

ROUTLEDGE CLASSICAL TRANSLATIONS

THE LOST HISTORY OF PETER *the* PATRICIAN

AN ACCOUNT OF ROME'S
IMPERIAL PAST FROM THE
AGE OF JUSTINIAN

THOMAS M. BANCHICH



ROUTLEDGE


THE LOST *HISTORY* OF PETER THE PATRICIAN

The Lost History of Peter the Patrician is an annotated translation from the Greek of the fragments of Peter's *History*, including additional fragments which are now more often considered the work of the Roman historian Cassius Dio's so-called Anonymous Continuer. Banchich's annotation helps clarify the relationship of Peter's work to that of Cassius Dio. Focusing on the historical and historiographical rather than philological, he provides a strong framework for the understanding of this increasingly important source for the third and fourth centuries A.D.

With an introduction on Peter himself – a distinguished administrator and diplomat at the court of Justinian – assessing his literary output, the relationship of the fragments of Peter's *History* to the fragments of the Anonymous Continuer, and the contentious issue of the place of this evidence within the framework of late antique historiography, *The Lost History of Peter the Patrician* will be an invaluable resource for those interested in the history of the Roman world in general and of the third and fourth centuries A.D. in particular.

Thomas M. Banchich is Professor of Classics and History at Canisius College, Buffalo, New York. His research interests include ancient philosophy, history, and historiography. He is the author of *The History of Zonaras* (Routledge, 2009).

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THE LOST *HISTORY* OF PETER THE PATRICIAN

An Account of Rome's Imperial
Past from the Age of Justinian

Thomas M. Banchich



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AN HOMAGE TO
URSULUS BOISSEVAIN (1855–1930)
AND CARL DE BOOR (1848–1923)

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CONTENTS

<i>Acknowledgments</i>	ix
<i>Abbreviations</i>	xi
Introduction: Peter, <i>Patricius</i> and <i>Magister</i>	1
<i>The Excerpta Historica</i> , Peter's <i>History</i> , and the <i>Anonymus post Dionem</i>	3
Peter's <i>History</i>	9
Presentation and principles of translation	10
Translation and commentary	11
Notes	13
Peter's <i>History</i>	17
Testimony	17
Fragments and commentary	22
Bibliography	151
Texts and translations	151
Modern scholarship	155
Indexes	162
Correlation of fragment numbers with Müller <i>FHG</i>	162
Literary sources	163
Inscriptions	171
Manuscripts	171
Index of people, gods, and places	171

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In April of 2011, Anthony Kaldellis raised with me the possibility of preparing for Routledge a translation of and commentary on the fragments of the lost *History* of Peter the Patrician. I duly submitted a prospectus, which was accepted.

The project at that time seemed relatively simple. Peter's *History* had first captured my attention as a result of my interest in Julian the Apostate, then again within the context of my research on the remains of Eunapius' *History*, and most recently in conjunction with my work on Books XII–XIII of John Zonaras' *Epitome of Histories*. Along the way, I had read with a particularly precocious student, David Goehrig, the anonymous historian whose fifteen fragments followed those of Peter's eighteen in Carl Müller's *FHG* and which were sometimes assigned to Peter. Now, over three years after Professor Kaldellis' query, it is obvious that my optimism was unfounded. Diversions, duties, and demands – some pleasant, others hardly so – combined to compromise my scholarly agenda, and Müller's eighteen fragments – or, counting those of his *Anonymus*, thirty-three – have mushroomed to 215. The nature of the translation and the scope, purpose, and presentation of the commentary, too, changed.

Of singular importance was when I learned that Andrea Martolini planned to edit, translate, and comment on what survived of Peter's *History*. My knowledge of Martolini's publications convinced me that he would produce a work of very high quality. Late in October of 2011, by which time I had completed an initial version of my translations of Peter and of a broad range of parallel texts, I informed Dr. Martolini about my own project and proposed that I set it aside. It was with mixed feelings that I learned from him that his own research had reached an impasse. He then very graciously supplied me with a copy of his dissertation, thereby making my own task easier and, in retrospect, more intellectually stimulating. It is to him that I dedicate this work, for the shortcomings of which he is in no way culpable.

I am deeply appreciative of the real or feigned interest in Peter's fragments expressed by several colleagues, friends, and students. Most prominent

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ABBREVIATIONS

For the few abbreviations not listed below, see *OCD*³, pp. xxix–liv.

<i>ACC</i>	<i>The Acts of the Council of Constantinople of 553</i>
Amm. Marc.	Ammianus Marcellinus
<i>Anon. Cont.</i>	Anonymous Continuer of Cassius Dio
Blockley, <i>Men.</i>	Blockley, <i>Menander the Guardsman</i>
<i>BNJ</i>	<i>Brill's New Jacoby</i>
<i>BNP</i>	<i>Brill's New Pauly</i>
<i>CAH</i>	<i>Cambridge Ancient History</i>
<i>CAH²</i>	<i>Cambridge Ancient History</i> , 2nd edition
Ced.	Cedrenus
<i>CFHB</i>	<i>Corpus Fontium Historiae Byzantinae</i>
<i>CHI</i>	<i>Cambridge History of Iran</i>
<i>CSHB</i>	<i>Corpus Scriptorum Historiae Byzantinae</i>
<i>EBH</i>	Treadgold, <i>The Early Byzantine Historians</i>
<i>EH</i>	<i>Excerpta Historica Iussu Imperatoris Constantini Porphyrogeniti Confecta</i>
<i>EI</i>	<i>Excerpta de Insidiis</i>
<i>ELGR</i>	<i>Excerpta de Legationibus Gentium ad Romanos</i>
<i>ELRG</i>	<i>Excerpta de Legationibus Romanorum ad Gentes</i>
<i>Epit. de Caes.</i>	<i>Epitome de Caesaribus</i>
<i>ES</i>	<i>Excerpta de Sententiis</i>
<i>Eun. Hist.</i>	Eunapius' <i>History</i>
<i>EV</i>	<i>Excerpta de Virtutibus et Vitiis</i>
F	Fragment
<i>FCH</i>	Blockley, <i>The Fragmentary Classicising Historians of the Later Roman Empire</i>
<i>FgrH</i>	<i>Die Fragmente der griechischen Historiker</i>
<i>FHG</i>	<i>Fragmenta Historicorum Graecorum</i>
<i>HE</i>	<i>Historia Ecclesiastica</i>

ABBREVIATIONS

Krumbacher	Krumbacher, <i>Geschichte der byzantinischen Litteratur</i>
Lactant. <i>De Mort. Pers.</i>	Lactantius <i>De Mortibus Persecutorum</i>
Mai	<i>Scriptorum veterum nova collectio</i>
Malal.	John Malalas
Mariev	<i>Ioannis Antiocheni, Fragmenta Quae Supersunt Omnia</i>
<i>MBH</i>	Treadgold, <i>The Middle Byzantine Historians</i>
Men.	Menander Protector
<i>MGH</i>	<i>Monumenta Germaniae Historica</i>
Niebuhr	<i>Dexippi, Eunapii, Petri Patricii, Prisci, Malchi, Menandri Historiarum Quae Supersunt</i>
<i>OCD</i> ³	<i>Oxford Classical Dictionary</i> , 3rd edition
<i>ODB</i>	<i>Oxford Dictionary of Byzantium</i>
<i>Orig. Const.</i>	<i>Excerpta Valesiana</i>
<i>PIR</i>	<i>Prosopographia Imperii Romani</i>
<i>PLRE</i>	<i>Prosopography of the Later Roman Empire</i>
Plut.	Plutarch
Roberto	<i>Ioannis Antiocheni, Ioannis Antiocheni Fragmenta ex Historia Chronica</i>
<i>SHA</i>	<i>Scriptores Historiae Augustae</i>
Soz.	Sozomenus
Sym.	Symeon Magister
T	Testimony
<i>TTH</i>	<i>Translated Texts for Historians</i>
<i>Vat. Gr. 73</i>	<i>Codex Vaticanus Graecus 73</i>
Xiphil.	John Xiphilinus
Zonar.	Zonaras <i>Epitome of Histories</i>
Zos.	Zosimus <i>Historia Nova</i>

INTRODUCTION

Peter, *Patricius* and *Magister*

Peter was born in Thessalonica (T 2).¹ In his youth, he studied law, his knowledge of which was remarkable. With this he combined impressive skills as a speaker, a pleasing personal manner (T 1, 2, and 6), an estimable work ethic, and – at least in the eyes of his close personal acquaintance John Lydus but in contrast to the estimation of another contemporary, Procopius (T 4) – an uncompromising rectitude (cf. T 1 and 11). On top of this, John relates (T 1), Peter was devoted to learning, including the study of the past, and relished opportunities to demonstrate his knowledge of recondite subjects, sometimes to a degree that made even John uncomfortable. He was a Christian, perhaps a Monophysite.²

The Latin Peter must have mastered in the course of his legal studies, along with most of the qualities and qualifications noted above, helps to explain his first known imperial appointment in 534 as Justinian's envoy to the court of the Ostrogothic king Athalaric (b. 516 or 518, r. 526–534) and his regent and mother Amalasuntha in Ravenna. Before Peter's arrival, Athalaric had died and Theodahad, a cousin of Amalasuntha, had occupied the throne at the expense of Amalasuntha.³ Peter subsequently shuttled between Constantinople and Italy at least two more times before being detained by Theodahad and held for three years (536–539). A swap for Gothic envoys, seized as collateral by Justinian's general Belisarius, eventually secured his freedom and return to Constantinople (T 3). There Justinian rewarded his service by making Peter *magister officiorum*, an honor he would hold until 565 (T 3–5). Perhaps on that occasion Peter also obtained the rank *patricius* and an honorary consulship.⁴ Between 551–553, he was active in his official capacity in the run-up to the Council of Constantinople and was present for at least some of its proceedings.⁵ Wealth, choice property (T 16), charges of corruption, and suspicion of having arranged – allegedly on Theodora's orders – Amalasuntha's murder (T 4–5) were by-products of Peter's position, prestige, and influence.

John Lydus' *De Magistratibus* of 554 or possibly 552 furnishes a *terminus ante quem* for Peter's earliest known literary work in its claim that: “to those

longing not to be ignorant of the succession of *magistri* up to our day, Peter, the consummately great intellect and trusty teacher of general history suffices for instruction through the things which he composed about what is referred to as the *magisterium*.⁶ John's reference is to Peter's "treatise on the ceremony of the palace" (T 21 and 22), titled Περὶ πολιτικῆς καταστάσεως or *About State Protocol* (T 6), substantial extracts of which survive in Constantine Prophyrogenitus' *De Cerimoniis*.⁷ These confirm that Peter possessed the obsessive degree of attention to detail required of a *magister officiorum*. At the same time they reveal Peter's interest in the historical dimension of his subject – a feature which would have struck a responsive chord in John and which doubtless prompted his praise of Peter as a "trusty teacher of general history ... through the things which he composed about what is referred to as the *magisterium*." Indeed, it is difficult to imagine that Peter – just as is the case with most authors of highly specialized studies – wrote *About State Protocol* for anybody other than people like himself (and like John), men whose dress, gestures, words, and daily routines were scripted by the rules and rituals of the court and culture of Justinian's age.⁸ Peter's "authorial voice" is that of a *magister officiorum*; it is all but inconceivable that the requisite research for *About State Protocol* could have been conducted anywhere other than in Constantinople.⁹ That the book survives only in *De Cerimoniis*, the quintessential Byzantine compendium on the same subject, is hardly coincidental.

Evidently, Justinian's admiration for Peter was long-term, for between 550–562 the emperor entrusted to Peter a series of ambassadorial missions that involved issues of crucial importance to Rome and Persia. Menander the Guardsman's account of one of these – negotiations held in 561 concerning a peace treaty between the superpowers – draws directly on Peter's own dossier of what transpired.¹⁰ Menander's notice that he rephrased the Greek of the speeches he found therein to make it "more Attic" implies that what Menander read was a record – sometimes, he thought, self-promoting on Peter's part – rather than a polished, literary production. It is not necessarily an indictment of Peter as incapable of composing speeches in a classicizing style nor is it a clue to the character of the Greek of Peter's *History*.¹¹ Menander also omitted material in this "immense tome" (τεῦχος μέγιστον), as his injunction to anyone interested in assessing the accounts seriatim to "read these from the collection of Peter himself" (ἀναλεξάσθω ταῦτα ἐκ τῆς αὐτοῦ Πέτρου συναγωγῆς) demonstrates.¹² Since, as the principal Roman participant in the negotiations, Peter himself could not have recorded the details of the proceedings as they unfolded, his "collection" must have comprised a combination of documents produced by his staff and augmented with his own notes and observations.¹³ Not surprisingly, there were two features of these documents that Menander thought unsuitable for him as a writer of history: wordiness and excessive attention to minutiae.¹⁴ "Indeed, if, I suppose, I had written up everything

reported throughout that very parchment,” he says, “the epic recitation of the treaty would have sufficed for me for a basis of an immense history.”¹⁵

Menander places Peter’s death soon after the latter’s return to Constantinople in 562, around July. However, *Novella* 137 (Schoell p. 695.5) demonstrates he was still alive on March 26, 565. By 566 there was a new *magister officiorum*, a Theodorus, almost certainly Peter’s son.¹⁶ Besides his papers, his *About State Protocol*, and Theodorus, Peter left behind him, too, as the *Suda* testifies, a second published work – his *History* (T 6).

THE *EXCERPTA HISTORICA*, PETER’S *HISTORY*, AND THE *ANONYMUS POST DIONEM*

Peter’s *History* survives thanks mainly to the efforts of the compilers of the so-called *Excerpta Historica* (*EH*), who worked at the behest of Constantine VII Porphyrogenitus (r. 908–959, sole emperor 945–959). Of the original fifty-three thematically organized volumes of the *EH*, just four have survived – *On Plots* or *On Ambushes* (*de Insidiis* = *EI*), the pre-imperial Rome section of *On Virtues and Vices* (*de Virtutibus et Vitiis* = *EV*), *On Maxims* (*de Sententiis*), and *On Embassies*, one portion of which was devoted to embassies of various peoples to Rome (*de Legationibus Gentium ad Romanos* = *ELGR*), another to embassies of Rome to various peoples (*de Legationibus Romanorum ad Gentes* = *ELRG*) – and, of these as they now stand, excerpts from the *History* appear only in the *ELGR*, *ELRG*, and, almost certainly, the *ES*. The standard modern edition of the *EH* stands as a monument to the philological virtuosity of its editors, Ursulus Boissevain, Carl de Boor, Theodor Büttner-Wobst, and Anton Roos.¹⁷ Aside from the *EH*, the grammatical treatise *On Syntax* yields two brief but important quotations from the *History* (F 2 and 5, below).¹⁸

In Western Europe, the reputation of Peter himself had preceded the first printed editions of these texts, let alone their culling for excerpts and quotations of the *History* to be printed separately as fragments. Since the twelfth century, students of Roman law had encountered Peter’s name.¹⁹ Far earlier, Peter would have been known through his role in the prelude to and as a result of his presence at the Council of Constantinople.²⁰ By the mid-1500s, Procopius’ *Gothic War* was available in Latin, Italian, and French translations, while 1533 saw the first printed edition of Cassiodorus’ *Variae*.²¹ Both of these works furnished glimpses of the impression Peter made on his contemporaries and of his role as Justinian’s ambassador to Gothic Italy (cf. T 2–3 and 11–15 below). In contrast, 1603 marked the *editiones principes* of the *ELGR* and *ELRG*, 1827 that of the *ES*, recovered from a palimpsest manuscript by the famed Vatican librarian Angelo Mai.²²

The manuscript – *Codex Vaticanus Graecus* 73 – contained Aristides’ orations and Plato’s *Gorgias*. However, Mai recognized that they had been

copied sometime during the fourteenth century onto pages which already bore text he eventually dated to the tenth or eleventh century. To reach this conclusion, Mai had disassembled the codex and, in an attempt to make the palimpsest easier to read, treated its vellum pages with a chemical solution. Though this eventually did lasting damage to the pages, in the short run it enabled Mai to make far better sense of what he had discovered.²³

What remained of the content of the original codex were 177 disordered folios – folded sheets – , each half of a sheet bearing the recto and verso of a page, the total pages being 354. Whoever had produced the palimpsest had gathered these folios four at a time into quaternions. In the process of assembling these quaternions, some had been reversed, with the result that what originally had been rectos became versos in the new codex. Less often, folios had been inverted before being grouped into quaternions, the top of a folio in the original now becoming the bottom of a folio.²⁴ With the sole exception of Eunapius of Sardis' *History*, no folios in the new codex bore the names of the authors or works included in its lower text.²⁵

On the basis of his reordering of the surviving folios, Mai recognized that the palimpsest preserved portions of the *ES*, and, by comparison of the *ES* excerpts with texts preserved in other manuscript traditions, he sought to determine the authorship of each series of excerpts.²⁶ One portion of the *ES* material posed several problems. The bulk of these excerpts so closely paralleled Dio's *Roman History* that Mai thought they derived from it and, consequently, when he ordered the loose folios, he arranged them on the basis of the chronological order of their contents, which extended from Dio's proem through the death of Elagabalus.²⁷ The remainder, which treated events later than the terminus of Dio – specifically from c. 238 into the reign of Constantine the Great (Boissevain's *ES* 156–91) – he suspected had been drawn by the Constantinian excerptors from the lost *Chronica* of John of Antioch, noting in support of this that an excerpt about Diocletian betrayed its author's Christianity.²⁸ Though there was no indication in the palimpsest of any shift in sources at this point, Mai's *Scriptorum veterum nova collectio* distinguished these excerpts by beginning them on a new page under the heading: *Post Dio Excerpts to Constantine* (ΜΕΤΑ ΔΙΟΝΑ ΕΚΛΟΓΑΙ ΕΩΣ ΚΩΝΣΤΑΝΤΙΝΟΥ) or *Post Dio Excerpts from an Anonymous as far as to Constantine* (POST DIONEM EXCERPTA EX ANONYMO USQUE AD CONSTANTINUM).²⁹ Mai was careful to note the absence from the palimpsest of several pages he thought had borne material drawn from his *Anonymus*' treatment of Constantius and suggested that an awareness that Eunapius' *History* would offer abundant material from Julian's reign had caused the Constantinian excerptors to set the *Anonymus* aside at that point.³⁰ It must be stressed, then, that Mai, who had read the extracts from Peter's *History* in the *ELGR* and *ELRG*, made no connection whatsoever between

Peter and any of the historical excerpts in *Vat. Graec.* 73, which nowhere mentions Peter's name.

Only in 1829 did Barthold Niebuhr present the pair of quotations from *On Syntax* (F 2 and 5 below) and the *ELGR* and *ELRG* excerpts of Peter as fragments of the *History*.³¹ In addition, he employed texts published after 1603 – mainly Procopius' *Anecdota* and John Lydus' *de Magistratibus* – and information about Peter preserved in the fragments of Menander the Guardsman to construct an account of Peter that, in most respects, remains accurate.³²

Niebuhr recognized that the evidence from *On Syntax* both pushed the beginning of events treated in the *History* back from Tiberius, the earliest emperor mentioned in the excerpts on embassies, at least to Augustus and demonstrated that Peter had organized his content by emperor rather than by years or book divisions. As for the terminus of the *History*, Niebuhr followed Mai in thinking that Eunapius' emphasis on Julian was a key factor behind the Constantinian excerptor's decision in the *ELGR* to turn away from Peter's *History* at the point he did, i.e., during Julian's tenure as a Caesar (cf. below, F 215).³³ Finally, he was confident that "Peter had produced nothing more than a breviary of Dio as far as [Dio's] history allowed" and that Mai's *Anonymus* was Peter rather than John of Antioch.³⁴ Nonetheless, Niebuhr did not include the post-Dio excerpts from the *ES* as fragments of Peter's *History*. Of the *ES* excerpts which preceded those of Mai's *Anonymus* in *Vat. Graec.* 73 and which Mai had assigned to Dio, Niebuhr made no mention.

Carl Müller's *FHG* IV of 1851 remains today the most commonly consulted collection of testimony and fragments of the *History*. In most respects, it simply reproduces Niebuhr. This is true, too, of Ludwig Dindorf's edition of 1870.³⁵ Two things distinguish Müller's role in the history of the study of Peter's fragments. One was his decision to follow Mai's lead and to print under the heading "An Anonymous Who Continued the *Histories* of Dio Cassius" the thirty-five excerpts in the *ES* which Mai assigned to John of Antioch but which Niebuhr had attributed to Peter.³⁶ This firmly established in the minds of most scholars the unquestioned existence of the *Anonymus* and, for those who did not read Müller's introductory comments with care, divorced the study of the post-Dio excerpts in the *ES* from the *ES* excerpts thought by Mai to have come from Dio's treatment of imperial Rome.

Müller's second distinctive contribution was to champion the *Anonymus* as the adaptor of the Dio-inspired Augustus-to-Elagabalus excerpts which immediately preceded the following sequence of excerpts which Mai had assigned to Dio. To make his case, Müller first adduced a series of objections against Mai's association of the post-Dio excerpts with John and against Niebuhr's proposal of Peter as their author. With regard to John's *Chronica*, he thought it remarkable that the excerptors would begin their selections from a

text which took Adam as its starting point with Alexander Severus. Likewise, why, he wondered, would they turn away from John in Constantine's reign when the *Chronica's* contents extended far beyond that point, especially since the excerpts from John in the *EV* and *EI* did not observe these limits? Müller called attention, too, to the contrast between the general succinctness of John – a trait he shared with George the Monk, Malalas, and Syncellus, no excerpts from any of whom appeared in the *ES* – and Dio's penchant for detail and to John's abridgement of Herodian for his account of the period from Commodus to the Gordians as opposed to the *Anonymus's* reliance on a different source in his handling of that era. Moreover, since it was not the practice of the compilers of the *ES* to link different historical works into a continuous text, Müller thought it unlikely that in this instance they would have joined excerpts from Peter's *History* or, in fact, anyone's *History*, to those taken from the end of Dio's; rather, the work of the nameless author of the post-Dio material must also be the source of the excerpts on imperial history judged by Mai to be from Dio and by Niebuhr from Peter. He also reasoned that the Constantinian excerptors themselves were ignorant of his identity. If they had known his name, why would they not have included it? They must, then, have employed an unattributed text which contained the mystery author's adaptation of Dio from Augustus through Elagabalus, continued by that same *Anonymus* – for Müller a Christian, as Mai and Niebuhr had recognized – to the reign of Constantine (F 212, below).³⁷

Though advocates of a link between the excerpts to John of Antioch remained – Theodor Mommsen the most prominent among them³⁸ – , by the end of the nineteenth century, Georgios Sotiriadis had adduced so many divergences between John and the contested excerpts in the *ES* that the case for him was abandoned.³⁹ Indeed, with one inconsequential exception, there is not a single reference to the *ES* in recent editions of John.⁴⁰

Prior to Sotiriadis and far less comprehensively, Boissevain, too, had made the case against John of Antioch.⁴¹ However, Boissevain had also championed Niebuhr's view that the Augustus-to-Constantine excerpts of the *ES* had been drawn from Peter's *History*. Both Peter and the *Anonymus* were Christians; both of their works extended from Augustus to the dynasty of Constantine; neither Peter's Greek nor that of the unattributed excerpts was of high quality; entries explicitly taken from Peter in the excerpts on embassies and on *On Syntax* shared the unambiguous affinities with Dio's *History* evident in the *ES* entries which dealt with imperial Rome through the reign of Elagabalus; and Peter was a figure whose prominence would have attracted a readership in spite of his *History's* literary shortcomings and derivative character.⁴²

Sotiriadis was not convinced, while Carl de Boor, who found Boissevain's specific points in favor of Peter less than compelling, soon adduced what he thought were far better arguments for the recognition of Peter's *History* as the

source of the entire string of excerpts from Augustus to Constantine.⁴³ There had been, he maintained, no need to assume the existence of an *Anonymus* in the first place. His name, just as the names of all the authors of the *ES* entries save Eunapius, had been lost in the course of preparation of the palimpsest when scribes had discarded those folios whose lettering and decoration had made their texts too difficult to expunge.⁴⁴ He thought it unlikely, too, that there would have existed in the collection of the Imperial Library in Constantinople a work of unknown authorship whose chronological limits, reliance on Dio, and style (or lack of it) matched Peter's *History*.⁴⁵ Furthermore – and John of Antioch aside – , of the authors *known to have been included* in the *EH*, de Boor noted, Peter alone had covered Roman history from Augustus to Constantius. He further observed that the compilers of the *Suda* had drawn many of its historical entries from the still-extant volume of the *EV*, the content of which had been limited to material prior to the imperial era of Roman history. Since no entries from Peter appeared in the *Suda*, excerpts from his *History*, if the *EV* had included them in the first place, would have been in the no-longer-extant volume of the *EV* devoted to the imperial era. On this reckoning, the fragments of the *History* preserved in *On Syntax* and which treated the triumvirate of Lepidus, Antony, and Octavian would be precisely the starting point to be expected of a history of Rome commencing with Augustus.⁴⁶ Finally, de Boor took a close correspondence between a passage in Peter's *History* (F 213 = *ELGR* 14, p. 395.1–32) and John Zonaras' *Epitome of Histories* XIII.7.15–28 (III, pp. 37.5–39.4) as clear evidence of Zonaras' use of Peter.⁴⁷ Consequently, there was no need, then, to posit a shift in sources on Zonaras' part when it came to several close parallels between the *Epitome* and some of the post-Dio *ES* excerpts thought by Niebuhr and Boissevain to have been drawn from Peter.⁴⁸ Here de Boor (pp. 22–23) focused on comments of Ludwig Mendelssohn with respect to the relationship of these passages of Peter and Zonaras to Zosimus' *Historia Nova* I.36.1–2.⁴⁹ Though he recognized that the nature of the evidence precluded certainty, de Boor was confident that he had strengthened Niebuhr's and Boissevain's arguments to so high a degree that Peter's authorship was now difficult to deny on the basis of that same evidence. At the same time, with respect to Franz Görres and Sotiriadis, whose opposition to Peter rested on marked differences between the concerns and character of the Constantinian excerpts on embassies explicitly taken from Peter and those of the anonymous excerpts of the *ES*, he rightly objected that both scholars had ignored the obvious divergences anyone would reasonably expect between excerpts concerned with embassies in contrast to excerpts devoted to maxims.⁵⁰

Boissevain's reordering of the folios of *Vat. Gr.* 73 in the course of his preparation of what remains to date the only critical edition of the *ES* provided an additional reason to dispense with the *Anonymus*. He pointed out that