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The division of booty in late Byzantium (1204–1453)

The present investigation examines the importance of spoils in late Byzantine warfare and the regulations concerning their division. The examination of the role of booty in the military affairs of the later Byzantine empire contributes to our understanding of the military organization of the Byzantine state and provides a useful insight into Byzantine military policies and attitudes towards warfare.

The impact of booty on ancient and medieval warfare has been noted by modern scholars, who point out that the desire for spoils was a motive in all ancient and medieval warfare.¹ The capture of booty was an important incentive for the Byzantine soldier in risking his life in battle and played an influential role in the military conflicts involving the Byzantines. Commenting on the motivation of Byzantine soldiers, the author of the tenth-century military treatise entitled *Skirmishing* writes, ‘contemning death in order to seize plunder and hoping to pick up something, they will easily overcome the enemy with the grace of Christ.’² Despite its importance, however, the role of booty in late Byzantium has not attracted the attention of modern scholarship. Bartusis is the only scholar who has noted that ‘the art of plunder was a fundamental institution of Byzantine warfare from which all soldiers could profit.’³

The scavenging of battlefields and the pillaging of hostile countryside, which aimed at the acquisition of wealth and the destruction of the economic basis of the enemy, were the main ways for medieval armies to gain booty. In addition, plunder provided troops such as the late Byzantine armies, which were not supported by any sophisticated system of logistics, with essential supplies. The elaborate system of supplying imperial expeditions, according to which each province was to provide the campaigning army with a specific amount of various kinds of food supplies and pack animals, as described by the tenth-century treatises of Constantine VII, was not in effect in late Byzantium.⁴

There is no information indicating the existence of officials comparable to the middle Byzantine provincial *protonotarioi*, who were informed in advance about the needs of the coming armies, and were in charge of co-ordinating them with the respective departments of the central government.⁵ The available evidence suggests that the baggage train of the Palaiologan armies did not include supply wagons and pack animals and it is likely that the soldiers often took no equipment with them other than what

¹ J. ROTH *The Logistics of the Roman Army at War* (*Columbia studies in the classical tradition* 23). Leiden 2001, 117–122; A.D. LEE, *War in Late Antiquity. A Social History*. Oxford 2007, 129, 197–198; D. HAY, *The Division of Spoils of War in Fourteenth-Century England*. *Transactions of the Royal Historical Society, fifth series* 4 (1954) 91–109; M. KEEN, *The Laws of War in the Middle Ages*. London 1965, 137–157; T. REUTER, *Plunder and Tribute in the Carolingian Empire*. *Transactions of the Royal Historical Society, fifth series*, 35 (1985) 75–94; J. FRANCE, *Victory in the East. A Military History of the First Crusade*. Cambridge 1994, 42–44.

² G.T. DENNIS, *Three Byzantine Military Treatises* (*CFHB* 25). Washington, D.C. 1985, 180. For the impact which the prospect of booty had on the motivation of soldiers in the middle Byzantine period see G. DAGRON – H. MIHAESCU, *Le traité sur la guérilla (De velitatione) de l’empereur Nicéphore Phocas (963–969)*. Paris 1986, 231–234; cf. A. DAIN, *Le partage du butin de guerre d’après les traités juridiques et militaires*, in: *Actes du VI^e congrès international d’études byzantines*, I. Paris 1950, 347–352.

³ M. BARTUSIS, *The Late Byzantine Army. Arms and Society*. 1204–1453. Philadelphia 1992, 248–252.

⁴ See Constantine VII Porphyrogenitos, especially text C, ed. J. HALDON, *Constantine VII Porphyrogenitus. Three Treatises on Imperial Military Expeditions* (*CFHB* 28). Wien 1990, 94–150.

⁵ J. HALDON, *Warfare, State and Society in the Byzantine World 565–1204*. London 1999, 143–144.

they carried on their backs.⁶ That the size of the late Byzantine expeditionary forces and the geographical scope of their campaigns were considerably smaller than those of previous periods would have rendered the existence of functionaries such as the *protonotarioi* superfluous.

Moreover, in a period when the state faced severe financial difficulties, booty covered much of the maintenance cost of the soldiers. Therefore, military leaders had to provide their soldiers with the opportunity to loot to ensure their subsistence. To sum up, in the context of late Byzantine warfare, booty should not be seen entirely as an extra which the soldier could seize and enjoy on top of his pay. Instead, its primary role was to feed the army and exhaust the resources of the enemy.

The late Byzantines were not unique in having to loot for their supplies. During the middle Byzantine period, the presence of a sophisticated system of supplying imperial expeditions, which was unusual for medieval armies, did not mean that booty could be disregarded. Long before the thirteenth century the Byzantine generals knew that raids were the cheapest and safest way of undermining the strength of the enemy and of rewarding and feeding Byzantine soldiers.⁷ The sources emphasize the significance of the fair division of spoils in the maintenance of discipline, as well as the anger and mutinous response provoked by the unfair distribution of booty.⁸ Moreover, during the period under discussion, the Byzantine state was surrounded by numerous small hostile states which had not developed sophisticated structures of military administration. Consequently, booty was essential for the reward and maintenance of their soldiers. It has also been argued that in contemporary medieval western Europe, poor logistics and major problems over the preservation of food made ravaging necessary if the campaigning armies were to survive.⁹

The importance of booty in feeding and motivating the army is reflected in the fact that emperors and generals are praised by their encomiasts for ravaging enemy lands and seizing booty. In his encomium to John III Batatzes (1221–1254), Theodore II Laskaris (1254–1258) praises his father for repeatedly looting the lands of the Bulgarians.¹⁰ In an encomium which he compiled between 1296 and 1303, the orator Nikolaos Lampenos praises Andronikos II (1282–1328) for his generosity towards his soldiers whom he allowed to keep for themselves the booty and slaves they captured in battles against the Turks.¹¹ Praising the deeds of the general Alexios Philanthropenos in Asia Minor in 1295, Maximos Planudes repeatedly points out the large amount of booty captured by the Byzantine army.¹² It is worth noting that profiting from plunder was an important attribute of leadership in western Europe.¹³

Although the importance of capturing booty is a recurring theme in the sources of the period under discussion, Byzantine authors provide little information about its division. Nevertheless, examination of the available source material allows a partial reconstruction of the process of assembling and distributing

⁶ Kantakuzenos I 18 (ed. L. SCHOPEN, *Ioannes Cantacuzeni eximperatoris historiarum*, I–III [CSHB]. Bonn 1828–1832, I 87–88); Pachymeres VII 25 (ed. A. FAILLER, *George Pachymère. Relations historiques*, I–V [CFHB 24/1–5]. Paris 1984–2000, III 81). The presence of pack animals is attested only in the campaigns of John III (1221–1254) and Theodore II (1254–1258): Akropolites 49 and 59 (ed. A. HEISENBERG, *Georgii Acropolitae Opera*. Leipzig 1903 [reprint Stuttgart 1978], I 90 and 120).

⁷ For instance, the *Tactica* of Leo the wise exhort Byzantine generals, who are marching through enemy territory to burn, ravage and plunder the land, so the enemy will become weaker. However, the commander should not destroy enemy resources which might be used for the maintenance of his troops: Leonis imperatoris *tactica* IX 21–22 (I 221–222 VÁRI [Budapest 1917–1922]). Similarly Nikephoros Uranos writes that when on hostile soil the general should set fire to settlements and burn dwellings, crops and pastures: E. MCGEER, *Sowing the Dragon's Teeth. Byzantine Warfare in the Tenth Century (DOS XXXIII)*. Washington, D.C. 1995, 147.

⁸ See HALDON, *Warfare, State and Society* 204; G.T. DENNIS, *The Byzantines in Battle*, in: *Το ενπόλεμο Βυζάντιο (9^{ος}–12^{ος} αι)*. Athens 1997, 177–178; MCGEER, *Sowing the Dragon's teeth* 320–327.

⁹ FRANCE, *Victory in the East* 42.

¹⁰ Theodore II Dukas Laskaris 4 (ed. A. TARTAGLIA, *Theodorus II Ducas Lascaris. Opuscula Rhetorica* Munich – Leipzig 2000, 29).

¹¹ Nikolaos Lampenos 33 (ed. I. POLEMIS, *Ο λόγιος Νικόλαος Λαμπηνός και το έργο του [Etaireia byzantinon kai metabyzantinon meleton. Diptychon – Paraphylla 4]*. Athens 1992, 48).

¹² Planudes, Ep. 106 (ed. P.A.M. LEONE, *Maximi monachi Planudis epistulae [Classical and Byzantine Monographs XVIII]*. Amsterdam 1991, 168–169)

¹³ FRANCE, *Victory in the East* 43.

the booty captured after a successful military operation. The *History* of the *meγas domestikos* and emperor John Kantakouzenos, which covers the period 1320–1356 and was probably compiled in the 1360s, is important, since the author was the supreme commander of the Byzantine army and an emperor for more than three decades.¹⁴ Therefore, he would have possessed an excellent knowledge of the military institutions of the period. Furthermore, his account reflects the views about plunder and booty of a member of the late Byzantine aristocratic elite, which monopolized the military leadership. However, despite his position, Kantakouzenos provides limited information about the military organisation of the Byzantine empire. His aim was not to describe the Byzantine administrative system, but to explain his views about the events which took place from the 1320s until the 1350s, in which he played a leading role.

Kantakouzenos shows that raids aiming at plunder were the staple form of warfare in fourteenth-century Byzantium. For instance, after capturing Philippoupolis in 1322 the Bulgarians plundered the area around Adrianople. A Byzantine army led by Andronikos III (1328–1341), who at that time was the co-emperor of Andronikos II (1282–1328), successfully ambushed the Bulgarian raiders and pillaged their camp. Shortly afterwards the Byzantines, in retaliation for the previous raid, ravaged Bulgarian possessions for thirty days, seizing a large amount of booty. A few months later, in the summer of 1323, the leader of a Byzantine army which was plundering the surroundings of Philippoupolis, took advantage of the absence of the garrison from the city and captured it.¹⁵ Kantakouzenos understands the damage which raids could do to the economy. In 1322, he argued that moving the farmers from the countryside to fortified cities does not prevent the enemy from destroying the farms of the common people, as well as the properties of wealthy land-owners.¹⁶ Moreover, due to the devastation from the raids carried out by his troops during the civil war of 1341–1347, Kantakouzenos does not promote ravaging as a way of glorifying military endeavour. For instance, he relates that when in 1324 Andronikos III encountered Tartar raiders, he told them that raiding without previous warning and capturing farmers who are ignorant of the art of war is not an act of bravery. Instead, the Tartars should face real soldiers.¹⁷ During the civil war of 1341–1347, which was characterised by continuous raids which devastated the Byzantine countryside, Kantakouzenos comments that he was very sorry for the damage caused by his soldiers' plundering of the Byzantine countryside. However, the army could not have done otherwise; the raids were necessary due to the war and because his opponents in Constantinople did not accept peace.¹⁸

Despite pointing out the importance of looting enemy possessions, Kantakouzenos makes only a single reference to the division of spoils. Describing Andronikos III's campaign against the Albanians in Epiros in 1338, he states that it was customary, however much booty the army seized that the one fifth (*pempte moira*) should be given to the emperor as a reward and an equal part to the *meγas domestikos* because he was the head of the whole army.¹⁹ However, Kantakouzenos does not specify how the rest of the booty should be divided.

The treatise of Pseudo-Kodinos, a work on hierarchy and court ceremony, which was compiled in the mid-fourteenth century and was chronologically close to the *History* of John Kantakouzenos, provides more detailed information on the division of booty than the latter. This treatise reflects an orderly process in which the booty was assembled and distributed according to established custom. As Pseudo-Kodinos writes, 'From the booty (*koursos*), first a fifth (*pentamoiria*) is given in the name of the emperor, a second portion on behalf of the entire army to the *meγas domestikos*, and a third to the division

¹⁴ On the dating of the *History* of Kantakouzenos see H. HUNGER, *Die hochsprachliche profane Literatur der Byzantiner* (*HdA* XII 5, 1–2). München 1978, I 469.

¹⁵ Kantakouzenos I 35 (I 170–178 SCHOPEN). For the dating of these events see P. SOUSTAL, *Thrakien*. (Thrakē, Rodopē und Haimimontos) (*TIB* 6). Wien 1991, 115.

¹⁶ Kantakouzenos I 38 (I 183 SCHOPEN).

¹⁷ Kantakouzenos I 39 (I 192 SCHOPEN).

¹⁸ Kantakouzenos III 81, III 96 (II 501–502, 596 SCHOPEN).

¹⁹ Kantakouzenos II 32 (I 498 SCHOPEN). For the dating of this campaign see P. SCHREINER, *Die byzantinischen Kleinchroniken*, 2. Teil: *Historischer Kommentar* (*CFHB* XII/2). Wien 1977, 248–249.

leaders, from the division each commands.²⁰ Furthermore, Pseudo-Kodinos observes that the commander of the *kourseuontes*, the *protostrator*, received a share of the booty captured in their raids. As he writes, ‘The *protostrator* is the defender of the *kourseuontes*. The *kourseuontes* have neither rank-order nor standards. Instead, they are launched without order and the *protostrator* being behind them protects them if they get involved in fighting; for this he is called *protostrator*, because he is in advance of the entire army. And it is customary for the *protostrator* to receive from the variety of the captured animals those that are called *phytilia*.’²¹

Pseudo-Kodinos’ description of the *protostrator* is not in agreement with the function of this office in the middle Byzantine period.²² This does not mean that Pseudo-Kodinos’ testimony is a fabrication, rather that the function of the *protostratores* changed. Similarly, the term *kourseuontes* to describe the advance scouts or raiders derives from the *koursoures* and *prokoursoures* of the earlier periods.

The *koursoures* or *koursouroi* were marching ahead of the rest of the army. Their function was different from that of the *kourseuontes*. Their aim was to pursue the retreating enemy, engage the enemy in skirmishes or lay ambushes. Nonetheless, like the *kourseuontes* they were marching in loose order and they were followed and protected by *defensores*.²³ The presence of troops who performed identical tasks to the *kourseuontes* is attested in sources which are chronologically close to Pseudo-Kodinos. The fourteenth-century *Chronicle of the Morea* relates that the *koursouroi* were a unit of the army of the Latins of the Peloponnese. Their task was to advance one day ahead of the rest of the army.²⁴ According to the fifteenth-century anonymous chronicle of the Tocco family, when in 1401 or 1402 the ruler of Cephalonia, Carlo Tocco, marched against the Albanians in Angelokastro in Epiros, he ordered the *koursouroi* to march ahead of the rest of his army and plunder the area around the castle.²⁵ Therefore, Pseudo-Kodinos’ connection of the *kourseuontes* to the acquisition of booty is accurate and reflects the situation at the time.

Unlike Kantakuzenos, Pseudo-Kodinos names officers whose function was related to the division of booty. He relates that the task of the *krites tou phossatou* (judge of the army) was to arbitrate in disputes between soldiers over arms, equipment, booty and so forth.²⁶ The origins of this office can be found in the middle Byzantine period. The establishment of the office of the *krites tou stratopedou* is linked to the changing character of the Byzantine army in the later tenth century and specifically to the employment of large numbers of foreign soldiers who fought under their own commanders. This development made necessary the appointment of an official to resolve the disputes between soldiers who did not share common notions of honour and pride and came from diverse cultural background and traditions.²⁷

The later Byzantine army was a polyglot and multiethnic force. Consequently, it is probable that the *krites tou phossatou* performed the same functions as the *krites tou stratopedou*.²⁸ Moreover, it is notable that it has been argued that, from the late fourteenth century, the officer who at least theoretically was in charge of delivering to the Sultan one fifth of the booty seized by the Ottoman armies was the judge

²⁰ Pseudo-Kodinos 251 (ed. J. VERPEAUX, *Traité des offices [Le monde byzantine 1]*. Paris 1966).

²¹ Pseudo-Kodinos 173 (VERPEAUX).

²² From the middle of the eighth century the *protostrator* was the head of the imperial esquires or mounted attendants of the emperor: N. OIKONOMIDÈS, *Les listes de préséance byzantines de IX–X siècles*. Paris 1972, 337–338; Constantine Porphyrogenitus, *Three Treatises* 253; A. HOHLWEG, *Beiträge zur Verwaltungsgeschichte des Oströmischen Reiches unter den Komnenen (MBM 1)*. München 1965, 59, 111–117.

²³ *Tactica* IV 20–21 (I 58–59 VÁRI); McGeer, *Sowing the Dragon’s Teeth* 22, 26, 99, 182, 211; *Sylloge Tacticorum, quae olim ‘inedita Leonis Tactica’ dicebatur* 63 (ed. A. DAIN. Paris 1938).

²⁴ *Chronicle of the Morea* 3670, 6652 (ed. J. SCHMITT. London 1904).

²⁵ *Cronaca dei Tocco di Cefalonia* 227 (ed. G. SCHIRÒ [CFHB 10]. Roma 1975).

²⁶ Pseudo-Kodinos 184 (VERPEAUX).

²⁷ J. HALDON, *The krites tou stratopedou: a new office for a new situation?* In: *Mélanges Gilbert Dagron (= TM 14 [2002])*. Paris 2002, 279–286.

²⁸ A. GKOUTZIOUKOSTAS, *Ο κριτής του στρατοπέδου και ο κριτής του φοσσάτου*. *Byzantina* 26 (2006) 79–99.

of the army.²⁹ Pseudo-Kodinos also reports that the *meγas admouniastes* was in charge of recording and replacing the weapons and horses needed by the soldiers.³⁰ It is possible that some of these weapons had been captured as booty.

Another source which discusses the importance and division of booty is the treatise on the art of governing and military strategy compiled in 1326 by the marquis of Montferrat, Theodore Palaiologos, the son of Andronikos II (1282–1328). His testimony, which predates the reports of Kantakuzenos and Pseudo-Kodinos by roughly half a century, should be treated cautiously, since Theodore lived almost all his adult life in Italy, where he acquired all his first-hand military experience. The marquis of Montferrat devotes a significant part of his work to the discussion of the importance of spoils in warfare. It cannot be excluded that what he considers to be the orderly distribution of booty reflects practices which he knew were in effect in Byzantium.

Without naming their offices, Theodore Palaiologos suggests that certain people should be put in charge of assessing the value of the booty collected by the army. The recording of the spoils and assessment of their value should be carried out at a place agreed by everyone, in order to avoid any disputes. The marquis of Montferrat points out that when the army is marching, trustworthy soldiers should be assigned the task of safeguarding the booty. The military commanders should divide the booty equally among their soldiers. Moreover, when the ruler does not lead the raid, the general who represents him should receive as much booty as the ruler would have had.³¹ Although he does not specify what share of the booty was given to the ruler, it is likely that Theodore Palaiologos had in mind the one fifth which was the share of the Byzantine emperor.

The last Byzantine author who discusses the role of booty in Byzantine warfare is the fifteenth-century philosopher George Gemistos Plethon. Unlike the above authors, Gemistos does not discuss the distribution of booty. Nevertheless, in the solutions which he proposed to the problems of Byzantine Morea, he refers to the role of spoils. In a letter addressed to Manuel II (1391–1425) in 1415/1416, Gemistos comments that the booty seized by the Moreot army was not sufficient. As he writes, ‘in the past it made sense for the Peloponnesians both to serve in the army and to pay taxes because campaigns were short and booty was ample. Under the present circumstances this is impossible. So soldiers must be set apart to guard the Peloponnese instead of paying taxes. This would ensure high morale and better equipment.’³²

Similarly, in his *Address to Manuel II on Affairs in the Peloponnese*, which is dated no later than 1418, Gemistos repeats his previous comment that the booty seized by the soldiers is insufficient and the soldiers can make little profit out of it. As he writes, ‘it is not even always possible for the army to carry off booty because, while there might be some profit from this to those serving in the army, most expenses have to be met from their own means and the state must receive its share of the booty.’³³ Gemistos’ writings reflect the fact that booty constituted an important part of the payment of soldiers, as well as his ideas about taxation and the military organization of the Morea. Believing that the soldiers should be granted complete tax exemption, Gemistos is critical of the imposition of a levy on the booty seized by the Moreot army.

Kantakuzenos and Pseudo-Kodinos are the only authors of the period who specify that the spoils should be divided into fifths. However, they do not mention when this custom was established. To answer this question, it is necessary to compare their testimonies to the evidence provided by sources from earlier periods. The Byzantine legal texts and collections of secular law including the *Hexabiblos* – which

²⁹ I. BELDICEANU-STEINHERR, En marge d’un acte concernant le penğyek et les aqinđi. *Revue des Études Islamiques* 38 (1969) 39–41; C. KAFARDAR, Between two worlds. The Construction of the Ottoman State. Los Angeles 1995, 142.

³⁰ Pseudo-Kodinos 250 (VERPEAUX).

³¹ Theodore Palaiologos 76–77 (ed. Christine KNOWLES, Les enseignements de Théodore Paléologue [*Texts and Dissertations* 19]. London 1983).

³² S. LAMPROS, Παλαιολόγεια και Πελοποννησιακά. Athens 1912–1930, III 310.

³³ LAMPROS, Παλαιολόγεια και Πελοποννησιακά III 251–252.

was compiled by Constantine Harmenopoulos in 1345 but consisted mostly of excerpts of the tenth-century *Basilika*, themselves a digest of Justinianic law – unanimously state that one sixth of the booty collected in war should be given to the state (*demosion*). The rest of the loot should be equally divided among the officers and the soldiers.³⁴

Although they emphasize the importance of the orderly and fair distribution of spoils, the military treatises of the early and middle Byzantine periods do not generally provide any details about the division of booty. The only exceptions are the *Sylloge Tacticorum*, which was compiled in the first half of the tenth century, and the *Tactica* attributed to the emperor Leo VI (886–912).³⁵ Being influenced by older military manuals and law codes, the author of the *Sylloge Tacticorum* states that one sixth of the booty was given to the state and the rest was shared equally among the soldiers and their officers. He also reports that in the past the state received one tenth of the booty.³⁶ The testimony of the *Tactica* of Leo, a work which was compiled at the end of the ninth or early in the tenth century differs from the *Sylloge Tacticorum* and the collections of secular law. According to this treatise, the commander of the army should divide the booty according to the imperial laws, so one fifth of what the army captures should be given to the state (*demosion*) and the rest equally shared among the officers and the common soldiers.³⁷

Consequently, it is clear that Pseudo-Kodinos and Kantakuzenos, who specifies that he refers to an old custom, describe a practice which was in effect when the *Tactica* were compiled. The lack of sources prevents us from reaching any conclusion about what led to the increase in the share of the state. It is worth noting that the *Tactica* include numerous references to the conflict between the Byzantines and the Arabs and Islamic tradition specifies that one fifth of the booty seized in war should be reserved for the state.³⁸

Does this mean that the demand of the state for one fifth of the booty shows an Arab-Islamic influence?³⁹ Probably, yes. The possibility of an Islamic influence is supported by the argument that the imposition of a one-fifth tax on the booty which the Christian municipalities captured during the conflict between the Christians and the Muslims in Spain was a tax derived from the Muslim practice of allocating one fifth of the booty to the state.⁴⁰ Moreover, this would not have been the only Islamic influence on Byzantine warfare during the ninth and tenth centuries. The emperor Nikephoros II Phokas (963–969) had suggested that all soldiers who fell in battle should be proclaimed martyrs. However, this proposal was rejected by the patriarch.⁴¹

³⁴ I. ZEPOS, *Jus Graecoromanum, I–VIII*. Athens 1931 (Reprint Aalen 1962), II 88 (*Leges militares*), II 227 (*Procheiros nomos*), VI 213 (*Eisanagoge aucta*), VI 291 (*Ecloga ad procheiron mutata*), VII 312 (*Procheiron auctum*). DAIN, *partage du butin* 351. On the dating of the *Hexabiblos* see M.T. FÖGEN, *Die Scholien zur Hexabiblos im Codex vetustissimus Vaticanus Ottobonianus*. *FM* 4 (1981) 268–275.

³⁵ For the dating of *Sylloge Tacticorum* see A. DAIN, *Les stratégistes Byzantins*. *TM* 2 (1967) 357–358; McGEER, *Sowing the Dragon's Teeth* 184; DAGRON – MIHAESCU, *Le traité sur la Guérilla* 154.

³⁶ *Sylloge Tacticorum* 99 (DAIN); DAIN, *Les stratégistes Byzantins* 351; IDEM, *partage du butin* 349–351.

³⁷ *Tactica* XX 192 (*PG* 107).

³⁸ For the references to Islam in the *Tactica* see G. DAGRON, *Byzance et le modèle islamique au Xe siècle, à propos des Constitutions tactiques de l'empereur Léon VI*, in: *Comptes rendus des séances de l'Académie des Inscriptions et Belles-Lettres*. Paris 1983, 219–243. For the division of the spoils of war according to the Islamic tradition see M. KHADDOURI, *War and Peace in the Laws of Islam*. Baltimore 1955, 120–123; N. CALDER, *Khums in Imami Shi'i Jurisprudence, from the tenth to the Sixteenth Century A.D.* *Bulletin of the School of Oriental and African Studies* 45 (1982) 39–47; A. SACHEDINA, *Al-Khums: The Fifth in the Imami Shi'i Legal System*. *Journal of Near Eastern Studies* 39 (1980) 276–277.

³⁹ For the warfare between the Arabs and the Byzantines see J. HALDON – H. KENNEDY, *The Arab-Byzantine Frontier in the Eighth and Ninth Centuries: Military organisation and society in the borderlands*. *ZRVI* 19 (1980) 79–116; McGEER, *Sowing the Dragon's Teeth* 225–248.

⁴⁰ J.F. POWERS, *A Society Organized for War. The Iberian Municipal Militias in the Central Middle Ages 1000–1284*. Berkeley 1988, 163.

⁴¹ For Nikephoros II's proposal and for a discussion of the related sources see A. KOLIA-DERMITZAKI, *Ὁ Βυζαντινός Ἱερός Πόλεμος* (*Historical Monographs* 10). Athens 1991, 137.

It should be noted that the limited available sources indicate that there were occasions when the distribution of spoils was left to the judgment of the emperor or of the general leading the campaign. In 1017, after his victory over the Bulgarians at Pelagonia, Basil II (976–1025) kept one third of the booty for himself and gave one third to the Rus mercenaries and one third to the rest of the army.⁴² However, the lack of sources prevents us from knowing how often the Byzantine generals did not impose the division of the booty into fifths.

Unlike the earlier sources, which state that the soldiers and the officers received equal shares⁴³, Kantakuzenos and Pseudo-Kodinos relate that the *megas domestikos* received one fifth of the booty because he was the head of the army. Moreover, according to Pseudo-Kodinos, the unit commanders should receive a larger share than their soldiers. It is logical to conclude that the right of the *megas domestikos* to receive one fifth of the booty was established after 1204, when the Byzantine rulers started appointing a single *megas domestikos* who combined the authorities of the *megaloi domestikoi* of the east and the west. That he received a larger share than his subordinates shows the prestigious position of the *megas domestikos* in late Byzantine court hierarchy and his important role in the late Byzantine military administration, a development which is reflected in the *prostagma* which Michael VIII (1259–1282) issued in 1272 in order to define Andonikos II's role as co-emperor, and in the treatise of the Pseudo-Kodinos. For instance, both sources state that the *megas domestikos* holds the imperial sword during court ceremonies and stands next to the emperor.⁴⁴ That the division commanders received a larger share than their soldiers can be seen as a result of the dwindling resources of the Byzantine state.

Another custom regarding the capture and distribution of booty mentioned by the sources is that the armies of the Christian Orthodox powers were prohibited from enslaving the defeated soldiers and civilians of a co-religious enemy. Describing a large-scale raid of Andronikos III on Bulgaria in 1322, Kantakuzenos reports that the emperor plundered the land for thirty days and seized livestock and other property. However, he did not capture any prisoners because it was customary for the Romans and the Bulgarians not to enslave each other.⁴⁵ Similarly, in the account of the battle of Velbužd, which was fought in 1330, he relates that the victorious Serbian army under the command of Stefan Dečanski stripped the defeated Bulgarian soldiers of the army of Michael Šišman of their weapons and released them because they were from the same race (*omophyloi*).⁴⁶ Kantakuzenos adds that when Andronikos III campaigned against the Albanians in Epiros in 1338, the Byzantine army captured a huge number of oxen, horses and sheep. However, unlike their 2,000 Turkish allies sent by Umur Pascha, the ruler of Aydin, the Roman soldiers did not enslave the Albanians because, as Kantakuzenos writes, they were not permitted to do so unless the enemy were barbarians who did not believe in Jesus Christ.⁴⁷ Kantakuzenos is confirmed by the fifteenth-century historian Dukas, who observes that it was an old custom neither to kill nor to enslave prisoners of the same religious faith. Instead, after having their equipment and supplies taken away, the soldiers of the defeated army were released.⁴⁸

However, neither Kantakuzenos nor Dukas specify whether this rule applied to non-Orthodox Christian mercenaries employed by an Orthodox power. For instance, a substantial part of the Serbian army which fought in the battle of Velbužd was made up of German mercenaries. Furthermore, unlike the

⁴² Skylitzes 355 (ed. I. THURN, Ioannis Scylitzae Synopsis Historiarum [CFHB 5]. Berlin – New York 1983). P.M. STRÄSSLE, Krieg und Kriegführung in Byzanz. Die Kriege Kaiser Basileios' II. gegen die Bulgaren (976–1019). Köln – Weimar – Wien 2006, 333, 406.

⁴³ ZEPOS II, 88 (Leges militares), 227 (Procheiros nomos), VI, 47 (Ecloga privata aucta), 213 (Eisanagoge aucta), 291 (Ecloga ad Procheiron mutata), VII, 312 (Procheiron auctum).

⁴⁴ A. HEISENBERG, Aus der Geschichte und Literatur der Palaiologenzeit (*Sitzungsberichte Bayer. Akad. Wiss., philosophisch-philologische und historische Klasse, Jahrgang 1920*). München 1920) 1–144, here 37–41 (reprint in IDEM, Quellen und Studien zur spätbyzantinischen Geschichte. London 1973, I); Pseudo-Kodinos 168, 248 (VERPEAUX).

⁴⁵ Kantakuzenos I 35 (I 170–171 SCHOPEN).

⁴⁶ Kantakuzenos II 21 (I 429–430 SCHOPEN).

⁴⁷ Kantakuzenos II 32 (I 497 SCHOPEN).

⁴⁸ Dukas VIII 3, XVI 7 (ed. V. GRECU, Istoria Turco-Bizantină [1341–1462]. București 1958, 57, 99).

western European practice, according to which Christian captives were ransomed, Kantakuzenos and Dukas seem to imply that the soldiers of co-religious enemies were released immediately after the end of the battle without having to pay any ransom.⁴⁹

When the custom arose of not capturing the soldiers of a co-religious enemy is unknown. It is worth noting that the main source for the history of the so-called empire of Nicaea, George Akropolites, writes nothing about it. Instead, his account provides evidence which contradicts the reports of Kantakuzenos and Dukas. Akropolites relates that in 1255, during his campaign against the Bulgarians, Theodore II (1254–1258) seized a significant amount of booty and many prisoners, including men, women and infants.⁵⁰ In 1257, in a battle against the Epirots, Michael Palaiologos captured Theodore Angelos, the bastard son of Michael II Angelos, ruler of the despotate of Epiros. According to Akropolites, Theodore pleaded with Michael Palaiologos to spare his life. However, being unable to identify him, Michael Palaiologos handed him over to a Turk who killed him.⁵¹

The division of booty into fifths and the treatment of prisoners are the only aspects of the distribution of spoils discussed by the sources. Consequently, important questions remain unanswered. Although the late Byzantine generals, like their predecessors in earlier periods, preferred to encounter enemy raiders laden with booty or dispersed and disorganized in search of it, nothing is known about the fate of booty which was recovered from the enemy.⁵² Rarely do the sources mention whether after a successful attack against enemy raiders any booty was recovered and they never specify whether any part of it was returned to the victims of the enemy incursions. For instance, Kantakuzenos relates that in 1322, after successfully ambushing a Bulgarian raiding force, Andronikos III recovered the booty which the Bulgarians had seized.⁵³ Describing an attack of the same emperor against a Turkish raiding force in 1337, Gregoras also states that the army recovered the enemy's store of spoils. However, neither Kantakuzenos nor Gregoras specify whether the recovered booty was shared among the soldiers or returned to its original owners.⁵⁴ It is unknown whether in late Byzantium an owner whose property had been pillaged had the right to ask for the return of goods once they were recovered from the enemy.

Nonetheless, two examples indicate that the return of recovered booty was a complicated issue and that, even if there was a law requiring the return of loot to its original owners, it was difficult to enforce. In 1309, the Turkish allies of the Catalan Grand Company decided to return to Asia Minor, breaking company with the Catalans. They struck a deal with the Byzantine government and promised to leave the Byzantine territories in peace, if they were allowed to cross the Hellespont. Gregoras writes that the soldiers sent by Andronikos II to make sure that the Turks would cross Hellespontos peacefully, either out of mercy to the Romans who had suffered as a result of the Turkish raids, or because they were tempted by the large amount of booty being carried away by the Turks, decided not to allow them to cross the Hellespont and attacked them. Gregoras comments that when the Turks retreated to a fort. Andronikos II's son and co-emperor, Michael IX, besieged them (1310 or 1311), leading a force made up of a rural mob which was interested only in looting.⁵⁵ Therefore, there was no intention of returning the booty to its previous owners. Kantakuzenos shows that the return of spoils could cause undesirable conflicts. He relates, that wishing to prevent further clashes as a result of the civil war of 1321–1328, since many would try to get back what had been taken away from them in the fighting, Andronikos III

⁴⁹ For the treatment of Christian prisoners in western Europe see KEEN, *The Laws of War* 137.

⁵⁰ Akropolites 56 (I 113 HEISENBERG).

⁵¹ Akropolites 71 (I 148 HEISENBERG). D.M. NICOL, *The Despotate of Epiros*. Oxford 1957, 163–164.

⁵² For examples of the late Byzantine commanders' preferring to encounter their enemies either laden with booty or dispersed in search of spoils see Kantakuzenos I 39, II 21, II 34 (I 188, 431, 505–506 SCHOPEN); Gregoras XI 4 (edd. L. SCHOPEN – I. BEKKER, *Nicephori Gregorae Byzantina historia, I–III [CSHB]*. Bonn 1829–1855, I 540–541).

⁵³ Kantakuzenos I 35 (I 170 SCHOPEN).

⁵⁴ Gregoras XI 4 (I 538 SCHOPEN).

⁵⁵ Gregoras VII 8 (I 254–256 SCHOPEN). A.E. LAIOU, *Constantinople and the Latins. The Foreign Policy of Andronicus II, 1282–1328*. Cambridge, Mass. 1972, 232.

ordered that no claim should be made for the return of movable properties; only unmovable properties should be given back to their previous owners.⁵⁶ This is the only surviving reference among late Byzantine writings to a distinction between movable booty and otherwise.

Furthermore, the sources do not confirm whether the custom of rewarding soldiers who distinguished themselves on the battlefield with a larger share of spoils was in effect in the late Byzantine period. According to the evidence from early and middle Byzantine legal texts, soldiers and officers who fought gallantly on the battlefield should be rewarded from the spoils which were part the share of the state. Similarly, the military manuals advise the generals to reward not only soldiers, but also entire units, for fighting bravely with items taken from the enemy, such as weapons and warhorses.⁵⁷ The late Byzantine sources do not provide any similar information. However, there are indications that the custom of rewarding distinguished soldiers continued after 1204. Pachymeres praises the despot John Palaiologos, for looking after his soldiers in the manner of a brother and not of a despot, for being generous towards them and for offering them gifts.⁵⁸ In another example, praising the general Philes Palaiologos, who defeated a Turkish force in Thrace in 1312/13, Gregoras writes that before the battle he promised his troops gifts according to the performance of each individual soldier.⁵⁹ It cannot be assumed that items captured as booty were not included in the gifts mentioned by Pachymeres and Gregoras.

Another question related to the distribution of booty about which the sources say rather little, is the agreements between the Byzantine state and the mercenaries which it employed. The late Byzantine government hired a significant number of large groups of mercenaries, the most famous being the Catalan Grand Company in 1302⁶⁰. In western Europe in the thirteenth and fourteenth-century and particularly in Italy, where the Catalan Grand Company was formed and fought before coming to Byzantium, companies of soldiers could keep various amounts of booty, depending on the agreement between the company and the contracting state.⁶¹ There are no surviving agreements between the Byzantine state and its mercenary troops. Nevertheless, it is likely that there was an agreement between Byzantium and the Catalan Company over the distribution of booty. Ramon Muntaner states that, after their first victory over the Turks in Asia Minor, the Catalans handed most of the booty they gained to the emperor.⁶² Later, the sharing of spoils became one of the causes of the conflict between the Byzantines and the Catalans. Pachymeres relates that when Andronikos II accused them of neglecting their duty and of raiding Byzantine possessions, the Catalans replied that they would be happy to reach an agreement with the emperor provided that he would pay them their arrears, would allow them to buy horses at a fair price, and give them the right to keep the booty which they captured.⁶³

The testimonies of both Muntaner and Pachymeres should be treated cautiously. Muntaner wanted to prove the loyalty of the Catalans to the emperor, whom they held responsible for the conflict between the Catalan Company and the Byzantine state. Therefore, he pointed out that most of the booty which the Catalans had captured had been sent to the emperor. Conversely, Pachymeres had opposed the employment of the Catalans. His statement that they asked to keep all the booty they seized concurs with his negative image of them, presenting the soldiers of the Catalan Company as greedy and rapacious mercenaries. Consequently, we cannot know in any detail about the agreement between Byzantium and the Catalan Grand Company with regard to the division of booty.

⁵⁶ Kantakuzenos II 1 (I 312 SCHOPEN).

⁵⁷ *Tactica* XVI 4–7 (PG 107); *Sylloge Tacticorum* 98 (DAIN).

⁵⁸ Pachymeres III 21 (I 285–287 FAILLER).

⁵⁹ Gregoras VII 10 (I 265 SCHOPEN). *PLP* XII 29815.

⁶⁰ LAIOU, Constantinople and the Latins 127–147.

⁶¹ D. WALEY, Condotta and Condottieri in the Thirteenth Century. *Proceedings of the British Academy* 61 (1975) 337–371; KEEN, *Laws of war* 146.

⁶² Muntaner II 423 (ed. V.J. ESCARTÍ, *Crònica*. Valencia 1999).

⁶³ Pachymeres XIII 2 (IV 625 FAILLER).

Another example illustrating the important role of booty in the employment and motivation of mercenaries is the desertion of the Turkish mercenaries who were in the service of Byzantium in the Peloponnese. In 1263, complaining that they had not received their salaries for six months the Turkish mercenaries deserted the Byzantine army.⁶⁴ Shortly afterwards, they were hired by the Latin principality and it was agreed that they would keep for themselves all the booty that they captured.⁶⁵ This demonstrates that booty was an important part of the payment of the Turkish mercenaries, whether they served the Latins or the Byzantines.

It seems also that booty comprised most of, if not all, the payment of the Turkish allies and mercenaries employed by the Byzantines in the 1330s and by both sides involved in the civil war of 1341–1347. It is doubtful whether during the 1340s the Byzantines were able to force their Turkish mercenaries and allies to hand over any part of their booty to the authorities. The Turkish soldiers of Aydin, who helped the Byzantines to suppress the rebellion of the Albanians in Epiros in 1338, did not hand over any part of the booty thus gained to the emperor. In addition, they were allowed to capture Christian prisoners, something the Byzantine soldiers were not allowed to do.⁶⁶ In 1344, after capturing Christupolis, Kantakuzenos paid his mercenaries from the booty which was seized there.⁶⁷ In 1346, Kantakuzenos released his Turkish mercenaries. Believing they had not earned enough, the Turks raided Bulgaria.

Kantakuzenos denies that the booty collected as a result of this raid was part of the agreement for the payment of his Turkish mercenaries. He argues that he could not control them because of their large number.⁶⁸ While he is right to say that he could not control his Turkish mercenaries, this does not mean that their payment was not made up of the booty they captured nor that he did not encourage them to raid Bulgaria. By denying the accusation that he incited the Turks to attack Bulgaria, Kantakuzenos wants to allay any suspicion that his policies supported the Turkish expansion in Europe and that, despite being the ruler of the Christian Roman empire, he stirred up the Turks to attack a Christian kingdom. In consequence, it seems that, as in western Europe, in Byzantium more often than not the distribution of booty between the state and large pre-organized groups of soldiers was decided through agreements. The state was willing to reduce its share to secure the services of professional soldiers. Moreover, for a state such as the late Byzantine empire, which had limited financial resources, allowing the mercenaries to keep for themselves all the booty they had taken was a convenient way to pay and motivate them.

The sources show that booty was not only an important means of maintaining and motivating campaigning armies but also that it also had a significant impact on the military policies of the Byzantine state. The decision of the Nicaean rulers to exempt the frontier soldiers in Asia Minor from any levy on their booty demonstrates the importance of booty in the continuous frontier warfare between the Nicaeans and the Turkoman tribes. The *History* of George Pachymeres is the main source of the Nicaean policy with regard to the Asia Minor frontier. He comments that one of the main reasons why the eastern frontier was well protected during the Nicaean period was the establishment of frontier guards who were granted numerous privileges and incentives not to abandon their lands. As Pachymeres writes, ‘not to ignore those living towards the mountains, who were ready to migrate, if the enemy would attack anywhere, since they [*scil.* the emperors] did not have anything to persuade them to remain, if this thing would happen [*scil.* enemy attack], and resist the enemy with bravery and courage, they granted tax exemptions to all, and *pronoiai* to the most notable, and those with a more daring spirit were granted imperial letters. In time, they increased their properties and accumulated much wealth. The more they had in abundance of the necessities of life, the more courageous they grew against the enemies and they

⁶⁴ Chronicle of the Morea 5099–5100 (SCHMITT); Marino Sanudo 127 (ed. E. ΠΑΠΑΔΟΠΟΥΛΟΥ, Μαρίνος Σανούδος Τορσέλο. Ιστορία της Ρωμανίας. Athens 2000). A. BON, La Morée franque. Recherches historiques, topographiques et archéologiques sur la principauté d’Achaïe (1205–1430). Paris 1969, 129–132.

⁶⁵ Chronicle of the Morea 5674 (SCHMITT).

⁶⁶ Kantakuzenos II 32 (I 498 SCHOPEN).

⁶⁷ Kantakuzenos III 70 (II 425–426 SCHOPEN).

⁶⁸ Kantakuzenos III 96 (II 594–595 SCHOPEN).

enjoyed many of the goods of those on the other side of the frontier by laying ambushes at night and by daily ravaging the land of the enemy, gathering much booty; because of these, it happened that their attacks against the enemy helped those living in the interior and hoping to live comfortably in their lands and occupy themselves with their domestic affairs, ... and the people of the frontier enjoyed not only exemptions and *pronoiai* but also received daily proofs of friendship from the emperors and everything indicated their wealth; and because of this, they became more ardent guards and invaded and confronted those who ravage our lands with greater bravery.”⁶⁹

In this passage, which is reminiscent of the military treatises of the earlier epochs of Byzantine history, Pachymeres emphasizes the importance of booty and fiscal exemption in the maintenance and motivation of the frontier soldiers.⁷⁰ He comments that by continuously raiding the enemy possessions, the frontier troops enriched themselves.

Moreover, explaining the decline of the defence of Asia Minor during the reign of Michael VIII, Pachymeres argues that one of the most important reasons that led to the weakening of the Byzantine defence in Asia Minor, was the greed of local Byzantine commanders who kept the lion’s share of the loot for themselves. This prompted many locals to join the enemy, hoping to earn more through plunder.⁷¹ Consequently, the right to keep all their spoils was probably the most important of the exemptions granted to the Nicaean frontier guards. Either Michael VIII abolished this privilege or local generals after 1259 abused their authority without the emperor’s knowledge.

We need to be cautious of Pachymeres’ account of the military policies of the Nicaean rulers. Being critical of the fiscal policies of Michael VIII and Andronikos II, Pachymeres idealized the Nicaean past.⁷² Nevertheless, his account of the importance of booty in the conflict between the Byzantines and the Turks in Asia Minor is reliable. It is logical to conclude that, by exempting them from any tax on the booty, the Nicaean rulers prevented the frontier soldiers from migrating as a result of the constant frontier warfare. Moreover, this measure can be seen as a response to the fact that, during the Nicaean period, the Turkoman chiefdoms had not established any form of central authority could have enforced the payment of a levy on the booty captured by their soldiers. Nor could the Seljuks of Rum impose their authority over the Turkomans. The complete exemption from any tax on the captured booty was aimed at providing the Byzantine soldiers in Asia Minor with incentives not to abandon their lands and at preventing them from joining the enemy tempted at the prospect of larger gains through booty.

Thirteenth and early fourteenth-century Byzantine sources present booty as the main aim of the Turkoman raids on Byzantine soil. Describing the flight of Michael Palaiologos to the Turks in 1256, Akropolites writes about the Turkomans: ‘This is a people who occupy the furthest boundaries of the Persians and feel implacable hatred for the Romans, delight in plundering them, and rejoice in booty from wars.’ Previously, describing Theodore II’s accession to the throne in 1254, Akropolites reports that the emperor was in Philadelphieia, which was ‘a great and populous city with inhabitants capable of bearing arms and who are especially trained in archery. Since the city is situated on the Persian boundary it causes them always to be fighting with the enemy and makes them familiar with war.’⁷³ Akropolites is pointing to booty as the principal aim of the Turkoman incursions and he confirms Pachymeres’ description of the continuous frontier warfare in Asia Minor. In addition, Pachymeres relates that the

⁶⁹ Pachymeres I 4 (I 29–31 FAILLER).

⁷⁰ Pachymeres’ description of the Nicaean frontier policy is similar to the advice given by the tenth-century treatise *Skirmishing*, the author of which writes about the frontier troops, ‘what arouses their enthusiasm, increases their courage and incites them to dare what nobody else would dare is the fact that their households and those of the soldiers serving them and everyone about them possess complete freedom. From antiquity, this has provided them with security.’ Similarly, the sixth-century treatise *On Strategy* comments ‘the guards in outposts, should have their wives and children with them and possess more property than the other common soldiers. They should get most of their sleep during the day and less at night’: DENNIS, *Treatises* 216 and 24.

⁷¹ Pachymeres I 6 (I 35 FAILLER).

⁷² D. ANGELOV, *Imperial Ideology and Political Thought in Byzantium 1204–1330*. Cambridge 2007, 276–279.

⁷³ Akropolites 65 (I 136 HEISENBERG).

Turkomans settled in mountainous areas on the Byzantine Seljuk frontier and found it profitable to live like brigands and rob and plunder their neighbours.⁷⁴

Consequently, from the Byzantine point of view, booty was the most important, if not the exclusive, reward and means of remuneration of the Turkoman soldiers during the second half of the thirteenth century. It is only in the fifteenth century that the Byzantine historians Dukas and Chalkokondyles state that the Ottoman sultan received one fifth of the booty seized by his troops.⁷⁵ They describe the realities of fifteenth-century Ottoman warfare, when the sultans took steps to force the frontier lords and their troops to pay them the *pençik*, which was the one fifth of the booty captured in war.⁷⁶

In another example showing the importance of booty in the context of late thirteenth-century Byzantine warfare, Pachymeres attributes the initial success of the campaign of the *pinkernes* Alexios Philanthropenos in Asia Minor in 1295 to his generosity towards his troops and enemies alike, and to the fact that he not only allowed the soldiers to keep all the booty they captured for themselves, but he also added to their gains from his own pocket.⁷⁷ Gregoras adds that this was the best means to achieve victories and trophies.⁷⁸ Philanthropenos had under his command the Byzantine forces of Asia Minor, the Cretan mercenaries, who were established in Asia Minor in the early 1290s, together with a significant number of Turkish soldiers.

It is likely that the reason why Philanthropenos did not claim the share of the state was his awareness of the importance of booty in the context of the conflict between the Byzantines and the Turkomans in Asia Minor, and the probability that the enemy soldiers did not pay any levy on the booty they seized. Consequently, by not demanding the state's share Philanthropenos not only boosted the morale and motivation of his troops, but he also provided them with an incentive to remain loyal to the Byzantine throne. This example indicates that, although the division of spoils was regulated by legal texts and customs, there were cases when the distribution of booty was left to the judgment of the commander. However, as is the case in earlier epochs, the lack of sources prevents us from understanding how often the heads of the military campaigns used their own judgment in arranging the division of booty, without following any established laws or customs.

Allowing generals to divide the spoils according to their own judgment entailed the danger of transforming the imperial armies into the private retinues of ambitious and successful commanders. The situation in this case was simply that, by allowing his troops to keep the booty they captured, Philanthropenos wished to secure their unquestioning support in his subsequent revolt. When in the 1310s Syrgiannes was governor of the western provinces of the empire, he won the support of his soldiers, who would have rather have died for him than lived without him, by not claiming for himself any share of the booty they captured in battle.⁷⁹ It is doubtful that in the 1310s Syrgiannes had plans to revolt. Gregoras' report seems to be influenced by the events of the 1330s, when having established his base in the western parts of the empire, Syrgiannes did indeed revolt against Andronikos III. Nevertheless, the account of Gregoras and the attitude of Philanthropenos demonstrate that prominent generals who revolted against the throne could gain the support of their troops by granting them exemption from paying any levy on the booty they had captured.

The context and strategic aims of a military campaign could also lead the Byzantine military leadership not to demand its share of the booty. According to Kantakuzenos, in the victorious campaign of Andronikos III in Epiros in 1338, the soldiers captured so much livestock and equipment that they could not carry it all and abandoned much of it. Kantakuzenos observes that the local population was not pre-

⁷⁴ Pachymeres I 6 (I 33 FAILLER).

⁷⁵ Dukas XXIII 8 (177 GRECU); Chalkokondyles 440 (ed. I. BEKKER, *Laonici Chalcocondylae Atheniensis Historiarum libri decem* [CSHB]. Bonn 1843).

⁷⁶ See BELDICEANU-STEINHERR, *En marge d'un acte concernant le pençyek* 21–47.

⁷⁷ Pachymeres IX 9 (III 239 FAILLER). *PLP* XII 29752.

⁷⁸ Gregoras VI 8 (I 196 SCHOPEN).

⁷⁹ Gregoras VIII 4 (I 297 SCHOPEN). *PLP* XI 27167.

vented from collecting part of the booty, the soldiers sold much of what they had seized and the authorities did not enforce the payment of the shares of the emperor and of the *megas domestikos*.⁸⁰ The author gives the impression that the customary pattern of distributing spoils was not followed because the huge amount of booty made it difficult for the authorities to collect and record it. Moreover, it is likely that Andronikos III did not demand the payment of his share in an attempt to win the support of the local Epirots.

By pointing out the magnitude of the booty and that the payment of the fifths was not enforced, Kantakuzenos wished to emphasize the success of the operation and to promote his own and Andronikos III's military profile. In addition, the decision of the emperor to allow his troops to keep the booty they seized for themselves is related to the fact that, unlike the soldiers of Umur, the Byzantine troops were not allowed to capture and sell prisoners. Certainly the Turks of Aydin did not give any share of their booty to the Byzantine emperor. We may conclude that Andronikos III allowed his soldiers to keep all their loot in order to prevent them from expressing any form of dissatisfaction with making less profit than their Turkish allies.

The proceeding discussion shows that the late Byzantine military leadership was very aware of the importance of booty in the maintenance and motivation of its fighting forces. That the state claimed part of the booty seized by its soldiers shows that spoils were also a significant source of income for the state. In some cases the Byzantine political and military leadership did not enforce the payment of the state's share. This is neither a sign of weakness on the part of the central government, nor evidence that the Byzantine army was composed of undisciplined groups of soldiers. Instead, political expediency and the need to adjust to the demands of individual conflicts and campaigns, such as the frontier warfare between the Byzantines and the Turks in Asia Minor, and the campaign of Andronikos III in Epiros in 1338, led the Byzantine leaders not to impose any levy on the booty gained by their soldiers. This flexibility illustrates the degree to which the Byzantines were aware of the importance of booty to the effectiveness of the army and used booty as a tool to achieve their military aims. In addition, it seems that ambitious individual generals could use booty as a means to gain the support of their troops in plotting against the throne.

Indeed, when the Byzantine authorities failed to appreciate the importance of booty in warfare the results were disastrous. This is implied by Pachymeres, who states that by keeping most of the booty for themselves, the local commanders of Asia Minor caused a large number of their soldiers to join the enemy, facilitating the expansion of the Turkomans. In 1263, disputes over payment and booty seem to have played a significant role in the desertion of the Turkish mercenaries in the Peloponnese, who eventually reinforced the enemy forces.

⁸⁰ Kantakuzenos II 32 (I 498 SCHOPEN).

