

THE ROMANO-PERSIAN PEACE TREATIES OF A.D. 299 AND 363

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The Romano-Persian treaties of 299 and 363, the first between Diocletian and his colleagues and the Persian king Nerseh, the second between Jovian and Sapor II, are in themselves, though they survive only in brief and partial summaries, important documents in the history of Romano-Persian relations.¹ The period in which they were produced, the first close to the beginning of it, the second close to the end, was an important stage in the development of relations between the two enduring and (in their own view) "civilized" powers of the ancient world. The importance of the treaties for the historian is two-fold. First, they constituted a large step in defining the troubled Romano-Persian border, at least in its southern sector, and produced an alignment which endured, with minor modifications, until the final decades of the sixth century.² Second, they were the last two agreements between the two states (at least until the reign of Maurice, 582-602) which were the consequence solely of military power and military action without the mediation of any significant diplomatic effort. Nevertheless, although in both cases one side was clearly dominant,³ because these treaties -- and especially that of 363 -- recognized the legitimate interests of the other side, they laid the ground for the more mature relationship between Rome and Persia that was inaugurated by the negotiations in the 380's between the representatives of Theodosius I and Shapur III.

The two treaties have often been commented upon both by historians of the Roman Empire interested in Romano-Persian relations and by historians of the Caucasian oikoumene interested in the relations of the states of that area, primarily Armenia and Iberia, with Rome and Persia.⁴ The two groups have not worked in isolation, but, naturally enough, have tended to follow their own interests in emphasizing different aspects of the treaties. As a result, they have usually approached the treaties as sources to be mined for relevant information rather than as documents produced in a specific and also developing set of circumstances. In fact, the treaties are valuable not only as sources of information but also as instruments which themselves contributed towards the development of relations between the various states of the area, especially, but not only, Rome and Persia.

The continuity between the two treaties has frequently been remarked, and they have usually been studied together. That of 363, which was shaped to the advantage of the Persians (if not dictated by them), is often treated as a deliberate reversal of the settlement dictated by the Romans in 299.⁵ A statement of Sapor in a letter sent to Constantius II in spring 358 seems to indicate that this was the Persian intent, since the king declares that: "I am bound to recover Armenia and Mesopotamia which were stolen from my grandfather [Nerseh] by deliberate double-dealing."⁶ Furthermore, in the treaty of 299 the Persians are said to have surrendered five of the southern Armenian principalities⁷ to the Romans, while in 363 they took five back. Only three of the five are, however, common to both settlements; and Ammianus, introducing the terms of the treaty of 363, makes it clear that, while Sapor insisted that he wanted back the lands taken by Galerius under the treaty of 299, what he actually took was not the same.⁸ The emphasis upon continuity and parallelism between the two treaties has not only coloured the discussion of them but has also focussed it upon these terms which dealt with the Armenian principalities and the eastern Mesopotamian frontier, where there is enough information to support an argument for or against. When, however, the treaties are considered as wholes and compared as such, then there appear not only continuities but also differences, and even silences, some of which might be the result of deficient sources, but some of which, I shall suggest, reflect decisions by the framers of the treaties.

Two further points are important to any discussion of the terms of the treaties. First, we do not have their full texts; what survive are merely summaries and selections preserved by historians. Ammianus, our main source for the treaty of 363, was himself in Persia with Jovian when it was signed and was probably writing within thirty years of the signing.⁹ But whether he actually ever saw the document is not clear, and what is known of his background suggests that he would have had little more than a layman's comprehension of the terms and their implications; he certainly shows no particular interest in diplomacy in his *History*. Peter of Thessalonica, called the Patrician, is the sole source for the terms of the treaty of 299, and he composed his *History* over two hundred years after the event. Peter was an outstandingly knowledgeable and successful diplomat under Justinian, but the credentials that he had established at the end of his career are no guarantee of his reliability in a work which he may well have composed near the beginning of it.¹⁰ Furthermore, the source that he used for the period in question might have been a bad one.¹¹

Second, the treaty of 299 was certainly dictated, and that of 363 was signed under duress.¹² Moreover, the signing of both was preceded by little discussion or the sort of negotiation that would have elicited some of the potential difficulties,¹³ and that of 363 was formulated by representatives who (on the Roman side at least) seem to have had little diplomatic experience to enable them to envisage the ramifications of what had been agreed upon.¹⁴ In short, the original treaty documents are likely to have been rather crude and perfunctory, quite unlike, for instance, the carefully-drafted and comprehensive Romano-Persian treaty of 561 which Menander the Guardsman (*Fr.* 6,1) preserves, apparently in full form. Ammianus himself gives an indication that the framing of the treaty of 363 was a comparatively informal process when he says that Sapor claimed that the misunderstandings which arose later between Rome and Persia over Armenia and Iberia could only be resolved in the presence of those who had first-hand knowledge of the treaty with Jovian.¹⁵

The treaty of 299 was dictated by the Romans. It followed a victory in the previous year by Galerius in which the harem and children of the Persian king Nerseh were captured. After the Roman victory, Nerseh appears to have evacuated Roman Mesopotamia, which he had overrun, and he sent an envoy who indicated that the Persian king would accept Roman

terms for the return of his family.¹⁶ To the Persian envoy's plea for restraint by the Romans in dealing with Persia on the ground of mutuality of interest -- a plea that resounds of the sixth century and Peter's own position rather than the fourth¹⁷ -- Galerius replied with a tirade on the Persian treatment of the Emperor Valerian and then indicated that terms would be forthcoming.¹⁸ The Roman envoy who brought the terms said that he had no authority to negotiate, and after a brief demur Nerseh accepted them.

The terms as set out by Peter (*Fr.* 14) were as follows:

1. the Romans would have Intilene [=Ingilene] with Sophene, and Arzanene with the Corduenes¹⁹ and Zabdicene;
2. the Tigris would be the border between the two states;
3. the fort of Zintha, on the borders of Media, would be the boundary of Armenia;
4. the king of Iberia would receive his symbols of kingship from the Romans;
5. Nisibis, lying on the Tigris, would be the sole place of trade.²⁰

Considerable confusion and disagreement have arisen over the interpretation of the first three clauses, most of which, however, can be removed if three points are kept in mind. First, 1 and 2 are separate clauses dealing with separate issues and not part of one clause dealing with the Armenian principalities. Second, the treaty of 299 followed an earlier agreement of 287 or thereabouts between Diocletian and Vahram II which seems to have given Rome territory in Mesopotamia, perhaps up to the Tigris, and control over at least part of the Kingdom of Armenia.²¹ Third, the treaty of 363 was not a mechanical overturning of the treaty of 299 and, therefore, cannot be used to gloss it unless there are other reasons to do so; this is especially important in respect of attempts to match up or explain the "five" principalities mentioned in both.

The first clause concedes to Rome suzerainty over a number of Armenian principalities of what the Armenians called the Syrian and Arab Marches. The first two of these, Ingilene and Sophene, formed part of the old Kingdom of Sophene. Hubschmann proposed that, in fact, on this occasion the Persians ceded the whole of the old Kingdom of Sophene, which would add to the list Anzitene and another Sophene (there were a Lesser and a Greater, the latter also later called Sophanene). These four regions all lay between the Euphrates and the river Nymphius

(modern Batman-su, to the East and a tributary of the Tigris).

Hubschmann then added the principalities mentioned by Ammianus for the treaty of 363, which are not in Peter, to the other, Transtigritane, principalities which are listed by Peter, to make a total of nine principalities; these, he says, the Persians ceded in 299.²² This argument, which makes the lists of both Peter and Ammianus defective, has been widely accepted.²³ It is, however, founded on the erroneous assumption of a mechanical relationship between the two treaties, and it is unnecessary.

If Peter's Sophene is Greater Sophene (it could be either), then he lists the south-eastern and eastern parts of the old Kingdom of Sophene, beginning with the westernmost of the two and proceeding via the connective $\mu\epsilon\tau\acute{\alpha}$ to the easternmost one. Thus, it is the north-central and western parts of the old Kingdom that are not mentioned, and these may not have been at issue in this treaty; Rome's suzerainty over them could have been long-established and secure.²⁴ With the other principalities across the Nymphius Peter follows exactly the same procedure, naming first Arzanene and then proceeding, again via $\mu\epsilon\tau\acute{\alpha}$, south-east down the Tigris to Corduene and Zabdicene. In the light of the geographically-oriented nature of the list, speculation as to whether the use of $\mu\epsilon\tau\acute{\alpha}$ reflects the higher ranking of the princes of Ingilene and Arzanene at the Armenian court or the greater importance of these areas in the eyes of the Romans, is beside the point.²⁵ Peter proceeds from West to East and he also avoids the error, which has been made by many commentators, of labelling all these principalities "Transtigritane," when only four of the five were. This term, used, again not strictly accurately, by Ammianus of the five principalities ceded by the Romans in 363, first appears in Festus (*Brev.* 14 and 25) used of the principalities ceded in 299. Festus, who composed his epitome during the reign of Valens (365-78), ended it with the peace of 363, and his terminology was clearly influenced by that agreement.

The difficulty of the second clause is squaring the acquisition of Transtigritane territories with the establishment of the border at the Tigris. Dilleman's solution, that while the Romans acquired lands across the Tigris these soon fell away so that the Tigris became the real border,²⁶ confuses commentary on the text of the treaty with the text itself; no treaty would address a future possibility in this way. Once

it is realized that this item is a separate clause of the treaty and not a part of the first clause, and that the procedure is to deal with the border area from North-West to South-East down the Tigris, then the difficulty vanishes. Ensslin's interpretation is obviously correct: this clause establishes the Romano-Persian border south of the areas dealt with in the first clause and in effect confirms the Romans' possession of Nisibis and its region (Mygdonia) up to the Tigris.²⁷

The third clause of the treaty establishes the point of the border between Armenia and Persia at a place called Zintha in Media, by which is probably meant Media Atropatene.²⁸ The place itself is unknown, although Faustus of Byzantia (4, 43) does remark "un certain chef des Zintag" who attacked Azerbaijan (Atropatene) on behalf of the Persians some time after the peace of 363.²⁹ Peeters' attempt to argue that Zintha is a corruption of Zaitha in Anzitene or a place of the same name in Ingilene and that, therefore, this clause defines the Roman-Armenian border is completely misconceived and has been rightly rejected;³⁰ the Romans would certainly not have defined a border with a kingdom subordinate to them in a treaty with a third party. The purpose of this clause was probably two-fold: first, to compensate the king of Armenia for the loss of the principalities of the Syrian and Arab Marches by the expansion of his territory into former Armenian lands in the South-East now held by the Persians, and, second, to act on behalf of Armenia and thus have the Persians, by accepting the clause, implicitly recognize Roman suzerainty over the kingdom, part of which had been under Roman control since the agreement of circa 287.

The fourth clause establishes Roman suzerainty over Iberia in the usual manner, by conceding to them the right to confer the symbols of his office upon the Iberian king.³¹ This suzerainty was probably direct; there is no evidence that it was exercised indirectly by placing the king of Iberia in vassalage to the king of Armenia.³²

The final clause of the treaty establishes Nisibis as the sole point of commercial contact between the Roman Empire and the Persian Kingdom.³³ The result of this was that the Romans would garner all the income from taxes on the lucrative eastern trade. The loss to Persia is underlined by Peter's observation that this was the only part of the agreement that roused Nerseh' objections.³⁴

The agreements made in the treaty as preserved by Peter fall into three categories: the eastern border, control of Armenia and the South Caucasus region, and commercial relations. These, with the addition of the Saracens, continued to be the main focus of negotiations and treaties between the Romans and the Persians through the fourth, fifth, and sixth centuries. In all three categories the treaty of 299 achieved for the Romans the maximum, or close to the maximum, that they were to claim thereafter (short of wild dreams of the control or destruction of Persia). Persian dissatisfaction with this settlement simmered for over thirty years and finally burst out in hostilities towards the end of the reign of Constantine, which dragged on throughout the reign of Constantius II. The Persians attempted to regain ground lost in eastern Mesopotamia by attacking the forts of the area, especially Nisibis, the key of the Roman defensive system, and in Armenia by winning its king, Arsak III, over to their side.³⁵ The letter of Sapor to Constantius II in 358, which sets out the Persian objective, to recover Mesopotamia and Armenia that had been taken from Nerseh, appears to have represented a bargaining position exceeding the demands that were achieved in the treaty of 363.³⁶

The inability of the Persians to achieve their aims on the battlefield was confessed by Sapor's offer of peace negotiations to Julian in 362.³⁷ The offer was rejected since Julian was determined to settle the issue by force. The failure of Julian's Persian expedition and the death of the emperor in Persia forced Jovian, his successor, to negotiate a new treaty in 363. In these negotiations the Persians, although not in the same position as Diocletian and Galerius had been to dictate terms, clearly had the upper hand, since the Roman army (and court), if not trapped, was demoralized and in a difficult position one hundred miles from friendly territory.³⁸ The negotiations were hurried -- they lasted four days -- and the chief Roman negotiators, the praetorian prefect Salutius and a military count, Arinthaëus, do not seem to have been particularly experienced diplomats.³⁹ The treaty agreed upon was, as might be expected, a rather perfunctory document which, though based upon the treaty of 299, did not address itself directly and comprehensively to all of the terms of the earlier agreement and was not, therefore, merely a mechanical reversal of it to the Persian's advantage.

The terms given by Ammianus (25, 7, 9-12) are as follows:⁴⁰

1. the Persians would acquire from the Romans five Transtigritane territories: Arzanene, Moxoene, and Zabdicene, as well as Rehimene and Corduene with fifteen forts,⁴¹ the Romans being permitted to withdraw the garrisons from the forts;⁴²
2. the Persians would also acquire Nisibis, Singara, and Castra Maurorum, though the Romans would be allowed to evacuate the inhabitants of Nisibis⁴³ and Singara;⁴⁴
3. the Romans would never help Arsak against the Persians;
4. the treaty was to last for thirty years.

Even from the first term of this treaty it is clear that Sapor had not effected (nor had he sought)⁴⁵ a comprehensive reversal of the treaty of 299. All of the lands to the West of the river Nymphius (i.e. Ingilene and Sophene) remained in Roman hands; and there is no evidence that the Persians ever subsequently claimed them. The lands to the East and South-East of that river and the Tigris were ceded to the Persians. Of the two territories named by Ammianus and not by Peter, Rehimene had perhaps been subsumed under the Corduenes in Peter's account,⁴⁶ while Moxoene, an important principality between Arzanene, Corduene, and Lake Van, may well have transferred allegiance to the Romans some time after 299, perhaps as a result of the cession of the principalities to the West and South.⁴⁷ In effect, the first clause of the treaty of 363 gave the Armenian principalities of the Syrian March to the Romans and those of the Arab March to the Persians. The redrawn border followed the Nymphius to its confluence with the Tigris, turned east to follow the Tigris for a short distance, and then turned due south from the Tigris through the Tur^ʿAbdin, cutting off Rehimene, on the west bank of the river, and Zabdicene, which straddled the river, from Roman Mesopotamia.⁴⁸

The second term represented the key gain for the Persians, as all subsequent sources of opinion recognized. The cession of the fortified cities of Singara and especially Nisibis, together with the considerable territories attached to them, not only destroyed the Roman defensive system of eastern Mesopotamia,⁴⁹ which was based upon control both of the main routes to the Euphrates and Syria and of the highlands of the Tur^ʿAbdin and the Djebel Sinjar, but also immeasurably strengthened the Persian defences of Adiabene and Assyria, which the thirty years' duration of the peace was designed to give them time to consolidate. Although the Roman

defences in this sector remained weakened at least until the fortification of Daras, eleven miles from Nisibis and just over the border, by Anastasius (491-518),⁵⁰ the Persian aim seems primarily to have been the strengthening of their own defences by the elimination of what from their point of view was a Roman salient into their territory. Certainly, for 140 years they declined to use their new strategic advantage to strike at western Mesopotamia.⁵¹

The second term of the treaty also eliminated the Roman monopoly of the income from the trans-border trade via Nisibis. Whether it substituted a Persian monopoly is not made clear, though a law of Theodosius II and Honorius (408 or 409) names only Nisibis for trade across the Tigris.⁵²

The third term, both as set out by Ammianus and probably in actuality, was the vaguest and caused the most difficulty. Ammianus himself says only that the Romans agreed not to help Arsak,⁵³ which amounted to an abandonment of suzerainty over the kingdom of Armenia,⁵⁴ but not to a cession of it to the Persians. Later, Ammianus makes it clear that in his view the Romans only conceded Armenian independence from Rome, a view which the emperor Valens seems also to have held.⁵⁵ The Roman sources which say directly that the Romans surrendered Armenia to the Persians are hardly reliable since they speak from *parti pris* and in the light of the Persian attacks on Armenia that began soon after 363.⁵⁶ The Persians, on the other hand, while not claiming that the Romans had ceded Armenia to them, clearly considered that they had been given a free hand, both to regain the part of Atropatene lost to Armenia in 299 and to overthrow Arsak.⁵⁷ Ammianus' account of the dealings between the Romans and Persians during the reign of Valens suggests strongly that the disagreements between the two sides arose out of the defective nature of the treaty, with the Romans emphasizing Armenian independence and the Persians stressing the Roman promise of non-intervention.⁵⁸

Disagreement also arose over the status of Iberia, which was ceded to Roman suzerainty in 299 and apparently not mentioned in the treaty of 363. The Persian position, whether based upon an informal understanding between the negotiators⁵⁹ or upon the assumption that a free hand in Armenia carried with it a free hand in Iberia (which at times, but not always, was under Armenian suzerainty⁶⁰), was that they had an absolute right to act there as they saw fit. When the Persians replaced the Roman appointment on the throne of Iberia (an action which Ammianus

[27, 12, 4] characterizes as *perfidia*), the Roman response was to send an army which effected a partition of the country between the Persian and the Roman nominees, an act that Sapor regarded as a breach of the treaty (*ibid.* 16-18).⁶¹ The Justinianic writer John Lydus further complicates the matter by claiming (*De Mag.* 3, 52) that in the treaty talks of 363 the Romans had also agreed to share the cost of building a fortress in the Caspian Gates to block the barbarian incursions that were devastating the regions south of the Caucasus. This agreement is, in my opinion, not historical and reflects an issue that became important only in the fifth century; and even if it were raised in 363, Lydus' own words suggest that it was only an element in the discussions that did not enter the treaty itself.⁶²

The treaty of 363 was negotiated in a hurry and under pressure which would have caused difficulties for far more experienced diplomats than the principal negotiators at least on the Roman side, appear to have been. As a result it was a less coherent and satisfactory document than the treaty of 299, which, though one-sided, was presumably worked out at leisure by Diocletian and Galerius and their advisors. Nevertheless, the treaty of 363 provided what proved to be a durable settlement of the east Mesopotamian border, despite the complaints of Syrian fears and Roman chauvinism.⁶³ This was probably so partly because for this area the Persians had a clear and thoroughly thought-out position which they were able to insist upon, and partly because in this settlement they were concerned to secure their defences rather than to create a foundation for further aggrandizement against Roman territory.

In respect of Armenia and the south Caucasus the settlement was far less satisfactory, and it fell apart within a few years. In negotiations between the Romans and the Persians the Mesopotamian border usually took precedence over Armenia and the Caucasus,⁶⁴ and it is likely that in the hurried negotiations of 363 less time and attention were given to them. This alone would have guaranteed problems in an area where the national and political groupings were not always easily identifiable, where loyalties and allegiances could change (and had been greatly complicated by the introduction of Christianity), and where the ruling groups were far less susceptible to Roman or Persian control than in Mesopotamia.⁶⁵ Perhaps the only solution within the short time available to the negotiators was the one which emerged, a vaguely-worded clause dealing with

Armenia backed by a series of "understandings." Despite their subsequent posturings, both the Romans and the Persians were probably well aware that this part of the treaty was likely to fail because the overriding interests of both parties ensured that neither would allow itself to be eliminated completely from the area.⁶⁶ In this case, the clause on Armenia was designed to give the Persians a strategic advantage rather than effect a durable settlement.

From the standpoint of the far more sophisticated diplomacy of the age of Justinian the treaties of 299 and 363 were very imperfect documents. Nevertheless, from the point of view of the historian they are, as was remarked at the beginning of this paper, of great importance in two respects. They show the Romans and the Persians beginning to approach the complexity of the issues, primarily political and strategic, that both separated and bound them together; and they also show the two sides moving away from simple military solutions towards a process that involved a growing and varying element of negotiation. Furthermore, the treaties were important in themselves as instruments in this developing search for accommodation because they set out the maximum acceptable positions of both sides (more satisfactorily for Mesopotamia) and thus established the basis for subsequent negotiations. Whatever Roman or Persian propaganda might declare thereafter, in general the two sides, both in fighting and in negotiation, remained within the limits set by these treaties. Thus, together they laid the ground for the development of "byzantine" diplomacy, which, in its origin, was to a large extent the creation of the need of the Romans and the Persians to co-exist.

NOTES

¹ The first treaty is usually dated to 297 or 298. T.D. Barnes, "Imperial Campaigns, A.D. 285-311," *Phoenix* 30 (1976) 182-86, has established 299 as its date.

² Cf. the judgement of L. Dilleman, *Haute Mésopotamie orientale et pays adjacents* (Paris 1962) 223, on the treaty of 363.

³ Peter the Patrician (*Fr.* 14) makes it absolutely clear that the treaty of 299 was dictated by the Romans. In the negotiations of 363 the Persians had the upper hand since the Roman army was in retreat and short of supplies and had lost its emperor, so that the Roman representatives were under pressure to settle quickly. On the other hand, the Persians had suffered heavily in the fighting, and the Persian king, according to Ammianus (25, 7, 1-3 and 5), was not fully confident of success. If this were so, then there would have been some inclination to compromise on the part of the Persians, as seems to have been the case in that part of the treaty dealing with Armenia (see above p. 37).

⁴ The most important discussions are K. Güterbock, *Römisch-Armenien und die römischen Satrapieen in vierten bis sechsten Jhd.* (Königsberg 1900) 6-11; W. Ennslin, *Zur Östpolitik des Kaisers Diokletian* (Munich 1942) 44 ff.; W. Seston, *Dioclétien et la Tétrarchie I* (Paris 1964) 145-77; R.P. Peeters, "L'intervention de Constance II dans la Grande Arménie," *Bull. de l'Acad. Roy. de Belgique, Cl. des Lettres* 5 sér., 18 (1931) 23-29; E. Stein, *Histoire du bas-Empire*, tr. J.-R. Palanque (Geneva 1949-59) I, 80 and 175; Dilleman (at n. 2) 216-20; M.L. Chaumont, *Recherches sur l'histoire de l'Arménie de l'avènement des Sassanides à la conversion du royaume* (Paris 1969) 120-29; C. Toumanoff, *Studies in Christian Caucasian History* (Georgetown 1963) esp. 149 ff.; E. Chrysos, "Some Aspects of Romano-Persian Legal Relations," *Kleronomia* 8 (1976) 1-48.

⁵ Cf., e.g., Chaumont (at n. 4) 123, "il ne s'agit pas seulement de concilier Pierre le Patrice avec Ammien . . ."; Toumanoff (at n. 4) 163

n. 63; Güterbock (at n. 4) 6-11; and, by implication, the scholars cited at nn. 22 and 23 below.

⁶ Amm. Marc. 17, 5, 6: *ideoque Armeniam recuperare cum Mesopotamia debeo, avo meo composita fraude praereptam.*

⁷ I use the term "principality" of these regions following Toumanoff (at n. 4). They are usually called "satrapies," though it is not clear that the rulers of all of them bore this title at the period. Ammianus calls these regions *regiones* (25, 7, 9; 9, 12), probably a deliberate usage to avoid any suggestion that they were *provinciae*. Zosimus (3, 31, 1) uses the term ἑθνος, which is ambiguous (since it could be used of a province) but probably current in the fourth century also, since Festus, who uses *regiones* (Brev. 25), uses *gentes* as well (Brev. 14).

⁸ Amm. Marc. 25, 7, 9: *petebat autem rex obstinatus, ut ipse aiebat, sua dudum a Maximiano erepta, ut docebat autem negotium, pro redemptione nostra* The contrast *ut ipse aiebat . . . ut docebat autem negotium* was rightly insisted on by Dilleman (at n. 2) 219 f.

⁹ For the date of composition of book 25 of Ammianus' History and its significance see the Budé edition, IV (livres 23-25) 1 partie, 10-14.

¹⁰ On Peter's early career see "Petros" 6 in *RE* XIX, 2 col. 1297. For an example of an ambitious young man writing a history to attract attention see Men. Prot. Fr. 1, 1 in R.C. Blockley, *The History of Menander the Guardsman* (Liverpool 1985).

¹¹ For the suggestion that Peter used Eunapius for this part of his History see Barnes (at n. 1) 185 and "The *Epitome de Caesaribus* and its Sources," *CPh* 71 (1976) 267. The evidence of use is not very strong.

¹² See n. 3 above.

¹³ That the first was dictated effectively precluded negotiation, though, presumably, the Romans had fully discussed their own demands; Galerius seems not to have had a clear set of them when the Persian envoy first approached him (Pet. Patr. Fr. 13). The negotiations over the treaty of 363 lasted only four days (Amm. Marc. 25, 7, 7). Discussions were usually more elaborate and protracted (cf., e.g., Men. Prot. [at n. 10] Fr. 6, 1, on the discussions that preceded and followed the Romano-Persian treaty of 561).

¹⁴ See n. 39 below.

¹⁵ Amm. Marc. 30, 2, 3: *nisi intervenissent conscii pacis foederatae*

cum Ioviano. Sapor made this assertion probably in late 377 when Salustius had certainly and Arinthaëus had possibly died, so that Ammianus regards the king's proposal as disingenuous (cf. *loc. cit.*: *vana causantis et tumida*).

¹⁶ The main source for the victory and the treaty is *Pet. Patr. Frr.* 13 and 14. Supplementary sources are *Vict. Caes.* 39, 34-37; *Eutrop.* 9, 25, 1; *Jer. Chron. a.* 2320; *Oros. Adv. Pag.* 7, 25, 10-11; *Fest. Brev.* 14 and 25. On the (very garbled) Armenian tradition see N.H. Baynes, "Rome and Armenia in the Fourth Century," *EHR* 25 (1910) 625-43. For the chronology see Barnes (at n. 1) 182-86.

¹⁷ Cf. the words of Peter himself when acting as negotiator for the peace of 561 in *Men. Prot.* (at n. 10) *Fr.* 6,1 lines 89-96.

¹⁸ Modern commentators (e.g. Stein [at n. 4] I, 79 f.) usually state that Galerius wished to continue the war but was overruled by Diocletian who insisted on moderate terms. This derives from a statement by Victor (*Caes.* 39, 36) that Galerius would have acquired for Rome a new province had not Diocletian for an unknown reason forbidden it. Peter, however, at the end of *Fr.* 13 indicates that Galerius himself told the Persian envoy that a Roman representative would soon be sent with terms. Galerius, of course, may well have wished for harsher terms, but those enforced were quite severe.

¹⁹ Peter uses *Καρδοουηῶν* as distinct from the singular for the other four principalities. Unless the plural is a meaningless variant, it might indicate that a number of regions, distinct from but administered by the ruler of Corduene, were grouped under this name. An obvious candidate is the otherwise unknown *regio*, Rehimene, which Ammianus (25, 7, 9) and Zosimus (3, 31, 1) say was ceded by the Romans in 363. Dilleman (at n. 4) 210 f. does suggest that it was part of Corduene, while Toumanoff (at n. 4) makes it a part of Zabdicene (166 n. 63) or Arzanene (182 f. n. 147); both situate it on the west bank of the Tigris. Ammianus calls it *Transtigritane* (i.e. to the East of the river), which would be an understandable error if it were a dependency of a *Transtigritane* principality.

²⁰ Peter's text reads: ἦν δὲ κεφάλαια τῆς πρεσβείας ταῦτα, ὥστε κατὰ τὸ ἀνατολικὸν κλίμα τὴν Ἰντηληνὴν μετὰ Σοφηνῆς καὶ Ἀρξανην μετὰ Καρδοουηῶν καὶ Ζαβδικηνῆς Ῥωμαίους ἔχειν, καὶ τὸν Τίγριν ποταμὸν ἑκατέρας πολιτείας ὁροθέσιον εἶναι, Ἀρμενίαν δὲ Ζίνθα τὸ κάστρον ἐν μεθορίῳ τῆς Μηδικῆς κείμενον ὀρίζειν,

τὸν δὲ Ἰβηρίας βασιλέα τῆς οἰκείας βασιλείας τὰ σύμβολα Ῥωμαίοις ὀφείλειν, εἶναι δὲ τόπον τῶν συναλλαγμάτων Νίσιβιν τὴν πόλιν παρακειμένην τῷ Τίγριδι.

²¹ The evidence for the terms of this treaty comes from a very varied Armenian tradition on the restoral of Tiridates by the Romans and some vague phrases in the Latin Panegyrics which speak of a Persian embassy bringing wondrous gifts (2 [10], 9, 1; 3 [11], 5, 4) and offering Persian submission (2 [10], 7, 5; 10, 6), and of the Persians being driven beyond the Tigris (4 [8], 3, 3) and the enhancement of the security of Syria (2 [10], 7, 5); for Roman control of at least part of Armenia at this time see Chaumont (at n. 4) 93 ff. Ensslin (at n. 4) 9-15 argued against the historicity of this treaty, an argument which has been generally rejected (see Seston [at n. 4] 161-63 and cf. T.D. Barnes, *Constantine and Eusebius* [Cambridge, Mass./London 1981] 6, n. 33).

²² H. Hubschmann, *Altarmenischen Ortsnamen (Indogermanischen Forschungen 16)* (Strassburg 1904) 220 n.

²³ E.g. by Ensslin 47 f.; Chaumont 123; Stein I, 171, (all at n. 4).

²⁴ There is no direct evidence for this suggestion, but their location on the Syrian March indicates an orientation towards the West, and the allegiances of the outer regions of Armenia certainly seem to have shifted according to the prevailing power in the area (Toumanoff [at n. 4] 113; N. Garsoian, "Armenia in the Fourth Century. An Attempt to Redefine the Concepts 'Armenia' and 'Loyalty'," *Rev. Et. Armeniennes* N.S. 8 [1971] 342-52).

²⁵ Cf. Chaumont (at n. 4) 125 f.

²⁶ Dilleman (at n. 2) 216-18.

²⁷ Ensslin (at n. 4) 48; cf. Stein (at n. 4) I, 80.

²⁸ Ammianus (23, 6, 27 and 39-40) in his survey of the Persian kingdom subsumes Atropatene under Media, extending the latter as far north as to include the river Cyrus (Kura).

²⁹ This attack seems to have been part of a series of campaigns in which the Persian king sought to recoup his losses of 299, occupying Armenia as far as Artaxata (Amm. Marc. 25, 7, 12).

³⁰ Peeters (at n. 4) 29 f., rejected by Ensslin (at n. 4) 48 f.

³¹ On the components of suzerainty and the symbols of office see Toumanoff (at n. 4) 117 f.

³² This is the view of Chaumont (at n. 4) 127. Certainly, there are examples of such indirect suzerainty, but it seems that in these cases the direct suzerain invests the subordinate with the symbols of office having first received permission from the overall suzerain; this is the case with the Roman-Lazic-Suanian relationship in Men. Prot. (at n. 10) Fr. 6, 1 lines 565-75. In the aftermath of the treaty of 363, however, the Romans appear to have regarded Armenia and Iberia as separate issues (see n. 61 below and Amm. Marc. 30, 2, 4).

³³ The text, which places Nisibis on the Tigris, might reflect the wording of a commentator rather than that of the treaty itself (so Dilleman [at n. 2] 217). Could it also indicate a condensation of the original that identified Nisibis as the conduit of trans-Tigris trade, as distinct from trade via Armenia and trade to the South with the Saracens? In a law of 408 or 409 (*Cod. Iust.* 4, 63, 4) Theodosius II and Honorius name Nisibis, Artaxata, and Callinicum as the posts of trade. Artaxata would have been for Armenia and Callinicum for the South (cf. Amm. Marc. 23, 3, 7, who describes Callinicum as a flourishing place of trade in 362).

³⁴ See Seston (at n. 4) 175-77 for discussion of this clause.

³⁵ Romano-Persian relations during the reign of Constantius II are discussed by R.C. Blockley, "Constantius II and Persia" (forthcoming).

³⁶ The letter of Sapor is at Amm. Marc. 17, 5, 3-8. In it Sapor begins with a hypothetical claim to the full extent of the old Archaeménid Empire, but then states that his realistic aim is the recovery of Armenia and Mesopotamia that were taken from his grandfather (*ibid.* 7). In fact the settlement of 363 fell short of this in that the principalities of Sophene and Ingilene were left in Roman hands. (On the likelihood that the material in the letter is authentic see G.B. Pighi, *Nuovi studi ammiani* [Milan 1936] 181 ff.).

³⁷ This offer is noted only by Libanius (*Orr.* 12, 76-77; 17, 19; 18, 164-65); cf. P. Barceló, *Roms auswärtige Beziehungen unter der Constantinischen Dynastie (306-363)* (Regensburg 1981) 97.

³⁸ Ammianus, who was with the Roman army, thought that had it pressed on during the four days of negotiation, its arrival at the safety of Corduene would have been assured (25, 7, 8, with the interpretation of E. Badian, "Gibbon on War," in *Gibbon et Rome à la lumière de l'historiographie moderne* [Geneva 1977] 108), but elsewhere in his narrative he

gives evidence that it was not in good condition (e.g. 25, 7, 4 and 7; 8, 1; cf. Zos. 3, 30, 5; Liban. Or. 18, 276-78).

³⁹ For the length of the negotiations, Amm. Marc. 25, 7, 7. Salutius had been *mag. memoriae* (PLRE I "Secundus" 3), which might have given him some diplomatic experience. He, as a friend of Julian, and Arinthaëus, as a protégé of Constantius, might have represented the two factions that had argued after Julian's death over his successor (Amm. Marc. 25, 5, 2), though Salutius himself was apparently acceptable to both sides (ibid. 3). If there were two factions on the Roman side, this could have weakened them in the negotiations. The chief Persian envoys were a general from the family Suren and another *optimas* (ibid. 5). The family Suren supplied chiefs for the Persian army and its members are often found on diplomatic missions, so that this "Surenas" might have been an experienced diplomat.

⁴⁰ Whereas Peter, however succinctly, lists the clauses of the treaty together, Ammianus subsumes the terms into his narrative, with an inevitable loss of precision. Zosimus (3, 31) also records the terms, less fully than Ammianus but in agreement except that he says that the Persians took most of Armenia. On the status of Armenia see above p. 36.

⁴¹ Ammianus' words, *Arzanenam et Moxoenam et Zabdicenam, itemque Rehimenam et Corduenam cum castellis quindecim*, and his later statement (25, 9, 12) that the tribune Constantius was sent to hand over the *praesidiaria cum regionibus* clearly indicate that these fifteen forts were in the principalities, and in this he is supported by Zosimus (3, 31, 1) and Philostorgius (HE 8, 1). Thus, Dilleman's argument (at n. 2) 219 f. that they are the forts of Mesopotamia is misconceived, while Honigmann (at n. 48) 6 and Toumanoff (at n. 4) 181 and n. 142 are perhaps too precise in locating all the forts in Corduene. They had probably been surrendered to the Romans by the rulers of the principalities as a duty of their new allegiance after 299 (on this practice see Toumanoff [at n. 4] 117).

⁴² It can be assumed that the garrisons of *Castra Maurorum* and the other forts of the part of Mesopotamia that had been surrendered were also allowed to withdraw. Zosimus (3, 31, 1) says that the civilians (ὄικυτῶρων) of the fifteen forts were not permitted to leave.

⁴³ Tabari (trans. Nöldecke) p. 63 mentions the repopulation of Nisibis by colonists from parts of the Persian kingdom.

⁴⁴ The surrender of Singara is also noted by Zonaras (13, 14, 4-9). The evacuation of its population is a remarkable concession, since Sapor had captured the place in 360 and had deported the surviving defenders (presumably the garrison) to distant parts of Persia (Amm. Marc. 20, 6, 7). There is no indication that the Romans had regained it in the meantime, and unless they had done so, its inclusion here can be only a formal acknowledgement of cession. (Paschoud, the Budé editor of Zosimus, is surely wrong [vol. II, 1 n. 91 on p. 219] to suggest that the place had been destroyed by 363 since, if it had been, the agreement on the withdrawal of the inhabitants would make no sense.)

⁴⁵ See p. 29 and nn. 8 and 36 above.

⁴⁶ See n. 19 above.

⁴⁷ On the independence of action that the principalities enjoyed and their ability to transfer allegiance within the constraints laid down by the greater powers see Toumanoff (at n. 4) 113 ff. Faustus of Byzantia is full of such actions by the Armenian princes. An example in Ammianus (18, 6, 20) is Jovinianus, the ruler of Corduene, who, though at the time under Persian suzerainty, was in 359 eager to return to the Roman side. When Roman envoys travelled to Persia in 377 they were offered and accepted the allegiance of some regions of Armenia (*regiones . . . exiguas*, 30, 2, 5), which were probably parts of the principalities (west of the Tigris?) which had been ceded in 363.

⁴⁸ The line of the new border is shown on the map in E. Honigmann, "*Die Östgrenze des byzantinischen Reiches von 363 bis 1071 (Byzance et les Arabes*, ed. A.A. Vasiliev, III [Bruxelles 1935]).

⁴⁹ The pathetic accounts of the evacuation of Nisibis in Ammianus (25, 9, 1-6) and Zosimus (3, 33, 2-34, 1) reflect the importance of that city in the eyes of contemporaries. The *Suda* I 401 (=Jo. Ant. fr. 181) illustrates the anger felt at Antioch at the surrender, while Zosimus (3, 34, 2) says that when the news was brought to Carrhae the inhabitants killed the messenger. Other sources tend to limit their account of the terms to the loss of Nisibis and Mesopotamia (Liban. Or. 18, 278-79; Fest. Brev. 29; Jer. Chron. a. 2380; Oros. Adv. Pag. 7, 31, 1-2; Eutrop. 10, 17, 1; Philostorg. HE 8, 1; Theoph. Chron. a.m. 5856; Chron. Pasch [Bonn ed.] pp. 553 f.; Malalas, Chron. [Bonn ed.] 13 p. 335 f.; Jord. Rom. 306; Socr. HE 3, 22; Zon. 13, 14, 4-9). Roman

distress over the loss of Nisibis persisted and resurfaced in the late fifth century in the form of a claim that under the treaty of 363 the Persians were given possession of the place only for 120 years (see R.C. Blockley, "Subsidies and Diplomacy: Rome and Persia in Late Antiquity," *Phoenix* 39 [1985] 67 and 69).

⁵⁰ The buildings of Daras: Procop. *De Aed.* 2, 1, 4-10; *BP* 1, 10, 13-17; Josh. Styl. *Chron.* (trans. W. Wright) 90.

⁵¹ In the war that began in 502 the Persian king Kawad attacked and captured, amongst other places, Amida and Martyropolis in Sophanene. His main objective in this war appears to have been plunder and the extortion of money from the cities, not the acquisition of territory. For an account of this war see Stein (at n. 4) II, 93-101.

⁵² For the law see n. 33 above. By 561 at the latest Daras on the Roman side of the frontier was also a recognized post (*Men. Prot.* [at n. 10] *Fr.* 6, 1 lines 332-35).

⁵³ *Amm. Marc.* 25, 7, 12: *quibus exitiale aliud accessit et impium, ne post haec ita composita, Arsaci poscenti, contra Persas ferretur auxilium.* Ammianus comments that the purpose of the Persian king in obtaining this agreement was that he should be able to invade Armenia at will when the occasion offered.

⁵⁴ Thus, when Valens sent Arsak's son, Pap, to Armenia, he did not give him any direct aid or bestow on him the symbols of kingship, *ne fracti foederis nos argueremur et pacis* (27, 12, 10).

⁵⁵ The most important passage is 30, 2, 4, where Valens sends an embassy to Sapor telling him that it was unjust to covet Armenia, *ad arbitrium suum vivere cultoribus eius permissis.* Ammianus himself goes even further in his view that in attacking the kingdom of Armenia Sapor was breaking the treaty of 363 (26, 4, 6; 27, 12, 1). This is a considerable extension of his position at 25, 7, 12 (see n. 53 above) and it perhaps reflects a genuine confusion in Ammianus' mind between Roman withdrawal from suzerainty over Armenia and the guaranteeing of Armenian independence from both Rome and Persia. When he wrote book 25 Ammianus viewed the agreement in the light of the first interpretation (which was far too ambiguous when put into action); when he came, after an interval, to write book 26 his position had become more precise and had hardened to the second.

⁵⁶ Libanius (*Orr.* 1, 134; 24, 9) is concerned to magnify the disastrous nature of the treaty which he views as a result of Julian's death, while Zosimus (3, 31, 2) writes long after the event and uses a source (Eunapius) who was also a fanatical admirer of Julian. Other sources who mention Armenia (e.g. Philost. *HE* 8, 1) do not speak directly of its surrender.

⁵⁷ Cf. *Amm. Marc.* 25, 7, 12; 26, 4, 6; *Faust. Byz.* 4, 21 (chs. 21-44 of Faustus' fourth book are a patriotic Armenian account of the Persian incursions up to the capture of Arsak). Sapor naturally stressed the Roman promise of non-intervention (27, 12, 15 and 18) and played down the issue of independence. In 377 he offered to the Romans some Armenian territories that had proposed to transfer their allegiance to Rome (30, 2, 5; cf. n. 47 above), an offer that was designed to emphasize that the rulers of these territories had no such independent authority; the Romans refused to take the bait. (Chrysos [at n. 4] 38-41 argues that these territories were part of the Armenian kingdom and that Sapor's offer was part of his attempt to have the Romans agree to partition the country; that the territories offered themselves first to the Romans weakens but does not destroy his argument. But whether one accepts that the Persian offer was aimed at partition or the denial of independence, it is clear that it was part of the process that led finally to the partition of the kingdom and the suppression of the kingship.)

⁵⁸ Ammianus' view, which by the time he came to write book 26 had become "hard line" (i.e. that the treaty had guaranteed Armenian independence), must be distinguished from the view, better supported by the evidence that he himself supplies, that the treaty guaranteed independence from Rome but did not guarantee independence from Persia. The latter was clearly the view of Faustus of Byzantia, who says (4, 21) that the Romans abandoned the "régions méditerranéennes d'Arménie" for the Persians to conquer if they could. For the Romans the difficulty revolved around the priority of Armenian independence or Roman non-intervention. But when Valens appealed to Sapor to respect Armenian independence (30, 2, 4), he spoke of *iustitia* not a breach of the treaty and seems to have recognized the weakness of the Roman case (who by this time had already intervened directly).

⁵⁹ See p. 31 and n. 15 above.

⁶⁰ The Armenian kings certainly claimed suzerainty over Iberia

(Toumanoff [at n. 4] 77 and n. 86), though they often could not enforce it; and by the first century A.D. the Iberian kings had evolved claims which included suzerainty over Armenia (ibid. 100-03). Clearly the basis for the claims could shift; in 561 suzerainty over Lazica could form the basis for a claim to suzerainty over Iberia (Men. Prot. [at n. 10] Fr. 6, 1 lines 278-80).

⁶¹ Valens appears to have been much more confident of his position in respect of Iberia, where he was ready to interfere directly to restore the Roman-appointed king, Sauromaces, whom Sapor had ejected (27, 12, 4 and 16-17), and to assert that he was acting according to agreement, which he clearly felt he had the right to make (30, 2, 3: *nihil derogare se posse placitis ex consensu firmatis, sed eo studio curatiore defendere*, a reference to the division of Iberia between the Roman and the Persian nominees). Chrysos, too, (at n. 4) 45-48 argues strongly that Iberia was not covered by the treaty of 363, while Toumanoff (at n. 4) 150 n. 5 is wrong to claim that Lydus (*De Mag.* 3, 52) admits the cession of Iberia to Persia in that year. Lydus merely mentions the evacuation of the regions beyond Artaxata, which may or may not have involved the abandonment of Iberia, where a garrison would have been difficult, but perhaps not impossible, to maintain. At all events, Sapor was able to expel Sauromaces, an action which Ammianus (27, 12, 4) characterizes as *perfidia* carried out by the Persian king *ut arbitrio se monstraret insultare nostrorum*.

⁶² See Blockley (at n. 49) 63-66, and cf. Chrysos (at n. 4) 30 n. 3.

⁶³ See n. 49 above. Of the sources listed there Ammianus, Libanius, Festus, and Malalas had a Syrian origin or connections. In general on the attitude towards the settlement see R. Turcan, "L'abandon de Nisibe et l'opinion publique (363 ap. J.-C.)," in *Mélanges d'archéologie offerts à André Piganiol II* (Paris 1966) 875-90. Turcan emphasizes the split between pagan and Christian opinion and remarks the unrealistically favourable judgements of the latter. In fact, the judgements on both sides are almost all *ad hominem* (Julian or Jovian). Themistius alone (*Or.* 8, 114C) addresses the question of disengagement on the eastern frontier, which he views as a positive development.

⁶⁴ Cf. the instructions of Tiberius II to the Roman envoys in 574-75 to attempt to obtain a truce in Armenia and the East, but if they could not achieve both to use all means to obtain one for the East (Men. Prot.

[at n. 10] Fr. 18, 3).

⁶⁵ See n. 47 above.

⁶⁶ Chrysos, too, (at n. 4) 32-36 also argues that the wording of this clause was deliberately left vague. The strategic importance of Armenia to both Rome and Persia does not need illustration. Even after the evacuation of Armenia in 363 the Romans retained control of Colchis and probably Lazica (i.e. the south-eastern coastal regions of the Black Sea).