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Civil War in Ancient Greece and Rome

Contexts of Disintegration and Reintegration

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CONTENTS

Contributors 11
Abbreviations 12

Introduction

Henning Börm
Civil Wars in Greek and Roman Antiquity: Contextualising Disintegration and Reintegration 15

PART ONE

From the Classical Age to the Early Principate

Hans-Joachim Gehrke
Stasis und Sozialisation. Überlegungen zur Funktion des Gymnastischen in der Polis 31

Benjamin Gray
Civil War and Civic Reconciliation in a Small Greek Polis: Two Acts of the Same Drama? 53

Boris Dreyer
Harmonie und Weltherrschaft. Die Stasis bei Polybios 87

Henning Börm
Hellenistische Poleis und römischer Bürgerkrieg. Stasis im griechischen Osten nach den Iden des März (44 bis 39 v. Chr.) 99

Federico Santangelo
Performing Passions, Negotiating Survival: Italian Cities in the Late Republican Civil Wars 127

Wolfgang Havener
Triumphus ex bello civili? Die Präsentation des Bürgerkriegssieges im spätrepublikanischen Triumphritual 149

PART TWO

From the High Empire to Late Antiquity

Alexander Heinemann
Jupiter, die Flavier und das Kapitol
Oder: Wie man einen Bürgerkrieg gewinnt 187

Matthias Haake
„Trophäen, die nicht vom äußeren Feinde gewonnen wurden, Triumphe, die der Ruhm mit Blut befleckt davon trug …“. Der Sieg im imperialen Bürgerkrieg im ‚langen dritten Jahrhundert‘ als ambivalentes Ereignis 237

Martijn Icks
Great Pretenders: Elevations of ‘Good’ Usurpers in Roman Historiography 303

Troels Myrup Kristensen
Maxentius’ Head and the Rituals of Civil War 321

Johannes Wienand
The Law’s Avenger: Emperor Julian in Constantinople 347

Marco Mattheis
Rituale als Medien politischer Aushandlungen in den Bürgerkriegen der Spätantike 367

Peter Bell
How the Circus and Theatre Factions Could Help Prevent Civil War 389

Epilogue

Johannes Wienand
The Impaled King: A Head and its Context 417

General Index 433

GREAT PRETENDERS: ELEVATIONS OF 'GOOD' USURPERS IN ROMAN HISTORIOGRAPHY

Martijn Icks

ABSTRACT: In the works of Greco-Roman historians and biographers, descriptions of imperial investiture rituals often served to express a verdict on the candidate in question, signalling his virtues and/or vices to the reader. Those who attempted to usurp the throne were usually cast in a negative light as power-hungry villains who betrayed the legitimate ruler, disturbed the peace and shed blood to attain their selfish goals. As a result the descriptions of their investitures typically included allegations of violence, intimidation, bribery and/or deceit. However, Roman historiography provides several records of 'good' pretenders who supposedly had noble motives for claiming the throne. This article examines the literary representation of the elevations of three such men, namely Vespasian (AD 69), Pescennius Niger (AD 193), and Julian (AD 360, to the rank of *Augustus*). In all three cases, sympathetic authors alleged that these candidates were willingly acclaimed by the people and/or the soldiers, without having to resort to bribes or threats, unlike their less benign counterparts. Although not all of them were alleged to have uttered the *recusatio imperii* that characterised the worthy ruler, it is clear that they only refrained from doing so out of a desire to save the commonwealth from the clutches of tyrants. Through their descriptions of the investiture ritual, sympathetic authors thus managed to dissolve the tension between the pretenders' use of violence to seize power on the one hand and the ideal of the emperor as the reluctant servant of the state on the other.

When Tiberius succeeded Augustus in AD 14, his rule was not universally accepted. The Germanic and Illyrian legions rose in revolt, demanding higher salaries and a discharge for veterans. Germanicus hastened to the Rhine legions to prevent the outbreak of civil war, but his appeals to discipline and obedience fell on deaf ears. The men cried out that he should grant their wishes and even offered to make him emperor. This was too much for the young commander, who reacted with great indignation:

> On this he leapt straight from the platform as if he was being infected with their guilt [*quasi scelere contaminaretur*]. They barred his way with their weapons, threatening to use them unless he returned: but he, exclaiming that he would sooner die than turn traitor [*fidem exueret*], snatched the sword from his side, raised it, and would have buried it in his breast, if the bystanders had not caught his arm and held it by force.[1]

Germanicus's loyalty to the emperor earned him the admiration of Tacitus, who noted that the nearer the young man stood to the supreme power, the more energy he devoted to the cause of Tiberius. He thus embodied the ideal of the Roman

1 Tac. *ann.* 1.35. Unless specified otherwise, all quoted translations are from Loeb editions.

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citizen who is devoted to the service of the state but, like Cincinnatus, has no interest in controlling it.[2] Paradoxically, even emperors were held to this standard. In his *Res gestae*, Augustus carefully stressed that he had spared no effort to save the Roman people from tyranny, famine and other calamities, yet "refused to accept any power offered me which was contrary to the traditions of our ancestors". Velleius Paterculus attributed the same reluctance to his hero Tiberius, describing how the senate and the people of Rome had to "wrestle" with the future emperor before he was willing to accept power. In the end, Tiberius only gave in because he realised "that whatever he did not undertake to protect was likely to perish".[3]

As the literary sources attest, the Roman elite conceived of the principate as the highest honour that could be bestowed on a man – but also as a heavy burden that entailed great responsibilities. This notion persisted in Late Antiquity. In the *Historia Augusta*'s highly fictional account of the accession of the emperor Tacitus in AD 275, the aged senator was offered the purple by his peers, "for by reason of your rank, your life and your mind you deserve it". Surprised by this unsought honour, Tacitus sputtered that he was too old to be emperor: "Scarce can I fulfill the duties of a senator, scarce can I speak the opinions to which my position constrains me". Yet it made no difference: the interests of the *res publica* outweighed any personal objections, and the old man had to accept.[4]

In the eyes of the senate, the purple was ideally granted to the candidate who was deemed most suited to rule because of his noble lineage, moral excellence and leadership qualities. Unfortunately, many unworthy men were all too eager to rule. Roman historiography provides countless examples of pretenders who tried to wrestle power from the reigning emperor. Hostile authors often portray these men as arrogant, bloodthirsty, power-hungry and craving a life of luxury and leisure.[5] Even for such villains, however, it was not enough to simply butcher or scheme their way to the top: if they wanted to rule, they had to be formally invested with imperial power by the army, the senate and the people of Rome. Since these acts were of great significance for an emperor's legitimacy, Greco-Roman historians and biographers often give detailed descriptions of such investitures. Rather than approaching these descriptions as more or less accurate factual reports, we should read them as highly coloured representations that use the investiture ritual to express a verdict on the man who assumes the purple. Commenting on the works of Tacitus, Egon Flaig distinguished two discourses, a neutral one that chronicles events and a 'maximic' one that is guided by the author's bias as a senator. This second discourse interacts with the first, professing interpretations of

2 For the role of *exempla* in Roman culture, see ROLLER 2004.

3 *Res gest. div. Aug* 6; Vell. Pat. 2.124.2. Inevitably, the hostile Tacitus attributed Tiberius's reluctance to hypocrisy, remarking that the latter's plea to distribute the burden of rule between several men was "more dignified than convincing" (Tac. *ann.* 1.11).

4 *HA Tacit.* 3.1–7.1.

5 A good example is Otho, whose slaves and freedmen "constantly held before his eager eyes Nero's luxurious court, his adulteries, his many marriages, and other royal vices, exhibiting them as his own if he only dared to take them, but taunting him with them as the privilege of others if he did not act" (Tac. *hist.* 1.22).

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events that are often demonstrably false, or at least distorted.[6] The same holds true for other authors. In their hostile accounts of events, power-hungry pretenders like Otho and Didius Julianus did not manage to gain the heartfelt consent of the soldiers, the senators and the people, but resorted to violence, intimidation, bribery and deceit to win the throne. Hence they forced themselves upon their unwilling subjects.[7]

However, not every man who seized power by force was necessarily evil. Roman historiography also provides several records of 'good' pretenders who had noble motives for claiming the throne. Usually these were men who rose against 'bad' emperors and (in some cases) managed to found new dynasties, such as Vespasian and Constantine. Authors who portrayed such men favourably had to dissolve the tension between the pretenders' use of violence to seize power on the one hand and the ideal of the emperor as the reluctant servant of the state on the other. How did they manage this? Or, to formulate it differently: how could descriptions of investiture rituals be used to construct images of 'good' pretenders? In order to answer this question, I will examine three cases: the elevation of Vespasian in AD 69, the elevations of the rivals Septimius Severus and Pescennius Niger in AD 193, and the elevation of Julian (to the rank of *Augustus*) in AD 360. First, however, I need to make some brief remarks on the investiture of a Roman emperor and the way it tied in to his legitimacy.

IMPERIAL INVESTITURE AND LEGITIMACY

During the principate, there was no single ritual which could turn a private individual into an emperor.[8] Rather, the man who claimed the throne had to interact with different groups at different places. These interactions could all take place on the same day, but they could also be spread over a longer period – even months, if the initial rise to power did not take place at Rome. First, a candidate presented himself to the soldiers, who acclaimed him as emperor and swore an oath of loyalty to him. If the investiture took place at Rome, the army was usually represented by the Praetorian Guard; outside the capital, any legion could do the honours. In response, the candidate gave a speech (*adlocutio*) and promised the men a donative. Next, he presented himself to the senate and made another speech. This was followed by a vote by the senators (later replaced by acclamations) and, ultimately, by the people's assembly. From these two bodies, he received the offices and mandates that formed the legal foundation for his authority – most importantly a proconsular *imperium* and the *tribuniciae potestas*.[9] However, as Flaig has right-

6 Flaig 1992: 23–32.
7 For more on this, see Icks 2011, Icks 2014 and (for late antiquity) Icks 2012.
8 Parts of the contents of this paragraph on imperial investiture and legitimacy have been drawn from Icks 2011, Icks 2012 and Icks 2014.
9 For a detailed analysis of the roles of the army, the senate and the *comitia* in the investiture of an emperor during the first two centuries of the principate, see Parsi 1963.

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fully pointed out, the crucial aspect of an imperial investiture was not so much the bestowal of titles and offices, but rather the fact that the army, the senate and the people's assembly expressed their consent to the accession of the new emperor. If the man on the throne did not live up to their expectations – for instance, if he turned into a tyrant – they could withdraw their support. Therefore, an emperor was only legitimate as long as he enjoyed the *consensus universorum*.[10]

Under Diocletian, a more elaborate investiture ritual was introduced. Since the turmoil of the third century had rendered the senate and the people of Rome largely irrelevant, they no longer played a role in the accession of a new emperor. Only the military aspect mattered. Troops from different legions, representing the army as a whole, were gathered on an open field outside the city, a Campus Martius. There, the reigning emperor – or high military and civic officials, if no emperor was available – mounted a tribunal with the imperial candidate and introduced him to the soldiers. After the men had signalled their approval through acclamations, the candidate was invested with a purple mantle and hailed as emperor. He subsequently addressed the troops and promised them a donative. Finally, the troops swore an oath of loyalty to the new emperor.[11] By the time of Valentinian, three elements had been added to the investiture ceremony: the candidate was crowned with a diadem and a *torques* and raised on a shield by the soldiers.[12]

Angela Pabst has argued that the troops who acclaimed the emperor gained the legal status of a people's assembly in Late Antiquity, but this thesis has rightfully been rejected by other scholars.[13] The simple fact is that, by the end of the third century, imperial power no longer rested on a *lex* and a *senatus consultum*. The bestowal of authority was now affected solely by the acts and attributes of the ritual itself, especially the investiture with the purple mantle and the coronation with the diadem.[14] However, access to this ritual was not limited to 'proper' rulers and their intended heirs: it could be performed by any rebellious commander and his troops to claim the throne – as it very regularly was. Even the approval of the reigning emperor did not constitute a definite criterion to distinguish legitimate from illegitimate rulers, since *his* authority could be contested as well. In the end, all hinged on military consent, and since the granting or denial of this consent by the soldiers was in practice not governed by any strict rules, Flaig has argued that the concept of legitimacy as an analytical tool is useless for Late Antiquity: "Wenn wichtige Gruppen eine vom Historiker postulierte Legitimität nicht respektieren, dann wirkt sie nicht. Wenn sie nicht wirkt, existiert sie nur als Postulat – entweder definitionsmächtiger aber politisch schwach gestellter Gruppen oder gar nur im Kopf des Historikers."[15] This last remark, however, is going too far. As arbitrary as the concept of imperial legitimacy may have been in Late Antiquity,

10 Flaig 1992: 174–207.
11 Kolb 2001: 25–27, 98f.; Szidat 2010: 71–75.
12 Teitler 2002; Szidat 2010: 71–75.
13 Pabst 1997; refuted by Kolb 2001: 214–218 and Szidat 2010: 77 n. 252.
14 Avery 1940: 78; Szidat 2010: 74.
15 Flaig 1997: 30.

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Roman authors and orators were still concerned with the question whether or not an emperor should be considered *legitimus* and judged him accordingly.[16]

Both during the principate and Late Antiquity, many descriptions of imperial investitures include a *recusatio imperii* – a formal refusal of imperial power by the chosen candidate. We can assume that this was not just a literary *topos*, but part of the ritual actions one had to perform to be recognised as emperor.[17] It usually took place before the troops. Obviously, most candidates who uttered a *recusatio* did not decline the throne in earnest, as Germanicus had done when he faced the rebelling Rhine legions, but merely wanted to demonstrate that they were modest and did not crave power. They hoped and expected that their *recusatio* would lead to an 'explosion of loyalty' from the side of their audience, who would insist that they had to accept the purple. Once it was established that this was the wish of all those present, a man could give in without running the risk of being labelled a tyrant. Moreover, his initial refusal allowed the gods the opportunity to interfere. If the heavenly powers wanted him to become emperor, they would make sure that it happened despite his resistance. Protests against a candidate's *recusatio* could, therefore, not only be interpreted as an expression of popular support, but also of divine blessing.[18]

VESPASIAN (AD 69)

When Nero committed suicide and plunged the Roman Empire into civil war, Vespasian was in Judaea with a special command to quell the Jewish revolt. The general did not immediately make a bid for power, but swore allegiance to the succession of short-lived emperors who seized but failed to keep the throne in this tumultuous period. Only in the summer of AD 69 did he revolt against Vitellius and, with the aid of his fellow-conspirator Mucianus, governor of Syria, managed to seize the purple for himself.[19] Four ancient authors give a detailed account of Vespasian's rise to power: Flavius Josephus, Tacitus, Suetonius and Cassius Dio. All of them cast the emperor in a positive light – especially Josephus, who, as the only contemporary among the four, had been captured by Vespasian for his part in the Jewish revolt and had turned over to the Roman side. He was awarded with

16 In late antiquity, the word *tyrannus* no longer indicated a bad ruler, but one who had lost or lacked imperial authority, or – from about AD 400 – a usurper who had risen against the reigning emperor(s); see GRÜNEWALD 1990: 64–71. For negative descriptions of the investitures of usurpers in late antiquity, see ICKS 2012.

17 SZIDAT 2010: 75f. The *recusatio imperii* is usually considered as one of the standard elements of an imperial investiture, although Frank Kolb claims that it only occurred occasionally (KOLB 2001: 99). It certainly became a much-used tool to indicate the modesty or hypocrisy of imperial candidates in literary accounts of investitures; see HUTTNER 2004.

18 BÉRANGER 1953: 137–169. See also WALLACE-HADRILL 1982: 36–38 and HUTTNER 2004.

19 Detailed factual accounts of Vespasian's usurpation are provided by FLAIG 1992: 356–416, LEVICK 1999: 43–64 and MORGAN 2006: 170–255.

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Roman citizenship and henceforth enjoyed the favour of the Flavians.[20] To what extent these authors were interdependent is, as usual, impossible to say with certainty. Suetonius may or may not have made use of Tacitus's *Historiae*, while Cassius Dio may have used the works of Josephus and Suetonius, but certainly made little to no use of Tacitus. In addition, all three based their accounts on lost contemporary sources, such as the historical work of Pliny the Elder.[21] Undoubtedly, these sources had a pro-Flavian bias.[22]

In his *Jewish Wars*, Josephus records that Vespasian was appalled when he heard that Vitellius had seized the throne and was laying waste to the Empire, feeling a passionate desire to "avenge his country". Only the long distance and the fact that it was still winter season prevented him from taking action at once.[23] As Flaig has pointed out, all other authors claim that Vespasian already contemplated rebellion when he heard of Otho's usurpation, but this tale is conspicuously absent from Josephus's account.[24] After all, it might make the future emperor seem like a man who was just awaiting his opportunity to seize the throne. Since Vespasian eventually moved against Vitellius, not against Otho, Vitellius had to be painted as the villain whose reign was intolerable.[25] According to Josephus, this man had acted "madly", since "he seized upon the government as if it were absolutely destitute of a governor" – a comment that could just as well have been made about Otho, or, for that matter, about Vespasian himself.[26] It was the latter that the Jewish historian definitely wanted to avoid, so he had to make it clear to his readers that the revolt of his beloved general and patron was in no way comparable to Vitellius's contemptible grab for power.

Significantly, Josephus explicitly states that Vespasian did not intend to rule himself.[27] That notion is first conceived by his soldiers, who deliberate among themselves, comparing Vespasian's many qualities to Vitellius's numerous vices, and considering that "neither will the Roman senate, nor people, bear such a lascivious emperor" when Vespasian provides such a superior alternative. The comment is important, since it indicates that what follows is not just another military coup, but a measure taken on behalf of all the significant groups that constitute the

20 RAJAK 1983: 185–222.

21 Tacitus's sources: SYME 1958: 176–190. Suetonius's sources: JONES/MILNS 2002: 4f. Dio's sources: MURISON 1999: 13–17. Another important Flavian historian was Cluvius Rufus, but his work appears to have ended with the death of Nero, or perhaps Otho.

22 Tacitus indicates as much in *hist.* 2.101.

23 Ios. *bell. Iud.* 4.10.2.

24 FLAIG 1992: 365 n. 34.

25 According to Suetonius, Vespasian's revolt against Vitellius was greatly aided by the circulation of a letter that had allegedly been written by the late Otho, begging Vespasian to avenge him (*Vesp.* 6.4). This may indicate that Vespasian staged himself as Otho's avenger during the early stages of his rebellion.

26 Ios. *bell. Iud.* 4.10.2. For the vilification of Vitellius in Flavian historiography, see RICHTER 1992: 243–256.

27 Ios. *bell. Iud.* 4.10.4.

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res publica.[28] In the same vein, it is important that the soldiers argue that they are "more deserving" to acclaim an emperor than the troops who acclaimed Otho and Vitellius, since they had fought the hardest in wars.

Next, the acclamation is described. According to Josephus, the troops gathered in a great body and declared Vespasian emperor, urging him "to save the government, which was now in danger". When the general refused, "the commanders insisted the more earnestly upon his acceptance; and the soldiers came about him, with their drawn swords in their hands, and threatened to kill him, unless he would now live according to his dignity". This is highly reminiscent of the scene in which soldiers tried to force the throne on Germanicus, with one significant difference: Vespasian "at length, being not able to persuade them, yielded to their solicitations that would salute him emperor".[29] Josephus thus interprets Vespasian's *recusatio imperii* as perfectly sincere, rather than as a calculated gesture to appear modest. This establishes the future emperor's reluctance to rule, absolving him from any allegations that he sought power for his own advantage. Seen in this light, the usurpation is no longer problematical – in fact, it becomes admirable. Whereas Germanicus had rightfully refused to rise against the appointed heir of Augustus, Vespasian saw himself confronted with a man who had seized the throne by force and was evidently unworthy to rule. His willingness to act against this usurper characterises him as a good Roman who is prepared to do his duty – even if that duty entails becoming emperor himself.

In the works of other authors, Vitellius also features as the villain. He is addicted to luxury and licentiousness, squanders money and sets a bad example to his soldiers. In the *Historiae*, Mucianus scourns his "sloth, ignorance and cruelty", urging Vespasian that it would be a disgrace "to leave the state to corruption and ruin".[30] Like Josephus, later authors claim that the soldiers took the initiative for the acclamation. Tacitus records that the men who were drawn up to greet Vespasian when he stepped from his quarters saluted him as emperor, whereupon "the rest ran up and began to call him *Caesar* and *Augustus*; they heaped on him all the titles of an emperor". Dio has a similar tale, relating that the soldiers surrounded Vespasian's tent and hailed him as emperor. Suetonius claims that Vespasian was prompted to action because the three legions from Moesia had unanimously declared for him on their own initiative, while he was not even present among them.[31] Unlike Josephus, however, these authors do not portray Vespasian as a man who had no interest in ruling. For one thing, they completely fail to mention the *recusatio imperii* that featured so prominently in Josephus's account. Moreover, Suetonius and Dio allege that Vespasian was already considering to seize the purple before he was acclaimed – Suetonius even refers to a "hope … long

28 Ios. *bell. Iud.* 4.10.3. However, we should note that, in the same chapter, the soldiers decide to act quickly because "the senate may choose an emperor, whom the soldiers, who are the saviours of the empire, will have in contempt." Evidently, they felt that those who did the fighting should also have the greatest say in appointing a new leader.

29 Ios. *bell. Iud.* 4.10.4.

30 Cass. Dio 64.2.1–2, 4.4; Tac. *hist.* 2.76–77. See also RICHTER 1992: 243–256.

31 Tac. *hist.* 2.80; Cass. Dio 64.8.4; Suet. *Vesp.* 6.1–3.

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since conceived" – while Tacitus claims that he had already made up his mind and was in the process of organizing his rebellion with the help of Mucianus. "The time is already past and gone when you could seem to have no desires for supreme power," the latter had remarked; "your only refuge is the throne".[32]

In the narratives of these authors, then, the spontaneous acclamation by the troops does not serve to exonerate Vespasian from the 'accusation' that he wanted to seize power by force. Rather, it emphasises that this desire did not run contrary to the wishes of his men. According to Cassius Dio, the popular feeling was "strong in his favour" because of his personal qualities and achievements.[33] Unlike 'bad' pretenders like Otho and (to a lesser extent) Vitellius, Vespasian did not need to persuade the soldiers to follow him by stooping to bribes, promises of favours and exaggerated gestures of affection.[34] In fact, Tacitus and Dio do not even bother to mention the customary promise of a donative on this occasion – a ritual action often used in literary sources to suggest that an unworthy pretender had bought the loyalty of his troops.[35] Admittedly, Dio does mention the granting of a donative at a later instance, but that was enacted by Mucianus and Domitian, the latter of whom addressed the troops in Rome in his father's absence.[36] Moreover, since Vitellius was already dead at this time and there were no more pretenders to dispute Vespasian's claim, there is nothing to suggest that this gesture should be interpreted as a bribe.

The senate, too, needed no persuasion to accept Vespasian as emperor. As Tacitus records, the senators were "filled with joy and confident hope" when they voted imperial honours and mandates to the new ruler. Since Vespasian was still in Egypt, he could not hold the customary speech, but he sent a letter in which he "spoke as an emperor, with humility of himself, magnificently of the state".[37] This was certainly a vast improvement over Otho's introduction to the Curia, at which the short-lived emperor had struck a false note by his affected modesty and the kisses he kept throwing to everybody on his fingers – a performance, according to Dio, that had fooled nobody about his true nature.[38] Even the gods went out of their way to express their approval of Vespasian's rise to power. Reflecting Flavian propaganda, Tacitus, Suetonius and Cassius Dio record numerous omens that foretold the man's great destiny, including a prophecy by Josephus, who allegedly

32 Suet. *Vesp.* 5.1: *spem … iam pridem sibi … conceptam*; Cass. Dio 64.8.3(1)–4; Tac. *hist.* 2.78–79. Interestingly, Dio's epitomators provide two different versions of events, with Xiphilinus alleging that Vespasian was still deliberating whether he would claim the throne after Galba's death and Zonaras claiming that he had already made up his mind to do so (MURISON 1999: 91f.).

33 Cass. Dio 64.8.3(2).

34 Otho: Tac. *hist.* 1.24, 36, 38; Suet. *Otho* 6.3; Cass. Dio 63.5.3, 9.1; Vitellius: Suet. *Vit.* 7.3–8.1. Plutarch assigns a more passive role to Vitellius (*Galba* 22.1–8).

35 FLAIG 1992: 455–456. The prime example of a man who allegedly bought his way to power is Didius Julianus: Cass. Dio 74.11.2–5; Herodian. 2.6.4–11.

36 Cass. Dio 64.22.2.

37 Tac. *hist.* 4.3. Cass. Dio 65.1.1 also mentions Vespasian's acceptance by the senate.

38 Cass. Dio 64.8.1–2.

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predicted Vespasian's imperial future after he had been captured.[39] Although Tacitus is sceptical about these omens, remarking that the emperor-to-be was not wholly free from "superstitious belief", Suetonius seems sincere when he jubilantly records that prestige and a "certain divinity" were "given" the new ruler when he cured a blind and a lame man. Cassius Dio leaves no doubt: "Vespasian, like some others, had been born for the throne".[40]

These three authors, then, emphasise that Vespasian gained the purple with widespread consent among soldiers, senators and gods. Although the pretender does not display the disinterest in power that was considered typical for 'good' emperors, as he did in the work of Josephus, his qualities still make him vastly superior to the incumbent, the gluttonous and slothful Vitellius, who brings nothing but ruin to the Empire. Vespasian's revolt is therefore to be cheered, rather than condemned. The first Flavian was that rare and fortunate case where personal ambition coincided with the suitability to rule.

SEPTIMIUS SEVERUS AND PESCENNIUS NIGER (AD 193)

In AD 193, the Roman Empire entered another period of civil war. After revolting praetorians had murdered the short-lived emperor Pertinax, the throne was occupied by Didius Julianus, who could barely control the guard and was unpopular with the senate and the people. Soon Pescennius Niger, the governor of Syria, rose against him, but he was beaten to Rome by a rival claimant, the general Septimius Severus.[41] The investitures of these pretenders as emperors are not described by the age's foremost historian, Cassius Dio, who merely remarks that they "attempted to secure the control of affairs". However, their circumstances have been recorded by Dio's contemporary Herodian, as well as by the anonymous biographer of the *Historia Augusta*, who may have used Herodian as one of his sources.[42] Both authors, but particularly Herodian, are more in favour of Niger than of Severus. This sentiment is reflected in the descriptions of the investitures of both men.

Herodian draws parallels between the imperial candidates by describing how they took the same steps to organise their bids for power. Niger and Severus both started by calling together their officers and persuading them to assist them in their undertaking. Then they courted the favour of the soldiers and the provincial population – in Niger's case by "constantly staging shows" for the Syrians and by

39 Tac. *hist.* 2.78; Suet. *Vesp.* 5.1–7, 7.1; Cass. Dio 64.9.1, 65.1.1–4. Josephus's prophecy is also recorded by himself in Ios. *bell. Iud.* 3.8.9.

40 Tac. *hist.* 2.79; Suet. *Vesp.* 7.2–3: *quasi maiestas … accessit*; Cass. Dio 65.2.1.

41 ANTHONY BIRLEY provides a detailed factual account of the year AD 193: BIRLEY 1988: 89–107.

42 Cass. Dio 74.14.3. According to KOLB, Cassius Dio was the main source for Herodian's work, while both were used as sources by the *Historia Augusta* (KOLB 1972: 159–161). Timothy BARNES has objected to this view, arguing that Dio was just one among several of Herodian's sources and that the *Historia Augusta* drew upon an independent Latin source (BARNES 1978: 79–89).

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"allowing them free license to celebrate the holidays and make merry"; in Severus's case by "lavish promises" made to neighbouring provinces and the rules of the northern nations, raising "the expectation of great rewards".[43] Only after these preparations had been made did both pretenders stage the acclamations of the soldiers. They assembled all the troops in one location, mounted a platform and held the traditional *adlocutio*. Emperors who came to the throne in more stable circumstances – that is, emperors who had been appointed by their predecessors – held this speech *after* they had been acclaimed to give expression to the close and personal bond that now existed between themselves and the soldiers.[44] Severus and Niger, however, held their speeches to garner military support in the first place. Both succeeded and were enthusiastically hailed as *Augustus* by the troops. Niger was even invested with a purple mantle; the first recorded use of such an attribute during an imperial investiture ceremony.[45]

However, Herodian also draws attention to a significant difference between the elevations of Niger and Severus. As several authors attest, the former was prompted to rise against Didius Julianus by the populace of Rome, who gathered at the Circus Maximus and shouted that he should come to their rescue as soon as possible. Herodian adds that the people also called for Niger "in all the public assemblies …, cheering for [him] and offering him the Empire with loud shouts".[46] In effect, this meant that one part of the investiture ritual – namely the acclamations by the *comitia* – had already been performed before the candidate in question had even announced his bid for power. Niger made much of this popular mandate in his *adlocutio* to the troops, remarking:

> Never would I have come before you to discuss these matters if I were motivated solely by personal aims [εἰ ἐκ μόνης προαιρέσεως ἰδιωτικῆς], by unreasonable hopes, or by the desire to realize even greater achievements. But the Romans are calling me [ἀλλ᾽ ἐμὲ καλοῦσι Ῥωμαῖοι] and with unceasing cries beg me to extend to them the saviour's hand and not allow an empire so illustrious, one made famous by our ancestors from the earliest times, to be brought to disgraceful ruin.[47]

Septimius Severus did not enjoy the support of the Roman people. Herodian records that the future emperor dreamt that a stallion threw off Pertinax and then slipped underneath him, taking him up on its back and raising him aloft, so that all could see and cheer him. Significantly, this occurred in the middle of the Forum Romanum, "where, in the old days of the Republic, the popular assemblies had been held". With this explicit reference to the *comitia*, the dream seems like a

43 Pescennius Niger: Herodian. 2.7.7–10; Septimius Severus: Herodian. 2.9.7–12. All quoted translations of Herodian are taken from the translation of E. C. ECHOLS.

44 SOMMER 2005: 339–341.

45 Herodian. 2.10.1–9. Nevertheless, ANDREAS ALFÖLDI has argued that the practice went back even further: ALFÖLDI 1970: 167–169, 263–268.

46 Cass. Dio 74.13.5; Herodian. 2.7.3, 5; *HA Pesc. Nig.* 3.1.

47 Herodian. 2.8.2. Amusingly, Niger professes a very different argument for his usurpation in Dio's history. When someone asked the pretender what gave him the right to name himself emperor, he pointed to his sword and said "This" (75.7.2[a]). Perhaps it was the more honest answer.

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clear sign of popular consent to Severus's rise to power. Undoubtedly, it functioned as such in Severan propaganda, but Herodian undermines its significance in his narrative, claiming that the Roman people actually feared Severus's approaching army and only pretended to support his cause, and that his entrance in the city – accompanied by armed troops – "brought fear and panic to the Romans".[48]

In his *adlocutio* to the soldiers, Severus, like Niger, stated that "I must not allow the Roman Empire to lie helpless" now that it had fallen into the hands of Didius Julianus. Unlike Niger, he did not claim that the Roman people had called upon him, but used a different argument: he wanted to march on Rome to avenge the murder of Pertinax. Indeed, he had even assumed Pertinax' name next to his own. Although many of his supporters were persuaded by this professed motive, Herodian is quick to reveal it as nothing more than a convenient excuse, uttered by a man who "lied whenever it was advantageous to him" and whose "tongue said many things which his heart did not mean".[49] Another argument Severus allegedly used in his speech echoes the sentiment expressed by Vespasian's troops, namely that his soldiers were much more courageous and hardened by battle and labour than "those luxury-loving sots" who guarded Julianus in Rome or the Syrian troops of Niger, who were "suited only to games and childish banter". Many provinces and cities did not consider either candidate worthy of the throne, Severus argued, but if they would hear that the well-respected Illyrian army had chosen an emperor of its own, they were likely to abandon their feigned support of Niger and favour Severus's cause.[50]

In the *Historia Augusta*, the ruthless ambition of the future emperor is not so clear-cut. According to the biographer, Severus was hailed as emperor "at the behest of many, but actually against his own will". Yet this image of the reluctant pretender appears to be immediately contradicted by the statement that Severus paid his legionaries a donative of one thousand sesterces – allegedly "a sum which no prince had ever given before" (although Pertinax and Julianus had actually paid the praetorians a lot more).[51] The mention of a donative in literary sources can often be read as an implication that a candidate for the purple had to bribe the troops to support him, but in those cases, the promise of money precedes the acclamation. Here, the mention of a high donative may rather serve to indicate that Severus was not at all sure that his troops would *stay* loyal to him.

Both Herodian and the *Historia Augusta* record that Severus introduced himself to the senate after he had defeated Julianus. According to Herodian, the victorious emperor once again claimed that he had revolted to avenge the murder of Pertinax. Although his mild tone and ample promises for the future allegedly managed to convince many in the audience, some of the older senators were not

48 Herodian. 2.9.6, 12.2, 14.1.

49 Herodian. 2.9.7–11 (Severus garnering first support in his quarters), 13 (his treacherous nature), 10.1–4 (assumption of Pertinax' name and address to the troops).

50 Herodian. 2.10.5–8.

51 *HA Sept. Sev.* 5.1–2. For the heights of donatives granted by emperors at their accession during the principate, see BASTIEN 1988: 11–16.

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deceived and rightfully suspected that Severus would only act in his own interest.[52] In the *Vita Severi*, the emperor appeared in the Curia in the company of armed soldiers and armed friends – hardly the behaviour of a proper *princeps*. Here, clearly, was a man who intended to rule through the soldiers, rather than with the senators. However, while the meeting was still ongoing, the troops suddenly mutinied, demanding ten thousand sesterces each from the senate. Severus could not get the uprising under control until he promised his men an additional donative.[53]

Severus's investiture with imperial power, then, was certainly not represented as an exemplary case. In Herodian's view, he abused the traditional speeches to the soldiers and the senate which were expected of a new ruler. Instead of constituting close bonds of affection and trust with these important groups, he misled them and treated them as nothing more than instruments to reach his selfish goals. Writing with the benefit of hindsight, the historian claims that Severus's egoistic and deceitful nature was revealed through the things he "actually did" as emperor.[54] It is obvious that Herodian's disappointment with the emperor's rule – and probably with the Severan dynasty as a whole – has highly coloured his account of the man's investiture. The author of the *Historia Augusta* reflects a milder historiographical tradition, presenting Severus less as a power-hungry tyrant and more as a reluctant pretender who has great difficulty in controlling his troops. On the other hand, he also describes the emperor as "more worthy of hatred from the senators, the soldiers, the provincials and the city-mob" than Didius Julianus and Pescennius Niger.[55]

Since Niger was Severus's main opponent in the battle for the supreme power, he could be constructed as the better alternative and be favourably contrasted with his rival – up to a point, anyway. Whereas Herodian presents Severus as a treacherous, power-hungry man who will do anything to seize the throne and only inspires fear in the Roman people, Niger is the favourite of the plebs and has their mandate to overthrow Julianus. He is reported to be "a fair and capable man" who models his life after that of Pertinax; the *Historia Augusta* praises his excellence in many professions and calls him "a man to be noted both at home and abroad".[56] However, as a pretender he had one fatal flaw. Having acquired the support of the Roman populace, his troops and the inhabitants of the East with great ease, Herodian records, Niger "believed that control of imperial affairs was firmly fixed in his hands" and acted accordingly. Instead of coming to the aid of Rome as swiftly as he could, the self-proclaimed saviour of the people preferred "spending his time in luxurious living" and "devoting himself to shows and spectacles". The *Historia Augusta* does not thematise Niger's sloth, but – perhaps echoing Herodian's version of events – wrongfully places his acclamation as emperor *after* Julianus

52 Herodian. 2.14.3–4.
53 *HA Sept. Sev.* 7.4–7. The episode is also mentioned in Cass. Dio 46.46.6–7.
54 Herodian. 2.14.4.
55 *HA Pesc. Nig.* 3.2.
56 Herodian. 2.7.5; *HA Pesc. Nig.* 6.10.

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had been executed and Severus had seized the throne – hence after the moment of opportunity had passed.[57]

Despite a very promising start – as evidenced by Herodian's favourable representation of his investiture – Pescennius Niger ultimately failed to win the throne. The historian's account could thus be read as a lesson in *Realpolitik*. Being proclaimed emperor was not the same as becoming it; nor did superior character and popular consent suffice to trump the ambitions of an unscrupulous rival.

JULIAN THE APOSTATE (AD 360)

Julian's rise to the rank of *Augustus* is a well-attested and complex case, described in some detail by several authors, including (among others) Ammianus Marcellinus, Libanius and, last but not least, Julian himself – the only first-person-record of an imperial investiture which has survived from antiquity.[58] For over four years, Julian had acted as *Caesar* under his uncle Constantius II, campaigning against the Germans to secure the western half of the Empire. When Constantius ordered more than half of his junior colleague's Gallic troops to the East for his Persian campaign in AD 360, the latter failed to comply and claimed the title of *Augustus* for himself. The senior emperor was not pleased and refused to accept the promotion. According to Joachim Szidat, it was only at this point that the elevation formally became a usurpation, but Frank Kolb has rightfully objected that Julian had no right to call himself *Augustus* in the first place and was hence a usurper from the moment that he did so.[59] Civil war was only avoided because Constantius fell mortally ill and, having no sons to succeed him, finally acknowledged Julian's claim on his deathbed.[60]

According to Ammianus, the initiative to elevate Julian to the rank of *Augustus* came from the soldiers. Surrounding the palace, they greeted him as emperor and shouted that he should show himself to them. Julian failed to comply. At daybreak, he was forced to come out, after which the soldiers "redoubled their shouts and with determined unanimity hailed him as *Augustus*". The *Caesar*, however, "with unyielding resolution, opposed them one and all, now showing evident displeasure, again begging and entreating them with outstretched hands that after many happy victories nothing unseemly should be done". This did not impress the soldiers, who insisted and mingled their outcries with abuse and insults. Ultimately, Julian had no choice but to consent.[61] This is a classic case of the reluctant can-

57 Herodian. 2.8.7–9; *HA Pesc. Nig.* 2.1. Herodian levels the same accusation against Macrinus, who "loitered at Antioch, cultivating his beard", rather than returning to Rome (5.2.3).

58 Although a contemporary, Ammianus was not present at Julian's elevation. He appears to have used many sources for his account of events during his lifetime, including the works of Eutropius, Libanius and Julian himself: KELLY 2008: 222–255.

59 SZIDAT 1997: 65–68; KOLB 2001: 211.

60 Detailed factual accounts of these events are provided by MATTHEWS 1989: 93–105 and ROSEN 2006: 178–225.

61 Amm. Marc. 20.4.14–17.

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didate who utters a sincere *recusatio imperii*, but is forced to give in despite himself. In his letter to the senate and people of Athens, Julian swore by the gods that he had been completely unaware of what the soldiers were planning and stressed that "I did not yield without reluctance, but resisted as long as I could". Libanius belaboured the point in his funerary oration for the emperor, describing how the soldiers broke open the doors of the palace and dragged the unwilling *Caesar* out, all the while brandishing their swords.[62] Even the Byzantine chronicler Zonaras, who described Julian as "conceited and haughty" and claimed he had incited the army himself, admitted that he yielded "perhaps actually against his will".[63]

During the next stage, the investiture threatened to turn into a farce. Ammianus describes how Julian was raised on a shield – a Germanic custom that had not been part of the investiture ritual up to that time – and hailed once more as *Augustus*.[64] The soldiers asked Julian for a diadem so that they could crown him. When he declared he had never had one, they tried to find a substitute, first suggesting one of his wife's ornaments and later a horse's trapping. Julian refused both options as shameful and was ultimately crowned with the neck-chain of one of his standard-bearers. [65] Considering that Ammianus usually writes from a pro-Julianic point of view, it is remarkable that he gives such a detailed account of this embarrassing episode. A failure to use the proper attributes – first and foremost the purple mantle – was repeatedly mentioned in fourth-century accounts of imperial investitures, usually to signal that a pretender was not a proper emperor and only made a fool of himself. The usurper Procopius, for instance, was mocked by Ammianus because he was dressed like a court attendant or a page in the service of the palace during his investiture.[66] Julian himself had ridiculed the "women's garb" that the pretender Silvanus had donned when he aspired to the throne. In his account of his own elevation, the emperor downplayed the trouble with the diadem as much as possible, merely remarking that "somewhere about the third hour some soldier or other gave me the collar and I put it on my head".[67]

In Kolb's view, Ammianus focused on the irregularities of the investiture to emphasise that Julian's elevation to the rank of *Augustus* lacked legitimacy. As he points out, several elements of a proper investiture – *i.e.* an address to an orderly meeting of the troops, followed by acclamations – were allegedly performed at a later time. Kolb argues that their inclusion in the narrative is a definite clue that Ammianus considered the initial proclamation to have been illegal. In addition, he maintains that the ancient historian implicitly questioned Julian's sincerity in refusing the title of *Augustus*, since the *Res gestae* records that the newly acclaimed emperor was quick to dress himself in splendid imperial garb, apparently overcoming his earlier reluctance with great ease.[68] However, considering Am-

62 Iul. *epist. ad Ath.* 284B–D; Lib. *or.* 18.98.
63 Zon. 13.10: τάχα καὶ ἄκων (transl. Th. M. BANCHICH / E. N. LANE).
64 The origins of this practice have been discussed extensively in TEITLER 2002.
65 Amm. Marc. 20.4.17–18. See also Sokr. 3.1; Zon. 13.10.
66 Amm. Marc. 26.6.15.
67 Iul. *or.* 2.98C–99A; *epist. ad Ath.* 284D.
68 KOLB 2001: 214; Amm. Marc. 20.5.1–8 (address and acclamations), 4.22 (imperial garb).

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mianus's consistent and emphatic portrayal of Julian as the blameless victim of circumstances during his investiture, this argument is not convincing.[69] Rather, the historian's description of the belated *adlocutio* and the remark that Julian soon started wearing imperial garb should be taken as indications that the former *Caesar* had come to accept a position that he had never actively sought and was now acting like a legitimate emperor. Moreover, we should note that Ammianus never openly mocks or criticises Julian in his description of the latter's highly irregular investiture – a fact that becomes immediately obvious when we compare the episode to his mercilessly farcical account of Procopius's equally chaotic elevation. Ridicule, then, appears not to have been the author's aim in this case.

Possibly, the problems with the diadem were meant to foreshadow that Julian's reign would be cut off prematurely when he died fighting the Persians in AD 363.[70] Moreover, by giving a detailed description of the various objects with which the soldiers wanted to crown Julian, Ammianus emphasises the spontaneous and chaotic nature of the event. If Julian had planned his elevation in advance, we can infer, he surely would have arranged things better, avoiding the embarrassing business with the substitute diadems. The unprecedented fact that the newly hailed *Augustus* was raised on a shield also indicates that he was not in control of events, but was subjected to the whims of the soldiers.

Although this narrative absolves Julian from actively plotting his own promotion, it does not render the promotion itself unproblematic. After all, the newly appointed emperor did not rise in revolt against a rival, but compromised the position of Constantius II, the man who had named him *Caesar* in the first place. Ammianus solved this problem by recording that Julian had had a vision on the night before he was acclaimed *Augustus*. Allegedly, the guardian spirit of the state spoke to him, saying that he had long desired to increase Julian's rank. The story was not invented by Ammianus: Julian himself had told a similar tale, claiming that he had prayed to Zeus for a sign when the soldiers attempted to elevate him, whereupon the deity had responded that he should not oppose the will of the army.[71] Libanius agreed, remarking: "What really happened? A God inspired the soldiers who were planning nothing in particular, but their voices uttered the thought, and this came from God". The notion that the gods spoke through the voices of the acclaiming soldiers was prevalent in the fourth century and can also be found in Ammianus's account, who makes a point of noting that Julian was acclaimed

69 This motive has also been remarked upon by the Dutch commentators of Ammianus's work: DEN BOEFT/DEN HENGST/TEITLER 1987: 87.

70 Irregularities during the investitures of Jovian (25.5.1–7) and Procopius (26.6.11–18) also foreshadowed their untimely demise in Ammianus's account; see also ICKS 2012. According to Zonaras (13.10), Julian himself considered a diadem fashioned from women's jewelry an "unpropitious omen".

71 Amm. Marc. 20.5.10; Iul. *epist. ad Ath.* 284C. As the Dutch commentators have remarked, the divine incentive constitutes a prominent justification for Julian's usurpation in the emperor's letter to the Athenians, whereas Ammianus mostly relies on the course of events to absolve Julian from blame (DEN BOEFT/DEN HENGST/TEITLER 1987: 87).

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unanimously – a sure sign of divine favour.[72] Ultimately, it did not matter that the investiture was irregular and in defiance of Constantius's wishes, because the new emperor had the blessing of the gods.

CONCLUSION

In the works of ancient authors, accounts of the investitures of pretenders always constituted an implicit or explicit verdict on the candidate in question. If the account was written when a successful pretender or his descendants were still in power, or if it was based on sources dating from the pretender's reign, the presented version of events was likely to reflect (to a greater or lesser extent) imperial propaganda. Therefore, 'good' pretenders were usually successful pretenders, although the case of Septimius Severus and Pescennius Niger shows that, to an extent, the opposite could also be true. Authors writing when a dynasty was no longer in power were free to voice dissenting opinions. The way in which they shaped their narratives of imperial investitures allowed them to express approval or disapproval with regard to former rulers and failed pretenders, and hence to formulate standards for what they considered to be proper behaviour for a Roman emperor.

As the sources make abundantly clear, Greco-Roman historians and biographers took great effort to distinguish 'good' pretenders from selfish rebels who were only interested in power for its own sake. Two ritual elements seem to be of key importance in this respect. The first is the acclamation by the soldiers. Whereas 'bad' pretenders often had to resort to bribes and promises to win the necessary support, the 'good' pretenders discussed in this article were allegedly all acclaimed spontaneously, even if they were already plotting to seize the throne. The one exception is Pescennius Niger (whose status as a 'good' pretender in the sources is somewhat ambiguous, anyway), who had to persuade the soldiers to hail him as emperor, yet he already possessed another mandate in the repeated outcries of the Roman populace to defeat Didius Julianus and rule in his stead. In all cases, then, the accounts make it clear that the 'good' pretender's bid for power was in concordance with the wishes of large and significant groups within Roman society. In Late Antiquity, moreover, a spontaneous and unanimous acclamation also signified divine approval.

The second element is, unsurprisingly, the *recusatio imperii*. Since this ritual act had the express purpose of signalling a candidate's reluctance to rule, we might expect that it would be attested for all 'good' pretenders. This is not the case because personal ambition was not necessarily considered a bad thing, as long as the candidate in question also had the state's best interest at heart. Moreover, if someone was widely called upon to rescue the Roman people from the tyranny of a 'bad' emperor, as Vespasian and Pescennius Niger were, refusing to

72 Lib. *or.* 12.59: θεὸς ἐξώρμησεν ἐκείνους; Amm. Marc. 20.4.14. For the notion that the acclaiming soldiers spoke with the voice of God or the gods, see HEIM 1990.

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do so could be interpreted as shamefully avoiding one's responsibilities. Julian, in contrast, had to put great stress on his *recusatio* because he did not set out to free the Empire from a tyrant, but saw himself at odds with his own *auctor imperii*, which made it problematical to claim that he came to the people's rescue.

Both in literature and in practice, acclamations and refusals of the purple served to transfer the responsibility for a candidate's rise to power from himself to those who supported him, signalling the consent of men and, by implication, the gods as well. Through accounts of favourable omens and prophecies (recorded for all successful pretenders discussed in this article), the approval of the latter could be made explicit. If all the relevant groups gave their consent freely and unconditionally – that is, if they were not bribed, intimidated or deceived – the candidate in question could be interpreted as a 'good' pretender who rendered his own wishes subservient to the interests of the *res publica*. Only under those conditions was it justified to engage in civil war and seize the throne by force.

Significantly, the legal foundation of the powers claimed by emperors and usurpers – what we might term their formal legitimacy – does not appear to have been of great concern to our sources. Authors from the principate did not favour one claimant to the throne over another merely because he happened to possess the *imperium proconsulare*, the *tribuniciae potestas*, and all the other titles and mandates that formally granted a man imperial power. Evidently, they saw no point in attributing moral value to honours and titles that could be seized by any tyrant. In Late Antiquity, the proper performance of the investiture ritual, with the use of the proper attributes, *did* play a prominent role in the evaluation of imperial candidates, but it was not the only factor of importance. As we have seen, Ammianus did not condemn Julian for his (passive) participation in a highly irregular investiture ceremony, but presented him as a worthy candidate because he had been put forward by others, rather than claiming the purple himself, and because he enjoyed the blessing of the gods. These were the same arguments that earlier authors had already formulated in favour of Vespasian's usurpation. Imperial legitimacy, in short, was and remained a fluid concept – and therefore a very useful literary tool for the creation of great pretenders.

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