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Fig. 3–5 Arch of Constantine, south side, attic: Dacian Captive. Photo: Fototeca Unione 4216.

Rape or Restitution of the Past? Interpreting *Spolia*

3

spolio: to strip, to deprive of covering, rob of clothing.[1]

Spolia are a practice without a theory, insofar as we have no contemporary texts from which to extract a rationale for their employment in medieval buildings and works of art. They can only be viewed and interpreted retrospectively, through the lenses of the hypertheorized practice of art history. For this practice the word itself posits certain interpretive possibilities.[2] The extended meaning of the plural substantive *spolia*—the captured arms of an enemy and thence war booty of any kind—seems to imply the interpretive trope of "propaganda": spoils by definition signal a victor, and the user of artistic *spolia* can readily be understood as intending to communicate his triumph, or in pacific situations his legitimate succession, vis-à-vis the era, culture, or honorand for which the reused artifacts originally were created. This is in fact the common understanding of such *spolia* compositions as the Arch of Constantine (Figs. 3–1 to 3–4). But it is worth recalling that the cognate *spoliatio* denoted, with specific reference to works of art and architectural decoration, illegal removal, an ignoble use of the power of appropriation. *Spoliatio* was one of the crimes for which Cicero prosecuted Verres on behalf of the province of Sicily: *monumenta antiquissima ... spoliavit nudavitque omnia; urbs (Syracusae) tota spoliaretur; spoliasti Siculos.*[3]

The *Verrine Orations* offer a pyrotechnical display of the denotative and connotative range of *spolio* at the end of the Roman Republic. Frequent synonymy with *nudo* stresses the signification "to denude." Equally frequent combination with words like *expilo*, to pillage or plunder, conveys the act's unrestrained and violent quality, and association with *violatus* intimates sacrilege, or even rape.[4] People, including kings, are despoiled of silverware, money, and in one case even clothes; towns are stripped of income; cities and above all temples are stripped of ornament, that is their statues, paintings, and any artifacts of precious materials. Ironically, many of the plundered ornaments are themselves *spolia*: objects seized by victorious generals and dedicated as memorials of their conquests in temples and public places. Cicero exploited this paradox to identify paradigms of laudable and reprehensible despoliation, sometimes bringing them together in figures of transplacement or paronomasia:[5] *vobiscum (Scipio) Africanus hostium spolia et praemia laudis communicavit, at nunc per Verrem spoliati, nave a praedonibus abducta, ipsi in hostium loco numeroque ducimini.*[6]

In Cicero's construction the source of the object seized is a factor in distinguishing good spoliation from bad, as are the object's status in the culture from which it is removed, the manner in which it is appropriated, and the use to which it subsequently is put. *Spolia* are seized from enemies, not from allies or friends.[7] Although any possession of the enemy technically was fair prey for the victor, a noble general eschews taking objects of religious significance or function: *deos deorum spoliis ornari noluit.*[8] *Spolia* are properly taken selectively, with restraint and humane consideration of the conquered, not with the abandon of barbarians.[9] Once taken, *spolia* should never become the private property of the victor, lest they devolve into the mere possessions of his heirs and lose their association with the glorious deeds by which they were acquired.[10] *Spolia* should rather be dedicated and displayed as public monuments; as such they remain a perpetual reminder of the person of the victor and of his achievements: *memoria virtutis, monumentum victoriae.*[11]

Of course, Cicero wrote at a time when *spolia* of the art historical kind are thought not to have existed; in art historical parlance, *spolia* denotes old works of art incorporated into new ones, a characteristically late antique practice not traceable before the third century. But insofar as *spolia* often derive from *spoliatio* we should be alert for continuities; and even if no continuity between early and late Roman attitudes could be discovered, at the very least Cicero provides illuminating testimony to the ways in which (de)spoliation was culturally embedded. In his schema *spolia*—signs of triumph—are good; *spoliatio*—denudement—is bad. The distinction is one of legitimacy: victors may legitimately take spoils from enemies, but magistrates may not legitimately denude citizens, or public buildings, of their riches or adornment. Surely a comparable distinction pertained in late antiquity, for part of it appears in the Theodosian Code: "we forbid ... the presumptuous conduct of judges who, to the ruin of obscure towns, pretend that they are adorning the metropolitan or other very splendid cities, and thus seek the materials of statues, marble works, or columns that they may transfer them."[12] "If any person should wish to undertake any new building in the City (Rome), he must complete it with his own money and labor ... without obtaining renovated stones from the public, without tearing away pieces of marble by the mutilation of despoiled buildings (*non marmorum frustis spoliatarum aedium deformatione convulsis*)."[13]

These and other imperial proscriptions of *spoliatio* originated in the reigns of Constantius II, Valentinian I, Gratian, and Theodosius I, that is in the latter part of the fourth century and later.[14] They postdate the inauguration of the massive use of architectural and sculptural *spolia* in the reign of Constantine I, and conceivably were drafted in some wise in response to it, for example to contain a practice which the Constantinian projects seemed falsely to legitimate. In any case their target is neither *spolia* nor the practice of reuse, but the process of denudement by which reusable elements could be procured. As in the speeches of Cicero, spoliation is circumstantially defined: denudement of certain protected structures by unauthorized persons. Legitimacy is still the focal issue.

The art historical use of *spolia* to denote the ornamental products of despoliation is not in these fourth-century documents, nor is it classical. To my knowledge it first appears in Italian, in the *Proemio delle vite* of Vasari. In the version of 1550 Vasari associates the decline of art in antiquity with repeated acts of despoliation, by barbarians but even before them by the principal cause of art's demise, the Christian religion:

> Inoltre per edificare le chiese a la usanza cristiana, non solamente distrusse i piú onorati tempii degli idoli, ma per far diventare piú nobile e per adornare San Piero, spogliò di colonne di pietra la Mole d'Adriano ..., sí come la Antoniana di colonne e di pietre e di incrostature per quella di S. Paulo, e le Terme Deocliziane e di Tito per fare S. Maria Maggiore, con estrema rovina e danno di quelle divinissime fabriche, quali veggiamo oggi guaste e destrutte.[15]
>
> (Moreover in order to build churches in the Christian manner, [religion] not only destroyed the most honored temples of the idols, but to ennoble and adorn St. Peter's it despoiled the monument of Hadrian of its stone columns ... and likewise the Baths of Caracalla of its columns and stones and revetments for St. Paul's, and the Baths of Diocletian and of Titus to make S. Maria Maggiore, causing the utmost damage and ruin of those divine structures, which we see today broken and destroyed.)

Totila momentarily stripped the city of its citizens and burned it ("spogliatola di tutti i viventi corpi, la lasciò in preda alle fiamme del fuoco"), but the *coup de grâce* was delivered by the "perfidious Greek," emperor Constans II (641–668), who

> "guastò, spogliò e portossi via tutto ciò che nella misera città di Roma era rimaso ... giustamente occiso da i suoi, lasciò le spoglie, il regno e la vita, tutto in preda della fortuna. La quale, non contenta ancora de' danni di Roma, perché le cose tolte non potessino tornarvi già mai, vi condusse una armata di Saracini, a' danni dell'isola; i quali e le robe de' Siciliani e le stesse spoglie di Roma se ne portorono in Alessandria ... E cosí tutto quello che non avevono guasto i pontefici, e San Gregorio massimamente, il quale si dice che messe in bando tutto il restante delle statue e delle spoglie degli edificii, per le mani di questo sceleratissimo greco finalmente capitò male.[16]
>
> (ruined, destroyed, and carried away everything that was left in the pitiable city of Rome ... Justly murdered by his own men [in Sicily], he left the *spolia*, his reign and his life all as booty to Fortune. The latter, not yet satisfied with the injuries to Rome, in order that the things removed [by Constans II] should never return there, led a fleet of Saracens to sack the island; and they took away to Alexandria both

> the Sicilians' possessions and those same *spolia* from Rome ... And in this way everything that had not been ruined by the popes, and most of all by St. Gregory (590–604) who, they say, banished all the remaining statues and *spolia* from [Rome's] buildings, finally ended badly in the hands of this wretched Greek.)

"Spoglie degli edificii" inaugurates the art historical use of "spolia," marking a shift in designation from the martial "booty" to an industrial product, the yield from purposeful demolition. The shift is slight, but in redirecting attention away from the act of stripping buildings, denoted by *spoliatio*, to the reusable elements produced by that act, "spoglie" makes available to analysis a new class of artistic objects. It seems questionable (though not impossible) that Vasari invented this concept, but he may well have been the first to employ it critically.[17] Writing of the abysmal quality of medieval sculpture he appeals to the example of the Arch of Constantine (Figs. 3–1 to 3–4):

> ... cose sí goffe e sí ree, e tanto malfatte di grossezza e di maniera, che pare impossibile che imaginare peggio si potesse. E di questa maniera n' è in Roma sotto i tondi nell'arco di Costantino, che dà le storie di sopra, che furono da le spoglie di Traiano smurate et a Costantino in onore della rotta data da lui a Massenzio, quivi son poste; onde per non avere maestri mancandogli ripieno, fecero i maestri ch'alora tenevano il principato, que' berlingozzi che si veggono nel marmo intagliati.[18]
>
> (things [of sculpture] so crude and so despicable, and so ill-formed in magnitude and in style, that it seems impossible to even imagine anything worse. And there is something of this style in Rome under the *tondi* on the Arch of Constantine, which has narratives above that were dismantled from the *spolia* of Trajan and placed here in honor of Constantine for his rout of Maxentius; and when these did not fill it, for want of master craftsmen the masters who were then in the service of the principate made those lumps of dough that one sees [there] cut out of the marble.)

The presence of *spolia* on the Arch allowed Vasari to denigrate medieval sculpture by comparison, providing a ready-made *paragone* of the antique and the merely old.[19] The valence of "spoglie" in his example is thus both negative and positive: implicitly negative, insofar as the association with *spoliare* remains immediate, but overtly positive insofar as the *spoglie* are treated with a modern sense of historicity. Their rededication to Constantine notwithstanding, they remain ineluctably products of an earlier, and in the Vasarian scheme a better era, narrowly circumscribable as the reign of Trajan (98–117). In the Vasarian analysis, then, the Constantinian recontextualization of the *spolia* is a failure; the *spolia* visibly refuse a late antique categorization and demand a (re)recontextualization in the art historical second century. But this analysis has its own historicity, and today we might question whether the failure, or more precisely the stylistic discrepancy in which it is perceived, is a transhistorical absolute that imposed itself as insistently on the fourth-century viewer as on Vasari. Or is it an artifact of art history itself, the modern discipline to which Vasari's use of "spoglie" corresponds?[20]

The 1568 edition of the *Vite* uses the *paragone* to make a different point, that art declined due to internal causes, entropically, rather than from external impetus alone:

> E di ciò possono rendere chiara testimonanza l'opere di scultura e d'architettura che furono fat[t]e al tempo di Gostantino in Roma e particularmente l'arco trionfale ... dove si vede che, per mancamento di maestri buoni, non solo si servirono delle storie di marmo fatte al tempo di Traiano, ma delle spoglie ancora condotte di diversi luoghi a Roma. E chi conosce che i vóti che sono ne' tondi, cioè le sculture di mezzo rilievo, e parimente i prigioni e le storie grandi e le colonne e le cornici et altri ornamenti fatti prima e di spoglie, sono eccellentemente lavorati, conosce ancora che l'opere le quali furon fatte per ripieno dagli scultori di quel tempo sono goffissime, come sono alcune storiette di figure piccole di marmo sotto i tondi et il basamento da piè, dove sono alcune vittorie, e fra gli archi dalle bande certi fiumi che sono molto goffi e sì fatti che si può credere fermamente che insino allora l'arte della scultura aveva cominciato a perdere del buono ...[21]
>
> (And of this [decline] clear witness is given by the works of sculpture and architecture made in the time of Constantine in Rome, and especially the triumphal arch ... where one sees that, for want of good master craftsmen, they used not only some marble histories made in the time of Trajan, but also *spolia* brought from various sites to Rome. Whoever recognizes that the votives in the *tondi*, that is the sculptures in half-relief, and likewise the captives and the large narratives and the columns and the cornices and

> other ornaments made previously and [placed here as] *spolia*, are excellently crafted, will also see that the works made as filler by the sculptors of that time [of Constantine] are very crude, like the small marble narratives with little figures under the *tondi* and the podium at the base, where there are some victories, and between the arches at the sides some river gods that are very crude, and so made that you can firmly believe that already then the art of sculpture had begun to lose its quality, even though the Goths and other barbarians had not yet arrived ...)

The more discriminating account of the *spolia* in this edition gives clearer utterance to the archaeological attitude implicit in the description of 1550. The goals attending that attitude, namely to identify origins and to assign each reused piece to its physical source and correct position in the chronological spectrum of art history, further refines the perceived distinction between the *spolia* and their later setting; and this was the thrust of *spolia* studies for centuries, not only with respect to the Arch of Constantine but more generally. With the increasing specialization of scholarship, *spolia* were the province not of art historians but of antiquarians and archaeologists, whose work by definition takes the reemployed ornaments out of their secondary—what we might also call the real—context and replaces them in an ideal original situation, be it an imagined moment of antiquity or an abstract developmental sequence of monuments and styles.

In the case of the Arch of Constantine, it took some time before the goals of the archaeological endeavor were fully realized. Despite Vasari's intimations that not all of the *spolia* on the Arch are from the time of Trajan, and that they might come from more than one source, it was not until the late nineteenth century that archaeologists were able to distinguish multiple styles of the second century among the reliefs, and to demonstrate that the architectural elements, whatever they are, are not Trajanic.[22] Interim acounts of the Arch mostly follow the simpler line of 1550, taking the *spolia* as a unitary ensemble and repeating the sixteenth-century intuition that they all came from a triumphal arch of Trajan.[23]

With the publication of Hans Peter L'Orange's analysis of the Arch of Constantine in 1939, followed in 1940 by F. W. Deichmann's "Säule und Ordnung in der frühchristlichen Architektur," the study of *spolia* entered a different era, which we might in retrospect call modern.[24] Both scholars treated *spolia* not as archaeological shards to be reintegrated, but as components of coherent medieval or pre-medieval representations. Both posited the secondary setting as the object of interpretation, and both assumed that this object would yield to critical analysis a system, a set of meaningful interrelationships of part to part and part to whole, such as might be found in works all of whose parts were newly made.

Whereas Deichmann's analysis yielded a formal system of correspondences, based on color, size, and architectural typology, L'Orange's revealed a conceptual, programmatic one, in keeping with the dominant tendency of twentieth-century art history to seek verbal rather than visual unity in works of art. A comprehensive postulation of programmatic rationales for *spolia* came thirty years later, in the marvelously rich and rightly famous essay by Arnold Esch, but Esch's interest was in a later phase of *spolia* use, from the eighth through the fifteenth centuries.[25] For the Arch of Constantine, L'Orange's has remained the basic interpretation. It still informs the current understanding, despite revisions of content, shifts of emphasis, and adaptation to different points of view.[26] And since the Arch is generally thought to have inaugurated the widespread use of *spolia*, its interpretation inevitably imposes a paradigm for all analyses of *spolia* composition in late antiquity.

L'Orange's brilliant rereading was founded on the fact that the imperial portraits in all of the *spolia* reliefs have been recut. Two heads of Trajan in the "Great Frieze" in the central archway have been recarved with the features of Constantine (Figs. 3–2 and 3–3). Portraits of Constantine were inserted into the attic reliefs in the eighteenth century; apparently the ancient heads had gone missing, and it is only an assumption that they too had been reworked as Constantine in the fourth century.[27] The *crux interpretationis* occurs in the Hadrianic *tondi*, where only three of the five surviving imperial heads have been made Constantine's; the other two depict an older, bearded person whom L'Orange took to be Licinius (Fig. 3–4). In his view, the *tondi* represent the "collegial togetherness" of the joint rulers; "... in their Constantinian use the cycle of Hadrianic hunting scenes was politically reinterpreted. The medallion cycle was absorbed into the pattern of tetrarchic state-representation."[28] The other *spolia* reinforce that pattern by relinquishing their original historical specificity. Thus the attic reliefs are no longer perceived as references to a particular emperor, but to the emperor "in his abstractly conceived state functions;" the battle frieze alludes not to a particular conquest but to "the triumph of Roman arms over the enemies of the empire in general;" and the statues of captive Dacians "stand, not as in the time of Trajan for a specific con-

quered people, but for the totality of the enemies of the empire; they celebrate the emperor not as an historical, but as an absolute victor."[29] Raissa Calza's reidentification of the bearded emperor as Constantius Chlorus invalidated L'Orange's postulation of a tetrarchic program, but not the idea of a program itself nor its political import; interpretation was simply redirected toward themes that focus on Constantine alone.[30]

In a coda to his Constantinian rereading of the *spolia* reliefs, L'Orange, as if unwilling finally to sacrifice the recent gains of archaeology, reverted to the archaeological point of view. Reidentifying the *spolia* as works of Trajan, Hadrian, and Marcus Aurelius, he proposed that this information also was part of the original, intended message of the Arch: "Is it an accident that he [Constantine] is represented in image-cycles, well known to all Romans, of just these three rulers ...? Doesn't he, like his co-regent, appear before their eyes as Novus Trajanus, Novus Hadrianus, Novus Marcus, that is as guarantor of the *Saeculum Aureum*—deeply desired, and by him brought back?"[31] In this critical about-face the Vasarian rupture between the *spolia* and their Constantinian foster matrix reasserts itself, to be weakly resealed by a claim of simultaneous identities: the *spolia* are perceived as belonging both to specific persons of the second century, whom they depict, and to Constantine, whom they depict as well. The possibility of historical diplopia posited by this maneuver has been the most enduring and the most often-repeated aspect of L'Orange's critical analysis.[32] It articulates a multivalence that is peculiar to *spolia*: to be perceived as such, *spolia* must be seen as products of at least two artistic moments, and of two different artistic intentions. But the particular diplopia conjectured for the Arch of Constantine postulates an ideal viewer with historically specific knowledge and responses.

Any ascription of programmatic meaning entails the hypothesis of intention, whether implicit or explicitly attributed, and of an audience to whom the intention will be apprehensible. In the case of the Arch of Constantine, criticism has been fairly explicit about intention, although there is no agreement about whose intention it is: sometimes the program is credited to Constantine himself;[33] sometimes to the senate, the nominal authors according to the dedicatory inscription;[34] sometimes to the architect(s) or builders.[35] L'Orange prudently avoided the issue by frequent use of the passive voice, or elsewhere by attributing the agency of the program to the reliefs themselves. The fact is that the identity of the minds behind the Arch remains unknowable, and the hilarious parody by Evelyn Waugh of a collective authorship may be as good a view as any other of how the final "program" came about.[36]

About audience the same scholars have generally been more reticent. No study, to my knowledge, spells out the identity and critical capacities of the presumed fourth-century audience, and few acknowledge the problem.[37] The audience implied by L'Orange's claim of diplopia anachronistically resembles the twentieth-century archaeologist, apparently possessing the latter's hyper-refined awareness of the taxonomy of styles, but also his crippling lack of circumstantial knowledge: for what occasion was the Arch constructed?[38] how closely does its decoration mirror real events of Constantine's reign?[39] and, most important for our subject, where did the *spolia* come from?

A recent sensational announcement that the Hadrianic roundels are *in situ*, not *spolia* at all, seems to have been a false alarm.[40] On the contrary, an inventory of the Arch's marbles overseen by Patrizio Pensabene revealed 16,000 pieces in reuse, including not only the second-century sculptures but the blocks that were recut to make the dedicatory inscriptions and the "Constantinian" friezes.[41] The sources of the *spolia*, however, are still moot. The greatest certainty seems to attend the Dacian captives (Fig. 3–5, frontispiece), whose origin in the Forum of Trajan is unquestioned.[42] The Trajanic battle frieze is mostly, though uneasily, ascribed to the same source, but there are dissenters.[43] The attic reliefs seem attributable to a triumphal arch of Marcus Aurelius, but what arch and where it stood are not decided.[44] And no one can say what monument produced the *tondi*.[45]

It is rude to insist on unanswerable questions, but how the *spolia* were acquired must have been a principal determinant of how they originally were perceived—much stronger than the relatively subtle stylistic distinctions among the reused reliefs.[46] To strip the Forum of Trajan of eight over life-size Dacians and nearly 20 meters of Pentelic marble frieze in order to decorate the Arch of Constantine would have been an egregious act of *spoliatio*, especially if, as Canina originally suggested and James Packer has recently confirmed, the *pavonazzetto* statues of the Dacians came from the facade of the Basilica (Figs. 3–6 and 3–7).[47] This is precisely the kind of mutilation that later imperial edicts would proscribe.[48] But we cannot be absolutely sure that this is how the *spolia* became available. Perhaps the Trajanic pieces were salvaged from some part of the Forum that had suffered damage, or they might have come from altogether another site.[49] It is possible that all of the reused ornaments came from structures destroyed before the reign of Constantine;[50]

in that case, their placement on the Arch could be seen as an act of artistic piety, but general knowledge of their specific connections with Trajan, Hadrian, and Marcus Aurelius could no longer be assumed.

Spolia are indices of destruction. They are the residues of violence inflicted by man, nature or time. All of these agents produce *spolia*, but only man practices *spoliatio*. Inflecting signs on *spolia* sometimes index their agents as well: weathering points to time, encrustation to burial and thus to time and nature, cracks or losses to earthquakes or careless spoliation. The reliefs on the Arch of Constantine are conspicuously marked by reworked portraits, which make them, and the deeds they represent, unequivocally Constantine's.[51] Recutting signifies appropriation.

It was once a powerful gesture to alter the identity of an existing image. Marcus Aurelius himself declined the opportunity to become the subject of another emperor's statue, writing that "we who are in no particular way eager to accept our own honors, would still less willingly put up with those of others realtered to represent ourselves." He decreed that the statues in question "ought to be preserved under the same names under which they came into existence," even if the features were so corroded that the portraits were no longer recognizable.[52] Statues were monuments, that is embodiments of memory, and the usurpation of memory was impiety,[53] unless, of course, the memory had been damned. *Damnatio memoriae* was the traditional motive for the not infrequent practice of recarving the portraits on Roman imperial statues and reliefs.[54] This cannot have been the case with the Arch of Constantine, yet it is undeniable that the modification of the portraits of Trajan, Hadrian, and Marcus Aurelius constitutes erasure (even if only partial erasure), and erasure is suppression.[55]

Like many taboos, the social constraints on reusing statues apparently fell away in the third century, when numerous portraits, including imperial ones, were recarved.[56] It is possible that by the time of the Arch of Constantine the practice was taken for granted, but the older sense of decorum had not necessarily disappeared. A viewpoint remained from which the use of *spolia* could be seen as arrogation, and this viewpoint was available in the second half of the fourth century if not in the first. It can be discerned in Jerome's sour note that Constantinople was dedicated *omnium paene urbium nuditate*.[57] It is explicit in the protective legislation enacted by the emperors Valentinian I, Valens, and Gratian (364–380).[58] It may be implicit in certain documents from the reign of Constantine's son and successor, Constantius II (337–361). There is irony in Ammianus Marcellinus' account of Constantius' visit to Rome in 357, as the emperor is depicted entering Rome like his father, in triumph though without the legitimate credentials of a *triumphator*, yet taking no notice at all of his father's triumphal arch, upon which he must have turned his back to gawk at the Colosseum and the Templum Urbis.[59] The buildings Constantius admired most were those of the (probably despoiled) Forum of Trajan, *nec relatu effabiles, nec rursus mortalibus appetendos*.[60] Constantius' concern for the integrity of the urban *ornatus* may be inferred from an edict issued earlier in that same year, protecting the marble ornaments of public buildings from removal from one city to another.[61] And it may be significant, though again ironic, that the monument with which Constantius commemorated his own Roman triumph was not a *spolia*-laden arch, but, on the model of Augustus, an obelisk transported from Egypt.[62]

Spolia are fragments, and as fragments they are indices of lost and irreparable wholes.[63] These wholes present themselves to memory or imagination in unpredictable—concomitantly uncontrollable and also unrecoverable—variations. If the designer of the Arch of Constantine intended that *spolia* remind his viewers only of the ideal constellation of triumphs and beneficent gestures that comprise the reigns of specific "good" emperors he must have met frustration, for he could not prevent those viewers from subversively recalling the mutilated facade of the Basilica Ulpia instead, or from forgetting the sources of the *spolia* and imagining their association with assorted evil emperors whose memory had been damned. More likely, in my view, the designer had no such narrowly prescribed program in mind. *Spolia*, by definition products of plural intentions, are by their nature disruptive of unity and resistant to programmatic resolution. They are signs of an artistic culture with a high tolerance, perhaps even a deep need, for ambiguity. It is on those grounds that the interpreter must meet them.

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Notes

1 Charlton T. Lewis and Charles Short, *A Latin Dictionary*, reprint Oxford, 1969, p. 1745.

2 Cf. Beat Brenk, "Spolia from Constantine to Charlemagne: Aesthetics versus Ideology," *Dumbarton Oaks Papers* XLI, 1987, p. 103.

3 *In C. Verrem* I, 5, 14; II, I, 20, 50; II, III, 41, 96.

4 *Ibid.*, II, V, 72, 184–186: "... duo fana ... omnibus donis ornamentisque nudavit; ... duobus ... templis expilavit ...; Diana, quam Pergae spoliavit ...;" "... mater Idaea, quam ... in templo sic spoliatam reliquit ut nunc ... vestigia violatae religionis maneant."

5 *Ad Herennium* IV, 14, 20–21; IV, 21, 29.

6 *In C. Verrem* II, V, 47, 125: "The hero of Africa gave you a share of the spoils of war, a share of the victor's reward of glory; but now you are despoiled by Verres, your ship is carried off by the pirates, and you yourselves are regarded and treated as enemies" (trans. L. H. G. Greenwood, Loeb Classical Library, vol. II, p. 603).

7 *Ibid.*, II, V, 48, 127; cf. II, III, 4, 9; II, IV, 30, 68.

8 *Ibid.*, II, IV, 54-55, 120-123.

9 *Ibid.*, II, IV, 55, 122. Cf. Magrit Pape, *Griechische Kunstwerke aus Kriegsbeute und ihre öffentliche Aufstellung in Rom* ..., Ph.D. Dissertation, University of Hamburg, 1975, p. 7.

10 *Ibid.*, II, II, 35, 87.

11 *Ibid.*, II, IV, 33–35, 72–79; cf. II, IV, 44, 97–98; Pape, *Griechische Kunstwerke*, p. 53.

12 *Codex Theodosianus* XV, 1, 14, ed. Theodor Mommsen, vol. I, part 2, reprint Berlin, 1954, p. 804; *The Theodosian Code and Novels and the Sirmondian Constitutions*, trans. Clyde Pharr, Princeton, 1952, p. 424.

13 *Ibid.*, XV, 1, 19; trans. Pharr, p. 425; ed. Mommsen, p. 805; Yves Janvier, *La Législation du Bas-Empire romain sur les édifices publiques*, Aix-en-Provence, pp. 178–179.

14 *Ibid.*, XV, 1, 1 (357 c.e.), 14 (365 c.e.), 19 (376 c.e.), 37 (398 c.e.), 43 (405 c.e.); trans. Pharr, pp. 423–428; ed. Mommsen, pp. 801–811; Janvier, pp. 116–117, 142–145, 178–179, 238–241, 254–255.

15 Giorgio Vasari, *Le Vite de' piú eccellenti architetti, pittori, et scultori italiani, da Cimabue insino a' tempi nostri, nell'edizione per i tipi di Lorenzo Torrentino, Firenze 1550*, ed. Luciano Bellosi and Aldo Rossi, Turin, 1986, p. 96. In the matter of Vasari I have profited greatly from the learning of my colleague David Cast. The Vasarian origin of *spoglie* has also been discussed by Joseph Alchermes, "*Spolia* in Roman Cities of the Late Empire: Legislative Rationales and Architectural Reuse," *Dumbarton Oaks Papers* XLVIII, 1994, pp. 167–168.

16 *Ibid.*, p. 97.

17 To the best of my knowledge, earlier writers of the sixteenth century use a debased equivalent of the Ciceronian *spoliatus*, but not the Vasarian *spoglie*; e.g., Francesco Albertini, *Opusculum de mirabilibus nouae et ueteris vrbis Romae*, Rome, 1510, n.p.: "Est arcus marmoreus Gordiani Imp. ... uestigia cuius dispoliata uisuntur;" "Est ... arcus camilli ... statuis dispoliatus atq(ue) marmoribus ..." Marliani anticipates the Vasarian *paragone* (see below), again without using Vasari's term: Bartolomeo Marliani, *Topographiae veteris Romae epitome*, Basel, 1538, p. 67: "In capite ... uiae Appiae stat arcus Constantini triumphalibus ornamentis excultus ... In hoc aut(em) sunt quaeda(m) [simulacra] mira arte sculpta, quaeda(m) non satis probant(ur): ideo multi uolunt, illa ex arcus Traiani destructo ad huius ornatum translata, haec uero illis addita." Esch (as in note 25 below, p. 54, note 200) credited Vasari with coining the term. Roland LeMollé's analysis of the critical vocabulary of the *Vite* suggests that the vocabulary is original, but not entirely Vasari's: *Georges Vasari et le vocabulaire de la critique d'art dans les 'Vite,'* Grenoble, 1988, chapter 8, pp. 209–235.

18 Vasari, 1550, ed. Bellosi and Rossi, pp. 100–101.

19 *Ibid.*, p. 100: "antiche furono le cose inanzi Costantino ... l'altre si chiamano vecchie, che da San Silvestro in qua furono poste in opera da un certo residuo de' Greci ..."

20 It may be in this sense that Brenk intended his otherwise perplexing statement that "The concept of 'spolia' is an entirely modern one;" Brenk, "Spolia from Constantine to Charlemagne," p. 103.

21 Giorgio Vasari, *Le Vite de' più eccellenti pittori scultori e architettori nelle redazioni del 1550 e 1568*, ed. Rosanna Bettarini and Paola Barocchi, *Testo* vol. II, Florence, 1967, p. 14.

22 E. Petersen was a pioneer of this effort: "I rilievi tondi dell'Arco di Costantino," *Roemische Mitteilungen* IV, 1889, pp. 314–339; but even he took the *tondi* for Trajanic. Paul Arndt was the first to identify their Hadrianic features, in his notes to the photograph portfolio of Brunn and Bruckmann; cf. H. Bulle, "Ein Jagddenkmal des Kaisers Hadrian," *Jahrbuch des Deutschen Archäologischen Instituts* XXXIV, 1919, p. 144.

23 Marliani, as in note 17; Giovanni Pietro Bellori, *Veteres arcus Augustorum triumphis insignes ex reliquiis quae Romae adhuc supersunt ... illustrati*, Rome, 1690, plate 23; Francesco Ficoroni, *Le Vestigia e Rarità di Roma Antica*, vol. I, Rome, 1744, pp. 33–36.

24 Hans Peter L'Orange with Armin von Gerkan, *Der spätantike Bildschmuck des Konstantinsbogens*, Berlin, 1939, pp. 161–191; Friedrich Wilhelm Deichmann, "Säule und Ordnung in der frühchristlichen Architektur," *Roemische Mitteilungen* LV, 1940, pp. 114–130.

25 Arnold Esch, "Spolien. Zur Wiederverwendung antiker Baustücke und Skulpturen im mittelalterlichen Italien," *Archiv für Kulturgeschichte* LI, 1969, pp. 1–64.

26 Raissa Calza, "Un problema di iconografia imperiale sull'Arco di Costantino," *Atti della Pontificia Accademia Romana di Archeologia* s. III, *Rendiconti* XXXII, 1959–1960, pp. 133–161; José Ruysschaert, "Essai d'interprétation synthétique de l'Arc de Constantin," *ibid.*, XXXV, 1962–1963, pp. 79–100 (repeated in "Unità e significato dell'Arco di Costantino," *Studi romani* XI, 1963, pp. 1–12); Richard Brilliant, *Visual Narratives. Storytelling in Etruscan and Roman Art*, Ithaca, 1984, pp. 119–123; Brenk, as in note 2, pp. 104–106; Philip Peirce, "The Arch of Constantine: Propaganda and Ideology in Late Roman Art," *Art History* XII, 1989, pp. 387–418; Patrizio Pensabene, "Il reimpiego nell'età costantiniana a Roma," in *Costantino il Grande. Dall'antichità all' umanesimo. Colloquio sul cristianesimo nel mondo antico*, ed. Giorgio Bonamente and Franca Fusco, vol. II, Macerata, 1993, p. 763.

27 C. Gradara, "Restauri settecenteschi fatti all'Arco di Costantino," *Bullettino della Commissione Archeologica Comunale di Roma* XLVI, 1918, p. 161, quoting the diary of the sculptor Pietro Bracci: "1732. Ristauro dell'arco di Costantino, cioè scolpito di nouo le otto testa mancanti alle 8 statue grandi delli schiauoni Daci di Pauonazzetto ..., et similmente scolpita le otto Teste dell'Imperatore Costantino, e quattro altre testa di soldati e donne mancanti alli 8 Bassi-rilievi grandi situati fra le d.^{e} statue delli schiauoni ..." Cf. H. Stuart Jones, "Notes on Roman Historical Sculptures," *Papers of the British School at Rome* III, 1906, pp. 251–252.

28 L'Orange and von Gerkan, pp. 170, 172.

29 *Ibid.*, pp. 186, 187. Cf. Salvatore Settis, "Continuità, distanza, conoscenza. Tre usi dell'antico," in *Memoria dell'antico nell'arte italiana*, ed. Salvatore Settis, vol. III, Turin, 1986, pp. 445–446.

30 Calza *et al.*, cited in note 26. The identification of Constantius Chlorus was first made decades before, by F. Studniczka; cf. Hans Jucker, "Von der Angemessenheit des Stils und einigen Bildnissen Konstantins des Grossen," in *Von Angesicht zu Angesicht. Porträtstudien. Michael Stettler zum 70. Geburtstag*, ed. Florens Deuchler, Mechthild Flury-Lemberg, Karel Otavsky, Bern, 1983, p. 43.

31 L'Orange and von Gerkan, p. 191.

32 Most recently, by Cécile Evers, "Remarques sur l'iconographie de Constantin. A propos du remploi de portraits des 'Bons Empereurs'," *Mélanges de l'École Française de Rome. Antiquité* CIII, pt. 2, 1991, pp. 801–802.

33 Brenk, as in note 2, p. 105; Peirce, as in note 26, pp. 388, 391, 415, but cf. p. 406.

34 Laurence Richardson, Jr., "The Date and Program of the Arch of Constantine," *Archeologia Classica* XXVII, 1975, pp. 72–78.

35 Calza, as in note 26, p. 134; Ruysschaert, "Essai," pp. 87, 89, 96, etc.

36 Evelyn Waugh, *Helena. A Novel*, Boston, 1950, pp. 158–163.

37 The exceptions include Ernst Kitzinger, *Byzantine Art in the Making. Main Lines of Stylistic Development in Mediterranean Art 3rd–7th Century*, Cambridge, Massachusetts, 1977, pp. 7–18; Peirce, as in note 26, *passim*.

38 The *vota* inscriptions seem to associate it with the *decennalia* celebration of 315, but this is not

immune to question; see Richardson, as in note 34; and the rebuttal by T. V. Buttrey, "The Dates of the Arches of 'Diocletian' and Constantine," *Historia* XXXII, 1983, pp. 375–378.

39 On religious episodes alone, see Ruysschaert, "Essai," pp. 97–100; Arnaldo Marcone, "Costantino e l'aristocrazia pagana a Roma," in *Costantino il Grande*, as in note 26, II, p. 655; François Paschoud, "Ancora sul rifiuto di Constantino di salire al Campidoglio," *ibid.*, pp. 737–748.

40 Andreas M. Steiner, "Chi costruì l'Arco di Costantino? Rivelazioni su un monumento simbolo del mondo romano," *Archeo*, maggio 1994, pp. 38–45 (thanks to Marina Falla Castelfranchi for this reference). The arguments in favor of Domitianic and Hadrianic phases in the Arch of Constantine were convincingly refuted by Clementina Panella and Patrizio Pensabene in presentations at the Escuela Española de Historia y Arqueologia, 24 June 1994, which I was fortunate to hear.

41 Patrizio Pensabene, "The Arch of Constantine: Marble Samples," in *Classical Marble: Geochemistry, Technology, Trade*, ed. Norman Herz and Marc Waelkens, Dordrecht, 1988, pp. 411–413 ("sixteen thousand" on p. 411, "about 1600" on p. 413; presumably the latter is a typo).

42 Marc Waelkens, "From a Phrygian Quarry: The Provenance of the Statues of the Dacian Prisoners in Trajan's Forum at Rome," *American Journal of Archaeology* LXXXIX, 1985, pp. 645, 648–653; James Packer, "Trajan's Forum in 1989," *ibid.* XCVI, 1992, p. 157, note 29.

43 Anne-Marie Leander Touati, *The Great Trajanic Frieze. The Study of a Monument and of the Mechanisms of Message Transmission in Roman Art*, Stockholm, 1987, pp. 85–87, 90; Marina Milella and Patrizio Pensabene, "Introduzione storica e quadro architettonico," *Archeologia Classica* XLI, 1989, pp. 49–50; Sandro Stucchi, "*Tantis viribus*. L'area della Colonna nella concezione generale del Foro di Traiano," *ibid.*, pp. 263–284; Pedro Barceló, "Una nuova interpretazione dell'Arco di Costantino," in *Costantino il Grande*, as in note 26, vol. I, 1992, pp. 105–114.

44 Maria Laura Cafiero, "I rilievi della Chiesa di S. Martina," in *Rilievi storici capitolini. Il restauro dei pannelli di Adriano e di Marco Aurelio nel Palazzo dei Conservatori*, ed. Eugenio La Rocca, Rome, 1986, pp. 42–45; Gerhard M. Koeppel, "Die historischen Reliefs der römischen Kaiserzeit. IV. Stadtrömische Denkmäler unbekannter Bauzugehörigkeit aus hadrianischer bis konstantinischer Zeit," *Bonner Jahrbücher* CLXXXVI, 1986, pp. 9–12.

45 Koeppel, p. 26; Mary Taliaferro Boatwright, *Hadrian and the City of Rome*, Princeton, 1987, pp. 190–202.

46 Jacob Isager points out that even Pliny relied exclusively on signatures to attribute sculptures; "he never refers to artistic style or special characteristics." *Pliny on Art and Society. The Elder Pliny's Chapters on the History of Art*, London and New York, 1991, p. 156.

47 Luigi Canina, *Gli Edifizj di Roma Antica ... descritti e dimostrati nell'intera loro architettura*, vol. II, Rome, 1848, plates CXII, CXX; Packer, as in note 42, p. 155, note 19.

48 *Codex Theodosianus* XV, 1, 19, as in note 13. Following Packer's calculations, the facade would have been robbed of half of its complement of 16–18 Dacian statues (Packer, as in note 42).

49 Blocks of marble from an unknown, but grandiose monument to Trajan were reused in the upper reaches of the Colosseum: Patrizio Pensabene, "Elementi architettonici in marmo," in *Anfiteatro Flavio. Immagine Testimonianze Spettacoli*, Rome, 1988, p. 56. Barceló, as in note 43, argues that the Trajanic frieze came from *castra* of the *equites singulares* that were destroyed to make the Lateran basilica.

50 Holloway's proposal that all of the *spolia* came from devastated monuments in Asia Minor and/or Greece has not found any adherents, and the fact that both the *tondi* and the attic reliefs are of Luna marble speaks against it (cf. Pensabene, as in note 41, p. 417). Nevertheless, his review of the possibilities is worth reading: Robert Ross Holloway, "The Spolia of the Arch of Constantine," *Numismatica e antichità classiche (Quaderni ticinesi di numismatica e antichità)* XIV, 1985, pp. 261–273.

51 Jucker, as in note 30, p. 44; Brilliant, as in note 26, p. 122.

52 James H. Oliver, *The Sacred Gerusia* (*Hesperia* Supplement VI), Athens, 1941, pp. 93–96; see also Allan Chester Johnson, Paul Robinson Coleman-Norton, Frank Card Bourne, *Ancient Roman Statutes. A Translation with Introduction, Commentary, Glossary and Index*, Austin, 1961, p. 214, no. 259. A representative of the senate of Ephesus had petitioned the emperors Marcus Aurelius and Lucius Verus to permit the transformation of some decrepit silver statues into images of them. The fact that the statues were of silver makes this a special case: Oliver, p. 116.

53 This is the principal argument of Dio Chrysostom's indictment of the people of Rhodes for reassigning honorific statues: *Discourse* XXXI (ca. 80 c.e.?).

54 Hans Jucker, "Iulisch-claudische Kaiser- und Prinzenporträts als 'Palimpseste'," *Jahrbuch des Deutschen Archäologischen Instituts* XCVI, 1981, pp. 238, 315; for exceptions see pp. 281–295.

55 This is true despite the doubtless legitimate observations that in some instances the recutting is so minimal that the original portrait can still be identified. Except in the case of the Trajanic frieze in the central archway, such observations are made from a scaffold (or from photographs), whereas to the viewer on the ground the beardless emperor in the Boar Hunt, for example, looks something like Constantine and not at all like Hadrian. See Anthony Bonanno, *Portraits and other Heads on Roman Historical Relief up to the Age of Septimius Severus*, Oxford, 1976, pp. 79, 98–99, 102; Jucker, as in note 30, p. 59; Evers, as in note 32, pp. 791–793.

56 Jucker, as in note 30, p. 59: "... die Menge von Porträtköpfen des 3. Jahrhunderts, die noch erkennbar Palimpseste sind, ist erstaunlich gross."

57 *Eusebii Pamphili Chronici canones latine vertit, adauxit, ad sua tempora produxit S. Eusebius Hieronymus*, ed. John Knight Fotheringham, London, 1923, p. 314 (ad CCLXXVII olympiadem). For an enumeration of the works in the "Constantinopolitan collection" see Sarah E. Bassett, *Omnium Paene Urbium Nuditate: the Reuse of Antiquities in Constantinople, Fourth through Sixth Centuries*, Ph.D. Dissertation, Bryn Mawr College, 1984.

58 Janvier, as in note 13, p. 382; *Codex Theodosianus* XV, 1, 11–14–16–19–20–21.

59 Ammianus Marcellinus, *Rerum gestarum libri* XVI, 10, 4–14. The description reads in places like a parody of the Constantinian friezes on the Arch.

60 *Ibid.*, XVI, 10, 15: "beggaring description and never again to be imitated by mortal men" (trans. John C. Rolfe, Loeb Classical Library, vol. I, p. 251).

61 *Codex Theodosianus* XV, 1, 1 (2 February 357, at Milan, to the proconsul at Carthage); Janvier, as in note 13, pp. 116–117. Constantius II was in Rome from 28 April to 29 May: *Ammien Marcellin. Histoire*, trans. Édouard Galletier with Jacques Fontaine, vol. I, Paris, 1968, p. 276, note 323, following Seeck.

62 Ammianus Marcellinus XVI, 10, 17; Erik Iversen, *Obelisks in Exile*. vol. I. *The Obelisks of Rome*, Copenhagen, 1968, pp. 55–64. The obelisk had been left in Alexandria by Constantine, who intended to bring it to Constantinople. In 1558 it was re-erected in Piazza S. Giovanni in Laterano.

63 Settis, as in note 29, pp. 375–382, 483–484.

Fig. 3–1 Arch of Constantine, Rome, north side. Photo: DAI 61.2297.

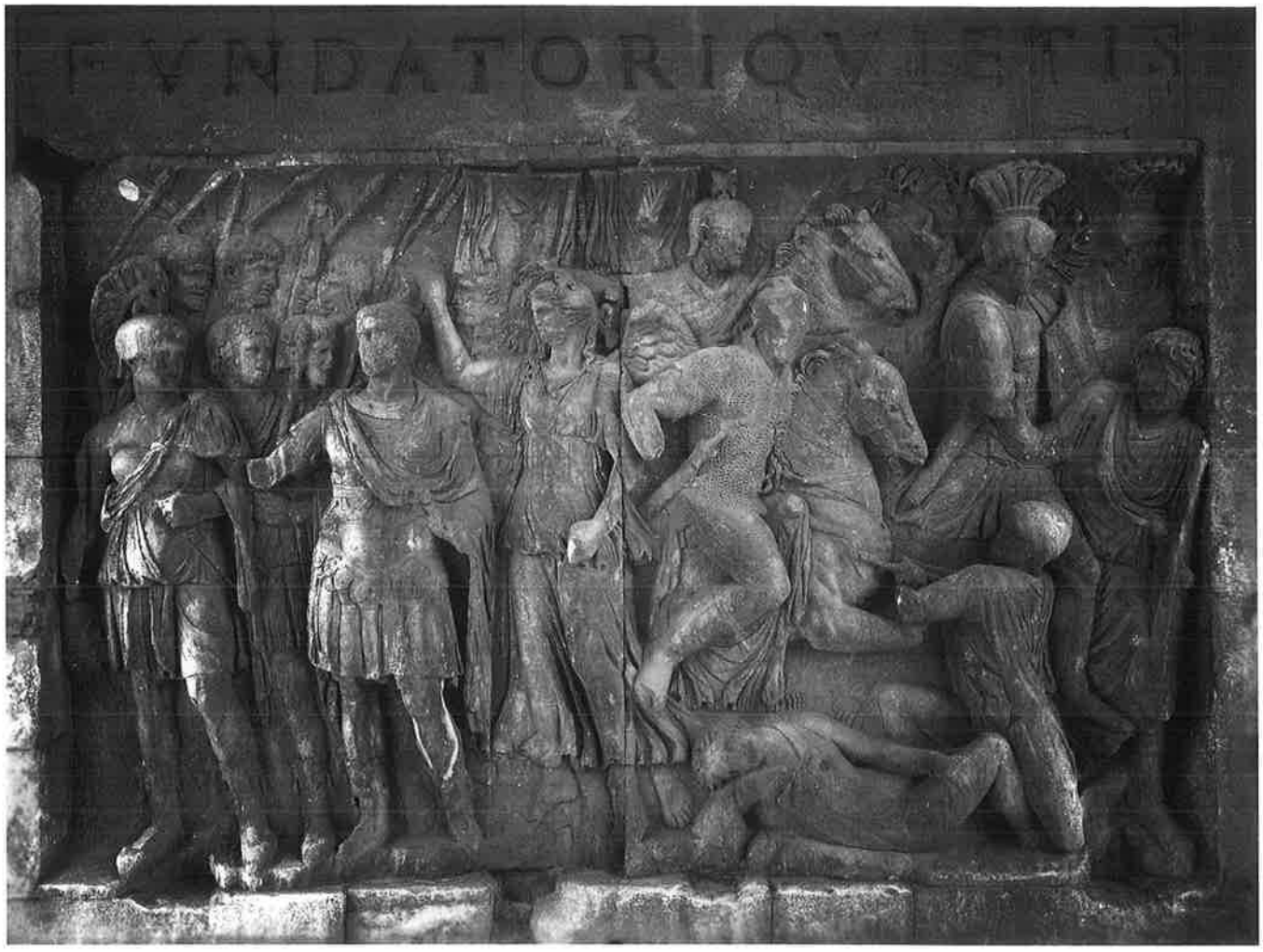

Fig. 3–2 Arch of Constantine, central archway: *Adventus* of Trajan. Photo: DAI 37.328.

Fig. 3–3 *Adventus of Trajan*, cast in Museo della Civiltà Romana, detail: recut head of Trajan/Constantine. Photo: DAI 86.368.

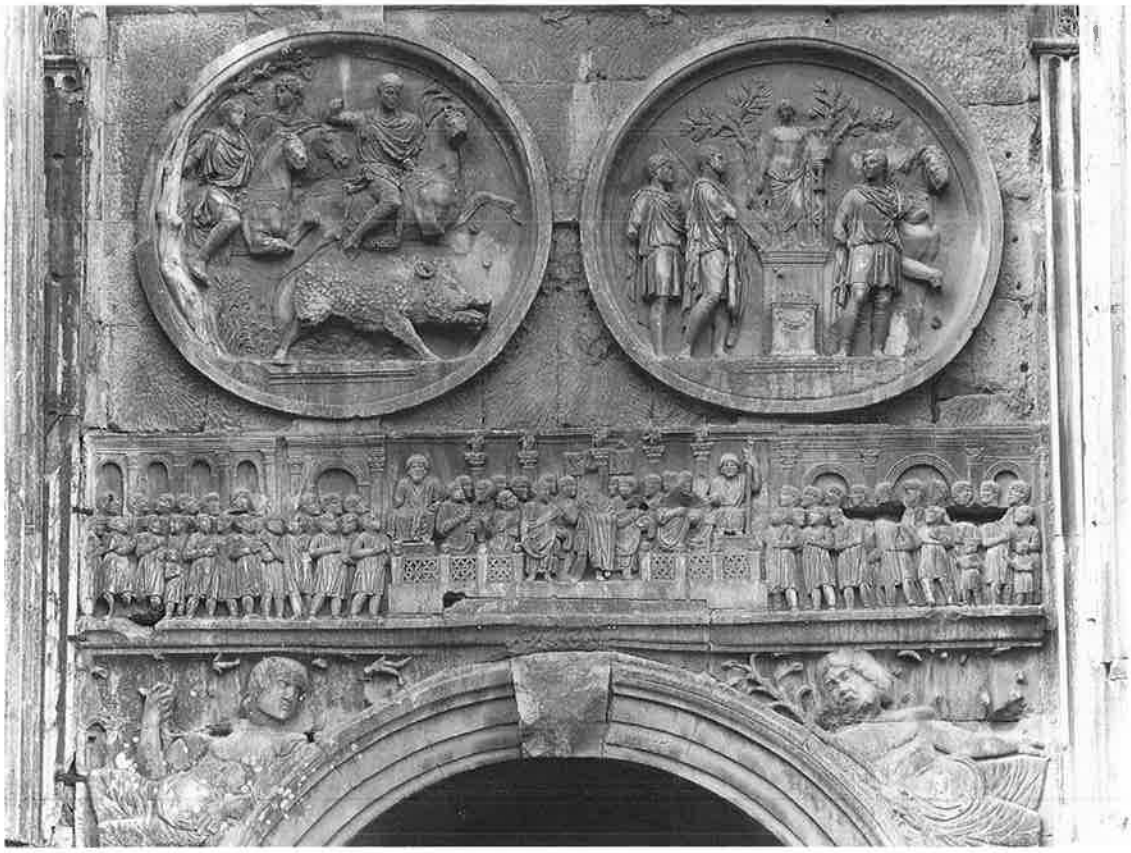

Fig. 3–4 Arch of Constantine, north side, detail: *Boar Hunt*, *Sacrifice to Apollo*, *Constantine's Speech from the* Rostra. Photo: Alinari 17326.

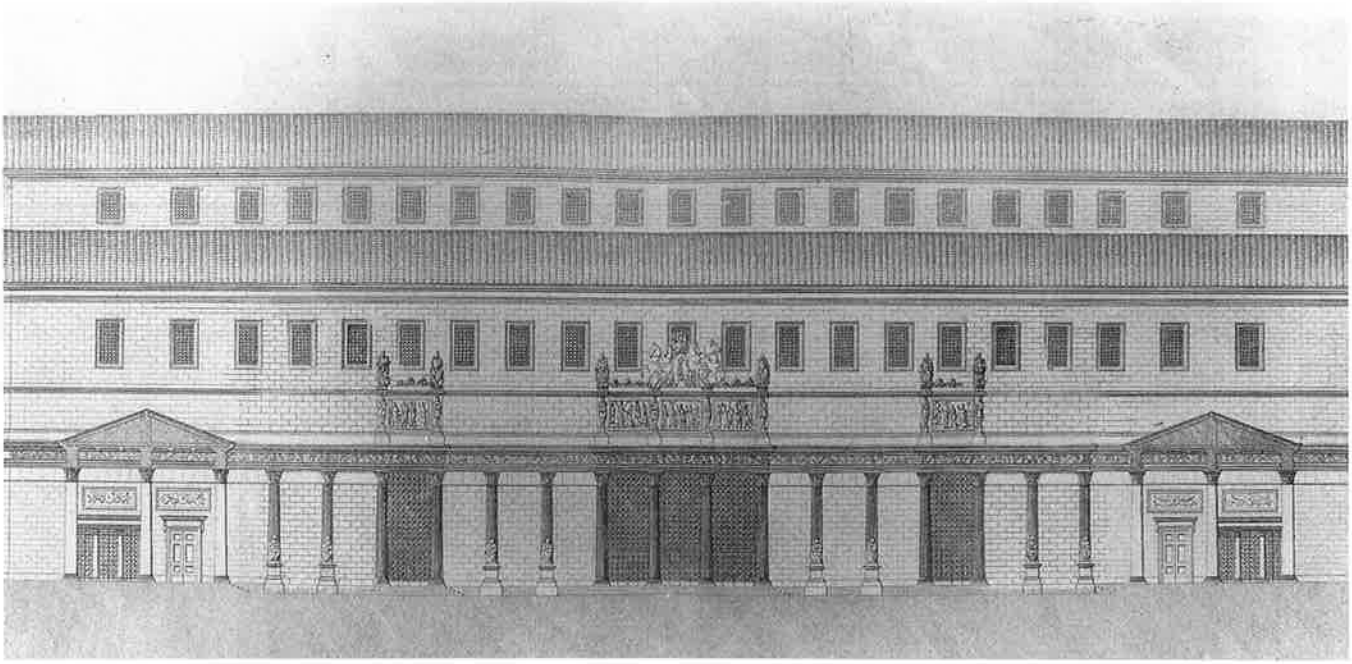

Fig. 3–6 Forum of Trajan, Basilica Ulpia, facade (reconstruction: Canina, *Edifizj di Roma Antica*, vol. II, pl. CXII). Photo: Bryn Mawr College.

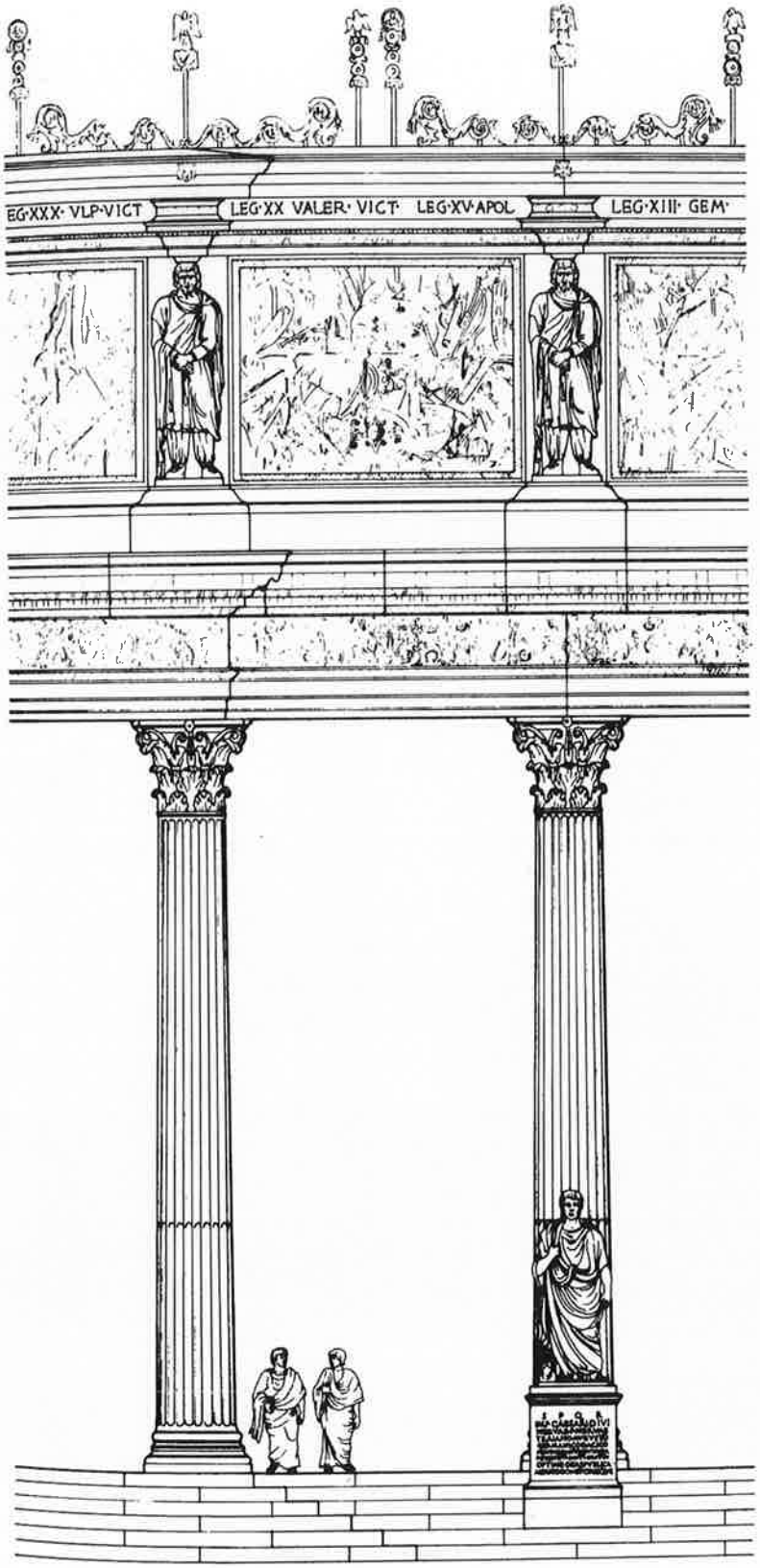

Fig. 3–7 Forum of Trajan, Basilica Ulpia, facade, detail (reconstruction: Packer, *American Journal of Archaeology* XCVI, 1992, p. 159, fig. 3). Photo: Bryn Mawr College.