Who Built Old St Peter's? The Evidence of the Inscriptions and Mosaics

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Abstract

Old St Peter's in Rome, according to the sixth-century *Liber Pontificalis*, was founded by Constantine (306–337), a claim accepted by most scholars who appeal to a variety of evidence. This paper will challenge this, focusing on the inscriptional and mosaic evidence and developing the arguments of Glen Bowersock and Alastair Logan that it was not constructed by Constantine at all but by one of his sons, in all likelihood Constans (337–350). It will argue that he began it in the late 340s as a five-aisled cemeterial basilica which Constantius II (337–361) completed in the late 350s, adding the apse mosaic. The paper will argue for the fundamental significance of two anonymous inscriptions and claim that the key evidence cited has not properly included one of them and in fact reflects the growing influence of legends about Constantine and Silvester.

Keywords

Old St Peter's – Constantine – Constans – Constantius – inscriptions – mosaics

The question of who built Old St Peter's in Rome remains a contentious issue.¹ The list of the buildings and endowments of emperor Constantine (306–337)

1 See G.W. Bowersock, "Peter and Constantine," in W. Tronzo (ed.), *St. Peter's in the Vatican* (Cambridge, 2005) 5–15; A.H.B. Logan, "Constantine, the *Liber Pontificalis* and the Christian Basilicas of Rome," *StPatr* 50 (2011) 31–53; R. Gem, "From Constantine to Constans: the chronology of the construction of Saint Peter's basilica," in R. McKitterick, J. Osborne, C.M. Richardson and J. Story (eds), *Old Saint Peter's, Rome* (Cambridge, 2013) 35–64; R. Westall, "Constantius II and the Basilica of St. Peter in the Vatican," *Historia* 64 (2015) 205–242; P. Liverani, "Old

in Rome and Italy included in the very long entry for bishop Silvester (314–335) in the sixth-century *Liber Pontificalis*,² relates that Constantine built it, giving details of its location, of Peter's coffin, of the building and of its ornaments, liturgical vessels, lights and endowments, the last all from the East, which suggests a date after Constantine's defeat of Licinius in 324.³ This remains the trump card for defenders of the traditional dating and to it scholars have added a variety of other evidence, literary, archaeological and architectural.⁴ However, much of it is indirect.⁵ What is more, the earliest liturgical evidence, the *Depositio Martyrum*, or list of the dates and places of the deposition of (predominantly) Roman martyrs, included in Furius Dionysius Filocalus' Chronograph-Calendar of 354, implies in its entry for 29th June that the deposition of Peter was still being celebrated at *Catacumbae*, the present site of San Sebastiano on the Appian Way, three Roman miles south of the ancient city walls.⁶ Engelbert Kirschbaum deduced from this that St Peter's had not yet been completed.⁷ Krautheimer, who argued that Old St Peter's cannot have taken more than seven to eight years to complete,⁸ did not deal directly with this problem in his discussion. He simply suggested in his section on San Sebastiano in his previous volume, following Duchesne, that the *Depositio* entry is fragmentary and that the original full version occurs in the fifth-century *Martyrologium Hieronymianum* which has Peter's deposition in

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- St. Peter's and the emperor Constans? A debate with G.W. Bowersock," *JRA* 28 (2015) 485–504; H. Brandenburg, *Saint Peter's. The Story of a Monument* (Milan, 2015) 9–24.
- 2 L. Duchesne (ed.), *Le Liber Pontificalis. Texte, introduction et commentaire*, 3 vols (Paris, 1955) 1,172.6–186.23. See R. Krautheimer, *Corpus Basilicarum Christianarum Romae* 5 (Vatican City, 1977) 171.
  - 3 1,176.1–178.11; Krautheimer, *ibid.* 171, 273–274.
  - 4 See e.g. Krautheimer, *ibid.* 171–172, 272–277.
  - 5 Thus, appeal is made to a decree of 349 (*CTh* 9,17,2) attributed to Constans (337–350) forbidding removal of marble from monuments, backdated to 333 and Constantine's supposed work on St Peter's, to a remark of Eusebius (*Theoph.* 4,7) of around 325 supposedly implying the existence of the basilica, and to a gap of around thirty years in inscriptions attached to a pagan sanctuary, the Phrygianum, near St Peter's. Re archaeological and architectural evidence, appeal is made to coins and brick stamps discovered in later excavations and to features of the building style or to the surviving twisted vine scroll columns which the *Liber Pontificalis* claims Constantine brought from the east (Duchesne, *LP* 1,176.4–5; Gem, "From Constantine," 37). See now Liverani, "Old St. Peter's."
  - 6 See Duchesne, *LP* 1,11.13–14: *III kal. iul.* [29th June] *Petri in Catacumbas et Pauli Ostense, Tusco et Basso cons.* [258]. On the Chronograph-Calendar see M. Salzman, *On Roman Time: The Codex-Calendar of 354 and the Rhythms of Urban Life in Late Antiquity* (Berkeley, Los Angeles and Oxford, 1999).
  - 7 *The Tombs of St Peter and St Paul* (London, 1959) 154; C. Pietri, *Roma Christiana: recherches sur l'église de Rome, son organisation, sa politique et son idéologie de Miltiade à Sixte III (314–440)*, 2 vols (Rome, 1976) 1,57.
  - 8 *CBCR* 5,276–277, allowing final touches by 329 at the latest.

the Vatican, Paul's in the Ostian Way and that of both at *Catacumbae*.⁹ Neither Duchesne nor Krautheimer could really believe that in 354 Old St Peter's did not already exist as the creation of Constantine.¹⁰

After the appeal to the *Liber Pontificalis*, whose account has been radically questioned,¹¹ the strongest evidence adduced for the traditional dating consists of inscriptions and mosaics recorded in the building.¹² These include as arguably most persuasive the inscription recorded in the *Liber* entry on a gold cross: *Constantinus Augustus et Helena Augusta hanc domum regalem simili fulgore coruscans aula circumdat* ("Constantine Augustus and Helena Augusta ... a hall glittering in similar splendour surrounds this royal house").¹³ Next there is the hexameter inscription recorded by a pilgrim and preserved in a collection kept in the monastery of Einsiedeln: *Quod duce te mundus surrexit in astra triumphans / hanc Constantinus victor tibi condidit aulam* ("Because under your leadership the world rose up triumphant to the stars, Constantine, the victor, founded this hall for you"),¹⁴ which accompanied a mosaic on the triumphal arch recorded in the early sixteenth century depicting Constantine presenting the church to Christ accompanied by Peter.¹⁵ Also preserved at Einsiedeln is a

- 9 See AASS *Novembris* 2.1,84.1–12; 2.2,343 (*iii kal. Iul. Romae natale [sanctorum] apostolorum Petri et Pauli. Petri [via Aurelia] in Vaticano Pauli vero in Via Ostensi utrumque in Catacumbas [passi sub Nerone] Basso et Tusco consulib.*); R. Krautheimer et al., *Corpus Basilicarum Christianarum Romae* 4 (Vatican City, 1970) 102; Duchesne, *LP* 1, cv–cvi.
- 10 Interestingly, Krautheimer, writing ten years before ("The Constantinian Basilica," *DOP* 21 (1967) 117–140), had suggested that building might have been interrupted on Constantine's death in 337 and resumed in around 357 when Constantius II visited Rome, being completed in the 360s (120 n. 11), evidently accepting the *Depositio* evidence about Peter's deposition being still celebrated in *Catacumbas* in 354 (131–132).
- 11 See Logan, "Constantine" 44–53; Westall, "Constantius II" 228–232.
- 12 See Krautheimer, *CBCR* 5,171–172; "The Building Inscriptions and the Dates of Construction of Old Saint Peter's: A Reconsideration," *RJBH* 25 (1989) 1–23; *ICUR* ns 2,4092–4095; J. Curran, *Pagan City and Christian Capital. Rome in the Fourth Century* (Oxford, 2000) 112–114; R.R. Holloway, *Constantine and Rome* (New Haven and London, 2004) 80; Gem, "From Constantine" 38–42; Westall, "Constantius II" 223–228; Liverani, "Old St. Peter's" 489–490, 492–496; Brandenburg, *Saint Peter's* 18–20.
- 13 See Duchesne, *LP* 1,176.8; Krautheimer, *CBCR* 5,172; Gem, *ibid.* 38–39.
- 14 See *CIL* VI.1 no. 6; *ICUR* ns 2,4092.
- 15 See Krautheimer, *CBCR* 5,171–172; Pietri, *Roma* 1,366–380; P. Liverani, "Costantino offre il modello della basilica sull'arco trionfale," in M. Andaloro (ed.), *La pittura medievale a Roma, 312–1431. Corpus I: l'orizzonte tardoantico e le nuove immagini* 312–468 (Milan, 2006) 90–91; "L'architettura costantiniana, tra committenza imperiale e contributo delle élites loculi," in A. Demandt and J. Engemann (eds), *Konstantin der Grosse. Geschichte – Archäologie – Rezeption* (Trier, 2006) 235–244; "Saint Peter's, Leo the Great and the leprosy of Constantine," *PBSR* 76 (2008) 155–172; Gem, "From Constantine" 39–40; Liverani, "Old St. Peter's" 492–494.

hexameter inscription in the apse seen by a pilgrim prior to the ninth century which read: *Iustitiae sedes fidei domus aula pudoris / haec est quam cernis pietas quam possidet omnis, / quae patris et filii virtutibus inclyta gaudet / auctoremque suum genitoris laudibus aequat* ("This which you behold is a seat of justice, a house of faith, a hall of modesty, which piety possesses totally, renowned, it rejoices in the virtues of father and son, and renders its author equal to his father's praises").¹⁶ This was accompanied by a (later?) mosaic which apparently depicted Christ giving a scroll of the New Law (*traditio legis*) to Peter on his left, with Paul on his right in a pose of acclamation.¹⁷ The inscription has been interpreted as indicating that Constantine began St Peter's and a son completed it.¹⁸ Finally there is a very fragmentary inscription seen by Maffeo Vegio on the arch over the altar in the mid fifteenth century: *Constantini ... expiata ... hostili incursione*,¹⁹ which has been related to Constantine's victory over Licinius in 324²⁰ or his repulse of the Sarmatians in 323.²¹

1 Bowersock's Counter Argument

However, Glen Bowersock has presented an intriguing argument that Constantine was not responsible for founding Old St Peter's,²² which challenges these two pillars of the traditional ascription. Thus, he questions the plausibility

16 *ICUR* ns 2,4094; Krautheimer, *ibid.* See A.C. Carpiacci and R. Krautheimer, "Nuovi dati sull'antica basilica di San Pietro in Vaticano," *BAR* 93–94 (1995) 1–70; 95 (1996) 1–84.

17 See "Nuovi dati" (1995) 6. See further on this J. Kollwitz, "Christus als Lehrer und die Gesetzübergabe an Petrus in der konstantinischen Kunst Roms," *RQ* 44 (1936) 45–66; W. Schumacher, "Dominus legem dat," *RQ* 54 (1959) 1–39; "Eine römische Apsiskomposition," *RQ* 54 (1959) 137–202; C. Davis-Weyer, "Das Traditio-legis-Bild und seine Nachfolge," *MJBK* 3.12 (1961) 7–45; J. Ruysschaert, "L'inscription absidale primitive de S. Pierre: texte et contextes," *RPARA* 40 (1967–1968) 171–190; P. Testini, "Gli Apostoli Pietro e Paolo nella più antica iconografia cristiana," in S. Garofalo et al. (eds), *Studi Petriani* (Rome, 1968) 105–130; R.W. Sullivan, "Saints Peter and Paul: Some ironic aspects of their imaging," *Art History* 17.1 (1994) 59–80 (69–72); F.R. Moretti, "La *traditio legis* nell'abside," in Andaloro, *Pittura* 1 87–90. However, R. Couzin, *Traditio Legis: Anatomy of an Image* (Oxford, 2015) 10–12, feels the evidence cited does not support the attribution. But see below.

18 Gem, "From Constantine" 40–41.

19 *ICUR* ns 2,4095.

20 Krautheimer, *CBCR* 5,171, 206, 274; Gem, "From Constantine" 41–42.

21 See "Nuovi dati" (1995) 5. However, Gem, *ibid.*, rejects such an interpretation. See below.

22 Bowersock, "Peter and Constantine." M.J. Johnson, "Architecture of Empire," in N. Lenski (ed.), *The Cambridge Companion to the Age of Constantine* rev. ed. (Cambridge, 2012) 287 n. 27, finds it unconvincing while citing only three pieces of evidence, climaxing in the Constantine/Helena inscription.

of Constantine's direct role in the founding of the basilica, of which, as he notes, the *Liber Pontificalis* entry is the earliest recorded notice. However, he points to erroneous information in it such as regarding Silvester's baptism of Constantine and the Vatican temple of Apollo, while allowing that the entry could contain authentic testimony such as the eastern endowments, presupposing Constantine's defeat of Licinius in 324, and thus an ultimate *terminus post quem*.²³ As regards the inscriptions, he first allows that the only explicit evidence of Constantine's involvement, apart from the *Liber Pontificalis*, is the mosaic text preserved at Einsiedeln, quoted above, which begins *Quod duce te*, but insists that, in the light of the extensive renovations and changes made in the basilica between the fourth century and the ninth, such an inscription could easily have been put up under the influence of the *Liber* tradition.²⁴ The fragmentary inscription seen by Vegio he argues could apply to any number of conflicts, and seems to add to the programme of the Einsiedeln text supporting the received view that Constantine founded the church.²⁵ The inscription on the gold cross in the *Liber* text, itself influenced by legendary lives of Silvester, about Constantine and Helena, has the problematic reference to a *domus regalis* which a hall (*aula*) surrounds, which Krautheimer thought referred to the *aedicula* or ciborium above it.²⁶ However Bowersock argues that this interpretation of the text is not obvious and that *domus regalis* surely applies to a royal chamber, a chapel perhaps, and that the cross was subsequently moved. He notes as a likely original location Helena's church in the Sessorian palace, Santa Croce in Gerusalemme.²⁷

Bowersock is led to argue that, while all the evidence points to a date in the fourth century for the basilica, there is no evidence of Constantine's veneration of Peter and his foundation of Old St Peter's for nearly two centuries. Constantine's biographer, Eusebius, in his voluminous writings, does not reveal that Constantine had any particular interest in Peter, while the popes were very keen to trace their authority to the former. Thus, Bowersock is led to suggest that it was Constantine's son, Constans, ruler of Italy from 337 to 350, who was most probably responsible.²⁸ This seems confirmed by brick stamps found in the apse of the old basilica when it was demolished.²⁹ Bowersock

23 8.

24 *Ibid.*

25 *Ibid.*

26 On p. 6 of the first of two articles cited in n. 16.

27 "Peter and Constantine" 8–11.

28 11.

29 *Ibid.* Bowersock notes Baronius' deliberate misrepresentation of the abbreviation D N CONSTANT AUG. as D N CONSTANTINUS AUG. See his fig. 3. For a more detailed

then appeals to the other Einsiedeln text quoted above, beginning *Iustitiae sedes*, which seems to proclaim the generosity of one of Constantine's sons. However, he thinks the allusion to a father and son in line three refers, in the light of the term *pietas* in line two, not to Constantine and Constans, but to God the Father and to Christ. But the term *auctor* in line four he interprets as referring unambiguously to the son (i.e. Constans) as solely responsible, not simply completing what his father began, and as thereby having achieved a glory comparable to his father's.³⁰ Bowersock deals with the problem posed to this thesis by the presence of eastern endowments by suggesting that the inconsistencies in the list imply it is a confection from mutually incompatible periods, if some do derive from before 370.³¹

In response Paolo Liverani has reasserted the likely Constantinian provenance of the *Quod duce te* inscription and mosaic, arguing that the former's language both echoes contemporary rhetoric,³² and has influenced later authors such as Damasus.³³ However, the claimed resemblances are not particularly close, and can be better explained in terms of the inscription being later and influenced by the language of Damasus and others.³⁴ Moreover, the mosaic presents problems. It suggests that the building was dedicated to Christ, not Peter, which is not clear and seems contradicted by other evidence,³⁵ and its presence on the triumphal arch when the apse, the key iconographical location, was very probably originally aniconic, with the *traditio legis* mosaic added later, as we shall see, seems problematic. Thus, Bowersock's suggestion that it reflects the later legend echoed in the *Liber* seems more plausible,³⁶ and he does make a good case as regards the gold cross inscription,³⁷ if perhaps inevitably less so in the case of Vegio's fragmentary one. Interestingly enough,

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treatment, which also ascribes stamped tiles and brick stamps to Constans, see Gem, "From Constantine" 42–44.

30 11–12.

31 *Ibid.* He allows that initially St Peter's might have received revenues from Italy and Sicily, much as the Lateran seems to have done.

32 "Saint Peter's" 156–157.

33 *Ibid.*

34 Westall, "Constantius II" 225, argues that the language is anachronistic.

35 See e.g. Duchesne, *LP* 1,176.1 (Silvester); 208.2 (Liberius); 239.2 (Leo 1). Moreover, Athanasius (*Hist. Ar.* 5,37: PG 25,735) refers to the *martyrium* of the apostle Peter. See n. 74.

36 Liverani, "Saint Peter's" 157 n. 10, notes the many scholars dating it later, including Krautheimer ("The Constantinian Basilica" 120–121 n. 11) and Sible de Blaauw (*Cultus et decor* (Vatican City, 1994) 2,461–462), who suggest a Carolingian origin.

37 Pace Gem, "From Constantine" 39. Liverani's claim ("Old St. Peter's" 490) that the proper term should have been *palatium* is not relevant: *domus* refers to the basilical hall, and his claim that the term refers to the *memoria* cannot explain the surrounding hall; the former was not surrounded by but attached to the basilica.

Gem suggests that a son of Constantine may have been the subject,³⁸ and that the hint of an irreligious attack implied by *expiata* might apply to Constans' defeat of Constantine II in 340.³⁹ However, there is evidence to suggest that it actually applies to another son, Constantius, and his 358 campaign against the Sarmatians.⁴⁰ Thus Ammianus Marcellinus, in his account, refers to the Sarmatians' incursion (*incursare*),⁴¹ precisely as in the inscription. Further, he describes how Constantius learnt of it during his Roman visit in 357.⁴² His ensuing victorious campaign would thus be appropriately marked by an inscription on the apse arch of the basilica.⁴³ This seems much more plausible than a rather belated marking of Constans' victory, and Vegio's likely misreading is very understandable.⁴⁴

In any case Bowersock's overall thesis does depend to a considerable degree on the *Iustitiae sedes* inscription and how it is to be interpreted. Indeed, José Ruyschaert has argued strongly on the basis of this inscription that Constantine was the sole founder and builder of the basilica,⁴⁵ rejecting arguments for a later date, the *communis opinio* that he and one of his sons were responsible, and the evidence appealed to, including the *Iustitiae sedes* inscription, as the basis since the end of the nineteenth century of every hypothesis for the late dating of the Vatican basilica and its completion after Constantine.⁴⁶ He notes the anonymity of the inscription, alluding to the only comparable example, the anonymous incomplete inscription from the tenth-century Codex Parisinus 8071, taken from a collection of Roman church inscriptions. It reads: *Hic Petrus et Paulus mundi [duo] lumina praesunt. / Quos coelum similes hos habet aula pares. / Coeperat hanc praesul fundare [...] terra[m?]. / Filius implevit quod voluit genitor. / Quaeris quis Domino astriferum signavit [honorem?]* (last line(s) missing). ("Here Peter and Paul preside, [two] lights of the world. Those whom heaven [holds] similar, the hall holds equal. The chief began to establish this [...] terrain. The son fulfilled what his father wished. You ask who

38 *Ibid.* 41.

39 *Ibid.* 41–42. Liverani's objections ("Old St. Peter's" 495) are weakened by his confusing Constantine II and Constantius II.

40 See Westall, "Constantius II" 227.

41 *Res Gestae* 17,12.1: *Sarmatas ... incurare* (cf. 16,10.20).

42 16,10.20.

43 Note Constantius' speech (17,13.25–33).

44 The confusion between *Constantini* and *Constantii* is common: see Westall, "Constantius II" 227 n. 85.

45 "Inscription."

46 *Ibid.* 171–174.

signified to the Lord the starry [honour?]).⁴⁷ He notes its mutilated character and the fact that its Roman provenance is unknown, lacking the vital words which would have resolved its anonymity, and he compares it with two other later inscriptions that do supply the names of the imperial benefactors involved (Theodosius and Galla Placidia).⁴⁸ In fact this anonymous inscription will prove of vital significance in what follows. Ruysschaert also rejects appeal to the Vatican inscription from the base of the obelisk in the Circus Maximus, referring to Constantius' completion of Constantine's plan to bring it to Rome, and using the terms *pater*, *genitor*, *auctor* and *gloria*,⁴⁹ as supporting the *communis opinio*, again on the basis of the lack of ambiguity over its subjects.

This then leads him to argue for a spiritual interpretation: the Einsiedeln inscription should be understood in terms of the Trinity and the co-equality of Father and Son, and in consequence has to be dated after the death of Constantius, when Liberius (352–366) was finally able to defend the Nicene theology affirming that co-equality.⁵⁰ He also links the inscription with the apse mosaic, which he claims, on the basis of the lid of the casket from Samagher and other evidence, such as the fourth-century engraved plaque from a Roman catacomb preserved at Anagni and the medieval replacement by Innocent III of the apse mosaic as recorded by Grimaldi in a sketch, represented in its upper half the so-called *traditio legis*, Christ in majesty handing the scroll of the New Law to Peter on his left, with Paul on his right, his right hand raised in acclamation.⁵¹ Furthermore that its lower half, which he claims is also depicted on the Samagher casket, represented the motif of the *hetimasia* or empty throne with the Lamb beneath it and flanked by the twelve apostles, explains for him the opening *Iustitiae sedes* of the inscription.⁵² However, for him Constantine's

47 Ruysschaert simply cites Diehl, *ILCV* 1,1764. See also de Rossi, *ICUR* 2.1,248 no. 17; de Rossi and Silvagni, *ICUR* 1,3900. T.D. Barnes, *Constantine. Dynasty, Religion and Power in the Later Roman Empire* (Chichester, 2014) 210 n. 38, to complete the hexameter, reconstructs l. 3: *coeperat hanc praesul <muro circum> f̄fundare f̄ terram*. I would venture to complete: *coeperat hanc praesul fundare sanctorum terram*, on the basis of Damasus' reference to Peter and Paul as *sancti* (see n. 150).

48 "Inscription" 175–176, re Diehl, *ILCV* 1,1761a and 1761b from St Paul's-outside-the-walls. See Krautheimer, *CBCR* 5,98–99.

49 *CIL* 6,1163; Westall, "Constantius II" 234–237.

50 "Inscription" 189.

51 *Ibid.* 179–186. Duchesne, *LP* 1,194 n. 64, notes the renovation of the mosaic by Severinus in 640 (1,329.6: *Hic renovavit absidem beati Petri apostoli ex musibo*), if unsure whether it went back to Constantine.

52 *Ibid.* 183–185.

St Peter's, dedicated along with St Paul's on 18th November 333,⁵³ was aniconic, with no image in the apse.⁵⁴

Krautheimer, after originally relating the inscription to what he considered Constantius' installation of a mosaic in the apse,⁵⁵ accepted Ruyschaert's trinitarian interpretation for a time, if arguing nevertheless that the inscription need not date after 337,⁵⁶ but then returned to his original view.⁵⁷ More recently an article under his and Carpičeci's names has suggested that Old St Peter's was originally planned by Constantine as a rectangular, free-standing *memoria* measuring 90m by 20m, with an apse on the long western wall in whose chord was the original shrine or *aedicula* of St Peter dating to the 160s. To the east of it was constructed a vast rectangular enclosure for pilgrims, involving a massive infill and levelling. Only later was there added to the *memoria* a three-aisled basilica, subsequently converted into a five-aisled version to form a vast covered cemetery taking up much of the enclosure.⁵⁸ However, scholars criticize Carpičeci's role and reject his general conclusions,⁵⁹ Gem pointing out, in his discussion of the archaeological data,⁶⁰ that there is no evidence that the eastern wall of the transept between the pillars of the triumphal arch was continuous; rather it was a later sleeper wall not carrying anything on its surface.⁶¹ This implies that an opening between transept and nave must have been envisaged from the beginning.⁶² Moreover the five-aisled nave design also seems to have been established early on.⁶³ More intriguingly, Gem notes that the primary apse foundations were later replaced,⁶⁴ suggesting as a hypothetical explana-

53 Gem, "From Constantine" 63 n. 61, rejects this dating.

54 "Inscription" 187–188.

55 "The Constantinian Basilica" 120 n. 11. He follows Duchesne in interpreting the *camera* of 1,176.6 as the apse vault covered by Constantine in gold foil (*CBCR* 5,171), as at the Lateran (see Krautheimer, *Corpus Basilicarum Christianarum Romae* 1 (Vatican City, 1937) 172.16), hence lacking any imagery. However, Liverani, "Camerae e coperture delle basiliche paleocristiane," *Medelingen Nederlands Instituut Rome* 60–61 (2001–2002) 13–27 (13–17), has decisively rejected that interpretation: *camera* in such contexts refers to the coffered ceiling.

56 *CBCR* 5,172.

57 "A Note" 317–320; "Building Inscriptions" 4, 10.

58 Carpičeci and Krautheimer, "Nuovi dati" (1995) 5–6, 18. See also "Nuovi dati" (1996) 5–8. Pietri, *Roma* 1,63–64, had noted that the module size of the bricks in the apse was smaller and earlier than that of the main basilica.

59 See Liverani, "Old St. Peter's" 486.

60 "From Constantine" 36. See also Liverani, *ibid.*

61 *Ibid.* 50, and fig. 2.7.

62 *Ibid.* 50–51.

63 48–49, 56.

64 51–52.

tion either that subsidence required a rebuilding of the apse, or that a wooden ceiling was replaced by a masonry semi-dome.⁶⁵ However, Gem is led by the inscription on the triumphal arch to ascribe the basilica to Constantine, if the two apse inscriptions incline him to assign the rebuilt apse to Constans.⁶⁶ But if Bowersock's argument that the triumphal arch inscription and mosaic are much later and reflect the legend that Constantine founded Old St Peter's and dedicated it to Christ and mine attributing the Vegio inscription to Constantius, are justified, we are left with just the *Iustitiae sedes* one.

2 Interpreting the *Iustitiae sedes* Inscription

Indeed, that inscription and how to interpret it properly is evidently central to the debate about who built Old St Peter's, but how exactly are we to understand its – rather gnomic – text, and what is its relation to the mosaic? It was most likely positioned in a band at the base of the apse, below the semi-dome,⁶⁷ which, making the Vegio inscription a later addition, and the *Quod duce te* mosaic and inscription later still,⁶⁸ here represents the primary inscriptional location.⁶⁹ Thus it is best understood as the dedicatory inscription.⁷⁰ Certainly the opening terms seem to apply to the entire building as a seat of justice, a house (*domus*) of faith, a hall (*aula*) of modesty which the viewer sees before them. Now Bowersock has pointed to the incorporation of the terms *iustitia*, *domus* and *pudor* in an inscription over the main door of the original Sta Maria

65 52. However, Liverani, "Old St. Peter's" 502–503, and Brandenburg, *Saint Peter's* 14, reject his hypothesis.

66 57.

67 40. See Ruysschaert, "Inscription" 185 fig. 3. Gem understands it (44) as arguably part of the apse mosaic.

68 Strikingly, the apse inscription is cited from the sixth century on (de Rossi, *ICUR* 2,1,21, 55, 145, 156). Moreover its first line is quoted in a letter from Pope Hadrian I to Charlemagne around 794 (Mansi, *Coll.* 13,774; *MGH Epistolarum* 5,29.28–29), while the first citation of the *Quod duce te* inscription occurs in an early ninth-century MS of Alcuin's letters (Cod. Sangallensis 271 p. 231: see Westall, "Constantius II" 224–226).

69 Pace Krautheimer, "Building Inscriptions" 9–15. He nevertheless implies a similar situation at St Paul's-outside-the-walls re the Galla Placidia inscription on the triumphal arch (11).

70 As Brandenburg, *Saint Peter's* 18–19, argues.

in Trastevere,⁷¹ which was probably built by Julius (337–352),⁷² and there is a sufficient degree of similarity between the two to suggest that Julius might have been responsible for both.⁷³ Krautheimer wishes to understand all three phrases as referring to the Ecclesia, the Church of the faithful, but his interpretation and claimed parallels, while interesting, do not seem entirely relevant to what appears to be the original subject of the inscription, the actual building, as a shrine of, and centre of pilgrimage to, Peter.⁷⁴ Furthermore, although the terms “house of faith” and “hall of modesty” seem applicable to such a building and the latter even attested at the time as applying to a basilica,⁷⁵ in what sense could Peter's *memoria* merit the title “seat of justice?” The answer would seem to lie in what the inscription may well be alluding to, namely the passage in Matthew (16.13–20) in which Peter, as a result of his statement of faith in Jesus as “the Christ, the Son of the living God,” is made the foundation of the Church (*domus fidei*?) and given authority over it. Peter's *memoria*, to which Christians flocked, was for them the true source of justice, not the law courts of the pagans.⁷⁶ Certainly the mosaic illustrating Christ's handing over the New Law to Peter, whether contemporary with or later than the inscription, does support this interpretation.⁷⁷

But how are we to interpret the following phrases about the building being possessed totally by *pietas* and renowned, rejoicing in the virtues of father and son (*quae patris et filii virtutibus inclyta gaudet*)? Ruyschaert's trinitarian

71 “Peter and Constantine” 11 n. 40, referring to de Rossi, *ICUR* 2.1.151; Diehl, *ILCV* 1.1783: *Haec domus est Christi semper mansura pudori / Iustitiae cultrix plebi servavit honorem*. He also notes the phrase *aula pudoris* in a fourth- or fifth-century inscription in the original basilica of S. Agapitus near Praeneste (*CIL* 14.3415), and Ambrose uses it (*Exhort. virg.* 4.27 (PL 16.343D)). Prudentius, *Contra Symmachum* 2.249–255 (Fontes Christiani, 85.182), as Ruyschaert has noted (“Inscription” 178), seems to echo the St Peter's inscription, employing *fides*, *pietas*, *iustitia*, *pudor*, *domus* and *sedes* to describe his ideal Christian *templum*.

72 See *LP* 1.205.4 and 206 n. 5; Krautheimer, *Corpus Basilicarum Christianarum Romae* 3 (Vatican City, 1967) 68; Curran, *Pagan City* 124–125.

73 Gem, “From Constantine” 41, allows that the inscription in Julius' Trastevere basilica is the closest parallel to the *Iustitiae sedes* one.

74 “A Note” 318–319. While the Trastevere basilica is explicitly dedicated to Christ, St Peter's is not, according to this inscription, *pace* Krautheimer, “Building Inscriptions” 14–15.

75 See n. 71.

76 Krautheimer (“The Constantinian Basilica” 117 n. 2) notes the use of *sedes iustitiae* by a pagan panegyrist in 310 of Constantine's new basilica in Trier (*Paneg.* 7.22 in E. Galletier (ed.), *Panegyriques latins* 2 (Paris, 1952) 73).

77 See on this J. Dresken-Weiland, “The Role of Peter in Early Christian Art: Images from the 4th to the 6th Century,” in R. Dijkstra (ed.), *The Early Reception and Appropriation of the Apostle Peter* (60–800 CE). *The Anchors of the Fisherman* (Euhormos: Greco-Roman Studies in Anchoring Innovation 1) (Leiden, 2020) 115–134.

interpretation of father and son might seem plausible at first sight.⁷⁸ However Pietri has questioned that interpretation, pointing out that Damasus, in a letter dating perhaps to 372, insisted on the Western trinitarian belief in only one *virtus* and *usia* in the Godhead.⁷⁹ Ruyschaert's interpretation would make the inscription decidedly subordinationist and "Arian,"⁸⁰ very much going against not only Damasus' theology, but its foundation, the theology that Athanasius had developed in the 330s and brought to Rome in 339–340, and which finds its Western expression in the doctrinal statement of the (Western) Council of Serdica of 343. That Council had insisted on the equality of Father and Son as a single being, while rejecting any confusion, and allowing that the Father was greater than the Son only insofar as the name "Father" was greater.⁸¹ It had also referred to Rome in its letter to Julius as *caput ... Petri apostoli sedem*.⁸² Furthermore, in response to Ruyschaert's appeal to the following phrase about the *auctor* being rendered equal to the praises of his *genitor* as implying the co-equality of both and thus a date after Constantius, Pietri has argued that understanding Christ as the *auctor* of St Peter's seems very implausible.⁸³

Therefore it might be safer to reject the trinitarian interpretation and return to our suggestion that the inscription represents the original dedication. Thus the phrase "the virtues of father and son" and the allusion to the *auctor* equalling his *genitor* refer to Constantine and one of his sons.⁸⁴ It might be argued that the references to the virtues of father and son and to the *auctor* being rendered equal to the praises of his father could plausibly be interpreted as implying that Constantine began and a son completed the building

78 Duchesne, *LP* 1,195 n. 64, had already drawn attention to the copy of the inscription in a North African church near Theveste (*CIL* 8,10698; see Diehl, *ILCV* 1,1753 n.), which he claims clearly implies such a trinitarian sense (see Ruyschaert, "Inscription" 186), and Bowersock, "Peter" 11, thinks the context of *pietas* points in the same direction.

79 Pietri, *Roma* 1,56–57, referring to Damasus, *Ep.* 2, fragment 1 (PL 13,351AB; CSEL 71,257.23–24).

80 See P. Liverani, "L'edilizia costantiniana a Roma: il Laterano, il Vaticano, Santa Croce in Gerusalemme," in A. Donati and G. Gentili (eds), *Costantino il Grande. La civiltà antica al bivio tra Occidente e Oriente* (Cinisello Balsamo, 2005) 81, appealing to Pietri.

81 See Theodore, *H.E.* 2,8.38–43, 45. Marcellus of Ancyra, in his letter to Julius of 341, speaks of the Son as the undivided power (Greek *dunamis*, i.e. *virtus*) of God (see G.L. Thompson (ed.), *The Correspondence of Pope Julius I* (Washington DC, 2015) 20–21).

82 See Hilary of Poitiers, *Coll. Antiar. B* (CSEL 65,127.4): *ad caput, id est ad Petri apostoli sedem*. (See Thompson, *ibid.* 106–109).

83 *Roma* 1,56–57. *Auctor* is used of Christ only rarely and in late texts (see TLL 2,1206.1ff.), and the building is not explicitly dedicated to him.

84 However, Liverani, "Edilizia" 75–81; "Saint Peter's" 160–161; "Old St. Peter's" 495, understands father and son as Constantius Chlorus and Constantine, which does not explain the comparison, while Gem, "From Constantine" 39–40, accepts the ascription to Constantine and one of his sons, without discussing Ruyschaert's trinitarian hypothesis.

(Ruysschaert's *communis opinio*). However, both Bowersock's interpretation of *auctor* as sole subject (as well as his case in general) and the very considerable time delay implied by the *Depositio* entry, if original, tend to militate against such a view. What is more likely is that the building of St Peter's is being regarded as an equal achievement to a major construction of Constantine, such as the Constantinian or Lateran basilica.⁸⁵ The authority and Christian piety (*virtus*) of the father in constructing it has been matched by the authority and piety of the son in constructing St Peter's. On the other hand, as we shall see, there is another, perhaps more likely, subject of the comparison, namely the *Basilica Apostolorum* at *Catacumbae*. Finally, as regards the authorship of the inscription, that Julius was ultimately responsible is suggested by its style and tone, the veiled allusions to Peter, his see and primacy (*Iustitiae sedes*), and the echoes of Julius' dedicatory language noted above.⁸⁶

3 St Peter's and the *Basilica Apostolorum*

The question then arises: why was St Peter's founded when it was, apparently sometime in the 340s? What about the basilica jointly dedicated to Peter and Paul, the *Basilica Apostolorum* at *Catacumbae*, and the basilica of Paul on the Ostian Way? When was the former built and how does it relate to the basilicas dedicated to Peter and Paul individually? Although the *Basilica Apostolorum* is not included in the list of basilicas in the *Liber* supposedly founded by Constantine, which has led to the supposition, claiming support from architectural evidence, that it was begun by the usurper Maxentius (306–312),⁸⁷ a claim that has been disputed,⁸⁸ there is clear evidence that Constantine did indeed begin it late on in his career. That evidence consists of the overlooked or misinterpreted inscription cited by Ruysschaert and quoted above, rightly ascribed by Orazio Marucchi in 1921 to the *Basilica Apostolorum*.⁸⁹ It refers to

85 See Krautheimer, *Early Christian* 47–48, 54–56, on the similarity of the design.

86 Ruysschaert's appeal to Marius Victorinus as author ("Inscription" 190) seems implausible.

87 See Krautheimer, *CBCR* 4,95–145; H. Brandenburg, *Roms frühchristliche Basiliken des 4. Jahrhunderts* (Munich, 1979) 80–82, 89–92; Curran, *Pagan City* 99; E. Jastrzębowska, "San Sebastiano, la più antica basilica cristiana di Roma," in F. and A. Guidobaldi (eds), *Ecclesiae Urbis: Atti del Congresso internazionale di studi sulle Chiese di Roma (IV–IX secolo) Roma 4–10 Settembre 2000*, 3 vols (Vatican City, 2002) 2,1141–1155 (1151–1155); Holloway, *Constantine and Rome* 108; A.M. Nieddu, *La Basilica Apostolorum sulla via Appia e l'area cimiteriale circostante* (Vatican City, 2009) 141–144.

88 See J.J. Rasch, *Das Maxentius-Mausoleum an der Via Appia in Rom* (Mainz, 1984) 48 n. 425.

89 "Di un iscrizione storica che può attribuirsi alla *Basilica Apostolorum* sulla Via Appia," *NBAC* 27 (1921) 61–69. Nieddu, *Basilica* 141 n. 645, notes it without realizing its relevance.

a *praesul*, the frequent term for a bishop in Christian writings of the period,⁹⁰ beginning the project, and a son completing what his father had willed. Now since Marucchi no-one has offered a persuasive alternative suggestion about the basilica involved, and the references to Peter and Paul surely point to the *Basilica Apostolorum* at *Catacumbae* and the ample evidence of the joint cult. Archaeological investigation has suggested that the son was Constans,⁹¹ and Silvester is the most likely candidate for the *praesul*. Furthermore the language suggests that the project was inaugurated towards the end of the reigns of father and *praesul* (i.e. Constantine and Silvester). Moreover, such a dating of the basilica seems to be confirmed by the dates of internal graves and external mausolea at the site (340–359).⁹²

The inscription has been a major plank in my recent argument that contemporary members of the Roman community which had been responsible for initiating the joint martyr cult of Peter and Paul at *Catacumbae* in 258 with relics, genuine or supposed, of the two translated from the traditional sites, persuaded Silvester in the early 330s to get Constantine, long absent in the East, to support the building of a covered cemetery at the site.⁹³ This was attached to the permanent *memoria* containing the supposed relics (and frescoes?) of the two, as hinted at by the inscription.⁹⁴ Julius, my argument goes on, fearful of the international popularity of the cult, and keen to gain control over it and harness it to his purposes, was able to get that *memoria*, cella 43/mausoleum 1,⁹⁵ demolished and the relics either transferred back to the original sites or concealed in the Lateran basilica. In my opinion, it was Julius therefore who persuaded Constans in the mid to late 340s to construct the

90 See e.g. Coll. Avell. *Ep.* 13,6 (CSEL 35.1,55.23), Leo, *Sermo* 3,4 (PL 54,147A); *Ep.* 1,1 (594A), 105,2 (999B) etc.

91 Note the monogram, most probably of Constans, on the gateway threshold (A. Ferrua, "Lavori a S. Sebastiano," *RivAC* 37 (1961) 203–236 (230); Nieddu, *Basilica* 95–99).

92 Krautheimer, *CBCR* 4,103. Nieddu, *Basilica* 132–133, 144–145, disregarding such evidence, would date the sarcophagi of basilica and mausolea earlier on stylistic grounds to confirm her assignation of the basilica to the early years of Constantine.

93 See Logan, "Constantine," "Paul and Peter – Pray for Victor! The History and Impact of the Earliest Roman Martyr Cult," *StPatr* 72 (2014) 85–110. The backdating to 333 of Constans' edict of 349 forbidding tomb violation (*CTh* 9,17,2) might thus refer to the completion in that year of Constantine's demolition of catacombs to build the new basilica.

94 I, "Constantine" 42, find confirmation of the existence of the *memoria* and relics in the visit around 340 of the Egyptian monk, Ammonius, companion of Athanasius in his Roman exile.

95 See F. Tolotti, *Memorie degli Apostoli in Catacumbas: rilievo critico della memoria e della basilica apostolorum ai III miglio della via Appia* (Vatican City, 1953); Krautheimer, *CBCR* 4 pls VII–VIII; Nieddu, *Basilica* 137–140 (renumbering the mausolea, she classifies Tolotti's cella 43 as mausoleum 1).

two alternative *memoriae*,⁹⁶ the massive basilica of St Peter on the Vatican, designed to enclose the old *aedicula* shrine and accommodate hordes of pilgrims and undercut the older joint cult, and the much smaller St Paul's on the Ostian Way. The latter was apparently a moderate sized apsed hall similarly enclosing his shrine.⁹⁷ It might have been completed and the relics of Paul translated by 350, certainly before 354, as attested by the *Depositio* entry.⁹⁸ In support of the active role I envisage Julius having taken in initiating the two *memoriae* I have drawn attention to the considerable church building programme that can be attributed to him, focusing on the southwest, west, and north of Rome.⁹⁹ Indeed Julius' active interest in Peter and Paul as supposed founders of the Church in Rome, but preference for Peter and his primacy are attested (1) by his letter of 341 to the party of Eusebius of Nicomedia which, while citing the constitutions of Paul, appeals to the tradition received by the Roman Church from Peter;¹⁰⁰ (2) the reply of the Easterners rejecting Rome's claim to honour and precedence over the sees of the East because of the antiquity of the apostolic tradition and the teaching there of Peter and Paul, since they came from and first taught in the East;¹⁰¹ and (3) the letter and canons of the Western Council of Serdica of 343, the former cited above, referring to Rome as the head, being the see of Peter,¹⁰² the latter containing Ossius of Cordoba's proposal, honouring the memory of Peter, that judgements about bishops be referred to the Bishop of Rome for final settlement.¹⁰³

96 This imperial foundation would explain why the two were not mentioned in the entry for Julius in the "Liberian Catalogue" (see Duchesne, *LP* 1.8,13–21). As regards the possible starting date, Constans' edict of 349, insisting on the need for imperial consent, might imply Julius having sought his permission to start the two new *memoriae*, both in pagan cemeteries.

97 Kirschbaum, *Tombs* 169–184; Krautheimer, *CBCR* 5,148–149, 161; "Intorno alla fondazione di San Paolo fuori le mura," *RPARA* 53–54 (1980–1982) 207–220 (209–211); F. Bisconti, "Basilicam fecit. Tipologie e carrateri degli edificio di culto al tempo dei Costantinidi," in Donati and Gentili, *Costantino* 82–91 (86–87); D.L. Eastman, *Paul the Martyr: The Cult of the Apostle in the Latin West* (Atlanta, 2011) 24–27, 39 fig. 1.7.

98 See n. 6. The Hieronymian Martyrology has an entry for 25th January which I suggest ("Constantine" 49 n. 142) alludes to the translation of Paul's relics to the Ostian Way site from *Catacumbae*.

99 "Constantine" 53 n. 165. See also Curran, *Pagan City* 119–127, noting possible Julian constructions within the city walls and to the east as well.

100 See Athanasius, *Apol. c. Ar.* 35,4–5; Thompson, *Correspondence* 28, 80–81.

101 See S. Parvis, *Marcellus of Ancyra and the Lost Years of the Arian Controversy 325–345* (Oxford, 2006) 165, referring to Sozomen, *H.E.* 3.8.5.

102 See n. 82.

103 See canon 3 (and 3b) in e.g. C.H. Turner, *EOMJA* (Oxford, 1899) 1.2.3,456.14–30. Such language echoing Julius' claims chimes in very well with the *Iustitiae sedes* of the Einsiedeln inscription.

As regards the relation between Julius and Constans, we have noted the imperial character of the two new foundations, but the unlikelihood that Constans originated the idea for them, given that he had not long before completed his father's basilica at *Catacumbae* for the joint cult. Moreover, the precedent of Constantine's allowing the bishop of Jerusalem, Macarius, a largely free hand in suggesting details of the Holy Sepulchre basilica, while offering his own ideas and the help of his local officials in the construction,¹⁰⁴ coupled with Constans' evident regard for bishops like Athanasius and Julius,¹⁰⁵ would strengthen the hypothesis that, while Julius was responsible for suggesting the original idea and relative sizes of the two basilicas, Constans was responsible for their construction and endowment.¹⁰⁶

This argument does seem to make best sense of the varied evidence, and following it, the allusions in the Einsiedeln inscription to the virtues of father and son, and the son made equal to the father's praises, may therefore very well refer, as I hinted above, to the involvement of both in building shrines to Peter. As Constantine began construction of the cemeterial basilica attached to the *memoria* of the joint cult of Peter and Paul at *Catacumbae*, so Constans equalled him by beginning construction of the grand new memorial basilica on the Vatican.¹⁰⁷ Constantine's role at *Catacumbae* had to be alluded to so as not to alienate Constans, who had completed the basilica there, now effectively downgraded, while his agreement to build the new basilica had to be lauded by him being put on the same level as his illustrious parent. The absence of the *Basilica Apostolorum* from the list of basilicas attributed to Constantine in the *Liber I* considered entirely understandable in the light of the demolition of the *memoria* and the consequent removal as redundant of the Marucchi inscription, probably located on the inner end nave wall.¹⁰⁸ Conversely the author of the list of basilicas, writing perhaps in the mid to late fifth century at a time of growing interest in Constantine and Silvester,¹⁰⁹ clearly supposed that Constantine was responsible for both St Peter's and the original St Paul's. He

104 See Eus. *V.C.* 3,31.1–32.2.

105 On Athanasius' relation with Constans, see *Apol. ad Constant.* 4–6.

106 On Constans' role in building basilicas in Rome, see "Constantine" 53.

107 Brandenburg, *Saint Peter's* 29–30, rightly sees St Peter's as a memorial, not cemeterial, basilica, as was St Paul's. Both incorporate the *memoria* as central and were not originally designed for burials. If Constantine pioneered the ambulatory cemeterial basilica, Julius and Constans, it would seem, pioneered the memorial one.

108 See Krautheimer, "Building Inscriptions" 9. However, the inscription's survival suggests it remained, to be read if not fully understood by later generations.

109 On the latter see e.g. the Latin *Vita S. Silvestri* as summarised by Duchesne (*LP* 1, cx–cxiii). Note Leo's allusion in St Peter's to the faith of Constantine, first Christian emperor (*ep.* 56: PL 54,861/2A), his interest in Peter in particular (*Serm.* 2–5: 146B–155B), in the feast of

evidently knew of the gold cross, which he locates over Constantine's bronze coffin in the former,¹¹⁰ but if he had known of the triumphal arch inscription and mosaic, he betrays no hint of such a priceless support for a claim to Constantinian provenance.¹¹¹ Finally the anonymous style of the Einsiedeln inscription which encouraged Ruysschaert's trinitarian hypothesis, seems perfectly explicable as a conscious echoing by Julius of the style of the Marucchi inscription from the *Basilica Apostolorum*. Both seem best understood as the dedicatory inscriptions of imperial foundations, and Ruysschaert was right to see the similarity.¹¹²

4 The Apse Mosaic

This brings us to the apse mosaic and its relation to the inscription. Both Ruysschaert and Krautheimer would unite the two and see the mosaic as reflecting the language of the inscription, if they differ on its date and author: while the former appeals to a date after Constantius' death, the latter still appeals to Constantius as responsible. However, both agree that Constantine founded St Peter's, that the apse was originally aniconic, and that the main subject of the later mosaic was the so-called *traditio legis*. It depicted Christ with beard and halo standing on a hill from which flow the four rivers of Paradise, presenting the scroll of the New Law to Peter on his left holding a tall cross, with Paul on his right, the usual position of honour, raising his right hand in a pose of acclamation.¹¹³ As we have seen, Ruysschaert also draws attention to the empty throne with lamb underneath on the rear side of the Samagher casket, which

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Peter and Paul (*Serm.* 82–4: 422C–434B), and his renewal of both St Peter's and St Paul's (see *LP* 1,239.3–4, 240 n. 7; Krautheimer, *CBCR* 5,98–99).

110 See Duchesne, *LP* 1,176.6–7.

111 His reference to porphyry and vine scroll columns in St Peter's brought by Constantine from Greece (*LP* 1,176.4–5), which Gem notes ("From Constantine" 37) in support of the traditional thesis, can be explained in terms of Constans using ones from a store established by his father, the existence of which is attested by the fact that Xystus III (432–440) employed more such columns in the Lateran baptistery (see *LP* 1,234.19–21). On the columns see J. Ward Perkins, "The Shrine of Saint Peter and its twelve spiral columns," *JRS* 42 (1952) 21–33.

112 Thus both share the same structure, alluding first to their Christian significance, then to their imperial founders.

113 Ruysschaert, "Inscription" 179–181. On the *traditio legis* motif see e.g. Kollwitz, "Christus als Lehrer" 59–64; Schumacher, "Dominus legem dat" 1–39; "Apsiskomposition" 147–192; T. Buddensieg, "Le coffret en ivoire de Pola, Saint-Pierre et le Latran," *CAR* 10 (1959) 157–200 (162–168); Davis-Weyer, "Traditio-legis Bild" 7–45; Testini, "Apostoli" 116–120; F. Nikolasch, "Zur Deutung der 'Dominus-legem-dat' Szene," *RQ* 64 (1969) 35–73; Couzin, *Traditio*.

he argues must surely represent the *iustitiae sedes*.¹¹⁴ Whether the latter claim is justified, inscription and mosaic, both Ruysschaert and Krautheimer argue, must surely belong together,¹¹⁵ thereby suggesting that the subject of both was to be understood as the handing over by Christ in majesty, as *imperator, rex*, and *iudex*, of the New Law to Peter, founder and possessor of the see (*sedes*) of Rome.¹¹⁶ The “seat of justice” would then seem to relate to the basilica as the hallowed shrine of Peter who, as recipient of the New Law from Christ (*traditio legis*), dispensed it, as did his Roman successors.¹¹⁷

Strikingly we also find a form of the motif of the *traditio legis* in the upper central panel of the sarcophagus of the city prefect of Rome, Junius Bassus, who died in 359, discovered under the pavement of the *confessio*, very near the shrine, in 1597.¹¹⁸ However, it does represent a rather different iconography, depicting a youthful, beardless Christ enthroned above the pagan god of the heavens, *Caelus*, holding a partly unrolled scroll in his left hand, with Peter standing on his left, and Paul standing on Christ’s right holding a scroll.¹¹⁹ Conversely, the iconography of the Samagher casket and other examples cited seem to correspond to Couzin’s “standard” version and thus may be earlier.¹²⁰ Nevertheless, the question remains: was the mosaic originally associated with the inscription, or was the former added somewhat later? Even if, as noted above, Duchesne and Krautheimer were wrong to interpret the cryptic language of the *Liber* about Constantine constructing the *camera* of the basilica of gold foil (*trimma auri*) in terms of the vault of the apse,¹²¹ that does not invalidate

114 *Ibid.* 179–181.

115 Ruysschaert, *ibid.* 179, 184; Krautheimer, “A Note” 319. See Liverani, “Edilizia” 77–78.

116 Krautheimer, *ibid.*; Carpićeci and Krautheimer, “Nuovi dati” (1995) 6; F. Bisconti, “Programmi figurativi,” in S. Ensoli and E. La Rocca (eds), *Aurea Roma. Dalla città pagana alla città Cristiana* (Rome, 2000) 184–190 (188–189).

117 P. Franke, “Traditio Legis und Petrusprimat: Eine Entgegnung auf Franz Nikolasch,” *VigChr* 26 (1972) 263–271, rightly stresses this, rejecting the interpretations of Schumacher, “Apsiskomposition,” and Nikolasch, “Zur Deutung.” This focus on Peter, his see and his primacy, also reinforces the hypothesis that Julius was responsible for the idea of the grand *memoria*.

118 See Apollonj Ghetti et al., *Esplorazioni* 1,220–222; Westall, “Constantius II” 219–220. Couzin, *Traditio* 14, suggests a later date for the sarcophagus.

119 See Brandenburg, *Saint Peter’s* 33 fig. 32; E.S. Malbon, *The Iconography of the Sarcophagus of Junius Bassus* (Princeton, 1990) 54–59. On the likely influence of imperial imagery, see B. Brenk, “The Imperial Heritage of Early Christian Art,” in K. Weitzmann (ed.), *Age of Spirituality: A Symposium* (New York, 1980) 39–52 (45). The same imagery is found on the Lateran sarcophagus 174, dated to after 360 (see Sullivan, “Saints Peter and Paul” 70–71). Note that Couzin, *Traditio* 3, excludes this version as not “standard.”

120 See Davis-Weyer, “Traditio-legis-Bild” 12–16.

121 Duchesne, *LP* 1,176.6, 194 n. 64. See n. 55.

the hypothesis that the apse was originally aniconic or Krautheimer's subsequent argument that it was Constantius who added both inscription and mosaic.¹²² That there was a previous apse mosaic is attested both by Severinus' restoration in 640,¹²³ and the addition of the *Quod duce te* inscription to the triumphal arch, rather than the apse. However, the inscription, as we saw, seems to refer directly to the building rather than to any apse decoration. If we do give some credence to the language and testimony of the *Liber*, we could still reconcile all this by ascribing the apse inscription to Julius and the mosaic to Constantius.

Certainly, the evidence seems to suggest that the latter was responsible for completing and endowing St Peter's.¹²⁴ If we take the evidence of the *Depositio Martyrum* seriously, implying that the supposed relics of Peter were still at *Catacumbae* in 354, then that suggests the *memoria* still existed. In that case, we would have to emend my thesis about Julius being responsible for its demolition, and suggest Constantius instead. Taking his stand on the fact that the whole complex was an imperial possession,¹²⁵ and disregarding any protests by aristocratic supporters of the joint cult,¹²⁶ Constantius must have had the *memoria* demolished and Peter's relics translated to St Peter's and probably placed in the rectangular cavity in wall *g* of the *confessio*, very likely suggested with that in view by Julius.¹²⁷ Indirect evidence of this translation may well be found in the episode in 355 related by Athanasius, in which Eusebius, Constantius' eunuch, presented gifts, intended to bribe Liberius to abandon his support for Athanasius, to the guardian of the *martyrium* of the apostle Peter, which Liberius, in a fury with the guardian, threw out as unlawful.¹²⁸ It was this which allegedly caused Constantius to demand that Liberius be expelled from

122 Significantly, Hadrian I, in his letter to Charlemagne listing papal installation of mosaics (Mansi, *Coll.* 13, 801; MGH 5,49.27–30), only mentions Constantine as venerating images.

123 See n. 51.

124 See Logan, "Constantine" 47–48, 50–51; E. Kleinbauer, "Antioch, Jerusalem, and Rome: The Patronage of Emperor Constantius II and Architectural Invention," *Gesta* 45:2 (2006) 125–145 (138 and n. 68). Moreover, Krautheimer (*CBCR* 5,172) had noted coins of Constantius discovered in the demolition of Old St Peter's, which Westall ("Constantius II" 222–223) notes were found at the eastern end of the basilica, the last part to be completed.

125 See on this A. Thacker, "Popes, emperors and clergy at Old Saint Peter's from the fourth to the eighth century," in McKitterick et al., *Old Saint Peter's* 137–156 (138).

126 Note the fine mausolea attached to the *memoria* at *Catacumbae*. See Logan, "Paul and Peter" 100–101, 108–109.

127 See e.g. Kirschbaum, *Tombs* 71, 149; D.W. O'Connor, *Peter in Rome* (New York and London, 1969) 199–201.

128 Thacker, "Popes" 140–141, deduces from this that the guardian was an imperial rather than a papal official.

the city.¹²⁹ Constantius must have been particularly enraged by this insult to him and his revered shrine of Peter, particularly if the latter's relics were now there. What is more, Constantius, as Athanasius attests, was very keen to attend the consecrations of basilicas in which he had a significant interest,¹³⁰ and during his stay in Rome (April 28th to May 29th 357),¹³¹ Pentecost Sunday, 11th May, would have been an appropriate day for the consecration of St Peter's,¹³² with its returned relics and gleaming new mosaic.¹³³

Indeed, a pointer towards Constantius being responsible for that mosaic may be found in the mosaic itself. What is so striking about its subject matter, which virtually no-one seems to have considered odd,¹³⁴ is the very prominent way Paul is presented in a building ostensibly dedicated to *Peter*.¹³⁵ What circumstances could explain this anomaly? In the New Testament Paul presents himself very much as opponent and critic of Peter.¹³⁶ Certainly he was honoured at Rome as fellow martyr from the 160s,¹³⁷ and was the object with Peter, as we have seen, of a joint martyr cult which began at *Catacumbae* in 258.¹³⁸ Indeed he does seem to emerge as an increasingly significant figure

129 Ath. *Hist. Ar.* 5,35–41, especially 37 (PG 25,735).

130 See Ath. *Apol. ad Constant.* 14–18 (PG 25,612–619).

131 See T.D. Barnes, *Athanasius and Constantius: Theology and Politics in the Constantinian Empire* (Cambridge, MA and London, 1993) 222.

132 As appropriate precedent I cite his presence at the consecration of the Great Church in Antioch on 6th January (Epiphany) 341, the date supplied by the Arian historiographer (Bidez-Winkelman, GCS Philostorgius 212.19–22).

133 The pagan commentators, in describing Constantius' Roman visit, would have made no mention of this, nor would embarrassed Christian writers like Athanasius in that, with Liberius in exile, Felix (355–365), candidate of the "Arian" Constantius (see Ath. *Hist. Ar.* 75), would have presided at the consecration.

134 However, Sullivan, "Saints Peter and Paul" 67–68, does note it and seeks to explain it, as does Couzin, *Traditio* 55–58, if ultimately unconvincingly. See also n. 162.

135 Art historians relate this to what they term the *concordia apostolorum* (see J.M. Huskinson, *Concordia Apostolorum. Christian Propaganda at Rome in the Fourth and Fifth Centuries: A Study in Early Christian Iconography and Iconology* (Oxford, 1982); R.M. Jensen, *Face to Face: Portraits of the Divine in Early Christianity* (Minneapolis, 2005) 186–191), but they tend not to explain it, apart from Davis-Weyer, "Traditio-legis-Bild" 27–32, who sees Peter and Paul as Christian replacements of the Dioscuroi.

136 See Gal 2.6–14; Sullivan, "Saints Peter and Paul" 59–62.

137 See Eus. *H.E.* 2,25,5–7 (GCS n.f. 6,1,176.16–178.6) on Gaius' "trophies" and Dionysius of Corinth's language about the two. On the likely fates of Peter and Paul and the growth of martyr cults see T.D. Barnes, *Early Christian Hagiography and Roman History* (Tübingen, 2010) ch. 1.

138 See the *Depositio Martyrum* entry for 29th June (n. 6); L. Duchesne, "La 'Memoria Apostolorum' de la Via Appia," *MPARA* 1 (1923) 1–22; H. Lietzmann, *Petrus und Paulus in Rom* (Berlin and Leipzig, 1927); H. Chadwick, "St. Peter and St. Paul in Rome: The Problem of the Memoria Apostolorum ad Catacumbas," *JThS* NS 8 (1957) 31–52; O'Connor, *Peter in*

in Roman iconography alongside, if at first still subordinate to Peter, from around the middle of the fourth century.¹³⁹ But the main reason for that, not satisfactorily explained by art historians with their appeal to a supposed *concordia apostolorum*, would seem ultimately attributable to the influence of the very popular international joint cult. Indeed it may have played a key role not only in the decision to construct both St Peter's on the Vatican and St Paul's on the Ostian Way, as has been argued, but also in the development of the characteristic iconographical themes involving both, including the *traditio legis* of the apse mosaic.

Clearly Peter in his own church is the more important figure, but Paul, the Apostle to the Gentiles, was an equal partner in the joint cult. Although supporters of that cult, perhaps disappointed by the rather insignificant *memoria* of Paul on the Ostian Way, might have put pressure on the bishop (Julius or Liberius) to include Paul somehow in the grand new Vatican basilica, it must have been someone with more clout, who could ignore the bishop and his exclusive focus on Peter in his *memoria*, and commission a mosaic with such distinctive features. And who was more likely than Constantius? As has been suggested, he was responsible for modifying and endowing the basilica, and translating Peter's relics to it, and was surely present at its likely consecration in May 357.¹⁴⁰ Moreover, unlike his father, he seems to have been a keen devotee of both Peter and Paul and their cult. This can be deduced from a variety of evidence. First there is the likelihood that on his visit to Rome in 357 he attended St Paul's as well as St Peter's.¹⁴¹ Then there are the appropriate eastern

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Rome 135–158; M. Guarducci, "Il culto degli apostoli Pietro e Paolo sulla via Appia: riflessioni vecchie e nuove," *MEFRA* 98.2 (1986) 81–842; G.F. Snyder, *Ante Pacem: Archaeological Evidence of Church Life Before Constantine*, rev. ed. (Macon, GA, 2003) 180–189; Holloway, *Constantine* 150–155, who argues, on the basis of *LP* 1,150.6–10, that Cornelius (251–253) removed the relics from the *Catacumbae* site to the traditional sites in 251, and that the joint cult began at *Catacumbae* in 257, an over-complicated hypothesis not in line with the evidence. On the development of the cult see Logan, "Paul and Peter."

139 See e.g. Testini, "Apostoli" 116–118. Thus, scenes featuring his martyrdom do appear in a more subordinate position on the Bassus sarcophagus.

140 Support for Constantius' presence in St Peter's comes (a) from Barnes' argument (*Constantine* 86) that the Datianus who presented his estate (the *domus Datiani* of *LP* 1,177.8) to the Roman church, was in Rome with Constantius, and most likely present at the consecration and sufficiently impressed to make his donation (see Westall, "Constantius II" 230–231), and (b) from the likelihood that the Roman Christians' appeal for the return of Liberius and Constantius' response (Coll. Av. *Ep.* 1.3: CSEL 35,133–8) also occurred then. That response rules out the two encounters Theodoret relates (*H.E.* 2,17.1–7: GCS n.f. 5,136.13–137.12).

141 Liverani, in his discussion of imperial *adventus* to Rome between Constantine and Honorius ("Visitors and Pilgrims in Late Antiquity and the Early Middle Ages," *Fragmenta*.

endowments of St Peter's and St Paul's, surely attributable to Constantius.¹⁴² Then there is the striking choice of apostolic relics which he translated in 356–357 to the Church of the Holy Apostles in Constantinople, those of Timothy, Andrew and Luke.¹⁴³ Mango refers to the choice of “three lots of obscure relics,”¹⁴⁴ not grasping their significant link to Peter and Paul. Thus, Timothy was Paul's disciple, Andrew was Peter's brother, and Luke was Paul's companion. Strikingly Paulinus of Nola was aware of this link, noting in 405 that Constantius (he has Constantine!) removed Andrew from Achaëa and Timothy from Asia (he overlooks Luke!) to enable Constantinople to vie with and counter Rome and its joint cult.¹⁴⁵

Then there is the Holy Apostles church itself, cross-shaped and with the apostolic relics under the central altar, which Mango and Kleinbauer have convincingly argued was built by Constantius, not Constantine, who constructed a circular mausoleum for himself which was also a memorial of the twelve apostles.¹⁴⁶ Even if Constantius dedicated his church to the twelve and not to Peter and Paul (and related apostles) in particular, nevertheless his special regard for the two is suggested by the likelihood that he inaugurated the celebration of their joint cult in the church. This hypothesis is supported by three pieces of evidence. First, there is Ambrose's copying of the basilica in Milan in 382 and depositing relics (*brandea*) of Peter and Paul under the altar, while also adding relics of Andrew, Thomas and John the Evangelist.¹⁴⁷ Then there is the allusion by John Chrysostom, in a homily of early July 399, to terrified crowds visiting the places of the apostles (i.e. the Holy Apostles church), most likely on the 29th of June.¹⁴⁸ Finally there is the fact that that date, the western date

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Journal of the Royal Netherlands Institute in Rome 1 (2007) 83–102 (91)), has appealed to two passages in John Chrysostom (*Ep. II ad Corinthos* 26,5 (PG 61,582); *Contra Iudaeos et Gentiles* 9 (PG 48,825)) alluding to imperial visits to the tombs of the two, which he thinks may well refer to that visit.

142 Intriguingly, codex D of the *Liber* adds *domnus Constantius Augustus* to Constantine as responsible for St Paul's.

143 See C. Mango, “Constantine's Mausoleum and the Translation of Relics,” *ByZ* 83 (1990) 51–61 (52–53).

144 *Ibid.* 60.

145 See *Carm.* 19,317–342, cited by Mango, *ibid.* 53.

146 Mango, *ibid.* 53–58; Kleinbauer, “Antioch” 125. But see also J. Bardill, *Constantine, Divine Emperor of the Christian Golden Age* (Cambridge, 2012) 370–372.

147 See Paulinus, *Vita Ambros.* 32–33; *ICUR* 2,161.16.3; N.B. McLynn, *Ambrose of Milan: Church and Court in a Christian Capital* (Berkeley and London, 1994) 231–235, 279; Eastman, *Paul the Martyr* 117–124 and fig. 3.1.

148 *Contra ludos et theatra* 2 (PG 56,265.10–12). For the date see W. Mayer and P. Allen, *John Chrysostom* (London and New York, 2000) 118.

of Peter and Paul's deposition, was celebrated in the church by the patriarch in the presence of later Byzantine emperors.¹⁴⁹

Thus Constantius, who had been so recently concerned with the shrines of Peter and Paul in Rome, may very well have decided to re-establish the joint cult and its festival of 29th June in a single location in his new church in Constantinople with the most appropriate relics he could find. He may even have petitioned Felix or Liberius to send him the relics of the two from their new shrines, a hypothesis that may find an echo in Damasus' epigram of the 370s, a riposte to the East, insisting that Rome was better able to defend Peter and Paul, its citizens.¹⁵⁰ However, clinching evidence for Constantius' interest may finally be supplied by the matching pair of apse mosaics featuring Peter and Paul in Sta Costanza in Rome, whose construction Kleinbauer has also plausibly attributed to him.¹⁵¹ The first depicts a dark, bearded Christ in majesty presenting Peter on his right with the keys.¹⁵² Intriguingly, the matching mosaic depicts a youthful, blond, beardless Christ presenting a long scroll, which is inscribed DOMINUS PACEM DAT, not to Peter, who again stands on his right and resembles the Peter of the other mosaic, but to a plump-faced, balding, heavily bearded Paul on his left.¹⁵³ Thus this motif is not a *traditio legis* but rather a *traditio pacis*.¹⁵⁴ Strikingly, both portraits differ from their traditional representations, with Peter as tall, slight and thin-faced, rather than

149 See Ps. Codinus, *De officiis* 15 (PG 157,97A). The East did not seem to know the actual dates of their martyrdoms, celebrating them on 28th December (so Lietzmann, *Petrus und Paulus* 126–128).

150 Damasus' epigram (A. Ferrua, *Epigrammata Damasiana* no. 20 (Vatican City, 1942) 139–144), originally at *Catacumbae*, reads: *Hic habitasse prius sanctos cognoscere debes / Nomina quisque Petri partier Paulique requiris. / Discipulos Oriens misit, quod sponte fatemur, / Sanguinis ob meritum Christumque per astra secuti, / Aetherios petiere sinus regnaque piorum. Roma suos potius meruit defendere cives. / Haec Damasus vestras referat, nova sidera, laudes.* ("Here you ought to know that the saints once dwelt, whoever seeks the names of both Peter and Paul. The East sent these disciples, as we freely acknowledge. On account of the merit of their blood they followed Christ across the stars and sought the heavenly abodes and kingdoms of the pious. Rome deserved better to defend her citizens. May Damasus set forth these things, O new stars, as your praise.")

151 "Antioch" 131–139. He suggests (137) that it was also a mausoleum for Constans. While Rasch dates the rotunda to the 340s and Arbeiter the mosaics to 370 (J. Rasch and A. Arbeiter, *Das Mausoleum der Constantina in Rom* (Mainz, 2007) 89, 147), M.J. Johnson in his review (*AJA Online Reviews* 113.1 (Jan. 2009)) agrees with Kleinbauer's hypothesis. Certainly Constantius' acknowledgement of his brother's similar involvement with Peter and Paul might help explain their presence.

152 See R.M. Jensen, *Understanding Early Christian Art* (London & New York, 2000) 114 fig. 38.

153 See Jensen, *ibid.* 113 fig. 37; *Face to Face* 145 fig. 64.

154 See P. Vallin, "Dominus pacem dat: à propos du mausolée de Constantina à Rome," *RSR* 54 (1963) 579–587; M. Andaloro and S. Romano, "L'immagine nell'abside," in Andaloro

stockier and square-headed, and Paul as described, rather than with a thin, pointed face and beard.¹⁵⁵ Certainly the mosaics have been extensively restored, as Jensen notes,¹⁵⁶ perhaps affecting the imagery, and other Roman images of the motif have Peter as the recipient, as of course does the mosaic in St Peter's. But the scroll inscription seems original versus the DOMINUS PACEM DAT of the *traditio legis* tradition,¹⁵⁷ and supports Jensen's interpretation of the figures: Christ grants peace through Paul's preaching of reconciliation between Jew and Gentile.¹⁵⁸

How then are we to interpret this evidence? Despite the differences in the depiction of Christ, Jensen rightly notes that both mosaics are from the same date and workshop, and that the Jesus iconography appears to be both intentional and ancient.¹⁵⁹ The clue to understanding them may lie precisely in their juxtaposition: while one celebrates Peter and his ecclesiastical authority, the other celebrates Paul and his teaching, as Apostle to the Gentiles, while also giving Peter the place of honour. That is, the person responsible, i.e. Constantius, is celebrating the importance, contribution, and joint cult of both, most likely as a tribute to Constans, completer of the *Basilica Apostolorum* at *Catacumbae*. The differences from the more usual representations of both probably also suggest that the *traditio pacis* was the original motif.¹⁶⁰ But, when it came to his mosaic for St Peter's, Constantius must have felt it appropriate in the circumstances and the *Iustitiae sedes* language of the inscription to adapt that earlier motif and iconography to express the new idea of the *traditio legis* to Peter, balancing it by giving Paul the place of honour, and reflecting the iconography of the *Catacumbae memoria*.¹⁶¹ In turn, this high-profile original version influenced later representations of the motif, particularly Couzin's "standard" one. This surely strengthens the argument that the *traditio legis* mosaic was original to St Peter's. Therefore Krautheimer, if wrong about Constantine as

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and Romano (eds), *Arte e iconografia a Roma: dal tardoantico alla fine del medioevo* (Rome, 2002) 82.

155 This may have led scholars like Sullivan ("Peter and Paul" 69–70) to understand Paul as Peter and vice versa.

156 *Face to Face* 145.

157 See Sullivan, "Peter and Paul" 70. If Paul is indeed the recipient, Couzin's appeal (*Traditio* 10) to a mistaken word change is implausible.

158 The idea seems to depend on Eph 2.14–22.

159 *Face to Face* 145.

160 Versus M. Sotomayor, "Zur Herkunft der *traditio legis*," *RQ* 56 (1961) 215–230, and the modern scholarly consensus (see Couzin, *Traditio* 10).

161 This seems a more plausible hypothesis than my appeal to Constans and the cult supporters ("Constantine" 48; "Paul and Peter" 107), particularly given the likely original aniconic character of the apse.

builder of Old St Peter's, was surely correct in attributing to Constantius the addition of this distinctive and novel mosaic to the originally aniconic apse of the *memoria*.¹⁶²

But was Constantius also responsible for the inscription? I have argued for Julius, noting the echoes of his language. But the continuity between inscription and mosaic, the latter evidently the work of Constantius, might suggest he was responsible for the inscription as well, paying tribute to the original builder, Constans. The inscription at the base of the apse might have survived the rebuilding, but equally it might have been added as part of the mosaic when the apse was rebuilt. Moreover mosaic and inscription illuminate each other and do belong together, as Ruysschaert and Krautheimer argued. However, the language of the inscription (a) does seem to refer primarily to the building, not to the mosaic; (b) seems more appropriate as the initial dedication than a later addition; (c) does appear to echo Julius, and (d) is much more suited to Peter, as we have seen, with nothing that might particularly point to Paul. That would fit much better with Julius as responsible rather than Constantius, particularly in the light of the former's clear prioritising of Peter, the existence of a separate *memoria* for Paul, and the secondary character of the Vegio inscription. Finally, (e) if the inscription had been the work of Constantius, as with that inscription, it would very likely not have been anonymous.¹⁶³ Conversely, as suggested above, the language of the inscription (*Iustitiae sedes*) must surely have influenced Constantius' *traditio legis* mosaic.

Whatever the truth, the two anonymous inscriptions which Ruysschaert cited do indeed play a fundamental role in answering the question of who built Old St Peter's. The Einsiedeln inscription in its primary position does point to Old St Peter's as begun by Constans, as Bowersock suggested, if Constantius added the mosaic and the Vegio inscription. Moreover, it was Constantius too, in answer to Bowersock's doubts, who was responsible for the eastern endowments, not only in the case of St Peter's but also of St Paul's.¹⁶⁴ However all this is only established beyond any doubt by the Marucchi inscription, which has Constantine begin the *Basilica Apostolorum* following Silvester's initiative, and Constans complete it, while alluding to the presence of relics of Peter and Paul at the site. What is more, Damasus' famous epigram clearly presupposes knowledge of the relics and of this inscription and makes sense in the

¹⁶² Peter Damian's appeal (*Ep.* 159), in response to the perplexity of abbot Desiderius of Monte Cassino about the oddness of the iconography, to Constantine and Silvester, may point in this direction, if misled by the Constantine/Silvester legend. See Couzin, *Traditio* 56–58, on the novelty of the iconography.

¹⁶³ See Westall, "Constantius II" 226–227.

¹⁶⁴ See Logan, "Constantine" 49.

light of it.¹⁶⁵ This effectively rules out Constantine having begun either Old St Peter's or St Paul's-outside-the-walls at the request of Silvester, as the *Liber Pontificalis* claims. Why would either have done so, when the joint cult and supposed relics had been at *Catacumbae* since 258? As Bowersock has noted, Constantine had no evident interest in Peter, nor, it would seem, in Paul either, evidently preferring the twelve,¹⁶⁶ until persuaded by Silvester in the 330s to attach a cemeterial basilica, the *Basilica Apostolorum*, to the *memoria* of the two with its relics at *Catacumbae*.¹⁶⁷ That it clearly still existed in 340 is attested by the visit of Ammonius. What is more, we have noted my argument appealing to evidence, literary and archaeological, if some of it indirect, for a translation of the relics of Peter and Paul, genuine or supposed, from the traditional sites to *Catacumbae* in 258, despite the denials of Chadwick, Mango, Bowersock and many others, and of a translation back to the traditional sites in the 350s.¹⁶⁸

All this means that the other inscriptions and mosaic associated with St Peter's need to be understood as either irrelevant (the gold cross inscription), or as mistakenly assuming, as Bowersock notes, that Constantine was responsible, under the influence of later propaganda. This last of course is true of the *Liber Pontificalis*, as I have argued. Equally it means that the *Depositio Martyrum* entry for 29th June does not need emending but represents a completely accurate picture of the situation regarding the three sites: on that date in 354 Paul's relics had been translated back to the completed *memoria* on the Ostian Way, but Peter's were still at *Catacumbae* because St Peter's had not yet been completed. Finally, such a hypothesis helps to explain the lack of signs of any developed cult of Peter or of graffiti mentioning Peter at the Vatican,¹⁶⁹ in contrast to the situation at *Catacumbae*, with its hundreds of graffiti invoking

165 Indeed Damasus' setting up the epigram at *Catacumbae* stressing the joint cult on which his episcopal authority was principally founded at a site he could control and the related idea of the *concordia apostolorum* were a key part of his political strategy versus both the new individual, imperially founded and controlled *memoriae* and rival schismatic and heretical movements in Rome. See M. Sághy, "Scinditur in partes populus: Pope Damasus and the Martyrs of Rome," *EME* 9.3 (2000) 273–287; Curran, *Pagan City* 152–153; Thacker, "Rome of the martyrs: saints, cults and relics, fourth to seventh centuries," in É.Ó. Carrágain and C.N. de Vegvar (eds), *Roma Felix. Formation and reflections of Medieval Rome* (Aldershot, 2007) 13–49 (31–32).

166 So Logan, "Constantine" 44 n. 102.

167 Silvester's high regard for the joint cult is suggested by the letter of the Council of Arles of 314 (Turner, *EOMJA* 1,382.24–8), which implies that his absence from the council was because he felt the need to preside over the festival on 29th June, very likely newly reinstated after the Great Persecution. See Logan, "Paul and Peter" 99 n. 78.

168 See Logan, "Paul and Peter" *passim*.

169 See Snyder, *Ante Pacem* 198–200.

both Peter and Paul, and its catacomb and imperial cemeterial basilica honouring their joint cult. While the gradual development and adorning of the *aedicula*, as traced by Kirschbaum,¹⁷⁰ does imply continuing devotion to Peter at the Vatican site,¹⁷¹ attested by Eusebius and Athanasius,¹⁷² the joint cult was centred at *Catacumbae* from 258 until the 350s and the building of the two new *memoriae* at the traditional sites. However attractive the claim that Constantine was responsible for Old St Peter's, it rests on legend, not fact.

170 See *Tombs* 137–141. Hence Eusebius' language (*Theoph.* 4.7) about a splendid tomb.

171 See Logan, "Paul and Peter" 107 n. 124, on possible evidence of an alternative deposition festival at the Vatican. This evidence might explain the presence of beggars at the Vatican, attested by the pagan Lampadius in the 330s (Amm. Marc. 27.3,6; Duchesne, *LP* 1, cv n. 1; Liverani, "Saint Peter's and the city of Rome between Late Antiquity and the early Middle Ages," in McKitterick et al., *Old Saint Peter's* 21–34 (21–23); Thacker, "Popes" *ibid.* 142), attracted by the pilgrims Eusebius hints at. Thus, there is no need to posit a basilica there at that time.

172 See his *Ep. Fest.* 41,16, referring, like Eusebius, to tombs, not basilicas.