

HELEN SARADI

THE DISSOLUTION OF THE URBAN SPACE
IN THE EARLY BYZANTINE CENTURIES:
THE EVIDENCE OF THE IMPERIAL LEGISLATION

The disintegration of urban public space in the first Byzantine centuries (4th-6th c.) is a very complex phenomenon and it is directly related to a profound transformation of the administrative, social, economic and cultural structure of the urban centres. The phenomenon was first identified and discussed by historians mainly on the evidence from the written sources, with opposing views and conclusions¹. The question of the continuity of Byzantine urban life from the early to the middle Byzantine period became one of the most controversial subjects of Byzantine studies. In the state of the scholarly controversy the contribution of archaeology was originally limited. For a long time changes in the architectural setting of cities did not constitute a particular object of study

1. A. P. KAZHDAN, «Vizantiskie goroda v VII-XI vekach», *Sovetskaja Archaeologija* 21 (1954), pp. 164-183; E. KIRSTEN, «Die byzantinische Stadt», *Berichte zum XI. Internationalen Byzantinistenkongress* 5/3, Munich 1958, pp. 1-35; D. A. ZAKYTHENOS, «Die byzantinische Stadt»: Koreferat zu E. Kirsten, *ibid.*, pp. 48-51; *idem*, «La grande brèche», *Χαριστήριον εις Α. Κ. Ὀρλόγαν*, vol. 3, Athens 1966, pp. 300-327. On the continuity of the Byzantine cities of G. OSTROGORSKY, «Byzantine Cities in the Early Middle Ages», *DOP* 13 (1959), pp. 47-66; S. VRYONIS, «An Attic Hoard of Byzantine Gold Coins (668-741)... and the Numismatic Evidence for the Urban History of Byzantium», *Mélanges G. Ostrogorsky*, vol. 1, Belgrade 1963, pp. 291-300. For a more general approach to the question of continuity of society and culture from the early to the middle Byzantine centuries cf. A. KAZHDAN and A. CUTLER, «Continuity and Discontinuity in Byzantine History», *Byzantion* 52 (1982), pp. 429-478; W. TREADGOLD, «The Break in Byzantium and the Gap in Byzantine Studies», *BF* 15 (1990), pp. 289-316, esp. p. 299 ff. with references to earlier bibliography.

of archaeologists interested mainly in the glorious classical remains of the ancient cities and major finds². It is only in the last years that archaeologists have become aware of the phenomenon and the problems of the changing character of the urban setting, and have begun to record the archaeological evidence carefully, and to interpret it in light of the historical context of the period. Since the literary sources do not provide satisfactory answers to the many questions raised by the evidence of the changing structure of the urban centers, which altered forever their character, historians expect to find solutions in the archaeological excavations³. But as archaeologists have recognized, the archaeological evidence has significant limitations⁴. A careful study of the literary sources may, however, complement the archaeological evidence and lead to a better understanding of some aspects of the transformation of the cities in the early Byzantine centuries⁵.

From the 4th to the 6th centuries urban public buildings were gradually abandoned, some were dilapidated, other were transformed for Christian or private use. The phenomenon

2. See the remarks of C. MANGO, *Byzantium. The Empire of New Rome*, New York 1980, p. 69.

3. See P. LEMERLE, «Villes et peuplement dans l'Illyricum protobyzantin», *Actes du Colloque organisé par l'École française de Rome (Rome, 12-14 mai 1982)*, Rome 1984, p. 519: «C'est sans doute l'archéologie, si les fouilles sont bien faites et bien publiées, qui dictera la réponse» and he concludes: «Du moins voit-on bien quelles questions il faut soumettre aux archéologues». MANGO, *op. cit.*, also notes that the evidence of the urban changes is scanty because it is mainly archaeological.

4. J. RUSSELL, «Transformations in Early Byzantine Urban Life: The Contribution and Limitations of Archaeological Evidence», *The 17th Int. Byzantine Congress (Washington, Aug. 3-8, 1986)*, *Major Papers*, New York 1986, pp. 137-154.

5. For a new approach to the literary sources cf. HELENE SARADI-MENDEL-LOVICI, «The Demise of the Ancient City and the Emergence of the Mediaeval City in the Eastern Roman Empire», *Echos du Monde Classique / Classical Views* (Canada) XXXII, n.s. 7 (1988), pp. 365-401, esp. pp. 400-401. — *IDEM*, «The "Kallos" of the Byzantine City: The Development of a Rhetorical "Topos" and Historical Reality» (forth-coming, 1995).

is general and it has been observed in all the excavated sites⁶. According to the traditionally held view, the dissolution of the architectural structure of the cities was produced by administrative and cultural changes. Thus the decline of the class of the decurions, responsible for the public spectacles, maintenance and erection of public buildings was a major cause of dissolution of the urban public space⁷. The cities also were drained of their income, both fiscal and revenues from real estate holdings, including properties of pagan temples, which were gradually absorbed by the imperial treasury⁸. At the same time, in the context of the centralization of the imperial bureaucratic system, the provincial governors were taking over most of the responsibilities of the municipal administration⁹. Thus the cities were deprived of the means to maintain the various public buildings assigned to city services, which were falling out of use.

A second factor which had affected the function and the architectural form of many public buildings were social changes in the urban centres. The closing-up of porticoes is the best illustrated case. Libanius in his speeches 11 and 26, describes clearly this phenomenon. He speaks about the wooden stalls between the columns of the porticoes of the Antiochean agora, set up by poor people and serving as places for business as well as residences¹⁰. Libanius insists

6. For a general account cf. W. MÜLLER-WIENER, «Von der Polis zum Kastron. Wandlungen der Stadt im Ägäischen Raum von der Antike zum Mittelalter», *Gymnasium* 93 (1986), pp. 435-475.

7. Cf. A. H. M. JONES, *The Later Roman Empire, 284-602*, Oxford 1964, p. 737 ff., esp. pp. 757-763; J. H. W. G. LIEBESCHUETZ, *Antioch: City and Imperial Administration in the Later Roman Empire*, Oxford 1972, p. 167 ff.; D. CLAUDE, *Die byzantinische Stadt im 6. Jahrhundert*, Munich 1969, pp. 108-114.

8. JONES, op. cit., pp. 732-4; LIEBESCHUETZ, op. cit., p. 149 ff.

9. JONES, op. cit., p. 758; LIEBESCHUETZ, op. cit., p. 157; IDEM, «The end of the ancient city», *The City in Late Antiquity*, ed. J. RICH, London and New York 1992, pp. 1-49 on a general overview of the factors of transformation of the ancient cities and recent bibliography.

10. *Orationes* XI, 254: *Αἱ πόλεις, ὅσας ἴσμεν ἐπὶ πλούτῳ μάλιστα φρονούσας, ἐν*

that there was need to restore the stoas to their ancient form, and he expresses his concerns about the poor and about the revenue that the city would lose, if these temporary establishments were removed¹¹.

The imperial legislation confirms Libanius' testimony¹². Aesthetic considerations forced the emperors to forbid constructions in the columns of the stoas¹³. The emperor Zenon allowed the owners of the stores to maintain them if they would cover the exterior wooden walls with slabs of marble¹⁴. In this way the poor owners of these stores were protected, while the aesthetically weakened areas of the porticoes were concealed. There is no doubt that this was a patchwork: the closing-up of the porticoes, which the imperial legislation had sanctioned, altered forever the architectural appearance of the cities. It has also been suggested that the erection of poor constructions in the porticoes was the result of overpopulation and the need to accommodate new poor inhabitants who moved into the cities from the countryside¹⁵. Obviously the city officials were not sensitive to the aesthetic effects of the closing-up of the porticoes and they did nothing to stop this trend. It should be stressed that such constructions were wooden. Libanius calls them *σκηνάς* and *καλύβας* built with

στοίχον τῶν ὀνίων δεικνύουσι, τὸν τῶν οἰκημάτων προκείμενον, ἐν δὲ τοῖς μέσοις τῶν κίωνων ἐργάζεται οὐδείς, παρ' ἡμῖν δὲ καὶ ταῦτα πωλητήρια, ὥστε ἐκάστον μικροῦ τῶν οἰκημάτων ἀντιπρόσωπον ἐργαστήριον, ἀντίπτυργοι ξύλινοι καὶ ρῶπες εἰς σκέπην, καὶ τόπος οὐδείς φιλοῦς χειροτεχνήματος, ἀλλὰ κἂν μικροῦ τις λάβηται κρασπέδον, παραχρῆμα τοῦτο ἀκεστήριον ἢ τι παραπλήσιον, καὶ ἔχονται δὴ τῶν τόπων οἷον καλωδίων, ὥσπερ Ὀδυσσεὺς τοῦ ἐρωεοῦ.

11. *Orationes* XXVI, 20-21.

12. *Cod. Just.* 8, 10, 12, 6; 8, 11, 20.

13. Cf. H. SARADI, «The "Kallos" of the Byzantine City», op. cit.

14. *Cod. Just.* 8, 10, 12, 6.

15. EVELYNE. PATLAGEAN, *Pauvreté économique et pauvreté sociale à Byzance. 4^e-7^e siècles*, Paris-La Haye 1977, pp. 59-64; G. DAGRON, *Naissance d'une capitale. Constantinople et ses institutions de 330 à 451*, 2nd ed., Paris 1984, p. 530; Y. JANVIER, *La législation du Bas-Empire romain sur les édifices publics*, Aix-en-Provence 1969, p. 355.

σανίδας¹⁶. This first stage of the closing-up of stoas has not been observed in the archaeological excavations obviously because the wood disintegrated leaving behind no trace¹⁷. The next step was the erection of permanent structures from stone in between the columns of the stoas. This process can be clearly observed at the excavated sites and dated with certainty to the end of the 5th and to the 6th c.¹⁸. The archaeological evidence alone could never reveal the real picture of the slow transformation of the architectural structure of the early Byzantine cities.

The spread of Christianity constitutes another factor in the process of disintegration of the urban public space¹⁹: it created the need for new buildings to serve the new religion; several public buildings were destroyed by Christians or re-assigned for Christian use; Christians appropriated public space and took over sectors of the city administration. For example, by the 6th c. the buildings in which the public archives were held were abandoned, and the archives were transferred to the churches²⁰. The same applies to the standards of measures and weights. Even offices of taxation were not maintained by the local municipalities, and the money from taxes was kept in churches.

16. *Orationes* XXVI 20 and 21.

17. One of the rare cases of remaining evidence of private structures made out of wood in a deserted public building that I know, is the theatre of Salamis in Cyprus. Destroyed by the earthquakes of the middle of the 4th c. A.D. it was taken over by squatters who built small wooden houses in the ruins of the cavea. Deposits of ashes and charcoal suggest that they were probably burnt during the Arab invasion in the 7th c.: V. KARAGEORGHIS, «Excavations at Salamis», *Report of the Department of Antiquities*, Cyprus 1963, p. 52.

18. Cf. MÜLLER-WIENER, op. cit., p. 439 n. 13. For a plan of the disruption of porticoes by the erection of private structures cf. J. SAUVAGET, «Le plan de Laodicée-sur-Mer», *Bulletin d'Études Orientales* 4 (1934), p. 100.

19. Cf. G. DAGRON, «Le christianisme dans la ville byzantine», *DOP* 31 (1984), pp. 3-25.

20. HELENE SARADI-MENDELOVICI, «L'enregistrement des actes privés (*insinuatio*) et la disparition des institutions municipales au VI^e siècle», *Cahiers des Études Anciennes* (Canada), 21 (1988), pp. 117-130.

The removal of material, such as statues, columns, slabs of marble and other ornaments from public buildings, to which the imperial legislation testifies, has been studied until now either as a result of Christian attacks or of imperial initiative: Constantine set an example by decorating his new capital with statues from provincial cities²¹.

A series of imperial decrees on public buildings, however, suggests that provincial governors were also removing marble embellishments from public buildings with the pretext of using them for constructing new buildings in major cities. Other private individuals were equally responsible for the dilapidation of ancient buildings and appropriation of public land. The first decree referring to this matter was enacted by the emperor Constantine in A.D. 357: «No man shall suppose that municipalities may be deprived of their own ornaments, since indeed it was not considered right by the ancients that a municipality should lose its embellishments, as though they should be transferred to the buildings of another city»²².

The constitutions of the *Theodosian Code* 15, 1 on Public Works (*De operibus publicis*) reveal the various forms of disintegration of the urban public space and show that this was a process which had started already in the beginning of the 4th c. and which was completed by the 6th c.

1. **Erection of private houses on public property.** In 362 the emperors Constantius and Constans recognize the right

21. Cf. HELENE SARADI-MENDELOVICI, «Christian Attitudes toward Pagan Monuments in Late Antiquity and Their Legacy in Later Byzantine Centuries», *DOP* 44 (1990), pp. 49-61. For the West cf. CRISTINA LA ROCCA, «Public buildings and urban change in northern Italy in the early mediaeval period», *The City in Late Antiquity*, op. cit., p. 166 who suggests that the use of ancient building material in new buildings «should therefore be attributed not to economic difficulties or incapacity to work newly hewn stone, but rather to the continuing appeal of ancient tradition». Similar view by J. ALCHERMES, «Spolia in Roman Cities of the Late Empire: Legislative Rationales and Architectural Reuse», *DOP* (forthcoming).

22. *Cod. Theod.* 15, 1, 1 (transl. Pharr).

of ownership of those who «had erected houses for themselves above public workshops which were subject to the ownership of a municipality»²³. But the interpretation of this decree in the *Codex Theodosianus* extends its force to all constructions in any public space: «If any person living in a municipality should perhaps construct houses for themselves in public places, they shall possess them without disturbance». The imperial policy, however, was not consistent. In 383 a decree of Gratian, Valentinian and Theodosius orders that «all structures which are known to have been erected in different cities, either in the forum or in any other public place or municipality, shall be torn down»²⁴. Other laws explain that the imperial measures were efforts to preserve the aesthetic appearance of the city and protect it from the danger of fire. Thus according to a decree of the year 389, the emperors Valentinian, Theodosius and Arcadius were concerned about the «deterioration in the aspect of public elegance» of Constantinople and they ordered the private structures attached to public buildings to be removed. Some individuals had acted on their own initiative, while others «expressly obtained the occasion for fraud, pursuant to an extorted imperial annotation»²⁵. Particularly private buildings joined to public storehouses had to be destroyed²⁶. A decree of the year 398 orders that constructions commonly called lean-to (*parapetasia*) or attached to private or public buildings becoming a fire hazard or diminishing the space of the streets should be torn down²⁷. By the 5th c. the situation was deteriorating. With a decree of the year 406, the emperors Arcadius and Honorius ordered

23. Ibid., 15, 1, 9.

24. Ibid., 15, 1, 22.

25. Ibid., 15, 1, 25.

26. Ibid., 15, 1, 38 (398). Cf. also 15, 1, 4 (326).

27. Ibid., 15, 1, 39. It is for security reasons that in 406 Arcadius orders that a space of fifteen feet be left between the public and private buildings: *ibid.*, p. 46. Cf. also JANVIER, *op. cit.*, p. 353 ff.

private structures adjoined or superimposed on public buildings in Constantinople to be destroyed and removal²⁸. But in 412 private individuals were granted permission to build superstructures on top of the newly erected portico of the Baths of Honorius, as compensation for the loss that their property had suffered²⁹. From a decree of the year 409 we learn that even part of the ground of the imperial palace in Constantinople was occupied by private buildings which had to be torn down³⁰.

2. **Illegal appropriation of public buildings by State officers.** According to decrees of Constantius and Constans in 362 and 363, officers of the imperial administration often appropriated public buildings in various manners «by an obscure interpretation of the law». The emperors order that these buildings be returned to the State and they also «provide for the future that nothing of the kind shall be attempted by any fraud»³¹. According to a decree of the same emperors in 362, high officers were appropriating the official buildings assigned as their residence or for conducting their work. These buildings «ought to have been vindicated to public ownership and use»³². But these measures were not efficient, since two years later we learn that «fiscal storehouses in the city of Rome and also in the Port have been converted to private uses»³³.

3. **Appropriation of public buildings by impetration.** Dilapidated public buildings were often granted by emperors to individuals on petition³⁴. In 401 Arcadius and Honorius stipulated that public buildings and those that belonged to tem-

28. *Cod. Theod.*, 15, 1, 46.

29. *Ibid.*, 15, 1, 50.

30. *Ibid.*, 15, 1, 47.

31. *Ibid.*, 15, 1, 10.

32. *Ibid.*, 15, 1, 8.

33. *Ibid.*, 15, 1, 12.

34. *Ibid.*, 15, 1, 40-1, 43; 10, 8.

ples should be held by decurions and members of guilds, while buildings which did not fit the use or the adornment of cities should be given to those who were requesting ownership of such buildings³⁵. In 405, the same emperors were concerned about those who petition for public places and might try to remove structures «useful, ornamental, or advantageous to the municipality»³⁶.

4. Dilapidation of public buildings by provincial governors. We have seen that Constantine's decree in 357 forbade transfer of sculptural embellishments from one city to another³⁷. From a decree of the emperors Valentinian and Valens of the year 365 we learn that provincial governors «to the ruin of the obscure towns, pretend that they are adorning the metropolitan or other very splendid cities, and thus seek the material of statues, marble works, or columns that they may transfer them»³⁸. In the year 376 the same emperors repeat earlier decrees³⁹ and order that the prefects of Rome or other high officers should not start new buildings before they finish the old ones. New buildings should be built only with the money of the person who was undertaking such a work «without bringing together old buildings, without digging up the foundations of noble buildings, without obtaining renovated stones from the public, without tearing away pieces of marble by the mutilation of despoiled buildings»⁴⁰. These measures were not sufficient to prevent the governors from removing ornaments of bronze or marble or other material from ancient public buildings. Twenty years later, in 398, a constitution of Arcadius and Honorius repeats the old re-

35. *Ibid.*, 15, 1, 41.

36. *Ibid.*, 15, 1, 43.

37. *Ibid.*, 15, 1, 1.

38. *Ibid.*, 15, 1, 14.

39. *Ibid.*, 15, 1, 11 (364); 15; 16; 17 (365).

40. *Ibid.*, 15, 1, 19. Cf. also 15, 1, 3 (326; 362).

gulations. This text specifies that some of the buildings which were dilapidated by the governors, were still «in serviceable use», while others were regarded as ornaments of the cities⁴¹. From another decree of the same year we learn that by that time several public buildings had been torn down⁴².

5. The closing of the porticoes by wooden constructions. A decree of the year 406 stipulates that «all the board work which is affixed to the intercolumniation, as well as that which divides the upper porticoes, shall be removed, and the appearance of the City [Constantinople] shall be restored to its pristine beauty»⁴³.

Equally revealing is a series of imperial decrees regarding the violation of sepulchres⁴⁴. Private individuals were often removing from funeral monuments in order to burn them into lime⁴⁵, while according to a decree of Constantius in 356, the motive of such actions was greed: «We learn that some men too eager for gain destroy tombs and transfer the building material to their own houses»⁴⁶. The material removed from tombs was used for the construction of other buildings or was sold⁴⁷. According to another decree in 363 stones and ornaments were removed from tombs by private individuals not only «for building purposes or with the intention of selling them, or burning them into lime», but «even for decorating banqueting halls in their houses or porticoes»⁴⁸.

The circumstances of the phenomenon I have described are complex. As it was pointed out above, patronage and city finance may offer an explanation of the dissolution of

41. *Ibid.*, 15, 1, 37. Cf. also 15, 1, 29 (393).

42. *Ibid.*, 15, 1, 40.

43. *Ibid.*, 15, 1, 45.

44. *Ibid.*, 9, 17.

45. *Ibid.*, 9, 17, 2 (349).

46. *Ibid.*, 9, 17, 3. For the West cf. 23rd Novel of Valentinian (447).

47. *Ibid.*, 9, 17, 4 (356).

48. *Ibid.*, 9, 17, 5.

the urban public space: due to the decline of decurions, the municipal administration lacked interest in, or was unable to protect the public buildings in the smaller cities, while the provincial governors, the only patrons of public works in the larger cities, were using ready building material from the smaller cities to decorate their capitals. It may be suggested that this trend was encouraged by the scarcity of artisans and artists implied by some sources of this period. While this is clearly attested in the sources of the 3rd c. A.D., as a consequence of the general economic crisis of the Roman empire, regarding the 4th c., scholars argue for a decline of artists and construction specialists mainly on the basis of decrees of Constantine in 334 and 337 by which the architects and other specialized professionals were exempted from public services. The first decree addressed to the Praetorian Prefect of Africa, states that architects were not available. In order to encourage young students to this study exemption from personal services were granted to the students and they were given a salary. In the second decree exemptions from public services were granted to artisans in all cities (35 groups of professionals are included in the appended list)⁴⁹. A decree of 344 urged the stimulation of teaching of such specializations as mechanics, geometricians and architects⁵⁰, while in 374 professors of painting were granted exemption from taxes and personal services⁵¹. It is not clear, however, whether skilled workers were scarce in all provinces of the empire or only in N. Africa, nor how bad the crisis was actually⁵².

Most scholars tend to see in the imperial decrees a clear

49. *Ibid.*, 13, 4, 1 (334) and 2 (337) = *Cod. Just.*, 10, 66, 1.

50. *Cod. Theod.* 13, 4, 3 = *Cod. Just.* 10, 64, 2.

51. *Cod. Theod.* 13, 4, 4.

52. On lack of competent artists in North Africa in the 6th c. cf. the remarks of E. ALFÖLDI-ROSENBAUM, J. WARD-PERKINS, *Justinianic Mosaic Pavements in Cyrenaican Churches*, Rome 1980, p. 5 and ff.

evidence of a decline of artists and other professionals in the 4th c. which was the «result of the anarchy and impoverishment of the late third century»⁵³. One may also wonder whether exemption from taxation (which was granted even to physicians and professors) truly suggests a decline of professionals specialized in construction and arts, while it is certain that the training and organization of these professionals were affected by the changes in the city administration. It may be suggested that the imperial legislation tried to restore the civic organization of these professionals by offering them specific financial advantages. Recently some scholars chose a different approach to the question of availability of artisans: A. Demandt, for example, points primarily to the limited information about professionals that we possess on account of the nature of our sources. In the literary sources professionals are mentioned rarely, even less frequently than peasants⁵⁴. Building professionals and artists are found, however, among other craftsmen and workers in inscriptions from various towns⁵⁵. Equally relevant is information from other sources: Saint Gregory of Nyssa, for example, asked for skilled workers from the bishop of Iconium, Amphilocheus, in order to build a church because the salary of the thirty local craftsmen was too high and they were not competent for the type of work he needed them⁵⁶. It has also

53. JONES, *op. cit.*, 862; C. MANGO, *Byzantine Architecture*, New York 1976, p. 58.

54. A. DEMANDT, *Die Spätantike. Römische Geschichte von Diocletian bis Justinian. 284-565 n. Chr.*, Munich 1989, p. 337.

55. F. R. TROMBLEY, «Korykos in Cilicia Trachis: The Economy of a Small Coastal City in Late Antiquity (Saec. V-VI) – A Précis», *The Ancient History Bulletin* 1/1 (1987), pp. 21-22. Inscriptions also record builders and other construction workers working for the army as well as artists: G. M. A. HANFMANN, «A Painter in the Imperial Arms Factory at Sardis», *AJA* 85 (1981), pp. 87-88.

56. *PG* 46, coll. 1093-1100. JONES, *op. cit.*, p. 863 misinterpreted the text. See the translation of MANGO, *The Art*, *op. cit.*, pp. 27-29. On other sources cf. H. VON PETRIKOVITS, «Die Spezialisierung des römischer Handwerks II (Spätantike)», *Zeit-*

been noticed that there was a movement of artisans from the cities to the countryside, but this is clearly documented only in the West⁵⁷.

Therefore we must admit that the nature of and the reasons for a «decline» of arts and craftsmanship are not clearly documented in our sources, while the intensive construction of churches all over the Empire contradicts this traditionally held view, and the breaking-up of public buildings may not be related to a possible crisis in arts and crafts. On the contrary, according to a decree of Constantine in 326 love of building explains the invasion in public space⁵⁸.

The diminishing importance of public space in the early Byzantine centuries, result of cultural changes, may also be considered as a factor of the phenomenon I am discussing⁵⁹. Finally I would venture another possible explanation of the appropriation of public buildings and their architectural ornaments by private individuals: the transformation of late antique art. It may well be that emergence and development of Christian art affected the production of non-Christian art and that the phenomenon described by our sources could be explained also as a natural reaction towards appropriating objects of art which already belonged to the past. It is true

schrift für Papyrologie und Epigraphik 43 (1981), pp. 285-306; P. ASEMAKOPOULOU-ATZAKA, «Μνείες καλλιτεχνών και τεχνιτών σε κείμενα της παλαιοχριστιανικής περιόδου», *Αφιέρωμα στον Εμμανουήλ Κριαρά. Πρακτικά επιστημονικού συμποσίου (3 Απριλίου 1987)*, Thessalonica 1988, pp. 293-311.

57. JONES, *op. cit.*, p. 762 n. 112; M. ROUCHE, *L'Aquitaine des Wisigoths aux Arabes 418-781. Naissance d'une région*, Paris 1979, pp. 270-271; L. CRACCO RUGGINI, «La città imperiale», in: *Storia di Roma*, ed. A. MOMIGLIANO and A. SCHIAVONE, vol. 4, Turin 1989, pp. 260-261.

58. *Cod. Theod.* 15, 1, 4.

59. On the relation of public and private architecture cf. Y. THÉBERT, «Private Life and Domestic Architecture», in: *Roman Africa, A History of Private Life*, ed. PH. ARIÈS and G. DUBY, I. *From Pagan Rome to Byzantium*, ed. P. VEYNE (transl. A. GOLDHAMMER), Cambridge Mass., London 1987, p. 331 ff., and on the emphasis of the private space from the 4th c., p. 392. Cf. also KAZHDAN and CUTLER, *op. cit.*, pp. 463-464.

that from the laws mentioned earlier no corroborative information emerges. It should be stressed that the invasion into urban public areas and the dilapidation of ancient public monuments in the 4th c. were a general phenomenon and were not limited to the emperors who decorated their capital with statues from the provinces.

In conclusion, I have shown that the legislative sources clearly suggest that the dissolution of the urban public space began already in the 4th c., and I have attempted to interpret the evidence of these texts by tracing the complex relationship between socio-economic, administrative and cultural factors. My final comments concern the efforts of the emperors who tried repeatedly to stop the anarchy in the public space without success. From the 53 decrees on Public Works of the Theodosian Code 15, 1 (321-425) only 22 have been included in the Justinianic Code 8, 11 (338-472). This suggests that by the 6th c. the emperors came to admit that the urban public space in its ancient form had already disintegrated into a new architectural pattern and that the new dynamics of urbanism could not anymore be neglected.