causes, as he was about to be questioned by the court (29.1.26). The exact accusations against him are not known.

Alypius was a retired vice-governor of Britain (29.1.44). He was educated in Antioch, but his place of origin might be either Antioch or Cilicia (*PLRE* I: 46; Ammianus, 23.1.2). In 363, he served as *comes*, in charge of rebuilding the temple of Jerusalem under Julian (23.1.2). He was accused of dealing with magic together with his son Hierocles, "a young man of good character", by a certain Diogenes, "a man of low origin", who was put to severe torture in order to give a testimony "agreeable to the emperor, or rather to the instigator of the charge" (29.1.4). After he had given the desired testimony, he was burned alive. Alypius was condemned to exile after the confiscation of his goods, and Hierocles was sentenced to death, but was reprieved (29.1.44). According to John Chrysostom, he was saved because of all the people who had gathered in front of the Emperor's palace to ask for his pardon (Chrysostom, *Or. 3, De Incomprehensibile Dei Natura*). Hierocles was a pupil of Libanius in 358 (Libanius,

Or. 1.395), and both he and his father were probably pagans (*PLRE I*: 47). There is no available information on what happened to these two men after the treason trials were over.

Bassianus was from a well-known family and he served as a secretary of the first class. He was charged with trying to learn the future, while he was actually only inquiring about the sex of his yet unborn child. He was punished by the confiscation of his rich patrimony, and was saved from death by the prompt efforts of his relatives (Ammianus, 29.2.5). He was a relative and a pupil of Libanius (*PLRE I*: 150). He probably regained his property and status shortly after the trials, as his son Aristaenetus served as a prefect of Constantinople in 392, and as a consul in 404 (*PLRE I*: 105). *PLRE* identifies him as a Christian, basing the conclusion on a reference made by Libanius in one of his letters that Bassianus' house was in fact a converted temple (*PLRE I*: 150).

Eusebius and Hypatius served as consuls in 359 (*PLRE I*: 309, 448). They were brothers of Eusebia, wife of Constantius II. They were accused of having made inquiries and plans about the sovereignty (Ammianus, 29.2.9). They were tortured, in hope that they would give confession, but it was evident that "these distinguished men" had no in-volvement in any kind of plotting against the Emperor. They were, nevertheless, punished with exile and with fines. However, shortly afterwards, their sentence was an-nulled and they were restored to their former rank (29.2.11).

Regarding the religious affiliation of these men, it seems that only Alypius and Hie-rocles were pagans. Bassianus was identified as a Christian. There is no direct evidence for determining the faith of Eusebius and Hypatius. They were brothers of the Empress

Eusebia, wife of Constantine II, who was most certainly a Christian (*PLRE I*). Therefore, it would be unlikely to assume that the Empress could have been chosen from a non-Christian family. Of course, this does not exclude the possibility of apostasy in the case of her brothers. However, since this is probably something that Ammianus, Libanius, and Julian, who mention the brothers in their writings, would be very happy to point out, I would stipulate that they were Christians.

All of them were accused of magical activities unrelated to the divination ritual which set off the accusations. Alypius and Hierocles were accused of dealing with poison (*veneficius*) (Ammianus, 29.1.44). This accusation did not put them in direct connection with the divination process, but the act of poisoning was still punishable by law in itself. Bassianus was accused of a completely harmless act, which otherwise would not be punishable at all. On the other hand, the charges against Eusebius and Hypatius were very serious, although disproved. However, it can be understood how Valens could be manipulated to punish them even with the lack of evidence, given their family ties with the previous imperial family through their sister's marriage to Constantius II and Valens' previous experience with usurpers who in one way or another claimed legitimacy to the throne.

Eutropius was a native of Bordeaux (*PLRE I*: 317). He was at the position of a governor of Asia with proconsular authority at the time of the trials, when he was accused of complicity in the plot against the Emperor (Ammianus, 29.1.36). In the previous course of his career, he accompanied Julian on his Persian campaign, and served as a *magister memoriae* under Valens, before he started the Persian war (*PLRE I*: 317). He was apparently a pagan, and it is possible that it was him who wrote a *Breviarium* of Roman

history to the death of Jovian. He owned several estates in Asia (*PLRE I*: 317). Ammianus implies that someone must have had a specific interest in accusing Eutropius, since a philosopher, a certain Pasiphilus, was subjected to torture with a hope that he would "bring about the ruin of Eutropius through a false charge", which did not happen (Ammianus, 29.1.36). There seems to have been another occasion when Eutropius was accused of sorcery. At the end of 360s, Festinus accused certain Martyrius of being a dabbler in magic, making plans with Emperor Valens to indict both Eutropius and Libanius with the accusations as well. However, Festinus was appointed a governor of Ionia, and his plan fell through since he had to leave Antioch (Libanius, *Or.* 1.159). Apparently, Eutropius was unharmed by the trials of Antioch. He served as a praetorian prefect in 380 and 381, and he was probably still alive in 390 (*PLRE I*: 317).

Numerius was a tribune at the time of the trials of Antioch. According to Ammianus, he himself admitted of having cut open the womb of a living woman in order to use the fetus to summon the ghosts of the dead and thus acquire knowledge of the imperial succession. Despite his despicable act, Valens supposedly let him escape entirely unpunished, on account of their friendship (Ammianus, 29.2.17).

The account of Numerius' case should be taken with a lot of reserve. Allegedly, he admitted having inquired about imperial succession, one of the most serious violations of law in ancient times. On top of it, he had done so through the means of necromancy, definitely the most despicable form of magic in the eyes of the ancients, regardless of the time period or the purpose of the act. Still, he suffered no punishment, and was acquitted by Valens himself. It is possible that Ammianus exaggerated the circumstances of this particular case to reinforce his claims about the atmosphere of lawlessness, in which in-

nocent honorable men were punished, while wicked necromancers were acquitted by the orders of the emperor himself.

Name	**Punishment**	**Accusation**	**Religious affiliation**
Pasiphilus	Cruelly tortured and executed	Having learned about the oracle	No evidence
Simonides	Burned alive	Having learned about the oracle	No evidence
Maximus	Taken to Ephesus and beheaded	Having learned about the oracle	Pagan

Table 3: Accused philosophers

Ammianus names only three philosophers in his account, who were accused of treason. All three of them were executed.

Pasiphilius was summoned to court and subjected to cruel torture in order to provide false information which would compromise Eutropius. Despite the tortures, he could not have been “turned from the firmness of a steadfast mind” (Ammianus, 29.1.36)

Simonides was a young philosopher of the strictest principles accused of the involvement in the divination conspiracy. He had admitted of having learned about the predictions, but decided to keep the secret which had been confined to him, when he saw that the trials were not conducted according to the principles of law, but according to the

will of one man. He was condemned by the Emperor to be burned alive. His conduct at his execution was admirable, as he exhibited great strength of mind, standing unmoved amid the flames (29.1.37 – 9). The *Suda* describes his as a man who lived under Emperor Jovian, very well-known because of his philosophy (*Suda*, sigma 445).

Maximus was a famous Ephesian fourth-century philosopher and miracle-worker, descendent of a good and wealthy family (*PLRE I*: 583), for whom Emperor Julian had great admiration (Eunapius, *Vit. Soph.* 7.3). He accompanied him on his Persian campaign and was at his deathbed (Ammianus, 25.3.23). Apparently, he was very much disfavored with the Emperor Valentinian because under the reign of Julian he had accused him of "profaning the laws of the gods by his Christian religion" (Zosimus, 4.2). He had already been arrested and heavily fined under the Valentiniani in 360s, but he managed to recover his property (Eunapius, *Vit. Soph.* 7.6.1 – 2). In 371 he was accused of having learned the verses of the prophecy about the imperial succession, which he had admitted. Eunapius (*Vit. Soph.*) reports that Maximus was asked for the interpretation of the obscure verses. Consequently, he was taken back to his native Ephesus and beheaded there (Ammianus, 29.1.42; Eunapius, *Vit. Soph.*). Eunapius claims that the accusers were ashamed to put him to death in Antioch, since he had predicted all the events of the trials and defended himself very successfully. For that reason they sent him back to Ephesus accompanied by Festinus, who killed Maximus, alongside with many others, guilty and innocent alike.

Name	**Description**	**Punishment**	
Palladius	"a man of low		No evidence

	birth, poisoner”		
Heliodorus	“interpreter of horoscopes, promoted into chamberlain”		No evidence
Hilarius	“served in the household troops, skilled in divination”	Strangled	No evidence
Patricius	“Skilled in divination”	Strangled	No evidence
Pergamius		Punished by death	No evidence
Iraneus		Strangled	No evidence
Diogenes	Man of low birth	Tortured so that he would give testimony agreeable to the emperor, then he was burned alive	No evidence

Table 4: Others accused

Palladius was the poisoner hired by Spudasius and Anatolius to make an attempt on the life of Fortunatianus. He was a man of low birth. He was the one who first revealed that

the illicit divination ritual had taken place, with the consequences that might disturb the peace in the whole state (Ammianus, 29.1.5 – 6). Ammianus calls him "the fomenter of all troubles", who was taken into custody at the beginning of the process, but then was released because he was ready to name numerous people either as accomplices in the divination plot, or as magicians (29.2.1 – 2).

Heliodorus was an interpreter of horoscopes, and together with Palladius he was willing to compromise anyone according to the "secret instructions from the imperial court". He enjoyed a very special status during the time when he was emitting accusations, he was being pampered, he had financial gains, and he was allowed to walk around freely. He served as chamberlain at the time of the trials (29.2.6). He died during the trials, either of natural causes, or by a violent act by some of his numerous enemies (29.2.12).

Hilarius was directly involved in the divination ritual, and Ammianus describes him, alongside with Patricius as "men skilled in divination" (29.1.7). It is from their account that we hear about the details of the rite (29.1.28 – 33). The information about him is very limited. He was active during the reign of Emperor Jovian (*Suda*, iota 292, pi 792).Hilarius was apparently a native of Phrygia, who had held a palatine office at some time before 371/2. The *Suda* mentions him as a person of not such a notable education, but who has been given a gift of prophecy by a god (*Suda,* iota 292). He was put to death, as a consequence of his involvement in the inquiry about the imperial succession (Ammianus, 29.1.38).

Patricius was directly involved in the divination ritual, and Ammianus calls him a man skilled in divination (29.1.7). He and Hilarius conducted the ritual and it is from their

account that we hear about the details of the rite (29.1.28 – 33). The only biographical piece of information that can be extracted about Patricius is that he was from Lydia, and "an accurate examiner of prophecy from apparitions or even transient signs" (*Suda,* pi 792). Both of these men were put to death, as a consequence of their involvement in the inquiry about the imperial succession (Ammianus, 29.1.38).

Pergamius took part in the divination ritual, and as indicated by Palladius, he got "foreknowledge of certain things through criminal incantations". He designated many men as his accomplices from all parts of the world before he was executed (29.1.25).

Iranaeus was involved in the ritual, together with the ex-governor Fidustius and Pergamius (29.1.6). No other information is available on him, either from Ammianus' text, or from other sources. They were both executed.

Diogenes was a man of low origin, who was brutally tortured so that he would give the testimony agreeable to the emperor and to Modestus concerning Alypius. After the desired testimony was attained from Diogenes, he was burned alive.

Apart from two very short entries in the *Suda* about Hilarius and Patricius, we are entirely dependent upon Ammianus' narrative to extract information about the men who were neither government officials, nor philosophers. They were men from the lower classes of society and Ammianus' characterization of them reflects well his elitism. They are mostly shown as men who gladly accused other innocent men in order to save their own lives, or even attain financial gain. Even if they were not willingly pronouncing charges against others, after they had been submitted to tortures, they started doing so. Presumably, this should indicate a lack of principles, or a genuine character flaw. It is interesting

to compare this point to the reported cases of philosophers, in which although having been brutally tortured, they never lost their dignity and inflicted false charges, even if that cost them their lives.

Coeranius	Philosopher	Executed by Festinus	Because he added a line in Greek in a letter to his wife.
	A simple-minded old woman	Executed by Festinus	She was curing fever with a simple charm
	Distinguished townsman	Tortured and butchered by Festinus	A horoscope of a certain Valens was found among his papers
	A young man	Tortured and beheaded	He was seen in the baths to pronounce the seven vowels.

Table 5: Accused under Festinus

The accusations under Festinus technically were not part of the Antioch sorcery trials, but I have included them into the analysis, since they were happening at approximately the same time and were driven by the same momentum.

Coeranius was a philosopher, “a man of no small merit”, executed by Festinus. He was charged of sorcery because in a private letter to his wife he added a proverbial line in Greek. The *Suda* refers to him as “Koiranos the Egyptian”, slain by Festinus together with Maximus (*Suda*, phi 279). This could be a misinformation from the *Suda* since Ammianus’ narrative suggests that these were two different events. In the Latin West from which Festinus originated, but also where Ammianus was writing his history in Latin and for western audience, Greek was considered an exotic language often connected with magic. This is confirmed with the fact that the vast majority of curse tablets found across the Western provinces, as far as Britain, were inscribed in Greek (Gager, 1992).

Another victim of Festinus’ ambition was a “simple-minded old woman” who was healing fevers with harmless charms. After being summoned to cure Festinus’ own daughter, she was put to death, as if she was a criminal. A distinguished townsman was tortured and put to death when a horoscope of a certain Valens was found amongst his papers, although he claimed that it was a horoscope of his deceased brother. Another victim of torture and execution was a young man who was seen at the baths to touch “alternately with the fingers of either hand first the marble and then his breast, and to count the seven vowels”, trying to get a relief from stomachache (Ammianus, 29.2.26 – 9).

Some of the acts of which Festinus’ victims were charged were not considered criminal actions, although they all resulted in death of the accused. The case of Coeranius could be an exaggeration and possibly it could have served to ridicule Festinus and the fact that he could not speak Greek. The healing incantations, which were used by the old woman and the young man at the baths, were considered benevolent magic and were still

legal at the times of Theodosius, as explicitly stated in the Theodosian Code (9.16.13). The practice of astrology was criminalized by Valentinian and Valens (*CTh*9.16.8), and casting a horoscope for an emperor's namesake would definitely raise suspicions. The alleged punishments seem very disproportionate especially taking into account that only those directly involved in the divination ritual were executed at Antioch. Ammianus claims that Festinus was inspired by Maximinus' actions in Rome, which brought him a lot of wealth and a fast career development. While it can be understood how a prosecutor could profit from accusing the rich senatorial elite of Rome, or Antioch, it is far from clear what kind of material benefit the accusation of an old soothsayer, or philosopher could bring to Festinus. Ammianus does say that these were just a few cases that he chose to name, and that there were innumerable people executed all around Syria for pettiest magical offences. But this statement sounds just too similar to the statement he employed to describe the developments of the sorcery trials of Scythopolis, Rome, and Antioch. Also, Ammianus admits that he is reporting only these several cases which were "familiar and generally known" (Ammianus, 29.2.23), meaning that he probably did not have reliable sources for these accusations himself, but he rather relied on commonly known stories about the trials.

Ammianus dedicates quite a large portion of his narrative to these sorcery trials, particularly the ones under Valentinian and Valens. This is especially true when taken into account that in the books after Julian's reign his account should be less detailed, as he places the events of more than two years within one book, as opposed to one book per year which he followed until the end of Julian's reign. Also, the trials of Rome and Antioch seem to have been less significant in Roman history than Ammianus makes them

(Matthews, 1989: 228). The reason for giving so much space to a relatively insignificant event might be that throughout the post-Julian books of his history Ammianus was trying to convey the idea that the corruption of the Empire which began with Constantine and continued under Constantius, reached its peak under the Valentiniani (Barnes, 1992: 183). The prevailing atmosphere of all three processes is one of lawlessness and tyranny, in which any decent man could be accused and punished for the most harmless acts, while the real criminals were walking around freely, inflicting accusations pleasing to the emperors and his officials. Few divine omens are reported which took place during these trials. A disfigured child was born in Antioch during the process at Scythopolis, which he interpreted as a sign that the state was turning into a deformed condition (Ammianus, 19.19.9). Also, during the trials of Rome the brooms were blooming, which was to suggest that some men of low origin would rise to positions (28.2). This could be Ammianus' criticism for the policy of Valentiniani brothers to give important positions to Pannonian officials, of whom Ammianus does not have a high opinion.

The Valentiniani brothers certainly did not look with approval on any kind of magical activities, but they were by no means exceptions among the Late Roman rulers when it came to their formal attitudes towards magic. What might have enhanced their fear of magic during their reign and prompted their harsh response was their sense of insecurity as the founders of the new imperial dynasty who did not have much support in the elites of the Roman society, and especially so in the East, because of their different cultural background (Lenski, 2002). Also, Valens had already had to deal with one attempted, and almost successful, usurpation of his throne at the beginning of his reign, and as Ammianus claims his life was in danger on several other occasions. Valentinian also

feared for his imperial position and that was the main reason why he made his brother Valens his co-emperor, despite him being not the most suitable person according to the opinion of his contemporaries. Valentinian chose security in posting his own brother, who was not competent or capable, ensuring that his own position as senior Augustus would not come to be endangered that way.

Divination ritual

Apart from providing information on the accusers and the accused of the sorcery trials, Ammianus Marcellinus also gives a very detailed account of the divination procedure, as reported by Hilarius and Patricius, which went as follows (Ammianus, 29.1).

A table similar in shape to a Delphic tripod was constructed from laurel twigs and consecrated by secret incantations. When it was made to work, after many rehearsals, it was placed in the middle of the house, purified with Arabic perfumes. A perfectly round plate made of various metals with the 24 letters of the Greek alphabet engraved on its rim was placed on the tripod.

The man who performed the rite was dressed in linen garments and sandals, with a fillet wound around his head. He carried twigs from a tree of good omen and after propitiating in a set formula the divine power of the ceremonial, he stood over the tripod as priest and set swinging a consecrated ring suspended on a fine linen thread.

The ring was passing over the board, landing on certain letters, giving answers in hexameter verse, completely finished in feet and rhythm, which Ammianus compared to the Pythian verses or those given out from the oracle of the Branchidae.

When the question was asked concerning the successor of Valens, the ring spelled ΘΕΩΔ, at which point the procedure was interrupted by one of those present, who supposed that the answer must be Theodorus, a young *notarius*.

The oracle also foresaw that the inquirers would come to regret their excessive curiosity. The place of death of Emperor Valens was also given, stated as the "plain of Mimas" (29.1.33).

A very similar procedure to the one Ammianus described is attested in the collection of magical texts *Papyri Graecae Magicae*[10]. Also, a tripod with an inscribed board, like the one used in the ritual, was retrieved from the excavation in Pergamon. Taking this into consideration, as well as the fact that Ammianus is the only historian who was present at the trials in Antioch, the method of divination reported in his account is probably the one closest to the truth. He presents the readers with a lot of details and seems to have been very well informed on the way the ritual was supposed to be conducted. However, he does not report the offering of a sacrifice which most probably was happening as the incantations were recited (Trombley, 1993: 50).

[10] There are several rituals described in the *PGM* which make use of tripod for the purpose of divination, and which exhibit similarities with the ritual described by Ammianus: *PGM* III. 187 – 262, 282 – 409, IV. 1872 – 1927, 3172 – 3208, V. 172 – 212, XIII. 1 – 343, XIII. 646 – 1077

Other historical accounts

Several other ancient historians have reported in much less detail about the events which took place at the trials of Antioch. Their accounts are presented in chronological order.

Philostorgius(ca.366 –ca.439) was born in Cappadocia, into an Anomoean family (Treadgold, 2007: 126 – 7). In the years of his early education, he studied the Bible, as well as Greek literature, which enabled him to write in a good, cultivated style (Treadgold, 2007: 127). He continued his education in Alexandria, studying medicine under some of the greatest teachers of his age. He finished medical studies around the year 390, and moved to Constantinople in 394-395, where he started working as a doctor (Treadgold, 2007: 127 – 8). His *History of the Church* covered the years from about 312 – 425, and the largest portion of it is preserved in Photius' *Bibliotheca* (Treadgold, 2007: 128 – 9). He was probably writing his history after 427, and the entire work must have been completed before 433 (Treadgold, 2007: 128).

In the 9th book of his *History* he gives a rather brief account of the Antioch trials. He reports that in the reign of Valens, "the pagan oracles delivered pebbles marked all over with letters to those who approached them (9.15). When put together, these letters were supposed to give the name of Valens' successor. Different people interpreted these differently, some as Theodore, some as Theodosius, some as Theodulus. The reason for this was that "the letters that were engraved went as far as *delta*" (9.15). Consequently, a certain Theodore wrongly believed in the truthfulness of the oracle, and started planning the usurpation of the throne. His plans were quickly uncovered, and those involved were severely punished, as well as "a good many innocent folk …, simply because their

names began with those letters” (9.15). A common place remark follows that demons, as usual, gave ambiguous predictions, in order to harm those who believed in them.

Kleromancy, or drawing of lots was a widely practiced method of divination in the ancient world. The technique consisted of small inscribed objects (e.g. pebbles, metal lamellae, etc.) that were usually held in special containers and then randomly drawn out (Grottanelli, 2005: 134). There existed several revered ancient sanctuaries which employed this method of divination, and it is possible that even Delphi occasionally relied on lot divination (Burkert, 2005: 37 – 8). Despite this, kleromancy was one of the most looked down upon methods of divination; it was considered the work of low-bread tricksters (Grottanelli, 2005: 135 – 44).

Another account of the sorcery trials of Antioch is found in the historical writing of Socrates Scholasticus(ca.380 –after 439). All the biographical information that we have about Socrates Scholasticus comes from his own history writing. He was born in Constantinople, where he also received his education (Rohrbacher, 2002: 108). Both of his teachers were priests in pagan temples, which could explain his generally sympathetic attitudes towards Greek culture (Rohrbacher, 2002: 109). His work was intended as a continuation of Eusebius’ *Ecclesiastical History* and it was probably published before 443 (Rohrbacher, 2002: 110).

In the chapter 19 of the 4th book of his *Ecclesiastical History*, Socrates gives a rather short account of the Antioch sorcery trials. He gives his assessment of the event already in the title of his chapter *Slaughter of Many Persons by Valens on Account of their Names, in Consequence of a Heathen Prediction* (4.19), thus characterizing the process

as one triggered by exclusively pagans. He goes on to say that a certain demon, taking advantage of the Emperor's natural cruelty, induced some people to perform a necromantic ritual so that they would learn the name of Valens' successor. As always, the demon gave an ambiguous answer to the magical incantations; only the initial four letters of the successor' name were given and it was revealed that it was a compound name.

When the Emperor found out about this, he put to death many people who were suspected of having aimed at the throne, especially those who were named Theodorus, Theodotus, Theodosius, Theodulus. Consequently, many people bearing these names changed them in fear of the Emperor's rage.

Despite the fact the Socrates' account is quite close in time to the events described, it is rather short. Still, it can help us understand how magic was perceived in the eyes of a 5th century church historian. For Socrates, magic was an exclusively pagan practice. Although Ammianus' account shows a more complicated situation when it comes to pagans and Christians involved in these trials, and although Socrates himself elsewhere in his history gives examples of Christian priests being accused of using magic, he does not suggest that any Christians could have taken part in the divination ritual.

The divinatory ritual is referred to as necromancy: summoning a demon by using some part of a corpse. It was one of the practices which the Roman authorities tried to sanction since the times of the Republic, and the punishments for this practice were severe (Graf, 1997). Necromantic rituals have been excessively used in the ancient literature to describe magic as the most appalling practice, and its practitioners as ruthless human

beings[11]. Given Socrates' classical education (Rohrbacher, 2002: 109), he must have been familiar with these accounts and it should not surprise us that he is using necromancy to describe pagan magical practices, and he does so more than once. In the 2nd chapter of the 3rd book, he tells a story of how Christians of Alexandria found numerous skulls of people of all ages which the pagans were using to predict the future.

As many Christian writers, Socrates makes the observation that the demon intentionally gave an ambiguous answer, as was their general practice, in order to harm people and inflict death upon them. The ambiguity of any kind of oracles was another common place in classical literature, but while in pre-Christian times the misleading answers of the oracles were seen as a wrong interpretation by humans, Christian writers equivocally attributed them to the malevolence of the demonic powers.

Socrates also reports that many people bearing the name which started with the problematic string of letters were put to death.

Writing at about the same time as Socrates, Sozomen(ca.400 – ca.450) also reports about the trials. As in the case of Socrates, all the information about Sozomen's life is available to us through the comments in his own work (Rohrbacher, 2002: 117). He was born in Palestine, in Bethelia, a town near Gaza, known for its large population and a number of ancient temples (Rohrbacher, 2002: 117). He comes from a family which converted to Christianity among the first ones in the town, early in the fourth century, and was allegedly forced to flee the town during Julian's reign (Rohrbacher, 2002: 117 – 8). We don't have reliable information about his education; it is possible that had received his earliest education in a monastery, and later studied rhetoric at the school of Gaza (Rohr-

[11] Examples are found in the writings of Virgil, Theocritus, as well as in the Old Testament

bacher, 2002: 118). During the writing of his *History*, he was living in Constantinople (Rohrbacher, 2002: 119). A great portion of Socrates' *History*is embedded into Sozomen's writings without any attribution (Rohrbacher, 2002: 122). Both authors were writing their *Ecclesiastical Histories* at around the same time, the greatest difference between them being that Sozomen placed much more emphasis on monks and monastic activities (Rohrbacher, 2002: 118).

In the 35th chapter of his *Ecclesiastical History*, Sozomen writes about the sorcery trials of Antioch. The chapter is titled "The wooden tripod on which were indicated the first letters composing the name of him who was to succeed the throne. Destruction of pagan philosophers." The title of the chapter offers the glimpses of his interpretation of the event, which he seems to understand as being directed exclusively against the philosophers, for whom later in the chapter he claims that they were all "nearly exterminated" in the time period around the trials (Sozomen, XXXV: 301).

Sozomen goes on accusing the philosophers by saying that it was the extreme displeasure of some of the most excellent philosophers about the progress of Christianity, which led them to set up a divination ritual and find out the name of Valens' successor. It sounds as if he is making a direct opposition between philosophers and Christianity, and since the philosophers are referred to as pagan, it could be said that he is seeing the trial as a conflict between Christianity and paganism. The pagan philosophers were displeased at seeing the progress of Christianity, and by means of "magical arts" learned the name of the successor, who was, conveniently pagan, and another pagan Emperor, less than a decade after the death of Julian could have potentially weaken Christianity. However, the pagan philosophers were destroyed, as a punishment for wishing to know

and change the future, which Sozomen sees as a just consequence. Wondering "if the imperial succession was to be considered dependent on the arrangement of the stars, what was requisite but to await the accession of the future emperor, whoever he might be? Or if the succession was regarded dependent on the will of God, what right had man to interfere with His decrees?" (Sozomen, XXXV: 302), he expresses hope that "sensible persons will not blame the cruelty and impetuosity of the emperor more than the rashness of the philosophers" (Sozomen, XXXV: 302).

When it comes to the divination procedure, he describes the similar procedure which is found in Ammianus' account, however with much less details and much less understanding of how divination was supposed to work. He gives an account of divination in which a tripod of laurel wood was constructed after various incantations. Certain magical words were uttered over it, so that "the letters of the alphabet might appear upon the tripod, and indicate the name of the future emperor" (Sozomen, XXXV: 302).

While Ammianus' account of divination reports the procedure, which is attested in the *PGM*, and which would be possible to perform, Sozomen apparently misunderstands the divination procedure. No instructions for a magical procedure in which the letters are supposed to appear from thin air have been attested. On the other hand, the sight of letters appearing from thin air must have been considered a much more impressive and mystical sight than the swaying of the ring, and would speak stronger in favor of the presence of the demon, who then deceived the philosophers and pushed them into death.

He reports that Valens was enraged upon hearing this, which led to the execution of those who took part in the construction of the tripod and the divination ritual, as well as

those whose names began with the letters *Theod*. He does not convey the feeling of the immense number of people that were executed or punished in another way and generally does not exhibit a lot of condemnation for the Emperor. He concludes his report with a truthful observation that even if the philosophers did not fish to influence the succession of the Emperor, and if they had really inquired about this only because of curiosity, still they broke the laws of the Roman Empire, which at that time explicitly prohibited secret divination. He makes a parallel with Socrates, the philosopher, who rather chose to drink poison, than violate the law of his country. Touching upon the story of Socrates serves as a good occasion for Sozomen to show off his learning.

Zosimus most probably lived from about 430s until around 501 (Treadgold, 2007). As Photius records, he was a retired treasury official who held the rank of a count (Treadgold, 2007). His position probably enabled him the access to the state archives, where he could find the sources for his history (Treadgold, 2007). Presumably he had a fairly good education (Treadgold, 2007). He is the only eastern representative of paganism of the late 5th century and the only non-Christian source for some of the events of the late 4th and early 5th century (Gordon, 1968). It is, however, disputable to which extent he was a genuine devotee of the pagan gods rather than simply a traditionalist who invoked the worship of gods chiefly as a symbol of the prosperity of the Empire (Goffart, 1971). Zosimus most probably died before he could finish his narrative (Tradgold, 2007). His two principal sources were Eunapius, for the years 270 to 404 (1.47 – 5.25) and Olympiodorus for the events after 407 (5.25 – 6.13) (Liebeschuetz, 2006).

Zosimus gives a compressed account of the trials in the 5th book of his history. He describes Theodorus as a young and naïve man, who was easily influenced by some

charlatans because of his impulsive young age (Zosimus, 5). Excited by the possibility of attaining the imperial throne, he "became extremely anxious to associate with beggars and sorcerers" (Zosimus, 5). When Valens learned about these events, Theodorus "suffered a fitting penalty for his trouble" (Zosimus, 5). When the others involved in the divination were reported, the Emperor became extremely angry and suspicious especially of the famous philosophers and men of letters, as well as numerous other men of high rank (Zosimus, 5).

He reports that many were condemned without any legal proof and were forced to flee in order to save their lives (Zosimus, 5). Zosimus' assessment of the events is that the purpose of the outbreak of such violence and anarchy in Antioch was to "collect a fortune for the treasury"(Zosimus, 5). When it comes to the chase against alleged sorcerers which was taking place all over Asia under Festus, Zosimus' interpretation of it is that it was instigated with a singular aim: to kill all the remaining educated persons, which, according to Zosimus, was done with great success, since these worthy men were either killed without a trial by the orders of Festinus, or they were forced to go into exile (Zosimus, 5).

He does not give any details about the divination process itself, apart from stating that a tripod was used, which indicated the future "by some rite" (Zosimus, 5).

The latest Byzantine accounts of the events of the treason trials of Antioch are found in the histories of Cedrenus and of Zonaras from the 12th century. The accounts found in these two historians are remarkably similar and will be discussed together.

Zonaras composed his history in the first half of the 12th century. His history is mostly derivative and it spans the period from the creation of the world until the death of Alexius Comnenus in 1118 (Banchich, 2009: 1). The part of his account in which he is narrating the events of the 4th century CE mostly depends on sources which no longer exist, Chronicle of Leo Grammaticus, *Synopsis Chronike*, fragments of John of Antioch, and *Anonymus post Dionem* (Banchich, 2009: 8). The information about his life is very limited. He used to be a civil servant, until at some point in his life, he became a monk. He probably was not of elite origin (Banchich, 2009: 2). Zonaras briefly recounts the events of the sorcery trials in the sixteenth fragment of the thirteenth book of his history.

Cedrenus was a 12th century historian, about whose life nothing is known. His *Synopsis historian* covers the events since the creation of the world until 1057. He compiled the histories of three different authors for the period until 811: Pseudo-Symeon Magistros, Theophanes, and George Hamartlos. From 811 onwards, he closely follows John Skylitzes (Kazhdan, 2012, *Kedrenos, George*).

The version of the divination ritual found in Zonaras and Cedrenus is the same. They report that during the reign of Valens sophist Libanius and Iamblichus, Proclus' teacher performed a rooster-divination. The ritual consisted of twenty-four letters of Greek alphabet written in dirt, upon each of which a kernel or wheat or barley was placed. Zonaras mentions that to the chanting of certain incantations, a rooster was released to peck the kernels from the ground. No incantations are mentioned in Cedrenus' narrative. It was observed from which letters the kernels were picked, and when put together these letters were thought to provide answers. The first four letters seemed like an ambiguous answer, as they could have referred to several different names. Consequently, Valens

was suspicious of many people whose names began with those four letters and executed many of those. He also started seeking out the people who made the divination. Upon learning this, Iamblichus was in fear for his life and he drank poison, thus killing himself (Cedrenus, 548 – 50; Zonaras, 13.16).

The ritual described by Cedrenus and Zonaras has not been referred to in any other source, to my knowledge. However, it does bear certain similarities with alectryomancy. Alectryomancy was the practice of consulting the sacred chickens, which were carried along on military campaigns, about the success of Roman army in battle. Kernels were tossed on the ground in front of the chickens, and based on the amount of the food they would eat, and the way they would peck it, predictions were made (Cicero, *On Divination*, 1.29; Livy, X.40 – 1).

Cedrenus and Zonaras report that Libanius and Iamblichus were not only involved in the divination ritual, but that they were actually the main instigators. While the involvement of Libanius was possible, reporting that Iamblichus was there is clearly wrong since this Late Antique Neoplatonic philosopher died around half a century before the trials. Although there was another Iamblichus active in the late 4th century, who was also connected to Libanius through letter exchange (Fowden, 1982: 51), he was certainly not the one referred to by these two sources. Both Cedrenus and Zonaras clearly state that the Iamblichus who they have in made is the teacher of Proclus, confirming their confusion about the involvement of the famous Neoplatonic philosopher.

Cedrenus starts his account of the events by referring to two omens which directly preceded the divination ritual. Firstly, clouds were being formed in the shape of armed men.

And secondly, a boy was born in Antioch with only one eye in the center of his forehead, with four arms and four legs, and with a beard. The story of the disfigured child is remarkably similar to the one encountered in Ammianus. Cedrenus' text could be suggesting that it was in order to interpret these signs that Libanius and Iamblichus started the divination ritual, while Zonaras explicitly states that the ritual was conducted to disclose the name of the future emperor.

Both sources also tell us of a prediction which foretold the place of Valens' death. However, in their versions the prediction came directly to Valens through a dream in which the monk Isaacius revealed to Valens that he would die "next to Mimas" because of his heresy and his persecution of the orthodox. The greatest part of the narrative which is dealing with the events of the trials of Antioch is dedicated to the episode of the accurate prediction of Valens' death, which was delivered by a Christian holy man, and not by a pagan oracle as in the narrative of Ammianus.

Conclusions

The prosopographical study of the persons involved in the sorcery trials of Antioch, supported by the evidence coming from the legislation of Valentinian and Valens, has shown that the sorcery trials of Antioch were not conducted as an excuse for the eradication of local pagans. Although some of the ancient sources which discussed these events connect the trials with paganism, or more precisely with pagan philosophers, they do so in order to emphasize that magic was a practice typical of paganism. With the sole exception of Zosimus, these historians did not claim that Valens' intention was to

persecute pagans. Also, not all of those accused were pagans. The suggestion that the aim was to eliminate a pro-Julianic fraction is also not entirely convincing, since even the existence of such a unified pagan body is very much disputable (Lenski, 2002: 228).

Rather than seeing these events as an attempt of the imperial authorities to eliminate a certain group, I propose that the trials of Antioch were led mainly by the agency of the investigators, rather than by Valens himself. An ambitious and experienced state official like Modestus could easily spot the opportunity to manipulate Valens' fears and direct charges against the wealthy Antiochenes in order to appropriate some of their wealth, or to eliminate potential competition for the consulship, which he received in 372. Valens and his brother had already exhibited a concern for the illicit magical activities on previous occasions and this concern was reflected in their legislation as well. Additionally, there were the insecurities of the new dynasty, whose claim to the throne had already been challenged by the usurpation of Procopius. That attempted usurpation, as well as at least one of the attempts on Valens' life reported by Ammianus, sprang from Asia.

Regarding Ammianus' reports about the trials of Antioch, as well as of those of Scythopolis and Rome, it is evident that it should not be taken for granted, and this is especially true in the cases of vague general statements he makes about the scope of charges and the cruelty of punishments. He claims that men had been brought from all corners of the Empire, but actually for the majority of the accused, it can be concluded that they had already been residing in Antioch at the time of the trials. This poses the question whether the trials had much effect away from Antioch and its surroundings.

Ammianus and all other historians describe the ritual which yielded only the first four letters of the name of the new emperor: ΘΕΟΔ. The conspirers were sure that it had to be Theodorus, so they stopped the ritual. Some of them also seemingly took measures to ensure that the prediction was fulfilled. As it turned out, the name of the emperor who succeeded Valens did start with those letters; it was Theodosius. Rather than proposing that this was a mere coincidence, or the actual evidence of the supernatural powers at work, I propose that this was just a very fortunate circumstance for Ammianus' history writing that the unfortunate plotter Theodorus and emperor Theodosius had resembling names. I suggest that Ammianus shortened the answer actually obtained at the oracle, and thus gave himself the chance to narrate the case of yet another misinterpreted but truthful prediction.

Theodosius took the throne in 379, well before Ammianus finished his work, which enabled him to tailor the account of this event so that he could make a more exciting story for his readers. It also gave him a chance to confirm the correctness of his attitudes towards divination which he had explained previously; that the faith is pre-determined and the course of actions cannot be changed, no matter what one does (Ammianus, 21.1.8). Also, that the gods always speak the truth and that it is human misinterpretation that produces false predictions (21.1.13).

Given the severity and the scope of the investigations that unfolded after those four letters had been obtained, it would seem surprising that no person whose name begins with those letters, other than Theodorus, was accused. If those conducting the ritual were certain that ΘΕΟΔ can only mean Theodorus the *notarius*, it should not necessarily mean that the investigators and the Emperor himself would share the same conviction, as this

open answer could easily motivate other people with suitable names to start plotting. Not only Ammianus not explicitly mention other people who might fit the profile obtained at the divination, he does not even hint that there were people who were accused simply because of their names, although he openly admits that the danger of the throne usurpation was real.

Philostorgius, Socrates and Sozomen do point out that numerous people bearing the names such as Theodorus, Theodosius, Theodulus, etc. were put to death solely because of the suspicion their names aroused. They were not the direct observers of the trials, and it would be hard to imagine that they had more detailed information than Ammianus. They simply narrated the events as they saw logical: when an ambiguous answer was given, anyone would have tried to deal with all the possible interpretations. Therefore, I am of the opinion that Ammianus actually slightly amended the story of the oracle to open the way for an exciting truthful prediction.

There are other examples in which Ammianus repeats the pattern of other predictions, where at first it seems that the prediction was entirely false, but then it turns out that the prediction was actually true, and that it was the human interpretation that was wrong. At the same occasion when the oracle revealed the name of the future emperor, it also revealed that Valens would lose his life at the plains of Mimas (Ammianus, 29.1.33). Everyone, including the emperor, originally thought that Mimas referred to the mountain in Asia Minor, as was indicated by Homer and Cicero. It might be more than a coincidence that Ammianus refers specifically to these two men, since both of them were considered authorities in the field of divination. Cicero was the author of a treaty *On Divination*, while Homer had the status of a bard whose verses were used for divination, as

well as for protection purposes (Kotansky, 1991: 111; Collins, 2008). However, Valens died in Thrace while fighting the Scythians. At the later inspection of the place where he presumably died, a funerary inscription was found, reading "Here lies Mimas"(Ammianus, 31.4.9), thus fulfilling the prediction and showing that it was not the oracle which was at fault, but it was the human interpretation.

Regarding the different reports of the divination technique used to predict the name of the future emperor, I believe that they reveal some of the attitudes towards magic, which were held by their authors. Lot divination was a technique which would provoke mocking of those who believed in it, it was considered a cheap market-skill for fooling the superstitious folks (Grottanelli, 2005: 136 – 44). By reporting about lot divination, Philostorgius conveys his opinion that magic and divination is not something to be taken seriously, but it is a part of the old superstitions, which always tricks those who try to understand it. Socrates, probably influenced by his classical education, employs the story of a necromantic ritual in order to present those who practice magic as the most despicable of men. For Socrates, as well as for Philostorgius, magic is something pertaining to the world of the Heathen. When it comes to the ritual described by Cedrenus and Zonaras, no observations can be made as the ritual has not been attested elsewhere. However, another point in their account deserves attention. They name Libanius and Iamblichus, a sophist and a philosopher, as the main perpetrators of the divination. It is interesting to note that by the middle Byzantine period a pagan philosopher had become commonly associated with the portrayal of a sorcerer (Brown, 1970: 34). Looking at these different accounts and having in mind that the magician is always someone who belongs to the elusive category of the "other", it could be stipulated that each of these

authors tried to define that category and clearly disassociate themselves and their own circle from it.

CONCLUSION

Accusations of sorcery tended to appear at moments of crisis and instability in a given society, in which the involvement of magic could provide an explanation for misfortunes or unexpected success stories (Evans-Pritchard, 1937). Those who were considered potential magicians tended to be persons from the margins, not fully integrated in, or accepted by the society (Mauss, 1972). Often the accusations were stated against people belonging to a religious or ethnic group different or opposing to the group of those who were making the accusation; Christians often saw Jews and pagans, as well as heretics, as magicians, Jesus was considered a magician by Jews and pagans, Persians were the archetypal magic-workers in the eyes of the Greeks and Romans. In the 4th century, given the ongoing rebalancing of power between the traditional cults and the newly legitimized Christianity, the frequent accusations of sorcery do not come as a surprise. The fact that the borders between religions were not clearly defined could only contribute to the number of accusations, since depending on personal understanding of what the indicators of religious identity were, any practice could easily be labeled as the practice of "the other" (e.g. Jew, pagan, heretic), and thus reinforce the accusation. In 389 a law was passed which commanded that no one should administer punishments by themselves to those suspected of magic, but that the suspect must be brought to court (*CTh*

9.16.11). This bill goes to show that the suspicion of magic were even more widespread than recorded in the sources, since there obviously the number of cases which never even made to the court was enough to require legislative measures.

Religious developments were not the only thing which contributed to the sense of instability and the accusations of magic. While these might have been one of the forces behind the accusations amongst the common people of the Empire, another type of insecurity boosted the insecurities of imperial families, prompting their eager investigations in any attempt of illicit divination, which might encourage a potential usurper to take action. The 4th century witnessed four dynasties on the throne plus one non-dynastic Emperor, Jovian. The attempts of usurpation were quite frequent and it should be noted that two major trials for attempted treason happened during the reign of Constantius II and Valens, who both had faced the possibility of losing the throne to the usurpers.

There have been tendencies to see the sorcery trials of Antioch as an attempt by the Emperor to eradicate the remaining pagan force, or even more specifically to prevent the actions of the pro-Julianic fraction (Matthews, 1989). Firstly, it would be very hard to show that such unified groups even existed[12]. Secondly, given the general lack of anti-pagan legislation during the reign of Valens and Valentinian, as well as their actions never had any anti-pagan undertones, it would be hard to believe these claims. It has also been suggested that the trials were Valens' reaction against the Greek aristocracy, whom he could not relate to (Lenski, 2002). While this problem certainly existed, it should be noted that almost all of the members of aristocracy who were exiled were reinstated to

[12]Cameron, 2010 has proven that there was no unified pagan group which would fight for the "pagan cause" in the West, and that there is no evidence which would support the existence of such a group in the East.

their former rank during Valens' reign. Rather than being a reaction to the problem which existed throughout his reign, the events in Antioch seem to have evolved around temporary circumstances.

The ancient historians who reported about these events give little support to the idea that the trials were started to eradicate the pagans. Ammianus gives no hint that the religion of the accused might have been of any importance. However, it should be said that Ammianus generally tries to avoid religious issues and does not often bring religion into his narrative. Other sources[13] do bring the dichotomy between paganism and Christianity into the picture, but they do so only to emphasize that the ritual itself was conducted by pagans and not that the accusations were directed against them. Zosimus claims that the wish to destroy all philosophers and all educated men was behind these events. He even states that Theodorus got his deserved punishment, which he would not have been likely to declare if he had thought that the trials were directed against the pagans, or that there was "the pagan cause" behind the divination.

Throughout his narrative of the sorcery trials of Scythopolis, Rome, and Antioch, Ammianus insists that the main prosecutors were to blame for the scope in which the trials developed. He accuses Maximinus and Modestus of having influenced the decisions of the Emperors to make them even harsher, instead of trying to calm down the situation. It might be worth noticing that while both the trials of Rome and Antioch were still in full swing, a law was passed which was intended to limit the power of the prefects in the court cases in which senators were accused of sorcery; should the cases have turned out to be more complicated than expected, the matters were to be referred to one of the em-

[13] Philostorgius, Socrates, and Sozomen

perors (*CTh* 9.16.10). This law might suggest that the emperors were aware that the prefects could manipulate the trials for their own benefit.

Ammianus goes on to claim that the investigators did everything to get the wealth of those accused and to advance in their position. Maximinus' career did indeed develop rather fast; in less than ten years he advance from *praeses* to *praefectus praetorio*, all under the rule of Valentinian. Modestus' career had a more gradual development. However, it seems that it took him extra effort to obtain such a career. He served under at least four different emperors, over which time he changed his religion at least two times; under Julian, he openly professed to paganism, and under Valens he, conveniently, converted to Arian Christianity. Constantius II and Julian would have certainly rather chosen for an office someone who shared their own belief. As already discussed, Valens was not too concerned with the pagan – Christian division. However paradoxical this might seem, Valens was not a zealous Christian, but he was a zealous Arian. Socrates and Sozomen, as well as Cedrenus and Zonaras, mention him as someone who was ruthless towards the anti-Arians, and on at least one occasion Modestus was the one helping him in his crimes against the Orthodox[14]. Modestus' conversion to Aryanism probably would not be the sole reason for his advancement, but it must have been convenient for establishing a closer relation with the Emperor, and ultimately it must have helped him obtain the consulship in 372.

Ammianus is the source which records the events of these trials in greatest detail. However, his account of the trials should definitely not be taken at its face value. Upon analyzing the narrative of these three processes, some patterns emerge. When describing

[14] Modestus was the one who allegedly completed Valens' orders and burned a ship at sea, full of anti-Arian bishops.

the events of the trials Ammianus often uses very pompous, but vague language, with a lot of similar phrases used to portray similar images. For the trials of Scythopolis and Antioch, he is reporting about very large number of people, brought to the trials from all corners of the Empire, simply to please the Emperor and the investigators. The imagery of large scale executions, which were often taking place even without the trials, is also often encountered in his account. There are also many dramatic scenes, which are meant to contribute to the general atmosphere of terror and lawlessness, as well as to evoke an emotional reaction. This is especially true in his accounts of the events in Scythopolis, and of the trials that took place across Syria under Festinus. These two accounts are full of exaggerated speech and vague descriptions that sometimes it seems that Ammianus was relying on little more that the rumors when he was retelling them. Actually, in the case of Festinus' trials he even admits that he does not have a reliable source for these events, but that he is retelling what is generally known of these events.

Also, the characters which were involved in the trials were described in very stereotypical terms. People who were involved in the actual performance of the ritual are all described as men of low origin; they often exhibit no moral values and are willing to inflict charges against innocent men in order to save their own lives, or to gain some advantage for themselves. As a contrast to them, he presents the philosophers who are all presented as virtuous men, who would rather endure torture and death, then resort to charging others in order to save their own lives. The prosecutors are also all uniformly presented; they were all bloodthirsty and genuinely evil and manipulating. As opposed to them, the Antiochene nobility accused consisted of nothing else but all honorable men who should have never been inflicted with such charges in the first place.

Still, Ammianus does not deny that there existed a real danger of usurpation, especially in the Antioch case. What he criticizes is the eagerness of Emperors and the main investigators to severely punish anyone involved, thus stepping outside the prescribed law. However, if we look at the reported cases, we see that actually only the people who were directly involved in the divination ritual were punished with death. The rest of the accused aristocrats were either exiled or acquitted. Ammianus is also reproaching at the fact that many of the accused were tortured before they were condemned or released. Although this did show the cruelty of the Emperor, these actions were also conducted in accordance with the law, since if the court case was a suspected treason, anyone could be subject to torture (Matthews, 1989: 212).

The most curious cases are the reported executions of the philosophers. Ammianus names three philosophers tried at Antioch and one more tried under Festinus, all of them executed. The three philosophers he mentions were all accused of having learned about the oracle, while the one accused under Festus was allegedly executed for having written a proverb in Greek in a letter to his wife. He also mentions that these were many more tried and executed, but this statement is too vague to serve as evidence. The names of three other philosophers were found in Zosimus' account and they were also executed. Sozomen's story tells that it was the pagan philosophers that initiated the divination, and that as a consequence Valens executed not only all the philosophers, but also all those who dressed like philosophers. The punishments these men received seem a bit disproportionate to their offence, which was simply having heard of the oracle. Given that the Neoplatonist philosophers were notorious for their theurgical and divination rituals, would it be possible that these men actually had been involved more directly in the divi-

nation ritual, but that Ammianus remains silent about it because he does not want to ruin their integrity by representing them as plotters?

In the last six books of *Res Gestae*, Ammianus is creating a picture of a downfall of the Empire; after the death of Julian, everything was going from bad to worse (Barnes, 1992: 183). The exaggerated accounts of the trials also contribute to this impression of corruption and decay. To back up the idea of the decay two events are recounted within the narratives of the trials of Scythopolis and of Rome. Ammianus interprets them as omens. The first story tells of a disfigured child, born with two heads, in the suburb of Antioch, Daphne, which Ammianus sees as a clear premonition of the future disaster that is going to befall the Empire. Ammianus laments that there are no more public rituals which could interpret the meaning of this event. It is not a coincidence that Ammianus reports that this happened precisely in Daphne, as there used to be an oracle of Apollo functioning at Daphne, which in Ammianus' view might have interpreted this omen and maybe help to prevent the downfall. The other omen story is the one of the blooming brooms. This omen was to predict that the men of the lowest origin would rise to power in Rome, and it was probably his reaction to the rise of Pannonian officials during the reign of Valentinian. Despite Ammianus' tendency to leave out any religious matters from his history writing, there is a lament that civic rites no longer exist and a hint that if that were different, the faith of the Empire might not be so grim.

Although Ammianus probably exaggerates the scope of the trials, it should not be doubted that there were a lot of magical activities happening at the end of the 4th century

in Syria. The material evidence and the many textual sources testify to that[15]. Although, the textual sources are mostly the lives of saints, which they recount the stories of Christian saints breaking pagan magic spells magical spells. Such stories were almost a re-requirement in many accounts of saints' lives (Brown, 1971: 89) and should not been taken as hard evidence for magical practices.

The accounts of the different methods of divination are intriguing, and they should be understood as providing some insight into these historians' attitudes towards magic and oracles. Ammianus' account is the most detailed and together with the rest of his narrative shows how Ammianus could manipulate his data in order to be able to tell an exciting oracle story. By providing only the first four letters of Theodorus' name, which fortunately for Ammianus were the same four letter of the name of the emperor who succeeded Valens, Ammianus reports the oracle, which at first was misinterpreted and seemed false, but proved its veracity in the end. Philostorgius' account shows a very looked down upon practice. Socrates brings the common place accusation of necromancy, and it is not the only one which he reports about in his book.

Cedrenus and Zonaras briefly mention the divination ritual in which chickens were used. However, they do not dwell on it for too long. They both state that it was Libanius and Iamblichus who performed the divination, and they do not suggest that they had any other accomplices. After the investigations had started and Valens' rage had unraveled, Iamblichus drank poison and took his own life. A similar story is told in the *Suda*, about a certain Ioanes, who also drank poison in fear for his life because of his involvement in the divination. He was convinced by Libanius to do so. It is absolutely unclear who

[15]Trzcionka, 2006 gives a survey of both material and textual evidence of magical activities in the 4th century in this region.

Ioanes might be. However, it is interesting to acknowledge the shared pieces of information between this entry in the *Suda* and the account of Cedrenus and Zonaras; both menmention Libanius and drinking poison as a way of suicide. Also, the names of the second person involved could be seen if not as similar, that at least as potentially confusable, and especially so in the handwriting. Following the prejudice that had been encircling the persona of a pagan philosopher, making him often the usual suspect when it came to the accusations of sorcery (Brown, 1970: 34), could it be that Cedrenus, or a previous source which he incorporated, amended the name Ioanes into Iamblichus, this famous Syrian Neoplatonic philosopher? Iamblichus was writing about divination and theurgy, both of which by the time Cedrenus was writing would have undoubtedly been considered magic. He was a well-known example of a philosopher, also often ascribed the semi-divine status by his students, which would make him a perfect candidate to fit into the image of a magician.

Cedrenus and Zonaras dedicate more space to the story of the prediction of the place of Valens' death. In their version the prediction came from an Orthodox holy father, Isaacius, and the punishment was to be delivered to Valens because of his treatment of the Orthodox Christians. As opposed to demons who only give false predictions, the Christian holy man first offered Valens a chance to redeem his sins against the Orthodox and restore the churches to them. Should he do that, the holy father said, he would return victorious from his battle. Since Valens did not comply with that Isaacius appeared in his dreams and revealed that he would die at the plains of Mimas. As in the story told by Ammianus, the location was initially confused for a mountain in Asia. After the emperor died on the battlefield, the tombstone of a certain Mimas was discovered nearby. The

fact that they dedicate much more space in their account to this Christianized version of the prediction of Valens' death in which the Orthodox faith proves its correctness over Arianism suggests the importance of always reaffirming the correctness of belief, that is, the Orthodoxy.

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