CHAPTER EIGHT

THE FOURTH CENTURY: CONTINUITY AND CHANGE

In AD 367, the centonarii of Forum Popilii (Regio I) dedicated an honorific inscription to their patron Minucius Aeterius Fabens (no. 48). The inscription, in front of which a statue of Fabens would be set up, twice referred to deus: maiestate dei (Ll. 3–4) and sedem dei (L.9). The singular deus, which was very rarely used in similar contexts, and the late date of the inscription, will lead to a reasonable deduction that the religious practice of the collegium may have been Christianized. In this example, the phenomenon of patronage continued but the religious aspect may have become different. Valuable epigraphic sources like this, however, gradually taper off in the fourth century. The papyrological sources from Egypt indicate that guilds gradually became units for collecting artisans’ and traders’ taxes. The fourth century saw the institutionalization of the guilds’ fiscal obligations. Whether the same process also occurred in the West is far from clear. For the West, our main sources for the collegia come from the Theodosian Code. The legal sources leave no doubt that the collegia centonariorum not only still existed, but also continued to function actively. It has often been said that by tightening the state control of the collegia membership, the fourth-century legislation changed the nature of the relationship between collegia and the state. However, it remains to be determined to what extent this ‘change’ is actually a reflection of the Roman past, as opposed to being simply a modulation in the evidence available to us. This Chapter traces the continuity and change among the collegia centonariorum by taking a close look at the legal material.

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1 Carrié 2002: esp. 332; cf. Freu 2007: 382. For multiple examples of the goldsmiths as collectors of chrysargyron, see Bagnall and Worp 1985: 67–70. Many price declarations from the professional groups have survived on papyri, but they all have post-Diocletian dates, meaning that the artisan guilds were required to file price schedules only after the Price Edict had been promulgated in Egypt.

2 Purcell 1992: 179.
The Centonarii in the Theodosian Code

For a long time, the key word for the discussion of the relationship between state and collegium in this period has been *cristallizzazione*. De Robertis spoke of ‘*un vasto sistema vincolistico*’;³ the word Zwangs-kollegien was also used to describe the collegia in the fourth century AD and beyond. However, the picture suggested by these terms, and drawn mainly on the basis of legal sources, may be both misleading and only partially true. This possibility was pointed out even before the image of the so-called Later Roman Empire underwent a general revision. Based on papyrological and epigraphic evidence of the freedom to change occupations in the fourth and fifth centuries, A. H. M. Jones (*LRE*) and R. MacMullen both warned against an overgeneralized and oversimplified understanding of the situation.⁴ Cracco Ruggini invited attention to the stratification of collegia during this period as well as to the treatment of different collegia by the state.⁵ Indeed, the degree of governmental oversight varied from collegium to collegium. In the *Theodosian Code*, there are only three laws addressed directly to the collegia centonariorum, as opposed to the dozens directed at those that served the annona. As far as membership in the collegia centonariorum is concerned, governmental intervention and control did exist, but only in a limited way. Until perhaps very late, there seems to have been no regulation demanding the sons of the collegiati to stay in the collegia centonariorum;⁶ unlike in the cases of the navicularii (shippers) and

³ De Robertis 1971 II: 135.
⁴ MacMullen 1964: 49–53. It is also wrong to assume that Byzantium inherited a regimented and highly regulated guild system. The *Book of the Prefect/Eparch* dating from the sixth century was mostly concerned with food supply and luxury trades (jewelry, silk, perfume, etc.). It did not cover all the crafts. Nor was it essentially about the mandatory organization of guilds. For a recent edition and commentary of the document, see Koder 1991. For a brief introduction and English translation, see Boak 1929: 597–619. For a critical understanding of the document along with an excellent discussion of the organization of craftsmen in Byzantium, see Maniatis 2001: 339–69.
⁶ For such regulations imposed on other types of collegia, see *CTh* 14.4.5 (AD 389), 14.3.5 (AD 364); *Nov. Maior*. 7.7 (AD 458). *CTh* 14.7.1.1 (AD 397), may have had some impact on the mobility of the descendants of collegiati. This law (14.7.1.1), like several others, provides criteria to determine the *origo* of children whose maternal and paternal *origines* compete. As far as the *agnatio* (descent) of a collegiatus is concerned, the father’s status prevails unless the mother was a *colona* or *ancilla*. Cf. Sirks 1993a: 172.