

for my own work. The success of the book is that it rises above a mere catalog or description of texts, and into the stratum where it excites such questions and points as posed, and the author has my thanks for this.

**Seth Richardson**

The University of Chicago

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John Noël Dillon, *The Justice of Constantine: Law, Communication, and Control*, Ann Arbor: University of Michigan Press, 2012. Pp. 295. \$75.00 cloth (ISBN 978-0-472-11829-8).

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As the Roman Empire emerged from its “crisis” in the third century, it faced the challenge of reintegration. Among his other attempts to stabilize the Empire, Diocletian reorganized imperial administration and expanded the number of officials. This expansion in state power nonetheless posed a challenge for subsequent emperors: how could an emperor ensure that the nascent bureaucracy supported and channeled imperial power instead of undermining or diffusing it?

Constantine’s management of this emerging bureaucracy forms the subject of Dillon’s book. Drawing together the numerous official pronouncements of Constantine (preserved primarily in the *Codex Theodosianus [CTh]*), Dillon argues that Constantine exerted control over these bureaucrats by appealing directly to the people, creating a new layer of officials directly responsible for policing other officials, and opening up channels of communication through which the people could appeal the decisions of local officials and disclose to the emperor official wrongdoing. The result was the transformation of the Roman state from a reactive system that devolved substantial power onto local officials into a “relatively proactive, popularizing autocracy” (6), which set the tone for subsequent emperors.

After an introductory chapter dealing with the sources, the main arguments are developed by close readings of Constantine’s legislation. In Chapters 2–3, Dillon explains formal elements and compares the rhetoric of legislative pronouncements by Diocletian and Constantine. The period shows the development of “epistolary edicts” that betrayed the highly personal character of Constantine’s legislation, and a shift in tone from Tetrarchic conservatism to rhetorical grandiosity, demonstrating the newfound need to persuade subjects of imperial legitimacy. The argument then turns to the repeal of Licinius’ legislation (a failed experiment, but an important sign of Constantine’s ambitions) and to the rhetoric of *CTh*. 9.1.4, in which Constantine promises to avenge himself against the wrongdoing of officials, either by hearing

complaints personally or via a small cadre of officials loyal to him alone. Constantine's hostility to provincial bureaucrats is the subject of an engaging fifth chapter, in which Dillon argues for Constantinian innovations in provincial trial procedures, ensuring that trials be held publicly and be carefully documented. Constantine attempted more direct oversight by taking into account public acclamations of provincial governors and by threatening to punish judges who charged illegal fees. The controversial *episcopalis audientia* was, likewise, a part of these attempts to make justice accessible, and to undermine the corrupt bureaucracy.

Merely opening channels of communication between the emperor and his subjects would not suffice to deal with the problem of bureaucratic independence. Supporting Constantine's orders was a newfound willingness to use spectacular violence against formerly protected officials: threatening to burn a tax collector on an imperial estate for unjust exactions, or to use capital punishment against governors and their staff for unjustly assigning compulsory services, to give just two examples (156–91). The final two chapters turn to Constantine's attempts at oversight: the development of practices of reporting official acts, the practice of *consultatio*, and the standardization of appellate processes that forced lower-level bureaucrats to state the reasoning behind their initial decisions. Even though Constantine's experiments sometimes failed, they point to an accelerating tendency to equate bureaucratic mismanagement with harms to the person of the emperor itself, which was, ideally, to be protected by the grateful Roman *populus*.

Dillon is a skilled and careful reader of the relevant sources, and the quality of the individual exegetical moves supporting the arguments is very high. I nonetheless wonder about the novelty of Constantine's approach: is Constantine's approach distinct in kind or only in degree from, for example, the threats against illegal usurpation of carts by officials made in the first century by Sextus Sotidius Strabo Libuscidianus, in which the imperial legate threatens to enforce his "decree not only with my own power but with the majesty of the best princes" (Stephen Mitchell, "Requisitioned Transport in the Roman Empire: A New Inscription from Pisidia," *Journal of Roman Studies* 66 (1976): 106–31)? Constantine was faced with the problem that Max Weber identified for all leaders who aspire to change state structures, that "Whosoever contracts with violent means for whatever ends... must hold out the necessary internal and external premiums, heavenly or worldly reward, to this 'machine' or else the machine will not function." He could not overcome this, and his solutions to the problem—threatening violent punishments, encouraging popular anger, equating violations of law to sacrilege—indicate instead that he, perhaps more so than his predecessors, was content to "[let] himself in for the diabolical forces lurking in all violence" ("Politics as a Vocation," In Hans-Heinrich Gerth and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology* (New York: Oxford University Press, 1946),

124–26). Dillon deserves our thanks for telling this piece of the story of European administration in such a careful fashion.

**Ari Z. Bryen**  
West Virginia University

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Sara McDougall, *Bigamy and Christian Identity in Late Medieval Champagne*, Philadelphia: University of Pennsylvania Press, 2012. Pp. 216. \$55.00 cloth (ISBN 978-0-8122-4398-7). doi:10.1017/S0738248014000364

This book presents a fine argument, executed with the best methods of erudition. It consists of a critical analysis of sources concerning the fifteenth century registers of the Bishop of Troyes's *officialité* (ecclesiastical tribunal), which are particularly well preserved and diverse. These completely unexplored sources are referred to constantly and carefully, and a small selection of them are reproduced as documentary samples. The study draws on a comprehensive bibliography, and the book is a pleasure to read. It also has an index. The choice of chronological limits is well justified. The author takes as a beginning the Fourth Lateran Council in 1215, which gave marriage its normative bearings, especially regarding incest and spousal consent, but which did not condemn clandestine marriages. She pursues her analysis until the Council of Trent, which clearly condemned clandestine marriage in the decree Tametsi of 1563.

The choice of this region allows a relevant analysis of the subject. Among ecclesiastical judicial sources, those of the diocesan *officialité* of Troyes have the advantage of great diversity. They include case registers, sentence registers, and account books of fines. They have not been the object of an exhaustive study except for the thesis of l'Ecole nationale des Chartes by Christelle Walravens (1995), which has remained unpublished. Thankfully, these archives will soon be available online. Taking the Champagne as an example of a laboratory of ideas was a sound approach, especially as the author has compared these sources with those of the neighboring diocese of Châlons-sur-Marne. We can wonder, however, why the *officialité* of Reims is absent from the census of the sources, although it is true that only a few fragments survive, those studied by Véronique Beaulande in the context of excommunication. Her works are cited in the bibliography.

Concerning the method, judicial practice sources are constantly played off against normative sources, including the Synodal Statutes of Troyes, which offered the clergy and the faithful the institutional opinion of the church on