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## EMPEROR HONORIUS' LETTER TO THE ARMY IN HISPANIA: HISTORICAL AND PHILOLOGICAL NOTES ON THE *EPISTULA HONORII*\*

UNA CARTA DEL EMPERADOR HONORIO AL EJÉRCITO DE HISPANIA: APUNTES HISTÓRICO-FILOLÓGICOS SOBRE LA *EPISTULA HONORII*

POR

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### ABSTRACT - RESUMEN

This article deals with a rare imperial document: a letter by the Emperor Honorius commonly known as the *Epistula Honorii*. According to its *incipit*, it was addressed to the soldiers stationed in Pamplona during the barbarian invasions of the first decade of the fifth century. Building upon the existing scholarship on this text, this work re-examines the *Epistula*'s textual transmission and content, offering new readings of it. In addition to a comparative analysis with other Late Antique and Early Medieval sources, primarily of legal nature, a special similarity to what have been called imperial *adlocutiones*, due to both the text's form and its content, will be shown. Consequently, this approach opens up a new avenue for understanding of this text.

El presente artículo se centra en un documento imperial particular; una carta del emperador Honorio –conocida como la *Epistula Honorii*–. De acuerdo con el *incipit* del texto, fue enviada a los soldados estacionados en Pamplona durante las invasiones bárbaras en la primera década del siglo V. Tomando como punto de partida los estudios modernos sobre este texto, el presente artículo reexamina la transmisión textual y el contenido de la *Epistula*, ofreciendo nuevas lecturas. Además del análisis comparativo con otras fuentes de la Antigüedad Tardía y la Alta Edad Media, principalmente de naturaleza jurídica, se mostrará una especial proximidad con las llamadas *adlocutiones* imperiales, debido tanto a la forma como al contenido del texto. En consecuencia, este enfoque abre una nueva vía para la comprensión del texto.

### KEYWORDS – PALABRAS CLAVE

Imperial texts; Barbarian invasions of the fifth century; Hispania; Honorius; imperial *adlocutiones*.

Textos imperiales; invasiones bárbaras del siglo V; Hispania; Honorio; *adlocutiones* imperiales.

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## 1. INTRODUCTION

The *Epistula Honorii* (hereinafter *EH*) is a singular imperial text dating to the government of Emperor Honorius (r. 393-423). It is only documented in the Roda codex or *Rotensis* (*R*), a tenth- to eleventh-century manuscript composed and compiled in the courtly circle of the Kingdom of Pamplona at the foothills of the south-western Pyrenees<sup>1</sup>.

Under the title of the *EH* there are two texts differing in both their nature and chronology. Furthermore, the *EH* was arranged together with a panegyric (*laudatio*) of the city of Pamplona and displayed as a unified set. The image below (Fig. 1) presents the complete text of the *EH* (lines 1-20, f. 190r) and the first part (lines 21-25) of the *laudatio*<sup>2</sup>. In a previous study I analysed the textual transmission of these texts and their function within the *R* regarding the very nature of this manuscript<sup>3</sup>. I particularly focused on the prefatory text to the original imperial *epistula*, arguing that the letter was, most probably, not sent, or not only sent (contrary to what it states) to the Roman troops of the city of Pamplona. A comparative analysis with other Late Antique and Early Medieval sources has shown that the language of the initial paratext features a patently medieval Latin, dating from the ninth and tenth centuries. Thus, much of the evidence leads us to conclude that the brief paratext was written or, at least, its crucial information was modified (most importantly, the mention of Rome and Pamplona) in the second half of the tenth century, to serve the ideological purposes of the Kingdom of Pamplona at that time<sup>4</sup>. Kulikowski's doubts as to "whether or not the heading can be accepted as valid evidence" would be resolved, then, albeit cautiously<sup>5</sup>.

In this article I would like to propose a linguistic and historical analysis of the imperial *Epistula* (including an edition and a translation), examining those parts/aspects that have received less attention by previous scholarship. I will build upon significant studies on this text, exploring their strengths and weaknesses<sup>6</sup>. In an attempt to take an orderly approach, I will first offer a more precise illustration of the text; here is a diplomatic transcription (followed by the image of the manuscript):

### DE LAVDE PAMPILON·E · EPSTĪLA

- 1 Incipit · sacrahonorii Inperatoris · quam-  
deroma detulit  
militie · urbispampilonensis · cum sauini-  
ano patricio · qui dem  
.....pore esedeprelatus Inspaniam profec-  
tusest · obInfestatione  
diuersarum gentium · barbarorum · hono-  
rius Imperator glosus perpetuus
- 5 triumfator semper agustus · uniuersis  
militib<sup>s</sup> nosis · seniorib<sup>s</sup> Iuniorib<sup>s</sup>  
speculatorib<sup>s</sup> · acbritanicis · gaudentes  
scīssimi · comilitones n<sup>ri</sup>  
communum remuneratione meritorum et  
oms luxta exultatione  
gaudentes · his enim maximeest splendor  
Inluxtris · quiparicunc  
tos luceperfudit · aquos uos magnifice  
comites · hacmagistri
- 10 utriusq<sup>s</sup> militie adsimilitudine n<sup>re</sup> clem-  
entie constituti · Consti  
tutasit · uobis stipendia galliganarum  
quaeconstitutioni usē  
porrexim<sup>s</sup> ut eandem uis esset formauirtu-  
tis · quib<sup>s</sup> exellens · una  
deuotioest · proIndeInstructissimi In-  
equenobis cuncta subdita sunt.  
Inspania et amplica congruum et dignita-  
tis augmentum que

<sup>1</sup> The codex (ms 78) has been digitised by the Real Academia de la Historia, Madrid (accessible online: <https://bibliotecadigital.rah.es/es/consulta/registro.do?id=101>). On the *R*, see Gómez, 2015; Furtado, 2020 (with bibliography). For a detailed work on the forging of the kingdom of Pamplona, see Pavón 1997. On the production of manuscripts in the tenth and eleventh centuries in this area, see the still essential work by Díaz y Díaz, 1979 (pp. 32-42 for the Roda ms).

<sup>2</sup> For this poem-like text, probably from the end of the tenth century, see Lacarra, 1945: 269-270; Fernández, 1988; Moreno, 2011: 201-203.

<sup>3</sup> Setién, 2023.

<sup>4</sup> See Moreno, 2011 for the political and ideological function of these texts.

<sup>5</sup> Kulikowski, 1998: 249.

<sup>6</sup> These are, namely Lacarra, 1945: 266-270; Demougeot, 1956; Jones, 1964 [1957] (He had already worked on the *EH* by 1955, when he presented his reconstruction of the text at the *Xe Congrès international des études byzantines* (Istanbul, 1955). However, I will refer to his book *The Later Roman Empire* (1964), where it can be found, see Bibliography); Gil, 1984; Sivan, 1985; Fernández, 1988; Livermore, 1996; Kulikowski, 1998; Arce, 1999; Archan, 2009; Moreno, 2011; Martín-Iglesias et al., 2020; and Lanti, 2022.



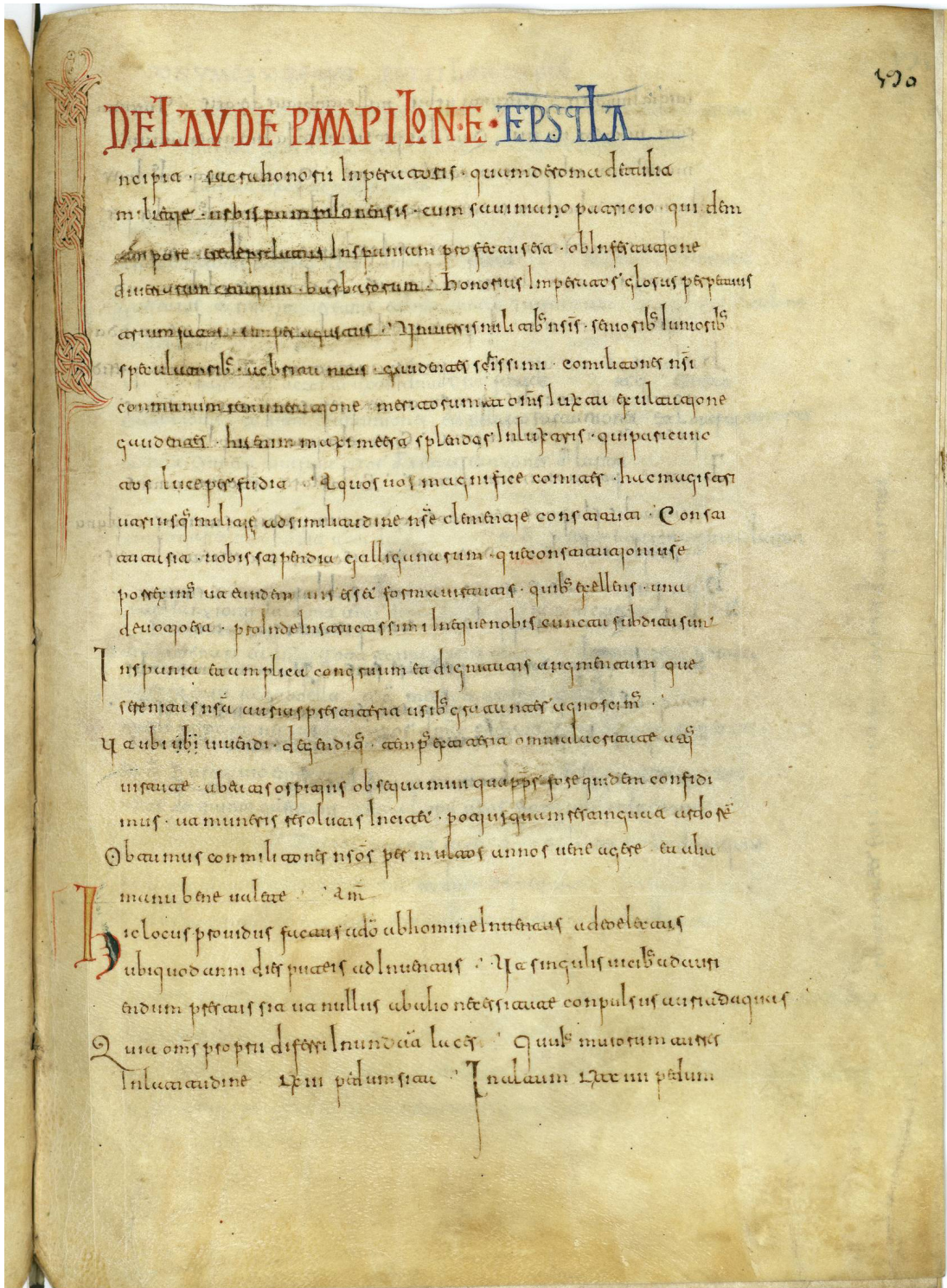


Figure 1: Roda codex (fol. 190v), Manuscript 78 at the Biblioteca de la Real Academia de la Historia.

- 15 serenitas nsā aurias prestiterit usib<sup>s</sup> gra-  
 tanter agnoscim<sup>s</sup> ·  
 ut ubi ubi uiuendi · degendi<sup>s</sup> · temp<sup>s</sup> ex-  
 titerit omniacritate aeq<sup>s</sup>  
 uirtute · abeatis ospitiis obsequamini  
 quapp<sup>r</sup> fore equidem confidi  
 mus · ut muneris resolutis Incitet · potius-  
 quam restinguat ardorē  
 obtamus commilitones nsōs per multos  
 annos bene agere · et alia  
 20 manu bene ualete am̄.

There are two important specifics to ponder regarding this transcription and its palaeographical features. In the first place, there are separating dots throughout the text, raising the question of whether it was inscribed on a metal plate or a stone. This possibility occurred to me due to Sivan's comment: "Perhaps the *EH* had been engraved on a stone commemorating Sabinianus (line 2) with his titles and positions and posted somewhere in Pamplona"<sup>7</sup>. Certainly, it was a well-documented practice to engrave the text of a law on hard material, first as a reflection of the community's pride, but, above all, to confirm and enshrine its legal authenticity<sup>8</sup>. This, as we will see, could certainly have been the case. Furthermore, this would explain the textual inconsistencies and its inadequacies, which could be put down to the decomposition of the material on which it would have been engraved. The difficulty about supporting this statement is that this trait is also found in many other texts, being thus part of the copying process. However, it is important to underline that there is no other text as dotted as the *EH*, not even the *laudatio* right after it<sup>9</sup>.

Directly related to this observation is the peculiar nature of this text's handwriting. Though it has been stated that the first hand copying Orosius

(fols 1-150r) was the same as that which penned the *EH* and the *laudatio*<sup>10</sup>, this is not possible. After a perusal of not only the first half of the manuscript (fols 1r-155r) – that is, Orosius' *Historiae* – but also the second part<sup>11</sup>, I found (as far as my acquaintance with palaeography permitted me) that there are several writing techniques in the *EH* that do not conform to the abbreviation practices, namely in the contraction of many words. For example, the ending *-orum* (*barbarorum*, *meritorum*) is normally abbreviated all along the ms (Fig. 2) but not once in the *EH*. Moreover, the word *per*, when used as a preposition, or when appearing as a syllable in a word (*perpetuus*, *semper*, *perfidia*) was also usually abbreviated (Fig. 3), but, again, not once is it abbreviated in this text. One of the most striking cases is that of *glo(ri)osus*, in which there should be a line crossing the *l* to mark the abbreviation (Fig. 4). Also, the ascenders of the letters such as b, l, I, h tend to be shorter than in the rest of the texts in the codex, except for the last one, corresponding to the *Versi domna Leodegundia regina* (fols 232r-v), which seems to be by the same hand, and, most probably, the three brief previous ones, entitled *De Pamplona*, *Initium regnum Pampilonam* – short chronicles of the beginning of the Kingdom of Pamplona –, and a list of Pamplona's bishops and their deaths (fols 231r-v). Peculiarly and contrary to the previous cases, the word *sanctissimi* is indeed contracted.

How should these peculiarities be understood? It could be owing to a different origin of these texts and, hence, a different scribe<sup>12</sup>, or simply because of its content; that is, it may have been difficult to copy the text, which very well could have been a hard material (stone or metal; specifically, a bronze tablet), as will be discussed in the last part of this article. Furthermore, the *EH* features highly literary language, coinciding somehow in

<sup>7</sup> Sivan, 1985: 276.

<sup>8</sup> See Riedlberger, 2020: 23. For examples of juridical texts in inscriptions, see Ibidem: 73ss. *CTh*. XI 30.40 (year 383) states that an imperial decision or sentence (*sententia*) will be only valid if it is written on a document (*de libello scripta*). For legal inscriptions on bronze in Hispania, see Callos, 2018, with abundant bibliography on the subject.

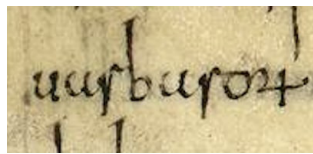
<sup>9</sup> For example, in the following text (fol. 191r), entitled *Ordo numerum regum Pampilonensium* and starting the famous *Genealogies*, the first line can be transcribed as follows: *Enneco cognomento aresta · genuit · Garsea enneconis · et domna assona*. However, in the rest of the text there are only dots before the conjunctions *et/ac/seu*. Sometimes they also appear before subordinated phrases; for example, before *ubi* or *qui*, denoting a new unit of content.

<sup>10</sup> De Carlos, 2011: 122-123, referring to García Vilada, Z. (1928): "El códice de Roda recuperado". *Revista de Filología Española*, 15: 113-130 (p. 115). Lacarra (1945: 197) asserted the same thing.

<sup>11</sup> For a detailed description of the *R* texts, see Gómez, 2015: 24ff; Furtado, 2020: 65ff.

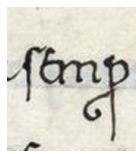
<sup>12</sup> There are remarkable similarities between the *EH*, the *laudatio* and the hymn to Leodegundia, which (I would hypothesise) could be related to Vigilanus' hand. He was an ecclesiastical figure, poet, and the compiler-author of the *Codex Albeldensis*, with which *R* has a close relationship. He compiled the two most important law collections on the Peninsula: The *Collectio Hispana*, which included the *Acta Conciliorum Oecumenicorum (ACO)*, and the *Lex Visigothorum*. See Díaz y Díaz, 1991: 53ff, 351-370 for his poems, many of which are acrostics.





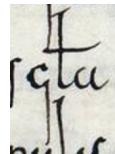
barbarorum  
(fol. 104r)

Fig. 2



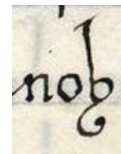
semper  
(fol. 96v)

Fig. 3



gloria  
(fol. 97r)

Fig. 4



nobis  
(fol. 96v)

Fig. 5

this way with the *laudatio*. Whatever the truth of the matter, it should be stressed that the *EH* was, most certainly, copied slowly and painstakingly. It is important to take into account and reflect on the circumstances of the copying of this text. It is highly corrupted in its present form, as the Latin does not stand as it is in many of its sentences<sup>13</sup>. Additionally, in all likelihood, the text was emended (probably in the ninth century) by the author of the prefatory text or some other copyist. Therefore, I have taken the liberty, in the following translation, of presenting sometimes more of an interpretation than a more literal one.

## 2. A CRITICAL EDITION OF THE TEXT<sup>14</sup>

### DE LAUDE PAMPILONAE EPISTULA<sup>15</sup>

Incipit sacra Honorii imperatoris quam de Roma detulit militiae urbis Pampilonensis cum

<sup>13</sup> For a hypothetical reconstruction of the different phases of its composition, see Moreno, 2011: 203-204.

<sup>14</sup> Kulikowski (1998: 247), one of the most knowledgeable scholars about Late Antique Hispania, conveyed the discouraging endeavour to emend this “unique Spanish letter” as it is “thoroughly corrupt” and represents “one large textual problem”. Therefore, in the light of previous attempts to reconstruct this text, my aim here is to offer other possible emendations, even if they are, inevitably, insufficient.

<sup>15</sup> Lines according to the manuscript layout (see the diplomatic transcription above). The abbreviations for the names of the modern author's editions/emendations are as follows L = Lacarra, 1945; J = Jones, 1964 [1957]; D = Demougeot, 1956; G = Gil, 1984; S = Sivan, 1985; K = Kulikowski, 1998; Ln = Lanti, 2022. *Titulus Pampilone* R L S Ln, *Pampilonae* D | *epistola* L D Ln, *epistula* S 2 *militie* R L K, *miles* D, *militia* S, *militiae* Ln | In an erasure: *qui ...dem* R, *quidem* L K, *quidam* D, *quodam* J Ln, *qui eodem* S 3 In an erasure: *...pore* R, *tempore* L D S J K Ln | *erede* L J S K, *Arcadii* D, *era* Ln 4 *glosus* L K, *gloriosus* D S J Ln 6 *gaudentes* L K, *gaudeant* D, *gaudeatis* J S Ln 7 *iuxta* L J K, *iusta* D G S Ln | *gaudentes* L G S K, *gaudeatis* J, *gaudent* D | *His* L S Ln, *is* D G K, *hic* J K 9 a R L K, *ad* J, *atque* S | *cum aequos* D | *magnifice* R L G K, *magnifici* J S Ln, *magnificent* D *magister* D 10 *nostrae clementie* R L K, *nostrae clementiae* J S Ln | *sit* K,

Sabiniano patricio, qui <eo>dem <tem>pore e sede praelatus in Hispaniam profectus est ob infestatione diversarum gentium barbarorum. Honorius imperator glo<rio>sus, perpetuus triumphator, semper augustus, universis militibus nostris: senioribus, iunioribus speculatoribus ac britannicis.

Gaudeatis sanctissimi commilitones nostri communium remuneratione meritorum et omnes iusta exultatione gaudeatis: [h]is enim maxime est splendor inlustris qui pari cunctos luce perfudit, atque<sup>16</sup> vos magnifici comites ac

*sint* J S 11 *gallicanorum* D J Ln, *galliganarum* R L G, *gallicanarum* S | *que* R L D G K, *quae* J S Ln | *constitutioni* R L K, *constitutione* D Ln, *constantiae* S, *constantia* J | *vestre* R L G K, *vestrae* J S, *nostra* Ln | *eundem* R L, *eorundem* J, *eadem* D S Ln, *eandem* G K 12 *vir esset* R L G, *una esset* J, *virescat* D S Ln, *vis esset* K 13 *in eque* R L G, *in e is quae* D, *simul atque* J K, *\*\*aeque* S, *in eis quae* Ln 14 *amplica* R G, *†amplica†* L S, *per amplificationem* D, *amplificationem annonarum* J | *congruum* R L G S K Ln, *congruam* D J 15 *aurias* R L G K, *vestris* J S Ln, *habetis* D | *prestiterit* R J G K Ln, *praestiterit* L S, *praestita* D | *agnoscimus* R L D G S K Ln, *agnoscemus* J 16 *ubi ubi* R L D G K, *ubi otio* J, *ubi alibi* S Ln 17 *abeatis* R L G S K, *habeatis* D Ln, *oblatis* J | *ospitiis* R K, *ospitiis* L, *hospitiis* J S Ln, *hospitii* D Ln, *ospitius* G | *obsequamini* R J G S K, *absequamini* L, *obsequium* D Ln | *quidem* R L J G K Ln, *equidem* S 18 *muneris* R D J G S K Ln, *muneri* L | *resolutis* R L G K, *resoluti se* D, *resolutio* J S Ln.

<sup>16</sup> The manuscript has a Carolingian (not a Visigothic) *a* (also in both *amen* at the end of the *EH* and the *laus*). There are numerous examples throughout the *R* where a Carolingian *a* appears slightly separated to the left at the beginning of a line, or in the middle of it, coinciding with a new phrase. From this fol. onwards; that is, the second part of the manuscript, the Carolingian *a* is more frequently used than the Visigothic one. For example, in the following text (fol. 191r), the first letter in *Mahomat* (line 13) is Carolingian, and again in the name of the queen *Andregoto* (line 18). Sivan (1985: 280) proposes here *atque vos quos* (and not *ad vos quos*, as Kulikowski suggests), pointing to the impossibility of changing the addressee “in a sudden and abrupt manner” after generally calling out to the soldiers. She also suggests the possibility of a verb like *commendavere* (‘commended’, ‘entrusted’) after *constituti*, referring to a possible recommendation of service improvement requested by them. Kulikowski (1998: 248) agrees with Jones and Sivan on inverting the order of the previous *at quos vos*,

magistri utriusque militiae ad similitudine<m> Nostrae Clementiae constituti.

Constituta si<n>t vobis stipendia gallicanorum quae constantiae vestrae porreximus, ut eadem vis esset<sup>17</sup> forma virtutis quibus excellens una devotio est. Proinde instructissimi<sup>18</sup> \*\*\* in aequae nobis cuncta subdita sunt. In Hispania et amplius congruum esse dignitatis augmentum quod serenitas nostra vestris praestiterit visibus gratanter<sup>19</sup> agnoscimus, ut ubi<sup>20</sup> vivendi

dequid tempus extiterit omni alacritate<sup>21</sup> atque virtute abeat, hospitibus obsequamini. Quapropter fore quidem confidimus<sup>22</sup> ut muneri resolutio incitet potius quam restinguat ardorem<sup>23</sup>. Optamus commilitones nostros per multos annos bene agere.

et alia manu: bene valet. Amen

#### EPISTLE IN PRAISE OF PAMPLONA

Beginning of the sacred (letter) of the emperor Honorius, which (he) dispatched from Rome to the troops of the city of Pamplona with the patrician Sabinianus, who, elected from his office at that time, came to Hispania due to the disruption caused by various barbarian peoples:

The glorious emperor Honorius, eternally triumphant, ever Augustus, to all our soldiers: *Seniores, Iuniores*, scouts and *Britannici*.

Our most blessed fellow soldiers, be glad for the reward of your common merits, and everyone be glad in due joy, for the most honourable brightness<sup>24</sup> is that which pours over all with identical light. And you, magnificent Counts and Commanders of both divisions of the army, were appointed according to Our Clemency.

so that the *comites ac magistri* are the subject of a verb that is not there anymore, after the “lacuna that follows *constituti*”.

<sup>17</sup> Demougeot (followed by Sivan, Martín-Iglesias, and Lanti) proposed here the verb *viresco*, which is rather rare. It does not appear in any of the legal texts. However, it is more common in medieval Latin; see the examples cited in the *Medieval Latin Dictionary (MLW)* (available online). For example, it is employed in the VII Council of Toledo (art. 3), year 646.

<sup>18</sup> This participle is very common in Orosius (more than 40 times), always referring to the army or boats prepared for battle (V. 10.1: *cum instructissimo missus exercitu*; VI 8.11: *omni genere armorum instructissimae progressae portu*; VII 33.13: *Gothis [...] instructissimis*; VII 34.5: *Romanis equis armisque instructissimas*) and once, for example, in the *Historia Augusta* (Sev. 21.3). Although there are multiple examples in the legal texts, I have not found one to the superlative degree; see *CTh*. X 10.23 (year 401).

<sup>19</sup> This adverb appears for the first time, in the legal *corpora*, under Honorius (*CTh*. XII 1.169, Constantinople, 409), and just twice later: *Nov. Val.* 14 (444) and in a letter from Theodosius II to his daughter Licinia Eudoxia (Leo M., *Ep. LXIV = ACO II* 3.1(24)) (maybe in 450). In addition, it appears more than a dozen times in Ammianus, and a few in the *Historia Augusta*, but it would become more common starting in the second half of the fifth century.

<sup>20</sup> It seems that at first it was written *ibi* and, probably afterwards, a second line was added to form the *u*, but then three dots above and below each letter were marked. This seems to be a case of dittography; that is, an errant repetition, in this case of the word *ubi*. For the full representation, see the image from the manuscript above. It can also be found elsewhere in *R*. For example, in fol. 156v, corresponding to Isidore’s *Vand. Hist.* (75-76) there are several corrections to the text, which could have been made at a later stage, where a few words have been crossed out or directly rewritten with a darker ink. In fol. 157r, in the passage corresponding to the end of Isid., *Vand.* 79, the scribe wrongly started a phrase, mixing some words written just before, so there are dots below each letter indicating the error. However, the example here in the *EH* could be the same expunging process as in fol. 161v (Isid., *Chron.* 178), where the word *morum* has dots above and below it, representing a mistake. There is only one example in the legal texts where the adverb *ubi* is repeated, making one word: *ut ubiubi repperit fuerint...* (“that wherever are found [Eunomian clerics]”) (*CTh*. XVI 5.58, year 415). *Ubi* (introducing a temporal clause) + *ex(s)to* is employed in *CTh* X 1.5 (year 326) and IX 38.8 (year 385): *ubi primum...*. The problem in this case is that an adverb, like *alibi*, proposed by Sivan, would add meaning

to the gerunds. Otherwise, a conditional conj., such as *si*, before *ubiubi* (if this was right) could be inferred.

<sup>21</sup> The construction *omni alacritate* is only found twice: *Mansi* v.9, cols.178-184; *Nov. Iust.* XXIX 2. Other terms with the same root (*alacer*, *alacriter*) were employed from the 430s onwards, especially under Justinian.

<sup>22</sup> See *CTh*. VII 13.17 (year 406): *nam optimos futuros confidimus, quos virtus et utilitas publica necessitatibus obtulit* (“For we believe that the best soldiers will be those whose courage and concern for the public welfare have brought them forward for the present needs”). Note the mention of *virtus* here too. Also employed in *CTh*. IX 14.3(2) (397), XVI 8.14 (399).

<sup>23</sup> This term only appears in legal texts after the 440s.

<sup>24</sup> The term *splendor* appears rather often in legal texts from the fourth and fifth centuries. In Honorius’ period, it is even present in epigraphy. The Senate and People of Rome dedicated (quite unusual for this late period) a triumphal arch (now lost), dated between 402-408, to Arcadius, Honorius, and Theodosius, and its dedicatory inscription mentioned the victory over the Goths as *Getarum nationem in omne aevum doc[ujere] exti[ngu]i* (“They have shown the nation of the Goths to be destroyed for all time”), and the last sentence, unfinished, says: *totius operis splendore* (“in the splendour of the whole work”). See *CIL* VI, 1196. I have consulted this site: <http://laststatues.classics.ox.ac.uk/database/detail.php?record=LSA-1310>.

You shall receive the same pay as the Gauls, which we have extended to your constancy, so that the force (of this letter)<sup>25</sup> shall be the same general rule<sup>26</sup> of virtue (!) for those who have the same prominent devotion.

Therefore, thoroughly prepared (armed) <...><sup>27</sup> everything shall be subjected to us<sup>28</sup>. We acknowledge with pleasure and that it is appropriate in Hispania and more (places)<sup>29</sup> a promotion in rank<sup>30</sup>, which Our Serenity has granted to your needs, so that (whenever) time should come to live and dwell (in another place), you shall leave with much enthusiasm and courage (and) comply with your hosts (?)<sup>31</sup>. Therefore, we certainly trust that the ex-

<sup>25</sup> The word *vis*, clearly written in *R*, would have, in general, a negative sense under Honorius, meaning 'violence', 'coercion'. There are a few cases where it has a positive one, as in *Sirm.* XII (407): *vim legum* ("the force of the laws"). Later, in an edict by Theodosius II and Valentinianus III (Coleman-Norton, no. 400), we read *vim divinam* ("divine power"). Here in the *EH* it could also be understood as the force of the present letter, in which the emperor has decided to raise the soldiers' pay. If it was in plural, *vires*, then it could be understood as the 'physical strength' of the soldiers. For example, *CTh.* VII 13.16 (Ravenna, year 406) offers an interesting example. There it is said that not only legal status, that is, whether a soldier was a freeman or not, should be considered when allowing them to fight in battle, but also their physical strength (*vires*), such that slaves should also be able to enrol.

<sup>26</sup> It is interesting that in throughout the *CTh.* the term *forma* has the meaning of 'general rule/order', 'regulation', and also 'purport' or 'terms' (of a law), see, for example under Honorius' government, *CTh.* III 30.6 (year 396); II 1.12 (year 423), 10.6 (year 422), 23.1 (year 423); VI 29.10 (year 412), 12 (year 415), 32.2 (year 422).

<sup>27</sup> Martín-Iglesias (2020: 37) reads *in eo quod* instead of *R in eque*, suggesting that there is a *constructio ad sensum*, where *eo* (sing.) is understood as plural: *in eis quae...* Though this is well grounded, the construction *instructus + in* (prep.) does not appear in the legal texts. It can be found once in *ACO* I 5.1.57(20): *instructi in caritate et in omnes divitias*.

<sup>28</sup> See *CTh.* XVI 6.4 (year 405); VII 4.32 (year 412).

<sup>29</sup> There is only one example of Honorius' legislation with which this emended *amplius* (*R amplifica*) could be compared: *CTh.* VII 14.1 (Milan, 398): *intra Hispanias vel in quibuscumque*.

<sup>30</sup> According to Jones, Honorius promised privileges to the soldiers when the whole dioceses was at peace. They could enjoy *hospitium* in the Visigothic way (treaty signed with them in 418) once they had finished their task (Demougeot, 1956: 47, n. 100). Kulikowski (1998: 249) pointed out this offer as the only certainty in the whole text. But, again, there are no more specifics on whether this was granted for feats already accomplished, or motivation for future ones.

<sup>31</sup> Demougeot emended this to *habeatis hospitii obsequium* ("vous obtenez le service de l'hébergement", which could also be translated as "you shall have the duty of quartering").

emption from service would prompt your eagerness rather than mitigate it. It is our desire that our fellow soldiers shall remain in good health for many years.

And by another hand: 'Be well'. Amen.

### 3. HISTORICAL AND LINGUISTIC COMMENTARY

The following analysis does not aim to be exhaustive or conclusive. Rather, in order to achieve a better understanding of the text, I will focus more on the elements that, firstly, merit a deeper commentary than the ones already in footnotes above and, secondly, because those have not been yet covered by previous studies on the subject. Among the most interesting features to examine are the titles given to the emperor, two of which were only used at a later stage, hence suggesting modifications of the original imperial text; the possible identification of the addressees; and the very specific term *commilitones*, typically used in harangues by generals or emperors directed at their 'fellow-soldiers'.

— *Honorius imperator gloriosus, perpetuus triumphator, semper Augustus:*

The imperial title *gloriosus* is well documented in the fifth century, after the 430s<sup>32</sup>. There

See *CTh.* XII 3.18 (427): *praebendis his quae militantibus debentur hospitiiis* ("those who must furnish the quarters that are due to persons in imperial service"). But the billeting could last for a long time and, consequently, a relationship of any sort could flourish. In this respect, Gallego & López, 2022: 9-10 mention three military epitaphs from the third century: two from *Tarraco* (*CIL* II<sup>2</sup>/14, 1051, 1057), in which a woman (or two different ones) cherished her *beneficarii* as *hospites bene merentes*; the other (*AE* 1990, 510), from *Augusta Emerita*, *Valeria Vernacla* erected the inscription for a veteran legionnaire acknowledged as a *hospes pietissimus*. Thus, these women, it would seem, had been hosting these soldiers, and their funerary commemoration had been agreed to by both. A more interesting example, as it dates from the second half of the fourth century, comes from *Iulia Concordia*, in Veneto (*AE* 1983, 122). *Vettius Serenianus* was *hospes et heres* ("host and heir") of *Flavius Fortunatus*, an *augustalis* (ordinary centurion) of the *legio I Iovia*, to whom he dedicated the inscription. In 396 a soldier eventually married the daughter of a woman who had been his landlady in Edessa, but it was later found out that he already had a wife, and was executed as a result, see Jones, 1964: 631-632. For military quartering in this period, see Destephen, 2022.

<sup>32</sup> See, e.g., the constitution *Nol. Val.* 26 (year 448): *gloriosissimus principum dominus Theodosius*.

is only one example found in the *CTh.*, and it is used for a high-ranking official: a prefect (*CTh.* I 1.6(2), year 435). In all other cases, it typically serves as a complement of common nouns, e.g., *gloriosa administratione* (VI 35.10, Aquileia, 380). Referring to emperors, this title distinctly appears in Christian sources, such as episcopal letters, acts of councils (i.e., that of Ephesus, 431), to address emperors, but also other high-ranking figures (e.g., Pretorian Prefects (*ACO* I 3.67); or different persons of the imperial chancellery: *Comites* and *Magistri* (*ACO* I 3.49) and bishops participating in a council: *gloriosissimis iudicibus* (*ACO* I 4.92) or bishops of ancient times.

Coinciding in part with the *EH*'s titles, there are only two letters from Honorius' government, from 419 and 420, respectively, in which he is referred to as *Victor Honorius inclytus triumphator semper Augustus* (*Avell.* 35, 37)<sup>33</sup>.

There are only six remaining legal texts in which an emperor receives the title of *gloriosus* (either in the positive or superlative degree). In 450 the Emperor Valentinian III (r. 425-455) addressed Theodosius II (r. 408-450) with a request. His letter starts thus: *Domino meo Theodosio, gloriosissimo, victori et triumphatori, perpetuo imperatori et patri, Valentinianus gloriosus, victor ac triumphator semper Augustus et filius* (Leo M., *Ep.* LV)<sup>34</sup>. Here we find, for the first time in an imperial text, the use of *gloriosus* and *perpetuus* referring to an emperor. There is another example in a letter of that same year from Emperors Valentinian III and Marcian: *Victores Valentinianus et Marcianus gloriosi triumphatores, semper Augusti*<sup>35</sup>, sent to Pope Leo I (Magnus). This, again, is to be found in his papal letter collection (*Ep.* 73, 100, 110)<sup>36</sup>.

Nearly a century later it is employed in two Justinianic *Novels*: in *Nov. Iust.* 42 (year 537): *pius felix gloriosus victoriosus triumphalis sem-*

*per Augustus*<sup>37</sup> and *Nov. Iust.* 140 (year 566): *pius felix gloriosus victor ac triumphator semper*<sup>38</sup>. Both are Latin translations from Greek.

The other title that is extremely rare in the legal sources is *perpetuus*. There are only two official cases: first, in a rescript of Maximus, the usurper emperor in the West (383-388), sent to the Bishop of Rome, Siricius, in 385. Here he is presented as *Victor Maximus perpetuus triumphator semper Augustus* (*Avell.* 40). The second one differs slightly from the previous one and our text. It appears in a *Novel* of Theodosius II: *Theodosius perpetuus Augustus pater* (*Nov. Theod.* 2, year 447).

There are two other cases, but these come from a Latin rendering of an original Greek text. Both are related to the acts of the Ecumenical Council of Chalcedon in 451. In the first one, Emperor Marcian is called *perpetuus Augustus*<sup>39</sup>. It appears in the heading of an *oratio* given (in Greek) by this emperor in its sixth session<sup>40</sup>. The other one presents Valentinian and Valens as *pii, felices, Augusti, perpetui victores* (*ACO* II 3.3,69).

Lastly, this example from the *EH* would be the only one which starts with *Honorius imperator*. The only two other cases are part of the *super-scriptio* of two letters (again, on Christian matters) and, thus, a later addition<sup>41</sup>.

— *universis militibus nostris: senioribus, iunioribus, speculatoribus ac Britannicis*

<sup>37</sup> The most recurrent sequence of titles is (other titles can also precede or be absent) *pius felix inclytus victor ac triumphator semper Augustus* (among other examples: *CI praef.* 2 (*De Iustiniano Codice confirmando*), *praef.* 3, I 1.7, 27.1; *Inst.*, *praef.*; *Nov. Iust.* 17, 43, 86, 134, 150; *Edict.* 7; *Const.* 6, 8, 9; *Avell.* 84, 89, 91, 160). Before him, Emperor Anastasius I (reg. 491-518) also employed these titles (*Avell.* 107, 113) and Justin I (year 519) (Coleman-Norton, no. 554).

<sup>38</sup> In Justinian's *Novellae* it typically accompanies any high-ranking officer (*praefecti, quaestores, iudices, magistri, comites*). See, for example, *Nov. Iust.* 8 (year 535).

<sup>39</sup> These two titles will be, essentially, employed for Emperor Marcian throughout the acts and the texts related to this council (*ACO* II 2.2, II 3) and, exceptionally, once in the acts of the Council of Ephesus (431) referring to Theodosius II and Valentinian III (*ACO* I 2.69).

<sup>40</sup> See Coleman-Norton, no. 472.

<sup>41</sup> See PL 20, cols. 511-512, Pope Innocent's letters (*Ep.* IX: *Honorii imperatoris ad Arcadium Augustum*) and *Avell.* 18: *Honorius imperator Symmacho praefecto urbis*. The latter is a rescript, see Coleman-Norton, no. 353.

<sup>33</sup> This could be a clue to chronologically situate the *EH* (?).

<sup>34</sup> See in Mansi v. 6, col. 50; PL 54, col. 857.

<sup>35</sup> The same sequence (and same emperors) is written in a letter (rescript) to the synod convened in Nicaea in September 451 to discuss Eutychianism: see Coleman-Norton, no. 468.

<sup>36</sup> Tellingly, it appears in another letter by Pope Leo (*Ep.* 76), attributed to the Roman church: *Leoni reverendissimo episcopo ecclesiae gloriosissimae civitatis Romae, Marcianus*. Again, by the empress Licinia Eudoxia (*piissima et perpetua Augusta filia*) in a letter she sent to Pope Leo I in 450 (Leo M., *Ep.* 57).



Sivan believes that the *EH* was just one copy of a letter that was, in fact, sent to multiple addressees, concluding that “both the compiler of the introduction and the copyist of the tenth century codex” only had at their disposal the copy sent to the army in the *dioecesis Hispaniarum*<sup>42</sup>. Kulikowski argues that the only fact that can be historically proven is that there were “some units of the *comitatus*, the field army, for some unknown period of time” in Hispania<sup>43</sup>. For this statement, he points to the *Notitia Dignitatum*, but firmly asserts that this ideologically administrative text cannot be considered a reliable one for a specific period<sup>44</sup>.

In spite of these and many other attempts to accurately identify who exactly these elements of the army were<sup>45</sup>, I am inclined to believe, based on the general tenor of the whole text, and the customary procedure, that there were no other names, originally<sup>46</sup>.

There were *speculatores* as civil officers by the end of the fourth century (*CTh.* VIII 4.16, year 389, Milan: a rank within the apparitors of the governors of the provinces; that is, judicial officials)<sup>47</sup>. Livermore states that the *speculatores* were not part of the army, but acted as secret agents<sup>48</sup>. However, they are well documented

in Ammianus, for example. There they acted as scouts<sup>49</sup> or spies within the Roman army<sup>50</sup>. Pharr claims that they were “subordinate of the provincial governor”, and their duties were “to gather information, to execute commands, and to make reports”<sup>51</sup>.

Livermore, again, explained the presence of the *Britannici* here as a consequence of Constantine's III defeat and, subsequently, their inclusion in Honorius' army<sup>52</sup>. The *NDOcc* V mentions *Britannici* (57) and *Britannici* (92) both soldiers under the *magister peditum*. Upon the *Auxilia palatina sexaginta quinque* there are the *Invicti iuniores Britannici* (206) and the *Exculcatores iuniores Britannici* (207). Interestingly, in the aforementioned *Auxilia palatina* there was a unit of *Victores iuniores* (185), which would be duplicated and deployed both *intra Hispanias* (126) and *intra Britannias* (154). Finally, there was the *Legio secunda Britannica* as a legion of *comitatenses* (241).

In addition, the mention of the *Britannici* could also be explained by the embarrassing number of usurpers to the imperial power that this region produced. By 415, this fact was common knowledge. The famous and contentious Christian Jerome, ranting about peoples' ignorance of Catholicism, described Britannia, with an already well-known expression: *Britanni, fertilis provincia tyrannorum*<sup>53</sup>.

— *gaudeatis sanctissimi commilitones nostri communium remuneratione meritorum et omnes iuxta exultatione gaudeatis.*

<sup>42</sup> Sivan, 1985: 278.

<sup>43</sup> Kulikowski, 1998: 250-251.

<sup>44</sup> See Neira, 2005, for an introduction and an excellent edition of this text together with its coloured images.

<sup>45</sup> Jones (1964) in his emendation of the text, inserted the titles of each group according to the *NDOcc* 7.119-126: *universis militibus nostris, <Ascariis> senioribus, iunioribus, <Sagittariis Neruiis>, <Speculatoribus, <Exculatoribus iunioribus, Tubantibus, Felicibus senioribus Invictis senioribus, Victoribus iunioribus, Invictis iunioribus> [ac] Brita(n)nicis*. Balil (1970: 616-617) also uses the information provided by the *NDOcc* to identify the units mentioned here. Kulikowski (1998: 248) contends that “there must be a lacuna after *nostris*”.

<sup>46</sup> In general, the names of the exact units or officers were not given (e. g., *CTh.* VII 1.18, Milan 400; I 6.11, Ravenna, 423). On another level, the utilization of a totalizing language was customary. A clear example is the official propaganda of Honorius' regent Stilico (395-408). An inscription in 398 is described as *comiti divi Theodosii Augusti in omnibus bellis adque victoriis* (*CIL* VI 1730); and another from 406 as (Theodosius') *socio bellorum omnium et victoriarum* (*CIL* VI 1731). See Riedlberger, 2020: 70-71, for examples in which emperors address “everyone” within the same scope of action; for example, all high-ranking officers of the army (*CTh.* I 21.1, VII 7.5, VII 4.18, VII 9.3, VIII 7.11).

<sup>47</sup> From Diocletian onwards, all civil servants were official soldiers, see Jones, 1966: 200.

<sup>48</sup> Livermore, 1996: 444.

<sup>49</sup> Amm. XVI 12.19, XVIII 6.8, XXI 13.4, XXVII 2.4, XXXI 3.3, 11.2; Veg., *Mil.* III 6.22.

<sup>50</sup> Amm. XVIII 6.16. See also *Hist. Aug.* [*Spart. Pesc.*] 10.6.

<sup>51</sup> Pharr, 1952: 594. Campbell (1994: 28) defines them as scouts and “later executioners”.

<sup>52</sup> Livermore, 1996: 444. There are five inscriptions found in the Iberian Peninsula that mention the *Britannici*. All of them date to the first decades of the third century, and are all dedicated to Septimius Severus. See *CIL* II 1671, 1532 (703), 4676 (LXXX); *HEp* 11, 2001, 383 = *HEp* 6, 1996, 850; *HEp* 14, 2005, 453.

<sup>53</sup> Hier., *Ep.* CXXXIII 9(4). Starting from the greatest one, Constantine I was illegitimately elevated to the purple by the British junta in 305. Then, in 368 Valentinus failed in an attempt to become emperor (Amm. XXVIII 3.4-7). Magnus Maximus, a Hispanic, was also acclaimed there in 383, and was even accepted as the Augustus of the Western part of the Empire by Theodosius. Under Honorius' government, in 407 Constantine III finally managed to stay in power longer than his two predecessors, Marcus and Gratianus, who just a few months before had faced a similar uprising, but did not last long (Fernández, 2020: 219).

There is a fine example in one of Honorius' texts with the repetition of the same verb in the same sentence: *Sirm.* XI (Ravenna, 411/412): *Gaudeant nostra in perpetuum liberalitate munitae, quarum nos erga cultum pietatis aeternae devotione gaudemus.*

*Sanctissimi* only appears twice in Honorius' legislation: *CI* I 9.11 (Constantinople, 408), I 2.6 (421). The content of both texts covered ecclesiastical affairs. Nevertheless, it would become a normal epithet later on; first, under Theodosius II and Valentinian III, then under Marcian<sup>54</sup>, but especially in Justinianic texts: in conciliar settings when addressing bishops or applying to ecclesiastical elements, related to councils or, to a lesser degree, the senate or senators.

The term *commilitones* is one of the most interesting features of the *EH*. Throughout the history of the Roman army, it had an affectionate meaning, expressing fondness for troops<sup>55</sup>. For example, Emperor Trajan only employed it when expressing gratitude for his soldiers' loyalty, and *milites* when talking about military affairs<sup>56</sup>. This same nuance is to be found in a constitution by Constantine<sup>57</sup>. The text clearly displays a real dialogue between the emperor and his soldiers. After being acclaimed by the assembled troops and questioned by the veterans about their status and privileges, Constantine addresses them as *conveteranis meis*<sup>58</sup>. Here, for the first time, it has a connotation of caring.

Lee presents a table with the different terms or constructions employed by the emperors when addressing soldiers, according to both legal and

documentary sources<sup>59</sup>. For example, Ammianus cites this term in a speech given by Constantius II to his army during his campaign on the northern frontier in 354: *commilitones mei fidissimi*<sup>60</sup>. Also interesting is the case of the *Historia Augusta* (written, most probably, by the end of the fourth century), in which this term appears more than a dozen times, always in the context of a harangue to soldiers<sup>61</sup>. In particular, there is a life which is of great interest for our text, that is, the life of Emperor Tacitus (275-276). There, we find twice the exact same construction as in the *EH*. First, the prefect of the city, one Aelius Cesettianus, spoke from the assembly-platform of the *Campus Martius* to the citizens and soldiers there gathered to proclaim that Tacitus had been elected emperor; and right after, this Tacitus himself begins his speech by addressing the soldiers as *sanctissimi commilitones*<sup>62</sup>.

This very specific term, accompanied by the pronoun *nostri*, furnishes the emperor's direct appeal with a marked tone of affection between him and his soldiers. Again, the letter closes with these exact terms (*commilitones nostros*). Honorius portrays himself, like the old great emperor generals, like his father had been, as another soldier, an equal of theirs. A clear intention behind these words should be inferred. Moreover, right after this we read *communium remuneratione merito-rum*<sup>63</sup>. Sivan asserts that the "shared" merit was

<sup>59</sup> Lee, 2007: 62-63. While this term was used in legal texts of the second and third centuries in indirect speech (see, for example, *D* 29.16-17), it appears only in *CTh.* VII 1.10 (year 367).

<sup>60</sup> Amm. XIV 10.11-14. Later, in the middle of a battle, Emperor Julian, while rallying his troops to fight, called them *socii* and *commilitones* (Amm. XVI 12.31). Again, in Amm. XXI 5.2, Julianus addresses the soldiers (*magni commilitones*) to make them swear loyalty to him against Constantius. In an *oratio* pronounced by Symmachus between 368-369, he puts in Valentinianus' I mouth these words while haranguing his troops: "*Huc*", *inquis*, "*fidissimi commilitones, adversum truces populos et Rheni feroces indigenas vexilla conferte!*" (I 19).

<sup>61</sup> See Hist. Aug., *Clod. Alb.* 3.3, 13.9; *Ant. Diad.* 1.4, 2.1, 2.2; *Ant. Helio.* 26.3; *Alex. Sev.* 53.5, 53.7; *Max.* 3.6, 18.1; *Gord.* 14.1; *Usurp. (Mar.)* 8.8; *Satur.* 23.3; *Tetri. Sen.* 24.5); *Tac.* 8.4, 8.5. There are only two cases where the term is not in oral communication: *Max.* 3.6 and *Tetri. Sen.* 24.5. In the second and third centuries this term was a synonym for *milites* (Hebblewhite, 2017: 220 n. 81).

<sup>62</sup> Hist. Aug., *Tac.* 8.4-5.

<sup>63</sup> *Remuneratio* normally has to do with money in imperial constitutions: *CTh.* III 3.1 (year 391), a 'refund of the price' paid to buy a slave (in this case a free person); VI 30.20 (Ravenna, year 413) which could be taken as a synonym for

<sup>54</sup> See Coleman-Norton, no. 406, 462, 464, 468-469, 483, 486.

<sup>55</sup> Suetonius (*Aug.* 25.1) details how Augustus ceased to address the soldiers as comrades or fellow-soldiers (*commilitones*) "in either speeches or edicts" (*in contione aut per edictum*) after the civil wars. Rather, only "soldiers" was permitted, as the former was considered "too flattering for the demands of military discipline, the peaceful nature of the times, and his own majesty and that of his house". See Campbell, 1964: 69.

<sup>56</sup> See Plin., *Ep.* X 53, 101, 103, with the exception of *Ep.* X 20.1. See González, 2005: 493.

<sup>57</sup> *CTh.* VII 20.2 (*CI* XII 46.1) (year 320; 326).

<sup>58</sup> This rare word, 'fellow-veteran', only appears in inscriptions from the second and third centuries; see ThLL s.v. *conveterani*. The only exception is a private rescript by Gordian in 239 (*CI* V 65.2). See also AE 1937, 0095; a bronze tablet most probably by the Emperor Philip the Arab (244-249), see Borhy et al., 2015: 30. For a study of imperial *adlocutiones* to soldiers, see Andriollo, 2018.

loyalty to Honorius (the legitimate emperor)<sup>64</sup>. She highlights this appeal to loyalty as the most important element of the *EH*, arguing, that Honorius never went into battle, or even visited the army, and, pointing to the great political and warfare turbulence during his reign. This text is all the more exceptional if we consider the fact that, in M. Whitby's words:

The nature of the bonds between soldier and ruler, between province and emperor, changed in 395 when Theodosius I, the last campaigning emperor of the late Roman period, was succeeded by his two young sons, Arcadius and Honorius, who, in their turn, were followed by their own underage offspring, Theodosius II and Valentinian III<sup>65</sup>.

Defaulting on payments to troops would most probably result in upheavals, and efforts to proclaim a new emperor from among those generals more sympathetic to them<sup>66</sup>. Thus, we should suspect an important mission or a delicate situation involving a Roman defence against barbarians or usurpers (Gerontius in Hispania in 407 against the previous usurper Constantine III)<sup>67</sup>. Arce states that the army in Hispania around 408 was almost nonexistent, despite what the *ND* states<sup>68</sup>. On the basis of the joyful tone of the letter, the apprecia-

tion shown to the soldiers, who are offered a higher payment and hospitality, Arce proposes two chronological frameworks, when these troops of *comitatenses*, as he defines them, had been operating in Hispania: either after defeating the Vandals and Alans (years 417, 419, 420), or after they had defeated Maximus, in 422, when the territory was almost under legitimate Roman power again<sup>69</sup>.

Indeed, the *EH's* chronology has been tackled by all the modern studies as a major problem. Thus, I consider it necessary to offer a synthesis. Normally, two timeframes have been proposed: either circa 409, or slightly thereafter, as a consequence of the barbarian invasions of the Peninsula in 409, or in the first years of the 420s. Lacarra and Demougeot place it between the years 407-411<sup>70</sup>. The latter has adduced that the letter was sent to some remnants of Hispanic troops who around 408 had sought refuge in the fort of Pamplona<sup>71</sup>. This assumption was owing to mention of the city of Rome as the place of the letter's origin. Since 402 Honorius had had Ravenna as the imperial capital, such that he had spent little time at the old capital.

According to Balil, the *EH* dates later than the year 412<sup>72</sup>. To prove this, he relies on the *ND's* accounts and points to the allusion to the city of Rome as the *EH's* place of origin. Namely, he suggests Honorius' last visit, in 416, to Rome, where he celebrated his triumph over the Visigoth Attalus, proclaimed emperor at the end of 409 (removed in 410) and again in 414-415. For him, this celebration could have been a good occasion to grant the Hispanic troops the privileges the letter seems to grant them. Sivan rejects this possibility, arguing that the Hispanic army was not involved in the second overthrow of Attalus, as it was thanks to the Visigoths themselves that Honorius would defeat the usurper<sup>73</sup>. Kulikowski also considered 414 and 416 as possible dates; again, taking at face value the mention of Rome, but then ruled them out, following Sivan's argument<sup>74</sup>. Miranda cites the year 418, after the Barbarian invasions<sup>75</sup>. Lastly, Jones proposed 421, placing As-

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*largitio*, which always refers to tax money (see, e.g., *CTh*. I 10.7, Milan, year 401). This did not necessarily imply money, however. Rather it could have a more abstract meaning, like 'reward' or 'grant', thus being synonymous with *beneficium* (*CTh*. VI 35.1, Trier, year 314). There is a fragment from the *CTh*. (XII 1.177, Ravenna, year 413) issued by Honorius and Theodosius II, where this term is used in a figurative sense: ... *conscientiae remuneratione contentus* ("content with the reward of his conscience"). There are two other examples related to this one: the first one appears in Book VI (35) under the title "The privileges of those persons that have served in the sacred imperial palace".

<sup>64</sup> Sivan, 1985: 279-280. The imperial power basically stood upon the loyalty of the army, and, at the same time, the emperor was the only one who guaranteed the soldiers' emoluments. See Campbell, 1994: 233.

<sup>65</sup> Whitby, 2007: 526.

<sup>66</sup> This was the case, for example, with Constantine III in Britannia (Fernández, 2020: 221).

<sup>67</sup> In 411 Gerontius made Maximus emperor in the *Tarconense*. The latter was a double usurper: against Honorius and Constantine III (Gallia). The rest of the Peninsula was being devastated by the Sueves, Vandals, and Alans, and Alaric had entered Rome a year before.

<sup>68</sup> Arce, 1999: 466-467. Sanz (1986) argues the existence of private armies in Hispania at least under two particular circumstances: Maximus usurpation (383-385) and the one by Constantine III in 407. She (*ibid.*: 243) also contends that there must have been private troops under wealthy Priscillianists.

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<sup>69</sup> Arce, 1999: 464.

<sup>70</sup> Lacarra, 1945: 266-267; Demougeot, 1956: 29.

<sup>71</sup> Lanti (2022: 15) frames it between 409 and 412, citing the year 412 as a possible one, as does Archan (2009: 156).

<sup>72</sup> Balil, 1970: 616.

<sup>73</sup> Sivan, 1985: 283.

<sup>74</sup> Kulikowski, 1998: 250.

<sup>75</sup> Miranda, 2011: 298.



terius, *comes Hispaniarum*, in 419 and Castinus, the second *magister militum per Hispanias* after Sabinianus, in 422<sup>76</sup>. However, there is no reason to assign Sabinianus this office. The *incipit* only indicates that the letter was brought by him. This could be inferred by the mention of him being a *patricius*, but this is not conclusive. He could have acted as an ambassador and, hence, have been given this rank<sup>77</sup>. Lastly, it is questionable whether his title or even his name are historical.

The barbarian invasions in the first years of the fifth century started in Northern Italy (405-406), and then it was on to Gallia (407), the same year when Constantine III proclaimed himself emperor while in Britannia. The Atlantic provinces collapsed, and the consequences for the imperial structures were profound<sup>78</sup>. Thus, this convulsive and critical period offered a perfect scenario for the *EH*. However, I will not support or suggest a new date, as this would just be (once again) speculative.

— *atque vos magnifici comites ac magistri utriusque militiae*<sup>79</sup>:

The title *magnificus* is rather strange here, as it is only used later. There exists the construction *magnificentissimus comes*, but used from 431 onwards: in two letters by Theodosius II and Valentinian III (year 431)<sup>80</sup>. In general, the adjective *magnificus* to compliment a high-ranking person appears in the legal sources from the 430s.

As for the function of these two ranks, for the first ones, *CTh*. VI 14.3 (Constantinople, 413) estimates on the same level (*adaequamus*), first, those “with the rank of a count of the first order” who have been in charge of an army in any province and, second, those whose function has been that of an “administrative representative of the illustrious masters of soldiers” with the generals; that is, the *duces*. Additionally, Jones argued that

they were like the *magistri Galliarum*, such that they were above the *comites rei militaris* in the *ND*, whose rank was that of *spectabiles*. Sabinianus would, then, be the first *magister utriusque militiae* (MUM) mentioned here; that is, the highest military authority. He would be placed after Asterius, *comes Hispaniarum* in 419 (according to Hyd., *Chron.* 74), and before Castinus, *magister militum* in 422 (Hyd., *Chron.* 77)<sup>81</sup>. Balil suggested Constantius as MUM, an office already held by him in 413 as MUM *per Africas*<sup>82</sup>. Then, between 416-418 he conducted military operations in Hispania<sup>83</sup>. Finally, Sivan was skeptical that there was more than one MUM, which would mean that the letter’s recipient would have been more than one provincial army<sup>84</sup>. However, there were *comites honoris causa*, according to Hydatius (*Chron.* 98, 155), but without armies. Furthermore, the supreme commanders of the army (*magister peditum* and *magister equitum*) could have received either of these ranks.

— *Constituta sint vobis stipendia Gallicanorum quae constantiae (?) vestrae porreximus*

The *stipendia* and the *annona militaris* (a cash payment to the soldiers and a payment in food or other goods) had been interrupted upon the relocation of the imperial capital to Ravenna in 402, and even more by the barbarian invasion of Italy and Gaul in 405/406<sup>85</sup>. Thus, the only mention of this after those hard years was an enormous reward<sup>86</sup>.

Regarding the *Gallicanorum*, Demougeot, following the *NDOcc* 52.28 (*cohors secunda Gallica*), purports that these were a cohort in northern

<sup>81</sup> Demougeot, 1956: 41, n. 73. In that respect, Mathisen (1986): 36 adduces that by 420 in the western empire the *magister militum* was normally called ‘The Patrician’.

<sup>82</sup> Balil, 1970: 618.

<sup>83</sup> Constantius, an Illyrian of Roman origins, had close links to Honorius. He evinced excellent military and political skills during the barbarian invasions and the uprisings of illegitimate emperors. He also married, in 417, Galla Placidia, Honorius’ sister (the future Emperor Valentinian III fruit of this union). Among other functions, he was *comes et magister utriusque militiae* of the Western part from 411 to 421, made patrician in 415, and proclaimed *Augustus* by Honorius in 421, the same year of his death. For example, he is named *comes* and Patrician in *CTh*. XV 14.14 (Ravenna, 416), see *PLRE* II 321-325, s.v. ‘Fl. Constantius 17’.

<sup>84</sup> Sivan, 1985: 280. See, for example, although more than twenty years later, *Nov. Val.* 19.4 (Rome, 445).

<sup>85</sup> López, 2005: 498.

<sup>86</sup> Whitby, 2007: 527: “money was the final lever available to western emperors to influence the operation of delegated or outsourced military power”.

<sup>76</sup> See Demougeot, 1956: 47, n. 100. Kulikowski (2000: 128) argues that Asterius was promoted to *comes hispaniarum* in 421 and that he also received the rank of *patricius*.

<sup>77</sup> See Mathisen, 1986, for an overview of individuals who were made patricians for important embassies or other decisive duties within the Empire.

<sup>78</sup> See Cruz, 2019: 20.

<sup>79</sup> For mentions of these (in plural), see *CTh*. I 21.1 (393), VII 4.18 (=VII 9.3) (393), VII 9.3 (393), VII 4.24 (398), X 1.13 (385), X 20.11 (384), XI 24.4 (399). See *CTh*. I 1.6(2) (435): *Eubulus illustris ac magnificus comes*.

<sup>80</sup> See Coleman-Norton, n. 401, 405; *CI* II 7.25(3) (519); *Nov. Iust.* 127 (541), 123.27 (546).

Hispania<sup>87</sup>. Sivan noted Ammianus' statement that the name *Gallicani* was the common one for the Gallic army<sup>88</sup>. She also noted, by the statement of this sentence, that the *Gallicani* "were better paid than other provincial armies" and, with the support of *CTh.* VII 14.1, concluded that the "Spanish army was rather ill paid"<sup>89</sup>. But this interpretation might go too far, as the text from the *CTh.* ultimately protects these soldiers, like the muledrivers<sup>90</sup>.

#### 4. THE *EH* AS AN IMPERIAL PRONOUNCEMENT: AN *ADLOCUTIO* TO THE ARMY?

The *adlocutiones*, a type of imperial public pronouncements, were addressed by the emperor to the army<sup>91</sup>. These offered the emperor (or general in the Republican period) "an opportunity to show his qualities as an inspiring military leader, to express his proximity to the soldiers and his interest in their welfare, and to show benevolence, generosity and justice towards his men"<sup>92</sup>. Every one of these functions are clearly fulfilled by the content of the *EH*. As they were oral pronouncements, they contained linguistic features that pertain to the oral sphere, such as apostrophes in the second person (e.g., *universis militibus nostris, gaudeatis* in the *EH*)<sup>93</sup>. There are two particular cases of special importance for our study. The first one is an imperial *epistula* by Emperor Licinius, inscribed on a bronze tablet, on the privi-

leges granted to soldiers and veterans on June 10th, 311. There are two extant copies of this document: one found in *Brigetio*, and the other in *Serdica*<sup>94</sup>. Most scholars are of the opinion that the *epistula* was issued by Licinius alone (like the *EH*). Though the name of Constantine is written in the first place, it could have been written later. The copy from *Brigetio* displays the typical structure of an imperial letter (like the *EH*): first, in the *superscriptio*, there are the imperial titles: *P(ius) F(elix) In(victus) Aug(ustus)*, then *Exempl(um) sacra(rum) litterarum*, that is, "copy of the imperial letter", and right after this the text starts with an apostrophe: *have Dalmati carissime nobis*. In the body of the text, there continue to appear calls upon the soldiers (*militum nostrorum* (twice), *militibus nostris, milites nostri militiae*) and verbs of incitement (*gaudeant*), joy (*gratulent, perfruantur* (twice)), and solidarity (*merita militiae praemia, indulgentia nostrae*). Finally, the *subscriptio* phrases the emperor's signature thus: *et manu divina: vale Dalmati carissime nobis*<sup>95</sup>, followed by the date, the names of the consuls, and place.

Another similar example comes from an inscription on a pillar found in Orcistus, Phrygia,

<sup>94</sup> *AE* 1937, 232 (*FIRA* 1.93) (*Brigetio*). For the English translation, see Campbell, 1994: 241-243; Corcoran, 1996: 145-148. Sharankov (2009: 61-67) provides images of the second extant copy of this imperial *epistula*. Here the text features no separation marks, and some letters are mistaken.

<sup>95</sup> This phrasing, alluding to the signature of the emperor, is also used in a letter by Honorius and Theodosius II (year 410) (Coleman-Norton, no. 324); *Nov. Val.* I 3.7 (Rome, 450), IX (Ravenna, 440), XVI 2, XVII 4 (Rome, 445), XIX 1.4 (Rome, 445); *Nov. Maior.* I (Ravenna, 458); Emperor Glycerius (Ravenna, 473) (Coleman-Norton, no. 519). Other such phrasings are *et manu imperatoris*: in a letter from Valentinian I, Valens, and Gratian between 370-372 (*Avell.* 11; Coleman-Norton, no. 152) and another from the usurper Magnus Maximus in 385 (*Avell.* 40; Coleman-Norton, no. 203), but the most recurrent is *et alia manu* (like the *EH*): a rescript of Constantine circa 333 (Geladius, *HE* III 19; Coleman-Norton, no. 67); two edicts by Marcelline, a tribune and notary, in 411 (Coleman-Norton, no. 325, 328), though in the second one the formula was proposed by the editor; *Avell.* 36, which is an edict of Largus, proconsul of Africa (year 419) (Coleman-Norton, no. 367); a letter by Honorius and Theodosius II (year 419) in Aug., *Ep. CCI* (*CSEL* 57.299; Coleman-Norton, no. 368), though the formula was also proposed by the editor; a rescript of Pulcheria (year 453) (Coleman-Norton, no. 486); *Avell.* 89, Justinian to Agapitus (pope of Rome) (year 536); *CI* I 1.8(24, 39) (year 534). There is also the case of *et alia manu principis* (*Avell.* 3, year 386) (Coleman-Norton, no. 211), where the word *principis* might have been added at a later stage.

<sup>87</sup> Demougeot, 1956: 41.

<sup>88</sup> Sivan 1985, 281. See *Amm.* XXIX 6.16, XXX 10.1.

<sup>89</sup> Nevertheless, muledrivers were not treated that badly. In *CTh.* VIII 5.14 (362) they were given the privilege of having supplementary horses, like the members of the secret service; *CTh.* VII 5.31 (Trier, 370) prohibited anyone from giving money to public 'muledrivers, wagoners or veterinarians', because they were already paid. In *CTh.* VIII 5.53 (Milan, 395) they were in charge, together with 'supervisors', of recovering stolen animals from the public post.

<sup>90</sup> Just one day before, that is, the 18th of February 398, and also in Milan, another law had been promulgated on the same subject. *CTh.* VIII 5.58 prohibited "remov[ing] a muledriver destined for relay stations by either disturbing or hosting him".

<sup>91</sup> See Hebblewhite, 2017: 150-159.

<sup>92</sup> Andriollo, 2018: 69-70. See *Ibid.*, for an extensive description of this type of address, together with five examples (second-fourth centuries) not in literary sources.

<sup>93</sup> Another legal text that concurs, in form and purpose, with the *EH* is a *sermo* (speech) of Emperor Anastasius I engraved in an inscription, together with the precept (*πρόσταγμα / praeceptum*) promulgated by the *magister militum* (commander), see Onur, 2017.

dated 331<sup>96</sup>. There are three different texts on one side each: (1) part of a covering letter by the praetorian prefect Ablabius, (2) the petition by Orcistus' citizens to upgrade its status to city (3) an *epistula* by Constantine, responding to the prefect that their petition has been granted due to economic and religious reasons, as they were all Christians. This last document displays the structure of an imperial *epistula* (except for the omission of the emperor's titles), and like the previous text, identical linguistic features: *sacrae litterae* (if rightly reconstructed), and constructions such as *splendore floruisse*, *splendore perfruantur*. The text ends with the following *subscriptio*: *vale Ablabli carissime ac iucundissime nobis*.

These two texts, even if briefly presented and commented on here, offer an example of what type of text the *EH* could have been, and also another way to look at its transmission. If its material was a bronze tablet or a stone, as Sivan had already suggested, a corruption of the text – and possibly numerous abbreviated words – would better explain its general incoherence<sup>97</sup>.

## 5. FINAL REMARKS

Our analysis of the palaeographical features has shed some light, in the first place, on how the text could have been copied. The fact that the words are barely abbreviated, not following the standard practice, suggests that it was copied with great care, at least. This constitutes an important difference with respect to other texts on the *R*.

As for the linguistic and historical analysis of the *EH*'s text, it is needless to say that it is problematic, as a whole, with several *lacunae*, *hapax*, and mixed words. Conspicuously, the generally corrupted state of the text could be attributed to its original form; that is, a bronze tablet, or an inscription on a stone. In addition, it has been demonstrated that it presents numerous particularities: (1) some of the imperial titles would not be used until a few decades later (440s). Could have these been added later on by someone learned in imperial texts from the late antique period?; (2) the specific mention of the *speculatores* and the *Bri-*

*tannici*, could, in principle, point to a special unit or units deployed in *Hispania* (maybe for a special mission) and, hence, once this was accomplished, they received a kind of military diploma<sup>98</sup>; (3) the use of the expression *sanctissimi commilitones nostris* is only found in literary sources, namely the *Historia Augusta*, and suggests, as the last section of this article has stated, a form of direct address and contact with soldiers, even if figuratively; and, finally (4) the offer of a pay raise, as well as the possibility of quartering, represents the core of the letter, as the emperor would attain their loyalty with it.

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<sup>97</sup> Sivan, 1985: 276. Caballos (2018: 300) notes that tablets were produced in series and, in particular, those concerning hospitality and patronage are rather significant in Hispania.

<sup>98</sup> These typically offered a pay to the soldiers and, in terms of formality, are rather similar too to the *EH*. For examples from the first to the third century, see Holder, 2006. Also interesting is the edited volume by Speidel and Lieb, 2007.



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