

# Impersonal Governance in Byzantium: Bureaucracy, Friendship, and Psellos' Letters

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The *doukes* are ... to judge the cases which come before them with full legality and rectitude, truthfully, *impersonally*, and bilaterally, not unilaterally according to one party's plea; they should resolve them according to truthful reasoning...

— Michael VIII on Maladministration<sup>1</sup>

It may safely be asserted that, as matters now stand, the Government of the country could not be carried on without the aid of an efficient body of permanent officers, occupying a position duly subordinate to that of Ministers who are directly responsible to the Crown and to Parliament, yet possessing sufficient independence, character, ability, and experience to be able to advise, assist, and to some extent influence, those who are from time to time set over them.

— The 1854 Northcote-Trevelyan Report<sup>2</sup>

**T**he thirteenth-century passage with which we open raises, by way of the realm of justice, an important question about the nature of governance in Byzantium. If Romania was indeed

<sup>1</sup> L. Burgmann and P. Magdalino, "Michael VIII on Maladministration: An Unpublished Novel of the Early Palaiologan Period," *Fontes Minores VI* (Frankfurt am Main 1984) 364 (Greek), 385 (transl.). ἀπροσωπολήπτως is translated here as "impersonally," or more precisely, "not taking the personal into account." Also translated as "impartial," the term had a long presence in theological literature but is associated, in general, with the courts of justice as seen in Mazaris: "Ἀλλὰ πῶς ἄρ' ἔειπον "οἱ ἐν ἄδου δικάζουσι;" "Δικαίως" ἔφη "καὶ ἀπροσωπολήπτως ἔτι τε ἀδωροδοκίῃ, καὶ μὴ πρὸς χάριν, ἀλλ' οὐδὲ πρὸς κολακείαν οὐδ' εἴνεκα λημμάτων": J. N. Barry, M. J. Share, A. Smithies, L. G. Westerink, *Mazaris' Journey to Hades* (Buffalo 1975) 16, lines 29–31.

<sup>2</sup> Stafford H. Northcote and C. E. Trevelyan, *Report on the Organization of the Permanent Civil Service* (London 1854) 1; note the emphasis on "influence."

a “friendly society,” we need to consider how highly personalized relationships among social and political agents, both within and outside the state apparatus, affected governance and the operations of Byzantine officialdom. How did expectations of impersonal justice and governance—historically, the two have been tightly entangled—co-exist with the clientelist reflexes of a society whose elite built ties of affinity by way of a shared *paideia*.<sup>3</sup> The question of influence and of the impact of ‘the evils of patronage’ on hierarchal, rationally-appointed governing structures is at the centre of important debates on governance and animated the mid-nineteenth century’s Northcote-Trevelyan report on the UK’s civil service, which headlines this paper.<sup>4</sup> When it comes to Byzantine studies, however, discussions on impersonal governance remain relatively muted.

The present paper focuses on the tension between friendship and the impersonal imperative in governance by turning to the letters of Michael Psellos—a most ‘personal’ author from the Roman Middle Ages—to suggest that notwithstanding personal relationships and clientelist urges, members of the Medieval Roman state apparatus operated in ways that aligned with the ideal of impersonal governance encapsulated in the thirteenth-century passage by Emperor Michael VIII. Next to Psellos’ letter collection, I will also cite in ancillary fashion Ignatios the Deacon, Nicholas Mystikos, Theodore Daphnopates, and Theophy-

<sup>3</sup> M. Mullett, “Byzantium: A Friendly Society?” *P&P* 118 (1988) 3–24; Mullett addresses head on A. P. Kazhdan’s, *People and Power in Byzantium: An Introduction to Modern Byzantine Studies* (Washington 1982), and his take on the atomized, fearful, and friendless Byzantine subject. Cf. D. Boucoyannis, “No Taxation of Elites, No Representation: State Capacity and the Origins of Representation,” *Politics & Society* 43 (2015) 303–332, and specifically 315 ff. on English county courts as state infrastructure and as training grounds for practices of political representation.

<sup>4</sup> Northcote and Trevelyan, *Report* 9, on the problem of patronage; P. Satia, *Empire of Guns: The Violent Making of the Industrial Revolution* (New York 2018) 24–65, on the tight embrace of public and private interests early in the industrial revolution. To a degree, the Northcote-Trevelyan Report was a response to this phenomenon.

lact of Ochrid.<sup>5</sup> My aim in this paper is not to deny the impact of personal relationships and affinities on governance. It is rather to highlight processes whereby state *praxis* transcended such affinities to produce effective and, to a degree, impersonal governance dedicated to the well-being of those constituting the Roman polity. As suggested by the narrow focus on Psellos, this is but a partial exercise.

Before we turn to the Medieval Roman polity and then to Psellos, I propose that we consider for a moment the wider context. In his discussion of the emergence of the state in Western Europe, Michael Mann turns to the question of taxes, a central function of any state, let alone a bureaucratic one, and notes: “In 1484 the French Estates General denounced the tendency for the *taille* and other taxes ‘instituted in the first place because of war’ to become ‘immortal.’”<sup>6</sup> Byzantinists might bemusedly counter that in the Medieval Roman polity taxes were “immortal” by default. One could in fact argue that the “immortal” character of the Byzantine taxation system—the way in which taxes were not associated with one or another ruler’s campaigns and wars but rather with the presence of an eternal managerial structure—depersonalizes the state and abstracts it into something larger than the emperor.<sup>7</sup> In this eternal polity, taxes were immortal and impersonal, while tax exemptions bore an individual emperor’s name, outlining a personal,

<sup>5</sup> The link between law and administration had been tight ever since Diocletian in effect established the blueprint for the Roman administrative system, drawing officials for his expanded bureaucracy mainly from the bar. For that see A. H. M. Jones, *The Later Roman Empire* I (Norman 1964) 49.

<sup>6</sup> M. Mann, *The Sources of Social Power I: A History of Power from the Beginning to AD 1760* (Cambridge 1986/2012) 433.

<sup>7</sup> Douglas Whalin, *Roman Identity from the Arab Conquests to the Triumph of Orthodoxy* (Cham 2020) 78, notes this depersonalization of the state in the *Strategikon*, the *Rhetorica Militaris*, and the *De re Strategica*, whose authors tended to ignore the emperor, focusing instead on the abstracted *basileia* of the *Romaioi*, the *politeia* of the Romans.

direct, dyadic relationship between ruler and ruled, which state officials were always ready impersonally to challenge.<sup>8</sup>

*The Byzantine administrative logic and the attendant ideology of service*

It is my contention that the process of measuring and organizing resources for the defence, preservation, and even expansion of the polity produced an administrative logic which organized the actions of the empire's 'managerial' class and shaped what we may call an ideology of service which at all times clashed with the social logic of patronage and friendship.<sup>9</sup> It is this tension that we will follow below in Psellos' correspondence. This ideology of service was produced through the sheer act of governance. That a certain *esprit de corps* was generated through service to the state can be seen in Michael Attaleiates' stipulations for the recruitment of monks to his monastery. This judge with a long career in the courts sought to recruit "accountants or notaries or secretaries" to his monastic institution, evidencing an affinity for the bureaucratic class with which he was well acquainted through service to the state.<sup>10</sup> The men who appear

<sup>8</sup> See 124 below. State officials and emperors frequently reneged on their predecessors' promises and exemptions, as seen in Attaleiates *History* 61 (Kaldellis and Krallis 111). Citations of Attaleiates follow the pagination of the Bekker edition; transl. A. Kaldellis and D. Krallis, *Michael Attaleiates: History* (Washington 2012). Cf. D. Krallis, *Michael Attaleiates and the Politics of Imperial Decline in Eleventh-Century Byzantium* (Tempe 2012) 222–223, on Attaleiates' idea of a continuing bureaucratic structure going beyond affinities with individual emperors; L. Burgmann, "A Law for Emperors: Observations on a Chrysobull of Nikephoros III Botaneiates," in P. Magdalino (ed.), *New Constantines: The Rhythm of Imperial Renewal in Byzantium* (London 1994) 247–258, on these very legislative initiatives.

<sup>9</sup> J.-Cl. Cheynet, *Pouvoir et contestations à Byzance (963–1210)* (Paris 1996) 249–250, estimates that 400–500 people constituted the higher administrative ranks in both the Themes and Constantinople. Cheynet seems to refer here to persons with titles higher than *protospatharios*. He does not account for every notary and lower-ranked official in the administration.

<sup>10</sup> John Thomas and Angela Constantinides Hero, *Byzantine Monastic Foundation Documents: A Complete Translation of the Surviving Founders' Typika and Testaments* (Washington 2000) 347, for Attaleiates' stipulations.

in Attaleiates' *Diataxis* are not necessarily his friends and intellectual peers, they were rather trusted subordinates in the administration, people trained in the measuring and managing of the polity's resources, whom he was ready to implicate in his personal affairs. Such men, quills and inkwell in hand, bent over cadasters, best represented Byzantium in the minds of the Crusaders, at least according to Choniates.<sup>11</sup>

Referring to the integrative power of participation in Romanía's administrative structures, Anthony Kaldellis noted:

We may like to think of the categories of officialdom as external to the self and that private and cultural identities can resist them. But "registration in the military rolls" meant taking on institutional affiliations that made these newcomers recognizable to the Roman state and the rest of Roman society. It would have granted them access to opportunities that were previously closed. The pull of that affiliation, however formal at first, would have been hard to resist in the long term in a society as interconnected as Romanía.<sup>12</sup>

What was true of newcomers joining the army was surely also true of those Romans who, "quills and inkwell in hand," participated in the administration and helped run the Roman state by measuring and registering locals and aliens. To use the words of Pierre Bourdieu, those men were

Possessed individuals who perform the institution's every wish because they are the institution's made man (or woman), and who whether dominated or dominant, can submit to it or fully exercise its necessity only because they have incorporated it, they are of one body with it, they give body to it.<sup>13</sup>

<sup>11</sup> Johannes van Dieten, *Nicetae Choniatae Historia* (Berlin 1975) 594.

<sup>12</sup> A. Kaldellis, *Romanland: Ethnicity and Empire in Byzantium* (Boston 2019) 130.

<sup>13</sup> P. Bourdieu, *The State Nobility: Elite Schools in the Field of Power* (Stanford 1996) 3. Cf. P. Joyce, *The State of Freedom: A Social History of the British State since 1800* (Cambridge 2013) 10: "Like power itself the state is productive. It confers on us identities, rights and values, enabling us as citizens to criticize and refashion it."

The actuarial evidence for the measuring and distributing of resources which produced such men was stored in the imperial *sekreta* and was available for audit. In fact, sound finances were reportable to the people and their representatives as evidence of virtuous rule.<sup>14</sup> According to Genesisios (4.11), empress Theodora, regent to Michael III, addressed the assembled senate, as power was being taken away from her and

revealed to them the amount of money in the treasury, which was one thousand and ninety *kentenaria* of gold, and about three *kentenaria* of silver. Of this some had been left as her husband's testament, the rest she had added herself. Grieving at her fall, she spoke to her son of his prodigality, the product of ignorant stupidity, and predicted that it would cause his inevitable demise.<sup>15</sup>

Writing in the eleventh century about the very same political scene, Skylitzes explains that once the profligate Michael III was murdered,

Immediately on acceding to the supreme command, [Basil] convened the Senate and the ranking dignitaries and had the imperial treasury opened. Where there had once been so much wealth, now there was nothing more to be found (as was said above) than three mere *kentenaria*.<sup>16</sup>

The urge to make the measuring performed by this bureaucracy transparent and relatable to a broader audience suggests that

<sup>14</sup> China, with its developed and long-lived bureaucracy, is often held against Byzantium as a comparandum. Here, however, the people were not conceived as sovereign (in the manner outlined by Kaldellis). Thus, expectations of imperial frugality, efficient management, and protection of the poor, while present, were nevertheless not grounded on a sense of duty or response to a 'Chinese' political community. For a hint of that see Patricia Ebrey, "Remonstrating against Royal Extravagance in Imperial China," in J. Duindam et al. (eds.), *The Dynastic Centre and the Provinces: Agents and Interactions* (Leiden 2014) 127–149.

<sup>15</sup> A. Lesmüller-Werner and H. Thurn, *Iosephi Genesisii regum libri quattuor* (Berlin 1978) 64; transl. A. Kaldellis, *Genesisios. On the Reigns of the Emperors* (Canberra 1998) 80–81.

<sup>16</sup> I. Thurn, *Ioannis Skylitzae Synopsis Historiarum* (Berlin 1973) 131; transl. J. Wortley, *John Skylitzes: A Synopsis of Byzantine History* (Cambridge 2012) 130.

finances, this cold arithmetic of statecraft, was of interest to the polity's constituent members and was an issue around which debate could be had.<sup>17</sup> Skylitzes in fact continues with the theme of accountability when he notes that

[Basil] did, however, notice that there was some opportunity for wicked men to act unjustly in the method of expressing fractions (half, sixth, twelfth and so forth) when the scribes used the old shorthand signs; he decide to suppress this opportunity of cheating completely. So, he stipulated that henceforth [fractions] were to be expressed by simple letters of the alphabet, which could easily be read by peasants.<sup>18</sup>

In Skylitzes' narrative, Basil implicates the whole polity in a process of accountability that makes the state's logistical power relatable to every single, abstracted Roman.<sup>19</sup> None of this should be surprising. Scholars have noted, in discussions of medieval statecraft, that

When things can be more easily measured they are made "objective" and abstract, and so more easily governed. Just as the medieval state was technical, so was it calculating. It too depended for its adequate functioning, and for its authority and legitimation, on standardisation—that of writing—but also the standardisation apparent in the unified ranks of armies, lawkeepers and bureaucracies, and that manifest in standardised forms of mensuration, particularly that of money.<sup>20</sup>

In Romanía, such processes of measuring and accountability were associated with a clearly territorialized (and hence meticu-

<sup>17</sup> V. Lieberman, *Strange Parallels: Southeast Asia in Global Context, c. 800–1830* (Cambridge 2009) 40, notes "Modern societies, in short, are by no means the only extensive groups able to generate and mobilize popular loyalties." Administrative measures such as those described above were part of the toolbox deployed to generate those very loyalties.

<sup>18</sup> Skylitzes 133; transl. Wortley 132.

<sup>19</sup> C. Mukerji, "The Territorial State as a Figured World of Power: Strategics, Logistics, and Impersonal Rule," *Sociological Theory* 28 (2010) 402–424, here 403; logistical power itself, as defined by Mukerji, proves effective in installing, stabilizing, and defining political regimes.

<sup>20</sup> Joyce, *The State of Freedom* 35.

lously measured) polity. State territoriality, Chandra Mukerji argues, gave rise to new forms of impersonal power that we associate with the emergence of the modern French state.<sup>21</sup> Might it have had the same effect in the Medieval Roman context?

In a way the very same processes of accountability outlined in Genesios and Skylitzes may also be followed in the realm of justice. Michael Attaleiates notes, in his discussion of Nikephoros Botaneiates' rise to power, that no record existed in either provincial or Constantinopolitan archives to suggest that the *strategos* of the Anatolikon was tainted by scandal: "In no court did I find him convicted or accused of either a small or a more serious affair. Forsooth, I speak the truth, God be my witness, and not sycophantic lies."<sup>22</sup> Attaleiates' juridical gaze on Botaneiates comes in the era after Monomachos' legal reforms, when the appointment of the *epi ton kriseon* in charge of the *sekretion ton idiotikon dikon* reinforced practices of state assessment of its officials' probity.<sup>23</sup>

Written records aside, there was the broader question of one's reputation. Psellos, writing to the *krites* of the Thrakesion province, speaks of his personal interaction with inhabitants of a village, where he had once received hospitality during his service. While among this simple folk, he asked for their opinion of the local judge. To that question "all of them thundered in praising voice, each one stringing together a different one of your virtues, in peasant speak but accurate opinion."<sup>24</sup> Oral judgement would therefore complement the written record. If Psellos could learn about the performance of a provincial judge from the locals and if Attaleiates could consult provincial court archives, so could the emperor and his entourage.

Popular judgement did not, however, only assume oral form.

<sup>21</sup> Mukerji, *Sociological Theory* 28 (2010) 408.

<sup>22</sup> Attaleiates *History* 255–256; transl. Kaldellis and Krallis 467.

<sup>23</sup> Attaleiates *History* 21–22; Kaldellis and Krallis 37 for the *epi ton kriseon*.

<sup>24</sup> S. Papaioannou, *Michael Psellus Epistulae* I–II (Berlin 2019), here II 717.23–26, no. 306.

In her discussion of village churches as spaces of communication, Sharon Gerstel visits the Church of Hagios Georgios in the area of Kouvaras in Attica. Here she finds a local community commissioning a scene of the Last Judgement in which the “evil-minded archimandrite” and “the tax-collector” are depicted among the sinners who in the afterlife are tortured by demons.<sup>25</sup> This poignant scene must not be interpreted as a wholesale denunciation of the state and the Church. Rather it puts on display the power of the collectivity to assess the agents of those institutions for their performance in the context of the living breathing communities they were tasked to serve.

The interactions between Psellos and the villagers and the example from Attica outlined above give us a hint as to the willingness of and the means available to local communities seeking to engage the state. A few years after Psellos’ interaction with the villagers, Theophylact of Ochrid faced in Constantinople a rumour campaign orchestrated from afar by a number of local state fiscal agents (*praktōres*) working in conjunction with a lowly *paroikos* by the name of Lazaros (a Bulgarian no less, not a Roman).<sup>26</sup> Theophylact’s letters speak of an efficient and potentially career-damaging campaign orchestrated by hostile state officials. These men related at court a narrative based on the imperially-sanctioned trope of the afflicted peasant suffering at the hands of a powerful man, a *dynatos*. We have Theophylact’s take on the affair; however, one could also read the story from the bottom up. Rather than see Lazaros as an instrument in the hands of malicious *praktōres*, we may see here a *paroikos* who gains access to the state by means of local officials and takes his case all the way to the imperial court, where he is able to relate the

<sup>25</sup> S. Gerstel, *Rural Lives and Landscapes in Late Byzantium: Art, Archaeology, and Ethnography* (Cambridge 2015) 51. That this was not an anti-establishment move is suggested by the presence of all manner of sinners of lowly social background in Byzantine rural churches, as noted in Gerstel’s discussion (109) of the west wall of the Church of Hagia Paraskeve in Kitiros on Crete.

<sup>26</sup> P. Gautier, *Theophylacte d’Achrida. Discours, traités, poésies* (Thessaloniki 1986) 485.32–487.76.

story of a bishop's rapaciousness and ill-gotten wealth in the language of imperial suspicion of the rich and powerful elite. We therefore see here that the capital truly had ways of accessing local public opinion (however genuine or orchestrated) to keep an eye on its agents (ecclesiastical or other) on the ground.<sup>27</sup> Much like taxes, the performance of the state and its officials appears to have been measured and assessed.<sup>28</sup>

Thus, when discussing the uses by the state of measured and collected goods from around the empire and the importance of accountability for those performing such measuring, we see that such accountability had two audiences: the elite in Constantinople but also the population at large in the provinces. We therefore note that the state's extracting mechanisms did not fall upon society in the form of external, foreign violence, but rather as regular visits by an authority who sought approval and consent of the very same people whose contributions to the common benefit it requisitioned.<sup>29</sup> This need for popular approval of state measures and an understanding that governing was of direct interest to those governed, an issue to be discussed further below, therefore led to pronouncements such as one found in Syrianos Magistros' *De re strategica*:

[Judges] must be knowledgeable about the laws, with which they are directly concerned, but also the other matters which may have some bearing upon the interpretation of the laws. *They should have control over their actions, their emotions, and their pleasures. They must not be terrified by fear. They should not indulge friendship, nor be overcome by*

<sup>27</sup> Kaldellis, *Romanland* 238–239, on the case of Lazaros.

<sup>28</sup> D. Krallis, "Time, Space, and Physical Reality: Byzantine Authors and the Materiality of the Roman Imagined Community," in V. Vlyssidou (ed.), *Byzantine Authors and their Era: Expression, Ideology, Society* (Athens 2020) 179–198, at 182–183, on measuring the Medieval Roman polity.

<sup>29</sup> S. Richardson, "Before things worked: A 'low-Power' Model of Early Mesopotamia," in C. Ando et al. (eds.), *Ancient State and Infrastructural Power: Europe, Asia, and America* (Philadelphia 2017) 17, on popular expectations of state action and on the impact of those expectations on the legitimization of the state.

*enmity, nor should money entice them.* They ought to be stern with those who despise the laws and gentle with those who follow them.<sup>30</sup>

Syrianos' choice of words is apt. Fear was clearly a problem for judges: the fear of the emperor and of well-connected local potentates' capacity to damage one's career, but also fear of the ever-scrutinizing Roman people. The latter, as Kekaumenos noted in his *Strategikon*, were rational political animals, who created an informal court of public opinion on which the performance of the judge was assessed.<sup>31</sup> Syrianos, however, also notes that friendships were as much of a problem as fear.

Zachary Chitwood builds on the skepticism expressed in the passage by Syrianos.<sup>32</sup> For him, the existence of a long Roman legal tradition must not be seen as evidence of impartial processes of adjudication. Drawing a clear distinction between modern and medieval ways of dispensing justice he lays out his case by citing the following words of Psellos as they appear in a letter to a judge:

Therefore, I know that you would recognize everything that is just and, it seems to me, fit with the law. And if I somehow endanger our friendship, this would not be less just or merciful, lest you decide this wrongly. *But by mixing my friendship with the arbitration of the case, perhaps you might recognize something more lawful and just than what has already been decided.* For second and third approaches to matters change earlier diagnoses, [when] they had not arrived at the depth of the matter, but rather only the surface of it. Thus, Aristotle and Plato thought differently earlier, and were not ashamed to change their ideas.<sup>33</sup>

<sup>30</sup> *De re strategica* 3.32–37, G. T. Dennis, *Three Byzantine Military Treatises* (Washington 1985) 14; transl. Z. Chitwood, *Byzantine Legal Culture and the Roman Legal Tradition, 867–1056* (Cambridge 2017) 64, italics mine.

<sup>31</sup> D. Tsougarakis, *Κεκαυμένος, Στρατηγικόν*<sup>3</sup> (Athens 1996) 259: μὴ γὰρ πρὸς ἄλογα ἔχεις, ἀλλὰ πρὸς ἀνθρώπους λογικούς, διαλογιζομένους καὶ νοοῦντας εἴτε ἀγαθὸν πανθάνουσιν εἴτε κακόν.

<sup>32</sup> Chitwood, *Byzantine Legal Culture*.

<sup>33</sup> *Psellus Ep.* II 717, no. 306.33–42; transl. Chitwood, *Byzantine Legal Culture* 68, italics mine.

Chitwood appears to suggest that Psellos personalizes the legal process and in doing so runs directly against the calls for impersonal justice invoked by Michael VIII.

Would Medieval Roman judges have concurred with Psellos' logic, or would they have aligned with Kekaumenos', who suggested:

if you are a thematic judge, do not extend your eye and hands toward the acquisition of gifts ... Instead, be satisfied with what you are allocated. Do not let them send money to enrich you but give justice to those who have been wronged ... Unless you look away from the acquisition [of gifts], those who did not bribe you shall not seem good in your eyes, even if they are exceedingly excellent men, but those who bribed you shall seem good and your spirit shall give repose to them, though they be murderers. For it is the habit of those who appropriate bribes for themselves to imprint on their souls that "I am going to take these bribes from this person." Should he accept [the bribe], and he looks away and receives them a second and third time, and if he doesn't receive them, because he has been deprived of his own [due] he shall become filled with black bile, and the just shall turn into the impious.<sup>34</sup>

As forcefully argued by Chitwood, corruption by money and justice bent to the demands of friendship were recognized ailments of the Byzantine legal system and, one would argue, of Medieval Roman governance in general.<sup>35</sup> This is difficult to deny when we know that, in effect, associations and relationships built on cultural, regional, and other affinities directly affected a Byzantine official's career. That much is evident in a persuasive article by Floris Bernard on Psellos' pupils and intellectual peers and on the language of friendship and kinship that the philosopher deploys in his efforts to wield influence and intercede with government on behalf of friends and other

<sup>34</sup> Tsougarakis, *Κεκαυμένος* 41–43; transl. Chitwood 65.

<sup>35</sup> Chitwood, *Byzantine Legal Culture* 45–75, on gift-giving and patronage in the Byzantine legal system; specifically, 58–60 on *ektagiatika*, fees paid by litigants to judges.

associates.<sup>36</sup> Bernard demonstrates how such affinities were mobilized and deployed every step of the way, as an individual sought to build a career in the empire's bureaucracy. How then did personal relations, ties of kinship, friendship, and patronage affect the workings of this—on paper—impersonal administrative machine? Did affinities and solidarities developed in the distinctly urban political, social, and cultural context of Constantinople find ways into provincial affairs and did they interfere with empire-wide governance?<sup>37</sup> How were tensions managed between private and personalized relationships on the one hand and a public, faceless collectivity on the other?

Before we turn to Psellos' letters to consider these questions, a few words are necessary on the nature of our evidence and its impact on our conception of Byzantine history in general and governance in particular. Ever since Natalie Zemon Davis' *Fiction in the Archive*, we have known that the ostensibly impersonal 'facts' that animate early modern governance were, in effect, transcriptions in formal state language of personal narratives mediated by way of scribes and lawyers.<sup>38</sup> Individual agency inserted itself in the narratives of the accused, as they addressed their King. Such agency only became a statistic once aggregated in the archive and considered as a sum total. Davis' concerns would appear somewhat quaint to a Byzantinist, as our field never benefited from a level of archival accumulation that would allow for statistically significant impersonal quantification and abstraction of the Medieval Roman polity's operations. What work has been done in the direction of the study of net-

<sup>36</sup> F. Bernard, "Educational Networks in the Letters of Michael Psellos," in M. Jeffreys et al. (ed.), *The Letters of Psellos: Cultural Networks and Historical Realities* (Oxford 2017) 13–41.

<sup>37</sup> J.-C. "Cheynet, "L'Asie Mineure d'après la correspondance de Psellos," *ByzF* 25 (1999) 233–241, on letters as prisms for the study of the empire; Kaldellis, *Romanland* 225–226, on Constantinople as a Roman city

<sup>38</sup> N. Zemon Davis, *Fiction in the Archive: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford 1990)

works has been based on material such as letters and represents, fundamentally, a form of elite-focused social and political analysis that only barely becomes impersonal, software-generated graphs notwithstanding.<sup>39</sup>

In fact, the very opposite prevails. Because our authors exist in a nebulous, long-gone universe of hard to pin down social, political, and material realities, we have striven for personalization. I am as guilty as anyone of this, having focused in a large part of my work on one judge and historian, his individual life and personal take on the affairs of his time.<sup>40</sup> What is more, a major subdiscipline of the field, sigillography, was built on highly personalized evidence that rarely aggregates to what one could call impersonal ‘big data’.<sup>41</sup> The sigillographic evidence itself is usually combined with historical or hagiographical data, which by the nature of the genres in question remains highly personalized to the degree that we are even talking of an autobiographic ‘impulse’ in Byzantine historical writing.<sup>42</sup> Great and

<sup>39</sup> J. Preiser-Kapeller, “Calculating the Middle Ages? The Project ‘Complexities and Networks in the Medieval Mediterranean and the Near East’ (COMMED),” *Medieval Worlds* 2 (2015) 100–127; here personal networks and relations are depersonalized in the context of network analysis that reinforces and nuances mostly known realities.

<sup>40</sup> D. Krallis, *Serving Byzantium’s Emperors: The Courtly Life and Career of Michael Attaleiates* (New York 2019); *Michael Attaleiates and the Politics of Imperial Decline*.

<sup>41</sup> J. D. Shea, *Politics and Government in Byzantium: The Rise and Fall of the Bureaucrats* (London 2020) 22, on the total number of 2497 seals used in this study, 29 on numbers of seals of individuals bearing a surname and serving in the bureaucracy in the tenth and eleventh centuries. Here we have 808 seals of persons with surnames issued by 331 individuals over more than a hundred years. This is what counts as ‘big data’ in Byzantine studies. See M. Mullett, “Friendship in Byzantium: Genre, *Topos* and Network,” in J. P. Haseldine (ed.), *Friendship in Medieval Europe* (Sutton 1999) 175–176, on some limitations to network analysis.

<sup>42</sup> M. Angold, “The Autobiographical Impulse in Byzantium,” *DOP* 52 (1998) 225–257; Cheynet, *Pouvoir et contestations à Byzance*, for the prototypical study addressing questions of Byzantine social history by way of prosopographic work; in *Politics and Government in Byzantium*, Jonathan Shea escapes

slightly less great men (sometimes women too) and their imprint on lead sealings conspire to produce a world that may be studied as a network, a highly personalized social network. Even when, as in the case of our field's impressive prosopographic projects, we embrace technology that allows for abstraction, the research based on the available databases still traces personal and distinct networks more than truly large social aggregates and impersonal structures.<sup>43</sup> While it is easy to bemoan this reality, our task is to work with the evidence we have and, personal nature notwithstanding, read it against the grain in search of those moments where the logic and *praxis* of governance transcended the personal.

*Psellos, personal relations, and the powerful exigencies of service*

We turn here to the extant letters of Michael Psellos, which become our entry-points to a discussion on favour-seeking, friendship, and impersonal governance.<sup>44</sup> Now, we know that as sources for medieval social history letter-collections are a peculiar breed.<sup>45</sup> They reveal networks of social, economic, cultural,

the personalization trap by focusing on the titles rather than the names on the seals.

<sup>43</sup> A prime example of such a valiant digital humanities effort is the online Prosopography of the Byzantine Empire: <http://www.pbe.kcl.ac.uk>.

<sup>44</sup> F. Bernard, "Michael Psellos," in A. Riehle (ed.), *A Companion to Byzantine Epistolography* (Boston 2020) 131–135, for Psellos' favour-seeking

<sup>45</sup> For Psellos as a letter-writer see Bernard, in *A Companion to Byzantine Epistolography* 125–127, for a survey of relevant scholarship. For Byzantine letter-writing in general and Psellos in particular also see M. Mullet, "The Classical Tradition in the Byzantine Letter," in *Byzantium and the Classical Tradition* (Birmingham 1981) 75–93; M. Grünbart, "Paideia Connects: The Interaction between Teachers and Pupils in Twelfth Century Byzantium," in S. Steckel et al. (eds.), *Networks of Learning: Perspectives on Scholars in Byzantine East and Latin West, c. 1000–1200* (Münster 2014) 17–31; S. Papaioannou, "Fragile Literature: Byzantine Letter-Collections and the Case of Michael Psellos," in P. Odorico (ed.), *La face cachée de la littérature byzantine. Le texte en tant que message immédiat* (Paris 2012) 289–328; E. De Vries Van der Velden, "The Letters of Michael Psellos, Historical Knowledge and the Writing of History," in

professional, and other relations and yet they also keep a lot from the reader. We rarely have the means to assess the principles that informed processes of collection and preservation of a certain body of texts and, as a consequence, we nearly always deal with a partial image.<sup>46</sup> In Psellos' case, the author himself suggests that fellow correspondents collected his letters in binders in appreciation of his writing style.<sup>47</sup> With one or two exceptions, however, we only possess the sender's part of the correspondence. The answers of Psellos' interlocutors are for us to imagine, as they have forever been lost to history.

Of the more than 500 surviving letters in Psellos' collection about a fourth are addressed to *kritai*, the judges/administrators who served in the empire's provinces in his day.<sup>48</sup> While trying to make sense of this category of letters and given our interest in the informal aspects of relations among state officials, we encounter *philia*. The precise medieval meaning of the Greek word for friendship is too complicated an issue to discuss at length

*L'épistolographie et la poésie épigrammatique: Projets actuels et questions de méthodologie* (Paris 2003) 121–135; E. Limousin, "Les lettrés en société: 'φίλος βίος' ou 'πολιτικός βίος'?" *Byzantion* 69 (1999) 344–365.

<sup>46</sup> Bernard, in *A Companion to Byzantine Epistolography* 128, noting that Psellos himself never made a collection of all his letters to revise and manipulate, as Mauroπους had done.

<sup>47</sup> *Psellus Ep.* I 128.10, no. 59 to Ioannes Doukas, dated 1061/2; for useful summaries in English of Psellos' epistolic corpus see M. Jeffreys and M. Lauxtermann, *The Letters of Michael Psellos: Cultural Networks and Historical Realities* (Oxford 2017); Bernard, in *A Companion to Byzantine Epistolography* 127, on Psellos' letters as admired epistolary models.

<sup>48</sup> Jeffreys and Lauxtermann, *The Letters* 435–440, on Psellos' letters to upwards of 100 *kritai* and "non-military administrators." The summaries of letters in this same book list some 140 letters addressed to *kritai* (10 appear uncertain). We cannot know how many individuals are represented in these 140 letters, given the large number of unnamed *kritai*. We do however have 19 different Theme *kritai* represented in this total, so we are certainly speaking of more than 20 to 25 individuals, perhaps many more. Jeffreys and Lauxtermann tentatively date upwards of 100 letters to the period from 1060–1067.

here, laden as it is with the freight of Roman *amicitia*, a Latin word by no means completely analogous to the Greek *philia*.<sup>49</sup> We can, however, say that friendship is regularly deployed in letters where a favour is asked and becomes a catchall term for all manner of affinity that Psellos cares to mobilize in his attempt to connect with those he seeks favour from.<sup>50</sup> In a way, Psellos seems to be adhering to what Emmanuel Bourbouhakis described as a “social logic which made friendship rhetorically intrinsic to a significant range of post-Classical epistolography.”<sup>51</sup> What is more:

The undisguised *quid pro quo* [implicit in the letters] may strike us as incongruous with the disinterested ideal of friendship we espouse. But it may be that our own conception of friendship was all but inconceivable in a premodern society marked by scarcity of opportunity and minimal protections against the influence which others could call upon by virtue of family ties or social station.<sup>52</sup>

Thus, by deploying *philia*, Psellos exploits a tension implicit in the supposedly impersonal nature of the Roman justice and

<sup>49</sup> M. Grünbart, *Formen der Anrede im Byzantinischen Brief vom 6. bis zum 12. Jahrhundert* (Vienna 2005) 114 ff. on friendship in the Byzantine era, 92 on the Byzantine language of friendship breaking class boundaries; Mullett, *P&P* 118 (1988) 15, on *amicitia* and *philia* and on Psellos’ various levels/ranks of friendship.

<sup>50</sup> Mullett, in *Friendship in Medieval Europe* 166–184, specifically 170 for the cautious deployment of *philia* topoi for purposes of favour mobilization; Bernard, in *A Companion to Byzantine Epistolography* 129, suggests that apart from Zomas and a few others, who could be deemed close friends, the remainder of the *kritai* addressed by Psellos were not members of his close circle.

<sup>51</sup> E. Bourbouhakis, “Epistolary Culture and Friendship,” in *A Companion to Byzantine Epistolography* 279–306, at 285, with an added discussion of *philia* as a means for breaking down and escaping formal structures and exigencies.

<sup>52</sup> Bourbouhakis, in *A Companion to Byzantine Epistolography* 287, brackets mine; 288 ff. for Psellos as a favour-seeker. In such a context the state’s impersonality would have been the only true protection against the tyranny of patronal influence.

administrative system.<sup>53</sup> His invocation of *philia* seeks to personalize ostensibly impersonal processes of administrative control, resource extraction, and surplus collection.<sup>54</sup> When Psellos asks a provincial *krites* to gently receive a client of his in his court and adjudicate his case in ways that on the one hand “go not against the law,” while also being guided by friendship, he is in effect seeking to influence, ever so slightly, the way justice is dispensed.<sup>55</sup> When another *krites* is told that a female contact of Psellos’ should be treated kindly at court given her troubles with an audit on past-due taxes, we witness in letter form the marshalling of personal relations and the deployment of influence by a letter-writer who seeks to undermine the work of colleagues in the service of the polity.<sup>56</sup> This type of request is taken even further when in a letter to the *krites* of the Boukellarion province Psellos asks him to intervene in a boundary dispute, settling it in the interests of justice not those of the *sekreton*.<sup>57</sup> The *krites* is asked here to equate the interests of Psellos’ client with justice, thus setting the *sekreton*, paymaster to both Psellos and himself, on the opposing side.

<sup>53</sup> Bourbouhakis, in *A Companion to Byzantine Epistolography* 279, on the deployment of *philia* in friendships of expediency, 283 on *philia* in letters as “well-rehearsed *topos*, a rhetorically expedient commonplace with which to frame a letter’s contents.” Also, however, of friendship as “social ritual.”

<sup>54</sup> In Ps.-Demetrios *Epistolary Types* 1, V. Weichert, *Demetrii et Libanii qui feruntur Τύποι ἐπιστολικοί et Ἐπιστολιμαῖοι χαρακτήρες* (Leipzig 1910) 2.19–3.5, we read that “The friendly type [of letter], then, is the one that seems to be written by a friend to a friend. But it is by no means [only] friends who write [in this manner]” (transl. A. J. Malherbe, *Ancient Epistolary Theorists* [Atlanta 1988] 33; brackets mine).

<sup>55</sup> *Psellos Ep.* II 840, no. 421, to a *krites*, extolled for justice and impartiality (lines 3–4), asked not to corrupt justice but help his protégé make a good case (19–20); *Ep.* II 929.6–9, no. 502, similar request for smoothing the path of a client through a judge’s court. Grünbart, *Formen der Anrede* 114, notes that friendship required careful cultivation and “work.” This means that when it was mobilized in letters, recourse to something precious was implicit.

<sup>56</sup> *Ep.* II 888.18–22, no. 465.

<sup>57</sup> *Ep.* II 712.8–9, no. 302.

And yet, despite the ‘rule bending’ implicit in those requests, the tone in some of those letters suggests that Psellos was far from confident in his ability to sway the empire’s administrative apparatus. In a letter to the *krites* of Opsikion Psellos introduces a friend and asks a double favour. On the one hand the *krites* must be true to his judicial role and save the man who has suffered injustice. On the other hand, he is to do Psellos a favour and speed up the petitioner’s access to justice.<sup>58</sup> Another letter, to the *krites* of Thrakesion, suggests that the favour asked was so small it would but minimally impact the finances of the Theme.<sup>59</sup> In a third, Psellos addresses the *krites* of Optimaton with the stated expectation that he will “with reason” refuse his request.<sup>60</sup> Notice what is happening here: the meddlesome big-time courtier from Constantinople was, in effect, dabbling in small-scale influence peddling, painfully aware of the limitations of his position. As he put it in his letter to the *krites* of Thrakesion, the letter-bearer his correspondent had before him also carried a weighty imperial missive alongside Psellos’ own epistle. All the *krites* had to do was play along, receive the man well, and make Psellos look good.<sup>61</sup> This was by no means the writing style of a man confident in friendship’s power to overrule the state. The tone of these letters therefore suggests that the provincial officials contacted by Psellos were in fact more diligent and committed to serving the polity than we give them credit for.

In fact, Psellos himself betrays the weakness of his position when in the letter discussed above he concedes the, albeit slight, monetary cost to the Theme treasury of the favour requested. In doing so he joins other Romans of the Middle Ages who recognized the rights of the fisc and the damage to those rights that the personalization of relationships brought about. In the ninth

<sup>58</sup> *Ep.* II 762.18–20, no. 359.

<sup>59</sup> *Ep.* II 723.11–12, no. 315.

<sup>60</sup> *Ep.* II 749.12–13, no. 344.

<sup>61</sup> *Ep.* II 722.8–10, no. 313, “so that he knows he is being judged by a judge who is a friend of mine.”

century, Ignatios the Deacon addressed a letter to Democharis the *Logothetes* of the *Genikon* in which he asked for a favour by similarly noting that he “saw that the misdeed had its forgiveness near at hand, since it had not caused great harm to the treasury.”<sup>62</sup> In representing a number of islanders from Androte who had in their time of need stolen from state granaries, Ignatios provides a character reference that contextualizes the action of his ‘clients’, while clearly conceding that their misdeed did in fact cause harm, however small that may have been. By openly acknowledging the cost of favours Psellos, and Ignatios before him, in effect recognize the implicit tension between public and private interest. Their approach to the matter was not dissimilar to that seen in Nicholas Mystikos’ tenth-century letter to a military commander in which he asks the state official to protect the lands of his sister in-law from billeted soldiers.<sup>63</sup> Nicholas may or may not have been asking for the exemption of those lands from legally imposed duties to the state. In any case, he felt it was essential to explain that irrespective of his favour-seeking, he respected the soldiers’ service to the state. Like Psellos, Nicholas understood well the tension between public and private good and recognized that duty to the state and the polity of the Romans in general had to be acknowledged.

Lest we think that this was a rare recognition of the need to protect the public good, it is important to set Nicholas’ and Psellos’ letters in context. Witness then, Michael Attaleiates’ assessment of Konstantinos X Doukas’ generosity:

<sup>62</sup> C. Mango and S. Efthymiadis, *The Correspondence of Ignatios the Deacon* (Washington 1997) 70 (Greek) and 71 (transl.); Whalin, *Roman Identity* 102, notes that Ignatios sought to resolve disputes outside the framework of formal state institutions. In that context he could personalize the problem he sought to address. Failing that he could avail himself of impersonal state structures, where issues could also be resolved, only with less scope for personal influence.

<sup>63</sup> R. J. H. Jenkins and L. G. Westerink, *Nicholas I, Patriarch of Constantinople: Letters* (Washington 1973) 170.

Piety, compassion for the poor, a liking for monks, a reluctance to impose bloody punishments, and his accessibility were qualities that no one could fail to praise, except that in practice they are beneficial only to one who has them and a few more in his vicinity or who are received favorably by him. On the other hand, his stinginess, zeal in collecting public funds, even by means that were not so reputable, his arbitrary exercise of judicial power, and disregard for military success, strategic planning, and the maintenance of the frontiers proved to be extremely harmful to many, in fact to almost all of those who lived under Roman authority.<sup>64</sup>

In the pages of the *History*, Attaleiates treats imperial generosity and private benefactions as acts to be assessed against the greater good of the polity. One could be generous to a few poor people; if, however, such actions otherwise hurt the polity of the Romans, that earlier, focused generosity was in effect reprehensible. Similarly, the *krites'* expected generosity to Psellos' protégé might represent a form of kindness, and yet, at the same time, it comes at a cost to the treasury of the Theme. Very different is the tone of this letter from the passage of Syrianos cited above in support of the idea of friendships as fundamentally corrosive of Byzantine justice and governance.

In a sense, then, this *krites* is called to balance private and public good in his response to Psellos' request. It is not at all clear from our perusal of the philosopher's correspondence that the *kritai* of Psellos' time were not diligent in their upholding of the polity's interests. We cannot therefore, on account of Psellos' correspondence, uncritically consign Byzantium's administrative apparatus to a Weberian patrimonial premodernity marked by the "regulation of all relationships through individual privileges and bestowals of favour."<sup>65</sup> Furthermore, a whole other category of favours requested by Psellos and other letter-writers did not in fact subvert the polity but rather represented calls, on his part, for more efficient performance of the *krites'* duties. This

<sup>64</sup> Attaleiates *History* 76–77; transl. Kaldellis and Krallis 139–141.

<sup>65</sup> Max Weber, *Economy and Society: An Outline of Interpretive Sociology* (Berkeley 2013 [1921]) 958.

is the case of Nicholas Mystikos' letter to an official asking him "show [his] wisdom ... and if this man has unjustly suffered any harm, set it right and check by [his] just judgement, the boldness and lawless purpose."<sup>66</sup> Similarly Theodore Daphnopates asks the eparch of Constantinople to find the most equitable solution in the case of Ioannes, who has dues to the state but should see those justly apportioned amongst other debtors to the state involved in the same legal case.<sup>67</sup> Once more, intervention in the affairs of justice is little more than a call for proper dispensing of one's judicial duties.

Much as in the two tenth-century letters discussed here, when Psellos asks the *krites* of Macedonia to help a newly-widowed woman locate her husband's fortune in his Theme, he in effect asks him to perform his duties better.<sup>68</sup> A personal letter becomes here an exhortation for effective public service. Another *krites* is told that he should help a man whose father died while he was away by protecting his property from the attacks of local interests.<sup>69</sup> Psellos asks the *krites* of Katotika to keep an eye on the estates of the absentee bishop of Korone, lest voracious neighbors despoil them; all his contact has to do is verbally display his positive inclination towards the man to ensure that unjust people stay their hand.<sup>70</sup> Like Psellos, Nicholas Mystikos addresses the governor of the Thrakesion Theme recognizing that he needs no exhortation to do his job well, and simply asks him to be nice to a person holding an introductory letter on his behalf.<sup>71</sup> Even the powerful appear to need the protection of the authorities and the law, as seen in Psellos' letter to an unnamed *krites*, asking him to

<sup>66</sup> *Letters* 179.

<sup>67</sup> J. Darrouzès and L. G. Westernik, *Théodore Daphnopatès correspondance* (Paris 1978) 32.

<sup>68</sup> *Ep.* II 743.7–13, no. 336.

<sup>69</sup> *Ep.* II 851.9–21, no. 439.

<sup>70</sup> *Ep.* II 737.5–7, no. 330.

<sup>71</sup> *Letters* 149.

shield a *patrikios*' interests from local incursions.<sup>72</sup>

In a pre-modern society, the state's relatively limited resources and purview produced a quasi-automatic form of "rationing" when it came to the dispensing of public services.<sup>73</sup> Psellos' intercessions likely led to a prioritization of certain cases and therefore may have represented a form of queue jumping. We must be cautious, however, before we use such evidence to pass judgement on Byzantium's system of governance. We do not possess the *krites*' responses to Psellos and should not assume that each letter sent marked a case favourably settled.<sup>74</sup> Furthermore, we have no comparable record of letters from people further down the social pyramid. What of the myriad Lazaroi pestering bishops like Theophylact? Our sources suggest that *kritai* and other local officials had to be cautious when dealing with local populations, who often turned to violence against the authorities when their expectations of justice and effective governance were not met.<sup>75</sup> Psellos' correspondence with five provincial bishops regarding a young *krites* of the Anatolikon Theme, who may have been his son-in-law, suggests a concern for the public image and perceived probity of the man. The letters also indicate Psellos' concern over the prospect of accountability for possible mis-

<sup>72</sup> *Ep.* II 604.1–3, no. 239, on the need to protect even the powerful; cf. *Ep.* II 601, no. 235 to the *krites* of Kibyrraiotes, to protect property of the sons of Alopos in Rhodes.

<sup>73</sup> Incentive structures could intensify 'rationing' by prioritizing cases involving the higher fee-paying affluent landowners. See Chitwood, *Byzantine Legal Culture* 58–60, on the effects of court fees (n.35 above).

<sup>74</sup> Bourbouhakis, in *A Companion to Byzantine Epistolography* 289–290, on Psellos' letter to Maleses, in which the dispatcher of the letter seeks to diffuse the tensions that favour-seeking placed on friendship by means of humour, which also anticipates the possibility that perhaps the favour will not be granted: *Ep.* I 423.1–18, no. 159.

<sup>75</sup> *Ep.* II 870.19–24, no. 453, on the nasty nature of the local, provincial population that may turn against the judge, irrespective of his justice.

steps.<sup>76</sup> There was cause for such concern. In a letter to the patriarch Ioannes Xiphilinos, Psellos' friend, Ioannes Mauro-pous noted in regard to friendly influence peddling that "[friendship] is viewed with suspicion and is not easily conceded as trustworthy, whether it be as witness or as judge."<sup>77</sup> Finally, we must also note that Psellos' writing suggests a level of confidence in the capacity of the *kritai* to govern by effectively using the tools at their disposal, whether those came in the form of colleagues and state officials, or in that of resources, such as archives, registers, and cadasters.<sup>78</sup> This becomes clear when in a letter to the *krites* of Boukallarion, Psellos asks the man to look for two different legal decisions (in the provincial archives?), one by himself and another by Morocharzanes, in order to compare them and give an answer to a petitioner.<sup>79</sup> All in all, a story of influence peddling, once more, exposes a wider canvas of thick links between government and the governed.

In bringing this short perambulation through Michael Psellos' epistolary landscape to an end, it pays to consider a peculiar cluster of letters where the philosopher seeks to influence provincial judges on issues that relate to his own personal holdings. Michael Jeffreys, who charted Psellos' monastic business, notes that while a monk at Olympos, likely before the end of 1054,

<sup>76</sup> *Ep.* II 577.33–39, no. 214, on the *grammatikos* accusing the *krites* of enriching himself, while leaving others, like him, poor; *Ep.* I 437–438.34–37, no. 165, on his concern about the career of a judge who is his son-in-law; *Ep.* II 726.8, no. 319, on the judge who feared reproach at court: Psellos has to openly tell him, “but no one, most excellent man, has uttered an accusation against you”; *Ep.* II 797.16–27, no. 380, to the metropolitan of Neokaisareia, asking him to protect the young judge, Psellos' relative; *Ep.* II 706.1–11, 15–17, no. 296, on Psellos as an advocate for a provincial *kourator* at court.

<sup>77</sup> A. Karpozilos, *The Letters of Ioannes Mauro-pous Metropolitan of Euchaita* (Thessaloniki 1990) 113–115, no. 28.19–22; Bourbouhakis, in *A Companion to Byzantine Epistolography* 295, for analysis and translation.

<sup>78</sup> Bernard, in *A Companion to Byzantine Epistolography* 128, on letters alluding to Psellos' own service in the provinces. Such service surely made him aware of what was at stake when in a position of authority.

<sup>79</sup> *Ep.* II 710–711, no. 300.

Psellos acquired the monastery of Kelia.<sup>80</sup> Using the relevant letters, Jeffreys explains that this monastery came with complete exemption from tax dues.<sup>81</sup> And yet despite paperwork, which likely came in the form of imperial decrees complete with detailed accounts of the properties in question and the rather specific ways in which they were exempted from dues and obligations to the state, Psellos still needed to write letters about this issue to the *krites* of Opsikion, likely a certain Zomas. One of those letters suggests that Psellos had already experienced a situation in years prior to the writing of those epistles when he had to write to thematic officials to block their intervention and exacting ways.<sup>82</sup> I think we need to ponder this for a moment.

What does it mean that a courtier could procure monastic properties as *charistike*, ensure their exemption from no-doubt onerous dues, and still need to mobilize his personal relations with and influence on a provincial *krites* in order to ensure that the word of the emperor would be respected, and his new estates left untouched by exacting state officials? One way to answer this question is by placing weight on the ability of state officials to seek and procure exemptions and on their tendency to mobilize social contacts in order to protect personal property. This would be a canonical interpretation of Byzantine governance, one that underestimates the Medieval Roman state's capacity to effectively govern by emphasizing the ways in which its officials bent their will to friendships, contacts, and all manner of social and political influence.

And yet there is an alternative way of reading the very same

<sup>80</sup> M. Jeffreys, "Michael Psellos and the Monastery," in *The Letters of Psellos* 49–50.

<sup>81</sup> *Ep.* I 514.15–16, no. 198, on taking possession of Kelia by means of a monk representative of Psellos' interests; *Ep.* II 752, no. 349, on relying on the *krites*' protection for the avoidance of extra impositions; *Ep.* II 751.3–9, no. 348, for his intercession with the *krites* of Opsikion to avoid his officials' interventions on 'duty-free' land.

<sup>82</sup> Jeffreys, *The Letters of Psellos* 50; *Ep.* II 751.3–9, no. 348.

evidence. Why is it that we are *not* surprised when Psellos writes to a *krites* in order to confirm his newly acquired privileges? How is it that the emperor's purple-lettered will had to be impressed upon a provincial official through special pleading? I suggest that we may want to consider exemptions and all manner of imperial grants as disruptions of regular bureaucratic activity and governance: as noted above, they were interventions by mortals in the realm of taxation immortality.<sup>83</sup> By virtue of their exceptional character, they required special pleading—prestige and imperial authority notwithstanding. Exemptions and privileges represented spectacular, high-energy single events that swam against the steady current of everyday process and law. They were exceptions, whose survival always required personal special pleading with officials who cut their teeth on, built their careers, and ensured their political survival through mundane, ideologically reinforced, 'eternal' process.<sup>84</sup>

Thus, the epistolary journeys preserved in Psellos' correspondence were predicated upon social affinities built in Constantinople through service in the administration and engagement with the city's educational and broadly cultural scene. They were thus the product of professional, educational, even clerical relations articulated within Constantinople's peculiar sociability. These relationships were strong enough to keep Psellos in touch with his friends even when the latter found themselves in worlds of "bleak retardation," to quote Ronald Syme's assessment of Roman Cappadocia. His letters pushed the limits of personal in-

<sup>83</sup> K. Smyrlis, "The Fiscal Revolution of Alexios I Komnenos: Timing, Scope, and Motives," in B. Flusin et al. (eds.), *Autour du Premier humanisme byzantin et des Cinq études sur le XI<sup>e</sup> siècle* (*TravMém* 21.2 [2017]) 593–610, on the capacity of the Medieval Roman state to assess resources (even in extreme crisis) and cancel past privileges.

<sup>84</sup> C. Kelly, *Ruling the Late Roman Empire* (Cambridge [Mass.] 2004) 190, noted that "the successful functioning of any administration requires officials sufficiently empowered to make decisions in their own right." It is evident from Psellos' experience with Kelia that Medieval Roman officials were able to do just that, even as they went against the wishes of their emperors.

fluence and friendship, probing weaknesses in the government's ostensibly impartial stance and setting on every occasion a world of private interest against the polity's collective concerns. In that, however, Psellos and his peers were no different from the favour-seeking Oxbridge and Ivy League 'Old Boys' (and now 'Girls' too) and their counterparts the world over.

The Medieval Roman polity has of late become the subject of fruitful debate that sheds new light on its political ideology and practice. I want to suggest that in studying the impartiality fostered by the Byzantine bureaucratic structures, against the deeper clientelist reflexes of the Roman patronal tradition, we have an opportunity to examine the means by which local politics was transcended in favour of a scaled-up polity.<sup>85</sup> It may be that somewhere between the personal ties that linked Byzantine officialdom and the sea of provincials with little interest in the elite affinities of Constantinople we find the glue that linked the governors and the governed to Rome and its polity. When Constantinopolitans travelled in the provinces they often complained about the cultural retardation of their new homes.<sup>86</sup> They were, however, fundamentally lonely: new people in new places, outsiders. Constantinople was not just a capital of culture; it was their social universe. In the provinces that detachment and their official role forced them to become bearers of Roman authority. Rather than define themselves as Romans on the basis of *paideia*, they now embodied a Romanness that was impersonal and was based on procedure, justice, and service to the community. In a manner of speaking, they were overcome by what Patrick Joyce described as "the governing passion, the

<sup>85</sup> E. R. Wolf, "Kinship, Friendship and Patron-Client Relations in Complex Societies," in M. Banton (ed.), *The Social Anthropology of Complex Societies* (London 1966) 1–22. Cf. R. P. Saller, *Personal Patronage under the Early Empire* (Cambridge 1982); A. Wallace-Hadrill (ed.), *Patronage in Ancient Society* (London 1989), on clientelism and its Roman dimensions.

<sup>86</sup> C. Galatariotou, "Travel and Perception in Byzantium," *DOP* 47 (1993) 221–242.

one inculcated by the actual business of governing.”<sup>87</sup> Psellos’ letters chart the clash between the social and cultural Roman-ness of Constantinople and the *praxis* based Romanness of Byzantine rule. If, however, in reading those letters we consider the capacity of ancient polities to develop efficacious, adequately impersonal structures and clan-transcending ways of belonging and if we re-inscribe the Medieval Roman polity into wider discussions about the state, our standard narrative on the evolution of modern institutions might also drastically change.<sup>88</sup>

*December, 2024*

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<sup>87</sup> Joyce, *The State of Freedom* 12

<sup>88</sup> How would Weber’s *Economy and Society* and Mann’s *The Sources of Social Power* read if Byzantium were to be integrated into their narrative in substantive fashion?