

Menander Protector, Fragments 6.1-3

History of Menander the Guardsman (Menander Protector) was written at the end of the sixth century CE by a minor official of the Roman/Byzantine court. The original text is in Greek, but has survived only in a fragmentary form, quoted in compilations and other historical writings.

The author, Menander, was a native of Constantinople, seemingly from a lowly class and initially himself not worthy of note. In a significant introductory passage, he courageously admits to having undertaken the writing of his History (Ἱστορία) as a way of becoming more respectable and forging himself a career. He certainly was a contemporary and probably an acquaintance of the historian Theophylact Simocatta and worked within the same court of Emperor Maurice. His title of “Protector” seems to suggest a military position, but most scholars suspect that this was only an honorary title without any real responsibilities.

Menander’s history claims to continue the work of Agathias and so starts from the date that Agathias left off, namely AD 557. His style of presentation, if not his actual writing style, are thus influenced by Agathias, although he seems much less partial than the former in presentation of the events. He seems to have had access to imperial archives and reports and consequently presents us with a seemingly accurate version of the events, although at time he might be exaggerating some of his facts.

The following is R. C. Blockley’s English translation of the fragments 6.1-3 of Menander Protector’s History, which deals directly with the Sasanian-Roman peace treaty of 562 and provides us with much information about the details of negotiations that took place around this treaty. The Iranian characters are presented quite vividly and often in a sympathetic and understanding manner. Menander correctly renders some of the Iranian titles (or as closely that he would have known) and at times comes close to claiming that he could actually read Middle Persian, although this is unlikely. His account provides us with some very interesting details about the almost unknown subject of Sasanian diplomacy and in some cases - when either translating letters from Middle Persian or quoting negotiations between the Iranian envoy and the Roman one - even the language and construction of arguments themselves. In writing this account, Menander makes it clear that he has had access to the records of Peter, the Roman envoy, and is taking much of the information from this source. In this case, the account of Menander becomes even more important to us, being the remnant of one of the most interesting treaties between the two rival powers of late antiquity.

The text is an exact reproduction of Blockley’s translation and thus preserves his style, as well as his pagination. The footnotes, however, are the present author’s and his direct responsibility. The point of providing new comments instead of reproducing Blockley’s own footnotes was to attract the attention of the reader to those instances in this passage that are more important for a historian of Iran, instead of the normal commentaries that are most concerned with Roman history.

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[Fragment 6.1]

I. (Exc. de Leg. Rom. 3)

[p55] Through the East and Armenia there seemed to be a very firm peace between the Romans and the Persians. In Lazica¹ there was a truce. Therefore, since a partial peace was already in existence², the rulers of the Romans and Persians decided to make a universal peace, and for this purpose Justinian sent Peter, the master of the offices, to negotiate with Khosro for a comprehensive treaty. When Peter reached the frontier at Daras³, he informed the king of the eastern barbarians that he had come to treat concerning the mutual cessation of hostilities. To that place was sent the envoy of the Persians, whose name was Yesdegusnaph⁴. He held the rank of Zikh⁵, which is the highest honour amongst the Persians, and he served as his king's chamberlain."

When the envoys met and were joined by the governors of the neighbourhood, they opened the conference. Peter, the Roman envoy, who was well educated, especially in the law, spoke as follows: "We are here, O men of Persia, at the behest of the Emperor of the Romans. It would be superfluous to tell you what kind of man our Emperor is. His achievements describe him. I am here to turn the present peace into a comprehensive one. I wish first to explain to you the nature and the power of the state with which you will be making the treaty, and if I seem to be dwelling at too great length on the advantages to both states, do not let my verbosity irritate you. For shortly what I shall say will prove to be to the point, and you will commend me when you learn the utility of my words from their results.

"You will be making a treaty with the Romans. It is enough to say 'Romans'; the name tells it all. Since you are to make a treaty with such a great nation and you are, therefore, confronting a major decision, you should choose the best and most beneficial course and embrace, not the uncertainties of war, but peace, which is very clearly [p57] a good thing for all mankind. Do not be led astray by the conviction that you have conquered the Romans because you are elated at your capture of Antioch and other Roman towns. This was God's way of punishing the excessive good fortune of the Romans, lest they think that men differ greatly from one another⁶. Moreover, if what is naturally just always prevailed, there would be no need of orators or the careful distinctions made by the laws or meetings or complex discussions of these issues, since we should automatically follow the most beneficial course. But since we all consider what we support to be just, debate with its complex argumentation is also necessary. For this reason we have come together in congress, so that each of us, through his skill in argument, might try to persuade the others that his position is reasonable.

Now, no one will deny that peace is good and its opposite, war, is bad. Even if against the general consensus we hold victory to be assured, in my opinion that victory is ruined by the distress of the defeated. Thus, even victory brings grief, though less than defeat. With this in mind our Emperor has sent us to make a treaty and to take the initiative in asking that the war be ended. He does this not because he

¹ Part of Georgia, it was previously part of the Kingdom of Colchis which was re-organised into Lazica in the third century by the Romans. The Roman involvement in the region finally resulted in the breaking away of the important region of Suania which was supported by the Sasanians (Priscus, *fragment 51*).

² This was the unfortunately named Eternal Peace of 532 (*Malalas 18.76*). It of course barely lasted until 540 (*Chronicle of Edessa, 104*).

³ Daras was a Roman border city, in distance of less than 20 kilometers from Nisibis. The walls of Daras were rebuilt earlier in the sixth century (AD 505) by Emperor Anastasius (*Joshua the Stylite, 90*). Justinian had also added to the walls and made it the seat of the *dux* of Mesopotamia (Prok. *De Aed.* II.1.4-3.26).

⁴ Ἰεσδεγουσνάφ in the original Greek, possibly a corruption of Middle Persian *Yazd-gushnasp*, see Justi, *Yazdwšnasp*. The same person is mentioned in *Prokopios 284*. He might have been a prominent member of the house of Mihran and related to Yezarwšnasp who was a milk brother of Emperor Pērōz.

⁵ This might actually be a first name related to Ζηκας mentioned by Agathangelos (101), but it has also been previously suggested as noble title. It might quite possibly have been the name of a noble clan, see Justi under *zik*.

⁶ Peter is obviously expecting this issue to be raised by the Persian ambassador and is thus trying to pre-empt it, something that does not escape the attention of the Zikh either, as he will show below.

fears war but because he dreads that you might anticipate him in proposing the peace which is so dear to us.

"Let us not allow the respite from turmoil which we have enjoyed to lead us to continue hostilities. For it is the mark of a well-governed state to take into consideration what will result from war. I ask you each to picture in your mind, as if they were present, those who have fallen, lamenting. Imagine them displaying their mortal wounds, accusing and complaining that the madness of the rulers has destroyed their subjects. Then imagine the survivors demanding of us the dead - perhaps a father, or a son, or perhaps a dearest friend, or just a human being. Let us think upon the homes bereft of their menfolk, the new-born child an orphan, and the grief which everywhere spreads amongst all the kin. Even if we allow that it is a noble thing to die for one's country, it is utter and complete madness to be able without danger to render gratitude to the land which has nurtured us, yet to refuse to do so because we appear to be worsted by our opponents. This, I think, the land of Persia and the [p59] land of Rome, if they could speak, would entreat of us. Let us not, therefore, be ashamed to cast off the burden of war. For if we settle everything expeditiously, we shall win more good fame than we shall through bravery.

"Let no one, to hide his unwillingness to cease hostilities, say to you that, though peace is the thing most desirable, it is hard to find and hard to secure. For it is not the case, as many think, that great evils alight very readily, indeed spontaneously, upon mankind, whereas great benefits slip away and elude us and are most difficult to secure. For the human mind weighs every advantage and disadvantage and inclines the balance towards what it desires. And so we shall always be sated with war before it is sated with us. In war one cannot clearly identify the course that will lead to the desired result. Therefore, you should not become excited by your early successes and join to yourselves tokens of a lack of good sense. For all men are of one and the same nature, and their emotions are all the same. One should not imagine (and the surest proof of this is when rival states become friends) that one race has different characteristics from another. While men are clearly prevailing over their enemy, their courage is nurtured. But when it is obviously failing to destroy their opponents, they dissipate their own resources and consequently are conquered by those who ought not defeat them. To witness these things I call upon our God and upon the gods amongst you -if there are other gods and if the Persians so believe." Thus spoke Peter.

When he had listened to this, the Zikh, who was an extremely intelligent man and able to speak briefly and to the point in his native tongue⁷, said the following in reply: "Who, Romans, is so uncivilised and savage as to say that your mission is not appropriate and just? All men agree in regarding peace as a blessing. I should have been taken in by your fine words, were you not Romans and we Persians⁸. Do not imagine that your convoluted arguments hide from us what kind of men you are who have come here, seeking your own advantage. Since you use peace as a blind for your own cowardice and seek to hide your manifest dishonour behind it, I may speak briefly. For it is not [p61] the habit of a Persian to waste words on irrelevances.

"Khosro, the king of all men (if he so wishes), does not use the capture of Antioch for his own self-advertisement or glorification. If what we have achieved causes you great difficulty and fear, to us the defeat of one of our enemies is a side issue. We are well versed in victory, in that we have taught the other nations what it is to be conquered. Therefore, the reduction of yet another Roman city does not make us haughty. What is commonplace for us causes us no wonder. Yet these facts

⁷ Menander's insistence that Zikh spoke in "his native" tongue might be quite significant here, particularly since he also insists on quoting the translation of a text from Middle Persian (see below). Along with his appreciation of Zikh's brevity, these remarks might have had an "internal" target audience in mind.

⁸ Is Zikh here alluding to some sort of Iranian world view of the "lying" others and "truthful" Iranians? See Šāpur's inscription on Ka'ābe-i Zardušt (ŠKZ) where he originates the conflict between the Iranians and the Romans to a lie told by the Roman, ŠKZ 6.4.10.

suffice to disprove your idle prattle. For the Romans customarily are the first to offer treaty negotiations to the Persians. Though defeated by us, you salvage victory through your speedy requests for peace. By this means you hide the dishonour you have earned in war and, while unwilling to fight, you give the appearance of acting properly⁹. Yet if you had waited, we, the victors, would have done the same. Nevertheless, since we value peace most highly, we are open to your proposals. For a noble spirit acts in accordance with what is right."

When the Zikh had spoken thus, the interpreters of each side reported what the other had said and explained the sense of the words. A large number of other speeches were made by both sides, some necessary, others for show to demonstrate an equal commitment to peace. The Persians wanted a treaty without a time limit and a fixed amount of gold every year from the Romans in return for their not taking up arms. Moreover, as a condition for laying down their arms they demanded that they first receive in a lump sum forty, or at least thirty years' instalments of the money to be paid¹⁰. The Romans for their part wanted the treaty to be a short one and proposed to pay nothing for peace¹¹. There was a long dispute over this in which many words were expended, but finally it was agreed that the peace be for fifty years; that Lazica¹² be ceded to the Romans; that the terms of the treaty be firmly adhered to and prevail on both sides, not only in the East and Armenia but also in Lazica itself; that under these conditions the Romans pay thirty thousand golden *nomismata* per [p63] year to the Persians for peace. It was also agreed that the Romans should make a lump-sum payment of ten years' instalments as follows: those for seven years would be made immediately, and at the end of the seven years the three remaining instalments would be paid without delay. Thereafter the Persians would receive annually the payment due.

Concerning the demolition of the monastery called Sebanus, which was on the border, it was agreed that the Romans should receive the place back. It had been in the possession of the Romans initially, but when the Persians broke the treaty" they took it over and fortified the monastery with a wall. However, in the end they neither demolished it nor did they hand it over to the Romans, since it was not mentioned in the treaty¹³.

It was decided that the letters from both rulers (called 'sacred' in Latin) ratifying everything which the envoys agreed upon should be conveyed to the present place; and they were duly sent. In addition, it was agreed that the so-called sacred letter¹⁴ from the Roman Emperor should contain an appendix guaranteeing that after the period of seven years the Romans would hand over to the Persians the three years' instalments which they were to pay, and that the Persian king should give a written commitment that when the Persians had received the three years' payments due, the appendix guaranteeing this should be returned to the Roman Emperor.

The letter of ratification from the Roman Emperor, bearing the usual superscription, is well known to us. The letter from the Persian king was written in Persian and the following is a Greek translation: "The divine, good, father of peace, ancient Khosro, king of kings, fortunate, pious and beneficent, to whom the gods have

⁹ This is quite significant, as it shows that the Iranian ambassador was aware of Romans declaring "victory" and bestowing titles following previous peace treaties such as the Eternal Peace of 532, and so well aware of the internal situation in Byzantium.

¹⁰ Prokopios, *Wars* 2, 5-14, makes a strong comment about the Sasanian need of money as their primary motivation for invasion and rampage of Syria in 540 and in other instances.

¹¹ The Romans here are obviously trying to escape a long-term payment and are seemed more interested in buying short-term peace in order to re-group.

¹² Kingdom in the Caucasus, to the east of the Black Sea and north of Armenia. Like the latter, it was often a bone of content in the Roman-Sasanian relations.

¹³ This is curious, as the earlier part of the same paragraph seems to suggest that it was initially agreed that the Roman will get the monastery back. No other mention of this monastery has been made in other sources, but it might have been in the area around Nisibis and Daras.

¹⁴ The Greek is *σακράν* which is from Latin (as mentioned in the text). This might have been a type of promissory note, possibly made "sacred" by oaths (?).

given great fortune and a great kingdom, giant of giants, formed in the image of gods¹⁵, to Justinian Caesar, our brother." Such was the superscription, while the meaning of the text was as follows (I use a word-for-word translation, a procedure I felt absolutely necessary lest, if I changed [p65] the phraseology, I be suspected of distorting something of the truth): "We render thanks to the brotherliness of Caesar for the enjoyment of peace between the two kingdoms. We have given to Yesdegusnaph, the sacred chamberlain, orders and authority to confer and negotiate, and the brotherliness of the Caesar has given the same orders and authority to Peter, the master of the Romans, and Eusebius. The Zikh and the aforementioned master amongst the Romans and Eusebius have conferred together and negotiated concerning the peace, have fashioned a peace of fifty years and have all affixed their seals to the documents. Therefore, we steadfastly embrace the peace and adhere to those terms which the Zikh and the master of the Romans and Eusebius have established." Thus it was written word for word¹⁶. The sense of the letter of ratification from the Roman Emperor was similar, but without the superscription of the letter from the Persian king. And this was the end of the discussion of these matters.

At the following meeting the Zikh began to boast and exalt king Khosro, saying that he was invincible and adorned with many victories; that from the time when he had assumed the tiara, he had conquered about ten peoples and made them tributary; that he had destroyed the power of the Ephthalites¹⁷ and had defeated very many kings; that the barbarians there were in wonderment and awe of him; and that properly and rightly he was proclaimed king of kings. When the Zikh made these and similar boasts about Khosro, Peter digressed into the following story. There was in very ancient times a king of Egypt called Sesostris. Fortune smiled upon him and he performed great deeds, destroying the mightiest peoples and enslaving their kings. He became so arrogant that he had a chariot made inlaid with gold, and instead of horses or other beasts of burden he yoked the captive kings to it, and driving through the streets in this manner exhibited himself to his subjects. As he did this every day, he noticed that one of the kings pulling the chariot, who [p67] was harnessed to the end of the yoke, was continually looking furtively behind and watching the rolling wheel as it moved for ever upon itself. As he was driving along Sesostris called out to him, "You there, why are you doing that?" The king replied, "Master, I am watching the wheel as it keeps rolling and never stays in the same place, but goes over and over as it carries the chariot." When he heard this the Egyptian understood that he was alluding to the shifting and unstable nature of fortune and hinting that the affairs of men were like a rolling wheel, and so he realised that at some time he himself might fall into misfortune. For the future, therefore, he ceased to ride in the manner described and in addition he freed the enslaved kings and restored them to their thrones." Thus ended Peter's story and it checked the Zikh's boasting about Khosro.

They then turned again to business. All of the points at dispute were settled as far as possible, although they could not agree over Suania, which remained the only point of contention for them. Therefore, Peter spoke as follows: "Worthy of the highest praise is the man who plans for perfection and achieves a perfect end to his endeavour. If he leaves something necessary undone, his plan, in my view, is defective. I am not now speaking idly and to no purpose. My words are aimed at you, Zikh, but they will bring greater benefit both to the Romans and to the Persians. I shall make myself clearer. Suania was subject to the Romans, and the Suani¹⁸ took their orders from the Romans. Actually, when Tzath was chief of the Suani, a certain Ditatus was commander of the Roman troops there, and there were other Romans also living amongst the Suani. When ill feeling arose between the king of the Lazi and Martin, at

¹⁵ This is a significant phrase and might actually confirm the originality of this letter if we suppose that the Greek 'ὁς ἴκ Θεόν χαρακτηρίζεται is a direct translation of Middle Persian *kē čīhr az yazdān*.

¹⁶ Is Menander here claiming that he could read and translate Pahlavi Middle Persian, the language of the original letter?

¹⁷ Or the Hephthalites, these were probably a nomadic people who entered Central Asia in the fifth century and put tremendous pressure on the Sasanians. In 484 CE, they even managed to kill the Sasanian emperor Pērōz and took his son, the future Kavad I, as hostage. Khosro was right to boast here, since he had indeed managed to defeat the Hephthalites in 558 and put an end to their rule.

¹⁸ Another region and population in the Caucasus, to the north of Lazica and in the present-day territory of Georgia.

that time the general of the Romans in Lazica, on account of this the Colchian did not send to the Suani the usual supply of grain (for grain was customarily sent by the king of the Colchians). The Suani, therefore, angry that they failed to receive what was customarily theirs, told the Persians that if they came to Suania, they would hand over the territory to them. Meanwhile, they told Ditatius and the other Roman [p69] commanders that "a large army of Persians is reported to be advancing against the Suani, and we do not have a force adequate to meet it. Your best course of action is to retreat with the Roman forces here before the army of the Medes. Using this trick, which they reinforced with gifts, the Suani convinced the army commanders and rid themselves of the Roman garrison, and the Persians quickly arrived and took over Suania. From this it must be agreed that Suania belonged to the Romans from the first and should belong to them today. If we are in full justice the masters of Lazica, as you yourselves agree, then our claim to Suania, which is subject to Lazica, is equally valid."

To this the Surenas¹⁹ replied, "Rather, Romans, you are vexed that the people came over to our side freely and of their own volition." The Zikh added, "The Suani are autonomous and have never been subject to the Colchians." When the Zikh had spoken, Peter proposed, "Zikh, if you do not wish the name Suania to appear in the treaty document, say that you are willing to hand over to me Lazica with its subject peoples." The Zikh said, "If I do that, I shall give you licence to raise the issue of Iberia²⁰. You would be able to claim that it, too, was subject to Lazica." "It is clear," said Peter, "that you are not willing to return the whole of Lazica to us, only a part of it." The Romans and the Persians both made and listened to many other arguments on Suania, but came to no agreement. They, therefore, decided to refer this matter to the Persian king, and the Zikh swore by the usual Persian oath that when Peter came to discuss Suania with Khosro, he would support him.

Then the Zikh raised the subject of Alamundar's²¹ son, Ambrus²², the chief of the Saracens, saying that he, like the previous chief of the Saracens, ought to receive the hundred pounds of gold. Peter replied, "Our master honoured Ambrus' predecessor with a free gift of gold, given in whatever amount and at whatever time the Emperor saw fit. Thus, a messenger was dispatched by the public post to deliver to the [p71] Saracen whatever the Roman Emperor sent to him. In the same way the Saracen for his part sent an envoy bearing gifts to our Emperor, and again our ruler bestowed gifts in his turn. Therefore, if Ambrus is willing to do the same, he shall receive gifts, should the Emperor wish it. If Ambrus is unwilling, he is very foolishly raising a problem to no purpose. For he will receive nothing at all."

When these and other issues had been argued out, the fifty-year treaty was written out in Persian and Greek, and the Greek copy was translated into Persian and the Persian into Greek. For the Romans the documents were validated by Peter the master of the offices, Eusebius and others, for the Persians by the Zikh Yesdegushnaph, the Surenas and others. When the agreements had been written on both sides, they were placed side-by-side to ensure that the language corresponded."

I shall now detail the provisions set out in the treaty:

1. Through the pass at the place called Tzon²³ and through the Caspian Gates the Persians shall not allow the Huns or Alans or other barbarians access to the Roman

¹⁹ This person is obviously a member of the famous family of Suren, a Parthian noble family whose members had been army commanders since the time of the Arsacids and apparently continued to exercise much power under the Sasanians. Who specifically is meant here is unknown, as the aforementioned Zikh, Yesdegushnasp, was most likely a member of the Mihran family, a rival Parthian noble clan.

²⁰ This is part of the ancient and Mediaeval kingdom of Iberia, at this time Christianised but loyal to the Sasanians. The kings of Iberia often held a central position in the control of all Georgian principalities.

²¹ Al-Mundhar III, the Lakhmid king of Hira (d. 554). Hira was a client kingdom of the Sasanians in southern Mesopotamia and at the mouth of the Persian Gulf. It's kings were chosen from among the Lakhmid tribes since the fourth century, on the Lakhmids, see Bosworth's translation and commentary on al-Tabari as well as Kister, 1968.

²² Al-'Amr ?

²³ Presumably the Pass of Darband in the Caucasus (Marquart 1901: 106).

Empire, nor shall the Romans either in that area or on any other part of the Persian frontier send an army against the Persians²⁴.

2. The Saracen allies of both states shall themselves also abide by these agreements and those of the Persians shall not attack the Romans, nor those of the Romans the Persians²⁵.

3. Roman and Persian merchants of all kinds of goods, as well as similar tradesmen, shall conduct their business according to the established practice through the specified customs posts.²⁶

4. Ambassadors and all others using the public post to deliver messages, both those travelling to Roman and those to Persian territory, shall be honoured each according to his status and rank and shall receive the appropriate attention. They shall be sent back without delay, but shall be able to exchange the trade goods which they have brought without hindrance or any impost²⁷.

[p73] 5. It is agreed that Saracen and all other barbarian merchants of either state shall not travel by strange roads but shall go by Nisibis and Daras²⁸, and shall not cross into foreign territory without official permission. But if they dare anything contrary to the agreement (that is to say, if they engage in tax-dodging, so-called), they shall be hunted down by the officers of the frontier and handed over for punishment together with the merchandise which they are carrying, whether Assyrian²⁹ or Roman³⁰.

6. If anyone during the period of hostilities defected either from the Romans to the Persians or from the Persians to the Romans and if he should give himself up and wish to return to his home, he shall not be prevented from so doing and no obstacle shall be put in his way. But those who in time of peace defect and desert from one side to the other shall not be received, but every means shall be used to return them, even against their will, to those from whom they fled.

7. Those who complain that they have suffered some hurt at the hands of subjects of the other state shall settle the dispute equitably, meeting at the border either in person or through their own representatives before the officials of both states, and in this manner the guilty party shall make good the damage.

8. Henceforth, the Persians shall not complain to the Romans about the fortification of Daras. But in future neither state shall fortify or protect with a wall any place along the frontier, so that no occasion for dispute shall arise from such an act and the treaty be broken³¹.

9. The forces of one state shall not attack or make war upon a people or any other territory subject to the other, but without inflicting or suffering injury shall remain where they are so that they too might enjoy the peace.

²⁴ This first item of the treaty is pointing out the original reason for the war and the conditions under which the Sasanians wanted peace, as the war was initiated by Kavad I in 502 as a result of Anastasius' refusal to pay the agreed fee required to protect the Caucasus passes.

²⁵ The Arab clients of both states were a significant source of conflict, see Shahid for an in depth survey of the Arab client states.

²⁶ This is referring to *Codex Justinianus* 4.36.4 which designated Nisibis, Callinicum and Artaxata as the only legal trading posts along the Roman-Sasanian border. Blockley (p. 256, note 51) hypothesises that Daras replaced Callinicum in the new treaty.

²⁷ A continuation of an ancient practice where Ambassadors acted as merchants. This was known from ancient Assyria where merchant/ambassadors were the main agents of Assyrian presence in the region, as well as from China, where the imperial ambassador was most often a merchant.

²⁸ Referring to the issue of designated trade-posts, mentioned in item three. Also a confirmation that Daras by this time had gained the position of one of the trade cities, replacing either Artaxata or Callinicum (see note 26 above).

²⁹ Surprising way of referring to the subjects of the Sasanian Empire. It, however, might have to do with the designation given by the Sasanians to Mesopotamia, the heart of their empire, which was called Sūrestān (Assyria) in the Middle Persian documents.

³⁰ Strange item, possibly pointing out the weakness of border defences south of the Euphrates. Both Daras and Nisibis are hundreds of kilometres north of where Ghassanid and Lakhmid armies often clashed.

³¹ This is a clear indication of the role of Daras in the conflict. The Sasanians were never happy about Anastasius' building of Daras so close to their border city of Nisibis, and the selection of the city as the seat of the *Magister Militum per Orientem* by Justinian also did not help.

10. A large force, beyond what is adequate to defend the town, shall not be stationed at Daras, and the general of the East shall not have his headquarters there, in order that this not lead to incursions against or injury to the Persians. It was agreed that if some such [p75] should happen, the commander at Daras should deal with the offence³².

11. If a city causes damage to or destroys the property of a city of the other side not in legitimate hostilities and with a regular military force but by guile and theft (for there are such godless men who do these things to provide a pretext for war), it was agreed that the judges stationed on the frontiers of both states should make a thorough investigation of such acts and punish them. If these prove unable to check the damage that neighbours are inflicting on each other, it was agreed that the case should be referred to the general of the East on the understanding that if the dispute were not settled within six months and the plaintiff had not recovered his losses, the offender should be liable to the plaintiff for a double indemnity. It was agreed that if the matter were not settled in this way, the injured party should send a deputation to the sovereign of the offender. If within one year the sovereign does not give satisfaction and the plaintiff does not receive the double indemnity due to him, the treaty shall be regarded as broken in respect of this clause.

12. Here you might find prayers to God and imprecations to the effect that may God be gracious and ever an ally to him who abides by the peace, but if anyone with deceit wishes to alter any of the agreements, may God be his adversary and enemy.

13. The treaty is for fifty years, and the terms of the peace shall be in force for fifty years, the year being reckoned according to the old fashion as ending with the three-hundred-and-sixty-fifth day³³.

It was also the practice, as I have said, that letters be sent by both rulers stating that they, too, ratified everything upon which the envoys had agreed. When the terms had been settled, the so-called 'sacred letters' were exchanged .

When these matters had been agreed and ratified, they turned to a separate consideration of the status of the Christians in Persia. It was agreed that they could build churches and worship freely and without hindrance sing their hymns of praise, as is our custom. [p77] Furthermore, they would not be compelled to take part in Magian worship nor against their will to pray to the gods that the Medes believe in. For their part, the Christians would not venture to convert the Magians to our beliefs. It was also agreed that the Christians would be permitted to bury their dead in graves, as is our custom.³⁴

When matters had progressed to this stage of orderly development, those whose task it was took the texts of the two documents and polished their contents, using language of equivalent force . Then they made facsimiles of both. The originals were rolled up and secured by seals both of wax and of the other substance used by the Persians, and were impressed by the signets of the envoys and of twelve interpreters, six Roman and six Persian. Then the two sides exchanged the treaty documents, the Zikh handing the one in Persian to Peter, and Peter the one in Greek to the Zikh. Then the Zikh was given an unsealed Persian translation of the Greek original to be kept as a reference for him, and Peter likewise was given a Greek translation of the Persian.

After this the conference ended, and they left the frontiers. The Zikh returned to his native land, but Peter remained in the area to celebrate the Festival of the Nativity of Christ the God, for that holy day was near. When he had also celebrated the rites of Epiphany, he entered Persia. Thus the negotiations over the treaty concluded. Before the envoys had departed, certain Persians, sent for the purpose, came to Daras

³² A further strengthening of the item eight above, again stressing the importance of Daras and the threat felt from it by the Sasanians.

³³ This is most likely to set the starting date for the payments by the Romans. It is interesting that the actual amount and conditions of the payment are not mentioned in this treaty. Along with the emperor's strict request that the amendments regarding the payment of the treaty to be returned after the second payment (to be made in the year seven, as mentioned by Menander), the absence of a clause alluding to this payment seems to have been either an intentional one by the Romans to save face or an agreement with the Sasanians as not to leave any traces that might injure the Roman pride.

³⁴ As opposed to the Zoroastrian custom of leaving the corpse exposed to the elements and animals, only for the bones to be collected and kept in special catacombs.

accompanied by some of the interpreters and the controllers of the scales, and the seven years' instalments due under the treaty were paid over to the Zikh's men³⁵.

When Peter came to the Persian king in a region called Bitharmais³⁶ to discuss Suania, he entered the palace and spoke as [p79] follows: "We come before you, O King, having succeeded in establishing a secure peace and expecting that we shall not be disappointed in finally receiving full justice from you. When a man has succeeded in settling the present crisis and has acted quickly to his advantage, how can he fail to give thought to the future, which is more important in that it involves a longer time? To have the power to take more yet to refuse to do so is the mark of the greatest kings. For overwhelming force is restrained by wise reflection. The flame of war has been extinguished, and we breathe again. Yet one spark alone remains, I mean Suania, that spark of evil which threatens to become a mighty inferno of enmity. Ward off our apprehensions and end our fears of disaster before they come to pass. The impasse which we could not break" we hand over to you to devise what is necessary. For there is one completely sure way to banish war and that is to resign Suania to us, since we are established as the masters of Lazica. For how can the master of the overlord be not master of the subject? Yet neither the Lazi nor the Suani themselves will seek to dispute that Suania was subject to the Lazi from the beginning and that the nominated ruler of the Suani received his authority by the will of the king of the Lazi."

When he had said this, Peter showed Khosro a list of the earlier Lazic kings and of various rulers of the Suani who had been appointed by the various kings. Then he continued: "Since, O King, justice awards Suania to us, will you not act quickly and gain credit on two counts, both that you were not seen committing an injustice and that you are seen granting as a gift what is due in the eyes of all? For our Emperor would not at all consider that he was wronged if he were to receive what is his own as a gift from you, since that is his view on his possession of Lazica. When we insisted and clearly demonstrated that Lazica had been a Roman dominion for the longest time, you countered that it was yours by right of conquest. Nevertheless, because you wished justice to remain unviolated, you considered wise counsel more important than to hold a strong hand. Therefore, you made a necessity out of what was not, with noble generosity you [p81] decided against yourself, and you thought to conquer by yielding to what was right: in a word, you handed Lazica over to us as if you were resigning one of your own possessions and transferring ownership to us. Just so, in the case of Suania we ask that we receive what is ours as your free gift, that we give thanks to you that you have not deprived us of our own, and that you thank the Almighty that your power is such that you seem to give as a gift even what is not yours."

The King replied as follows: "When the power of your wisdom comes upon a mind that lacks reason and the ability to argue persuasively, scorning its feebleness it overwhelms it, just like a medicine which is smeared upon an ulcer and devours the disease, rekindling the health of the patient. For certain men, if justice did not speak, their fine words would, and they would prevail nonetheless. Thus, wisdom overcomes the force of arms for the reason that, whereas the power of war is such that it cannot survive the act of war (unless it feeds on itself), wisdom, having no material existence, protects not only itself but also the man who possesses it. Therefore, O Roman ambassador, no one should blame me for not knowing the art of persuasion, which would be fair only if I had been nurtured in that wisdom through which you have learned how to prevail with words. However, even if I cannot express it in brilliant words, nevertheless, as best as I can, I shall set forth clearly what is in my opinion just.

"To your position on Suania I should counter that the truth is as follows. I had conquered Lazica. I had no designs on Suania. I only heard of it when Mermeroes reported to me that it was one of the peoples around the Caucasus, it had a petty king and was on the Scythian invasion route - the land was of no importance, certainly not worth fighting over, and not a worthy object of a royal expedition.

³⁵ Again, the text of the treaty, as mentioned by Menander, does not mention this payment.

³⁶ This is Syriac *Bet-Armya*, called *Šād-Hormuzd* in the Sasanian administrative geography, and included the regions to the east and northeast of the Sasanian capital, Ctesiphon (Malayeri, 263).

Mermeroes died and Nakhoergan replaced him as general. The tenor of his report on them was similar, that they lived on the ridges of the Caucasus, that they were actually thieves and plunderers and perpetrators of atrocities and crimes against the gods. I had decided, therefore, to send an army against them, when they in fear became Persians instead of Suani. As a result the land obviously [p83] belonged to me from that time, and I am not loth to have it. They show that they are most ready to be my subjects by their willingness to be governed by my slaves. Indeed, when the Zikh wrote to me that the Romans sought to recover Suania, I thought that you were as far from asserting what was just as I was from being convinced by the unreasonableness of what I heard. I shall yield to the one who can convince me if I think he has a superior argument, but not if he thinks as your Emperor does."

When the Persian king had voiced these opinions, he temporarily dropped the subject of Suania, and they began to discuss, in a kind of digression, Ambrus, the son of Alamundar the Saracen. The King spoke first: "Our subject Ambrus the Saracen is extremely critical of the Zikh and has laid a most serious complaint against the man, that when we made a treaty with you the Zikh obtained no advantage for him." Peter replied, "Never at any time did the Saracens subject to you receive from the Romans a fixed amount of gold, either as a result of compulsion or by agreement. Rather. Alamundar, the father of Ambrus, sent gifts to the Roman Emperor, and when the latter received them he sent gifts in return . This was not done every year, and once there was an interval of five years. But, at any rate, this practice was maintained by Alamundar and ourselves for a very long time. And the Almighty knows that Alamundar did this out of no great goodwill towards the Persians. For it was agreed that if you made war upon us, Alamundar's sword would remain sheathed and unused against the Roman state. This remained the situation for some time. But now your brother and my master has adopted a policy that I consider, O King, to be very sensible and he says, 'If the states are steadfast in keeping the peace, what future benefit will I derive from calling upon the subjects and slaves of the Persian king to ignore the interests of their masters and from exchanging gifts with them?'" The king said, "If envoys were exchanged and the parties honoured each other with gifts before the [p85] peace, I think that these earlier arrangements should be maintained." These were the arguments advanced concerning Ambrus. Then they returned to the dispute over Suania. The king said, "When I controlled Scandeis, Sarapa and Lazica, at that time, as you claim, you held Suania subject. It is clear from this that they were not subject to the Lazi. For were it so, they would have come over to us with their masters." Peter said in his turn, "This did not happen because the Suani, unlike the Lazi, whose slaves they were, did not defect. I mean that the slave of our slave never rebelled." "Today," said the king, "ten years have passed since we occupied Suania. We have often received and sent envoys to the Romans. Why have you not used these occasions to raise the issue of Suania?" "Because during this period," said Peter, "you controlled Lazica. If I had said that you should hand back Suania to me, you would have asked, 'Why?' I should have said, 'Because it is subject to Lazica,' and you would have countered by asking if we did not know who was the master of Lazica. To this we should have had nothing left at all to reply." The king said, "You claim that Suania was subject to the Lazi. If you can give written proof of this, you will obtain what is properly yours." Peter replied, "I shall prove to you the truth immediately. My Lord, the following was the old custom amongst the Lazi. The chief of Suania was subject to the Lazi and was entered amongst their tributaries. From him the Lazi received the products of bees, skins and certain other produce. When the Suanian chief died, the king of the Lazi appointed the successor to the position of the deceased. In the meantime he wrote to the Roman Emperor to inform him of what had happened, and the Emperor wrote in reply authorising him to dispatch the Suanian regalia to whomever he wished, providing only that he were a Suanian. This has been the custom from the time of our Emperor Theodosius to the time of your grandfather Perozes and our Emperor Leo."

[p87] Then Peter drew out of his cloak a document in which were clearly listed the kings of the Lazi who had appointed the chiefs of the Suani. The following was the

sense of the text, if not its exact words: "These are the kings of the Lazi who appointed the princes of the Suani from the time when Theodosius was ruler of the Romans and Varanes of the Persians to the reigns of Leo the Emperor and Perozes." When he had read this out, Peter said, "Until these rulers we have the written record of the kings of the Lazi and the chiefs of the Suani appointed by the Lazi." The king replied, "If we accept the document which you produce supporting the validity of your state's position, will our evidence, too, not be accepted as absolutely reliable?" "Yes." "But," said the king, "what you say only proves that of these kings some were created in one way, others in another. However, since we are now discussing the disputed possession of a slave, if you can demonstrate without doubt that he belongs to you, you shall have him; or if you are unable to prove this yet the Suani are nevertheless willing to be subject to Roman rule, I shall not stand in the way. This is as far as I can go." Peter said, "My Lord, you will not ask the Suani under whom they wish to be? If they are given the option, they will choose independence." The king replied, "Look, I do not wish to ask the Suani anything about Suania, since it is neither right nor just to leave the decision about that land to a slave." These were the arguments of both parties.

[Fragment 6.2]

Menander the historian says about Peter the envoy and Khosro: These were the arguments of both parties," and no further proposals were mooted about Suania. I have made no substitutions of vocabulary except that I have altered an excessively lowly expression into better Attic (according to my ability). For I did not wish to change the form of the exact words used which, in my opinion, were transmitted to me accurately, nor, by using polished expressions, to communicate the force of the rhetoric rather than what was said. This was especially so since I was describing a treaty between two such important states and their rulers.

If anyone wishes to know exactly everything that the Persian king and Peter said on that occasion, he should read them in Peter's collected writings, where there is written precisely what Khosro and the Roman and Persian envoys said and heard. The exact words of the speakers are reproduced, whether either side spoke with flattery or scorn, with irony, mockery or to slight. In short, all that the spokesmen for both states had to say on this important matter, as well as the manner of their presentation, is to be found there. The text fills a very large volume and is, I think, reliable, except that Peter, for the sake of his own reputation, has placed somewhat too much emphasis upon himself, in order that he appear to posterity as a very effective and convincing speaker who was able to bring around the unyielding and arrogant spirits of the barbarians. Since it is neither necessary nor appropriate that in writing history I become verbose or dwell too long upon one topic, the reader is referred to the full narrative of these matters in Peter's book. For if I wrote down everything which was contained on that parchment, the account of the treaty would suffice for the contents of a very large history. I have, therefore, selected from it what is necessary and have set it down briefly.

[Fragment 6,3]

Peter made no progress over Suania and left the land of the Medes without settling the matter. Nevertheless, he had made a treaty with the Persians. Both states ended hostilities, and the Medes evacuated Colchis. Peter returned to Byzantium and died soon afterwards.

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Bibliography:

Primary Sources

Codex Justinianus, ed. P. Krueger, eleventh edition, Berlin, 1954.

Joshua the Stylite, *The Chronicle of Joshua the Stylite*, tr. J Watt and F. Trombley, Liverpool, 2000.

Malalas, *Chronographia*, tr. E. and M. Jeffreys and R Scott, Melbourne 1986.

Menander Protector. *History of Menander the Guardsman*, tr. R. C. Blockley, Liverpool, 1985.

Procopius, *Wars*, translated by H. B. Dewing, Cambridge, MA: Harvard University Press, 1914-1928.

Procopius, *De Aedificiis*, tr. H. B. Dewing, Cambridge, MA: Harvard University Press, 1940.

Secondary Sources

Bartholomae, Ch. *Zum Sasanidischen Recht*, Heidelberg, 1918.

Blockley, R. C. *East Roman Foreign Policy*, Leeds: Francis Cairns Publications, 1992.

Brunner, Christopher. "Geographical and Administrative Divisions: Settlements and Economy" in E. Yarshater ed. *The Cambridge History of Iran, Vol. 3(2)*, Cambridge: CUP, 1983.

Day, John. "The Levant Trade in the Middle Ages", *EHB II*, 2002.

Frye, Richard. *History of Ancient Iran*, Muenchen: C. H. Beck, 1984.

-----, "Commerce iii: The Parthian and Sasanian Periods", *Encyclopaedia Iranica*, Ed. E. Yarshater, Costa Mesa, CA: Mazda Publishers, 1994.

Greatrex, Geoffrey, *Rome and Persia at War*, Leeds: Francis Cairns, 1998.

Greatrex, Geoffrey and Sam N.C. Lieu. *The Roman Eastern Frontier and the Persian Wars, Part II AD 363-630*. London and New York : Routledge, 2002.

Gyselen, Rika. *Four Generals of the Sasanian Empire*. Rome, 2001.

Gyselen, Rika. *La Geographie Administrative de L'Empire Sasanide*, Res Orientalis, Paris, 1989.

- Howard-Johnston, James. "The Two Great Powers in Late Antiquity: A Comparison," in *The Byzantine and Early Islamic Near East III: States, Resources, and Armies*, edited Averil Cameron, Princeton, NJ: The Darwin Press, 1995.
- Honigmann, Ernst. *Notes de géographie Syrienne*. Paris : Geuthner, 1939
- Jones, A. H. M. *The Later Roman Empire*, Oxford: Blackwell, 1964
- , "Asian Trade in Antiquity," in *Islam and the Trade of Asia*, ed. D. S. Richards, Philadelphia: University of Pennsylvania Press, 1970.
- Kister, M. J. "Al-Hira: Some Notes on Its Relations with Arabia," *Arabica*, Vol. 15, No. 2 (Jun., 1968), pp. 143-169.
- Lopez, R. S. "The Role of Trade in the Economic Readjustment of Byzantium in the Seventh Century," *Dumbarton Oaks Papers* XIII, 1959
- Lukonin, V. G. "Political, Social, and Administrative Institutions: Taxes and Trade," in *CHI*, Vol. 3(2)
- Maridaki-Karatzas, Olga. "The Legal Aspects of the Financing of Trade", *EHB III*, 2002
- Morony, Michael G. *Iraq After the Muslim Conquest*, Princeton UP, 1984
- , "Sasanids", *Encyclopaedia of Islam* 2, IX.
- , "Land Use and Settlement Patterns in Late Sasanian and Early Islamic Iraq", in *The Byzantine and Early Islamic Near East II: Land Use and Settlement Patterns*, edited by G. R. D. King and Averil Cameron, Princeton, NJ: The Darwin Press, 1994.
- , "Population Transfers Between Sasanian Ira and the Byzantine Empire," in *La Persia e Bisanzio*, ed. G. Gnoli, Roma: Accademia Nazionale dei Lincei, 2004 (*Morony 2004a*).
- , "Economic Boundaries? Late Antiquity and Early Islam," in *JESHO* 47, 2. Leiden, 2004 (*Morony 2004b*).
- Noeldeke, T. *Die Ghassanischen Fursten aus dem Hause Gafna's*, Berlin, 1887
- Oikonomides, N. "Silk Trade and Production in Byzantium from the Sixth to the Ninth Century," *Dumbarton Oaks Papers* 40, 1986.
- Shahid, Irfan, *Byzantium and the Arabs in the sixth century, Vol. I, Part. I*, Washington, D.C. : Dumbarton Oaks Research Library and Collection, 1995.
- Whitby, L. M., "Arzanene in the Late Sixth Century", in *Armies and Frontiers in Roman and Byzantine Anatolia*, ed. S. Mitchel, Oxford: B.A.R., 1983.
- Whitby, Michael. *The Emperor Maurice and His Historian*, Oxford: Clarendon Press, 1988
- Winter, Engelbert and Beate Dignas. *Rom und das Perserreich*, Berlin: Akademie Verlag, 2001