

A Relationship of Justice

Becoming the People in Late Antiquity

Introduction

In the *Life* of Caesarius, bishop of Arles (502–542), the people of the city make several appearances as a group. In one instance, Caesarius's predecessor Aeonius proposes him as his successor, by addressing the clergy and the citizens (*cives*). In another, the people (*populi*) gather on royal order to stone Licinianus, whose false accusations had caused Caesarius's exile to Bordeaux. Finally, during the Frankish siege of Arles in 507/08, the bishop was accused by a mob (*populari seditione/turba*) of having betrayed the city and was locked up.¹ These are three instances of the people acting as an anonymous collective, which tend to be studied as separate phenomena (episcopal elections; mob justice; collective action). The *Life* provides some justification for this, as it uses a different appellation for the people in each case. Still, all three episodes play within a decade in Arles, and it is likely that we see the same social group acting on different occasions. There is, then, a common history to be told, one that focuses on the relationship between the people and its superiors.

In this chapter, I shall study this relationship not from the perspective of institutional history or of the dominant sociological theories used by ancient historians (usually objectivist in nature, and predominantly functionalist and Bourdieuvian in outlook). Rather, I am interested in the way that it is conceptualized in late ancient sources, assuming that such conceptualizations are deeply connected to effective human interaction

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1 *Vitae Caesarii*, ed. by Krusch, I. 13, I. 24, I. 29 (pp. 461–62, 466, 467–68).

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in society.² In other words, late ancient descriptions of the interaction between a people and its superior are not to be treated as ideology aimed at distorting actual social relations or as reflecting second-order moral categories that are merely added onto more fundamental social interaction. In fact, they reveal to us what these interactions meant and thus how they functioned. Besides better grasping what role the people played in late ancient society, this approach may also help us to notice the limitations of the dominant scholarly ways to deal with the phenomenon. I shall argue in particular that the ‘people’ were constituted in the establishment of a relationship of justice with a superior, with both sides taking on a social role that came with ethical expectations. Whilst there were social and political dimensions to being the people, it was primarily conceived of as a relational concept to the point that one could not conceive of the people without its leader and vice versa. The chapter argues three points: such a model can be inferred from the sources; it helps to understand how we see the people act in Late Antiquity; and it invites us to think anew about the way we write the history of ‘popular participation’ in the Roman Empire. The chronological horizon of this paper is broadly third to sixth century CE, although I shall occasionally appeal to later material. I briefly speculate on how the results from this chapter relate to long-term social changes in the Roman Empire, but I leave the *longue durée* history of ‘popular participation’ aside.

‘There Is No Justice among the People except through the Prince’

In his *On Duties*, inspired by a similar work by Cicero, Ambrose of Milan explores social relations, focusing on virtues and how to perform them in particular circumstances. In the middle of the second book, he comments on the importance of justice for men in leading positions: ‘Egregie itaque uiros alicui praesidentes muneri commendat iustitia et contra iniquitas destituit atque impugnat’ (Justice, therefore, is a wonderful commendation for men who occupy any responsible position; injustice, on the other hand, induces everybody to desert them and turn against them).³ To illustrate the point, he narrates how the people of Israel turned away from Rehoboam, the son of

2 I am tributary to Wittgensteinian philosophers such as Winch, *The Idea of a Social Science*, p. 38, and Gaita, *Good and Evil*. For a social theory inspired by Wittgenstein, see Schatzki, *Social Practices*. There are also some points of contact with symbolic interactionism. In the field of Classics, my approach yields results similar to the emphasis put by Morgan, *Roman Faith and Christian Faith*, p. 487, on the foundational role of ethics in society and by Naiden, *Ancient Supplication*, p. 288, on the need to bring back morals into the study of ancient religion and substance into that of ancient law.

3 Ambrose, *De officiis*, ed. and trans. by Davidson, II. 18. 93 (pp. 320–21, adapted).

Solomon, when their demand for a moderation of the rule of his father was rejected by the king. Instead he added to the weight of their yoke.

Quo responso exasperati responderunt populi: Non est nobis portio cum David neque hereditas in filiis Iesse. Reuertere unusquisque in tabernacula tua, Israel, quoniam hic homo neque in principem neque in ducem erit nobis. Itaque desertus a populo ac destitutus, uix duarum tribuum propter David meritum habere potuit societatem.⁴

[Provoked by this response, the people replied: 'We have no portion with David, no inheritance among the sons of Jesse. To your tents, each of you, O Israel! — this man will be no ruler or leader to us.' So, deserted and forsaken by the people, he only just managed to hold the two tribes together — and even that was achieved only on account of the merits of David.]

Ambrose spells out the moral nature of the relationship between ruler and ruled, by saying 'Claret ergo quoniam aequitas imperia confirmet et iniustitia dissoluat' (It is clear, then, that fairness imparts strength to a rule and injustice reduces it to ruins).⁵ Corrupt practice (*malitia*) is detrimental to a state as much as it is to a family. Kindness (*benignitas*) is needed, and especially goodwill (*benevolentia*): 'Plurimum iuuat beneuolentia quae omnes studet beneficiis amplecti, deuincere officiis, oppignerare gratia' (Goodwill is of the greatest assistance here, for it makes us eager to embrace everybody everywhere with acts of kindness, to capture their hearts by performing services for them, and to win their allegiance by showing them favour).⁶ *Beneficia, officia, gratia* — these three words express the nature of the relationship that Ambrose envisages between superior and inferior, indeed between individuals in general. Social relationships rest thus on a moral foundation of benevolence. In the example of Rehoboam, where the relationship is (as we would call it) political in nature, justice is the key virtue.⁷

The vignette plays out against a background of assumptions about how individuals function in society. Firstly, they occupy *social roles*, like, in this case, that of ruler. A social role demands certain *virtues* and a *character* that its occupier should possess in order to be able to perform the role: he should either possess or acquire the virtues. If not, he fails the role.⁸ An example of this is the theme of the 'true bishop' vs. the 'official' bishop in Late Antiquity. It was put in this way: there may be bishops who are not ordained, whilst

4 Ambrose, *De officiis*, ed. and trans. by Davidson, II. 18. 94 (p. 321).

5 Ambrose, *De officiis*, ed. and trans. by Davidson, II. 19. 95 (p. 321).

6 Ambrose, *De officiis*, ed. and trans. by Davidson, II. 19. 95 (p. 321, adapted).

7 The preceding paragraphs use material from Van Nuffelen, "A Wise Madness".

8 See also Gill, 'Peace of Mind and Being Yourself', pp. 4632–37.

some bishops who are ordained, are not bishops.⁹ Not every person occupying the social position of bishop has the appropriate character, whilst some who do have the character, do not have the position. One of the reasons why it is difficult to live up to a role is that virtue is not the mechanical application of rules, but doing what is right in a given situation: depending on the context, being persuaded by the people or persuading them may be the right course of action. Hence, what a right action is, is a matter of interpretation and, possibly, disagreement.

As a social role is relational, it cannot exist without its counterpart, the side with which the relation is struck. Nor cannot it exist without the virtue on which the relationship rests. This is expressed in the Arabic *Letter of Aristotle to Alexander* when discussing royalty:

Some of them [those criticizing the author's view on royalty] think that the condition of all people (*'annāsu kullahim*) should be one of equality and that there should be no prince and no subject among them. They do not know that this view abolishes prince and justice because there is no justice among the people except through the prince.¹⁰

If there is no hierarchical relationship between subject and ruler, there is no justice and no prince. Conversely, one cannot be a ruler without a people. As it was put by Optatus, one cannot be a bishop without a flock.¹¹ One finds a polemical distortion of the same idea in Eunapius's accusation that Constantine the Great transplanted an 'intoxicated mob' to Constantinople because he desired to be praised.¹² Whatever Eunapius's intentions, the accusation betrays an apparent necessity on Constantine's part to be faced with a people. The same idea can be reflected in language too. In Augustine's vocabulary, the *populus*, the general population, becomes the *plebs* once it enters a relationship with, in an ecclesiastical context, the bishop.¹³ *Populus* and *plebs* are therefore not purely descriptive designations (even if we can identify some shared social features in the groups designated as such) but relational ones. As was noted a long time ago by G. Dagron, when the emperor

9 E.g. Jerome, *Epistulae*, ed. by Hilberg, 14. 9 (pp. 57–59). See Rapp, *Holy Bishops in Late Antiquity*, pp. 62–63, for further references. See also Proclus, *In Platonis Rem publicam commentarii*, ed. by Kroll, p. 210, giving priority to the internal state in the case of office-holding.

10 *Letter of Aristotle to Alexander*, ed. and trans. by Swain, 7.7–8 (p. 192). The date of the original is unclear.

11 Optatus, *Adversus Donatistas*, ed. by Ziwsa, II. 4 (p. 39).

12 Eunapius, 'Lives of the Philosophers', trans. by Wright, 462 (p. 380). Compare Millar, *The Emperor in the Roman World*, pp. 374–75: 'Without an urban centre with its concentrated population, and without the traditional mass entertainments at which the emperor would appear to receive the applause of the people and to answer their demands and complaints, a significant element would have been lost from the role and image of a Roman emperor.'

13 Evers, *Church, Cities, and People*, p. 301. Such usage is not universal, however: Müller, 'Kurialen und Bischof, Bürger und Gemeinde', pp. 203–04.

is present in the hippodrome, the people of Constantinople become the Roman people.¹⁴ In a similar way, the ‘poor’ are not an absolute category in Antiquity: as a category, they are created in a relationship of almsgiving.¹⁵

The fact that a group of individuals become the ‘people’ when it enters into a relationship with a superior is visible at moments when they actively seek a superior to establish a relationship with. During a rebellion in Africa in 536, Roman soldiers gathered in the hippodrome, the symbolic place where the relationship with the people was acted out in Constantinople, renounced the general Solomon, and elected a new one.¹⁶ As little as a bishop can be bishop without a flock, the people can be people without a superior. In sum, the social role of leader conjures up that of people.

The virtue that shapes this relationship is that of justice, which is as essential to it as the two sides of the relation. Justice is not the grease to keep the relationship going; it is the cogwheel itself. Justice is the typical virtue of social relations: Augustine defined a state without justice as a robber’s den.¹⁷ The *Dialogue of Political Science*, a sixth-century philosophical treatise on the state, makes a similar point, emphasizing how one cannot become emperor without being appointed as such by the community and how one then should serve the people:

Νόμιμον μὲν οἶμαι — ὦ Θωμάσιε — τὸ μηδένα πολιτῶν αὐτονομία χρώμενον, ἀκόντων τῶν ἄλλων ἢ καὶ ἀγνοούντων, ἢ βία ἐγχειροῦντα, <ἢ> ἀπάτη μηχανώμενον, ἢ πειθοῖ εὐηγίους ἐπαγόμενον ἢ φόβῳ προαναπέλλοντα οἰκειοῦσθαι τὴν ἀρχήν, ὅς δὴ τυράννου τρόπος καὶ οὐ πολιτικὸς ἂν εἴη νόμος, ἀλλ’ ὑπὸ τῶν πολιτῶν προσαγομένην τε καὶ οἷον ἐπιτιθεμένην δέχεσθαι τὴν βασιλείαν, ἄχθος μὲν οἱ αὐτῷ τὸ τοιόνδε κατ’ αὐτὸ καὶ λειτουργίαν οὐκ ἀνεύθυνον παρὰ γε τῇ θεῇ δίκῃ ἴσως δὲ καὶ ἐν ἀνθρώποις δεικνυμένην ἡγούμενον, σωτηρίας δὲ μᾶλλον ἔνεκα τῶν πολιτῶν ὅμως καταδεχόμενον, οὐχ αὐτῷ μᾶλλον ζήσοντα ἢ ἐκείνοις.

[By legitimacy, Thomas, I mean that the law should be that no citizen should exercise power of his own initiative, against the will or without the knowledge of others, grasp it by force or deceitful scheming, or by winning over the pliant with persuasion, or appropriate power

14 Dagron, *Constantinople*, pp. 303–04. The activation of the social role also works in the other direction: the emperor is only truly emperor to the degree that in the interaction with the people he shows himself to be what one expects an emperor to be. When actual behaviour does not live up to what the constitutional position demands, the emperor becomes a tyrant.

15 Brown, *Poverty and Leadership in the Later Roman Empire*; Allen, Neil, and Mayer, *Preaching Poverty in Late Antiquity*; Finn, *Almsgiving in the Later Roman Empire*.

16 Procopius, *Wars*, trans. by Dewing, IV. 14. 30–35 (p. 236). Cf. Van Nuffelen, ‘The Late Antique State and “Mirror Rituals”’. For further examples of such interaction between people and leader, see Van Nuffelen, ‘A Wise Madness’.

17 Augustine, *De civitate dei*, ed. by Dombart and Kalb, IV. 4 (p. 101). The idea is classical in origin: Cicero, *De officiis*, trans. by Miller, 2.41–42 (pp. 208–10).

by a pre-emptive use of fear — for this is the way of a tyrant, not of a community. Instead, he will accept the imperial authority offered to him by the citizens as if it were an imposition, thinking it to be in itself a personal burden and a public obligation for which he will not be unaccountable to God's judgement and perhaps that of men also. He will accept it more for the salvation of the citizens and will live less for himself than for them.]]¹⁸

Thus, in the model I have constructed on the basis of a variety of late antique sources, people and ruler are co-constituted in a relationship of justice. Each of the three elements (people, ruler, justice) are needed for the social role to exist and to function properly. As the discourse of tyranny, which we find in the *Dialogue of Political Science*, shows, there was an awareness that the relationship between people and ruler was not always one of justice, but this was understood to be a degenerated and, as the passage from Ambrose shows, unstable form of the relationship. Such negative counter-images have been well studied and are not, in my view, of great interest if understood in absolute terms, as if there is a checklist of actions that define a tyrant. For, indeed, as I pointed out above, one of the features of the model is that performing one's social role is situational, that is, doing the right thing is dependent on the context and on who makes up the other side of the relationship. Following Cicero, Ambrose gives the example of almsgiving: giving each beggar the same amount is less good than giving each his due, dependent on his circumstances and moral status.¹⁹ The logic corollary is that every action is judged by recipients and bystanders on its appropriateness — generating, obviously, different judgements, as Ambrose knew well:

Solliciti enim debemus esse ne quid temere aut incuriose geramus aut quidquam omnino cuius probabilem non possimus rationem reddere. Actus enim nostri causa etsi non omnibus redditur, tamen ab omnibus examinatur.

[We must be careful to avoid doing anything rashly or carelessly, or anything at all for which we are unable to give a credible reason. We may not be called upon to give an account of our actions to everyone, but our actions are weighed by everyone all the same.]]²⁰

Within the context of my topic, the problem of interpretation plays out on a different level too: Who are the people?



18 *De scientia politica dialogus*, ed. by Mazzucchi, v. 47–48 (pp. 24–25). Translated by Bell, *Three Political Voices from the Age of Justinian*, pp. 155–56.

19 Cicero, *De officiis*, trans. by Miller, 2. 69 (p. 242); Ambrose, *De officiis*, ed. and trans. by Davidson, II. 69 (pp. 304–06).

20 Ambrose, *De officiis*, ed. and trans. by Davidson, I. 229 (p. 301).

Who Are the People?

Episcopal elections in Late Antiquity did not follow a procedure, if one understands by procedure a fixed sequence of actions that need to be performed in order to give legitimacy to their outcome.²¹ Custom and canon law developed a number of minimum conditions, such as an ordination by three bishops, the rejection of elections during the lifetime of one's predecessor, and an election by the people, the nobility, and the clergy. Yet there are sufficient 'violations' of these 'rules' to show that they were only slowly becoming legal conditions.²² For our purpose, it is important to note that it is nowhere defined who the people are and how they vote — indeed, as far as we know, they did not vote but expressed approval or disapproval. Episcopal elections are thus said to aim at consensus, which from the perspective of the model just outlined can be reformulated in this way: during the election, the people expressed its willingness to enter into a relationship of justice with the candidate-bishop — or refused to do so. This is what 'election by the people' amounted to in Late Antiquity.²³

Disputed elections show that the people were not a fixed social entity that could be easily identified. I shall discuss one example. Silvanus was elected Bishop of Cirta in 306, but not without opposition.²⁴ In the acts of the court case against him in 320, when he was accused of having handed over sacred objects during the Diocletianic persecution, his opponents narrated how the people (*populus*) had demanded a certain Donatus, a citizen of the town, as bishop. The supporters of Silvanus, in turn, are said to have been *arenarii* (either gladiators or individuals working in the arena), prostitutes, and people from the countryside (*campenses*). If the term *populus* can be applied to Silvanus's followers too, the supporters of Donatus are called *cives* and *populus dei*.²⁵ One may be tempted to deduce from this a social profile of the two groups (original citizens and newcomers; higher vs lower class²⁶), but the function of the social profiling is obvious. The followers of Silvanus are socially depreciated and marginalized, rendering their support for Silvanus suspect, whilst the supporters of Donatus are described as citizens and the 'people of God'. Given the obvious rhetoric of delegitimization towards the people that supported Silvanus (they are made not to be the true people of

21 Luhmann, *Legitimation durch Verfahren*.

22 Norton, *Episcopal Elections*, pp. 20–30 and 50–80, with in the appendix canon regulations regarding popular participation; Van Nuffelen, 'The Rhetoric of Rules'.

23 Cf. Lepelley, *Les cités de l'Afrique romaine*, p. 179, noting the similarities between episcopal and municipal elections.

24 Evers, *Church, Cities, and People*, pp. 174–76; Magalhães de Oliveira, *Potestas Populi*, pp. 159–75; Shaw, *Sacred Violence*, p. 77.

25 Optatus, *Adversus Donatistas*, ed. by Ziwsa, 24a (p. 196). Magalhães de Oliveira, *Potestas Populi*, p. 171, argues that the appellation *cives* indicates the Christians in their capacity as electors of the bishop. This is right, but the followers of Donatus would surely claim to be *cives* too.

26 Magalhães de Oliveira, *Potestas Populi*, p. 174.

Circa),²⁷ it may be wiser not to build too much on these social qualifications. Indeed, when the people are depicted as acting improperly in Late Antiquity, its low social profile tends to be highlighted,²⁸ or it is characterized as a mob.²⁹ Social labels in our sources are rarely, if ever, objective assessments.

Taking this episode as a paradigm, we notice several aspects of what the people are in Late Antiquity. First, although *populus* can be used in a descriptive sense, the notion often is normative. It designates not just the inhabitants of a town but the ones who stand in a relationship of justice to their leader. Hence, it is not primarily a numerical category:³⁰ stories of disputed episcopal elections do not always argue for numerical superiority of the people on the right side: the people are the ones who honestly and rightly choose the true leader, because they are themselves just. At any rate, Christianity has enough stories about a minority holding out.³¹ Indeed, as expressed by Plotinus, in an assembly, individuals reach a collective higher truth.³²

Secondly, the people of Late Antiquity are not primarily identified as a socio-economic group. Admittedly, the people are usually distinguished from the elite (the notables who also have a say in episcopal elections), and thus appear as a broadly negatively defined category: the ones who do not belong to the elite.³³ Yet the notion of a *plebs dei* could include the nobility of the city. When they turn up in the sources, socio-economic indications often have a particular rhetorical function to perform, as in the case of Silvanus to disqualify his support base.³⁴ By contrast, scholarship on 'the people' usually first sketches a socio-economic profile.³⁵

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- 27 A similar case is discussed by Norton, *Episcopal Elections*, pp. 223–31: the conflict between Bassian and Stephen of Ephesus, treated during the Council of Chalcedon (451).
- 28 E.g. Libanius, 'Orationes', ed. and trans. by Norman, XLV. 22 (p. 180); John the Lydian, *De magistratibus*, ed. and trans. by Dubuisson and Schamp, III. 70. 8 (p. 134). The rhetorical ploy is obviously age-old in ancient class-conscious societies: Ober, *Mass and Elite in Democratic Athens*.
- 29 E.g. Victor of Vita, *Historia persecutionis*, ed. by Halm, III. 6 (p. 41). See further Perrin, *Civitas confusionis*, pp. 243–45.
- 30 Pfeilschifter, *Der Kaiser und Konstantinopel*, p. 397, notices that the Hippodrome in Constantinople has a capacity of only 30,000 and that many more people live in the city. Hence, he asks the question how representative those present in the hippodrome are for the people of Constantinople. This is, to my mind, not the most adequate question to raise, at least not on numerical grounds.
- 31 See the account of the election of Marcellus of Die (second half of the fifth century CE): Dolbeau, 'La vie en prose de Saint Marcel, évêque de Die'; Müller, 'Kurialen und Bischof, Bürger und Gemeinde', pp. 220–21.
- 32 Plotinus, *Enneades*, trans. by Armstrong, VI. 5(23). 10, 11–34 (pp. 349–52).
- 33 Note that there is ample evidence for the people to be highly interested and engaged in high-level theological discussion, now chronicled magisterially in Perrin, *Civitas confusionis*.
- 34 Pinianus, a rich man forced by the people of Hippo to become presbyter, identifies the people as *pauperes* to claim that their demand was motivated by self-interest (their hope to get alms) and not by a true desire for the well-being of the Church: Augustine, *Epistula*, ed. by Daur, 126.7 (pp. 189–90). We should be careful not to take this at face value.
- 35 E.g. Purcell, 'The Populace of Rome in Late Antiquity'; Evers, *Church, Cities, and People*; Magalhães de Oliveira, *Potestas Populi*; Pfeilschifter, *Der Kaiser und Konstantinopel*; Zuiderhoek, 'On the Political Sociology of the Imperial Greek City'.

Thirdly, as the model just outlined is a normative one, it obviously is aware of abuses. One such abuse would be the attempt to manipulate the people, during episcopal elections through bribes or the use of the claue when the people engaged rulers in the theatre or hippodrome.³⁶ Here the people is made to serve individual interests and thus violates the demands of justice. The other major abuse is when the relationship with the ruler is severed, as in the example of Ambrose. There are instances where this is judged positively, when the people defend justice,³⁷ but the negative label of ‘mob’ (*turba* vel sim.) is used, implying it acts without leadership and without heeding justice.³⁸ The possibility (and relative frequency) of manipulation of the people is linked to the implied non-elite status. Their understanding as deviations from proper behaviour by the people should warn us against taking mob behaviour or manipulation by the claue as the paradigmatic and dominant way in which the people expressed themselves in Late Antiquity.³⁹ In fact, their relative frequency in the sources is to be explained by their understanding of deviations from the model I have just sketched: they become visible in the sources because they are practices that are negatively connoted by the normative model I have set out.

The Public Eye Ensures Virtue

I have argued that the relationship between people and ruler is intrinsically ethical, that is, it is constituted by a relationship of justice. Unjust relations are qualified as tyranny or mob rule. If the people too are supposed to act virtuously, virtue is usually emphasized for the ruler, as the character Menas says in the sixth-century *Dialogue of Political Science*:

εἴη δ' ἂν οὕτως ὥς μὲν ὁ καθ' ἡμᾶς λόγος ὁ ἐν αὐτοῖς προέχειν διαφαινόμενος τῇ τε ἄλλῃ ἀρετῇ καὶ τῇ τῶν πολιτικῶν γε μὴν πείρᾳ παντοίων πραγμάτων, εἰ δὲ καὶ τῇ τάξει καὶ χρόνῳ καὶ ἀξίᾳ τύχοι πρωτεύων, ἔτι χαριέστερον ἂν γένοιτο, πλὴν ἄλλ' ἀρετῇ γε δοτέον τὰ πρεσβεῖα.

[This man would be, so we have argued, he who stands out in terms of both political virtue and indeed of experience of all kinds of public affairs. If he also stood out in terms of rank, age and dignity, he would be still more acceptable — except that priority must be given to virtue.]

³⁶ Liebeschuetz, *Antioch*, pp. 212–16.

³⁷ Van Nuffelen, “A Wise Madness”.

³⁸ E.g. *Historia Augusta*, ‘The Two Valeriani’, trans. by Magie, v. 1 (p. 6); Augustine, *Epistulae*, ed. by Divjak, 22* s (p. 115).

³⁹ For scholars emphasizing the claue and the mob-like action of the people, see, e.g., Norton, *Episcopal Elections*; Liebeschuetz, *Antioch*; Tinnfeld, *Die Frühbyzantinische Gesellschaft*; Mattheis, *Der Kampf ums Ritual*; Petit, *Libanius et la vie municipale à Antioche*, p. 227.

His interlocutor Thomas immediately adds:

Καὶ μάλα εἰκότως, οὐ παροπτέον δὲ οἶμαι ἐπ' αὐτῷ — ὦ Μηνόδωρε — οὐδὲ ἐκεῖνο τὸ τῶν πολλῶν, ἐπεὶ γε καὶ πολλῶν τι κοινὸν πολιτεία, τῶν μὲν λόγῳ τε καὶ ἀρετῇ συζώντων, τῶν δὲ καὶ δόξῃ ἀγομένων καὶ πρὸς τὰς ἀποβάσεις τὰς κρίσεις φιλαίτιώς ποιομένων.

[And fittingly so. But I think, Menas, that one should not overlook public opinion since the state is a community of many people. Some of these live together virtuously and according to reason, while others are led by opinion and make their judgements, with an eye to blame, in accordance with how things turn out.]⁴⁰

From his elite perspective, Thomas expresses doubts about the generally virtuous nature of the people. Nevertheless, he still accepts that public opinion on a leader is one element that qualifies a leader. He highlights public speeches about the welfare of the state as a means by which to judge the quality of a leader.

Public scrutiny was something of an ideal in Late Antiquity. In the *Life* of Alexander Severus, who comes closest to what the *Historia Augusta* thinks an ideal emperor is, the public nature of the emperor's appointments is emphasized:

Et quia de publicandis dispositionibus mentio contigit: ubi aliquos voluisset vel rectores provinciis dare vel praepositos facere vel procuratores, id est rationales, ordinare, nomina eorum proponebat hortans populum, ut si quis quid haberet criminis, probaret manifestis rebus, si non probasset, subiret poenam capitis; dicebatque grave esse, cum id Christiani et Iudaei facerent in praedicandis sacerdotibus, qui ordinandi sunt, non fieri in provinciarum rectoribus, quibus et fortunae hominum committerentur et capita.⁴¹

[Now since we happen to have made mention of his practice of announcing his plans publicly — whenever Alexander desired to name any man governor of a province, or make him an officer in the army, or appoint him a procurator, that is to say, a revenue-officer, he always announced his name publicly and charged the people, in case anyone wished to bring an accusation against him, to prove it by irrefutable evidence, declaring that anyone who failed to prove his charge should suffer capital punishment. For, he used to say, it was unjust that, when Christians and Jews observed this custom in announcing the names of those who were to be ordained priests, it should not be similarly



40 *De scientia politica dialogus*, ed. by Mazzucchi, v. 40–41 (pp. 22–23). Translated by Bell, *Three Political Voices from the Age of Justinian*, p. 154.

41 *Historia Augusta*, 'Severus Alexander', ed. and trans. by Magie, XLV (p. 270). Cf. Thier, *Hierarchie und Autonomie*, pp. 82, 99; Perrin, *Civitas confusionis*, p. 187.

observed in the case of governors of provinces, to whose keeping were committed the fortunes and lives of men.]

The supposed inspiration drawn from Christianity is a figment of the author's mind, but it does point to a shared understanding of the moral expectations of a leader in late ancient society. The idea also finds its way into the occasional law, where the people are accorded the right to express a judgement on the moral standing of proposed candidates for a particular magistracy.⁴² It is also the background to legislation demanding that reports of acclamations (which could be negative as well as positive) be brought to the attention of the emperor.⁴³

As much as episcopal 'elections', civil 'elections' were moments when the relationship of justice was established with a new leader. The recurring emphasis on the moral check as the essential characteristic of popular involvement highlights the ethical nature of the relationship that we found in the more theoretical passages. Importantly, the dynamic we see is not shaped by institutions even if institutions relate to it. This has several consequences. First, late ancient legislation does not create the relationship between people and ruler but acknowledges its existence and recognizes its importance. For, as little as canon law, imperial law specifies who the people are, how they are to express their opinion, and what counts as an acceptable and unbiased view. It is possible to retract support if the superior does not live up to his role or even to give it later to someone who was initially appointed without a popular say. The role of the people is not formalized through the organization of assemblies with specific voting rights. As a consequence, the notion of people is socially open-ended. Not only was it, as we have seen, a category defined by contrast (the non-elite), but without formal assemblies and criteria for participation it would be very hard to exclude, for example, people punished with *infamia* from participating. Geographically, the notion is equally open-ended.⁴⁴ In an ordinary Roman town we can assume that people would have known who lived there, but for cities like Rome and Constantinople that was impossible.

Second, if the relationship thus appears 'informal' (if one takes the position of constitutional history), it does not mean it is not effective. Late ancient sources are full of accounts of the people getting things done.⁴⁵ At the same

42 CTh 11.7.20 (412) (II, p. 590); cf. 12.5.1 (325) (II, p. 712). A particular case is the *defensor plebis*: CTh 12.1.75 (II, p. 681) with Ausbüttel, *Die Verwaltung der Städte und Provinzen*, pp. 37–38. Further references in Heckscheit, *La fonction du peuple dans l'empire romain*, pp. 149, 170, 189. This reminds one of procedures such as the *dokimasia* in Classical Athens, whereby suitability or fulfilment of certain criteria for particular positions was assessed. Such procedures are, however, much more formalized than what we witness for Late Antiquity.

43 CTh 1.16.6 (II, p. 56).

44 Evers, *Church, Cities, and People*, p. 263, notes that *plebs* is not (primarily) a territorial entity.

45 *Historia Augusta*, 'Maximus and Balbinus', ed. and trans. by Magie, III. 3–4 (pp. 452–54); Atticus of Constantinople in Cyril of Alexandria, *Epistula* 75, col. 352; Theodore Lector, *Historia ecclesiastica*, ed. by Hansen, epitome 485–86 (p. 138); Procopius, *Wars*, trans. by

time, the people never decided in the way they do in a vote in the *comitia*. Rather, the moral standing of an individual candidate gets scrutinized when there are objections from the people. As we have seen in the passages from Ambrose, the relationship between people and leader was dynamic, with top-down persuasion as important as bottom-up control. We have thus also cases whereby the people get swayed by the ruler. There are also cases of episcopal elections in which the people were neglected: a popular expression of will was, canon law notwithstanding, not a formal requirement. We should thus avoid understanding the relationship on the model of ancient and modern voting assemblies, which accord formal decision power — even if it was only exercised symbolically.⁴⁶

Modern Stories

So far, I have aimed at analysing how the relationship between people and leader is understood and given meaning in late ancient discourse and suggested that the proposed interpretation finds support in the way episodes of interaction between people and leader are reported in the sources. By highlighting how the relationship is ethically grounded, my approach joins recent calls to avoid the common assumption that ethics is a second-order discourse that is grafted onto social relations.⁴⁷ Rather, ethics is constitutive of social relations and vice versa.⁴⁸ I shall not pursue this here, but rather focus on how my account relates to common narratives of ‘popular politics’ in the (later) Roman Empire. Indeed, whilst I have pursued a structural approach, teasing out how the relationship is given meaning, scholars usually set their understanding of Late Antiquity against a long history of political participation and representation.⁴⁹

Dewing, vi. 27. 31 (p. 110); Pseudo-Zachariah, *Historia ecclesiastica*, ed. by Greatrex, trans. by Phenix and Horn, III. 11a (p. 126).

- 46 See, e.g., Jehne, *Demokratie in Rom?*; Mouritsen, *Politics in the Roman Republic*; Barnwell, ‘Kings, Nobles, and Assemblies’.
- 47 An assumption explicitly articulated in approaches influenced by functionalism (London, *Empire of Honour*, p. 10) and Bourdieuvian sociology (Flaig, *Ritualisierte Politik*; Flaig, *Den Kaiser herausfordern*).
- 48 See references in note 2. This implies that ethics is not just a set of moral rules decreed by a given instance to regulate human action. Rather, ‘the ethical is constitutive of what it is to be a human being and what it means to lead a human life’ (Gaita, *Good and Evil*, p. 135).
- 49 Note that ‘representation’ and ‘participation’ have a normative charge in modern scholarship, as they imply a judgement on how democracy should properly function: e.g. Van Deth, *What Is Political Participation?*, cover: ‘Vibrant democracies are characterized by a continuous expansion of the available forms of participation. Collective action theory is also tributary to this framework: it focuses on collective action against a perceived injustice (which is, at best, only part of the interaction between people and leader in Late Antiquity) and assumes that a lack of representation is one of its causes.’

The traditional story is one of decline of popular participation in the Roman Empire.⁵⁰ The Roman *comitia* stopped gathering in the course of the first century CE, and in the cities oligarchies were installed causing the disappearance of assemblies, a process that is taken to be complete by the fourth century. As there is plentiful evidence of the people engaging in political activity during the later Roman Empire (from my perspective I would say: engaging with politicians), it was argued that popular participation became ritualized, which in older scholarship implies that it was emptied of its content and reduced to formal acts.⁵¹ As such, ritualized popular involvement is a quasi-institution, by which I mean that it is depicted as plugging the gap left by the demise of institutions of representation. Alternatively, it is stated that power structures become informal,⁵² a term that emphasizes the loss of institutional power. How informal structures, then, are maintained and survive is rarely explained. In addition, it was said that because the people had lost representation, they turned to violence.⁵³ Because the role of the people in the Roman Empire and later Antiquity is normally still studied under the aegis of a history of political representation, this traditional view still survives in much of the revisionist scholarship of the last years. Scholars working on the Roman Empire tend to push the 'end of the assembly' further towards Late(r) Antiquity, pointing to the evidence for assemblies into the fourth century and beyond.⁵⁴ This broadly constitutionalist approach yields, however, surprising results, for it allows to push further still the beginning of full-fledged monarchy and oligarchy without a role for the people. Indeed, as Laurent Hecketsweiler and Anthony Kaldellis have argued, the later Roman Empire and Byzantium still identify popular will as the basis of the state and show up considerable

50 See the *status quaestionis* in Zuiderhoek, 'On the Political Sociology of the Imperial Greek City', p. 433; Hecketsweiler, *La fonction du peuple dans l'empire romain*, pp. 20–25.

51 Petit, *Libanius et la vie municipale à Antioche*, pp. 220–24; Chastagnol, *La préfecture urbaine*, p. 81: 'une institution presque légale'; Dagron, *L'hippodrome de Constantinople*, p. 182: 'un rituel qui cherchait à combler un vide historique'; Jacques, *Le privilège de liberté*, p. 400: 'une proclamation rituelle plus que d'une élection démocratique'; MacMullen, *Enemies of the Roman Order*, pp. 171–72.

52 Liebeschuetz, *The Decline and Fall of the Roman City*, pp. 121, 214. Cf. Lim, 'People as Power', p. 274, defining power as the ability to draw large crowds.

53 Declareuil, *Quelques problèmes d'histoire des institutions municipales*; Bollinger, *Theatralis licentia*, p. 70; MacMullen, 'The Historical Role of the Masses in Late Antiquity'; Hecketsweiler, *La fonction du peuple dans l'empire romain*, p. 266; Quass, *Die Honoratiorenschicht in den Städten des griechischen Ostens*, pp. 408–09; Meyer-Zwiffelhofer, *Politikōs Archein*, p. 298; Pfeilschifter, *Der Kaiser und Konstantinopel*, p. 30.

54 Lepelley, *Les cités de l'Afrique romaine*, pp. 144–49; Lepelley, 'Permanences de la cité classique'; Ausbüttel, *Die Verwaltung der Städte und Provinzen*; Oppeneer, 'Assembly Politics and the Rhetoric of Honour'; Tacoma, *Roman Political Culture*. The basis for arguing for the continuation of assemblies needs to be re-assessed, however: neither the fact that the people gathered nor that there were 'elections' is proof for the continuation of voting assemblies. For other continuities in civic institutions, see Lewin, *Assemblée populari*.

evidence for an effective role of the people.⁵⁵ A general idea still seems to be that there was much more violence in Late Antiquity, building on the idea that a society dominated by religion produces much more violence, besides the assumption noted above about the disenfranchisement of the people.

Understanding the phenomena discussed in this chapter from the perspective of a history of political representation has also led to their compartmentalization in scholarship: if similarities between 'episcopal elections' and 'local elections' have often been noticed, it is less often asked what this may mean, except for arguing that the former derives from the latter.⁵⁶ Episcopal elections tend to be studied separately from similar instances where the people appear, as we have seen in the *Life of Caesarius*, like riots and 'collective action', acclamations, mob justice, and municipal elections. As I have argued, they are in fact instances of the same social roles that come with being leader and being people.

In a quip, Brent Shaw defined episcopal elections as 'fits of democratic participation'.⁵⁷ From the perspective espoused here, they have little to do with participation as commonly understood: episcopal elections are not about giving the people a say in the running of the Church, but about allowing them to enter into a relation of care and justice with the new leader of the community. Nor do they have anything to do with democracy, for the idea of equality is absent and the people are just one of three or four voices in an episcopal election. Significantly, Shaw suggests that episcopal elections are *Fremdkörper* in a society veering towards monarchy, and indeed it has been said that the important role accorded to the people in a monarchy may seem a paradox.⁵⁸ From the perspective espoused in this chapter, the contrary is the case: the social role of a monarch conjures up a relationship of justice with the people, and a monarch without people is unthinkable, as much as a bishop without a flock. Indeed, episcopal elections are not 'fits', an unwanted and involuntary appearance in a late antique world hooked on monarchy. They are an expression of an essential feature of what in Late Antiquity a leader (monarch, bishop, governor, etc.) was supposed to be: someone who stood in a relation of justice to a people.

Although I could avoid relating my structural analysis to the narrative about institutional change in the Roman Empire, I want to offer two possible correlations. One would be to understand earlier institutional assemblies as

55 Beck, *Senat und Volk von Konstantinopel*; Wetzler, *Rechtsstaat und Absolutismus*; Hecketsweiler, *La fonction du peuple dans l'empire romain*; Kaldellis, *The Byzantine Republic*. See also Pabst, *Comitia imperii*, p. 228, arguing that the army always stands for the people, which is unlikely; Janniard, 'Accession au pouvoir impérial et consensus des troupes au IV^e siècle après J.-C.'; See already Dagron, *L'hippodrome de Constantinople*, pp. 299–303, and Winkelmann, *Zur politischen Rolle der Bevölkerung Konstantinopels*, p. 106. Wickham, *Medieval Europe* takes assemblies as one form of continuity between Antiquity and the Middle Ages.

56 But see Neri, 'Concetto politico e concetto ecclesiale di *populus* nella tarda antichità'.

57 Shaw, *Sacred Violence*, p. 384.

58 Kaldellis, *The Byzantine Republic*, p. 80.

contexts within which the relationship as I have sketched it played out or even originated. The social attitude underpinning participation in assemblies would then survive their demise. In favour of this approach one can point to an understanding of Roman *comitia* as places for the expression and symbolization of consensus, for as we know *comitia* usually voted ‘yes’.⁵⁹ An important difference, though, is that the *comitia* had the right of approval by a majority vote (organized in different ways). Later gatherings did not have voting procedures. The alternative would be to argue that the shift to an Empire under Augustus necessitated a configuration of the role of the monarch and created a more hierarchical society.⁶⁰ The demise of the assemblies and the development of the social role as I have sketched it would then be two results of a larger change. This last option picks up arguments put forward in scholarship on the history of assemblies.⁶¹ I am not sure if we can decide between these alternatives or even that we should, but the former is closer to a traditional history of representation. A way to test these two narratives would be to study representations of interactions between people and superior over the course of time to see if they are conceptualized differently, something that cannot be attempted here.⁶²

Conclusions

The aim of this chapter was to set out an alternative way of writing the history of ‘popular politics’ in Late Antiquity, different from the dominant constitutionalist and sociological approaches. I hope to have shown that it helps to understand how our sources describe the people and that it is, as such, a performative model.

In conclusion, I would like to emphasize the following three points. First, this chapter has focused on the people and thus may give the impression

59 Jehne, *Demokratie in Rom?* See also MacMullen, *Enemies of the Roman Order*, pp. 171–72, understanding popular gatherings as a lingering habit.

60 There is a tendency in the Roman Empire to increasingly understand the world, and man in relation to the divine, in terms of hierarchy (Van Nuffelen, *Rethinking the Gods*), something that recurs in Christianity. This may be another thread of the story.

61 Zuiderhoek, ‘On the Political Sociology of the Imperial Greek City’, pp. 425–29; Heller, ‘La cité grecque d’époque impériale’. Bleicken, *Prinzipat und Dominat*, p. 25, argued that the emperor filled the gap left by the demise of the *comitia*.

62 The very longue durée perspective might be that I know of very few political systems in the West, even autocratic ones like the later Roman Empire, that do not seek in some way or another approbation from its subjects. ‘Representation’ is just a facet of that larger history, one obviously privileged from our standpoint. My colleague Arjan Zuiderhoek suggests that some of the features ascribed here to late antique interactions between ruler and people could also be found in Archaic and Classical Greece (communication of 30 March 2019). A comparison between Late Antiquity and the earlier periods, including the Roman Empire, cannot be attempted here.

that the role of the leader (e.g. the monarch) needs only to be understood in relation to them. Yet, we find continuous anxiety in texts emanating from the municipal and imperial elite from Libanius to the *Dialogue of Political Science* that they be bypassed by the relationship people–governor/emperor.⁶³

Equally, the people were only one factor in the episcopal elections. This renders the actual performance of the social role of (e.g.) a monarch even more complex, as the relationship emperor–people could be in tension with that of emperor–elite.

Second, I have not said much about civic identity, but the model presupposes an existing community which actualizes itself through the hierarchical relationship between people and leader. Because it is not formally defined who the people are, it is an open-ended notion, which sometimes may not have been identical with citizenship. This would tie in with the rise of personal relationships next to and sometimes over and against institutional ones in late antique society in general, visible, for example, in the organization of the military and in the following of ‘holy men’. The rise of bishops to become the leaders of the cities would be another example.

Third, we should avoid reading the evidence in the light of what I have called the ‘history of political representation’. With regard to the people, what the sources depict are gatherings of people, whom it may be wiser not to call ‘assemblies’ (even informal ones). Indeed, in doing so, one explicitly or implicitly assumes continuity between the formal assemblies of the past and the new gatherings, which, however, play a fundamentally different role from what we usually understand by ‘assemblies’ in an institutional sense. As said, we can write a history of continuity between the old assemblies and the late antique gatherings, but continuity should not be simply assumed or read into the sources.

Works Cited

Primary Sources

- Ambrose, *De officiis*, ed. and trans. by Ivor J. Davidson, *Ambrose. De officiis*, The Oxford Early Christian Studies (Oxford-New York: Oxford University Press, 2001)
- Augustine, *De civitate dei*, ed. by Bernard Dombart and Alphonsus Kalb, CCL, 48 (Turnhout: Brepols, 1955)
- , *Epistulae*, ed. by Klaus D. Daur, CCL, 31B (Turnhout: Brepols, 2009)
- , *Epistulae ex duobus codicibus nuper in lucem prolatae**, ed. by Johannes Divjak, CSEL, 88 (Vienna: Holder-Pichler-Tempsky, 1981)



63 See above, notes 28 and 40.

- Cicero, *De officiis*, trans. by Walter Miller, LCL, 30 (Cambridge, MA: Harvard University Press, 1913)
- Cyril of Alexandria, *Epistulae*, PG, LXXVII
- De scientia politica dialogus*, ed. by Carlo Maria Mazzucchi (Milan: Università Cattolica del Sacro Cuore, 1982)
- Eunapius, 'Lives of the Philosophers', in Philostratus and Eunapius, *Philostratus: Lives of the Sophists. Eunapius: Lives of the Philosophers and Sophists*, trans. by Wilmer C. Wright, LCL, 134 (Cambridge, MA: Harvard University Press, 1921), pp. 342–565
- Historia Augusta*, 'Maximus and Balbinus', in *Historia Augusta*, vol. II: *Caracalla. Geta. Opellius Macrinus. Diadumenianus. Elagabalus. Severus Alexander. The Two Maximini. The Three Gordians. Maximus and Balbinus*, ed. and trans. by David Magie, LCL, 140 (Cambridge, MA: Harvard University Press, 1924), pp. 448–86
- Historia Augusta*, 'Severus Alexander', in *Historia Augusta*, vol. II: *Caracalla. Geta. Opellius Macrinus. Diadumenianus. Elagabalus. Severus Alexander. The Two Maximini. The Three Gordians. Maximus and Balbinus*, ed. and trans. by David Magie, LCL, 140 (Cambridge, MA: Harvard University Press, 1924), pp. 178–314
- Historia Augusta*, 'The Two Valeriani', in *Historia Augusta*, vol. III: *The Two Valerians. The Two Gallieni. The Thirty Pretenders. The Deified Claudius. The Deified Aurelian. Tacitus. Probus. Firmus, Saturninus, Proculus and Bonosus. Carus, Carinus and Numerian*, trans. by David Magie, LCL, 263 (Cambridge, MA: Harvard University Press, 1932), pp. 2–16
- Jerome, *Epistulae*, ed. by Isidor Hilberg, CSEL, 54–56 (Vienna: Tempsky, 1910)
- John the Lydian, *De magistratibus*, ed. and trans. by Michel Dubuisson and Jacques Schamp, Collection des universités de France, 3 vols (Paris: Les Belles Lettres, 2006)
- Letter of Aristotle to Alexander*, ed. and trans. by Simon Swain, in *Themistius, Julian and Greek Political Theory under Rome: Texts, Translations, and Studies of Four Key Works* (Cambridge: Cambridge University Press, 2013), pp. 180–207
- Libanius, 'Orationes', in *Selected Orations*, vol. II, ed. and trans. by A. F. Norman, LCL, 432 (Cambridge, MA: Harvard University Press, 1977)
- Optatus, *Adversus Donatistas*, ed. by Carl Ziwsa, CSEL, 26 (Vienna: Tempsky, 1893)
- Plotinus, *Enneades*, vol. VI: 1–5, trans. by A. H. Armstrong, LCL, 445 (Cambridge, MA: Harvard University Press, 1988)
- Proclus, *In Platonis Rem publicam commentarii*, ed. by Wilhelm Kroll (Leipzig: Teubner, 1899)
- Procopius, *History of the Wars*, vol. II: *Books 3–4 (Vandalic War)*, trans. by H. B. Dewing, LCL, 81 (Cambridge, MA: Harvard University Press, 1916)
- Pseudo-Zachariah, *Historia ecclesiastica*, ed. by Geoffrey Greatrex, trans. by Robert R. Phenix and Cornella B. Horn, TTH, 55 (Liverpool: Liverpool University Press, 2011)

- Theodore Lector, *Historia ecclesiastica*, ed. by Günther Christian Hansen, Die griechischen christlichen Schriftsteller der ersten Jahrhunderte, n.s., 3, 2 (Berlin: Akademie-Verlag, 1995)
- Victor of Vita, *Historia persecutionis Africanae provinciae sub Geiserico et Hunirico regibus Wandalorum*, ed. by Carl Halm, MGH, AA, 3.1 (Berlin: Weidmann, 1888)
- Vitae Caesarii episcopi Arelatensis libri duo*, ed. by Bruno Krusch, in *Passiones vitaeque sanctorum aevi Merovingici et antiquiorum aliquot*, vol. I, MGH, SRM, 3 (Hanover: Hahn, 1896), pp. 433–501

Secondary Works

- Allen, Pauline, Bronwen Neil, and Wendy Mayer, *Preaching Poverty in Late Antiquity: Perceptions and Realities*, Arbeiten zur Kirchen- und Theologiegeschichte, 28 (Leipzig: Evangelische Verlagsanstalt, 2009)
- Ausbüttel, Frank M., *Die Verwaltung der Städte und Provinzen im spätantiken Italien* (Frankfurt: Peter Lang, 1988)
- Barnwell, Peter S., 'Kings, Nobles, and Assemblies in the Barbarian Kingdoms', in *Political Assemblies in the Earlier Middle Ages*, ed. by Peter S. Barnwell and Marco Mostert, Studies in the Early Middle Ages, 7 (Turnhout: Brepols, 2003), pp. 11–28
- Beck, Hans-Georg, *Senat und Volk von Konstantinopel: Probleme der Byzantinischen Verfassungsgeschichte*, Bayerische Akademie der Wissenschaften. Philosophisch-Historische Klasse. Sitzungsberichte 1966, 6 (Munich: Bayerische Akademie der Wissenschaften, 1966)
- Bell, Peter N., *Three Political Voices from the Age of Justinian: Agapetus, Advice to the Emperor, Dialogue on Political Science, Paul the Silentiary, Description of Hagia Sophia*, Translated Texts for Historians, 52 (Liverpool: Liverpool University Press, 2009)
- Bleicken, Jochen, *Prinzipat und Dominat: Gedanken zur Periodisierung der römischen Kaiserzeit*, Frankfurter Historische Vorträge, 6 (Wiesbaden: Steiner, 1978)
- Bollinger, Traugott, *Theatralis licentia: Die Publikumsdemonstrationen an den öffentlichen Spielen im Rom der früheren Kaiserzeit und ihre Bedeutung im politischen Leben* (Winterthur: Hans Schellenberg, 1969)
- Brown, Peter, *Poverty and Leadership in the Later Roman Empire*, The Menahem Stern Jerusalem Lectures (Hanover: University Press of New England, 2002)
- Chastagnol, André, *La préfecture urbaine à Rome sous le Bas-Empire* (Paris: Presses Universitaires de France, 1960)
- Dagron, Gilbert, *Constantinople: Naissance d'une capitale* (Paris: Presses universitaires de France, 1974)
- , *L'hippodrome de Constantinople: Jeux, peuple et politique*, Bibliothèque des Histoires (Paris: Gallimard, 2011)
- Declareuil, Joseph, *Quelques problèmes d'histoire des institutions municipales au temps de l'Empire romain* (Aalen: Scientia Verlag, 1973)

- Dolbeau, François, 'La vie en prose de Saint Marcel, évêque de Die: Histoire du texte et édition critique', *Francia*, 11 (1983), 97–130
- Evers, Alexander Wilhelmus Henricus, *Church, Cities, and People: A Study of the Plebs in the Church and Cities of Roman Africa in Late Antiquity*, Interdisciplinary Studies in Ancient Culture, 11 (Leuven: Peeters, 2010)
- Finn, Richard D., *Almsgiving in the Later Roman Empire: Christian Promotion and Practice* (313–450) (Oxford: Oxford University Press, 2006)
- Flaig, Egon, *Den Kaiser herausfordern: Die Usurpation im Römischen Reich*, Historische Studien, 7 (Frankfurt: Campus Verlag, 1992)
- , *Ritualisierte Politik: Zeichen, Gesten und Herrschaft im Alten Rom*, Historische Semantik, 1 (Göttingen: Vandenhoeck & Ruprecht, 2003)
- Gaita, Raimond, *Good and Evil: An Absolute Conception*, 2nd edn (London: Routledge, 2005)
- Gill, Christopher, 'Peace of Mind and Being Yourself: Panaetius to Plutarch', *ANRW*, 11.36.7, ed. by Wolfgang Haase (Berlin: De Gruyter, 1994), pp. 4599–4640
- Hecketsweiler, Laurent, *La fonction du peuple dans l'empire romain: Réponses du droit de Justinien* (Paris: Harmattan, 2009)
- Heller, Anna, 'La cité grecque d'époque impériale: Vers une société d'ordres', *Annales: Histoire, Sciences Sociales*, 64 (2009), 341–73
- Jacques, François, *Le privilège de liberté: Politique impériale et autonomie municipale dans les cités de l'Occident romain (161–244)* (Rome: École française de Rome, 1984)
- Janniard, Sylvain, 'Accession au pouvoir impérial et consensus des troupes au IV^e siècle après J.-C.', *Revue internationale d'histoire militaire ancienne*, 4 (2016), 113–25
- Jehne, Martin, *Demokratie in Rom? Die Rolle des Volkes in der Politik der römischen Republik*, *Historia. Einzelschriften*, 96 (Stuttgart: Steiner, 1995)
- Kaldellis, Anthony, *The Byzantine Republic: People and Power in New Rome* (Cambridge, MA: Harvard University Press, 2015)
- London, Jon E., *Empire of Honour: The Art of Government in the Roman World* (Oxford: Clarendon Press, 1997)
- Lepelley, Claude, *Les cités de l'Afrique romaine au Bas-Empire*, 2 vols (Paris: Institut d'études augustiniennes, 1979–1981)
- , 'Permanences de la cité classique et archaïsmes municipaux en Italie au Bas-Empire', in *Institutions, société et vie politique dans l'empire romain au IV^e siècle ap. J.-C.*, ed. by Michel Christol, Ségolène Demougin, and André Chastagnol (Rome: École française de Rome, 1992), pp. 353–71
- Lewin, Ariel, *Assemblee popolari e lotta politica nelle città dell'impero romano* (Firenze: La Giuntina, 1995)
- Liebeschuetz, J. H. W. G., *Antioch: City and Imperial Administration in the Later Roman Empire* (Oxford: Clarendon Press, 1972)
- , *The Decline and Fall of the Roman City* (Oxford: Oxford University Press, 2001)

- Lim, Richard, 'People as Power: Games, Munificence, and Contested Topography', in *The Transformations of 'Vrbs Roma' in Late Antiquity*, ed. by William V. Harris (Portsmouth, RI: Journal of Roman Archaeology, 1999), pp. 265–81
- Luhmann, Niklas, *Legitimation durch Verfahren*, Suhrkamp-Taschenbuch Wissenschaft, 443, 9th edn (Frankfurt am Main: Suhrkamp, 2013)
- MacMullen, Ramsay, *Enemies of the Roman Order: Treason, Unrest and Alienation in the Empire* (Cambridge, MA: Harvard University Press, 1967)
- , 'The Historical Role of the Masses in Late Antiquity', in *Changes in the Roman Empire* (Yale: Yale University Press, 1990), pp. 250–76
- Magalhães de Oliveira, Julio Cesar, *Potestas Populi: Participation populaire et action collective dans les villes de l'Afrique romaine tardive (vers 300–430 apr. J.-C.)*, Bibliothèque de l'Antiquité Tardive, 24 (Turnhout: Brepols, 2012)
- Mattheis, Marco, *Der Kampf ums Ritual: Diskurs und Praxis traditioneller Rituale in der Spätantike*, Reihe Geschichte, 4 (Düsseldorf: Wellem, 2014)
- Meyer-Zwiffelhofer, Eckhard, *Politikōs Archein: Zum Regierungsstil der senatorischen Statthalter in den kaiserzeitlichen griechischen Provinzen*, Historia. Einzelschriften, 165 (Stuttgart: Steiner, 2002)
- Millar, Fergus, *The Emperor in the Roman World, 31 BC – AD 337* (London: Duckworth, 1977)
- Morgan, Teresa, *Roman Faith and Christian Faith: Pistis and Fides in the Early Roman Empire and Early Churches* (Oxford: Oxford University Press, 2015)
- Mouritsen, Henrik, *Politics in the Roman Republic* (New York: Cambridge University Press, 2017)
- Müller, Christophe, 'Kurialen und Bischof, Bürger und Gemeinde: Untersuchungen zur Kontinuität von Ämtern, Funktionen und Formen der "Kommunikation" in der gallischen Stadt des 4.–6. Jahrhunderts' (unpublished doctoral dissertation, Albert-Ludwigs-Universität, Freiburg, 2003) <DOI: 10.6094/UNIFR/5314>
- Naiden, Frederick S., *Ancient Supplication* (New York: Oxford University Press, 2006)
- Neri, Valerio, 'Concetto politico e concetto ecclesiale di *populus* nella tarda antichità', in *Popolo e potere nel mondo antico: Atti del convegno internazionale Cividale del Friuli, 23–25 settembre 2004*, ed. by Gianpaolo Urso, I Convegni della Fondazione Niccolò Canussio, 4 (Pisa: ETS, 2005), pp. 215–32
- Norton, Peter, *Episcopal Elections, 250–600: Hierarchy and Popular Will in Late Antiquity*, Oxford Classical Monographs (Oxford: Oxford University Press, 2007)
- Ober, Josiah, *Mass and Elite in Democratic Athens: Rhetoric, Ideology, and the Power of the People* (Princeton, NJ: Princeton University Press, 1989)
- Oppeneer, Thierry, 'Assembly Politics and the Rhetoric of Honour in Chariton, Dio of Prusa and John Chrysostom', *Historia*, 67 (2018), 223–43
- Pabst, Angela, *Comitia imperii: Ideelle Grundlagen des römischen Kaisertums* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1997)
- Perrin, Michel-Yves, *Civitas confusionis: De la participation des fidèles aux controverses doctrinales dans l'Antiquité tardive (début III^e s. – c. 430)* (Paris: Nuvis, 2017)

- Petit, Paul, *Libanius et la vie municipale à Antioche au IV^e siècle après J.-C.* (Paris: P. Geuthner, 1955)
- Pfeilschifter, Rene, *Der Kaiser und Konstantinopel: Kommunikation und Konfliktaustrag in einer spätantiken Metropole*, *Millenium-Studien*, 44 (Berlin: Walter De Gruyter, 2013)
- Purcell, Nicholas, 'The Populace of Rome in Late Antiquity: Problems of Classification and Historical Description', in *The Transformations of 'Urbs Roma' in Late Antiquity*, ed. by William V. Harris (Portsmouth, RI: Journal of Roman Archaeology, 1999), pp. 135–61
- Quass, Friedemann, *Die Honoratiorenschicht in den Städten des griechischen Ostens: Untersuchungen zur politischen und sozialen Entwicklung in Hellenistischer und Römischer Zeit* (Stuttgart: F. Steiner, 1993)
- Rapp, Claudia, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition*, *The Transformation of the Classical Heritage*, 37 (Berkeley: University of California Press, 2005)
- Schatzki, Theodore R., *Social Practices: A Wittgensteinian Approach to Human Activity and the Social* (New York: Cambridge University Press, 1996)
- Shaw, Brent, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine* (Cambridge: Cambridge University Press, 2011)
- Tacoma, Laurens E., *Roman Political Culture: Seven Studies of the Senate and City Councils of Italy from the First to the Sixth Century AD* (Oxford: Oxford University Press, 2020)
- Thier, Andreas, *Hierarchie und Autonomie: Regelungstraditionen der Bischofsbestellung in der Geschichte des kirchlichen Wahlrechts bis 1140*, *Studien zur europäischen Rechtsgeschichte*, 257 (Frankfurt am Main: Klostermann, 2011)
- Tinnefeld, Franz Hermann, *Die Frühbyzantinische Gesellschaft: Struktur, Gegensätze, Spannungen*, *Kritische Information*, 67 (Munich: W. Fink, 1977)
- Van Deth, Jan W., *What Is Political Participation?* (Oxford University Press, 2016)
- Van Nuffelen, Peter, 'The Late Antique State and "Mirror Rituals": Procopius of Caesarea on Riots', in *Continuity and Change: Late Antique Historiography between Order and Disorder*, ed. by Dariusz Brodka and Michał Stachura (Cracow: Jagiellonian University Press, 2007), pp. 61–72
- , *Rethinking the Gods: Philosophical Readings of Religion in the Post-Hellenistic Period* (Cambridge: Cambridge University Press, 2011)
- , 'The Rhetoric of Rules and the Rule of Consensus', in *Episcopal Elections in Late Antiquity*, ed. by Johan Leemans, Peter Van Nuffelen, Shawn W. J. Keough, and Carla Nicolaye, *Arbeiten zur Kirchengeschichte*, 119 (Berlin: Walter De Gruyter, 2011), pp. 243–58
- , 'A Wise Madness': A Virtue-Based Model for Crowd Behaviour in Late Antiquity', in *Reconceiving Religious Conflict: New Views from the Formative Centuries of Christianity*, ed. by Chris De Wet and Wendy Mayer (London: Routledge, 2018), pp. 234–58
- Wetzler, Christoph F., *Rechtsstaat und Absolutismus: Überlegungen zur Verfassung des spätantiken Kaiserreichs anhand von CJ 1.14.8*, *Freiburger rechtsgeschichtliche Abhandlungen*, n.s., 27 (Berlin: Duncker & Humblot, 1997)

- Wickham, Chris, *Medieval Europe* (New Haven: Yale University Press, 2017)
- Winch, Peter, *The Idea of a Social Science and its Relation to Philosophy*, Routledge Classics (1958; repr. London: Routledge, 2008)
- Winkelman, Friedhelm, *Zur politischen Rolle der Bevölkerung Konstantinopels in der nachjustinianischen Zeit bis zum Beginn des Bilderstreits* (Berlin: Akademie Verlag, 1976)
- Zuiderhoek, Arjan, 'On the Political Sociology of the Imperial Greek City', *Greek, Roman and Byzantine Studies*, 48 (2008), 417–45

