

Fall 2015

# Banishment in the Later Roman Empire, 284-476 CE, by Daniel Washburn (review)

Eric Fournier

West Chester University of Pennsylvania, [efournier@wcupa.edu](mailto:efournier@wcupa.edu)

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## Recommended Citation

Fournier, E. (2015). Banishment in the Later Roman Empire, 284-476 CE, by Daniel Washburn (review). *Journal of Early Christian Studies*, 23(3), 486-487. <http://dx.doi.org/10.1353/earl.2015.0040>

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197). I also wonder about his tendency to see differences in theological emphasis among the smaller sections of the *Acts of Paul* as evidence of different authors.

Despite these questions, Snyder has forced us to answer, in effect, a basic question: Why does Tertullian seem to know a written account of Paul's martyrdom and an *Acta Pauli* as different texts (234–35)?

*Benjamin L. White, Clemson University*

Daniel Washburn

*Banishment in the Later Roman Empire, 284–476 CE*

Routledge Studies in Ancient History 5

New York: Routledge, 2013

Pp. ix + 239. \$140.00.

Despite the prevalence of exile in late antique sources, scholarship has remained scarce on this topic. Daniel Washburn's book thus fills an important gap in the field. Washburn aims to reconstruct the use of this sentence and its general trends in the later Roman Empire. The book's seven chapters give a wide-ranging picture of banishment in this period, drawing mainly on legal and ecclesiastical evidence.

Chapter One underlines the various nature of banishment, also a leitmotif of the book as a whole. Washburn proceeds from the starting point of the 2nd and 3rd century jurists because of their legal precision. Banishment punished, humiliated, and relocated the culprit by severing connections, but it also carried an important public aspect, establishing a link between the government and its subjects. Chapter Two covers what Washburn labels "sectarian banishment" (42), and undoubtedly its most important late antique incarnation. For Washburn, the exile's improvement constituted a significant ideological difference with its previous uses in religious contexts. For Christians, the purity of the faith was critical, which heretics contaminated, causing the need to remove the infection. His analysis of this new ideology of "contagion and removal" is a highlight of the book (53–64), although some will disagree with his attribution of this trend to Constantine. Chapter Three focuses on the banishing powers: emperors, provincial governors, vicars, and praetorian prefects. It argues that delegating the power to banish to their subordinates later provided emperors the opportunity to exercise clemency through recall. Bishops and the urban populace were the most important of the "non-magistrates" to banish, although only in exceptional circumstances.

Chapter Four focuses on those in charge of implementing the sentence. Washburn identifies three distinct stages in banishment's life cycle: eviction, move, and control. Exiles were typically given some time to organize before departure; guile was often more successful than force; civil troops normally evicted exiles (military troops exceptionally); and bishops appear most often in the sources as the authority in charge of supervising the banished. Chapter Five attempts to discover the people behind the crimes. Washburn argues that the remarkable diversity of

banishment made it possible for anyone to be exiled in the later Roman Empire. Despite such “chameleon-like capabilities” (100), banishment mainly affected criminals of higher social standing, and it became the typical punishment for *maiestas*. Thus, banishment continued its earlier function as a substitute for the death penalty for members of the elite, despite a trend toward harsher penalties for the latter and more banishment for lower classes.

“Life in Banishment” (Chapter Six) was not uniform, although our knowledge comes mainly from bishops’ writings. As such, documents are often highly rhetorical, use biblical imagery, and draw upon the heritage of martyrs. Bishops’ experiences differed from laymen, because their social and financial status was directly linked to their position, and they generally receive more lenient punishments. Remoteness was a fundamental factor in the selection of a culprit’s destination; specific locations were recurrent; and southern Egypt became the ultimate exilic destination. The “Return of the Exile” (Chapter Seven) involved either restoration (with return of confiscated property) or simple recall. The pardon was a public gesture inscribed within a larger political context of *indulgentia* in which Easter became the prominent moment to exercise such clemency.

The book suffers, however, from a limited chronological purview and a misguided attempt to treat all exiles equally. First, Washburn justifies his *terminus ante quem*, 476 C.E., by his interest in an empire-wide phenomenon. In doing so, he misses the opportunity to assess how the Western political successors of Rome transformed the use of banishment and how the Eastern Empire used banishment after 476. The choice of “Later Roman Empire” in the title is telling in this regard. Second, Washburn’s view that “the administrative framework used to banish clergymen was much the same as that which would have been used in other instances” (14) sits uneasily with what we otherwise know of late antique bishops. For instance, how does the privilege of bishops to be judged by their peers (*praescriptio fori*), which led to the condemnation of guilty ones by councils, fit within this framework? Did emperors add their “civil” sanctions to those of councils? If so, how did this affect recall procedures? It is surprising that famous exiles such as Athanasius of Alexandria, banished seven times, do not feature more prominently in this study. Documents relating Athanasius’s second, voluntary exile, for example, illustrate the role of Constans in protecting exiled bishops through his military might and provide a useful description of living conditions while in exile (*Apol. Const.* 3.36–52).

Despite these limitations, Washburn provides a useful overview of this important institution. Readers interested in banishment will find in this book an important synthesis of its different aspects, while those interested in specific exiles will find a framework within which to situate and interpret their experiences.

*Éric Fournier, West Chester University of Pennsylvania*