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# **CIVIL AUTHORITY IN THE BYZANTINE PROVINCES** (7<sup>th</sup>-9<sup>th</sup> Centuries)\*

Abstract. The issue of the rise of the thematic system of administration sparked off an intense debate that has engaged scholars for the past few decades. Those inclined to the view of a one-time reform have argued that the themata formed administrative units into which the Byzantine state was divided in the 7<sup>th</sup> century, and that the *strategoi*, who served as governors and commanders of particular themata, combined civil and military authority. However, it now seems that the changes in provincial administration were gradual, having been implemented over a period of more than three centuries. At some point in time, army units became permanently based in specific areas which evolved into military districts and which were then referred to by the names of those units. At the same time, the system of the Late Roman provinces headed by the praetorian prefects, the proconsuls and the *praesides/consulares* (archontes) continued to operate until the dawn of the 8<sup>th</sup> century. These officials must have retained at least some of their civil-judicial functions, since the state finances had been centrally administered by the mid-7<sup>th</sup> century. However, during that period, the military officials began to play an increasing role in civil administration, which affected not only the power held by the old civil officials, but also the extent to which their activity was reflected in primary sources.

From the 730s to the 750s Leon III and Konstantinos V introduced a number of reforms that consolidated the new system. The emperors dissolved the old provinces (most likely altogether) and abolished the office of provincial governor. At the same time, the terms thema and strategia, which were used synonymously, began to appear on various seals. Soon after that, the entire civil administration was re-organized along thematic lines. New officials were appointed (protonotarios, chartoularios, anagrapheus, etc.) to control the finances of the themata. However, judicial authority was left in the hands of the military governors. A century later, after a period of internal turmoil, possibly during the reign of Theophilos (829-842), the government appointed new judicial officials with a view to undermining the power of the strategos. These new officials were initially referred to by classicizing names (anthypatos, praitor). By the early 10th century, the Greek title krites (judge) had become dominant.

Keywords: Byzantium, civil authority, thematic system, administration, themata

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**E** tymologically, the word *thema* derives from the verb τίθημι. However, the wide range of meanings which the verb conveys – more than two dozen, including 'to bear arms' – renders this information quite redundant. The greatest problem posed by research regarding the origin of the *themata* is the scarcity of surviving evidence from the 7<sup>th</sup> and the 8<sup>th</sup> centuries. Contemporary sources, both literary and normative, are almost non-existent; they only sparingly resume in the late 8<sup>th</sup> century. This void is to some extent filled by analysis of lead seals that have recently come more to the forefront. However, the 6<sup>th</sup> and the 7<sup>th</sup> century seals are very concise – they bear only the rank and, less often, the office of the person, while provincial offices in particular are almost never mentioned. The information they contain becomes much more detailed around ca. 700.

Before proceeding any further, it is advisable to bear in mind some facts regarding sigillographic evidence. Byzantines used lead seals mostly to authenticate documents and secure official correspondence. During the Ptolemaic period of Egypt, clay seals were used for private correspondence and lead seals for official communications. During the Roman period, the practice of sealing private correspondence was totally abandoned<sup>1</sup>, and there is little evidence that private communications were sealed in Byzantium. Wax was used by the imperial chancery for official letters addressed to low-ranking officials, and this simpler approach may have been applied in private correspondence<sup>2</sup>. From the practices of the 10<sup>th</sup> and 11<sup>th</sup> centuries (when documentary evidence resumes), we know that sealers did not necessarily include all of their offices and dignities on their seals<sup>3</sup>. With the exception of some professionals and other members of the elite, who may have issued documents in their private capacity (testaments, contracts, receipts etc.), most of the seals were used by imperial officials.

The variety of officials represented on seals reflects both their administrative roles and the extent of their involvement in bureaucratic paperwork. Naturally then, civil officials used seals more often than military officials who confined themselves to sealing only their official communications. It can also be assumed that governors and heads of central departments had more acts to authenticate than lower-ranking officials, and therefore used seals on a larger scale than the latter<sup>4</sup>.

<sup>&</sup>lt;sup>1</sup> K. VANDORPE, Seals in and on the Papyri of Greco-Roman and Byzantine Egypt, [in:] Archives et Sceaux du monde hellénistique, ed. M.-Fr. BOUSSAC, A. INVERNIZZI, Paris 1997 [= BCH, Suppl. 29], p. 231–291.

<sup>&</sup>lt;sup>2</sup> J.-Cl. CHEYNET, B. CASEAU, Sealing Practices in the Byzantine Administration, [in:] Seals and Sealing Practices in the Near East. Developments in Administration and Magic from Prehistory to the Islamic Period. Proceedings of an International Workshop at the Netherlands Flemish Institute in Cairo on December 2–3, 2009, ed. I. REGULSKI, K. DUISTERMAAT, P. VERKINDEREN, LEUVEN–Paris–Walpole 2012, p. 137.

<sup>&</sup>lt;sup>3</sup> For example, Christophoros Kopsenos put merely his full name on his seal but used his full title in his signature: *Βυζαντινά έγγραφα της μονής Πάτμου*, vol. ΙΙ, Δημοσίων Λειτουργών, rec. Μ. ΝΥΣΤΑ-ΖΟΠΟΥΛΟΥ-ΠΕΛΕΚΙΔΟΥ, Άθῆναι 1980, no. 54.

<sup>&</sup>lt;sup>4</sup> For example, the online catalogue of the Dumbarton Oaks seals collection [1 VIII 2024] contains 233 seals of *strategoi* from the 8<sup>th</sup> century and only 5 seals of their subordinates *komites tes kortes* from the same century.

Contrary to what might be expected, provincial officials are not underrepresented. The *strategoi* from the 8<sup>th</sup> century and the provincial judges from the 11<sup>th</sup> century, for example, are the most widely attested officials of these two centuries, respectively<sup>5</sup>. Furthermore, the areas of jurisdiction of provincial officials are often omitted from their seals; therefore, several of the *chartoularioi* or *dioiketai*, for example, whose seals do not specify the areas to which these officials were attached, were actually provincial officials<sup>6</sup>.

The number of known lead seals now exceeds 80,000, with some scholars suggesting it may reach 100,000 – a figure that continues to grow. Until the 1980s, only a few thousand seals had been published. Since then, dozens of thousands more have been made available, including almost 16,000 in the online seals catalogue of Dumbarton Oaks, as well as numerous others in online and printed sales catalogues. This wealth of evidence has greatly expanded our understanding, and the majority of seals are now accessible in some form. Consequently, the absence of evidence can now be more meaningfully interpreted as indicating either the nonexistence or limited significance of a given institution or office, especially when considering positions that we consider important. Additionally, the dating methods and analytical criteria used in sigillography have been refined, allowing experts in the field to apply a more sophisticated methodology, despite variations in approach.

## The strategia and the thema

One of the most interesting and productive debates held over the last century about middle Byzantine administration has been devoted to the establishment and character of the Byzantine *themata*<sup>7</sup>. Thanks to the hierarchical lists of Byzantine

<sup>&</sup>lt;sup>5</sup> In the online catalogue of the Dumbarton Oaks seals collection [1 VIII 2024], the eighth-century seals of nine high-ranking ministers of the central administration (*sakellarios*, general *logothetes*, *logothetes of the dromos*, *logothetes of the stratiotikon*, *logothetes* of the herds, *koiaistor*, *protasekretis*, *parakoimomenos*) are much fewer in number than the seals of the *strategoi* of nine *themata* from the same century (Anatolikoi, Armeniakoi, Boukellarioi, Thrakesioi, Kibyrraiotai, Thrake, Hellas, Sicily, Kephallenia): 74 to 233.

<sup>&</sup>lt;sup>6</sup> Clearer evidence of this tendency is provided by the ecclesiastical offices of bishops. No bishop could have been devoid of his see, and of the 34 eighth-century seals of bishops found in the online catalogue of Dumbarton Oaks [1 VIII 2024], nine do not mention any town.

<sup>&</sup>lt;sup>7</sup> From the older literature: H. GELZER, Die Genesis der byzantinischen Themenverfassung, Leipzig 1899; Μ. ΓΡΗΓΟΡΙΟΥ-ΙΩΑΝΝΙΔΟΥ, Παρακμή και πτώση του θεματικού θεσμού. Συμβολή στην εξέλιξη της διοικητικής και στρατιωτικής οργάνωσης του Βυζαντίου από το 10° αιώνα κ.ε., Θεσσαλονίκη 1985; J. KARAYANNOPULOS, Die Entstehung der byzantinischen Themenordnung, Munich 1959; R.-J. LILIE, Die zwei-hundertjährige Reform: Zu den Anfängen der Themenorganisation im 7. und 8. Jahrhundert, I. Die Reform der Verwaltung, Bsl 45.1, 1984, p. 27–39; G. OSTROGORSKY, Sur la date de la composition du Livre des Thèmes et sur l'époque de la constitution des premiers thèmes d'Asie Mineure, B 23, 1953, p. 31–66; A. PERTUSI, La formation des thèmes byzantines, [in:] Berichte zum XI. Internazionalen Byzantinistenkongresses, Munich 1958, p. 1–40; E. STEIN, Studien zur Geschichte

functionaries from the 9<sup>th</sup> and the 10<sup>th</sup> centuries, the works of Constantine VII Porphyrogenitus and the various *taktika* (especially that of Leon VI), it has been possible to obtain a significant knowledge of their organization in the period under consideration. Beginning with George Ostrogorsky, the period was referred to as the 'Golden Age' of Byzantium. The empire, in which independent farmers and village communities (rather than big landowners) were the rule, was defended by a native and land-based army (as opposed to later mercenaries), and was ruled by strong emperors who resisted a feudal system and relied on an efficient bureaucratic apparatus to exercise their power.

This 'brilliant story' could not withstand the weight of overwhelming evidence, whether newly discovered or previously known, or the glaring lack thereof, and has been significantly reshaped by modern perspectives. In the case under discussion, *themata*, viewed as pertaining to the organization of the provincial administration and the army that eventually saved the empire from the Arab danger in the 7<sup>th</sup> and 8<sup>th</sup> centuries, formed part of the grand narrative mentioned above. Hoverer, the issue has received various interpretations from scholars. The origin, character, the time of their establishment, and even the name of the *themata* itself, all have been a matter of heated debate.

Regardless of the differences in their views of the origin of *themata*, most historians of this school agreed on what should be regarded as two essential features of the *themata* (at least in the 9<sup>th</sup> and 10<sup>th</sup> centuries): a) they were military in nature, and their governors combined military and civil authority, b) the conscription and maintenance of the thematic forces relied on hereditary farmer-soldiers and the allocation of so-called military lands. According to this line of thought, after the death of Basileios I (976–1025), the aforementioned method of recruiting and supporting soldiers was abandoned and, consequently, the institution decayed into non-existence.

This perspective was pursued even by those who have dated the establishment of the *themata* as late as the 9<sup>th</sup> century. However, this point of view overlooks the larger context. First, the *themata* was an institution that endured for three centuries after the death of Basil II. Second, the two fundamental features of the *themata*, previously mentioned, were relatively short-lived and likely rarely coexisted, certainly not in a 'pure' form. Evidence connecting military service with land is sparse before the 10<sup>th</sup> century, and by the time such evidence emerges, *thematic* forces were already in decline, increasingly replaced by professional mercenary forces. These mercenaries played a crucial role in Byzantium's significant territorial expansion beginning in the mid-10<sup>th</sup> century<sup>8</sup>. Besides, before the end of the 10<sup>th</sup> century, the

des byzantinischen Reiches, vornehmlich unter den Kaisern Justinus II. und Tiberius-Konstantinus, Stuttgart 1919, p. 117–140; F. WINKELMANN, Byzantinische Rang- und Ämterstruktur im 8. und 9. Jahrhundert, Berlin 1985 [= BBA, 53], p. 137–143.

<sup>&</sup>lt;sup>8</sup> J. HALDON, Military Service, Military Lands, and the Status of Soldiers: Current Problems and Interpretations, DOP 47, 1993, p. 1–67.

civil authority of the strategos was already undermined by the establishment of the *thema*tic judges. From the late 11<sup>th</sup> century onward, combined civil and military authority was once again vested in the office of the governor of a *thema*, now designated as *doux* rather than *strategos*<sup>9</sup>. However, many scholars choose to disregard this period as irrelevant for the institution of *themata*<sup>10</sup>.

This is not the place to review all the scholarship on the issue under discussion. Nor is it necessary to deal with the entire institution in question. Instead, I will discuss the evidence pertaining to changes in the provincial civil administration between the 7<sup>th</sup> and the 9<sup>th</sup> centuries, focusing especially on the judicial aspects of those changes. I will be less concerned with financial matters. Twenty years ago, Wolfram Brandes and other authors carried out detailed research into the latter issue, including in particular the institution of *kommerkiarioi*<sup>11</sup>.

Traditionally, most historians have been inclined to the view that during the inception of the system of *themata*, the provincial organization of the Late Roman era either continued unchanged or was subjected to the authority of the *strategos*. This view was clearly based on questionable evidence: names of provinces mentioned both in written sources and on seals of the *kommerkiarioi*, as well two sources of court protocol from the mid-9<sup>th</sup> century containing references to the *thema*tic officials: *anthypatoi*, *praitores*, and *eparchoi* (on this see below, p. 28).

In recent years, there has been a revival of the debate on the origin of the *themata*. Almost twenty years ago John Haldon argued that the thematic system existed only in the minds of modern historians, and that the Late Roman provincial administration continued to function well into the first half of the 9<sup>th</sup> century<sup>12</sup>. However, new sigillographic evidence appeared, including seals of imperial *kommerkia* bearing the term *strategia* to denote the circumscriptions that later became *themata* (such as 'the imperial *kommerkia* of the *strategia* of the Anatolikoi')<sup>13</sup>.

<sup>&</sup>lt;sup>9</sup> N. OIKONOMIDES, L'évolution de l'organisation administrative de l'empire byzantin au XI<sup>e</sup> siècle (1025–1118), TM 6, 1976, p. 148–150.

<sup>&</sup>lt;sup>10</sup> See, for example, K. AOYTFHE, EIGAYWYÝ, [in:] Η ΜΙΚΡά Ασία των θεμάτων. Έρευνες πάνω στην γεωγραφική φυσιογνωμία και προσωπογραφία των βυζαντινών θεμάτων της Μικράς Ασίας ( $7^{oc}$ -11° αι.) (= Asia Minor and its Themes. Studies on the Geography and Prosopography of the Byzantine Themes of Asia Minor ( $7^{th}$ -11<sup>th</sup> Century)), ed. V. VLYSSIDOU et al., Athens 1998, p. 37–67; Μ. ΓΡΗΓΟΡΙΟΥ--ΙΩΑΝΝΙΔΟΥ, Παρακμή...

<sup>&</sup>lt;sup>11</sup> W. BRANDES, Finanzverwaltung in Krisenzeiten. Untersuchungen zur byzantinischen Administration im 6.–9. Jahrhundert, Frankfurt am Main 2002 [= FBR, 25], p. 239–426; L. BRUBAKER, J. HALDON, Byzantium in the Iconoclast era, c. 680–850. A History, New York 2011, p. 682–705; F. MONTINARO, Les premiers commerciaires byzantins, [in:] Constructing the Seventh Century, ed. C. ZUCKERMANN, Paris 2013 (= TM 17), p. 351–538; E. RAGIA, The Geography of the Provincial Administration of the Byzantine Empire (Ca. 600–1200): I.3. Apothekai of Africa and Sicily, Final Notes and Conclusions, EE 8, 2012, p. 113–144.

<sup>&</sup>lt;sup>12</sup> J. HALDON, Seventh-century Continuities: the "Ajnad" and the "Thematic Myth", [in:] Arab-Byzantine Relations in Early Islamic Times, ed. M.D. BONNER, Aldershot 2004, p. 95–139.

<sup>&</sup>lt;sup>13</sup> J.-Cl. CHEYNET, La mise en place des thèmes d'après les sceaux: les stratèges, SBS 10, 2010, p. 1–14.

Constantin Zuckerman has rejected the claim that *thema* and *strategia* were synonymous, arguing that those seals, all of which are dated to around the 730s–760s, document the slow emergence of *themata* as a result of the transition of military districts (*strategia*) into administrative units, a reform carried out by the Iconoclast emperors by the end of the 8<sup>th</sup> century<sup>14</sup>. Taking this view a step further, John Haldon has claimed that the *themata* were only created by emperor Nikephoros I (802–811) who established a civil infrastructure within the purely until then military districts by appointing members of the *protonotarioi* to each of them. He has further argued that the term *thema* refers to the fiscal arrangement supporting the military forces of particular regions<sup>15</sup>.

Aside from the increase of references to *strategiai*, the sigillographic material also provided the earliest known mention of the term *thema*. It dates from no later than the mid-8<sup>th</sup> century and was apparently used around the same time as the term *strategia*<sup>16</sup>. Vivien Prigent has argued in favour of drawing a distinction between the two terms. Since the term *thema* first appeared on seals related to Opsikion, Prigent has claimed that the *thema* was a cavalry detachment from the central forces of Opsikion sent over to the *strategiai* as a permanent detachment, which also constituted the campaign force of the *strategia*, something that allowed the term *thema* to gain the upper hand over *strategia* as a designation for these administrative units<sup>17</sup>.

Within the framework of the *TAKTIKON* project, the first organized effort to tackle the complex issues surrounding *thema*tic administration through both sigillographic and non-sigillographic evidence, Olga Karagiorgou examined the appearance of the term *thema* on seals. She observed that the term was primarily associated with civil officials. Notably, the earliest seals from the 8<sup>th</sup> century bearing the term *thema* exclusively reference civil officials. Karagiorgou defines a *thema* as

<sup>&</sup>lt;sup>14</sup> C. ZUCKERMAN, *Learning from the Enemy and More. Studies in "Dark Centuries" Byzantium*, Mil 2, 2005, p. 125–134.

<sup>&</sup>lt;sup>15</sup> J. HALDON, A Context for Two 'Evil Deeds': Nikephoros I and the Origins of the Themata, [in:] Mélanges Michel Kaplan, Paris 2016 (= TM 20.1), p. 245–265.

<sup>&</sup>lt;sup>16</sup> The earliest references are: Anonymus (...sos), *imperial spatharios* and *ek prosopou* of the Godguarded *thema* of Opsikion (ed. V. PRIGENT, *Retour sur l'origine et la nature des thèmes byzantins*, TM 24.2, 2020, p. 118–121) (date: mid-8<sup>th</sup> century); Anonymus, protonotarios of the Christloving *thema* of Opsikion (ed. C. MALATRAS, *In the Service of the Imperial Opsikion: the Corpus of Officials*, [in:] *TAKTIKON*. *Studies on the Prosopography and Administration of the Byzantine themata*, ed. O. KARAGIORGOU, P. CHARALAMPAKIS, C. MALATRAS, Athens 2021, p. 436–437) (date: late 8<sup>th</sup> century); and Niketas, *imperial spatharios* and *ek prosopou* of the *thema* of Opsikion (ed. J.-Cl. CHEYNET, *Les sceaux byzantins de la collection Savvas Kofopoulos*, Paris 2022, no. 3.163) (date: first third of 9<sup>th</sup> century, according to the editor, or late 8<sup>th</sup> / beginning of 9<sup>th</sup> century, since it looks to me chronologically closer to the seal of Michael (Lachanodrakon), *patrikios, imperial protospatharios* and *magistros* of the divine imperial *offikia* (ca. 790–792) [ed. J.-Cl. CHEYNET, *Les sceaux byzantins de la collection Yavuz Tatış*, Izmir 2019, no. 2.38]).

<sup>&</sup>lt;sup>17</sup> V. Prigent, *Retour...*, p. 122–135.

a well-defined district or administrative province of the empire, whose resources were systematically registered, monitored, and managed by state civil authorities<sup>18</sup>. However, it should not be forgotten that temporarily (perhaps already at its inception), the term may also have been used to designate the army of a province, as evidenced by sources from the 9<sup>th</sup> century<sup>19</sup>.

Alexandra-Kyriaki Wassiliou-Seibt has recently provided a summary of research findings on the establishment dates of the supreme military commands in the 7<sup>th</sup> and early 8<sup>th</sup> centuries. In addressing this issue, she has taken up the old thesis of George Ostrogorsky that the earliest commands (Opsikion, Anatolikoi, Armeniakoi) were founded during the reign of Herakleios. But unlike Ostrogorsky who treated *themata* as administrative units, she has linked them with 'military commands'. However, the study does not deal with the question of the structure and role of those 'military commands', which concerns us here, especially their relation to the older *magisteria militum*: were these 'military commands' structurally different from the older *magisteria militum* or did they simply acquire a new name (e.g., *Anatolikoi* instead of *per Orientem*) while their structure as military divisions remained the same<sup>20</sup>?

# Central administration and the praetorian prefectures

Until the sixth century, the Late Roman provincial system was based on large praetorian prefectures, headed by praetorian prefects (*hyparchoi* and *eparchoi ton praitorion* in Greek) and subdivided into dioceses and provinces. As the most important officials, the praetorian prefects held the financial and judicial authority, managed the budgets and exercised control over the civil provincial governors

<sup>&</sup>lt;sup>18</sup> O. KARAGIORGOU, Yet another TAKTIKON?, [in:] TAKTIKON. Studies on the Prosopography..., p. 88–95.

<sup>&</sup>lt;sup>19</sup> Such as in *Theophanis Chronographia*, vol. I, rec. C. DE BOOR, Leipzig 1883 (cetera: Theophanes), p. 358: καὶ κελεύει περᾶσαι πάντα τὰ θέματα ἐν τῆ Θρặκῃ.

<sup>&</sup>lt;sup>20</sup> A.-K. WASSILIOU-SEIBT, From magister militum to strategos: the Evolution of the Highest Military Commands in Early Byzantium (5<sup>th</sup>-7<sup>th</sup> c.), TM 21.1, 2017, p. 789–802. For the remaining 'military commands', she draws on the well-known results of modern research: for Thrake ca. 680, for Hellas before 695, for Sicily before 700, for Thrakesioi ca. 694/695. The author claims that all the seals of the Karabesianoi date from between 700 and 740 and that the command was disbanded before 632 [sic: 732!] when a completely different command, the Kibyrraiotai was created. A more reliable analysis of the Karabesianoi and the Kibyrraiotai has recently been provided by P. CHARALAMPA-KIS, Towards a New Prosopographic Corpus of the Kibyrraiotai: Sources, Methods, Benefits, [in:] TAK-TIKON. Studies on the Prosopography..., p. 544–551. Regarding the situation in Africa, it is advisable to consult: C. MORRISSON, V. PRIGENT, Les bulles de plomb du Musée National de Carthage, source méconnue pour l'histoire del'Afrique byzantine (533–695/698), CRAIBL 162.4, 2018, p. 1803–1834. The treatment of Opsikion is equally misleading as the author fails to discern that it was initially composed of palatine units, including the well-known spatharioi. For the origins of Opsikion, see the survey of research in C. MALATRAS, In the Service of the Imperial Opsikion..., p. 413–418.

in their prefecture. Each praetorian prefecture was divided into two sectors, civil-judicial and financial. Each of these sectors contained different *scrinia*, that is, special bureaus which discharged specific tasks, which were led by officials known as *numerarii*. Officials known as *cornicularii* were in charge of the judicial sector. The sector was subdivided into at least nine *scrinia*, of which four (one for each diocese) handled requests from, and communications with, the provinces. Lower in rank to the *cornicularii* were a number of junior officials collectively called *exceptores*. The junior officials of the financial sector, in turn, were referred to as *scriniarii*. The financial sector was divided into at least eight *scrinia*, one for each of the four dioceses, one for Constantinople, one for the prefecture's treasury (*arcae*), one for the public works (*operum*), and one for the state factories (*fabricae*). The number of those *scrinia* for both sectors changed according to the needs of the administration<sup>21</sup>.

Since Ernst Stein, most scholars agree that the empire's administrative apparatus became increasingly centralized during the 7<sup>th</sup> and the 8<sup>th</sup> centuries. Comprising Thrace, Asia Minor, Syria, Palestine, and Egypt and covering a wide range of administrative responsibilities, the large prefecture of the East 'suffered hypertrophy' and was broken into its constituent services. Independent bureaus that managed those services were taken over by *logothetai*, officials whose authority was not limited to the provinces of the prefecture, but extended over the whole empire<sup>22</sup>.

The process involving the breakdown of the prefectures and the subsequent establishment of bureaus, each tasked with responsibilities across the entire empire, is often an assumption justifiably grounded primarily in the administrative structures of the 9<sup>th</sup> century. However, the sigillographic material provides evidence documenting this change. It also allows us to date it to the late 6<sup>th</sup> century, that is, a bit earlier than previously assumed. The Dumbarton Oaks collection contains a seal edited by George Zacos approximately fifty years ago, which reads: Σκρινίου ἐργών τῶν ἐνδοξοτάτων ὑπάρχων, ('department of the works of the most-glorious prefects')<sup>23</sup>. The legend refers to *scrinium operum*, the bureau responsible for public works into which every prefecture was divided. The seal could be assumed to date back to the late 6<sup>th</sup> century, definitely after the creation of the praetorian prefecture of Africa, since under the law establishing the administrative structure of the territories reconquered in 534, this prefecture maintained a separate *scrinium operum*, indicating that full unification of all *scrinia operum* into one had yet

<sup>&</sup>lt;sup>21</sup> W. BRANDES, Finanzverwaltung..., p. 63–116; A.H.M. JONES, The Later Roman Empire. A Social, Economic, and Administrative Survey, vol. II, Oxford 1964, p. 586–591; C. KELLY, John Lydus and the Eastern Praetorian Prefecture in the Sixth Century AD, BZ 98.2, 2005, p. 431–458; E. STEIN, Untersuchungen über das officium der prätorianerpräfektur seit Diokletian, Vienna 2022.

<sup>&</sup>lt;sup>22</sup> E. Stein, *Studien zur Geschichte...*, p. 147–151.

<sup>&</sup>lt;sup>23</sup> DO BZS.1958.106.2381 (ed. G. ZACOS, A. VEGLERY, Byzantine Lead Seals I, Basel 1972, no. 764).

to be achieved<sup>24</sup>. The two Ξ letters used in the abbreviation for ένδοξοτάτων are an influence from Latin epigraphy. Only rarely are such abbreviations found on seals in Greek. Seals inscribed with the rank *endoxotatos* also point to a period no later than the early 7<sup>th</sup> century, and the seal's epigraphy looks quite similar to that used on the seal of Diogenes and Diomedes, 'most glorious *kommerkiarioi* of Tyros'. Dated to ca. 574–578, the latter contains the same rare abbreviation with the two letters Ξ<sup>25</sup>.

However, the seal's most interesting aspect is its grammar.  $\Sigma \kappa \rho \nu i \sigma \nu$  is in singular form, and  $\dot{\nu}\pi \dot{\alpha}\rho \chi \omega \nu$  is in plural form, and there is no geographical specification. This means that the seal pertains to a *scrinium* that had already been unified with all the other *scrinia* of this kind from different prefectures. Therefore, it is clear that the seal reflects the continuity and the process of centralization which took place soon after the reign of Justinian I.

Aside from public works departments, general tax administration also centralized, passing from the praetorian prefectures to the *genikon logothesion* at some point in the 7<sup>th</sup> century. The *genikos logothetes* appeared before the late 7<sup>th</sup> century<sup>26</sup>, but it is impossible to say whether this official was already placed in charge of tax administration in the early stages of his activity. Were, for example, the *kommerkiarioi* immediately subordinated to his authority, as was the case in the 9<sup>th</sup> century? The two institutions were probably related, which is suggested by the title *genikos* used by the *kommerkiarioi* (i.e., '*genikos kommerkiarios*'). However, the usually high dignities held by the *kommerkiarioi* speak against their initially subaltern relationship to the *genikoi logothetai*, as does the fact that after 729/730, following the introduction of imperial *kommerkia* and the later reduction of the *kommerkiarioi*'s role to that of mere collectors of the commercial tax, the institution changed its character<sup>27</sup>.

The official who appeared in the same period as the *genikos logothetes* was the *dioiketes* of the provinces. *Dioiketes* was a simple tax collector, but the *dioiketes* of the provinces was a high-ranking official responsible for all (or at least many of the) provinces. Confirmed holders of the office usually held high dignities. According to the latest list drafted by Jean-Claude Cheynet, there were nine different officials holding the office between the mid-7<sup>th</sup> century and the early 8<sup>th</sup> century, which is an unusually large number for such a period, underlining the significance of the office<sup>28</sup>.

<sup>&</sup>lt;sup>24</sup> CIC, 1.27.

<sup>&</sup>lt;sup>25</sup> J.-Cl. CHEYNET, C. MORRISSON, W. SEIBT, *Les sceaux byzantins de la collection Henri Seyrig*, Paris 1991, no. 144.

<sup>&</sup>lt;sup>26</sup> See C. MALATRAS, *The Early genikoi logothetai: Status, Seals and Prosopography (mid-7<sup>th</sup> to mid-9<sup>th</sup> c.)*, [in:] *In memoriam Jordanov*, Sofia 2024 (forthcoming).

<sup>&</sup>lt;sup>27</sup> W. BRANDES, *Finanzverwaltung*..., p. 365–426.

<sup>&</sup>lt;sup>28</sup> J.-Cl. CHEYNET, Les sceaux byzantins de la collection Savvas Kofopoulos..., p. 80.

Similarly to the *kommerkiarioi*, the high-ranking *dioiketai* of the provinces could hardly have been ordinary officials of the *genikon logothesion*. They held either the same or even higher dignities than their contemporary *genikoi logothetai*, their alleged superiors. It is important in this context to take note of the seals' inscription: it does not pertain to a *dioiketes* of (an unspecified number of random) provinces; but to a *dioiketes* of *the* (i.e., of all, or of a specified number of) provinces. The references to Paulos and Stephanos, *dioiketai* of the eastern provinces, seem to link this office with the eastern prefecture<sup>29</sup>. Except for the eastern provinces, there is no mention of another 'group of provinces' for this office.

According to many scholars, the praetorian prefects disappeared in the first half of the 7<sup>th</sup> century<sup>30</sup>. It can be wondered whether the *dioiketes* of the provinces assumed the remnants of the defunct office of the praetorian prefect of the East (the *eparchos*)<sup>31</sup> or whether this was just a new name for the existing office of the prefects. *Dioiketes* can also mean administrator, which suggests that the tasks attached to the office did not necessarily involve only tax collection, a function that had probably by that time become the responsibility of the *genikos logothetes*. After all, there was no need to create a new office for the function that was already within the capacity of the praetorian prefect of the East, a top-ranking official. There was no reason to abolish such an office in such a short period of time, even if its capacity or function had been reduced merely to supervision.

Indeed, the office of the praetorian prefect was not abolished in the first half of the 7<sup>th</sup> century. Financial officials of the prefectures such as *discussores*, *trac-teutes*, and *scriniarii* are attested to in primary sources until the first half of the 8<sup>th</sup> century<sup>32</sup>. The *primiskrinioi*, responsible for enforcing the prefectural court's

<sup>&</sup>lt;sup>29</sup> Paulos: C. MALATRAS, *The thema of the Anatolikoi: Prosopography and Administrative Structure*, [in:] *TAKTIKON. Studies on the Prosopography...*, p. 278 (not mentioned in the aforementioned list of J.-Cl. Cheynet); Stephanos: Sales catalogue Olympus 3 [20 V 2023], no. 587. Paulos was a highranking official with the dignity of *apo hypaton*. He attended the 6<sup>th</sup> Ecumenical Council as '*dioiketes* of the eastern provinces' (διοικητὴς τῶν ἀνατολικῶν ἐπαρχιῶν) (*Concilium universale Constantinopolitanum tertium (pars 1: concilii actiones 1-XI; pars 2: concilii actiones XII–XVIII)*, 1–11, ed. R. RIEDINGER, Berlin 1990–1992 [= *ACO*, series II, 2.1–2], p. 14, 38, 46 and *passim*), while his seal records him as '*dioiketes* of the eastern (provinces)' (διοικητὴς τῶν ἀνατολικῶν ἐπαρχιῶν). Similarly, Stephanos issued a seal as *hypatos* and *dioiketes* of the eastern provinces (τῶν ἀνατολικῶν ἐπαρχιῶν). However, on his later seals with the dignities of *apo hypaton* and *patrikios*, he records himself simply as *dioiketes of the eparchiai*. It is obvious that we are dealing here with the same office. Stephanos and Paulos are the earliest attested holders of the office. One could argue that the office's name was soon turned into *dioiketes of the eparchiai*. The 'eastern' was not specified for reasons of concision, just as was the case with the offices of the (*chartoularios*) *epi tou kanikleiou* or the (*chartoularios*) *epi tou bestiariou*.

<sup>&</sup>lt;sup>30</sup> W. BRANDES, *Finanzverwaltung*..., p. 48–62.

<sup>&</sup>lt;sup>31</sup> As has been surmised by W. BRANDES, *Finanzverwaltung*..., p. 153–161.

<sup>&</sup>lt;sup>32</sup> Georgios, *stratelates* and *diskoussor* (early 8<sup>th</sup> century): DO BZS.1955.1.1988 (ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 836); Leontios, *apo eparchon* and *trakteutes* of the Islands (second half of the 7<sup>th</sup> century): DO BZS.1947.2.80 (ed. J. NESBITT, N. OIKONOMIDES, *Catalogue of* 

verdicts, are also attested to until the late 7<sup>th</sup> century<sup>33</sup>, perhaps as late as 809, when Theodosios Salibaras is mentioned as a *promoskrinios*, obviously a distorted form of *primiskrinios*<sup>34</sup>. The seal of a *trakteutes* of Crete, an official of the prefecture of Illyricum, from the late 7<sup>th</sup> / early 8<sup>th</sup> century has also survived to our day<sup>35</sup>.

As has been shown, the praetorian prefect of Illyricum continued to operate exercising his jurisdiction beyond the city of Thessalonike, the capital city of Illyricum<sup>36</sup>. The praetorian prefects of Africa, still vested with high dignities, and the officials of their prefecture, are sigillographically well attested until the end of the 7<sup>th</sup> century and the fall of Africa to the Muslims<sup>37</sup>. Also attested are two *eparchoi* of Italy: one in the second half of the 7<sup>th</sup> century and one in the early 8<sup>th</sup> century<sup>38</sup>.

<sup>34</sup> Theophanes, p. 486.

*Byzantine seals at Dumbarton Oaks and the Fogg Museum of Art* [cetera: DO Seals], vol. II, *South of the Balkans, the Islands, South of Asia Minor*, Washington, D.C. 1994, no. 43.5b); Gregorios, *hypatos* and imperial *skriniarios* (late 7<sup>th</sup> century at the earliest, due to the use of Dative): DO BZS.1947.2.598. <sup>33</sup> Anthimos, *primiskrinios* (ed. M.D. METCALF, *Byzantine Lead Seals from Cyprus*, Nicosia 2004, no. 239) (first half of 7<sup>th</sup> century); Hypatianos or Ploutinos, *primiskrinios* (ed. M.D. METCALF, *Cyprus...*, no. 327, the monogram of the name was solved by the editor as *palatinos*, which is a function, but a first name is expected) (first half of 7<sup>th</sup> century); Theodoros, *primiskrinios* (of Africa?) (ed. K. ZOGRAFOPOULOS, *Die byzantinischen Bleisiegel aus Karthago*, PhD thesis, University of Vienna 2005, Θ.33) (first-second third of 7<sup>th</sup> century); Ioannes, *skriniarios* and *primiskrinios* (DO BZS.1958.106.2321, ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 646) (mid-7<sup>th</sup> century); Marinos, *chartoularios* and *primiskrinios* (DO BZS.1955.1.2497, ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 1180) (late 7<sup>th</sup> century). These four seals are not few in number, if one bears in mind that no seals of *primiskrinioi* from the 6<sup>th</sup> century have so far been identified. However, not all of them were necessarily officials of the prefecture, since *primiskrinioi* were officials also included in the bureaus of the *magistri militum* or the *comes rei privatae*.

<sup>&</sup>lt;sup>35</sup> DO BZS.1977.34.48 (ed. DO Seals 2, no. 36.5).

<sup>&</sup>lt;sup>36</sup> A. GKOUTZIOUKOSTAS, The Prefect of Illyricum and the Prefect of Thessaloniki, BKα 30, 2012–2013, p. 45–80; W. SEIBT, A.-K. WASSILIOU-SEIBT, Die byzantinischen Bleisiegel in Österreich, vol. II, Zentral- und Provinzialverwaltung, Vienna 2004, p. 148; A. ΖΑΦΡΑΚΑ, Τα θέματα του Μακεδονικού χώρου. Το θέμα της Θεσσαλονίκης ως τις αρχές του 10ου αι., Βυζ 19, 1998, p. 160–165.

<sup>&</sup>lt;sup>37</sup> K. ZOGRAFOPOULOS, *Die byzantinischen Bleisiegel...*, nos. A.39, Θ.26, Θ.33, Θ.35, I.35, Π.1: Arsaphios, *apo hypaton patrikios* and *eparchos* (third quarter of the 7<sup>th</sup> century); Ioannes, *eparchos of the praitoria* (the editor solved the monogram as 'ἀπὸ ἐπάρχων πατρίκιος', an invalid combination of dignities; the monogram can be instead solved as ἐπάρχων πῶν πραιτωρίων) (first half of 7<sup>th</sup> century); Pantherios, *apo hypaton* and *eparchos* (late 7<sup>th</sup> century); Theodoros, *praefecturius* (second half of the 7<sup>th</sup> century); Theodoros, *primiskrinios* (first to second third of the 7<sup>th</sup> century). There are a couple more which are not included here because the reading of the legend is uncertain. Since all of these seals have been found in Carthage, they most likely belonged to officials of the prefecture of Africa and no other prefectures.

<sup>&</sup>lt;sup>38</sup> Theodoros, *apo eparchon* and *eparchos* of Italy: DO BZS.1947.2.95 (ed. DO Seals 1, no. 2.2) (second half of 7<sup>th</sup> century); Ioannes, *hypatos* and *eparchos* of Italy: DO BZS.1955.1.2768 (ed. DO Seals 1, no. 2.1) (early 8<sup>th</sup> century). Another praetorian prefect of Italy but from the first half of 7<sup>th</sup> century is Ioannes: G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 354. The *eparchoi* of Rome also continued well after that date. The latest known were Mousilios, *patrikios* and *eparchos* of Rome from the second half of the 7<sup>th</sup> century (ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 746)

Finally, the *quaestura exercitus*, the new prefecture created by Justinian I, survived likely until the late 7<sup>th</sup> century. The head of the prefecture was soon known as *eparchos* of the Islands, *praefectus insularum*<sup>39</sup>.

The only missing *eparchos*, rather strangely in this perspective, is the mostpowerful praetorian prefect of the East. Two seals, regrettably badly-preserved at the bottom, record Marinos, ἀπὸ ὑπάτων καὶ ἔπαρχος τῶν..., and Platon, μάγιστρος καὶ ἔπαρχος .ω.π.. . Both have been identified as τῶν πραιτωρίων, a most logical solution, although the reading remains uncertain. The office magistros (it was still considered an office, even if mainly ceremonial) of the latter, the highest office in the state hierarchy, points indeed to a very high position of this eparchos in the state hierarchy, and not to a lesser office. A third seal, dated to the second half of the 8<sup>th</sup> century, has been read as  $\Sigma \epsilon \rho \gamma i[\omega] \dot{\upsilon} \pi (\dot{\alpha} \tau \omega) \beta (\alpha \sigma \iota \lambda \kappa \tilde{\omega})$  $\sigma\pi\alpha[\theta(\alpha\rho(\omega))]$   $\epsilon\pi\alpha\rho[\chi\omega]$  [ $\delta\pi(\rho(\omega))]$   $\delta\pi(\rho(\omega))$  however, I can see the remains of yet another line below, with the seal reading in my opinion:  $i \pi \alpha \rho[\chi(\omega)] \tau o \tilde{\nu} \pi \rho[\alpha \tau]$ op[iov]<sup>40</sup>. Seals naming the *eparchos* 'of the City' (i.e., of Constantinople) first appeared after the mid-9th century, to the extent of my knowledge. Besides, many eparchs without any specification are known from the 7<sup>th</sup> century. Could not any of them have been a praetorian prefect of the East, the prefect par excellence? An alternative option is that his name may have changed from prefect ( $\Im \pi \alpha \rho \gamma \rho c/$  $\check{\epsilon}$ παρχος) to administrator (διοικητής) of the (eastern) provinces<sup>41</sup>.

This does not mean that the praetorian prefects retained the power they held in the 6<sup>th</sup> century. Although the sources from the 7<sup>th</sup> century and the first half of the 8<sup>th</sup> century are very scarce, the fact that none of the surviving sources contains mentions of praetorian prefects acting after the reign of Heraclius (610–641) (the only exception being the prefect of Illyricum, i.e., the *eparchos* of Thessalonike) can only indicate that their authority and power had been severely curtailed, especially after the emergence of the *genikos logothetes*. The *genikos logothetes* was in charge of taxation, or even of the whole financial sector of the prefecture, if we agree with Wolfram Brandes's view that some of the other services, such as the production of silk (*blatteion*), the *kommerkiarioi*, or even the *logothesia* of the

and possibly Niketas, *patrikios* and *eparchos* of Rome (?) (πατρικίφ (καὶ) ἐπάρχω [P]ώμ[ης]: DO BZS.1958.106.3870 (ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 2251, without identifying the place) dated to the early 8<sup>th</sup> century.

<sup>&</sup>lt;sup>39</sup> Α. Γκουτζιούκωστας, Ξ. Μονιαρός, Η περιφερειακή διοικητική αναδιοργάνωση της Βυζαντινής Αυτοκρατορίας από τον Ιουστινιανό Α' (527–565). Η περίπτωση της Quaestura Iustiniana Exercitus, Θεσσαλονίκη 2009.

<sup>&</sup>lt;sup>40</sup> Marinos: DO BZS.1958.106.1727 (ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 1179) (late 7<sup>th</sup> century); Platon: DO BZS.1951.31.5.2694 (dated to early 8<sup>th</sup> century, on account of the epigraphy and the use of the Dative on the legend); Sergios: DO BZS 1947.2.571 (ed. DO Seals 5, no. 22.8). Similarly, on an earlier seal (6<sup>th</sup> century) of a Markellos, the monogram on the reverse should be resolved rather as ἐπάρχου τῶν πραιτωρίων instead of ἐπάρχου Πόλεως: DO BZS 1958.106.2038 (ed. DO Seals 5, no. 22.5).

<sup>&</sup>lt;sup>41</sup> L. BRUBAKER, J. HALDON, *Byzantium in the Iconoclast Era...*, p. 671–672.

*stratiotikon* and the *logothesia* the *eidikon*, were part of, or sprung later from the *genikon logothesion*<sup>42</sup>. We do not know what happened with the judicial sector of the prefecture. It is likely that the prefect remained in charge of the court of ultimate appeal until the demise of his office.

However, with provincial governors losing their power in favour of the emerging local generals (see *infra*), and with the disruption of communication with the capital after the mid-7<sup>th</sup> century (already earlier in Italy), the judicial power of the prefect must also have been diminished. From the 8<sup>th</sup> century, appeals from provincials were handled by the *koiaistor*, the only judicial official mentioned in the *Ecloga*. By the time the *Basilica* were compiled, this responsibility also fell to the *eparchos* of Constantinople, with appeals formally included among the duties of the *eparchos*. Under this perspective, Zachariä von Lingenthal's idea that the authorities of the two *eparchoi*, the praetorian prefect and the City eparch (both based in Constantinople), eventually merged, appears well-founded<sup>43</sup>.

# The civil governors of the provinces: the *anthypatoi*, the *archontes*, and the *strategoi*

The prefectures were divided into dioceses and further into provinces. The dioceses were governed by *vicarii* (*eparchoi* in Greek), but these mostly disappeared under Justinian. Later in his reign, Justinian decided to revive the institution of vicars for Thrace and Pontica. New vicars combined civil and military authority. The vicar of Thrace is encountered until the mid-7<sup>th</sup> century<sup>44</sup>. Vicars without geographical identification are encountered until the first half of the 8<sup>th</sup> century. They appear, for example, on the seals of Georgios, who was also a member of the palatine corps of the *exkoubitoi* (the late 7<sup>th</sup> / early 8<sup>th</sup> centuries), and on the seal of Ioannes (first half of the 8<sup>th</sup> century)<sup>45</sup>. Although we do not know in which diocese they were placed, the institution of the vicar likely persisted until the early 8<sup>th</sup> century.

<sup>&</sup>lt;sup>42</sup> W. BRANDES, *Finanzverwaltung*..., p. 180–238.

<sup>&</sup>lt;sup>43</sup> See A. ΓκοΥΤΖΙΟΥΚΩΣΤΑΣ, Η απονομή δικαιοσύνης στο Βυζάντιο (9°<sup>C</sup>–12° αιώνες). Τα κοσμικά δικαιοδοτικά όργανα και δικαστήρια της πρωτεύουσας, Θεσσαλονίκη 2004, p. 38; K.-E. ZACHARIÄ VON LINGENTHAL, Geschichte des griechisch-römischen Rechts, Berlin 1892, p. 365–366, which has been based on a title of Basilica, VI, 4 (Basilicorum Libri LX. [Series A], vol. I–VIII, Textus Librorum I–LX, rec. H.J. SCHELTEMA, N. VAN DER WAL, Groningen 1955–1988): Περὶ τάξεως ἐπάρχου πόλεως καὶ περὶ τάξεως ἐπάρχου πραιτωρίων, which seems to associate the two offices.

<sup>&</sup>lt;sup>44</sup> Α. ΓΚΟΥΤΖΙΟΥΚΩΣΤΑΣ, Η διοίκηση Θράκης κατά την πρώιμη βυζαντινή περίοδο, στο Ανατολική Ρωμυλία (Βόρεια Θράκη). Ιστορία και Πολιτισμός, Θεσσαλονίκη 2009, p. 105–121; J. WIEWIOROWSKI, Βικάριος Θράκης (Vicarius Thraciae) as the Roman Official of the New Type, BMed 4–5, 2013–2014, p. 297–306.

<sup>&</sup>lt;sup>45</sup> G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, nos. 822 (DO BZS.1958.106.3133) and 2063. There is also the seal of Sergios with the additional office of *magistrianos*, however, the reading *bikarios* is not entirely certain (ed. J.-Cl. CHEYNET, C. MORRISSON, W. SEIBT, *Les sceaux byzantins...*, no. 42).

The governors of the provinces carried out mostly civil duties, but their titles varied according to the importance of the province: the most important governors held the title of *consulares*, the less important were known as *praesides*. Later, the officials in question were also designated by other names such as *praetor* or *moderator*<sup>46</sup>. These later and less frequent ranks are rarely attested after Justinian. *Moderator* is believed to appear on a seal published and drawn by Gustave Schlumberg-er<sup>47</sup>. Epigraphically, the seal seems to come from the 9<sup>th</sup> century, but the unusual abbreviations used for the office of *moderator*, as well as the long-time interval between the 6<sup>th</sup> and the 9<sup>th</sup> centuries, raise suspicions about the identification of the office. *Moderator* is more clearly visible on the seal of Theopemptos (the late 6<sup>th</sup> century or the early 7<sup>th</sup> century), who also held the financial office of *monetarios*<sup>48</sup>.

The highest rank held by governors was the proconsul, anthypatos. Around 400, there were only two proconsuls, one for the province of Achaea and one for that of Asia. Later, Justinian added the proconsul of Cappadocia, who held extensive powers, including the administration of Cappadocia's state properties. The proconsul of Asia answered directly to the emperor, bypassing the praetorian prefect of the East. I have been able to identify the total of 14 anthypatoi from 24 lead seals datable to the 7<sup>th</sup> or the 8<sup>th</sup> centuries (see Table at the end). Since the known seals from these two centuries run to several thousands and those from the 7<sup>th</sup> century are very concise, the number of *anthypatoi* mentioned above is not particularly impressive, but it is sufficient to regard it as documenting the survival of the office. The seals are chronologically evenly distributed until the disappearance of the office after, in all probability, the early 8<sup>th</sup> century. Unfortunately, they contain no geographical locations in which their owners held their office, and it cannot be ruled out that the number of provinces governed by proconsuls changed after the reign of Justinian, that is whether new proconsuls were added or some of them abolished. It is worth noting that six of the seven seals of a rather certain provenance, those belonging to Ioannes (no. 1) and Tryphon (no. 9) were found in or around the province of Asia, one of the few provinces steadily governed by proconsuls.

The title of *praeses* was usually rendered in Greek as *hegemon* or *archon*, which means 'commander', 'ruler'. For example, Kallinikos was the *archon* of Cappadocia Secunda, and Iakobos signed a papyrus letter as the 'magnificent *komes* and *archon* of Thebaïs' in the early years of Justinian's reign<sup>49</sup>. The other important rank held by governors, *consularis*, was mostly rendered as *hypatikos* (ὑπατικός)<sup>50</sup>. The title

<sup>&</sup>lt;sup>46</sup> B. PALME, Die Officia der Statthalter in der Spätantike. Forschungsstand und Perspektiven, ATa 7, 2000, p. 85–133; C. ROUECHÉ, Provincial Governors and their Titulature in the Sixth Century, ATa 6, 1998, p. 83–89.

<sup>&</sup>lt;sup>47</sup> G. SCHLUMBERGER, Sigillographie de l'empire byzantin, Paris 1884, p. 544 (no. 2).

<sup>&</sup>lt;sup>48</sup> DO BZS.1951.31.5.2673 (ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 2870).

<sup>&</sup>lt;sup>49</sup> PROKOPIUS, *Historia Arcana*, 17.2–4, [in:] *Procopii Caesariensis opera omnia*, rec. G. WIRTH, Leipzig 1963; P. Cairo Masp. 3.67321, l.1.

<sup>&</sup>lt;sup>50</sup> For example, Flavius Ortellinus (CIC, Nov. 166, title).

is encountered a few more times in the 7<sup>th</sup> and 8<sup>th</sup> centuries: on the seal of Ioannes, dated to the first half of the 7<sup>th</sup> century<sup>51</sup>; on the seal of a certain Philippos, in Greek but with Latin letters, dated to around the middle of the 7<sup>th</sup> century on account of the epigraphy and the representation of a Theotokos of the type of *Hodegetria* (holding Christ in her left arm)<sup>52</sup>; on the seal of Eutychianos, dated to the second half of the 7<sup>th</sup> century on account of the cruciform invocative monogram but with a legend still in Genitive and not in Dative case<sup>53</sup>; finally, in the *Synaxarium* of Constantinople, when Kalybios, *archon hypatikos* in Nikaia (i.e., of Bithynia) was ordered by Leon III (717–741) to interrogate Theophilos the Confessor on the issue of Iconoclasm<sup>54</sup>. However, the generic title *archon* was regularly used, either alone or in combination with the *hypatikos*, as in the aforementioned case of Kalybios. Therefore, the term *archon* retained a technical meaning as well, that of the civil governor of a province.

Evidence about civil provincial governors diminishes by the late 7<sup>th</sup> century, even though seals from this period became more detailed, more frequently including references to offices and geographical areas of jurisdiction than before. The seals of Michael, *archon* of Isauria are dated by Jean-Claude Cheynet to the end of the 7<sup>th</sup> or the first third of the 8<sup>th</sup> century, the dating with which I fully agree<sup>55</sup>. Another seal is that of Maurianos, *archon* of Lydia. Its epigraphy, the use of a cruciform invocative monogram of the type Laurent V (the type became dominant after 700 but appeared shortly earlier), and the use of Dative on the legend, all speak in favour of dating it to the early 8<sup>th</sup> century<sup>56</sup>. Two more *archontes* of Lydia from the early 8<sup>th</sup> century are recorded: Thalassios, with the dignity of *stratelates*, and Staurakios, with the dignity of imperial *spatharios*<sup>57</sup>.

Significantly for our purposes, Isauria and Lydia were, by that time, fully integrated into a *thema*, an established military command with well-defined boundaries already in place. Therefore, despite the establishment of the *thema*tic institution in various regions, the office of the civil provincial governor, though perhaps diminished in power and authority, remained unaffected and was not formally

<sup>&</sup>lt;sup>51</sup> Private collection R. Feind, M-125 (unpublished).

<sup>&</sup>lt;sup>52</sup> G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 1197.

<sup>&</sup>lt;sup>53</sup> Α. ΑΒΡΑΜΕΑ, Ανέκδοτα μολυβδόβουλλα από τα νησιά του Αργολικού κόλπου, ΒΣυμ 10, 1996, no. 16. Significantly, the seal has been found in Hellas, a province headed by a *consularis*.

<sup>&</sup>lt;sup>54</sup> *Synaxarium ecclesiae Constantinopolitanae (e codice Sirmondiano nunc Berolinensi)*, rec. H. DELE-HAYE, Brussels 1902, p. 100 and 127/128.

<sup>&</sup>lt;sup>55</sup> J.-Cl. CHEYNET, *Les sceaux byzantins de la collection Savvas Kofopoulos...*, no. 3.113; J.-Cl. CHEYNET, *Sceaux de la collection Zacos (Bibliothèque nationale de France) se rapportant aux provinces orientales*, Paris 2001, no. 38.

<sup>&</sup>lt;sup>56</sup> DO BZS.1958.106.4297 (ed. DO Seals 3, no. 24.1).

<sup>&</sup>lt;sup>57</sup> E. LAFLI, W. SEIBT, D. ÇAĞLAYAN, *Middle and Late Byzantine Sigillographic Evidence from Western Anatolia: Eighth- to Early Twelfth-century Lead Seals from Bergama (Ancient Pergamon)*, BMGS 46.1, 2022, no. 2 (first half of 8<sup>th</sup> century; rather in the second quarter of that century, according to my view); H. VOEGTLI, *Die Fundmünzen aus der Stadtgrabung von Pergamon*, Berlin–New York 1993 [= PerF, 8], p. 72 (the early 8<sup>th</sup> century).

linked to the *thema*tic administration, assuming such an administration existed outside the military structure in the early 8<sup>th</sup> century.

In view of the above, it is possible to identify more provincial governors, archontes, who exercised authority within 'themata'. Among them were the archon of Hellas, who held office in the old province of Hellas<sup>58</sup>, and the archon of the Kibyrraiotai<sup>59</sup>. Kibyra may have served for some time as an important regional metropolis, as the other ancient cities of Caria and Lycia (Aphrodisias, Halicarnassus, Miletus) were in decline, which further explains how the city gave its name to such an important *thema*. In fact, several 7<sup>th</sup>-century seals have been excavated on the site of the city, including the seal of an *archon*, who could well have been the *archon* of the entire province, considering that it was found in the place where he held authority<sup>60</sup>. There is also the possibility that a new and larger province emerged by uniting the neighbouring provinces of Caria, Lycia, and Pamphylia, which soon afterward evolved into the maritime *thema* of the Kibyrraiotai. Finally, a lead seal from the early 8th century records an eparchos of Nikaia. As I have suggested elsewhere, this *eparchos* can be considered indicative of the survival of provincial governors. His authority extended beyond the city of Nikaia, quite possibly throughout Bithynia<sup>61</sup>, or even throughout a larger region, if *eparchos* is regarded here as the title for vicarius (i.e., of Pontica).

<sup>&</sup>lt;sup>58</sup> DO BZS.1958.106.996 (ed. DO Seals 2, no. 8.2): Petros, *hypatos* and *archon* of Hellas (end of 7<sup>th</sup> / beginning of 8<sup>th</sup> century); it assimilates epigraphically the seal of Marinos, bishop of Athens (deceased in 704): see DO Seals 2, no. 9.3). There is also the later seal of Dargaskabos (end of 8<sup>th</sup> / beginning of 9<sup>th</sup> c.) but, due to his evidently Slavic name, it should be associated with the rest of the seals of *archontes* of Slavic tribes. All these seals began to appear in the late 8<sup>th</sup> century.

<sup>&</sup>lt;sup>59</sup> The only known *archon* of the Kibyrraiotai is Tarasios, *hypatos* (early 8<sup>th</sup> century); on his seals see P. CHARALAMPAKIS, *Towards a New Prosopographic corpus...*, p. 565 (PN\_1566). J.-Cl. CHEYNET (*Les sceaux byzantins de la collection Yavuz Tatış...*, no. 3.17) has published a later seal which he read as Christophoros, imperial *kandidatos* and *archon* of the Kibyrraiotai (late 8<sup>th</sup>/ early 9<sup>th</sup> century). In fact, instead of the Kibyrraiotai it reads '*konchyle*'. It is parallel to a seal that appeared in an online sales catalogue: Gert Boersema, no. 18670, https://www.vcoins.com/en/stores/gert\_boersema/25/product/ christophoros\_imperial\_kandidatos\_and\_archon\_of\_purplefishing\_byzantine\_lead\_seal\_30mm\_1733\_ gram\_2nd\_half\_8th\_centur1st\_half\_9th\_century/1856818/Default.aspx [21 VIII 2024].

<sup>&</sup>lt;sup>60</sup> Ü. DEMIRER, N. ELAM, *Lead Seals of the Kibyra Excavations*, Ada 21, 2018, no. 1 (found in the Upper Agora). All the seals from Kibyra, with one exception, come from late 6<sup>th</sup> century to the early 8<sup>th</sup> century.

<sup>&</sup>lt;sup>61</sup> G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 3156; C. MALATRAS, *In the Service of the Imperial Opsikion...*, p. 439. A. GKOUTZIOUKOSTAS, *The Prefect...*, p. 75, considers it likely that he was a *themat*ic and not a city eparch. A case similar to that of the *eparchos* of Nikaia seems to be presented by the *hyparchos* Loukios who is mentioned in the *Life* of Leon, bishop of Catania. It is obvious that the *hyparchos* held a prestigious judicial office. Unfortunately, the episcopacy of Leon cannot be securely dated and might have even been entirely fictitious. It has been dated to between the late 7<sup>th</sup> century and the mid-8<sup>th</sup> century, while the two earliest *Lives* date probably from the 9<sup>th</sup> century, see *The Greek Life of St Leo Bishop of Catania (BHG 981b)*, ed. A.G. ALEXAKIS, trans. S. WESSEL, Brussels 2011 [= SHa, 91], p. 73–85 (the *hyparchos* is mentioned several times in the *Life*; see particularly chapters 16, 17 and 30).

Similarly, the lower-ranking civil servants from the older provinces continued to function. Unfortunately, the information regarding these civil servants comes from the late 7th century, when seals had become less concise. Isidoros, a *chartoularios* of Bithynia is attested for the late 7<sup>th</sup> century<sup>62</sup>. The notable seal of Niketas, *eparchikos kankellarios* of Seleukeia (ἐπαρχικῶ καγκελλαρίω Σελευκείας), a clerk, or secretary to the governor of the province of Seleukeia, is dated to the early 8th century. Seleukeia was not the name of a Late Roman province but was instead the capital of the province of Isauria, and later, of an administrative unit with the same name. This unit evolved over time: it became a droungariate by the mid-8<sup>th</sup> century, a *kleisoura* in the early 9<sup>th</sup> century, and eventually a *thema* by the early 10<sup>th</sup> century<sup>63</sup>. By using the designation *eparchikos*, Niketas distinguished himself from the kankellarioi of the droungarios of Seleukeia, who likely had his own secretaries. Beyond documenting the survival of a minor provincial office, this seal provides additional insight into the gradual replacement of older provincial names with new names, often reflecting either the stationed military unit (such as the Anatolikoi or Armeniakoi) or the capital city (as with Seleukeia, Thessalonike, and possibly the Kibyrraiotai). This process of adopting names for the later themata may have begun with the informal adoption of these new, popularly recognized names for provinces, thereby accelerating the decline in common usage of the names of the ancient provinces.

Another seal from the early 8<sup>th</sup> century is that of Euphemios, 'public' *chartoularios* of the province of Asia<sup>64</sup>. The use of the 'public *chartoularios*' ( $\delta\eta\mu\sigma\sigmai\omega\chi\alpha\rho-\tau\sigma\nu\lambda\alpha\rhoi\omega$ ) on the seal suggests that there may also have been other *chartoularioi* active in the province (in addition to the 'public' one), such as *chartoularioi* of the bureau of the governor, provincial ( $\dot{\epsilon}\pi\alpha\rho\chi\kappa\sigma$ ) *chartoularioi* (as in the previous seal). As the editor of the seal mentioned above noted, this 'public *chartoularios*' belonged to the *genikon logothesion*. As such, the office is probably identified to the *chartoularios* of the *arkla*, who was responsible for the tax records of a *thema*-province. If this hypothesis is followed, the *genikon logothesion* can be considered to have initially retained the structure of the praetorian prefecture of the East and was divided into sub-departments (*scrinia*), one for each province, but not yet for each *thema*, as was the case later.

However, the seals of *anthypatoi*, *hypatikoi*, and *archontes* of provinces converted to *themata*, which before the early 8<sup>th</sup> century were already few in number, are absent from later in the eighth century. The *eparchos* of Illyricum continued

<sup>62</sup> DO Seals 3, no. 76.1.

<sup>&</sup>lt;sup>63</sup> J.-Cl. CHEYNET, Les sceaux byzantins de la collection Savvas Kofopoulos..., no. 3.18. On Seleukeia see P. CHARALAMPAKIS, C. MALATRAS, Seals of Officials in Seleukeia, [in:] ΧΕΡΣΩΝΟΣ ΘΕΜΑΤΑ. Империя и Полис. XI Международный Византийский Семинар. Материалы Научной конференции, Севасто́поль 2019, p. 228–232.

<sup>&</sup>lt;sup>64</sup> A.-K. WASSILIOU-SEIBT, Ό Χριστὸς αὐτὸς σφραγὶς ἀσφαλεστάτη – Byzantinische Bleisiegel der Sammlung Gert Boersema, Thessaloniki 2022, no. 14.

to function in Thessalonike, as has already been mentioned, until the region was converted to a *thema* and placed under the authority of a *strategos*. Similarly, the *archontes* continued to function in the peripheral regions that had not yet been converted to *themata*, namely Cherson, Cyprus, Crete, Dyrrachion, Dalmatia, and Sardinia<sup>65</sup>. At the same time, the title *archon* began to be conferred on rulers of Slavic tribes and later even on governors of ordinary islands and cities<sup>66</sup>. It thus no longer designated the civil provincial governor, a meaning which it had retained until the mid-8<sup>th</sup> century.

Like the office of the praetorian prefects, the bureau of the provincial civil governor was organized into two primary sectors: finance and justice. These civil governors were responsible for addressing everyday administrative issues that arose within their jurisdictions, communicating with the capital at Constantinople, as well as coordinating with officials both within and outside their provinces. They managed provincial finances, where aspects of this role had not yet been fully centralized, giving them a broader administrative role compared to generals or *strategoi* tasked solely with military duties. Civil governors also presided over legal cases, handling not only minor criminal cases (often resulting in corporeal punishments, which may not have left extensive documentary evidence, and therefore fewer seals) but also overseeing fines, property disputes, commercial disagreements, and other civil conflicts. Therefore, the civil governors would have likely sealed more documents than the strategoi (who in this case would only have military authority), if civil authority had remained consistently tied to their office.

However, despite their extensive administrative and judicial responsibilities, the surviving seals of civil governors remain relatively sparse up until the early 8<sup>th</sup> century, as we saw, and there are none from provinces that had been converted

<sup>&</sup>lt;sup>65</sup> Scholars tended to see these *archontes* either as officials responsible for ports (H. AHRWEILER, Byzance et la mer, Paris 1966, p. 54-61), or as the remnants of municipal autonomy, evolving from the defensor civitatis (ekdikos in Greek) who could have survived with greater autonomy in peripheral regions and could have become the local governor (J. FERLUGA, Ниже војно-административне јединице тематског уређења, ЗРВИ 2, 1953, р. 88-93). It is essential to distinguish between the fourth to mid-eighth centuries, when archon as a technical term referred to provincial governors or leaders of federated foreign groups, and the ninth to eleventh centuries, when it denoted lesser officials across various cities and islands, ranging from Patras and Demetrias to Lopadion in Asia Minor, as well as Chios, Rhodes, and Skyros, without losing its use as a title for leaders of Slavic tribes within the empire. This distinction has been noted by Hélène Ahrweiler (H. AHRWEILER, Recherches sur l'administration de l'empire byzantin aux IX-XI<sup>ème</sup> siècles, BCH 84, 1960, p. 72), though she did not analyze the function and origins of the earlier archontes. Limited evidence suggests that the later group of archontes were indeed tied to municipal administration (see C. MALATRAS, In the Service of the Imperial Opsikion..., p. 439). Whether these later archontes were, in fact, the ekdikoi remains to be demonstrated. However, for our purposes, these lesser judicial officials could not have evolved into governors of entire regions in the seventh and eighth centuries, such as Crete, Lydia, Isauria, Hellas, or the Kibyrraiotai, which also included multiple cities, each with their own ekdikoi.

<sup>&</sup>lt;sup>66</sup> W. SEIBT, Siegel als Quelle für Slawenarchonten in Griechenland, SBS 6, 1999, p. 27–36.

into *themata* after that date, aside from the seals of *archontes* in peripheral areas outside the thematic system. This scarcity of seals highlights a transition in administrative practices.

At the same time, the existing sigillographic record from the 8<sup>th</sup> century speaks for itself. With the exception of some *kommerkiarioi* appointed to *thema*tic provinces (such as the *kommerkiarioi* of the Anatolikoi) and a handful of civil thematic officials who slowly appear on our record (see infra), the remaining seals of the thematic administration are military in nature. The sigillographic material contains mainly strategoi, tourmarchai, domestikoi, komites tes kortes, and droungarioi. It is particularly interesting to note that these military officials are proportionately more attested for the 8th century than for any other later period, including the 11<sup>th</sup> century although there is then a three-to-four-fold increase in the amount of the sigillographic material. In two of the largest sigillographically themata, Anatolikoi and Opsikion, the evidence pertaining to the lesser military thematic officials decreased in the 9th century and almost disappeared thereafter. The strategoi are not only more comprehensively attested, but they also seem to have been more involved in carrying out administrative duties than their successors in the centuries to come, such as the komites, the commanders of Opsikion who issued 77 seals struck by 47 different *boulloteria* in the 8<sup>th</sup> century. This number is higher than the total of all the surviving seals from the next three centuries (47 seals struck by 36 boulloteria during the 9th-11th c). The data is similar for the largest thema of Asia Minor, the Anatolikoi<sup>67</sup>.

The only plausible explanation for the sparse records and eventual disappearance of provincial governors, alongside the increased presence and activity of *strategoi* (and other military officials), is to support the older theory: that *strategoi* took on civil authority, either through formal decree or as a de facto development.

Given that civil governors did not disappear until the early 8<sup>th</sup> century, the phrase 'by decree' should be taken to mean that some *strategoi* were given both civil and military authority at different times and in some provinces and not at a given moment throughout the empire, as was believed in the older theory. Such arrangements were not new. In Late Antiquity, there were provincial governors who exercised civil and military authority on a temporary basis. This is well reflected by the administrative changes introduced during Justinian's reign in the face of varying circumstances, of which we are well informed thanks to the survival of this emperor's *Novels*<sup>68</sup>. The administrative system did not need to be comprehensive and universal. It only needed to respond to the needs of the empire, of a particular region, or at a particular time. For this reason, primary sources testify more to various administrative adjustments than to deep and thorough reforms. If this perspective

<sup>&</sup>lt;sup>67</sup> C. MALATRAS, In the Service of the Imperial Opsikion..., p. 434–435 and compare figs. 5–8.

<sup>&</sup>lt;sup>68</sup> See lately summarized by A. ΓκογτζιογκΩΣΤΑΣ, Ξ. ΜοΝΙΑΡΟΣ, Η περιφερειακή διοικητική..., p. 31–65.

is followed, the few remaining governors of provinces within the *themata*, excluding the peripheral regions, must have disappeared before the mid-8<sup>th</sup> century.

The *de facto* authority seems to have been closer to reality and is also better documented. Military officials, due to their power and especially due to their ability to enforce their decisions, intervened from time to time in civil matters during the Late Antiquity. Their power grew in the second half of the 6<sup>th</sup> century, as known in relation to certain regions such as Italy where military officials received requests that were civilian in nature. The *doukai* and the *magistri militum* in Italy and their subaltern *tribuni* in the various cities of the region controlled both civil and military administration. The military officials were involved in civilian trials and were asked even to grant sailing permits. The *tribuni* in particular acquired the judicial title *dativus* (δάτιβος), which designated the lower judges<sup>69</sup>.

Furthermore, there is no reason to doubt that during the Arab invasions in the second half of the 7<sup>th</sup> century, the *strategoi* in Asia Minor, similarly to the military officials in Italy, rose in importance to the point of holding more power than civil officials, which involved, for example, the task of provisioning their armies. People began to rely more on them for administering justice and for handling a variety of civil matters<sup>70</sup>. The militarisation of the Byzantine state, culture and society in the 7<sup>th</sup> and 8<sup>th</sup> centuries has been well described by Brubaker and Haldon<sup>71</sup>. The civil governors were becoming increasingly obsolete until the Isaurian emperors decided to abolish their offices and dissolve the older provincial administration in the regions where the *themata* had already been established.

The strongest argument against the judicial capacity of the *strategoi* is that no surviving source reports these military officials hearing court cases. The evidence from Italy contradicts this view and there is no reason to suppose that Italy was the exception where the civil administration was suppressed in favour of the military administration, since the conditions in Asia Minor in the 7<sup>th</sup> and 8<sup>th</sup> centuries were similar to those existing in Italy. The scant surviving evidence regarding the functioning of the administration in Asia Minor provinces after the early 8<sup>th</sup> century suggests that it was the *strategoi* who were in charge of some of its actions. It is reported that Michael Lachanodrakon arrested monks and confiscated monastic properties during Iconoclasm, and that Theodoros Stoudites was arrested by the

<sup>&</sup>lt;sup>69</sup> V. BILETA, At the Crossroads of Late Antiquity and Early Middle Ages. The Rise and Fall of the Military Elite of Byzantine Histria, AMSCEU 11, 2017, p. 100–123; F. BORRI, Duces e magistri militum nell'Italia esarcale (VI–VIII secolo), RMR 6.2, 2005, p. 1–46; T.S. BROWN, Gentlemen and Officers. Imperial Administration and Aristocratic Power in Byzantine Italy A.D. 554–800, London 1984, p. 46–60. The letters of popes Gregory the Great (590–604) and Honorius (625–638) are very instructive for the assumption of civil authority by military officials. For the sailing permit in particular see S. Gregorii Magni Opera: Registrvm epistvlarvm, IX, 160, ed. D. NORBERG, Turnhout 1982 [= CC.SL, 140]. <sup>70</sup> See also R.-J. LILIE, Reform..., p. 37–39.

<sup>&</sup>lt;sup>71</sup> L. BRUBAKER, J. HALDON, *Byzantium in the Iconoclast Era...*, p. 625–642.

*komes tes kortes* sent by a *strategos*<sup>72</sup>. Besides, the argument can also be turned the other way around, for there is also no reference to any civil provincial official hearing a court case from the time of the aforementioned Kalybios to the 10<sup>th</sup> century.

The most important legal text of the period, *Ecloga*, was promulgated in 741, but had been prepared in the preceding decade or two. Unfortunately, it provides little information on the judicial personnel in the provinces and their exact powers, although there is a single reference to the low-level official *ekdikos* in the section for private contracts. In most of the cases, the text speaks generally of judges, usually referred to as *dikastai* or *akroatai*, in a non-technical sense. According to the text, some of those judges were 'archontes' but some others were not, as indicated by the Justinianic legislation that drew a distinction between the actual judges who held the office and authority and the inferior judges who dealt with simple cases (*iudices pedanei* =  $\chi \alpha \mu \alpha i \delta \kappa \alpha \sigma \tau \alpha i = \delta \alpha \tau i \beta \alpha i$ ), such as the military *tribuni* in Italy mentioned above<sup>73</sup>. In what concerns us here, the text uses the term archontes generally as 'officials', 'magistrates', and they can be both civil (politikoi) and military (stratiotikoi)<sup>74</sup>. The 'archontes of provinces', who were the civil governors of the provinces, so frequently encountered in Justinianic legislation and later in the Basilica, are nowhere to be found. Even in the case where archon is understood as a 'governor', the text no longer speaks of a 'province' (eparchia), but generally of a 'place'75. Therefore, the official was not necessarily a civil governor, but could well have been the strategos, who was by that time serving as the governor of the 'place'.

*Ecloga* was not an original piece of legislation. As implied by its title, it was a 'selection' of laws from the Justinianic corpus of laws; a compendium that relied heavily on the works of later commentators of the corpus, but was designed to be simple and serve current needs<sup>76</sup>. In spite of such a reliance and of the ideological weight of the Justinianic legislation, the compilers of *Ecloga* changed every technical designation for civil officials, including governors, to the vague term of 'officials/magistrates'. As a consequence, they chose to deviate from the text

<sup>&</sup>lt;sup>72</sup> THEOPHANES, p. 445–446; *Theodori Studitae Epistulae*, vol. II, ed. G. FATOUROS, Berlin 1992 [= *CFHB*, 31], no. 382.

<sup>&</sup>lt;sup>73</sup> The distinction can be found in *Ecloga. Das Gesetzbuch Leons III. und Konstantinos*' V., 8.3, ed. L. BURGMANN, Frankfurt am Main 1983 [= FBR, 10] (cetera: *Ecloga*), and for the *ekdikos* 10.1,2. See, in general: A. FKOYTZIOYKOΣTAΣ, H απονομή..., p. 38–42; F. GORIA, La giustizia nell'impero romano d'Oriente: organizzazione giudiziaria, [in:] La giustizia nell'alto medioevo (secoli V–VIII). Settimane di studio del Centro Italiano di Studi sull' Alto Medioevo, XLII, 7–13 aprile 1994, Spoleto 1995, p. 312–327; M.T.G. HUMPHREYS, Law, Power, and Imperial Ideology in the Iconoclast Era, c. 680–850, Oxford 2015 [= OSB], p. 105–113.

<sup>&</sup>lt;sup>74</sup> *Ecloga*, 2.38 and 12.6.

<sup>&</sup>lt;sup>75</sup> Ecloga, 17.5: εἰ δὲ καὶ ἀλλότριόν τι ἐπῆρεν, ὑπὸ μὲν τοῦ κατὰ τὸν τόπον ἄρχοντος δερέσθω.

<sup>&</sup>lt;sup>76</sup> L. Burgmann in *Ecloga*, p. 4–7; M.T.G. Humphreys, *Law*, *Power*..., p. 84–93.

of the Justinianic corpus only because the administrative structures of the mid-6<sup>th</sup> century no longer corresponded to the realities of the reign of Leon III. This was not the case with the compilers of the *Basilika* law project in the 9<sup>th</sup> century. The *Basilika*, which relied to a greater extent on the text of the Justinianic laws, regularly referred to '*archontes* of provinces' and to other terms and offices that no longer corresponded to the current administrative, political or social conditions.

At the same time, the text does not describe the new situation, first because ideologically it would deviate too much from the corpus of Justinian. Secondly, because it was compiled exactly around the time of the reforms. The situation was still fluid, when the old provinces and their governors were being abolished while the *strategoi* were *de facto* assuming civil authority. According to the proemium of the *Ecloga*, the book was compiled by the *patrikioi*, the *koiaistor* and his *antigrapheis*, and the *hypatoi*<sup>77</sup>: It contains no mention of proconsuls, governors of provinces, or prefects. *Koiaistor* was the only one of those officials who was institutionally responsible for legislation. The others were simply the higher officials of the state. The *patrikioi* of the first half of the 8<sup>th</sup> century were mostly the *strategoi* of the *themata* in addition to two or three higher civil officials: the *magistros* and sometimes the *logothetai*, the ministers of the central services.

#### The re-organisation of provincial administration along the lines of themata

The disappearance of the older provincial officials was not the only administrative change brought about in the mid-8<sup>th</sup> century. Other significant reforms were carried out by Leon III (717–741) and Konstantinos V (741–775) at a time when the term *thema* began to appear on seals. Military commands multiplied. Primary sources provide first references to the Kibyrraiotai, Aigaion Pelagos, Kephallenia, the Boukellarioi, and the Thrakesioi<sup>78</sup>. The institution of the *kommerkiarioi* was reformed with the imperial *kommerkia* emerging in 729/730. The *Ecloga* was promulgated in 741, and tax reform was introduced by Konstantinos V<sup>79</sup>.

<sup>&</sup>lt;sup>77</sup> *Ecloga*, proem. l. 40–44.

<sup>&</sup>lt;sup>78</sup> Kibyrraiotai: THEOPHANES, p. 410 (date: 727/732) and discussion in P. CHARALAMPAKIS, *Towards a New Prosopographic Corpus of the Kibyrraiotai...*, p. 544–546. Aigaion Pelagos: I. ΚΟΛΤΣΙΔΑ-ΜΑ-ΚΡΗ, *Βυζαντινά μολυβόβουλλα συλλογής Ορφανίδη-Νικολαΐδη Νομισματικού Μουσείου Αθηνών*, Άθῆναι 1996, no. 34 (date: second quarter of the 8<sup>th</sup> century, particularly on account of the epigraphy of the obverse, as the reverse is extensively corroded). Kephallenia: DO Seals 1, no. 1.15; for the creation of the *thema* of Kephallenia see also C. TSATSOULIS, *Some Remarks on the Date of Creation and the Role of the Maritime Theme of Cephalonia (End of the 7<sup>th</sup>–11<sup>th</sup> Century)*, SBS 11, 2011, p. 153–158. Boukellarioi: C. MALATRAS, *The Early History of the thema of the Boukellarioi (8<sup>th</sup> Century)*, BZ 116.1, 2023, p. 131–136; Thrakesioi: V. VLYSSIDOU, Θέμα Θρακησίων, [in:] Η Μικρά Ασία των θεμάτων..., p. 201–204.

<sup>&</sup>lt;sup>79</sup> For these reforms see in general L. BRUBAKER, J. HALDON, *Byzantium in the Iconoclast Era...*, p. 695–722.

The disappearance of the dignities of *apo eparchon* and *stratelates* is also relative to the topic under discussion. Over a century and a half later both titles appeared in the *Taktikon of Philotheos* (date: 899) where they were made to refer to the same dignity<sup>80</sup>, although it is known that this was not the case: *apo eparchon* translates as 'ex prefects', that is, former praetorian prefects, and *stratelates* is rendered as '*magister militum*', the commanders of field divisions in Later Roman empire. Despite their mention in the *Taktikon of Philotheos*, they had both disappeared from primary sources long ago. Thus far, I have found no seal dating from later than the mid-8<sup>th</sup> century and containing references to these two dignities. One may conclude here that the dignity of *apo eparchon* disappeared as a result of the abolition of the older provincial system, as there were simply no more praetorian prefects to later become 'ex prefects'.

The other important change was the introduction of a new civil apparatus to the *themata*. By 900 the civil officials who are known to have been part of the thematic administration included: the *krites*, the *protonotarios*, the *chartoularios*, the *anagrapheus*, and the *epoptes*. The *anagrapheus* and the *epoptes* were entrusted with the task of periodically drafting and maintaining the cadaster. The earliest such officials appeared in the late 8<sup>th</sup> century<sup>81</sup>.

The *chartoularioi* were officials of the *logothesion of the stratiotikon*. Although the first sources providing references to this department date back to the first half of the 7<sup>th</sup> century, the department's thematic *chartoularioi* only emerged around the mid-8<sup>th</sup> century<sup>82</sup>. They are attested until the 11<sup>th</sup> century. However, their imprint on primary sources is lesser than that of the *protonotarioi*. *Chartoularioi* were also assigned to the *themata* from other departments, specifically from the *genikon* (that is, the *chartoularios* of the *arkla*), who maintained a *thema*'s tax records, and from the *dromos* (that is, *chartoularioi* of the *dromos*), who were likely responsible for managing the road network within a *thema*. Both types of officials emerged only after the mid-9<sup>th</sup> century<sup>83</sup>.

<sup>&</sup>lt;sup>80</sup> N. OIKONOMIDES, Les listes de préséance byzantines des IX<sup>e</sup> et X<sup>e</sup> siècles, Paris 1972, p. 89.

<sup>&</sup>lt;sup>81</sup> One of the earliest *epoptes* is Niketas, *epoptes* of the Armeniakoi: DO Seals 4, no. 22.15 (date: second half of the 8<sup>th</sup> century). One of the earliest *anagrapheis* is Leon, imperial *balnitor* (a dignity that disappeared before the drafting of *Taktikon Uspenskij*) and *anagrapheus* of Opsikion (late 8<sup>th</sup>/ early 9<sup>th</sup> century): C. MALATRAS, *In the Service of the Imperial Opsikion...*, p. 482 (PN\_552).

<sup>&</sup>lt;sup>82</sup> One of the earliest *chartoularioi* should be Michael, *chartoularios* of Thrake: DO Seals 1, no. 71.3 (date: mid-8<sup>th</sup> century) and Stephanos, *hypatos* and *chartoularios* of the Boukellarioi: C. MALATRAS, *The Early History of the thema of the Boukellarioi...*, Appendix, no. 15 (date: 770s–780s). The earliest attested *logothetes of the stratiotikon* should be Eustathios: DO BZS.1955.1.4422; ed. G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 870 (first half of the 7<sup>th</sup> century).

<sup>&</sup>lt;sup>83</sup> G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 2648: Anonymus, imperial *spatharios* and *chartoularios of the dromos* of Thrake (second half of 9<sup>th</sup> century); Auction catalogue Münz Zentrum Rheinland 174 [2–3 IX 2015], no. 574: Niketas, imperial *spatharios* and *chartoularios of the arkla* of the Thrakesioi (end of 9<sup>th</sup> / beginning of 10<sup>th</sup> century).

In the words of Leon VI, the *pronotarios* was the head of the civil *thema*tic administration, but as the surviving evidence suggests, his duties were limited to supplying the army and administration with food through the use of *synone* tax<sup>84</sup>. The *protonotarios* is indeed the best sigillographically attested civil official from the 9<sup>th</sup> century. According to John Haldon, the appointment of *protonotarioi* by Nikephoros I (802–811) was crucial to building the thematic administration. Since the *Taktikon of Uspenskij* contains no mention of these officials, scholars were led to believe that they only appeared after the drafting of that *taktikon*. Earlier, seals of the *protonotarioi* were often assumed to date back to the second half of the 9<sup>th</sup> century, or to within the 9<sup>th</sup> century generally. Nevertheless, some recently published seals of *protonotarioi* have been reliably dated to the mid-8<sup>th</sup> century, much earlier than the reign of Nikephoros I<sup>85</sup>.

The Taktikon of Uspenskij presents a variety of interpretive problems, including its chronology above all. A hierarchical list of ceremonial precedence, it has been variously dated, but the date of ca. 843, proposed by its latest editor Nikos Oikonomides, has gained the widest acceptance. Twenty years ago, Tibor Živkovič proposed to date it to 812–813<sup>86</sup>. While this dating resolves some of the issues involved, such as the reference to a strategos of Crete (which fell to the Arabs in ca. 827), and the lack of any reference to Seleukeia as *kleisoura* (which is also not mentioned in the Taktikon of Philotheos from 899), Živkovič's proposal also creates problems, such the cases of the foundation of the themata of Cherson/Klimata and Kappadokia. Therefore, it has come under criticism from scholars<sup>87</sup>. This is not the place to discuss the dating of the *Taktikon* at length. No interpretation can solve all the problems it poses, such as the absence of *protonotarioi*. One way of dealing with these issues is to assume that the *Taktikon* was partially amended after its first compilation, for example, by adding new officials without removing older ones, which contributed to the existing confusion. Until further arguments or evidence is presented, in what follows the traditional date of ca. 843 is accepted, although not without some reservations.

In short, the collapse of the Late Roman provincial organisation was not followed by a vacuum in civil administration. Following the abolition of the provincial governors, whose authority the *strategoi* had already surpassed for decades,

<sup>&</sup>lt;sup>84</sup> Leonis VI Tactica, rec. G. DENNIS, Washington, D.C. 2010 [= DOT, 12, 49], p. 56.127–128; Д.С. Боровков, Протонотарии фем в Византии IX–X вв.: происхождение института и основные функции, АДСВ 42, 2014, p. 90–100; W. BRANDES, Finanzverwaltung..., p. 161–165.

<sup>&</sup>lt;sup>85</sup> For these seals see C. MALATRAS, *The thema of the Anatolikoi*..., p. 290–293 and also IDEM, *The Early History of the thema of the Boukellarioi*..., p. 161–162.

<sup>&</sup>lt;sup>86</sup> Τ. ŽΙVKOVIČ, Uspenskij's Taktikon and the Theme of Dalmatia, BΣυμ 17, 2005, p. 49–85.

<sup>&</sup>lt;sup>87</sup> V. PRIGENT, *Retour...*, p. 112–113 with note 53. It should be noted that the sigillographic material testifies to the existence of the *strategoi* of Cherson shortly before the mid-9<sup>th</sup> century. The earliest attested *strategoi* of Kappadokia, Paphlagonia, and Chaldia are also dated to that period (not earlier), and the *eparchoi* of Thessalonike are attested until the early 9<sup>th</sup> century.

the state appointed the first civil officials who were subordinate to the *strategoi* and began to function within the system of *themata*.

These officials could have stemmed from one of two possible sources. The first scenario is that they were originally part of the strategos's administrative bureau, later integrating responsibilities from central departments. Supporting this view, some sources describe officials as specifically attached to a *strategos* rather than to a thema. For instance, the Chronicle of Theophanes mentions both a notarios and a *protomandator* assigned to the *strategos* of the Anatolikoi, while a seal of an Anastasios, an imperial kandidatos and protonotarios of the strategos of the Anatolikoi (and not of the Anatolikoi), further exemplifies this practice<sup>88</sup>. Besides, the bureau of the magister militum, the predecessors of the strategoi, used to include lesser civil officials, such numerarii, primiscrinii, and exceptores, according to the Notitia Dignitatum. In this model, the scarcity of seals for these officials in the 8<sup>th</sup> century could be attributed to their use of the *strategos*' seal; thus, documents they issued bore the strategos's name and seal, rather than their own. Alternatively, in the second scenario, these officials may have been primarily organized and appointed in Constantinople by the departments they represented, with assignments to specific strategoi being a secondary posting.

In both scenarios, the appointment of these officials marked an additional step in the state's centralization process and served as an effort to curb the expanding authority of the *strategoi*. By centrally overseeing the implementation, collection, and standardization of taxation practices, as well as the upkeep of tax records, the state reinforced direct control over the financial mechanisms. Notably, for nearly a century after the reign of Leon III, there is no evidence of judicial officials operating in the provinces; judicial duties, it seems, remained exclusively in the hands of the *strategoi* and their military subalterns.

# The emergence of new judicial thematic officials

References to judicial officials in the provinces begin to appear shortly before the mid-9<sup>th</sup> century, first in the *Taktikon of Uspenskij*, where *anthypatoi*, *eparchoi*, and *praitores* of the *themata* are listed. The *anthypatoi* and *eparchoi* ranked higher than the officials holding the title of *protospatharios*. They were lower in rank than the *strategoi* and the ministers of the central administration, but they outranked the 'lesser' governors of the provincial districts (the *droungarioi*, *kleisourarchai*, etc.). The *praitores* were positioned a little lower, around the same level as the 'lesser' governors, yet ahead of any other low-ranking thematic official, including the *tourmarchai*.

<sup>&</sup>lt;sup>88</sup> C. MALATRAS, The thema of the Anatolikoi..., p. 290–293.

Second, in his account of a feast included in *De Ceremoniis*, Konstantinos VII Porphyrogennetos (944–959) mentions the *hyparchos of the praitoria*, the *anthypatoi of themata*, and the *eparchoi*. As feast participants, they were grouped together with the *koiaistor*, a high-ranking judicial official, forming the fourth ranking group of officials. As such, their group ranked lower than the groups of high dignitaries (*magistroi, anthypatoi patrikioi, patrikioi*) but higher in rank than any other official, including some ministers. The feast was once dated to 809, but most recently its editors have convincingly dated it to the reign of Michael III (842–867)<sup>89</sup>.

Except these court protocol texts, Michael the Syrian also referred to an unnamed 'prefect' who was captured at the fall of Amorium to the Arabs in 838. This 'prefect' was not Aetios, the *strategos* of the Anatolikoi, who is also separately mentioned in the text<sup>90</sup>. In regard to the sigillographic record, the seal of one *praitor* of Thrake from the first half of the 9<sup>th</sup> century survives<sup>91</sup>. Finally, dating from closer to the mid-9<sup>th</sup> century are the seals of four *anthypatoi*: two of Anatolikoi, one of Thrakesioi<sup>92</sup>, and one containing no reference to any geographical location. The latter was issued by Ioannikios, imperial *spatharios* and *anthypatos* but since the seal is included in the archives of a monastery in Catania, Ioannikios may have been an official from the *thema* of Sicily<sup>93</sup>.

Two different views have been held on the references made to the older civil officials in the *Taktikon of Uspenskij* and *De ceremoniis*. According to the first view, these officials continued to function, if not independently, then under the supreme authority of the *strategos*. Many scholars have sought to identify the function of each of the three officials. It has been claimed that the *eparchoi* served as the so-called *ad hoc* prefects. Representing higher-ranking praetorian prefects, they were sent to provinces where they were responsible for provisioning the army<sup>94</sup>. Since the offices of *anthypatos* and *eparchos* are mentioned together [οί ἀνθύπατοι καὶ ἕπαρχοι τῶν θεμάτων (*Taktikon of Upsenskij*) / ἀνθυπάτους τῶν θεμάτων καὶ ἐπάρχους (*De ceremoniis*)], Brubaker and Haldon have suggested that at some point, their offices were merged into one. The *anthypatoi* and *eparchoi* no longer dealt with financial matters, retaining only their judicial duties. They were

<sup>&</sup>lt;sup>89</sup> N. OIKONOMIDES, *Les listes...*, p. 51–53; *Constantini Porphyrogeniti Liber de cerimoniis. Le livre des Cérémonies*, I, 18, rec. G. DAGRON, B. FLUSIN, Paris 2020 [= *CFHB*, 52], p. 119, and for the relevant chronology see p. 110–119. Additional supporting evidence for this date is the references to *magistros* and *anthypatos patrikios* as dignities, something that occurred in the first half of the 9<sup>th</sup> century, maybe during the reign of Theophilos, when the rank *anthypatos patrikios* is mentioned for the same time.

<sup>&</sup>lt;sup>90</sup> Chronique de Michel le Syrien, vol. III, rec. J.-B. CHABOT, Paris 1899–1905, p. 101.

<sup>&</sup>lt;sup>91</sup> I. JORDANOV, Corpus of Byzantine Seals from Bulgaria, vol. III, Sofia 2009, no. 2865.

<sup>&</sup>lt;sup>92</sup> C. MALATRAS, The thema of the Anatolikoi..., p. 291–292.

<sup>&</sup>lt;sup>93</sup> CIG 4, no. 9020.

<sup>&</sup>lt;sup>94</sup> W. KAEGI, *Two Studies in the Continuity of Late Roman and Byzantine Military Institutions*, BF 8, 1982, p. 100–112, the first who made this association; W. BRANDES, *Finanzverwaltung...*, p. 136–153, who rejects the association only on the grounds of the time elapsed since the 6<sup>th</sup> century.

appointed to supervise provinces within a *thema*<sup>95</sup>. For most scholars, the *praitores* were the provincial governors, who must have by that time been deprived of their *spectabilis* rank, having been demoted to below the proconsuls<sup>96</sup>.

However, one may point out a number of facts that make this idea difficult to accept: 1) there are no surviving references to these officials from over a century and two centuries in the case of the office of *praitor*; 2) beginning in the mid-8<sup>th</sup> century the Late Roman provinces ceased to play any role in imperial administration; 3) the borders of particular provinces often did not coincide with the borders of *themata* (would the supposed *praitor* of Phrygia Kapatiane answer both to the proconsul of Opsikion and to that of Anatolikoi, the two *themata* into which the former province was divided?); 4) in the *Taktikon of Uspenskij* both the *praitores* and the *anthypatoi* were linked to a *thema* and not to a province ( $\pi \rho ai \tau \omega \rho \epsilon_{\tau} \tau \omega \nu \theta \epsilon_{\mu} \alpha \tau \omega \nu$ ; 5) the transition from an *ad hoc* appointment, the *ad hoc* prefect, to a permanent office with a defined function (specifically, provisioning the army) seems improbable, especially given that this role was fulfilled by the *kommerkiarioi* until the mid-8<sup>th</sup> century and later by the *thema*tic *protonotarioi*.

Instead, I believe that if these offices had continued to exist until the midninth century, their names would have reflected the different ranks of governors from the Late Antiquity, which were subjected to circumstantial changes. The *anthypatoi* would be the *proconsuls* of the Late Roman provincial organization, and the *eparchoi* would be the *vicarii*. Both the *anthypatoi* and *eparchoi* used to hold in the old Late Roman organization the rank of a *spectabilis* and this is why they are mentioned in the same position in the *Taktikon of Uspenskij*. The *praitores*, in turn, who are placed lower in the hierarchy than the *anthypatoi* and the *eparchoi*, would most likely be the *praesides* and *consulares*, the provincial governors who used to hold the lower rank of a *clarrisimus*.

If the civil governors had continued to operate, then, given their century-long disappearance from our sources, it would be necessary to assume that they issued their verdicts in the name of the *strategos* and that they acted more as legal advisors than as actual judges. This would further support the idea of an uninterrupted continuity from late Roman provincial governors to the *kritai* of the 10<sup>th</sup> century, which is one more reason why I am inclined to reject it.

The second explanation was to view these references as anachronistic or as a brief revival of older titulature without substantive duties. Wolfram Brandes has recently endorsed this interpretation, linking it to the antiquarian interests that emerged in the mid-9<sup>th</sup> century<sup>97</sup>. His theory is further supported by the absence of any mention of these significant offices for over a century, as well as by the omission of the *hyparchos* of the *praitoria* in both the *taktika* of Uspenskij (dated

<sup>&</sup>lt;sup>95</sup> L. BRUBAKER, J. HALDON, *Byzantium in the Iconoclast Era...*, p. 672–678.

<sup>&</sup>lt;sup>96</sup> H. Ahrweiler, *Recherches...*, p. 43–44.

<sup>&</sup>lt;sup>97</sup> W. BRANDES, *Finanzverwaltung...*, p. 118–135.

ca. 843) and of Philotheos (dated 899). This absence makes a temporary revival of at least this latter office more plausible.

The most indubitable evidence for the re-establishment of civil judicial officials in the *themata* is provided by the seals of the *anthypatoi* of the Anatolikoi, of the Thrakesioi, and maybe of Sicily. The unnamed 'prefect' captured at the fall of Amorion in 838 should probably be placed in the same context. There is no reason to postulate the existence of city prefects, an institution that probably did not exist outside Constantinople, including Thessalonike whose prefect, as has been mentioned, was really the prefect of Illyricum. The 'prefect' of Michael the Syrian was the *anthypatos* of the Anatolikoi, an office well-attested by the two aforementioned and almost contemporary seals.

This was a new office that was initially given a number of 'proper' Roman classicizing names by which it was referred to a few years later in the *Taktikon of Uspenskij* and in the account of the feast that took place during the reign of Michael III (842–867). According to the information provided by Leon VI at the end of the 9<sup>th</sup> century, the '*praitores*' served as the judges of *themata* and were appointed to supervise the affairs of the local administration<sup>98</sup>. Apart from the references in the *taktika, praitor* appears only on a single seal from the late 9<sup>th</sup> century<sup>99</sup>. Both *anthypatos* and *praitor* correspond to the more popular Greek term *krites*. Used from around 900, it soon replaced these two classicizing titles. Primary sources reflect the slow emergence of the judge as a very important official during the 10<sup>th</sup> century. In the 11<sup>th</sup> century the judge surpassed the power of the *strategos*<sup>100</sup>. The process was slow, as most of the changes in Byzantium, which is evident by the very few references testifying to the existence of *thema*tic judges from their appearance until the mid-10<sup>th</sup> century<sup>101</sup>.

The emergence of a new provincial judicial official came after a major crisis, the revolt of Thomas the Slav (821–823), the last great revolt of *thema*tic armies. Apart from the partition of the eastern *themata*, the creation of the *themata* of Kappadokia, Paphlagonia and Chaldia, and the establishment of the *kleisourai* of Seleu-

<sup>&</sup>lt;sup>98</sup> Leon VI, Taktika, p. 56, l. 130–133: εἰ καὶ τῷ στρατηγῷ ἔν τισιν ὑποτάττεσθαι χρή, ἀλλ' οὖν τοὺς λόγους τῶν ἰδικῶν αὐτῶν διοικήσεων πρὸς τὴν βασιλείαν ἡμῶν ἀφορᾶν, ὥστε δι' αὐτῶν μανθάνειν τάς τε τῶν πολιτικῶν καὶ τῶν στρατιωτικῶν πραγμάτων καταστάσεις καὶ διοικήσεις ἀσφαλέστερον ἡγούμεθα.

<sup>&</sup>lt;sup>99</sup> G. ZACOS, *Byzantine Lead Seals* II, compiled and edited by J.W. NESBITT, Bern 1984, no. 93, he also held the office of *kourator*.

 <sup>&</sup>lt;sup>100</sup> V. VLYSSIDOU, Quelques remarques sur l'apparition des juges (première moitié du X<sup>e</sup> siècle),
[in:] Η Βυζαντινή Μικρά Ασία (6°<sup>ς</sup>-12°<sup>ς</sup> αι.), ed. Σ. ΛΑΜΠΑΚΗΣ, Athens 1998, p. 59-66.

<sup>&</sup>lt;sup>101</sup> Of the 37 known judges of the Anatolikoi, only 3 are datable to the first half of the 10<sup>th</sup> century (see C. MALATRAS, *The thema of the Anatolikoi*..., p. 367–370) and an equal number in Opsikion (IDEM, *In the Service of the Imperial Opsikion*..., p. 484–486). The earliest seal of a judge with the title of *krites* that I have so far managed to identify is G. ZACOS, *Lead Seals*..., no. 221 (end of 9<sup>th</sup> – beginning of the 10<sup>th</sup> century).

keia and Charsianon, the entire institution underwent a number of structural reforms. Efforts were made to undermine the civil authority of the *strategoi* by appointing new officials that were never attached to the bureau of the *strategos*. The reform coincided with the reign of Theophilos (829–842), whom many sources describe as an emperor who took care of justice<sup>102</sup>, and, judging by the results, succeeded in reforming it. The *thema*tic armies never again posed any serious threat to the imperial government.

## **Concluding remarks**

For six centuries the Byzantine provinces were referred to as *themata*. Regardless of its origin and etymology, the term had certainly appeared by the mid-8<sup>th</sup> century. It coexisted for a time with the term *strategia*. In my opinion the two terms were synonymous.

At some point in the 7<sup>th</sup> century, the main field divisions of the Byzantine army were established in Asia Minor. Soon after their establishment, or even immediately afterward, these divisions were assigned to specific locations which they were supposed to defend and on which they had to rely for their maintenance and supplies. The regions and the provinces where they were quartered became eventually known by the names of these armies, thus forming new administrative military districts. In most cases, the districts did not coincide with the borders of the Late Roman provinces. One can guess at the reasons for such an arrangement: the lack of resources to pay and equip the army and the choice of a strategy to constantly defend the hinterland instead of engaging in border-wars or decisive battles. However, both the origin and the chronology of this process remain unknown. We can only see the impact that the process had once it had been completed in the 8<sup>th</sup> century.

Throughout this time, the older organisation continued. The Late Roman provinces and their governors (*eparchoi*, *bikarioi*, *anthypatoi*, *archontes*, *hypatikoi*), the praetorian prefects, and the staff of their bureaus were continuously attested until the early 8<sup>th</sup> century. Regrettably, the evidence regarding the century following the reign of Heraclius (610–641) does not provide much insight into the scope of their activities. Their assignments seem to have been limited to those of a judicial nature, as the transfer of financial responsibilities to the *genikos logothetes* and to other bureaus of the central administration and the involvement of a provincial governor, Kalybios, in a judicial affair seem to suggest. However, their role decreased during this century, which probably stemmed from the fact that the civil administration was already moving into the hands of local military commanders, a development observed in Italy already in the 7<sup>th</sup> century.

<sup>&</sup>lt;sup>102</sup> Chronographiae quae Theophanis Continuati nomine fertur. Libri I–IV, rec. M. FEATHERSTONE, J. SIGNES CODOÑER, Boston–Berlin 2015 [= CFHB, 53], p. 124–136.

Eventually, during the late reign of Leon III (710–741) and the early reign of Konstantinos V (741–775), a serious of reforms were introduced to rationalise this dual organisation. The older provinces and provincial governors were abolished in the regions where thematic organisations were already in place. At the same time, new *themata* were brought into being. Mainland Italy retained its traditional administrative structures and was governed by lower-ranking military officials, including *doukai*, a *magister militum* in Istria, and an exarch in the Ravenna region. Regions with naval units were organized under a *droungarios*. Nevertheless, all these administrative units followed an internal organizational pattern similar to that of the *themata*.

Some peripheral regions, generally the former western prefectures, remained excluded from the process of creating *themata* and continued to be governed by the civil governors: Thessalonike, Crete, Dalmatia, Dyrrachion, Sardinia, in addition to Cyprus, Cherson, and maybe Chaldia (although the inclusion of an *archon* of Chaldia in the *Taktikon of Uspenskij* is the only surviving evidence on which to rely in dealing with this issue).

Over the next few decades, the state gradually reorganized provincial administration based on the *themata* model and appointed financial officials in each province, centralizing control over state finances and tax collection within the palace. However, the dispensation of justice and other key civil matters remained fully under the authority of local military commanders. This development further strengthened the integration of the army with local societies, a process that had begun with the army's permanent establishment in these regions in the mid to late 7<sup>th</sup> century.

These changes led to a century of the internal turmoil that culminated in the revolt of Thomas the Slav (821–823). In reaction to this development, the state divided the larger *themata*, while at the same time extending the institution throughout the empire. By the mid-9<sup>th</sup> century, almost all of the remaining *archontes*, *doukai*, and *droungarioi* were upgraded to *strategoi*. Most importantly the government decided to circumcise the influence of the *strategos* and other local military officials on the local society by reviving the institution of provincial judges, awarding them titles from the Late Roman repertoire. These new officials became the well-known figures later referred to as *kritai*.

From a long-term perspective regarding civil authority, continuity can be seen from the structures, institutions, and practices of the 6<sup>th</sup> century. However, there was also considerable change, much of it occurring unconsciously and without central direction, often intensified during short periods of reforms, especially under the reigns of Leo III and Constantine V, and later Michael II and Theophilos. These reforms and changes unfolded gradually, without a predetermined or uniform direction. They were not necessarily rational or universally applied, but instead aimed to address the immediate needs of the state, or marked the culmination of longer, incremental processes of transformation.

The combination of civil and military authority was not something new, unique, or even distinctive to the system of *themata*. It was a recurring measure that dated back to the Late Antiquity, even if it was not then used as a rule. Besides, even if we disregard the second half of the history of the *themata* (mid-11<sup>th</sup> to early 14<sup>th</sup> century), the official combination of civil and military authority in the hands of the *strategos* lasted merely about a century, a parenthesis to the general trend.

Anthypatoi of the 7 <sup>th</sup> and 8 <sup>th</sup> centuries				
	Name	Dignity	Date	
1	Ioannes <sup>103</sup>		550-650	
2	Ioannes <sup>104</sup>		600-650	
3	Kyros <sup>105</sup>		600-650	
4	Konstantinos <sup>106</sup>		600-650	
5	Philippos <sup>107</sup>		600–650	
6	Ioannikios <sup>108</sup>		600-700	
7	Konstantinos <sup>109</sup>		600-700	
8	Georgios <sup>110</sup>		625-675	
9a	Tryphon <sup>111</sup>	stratelates	650-700	
9b	Tryphon <sup>112</sup>	illoustrios	650-700	
10	Ioannes <sup>113</sup>	illoustrios	650-700	

<sup>&</sup>lt;sup>103</sup> G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 2881.

<sup>&</sup>lt;sup>104</sup> J.-Cl. CHEYNET, Les sceaux byzantins de musée de Selçuk (Ephèse), RN 154, 1999, nos. 5 and 6; IDEM, Les sceaux byzantins de la collection Yavuz Tatış..., no. 5.1; E. LAFLI, W. SEIBT, Seven Byzantine Lead Seals from the Museum of Ödemiş in Western Anatolia, BMGS 44.1, 2020, no. 3; DO BZS.1947.2.1643.

<sup>&</sup>lt;sup>105</sup> Private collection Robert Feind, S-11 (unpublished).

<sup>&</sup>lt;sup>106</sup> G. ZACOS, A. VEGLERY, *Byzantine Lead Seals...*, no. 775.

<sup>&</sup>lt;sup>107</sup> DO BZS.1955.1.446.

<sup>&</sup>lt;sup>108</sup> DO BZS.1958.106.722.

<sup>&</sup>lt;sup>109</sup> G. SCHLUMBERGER, *Sigillographie...*, p. 438–439 (no. 6); Auction catalogue Leu Numismatik, Web Auction 15 [27–28 II 2021], no. 2661.

<sup>&</sup>lt;sup>110</sup> Auction catalogue Classical Numismatic Group, E-376 [15 VI 2016], no. 563.

<sup>&</sup>lt;sup>111</sup> Cheynet, Selçuk..., no. 3; G. ZACOS, A. VEGLERY, Byzantine Lead Seals..., no. 1085.

<sup>&</sup>lt;sup>112</sup> V. BULGURLU, A. ILASLI, Seals from the Museum of Afyon (Turkey), SBS 8, 2003, no. 4.

<sup>&</sup>lt;sup>113</sup> Κ. ΚΩΝΣΤΑΝΤΟΠΟΥΛΟΣ, Βυζαντιακὰ μολυβδόβουλλα τοῦ ἐν Ἀθήναις Ἐθνικοῦ Νομισματικοῦ Μουσείου, Ἀθῆναι 1917, no. 295.

	Name	Dignity	Date
11	Theodosios <sup>114</sup>		675–725
12	Isidoros <sup>115</sup>	apo eparchon	675–725
13	Georgios <sup>116</sup>		700-733
14	David <sup>117</sup>		700-900

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<sup>&</sup>lt;sup>115</sup> M.D. METCALF, *Byzantine Lead Seals from Cyprus*, vol. II, Nicosia 2014, no. 1036.

<sup>&</sup>lt;sup>116</sup> Auction catalogue Münz Zentrum 136–137 [18 IV 2007], no. 771; I. ΚΟΛΤΣΙΔΑ-ΜΑΚΡΗ, Η συλλογή μολυβδοβούλλων Δημητρίου Δούκα, [in:] Hypermachos. Studien zu Byzantinistik, Armenologie und Georgistik. Festschrift für Werner Seibt zum 65. Geburtstag, ed. C. STAVRAKOS et al., Vienna 2008, no. 10; V. LAURENT, Les sceaux byzantins de Médailler Vatican, Vatican 1962, no. 120.

<sup>&</sup>lt;sup>117</sup> G. SCHLUMBERGER, Sigillographie..., p. 438 (no. 4).

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