PAGAN TOMB TO CHRISTIAN CHURCH: THE CASE OF DIOCLETIAN'S MAUSOLEUM IN SPALATUM

Ivan Basić

How and when did Emperor Diocletian's tomb in Spalatum (present day Split in Croatia) become a Christian church? Earlier scholarship presented the conversion of Diocletian's mausoleum into a church as a 'one-time' event, taking place in the seventh century, following an earlier step of transformation in the fourth century, when triumphant and revengeful Christians destroyed the persecuting emperor's *domus aeterna* and removed his mortal remains.[1] A reexamination of the evidence in a broad interdisciplinary perspective with new interpretive paradigms reveals a different process and turns traditional theories about the Christianization of Diocletian's mausoleum upside down. Revisiting the data in context, this paper challenges earlier hypotheses about the transformation of the final resting place of "Christianity's greatest mass persecutor." It shows that Diocletian's mausoleum, just like the majority of Classical monuments in Late Antiquity, underwent a gradual process of alteration.

Sources and Scholarship on Diocletian's Mausoleum

Built in around 305 AD, Diocletian's mausoleum is an elevated, two-storey octagonal structure in the center of the emperor's palace. The well-preserved construction is now the Cathedral of Split, dedicated to the patron saints of the city, the Blessed Virgin Mary, Saint Domnius and Saint Anastasius. There are no Late Antique sources on the monument prior to Ammianus Marcellinus, writing some eighty years after Diocletian's death at the end of the fourth century.

---

[1] E.g. Željko Rapanić, *Od carske palače do srednjovjekovne općine* [From Imperial Palace to Medieval Municipality] (Split: Književni krug, 2007), 70–2; Željko Rapanić, "Tri ljubavne anegdote kao povijesni izvor," [Three Love Stories as Historical Sources] in *Scripta Branimiro Gabričević dicata*, ed. Josip Dukić, Ante Milošević, and Željko Rapanić (Trilj: Kulturno društvo Trilj, 2010), 207–12.

When was Diocletian's monumental domed octagon converted into a church? This question of considerable importance triggered a long academic debate with views ranging from the mid-seventh to the ninth century.

Theories on the chronology of the Christianization of Diocletian's mausoleum cluster around two dates: an early dating (shortly after the Edict of Milan, 313), and a later dating (middle of the seventh—closing years of the eighth century). Early daters emphasize the supposed desecration of the emperor's tomb after the Christian triumph (not necessarily involving a conversion into a church); late daters link the event to the move of the archdiocese of Salona to Split after the turmoils of the early seventh century (explicitly linking the move to the tomb's conversion into a church). The move of Salona to Split is variously dated in scholarship, depending on scholarly preconceptions and preferences of various historical contexts best fitting the late medieval narrative on the establishment of the archbishopric in Split. Following Frane Bulić and Ljubo Karaman in the early 20th century, the majority of scholars agreed that the mausoleum was first modified for Christian use when it was transformed into a cathedral.[2] With little or no deviation, the physical and functional transformations of the building were automatically connected with the establishment of the archbishopric––with some ambiguity as to whether this happened in the seventh, the eighth or the ninth century.

Archaeologists, historians, and art historians brought up profuse arguments to date the Christian octagon from a plethora of sources, such as the narrative of the medieval chronicler Thomas of Spalato; early medieval liturgical installations; early medieval architectural sculpture; early medieval sculpture decoration, typology, iconography, and style. The Early Christian sculpture fragments, however, were not seriously discussed,[3]

---

[2] Frane Bulić and Ljubo Karaman, *Palača cara Dioklecijana u Splitu* [The Palace of Emperor Diocletian in Split] (Zagreb: Matica hrvatska, 1927), 70–4, 88–90 (hereafter Bulić and Karaman, *Palača*). This is still predominant in the recent literature, see: Tomislav Marasović, *Dalmatia praeromanica*, vol. 3 (Split-Zagreb: Književni krug, Muzej hrvatskih arheoloških spomenika, 2011), 254–69 (hereafter Marasović, *Dalmatia*). The conversion of Diocletian's mausoleum was not included in comprehensive catalogues and gazetteers of Christianized pagan monuments (such as the ones by Friedrich Wilhelm Deichmann) because Dalmatia and Illyricum were largely by-passed in these studies; another reason is that the mausoleum in Spalatum was not considered by the scholarly literature a temple in the strict sense. A useful review of earlier literature: Tomislav Marasović, "The transformation of Diocletian's Palace in the city of Split as a chronological question," *Acta ad archaeologiam et artium historiam pertinentia* XVIII (N.S. 4) (2005): 115–29 (hereafter Marasović, "The transformation").

[3] To my knowledge, the only ones to tackle the issue of mausoleum's Early Christian phase––albeit in passing–– were: Nenad Cambi, "The cult of the blessed Virgin Mary at Salona and Split from the Fourth till the Eleventh Century in the Light of Archaeological Evidence," in *De cultu Mariano saeculis VI-XI. Acta Congressus Mariologici-Mariani internationalis in Croatia Anno 1971 celebrati*, ed. Karlo Balić (Roma: Pontificia Academia Mariana Internationalis, 1972), 58, Branka Migotti, "Vrste i namjene ranokršćanskih zdanja u Dalmaciji," [Early Christian Buildings in Dalmatia. Types and Functions] *Radovi Filozofskog fakulteta u Zadru, Razdio povijesnih znanosti*, 34/21 (1994-1995): 122, and Goran Nikšić, "Svjetlo u katedrali sv. Duje u Splitu," [Light in the cathedral of St. Domnius in Split] *Kulturna baština* XX/28-29 (1997): 38.

neither were they ever considered as physical indicators of the chronology of the monument. This sharply limited the scope of research and thwarted all other possible solutions.

From the late 1970s onwards, revisionist scholarship on pagan-Christian relations, based on a series of regional studies, demonstrated that temple conversions took place much later than previously thought.[4] The conversion of the temples did not stem directly from religious conflicts. Few pagan temples were destroyed,[5] and out of roughly three hundred recorded temple conversions into churches (this is a generous estimate) only few took place in the fourth and fifth century. The conversion of pagan cult places into churches began in the fifth and culminated in the sixth century, by which time most pagan shrines were not operational and many of them decayed.[6] In Greece, for example, the building of churches in the places of ruined temples happened only after a long timespan, generally not before the late fifth–early sixth century (a notable exception is the church built in Hadrian's Library in Athens). Of about a hundred previously recorded cases of conversion of temples into churches in the territory of Greece, the vast majority dates back to the fifth and sixth centuries. The chronology of conversion of temples into churches is equally late in Italy: none is earlier than the second half of the fifth century. The same goes for Asia Minor, Hispania and North Africa (there, some examples of the transformation of temples into churches can be dated back to the turn of the fifth

---

4 Luke Lavan, "The end of the temples: towards a new narrative?," in *The archaeology of Late Antique 'paganism'*, Late Antique Archaeology, vol. 7, ed. Luke Lavan and Michael Mulryan (Leiden: Brill, 2011), xxi–xxii, n21 (hereafter Lavan, "The end of the temples"). Until the end of the 1970s, the most influential studies were: Friedrich Wilhelm Deichmann, "Frühchristliche Kirchen in antiken Heiligtümern," *Jahrbuch des Deutschen Archäologischen Instituts* LIV (1939): 105–36 (hereafter Deichmann, "Frühchristliche") and Friedrich Wilhelm Deichmann, "Christianisierung (der Monumente)," in *Reallexikon für Antike und Christentum*, Bd. II (Stuttgart: Hiersemann Verlag, 1954), 1228–41.

5 Bryan Ward-Perkins, "Reconfiguring sacred space: from pagan shrines to Christian churches," in *Die spätantike Stadt und ihre Christianisierung*, ed. Gunnar Brands and Hans-Georg Severin (Wiesbaden: Reichert, 2003), 285–90 (hereafter Ward-Perkins, "Reconfiguring"); Richard Bayliss, *Provincial Cilicia and the archaeology of temple conversion* (BAR Int. Ser. 1281) (Oxford: Archaeopress, 2004), 45–61, 64–8 (hereafter Bayliss, *Provincial Cilicia*); Béatrice Caseau, "The fate of rural temples in Late Antiquity and the Christianisation of the countryside," in *Recent research on the Late Antique countryside*, ed. William Bowden, Luke Lavan, and Carlos Machado, Late Antique Archeology, vol. 2 (Leiden: Brill, 2004), 122ff. (hereafter Caseau, "Fate").

6 Béatrice Caseau, "Polemein Lithois. La désacralisation des espaces et des objets religieux païens durant l' Antiquité tardive," in *Le sacré et son inscription dans l'espace à Byzance et en Occident. Études comparées*, ed. Michel Kaplan, Byzantina Sorbonensia, 18 (Paris: Publications de la Sorbonne, 2001), 103, 105–6 (hereafter Caseau, "Polemein"); Jan Vaes, "Christliche Wiederverwendung antiker Bauten. Ein Forschungsbericht," *Ancient Society* 15–17 (1984–1986): 310–13 (hereafter Vaes, "Wiederverwendung") concludes that between 30% and 50% of all Early Christian and early medieval churches were built within pre-Christian (cult and profane) buildings. Deichmann was able to record 89 examples of conversion in 1939: Deichmann, "Frühchristliche," passim.

century, but the dating is rather problematic).[7] Richard Bayliss demonstrated that in the Roman Empire a hundred and twenty (according to his more conservative estimate) temples were converted into churches, only one-third of them before the end of the fifth century.[8] Active destruction of temples was rare, connected with the imperial legislation of Theodosius I at the end of the fourth century. The destruction or desacralization of temples in the Empire shows not only strong regional variations, but also a varying scale of abandon, neglect, decay, demolition, and conversion.[9] In the Western Empire, for example, destruction was rare, and conversion late: almost no temple was recycled as a church prior to the sixth century.[10] Thousands of pagan shrines remain, however, archaeologically invisible, "for not only is an early Christian reuse of a temple or of any

---

7 Greece: Helen G. Saradi, "Late paganism and Christianisation in Greece," in *The archaeology of Late Antique 'Paganism'*, ed. Luke Lavan and Michael Mulryan (Late Antique Archaeology, 7) (Leiden-Boston: Brill, 2011), 268–70, 273–76, 303 (hereafter Saradi, "Late paganism"); Alison Frantz, "From Paganism to Christianity in the temples of Athens," *Dumbarton Oaks Papers* 19 (1965): 195, 202–04 (hereafter Frantz, "From Paganism to Christianity"); Jean-Michel Spieser, "La christianisation des sanctuaires païens en Grèce," in *Neue Forschungen in griechischen Heiligtümern*, ed. Ulf Jantzen (Tübingen: Wasmuth, 1976), 310–17; Helen G. Saradi, *The Byzantine City in the Sixth Century: Literary Images and Historical Reality* (Athens: Society of Messenian Archaeological Studies, 2006), 360 (hereafter Saradi, *The Byzantine City*); Paavo Castrén, "Paganism and Christianity in Athens and vicinity during the fourth to sixth centuries A.D." in *The idea and ideal of the town between Late Antiquity and the Early Middle Ages*, ed. Gian-Pietro Brogiolo and Bryan Ward-Perkins (Leiden-Boston-Köln: Brill, 1999), 218–19; Vincent Déroche, "Delphes: la christianisation d'un sanctuaire païen," in *Actes du XI^e Congrès International d'archéologie chrétienne*, vol. III, ed. Noël Duval, Françoise Baritel and Philippe Pergola (Roma-Città del Vaticano: École française de Rome, Pontificio Istituto di Archeologia cristiana, 1989), 2713–23. Italy: Deichmann, "Frühchristliche," 134–35; Jean-Pierre Caillet, "La transformation en église d'édifices publics et de temples à la fin de l'Antiquité," in *La fin de la cité antique et le début de la cité médiévale de la fin du III^e siècle à l'avènement de Charlemagne*, ed. Claude Lepelley (Bari: Edipuglia, 1996) 199–200 (hereafter Caillet, "Transformation"). Asia Minor: Deichmann, "Frühchristliche," 129–30; Caillet, "Transformation," 200–01. Hispania: Javier Arce, "*Fana, templa, delubra destrui praecipimus*: the end of the temples in Roman Spain," in *The archaeology of Late Antique 'Paganism'*, Late Antique Archaeology, vol. 7, ed. Luke Lavan and Michael Mulryan (Leiden: Brill, 2011), 198–206 (hereafter Arce, "*Fana*"). North Africa: Gareth Sears, "The fate of the temples in North Africa," in *The archaeology of Late Antique 'Paganism'*, ed. Luke Lavan and Michael Mulryan, Late Antique Archaeology, 7 (Leiden-Boston: Brill, 2011), 246, 249–50, 252–55.

8 Bayliss, *Provincial Cilicia*, 16–25, 32–49, 50–7, 107–20, 124–29.

9 Gisella Cantino Wataghin, "...*Ut haec aedes Christo domino in ecclesiam consecretur*: Il riuso cristiano di edifici antichi tra tarda Antichità e alto Medioevo," in *Ideologie e pratiche del reimpiego nell'alto Medioevo. Settimane di Studio del Centro Italiano di Studi sull'Alto Medioevo*, XLVI/2 (Spoleto: Centro Italiano di Studi sull'Alto Medioevo, 1999), 716–17 (hereafter Cantino Wataghin, "Il riuso cristiano di edifici antichi"); Bayliss, *Provincial Cilicia*, 64–9.

10 Bryan Ward-Perkins, "Re-using the architectural legacy of the past: *entre idéologie et pragmatisme*," in *The idea and ideal of the town between Late Antiquity and Early Middle Ages*, ed. Gian-Pietro Brogiolo and Bryan Ward-Perkins (Leiden: Brill, 1999), 225–44; Ward-Perkins, "Reconfiguring," 286–87; Bayliss, *Provincial Cilicia*, 26–9; Lavan, "The end of the temples," xxxvi.

other building possible without there being any relevant or enduring traces left behind to begin with, but just as possible is a first, profane reuse of a cultic building before it found a new character as a church."[11]

New research on architectural reuse distinguishes three periods of conversion of pagan buildings into churches. In the fourth century, profane, private buildings were reused for liturgical use; in the fifth, public buildings were reutilized; in the sixth, pagan temples and shrines were converted into churches.[12] Diocletian's mausoleum in Split fits this scheme. Great Roman shrines and public monuments (the Temple of Romulus in the Roman Forum, the Pantheon, the Academy in Athens, the *Serapeum* of Alexandria, the temple complex on Philae near Aswan) were converted only after a long process that included several steps. This was even more apparent in the case of structures belonging to the imperial estate, whose arbitrary destruction entailed severe punishment. An imperial tomb standing on imperial property could not be destroyed with impunity. The reuse of pagan cultic buildings was the last phase in the chronological development, because there was a considerable lapse of time from the abandonment of the temple to the alteration of the building into a church. Conversion at this point no longer had an anti-pagan meaning: in other words, recycling was utilitarian rather than ideological.

The transformation of pagan monuments is a manifold process, in which "questions about local religious, social and political configurations within both regional and imperial contexts"[13] need to be taken into consideration. Emperor Constantius II, for example, issued not only edicts prohibiting pagan sacrifices and rites, but also protecting pagan monuments. Physical continuity of pagan shrines must be distinguished from continuity of active use. There is a chronological relationship between the abandonment or closure of pagan shrines and their transformation into Christian churches: "a marked break, with a de-sacralization that was followed, only in a later and separate step, by a re-sacralization of the former cultic space."[14]

---

11 Stephen Emmel, Ulrich Gotter, and Johannes Hahn, "'From temple to church': Analysing a Late Antique phenomenon of transformation," in *From temple to church. Destruction and renewal of local cultic topography in Late Antiquity*, ed. Johannes Hahn, Stephen Emmel, and Ulrich Gotter (Leiden: Brill, 2008), 10 (hereafter Emmel, Gotter, and Hahn, "From temple to church").

12 Vaes, "Wiederverwendung," 310–13; Arja Karivieri, "From pagan shrines to Christian churches: methods of conversion," in *Ecclesiae Urbis. Atti del Congresso Internazionale di Studi sulle chiese di Roma (IV-X secolo)*, ed. Federico Guidobaldi and Alessandra Guiglia Guidobaldi, vol. I (Città del Vaticano: Pontificio Istituto di Archeologia Cristiana, 2002), 77 (hereafter Karivieri, "From pagan shrines to Christian churches").

13 Emmel, Gotter, and Hahn, "From temple to church," 4.

14 Emmel, Gotter, and Hahn, "From temple to church," 5.

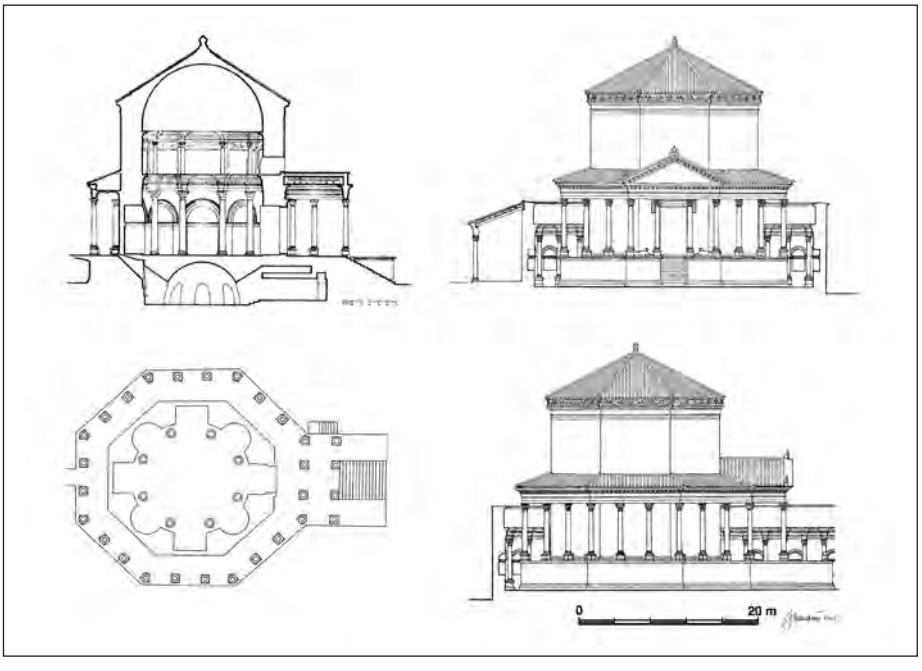

Fig. 1. Split, Diocletian's mausoleum, reconstruction of original appearance (Marasović-Marasović-Perojević 2006, fig. 9).

While considerable attention was devoted to the problem of the original layout and function of Diocletian's mausoleum (Fig. 1),[15] the survival and afterlife of the

[15] For an overview of Diocletian's palace see Sheila McNally, "Introduction. State of scholarship," in *Diocletian's Palace. American-Yugoslav joint excavations*, ed. Sheila McNally, Ivančica Dvoržak Schrunk, Jerko Marasović and Tomislav Marasović (Minneapolis: University of Minnesota, 1989), 3–43 (hereafter McNally, "Introduction"); Jerko Marasović and Tomislav Marasović, "Le ricerche nel Palazzo di Diocleziano a Split negli ultimi 30 anni (1964-1994)," *Antiquité Tardive* 2 (1994): 89–106; Wolfgang Kuhoff, "Zwei Altersresidenzen römischer Kaiser: *Aspalathos* und *Romuliana*," in *Humanitas – Beiträge zur antiken Kulturgeschichte. Festschrift für Gunther Gottlieb zum 65. Geburtstag*, ed. Pedro Barcelò and Veit Rosenberger (München: Ernst Vögel, 2001), 149–89; Annie Jacques and Noël Duval, "XI – Split, le palais de Dioclétien (E.-M. Hébrard, 1909)," in *Italia Antiqua. Envois de Rome des architectes français en Italie et dans le monde méditerranéen aux XIX^e et XX^e siècles*, ed. Annie Jacques, Stéphane Verger, and Catherine Virlouvet (Paris: École nationale supérieure des beaux-arts, 2002), 282–304; Joško Belamarić, "The date of foundation and original function of Diocletian's Palace at Split," *Hortus Artium Medievalium* 9 (2003): 173–85 (hereafter Belamarić, "The date"); Joško Belamarić, "Gynaeceum Iovense Dalmatiae - Aspalatho," in *Diokletian und die Tetrarchie. Aspekte einer Zeitenwende*, ed. Alexander Demandt, Andreas Goltz, and Heinrich Schlange-Schöningen (Berlin: Walter de Gruyter, 2004), 141–62 (hereafter Belamarić, "Gynaeceum"); Jerko Marasović, Katja Marasović, and Snježana Perojević, "Le mausolée de Dioclétien à Split: construction

building up until its pre-Romanesque phase in the ninth century remained unexplored due to the lack of sources. During the past few decades, the study of relevant textual and archaeological sources intensified in tandem with a novel approach to the Christianization of pagan buildings.[16] Along with a new reading of textual sources, this paper discusses new archeological evidence to show that Split's major pagan monument did not undergo any substantial modifications prior to the sixth century and that its Christian conversion had several stages. Diocletian's tomb did not become a cathedral overnight.

Diocletian's tomb, anti-pagan legislation, and monument protection under the Constantinian dynasty

The first author to identify the octagonal building in Split as Diocletian's mausoleum is Constantine Porphyrogenitus in his *De administrando imperio* written in the middle of the tenth century.[17] There are no Late Antique descriptions of the monument, thus it is hard to know whether the emperor's remains were buried in the crypt or in the upper cella of the mausoleum. The upper cella may have served ceremonial and

---

et restitution," in *L'architecture funéraire monumentale: la Gaule dans l'Empire romain*, ed. Jean-Charles Moretti and Dominique Tardy (Paris: Édition du Comité des travaux historiques et scientifiques, 2006), 497–506; Sheila McNally, "The Palace of Diocletian at Split," in *Croatia: aspects of art, architecture and cultural heritage*, ed. Jadranka Beresford-Peirse (London: Frances Lincoln, 2009), 48–59 (hereafter McNally, "The Palace"); Wolfgang Kuhoff, "Das tetrarchische Herrschaftssystem und seine Darstellung in der Architektur: Herrscherresidenzen und Altersruhesitze als Ausdruck kaiserlicher Regierung und Repräsentation," in *Diocletian, Tetrarchy and Diocletian's palace on the 1700th anniversary of existence*, (hereafter *Diocletian, Tetrarchy and Diocletian's palace*), ed. Nenad Cambi, Joško Belamarić, and Tomislav Marasović (Split: Književni krug, 2009), 95–116; Tomislav Marasović, "Diciasette secoli di ricerche e restauri nel Palazzo di Diocleziano a Spalato," in *Diocletian, Tetrarchy and Diocletian's palace*, 15–50; Snježana Perojević, Katja Marasović, and Jerko Marasović, "Istraživanja Dioklecijanove palače od 1985. do 2005. godine," [The research of Diocletian's palace from 1985 to 2005] in *Diocletian, Tetrarchy and Diocletian's palace*, 51–94; Goran Nikšić, "Diocletian's Palace – design and construction," in *Bruckneudorf und Gamzigrad. Spätantike Paläste und Großvillen im Donau-Balkan-Raum*, ed. Gerda von Bülow and Heinrich Zabehlicky (Bonn: Rudolf Habelt, 2011), 187–202.

16 Cantino Wataghin, "Il riuso cristiano di edifici antichi," 676–78; Caseau, "Polemein," 63–6; Bayliss, *Provincial Cilicia*, 24–7; Lavan, "The end of the temples," xix–xxii.

17 Gyula Moravcsik, ed., Romilly J. H. Jenkins, transl., Constantine Porphyrogenitus, *De Administrando Imperio* (Washington D.C.: Dumbarton Oaks Center for Byzantine Studies, 1967), 136 (29.237–42): "The city of Spalato, which means 'little palace', was founded by the emperor Diocletian; he made it his own dwelling-place, and built within it a court and a palace, most part of which has been destroyed. But a few things remain to this day, e. g. the episcopal residence of the city and the church of St. Domnus, in which lies St. Domnus himself, and which was the resting-place of the same emperor Diocletian". On this, see: Ivan Basić, "*Spalatensia Porphyrogenitiana*. Some issues concerning the textual transmission of Porphyrogenitus' sources for the chapters on Dalmatia in the *De Administrando Imperio*," *Byzantinoslavica* LXXI/1-2 (2013): 91–110.

commemorative functions as a shrine devoted to the cult of the deified ruler.[18] If so, it must have contained statues and an altar dedicated to the deceased emperor. Two Latin authors who mention the monument, Adam of Paris (eleventh century) and Thomas, archdeacon of Split (thirteenth century), refer to it as "a temple of Jupiter" (*templum Iovi* or *templum Iovis*).[19] Do they mean a "temple of Jupiter" or the temple of the Jupiter—like Diocletian (*Iovius Diocletianus*)? The problem of the emperor's mausoleum as a pagan cult place remains unsolved. There is no scholarly consensus on the function of the emperor's octagon. Was it a shrine-mausoleum? Did it serve Diocletian's ritual worship after his death? If so, for how long? In fact, it is not sure that Diocletian became a god. According to Eutropius, he did,[20] but according to Simon Corcoran, Diocletian was not deified.[21] The emperor is mentioned on two milestones from Heraclea-Perinthus in Thrace as *divus Diocletianus* (*Divis Diocletiano et Constantio et Gal. Maximiano Augg.*), but the dating as well as the interpretation of these inscriptions remain problematic. No *consecratio* coins mark Diocletian's deification: such coins are well known

---

18 McNally, "Introduction," 22; Mark J. Johnson, "From Paganism to Christianity in the Imperial mausolea of the Tetrarchs and Constantine," in *Niš and Byzantium. Fifth Symposium. The Collection of Scientific Works*, V, ed. Miša Rakocija (Niš: Kulturni centar Niš, 2007), 116, 122–23; and Mark J. Johnson, *The Roman Imperial Mausoleum in Late Antiquity* (Cambridge: Cambridge University Press, 2009), 67–8 (hereafter Johnson, *Mausoleum*).

19 Adam of Paris (attributed to), *Tertia vita S. Domnii,* in Daniele Farlati, *Illyricum sacrum*, vol. I (Venice, 1751), 419: *Ac deinde reversi in Diocletiani aedificio, quod tribus ferme millibus a Salonis distat, Spalatum appellatum, sedem sibi posuerunt, templumque, olim Iovi dicatum, ejectis idolis, per Joannem Archiepiscopum sanctae Dei genitrici Mariae consecrarunt*. Thomas Archidiaconus Spalatensis, *Historia Salonitanorum atque Spalatinorum pontificum - History of the bishops of Salona and Split*, cap. IV, Central European Medieval Texts, 4, ed. Damir Karbić, Mirjana Matijević Sokol, and James R. Sweeney (Budapest: CEU Press, 2006), 20 (hereafter Thomas Archidiaconus Spalatensis, *Historia Salonitana*): *Et quia Dalmatinus erat origine, nobilius edificium prope Salonam edificari iussit in modum urbis munitissime, quasi imperiale palatium, in quo templa facta sunt ydolorum Iovis, Asclepii, Martis, sicut apparet usque in hodiernum diem*.

20 Hans Droysen, ed., *Eutropi Breviarium ab urbe condita cum versionibus graecis et Pauli Landolfique additamentis*, Monumenta Germaniae Historica, Auctores Antiquissimi, II (Berlin: Weidmann, 1879), 168 (IX, 28): *Diocletianus privatus in villa, quae haud procul a Salonis est, praeclaro otio consenuit, inusitata virtute usus, ut solus omnium post conditum Romanum imperium ex tanto fastigio sponte ad privatae vitae statum civilitatemque remearet. Contigit igitur ei, quod nulli post natos homines, ut cum privatus obisset, inter divos tamen referretur*.

21 *L'Année épigraphique* 1998 (2001): 440–41, nos. 1180, 1181. This was analyzed by Simon Corcoran in a conference presentation titled "*Divus Diocletianus*?" at the 13th International Congress of Greek and Latin Epigraphy, Oxford, 2007. The inscription lists members of the First Tetrarchy (293–305), but without Maximianus Herculius. Furthermore, it was dedicated to the two Augusti, although three of them are explicitly mentioned (*Augg.* instead of *Auggg.*), whilst Caesars were not mentioned at all. It is also not clear who the title *divus* refers to—to all three of the rulers, or only to some of them? The *terminus post quem* of the inscription is undoubtedly 306, the year of the death of Constantius Chlorus, who was the first to die of the three rulers mentioned on the inscription, and was deified. It is also possible that it was made after the death of Galerius (311) and Diocletian (his death is dated differently, between 311 and 316). Most probable date is 3 December 312; on this, see: Byron J. Nakamura, "When did Diocletian die? New evidence for an old problem," *Classical Philology* XCVIII/3 (2003): 283–89.

in the case of the deified members of the First and Second Tetrarchy and the House of Constantine. Roman religion accorded divine status to the dead only after a formal *consecratio.* Later emperors did not refer to Diocletian as a god on formal occasions, but administrative and legal sources from the early 320s call him *divus Diocletianus.* If Diocletian did not receive *consecratio*, his mausoleum in Split did not function as the temple of the divine Diocletian. But it could have been designed and built as such with appropriate iconographical features during the emperor's life, in the expectation of his posthumous apotheosis.[22]

Scholars assume that the emperor's tomb suffered destruction after the Edict of Milan in 313 and decayed until the 640s, when it became the Cathedral of Split (confusingly called Salona, as it kept the name of the former archbishopric)[23] The transformation is presented as a 'one-stage' event: John of Ravenna, the restorer of the former diocese of Salona in Diocletian's palace in Split after the collapse of Salona at the beginning of the seventh century, dedicated the octagon in Split to the Blessed Virgin Mary and made it his cathedral. This reconstruction is based on Thomas of Spalato's *Historia Salonitana* from 1266. According to Thomas, John of Ravenna, who after the flight of local populace from Salona to Diocletian's palace became the first archbishop of Split,

> ...cleansed the Temple of Jupiter (*templum Iovis*), a building that had been raised so as to tower above others within the imperial palace, of the deceit of its false idols, and fitted it with doors and locks. Then he announced a ceremony of dedication, and a great crowd of people gathered from every side. Thus he turned that famous temple into a church, consecrating it with great devotion to the honor of God and the glorious Virgin Mary, to the jubilation of all who had assembled.[24]

New interpretive paradigms and new archaeological findings, however, challenge the scholarly narrative. Historical sources concur that Christians did not attack and demolish pagan buildings for a considerable time after 313.[25] If Emperor Constan-

---

22 On these features, see: Duje Rendić-Miočević, "O uništenom središnjem motivu friza Dioklecijanova mauzoleja u Splitu," [On destroyed central motif of the frieze in Diocletian's mausoleum] *Prilozi povijesti umjetnosti u Dalmaciji* 32 (1992): 104, 108, 110, 113–14; Stanislav Živkov, "Varia Diocletianea," in *Diocletian, Tetrarchy and Diocletian's palace*, 515–16. On imperial mausolea as places of cult worship, see Jean-Claude Richard, "Tombeaux des empereurs et temples de « divi » : notes sur la signification religieuse des sépultures impériales à Rome," *Revue de l'histoire des religions* 170, no. 2 (1966): 130–38; and Johnson, *Mausoleum*, 186–90.

23 E.g. Marasović, "The transformation," 128; Marasović, *Dalmatia*, 254–69.

24 Thomas Archidiaconus Spalatensis, *Historia Salonitana*, cap. 11, 55.

25 Helen Saradi Mendelovici, "Christian attitudes toward pagan monuments in Late Antiquity and their legacy in later Byzantine centuries," *Dumbarton Oaks Papers* 44 (1990): 47–61 (hereafter Saradi Mendelovici, "Christian attitudes").

tine issued anti-pagan laws, the destruction of pagan shrines and of polytheistic cult-places began only with the repressive measures of Theodosius in the last decades of the fourth century. Roman legislation in the fourth and fifth centuries is notoriously inconsistent on the matter.[26] Selecting a certain number of anti-pagan laws distorts reality,[27] giving the impression of either a radical, linear suppression of pagan cults with dramatic consequences, or of a more or less peaceful coexistence between pagans and Christians, reflecting the emperors' concern for concord and for the preservation of classical monuments.[28] Up to the 380s, pagan and Christian worship coexisted not only on a daily, but also on a legal basis.[29] Theodosius' legislation distinguished pagan cult buildings from the pagan rites performed in them. While the latter were suppressed, the former were

---

[26] It was prohibited to offer private sacrifices in 320/321 – Theodor Mommsen and Paul M. Meyer, eds., *Theodosiani libri XVI, cum Constitutionibus Sirmondianis, et Leges novellae ad Theodosianum pertinentes* (Berlin: Weidmann, 1905), XVI, 10, 1 (hereafter *CTh.*), which was then extended to all forms of sacrifices in 341 (*CTh.* XVI, 10, 2), and in 356, it was reinforced with the death penalty (*CTh.* XVI, 10, 6). Then followed the official closing down of the temples in 346, 354, or 356 (*CTh.* XVI, 10, 4). The prohibition of sacrifices is repeated in 381 and 382 (*CTh.* XVI, 10, 7; XVI, 10, 8), and then again in 391 (*CTh.* XVI, 10, 10), when the closing of temples was ordered (*CTh.* XVI, 10, 11), followed by the strict prohibition of the ritual practice of any forms of pagan cults, both in public and in private, in 392 (*CTh.* XVI, 10, 12); nevertheless, it was necessary to repeat the prohibition of sacrifices and the closing down of temples in 395 (*CTh.* XVI, 10, 13), followed by the order to systematically and quietly remove all pagan temples located outside cities in 399 (*CTh.* XVI, 10, 16). Finally, in 435, a systematic removal of all temples was ordered, accompanied by the obligatory repetition of the prohibition of sacrifices (*CTh.* XVI, 10, 24.) The same legislature, however, protected temples and pagan festivals outside of the city in 342 or 346 (*CTh.* XVI, 10, 3). In 382 and 399, the emperors protected the statues of the gods in the temples as artistic monuments (*CTh.* XVI, 10, 8; XVI, 10, 15), and in 399 even protected the temple buildings (*CTh.* XVI, 10, 18), called "ornaments of the city" in 401 (*CTh.* XV, 1, 41). In 400, the emperors ordered urban authorities to preserve the temples built on public land (*CTh.* X, 3, 5). Majorian, the Western Roman emperor, prohibited further destruction of temples in 458, because they were beautiful. See Lavan, "The end of the temples," xxii–xxiii; Cantino Wataghin, "Il riuso cristiano di edifici antichi," 735–49.

[27] Caseau, "Polemein," 70: "Le *Code Théodosien* reflète ainsi une situation confuse, ce qui permet à certains historiens de s'imaginer une société empreinte de violence religieuse et à d'autres, au contraire, une société fondée sur le respect des valeurs classiques et le maintien des traditions urbaines." For the imperial laws between 341 and 511 see Christophe J. Goddard, "The evolution of pagan sanctuaries in Late Antique Italy (fourth-sixth centuries A.D.): a new administrative and legal framework. A paradox," in *Les cités de l'Italie tardo-antique (IVe-VIe siècle). Institutions, économie, société, culture et religion*, ed. Massimiliano Ghilardi, Christophe J. Goddard, and Pierfrancesco Porena (Rome: École française de Rome, 2006), 282 (hereafter Goddard, "Evolution"); Yves Janvier, *La législation du Bas-Empire romain sur les édifices publics* (Aix-en-Provence: La Pensée universitaire, 1969); Périclès-Pierre Joannou, *La législation impériale et le christianisation de l'Empire romain (311-476)* (Roma: Pontificum Institutum Orientalium studiorum, 1972), 63–116; and Cantino Wataghin, "Il riuso cristiano di edifici antichi," 735–49.

[28] Saradi Mendelovici, "Christian attitudes," 54; Goddard, "Evolution," 281–84, 286–90. See also Caseau, "Fate," 113, n43. Arce, "*Fana*," 199. Arce points out that the law of 435 gave license to preserve the temples physically, but only if "purified" with a cross.

[29] Laurence Foschia, "The preservation, restoration, and (re)construction of pagan cult places in Late Antiquity, with particular attention to mainland Greece (fourth–fifth centuries)," *Journal of Late Antiquity* 2 (2009): 209, 214. Cf. also Saradi, *The Byzantine City*, 355–84.

considered public monuments to be protected or reused. This is an important shift: pagan shrines were no longer considered sacred, but beautiful. The inalienable property of the emperors (*res privata*), such as shrines and mausolea on imperial estates, enjoyed special legal status: they were inviolable, their destruction was a sacrilege and therefore was severely punished.

Split's coastline was owned by the Roman State as *ager publicus* since the early first century. The area was later absorbed into the imperial fisc and became *res privata* on three grounds: because here stood Diocletian's palace, and because there was an imperial weaving factory for the production of woollen clothing (*gynaeceum Iovense Dalmatiae Aspalatho*) in the palace or in its immediate vicinity,[30] as well as an imperial armory (*fabrica Salonitana armorum*).[31] The Split littoral fell therefore under the jurisdiction of the Roman state, not under the jurisdiction of the nearby city of Salona. After Diocletian's death, the imperial complex reverted to the state as imperial property.

The mausoleum and Constantius II

In 356, a thief named Danus stole the purple drapery covering the tomb of Diocletian.[32] Emperor Constantius II sent an imperial commission of high officials—Ursulus, the *comes sacrarum largitionum*, and the *praefectus praetorio* Mavortius—to

---

30 Belamarić, "The date"; Belamarić, "Gynaeceum"; Joško Belamarić, "Dioklecijanova palača – razmatranja o okolnostima utemeljenja i izvornoj funkciji" [Diocletian's palace: Reflections on the circumstances of its foundation and on the problem of its original function] (unpublished PhD diss., University of Zagreb, 2009), 82–117 (hereafter Belamarić, "Dioklecijanova palača").

31 Ivan Basić, "*Spalatum–ager Salonitanus*? Prilog tumačenju pravno-posjedovnoga položaja priobalja Splitskoga poluotoka u preddioklecijanskome razdoblju," [*Spalatum – ager Salonitanus*? An analysis of the property law status of the coastal region of Split peninsula in pre-Diocletian period] *Povijesni prilozi* 42 (2012): 9–42; Ivan Basić, "Poleogeneza Splita na razmeđu kasne antike i ranoga srednjeg vijeka" [Poleogenesis of Split at the turn of Late Antiquity and the Early Middle Ages] (unpublished PhD diss., University of Zagreb, 2013), 471–96 (hereafter Basić, "Poleogeneza"); Ivan Basić, "The inscription of Gaius Orchivius Amemptus," *Vjesnik za arheologiju i historiju dalmatinsku* 108 (2015): 37–77, with references to relevant historical sources. That it was an imperial property is also shown by the relief of Victoria—Nike—above the western gates, the old imperial symbol was replaced in the late sixth century with the new one—a cross of the same type as the one on Byzantine coins of that age, with the legend: VICTORIA AVGVST(i) or VICTORIA AVGG (Augustorum), this time identifying the imperial victory with the symbol of a cross. Both symbols point to the continuity of imperial ownership over the palace. Cf. Nenad Cambi, "The relief on the architrave of the western gate of Diocletian's palace in Split," in *Assaph: Studies in Art History* [*Kalathos. Studies in honour of Asher Ovadiah*], 10–11, ed. Sonia Mucznik (Tel Aviv: Tel Aviv University, Department of Art History, 2005–2006), 143–54.

32 Wolfgang Seyfarth, ed., *Ammiani Marcellini Rerum gestarum libri qui supersunt* (Leipzig: Teubner, 1978), XVI, 8, 3–7 (hereafter *Amm. Marc.*). On this affair: Hermann Funke, "Majestäts- und Magieprozesse bei Ammianus Marcellinus," *Jahrbuch für Antike und Christentum* 10 (1967): 156; Jan Den Boeft, Jan Willem Drijvers, Daniël Den Hengst, and Hans C. Teitler, *Philological and historical commentary on Ammianus Marcellinus XXVI* (Leiden: Brill, 2008), 161; Belamarić, "Dioklecijanova palača," 118–37, with references to older literature.

Split to investigate the matter.[33] Danus was found guilty for high treason and executed. This incident reported by Ammianus Marcellinus shows that in the mid-fourth century, forty years after the emperor's death, Diocletian's mausoleum remained a protected place as an imperial monument.[34]

In 356, Constantius II's two laws against paganism (19 February and 1 December) prohibited, under penalty of death, offerings to and the worship of idols and ordered the closing down of temples in all cities and places.[35] The emperor issued a law on 13 June 356—precisely around the time when Danus's case was examined—forbidding the desecration of tombs (*aedificia manium, domus defunctorum*).[36] Violators of tombs were blamed for disturbing the dead by robbing the graves and disgracing the living by recycling funerary material. Removal of objects from graves entailed a considerable fine in gold. If it cannot be proven that the violation of Diocletian's tomb triggered this edict, it does demonstrate a high respect towards funerary monuments. It nuances our interpretation of Constantius's laws of 19 February and 1 December 356 on the prohibition of sacrifice and temple cults, with a fine distinction between pagan religion and pious monuments (*res religiosae*). Ten years earlier, Constantius II issued a little quoted edict on the protection of temples: "Although all superstitions must be completely eradicated, nevertheless, it is Our will that the buildings of the temples situated outside the walls shall remain untouched and uninjured."[37] The legislator differentiated between religious "superstition" in the shrines and the actual buildings. While he sought to eliminate the former, he preserved the latter. The new imperial policy is best

---

33 Arnold H. M. Jones, John R. Martindale, and John Morris, *The Prosopography of the Later Roman Empire, A.D. 260-395* (Cambridge: Cambridge University Press, 1971), 988, s.v. Ursulus 1; 512–14, s.v. Q. Flavius Maesius Egnatius Lollianus signo Mavortius 5.

34 Frane Bulić, "Il sepolcro di Diocleziano a Split (Spalato)," *Vjesnik za arheologiju i historiju dalmatinsku* XLVI (1923): 4 (hereafter Bulić, "Sepolcro"); Frane Bulić, "L'imperatore Diocleziano. Nome, patria e luogo della sua nascita; anno, giorno, luogo e genere della sua morte," *Bullettino di archeologia e storia dalmata* XXXIX (1916): 48ff. (hereafter Bulić, "Imperatore"); Bulić and Karaman, *Palača*, 70ff.; Emilio Marin, "La tomba di Diocleziano," *Rendiconti della Pontificia Accademia Romana di Archeologia* LXXVIII (2005–2006), 517 (hereafter Marin, "La tomba di Diocleziano"); Johnson, *Mausoleum*, 59.

35 *CTh.* XVI, 10, 6; XVI, 10, 4. Some authors date the first law to 346. Both are sometimes related to the affair of Diocletian's tomb, e.g. Belamarić, "Dioklecijanova palača," 133–34. On those laws, see: Glen L. Thompson, "Constantius II and the first removal of the Altar of Victory," in *A Tall Order. Writing the Social History of the Ancient World. Essays in honor of William V. Harris*, ed. Jean-Jacques Aubert and Zsuzsanna Várhelyi (München: K. G. Saur, 2005), 87 (hereafter Thompson, "Constantius II").

36 *CTh.* IX, 17, 4. On this constitution, see: Cezary Kunderewicz, "La protection des monuments d'architecture antique dans le Code Théodosien," in *Studi in onore di Edoardo Volterra*, vol. IV (Milano: Giuffrè, 1971), 143–44. According to the older law issued by the same emperor in 340, the master of the perpetrator will be deprived of his house or villa in which the property, stolen from the tomb, is found (*CTh.* IX, 17, 1). For a more precise dating of the Danus affair: Belamarić, "Dioklecijanova palača," 128.

37 *CTh.* XVI, 10, 3: *Quamquam omnis superstitio penitus eruenda sit, tamen volumus, ut aedes templorum, quae extra muros sunt positae, intactae incorruptaeque consistant*. The law was first issued in 342, repeated in 346.

summarized by Theodosius in 382: "the statues of ancient gods in temples should be valued for their artistic value, rather than for their divinity."[38] This was already in the air in 357, when Constantius II visited Rome. He filled the vacancies in the pagan priestly colleges,[39] but removed the Altar of Victoria from the Roman Senate. The altar had to go, but the statue of Victoria stayed as a (religiously apparently neutral) symbol of imperial victory.[40] What differentiated the imperial symbol from pagan religion was its function. Severed from its context, rendered materially defective for worship, the pagan statue ceased to be controversial: there was no need to subject it to repressive measures. The difference between imperial symbols (monuments, memory) and the symbols of a pagan cult was that the latter were susceptible to be used for pagan cult practices, while the former were not.

It was the same with Diocletian's mausoleum in Split. At some point—in 356, 407, 408, or 435[41]—the mausoleum ceased functioning as a pagan cultplace, but survived physically as imperial property for centuries to come. The purple cover on the emperor's tomb in 356 reveals continuity of care and respect. The upkeep of the mausoleum had nothing to do with the religion of the State. In the forty years after Diocletian's death, the tetrarchy vanished, a new dynasty rose, Christianity spread. Diocletian's successors, however, preserved the emperor's mausoleum, because the tomb was inviolable and because it was an imperial monument. Not only was the prohibition of touching or carrying dead bodies strictly adhered to, but the repair and partitioning of tombs were forbidden without a special permit from the priestly colleges and the offering of a ritual sacrifice (*piaculum*).[42] Since the late principate, the emperor as *pontifex maximus* arbitrated in matters pertaining to tombs. Imperial rescripts confirm that tombs were not to be sold and were excluded from legal disputes. Nothwithstanding Diocletian's negative reputation among Christians, his mausoleum was not demolished. The fact that Diocletian was one of the pagan emperors, with an especially negative reputation amongst Christian inhabitants of the Empire, might have affected the cancellation of rituals related to the cult of the dead emperor, but not the existence of his mausoleum, particularly because it was situated in the center of imperial property. The attitude of the Constantinian dynasty toward Diocletian is best illustrated by Constantine's transfer of Dio-

---

38 *C. Th.* XVI, 10, 8: *simulacra feruntur posita artis pretio quam divinitate*. Cf. Goddard, "Evolution," 282 and Yuri A. Marano, "Fonti giuridiche di età romana (I secolo a.C. – VI secolo d.C.) per lo studio del reimpiego," *Antichità Altoadriatiche* LXXIV (2012): 74 (hereafter Marano, "Fonti giuridiche di età romana").

39 Thompson, "Constantius II," 95.

40 Thompson, "Constantius II," 91–3, 103. The altar was later returned to the Senate, probably during the short reign of Julian, only to be removed again in 382 by Emperor Gratian.

41 Belamarić, "Dioklecijanova palača," 133, assumes that the law of 356 was applied to Diocletian's palace, i.e. that the temples of the palace and the mausoleum were closed down at the same time.

42 Fergus Millar, *The Emperor in the Roman world (31 BC – AD 337)* (London: Duckworth, 1992), 360–61 (hereafter Millar, *The Emperor in the Roman world*).

cletian's statue—along with those of Julius Caesar and Augustus—from Nicomedia to the imperial box (*kathisma*) of the hippodrome in Constantinople.[43] Pagan he might be, Diocletian was above all Constantine's predecessor. The corpse and the tomb of another pagan emperor received similar care. Julian the Apostate was transferred from Tarsus to the imperial mausoleum at the Church of the Holy Apostles in Constantinople and buried with full imperial honors next to Christian emperors. His Christian successor, Jovian, visited and decorated Julian's tomb in Tarsus; Valentinian I and Valens invested considerable care in Julian's mausoleum, sparing no expense and sending architects to Tarsus to make it more monumental. Gregory of Nazianzus' description of Julian's tomb in Tarsus, a combination of mausoleum, temple, and *temenos*, makes it resemble Diocletian's mausoleum in Split and the mausolea of Maximianus and Maxentius in Milan and Rome respectively. The architectural language of the monument shows that Julian's Christian successors allowed typically "pagan" complexes to be built in respect of the deceased emperor's faith and dignity.[44]

Diocletian's grave was doubly sacrosanct: it was an imperial tomb on imperial property. As *senior augustus*, Diocletian retained his honorary and advisory functions after his retirement.[45] His tomb in his palace of Split had an "official" character as the seat of the senior ruler. Any destruction or privatization of major pagan monuments

---

43 Averil Cameron and Judith Herrin, eds., *Constantinople in the early eighth century: The "Parastaseis Syntomoi Chronikai"* (Leiden: Brill, 1984) 158–59 (cap. 76); Theodor Preger, ed., Πάτρια Κωνσταντινουπόλεως, Scriptores originum Constantinopolitanarum, II (Leipzig: Teubner, 1907), 189 (II, 73). *Parastaseis syntomoi chronikai* is a compilation from the last quarter of the eighth century, compiled of material gathered from the first quarter of the eighth century onwards. Depending on the translation, the statue was placed "in front of the Kathisma" or "in the middle of Kathisma." Sarah G. Bassett, "The Antiquities in the Hippodrome of Constantinople," *Dumbarton Oaks Papers* 45 (1991): 92: "Images of Julius Caesar, Augustus, and Diocletian represented men who had ruled Rome from Republic to Empire and Tetrarchy, and their presence may have been intended to achieve for the Hippodrome what the re-use of the Trajanic, Hadrianic, and Antonine reliefs accomplished for the Arch of Constantine. In the Roman arch a sequence of images of sound rulers from the halcyon days of the empire's past evoked at once the memory of a Golden Age and, by means of comparison, the idea of its resurgence in the present under the enlightened rule of Constantine." For a wider discussion on the problem of attitude of succeeding emperors towards Diocletian: Heinrich Schlange-Schöningen, "Felix Augustus oder αὐτοκράτωρ δεῖλαιος: Zur Rezeption Diokletians in der konstantinischen Dynastie," in *Diokletian und die Tetrarchie. Aspekte einer Zeitenwende*, ed. Alexander Demandt, Andreas Goltz, and Heinrich Schlange-Schöningen (Berlin: Walter de Gruyter, 2004), 172–92.

44 On Jovian's visit: *Amm. Marc.* XXV, 10, 5. On Julian's mausoleum: Johnson, *Mausoleum*, 11, 16, 103–4; the author noted that covering imperial sarcophagi with expensive fabrics is mentioned in sources of the twelfth century (the sarcophagus of Constantine the Great). On imperial burials in general: Johnson, *Mausoleum*, 8–16, 180–81; Jocelyn M. C. Toynbee, *Death and burial in the Roman world* (Ithaca: Cornell University Press, 1971), 56–61; Javier Arce, "Imperial funerals in the later Roman Empire: change and continuity," in *Rituals of power from Late Antiquity to the Early Middle Ages*, ed. Frans Theuws and Janet L. Nelson (Leiden: Brill, 2000), 115–29.

45 A balanced overview of the theories on Diocletian's status after the abdication is given by McNally, "The Palace," 57.

required imperial approval—this was obviously lacking in the case of Diocletian's mausoleum.

From a legal point of view, the temples and sacred places in the Roman Empire were public or private. Roman pontifical law respected the legal status of a sacred place, together with temple lands and the inventory it included in the moment of consecration, from votive offerings and similar movable property that were gained subsequently and that were treated as *res profanae*.[46] Imperial jurisdiction over municipal and private shrines—including desacralization and preservation—was flexible. Public shrines, consecrated in the name of the emperor or of the Roman people, were sacrosanct, inviolable, and inalienable. After 313, their fate depended on a number of factors: their legal status, the architectural context in which they were located, their significance for the urban tissue, the level of Christianization of their surroundings, and on variable intentions and religious orientations of their owners—the emperors. From the reign of Alexander Severus, public, state shrines (*loca sacra*) were under the control of the emperor; according to Libanius's oration *Pro templis* written in 387–90, public temples were considered imperial property. Temple lands (*fundi templorum*) were confiscated in favor of the imperial *res privata* by Emperor Honorius in 415.[47] There was no need to confiscate temple buildings as they were already under imperial control. Temples were gradually closed down, abandoned, and desacralized: the emperor, as *pontifex maximus* (until Gratian), had the supreme authority to translate the *locus sacer* to *locus profanus*.[48] This process was slow, unsystematic, subjective, and varied from region to region.[49] Temples qualified as *loca sacra* until 399 when Honorius relegated them among the *ornamenta*, public buildings without religious connotations, maintained by imperial will.[50]

---

46 Giannetto Longo, "Sul diritto sepolcrale romano," *Iura* XV (1964): 137–58 and Yan Thomas, "La valeur des choses. Le droit romain hors la religion," *Annales. Histoire, Sciences Sociales* LVII/6 (2002): 1443–44.

47 *CTh.* XVI, 10, 20; Roland Delmaire, *Largesses sacrées et* res privata*. L'*aerarium *impérial et son administration du IVe au VIe siècle* (Rome: École française de Rome, 1989), 643 (hereafter Delmaire, *Largesses sacrées et* res privata); Béatrice Caseau, "Sacred landscapes," in *Late Antiquity. A guide to the postclassical world*, ed. Glenn Bowersock, Peter Brown, and Oleg Grabar (Cambridge, MA; London: Belknap Press of Harvard University Press, 2000), 30 (hereafter Caseau, "Landscapes"); Goddard, "Evolution," 283–4. It is important to highlight that Honorius's law applied to *non tam per Africam quam per omnes regiones in nostro orbe positas*.

48 Millar, *The Emperor in the Roman world,* 360–1; Caseau, "Landscapes," 24–5, 31; Caseau, "Fate," 110–11; Marano, "Fonti giuridiche di età romana," 74. Cf. also the famous essay by Frank R. Trombley, "The Social Context of Temple Conversions" in his book *Hellenic Religion and Christianization c. 370-529*, vol. I (Leiden: Brill, 2014), 108–22.

49 Sacrificial offerings were forbidden in the years: 341, 346, 353, 356, 381, 385, 391, 392, 395, 399 (twice), and 435; temples were closed down in: 346 and 399; idolatry was forbidden in: 356 and 391; temple properties were confiscated in: 392 and 415; idols were destroyed in: 408. All the laws related to these events are from the sixteenth book of *CTh.*—cf. Saradi Mendelovici, "Christian attitudes," 48, note 13.

50 *CTh.* XVI, 10, 15.

Scholarship on pagan mausolea standing on imperial estates is scarce, only the shrines on imperial properties were researched.[51] An important constitution from 407 or 408 states that altars and images of gods inside temples were to be removed from all locations, regardless of whether they were being used in pagan rituals currently, or had been worshipped in cult rituals in the past. Temples were to be put to public use, regardless of whether they were located in the city or in the country. If they stood on imperial property, they were to be put to appropriate use, whereas on private property, they had to be destroyed by their owners.[52] This constitution sheds light on pagan cults in the early fifth century. The legislator clearly did not expect that a large number of temples with preserved cult inventory would still be "active"; there is a distinction between cult images (*simulacra*) and temple buildings. Temples pose a threat only if they host cults—altars and images of gods—otherwise they are religiously neutral, when emptied of contents considered dangerous for Christians (pagan statuary, votive offerings, inscriptions). The edict forbids pagan funeral feasts at tombs, as well as all other ceremonies. It authorizes bishops to repress pagan cult practices. If we apply this edict to Diocletian's mausoleum, the emperor's tomb had to cease functioning as a cult-place in 407 (if not earlier, in 356). The building housing the emperor's body, however, remained intact.

Mausoleum to church: sixth and seventh centuries

In the late fifth century, Sidonius Apollinaris' *Carmen XXIII* may contain a reference to Diocletian's tomb "in Salona." Speaking of his friend Consentius's bathing habits in Rome, Sidonius mentions Salona: "Hence to the baths; they were not those of Nero or those given by Agrippa or by him whose tomb Dalmatian Salonae views [Baths of Diocletian], but we were pleased to go to baths fittingly provided for privacy and

---

51 See, e.g., the state of scholarship in: Steven J. Larson, "What temples stood for: Constantine, Eusebius, and Roman imperial practice" (unpublished PhD diss., Brown University, 2008), 21–70. Some more famous cases (for example Helena's donation of the imperial palace in 326 to the bishop of Trier) were emphasized, see Michael Greenhalgh, *The Survival of Roman Antiquities in the Middle Ages* (London: Duckworth, 1989), 94–5.

52 *CTh.* XVI, 10, 19: *Simulacra, si qua etiamnunc in templis fanisque consistunt et quae alicubi ritum vel acceperunt vel accipiunt paganorum, suis sedibus evellantur, cum hoc repetita sciamus saepius sanctione decretum. Aedificia ipsa templorum, quae in civitatibus vel oppidis vel extra oppida sunt, ad usum publicum vindicentur. Arae locis omnibus destruantur omniaque templa in possessionibus nostris ad usus adcommodos transferantur; domini destruere cogantur. Non liceat omnino in honorem sacrilegi ritus funestioribus locis exercere convivia vel quicquam sollemnitatis agitare. Episcopis quoque locorum haec ipsa prohibendi ecclesiasticae manus tribuimus facultatem; iudices autem viginti librarum auri poena constringimus et pari forma officia eorum, si haec eorum fuerint dissimulatione neglecta.* Cf. Frantz, "From Paganism to Christianity," 187; Delmaire, *Largesses sacrées et* res privata, 642, 649; Cantino Wataghin, "Il riuso cristiano di edifici antichi," 747 n23; Caseau, "Landscapes," 32; Karivieri, "From pagan shrines to Christian churches," 79; Bayliss, *Provincial Cilicia,* 51; Goddard, "Evolution," 290; Arce, "*Fana*," 198–9.

modesty".[53] Sidonius' verse was written between 461–469. Insignificant Spalatum is replaced by Salona because of her greater renown, but also because Romans regarded the city one and the same as its *ager*; thus, *territorium Salonae* implied the area of Spalatum.[54] Sidonius attests the functioning of Diocletian's mausoleum to the end of the fifth century, thus major alterations must have taken place in the subsequent period.

The Early Christian decorative sculpture in the mausoleum—the earliest layer of post-classical art in the building dating from the early sixth century—provide important information about the Christian conversion of the monument and substantiate written evidence. Diocletian's palace was the residence of the penultimate Western Roman emperor Julius Nepos. Dethroned by Orestes in 475, Julius fled to Dalmatia. Recognized by Constantinople, he nominally ruled from Split for another five years, until he was murdered in 480. The chronicler Marcellinus unambiguously calls Diocletian's palace, where Julius was killed, "his villa" (*villa sua*),[55] i.e. the property of emperor Nepos. This is a clear indication that the palace remained an imperial estate. Odoacer, the new king of Italy captured Julius' murderer and annexed Dalmatia. The province—like Sicily—became private property (*patrimonium*) of Odoacer and his successors, the Ostrogothic kings of Italy.[56] The Ostrogothic ruler disposed of public and impe-

---

53 Eugène Baret, ed., *C. Soll. Apollinaris Sidonii Opera. Oeuvres de Sidoine Apollinaire* (Paris: E. Thorin, 1878), 592 (*Carmen XXIII*, verse 495–9): *Hinc ad balnea, non Neroniana nec quae Agrippa dedit, vel ille cujus bustum Dalmaticae vident Salonae ad thermas tamen ire sed libebat privato bene praebitas pudori*; William B. Anderson, ed. & transl., Sidonius, *Poems and Letters*, I (Loeb Classical Library 296), (Cambridge, MA; London: Heinemann; Harvard University Press, 1963), 317. Cf. Bulić, "Sepolcro," 4; Bulić, "Imperatore," 49ff., 65; Bulić and Karaman, *Palača*, 71, 182; Marin, "La tomba di Diocleziano," 517; see also Johnson, *Mausoleum*, 59.

54 Thus Bulić, "Sepolcro", 4–5 and Bulić and Karaman, *Palača*, 70–2. See, e.g., the famous anecdote on Diocletian's response to the tetrarchs in 308: Franz Pichlmayr and Roland Gruendel, ed., *Sexti Aurelii Victoris Liber de Caesaribus praecedunt Origo gentis Romanae et Liber de viris illustribus urbis Romae subsequitur Epitome de Caesaribus* (Leipzig: Teubner, 1970), 164 (39.6): *Qui dum ab Herculio atque Galerio ad recipiendum imperium rogaretur, tamquam pestem aliquam detestans in hunc modum respondit: 'Utinam Salonae possetis visere olera nostris manibus instituta, profecto numquam istud temptandum iudicaretis'*. – Thomas M. Banchich, transl., *Epitome De Caesaribus. A Booklet About the Style of Life and the Manners of the Imperatores, sometimes attributed to Sextus Aurelius Victor* (Canisius College Translated Texts, 1) (Buffalo, NY: Canisius College, 2009), 164: "It was he who, when solicited by Herculius and Galerius for the purpose of resuming control, responded in this way, as though avoiding some kind of plague: 'If you could see at Salonae the cabbages raised by our hands, you surely would never judge that a temptation'". Whether the anecdote is fictitious or not, Diocletian obviously could not have planted cabbages in Salona, but in or near his palace at Spalatum.

55 Brian Croke, ed., *Marcellini viri clarissimi Chronicon - The Chronicle of Marcellinus. A Translation and Commentary* (Sydney: Australian Association for Byzantine Studies, 1995), 27 (480.2): *His consulibus Nepos, quem dudum Orestes imperio abdicaverat, Viatoris et Ovidae comitum suorum insidiis haut longe a Salonis sua in villa occisus est.* On this, see Ivan Basić, "Diocletian's *villa* in Late Antique and Early Medieval historiography: a reconsideration," *Hortus Artium Medievalium* 20 (2014): 63–76.

56 Arnold H. M. Jones, *The Later Roman Empire 284-602. A Social, Economic and Administrative Study*, vol. I (Oxford: Basil Blackwell, 1964), 255–6; Delmaire, *Largesses sacrées et* res privata, 693; Mladen Nikolanci, "Die Dalmatinische Dynastie und der Untergang des Weströmischen Reiches," *Vjesnik za arheologiju i historiju dalmatinsku* 77 (1984): 273–92; Penny MacGeorge, *Late Roman Warlords* (Oxford: Oxford University Press, 2002), 62.

rial possessions. Dalmatia, as well as Diocletian's palace, remained under Ostrogothic administration until the Gothic wars in 535–55. After the Justinianic reconquest, it reverted to the fisc. On behalf of the fisc it must have been administered by a fiscal representative (*conductor domus regiae)*, while the entire complex (together with dependent land) fell within the *fundi iuris publici*, or under the higher authority of the *comes privatarum*; the latter in turn was subordinate to the *comes sacri patrimonii*.[57] It is not known if the emperor granted certain areas of the palace to the archbishopric of Salona, or if representatives of the state initiated the construction of churches. The saints of Split—Theodore, Martin, Apollinaris, and Anastasia—whose cult flourished after the Gothic rule, are the saints of Ravenna with strong anti-Arian connotations. The saints enhance Justinian's reaffirmation of Catholic orthodoxy.[58] The cults of the saints arrive in Split in the sixth century, and churches are built in their honor above the gates of the palace: in the north, Martin, in the west Theodore, in the east Apollinaris, and in the south Anastasia. The emperors sought to wipe out Gothic Arianism from Diocletian's palace, still an imperial estate and, nominally, an imperial residence. Arianism was exiled and new dedications to unquestionably orthodox and anti-Arian saints were introduced to purify the palace from heretical worship.[59] It was Archbishop Peter of Salona (554–62), the representative of imperial orthodoxy in the Salonitan region, who re-introduced orthodoxy to the city. Regardless of the dilemmas concerning the formal and legal status of churches in the Diocletian's palace, its clergy were certainly the local clergy from Salona. The gradual entry of local ecclesiastical structures into the imperial building and its association with the archbishops of Salona thus takes place in the early sixth century.

Fleeing Avar and Slav invasions, the inhabitants of Salona moved with imperial permission into Diocletian's palace in Split in the seventh century. The palace became a city and the mausoleum a church. The whole affair is described in detail by Thomas of Spalato, saying that the citizens sent a request (*petitio)* to the emperors in Constantinople, receiving in return a sacred rescript (*sacrum rescriptum)* granting them the use

---

57 Delmaire, *Largesses sacrées et* res privata, 693.

58 Nikola Jakšić, "Patron saints of the Medieval gates in Diocletian's palace," *Hortus Artium Medievalium* 9 (2003): 187–94 (hereafter Jakšić, "Patron saints"); Nikola Jakšić, "The cults of Byzantine-Ravennate provenance in Diocletian's Palace of Justinian's age," *Bulletin de l'Association pour l'Antiquité tardive* 11 (2002): 79–83.

59 As was the case in Ravenna: Agnellus qui et Andreas, *Liber pontificalis ecclesiae Ravennatis*, ed. Oswald Holder-Egger, Monumenta Germaniae historica, Scriptores rerum Langobardicarum et Italicarum saec. VI-IX (Hannover: Hahn, 1878), 334 (cap. 85, 86); Arthur Urbano, "Donation, dedication, and *Damnatio memoriae*: the Catholic reconciliation of Ravenna and the Church of Sant'Apollinare Nuovo," *Journal of Early Christian Studies* XIII/1 (2005): 82, 84–5, 92; Deborah M. Deliyannis, *Ravenna in Late Antiquity* (Cambridge: Cambridge University Press, 2010), 167–8, 206–13 (hereafter Deliyannis, *Ravenna in Late Antiquity*).

of the imperial property.[60] This is further evidence on the continuity of state ownership of the palace.

Sixth-century archaeological finds

Archaeological findings of the earliest post-Diocletianic phase of the mausoleum have received little scholarly attention so far. Fourth–fifth century North African (*African Red Slip Ware*) and Asia Minor ceramics (*Phocaean Red Slip Ware*) found in Diocletian's palace attest thriving life within the walls. Two-thirds of the pottery date to the early fourth–mid-fifth century, the remaining to the mid-fifth to the mid-sixth century.[61] Amphorae, coins, glass, and lamps of the same period were also found. These imported commercial goods show that people living in Diocletian's palace (imperial retinue? high imperial dignitaries?) bought luxury objects.

In the mausoleum, decorative sculpture was found dated to 550 or earlier. Some of these come from archaeological excavations at the octagon and may therefore reasonably be correlated with its conversion into a church. Early Christian reliefs dated to the sixth century were found during excavation works in and around the cathedral.[62] Southeast of the mausoleum, two Early Christian capitals were found, one of them reutilized as an early medieval wall. These archaeologically ascertained stratigraphic indicators suggest that the construction to which these capitals belonged had been destroyed earlier. The majority of the Early Christian fragments with traceable stratigraphic context within Diocletian's palace come from the northeast and southeast sector in the immediate vicinity around the emperor's octagon, near the baths, with another zone in the southeastern quadrant of the imperial residence, between the *triclinium* and the eastern wall of the palace. These findings include a sarcophagus fragment, part of the lid of another sarcophagus, two impost-capitals decorated with crosses, three smaller simplified capitals with vegetal decorations, two fragments of a *pluteus*, the remains of a simplified *transenna*, and a part of a pilaster with a carved cross (Fig. 2a–b).[63] These

---

60 Thomas Archidiaconus Spalatensis, *Historia Salonitana*, 52 (cap. X). See Radoslav Katičić, "*Vetustiores ecclesiae Spalatensis memoriae*," *Starohrvatska prosvjeta*, ser. III, 17 (1987): 17–51; and Basić, "Poleogeneza," 166–80.

61 Ivančica Dvoržak-Schrunk, "Dioklecijanova palača od 4. do 7. stoljeća u svjetlu keramičkih nalaza," [Diocletian's palace from the 4th to 7th century in the light of ceramic finds] *Vjesnik Arheološkog muzeja u Zagrebu* 3rd ser., XXII (1989): 92–4, note 6.

62 Stanko Piplović, "Ranokršćanski Split," [Early Christian Split] *Građa i prilozi za povijest Dalmacije* 21 (2008): 141–71 and Basić, "Poleogeneza," 424–69.

63 Ivan Mirnik, "Roman architectural fragments," in *Diocletian's Palace. American-Yugoslav joint excavations*, vol. VI, ed. Sheila McNally and Ivančica Dvoržak-Schrunk (Minneapolis: University of Minnesota, Kendall/Hunt, Urbanistički zavod Dalmacije, 1989), 6, 25, 35–6 (cat. no. 61–72 and Pl. 8, 14, 15). For our considerations, it is important to emphasize that the *pluteus* (p. 36, cat. no. 68 and Pl. 8) was found in the southwestern yard of the mausoleum's *temenos*.

Fig. 2a. Split, Early Christian fragments found in the surroundings of the cathedral, 6th c. (Mirnik 1989, Pl. 15).

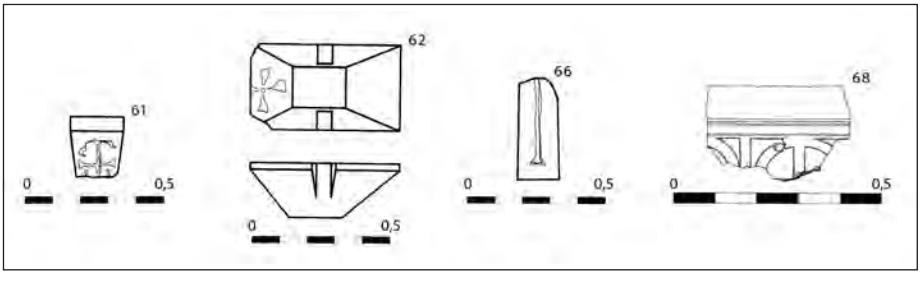

Fig. 2b. Split, Early Christian fragments found in the surroundings of the cathedral, 6th c. (Mirnik 1989, Pl. 8).

Fig. 3a. Split, Archaeological Museum, Early Christian pilaster (left) found at the cathedral, 6th c. (photo: I. Basić).

Fig. 3b. Split, cathedral, Early Christian pilaster, 6th c. (photo: I. Basić).

Fig. 4. Split, cathedral, Early Christian relief with the depiction of a cantharos, 6th c. (Ivanišević 1987, fig. 2).

findings are dated to the sixth century. Three pilasters with crosses (Fig. 3a–b), and a decorative relief with a kantharos (Fig. 4), the latter found in the northeastern niche of Diocletian's mausoleum, iconographically and stylistically also belong to the sixth cen-

tury.[64] Except for the sarcophagi, these fragments come from decorative sculpture and liturgical installations—altar rails (*plutei*, pilasters, columns, and capitals), biphora pilasters, and window elements—typical to Justinianic church interiors. Concentrated as they were around the octagon, their topography reveals that these Early Christian reliefs must have decorated the imperial mausoleum. As the oldest layer of Christian sculpture in Diocletian's octagon, they indicate the first Christian reutilization of the pagan cult space. These furnishings and architectural decoration belong to a well documented type datable to the middle of the sixth century. In other words, there is a clear indication that this period comprised an extensive refurbishment of the octagon. Diocletian's octagonal mausoleum was eminently suitable for Christian liturgy, structural changes were minimal: one just had to install the altar in the main apse and to decorate the church with Christian liturgical furniture.[65]

The fragments from the mid-sixth century indicate the first Christian conversion of the mausoleum. The transformation of Diocletian's tomb for Christian use thus took place at least a hundred years before the mid-seventh century. This means that the mausoleum stood intact for a longer period than previously thought.

This can be further corroborated by drawing on a variety of sources, dating from the fourth, fifth and sixth centuries. Apart from Ammianus's report on the affair of 356, particularly important is the evidence provided by Sidonius Apollinaris (*ca.* 430–89), which seems to confirm that the emperor's mausoleum was still in function during the Gallic bishop's lifetime.

This data is well known in scholarship, but its implication concerning the Christianization of the mausoleum has not been taken into consideration. How did the frieze on the top of the interior—portraying Diocletian, his wife Prisca, Hermes Psychopompos, and erotes—survive the Christian appropriation of the monument? How did the most important relief of the frieze above the main niche—tentatively identified as the Diocletian's apotheosis—survive undamaged until the fifteenth or sixteenth century? These remains indicate the lack of Christian violence against Diocletian. The mausoleum's pagan interior stood more or less intact up to the sixth century, when the

---

64 Milan Ivanišević, "Stari oltar svetog Staša u splitskoj prvostolnoj crkvi," [The old altar of St. Anastasius in the Split cathedral] *Starohrvatska prosvjeta*, ser. III, 17 (1987): 137–38, fig. 2. It's enough to compare the relief with the *pluteus* from the Basilica of SS. Felice and Fortunato in Vicenza (Gian-Pietro Brogiolo and Monica Ibsen, eds., *Corpus Architecturae Religiosae Europeae (saec. IV-X), vol. II.1: Province di Belluno, Treviso, Padova, Vicenza* [Zagreb: International Research Center for Late Antiquity and the Middle Ages, 2009], 253–54, fig. 11) dated to the first third of the sixth century, not long before the war in 535. For other pilasters, see Basić, "Poleogeneza," 103–4, 434.

65 Cf. similar case with the Pantheon in 609: Sible De Blaauw, "Das Pantheon als christlicher Tempel," *Boreas* 17 (1994): 13–26 (hereafter De Blaauw, "Das Pantheon"); Adam Ziolkowski, "Pantheon," in *Lexicon topographicum urbis Romae*, vol. IV, ed. Eva M. Steinby (Roma: Quasar, 1999), 54–61 (hereafter Ziolkowski, "Pantheon"); Arce, "*Fana*," 196.

first functional modifications took place. Unfortunately, it is impossible to know the condition of Diocletian's mausoleum at the time of its reuse in the sixth century. Out of use for two hundred years, it must have shown signs of dilapidation.[66] As we have seen, the survival of pagan structures depended on their legal status in the Christian Roman Empire. Diocletian's mausoleum was imperial property and this guaranteed its upkeep. The "owners" of the mausoleum, the successive emperors, did not care about destroying or reusing it. Supervised by the imperial officials of the *res privata*, Diocletian's mausoleum withstood destruction and spoliation for two centuries.

Tomb to church: the sixth-century conversion

The conversion of Diocletian's tomb into a church took place in the early sixth century—at the time when the Temple of Romulus and its adjacent buildings on the *Forum Pacis* in Rome were converted into the Church of SS. Cosmas and Damian by Pope Felix IV (526–30), with the permission of the Ostrogothic Queen Amalasuntha.[67] It was the first church constructed on the *Forum Romanum* and one of the first that used a pagan monument as its outer shell. The construction of the Basilica of SS. Cosmas and Damian as well as the conversion of the Pantheon into the Church of *Sancta Maria ad Martyres* parallels the transformation of Diocletian's mausoleum. The buildings on the *Forum Pacis* belonged to the *fiscus*, as state property passed from the Roman emperors to Ostrogothic kings, so a special dispensation was needed for it to be obtained and reused by the Catholic church. The imperial allocation of public land

---

66 Frantz, "From Paganism to Christianity," 201. Cf. also Caseau, "*Polemein*," 98.

67 Louis Duchesne, ed., *Le Liber pontificalis. Texte, introduction et commentaire*, vol. 1 (Paris: E. Thorin, 1886), 279 n3 (hereafter Duchesne, *Liber pontificalis*): *fecit basilicam sanctorum Cosme et Damiani in urbe Roma in loco qui appellatur Via Sacra iuxta templum urbis Romae*. See also Richard Krautheimer, *Corpus basilicarum christianarum Romae*, vol. I (Città del Vaticano: Pontificio Istituto di Archeologia Cristiana, 1937), 137–43; Bruno M. Apollonj-Ghetti, "Nuove considerazioni sulla basilica romana dei SS. Cosma e Damiano," *Rivista di Archeologia Cristiana* 50/1-4 (1974): 7–54; Richard Krautheimer, *Rome: Profile of a City, 312-1308* (Princeton: Princeton University Press, 1980), 71, 93ff. (hereafter Krautheimer, *Rome*); Eva M. Steinby, ed., *Lexicon topographicum urbis Romae*, vol. I (Roma: Quasar, 1993), 324–25, s.v. *Ss. Cosmas et Damianus, basilica* (Silvana Episcopo); Jean-Marie Sansterre, "Felice IV, santo," in *Enciclopedia dei papi*, vol. 1 (Roma: Treccani, 2000), 489; Beat Brenk, "Zur Einführung des Kultes der heiligen Kosmas und Damian in Rom," *Theologische Zeitschrift* LXII/2 (2006): 311; Jean Guyon, "La marque de la christianisation dans la topographie urbaine de Rome," in *La fin de la cité antique et le début de la cité médiévale de la fin du III^e siècle à l'avènement de Charlemagne*, ed. Claude Lepelley (Bari: Edipuglia, 1996), 224; Massimiliano Ghilardi, "Trasformazioni del paesaggio urbano: il *Templum Pacis* durante la guerra greco-gotica (a proposito di Procop., *Goth.* IV 21)," in *Les cités de l'Italie tardo-antique (IV^e-VI^e siècle). Institutions, économie, société, culture et religion*, ed. Massimiliano Ghilardi, Christophe J. Goddard, and Pierfrancesco Porena (Rome: École française de Rome, 2006), 142–43; Stefania Fogagnolo and Federica Michaela Rossi, "Il *Templum Pacis* come esempio di trasformazione del paesaggio urbano e di mutamenti culturali dalla prima età imperiale ai primi del '900," *Bollettino di Archeologia on line* I (2010): 36.

to the Church for the building of churches had a long tradition in Rome, but the right of the sovereign to the disposal of public assets was scrupulously respected. A request for assigning state property (*petitio, postulatio*) was referred to appropriate state officials (*praefectus urbi*, on whose behalf the public property was disposed by *curator operum maximorum* and *curator operum publicorum*), and ultimately, imperial permission had to be obtained (*concessio*), after which construction could begin. Imperial license could be obtained directly by the personal intervention of the pope, regardless of the usual procedure (*sacra adnotatio*).[68] The best known temple conversion is the Pantheon. Pope Boniface IV was granted permission by the Byzantine Emperor Phocas in 609 to convert the temple into a church dedicated to the Virgin Mary and the martyrs.[69] Emperor Heraclius allowed Pope Honorius I (625–38) to use bronze plates from the Temple of Venus and Rome to repair the Basilica of St. Peter.[70] However, when Heraclius's grandson, Constans II, resided in Rome in 663, he removed the bronze decorations of the urban buildings and sent them to Constantinople. The papal chronicle records that this included the bronze covers of the Pantheon.[71] Constans's action shows that the Byzantine emperors as late as the seventh century reserved supreme rights of ownership over public buildings. In the case of imperial property, not state property, this fell under the jurisdiction of imperial officials (*comes rei privatae*), to whom one was obliged to refer a petition for the allocation of a part of the imperial patrimony. This included the emperor's private property, as well as hereditary crown property of Roman rulers that had been multiplying since the beginning of the principate (*palatia*, *villae*, *horti*).[72] The Early Christian conversion of Diocletian's mausoleum must have entailed similar legal steps.

---

68 It is important to note that, in doing so, the Church used precise legal terminology: public lands on which churches were to be built were not donated to the Church as an institution (*donatio*), but the Church was given permission to build on public soil (*concessio*). Cf. the allocation of land to Sixtus III (432–40) for the Basilica of San Lorenzo given to him by Valentinian III—Duchesne, *Liber pontificalis*, 234: *Fecit autem basilicam sancto Laurentio, quod Valentinianus Augustus concessit*; Julia Hillner, "Le chiese paleocristiane di Roma e l'occupazione degli spazi pubblici," in *Ecclesiae Urbis. Atti del Congresso Internazionale di Studi sulle chiese di Roma (IV-X secolo)*, vol. I, ed. Federico Guidobaldi and Alessandra Guiglia Guidobaldi (Città del Vaticano: Pontificio Istituto di Archeologia Cristiana, 2002), 321–29 (hereafter Hillner, "Le chiese paleocristiane").

69 Duchesne, *Liber pontificalis*, 317: *Eodem tempore petiit a Focate principe templum qui appellatur Pantheum, in quo fecit ecclesiam beatae Mariae semper virginis et omnium martyrum; in qua ecclesia princeps dona multa optulit*. For more about the conversion see: Deichmann, "Frühchristliche," 135; Krautheimer, *Rome*, 72; De Blaauw, "Das Pantheon," 13; Caillet, "Transformation," 200; Ziolkowski, "Pantheon," 54–61; Tod A. Marder, "The Pantheon after Antiquity," in *The Pantheon in Rome: Contributions*, ed. Gerd Graßhoff, Michael Heinzelmann, and Markus Wäfler (Bern: Bern Studies, 2009), 145–53.

70 Duchesne, *Liber pontificalis*, 323: *Hic cooperuit ecclesiam omnem ex tegulis aereis quas levavit de templo qui appellatur Romae, ex concessu piissimi Heraclii imperatoris*; Caseau, "*Polemein*," 106.

71 Duchesne, *Liber pontificalis*, 343: *XII dies in civitate Romana perseverans, omnia quae erant in aere ad ornatum civitatis deposuit; sed et ecclesiae sanctae Mariae ad martyres quae de tigulis aereis erant discoperuit et in regia urbe cum alia diversa quas deposuerat direxit*.

72 Hillner, "Le chiese paleocristiane," 325–6.

Under what circumstances did Diocletian's mausoleum become a church? The importance of the palace in Late Antiquity is confirmed by the *Ravenna Cosmography* around 700 that lists *Spalathron*, *Spalathrum* among the towns (*civitates*).[73] The Anonymous of Ravenna drew his geographical and topographical data from compilations published prior to the 560s. The palace retained its significance up to the sixth century.

Ostensibly, Diocletian's remains were removed from his mausoleum and the building was Christianized sometime between *ca.* 469 (the last mention of the mausoleum in Sidonius Apollinaris's poem) and *ca.* 550 (the first Early Christian cult installations). In this time-span, three possible historical contexts for the conversion of the mausoleum emerge: Julius Nepos as the legitimate emperor ceded Diocletian's mausoleum to the Church between 475 and 480 to use it for daily worship in his residence;[74] the Ostrogothic rulers gave parts of the palace to the Church; Justinian's representatives dedicated churches to Saint Martin, Theodore, Apollinaris, and Anastasia in the guard corridors of the palace to Christianize the freshly reconquered imperial estate.[75]

The events of 526–30 concerning Felix IV and Amalasuntha heralded the popularity of the cult of two saintly brothers, Cosmas and Damian, up until then venerated mainly in the East. From Ravenna, the capital of Byzantine Italy, their cult quickly spread following in the footsteps of Justinian's *reconquista* (Trento, Grado, Poreč),[76]

---

73 Joseph Schnetz, ed., *Ravennatis Anonymi Cosmographia*, Itineraria Romana, II (Leipzig: B. G. Teubner, 1940), IV, 16; V, 14. About the Anonymous Ravennate see: Ivan Basić, "Najstariji urbonimi kasnoantičkog i ranosrednjovjekovnog Splita: *Aspalathos*, *Spalatum* i Jeronimov *palatium villae* u svjetlu povijesnih izvora," [The oldest late Antique and early medieval urbonyms of Split: *Aspalathos*, *Spalatum* and Jerome's *palatium villae* in the light of historical sources)] in *Munuscula in honorem Željko Rapanić*, ed. Miljenko Jurković and Ante Milosević. (Zagreb-Motovun-Split: International Center for Late Antiquity and the Middle Ages, 2012) 143–44. According to Belamarić ("Dioklecijanova palača," 137) the conversion of Diocletian's mausoleum and the temples of Diocletian's palace happened in the early fifth century. Since the author has so far only preliminarily presented his conclusions, while awaiting for him to publish his arguments for this interesting proposition, I am presenting my opinion, which is opposite of the aforementioned.

74 One might assume that Julius Nepos was buried in the imperial mausoleum; he was murdered in Diocletian's palace and there is no known data about his tomb. It is reasonable to assume that he was buried in an ecclesiastical ambience. In that case, Diocletian's remains could have been removed and the mausoleum could have been converted into a church. However, the circumstances of Nepos's death are far too unclear for such a conclusion. In a similar way, one could assume that Odoacer, after the conquest of Dalmatia in 482, somehow honored Nepos's memory, who presented himself as Nepos's legitimate successor.

75 Marin ("La tomba di Diocleziano," 500ff.) and Johnson (*Mausoleum*, 58–70) are the two most recent authors to write about the form and function of Diocletian's mausoleum. Marin holds that the destruction of the imperial sarcophagus should be separated from the reutilization of the mausoleum, and speculates that the profanation of the tomb occurred during the Byzantine-Ostrogothic war. Further on in the article, he supports the traditional dating of the conversion of the mausoleum to the seventh century, referring to analogies with the Pantheon.

76 Sergio Tavano, "Mosaici parietali in Istria," *Antichità Altoadriatiche* 8 (1975): 267–69 (hereafter Tavano, "Mosaici parietali in Istria"); Jean-Pierre Caillet, *L'évérgetisme monumental chrétien en Italie et à ses marges* (Rome: *École française de Rome*, 1993), 69, 71, 331; Myla Perraymond, "Linee di diffusione del culto dei Santi Anargiri attraverso le testimonianze monumentali ed epigrafiche del VI secolo," in *Acta XIII Congressus Internationalis*

Fig. 5. Split, Archaeological Museum, architrave with an inscription mentioning SS. Cosmas and Damian, 9th c. (photo: I. Basić).

hand in hand with imperial armies. It is of particular importance for our argument that another saint, Theodore of Euchaite in Pontus, was also commemorated in the basilica of Saint Cosmas and Damian. Theodore was popular in the Eastern Empire, venerated together with Cosmas and Damian in Apamea and Gerasa. The introduction, in a representative manner, of the cult of these three carefully chosen saints to the ancient heart of Rome during the pontificate of Felix IV enables us to better understand the common cultural background to the introduction of the cult of Cosmas and Damian into Diocletian's palace, together with the cults of Theodore, Martin, Apollinaris, and Anastasia. The cult of Saint Cosmas and Damian is attested in the cathedral of Split at least since the mid-ninth century. The first mention of them as co-patron saints of the cathedral is in a charter issued by the Croatian Duke Trpimir in 852 or 844 (*coenobium sanctorum martyrum Domnii, Anastasii, Cosmae et Damiani*). An inscription on an architrave fragment (Fig. 5), probably also from the cathedral (around 800), also mentions the saints.[77]

Archaeologiae Christianae, vol. II, ed. Nenad Cambi and Emilio Marin (Città del Vaticano-Split: Pontificio Istituto di Archeologia Cristiana, Arheološki muzej, 1998), 673–86; Giuseppe Cuscito, "Origine e sviluppo del culto dei santi Cosma e Damiano: testimonianze nella 'Venetia et Histria'," in *San Michele in Africisco e l'età giustinianea a Ravenna. Atti del Convegno «La diaspora dell'arcangelo, San Michele in Africisco e l'età giustinianea», Ravenna, 21-22 aprile 2005*, ed. Claudio Spadoni and Linda Kniffitz (Milano: Silvana, 2007), 105–8 (hereafter Cuscito, "Origine e sviluppo del culto dei santi Cosma e Damiano"). All of these attestations of their cult in the respective churches can be firmly dated to the early sixth century.

77 For the charter see: *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae*, vol. I, ed. Jakov Stipišić and Miljen Šamšalović (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1967), 5; for the inscription: Rade Mihaljčić and Ludwig Steindorff, *Glossar zur frühmittelalterlichen Geschichte im östlichen Europa, Beiheft 2: Namentragende Steininschriften in Jugoslawien vom Ende des 7. bis zur Mitte des 13. Jahrhunderts* (Wiesbaden: Franz Steiner, 1982), 67.

Since the cult of Cosmas and Damian probably *did not* reach Spalatum together with the cult of Salonitan martyrs, there is a possibility that their cult preceded the latter, transferred to Diocletian's palace only in the Early Middle Ages.[78] However, the fact that the cult of Cosmas and Damian in the Euphrasian Basilica in Poreč was combined with the cult of Bishop Severus from Ravenna allows us to affirm even further the hypothesis of simultaneous entry of the cult of Cosmas and Damian with the cult of Bishop Severus from Ravenna into Diocletian's palace. In Poreč, the left side apse of the Basilica Euphrasiana is decorated with a mosaic depicting Christ crowning Cosmas and Damian with a martyrdom wreath. In the corresponding right-side apse, Saint Severus and another unidentified saint (probably Apollinaris of Ravenna, whose feast day coincided with Severus's) are represented in the same way.[79] These mosaics can be reliably dated *ca.* 553-557. Once accepted, the cults of Cosmas, Damian, and Severus in Poreč will become in every respect chronologically aligned with their appearance in Split, where, simultaneously, the cult of Apollinaris was recorded. This parallelism indicates the center from where both cults arrived in Split and in Poreč: Ravenna. The saints' arrival in Diocletian's palace was not isolated, but occurred together with other Ravennate cults with a powerful anti-Arian edge. Whether the cult of Saint Cosmas and Damian in the Cathedral of Split represents a survival of an original Early Christian dedication, remains yet to be seen. There is, however, no doubt that the octagon was used by Christians in the sixth century, at the apex of the popularity of the two saints. The elevation of the church to the status of cathedral happened later, in the seventh or eighth century.[80] It was a separate and different process.

---

78 Joško Belamarić ("The first centuries of Christianity in Diocletian's palace in Split," in *Acta XIII Congressus Internationalis Archaeologiae Christianae*, III, 65 [hereafter Belamarić, "The first centuries"]) refers to the hypothesis by C. Fisković according to which the cult of Cosmas and Damian directly replaced the cult of Aesculapius in the small temple of the palace and was transferred to the mausoleum opposite the temple; Belamarić notes that "even with all the information we currently possess, we are unable to ascertain when SS. Cosmas and Damian became joint protectors of Split." Their cult vanished already in the Late Middle Ages: as co-patrons of Split, they were depicted for the last time on the Romanesque choir seats from the twelfth or thirteenth century. After that, in the Statute of Split from 1312, only Domnius and Anastasius are mentioned as patrons, with no mention of Cosmas and Damian—see Ivan Ostojić, *Benediktinci u Hrvatskoj* [Benedictines in Croatia], vol. 2 (Split: Benediktinski priorat Tkon, 1964), 368.

79 Tavano, "Mosaici parietali in Istria," 268–69; Cuscito, "Origine e sviluppo del culto dei santi Cosma e Damiano," 106–7. It is equally possible that these are St. Ursus or St. Ursicinus, bishops of Ravenna from the fourth and sixth centuries, respectively.

80 In my opinion, this happened in the late eighth century, but I cannot elaborate on that here. See Ivan Basić, "New evidence for the re-establishment of the Adriatic dioceses in the late 8th century," in *Imperial Spheres and the Adriatic Byzantium, the Carolingians and the Treaty of Aachen (812)*, ed. Mladen Ančić, Jonathan Shepard, and Trpimir Vedriš (London–New York: Routledge, 2017, 261–287), and Basić, "Poleogeneza," 181–421, for arguments.

In my view, the conversion of the mausoleum into the church of Saint Cosmas and Damian must have taken place under Justinian. Early Christian churches rose above the four gates of Diocletian's palace. With the Ravennate-Byzantine cults there,[81] an Early Christian cult was also present in the most representative building of the palace: the octagon. That the octagon was already an Early Christian church is demonstrated by sixth-century Early Christian sculpture fragments. The cult of Cosmas and Damian was not brought here when the mausoleum was converted into a cathedral (at the time, the cults of the Virgin Mary, Domnius, and Anastasius were introduced), nor is there evidence that Cosmas and Damian were revered at all in Early Christian Salona. It is unlikely that the cult of Cosmas and Damian entered the Cathedral of Split between the eighth and twelfth century, when they are sporadically mentioned and completely disappear after the thirteenth century. The cult of Saint Cosmas and Damian did not appear in the West before 500,[82] thus their veneration in Split cannot be earlier. As their cult is mentioned from the ninth century onward in tandem with the dominant cults of the patron saints of Salona-Split, Domnius and Anastasius, their presence looks like a remnant of the Early Christian dedication of the mausoleum. Following the introduction of the cult of the Salonitan martyrs, the earlier patrons were retained in the dedication of the church, but only in a secondary place. This hypothesis is corroborated primarily by the lack of a material presence of Christian cult in the mausoleum before the sixth century and by the popularity of Saint Cosmas and Damian under Justinian's reign.

The worship of Cosmas and Damian in Diocletian's mausoleum predates the arrival of the inhabitants of Salona to Split in the seventh century and the restoration of its archdiocese in the eighth century. Their cult started in the sixth century, when the mausoleum became a church. At the time of the restoration of the archdiocese and the secondary dedication of the octagon to the saints of Salona, Domnius and Anastasius, the cult of SS. Cosmas and Damian was already several decades old. Two Early Christian reliquaries—one bearing the inscription of Saint Severus, another containing the relics of Saint Domnius, Anastasius, and George—from the sixth century show their cult in Diocletian's palace under Justinian's reign.[83] Severus's relics inevitably suggest contacts

---

81 Jakšić, "Patron Saints," *passim*. Belamarić, "The first centuries," 57–9 was the first to present the dating of these churches back to the Early Christian period. He believes that the cult of St. Euphemia, whose churches are located in both places next to *Porta Aurea*, originates from Ravenna, too.

82 The first recorded case is the oratory, built in honor of the two saints by Pope Symmachus (498–514) in Rome next to the church of Santa Maria Maggiore: *qui ad sanctam Mariam oratorium sanctorum Cosmae et Damiani a fundamentis construxit* (Duchesne, *Liber pontificalis*, 262). Cf. Eva M. Steinby, ed., *Lexicon topographicum urbis Romae*, vol. I (Roma: Quasar, 1993), 325, s.v. *Ss. Cosmas et Damianus ad sanctam Mariam Maiorem* (Giuseppe De Spirito).

83 Arsen Duplančić, "Two Early Christian reliquaries from Split," *Vjesnik za arheologiju i povijest dalmatinsku*, 106 (2013): 205–29.

with Ravenna (previously identified via other cults), where this local holy bishop was particularly revered.[84] Cosmas and Damian, together with Severus, were also venerated in the Basilica Euphrasiana in Poreč. The cults of Saint Cosmas and Damian, Apollinaris, Theodore, Martin, Anastasia, and Severus in Diocletian's palace started simultaneously under Justinian following his triumph over the Goths. The imperial palace in Split was enriched with the typical cults of the saints of the Justinianic reconquest. The churches intended for the Byzantine garrison were manned by the clergy of Salona: the archbishop of Salona must have paid occasional visits to the palace.

The settlement, surely, predated the transition of the populace from the town of Salona that happened during the seventh century. Again, the aforementioned alterations of the palace must have happened during the sixth century and were, most surely, arranged by the then-inhabitants of the palace. The question that remains is who initiated these large-scale interventions. Considering the well-known policy of Justinian I towards the Church after the Gothic wars, it can be assumed that at least some parts of Diocletian's palace were ceded by the Byzantine government to the *Ecclesia catholica Salonitana* under Archbishops Honorius II (528–47) or Peter (554–62).[85] Thus, most of these alterations are to be attributed to them, in close collaboration with the Byzantine military units stationed in the palace at the time.

Church to cathedral: seventh or eighth century?

The transition from the sixth to the seventh century was a time of sudden decline in the Western church. The Lombard invasion shook the dioceses and wiped out churches along the western and eastern Adriatic coasts, especially in the northwestern region of the Adriatic. More than half of the early Christian dioceses documented in the Italian peninsula no longer existed by the turn of the seventh century. In Dalmatia, the barbarian raids and the anarchy of the early seventh century ended urban life of Salona and its status as the province's metropolis. According to Thomas of Spalato, the Salonitan refugees, led by a certain Severus the Great (*Magnus Severus*), fled first to neighbouring islands before settling in Diocletian's palace, the core of the future Split. The move was supported by the Constantinopolitan government that reportedly allowed Salonitans to occupy the imperial buildings and regulated their relationship with neighbouring Slavs. Shortly after the destruction of Salona, the papal legate John of Ravenna arrived in the newly established city of Split, where he reinstated the old archbishopric and metropolitan see of Salona and transferred the relics of the Salonitan

---

84 Deliyannis, *Ravenna in Late* Antiquity, 213, 274–75.

85 On these archbishops, see: Jean-Pierre Caillet, "L'église salonitaine à l'epoque des évêques Étienne et Honorius II," in *Salonitansko-splitska crkva u prvom tisućljeću kršćanske povijesti*, ed. Josip Dukić, Slavko Kovačić, and Ema Višić-Ljubić (Split: Crkva u svijetu, Splitsko-makarska nadbiskupija, 2008), 211–19.

martyrs, St. Domnius and St. Anastasius to Diocletian's mausoleum that became the Cathedral of Split.

On the basis of Thomas of Spalato's chronicle, scholars generally accepted that the metropolitan see of Salona was reinstated in nearby Split in the mid-seventh century with John of Ravenna at its head. The account became common among later historiography dealing with the establishment and the rise of the church of Split and other churches of the eastern Adriatic. This narrative has exerted a profound influence on the overall perception of events and continues to be widely accepted, with certain additions and alterations, in scholarly publications. A detailed analysis of the historiography is beyond the scope of this paper.[86] For a long time, the early seventh century was seen as a conventional final date of the collapse of Early Christian dioceses in Dalmatia—that suddenly and inexplicably re-emerged in the sources around 800. The circumstances under which the early medieval bishoprics were founded in Dalmatia and the way they developed remained unexplained. This is not the place to dwell on the issue of the foundation of new bishoprics and the reestablishment of Early Christian episcopal seats in Split and other Adriatic cities.[87] The earliest medieval archaeological findings within the mausoleum date from the late eighth century (a possible trace of John of Ravenna's acitivities according to the late dating), but this has nothing to do with the Christianization of Diocletian's mausoleum. Whether we accept the seventh-century or eighth-century dating for the establishment of the archdiocese, the conversion of the mausoleum into a church has to be differentiated from the later reutilization of the church as a cathedral.

Conclusion

According to Jan Vaes' parameters compiled in 1989, the basic questions that need to be answered in each case of conversion are the following: in what state and shape was the object found prior to its reutilization; what was its function in that moment; when and with what purpose was the object built; for how long did the object

---

86 A full *status quaestionis* on this issue would exceed the limits of this paper; for a summary of opinions, see: Basić, "Poleogeneza", 181ff. and Basić, "New evidence", 261–265.

87 Beginning with the possibility that some or all of these cities achieved their episcopal status at the end of the eighth century, I recently tried to connect the historical records of several Dalmatian dioceses from the end of the eighth century with artistic material firmly dated to the same period and preserved in the respective church buildings. The founding of the eastern Adriatic bishoprics should be seen in a different social and chronological context—namely that of the late eighth century—sustaining the thesis with a critical examination of the sources; archaeological and art-historical evidence; and comparison with regional, Adriatic and pan-Mediterranean contexts. See Basić, "New evidence", 266–279.

remain in its original function and with what aim.[88] This paper attempted to give an answer to these questions.

Diocletian's palace was built on an imperial property established in the first century and remained part of the *fiscus* for centuries to come. Overlooking this fact resulted in outdated theories. As a part of unalienable crown property, the palace complex in Split, as well as the mausoleum, were under imperial supervision. Any functional change required imperial decree. The removal of the pagan contents of the palace must have occurred at several stages, during a protracted time-span: suspension of pagan cult practices, desacralization, dissolution of imperial prerogatives attached to the building, followed by the possible exemption of parts of its inventory, and ultimately its Christianization and adaptation for a new use.

A new approach to the written sources and new material evidence corroborate the argument that the pagan mausoleum in Split did not undergo substantial modification prior to the sixth century. I showed that change occurred through several stages. In the first stage, the building was transformed into a simple church, to be transformed into a cathedral centuries later. The case study of the conversion of a pagan monument into a Christian one holds important clues that cast new light on the process of transformation of pagan buildings into churches in general.

No ritual desacralization of the Diocletian's sacred octagon took place in the decades following the emperor's death. The conversion of the building to an Early Christian structure more than two hundred years after the emperor's death, however, must have been an important juncture, as it significantly altered a major imperial monument. The architectural alteration consisted of the removal of Diocletian's remains together with the pagan statuary, the construction of an altar, and the addition of a choir-screen. No radical change took place in the use of space. The decisive archaeological evidence for this change are the fragments of sixth-century decorative sculpture. The mausoleum's conversion into a church was not immediate, and it amounted to a simple refurbishment of the interior with Early Christian church installations.

Like other pagan monuments (Pantheon, Parthenon, Temple of Athena in Syracuse, etc.), Diocletian's mausoleum owes its preservation to church reuse. The fact that it became a cathedral protected the octagon and guaranteed its survival. Its size and integration in the imperial complex further assured its existence in the long run.

---

88 Jan Vaes, "*Nova construere sed amplius vetusta servare*: la réutilisation chrétienne d'édifices antiques (en Italie)," in *Actes du XI^e Congrès International d'archéologie chrétienne*, vol. I, ed. Noël Duval, Françoise Baritel, and Philippe Pergola (Roma-Città del Vaticano: École française de Rome, Pontificio Istituto di Archeologia cristiana, 1989), 299.

The use of Diocletian's funerary octagon as an Early Christian church ultimately does not seem as revolutionary as it has been previously thought. Christians did reuse a monumental space built by a persecuting Roman emperor, but this took place centuries after his death, by which time the conversion seemed more utilitarian than symbolic. It was not a key revolutionary moment of Christian triumph, although it did involve the desacralization of a building associated with a Tetrarch. Once we separate the conversion of a pagan mausoleum into a church from its transformation into a cathedral, the survival of Diocletian's mausoleum as a Christian place of worship suddenly looks less surprising.