

Book IX.
Title VII.

If anyone shall slander the emperor.
(Si quis imperatori maledixerit.)

Bas. 60.36.13.

9.7.1. Emperors Theodosius, Arcadius and Honorius to Rufinus, Praetorian Prefect.

If anyone lacks modesty and shame, and by dishonest and wanton slander attempts to insult our name, and drunkenly becomes a turbulent traducer of our times¹, we do not want him to be subjected to punishment, nor feel the stings of retribution, since, if he acted through levity, he but deserves contempt, if through insanity, he is worthy of pity, if with intent to injure, he is to be pardoned. Hence, let a report be made to us without any other action, so that we may consider the statements made in the light of the character of the person, and thus determine whether it should be overlooked or rightly prosecuted.

Given at Constantinople August 9 (393).

¹ [Blume] As having the effect of raising tumults. This statement was doubtless intended to refer, partially at least, to the drastic legislation of Theodosius against paganism, as a result of which many attributed all unfortunate accidents to this, considering the suppression of pagan worship as impious. The law as a whole is in strange contrast with the rather unmerciful character of the emperor, and was doubtless issued in a moment of contrition. Gothofredus is inclined to believe that it was issued in connection with the pardon extended by the emperor to the Antiochians subsequent to a sedition, incident to which was insulting behavior toward the monarch. But that sedition occurred in A.D. 387.