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## The judges of the Macedonia theme (9<sup>th</sup>–12<sup>th</sup> c.)<sup>\*</sup>

Abstract: Justice in the *theme of Macedonia* (9<sup>th</sup>–12<sup>th</sup> c.) was administered by a *krites* or *praitor*, whose duties, including also financial matters, were from the 10<sup>th</sup> century often performed within an administrative, financial and judicial unit comprising more than one theme, such as *Thrace and Macedonia* or *Macedonia and Adrianople*. Forty-one judges of the Macedonia theme have been traced in the sources, mainly in the sigillographic material, plus the *proedros and dikaiophylax of Thrace and Macedonia* Christophoros Leichoudes (1060–1090), who, in our opinion, was also *krites* or *praitor*.

One of the structures of the Byzantine state that needs further research are the provincial courts of justice<sup>1</sup>, since alongside the legal and narrative texts a supplementary source of – sometimes unique – information is found in lead seals, the number of which continues to grow thanks to important new editions complying with modern scientific sigillographical criteria<sup>2</sup>.

Such is the case of the *judges* of the *Macedonia theme*, to whom, in addition to the letters of Michael Psellos addressed to κριτῆς Μακεδονίας and to the testimonies of the πραιτόρ Θράκης καὶ Μακεδονίας in the *Ecloga Basilicorum*, there are many references on the sigillary material that enrich the prosopographical catalogue of these dignitaries. This paper presents some observations concerning their jurisdiction and establishes a chronological catalogue of *judges of the theme of Macedonia*<sup>3</sup>.

Created between 789 and 802, the *theme of Macedonia* included part of the *Thrace theme* and extended south of the Haemus mountains to the Aegean sea and eastwards from the river Strymon in

<sup>\*</sup> This paper, which was presented at the XV<sup>th</sup> Meeting of Greek Legal Historians, Komotini, 19–20 October 2012, is based on sigillographic material collected and studied in the frame of the research programme: “Digital Database of Seals: Officers and offices of Thrace and Macedonia themes” carried out in collaboration with my colleague Ioannes Leontiadis and funded by the Research Committee of Aristotle University of Thessaloniki. I would like also to express my special thanks to Dr. Alexandra-Kyriaki Wassiliou-Seibt and to Professor Werner Seibt for allowing me to use the “Wiener Photothek” during my visit to Vienna (12–16 November 2012), as well as for the discussions we had and for their remarks concerning the dating and the parallels of certain seals.

<sup>1</sup> Aikaterini CHRISTOHILOPOULOU, Βυζαντινή Ιστορία, vol. II/2 (867–1081). Thessaloniki 1997, 315–317, vol. III/1 (1081–1204). Thessaloniki 2001, 263; EADEM, Το πολίτευμα και οι θεσμοί της Βυζαντινής αυτοκρατορίας 324–1204. Κράτος–διοίκηση–οικονομία–κοινωνία. Athens 2004, 242–243, 257–258; Eleutheria PΑΡΑΓΙΑΝΝΙ, Αγιορείτικες μαρτυρίες για τη δικαστική εξουσία στο θέμα Θεσσαλονίκης κατά τον Ι΄ αιώνα, in: Gedächtnisschrift für Stylianos N. Koussoulis. Athens 2012, 415–427, here 415.

<sup>2</sup> For the evidence of seals concerning the judicial officers of Constantinople see A. GKOUTZIOUKOSTAS, Seals of Byzantine officials connected with the administration of justice. *JÖB* 62 (2012) 9–18.

<sup>3</sup> For the *judges of the themes* see for example Hélène GLYKATZI-AHRWEILER, Recherches sur l’administration de l’empire byzantin aux IX<sup>e</sup>–XI<sup>e</sup> siècles. *BCH* 84 (1960) 1–109 (= EADEM, Études sur le structures administratives et sociales de Byzance. London 1971, VIII), 67–78; N. ΟΙΚΟΝΟΜΙΔΗΣ, L’évolution de l’organisation administrative de l’empire byzantin au XI<sup>e</sup> siècle (1025–1118). *TM* 6 (1976) 125–152, here 148–149 (= IDEM, Byzantium from the Ninth Century to the Fourth Crusade. Studies, Texts, Monuments. Aldershot 1992, X); Martha GREGORIOU-IOANNIDOU, Παρακμή και πτώση του θεματικού θεσμού. Συμβολή στην εξέλιξη της διοικητικής και της στρατιωτικής οργάνωσης του Βυζαντίου από τον 10<sup>ο</sup> αι. κ.ε. Thessaloniki 2007 (reprinted from the edition of 1985), 73–79; Vassiliki VLYSIDOU, Quelques remarques sur l’apparition des juges (première moitié du Xe siècle), in: E Byzantine Mikra Asia (6<sup>th</sup>–12<sup>th</sup> c.). (*Ethniko Idryma Ereunon. Institutouto Byzantinon Ereunon. Diethne Symposia* 6). Athens 1998, 59–66; Aik. CHRISTOHILOPOULOU, Τα βυζαντινά δικαστήρια κατά τους αιώνες Ι΄–ΙΑ΄. *Diptycha* 4 (1987) 163–177, here 172–174; HELEN SARADI, The Byzantine Tribunals: Problems in the Application of Justice and State Policy (9<sup>th</sup>–12<sup>th</sup> c.). *REB* 53 (1995) 165–204, especially 173–174; A. GKOUTZIOUKOSTAS, Η απονομή δικαιοσύνης στο Βυζάντιο (9ος–12ος αι.). Τα κοσμικά δικαιοδοτικά όργανα και τα δικαστήρια της πρωτεύουσας (*Byzantina Keimena kai Meletai* 37). Thessaloniki 2004, 287–294; IDEM, Judges of the velum and judges of the hippodrome in Thessalonike (11<sup>th</sup> c.). *Symm* 20 (2010) 67–84.

present-day Greek Thrace to the western part of Turkish Thrace, with Adrianople as its capital<sup>4</sup>. But from the beginning of the 9<sup>th</sup> century or even earlier new arrangements took place. The lands between the rivers Nestos and Strymon, where the κλεισοῦρα Στρυμόνος had been part of the *Macedonia theme*, formed the separate *theme of Strymon* (789–809)<sup>5</sup>; later, the western part of the *Strymon theme* became the *theme of Boleron*<sup>6</sup>. The territory of the *Macedonia theme* to the north was affected by the Byzantine-Bulgarian wars and the conquests of the Bulgars in the 9<sup>th</sup> and 10<sup>th</sup> centuries, until the final victory of the Byzantine forces and the subjugation of the first Bulgarian state (1018), as well as by the short-lived or more stable administrative changes that took place in the region<sup>7</sup>. Some of these changes also affected the administration of justice: for example from the late 10<sup>th</sup> century Philippoupolis and its region, initially part of the *theme of Macedonia*, appears as the seat of a *strategos* and from the 11<sup>th</sup> century as a separate *theme* with its own *krites*<sup>8</sup>. In addition, from the second quarter of the 11<sup>th</sup> century at least Adrianople, the capital of the *Macedonia theme*, is also mentioned as a sepa-

<sup>4</sup> For the *theme of Macedonia* see P. LEMERLE, *Philippes et la Macédoine Orientale à l'époque chrétienne et byzantine*. Paris 1945, 122–123; P. KOLEDAROV, *Obrazuvane na tema Makedonija v Trakija*. *Izvestija na instituta po Istorija* (Sofia) 21 (1970) 219–243 (= translation in Greek by I. Lampsides, Η ίδρυση του θέματος “Μακεδονία” στη Θράκη, in: *Balkanike bibliographia*, I. Idryma Meleton Chersonesou tou Haimou. Thessaloniki 1974, 231–278); J. NESBITT – N. OIKONOMIDES, *Catalogue of Byzantine Seals at Dumbarton Oaks and in the Fogg Museum of Art, I: Italy, North of Balkans, North of the Black Sea*. Washington, D.C. 1991, 110–111; P. SOUSTAL, *Thrakien (Thrake, Rhodope und Haimimontos)* (*TIB* 6). Vienna 1991, 49–51; Alkmene STAVRIDOU-ZAFRAKA, *Slav invasions and the theme organization in the Balkan peninsula*. *Byzantiaka* 12 (1992) 165–179; CHR. KYRIAZOPOULOS, Η Θράκη κατά τους 10<sup>ο</sup>–12<sup>ο</sup> αιώνες. Συμβολή στη μελέτη της πολιτικής, διοικητικής και εκκλησιαστικής της εξέλιξης. Thessaloniki 2000, 88, n. 198, 186–195; I. G. LEONTIADIS, Παρατηρήσεις στις διοικητικές δομές της Θράκης (7<sup>ο</sup>–10<sup>ο</sup> αι.), in: *Praktika protou Panhelleniou Synedriou. Anatolike Romylia. Historia kai Politismos*, Komotini, 4–6 April 2008. Thessaloniki 2009, 123–139, here 129–130.

<sup>5</sup> NESBITT – OIKONOMIDES, *Catalogue I* 104; Alkmene STAVRIDOU-ZAFRAKA, Τα θέματα του Μακεδονικού χώρου. Το θέμα Στρυμόνος, in: *Byzantine Makedonia 324–1430 (Makedonike Bibliothekhe 82)*. Thessaloniki 1995, 307–319; KYRIAZOPOULOS, Θράκη 217–221; LEONTIADIS, Θράκη 131.

<sup>6</sup> S. KYRIAKIDES, Τὸ Βολερόν. *Epeteris Philosophikes Scholes Panepistemiou Thessalonikes* (1934) 289–494 (= IDEM, *Βυζαντινὰ Μελέται II–V*, Thessaloniki 1939, IV); KYRIAZOPOULOS, Θράκη 200–217.

<sup>7</sup> For example during the early 9<sup>th</sup> century – and perhaps even earlier – the *theme of Mesopotamia* was established in the region of the (modern) Asara fortress delimited by the Marica river (Έβρος), near the city of Konstanteia, which was soon included in the *Macedonia theme*; later, Ioannes Tzimiskes (969–976) created the *theme of Mesopotamia (of the West)* in the above region. See W. SEIBT, “Mesopotamia des Westens” – Ist es im 9. und 10. Jahrhundert südlich der Marica zu suchen? *Acta Musei Varnaensis* 7/2 (2008) 100–113; IDEM, Το θέμα Μεσοποταμίας στα Βαλκάνια τον πρώιμο 9<sup>ο</sup> αιώνα, in: *Philotimia. Studies in Honour of Alkmene Stavridou-Zafrika*, ed. Th. Korres – Polymnia Katsoni – I. Leontiadis – A. Gkoutzioukostas. Thessaloniki 2011, 563–570. For the military and political dignitaries and the military units that appear from the 7<sup>th</sup> until the 10<sup>th</sup> century, mainly on seals, in the region where the *themes of Thrace and Macedonia* were located, see LEONTIADIS, Θράκη 129–139. See also KOLEDAROV, *Μακεδονία* 270ff.; KYRIAZOPOULOS, Θράκη 163ff.; Bojana KRSMANOVIĆ, *The Byzantine Province in Change (On the Threshold between the 10<sup>th</sup> and the 11<sup>th</sup> Century)*. Belgrade–Athens 2008, 128ff. The sources do not supply sufficient information to permit an exact designation of its boundaries to the north or to the east with the *theme of Thrace*; this would require a special study that is beyond the scope of this paper. Cf. KYRIAZOPOULOS, Θράκη 85–88, with the previous bibliography.

<sup>8</sup> KOLEDAROV, *Μακεδονία* 275–276; KYRIAKIDES, *Βολερόν* 425–427; SOUSTAL, *Thrakien* 400–401; KYRIAZOPOULOS, Θράκη 234–240. The *strategos of Philippoupolis* is mentioned for the first time on a seal of Konstantinos Petrouses (not ‘Petros’, given the abbreviation after the letter ‘C’) *basilikos protospatharios and strategos of Philippoupolis* (10<sup>th</sup>/11<sup>th</sup> c.). See G. SCHLUMBERGER, *Sigillographie de l'empire byzantin*. Paris 1884 (reprinted Turin 1963), 115; I. JORDANOV, *Corpus of Byzantine Seals from Bulgaria, II: Byzantine Seals with Family Names*. Sofia 2006, no. 572, who publishes one more piece found in Preslav. A seal of a *krites of Philippoupolis* (11<sup>th</sup> c.) was published by V. LAURENT, *Documents de sigillographie byzantine*. La collection C. Orghidan. Paris 1952, no. 239. The first mention of the *theme of Philippoupolis* in the literary sources is in the *Typikon of Pakourianos* (1084) (ed. P. GAUTIER. *REB* 42 [1984] 33, 231, 35, 263). In 1198 the *provincia of Philippoupolis, Veroe, Mora and Achrido* is mentioned. See G. L. Fr. TAFEL – G. M. THOMAS, *Urkunden zur älteren Handels- und Staatsgeschichte der Republik Venedig, mit besonderer Beziehung auf Byzanz und die Levante von neunten bis zum Ausgang des fünfzehnten Jahrhunderts, I. Teil (814–1205)*. Vienna 1856 (reprinted Amsterdam 1964) 269 (= C. E. ZACHARIAE A LINGENTHAL, *Jus Graeco-Romanum III*. Leipzig 1857, 561). Cf. D. ZAKYTHENOS, *Μελέται περί τῆς διοικητικῆς διαίρέσεως καὶ τῆς ἐπαρχιακῆς διοικήσεως ἐν τῷ βυζαντινῷ κράτει*. *EEBS* 18 (1948) 42–62, here 60–62.

rate administrative and judicial unit under a *praitor*<sup>9</sup> and during the late 12<sup>th</sup> century constituted, together with Didymoteichon, a province<sup>10</sup> cited after that of *Macedonia and Thrace* and next to those of *Anchialos*<sup>11</sup> and *Cheronissos (Chersonnesos)*<sup>12</sup> in a *χρυσόβουλλον* of Alexios III Angelos (1198)<sup>13</sup>.

Justice in the *theme of Macedonia* was administrated by a judge, whose duties, according to sigillary evidence, were from the 10<sup>th</sup> century often performed within an administrative, financial and judicial unit comprising more than one *theme*, such as *Thrace and Macedonia* or *Macedonia and Adrianople*. The first unit is mentioned on the seals of a *πρωτονοτάριος* (middle of the 10<sup>th</sup> c.)<sup>14</sup>, of an *ἀναγραφεὺς* (middle of the 10<sup>th</sup> c.)<sup>15</sup>, and of a *κριτὴς Θράκης καὶ Μακεδονίας* (second half of the 10<sup>th</sup> c.)<sup>16</sup>. No safe conclusions can be drawn, however, for the exact period during which the *themes*

<sup>9</sup> A *praitor of Adrianople* appears for the first time in the second quarter of the 11<sup>th</sup> century, according to a seal of Νικήτας, πρωτοσπαθάριος ἐπὶ τοῦ κοιτῶνος, κριτὴς ἐπὶ τοῦ ἱπποδρόμου καὶ πραιτωρ Ἀδριανουπόλεως. See NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 44. 7 (11<sup>th</sup> c.) and Alexandra-Kyriaki WASSILIOU – W. SEIBT, Die byzantinischen Bleisiegel in Österreich, 2. Teil: Zentral- und Provinzialverwaltung (*Österreichische Akademie der Wissenschaften. Veröffentlichungen der Kommission für Byzantinistik* II/2). Vienna 2004, no. 213 (1025–1050), with the previous publications. Another seal of Ἀνδρόνικος, πρωτοσπαθάριος ἐπὶ τοῦ Χρυσοτρικλίνου, ἀσηκρήτης καὶ κριτὴς Ἀδριανουπόλεως was published by NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 44.3, who date it in the 11<sup>th</sup> century; the seal probably belongs to the first half of that century, taking into account the lowly title of *protospatharios epi tou Chrysotriklinou*. See also NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 44.8, who publish the seal of Νικήτας, μάγιστρος, βέστης, κριτὴς τοῦ βήλου, πραιτωρ Μακεδονίας καὶ Ἀδριανουπόλεως and date it to the late 10<sup>th</sup>/early 11<sup>th</sup> c., concluding (p. 123–124) that the *strategia of Macedonia* (sic) and the *doukaton of Adrianoupolis* (sic) already existed side by side from that period; according to WASSILIOU – SEIBT, Bleisiegel II 213, however, the seal, on which no *strategia* or *doukaton* is mentioned, should be dated later, probably to the period 1040–1060. For Adrianople see also SOUSTAL, Thrakien 161ff. For its administrative position and the sigillographic evidence see also Ioanna KOLTSIDA–MAKRI, Η μεσοβυζαντινὴ Ἀδριανούπολη μέσα ἀπὸ τὴ σφραγιστικὴ μαρτυρία (Middle Byzantine Adrianople from the Sigillographic Evidence), in: Fourth International Symposium on Thracian Studies, Byzantine Thrace. Evidence and Remains, Komotini, 18–22 April 2007, Proceedings, ed. Ch. Bakirtzis – N. Zekos – X. Moniaros (= *BF XXX*). Amsterdam 2011, 653–669, who observes that at the end of the 10<sup>th</sup> century and the beginning of the 11<sup>th</sup> there is an overlapping of competences as regards different officials, such as *doukes*, *ek prosopou* and two *praitores*, who were active in the same time in the *theme of Macedonia*; this, however, does not take into consideration the new dating of the above seal proposed by WASSILIOU – SEIBT.

<sup>10</sup> KYRIAKIDES, Βολερὸν 432–434; ZAKYTHENOS, Μελέται 57–58; KYRIAZOPOULOS, Θράκη 174, 231–234.

<sup>11</sup> KYRIAKIDES, Βολερὸν 432–434; ZAKYTHENOS, Μελέται 58–60. See also n. 19. It should be mentioned that Anchialos was a seat of a *strategos* from the late 10<sup>th</sup> century. See NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 73.1, where a seal of Ἀναστάσιος, βασιλικὸς πρωτοσπαθάριος ἐπὶ τοῦ Χρυσοτρικλίνου καὶ στρατηγὸς Ἀγχιάλου (10<sup>th</sup>/11<sup>th</sup>) is published. Cf. SOUSTAL, Thrakien 50–51, 175–177; KYRIAZOPOULOS, Θράκη 199, 241–243.

<sup>12</sup> KYRIAKIDES, Βολερὸν 432–434; ZAKYTHENOS, Μελέται 55–56; KYRIAZOPOULOS, Θράκη 243–245. For Chersonnesos see also A. KÜLZER, Ostthrakien (Eurōpē) (*TIB* 12). Vienna 2008, 311–313.

<sup>13</sup> TAFEL – THOMAS, Urkunden 269 = Jus Graeco-Romanum III 561.

<sup>14</sup> G. ZACOS, Byzantine Lead Seals, II. Compiled and edited by J. W. NESBITT (*Tetradia Archaologias kai Technes* 3). Berne 1984, no. 894: Στέφανος, βασιλικὸς πρωτοσπαθάριος καὶ πρωτονοτάριος Θράκης καὶ Μακεδονίας. Cf. KYRIAZOPOULOS, Θράκη 195, who argues that the short-term unification of the *theme* during that period is all but impossible and that Stephanos perhaps acted as *protonotarios* in *Thrace* and then as *protonotarios* in *Macedonia*. But there are two more testimonies, mentioned below, that confirm the simultaneous responsibility of an officer for the two *themes* during that period. In addition, *Thrace and Macedonia* are mentioned as a single unit even earlier, according to seals of *kommerkiarioi*. See NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 43.17 and 43.18. See also G. ZACOS – A. VEGLERY, Byzantine Lead Seals, I/1–3. Basel 1972, no. 282.

<sup>15</sup> NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 43.1: Γεώργιος, βασιλικὸς σπαθαροκανιδιδάτος καὶ ἀναγραφεὺς Θράκης καὶ Μακεδονίας.

<sup>16</sup> Μιχαήλ, βασιλικὸς πρωτοσπαθάριος καὶ κριτὴς Θράκης καὶ Μακεδονίας. See Hirsch, Sale 196 (24–27 September 1997). Cf. *SBS* 8 (2003) 227. The name ‘Romanos’ is uncertain, ‘Michael’ is more probable. See also repetition of Münz-Zentrum Köln, Sale 93, 8–9 January 1998, no. 582, where a seal of Μιχαήλ, βασιλικὸς πρωτοσπαθάριος καὶ κριτὴς Θράκης καὶ Μακεδονίας is presented (*circa* 960/980). See also Auktion Peus Nachf. 376 (29–30 October 2003) no. 1355. Cf. *SBS* 8 (2003) 236 and *SBS* 10 (2010) 185, where the adjective βασιλικὸς before the title πρωτοσπαθάριος is added. But, as Leontiades discovered, the seal of the two auctions (Hirsch Sale and Münz-Zentrum Köln, Sale) is the same. I would like to thank my colleague for this observation.



of *Thrace and Macedonia* formed a single administrative unit<sup>17</sup>. It seems from our catalogue that this unification was not stable, and the person appointed as judge may himself have been responsible for such an arrangement<sup>18</sup>. The unification of *Thrace and Macedonia* was, it may be noted, more usual from the second half of the 11<sup>th</sup> century on, while that of *Macedonia and Adrianople* is attested on two seals of judges dated *circa* 1040–1060<sup>19</sup>.

The fact that an official was made responsible for a judicial and financial unit comprising two *themes*, *Thrace and Macedonia*, or *Macedonia and Adrianople*, presupposes, as in other cases, not only the proximity of the two regions but also a common boundary between them<sup>20</sup>; otherwise, the impractical unification of two non-conterminous regions in a single administrative unit is difficult to explain.

In certain, although rare, cases, the full title of an administrative or judicial unit is omitted in documents or narrative sources, probably because an affair concerned only one of its regions or *themes*, as H. Ahrweiler has pointed out for *Thrace and Macedonia*<sup>21</sup>; but on seals of *kritai of Thrace and Macedonia* all the parts of the unit are mentioned. In other words, none of the *judges of Thrace and Macedonia* used different boulloteria for judicial decisions concerning the separate regions of the single administrative unit.

The *judge of Macedonia* or of *Thrace and Macedonia* is normally mentioned as κριτής during the 10<sup>th</sup> and 11<sup>th</sup> centuries, but also as πραιτώρ around the middle of the 11<sup>th</sup> century, when the *theme of Macedonia* was attached to that of *Adrianople*<sup>22</sup>; in the 12<sup>th</sup> century the *judge of Thrace and Macedonia* is usually called πραιτώρ. The assumption that the term *praïtor* rather than that of *krites* was used for a person whose career was not that of a jurist should be revised in the light of the case of the *judges of Thessaloniki*<sup>23</sup> as well as the sigillary evidence for the *judges of Macedonia*. Officials with legal and judicial experience, who had previously served as κριταὶ τοῦ βήλου and κριταὶ ἐπὶ τοῦ

<sup>17</sup> Cf. GLYKATZI-AHRWEILER, Administration 83, n. 5, 90, who remarks that *Thrace and Macedonia* constituted a single administrative unit, one *theme*, as mentioned in a chrysoboullon of Michael VII Doukas (March 1075) (ed. K. N. SATHAS, Μεσαιωνικὴ Βιβλιοθήκη ἢ συλλογὴ ἀνεκδότων μνημείων τῆς ἐλληνικῆς ἱστορίας [*Bibliotheca Graeca Medii Aevi*], I. Venice 1876 [reprinted Athens 1972], 54; MM V 136, 3): καὶ τὰ κατὰ τὸ θέμα Θράκης καὶ Μακεδονίας. Cf. F. DÖLGER – P. WIRTH, Regesten der Kaiserurkunden des oströmischen Reiches von 565–1453. 2. Teil (1025–1204). Zweite, erweiterte und verbesserte Auflage. Munich 1995, no. 1005. See also GREGORIOU-IOANNIDOU, Παρακμή 86–87 and n. 309; KYRIAZOPOULOS, Θράκη 196, who correctly points out that Michael Attaleiates' Diataxis (1077) (ed. P. GAUTIER. REB 39 [1981] 103, 1380–1381) mentions the θέμα Θράκης καὶ Μακεδονίας, reproducing *ad verbum* the *chrysoboullon* of Michael VII Doukas mentioned above, although later in his Diataxis he cites: ἐν τοῖς δηλωθ(εῖσι) θέμ(ασιν) (103, 1390–1391) and ἐν τοῖς εἰρημένους θέμασι (105, 1408 and 117, 1634). Despite the more or less provisional unification of the two *themes* in a single administrative unit, the above testimony does not necessarily imply that there was a unified *theme of Thrace and Macedonia* only in 1074 but not in 1077, since the existence of and reference to each *theme* separately was not abolished by their unification. See KYRIAKIDES, Βολερὸν 324, 361–362; KYRIAZOPOULOS, Θράκη 203ff., for the *theme of Boleron, Strymon and Thessaloniki*. See also Ecloga Basilicorum B.6.1.37 (ed. L. BURGMANN [*Forschungen zur byzantinischen Rechtsgeschichte* 15]. Frankfurt/M. 1988, 214, 20–24): Οἷον ὡς ἐπὶ θέματος· ὁ πραιτώρ Θράκης καὶ Μακεδονίας δικαιοδοσίαν ἔχει κατὰ μόνων τῶν κατοικούντων ἐν τοῖς τοιούτοις θέμασι καὶ δύναται τούτους κρίνειν, ἐν ᾧσφ ἐστὶν ἐν ταῖς αὐταῖς ἐπαρχίαις, καί, εἰ οὐκ εὐπειθοῦσι δικασθῆναι παρ' αὐτῶ, δύναται τούτους κολάζειν καὶ προστιμᾶν, διάγων δηλονότι ἐν ταῖς αὐταῖς ἐπαρχίαις. See also next note.

<sup>18</sup> CHRISTOPHILOPOULOU, Πολίτευμα 243–245.

<sup>19</sup> See below our list of the judges in the *Macedonia theme* (nos. 14 and 15). Cf. Catherine ASDRACHA, La Thrace orientale et la Mer Noire: Géographie ecclésiastique et prosopographie (VIIIe–XIIe siècles), in: Géographie historique du monde méditerranéen (*Byzantina Sorbonensia* 7). Paris 1988, 221–309, here 223, according to whom the establishment of the *themes of Adrianople* and *Anchialos* (see NESBITT – ΟΙΚΟΝΟΜΙΔΗΣ, Catalogue I 168–169) resulted in the unification of the other parts of the *theme of Thrace* with that of *Macedonia*; but it seems, as was mentioned above, that this unification was neither permanent nor stable.

<sup>20</sup> By contrast, see E. CHATZIANTONIOU, Συμβολὴ στον εντοπισμὸ τῆς σλαβικῆς εγκατάστασης τῶν Δρουγουβιτών, in: Philotimia (as in n. 7) 105–133, here 120–121, for the case of *Drougoubiteia* and *Strymon*. Regarding *Drougoubiteia*, which in our view bordered the *Strymon theme* in the 10<sup>th</sup> century, I am preparing a special study.

<sup>21</sup> See GLYKATZI-AHRWEILER, Administration 83, n. 5. See also below the testimonies of Michael Psellos.

<sup>22</sup> See nos. 14 and 15 of our catalogue.

<sup>23</sup> See GKOUTZIOUKOSTAS, Judges 78–79.

ἵπποδρόμου in the courts of the capital were often appointed as κριταὶ Μακεδονίας, and similarly in other *themes*. Fourteen from the forty-two *judges of Macedonia* or of *Thrace and Macedonia* or of *Macedonia and Adrianople* had previously served in the courts of Constantinople.

As in other *themes*, the duties of the *krites of Macedonia* or of *Thrace and Macedonia* or of *Macedonia and Adrianople* were not confined to the administration of justice, but also concerned financial matters. This is clear from the letters Psellos wrote to the *kritai of Thrace and Macedonia*<sup>24</sup>, for the information they provide confirms the judicial and financial jurisdiction of the *krites* in his *theme*. In a letter addressed to Chasanes, a *judge of Macedonia*, Psellos mentions the amount of gold gathered by that officer from the collection of taxes (...σᾶ τὰ χρυσᾶ...ὁ γὰρ περισσὸς οὕτως χρυσὸς, φόρος, καὶ τέλος, καὶ λειτουργία, καὶ ὄφλημα...) and recommends to his notice a tax collector from the Black Sea coast who wishes to work in his homeland<sup>25</sup>. Chasanes is mentioned as *krites of Macedonia*, but this does not mean that the *krites of Macedonia* had jurisdiction on the west Black Sea coast and therefore that the *theme of Macedonia* extended that far<sup>26</sup>; it is far more likely that Chasanes had the connections and the power to fulfill Psellos' request and help the tax collector be appointed to his home district, in a region of the Black Sea coast that is not specified but was probably on the north coast of Asia Minor. Nor should Chasanes be considered as *krites of Thrace and Macedonia*<sup>27</sup>, since none of the titles of Psellos's letters to him refer to him as such.

In another letter Psellos asks an anonymous *judge of Thrace and Macedonia* to put an end to the abuse of power committed by the *tourmarches of Aplokonnesos*<sup>28</sup>, who has appropriated the judicial authority of *basilikos of Madytos* appointed by Psellos. The *basilikaton*, the profitable benefice bestowed on the *basilikos of Madytos*, was an imperial grant of tax revenues<sup>29</sup>, as may also be inferred from the claim for the *oikomodion*, a regular tax paid in kind<sup>30</sup>, according to a *chrysoboullon* of Constantine Monomachos (1053)<sup>31</sup>.

<sup>24</sup> According to KYRIAZOPOULOS, Θράκη 196, all the letters of Psellos to *kritai of Macedonia* edited by K. N. SATHAS, Μεσαιωνικὴ Βιβλιοθήκη ἢ συλλογὴ ἀνεκδότων μνημείων τῆς ἑλληνικῆς ἱστορίας (*Bibliotheca Graeca Medii Aevi*), V. Paris 1876 (reprinted Athens 1972), 219–523, were addressed to the same person, but this cannot be confirmed from the information contained in the relevant letters. Besides, Kyriazopoulos did not take into consideration the letters of Psellos, edited by E. KURTZ – F. DREXL, Michaelis Pselli scripta minora magnam partem adhuc inedita, II. Milan 1941. A *judge of Macedonia* is probably the intended recipient of a letter of Psellos entitled Πρὸς τινὰ κριτὴν τυγχάνοντα Μακεδόνιον (KURTZ – DREXL, no. 7 [p. 8–9]), but it makes no concrete mention of his duties.

<sup>25</sup> SATHAS, no. 172, p. 439–440 (Πρὸς τὸν βεστάρχη καὶ κριτὴν Μακεδονίας τὸν Χασάνην). Cf. J.-Cl. CHEYNET, L'apport arabe à l'aristocratie byzantine des Xe-XIe siècles. *BSI* 56 (Mélanges V. Vavrinek) (1995) 137–146 (= IDEM, La société byzantine. L'apport des sceaux, I–II [*Bilans de Recherche* 3]. Paris 2008, II 627–646, here 639, n. 75). Psellos wrote two more letters to Chasanes. See *ibidem*, no. 38, p. 272 (Τῷ βεστάρχη καὶ κριτῇ Μακεδονίας τῷ Χασάνη) without mention of the duties of the *krites*, and no. 30, p. 272 (Τῷ αὐτῷ), in which Psellos asked the *krites* to give his *notarios* Michael leave to visit his wife, who was sick and far from the place where he performed his duties.

<sup>26</sup> See also below n. 44.

<sup>27</sup> Cf. KYRIAZOPOULOS, Θράκη 196, who dates the letter between 1071–1078 and believes that Chasanes was *krites of Macedonia and Thrace*, since during that period the *themes* were united.

<sup>28</sup> Cf. SARADI, *Tribunals* 171. For the judicial authority of *tourmarches* see Le traité sur la guérilla (De velitatione) de l'empereur Nicéphore Phocas (963–969), ed. G. DAGRON and H. MIHĂESCU. Paris 1986, 111, 51–53: Ἔῃχε δὲ καὶ ὁ τουρμάρχης τῆς ἰδίας αὐτοῦ τούρμας παρὰ τοῦ νόμου καὶ τῆς βασιλικῆς προσταξέως ἐπ' ἐξουσίας τὰς κρίσεις κατὰ τοὺς ἐπικρατήσαντας τύπους καὶ τὰ τούτων προνόμια. Cf. GLYKATZI-AHRWEILER, *Administration* 73, n. 6; T. KOLIAS, Zur Gerichtsbarkeit im byzantinischen Heer, in: *Byzantina Mediterranea. Festschrift für Johannes Koder zum 65. Geburtstag*, ed. Kl. Belke – E. Kislinger – A. Külzer – Maria A. Stassinopoulou. Vienna–Cologne–Weimar 2007, 319–325, here 323. For Aplokonnesos see KÜLZER, *Ost-thrakien* 390 and 245.

<sup>29</sup> See P. LEMERLE, “Roga” et rente d'état aux Xe–XIe siècles. *REB* 25 (1967) 77–100, here 90–91 and n. 25. See also Martha GREGORIOU-IOANNIDOU – Polymnia KATSONI, βασιλικάτων 182, in: I. KARAYANNOPOULOS, Λεξικὸ Βυζαντινῆς Ορολογίας. Οικονομικοὶ Ὅροι, vol. I. Thessaloniki 2000, 182.

<sup>30</sup> See Actes de Dionysiou, no. 26 (1430) (ed. N. ΟΙΚΟΝΟΜΙΔΗΣ [*Archives de l'Atchos* IV]. Paris 1968, 153).

<sup>31</sup> SATHAS, no. 192, p. 487–488 = KURTZ – DREXL, no. 64, p. 97 (Τῷ κριτῇ Θράκης καὶ Μακεδονίας): ...τὸ βασιλικάτων Μαδύτου ἀναφαρέτως ἡμῖν ὁ μακαρίτης βασιλεὺς κύρ Κωνσταντῖνος ὁ Μονομάχος ἀπεχαρίσατο, δοὺς ἐν βασιλικῷ

In another letter to a *judge of Macedonia* Psellos again refers to the *basilikos*, probably of *Madytos*, and asks for the impartial support of the *krites of the theme* in the levying of the *oikomodion* payable to the *basilikos* (...ἐπὶ τὴν ἰδίαν πάλιν ἐξῆλθεν ἀρχὴν, μᾶλλον δὲ ἐπὶ τὴν σὴν αὐθις ἀντίληψιν καταπέφενγεν... οὗτος δὲ ἐξελήλυθεν, ὡς ὀρᾶς, ἀπαιτήσων τὸ ἀρμόζον αὐτῷ οἰκομόδιον, πρὸς δὲ πάλιν τῆς σῆς δεῖται χειρός, μήτε ὑφαιρούσης μήτε πλεοναζούσης, ἀλλὰ τῇ συμμέτρῳ ἐκτάσει ἀποπληρούσης τὸ προσῆκον αὐτῷ...)<sup>32</sup>. The adverbs αὐθις and πάλιν indicate that Psellos was addressing the same person again, probably the recipient of the letter previously mentioned, namely the *krites of Thrace and Macedonia*, who is now designated as *krites of Macedonia*. Psellos also wrote letters on the same matter to the *strategos of Abydos*, who, it seems, had jurisdiction over the *tourmarches of Aplokonnesos*<sup>33</sup>, evidence of the different range of political and military units and jurisdictions obtaining in Macedonia in the 11<sup>th</sup> century<sup>34</sup>, and to the bishop of *Madytos*<sup>35</sup>.

The financial and administrative duties of the *krites* are also confirmed by a letter Psellos wrote to *Pothos, judge of Thrace and Macedonia*, asking him to stop acting against the property of the *Monastery of the Theotokos Acheiropoietos*, which Psellos owned. He should, Psellos says, read the *chrysobulls* issued in favour of the monastery, and take into account his predecessors' respect for the institution, not to mention the fact that Psellos was his teacher and friend<sup>36</sup>. Another letter, probably addressed to the same person, contains a complaint that the villagers of *Mamytze*<sup>37</sup> were diverting the water that powered the three mills of *Acheiropoietos* to their village mill; Psellos asked the *krites* to punish the wrongdoers and restore the stream to its previous flow<sup>38</sup>.

Also worth noting is an interesting letter addressed to an unknown recipient, probably a judge of a neighbouring *theme*, who apparently had done nothing to help with the collection of the taxes from the *theme of Macedonia* although Psellos had petitioned the emperor and other officials to grant the *krites of Macedonia* a right of intervention in the *theme of Macedonia*, because of the special situation there. The *krites of Macedonia* was soon to be replaced and his successor was not yet resident in the *theme*, and there were also problems in the region. Psellos urged his correspondent not to neglect his mission and to send a capable man to *Macedonia* to collect the taxes<sup>39</sup>. This case confirms the principle enunciated by the *Ecloga Basilicorum*, that the jurisdiction of a judge is confined to the limits of his

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γράμματι ἐξουσίαν διδόναι τοῦτο, ᾧ ἂν βουλοίμεθα... Ἔστι δὲ ὁ μᾶλλον αὐτῷ ἐκ τοῦ σύνεγγυς ἐναντιούμενος ὁ τουρμάρχης Ἀπλοκονήσου, οὐχ οὗτος ὁ νῦν πρῶτως εἰς τὴν τούρμαν προβεβλημένος, ἀλλὰ πᾶς ὅστις οὖν τὴν ἀρχὴν τῆς τούρμας παρὰ τοῦ βασιλέως λαμβάνων. ἐπειδὴ γὰρ τῷ μὲν βασιλικῷ δέδοται ἐνίας τῶν δικῶν ἐξετάζειν, ὁ δὲ τουρμάρχης τοῦτου κεκόλωται, τὸ ἐτέρῳ δεδομένον ἐαυτῷ εἰσποιεῖται ὁ μὴ λαβῶν... γενοῦ δὲ καὶ καλλίων δι' ἡμᾶς τοσοῦτον, ὅσον συντεμεῖν τὸν χρόνον καὶ ἀναστεῖλαι τὸν ἀδικεῖν ὀρμημένον ... Cf. DÖLGER – WIRTH, Regesten, no. 908.

<sup>32</sup> KURTZ – DREXL, no. 73, p. 105f.

<sup>33</sup> SATHAS, no. 165, p. 423–424. Cf. GLYKATZI-AHRWEILER, Administration 73; LEMERLE, Roga 91.

<sup>34</sup> Cf. GLYKATZI-AHRWEILER, Administration 83. Nor do the ecclesiastical provinces coincide with the civil administration. ASDRACHA, Thrace orientale 221ff.; KYRIAZOPOULOS, Θράκη 249ff.

<sup>35</sup> KURTZ – DREXL, no. 1, p. 1. This letter is not addressed to Constantine Monomachos, as the title indicates, but probably to the bishop of *Madytos*, as may be inferred from its context. LEMERLE, Roga 91. Cf. GLYKATZI-AHRWEILER, Administration 73; G. WEISS, Oströmische Beamte im Spiegel der Schriften des Michael Psellos (MBM 16). Munich 1973, 133–134.

<sup>36</sup> KURTZ – DREXL, no. 250, p. 299 (Τῷ μαγίστρῳ καὶ κριτῇ Θράκης καὶ Μακεδονίας Πόθῳ, τῷ υἱῷ τῆς δρουγγαρίας).

<sup>37</sup> See KÜLZER, Ostthrakien 513–514.

<sup>38</sup> KURTZ – DREXL, no. 251, p. 299–300. In a third letter addressed to *Pothos as krites of Macedonia, ibidem*, no. 220 (Τῷ μαγίστρῳ Πόθῳ καὶ κριτῇ Μακεδονίας, τῷ υἱῷ τῆς δρουγγαρίας), Psellos seeks help for a person named *Kakoprates*.

<sup>39</sup> SATHAS, no. 129, p. 375: ... βασιλέως τε γὰρ ἐδείθημεν, καὶ τοὺς περὶ τὴν διοίκησιν ἠξιώσαμεν ... Ἡ μὲν γὰρ τῶν ἐν Μακεδονίᾳ φόρων ἀπαιτήσεις, οὐκ ἀφήρηται σοι, δέδοται δὲ σοι τὸν ἐν ταύτῃ κριτὴν πάντα σοι λυσιτελεῖσαι ὑπὲρ τοῖς τούτων εἰσπράξεως ... τὸ αὐτίκα μέλλειν παραλυθῆσθαι τῆς ἀρχῆς τὸν ἐκεῖσε τὰς κρίσεις διέποντα, καὶ μὴ δὲ τὸν μετ' ἐκεῖνον ἐμφιλοχωρῆσαι τῷ θέματι, καὶ τὸ ἰδίους κακοῖς τοὺς διαδεχομένους πιέζεσθαι, ὡς μὴ δύνασθαι βᾶρος ὑπενεγκεῖν ἕτερον. Διὰ ταῦτά σοι οὐ τὸ πᾶν πέπρακται ... στείλει σε ἐν Μακεδονίᾳ σπουδαιότατον ἄνθρωπον ἐν βραχεῖ χρόνῳ τοὺς ἐκεῖσε φόρους εἰσπράζοντα, κἂν τῷ θέματί σου δέ, ὅπερ ἂν βούλει πράττειν ...



province<sup>40</sup>; only in special circumstances, and with imperial permission or by imperial order, can jurisdiction be extended to another, neighbouring, province.

The evidence of Michael Psellos implying that the jurisdiction of the *krites of Macedonia* extended to Madytos<sup>41</sup> and Panion<sup>42</sup>, in conjunction with two testimonies of Michael Attaleiates, according to which the *theme of Macedonia* included the cities of Myriophyton, Panion and Raidestos<sup>43</sup>, confirms that in the 11<sup>th</sup> century the limits of the *Macedonia theme* extended eastwards at least as far as Raidestos<sup>44</sup>.

Despite the gradual replacement of the provincial governors by the δοῦκες during the 12<sup>th</sup> c., the πραιτῶρ remained at the head of the political administration in the three major European circumscriptions of *Hellas* and *Peloponnesos*, *Boleron*, *Strymon* and *Thessaloniki*, and *Thrace and Macedonia*<sup>45</sup>.

Two seals of judges of *Thrace and Macedonia* merit comment. The first, an interesting and unique seal of the otherwise unknown Χριστόφορος Λειχούδης, πρόεδρος καὶ δικαιοφύλαξ Θράκης καὶ Μακεδονίας, has been dated by the editors to the 11<sup>th</sup> century<sup>46</sup>, and more precisely to the period 1060–1090. N. Oikonomides and J. Nesbitt have correctly pointed out that the *dikaiophylax* was an official who had jurisdiction over Constantinople as well as over the provinces of the empire. Initially bestowed only on churchmen (mid 11<sup>th</sup> c.)<sup>47</sup>, the office was later opened to laymen as well<sup>48</sup>.

<sup>40</sup> *Ecloga Basilicorum* B.2.3.170 (151, 1–4 BURGEMANN): ὁ γὰρ πραιτῶρ Θράκης καὶ Μακεδονίας εἰς μόνους τοὺς ἐν τῇ Θράκῃ καὶ Μακεδονίᾳ κέκτηται δικαιοδοσίαν καὶ μόνους ἐκείνους δύναται δικάζειν καὶ ἀπειθοῦντας κολάζειν· εἰς δὲ τοὺς ὄντας ἐν ἐτέρᾳ ἐπαρχίᾳ, οἷον τῇ Θεσσαλονίκῃ, δικαιοδοσίαν οὐκ ἔχει, B. 6.1.37 (214, 20–24).

<sup>41</sup> KYRIAZOPOULOS, Θράκη 196, on the contrary, considers Madytos as a city of the *theme of Thrace* that had been placed under the authority of the *krites of Thrace and Macedonia*. But the abbreviated title of the *krites* to whom Psellos addressed the letter no. 73 in the KURTZ – DREXL edition (p. 105) is the *krites of Macedonia* and not *krites of Thrace*.

<sup>42</sup> See SATHAS, no. 50, p. 281–282 (Τῷ κριτῇ Μακεδόνων), where Psellos urges the *judge of Macedonia* to develop a close relation with the bishop of Panion, who is a remarkable person and a friend of Psellos (... περὶ τοῦ ἐπισκόπου Πανίου προεθυμήθημεν ἀξιούν ... τὸ οἰκείως πρὸς τὸν ἄνθρωπον ἔχειν, καὶ τὸ μὴ ἐν ἴσῳ τῶν ἄλλων λογιζέσθαι, ἀλλὰ νέμειν τι πλεόν αὐτῷ τῆς σῆς δικαστικῆς ἰσχύος καὶ τοῦ ἀκριβοῦς σου φρονήματος, διὰ τε τᾶλλα καὶ τὸ παρ' ἡμῶν ἀξιούσθαι σε ...).

<sup>43</sup> Michaelis Attaliatea Historia, ed. E. Th. TSOLAKIS (CFHB 50). Athens 2011, 23, 13–15: καὶ κατὰ τῆς Ῥαιδεστοῦ, πόλις δὲ αὕτη παράλιος, τῆς Προικοννήσου νήσου ἀπέναντι, πανστρατιᾶ ἐξωρμήσατο (μόνη γὰρ αὕτη τῶν μακεδονικῶν οὐ συναπήχθη τούτῳ καὶ συνεφρόνησε), during Leo Tornikios' revolt against Constantine Monomachos; *ibidem*, 71.15–19: Ἐν δὲ τοῖς μακεδονικοῖς μέρεσιν αἱ παράλιοι πόλεις κατ' ἐκείνην τὴν νύκτα μᾶλλον τῶν ἄλλων πεπόνθησι, Ῥαιδεστός τε φημί καὶ Πάνιον καὶ αὐτὸ Μυριόφυτον, ὡς καὶ μέρη τυχόν ἐξ αὐτῆς ὑποβάθρας ἀνατραπήναι καὶ πλείστας οἰκίας, καὶ φόνον ἐπιγενέσθαι πολύν, concerning an earthquake that happened around 1065. Cf. KYRIAKIDES, Βολερὸν 393–394; ASDRACHA, *Thrace orientale* 225–226; KYRIAZOPOULOS, Θράκη 189, 191. For the above cities see KÜTZER, *Ostthrakien* 607–613 (Raidestos), 501–504 (Madytos), 540–541 (Myriophyton).

<sup>44</sup> See KYRIAKIDES, Βολερὸν 391–396 and map no. 3; ASDRACHA, *Thrace orientale* 224 (map). A more extensive territory within the old province of *Europe*, taking the boundaries of the *theme* eastward to Herakleia-Perinthos, was initially adopted by J. KARAYANNOPOULOS, Χάρται μέσης βυζαντινῆς περιόδου. Thessaloniki–Athens 1976, 13. But see also IDEM, Το βυζαντινὸ διοικητικὸ σύστημα στα Βαλκάνια (4<sup>ος</sup>–9<sup>ος</sup> αἰ.). Athens 1994, maps no. 6 and no. 7, where the *theme of Macedonia* extends to the river Evros. See also SOUSTAL, *Thrakien* 49, who follows KOLEDAROV, *Μακεδονία* 270–272, and claims that the *theme of Macedonia* comprised the province of *Haimimontos* and large part of the provinces of *Thrace* and *Rodope*. His opinion that the *theme of Macedonia* extended from the Black sea coast between the capes of Emine and İğneada above the Evros valley to the Aegean coast (p. 49) is rather a hypothesis. In addition, the *theme of Macedonia* also comprised part of the province of *Europe* at least in the 11<sup>th</sup> century, taking into account the above testimonies of Psellos and Attaleiates.

<sup>45</sup> P. MAGDALINO, *The empire of Manuel I Komnenos, 1143–1180*. Cambridge 1993, 233–234; GKOUTZIOUKOSTAS, *Απονομή δικαιοσύνης* 294, with the rest of bibliography.

<sup>46</sup> NESBITT – OIKONOMIDES, *Catalogue I*, no. 43.2.

<sup>47</sup> V. Laurent, *Le corpus des sceaux de l'empire byzantin, II: L'administration centrale*. Paris 1981, no. 902 = ZACOS, *Seals II*, no. 660, where a seal of Νικήτας μοναχός, σύγκελλος καὶ δικαιοφύλαξ is published (middle of the 11<sup>th</sup> c.). Cf. Münz-Zentrum Köln, Sale 78, 7–9. 9. 1994, 800 (better specimen). Cf. also Ruth Juliana MACRIDES, *Nomos and Kanon on Paper and on Court*, in: *Church and People in Byzantium*, ed. Rosemary Morris. Birmingham 1990, 61–86, here 69 (= EADEM, *Justice, Kinship and Justice in Byzantium 11<sup>th</sup>–15<sup>th</sup> Centuries*. Aldershot–Brookfield–Singapore–Sydney 1999, VI).

<sup>48</sup> First mention of the office of *dikaiophylax* in the narrative sources is that of Actes de Vatopédi no. 10 (1080) (ed. J. BOMPAIRE – J. LEFORT – Vassiliki KRAVARI – C. GIROS, I [Des origines à 1329] [*Archives de l'Athos XXI*], Paris 2001, 113, 51).

The δικαιοφύλαξ was indeed a judicial officer<sup>49</sup> (and not an official in charge of keeping an archive of the judicial decisions, as has been suggested<sup>50</sup>), whose jurisdiction covered both Constantinople and the provinces<sup>51</sup>, but he was not a *judge of a theme* nor is there any other testimony for a δικαιοφύλαξ of *Thrace and Macedonia* or of any other *theme*. Besides, the term δικαιοφύλαξ could designate a κριτής, since it means the guardian of justice<sup>52</sup>. We do not know if the *dikaiophylax* had special judicial authority in the region to resolve thorny cases. It is true that, apart from the *krites of the theme*, other judges were sometimes commissioned by the emperor and sent out to *themes* to try certain cases, as for example the *krites of the hippodrome* or *of the velon*, but a *dikaiophylax* with the geographical designation of *Thrace and Macedonia*, implies a rather more permanent situation and a more extended jurisdiction than those of a commissioned judge.

Consequently, it cannot be excluded that the term δικαιοφύλαξ is used in this case as equivalent to κριτής or πραιτώρ, like the term δικασπόλος<sup>53</sup>, although the phenomenon of metonymy is usual on metrical seals<sup>54</sup>. If our suggestion is correct, then the seal should probably be dated before the office of *dikaiophylax* was established or opened to laymen, that is, before 1080.

The second seal is that of Βασίλειος, πρωτοσπαθάριος, ὕπατος, κριτής τοῦ βήλου καὶ τοῦ ἵπποδρόμου, Μακεδονίας<sup>55</sup>, the reading ‘Μακεδονίας’ being uncertain but possible<sup>56</sup>. According to the editors, Basileios combined the judicial office of *hypatos* with a temporary mandate as *judge of Macedonia*. N. Oikonomides and J. Nesbitt base their assumption on a combination of two facts: that *hypatos*, having appeared as the title of a judicial officer for the first time in the Escorial Taktikon (971–975), seems by 1039 to have lost that content and become a honorific title, superior to *protospatharios*, and to the fact that “the honorific titles are normally enumerated on seals in decreasing order of importance and always precede the offices”. For this reason *hypatos* cannot be considered as a title, since it follows *protospatharios*, although the correct order of titles and offices is not always observed on seals. But the order of the offices on Basil’s seal is also problematic, since the *hypatos* was superior to the *krites of the velon* and the *krites of the hippodrome*, according to the Escorial Taktikon, although on the seal the *hypatos* precedes the *krites*, something that was not taken into account by the editors. However, such an abnormal enumeration of offices on seals belonging to persons who served as *kritai of the velon* and *of the hippodrome* is not uncommon when they were also judges in *themes*<sup>57</sup>. It seems that this was a convenient way to avoid repetition of the term *krites*,

Cf. ΟΙΚΟΝΟΜΙΔΗΣ, Évolution 135; IDEM, Fiscalité et exemption fiscale à Byzance (IXe–XIe s.) (*Fondation Nationale de la Recherche Scientifique, Institut de Recherches Byzantines. Monographies* 2). Athens 1996, 278 n. 57.

<sup>49</sup> See ΓΚΟΥΤΖΙΟΥΚΟΣΤΑΣ, Απονομή δικαιοσύνης 218–219, with the relevant sources.

<sup>50</sup> This opinion has been developed by ΧΡΙΣΤΟΦΙΛΟΠΟΥΛΟΥ, Δικαστήρια 176, who believes that δικαιοφύλαξ means the guardian/keeper of the δικαιώματα, that is, the documents, the judicial decisions, although such an etymology cannot be derived from the source evidence for the office.

<sup>51</sup> ΟΙΚΟΝΟΜΙΔΗΣ, Évolution 135, who considers the δικαιοφύλαξ as a low-ranking judicial officer who could act in Constantinople or in the provinces; ΓΚΟΥΤΖΙΟΥΚΟΣΤΑΣ, Απονομή δικαιοσύνης 217, n. 983.

<sup>52</sup> See for example the testimony of Constantine Manasses for Justin II (565–578), ed. O. LAMPSIDIS, *Breviarium Chronicum* (CFHB 36). Athens 1996, 183, 3345–3346 and 3361: βαβαι τῆς γαληνότητος καὶ τῆς χρηστότητός σου, αὐτοκρατόρων ἄριστε, δικαιοφύλαξ πῆρε and ὁ μεγάλωνος δικαστῆς καὶ τοῦ δικαίου φύλαξ.

<sup>53</sup> See ΓΚΟΥΤΖΙΟΥΚΟΣΤΑΣ, Απονομή δικαιοσύνης, n. 429, with the relevant sources. See also A.-K. WASSILIOU-SEIBT, *Corpus der byzantinischen Siegel mit metrischen Legenden, Teil 1: Einleitung, Siegellegenden von Alpha bis inklusive My* (WBS 28/1). Vienna 2011, 48 (nos. 312, 647).

<sup>54</sup> WASSILIOU-SEIBT, *Corpus* 47–48.

<sup>55</sup> NESBITT – ΟΙΚΟΝΟΜΙΔΗΣ, *Catalogue* I, no. 43. 3.

<sup>56</sup> Cf. another specimen of Βασίλειος πρωτοσπαθάριος, ὕπατος καὶ κριτής ἐπὶ τοῦ ἵπποδρόμου, Βολεροῦ, Στρυμ(ῶ)νος, Θεσσαλονίκης, published by ΖΑΚΟΣ, *Seals* II, no. 964.

<sup>57</sup> See for example the cases of μυστολέκται and μυστογράφοι, who, although hierarchically superior to the *krites of the velon* and the *krites of the hippodrome*, are enumerated after them when the name of a *theme* in which the person was also a judge follows: A. ΓΚΟΥΤΖΙΟΥΚΟΣΤΑΣ, Some remarks on mystographos and mystolektes, in: *Epeironde. Proceedings of the 10<sup>th</sup> Inter-*



which is cited just once for all the offices whose names contain that term, a choice that affects their enumeration. If *hypatos* designates an office, then the seal should be dated before 1039, and not generally to the 11<sup>th</sup> century, as the editors have done. According to the more precise dating proposed by A.-K. Wassiliou-Seibt and W. Seibt, however, the seal should be placed in the middle of that century (1030–1060). Taking into consideration both this dating and the abnormal enumeration of titles and offices on the above seal, it is more probable that Basileios did not combine the judicial office of *hypatos* with a temporary mandate as *krites of Macedonia* but held the honorary title of *hypatos* and was a member of the courts in Constantinople as *krites of the hippodrome* and *krites of the velum* and was later, as was customary for such judges, appointed as *krites of the Macedonia theme*.

Finally, it should be mentioned that certain of the judges who served in the *theme of Macedonia* belonged to well-known families of the civil aristocracy, many of whose members held judicial positions in Constantinople or in other provinces. Among them were members of Anzas, Alopas, Radenos, Serblias, Skleros, Taronites, Tzanzas and Xiphillinios families.

## CATALOGUE OF JUDGES OF THE MACEDONIA THEME\*

1. Μιχαήλ, πρωτοσπαθάριος και κριτής Μακεδονίας (second half of the 10<sup>th</sup> c.)<sup>58</sup>.
2. Μιχαήλ, πρωτοσπαθάριος και κριτής Θράκης και Μακεδονίας (second half of the 10<sup>th</sup> c.)<sup>59</sup>.
3. Στέφανος, άσηκρητίς και κριτής Θράκης και Μακεδονίας (early 11<sup>th</sup> c.)<sup>60</sup>.
4. Μιχαήλ Μονοκαρίτης, βασιλικός σπαθάριος or rather πρωτοσπαθάριος<sup>61</sup>, κριτής επί τοῦ ἵπποδρόμου Θράκης και Μακεδονίας (first half of the 11<sup>th</sup> c.)<sup>62</sup>.
5. Χριστόφορος, άσηκρητίς και κριτής Θράκης και Μακεδονίας (ca. 1020–1040)<sup>63</sup>.
6. Μιχαήλ, κριτής Μακεδονίας (και) Θράκης (second quarter of the 11<sup>th</sup> c.)<sup>64</sup>.
7. [...] Τζάνζης, σπαθαροκανδιδάτος, άσηκρητίς και κριτής Μακεδονίας (second quarter 11<sup>th</sup> c.)<sup>65</sup>.
8. Ἰωάννης, πατρίκιος, ὕπατος, βασιλικός νοτάριος, κριτής επί τοῦ ἵπποδρόμου και Μακεδονίας (second quarter of the 11<sup>th</sup> c.)<sup>66</sup>.
9. Πέτρος, πρωτοσπαθάριος επί τοῦ Χρυσοτρικλίνου, κριτής επί τοῦ ἵπποδρόμου, Θράκης και Μακεδονίας (1030–1050.)<sup>67</sup>.

\* The owners of seals dating in the same period are cited according to their title, from lower to higher. B. A. PANČENKO, *Kollekcii Russkago Archeologičeskago Instituta v Konstantinopolē. Katalog molivdovulov. IRAIK 8* (1903) 199–246, no. 57 (table XXX, no. 4), mentions a seal that belonged to Apostolos (?), *basilikos protospatharios and krites of Macedonia* (third quarter of the 10<sup>th</sup> c.), but the latter phrase (*krites of Macedonia*) cannot be read in the photo cited by Pančenko. Thus, the holder of this seal is not included in our catalogue.

<sup>58</sup> ZACOS, *Seals II*, no. 229 (late 10<sup>th</sup> c.).

<sup>59</sup> See n. 16.

<sup>60</sup> I. JORDANOV, *Corpus of Byzantine Seals from Bulgaria, I: Byzantine Seals with Geographical Names*. Sofia 2003, no. 35D. 23; IDEM, *Corpus of Byzantine Seals from Bulgaria, III/1*. Sofia 2009, no. 1274 (without figure). Cf. *Prosopography of the Byzantine World* (= PBW): <http://www.pbw.kcl.ac.uk/pbw/apps/> (2011) Stephanos 20201 (Boulloterion 3362).

<sup>61</sup> According to Wassiliou-Seibt and Seibt, since the same person was earlier *πρωτοσπαθάριος και χαρτουλάριος Παφλαγονίας* (1<sup>st</sup> third of the 11<sup>th</sup> c.). See E. McGEER – J. NESBITT – N. OIKONOMIDES †, *Catalogue of Byzantine Seals at Dumbarton Oaks and in the Fogg Museum of Art, IV: The East*. Washington, D.C. 2001, no. 11.3 (10<sup>th</sup>–11<sup>th</sup> c.).

<sup>62</sup> Two specimens: LAURENT, *Orghidan*, no. 241; NESBITT – OIKONOMIDES, *Catalogue I*, no. 43. 12 (10<sup>th</sup>–11<sup>th</sup> c.). See also Natascha and W. SEIBT, *Siegel der Sammlung Orghidan. Eine Nachlese zur Edition V. Laurents. JÖB 53* (2003) 195–203, here 199. Cf. PBW, Michael 20124 (Boulloterion 305).

<sup>63</sup> ZACOS, *Seals II*, no. 968 (second half of the 11<sup>th</sup> c.). Cf. PBW, Christophoros 20109 (Boulloterion 1011).

<sup>64</sup> NESBITT – OIKONOMIDES, *Catalogue I*, no. 43. 11 (11<sup>th</sup> c.) (two specimens from the same boulloterion). See also the review by W. SEIBT in *BZ 84/85.2* (1991/1992) 549, who corrects the first word of the seal from Σταυρῆ to Ἀρχιστράτηγε. Cf. PBW, Michael 20123 (Boulloterion 304); WASSILIOU-SEIBT, *Corpus no. 1445* (second quarter of the 11<sup>th</sup> c.).

<sup>65</sup> NESBITT – OIKONOMIDES, *Catalogue I*, no. 43. 14 (11<sup>th</sup> c.). See the review by W. SEIBT in *BZ 84/85.2* (1991/1992) 549, who corrects the family name to Τζάνζης instead of Ζάνζης. Cf. PBW, Anonymous 20109 (Boulloterion 307); I. LEONTIADIS, *Μολυβδόβουλλα του Μουσείου Βυζαντινού Πολιτισμού Θεσσαλονίκης (Byzantina Keimena kai Meletai 40)*. Thessaloniki 2006, no. 16 (p. 75), where other members of the Tzanzes or Tzantzes family who also served in judicial positions are mentioned. The family name is attested from the 9<sup>th</sup> century, when the son (?) of Stylianos Zaoutzes and a Tzanzes who was *strategos of Macedonia* under Basil I (867–886) are mentioned (see *ibidem*, 76 with the relevant sources).

<sup>66</sup> NESBITT – OIKONOMIDES, *Catalogue I*, no. 43. 9 (10<sup>th</sup>/11<sup>th</sup> c.) (two specimens from the same boulloterion). Cf. PBW, Ioannes 20135 (Boulloterion 302).

<sup>67</sup> JORDANOV, *Corpus I*, no. 35D. 21 (11<sup>th</sup> c.). Cf. PBW, Petros 20131 (Boulloterion 3360). A parallel specimen in Vienna edited by SCHLUMBERGER, *Sigillographie 163*, no. 6 (Comnenian era).

10. Βασίλειος, πρωτοσπαθάριος, ὕπατος, κριτῆς τοῦ βήλου καὶ τοῦ ἵπποδρόμου, Μακεδονίας (?) (1030–1060)<sup>68</sup>.
11. Δαμιανός, πρωτοσπαθάριος ἐπὶ τοῦ Χρυσοτρικλίνου, μυστογράφος, κριτῆς ἐπὶ τοῦ ἵπποδρόμου καὶ Μακεδονίας (before middle of the 11<sup>th</sup> c.)<sup>69</sup>.
12. Κωνσταντῖνος, πρωτοσπαθάριος, βασιλικὸς νοτάριος τοῦ εἰδικοῦ, κριτῆς ἐπὶ τοῦ ἵπποδρόμου καὶ Μακεδονίας (ca. middle of the 11<sup>th</sup> c.)<sup>70</sup>.
13. Κωνσταντῖνος Σκληρός, βεστάρχης καὶ κριτῆς Θράκης καὶ Μακεδονίας (ca. middle of the 11<sup>th</sup> c.)<sup>71</sup>.
14. Στέφανος, πατρίκιος, πραιπόσιτος, βέστης καὶ πραιτῶρ Μακεδονίας καὶ Ἀδριανουπόλεως (ca. 1040–1060)<sup>72</sup>.
15. Νικήτας, μάγιστρος, βέστης, κριτῆς τοῦ βήλου, πραιτῶρ Μακεδονίας καὶ Ἀδριανουπόλεως (probably the successor of the previous person, as Wassiliou-Seibt – Seibt pointed out)<sup>73</sup>.
16. Ἰωάννης Κοστομύρης, πατρίκιος, δικαστῆς Μακεδονίας, Θράκης (1040–1070)<sup>74</sup>.
17. Ν., κριτῆς Μακεδονίας (between 1042–1078)<sup>75</sup>.

<sup>68</sup> NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 43. 3 (11<sup>th</sup> c.). Cf. PBW, Basileios 20144 (Boulloterion 296).

<sup>69</sup> WASSILIOU – SEIBT, Bleisiegel II, no. 195. Cf. PBW, Damianos 20103 (Boulloterion 3681).

<sup>70</sup> NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 43. 5 (11<sup>th</sup> c.); for another specimen from a different boulloterion see Ioanna KOLTSIDA–MAKRE, Βυζαντινά Μολυβδόβουλλα. Συλλογῆς Ορφανίδη – Νικολαΐδη Νομισματικῆς Μουσείου Ἀθηνῶν (*Tetradia christianikes Archaialogias kai Technes* 4). Athens 1996, no. 42 (11<sup>th</sup> c.). Cf. WASSILIOU – SEIBT, Bleisiegel II 198, n. 328. Cf. PBW, Konstantinos 20116 (Boulloterion 297). Constantine was either the successor or the predecessor of Damianos (no. 11).

<sup>71</sup> K. KONSTANTOPOULOS, Βυζαντιακὰ Μολυβδόβουλλα τοῦ ἐν Ἀθήναις Ἐθνικοῦ Νομισματικοῦ Μουσείου. Athens 1917, no. 32; W. SEIBT, Die Skleroi. Eine prosopographisch-sigillographische Studie (*BV* 9). Vienna 1976, 91, no. 21b (1060–1090); Ch. STAVRAKOS, Die byzantinischen Bleisiegel mit Familiennamen aus der Sammlung des Numismatischen Museums Athen (*Mainzer Veröffentlichungen zur Byzantinistik* 4). Wiesbaden 2000, no. 235; PBW, Konstantinos 20243 (Boulloterion 1954); W. SEIBT, Zwischen Identifizierungsrausch und -verweigerung: Zur Problematik synchroner homonymer Siegel, in: Siegel und Siegler, ed. Claudia Ludwig (*Berliner Byzantinistische Studien* 7). Frankfurt/M. 2005, 147, no. 4–5, n. 10 and 11 (middle of the 11<sup>th</sup> c. or a little after the middle of the 11<sup>th</sup> c.).

<sup>72</sup> See WASSILIOU – SEIBT, Bleisiegel II, no. 214 and I. JORDANOV, Corpus III/1, no. 1339 (third quarter of the 11<sup>th</sup> c.) with the previous editions. Cf. KYRIAKIDES, Βολερὸν 439. Regarding the title of *vestes* as well as those of *vestarches* and *magistros*, it should be mentioned that they were bestowed on *krites* from 1070 according to the testimonies of the documents (see J.-Cl. CHEYNET, La resistance aux Turcs en Asie Mineure entre Mantzikert et la première Croisade, in: Eupsychia. Mélanges offerts à Hélène Ahrweiler, I [*Byzantina Sorbonensia* 16]. Paris 1998, 131–147, especially 136; IDEM, Dévaluation des dignités et dévaluation monétaire dans la seconde moitié du XI<sup>e</sup> siècle. *Byz* 53 [1983] 453–477, especially 468–469, where he concludes that the *krites of the velon* and the *krites of the hippodrome* had the title of *magistros* from the beginning of Alexios I Komnenus' reign), but even earlier according to Wassiliou – Seibt's dating of the above seal. See also Gorny und Mosch Sale 156 (6 March 2007) no. 2548, where a seal of Στέφανος, βέστης καὶ πραιτῶρ Μακεδονίας καὶ Ἀδριανουπόλεως, which belongs to the same person, is presented.

<sup>73</sup> NESBITT – ΟΙΚΟΝΟΜΙΔΕΣ, Catalogue I, no. 44. 8 (10<sup>th</sup>/11<sup>th</sup> c.); WASSILIOU – SEIBT, Bleisiegel II 213, n. 398.

<sup>74</sup> E. McGEER – J. NESBITT – N. ΟΙΚΟΝΟΜΙΔΕΣ†, Catalogue of Byzantine Seals at Dumbarton Oaks and in the Fogg Museum of Art, V: The East (continued), Constantinople and Environs, Unkown Locations, Addenda, Uncertain Readings. Washington, D.C. 2005, no. 100.1 (11<sup>th</sup> c.). A similar seal in the Hermitage (M–6524). Cf. PBW, Ioannes 20351 (Boulloterion 4638). Several members of this family are recorded in the 11<sup>th</sup> and 12<sup>th</sup> c. See JORDANOV, Corpus II, 237–239. Cf. I. LEONTIADES, Byzantine Lead Seals with Family Names, in: Epeironde (as in n. 57) 297–316, no. 6.

<sup>75</sup> SATHAS, no. 129, p. 375. The letter is addressed probably to a *krites* of a neighbouring *theme*. According to KYRIAZOPOULOS, Θράκη 194, the letter should be dated to 1071–1078, when Psellos was *paradynasteuon* of Michael VII Doukas. Cf. PBW, Anonymous 2247.

18. N., κριτής Μακεδονίας (between 1042–1078)<sup>76</sup>.
19. N., κριτής Μακεδονίας (1042–1078)<sup>77</sup>.
20. N., κριτής τῶν Μακεδόνων (1042–1078)<sup>78</sup>.
21. Θεόδωρος Αιμιλιανός, ἀνθύπατος πατρικίος, κριτής τοῦ βήλου καὶ Μακεδονίας (ca. 1050–1075)<sup>79</sup>.
22. Μιχαὴλ Παρθένιος, πατρικίος καὶ κριτής Μακεδονίας (1050–1075)<sup>80</sup>.
23. Εὐστράτιος, ὕπατος, βέστης, κριτής Θράκης καὶ Μακεδονίας (1050–1075)<sup>81</sup>.
24. Λέων, βεστάρχης, κριτής (οἱ πραιῖτωρ), Θράκης καὶ Μακεδονίας (δικάζει Θραξὶ καὶ Μακεδόσι) (1050–1075)<sup>82</sup>.
25. Χασάνης, βεστάρχης καὶ κριτής Μακεδονίας (1050–1078)<sup>83</sup>.
26. Πόθος, μάγιστρος, κριτής Θρακῶν καὶ Μακεδόνων (1050–1078)<sup>84</sup>.
27. N., κριτής Θράκης καὶ Μακεδονίας<sup>85</sup> (1055–1078)<sup>86</sup>.
- 28a. Κωνσταντῖνος Ἀλωπός, μάγιστρος, βέστης, κριτής τοῦ βήλου Θράκης καὶ Μακεδονίας (1070–1075)<sup>87</sup>.
- 28b. Κωνσταντῖνος Ἀλωπός, πρωτοπρόεδρος, κριτής Θράκης καὶ Μακεδονίας (ca. 1075–1080)<sup>88</sup>.

<sup>76</sup> SATHAS, no. 129, p. 375. This was the successor of the previous *krites of Macedonia*. Cf. PBW, Anonymous 2248.

<sup>77</sup> KURTZ – DREXL, no. 7, p. 8–9. Cf. PBW, Anonymous 2335. We do not know if the anonymous *krites* is identified with the other *krites* mentioned in the letters of Psellos (see nos. 12–13 of our catalogue).

<sup>78</sup> SATHAS, no. 50, p. 281–282. According to KYRIAZOPOULOS, Θράκη 194, this letter should also be dated to 1071–1078, when Psellos was *paradynasteion* of Michael VII Doukas. Cf. PBW, Anonymous 2175.

<sup>79</sup> WASSILIOU – SEIBT, Bleisiegel II 71, n. 288, mention this unpublished specimen from Zacos' collection. This person is identified with Aimilianos, ἀνθύπατος πατρικίος καὶ κριτής ἐπὶ τοῦ ἵπποδρόμου published by WASSILIOU – SEIBT, Bleisiegel II, no. 44 (ca. third quarter of the 11<sup>th</sup> c.). For seals of other members of this family, see *ibidem*, p. 72. Cf. PBW, Theodoros 20248 (Boulloterion 3575).

<sup>80</sup> J.-Cl. CHEYNET – C. MORRISSON – W. SEIBT, Les sceaux byzantins de la collection Henri Seyrig. Paris 1991, no. 182. Cf. PBW, Michael 20147 (Boulloterion 529).

<sup>81</sup> NESBITT – OIKONOMIDES, Catalogue I, no. 43. 7 (11<sup>th</sup> c.). Cf. H. HUNGER, Zur Metrik byzantinischer Siegellegenden. *SBS* 2 (1990) 27–38, here 33; PBW, Eustratios 20126 (Boulloterion 300).

<sup>82</sup> NESBITT – OIKONOMIDES, Catalogue I, no. 43. 10 (11<sup>th</sup> c.); cf. PBW, Leon 20116 (Boulloterion 303). See also WASSILIOU-SEIBT, Corpus, no. 1276 (1050–1075).

<sup>83</sup> SATHAS, no. 38, p. 272 tit.; *ibidem*, no. 172, p. 439–440. According to KYRIAZOPOULOS, Θράκη 194, this letter should also be dated to 1071–1078, when Psellos was *paradynasteion* of Michael VII Doukas. Cf. PBW, Anonymous 2174.

<sup>84</sup> KURTZ – DREXL, no. 220, p. 261; *ibidem*, no. 250, p. 299. Cf. PBW, Pothos 102.

<sup>85</sup> SATHAS, no. 192, p. 487 = KURTZ – DREXL, no. 64, p. 97–99. See also KURTZ – DREXL, no. 73, p. 105. Cf. PBW, Anonymous 2393.

<sup>86</sup> Since Constantine Monomachos is mentioned as a deceased in the first of the above letters (see previous n.).

<sup>87</sup> NESBITT – OIKONOMIDES, Catalogue I, no. 43. 6 (11<sup>th</sup> c.) (two similar specimens from different boulloteria), who mention other two similar pieces and their editions. Cf. PBW, Konstantinos 20117 (Boulloterion 298). There is one more seal in the former Zacos collection and another in the Hermitage. See V. S. ŠANDROVSKAJA, Vvedenie v vizantijskiju sfragistiku, in: A. ROMANCUK – V. S. ŠANDROVSKAJA, Vvedenie v vizantijskiju archeologiju i sfragistiku. Jekaterinburg 1995, 54–107, no. 19. For other members of the Alopas family who were judicial officers see GKOUTZIOUKOSTAS, Απονομή δικαιοσύνης, n. 656 (p. 152–153).

<sup>88</sup> Unpublished specimen from the former Zacos collection. See JORDANOV, Corpus II 51 (1050–1075). Cf. PBW, Konstantinos 20117 (Boulloterion 5176). According to the reading and dating by Wassiliou-Seibt: (Πρωτο)(προ)έδρου [(καὶ)] κριτ(οῦ) Κωνσταντῖνου Θρακῶν Μα[κ]εδόνων τε [σ]φραγίς τυγχάνω (circa 1075–1080).



29. Ἰωάννης Ῥαδηνός, βεστάρχης, κριτῆς τοῦ βήλου, Θράκης καὶ Μακεδονίας (ca. 1060–1090)<sup>89</sup>.
30. Ἰωάννης Ξιφιλῖνος, μάγιστρος, κριτῆς Θράκης καὶ Μακεδονίας καὶ ἀναγραφεὺς (1060–1090)<sup>90</sup>.
31. Χριστόφορος Λειχούδης, πρόεδρος καὶ δικαιοφύλαξ Θράκης καὶ Μακεδονίας (1060–1090)<sup>91</sup>.
32. Νικόλαος Ἀνζᾶς, μάγιστρος, κριτῆς τοῦ βήλου, Θράκης καὶ Μακεδονίας (late 1060s–1090)<sup>92</sup>.
33. Μιχαήλ Σκληρός, πρωτοπρόεδρος, κριτῆς Θράκης καὶ Μακεδονίας καὶ ἐξισωτῆς (1082)<sup>93</sup>.
34. Ἰωάννης Ἐλεσβαάμ, βέστης, κριτῆς τοῦ βήλου, Θράκης καὶ Μακεδονίας (last third of the 11<sup>th</sup> c.)<sup>94</sup>.
35. Νικόλαος Ζουναράς, κριτῆς τοῦ βήλου, Θράκης καὶ Μακεδονίας (last third of the 11<sup>th</sup> c.)<sup>95</sup>.
36. Νικόλαος, μάγιστρος, κριτῆς τοῦ βήλου, Θράκης καὶ Μακεδονίας (last third of the 11<sup>th</sup> c.)<sup>96</sup>.

<sup>89</sup> JORDANOV, Corpus II, no. 594, with his previous editions. JORDANOV dates the seal between 1070–1090; see also WASSILIOU – SEIBT, Bleisiegel II 44, n. 119, who date the seal circa 1060–1090 and mention also an unpublished parallel from Zacos collection. For other members of the family who were judicial officers see *ibidem*, 43–45. See also STAVRAKOS, Bleisiegel, no. 217 and no. 219 (p. 332–333); J.-Cl. CHEYNET, La patricienne à ceinture: une femme de qualité, in: Au cloître et dans le monde. Femmes, hommes et sociétés (IXe–XVe siècle). Mélanges en l’honneur de Paulette L’Hermite-Leclercq, ed. P. Henriot – A.-M. Legras, Paris 2000, 179–187 (= IDEM, La société [as in n. 25] I 163–173, here 167); J.-Cl. CHEYNET – D. THEODORIDIS, Sceaux byzantins de la collection D. Theodoridis. Le sceaux patronymiques (*Centre de recherche d’histoire et civilisation de Byzance. Monographies* 33). Paris 2010, no. 175. Cf. PBW, Ioannes 20489 (Boulloterion 3361).

<sup>90</sup> See A.-K. WASSILIOU-SEIBT, Die Familie Xiphilinos im 11. Jahrhundert: der Beitrag der Siegel, in: Les réseaux familiaux. Antiquité Tardive et Moyen Âge in memoriam A. Laiou et É. Patlagean, ed. Béatrice Caseau (*Centre de recherche d’histoire et civilisation de Byzance. Monographies* 37). Paris 2012, 307–324, no. 4a, who edits an unpublished seal of Ioannes Xiphilinos from the collection of British Library CLVII 48, which was found in Constantinople, and identifies this person with his homonym *magistros* and *anagrapheus* mentioned on a seal published by SCHLUMBERGER, Sigillographie 717, no. 5 (11<sup>th</sup>–12<sup>th</sup> c.) and on a similar seal edited by her (no. 4) (Fogg 1019) (1060–1090). For other members of the family who also served as judicial officers see WASSILIOU-SEIBT, Familie, nos. 1, 10, 11, 17 and 17a) and the *droungarios of the vigla* Konstantinos (*ibidem*, no. 10).

<sup>91</sup> NESBITT – OIKONOMIDES, Catalogue I, no. 43.2 (11<sup>th</sup> c.).

<sup>92</sup> NESBITT – OIKONOMIDES, Catalogue I, no. 43. 13 (11<sup>th</sup> c.); WASSILIOU – SEIBT, Bleisiegel II, no. 196, with parallels and previous editions (late 1060s–1090). Cf. PBW, Nikolaos 20106 (Boulloterion 306). See also n. 96. For other members of the Anzas family who were judicial officers see STAVRAKOS, Bleisiegel, nos. 15–16; WASSILIOU – SEIBT, Bleisiegel II, nos. 43, 67; V. BULGAKOVA, Byzantinische Bleisiegel in Osteuropa. Die Funde auf dem Territorium Altrusslands (*Mainzer Veröffentlichungen zur Byzantinistik* 6). Wiesbaden 2004, 1.2.6.

<sup>93</sup> Jus Graeco-Romanum III 348. Cf. W. SEIBT, Skleroi, no. 24.d with the rest of the source testimonies.

<sup>94</sup> NESBITT – OIKONOMIDES, Catalogue I, no. 43. 8. (11<sup>th</sup> c.). Cf. PBW, Ioannes 20134 (Boulloterion 301). This person was previously *patrikios*, *hypatos* and *krites of Drougoubiteia* (1050–1070). See JORDANOV, Corpus II, no. 211 (1050s–1060s), who correctly pointed out that the position of Ioannes as *krites of Thrace and Macedonia* reflects a later stage in his career than the previous one.

<sup>95</sup> Four specimens: three from the Eremitage collection [M–125, M–6044, M–10647] and one from a private Bulgarian collection. See SCHLUMBERGER, Sigillographie 162, no. 1; W. SEIBT, Byzantinische Bleisiegel in Österreich, 1. Teil: Kaiserhof (*Österreichische Akademie der Wissenschaften. Veröffentlichungen der Kommission für Byzantinistik* II/1). Vienna 1978, 235, n. 3; S. ŠANDROVSKAJA, Sfragistika, in: Iskusstvo Vizantii v sobranijah SSSR, Katalog vystavki, I–III. Moscow 1977, no. 703 (= *SBS* 5 [1998] 142); JORDANOV, Corpus I, no. 35D. 24 and IDEM, Corpus II, no. 226 (last quarter of the 11<sup>th</sup> c.). Cf. KYRIAKIDES, Βολερών 440; PBW, Nikolaos 20210 (Boulloterion 3363) and Nikolaos 20308 (Boulloterion 6684).

<sup>96</sup> SCHLUMBERGER, Sigillographie 162, no. 2, published a seal of Νικόλαος, μάγιστρος, κριτῆς βήλου, Θράκης καὶ Μακεδονίας and identified this person with Zonaras (no. 35) of our catalogue. See KYRIAKIDES, Boleron 441. But see also SEIBT, Bleisiegel I 235, n. 3, who notes that it is not certain that Nikolaos is the same person as Nikolaos Zonaras. If SCHLUMBERGER’s reading is correct, then the owner of the seal might well be the same person with Nikolaos Anzas (no. 32) of our catalogue, who held the same title and offices.

37. Κωνσταντῖνος Σκληρός, πρωτοπρόεδρος και κριτής Θράκης και Μακεδονίας (last quarter of the 11<sup>th</sup> c.)<sup>97</sup>.
38. Νικόλαος Μερμέντουλος, νοβελίσσιμος και πραιτώρ Θράκης και Μακεδονίας (after 1095–1100)<sup>98</sup>.
39. Ἰωάννης Ταρωνίτης, σεβαστός, πραιτώρ και ἀναγραφεὺς Θράκης, Μακεδονίας, Βολεροῦ, Στρυμόνος και Θεσσαλονίκης (1102)<sup>99</sup>.
40. Ἀνδρόνικος Σκληρός, σεβαστός, πραιτώρ, λογαριαστής, ἐξισωτής και ἀναγραφεὺς, κριτής Θράκης και Μακεδονίας (early 12<sup>th</sup> c.)<sup>100</sup> (= τὴν τῆς Θράκης και Μακεδονίας διέπων ἀρχὴν) (July 1104)<sup>101</sup>.
41. Ν., κριτής Μακεδόνων (12<sup>th</sup> c.)<sup>102</sup>.
42. Γεώργιος Σερβλίας, πραιτώρ Θράκης και Μακεδονίας (first–second third of the 13<sup>th</sup> c.)<sup>103</sup>.

<sup>97</sup> K. M. KONSTANTOPOULOS, Βυζαντιακά μολυβδόβουλλα: Συλλογὴ Ἀναστασίου Κ. Π. Σταμούλη. Athens 1930, no. 73; SEIBT, Skleroi 91, no. 21d. Cf. KYRIAKIDES, Βολερόν 438; SBS 4 (1998) 45; PBW, Konstantinos 20320 (Boulloterion 3065); SEIBT, Identifizierungsrausch 148, no. 7 (last quarter of the 11<sup>th</sup> c.).

<sup>98</sup> WASSILIOU – SEIBT, Bleisiegel II, no. 12, p. 40, n. 81, with the previous editions and the career of Nikolaos (πρωτοπρόεδρος τῆς συγκλήτου και δρουγγάριος τῆς βίγλας [circa 1093–1095], πρωτοπρόεδρος και ἑπαρχος [after 1095], νοβελίσσιμος και πραιτώρ Θράκης και Μακεδονίας [end of the 11<sup>th</sup> c.], νοβελίσσιμος και ἑπαρχος [end of the 11<sup>th</sup>–beginning of the 12<sup>th</sup> c.]

<sup>99</sup> The proceedings of the Synod of February 1164 mention a document of Ἰωάννης Ταρωνίτης, σεβαστός, πραιτώρ και ἀναγραφεὺς Θράκης, Μακεδονίας, Βολεροῦ, Στρυμόνος και Θεσσαλονίκης. See A. PΑΡΑΔΟΥΠΟΥΛΟΣ–ΚΕΡΑΜΕΥΣ, Ἀνάλεκτα Ἱεροσολυμιτικῆς Σταχυολογίας, IV. St. Petersburg 1897, 106, 31–107, 3. Cf. DÖLGER – WIRTH, Regesten, no. 1217. – V. GRUMEL, Les registes des actes du Patriarcat de Constantinople, I.3 (1043–1206). Paris 1947 (second revised edition by J. DARROUZÉS, Paris 1989), no. 1055. Cf. KYRIAKIDES, Βολερόν 331; ΖΑΚΥΘΕΝΟΣ, Μελέται 52–53; ΓΡΕΓΟΡΙΟΥ–ΙΟΑΝΝΙΔΟΥ, Παρακμὴ 78–79, n. 273, who correctly points out that the above testimony does not mean that Macedonia and Thrace were united for a short period of time with Boleron, Strymon and Thessaloniki, and that the document more probably reflects Taronites' career in two different financial and administrative units; for a different point of view see LEMERLE, Macédoine 167–168. Cf. KYRIAZOPOULOS, Θράκη 198. For other members of the family who also held judicial positions see WASSILIOU – SEIBT, Bleisiegel II 256; Jordanov, Corpus II, no. 706, p. 401–402.

<sup>100</sup> CHEYNET – THEODORIDIS, Collection D. Theodoridis, no. 192 (11<sup>th</sup>/12<sup>th</sup> c.).

<sup>101</sup> Actes de Lavra no. 56 (ed. P. LEMERLE – A. GUILLOU – N. SVORONOS, with the collaboration of Denise PΑΡΑΧΡΥΣΑΝΘΟΥ, I [Des origines à 1204] [Archives de l' Athos V]. Paris 1970, 292, 6, 10 and 296 [copy of the original A by Theodoretos]). Cf. SEIBT, Skleroi, no. 23.

<sup>102</sup> NESBITT – OIKONOMIDES, Catalogue I 43.15 (11<sup>th</sup>/12<sup>th</sup>); WASSILIOU–SEIBT, Corpus I 304.

<sup>103</sup> JORDANOV, Corpus II 369, who mentions an unpublished seal from the Zacos collection III, no. 1518 and dates it to late 11<sup>th</sup> c. A.-K. WASSILIOU–SEIBT, Der Familienname Serblias und seine Träger in Byzanz. Eine sigillographisch-prosopographische Studie. SBS 11 (2011) 35–55, no. 27, who republishes the seal and dates it on sigillographic criteria to the first or second third of the 13<sup>th</sup> c., considering Serblias as the younger representative of the Serblias family. If we accept this dating, then Serblias was not a judge of Thrace and Macedonia, like those previously mentioned in our catalogue. According to Wassiliou-Seibt, to whom I would like to express my special thanks for the discussion we had, Serblias performed his duties as a provincial and military governor in the region that comprised modern (Greek) Eastern Macedonia, modern Western Thrace including the Rodope mountains, part of Eastern Thrace with Adrianople and its environs, and the region below the upper Maritza (Evros), which formed the frontier between Nicaea and Bulgaria just before 1261 (SOUSTAL, Thrakien 108), probably like George Acropolites 66 (ed. A. HEISENBERG, Georgii Acropolitae Opera, I. Leipzig 1903, 139, 2–14), who as praitor (1256–1257) supervised the military governors of Thessaloniki, Prilapos, Velesos and Albania. It cannot be excluded, however, that Serblias was the last judge of Macedonia and Thrace. Many members of the Serblias family were appointed as judicial officers. See WASSILIOU–SEIBT, Serblias, no. 2, 7a–d, 8, 9, 10, 20, 23. Cf. GKOUTZIOUKOSTAS, Απονομή δικαιοσύνης, n. 656 (p. 152–153); JORDANOV, Corpus II 368–369; CHEYNET – THEODORIDIS, Collection D. Theodoridis, no. 187.