

stepdaughter of the emperor Maximian. Four years later Constantius was adopted by Maximian and made his caesar. The two men, together with Diocletian and his caesar, Galerius, formed the tetrarchy.



Constantius I Chlorus, marble bust; in the Capitoline Museum, Rome
Altman—Art Resource

Constantius was assigned to rule Gaul and ordered to subdue Marcus Aurelius Carausius, a usurper in Britain. In 293 he captured Carausius' mainland base, Gesoriacum (modern Boulogne, Fr.). Three years later he invaded Britain and defeated and killed Allectus, who had murdered Carausius and succeeded him in power. Constantius then set about restoring frontier defenses. He took strong measures to eliminate Frankish and Saxon piracy, and in 298 he triumphed over the Alemanni in Gaul. His enforcement of Diocletian's edicts (303) against the Christians was deliberately lax; he demolished some churches but did not execute believers. When Diocletian and Maximian abdicated on May 1, 305, Constantius became the senior emperor in the West. He died the following year, and his troops proclaimed Constantine emperor.

• **Constantius II**, original name FLAVIUS JULIUS CONSTANTIUS (b. Aug. 7, 317, Sirmium, Savia [now Sremska Mitrovica, Yugoslavia]—d. Nov. 3, 361, Mopsucrinae, Honorias [now in Turkey]), Roman emperor from 337 to 361, who at first shared power with his two brothers, Constantine II (d. 340) and Constans I (d. 350), but who was sole ruler from 353 to 361.

The third son of Constantine I the Great and Fausta, Constantius served under his father as caesar from 323 to 337. When Constantine died on May 22, 337, the troops massacred many of his relatives, allegedly at Constantius' instigation. Constantius then divided the empire with his brothers, taking the eastern provinces (Thrace, Macedonia, Greece, Asia, and Egypt) for himself. Between 338 and 350 he was engaged in inconclusive but extremely bloody warfare with the Persian king Shapur II.

In 350 Constantius returned to Europe to confront two usurpers. Vetrico, commander of the Danube forces, had taken power in Illyricum (now western Yugoslavia); the rest of Europe was seized by the barbarian officer Magnentius, who in 350 executed Constans, the ruler in the West. At Naissus (modern Niš, Yugoslavia), Constantius persuaded Vetrico to abdicate, and in 351 he crushed Magnentius at Mursa (modern Osijek, Yugoslavia). During this struggle Constantius appointed his cousin, Gallus Caesar, administrator of the East. But Caesar proved to be a despotic ruler, and in 354 Constantius recalled him and had him executed. After campaigning against the Sarma-

tian, Suebi, and Quadi tribes on the Danube in 357-358, Constantius returned east to fight Shapur, who had renewed his attacks on the eastern frontier (359). In 361 Constantius was recalled to the West by the revolt of Julian, his caesar in Gaul, but became ill on the way and died.

As an advocate of Arian Christianity, Constantius passed laws against paganism and exiled many Roman Catholic bishops. He drove the influential anti-Arian bishop of Alexandria, Athanasius, into hiding in 356.

• **Constantius III** (b. Dalmatia [now in Croatia]—d. Sept. 2, 421, Ravenna [Italy]), Roman emperor in 421.

Constantius came from Naissus (modern Niš, Yugoslavia) in the province of Moesia. In 411, as *magister militum* ("master of the soldiers") under the western Roman emperor Flavius Honorius (reigned 393-423), Constantius helped to overthrow the usurping emperor Constantine (Flavius Claudius Constantinus) at Arelate (modern Arles, France). He drove the Visigoths from southern Gaul into Spain in 415 but later recalled the tribe and settled it in southwestern Gaul. In 417 he married the emperor's half sister Galla Placidia. Appointed coemperor of the West by Honorius, with the title *augustus*, on Feb. 8, 421, Constantius died without having been recognized by the eastern emperor, Theodosius II. Constantius' son by Placidia ruled the West as the emperor Valentinian III from 425 to 455.

Constantius, Flavius Claudius: see Gallus Caesar.

Constellaria, genus of extinct bryozoans (small colonial animals that produce a skeletal framework of calcium carbonate) especially characteristic of Ordovician marine rocks (505



Constellaria florida, collected from the Maysville Formation, Cincinnati, Ohio
By courtesy of the Buffalo Museum of Science, Buffalo, N.Y.

to 438 million years old). The structure of *Constellaria* is branching and generally flattened front to back with prominent bumps. *Constellaria* sometimes is found in sedimentary rocks or the shells of other animals.

constellation, in astronomy, any of certain groupings of stars that were imagined—at least by those who named them—to form conspicuous configurations of objects or creatures in the sky. Constellations are useful in tracking artificial satellites and in assisting astronomers and navigators to locate certain stars.

From the earliest times the star groups known as constellations, the smaller groups (parts of constellations) known as asterisms, and, also, individual stars have received names connoting some meteorological phenomena or symbolizing religious or mythological beliefs. At one time it was held that the constellation names and myths were of Greek origin; this

view has now been disproved, and an examination of the Hellenic myths associated with the stars and star groups in the light of the records revealed by the deciphering of Euphratean cuneiforms leads to the conclusion that in many, if not all, cases the Greek myth has a Euphratean parallel. It is thus probable that the Greek constellation system and the cognate legends are primarily of Semitic or even pre-Semitic origin and that they came to the Greeks through the Phoenicians. Thales, the earliest Greek astronomer of any note, was of Phoenician descent, and, according to Callimachus, he taught the Greeks many astronomical observations. But his writings are lost, as is also the case with those of Phocis the Samian and the history of astronomy by Eudemos of Rhodes, the pupil of Aristotle; hence, there is a paucity of present-day knowledge of Thales' astronomical learning.

The earliest Greek work that purported to treat the constellations as constellations, of which there is certain knowledge, is the *Phainomena* of Eudoxus of Cnidus. The original is lost, but a versification by Aratus, a poet at the court of Antigonos II Gonatas, king of Macedonia, is extant, as is a commentary by Hipparchus.

Three hundred years after Hipparchus, the Alexandrian astronomer Ptolemy adopted a very similar scheme in his *uranometria*, which appears in the seventh and eighth books of his *Almagest*, the catalog being styled the "accepted version." The names and orientation of the 48 constellations therein adopted are, with but few exceptions, identical with those used at the present time.

The majority of the remaining 40 constellations that are now accepted were added by European astronomers in the 17th and 18th centuries. In the 20th century the delineation of precise boundaries for all the 88 constellations was undertaken by a committee of the International Astronomical Union. By 1930 it was possible to assign any star to a constellation.

constipation, in physiology, delayed passage of waste through the lower portion of the large intestine, with sometimes the ultimate discharge of relatively dry, hardened feces from the anus. Among the causes cited for the disorder are lack of regularity in one's eating habits, spasms of the large intestine, an infectious disease such as typhoid, diseases of the central nervous system, the taking of such drugs as morphine and codeine, the lack of sufficient bulk in one's food, and the excessive use of laxatives. Constipation may also be caused by intestinal obstruction or by weakness of the abdominal muscles. Temporary constipation most often occurs in conjunction with a change or interruption in one's usual activities, as in travel, temporary confinement to bed, or a change in eating or sleeping habits.

Constituent Assembly, Russian *uchreditel'noye sobraniye*, popularly elected body that convened in 1918 in Petrograd (St. Petersburg) to write a constitution and form a government for postrevolutionary Russia. The assembly was dissolved by the Bolshevik government.

The election of the Constituent Assembly was held on Nov. 25, 1917 (November 17, Old Style). The Socialist Revolutionary Party, though only receiving a plurality of the seats (40 percent), won a majority of the seats. The Bolsheviks received a little less than 25 percent of the vote. Other parties won only a small number of delegates.

The Bolsheviks and their allies, the Left Socialist Revolutionaries, argued that this mandate was not valid and that the Soviets (whom they were in control) more accurately reflected the public will.

When the Constituent Assembly convened on Jan. 18, 1918 (January 5, Old Style), it rejected the Bolsheviks' demand that it recon-

nize the authority of the Soviet government. The Bolshevik delegates (and the Left Socialist Revolutionaries as well) walked out. The next day, troops loyal to the Soviet government dispersed representatives of the non-Bolshevik parties, and the government officially dissolved the Assembly.

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constitution, the body of doctrines and practices that form the fundamental organizing principle of a political state. In some states, such as the United States, the constitution is a specific written document; in others, such as the United Kingdom, it is a collection of documents, statutes, and traditional practices that are generally accepted as governing political matters. States that have written constitutions may also have a body of traditional or customary practices that may or may not be considered to be of constitutional standing. Virtually every state claims to have a constitution, but not every government conducts itself in a consistently constitutional manner.

A brief treatment of constitutions follows. For full treatment, see *MACROPAEDIA: Constitution and Constitutional Government; Constitutional Law*.

The idea of a constitution was first elaborated by Aristotle in his classification of governments as monarchies, tyrannies, aristocracies, oligarchies, democracies, and so on. For Aristotle, the best form of government—the best constitution—was that which combined elements of monarchy, aristocracy, and democracy in such a way that the citizens of every class were enabled to enjoy their respective privileges and encouraged to exercise their respective responsibilities in the interest of the whole.

In the Rome of the Stoic philosophers, government was viewed as organized and conducted under the rule of a universal reason and thus as reflecting a kind of universal constitution. This universalism was taken over by medieval Christian thinkers, who held that God's rule over the universe was the type of the justly constituted earthly state, a monarchy.

The modern idea of a constitution began to emerge after the Reformation, particularly in the works of Thomas Hobbes, John Locke, and Jean-Jacques Rousseau, who developed the notion of the social contract. In the social-contract view, a people agree among themselves to give up a portion of the absolute freedom that characterizes the pre-social "state of nature" in return for the security that an acknowledged sovereign government can provide. It was Locke's work particularly, on the division of rights between those assigned to the government and those retained by individuals and on the division of powers within the government, that influenced the late 18th-century authors of the American Declaration of Independence, the U.S. Constitution, and the French Declaration of the Rights of Man and the Citizen.

A constitution, to be worthy of the name, must contain provisions for certain political features: stability, both of form and of procedure; yet, on the other hand, adaptability to the social, economic, technological, and other changes that are inevitable in the life of a state; accountability of those in power to some other organ of the state, such as an electorate; representation of the governed within the government; openness in the conduct of government; and division of power among distinct branches of government. Constitutional government is thus limited government, and it is a chief function of a constitution to serve as the standard of legitimacy by which government may be judged.

In its wider sense, the term constitution

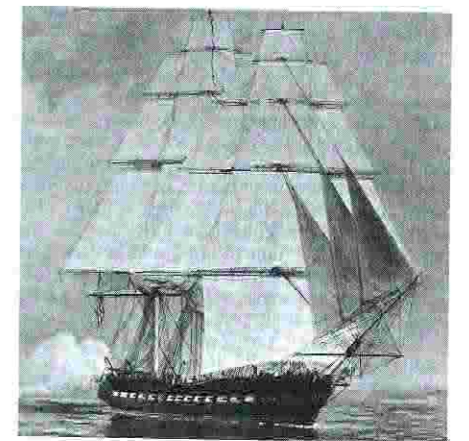
means the whole scheme whereby a country is governed; and this includes much else besides law. The constitutional lawyer must constantly keep glancing backward into constitutional history; he must also keep his eye on current political practice and the day-to-day working of political institutions. In its narrower sense, "constitution" means the leading legal rules, usually collected into some document that comes to be almost venerated as "The Constitution." But no country's constitution can ever be compressed within the compass of one document, and even where the attempt has been made, it is necessary to consider the extralegal rules, customs, and conventions that grow up around the formal document.

Written constitutions. In most Western countries the constitution, using the term in the narrower sense, is a scheme of government that has been deliberately adopted by the people; examples are the Constitution of the United States, drawn up in 1787 and ratified in 1789 and still in essentials unchanged; the constitution of the Weimar Republic or that of the Federal Republic of Germany, brought into force in 1949; and the constitutions that France has had since the Revolution. The constitution in these countries is the basis of public law; it is usually enacted or adopted with special formalities; special processes are devised for its amendment (and sometimes safeguards are inserted to ensure that certain provisions are unalterable); and constitutional law comes to enjoy a special preeminence. In this type of constitution the courts often have a special function—if some act of the legislature exceeds the powers conferred by the constitution, the courts must declare it to be unconstitutional and so null and void. For this reason, appointments to the bench are sometimes matters of more than purely legal interest. Pres. Franklin D. Roosevelt inherited a Supreme Court that was not sympathetic to his views; his subsequent proposal to enlarge the Court (with nominees who favored the New Deal) drew widespread complaints of packing the bench. (It should be noted, however, that the constitutional review of legislation by the U.S. Supreme Court is a prime example of a traditional practice that, while it is of constitutional standing, is not mentioned in the written constitution of the state.) Since World War II the decisions of the constitutional court in the Federal Republic of Germany have been issues of major political importance.

The English constitution. In England there is no one document or fundamental body of law that can be described as a "constitution" in the sense that has been discussed above. The absence of any such document or of any distinction between public and private law has led to the suggestion (perhaps first made by Alexis de Tocqueville) that there is in England no constitution. Certainly the English constitution has no existence apart from the ordinary law; it is indeed part of that very law. Magna Carta, the Petition of Right act, the Habeas Corpus Act, the Bill of Rights, and the Act of Settlement are the leading enactments; but they are in no sense a constitutional code; and, without a host of judicial decisions, scores of other statutes of much less importance, and a mass of custom and convention, these statutes would be unworkable. The sources of English constitutional law are diffuse—statutes, judicial precedent, textbooks, lawbooks, the writings of historians and political theorists, the biographies and autobiographies of statesmen, the columns of every serious newspaper, the volumes of *Hansard*, the minutiae of every type of government record and publication. This is what is meant by saying the English constitution is "unwritten": it is not formally enacted; its rules have to be sought out in a dozen fields, not in any one code. Similarly, it is flexible, and here the contrast is with a rigid constitution. There are no special safeguards

for constitutional rules; constitutional law can be changed, amended, or abolished just like any rule of private law; there is no field in which Parliament is forbidden to legislate; there are no fundamental or unalterable ideologies and no procedures to prescribe delay or extra processes for constitutional change. Thus an act passed through all its stages in both houses and received the royal assent all in one day (May 22, 1940); it is true that the nation was gravely menaced at the time, but the measure, the Emergency Powers (Defense) Act, 1940, required persons to place "themselves, their services and their property at the disposal of His Majesty." Earlier, in December 1936, the Abdication Act had the same rapid passage into law; it is doubtful if the institutions of any written constitution would permit of such far-reaching changes with so little formality and fuss. Moreover, since Parliament is fully sovereign, it is not open to the courts to declare that an act of Parliament is unconstitutional or void; all the courts can do is to interpret acts and enforce them (though it must be added that the process of interpretation can produce results contrary to the purpose of the act). In *Lee v. Bude and Torrington Junction Railway Co.* (1871), a great judge said: "I would observe, as to these Acts of Parliaments, that they are the law of the land, and we do not sit here as a court of appeal from Parliament."

Constitution, byname "OLD IRONSIDES," warship renowned in American history. One of the first frigates built for the U.S. Navy, it was launched in Boston in 1797. Its overall



USS "Constitution" escaping from the British fleet off the coast of New Jersey, July 18, 1812; detail of a painting by F.C. Muller
By courtesy of the U.S. Navy

length was 204 feet (62 metres), displacement 2,200 tons, and gun range 1,200 yards (1,100 metres). The bolts fastening its timbers and copper sheathing on the bottom were made by Paul Revere. Rated as a 44-gun frigate, it ordinarily carried more than 50 guns and a crew of more than 450. Original cost of the vessel exceeded \$300,000, including guns and equipment.

In the successful war against the Tripoli pirates (1801-05), the "Constitution" was Commo. Edward Preble's flagship, and the treaty of peace was signed aboard it. During the War of 1812 it achieved an enduring place in American naval tradition. On Aug. 19, 1812, commanded by Capt. Isaac Hull, it won a brilliant victory over the British frigate "Guerrière." Tradition has it that during this encounter the American sailors, on seeing British shot failing to penetrate the oak sides of their ship, dubbed it "Old Ironsides." Several other victories added to its fame.

When in 1828 it was condemned as unsea-