

## Appendix 11: Illyricum in the *Compilation 'notitia dignitatum'* (Cnd)

By about A.D.320, all the provinces of the Roman state had been grouped into twelve administrative units named *dioeceses*, each of which comprised several provinces. This arrangement was stated as follows in the Verona list<sup>1</sup> which, apart from two later additions,<sup>2</sup> was derived from a list originally compiled in the period c.310-320:

|                              |                |                               |               |
|------------------------------|----------------|-------------------------------|---------------|
| <i>diocensis orientis</i>    | (17 provinces) | <i>diocensis brittaniarum</i> | (4 provinces) |
| <i>diocensis pontica</i>     | (7 provinces)  | <i>diocensis galliarum</i>    | (8 provinces) |
| <i>diocensis asiana</i>      | (8 provinces)  | <i>diocensis biennensis</i>   | (7 provinces) |
| <i>diocensis thraciae</i>    | (6 provinces)  | <i>diocensis italiciana</i>   | (9 provinces) |
| <i>diocensis misiarum</i>    | (11 provinces) | <i>diocensis hispaniarum</i>  | (6 provinces) |
| <i>diocensis pannoniaram</i> | (7 provinces)  | <i>diocensis africae</i>      | (7 provinces) |

This number of dioceses remained unchanged until between 370-380/381 when several provinces were detached from the diocese Oriens and were grouped together to form a new diocese Aegyptus.<sup>3</sup> While the borders of the initial twelve dioceses occasionally changed during the 4thC, when provinces were transferred from one diocese to another, and while a thirteenth diocese was created between 370-380/381, there was no diminution in the number of the initial twelve dioceses.

With the exception of the provinces under the jurisdiction of the *proconsul asiae*, the *proconsul achaiiae* and the *proconsul africae*, the civil administration of the provinces in the Roman state was assigned to several *praefecti praetorio*. During much of the 4thC, there were three prefects, each of whom derived part of his title from the name of one of the dioceses within his jurisdiction: the *praefectus praetorio orientis* (or *per orientem*) administered those in the dioceses Oriens, Pontica, Asiana, Thraciae and, after 380/1, Aegyptus; the *praefectus praetorio italiae* (or *illyrici, italiae et africae*) administered those in the dioceses Illyricum, Italia, Africa; and the *praefectus praetorio galliarum* administered the provinces in the dioceses Galliae, Viennensis (corresponding wholly or partly to a diocese elsewhere named Aquitania or *Quinque provinciae* or *Septem provinciae*), Hispaniae, Britanniae. At various times in the 4thC, the dioceses Illyricum, Italia and Africa were occasionally administered separately by at least two prefects, each of whom controlled the provinces in one or more of these dioceses, as reflected in the differing titles of the prefects at those times.

Each of the dioceses under the jurisdiction of the *praefectus praetorio orientis* was administered, on his behalf, by a vice-prefect or deputy-prefect or governor-general having the title *vicarius* in the dioceses Asiana, Pontica, Thraciae, or *comes* in the diocese Oriens, or *praefectus augustalis* in the diocese Aegyptus. Similarly, almost all the dioceses under the jurisdiction of the remaining *praefecti praetorio* were also each administered by a vice-prefect, uniformly titled *vicarius*, with the prefect himself directly administering the diocese in which he himself resided.

Generally, therefore, a vicar administered a diocese<sup>4</sup> as the representative of a prefect<sup>5</sup> and as an intermediary between provincial governors and the emperor.<sup>6</sup> But there was no consistent relationship

<sup>1</sup> Verona, Bibliotheca Capitolare, Cod. II(2) foll.255r-256r. Barnes, T.D., *The new empire of Diocletian and Constantine*. (Cambridge, Mass., Harvard University Press, 1982), pp.201-208.

<sup>2</sup> fol.255v: *paplogonia nunc in duas diuisas, armenia minor; nunc et maior addita*.

<sup>3</sup> Affairs *intra Aegyptum* were referred to the *comes orientis* in Cod.Theod.12.1.63 (370/373). The diocese *Aegyptus* was first mentioned in 381 in Canon 2 of the Council of Constantinople (Mansi, G.D., *Sacrorum Conciliorum nova et amplissima collectio*. (31 vols. Firenze et Venezia, 1758-1798, vol.3 (347-409) col.572-573 and Migne, J.P., *Patrologiae cursus completus, seu bibliotheca universalis [...] omnium ss. patrum, doctorum scriptorumque ecclesiasticorum, sive latinorum sive graecorum. Series latina*. (Paris, 1844-1865), vol.84 cols.135-136, which refers to *episcopi qui extra dioecesim sunt* and lists *in Aegypto [...] Orientis [...] et Asianae [...] Ponti autem [...] Thraciae vero [...]*. In the imperial laws, the *dioecesis Aegyptiaca* was first mentioned in Cod.Theod.12.1.97 (383): *Scias excepta dioecesi Aegyptiaca ubique servandum esse, [...]* and the *praefectus augustalis* in Const.Sirmond.3 (384?).

<sup>4</sup> For example,

between the provinces administered by the *praefecti praetorio* or their *vicarii* and the units named *dioeceses*.

While the prefect normally administered more than one diocese, occasionally his jurisdiction was limited to one diocese as, for example, in the case of Africa.<sup>7</sup> As already noted, there were dioceses without vicars in those instances where a diocese was administered directly by a prefect. But there were also vicars who did not administer dioceses. Apart from temporary officers, such as the *vicarius mesopotamiae*,<sup>8</sup> or the representative prefects in the Egyptian provinces before the creation of the diocese Aegyptus between 370-380/381,<sup>9</sup> the most consistent example occurred in Italy. All extant lists of the provinces of the Italian peninsula from the beginning of the 4thC onwards, and the Codes,<sup>10</sup> indicate that Italia comprised a single diocese. Yet this diocese contained at least two groups of provinces separately administered by vice-prefects, one group by a *vicarius italiae* and the other by a *vicarius urbis romae*, whose simultaneous existence is attested both in laws<sup>11</sup> and inscriptions.<sup>12</sup> The laws distinguish the *regiones italiae* from the *regiones urbicariae* or *suburbicariae*,<sup>13</sup> or identify different financial *regiones* in the peninsula,<sup>14</sup> but never refer to either vicar as administering a diocese.

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*Cod.Theod.1.15.12* (386): Imppp. Valentinianus, Theodosius et Arcadius aaa. omnibus vicariis. Singuli vicarii per dioeceses sibi creditas [...]

<sup>5</sup> For example:

*Cod.Theod.6.26.4* (386): Idem aaa. Cynegio praefecto praetorio. Proximos memoriae, epistularum ac libellorum ita vicariorum honore cumulamus, ut inter eos merito dignitatis habeantur, qui pro praefectis dioeceses sibi creditas temperarunt, [...]

*Cod.Theod.7.10.1* (405): Imppp. Arcadius, Honorius et Theodosius aaa. ad Anthemium praefectum praetorio. pr. [...] provinciarum rectores et vicarios illustrissimae praefecturae per dioeceses, quas sortiti sunt, [...]

<sup>6</sup> *Cod.Theod.1.15.3* (353/7?): Idem a. Ilico consulari Numidiae. Cum aliquid rectores provinciarum ad nos referre voluerint, id prius ad vicarium referatur, cui scriptum est, ut suggestiones vel relationes per prosecutores ad comitatum meum transmittendas suscipiat [...].

<sup>7</sup> *Cod.Iust.1.27.1* (534): [...] Imperator [...] Iustinianus [...] Archelao praefecto praetorio africae. [...] [...] per hanc divinam legem sancimus, ut omnis Africa, [...] habeat praefecturam, ut sicut Oriens atque Illyricum, ita et Africa praetoriana maxima potestate specialiter a nostra clementia decoretur. [...] Et ab ea auxiliante deo septem provinciae cum suis iudicibus disponantur, quarum zeugi, quae proconsularis antea vocabatur, Carthago et Byzacium ac Tripolis rectores habeant consulares: reliquae vero, id est Numidia et Mauritaniae et Sardinia, a praesidibus cum dei auxilio gubernentur. [...] Licet enim per omnes provincias nostras deo iuvante festinemus, ut illaesos habeant collatores, maxime tamen tributariis dioeceseos Africanae consulimus, [...]. Iubemus ergo, ut iudices dioeceseos Africanae tam civiles quam militares [...] praebeant, [...]

<sup>8</sup> *Cod.Theod.8.4.4* (349): Iuxta suggestionem vicarii mesopotamiae [...].

<sup>9</sup> *Cod.Theod.15.1.8 + 15.1.9* (362): Idem A. Ecdicio praefecto aegypti. [...]; *Cod.Theod.12.18.1* (367): Imppp. Valentinianus et Valens AA. ad Tatianum praefectum aegypti. [...]

<sup>10</sup> For example: *Cod.Theod.6.4.4* (339/354): Idem a. ad Mecilium Hilarianum praefectum praetorio. Omnes clarissimi, qui [*per di*]oecesim sublimitatis tuae degunt, nostri auctoritate praecepti ad urbem Romam venire cum impensis, quas ludi scaenicorum vel circensium vel muneris ratio poscit, cogantur. Et cetera.

<sup>11</sup> For example: *vicarius italiae* in *Cod.Theod.6.35.4* (321), *9.8.1* (326), *11.1.12* (365), *8.5.31+11.10.2* (370), *13.1.10* (374); *vicarius urbis romae* in *Cod.Theod.10.4.1* (326), *11.30.29* (362), *3.5.8* (363), *7.13.3+4* (367), *9.7.6* (390), *11.1.25* (398), *9.30.5* (399), *12.1.162* (399), *12.6.26* (400)

<sup>12</sup> For example: *vicarius italiae* in *CIL.8,5348* (Guelma), *6,1715* (Roma); *vicarius urbis romae* in *CIL.6,1725* (Roma), *6.1767* (Roma), *14,4720* (Ostia); *vic(ari) praef(ecti) per Ital(iam)* in *CIL.11,831* (Modena)

<sup>13</sup> For example:

*Cod.Theod.11.1.9* (365): Idem aa. ad Mamertinum praefectum praetorio. Tabulariorum fraudes se reseccasse per suburbicarias regiones vir clarissimus Anatolius consularis missa relatione testatus est, [...] Quod iubemus, ut etiam per omnes Italiae regiones pari ratione servetur.

*Cod.Theod.11.13.1* (383): Imppp. Gratianus, Valentinianus et Theodosius aaa. ad Probum praefectum praetorio. Privilegia omnia paucis concessa personis in perniciem plurimorum in irritum

Finally, there is no instance in which a prefect directly administered a diocese that was simultaneously administered by a vicar, or in which a prefect directly administered two dioceses simultaneously, or in which a vicar simultaneously administered two dioceses.

After the creation of dioceses in the Roman state, the Roman provinces between the diocese Italia and the diocese Thraciae were organised into two dioceses named Pannoniae and Moesiae, described as follows in the Verona list:

| Diocensis Pannoniarum<br>habet provincias numero VII | Diocensis Misiarum habet provincias numero XI |                     |
|--|---|---------------------|
| Noricus ripariensis                                  | Misia superior margensis                      | Macedonia           |
| Noricus mediterranea                                 | Dardania                                      | Tessalia            |
| Pannonia Pannonia superior                           | Dacias  | Epiros nova         |
| Savensis   | <">   | Epiros vetus        |
| Pannonia inferior                                    |   | Priantina <Achaia?> |
| Valeria  |   | Creta               |
| Dalmatia   |   | Privalentina        |

A *vicarius per mysias* is attested in an inscription,<sup>15</sup> but there is no reference to a *vicarius* for the diocese Pannoniae which, therefore, was administered directly by the *praefectus praetorio* under whose jurisdiction this diocese was placed.

Several laws in the Codes, from 328 onwards, used the name Illyricum to denote all eighteen provinces between the diocese Italia and the diocese Thraciae.<sup>16</sup> And it was still used with this meaning by

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devocentur [...]. Igitur sinceritas tua id ipsum per omnem Italiam, tum etiam per urbicarias Africanasque regiones ac per omne Illyricum praelata oraculi huius auctoritate firmabit.

The *regiones* named *suburbicariae* in *Cod.Theod.11.1.9* (365) and also in *Cod.Theod.11.28.12* (418) and *Nov.Val.6.2*, are named *urbicariae* in *Cod.Theod.11.16.9* (359), *9.30.3* (365), *11.2.3* (377), *11.13.1* (383), *11.28.14* (423) or *suburbanae* in *Cod.Theod.9.1.13* (376): [...] Referant autem de suburbanis provinciis iudices ad praefecturam sedis urbanae, de ceteris ad praefecturam praetorio. [...]

<sup>14</sup> For example: *Cod.Theod.11.16.9* (359): Idem a. et caes. ad Taurum praefectum praetorio. Exemplo Africae debent fundi patrimoniales et emphyteutici per Italiam constituti ab extraordinariis omnibus excusari. Non enim per Italiam tantum, sed etiam per urbicarias regiones et Siciliam patrimonialium et emphyteuticorum fundorum vires servandas esse perspeximus.

The three financial districts (*Italia, regiones urbicariae, Sicilia*) are exactly those listed in the *Cnd.113.6-8*: Rationalis rei privatae per italiam, Rationalis rei privatae per urbem romam et suburbicarias regiones [...], Rationalis rei privatae per siciliam.

<sup>15</sup> c.317-321 in *CIL.6,1704 (Roma)*: [...] vicario / praeff(ectorum) praetorio bis in urbe Roma et per Mysias [...]

<sup>16</sup> For example:

*Cod.Theod.14.24.1* (328): [...] ad Cerealem praefectum annonae. [...] si quis mensam oleariam [...] cariore pretio [...] vendiderit, ferreis vinculis constrictus ad Illyricum transmittatur [...]

*Cod.Theod.8.5.28* (368/373): Idem aa. ad Probum praefectum praetorio. Quod iam Gallis prodest, ad Illyricum etiam Italiaeque regiones convenit redundare, [...]

*Cod.Theod.13.1.11* (379): [...] Ad Hesperium praefectum praetorio. [...] clerici tamen intra Illyricum et Italiam denis solidis, intra Gallias in quinis denis solidis immunem usum conversationis exercent. [...]

*Cod.Theod.11.13.1* (383): [...] Ad Probum praefectum praetorio. [...] Igitur sinceritas tua id ipsum per omnem Italiam, tum etiam per urbicarias Africanasque regiones ac per omne Illyricum [...] firmabit.

Polemios Silvius, in the *Laterculus*, which he completed in c.448/449. He incorporated into this almanac an earlier *enumeratio provinciarum Romanarum* in which the provinces between the dioceses Italia and Thraciae were listed together as *in Illyrico*.<sup>17</sup> But several laws indicate that this general name Illyricum also referred to two dioceses. The first law<sup>18</sup> identified *omne illyricum* as a *dioecesis*, but did not mention a second diocese within this description, implying that the diocese Illyricum comprised all eighteen provinces. But a second law<sup>19</sup> indicated that *totum Illyricum* did not include the provinces Achaia and Macedonia, while a third law<sup>20</sup> explicitly distinguished Illyricum from a diocese named Macedonia. And these two dioceses were implicitly distinguished in another law.<sup>21</sup>

The statement, in the law of 370/373 (*per Illyricum et dioecesim Macedonicam*), that Illyricum was distinguished from a diocese named Macedonia, was confirmed in almost identical terms by Festus who, when he completed his *Breviarium* in about 370,<sup>22</sup> listed the eighteen provinces of Illyricum as follows:<sup>23</sup>

| Provincias habet Illyricus XVIII |                                     | et | in dioecesi Macedonica provinciae sunt septem |
|----------------------------------|-------------------------------------|----|---|
| Noricorum duas<br><">            | Moesiam <superiorem><br><Dardaniam> |    | Macedonia<br>Thessalia                        |
| Pannoniarum duas<br><">          | Daciarum duas<br><">                |    | Epiri duae<br><">                             |
| Saviam<br>Valeriam<br>Dalmatiam  |                                     |    | Achaia<br>Creta<br>Praevalis                  |

The evidence of the aforementioned laws, and a comparison between the Verona list and the list by Festus indicate that, at some time between the dates of the original compilations of these two lists, the initial two dioceses Pannoniae and Moesiae were transformed into the two dioceses Illyricum and Macedonia.

The diocese Macedonia, according to Festus, comprised seven of the eleven provinces of the former diocese Moesiae. The creation of the diocese Macedonia may have occurred shortly before 327 when a law referred to an officer with the title *comes Macedoniae*,<sup>24</sup> which can be interpreted as an earlier form of the title *vicarius Macedoniae* that is attested in laws during the 4thC,<sup>25</sup> and whose title implies the existence of a diocese of that name. There are three explicit references in the Codes to a vicar of Macedonia, comprising two references to a named officer and one to the title of the position.<sup>26</sup>

<sup>17</sup> Mommsen, T., *Polemii Silvii Laterculus, anni 449 in Chronica Minora Saec. IV. V. VI. VII.* (Vol.1) *Monumenta Germaniae Historica, [...] Auctorum antiquissimorum tomus IX. Chronicorum minorum saec. IV. V. VI. VII* (vol.1) (Berlin, Weidmann, 1892 - reprint 1961) p.539.

<sup>18</sup> *Cod.Theod.1.29.1* (364/368): [...] Ad Probum praefectum praetorio. Admodum utiliter edimus <ut> [...] plebs omnis Inlyrici [...] defendatur [...] Super singulas quasque praedictae dioeceseos civitates aliquos [...] tua sinceritas ad hoc eligere curet officium [...]

<sup>19</sup> *Cod.Theod.6.4.11* (357): Ad senatum [...] per Achaia, Macedoniam totumque Illyricum iussimus quaeri [...]

<sup>20</sup> *Cod.Theod.10.19.7* (370/373): [...] Ad Probum praefectum praetorio [...] sinceritas tua universos per Illyricum et dioecesim Macedonicam provinciales edicto conveniat, [...]

<sup>21</sup> *Cod.Theod.10.19.8* (376): Imppp. Valens, Gratianus et Valentinianus aaa. ad senatum. Potestatem eruendi vel exsecandi de privatis lapidicinis iam pridem per Macedoniam et Illyrici tractum certa sub condicione permisimus. [...]

<sup>22</sup> Eadie, J.W., *The breviarium of Festus. A critical edition with historical commentary.* (University of London, Athlone Press, 1967).

<sup>23</sup> *Breviarium*, §8 - Eadie, *op.cit.* p.52.

<sup>24</sup> *Cod.Theod.11.3.2* (327): Idem A Acacio comiti Macedoniae [...].

<sup>25</sup> The title *comes* as an earlier form than *vicarius* for a deputy-prefect in a diocese appears to be indicated in *Cod.Theod.2.26.1* (330): Imp. Constantinus A. ad Tertullianum virum perfectissimum comitem dioeceseos asiana. [...]

<sup>26</sup> *Cod.Theod.2.1.5* (365): Idem AA ad Felicem vicarium Macedoniae [...]

*Cod.Theod.9.35.4* (380): Imppp. Gr(ati)anus, Val(entini)anus et Theod(osius) AAA. Albuciano Vic(ario) Maced(oniae). [...]

*Cod.Iust.12.59.10* (472?): <probatoriae> officii vicariorum Thraciae Ponti Asiae et Macedoniae [...]

The remaining four provinces of the former diocese Moesiae must have been combined with the seven provinces of the former diocese Pannoniae to form the new diocese named Illyricum. There is no reference to a vicar of Illyricum, presumably because the diocese Illyricum, like the initial diocese Pannoniae, which it entirely incorporated, was administered directly by the prefect under whose jurisdiction the dioceses Illyricum and Macedonia were placed. That the four provinces from the former diocese Moesiae were combined with those of the former diocese Pannoniae to form the new diocese Illyricum, rather than being constituted as a third diocese, is evident from the fact that, if such a third diocese had existed in the 4thC, the absence of any references to a vicarius both for the diocese Illyricum and for any such third diocese would have placed two dioceses simultaneously under the direct administration of the prefect, for which there was no precedent or attestation elsewhere.

The use of the name Illyricum to denote both the diocese Illyricum, and, collectively, the dioceses Illyricum and Macedonia, was similar to the use of the name Galliae to denote both the diocese Galliae and, collectively, the dioceses Galliae and Viennensis (later *Quinque provinciae* and *Septem provinciae*). This dual use of the name Illyricum occasionally makes it difficult to identify the entity being denoted by that name.<sup>27</sup>

For most of the 4thC, the dioceses Illyricum and Macedonia were administered by a *praefectus praetorio Illyrici-Italiae-Africae*, whose title was generally abbreviated to *praefectus praetorio italiae*. These dioceses, normally under one prefect, were occasionally administered by two separate *praefecti praetorio*, one administering *Italia-Africa* and the other *Illyricum-Macedonia*.<sup>28</sup> The dioceses Italia,

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<sup>27</sup> For example:

*Cod.Theod.12.6.9* (365/368): Idem aa. ad Dracontium vicarium Africae. Susceptores specierum idcirco per illyrici provincias ex officialium corpore creati praecepimus, [...] Verum in provinciis africae tua sinceritas hoc ab his officium iubeat amoveri [...]

*Cod.Iust.11.53.1* (371): Imppp. Valentinianus, Valens, Gratianus AAA ad Probum pp.. Colonos inquilinosque per Illyricum vicinasque regiones abunde rure, in quo eos originis agnationisque merito certum est immorari, licentiam habere non posse censemus. [...]

*Cod.Theod.11.16.15* (382): Idem AAA. ad Hypatium praefecto praetorio. [...] Sordidorum vero munerum talis exceptio sit, [...] exceptis his, quibus ex more Raeticus limes includitur vel expeditionis Illyricae pro necessitate vel tempore utilitas adiuvatur. [...]

*Cod.Theod.11.13.1* (383): [...] Igitur sinceritas tua id ipsum per omnem Italiam, tum etiam per urbicarias Africanasque regiones ac per omne Illyricum praelata oraculi huius auctoritate firmabit. [...]

*Cod.Theod.11.16.18* (390): Imppp. Valentinianus, Theodosius et Arcadius AAA. Tatiano praefecto praetorio. [...] nulla paraveredorum et parangariorum praebitione pulsabitur exceptis his, quae Raetiarum limes, expeditiones Illyricae [...] vel pro necessitate vel pro sollemnitate deponunt; [...]

<sup>28</sup> For example:

*CIL.5,3344* (Verona): Petronio Probo [...] procons(uli) Africae praef(ecto) praetorio Illyrici praef(ecto) praet(orio) Galliar(um) [...]

*Cod.Iust.11.55.2* (368): Impp. Valentinianus et Valens AA. Ad Probum p(raefectum) p(raetori) o Illyrici. [...]

*CIL.6,1714* (Roma): Tyranniae Aniciae Iulianae c.f. coniugi Q. Clodi Hermogeniani Olybri v.c. consularis Campaniae, proconsulis Africae, praefecti urbis, praef. praet. Illyrici, praef. praet. Orientis, consulis ordinarii, Fl. Clodius Rufus v.p. patronae perpetuae.

*Cod.Theod.8.4.17* (389?): Idem AAA. Cynegio praefecto praetorio per orientem [...] nunc placuit, ut aurum ad officium inlustris per Illyricum praefecturae cum certa taxatione [...] perferantur.

*Cod.Iust.1.40.9* (390): Idem AAA. Polemio pp. Illyrici. Nullus provinciae moderator augustissimam urbem sine iussione adire audeat. [...]

*Cod.Theod.12.12.12* (392): Imppp. Theodosius, Arcadius et Honorius AAA. Apodemio praefecto praetorio per illyricum. [...]

Africa, Illyricum-Macedonia usually formed part of the western regions of the Roman state but, by about 389, were ruled by the eastern emperor Theodosius (1), under whom, at some time in the period 389-395, the dioceses Illyricum and Macedonia were incorporated within the eastern regions.<sup>29</sup> In about 396, the administration of the provinces in these dioceses was divided when some provinces were returned to the western regions. The provinces remaining under eastern administration were placed under the jurisdiction of a *praefectus praetorio illyrici* (or *per illyricum*), whose position continued permanently thereafter within the eastern regions during the 5thC.

Apart from the lists in the *Cnd*, the names of the eastern provinces administered by the *praefectus praetorio illyrici* after about 396 are contained in two 5thC lists. The first list, which exists in a letter written in 412 by pope Innocentius to bishop Rufus in Thessalonica,<sup>30</sup> named ten provinces from the two pre-396 dioceses in the following order :

|              |                    |
|--------------|--------------------|
| Achaia       | Dacia mediterranea |
| Thessalia    | Dacia ripensis     |
| Epirus vetus | Moesia             |
| Epirus nova  | Dardania           |
| et Creta     | et Praevalis       |

The use of *et* at two places in the list may indicate the presence of two separate lists rather than two combinations of provinces.

The second list was included by Hierocles who, in the *Synecdemus*<sup>31</sup> that he compiled or edited before 527, substantially repeated an earlier list from the mid-5thC,<sup>32</sup> in which the names of notable places were listed under the names of their provinces which, together with the titles of their governors, were arranged according to the dioceses in which those provinces occurred, as follows:

|                               |                |                    |           |       |
|-------------------------------|----------------|--------------------|-----------|-------|
| Thracia [...] (6 provinces)   |                |                    |           |       |
| Illyricum (13 provinces)      |                |                    |           |       |
| Macedonia I                   | Hellias/Achaia | Dacia mediterranea | Praevalis | Creta |
| Macedonia II                  | Epirus vetus   | Dacia ripensis     | Mysia     |       |
| Thessalia                     | Epirus nova    | Dardania           | Pannonia  |       |
| Asia [...] (11 provinces)     |                |                    |           |       |
| Pontica [...] (11 provinces)  |                |                    |           |       |
| <Oriens> [...] (15 provinces) |                |                    |           |       |
| Aegyptus [...] (8 provinces)  |                |                    |           |       |

A comparison between these two lists indicates that the division of the pre-396 Illyricum, comprising the dioceses Illyricum and Macedonia, involved the division of the diocese Illyricum between the east and west. Of the eleven provinces within the pre-396 diocese Illyricum, seven were returned to the west and, since these western provinces corresponded to the seven provinces of the initial diocese Pannoniae, this new western diocese could be referred to either under the recent diocesan name Illyricum or the older one, Pannoniae. The remaining four provinces of the pre-396 diocese Illyricum were retained by the east

<sup>29</sup> Grumel, V., *L'illyricum de la mort de Valentinien Ier (375) à la mort de Stilicon (408)*: Revue des études byzantines (Paris) 9 1951 pp. 5-46, in conjunction with Hoffmann, D., *Exkurs: Illyricum am Ende des 4. Jahrhunderts* in his *Das spätrömische Bewegungsheer und die Notitia dignitatum*. (Epigraphische Studien 7/I, 7/II) (Düsseldorf, Rheinland, 1969-1970), vol.2, pp.207-215.

<sup>30</sup> Migne, J.P., *Patrologiae cursus completus, seu bibliotheca universalis [...] omnium ss. patrum, doctorum scriptorumque ecclesiasticorum, sive latinorum sive graecorum. Series latina*. (Paris, 1844-1865), vol.20 cols.515-517:

Innocentius Rufo Thessalonicensi episcopo. [...] ut prudentiae gravitatieque tuae committendam curam causasque, si quae exoriantur per Achaiae, Thessaliae, Epiri veteris, Epiri novae et Cretae, Daciae mediterraneae, Daciae ripensis, Moesiae, Dardaniae et Praevali ecclesias,[...] censeant. [...]

<sup>31</sup> Honigmann, E., *Le Synekdemus d'Hiéroklos et l'Opuscule Géographique de Georges de Chypre*. (Texte, Introduction, Commentaire et Cartes) (Corpus Bruxellense Historiae Byzantinae - Forma Imperii Byzantini - Fasciculus I) (Bruxelles, Éditions de l'Institut de Philologie et d'Histoire Orientales et Slaves, 1939).

<sup>32</sup> Jones, A.H.M., *The cities of the eastern Roman provinces*. (2nd edn., Oxford, Clarendon, 1971) p.515.

and placed under the jurisdiction of the prefect of Illyricum whose eleven provinces corresponded to those of the initial diocese Moesia. As mentioned below, one list in the *Cnd* adds a twelfth province to the eleven mentioned in other 4thC-5thC documents. The inclusion of Pannonia in the *Synecdemus* suggests that this province, which was administered by the west after the division of about 396, was subsequently administered by the eastern regions during the 5thC, as indicated not only in the list by Hierocles, but also in the lists and comments included in two laws of Iustinianus (1).<sup>33</sup>

Following the division of the pre-396 diocese Illyricum, the eastern provinces administered by the *praefectus praetorio illyrici* comprised the seven provinces of the pre-396 diocese Macedonia and four provinces of the pre-396 diocese Illyricum. About a century later, a law<sup>34</sup> of the emperor Anastasius (1) (491-518), stated that the *scrinia* of the four *numerarii* in the secretariat of the prefect included a *scrinium macedoniae* and a *scrinium daciae* thus implicitly indicating that the prefectural jurisdiction extended over two dioceses named Macedonia and Dacia. This information in that law agrees with the list in *Cnd.6* which identifies two dioceses and names their provinces as follows:

|   |           |  |
|---|-----------|--|
| [...] per illyricum sunt dioceses infrascriptae | Macedonia | <b>Provinciae macedoniae sex</b><br>Achaia, Macedonia, Creta, Thessalia, Epirus vetus, Epirus nova [...]           |
|   | Dacia     | <b>Provinciae daciae quinque</b><br>Dacia mediterranea, Dacia ripensis, Moesia prima, Dardania, Praevalitana [...] |

The provinces ascribed to the diocese Macedonia in this list do not agree with those in the diocese of the same name in the list by Festus since the province *Praevalis*, which he ascribed to the diocese Macedonia, is included by the *Cnd* as the province *Praevalitana* within the diocese Dacia.

Two basic matters concerning the provinces administered by the *praefectus praetorio illyrici* are not known: firstly, the number of dioceses into which those provinces were grouped from 396 onwards and, secondly, the date when the name Dacia was assigned to a diocese under the jurisdiction of that prefect.

The evidence in relation to these questions and to the 5thC history of the provinces under consideration is limited and unclear, not only because of the competing claims by the western and eastern parts of the Roman state to the administration of some of these provinces, but also as a result of the fluctuating Roman control amid barbarian invasions and of various grants of territories to the invaders.

Concerning the number of dioceses administered by the prefect of Illyricum, it would be reasonable to conclude, since the provinces under his jurisdiction comprised those of the pre-396 diocese Macedonia and four provinces of the pre-396 diocese Illyricum, that these provinces were grouped into two dioceses with those same names from 396 onwards. The retention of the name Illyricum for a diocese within his jurisdiction would accord with the fact that the title of every *praefectus praetorio* included the name of at least one of his dioceses. And, as indicated above, the law of Anastasius (1) implicitly identified two dioceses under the jurisdiction of the prefect of Illyricum, including one named Macedonia, and a second diocese named Dacia and not Illyricum.

But the existence of two dioceses is not supported by lists from the middle of the 5thC. The list used by Hierocles included all the provinces administered by the prefect of Illyricum within a single diocese named Illyricum. And the same use of the name Illyricum, as that of a diocese, occurred elsewhere in an official context when the emperor Marcianus, inviting a small number of bishops at the fifth session of the Council of Chalcedon (22 October 451) to form a committee, prescribed the number to be selected

<sup>33</sup> See notes 39 and 43 below.

<sup>34</sup> *Cod.Iust.12.49.12* (491-518): Imp. Anastasius A. Spartatio pp. Illyrici. Per hanc divinam pragmaticam sanctionem decernimus, [...] ita tamen, ut primi ordinis comitivam per interlocutionem eiusdem potestatis mereantur cornicularius et primiscrinus et numerarius scrinii macedoniae et scrinii daciae et scrinii operum et scrinii auri. Hoc eodem in his etiam, qui post novellam dispositionem divae memoriae zenonis, quae de isdem personis loquitur, deposuerunt militiam, obtinente.

from five areas whose names were recorded as *Oriens, Pontica, Asiana, Thracia, Illyricum*.<sup>35</sup> Since the first four were the contemporary names of dioceses, the fifth was similarly identified in the minutes of the council. A similar, or even more restricted use of the name *Illyricum* occurred elsewhere in the documents of the same council. Thus, in the subscription list<sup>36</sup> attached to the *canones* of the Council of Chalcedon 451, in which the names of the signatories were arranged according to the named provinces from which they came, six of the provinces named by Hierocles as pertaining to *Illyricum* were recorded as follows:

|   |                                    |        |          |
|---|------------------------------------|--------|----------|
| Provinciae Illyrii episcopi VII               |                                    |        |          |
| Thessalonica                                  | (signed by the bishop of Heraclea) | Stobi  | Philippi |
| Bargala                                       | Serrhae                            | Thasos | Doberus  |
| Provinciae Helladiae episcopi VIII [...]      |                                    |        |          |
| Provinciae Palaeas Epiru episcopi VIII [...]  |                                    |        |          |
| Provinciae Metropolis Epiru episcopi IV [...] |                                    |        |          |
| Provinciae Thessaliae episcopus I [...]       |                                    |        |          |
| Provinciae Cretae episcopi V [...]            |                                    |        |          |

In this list, all the places mentioned under the heading *provinciae Illyrii* were situated in the province Macedonia. This means that, either the name *Illyricum* was used to denote only the province Macedonia or, more probably, it was again used as the name of the diocese, but in a heading in which the name of the province was removed, for example *provinciae [macedoniae] illyrii*, as suggested by the retention of the diocesan name in the subsequent heading *Provinciae Bithyniae Ponticae*, referring to the location of *Bithynia* in the diocese *Pontica*. The limited evidence cited above suggests that the name *Illyricum* was used, in the middle 5thC, as the name of a diocese containing all the provinces under the jurisdiction of the prefect of *Illyricum*.

A law of Leo (1) (457-474), from about 472,<sup>37</sup> listing the departments from which *probatoriae* (warrants permitting enrolment within the statutory establishment of a secretariat) were to be issued, included those *in officii virorum illustrium praefectorum praetorio Orientis et Illyrici et urbis [...] officii vicariorum Thraciae Ponti Asiae et Macedoniae* to be issued by the *scrinium epistolarum*. This law referred to the simultaneous existence of the agencies of the prefect of *Illyricum* and of the vicar of Macedonia suggesting, but not proving, the existence of two dioceses.

If the provinces under the jurisdiction of the prefect of *Illyricum* in about 396 had been grouped into two dioceses, one named Macedonia and the other either *Illyricum* or *Dacia*, and if it were assumed that the prefect directly administered the diocese in which his agency was situated, in order to explain the absence of any reference to a *vicarius illyrici* or a *vicarius daciae* while maintaining that a second diocese existed, and if it were assumed that the dioceses of *Illyricum* were administered differently than the dioceses of *Oriens* in which the prefect was represented by a deputy administrator in every diocese, including the one in which the prefect resided, which made it possible for the prefect and vicar to coexist in, but not simultaneously administer, a single diocese, it could then be concluded that two dioceses definitely existed under the jurisdiction of the prefect of *Illyricum* at those times when a prefect of *Illyricum* and a vicar of Macedonia could be shown to have existed simultaneously. But the evidence is

<sup>35</sup> Mansi, G.D., *Sacrorum Conciliorum nova et amplissima collectio*. (31 vols. Firenze et Venezia, 1758-1798, vol.7 (451-492) cols.103-106:

[...] Praecepit divinissimus et piissimus dominus noster <Marcianus> imperator, [...], sex reverendissimos episcopos ab orientali regione, et tres ex Pontica, et tres ab Asiana, et tres a Thracensi, et tres ab Illyrico, [...] convenientibus in oratorio sanctissimae martyris, de fide [...] constituatur; [...]

<sup>36</sup> Mansi, G.D., *op.cit.*, vol.7 (451-492) cols.400-408.

<sup>37</sup> *Cod.Iust.12.59.10* (472?): Idem A <Leo> Erythrio pp. [...] ne ullius ignorantiae relinquatur occasio, omnium officiorum, quibus necesse est per sacras probatorias militiae sociari, notitiam in sacris apicibus subdendam esse censuimus. [...] Et est notitia. [...] scrinii sacrarum epistolarum <probatoriae> in officii virorum illustrium praefectorum praetorio Orientis et Illyrici et urbis [...] officii vicariorum Thraciae Ponti Asiae et Macedoniae et Thesauriensium classis. Item scrinii sacrarum libellorum: [...] officii virorum spectabilium ducum [...] Scythiae, Mysiae primae, secundae, Daciae, Pannoniae, [...]



limited since, although the position of *praefectus praetorio illyrici* is attested in many laws from 396 onwards,<sup>38</sup> that of *vicarius macedoniae* occurs explicitly only in the cited law of Leo (1), from about 472, and in the implicit reference to the dioceses Macedonia and Dacia in the law of Anastasius (1), from the period 491-518.

A possible explanation for the discrepancy between the law of Leo (1) and the cited references from the middle 5thC, may be contained in a law of Iustinianus (1) issued in 535,<sup>39</sup> in which he listed the civil provinces whose ecclesiastical jurisdiction he placed under the archbishop of the new metropolis Iustiniana prima whose position and see were created by this law. The provinces named in the law comprised the five ascribed by the *Cnd* to the diocese Dacia, listed in the law in precisely the same order as in the *Cnd*, and the additional provinces Macedonia II and Pannonia II. The provinces ascribed by the *Cnd* to the diocese Macedonia were not listed, presumably because their ecclesiastical administration, at the date of this law, was retained by Thessalonica. The law added that the agency of the prefect of Illyricum had been located in Sirmium in Pannonia II until, under the threat of Attila, that agency had been transferred to Thessalonica. This law suggests, firstly, that by about 440, the provinces under the jurisdiction of the prefect of Illyricum had included Pannonia<II>; secondly, that this province was no longer under Roman administration for an indeterminate period after that date; and, thirdly, that when the prefectural agency was transferred from Sirmium to Thessalonica, the position of vicar of Macedonia must have been discontinued. Such a conclusion suggests the probability the position of *vicarius macedoniae* during the 5thC was impermanent or occasional during the fluctuating Roman control over provinces in the prefecture Illyricum and this may explain why, in the middle 5thC, there was reference to only a single diocese named Illyricum.

Consequently, it is not known how many dioceses were administered by the prefect of Illyricum before the implicit reference to two dioceses named Macedonia and Dacia in the law of Anastasius (1), although it is probable that there were two dioceses at the time of the law of Leo (1). It is also not known how long before the law of Anastasius (1) a diocese under the jurisdiction of the prefect of Illyricum was named Dacia.

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<sup>38</sup> *Praefecti praetorio illyrici (per illyricum)* are attested in many Codes from 396 onwards, including: *Cod.Iust.12.57.9* (396?), *Cod.Theod.11.14.3* (397), *16.8.12* (397), *4.12.7* (398), *6.28.6* (399), *11.22.5* (410), *12.1.172* (410), *15.1.49* (412), *7.4.32* (412), *12.1.177* (413), *11.28.9* (414), *6.23.1* (415), *Cod.Iust.11.21.1* (421), *Cod.Theod.16.8.21* (412/418), *16.2.45* (421), *Cod.Iust.12.46.4* (421-22), *Cod.Theod.15.5.4* (424), *11.1.33* (424), *6.28.8* (435), *8.4.30* (436), *12.1.187* (436), *12.1.188* (436), *Nov.Theod.13* (439), *Cod.Iust.2.7.7* (439), *2.7.12* (463), *6.60.4* (468), *2.7.14* (469), *12.59.10* (c.472), *2.7.14* (469), *10.32.64* (474-491), *12.49.12* (491-518), *7.39.5* (500?), *2.4.43* (500), *2.7.21* (500), *9.13.1* (533), *Nov.Iust.8* (535), *Nov.Iust.33* (535).

<sup>39</sup> *Nov.Iust.11* (535): Idem A. Catelliano viro beatissimo archiepiscopo Primae Iustinianae. [...] volumus [...] ut Primae Iustinianae patriae nostrae, pro tempore sacrosanctus antistes non solum metropolitanus, sed etiam archiepiscopus fiat, et certae provinciae sub eius sint auctoritate, id est tam ipsa mediterranea Dacia quam Dacia ripensis nec non Mysia prima et Dardania et Praevalitana provincia et secunda Macedonia et pars secundae Pannoniae, quae in Bacensi est civitate.

1. Cum enim in antiquis temporibus Sirmii praefectura fuerat constituta, ibique omne fuerat Illyrici fastigium tam in civilibus quam in episcopalibus causis, postea autem Attilanis temporibus eiusdem locis devastatis Apraemius praefectus praetorio de Sirmiana civitate in Thessalonicam profugus venerat, [...]
2. Cum igitur in praesenti [...] tam Viminacium quam Recidiva et Litterata, [...] nostrae iterum ditioni subactae sint, necessarium duximus ipsam gloriosissimam praefecturam, quae in Pannonia fuerat constituta, iuxta Pannoniam in nostra felicissima patria collocare, cum nihil quidem magni distat a Dacia mediterranea secunda Pannonia, multis autem spatiis separatur prima Macedonia a Pannonia secunda.
3. Et quia homines semper bellicis sudoribus inhaerentes non erat utile reipublicae ad primam Macedoniam per tot spatia tantasque difficultates venire, ideo necessarium nobis visum est ipsam praefecturam ad superiores partes trahere, et iuxta eam provinciae constitutae facilius sentiant illius medicinam. [...]

It remains to comment on how the name Illyricum is used in the western and eastern lists in the *Cnd*.

The name Illyricum occurs in several western lists, including three lists in which the area intended to be denoted by that name can be identified: namely, in *Cnd.85/6* (the precedence list), in *Cnd.89* (the agency list of the *praefectus praetorio italiae*) and in *Cnd 107* (the agency list of the *magister officiorum*).

| <i>Cnd.85/6 (Precedence list)</i>                | <i>Cnd.89 (Agency list)</i>               | <i>Cnd.107 (Agency list)</i>        |
|--|---|-------------------------------------|
| 50 <b>Consulares</b>                             | 1 Praef.praet. italiae                    | 107.14 Fabricae in illyrico         |
| 51 <b>Pannoniae</b> ( <i>others = dioceses</i> ) | dioceses infrascriptae                    | ( <i>others = Italia, Galliae</i> ) |
| 78/81 <b>Correctores [...]</b> per pannoniam     | 3 Italia, Illyricum, Africa               | 107.15 Sirmium <Pannonia II>        |
| 82 <b>Saviae</b>                                 | 5/23 <b>Provinciae [...]</b> illyrici sex | 107.16 Acincum <Valeria ripensis>   |
| 83/84 <b>Praesides [...]</b> per illyricum       | 24 Pannoniae II                           | 107.17 ?Carnuntum <Pannonia I>      |
| 85 <b>Dalmaticarum</b>                           | 25 Saviae                                 | 107.18 Lauriacum <Noricum ripense>  |
| 86 <b>Pannoniae I</b>                            | 26 Dalmatiarum                            | 107.19 Salona <Dalmatia>            |
| <86.1 <i>Norici mediterranei</i> >               | 27 Pannoniae I                            |                                     |
| 87 <b>Norici ripensis</b>                        | 28 Norici mediterranei                    |                                     |
|  | 29 Norici ripensis                        |                                     |

Illyricum is explicitly identified in *Cnd.89.1+3* as a diocese and, within the same list, the name Illyricum is used in the rubricated heading *Cnd.89.23* in a context in which similar headings contain the names of dioceses. The same is true of the use of the name Illyricum in the rubricated headings *Cnd.107.14* and *Cnd.85/6.84*. But there are two other rubricated headings in the first list in which a similar use of the name Illyricum is expected but does not occur: in one case, *Cnd.85/6.81*, the name Pannonia appears in the context of these rubricated diocesan headings and, in the other place, *Cnd.85/6.50-51* | *Consulares viginti duo* | *Pannoniae* | no diocese is named. The use of the name Pannonia as the name of the diocese in *Cnd.85/6.81* is consistent with the name of the diocese Pannoniae which, as indicated in the Verona list, contained those seven provinces of the pre-396 diocese Illyricum which had been returned to western administration in about that year.

Similarly, among the eastern lists in the *Cnd* there are three in which the area intended to be denoted by the name *Illyricum* can be identified, namely: *Cnd.1/2* (the precedence list), *Cnd.6* (the agency list of the *praefectus praetorio per illyricum*) and *Cnd.23* (the agency list of the *magister officiorum*).

| <i>Cnd.1/2 (Precedence list)</i>  | <i>Cnd.6 (Agency list)</i>     | <i>Cnd.23 and 26 (Agency lists)</i>  |
|---|--------------------------------|--|
| 53 (Duces) per illyricum II<br>( <i>other rubrics refer to dioceses</i> ) | 1 Praef.praet. per illyricum   | 23.31 (Fabricae) illyrici IV<br>( <i>other rubrics refer to dioceses</i> ) |
|   | dioceses infrascriptae         | 23.32 Thessalonica <Macedonia>   |
|   | 2 Macedonia 3 Dacia            | 23.33 Naissus <Dacia med.>   |
| 56/73 <b>Consulares [...]</b> per illyricum                               | 4 <b>Provinciae macedoniae</b> | 23.34 Ratiaria <Dacia ripensis>  |
| 74 <b>Cretae</b>  | 5 Achaia                       | 23.35 Horreum Margi <Moesia I>   |
| 75 <b>Macedoniae</b>  | 6 Macedonia                    |  |
| 76 <b>Daciae mediterraneae</b>  | 7 Creta                        | 23.46 Illyrici ( <i>others 43-46 = dioceses</i> )                          |
| 78/116 <b>Praesides [...]</b> per illyricum                               | 8 Thessalia                    |  |
| 117 <b>Thessaliae</b>   | 9 Epirus vetus                 |  |
| 118 <b>Epiri veteris</b>  | 10 Epirus nova                 |  |
| 119 <b>Epiri novae</b>  | & pars Macedoniae salutaris    |  |
| 120 <b>Daciae ripensis</b>  | 11 <b>Provinciae daciae</b>    |  |
| 121 <b>Moesiae I</b>  | 12 Dacia mediterranea          |  |
| 122 <b>Praevalitanae</b>  | 13 Dacia ripensis              |  |
| 123 <b>Dardaniae</b>  | 14 Moesia I                    |  |
| 124 <b>Macedoniae salutaris</b>   | 15 Dardania                    |  |
|   | 16 Praevalitana                |  |
|   | & pars Macedoniae salutaris    |  |

In two of these three lists, *Cnd.1/2*, *Cnd.23*, the name Illyricum is again used in rubricated headings in a context in which similar rubricated headings contain the names of dioceses and, at *Cnd.23.46*, in a list in which the other names are those of dioceses. In another list, *Cnd.26* (the agency list of the *comes sacrarum largitionum*) there are two references to Illyricum in contexts in which the provinces denoted cannot be determined: *Cnd.26.3-6* | *Comites commerciorum* | *per orientem & aegyptum* | *per moesiam*

*scythiam & pontum | per illyricum* | - the last position is, interestingly, repeated in the western lists at *Cnd.110/1.75* as the only *comitiva commerciorum* in the west - and *Cnd.26.8 | Comes metallorum per illyricum* |. The provinces and places listed under the name Illyricum in *Cnd.1/2.53, 1/2.73, 1/2.116, 23.31 and 23.46* collectively indicate that the name Illyricum comprised provinces from both the dioceses named in *Cnd.6*. Moreover, the item *Cnd.1/2.34, Vicari(us) macedoniae* implies the existence of a diocese Macedonia and, if this implication is correct, a diocese of that name should have occurred in *Cnd.1/2* in relation to its provinces. But there is no reference to a diocese Macedonia in *Cnd.1/2* or *Cnd.23*, while the dioceses Macedonia and Dacia which are listed together in *Cnd.6*, are not mentioned anywhere else in the *Cnd*.

There is, however, one other use of the name Illyricum in eastern lists of the *Cnd* in which that name exists as part of the titles of officers: *praefectus praetorio illyrici* or *per illyricum* (*Cnd.1/2.3, 4.a=6.1, 6.17*), *magister equitum et peditum* or *militum per illyricum* (*Cnd.1/2.8, 19.a=21.1, 21.33*), or *magisteria potestas per illyricum* (21.33) or *magister: milit: per illyricum* (21.41). The question arises, therefore, whether the name Illyricum, which is used in *Cnd.1/2* and *Cnd.23* in the context of the names of dioceses, is actually used there in a geographical sense to denote all the provinces administered by the prefect. This is contextually unlikely given the use of diocesan names elsewhere in the *Cnd* to refer to the groupings of provinces administered by the other *praefecti praetorio*. Moreover, while each prefect derived part of his title from one of the dioceses within his jurisdiction, the purpose of the diocesan name was to distinguish one officer position from others with the same common title (*praefectus praetorio - orientis / illyrici / italiae, / galliarum*) not to denote a geographical area comprising a certain number of provinces, whose number could change without a change in the title of the prefect. Any reference to a *praefectura* as in *praefectura illyrici* or *per illyricum* should properly be considered as referring to an officer position and not a geographical area.

An incompatibility exists, therefore, between *Cnd.1/2 - Cnd.23* in which the name Illyricum is used as that of a diocese, and *Cnd.6* in which the dioceses administered by the prefect of Illyricum are named Macedonia and Dacia. If all three lists had been contemporary when they reached the form in which they existed in the original compilation from which the *Cnd* is derived, the diocesan name Illyricum in *Cnd.1/2 - Cnd.23* would have been replaced by the appropriate one or other of the two diocesan names Macedonia and Dacia existing in *Cnd.6*. And, since the coexistence of the dioceses Macedonia and Dacia is attested externally, implicitly, in the law of Anastasius (1), the use of the name Illyricum as that of a diocese in *Cnd.1/2* and *Cnd.23* suggests at least two possible explanations. Either the name Illyricum was used in *Cnd.1/2* and *Cnd.23*, as it had been occasionally before c.396 to denote not only the diocese Illyricum but also collectively, the dioceses Illyricum and Macedonia; or, it was used in those two lists, as it had been in the middle of the 5thC, as the name of a single diocese comprising the provinces under the administration of the prefect.

A choice between these two alternatives may consider the fact that there is evidence within the *Cnd* that there appears to have been an editorial transfer of items within the source lists of the original compilation from which the *Cnd* is derived. This transfer is indicated by a comparison between the list of the military equipment factories in *Cnd.23* (the agency list of the *magister officiorum* in the eastern regions) and those in *Cnd.117* (the agency list of the *magister officiorum* in the western regions). The place names of the factories in the eastern list, in the dioceses Oriens, Pontica, Asiana and Thraciae, but not Illyricum, are all in the locative case and follow the name of the weapons produced, while the place names of all the factories in the western list are in an adjectival form and precede the name of the weapons produced. All four place names of the Illyrican factories in the eastern list are in the adjectival form that exists for all the place names in the western list:

| <i>Cnd 23</i> |  | <i>Cnd 117</i> |  |
|---------------|--|----------------|--|
| 16            | <b>Fabricae infrascriptae orientis quinque</b> | 14             | <b>Fabricae infrascriptae in illyrico</b>  |
| 17            | Scutaria & armorum damasci                     | 15             | Sirmensis scotorum scordiscorum et armorum |
| 18            | Scutaria & armorum antiochiai                  | 16             | Acincensis scutariae                       |
| 19            | Clibanaria antiochiai                          | 17             | Cornutensis scutaria                       |
| 20            | Scutaria & armamentaria edesa                  | 18             | Lauriacensis scutaria                      |
| 21            | Hastaria irenopolitana ciliciae                | 19             | Salonitana armorum                         |

contd =>

|    |  |    |   |
|----|--|----|---|
| 22 | <b>Ponticae quatuor</b>                    | 20 | <b>Italiae</b>                                    |
| 23 | Clibanaria caesarea cappadociae            | 21 | Concordiensis sagittarii                          |
| 24 | Scutaria & armorum nicomediae              | 22 | Beronensis scutar: et armorum                     |
| 25 | Clibanaria nicomediae                      | 23 | Mantuana lorcaria                                 |
| 26 | Scutaria & armorum sardis lydiae           | 24 | Cremonensis scutaria                              |
| 27 | <b>Asianae una</b> <sup>40</sup>           | 25 | Ticinensis arcuaria                               |
| 28 | Scutaria & armorum hadrianopoli haemimonti | 26 | Lucensis spatharia                                |
| 29 | <b>Thraciarum duae</b>                     | 27 | <b>in gallis</b>                                  |
| 30 | Scutaria & armorum marcianopoli            | 28 | Argentomagensis armorum omnium                    |
| 31 | <b>Illyrici quatuor</b>                    | 29 | Matisconensis sagittar:                           |
| 32 | Thessalonicenses                           | 30 | Augustodonensis lorcaria balistaria et clibanaria |
| 33 | Naissatenses                               | 31 | Augustodonensis scutaria                          |
| 34 | Ratiarenses                                | 32 | Suessionensis                                     |
| 35 | Scutaria horreomargensis                   | 33 | Remensis spatharia                                |
|    |  | 34 | Triberorum scutaria                               |
|    |  | 35 | Triberorum balistaria                             |
|    |  | 36 | Ambianensis spatharia et scutaria                 |

The probable explanation of these observations is firstly, that a western list of factories, including nine items corresponding to *Cnd.23.31-35* + *Cnd.107.14-36* and comprising items existing virtually in the same form in which they exist in the *Cnd*, coexisted in a source list of the original compilation from which the *Cnd* is derived. Secondly, that the items corresponding to *Cnd.23.31-35* were subsequently transferred from this western list to an existing eastern list corresponding to *Cnd.23.16-30*.<sup>41</sup> Thirdly, that the source list corresponding to *Cnd.23.31-35* + *117.14-19* named places from Illyricum as this existed before about 396 because, after that date, some of the listed places were administered by the western and others by the eastern regions. And, finally, that since *Cnd.6* refers only to the provinces pertaining to the eastern regions after about 396, the list of dioceses and provinces in *Cnd.6* must refer to a period later than the corresponding list of places under the diocesan name Illyricum in *Cnd.23* and, since the name Illyricum is used with the same meaning in *Cnd.1/2* that it has in *Cnd.23*, the list of dioceses and provinces in *Cnd.6* must refer to a period later than the corresponding list of provinces under the diocesan name Illyricum in *Cnd.1/2*.

<sup>40</sup> Since the province Lydia (26) was in the diocese Asiana, and the province Haemimontus (28) in the diocese Thraciae, the rubrics 27 and 29 have both been misplaced. In some pre-archetype list these two rubrics had been omitted and were added marginally in the form:

|  |                        |  |
|--|------------------------|--|
| <b>Fabricae infrascriptae orientis quinque</b> |                        |  |
| Scutaria & armorum damasci                     |                        |  |
| Scutaria & armorum antiochiae                  |                        |  |
| Clibanaria antiochiae                          |                        |  |
| Scutaria & armamentaria edesa                  |                        |  |
| Hastaria irenopolitana ciliciae                |                        |  |
| <b>Ponticae quatuor</b>                        |                        |  |
| Clibanaria caesarea cappadociae                |                        |  |
| Scutaria & armorum nicomediae                  |                        |  |
| Clibanaria nicomediae                          |                        |  |
| Scutaria & armorum sardis lydiae               | <b>Asianae una</b>     |  |
| Scutaria & armorum hadrianopoli haemimonti     | <b>Thraciarum duae</b> |  |
| Scutaria & armorum marcianopoli                |                        |  |

and, when the list was copied, the marginal annotations were added after, instead of before, the item to which they referred.

The absence of the names of weapons produced at three of the four factories listed in *Cnd.23.32-35* invites speculation as to whether the information was unknown, or deleted or the list was damaged.

The original form of the last two items is unknown. Item *Cnd.23.35* has the place name in the western adjectival form, but the weapons specification before the place name as in the other eastern items. This combination of western and eastern forms suggests that *scutaria* was a later addition, making it uncertain which of the following existed in some pre-archetype list:

|                                 |    |                 |                 |
|---------------------------------|----|-----------------|-----------------|
| Ratiarensis                     | OR | Ratiarensis     | <i>scutaria</i> |
| <i>scutaria</i> horreomargensis |    | Horreomargensis |                 |

<sup>41</sup> Thus also Polaschek, E., *Notitia dignitatum*: in Pauly, A., Wissowa, G., Kroll, W., Mittelhaus, K., & Ziegler, K.,(eds.) *Real-Encyclopädie der klassischen Altertumswissenschaft*. (Stuttgart, Druckenmüller) hbd.33 1936 col.1084.

The list *Cnd.6*, which is the agency list of the *praefectus praetorio per illyricum*, is one of four prefectural agency lists of which the other three are *Cnd.3* (*praefectus praetorio per orientem*); *Cnd.89.1-50* (*praefectus praetorio italiae*); and *Cnd.89.51-99* (*praefectus praetorio galliarum*). When compared with the other three lists, *Cnd.6* is initially unusual for two reasons. First, it is the only one that includes the word *provinciae* in each diocesan heading rather than only in the first heading, perhaps suggesting that the second list (*Provinciae daciae*) may not have existed initially with the first (*Provinciae macedoniae*). And, second, *Cnd.6* includes the proconsular province Achaia in its list of provinces whereas the proconsular provinces of Asia and Africa are properly absent from the lists of provinces in the corresponding prefectural agency lists *Cnd.3* and *Cnd.89.1-50*.

But there are other peculiarities within *Cnd.6* itself. The first concerns a province named Macedonia salutaris. While the precedence list *Cnd.1/2* refers to a province with that name among the provinces listed *per Illyricum*, each of the two diocesan lists of provinces in *Cnd.6* concludes with the item *et pars Macedoniae salutaris*. The meaning of this repeated item is unknown. It could mean, firstly, as is almost always assumed, that Macedonia salutaris had been suppressed and its territory divided between neighbouring provinces. But if this were the case, there would have been no reason to state the suppression.<sup>42</sup> Secondly, it could mean that the administration of the province was temporarily assigned to other administrators.<sup>43</sup> But in either case, while there were combinations of provinces in such officer titles as *consularis tusicae et umbriae* or *corrector apuliae et calabriae*, officer titles such as *praeses*

<sup>42</sup> An example of the permanent suppression of a province, namely of Honoriadis and its incorporation into Paphlagonia, is recorded in the following law which indicates, among other things, that the name of the suppressed province was not recorded in the name of the new province (*Paphlagoniae et Honoriadis [...] Paphlagonia vero vocetur omnis [...] Sit [...] haec Ponticae diocesis provinciarum una*) and, secondly, that where parts of a province, that is, some of its places, had been transferred from one province to another, (*ex Bithynia assumptae [...] civitates sex [...] nunc pars et ipsa Paphlagoniae erit*) the recipient province did not have its name expanded to include the one from which the jurisdiction had been transferred.

*Nov.Iust.29* (535):

Imp. Iustinianus Aug. Iohanni pp. [...] 1. [...] aestimavimus [...] unam denuo Paphlagoniam efficere, et quae ex duobus egimus omnibus, haec etiam super ea disponere; et gentium harum habentem cingulum unitum et unum pro duobus prioribus (dicimus autem Paphlagoniae et Honoriadis) vocari praetorem [...]. Praeritque etiam iste et fiscalibus omnibus quaecumque Paphlagonones et quaecumque pridem Honoriadis habitatores solvebant, et ponet providentiam civitatum omnium quas utraque prius habuit provincia, hoc est in Honoriade et Prusiadis et Crataiae et Adrianopoleos <et Tii et Claudiopoleos et Heracliae; si enim etiam quandam earum ex Bithynia assumptae sunt prius, ut Prusias> et Heraclia et ipsa metropolis provinciae (dicimus autem Claudiopolim), sed tamen quoniam semel migratae sunt, rursus deducere eas in Bithynos et conturbare schema plurimae iudicavimus esse [et] tergiversationis. Quocirca et ipsae quae dictae sunt civitates sex prius Honoriadis existentes nunc pars et ipsa Paphlagoniae erit. [...] 2. Qui autem cingulum habet provinciae totius (Paphlagonia vero vocetur omnis, sicut et prius), [...] Sit igitur tibi etiam haec Ponticae diocesis provinciarum una, duplex primitus nescimus cur facta: [...]

<sup>43</sup> This is the sense in which *et pars <provinciae>* was used in 535 in *Nov.Iust.11* (note 39 above) in which the ecclesiastical jurisdiction extended over only part of the territory comprehended by the named civil province:

[...] tam ipsa mediterranea Dacia quam Dacia ripensis nec non Mysia prima et Dardania et Praevalitana provincia et secunda Macedonia et pars secundae Pannoniae, [...]

That the expression *pars <provinciae>* refers to the ecclesiastical administration of part of a province, and not to the partial remnant of a former province, is clear from the summary restatement of part of this law in *Nov.Iust.131* §3 (545) in which the reference to Pannonia is unqualified:

Idem Augustus Petro praefecto praetorio. Sancimus [...] beatissimum archiepiscopum Primae Iustinianae nostrae patriae habere semper sub sua iurisdictione episcopos provinciarum Daciae mediterraneae et Daciae ripensis, Privalis et Dardaniae et Mysiae superioris atque Pannoniae, et ab eo hos ordinari, ipsum vero a proprio ordinari concilio, et in subiectis sibi provinciis locum obtinere eum sedis apostolicae Romae secundum ea quae definita sunt a sanctissimo papa Vigilio. [...]

*epiri novae et partis macedoniae salutaris* or *praeses praevalitanae et partis macedoniae salutaris*, whose titles would have referred to a simultaneous administration by two governors of undefined parts of an existing province, are unattested. Moreover, whether the province was permanently suppressed, or its administration temporarily divided between two governors, the precise nature of the divided province or jurisdiction would not be clear from the position of the two annotations *et pars Macedoniae salutaris*, since it is not known, from their position in the two diocesan lists of provinces, whether *et pars* is associated with the name of the province that immediately precedes each annotation, or whether it is associated with the diocese to whose list of provinces each annotation is appended. A choice between these two alternatives would involve further speculation about the relationship, if any, between the province Macedonia salutaris mentioned in the *Cnd* and the province Macedonia II in the lists, previously cited, by Hierocles and by Iustinianus (1).<sup>44</sup>

A third possible explanation is that the two items *et pars Macedonia salutaris* in *Cnd.6* were incorporated into the lists from two marginal annotations added by someone who compared the agency list *Cnd.6* with the precedence list *Cnd.1/2* and, noting the presence of Macedonia salutaris in the latter, but not in the former, referred to the additional province in *Cnd.6* without knowing to which diocese it ought to be assigned. This would not be the only instance of annotations resulting from comparisons between agency lists and one of the two precedence lists in the *Cnd*. For example, in the items *Cnd.3.13-14* (*Arabia et dux et comes rei militaris Isauria*) the words *et dux et comes rei militaris*, which are extraneous to the list of provinces in which they occur, probably result from a comparison of *Cnd.3* with *Cnd.1/2* and were initially added as marginal annotations in the form:

Arabia et dux  
Isauria et comes rei militaris

in which the annotation was subsequently interpreted as the continuation of the first item and was copied as such to produce the form at *Cnd.3.13-14*. Examples of the incorporation of such marginal additions exist in the mutually-independent copies of the absent archetype of the *Cnd*, while most pre-archetype marginal annotations are similarly recognisable from their existence at unexpected positions in the sequence of the words in items.

Attempts have been made to date *Cnd.6* on the basis of the difference between *Cnd.1/2* and *Cnd.6* concerning Macedonia salutaris. It has been assumed generally that *Cnd.1/2*, which contains the item Macedonia salutaris, lists the provinces of the eastern prefecture Illyricum from about 396. This is consistent with the aforementioned observation concerning the use of the name Illyricum as that of a diocese in *Cnd.1/2*. Then, secondly, it is assumed that the annotations *et pars macedoniae salutaris* in *Cnd.6* indicate the suppression of Macedonia salutaris. Finally, it is observed that a province named Macedonia salutaris did not exist in the list of provinces mentioned in the letter written in 412 by Innocentius to Rufus.<sup>45</sup> On the basis of these two assumptions and observation it has been concluded that *Cnd.6* lists the provinces and dioceses of the eastern prefect of illyricum as these existed at some time between 396 and 412. But no such conclusion can be drawn from the absence of a province named Macedonia salutaris in the letter of 412 since that letter also does not mention the province Macedonia in which the metropolitan see Thessalonica was located and there is no reason why the name of the province should be excluded from the list on account of that status. As indicated above, there is a need for further consideration about the relationship, if any, between the province Macedonia salutaris mentioned in the *Cnd* and the province Macedonia II.

The second peculiarity within *Cnd.6* concerns what appears to be another marginal annotation whose contents are particularly significant. Each of the agency lists of the four *praefecti praetorio* in the *Cnd*

<sup>44</sup> The names of provinces, especially two or more beginning with the same word, were not constant. Of the four *salutaris* provinces listed in the *Cnd*, namely: *Palaestina salutaris* (1/2.86, 3.15, 41.h, 42.8); *Syria salutaris* (1/2.90, 3.19, 41.1, 42.11); *Phrygia salutaris* (1/2.98, 3.36, 45.i, 46.9) and *Galatia salutaris* (1/2.110, 3.50, 47.f, 48.6), *Palaestina salutaris* was cited as *Palaestina tertia* in *Cod.Theod.7.4.30* (409); *Syria salutaris* as *Syria secunda* in *Cod.Iust.8.10.10* (420) and *Galatia salutaris* as *Galatia secunda* in a subscription list of the Council of Chalcedon, 451 (Mansi, G.D., *op.cit.* vol.7 (451-492) col.408).

<sup>45</sup> See note 30 above

contains a secretariat (*officium*) list among whose items there is one which names an unspecified number of *numerarii*.<sup>46</sup> In three of these four lists, the item consists only of that single word, but in *Cnd.6* the single word is accompanied by additional words containing a description that states the number of *numerarii* and names the departments of two of them, as follows:

*Cnd.6.23*                      *Numerarii*            *quatuor in his auri unus oper(um) alter*

which is exactly part of the information that is contained in the law of Anastasius (1):<sup>47</sup>

*Cod.Iust.12.49.12*            [...] *ita tamen, ut primi ordinis comitivam [...] mereantur [...] numerarius scrinii macedoniae et scrinii daciae et scrinii operum et scrinii auri.* [...]

The agreement between this law and the description in *Cnd.6* is significant for several reasons. Firstly, this law is the only external document which, in naming the two departments of Macedonia and Dacia, implicitly verifies the coexistence of two dioceses named Macedonia and Dacia under the jurisdiction of the prefect of Illyricum; secondly, it is the only extant document, other than *Cnd.6*, that refers to the existence of a diocese named Dacia; and, thirdly, it is the only extant document, other than *Cnd.6*, that refers to the number of *numerarii* in the secretariat of the agency of the *praefectus praetorio illyrici* and to the names of their departments. The concurrence between *Cod.Iust.12.49.12* and *Cnd.6.23* indicates that the annotation *quatuor in his auri unus oper(um) alter* was written by someone who either had access to the cited law, or was familiar with the details which it describes. And, unless the secretariat list within the agency list of the prefect of Illyricum refers to a date which is incompatible with the list of dioceses and their provinces in the same agency list, then the details concerning the *numerarii* were contemporary with the existence of a diocese named Dacia which is otherwise unattested before the date of this law of Anastasius (1). There is no law which similarly states the number of *numerarii* and the names of their departments in any other prefectural agency, and none of the other prefectural secretariat lists in the *Cnd* contain any annotation describing their listed *numerarii*.

These observations about *Cnd.6* suggest that the source list from which this list in the *Cnd* was ultimately derived, or a copy of it, was a later addition to a *pre-Cnd* compilation that contained lists and items about Illyricum that did not refer to a diocese Dacia. It is unknown when this addition may have occurred, but there is no available evidence to indicate either that the diocese of Dacia was created, or that the name Dacia was used to denote a diocese, before the later part of the 5thC.

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<sup>46</sup> *Cnd.3.64, Cnd.6.23, Cnd.89.44, Cnd.89.93*

<sup>47</sup> See note 34 above.

*Map of the provinces between the dioceses Italia and Thracia*

