

THE “DIOCESES” OF *HISPANIA CITERIOR* IN THE HIGH EMPIRE.
A HISTORIOGRAPHIC INVENTION*

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Abstract

This article presents the historiographic evolution of the “dioceses” of *Hispania citerior* in the High Roman Empire. From their creation by Mommsen to their total disappearance in the 1980s, they are mentioned very often in the bibliography of the Roman administration of that province. This is the first time that the development of this historiographic construction is presented.

Research on ancient history is strongly marked by a lack of sources. This leads us to depend solely on a limited number of texts and to attempt to extract from them a great deal of information even beyond reasonable limits in some cases. Conclusions drawn using this method can sometimes prosper in the academic world, escaping the filter of academic discussion.

We consider the appearance and historiographic development of the theory of “dioceses” (or “diócesis” in Spanish historiography) during the High Empire in the province of *Hispania citerior* to represent a clear example of a historiographic construction without any historical basis, yet one that met with great success and acceptance within the scientific community. Although this theory was revealed in 1923 to be unsubstantiated, many Spanish historians continued making reference to it and, in the scholarly textbooks of the 1980s, the “dioceses” were still emerging as one of the two kinds of subprovincial districts present during the High Roman Empire.

1. The emergence of “dioikesis”: from Mommsen to Marchetti

The theory of the “dioceses” as subprovincial districts in *Hispania citerior* is relatively new. Before 1889, the majority of authors who refer to the provincial administrative system in this province based their terminology almost exclusively on Pliny the Elder.¹ They understood that the internal construction of the province was arranged in *conventus* and, in some cases such as the recruitment of auxiliary troops, in *gentes*.² Only later did researchers accept the system of “dioceses”. In the case of Detlefsen, the only reference we have encountered related to these divisions was in a later paper (1908),³ at a moment when no one doubted it. He never mentions the word “dioikesis”, and he relates these units only with the activity of the army. For this reason we believe that this researcher should not be included — as has been the case up until now⁴ — within the group that defends the existence of the “dioceses” in the manner set forth below.

* I would like to thank Professor Rebecca Benefield for her advice and help in the translation of this text.

¹ Hübner 1866: 77–78; Detlefsen 1873: 664–667; Cte De Champagne 1876: 14–16, 325–326.

² Hübner 1866: 77 ff.; Detlefsen 1873: 664–667: “Strabo berichtet in Bezug auf die militärische Besetzung der Provinz. ...und dass wenigstens in den nördlichen Theilen der Provinz die Aushebung der Auxiliartuppen durchaus nach dieser Eintheilung erfolgte”.

³ Detlefsen 1908: 62–104.

⁴ Sancho Rocher 1981: 28. We believe that this error was perhaps produced because Kornemann (1900: 1177) quotes the works of Detlefsen just before speaking about the “dioceses”, or because later authors have drawn erroneous conclusions from his work.

The theory of the “dioceses” supported the fact that during the High Empire, the province *Hispania citerior* would have been divided into three (and according to some authors, in four) subprovincial districts called “dioikesis”. This was an independent military or administrative structure superimposed on the conventual network.

The emergence of this theory occurred in 1881, when Mommsen published an inscription in Greek, dating from the first half of the third century AD, referring to a *legatus* of Hispania, of the *Tarraconensis* “diocese”.⁵ The link of a *legatus* to Tarraco’s “diocese” caused great surprise because, up until that moment, the existence of provincial divisions was unknown, with the exception of the *conventus*. But unlike these, the “dioceses” seemed to possess their own administrative staff. We should underline the fact that the name “diocese” has not been applied to the Spanish administration by any classical author or an inscription, except for the one mentioned above.⁶

The presence of the word “diocese” in that inscription should not surprise us, since this word διοίκησις is, in practice, the way to name a *conventus* or any other administrative subdivision in the eastern part of the Empire.⁷ Indeed, with the words διοικήσεως Ταρακωνησίας the author is referring either to the eastern part of the province *Hispania citerior* (everything that is not *Callaecia*), the *conventus Tarraconensis*, or to the entire province. Since the term διοίκησις does not correspond with the historiographic circumscriptions dealt with here, we will use the term “dioceses” and not “dioikesis”, as the correct transcription should suggest.

But in the late nineteenth century, it seemed logical for these “dioceses” to be divisions that were different from *conventus*. Mommsen, in a very short article published in *Observationes Epigraphicae*,⁸ compares for the first time those “dioceses” with the text of Strabo 3.4.20. In this controversial text, Strabo states the following: “(...) The remainder of Caesar’s territory (and this is most of Iberia) is under the consular governor, who has under him, not only a noteworthy army of, I should say, three legions, but also three *legati*. One of the three, with two legions, guards the frontier of the whole country beyond the Durus to the north: the inhabitants of this country were spoken of by the people of former times as Lusitanians, but by the people of to-day they are called Calaicans. Adjoining this country are the northerly mountains, together with the Asturians and the Cantabrians. The River Melsus flows through Asturia; a little farther on is the city of Noega; and near Noega there is an estuary from the ocean, which estuary is the boundary between the Asturians and the Cantabrians. The country next thereafter, along the mountains as far as the Pyrenees,⁹ is guarded by the second of the three *legati* and the other legion. The third *legatus* oversees the interior, and also conserves the interests of those people who are already called “Togati” (or, as you might say, “peaceably inclined”), and have become transformed, clad in their toga-robe, to their present gentleness of disposition and their Italian mode of life; these latter are the Celtiberians and the peoples that live near them on both sides of the Iberus as far as the

⁵ Mommsen 1881: 224–225 = *ILS* 8842 = *AE* 1911, 136.

⁶ Knox McElderry 1919: 86, n. 3.

⁷ Chapot 1904: 353. Apparently, only in Egypt were the “dioceses and the *conventus* two divisions with different functions” (Ameling 1988: 16–18).

⁸ Mommsen 1881: 224–225.

⁹ According to some editions such as the one published by José Meana and Félix Piñero (Madrid: Gredos, 1992, p. 114), this word should be translated as *the Pirene* (Cabo Cervère). According to others, such as François Lasserre (Paris: Les Belles Lettres, 1966, p. 80), it should be translated as *Mont Pyréné* or *Pirinei*.

regions next to the sea. As for the governor himself, he passes his winters administering justice in the regions by the sea, and especially in New Carthage and Tarraco, while in the summer-time he goes the rounds of his province, always making an inspection of some of the things that require rectification (...)"¹⁰ We currently believe that of the three legates described by Strabo, the first two are in charge of the legions; they were legates commanding military forces. This division into two different areas corresponds to the two fronts of the Cantabrian war. The third legate, who would deal with the *togati*, would be a legate of judicial matters in the territory that had adapted to the Roman way of life.¹¹ Therefore, under no circumstances would they be separate districts with administrative functions, but exclusively areas of action of the legates that at that time acted in the province. This is logical if one takes into account that, after the campaign of Augustus (27–25 BC), the conquered territory was not completely pacified.¹²

Mommsen, in short, wondered whether the "dioceses" mentioned in the Greek inscription and the territories occupied by the *legati* quoted by Strabo were not the same thing. From that moment on, the idea was repeated that the province of *Hispania citerior* was divided into three "dioceses", among which the *conventus* were included.¹³ Two of the "dioceses" had a secure location: the first one (*Asturia* and *Callaecia*) and the third one (*Tarraconensis*). Mommsen was convinced of its identity when he related the titles *legatus iuridicus Hispaniae Tarraconensis* and *legatus iuridicus Asturiae et Callaeciae* which appeared in the epigraphy to the *πρεσβευτής* (*legatus*) of Strabo. As the title of *iuridicus* has a chronology from Hadrian,¹⁴ he alleges that it was at this time when the *legati* mentioned by Strabo incorporated that name. But according to Mommsen, Strabo's text referred to three "dioceses". The second one would have been found between the two above-mentioned ones, but he encountered no epigraphic evidence to ratify its existence. Thus, he concluded that those should be found in the inscriptions which *nominant legatum Iuridicum Hispaniae dioecesi non enunciante*.

However, Mommsen did not correct a few points which would subsequently be essential. He neither specified which territories were included in each "diocese", nor did he take into account the work of the army, which would have a crucial role in its internal structure. There is a point in Mommsen's text which subsequently created a major doubt: "post Diocletianum (...) dioeceses in provincias mutavit". He did not clarify whether he thought that the territory of the "dioceses" had been transformed into provinces or if it was only a system based on "dioceses" which would have changed into a new system of provinces. The first option would be in clear contradiction with Strabo's text. We will return to this subject when we analyze Marquardt's theories.

The authors contemporary to Mommsen became quickly acquainted with his theory, making a few changes to the original idea. Boissevain¹⁵ (1879)¹⁶ filled a number of

¹⁰ English translation: Jones 1923 [1960]: 121–123.

¹¹ The *legatus iuridicus* was a post created to allow the governor of the *Hispania citerior* to carry out its work in the largest province of the Roman Empire (Ozcáriz Gil 2009: 271–286).

¹² Dio Cassius 53.29.1, 54.5.1, 54.11.2, 54.20.3.

¹³ Mommsen 1907: 63.

¹⁴ Mommsen 1881: 225. To justify this chronology, the author makes reference to an article by Benndorf and Hirschfeld *Arch. Epigr. Mitth. aus Oesterreich* 1, 1877, p. 169. After consulting that volume of the journal, neither this article was found in the above-mentioned volume nor any other article signed by these authors in other volumes of the same journal.

¹⁵ Boissevain 1879: 15.

gaps in Mommsen's thesis. According to this author, under Nero the second legate lost his legion, and thereafter served the same judicial function which until then the third one had had (in the "diocese" of Tarragona).¹⁷

At that moment during the late nineteenth century, an initial proposal for territorial organization of the "dioceses" was set out, as pointed out in Boissevain:¹⁸

1. The first "diocese" would be the one of *Asturia and Callaecia*, or *Callaecia*, and it included the country of the Asturians and the *Callaeci*. It would have a legate at the helm of two legions. It would include the territory of the three *conventus* in the Northwest of the province (*Lucensis, Bracaraugustanus* and *Asturum*). Under his command were the legions *VI Victrix* and *X Gemina* until their departure from the province. From Vespasian on, this legate would command the *legio VII Gemina*.

2. The second "diocese" extended from *Asturia* to the Pyrenees, within the boundaries of *conventus Cluniensis* and meeting the second front of the conquest of the Northwest of Spain. It had at first a legate with a legion. In the case of this "diocese", since both the "diocese" and the *conventus* were in the same territory, the *conventus Cluniensis* and the "diocese" would have been the same thing. At the command of this legate was the *legio IV Macedonica*. After the departure of this *legio* from the Peninsula, this legate would have had the same features as that in the third "diocese". Van Nostrand, at a later stage, defends this same organization.¹⁹

3. The third "diocese" was the *Tarraconensis*, which occupied the rest of the territory; that is, the *Caesaraugustanus, Carthaginiensis* and *Tarraconensis conventus*. The legate of this "diocese" had no legion and his role would be, unlike the other two, entirely civilian. At this point the authors will add new aspects to the original theory.

Marquardt, in a work dating from 1881, provides a rather complex and innovative analysis.²⁰ He proposes a different interpretation of the territory that the second "diocese" occupied. He translates the word Πυρρήνης as the city of Pyrene²¹ (a town in Cape Cervère). This meant that the second "diocese" would have reached the Mediterranean. In this case, both sides of the Ebro River would have pertained to the second "diocese". His division of the "dioceses" was as follows:²² the first "diocese" contained *Asturia* and *Callaecia*. The second one was the *Tarraconensis* "diocese", stretching from the first one to the Mediterranean, with the capital in *Tarraco*. Its legate commanded a legion at the beginning of the Principate and occupied the *conventus Cluniensis, Caesaraugustanus* and *Tarraconensis*. The third, the *Carthaginiensis* coinciding with the *conventus* of the same name, with the *togati*.

¹⁶ Although the publication by Boissevain is dated in 1879 and the one by Mommsen (*EE IV*) in 1881, the first one quotes the second one.

¹⁷ On the other hand, Marchetti (1915: 810) considers Boissevain as a defender of the hypothesis that the "dioceses" had been created by Tiberius. However, in the reference that Marchetti offers, we have not found this statement.

¹⁸ Boissevain 1879: 225.

¹⁹ Van Nostrand 1916: 83–154. He noted that at the time he wrote it, it was impossible to know how this second "diocese" was organized.

²⁰ Marquardt 1881: 254–255.

²¹ Τὴν δ' ἐξῆς παρόριον μέχρι Πυρρήνης ὁ δεύτερος τῶν προσηβευτῶν μετὰ τοῦ ἑτέρου τάγματος (Strabo 3.4.20).

²² Hübner 1888: 167.

Marquardt seems to identify the territory of the Augustan “dioceses” with that of Diocletian provinces. This theory was not taken into account by virtually any later researcher.²³ Bear in mind that Mommsen had stated that the “dioceses” became provinces during Diocletian’s time. But we believe that Mommsen was referring exclusively to the administrative system, without taking into account the boundaries, since he makes no reference to them in his article. But in the case of Marquardt, it seems clear that he establishes a link between the alleged “dioceses” (as a delimited territory) and the provinces of Late Empire. In addition, Marquardt maintained that the “dioceses” necessarily needed an official staff,²⁴ bringing its functions (he does not specify which ones) to a high level. It seems that the only function of the *conventus* organisation is to bring together the *civitates*.²⁵

Jung,²⁶ having established a connection between the *legati* and the military function, states that the third *legatus*, in his opinion the *Tarraconensis* “diocese”, would possess no legion, but abundant troops. Under its jurisdiction, there were troops at sea and at least one division of the *Legio VII*, located in Tarraco.

With the arrival of the last decade of the nineteenth century, some authors began to consider different aspects of the “diocese” system. Domaszewski was the first to criticize several of Mommsen’s ideas.²⁷ The latter, as we have already seen, identified the legates of Strabo with the *legati iuridici* that appeared in the epigraphy. Domaszewski tried to show that they did not correspond to the same post, since, in his opinion, the *legatus* of the “diocese” would be under the command of a military force while the *legatus iuridicus* was responsible for the administration of justice, as well as the governor.

Hübner, in his publications between 1866 and 1871, divides all the cities of the *Hispania citerior* into *conventus iuridici*.²⁸ Later he became one of the greatest defenders of Mommsen’s theory.²⁹ He not only thought that the *Hispania citerior* was divided into three “dioceses”, but also believed that Lusitania was divided into two other “dioceses”, the first one headed by the governor with its capital in Emerita, the second one headed by a legate (like those in the Citerior) with the capital probably in Olisipo.³⁰ Later, he continued to defend this position firmly.³¹ He refused to believe that there could be “dioceses” in the Baetica province, because in the senatorial provinces there were neither “dioceses” nor *iuridici* to rule over them.³² According to Hübner, it was early in the second century when these divisions were called “dioceses”. In any case, he did not explain how the theory of the “dioceses” could be reconciled with the system of the *conventus*, or what functions each of the two administrative subdivisions

²³ Only Liebenam (1888: 221–239) seems to apply it in his works.

²⁴ He uses the next examples: *praefectus insularum Balarum* (AE 1909, 58; AE 1956, 22 = RIT 167), *praefectus orae maritimae* (CIL II, 4138; 4224; 4264; 4217; 4239; CIL VIII, 13 = ILS 1014 = AE 1948, 3 = IRT 537; AE 1956, 22; AE 1975, 307 (doubtful); AE 1978, 335).

²⁵ Marquardt 1881: 256.

²⁶ Jung 1881: 28.

²⁷ Domaszewski 1890: 1–10.

²⁸ Hübner 1866: 77–127; CIL II, 1869: 331; Hübner 1871: 371–378.

²⁹ CIL II, *suppl.*, p. LXXXVI.

³⁰ CIL II, *suppl.*, p. LXXXVII.

³¹ Hübner 1888: 169.

³² Hübner, CIL II, p. LXXXVII; Hübner 1888: 169.

would have. He followed the same territorial organization of the “dioceses” that had been proposed by Marquardt.

Kornemann, in addition to putting forward the widespread theory of the time, corrects Marquardt’s idea and proposes that the first “diocese” (*Asturia et Callaecia*) should be called only *Callaecia*.³³ This is because, in his opinion, the *conventus Asturum* would be inside the second “diocese”, located in the middle of the other two.³⁴ In the absence of names and inscriptions referring to that “diocese”, he believes that it is possible that it was linked to the legion originally located in its territory (*IV Macedonica*). This one, according to Ritterling and Roldán, would have left the province in AD 39 because of the Germanic war of Gaius³⁵ and, according to Jones and Mackie, departed for the British conquest with Claudius.³⁶ Thus, this “diocese” would have disappeared. At first he suggested the incorporation of all this territory (*conventus Asturum* and *conventus Cluniensis*) to the “diocese” of *Tarraconensis*.³⁷ But three years later,³⁸ he maintained that the *conventus Asturum* was attached to the “diocese” of *Callaecia* (that from now on would be *Asturia et Callaecia*) and the *conventus Cluniensis* to the “diocese” *Tarraconensis*.³⁹ The author also believed that all provinces under the direct control of the emperor (those headed by a praetor *legatus Augusti* of a consular rank) with more than a legion, were divided into such “dioceses”.⁴⁰ But he offers neither literary nor epigraphic data to confirm it.

During the last years of this stage, the authors tended to rethink the work done so far. While they did not doubt the existence of “dioceses”, they justified their claims with a larger number of written and archaeological sources.

Braun was clearly opposed to the division established by Kornemann for two reasons.⁴¹ First, because it is inexplicable that such a vast and recently conquered territory, as was the “diocese” of *Asturia* and *Cantabria*, would have had a single legion, as compared to two in *Callaecia*. Second, because Asturians and Cantabrians could not be in the same “diocese”, as Strabo differentiates the two and clearly specifies where the

³³ Kornemann 1900: 1177.

³⁴ Kornemann 1903a: 323–325; Kornemann 1903b: 719. He bases his opinion in the inscription *CIL II, 2422* (*C. Caesari Aug. f. / pontif. auguri / Callaecia*) that is very doubtful. In the seventeenth century, Argotius in his appendix *de alguns inscripçoens Romanas que se achao nesta cidade de Braga, que nao vao no corpo da historia por nao terem lugar certo nella*, included in de work *Noticias do arcebispado de Braga remetidas para Academia Real* only can read [...]AUG[...]LL[...] (*CIL II*, p. 340). Marchetti (1916: 104) noted that C. Caesar did not have the title of augur.

³⁵ Ritterling 1925: 1551; Roldán Hervás 1974: 195.

³⁶ Jones 1976: 50; Mackie 1983: 183.

³⁷ Kornemann 1900: 1178. “(.) der vom Statthalter selbst oder auch von dem legatus der Dioecese *Tarraconensis* versehen wurde”.

³⁸ Kornemann 1903a: 324.

³⁹ Albertini 1923: 46, quoting the same article, attributed to him the idea that *Asturia* and *Cantabria* were incorporated to the *Tarraconensis* “diocese”, but this is not reflected in the text.

⁴⁰ Kornemann 1903b: 722. We do not understand why, in this case, the “dioceses” could be identified with the *conventus*.

⁴¹ Braun 1909: 31–34.

border which divided them was.⁴² Later, Marchetti supported these ideas and added new ones to criticize Kornemann.⁴³

It is precisely Marchetti who has devoted more space to a systematic analysis of the “diocese” of the Citerior and who has looked deep into its nature.⁴⁴ She was a defender of “dioceses”, but she used an important and systematic organization of literary and epigraphic documentation and raised many questions on the subject. In her well-known work *Hispania*, in the *Dizionario Epigrafico* of De Ruggiero, she carried out a thorough study to reject several historiographical theories, including Marquardt on the “diocese” *Carthaginensis*, and Kornemann on the existence of a “diocese” prior to Claudius, which included the *conventus Asturum* and *Cluniensis*.⁴⁵ In reviewing the division of regions, she denied the fact that the “dioceses” could have been established before Augustus, since before the Cantabrian wars there were no legions on a permanent basis. Before her, no one had analysed in such depth the possible functions of the “dioceses”. She thought that there were mainly three: military, judicial and fiscal. The first two would have been applied as early as the Augustan period, making it clear that the “diocese” of *Tarraco* would have no military role since it would have lacked legions. Later, it would have added the financial function, because she believed that administrative autonomy was subject to financial autonomy. In any case, in relation to all these functions (which would be developed by officials themselves), she denied any autonomy to the *conventus*.

2. Decline of the historiographical construction. From Albertini to Alföldy

The turning point in the history of the “dioceses” was marked by Albertini’s often quoted work, “Les divisions administratives de l’Espagne romain”, published in 1923. From this moment on, various authors began to rethink the very nature of the “dioceses”. Despite the impact of the publication of that work, the acceptance by researchers was progressive, as it did not end with the idea of the “dioceses”, but began to undermine its foundations. The authors of the previous period continued to be taken into account by significant researchers (Sutherland, Étienne, etc.). And the final results of this evolution did not see light until the next stage.

The trend towards the devaluation of the role of the “dioceses” gained, on the other hand, greater consideration for the role of the *conventus*. In other words, the *conventus* were filling the gap in the research that the “dioceses” were gradually leaving behind.

Knox McElderry was a precursor of the work of Albertini. This author published an article four years before the appearance of “Les divisions administratives...” in which he defended the survival of the “diocese” until the reign of Vespasian.⁴⁶ But, unlike Albertini, he believed that the conventual system could be inserted within the “dioceses” without any conflict.

⁴² Albertini (1923: 46–47) adds that Agrippa gave the measures of all the *Asturia* and *Callaecia*, linked in the beginning to Lusitania. Then, what in times of Agrippa would have been the borders of the province Lusitania, would have been the borders of the “diocese” in the times of Strabo.

⁴³ Marchetti 1916: 103.

⁴⁴ Marchetti 1915: 754–941. On the dioceses, Marchetti 1915: 808–814.

⁴⁵ Marchetti 1915: 754–941. This critique is later analysed by A. Schulten (1952: 267).

⁴⁶ Knox McElderry 1919: 86–94.

E. Albertini's outstanding work was the first step to prove that the historical interpretation of the "diocese" was false and that, in any case, it did not have the entity offered by previous researchers.⁴⁷ In his opinion, the system of "dioceses" was a fictional construction made from *hasardeuses* generalizations, which did not take into account the words of Strabo: ἄλλοτε δ' ἄλλως διαιροῦσι, πρὸς τοὺς καιροὺς πολιτευόμενοι.⁴⁸

Firstly, he showed that the "dioceses" could not exist after the reign of Claudius. He realized that it was at that moment when the *legio IV* leaves *Hispania*, so the system was unable to perform the functions for which it was created. At that time, he pointed out, Rome created the *conventus* as a substitute for the "dioceses". Secondly, he firmly believed that the role of the legates quoted by Strabo was almost exclusively military,⁴⁹ since there is no evidence to suggest otherwise. It was also possible to carry out judicial functions related to their military posts, but it would never be their main function, but rather the military control of a newly conquered territory. Therefore, there would be no link between the legates of Strabo and the *iuridici* of the second century. Thirdly, he states that, according to the reading of Strabo's text, in the case of having to refer to permanent subdivisions ("dioceses"), we should distinguish four "dioceses" instead of three.⁵⁰ He came to this conclusion when he saw that the third legate, responsible for the *Tarraconensis* "diocese", was only responsible for the hinterland, while the governor took care of the coast.⁵¹ Fourthly, he argued that Strabo's hypothetical division of the "diocese" and Pliny's division in *conventus* were irreconcilable.⁵² In his opinion, the second "diocese" would have gone through three different *conventus*: *Cluniensis*, *Caesaraugustanus* and *Tarraconensis*. It is unlikely that a single province would have two different overlapping administrative systems.

But Albertini's greatest merit was to dare to question the basis of a doctrine which had been almost unanimously adopted by researchers. Rarely has an author achieved something similar, based on a single study. Supporters of the "dioceses" continued to exist,⁵³ but Albertini established a foundation for "heterodox" studies.

He wisely criticised all the theories in relation to the "dioceses". The existence of "dioceses" in Lusitania, defended by Hübner, fell in the absence of any trustworthy source to support it.⁵⁴ He rejected the theory of Kornemann that any province that had more than a legion should be divided into "dioceses", since in the *Hispania citerior* the number of legions did not correspond to a certain number of "dioceses".⁵⁵ On the territorial reorganization at the time of Claudius defended by Domaszewski, Kornemann and Marchetti, he absolutely disagrees. For Albertini, the system described by Strabo would have been temporarily set up for a period of war, and when the situation became normal at the time of Claudius, it would have disappeared.⁵⁶ He believed that at

⁴⁷ Albertini 1923: 53.

⁴⁸ Strabo 3.4.19.

⁴⁹ Albertini 1923: 51.

⁵⁰ Albertini 1923: 50.

⁵¹ Strabo 3.4.20.

⁵² Albertini 1923: 51–52.

⁵³ Étienne, Schulten, Balil or Bosch Gimpera.

⁵⁴ *CIL* II, *suppl.*, p. LXXXVI.

⁵⁵ Albertini 1923: 51.

⁵⁶ Albertini 1923: 53.

that time and not before, the cities would have been distributed among the *conventus*, as both systems were absolutely incompatible.

Albertini's construction was not entirely correct. He mistakenly believed that there were some administrative subdivisions corresponding to the areas occupied by the *legati* of Strabo until the time of Claudius. He refuses to call them "dioceses", but simply districts, to avoid misunderstandings. If the system of *conventus* was replaced by one of "districts", he thought that by researching the sources that Pliny used to write his third book, he would find when the change came about. He rejected the widespread idea that Pliny's source was the *commentarii* of Agrippa⁵⁷ and supported Detlefsen's first idea,⁵⁸ believing that it was based on a *formula provinciae* from the period of Claudius. He drew this conclusion from the discussion of the number of colonies which Pliny quotes and when they were founded.

He mistakenly believed that there were structures equivalent to the "diocese" until Claudius, which were institutions incompatible with the *conventus*. This led him to ignore the fact that, although the source used by Pliny could be from the time of Claudius, it did not mean that the *conventus* did not exist before. This theory led many authors to defend that the "dioceses" (with this name) existed in *Hispania citerior* until Claudius.

Later his theory remained in force but with nuances. Sutherland returned to the problem of how it would be possible for *Callaecia* to have two legions and *Asturia* and *Cantabria* only one.⁵⁹ In his interpretation, Strabo had given a much broader meaning to the term *Callaecia* and within that term *Asturia* was also included (i.e., he returned to the theory of Mommsen). This question had already been raised and solved by Braun,⁶⁰ who agreed with Albertini's chronology, believing that the newly conquered territories could not be integrated within a system of *conventus*, originally designed to be applied in pacified territories.

Schulten reproduced the traditional theory of the "dioceses"⁶¹ but he believed that they had the same function proposed by Albertini,⁶² i.e. only as a district of military command. He made this assertion, indicating that "it seemed that the districts were called dioecesis." In a later work, he developed this position even further;⁶³ he agreed with Albertini on almost everything, but also with Sutherland.

As for the territorial limits, he stated: "The journey of the legates served to the administration and jurisdiction, for which the province was divided by Augustus into seven *conventus* and in the second century AD in three (?) (sic.) dioecesis with *legati iuridici*. These "dioceses" are not identical to the three districts described by Strabo. It seems that there were three *procuratores*, corresponding to the three legates".⁶⁴ We might consider different aspects of this text. First, he argues that the conventual system was created by Augustus. Secondly, he seems not to take into account the "dioceses",

⁵⁷ Detlefsen 1906: 57–60.; Detlefsen 1908: 74. This idea was supported by F. Braun (1909: 103).

⁵⁸ Detlefsen 1873: 616.

⁵⁹ Sutherland 1939: 143.

⁶⁰ Braun 1909: 31–34.

⁶¹ Schulten 1940: 203.

⁶² Albertini 1923: 51.

⁶³ Schulten 1952: 267.

⁶⁴ Schulten 1952: 267.

or assumes that they do not interfere with the *conventus*. But the fact is that he claims that in the second century AD the administrative system changes to “dioceses”, different from those of Strabo, with a *legatus iuridicus* and a *procurator* in each one. There is no parallel for these assertions in other authors. In any case, this theory has not been picked up by any other author except perhaps recently — and with many nuances — by Rodríguez Colmenero.⁶⁵

Henderson was a forerunner of some modern theories.⁶⁶ Unlike Albertini, he denied the incompatibility of the *conventus* and the “dioceses”. He departed from a different idea because, unlike Albertini,⁶⁷ he believed that the two subdivisions could coexist, but at parallel levels. Strabo’s districts would be strictly military, and its geographical distribution would be marked by strategic needs, that should not coincide with the conventual districts, with a civil function. Albertini thought that the two systems were not compatible because the districts did not coincide on the map. For Henderson, this divergence was logical since both systems were of different natures and functions. The coexistence in time had been previously defended by many authors (Marchetti, Hübner, Kornemann, etc.) but this is the first time that this coexistence was justified. On the other hand, Henderson did not use the word “diocese” and gave these divisions strictly military functions. We can deduce that he proposes an Augustan chronology.

Étienne admitted that the “dioceses” were not permanent and delayed their disappearance to Vespasian.⁶⁸ He considered more logical that this emperor was the author of the reform, for his reformist tradition in the creation of colonies, the grant of the Latin right to the *Hispaniae*, etc. He came to this conclusion when he realized that the colony of Bilbilis did not become a colony before Vespasian and Pliny,⁶⁹ whose source would coincide with the creation of *conventus* quoted as such.⁷⁰ In this sense, he recovered McElderry’s theory.⁷¹ He also picked up Albertini’s idea that there had to be four “dioceses” instead of three.⁷²

Harmand strictly followed Albertini’s theories and emphasized the difference between the systems of *conventus* and of “dioceses”, arguing that each one responded to a different historic moment.⁷³ From Augustus until at least Claudius, a system that took into account military organization would have been required, and after that time, justice took priority and a system in accordance with it would have been created.

Spanish historiography began to consider these issues from then on, with notable delay behind the rest of Europe. Among Spanish researchers, Albertini’s theories were not widely accepted, and the “dioceses” continued to be considered as subprovincial districts with full functionality during the High Empire.⁷⁴

⁶⁵ Rodríguez Colmenero 1979: 152–172.

⁶⁶ Henderson 1942: 4.

⁶⁷ Albertini 1923: 51–82.

⁶⁸ Étienne 1958: 187–189.

⁶⁹ Plinius, *HN* 3.24.

⁷⁰ About the chronology of the *conventus*, see Ozcáriz Gil 2006: 41–62.

⁷¹ Knox McElderry 1919: 86–94.

⁷² Étienne 1958: 186.

⁷³ Harmand 1960: 124–125.

⁷⁴ E.g., Torres 1935: 373, 375; Balil 1965: 297–319.

Further on into the fifties, researchers do not so forcefully defend the existence of the “diocese” and discussion ceased to produce the same impact.⁷⁵

3. The disappearance and last mention: from Alföldy until the end of the twentieth century

In 1969, with the appearance of the work *Fasti Hispanienses* by Géza Alföldy, an important step was taken in the study of the “dioceses”. For the first time their existence was completely denied⁷⁶ and, through the epigraphic titulature of the *legati* (without further specification of their office), Alföldy also denies the idea that they could be *legati* of some administrative divisions called “dioceses”.⁷⁷ The first and second legate of Strabo would actually be *legati legionis*. It is true that the *legatus legionis* had the power to prosecute civil cases and, at that time, would be considered *legatus iuridicus*,⁷⁸ but strictly for Strabo there were two *legati legionis* and a *legatus Augusti* who, from Augustus on, would be considered as *iuridicus*.⁷⁹ The latter would not have territorial restrictions within his province to carry out his work, but his main working area would be, at the beginning of Principate, the place where the people came to the Roman administration to solve their legal problems: the area of the *togati*. Later, the territory of the most extensive province of the Roman Empire was divided between the *iuridicus* and the governor to improve legal action.⁸⁰ For this reason, Hadrian created the office called *legatus Augusti iuridicus Asturiae et Callaeciae*.

At this point, a number of prominent authors defended the lack of an administrative division based on the “dioceses”.⁸¹

For Le Roux,⁸² initially, Strabo’s text confirmed his theory of the army as an important organizer of the territory in the northwest of the Peninsula. He accepts that the legates had several functions apart from the military one and, in his opinion, the two *legati* would have a territory under their jurisdiction in order to introduce therein the Roman institutions.⁸³ In any case, he argues that the province would have been divided into four districts to administer justice (incorporating Albertini’s idea of the four districts).⁸⁴ Two of these districts would have troops in their territory (but they were not commanded by the army) and the other two would be purely civilian. But all the legates of Strabo would be *legati iuridici*, and the legates of the legions in the same territory would not have the same function. These divisions would be the precedent of the

⁷⁵ E.g., Wiseman 1956: 50.

⁷⁶ Alföldy 1969: 236–237, 241–247.

⁷⁷ *CIL* II, 2408; 2423 = *AE* 1966, 186; 2477 = *CIL* II, 5616 = *ILS* 254; 2634 = *ILS* 2299; 4128; *CIL* V, 6974 = *ILS* 1021; 6975; 6976; 6977 = *ILS* 1021a; *CIL* X, 4750; *CIL* XI, 1183 = *ILS* 1079; *CIL* XIV, 2941; *AE* 1948, 3; *AE* 1952, 122; García y Bellido 1966, no. 5.

⁷⁸ Pflaum 1963: 229–231.

⁷⁹ Ozcáriz Gil 2006–2007: 525–533.

⁸⁰ Alföldy 1977: 351 ff.; Alföldy 1983: 521.

⁸¹ Roldán Hervás 1974: 270; Tranoy 1981: 147–148; Sancho Rocher 1981: 27–29.; Martin 1990: 145; Plácido 1994: 100–101; Haensch 1997: 169.

⁸² Le Roux 1982: 99–103.

⁸³ Le Roux 1982: 98–103.

⁸⁴ Le Roux 1992: 237: “Rien ne justifie donc qu'on affirme que dans les zones militaires les légats pour la justice sont en meme temps les légats de légion”.

conventus, which would have been created under Vespasian. In a later article,⁸⁵ Le Roux is more explicit and, in addition to tacitly denying the existence of the “dioceses”, affirms that the four districts of Strabo would actually be four *conventus iuridici* with neither clear geographical limits, nor a strict capital.⁸⁶

Rodríguez Colmenero offers a different interpretation.⁸⁷ He believes that the imperial administration in Spain could be divided into three stages:

a) From Augustus to Nerva: the conventual system was created, and continues until the end of Empire.

b) From Nerva to Caracalla. At this time there would be two dioceses in *Hispania citerior*: *Asturia-Callaecia* and *Citerior Tarraconensis*.⁸⁸ The inscription published by Mommsen pertains to this moment in time.

c) From Caracalla to Diocletian. At this time there would have been some confusion as to the situation in the Northwest and on the possible survival of the “dioceses” of the previous phase.

His presentation of the overall situation, unlike that of other authors, is clear and systematic. After noting that the dioceses of Strabo had never existed, he has tried to give meaning to the inscription that created this theory.⁸⁹ He believes that it is possible to apply the term *diocesis*, but only in reference to the two districts of the second phase, the ones which coincided with the inscription *EE IV, 224*. Finally, he maintains that these *diocesis* would be the grouping of some *conventus* with common features.

Until the end of the twentieth century, we still often find authors — mostly Spaniards — who believe in the existence of the “dioceses”.⁹⁰ In order to justify their existence (although many no longer use this name), they continue quoting works prior to Albertini. They only quote Albertini himself sometimes to limit its chronology until the reign of Claudius.⁹¹

A clear example of survival of the theory of the “dioceses” is the work “*Iberische Landeskunde*” published in 1976.⁹² In a chapter called “The Diocese: Dioceses of the *Tarraconensis*”,⁹³ the author puts forward the theory of the “dioceses” with some references to the historiographic discussions prior to the year 1923. The author also

⁸⁵ Le Roux 1995: 69.

⁸⁶ The capital is an inherent aspect of the conventual structure (Ozcáriz Gil 2006: 22–26, 29. It seems difficult to understand the *conventus* without a city to which they refer all citizens of the territory, and that gives the name to it. For the latest publication of Le Roux on the *conventus*, see Le Roux 2004: 337–356.

⁸⁷ Rodríguez Colmenero 1979: 152–172; Rodríguez Colmenero 1996: 265–299.

⁸⁸ We should recall that a similar theory was defended by Schulten (1952: 267), who thought that there were three “dioceses”.

⁸⁹ Mommsen 1881: 224–225.

⁹⁰ Among others, Diego Santos 1973: 472; Diego Santos 1975: 557; García Merino 1975: 21 (this author defends that the “dioceses” survived until Tiberius); Tuñón de Lara, Tarradell & Mangas 1980: 296–297; Torres Rodríguez 1982: 105–106; Mangas Manjarrés 1985: 32–34 (this author, in an unintentional mistake, states that Strabo used the term *dioikēsis*); González Echegaray 1986: 176–177; Luzzatto 1985: 330–331; Lomas Salmonte 1989: 203–208; Del Castillo 1991: 389–391 (who asserts, like Alföldy, that Strabo’s text relates only to the territory of action of the different legions, but continues using the term “dioceses” and also the concept of administrative division); Arias 1992; Iglesias Gil 1999: 163.

⁹¹ Among others, Tuñón de Lara, Tarradell & Mangas 1980: 296–297.

⁹² Tovar 1976.

⁹³ Tovar 1976: 11–12.

quotes later researchers such as Albertini or Alföldy, but only to emphasize some aspects that have little to do with the existence of the “dioceses”.

During the last twenty years, new discoveries related to provincial administration of *Hispania citerior* have disregarded any mention of “dioceses”. The *conventus arae Augustae* proved that the conventual organization established by Augustus could not be the same one that Pliny the Elder discusses.⁹⁴ The *Hispania Transduriana* shows the military mission taken in the northwest of the Iberian Peninsula, which is probably the same territory that the first legate of Strabo had.⁹⁵ Finally, the *Hispania superior* mentions a new province in the northwest, in the first half of the third century.⁹⁶ In all this rich historiographic discussion, the “dioceses” do not appear anywhere.

4. Recapitulation of a historiographic episode

The episode of the Spanish “dioceses” of the High Empire causes surprise due to its acceptance over time. Such an idea, sponsored by a figure like Mommsen, could not go unnoticed. His prestige and ingenious association of ideas between Strabo’s text and the inscription *EE IV, 224* prevented researchers from realizing the weaknesses contained therein. As we have seen, the discussion of ideas had two key moments. Firstly when Albertini realized the absence of the “dioceses”, but thought that until Claudius there existed a number of circumscriptions, following Strabo’s text. This allowed for a certain survival of the theory of the “dioceses”, up to a moment between Claudius and Vespasian. Secondly, as a result of the work *Fasti Hispanienses*, by the great historian Géza Alföldy, the final arguments against that theory were stated. Despite this, the Spanish “dioceses” of the High Empire have remained present in many manuals and works of synthesis on the Roman Hispania, surviving until the end of the twentieth century.

The historiographic misunderstanding was theoretically resolved over forty years ago, but it is now when we present the study of its route for the first time. We hope that this will help any researcher who reads the works of authors from the late nineteenth and first half of the twentieth century, to understand better the conception they had about the “dioceses” and, after that, about the *conventus*, the *legati*, the divisions and organization of *Hispania citerior*.

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⁹⁴ Pereira Menaut 1987: 299–303 = *AE* 1984, 0553. B = *AE* 1987, 0561 = *AE* 1989, 0431–0432 = *AE* 1990, 0543 = HD002353; Eck 1997: 195–207, no 5. A study of the *conventus* with bibliography, cf. Ozcáriz Gil 2006: 52 ff., and more recently Alföldy 2007: 333–335.

⁹⁵ The discovery was published by Balboa de Paz (1999: 45–53). The first corrections were published in www.haw.baden-wuerttemberg.de/projekte/edh.html under the inscription HD 033614, and was constantly updated, with comments of G. Alföldy. After that moment, the works have been numerous: Alföldy 2000a: 61–62, n. 118; Alföldy 2000b: 177–205; Rodríguez Colmenero 2000: 9 ff.; Costabile & Licandro 2000; Grüner 2005: 247–266; Rodríguez Colmenero 2007: 1121–1134. Two congress volumes have been published: Grau Lobo & Hoyas 2001 and Sánchez Palencia & Mangas 2000. About the nature of the province mentioned, see Gómez Pantoja & Martín 2000: 123–138; Martín 2003: 593–609.

⁹⁶ Nonnis 1999: 235 ff.; Alföldy 2000 (in Spanish, with *addenda*, Alföldy 2002); Ozcáriz Gil 2007: 33–46; Ozcáriz Gil 2009: 271–286.

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