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# The Byzantine System from within: a comparison of Procopius' *Secret History* and Lydus' *On the Magistracies* and their presentation of the regime of Justinian.

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## 1: INTRODUCTION

The reason for choosing Procopius and John the Lydian (or Lydus, as he will be referred to for convenience hereafter) for this study of the reign of Justinian is that they both provide contemporary accounts from within the imperial system and portray different persepectives on the reactions to radical change. In this regard, it will be argued that Procopius reflected a reactionary aristocratic point of view and Lydus a bureaucratic one, yet their origins were similar. In his useful content analysis on the work of Lydus, Carney describes him as a representative of the sub-elite. Although the work of other sources contemporary to the reign of Justinian, or dealing with it directly in the later Byzantine period, will be referred to, the comparison in this discussion has been made between Lydus and Procopius for a number of reasons. Firstly, Procopius is by far the most detailed and comprehensive source for the reign of Justinian extant. Moreover, although he doesn't emphasize the role of Christianity in this period in the same manner that those writing ecclesiastical histories and world chronicles do,[1] he has left us with three very different works from different perspectives on Justinian's reign, yet bearing a commonality. Lydus in turn, although not producing a classic of literature as such, has left us with three works detailing aspects of the Roman use of the calendar, portents and the functioning and history of the civil service.

The two works that I shall be considering in the most detail will be Procopius' *Secret History* (or *Anecdota,* hereafter S.H.[2]) and Lydus' *On the Magistracies* (referred to for convenience by its Latin title *De Magistratibus,* abbreviated to *De Mag.*).[3] At first glance, the former appears unique in classical literature, yet it will be argued that it was not entirely without precedent and needs to be seen in its literary and historical context. Furthermore, the emphasis that it places on administrative history makes it a suitable comparison to Lydus. The latter, however was less controversial, but reveals

[1] Eg. John Malalas, Evagrius Scholasticus, John of Ephesus or the *Chronicon Paschale,*

[2] All the *Secret History* and *Wars* translations are from the Loeb edition translated by H.B. Dewing, 1935.

[3] Although the convention has been to refer to Lydus' work by its Latin name, the *Secret History* is alternately been referred to by its Latin and English names. I have chosen to refer to Lydus' works by their Latin names and Procopius' works by their English ones. I have also referred to all of the wars under the title *Wars*. Therefore, *Wars* 1-2 is the Persian War (sometimes referred to as BP), *Wars* 3-4 is the Vandal War (BV) and *Wars* 5-7 is the Gothic War (BG). *Wars* 8 is simply referred to as *Wars* 8.

unique details about one writer's attempt to understand what Justinian's changes meant and what their effect on the Praetorian Prefecture was (which by the reign of Justinian had become the most powerful magistracy in the empire).

A brief mention of some of the other important sources for Justinian's reign that reach into the periphery of this discussion: Firstly, Peter the Patrician. He was *magister officiorum* from 539-565 and came from Mesopotamia (Martindale, 1992: III B 994). According to *Wars* 6.22.24, he was sent on a mission to Italy in 534 and was captured by the Goths and held hostage until 539. It was on his return that he was appointed *magister officorum* and given the title *patricius*, from whence he gets his name.[4] He wrote, before Lydus, a treatise dealing with the administration from a theoretical and philosophically secular point of view, published approximately between 548-552 (Cameron, 1985:248). In *De Mag.*2.25, Lydus describes him as a *"great thinker in all things and a firm instructor in general history"*. In addition, he wrote a history of the Roman Empire, possibly ending with the death of Constantius II and a description of his diplomatic mission to Persia in 561 (used by Menander Protector) (Martindale, 1992: III B 998). His works only survive in fragments and are known indirectly through other sources,[5] though these are useful for the administrative history of this period (Tsirpanlis, 1974: 486). John Malalas wrote a *Chronographia* (World Chronicle) from a Christian standpoint (though not an ecclesiastical history) that stretched from Adam to 563,[6] probably finished during the reign of Justin II. This is where the narrative breaks off, though fragments survive in Constantine VII Porphyrogenitus for several years after this.[7] A useful source for the early years of Justinian's reign is Marcellinus, who served as *cancellarius* for Justinian before he became emperor and is known for the *Chronicle* that he wrote,[8] intended to continue from St Jerome's account (ie. from Theodosius I) to Justinian's accession in 527. His

[4] In S.H. 16.5 Procopius claims it was arranged by Theodora as a reward for his alleged involvement in the murder of Amalasuntha. As *magister officiorum*, he was effectively foreign minister and was sent on several missions by Justinian to the Persians and the Goths (Martindale, 1992: III B 994-8).

[5] Especially Constantine VII Porphyrogenitus.

[6] A convention established by Eusebius of Caesarea's *Chronicle*.

[7] Martindale notes that the *Chronicle* had initially ended with the death of Justin I, but that Book 18 was added to cover the reign of Justinian, written after the death of Justinian (Martindale, 1992: III A 662-3). Judging by the frequency with which it is mentioned, he worked in Antioch and then from the 530s, in Constantinople. The definitive work on Malalas is Croke and Scott's *Studies in John Malalas* (Byzantina Australiensia: 1990).

account was extended to 534 and presents a favourable image of Justinian (probably for taking him into his service), including a useful passage sympathetic to the "official" position on the Nika revolt.[9] Cassiodorus also mentions a lost work in four books that he wrote, describing a journey from Constantinople to Jerusalem called *De temporum qualitatibus et positionibus locorum.*

For the later years of Justinian's reign, Agathias is the principal historical source. He continued with his *Historia* where Procopius had left off on the reign of Justinian, covering the period 552-559, and emulated the style of the *Wars*.[10] He lived in Myrina, in Asia and was a contemporary of Paul the Silentiary. Before writing history he had been a poet and apart from his own lost verses, he collected a selection of poems by his friends called the *Cycle* of Agathias (only fragments of this now survive through other works) (Martindale, 1992: III A 23-5).[11] Another poet useful for secular history (especially in Africa) is Flavius Corippus. Although very little is known of his life,[12] he wrote poems praising John Troglita and and was encouraged by the *quaestor* Anastasius to celebrate the accession of Justin II with a panegyric, containing a detailed description of the ceremonies.[13] Of the later historical sources, Evagrius Scholasticus wrote an *Ecclesiastical History* at the end of the sixth century covering the period 431-594 AD; Menander Protector wrote his *Historia* in the last quarter of the sixth century, covering the period 557-582 (but only surviving in fragments); and Theophanes the Confessor wrote a *Chronographia* in the ninth century intended to follow George of Synkellos covering the period 284-813 (although particularly useful for the period after Justinian, 602-813). It is in the context of these often fragmentary

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[8] See Brian Croke's *Count Marcellinus and his Chronicle* (2001: 30-5).

[9] This is further considered in the discussion on the Nika riot.

[10] Other contemporary sources include, Romanos, Leontios and Cosmas Indicopleustes. See also L.S.B. Mac Coull's *Dioscorus of Aphrodito: His work and his world.* (Berkeley: 1988) on Dioscorus of Aphrodito, who visited Constantinople in 550.

[11] See Cameron, Alan and Averil's "The *Cycle* of Agathias" in the *Journal of Hellenic Studies* 86 (1966: 6-25).

[12] See Baldwin's "The Career of Corippus" in *Classical Quarterly* 28 (1978: 372-6).

[13] The definitive work on this poem is Averil Cameron's *Flavius Cresconius Corippus, In laudem Iustini minoris libri quattuor* (London: 1976). She argues that its importance lies in its description of the transition from a classical to a post-classical Byzantine state, represented in the ceremonial surrounding the accession of Justinian's successor.

surviving texts and broken narratives, especially concerning the military details and civil organization of the state, that the importance of Lydus' and Procopius' almost complete secular accounts can be more fully appreciated. This will not be a complete account of the reign of Justinian, and reference will be made to the chief events, personalities and policies only insofar as they help to determine the respective value systems of Procopius and Lydus and the purpose for which they were writing. The establishment of their value systems and their divergent appraisals of Justinian's administration will therefore be the primary goal of this discussion. Both authors were writing during a period of considerable repression and persecution of minority groups, thus their own beliefs are carefully veiled under the genre and content of their work. In the opening chapters of the *Secret History,* Procopius confesses his own nervousness and inhibitions that he faced in the composition of the work.

Before the era of the likes of Carney and Cameron, most of the writers who have used Procopius and Lydus in their works have quarried them for important source material as opposed to studying them for their own sake. Consequently much has been taken for granted concerning the intention of these two writers. [14] The *Secret History* was not available for study until 1623 but it was only first described as an important historical source in Gibbon's *Decline and Fall of the Roman Empire*, a work though now outdated and one-sided, is still a classic of historical writing for its breadth and scope. In chapter 40 of his work Gibbon states:

"*According to the vicissitudes of courage or servitude, of favour or disgrace, Procopius successively composed the history, the panegyric, and the satire of his own times. The eight books of the Persian, Vandalic, and Gothic wars, which are continued in the five books of Agathias, deserve our esteem as a laborious and successful imitation of the Attic, or at least of the Asiatic, writers of Ancient Greece. His facts are collected from the personal experience and free conversation of a soldier, a statesman, and a traveller; his style continually aspires, and often attains,*

[14] As Averil Cameron states in the introduction to her important work on Procopius (Cameron, 1985: ix), the primary works on Procopius have, until the 1960s, been those by Dahn (*Prokopius von Casarea*, 1865) (which she considers to be an important foundation work, but perhaps somewhat outdated now by more recent studies) and the Pauly-Wissowa article by B.Rubin (1957). This latter article went a long way towards establishing the importance of the *Secret History* as a source in its own right, in opposition to Gibbon's harsh judgements regarding the work. This article is in the strong tradition of nineteenth-century German source-criticism.

*to the merit of strength and elegance; his reflections, more especially in the speeches, which he too frequently inserts, contain a rich fund of political knowledge; and the historian, excited by the generous ambition of pleasing and instructing posterity, appears to disdain the prejudices of the people and the flattery of the courts."*
(Gibbon, O.U.P.: 249).
A short while later he writes:
"*Disappointment might urge the flatterer to secret revenge; and the first glance of favour might again tempt him to suspend and suppress a libel, in which the Roman Cyrus* (namely Justinian) *is degraded into an odious and contemptible tyrant, in which both the emperor and his consort Theodora are seriously represented as two demons, who had assumed an human form for the destruction of mankind. Such base inconsistency must doubtless sully the reputation, and detract from the credit, of Procopius; yet, after the venom of his malignity has been suffered to exhale, the residue of the anecdotes, even the most disgraceful facts, some of which had been tenderly hinted in his public history, are established by their internal evidence, or the authentic monuments of the times"* (Gibbon, O.U.P.: 250)

This portrait of Procopius and Gibbon's interpretation of his works (especially its summary of the superficial characteristics of the *Secret History*) indicates the manner in which Procopius and his works were perceived until he began to be studied as an individual and not simply as source material. It is typical of Gibbon first to reflect the orthodox view (namely that the *Secret History* subverts Procopius' acceptability as an historian) and then to present a counter-position that the *Secret History* may in fact be grounded in historical reality. In the second passage quoted, Gibbon's rhetoric reflects the reality that Procopius did liken Justinian to Cyrus in respect of his capacity as empire-builder and dynasty-founder, and not to Alexander, who had traditionally been assumed to be the ideological forerunner of the Roman emperor, while Cyrus was not always given the same honour. Yet in *Wars* 2.2.15, Procopius likens Justinian to Cyrus and also to Alexander and here Procopius is not being overtly critical of Justinian. Furthermore, in *Buildings* 1.1.12, Cyrus is cited as the best king in history according to tradition. Procopius goes on to say that there may have been exaggeration concerning Cyrus and Justinian may be better than him. However, this comparison seems arbitrary for both Cyrus and Alexander were extending empires over regions

that were not previously theirs, whereas Justinian claimed to be reconquering territory that which rightfully belonged to the Romans.[15]

While the problematic nature of the *Secret History* discouraged serious engagement with the text, interest in *De Magistratibus* had to wait until scholars began to take a serious interest in the workings of the Byzantine bureaucracy. Interest in Lydus as an author was even slower to develop. However, there are some seminal works that have been written since World War 2 that have greatly contributed to an understanding of these writers and the context in which their works should be read. For Procopius, the definitive recent work is Averil Cameron's *Procopius and the sixth century* (1985) which, among other things, clearly emphasizes the importance of considering all of Procopius' works in context and to see them as a whole rather than as widely divergent individual works.[16] For Lydus, there are two primary modern works that are critical. The first of these is Michael Maas' *John Lydus and the Roman Past* (1992), which emphasizes the importance of the genre of antiquarianism in Lydus' work. It considers the importance of tradition as well as the influence of paganism, classical philosophyrs and Justinian's policies on Lydus' three surviving works. The other is T.F. Carney's excellent and groundbreaking work *Bureaucracy in Traditional Society: Romano-Byzantine Bureaucracies viewed from within* (1971).[17] Carney's work demonstrated the potential of using the technique of content analysis as an application for ancient history, one that has since become a crucial part of historiographical research. The value of content analysis is that it is a technique that can handle certain questions that would otherwise be difficult to answer, such as those concerning personal value-systems, preoccupations and bias. It is an objective means of analysis

[15] Furthermore, Gibbon believed the highpoint of the Roman Empire to fall within the reigns of Antoninus Pius and Aurelius and that the steady decline since that era could largely be attributed to the influence of Christianity. Perhaps the greatest contribution of Gibbon's review of the *Secret History* was that by referring to the facts being "*established by their internal evidence*", he saw both an internal consistency in the work and was able to a certain extent to distinguish between rhetoric and history.

[16] Other works include J.A.S. Evans' *The Age of Justinian: The circumstances of Imperial Power* (1996) and R. Browning's *Justinian and Theodora* (1971), for although they do not exclusively discuss Procopius, they provide a basic background to his works and their portrayal of Justinian. They explain the underlying reasons behind his policy of reform and reconquest and provide a brief account of the initial success yet ultimate failure of Justinian's attempts to secure the continued existence of the Roman Empire in the West.

[17] Carney also published *Content Analysis* (B.T. Batsford: 1972), dealing with the specific methodology of content analysis. Though the method had been around long before Carney, it had not been used as a tool by ancient historians.

that can identify patterns in the totality of the material that can assist in the formulation of more qualitative questions and hypotheses. It consists of an extremely careful and close analysis of a work in a quantitative manner to arrive eventually at qualitative conclusions.[18] An important element in this process is the observation of the incidence with which certain words, phrases or concepts are used. For instance, in *De Mag.* 3.27, Lydus says that he made a handsome profit as an *exceptor* of 1000 gold coins which he won σώφρονως: a thorough content analyst would investigate how often Lydus uses that word and what other expressions he uses to refer to his means of unofficial income. Such an analysis inevitably yields information that would otherwise be either unclear or unavailable. However, this technique does have its limitations and is somewhat less applicable when considering issues such as target audience, authorial intent and genre.

The structure of this thesis will be based on the reactions of Procopius and Lydus to radical change and the manner in which they represented Justinian's attempt for a great revival of Roman culture. It will begin with a brief description of the life and career of both Procopius and Lydus and the extent to which their experiences and cultural background affected their presentation of Justinian's reforms. Following this is a brief overview of the chief individuals of the regime, as they are presented by Lydus, Procopius and the other sources. This will be complemented by a discussion concerning the style of these works, considering the issues of genre, target audience, sources and influences and general accuracy. In doing so it will underline the importance of taking both writers' works as a whole, so that the *Secret History* and *De Magistratibus* can be seen in the proper literary and historical context. Following this will be a discussion on certain aspects of the bureaucracy and government that Procopius and Lydus chose to comment on, as the structures and individuals Justinian used to maintain control and enact his reforms. This will be followed by a description of Procopius' and Lydus' portrayal of his enactment of those reforms and their consequences. In addition to referring to the Nika riot and the wars of reconquest, mention will be made of the plague, as it was used as a vehicle for commentary on Justinian's regime. Although of great importance in its own right and the subject of

[18] The use of content analysis has been facilitated by the availability of machine-readable texts, analytical programmes and computer-generated concordances.

much debate in legal history, the codification of the law will not be considered in any depth and will be referred to only so much as it comments on other Justinianic policies under discussion. In addition, there is no detailed discussion of Justinian's building program, for although a fundamental part of his policy of reconstructing the empire, it is not dealt with by Lydus and therefore is not suitable to the comparative needs of this discussion. Consideration will also be given to other contemporary sources and popular opinion on the realization of Justinian's policies. In this regard the Nika riot and the plague are useful gauges for measuring popular opinion towards Justinian. For many of the chief events of Justinian's reign (including those of military importance: the reconquest of Africa, the disaster of the Italian campaign and declining relations with Persia) in addition to the policies, purges and persecutions greatly affected the social, economic and religious life of the average individual in the empire.[19] The thesis will conclude with an overview of the importance of antiquarianism in sixth century culture and the precedent it set for Justinian's politics, as well as an attempt to elicit the value systems and purposes of Lydus and Procopius from the issues that have been discussed. It will be proposed that, while far from being objective, these two authors betray a more thorough understanding of the complexity of Justinian's reforms than has been attributed to them.

[19] There is a marked lack of graffiti evidence from this period, perhaps due to the upheaval that followed it.

## 2: THE ORIGINS AND CAREERS OF PROCOPIUS AND LYDUS

The name of Procopius was not entirely uncommon in the Near East in the early sixth century. The historian shared it with a governor from Antioch (Martindale, 1992: II 921-22) and a Sophist from Gaza who wrote a commentary on the Old Testament and as well as a panegyric on the emperor Anastasius. By tracing back the path of his career, we can deduce that he was born in approximately 500 AD. He states himself that he was born in Caesarea in Palestine.[20] According to evidence in Menander Protector and Agathias, he was trained as a *rhetor* (Martindale, 1992: III B 1060) and in 527 he was given the important post of being *consiliarius* (or the assessor, as well as personal secretary and legal advisor) to Belisarius, who had become *dux Mesopotamiae* at Dara in 527.[21] In 533 he continued as Belisarius' secretary on the Vandal Expedition in Africa[22] and apparently remained as such until 540, or 542 (based upon his descriptions of his own movements). Although he refers to a close relative in S.H. 1.2, virtually nothing more is known of his family or class origins. From this progression of appointments it seems likely that he was neither poor nor particulary wealthy and came from the landowning provincial class. In this respect he may have had a similar origin to Belisarius, although the latter was from Germania and not the Near East.[23] His appointment as Belisarius' personal secretary was a singular honour. The significance of this appointment cannot be over-emphasized, for it gave Procopius the unique experience of both being present at Belisarius' military campaigns and of having an insider's view of the events that influenced official policy (as described in the opening passages of both the *Secret History* and the *Wars*).

In *Wars* 1.1.3-5 he states:[24]

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[20] *Wars* 3.58.2-3

[21] *Wars* 1.12.24

[22] *Wars* 3.14.3

[23] *Wars* 3.11.21

[24] καί οἱ αὐτῷ ξυνηπίστατο πάντων μάλιστα δυνατὸς ὢν τάδε ξυγγράψαι κατ' ἄλλο μὲν οὐδὲν, ὅτι δὲ αὐτῷ ξυμβούλῳ ἡρημένῳ Βελισαρίῳ τῷ στρατηγῷ σχεδόν τι ἅπασι παραγενέσθαι τοῖς πεπραγμένοις ξυνέπεσε. Πρέπειν τε ἡγεῖτο ῥητορικῇ μὲν δεινότητα, ποιητικῇ δὲ μυθοποιΐαν, ξυγγραφῇ δὲ ἀλήθειαν. ταῦτά τοι οὐδέ του τῶν οἱ ἐς ἄγαν ἐπιτηδείων τὰ μοχθηρὰ ἀπεκρύψατο, ἀλλὰ τὰ πᾶσι ξυνενεχθέντα ἕκαστα ἀκριβολογούμενος ξυνεγράψατο, εἴτε εὖ εἴτε πη ἄλλη αὐτοῖς εἰργάσθαι ξυνέβη.

*"Furthermore he had assurance that he was especially competent to write the history of these events, if for no other reason, because it fell to his lot, when appointed adviser to the general Belisarius, to be an eye-witness of practically all the events to be described. It was his conviction that while cleverness is appropriate to rhetoric, and inventiveness to poetry, truth alone is appropriate to history. In accordance with this principle he has not concealed the failures of even his most intimate acquaintances, but has written down with complete accuracy everything which befell those concerned, whether it happened to be done well or ill by them."*

The prologue of the *Secret History* begins by stating that he needed to conceal certain facts in the *Wars*, despite the assertion in the latter that he has concealed nothing.[25] These apparently contradictory remarks are an indication of the ambiguity that is present throughout both works, and that perhaps holds the key to understanding their true relationship to one another. Procopius accompanied Belisarius on his first three campaigns to Persia, Africa and Italy and remained with him even after Belisarius had been recalled after the capture of Ravenna.[26] He may have been with Belisarius on his second eastern campaign but was in the capital in 542 to witness the plague.[27] Although Procopius was not the only sixth century writer to deal with the plague, it is largely through his presence in the city (and his wish to emulate the detail of his literary model, Thucydides) that we possess such a vivid and graphic account of that plague.[28] It is possible that he was with Belisarius on his second Italian campaign in 544, but this is questionable as he provides a far less-detailed account in the *Wars* than that of previous campaigns. In the *Secret History* he explains his disappointment with the course of those events and complains of Belisarius' "bad luck" in this campaign:[29]

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[25] S.H. 1.1

[26] *Wars* 6.29.32

[27] *Wars* 2.22.9.

[28] The plague was the cause of such tremendous loss of life that few writers of the time could ignore it in their work. It is described with great emotion by John of Ephesus through the *Chronicle* of Pseudo-Dionysius of Tel-Mahre and Evagrius Scholasticus in his *Ecclesiastical History* 29. Gregory of Tours describes its effects on Western Europe in his *History of the Franks* 5.34.

[29] ἐπειδὴ μέντοι ἐν Ἰταλίᾳ ἐγένετο, εἰς ἡμέραν ἑκάστην ἀπ' ἐναντίας αὐτῷ τὰ πράγματα ἐχώρει, ἐπεί οἱ διαρρήδην τὰ ἐκ θεοῦ πολέμια ἦν.

*"However, when he got to Italy, matters kept going wrong for him every day, because the hand of God was definitely against him"* (S.H. 4.42)

A short while later he complains of Belisarius never finding a secure foothold in Italy from which to wage war and thus wasted his time with sailing about the Italian coastline.[30]

We have virtually no reference to the name Procopius for the next fifteen years. This period saw the publication of his literary work. It is likely that he was at work on the *Wars* (and possibly parts of the *Secret History*) during the 540s, editing notes that he had compiled while in Belisarius' service (Evans, 1996b: 301). It is quite possible that the portion of the *Wars* covering the period of him being Belisarius' personal secretary may have even been completed as early as 545 and the later portions (with the exception of *Wars* 8) updated as the events occurred.

There is a reference in the Suda to a Procopius who, in 560, was given the highly coveted rank of *illustris* (giving him active membership of the Senate). Martindale (Martindale, 1992: III B 1062) argues that, as he was an assessor of an illustrious office, Procopius may have been awarded this title after retiring (Cameron, 1985: 12). John of Nikiu (writing in the late seventh century in Egypt[31]) claims that Procopius was a patrician and a prefect.[32] One may suppose that such a rank could have been further reward for an illustrious career. However, there are no other such references in any of the other sources and the confusion probably arose concerning another Procopius, who is mentioned by John Malalas and Theophanes as having been the interrogator of the conspirators in the plot against Justinian in 562[33] (Martindale, 1992: III B 1066). It is quite possible that Procopius died shortly after the publication of the *Buildings*, as nothing further is heard from him. The year 565 saw the deaths of both Justinian and Belisarius, the latter of whom was approximately the same age as him.[34]

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[30] S.H. 5.1

[31] Fragments of his text only survive in an Ethiopian translation of an Arabic translation of the original Greek.

[32] "A learned man named Procopius the patrician. He was a man of intelligence and a prefect, whose work is well known", John of Nikiu *Chronicle* 92.20.

[33] John Malalas *Chronicle* 494, Theophanes *Chronographia* 6055

[34] Agathias refers to Belisarius as being elderly in 559. Agathias *Historia* 5.15.7, 16.1

The three works that are known to have been written by Procopius and have survived are the *Discourses on the Wars* (abbreviated simply to *Wars*), the *Buildings* and the *Secret History*. The *Wars* consists of eight books and gives a detailed account of the various campaigns of Belisarius. Two books deal with the Persian War in Mesopotamia, two with the war against the Vandals in Africa and three with the Gothic War fought in Italy. These books deal individually with the events in each area as they pertained to the relevant campaign. They follow Belisarius' conquests down to the year 551. An eighth book was included afterwards as a general update that covered the events in all of these areas simultaneously until 554. The *terminus post quem* for the completion of *Wars* 1-7 is therefore 551. The problems in placing a precise date for this final book of the *Wars* will be considered shortly. Although there are several other valuable historical records from the period that have been mentioned, the *Wars* is the most authoritative and complete guide to the political history of the early sixth century from a Byzantine point of view. This is due to the fact that it is both extremely descriptive and comprehensive in its account of the events, as well as having the advantage of being based on Procopius' own personal experience.[35]

The *Buildings* consists of five books that deal comprehensively with Justinian's building program throughout the Empire. The composition of the *Buildings* in the 550s also raises several questions. There is a debate as to whether it was written in 554/5 or 559/60. The argument for the earlier date rests largely on two pieces of evidence.[36] The first is that the *Buildings* fails to mention the revolt of the Samaritans in 556, or the Tzani in 557. As Evans argues, these represented failures in imperial policy and would not have been appropriate to the tone of the rest of the work (Evans, 1996b: 304). However, the failure to mention the collapse of part of the dome of the Hagia Sophia in 558 could not have been just an oversight. Procopius relates how, during the building of the Hagia Sophia, the emperor offered divinely inspired advice to his builders as to how to overcome certain difficulties that they were experiencing

[35] *Wars* 1.1.1

[36] Stein was the first to dissent from Haury's placement of the Buildings in 560 (Stein, E; Histoire du Bas-Empire II: 720).

with the construction.[37] The church therefore stood as a testament to the special relationship between Justinian and God. The irony of the dome's subsequent collapse would not have fitted the style of the panegyric (Evans, 1996b: 304-305). The argument for the later date is also based on two pieces of evidence. The first is that the *Buildings* mentions repairs to the Anastasian Wall that may have been needed after an attack by the Kutriger Huns in 559[38] (Evans, 1996b: 304). The second is that the *Buildings* includes a reference to the building of a bridge over the Sangarios river. According to Theophanes the Confessor in his *Chronographia* (writing in the early ninth century), the construction of the bridge only began in the 550s, therefore implying that the Buildings must postdate it.

However, Stein dismissed Theophanes as being unreliable regarding the construction of the bridge and argued that the repair of the Anastasian Wall could refer to an earlier Bulgar raid of 540 (Stein, 1949: 720).[39] The best compromise for this debate seems to be Evans' suggestion that the first book of the Buildings was a panegyric predating the collapse of the dome, while the following books were added later, possibly due to encouragement from Justinian (Evans, 1996b: 304). Furthermore, as Cameron argues, the jubilant mood of successful reconquest in Italy and confidence in a lasting peace with Persia that was prevalent in the imperial court of the early 550s would also have been more in keeping with the celebratory nature of the *Buildings* (at least in the first book), as opposed to the tired, uneasy and rather paranoid years at the end of the decade, when Justinian's reign was drawing nearer to its close, even though these years were not marked by any specific conflicts or persecutions on the scale of those of earlier decades (Cameron, 1985: 10-12).

Regarding the eighth book of the *Wars*, Evans makes a convincing argument for its placement in 557 (Evans, 1996b: 306). The chief evidence to support this lies in the reference to 4600 pounds of gold that were given in tribute to the Persian king over a

[37] *Buildings* 1.1.66-78

[38] *Buildings* 4.9.9-13, also Greatrex, 1994: 109

[39] Another alternative offered by Michael Whitby is that the work belongs to 560-1, after the dome had been repaired, and omits any reference to the collapse so as to avoid giving offence. (Whitby, 1985: 143)

period of eleven years and six months after 545.[40] Greatrex argues that the amount given need not be taken as an accurate amount and that elsewhere Procopius gives approximate amounts where he is not sure of the exact figure (Greatrex, 1994: 106-7). However, the former argument is far more convincing as it does not refer to a rounded off amount, but rather to a specific figure (unlike the other example cited by Greatrex).[41] Furthermore, the argument that the passage concerning the Black Sea in *Buildings* 6.1.8 refers the reader to *Wars* and is meant specifically to refer to *Wars* 8.6 (Greatrex, 1994:105) is not problematic if the later date for the last five books of the *Buildings* is accepted.

The most controversial of all of Procopius' works is undoubtedly the *Secret History*. It is quite possible that Procopius may have intended the *Secret History* to be a form of appendix to the *Wars*, for this would account for the general consistency in accuracy between the two works as well as the fact that one work does not simply repeat the content of the other. The accuracy and detailed descriptions of the events in the *Wars* imply that at least part of the work was probably composed while on campaign with Belisarius and was edited later (Evans, 1996b: 301). Procopius makes many cross-references between the *Secret History* and the *Wars* and, although there do not appear to be any forward references to the latter in the former, this is not surprising as Procopius seems to have wished to keep the work fairly secret. Moreover, Procopius only began the *Secret History* in the later stages of the composition of the *Wars* and this work betrays no hard evidence of later editing by the author.[42] In addition, his opinion of Theodora seems to have altered slightly over the period of the composition of the *Secret History*, yet he makes no attempt to establish a continuity of opinion through the work. However, this apparent change in attitude towards Theodora may be illusory, as her general absence in the later part of the *Secret History* could be due to the fact that she was already dead by its composition[43] and he wished to devote the final part of his vitriolic attack to Justinian personally. In

[40] *Wars* 8.15.17

[41] *Wars* 1.17.40

[42] There is a distinct absence of any later editing, for in several places Procopius makes promises to relate certain events that he never fulfils (eg. S.H. 1.14 and 11.33).

[43] Theodora died in 548.

the final passage of the *Secret History* he implies that Justinian is not dead yet and that his work (namely, that which reveals the truth) should only become public after the emperor's death:[44]

*"So when Justinian either, if he is a man, departs this life, or, as being the Lord of the evil spirits, lays his life aside, all who have survived to that time will know the truth"* (S.H. 30.34)

The *Secret History* was unknown to Photius or Constantine VII Porphyrogenitus[45] and is first mentioned in the Suda (Evans, 1996b: 303). When Vatican librarian Nicholas Alemanni published the *Anecdota (Secret History)* in 1623 (from the Vatican Library), he treated the work as a collection of unpublished and miscellaneous notes perhaps never originally intended for publication in that form. The fact that Procopius may not have considered the work finished would certainly account for particular problems in the content of the *Secret History*, such as the absence of a direct reference to Theodora's death. The question of the authorship was settled when the authenticity of the work was established after the extensive stylistic analysis and commentary by Haury. Although the apparently great difference between the content of the *Wars* and the *Secret History* initially posed questions regarding their authorship, Haury managed to establish beyond any real doubt that the style of the two works is so innately similar and consistent that they could only be the work of the same individual (Haury, J. 1962-65). Debate over the *Secret History* is now generally concerned with other themes such as the historical accuracy of the work, its reflection of general attitudes among the populace and attempts to reconcile its overall negative attitude with that of the *Wars* and the *Buildings* (Cameron, 1985:4-5).

In many ways Procopius' *Wars* can be seen as a biography and general overview of Belisarius' career and, despite its negativity to him in many places, the *Secret History* as a supplement to this. For the very content and the level of detail and accuracy with which Procopius was able to describe events was largely a result of the fact that he

[44] ὁπηνίκα οὖν ἢ ἄνθρωπος ὢν ὁ Ἰουστινιανὸς ἀπέλθῃ τοῦ βίου, ἢ ἅτε τῶν δαιμόνων ἄρχων ἀπολύσῃ τὸν βίον, ὅσοι τηνικάδε περιόντες τύχωσι, τἀληθὲς εἴσονται.

[45] Constantine VII Porphyrogenitus was a tenth century emperor who wrote a Byzantine history, only fragments of which survive. Photius was a Greek scholar and was Patriarch of Constantinople from 857 to 886. He wrote a *Bibliotheke*, which serves as a useful reference to many ancient sources.

was an eyewitness of, and generally sympathetic to, the actions of Belisarius. This may also explain why the events described in the *Wars* after 540 are given less attention than Belisarius' earlier glorious victories. The last books of the *Wars* are considerably shorter and far less filled with the military detail that characterizes the earlier ones concerning Belisarius' victorious campaigns. Although one may argue that this is due to the fact that Procopius was not actually present at the later campaign, it does not account for the overall change of style from an enthusiastic optimism to the resigned pessimism pervading the later books as well as the *Secret History*. Cameron believes that Procopius' enthusiasm waned after Belisarius failed to confront Justinian while he still had the advantage and Belisarius' subsequent supposed dismissal only enhanced his disappointment (Cameron, 1985:8). This bitterness on the part of Procopius may have some bearing on his approach in the *Secret History* in 550/1. For by this time, Procopius had fostered a great dislike for the imperial pair and his general attitude was significantly different to that when he had begun the composition of the *Wars*. It seems possible therefore that he wished to complete the *Wars* in the same style in which he had begun the work, although it had become simply a task in the recording of what he recognized to be important history, rather than his earlier personal zeal for championing the conquests of Belisarius. By this time, he may have been more concerned with producing a work that more closely portrayed his true feelings after 550/1 than the *Wars* ever could, thereby giving him a motivation to produce the *Secret History*. This would partially account for the acerbic satirical narrative and yellow page journalism found in the *Secret History*, as opposed to his rather formal, detached presentation of events in the last books of the *Wars* that served a different rhetorical purpose entirely. This attitude of Procopius at this time would also corroborate the dating of at least parts of the *Secret History* to 550/1.

The opening passage (or *proem*) states Procopius' purpose for the *Secret History* very clearly. The plan of the *Wars* was that it was to be arranged and narrated according to time and place. The first seven books follow this plan and are divided into three sections according to geographical area. However the eighth book does not follow this plan, as it is a summary of the events in all three regions. Furthermore, the *Secret History* has twenty references to *Wars* 1-7 but none to *Wars* 8. Evans argues that the similarities between the opening passages of the *Secret History* and *Wars* 8 implies a

connection and that because the former's stated aim is to comment on the period covered in *Wars* 1-7, it should come as no surprise that there is no reference to *Wars* 8 (Evans, 1996b: 302). The primary argument for placing the composition of the *Secret History* in 550 that has been used since Haury's analysis has been Procopius' statement that Justinian's administration of the Empire had lasted thirty-two years. Although it is now widely accepted and uncontroversial that this number can be dated from 518 when Justin ascended the throne (though Justinian was effectively in control of the empire), as opposed to Justinian's official accession in 527, this does not settle the issue. The period of thirty-two years from 518 (ie. up to 550) has been taken as the date of composition, yet it is quite possible that this number refers instead to the period covered in the *Secret History* and is not a precise statement on its date of composition (Evans, 1996b: 302). This would certainly satisfy the position that it is an alternative approach to the events described in *Wars* 1-7 until 550/1.

In terms of the relationship between the dates of the *Secret History* and the *Buildings*, there is a useful cross-reference that may provide a clue. One of the incidents that Procopius mentions in the Secret History as proof of God's rejection of Justinian was a flood on the river Skirtos[46] that devastated Edessa, which he promises to describe in detail in a later work. There is no mention in *Wars* 8, yet there is a description of the flood on the Skirtos in *Buildings* 2.7.2-5. If one accepts the later dating of most of the *Buildings*, this cross-reference is quite useful and supports such a sequence. This of couse implies that while writing the *Secret History*, which was a blatant attack on Justinian, Procopius was also in the process of composing a panegyric to the same individual.

Thus, as contradictory as they may at first appear both in style and content, the planning of the *Secret History* and the *Buildings* may have been almost simultaneous in Procopius' mind. It is certainly plausible that he would have been considering a means of further income after the *Wars* and the genre of panegyric may have been such an option. However, classical authors were not dependent on writing for an income, and their works were not "published" in the modern sense of the word. It

[46] S.H. 18.38

certainly seems unlikely that someone of Procopius' background and social status would have needed to write for any monetary reason. As Cameron insists on the need for scholars to take a broader view of all of Procopius' works together in context, the *Buildings* certainly seems much closer to Procopius' other works when viewed in this manner. Moreover, the question of Procopius' sincerity in the panegyric (or lack thereof) must surely be of less significance than the purpose for writing it (Cameron, 1985: 9-12). For the very purpose of panegyric has never been one of presenting historical facts and achievements accurately, but rather to interpret the facts for the obvious (but never grossly inaccurate) glorification of the subject of the panegyric. It could also serve another programatic purpose, such as a display of gratitude for a favour, to be expectant of an achievement (such as a building program or a victorious conquest), or to challenge an emperor into a particular action or reform, as was the case in Pliny's panegyric of Trajan (Harvey, 1940:335). Justinian had already asked Lydus to write a panegyric for him (*De Mag.* 3.28) and the genre had regained popularity since Pliny[47] and Statius' *Silvae* and was readily seized upon by the orators of the Second Sophistic Movement (Such as Aelius Aristides).

Furthermore, the composition of the *Buildings* was an important complement to that of the *Wars* as several writers (including Statius and Frontinus) had used these as twin criteria for judging emperors[48]. Even if these works were indeed intended for different readerships, they were complementary for the author as three quite different means of expression. The basis of Cameron's argument therefore, is that the absence of freedom of expression under the Justinianic regime forced Procopius to write three rather different works that presented the imperial system from three different points of view in order to achieve the fullest degree of expression (Cameron, 1985: 11). While this may have been true, it is also probable that Procopius wanted to show his expertise over very different genres and therefore did not consider one work to be of inherently greater importance than the others.

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[47] The Gallic corpus consists of one speech by Pliny, and nine others dating from the periods c.289-321 and c.362-389 AD (C.E.V. Nixon "Late Panegyric in the Tetrachic and Constantinian Period" in Croke and Emmett's *History and Historians in Late Antiquity*).

[48] D. Rogues in "Les constructions de Justinien de Procope", *CRAI* 1998, 989-1001 notes that no previous emperor had done so much to deserve such a book. Justinian's record and the book were equally unique. Rogues notes that Procopius used the book for a series of geographical excursus in the style of Herodotus, Diodorus Siculus and Arrian.

This is a reasonable, convenient and quite feasible argument against the traditional view of Procopius' works that sees his *Wars* as being part of a strong classical historiographical tradition (beginning with Thucydides), the *Buildings* as pompous, over-flattering and long-winded (thus simply reserved as a source for prosaic historical detail), and the *Secret History* as a dark, personal attack on the imperial pair bearing little relation to the *Wars* (Cameron, 1985:4).[49] Cameron challenges these views by emphasizing that one must view all three works in context and that they must be understood in their relation to one another. Procopius has always been a valuable source for the reign of Justinian and the significance of the events he describes coupled with the lack of detailed biographical information has eclipsed the need for a study of own personal style, attitude and view of the genre in which he was writing (Cameron, 1985:3-6).

A starting point for an analysis of Procopius' attitudes and the influences on him that are reflected in the *Secret History*, as opposed to his literary influences, is to consider the environment in which he grew to adulthood. In S.H. 11.25 and *Wars* 1.1.1 he states that he was a native of Caesarea in Palestine (and not from any of the other cities of the same name), as he himself implies in his defense of the natives of his land:[50]

*"And when a similar law was immediately passed touching the Samaritans also, an indiscriminate confusion swept through Palestine. Now all the residents of my own Caesarea and of all the other cities, regarding it as a foolish thing to undergo any suffering in defence of a senseless dogma, adopted the name of Christians in place of that which they then bore and by this pretence succeeded in shaking off the danger arising from the law."* (S.H. 11.24).

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[49] The almost supernatural scale that Procopius assigns to the events he describes as well as the superhuman motifs he uses to describe Justinian (eg. S.H. 30:34) are closer to the Christian apocalyptic and eschatological writings of earlier centuries than to classical Greek and Roman works.

[50] Νόμου δὲ τοῦ τοιούτου καὶ ἀμφὶ τοῖς Σαμαρείταις αὐτίκα τεθέντος ταραχὴ ἄκριτος τὴν Παλαιστίνην κατέλαβεν. ὅσοι μὲν οὖν ἔν τε Καισαρείᾳ τῇ ἐμῇ κἀν ταῖς ἄλλαις πόλεσιν ᾤκουν, παρὰ φαῦλον ἡγησάμενοι κακοπάθειάν τινα ὑπὲρ ἀνοήτου φέρεσθαι δόγματος, ὄνομα Χριστιανῶν τοῦ σφίσι παρόντος ἀνταλλαξάμενοι τῷ προσχήματι τούτῳ τὸν ἐκ τοῦ νόμου ἀποσείσασθαι κίνδυνον ἴσχυσαν.
This does not mean that all Samaritans pretended to be Christian. Furthermore, even if Procopius was not a Samaritan himself, he could still have been influenced by those for whom *dissimilatio* was a way of life.

Although he says very little else about it, it is reasonable to take Caesarea as a starting point for any further influences that would affect his value system and world view. Besides being the traditional capital of the province of Palestine and at the height of the Principate, the residence of the procurator, Caesarea was best known as a center of Christian Hellenism, founded largely upon a library containing the works of the early Church Father Origen (Cameron, 1985: 5). Pamphilus, the teacher of the Church historian Eusebius[51], was bishop of Caesarea in the early fourth century and was chiefly responsible for organizing this library. Eusebius himself also came from Caesarea and is ackowledged as one of its most important writers, as well as writing the first Ecclesiastical History. Later that century the city attracted numerous other illustrious scholars, including Gregory of Nazianzus (Cameron, 1985:5).

Although its significance had waned considerably by the sixth century, it is likely that Procopius grew up well aware of his home city's intellectual heritage. Furthermore, the cosmopolitan nature of the city with its greatly mixed population of Greeks, Jews, Asiatics and numerous Christian denominations (particularly Monophysite) exposed Procopius to a wide range of cultural influences as well as religious and ethnic divisions at an early age. This first-hand knowledge of the reality of such a mixed society may, as Cameron argues, have given him sympathy for religious and cultural minorities causing him to condemn Justinian's persecution of them (Cameron, 1985:5). However, Justinian's own relationship with these so-called minority groups often appears ambiguous. There is not enough evidence to support any assumption that Procopius' condemnation of official policy indicates that he was not a Christian. On the contrary, there is significant evidence throughout his works to show that he was Christian, or at least agreed with much of Christian ideology.[52] Moreover, he was pragmatic and (as S.H. 11.25 shows) did not believe that any belief or ideology was worthy of martyrdom, or even suffering for that matter. This attitude to ideology may imply a familiarity and perhaps even agreement with Stoicism, a philosophy which did not demand that one belong to a specific group or follow a prescribed set of practices and therefore may have appealed to Procopius' dislike of partisanship. As Averil and

[51] Eusebius lived from c.260-340 AD and wrote his *Ecclesiastical History* up to 324, in addition to his *Chronicle*.

Alan Cameron have argued, the evidence suggests that Procopius was religious, even if not openly proclaiming either Christianity or paganism.[53] Neither can one assert that his condemnation of official policy is evidence of his being a liberalist and dissenter. Like Lydus, most of his surviving work indicates that he was a reactionary.

It is most likely that Procopius' attitude of tolerance had been developed as a result of cumulative experiences from his hometown, his experiences on the frontiers with Belisarius, the Nika riots and knowledge of Christian politics. In his experiences on the frontier, he would probably have been exposed to Sassanid religious tolerance. The Persian empires had always allowed a certain degree of religious freedom and syncretism as they probably believed it to have a strategic advantage.[54] Although still maintaining the sacred triad in Zoroastrianism, the Parthian Arsacids set a precedent for the Sassanids and had adopted the cults of the regions they conquered in Mesopotamia. Furthermore, they had a particular sympathy with the Jews, who saw them as "true defenders of the faith" and whose own religion was consequently heavily influenced by that of the Parthians[55] (Ghirshman, R, 1954: 272).

In terms of the wide geographical extent of Procopius' experiences, it is likely that this would have helped to create a considerably different world-view in certain respects to that of someone such as Lydus, who was almost always in Constantinople, and any similarity between the two must be regarded as being of significance. In addition to helping to create this sense of tolerance that Procopius had, his experiences on the frontier may have also caused him to return as an embittered war veteran. War veterans often have difficulty in assimilating back into civil society and feel alienated and cheated by the home government. While this could certainly have been a significant factor in helping to create Procopius' hostility towards Justinian, Procopius did not do any fighting himself and much of his disillusionment and disappointment as expressed in the *Secret History* probably owed more to the recent disaster of

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[52] Large portions of the *Secret History* use Christian symbolism and imply a familiarity with Christian ideas.

[53] In their "Christianity and tradition in the historiography of the Later Roman Empire" in *Classical Quarterly* 14 (1964: 321-323)

[54] This had, to a certain extent, been adopted by Alexander the Great and inherited by the Romans.

[55] In the same manner, Zoroastrianism had influenced Judaism during the period of exile in the seventh century BC.

Belisarius' Italian Gothic Campaign. Yet his non-combatant role would not have made him immune to witnessing the usual carnage on the battlefield, and that experience could at least partially account for his depiction of Justinian as being bloodthirsty with the responsibility of millions of deaths on his hands. However, it is difficult to determine Procopius' immediate response to his experience on the front, for any emotion he may have experienced is buried beneath a rather dispassionate, military description of the progress of battle (eg. *Wars* 1.13). But he blames Justinian overtly, in S.H. 18.3 where he states:[56]

*"Now to state exactly the number of those who were destroyed by him would never be possible, I think, for anyone whosoever, or for God. For one might more quickly, I think, count all the grains of sand than the vast number whom this emperor destroyed."* (S.H. 18.3).

Although this passage is representative of the portrait that Procopius creates of Justinian, it also served a more immediate purpose. In this instance he is referring specifically to the depopulation of Africa, and uses this rhetoric to emphasize his disappointment that Belisarius was not able to act at his best because under the direct control of Justinian. Yet one can only speculate as to what Procopius' personal reaction to the war might have been, for when he describes a battle scene he does so from the standpoint of military history, pointing out both the luck and skill of Belisarius (eg. *Wars* 6.23.17-28).

Cameron further suggests that Procopius may have felt personally threatened in AD 528/9 and 546, while writing the *Wars*, when many intellectuals of his own class were attacked on grounds of heresy and paganism (Cameron, 1986)[57]. However, although it is plausible that Procopius did feel at risk during these persecutions (despite his position of relative importance as an assistant to Belisarius), it seems insufficient to create the intense hatred that he displays for Justinian and Theodora in the *Secret History*. Even though these purges were supposedly carried out on religious and

[56] τὸ μὲν οὖν μέτρον ἐς τὸ ἀκριβὲς φράσαι τῶν ὑπ' αὐτοῦ ἀνηρημένων οὐκ ἄν ποτε, μοὶ δοκεῖ, τῶν πάντων τινὶ ἢ τῷ θεῷ δυνατὰ εἴη. θᾶσσον γὰρ ἄν τις, οἶμαι, τὴν πᾶσαν ψάμμον ἐξαριθμήσειεν ἢ ὅσους ὁ βασιλεὺς οὗτος ἀνῄρηκε.

[57] S.H. 11.15

ideological grounds and despite the fact that Procopius represents Justinian as having random bloodthirstiness, the very fact that they were directed at the upper classes and intellectuals implies that they must have been politically motivated. During the earlier purge of 528/9, Procopius may have felt concern for his peers but probably did not see any danger for himself, as he had only recently been appointed as assistant to Belisarius and therefore posed no threat. At this early stage even Belisarius himself had not yet proved himself (this was only to come during the Nika revolt). It is likely that this first purge was a consolidation by Justinian of his own power, as the old emperor Justin had only recently died. The second purge in the 540s however, must have caused Procopius considerable alarm. For by this stage, he was closely associated with Belisarius, who had already been disgraced and recalled from Italy (a move which Procopius claims was evidence of Justinian's jealousy and paranoia). Yet in the preface to his laws Justinian professes concern about the menace of predatory soldiers and corrupt officials to provincials. Thus Procopius blames Justinian for the lawless behaviour that Justinian himself was trying to stamp out. As is repeatedly evident in the *Secret History*, particularly concerning his treatment of schismatics and separatists, Justinian receives all the blame from Procopius for actions that he may not have been directly involved in. Even if Procopius had retained his position as a member of the landowning provincial class, his close association with Belisarius only increased his prestige and perceived importance within the imperial framework. It was a combination of many of these factors and events that led to his attitude in the *Secret History*, and perhaps a feeling that the imperial pair posed a very real and greater threat to his way of life and heritage than simply a short-term one of persecution under one of Justinian's purges.

From his broader political attitudes as manifested in the *Secret History*, and to a lesser degree in the *Wars*, his reaction was probably the norm among the educated, landowning provincial upper class that had always suffered greatly from the financial, military and other demands made on them by the government. Although Procopius never states directly which class he belongs to, we can infer from his particular sympathy with these provincial landowners throughout his work that this was the group with whom he most closely identified. It may be true that he did not feel he entirely belonged to this class, for he did not share many of its characteristics. The fact

that he was a personal secretary to Belisarius singled him out from other provincials, who had sympathies with unorthodox Christianity and sought either administerial positions in the provinces or positions within the civil service. Thus although the origins of Procopius and Lydus were similar, the latter remained to a certain extent within his class, although he did not live in the provinces, while the former had moved into an almost undefined position where he was neither a member of the bureaucracy nor of the army (a so-called "sub-elite"), yet still betrayed his loyalties when speaking against persecution and the social cost of Justinian's' policies.

All things considered, this landowning sub-elite may have suffered more under the reign of Justinian and Theodora than it had under any other emperor for at least two centuries. This is apparent concerning this class in Constantinople, but even more so when one considers the effects of Justinian's campaigns and policies on the landowning classes of Italy. For while the Italian campaign may initially have presented the prospect of an easy victory, it dragged on for twenty years and resulted in a completely devastated country that became considerably worse off than it had been after the first barbarian raids by the Goths and Vandals during the previous century:[58]

*"And as to Italy, which has not less than three times the area of Libya, it has become everywhere more destitute of men than Libya. Consequently the estimate of persons likewise destroyed here will be fairly easy."*(S.H. 18.13-14)

Although this reflects Procopius'view of the effect of Justinian's policy on Italy, he more fully describes the events in *Wars* 7.23.

Despite the claim by Evans and Downey that Procopius had studied at Gaza,[59] Cameron argues that there is no direct evidence for this and therefore we cannot conclusively determine whether the city's own intellectual environment had any further influence on Procopius' attitudes (Cameron, 1985:6-7). It is likely that

[58] Ἰταλία δὲ οὐχ ἧσσον ἢ τριπλασία Λιβύης οὖσα ἔρημος ἀνθρώπων πολλῷ μᾶλλον ἔτι ἢ ἐκείνη πανταχόθι γεγένηται. ὥστε δὴ μέτρου τῶν κἀνταῦθα ἀνηρημένων ἐγγύθεν ἡ δήλωσις ἔσται.

[59] Downey in *Gaza in the Early Sixth Century* (1963: 112) and Evans in *Procopius* (1972: 31) proposed this, based on the assumption that Procopius wished to be an imitator of Thucydides and Gaza was a center of Thucydidean studies.

Procopius' education would have been the standard training in rhetoric and the imitation of classical authors. If historians are correct in placing Procopius among the class of the traditional educated elite (based on his political views as manifested in the *Secret History* and the fact that the name "Procopius" was a relatively common name within this social group) (Cameron, 1985:6), it is presumable that he shared their prejudices and although loyal to the Byzantine imperial system, he was primarily interested in preventing the encroachment of autocracy over his own class. In *Wars* 5:14 he implies his support for the Byzantine program of reconquest as a means of recapturing what he believed was rightfully Roman, and it is only in the *Secret History* that we discover his disapproval of the means of reconquest and its realization by Justinian.

There is no direct evidence that Procopius' education included a background in philosophy, other than certain hints of sympathy towards Stoicism and an obvious familiarity with the numerous Christian sects, and as a result he is not a particularly philosophical historian. When he objects, it is against particular people or policies rather than an overall principle or ideology (Cameron, 1985:7-8). This may partially explain why the *Secret History* is an attack on specific individuals and not the Byzantine monarchy per se. Furthermore, the influence of his early education in imitating classical greats seems to have had the greatest effect in the *Wars*, where we see Procopius' narrative style and his emphasis on relating military and political events rather than analyzing Justinian's ideology or using the work as a vehicle for conveying a particular moral or social message. It is likely that Procopius' attitude towards ideological disputes was not as important as his belief in the preservation of a classical ethos based on the nostalgic sympathy for and hence survival of the educated, landowning provincial social group.

By concentrating primarily on recounting political and military history and not dealing with ideology in any great detail (such as the numerous theological controversies that plagued the empire in the first half of the sixth century, eventually culminating in the

Fifth Ecumenical Council of Constantinople in 553)[60], Procopius managed to save himself the rather difficult problem of having to reconcile his classical training with the non-classical, dogma-based, socially overwhelming doctrines of Christianity. For although Christianity had existed as a religion of the Roman state for nearly two centuries,[61] it was only during Justinian's reign that it crystallized into the completely dominant ideology of the state that it would remain for the following centuries. Even though Theodosius II (emperor from 408-450) had led a crusade against paganism and many related aspects of classical culture (at a physical level his assault on paganism was an "ultimate solution"), many of these traditional beliefs continued on a popular (as opposed to state) level alongside Christianity.

Justinian was the first emperor to force individuals to choose exactly what their religious status was, for the boundary between pagan and Christian was often vague and the two were not necessarily mutually exclusive (Maas, 1992: 4). Justinian also went a long way towards clarifying the difference between various sects within Christianity and although a great deal of tension had always existed between these religious groups (including the Arians, Nestorians, Monophysites and Chalcedonian Catholic or Orthodox), Justinian turned their rivalry into a crusade, championing the beliefs of the Orthodox church in Rome[62] (not to be confused with the later Russian, Greek and Coptic groups that are collectively known under the same name during the Middle Ages and after). Procopius' choice not to debate the theological details of Christianity does not necessarily imply that he had a negative attitude towards Christian ideology, but rather that he felt more comfortable leaving such religious and social issues to other authors (*Wars* 5, 3.6). Procopius knew of such issues but apparently felt that he could not judge and sometimes took an agnostic line. Furthermore, his deep personal involvement with the imperial system gave him detailed knowledge of the issues that actually determined governmental action. His

[60] It was at this Fifth Ecumenical Council that the Three Chapters were condemned. These consisted of the writings of Theodore of Mopsuetia, Theodoret of Cyrrhus and Ibas of Edessa, who were all suspected of Nestorian tendencies, a heresy that was in the process of being eliminated (Ostrogorsky, 1968: 78).

[61] Christianity was adopted as the State religion by Theodosius I in 375.

[62] Justinian even treated Popes and Patriarchs as servants and took control of affairs of the Church in the same manner as he did those of the State (Ostrogorsky, 1968: 77).

decision to omit these issues must therefore be attributed to his recognition of the necessary limits of the genre in which he was writing.

Although also writing from a standpoint within the system, the life of Lydus was quite different to that of Procopius. The difference in approach between these two writers is an effective means by which to measure popular sentiment and attitudes towards the imperial system (including its bureaucratic, aristocratic and military manifestations) For several authors expressed their concern in one way or another over the exact status of Justinian within the overall Byzantine political framework[63] (Cameron, 1985: 242). The sixth century was the pivotal point of transition from the classical Roman Empire (even though the western empire had collapsed in 476) to the Byzantine Empire of the Middle Ages. It was during this period that the last threads of Roman culture were replaced by trends in the relationship between the Church, State and general populace that were to characterize the Middle Ages (Evans, 1996a: 1). This century would see the transformation from a culture still rooted in classicism to one that was largely defined by Christianity. Justinian was at the center of this transition and it is therefore understandable that many contemporary writers were concerned with the redefinition of his status and powers.

Other than philosophers, social commentators and ecclesiastical historians dealing with imperial policy, Lydus must be regarded as the most important source for this period on the actual composition of the government and the functioning of the bureaucracy. Furthermore, he deals with the composition of the imperial system in a manner that is far more detailed than most other genres would allow. Although he produced two other notable works, *De Mensibus*, a work on the Roman calendar, and *De Ostentis*, on portents, the work that is the most revealing concerning his personal value system is his *De Magistratibus*, which discusses the history and nature of the Roman magistracies as well as placing them within a contemporary framework. As Bandy argues, what makes *De Magistratibus* so valuable is that it sets the reforms of Justinian's regime in an historical perspective in relation to previously existing Roman

[63] Although not directly concerned with constitutional issues themselves, contemporary writers did express their realization that they were living under an emperor that was unlike others, eg. John Malalas, Agathias, Marcellinus. These writers appear to have been aware that Justinian wished to go down in history as leaving a very distinctive mark on the history of Rome.

bureaucratic structure (Bandy, 1982: xxvi). Lydus' unique contribution is his account, albeit biased and confusing, of the structure and operation of sections of the central administration. It compliments what one can learn from Justinian's own *Codex Iustinianus* and the *Novels*.[64]

There is a similarity between the origins of Procopius and Lydus. Like Procopius, Lydus was a provincial, but was from Philadelphia in Lydia[65], yet he also gained prestige in public service under the patronage of an influential man (a fellow provinicial named Zoticus). He too had a cosmopolitan background and after his early success under Anastasius and Justin I, he was unhappy about the administrative changes brought about by Justinian. As in the works of Procopius when viewed as a whole, his *De Magistratibus* seems to give many indications of support for Justinian and yet there is also an obvious criticism of contemporary official policies. Throughout Lydus' work he gives indications of his views and values as firstly, a member of the city elite in a province, secondly, a bureaucrat and thirdly, a *grammaticus* seconded to teaching the emperor. These three personas underly his presentation of Justinian' regime.

Although he benefited from imperial favour at the court of Justinian, Lydus did not have quite the same type of prestige to that of Procopius, for while Lydus may have led a charmed existence in the civil service, Procopius was personally associated with one of the most high profile individuals in the Empire after the imperial pair. Regarding the early life of Lydus, we know very little. He says nothing about his parents in his works, yet the aristocratic origin of the name "Laurentius" that is often included in Lydus' full title and is usually agreed to be his father's name may provide some clues (Bandy, 1982:ix-x).[66] Lydus himself states that he went to Constantinople at the age of twenty-one when Secundianus was consul:
"*When I was twenty-one years of age, during the consulship of Secundianus, I came to this blessed city from my native Philadelphia, which lies at the foot of Mount Tmolus*

[64] See also Robert A. Kaster' *Guardians of Language: The Grammarian and Society in Late Antiquity* 1988:306-309

[65] *De Mag.* 3.26, 3.58, *De Mens.* 4.2, 4.58

[66] Martindale argues that although Lydus was the son of Laurentius, according to Photius' *Bibliotheka* 180, the view that Lydus himself was called Laurentius is based on a misreading of Photius (Martindale, 1990: II 612).

*and is situated in Lydia; and, after I had pondered many matters with myself, I resolved to join the* memoriales *of the court and to gird myself up for service with them.*" (*De Mag.*3.26, trans. Bandy, 1983).

This can be placed for certain in the year 511 and we can therefore reason that he was born in 490 (which would put him in approximately the same generation as Procopius). While in Constantiople, Lydus decided to enter the government service as part of the *magistriani*, secretaries to the bureau of the *magister memoriae*. However, due to heavy competition, Lydus could not gain entrance to the office immediately and studied for a time under Agapius, an Athenian philosopher who taught both Platonic and Aristotelian ideas (*De Mag.* 3.26). During this time, Zoticus, a countryman of Lydus', was appointed Praetorian Prefect and soon enrolled Lydus among the prefecture's *exceptores* (or "speedwriters"). For this reason, Lydus was trained in the service of the Praetorian Prefecture rather than the *sacra scrinia*. This turn of fate was to have a critical impact on Lydus' later representation of the importance of the prefecture in *De Magistratibus*.

Becoming an *exceptor* was standard for anyone entering public service under the prefecture. In *De Mag.* 3.66, Lydus states that over one thousand *exceptores* were enlisted annually, but that the office gradually became unpopular until hardly anyone would apply for the position. This was partly due to the fact that restrictions introduced by Justinian prevented individuals from making personal profit from within the office, which had previously been one of its greatest attractions (Bandy, 1983:xi). The position of *adiutor* alone was a very prestigious one. Only those who were considered to be of noble birth and with an excellent background education qualified for this office. In return, it gave the individual considerable power and status in addition to numerous opportunities for acquiring significant personal wealth (*De Mag.* 3.27). In gratitude for the great favour that Zoticus had done for him,[67] Lydus composed a panegyric in his honour for which he was paid one *solidus* per line. Unfortunately, this work has not survived and as a result we know very little more of the person of Zoticus. In *De Mag.* 3.28, Lydus further states that along with his cousin

[67] *De Mag.*3.27. During that year Lydus made over one thousand *solidi* from various fees.

Ammianus, Zoticus was responsible for acquiring a wealthy wife for him (including a dowry of 100 lbs of gold), although he does not elaborate much on her character, nor does he mention any children.

As a result of Zoticus' significant influence, other heads of the praetorian service gave support to Lydus. Consequently, he apparently abandoned any interest in advancement under the *sacra scrinia* and chose rather to remain within the prefecture. Great favour was shown to Lydus and he claims to have advanced to a higher status in a virtually unprecedented manner. He was exempted from the standard nine years of being an *exceptor* before being allowed to advance to a higher rank. In addition, he was not required to pay the customary fee upon entrance to the rank of *chartularius.* He was exceptionally young for the position and was even given a lucrative salary for his efforts (a yearly salary of 24 gold coins as chief *chartularius*) (*De Mag.* 3.27.2). This position required Lydus to compile the *personale* (a register of all cases and people that appeared before the court) and to write *suggestiones* (general briefs) for the cases that were to go to the Senate on appeal. It was at this stage that he seems to have hoped for an appointment *a secretis* (ie. in the palace itself) (*De Mag.* 3.27). Martindale[68] observes that Lydus' claim in *De Mag.* 3.28 to have given up work in the palace so as to concentrate on the prefecture may be his way of glossing over the fact that he had lost his patronage in 512 with the retirement of Zoticus and was therefore left to follow the normal route of promotion after his spectacular early successes.

After the post of *exceptor* and first *chartularius* to the *adiutores* of the *ab actis*, Lydus states that he also held the positions of *chartularius* in the bureau of the *commentarienses* and *matricularius.*[69] In 3.17.3 Lydus states:
*"For instance, I personally remember serving as a* supernumerary chartularius, *as this official was termed, to the* commentarienses *just at the time when the Emperor Anastasius was moved to anger against Appion, a most outstanding man who had*

[68] 1980: II 613

[69] This may have been in 517 when Sergius was Praetorian Prefect, as Lydus refers to him as "*the great Sergius*" in *De Mag.* 3.20.9.

*been his partner in the emperorship, at the time when Cavades the Persian was inflamed with hostility.*" (trans. Carney, 1971)[70]

Bandy has a good argument in its deduction that Lydus held no high state positions, for there is no evidence of this either in Lydus' own works or in those of any other writers' (Bandy, 1983:xiv).

Despite Lydus' comfortable position within the prefecture and his early enthusiasm, he became disillusioned with the magistracy. Although it is debated as to when this change of heart actually took place, it probably began after Zoticus' departure in 512 when he was no longer given the special treatment that he would have liked. This disillusion grew with the appearance of Justinian and the reforms that he introduced into the magistracy. Lydus himself states that he came to hate the magistracy when traditional, respected procedures were done away with and when those who were properly qualified to enter the magistracy were no longer being favoured (*De Mag.* 3.28). Bandy suggests that Lydus' discontent may have started during the prefecture of Marinus (the successor of Zoticus) (Bandy, 1983:xv). In *De Mag.* 3.49, Lydus refers to Marinus as being a wicked individual who was both power-hungry and an extortioner. Supposedly Lydus' dislike of Marinus was shared by many other *exceptores* partly due to the fact that he had been one of the *scrinarii*. The *scrinarii* were civilian employees and were considered experts in financial matters. In *De Mag.* 3.35 Lydus states that they were not included on the old magistracy register lists and that they had only been granted the equivalent of the rank of *adiutores* within the previous fifty years under the reign of the emperor Leo I. In addition, Lydus refers to him as being Syrian, which may have been a factor in Lydus' dislike of him, resulting from ethnic tension. However, the subtext of these complaints against the normal procedures of the magistracy and the successors of Zoticus is that Lydus was embittered at having to struggle through a system for positions that he felt he deserved. Yet it was only due to the early patronage of Zoticus and his unusual early success that he was even in a position to make such complaints.

[70] Possibly referring to 517, (Maas, 1992:32)

In the late 520s, during the reign of Justin I, Justinian commissioned Lydus to compose a panegyric honouring himself as well as a history of the war against the Persians that he was then waging in the East (*De Mag.* 3.28).[71] Unfortunately, neither of these works has survived. However, Justinian was so impressed by Lydus that he later recommended him for a teaching position as *grammaticus* at the imperial school in Constantinople as well as giving him the reward of an unmentioned amount from the State Treasury.[72]

In 532 the Nika insurrection occurred in which John the Cappadocian was replaced as Praetorian Prefect for a while by Phocas,[73] an individual for whom Lydus had great respect. Unfortunately for Lydus however, John the Cappadocian was reinstated by later that year and Lydus' reaction to this was to state that he had come to hate the service (*De Mag.* 3.28.3)[74]. Both *De Mensibus* and *De Ostentis* date to the late 530s and early 540s as both were dedicated to the Prefect Gabriel, who held office in 543 (Maas, 1992: 34, Martindale, II 1990: 614). Martindale suggests that Lydus' stage of literary production may have coincided with a period early in Justinian's reign when literary work was more highly rewarded than previously.[75] Moreover, *De Ostentis* may have been written in response to Chosroes' sack of Antioch in 540. It was during this period of literary productivity that Lydus' career in the civil service began to slide. John the Cappadocian's second tenure of the Prefecture effectively pushed Lydus out of business for a while (*De Mag.* 3.66). This largely accounts for Lydus' blatant hostility to John the Cappadocian. Between 539 and 541 Justinian instituted a legal reform that was to the disadvantage of those who served as *rhetors* in the court. Lydus complained about this (*De Mag.* 3.66) and blamed it not on Justinian, but on John the

[71] This probably refers to the recent war in 530 during which Dara was attacked by the Persians in vain and which eventually led to the signing of the peace treaty in 532 (*Wars* 1.13.12). It would also coincide with the prefecture of Phocas.

[72] This meant that Lydus lost out on the perks that went with service in the bureaucracy, although he didn't officially give up his position in the Prefecture (*De Mag.* 3.29).

[73] He was also of noble birth and a pagan, according to Malalas' *Chronicle* 449. Malalas wrongfully claims that he was killed in Justinian's persecution of the pagans in 529, while Phocas was merely questioned. He was most likely confusing this with a later persecution of pagans in 542/3, which he does not mention yet which does seem to have resulted in the death of Phocas (Martindale, 1990: II 882).

[74] However, it cannot be verified that this complaint belongs precisely to this period.

[75] This may be connected to the prefecture of Phocas in 532 (Martindale, 1990: II 613).

Cappadocian (who would himself fall from grace in 541, allegedly as a result of Theodora's machinations against him).[76]

The 540s also saw Justinian's purges of intellectuals and one of those directly affected was Phocas, who was publicly disgraced in 545-6 and eventually committed suicide as a result[77] (Maas, 1992:34). It is quite likely therefore that Lydus suffered the same disillusionment in this period that befell Procopius, when he realized that his own intellectual class and those with whom he associated were threatened by Justinian's policies. Lydus was not himself disgraced, and it was at this time that Justinian recognized his literary efforts by awarding him the aforementioned teaching post in Constantinople, which he took up in conjunction with his duties for the prefecture. Lydus records this letter sent by Justinian in *De Mag.* 3.29 and it may have been in 543, for this was the year that Gabriel was prefect in Constantinople. Lydus retired from the prefecture in 551/2, while probably holding the rank of *primiscrinius* (this is uncertain and he may have even held the rank of *cornicularius* at this point, although he makes no mention of it) (Maas, 1992: 36). The pursuit of learning at this time was still represented as an imperial virtue, despite the purge of upper class *rhetors* and intellectuals in the previous decade, therefore supporting the argument that those purges were politically rather than ideologically motivated.

In *De Mag.* 3.30, Lydus states that he was in the service for forty years and four months. This provides a *terminus post quem* for the production of *De Mag.* 3, therefore making its composition roughly contemporary with part of the *Secret History.*[78] On retirement, Lydus would have received the titles of *tribunus et notarius vacans* and *comes ordinis.*[79] In the same passage he states that this was when he began a life of literary activity. Photius[80] believed that Lydus wrote all three of his extant works during the period, although Lydus himself was probably only referring to *De*

[76] Maas 1992:34

[77] Neither Procopius nor Lydus actually mention his suicide and though it is referred to by John of Ephesus, the story may be apocryphal (Martindale, 1990: II 882)

[78] Caimi (1984:111-24) notes that nothing in Lydus' account postdates 552.

[79] Martindale 1990: II 614 and Stein, 1949: II 731.

[80] Photius' *Bibliotheka* 180

*Magistratibus*. He began to write *De Magistratibus* in 554[81] and finished 3.55 between 557 and 561 (Stein, 1949: II 839-40).

The lives and careers of Procopius and Lydus had a fundamental impact on both the style and content of the works that they were to produce. Just as the bulk of Procopius' work could not have been produced in the same manner as it was if he had not personally witnessed the events described and had not been present with Belisarius, so Lydus could not have written about the bureaucracy with such authority if he did not have a grounding in Latin or the time and resources that his position allowed to produce such a work. It will be shown that the choice of Lydus to produce works dealing with classical Roman culture and the style in which they were written is a direct function of him being an educated, landowning provincial with a vested interest in the continuation of that way of life. It will also be shown that the nature of Procopius' work reflects a similar concern for this social class, while also revealing something of the different ways in which people struggled to deal with the radical changes brought about by Justinianic policy.

[81] *De Mag.* 1.2

## 3: DRAMATIS PERSONAE: THE IMPORTANT INDIVIDUALS

In addition to the emperor himself, the key figures during the reign of Justinian, as represented by Procopius and Lydus, are Theodora, Belisarius, Antonina, Tribonian and John the Cappadocian. Each of these individuals either played a significant role in the implementation of Justinian's policy or was presented as a key figure by these two sources.

It is tempting but hazardous to paint a psychological portrait of any of these principal figures[82]. It is often difficult to tell when Procopius and others are actually telling the truth and when they are embellishing the facts with anecdotes and character sketches that suit their purposes. As a general rule, these authors of late antiquity never entirely abandon the historical core of their stories and certainly in Procopius' case, he does not contradict himself in his presentation of facts in relation to his other works. Moreover, as Scott argues, effective counter-propaganda or support for an interpretation of the facts that differs from the official one implies an agreement on the original basic facts. The difference lies in the interpretation of those facts (Scott, 1985: 99-109).

### A) Justinian

Firstly, the background and presentation of the emperor himself: According to *Buildings* 4.1.17 and Justinian's own *Novel* 11, he was born at Tauresium near Scupi in c.482. His father's name was Sabbatius[83] and his mother was a sister of Justin (later emperor from 518-527). As a result, he is often styled as Justin's nephew by Procopius (eg. *Wars* 1.11.10, 1.12.21, 1.13.1; S.H. 6.19, 9.52) and others.[84] On the death of Anastasius in 518, he was one of the *candidati* while serving among the *scholares*. Constantine Porphyrogenitus states that he was apparently offered the

[82] Their characters as represented by Procopius, Lydus and other contemporary writers have proved to be irresistible for a number of modern authors who have freely mixed material from the sources with pure fiction (not entirely unlike the popularity that members of the Julio-Claudian family have enjoyed among authors due to their similarly dramatic personalities). These include Robert Graves' *Count Belisarius* (1938), N.B.Gerson's *Theodora, a novel* (1969), Gillian Bradshaw's *The Bearkeeper's daughter* (1987), Elbert and Alice Hubbard's *Justinian and Theodora, a drama* and Sir Pierson Dixon's *The Glittering horn: secret memoirs of the court of Justinian* (1958).

[83] S.H. 12.18

[84] Also in John Malalas *Chronicle* 422, John of Nikiu *Chronicle* 90.16, Theophanes *Chronographia* 6019

throne but refused it. In 519 and 521 he received the title *comes* and was elected consul in the East (along with Valerius).[85] Once his uncle Justin was elected, Procopius says he was involved in the murders of Amantius and Vitalianus in 520.[86] In S.H. 6.19 Procopius states that he was virtual ruler of the empire while his uncle was emperor, to the extent that when he provides a date for the composition of the *Secret History*, he dates Justinian's rule from 518 and not 527.[87] During the mid-520s he had already begun spending money on buildings as well as giving gifts of money to the barbarians, particularly the Vandal king Hilderic (with whom he was on good terms).[88] He was an orthodox Christian and supporter of the Council of Chalcedon (according to Evagrius Scholasticus' *Ecclesiastical History* 4.10), writing a series of letters to Pope Hormisdas between 518-520 (Martindale, 1992: II 647). In 527 the aging Justin made him co-emperor and he became sole emperor when his uncle died.[89] He was apparently 45 when he became emperor and was thus about 83 when he died in 565, He was succeeded by his nephew Justin II.

From the *Wars*, the image that we have of Justinian is one of a powerful lawgiver and a great ruler who was an important icon to the empire. In the *Buildings* this image is even further enhanced, through panegyric. However, the *Secret History* presents us with a different Justinian altogether. He is represented as a ruthless tyrant, a role model for corrupt officials and a jealous leader that did not even trust his most loyal subjects. At first glance, these different images may appear to be irreconcilable, but this need not be the case. It is certainly true that although Procopius wrote the *Secret History* in order to portray a group of principal characters in Constantinople, he devotes the most attention to Justinian. Whenever he speaks of the corruption of officials, corruption in the empire in general, or the vices of any particular individual, almost without exception he lays the blame on Justinian.[90] On the other hand, when Lydus criticizes individuals (such as John the Cappadocian), he attacks them

[85] Marcellinus' and John of Nikiu's *Chronicle* 90.16-18 state that he received the titles *patricius* and *nobilissimus* between 521 and 527.

[86] S.H. 6.27-28

[87] Chapter 2 elaborates on this dating of the *Secret History* from 518 in the discussion on Procopius' career.

[88] *Wars* 1.9.5

[89] *Wars* 1.13.1, Malalas' *Chronicle* 422, Evagrius Scholasticus' *Ecclesiastical History* 4.9.

[90] S.H. 13.23-27

individually and does not attribute their failings to the influence of Justinian. Consequently, it should not be surprising to find that his attitude towards Justinian appears ambiguous. In *De Mag.* 3.2.4 he refers to Justinian as a model of ἐμμέλεια and in 3.38 as showing καλὸς καὶ ἐλεύθερος. Yet in *De Mag.* 3.69, Lydus attempts to criticize John the Cappadocian and exonerate Justinian in the same breath:[91]

*"After this blackguard of blackguards* (i.e. John), *enemy of the laws, had gone on like this, God turned his attention to him, for he had decided that the person responsible for the wrong-doings should be hoist to his own petard, to persuade him that 'there is justice and a nemesis that brings evils home to roost'. The emperor, gentlest of souls, knew nothing of these happenings. On account of the emperor's unrestricted power everyone, although subject to his injustices, spoke highly of the scoundrel, and their praises for him were loudest of all when in the emperor's presence – for who would have ventured to bring up his mere name without a word of praise? Only the emperor's wife, the superior in intelligence of any man ever, who was maintaining a vigilant watch out of sympathy for those to whom injustice was being done, finding it intolerable to watch inactively any longer as the state foundered, armed with accounts that told no ordinary tale, she went over to the emperor and informed him of everything which up until this time had escaped his notice, of the fact that there was a risk that not merely would the citizenry come to ruin amid the wrongs being perpetrated but also that the empire itself was near to being brought down. Well, as you would expect, the emperor, being a good man and slow to requite evil, was in the toils of a perplexing situation that was impossible to resolve; he did not even manage to find a way of removing the subverter of the state".* (Trans. T.F.Carney, 1971).

From these source passages, a rather difficult portrait emerges of Justinian. Moreover, against the writings of Procopius and Lydus, we have the *Codex Iustinianus* and the *Novels*, which to a certain extent can be seen as an objective control in the comparison, for even though Justinian did not personally compose the *Codex Iustinianus*, he was its supervisor and it therefore offers a view of the workings of Justinian's mind. Unfortunately, the *Codex Iustinianus* does not offer the richness of

[91] The length of the quote is necessary to establish clearly Lydus' portrait of Justinian, Theodora and John the Cappadocian.

biographical detail (despite its coloring with personal bias) of Procopius, but it does reinforce the idea that Justinian was a complex man who needed to be understood on several levels. The *Codex Iustinianus* is a compilation of earlier constitutions, but the constitutions from the early years of Justinian's own reign shed some light on Justinian's thinking and program.[92]

Although Justinian was only officially crowned emperor in 527 AD, Procopius believed that he was the acting ruler from the time that his ailing predecessor Justin I first came to the throne in 518.[93] It was during this period that Justinian was able to consolidate his power and create a public image of himself that would be widely respected. It was also during the 520s that he openly supported the Blues faction of competing chariot teams.[94] Procopius criticizes him for this favoritism and blames him for the chaotic vandalism and mob behaviour that eventually culminated in the Nika revolt of 532. Moreover, the polarization fostered between Blues and Greens justified the existence of the emperor as a strong leader, able to keep the balance in society. Although the revolt almost certainly had more complex motives than pure vandalism and Justinian's role in it is questionable, his support of the Blues does raise some important issues concerning his early political career. J.A.S. Evans suggests that this supposed loyalty to one faction might have been a technique of crowd management (Evans, 1996a: 40). For by supporting one group, he would keep the general city mob divided and it would also provide him with a group of fanatical supporters if and when he needed them. This argument is supported by Greatrex, who cites other precedents where loyalty to one faction had effectively controlled the crowd and reduced serious riots, whereas impartiality stood the risk of the the Blues and Greens uniting (as happened at the Nika riot) (Greatrex, 1997: 65-6). During this period, Justinian still had a considerable number of potentially serious enemies in the form of surviving members of the Anastasian and Theodosian lines (Evans, 1996a: 40). The most obvious example was Hypatius, nephew to Anastasius, who was acclaimed as a new emperor by the crowds in the hippodrome during the Nika riot.

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[92] As mentioned previously, in the preface of *Codex Iustinianus* 1.27 Justinian presents the image of himself that he wished to project.

[93] This was discussed in greater depth when considering the dating of Procopius' works.

[94] S.H. 7.1, 18.33-34

As will be discussed in the overview of the Nika revolt, several theories have been proposed as to the possible allegiances of the factions. The fact that Procopius states that the hooliganism of the Blues in particular made people fear for their possessions (most notably, their slaves) indicates that the assumption of an upper class patronage of the Blues is suspect at best, or that if such a patronage had ever existed, it had been all but forgotten by the time that Justinian was officially proclaimed emperor. Furthermore, it seems completely in keeping with other instances of Justinian's personally autocratic form of government to have become the sole patron of the Blues, thereby breaking any link between the factions and other influential personalities. By doing this he was preventing the possible formation of small private armies that could be used by his political opponents (Evans, 1996a: 40). It was only after the murder of certain prominent figures in Constantinople that for one of the few times in his short reign as emperor, Justin personally stepped in and curbed the violence.[95] Yet his indulgence of the factions had created a precedent whereby the mob would overestimate their ability to control the emperor in the Nika riot. For the late 520s there is not the same record of rivalry between the factions and until his coronation, Justinian suppresses any uprisings by the factions. It was only in 532 that things truly got out of hand and, as Evans suggests, Justinian's policy backfired on him with the Nika revolt (Evans 1996a: 39-41).

Two roles that would play a significant part throughout Justinian's career as emperor were present almost immediately from his coronation. Those were his images as the builder and the emperor who would restore "Rome" to her former glory through the codification of law and the re-conquest of territories, having been overrun by various barbarian groups in the previous century. Justinian's two steps in the codification of Roman law through the *Digest* in 533 and the second edition of the *Codex Iustinianus* in 534 were the most important attempts to clearly define Roman law that had ever been attempted. Theodosius (in the fifth century) and other precursors had achieved some clarity with their summaries of the law, but Justinian's work was the culmination of this trend. It also occurs within the broader framework of his program

[95] Cameron's *Circus Factions* refers to these events of 524/5 and mentions Malalas and Theophanes as sources (1976: 416, 422)

of reform. Justinian was well aware that a "rescue" from the barbarian invaders would have been highly anticipated among Roman provincials, yet if Procopius and Lydus are to be believed, the resulting reconquest was anything but a deliverance for those living on the frontiers of the old empire. In fact, modern studies dealing with the so-called decline of the Roman Empire and transition to the Middle Ages, the transition from a classical to a post-classical world, concentrating on social reality as opposed to political history, agree that the crossover between Roman rule and that of the barbarians was not as extreme for the average individual as has previously been assumed. Cameron argues for concepts of "change" and "continuity" to replace the outdated idea of "decline and fall" (Cameron, 1993: 188-191). She also describes how Justinian's military conquests actually weakened the frontiers, making them incapable of resisting the incursions of the following century. To be sure, the psychological effect of the effective dissolution of an empire that had lasted a thousand years would have been devastating and this may have been a cause for a hope of imperial restoration. However, it would be a long time before the infrastructure and social reality would truly be changed significantly after the collapse of the Western Empire. For North Africa, this change would come with the Arab conquests of the following century.

**B) <u>Theodora</u>**

Procopius states in S.H. 9.2 that her parents worked in the circus and on the stage, her father Acacius being an animal handler for the Greens and her mother a dancer and actress. In his *Ecclesiastical History* 17.28, Nicephorus Callistus claimed she was a native of Cyprus, while the Syriac tradition saw her as a native of Daman near Callinicum and the daughter of a Monophysite priest (Martindale, 1992: III B 1240). She too became an actress and, according to Procopius in S.H. 9.9, was known far and wide for her immorality and blatant sexuality. This passage has been of such controversy that it was often left untranslated. Furthermore, it is largely due to this description of Theodora's early life that has sometimes led to the *Secret History* being labeled "pornographic". Consequently, as Cameron notes, it is also for this description of her as well as her image on the St. Vitale mosaic that Theodora is primarily known in popular consciousness (Cameron, 1985: 67). She bore a son and a daughter at this

stage of her life[96] and, according to Procopius' account, went to Alexandria after an argument with her companion, the governor Hecebolus. From there she gradually worked her way to Constantinople, earning a living with her body until she was able to seduce Justinian and become his mistress.[97] He gave her the title of *patricia* and she immediately increased in wealth and power (Martindale, 1992: III B 1241). Although initially opposed by the empress Lupicina, Justinian persuaded Justin to change the law and allow them to marry. They were married before 527 and she is therefore referred to as Justinian's wife in *Wars* 1.24.33 and 4.9.13 as well as in S.H. 9.1. John of Ephesus, Evagrius Scholasticus and Theophanes also attest to this. From Justinian's accession in 527 to her death in 548 she was given the title *Augusta* and Procopius says that she was actively involved in government, to the point of even attending meetings of the *consistorium*.[98] However, there was not much that Theodora could do directly and his criticism of her usually occurs in the private sphere of her life. Apart from Procopius' depiction of her early life, she is also famous for a speech that he puts into her mouth during the Nika riot, dissuading Justinian from leaving the city.[99] However, as Cameron argues, despite its being taken as historical fact by a great many historians, the speech is clearly a "rhetorical set-piece" aimed at presenting Procopius' version of "the resolute woman" in the face of incredible danger, a subject that both in his own time and since could easily capture the popular imagination (Cameron, 1985: 69). According to both Malalas' *Chronicle* 484 and *Wars* 2.30.49, she died in June 548.

Both Evagrius Scholasticus' *Ecclesiastical History* 4.10 and John of Ephesus' *Vitae Sanctorum Orientalium* 13 agree with S.H. 10.15, which states that Theodora was an outspoken Monophysite, always ready to defend their cause. She associated with Severus of Antioch and was seen by the Monophysites themselves as their protectress.[100] Procopius uses her loyalty to Monophysitism to accuse her of causing

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[96] Procopius is supported by John of Ephesus' *Ecclesiastical History* 3.2.11 and 5.1 on this matter.

[97] S.H. 9.27-29

[98] S.H. 2.32, 9.54, 10.6-10, 14.8, 15.6 and *Wars* 1.24.33. The *consistorium* was a closer body of advisers to the emperor than the Senate and her involvement with this group could have meant a more definite influence on the administration of the state.

[99] *Wars* 1.24.33

[100] An alternative and less embarrassing Monophysite account of Theodora's origins was recorded in Michael the Syrian's *Chronicle* 9.20.

dissension in the court,[101] as it was clearly in opposition to the orthodox Chalcedonian Catholic stance taken and defended by Justinian. Yet he too visited the Monophysite monks in the palace of Hormisdas and would send out John of Ephesus as a missionary who would promote Monophysitism. Furthermore, she did share Justinian's support of the Blues[102], a point that Procopius did not know what to do with. Cameron notes that, in regard to the description of her early life, the sexual criticism and lack of maternal feeling delivered against both her and Antonina were the most effective means that Procopius could use to criticize a woman (Cameron, 1985: 71). This view is supported by S.H. 17.24, which claims that all women of the period had become morally depraved (especially those under the patronage of Theodora). This depiction of women served the dual purpose for Procopius of stating a viewpoint on women in general, as well as underlining Theodora's behaviour as the source of domestic troubles throughout the empire. It is clear that he resented her influence over Justinian and hence over Antonina and Belisarius. She is presented as the mentor of Antonina and the architect behind the downfall of Belisarius when returning from his second Persian expedition. Procopius shows her as going to great lengths to have her main competitor in this regard, John the Cappadocian, removed from office a second time and implicated in a series of scandals from which he could not recover. She was clearly a very strong-willed and intelligent woman and from Procopius' account, despite its negativity towards her, a capable "politician" able to manipulate people and situations as they suited her purposes.[103] If this had not been so, Procopius would not have given her such a position of importance in his attack on Justinian.

### C) Belisarius

In *Wars* 3.11.21, Procopius states that Belisarius was a native of Germania, between Thrace and Illyricum. Nothing is known of his family origins. His exact birth date is uncertain but in *Wars* 1.12.21, Procopius refers to him as a young man and in his *Historia* 5.15.7, Agathias refers to him as an old man in 559, therefore implying that

[101] S.H. 10.15

[102] S.H. 9.33, 10.16

[103] Cameron elaborates on the point that Theodora worked behind the scenes, not acting as co-ruler in the manner that Procopius sometimes presents her (Cameron, 1985: 74).

he was born circa 500. He married Antonina and, just before the expedition against the Vandals, he adopted Theodosius.[104] In a continuation of the earlier passage, Procopius goes on to describe how, while serving as an officer in the bodyguard of Justinian, Belisarius and Sittas led an expedition against the Armenians just before Justinian became sole emperor. The first big appointment for Belisarius came when he was appointed *dux Mesopotamiae* in 527 after the Roman defeat under Libelarius and the death of Timostratus. In *Wars* 1.12.24, Procopius states that headquarters of the *dux Mesopotamiae* was at Dara and it was at this time that he was appointed as *assessor* to Belisarius. After some initial losses against the Persians (where Procopius provides a confused account of events), Belisarius began to build a series of fortifications along the Persian frontier.[105] The account follows that in 529 Belisarius was appointed *magister militum per Orientem* and ordered to make war on Persia. His first great victory was at Dara, where he shared command with Hermogenes. After several skirmishes, he followed the retreating Persian force to Callinicum and was supposedly reluctant to fight, although in *Wars* 1.18.9-37 Procopius says he yielded to pressure and engaged the Persians resulting in the battle of Callinicum (a severe loss for the Romans). Martindale prefers Malalas' account of the battle in *Chronicle* 464, where Belisarius is blamed for the defeat, rather than Procopius' account, which conceals his responsibility (Martindale, 1992: III A 186). Procopius conveniently omits any reference to the enquiry under Constantiolus after Belisarius was dismissed and recalled to Constantinople. While Belisarius claimed that the defeat was due to the indiscipline of the troops, in *Wars* 1.21.2 and 3.9.25 Procopius claimed that Belisarius' dismissal from his post in the east was merely a pretext to involve him in the newly planned war against the Vandals.

Belisarius returned from the Persian war with a great number of troops loyal to him (*bucellarii*), some of who (mainly Goths) would comprise the force that he led against the rioters during the Nika riot in 532. While the palace guard remained neutral, Belisarius was one of the only military officers loyal to Justinian during the revolt.[106] He sent a large force into the hippodrome to defeat Hypatius, resulting in a massacre

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[104] S.H. 1.15-16

[105] *Wars* 1.13

[106] He was assisted by Mundus, who held the post of *magister militium per Illyricum.*

where over thirty thousand were killed and the revolt crushed.[107] In 533 (possibly late 532) Belisarius was reappointed as *magister militum per Orientem*, a position that he retained continuously through the wars against the Vandals and Goths until 542, further discrediting Procopius' earlier claims for his previous dismissal. In *Wars* 3.11.18, Procopius states that he was put in supreme command of the expedition sent to reconquer Africa from the Vandals.[108] The Vandals were unprepared for the war, so Belisarius took advantage of this and established a strong base, inflicting heavy losses at the battle of Ad Decimum, before marching for Gelimer in Carthage. Procopius' account follows how he warned his men to behave in a civilized manner to the local inhabitants and to respect the sanctuaries. Consequently, he entered Carthage with virtually no resistance and fortified it. He allegedly paid the local Moorish tribes to assist him, although they did not honour their side of the deal. He had a fairly swift and easy victory at the battle of Tricamarum, capturing the Vandal wealth and virtually ending the war, shortly afterwards capturing Gelimer himself.

It was at this time that Belisarius was first accused by some of his generals as plotting a rebellion. Upon discovering this, Justinian offered Belisarius the choice of remaining at his position in Africa or returning to Constantinople. He chose to return to demonstrate his loyalty to Justinian. These events are described in *Wars* 3.8.1-8, yet Procopius also mentions the episode in S.H 18.9, claiming that Justinian summoned Belisarius back from Africa without a choice, thereby using it as ammunition in his attack on the emperor. Upon his return to Constantinople, Belisarius was granted the honour of a triumph, something that had not taken place in such a manner for centuries (Cameron, 1979: 8).[109] In approximately 535 and 536 he was granted the titles *consul ordinaries* and *patricius*, shortly before being given the supreme command of the army that was to be sent to recapture Italy from the Goths (Martindale, 1992: III A 194).[110] Although the official destination was Carthage, he

[107] *Wars* 1.24.44-53, Malalas' *Chronicle* 476

[108] In *Wars* 3.1.11.2-17, Procopius states that the force included ten thousand infantry, five thousand cavalry, many barbarians and *bucellarii* as well as a large fleet.

[109] The triumph ended in him prostrating himself before Justinian, yet another incident used by Procopius in his attack on Justinian.

[110] This time his army consisted of approximately four thousand regular soldiers and *foederati*, three thousand Isaurians, two hundered Huns, three hundred Moors and many *bucelarii* (*Wars* 5.5.2-4).

was given secret orders to sail to Sicily and then Italy. After subduing a revolt in Carthage, capturing Sicily and southern Italy, he took Rome with little opposition. However, he was then forced to defend Rome from a siege laid by the Goths that lasted for a year, during which time he replaced the pope, Silverius (on charges of collaborating with the Goths), with Vigilius under order from Theodora. This controversial action is recorded in the *Secret History* as being further evidence of Belisarius' subservience to his wife as agent of Theodora. Procopius' narrative continues with another controversial action in the arrest and subsequent execution of Constantinus, one of Belisarius' key officers, after being charged with theft.[111] Shortly after this, the eunuch Narses arrived in Italy with reinforcements and assisted Belisarius in overcoming more Goth strongholds in northern Italy. However, Narses refused to recognize Belisarius as supreme commander and a rift developed between them, causing divisions in the army. This led directly to a disaster in the organization of the troops, resulting in a massacre in Milan and Justinian's recall of Narses to Constantinople.[112]

After laying siege to Auximum and Ravenna, Belisarius received envoys from Justinian to Vitigis, chief of the Goths, with a plan to partition Italy between the Goths and Romans. However, in opposition to his officers, Belisarius claimed a total conquest of Italy was possible and could be achieved rapidly. At this time the Goths in Ravenna themselves became unhappy with Vitigis and had no desire to serve Justinian, so they offered Belisarius to become emperor of the west.[113] Procopius states that he had no intention of usurping power from Justinian, but used the situation to his advantage, eventually achieving a peaceful entry into Ravenna in May 540. Shortly after this he was recalled to Constantinople with Vitigis as his prisoner, either because some of his officers accused him of plotting to betray Justinian, or because he was needed for the impending war against Persia.[114] In *Wars* 2.16.5, Procopius says

[111] *Wars* 5.8.1-18. But in S.H. 1.24-5, 28-9 Procopius says this was uncharacteristic of Belisarius, who tried to prevent the execution, but was eventually persuaded by Antonina.

[112] *Wars* 6.21.12-25, 6.22.1

[113] *Wars* 6.29.17-18

[114] This time round he was not given a triumph, but was still extremely popular with the people for defeating two important kings and restoring so much land to the empire (*Wars* 7.1.3-7). In ths regard, Procopius says he was greatly envied by John the Cappadocian (*Wars* 1.25.12).

that when he invaded Persia (which in 541 was still ruled by the powerful and militaristic Chosroes), bad decisions by his officers led to heavy losses against the fortresses of Nisibis and Sisauranon (although the latter was eventually taken and its walls razed). When many of his men grew sick in the climate, Belisarius withdrew back to Roman territory and was recalled back to Constantinople for 541-2. However, in S.H. 2.18-19 Procopius claims he returned because of the approach of Antonina (who had not joined him on this campaign) and sacrificed the concerns of the empire on her behalf. It was at this time that Belisarius had become estranged from Antonina and was forced to reconciliation by Theodora.[115]

When Chosroes attacked Euphratensis, Belisarius was sent back to the east, where he secured the retreat of the Persians back to their own territory.[116] Yet in S.H. 3.30-1, Procopius mentions accusations of cowardice against Belisarius for not pursuing Chosroes after his attack on Callinicum (which had followed the attack on Euphratensis). When Justinian fell ill of the plague in 542, Belisarius stated that he would not recognize any emperor appointed in his absence, if Justinian were to die. Theodora apparently took offence to this, recalled and dismissed Belisarius, had his possessions confiscated and forbade his friends and officers to associate with him.[117] In S.H. 4.18-31, Procopius states that he was eventually restored to favour and recovered his possessions, supposedly thanks to Theodora's manipulations and claim that it had been done on Antonina's behalf. In 544 he returned to Italy to resume war against the Goths (now under Totila) with orders from Justinian that only a military solution was possible (Martindale, 1992: III A 212). However, he was short of troops and used his own money to pay for more, while requesting that Justinian send him reinforcements. In late 546 Belisarius fell ill of fever and nearly died, while Rome fell to the Goths.[118] However, it was recaptured by Belisarius within a short space of time, the gates rebuilt and the keys ceremoniously sent to Justinian.[119] In 548 Belisarius sent Antonina to Constantinople to request Theodora for more reinforcements, yet upon

[115] S.H. 3.1

[116] Stein (1949: 497) suggested that this was largely due to the outbreak of plague in Persia at this time.

[117] S.H. 4.1-17

[118] *Wars* 7.20.14. Totila planned to destroy Rome, but was dissuaded by Belisarius.

[119] *Wars* 7.24.34, Malalas' *Chronicle* 485

arrival she heard that the empress had died. Belisarius was recalled from Rome, as there was a renewed threat from Persia.[120] Procopius was clearly disappointed with Belisarius' second Italian campaign and judged it to be a failure, for in both *Wars* 7.35.1 and S.H. 4.42-5, 5.1-3 he states that Belisarius never established a secure base anywhere in Italy from which to wage war and even lost Rome itself. Martindale notes that in the *History of the Franks*, Gregory of Tours delivered a confused account when he claimed that Narses replaced Belisarius, but Narses was only sent back to Italy in 552 after having left there in 539 (Martindale, 1992: III A 216). When Belisarius returned to Constantinople, he was welcomed by the citizens and treated well by Justinian. Although once again given the title *magister militum per Orientem*, he was not sent to lead any more major expeditions.[121] However, in 559 Belisarius was recalled from retirement and sent against the Huns who were ravaging Thrace in the region near Constantinople. In his *Historia* 5.20.3-6, Agathias records how Belisarius thoroughly defeated the Huns but was forbidden by Justinian to pursue the enemy. In 562 Belisarius was accused of being involved in the plot to murder Justinian and was once again deprived of his property. However, by 563 he was restored to imperial favour and finally died in 565.[122]

Belisarius is never portrayed by Procoius as being particularly religious or interested in Christian doctrine in the manner that Justinian was. In S.H. 1.16, Procopius says that he was involved in the baptism of Theodosius. However, he was also involved in securing the replacement of the pope Silverius with Vigilius, whom he later went to persuade to attend the Fifth Ecumenical Council (under command of Justinian). Martindale mentions his dedication of a large golden jewelled crucifix in St Peter's in Rome, but this was inscribed with a record his victories (perhaps giving very classical pre-Christian connotations) (Martindale, 1991: III A 219). Unlike his portrayals of Justinian and Theodora, there was never any particular need for Procopius to present Belisarius' religious interests. This therefore implies that the general absence of such

[120] As is usually the case, the causes for Belisarius' recall are unclear. In *Wars* 7.30.25, 36.4, Procopius says that Antonina urged Justinian to recall him, yet in S.H. 5.16-17 he says that Belisarius himself requested to be recalled after losing all hope of any military success in Italy.

[121] Martindale argues that he laid aside this title by 552 and was still in Constantinople in 553 during the Three Chapters controversy and the Fifth Ecumenical Council (Martindale, 1992: III A 217).

[122] A legend later arose that Justinian had Belisarius blinded and left to beg for money, although there is no factual evidence for this (Martindale, 1992: III A 219).

references either indicates that Belisarius was not religious or that Procopius had no narrative need to represent him as such. Procopius does however provide him with other virtues by representing him as generous, fair and considerate to both his soldiers and those whose land he was conquering. In both the Gothic and Vandal wars he exhorts his soldiers not to steal from the local populace and delivers justice where his soldiers have acted in a criminal manner.[123] Procopius describes him as having extremely good judgement in military matters with the ability to balance bravery and restraint and, although there there are a few exceptions, Procopius does usually not present military failures as being a result of his inability in the field. His brilliance as a general did not waver even, when in old age, he was called to save the city from the invading force of Huns. He was respected by the troops and had a great reputaion among the people in general for having restored so much land to the empire.

As Martindale notes, he was extremely wealthy and was able to equip seven thousand first class cavalry from his own household (Martindale, 1992: 221). It is in this regard that S.H. 4.33-5 describes the jealousy of the imperial pair at Belisarius having kept so much of the wealth of Gelimer and Vitigis for himself, for his possessions were said to rival the emperor's. However, the main vice that Procopius holds against Belisarius is his devotion and consequent subservience to his wife Antonina, despite her infidelity with Theodosius.[124] She accompanied him on many of his expeditions and reinforced her hold on him through her connections with Theodora. Yet even after the latter's death, she was still able to dominate Belisarius and adversely affected the needs of the empire.[125] As a result of his spectacular military successes and dramatic relationship with Justinian, he was the subject of much later legend concerning his blinding and reduction to poverty by Justinian in his final years, followed by his restoration to favour. However, as stated previously, there is no evidence that this ever happened in his final years.

[123] *Wars*, 3.16.1-8, 3.12.8-22, 7.1.8

[124] S.H. 1.15-27 describes her affair with Belisarius' adopted son Theodosius.

[125] S.H. 5.24-7

**D) Antonina**

According to S.H. 1.11, Antonina's father and grandfather were charioteers at Constantinople. In 544 she was approximately sixty years old, therefore implying that she was born in about 484.[126] She was the wife of Belisarius and bore him one daughter named Joannina.[127] Procopius presents a very disparaging account of her in the *Secret History* and states that she had borne several children before marrying Belisarius.[128] He claims that her immoral behaviour continued even after she was married to Belisarius and was second in this respect only to Theodora, whom she feared. There is an obvious parallel between his depiction of the early life of Theodora and that of Antonina. He also claims that she acted as Theodora's agent and protégé in the downfall of both Pope Silverius in 537, and John the Cappadocian in 541.[129] In S.H. 1.16-2.18, Procopius describes her affair with Belisarius' stepson, Theodosius, and her involvement in the death of Constantinus in 537. In both the *Wars* and *Secret History*, Procopius states that she accompanied Belisarius on all of his campaigns, supposedly to maintain her control over him. He mentions her presence in Africa in 533, Rome in 537, and her return with Belisarius to Constantinople in 540. But she did not accompany him in 541, as she was involoved in the downfall of John the Cappadocian. They virtually separated over the issue of Theodosius, but were forced to reconciliation by Theodora. Soon after this Belisarius was restored to imperial favour, for which Antonina was given full credit. She was in Italy during 546-7, but returned to Constantinople to get reinforcements in 548. Upon arrival, she found Theodora dead and pushed for Justininan to recall Belisarius.[130] According to the *Patria Constantinopolitana* (3.117), she outlived Belisarius and was involved in building a church of St. Procopius (Martindale, 1992: III A 93).

There are very few references to Antonina in Byzantine literature, and those that do exist are generally based on Procopius, who knew her well from travelling with her on campaign. Much like Belisarius, Antonina was of no particular relevance to Lydus and

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[126] S.H. 4.41.

[127] S.H. 5.19

[128] She had a son, Photius (S.H. 1.32) and a daughter who married Ildiger (*Wars* 4.8.24).

[129] S.H. 1.13, 2.16, 3.7

[130] *Wars* 7.30.3.25

as a result is not mentioned in *De Magistratibus*. In the *Secret History* however, Procopius assigns her a key role in the downfall of several individuals, including her husband Belisarius. He casts her in the mould of a lesser Theodora, whom she both feared and admired. She is presented as a manipulative and ambitious woman who took advantage of her husband's status and who abandoned him when she felt it was prudent to do so. Bearing in mind that the *Secret History* was not intended to be an accurate biography, Antonina served the narrative purpose of providing reinforcement to the depraved actions of Justinian and Theodora, as presented by Procopius. In this respect, she underlines the character of Theodora in the *Secret History*. Clearly, she must have been an ambitious and strong-willed woman who clearly irritated Procopius in her meddling in the affairs of Belisarius. If she had indeed been involved in Belisarius' fall from grace and subsequent return to imperial favour, Procopius would certainly have had personal reason to dislike her, as these events were also to shape the course of his own career as Belisarius' secretary.

**E) Tribonian**

In *Wars* 1.24.11, Procopius tells us that Tribonian was a native of Pamphylia. He was known far and wide for his great learning and both Procopius and Lydus attest to this fact.[131] He probably studied law at Constantinople and was a member of the commission that compiled the first version of the *Codex Iustinianus* in 528-9. There were ten members of this first commission and he was placed sixth in order of precedence (Martindale, 1992: III B 1336). He was given the title of *magister officiorum* in 528-9, though this was not given as an actual position. In 529, he was appointed *quaestor sacri palatii*, a postion that he kept until Justinian was forced to dismiss him during the Nika riot in 532 (Honore, 1978: 47). In S.H 20.16, Procopius states that Tribonian was Justinian's first appointment as *quaestor sacri palatii* and that he was succeeded by Basilides (*Wars* 1.24.11). After his work on the *Codex Iustinianus*, Justinian entrusted Tribonian with the task of the compilation of the *Digest* and *Institutes* from 530-533. The *Institutes* was compiled with the assistance of Dorotheus and Theophilus and was to serve as an introduction to the elements of Roman law for students.

Between 533-535 Tribonian held the position of *magister officiorum*, and in the last year combined this with the office of *quaestor sacri palatii* (Honore, 1978: 57). Once the *Digest* and *Institutes* were completed, Tribonian headed a new commission that developed a revised second edition of the *Codex Iustinianus*, which was completed in 534. In 533 he was given the title of honorary consul, almost certainly as a reward for his work on the *Digest* and *Institutes*. He remained in office until he died from disease in the early 540s (possibly the plague of 542).[132] Martindale suggests that the last legal work that can probably be assigned to him is *Novel* 114, which is dated to 541 (Martindale, 1992: III B 1338).

In *Wars* 1.24.16, Procopius accuses him of being avaricious and selling justice by repealing and proposing laws for the highest bidder. He is also accused of using his great learning to conceal his hidden agendas and making himself appear pleasant to everyone. This is obviously a claim that cannot realistically be defended by Procopius, yet he does cite an incident in S.H. 13.12 when Tribonian flattered Justinian by saying that he could at any moment ascend into heaven because of his great piety.[133] As is mentioned in the discussion on the quaestorship, Procopius presents an ambiguous portrait of Tribonian, and compared to his portrayal of other magistrates working closely with Justinian, Tribonian emerges virtually unscathed. Instead, in the context of the overall message of the *Secret History*, he is presented in S.H. 20.15 rather as a powerful resource[134] for Justinian to realize his planned ruination of the empire. In *De Mag.* 3.20.9, Lydus refers to Tribonian in a positive manner as "*the greatest polymath Tribonian*", indicating that he did not find reason to criticize him in the same manner as he does John the Cappadocian. Although a later source, perhaps Hesychius Illustrius (and later the *Suda*), claimed that Tribonian was a pagan and an atheist

[131] *De Mag.* 3.20, *Wars* 1.24.16 Much like descriptions given of Peter the Patrician, who was the successor of Basilides as *magister officiorum.*

[132] *Wars* 1.25.2

[133] Martindale mentions another version of this story, perhaps originating from Hesychius Illustrius, implying that it may have been part of a rumour encouraged by Justinian himself (Martindale, 1992: III B 1339).

[134] In this regard, he was a powerful intellectual resource for Justinian in much the same way that Belisarius was a military one.

strongly opposed to Christianity, Martindale rightly remarks that this is unlikely as Tribonian's predecessor Thomas had been dismissed by Justinian in 529 on grounds of being a pagan. Moreover, there is no contemporary evidence of his religious views and the later sources were probably confusing him with another Tribonian that also lived as an advocate during the reign of Justinian (Martindale, 1992: III B 1339-40).

**F) <u>John the Cappadocian</u>**

According to *De Mag.* 2.20, John the Cappadocian was named as such because he was a native of Caesarea in Cappadocia. Sometimes he was simply referred to as "the Cappadocian" (eg. *De Mag.* 2.17, 2.20). In *Wars* 1.24.12, Procopius states that he received only a very basic education, but that his natural abilities were so great that they easily compensated for any lack of training. Lydus describes his rise to power in *De Mag.* 3.57 in an account where his feelings towards John the Cappadocian are made very clear. He was originally a *scriniarius* on the staff of a *magister militum* when he achieved favour with Justinian for making suggestions that would be to the benefit of the state. Martindale suggests that he would have been promoted to become one of the *numerarii*, which were heads of the financial departments of the *officium* of a *magister militum* (Martindale, 1992: III A 627-8). From there he was enrolled among the *illustres* and thus became a senator, eventually rising to the post of Praetorian Prefect. He was inducted as Prefect in 531, but was dismissed along with Eudaemon and Tribonian on the demands of the rioters during the Nika riot in 532. He was apparently unpopular due to various financial reforms and measures that he had introduced.[135] As Procopius states in *Wars* 1.25.1, he was reinstated along with Tribonian later in 532 once that riot had been suppressed. In 533, he opposed Justinian's war against the Vandals because of the financial costs involved. When he tried to reduce costs through a special baking of the soldiers' bread, it turned into a disaster resulting in the deaths of over five hundred soldiers.[136]

[135] *De Mag.* 3.70

[136] *Wars* 1.13.15-20

John the Cappadocian was greatly feared throughout the empire because of his close association with Justinian and his influence over him. In *De Mag* 3.57, Lydus claims that he brought many accusations against people and built a prison where people were tortured and killed solely for the purpose of extracting money from them. He became an honorary consul in 535 and was later given the rank of *consul ordinarius* in the East in 538. As described by both Procopius and Lydus, his downfall finally came in 541, which was the tenth year of his prefecture.[137] This began after Belisarius returned from Italy in 540 as John the Cappadocian became jealous of his popularity.

Moreover, he was already in the dangerous position of having a hostile relationship with Theodora and against whom he had made numerous accusations. He was clearly a threat to the influence that Theodora had over her husband and yet she could not take her revenge on him because of the high regard in which Justinian held him. As Lydus states in *De Mag.* 3.69, no one made a move until Theodora took control of the situation and arranged his downfall. Procopius makes it very clear however that it was not because of his wrongdoings that Theodora arranged this, but rather because he had openly opposed her and created a rift between her and Justinian.[138] As stated previously, Theodora allegedly used Antonina as her agent in a Machiavellian scheme where she implicated him in a conspiracy against Justinian, which eventually resulted in his dismissal and exile to Cyzicus.[139] Here he was ordained into the priesthood against his will and his wealth confiscated. However, Procopius describes in *Wars* 1.25.32-41 how Justinian took pity on him and restored some of his wealth to him until he was impicated in another plot to murder Eusebius, the bishop of Cyzicus. Consequently he was imprisoned and beaten, his wealth confiscated from him again, and he was exiled to Egypt, although his guilt was never clearly established. Procopius goes on to relate how even in exile, he accused citizens of Alexandria of owing money to the state. Later, in 545, Theodora once again tried to implicate him in the murder of Eusebius, although this also failed.[140] After the death of Theodora in 548, he was

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[137] *Wars* 1.25.3

[138] S.H. 17.38

[139] *Wars* 1.25.13-30

[140] S.H. 17.41-4

recalled to Constantinople by Justinian but remained a priest and lived out the remainder of his life without serious incident.[141]

As is evident throughout their work and is mentioned in the discussion on the Prefecture, John the Cappadocian was strongly criticized by Lydus and Procopius for both his administration and his personal behaviour.[142] This criticism was echoed by another contemporary source, Pseudo-Zacharias, who accuses him of devising many ways of extracting money from the populace for the imperial treasury and personal benefit (Martindale, 1992: IIIA 630). A similar criticism was also shared by the general populace who, apart from having any specific political motives, crowded into Constantinople after suffering under John the Cappadocian's excessive taxation. They eventually displayed their discontent in the Nika riot and called for the dismissal of the Cappadocian.[143] In *Wars* 1.25.8, Procopius claims that he developed imperial ambitions as a result of listening to sorcerors and astrologers, and in *De Mag.* 3.62, Lydus states that had the most support among the worst elements of the population. Because of this unanimous criticism of his financial measures, one can determine that Lydus' negative portrayal of John the Cappadocian was based on more than simply a grudge at having lost career benefits and the changes in the Prefecture brought about by him. As a financial administrator, he was clearly very good at his job and increased the financial responsibilities of his office. In the *Secret History*, Procopius casts him as the protégé to Justinian, much as Antonina is to Theodora. In an unusual statement that seems to belong more to the *Secret History* than to the *Wars*, Procopius says that he passed for a Christian, yet dressed for vigils in a pagan manner and spent his time uttering magic spells in an attempt to bring the emperor under his control.[144] Yet despite any truth to accusations of him amassing great personal wealth, the financial demands of Justinian's reform policies were very great and he succeeded in meeting these demands. Hence his popularity with and influence over the emperor. As Martindale argues, he was the effective vehicle whereby Justinian was able to realize

[141] *Wars* 2.30.49-50, Malalas' *Chronicle* 481

[142] Although his behaviour in opposition to the initial expenditure of the Persian war was not criticized by Procopius.

[143] *De Mag.* 3.70

[144] *Wars* 1.25.10

his plans "to increase the efficiency of tax-collection, to abolish abuses, to limit state expenditure where possible and to increase the efficiency of the appeals system" (Martindale, 1992: IIIA 630).

## 4: THE STYLE OF THE "SECRET HISTORY" AND "DE MAGISTRATIBUS", BOOK 3

The stylistic issues that are selected and considered concerning the texts of the *Secret History* and *De Magistratibus* are: the target audience, genre, sources and the question of accuracy. In terms of *De Magistratibus*, the discussion has generally been limited to book 3, as this relates directly to the reign of Justinian and therefore provides a useful point of comparison with the *Secret History.* This part of the discussion intends to account for the literary context in which these two works appear and what they reveal of their authors' personal value systems.

### A) Target Audience:

The question of audience both for Procopius and Lydus is a crucial one as it can be used to resolve certain matters, including the motivation for writing and the nature of bias. In this section, the two most important issues considered are those of the audiences' position in time and social space in relation to Procopius and Lydus. Once these questions have been resolved, the motivation for writing and the nature of bias become clearer.

The first assumption is that both Procopius and Lydus wrote with the intention of being read and therefore each had an audience in mind. In addition, both authors wrote in Greek[145] and had produced other books, thus one might assume that they had in mind more or less the same audience as for their other work. Superficially, this is more obvious concerning Lydus' work than that of Procopius. For all three of the extant works of Lydus deal directly with matters of Roman history and custom, although it should not be forgotten that Lydus had also composed several works of panegyric and apparently a history of the war against the Persians in the 520s.[146] The works of Procopius however, have a greater divergence in genre. Yet as Cameron has argued, these works should seen together as a unified body of work and therefore would have had a common target audience (Cameron, 1985: 11). Secondly, the audience would have needed to know and understand the subject matter of both *De*

[145] Due to his detailed knowledge of the language, Lydus could have written in Latin if he had chosen to.

*Magistratibus* and the *Secret History*, or to have been prepared to accept their accounts as being either authoritative or at the very least representative of a particular group within Byzantine society. Furthermore, in addition to this familiarity with the content, they would have needed a sufficient degree of sympathy or understanding of Procopius' vitriolic attack on Justinian and Theodora and Lydus' criticism of the changing nature of the magistracies to know that the facts presented were not entirely inaccurate and that the criticisms were, when seen within context and genre, justified.

Procopius himself justifies the writing of the *Secret History* (and explains the structure in which it was composed) in its opening lines when he states:[147]
*" Henceforth, however, this plan of composition will be followed by me no longer, for here shall be set down everything that came to pass in every part of the Roman Empire. The reason for this is that it was not possible, as long as the actors were still alive, for these things to have been recorded in the way they should have been. "*
(S.H. 1:1-2)

A short while later, in a further emphasis of this point summarising his reasons for the writing of the *Secret History* and perhaps providing a clue concerning the relationship between the *Wars* and the *Secret History*, he goes on:[148]

*"Nay, more, in the case of many of the events described in the previous narrative I was compelled to conceal the causes which led up to them. It will therefore be necessary for me in this book to disclose, not only those things which have hitherto remained undivulged, but also the causes of those occurrences which have already been described."*
(S.H. 1:3)

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[146] Martindale, 1990: II 613

[147] τὰ δὲ ἐνθένδε οὐκέτι μοι τρόπῳ τῷ εἰρημένῳ ξυγκείσεται, ἐπεὶ ἐνταῦθα γεγράψεται πάντα, ὁπόσα δὴ τετύχηκε γενέσθαι πανταχόθι τῆς Ῥωμαίων ἀρχῆς. αἴτιον δὲ, ὅτι δὴ οὐχ οἷόν τε ἦν περιόντων ἔτι τῶν αὐτὰ εἰργασμένων ὅτῳ δεῖ ἀναγράφεσθαι τρόπῳ.

[148] ἀλλὰ καὶ πολλῶν τῶν ἐν τοῖς ἔμπροσθεν λόγοις εἰρημένων ἀποκρύψασθαι τὰς αἰτίας ἠναγκάσθην. τὰ [τό] τε [δ'] οὖν τέως ἄρρητα μείναντα καὶ τῶν ἔμπροσθεν δεδηλωμένων ἐνταῦθά μοι τοῦ λόγου τὰς αἰτίας σημῆναι δεήσει.

In the continuation of this revealing introduction to the *Secret History* and his statement of his immediate purpose for writing it, he follows with yet another important clue as to what his anticipated readership was:[149]

"*As I turn, however, to a new endeavour which is fraught with difficulty and is in fact extraordinarily hard to cope with, being concerned, as it is, with the lives of Justinian and Theodora, I find myself stammering and shrinking from it as far as possible, as I weigh the chances that such things are now to be written by me will seem neither credible nor probable to men of a later generation; and especially when the mighty stream of time renders the story somewhat ancient, I fear lest I shall earn the reputation of being even a narrator of myths and shall be ranked among the tragic poets*" (S.H. 1:4).

This passage also has a wider significance and helps to establish Procopius' motive for writing the *Secret History*, his perception of its relation to his other works as well as providing a classical *apologia* for the viciousness of his treatment of Justinian and Theodora. However, as with his promise of revealing more details in a later work, Procopius does not deliver what he promises at the outset. He claims that the work will make known certain events that he was unable to reveal in the *Wars* (S.H. 1:1-3), yet it is clear that the primary motive of the work is a personal character assassination of those mentioned. This passage (S.H. 1:4) by implication anticipates two readerships: Firstly, his contemporaries, or at least those who had a first hand experience of life under Justinian's regime; secondly, it implies his intention that the work be read by later generations. Thus, like Thucyidides (who was arguably an important historiographic and literary influence for Procopius)[150] he writes in part for future readers, who may be dependent on him for the basic facts. He therefore claims to be writing as an authority on the subject and as he himself states in the opening passages of both the *Wars* and the *Secret History*, is uniquely qualified to leave an account, since he was an eyewitness. There may be pretentiousness in this assumption

[149] Ἀλλά μοι ἐς ἀγώνισιν ἑτέραν ἰόντι χαλεπήν τινα καὶ δεινῶς ἄμαχον τῶν Ἰουστινιανῷ τε καὶ Θεοδώρᾳ βεβιωμένων βαμβαίνειν τε καὶ ἀναποδίζειν ἐπὶ πλεῖστον ἐκεῖνο διαριθμουμένῳ ξυμβαίνει, ὅτι δή μοι ταῦτα ἐν τῷ παρόντι γεγράψεται τὰ μήτε πιστὰ μήτε εἰκότα φανησόμενα τοῖς ὄπισθεν γενησομένοις, ἄλλως τε ὀπηνίκα ἐπὶ μέγα ῥεύσας ὁ χρόνος παλαιοτέραν τὴν ἀκοὴν ἀπεργάζεται, δέδοικα μὴ καὶ μυθολογίας ἀποίσομαι δόξαν κἂν τοῖς τραγῳδοδιδασκάλοις τετάξομαι.

of the author (just as there is a certain arrogance of erudition present in Lydus' work), yet it is his defence that he is unique in his closeness to Belisarius.

The question of audience also raises the larger issue of perceived personal identity. In the matter of Procopius' identity, one should allow for a distinction between the actual author and the literary persona that the writer adopts. This is a fundamental question when deconstructing the composition of any work, yet it is particularly significant when attempting to reconcile two works as apparently divergent in style, format and tone as Procopius' *Secret History* and *Wars*. Thus there are two basic elements in the persona of the writer of the *Secret History*. These are firstly, that Procopius has privileged information and can reveal causes behind events and secondly, that Procopius is the interpreter, instructor and recorder seeing himself in the mould of Thucydides.[151] There is a distinct similarity between the style of the opening lines (or *proem*) of the *Secret History* and the *Wars*. Both claim to be of value to the present and future generations and both claim to be a complete account of the events. The chief difference lies in the persona that Procopius adopts in each of the works. In the *Wars*, he is the chronicler who has witnessed events personally and therefore can provide the most descriptive and comprehensive account. In the *Secret History*, he is still depicted as the best qualified person for the job, due to his closeness to the individuals and events described, but the emphasis is on his being the revealer of truth that had hitherto been known by some, yet remained unrevealed. Lydus adopts the primary persona of the antiquarian preserver of Roman culture, angry at how traditional practices and customs have become corrupted. Yet this is underscored with a second persona who presents a way out of the present crisis through a return to traditional Roman custom. In this way Lydus was able to thinly veil his own disappointment with the Prefecture when his unrealistic early rise to prominence within the system[152] came to a crashing halt with the departure of Zoticus, and he was

[150] See the discussion concerning the plague in Constantinople and its parallels with Thucydides' account of the Athenian plague in the fifth century BCE.

[151] However, Thucydides did not have the critical appreciation in antiquity that he enjoys today. He was revered as an early innovator in the genre of historiography, but the political commentary that was embedded in his work lost its relevance with the collapse of the *polis* as an institution (Gabba, 1981: 50).

[152] *De Mag.* 3.27

consequently faced with the struggle for survival in a system that had almost certainly always been corrupt, but that he had been too privileged and distanced to see this.

Another key issue in the establishment of a target audience is that of the use of particular phrases and terms and the specific choice of language. In an attempt to prepare the reader for the graphic descriptions that are to follow, Procopius states that contemporaries could verify the truthfulness of the facts presented and that such a vivid portayal was necessary, because everyone had been previously too afraid to write of the real nature of Justinian's court. He even includes himself in this category and says that it had previously been impossible to reveal the facts as openly as he now intended.[153] However, this may simply be an admission that the descriptions that so characterize the *Secret History* would have been entirely inappropriate in the *Wars* and were thus excluded. Besides providing an important clue as to the date of composition of this passage, this confession serves as a useful literary device for reinforcing the reader's perception of the accuracy and truthfulness of the events that are to follow. However, unlike Thucydides who was very clear about the genre in which he was writing (and helping to create), he fears that he may be taken as the purveyor of *mythoi* or a τραγῳδοδιδάσκαλος (narrator of tragic myths).[154]

Furthermore, Procopius claims that the starkness of his portrayal was necessary to provide a consolation for people of later ages to know that in their sufferings under some future tyranny, their tribulations were neither the first nor the worst. This fulfils one of the basic educational functions of historiography when written for a future audience, which was elucidate the past so as to explain the present. Although the tradition dates back further, this trend is most noticeable from the early fifth century when Augustine of Hippo's *City of God* and Orosius' *Historia contra paganos* attempted to relate the past so as to reduce the apparent significance of any contemporary suffering.[155] He comes to this conclusion after a stylized personal debate that he shares with the reader, wherein he considers whether or not he should

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[153] S.H. 1.1-10

[154] S.H. 1.4

[155] Croke and Emmett, 1983: "Historiography in Late Antiquity: An Overview" in their *History and Historians in Late Antiquity*, pg.3.

record the worst deeds of the present in the fear that they may be imitated by inexperienced would-be tyrants in the future.[156] Besides providing a consolation to subjects under a future tyranny, Procopius believed that it would also serve as a warning to future tyrants that their deeds would not go unpunished. He mentions the characters of Semiramis, Sardanapalus and Nero as if to prepare the reader for a portrayal that would rank Justinian along with these individuals.[157] This also implies that readers would be familiar with these notorious figures from Roman and Near Eastern history. It is in this context that the persona that Procopius adopts in the *Secret History* presents Justinian as being personally responsible for the full half century of upheaval experienced throughout the empire (including barbarian invasions, Persian conflicts, civil disputes and natural disasters).[158]

Procopius also begins the *Wars* by clearly stating his intention of writing both for the present and posterity as well as the reason for doing so:[159]

*"The memory of these events he deemed would be a great thing and most helpful to men of the present time, and to future generations as well, in case time should ever again place men under a similar stress. For men who purpose to enter upon a war or are preparing themselves for any kind of struggle may derive some benefit from a narrative of a similar situation in history, inasmuch as this discloses the final result attained by men of an earlier day in a struggle of the same sort, and foreshadows, at least for those who are most prudent in planning, what outcome present events will probably have."* (*Wars* 1.1-2)

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[156] S.H. 1.7-8

[157] S.H. 1.9-10.Semiramis was emulated by Alexander the Great and was a reasonable model for the pushy, extravagant, alien wife.

[158] S.H. 18

[159] ὥνπερ τὴν μνήμην αὐτὸς ᾤετο μέγα τι ἔσεσθαι καὶ ξυνοῖσον ἐς τὰ μάλιστα τοῖς τε νῦν οὖσι καὶ τοῖς ἐς τὸ ἔπειτα γενησομένοις, εἴ ποτε καὶ αὖθις ὁ χρόνος ἐς ὁμοίαν τινὰ τοὺς ἀνθρώπους ἀνάγκην διάθοιτο. τοῖς τε γὰρ πολεμησείουσι καὶ ἄλλως ἀγωνιουμένοις ὄνησίν τινα ἐκπορίζεσθαι οἷα τέ ἐστιν ἡ τῆς ἐμφεροῦς ἱστορίας ἐπίδειξις, ἀποκαλύπτουσα μὲν ὅποι ποτὲ τοῖς προγεγενημένοις τὰ τῆς ὁμοίας ἀγωνίας ἐχώρησεν, αἰνισσομένη δὲ ὁποίαν τινὰ τελευτὴν τοῖς γε ὡς ἄριστα βουλευομένοις τὰ παρόντα, ὡς τὸ εἰκὸς, ἕξει.

Another important motif and literary device that occurs repeatedly in the *Secret History* and one which has a bearing on his target audience is that of the "taking of the most sacred of oaths to Christians". Procopius regularly uses this phrase and similar variants in order to blacken the character of certain individuals (such as Belisarius), or exonerate others (such as Photius, as he doesn't break his oath to Belisarius) when they subsequently break these oaths. A variation of this motif is the violation of objects and places considered sacred (especially by Justinian and Theodora). This is referred to in events such as Archpriest of Ephesus Andreas' acceptance of a bribe to hand over Calligonus to Photius[160], or Theodora's removal of Photius from his sanctuary first in the Church of the Mother of God and then from the *baptisterium* in the Church of St. Sophia.[161] As noted by H.B.Dewing in his translation (1935: 39), the first of these places that Photius escaped to was actually a considerable distance from the palace where he was confined and it seems likely that he would have sought somewhere to hide much nearer to the palace. Both the palace and the Church of St. Sophia are at the eastern extremity of the city, whereas the Church of the Mother of God that is probably being referred to is in the far northwestern corner of the city. This seems an unrealistic distance for someone to travel desperately seeking sanctuary from Theodora without first being caught. This possible inaccuracy on the part of Procopius may imply either that his source was not entirely accurate (if he had not witnessed the events himself), or that that this passage referring to the tribulations of Photius was pure invention in order to further blacken the characters of both Belisarius and Theodora. Before describing Photius' miraculous escape with the help of the prophet Zacheriah, he seems to confirm his motive for including this incident in his narrative:[162]

*"For no inviolable spot ever remained inaccessible to her, but it seemed nothing to her to do violence to any and all sacred things."* (S.H. 3.25)

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[160] S.H. 3.3-4

[161] S.H. 3.23-25

[162] χωρίον γὰρ ἀβέβηλον πώποτε ἀνέφαπτον αὐτῇ οὐδὲν γέγονεν, ἀλλ' αὐτῇ βιάζεσθαι τὰ ἱερὰ ξύμπαντα οὐδὲν πρᾶγμα ἐδόκει εἶναι.

The implication of the use of this motif is that Procopius was writing for people with a knowledge and reverence for Christian beliefs, or he would not go to such great lengths to emphasize the sanctity of these oaths and places that were being violated. It would be presumptuous to assume that he personally considered these oaths and places to be sacred, yet he certainly realised that they would be considered as such by a very Christian populace. The very fact that Procopius emphasizes the secrecy of these oaths adds weight to the argument that they were his invention, for if they were so secret, he would surely not have known of their existence.

Procopius repeatedly uses other imagery usually associated with Christianity in the *Secret History* that reinforces the notion that he was writing for those with Christian sympathies. Although he carefully avoids making any doctrinal or theological statements, he does imply a certain combination of Christian and traditional Roman metaphysics that was quite common until Justinian's strict distinction between the two (even though later developments in philosophy and theology would show a prevailing combination ).[163] For instance, in many places Procopius refers to the role of τύχη (Fortune)[164] as a driving force behind events as well as making references to (Θεός) God, as opposed to gods. Yet even here it is unlikely that he is referring to God in a specifically Christian sense. In some passages, such as S.H 10.10, the concepts of τύχη and God are placed side by side as though they were interchangeable, although the use of τύχη is usually within a Christian system of explanation rather than a classical pagan one.[165] However, as Cameron points out, one cannot make many presumptions regarding Procopius' use of such terminology as τύχη, for it is simply one word in a fairly large body of inherited vocabulary from classicising writers and one cannot simply separate it from other such terms as having any singular significance (Cameron, 1985: 36).[166] His use of Christian imagery usually serves the

[163] The history of theology and philosophy during the early Middle Ages was driven by attempts to reconcile Christian beliefs with their initially Hebrew undertones and Neo-Platonic philosophy which, although also influential in Orthodox Christianity, was strongly present in Gnosticism and Manicheism.

[164] S.H. 10.6, 10.9, 10.10

[165] Christian historians would refer to the role of God in human affairs and could not subscribe to classical notions of τύχη as causal factors in history (Croke and Emmett, 1983: "Historiography in Late Antiquity: An Overview" in their *History and Historians in Late Antiquity*, pg.5.)

[166] By the time of Agathias, Procopius' successor, the concept of τύχε had been completely replaced by a sense of a divine plan (Croke and Emmett, ibid. pg.5).

purpose of darkening the character of Justinian, an emperor who was considered by many to be pious and saintly. In S.H. 13.4 he blatantly states:
*"And while he seemed to have a firm belief as regards Christ, yet even this was for the ruin of his subjects"*[167]

In a comparison between Malalas' and Procopius' alternative presentations of Justinian's approach to inheritance, Scott refers the story of Eulalios as presented by Malalas (Scott, 1985: 102-3). In the original account[168] the story is told of a certain Eulalios whose house burned down and was consequently unable to provide for his daughters, as he was in great debt. In his will he requested that Justinian provide a stipulated daily amount for his daughter as well as a dowry of ten pounds of gold when it came time for them to marry. Malalas states that the property was valued and proved to be worth less than the amount requested, yet Justinian still paid the allowance and commanded for the daughters to be brought under the personal supervison of Theodora. Scott argues that, due to the nature of the story and the manner in which it is presented, the story must be oral in orgin and is likely to have been officially encouraged as it provided good publicity for Justinian (Scott, 1985: 102). Its relevance in terms of defining the target audience of Procopius is that the approach to inheritance is one of the key issues that he uses as a criticism of Justinian and his lack of piety. As Scott states "*Procopius accuses Justinian of forging wills, trumping up charges so that he can grab other people's property, of changing the laws of inheritance in a way that amounts to the imposition of a hefty death duty; and of doing all this while hypocritically claiming that he was acting piously*"[169] (Scott, 1985: 102-3). Piety was one of the cardinal virtues that an emperor was expected to possess and accusation of the absence of it was a serious criticism in the eyes of a Christian audience. Evidence of this lies in the very fact that Justinian attempted to promote stories such as the one referred to above for the very purpose of reaffirming his piety.

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[167] Δόξαν δὲ βέβαιον ἀμφὶ τῷ Χριστῷ ἔχειν ἐδόκει, ἀλλὰ καὶ τοῦτο ἐπὶ φθόρῳ τῶν κατηκόων.

[168] Malalas' *Chronicle* 439

[169] S.H. 12.1-11, 21.15, 11.3.

Procopius describes Justinian's ascetic habits of little sleep and food not in the laudatory manner that usually accompanies such monastic practices, but in the negative accusation that it provided the emperor with more time to plan his destruction of humanity.[170] The Christian audience for whom Procopius was writing would not have been of a uniform theological persuasion. His criticism of Justinian's policies against the Monophysites and Arians in particular (eg. S.H. 11.14-23 and 18.10-12), may indicate that he was also writing for their benefit, or at least for the benefit of individuals who felt that such a reign of terror to be unjust and unsafe for anyone. Certainly, with the exception of a few cities, the Orthodox Church (ie. Chalcedonian Catholic) had never been as strong in the provinces as it was in the capital and many of these other religious groups had a strong foothold in the provinces.[171] However, this evidence implying Procopius' Christian audience need not imply that his work was only intended for Christians. For one could also extrapolate from his use of the phrases "*oaths most sacred to Christians*" and "*the Church of Mary Theotokos, which the Byzantines consider most sacred*"[172] as being an indication that he was writing for an audience which included those who were not Christian, or at least not familiar with the environment of Constantinople, or, as has already been established, people of a later generation. Conversely, while Lydus may have been considering at least partially the same audience as Procopius, he made little attempt to appeal to their religious sensibilities and refrained from references to Christianity as an ideology altogether. Yet he does on occasion refer to God (not the gods), such as in *De Mag.* 3.76, implying that even though he may not have been a believer, he chose to adopt Christian vocabulary. This is not surprising, considering that Constantinople was one of the most important cities in the Christian world and Justinian's emphasis on the emperor's role as "protector of the Faith" as a justification for action in both the east and west.

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[170] S.H. 13.28-33

[171] Arianism was a very dominant belief system in the east, as well as being the Christian denomination followed by the majority of the Goths. Monophysitism was also extremely widespread in the eastern provinces, for this was where John of Ephesus went on a proseletyzing mission that was received very well.

[172] S.H. 3.23

Both *De Magistratibus* and the *Secret History* were written in Greek, yet the former uses many Latin terms[173]. Does this indicate that the works were intended for different audiences or that the audience was likely to be bilingual? In a move that must have appeared to Lydus to be contrary to Roman imperial restoration (although he says nothing of it directly), Justinian had ruled that Greek was to be the official language of the Byzantine bureaucracy. Although the main language spoken in Constantinople was Greek and the capital of the empire was in Constantinople, a centre of predominantly Greek culture (yet there were a multitude of facets of other cultures also present within this cosmopolitan and syncretist environment), the Byzantines still perceived themselves as Romans. In many instances Procopius refers to the "Romans" and the "Roman Empire" (eg. S.H.13.23, 13.32, 12.9) reinforcing the sense of a direct continuity from the collapsed Western Empire to the continuation of the Eastern Empire centered at Constantinople. This sense of a continuation of the Roman Empire based at Constantinople was to continue until the fall of the city to the Turks in 1453. Thus the term was used to legitimate the continuation of empire, and the retention of the term allowed a convenient justification of campaigns to recover and maintain control over Rome itself. It may be significant that Lydus states at the beginning of Book 3 to *De Magistratibus*:

*"Through him* (ie. Justinian) *the state is greater in extent than it was not long ago, since Libya has been restored to us and, and Rome herself, the mother of our civilization, delivered by the sweat and effort of the empire from the fetters and power of the barbarians."* (*De Mag.* 3.1.2).

In this passage he does not refer to the empire being restored "to the Romans" but "to us", implying a possible distinction in Lydus' mind between Hellenised Byzantines in Constantinople and Romans in the region of the old Western Empire. Yet the significance of this is questionable, as the Byzantines would refer to themselves as Romans for hundreds of years subsequent to this, and Hellenistic and Roman history had combined into a hybrid view of the past where the two had often become difficult to separate. Certainly Lydus himself betrays no indication that he was more proud of his Hellenistic rather than his Roman heritage. However, this passage does imply a

[173] See Chapter 2 for some of the Latin terms used by Lydus.

conservative attitude that the restoration of Libya would have affected the provincials first and foremost. Moreover, it implies that these were the people with whom Lydus personally identified and for whom he may have been writing his work. They were usually the people who suffered the most from barbarian raids and imperial taxation in addition to the maintenance of an uneasy frontier. It is also notable that Lydus mentions the recapture of Rome, even if only significant from a psychological standpoint as he acknowledges Rome as "the mother of our civilization". As an issue of language, Latin had always been the official language of the empire, and thus it represented to Lydus an essential part of the institutions that he was so desperately trying to defend from decay, or what he considered to be inappropriate reforms. This factor was more significant when considering his composition of the work in Greek and deliberate use of Latin terms as a means of really making his point, instead of having the assumption that his audience must have been Latin-speaking in order to be familiar with these terms. On the contrary, the significance of Lydus' use of Latin terms lies rather in the fact that they presented him with a means of showing off his Latin erudition and bilingualism to an audience that was perhaps not so bilingual and affirming his role as a *grammaticus*[174]. Although Lydus makes reference to Latin terms throughout his work and generally glosses them, in certain places he actually seems to explain Latin expressions to his predominantly Greek readers. For instance, in *De Mag.* 3.3, he states:

*"Now generally in all the registers bearing the emperor's signature* adiutores *were of old entered up in the fore-front of the battle-line. The expression is as follows:* et collocare eum in legione prima adiutrice nostra – "and you should station him in the first legion assisting us", *so to speak. Hence the official who heads the register even nowadays is termed the* cornicularius, *viz. The man on the wings or the front-line fighter".* (*De Mag.* 3.3.1-2)

The *Secret History* on the other hand was apparently not written with the motive of preserving such a specific part of Roman culture as the Latin language in mind, nor was there any need to make references to the language in his work, and it therefore includes no Latin. The key point about this issue of language is that while Procopius

[174] This role had officially been endorsed by Justinian with Lydus' appointment at the imperial school in Constantinople (*De Mag.* 3.29).

clearly intended his work to be read both by contemporaries and future generations, Lydus' anticipated audience was his contemporaries and any use of his work by future generations was of secondary importance. This is not surprising, as an important purpose of his work was to be a manual of transformation to a new era of rediscovered, traditional Roman culture (though not in the manner that Justinian wished to realise this similar dream). It would therefore serve less of a purpose to further generations. When viewed from this perspective, the antiquarian value of the book as a record of Roman magistracies may have been entirely secondary, even though superficially this appears as its primary purpose and its point of greatest similarity with his other books.

In *De Mag.* 3.30, Lydus provides an important clue concerning those for whom he was writing when he thanks the Praetorian Prefecture, although he was clearly not writing for the Prefecture. As is consistent with most writers, it follows that he was writing for those with a similar education and generally similar interests as himself. The target audience for Lydus may also include those with a background in philosophy (particularly those with knowledge of the works of Plato and Aristotle, who were already by this stage considered to be the two most important figures in classical philosophy). Lydus did have a particular interest in Greek philosophy and was influenced by the Second Sophistic Movement. Although he does not quote either Plato or Aristotle directly in *De Magistratibus* (other than a reference to an animal described in Aristotle's *History of Animals* in *De Mag.* 3.63), his other two works frequently indicate a familiarity with both of these philosophers in addition to a multitude of other classical sources. For instance, he makes mention of Plato's *Timaeus* in *De Mensibus* 2.8; 2.12; 3.3; 4.35; 4.38; 4.51; 4.53; 4.76; 4.159 and at least six other dialogues by the philosopher in the same work (Maas, 1992:133)[175].

He may very well have identified himself with this classical revival even more so than with Christianity. This is supported by the tone of the vague autobiographical image presented in his works. It would also be consistent with his interests, as the multitude of sources referred to as authorities on a wide variety of subjects (including

[175] For a full list of authors quoted by Lydus, see the relevant appendix in Maas (1992).

metaphysics) did not include many works by Christian Fathers and included very few references to the Septuaginta (Greek version of the Old Testament). Namely, the books of *Daniel* in *De Mag.* 1.31; *Isaiah* 1.11-14; *Psalms* 80.3; *Leviticus* 10.9 in *De Mensibus* 4.24; 3.11; and 4.53 respectively (Maas, 1992: 135). In this case a possible source, and certainly a great influence over his thinking (ie. Aristotle) may have helped to determine the audience for which Lydus was primarily writing. By quoting from the philosophers and other classical authors, Lydus also gave a certain authority and authenticity to his work. Aristotle had himself done a study of constitutions in works that included the *Politics* and the *Athenian Constitution* and Lydus may have seen himself as taking up the torch.[176] Instead of merely being familiar with Aristotle and other classical authors and attempting to carry his work on their fame, he shows an understanding of these authors (although he was not writing philosophy). For example, he used a similar vocabulary to Aristotle as well as his conceptual model to explain the contemporary decline in the offices of state and society in *De Magistratibus.* As Maas argues, the uniqueness of Lydus was that he attempted to apply a formal understanding of philosophy to everyday experience (Maas, 1992: 97).[177] This could have formed an alternative to the application of Christian theology to everyday experience. He may also have seen himself as continuing in the tradition of the Second Sophistic Movement, amongst whose prominent figures were Aelius Aristides, Plutarch and Arrian.

Another consideration is that besides writing primarily for a contemporary audience, the very nature and manner in which Lydus presents his argument implies that he had a secondary purpose of writing for posterity. It should be noted that any author who writes with the intention of being read by a future audience automatically assumes a certain continuation of interest, and sometimes even an involvement in their chosen subject. Lydus could not have any particular preconceptions about what the interests of a future audience may be (or could he he harbour any confidence in the total

[176] The *Athenian Constitution* was part of a collected study of the constitutions of 158 cities done by Aristotle's students, yet only this one survives from a papyrus recovered in 1890 (trans. H.Rackham, Loeb Classical Library)

[177] However, as Carney argues (Carney, ii.76), Aristotle's political works in particular are nowhere mentioned by Lydus. This may imply that even though he was familiar with Aristotle's thought, the political writings of Aristotle had very little influence over him.

permanence of Roman culture as he saw it),[178] yet he did believe that there was an innate value in the Roman cultural tradition that deserved to be preserved. However, the primary message of his work is its articulation (through a discussion of the magisterial history and composition) of a restoration rather than simply preservation. Yet despite this apparent yearning for a restoration of the Roman Republic, there is no certain evidence that the work is truly programatic. In this context, both Procopius and Lydus appear to have been writing for an audience that had an ambivalent attitude and reaction to the dramatic changes brought about by the policies of Justinian. Although this included members of their own class in society, it would have reached a wider audience than is immediately apparent from the varied loyalties that they betray.

**B) Genre:**

Unlike the similarity that existed between their respective target audiences, the genres of the two works each present their own problems of interpretation, although certain points of convergence will be suggested. It could be argued that just as the *Secret History* appears as an appendix to the *Wars*, so in a sense does *De Mag.* 3 stand in relationship to *De Mag.* 1-2 and Lydus' other two works. In their respective prefaces, both books (ie. the *Secret History* and *De Mag.* 3) imply that they are of the broad genre "now it can finally be told".

Lydus' three antiquarian works were not so much an attempt to preserve and record history as place contemporary problems in a historical context and thereby question the past itself. Thus, much like the problems facing early references to the *Secret History*, Lydus' works should take on a greater significance to historians than simply being a prosaic record of interesting details regarding Byzantine life. Lydus was to use his description of the Byzantine magistracies as a vehicle for criticizing contemporary changes. He was clearly unhappy with the transformation that the magistracies had undergone during his lifetime, even if these changes had only become apparent once he had lost his initial patronage, and describes the past so as to define what he considered to be a break with continuity. Lydus must have understood that

[178] The sack of Rome in 410 by the Visigoths had an irreversible effect on Romans' (both Christian and pagan) perception of an "Eternal Rome" and this faith could never be fully restored (Croke and Emmett, 1983: "Historiography in Late Antiquity: An Overview" in their *History and Historians in Late Antiquity*, pg.3.)

magistracies would change over time, yet the changes that he describes he considered to be unnatural and avoidable. He saw the proliferation of unqualified and uneducated personnel, creating chaos in a system that had previously existed in a delicate state of balance, although he is careful not to blame the emperor directly:
*"For there is no difference between a private person and a man who insinuates himself into any of the services by styling alone. I do not say that state affairs have not assumed a better and more productive form as a result of the care taken by the sovereign, but that these people are coming forward for public work although they are not of the proper background".* (*De Mag.* 3.2.5).[179]

The genre of *De Magistratibus* is therefore very unlike that of the *Secret History* in certain respects yet similar in that, while the former openly complains about changes resulting from the corruption of certain individuals (specifically John the Cappadocian) and is fairly clear in its motive, the latter appears to a certain extent to be what it is not. Superficially it is a vicious personal invective against Justinian, yet on a deeper analysis it shows a fairly sophisticated knowledge of the complex character of Justinian (especially in S.H. 8.22-33 and 10.13-23). This does not mean to say that *De Magistratibus* is simplistic or lacking in subtlety, but that its motive was to account directly for the corruption within the magistracies particularly and to provide a plea for the restoration of the Praetorian Prefecture to its former glory. The *Secret History* had the same ultimate purpose of accounting for the tremendous upheaval of Justinian's reign, yet it was also more directly concerned with describing the many-faceted characters of Justinian and Theodora and to convey Procopius' disappointment with the fate of Belisarius and the outcome of Justinian's policies. A book denouncing a deceased emperor or empress could be used an insurance policy in the anticipation of a coup (such as the social and, to a far lesser extent, political upheaval experienced during the Nika revolts)[180]. However, there is no indication that Procopius ever intended the *Secret History* to be used in this manner, particularly considering the fact that there was a plot against Justinian in 562[181] (Martindale, 1992:

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[179] Cf. Procopius' *Wars* 1.24.12 on John the Cappadocian's lack of education (or failure to benefit from it).

[180] It would be insurance as it could easily imply support for any opposition to Justinian.

[181] John Malalas *Chronicle* 494, Theophanes *Chronographia* 6055

III B 1066). On the contrary, the closing passages of the work indicate that, even though Justinian was still alive at the time of composition of the work, Procopius intended it to reach an audience only after the emperor's death.

Lydus' depiction of the Praetorian Prefecture is of crucial importance when determining both his genre and the ultimate sources for the work. The Prefecture represented to Lydus a model of the state as a whole and the manner in which its primary offices were being transformed by Justinian. His primary complaint however, is the manner in which these offices were being eroded both by changes being made to the structure of the civil service, and by the behaviour of individuals, such as John the Cappadocian, who Lydus felt brought shame upon the Prefecture. Although approaching the same problem of Justinian's reforms from a different angle to that of the *Secret History*, *De Magistratibus* went one step further and provided a solution to the problem of the changing magistracies by providing a reinterpretation of the past as a means of establishing a new revived Roman culture (firmly based on the traditions and structure of the old one). Unfortunately for Lydus however, this was not the path along which Justinian would lead the reforms, for his concerns were practical rather than sentimental. One of the most essential aspects of this divergence of opinion was that Justinian sought to incorporate Christianity into all of his reforms, whereas Lydus, although not blatantly negative to the ideology of Christianity[182], presents it as being incompatible with a restoration of the Prefecture (or the state, for that matter) to its former Roman glory.[183] For the original Roman state, as Lydus perceived it in the days of the early Principate, was uncorrupted by the beliefs of Christianity. Lydus was not alone in feeling that Christianity was at least one of the primary causes of the break-up of the traditional Roman state and the eventual sack of Rome in 410 (Croke and Emmett, 1983:3).[184]

[182] Lydus' religious convictions are still a matter of conjecture, and though Bandy claims that "Lydus' appointment to the university required a religion test", there is no solid evidence to support this assertion (Bandy, 1983: xvi)

[183] Christianity was alien in that it was not a part of the ideology or symbols of power of the early Principate and therefore Lydus' group saw it as being incompatible with a return to that set of beliefs.

[184] This belief persisted among those whose first loyalties were not towards Christianity and found a strong revival in the anti-religious sentiments of the Enlightenment when Gibbon reasserted the role of Christianity in the downfall of imperial Rome.

Both Lydus and Procopius had varied motives for the composition of their respective works. Their perception of the genre in which they were writing however, would differ significantly from ours. Lydus wrote for the purpose of antiquarianism, yet it is apparent that he consciously intended the work to be "progressive", in terms of providing a model whereby the prefecture could be restored.[185] However, as was argued in the discussion on target audience, the subtext of *De Mag.* 3 concerning the restoration of the prefecture is of greater importance and was surely the underlying motive behind the surface appearance of antiquarianism. One may argue that he was naïve in his wish for the empire to revert to a former state of organisation, but that would be an over-simplistic explanation, as he may have been aware that the presence of Christianity in the Roman Empire was not a reversible phenomenon. Furthermore, within Roman history there had never been a separation of Church and State and when Christianity became the official religion of the empire in the fourth century, it was already established as the dominant belief system of the region and came as a direct replacement to traditional Roman religious practice in relation to the State. A considerable portion of *De Mag.* 3 consists of apologies, self-defences and whinings about benefits lost. In this context, one can determine three levels of purpose in the composition of the work. On the surface, Lydus describes the structure and functioning of the civil service. Beneath this lies his plea for a restoration of the prefecture as it stood in the days of the early Principate and a removal of the corruption that had come to characterize the service. However, the underlying motive and most personal reason for the composition of the work is Lydus' lamentation at having lost the easy rewards that defined his early involvement with the service while Zoticus was Prefect[186]and moreover, his disillusion at realizing that his class and treasured traditional values would be casualties in the process of Justinian's reforms.

Procopius begins his work with the intention of providing an account of the supposedly secret events that had occured, yet this changes as he progresses with the

[185] *De Mag.* must belong to the same genre as his other two works. They were antiquarian and thus different from Procopius' *Buildings*.

[186] Zoticus was only Prefect for the year 511, yet his prevailing influence and the momentum of the trajectory of Lydus' early career would maintain his comfort for years afterwards.

work.[187] Therefore, while he may have considered it to be history and presents it as such in the *proem*, we may now rather broadly describe its genre as being a personal invective with a specific rhetorical purpose of emperor criticism. In the *Suda*, the *Secret History* is described as being both κωμῳδία (satire) and ψόγος (invective), although the former is probably inaccurate (Cameron, 1985: 60). As Cameron notes, the inclusion of demonic references to Justinian's person and the pornographic description of Theodora may be some of the most lurid passages in classical literature, but they should not be entirely surprising, as they were demanded by the rules of the genre of classical invective (Cameron, 1985: 59). One might also apply the label "diatribe" to the work, although the distinctions between these terms are rather vague and virtually be interchangeable.

Gabba has drawn a comparison between representations of the "fantastic" in classical literature and the use of sophisticated antiquarian learning, conveying an impression of scholarship. He cites Plutarch's *Lesser Parallel Lives* and the *Historia Augusta* as being examples of works that combine genuine sources with imaginary ones (Gabba, 1981: 54). While Lydus does not use imaginary sources, his selection indicates that, as was a common practice in much classical literature, he cites sources that have not actually been read yet were considered good to refer to. Gabba makes the point that our assumption about what works were read in antiquity is often skewed by their importance to us now. In this regard, even Thucydides was not read so much as cited and "imitated" (thus qualifying as part of the classical canon) (Gabba, 1981: 50-52). Consequently, genre becomes a difficult theme to resolve when the boundaries are not clearly defined. This is the difference between works such as the *Parallel Lives* and *Historia Augusta* and Suetonius' *Lives of the Caesars*, which is based on precise literary models. Although different for the reasons described, a point of convergence

[187] It is certainly more feasible to argue that Procopius had several purposes in mind when writing the *Secret History* than to believe, as Gibbon did, that the work tarnished the reputation of an otherwise great writer through its inaccurate, biased character assassination of the two monarchs. In *Justinian and the Later Roman Empire* (1966), Barker hesitantly steps out of the shadow of Gibbon when he writes concerning the genre of the *Secret History*: *"The hysterical scandalmongering, the unrelieved exaggeration of this work repel the serious reader, discredit the reputation of the otherwise exalted historian, and compromise the value of at least this book itself as a source. Nonetheless, used with caution and in careful relation to other materials, even the* Secret History *is of considerable value to the historian of Justinian. It is also an important part of Procopius' total contribution, one which need not alter his genuine status as a great historian"* (Barker, 1966: 78). This very simplistic interpretation of the genre and purpose of the work is less prevalent now, thanks to attempts to emphasize the real importance of the *Secret History* as a source when viewed carefully alongside Procopius' other works.

can therefore be suggested between the *Secret History* and *De Magistratibus*, for while the latter uses the Latin language and an array of classical sources to portray a sophisticated learning and an idealized Roman past, the former experiments with history as fable in an unconventional and different manner to the classical *historia fabularis* (which emphasized obscure learning and the details of grammar). In the opening passages of the *Secret History*, Procopius claims to be uniquely qualified for his undertaking and states that he has an abundance of other material, omitted for brevity's sake. He also claims to be writing for the educational value of deterring would-be despots. However, the real innovation is his replacement of pseudo-historical pagan mythological references with apocalyptic Christian imagery which, although found in Christian world chronicles and eschatological literature,[188] is unusual for what purports to be a description of the life and times of one emperor. The demonic references have been mentioned, but what can be added are the assignment of blame to Justinian for the calamities of his reign and the mention of supposedly supernatural events occurring in relation to the emperor. These are usually referred to as "acts of God" and it is unusual for them to be attributed to one individual, in the guise of history, for educational value. Natural disasters had been used for some time as indicators of change, either the beginning or the end of a way of life. They are mentioned both by Polybius and Thucydides, who refers to them for their political effect in the *Peloponnesian War* 1.23.3.

The organization of subject matter in the *Secret History* is thematic, as opposed to the chronological arrangement of events according to the theatre of activity in the *Wars*. As is seen in the passage quoted earlier (S.H. 1:4), Procopius clearly intended the focal point of the *Secret History* to be Justinian and Theodora and all other events and individuals (such as the relationship between Belisarius and Antonina) serve primarily as a background for establishing and reinforcing this main theme of the work. Although the main purpose may originally have been to relate events unmentioned in the *Wars*, Procopius' work grew into being a direct accusation against Justinian and Theodora for the upheaval experienced throughout the Mediterranean during the sixth century. This at least partially accounts for the confusion arising when the *Secret*

[188] The most obvious example being being the *Book of Revelations*

*History* is presented as another literal and historically accurate description of events, as the *Wars* is. Moreover, the similarity in style between the opening lines of the *Wars* and the *Secret History* (as was quoted earlier) serves to demonstrate that Procopius intended there to be continuity between the works. Although the personas adopted for each are quite different in several ways,[189] they have the same basic purpose and it is therefore unlikely that Procopius intended the *Secret History* to clearly belong to the genre of historical fiction (as it was perceived in the sixth century).[190]

In S.H. 1.4, Procopius expresses his fear of being ranked among the tragic poets because of the nature of his story, yet if the *Secret History* is to be seen as a conclusion to the *Wars*, the question arises as to whether it was in fact intended to be seen as a tragedy. The grand scale of events, the optimistic beginning and tragic ending of Procopius' account would support this hypothesis. This may also allow for a compromise between the *Secret History* being ranked as historical fiction and the opposing view that takes it as seriously representing historical fact. Although one might assume that the author of any work in this genre would hope for his work not to be treated with the same seriousness as another of his own more serious works of genuine history, this discounts the fact that the writer may have wanted to experiment with a variety of genres (perhaps all in the same work).[191] Yet Procopius clearly states the seriousness of the *Secret History* in its opening lines and, considering the graphic descriptions which are to follow, it seems unlikely that this is only feigned seriousness. However, as Gabba mentions in his analysis of the relationship between true history and false history, historical works often end up with a readership very different to that envisioned by their authors and are thus left to the judgement of history itself (Gabba, 1981: 50).

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[189] Procopius adopts the persona of the revealer of concealed truths in the *Secret History* as opposed to the descriptive and comprehensive chronicler in the *Wars*.

[190] As mentioned before, Several important classical historical sources are now being recognised as perhaps being historical fiction, including Xenophon's *Cyropaedeia*, the Alexander Romance, the *Historia Augusta* and possibly even to some extent Herodotus. Thucydides dismissed Herodotus (although not by name) as a purveyor of τὸ μυθῶδες.

[191] It is in this context that the Roman novel develops, combining elements of history, fantasy and eroticism (Gabba. 1981: 54).

Therefore, although the *Secret History* and *De Magistratibus* have certain distinct characteristics of style that may place them in any of the particular genres discussed, their uniqueness in many respects makes attaching a certain label to them seem rather unnecessary and over-simplistic. Moreover, even if categorized as "personal invective" and "programatic antiquarian guidebook" respectively, the genre of the *Secret History* and *De Magistratibus* can perhaps best be understood when seen as appendices to their other works.

**C) Literary influences and sources:**

In the *Wars*, Procopius was attempting to convey the historical accuracy and detail of Thucydides. Both Procopius and Lydus repeatedly imply the importance with which they held their classical heritage. It seems that in the *Wars*, he was also writing a general history in the style of Herodotus (particularly characterised by his digressions and a skepticism for some of the information he is given, eg *Wars* 5.9.2)[192] and was (among other motives) trying to establish himself as an historian in the classical tradition of Thucydides.[193] If Procopius did intend for the *Secret History* to be an appendix to the *Wars*, it was written with a very different attitude and style and the relationship lies in the content. Although the *Secret History* is unique in many ways, it was not the first work written with the intention of slandering an emperor. However, few classical works match the vitriolic attack that Procopius makes against Justinian and Theodora. As part of a long-established rhetorical tradition, Trogus (a native of Gallia Narbonensis, writing during the reign of Augustus) had used the title *Historiae Philippicae* when writing a history of the world in 44 books.[194] The mere use of this title was a subtle attack on Augustus, as it was borrowed from Demosthenes' original orations against Philip of Macedon (thereby comparing Augustus to Philip). In a similar manner, the early Christian writer Lactantius (writing about 350 AD) had used

[192] N.J. Austin, 1983. "Autobiography and History: Some Later Roman Historians and their veracity" in Croke and Emmett's *History and Historians in Late Antiquity*, pg. 55. See also Averil and Alan Cameron's "Christianity and Tradition in the historiography of the Late Empire" in *Classical Quarterly* 14 (1964: 316-28).

[193] Thucydides did attack Cleon and Alcibiades but has nothing like Procopius' systematic character assassinations.

[194] Theopompus had used the title Philippicus for a historical work. Thus Trogus could have used it for a history of the Hellenistic period with a focus on the Macedonians rather than being derived directly from Demosthenes' orations, *De persecutorum mortibus*. Timagenes was another figure who had one been a eulogizer of Augustus but he turned critical and was banished from Augustus' court.

prose based on Ciceronian orations (which were, in turn, based on those of Demosthenes) in a defense of Christianity and a direct attack on Galerius (Harvey, 1940: 234). However, an important difference between the works of these authors and the *Secret History* is that they were well known within their authors' lifetimes.

If the existence of the *Secret History* was known in Procopius' lifetime, its full contents were certainly not. There had been precedents of earlier emperors (including Caligula, Nero, Domitian and Commodus) who were depicted unfavourably, and even maliciously, but none compare with the sustained, systematic character assassination that characterizes the *Secret History*. Even after leaving Procopius' portrayal of Justinian's character aside, the question arises as to whether the mere composition of such an insulting work (regardless of what the author's true intentions may have been), would not have led to a charge of treason *(maiestas)* under even the most tolerant of emperors, for such an attack on the royal pair would certainly have qualified. Moreover, it was not an acceptable form of emperor criticism in the same manner that popular disapproval could be represented in the circus. Other examples of invective in the history of Roman literature include Claudian's *In Eutropium* and *In Rufinum,* and to a lesser extent, Seneca's *Apocolocyntosis* (Cameron, 1985: 59-60). [195]

One classical historian with whom Procopius can closely be compared is Tacitus. Although different in many ways, the two most important works of Tacitus, the *Annals* and the *Histories*, bear some similarity to Procopius' *Wars*. Furthermore, Tacitus' *Agricola* was in certain respects an even more important predecessor of the *Secret History* than the other works previously mentioned. This is largely due to Tacitus' treatment of Domitian in the *Agricola* and the literary devices that he uses in order to create a negative image of Domitian, whom Tacitus blames for treating his father-in-law Agricola badly.[196] For instance in Tacitus' *Agricola* 44, he says of Agricola:

*"Happy he, had he been permitted to see the dawn of this blessed age and the principate of Trajan, a prospect of which he so often spoke in wistful prophecy! Yet it*

[195] Although Seneca's *Apocolocyntosis* does have some similarities with the *Secret History*, unlike the latter, it was written after Claudius' death.

*was no small consolation for his untimely loss that he missed those final days, when Domitian no longer left interval or breathing space, but, with a succession of blows so continuous as to give the effect of one, drained the last strength of the Roman state"* (trans. H.Mattingly, 1948).

One of these techniques imitated by Procopius was to provide the reader with only two negative options when explaining an event, and deliberately leaving out the interpretation which the author knew to be the right one. For instance in S.H. 3.31, Procopius describes Belisarius' military actions against the Persians and ends the chapter by exclaiming:[197]

*"Yet when Chosroes crossed the Euphrates River, captured the populous city of Callinicus which had not a man to defend it, and enslaved many thousands of Romans, and when Belisarius was not concerned even to follow up the enemy, he won the reputation of having remained where he was for one of two reasons – either because he was wilfully negligent or else because he was a coward"*
(S.H. 3.31)

By using the phrase ἢ ....ἢ..., Procopius creates only two negative options, while in actual fact he was personally with Belisarius on the Persian frontier and knew that Belisarius was not a coward, but that the real reasons for Belisarius' actions were that his men were ill and demanded to retire (*Wars* 2.19)[198]. One should note that Procopius is usually aware of other strategic and more realistic explanations than those that he provides, yet he deliberately neglects to include them so as to keep the psychological portrait clear. Therefore in using this literary device, Procopius omits other possibilities and leaves only two discreditable explanations, or he provides two alternatives, yet fails to explain why one of them is improbable, thereby leaving the

[196] One could even draw a parallel between Domitian's treatment of Agricola and Procopius' representation of Justinian's treatent of Belisarius.

[197] ἀλλ' ἐπεὶ Χοσρόης Εὐφράτην διαβὰς ποταμὸν Καλλίνικον πόλιν πολυάνθρωπον οὐδενὸς ἀμυνομένου εἶλε καὶ μυριάδας ἠνδραπόδισε Ῥωμαίων πολλάς, Βελισάριος δὲ οὐδὲ ὅσον ἐπισπέσθαι τοῖς πολεμίοις ἐν σπουδῇ ἔσχε, δόξαν ἀπήνεγκεν ὡς δυοῖν θάτερον, ἢ ἐθελοκακήσας ἢ ἀποδειλιάσας, αὐτοῦ ἔμεινεν.

[198] In addition to the above note on this passage, Procopius gives the impression of objectivity. Furthermore, he may have had several purposes for this passage, as the phrase δόξαν ἀπήνεγκεν implies an undeserved reputation.

reader to assume that the reason for the action must be a negative one. This device was used not only for his descriptions of Belisarius, but for those of Justinian as well.

Another rhetorical literary device used by Procopius is to include the phrase φὰσι or ὥσπερ λεγοὺσιν or variants (implying "so they say") to indicate that he does not agree with the account of a particular event or incident, or that it is a rumour. However, this does not stop him from including such incidents in his work, as they often compliment an image of character that he is trying to portray. For instance, when describing the supposed transformation of Justinian into demonic form, he relates certain accounts of this happening (S.H. 12.18-32), but then ends the section by stating:[199]

*"Now the case stood as I have said as regards the opinion of most of the people"* (S.H. 13.1).

Martindale supports the use of φὰσι to imply a rumour, citing the use of the word in the incident described in S.H. 5.4-6 and *Wars* 7.12.16 where Herodianus surrendered Spoletium to the Goths, after running out of money. In this case Procopius was with Belisarius at the time and not present in Spoletium, so he would have had to depend on the rumour for his information (Martindale, 1992: III A 213). The use of such literary devices was conventional and does not increase the credibility of Procopius as a writer with a particular purpose, for the same devices were used by other authors across a number of genres or languages for completely different purposes. They do however indicate that Procopius was skilled in his literary craft and that his character assassinations had as much to do with showing off his skill as being based on a deep-seated need for literary catharsis.

Procopius makes a stronger connection between Justinian and Domitian than simply a literary one. When describing Justinian's physical appearance in S.H. 8:12-21, Procopius says that he was of normal height, slightly overweight with an attractive face that could best be compared to that of Domitian. Procopius mentions the tyranny of Domitian and the manner in which his name was removed from all public records and all of his statues destroyed. This also gives him the excuse to digress with a story

[199] Ἀλλὰ ταῦτα μὲν οὕτω δὴ δόξης τοῖς πλείστοις εἶχεν. (S.H. 13.1)

of how Domitian's supposedly pious wife had collected his remains and had them re-attached to create a statue depicting how horribly he had been murdered by the Roman people.[200] The main purpose of giving this physical description of Justinian and his comparison with Domitian was to insinuate that the physical similarity mirrored a moral similarity, and that both characters were of a tyrannical disposition.[201]

In addition to the historical works mentioned, another literary influence for certain phrases in the *Secret History* were the plays of Aristophanes. In several places Procopius quotes directly from various comedies written by Aristophanes.[202] It may be that some of these phrases had become popular idioms by the time of Procopius, as there is nearly a thousand-year gap between the two writers, yet even this would presuppose knowledge of the works of Aristophanes. However, the influence could have been more than simply idiomatic, for a close comparison is drawn between Procopius' treatment of Justinian and Aristophanes' treatment of Cleon. Both of these characters had humble origins and rose to prominence while becoming known for their controversial policies. The presentation of Cleon changes through the works of Aristophanes' as does the presentation of Justinian through those of Procopius.[203] Cleon was more overtly ridiculed in Aristophanes' *Knights* than he was in the *Wasps*, though the two works maintain a coherency of his character (Edmunds, 1987:51-57). Aristophanes used the comic prosecution of Laches by Cleon to represent an important ideological opposition, namely the gentleman soldier against the upstart tanner, or the peacemaker against the warmonger (Edmunds, 1987:51-57). However, Aristophanes was accepted by his contemporaries as producing fiction, even if his works had heavy political and social overtones or were used as a criticism of a

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[200] S.H.8.12-21

[201] Nero and Domitian are both castigated by Procopius. Perhaps the reason that Caligula and Commodus were not also included was because they were both known for their persecution of Christians, an image that could not bereconciled with that of Justinian (despite his religious purges).

[202] S.H. 1.14 and 13.3 echo Aristophanes' *Peace* ἠγριωμένους ἐπ' ἀλλήλοισι καὶ σεσηρότας. In a similar way S.H. 10.19, 13.17, 14.11 and 20.22 allude to the arguments of Socrates in the *Clouds*: ἀεροβατῶ καὶ περιφρονῶ τὸν ἥλιον. S.H. 14.11 and 16.7 refer to Aristophanes' *Knights*· καὶ τοῖς φενακισμοῖσιν ἐξαπατῶμένην. Procopius also borrows from Aristophanes' *Acharnians* in S.H. 17.4 and 18.21 (although the "Scythian wilderness" described had already passed into proverb since Herodotus 4.7).

[203] It may be significant that Cleon was attacked by both Aristophanes and Thucydides. Cleon's characteristics include being a demegogue, litigious, warmonger, corrupt, social outsider (tanner) and someone who got lucky on military campaigns, thereby developing an undeserved reputation for military prowess.

particular ideology in the *polis*. Procopius, on the other hand, was writing a rhetorical invective and never criticizes an ideology so much as a particular policy. It is not always clear whether Aristophanes' main objective (apart from entertainment) was to criticize and satirize specific individuals or an ideology, but it is probable that it was a combination of both, as different individuals represented different ideologies. Procopius always criticizes individuals (with Justinian and Theodora as the models on which all his other criticisms are based) and any criticism of policies is entirely secondary.

There is evidence in the *Wars* of Procopius quoting directly from other authors. In *Wars* 1.24.37, Theodora ends her speech of encouragement[204] to her husband during the Nika revolt with the phrase that καλὸν ἐντάφιον ἡ βασιλεία ἐστί. Baldwin argues (Baldwin, 1982: 309) that although this phrase may stem originally from a phrase in Isocrates' *Archidamos* 45: καλόν ἐστιν ἐντάφιον ἡ τυράννις, we don't know enough of Procopius' reading habits to make any conclusive judgements. Isocrates' *Archidamos* is mentioned in Photius' *Bibliotheca*, implying that he was read during this period, yet there is no reference to him in Lydus (whose erudition should reveal familiarity with him).[205] This aphorism occurs in other intermediary sources where it has been translated into Latin. These include Diodorus Siculus (14.8.5; 20.78.1) and Plutarch (*Cato maior* 24.8).[206] However, there is a definite possibility that it was not Procopius who was paraphrasing one of these sources, but Theodora herself. Baldwin makes a convincing argument that the use of the term βασιλεία implies an alteration of the aphorism by Theodora herself, for in S.H. 30.26 Procopius states that Justinian and Theodora insisted on being referred to as δεσποτὴς/ δεσποινα rather than βασιλέυς/ βασιλίς (Baldwin, 1982:311).

The influences and sources for Lydus are even less clear and most literary references serve as precedents rather than direct sources. Lydus was rewarded for his classical erudition and it therefore seems likely that he would have drawn on a wide variety of

[204] Greatrex and Cameron have independently argued, for historical and literary reasons, that this speech was probably either invention or loosely based on other speeches (Greatrex, 1997: 78-9) (Cameron, 1985: 69).

[205] Baldwin, 1982: 209-311.

[206] Diodorus Siculus is listed in the bibliography of Evagrius Scholasticus and Cameron states that he was most particularly exploited as a model for prefaces during this period (Cameron, Oxford, 1970: 57-8).

classical sources. Two sources that he mentions specifically dealing with the history of the magistracies are the works of Peter the Patrician (*De Mag.* 2.25) and Ulpian (*De Mag.* 1.24 and 1.28). In *De Mag.* 3.74 he states that he did not consult all of his sources directly, but sometimes through mention in other authors. Although works as divergent as St. Augustine's *City of God*, Plato's *Republic* and Zosimus' *New History* are in certain respects simlar to the genre of *De Magistratibus* (Maas, 1992: 48), one would have difficulty in proving that they were direct sources for Lydus. They are not mentioned in Bandy's comprehensive listing of all the classical sources quoted in *De Magistratibus*, however this does not indicate that they did not have an influence on the genre of Lydus' work.[207] Their main similarity lies in the fact that all three writers were writing in an age of great social upheaval and they consequently lamented bygone days. However, while both Plato and St. Augustine looked towards an idealisic state (that had never in fact existed) to replace the perceived social chaos,[208] Lydus found his perfect state in the Roman Republic. As with all utopias, they provide a philosophical argument for returning to these ways through the establishment of a new system, yet they are unanimously unrealistic in their expectations of society to have the power to arrest changes that had already become too entrenched within that society. It would be unfair to claim that these writers were naïve in their retrogressive beliefs, for they were not alone in their hopes. However, in *De Magistratibus*, despite the description of a means to re-elevate the prefecture, Lydus conveys an overwhelming sense of decline as though he knew, to a certain extent, that the changes were irreversible.[209] Furthermore, despite the fact that in the introduction to Book 3 of *De Magistratibus* there is no evidence that Lydus truly saw his work as programative, (in the style of Thucydides) he aims to explain why the system broke down.[210]

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[207] For a comprehensive listing of these sources, see Bandy, 1982, pgs 445-6 and the appendix in Maas, 1992.

[208] The history of philosophical and religious utopias is a long one, dating back at least to Plato's description of Atlantis in the *Timaeus*. The role of islands and their isolation in this history is significant and it is worth noting that Plato claimed Attica had once been an island, thereby providing an idealized utopian past as a precedent for his future Republic. For a more detailed analysis of utopias in classical literature, see Gabba's "True History and False History in Classical Antiquity" in *The Journal of Roman Studies* 71 (1981: 50-62).

[209] In addition to the above-mentioned sources, there are also connections to Aristotle's *Atheninan Constitution* and more specific similarities between *De Mag.* 3.57 with *Anthology Palat.* 2.238 and *De Mag.* 3.58 with Lycophron's *Alex.* 38. (Caimi, 244-248).

[210] Both Thucydides and Polybius attempted to account for the rise of Athens and Rome respectively as the imperial powers that they had become and, although not as overtly critical of the leadership as Procopius or as hopeful for a return to bygone days as Lydus, they wanted their work to be politically relevant to their contemporaries by suggesting political alternatives.

Although there was still strong belief in continuity with the Roman past and an identity of still belonging to the Roman Empire, the sack of Rome in 410 had a dramatic psychological effect on all citizens of the empire and the seeming invincibility of Rome had been shattered forever.[211] It is in this context that Procopius' skepticism towards an attempt to recreate this Roman past should be seen.

**D) Accuracy and Coherency:**

One of the most striking aspects of the *Secret History* is the factual coherency that it shares with Procopius' other works. Despite the differences in style and content of the three works, they maintain an accurate description of events throughout. For although the *Secret History* may superficially appear to be a work of clear subjective bias, there are no real contradictions between events described in both the *Secret History* and the *Wars* or *Buildings*. This does not mean to say however that all of the events described in the *Secret History* (or the *Wars* and *Buildings* for that matter) were "true" in the Thucydidean sense of historical writing. There are several passages that are likely to be pure invention and serve to embellish the account or as literary devices for establishing a larger argument. For example, his famous description of the early life of Theodora (S.H. 9.1-26) should not be taken literally but rather seen as further evidence to give substance to his invective (Cameron, 1985: 67-83). Moreover, one should not suppose that Procopius intended the reader to believe everything that he had written word for word, or that he intended for it to be understood literally.

Within the *Secret History* Procopius repeatedly refers back to earlier books of the *Wars*. The manner in which this is done provides a very convincing argument for the notion that Procopius intended the *Secret History* to be a later appendix to the *Wars*, rather than a separate work. Furthermore, this method of cross-referencing was a well-established tradition used by other classical historians for establishing synchronicity (as a specific dating system is not used). Unfortunately, we do not possess the same overlap of subject matter for Lydus as we do for Procopius. *De Magistratibus* was written chronologically and although the primary focus of this discussion is on Book 3 of the work, there are no overt contradictions between references made earlier and

[211] (Croke and Emmett, 1983: "Historiography in Late Antiquity: An Overview" in their *History and Historians in Late Antiquity*, pg.3.)

later in the work. In addition, there are no obvious historical inaccuracies recorded by Lydus. Due to the limited amount of evidence that we possess of the historical prefecture, there is little to even compare Lydus against in terms of accuracy. However, there are places where he stretches his credibility. For instance, he tries to take the history of the prefecture back to the regal period by arguing that *hipparchos* became *hyparchos*, thereby increasing the prestige of the magistracy.[212]

In a thorough comparison of Procopius' and Malalas' respective presentations of Justinian's reign, Scott has convincingly argued that while Malalas represents the official position (with information derived from Justinian's own propaganda) Procopius' abuse represents an opposing version (Scott, 1985: 99). He notes that Justinian's reputation rested on the very issues that Malalas mentions in his seemingly haphazard collection of facts and that Procopius uses in his character assassination of the emperor. It is therefore suggested that while there may not have been any direct use of Procopius' work by Malalas, the two may have had sources in common. As Scott argues that Malalas used official imperial notices for his facts, the agreement of these facts with those of Procopius indicates accuracy in the latter. It is also argued that Byzantine historical writing characteristically gives the appearance of straightforward reporting while actually being highly partisan. In this regard, even propaganda derived from the emperor himself can be turned around to be used as criticism of the regime (Scott, 1985: 100). Scott mentions six separate instances where Malalas and the *Secret History* agree on the facts but differ in interpretation. He then refers to another five where Malalas and the *Secret History* mention the same type of material but differ on the facts. Of the facts that they agree on, Procopius gives much attention to in the *Secret History*. These include: the gifts given by Justinian to barbarian leaders, Justinian's building activity, the confiscation of senatorial property, the emperor's tolerance of his critics, the taking of evidence from citizens against their will and the punishment of homosexuals, heretics and pagans (Scott, 1985: 101).

Therefore, despite the inclusion of events in the *Secret History* that are fictitious (yet serve a specific literary purpose), there are no gross inaccuracies regarding important

[212] This was pseudo-history and fantasy etymology, such as in *De Mag.* 3.3.

events in either *De Magistratibus* or the *Secret History*. This fact validates these works as important historical sources and also emphasizes that the writers had other intentions for their works than simply having them interpreted literally.[213]

[213] There are sparse echoes of these sentiments in other contemporary writers. For instance, Evagrius Scholasticus in his *Ecclesiastical History* 4.30 writes that Justinian was insatiable in his love of riches but he built churches, etc. and was therefore not a hoarder.

## 5: BUREAUCRACY AND THE COMPOSITION AND FUNCTIONING OF THE IMPERIAL SYSTEM

### A) General Overview

Bureaucracy means different things to different people. It generally refers to an administrative system with a specific hierarchy of positions within an institution or organization carrying out state policy according to rules set out for it. In the Byzantine framework, there were three main divisions to this larger system of bureaucracy within the state. It was divided into three main hierarchies of church, army and civil administration. Although the first two groups fall outside the general scope of this discussion, an analysis of one group would be incomplete without a mention of the other two. As Carney states in the introduction to his study on Byzantine bureaucracy (Carney, 1971: 1), all three groups had a give and take relationship with the finances and manpower of the empire and inevitably this led to a problem of allocation of resources and competition between the three groups. Although Carney's work deals with all three groups in a comprehensive survey, as opposed to concentrating on the civil administration more particularly, he identifies three main problems encountered when dealing with Byzantine bureaucracy: a) the complexity of the bureaucracies themselves, b) the intricacies of their inter-relationships, c) modern insights into the interpretation of bureaucracies (Carney, 1971, 2).[214]

As with any imperial institution (such as the provincial legions, Senate and Praetorian Prefecture), the bureaucracy was forced to adapt continually to internal and external pressures. Consequently, posts, titles and functions came to mean different things in each of the institutions and inevitably this caused a certain level of dissatisfaction among its staff over time. Such changes would have been most noticeable to those who had been in the civil service for a fair amount of time, such as Lydus (who was there for forty years and four months according to *De Mag.* 3.67). Unfortunately, unlike the Senate in the early years of the Roman Principate when it had a very public role, many of the activities and general functions of the bureaucracy went

[214] Different administrators dealt with the problems of relationship between these sectors in different ways. While Diocletian had separated out military and provincial administrations, Justinian had done the opposite in the Middle East.

unpublicized and unnoticed and as a result there is a marked lack of source material on the subject, particularly from the early Byzantine era. Although one may infer certain functions and specific duties of the bureaucracy in legal codes, coinage and inscriptions, these are rather vague from this period and are most useful when used in conjunction with contemporary literature.

At the beginning of Carney's analysis, he takes the foundation of Constantinople in the fourth century AD as being a good starting point for a description of the Byzantine bureaucracy, as opposed to tracing it further back into the Roman principate (Carney, 1971, 2-3). While it obviously marks the beginning of the Byzantine era of bureaucracy, there was no clear transition and Byzantines continued to regard themselves as Romans well into the Middle Ages. Besides Lydus' *De Magistratibus*, the most important documents from this period that deal with the bureaucracies are the *Notitia Dignitatum* (the *List of High Offices* of civil and military officials and staff and their insignia and stations)[215] and Cassiodorus' *Variae* (a collection of official correspondence and other documents).[216] Carney also mentions other treatises on ceremony, imperial administration, military tactics and the writings of Church fathers (important sources for ecclesiastical bureaucracy) as important to the study of Byzantine bureaucracy as a whole, but these deal more specifically with the areas other than that of the civil administration.[217] Moreover, although these other sources discussed by Carney date from the sixth century, they are not as contemporary with Justinian's legal reforms and policies as Procopius and Lydus are.

Throughout *De Magistratibus*, Lydus refers to the changes that different institutions underwent over time. While the first two books deal with the history of the magistracies, the third book deals predominantly with the magistracies as they stood in Lydus' own day and the changes that they underwent during his own lifetime. At the

[215] Listed in Jones' *The Later Roman Empire* (1973: 1429-50).

[216] Another useful source on the Byzantine bureaucracies is the corpus of Justinian's legislation, especially the *Codex Iustinianus* and *Novels*. For example, *Codex Iustinianus* 1.27 is the key source on the new prefecture in Africa. In addition, so are the fragments of Peter the Patrician's treatise on the *magisterium officiorum* (published between 548 and 552) useful as a source for the administrative history of this period (Tsirpanlis, 1974: 486).

[217] Also important on the official procedure and ceremonial of this period is the work by the ninth century emperor Constantine VII Porphyrogenitos.

beginning of Book 3, he makes it clear that the work shall only praise Justinian, when he flatters him for not allowing all of the old magistracies to fall into ruin:

*"Through this book one might dimly see mirrored the splendid disciplined system which prevailed in the praetorian prefecture of old. Although this had almost collapsed in ruins, our noble emperor did not allow it to be completely obliterated; he maintains and as it were holds together ancient institutions which are crumbling away through age".* (*De Mag.* 3.1.1)

In this regard, Lydus is not only referring to the magistracies, but to a full range of customs and institutions that were gradually changing. Of course Lydus does not state in this passage that he does not agree with Justinian's particular form of preservation. For although Justinian was clearly driven to consolidate Roman law and official custom, his inspiration came from the early Principate, as opposed to the old Roman Republic, that served as Lydus' inspiration and was his speciality. This is evident in the fact that Lydus devotes the first book and part of the second book of *De Magistratibus* to the Republic, and therefore less than one book to the five hundred years or so that elapsed between the beginning of the Principate and the accession of Justinian. It is during this period that he describes the gradual decline of the prefecture as occurring. Most of book three is dedicated to the reign of Justinian. One can compare this benign attitude of Lydus with one of Procopius' typically bold pronouncements of blame on Justinian in the *Secret History* when he states:[218]

*"For in the administration of affairs it was a time of the greatest confusion, and none of the customary procedures were maintained, as I shall show by citing a few examples, while all the rest must be consigned to silence, so that my discourse may not be endless"* (S.H. 14.1).

Although Justinian is not specifically mentioned in this passage, the context within which this claim is made is one where Procopius is describing Justinian's character

[218] Πραγμάτων γὰρ ἦν ἀωρία πολλὴ καὶ τῶν εἰωθότων οὐδὲν ἔμεινεν, ὥνπέρ μοι ὀλίγων ἐπιμνησθέντι σιωπῇ δοτέον τὰ λοιπὰ ξύμπαντα, ὡς μὴ ὁ λόγος ἀπέραντος εἴη.

and criticising him for causing the empire to fall into ruin through a number of different ways. Justinian's maladministration is the key theme of the *Secret History*, and as such Procopius makes constant reference to it (eg. S.H. 6.19-21, 7.39, 8.24, 9.1). For instance, in S.H. 6.21, he declares his opinion of Justinian's maladministration even more blatantly than before:[219]

*"And he took no thought to preserve what was established, but he was always wishing to make innovations in everything, and, to put all in a word, this man was an arch-destroyer of well-established institutions."*

In this passage Procopius avoids mentioning that the "well established institutions" were already in a state of flux as a result of the political and social upheavals of the previous century, and that Justinian's efforts were an attempt to direct this change along a course of reform that would reduce corruption and increase security. It is unclear whether Procopius fully understood what Justinian was trying to do, for he avoids dealing with ideological issues, yet this could simply be due to his recognition of the genre boundaries of his work. It is logical that Procopius would have agreed with the process of reform in the same manner that he agreed with the idea of conquest, yet like Lydus, he was not sure how to react to such radical changes.

There is a crucial distinction to be made between Procopius' and Lydus' attitudes towards the problems of the functioning of the bureaucracy and the Byzantine state as a whole. For while Lydus blames specific magistrates for the problems and accounts for their presence through inefficient channels of promotion and lack of respect for the well-established tradition of career advancement (*De Mag.* 3.2.5.), in the *Secret History* Procopius blames Justinian and Theodora for bad organization and deliberate attempts to destroy the empire through personal greed and bloodthirstiness. Furthermore, Lydus' complaints are of those of one employed in the system and are concerned with the specific conditions of the civil service, whereas Procopius' complaints are of a far more general and wide-reaching nature concerning the reign of

[219] καὶ φυλάσσειν μὲν τῶν καθεσταμένων οὐδὲν ἠξίου, ἅπαντα δὲ νεοχμοῦν ἐς ἀεὶ ἤθελε, καὶ τὸ ξύμπαν εἰπεῖν, μέγιστος δὴ οὗτος ἦν διαφθορεὺς τῶν εὖ καθεστώτων.

Justinian as a whole. For even though other notoriously corrupt individuals are mentioned by Procopius, specifically John the Cappadocian and Leon of Cilicia (S.H.14.16-23), he presents them as mere emulators of Justinian and agents for the reinforcement of his policies.[220] Yet paradoxically, he also claims that Justinian was only too eager to listen to others' ideas regarding the swiftest course for the accumulation of personal wealth. For while Procopius clearly knew Justinian not to be a stupid individual,[221] he accuses him of being too easily corrupted and persuaded by others so long as their suggestions were to the detriment of others and to his apparent personal gain. A typical example of such an agreement is Procopius' introduction of Leon of Cilicia in S.H. 14.16-17:[222]

*"There was a certain Leon, a Cilician by birth, a man extraordinarily devoted to the love of money. This Leon came to be the mightiest of all flatterers and showed a capacity for suggesting to the minds of stupid persons that which had already been determined on. For he had a kind of persuasiveness which helped him, when dealing with the fatuity of the tyrant* (ie. Justinian), *to accomplish the destruction of his fellow-men."*

As Jones states in his discussion on the government in Constantinople: "Both in the theory and in the practice of the constitution the emperor's powers were absolute. He controlled foreign policy, making peace and war at will" (Jones, 1973: 321). Although much had changed since the early days of the Principate, in this regard all other divisions of government were completely subordinate. The degree to which each emperor made use of this position varied from one to another. There had at times been some pretence of collegiality, such as when the new prefecture was set up in Africa after Belisarius' victory against the Vandals, but that was not consistent with Justinian's image in the role of emperor. Unlike his aged predecessor Justin, who was

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[220] This is not an inaccurate portrayal of what they actually were to Justinian and, as Scott notes, Procopius' version of the facts is not so much invented as it is a one-sided interpretation (Scott, 1985: 101).

[221] Procopius accuses him in several places of using his apparently devious mind to create many sophisticated schemes for the destruction of the empire, eg S.H.11.40-41, 18.28-30.

[222] Λέων ἦν τις, Κίλιξ μὲν γένος, ἐς δὲ φιλοχρηματίαν δαιμονίως ἐσπουδακώς. οὗτος ὁ Λέων κράτιστος ἐγένετο κολάκων ἁπάντων, καὶ οἷος ταῖς τῶν ἀμαθῶν διανοίαις τὸ δόξαν ὑποβαλέσθαι. πειθὼ γάρ οἵ τινα ξυναιρομένην ἐς τοῦ τυράννου τὴν ἀβελτερίαν ἐπὶ φθόρῳ τῶν ἀνθρώπων εἶχεν.

known for his indecision,[223] Justinian made full use of the authority of his role. Therefore when Procopius accuses Justinian as being a tyrant taking too much control into his own hands, Justinian was acting completely within his legal boundaries.[224] Justinian's reforms aimed to restructure the government and reduce corruption, but were represented by Procopius as being an attempt by Justinian to hoard all the financial, political and military power of the state. As with his description of Justinian's character in the *Secret History*, this does not mean that Procopius did not understand the nature of government, but rather that he accuses Justinian of producing a set of reforms that ultimately led to devastation throughout the empire. In this regard, he recognized that Justinian had set a process of transformation in motion that, despite his many efforts, even he could not control.

As Atkinson notes, the particular phrases used in the prefaces to the *Codex Iustinianus* (*Haec quae necessario...*), the *Institutes* (*Imperatoriam maiestatem non solum armis decoratam...*) and the *Digest* (δεδώκεν ἡμιν ὁ Θεός...) dated to 16 December 533, show Justinian's concern to make his mission publicly known, and by addressing them directly to the Senate and the people he was seeking support for his program and clearly defining his role as emperor (Atkinson, 2000: 15). In similar fashion, *Novels* 6 (533), 7 (535) and 8 (535) were addressed to church officials and were to be read out in all churches throughout the empire. In contrast therefore to Procopius' depiction of him in the *Secret History* as a greedy, single-minded tyrant, these passages indicate that Justinian wished to have the support of the entire empire and to be recognised as the leader of a process of transformation.

Although still a matter of great debate, one of the primary reasons that the empire in the west had effectively collapsed during the previous century had been due to poor administration and lack of centralized control. This instability manifested itself in the financial, military and administrative spheres. Justinian recognized the need for an effectively functioning state with an efficient administration in civil, military and

[223] Greatrex surveys his approach to factional strife in the 520s, concluding that his indecision in this matter set a precedent for Justinian which would eventually lead to disaster in the Nika riot of 532 (Greatrex, 1997: 63).

[224] The new situation was that Justinian now claimed to the *nomos empsychos* (cf. Maas, 1992:15) and created for himself a new image as the lord of a universal empire and church.

ecclesiastical affairs. The decisions made by Justinian were intended to be practical and founded in a singleness of purpose. Throughout his reign, Justinian never veered from his course of reform in all areas. In civil matters, he made drastic legal reforms and codified all pre-existing Roman law, in religious matters, he summoned the Fifth Ecclesiastical Council in an attempt to resolve the theological issues that were dividing the empire and had done so for centuries, and finally in military matters he used Belisarius and later Narses, who would eventually lead his army to a settlement in Italy. These decisions met with varied reactions, yet they were consistent with Justinian's original objective, and judging by the profession of humility of Justinian's own statements in the *Codex Iustinianus*, he truly believed himself to be acting in the best interests of the empire.

The difference between the ideas of Lydus and Procopius as well as the official reforms made by Justinian himself[225] is best illustrated by a comparison of their different perspectives on certain aspects of the government. The civil service of the empire had originally consisted of two types of offices. One type included the emperor's personal household: domestic palace staff, finance ministries and staffs of provincial procurators, usually filled by imperial slaves and freedmen. The other consisted of the staff of the urban and Praetorian prefects, proconsuls and legates, the bureaucrats being styled *milites* whether they were in military or the civil service.[226] Some of the changes that were made from this basic structure in the early Principate provided much of the content for Lydus' *De Magistratibus*. Although by the sixth century the Byzantine government had become a complex structure of magistracies and positions, the Senate, quaestorship and Praetorian Prefecture have been selected for discussion, as they acted as the fundamental organs of Byzantine government and therefore the agents of Justinian's reforms that were most visible to Procopius and Lydus. Other important offices that Lydus describes[227] include the *magister*

[225] To some extent it is possible to extract Justinian's personal contribution to the legal documents.

[226] This structure had its root in the days of the Principate (Jones, 1973: 563).

[227] A note on the offices with which Lydus was directly concerned and what the standard *cursus honorum* of someone in his position would have been: The *exceptores* were divided into fifteen schools. The most capable members of these were advanced into the main body of the *Augustales*. This group was composed of thirty individuals, fifteen of whom were more experienced and therefore wrote up documents for the emperor himself and were called *deputati* (*De Mag.* 3.10). Depending on his ability, there were numerous assistantships for which an individual *Augustalis* could be eligible. Within the judicial branch of the prefecture, two of the most senior

*officiorum*, the *scriniarii*,[228] the consul and the *cornicularius*. However, these are not dealt with in any great depth by Procopius and are therefore not particularly useful for comparison.

**B) The Senate**

By the time of Diocletian, the senatorial order was already very different to what it had been in the early Principate, however it would still remain the most elevated social class in the state for the next three centuries. Although its composition fluctuated considerably, the Senate was still predominantly a hereditary body. By the beginning of the fourth century, the bestowing of senatorial rank on an individual was the most socially prestigious honour, yet it amounted to very little politically, as senators were only eligible for minor civilian posts or posts that carried more status than power (Jones, 1973: 525). The important posts in the empire, including the military, administrative and financial ones all went to members of the equestrian order. However, during the fourth century the honour of belonging to this order was bestowed and procured through all manners and means, and by the end of the century the order had become inflated with too many members and therefore lost much of its earlier prestige (Jones, 1973: 526). One of the direct implications of the great expansion of the senatorial order was the founding of a second Senate in Constantinople by Constantius II to rival that at Rome. According to Themistius, it consisted of a mere 300 members in A.D. 357, yet by the end of the century it had swollen to 2000. Most of the new members had joined the Senate as a result of honorary grants, but due to the massive expansion of the order, most other *honorati* also lost their prestige and the equestrian order lost any significance (Jones, 1973:

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positions were those of the *commentariensis* and the *ab actis*. There were two of each of these. Each of them had three assistants called *adiutores* (involved in financial matters) and in turn, each of these *adiutores* had three assistants called *chartularii* (*De Mag.* 3.20). There were also numerous other positions within the judicial branch to which an ambitious *Augustalis* could aspire such as *cancellarius, instrumentarius* and *matricularius*. They could also aspire to the position of *primiscrinius*, the head of the financial branch, or any one of the numerous administrative positions such as the *regendarius* in the *cura epistularum*.

[228] There is no intention to diminish the importance of these offices by their omission from this discussion. The *magister officiorum* was in charge of the central administration that did not fall in the jurisdiction of the Praetorian prefect. He also acted as a foreign minister of the court, while the *scriniarii* (or secretaries of State) were so powerful that they often became Praetorian prefects themselves (as happened in the reigns of Zeno, Anastasius, Justin I and Justinian) (Tsirpanlis, 1974: 496).

527). By the time of the reign of Justinian, most of the orders of *honorati* had become redundant.

Following the Gothic invasion and subsequent takeover of Italy, the Pragmatic Sanction of 554 saw the effective end to the senatorial aristocracy in the west. Many senators had fled to the east where they hoped to retain some of the prestige that had been denied them in the west. For while the Senate in the west had decayed during the transition from Roman rule to Ostrogothic monarchy (particularly under Theoderic), the Senate in the east still possessed a certain degree of social prestige. Even though the Ostrogothic king Totila stated that he did not wish to destroy the Senate,[229] he did take members hostage whom he intended to use as ransom against the Byzantine army.

Lydus gives no specific treatment of the Senate, for although still a part of the government, it was outside the scope of his work on the civil magistracies. However, one may infer from his wish to return to a Republican "Golden Age" that he also wished for the Senate to have a greater involvement in the functioning of the state, as it had during that period. For aside from hearing important state trials, the Senate had become little more than a figurehead institution. Tsirpanlis cites the passage that is most illustrative of Lydus' idealized vision of what the relationship between the Senate and Praetorian Prefect should be (Tsirpanlis, 1974: 489-90). Up to the reign of Theodosius II (408-450), the senators would arrive in the palace and take their seats before the arrival of first the prefect, and then the emperor. No official would be allowed to enter after or leave before the prefect and emperor had done likewise.[230] Justinian was dissatisfied with the condition of the Senate and it was his aim to give the Senate a more important role by serving the emperor in an advisory capacity, in a similar manner to the *consistorium* (Jones, 1973: 333). This would not be a return to the position that the Senate held in the early Principate, but it would be in a position of more real power than it had, as the rather meaningless institution that it had become.

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[229] *Wars* 7.21.19

[230] *De Mag.* 2.9

There is nothing to suggest in Justinian's legal reforms that he wished to limit or take anything away from the power of the emperor, yet it was one of the primary motives of his reforms to make more efficient use of the structures of administration that were already present in the empire. Centralization was the key feature in his reform policy and its realization depended on such an effectively functioning advisory body. Although Procopius states that Justinian was open to the advice of both Theodora and John the Cappadocian, another advisory body (perhaps including other members of the consistory) was there to assist him during the Nika riot (Greatrex, 1997: 73). It is only in *Novel* 62 (possibly issued in January 537) that Justinian refers to *ius populi Romani et Senatus*, as elsewhere only the *populus* is mentioned (Garbarino, 1992:15). Yet even in this context he is clearly basing the legislation on the Republican concept of the Senate acting for the people and not independently of them. The Republican concept of *libertas* was based on a balance of power for magistrates, Senate and Assemblies[231]. During the Republic, the chief function of the Senate had never been a legislative one, although no legislation could be initiated that had not been vetted by the Senate.

Justinian wanted to attract men into the eastern Senate and to give it an active role. He ruled that when Senators attended a *silentium* (a consistory meeting of top officials), it was to be considered a *conventus* (ie. a formal meeting of the Senate).[232] The Senate's role was therefore primarily to be judicial and was intended to deal with difficult legal cases. Garbarino notes the significant contradictory trends in Justinian's reforms regarding the Senate as: 1) a tendency to concentrate and centralize power for legal issues in the emperor,[233] and 2) the move towards delegation of decision making on lesser issues to the Senate (*Novel* 69) and various magistracies (including the *quaestor sacri palatii*, established to investigate legal issues referred to the emperor by a *iudex*) (*Corpus Iuris Civilis* 7.62.34 of 520-4) (Garbarino, 1992: 82-84)[234]. However, when viewing these laws in the wider context of Justinian's reforms, they are complementary rather than contradictory. For Justinian sought to have an effective

[231] This was the "mixed constitution" of Polybius.

[232] cf. Jones 1973: 1: 333, 338

[233] S.H. 14.5

[234] cf. Jones, 1973, 1: 482-3

administration of the empire and knew that meaningless positions within the government would lead to problems and provide ample opportunity for corruption. Along with centralization, the removal of corruption was another central theme in Justinian's legislation. In his reform of the Senate, Justinian was therefore not really introducing anything new so much as bringing order to a system and an institution that had fallen into decay, yet could still play an important role in Byzantine society. Thus the strengthening of the position of the appeal courts in Constantinople was a further mark of centralization. The explanation and justification that Justinian himself gave for the reform process was that he was merely rebuilding and restoring the elements of the empire that had fallen into decay.[235]

In the opening paragraphs of the *Codex Iustinianus* 1.27.1, there appear autobiographical hints at Justinian's personal involvement in the writing of the *Codex* as well as an ambiguous combination of personal arrogance and humility. These opening passages are particularly important as they serve as a manifesto of Justinian's general reform objectives (although not specifically anything pertaining to the Senate). In the following passage, he clearly states his primary motive for reconquest and the important military achievements that his armies alone had achieved:
*"In what terms, and with what labour could We give proper thanks to God, who rendered Me, the most humble of His servants, worthy to avenge the wrongs of his Church, and to rescue the people of so many provinces from the bond of servitude? Our predecessors did not deserve this favour from God, as they were not only not permitted to liberate Africa, but even saw Rome itself captured by the Vandals, and all the Imperial insignia taken from thence to Africa"*[236]

This glorification of the recapture of old Roman provinces is very different to the account that Procopius gives where he laments the treatment that the populace, and in particular the more wealthy individuals, would receive from Justinian. Most of chapter

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[235] Though, as mentioned previously, a more holistic view than the traditional one that sees the empire in a state of decay and decline is that suggested by Cameron, where she argues instead for continuity and change (Cameron , 1993: 152-175).

[236] This passage is also useful as evidence of Justinian's own self-image and the line that he took between pious humility and imperial pride.

21 of the *Secret History* is dedicated to a description of the means by which Justinian would extort money from the provincials. Justinian's concern to give the Senate real power is reflected in Procopius' account of his treatment of particular senators. As is common throughout Procopius' work, his account depicts actual events, yet he does not include all of the relevant facts, nor does he provide a complete explanation of them. For instance in S.H.12, 19.12, and 26.16, he describes how Justinian and Theodora plundered the Senate for their own personal gain, both after the Nika revolt and on other occassions, yet he says nothing of the possibilities that Justinian was repossessing funds that had been stolen from the state treasury, that he was attempting to remove corruption from the Senate, or that the senators may have been genuinely involved in a treasonous plot against the emperor. Again in S.H. 14.7-8, he describes the powerless condition of the Senate, a position that Justinian was attempting to rectify. However, in Procopius' portrayal, it is the emperor himself as well as his consort who are to blame for the degradation of the Senate:[237]

*"But often that which had been decided by the Senate and by the Emperor came up for another and final judgment. For the Senate sat as in a picture, having no control over its vote and no influence for good, but only assembled as a matter of form and in obedience to an ancient law, since it was quite impossible for anyone whomsoever of those gathered there even to raise a voice, but the Emperor and his Consort generally pretended to divide between them the matters in dispute, but that side prevailed which had been agreed upon by them in private."*

Although he recognised the complex nature of the Nika revolt and was not sure whom to blame, Procopius uses it as further evidence of Justinian's extortion and bad treatment of the Senate. In S.H. 12.12-13, he records how vast amounts of property and other forms of wealth were confiscated from the Senate during and after the revolt. Once again, in this instance his accusations are based on fact in that Justinian

[237] Πολλάκις δὲ τά τε τῇ συγκλήτῳ βουλῇ καὶ τῷ αὐτοκράτορι δεδοκιμασμένα ἐς ἑτέραν τινὰ ἐτελεύτησε κρίσιν. ἡ μὲν γὰρ βουλὴ ὥσπερ ἐν εἰκόνι ἐκάθητο, οὔτε τῆς ψήφου οὔτε τοῦ καλοῦ κυρία οὖσα, σχήματος δὲ μόνου καὶ νόμου ξυνειλεγμένη παλαιοῦ εἵνεκα, ἐπεὶ οὐδὲ φωνὴν ἀφεῖναί τινα ὁτῳοῦν τῶν ἐνταῦθα ξυνειλεγμένων τὸ παράπαν ἐξῆν, ἀλλ' ὅ τε βασιλεὺς καὶ ἡ σύνοικος ἐκ τοῦ ἐπὶ πλεῖστον διαλαγχάνειν μὲν ἀλλήλοιν τῶν διαφερομένων ἐσκήπτοντο, ἐνίκα δὲ τὰ ἐν σφίσιν αὐτοῖς ὑπὲρ τούτων ξυγκείμενα.

did confiscate the property of certain members of the Senate in response to what may have been senatorial involvement in the insurrection. In another passage, Procopius chides the senators for not doing anything to thwart the scheming of Theodora:[238]

*"Nor, in truth, did a single member of the Senate, when he saw the State putting on the crown of this disgrace, see fit to show his disapprobation by forbidding the deed, though the Senators were all to do obeisance to the woman as though she were a god."* (S.H. 10.6).

The context of this passage concerns the marriage of Theodora to Justinian and her supposed plan to seize control of the empire. Yet Theodora is not even mentioned in the legal codes and it is highly unlikely that she had any direct influence over their composition. It is most probable that her social intrigues were well known and were included in all matters by Procopius, whether of a legal nature or not, for dramatic effect.[239] Furthermore, Procopius was aware of the lack of power that the Senate had in reality, and the fact that he blames Justinian personally for the degradation of the Senate implies that he was dissatisfied with the progress of the reforms that were supposed to be taking place. Therefore, while in a position to understand what had happened to the Senate, Procopius chose to interpret the transformation as yet further evidence of Justinian's egomaniac wish to control all aspects of government. In this regard his mention of the Senate is not so much inaccurate as it is more ammunition in his attack on Justinian.

### C) The Quaestorship

In 421 BC there had been four *quaestores* and the office was primarily concerned with the management of the *aerarium* (the treasury) as well as the administration of criminal justice until the praetorship was established. The office of the quaestorship consisting of two officials had dated back to the Etruscan Kings' period. Originally

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[238] οὐ μὴν οὐδέ τις ἐκ τῆς συγκλήτου βουλῆς τὸ αἶσχος τοῦτο ἀναδουμένην τὴν πολιτείαν ὁρῶν δυσφορεῖσθαί τε καὶ τὴν πρᾶξιν ἀπειπεῖν ἔγνω, καίπερ αὐτὴν ἅπαντες ἴσα θεῷ προσκυνήσοντες.

[239] Cameron discusses this at some length and she notes that the sensationalism of Procopius' portrayal of Theodora has not even wavered with modern fictional works, using the *Secret History* as a source (Cameron, 1985: 67-70).

two officials had served as the *quaestores urbani* and two had accompanied the consuls in the field. Gradually more *quaestores* were appointed. They were probably nominated by consuls and elected by the *comitia tributa* and were therefore lesser magistrates of the *civitas* (Wylie, 1948:33). Initially they were not magistrates but subordinates of the consuls and appointed by them until 421 when the quaestorship became an official magistracy and plebeians also became eligible.

In the first century BC, Sulla's plan to make the Senate the governing body made magistrates and assemblies subservient. The number of *quaestores* was raised to twenty and the office was used as a means of admission to the Senate. Therefore a class of ex-*quaestores* was created to fill vacancies of the Senate (now consisting of 600 members) and because the Senate controlled elections they could also control their own membership. By the time of the late Republic each provincial governor had a *quaestor* as second-in-command with financial duties. Except for the *quaestor sacri palatii*, *quaestores* were appointed for a time during the Dominate (ie. after 395 AD), but gradually disappeared. The office of the *quaestor sacri palatii* was probably derived from the office of the *quaestor Augusti,* but was of much greater importance. The *quaestor sacri palatii* was was the most important official of the central administration after the *magister officiorum*, being the chairman of the *consistorium* (Tsirpanlis, 1974: 495). By the time of Justinian, the *quaestor* was general legal advisor to the emperor, as well as preparing legal drafts of legislative matters, replies to petitions[240] and acting as a general minister of justice (Wylie, 1948: 35)[241]. However, Honore sees the term "minister of justice" as being misleading and chooses rather to describe him as having general literary and legal functions and to be expected, if necessary, to initiate legal reforms (Honore, 1978: 9) In the words of Cassiodorus' *Variae* 6.5:

*"The quaestorship necessarily involves close familiarity with the sovereign's ideas, so that the holder can correctly express what he knows the latter feels. He sets aside his own views and clothes himself in the sovereign's, so that his words seem to proceed from the latter"*

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[240] *De Mag.* 1.26

[241] Cf. Jones, *The Later Roman Empire* 1973, 1:104

As is common in the rest of Procopius' work, he has little to say about the quaestorship as a whole but rather attacks specific individuals within that magistracy. His most obvious target in the *Secret History* is Tribonian (the leading figure in committee responsible for the codification of Justinian's legal reforms), yet he is left virtually unscathed. Procopius' description of Tribonian is somewhat ambiguous and therefore is likely to contain an element of truth. For although it would be inconsistent with the tone of the *Secret History* to depict Tribonian (being a particularly close aide to Justinian) in a positive manner, his attack is not as scathing as that delivered against other individuals (most notably John the Cappadocian). In S.H. 20.15-23, Procopius describes the appointment of Tribonian and his successor, Junilus (who Procopius makes fun of for not having an adequate knowledge of Greek)[242]. He also refers back to a more moderate description given by him of Tribonian in *Wars* 1.24.16:[243]

*"Tribunianus, on the other hand, both possessed natural ability and in educational attainments was inferior to none of his contemporaries; but was extremely fond of the pursuit of money and always ready to sell justice for gain; therefore every day, as a rule, he was repealing some laws and proposing others, selling off to those who requested it either favour according to their need."*

*Wars* 1.25:1-2 follows in an even more forgiving tone than this passage:[244]

*"Tribunianus and John were thus deprived of office, but at a later time they were both restored to the same positions. And Tribunianus lived on in office for many years and died of disease, suffering no further harm from anyone. For he was a smooth fellow*

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[242] Maas, 1992, 111-2

[243] Τριβουνιανὸς δὲ φύσεως μὲν δυνάμει ἐχρῆτο καὶ παιδείας ἐς ἄκρον ἀφίκετο τῶν κατ' αὐτὸν οὐδενὸς ἧσσον, ἐς δὲ φιλοχρηματίαν δαιμονίως ἐσπουδακὼς οἵός τε ἦν κέρδους ἀεὶ τὸ δίκαιον ἀποδίδοσθαι, τῶν τε νόμων ἡμέρᾳ ἐκ τοῦ ἐπὶ πλεῖστον ἑκάστῃ τοὺς μὲν ἀνῄρει, τοὺς δὲ ἔγραφεν, ἀπεμπολῶν τοῖς δεομένοις κατὰ τὴν χρείαν ἑκάτερον.

[244] Τριβουνιανὸς δὲ καὶ Ἰωάννης τῆς τιμῆς οὕτω παραλυθέντες χρόνῳ ὕστερον ἐς ἀρχὰς τὰς αὐτὰς κατέστησαν ἄμφω. ἀλλὰ Τριβουνιανὸς μὲν ἔτη πολλὰ ἐπιβιοὺς τῇ τιμῇ ἐτελεύτησε νόσῳ, ἄλλο οὐδὲν ἄχαρι πρὸς οὐδενὸς παθών. ἦν γὰρ αἱμύλος τε καὶ τἄλλα ἡδὺς καὶ τῆς φιλοχρηματίας τὸ νόσημα ἐπισκιάσαι ἱκανώτατος τῆς παιδείας περιουσίᾳ.

*and agreeable in every way and well able by the excellence of his education to throw into the shade his affliction of avarice."*

The accusations leveled against Tribonian in these passages are so mild in comparison with his attacks on other individuals, that one questions if they are based on reality at all and not simply included so as to have something to level against Tribonian (in a similar style to Tacitus). For the only references to Tribonian in the *Secret History* are in 13.12 and 20.16-17, where Procopius suggests that the reader refer back to the passage in the *Wars* for a more complete description of the man. Yet in S.H. 20.15, he does emphasize the importance of incorruptibility and an absence of avarice for the *quaestor*, only to go on to accuse Tribonian broadly of these very things. It is therefore perhaps also significant that it is in the first book of the *Wars* and not the *Secret History* that Procopius accuses Tribonian of changing the laws to suit himself. This is undoubtedly a gross inaccuracy, for Tribonian certainly did not have the authority to simply individually change laws on a whim and the statement is probably based on Procopius' reaction to the introduction of a new set of laws, that perhaps seemed to contradict the old ones. The populace of Constantinople had similar feelings about Tribonian, as they called for his dismissal in the Nika riot. However, their anger was quite possibly directed at the laws rather than at Tribonian himself, who was the visible agent of Justinian in the execution of these laws. They did after all follow this demand for the dismissal of Tribonian with an acclamation for the replacement emperor Hypatius. Moreover, in *De Mag.* 3.70, Lydus states that the office lost much of its power during John the Cappadocian's administration as prefect, for he was concerned only with his own promotion and had become controller of all offices, his greed and abuses leading directly to the Nika riot. We can judge Tribonian from his contribution to the legal code. He was clearly very erudite and a good lawyer.[245] Procopius also gives a positive account of the predecessor of Tribonian, the *quaestor* Proclus, in *Wars* 1.11.11-12:[246]

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[245] For a full account of Tribonian and his impact on legal history, see Honore, T. 1978. *Tribonian.*

[246] καὶ κατὰ τάχος ἐς τὴν πρᾶξιν ἠπειγέσθην τὴν ἐσποίησιν ἐν γράμμασι θέσθαι, ᾗ νόμος Ῥωμαίοις, εἰ μὴ Πρόκλος ἐκώλυσεν, ὃς βασιλεῖ τότε παρήδρευε τὴν τοῦ καλουμένου κοιαίστωρος ἀρχὴν ἔχων, ἀνὴρ δίκαιός τε καὶ χρημάτων διαφανῶς ἀδωρότατος. διὸ δὴ οὔτε νόμον τινὰ εὐπετῶς ἔγραφεν οὔτε τι τῶν καθεστώτων κινεῖν ἤθελεν, ὃς καὶ τότε ἀνταίρων ἔλεξε τοιάδε·

*"And they were making all haste to perform the act of setting down in writing the adoption, as the law of the Romans prescribes – and would have done so, had they not been prevented by Proclus, who was at that time a counsellor to the emperor, holding the office of quaestor, as it is called, a just man and one whom it was manifestly impossible to bribe; for this reason he neither readily proposed any law, nor was he willing to disturb in any way the settled order of things, and he at that time also opposed the propostion."*
(*Wars* 1.11.11).

Proclus is also mentioned on two occasions in the *Secret History*. In the first, S.H. 6.13, he is described as one of the only truly capable members of Justin I's court and in the second, S.H. 9.41, he is presented as saving Theodotus from certain death. In all accounts therefore, Procopius gives a consistently positive portrayal of Proclus as *quaestor*. It should be noted however, that although Proclus may have served the office admirably, he would not have the same titanic task of consolidating the existing Roman legal corpus that fell to Tribonian.

Lydus does not have very much to say about the *quaestorship* (or the *quaesitorship* for that matter), as it did not fall within the scope of his discussion of the Praetorian Prefecture in *De Magistratibus*. In fact, although some mention is made of the office in the first two books of *De Magistratibus* dealing with the early history of the magistracies, there are very few references in Book 3 concerning the office of the *quaestorship* per se.[247] This is understandable as the *quaestor* was not on the staff of the prefect and therefore, like the Senate, not of direct relevance to Lydus' work. However, like Procopius, he does mention the rather unique case of Tribonian in *De Mag.* 3.20.9:

*"And who would not be reduced to tears upon coming to recall the high praises used of the prefect's staff and this kind of token of its high qualities by the great Sergius, the most fair-minded Proclus and the greatest polymath Tribonian? Of these the*

[247] The words κυαίστωρ, κυαίσιτωρ and Κυαίστωρ (bearing in mind that these are actually different magistracies) are mentioned in *De Mag.* 1.24, 25, 26, 27, 28, 34, 2.27, 29, 3.20, 27, 70

*former has had no equal as prefect, and the latter pair, on becoming* quaestors, *have added to the splendours of the constitution."*

The difference of portrayal is clear in this passage, for while Lydus had praise to bestow upon Tribonian, Procopius represented him with some negative traits, accusing him of being corrupt and avaricious, if only because of his close association with Justinian himself. This is also the only reference in the work to Proclus, and he too is presented in a very positive manner. The description of Tribonian as "the greatest polymath" is an indication of Lydus' own interests and values.[248] Another Proclus is also mentioned in De Mag. 3.60.2, but the context indicates that this was not the same individual as the *quaestor*.

Although not dealing much with the office of *quaestor*, Procopius does concentrate an attack on the office of the *quaesitor* (not to be confused with the *quaestor*) as having little more responsibility than rounding up pederasts and fallen women. The *quaesitor* was a police post created in 539 (*Novel* 80)[249]. In S.H. 20.9-12, Procopius explains the quaesitorship as being yet another method by Justinian to accumulate wealth through injustice. In this passage, he is not as concerned with the quaesitorship per se as he is with using it as evidence in his case against Justinian. He also regards it as being an excellent position of opportunity for those inclined towards personal financial gain through corruption of every form:[250]

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[248] He admired erudition as a virtue and was clearly very impressed with Tribonian's breadth of learning and command of the Latin language.

[249] ibid, 1973: 1:280

[250] καὶ αὐταῖν τὴν ἑτέραν μὲν τοῖς κλέπταις δῆθεν τῷ λόγῳ ἐπέστησεν, ὄνομα ταύτῃ ἐπιθεὶς πραίτωρα δή μων· τῇ δὲ δὴ ἑτέρᾳ τούς τε παιδεραστοῦντας ἐς ἀεὶ τίννυσθαι καὶ γυναιξὶν οὐ νόμιμα μιγνυμένους ἐπήγγελλε, καὶ εἴ τῳ τὰ ἐς τὸ θεῖον οὐκ ὀρθῶς ἤσκηται, ὄνομα ταύτῃ ἐπιθεὶς κοιαισίτωρα. ὁ μὲν οὖν πραίτωρ εἴ τινα ἐν τοῖς φωρίοις λόγου πολλοῦ ἄξια εὗρε, ταῦτα δὴ τῷ αὐτοκράτορι ἀποφέρειν ἠξίου, φάσκων οὐδαμῇ φαίνεσθαι τοὺς τούτων κυρίους. ταύτῃ τε χρημάτων ἀεὶ τῶν τιμιωτάτων διαλαγχάνειν ὁ βασιλεὺς εἶχεν. ὁ δὲ δὴ κοιαισίτωρ καλούμενος τοὺς παραπεπτωκότας κατεργαζόμενος, ἃ μὲν βούλοιτο, βασιλεῖ ἔφερεν, αὐτὸς δὲ οὐδὲν ἧσσον ἐπλούτει τοῖς ἀλλοτρίοις οὐδενὶ νόμῳ. οἱ γὰρ δὴ τούτων τῶν ἀρχῶν ὑπηρέται οὔτε κατηγόρους ἐπήγοντο οὔτε μάρτυρας τῶν πεπραγμένων παρείχοντο, ἀλλὰ διηνεκὲς πάντα τοῦτον τὸν χρόνον ἀκατηγόρητοί τε καὶ ἀνεξέλεγκτοι ὡς λαθραιότατα ἐντυχόντες ἐκτείνοντό τε καὶ ἀφῃροῦντο τὰ χρήματα.

*"And to the one of the two he gave jurisdiction over thieves, as he pretended, giving it the name of "Praetor of the Plebs"; and to the other office he assigned the province of punishing those who habitually practised sodomy and those who had such intercourse with women as was prohibited by law, and any man who did not worship the Deity in the orthodox way, giving the name of "Quaesitor" to this magistrate. Now the Praetor, if he found among the peculations any of great worth, would deliver these monies to the Emperor, saying that the owners of it were nowhere to be found. Thus the Emperor was always able to get a share of the most valuable plunder. And the one who was called Quaesitor, when he got under his power those who had fallen foul of him, would deliver to the Emperor whatever he wished to give up, while he himself would become rich nonetheless, in defiance of all law, on the property of other men. For the subordinates of these officials would neither bring forward accusers nor submit witnesses of what had been done, but throughout this whole period the unfortunates who fell in their way continued, without having been accused or convicted, and with the greatest secrecy, to be murdered as well as robbed of their money."* (S.H. 20.9-12).

It is significant in this passage that Procopius includes the punishment of heretics as being one of the duties of the *quaesitor*, for although this was correct (*Novel* 80), the fact that he groups the punishment of these individuals with that of sexual deviants is used as further evidence of Justinian's unfairness.[251] Moreover, while sexual deviancy was a charge that could be fabricated against anyone, a great number of citizens of the empire were not orthodox Christians. This attitude reinforces the argument that one of Procopius' foremost criticisms of Justinian concerned his religious policies and their social implications. Moreover, Procopius does not give too much information regarding his own religious beliefs, but he gives a consistent criticism of Justinian's relationship with religion. This is so consistent that it is one of the foundations of Procopius' representation of Justinian in the *Secret History*.

[251] Apart from the reference in S.H. 11.29-37, this treatment of homosexuals, heretics and pagans is also mentioned in Malalas' *Chronicle* 436, 428 and 449 respectively and is dealt with by Scott (Scott, 1985).

**D) <u>The Praetorian Prefecture</u>**

In the reign of Justinian, the functions of justice were divided between three magistracies, which although separate, could also work in co-operation on certain matters. Generally speaking, legislation was the concern of the *quaestor*, legal administration was the concern of the master of offices (*magister officiorum*) and his three departments (*scrinia*), and execution of laws was that of the praetorian prefect (Honore, 1978:9). Lydus was employed in this area. Because of the fact that it would be the actions of the prefect that would most directly affect the populace, it is understandable that he would attract the most attention of all magistrates, particularly if accounts of his corruption are unanimous (as is the case with John the Cappadocian). Of all the magistracies, the prefecture had perhaps undergone the most changes over time, as it had grown in influence and complexity. As Tsirpanlis notes, the prefecture had been deprived of its military character since the days of Constantine, but still had far-reaching powers throughout this period (Tsirpanlis, 1974: 490).[252]

In *Codex Iustinianus* 1.27, very specific details and instructions are given concerning the newly created office of the Praetorian Prefect of Africa. The description of the composition of the office is given in a typically formulaic style with the very clear implication that staff size would determine the relative importance of any particular magistracy:

*"We decree that three-hundred and ninety-six persons, distributed among the different bureaus and military departments, shall be attached to your office, as well as to that of all other succeeding Praetorian Prefects of Africa. We also decree that fifty subordinates shall be attached to the office of each of the provinces presided over by consular rulers, or Governors."*

As one of Justinian's chief concerns was the removal of crime and corruption, particularly at the upper levels of the magistracies, the specific details set down in this law allowed him far more control over the composition of the magistracy. By stating very clearly the number of persons to be employed and their respective salaries, he leaves nothing unaccounted for, and therefore far less is left to the discretion of the

[252] *De Mag.* 2.10

individual magistrate. This brings us back to his concerted effort of centralization as opposed to delegation of power.[253] For while Justinian would probably not be personally overseeing the exact composition of each prefecture, there would be other offices created to do this. The law therefore sets out a system of checks and balances that make each magistrate more responsible and accountable, thereby reducing the possibility of corruption.[254] This was an exercise that Justinian repeated in other contexts as well, including the church of the Hagia Sophia in Constantonople. In the latter case Justinian's rulings were to promote what we should call rationalization, scale prescriptions and costcutting, dictating the specific size of each office. As was pertinent to the Senate and is to most of his reforms regarding magistracies, he did not seek to remove power and authority from the hands of the officials so much as to increase the efficiency of the empire as a whole.

However, these motives were not always seen by those directly affected by his reforms. Because of his personal experience with the prefecture, Lydus chose to focus on it in *De Magistratibus.* He repeatedly explains that the prefecture was descended from the commander of the horse, who was second in command to Romulus and the Kings of Rome and that it was an orthographical detail to differentiate between the prefect (ὕπαρχος) and the *magister equitum* (ἵππαρχος)[255] (Jones, 1973:601). Lydus is loyal to the prefecture and also to Justinian, whom he thanks for preserving the institution,[256] but his anger is focused against John the Cappadocian, who was personally responsible for him losing his job as well as degrading the reputation of the prefecture. He gives the most detailed account of the structure of the prefecture extant, and laments the changes that it had undergone, by referring back to the "Golden Age" of the Republic.[257] Moreover, Lydus insisted on his responsibility to record the

[253] Justinian did want to delegate power and responsibility to the Senate and magistracies, including the prefectures, but he also wanted to curb corruption by giving them neither more nor less than they needed.

[254] A good example of this degree of control is in the preface to Jusinian's *Codex Iustinianus* 1.27.

[255] Lydus clearly believed that this association and ancestry would emphasize the inherent nobility of the prefecture (*De Mag.* 1.14-15, 2.13).

[256] *De Mag* 3.1.1-2

[257] *De Mag.* 3.67.1

diminution of the authority of the prefecture and claims his surprise that it even still existed in his own day.[258]

Lydus introduces his description of John the Cappadocian by stating the untrustworthiness of all Cappadocians:
*"Cappadocians are ever a worthless lot:*
*but if a Service job they've got*
*they're more so – and a haul*
*to make, they're most worthless of all."*[259]

Although this passage may suggest a pre-existing prejudice against Cappadocians on the part of Lydus, it is probable that it was informed by his experience with John, and is therefore being used as a literary device to develop a similar prejudice in the reader, so that one may sympathise with his attitude towards John. Yet he has already referred to John in a negative manner in *De Mag.* 3.38.3:
*"Now the wheat fund originally came under the city prefecture, but was taken from it as a result of the autocratic powers exercised by that blackguard of a Cappadocian – on whom I will speak a little later on".*
However, it is only in *De Mag.* 3.57 that the real character assasination of John begins. After describing John's rise to power, Lydus complains that he caused many problems that were to be felt by the general public. Lydus claims that he established a private prison and tortured individuals regardless of their station, their only qualification being that they were wealthy. For *honestiores* were supposedly exempt from torture except in cases of treason trials (Jones, 1973: 519-520)[260]. A similar accusation was levelled against Justinian and Theodora by Procopius in the *Secret History*, and it is therefore possible that it was a convention when describing personal corruption. In similar fashion to Procopius' *apologia* in the opening passages of his works, in *De Mag.* 3.57.4, Lydus qualifies his position to atack John when he states:

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[258] *De Mag.* 3.39.1

[259] *De Mag.* 3.57.2.The original is in *the Greek Anthology*, trans. W.R. Paton, London 1918: 183. It was taken from the *Anthologia Palatina* 2.238 and is by Demodocus (a poet/satirist who wrote before Aristotle)

[260] cf. P. Garnsey, *Social status and legal privilege*, Oxford, 1970

*"To this the populace was witness, but I personally have knowledge of it because I was an eye-witness and was present at what was done."*

After this Lydus mentions the many evil minions that John used to carry out his plans throughout the empire. This once again mirrors Procopius' description of Justinian, as he accuses the emperor of shaping his servants in his own evil mould. Lydus refers specifically to one of John's servants, who was both also a Cappadocian and was also named John.[261] He claims that the evil of this one individual was representative of the rest. According to the conventions of invective and satire, Lydus gives a harsh physical description of the man that is intended to mirror his inner evil.[262] Furthermore, he compares him to such creatures and tyrants[263] as Cerberus, Phalaris, Busiris and Sardanapalus.[264] In this case, Lydus had a personal vendetta against the man, whom he blames for plundering his hometown of Philadelphia in Lydia.[265] In *De Mag.* 3.62.1, Lydus uses sarcasm against the prefect John by calling him the "epitome of justice", and claims that after managing so successfully to deprive everyone of their belongings, he would go after the throne himself. Lydus also goes on to blame John personally for the end of Latin as the official language of the empire. As a preamble to his description of the Nika revolt, Lydus states that only Theodora, "*the superior in intelligence of any man ever*", had been keeping watch on John, whereas Justinian, "*the gentlest of souls*", knew nothing and was consequently reluctant to give any judgement against John.[266] After his description of John's downfall in the Nika revolt, Lydus lavishly praises his successor Phocas, who he claims was sent to the community on God's goodwill as a result of the dismissal of John.[267] It is during his description of

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[261] *De Mag.* 3.58.2-3

[262] In the same manner as the passage previously mentioned where Procopius compares Justinian to Domitian, both physically and ethically.

[263] This comparison also mirrors Procopius' own comparison between Justinian and his tyrannical predecessors in S.H. 1.9-10.

[264] cf. Bandy, 222, 224, 226, 332 and Caimi, 246, who notes the quotation from Lycophron's *Alexander* 38 at 61.1.

[265] *De Mag.* 3.58.5

[266] *De Mag.* 3.69. This reference to Theodora keeping watch over John the Cappadocian is notable, considering Procopius' claim of her involvement in his eventual downfall.

[267] *De Mag.* 3.72.2

the tenure of Phocas, whom he uses every opportunity to praise, that the narrative of *De Magistratibus* breaks off.

Procopius had very little good to say of the prefecture, yet he himself states that the corruption within the office was representative of all the magistracies within Constantinople:[268]

*"Now every single man who held this office during this period suddenly became wealthy beyond measure, with only two exceptions, namely Phocas – whom I have mentioned in an earlier Book as being a man who showed himself a most scrupulous respecter of justice; for this man remained clear of any gain whatsoever while in that office – and Bassus, who assumed the office at a later time. Yet neither of these two succeeded in holding the position a year, but, on the ground that they were useless and altogether alien to the spirit of the times, they were relieved of their office within some few months. But in order that my account may not be interminable, through my relating each separate thing, I might say that the same intrigues were being carried out in all the other magistracies in Byzantium."* [269]

(S.H. 21.6-8)

In this passage, Procopius uses the examples of Phocas and Bassus as a literary device to underline the corruption of the office and the sort of individuals who were usually attracted to it, by claiming that virtuous behaviour was practically outlawed. The last line also indicates that he has voluminous evidence to support his argument, but that the length of the work did not permit him to use it all. Consequently, the mere mention of having such a vast amount of evidence is used by Procopius to further establish his credibility.

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[268] ἅπαντες οὖν ἀμέλει ὅσοι τῆς τιμῆς ὑπὸ τὸν χρόνον τοῦτον ἐλαμβάνοντο πλούσιοι ἐξαπιναίως οὐδενὶ γεγένηνται μέτρῳ, δυοῖν μέντοι χωρὶς, Φωκᾶ τε, οὗπερ ἐν τοῖς ἔμπροσθεν λόγοις ἐμνήσθην ἅτε τοῦ δικαίου ἐς τὸ ἀκρότατον ἐπιμελητοῦ γεγονότος· κέρδους γὰρ ὁτουοῦν οὗτος ὁ ἀνὴρ ἐν τῷ ἀξιώματι καθαρὸς ἔμεινε, καὶ Βάσσου, ὃς δὴ ἐν χρόνῳ τῷ ὑστέρῳ τὴν ἀρχὴν ἔλαβεν. ὥνπερ οὐδέτερος ἐνιαυτὸν διασώσασθαι τὴν τιμὴν ἔσχεν, ἀλλ' ἅτε ἀχρεῖοί τε καὶ τοῦ καιροῦ τὸ παράπαν ἀλλόκοτοι μηνῶν που ὀλίγων τοῦ ἀξιώματος ἔξω γεγένηνται. ἵνα δὲ μὴ τὸ καθ' ἕκαστόν μοι διηγουμένῳ ἀτελεύτητος ὁ λόγος εἴη, ταῦτα κἀν ταῖς ἄλλαις ἐπράσσετο ταῖς ἐν Βυζαντίῳ ἀρχαῖς.

[269] Maas (1992: 79) notes that Lydus was somewhat selective in the elements of Phocas' record that he chose to mention. Furthermore, Phocas allegedly commited suicide in the 540s when faced with a prosecution for paganism.

The most regular recipient of Procopius' attacks on the prefecture is, like Lydus, John the Cappadocian. But while Lydus sees him as an aberration to the prefecture, Procopius considered him to be representative of the corruption within the magistracy, although an extreme example of it. Procopius makes numerous mentions of his ruin at the hands of Theodora (such as in S.H. 1.14, 2.15-16, and 4.18), yet in S.H. 17.38 he says that John the Cappadocian was punished by Theodora through her anger, not on account of his offences against the state. In this instance, Procopius was clearly not attempting to play down his accusations against John, but rather to emphasize Theodora's tendency to make harsh, yet important judgements on the spur of the moment. Procopius' opinion of John is summed up in *Wars* 1.24.11-15, where he describes him as being capable with letters and finding quick solutions to problems, yet on the other hand Procopius also refers to John as being uneducated (παιδειας ανηκοος), meaning that he was only educated at secondary school. This may even account for some of the prejudice of Procopius and Lydus against John. In *Wars* 1.24.13 Procopius states:[270]

*"He became the basest of all men and employed his natural power to further his low designs; neither consideration for God nor any shame before man entered into his mind, but to destroy the lives of many men for the sake of gain and to wreck whole cities was his constant concern."*

Procopius also accuses him of drinking and eating excessively, completely unable to control himself. Again in *Wars* 1.25.1-3, Procopius attacks John for having no respect for anything and eventually being forced to atone for his past sins at the hands of Theodora and her accomplice Antonina. This event was of such importance that Procopius devotes the whole of chapter 25 of Book 1 of the *Wars* to John the Cappadocian's downfall. Procopius has virtually nothing good to say of John the Cappadocian, and even when he refers to him as "*the cleverest of all men of his time,*"[271] it is in the context of his selfish scheming. The reality was that Justinian was

[270] πονηρότατος δὲ γεγονὼς ἀνθρώπων ἁπάντων τῇ τῆς φύσεως δυνάμει ἐς τοῦτο ἐχρῆτο, καὶ οὔτε θεοῦ λόγος οὔτε ἀνθρώπων αὐτὸν αἰδώς τις ἐσῄει, ἀλλὰ βίους τε αὐτῷ ἀνθρώπων πολλῶν ἀπολλύναι κέρδους ἕνεκα καὶ πόλεις ὅλας καθελεῖν ἐπιμελὲς ἦν.

[271] Wars 2.10.7

concerned with raising revenues from taxes and cutting costs. These were not traditional functions of the Praetorian Prefect, hence Lydus' complaint that John the Cappadocian was preoccupied with financial matters. Furthermore, Lydus was particularly unimpressed with the fact that John the Cappadocian's revenue raising program had won him popular support (providing another clue as to his own class affiliations).[272]

In S.H. 22.1-11, Procopius refers to the appointment of Peter Barsymes in the place of Theodotus (who had in turn replaced John the Cappadocian and who, although not entirely corrupt, was incapable of effectively running the office). Barsymes is also the target of a vitriolic attack from Procopius. He describes his early years as a money-changing thief, and how he was perfect for the part of Praetorian Prefect in the eyes of both Justinian and Theodora. Yet the very nature of Procopius' description of Barsymes implies a strong connection with that of Justinian. This is so obvious that it suggests that Barsymes was a protégé of Justinian. For instance, Procopius blames him for deliberately depriving the soldiers of their pay, an accusation that is strongly reminiscent of his claim of Justinian's treatment of Belisarius and his legions during the second Gothic campaign.[273] He then accuses him of selling offices to the highest bidder, an identical accusation to that levelled against Justinian in S.H. 21.16-19. Procopius uses these accusations as a generalised indictment of the office of the Praetorian Prefect, for in S.H. 23.14 he states:[274]

*"...for not alone Barsymes, as he was called, has dared to perpetrate this outrage, but even before him the Cappadocian, and later on those who succeeded Barsymes in the dignity of this office."* (S.H. 23.14)

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[272] *De Mag.* 3.62

[273] This was elaborated on in the discussion on Belisarius' life and career.

[274] ἐπεὶ οὐχ ὁ Βαρσύμης καλούμενος μόνος τὸ τοιοῦτο ἄγος ἐξαμαρτάνειν τετόλμηκεν, ἀλλὰ καὶ πρότερον μὲν ὁ Καππαδόκης, ὕστερον δὲ οἱ μετὰ τὸν Βαρσύμην τοῦτο δὴ τὸ τῆς ἀρχῆς παραλαβόντες ἀξίωμα.

When seen together, the descriptions of the prefecture given by Lydus and Procopius provide an image that is not altogether consistent or clearly represented by either. Procopius did not say much of the prefecture as a magistracy, because he considered it irrelevant to his task. For him, the magistracy was controlled by individuals that succesively represented or emulated aspects of Justinian's own character, whether learned from him directly or possessed as innate qualities. Consequently, the prefecture represents simply another aspect of the image that the *Secret History* and the *Wars* deliver of Justinian and an era of profound change. Because Lydus was passionately loyal to the prefecture, and had a personal vendetta against John the Cappadocian, he portrays it as being an essentially incorruptible institution that had been degraded by John the Cappadocian and other individuals, who were not properly suited to the office. Furthermore, his suggestions for a revived Roman state rested squarely on the shoulders of a reinvigorated prefecture. This may betray a certain shortsightedness concerning the process of change and an increasing tendency towards disorganisation, yet it was perhaps no more so than Justinian's own short-sighted attempt to consolidate the state by returning to ancient precedents. The most significant difference is that while Lydus was essentially conservative, Justinian was using the past as a means of justifying the adaptations he was making to a changing social environment, and was therefore progressive.

## 6: OTHER ASPECTS AND EPISODES OF JUSTINIAN'S ADMINISTRATION

The sixth century was one of great upheaval. It is therefore not surprising to find Procopius using supernatural imagery to describe Justinian as he presents the probability of him being responsible for the plagues, earthquakes, floods, invasions and severe civil disturbances that characterised his reign. Using the literary device mentioned earlier for degrading Justinian by providing only two negative options, yet probably not truly believing either of them, in S.H. 18.36-37, he states:[275]

*" Such, then, were the calamities which fell upon all mankind during the reign of the demon who had become incarnate in Justinian, while he himself, as having become Emperor, provided the causes of them. And I shall show further, how many evils he did to men by means of a hidden power and of a demoniacal nature. For while this man was administering the nation's affairs, many other calamities chanced to befall, which some insisted came about through the aforementioned presence of this evil demon and through his contriving, while others[276] said that the Deity, detesting his works, turned away from the Roman Empire and gave place to the abominable demons for the bringing of these things to pass in this fashion. "*

Other geophysical calamities of the period are recorded in Pseudo-Dionysius of Tel-Mahre's *Chronicle* entry for the year 542 and in Malalas' *Chronicle* 18.79, although they do not blame anyone in particular for them. It is necessary to mention some of the dramatic events of Justinian's reign briefly in order to establish the sentiment of Procopius and Lydus to the regime and bureaucracy as opposed to the popular sentiment regarding these institutions. Although Justinian's reign was a long and complex combination of action and reaction to imperial policy and natural disasters, the issues that have been chosen to be focused on here, as they are important episodes

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[275] Ταῦτα μὲν κατὰ τὸν ἐν σώματι γενόμενον δαίμονα τετύχηκε γενέσθαι ἐς πάντας ἀνθρώπους, ὥνπερ τὰς αἰτίας αὐτὸς ἅτε βασιλεὺς καταστὰς ἔδωκε· καὶ ὅσα μέντοι κατακεκρυμμένῃ δυνάμει καὶ φύσει δαιμονίᾳ διειργάσατο ἀνθρώπους κακὰ, ἐγὼ δηλώσω. Τούτου γὰρ Ῥωμαίων διοικουμένου τὰ πράγματα πολλὰ καὶ ἄλλα πάθη ξυνηνέχθη γενέσθαι, ἅπερ οἱ μὲν τῇ τοῦ πονηροῦ δαίμονος τῇδε παρουσίᾳ ἰσχυρίζοντο καὶ μηχανῇ ξυμβῆναι, οἱ δὲ αὐτοῦ τὸ θεῖον τὰ ἔργα μισῆσαν ἀποστραφέν τε ἀπὸ τῆς Ῥωμαίων ἀρχῆς, χώραν δαίμοσι τοῖς παλαμναίοις ἐνδεδωκέναι ταῦτα διαπράξασθαι τῇδε.

[276] This is another example of Procopius' use of the literary device that was mentioned earlier of attributing the view to others, or to rumour.

and stages within the duration of his reign and were tangible enough to be commented on by Lydus and Procopius, are: the plague, the Nika riot and the wars of reconquest. While the last two were a result of Justinian's policies, the plague was a natural disaster and an episode that in many ways characterizes the difficult middle period of Justinian's reign in the 540s.

Although of great significance in his reign, the codification of law has not been independently dealt with, as it is a tremendous subject on its own and did not provide an obvious tangible means whereby Procopius and Lydus could comment on Justinian's reign, though it is mentioned in their work. Consideration of the legal reforms will be limited to when they represent official imperial policy on the specific matters under discussion. In addition, the building program has not been given a separate treatment, for although Procopius dedicated an entire work to it, it is not a significant part of the *Secret History*.[277] Furthermore, despite its relationship to the complete body of work by Procopius, it is not relevant to the work of Lydus and is therefore not useful for the comparative purposes of this discussion. Unfortunately, due to the lack of evidence regarding popular opinion from this period and the manner in which the populace reacted to events that were linked to Justinian's reforms, one must make inferences from contemporary writers as to what this popular opinion might have been.

**A) <u>The Plague:</u>**

A description of the important events of Justinian's reign that helped to shape Procopius and Lydus' view of the bureaucracy and the aristocracy would be incomplete without a mention of the terrible plague that appeared in the 540s. Although strictly speaking the plague was not a result of Justinian's administration as such, Procopius represents a level of cupability to Justinian that makes the two inextricable in the narrative of the *Secret History*. It is therefore included and represents the non-human element of disaster that also characterized Justinian's reign. Rather than describe the details of the plague itself, emphasis has been placed on its

[277] However, for an argument that attempts to place Procopius' Buildings alongside the Secret History in its judgement of Justinian, see Rousseau's "Procopius's *Buildings* and Justinian's Pride" in *Byzantion* 68 (1998: 121-130). This should be considered next to Cameron's chapter on the building program in her *Procopius and the sixth century* (1985: 84-112).

effect on the popular view of the government and on Procopius' portrayal of Justinian. As it did not relate directly to the subject matter of *De Magistratibus*, Lydus does not mention the plague in his work, yet it is almost certain that he was present in Constantinople when it struck the city. Other accounts of the plague occur in the work of Agathias (5.10), Evagrius Scholasticus (4.29) and John of Ephesus, whose vivid and emotional description has come down to us through the *Chronicle* of Pseudo-Dionysius of Tel-Mahre.[278]

The origins of the plague that broke out in 542 in Constantinople and later spread to most of the empire are not certain, although it was probably brought from the east (Barker, 1966: 191).[279] In *Wars* 2.22.6, Procopius says it originated in Egypt, and many of the ancients had long believed Ethiopia to be a plague reservoir. The sources claim that it halved the population of Constantinople (Maas, 1992: 23) and certainly a writer such as Evagrius Scholasticus felt it keenly, as he lost most of his family to it.[280] John of Ephesus (through Pseudo-Dionysius of Tel-Mahre) states that hundreds of thousands perished in Constantinople alone, and that those were only the ones that were counted.[281] Procopius, like Evagrius Scholasticus could not resist the opportunity to reinforce his emulation of Thucydides by imitating that author's description of the plague that struck Athens during the early part of the Peloponnesian War (*Wars* 2.22-23). One may even draw a further parallel that while Pericles, the strong and charismatic leader of the Athenians was killed by the plague, Justinian became ill but recovered, against all expectation.[282] Thucydides saw the death of Pericles as marking the end of old-style politics. It is unclear whether Procopius had any similar notions about Justinian and a respective turning point in Byzantine history, but he did recognise the impact that the plague had on Justinian's administration. The fact of Justinian's recovery would have reinforced a religious sense of Justinian's destiny as the leader in the transition from classical Roman civilization to a Christianized one.

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[278] John of Ephesus was a Monophysite monk who was contemporary with the events described. This *Chronicle* presents the second part of his *Church History* that has otherwise been lost to us (Witakowski, 1995: xv).

[279] The first incidents of the later medieval appearance of the bubonic plague in the thirteenth century were also in the Far East, in China.

[280] Evagrius Scholasticus *Ecclesiastical History* 4.29

[281] Pseudo-Dionysius' *Chronicle*, p.95.

[282] This occurred while Belisarius was away at war and he stated that he would not recognize any emperor appointed in his absence, much angering Theodora (S.H. 4.1-17).

Although the state was thrown into economic confusion in the immediate aftermath of the plague, there is no evidence that it fundamentally changed the opinion of the populace to the regime or to the bureaucracy.[283] The populace apparently did not draw a connection between the plague and the administration. They were certainly unhappy about heavier taxes and further strain on an economy that was already unstable, but one cannot assume that they blamed the plague personally on Justinian and his regime. The blame given by the Monophysite John of Ephesus echoes that given by later Christian writers living in times of plague. He attributes its occurence as a punishment for the sins of humanity,[284] rather than merely one individual or a regime, and calls for God's mercy on the empire. In this regard he openly states that he models his approach on that of the Old Testament prophet Jeremiah[285] who had produced a series of *Lamentations* in response to the desctruction of the first Temple in Jerusalem and subsequent Hebrew exile in Babylon.

The positive result of the plague was that it reduced pressure on accommodation, jobs and profits within the city, although needless to say this was not perceived as such by the populace. The fact that Justinian was himself afflicted for a time may have helped to prevent such an accusation of personal blame from occurring. In an age of great popular superstition and genuine belief in an imminent apocalypse, it is reasonable to presume that the populace had religious explanations for the plague[286] (as has repeatedly been the case in periods where such a devastation has occurred).[287] A distinction should be drawn however, between popular theological explanations for the plague and Procopius' account of the belief in Justinian's supernatural abilities as mentioned in S.H. 18.37.[288] Although Procopius states that some insisted it was

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[283] It may be true that such evidence has been destroyed, but this is highly conjectural.

[284] Pseudo-Dionysius' *Chronicle*, p.80

[285] Pseudo-Dionysius' *Chronicle*, p.79

[286] John of Ephesus' account in Pseudo-Dionysius' *Chronicle* assumes a religious readership in posterity that would have identified with his Monophysite Christian beliefs, and therefore is replete with religious references, visionary experiences and divine intervention (p.84).

[287] In the Middle Ages, the flagellates would parade themselves through the city, begging forgiveness, in an attempt to prevent what they believed was divine punishment for human sin.

[288] This is another case where Procopius offers two rival explanations of rumour (φάσι), indicating that the disasters were brought about either by the devil incarnate, or God.

Justinian's personal influence that caused the plague, it seems unlikely that those to whom he refers were ordinary members of the populace.

In this context it forms simply another part of his total criticism of the emperor, thus in the *Secret History* Procopius states Justinian's involvement in the widespread death and destruction wrought by the plague.[289] He mentions Justinian's relation to the plague in two places in the *Secret History*. In S.H. 6.22-23 he compares Justinian's responsibility for deaths in the empire with that of the plague and concludes that while some may have been able to escape the terror of the plague, no one could escape Justinian. In this manner he uses the plague as a literary device to further emphasize his claim of Justinian's far-reaching responsibility for calamity throughout the empire. However, in this instance, the distinction is clearly made between the plague (being an "act of God") and Justinian's personal actions. The plague was a natural disaster, yet Procopius implies that even God could not cause as much destruction as Justinian. Or, as S.H. 18.37 reads, God's "motivation" for the plague may have been to respond to, "as some said", Justinian's behaviour. This second instance in which Procopius associates Justinian with the plague occurs within his wider attempt in S.H.18 to account for Justinian's responsibility for all deaths that occurred during his reign. Making full use of hyperbole, he first mentions all the peoples and regions that Justinian laid waste to and then blames him for the deaths of all those that died in various civil disputes. He then refers to those that perished in the numerous natural disasters throughout the empire, concluding with the plague. In regard to Justinian's involvement in this last category of deaths, he states in S.H. 18.37:[290]

*"For while this man was administering the nation's affairs, many other calamities chanced to befall, which some insisted came about through the aforementioned presence of this evil demon and through his contriving, while others said that the*

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[289] This is contrasted with John of Ephesus' account where he states that Justinian provided 600 litters and other monetary incentives for the rapid removal of corpses from Constantinople (p.100).

[290] τούτου γὰρ Ῥωμαίων διοικουμένου τὰ πράγματα πολλὰ καὶ ἄλλα πάθη ξυνηνέχθη γενέσθαι, ἅπερ οἱ μὲν τῇ τοῦ πονηροῦ δαίμονος τῇδε παρουσίᾳ ἰσχυρίζοντο καὶ μηχανῇ ξυμβῆναι, οἱ δὲ αὐτοῦ τὸ θεῖον τὰ ἔργα μισῆσαν ἀποστραφέν τε ἀπὸ τῆς Ῥωμαίων ἀρχῆς, χώραν δαίμοσι τοῖς παλαμναίοις ἐνδεδωκέναι ταῦτα διαπράξασθαι τῇδε.

*Deity, detesting his works, turned away from the Roman Empire and gave place to the abominable demons for the bringing of these things to pass in this fashion."*

Considering Procopius' pragmatic and skeptical approach to any supernatural explanation,[291] it is unlikely that he truly believed Justinian to be responsible for the plague. However, he may have believed that any accusation against Justinian attempting to account for his part in the deaths of citizens in the empire would have been overshadowed by the calamity of the plague. By associating the emperor with the plague in these passages, he amplifies the force of his invective against Justinian.

**B) <u>The Nika Riots:</u>**

The Nika riot was the most severe civil disturbance of late antiquity. Although there were precedents of serious riots during the previous century,[292] the Nika riot was remarkable simply for the number of deaths that resulted from it. Contemporary sources vary in their account of the number of casualties, ranging between 30,000 and 50,000 casualties.[293] There are three main arguments regarding the motivation for this riot. One sees the riot as having religio-political undertones with a specific program (allowing the two factions to coalesce against the common enemy), the second sees it as a religious, sectarian conflict, while yet another sees it as being hooliganism on an uncontrollable scale (Atkinson, 1990: 119-131).[294] However, in his comprehensive summary of scholarship on the riot and its precedents, Greatrex refines these causes for the riot into what had previously been categorized as three separate yet occasionally overlapping types of revolt (Greatrex, 1997: 64).[295] He also places it in a context that shows Constantinople as having a long tradition of civil disturbance.[296]

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[291] This was was further elaborated on in the discussion on Procopius' and Lydus' sources

[292] Greatrex refers to parallels with the serious riots that occurred in Antioch in 507 and Constantinople in 498 (Greatrex, 1997: 68).

[293] *Wars* 1.24.54, Malalas' *Chronicle* 476, *De Mag.* 3.70

[294] Atkinson reviews this debate in his article and disagrees with Alan Cameron's suggestion of hooliganism as the primary cause of the revolt (Atkinson, 1990: 120).

[295] The first comprehensive account of the riot in modern scholarship is the detailed analysis by J.B. Bury done in 1897 and although this analysis is now somewhat out of date in certain respects, it set the standard of all later scholarship on the riot (Bury, J.B. 1897: 92-119). Other important early work was later also done by Stein (1949: 449-55).

[296] He also makes the point that, although other significant revolts had broken out previously in cities such as Alexandria and Antioch, these were not recorded in any great detail, as neither was in the capital of the empire (Greatrex, 1997: 61).

The first type of revolt mentioned concerns riots over ecclesiastical and doctrinal affairs. These had been a problem during the reign of Anastasius, but were non-existent under Justin and Justinian.[297] Vasiliev argued that religious differences between the Blues and Greens (namely Monophysite against orthodox) were a precipitating cause for the revolt, but as Cameron and Atkinson have noted, this conclusion is illogical as the Blues and Greens united in this revolt, seemingly temporarily putting aside any religious differences (Atkinson, 1990: 120). The second type of revolt is a fairly simple physical confrontation, usually associated with chariot-races. For centuries, the circus had been a theatre for expression of popular discontent and had proved to be an effective means of "unofficial" communication between the emperor and the people. By the late fifth century this channel of communication was dominated by the Blues and Greens (Cameron, A, 1976: 193).[298] It is this category that Cameron is primarily concerned with and although he argues that the disturbance was based on hooliganism (drawing a parallel between these factions and modern football-related disturbances), it is unlikely that it was the underlying motivation (though it may have been a significant factor in the pretext of the revolt)(1976: 277).[299] For in this type of riot the violence is mainly directed at other factions or partisans, not specifically at the emperor himself. However, there was always the possibility that the second type could develop into the third variety, which is defined as a revolt directed against the regime and its administration, thereby presenting a potential threat to the emperor himself. This evolution in the nature of the riot partially accounts for the progress of the Nika riot, as it usually ended with troops being sent in to squash the revolt with heavy-handed violence (Greatrex, 1997: 65).

Procopius recounts the events of the Nika riot in *Wars* 1.24 and mentions it again in S.H. 12.12 and *Buildings* 1.20. As Cameron notes (1986: 66), Procopius clearly had difficulty in his portrayal of the riot, for he was not sure precisely whom to blame. To

[297] In 496 and 512 there were riots of this sort, based on disagreements arising out of the Fourth Ecumenical Council of Chalcedon. In 451 Marcian had called this Council to formulate the doctrine of the two separate but indivisible natures of Christ. It therefore condemned the Monophysites and Nestorians, giving the Orthodox Church in Constantinople the advantage (Ostrogorsky, 1968: 59-60).

[298] These were the two dominant factions by quite a margin, the other two significant ones being the Whites and Reds.

[299] Riots of this sort had occurred in 501 and 507, resulting in thousands of deaths from inter-factional fighting (Greatrex, 1997: 64).

him it represented chaos and disorder, and while he blames Justinian for the event along with other less significant disturbances in S.H. 18. 31-35, he had felt it necessary earlier in his work to emphasize the anarchy of the Green and Blue factions, both with and without the emperor's patronage. To this end, he dedicates the whole of chapter seven of the *Secret History*.[300] This describes his view of what started the riots as well as giving an indication of his attitude to the lower classes of the urban masses.

Another aspect of the riot concerns its effect on the Senate, as it provided Justinian with a justification for action against senators that he found objectionable, or those that opposed his policies. As Atkinson notes, in 537 he could celebrate his achievement in establishing an administration that relied on his bureaucrats and soldiers and not on the direct control of the Senate[301] (Atkinson, 2000: 21). Although Procopius does not blame Justinian directly for causing the revolt itself, in S.H. 12.12 and again in 19.12 he does blame him for manipulating it to suit his own ends:[302]

*" As to the manner in which he so managed the insurrection which arose against him, the one which they called "Nika", that he immediately became heir of all members of the Senate, and also how, before the insurrection, he had stolen the property of no small number of them, taking them individually and one at a time, has already been set forth by me in a recent chapter."* (S.H. 19.12, H.B. Dewing trans, 1935)

In his account in the *Secret History*, Procopius does not present any political motivation or specific involvement of the senators in the Nika revolt. Instead, he turns this around and states that Justinian manipulated the outcome and treated the senators in a manner that would allow him much personal financial gain.

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[300] Even in the context of his attack on Justinian in the *Secret History*, Procopius could not afford to neglect mentioning the critical role of the Blues and Greens in the riot, who would have been conspicuous in their arbsence.

[301] *Novel* 62. Although the Senate had not been a serious political force for centuries, it was still a potential threat to Justinian's program of the centralization of imperial power.

[302] ὅπως δὲ καὶ τὴν γενομένην ἐπ' αὐτὸν στάσιν, ἣν Νίκα ἐκάλουν, διοικησάμενος πᾶσι κληρονόμος τοῖς ἐκ βουλῆς εὐθὺς γέγονεν ἤδη μοι ἔναγχος δεδιήγηται, καὶ ὅπως τῆς στάσεως πρότερον οὐκ ὀλίγων αὐτὸς ἰδίᾳ ἑκάστου τὴν οὐσίαν ἀφείλετο.

*"The populace, or rather the barbaric and merciless multitude, was reduced in numbers by appropriate punishments resulting from this "victory", up to almost fifty thousand being destroyed indiscriminately by the sword".* (*De Mag.* 3.70.5).[304]
It is notable that in this passage Lydus considers the indiscriminate slaughter of the masses to have been appropriate,[305] as they had degenerated into a lawless multitude and he no longer shared the apparent sympathy that he had for them when describing the precipitating circumstances of the revolt. Furthermore, although he says that John the Cappadocian disappeared and was replaced by Phocas, he does not in this instance directly implicate him in the revolt.

In addition to these poor urban conditions described by Procopius and Lydus, the traditional view of the revolt (based upon the account of Procopius) argues that it had reached its fever pitch primarily as a result of the long-standing, fierce rivalry that existed between the two dominant factions. However, as Greatrex argues, such disturbances caused by the circus factions were not without precedent, but the real danger lay in the possibility of Blues and Greens uniting behind a common cause (Greatrex, 1997: 63-66). The time gap between the various stages of the revolt may indicate a certain degree of planning, yet even this is not as convincing as the swift manner in which the pretender Hypatius was set up as emperor in the circus. Although he may have been innocently drawn into the revolt at first (based upon his ancestry in the family of the emperor Anastasius), Hypatius willingly accepted the role that the crowds created for him (*Wars* 1.24.42).[306] In his entry for 532, Marcellinus presents a negative attitute to the riot with rather a different emphasis on the responsibility of Hypatius, Pompeius and Probus in the ensuing chaos:[307]
*"Hypatius, Pompeius and Probus, the nephews through his sister of the divine Anastasius, because they were each fired with unworthy ambition, tried to usurp the*

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[304] It is unclear whether Procopius expects us to take this at face value or if he is using it for dramatic effect.

[305] As Atkinson has noted, if the riots were presented from any other perspective than that of Justinian, they would be known as the Nika massacre, not simply a riot (Atkinson, 2000: 20).

[306] Atkinson, 1990: 119-133

[307] There is only a short reference to the riot in Marcellinus that reflects the official version and emphasizes the involvement of the nobles Hypatius, Pompeius and Probus. In his commentary on the text of Marcellinus, Croke follows Bury in his suggestion that this version was fostered by Justinian to give the impression that the revolt was a matter of imperial ambitions among certain nobles and not a true reflection of popular feeling (Croke, 1995: 125).

*throne on 13 January after many of the nobility had already sworn allegiance and a whole crowd of troublemakers had been enticed by arms, gifts and the guile of their accomplices.*" (trans. B.Croke, 1995)
The account follows that Hypatius and his followers tried to storm the palace and clearly states that the crowd had acclaimed no substitute emperor, but rather that Hypatius had tried to use the factional strife to his advantage.[308]

Even though the immediate pretext for the riot was a botched execution of partisans by the city prefect Eudaemon which brought the Blues and Greens together, the riot began as a relatively disorganised revolt and gradually became an organised threat. This is indicated through the arson attacks against specific buildings at the outset of the riot as well as the relative ease with which Belisarius and his troops were able to decimate the crowds (as they were grouped in certain areas, not scattered throughout the city). Ultimately, large masses were executed in the Circus at the climax of the revolt once all other attempts to placate the mob had failed (Atkinson, 1990: 119-133). However, this is not to say that the so-called mob mentality did not play a part, for despite any evidence of an organised offensive, both Procopius' and Lydus' dramatic accounts state that once the revolt had gained momentum, the crowds began to ransack virtually everything in sight. While Lydus frames his story with references to John the Cappadocian (though not blaming him directly), he does not even mention Belisarius. Procopius, on the other hand, has John the Cappadocian removed from the scene long before the appearance of Belisarius. Procopius presents Belisarius as acting only according to the degree that he believed necessary, to protect Justinian without wanton brutality. He demonstrated great personal bravery (*Wars* 1.24.48) and featured at the meeting of the Senate (*Wars* 1.24.25). Thus Procopius gives him a far greater role to play than does Lydus.

Although having the different religious and social allegiances that were stated previously, the significance of this riot was that it allowed the Greens and Blues to

[308] In his survey of the House of Anastasius, Cameron exhonerates Hypatius from his involvement in the riot and presents his choice by the crowds as replacement to Justinian in the wider context of both his and other members of the Anastasian line's previous activities (Cameron, 1978: 263). Moreover, it is argued that the Nika revolt did not bring disgrace on the popular Anastasian family, but rather that Justinian later used this to his advantage by linking the family to his own, with the marriage of his niece to Hypatius' grandson (Cameron, 1978: 268).

unite against the common enemy of the existing government. The partisans may have set up Hypatius as a pretend emperor, implying that they wanted to replace Justinian, yet in their demands they originally only insisted on the removal of the three most important government officials (namely, John the Cappadocian, Tribonian and Eudaemon).[309] It is understandable that these three individuals were the ones that the crowds wanted replaced, for they were the most visible agents of Justinian's reforms and were principally responsible for the maintenance of law and order. The choice of Eudaemon was obvious, as he was the city prefect and had been responsible for the executions (two of which failed) that began the riot. Certainly Tribonian, despite the forgiving accounts given of him by Procopius[310] and Lydus, would have been identified with the new legislature. In the relatively short time that he had been in office, John the Cappadocian had already established himself as a ruthless collector of funds to fill the imperial coffers and someone willing to go to any lengths to enforce the new financial policies. Justinian temporarily relented to the demands of the crowd and had these three replaced by Phocas, Basilides and Tryphon respectively. However, once the crowds had been placated and the situation had settled down several months later, he reinstated them. Even John the Cappadocian, who was universally disliked, was reinstated afterwards indicating that Justinian was confident in his ability in financial matters and that he wished to show the crowds that as emperor he still held absolute power.

Greatrex describes the revolt as passing through ten distinct phases, beginning with the execution of the partisans and ending with the execution of Hypatius (Greatrex, 1997: 67-80). The phases will not be repeated in any detail here, but this model is useful in illustrating which aspects of the riot were without precedent and which were not. In 520 the factions had united when the soldiers had not quelled the revolt quickly enough. While Justin was still officially the emperor, Justinian had openly backed the Blues much as other emperors had done before him.[311] This was an effective tactic in

[309] The *magister officiorum* was out of Constantinople at the time, and would possibly have been dismissed if he had been present at the time of the revolt.

[310] Though Procopius accuses him of changing the laws to suit the highest bidder (S.H. 13.12). There may be some truth to this accusation, as it would certainly have given the crowd reason to call for his dismissal. However, he could not have simply changed laws on a whim and it probably represents a misunderstanding of the new laws.

[311] Both Theodosius II and Leo had backed the Greens, while Marcian had backed the Blues (Greatrex, 1997: 66).

dividing the crowd and being ensured of at least half their support. Anastasius had held a neutral stance towards the factions and had dealt with riots harshly, while Justin was characteristically indecisive about how to control them. Upon becoming emperor, Justinian combined elements of both Anastasius' and Justin's approach to the factions, allowing them limited indulgences, and by Malalas' account, was able to achieve peace for some time.[312] However, his refusal to release the partisans in 532 provided the mob with just the level of incitement required to begin a riot. Greatrex notes that it was not the first time that the catchphrase "Nika" was used, nor was it the first time that the crowds had called for the removal of certain officials from office (Greatrex, 1997: 71). Neither was it unprecedented for the crowds to acclaim a new emperor and for the existing emperor to flee the capital.[313] However, Justinian's initial indecision with mixed messages and his wavering between Anastasius' and Justin's approach to dealing with factional violence gave the mob the impression that they could take further liberties.[314] It was due to this that they were not merely satisfied with the removal of the officials but extended their demands for a new emperor and an all-out assault on the city. This made a massacre inevitable and consequently the scale of the devastation and the number of casualties was unparalleled.

Procopius' description of the revolt in the *Secret History* does not present the riot as being particularly important for its own sake, but rather as representative of the general chaos that characterized Justinian's reign. The *Wars* however presents the riot as being an inevitable end to the factional strife that had been gaining momentum over the previous years. He is uncertain whom to blame and even though he sees Justinian as taking full advantage of the outcome of the riot, he does not blame him for causing it. Lydus' description comes closer to the official line taken concerning the revolt when he presents the massacre of the mob as being a rational response to their hooligan behaviour, despite any sympathies he may have had with the precipitating

[312] Malalas' *Chronicle* 422.14-22

[313] There is the tradition, largely supported by Procopius, that while Justinian contemplated evacuating the capital, Theodora urged him to stay and fight. Whatever deal Justinian may have made with Hypatius, he went back on it and used the crowds amassed in the Circus as a strategic advantage.

[314] Justinian took no firm action to stop the rioters during the first wave of arson, and attempted to let the circus games continue as planned, but on the second day of the riots he capitulated to the demands for the dismissal of John the Cappadocian, Tribonian and Eudaemon.

## C) The Wars of Reconquest:

Justinian's wars of reconquest stretched from 533-554 and are fully chronicled in Procopius' *Wars*. They began in Vandal Africa and ended in Ostrogothic Italy with the settlement known as the "Pragmatic Solution".[320] This process of reconquest raises the important issue of the true relationship between east and west, one that is prevalent throughout late antiquity. Important changes had been made to this relationship in the late third and early fourth centuries by the emperors Diocletian and Constantine, who had created strong distinctions between the two areas and had effectively divided the empire for administrative and military reasons.[321] However, the economic, social, religious and military problems facing these emperors steadily grew over the next century,[322] until their measures were no longer sufficient for maintaining the empire as a coherent whole. The real divide came in the fifth century when the west collapsed and fell under the domination of a succession of "barbarian" tribes with puppet emperors, while the east prospered (although still under threat) under a line of strong leaders. The perceived relationship between the inhabitants of east and west in regard to language, ethnicity, nationality and general cultural preferences is a particularly difficult one that is further troubled by lack of evidence.[323]

The effect that this perception had on Procopius' and Lydus' respective value systems was considerable and greatly affected their understanding and general impression of Justinian's policies in regard to the west. It is unclear whether both Procopius and Lydus associated themselves with the unfortunate landowning classes of Italy who were dealt a devastating blow by Justinian's wars of re-conquest.[324] However, as has

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[319] This is mostly evident in Procopius' *Wars* 8 and *Secret History*.

[320] A more detailed account of Belisarius' involvement in these wars of reconquest was given in the discussion on Belisarius' life and career.

[321] This is a vast topic, relevant to all studies dealing with Late Antiquity and the transition from Rome to Constantinople as the center of the empire. Hence it will not be entered into any great detail here. Among numerous works, a full and detailed account of this period can be found in either Ostrogorsky's *History of the Byzantine State* (Basil Blackwell, 1968) or Jones' *The Later Roman Empire* (Basil Blackwell, 1973).

[322] Even after the effective failure of the Western Empire, the key problems of devaluation of currency, religious factionalism, greater compromise on barbarian infringements and illegal settlements and the decline of a regular army were all serious ones that faced emperors in the east.

[323] P. Rousseau in *The Sixth Century* argues that there is a danger of setting the split between east and west earlier than it occurred. Rousseau sees Justinian as still operating in terms of fifth century policies and preoccupations (p.17). Vandals, Ostrogoths and the Byzantines all operated "within a central Mediterranean context" (p.17). In this regard, Rousseau is in effect restating the line taken by Barker in his *Justinian* (1966).

[324] S.H. 18.13-21

been argued, it is probable that they sympathized with these classes and the manner in which they suffered as a result of Justinian's policies, both political and social, as their own landowning, educated class had suffered similarly in the east (although not to such a great extent).

Justinian's policy was to reclaim land that was perceived to be his heritage, not new territory. The continuity between the Western Empire and the east is difficult and many factors helped to exaggerate the problem. One wonders how much identity could truly be preserved in a conquest that sought to allow Greek-speaking Orthodox Christians to re-establish an administration over Latin-speaking Arian Christians[325] (although there certainly were a great many Orthodox Christians in the west, the center of which was Rome) (Cameron, 1993: 106). For the Gothic Wars of the Italian campaigns under Belisarius and Narses caused the downfall of the landowning classes of Italy. They led directly to the destruction of the Roman Senate, the end of the consulship and the migration of many Roman aristocratic families to the east where they formed an enclave of Latin-speaking Roman expatriates. By the sixth century this landowning class was largely senatorial, as the equites had faded out of existence during the previous century. It is also ironic that although Justinian's reign has traditionally been viewed as the last "burst of greatness" that the Romano-Byzantine world experienced, the huge cost of his wars in Africa and Italy, combined with serious civil disturbances (the Nika revolt in particular), continuing wars and pay-offs to Persia, and the outbreak of plague greatly weakened the entire eastern Mediterranean world for the serious military challenges and confrontations that it was to face in the next century (most notably the conquests by the Arabs soon after the birth of Islam in the early seventh century) (Cameron, 1993:188-191).

Lydus does not specifically refer in *De Magistratibus* to the wars of reconquest from any judgemental standpoint. However, he clearly states his opinion of Justinian's effort at reconquest in the opening paragraphs of *De Magistratibus* Book 3:
*"Through him the state is greater in extent than it was not long ago, since Libya has been restored to us, and Rome herself, the mother of our civilization, delivered by the*

[325] Moreover, the Ostrogoths that had occupied Italy were also Arian, thereby giving them more religious affiliations with the Italians than they had with the east.

*sweat and effort of the empire from the fetters and power of barbarians."* (De Mag. 3.1.2)[326]

In this respect, it is understandable that *De Magistratibus* should not contain any passages complaining about Justinian's wars. For the references that concern the maltreatment of provincials and the destruction of cities are rather referred to in the context of John the Cappadocian's corruption of the prefecture and its consequent inability to function effectively. Unlike Procopius, Lydus does not criticize Justinian for the manner in which he fought his wars.[327]

When he is not being criticized for his own sake, Belisarius is used by Procopius as a literary vehicle for attacking Justinian. For although the attacks made against them in the *Secret History* are somewhat different,[328] the relationship between them is represented as something that had the potential of being great and yet somehow fell to pieces. The most notable example of this is in Procopius' supposed great disappointment at Belisarius being recalled in shame from the unsuccessful Italian campaign. Yet this shame is largely projected by Procopius onto Belisarius, for in S.H. 5.16-17 he states that Belisarius requested to be recalled to Constantinople, after realizing that the campaign was not succeeding as he had hoped. Moreover, the precipitating events were that Theodora had recently died and Belisarius was likely to be needed for the imminent war with Persia. Procopius does criticize Belisarius for unwise military maneuvers in this campaign (eg. S.H. 4.42-43) and was clearly disappointed that the campaign was not as swift and glorious as the Vandal campaign (and, to a lesser degree, the first Gothic campaign), yet the primary target of his attack in this instance is actually Justinian with his unpredictable mood swings and bouts of jealousy and greed.

After the unexpected ease with which Belisarius was able to recapture Vandal Africa, Justinian wasted no time in his plans to reclaim Italy. When Belisarius returned after

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[326] Cf. *De Mag.* 3.55 and *Novel* 30.11.2. Also Maas, 1992: 45.

[327] As mentioned previously, Lydus did compose a work recounting the Persian war, but unfortunately this has not survived to make any direct comparisons with Procopius' account of the war.

[328] Justinian is attacked for his evil manipulations, whereas Belisarius is rather criticized for personal weakness of character.

barely more than a year of fighting in Africa, he was given a triumph[329] and Justinian claimed the titles *Vandalicus* and *Africanus* [330](Cameron, 1994: 116). The manner in which this episode is presented in the *Secret History* is one of the first instances where Procopius accuses Justinian of jealousy at Belisarius' success and Belisarius' own unshakeable loyalty to the emperor. Belisarius had captured the Vandal king Gelimer, who was forced to walk through the streets of Constantinople in chains, as mentioned by Procopius in *Wars* 4.9.12 and Lydus in *De Mag.* 2.2. Since Belisarius was not of aristocratic birth, the victorious general had to prostrate himself in front of Justinian. Procopius exaggerates the treatment of Belisarius and implies that this was an insult to his dignity.[331] Justinian may indeed have felt threatened that, because of his tremendous achievement, Belisarius would be seen as the "liberator" by the Constantinopolitans,[332] and he therefore needed to remind them who had the sovereign power. In addition, he was well aware of the fact that in keeping with Roman military tradition, Belisarius had accumulated a vast personal wealth as well as considerable number of patrons and *bucellarii* from his campaigns.[333] In S.H. 4.32 Procopius relates less candidly how Justinian and Theodora were so jealous of Belisarius' spoils of war from both his African and Italian campaigns, that they used all means necessary to appropriate the money for themselves.

During Belisarius' unfortunate military confrontations against the Persians, the main reason for his failure is attributed by Procopius to be his lack of manpower and resources. Both Procopius and Lydus agree that there were never sufficient resources in the right place at the right time to mount either an effective offensive or an adequate defense against these enemies of the empire. But while Procopius blames this on Justinian, Lydus chooses to rather blame individuals (specifically John the Cappadocian) claiming that they cared less about the areas they were administering

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[329] *Wars* 4.9, *Buildings* 1.10

[330] *Codex Iustinianus* 1.27

[331] *Proskynesis* had been a practice originally adopted by Alexander, yet his officers had reacted very strongly to being forced to adopt this Persian cermonial custom.

[332] If there is any truth to Procopius' description of Justinian's paranoia, it may have later been justified when Belisarius was offered the position of "emperor of the west" by the conquered Goths unhappy with Vitigis' leadership.

[333] Some of these had returned with Belisarius after his first Persian campaign, and would serve him through the other expeditions that he led.

than acquiring personal wealth.[334] The repeated attacks on provincial towns in the east by the Persian Empire under Chosroes (who was a military match to Belisarius) and most particularly the sack of Antioch (the second city of the empire)[335] in 540 would have been particularly personal to these writers, as both were born in a similar provincial region. Although Chosroes was far from Lydia, the similarity between Antioch and Lydia allowed Lydus to sympathise with the citizens of Antioch. In *Wars* II.10.4 Procopius laments these events:

"*I shudder when I describe so great a disaster, and pass it on to be remembered by future generations, and I do not know what God's will could be in raising up the affairs of a man or a place, and then casting them down and wiping them out for no apparent reason*"

Although Procopius did not always agree with the manner in which Justinian fought his wars and his perception of the emperor's underlying motivation for them, he could hardly criticize the actual waging of war on the Persians, Vandals and Goths. For he may include the countless multitudes living outside the direct protection of Constantinople who met with devastation as a result of his wars,[336] yet he also blames Justinian for the destruction wrought by the numerous barbarian groups when he did nothing. In S.H. 18.20 he complains of the hordes that overran Constantinople and the surrounding countryside on an annual basis simply because Justinian made no attempt to stop them.[337] Later in S.H. 21.26-27, he mentions a letter that Justinian sent to the generals of Thrace and Illyricum forbidding them to fight against the Huns even though they had the advantage, for they were important allies with the Romans against the Goths. However, the Huns were doing at least as much damage to the Romans as the Goths were. Procopius uses this instance to illustrate the pointlessness of Justinian's campaigning, but having been a secretary to Belisarius for such a length of time he would have been aware of the strategic advantage of pitting ones enemies

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[334] *De Mag.* 3.62

[335] John of Ephesus (through the *Chronicle* of Pseudo-Dionysius of Tel-Mahre) referred to Chosroes as "the wind of the East" and describes the Persian attack of 540 and subsequent sack of Antioch in the broader context of his account of the plague (p.90-91).

[336] S.H. 18

[337] Apart from the immediate havoc caused by these invasions, Procopius probably feared that compromises with barbarians would lead Constantnople to a similar fate to that of Rome, which had made such compromises for a long time before its defenses were untterly undermined.

against one another to reduce their combined strength against Rome. Yet as is common in individuals who become disillusioned upon discovering the harsh reality of war, Procopius laments the absence of a clear "black and white" solution to the problem and therefore blames everyone (but most notably Justinian). In this respect, although he does not articulate his ideal as clearly as Lydus, and although he did support the overall policy of reconquest, Procopius recognized that this wasn't enough and longed after the romanticized earlier days of Roman glory when everyone supposedly knew who was with Rome and who was against her.

## 7: ANTIQUARIANISM AND THE CLASSICAL PAST

The Romans always considered history to be important. This could be seen in the Republic as well as the early days of the Principate when, during troubled times, the past was used to provide correct models of behavior for the present (both Augustus and Constantine had reinterpreted the past for this purpose) (Maas, 1992: 1). Justinian's reign was a crucial period of political, cultural, social and religious upheaval and redefinition. Even though individuals, such as Theodoric the Ostrogoth, who had a great respect for classical culture had maintained a certain degree of classical influence in the Germanic kingdoms established after the fall of the Western Empire, the past was essentially overwhelmed by these new cultural influences. However, the Western Empire did not immediately collapse into total chaos after the sack of Rome. It has been one of the most popular assumptions regarding this transition, that there was a sudden change from order to anarchy, from literacy to illiteracy, from imperial structure to barbarian chaos. Yet this is an unsupported argument and even contemporaries of this period, although expressing concern for the changes,[338] record that the change was more gradual. The Germanic tribes had been migrating and settling within the empire (both with and without permission) for many decades before the actual sack of Rome in 410 by Alaric. By the time of Justinian's accession, most of the west had changed, including the army, religion and the political and social structure of the old Roman Empire. However, the greatest devastation would come to the territory of the Western Empire as a result Justinian's wars of reconquest. Apart from Procopius' claims, this is borne out in the depopulation of the area and the desperate migration of Italians to Constantinople during this period.

While to a certain extent, change from the outside had transformed the Western Empire, change from the inside came to characterise the empire under Justinian. Justinian himself chose to emphasize links between his program and Republican traditions. Yet there was also a strong sense of continuity with the Roman past, as Lydus shows, as the inhabitants of the Eastern Empire legitimated their response to change in terms of tradition. Consequently, whoever was able to redefine the past was

[338] For instance, in his *City of God*, St Augustine attempted to explain the fall of Rome in Christian terms.

important, because they would be able to determine its power of legitimacy. When seen in this context, as stated previously, Lydus' works were less of an attempt to preserve history than to place contemporary issues in an historical context and therefore question the role of the past itself (Maas, 1992: 2). A well-established tradition of classical antiquarianism existed before Lydus[339] which had been less concerned with prosaic fact gathering and more with describing how the past played an important role in defining the socio-political class of the writer's audience.

The essence of Justinian's ideology was that it was imperial, Roman and Orthodox Christian. The Christian aspect had always been the most problematic for justifying a link with the past, and therefore Justinian chose a neutral form of classicism in an attempt to remove essentially pagan influences. Like other emperors before him, such as Augustus, he used the past to legitimize his deeds. The general terms "Roman", "pagan" and "Christian" were all brought under review and absolutist policy regarding each of them was established. The term "pagan" had been used by Christians to refer to adherents of the old Roman religion. However, as Procopius makes abundantly clear, the distinction was not always so apparent.[340] Did being "pagan" include having an appreciation for classical learning, or having some knowledge of classical philosophy?[341] Most of the great centres of classical learning had already been abolished during the purges held under Theodosius II,[342] and by the time of Justinian classical learning referred to a close familiarity with classical literature and thought, rather than an active participation in pagan cultural structures. This sort of association with Greek and Roman classicism was not outlawed in the early years of Justinian's reign, yet it became unpopular in the last years. This accounts for the rise in Christian world chronicles at this time and other genres that did not depend to any great degree on classical knowledge. In the 550s, Procopius was still able to make free reference to works by Aristophanes and Homer, and Lydus could claim that he had been rewarded

[339] Cf. Maas, 1992: 5 concerning writers such as Valerius Maximus and earlier antiquarians.

[340] Cf. Cameron, *Procopius and the sixth century* ch. 7 for a full discussion of Procopius and Christianity.

[341] There appears to have been a certain ambiguity in Justinian's policy. For in the west (Italy) there was a measure of tolerance for paganism, but in Asia Minor there was zero tolerance of paganism as John of Ephesus was let loose on pagan communities. Yet F.R. Trombley, *Paganism in the Greek World at the end of antiquity* "Harvard Theological Review" 78 1985: 327-52 attests continuation of paganism in Asia Minor despite the efforts of John of Ephesus.

[342] Included among these were the final destruction of the Great Library at Alexandria and the Lyceum in Athens.

for his classical erudition (*De Mag.* 3.30). In similar manner that history could be re-interpreted for a new cultural era, so the same could be said for literature. For one of the great challenges of the Byzantine era and the Middle Ages would be to re-discover and re-interpret classical writers for a new Christian ideology. In this sense, the revisionist policies of Justinian (along with the writings of church fathers from this period) laid the foundation for later attempts at a theological resolution[343]between the writings of classical philosophy and the dogmatic teachings of the Christian Church.

Justinian seldom claimed to be making real innovations in any sphere of activity,[344] but rather insisted on these changes being referred to as reforms.[345] By doing so, an affirmative link was established with the past and the reforms interpreted as simply updating the law or the job description of magisterial offices for changing times, rather than doing away with a tradition and replacing it with something new. This can be extended to include Justinian's policy of reconquest. The campaigns against Africa, Italy and Spain were not considered to be military offensives against new territories, but rather a concerted effort to reclaim land that was perceived to belong to the Roman Empire (which was still known under that name).[346]

Lydus' fundamental problem with Christianity was not a matter of doctrine. He carefully avoided any reference to Christianity in *De Magistratibus*. He simply considered it to be incompatible with his conception of the restoration of the Roman Republican ideal, and more particularly the Praetorian Prefecture. Justinian's policy of reform however, had Christianity at its roots. He chose to reinterpret history and the cultural legacy of Rome in Christian terms. Anything fundamentally contradictory to Christianity in this tradition was eradicated. Christianity had already irreversibly altered the status of the emperor to that of God's representative on earth (Jones, 1973: 321). This was reflected in the precedence that ecclesiastical concerns were given over

[343] This culminated in the seminal thirteenth century *Summa Theologicae* of St Thomas Aquinas. It is beyond the scope of this discussion to deal with the extent to which Aristotelian thought, Neo-Platonic philosophy and other classical ideas had an influence over the development of Christianity, but suffice it to say that the relationship had always been a complex one that owed much to the classical emphasis on antiquarianism.

[344] Yet in *Wars* 2.2.6 he is labeled νεωτεροποιός, but by Gothic envoys.

[345] However, there are occasions such as S.H. 11.1 and *Buildings* 1.1.8 when he does do so.

[346] With regard to the east, note *Wars* 2.26.2-3

many other matters.[347] For instance, in the *Institutes*, the first part of the *Corpus iuris civilis*, ecclesiastical laws are considered before anything else. Furthermore in the developments of historiography, conventions had been developed by Eusebius of Caesarea so that Cassiodorus and John Malalas would begin their chronicles with Adam rather than Romulus,[348] indicating that the history of Rome was to be interpreted in the wider framework of Biblical tradition. However, as Maas argues, this was a not a clear and simple transition, for many pasts, including Greek, Roman, Biblical, New Testament local and civic interpretations would compete for attention (Maas, 1992: 40). The dominant interpretations that arose from this were Roman and Biblical, for although the classical Greek and Hellenistic past was relevant to the region, it had been overwhelmed by the advent of Rome and was consequently interpreted in Roman terms. Furthermore, the Roman past provided the imperial precedent upon which any reforms would be based and was therefore given precedence. The two types of legitimation of imperial power through the use of the past that Maas identifies are the "sacerdotal", and the "magisterial". While the former concerned the Christian approach to imperial sovereignty, the latter was based on Roman political history from the pre-Christian period (Maas, 1992: 41).

Procopius goes into considerable detail describing the manner in which Justinian treated pagans and other religious minorities. He does not portray himself as having particularly strong affiliations with either paganism or Christianity exclusively, but rather a respect for and belief of elements in both. The position that he takes in the *Secret History* is rather to sympathize with the victims in order to further blacken Justinian's character. As stated earlier, it is significant that he groups Justinian's persecution of pagan beliefs and social practices (such as homosexuality) with his similar treatment of adherents to unorthodox Christian groups (particularly the Monophysites, Manicheans and Arians).[349] Pagans were gradually excluded from public life until the definition only came to have religious connotations (Maas, 1992:

[347] Lydus uses Θεός not Θεόι, therefore implying a monotheistic belief. For example, in *De Mag.* 69, 71 and 72 as well as in 47 and 59, we get the contrast between pious Christians and the Cappadocian, who is presented in terms of pagan mythology (Salmoneus, Cyclops, Cerberus, etc.)

[348] See the opening passages of both the *Chronicle* of John Malalas (trans. E. Jeffreys. 1986.) and the *Chronicle* of Marcellinus (trans. B. Croke. 1995.)

[349] S.H. 11.15

4). Because the boundary between pagan and Christian had been so vague before Justinian, it is not surprising to find that Lydus was not as absolutist in his ideas of Christianity as Justinian and that Procopius was not bothered with individuals moving backwards and forwards from orthodox Christianity to paganism, or any other heresies so long as it was convenient.[350] However, theology was a matter of practical importance to Justinian and the delineation of the exact beliefs of the orthodox church were as important for the stability of the empire as the codification of the law. One of the achievements of the legal reforms had been to separate pagan cult from classical learning and ceremonial.

The fundamental point regarding both Procopius' and Lydus' view of the past was that they both recognized and played upon the sense of upheaval of the times in which they were living and display a longing for an idealized past when everything about the regime was supposedly clearer. Yet Lydus was clear on the point that the Roman Empire was still very much alive and the optimistic belief in the potential for a restoration to greatness was there (unlike his predecessor Zosimus, who believed that Rome had fallen and was in the process of being replaced) (Maas, 1992: 52). The romanticized image of the late Republic and early Principate as seen by Lydus and exploited by Justinian was a powerful force in the popular imagination for legitimating power. There is a very definite retrospective quality throughout both *De Magistratibus* and the *Secret History*, though the nature of this view of the past differs considerably between the two and the point of convergence lies in their common despair with a process of reform that appeared to be eradicating all that had come before and at the same time was failing dismally in its attempt at a replacement.

[350] S.H. 11:14-33

## 8: CONCLUSION: PROCOPIUS AND LYDUS' VALUE SYSTEMS AND THEIR PORTRAYAL OF THE IMPERIAL SYSTEM FROM WITHIN:

The sixth century, and specifically the reign of Justinian, was the turning point from the Roman to Byzantine world. Although Cameron's emphasis on change and continuity is certainly preferable to assumptions of decay and decline, the upheaval of this period left contemporary writers in doubt as to what they were and how long their value system could be sustained. Moreover, there is an undeniable element of a sense of decline from previous greatness in the work of the writers themselves, even if this was a natural reaction to a period of such radical change. Both Cameron and Scott have argued that Justinian's reign represented the transition period leading to the fusion of classical and Christian elements with the accession of his successor Justin II in 565,[351] which effectively became the post-classical era (Scott, 1985: 106). The value systems of Lydus and Procopius were essentially conservative and thus stood against this process of change, even though on a certain level they agreed with what Justinian was trying to do, they had difficulty with the manner in which he was trying to accomplish it.

Lydus dedicates *De Mag.* 3.40-42 to an account of how the Praetorian Prefect had lost various powers. He was unhappy with the condition of the magistracy in his own day and saw a need for change. He credits Justinian with having prevented the magistracy from falling into complete ruin,[352] yet his personal ideal would have been a return of the magistracy to its idealized, pseudo-historical position of prominence in the days of the Roman Republic. *De Magistratibus* therefore represents an account of Justinian's transformation of the bureaucracy by one who was essentially opposed to change.

Throughout his works, Procopius appears as a practical skeptic who may not have been Christian himself, but certainly was familiar with and probably shared many of Christianity's beliefs. He did not however, believe that martyrdom or dying in defense

[351] For an account of the rise of Iconoclasm in late antiquity and the importance of the ceremonial accession of Justin II in terms of the cultural changes in this ceremonial, see Averil Cameron's "Images of Authority: Elites and Icons in Late Sixth-Century Byzantium" in *Past and Present* 84 (1979: 3-35).

[352] *De Mag.* 3.1

of any particular ideology was either wise or admirable. For as he states in S.H. 11: 23:[353]

*"So then, while many were being destroyed by the soldiers and many even made away with themselves, thinking in their folly that they were doing a most righteous thing, and while the majority of them, leaving their homelands, went into exile, the Montani, whose home was in Phrygia, shutting themselves up in their own sanctuaries, immediately set their churches on fire, so that they were destroyed together with the buildings in senseless fashion, and consequently the whole Roman Empire was filled with murder and with exiled men"* .

It should be noted that this passage occurs within the wider structure of an attack on Justinian's persecution of religious minorities in the empire and that despite his adherence to certain Christian beliefs, he believed in expedience with religion and not in the maintainence of beliefs that would cause one harm. As was mentioned previously, the distinction between Christian and pagan had been vague and it was only during Justinian's reign that one was forced to choose to belong to either one group or the other. Even under the persecution of pagans and heretical Christian groups by Theodosius II, the distinction was not always so clear. It had been largely those who openly rejected Christianity or who belonged to sects, perceived to undermine the authority of the emperor, that were the main target of earlier persecution. It is unlikely that Procopius would have supported even such a motive, but he would perhaps have been less critical of it, as similar policies had existed under the early Principate (before the introduction of Christianity as the official religion in 375) in regard to the old Roman religion.

As Lydus was in the emperor's service and for a period of time removed from it, he may represent some views from the general populace, although this is limited to the

[353] πολλοὶ μὲν οὖν πρὸς τῶν στρατιωτῶν διεφθείροντο, πολλοὶ δὲ καὶ σφᾶς αὐτοὺς διεχρήσαντο εὐσεβεῖν μάλιστα ὑπὸ ἀβελτερίας οἰόμενοι, καὶ αὐτῶν ὁ μὲν πλεῖστος ὅμιλος γῆς τῆς πατρῴας ἐξιστάμενοι ἔφευγον, Μοντανοὶ δὲ, οἳ ἐν Φρυγίᾳ κατῴκηντο, σφᾶς αὐτοὺς ἐν ἱεροῖς τοῖς σφετέροις καθειρξαντες τούτους τε τοὺς νεὼς αὐτίκα ἐμπρήσαντες ξυνδιεφθάρησαν οὐδενὶ λόγῳ, πᾶσά τε ἀπ' αὐτοῦ ἡ Ῥωμαίων ἀρχὴ φόνου τε ἦν καὶ φυγῆς ἔμπλεως.

interests of his own educated provincial class. As with Procopius, there is little evidence to indicate that Lydus was certainly Christian, even if he did use some of the imagery and terminology. Many people considered themselves to be *pistoi* (faithful Christians), although it is unlikely that they would have completely agreed with Justinian's official definition of Christian orthodoxy (Maas, 1992: 4). Both Procopius and Lydus wrote works that carefully avoided Christianity. In this regard, they were not particularly interested in paganism or Christianity as a doctrine. Although more philosophical than Procopius, Lydus also only reacted to specific individuals, policies and reforms as opposed to general ideologies. Lydus' basic allegiances included Christianity, classical urban culture, traditional education, rhetoric, philosophy, the Latin language and imperial government (Maas, 1992: 4). As mentioned previously, many Byzantine Christians had no problem accepting earlier classical ideas, so long as they did not overtly contradict Christian belief at its core. Of Lydus' allegiances that were mentioned, he emphasized some more than others, yet all are present in his work as he reflects the attitudes of 1) the class and provincial character of his origins, 2) the "professional" bureaucrats and 3) a *grammaticus* (especially one that had a mixed experience of work under the prefecture).

One thing that is certain is that Lydus' value system was based on what he considered to be a traditional Roman morality with a respect for the past. As mentioned, his works convey a strong sense of decline, based on his own disillusionment at experiencing the reality of the prefecture, and as such they are defensive but contain evidence of a considerable knowledge of classical literature and culture. He thought of himself as an heir to the Republican tradition with the solution for the turmoil of his century being to return to that traditional ideal. It is not important that this Republican ideal never truly existed, for it is only the retropective vision of the ideal that carried importance. Moreover, Lydus was probably aware of the importance that a popular sense of identity and continuity with the past could have for the unification of a society in times of adversity. In this respect he valued unity and yearned for the Republican sense of *Romanitas* that had all but disappeared. Procopius may have wished for a return to a sense of unity within the empire, but it was no great

motivating factor in his writing.[354] Justinian however desperately searched for unity and strove to reinforce it wherever possible. This, along with greater centralization of imperial power, an increased level of accountability and reduced corruption, was clearly his underlying motive in the reorganization of provincial government. Unity was also the primary motive for the codification of the law and campaigns of reconquest, or at least it served as a powerful tool for propaganda in Justinian's public presentation of his policy.

Although Procopius claimed that the *Secret History* would be a history of the events that had escaped the public eye (though he personally mentions his intended emphasis on Justinian and Theodora), and Lydus wrote *De Magistratibus* to describe problems within the magistracies, both works essentially revolve around Justinian. Lydus realised that Justinian's policies were in opposition to the urban cultural tradition that he so loved and respected, yet he never blames Justinian personally for the problems. Instead, he praises Justinian for his attempts to preserve the magistracies from decay and blames John the Cappadocian for abusing these reforms and accelerating the decay.

Both Procopius and Lydus were reacting to a regime that had begun with a promising start, yet the early problems were to be portents of later more serious problems that Justinian would face. The Nika riots, plague and wars of reconquest represented challenges that were virtually without equal in the ancient world, yet they became a fundamental part of the image of Justinian's regime. The early idealism of the period, that perhaps Justinian himself held onto for too long, was replaced in the later years by a despair and disillusionment, based on the belief that somehow all of the attempts to consolidate power were useless, and that the restoration of Roman supremacy truly was impossible. The process of transformation that had begun before Justinian with the collapse of the western empire picked up such momentum that it inevitably spun out of control. Neither Lydus nor Justinian would ever see their "ideal" states realized. Instead his reign laid the foundations for the transition from a classical to a post-classical Byzantine state, with orthodox Christianity at its core and less of a place left

[354] Procopius' point was not to romanticize the past nor to promote a return to an earlier system, but to show how Justinian has abandoned earlier standards and policies. Thus the criticisms are more programmatic.

in society for the classically educated, landowning provincial subelite class (represented by Lydus and Procopius) that had previously been such an active and fundamental part of that Roman society.

Ultimately, Procopius was impressed by Justinian's reform and at the same time horrified by the details of this transformation. He recognized at least some of the complexities that Justinian's plan entailed, even if he did not understand all of them. In this regard, he chose to experiment with different literary genres, and thus different ways in which to represent the difficult problem that Justinian embodied. Justinian is the personal focus of his work (most clearly noticeable in the *Secret History* and *Buildings*) because he was at the absolute center of this period of such upheaval and the tremendous effort to restore and rebuild what effectively could no longer exist, namely the Roman Empire as the secure and dominant force in the Mediterranean.

As Ostrogorsky noted, Justinian was the "last Roman Emperor to occupy the Byzantine throne" and his attempts at a restoration of Roman supremacy were interwoven with the proposed universal triumph of Christianity, as the Roman *imperium romanum* was now identified with the Christian *oikoumene* (Ostrogorsky, 1968: 77). Both Procopius and Lydus are representatives of the transition that would eventually see the disappearance of their class and its interests, only to be replaced by a Byzantine Christian society with less of a sense of its own past and a gradual loss of interest in classicism.

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