

# THE PRAETORIAN PREFECTURE OF AFRICA UNDER CONSTANTINE: A PHANTOM?

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The reign of Constantine marks a significant stage in the development of the praetorian prefecture. In the later third century AD this was still an office closely attached to the person of the emperor and usually shared by two men of equestrian rank; by the later fourth century there were normally four prefects of senatorial rank, each operating as the head of a regionally defined prefecture and divorced from the personal service of an emperor. The epigraphic evidence has played a particularly important role in the debate as to whether Constantine's reign provides a precedent for a regional, as opposed to a ministerial, praetorian prefecture; a debate that has in recent decades been dominated by Timothy Barnes and the late André Chastagnol. It is my purpose here to offer some observations on the interpretation of this epigraphic evidence and new insights on some aspects.

It was Otto Seeck who first suggested the possibility that Constantine had devolved the administration of the African diocese on its own to a praetorian prefect<sup>1</sup>. He argued that this had its origin in an *ad hoc* arrangement during the proconsulate of Africa of L. Aradius Valerius Proculus Populonium, it being clear from an inscription from his period of office (usually placed c. 331/333) that Valerius Proculus was given extraordinarily the right to hear appeals from all the African

provinces, not just Proconsularis<sup>2</sup>. In two identically phrased dedications from Rome of the period 340/351 this is retrospectively considered as "having fulfilled the duties of the praetorian prefecture"<sup>3</sup>. By the time (and with the poetic licence) of an inscribed epigram of no earlier than 351/352 this had developed into the non-technical "prefect of Libya"<sup>4</sup>. Nevertheless, according to the prevailing view, Proculus' command was the forerunner to a formally established Praetorian Prefecture of Africa that persisted until suppressed some time after Constantine's death in 337<sup>5</sup>. However, given the vague (and possibly tendentious) quality of Proculus' retrospective claims, it would be dangerous to see them as evidence for the post of *praefectus praetorio per Africam* under Constantine; it is perhaps safer to consider Proculus' post as one with extraordinary judicial authority, equivalent to that normally then restricted to the praetorian prefects, but not as the precedent for a regional prefecture<sup>6</sup>.

2. CIL VIII, 24521, lines 6-7: *procons(ul) prov(inciae) Afr(icae) iudicio sacro / [pe]r provincias Africana[s]*. JONES, A.H.M.; MARTINDALE, J.R.; MORRIS, J., *The Prosopography of the Later Roman Empire I. AD 260-395*, Cambridge 1971 [hereafter PLRE 1], Proculus 11.

3. CIL VI, 1690, line 21 and 1691, lines 17-18: *perfuncto officio praefecturae praetorio*.

4. CIL VI, 1693 = ILS 1241: *Hic bis praefectus patriae / praefectus et idem / hic Libyae idem Libyae / proconsul . . .*

5. E.g. JONES, A.H.M., *The Later Roman Empire 284-602. A Social, Economic, and Administrative Survey*, Oxford 1964, 102. A rare sceptic in recent years was SARGENTI, M., "Le strutture amministrative dell'Impero da Diocleziano a Costantino" in WUBBE, F.B.J. (ed.), *Atti del 2° Convegno internazionale dell'Accademia Romanistica Costantiniana*, Perugia 1976, 228, 233-235.

6. So ILS 1240 & 1241; BAYNES, N.H., "Three Notes on the Reforms of Diocletian and Constantine", *JRS* 15, 1925, 207; and ARNHEIM, M.T.W., "Vicars in the Later Roman Empire", *Historia* 19, 1970, 598 f.

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1. SEECK, O., "Die Reichspräfektur des vierten Jahrhunderts", *RhM* 69, 1914, 33-34, and SEECK, O., *Regesten der Kaiser und Päpste für die Jahre 311 bis 475 n.Chr. Vorarbeit zu einer Prosopographie der christlichen Kaiserzeit*, Stuttgart 1919, 143-144.

## 1. TUBERNUC

Moreover, Seeck's original hypothesis of an independent African prefecture seemed to be disproved by the subsequent discovery of the dedication from a statue base at Tubernuc, Africa Proconsularis, in 1924 (*AE* 1925, 72 = *ILT* 814). As deciphered by its original publishers, Louis Poinssot and Raymond Lantier, it attests four praetorian prefects, all *virī clarissimi* (i.e., of senatorial rank), honouring Constantinus II as Augustus, although clearly altered from an original dedication to him as *nob(īlissimus) Caes(ar)*<sup>7</sup>:

Virtute clementia m[emor]ando pietate omnes a[n]tecellenti] d. n. Fl. Claudio Consta[n]t[ino iu]niori  
<<Aug.>>

L. Pap. Pacatianus Fl. Ablabius [[. . .]]  
[[. . . .]] C. Annius Tiberianus Nes-  
[to]ri[u]s Timonianus uiri cla-  
[rissimi p]raefecti praetorio

Poinssot and Lantier suggested filling the erasure of approximately eight letters after the name of the second prefect, Ablabius, with a phrase describing his relation by marriage to the imperial family, such as *adfinis* or *necessarius Caesaris*, and dated it to the period of Constantinus iunior's *vicennalia*, beginning on 1 March 336<sup>8</sup>. However, in 1950 Jean-Rémy Palanque suggested that it represented one of a set of originally four dedications (one to each of the Caesars) from the period of uncertainty after Constantine had died (22 May 337), but before Constantinus had become Augustus (9 September 337)<sup>9</sup>. This scenario explained the obvious emendation from Caesar to Augustus. The erasure of the postulated phrase

denoting Ablabius' relationship to the imperial family was explained as a result of his falling from grace, having been dismissed by Constantius as his prefect after Constantine's death. The strange escape of Ablabius' name itself from the erasure was ascribed to his being in only partial disgrace in the period between his dismissal in mid 337 and his eventual execution in early 338 after some months in retirement on his Bithynian estates<sup>10</sup>. Accordingly Palanque identified the four prefects as those of the Caesars of 337, Constantinus iunior, Constantius, Constans, and Dalmatius, an interpretation followed by Hugo Jones in his *Later Roman Empire* and John Martindale in the *Prosopography of the Later Roman Empire*<sup>11</sup>.

What breathed new life into Seeck's hypothesized African prefecture was André Chastagnol's perception, in a paper of 1968, that the erasure ought to mask the name of another prefect; i.e., that the inscription had originally named not four but five prefects<sup>12</sup>. Both Chastagnol and Timothy Barnes, in his *New Empire of Diocletian and Constantine* of 1982, retained Palanque's dating to the context of summer 337. While Chastagnol had hesitated to put a name to the missing prefect, Barnes proposed "VAL. MAXIMVS", on the basis of combining the Valerius Maximus, praetorian prefect and consul in 327, with the recipient of *CTh* 13.4.2 (2 August 337), "MAXIMVS PPO"<sup>13</sup>. He also suggested that the *damnatio memoriae* might be the result of Maximus having been the prefect of the ill-fated Caesar Dalmatius.

Both Chastagnol and Barnes, therefore, counted a college of five prefects at a time when there were only four rulers: Constantinus II, Constantius II, Constans, and Dalmatius. The "excess" prefect was thus assigned to the supposed Praetorian Prefecture of Africa. Both in fact identified the last named, Nestorius Timonianus, as the holder of that office<sup>14</sup>.

7. POINSSOT, L.; LANTIER, R., "Quatre préfets du prétoire contemporains de Constantin", *CRAI* 1924, 229-233; the same interpretation is retained by GAUDEMET, J., "Mutations géographiques et politiques", FAHD, T. (ed.), *La géographie administrative et politique d'Alexandre à Mahomet*, Strasbourg 1981, 264. Cf. CHASTAGNOL, o.c., 332. For a photograph of the stone see now GHALLA, T.; MAHFOUHD, F., "Aïn Tebourmouk-Tubernuc et sa région de l'antiquité tarabide au moyen âge", *MEFRA* 115, 2003, 785, fig. 8.

8. On which see PIGANOL, A., "Notes épigraphiques II. L'inscription de Aïn-Tebermok", *REA* 31, 1929, 142-150 [= *Scripta Varia* 3 (Collection Latomus 133), Bruxelles 1973, 245-257]; BARNES, o.c., 134 n.45; Ablabius' daughter Olympias was betrothed to the young Caesar Constans (*AMM. MARC.* 2.11.3).

9. PALANQUE, J.-R., *Essai sur la préfecture du prétoire du Bas-Empire*, Paris 1933, 18 and "Les préfets du prétoire de Constantin", MOREAU, J. (ed.), *Παγκάρπεια: Mélanges offerts à Henri Grégoire* 2: *AIPhO* 10, 1950, 489-490, following PIGANOL, o.c., 143 (cf. PIGANOL, A., *L'Empire chrétien (325-395)*, Paris 1947, 74), proposed that the inscription recorded a conference of the Caesars in Africa, dated to precisely July 337.

10. EUNAP., *V.Phil.* 6, 3, 9-13; ZOSIMUS 2, 40, 3; HIERON. *Chron.* 234c.

11. JONES, o.c., 100-102; *PLRE* 1, 1048.

12. CHASTAGNOL, A., "Les préfets du prétoire de Constantin", *REA* 70, 1968, 321-352 [= CHASTAGNOL, A., *L'Italie et l'Afrique au Bas-Empire: Etudes administratives et prosopographiques. Scripta varia (Travaux et recherches de l'Université de Lille 3)*, Lille 1987, 179-210], at 333-334; four prefects only still assumed by ARNHEIM, o.c., 595.

13. BARNES, T.D., *The New Empire of Diocletian and Constantine*, Cambridge (Mass.) 1982, 134-135.

14. As had previously STEIN, E., *Histoire du Bas-Empire* 1, Brugge 1959, 473, n.113; CHASTAGNOL, o.c., 336; BARNES, o.c., 135, 138.

## 2. AÏN-RCHINE

Since Timothy Barnes wrote *The New Empire*, an important inscription has come to light, again in Africa Proconsularis. This text, from the attic of a triumphal arch at Aïn-Rchine in Tunisia, records the involvement, in association with the proconsul Domitius Zenophilus, of the college of praetorian prefects in imperially sponsored local building activity<sup>15</sup>. At least one of the prefects mentioned (Flavius Ablabius), and maybe another (Papius Pacatianus), appears in the Tubernuc inscription. In fact the number of prefects listed is itself not entirely beyond doubt. As first described by Naïdé Ferchiou in 1980, only four prefects are explicitly attested; she reported the number of Cs (abbreviating *clarissimorum*) in line 4 as four. However, on its publication in *L'Année épigraphique* 1981, Chastagnol added an extra C, having discerned its traces at the edge of one of the fragments<sup>16</sup>. He proposed further amendments in his contribution to the third *Africa Romana* conference of 1985 and, although its structure is hard to parallel, incorporating these and other suggestions, we may reconstruct the text so<sup>17</sup>:

- 1 [D. n. Fl. Valerius Constantinus maximus uictor semper Aug. et Fl. Claudius Constantinus et Fl. Iulius Constantius nob]ilissimi Caesares [et Fl. Const]ans nob. Caes'.
- 2 [---]IS sui consi[lii? ---]INO[. . . .]VNO[---]A utriusque fori ad pu[lchriorem] faciem
- 3 [ui]amque port[icatum? ---]IBRI[---] restitui iusserunt?, curante?] prefectura praeto[ri]o Valeri Maximi Iu[nii Bassi]
- 4 [F]l. Ablabi Val[eri Euagri? or Pap[i Pacatiani? ---] ccccc. et i[llus]trium uuuu[u. per instantiam?] Domiti Zenofili u.c. proconsulis, inchoant[e]
- 5 nouam [..]VI[.]IO[.]VO[---]iano [--- d.] d. p. p.

While Zenophilus' proconsulship ought to have finished by the time of his ordinary consulship of AD 333, the obviously belated addition of Constans' name to the imperial college suggests that the work was still relatively new at his eleva-

15. FERCHIOU, N., *Echanges-Tabādul* 2 (3), 1980, 307-312 (non vidi); *AE* 1981, 878.

16. *AE* 1981, 878: "A la ligne 4, nous lisons un cinquième C alors que l'éditrice n'en donne que quatre: la photo nous pourrait nette sur ce point".

17. CHASTAGNOL, A., "Les inscriptions africaines des préfets du prétoire de Constantin", MASTINO, A. (ed.), *L'Africa romana* 3, Sassari 1986, 263-273. On the structure cf. HORSTER, M., *Bauinschriften römischer Kaiser: Untersuchungen zu Inschriftenpraxis und Bautätigkeit in Städten des westlichen Imperium Romanum in der Zeit des Prinzipats (Historia Einzelschriften 157)*, Stuttgart 2001.

tion (25 December 333), so that it may belong to as late as 332. Whether four or five prefects are attested here in the company of three or four emperors, there is certainly scope for at least one regional prefect beside three or four attached to emperors in the traditional manner.

## 3. ANTIOCH

More recently still, a further statue base dedication to Constantinus iunior by a college of praetorian prefects was published by Denis Feissel in 1985<sup>18</sup>. Found at Syrian Antioch, it is a slightly simplified version in Greek of the Latin dedication of Tubernuc. Unlike that text however, it has not suffered from later tampering and erasure. Thus it preserves both the title of Constantinus as *nobilissimus Caesar* and the complete college of prefects as Papius Pacatianus, Flavius Ablabius, Valerius Felix, Annius Tiberianus and Nestorius Timonianus. Thus it fills the lacuna in the Tubernuc inscription, not with Valerius Maximus as Barnes had hoped, but with Valerius Felix, whom Barnes had identified as predecessor to Timonianus in the African prefecture<sup>19</sup>:

Τὸν δεσπότην ἡμῶν Φλ. Κλ.  
Κωνσταντεῖνον τὸν ἀνδριότατον  
καὶ ἐπιφανέστατον Καίσαρα (*hedera*) Πάπ.  
Πακατιανός, Φλ. Ἀβλάβιος, Οὐαλ. Φῆλιξ]  
Ἄνν. Τιβεριανός καὶ Νεσ. Τιμωνιανός οἱ λ[αμ].]  
[ἔπ]αρχοι

Feissel recognised the improbability of the very same dedication, out of an assumed series of three (or four), turning up twice. On this basis he postulated that they were probably connected to some significant event specific to Constantinus iunior, and, given that Felix is attested as prefect between 333 and 336, he identified this as the Caesar's *vicennalia*<sup>20</sup>.

## 4. TUBERNUC AGAIN

This re-dating back to c. 1 March 336, as first suggested by Poinssot and Lantier, was accepted by Chastagnol in his *Africa Romana* 3 paper and has been noted by Barnes in his paper from the

18. DAGRON, G.; FEISSEL, D., "Inscriptions inédites du Musée d'Antioche", *T&MByz* 9, 1985, 421-434, with photograph, fig. 1, 421; *AE* 1985, 823.

19. BARNES, *The New Empire...*, *o.c.*, 133, 135.

20. *PLRE* 1, Felix 2.

*Historia Augusta Colloquium 1984/5* and elsewhere<sup>21</sup>. However, neither appears to have grasped the full ramifications of this, especially as concerns the question of the existence of the Praetorian Prefecture of Africa in 336. Barnes, while acknowledging that his original explanations required “fundamental revision”, and Chastagnol both remained wedded to the notion that one of the five prefects named must fill the office of prefect in Africa<sup>22</sup>; namely of course Valerius Felix, whose responsibility certainly included Africa, as the legal and literary evidence makes clear<sup>23</sup>.

However, it ought to be unnecessary to point out that the re-dating of the inscription to AD 336 places the dedication in a period when there were not four but *five* emperors ruling simultaneously: one Augustus and four Caesars. For on 18 December 335 Constantine had made Dalmatius, the son of his half-brother Flavius Dalmatius (*cos.* 333), a Caesar alongside his three surviving sons<sup>24</sup>. So on 1 March 336 the imperial college comprised *Constantinus maximus Augustus et Constantinus iunior, Constantius, Constans, Dalmatius nobilissimi Caesares*. Thus, if Eusebius’ assertion that each of Constantine’s sons had his own establishment (*Vita Constantini* 4, 51-52) is taken to apply also to Dalmatius, then he too will have had a praetorian prefect attached to his service. That he did is highly probable, seeing that he too, like his cousins, was entrusted with the government of a portion of the Empire, namely the dioceses of Thrace and Macedonia, where he can even be shown to have been administratively active<sup>25</sup>. Consequently one of the five praetorian prefects named on the Tubernuc and Antioch inscriptions ought to belong to him. This leaves no prefect floating unassigned, so that, at the very least, the supposed African prefecture must have ceased to exist by March 336. However, the African prefecture has become such an article of faith that, to avoid the logic of this argument and continue to attribute to Felix the African prefecture, Barnes,

somewhat implausibly, now prefers to push the date of the inscription back to summer 335 before Dalmatius’ accession<sup>26</sup>.

## 5. THE ORDER OF PRECEDENCE OF CONSTANTINE’S PREFECTS

André Chastagnol said of the inscription from Tubernuc “Ce document capital est encore lointain, cependant, d’avoir livré tous ses secrets”. But now that the continuing close tie between the college of praetorian prefects and the college of emperors under Constantine has been established, some of the mysteries that have been vexing commentators on these inscriptions can be unravelled.

That the praetorian prefecture in this period was considered as a college analogous to that of the emperors is clear from the inscriptions just discussed. And, just as the emperors of the Tetrarchy represented their constitutions as having been issued in concert with all the other members of the imperial college, so the heading of the travel permit issued to the representatives of the African churches in Trier shows that the office of one of the prefects, Annianus, produced its documentation as if emanating from both prefects<sup>27</sup>.

No problems are encountered in the discussions of the inscriptions listing colleges of prefects under Diocletian and Maximian, Constantine and Licinius, or Constantius and Constans. In these cases, other evidence corroborates the order of precedence followed as that of seniority by appointment<sup>28</sup>. In contrast, the precedence of the prefects presented on the Aïn-Rchine arch and the dedications to Constantinus iunior has caused commentators all sorts of difficulties.

Indeed, when only the inscription of Tubernuc was known, the precedence of Pacatianus over Ablabius was already causing problems. For both the earliest laws attesting Ablabius as prefect (AD 330) and his consulship (AD 331) precede the first legal evidence for (AD 332) and consulship (AD 332) of Pacatianus. Already in 1925 Norman Baynes had been compelled to resort to the hypothesis that Pacatianus was placed first as the

21. BARNES, T.D., “Regional prefectures”, STRAUB, J. (ed.), *Historia-Augusta-Colloquium Bonn 1984/5*, Bonn 1987, 14 n.7; BARNES, T.D., “Himerius and the Fourth Century”, *CPh* 82, 1987, 217 n. 53.

22. BARNES, T.D., “Praetorian prefects, 337-361”, *ZPE* 94, 1992, 249-251; CHASTAGNOL, “Les inscriptions...”, *o.c.*, 270-273. Followed by DEMANDT, A., *Die Spätantike: römische Geschichte von Diocletian bis Justinian, 284-565 n.Chr.*, München 1989, 246.

23. *PLRE* 1, Felix 2.

24. *PLRE* 1, Dalmatius 7.

25. ANON. *Origo Constantini* 35, 4; ANON. *Epit. de Caes.* 41, 20; BARNES, *The New Empire...*, *o.c.*, 87 n. 172 identifies *CJ* 5, 17, 7, issued at Naissus to his father Flavius Dalmatius sometime in 337, as a pronouncement of the Caesar.

26. BARNES, «Praetorian prefects...», *o.c.*, 250.

27. OPTAT. *App.* 8: *Petronius Annianus et Iulianus Domitio Celso vicario Africae*.

28. See CHASTAGNOL, «Les préfets...», *o.c.*, 324, 335f; BARNES, «Regional prefectures...», *o.c.*, 17-19; FEISSEL, D., “*Praefatio chartarum publicarum*. L’intitulé des actes de la préfecture du prétoire du IV<sup>e</sup> au VI<sup>e</sup> siècle”, *T&MByz* 11, 1991, 440.

prefect locally responsible for the dedication's erection<sup>29</sup>. While John Martindale surmised that the two names had been erroneously transposed in the Tubernuc text, both Chastagnol and Barnes concluded that, despite the contrary indications, Pacatianus must have been appointed first because of his prior position<sup>30</sup>.

Following the discoveries of the Aïn-Rchine and Antioch inscriptions the confusion has only been compounded. As Chastagnol pointed out, the hypothesis of an accidental reversal of the names was made impossible by the discovery of the parallel dedication at Antioch, which confirmed the order on the Tubernuc inscription. For it is inconceivable that the same slip could have been made in two such disparate locations. But despite this assertion he was at a loss to offer any convincing explanation of the order. He only added to his problems by his suggestion (which need not necessarily be rejected) that the fourth prefect's name on the Aïn-Rchine inscription should be read as PAP instead of VAL and hence identified as Papius Pacatianus. In answer to the problem of why Pacatianus should appear in AD 332 behind Flavius Ablabius but in 336 before him, he offered (i) the, admittedly rather weak, conclusion that the pair had perhaps been appointed on the very same day and thus no precise seniority between them could be established, or alternatively (ii) that Ablabius had left the prefecture at some point only to take it up again before 336; his seniority depending on the date of his second appointment<sup>31</sup>. And Chastagnol again, commenting on the inscription from Aïn-Rchine, professed puzzlement at the fact that Iunius Bassus, a prefect whose career is known to have begun at the latest in 320, should appear second after Valerius Maximus whose prefecture is only attested between 327 and 333<sup>32</sup>. Denis Feissel said of Pacatianus' oscillation "Cette exception reste à expliquer, sans suffire à nos yeux à infirmer la règle (*sc. d'ancienneté par date de nomination*)"<sup>33</sup>.

Indeed the difficulty lies in the constant assumption that hierarchy is simply a matter of

seniority<sup>34</sup>. In fact, Chastagnol, writing of the Aïn-Rchine inscription, was closer to the truth in asserting "l'ordre d'ancienneté dans la fonction est le critère *normal* de la hiérarchie interne des préfets" (emphasis mine)<sup>35</sup>. For, while seniority by appointment might, all other things being equal, determine precedence in the college, there is another consideration in operation in the formulae of 332 and 336.

By the later fourth century seniority of tenure of the consulship and/or possession of Constantine's new personal honour of *patricius* were both factors to take into consideration when determining precedence between office-holders of otherwise equal status<sup>36</sup>. However, given the relative chronology of Ablabius' and Pacatianus' consulships and since neither is known to have been honoured with the patriciate, both the consulship and patriciate must be excluded as criteria in this instance<sup>37</sup>. Similarly, the protocols determining precedence between fellow prefects of a later period — both that calculated by a combination of the consideration of seniority and the number of times an individual had exercised the prefecture, which operated in the Theodosian age, and that determined by a hierarchy of regional prefectures varying according to location, which operated from the mid fifth century onwards — have to be rejected as inappropriate to the Constantinian age<sup>38</sup>.

In fact it should be no surprise that the overriding consideration in determining precedence stems from the intimate relationship of the prefecture with the emperors. It seems probable that earlier, between AD 286 and 318, only Augusti had praetorian prefects, and this is certainly true again after 337, since all the sons of Constantine were then Augusti<sup>39</sup>. But between 318 and 337 the imperial college comprised both Augusti and varying numbers of Caesars with their own praetorian prefects. It was in times when their masters were of

29. BAYNES, «Praetorian prefects...», *o.c.*, 207.

30. PLRE 1, Ablabius 4, *cf.* Pacatianus 2; CHASTAGNOL, «Les préfets...», *o.c.*, 335; BARNES, *The New Empire...*, *o.c.*, 135.

31. CHASTAGNOL, «Les inscriptions...», *o.c.*, 270, proposes simultaneous appointments; *cf.* 273, where he proposes the solution of Ablabius' multiple prefectures.

32. CHASTAGNOL, «Les inscriptions...», *o.c.*, 269; PLRE 1, Bassus 14, Maximus 49.

33. FEISSEL, «Praefatio...», *o.c.*, 440 n. 20.

34. E.g. JONES, *o.c.*, 102; CHASTAGNOL, «Les préfets...», *o.c.*, 334; CHASTAGNOL, A., "Un nouveau préfet du prétoire de Dioclétien: Aurelius Hermogenianus", *ZPE* 78, 1989, 165; and BARNES, *o.c.* (note 13), 135.

35. CHASTAGNOL, «Les inscriptions...», *o.c.*, 270.

36. DELMAIRE, R., "Les dignitaires laïcs au Concile de Chalcedoine", *Byzantion* 54, 1984, 141-156 and MATHISEN, R.W., "Emperors, Consuls and Patricians", *ByzF* 17, 1991, 173-188.

37. As securely demonstrated for the consulship by CHASTAGNOL, *o.c.*, 335 and BARNES, «Regional prefectures...», *o.c.*, 17.

38. The operation of these two protocols has been elucidated by FEISSEL, «Praefatio...», *o.c.*, 441-447 and 448-465 respectively.

39. *Pace* BARNES, *The New Empire...*, *o.c.*, 123.

equal status (e.g. between 286 and 318, and after 337) that the rule of seniority prevailed in determining the precedence of the prefects. But under the conditions that held between 318 and 337, I contend that this was displaced as the most important criterion by the consideration that the prefect(s) attached to an Augustus should have precedence over others in the college.

Accordingly, when the inscription at Aïn-Rchine was carved in *c.* 332, and the dedications to Constantinus iunior composed in 336, the prefect currently in the service of *Constantinus maximus Augustus* was considered the senior in the hierarchy, regardless of his seniority by appointment. His name was then followed by those of the other prefects as normal in strict order of their seniority by appointment.

This explains why it has always been the precedence of the first-named praetorian prefect in these epigraphic texts of the Constantinian period that has been the real stumbling block in trying to relate these inscriptions to the other evidence. For once it is realised that Valerius Maximus is named before Iunius Bassus at Aïn-Rchine, and Pacatianus before Ablabius at Tubernuc and Antioch,

not because Maximus and Pacatianus were senior by appointment (indeed all the other evidence points to the contrary), but because they were at the respective moments the prefect *in praesentia* at the court of Constantine, the contradictions found with the other epigraphic, legal and papyrological evidence evaporate. At the same time, this principle of precedence serves to reinforce the point that under Constantine the praetorian prefecture was still considered essentially an office attached to an emperor rather than a geographic region. In this light, the “surplus” prefects of Aïn-Rchine represent not a plan for regional prefectures but Constantine’s establishment in anticipation of embryonic governments for four successors, according to a scheme clearly devised before the unfortunate execution of his eldest son, Crispus, in AD 326.

#### ADDENDUM MARCH 2006

Since the delivery of this paper the epigraphic and legal evidence for Constantine’s praetorian prefects has been re-analysed in PORENA, P., *Le origini della prefettura del pretorio tardoantica*, Roma 2003, but with quite different conclusions.