

*T*HE NEW IMPERIAL COURT OF DIOCLETIAN AND CONSTANTINE¹

Abstract:

In the article, the author tried to identify the main changes that the imperial court underwent during the period of tetrarchy and, by comparing it with earlier periods, to see what was new about it. Of course, the imperial court of Diocletian and other tetrarchs, including Constantine, was an institution that was constantly evolving, not least due to the changing political situation (each emperor created his own court after ascending the throne), but also due to the mobility of the imperial court and the very large and varied agenda of the consistory, which came to form a core of the imperial court during the second part of Constantine's reign.

Keywords:

Imperial court, Diocletian, Constantine

The imperial court of Diocletian and other tetrarchs, including Constantine,² was an institution that was constantly evolving. In this article, I will try to identify the main changes that the imperial court underwent during this period and, by comparison with earlier periods, to see what was new about it. However, it should be stressed that there is relatively little information on this topic, and we are far from being informed about all the imperial courts of the tetrarchic period

¹ This article is based on my lecture held at the 23th International Congress of Historical Sciences at Poznań in August 2022. Much of the material presented here comes from my book *The Reign of Constantine, 306–337. Continuity and Change in the Late Roman Empire*, Palgrave Macmillan, Cham 2022.

² For the sake of clarity, there should be emphasized that Constantine, being recognized in late 306 by Galerius as a member of the imperial college with the rank of *Caesar*, was a tetrarch, too – at least for a few years, until the tetrarchic system collapsed (Doležal 2022: 260–263).

(for example, we know practically nothing about the courts of the emperors Maximian, Galerius or Licinius). I will therefore concentrate on what is known about the imperial courts of Diocletian and Constantine. It should also be emphasized that we do not always know which changes occurred under Diocletian and which under Constantine.

The court under the tetrarchy and under Constantine, although it was quite large,³ could be very mobile. Under the tetrarchy, emperors found themselves frequently on the move, and everywhere an emperor went, his court was sure to follow. Despite our limited knowledge, we can sometimes reconstruct itinerary of an emperor, especially if he issued laws on the way (which are dated). We know, for example, that Diocletian's court spent the winter of 292/3 in Sirmium (now Sremska Mitrovica), where the emperor stayed until at least 26 February 293. From Sirmium, Diocletian then set out in the spring in an easterly direction, following a strategically important road that led through Singidunum (now Belgrade), Naissus (Niš), Serdica (Sofia) and Hadrianople (Edirne) to Byzantium (Istanbul). By early April 293, the court was in Heraclea (on the Sea of Marmara) and preparing to move - probably by sea - to nearby Byzantium. After a two-week stay, the court set out from Byzantium in a westerly direction and reached Heraclea on 17 April, where it stayed for almost a month. Diocletian then proceeded towards Hadrianople (10 May), Beroe (Stara Zagora, 17 May), Philippopolis (Plovdiv, 25 May), Serdica (24 June) and Philippopolis again, where he spent more or less the whole of July and August. The final stop for the year was Sirmium, where the court was located for some time between late summer 293 and September 294. From September to November 294 the court was again on the move, moving first along the Danube border between Singidunum and Durostorum (now Silistra, Bulgaria), then southwards to Marcianopolis and Anchialus, after which it reached Hadrianople and then took the usual route via Heraclea to Byzantium. Then the emperor and his court sailed to Asia and spent the winter in Nicomedia. In the spring of 295 the court then set out for Syria, and here the trail of the wanderings of Diocletian's court ends for a time. We know only of Diocletian's stay in Damascus during May, and we also know that in 296–302, Diocletian spent time mostly in Syria, Mesopotamia, and Egypt.⁴ Diocletian most often resided in Antioch at that time, where he is attested in July 301, after which the court moved to Egypt, where it remained until 302. Diocletian was back at Antioch by the autumn of 302 and in Nicomedia from the end of 302 through March 303, whence he made a single but significant journey: from mid-303 to mid-304 he travelled along the Danube to Italy and then

³ Potter (2013: 68) reckons that Diocletian's court numbered 'some 6,000 persons' (including about 3,000 military escort).

⁴ Jones 1972: 31–32; cf. Kuhoff 2001: 111.

back again to Nicomedia where he ended his reign on May 1, 305.⁵ Although Diocletian's colleagues were less active travellers, it is obvious that there was no fixed residence for an emperor at that time. In fact, the empire at that time had 6–8 main centres: Sirmium, Nicomedia (now Izmit), Antioch, Milan, Aquileia, Trier, and later Thessalonica and Serdica; the tetrarchs with their courts moved from one to another, sometimes meeting to discuss policies (Galerius and Diocletian are attested in Antioch in the spring of 299 and again in Nicomedia at the turn of 303).

The core of Diocletian's court, like that of his predecessors, was the imperial council (*consilium principis*). Here, the emperor's advisers and friends were joined by a group of senior officials from the equestrian order, who were responsible for the central authorities' various secretariats. By this time, these imperial bureaux had come to be known as *scrinia*. Right from the beginning of the empire, there was a group of senior officials working directly at the imperial court who, despite belonging to the equestrian order, engaged in activities that were perhaps more important to the governance of the empire than those of any senator: there was an officer in charge of petitions and complaints from individuals (*a libellis*), another responsible for composing the emperor's correspondence to cities, governors and other officials in either Latin (*ab epistulis Latinis*) or Greek (*ab epistulis Graecis*), the administrator of imperial property (*a patrimonio*), and various imperial advisers of equestrian origin constituting – with selected senators – the emperor's advisory council (*consilium principis*).⁶ It seems some time before Diocletian's reign, the people in charge of them received new titles: the official whose duty was to answer petitions from private persons (*a libellis*) was now called *magister libellorum*; the heads of offices responsible for formulating the emperor's letters to cities, governors and other officials in Latin (*ab epistulis Latinis*) and Greek (*ab epistulis Graecis*) were now called *magister epistularum Latinarum* and *magister epistularum Graecarum*, respectively; and the *scrinium memoriae*, which we would think of as archives, was managed by the *magister memoriae* (formerly *magister a memoria*).⁷ Two officials were in charge of financial matters: the imperial estates ('the property of the crown'), once administered by an official called *a patrimonio*, were now managed by the *rationalis rei privatae*. However, the administration of public finances (including mints and precious-metal mining) was overseen by the *rationalis summae rei*; he administered land taxes (*tributum soli*), personal taxes (*tributum capitis*), and the special taxes *aurum coronarium* and *aurum oblativum*. As the importance of these offices dwindled when inflation took hold in the third century, the praetorian

⁵ Doležal 2022: 177; Potter 2013: 67–68.

⁶ Doležal 2022: 52; Potter 2004: 77–78; Ibbetson 2008: 196–197.

⁷ Jones 1964: 50–51. Cf. Corcoran 2007: 45 ('exact duties unspecified'). Cf. Elton 2018: 9 ('imperial laws, usually known as edicts, were drafted by the *magister memoriae*'). All these offices may have been renamed before Diocletian's reign (cf. Potter 2004: 295).

prefect – as the official responsible for supplying the army – saw his prominence rise. This effectively made the praetorian prefect a third (and the most important) finance minister, since most taxes were paid in kind (*annona*).

Praetorian prefect

The evolution of this office is worth summing up here. Starting from the beginning of the Principate, the praetorian prefect was second only to the emperor in importance. Under the Principate, there tended to be two praetorian prefects; rarely was there only one prefect in office. They came from the equestrian order but could be promoted to the senate while they were in office or afterwards; sometimes a praetorian prefect would be appointed consul. Their rank of *vir eminentissimus* was the highest within the equestrian order and was reserved for them alone. Besides commanding the praetorian guard, in the 3rd century, some of them led the army into war. In addition, they had many administrative responsibilities. Also, prefects often sought to exert political influence. In 217, for example, one of them declared himself emperor. Sometimes the praetorian guard even spun out of control, e.g. under Severus Alexander.

That all ended with Diocletian; never again did a praetorian prefect attempt a coup. The prefects now served the emperors with obedience, although they continued to head the military and civil administration, taking care of tax collection and army supplies, and even wielded significant judicial powers (there was no appeal against their judgments); sometimes they even helped the emperor to manage his military campaigns. Throughout the first tetrarchy (293–305), there had always been only a pair of prefects, each serving an *Augustus*. Even as the tetrarchy slowly disintegrated, each *Augustus* (and each illegitimate *Augustus*, such as Maxentius) had a praetorian prefect. Their number would thus change to reflect how many emperors the empire had. Surviving names of the first tetrarchy's praetorian prefects are difficult to place in time or even in office, i.e. it is not easy to determine when and which *Augustus* they served.

As for the guard, its deployment in and around Rome had become an anachronism bereft of meaning, because Rome seldom saw an emperor at all from the late 3rd century onwards. During the tetrarchy, some of the praetorian guard served in the East, where it was abolished by Galerius in 306. The praetorians were dealt their final blow by Constantine, who disbanded the guard in Rome in 312 after his victory over Maxentius. Even then, however, the office of prefect itself was not abolished. Instead, a greater emphasis was placed on its civil aspect. The prefect was close to the emperor and played the role of the empire's chief bureaucrat. The

gradual reform of this office thus extended into Constantine's time. In tandem with this, there was a progressive split in the military and civil administration of the empire, which again continued under Constantine's solo reign.

Diocletian's administrative reform saw provincial governors stripped of all military power, leaving them responsible solely for collecting taxes and exercising judicial power. Legates disappeared and military authority was assigned to military commanders called *duces*. Both *duces* and civilian governors, although each responsible for their own duties and tasks, were still accountable to the praetorian prefects. However, in the second half of Constantine's reign, perhaps after 324, the military commanders in the provinces no longer answered to the praetorian prefects, but to two generals whose positions had been introduced by Constantine (the *magister peditum* and *magister equitum*).⁸ The separation of the military and civil spheres of government was thus essentially complete, and the office of praetorian prefect became a purely civil one.

Admittedly, after dissolution of the tetrarchy, the number of praetorian prefects continued to vary. At the end of 312, each emperor reigning at the time (Constantine, Licinius, and Maximinus Daia) had his own prefect. About five years later, there were still three prefects, as Constantine and Licinius each had a prefect, and one was assigned to the *Caesar* Crispus. After Licinius had been defeated for good in 324, there were only two prefects in the empire – those of Constantine and Crispus. After Crispus' death in 326, there seems to have been a period in which the empire had only one prefect. Although Constantine II had become *Caesar* in 317, followed by Constantius II in 324, when we consider how young they were they are unlikely to have needed prefects before about 330, when they would have been 13 or 14 years old. We can therefore reckon on three prefects in around 330. Their number subsequently grew as more members of the dynasty were added to the college of *Caesares*: Constans, Constantine's youngest son (then about 10 years old), became *Caesar* on 25 December 333, followed two years later, on 18 September 335, by Constantine's nephew Dalmatius, who was about 20 years old. According to Barnes, there were thus six praetorian prefects in the empire at the end of 335: Nestorius Timonianus was serving Constantine in Constantinople; in Antioch, the prefect Flavius Ablabius was assisting Constantius II in his administration of the East; in Gaul, probably at Trier, a certain C. Annius Tiberianus was serving Constantine II (in the administration of Gaul, Britannia, and Hispania); Constans also had his own prefect, L. Papius Pacatianus (for Italy and the Pannonian diocese); in Africa, probably at Carthage, there was

⁸ Elton 2007: 331. Cf. Potter 2004: 454.

Valerius Felix; finally, Dalmatius was also given a prefect, whose sphere of responsibility included the dioceses of Thrace and Moesia.⁹

In the second half of Constantine's reign, prefects began to be picked from the senatorial class.¹⁰ Moreover, since the prefects had become the highest civil officials in the empire, they could expect to be accorded all due respect.¹¹ They were regarded as the emperor's representatives in all administrative and judicial matters, and there was no appeal against their judgments. In the last decade, praetorian prefects also tended to be consuls.¹²

The consulship and the urban prefecture

There were two other important offices which were retained from the Principate, namely, the consulship and the urban prefecture. Both of these offices were traditionally associated with membership in the Senate. The consulship always was, and under the tetrarchy remained, a highly prestigious position within the imperial hierarchy. However, as far as the consulship was concerned, the year 288 marked the end of the tradition where emperors and prominent members of the senate shared consular authority (the emperor Maximian's co-consul in 288 had been a certain Pomponius Ianuarius). Until then, this was a quite common practice in the 3rd century. After 288, the consulship was held either just by a pair of emperors (the two *Augusti*, the two *Caesares*, or one *Augustus* and one *Caesar*) or just by senators (often praetorian prefects who had been elevated to the senate).

In the *Notitia Dignitatum*,¹³ the urban prefect of Rome (*praefectus urbis* or *praefectus urbi*) ranked just behind the praetorian prefects in prestige. On average,

⁹ See Barnes (2014: 163), who here revises his own earlier conclusions (Barnes 1982: 138–139). There is no consensus on this matter: Stephenson (2010: 246) assigns Ablabius to Constantine and Timonianus to Constantius II; Jones (1964: 102) believes that Timonianus served under Dalmatius and Evagrius under Constantine.

¹⁰ Southern (2004: 257) argues that this was the case from 324 onwards.

¹¹ Ammianus Marcellinus (21.16.2) says that, under the reign of Constantius II (337–361), all civil and military officials 'in keeping with the custom of ancient reverence' (*priscae reverentiae more*) looked up to the praetorian prefects as the 'apex of all ranks' (*apex omnium honorum*). The *Notitia Dignitatum* also places these prefects first among all dignitaries.

¹² Flavius Constantius and Valerius Maximus in 327, Junius Bassus and Flavius Ablabius in 331, Pacatianus in 332.

¹³ *Notitia Dignitatum* is an anonymous register of dignitaries in the Roman Empire, essentially a comprehensive list describing the civil and military structure of the Roman Empire as it existed in its Eastern part in the late 4th century and in its Western part in the early 5th century. As it was compiled roughly one hundred years after Diocletian or Constantine, caution is to be exercised, but even so, this 'simple checklist of offices' as Kelly (2007: 184) aptly called it, is of

urban prefects were in office for only a year and a few months. Some of them became consuls during their career and some were also praetorian prefects. The reforms of the emperor Gallienus deprived the senatorial class of its dominant position in provincial administration, and therefore, the urban prefecture became the most important office a senator could hold. The power of the urban prefect increased further once Rome ceased to be an imperial residence. The urban prefect controlled Rome and its environs and, like the praetorian prefect, was considered the emperor's representative in the exercise of judicial powers since, like the praetorian prefects, there was no appeal against his judgments. But it is to be stressed that the urban prefects, unlike praetorian prefects, formed no part of the imperial court. The same obviously goes for the consulate that had become a mere honorific title a long time ago.

The *magister officiorum*

As the name implies, the *magister officiorum* was initially a kind of 'master', or chief, of the imperial offices (*officia*), but then accumulated much more power over time. Once Constantine had established this office (evidently as early as 313),¹⁴ he made the traditional court offices – i. e., the *scrinium memoriae*, *scrinium epistularum* (*Latinarum et Graecarum*), and *scrinium libellorum* – subordinate to it. In addition, an office had been created under Constantine to take care of audiences with the emperor (*officium admissionum*); this too was controlled by the *magister officiorum*.¹⁵ If the *scrinia* were the core of the imperial court of Diocletian and Constantine, then their master must have been a very influential man. And his responsibilities did not stop there. Over time, they included various and diverse tasks:

1. There continued to be an elite corps of *protectores* at court;¹⁶ these now formed a kind of officers' school or military academy and were promoted both to the command of troops in the field and to the staff of the two generals (*magistri militum*). By the middle of the 4th century, they had been divided into two classes: one lower (*protectores*), the other higher (*protectores*

tremendous help for learning about empire's military and administrative system, although it obviously offers only an overview, not an analysis, of it.

¹⁴ Barnes 2014: 91. Cf. Harries 2012: 140 ('probably soon after 312') and Clauss 1981: 13 (in 314).

¹⁵ Jones 1964: 103.

¹⁶ This elite body, established by Gallienus, served the emperor at close quarters during military campaigns and performed special duties. It remains questionable whether its original purpose was to guard the emperor (Potter 2004: 451) or rather to form a pool of future army commanders (Southern 2004: 90).

domestici). Two *comites domesticorum* (who commanded them) were subordinate to the *magister officiorum*.

2. The *magister officiorum* was also given command of the troops of the new palace guard (*scholae palatinae*), which was evidently created by Constantine, probably after his dissolution of the praetorian guard in Rome in 312. Towards the end of Constantine's reign, the *scholae palatinae* comprised five 500-man elite cavalry units.
3. In 319, special commissioners sent to the provinces with letters for the provincial governors and bringing reports back to the court (*agentes in rebus*) are attested under the *magister officiorum*'s authority; these agents must therefore have been at the disposal of both Constantine and Licinius.

By the end of the 4th century, the competence of the *magister officiorum* expanded to include foreign relations, the imperial courier service (*cursus publicus*), state arms factories (*fabricae*), and lower offices at the imperial court, such as interpreters.

The *sacrum consistorium*

Let us now focus on the core of the imperial court – the *sacrum consistorium* or sacred consistory. This institution was created by Constantine. Its members were called *comites consistoriani*.¹⁷ A neologism, *consistorium* does not appear in sources from the Principate period.¹⁸ It is derived from the verb 'to stand' (*consistere*), as the members of the *consistorium* stood in negotiations with the emperor; only the emperor would sit during these sessions. Like the *consilium principis*, the

¹⁷ Constantine turned the old Republican term *comes* ('companion') into a title. Since Constantine was moving about a lot, especially in the first half of his reign, this title was very apt for members of his imperial court. However, Constantine did not limit it to members of his court; important people from outside the court were also made *comites*. The eminent senator and consul C. Ceionius Rufius Volusianus boasted the title '*comes* of our lord the invincible Constantine, perpetual Augustus' as early as 314–315, when he was the urban prefect of Rome. There was a change a few years later, when Constantine had conferred the title *comes* on so many military and civil officials that it had to be broken down into three classes (*comes primi ordinis*, *comes secundi ordinis*, *comes tertii ordinis*). It was no longer sufficient to refer oneself simply as a *comes*. Later still, the title *comes* was also extended to provincial offices and functions, both civil (*comes Orientis*, c. 330) and military (*comes rei militaris*, after 337).

¹⁸ Sources give the alternative names of *sacrarium* or *comitatus* for this imperial council. In the *Codex Theodosianus*, the term *sacrarium* occurs seven times (e.g. *CTh* 9.40.11) and *consistorium* fifteen times (e.g. *CTh* 1.22.4), while *comitatus* can be found more than forty times in this sense (e.g. *CTh* 1.16.2). *Comitatus* sometimes denoted the court more generally, and in the tetrarchic period the tetrarchs' mobile divisions were also so called.

consistorium was made up of the most influential dignitaries, wielding powers of empire-wide reach. Yet even here there was no fixed structure to speak of. One of the reasons for this was the *consistorium*'s very wide-ranging and varied agenda, which tended to require the participation of legal and other experts. Still, there were some permanent members. The *magister officiorum* as the chief of the imperial offices, must have been present. The *quaestor sacri palatii* presided over the proceedings of the *consistorium* in the emperor's absence. He was responsible for imperial legislation, but had no office of his own and, when necessary, brought in staff from the court offices in order to carry out his duties. It can be added that the *quaestor* was later surpassed in importance by the *magister officiorum* (in the second half of the 4th century).¹⁹ The minister of state finance and the administrator of the emperor's estate were also members of the *consistorium*. The former was called *rationalis summae rei* during the tetrarchy, but around 325 he began to be titled *comes sacrarum largitionum*. He was in charge of the collection of indirect taxes (such as customs duties), the mining of precious metals, and the mints. The administrator of the emperor's estate (*magister rei privatae*) was also renamed; from around 337, he started to be known as the *comes rei privatae*. This official was in charge of acquiring, leasing, selling, and profiting from the imperial domains.²⁰ It should be recalled that the praetorian prefect was also a finance minister in a way, since he was in charge of supplies to the army (*annona*), so we can assume that he also attended meetings of Constantine's *consistorium*. Obviously, as the number of the praetorian prefects varied, only prefect present at Constantine's court could have attended meetings of *consistorium*.

Following the creation of the office of the two chief generals present at the imperial court (*magistri militum in praesenti* or *praesentales*), it is conceivable that these generals also became members of the *consistorium*; but the first commanders in this rank are attested only from the reign of Constantius II. The same can be said about powerful eunuchs who exercised influence with emperors in Late Antiquity. First of them, Eusebius, may have served Constantine in his final years but his career as *praepositus sacri cubiculi* covers the years 337–361.²¹

Among the permanent members of the consistory, there probably were low-standing officials, such as *magistri scriniorum*, *primicerius notariorum* and undoubtedly also *tribuni et notarii* who recorded the proceedings.²² However, there

¹⁹ Clauss 1981: 130.

²⁰ The office of *quaestor* probably originated under Constantine, but the first mention of a *quaestor* by name was in 354 (Harries 1988: 154; Harries 2012: 143). The same can be said of the two finance ministers. The names of individuals who held these offices are first documented in the 340s (Harries 2012: 141–142).

²¹ *PLRE* I, Eusebius 11, pp. 302–303.

²² Clauss 1981: 22.

were also dignitaries with illustrious careers who for a time served as members of the consistory, too. Sometime between 321 and 324, a certain L. Aradius Valerius Proculus was provincial governor of Byzacena (*praeses Byzacena*, i.e. north-eastern Tunisia); later (shortly after 324) he was appointed governor of the area of present-day southern Bulgaria and the European part of Turkey (*consularis Europae et Thraciae*); after that, sometime before 332, he was governor of Sicily (*consularis Siciliae*). It was around this time that he was given the title *comes ordinis secundi*. He was subsequently made *comes ordinis primi* and became *proconsul Africae*, probably in 332–333; in this capacity, he was also in charge of supervising all the provinces of the African diocese, i. e. he was the first of the praetorian prefects of Africa. Once he had been succeeded in this office by others, Proculus became (evidently in about 335) a member of Constantine's advisory council, as his title was now *comes iterum ordinis primi intra palatium*. He crowned his glittering career with the urban prefecture of Rome (337–338) and a consulship in 340.²³ He thus worked his way through all the honours that could be conferred within the imperial hierarchy.

The influence of the Christian church at the court of Constantine

After Constantine had conquered the whole of the East in 324, he decided to settle the dispute that had arisen several years within the Christian community in Alexandria between the bishop Alexander and his subordinate priest Arius. At the end of 324, Constantine sent the bishop Ossius²⁴ to both parties in Alexandria in order to deliver a letter, the text of which has been preserved for us by Eusebius of Caesarea.²⁵ Ossius of Córdoba was a long-time confidant of Constantine and an experienced adviser in all ecclesiastical matters.²⁶ The council of Nicaea, taking place in the following year, was probably presided over by Ossius.²⁷ Not long after the event, however, Ossius returned to his native Hispania and as the emperor's unofficial adviser on ecclesiastical affairs was replaced by Eusebius of Nicomedia who resumed his important bishopric in this Constantine's (temporary) capital.

²³ *PLRE* I, L. Aradius Valerius Proculus signo Populonium 11, pp.747–749.

²⁴ Most scholars call him Ossius (e.g., Barnes, Potter or Stephenson), but cf. Treadgold (1997: 42) who gives his name as Hosius. The name of this Hispanic bishop occurs as Hosius only among Greek sources (e.g. *Socr. HE* 1.7; *Soz. HE* 1.10) and may be a play on words (in Greek, *hosios* means 'holy').

²⁵ Euseb. *VC* 2.64–72.

²⁶ Perhaps starting in 312 (see Barnes 1981: 212).

²⁷ This is assumed by Barnes (1981: 215), Treadgold (1997: 42), and Potter (2004: 418). However, Eusebius' description here is so vague that the presiding bishop could just as easily have been the local bishop Theognis (Potter 2013: 234) or even Eusebius of Nicomedia (Drake 2000: 252).

Meanwhile Athanasius, the new bishop of Alexandria, tenaciously promoted the Nicene Creed and refused to make any compromise. On multiple occasions, he had to lodge a defence against accusations, including violence and corruption, that had been made by his enemies. In 335, at the Council of Tyre in Phoenicia, he was convicted of some of his crimes and removed from office, but he secretly fled Tyre, reappearing in Constantinople two months later, on 30 October. Constantine was not in the city at the time but returned on 6 November. He was riding along the street on horseback when he crossed paths with Athanasius, whom he failed to recognise at first because of his very plain garb. Athanasius grabbed the halter of the emperor's horse in front of the astonished crowd and begged for a chance to defend himself against his adversaries in Constantine's presence. Consenting to this request, the emperor wrote to the bishops at Tyre telling them they must come to Constantinople to prove the impartiality of their judgment. This *de facto* nullified the council's judicial finding. In Tyre, meanwhile, six bishops – among them Athanasius' old enemies Eusebius of Nicomedia, Eusebius of Caesarea, and Theognis of Nicaea – had guessed where Athanasius was headed. They reached Constantinople just in time to confront Athanasius with a new accusation, alleging that he had threatened to cut off Constantinople's grain supply from Egypt.²⁸ And that is when Athanasius made a mistake: he warned the emperor that God would ultimately decide between the two of them. This provoked Constantine, in the Great Palace of Constantinople on 6 November 335, into banishing Athanasius to Trier, where he remained until June 337. Yet even as an exile he did not cease to be the bishop of Alexandria; although the Council of Tyre had deposed him, the emperor, as we know, annulled this decision and gave no further instructions in this respect. Constantine gave legal force to the decisions taken by ecclesiastical councils, but he also claimed the authority to convene these councils and to set their agenda; furthermore, he tacitly reserved the right to annul any council's decision that was not to his liking.²⁹ In the years 326–337, Constantine vacillated in ecclesiastical matters, changing his mind repeatedly and unable to commit to a decision. He allowed himself to be drawn into the war of the bishops and was influenced by powerful figures such as Ossius, Eusebius of Nicomedia, and Athanasius. Although the Nicene Creed was never revoked, in the last years of his life Constantine acted as if it had been. Right before he died, he was baptised by Eusebius of Nicomedia, who became bishop of Constantinople in 338. After Constantine's death, Arianism triumphed in the East.³⁰

²⁸ Barnes 2001: 23–24; Barnes, 1981: 239–240.

²⁹ Barnes 2001: 24.

³⁰ Drake 2007: 130; Drake 2000: 258.

Conclusions

During the time of tetrarchy, the court had evolved considerably: from a lightweight construction at the time of Diocletian's ascension to a top-heavy organization at the time of Constantine. There were more high-ranking officials at the court (*quaestor sacri palatii*, for example), special agents (*agentes in rebus*), military officers (*comites domesticorum* and *magistri militum*), a new palace guard (*scholae palatinae*) and more members of emperor's inner circle, sometimes without specified duties (mentioned simply with the rank of *comes consistorianus* or *comes intra palatium*). Also notable was the (slow) rise of palace eunuchs (centred at the office of *praepositus sacri cubiculi*) and of course, an equally slow, but steady and powerful emergence of bishops. Regarding the mobility of the court, in the second part of his reign, Constantine tended to travel less, and his court was therefore more stationary, based primarily at Nicomedia and Constantinople.³¹

During the second part of Constantine's reign, the *consistorium* became the supreme body of executive power and control within state administration and was at the very heart of the imperial court. It consisted of the most important dignitaries, but it never seems to have formed a fixed institution, with a fixed number of members. This was due to the changing internal political situation (each emperor created his own consistory after ascending the throne), the mobility of the imperial court and, last but not least, the very large and varied agenda of the consistory, which routinely required the participation of legal and other experts.

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³¹ Barnes 1982: 76–80.

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