

PREFACE

Unlike many other emperors of the fourth century, historians have often neglected the emperor Constantius II. This study intends to change that somewhat, by examining the civil administration of Constantius II. It is hoped that after reading this study, the reader will realize that Constantius' reign was important to the fourth century. Moreover, misconceptions concerning Constantius that the reader may have acquired by reading ancient historians such as Ammianus Marcellinus or modern historians such as Gibbon will be hopefully overturned after studying this paper.

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THE CIVIL ADMINISTRATION
OF CONSTANTIUS II

By

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CHAPTER I

INTRODUCTION

Historians have frequently neglected the Roman emperor Constantius II. His life has not attracted biographers, contrary to the many studies on the spectacular lives of Constantius' predecessor Constantine and his successor Julian. Constantius' reign justifies more attention, however. His long reign (338-361 A. D.) provided a relatively stable environment for the success of many of Constantine's policies regarding Christianity and the empire's administrative network. As the caesaropapist leader of the Roman world, Constantius supported and strengthened Christianity so that even the anti-Christian period under Julian could not topple the firm foundations Constantine and Constantius established. Constantius' policy also insured the success of a style of ruling characterized by oriental court ritual, the emperor acting as God's representative on earth, and autocracy that was later found under the Byzantines. It is the intent of this paper to examine the reign of this important emperor of the fourth century. Constantius' civil administration will be examined, while religious and military aspects of his reign will receive little attention

unless they pertain to the subject at hand.

As emperor, Constantius attempted to insure effective administration of the large empire he had inherited. He was rarely innovative, mostly following the policies of his father, Constantine. Although Constantius broke from Constantine's Nicaean Creed by supporting the Arian cause, he continued his father's wish of establishing a unified church to preserve God's blessings for a peaceful, prosperous empire. Adopting a caesaropapist stance, he combated heresies and paganism to achieve his goal of a unified church. Although Constantius failed to provide Arianism with the proper strength to endure the Nicaean onslaught after his death, he did insure the success of Christianity and the emperor's power as God's representative on earth, leading the church and state. Constantius also tried to halt the deterioration of city governments, recognizing their importance as the local bases for government administration. Although he weakened city governments by granting bureaucrats and clergymen immunities from hereditary civic duties, thus encouraging city councilmen to avoid their duties by joining the civil service or the clergy, he only did so because of his desire for a strong, loyal bureaucracy to help administer the empire and because he believed that the Church was so important. Still he aided the cities in various ways and tried to strengthen local government, with little success. Constantius relied heavily on his civil service to perform the administrative

duties of the empire and to provide a barrier against the aristocracy to protect his power. Yet he often allowed civil servants and courtiers too much power and influence, which led to corruption. Constantius, however, recognized the abuses of his subordinates and tried to prevent these abuses. Although both ancient and modern historians argue that court eunuchs, especially the grand chamberlain Eusebius, dominated Constantius, the emperor retained firm control over the decision-making process of the empire. Yet because of the many civil conflicts he faced (always victoriously) he was a suspicious man and frequently believed the deceitful lies of his subordinates to the harm of many innocent men. The secret police he used often abused power in this way. Even though he allowed them much power to insure his own strength by uncovering disruptive elements in the state, he was not oblivious to their abuses and tried to curb them, with little success. The abuses in the running of the public post he successfully corrected, at least in part. In short, though Constantius experienced many abuses of power and some administrative failure during his reign, on the whole he successfully protected his power, strengthened Christianity, ruled fairly and often successfully, and promulgated the policies of his father Constantine.

CHAPTER II

CONSTANTIUS AS EMPEROR

To understand Constantius' civil administration, it is important to examine his concept of the imperial position. As emperor, Constantius believed he was the representative of God on earth. He further believed that it was his duty to unify and promulgate Christianity for the peace and prosperity of the empire; to Constantius and fourth century contemporaries, this was his most important duty as emperor. To accomplish his goal, Constantius combated heresies and paganism, although with the latter he often relaxed his hand to maintain order by appeasing the strong pagan aristocracy. Constantius imitated his father Constantine in his role as emperor. In his actions toward Christians and pagans, for example, Constantius frequently followed his father's policies. Moreover, like Constantine, Constantius enhanced the imperial position through oriental practices, such as removing himself from the people into isolation, adorning his body with jewels and silk, and demanding proskynesis from his subjects. He further enhanced the throne through the tenets of political hellenism, meaning that the emperor was God's representative and that he wielded absolute power. Under

political hellenism Constantius was the caesaropapist leader of the Roman world, combining church and state under his rule.

Constantius had many characteristics worthy of a Roman emperor. Eutropius comments that Constantius was "of a remarkably tranquil disposition, good-natured," and moderate.¹ Themistius believed that Constantius had the quality of philantropia, which meant that he was just, mild, and merciful as well as a lover of mankind.² Ammianus Marcellinus approved the emperor's moderation, wisdom, and justice. These qualities are excellently described in a passage from Ammianus' narrative history. He writes that one Amphilocheus, a former tribune who had helped accentuate the disagreements between Constantius' deceased brothers Constantine II and Constans (Amphilocheus had traitorous designs of his own), had fallen under suspicion for his deeds at Constantius' court. The advisors of the emperor demanded that the traitor not be allowed to live. Constantius, however, proclaimed that while he ruled the man was not to be punished, as the conscience alone of the guilty man was punishment enough.³ Constantius was also "an excellent soldier and military organizer."⁴ He was well-educated and very public-spirited, for he believed that the greatness of the empire was "an article of faith."⁵ He was devoted to what he believed was his duty to the empire. Good administration was more important to him than revenge, such as when

Constantius retained Ceionius, governor of Numidia, even though Ceionius had joined the usurper Magnentius in his revolt following the death of Constans.⁶

Yet Constantius, like all men and emperors, had faults. Perhaps his worst was his suspicious and gullible mind. His advisors could often convince him that others were plotting against him.⁷ According to Ammianus Marcellinus, these advisors succeeded in playing upon his natural fears and paranoia to gain their own advantage.⁸ Constantius' vanity and love for flattery aided the advisors in their attempts to play upon his fears. Contemporaries especially note the fears and suspicions felt by Constantius toward his nephews Julian and Gallus. Socrates writes that Constantius was jealous of the two even as boys.⁹ Julian's success as caesar in Gaul in vanquishing invading barbarians and restoring cities brought much fear and suspicion from the emperor. Socrates claims that Julian's proficiency at literature brought comments of how he was probably capable of administering the empire, which frightened Constantius.¹⁰ Although condemned by contemporaries for his suspicion and fear of Julian, Constantius apparently had a justifiable basis for his fear, for the caesar Julian revolted in 361. One historian argues persuasively that Constantius' suspicions arose from the many civil conflicts that threatened his reign (which, by the way, he always successfully put down).¹¹ Clearly this is the case, for his

brother Constans threatened Constantius with war, Constantius had some reason to believe that his caesar, Gallus, might revolt, and he experienced rebellions from Magnentius, Silvanus, Nepotianus, and Julian.¹²

Constantius, the moderate and just though suspicious and arrogant emperor of the Roman world was, it was believed, the representative of God on earth. He inherited this idea from his predecessors Diocletian and Constantine. It is important, therefore, to examine Constantine's concept of his role as emperor to understand better Constantius' position as head of the Roman state.

God entrusted the Roman empire to his earthly agent Constantine, thought the Christian historians Sozomenus, Socrates, and Theodoretus.¹³ The latter went so far as to compare Constantine to the apostle Paul because of his efforts to spread the worship of God to the world. Constantine and his supporters, as well as the Christian historians, believed that a united empire was important for the state to survive, for God would only grace an empire that was unified in one true belief and not disunited by heretical notions about the Trinity or God's role among men. Thus, Constantine's destiny was, as God's representative on earth, to promulgate the true Christian belief (as he defined it) by uniting the peoples of the empire and the world in the worship of God. Unity of spirit was the key to God's grace and a flourishing, peaceful empire. For the sake of the empire, Constantine

did not look favorably upon heretical and pagan notions.¹⁴

As the caesaropapistic emperor of the Roman world, Constantine employed methods to emphasize the majesty of his position. He borrowed many ideas from his predecessor Diocletian. Growing up at Diocletian's court, Constantine became aware of "the majesty of the emperor."¹⁵ The absolutism of Diocletian provided a basis for Constantine's caesaropapism. Diocletian instituted such oriental practices as assuming a quasi-divine status, having subjects prostrate themselves before the emperor (proskynesis), wearing clothes woven with gold as well as jewels and a diadem, and restricting the access to his person, rarely appearing in public. Constantine adopted such practices to accentuate his position as the earthly representative of God, comparing God and his rule over Heaven with himself as emperor over the earth. Although with his conversion the Roman imperial cult dissolved, a similar practice remained as people looked upon things associated with Constantine as divine and sacred--to oppose the emperor's bidding became sacrilege. The state honored him with games and temples.¹⁶

As the first Christian emperor, Constantine began a series of programs designed to strengthen the Christian minority in the face of the pagan majority and thus gain his goal, as sanctioned by God, of achieving a united Christian empire. He exempted clerics from compulsory public duties, such as the municipal obligation of serving

on city councils. He built or rebuilt churches, restored confiscated Church property, granted the Church large amounts of property for rents, and allowed civil cases to be transferred to ecclesiastical courts. He honored the clergy at his court and allowed them unrestrained use of the imperial post. Christian communities received marked advantages over pagan ones. Jacob Burckhardt argued that Constantine supported the Church out of political expediency, as he recognized the advantages of the Christian minority, such as their organization and wealth, over the pagan majority.¹⁷ Yet if Constantine was such a calculating politician, would he have risked his power on a minority religion in the face of a thousand years of tradition? Rather, Constantine did risk his power on the Christian religion because he was a convert to that religion, believing that it was God's will that he, the representative of that deity, promulgate the Christian religion. Even so, Constantine retained an eclectic view of religion, as he was brought up believing in the traditions of ancient Rome. This retention of a belief in Rome's virtues prevented him from making "a clean sweep of the old religion" by introducing Christianity as the only religion.¹⁸ As Downey states, Constantine could pray to Christ for assistance at the same time as he consulted soothsayers for advice. Thus, Constantine was a Christian emperor who retained pagan appendages, such as the position of pontifex maximus. Yet such affiliations did not prevent him from

waging a semi-war against paganism for the sake of Christianity. Constantine forbade sacrifice and destroyed some temples, but so as not to antagonize the pagan majority he continued to allow pagans some rights, such as the retention of religious immunities by pagan priests.¹⁹ Therefore, Constantine was obliged to employ methods of political expediency in his relations with pagans, but political expediency was not the reason for his support of Christianity.

Constantius inherited much from his father with regard to the running of the Roman empire. Constantius assumed, for example, the concept of the emperor as the divine representative on earth. He also inherited Constantine's desire for a unified religion and empire; although Constantius deviated from the Nicæan Creed, both Constantine and Constantius had similar goals as Christian emperors. Constantius also inherited the oriental concept of the emperor as well as Constantine's eclectic ideas regarding religion.

Constantius believed, as did his father, that God had chosen him to be the ruler of the Roman world. Christians were willing to accord Constantius the same obedience and quasi-divine qualities as Constantine because Constantius was not only a Christian emperor but also because he was the son of the first Christian emperor, Constantine. Moreover, Christians had accepted the ideas of political hellenism. Political hellenism was an eastern concept that had originated during the Greek Hellenistic era. The

tenets of this concept were as follows: the emperor was chosen by God; as an autocrat, the emperor's word was law; the belief in the universality of the emperor's power. Formulated under Diocletian and Constantine, political hellenism progressed further under Constantius. Indeed, Constantius' long reign assured the victory of this concept.²⁰

Christians and pagans alike supported the concept of political hellenism and granted Constantius his status as the sovereign power in the Roman world. Eusebius of Caesarea was perhaps the greatest advocate of political hellenism. He declared that "our divinely favored Emperor, receiving . . . a transcript of Divine sovereignty, directs, in imitation of God himself, the administration of the world's affairs."²¹ It was quite easy for easterners such as Eusebius to accept the ideas of political hellenism, for the idea itself was an eastern one and this region of the empire was deeply influenced by hellenistic political ideas. Westerners, however, found these concepts much more difficult to accept. Other Christians who supported these ideas included Gregory of Nazianzus, Theodoretus, Socrates, and Orosius.²² Socrates²³ records that bishops frequently referred to Constantius in glowing terms that reflected his sovereignty and close association with God. Even the opponents of Constantius were unwilling to lessen their respect for his position. Athanasius,²⁴ for instance, the champion of the Nicaeans still compared Constantius

on earth with God in heaven. Pagans also found it relatively easy to accept the ideas of political hellenism. Themistius believed that Constantius was "dear to God" and "that God [Zeus] must foster with all his power the man who models his mind on his own."²⁵ Themistius declared that the emperor was the representative of Zeus on earth and as such was universally powerful.²⁶

As the representative of God on earth, it was Constantius' duty to unite the empire under the belief in God and to promulgate the Christian belief. Like his father, Constantius feared disunity and religious controversies, "else God may be moved against the human race and the emperor . . . whom he has entrusted the governance of all earthly things."²⁷ Constantius inherited the belief from his father that God demanded a unified church, free from heresies, following one faith. He further believed that disunity would bring forth God's anger. Thus, for the empire to prosper, Constantius had to lead a unified church and combat heresies and paganism. Obviously, a unified church would also result in other benefits, such as political unity and increased centralization.²⁸

To achieve unity, Constantius frequently was conciliatory to those who opposed his wishes; yet if this failed he acted against his opposition, exiled them, and often resorted to torture to change their thinking, so great was his desire to achieve unity. As a young man,

Constantius adopted the predominate belief of the East and became an Arian. Yet Leedom has characterized Constantius as a "lukewarm Arian," meaning that he was always ready to compromise to obtain unity. Leedom furnishes examples of Constantius' conciliatory attitude in religious matters. At an ecclesiastical council in 360, for example, Constantius attempted to win many of the Nicaeans over by conciliatory measures.²⁹ Another student of the fourth century notes that Constantius purposely supported the more neutral branch of Arianism, the Homoeans, rather than the radical Anomaeans, in an attempt to conciliate the Nicaeans.³⁰ Another method Constantius employed to obtain religious unity can be illustrated by a supposed statement of his: "Whatever I wish, let that be considered a canon!"³¹ Unlike his father, Constantius became more overbearing and demanding of church councils. While Constantine frequently allowed councils to determine religious decisions alone (while retaining the final word), Constantius insisted that his word be regarded the same as ecclesiastical law.³² If Nicaeans opposed his decisions or refused to abide by them, then Constantius took action to correct their errors. Thus, when Pope Liberius refused to acquiesce to Constantius' decision that Athanasius, Bishop of Alexandria, be deposed, Constantius deposed and exiled Liberius.³³ According to

Socrates, Constantius exiled all of those who opposed his wishes.³⁴ One unhappy bishop was tossed into prison where he died. Meanwhile, Constantius had Hosius, Bishop of Cordova, tortured, Socrates adds. Julian relates that Constantius persecuted whole cities, such as Samosata, Lyzicus, and other cities in Paphlagonia, Bithynia, and Galatia, that refused to abide by the emperor's Arianism.³⁵

One way Constantius tried to obtain a united, prosperous empire was to avoid civil conflict. A dispute arose, for instance, between Constans, who followed the Nicæan belief, and the Arian Constantius, because Constantius deposed the two adherents to Orthodoxy--Paul, Bishop of Constantinople, and Athanasius, Bishop of Alexandria. Constans demanded that his brother Constantius reinstate the two Nicæans or face civil conflict. Constantius, favoring peace and unity over war, agreed. It must be added, however, that Constantius' war with Persia might have had a large part in his coming to this decision to avoid civil war. Moreover, when Constantius was moving west in 361 to confront the usurper Julian, and died unexpectedly, it is recorded that he designated Julian his successor in the hope that this act would prevent civil conflict.³⁶

Constantius believed, as a Christian Roman emperor, that it was his duty to promulgate the Christian belief. He believed, with regard to christianity, that "Our State

is sustained more by religion than by official duties and physical toil and sweat."³⁷ As a result, Constantius worked to make sure that clerics not be disturbed in their "life of perfection."³⁸ To insure this goal, he commanded that all clerics and their "acolytes," meaning their sons and disciples, were exempt from taxes and compulsory public services. Thus, clerics were immune from such taxes as extraordinary taxes and superindictions (instituted if the regular taxes were insufficient), the merchant's tax (the collatio lustralis), and the poll tax (capitatio). Further, clerics were exempt from such compulsory services as quartering persons, maintaining or supplying post wagons, corvée labor, and municipal duties. Constantius later qualified this latter exemption, commanding that clerics who were found to have joined the clerical orders merely to escape municipal duties were to surrender their property to their kinsmen, who would then perform the civic duties. If the insincere clergyman had no kinsmen, then he had to relinquish his property to the municipal council of his city. Constantius recognized the importance of Christianity to the state and he was intent on filling up the clerical orders, but not at the expense of the cities and his honorable relationship with God. Constantius also exempted Church land from taxation, and even exempted gravediggers (copiatae) from taxes and compulsory services. Moreover, to protect bishops from biased, "fanatical"

pagans in the secular courts, Constantius allowed bishops to be tried only in ecclesiastical courts.³⁹ In many of the policies of Constantius that protected and bolstered the clerical orders, he was following the lead of his father, who also granted clerics many exemptions.

Constantius believed that to unite the empire spiritually and to strengthen the Christian faith the religious affairs of the empire necessitated personal direction. Such an idea was not unlike that of his father; however, Constantius carried this idea further than did Constantine. Constantius allowed councils to meet and decide questions of a religious nature, following his father's policy. Yet while Constantine only rarely stepped in to enforce his role as the final decision-maker in ecclesiastical affairs, Constantius consistently overruled council decisions if they were contrary to his desires. Moreover, he frequently acted on religious matters without calling a council, such as when he exiled Nicaean opponents.⁴⁰ Socrates affords us an example of Constantius' frequent assertion of his control in ecclesiastical affairs.⁴¹ In 340, Alexander, Bishop of Constantinople, died. A council convened to elect his successor. They elected Paul, a Nicaean, which was not in accord with the emperor's wish to have an Arian at his capital. So Constantius called another council and directed it to appoint Eusebius, Bishop of Nicomedia, to the see at Constantinople, which the council

did.

Although Constantius was committed to the unification of the Church by fostering Arianism rather than Orthodoxy, the reader should not assume that Constantius directed the Christian Roman empire solely for the benefit of Arianism, at the expense of just rule. At one point during his reign, for instance, Stephen, Bishop of Antioch, formulated a plot to implicate Euphrates, the Orthodox Bishop of Cologne, in a promiscuous liason with a harlot. Stephen told his henchmen, Onager, to send a woman of low reputation to the inn where Euphrates was staying, have her enter his room at night, and cause a tumult; Onager was to wait outside with some other men to discover the ill-reputed woman in Euphrates' room. Onager followed through on his assignment, but he failed. Euphrates went to Constantius to complain. After hearing the circumstances surrounding Stephen's plot, the emperor deposed Stephen even though he was an Arian.⁴² Clearly, Constantius was after an honorable and strong Christian state, not a spoiled, coniving state even if controlled by the Arians.

To achieve a united and strong Christian state, Constantius not only condemned heretical beliefs but also paganism. He ordered, for example, all temples to be closed and all sacrifice to halt; those who disobeyed were to suffer execution. In this he went farther than his father, who did not forbid all sacrifice, only blood

sacrifice.⁴³ Sozomenus⁴⁴ rejoices that Constantius destroyed many temples, with which Libanius⁴⁵ sorrowfully agrees. Socrates⁴⁶ relates that Constantius ordered Artemius, the governor of Egypt, to desecrate a temple and to confiscate the offerings therein. Socrates also claims that the emperor often gave temple land to the Church. Julian⁴⁷ agrees, citing the instance when the temple of Apollo at Daphne (near Antioch) was destroyed and replaced by a church. Julian later rebuilt the temple, using Constantius' church to provide the building materials. Constantius also removed the Altar of Victory at Rome.⁴⁸

Yet like his father, Constantius had an eclectic view of religion. Although he enacted harsh laws against pagans, he often failed to enforce them well if at all. He did this partly out of respect for the traditions of Rome. Thus, while he ruled as God's representative, he retained the position of pontifex maximus just as Constantine had. Moreover, although he removed the Altar of Victory from Rome, he continued to respect other Roman traditions, such as the rites performed by the Vestal Virgins and the pagan priesthoods. He also continued state subsidies to pagan cults. Although Constantius believed it was his duty to establish Christianity on a strong, unified basis, he realized also that he could not overly abuse and embarrass the large numbers of pagans in the empire, especially the politically powerful pagan

senatorial aristocracy in Rome, without causing trouble. So he practiced political expediency regarding the pagans, as his father had. In this way he could conciliate the pagans while he established Christianity on a firm basis within the empire. Moreover, by his harsh edicts against pagans Constantius was able to satisfy Christians even if the edicts were not effectively enforced.⁴⁹

To accentuate his position as the secular and religious leader of the Roman world, Constantius adopted the hellenistic practice of emphasizing the majesty of his person. In this Constantius imitated the oriental, quasi-divine status instituted by Diocletian and Constantine. Thus, his person became remote and mysterious to his subjects. The master of the offices and the grand chamberlain restricted access to the emperor. Those whom he allowed an audience entered his chambers and performed the ritual of proskynesis, kissing his imperial purple. He would be adorned in silk and gold, wearing a royal diadem and jewelled slippers. He surrounded himself with personal attendants, such as eunuchs dressed in silk robes and other finery. Other members of the royal household were similarly adorned. A barber dressed in fine robes and paid a certain sum of money by Constantius to maintain his extravagance disgusted the emperor Julian when he assumed the throne in 361. Objects associated with the emperor were styled sacer (sacred) or divinus (divine). Such an air of splendor, such pomp

and magnificence, was not merely done to satisfy Constantius' vanity. Rather, it emphasized the emperor's autocracy, his power and superior status as the leader of the Roman world and God's representative.⁵⁰ As the Christian historian Socrates observes, such pomp and magnificence was important, as it brought an air of power over the vulgar and lowly populous of the empire. Socrates criticizes the emperor Julian, the philosopher, for lessening this air of superiority and power, for the citizens respected a quasi-divine autocrat more than a philosopher.⁵¹ Perhaps a final example will illustrate how Constantius used his position as emperor to symbolize the power of Rome. Ammianus Marcellinus affords us this example, which occurred when Constantius visited Rome in 357. According to Ammianus,⁵² when Constantius entered the city he traveled in a magnificent procession, dressed in splendid attire, riding in a chariot studded with precious stones. Meanwhile, passing through a cheering crowd of thousands he stood motionless, gazing straight ahead, neither turning his head left nor right. In this way Constantius enhanced the dignity of his office in the eyes of the people.

As emperor, Constantius believed that, as the representative of God on earth and as the leader of the Roman world, his most important duty was to protect, strengthen, and unify the Church; a peaceful, prosperous empire could only be obtained by a united, prosperous Church. To

accomplish this goal, Constantius assumed a stronger control over the Church than Constantine ever had wielded. Constantius also allowed no opposition to his Arian policy. Nor did he allow paganism to escape his policy of strengthening the Church. Yet his pagan policy was often loosely enforced, as his own personal beliefs were eclectic--a firm Christian belief strongly influenced by Roman tradition. In this eclectic view toward religion, Constantine's influence over his son was prevalent. In many other aspects of Constantius' reign Constantine's influence was also strong. Constantius adopted, for instance, the tenets of political hellenism that Diocletian and Constantine had established. Constantius' reign assured the success of this doctrine. Constantius also followed his father's policies regarding religion, by supporting Christianity and by opposing heresies and pagan beliefs that could disrupt the empire's unity. Moreover, Constantius imitated the oriental style of kingship adopted by Diocletian and Constantine. By emphasizing the majesty of his position, Constantius enhanced his position as autocrat and ruler of the Roman world. Even in his desire to unify and promulgate Christianity, Constantius followed his father's policy. In short, Constantius imitated his father in most aspects regarding his role as emperor. As we shall see, in his civil administration Constantius also relied heavily on Constantine's policies.

ENDNOTES

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- ²⁴Setton, The Christian Attitude, p. 72.
- ²⁵Quoted in Downey, "Philanthropia," p. 201.
- ²⁶Dvornik, Early Christian, II, 623-624.
- ²⁷Greenslade, Church and State, p. 15.
- ²⁸Ibid., pp. 13, 17, 32; Sozomenus 1.19, 4.8, 4.11; H. Muller, Christians and Pagans from Constantine to Augustine, (Pretoria: Union Booksellers Ltd, 1946), p. 31; Gregory of Nazianzus, "First Invective against Julian the Emperor," in Julian the Emperor, ed. C. W. King (London: 1888), p. 37.
- ²⁹Leedom, "Constantius II," pp. 132, 140-141.
- ³⁰Greenslade, Church and State, pp. 25-27.
- ³¹Setton, The Christian Attitude, p. 86.
- ³²Greenslade, Church and State, pp. 25, 31, 44; K. F. Morrison, "Rome and the City of God: An Essay on the Constitutional Relationships of Empire and Church in the Fourth Century," Transactions of the American Philosophical Society 54 (1964):6; Dvornik, Early Christian, II, 766.
- ³³Theodoretus 2.16; Ammianus 15.7.6-10.
- ³⁴Socrates 2.15, 26-27, 31.
- ³⁵Julian, The Works of the Emperor Julian, 3 vols. trans. W. C. Wright (Cambridge: Harvard University Press, 1913-1924), III, Letter to the Citizens of Bostra, 436.A.
- ³⁶Socrates 2.20, 22, 23; Sozomenus 3.20; Theodoretus 2.16; Kidd, History of the Church, II, 93; Ammianus 22.2.1; Leedom, "Constantius II," p. 145.
- ³⁷Cth 16.2.16.
- ³⁸Ibid., 16.2.11.
- ³⁹Ibid., 12.1.49, 16.2.8, 16.2.9, 16.2.10, 16.2.12, 16.2.14, 16.2.15; Sozomenus 1.9, 3.17; Jones, Later Roman Empire, I, 118, 491.

⁴⁰Ibid., II, 936; Dvornik, Early Christian, II, 730; Greenslade, Church and State, pp. 24-25, 38-40.

⁴¹Socrates 2.6-7.

⁴²Marjorie Strachey, Saints and Sinners of the Fourth Century, (London: William Kimber and Co., 1958), pp. 28-29.

⁴³Cth 10.10.4, 16.10.2, 16.10.5, 16.10.6; Jones, Later Roman Empire, I, 113-114; Dvornik, Early Christian II, 755.

⁴⁴Sozomenus 1.8, 2.5, 3.17.

⁴⁵Libanius Or. 18.23.

⁴⁶Socrates 3.1, 3.2, 3.3, 3.15.

⁴⁷Julian, II, Misopogon, 346.B; Julian, III, Letter to his Uncle Julian; Julian, III, Rescript on Christian Teachers, 423.C.

⁴⁸Symmachus, Relationes A. D. 384, trans. R. H. Barrow (Oxford: Clarendon Press, 1973), 3.6.

⁴⁹Muller, Pagans and Christians, pp. 33-39; Symmachus 3.7; Dvornik, Early Christian, II, 762; Downey, "Education," p. 52; R. O. Edbrooke, "The Visit of Constantius II to Rome in 357 and its Effects on the Pagan Roman Senatorial Aristocracy," American Journal of Philology 97 (1976): 58; M. T. W. Arnheim, Senatorial Aristocracy in the Later Roman Empire, (Oxford: Clarendon Press, 1972), pp. 75-76. Like his father, Constantius honored pagan philosophers if they deserved recognition. Constantine honored Sopater, while Constantius respected the talents of the philosopher Themistius.

⁵⁰Dvornik, Early Christian, II, 659; Mario E. Cosenza, "Official Positions after the Time of Constantine," (Ph.D. dissertation, Columbia University, 1905), pp. 2, 8; R. I. Frank, Scholae Palatinae, The Palace Guards of the Later Roman Empire, (Rome: American Academy in Rome, 1969), pp. 147, 158, 165; Libanius Or. 18.190; Julian, III, Letter to Arsaces, Satrap of Armenia; Ammianus 14.5.1, 14.5.3, 21.16.1, 22.4.1-5, 10.

⁵¹Socrates 3.1.

⁵²Ammianus 16.10. 4-13.

CHAPTER III

CONSTANTIUS AND THE CITIES

During the third and fourth centuries of the later Roman empire, the cities, the administrative, legal, cultural, and social bases of the empire, were declining. Although Constantius contributed to the decline of the cities by his policies of confiscating revenue sources and allowing the clergy to avoid their duties on the city councils, he did so for various reasons. Constantius realized the value of the cities to the administration of the empire; even so, he believed they were of secondary importance to the strengthening of the civil service and the Church. While he pursued some policies that would benefit the civil service and the Church, thereby hurting the cities, he counterbalanced these harmful policies with others that were designed to aid the municipalities. He allowed many cities, for example, to retain some of their old lands for revenue or granted them new lands. He also succeeded in lowering the tax burden for many cities. A particular problem of the time was the avoidance of hereditary obligations in the city councils by decurions, who sought jobs in the civil service, and in some cases the clergy, which often granted immunity from

municipal duties. By escaping their duties, however, decurions weakened the city councils. Realizing that an empire governed by the traditional local administrative units was more efficient than bureaucratic control, Constantius strove to strengthen the city councils by preventing the escape of decurions from the city councils to the civil service and, at times, the clergy. Thus Constantius did not intentionally try to harm the cities. Rather, in some cases he aided the cities while at other times he merely subordinated them to what he considered were more important goals, the strengthening of the Church and civil service. In many of his policies regarding the cities, Constantius imitated his predecessor, Constantine.

Cities of the later Roman empire were, in the words of one historian, "the cells of which the empire was composed."¹ They were the administrative, economic, legal, social, and cultural components of the empire. Cities served as the seat of the local council and magistrates, thus they administered the surrounding territory. The self-governing towns were also the central territorial market-place. Moreover, they were the religious centers of the empire as well as the social centers, where the local aristocracy gathered. Although cities enjoyed self-government, beginning with Diocletian this freedom was somewhat curtailed. During the anarchic third century the cities found it more difficult to

perform civic duties; to bolster them Diocletian decided to include the cities in his overall program of centralization. Indeed, Diocletian and subsequent emperors used cities as their "agents" in the administration of the centralized state. This control over the cities was necessary for the survival of adequate local government and the promulgation of the state.²

Decurions, who were members of the curial class of local landed aristocrats, composed the local councils of the cities. Hereditary service in the city councils was imposed on these members of the curial class. Council members elected magistrates and officers to perform various civic duties. The imperial government ordered the council to assume responsibility if these local officers and magistrates were deficient in the performance of their duties. In tax collection, for example, if the government prescribed tax quota was not met by the collector, the balance came from the private fortunes of the decurions. The major duty of city councillors was to supervise the collection of taxes for both imperial and civic revenue. Local taxes as well as other revenue sources such as the rent on civic lands provided the money necessary for civic duties. As in the above example of imperial taxation quotas, if revenue sources did not supply sufficient funds for the performance of civic duties, the decurions had to furnish the deficit out of their own private fortunes. Besides tax collection,

other duties included maintenance of the public post, repairing roads and bridges, organizing public entertainment, heating public baths, inspecting public markets, maintaining public works such as city walls, providing police protection, lighting public streets, maintaining aqueducts, and providing educational facilities.³

During the third and fourth centuries the performance of civic duties became more difficult. During the calamitous third century currency and taxation disorders, civil wars, and inflation disrupted the empire. Cities were among the casualties resulting from these problems, as inflation and taxes drained their revenues and the declining population brought a decrease in agricultural production, the fruits of which the cities greatly depended on.⁴ Diocletian witnessed these problems and set out to restore the vitality of the cities. Diocletian, however, hurt the cities more than he helped them, for he tried to restore them to the prosperous conditions of the first century A. D. City policies that adapted to the tumultuous conditions, such as allowing wealthy freemen to assume curial status and duties, had arisen in the third century. Diocletian condemned these policies as not appropriate to his ideological goals. Moreover, Diocletian resurrected civic services that were not necessary and that had been abandoned; this policy placed an added burden on the cities. At a time when imperial demands increased upon the cities as a result of growth

in the central government, Diocletian's insistence that no civic duties be neglected or new policies be added hurt the cities. Subsequent to Diocletian's reign government policies continued to harm the cities. Constantine's solidi insured continuous inflation. The confiscation of most city lands and taxes by either Constantine or Constantius (probably the latter) guaranteed the impoverishment of the cities. After this the cities had to rely more on the imperial government for services, while the many duties retained by the cities were paid for by the city councillors themselves.⁵

There were various reasons decurions wanted to escape from their hereditary duties as city councillors. Financial burdens were a major reason, as many decurions desired immunity from civic obligations that necessiated that decurions pay for municipal services if these services were not performed because of insufficient revenue. Although some decurions could not afford these financial burdens, other richer decurions merely disliked having to spend their money on civic services. Moreover, many decurions disliked curial status because they believed themselves to be unworthy of such a status, with all of its obligations, the possibility of corporal punishment that went along with curial rank, and the fact that, as a hereditary class with lifelong obligation to municipal duties, there was no chance of improving one's rank or position. The senatorial class, however, allowed the opportunity

for advancement in the civil service (most civil service positions carried senatorial rank), granted relief from corporal punishment, and usually brought immunity from municipal obligations. There were two primary methods that decurions could employ to obtain senatorial rank. One method was to purchase honorary senatorial rank from dishonest civil servants. Another method was to enter the palatine services, in which most positions carried immunities from municipal obligations. Diocletian and Constantine allowed members of the curial class immunities from municipal obligations because they were building a centralized bureaucracy and the curial class had many wealthy, educated, and talented members that would suit the new bureaucracy very well. Often only richer decurions could afford the bribes necessary to obtain senatorial rank. Moreover, usually only the wealthier members could pay for the Latin training needed for careers as civil servants. Bribes were also frequently demanded by government officials to shun knowledge of the decurion's evasion of civic duties. Decurions with smaller fortunes were left to shoulder the added burdens caused by the evasion of civic duties by the wealthy. Impoverishment of these less wealthy members often resulted, with a corresponding lessening of civic services performed from the remaining decurions. As the laws allowed no new members to join the curial ranks,

besides the sons of veterans and decurions, the government often had to assume more responsibility in the cities. Emperors in the fourth century, however, believed the most efficient system was for the government to supervise self-governing communities. In this way the local services that were so important to the empire could be performed efficiently by local leaders with local funds rather than the inefficiency of an often corrupt bureaucracy that might bleed the cities of funds as well as deprive the imperial government of the taxes collected by the cities.⁶

Even so, under Constantine the cities received several blows. To raise money for his expanding army and bureaucracy Constantine preyed on the centers of wealth, the cities. He confiscated civic lands, which cities rented to provide revenues for civic responsibilities. He also confiscated many civic taxes. The loss of these civic revenues especially hurt the decurions, for they had to make up the deficit. Constantine did not fail to overlook pagans in his monetary confiscations, as he stole temple treasures and took temple lands from many cities. Like his predecessor, Constantine desired men that were socially qualified and educated for his expanding bureaucracy and military; such men were hard to find outside of the curial ranks. Because of Constantine's desperation for qualified men for the civil service, he at first did not restrain decurions from entering the civil service.

He also granted senatorial status to many civil service positions, which brought immunities to municipal obligations. He granted senatorial status to these positions to insure a steady stream of qualified applicants and to reward faithful servants to the government. Often civil servants had to serve a certain number of years before they achieved immunities from municipal obligations. Members of the secret service (agentes in rebus), for example, as well as members of the imperial bureaus and apparitors of the count of the sacred largess and count of the privy purse had to serve twenty years to obtain exemptions. Constantine also proclaimed that "lectors of the divine scriptures, subdeacons, and . . . other clerics" were to be exempt from municipal duties.⁷ He did so because he believed that the clergy should concentrate on Christianity and not on secular affairs. This policy, along with the granting of exemptions to civil servants and some military officers, resulted in many decurions forsaking their municipal duties, flocking to the civil service, military, and clergy.

Constantine was not committed to the destruction of the cities; he merely believed that a strong bureaucracy, military, and clergy were essential to the prosperity of the empire and the strength of his rule. Thus Constantine, recognizing that the cities were being needlessly harmed, began to try to stem the flow of decurions to the civil service, military, and clergy. In a number

of edicts, Constantine proclaimed that decurions serving in the civil service or in the military of the empire were to return to their municipal duties. In 326, he declared that decurions not yet having served twenty years with the government were to return to their duties. He also reminded his subjects that anyone with the proper amount of land to be in the curial class must serve in the city councils. Elsewhere, he ordered all sons of decurions upon reaching the age of eighteen to perform their compulsory, hereditary municipal duties. Furthermore, he demanded that veteran's sons who could not perform military service were to serve the municipal councils. Constantine also condemned the practice of obtaining honorary titles granting senatorial rank to avoid municipal duties. Constantine also came to realize in the 320s that his liberality with regard to allowing unrestricted entrance into the clergy had been abused by decurions.⁸ As a result, he ordered that decurions were not allowed to "take refuge in the name and the service of the clergy."⁹ If a cleric died, he commanded, a replacement was to be found outside of the curial class.¹⁰

Constantius, like his father, harmed the empire's cities in various ways. Libanius¹¹ accuses Constantius of confiscating civic property, while Ammianus Marcellinus adds that the emperor seized civic taxes.¹² These two contemporaries would have us believe that Constantius confiscated all civic lands. In Antioch, however, and

in Africa, at least, Constantius allowed cities to retain some land for a civic revenue source. Even so, the seizure of land by Constantius was disastrous to the cities. Civic duties could now only be met with imperial help or by relying on decurions to provide for the common good from their personal fortunes. Elsewhere, Constantius' new senate at Constantinople deprived the cities of many decurions, as he was searching for qualified men who could be easily supplied from the curial class. Moreover, at a time when monetary funds were dear to cities, Constantius insisted on continuing the practice where cities would give to the emperor a crown of gold (aurum coronarium) in celebration of such special occasions as the anniversary of the accession of the emperor. These crowns of gold, weighing up to two thousand gold staters, was a definite financial burden on cities. Constantius unwittingly harmed the cities of Gaul when he invited the Franks and Alemanni to ally themselves with Rome against the rebel Magnentius, who was then (351-353) holding Gaul. The barbarians obliged Constantius by entering Gaul and sacking up to forty-five cities. Taxation caused by Constantius' extravagance and the Persian war he inherited from his father also hurt the cities. Antioch, as Constantius' wartime capital, was especially hard hit by taxes; many decurions were ruined.¹³

To reward faithful service and to obtain the best candidates, Constantius followed his father's policy

of granting hereditary immunities to civil servants, some military officers, and the clergy. To secure these advantages of senatorial rank, decurions fled in great numbers to the government services and the clergy. The most famous decurion who fled his duties for the immunities of the government service was Ammianus Marcellinus. This historian of the fourth century was a member of the curial class. He served on the staff of the general Ursicinus as a protector or officer cadet. Libanius¹⁴ affords us the example of the decurion Aristophanes, who left his municipal obligations to become a member of the corps of imperial couriers. The edicts by which Constantius granted immunities from civic obligations to government servants are many. In 352 the emperor ordered that many civil servants who were honorably discharged were immune from municipal obligations. Two years later he declared that only after twenty years of service could agentes in rebus (secret service) obtain immunity from civic duties. He granted this honor to record keepers on the staffs of the masters of the soldiers and the masters of the horse only after twenty-five years service. For other government servants he had similar restrictions. Constantius was as fanatical as his father in his desire to fill up the clerical orders. To release them from secular cares in their "life of perfection,"¹⁶ Constantius granted them hereditary immunities from various taxes and from municipal obligations. He even

went so far as to provide the Jewish clergy (whom he treated with disdain on numerous occasions) with immunities from civic duties.¹⁷ Julian wrote with glee in 362 to the citizens of Byzacium, a town in Africa, that he had restored to their municipal councils all decurions who had fled to the clerical orders under Constantius.¹⁸

Constantius, as the representative of God on earth, believed that it was his duty to promulgate the Christian belief, for the empire could flourish only if Christianity triumphed over paganism. This explains why Constantius (and Constantine) granted immunities from municipal obligations to clergymen: he believed that the clergy should be divorced from secular cares so that they could devote their attention solely to the worship of God. Thus, in this respect, Constantius is seen as one who, rather than neglectful and apathetic towards the cities, was of the opinion that the cities deserved a secondary role to Christianity; the latter sustained the state through the worship of God while the former provided the important, although secondary, role of local administration.

Yet Constantius, like his father, was not totally committed to strengthening the Church at the expense of the cities. Late in his reign he recognized that many decurions were entering the clergy not for religious

reasons but merely to avoid their compulsory municipal duties. This Constantius was determined to stop, for while he believed in giving men the chance to serve the Church if they sincerely wanted to, he was not one to allow the cities to suffer by granting insincere decurions the opportunity to escape to the service of God. In 361 he ordered men who sought service in the Church merely to avoid their municipal duties to relinquish two-thirds of their property to their heirs, so that the heirs could in turn perform the civic duties. If the insincere clergyman had no heirs or kinsmen, Constantius demanded that he surrender two-thirds of his property to the city council. He ordered city councils to make the determination as to whether the particular priest, cleric, deacon, or subdeacon was using his position to escape civic duties. Bishops, however, were not to be disturbed by such inquiries. One historian furnishes evidence of the city council of Antioch obeying Constantius' orders, as the councillors attempted to curb the abuse of decurions becoming ordained merely to avoid curial obligations.¹⁹

Constantius also believed in the worth of a large bureaucracy to help administer the empire. The bureaucracy kept the complicated administration of the empire--the laws, taxes, budget, recruitment and supply of the army, records, and petitions--operating efficiently. Bureaucrats, moreover, were useful as a constant check

on the inexperience, arbitrariness, and corruption of the temporary officials of the empire, the praetorian prefects, vicars, and provincial governors. A large bureaucracy was, however, expensive to maintain. To help pay for it Constantius confiscated some civic lands and taxes. He believed that to maintain loyalty, attract qualified applicants, and reward faithful service civil servants should receive senatorial status, thereby giving them immunities from civic obligations. Yet he realized that by granting civil servants senatorial status he was encouraging decurions to escape their hereditary obligations to become civil servants. Although he was not willing to lower the importance of the bureaucracy by decreasing civil servant rank in order to combat the escape of decurions from the city councils, he did try other alternatives to halt this problem.²⁰

In 341 Constantius declared that "it is harmful to the State for the municipal councils to languish because of a scarcity of men."²¹ In repeated edicts Constantius sought to restrain decurions from escaping to the government services and to return those that had already completed the escape. He ordered that all frustrative methods be used to halt their escape. He also rebuked all officials, such as the master of the offices, master of the horse, master of the soldiers, and the palace steward, who allowed decurion escapees to serve under them. "In order that the consideration of length of

service may not appear to be disregarded," Constantius wrote, after loyal government service for a set number of years, a decurion could be set free from his municipal obligations.²² This term of service, however, varied in different cases. For members of the secret service it was twenty years. Elsewhere, decurion members of the household troops, imperial bodyguards, scholars, and palatine office staffs received sanction to continue at their posts after five years of loyal service. Government servants that had been honorably discharged were also free from civic obligations. Yet toward the close of his reign, Constantius clamped down on decurions in the government services and those that had obtained honorable discharges granting them immunities from civic duties. Thus, in 358 he ordered that if it could be proven that such men owed obligations to municipal councils, they were to leave the government service or ignore their honorable discharge and return to the municipal councils. Libanius²⁴ affords us an example of Constantius' stringent policy. Paulus Catena, the notorious notary whom Constantius employed for secret missions, captured the errant decurion Aristophanes, Libanius' friend, and returned him to Corinth to assume his municipal duties. Constantius, following the policy of his father, also ordered veterans to perform municipal duties if they were unable to assume duties in the military as required. Constantius, moreover, set the limit for the amount of land a man must

own to assume curial duties. If a man owned twenty-five iugera of land, he commanded, he had to assume civic duties.²⁵ To lighten the load on decurions and make their responsibilities easier to cope with, Constantius requested that they not be forced to assume extraordinary burdens. Constantius also ordered provincial governors to refrain from inflicting corporal punishment on decurions. Obviously this was a measure to prevent decurions from suffering any indignities that might lead them to escape to the more respectful status of senator in the government services.²⁶

In 353 Constantius addressed a letter to the senate of Carthage condemning a widespread practice:

If any . . . persons without holding an administrative office should obtain honorary imperial letters patent for meaningless rank, and if the aforesaid persons are clearly of your number, they shall continue to be members of your group and shall bear all the burdens and all the honors which are demanded by the affairs of the municipality.²⁷

Constantius promulgated this edict along with at least six others in his reign, attempting to stop the practice whereby a man of the curial class by bribes or other means would secure honorary titles insuring him of senatorial rank that would provide him with immunity from his municipal obligations.²⁸

For various reasons, Constantius was not successful in his attempts to restrict decurions from abandoning

their civic duties by escaping to the government services or by obtaining honorary rank. The numerous edicts he promulgated to combat the two ills proved his failure. A major reason decurions were able to succeed in escaping to the government services or in obtaining honorary titles was because civil servants and provincial governors were bribed to grant titles or offices or merely to look the other way. Moreover, once decurions were in the government services or had obtained honorary titles, it was very difficult to track down and locate them. Another reason was that the town councillors themselves were often unwilling to report or recall escapees, for they not only were afraid of "incurring the enmity of ex-councillors who now held positions of authority," but they sympathized with the errant decurions and desired to leave their duties themselves.²⁹ Furthermore, as richer decurions left the poorer ones found themselves in more powerful and influential positions and were not favorable to the idea of relinquishing these advantages. Others believed it was inevitable that decurions avoid their duties: if they tried to halt the practice it would just occur again.³⁰ Thus, the corruption and apathy of government officials and town councillors resulted in the failure of Constantius' policies. But he was not alone. All emperors of the fourth century, from Constantine to Honorius, tried and failed to stop this evil. Constantine, for example, enacted sixteen laws

against decurions avoiding their civic duties. Valentinian and Valens legislated fifteen times from 364 to 372 to halt the problem. Therefore, this was an evil of the times that Constantius conscientiously tried to end, but like his predecessor and successors met with little success.

Constantius succeeded in helping the cities of the empire by granting land, remitting taxes, ending tax abuse, and bolstering civic spirit. Although Constantius confiscated some civic lands and taxes, he was not committed to destroying their economic foundations. On numerous occasions, for instance, he granted lands and other revenue-making sources to cities. Julian praises Constantius for being an extravagant giver to cities and for stimulating public works in such cities as Antioch and Constantinople.³¹ Libanius also comments on Constantius' good deeds and clemency to various cities.³² In Antioch, Constantius had a harbor constructed, which helped the city's economic growth even though it was originally intended to aid in the military buildup for Constantius' Persian war. And while Constantius confiscated some civic lands in Antioch, he allowed the city to retain enough land to provide for its civic needs. In Africa, Constantius restored city lands confiscated by Constantine. He also remitted a quarter of the required imposts from the cities and provincials of Africa. In this edict of 358, his intention was to provide funds for

the construction of city walls and other public works to benefit his African subjects. In this he succeeded, for not only did this act help to alleviate the financial burden on decurions in Africa, but it also resulted in the rebuilding of old structures and the construction of new walls, fortifications, and other public works. Elsewhere, in response to a petition for an increased allowance of corn (in return for various services and duties) from the city of Puteoli in Italy, Constantius reversed the policy of his brother Constans, who had decreased their allowance, and raised their corn grant.³³

In an effort to provide for more efficient government as well as aid the cities of the empire, Constantius strove for the end of tax abuses. In 356, for instance, Constantius made provisions for an annual budget of sorts, where praetorian prefects would suggest the proper amount of an annual tax that would cover necessary expenses. In this way, no supplementary levies, which would strain the cities and their councillors, would be imposed on provincials. He reversed Constantine's policy of allowing provincial governors to impose supplementary taxes by ordering that such proposals be referred to himself or his praetorian prefects. Further, Constantius demanded that the imposition of such tax levies occur only if absolutely necessary; governors who requested a supplementary tax levy that was not necessary were to be punished. On one occasion, the praetorian prefect of Gaul, Florentius,

requested an additional levy (he did so with the intention of adding to his own coffers, knowing that the cities would have to foot the bill). The caesar Julian recognized Florentius' intentions, notified Constantius by letter, and got the levy cancelled. Constantius' willingness to listen to Julian, who was subordinated to Florentius and whom Constantius did not trust, shows Constantius' desire to achieve fair taxation in his empire and to protect his cities from unfair tax levies.³⁴ Julian,³⁵ in his Panegyric in Honor of Constantius, praises Constantius for the absence of increases in taxation even though the emperor had inherited a war with Persia. Only in emergencies, Julian continues, were additional tax levies imposed. While Julian's sincerity in this panegyric must be questioned, his comments might suggest a conscious attempt by Constantius to provide fair taxation in his empire. Clearly, the sources of Constantius' reign point to the conclusion that he was aware of the burden of additional tax levies on the citizens of the Roman empire, especially the city councillors who had to make up for any tax deficits out of their own fortunes, and he attempted to and succeeded in providing fair taxation in many instances of his reign.

The policies of Constantius to aid the cities were only in part successful. He did succeed, for example, in counterbalancing his confiscations of civic revenue by granting various cities lands, a remission of taxes,

or other supports. Moreover, he had some success in arresting the corrupt and negligent taxation of the empire that frequently harmed the cities. His attempts to halt the flow of decurions from the city councils were, however, unsuccessful; joining him in this failure were other emperors of the fourth century. The corruption and negligence of the empire's officials on the national and local level were major reasons for his and other emperor's failure. Those policies that were harmful to the cities, such as confiscating revenue sources and supporting the Church over the city councils, he often rectified. Even so, he supported such potentially harmful practices because he believed in the importance of a strong, loyal civil service and a flourishing Church. This is not to say that he neglected the cities, for he did not. He merely subordinated them at times to what he considered were more significant matters. Overall, he was a conscientious benefactor and supporter of the cities. In many of his policies regarding the cities, Constantius followed those of his father, such as giving the clergy and civil service immunities from civic obligations.

ENDNOTES

¹ Jones, Later Roman Empire, I, 712.

² Ibid., I, 12, 712, 714; J. H. W. G. Liebeschütz, Antioch: City and Imperial Administration in the Later Roman Empire, (Oxford: Clarendon Press, 1972), pp. 101, 103; A. H. M. Jones, The Greek City from Alexander to Justinian, (Oxford: Clarendon Press, 1940), pp. 147, 155.

³ Jones, Later Roman Empire, I, 12, 721, 725, 727, 729, 732, 736, 748; Liebeschütz, Antioch, pp. 48, 161, 168; Downey, Antioch, p. 377; Jones, Greek City, pp. 154, 206, 252-256. For the various taxes that city councillors were responsible for collecting, see Jones, Greek City, pp. 151-154.

⁴ C. E. Van Sickle, "Diocletian and the Decline of the Roman Municipalities," Journal of Roman Studies 28 (1938): 10-11.

⁵ A. H. M. Jones, "Inflation under the Roman Empire," Economic History Review 5 (1953): 305, 317; Jones, Later Roman Empire, I, 135; Van Sickle, "Diocletian," pp. 12-15, 18; Jones, Greek City, pp. 149, 257.

⁶ Jones, Later Roman Empire, I, 69-70, 106, 409, 741, 743-744, 748-751; Jones, Greek City, pp. 85-86, 147, 192-193, 196-197, 204-208; Liebeschütz, Antioch, pp. 175-178, 181-182.

⁷ Downey, Antioch, p. 376; Jones, Later Roman Empire, I, 69-70, 91-92, 110, 732; Jones, Greek City, p. 193; Cth 6.27.1, 6.35.1, 6.35.3, 6.35.4, 6.35.5, 8.4.1, 16.2.1, 16.2.2, 16.2.7.

⁸ Ibid., 7.22.1, 7.22.2, 7.22.4, 12.1.1, 12.1.7, 12.1.10, 12.1.11, 12.1.12, 12.1.13, 12.1.14, 12.1.15, 12.1.16, 12.1.17, 12.1.18, 12.1.19, 12.1.22. Edicts condemning the practice of obtaining honorary titles to avoid duties include 6.22.1, 6.38.1, 7.21.1, 7.21.1, 12.1.5, 12.1.20, 12.1.41.

⁹ Ibid., 16.2.3.

- ¹⁰Ibid., 16.2.6.
- ¹¹Libanius Or. 13.45.
- ¹²Ammianus 25.4.15.
- ¹³Liebeschuetz, Antioch, pp. 152-153, 162-163; Warmington, North African Provinces, p. 65; Jones, Later Roman Empire, I, 130-131, 135-136, 737; Jones, Greek City, pp. 204, 257; Libanius Or. 18.193; Edward Gibbon, The Decline and Fall of the Roman Empire, 12 vols. ed. J. B. Bury (New York: Fred DeFau and Co., 1906-1907), III, 259-261; Zosimus 3.1.
- ¹⁴Libanius Or. 14.10, Or. 18.135.
- ¹⁵Cth 6.27.1, 6.35.3, 8.7.5, 8.7.6, 12.1.38, 16.2.14.
- ¹⁶Ibid., 16.2.11.
- ¹⁷Ibid., 16.2.10, 16.2.11, 16.2.14, 16.8.13; Socrates 2.41.
- ¹⁸Julian, III, Letter to the Citizens of Byzacium, 380.D, 381.
- ¹⁹Cth 12.1.49; Downey, Antioch, p. 369. Notice, however, that Constantius did not require the insincere clergymen to leave the Church.
- ²⁰Jones, Later Roman Empire, I, 563; A. H. M. Jones, "The Roman Civil Service (Clerical and Sub-clerical Grades)," in Studies in Roman Government and Law, ed. A. H. M. Jones (New York: Barnes and Noble, 1968), pp. 163-164, 174.
- ²¹Cth 12.1.32.
- ²²Ibid., 12.1.38, 12.1.40, 12.1.43.
- ²³Ibid., 6.27.1, 6.35.3, 8.2.1, 8.7.5, 8.7.6, 12.1.45.
- ²⁴Libanius Or. 14.15.
- ²⁵Cth 12.1.18, 12.1.32, 12.1.33, 12.1.35.
- ²⁶Ibid., 12.1.30, 12.1.47.
- ²⁷Ibid., 12.1.41.
- ²⁸Ibid., 7.21.2, 12.1.14, 12.1.25, 12.1.34, 12.1.42, 12.1.44.

²⁹Jones, Greek City, pp. 202-203.

³⁰Jones, Later Roman Empire, I, 409, 754-755; Liebeschuetz, Antioch, pp. 184-186.

³¹Julian, I, Panegyric in Honor of Constantius, 41.A, 43.B.

³²Libanius Or. 19.49.

³³Downey, Antioch, p. 361; Liebeschuetz, Antioch, pp. 151-152; Warmington, North African Provinces, pp. 35, 51, 65; Cth 4.13.5; Symmachus 40.2. Constantius also granted to cities the right of obtaining the land of decurions without heirs as well as the land of clergy without heirs, in some cases. See Cth 8.4.7, 12.1.49. Constantius also tried to encourage civic spirit in town councillors. See Jones, Later Roman Empire, I, 540.

³⁴Cth 11.16.4, 11.16.7, 11.16.8; Jones, Later Roman Empire, I, 130-131; Ammianus 17.3.2-5.

³⁵Julian, I, Panegyric in Honor of Constantius, 21.D.

CHAPTER IV

CONSTANTIUS AND THE CIVIL SERVICE

Diocletian and Constantine vastly increased the bureaucracy of the Roman empire to provide for more effective administration and to aid in the centralization of the state. Constantius continued this policy, justifying it with the same reasons as his predecessors. Contemporaries, however, accused Constantius of allowing his civil servants and government officials practically to control his reign. Historians both ancient and modern claim that the eunuch Eusebius totally dominated Constantius. True, corruption was prevalent under Constantius, as he was a suspicious man and his courtiers often were able to accuse others and inflame the emperor's fears, which would frequently result in the ruin of many. Moreover, the bureaucracy itself had built-in corruption, for civil servants were paid little, if anything. Yet Constantius believed the advantages of a bureaucracy, such as increased centralization and more efficient administration, outweighed other concerns, such as the government's burden on the empire and its corrupt tendencies. Even so, he made a strong effort to halt corruption under his administration. As for

Constantius being dominated by the eunuch Eusebius, the evidence does not substantiate this claim. Rather, the emperor used eunuchs to accentuate his power, for he could employ them as scapegoats to take the blame for unpopular policies and they were helpful in counterbalancing the powerful aristocracy.

To understand the civil administration of Constantius, one must first examine the administrations of Diocletian and Constantine. These two emperors were able to overcome the problems of the anarchic third century by establishing a more efficient, centralized empire. To accomplish centralized control, Diocletian divided the empire into 101 provinces; he changed the administration of these provinces to civilian control by provincial governors. Since such a large number of provinces could result in difficulties in centralization and coordination, Diocletian grouped them into 13 dioceses under vicars, who were directly responsible to the emperor. Although Diocletian's new system created a centralized, efficient administration it also placed a heavy burden on the resources of the empire, as taxation increased to provide for the added number of bureaucrats that his administration produced.¹

Constantine continued to employ Diocletian's new administrative machinery, adding some changes to it during his reign. He organized the 13 dioceses into 4 prefectures under the supervision of praetorian prefects,

who, like the provincial governors and vicars, had only civil powers. Divorcing civil from military control, Constantine gave military power to the master of the horse (magister equitum) and the master of the foot (magister peditum). He also instituted the master of the offices, a powerful official in charge of palace offices and audiences with the emperor, and a select corps of imperial bodyguards, the scholae palatinae.² To enhance centralization, Constantine created a large bureaucracy with special privileges, such as hereditary immunities from compulsory services and certain taxes. With such privileges, Constantine created an aristocratic bureaucracy loyal only to him.³ Yet Constantine's enlarged civil service burdened the empire, which "set a standard for extravagant expenditure and reckless fiscality, which undermined the economic stability of the empire."⁴

Although Constantine insured the stability and centralization of the empire, his large bureaucracy also resulted in a certain amount of corruption. The amount of corruption, however, appears to have been slight. Ammianus Marcellinus accuses Constantine of beginning the process of corrupt administration that increased under his son by allowing a large amount of power and influence to his civil service.⁵ Other examples of corruption under Constantine are evident from the edicts of the Theodosian Code. In one edict, for example, Constantine admonished commissary officers not to extort more

than "anything beyond due measure."⁶ Constantine also legislated against extortion by tax collectors. Moreover, he condemned civil servants who attempted to confiscate private lands for the fisc without due reason.⁷ As we shall see, Constantius' reign also experienced a certain amount of corruption due to the large civil service.

Constantius borrowed much from his predecessors regarding the civil administration of the empire. He retained the administrative arrangement of the empire with provincial governors, vicars, and praetorian prefects administering the various civil affairs of the empire, and the magister equitum and magister peditum controlling military affairs for the emperor. He continued his father's policy of insuring a loyal civil service and centralized empire by granting hereditary privileges to his civil servants. Like his father, Constantius granted positions of high authority to the senatorial aristocracy of the West, for he needed the loyalty of this powerful group of pagans. He followed Diocletian's policy of appointing caesars but granting them no legislative powers. Constantius also imitated his predecessors in his support of a large, costly bureaucracy that put a heavy strain on the empire, besides enhancing corruption. Libanius writes, for example, that Constantius had as many as one thousand cooks and butlers, and even more barbers.⁸

Constantius changed little from the administration

of his father; yet he did introduce a few innovations. He instituted, for instance, the corps of palace functionaries to the court. These civil servants served as ushers in the imperial consistory (the imperial council). While the leading government official at Constantinople under Constantine was a pro-consul, Constantius abolished this position and instituted the office of urban prefect. Constantius also allowed the master of the offices to assume great influence in foreign affairs, as he alone controlled the access of foreign officials wishing to see the emperor.⁹

One thing that did change when Constantius succeeded his father, according to contemporaries, was the amount of corruption and influence in the civil service. Indeed, Constantius granted civil servants increased influence in the empire's affairs; yet not all of this power was used in abusive ways. In ecclesiastical affairs, for example, Constantius employed civil servants to insure his control. Thus, Leonas, an officer of the imperial court, conducted a synod at the city of Seleucia in the eastern province of Isauria; he dissolved the synod when the assembled bishops could not keep from bickering. In addition, when Constantius installed George as Bishop of Alexandria, he sent Heraclius, a commander of the household guard, to prevent trouble. Constantius used Heraclius on another ecclesiastically related mission to Alexandria, where the commander tried to arouse

opposition against the Orthodox bishop, Athanasius. In another incident involving Athanasius, Constantius sent Montanus, a silentary or court usher, to try to get the Orthodox bishop to come to Constantius' court; Athanasius, suspecting a plot, refused to go. Moreover, in 346 Constantius employed a palace servant to obtain incriminating documents against Athanasius.¹⁰

There is ample evidence, however, that a certain amount of corruption existed under Constantius. According to contemporaries, a primary cause for corruption under Constantius was his evil advisors, who deceived the emperor and wielded great influence over him. Particularly after the civil conflicts and threats involving Magnentius and Gallus, Constantius became an easy prey for flatterer's lies. Constantius' aroused suspicions made him particularly susceptible to intrigue from his courtiers. Ammianus notes, for instance, the influence of one Mercurius, nicknamed the "Count of Dreams," because "he was so clever at malignant suggestions."¹¹ Ammianus also records that because of such courtiers as Mercurius Constantius soon believed that his caesar Julian was haughty and unworthy of his position. He further states that many innocent men lost their lives due to false accusations and the emperor's suspicious mind.¹² Contemporaries¹³ also record that Constantius' advisors would frequently falsely accused a citizen to obtain their land, for there were various laws that required confiscation

of land if certain crimes were committed.¹⁴ Constantius was also apparently influenced by his courtiers in ecclesiastical matters.¹⁵ Moreover, he frequently allowed his subordinates the power to conduct trials. When two such courtiers conducted trials for the supporters of Gallus, they did so cruelly and mercilessly.¹⁶ Civil servants were also frequently willing to issue codicils granting senatorial rank or allowing entrance into the civil service for a certain fee; in these ways many decurions escaped their municipal duties.

One of the more dramatic events of Constantius' reign, which illustrates the corruption of courtiers at the emperor's court, was the revolt of Silvanus. Silvanus was a Frankish general, the magister peditum of Gaul. Constantius ordered Silvanus to Gaul to confront a group of marauding barbarians. Arbetio, a magister equitum and a court favorite encouraged Constantius to send Silvanus against the barbarians, for Silvanus was Arbetio's rival and Arbetio wanted the Frank (who enjoyed Constantius' favor) away from court, where he could influence the emperor. Once in Gaul, further intrigue against Silvanus occurred. One Dynamius, superintendent of the emperor's pack-animals, received a letter of recommendation from Silvanus. Dynamius entered into a plot with Lampadius, the praetorian prefect, Eusebius, a former worker in the privy purse, and Aedesius, another former palatine official. Dynamius, with the support of these

men, erased the contents of the letter he had received from Silvanus, leaving only Silvanus' signature. He then made an incriminating document out of the former letter. He forged what appeared to be a document from Silvanus to his supporters requesting their assistance in a revolt against Constantius, with their goal being the assumption of the throne by Silvanus. Lampadius immediately took the forged document to Constantius, who naturally ordered all of those implicated in the letter to come to his court for investigation. Unfortunately the emperor sent, upon Arbetio's advice, a member of the secret service, one Apodemius, to order Silvanus to the imperial court. Apodemius failed to carry out his instructions; he delayed giving the imperial summons to Silvanus. He hoped that Constantius, who would be ignorant that Silvanus had not received his summons, would suspect that, by not answering the summons, Silvanus was actually intriguing against the state. Meanwhile, Constantius had by now discovered the plot against Silvanus by Dynamius and the others; but it was too late. Silvanus, who feared the emperor's suspicious mind, and who knew nothing of what was going on at court (having not received word from Constantius because of Apodemius' scheming), took what he believed to be his only option--actual revolt. Constantius had been deceived, not only by those four men who first hatched the plot, but also by his imperial council. For Constantius had referred

the incident to his council at the start of the affair; however, the council included men such as Arbetio and Lampadius, both of whom desired the destruction of Silvanus. Another member of the council, the master of the offices, would have been aware of what his subordinate, the spy Apodemius, was doing, yet the master failed to notify Constantius. Thus, as one historian has argued, the Silvanus incident involved not only an open plot against Silvanus but also a conspiracy of silence in the emperor's council--his closest advisors.¹⁷

One aspect of Constantius' reign that has received particular attention from contemporary and modern historians alike was the supposed influence of eunuchs, especially Eusebius, Constantius' grand chamberlain, upon Constantius' administration. According to ancient and modern historians, this was the most corrupt aspect of Constantius' reign. Gibbon, for instance, declares that Constantius reign "served only to establish the reign of the eunuchs over the Roman world." They "governed the mind of Constantius by his fears, his indolence, and his vanity." Eusebius, Gibbon continues, "ruled the monarch and the palace with such absolute sway that Constantius . . . possessed some credit with his haughty favorite." Gibbon goes so far as to declare that Eusebius, not Constantius, appointed Gallus to be caesar.¹⁸ Other modern students of the fourth century have come to the same conclusion. One historian claims that Eusebius "wielded

nearly absolute power"¹⁹ while another historian bluntly declares that Eusebius controlled Constantius.²⁰ Still another concludes that Constantius was a figurehead emperor dominated by two factions, one the eunuch and the other Arian church leaders.²¹ Contemporaries also condemn Constantius for allowing Eusebius and the court eunuchs such absolute power. The Bishop of Alexandria, Athanasius, for example, believed in Constantius' guilt.²² Ammianus Marcellinus and Libanius also record Constantius' subordination to eunuchs.²³ Before answering these charges, it is necessary first to discuss the place of eunuchs in fourth century administrative affairs as well as to examine Constantius' use of eunuchs and the corruption of eunuchs under his rule.

Palace eunuchs had a very important role in palace affairs. Besides performing many of the functions of the palace,²⁴ eunuchs, particularly the grand chamberlain, were the personal attendants of the emperor and controlled outside access to his person. Diocletian probably instituted their influential role at court in accord with his policy of establishing an oriental-style of autocracy. Constantine continued this practice and according to Gibbon, eunuchs under Constantine were "reduced to a humble station."²⁵ Although this might have been true for Constantine, Diocletian apparently had much more trouble, as he declared that:

four or five band together to deceive the Emperor; they set a decision before him; shut up in his chamber, he cannot know the true situation; he can only know what they tell him. He nominates officials who had better not been appointed, and removes officials who had better remained at their post; thus even the best and cleverest Emperor is taken in.²⁶

This, in part, explains how eunuchs such as Eusebius gained a certain amount of power under Constantius.

Another indicator of the influential position of eunuchs under Constantius was the various tasks they performed at the bidding of the emperor in addition to their palace duties. Constantius, for example, sent Arsacius to help install Gregory as Bishop of Alexandria in 340. Another eunuch, Hesychius, served as the imperial commissioner to the Council of Sardica in 342-343. In 357 Pope Liberius agreed to join in the condemnation of Athanasius according to Constantius' wishes and sent his agreement to Hilarius, a eunuch serving the emperor.²⁷ One factor that may have led to Liberius' agreement was the urging from Eusebius, Constantius' grand chamberlain, whom Constantius had sent to help convince the pope of his error.²⁸ Ammianus records that Eusebius also obeyed the emperor's order to conduct treason trials on the supporters of the deposed Gallus. Ammianus mentions another episode where Constantius sent Eusebius to quell a riot among some legions in Gaul by paying off the inciters.²⁹ In a less dramatic task, Constantius employed

the court eunuch Gorgonius as the supervisor for the Great Church in Antioch, which was finished in 327.³⁰

Clearly eunuchs held an influential position under Constantius and he trusted them with important tasks. But did eunuchs under Constantius dominate the emperor? Historians both ancient and modern use a variety of examples to support such a conclusion. One such example involved Ursicinus, magister equitum of the East. Eusebius made many attempts to destroy his opponent. After the caesar Gallus was executed Eusebius connived to get Ursicinus charged with treason. Although because of Eusebius' influence Constantius acquiesced to such a charge, the emperor later refused to continue the proceedings. Later, in 355, when Constantius needed a trustworthy general to deal with Silvanus, who had revolted, Constantius acted upon the advice of his courtiers and chose Ursicinus. According to Ammianus, however, Eusebius' reasons for advocating Ursicinus was his desire to remove Ursicinus from court as well as his hope that Ursicinus would fail and either be dishonored or die. In 359 Ursicinus again came under attack from Eusebius. As magister equitum of the East, Ursicinus was preparing to withstand attacks from the Persian army, which was moving west against the Romans. Eusebius began working on Constantius, trying to convince the emperor that Ursicinus could not be trusted in such an important command. The emperor acquiesced to Eusebius' and other courtier's demands for

Ursicinus' removal. Ursicinus' replacement was Sabinianus, whom, according to Ammianus, was unfit to command, and the Persians knew it. Constantius soon repented his decision and sent Ursicinus back to Mesopotamia. Ammianus further states that Eusebius influenced the emperor's decision to send Ursicinus back, Eusebius' plan being that if by the time Ursicinus returned the Romans were losing then Ursicinus could be blamed; if the Romans were winning then Sabinianus would receive the praise. Unfortunately for Eusebius, his unlikely plan to ruin Ursicinus failed. Later after several skirmishes had occurred between the Persians and Romans, the former laid siege to the frontier post of Amida, where the Roman troops under Ursicinus and Sabinianus were stationed. The siege of Amida was a disaster for the Romans and the frontier post was lost. Eusebius then made charges of treason against Ursicinus. The emperor appointed two of his trusted subordinates to try the accused. During the trial Ursicinus made some inopportune comments about the emperor, the gist of which was that as long as the emperor remained under the influence of eunuchs, he certainly was going to lose all of Mesopotamia to the Persians. Constantius, angered by the remark, retired Ursicinus.³¹

There are holes in Ammianus' narrative that lead to the conclusion that perhaps Constantius was not dominated by Eusebius, at least with regard to events surrounding Ursicinus. Constantius, for example, decided

against charging Ursicinus with treason after Gallus' execution, which was not in accord with Eusebius' advice. Constantius also might have listened to Eusebius' advice when he sent Ursicinus against Silvanus, but Constantius was not about to send a man he considered untrustworthy to deal with a revolt; he considered Ursicinus loyal to the empire and able to deal with the revolt, with which Eusebius obviously disagreed. Moreover, according to one historian Constantius replaced Ursicinus with Sabinianus because the latter was a better choice if the assignment was diplomacy; Constantius desired a peaceful solution to the troubles with persia. When the Persians responded by attacking the Romans, Constantius immediately sent Ursicinus back to the front. Ursicinus' ability to keep his generalship amidst all of Eusebius' attacks is sufficient evidence alone to conclude that Eusebius did not dominate Constantius. When Constantius did retire Ursicinus, it was in response to derogatory remarks made toward the emperor by Ursicinus; other emperors would have executed the man for such comments. Indeed, if Eusebius had been the dominant force behind the throne Ursicinus would not have been retired peacefully.³²

Contemporaries such as Socrates, Libanius, and Julian also record that Constantius had the caesar Gallus (ruled from 351 to 354) deposed and executed because of Eusebius' hatred for the caesar.³³ There is, however, little evidence to warrant such a conclusion. Constantius

adopted Diocletian's system regarding the use of caesars. Under this system, caesars were to be assistants to the emperor, representing the imperial power while the emperor was away. The caesar was allowed military power and a limited amount of civil power but no legislative power. Yet Gallus went beyond these restraints and adopted much civil authority. Gallus, for example, threatened the senate of Antioch with death if they did not lower grain prices. On another occasion, Gallus tried and executed men he suspected of plotting against him. According to a student of this affair, once Gallus began inserting himself in civil affairs Constantius had to act to stop him, for the emperor feared such usurpation of power meant that Gallus had treasonable designs against Constantius' authority. The historian of this event believes that, although Eusebius might have advised the emperor, he clearly did not instigate Gallus' removal.³⁴ Other historians agree with this conclusion.³⁵ Gibbon, who never misses a chance to upbraid Constantius for his weakness regarding Eusebius, is notable for his silence on Eusebius' role in the Gallus affair.³⁶

Another incident during Constantius' reign leads to the conclusion that Eusebius did not dominate Constantius. When the Persians under Sapor threatened the East in the 350s, Constantius needed a representative of the imperial power to maintain stability in the West. The obvious choice was Constantius' nephew Julian, Constantius'

last male blood relation. There were people at court, particularly Eusebius, who opposed the idea. Yet because of the influence of Eusebia, Constantius' wife, Constantius decided upon Julian as caesar, despite the opposition of Eusebius.³⁷

If court eunuchs did not dominate Constantius, then why did so many contemporaries believe the contrary, and to what extent did eunuchs have power under Constantius? To answer the first part of the question, contemporaries were often led to believe that eunuchs had a great amount of control over the emperor to deflect criticism from imperial policies. Thus, Constantius used eunuchs as scapegoats.³⁹ An example of this comes again from the Gallus affair. When Constantius had decided to execute Gallus, he sent Eusebius along with two other officials to interrogate and execute the fallen caesar. After Gallus was executed, a rumor circulated through the empire that Constantius had repented and had sent orders to Eusebius not to execute Gallus. According to the rumor Eusebius kept back the order until it was too late.³⁹ One student of the event believes that this was an attempt to remove suspicion from Constantius to Eusebius and the eunuchs, who

isolated and universally disliked, were regularly the victims of uninformed and malicious criticism, and the report of the thwarted reprieve might merely have been an attempt, after the event, to deflect censure from the Emperor onto a ready target. Popular acceptance of the rumour was in this case very likely since, it was

said, Constantius was greatly under the influence of Eusebius.⁴⁰

Besides using eunuchs as scapegoats, emperors of the fourth century used eunuchs in other ways to protect imperial power. Because emperors beginning with Diocletian concentrated the powers of the state under their rule, one result was the emperor's removal from society into self-imposed isolation. Eunuchs became the intermediaries between the emperor and society. In this role, eunuchs "acted as a lubricant preventing too much friction between the emperor and other forces of the state which threatened his superiority." The emperor's power "depended upon the tension between the autocratic emperor and the other power elements in the state whose exercise of power threatened the emperor's supremacy." The aristocracy was one force that threatened the emperor's power. Thus, non-aristocratic forces could help the emperor counterbalance the aristocracy. One of these forces was the bureaucracy, composed of men loyal only to the emperor. Another force was the eunuchs, who were non-aristocratic and also loyal to the emperor. True, eunuchs did obtain much power because of their closeness to the emperor. Yet as they helped to preserve the emperor's position and power, the power of the eunuchs was, "far from being a sign of the emperor's weakness, . . . a token of, and a factor in, the survival of the emperor as an effective ruler."⁴¹ One historian has written that rather than Constantius being

dominated by Eusebius, Constantius was "in complete control of the decision-making and enforcement process."⁴²

Although Eusebius clearly did not dominate Constantius, he did have influence in Constantius' court, some of which was corrupt. As we have seen there were other corrupt areas of Constantius' administration. Why did corruption exist during his reign and what did Constantius do to correct the situation?

One reason corruption existed under Constantius was the large bureaucracy of the empire. Although the bureaucracy kept the complicated administration of the empire operating fairly efficiently, it was very expensive to maintain, and corruption was built into the system. The civil service was very rigid and promotion was infrequent; merit was not considered a reason for promotion, only seniority. As a result, graft and corruption were the best ways to gain promotion, as civil service positions of more distinction often had to be purchased. Also, civil service pay was usually very low so that bureaucrats resorted to fees for income.⁴³

Another aspect of Constantius' administration that resulted in corruption was the internal self-policing system of the empire. Although the design of this system was to reduce corruption and increase the emperor's power, it often had the reverse effect with regard to corruption. It was a policy during his reign to rely on civil servants to report corruption by their superiors. In the provinces,

for example, civil servants were frequently a check on the corruption and arbitrary exactions of provincial governors. The bureaucrats of the provinces were often more permanent than their superiors, the temporary provincial governors; permanent civil servants were more experienced in provincial affairs and probably were residents of the provinces in which they worked and identified with the provincials more than the governors.⁴⁴ Yet,

since the Emperors cast upon individuals the responsibility for reporting illegal activities, a wide field lay open for the exercise of personal and political ambitions and rivalries.⁴⁵

So by granting awards to officials for accusations of their superiors, Constantius was encouraging the practice. Even though this resulted in corruption, it also led to greater centralization, as it checked the power and influence of the empire's officials.⁴⁶

Another factor that led to corruption under Constantius was his suspicious and gullible mind. The emperor often allowed his courtiers to convince him of things that did not exist. In this way, courtiers were able to pay off rivalries and jealousies. Constantius' suspicious mind, arising from the various civil conflicts that he faced, gave strength to these accusations. The corrupt activities arising from the internal self-policing system of the empire easily fit into the emperor's suspicious mentality.

Although the civil service was frequently corrupt under Constantius, the civil service was necessary for

various reasons. The administration of the empire operated fairly smoothly because of the bureaucracy. The legal, financial, and military systems of the empire could only be maintained with a large bureaucracy to take care of paper work relating to taxes, the budget, the recruitment and supply of the army, records, and petitions to the emperor. Constantius also employed a large bureaucracy to insure centralization of the empire under his rule, which also added to the stability of the state. To protect his power, a large number of officials guarded against a concentration of power under one official. Bureaucrats who were loyal only to the emperor also was a means to achieve centralization. Further, as we have already seen, bureaucrats, as non-aristocrats, were used to counterbalance the power of the aristocracy.⁴⁷ Therefore, although the civil service under Constantius was corrupt, it was a necessary force to achieve efficient administration and a centralized state.

Constantius was not oblivious to corruption under his rule; he made a consistent effort to halt corruption in the empire. To combat the problem whereby courtiers would charge someone with a crime entailing confiscation of their land by the fisc to obtain that land for their own, Constantius declared against the "lodging of secret information" by informants to obtain convictions, and thus the land, of innocent men.⁴⁸ In an edict of 345, Constantius forbade palace officials to accept information from inform-

ants regarding property subject to confiscation by the fisc. He ordered provincial governors to investigate such charges before allowing the informant to bring his information to the imperial court or to the count of the privy purse. Elsewhere, he ordered that charges by informants must be proved before the guilty man's property could be confiscated.⁴⁹ In other edicts, the emperor tried to end corruption. In laws from 357 and 361, Constantius condemned injustices and crimes by government officials and other citizens.⁵⁰ In 344 he addressed himself to the barristers and apparitors of Africa, whom he ordered to cease their bribery and other corrupt actions regarding the African provincials. In still another edict, he tried to restrict the legalized extortion begun by Constantine, where officials demanded fees and gifts for their services; Constantius knew he could not end the practice, so he merely tried to keep it from getting out of hand.⁵² Another thing Constantius did to restrict corruption was to appoint men to high government position only if he knew them and respected their abilities. His policy was to never keep a man in office whose loyalty might be questioned.⁵³ He tried to end the practice where persons obtained office "by corrupt solicitation," that is, bribery.⁵⁴ Another method Constantius employed to end corruption was to strengthen the position of provincial assemblies in the empire. One of the primary functions of the provincial assemblies was "to send appeals and suggestions to the

emperor."⁵⁵ In this way, they could petition the emperor to halt what they considered to be unfair practices by imperial officials; it was a means of self-defense. To achieve this, Constantius guaranteed them

the right to take counsel for their interests as they consider advantageous; they shall have the right to speak out freely what they think; they shall have the right to establish their decrees and send their delegates.⁵⁶

According to one historian, the provincial assemblies were "part of a general plan to avoid depending on officials and bureaucracy for everything."⁵⁷

Constantius' administration was similar to his father's in most respects, except perhaps in the amount of corruption by civil servants and government officials, which appears to have increased under Constantius. The Silvanus affair dramatically exemplified the means by which Constantius' subordinates could use corrupt means to bring one man's career to a disastrous end and almost lead to a civil war. Corruption was brought on by Constantius' suspicious mind as well as the internal self-policing system used by the emperor. Moreover, the bureaucracy had corruption built into the system, as civil servants received little or no pay. The bureaucracy also led to an increased burden on the empire, as it was expensive to maintain. Yet the bureaucracy was an important instrument in centralization. Moreover, it kept the administration of the empire in fairly smooth running

order. Civil servants, loyal to the emperor, also helped lessen corruption by their superiors and proved worthy allies against the aristocracy. Although contemporaries as well as modern historians argue that the most corrupt aspect of Constantius' reign was the dominance of the eunuch, Eusebius, the evidence leads to the conclusion that, although Eusebius was influential, he by no means controlled the emperor. If he had, Julian would have probably never been made caesar and Ursicinus would have come to a disastrous end sooner than he did. Constantius used the eunuchs as scapegoats, as the populace would blame them for unpopular actions, such as the execution of Gallus, believing that eunuchs possessed much influence with the emperor. Moreover, the eunuchs helped to counterbalance the aristocracy and thus to preserve the emperor's power.

ENDNOTES

¹ Burckhardt, The Age of Constantine, pp. 64-65; Jones, Later Roman Empire, I, 43, 46-47, 51.

² A. E. R. Boak, The Master of the Offices in the Later Roman and Byzantine Empires, Part 1 of 2 Studies in Later Roman and Byzantine Administration (New York: 1924), pp. 28-29; Smith, Constantine, pp. 270, 275; Jones, Later Roman Empire, I, 103; Frank, Scholae Palatinae, pp. 47, 49-51.

³ Burckhardt, The Age of Constantine, p. 338; Cth 6. 2.26, 6.4.1, 6.35.2; Jones, Later Roman Empire, I, 104.

⁴ Ibid., I, 111.

⁵ Ammianus 16.8.12-13.

⁶ Cth 8.4.2.

⁷ Ibid., 8.10.1, 10.1.2, 10.1.5, 10.15.1, 11.7.1.

⁸ Ammianus 21.16.3; Jones, Later Roman Empire, I, 51, 136; Boak, Master of the Offices, pp. 29-30; Arnheim, Senatorial Aristocracy, pp. 5-6, 82; R. C. Blockley, "Constantius Gallus and Julian as Caesars of Constantius II," Latomus 31 (1972):455, 461; Libanius Or. 18.130.

⁹ Jones, Later Roman Empire, I, 127; Socrates 2.41; Boak, Master of the Offices, p. 35.

¹⁰ Socrates 2.39-40; Frank, Scholae Palatinae, p. 113; Kidd, History of the Church, II, 130-131, 136; Jones, Later Roman Empire, I, 127.

¹¹ Eutropius 10.15; Julian, "Letter to Hermogenes," 389.D; Ammianus 15.3.3; Quoted in Kidd, History of the Church, II, 70.

¹² Ammianus, 14.5.9, 16.12.67-70, 20.8.3, 22.11.1-2. For other examples of Constantius' suspicions and the role of advisors in inflaming his suspicions, see Ammianus 14.5.2-4, 14.9.2; Zosimus 2.55; Julian, To the Cynic

Heracleios, 232.A-D, 233.A-B; Julian, Letter to the Athenians, 274.D; Julian, Panegyric in Honor of Eusebia, 121.A.

¹³ Ammianus 16.8.11, 13; Libanius Or. 30.38.

¹⁴ Cth 9.42.2, 9.42.3, 9.42.4. Constantius had the unfortunate habit of frequently dividing confiscated land among his court favorites.

¹⁵ Sozomenus 4.23; Theodoretus 2.28; Julian, "Letter to the Community of the Jews," 396.A-B,

¹⁶ Ammianus 15.3.2, 21.16.9; Downey, Antioch, p. 371.

¹⁷ The Silvanus affair is excellently outlined in Ammianus 15.5.1-35. The interpretation of a "conspiracy of silence" in the consistory was obtained from Nutt, "Silvanus," pp. 80-89. For other discussions on the Silvanus affair see Frank, Scholae Palatinae, p. 64; Gibbon, The Decline and Fall, III, 241-242; Jones, Later Roman Empire, I, 116-117. The incident ended when Silvanus was killed by his own men at the bidding of Ursicinus, sent by Constantius to deal with the revolt.

¹⁸ Gibbon, The Decline and Fall, III, 223-225, 227.

¹⁹ Kenneth Hopkins, "Eunuchs in Politics in the Later Roman Empire," Proceedings of the Cambridge Philological Society 189 (1963):68.

²⁰ J. Dunlap, The Office of the Grand Chamberlain in the Later Roman and Byzantine Empires, Part 2 of 2 Studies in Later Roman and Byzantine Administration (New York: 1924), p. 180.

²¹ Edward G. Wilson, "Studies in the Lives of the Sons of Constantine," (Ph.D. dissertation, University of British Columbia, 1977), pp. 72, 74, 76.

²² Dunlap, Grand Chamberlain, p. 263.

²³ Ammianus 18.4.3; Libanius Or. 30.7.

²⁴ For a complete discussion of eunuch palace duties, see Dunlap, Grand Chamberlain, pp. 203 ff.

²⁵ Hopkins, "Eunuchs," p. 77; Gibbon, The Decline and Fall, III, 224.

²⁶ Quoted in Burckhardt, The Age of Constantine, p. 53.

- ²⁷Jones, Later Roman Empire, I, 127.
- ²⁸Dunlap, Grand Chamberlain, p. 262.
- ²⁹Ammianus 14.10.3-5, 15.3.2.
- ³⁰Downey, Antioch, pp. 358-359.
- ³¹Ammianus 15.2.1-6, 15.5.19, 18.4.1-7, 18.5.5, 18.6.1-7, 20.2.2-4.
- ³²E. A. Thompson, "Ammianus' Account of Gallus Caesar," American Journal of Philology 64 (1943):44-45, 47, 50, 52-54.
- ³³Socrates 3.1; Libanius Or. 18.152; Julian, Letter to the Athenians, 272.D. Dunlap also agrees with their conclusion. See Grand Chamberlain, p. 264.
- ³⁴Blockley, "Gallus and Julian," pp. 455, 460-467. For the various atrocities committed by Gallus, see Ammianus 14.1.1-6, 9-16, 21, 14.9.3-6, 7-8.
- ³⁵Downey, Antioch, p. 367; Thompson, "Ammianus," p. 311.
- ³⁶Gibbon, The Decline and Fall, III, 227-234. Gibbon mentions Eusebius, but not as being an important aspect in Gallus' fall.
- ³⁷Julian, Panegyric in Honor of Eusebia, 114.C, 121. A-C; Libanius Or. 18.27; Ammianus 15.8.1-4; Socrates 3.1; Zosimus 3.1; Gibbon, The Decline and Fall, III, 235, 237-238.
- ³⁸Blockley, "Gallus and Julian," p. 441; Hopkins, "Eunuchs," pp. 63, 76, 80.
- ³⁹Ammianus 14.11.21; Gibbon, The Decline and Fall, III, 233-234.
- ⁴⁰Blockley, "Gallus and Julian," p. 441.
- ⁴¹Hopkins, "Eunuchs," pp. 68-71, 73-75, 80.
- ⁴²Edbrooke, "Constantius' Visit to Rome," p. 58.
- ⁴³Jones, Later Roman Empire, I, 601-602, 604-605; Jones, "The Roman Civil Service," pp. 169-171.
- ⁴⁴Ibid., pp. 163-164, 174-175.
- ⁴⁵R. C. Blockley, "Internal Self-Policing in the Late

Roman Administration. Some Evidence from Ammianus Marcellinus," Classica et Mediaevalia 30 (1969):405.

⁴⁶Ibid., pp. 404-405, 414-415.

⁴⁷Boak, Master of the Offices, p. 18; Hopkins, "Eunuchs," p. 74.

⁴⁸Cth 10.10.4.

⁴⁹Ibid., 5.13.1, 5.13.2, 10.1.2, 10.10.7, 10.10.8, 10.15.3.

⁵⁰Ibid., 2.1.3, 8.4.7, 10.1.7.

⁵¹Apparitors were civil servants who administered the public post at times and served as commissary officers and fiscal officers. See Cth 8.4.7.

⁵²Ibid., 8.4.6, 8.10.2.

⁵³Ammianus 21.16.3; Edbrooke, "Constantius' Visit to Rome," p. 49.

⁵⁴Cth 8.1.1.

⁵⁵J. A. O. Larsen, "The Position of Provincial Assemblies in the Government and Society of the Late Roman Empire," Classical Philology 29 (1934):212.

⁵⁶Ibid.; Cth 12.12.1.

⁵⁷Larsen, "Provincial Assemblies," p. 213.

CHAPTER V

THE SECRET SERVICE AND THE PUBLIC POST

To protect his power and to promote centralization, Constantine employed a secret service to seek out and destroy subversive elements within the empire. Constantius adopted his father's policy, using a secret service for administrative, ecclesiastical, and diplomatic purposes as well as for security. These individuals were important in the internal self-policing system of the empire, as they received much power to declare against officials. Yet Constantius put too much trust in and gave too much power to his secret service, so that much corruption resulted. Agents such as the notorious Paulus Catena ended the careers of many innocent men. Thus, while Constantius used his secret service for justifiable reasons, that is, to protect his power and promote a centralized state, he did not place sufficient controls on his agents to prevent corruption. He did, however, attempt to rectify their corruption, though he was not very successful. A certain group within the secret service, the curiosi, supervised the public post. The post was important for the communications and centralization of the empire. Yet

contemporaries such as Ammianus Marcellinus and Libani-
us accuse Constantius of overburdening the public post.
Constantius, however, did so for justifiable reasons.
He allowed clergymen free reign to use the post to get
to councils, for he believed that the unity of the Church
was more important than burdening the post. He also al-
lowed the secret service to use it at will, but this was
to promote his power and the centralized state. Moreover,
he attempted to reduce the burden on the post and to rec-
tify abuses in its administration; he appears to have ob-
tained at least partial success in this attempt.

There were two branches of the secret service under
Constantius, the agentes in rebus, or imperial couriers,
and the notaries. Prior to Constantine the agentes in
rebus were a military agency, but Constantine put them
under the civil control of the master of the offices.
The agentes in rebus were dispatch riders, delivering
imperial messages, providing escorts, and bringing news
from the provinces. Obviously, they were an essential
ingredient in the working of the empire's communications.
Constantine used the agentes in rebus as inspectors of
the public post. In this position they were called
curiosi. As inspectors of the public post, the curiosi
regulated the use of the post, making sure that those
who used it had warrants, that is, official documents
allowing use of the post.¹ Constantine also instituted

their use as spies. "Their suitability as spies derived from their duties as supervisors of the state postal system," one historian has written.² As supervisors of the state's primary instrument of communication, curiosi were in the perfect position to spy on others. Another move that Constantine made to insure an effective spy corps was to attach a member of the agentes in rebus onto the staff of provincial governors, vicars, and praetorian prefects. In this way, Constantine was able to watch over his subordinates even in the farthest corners of the empire.³ Constantius followed his father's use of political espionage, and relied heavily on the agentes in rebus to seek out disruptive and treasonous elements in the empire.

The notaries were palace servants who kept the minutes of the meetings of the imperial council. Like the agentes in rebus, the notaries were military officials prior to Constantine, who changed them into civil servants directly responsible to the emperor. The master of the offices and the senior notary, the primicerius, supervised the notaries. Under Constantius their importance grew. As secretaries of the imperial council they received intimate knowledge of imperial plans and decisions. Because of this knowledge, they came to know the affairs of the empire, and thus were perfect candidates to assume a role in the political espionage system of the empire. Constantius granted them this role, and used them for a variety of

confidential and important missions throughout the empire.⁴

Constantius used his secret service for diplomatic, administrative, and ecclesiastical purposes as well as for security. An embassy sent to Sapor, king of Persia, included Spectatus, a notary. When Spectatus returned unsuccessful Constantius sent another embassy that included Procopius, also a notary. After Constantius had decided to depose Gallus, he sent Eusebius the eunuch, Pentadius the notary, and a member of the palace guard to interrogate Gallus. To arrest the fallen caesar, Constantius sent Apodemius, a member of the agentes in rebus. Constantius entrusted Gallus' execution to Apodemius and Pentadius. In 360, when Constantine needed troops to combat the Persians, he ordered the notary Decentius to Gaul to take some troops from the caesar Julian. Part of Constantius' motives for taking some of these troops was because he feared Julian's rising popularity and he wanted to weaken the caesar by depriving him of part of his military force. These suspicions of Julian led Constantius to send Gaudentius, one of the agentes in rebus, to spy on the caesar. After Julian revolted in 361, Constantius sent this same Gaudentius, now a notary, to Africa to secure that province and its important grain supply. Constantius also used his secret service in such administrative matters as searching out decurions that had escaped their municipal duties and returning them to

complete these duties. In ecclesiastical affairs Constantius used his secret service in the persecution of heresies and their adherents. The secret service was also expedient in enforcing Constantius' religious decisions. In 355, for example, Constantius sent Diogenius the notary to try to get the Nicaean Athanasius to come to Constantius' court. Also in 355, Constantius used two notaries, Hilarius and Diogenius, to install George as Bishop of Alexandria.⁵

Although Constantius used his secret service for such justifiable purposes as maintaining the empire's security, maintaining the emperor's control over ecclesiastical affairs, and for other administrative and diplomatic reasons, he also allowed them too much power. As a result, Constantius' secret service abused their power in a variety of different ways. On one occasion, the spy Gaudentius was present at a dinner party given by the governor of Pannonia Secunda, Africanus. The party soon turned into a drunken revelry. As the wine increased their declamations and lessened their inhibitions, the party-goers criticized the emperor and cried out for a change; a few of their group expressed the hope that one day they would rule the empire. Unknowingly these men expressed their drunken thoughts in the company of a ruthless spy. Gaudentius quickly relayed his information to the imperial court, where the emperor immediately sensed the danger of the situation and had the men arrested,

tortured, and executed.⁶ On another occasion, at a nobleman's banquet in Gaul a spy noticed purple borders on the tablecloth and couch linens. After reporting to Constantius that the nobleman was aspiring to become emperor, the nobleman's estate was apparently confiscated.⁷ Elsewhere, a certain spy was invited to dinner at a nobleman's residence in Spain. After the meal he heard some slaves saying "may we conquer" (meaning may we conquer the darkness) as they were putting out the lights. The spy reported to Constantius that the nobleman was planning to revolt; the unfortunate nobleman was ruined.⁸ On occasions such as these, the spy's deceit combined with the emperor's suspicious mind and misplaced trust, resulting in a disastrous and corrupt situation. According to Libanius, these deceitful spies were very adept at convincing the emperor of lies, telling him that they were aiding the empire by bringing treasonous persons to justice.⁹

The most notorious of Constantius' spies was Paulus Catena, nicknamed "the chain." Unfortunately, Constantius fully trusted the judgement and ability of Paulus. In 353, for instance, Paulus went to Britain to locate some supposed supporters of the fallen usurper Magnentius. According to Ammianus, Paulus arrested countless numbers of innocent men and fabricated lies to convince the emperor of their guilt. When the vicar of the Diocese of Britain, Martinus, objected to this injustice, Paulus threatened to put the unhappy vicar in chains; Martinus

committed suicide out of desperation.¹⁰ After the debacle of Silvanus in 355, many of his friends and supporters were brought to trial and executed, partly by Paulus' doing. In 359 Constantius gave Paulus free reign to conduct trials in the Diocese of the Orient for persons who were suspected of committing treason. Paulus carried out his orders ruthlessly, obtaining confessions by torture. In the same year he conducted a similar "assize of blood" in Alexandria.¹¹ Libanius affords us an excellent example of the way in which Paulus worked. When Paulus located Aristophanes, Libanius' friend, who was a decurion avoiding his civic duties, Paulus had him whipped and sent back to Corinth to resume his duties. Libanius also says that Paulus suspected Aristophanes of allegedly sending a soothsayer for the private use of the prefect of Egypt; he tortured Aristophanes for this crime.¹²

Why did Constantius need such a forceful secret police and how did the secret police come to receive so much power and influence? The agentes in rebus and the notaries were important in maintaining the emperor's centralized control over the many officials spread throughout the empire. The difficulty in communications over the expansive empire necessitated for Constantius sending various men out into the empire to watch for subversive elements and to report them directly back to the emperor. To watch for subversive elements, Constantius placed a member of the agentes in rebus on the staffs of provincial governors, vicars, and

praetorian prefects. From these positions they could watch the actions of their superiors and report back to the emperor.¹³ In these positions the secret service also formed an important part of the internal self-policing system of the empire. As supervisory officials with special powers of enforcement, they were helpful on those occasions when an exceptional power to arrest a noteworthy person, such as the caesar Gallus, was needed. Constantius' practice, however, of rewarding men who reported on their supervisors or who sought out and arrested supposed subversive elements in the empire, resulted in the encouragement of this practice; knowing the suspicious nature of the emperor, these agents could capitalize on spreading deceitful lies about persons and convincing the emperor of their truth. Constantius' unfortunate habit of granting the land of condemned persons to his subordinates obviously encouraged his secret service to frame wealthy landowners with the object of receiving the confiscated land once they could convince the emperor of the innocent man's guilt.¹⁴ To give his secret service the necessary power to search out and arrest subversive elements, Constantius ordered praetorian prefects and vicars not to allow anyone to interfere with the secret service in the performance of their duties. Up until 359, moreover, secret service agents were not subject to the jurisdiction of either praetorian prefects, vicars, or provincial governors.¹⁵

Although some of Constantius' policies as well as his

suspicious resulted in the corrupt methods of the secret service, he was not oblivious to this corruption and tried to halt it; there is no evidence, however, that suggests that he was very successful. Yet in 338 Constantius condemned the "lodging of secret information" to obtain convictions (and thus the property) of innocent individuals.¹⁶ In other laws the emperor also legislated against informants trying to convict innocent people in order to gain their property. In 355 he ordered that all secret agents who imprisoned individuals suspected of crimes must report these crimes along with the necessary proof to judges before sending the accused individuals to prison. "Therefore," Constantius declared, "the wicked custom by which they have been sending any men to prison shall cease."¹⁷ In 357 the emperor legislated against the injustice of his secret police. He ordered that if they were found guilty of confiscating or damaging the property of innocent citizens, then they were to pay twofold the property that they damaged or seized.¹⁸ In 359 Constantius finally realized how corrupt his secret police was, so he cracked down on them and purged them of their numbers. He lamented their avarice as supervisors of the public post (curiosi) and ordered the restriction of fees they charged for the use of the post, "since it is almost impossible to repress your avarice."¹⁹ He also revoked his earlier decision not to place the secret service under the jurisdiction of important officials;

he now placed them under the jurisdiction of the praetorian prefects.

The curiosi, who were members of the secret service, were the supervisors of the public post system. As the public post was the principle means of transportation and communication within the empire, it suited perfectly the task of the secret service to seek out disruptive elements in the empire. Contemporaries such as Ammianus and Libanius accuse Constantius of overburdening the post system and the provincials that helped maintain it.²⁰ Yet, while Constantius did overburden the post, he did so for justifiable reasons. Moreover, the emperor enacted much legislation to prevent corruption in the use of the post; there is some evidence that he succeeded.

The public post (cursus publicus) was a vast and expensive operation. It consisted of two parts: the express post (cursus velox) and the slow wagon post (cursus clabularis). The former mostly provided transport of people and goods by saddle and pack horses as well as two-wheeled and four-wheeled carts. The express post was used primarily by officials and the secret service; goods were also conveyed on it. The slow wagon post consisted of large wagons drawn by oxen. The slow wagon post mostly conveyed army supplies, materials for public works, and bullion. The maintenance of the post was accomplished by praetorian prefects and their subordinates, the provincial governors. On the local level, civic taxes provided funds

for the post and decurions managed the various post stations. Cities also provided animals for the post. The curiosi, instituted by Constantius, supervised the use of the post; they inspected the warrants or passes to use the post, making sure that no one used the post more than was granted by the warrant. The master of the offices supervised the curiosi.²¹ Prior to Constantius' reign various officials, such as praetorian prefects, provincial governors, and the master of the offices, could grant post warrants. This resulted in the corrupt use of the post under Constantine. He responded to abuses of the post by restricting the amount of post warrants and sending out special investigators to halt corruption in the use of the post.²²

Constantius, like his father, also experienced abuses in the public post during his administration. According to Libanius, the post was so overburdened that mules and horses died from overwork, while the secret service so burdened the post with their travels that important messages were delayed.²³ The curiosi also demanded unlawful fees from individuals using the post.²⁴ Like his father, Constantius allowed clergymen to use the post a great deal. According to Ammianus, this practice greatly overloaded it. Yet Constantius did not indiscriminately overload the post without reason. In religious matters, for instance, he believed that by allowing clergymen the freedom to use the post to get to church councils, he was

enhancing the struggle for Church unity that he so desperately desired as the leader of the Roman world and God's representative on earth. Regarding the unrestricted use of the secret police, Constantius believed this was necessary for centralization and to locate and destroy subversive elements within the state.

Yet while Constantius allowed the post to be burdened for religious reasons and security, he still tried to lessen its burden and reduce some of the corruption involved with the administration of the post. In ecclesiastical matters, for instance, on at least one occasion Constantius ordered a church council to meet at two cities, Seleucia in the East and Ariminum in the West, rather than one city, so that clergymen in the East and the West could go to the more convenient city, thus reducing the burden on the post and the expense demanded from provincials.²⁶ Constantius also reduced another practice that burdened the post. Vicars usually informed the emperor on various "requests for rulings on points of law"²⁷ that arose in their dioceses from the judicial cases of provincial judges and the financial cases of fiscal representatives. To lessen the burden on the public post, Constantius ordered vicars to inform the emperor of only the most important cases that needed the emperor's attention.²⁸ Elsewhere, Constantius limited the amounts of heavy transport wagons used by officials and legions, he set limits on the weight amounts carried

by two-wheeled carts and horses and on the number of mules used on wagons, and he ordered that no supplementary post animals were to be issued to persons for private use, without official warrants. Constantius also ordered curiosi to make sure that individuals only used the post if they had official warrants. He further declared that no extra days were to be added to the time limits on post warrants. To halt indiscriminate grants of post warrants by officials, in 354 Constantius discontinued the power of provincial governors to grant post warrants. He also ordered praetorian prefects not to issue warrants to agentes in rebus, as those issued by the emperor were sufficient for their needs. Constantius tried to end corruption by curiosi in the administration of the post. In one edict, he commanded them to refrain from demanding money for the use of animals that were not part of the post system. If the man did so, he was to pay four times the amount he stole. Although curiosi were allowed to charge fees for their services, Constantius legislated to restrict their avarice. In 359 he placed the agentes in rebus, including the curiosi, under the supervision of praetorian prefects, partly to halt dishonesty in the administration of the public post.²⁹

As the emperor of the Roman world, Constantius, like his father, relied on a secret service to protect his power from disruptive elements within the empire; in this way he promoted the centralization of the empire. The secret police

was also important in the internal self-policing system of the empire. Further, the exceptional power of the secret service was important for special missions in diplomatic, administrative, and ecclesiastical affairs as well as for security. Yet Constantius placed too much trust in his secret police and allowed them an excessive amount of power. Combined with his suspicious personality, his secret service could often convince him of the guilt of innocent persons. By encouraging them to report criminal actions by the empire's officials, and by granting them the land of condemned persons, Constantius encouraged corruption. He was not oblivious, however, to the corruption of the secret service and he enacted many laws to prevent it; he was not too successful. The public post was an important aspect in the communications and centralization of the empire. Although Constantius burdened the post, he did so to enhance the unity of the christian church within the empire. Moreover, he wanted to insure the empire's centralization by granting his secret service unrestricted use for their missions. Constantius did what he could to reduce the burden on the post and to end corruption by the curiosi, the supervisors of the post. In this he appears to have been somewhat successful, as Ammianus reports that the abuses in the public post were rectified in the prefecture of Illyricum during the administration of the praetorian prefect Anatolius (357-360).³⁰ Furthermore, one historian has noted

that when Constantius' successor, Julian, reduced the amount of curiosi that administered the post, the system sank into inefficiency.³¹ So apparently Constantius did not burden the post with the number of officials he employed to administer it; rather, he kept it operating at an efficient level.

ENDNOTES

¹W. G. Sinnigen, "Two Branches of the Late Roman Secret Service," American Journal of Philology 80 (1959): 239; Boak, Master of the Offices, pp. 69, 71-72; Burckhardt, The Age of Constantine, p. 69.

²Sinnigen, "Two Branches," p. 239.

³Smith, Constantine, pp. 276-277; Boak, Master of the Offices, p. 72; Sinnigen, "Two Branches," p. 239.

⁴Ibid., pp. 240-242; Jones, Later Roman Empire, I, 401, 572, 574; Cosenza, "Official Positions," p. 4.

⁵Ammianus 14.11.19-21, 23, 17.5.15, 17.9.7, 17.14.1-3, 20.4.2, 21.7.1; Libanius Or. 14.15; Kidd, History of the Church, II, 131; Jones, Later Roman Empire, I, 573.

⁶Ammianus 15.3.7-11, 16.8.3.

⁷Ibid., 16.8.8.

⁸Ibid., 16.8.9.

⁹Libanius Or. 18.136-140.

¹⁰Ammianus 14.5.6-9.

¹¹Ibid., 15.6.1-4, 19.12.1-12; Kidd, History of the Church, II, 137-138.

¹²Libanius Or. 14.15-16.

¹³Jones, Later Roman Empire, I, 128, 409; W. G. Sinnigen, The Officium of the Urban Prefecture during the Later Roman Empire, Papers and Monographs of the American Academy in Rome (Rome: 1952), pp. 14-16; W. G. Sinnigen, "Three Administrative Changes Ascribed to Constantius II," American Journal of Philology 83 (1962):370, 375-376; Cosenza, "Official Positions," pp. 61-62.

¹⁴Blockley, "Internal Self-Policing," pp. 404-405, 414-415; Sinnigen, "Two Branches," p. 247; Jones, Later Roman

Empire, I, 131-132; Libanius Or. 18.131-132.

¹⁵Cth 6.29.2, 6.29.3; Jones, Later Roman Empire, I, 489. The secret service was also an important force in combating the powerful aristocracy, because the secret service was non-aristocratic and loyal to the emperor, not to the aristocracy. See Hopkins, "Eunuchs," pp. 71, 74-75.

¹⁶Cth 10.10.4.

¹⁷Ibid., 6.29.1, 10.10.7, 10.10.8. If necessary, the secret service could imprison those people suspected of crimes. See Cosenza, "Official Positions," p. 61.

¹⁸Cth 2.1.3.

¹⁹Jones, Later Roman Empire, I, 129; Cth 6.29.5.

²⁰Ammianus 21.16.18; Libanius Or. 13.42, Or. 18.143-144.

²¹Jones, Later Roman Empire, I, 50, 578-579, II, 830-831; Cosenza, "Official Positions," p. 59; Jones, Greek City, pp. 154-155, 206; Boak, Master of the Offices, pp. 34, 74-75.

²²Ibid., p. 77; Cth 8.5.3, 8.5.4.

²³Libanius Or. 18.143-144, Or. 13.42.

²⁴Cth 6.29.2, 6.29.5.

²⁵Theodoretus 1.7; Sozomenus 3.20; Jones, Later Roman Empire, I, 130; Ammianus 21.16.18.

²⁶Sozomenus 4.17.

²⁷Jones, Later Roman Empire, I, 505.

²⁸Cth 1.15.2, 1.15.3.

²⁹Ibid., 6.29.2, 6.29.3, 6.29.5, 8.5.5, 8.5.6, 8.5.7, 8.5.8, 8.5.9, 8.5.10, 8.5.11.

³⁰Ammianus 19.11.2-3.

³¹Frank, Scholae palatinae, p. 119.

CHAPTER VI

CONCLUSION

The reign of Constantius was important to the Roman empire of the fourth century. Although civil conflicts threatened the empire's peace, the state remained stable under the rule of one man. This period of stability allowed for Christianity to flourish, insuring its success in the Roman world as the dominant religion. Constantius fought for Church unity as God's representative on earth; although he never totally unified the state under Arianism, his struggle to enhance Church unity gave strength to the young Church. Constantius' stable reign also insured the success of many of the policies of Diocletian and Constantine, such as the new administrative framework of the empire and the system of political hellenism, characterized by a quasi-divine emperor and oriental court ritual.

During his reign Constantius attempted to reverse the declining city governments that threatened the basic administrative framework of the state. Although he confiscated civic lands and taxes to provide money for his expanding civil service and tempted decurions to escape their municipal duties by granting municipal duty exemptions in the civil service and clergy, he did so with the

belief that his civil service and the Church were more important than the cities. Even so, he attempted to aid the cities in various ways and also tried to stem the flow of decurions from the city councils; like other emperors of the fourth century, he was not very successful.

Constantius retained the basic administrative establishment of Constantine with few innovations, except perhaps for the amount of corruption in the civil service. The suspicious mentality of Constantius, arising from the number of civil conflicts he experienced during his reign, led him to condemn many innocent men after listening to the convincing lies of his subordinates. Moreover, corruption was built into the system, as pay to civil servants was almost non-existent, and because of the internal self-policing system of the empire, which encouraged subordinates to bring charges against their superiors if they suspected the superiors of wrongdoing. Yet Constantius was not oblivious to corruption and tried to prevent it. Moreover, a civil service loyal only to the emperor was important to enhance the emperor's power in the centralized state. The civil service served as a protective barrier for the emperor's power from the aristocracy. The bureaucracy also aided in administering the large empire, keeping the records, petitions, post, and supply lines to the armies operating efficiently. Although many ancient and modern historians condemn Constantius for allowing the palace eunuchs, particularly

Eusebius, to dominate him, the evidence refutes this argument; Constantius was clearly the power within the state.

To protect his power, Constantius employed a secret police to guard against insurrection and to seek out disruptive elements within the state. His suspicions, however, got in the way of his judgement, so that the secret police often convinced him of the guilt of innocent men. Secret service agents such as Paulus Catena so convinced Constantius of their trustworthiness and beneficial acts in protecting his power, that Constantius granted them too much influence, which accentuated their corrupt methods. Yet Constantius came to realize abuses in the secret service. He purged them of their numbers and lessened their power. He also tried to rectify abuses in the public post, which was so important to the empire's communications and to centralization. Constantius apparently was a success in rectifying abuses in the post.

To conclude, we may say that Constantius was a successful emperor. He succeeded in most of his objectives as emperor, for he promulgated Christianity, continued his father's policies, and protected and insured his own power.

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