

THE AWARD OF THE MILITARY DIPLOMA*

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Commenting upon the qualification *aere incisus* cited in two epigraphical documents of the first century A. D.,¹ A. v. Domaszewski wrote: »Aus beiden Inschriften erkennt man, dass jene Form der Bürgerrechtsverleihung an ausgediente Auxilia, welche zur Eintragung der Neubürger auf bronzene Tafeln führte, deren Kopien unsere Militärdiplome sind, eine Auszeichnung ist. Nur auf die in solcher Weise mit dem Bürgerrecht Beschenkten werden die in den Diplomata erwähnten Privilegia erstreckt worden sein; es gilt dies nicht für die ganze Masse der ausgedienten Auxiliare. Diese Art Auszeichnung erfolgt ob virtutem. Es ist daher die Erlassung dieser Constitutiones immer die Folge kriegerischer Ereignisse gewesen.«² Notwithstanding the facts that *CIL* XIII 1041 predates the Claudian introduction of the *diplomata militaria* and that V 889 concerns a veteran of an unnamed unit,³ whose *gentile* was not an Imperial one,⁴ the relevance of the inscriptions quoted to the problem of our diptycha⁵ seems undeniable. On the one hand, some emphasis on the words *aere incisus* as recording an extraordinary honour may be felt there, the more clearly as the qualification pertains to the men of remarkable careers. On the other hand, Arrius' case tends to link the (post-Claudian) diplomata with the viritate grants of the *civitas* and the related privileges known from the epochs of the Republic and the early Empire;⁶ one branch⁷ at least of those grants reflected the beneficiaries' special merits and necessarily implied the publication of the originals in *tabula aenea* on the Capitol. In close analogy to the constitutions of *CIL* XVI, that pre-Claudian practice also required, as an obligatory and ceremonial part of the publication, the distribution of bronze copies of the Capitoline originals among the recipients of the honour.⁸ But, for the scholars of this century, the two inscriptions and Domaszewski's casual note, as a rule, did not provide sufficient ground for questioning the traditional conception⁹ that diplomata were obtained by *all* auxiliaries and *classarii* who had reached the prescribed length of service.¹⁰ The problem is, no doubt, a complex one: it bears on various subjects such as the formulation of the diptycha, the spirit of the Roman army,¹¹ and imperial policies towards the soldiers or the process of assimilation of the

peregrini. Though we must not of course underrate the Romans' preference for the notion of continuity over that of radical reform, many aspects of the diplomata should not be dealt with statically. During the approximately 250 years of their production, the *exercitus Romanus* underwent considerable changes which inevitably influenced this class of document.

It appears that Domaszewski's view of our diplomata as an award for *bellica virtus* can be reinforced and developed. In a paper read to the 12th Congress of Roman Frontier Studies (Stirling, 1979),¹² I suggested that both the auxiliary and fleet certificates were given only to soldiers who had some extraordinary merits. These consisted mostly of performance in battle, but could be of other sorts as well (long marches, heavy works, membership of an *exercitus* whose good will was desired by the Emperor at a given moment);¹³ probably, the importance of the latter for the policy of issuing diplomata gradually increased, in the same way as our documents became — to judge from the number of the preserved copies and the evolution of their formulae — less and less exclusive a reward. Notwithstanding this process of inflation, the diplomata do not seem to have ever been automatic grants. Those *dimissi honesta missione* or soldiers serving beyond the *viginti quinque (sex) stipendia* who were not fortunate enough to obtain them would have constituted quantitatively a not insignificant group styled *οἱ χωρὶς χαλκῶν* in the Egyptian documents¹⁴ and discernible in some inscriptions of other provinces.¹⁵

Inevitably short, my Congress paper passed over more than one facet of the problem. I should like now to modify and complete somewhat its argumentation,¹⁶ especially as bearing on statistical matters and the meaning of Type II in the Alföldy-Mann classification. Also, it would be useful to answer one of the possible objections to the thesis set forth by Domaszewski in 1908 and defended by me in 1979: that based on the existence of the *aera* distributed to the provinces without a proper frontier which offered their *auxilia* little opportunity to participate in an action. The following analysis is centred on two aspects of the documentary genre of *diplomata militaria* which, among others,¹⁷ clearly reflect — in the opinion of the present writer — its character of an extraordinary honour.

First, the formulation of diplomata reveals no sharply traced boundary between the so-called normal and special issues. All the elements which are generally believed to define a special grant rewarding a special merit¹⁸ — (a) the explicit mention of the soldiers' distinction in an *expeditio belli*;¹⁹ (b) certain unusual privileges, or an unusual combination of privileges, bestowed upon the recipients ([b 1] early distribution of the bronzes,²⁰ such things as [b 2] the *missio agraria*²¹ and [b 3] the children's *civitas* after A. D. 140²²); (c) very short lists of units sharing a constitution²³ — are found in many transitional cases starting from, apparently, the most regular diplomata.²⁴ Thus, the normal and special class may be closely linked through something called a crypto-special class,²⁵ which prevents us from separating seemingly automatic issues from the issues whose occasional character appears more or less manifest. Some examples will suffice to illustrate that continuum of the formulae and the privileges under discussion, continuum which shows that the differences between the 'special' and 'normal' diplomata were only of a quantitative order while the line

of qualitative division ran between the *emeriti sine aeribus* and those *aere incisi*.²⁶

The fullest form of (a) so far attested is that read in the certificate *CIL XVI 160* (A. D. 106), whose text says of the recipients *pie et fideliter expeditione Dacica functi*; note (*a*) the praise of the quality of service,²⁷ (*β*) the word *expeditio* itself, and (*γ*) the name of the expedition. Slightly more laconic, *XVI 17* (A. D. 71) has (*a*) and (*β*) — different in wording, when compared to *XVI 160* — but not (*γ*).²⁸ Both the constitutions are admittedly 'special', if unequal as to the scope of the *privilegia* involved: the constitution of A. D. 71 entitled its beneficiaries, *ante emerita stipendia*, to both the diploma and the *honesta missio*, that of A. D. 106 to the diploma only.²⁹ Further, one diptychon may be quoted with (*β*) and (*γ*), wherein neither (*a*) nor a clause concerning (*b*) is met with (*XVI 99*; A. D. 150). Issued *equitibus qui militaverunt in . . .* (names of two alae) *quae sunt in Pannonia Superiore . . .*, *item* (names of three alae) *quae sunt in Pannonia Inferiore . . .*, *quinis et vicenis pluribusve stipendiis emeritis, dimissis honesta missione per Porcium Vetustinum procuratorem cum essent in expeditione Mauretaniae Caesariensis*,³⁰ the act of 150 is universally qualified as a 'regular' grant and its reference to the *expeditio* understood as a necessary explanation of the grouping of the *alares* who were administratively heterogenous except at the moment of their *honesta missio*. Naturally, when the diplomata are viewed in Domaszewski's manner, the latter fact (the reason for the unusual grouping) does not justify the former inference (the 'regularity' of the grant). The participation of the Pannonian *equites* in the distant war is a priori³¹ likely to have secured them some specific award;³² the absence of (*a*) and of a formula expressing (*b*) may simply mean that the merits of the beneficiaries of *XVI 99*, if surpassing the less spectacular record of their *commilitones* who had remained both on the Danube and without the *aera*,³³ were not so outstanding as to demand a very exceptional issue, of the type of *XVI 106* for instance. Such a conclusion is supported by an analysis of the diplomata which provide, with regard to their formulation and the nature of the privileges they bestow, rather close parallels to *CIL XVI 17, 99* and *160*. These analogies branch into the constitutions citing or clearly implying (*b*) but not (*a*), and the constitutions citing or clearly implying (*a*) but not (*b*). Of the former class, the certificates distributed to the Palmyreni sagittarii are typical.³⁴ They were obviously issued *ante emerita stipendia*; this fact, together with some other circumstances (the diplomata of *120* and *126* refer to one unit only; their grants do not include the *conubium* on the children's *civitas*), brings the Palmyreni set near to *XVI 160* and reveals that, despite the silence of the text on that point, we have to deal here with 'special' bronzes rewarding the Sagittarii's distinction in the Dacian troubles of A. D. *117—119*.³⁵ As to the latter class, the document of A. D. 150, just quoted, reminds us of another 'two-province' diploma, dated A. D. 123: *equitibus et peditibus qui militaverunt in . . .* (names of two alae and [?] one *cohors equitata*) *quae sunt in Dacia Porolissensi . . . item* (name of an ala) *quae est Pannonia Inferiore, quinis et vicenis pluribusve stipendiis emeritis, dimissis honesta missione per Marcium Turbonem, etc.*³⁶ Again, the bipartite structure of the list must have resulted from the joint participation of the four mounted units³⁷ in an expedition,³⁸ though the certificate contains neither (*a*) nor (*β - γ*) (the latter omission being due to the reasons explained in our note 42); however, not only does the

grant of 123 lack a (b) provision, its beneficiaries received the diplomata with a delay of at least four years, counting from the *missio* under Marcius Turbo.³⁹ Analogous structures may be observed in a series of constitutions belonging to the same Alföldy-Mann Type III.⁴⁰ Their issue, consequently, must also have been determined by an *expeditio belli* predating the administrative differentiation of the auxilia listed. These diplomata, like the diploma of A. D. 123, do not explicitly mention the campaigns which qualified their recipients⁴¹ but, unlike the documents of A. D. 123 and 150, do not mention the governors responsible for the discharges either; probably, the latter feature is to be attributed to the prompt distribution of the certificates of that series.⁴² The lists of auxilia in the diplomata which we attribute to the 'two-province' group seem really to reflect the units' joint contribution to a military effort;⁴³ especially important for our thesis, this group completes the Palmyreni set in providing a link between the 'special' and the 'normal' grants.⁴⁴ The link consists not only in the formulation of its diptycha⁴⁵ — the composite structures of the lists of units in the 'two-province' diplomata was evidently required by the same principle of rewarding the past record of a regiment rather than its situation at the moment of the grant,⁴⁶ a principle which, as we shall see, underlies also the discrimination between the *qui militant* and *qui militaverunt* within the Alföldy-Mann Type II — but in the extent of the privileges themselves. If we focus on the time of distribution, the 'two-province' certificates range from the retarded⁴⁷ to the 'normal' ones, a fact which indicates that even the recipients of the former must have been privileged in some sense, i. e. when compared with the *sine aeribus* among their comrades.⁴⁸ There is no sign of (b 1), as all the 'two-province' diplomata so far published pertain, understandably, but to the *dimissi honesta missione*,⁴⁹ and the honourable discharge *ante amerita stipendia* counted among very rare benefices.⁵⁰ However, some constitutions of Types I and II, obviously determined by the occasions which produced 'two-province' diplomata too, show that their recipients had a certain privilege of (b 1) order,⁵¹ whose purpose, among others, seems to have been to compensate them for not having obtained their discharge as yet.⁵² Many circumstances suggest that the compensation, like the grant, were not automatic but, again, depended on special merits selectively rated, that selection being reflected also in the characteristic structures of the lists of units rewarded.⁵³ The latter fact explains, in addition to the 'two-province' lists, the wealth of variants in the Type II lists⁵⁴ and the enigmatic occurrence of a Type III diploma in the period of Type I,⁵⁵ and a Type I diploma in the period of Type III.⁵⁶

The same conclusions are arrived at when we take (b) as the starting-point. Though lacking (a), all the certificates containing a (b 2) or (b 3) provision reflect unusual records of their recipients. The *missio agraria* of CIL XVI 12—15 (A. D. 71) and the *immunitas* of XVI 25 (A. D. 72?) are admittedly to be put down to the Civil War and its postcedents.⁵⁷ Thus the omission of (a) may have been there a matter of political tact; after all, in XVI 12—15 (a) was replaced by the emphatic and unusual⁵⁸ (*qui militaverunt*) *sub Sex. Lucilio Basso*.⁵⁹ As already observed by Nesselhauf, that formula alludes to the laudable role of Bassus' classici in the events of A. D. 69⁶⁰ and matches an unexpressed *qui tum, cum Bassus praefectus duarum classium erat, et cum militibus suis ad Vespasianum deficit, sub eo militaverunt*.⁶¹ The *civitas* of the decurions' and centu-

rions' children after A. D. 140 seems to have also been an exceptional privilege bestowed upon certain troops and men *ob merita*, and not a regular consequence of these officers' status. This is suggested not only by the rarity of constitutions citing the clause in question,⁶² but also by the parallels concerning the legionaries as analyzed in H. Wolff's study.⁶³ What we have here is discrimination within the same units, not among the units themselves. The cases of diplomata rewarding *vexillationes* instead of the whole regiments are comparable,⁶⁴ still more XVI 1, issued *trierarchis et remigibus* of the Misene fleet (A. D. 52). Leaving aside the *centuriones et nautae* as the actual fighting part of the crews (*manipulares*),⁶⁵ the document of 52 presupposes a complement, undiscovered as yet, which refers to those *classarii Misenses* whose merits in the *expeditio* presumably producing the grant were still greater than the merits of the captains and rowers. It is tempting to conjecture that both the diplomata resulted from the British War, the ostentatious achievement of Claudius' foreign policy, whose success owed so much to the Fleets, especially the fleet of Misenum.⁶⁶ Why at least the constitution of 52 contains no explicit reference to the *expeditio Britannica* as expected in our interpretation we cannot say, but it may be that it was felt both unnecessary (given the topicality of the event, at the moment of introduction of the *diplomata militaria*)⁶⁷ and impractical (the document of 52, issued for the non-fighting *classarii*, may have been distributed also to some sailors who had not participated in the expedition but whose work, intensified because of the absence of their comrades engaged in the North, indirectly contributed to the victory).⁶⁸

Seen in that light, CIL XVI 1 enables us to examine another facet of the problem of (b 1). The certificate was issued, anomalously for the period prior to the complete establishment of Type III, to the *dimissi honesta missione* and without any specification of the length of service. The reasons usually adduced for that anomaly are not wholly satisfactory for they put too much stress upon the systematic aspects of the evolution of (b 1) clauses and rather neglect the selective function of an early distribution of the diplomata.⁶⁹ Obviously, the *dimissi honesta missione* among the *aere incisi* had to serve longer for their bronzes and their definitive discharge than those who became *aere incisi* as serving soldiers; apart from the advantages of the early *conubium*, *civitas* and the possession of the diploma as a *signum virtutis*, the serving recipients must have enjoyed, in principle, the benefice of going home immediately after the *missio*, without extending their service to a period between the *missio* and the receipt of diplomata.⁷⁰ The (b 1) selection inevitably took into consideration the individual record, the unit's record and, in general, the sort of unit concerned, for this conditioned to a degree the records just mentioned. The evolution from Type I to Type III via Type II reveals a tendency to reduce, as regards (b 1), the discriminative value of the grant, but it was a tendency, not a rule.⁷¹ Thence there appears in A. D. 127 a Type I diploma for the men of the Ravenna fleet distinguished, it seems, on the occasion of Hadrian's voyage of 121—126 (CIL XVI 72⁷²) and, in A. D. 148, the category of the veterans *οἱ χωρὶς χαλκῶν οἱ πῦν* (CIL XVI App. 5),⁷³ which postulates a temporal discrimination within the *aere incisi* of the *dimissi* group, discrimination analogous to that between the veteran and serving soldier bearers of the *aera*.⁷⁴ The existence of all these differences must have shown up in the issue of different constitutions or (Type II) in

separate lists in the same constitutions. Now, XVI 1, passed for the non-fighting sailors at a rather delayed date (Claudius' British War was virtually over in the 40's A. D.),⁷⁵ will have had its counterpart for the *centuriones et nautae* issued before 52. It too may have been of Type III, but Type I seems more probable, heralding the latter pairs of Type I + Type III certificates distributed among identical units.⁷⁶ Differences of a similar order tend to explain the separate diplomata for the *alares* and *cohortales* in the pre-Flavian epoch,⁷⁷ as well as the non-inclusion of the provincial fleets in the auxiliary diplomata till Trajan.⁷⁸ The process of levelling eventually produced the composite constitutions uniting all three types of troops of unequal importance but did not reduce the term of the sailors' service to the *viginti quinque (plurave) stipendia*, or make them figure in many provincial diplomata.⁷⁹ As to (b 1) special privileges, they reappear in A. D. 68 and the following years, thanks to the circumstances of the Civil War; again, there is no (a) provision except for the most striking cases.⁸⁰ The next important step towards the widening of the grounds which qualified the *aere incisi* coincides with Titus' accession.⁸¹ In that respect it resembles the *donativa* of the new Emperor and comes near the 'special' grants *ob merita*.⁸² Starting late in A. D. 79, Type II and the pairs of diplomata of Type I + Type III discriminate between the *qui militant emeritis quinque et vicenis stipendiis* and the *dimissi . . . quinque et vicenis pluribusve stipendiis emeritis*.⁸³ In some texts this (b 1) discrimination is explicit,⁸⁴ in some it may have been implied only (variant B, perhaps even D, are to be understood as referring to the *plurave* to the *dimissi* only?).⁸⁵ The majority of later certificates in the Type II period still resist attempts at a classification in that respect, owing to the uncertainty reigning on several relevant points (the meaning of the *emeriti/meruerunt* phrases in C, D [?] and E variants,⁸⁶ the degree of hybridity of lists,⁸⁷ the respective share of *vexillationes*/units, and the exact length of service of their soldier/*dimissi* recipients, in particular constitutions⁸⁸), as well as to the general tendency towards gradual elimination of (b 1) differences. However, though without an (a) explanation, all these complex constitutions reward the *bellica virtus* and related merits. That is particularly clear in the case of certain early lists of the *qui militant*, citing low numbers of units, predominantly mounted, which were more useful in wars and distant campaigns;⁸⁹ notably, with regard to (b 1), the *equites* seem to have been more highly rated than the *pedites* as early as the pre-Flavian epoch.⁹⁰ After, approximately, Trajan's Dacian Wars Type III prevails and Type I becomes quite an exceptional occurrence, a process already begun in the foregoing period.⁹¹ The matter had, no doubt, something to do with the standardisation of the term of military service (25 or slightly more *stipendia* for the *auxilia*) and, on the other hand, with Trajan's insistence upon the *disciplina militaris*.⁹² However, the virtual abandonment of the Type I formula — which tended to be associated with a display of bravery rather than the long service leading to the *honesta missio* of the *qui militaverunt* — seems also to reflect a certain change in the conception of the soldiers' task and reward.⁹³ To put it briefly, Type II's former distinction between the greater merits of the serving troops and the lesser merits of the *dimissi* must have been felt arbitrary and unjust, as well as unavailing in many cases. With his expansionist plans, his care for his *commilitones* and his usual dislike of any sophisticated discrimination (one not wholly justified, in addition), Trajan was bound to incline

toward both a simplification of Type II's pattern and the multiplying of the *aere incisi*.⁹⁴ In the new era of aggressive wars, the participants in expeditions becoming *aere incisi* before the *missio* were likely to constitute far a broader category than in pre-Trajanic times; on the other hand, early discharges resulting from such grants were not welcome, for want of troops.⁹⁵ The logical solution of the antinomy was to unite the two groups of Type II recipients into that of the *dimissi*, made still less exclusive than before, and to reserve the Type I and *ante emerita stipenda* grants for very rare performances.⁹⁶ The principle of selection and of treating the diplomata as special rewards, though toned down, was retained: if conceived for the *dimissi* only, Type III continues to avoid the word *veterani* (the *qui militaverunt* implies that military virtues counted even here) and the possibility of temporal discrimination was not quite lost, thanks to the elusive *plurave*.⁹⁷ Once developed, this progress in devaluation of the diplomata was naturally irreversible — the parallel of *donativa* may be considered again — despite the evolution of the politico-military situation after the Optimus Princeps. It went even further, to reduce the term of service demanded to the *viginti quinque stipendia* instead of the *viginti quinque plurave stipendia* in many documents (whose number steadily increased) starting with Hadrian's accession, another *donativum*-like innovation.⁹⁸ The convergent trends of inflation in the issue of diplomata (which resulted from the gradual levelling of the potential candidates to the diptycha) and of the diminution of the practical importance of privileges bestowed through them, eventually caused the discontinuance of the auxiliary and province-fleet diplomata late in the second or early in the third century. Many facts, including the constant avoidance of the term *veterani*, reveal that even late Antonine diplomata were not automatic grants;⁹⁹ the phase of the complete equality was not reached until the definitive end of the documents under discussion somewhere in the reign of Septimius Severus.¹⁰⁰ And we should not forget that the *Constitutio Antoniniana* itself was motivated by an important victory,¹⁰¹ thus proving the endurance of the tradition whereby the citizenship grants, never a routine matter, followed special occasions only.

As the foregoing discussion shows, the problem of (c) is closely connected with the problems of (b) and (a), and various statistical facets of that relationship form the other major theme of the present paper. The choice of units listed in the constitutions (parts of constitutions) which cite or imply an (a) and/or (b) provision consistently reflects the 'special' character of these documents.¹⁰² Short lists are particularly instructive in that respect. The fact alone — (a) + (b) lacking — that some constitutions were issued for single units has been taken, even by opponents to Domaszewski's theory,¹⁰³ to qualify such diplomata as 'special' grants. We have no good reason to avoid the same conclusion in the case of diplomata citing no more than 3—5 units for instance,¹⁰⁴ particularly as these documents not infrequently pertain to provinces with important garrisons and to troops with fine records.¹⁰⁵ Actually, when dealing with the length of such lists we are able to observe the same tendency of limited inflation typical of many aspects of the evolution of diplomata in the Flavian and Antonine periods. The number of units included in a constitution tends to increase, but it never reaches the point of covering all the non-legionary troops of a province. One example usually qualified as the certificate for all the British auxilia

(XVI 69, of A. D. 122, July 17th: 13 *alae*, 37 cohorts) seems nevertheless to have omitted some regiments, and certainly makes no mention of the British *classici*.¹⁰⁶ That remarkable diploma may also be taken as representing a 'special' grant, determined by Hadrian's wish to secure *benevolentia militaris* at a moment coinciding with his *adventus* and the beginning of his reforms and building works in the province.¹⁰⁷ It is impossible to explain away the virtual absence of diplomata naming the complete *auxilia* of an *exercitus* through reference to the complementary diptycha or the statistical indications that very few recruits survived the full term of regular service.¹⁰⁸ On the one hand, we have, for the Antonine Pannonia Inferior and Moesia Superior at least, the diplomata of several consecutive years, constantly citing the same and incomplete catalogue of provincial regiments; it has already been remarked that such a state of affairs suggests grants to the men of consecutive generations fighting for the same troops in the same battles.¹⁰⁹ Statistically, it is highly unattractive to suppose that in all these years complementary pairs were issued, and only coincident fractions preserved.¹¹⁰ On the other hand, the lists must have included even the units possessing no more than one candidate to a diploma (cf. *CIL* XVI 38 and 40, with the singular form *dimisso*), which minimizes the strength of the argument from the low percentage of entrants likely to become, eventually, *emeriti* and/or *dimissi honesta missione*. In fact, various statistical tests demonstrate that our diplomata do not mechanically represent the strength of particular armies, units or classes of units, and that the patterns of distribution depended on the principle of value and merit, free from too local an evaluation.¹¹¹ On the level of the provincial *exercitus*, mechanical statistics cannot explain the striking preponderance of Danubian material or the apparent paradox of Syria and Germany producing together far fewer diplomata than the tiny Mauretania Tingitana.¹¹² Also of an 'illogical' nature is the even ratio between the documents for Britain, with its three legions and 50 auxiliary regiments (XVI 69), and those for (e. g.) Dacia Porolissensis,¹¹³ which possessed a modest garrison and had a comparatively short life in the period of the auxiliary diplomata (c. A. D. 120 — A. D. 200). Such examples may be multiplied and their exegesis developed;¹¹⁴ many circumstances, including the relatively high total of constitutions preserved,¹¹⁵ make it improbable that the disproportions just mentioned are insignificant from the point of an *historian's* statistics or reflect the hazard of modern archaeological research.¹¹⁶ The right explanation has obviously to be sought in the fact that the soldiers of certain regions and periods had more chances than others to meet the enemy and receive their diptycha *ob virtutem*: the Danubian for instance, owing to almost uninterrupted wars from Domitian to Commodus, unlike those of (e. g.) Britain, who were divided from the barbarians by a short and a rather well-defended frontier. On the level of the three classes of troops covered by our documents (*alares*, *cohortales*, *classici*), it is evident that the cavalry receives more than its 'statistical' share,¹¹⁷ and the fleets far less.¹¹⁸ Again, it was the merit and role in wars which mattered; that, generally, the *alae* were both more important and more appreciated than the *cohortes*, and the *cohortes* than the ships, is a well-known fact.¹¹⁹ Lastly, even within the provincial armies and particular classes of their troops there are signs of discrimination on the basis of the fighting record, discrimination which determined the order of enumeration

of the units' names in the lists. Wherever that order did not depend on a formal criterion,¹²⁰ the units at the top of the lists had obviously more recipients, and more of the military fame, than units in the lower portion.¹²¹ The preponderance of recipients belonging to the first-named regiments is so marked that two inferences have to be made: (1) the quantity of diplomata distributed to all other regiments of the list must have been insignificant, and (2) the first inference probably reflects, in many cases at least, the practice of forming the bulk of an expeditionary *vexillatio* from one unit, the share of others being much less important.¹²² If we were fortunate enough to be in position to compare the units' catalogue of a diploma with an exhaustive testimony of another source referring to the auxilia serving in the war which led to the issue of that particular diptychon — thanks to E. Bormann's erudition, an essay of such a comparison (between *CIL* XVI 106 and III 600) was made long ago¹²³ — we would find that even the 'long' lists on diplomata need not be too long for a single expeditionary corps; in the first place, this is due to the fact that composite *vexillationes* , not complete regiments, used to be employed for the *expeditiones belli* .

Naturally, the foregoing observations do not exhaust all the statistical problems posed by Domaszewski's theory,¹²⁴ and one scholar actually found the statistical argument speaking decisively against it.¹²⁵ Chronological refinement may contribute much to a better understanding of the matter; I shall note here only that the total of the pre-Flavian diplomata published so far¹²⁶ is so low that the thesis of the automatic grants appears quite implausible for that period at least. Another sort of refinement may, however, improve the elements of the geographical statistics just offered. Namely, the military diplomata issued for 'unmilitary' provinces (i. e. those administered by the Senate — a fresh find¹²⁷ shows that 'probably', the status of a senatorial province was not formally incompatible with the grant of a diploma¹²⁸ — and, of the imperial ones, those not directly exposed to the barbarians) tend to belong to the regions and periods which actually saw a war or a quasi-war situation in otherwise peaceful parts of the Empire. Instead of being an exception, these documents provide something of a confirmation of the *ob virtutem* principle, since all the eight known so far (Sardinian from A. D. 87/8 and 96, Dalmatian from A. D. 93, Thracian from A. D. 114, Macedonian from A. D. 120, Asian from A. D. 148 and Lycian-Pamphylian from A. D. 167 [?] and 178)¹²⁹ seem to reflect the native resistance. In five cases, concerning A. D. 87/8, 96, 114, 167 (?) and 178, the nature of the indications leading to our conclusion is rather general, though not ambiguous. Sardinia was never conquered completely, and XVI 34 and 40 date from the (second) interval of the island's procuratorial status,¹³⁰ which was demanded precisely by the internal warfare.¹³¹ Lycia-Pamphylia, the natural target of the notorious Isaurian raids,¹³² should have been senatorial after c. A. D. 135,¹³³ but, in reality, was governed by several imperial legates in succession before A. D. 180,¹³⁴ including Licinius Priscus of XVI 128.¹³⁵ These circumstances, and the Lower Moesian provenance of the cohort involved, make us think of the two Lycian-Pamphylian diplomata as 'special' awards for the unit sent to fight *latrones* in a distant land.¹³⁶ The diploma of A. D. 114 may have been of the same type, as it concerns a country with a fierce population and regiments garrisoning another province.¹³⁷ What is more, there are reasons to believe

that Thrace was subject to a *census* c. A. D. 108—114,¹³⁸ which is more than likely to have created some native resistance, as it did in Macedonia under Hadrian. This last circumstance explains the issue of XVI 67, one of our three examples which seem clearly probative. The controversial position of the governor named in that constitution, Octavius Antoninus,¹³⁹ will have been that of an imperial, not (as normal for Macedonia after A. D. 44) a senatorial official,¹⁴⁰ and his tenure of the Macedonian command probably overlapped with the tenure of his predecessor, D. Terentius Gentianus, *legatus Augusti ad census accipiendos*.¹⁴¹ It should be assumed that at the end of Trajan's reign and the beginning of Hadrian's there were in Macedonia two imperial governors simultaneously (Gentianus and Antoninus), the senior of whom left the province early in 120.¹⁴² Such double commands did occur sporadically, when the volume of work, and the nature of problems, demanded more than one man to hold the province; as a rule, the combination of a *vir militaris* and a jurist is met with then.¹⁴³ No doubt, the *census* provided an appropriate occasion for a double governorship,¹⁴⁴ and we know that Gentianus acted in Macedonia as a *censitor*.¹⁴⁵ Now, several pieces of evidence teach us that, due to the constant danger of local protests against the unpopular measures and consequences of a *census*, almost every *census* in the provinces was tantamount to a war.¹⁴⁶ For that reason, Macedonia's garrison needed a reinforcement from Moesia Superior c. A. D. 116,¹⁴⁷ and Hadrian awarded those who furnished it in A. D. 120.¹⁴⁸ Dalmatia also had an extraordinary situation in the year of its diploma XVI 38, since this document cites a praetorian legate instead of a consular (which would be the normal case).¹⁴⁹ The anomalous rank of Q. Pomponius Rufus has already been connected¹⁵⁰ with the activity of brigands in that country, the formidable *latrones Dalmatiae*.¹⁵¹ Though we are ignorant as to the events in Dalmatia c. A. D. 93, it may be that the disturbances assumed were instigated by another *census provinciae*.¹⁵² Lastly, the career of the governor¹⁵³ cited on the Asian bronze of A. D. 148 would permit the conjecture that an enterprise of the same order provoked the issue of Pius' constitution too; at all events, we are led to believe that its beneficiary — a *pedes* of I Raetorum, the only unit named there — had received *dona militaria* immediately before his *missio*,¹⁵⁴ and it is to be taken that this distinction followed the very performance of valour which resulted in the *aes* of 148.¹⁵⁵ As the I Raetorum seems to have been transferred to Asia (from Cappadocia?) not long before, its case comes near to the cases of the Lycian-Pamphylian, Thracian and Macedonian diplomata/regiments already discussed.¹⁵⁶

If the whole argumentation presented in the foregoing text is accepted, the criteria for issuing military diplomata become variously instructive. Beside more general lessons on the organisms of the Empire and its Army, they would give us many specific data on the events of military history. The earlier the document, the clearer the testimony in the latter respect, one might say, for, *inter alia*, the use of the auxiliary units tended to be increasingly flexible with time (the complex *legio et auxilia eius* gradually lost its importance, and the splitting of *alae/cohortes* among several forts eventually transformed them into the system known from the *Notitia Dignitatum*¹⁵⁷), which diminishes, for us, the utility of the units' lists on the diplomata. While the manifold implications of our analysis cannot be dealt with here, one question (left aside in the preceding

chapters of our paper) must be asked: what advantage did the *diplomata militaria* actually confer on their recipients?¹⁵⁸

The answers must again be proposed with regard to the historical changes and the empiric, unschematic character of the Roman reactions to them. To put it simply, the attraction of diplomata was not reduced to the attraction of *iura* accorded by the corresponding constitutions. Though it may be assumed that the majority of veterans *sine aeribus* — especially in the early epoch — remained *peregrini*,¹⁵⁹ we know for certain that the auxiliaries could receive the *civitas Romana* without a diploma (of the type of certificates collected in *CIL XVI*),¹⁶⁰ and the example of XVI 160 (A. D. 106/110) tells us that, exceptionally at least, the soldiers of that status were subsequently eligible for a diploma referring to citizenship only, without the *conubium* or the children's *civitas*.¹⁶¹ The value of the diploma in such cases, as in the case of the non-auxiliary diplomata later than the *Constitutio Antoniniana* (which virtually eliminated the source of peregrine candidates for recipients and their wives),¹⁶² must have surpassed its legal content, obviously superfluous to the beneficiaries who were already citizens.¹⁶³ A similar conclusion may be drawn from many other diplomata, though their constitutions — including, when the auxilia and classes were concerned, beside the *civitas* also the *ius conubii* and (not universally) the *civitas* of children¹⁶⁴ — are more complex and less easy to assess as to their concrete legal effects. Given the fact that a number of such documents was distributed to men whose *tria nomina* disclose that they had possessed citizen status before joining the army or obtaining the *aera* in question,¹⁶⁵ we are obliged to revise the postulate that the standard diploma constituted a mere administrative act certifying, in essence, the *privilegium civitatis*. True, it might be argued — and actually has been argued — that it was the *conubium* (and the children's *civitas*) which mattered in the case of those pre-212 diplomata whose recipients had entered the last year of their service as *cives Romani*.¹⁶⁶ However, leaving aside the probability that the diploma did not figure as the only form of the grant of *conubium*,¹⁶⁷ there are several indications to suggest that a significant percentage of *aere incisi* felt no proper need of the *ius conubii* and the *civitas liberorum*.¹⁶⁸ Two probative observations are to be made on the diptycha which register the names of *uxores* and/or *fili* appended to the names of recipients. First, the total of known copies of that kind is comparatively small,¹⁶⁹ which accords well with the evidence of epitaphs showing that the auxiliaries — if ready to accept the matrimonial life at all — had the general intention of merrying after their discharge and finding a woman of the citizen status.¹⁷⁰ Second, these appendixes sporadically refer to wives and/or children who, judging from the name-formulae, already possessed the *civitas* before the recipient's *honesta missio*,¹⁷¹ which rendered the *ius conubii*¹⁷² and the *civitas liberorum* an immaterial privilege for those particular bearers of the diploma.¹⁷³ Obviously, the mention of the names of the wife and/or the children there had no purpose other than to legitimize, in the social respect, the soldier's pre-*missio contubernium* and/or its consequences (the paternity of *liberi*); that means, again, that the diploma was not always a document of legal consequence as to the *civitas* and the *conubium*.¹⁷⁴ Cases like those reflected in XVI 169 etc. tended to become all

the more frequent with the propagation of the *civitas Romana*, of course, but there is some evidence that even early diplomata may have been formally unnecessary to certain recipients, because of the recipients' citizen status and their decision — understandable with regard to the obstacles to a lasting concubinage before discharge and, on the other hand, the long terms of service which made the *aere incisi* rather old at the moment of the grant — not to create proper families.¹⁷⁵ For instance, our L. Arrius Macer (V 889, the inscription referred to by Domaszewski and quoted supra, n. 1) died childless and a bachelor; despite his family conditions and his having citizenship before discharge, Arrius was given a funerary inscription which ostensibly states *in aere inciso ab divo Vespasiano*. Accordingly, as the *iura* cannot constitute the common denominator of the whole production of diplomata, we are led to suppose that the diploma was considered a reward by itself, which might but did not need to be augmented through the provisions of the constitution cited on the bronze. This is not to say that the *iura* were irrelevant to the document's origin, or to minimize its administrative aspects.¹⁷⁶ The diplomata with their Capitoline originals¹⁷⁷ began as a grant of the *civitas*, etc. bestowed upon soldiers distinguished for *bellica virtus* and the grant was naturally bound to include even men who had shared the same effort but had no need of the rights cited in the constitution.¹⁷⁸ Gradually, the rights became a less exclusive privilege, while the production of diplomata increased. If both the processuses caused the prestige of a diploma to decline, the inflation of *iura* was understandably more rapid than the devaluation of its moral content. Thence those recipients who were indifferent as to the *iura*, a minority in the first century, tended to prevail during the Antonine and Severan epochs. Only the delicate problem of the soldiers' *consuetudo* to live with concubines seems to have continued to influence the formulation of the post-Hadrianic diplomata from the (quasi-) legal point of view;¹⁷⁹ otherwise, the unsystematic changes in,¹⁸⁰ as well as the retardatory features of¹⁸¹ the late formulae referring to the *iura* demonstrate that it was the diptychon which counted, while the corresponding constitution was eventually quoted as a result of the *vis inertiae*.¹⁸² This paradox¹⁸³ contributed, together with the devaluation just mentioned, to the restrictions in the costly issuance of *diplomata militaria* under the Severi,¹⁸⁴ and to their complete abolition under Constantine.¹⁸⁵ The question posed at the beginning of this paragraph now becomes less difficult to answer in general terms. Leaving aside the complex but marginal (in II—III cent.) case of the *iura* apart, we might think that the bronze, obviously a gift to the recipient,¹⁸⁶ was appreciated because of its metallic value,¹⁸⁷ and there is a possibility that the grant also entitled the recipient to benefices unexpressed in the text of the constitution.¹⁸⁸ However, the main point about it — the only one which seems to the present writer to explain the *raison d'être* of the documents covered by *CIL XVI* in all their variety — was that the diploma connoted valour of the non-legionary *milites*.¹⁸⁹ That thesis of the moral content of the *diplomata militaria* clearly corresponds with the results of particular analyses offered in our article.

* The author is grateful to Mrs. Margaret M. Roxan for her valuable and stimulating advice.

¹ *CIL* XIII 1041 (= Dessau, *ILS* 2531 = Domaszewski, Rangordnung, 272 = *CIL* XVI App. 15), Mediolanum Santonum (from the early decades of the century: Th. Mommsen, *Ges. Schr.* VI, 145 n.1; H. Wolff, *Bonn. Jahrb.* 176, 1976, 84 n. 109; P. A. Holder, *The Auxilia from Augustus to Trajan*, Oxford 1980, 46 f., with bibl.): *C. Iulio Agse[dil/li (or -di[ci] f. Voltini?)]a (Fabi?)a Macro, / Sant(ono), duplicario alae Atecorigianae, / stipendis emeritis XXXII aere incisso (!), evocat[o] / g(a)esatorum DC Raetorum castello Ir-cavio, cluopeo, /⁵ coronis, aenulis (!) aureis donato a commilitonib(us), / Iulia Matrona f(ilia), C. Iul(ius) Primulus l(iber-tus), h(eredes) e t(estamento). *CIL* V 889 (= Domaszewski, Rangordnung, 218 = *CI* L XVI App. 14; cf. Pais, *Suppl.* 71), Aquileia: *L. Arrio / Macro / (centurioni) veterano, / milit(avit) ann(is) XXXVI, /⁵ in aere incisso ab / divo Vespasiano, / decurioni Aquileiae, / Arria [L.] lib(erta) Trophime / patrono v(iva) f(ecit) /¹⁰ sibiq(ue) et suis. / C. Vario Arriano an-nor(um) XV / ab amico deceptus (!).**

² Die Rangordnung des römischen Heeres, Bonn 1908, 75 n. 1. In the second edition of that capital work (Köln-Graz 1967), B. Dobson corrects Domaszewski's quotation (p. 75 n. 1.) from *CIL* V 889, line 6 (*Vespasiano*, not *Hadriano*), and adds Domaszewski's marginal note (preserved in his own copy of the book) referring to U. Wilcken's comment on the veterans *χωρὶς χαλκῶν* (*Arch. f. Papyrusf.* 4, 1908, 252).

³ Judging from his rank, his non-Imperial nomen and his extraordinary long service, Arrius may have been a legionary promoted to the *centurio cohortis* (see Domaszewski, Rangordnung, 56 f.; Holder, *op. cit.*, 86 ff. Cf. *CIL* XVI 29, etc.) or the *centurio coh. urb.* (on *CIL* V 889 + 943, Degrassi, *Scr. vari* I, 538). The *centurio classicus* is another, less probable possibility.

⁴ I. e. Flavius, as expected on the lines 5–6 (*ab divo Vespasiano*).

⁵ We shall deal in the present article primarily with the diplomata of the *militēs cohortales*, *alares* and *classici*; those of the praetorians, Urbani, Equites Singulares and others (I and II Adiutrix, the 'national' numeri) will have constituted, essentially, the same case (for their *ob*

virtutem character see *infra*, notes 17, 29, 34, 99 et al.). — There have been justified protests against the vagueness of the notion of a 'military diploma' (H. Wolff, *Chiron* 4, 1974, 499 n. 37); here, we use it to denote the documents whose nature (as contrasting the nature of *tabellae honestae missionis* and of less official certificates, such as collected in the appendix of *CIL* XVI) is defined through the following elements: (a) the Emperor's grant of the *civitas (civitas liberorum)* and/or *conubium* etc. (a grant whose formulation and addressees fall within known, rather strictly determined categories), (b) the bronze material of the copies (cf. below, notes 167, 186 f.), and (c) the formula *descriptum et recognitum ex tabula aenea (aerea) quae fixa est Romae* ... (cf. below, note 177).

⁶ It seems that Domaszewski's double reference (to *CIL* XIII 1041 and V 889) was actually made in order to illustrate that continuity (cf. Mommsen, *CIL* III p. 2007: »Discriminis [inter veteranos per aera missos atque eos sine aeribus] ratio cum inde repetenda erit, quod consuetudo veterani ita per ducem remunerandi ex aetate liberae rei publicae retenta est, tum inde quod donationis honor augetur publica nominis expositione«); however, he offers no discussion of the two texts, in the Rangordnung or elsewhere. That *CIL* XIII 1041, line 3 (*aere incisso*), closely resembling the formula of V 889, line 5; XVI App. 12 int., lf. and 15, refers to an equivalent of the post-Claudian diplomata is next to certain (cf. Suet. Aug. 50 and Calig. 38, 2); Dessau glosses the reference (*ILS* 2531, n. 4) »significatur civitate Macrum donatum esse« but it was probably the *duplicarius'* father who had already obtained the *nomen Iulium* (Holder, *op. cit.*, 46 f.).

⁷ Examples of *emeriti* given citizenship (at the moment of their *honestae missio* or shortly before, it seems) did occur under Tiberius, Gaius and Nero (Holder, *op. cit.*, 47), i. e. in an epoch before the introduction of the standard diplomata. Though they may have been granted a bronze certificate of a type spoken of in the preceding note, the rarity of such 'pre-standard' diplomata (none discovered as yet) suggests rather a prefiguration of the *civitas sine aeribus* of XVI App. 4, line 5, in many a case. However, decorated men like our C. Iulius Macer (the uncertainty as to the date of his citizenship makes

no difference here) were evidently entitled to more (for another *aere incisus* who was probably a *donis donatus* at the same time see infra, note 154).

⁸ Cf. the evidence summarized by Mommsen — Nesselhauf, *CIL XVI* p. 147 f.

⁹ J. Marquardt *Römische Staatsverwaltung*, II², Leipzig 1884, 564 f.; Mommsen, *CIL III* p. 2015 f. (who treats the *veterani sine aeribus* as too narrow a category), et alii.

¹⁰ G. L. Cheesman, *The Auxilia of the Roman Imperial Army*, Oxford 1914, 31 ff. (34 n. 2: »The number of diplomata seems to tell decisively against the suggestion that they were only issued to troops which had distinguished themselves by exceptional conduct in the field«); Nesselhauf, *CIL XVI* p. 148, 160 f.; A. Degrassi, *Aegyptus* 10, 1929, 252 ff. and *RFIC* 33, 1955, 214 f. (= Scritti vari, I, 57 ff.; IV, 264 f.); K. Kraft, *Zur Rekrutierung der Alen und Kohorten an Rhein und Donau*, Bern 1951, 106 ff.; G. Forni, *Athenaeum* 37, 1958, 15 ff.; Ch. G. Starr, *Roman Imperial Navy*, 31 B. C. — A. D. 324, London 1962,² 88 ff. (esp. 91); G. Alföldy, *Historia* 17, 1968, 215 ff.; J. Mann, *Ep. Studien* 9, 1972, 233 ff.; J. Morris — M. Roxan, *Arh. Vestnik (Ljubljana)* 28, 1977, 299 f.; M.-P. Arnaud-Lindet, *REL* 55, 1977, 282 ff.; Holder, op. cit., 48, 141, 167 f., M. Roxan, *Ep. Studien* 12, 1981, 265 ff. (with some qualifications, pp. 273 — 275); H. Wolff, *ZPE* 43, 1981, 403 ff. (esp. 423), et al. Domaszewski's theory having received but slight attention, it is rare that the scholars listed explicitly state their adherence to the traditional view; their attitude may be defined from their judgement on related matters (veterans *χωρίς γαλκίων*, so-called 'special grants', statistical indications, problem of *iura*, etc.). Of Domaszewski's followers on the point under analysis we may note J. B. Mispoulet in *Daremberg-Saglio*, *Dict. des ant. V*, 1775 (echoed by A. R. Neumann, *RE Supplb.* IX, 1962, 160 f.), and W. Wagner, *Die Dislokation der römischen Auxiliärformationen in den Provinzen Noricum, Pannonien, Moesien und Dakien von Augustus bis Gallienus*, Berlin 1938, 138 with n. 418 (endorsing a remark by A. v. Premerstein, *Wiener Eranos* 1909, 262 f. n. 3, published before the reaffirmation of the traditional conception [Cheesman and others]); cf. below, n. 12, and F. Papazoglou, *Živa Antika* 29, 1979, 245 n. 82. In their discussion of diplomata

of certain specific provinces and periods, some students have expressed similar opinions, without reappraising the problem in its entirety, e. g. J. Fitz, *Acta ant. Hung.* 7, 1959, 440 (Pannonia Inferior of the second half of II cent.); M. Rachet, *Rome et les Berbères. Un problème militaire d'Auguste à Dioclétien*, Bruxelles 1970 (Mauretania Tingitana; non vidi, cited after E. Birley, *Gnomon* 1972, 631 f.); M. Mirković, *ZPE* 36, 1979, 230 f. (Upper Moesia and Dacia under Marcus). The existence of 'special issues', marked by a formulation of the constitutions like that found in XVI 17 or 160, has been questioned by no one, naturally.

¹¹ Individualist and rewarding an occasional merit, or collectivist and preferring long periods of steady service? Though oversimplified, the dilemma has its relevance and the former conception seems, in principle, nearer to the truth (cf. note 27 in the BAR article cited in the next footnote); it is significant that the earliest diploma known — that which opens the series of the 'standard' diptycha and consequently discloses in the clearest way the basic purpose of the genre (as we shall try to demonstrate, Claudius introduced the diplomata, at the end of the 40's or the beginning of 50's, to celebrate his victories in the British War) — does not specify the number of the recipients' *stipendia* (XVI 1).

¹² 'Military Diplomata and War Expeditions', *BAR, Int. Series* 71, 1980, 1061 do 1069 (cf. the 'Lecture Summaries' of the Congress, p. 46). I have reached these conclusions only gradually, cf. *Germania* 52, 1974, 412 ff.; *Chiron* 7, 1977, 301 ff.; *Germania* 56, 1978, 469 ff. *ZPE* 47, 1982, 149 ff.

¹³ Thence the adverbs qualifying the recipients' service carry three main meanings: *fortiter* (XVI 17; the diplomata of Praetoriani and Urbani), *industrie* (XVI 17), *pie* and/or *fideliter* (XVI 160; the diplomata of Praetoriani and Urbani).

¹⁴ *CIL XVI* App. 4 (A. D. 140), line 5; cf. 5 (A. D. 148), lines 9—11. The label, highly controversial (see *BAR* 71, 1064, 1968 n. 25), has been noted in this connection as early as by Domaszewski and Mispoulet (above, nn. 2, 10); see also below, note 48.

¹⁵ Cf. infra, note 159.

¹⁶ Concentrated upon the Palmyreni *Sagittarii* constitutions (which, though 'special', make no explicit mention of an *expeditio* or *bellica virtus*) as well as

upon CIL XVI 26 and 72 (which attest to the temporal discrimination depending on [unexpressed] occasional merits of the recipients).

¹⁷ E.g. the use of the *murus post templum Divi Augusti ad Minervam* as the only support of the lists displayed in Rome (we may call them originals, for the sake of convenience) after c. A. D. 86. Though there is a possibility, even probability, that the originals were periodically replaced by new ones (e.g. after every 20 years, when all the recipients of a constitution were likely to have died out), and though the dimensions of the wall are unknown today, I doubt that this *murus* alone would have sufficed for the purpose if all the *emeriti*/veterans from the *auxilia*, *classes*, *cohortes praetoriae* (*urbanae*), etc. were to receive *bronzes*. — The problem of witnesses to the early diplomata will be dealt with elsewhere (cf. *infra*, n. 183).

¹⁸ See Mann, *Hermes* 82, 1954, 503 ff.; M. M. Roxan, *Roman Military Diplomas 1954—1977*, London 1978, 19 ff. (the abbreviation *S* in the second column of that most useful list).

¹⁹ CIL XVI 17, 160. On XVI 99 and the 'two-province' diplomata see below.

²⁰ Or the 'grants before due', to borrow Mann's phrase. The most characteristic examples are those of XVI 17, 160 and the Palmyreni set but, as we shall try to show, the temporal discrimination underlies almost the whole system of diplomata.

²¹ CIL XVI 12—16, cf. 25.

²² Roxan, *op. cit.*, no. 53 and XVI 132. On XVI 179 f. see below, note 164.

²³ To remain with diplomata for single units within militarily not unimportant commands, see XVI 160, 60, 68, 114; Roxan, *op. cit.*, nos. 17, 27 f. (cf. XVI 10, 79, 133).

²⁴ Even from diplomata which treat their recipients in a relatively unfavourable way; see on the problem of (b 1) and Roxan, *op. cit.*, nos. 21 f., below, text to notes 36—39. The occurrence of delayed documents referring to men with exceptional merits provides another, if deductive, argument in favour of Domaszewski's view (cf. BAR 71, 1968 n. 26).

²⁵ BAR 71, 1064.

²⁶ On the problem of the advantage(s) enjoyed by the *aere incisi* see the closing paragraph of this article.

²⁷ What is meant, of course, is *pie et fideliter erga principem*. The adverbs reproduce the corresponding adjectives from the titulature of the unit concerned (coh. I Brittonum milliaria Ulpia torquata p. f. c. R.), and the omission of a *fortiter* does not imply that the merits of the *cohortales* were non-martial (at least the *torquata* shows that 'this unit won all its titles for courage in the Second Dacian War . . .' [Holder, *op. cit.*, 37]); it perhaps reflected Trajan's conception that the *bellica virtus* must be expected from every regiment (cf. below, on the abandonment of Type II diplomata under that emperor).

²⁸ [*Veterani . . . qui*] *ante emerita stipendia eo, quod se in expeditione belli fortiter industrieque gesserant, exauctorati sunt* (the category of recipients added to the regular veterans *qui sena et vicena stipendia aut plura meruissent*). Of the two identifications proposed so far for the *expeditio belli* in question (Civil War, Jewish War; cf. BAR 71, 1061), I am inclined now to prefer the former, with regard i.a. to the Pannonian origin of the recipient of XVI 17 (a member of the *classis Ravennas* [cf. Tac. Hist. III 12] or of the *classis Pannonica* [cf. Starr, *op. cit.*, 185, 203 n. 65]); the circumstances of the *bellum Vitellii* may also explain the choice of the adverbs (*industrie* probably alludes to the efforts attested by Tac. Hist. III 42 [*Liburnicis*] and 52 [*commeatibus*]; praise of *pietas* or *fidelitas* is understandably lacking) as well as the omission of (*y*).

²⁹ However, XVI 160 neither grants the *conubium* nor extends the *civitas* to the children of the beneficiaries. — The case of *causarii* of II *Adiutrix* (XVI 10; A. D. 70) admittedly stands quite apart: (*a-y*) are reduced to the mention of the *bellum* only, and the privileges in question comprise the diploma and the *honesta missio*.

³⁰ Its reading being certain, the Latin text of the quotation omits the brackets of the original. The same will be done in the sequel of the present article, whenever the state of texts permits it.

³¹ Cf. e.g. Amm. Marc. XX 4, 5. 10—13. 16; ZPE 47, 1982, 155 ff. 171.

³² At least the swift promotion of T. Varius Clemens, *praefectus auxiliariorum tempore expeditionis in Tingitaniam misorum* (Dessau, *ILS* 1362; the *praefectura* belongs to the same war of Antoninus Pius which produced XVI 99) supports

our assumption (cf. H.-G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Empire romain*, Paris 1960, 371).

³³ *CIL XVI 99* covers of course *vexillationes*, not complete *alae* (M. P. Speidel, in *Akten des XI. int. Limeskongresses [Székesfehérvár 1976—1977]* 129—135; Roxan, *op. cit.*, p. 25, ad num.).

³⁴ Above, n. 23 (A. D. 120: XVI 68, Roxan, *op. cit.*, no. 17; A. 126: Roxan, *op. cit.*, nos. 27 f.); XVI 114 is probably an analogous case (Mann, *Hermes* 1954, 503 f.). The special character of all these grants depends to certain degree on the status of the regiment involved (a 'national' numerus) but they nevertheless presuppose the recipients' *maxima merita* (cf. Tab. Banasitana [*Ann. ép.* 1971, 534], a, lines 4—5).

³⁵ BAR 71, 1061 f.

³⁶ Roxan, *op. cit.*, no. 21 (cf. no. 22).

³⁷ The military value of *equites* surpassed in general the value of *pedites*, particularly when a detachment for distant campaigns was needed (on Dessau, *ILS* 2732, see BAR 71, 1062. 1066 n. 7). Thence the comparatively high percentage of mounted men among the beneficiaries of diplomata, see *infra*.

³⁸ Three possibilities have been envisaged for an identification of the event: some operations in the West ending immediately before A. D. 123, local warfare around Dacia c. A. D. 118, and Trajan's Parthian War (see Roxan, *op. cit.*, no. 22 n. 3; BAR 71, 1065 n. 2; G. Alföldy, *ZPE* 36, 1979, 235 ff.; H. Wolff, *ZPE* 43, 1981, 411 ff.). In his discussion of the diploma, Professor Alföldy adheres to the second, discarding the third on account of Turbo's position in the Parthian campaign (p. 249: »Eine Beziehung Turbos zu den dakischen und panonischen Truppen lässt sich aber für diese Zeit« [i. e. before A. D. 117—118] »nicht im geringsten belegen« [similarly, Wolff, *loc. cit.*]). But the choice of units in the list of 123 does not imply that the four mounted regiments deserved their *aera* while fighting under Turbo (contrast the explicit wording of XVI 99: *dimissi per Porcium Vetustinum procuratorem, cum essent in expeditione Mauretaniae Caesariensis*), who was only responsible for their *honesta missio* at a moment falling after their return to the Danubian limes; cf. e. g. the list of the Upper German diploma of A. D. 65 (Germany 56, 1978, 46 ff.) constituted from three cohorts which, though they probab-

ly qualified for the grant in Syria under Domitius Turbo, are entered in the constitution *et sunt in Germania sub P. Sulpicio Scribonio Proculo* (the Upper German governor, or his direct successor, who was also to discharge the recipients). As the first possibility runs counter i. a. the formula of constitution (cf. text and notes 39, 42), the third is preferable to the second with regard to the shortness of the list: Roman conflicts with the Sarmatae and the 'free Dacians' c. A. D. 118 must have engaged more of the *exercitus Daciae* than these three units, especially the infantry, and the use of delayed grants in Dacia under Trajan-Hadrian was so wide that it alone could not explain the structure of our list. Besides, it seems significant that certainly one, probably two, of the Daco-Pannonian regiments catalogued in the diploma are known from other sources to have participated in Trajan's eastern war: ala II Pannoniorum, probably also ala I Britannica c. R. (which, despite the popular emendation of the name of the unit in the Lower Pannonian part of the list [into *I Brittonum c. R.*], seems to be the ala I Flavia Augusta Britannica milliaria c. R. of XVI 61 [thus also H. Wolff, *Acta musei Napocensis* 12, 1975, 152 ff.; cf. A. and J. Šašel, *Arh. Vestnik* 28, 1977, 334. 337 f.; B. Lörincz, *Alba Regia* 17, 1979, 357 f. 1.; Wolff, *ZPE*, *loc. cit.*, 411 f. n. 35]). On the former, *Ann. ép.* 1969—70, 583 (BAR 71, 1065 n. 2; Eck, *Chiron* 12, 1982, 343 with n. 253).

³⁹ Roxan, *op. cit.*, no. 21 n. 9; Alföldy, *loc. cit.*, 233 ff.

⁴⁰ In addition to XVI 99 and Roxan, *op. cit.*, nos. 21 f., see XVI 28 (A. D. 83: Germania and Moesia), Roxan, *op. cit.*, nos. 9 (A. D. 105: Egypt and Iudaea) and 10 (? A. D. 103/105: ? Raetia and Moesia Inferior). Cf. XVI 61 (A. D. 114: eight units from Lower Pannonia, plus one *ala missa in expeditionem* [i. e. *Parthicam*]).

⁴¹ Very probably, we may assume that the document of A. D. 105 (Sept. 24) reflects the operations leading to the annexation of Arabia (the occurrence of classical in the constitution makes the alternative interpretation, proposed in BAR 71, 1065 n. 1, less attractive), and the fragment of ? 103/105 Trajan's Dacian campaign(s). The diploma of 83 (on the chronological controversy — 82 or 83 [the latter date being more consistent with the 'expeditionary' interpretation

of the *aes*] — see e. g. Zs. Visy, AAASH 30, 1978, 40 and 42) must be put down to the warfare on the Danubian limes, not the German one (as taken in BAR 71, 1063); in addition to the arguments adduced by Visy (loc. cit., 47), note the Moesian find-spot of XVI 28, granted to the soldier of a unit from the *German* part of the list (on such 'irregular' provenances of diplomata, in connection with the Flavio-Trajanic operations along the Danube, see S. Dušanić, 'Domitian's Last War on the Danube...', *Živa Antika* [forthcoming]). (XVI 28); postulates a division of coh. III Gallorum in A.D. 74/75: one generation of its members remained on the Rhine, another, obviously the greater part of the cohortales, went to Moesia, obtained the diploma of A.D. 75 (Roxan, op. cit., no. 2, Type I, bestowed *ob virtutem* upon the victors in the 'Clemensfeldzug'?) and their unit figures in the later diptycha of Dacia and Moesia Superior; such divisions explain the word *veixillatio* added to the name of certain auxiliary units in the second-century constitutions, as well as 'repetitions' in the contemporary lists of neighbouring provinces [XVI 163—164, for instance]. Lastly, XVI 61 will have followed Trajan's great success in Armenia of spring, 114.

⁴² I. e. the distribution immediately followed the discharge, and the governor cited in the *sub* clause carried out both the ceremonies (contrast e. g. XVI 43 and 122, where the length of interval dividing the two acts required two governors to be named). The absence or presence of the legates' names in the whole series suggests a tentative classification of the known cases: (I) *missio* in one province, late distribution in two others (XVI 99); (II) *missio* under one command (the united Dacia and Pannonia Inferior), late distribution under another (Dacia Prolissensis, which probably retained the *dimissi* of that ala whose active soldiers rejoined the *exercitus Pannoniae Inferioris* in the meantime) (Roxan, op. cit., nos. 21 f.); (III) *missio* and prompt distribution in the same province; the expeditionary corps sent to, or remaining on, another front consists of younger soldiers only (XVI 61, Roxan, op. cit., no. 9; cf. Nesselhauf, ad *CIL* XVI 28 [n. 4]; BAR 71, 1065 n. 1); (IV) *missio*

and prompt distribution in two provinces; again, the soldiers of units catalogued in the short lists were divided between the two provinces according to their age (XVI 28, Roxan, op. cit., no. 10). The dates of the recipients' qualifying expedition and of the administrative differentiation of the regiments involved (cf. the preceding note) present an additional complication, which tended to enlarge the number of the formulae applied. — Cf. also Wolff, ZPE 43, 1981, 410 ff. (with a different view on the whole matter).

⁴³ Not only the documents of A. D. 123 and 150, but also those of 83 (6 alae, 11 cohorts), 105 (3 alae, 7 cohorts) and 114 (3 alae, 6 cohorts) contain comparatively short lists, with a large proportion of mounted units. The still lower number of auxilia cited in the diptycha of 123 and 150 shows naturally that the expeditionary corps had to march very far and join the army, whose bulk was formed by troops of another province.

⁴⁴ The examples analyzed above, notes 41—42, offer parallels not only for the hiatus between the most recent issue of the set and the qualifying event (the Dacian operations of c. A. D. 118: BAR 71, 1062), but also for the discriminative grouping, according to age, of the recipients distinguished on the same occasion.

⁴⁵ The wording of XVI 61 (*missa in expeditionem*, without [y] and Roxan op. cit., no. 9 (where the participle of the phrase *extranlatarum in Iudaeam* represents something of an embryo of [β]) respectively, provides transitional steps toward the complete omission of (a) in the 'normal' diplomata (cf. above, n. 41).

⁴⁶ Naturally, it was the acts of bravery, not the bare administrative position which mattered in these records. Thence we have XVI 67 for coh. I Flavia Bessorum, instead of a 'two-province' diploma (Moesia Superior — Macedonia) with the cohort's name in the shorter list (BAR 71, 1067 n. 22; infra, text and notes 147 f.).

⁴⁷ Above, n. 42: (I), (II).

⁴⁸ Thence the category (controversial, it is true [cf. BAR 71, 1064, 1065 n. 2, 1068 nn. 23, 25]) of the veterans *οἱ χωρῆς χαλκῶν οἱ νῦν* (XVI App. 5, lines 9—11) in contrast with the veterans who remained *χωρῆς χαλκῶν* simply, and nothing else (XVI App. 4, line 5). Rather than 'technical' reasons the cause of the delay alluded to in XVI App. 5, lines 9—11, must have been an intentional policy of

discrimination (the 'veteran' status did not of course exclude all the military obligations of the men in question), probably the same which produced the chronological discrepancies between the pre-scripts and the dating formulae in many diplomata, as well as the occurrence of the names of two governors in XVI 43 and 122. The *emeriti* of the less privileged category, one recorded in XVI App. 5, lines 9–11, evidently used to receive a promise of diploma to compensate for the delay (cf. Tac. Ann. I 36, for an analogous procedure).

⁴⁹ 'Two-province' diplomata of Type I are unknown as yet, and not very likely to appear in the future, since — if the *honesta missio* was not near — it was more practical to issue instead of a cumulative document two (or more) documents for one province each, on dates determined by local conditions.

⁵⁰ After A. D. 71 (XVI 17), it does not seem to have recurred; even the *ante emerita stipendia* of Type I diploma of A. D. 106 (XVI 160, the date according to the *suffecti*) was neutralized by the late distribution of its copies (in A. D. 110, judging from the imperial titulature).

⁵¹ I. e. they obtained their diptycha *emeritis quinis et vicenis stipendiis*, not *quinis et vicenis pluribusve*: XVI 26, Type II (A. D. 80, Pannonia; 2 alae, one *cohors equitata* in the shorter list), and XVI 33, Type I (A. D. 86, Iudaea; 2 alae, 4 cohorts). The first document was very probably determined by the participation of a *vexillatio* of the units from the shorter list in an Upper German expedition of A. D. 78 around Augusta Rauricorum (cf. BAR 71, 1062.1066 notes 10 ff. [where the same interpretation is proposed with a date c. 73–74] and above, n. 41; as the recipients presumably belonging to that *vexillatio* were serving soldiers, a shorter period between the *expeditio* and the reward seems more likely, and I am inclined now to put Ann. ép. 1971, 277, in c. A. D. 78 too). A part of these three units, together with some *equites* and *pedites* from another two alae and thirteen cohorts, figures in the same constitution among the *dimissi honesta missione quinis et vicenis pluribusve stipendiis*; their merit, of smaller importance, must have been of local character (a Sarmatian or German incident?). The privilege of the happy men on the shorter list will have consisted i. a.

in their prospects of not serving as veterans *οἱ χωρὶς χαλκῶν οἱ νῦν* (cf. above, n. 48), which was obviously the case with many of their comrades on the longer list. The second document postulates the existence of a Type III complement (not discovered as yet), to form together an equivalent to the two catalogues of XVI 26; its occasion may be tentatively identified with certain operations in or around Nabataea (there is some evidence on the Flavian warfare there, G. W. Bowersock, JRS 61, 1971, 225 ff.; M. Gichon, BAR 71, 855 f.). — On XVI 72 see below, n. 83.

⁵² Note, however, that (b 1) discrimination was a factor as early as the period of Type I diplomata, which also use the modifier *aut plura (plurave) stipendia* and make temporal distinctions among various types of troops (even when these fought in the same battles): for instance, the Praetorians used to obtain their certificates before the auxiliaries, both relatively (i. e. with a shorter delay after the end of the qualifying event, cf. e. g. Roxan, op. cit., no. 1 with XVI 20) and absolutely (their minimum term of service being 16–17 years, not 25–26); cf. below, note 90. Consequently, the date of issue of diplomata did not depend solely on the date of the recipients' subsequent *honesta missio*.

⁵³ And the formulation of diplomata is such that it lays stress upon both the esprit de corps (*qui militant/militaverunt in alis/cohortibus illis*) and the individual merit (*quorum nomina subscripta sunt*).

⁵⁴ Which, like the use of the composite Type II itself, could not have been understood from the point of view of the traditional theory (cf. Mann, Ep. Studien 1972, 236 f.).

⁵⁵ CIL XVI 1, cf. infra, text and notes 65 ff.

⁵⁶ CIL XVI 72, cf. infra, text and note 72.

⁵⁷ See e. g. M. Durry, Les cohortes pré-toriennes, Paris 1938, 243 f.; H. Lieb, in: Studien zu den Militärgrenzen Roms. Vorträge des 6. int. Limeskongresses in Süddeutschland, Köln-Graz 1967, 95 n. 19.

⁵⁸ Contrast the absence of the commander's name after the *past tense* verb on XVI 1 and 24, as well as on contemporary diplomata for I and II Adiutrix. The oddity of the formula perhaps explains its omission from XVI 12 extrinsecus.

⁵⁹ CIL XVI 12 f. (Febr. 9, 71), for the Misenates 'deducti in Paestum'; 14 (Apr.

5, 71), for the Ravennates 'deducti in Pannoniam'; 15 f. (Apr. 5, 71), for the Misennates 'deducti Paestum'.

⁶⁰ Tac. Hist. III 12.40; IV 3. Cf. Vespasian's coins celebrating the *Victoria Navalis*.

⁶¹ Ad *CIL* XVI 12, endorsing a similar comment by Mommsen, *Eph. ep.* II p. 457 (whose judgement in *CIL* III p. 1959 was different). This interpretation has been rejected by e. g. D. Kienast, *Untersuchungen zu den Kriegsflotten der römischen Kaiserzeit*, Bonn 1966, 70 n. 75, who places Bassus' double prefecture of XVI 12 f. 15 f. + 14 at the beginning of Vespasian's reign (till the close of 71 at the latest, cf. *PIR*² L 379 [p. 100]), not in the season of the Civil War (Tac. Hist. II 100). But, if the two classes were united, legally (from the Flavian point of view), at the moment of the issue of XVI 12—16 or immediately before it, we should have expected after *qui militaverunt* of all the five documents a formula covering the whole composite command, not only half of it (above, n. 59: XVI 14 refers to the Ravennas, others to the Misennensis). Such common denominators do occur in constitutions, e. g. 'Illyricum' (= Dalmatia + Pannonia) and 'Germania' (= provincia Superior + Inferior) in the early period, or 'Lycia et Pamphylia' in the second century (Roxan, *op. cit.*, no. 67; XVI 128: the use of the two geographical names there looks the more striking as only one unit is involved). Cf. XVI App. 4: *ἐν κλάσσαις ὁμοῖ ...*

⁶² Only two discovered so far, XVI 132 (A. D. 189?, Pannonia Inferior) and Roxan, *op. cit.*, no. 53 (A. D. 159, Mauretania Tingitana). H. Wolff (Chiron 4, 1974, 482—491) convincingly argues against the view (H. Nesselhauf, *Historia* 8, 1959, 434 ff.) that the *praeterea praestitit liberis decurionum et centurionum* etc. was engraved on copies distributed to the centurion and decurion recipients who had children, but omitted from all other copies of the same constitution; note especially the analogy of the clauses concerning *classici* on the provincial auxiliary diplomata (though rather long, these clauses appear in documents which were not distributed to sailors) and the diploma of A. D. 161 for an Upper Moesian *ex-decurio* (childless, it is true), which does not contain the *praeterea praestitit* addition. — The career of the recipient of XVI 132 would accord very well with

a 'special' grant (cf. M. Dušanić, *Živa Antika* 29, 1979, 251 ff. 259) and A. D. 188 saw, in Pannonia, an *expeditio tertia Germanica* (cf. A. Mócsy, *RE Suppl.* IX, 1962, 562 f.).

⁶³ Chiron 1974, 507 ff.

⁶⁴ E. g. XVI 99, see above, n. 33. The case of the *vexillarii Africae et Mauretaniae Caesariensis* on XVI 108 is similar (cf. Mann, *Hermes* 1954, 502 n. 15: they "provided only certain of the NCOs and officials for a group of Moors assigned for service alongside regular units").

⁶⁵ Cf. Starr, *op. cit.*, 57 ff.; Kienast, *op. cit.*, 23 f.

⁶⁶ Suet. *Claud.* 17 (esp. 17, 5: *corona navalis*); Dio Cass. LX 21, 3. Cf. Kienast, *op. cit.*, 52; Sh. Frere, *Britannia*,² London 1978, 78 ff.; Dušanić, *ZPE* 47, 1982, 164 ff.

⁶⁷ Cf. e. g. *CIL* VI 920 (A. D. 51/2). In all likelihood, XVI 2 ('ante a. 54', Illyricum; only tab. II extant) was also issued for participants in the conquest of Britain. The recipient's unit, coh. II Hispanorum (scutata Cyrenaica), will have formed a part of the auxilia of leg. IX Hispana, sent to Britain c. A. D. 43 (from Siscia, J. Šašel, *RE Suppl.* XIV 734). See *ZPE*, loc. cit.

⁶⁸ For the importance and unpopularity of military obligations other than strictly operational see e. g. Tac. *Ann.* I 35 f. The tendency to unite such two groups of *commilitones* of unequal distinction under one constitution must have favoured the introduction of Type II (cf. e. g. XVI 26, supra, n. 41); in the Type III period, it produced something that we call the 'hybrid' diplomata, i. e. diplomata whose choice of units was not determined by one and the same qualifying event or merit. However, we must not overrate the increase of the 'hybrid' diplomata or ascribe too great a share to the non-fighting men in the Type III lists (cf. below, text and note 123, for XVI 106 as interpreted through III 600).

⁶⁹ Mann, *Ep. Studien* 1972, 233 f., et alii. As the Claudian reform concerning the diplomata bore on the spread of *civitas*, it is commonly thought that this Emperor introduced our documents "in the wake of his censorship of A. D. 47—48" (Holder, *op. cit.*, 48, cf. Morris-Roxan, loc. cit., 299; Arnaud-Lindet, loc. cit., 309; for an analogous explanation of the birth of Type II see Mann, *Ep. Studien* 1972, 237). Chronological difficulties of such a combination apart (and see what is said on the

legal content of a diploma at the end of this paper), we must not forget Claudius' interest in the politico-moral aspects of his *Victoria Britannica* (an interest which resulted i. a. in the then inflation of the military *dona*: Domaszewski, Rangordnung, 138 n. 1). Commenting upon the introduction of the *diplomata militaria*, A. N. Sherwin-White (Roman Citizenship, Oxford 1973,² 248 wrote: "Claudius' attention may well have been drawn to the auxiliaries at the time of the Britannic War (... see Tac. Ann. XII 40)." The same occasion seems to have provoked important building works in Italy and elsewhere (cf. G. Walser, *Historia* 29, 1980, 459 f.).

⁷⁰ Supra, notes 48, 51 and 52; cf. R. O. Fink's comment on Hunt's Pridianum (*decesserunt* and the like), Roman Military Records on Papyrus, Princeton 1971, 218. The recipients could of course remain in the army of their own free will; the rare term *voluntarius* in Ann. ép. 1969—1970, 583, probably underlies the difference between such cases and the veterans *οἱ χωρὶς χαλκῶν οἱ νῦν* (the record of the *voluntarius* in question was good enough to register him among the *aere incisi optimo iure*).

⁷¹ There are other switches in imperial policies towards the length of military service, for instance that of the Italian sailors (extended from 26 to 28 *stipendia* between A. D. 166 [XVI 122] and 209 [Roxan, op. cit., no. 73]).

⁷² Cf. BAR 71, 1063.

⁷³ Cf. above, n. 48. The occurrence of that category in only one of the three *epikrisis* documents published so far should not surprise us; the entries of the *epikrisis* lists reflect variations strongly dependent on the conditions of place and date.

⁷⁴ A circumstance explaining the mutually exclusive lists of two contemporary diplomata of Type III (XVI 161 + 162; Oct. 14, 109), issued for Mauretania Tingitana (a comparison of the structures of the two lists would suggest that the recipients of XVI 162 had, as a whole, a shorter term of service than those of XVI 161)? Enigmatic so far (cf. Holder, op. cit., 167 f.), they come near to similar doublets of Type I + Type III lists on the same diploma, or a pair of diplomata, in the Type II period (below, n. 88).

⁷⁵ The following dates seem to have considered relevant in Rome: A. D. 44

(Claudius' triumph), A. D. 46—47 (the first coins inscribed *De Britannis*: BMC, R. Emp. I, p. 168 no. 29), A. D. 49 (the extension of *pomerium*), A. D. 51—52 (the arch and inscription CIL VI 920), A. D. 43—52 (16 imperial salutations commemorating the victories in Britain and extending over the whole period [there were e. g. four in 43, three in 52] save for 44 and 46, Walser, loc. cit., 444).

⁷⁶ E. g. XVI 30 and 31.

⁷⁷ The earliest diploma to combine, for certain, some *alae* and cohorts is XVI 20 (A. D. 74, Upper Germany). Probably, this novelty is to be ascribed to the exceptional contribution of *pedites* to the 'Clemensfeldzug' of 73—74, fought in the mountainous regions. And the novelty was not completely accepted in the years to follow (the two Moesian diptycha, Roxan, op. cit., no. 2, and XVI 22, of A. D. 75 and 78 respectively, list only the cohorts), which is typical of the importance of the criterion of occasional merit in the slow, unsystematic, hardening of the documentary genre of diplomata.

⁷⁸ The inclusion is first attested in the Lower Moesian diploma of A. D. 99 (XVI 45), while the last separate diploma for a provincial fleet so far published is dated A. D. 92 (XVI 37, Flavia Moesia). Though the change may have been due to Domitian or even Nerva (not to speak of the possibility of an innovation accepted only gradually, comparable to that dealt with in the preceding note), it is most likely to have occurred under Trajan (who was at the same time the author of the first Type III diplomata).

⁷⁹ Not more than nine up to now; XVI 45 (A. D. 99, Moes. Inf.), 50 (A. D. 105, Moes. Inf.), Roxan, op. cit., no. 9 (A. D. 105, Egypt), XVI 56 (A. D. 107, Mauretania Caesariensis), 83 (A. D. 138, Moes. Inf.), 91 (A. D. 145, Pann. Inf.), 179 f. (A. D. 148, Pann. Inf.); cf. 59 f. (A. D. 107/114, Germ. Inf.; A. D. 114, a *classis praetoria*) (the diplomata published after Mrs. Roxan's supplement have not all been consulted). Note the chronological and geographical coincidence with Trajan's Nabataean expedition (Roxan, op. cit., no. 9) and Dacian Wars (XVI 45, 50, 56 [on this last see my review of N. Benseddik's book, at the end of the present volume]), and with Antoninus Pius' Pannonian wars of the 140's (XVI 91, possibly also 179 f.; cf. Mócsy, loc. cit., 554 f), to mention only the most obvious occasions. — The actual number

of *stipendia* of classici cited on those diplomata seem to have been more than 25, see *infra* notes 85 f.

⁸⁰ *CIL* XVI 10 and 17.

⁸¹ *CIL* XVI 26, the earliest Type II diploma known, dates from A. D. 80, but XVI 24, a Type III diploma of A. D. 79 (Sept. 8th), presupposes the existence of a Type I complement, and XVI 24 + the complementary Type I diploma assumed, actually form a Type II constitution divided into two certificates. Cf. Mann, *Ep. Studien* 1972, 237, who is inclined to trace the introduction of Type II back to A. D. 73/74; as we have already seen, XVI 1 reveals that the idea of discrimination underlying Type II was present from the beginning, but the real affirmation of Type II seems to start with Titus, whose *dies imperii* fell on June 24th (for the coincidence of the date of P. Mich. 432 and P. Ryl. 176 with Domitian's *dies imperii* see Wolff, Chiron 1974, 508 n. 57). We should not forget that XVI 24 refers to the *veterans* of the Egyptian fleet, which favours the conjecture of a massive donativum-like grant. It has already been remarked (Mispoulet, see *supra*, n. 10) that the usual avoidance of the term *veterani* in diplomata tends to connote the documents' character of an honour bestowed on some ex-soldiers only (those with special merits); on the other hand, Egypt was the personal property of the Emperor, where such an exceptional, massive measure connected with an imperial accession must have been both more expected and less extravagant than in other provinces (Wolff, *ZPE* 43, 1981, 408, appropriately underlies the absence of any reference to the praefectus Aegypti and the praefectus classis on XVI 24). The Egyptian diptycha of A. D. 79 are not unlikely, therefore, to have initiated the affirmation of Type II.

⁸² The parallel of *donativa* has been suggested to me by Mrs. M. M. Roxan in a letter.

⁸³ The discrimination of that order within one constitution was not, naturally, without a precedent, see XVI 17.

⁸⁴ *Supra*, n. 51.

⁸⁵ Together with their comrades from the fleet, we might conjecture, whose term of service seems to have maintained the length of *senae et vicenae plurave stipendia*, comprised by the indefinite and ambiguous (the position of the *emeritis/meruerunt* phrase is such there that, for

the modern reader at least, the range of the modifier's application remains uncertain) *plurave* of the cumulative formula of Type II. A convenient summary of all these variants of Type II is given by Mann (*Ep. Studien* 1972, Tab II) who, however, holds (p. 237) that "the changes in the formulae of Type II diplomas are not of great significance" in the sense of (b 1). But it appears significant that both the diplomata explicitly ascribing the simple *quina et vicena* to the *qui militant*, and those of variant B, belong to the opening phase of Type II (till XVI 36, A. D. 90, approximately). Variant C, which specifies the length of service of the *qui militant* as *quina et vicena plurave stipendia*, says of the *dimissi* just *emeritis stipendiis* without an *iisdem* or the like; starting in about A. D. 91 (Roxan, *op. cit.*, no. 4), it may have meant that no important temporal discrimination between the *qui militant* and *qui militaverunt* was intended, though the possibility of a delay in the distribution of diplomata to these latter must be allowed for, at least in some cases. The same holds for the variant E (where even the *emeritis stipendiis* is omitted for the *dimissi*), which becomes rather popular toward the end of Type II period (cf. XVI 47, of A. D. 102), though it is first used in a Moesian fleet certificate as early as A. D. 92 (XVI 37). During the years c. A. D. 98—100 (XVI 42—46), variant D, rather close to B, was preferred; whether it attests to a return to the practice of discrimination or indirectly supports the first of our alternative interpretations of variant C, we cannot say with confidence. Finally, Type III diplomata in the period of Type II constantly refer to the *quinis* (*senis* on the naval certificates only) *et vicenis pluribusve* (this last never being omitted before Hadrian?; *infra*, n. 98) *stipendiis*, without any variation which would seem worthy of note for our subject.

⁸⁶ Cf. the preceding note. It should be emphasized that Type II provincial diplomata combining auxilia with classes register D and E variants (XVI 45; Roxan, *op. cit.*, no. 9; XVI 47), which, if we accept the view that 26 *stipendia* was the minimum service also for provincial sailors in that epoch (*supra*, notes 79, 85), would indicate a remarkable elasticity of the *plurave* as late as c. A. D. 98—105.

⁸⁷ On the notion see *supra*, n. 68.

⁸⁸ The contemporary and almost contemporary diplomata issued for the same *exercitus* (*classes*) provide an interesting if controversial (cf. Holder, op. cit., 167 f., with bibl.) insight into the principles of choice and grouping of the *aere incisi*; sometimes they seem to reflect a division of command, sometimes a discrimination within a command (evidently, the former is not incompatible with some degree of discrimination either). The following possibilities avail (the hypothetical pairs of which only one half is extant are put aside): complementary (i. e. covering different, or practically different, units) and coincident (i. e. sharing the same, or practically same, units) pairs. In the former category fall: XVI 35 + Roxan, op. cit., no. 3 (Syria; Dec. 11, 88), Roxan, op. cit., nos. 4 + 5 (Syria; May 12, 91), XVI 44 + 45 (Moesia Inferior; Aug. 14, 99), XVI 48 + 51 (Britannia; Jan. 19, 103 + 105), and XVI 161 + 162 with Holder, op. cit., 212 (Mauretania Tingitana; Oct. 14, 109). In the latter category fall the two lists of XVI 26 (Pannonia; June 13, 80), and XVI 30 + 31 (Pannonia; Sept. 3, 84 + Sept. 5, 85). According to (b 1) criterion, they may be classified into the 'discriminative' (i. e. belonging to the different Types of the Alföldy-Mann scheme) and 'indiscriminative' (i. e. belonging to the same types) pairs. For the former see the documents of A. D. 80 (Type I + Type III), 84 + 85 (Type I + Type III), 88 (Type I + Type II B) and, probably, 91 (Type II C + Type ? I); for the latter, the documents of A. D. 99 (Type I), 103 + 105 (Type I) and 109 (Type III). As to our theory, the probative elements of such a state of affairs seem to be: (1) the early pairs are openly, if variously, 'discriminative' (XVI 48 + 51 are to be put here too, as different years — A. D. 103 and 105 — are in question; the *dimissi* of units catalogued in Roxan, op. cit., no. 3, obviously received their diptycha before the *dimissi* of units catalogued in XVI 35; cf. supra, n. 74); (2) their 'privileged' lists tend to be both shorter and (notably in A. D. 80 and 88) comprising a higher percentage of cavalry than the 'ordinary' ones; (3) the *equites* are more numerous among the serving recipients (Roxan, op. cit., nos. 3—5; XVI 45, 48 vs. XVI 35, 44), the *pedites* among the *dimissi* (XVI 26, 31 vs. XVI 161).

⁸⁹ Cf. above, notes 37 f. 51 and 88.

⁹⁰ See supra, n. 52, on an analogous advantage of the Praetorians over the auxiliaries. For the time being, we have no decisive evidence on such an advantage of the *alares* over the *cohortales* in the period preceding the combined diplomata (supra, n. 77), but the rather retarded grants of XVI 2 (note the names of the recipient's son Emeritus and daughter Emerita) and the Upper German diploma of A. D. 65 (Germania 56, 1978, 461 ff.: the interval between the expedition and the reward amounted to a year, if not more) suggest that the corresponding certificates of *alae* were issued earlier.

⁹¹ Cf. Mann, Ep. Studien 1972, 237.

⁹² Alföldy, *Historia* 1968, 221 f. That scholar appropriately quotes Mommsen's comment (*CIL* III p. 2014) on the collision of the *disciplina castrensis* with the *ius conubii* of diplomata for serving soldiers.

⁹³ Our sources, notably Pliny's Panegyric, make it abundantly clear that Trajan's rule marks a turning-point in the relations between the Emperor and the Army.

⁹⁴ A parallel — remote, it is true — may be found in Trajan's treatment of the *congiarium* and *vicesima hereditarium* (cf. Plin. Paneg. 25, 2: *aequalitatis ratio*; 38, 4: *liberalitatis ratio*, contrasted by the *ambitio et iactantia et effusio*).

⁹⁵ Which explains the delays in the issue of several Trajanic diplomata (cf. BAR 71, 1062; supra, note 38). The principle *ne milites a signis absint* (Plin. Ep. X 22, 2; cf. 20, 2, etc.) expresses the same policy.

⁹⁶ Like XVI 160 (but cf. supra, n. 50) and 72 (but note the recipient's status of an ex-sailor, BAR 71, 1063). Cf. Plin. Paneg. 39, 3 (of the *immunitas* from the *vicesima hereditarium*): *ipsum sibi eripere tot beneficiorum occasiones...*

⁹⁷ Even when the *plurave* fell into disuse (never completely [XVI 144, 146] but cf. Alföldy, *Historia* 1968, 224: »Zwischen den Jahren 117 und 178 nenne 60 Prozent der Auxiliardiplome nur solche Veteranen, die nur 25 Jahre lang im Dienst waren«) some room was left for temporal discrimination within one year, as the dates of issue of auxiliary (i. e. *Equites Singulares*, after Septimius Severus) and fleet diplomata were fixed (Jan. 7 and Dec. 28 respectively) only at the beginning of the post-Severan epoch (the same holds for the diplomata of Praetoriani and Urbani [Jan. 7, too]). As to the prae-

torian diplomata after Severus, a temporal discrimination may be surmised behind those belonging to the years (A. D. 221, 225, 233, 243, 245) which saw no regular *honesta missio* (reserved for the years with the even numbers in the modern reckoning).

⁹⁸ At any event, the earliest Type III diploma referring to no more than 25 *stipendia* is XVI 62, for Upper Germany (Hadrian's province in A. D. 97–98), of Sept. 8, 117 (Hadrian's *dies imperii* fell on August, 11th).

⁹⁹ The structure of lists on the 'provincial' diplomata (auxiliaries + *classici*) as analyzed below demonstrates that beyond any doubt. The case of certificates for the Urban and Italian units is less simple. It may be safely admitted that they also represented 'special' grants (cf. for the classes *praetoriae* XVI 72, of A. D. 127 [supra, text and note 72]; inter alia, the finding-places of some early praetorian diptycha reveal the occasional character of the corresponding constitutions: Roxan, op. cit., no. 1. reflects the so-called 'Clemensfeldzug' [cf. Lieb, loc. cit., 96 f.], XVI 21 Vespasian's operations against the Alani), at least till the definitive fixing of the dates of issuance early in the third century (above, n. 97). There is a possibility that, after this change, all the *dimissi honesta missione* from the Italian and Roman units were entitled to bronzes, but even such a conception would perpetuate the diploma's connotation of an exceptional honour, as the recipients belonged to troops whose position vis-à-vis the Emperor, Capital and the *mater provinciarum* was regarded a privilege in itself (note the attribute *praetoria* given to the Misenum and Ravenna fleets under ? Domitian). However, various statistical indications would speak against the hypothesis that the post-Severan diplomata became a regular grant for these privileged troops. And if it was denied to some of their veterans, the criterion of selection could not have been of a 'legal' or 'administrative' order (M. Roxan, Ep. Studien 12, 1981, 273), as the legal content of these constitutions was *nil* after A. D. 212 (infra, text and notes 162 ff.), while the findspots of certain at least of the late diplomata disprove the notion (cf. Starr, op. cit., 93 f.) that the post-Severan diploma was the equivalent of a *tabella honestae missionis* or an identity card (the recipients of XVI 152 [cl. Mis.]

and 154 [cl. Rav.] obviously stayed in, or near, their former garrisons, and the diploma Roxan, op. cit., no. 78 [coh. praet.], has been discovered in an area where no *dediticia* was likely to live; cf. XVI 144 etc.).

¹⁰⁰ A still unpublished auxiliary diploma of Septimius Severus was referred to in 1968 (Alföldy, *Historia* 1968, 217 n. 17).

¹⁰¹ P. Giss. 40 I, line 10, cf. 3 f. (on the subject, H. Wolff, *Die Constitutio Antoniniana und Papyrus Gissensis* 40 I, Diss. Köln 1978, I, 130 f. 147–149). Even such an edict makes provision for an exception, the much-discussed *dediticii*.

¹⁰² It hardly needs to be said that the picture obtained from the lists alone must be refined in several ways (cf. above, note 88, and below, text with notes 117 ff.).

¹⁰³ E. g. Mann, *Hermes* 1954, 503 ff., and the editors of *CIL XVI + Suppl.* and of *Roman Military Diplomas 1954–1957*.

¹⁰⁴ E. g. the bronzes for Syria of A. D. 54 (*CIL XVI* 3: five alae), (Upper) Germany of A. D. 65 (*Germania* 56, 1978, 461 ff.: three cohorts) and *Dacia Porolissensis + Lower Panonia* of A. D. 123 (Roxan, op. cit., nos. 21 f.: four or five regiments altogether). Among others, XVI 98 (*Pannonia*, A. D. 98), with its two alae and five cohorts, is an interesting example linking the 'short' with 'normal' lists (cf. Chiron 7, 1977, 303 and n. 78).

¹⁰⁵ Cf. above, note 38.

¹⁰⁶ Who nevertheless had some fighting tasks from time to time, Frere, op. cit., 252. For a total of at least 65 auxiliary regiments which served in Britain during the late first and early second century see *ib.*, 182 ff.

¹⁰⁷ On these events, *ib.* 147 ff. Announcing the Emperor's presence, the Dacian War and all the preparatory efforts that war required, the long list of XVI 46 (*Moesia Superior*, A. D. 100) might serve as a parallel (cf. e. g. Chiron 7, 1977, 301 n. 66).

¹⁰⁸ Cf. Morris — Roxan, loc. cit., 300.

¹⁰⁹ Fitz, *Acta ant. Hung.* 7, 1959, 438 ff.; Mirković, *ZPE* 36, 1979, 229 ff. (cf. B. Löhrincz-Zs. Visy, *ZPE* 42, 1981, 274).

¹¹⁰ Besides, we have no reason to assume here a constant issue of complementary pairs at all: of the three constitutions known to have been passed for *Moesia Superior* in 159–161 (XVI 111, A. D. 159 [Dec. 10]/160 [Dec. 9]; Roxan, op. cit., no. 55, A. D. 161 [Feb. 8]; *ZPE* 36, 1979,

228 f. [cf. ib. 42, 1981, 273 f], A. D. 161 [March-Dec. 9]), two are coincident completely (XVI 111 and Roxan, op. cit., no. 55), and one partly (ZPE 36, 1979, 228 f. [the Lower Moesian attribution, proposed by K. Dietz, Chiron 11, 1981, 277 ff., does not seem convincing], a fragment citing only one ala — ala Gallorum — but that which figures in the previous lists too [cataloguing two alae, I Claudia nova miscellanea and I Gallorum Flaviana]). Moreover, it is significant that, for certain regiments, Moesia Superior needed two constitutions within the same year of 161; that circumstance does not seem compatible with the views on the automatic connection between the *honesta missio* (usually thought to have occurred, within the same units, once a year at most) and the distribution of diptycha in the Type III epoch. Cf. what has been remarked on the relevance of the free dating of diplomata prior to the early decades of the third century (supra, notes 97, 99); see also Wolff, ZPE 43, 1981, 422 with n. 71.

¹¹¹ That the choice of units covered by a diploma did not depend on the local officials only is shown, i. a., by the 'two-province' diplomata and the formula *descriptum et recognitum ex tabula... quae fixa est Romae* etc. (infra, n. 177, 183 sub finem).

¹¹² Judging from Mrs. Roxan's 'Chronology of the Published Diplomas' (op. cit., 19 ff.; the documents which have appeared since 1977 — certain of them are shortly signalled ib., 118 — are not abundant or geographically homogenous enough to produce a virtually different picture), the Danubian provinces received some 104 auxiliary diplomata, all others 74. The ratio between Syria + Germany and Mauretania Tingitana amounts to 22 : 29. The whole problem has been examined, from a different perspective, by Roxan, Ep. Studien 1981, 279 f.

¹¹³ I. e. 12 : 12.

¹¹⁴ But the fundamental criterion must be constantly sought in the martial merit: *sibi tamen apud horridas gentes e contuberniis hostem aspici*, to quote Tacitus' legionaries (Ann. I 17) for the distinction between the real and the non-fighting soldier.

¹¹⁵ Roxan's 'Chronology' (above, n. 112) contains, with small fragments, more than 180 auxiliary items, the fresh finds having added 20 or so. Morris and Roxan

wrote (loc. cit., 300): »A conservative estimate of the numbers of soldiers who survived the requisite term of service suggests that at least 2,000 diplomata a year must have been required from Flavian to mid-Antonine times for auxilia alone«. However, such an estimate is based on the assumption of unselective issuance; from that perspective, one can hardly explain e. g. the comparatively important number of constitutions producing more than one copy extant (to quote both the certain and probable examples: XVI 62 + 63; 169 + 170; 68 + Roxan, op. cit., no. 17; Roxan, op. cit., nos. 21 + 22; ib., nos. 27 + 28; XVI 76 + 77; 179 + 180; 112 + 113; the group XVI 185 + Roxan, op. cit., nos. 63—66), which tends to postulate a more modest total of both constitutions and diplomata issued a year (the following elements, if identical, may be taken as attributing particular copies to one auxiliary constitution: the precise date, the list of units, the province).

¹¹⁶ E. g. the relative scarcity of German and British diplomata is not to be put down to the scope of archaeological excavations in the island or along the Rhine. On the other hand, distant detachments of auxilia (which reduce to a degree the informative value, in this respect, of the references to the provincial *exercitus*) tended to become, with time, all the more unusual.

¹¹⁷ Of those recipients of auxiliary diplomata whose rank and unit are known, some 37 served as *equites alares*, 14 as *equites cohortales*, and 46 as *pedites* (the result obtained from CIL XVI and Mrs. Roxan's supplement). The actual numbers of *pedites* serving in the *cohortes peditatae* and *cohortes equitatae* of a province must have surpassed by far the numbers of *equites* (reckoning, with Cheesman [op. cit., 54], that "there would be at least three cohorts to every ala"; the ratio of *pedites* to *equites* in a *cohortes equitata* should be defined as 3 : 1 or 4 : 1 [cf. Holder, op. cit., 7—9]).

¹¹⁸ If the strength of crews in the non-Italian fleets was comparatively small, which explains the fact that no 'provincial' diploma (for both the auxiliaries and sailors) has been discovered naming a classicus as the recipient (Mann, Ep. Studien 1972, 235), the rarity of *aera* referring to the classici in the 'provincial' lists themselves (see above n. 79; three naval, non-Italian diplomata date from the pe-

rior prior to the introduction of 'provincial' constitutions: XVI 24, 32 and 37) remains difficult to understand unless we extend Domaszewski's theory to these documents too (on XVI 38 and 40 [cf. supra], we must suppose that the item *classicis* or *classico* was entered every time when a provincial *exercitus* had sailors eligible for a diploma, even if only one candidate was in question).

¹¹⁹ Thence i. a. the seniority of the *praefecti alarum* over the *praefecti cohortium*; on the low rating of *classarii* in general, Kienast, op. cit., 23.

¹²⁰ Till, roughly, A. D. 148, the lists were usually arranged according to the numerals of the units cited (the types of troops being also observed: the cohorts follow the *alae* and the *classici* the *auxilia*, according to a practice which was observed after c. 148 too): the *alae/cohortes primae* precede the *alae/cohortes secundae* and so forth (cf. Mommsen-Nesselhauf, *CIL* XVI p. 176). Our analysis deals with the lists which, being later than c. A. D. 148, are both free from that formal criterion — the apparent disorder in enumeration of units which may be observed on diplomata after that date cannot be taken as reflecting the units' topographical distribution, though such a theory was defended by several students, including myself — and long enough to permit statistical conclusions of some reliability (only the samples covering five or more regiments have been examined). It is to be noted that, at least in the immediately preceding period, the sections of lists constituted from the regiments with same numerals (because of their length, the sections of the *alae/cohortes primae* are especially instructive from that point of view) seem to have been arranged according to the principle applied to the entire lists after c. A. D. 148; this tends to corroborate the results obtained in the following note. See: XVI 75, A. D. 139 (5 *alae primae*, the recipient belonged to the second); XVI 179, A. D. 148 (the list of that diploma, like the list of XVI 180, still complies with the formal criterion; 5 *alae primae*, the recipient belonged to the first); XVI 180, A. D. 148 (5 *alae primae*, the recipient belonged to the first).

¹²¹ *CIL* XVI and Mrs. Roxan's supplement provide 12 diplomata which, fulfilling the three necessary conditions (the list must be 'disordered' and long enough,

and the name of the recipient's unit preserved), allow us to make a statistical test of the type offered in the preceding note (on XVI 175 etc.). Seven of these diplomata have recipients from the first-named *ala/cohort*: XVI 90 (10 cohorts catalogued), 96 (7 coh.), 107 (10 coh.), 118 (13 coh.); Roxan, op. cit., nos. 47 (12 coh.), 53 (5 *alae*) and 63 (12 coh.). Three diplomata have recipients from the first half of the lists (Roxan, op. cit., no. 55 [the recipient belonging to the second of 10 cohorts catalogued]; XVI 185 [to the fourth of 12 coh.] and 121 [to the fifth of 13 coh.]), only two from the second half (XVI 97 [to the sixth of 7 coh.] and 112 [to the twelfth of 13 coh.]). Small as they are, the numbers seem nevertheless significant, especially when the evidence of XVI 175. 179 f. (supra, n. 120) is added. They cannot be ascribed to the practice of citing the *alae/cohortes milliariae* first (cf. Nesselhauf, *CIL* XVI 110 + p. 176); rather, that practice has to be explained as deriving from the acceptance of the post-148 criterion. For, (1) the millary units were not cited first everywhere (contrast the low position of some *cohortes milliariae* in e. g. Roxan, op. cit., nos. 63 f.), (2) some of the recipients from the first-named units served in a quingenary, not millary unit (see XVI 90), and (3) the quantity of millary units was such in the majority of provinces that it alone would not suffice to explain the strong preponderance of the first-named *auxilia* in the catalogue of the recipients (cf. e. g. Roxan, op. cit., no. 47, where the list opens with seven millary cohorts, of which the first gave the recipient Ivonercus). Of course, we may presume that the nucleus of a *vexillatio* was usually formed from a millary unit (cf. the next note).

¹²² See on that R. Saxer, Untersuchungen zu den Vexillationen des römischen Kaiserheeres von Augustus bis Diokletian, Köln-Graz 1967, 119, 128; cf. Speidel, art. cit. supra (n. 33), 133.

¹²³ Oest. Jahresh. 3, 1902, 21 ff. (cf. Nesselhauf's comment ad XVI 106 and Saxer's observations, op. cit., 34). The diploma lists 20 units (4 *alae*, 16 cohorts), of which at least 12 (in the list of the diploma the name of the first *ala* has not been preserved) recur in the inscription of a *praepositus* in *Mesopotamia vexillationibus equitum electorum* (the equites taken from 5 *alae* and 15 cohorts enu-

merated in the text of the inscription [III 600]). The former document reflects the first phase of the Parthian War shared by the successive reigns of Antoninus Pius and Marcus Aurelius (cf. R. Hanslik, RE Suppl. IX, 1962, 1848 f.), the latter the second phase, a circumstance which may have partly contributed to the (comparatively unimportant) differences between the two lists; the differences may have had something to do, also, with the composition of *vexillationes* of III 600 (which did not include infantry) and with the possible 'hybridity' of XVI 106 (on the notion. *supra*, n. 68). Regrettably, the 'informal' order of enumeration of units under our *praepositus* cannot be compared with the order of the list on the diploma, since the constitution retained the criterion of numerals; the name of the beneficiary's regiment is that of the third-placed *ala* (the fifth under *praepositus*).

¹²⁴ Several other statistical indications may be adduced to support our thesis that the totals of both the constitutions whose issue is to be assumed and their copies which are extant today, are far lower than would be expected if all the *emeriti/dimissi* among all the auxiliaries, sailors, praetorians etc. of the Empire had to receive bronzes (every year, and in every province/command). Cf. above, n. 115, for the cases of constitutions attested through more than one diptychon, cases which significantly contrast with the fact that there are too many years which produced no diploma known for the majority of provinces. And, to reinforce our argument developed *supra*, notes 120 f., the individual recipients of diplomata preserved from one constitution may have belonged to the same units (XVI 179 f., both unearthed at Regöly; Roxan, *op. cit.*, nos. 64 and 66, found at different places), against any probability of mechanical statistics. An analogous conclusion could be drawn from the 'special' diplomata dealt with above, text and notes 62 f.: if the addition *praeterea praestitit liberis decurionum et centurionum* etc. was cited even in those copies of constitutions of 159 and c. 189 which were distributed to simple soldiers, unable to profit from the *praeterea* clause — and the affirmative answer seems to be unavoidable (H. Wolff) — the circumstance that both such diptycha published so far pertain to persons of centurion/decurion rank clearly shows

that the number of other recipients in 159 and c. 189 was comparatively insignificant, at least in Pannonia Inferior and Mauretania Tingitana, the provinces of XVI 132 and Roxan, *op. cit.*, no. 53 respectively (an approximate ratio of decurions + centurions and the rest of the auxiliaries in a provincial *exercitus* might be estimated 1:60).

¹²⁵ Cheesman; see *supra*, n. 10.

¹²⁶ Seven (XVI 1—6 + Germania 56, 1978, 461 ff.: one naval diploma and six auxiliary), to represent more than 15 years between the earliest diptychon known (XVI 1: Dec. 11, 52) and Nero's death in June, 68. Approximately the same interval in e. g. 74—90 has some 20 diplomata. Cf. Roxan, *Ep. Studien* 1981, 273 ff, for a different interpretation, and my remarks, ZPE 47, 1982, 149 ff with n. 2.

¹²⁷ B. Overbeck, 'Das erste Militärdiplome aus der Provinz Asia', *Chiron* 11, 1981, 265—276. Dr. Overbeck was so kind as to send me a copy of his manuscript of that article prior to publication; I am deeply indebted to him for his assistance.

¹²⁸ Dr. Overbeck argues (*ibid.*, 272): "obgleich Q. Flavius Tertullus im Diplom selbst nicht ausdrücklich als *proconsul* betitelt wird — was um diese Zeit auch noch nicht zu erwarten ist" (the new Asian diploma dates from A. D. 148) — "gibt es keinerlei Zweifel daran, dass er dieses Amt innehatte. Als *proconsul Asiae* nahm er ohne weiteres ein militärisches *imperium* wahr..." In my opinion, Tertullus' status of a *proconsul* would be a possible, even probable ground for the reference to his name in the *sub* clause, but the case(s) of D. Terentius Gentianus (and Octavius Antoninus?) in Macedonia warn us that a temporary assignment of Asia to the imperial provinces should also be reckoned with (see *infra*).

¹²⁹ *CIL* XVI 34, 40, 38; Roxan, *op. cit.*, no. 14; XVI 67; *supra*, notes 127 f.; Roxan, *op. cit.*, no. 67 and XVI 128.

¹³⁰ Pflaum, *op. cit.*, III, 1045 f.

¹³¹ Cass. Dio LV 28, 1 (of the events of A. D. 6).

¹³² Cf. e. g. Dessau, ILS 1372 (= Saxer, *op. cit.*, no. 119); Zos. I 69 f.; *Amm. Marc.* XXVII 9, 6. The composite command Lycia — Pamphylia — Isauria of MAMA VI 74 will have been caused by some Isaurian danger.

¹³³ Cass. Dio XLIX 14, 4.

¹³⁴ W. Ruge, RE XVIII, 1949, 372; cf. W. Eck, Chiron 2, 1972, 432 n. 11; H. Wolff, ZPE 43, 1981 409 n. 25.

¹³⁵ Who is styled there simply *leg.*, which — meaning *legatus Augusti* in all other documents of the same epoch and sort — almost rules out the identification *legatus proconsulis* (PIR² L 231); after all, that identification encounters many other difficulties (cf. Eck, loc. cit., 433 ff.).

¹³⁶ I Flavia Numidarum figures as Lower Moesian in a diploma to be dated c. A. D. 157 (Roxan, op. cit., no. 50; cf. the editor's comment ad no. 67, note 5); whether these Numidae (temporarily) returned from Asia Minor to Moesia Inferior or not, their transfer (shortly preceding A. D. 167) to Lycia-Pamphylia must have had a concrete and immediate purpose, the suppression of Isaurian resistance (cf. infra, on I Flavia Bessorum and I Raetorum). The unit's commander in Lycia-Pamphylia had the title of a tribune in about 167 (Roxan, op. cit., no. 67, with comm.) though the cohort "is nowhere named as military"; this nothing to do with the unmilitary character of the province in question (both A. Aelius Sollemnianus in Macedonia [XVI 67, A. D. 120] and Flavius Iulianus in Asia [the new diploma of A. D. 148] are styled *praefecti*); it is rather to be connected with the unusual importance of his military task. For the brigandage in Northern Lycia c. A. D. 190 see Bull. ép., 1973, 451.

¹³⁷ Moesia Inferior again, cf. XVI 50 (A. D. 105) for III Gallorum and Roxan, op. cit., no. 50 (c. A. D. 157) for II Bracaraugustanorum. Thrace, notoriously rebellious under the Julio-Claudians, continued to provoke sporadic troubles (cf. e. g. Ann. ép. 1956, 124 = Saxer, op. cit., no. 68, lines 15 ff.; Apul. Met. VII 5 [Haemus Thracius]).

¹³⁸ Like Dalmatia, Macedonia, Achaia and Moesia Inferior at the same time approximately (cf. L. Petersen, in: Actes du premier Congrès int. des études balkaniques et sud-est européennes, II, Sofia 1969, 156 and 160 with n. 16)? There is, it seems, a significant peculiarity concerning the governors of Thrace cited in the diploma of A. D. 114: Iuventus Celsus and his successor Statilius Maximus (cf. Alföldy, ZPE 36, 1979, 242 f. with n. 32) had probably held the province simultaneously for some time (which would explain the short tenure of Maximus alone [on

Ann. ép. 1978, 292, see Eck, Chiron 12, 1982, 348 n. 272], and the joint accession of these men to the consulate), as presumably did Gentianus and Antoninus Macedonia slightly later. Besides, Iuventus Celsus was a famous jurist, whose role in Thrace would well accord with a *census provinciae*, cf. infra. His activity there was probably a continuation of that recorded by Ann. ép. 1975, 849 (L. Sempromius Senecio, proc. Aug. a censibus provinc. Thrac. [c. 107/8, M. Le Glay, ZPE 43, 1981, 181] et Aquitan. [as an associate, in the former post, of a senator, *legatus Aug. pro praetore ad census accipendos* ?; cf. Le Glay, loc. cit., 175. 184]).

¹³⁹ The most recent discussion of his position is that of F. Papazoglou, Živa Antika 29, 1979, 242—246 (with bibl.). The following possibilities have been envisaged: proconsul of Macedonia (Nesselhauf; Ritterling), legate of an Upper Moesian legion or *legatus Augusti propraetore provinciae Moesiae Superioris* (Groag), *legatus proconsulis Macedoniae* (Groag and Sarikakis), *legatus Augusti propraetore of Moesia Superior or Macedonia* (Eck) and *legatus Augusti propraetore Moesiae Superioris* (Papazoglou).

¹⁴⁰ Though the collaboration of a senatorial governor with an imperial legate seems to have been possible in the senatorial provinces in some special cases (Pflaum, Latomus 58, 1962, 1232 ff.; thus Papazoglou, loc. cit., 243, takes our Gentianus to have been an associate of the contemporary *proconsul Macedoniae*), that solution appears unattractive in the case of a complex *census provinciae* (*διάταξις Γεντιανῶ* must have been such, cf. Petersen, loc. cit., 159). The proconsul's competence would have clashed then with that of the legate on too many points, and the problem of finance did not permit purely formal division of powers and obligations (contrast e. g. Cass. Dio LXIX 14, 4). Thence we prefer to see both Gentianus and Antoninus as imperial legates (an analogous situation regularly occurred in Hispania Citerior and Britain, infra, n. 143), the more so as there are indications that the Senate was rewarded for losing Macedonia temporarily (see for the Kosmaj *metalla* infra, n. 147).

¹⁴¹ Gentianus held Macedonia (from A. D. 116—117?, Petersen, loc. cit., 159; Papazoglou, loc. cit., 242 n. 65) till at least the beginning of 120 (Ann. ép. 1924, 57,

cf. Eck, loc. cit., 435 f.; Papazoglou, loc. cit., 242 n. 66) which, with regard to the date of the diploma XVI 67 (June 29, 120) and the expected duration of its antecedents (cf. Eck, loc. cit., 435), tends to postulate Antoninus' presence in Macedonia as early as before Gentianus' departure; that would mean a period of common governorship of Gentianus and Antoninus. — Two pieces of evidence suffice to define Gentianus' position there: Dessau, *ILS* 1046, which styles him *consitor provinciae Macedoniae* (cf. Dig. XLVII 21, 2: *legatus Augusti ad census accipiendos*), and the Macedonian inscription Ann. ép. 1924, 57, which styles him (in Greek) *legatus Augusti pro praetore*.

¹⁴² Cf. supra, notes 138 and 140 f.

¹⁴³ Cf. e.g. E. Ritterling, *Oest. Jahresh.* 10, 1907, 299 ff. (esp. 301 f., on the collaboration of governors and *iuridici* in Britain and Hispania Citerior).

¹⁴⁴ Cf. Pflaum, loc. cit. Though the cases examined by that scholar are not strictly analogous — as, firstly, they do not refer to the *census* proper and, secondly, the pairs of officials discussed by Pflaum seem to have been usually constituted from a senatorial and an imperial dignitary, not both imperial — the parallel they offer is satisfactory enough: various problems of delimitation played an important part in all types of dual missions in the provinces (cf. the next note). — On the whole problem of simultaneous commands in provinces under the *census* see now B. E. Thomasson, *Sullo stato dei legati censitores* in the Acta of the Rome symposium on the senators (the Swedish scholar underlines the distinction, in such cases, between the *consitor* and the governor); that important paper has been kindly signalled to, and copied for, me by Professor W. Eck. Cf. also P. A. Brunt, *JRS* 71, 1981, 165 f.

¹⁴⁵ Which also involed his arbitration in many conflicts concerning boundaries (cf. Dig. XLVII 21, 2; Ann, ép. 1924, 57; Gentianus' *diataxis* [supra, n. 140]; the contemporary evidence from other provinces of the Balkan complex [supra, n. 138]), conflicts not unlikely to provoke armed resistance (cf. e.g. Dessau, *ILS* 5947). The compulsory recruitment may also have been a factor (cf. F. Papazoglou, in *ANRW* II 7/1, 1979, 346 n. 195).

¹⁴⁶ Among others (e.g. the Judaeian of A. D. 6, and the Cappadocian of A. D. 36), note the dramatic *census* in Gaul

under the Julio-Claudians (i. a. those of 12 B. C. and c. A. D. 67 [the native support to Vindex' rebellion must have been prompted by a recent *census*: Dio Cass, LXIII 22, 2, cf. G. Humbert, in *Daremberg-Saglio* I 2, 1887, p. 1007] respectively) and under Domitian (Front. Strat. I 1. 8: cum [Domitianus] Germanos vellet obprimere... protectionem suam censu obtexuit Galliarum). The point of the Flavian's trick as recorded in Frontinus' characteristic phrase was to mask the concentration of troops in and around Gaul, which was impressive c. A. D. 83 (Saxer, op. cit., 22 f [the legions]; *CIL* V 3356 [the Praetorians, cf. *RE* VI, 1907, col. 2557]), rather than the presence of the Emperor himself; the memory of the Gallic contribution to the *bella* of Vindex and Civilis must have been fresh then. And we should not forget that the Macedonian *peregrini* were capable of creating a serious *tumultus* as late as A. D. 175—176 (see the inscription referred to above, n. 137 ad finem).

¹⁴⁷ Coh. I Flavia Bessorum, the only beneficiary of XVI 67, is explicitly attested in Moesia Superior in A. D. 100 (XVI 46). Its camp there was Tricornium, the finding-place of XVI 67 — the recipient had a wife *Doroturma Tricorn(iensis)*, whom he had obviously married while on duty at Tricornium, a circumstance explaining his return to that place after his discharge (*Inscr. Més. Sup.* I, p. 37 f.) — and the administrative centre of the civitas Tricornensium. This *civitas* included the rich *argentariae* of Kosmaj (Dušanić, *Arh. Vestnik [Ljubljana]* 28, 1977, 179), which, to judge from the SC engraved, exceptionally, on their coins dated A. D. 116/117 (*Inscr. Més. Sup.* I, p. 98 f. with n. 61; as Hadrian did not continue that coinage, the subsequent status of the metalla Tricornensia remains obscure), were temporarily transferred from the *fiscus* to the *aerarium Saturni* (cf. Dušanić, in: *ANRW* II 6, Berlin — New York 1977, 80 with notes 184, 186). It is tempting to suppose that the two measures concerning Tricornium with its territory — the detachment of I Flavia Bessorum to Macedonia and the transfer of the mines to the Senate — had the same ground and occurred at the same time: Macedonia became, because of the *census* (which also caused the move of our cohort), an imperial province c. A. D. 116, while the Senate's financial loss due to that change

(Macedonia possessed i. a. some metalla of its own, Cod. Theod. I 32, 5 = Cod. Iust. XI 7, 4) was made good, at least partly, by the Emperor's granting of the revenues of the Kosmaj *argentariae* to the *aerarium Saturni* (cf. e. g. Hadrian's giving the Senate Pamphylia in exchange for Bithynia, Cass. Dio LXIX 14, 4).

¹⁴⁸ It is worth noting that XVI 67 refers only to *pedites*, though the cohort seems to have been *equitata* (cf. IG X 2, no. 384 [see also Papazoglou, in ANRW II 7/1, Berlin-New York 1979, 350 with n. 216 a]). This may mean either that no eligible *eques* took part in that particular action, or that another (and slightly earlier?) diploma was issued for the unit's cavalry alone (similarly, the Asian *aes* of A. D. 148 does not speak of the *equites* of I Raetorum, though that cohort was part-mounted too); the early practice of discriminating between the *alae* and cohorts in the issue of diplomata (supra, notes 77, 90) may have been revived from time to time (XVI 99 of A. D. 150, could illustrate this). In any case, I Flavia Besorum permanently remained in Macedonia (Papazoglou loc. cit.).

¹⁴⁹ Cf. CIL VIII 13 and XVI 44 f.; Ann. ép. 1948, 3. See also Alföldy, *Fasti Hispanienses*. *Senatorische Reichsbeamte und Offiziere in den spanischen Provinzen des römischen Reiches von Augustus bis Diokletian*, Wiesbaden 1969, 71 ff.; J. J. Wilkes, *Dalmatia*, London 1969, 445 no. 15; Eck, *Chiron* 12, 1982, 322 f. n. 169, 331 n. 199 (for a different opinion on the circumstances of the change in the status of Dalmatia under Domitian see B. W. Jones, *Cl. Phil.* 69, 1974, 48 ff. and 71, 1976, 256 f.).

¹⁵⁰ Wilkes apud Alföldy, *Fasti Hispanienses*, 73 n. 24.

¹⁵¹ On them, Wilkes, *Dalmatia*, 117; R. Syme, *Danubian Papers*, Bucharest 1971, 196 f., with refs.

¹⁵² Rufus' post of *iuridicus Hispaniae Citerioris* may have qualified him for the administrative tasks of a *censitor* (for the character of that post see Alföldy, *Fasti Hispanienses*, 246, 250).

¹⁵³ Q. Flavius Tertullus, a Hadrianic *homo novus* (as underlined, with good reason, in Overbeck's comment, loc. cit.; that scholar cites the famous Flavius Arrianus as a parallel, and Arrianus' case may suggest that Tertullus too owed his success to his erudition). He obviously figures as the eponym of the *senatus con-*

sultum Tertullianum in Iust. Inst. III 3, 2 and elsewhere (RE Suppl. VI, 1935, 812), cf. E. Groag, RE VI, 1907, 2619 (no. 190). This eponymate seems to set him in order of the *iuris periti*; the names of some at least of such *senatus consulta* were derived from men who were not only proposers but also the authors of the legal content of the acts (e. g. *senatus consultum Iuventianum*, *senatus consultum Pegasianum*).

¹⁵⁴ Together (?) with the certificate, a medallion-like *phalera* was unearthed (from the recipient's grave, I presume); it dates from A. D. 145–161, perhaps A. D. 148 (Overbeck, loc. cit., 266 f. with note 10).

¹⁵⁵ Cf. the case of C. Iulius Macer, supra, n. 1. — In addition to the *tumultus* resulting from the (hypothetical) *census provinciae Asiae*, other possibilities of a local conflict should not be ruled out, even an inroad of Alani (cf. HA, v. Pii 5,5: *Alanos molientis saepe refrenavit*). With regard to the formula *peditibus qui* etc. (not *peditibus et equitibus qui* etc.), a distant expedition does not seem a plausible occasion for this particular diptychon (cf. supra, n. 148).

¹⁵⁶ From Dr. Overbeck's pertinent remarks on the mention of the *ἰννεῖς* of I Raetorum (Cappadocian c. A. D. 135) in Arrian's *Ektaxis* and, especially, on the II–III century history of the cohort's garrison at Eumenia Phrygiae (which had been occupied by I Sugamborum for some time between A. D. 134/138 and 157), it may be inferred that the *exercitus provinciae Asiae* obtained I Raetorum shortly before A. D. 148. The *origo* of the recipient of the diploma (Isaurus) would certainly favour the conjecture that I Raetorum served outside Asia in about A. D. 123.

¹⁵⁷ It should be stressed that, in the Danubian provinces (which supply the majority of diplomata), "the struggles and reorganizations spanning two centuries" (i. e. A. D. 200–400) "... destroyed not merely many units (or sections thereof) but also the traditionalist spirit" of the army (M. M. Roxan, in BAR Suppl. 15, 1976, 66 f. ['Pre-Severan Auxilia in the Notitia Dignitatum']).

¹⁵⁸ According to J. Morris and M. Roxan (loc. cit., 299: "An adequate supply of volunteers was ensured by the grant of Roman citizenship and *conubium*... to auxiliaries"), it was the legal content of diplomata which mattered there and

which represented the primary attraction of enlistment into *auxilia*, *classes* etc. As to the second point of this view (shared by many in the past), we should say that, rather than *iura*, it was the standard of life of the Roman soldier which attracted poorer people, who obviously formed the bulk of the imperial *exercitus* throughout its history. Cf. Wolff, Chiron 1974, 509 (on the "materielle Vorteile").

¹⁵⁹ It is impossible, however, to go into statistical details. The nature of our documentation — mostly gravestones, difficult to date precisely (it is an especially thankless task to tell whether certain monuments from the Claudio-Neronian epoch are earlier or later than the *terminus a quo* [A. D. 52] of the diplomata known so far) and comparatively rare in the case of non-citizen soldiers/veterans — is obviously such that the *sine aeribus*, if we qualify them only according to the criterion of *civitas* (which would be wrong, cf. the next note), can not be expected to appear there in any great numbers. Of course, the label itself (*sine aeribus* represents a translation of the *χωρίς χαλκῶν* of the *epikrisis* documents) never occurs in the epitaphs and — with regard to the controversial character of the *χωρίς χαλκῶν* from the *epikrisis* lists — may be considered as attested only indirectly, through the contrast with the (in) *aere incisus*. Despite all the circumstances which ran counter to the citing of the peregrine *sine aeribus* in the epigraphical texts, the post-Claudian (from c. A. D. 52 onwards) peregrini, *missi honesta missione* or serving soldiers with 25 or more *stipendia*, are recorded sporadically (understandably enough, their occurrence has received no satisfactory explanation in modern scholarship, unwilling to share Domaszewski's view [cf. Holder, op. cit., 48 f.]). The instances enumerated here do not derive from my personal research but are taken from the most useful appendixes to Holder's book (they do not cover, therefore, the *classarii* or the post-Trajanic *auxilia*): op. cit., p. 264 ff., nos. 819, 1572, 2011, 2242, 2271 (less probative are nos. 212, 442, 892, 498, 781, 1091, 1921).

¹⁶⁰ Either *viritim* or through the bloc awards, Holder, op. cit., 29 ff. The most obvious distinction between these grants and the grant through a diploma is that the former preceded the diploma (i. e. its beneficiaries were not infrequently en-

titled to the subsequent *aere incisio*, e. g. M. Ulpius Novantico of XVI 160, M. Ulpius Longinus of XVI 163 and M. Ulpius Fronto of the unpublished Upper Pannonian diploma of A. D. 113 [Holder, op. cit., 35. 181]).

¹⁶¹ With Kraft (op. cit., 132 n. 9: an alternative to Mommsen's deletion of the lines 5 f., alternative which Kraft did not find very probable ["*Persönlich... halte ich an der Streichung Mommsens fest*"]), we could identify the entry II 2 b (lines 5 f.) of XVI App. 4 (A. D. 140; cf. XVI App. 3, line 5 [A. D. 125—133]) with certain *aere incisii* whose diplomata, like XVI 160 and the Palmyreni set, referred merely to *civitas*. But we do not know whether these grants were preceded by a bloc grant analogous to that of coh. I Brittonum c. R. and coh. I Batavorum c. R. (the foregoing note).

¹⁶² Cf. Starr, op. cit., 92 ff.; Kraft, op. cit., 128 (contra, D. van Berchem, Mus. Helv. 36, 1979, 106 with n. 17). It is characteristic of the difficulties of a legalistic approach to the history of *diplomata militaria* that Mrs. M.-P. Arnaud-Lindet thinks that the *conubium*, never retrograde, of the post-212 diplomata for the Praetorians envisaged "*femmes pérégrines originaires, sans doute, des nations barbares extérieures à l'Empire*" (loc. cit., 309); inter alia, the provenance of some III-IV century diptycha disproves that assumption, like Starr's comparison with simple *cartes d'identité* (supra, n. 99). Of course, with citizen fathers and citizen mothers, the children of the veterans from the Italian fleets after A. D. 212 (all these diplomata belong, naturally, to Type III) had no need of the *civitas* accorded them through the (retardatory) texts of constitutions cited on their father's bronzes. As to the *filii* born before their fathers' discharge from the navy — i. e. in the period during which their parents' union was labelled *consuetudo*, not *matrimonium iustum* — their *civitas* was guaranteed by their mothers' citizen status (cf. Kraft, op. cit., 116) and the occurrence of their names on some diplomata — as well as of the wives' names — obviously had no other purpose than to provide some official recognition of the previous *consuetudo* and its consequences (the fatherhood of the *liberi*), cf. XVI 152. The wording of these constitutions, like all the earlier constitutions referring to the *liberi*, seems to bestow the *conubium* on

the children too (Arnaud-Lindet, loc. cit., 288, 302), but this privilege — whatever its practical value might have been — must have had only a small part in the formulation and issue of diplomata.

¹⁶³ Because of this evident fact, those who were not ready to treat the whole problem from Domaszewski's point of view had serious difficulties in understanding XVI 160 itself, and its relationship to XVI 163 (of July 2, 110, listing — among other units — the coh. I Brittonum c. R. of XVI 160, to which the recipient of XVI 163, M. Ulpius Longinus, actually belonged), see e.g. Kraft's remarks (op. cit., 106 ff., where the desperate assumption of two diplomata for M. Ulpius Novantico and his *commilitones* [the first of the type of XVI 160, the second of the type of XVI 163, citing beside the recipients' *civitas* also *conubium* and the children's *civitas*] is also discussed [but cf. above, n. 161]). However, the following observations are both inevitable and relevant: (1) if the respective recipients of XVI 160 and 163 from I Brittonum c. R. formed a part of the same generation of the cohortales, they were divided between two constitutions because of their unequal merit: the recipients of XVI 163 will not have shared the record of their comrades listed under XVI 160 and consequently could not obtain *aera* of the same date and content as their more deserving *commilitones* (for an analogous discrimination see *infra*, n. 178); (2) the beneficiaries of XVI 160, as serving soldiers, could not have been granted *conubium* and the children's *civitas* (which was officially treated, in the first place, from the angle of its favouring the soldiers' concubinage, see below) in an epoch which witnessed strong insistence upon *disciplina castrensis* (XVI 163 is a Type III diploma); and (3) the *conubium* and (if necessary) the *civitas* of the pre-*missio* children may have been granted to the recipients of XVI 160 at the moment of their discharge through a non-diploma certificate, less expensive in more than one way (cf. below, n. 167). Wolff (ZPE 43, 1981, 410 n. 26) is inclined to attribute the Roman formula of the recipient's name to the 'nachträgliche Uebersetzung' (in A. D. 110) 'des Konstitutionentextes' (from A. D. 106) but this would contradict the accepted formula of the diplomata (cf. e.g. Roxan, op. cit., no. 21, citing the recipient's pere-

grine name [Glavus Navati f.] more than four years after Glavus' discharge).

¹⁶⁴ For the auxilia, this last privilege lasted till the autumn-winter of A. D. 140 (cf. Wolff, Chiron 1974, 481 n. 2) and does not figure in the constitutions of the Equites Singulares either (XVI 144 [A. D. 230] and 146 [A. D. 237]). The occasional privileged exceptions dealt with above, n. 62, tend to suggest that, conversely, the texts on provincial diplomata denying the *civitas liberorum* to the Lower Pannonian classici in A. D. 145 (XVI 91, cf. 179 ext.) are not mistaken (Mann, Hermes 1954, 503 n. 2; cf. Arnaud-Lindet, loc. cit., 293 ff.) but reflect an attempt (abandoned by Oct. 9, 148) to submit the provincial (Lower Pannonian at least) sailors to the *disciplina castrensis* of their auxiliary comrades. The classes praetoriae were entitled to the three *iura* till the end of issue of diplomata.

¹⁶⁵ CIL XVI 24, 28, 29, 39, 42, 44, 47, 52 (?), 62, 67, 72, 74, 76, 78, 79, 84, 91, 100, 102, 112, 120, 128, 131 (?), 132 (?), 161, 163, 166 (?), 168, 169, 173 and 177; Roxan, op. cit., nos. 9, 14, 20, 26 (?), 32, 33, 38, 44, 45, 53 and 64 (to cite the pre — 212 examples only). That the *tria nomina* reveal here real *cives Romani* (cf. XVI 160) seems certain; Kraft, op. cit., 108 ff.; Kienast, op. cit., 26 ff. (cf. also M. Speidel, Die Equites Singulares Augusti, Bonn 1965, 61 ff.; D. van Berchem, Mus. Helv. 36, 1979, 106 with n. 18).

¹⁶⁶ Kraft, op. cit., 112 ff. and Historia 10, 1961, 120 ff. (see, however, Wolff, Chiron 1974, 491 n. 22); A. Degrossi, *supra*, n. 10. Among other obstacles encountered by the conception (Arnaud-Lindet, loc. cit., 302 and *passim*) that the *ius conubii* of diplomata pertained to the peregrine auxiliaries only (the *matrimonium iustum* being denied to the soldiers of citizen status because, allegedly, of their having the *civitas Romana*; see, however, *infra*, n. 179), we may cite diptycha for *cives Romani* as recipients and their wives (e.g. XVI 169; Roxan, op. cit., nos. 44, 74; Van Berchem, loc. cit., 104, 110; cf. XVI 52, 132, 152).

¹⁶⁷ The Egyptian documents (Wolff, Chiron 1974, 486 ff.; cf. XVI Appendix) attest to analogous certificates concerning not only the *civitas* but also the *conubium* and the status of the soldiers' children. Their being written on less expensive materials and/or formulated in different ways (as well as for different

classes of troops) provides no *administratively* relevant distinction from the diplomata.

¹⁶⁸ On the *conubium liberorum* see above, n. 162.

¹⁶⁹ Wolff, Chiron 1974, 490 ff. with notes 19, 22, and 29.

¹⁷⁰ Holder's lists (op. cit., 264 ff.: c. 600 items) of the pre-Hadrianic inscriptions mentioning the (ex-)jalares and (ex-)cohortales show that less than 13% of these men had or cited their uxores. Of Holder's evidence, some 17 monuments name citizen wives (nos. 232, 472, 482, 531, 602, 643, 819, 1063, 1172, 1173, 1351, 1822 [?], 2122, 2251, 3013, 3072, 3143), only four name those who seem to have lacked that status (nos. 461 [the soldier's *liberta*], 505 and 2244 [the names *Pieris* and *Pupa* allow of the conjecture that we have to deal with *libertae* also here], and 2281 [the *Claudia coniunx* may have omitted her *cognomen*]). However incomplete (cf. Kraft, op. cit., 118 n. 6), this evidence suggests two conclusions: (1) the number of (ex-)soldiers who used to form real marriages was not great, and (2) the lasting union of an (ex-)soldier with a *peregrina* was not typical. Cf. Roxan, Ep. Studien 1981, 276 ff. and, for the legionaries, Tac. Ann. XIV 27.

¹⁷¹ Above, n. 166.

¹⁷² Which, to be noted again, was limited through the *dumtaxat singuli singulas, cum singulis et primis uxoribus* and the like.

¹⁷³ Cf. Kraft, Historia 1961, 123 f. (with n. 6), who, however, does not explain or treat the status of the recipient (M. Antonius Maximus), his wife (Valeria Messia) and his children (Maximus, Maxima; note the derivation of names from the father's cognomen) in XVI 169 (issued A. D. 122 fr an ex-eques of an ala).

¹⁷⁴ The purely 'social' character of such a legalization is illustrated, inter alia, by the high percentage of diplomata (controversial as they are, cf. Wolff, Chiron 1974, 491 n. 22) naming the *fili* but not the *uxores*; evidently, many recipients did not wish to register, at the moment of the *probatio*, their concubines but registered the children from them. Note e. g. XVI 154 (A. D. 249/250), for a [L. ? A]merinus L. fil. Sempronianus... [et L. ? Amer]inus Sempronianus filius eius (both are citizens and share the same names, and no *uxor* is cited [she was perhaps dead at the moment of the issue, but the high percentage just mentioned

does not favour such a supposition]; these circumstances would contradict the assumption of an abusive »Deklarierung von sonst nicht anerkannten oder sogar fremden Kindern« [cf. Wolff, Chiron 1974, 494 f.], at least in the case of Sempronian).

¹⁷⁵ Above, n. 170.

¹⁷⁶ However, two basic factors qualified and limited the bearing of that aspect of diplomata: their 'personal' (thence discriminative and occasional) character, and their historical link with certain classes of troops; cf. Wolff's observations in Chiron 1974, 480. Oblivious of these factors, modern students have not infrequently offered wrong answers to the question of whether the diploma gave an advantage and, if so, what kind of advantage (e. g. Durry, op. cit., 137 ff.).

¹⁷⁷ The tradition of exhibiting these originals in Rome — in places which used to connote the honorific grants of the epoch of *libera res publica* (Capitol, cf. supra, notes 6, 8) and the close connection between the Emperor and his army (*murus post templum divi Augusti*, after c. A. D. 86) — must have added much to both the prestige and cost of our diplomata, when compared with similar documents (even those likewise engraved in bronze) which were copied from the originals exhibited in provincial centres (Alexandria for instance, cf. Wolff, Chiron 1974, 499 n. 37). To understand these relations better, we should recall the cult of *Roma et Augustus* in the provinces, and the *imitatio Romae* (which brought the imitators no tangible advantage — quite the contrary; cf. A. Gell. NA XVI 13, 4—5: *cum sit magis obnoxia et minus libera*) in the colonial policy (Sherwin-White, op. cit., 411 ff.).

¹⁷⁸ Conversely, the non-participants remained not only *sine aeribus* but were excluded even from the unit grant of *civitas* (see Holder, op. cit., 31 f., on III 4575 f.). On the other hand, the inclusion of men who already were *cives* may have appeared less illogical in view of the chance (however slight) that they would use their *ius conubii* to marry a *peregrina* (not to speak of the *commoda* and *praemia* which were perhaps accessory to a diploma, infra, n. 188).

¹⁷⁹ I. e. an attempt to reaffirm the *disciplina castrensis* (in appearance if not in reality, cf. M. Mirković, ZPE 40, 1980, 271 with n. 43) caused the abandonment

of the formula *liberis posterisque eorum*, as it favoured the acceptance of Type III (cf. Mommsen, *CIL* III p. 2015). Other interpretations of these changes are less satisfactory (Kraft, *op. cit.*, 117 ff.; Wolff, Chiron 1974, 490 ff.; Arnaud-Lindet, *loc. cit.*, 299 ff.; cf. Roxan, *Ep. Studien* 1981, 278 f.); it must be stressed, however, that the High Command had no illusion as to the possibility of complete success in opposing soldiers' concubinage so that its measures against that inevitability were only unsystematic (cf. above, n. 164, on XVI 91), indirect (when our constitutions are in question; the changes just mentioned aimed merely at removing the *legal* basis or encouragement of the concubinage) and selective (the occasional exception of centurions/decurions and the permanent exception of the navy). Obviously, the differences of conditions of service were decisive in this last point (the sailors' *contubernia* did not, practically speaking, interfere with their active service, cf. Starr, *op. cit.*, 92). Otherwise, I take it, with M. Mirković (*loc. cit.*, 259 ff.), that the soldiers' *matrimonium iustum* was legally possible but the cohabitation of mariti forbidden through disciplinary rules, which deprived such *matrimonia* of many aspects of real marriages, including the *civitas* and/or legitimacy of children.

¹⁸⁰ Notably the introduction of the modifier *qui eorum non haberent* in the auxiliary diplomata later than A. D. 140 (announced as early as XVI 38) but not in contemporary naval documents (which made Mrs. Arnaud-Lindet, *loc. cit.*, 303 n. 1, think that the Fleets continued to enlist non-citizen soldiers only; judging from the formulae, that practice should have been followed till the mid-third century!).

¹⁸¹ Notably of the diptycha of the Equites Singulares (XVI 144, A. D. 230; 146, A. D. 237), which retain the text of the post-140 auxiliary constitutions (Mrs. Arnaud-Lindet, *loc. cit.*, 302, assumes the presence of *peregrini*, during the third century, in this corps too).

¹⁸² Or 'legal archaism', to quote Sherwin-White, *op. cit.*, 388. The numbers' of stipendia, however, used to undergo actual modifications, and on this point the texts of our constitutions were not anachronistic.

¹⁸³ Paralleled by many other legally unnecessary documents, etc., e. g. by the *Constitutio Antoniniana* itself (whose pur-

pose was not utilitarian but lay in another sphere: 'hoc edictum explebit maiestatem populi Romani'), cf. Sherwin-White, *op. cit.*, 281 ff. ("the practical effect of the decree was at the time nominal"). The increasing share of citizen recipients probably favoured Vespasian's reform concerning the witnessing procedure for diplomata: after A. D. 73/74, the witnesses were constantly chosen from among the clerks of a government department in Rome (Morris and Roxan, *loc. cit.*, 327 ff.) and not, as before, from among the recipient's fellow soldiers and/or compatriots, whose information on the man's identity, status and career was more reliable but less simple to secure promptly, in an epoch of intensive production of diplomata. The same interrelated tendencies to overproducing the *aera* and reducing their legal relevance must have also led to the abandonment of the precise references to *tabula*, *pagina* and *locus* in the *descriptum et recognitum* formula. Cf. Dušanić, *The Witnesses to the Early Diplomatic Militaria*, Scritti per A. Guarino (to appear). Be it noted that the pre-Flavian use of the 'personal' *signatores* tends to postulate the existence, behind the early diplomata at least, of the 'individuelle Personalakten' of some kind, doubted by Wolff, *ZPE* 43, 1981, 418 f.

¹⁸⁴ Not only did they cease to issue the 'provincial' diplomata but also fixed the date of distribution of the remaining ones (see above, notes 97 and 100). — The sharp decline in diploma numbers during the decade 161—170 ("the actual cut off point occurs ca. 165/167") has been connected by Mrs. Roxan (*Ep. Studien* 12, 1981, 278) with the change of formula in auxiliary constitutions of A. D. 140. Her alternative explanations of that decline — the plague, the Marcomannic Wars — seem more convincing to me, especially the latter (implying the delay of the *honestae missiones* and economic difficulties), when combined with the data on the reduction of weight of M. Aurelius' diptycha (cf. below, n. 186).

¹⁸⁵ Whose decision — the latest diploma published so far being dated Jan. 7, 306, it is only a conjecture that the end of diplomata was really due to Constantine — may have resulted from his abolition of the cohortes praetoriae; at least the classes praetoriae were likely to be associated with the homonymous cohort-

tales in losing their diptycha on that occasion (cf. Kienast, op. cit., 79; the most recent extant *aes* for an Italian fleet is XVI 154, granted to the classis praetoria of Ravenna in A. D. 249/250).

¹⁸⁶ The gradual reduction in the weight of diplomata (cf. XVI p. 151, I—III), tends to show, among other indications, that the recipients did not pay for them (contra, e. g. Wenger, RE II A, 1921, col. 2417).

¹⁸⁷ On it see e. g. Overbeck, Chiron 2, 1972, 449 with n. 3.

¹⁸⁸ Cf. XVI 25 (the praetorian diploma of A. D. 72 [?]; see above, text and n. 57): *hoc quoque iis tribuo, ut, quos agros a me acceperint quasve res possederunt* (it cannot be ruled out, but it is highly improbable, that the lost part of the bronze offered more information about the grant of the *agri* etc.) III K. Ianuar. Sex Marcio Prisco, Cn. Pinario Aemilio Cicatricula cos., *sint immunes*. As was the case then, the diploma may have carried with it some *praemia* and *commoda*—though not specified in the constitution, they would well accord with the choice of the *aerarium militare* as the supporter of the 'originals' of some early *leges* (Germania

56, 1978, 464 n. 19 a; the point will be discussed elsewhere) — rather frequently, even regularly, but I agree with Kraft (op. cit., 111) that these were not relevant to the essence of that documentary genre. The same might be said of the *immunitas* referred to in XVI 25 but possibly omitted elsewhere (an *immunitas* may have determined also the entries concerning the *aere incisi* and *sine aeribus* in the *epikrisis* lists) and of the implicit promise of discharge dealt with supra, notes 48, 51, 52 and 70.

¹⁸⁹ Cf. Claudius' words (Tac. Ann. XI 24) *specie deductarum per orbem terrae legionum additis provincialium validissimis fesso imperio subventum est*. Whether referring to the system *legiones* + *auxilia* (which seems the more probable interpretation) or to the cities formed by the *peregrini* and *veterani deducticii* together (cf. Sherwin-White, op. cit., 248 f.), this statement throws the brightest light on Claudius' policy in matters which also determined his reform concerning the military *aera* (cf. above, n. 69).

RIMSKA VOJNA DIPLOMA KAO ODLIKOVANJE OB VIRTUTEM

Sažetak

U nauci je preovladalo mišljenje da su vojne diplome bile namenjene svim pripadnicima rimskih *auxilia*, flote, pretorijanskih kohorti i drugih vanlegijskih jedinica koji su odslužili propisani rok, 25 (26, 28) *aut plura stipendia*. Za augzilijare, to mišljenje je osporio, još 1908. godine, A. v. Domaszewski u jednoj napomeni uz svoju kapitalnu *Rangordnung* (p. 75 n. 2). Po uzgrednoj belešci Domaševskog, diplome su deljene jedino borcima koji su se — pre nego što će postati *emeriti* pomoćnih trupa — istakli u kakvom ratnom uspehu. Sam diptih i *iura* koja on potvrđuje predstavljali bi, sledstveno, odlikovanje *ob virtutem* a ne automatsku posledicu odsluženja augzilijarnog roka; *emeriti* bez ovakvih zasluga ne bi imali prava na vojne diplome. Teza Domaševskog ostala je neprihvaćena, čak i nedovoljno zapažena. U jednom kraćem radu, pokušali smo da pokažemo da ona ipak izgleda verovatnija nego *opinio communis* o neselektivnoj raspodeli diploma, i da važi ne samo za augzilijarne nego i za sve ostale tipove ovih dokumenata ('Military Diplomata and War Expeditions', *Roman Frontier Studies* 1979, BAR 71, London 1980, 1061—1069). Medjutim, čitav problem carske politike u izdavanju *diplomata militaria*, koji je neobično složen i zadire u mnoge funkcije rimskog državnog sistema, nije ispitan u nekim svojim ključnim vidovima. Cilj je naše studije da se popuni ta praznina; prema našem zaključku, ideja Domaševskog mora biti suštinski tačna, premda je proces inflacije u proizvodnji diploma postepeno smanjivao strogost kriterija za njihovu podelu i povećavao procenat primalaca s naročitim zaslugama mirnodobskog karaktera (učesće u teškim građevinskim radovima i tsl.). Argumentacija ove studije se može svrstati u četiri celine, posvećene (1) formalno-epigrafskim, (2) statističkim, (3) pravnim i (4) isto-rijskim pitanjima.

(1) Savremena podela vojnih diploma na »posebne« — izdavane vojnicima s izuzetnim *merita* — i »obične« — navodno izdavane svim isluženim augzilijarima, morarima itd. — nije opravdana. Ona se osniva na uverenju da se u konstitucijama »posebnih« diploma moralo uvek reći zbog kojih zasluga primaocima sleduje »posebni« diptih, i kakve naročite povlastice takav dokumenat pruža. Postoji, naprotiv, niz diploma »posebnih« po sadržaju dodeljenih privilegija i po kvalitetu službe njihovih recipijenata, u kojima se *merita* izričito ne obrazlažu a izuzetnost privilegija — najčešće se radilo o primanju diplome pre uobičajenog termina — samo implicitno zaključuje. Između, prividno, sasvim regularnih i sasvim izuzetnih diploma nema oštrih formalno-epigrafskih razlika već granične slučajeve spajaju prelazni, u svim bitnim tačkama (pomen *expeditio belli* i sl., *iura*, vreme distribucije, dužina spiska jedinica). Taj *continuum* u formulama naše izvorne gradje govori za stav da su sve diplome »posebne« u smislu da se kvalitativna granica ima tražiti između *aere incisi* i *sine aeribus* a ne u okviru prve kategorije. Na sličan način valja razumeti i formalno-epigrafske znake polagane devaluacije vojnih diploma. Vojnici čije su osobite zasluge više ratne nego mirnodobske primali su diplome još u aktivnom svojstvu (*qui militant* formula), ostali *aere incisi* pak nešto donije; zato se na početku emitovanja tzv. Alföldy-Mann tipa II — gde su jednom konstitucijom obuhvaćeni kako *mitantes* tako i *missi honesta missione* — među ovim prvim nalaze ljudi i odredi za koje se zbog različitih razloga (kratkoca liste, visok procenat *equites*, direktne vesti drugih izvora) mora pretpostaviti učešće u važnijim ratnim operacijama. Od Trajanove vlade, zahvaljujući njegovim promenama u vojničkoj politici Rima, ova vremenska diskriminacija je smanjena i uglavnom svedena u okvire formule *aut plura (plurave) stipendia* ali nije nestala. Samo njeno postojanje ostaje enigmatično za naučnike koji nisu skloni da prihvate tezu Domaševskog.

(2) Pretpostavka o automatskoj podeli diploma svim isluženim pripadnicima vanlegijskih odreda iziskuje takav statistički raspored sačuvanih primeraka koji bi približno odgovarao brojnoj snazi odgovarajućih jedinica, roda oružja ili, kad je reč o *auxilia*, provincijskih vojski. Stvarni raspored je ipak drukčiji. Pešadija i flota su dobijale srazmerno manje diplome nego *equites*, očevidno zato što je ratni doprinos konjice više cenjen i što se ona koristila za daleke ekspedicije, čiji su učesnici po pravilu nagradjivani vojnim diplomama. Okolnost da se među primaocima objavljenih *aera* (CIL XVI + Roxan, RMD) konstatuje 37 *equites alares*, 14 *equites cohortales* i 46 *pedites* naročito zaslužuje pažnju, zbog jačine statističkog uzorka i vrlo izraženog odstupanja od očekivanog odnosa konjičke i pešačke komponente (*exercitus* prosečne provincije sadržao je tri-četiri puta više pešaka nego konjanika). Slično stvar stoji sa rasporedom konstitucija prema odeljcima limesa i provincijama. Neke oblasti sa velikim brojem *auxilia* beleže malo konstitucija (Britanija, Germanija, Sirija), neke — uprkos skromnosti svog garnizona — vrlo mnogo (Mauretania Tingitana, Dacia Porolissensis). Uopšte, upadljiva je nadmoć dunavske granice u tome pogledu. Ovaj bilans nije isključivo odraz obima arheoloških istraživanja — na limesu Britanije i Germanije se intenzivno iskopavalo — već pokazuje da su diplome češće u vremenima i oblastima gde su kandidati imali bolje izgleda da se istaknu hrabrošću protiv neprijatelja. Zanimljivo je i to što se među primaocima augzilijarnih diploma mlađih od cca. 148. godine — kad je redosled nabrajanja ali i kohorti izmenjen tako da je formalni kriterij (*alae/cohortes primae* prethode onim koje nose numeral II, itd.) napušten — nalazi daleko najviše pripadnika prvoimenovanih ali odnosno kohorti. Statistička činjenica se, izgleda, mora dovesti u vezu s praksom antoninske epohe da se ekspedicioni korpusi formiraju od jednog odreda (srž korpusa) kojem više *auxilia* daju pojačanja u podjednakom, malom broju ljudi; dosta je prirodno da je konstitucija, izvor diploma kao *signa virtutis bellicae*, navodila najzaslužniji *auxilium* na prvom mestu spiska. Dužina tih kataloga na diptisima drugog veka sasvim je u skladu s praksom o kojoj je bilo reči, kao što pokazuje poredjenje CIL XVI 106 sa natpisom prepozita konjičkih veksilacija angažovanih za pohod na isti, mesopotamski front (CIL III 600), gde su se borile ubrzo posle operacija koje su dovele do izdavanja XVI 106.

Ovom krugu pitanja pripada i pojava diploma čije se konstitucije tiču pomoćnih trupa stacioniranih daleko od limesa imperije (Sardinija, Dalmacija, Trakija, Makedonija, Likija-Pamfilija, Azija). Njihova malobrojnost — poznato ih je ukupno osam —

ide u prilog gledištu branjenom u ovoj studiji jer je posada unutrašnjih provincija retko imala prilike da se sukobi sa varvarima. Šta više, postoje indicije da je i navedenih osam primeraka izdato posle događaja u kojima su se primaoci mogli da istaknu boreći se protiv pobunjenog domaćeg stanovništva, nepokorenog (plemena u unutrašnjosti Sardinije; Isauri kao pljačkaši Likije-Pamfilije) ili nepotpuno umirenog (urođenjenci Dalmacije, Trakije, Makedonije). Povod za pobunu sme se tražiti u nepopularnoj meri centralne vlasti da se u tim krajevima sprovede *census* (slučaj Makedonije, možda i još koje provincije s gornjeg spiska). Eventualne nemire koji su doveli do azijske diplome teže je identifikovati ali je njen recipijent, kako izgleda, zaista nosio *dona militaria* zbog hrabrosti ispoljene u vremenu neposredno pred svoju *honestam missio*.

(3) Isluženi vojnici ostali bez diploma izrekom se pominju u egipatskim dokumentima, a isluženi augzilijari bez rimskog građanskog prava u natpisima iz ostalih delova Carstva. Egipatski *sine aeribus* još uvek su kontroverzna kategorija — ne može se pouzdano tvrditi da nisu legijski veterani; međutim, postojanje ovih drugih teško je protumačiti ako se ne usvoji gledište o selektivnoj raspodeli augzilijarnih diploma. Karakter *diplomata militaria* kao odlikovanja *ob virtutem* za koja pravni sadržaj dokumenata nije osnovna vrednost odaju i brojni diptisi čiji primaoci nisu imali potrebe za *civitas Romana* pošto su već ušli u vojsku kao rimski građani. *Ius conubii* i *civitas liberorum* nisu mogli predstavljati dovoljno juridičko opravdanje takvih diploma budući da su isluženi vojnici retko osnivali zvanične porodice. Sa širenjem *civitas Romana*, procenat takvih pravno izlišnih diploma bivao je sve veći, ali se one sreću još pod Vespazijanom (*CIL V 889*), verovatno i ranije. Potpuno nedvosmislen primer vojne diplome bez pravnih posledica, ali očevidno značajne za recipijenta u moralnom pogledu, pruža *aes CIL XVI 160* (god. 106/110). Prividni paradoks da se donose konstitucije, pravno irelevante, o podarenju građanstva i *ius conubii* sve do početka IV stoleća — kad među slobodnim stanovnicima rimske imperije više nije bilo, praktično uzev, peregrinih — jedan je od jakih argumenta u korist svega što je rečeno u ovome radu.

(4) Istorijski gledano, uvodjenje tzv. standardnih vojnih diploma pod carem Klauđijem ne treba smatrati za radikalnu meru kojom je sasvim izmenjen karakter odgovarajućih isprava ranijih vremena. Takva radikalna promena bi protivrečila ne samo rimskom mentalitetu već i formalnim znacima kontinuiteta između predklauđijevskih i postklauđijevskih dokumenata kojim se daruju *civitas* i bliska *iura* (objavljivanje originala *in tabula aenea* na Kapitolu). Nema nikakve sumnje da su predklauđijevske potvrde te vrste sledovale isključivo za osobite zasluge; u tome smislu govori i formulacija jednog natpisa (*CIL XIII 1041*) na koji je skrenuo pažnju još A. v. Domaszewski. Sam Klauđije umnožio je proizvodnju diploma očevidno zato da proslavi svoje pobeđe u Britanskom ratu — čiju je propagandnu vrednost naglašeno koristio u svim oblastima života — a ne da bi inicirao sistematsku politiku romanizacije, kako se danas obično misli. Princip diskriminacije radi podsticanja vojničkih vrlina je među osnovnim principima na kojima je izgrađena rimska oružana sila, i s njim se mora računati u svakom pokušaju da se protumače *diplomata militaria*; za Rimljane, *privilegium* podrazumeva *meritum* aktivnog tipa, koji se nije mogao zadobiti jedino službom dugom preko 25 *stipendia*. Moramo se podsetiti da je i *constitutio Antoniniana* — najmasovnije podarenje civiteta provincijalcima u rimskoj istoriji — usledilo posle jedne Karakaline pobeđe, kojom je car motivisao ovu svoju izuzetnu meru.