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PART I



STRUCTURES AND  
IDEOLOGIES OF EMPIRE

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# I: ROMAN QUESTIONS, BYZANTINE ANSWERS

CONTOURS OF THE AGE OF JUSTINIAN

*Michael Maas*



Then appeared the emperor Justinian, entrusted by God with this commission, to watch over the whole Roman Empire and, so far as was possible, to remake it.

– Procopius of Caesarea, *Buildings* 2.6.6, trans. Dewing

## INTRODUCTION

**T**he Age of Justinian stands at a historical milestone, marking a transition from antiquity to the Middle Ages in the Mediterranean world.<sup>1</sup> The period lasted for roughly a century, from the time that the young Justinian came down to Constantinople from his Balkan village around the year 500 to the regime of Phocas that began in 602, when the empire that Justinian had done so much to shape and that had been sustained with great effort by his successors plunged into a period of political instability. Throughout Justinian's era, recently called "the last of the Roman centuries,"<sup>2</sup> the monarchy begun by Augustus Caesar half a millennium earlier remained a going concern – even though it was now ruled from Constantinople, the "New Rome," even though most of its inhabitants spoke Greek rather than Latin, even though the old gods who had guided the empire to world rule were now pushed aside by the worshippers of Christ, and despite the uncomfortable fact that much of its territory in western Europe had been lost. Nevertheless, when the Age of Justinian came to a close on the eve of the Islamic conquests, the Roman Empire was still the strongest, best organized, and most resilient political community in Europe or the

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Near East. It had a sound, even prosperous, economy, and its position in world affairs was relatively solid on all frontiers and commanding in some, so much so that recovery of lost territories again seemed a genuine possibility.<sup>3</sup> Yet somehow, during the century dominated by Justinian (he was sole ruler from 527 to 565, but influential from 518), the Roman Empire subtly changed internally: a new cultural entity that modern historians call Byzantium took shape.<sup>4</sup> Justinian's reign set the terms and, to some extent, the pace of this transformation. It was the chief catalyst in forging the Byzantine alloy, a world in which Christian, Roman, Greek, and many local elements fused to create a new medieval civilization within imperial borders. At the same time, in the lands surrounding the empire from Gaul to Arabia, other realms took distinctive medieval forms as well, influenced in part by Justinian's empire and the waves of change he helped set in motion (Maps 1 and 2).

While the Age of Justinian invites a before-and-after approach, and while scholars quite legitimately debate whether the period was "an end or beginning,"<sup>5</sup> it also requires investigation as a complex period in its own right. In the following chapters, we will find its distinctiveness in the ways Justinian responded to pressing problems inherited with the throne – problems framed by Roman traditions of world rule, theories of law and order, and experience of government. His answers to these Roman problems were generated by his own vision of a divinely supported autocracy. The emperor, of course, did not suspect that he was inaugurating medieval Byzantium. He meant only to distinguish his reign by overhauling an inherited Roman system of governance.<sup>6</sup> He believed that God had made him custodian of an empire that was very old but in disarray; already at the beginning of his reign men at court were positing that the Roman Empire in the west had ended in 476, when Romulus Augustulus, the last emperor in Italy, was deposed.<sup>7</sup> Justinian accordingly intended to restore Rome's venerable glory and give it additional luster as well, as a fully Christian state mirroring the splendors of heaven. These efforts to create a Roman realm unified by a single Christian faith under his authority touched the lives of millions of people, setting the course for imperial policies that long after his death continued to influence Europe and the Near East.

Justinian's record has fascinated historians since his own day, giving rise to a wealth of interpretations. Indeed, it is hard to be neutral about him. As an unscrupulous outsider and ideologue with visions of world domination, he has been compared to the Corsican Napoleon and the Georgian Stalin. His own mother was reputed to have said he was fathered by a devil.<sup>8</sup> In the Greek Orthodox Church, however, he is a

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saint. And his appeal lasts: a saturnine Justinian figures prominently in Prince Valiant comics in the Sunday papers.

The specific contours of the age that bears Justinian's name however, are not as well known as the man himself. Bracketed and overshadowed by the fall of the Roman Empire in western Europe in the fifth century and the rise of Islam in the seventh, the Age of Justinian in the sixth remains relatively unexplored by the reading public, though it has received much scholarly attention. Accordingly, the contributors to this volume have taken up a double challenge: to describe and evaluate the Age of Justinian as an epoch of far-reaching change and to address the particularity of the period in its own terms.

## JUSTINIAN AND HIS REIGN

The place to begin is with Justinian himself. The future emperor was born Petrus Sabbatius around 483 to a peasant family in the Latin-speaking Balkan village of Tauresium (modern Caričin Grad) in Thrace. We know nothing about his childhood, except that from an early age he benefited from the success of his uncle Justin, a stalwart soldier who had risen to command a palace regiment. The childless Justin brought Petrus Sabbatius to Constantinople, probably in his early teens, and formally adopted him. The intelligent boy received a good education, showing a special bent for theology but evidently not a strong interest in the non-Christian "classics" of Greek and Latin, which do not resound in his own later writings. He learned the politics of Constantinople, receiving commissions in elite palace guard units that did not require military campaigning. He had a talent for intrigue: when emperor Anastasius died in 518, Justinian worked behind the scenes to help ensure that his uncle Justin was chosen to be the new emperor. While we do not know the precise machinations that brought Justin to the throne, contemporaries believed that Justinian had a hand in them – and in the execution of several rivals immediately thereafter. By 519 he had the title of Count, followed by Master of Cavalry and Infantry at Court; his consulship came in 521, which he inaugurated with especially lavish celebrations; he gained the honorific status Patrician after 521 and Most Noble sometime before 527. At some point prior to April 527 Justinian married Theodora, once a prostitute and scandalous performer in the Hippodrome. Noted for her piety after the marriage, Theodora remained a close advisor to her husband until she died in 548.

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On April 1, 527, his uncle made him co-emperor, and when Justin died four months later, Flavius Petrus Sabbatius Justinianus Augustus assumed the throne. In the fashion of conscientious Roman rulers before him, Justinian's initial impulse was to impose order on a realm that he believed to lack unity and firm direction. His tool would be Roman law legitimized by God. First the law must be put in order, however. At his command, a commission of lawyers produced a revised code of Roman law in 529, the *Codex Justinianus* (the *Code of Justinian*). Then they sifted some 2,000 works of previous Roman jurists to produce the *Digest* (or *Pandects*) in December 530. At the same time they produced a handbook for law students, called the *Institutes*, which also reformed legal studies throughout the empire. Though these projects were the product of a millennium of Roman law, in Justinian's sixth-century Christian hands, they bore the weight of new authority. Justinian insisted throughout all these legal works, whose rapid completion was interpreted as a sign of divine favor, that God had entrusted the government of the empire to him alone and that his laws should attempt to restore on earth the order that God had established in heaven.<sup>9</sup> On the heels of his legal reforms and in the same spirit, Justinian inaugurated a program of provincial reforms.<sup>10</sup>

In the short term these activities indicated the tone of Justinian's regime: self-righteously pious, overbearing, and bent on change. The long-term significance of this intimate association between imperial lawgiving and divine validation cannot be overstated for the development of Byzantine autocracy and later European ideas of kingship.

Justinian's need to meet his obligations to God by establishing order within the corpus of Roman law – as well as by establishing order throughout his realm through the agency of Roman law – is paralleled precisely in his approach to doctrinal diversity. From the beginning of his reign he attempted to eliminate heresy and establish one Christian doctrine throughout his domain, namely that formulation of belief established by the Council of Chalcedon in 451, as he interpreted it. He began protracted discussion with anti-Chalcedonians, including public debates with them in 532–533.<sup>11</sup> Chapters 9–11 explain the character of Christianity as it developed in the empire after Chalcedon and the consequences in the eastern and western Mediterranean of Justinian's attempts to establish unity. Here it is enough to say that the emperor's concern about maintaining order, a typically though not uniquely Roman preoccupation, found expression in efforts to establish uniformity of doctrine, a characteristically Byzantine solution that would become Justinian's new measure of imperial authority and social cohesion. This solution

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also required the suppression of polytheism, which was called a public crime.<sup>12</sup>

All was not law, religion, and reform, however. During the first five years of his reign, Justinian found himself embroiled in a war with Persia, ruled by the Sasanian dynasty and the traditional opponent of Rome in the east. Pursuing a military policy of “pragmatic engagement”<sup>13</sup> (characteristic of his approach to law and religion as well), Justinian extricated his armies from the war with Persia by 532. The emperor had little time to enjoy the peace, however. In mid-January 532 he almost lost his throne in an insurrection in Constantinople, the Nika revolt. Chanting “nika,” which means “victory” in Greek, urban rioters demanded the removal of some high officials handpicked by the emperor. Aristocratic opponents, who had perhaps instigated the riots, attempted a coup. In the melee, fires destroyed the heart of the city and reached the palace. After painful deliberation, Justinian decided not to flee.<sup>14</sup> His generals Belisarius and Narses stopped the insurrection in its tracks by slaughtering thousands of the rioters in the Hippodrome. Justinian interpreted his survival as a sign of divine support. The intimate connection he envisaged between the imperial office and God would become a pillar supporting the Byzantine state.<sup>15</sup>

Buoyed by a reinforced sense of destiny, Justinian began ambitious projects of restoration. First came the construction of the enormous cathedral of Hagia Sophia (Holy Wisdom) near the palace in Constantinople.<sup>16</sup> Replacing an earlier church destroyed in the Nika revolt, Hagia Sophia embodied the spirit of Christian renovation that Justinian wished to be characteristic of his reign. The emperor also pursued an extensive building program throughout his realm, making his piety and solicitude for his subjects visible to all.

A second grand project, conquest of the Vandal kingdom based at Carthage, answered a pressing question: As Roman emperor, what should he do about the Roman provinces in the west lost for a century to heretical Germanic rulers?<sup>17</sup> Motivated as much by a desire to eliminate heresy as to regain Roman territories, Justinian launched an attack on the Arian Vandals in 533. His general Belisarius won an unexpectedly rapid victory with only 15,000 troops. Encouraged by this success, which was interpreted as a further sign of divine approval, in 535 Justinian attacked the Arian Ostrogoths who ruled Italy. Sicily fell easily, but it would take nearly twenty years of hard fighting before his armies defeated the Ostrogoths in 554.

If the 530s were a time of success and achievement for Justinian, the 540s witnessed only troubles. Hostilities with Persia resumed, causing

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a reallocation of military resources to the eastern front. Then in 542 a terrible outbreak of plague struck the empire, killing millions (Justinian himself nearly died) and substantially diminishing economic resources.<sup>18</sup> The next year, the so-called Three Chapters Controversy broke out as a result of the emperor's attempt to reconcile Chalcedonian and anti-Chalcedonian (Monophysite/Miaphysite) Christians in his eastern provinces while maintaining the support of the western clergy and the pope.<sup>19</sup> His efforts completely backfired. Not only did he fail to win doctrinal unity in the east, he alienated the western clergy through his efforts to interpret doctrine, something western clergymen felt was the prerogative of priests, not emperors.<sup>20</sup> Justinian's insistence on being a legitimate interpreter of sacred texts in the pursuit of doctrinal unity – as clear a statement of Byzantine kingship as one can imagine – resulted in a fissure between the Constantinopolitan church and the papacy that would last for generations.<sup>21</sup>

The last decades of Justinian's reign continued to be disappointing, as the hopes of the early years continued to sour. The war in Italy dragged on. In 548, Theodora, who had been such an astute counselor and aide, especially in negotiations with the eastern anti-Chalcedonians, died. The dome of Hagia Sophia cracked in 557 and partly collapsed the following year. In 559 Slav raiders accompanied by an army of Huns reached as far as the walls of Constantinople, forcing Justinian to call Belisarius out of retirement to organize the defense. Earthquakes struck the empire, civil disturbances rocked Constantinople, and ambitious men plotted against the aged emperor. Even the peace treaty concluded with Persia in 561–562 required heavy payments of gold from the Romans.

Justinian's tireless efforts for religious unity bore bittersweet fruit. Though bishops at the Fifth Ecumenical Council (the Second Council of Constantinople) finally anathematized the Three Chapters in 553, the rift with western clerics only deepened. His attempt to reach an understanding with the anti-Chalcedonians in the east failed as well, leading directly to the emergence of an independent anti-Chalcedonian clerical hierarchy.<sup>22</sup> Nevertheless, the bishops' acceptance of Justinian's claim to determine doctrine in 553 was an enactment of his view of imperial relations with the church – a Byzantine perspective put into action.<sup>23</sup> Yet even this development was imperiled in the last years of his life, when his bishops refused to accept apthartodocetism, a heretical doctrine regarding the incorruptibility of Christ's body, which Justinian had espoused, claiming it to be compatible with Chalcedonian teachings.<sup>24</sup> The issue faded away when the emperor died on November 14, 565. Although

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ecstatic and hopeful early in his reign, the mood at Constantinople had changed by the end of Justinian's life to one of angry frustration. Justinian's funeral pall was embroidered with scenes of his military triumphs in the 530s that must have seemed a grim anachronism to the mourners who laid him to rest.<sup>25</sup>

## THE SUCCESSORS OF JUSTINIAN

Justinian's successors, Justin II (556–578), Tiberius Constantine (578–582), and Maurice (582–602), maintained the general direction of Justinian's rule, though they adapted policy to circumstance.<sup>26</sup> During the watch of Justinian's immediate successor, his nephew Justin II, a war against Khusro II of Persia resulted in loss of Roman territory and its substantial revenues, the Lombards seized Italy, and Slavs and Avars gained a foothold in the Balkans. Under Tiberius Constantine, war with Persia continued, and in the west Tiberius attempted to recover Italian territory from the Lombards but failed. He created exarchs, new local administrators in Italy (in 584) and then in North Africa (in 591), who combined military and civilian responsibilities – a major administrative reform. The military situation worsened in the Balkans, where aggressive Avar forces probed the Roman defenses that were weakened by the withdrawal of troops for the Persian war. They captured the important city of Sirmium, and Slavic settlement continued. Domestically Tiberius tried to avoid involvement in the endemic religious disputes. He died in the late summer of 582 and was succeeded by his general Maurice, who had previously been the commanding general on the Persian front.

Because Tiberius had depleted the treasury, Maurice was forced to limit public expenditures and military pay, which earned him much disfavor. Like Tiberius, he attempted to maintain a tolerant posture in the continuing struggle between Chalcedonians and anti-Chalcedonians, without complete success, and he fell into serious quarrels with Pope Gregory. He was stymied in various attempts at reform.<sup>27</sup> Yet under his direction, war with Persia took such a positive turn that a new Persian monarch Khusro II, received Roman imperial support. He took command of Roman forces in the Balkans to confront the Avars and within a decade had reasserted Roman control there. In 602, he ordered his troops to winter in camps north of the Danube, a strategically sound decision, but his troops mutinied. Phocas, the soldier who led them, marched on Constantinople, killed Maurice, and claimed the throne,



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beginning a decade of misrule and political discontent that brought the Age of Justinian to an end.

## CONTOURS OF THE AGE

Having sketched in broad strokes the main events of the Age of Justinian, we turn now to examining its geopolitical, economic, religious, and intellectual contours.

*The World around Justinian: Geopolitical Contours*

The geopolitical contours of the Age of Justinian were shaped by three forces. The most important was Persia, which expanded in the Near East and the Caucasus region at Rome's expense. The huge, multiethnic empire posed the greatest threat to Romans throughout the Age of Justinian, as warfare grew more frequent between the great powers.<sup>28</sup> Khusro I was Justinian's greatest adversary. His frequent invasions of Roman territory caused great damage to the rich cities of the region. The loss of revenues due to the continuing conflict and to Persian seizure of Roman property had a deleterious effect on the Roman economy, though it did not affect productivity. Only in the seventh century could either side envisage the complete overthrow of the other, a feat finally accomplished by the emperor Heraclius (r. 610–641) – just as Muslim armies were on the march.

The second force shaping the geopolitical contours of the age was the collapse of Roman authority in western Europe in the early fifth century, accompanied by the entry into the empire of diverse groups of fighting men and their dependents seeking new lands to settle.<sup>29</sup> These “barbarian invasions” resulted in the gradual loss of all Roman possessions west of the Balkans. Over several generations a number of aggressive new kingdoms slowly evolved on former Roman soil organized by different groups of settlers. By 527, when Justinian came to the throne, four major “successor” kingdoms exercised power in western continental Europe: the Ostrogoths in Italy, the Vandals in North Africa, the Visigoths in Spain, and the Franks, who held Gaul as well as lands beyond the Rhine River that Rome had never controlled. Their kings maintained a complex interrelationship with the vastly more numerous Roman populations whom they ruled with varying degrees of civility and with the Roman elites who collaborated in the new governments. The kings also maintained ties with the emperor in Constantinople,

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whose sovereignty in some formal but loose way they acknowledged. Because the new kings and the peoples they led were Arian Christians, while the Roman provincials they ruled were Chalcedonians, two separate clergeries and communities of faith existed side by side. In some cases, such as in Vandal Africa, there was occasional persecution of the Chalcedonian Romans. In society, politics, and religion, the new kingdoms experienced a complex internal evolution – an evolution influenced profoundly by Rome and eventually by Justinian and his policies.<sup>30</sup>

Justinian was eager to reassert Roman authority over these lost territories and to do away with the heretical Arian belief held by the new kings and their followers. Many discontented Romans who felt stranded in the new kingdoms emigrated to Constantinople and put additional pressure on Justinian to attack.<sup>31</sup> Justinian first set his sights on the Vandal kingdom based at Carthage. Belisarius won an easy victory there in 533, as noted above. Next came the war against Ostrogothic Italy, which began in 535 and lasted for twenty years because of the fierce resistance of the Ostrogoths and the indifference and occasional open resistance of the Italian population to Justinian's army of "liberation." During the long decades of the Italian war Justinian also struggled with a succession of popes over matters of doctrine and support of imperial policies, setting a pattern of relations between Constantinople and the western church for decades.<sup>32</sup> As the war in Italy was coming to a close, Justinian's forces managed to capture part of Spain's Mediterranean coast from the Visigothic king in 552.<sup>33</sup>

Justinian had no choice but to coexist with the Franks, who established a formidable new kingdom in the course of the fifth and sixth centuries in Gaul and in northern territories that had never been Roman. The kingdom of the Franks, based in the Loire–Rhine region under the Merovingian dynasty, became dominant from the Atlantic to the Elbe. The Merovingian king Clovis (r. 481–511) had adopted Catholicism, and so his Franks readily merged with the Gallo-Roman population, which gave the kingdom added strength. Though the Franks had a history of diplomatic relations with Constantinople, and though they were traditional enemies of the Ostrogoths, during Justinian's Italian war they were opportunistic, taking advantage of the moment against both Goths and Romans. Never as institutionally sophisticated as the Roman Empire, the Frankish realm nevertheless stood as the major power in western Europe throughout the Age of Justinian. The stability, civic organization, and even more the Catholicism (Chalcedonianism) of the Franks won high praise among some Romans in Constantinople.<sup>34</sup>