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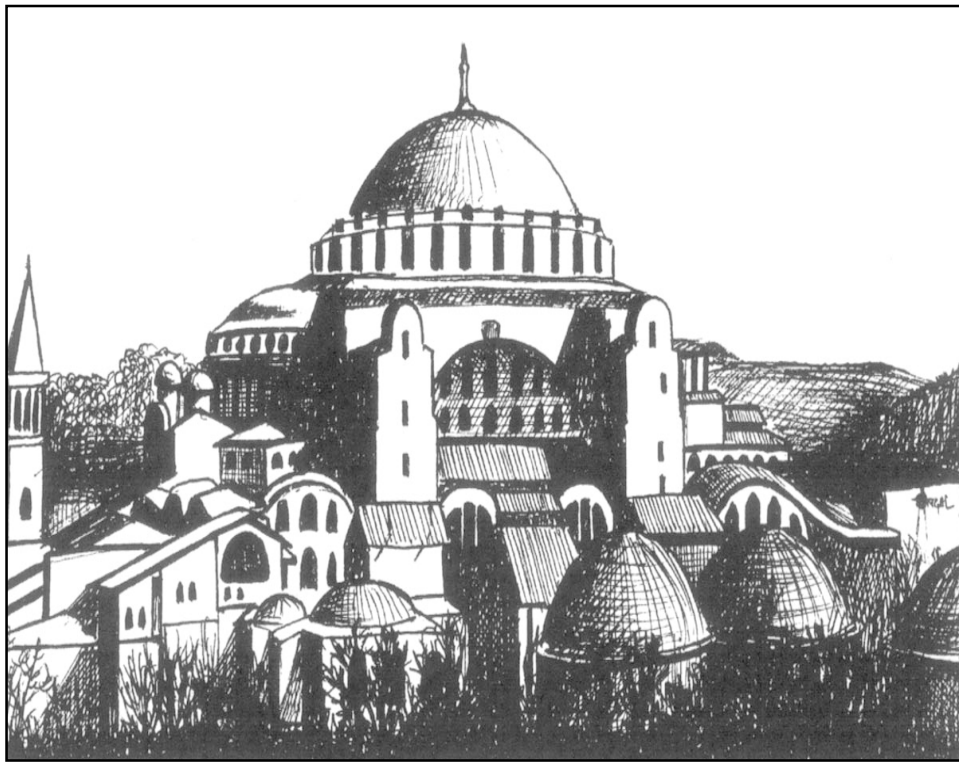
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The Byzantine Empire in the Age of Justinian

A Unit of Study for Grades 7–10

Dr. Linda Karen Miller



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University of California, Los Angeles

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COVER ILLUSTRATIONS: *Hagia Sophia*. Cover illustration by Michelle Chung.

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Reprint Edition, 2004

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ACKNOWLEDGMENTS

The author, DR. LINDA KAREN MILLER, acknowledges the contributions of, Mark Zapatka, Assistant for Readers' Services, Byzantine Library at Dumbarton Oaks of Harvard University, Washington, D.C., for research assistance. Michelle Chung, a Fairfax High School senior art student when the unit was first published, created the Hagia Sophia sketch that appears on the cover and in the unit. Dennis Bonilla, also a senior at Fairfax High School when the unit was published, provided other computerized graphics. Nicholas Genovese, Professor of Classics, San Diego State University, provided helpful advice on Latin text.

Ross E. Dunn, National Center for History in the Schools (NCHS) Director of World History Projects and Professor of History at San Diego State University, worked closely with Linda Miller developing this revision of the unit. He is the author of the book *The Adventures of Ibn Battuta, a Muslim Traveler of the 14th Century* and editor of the World History Web site, *World History for Us All*.

David Vigilante, Associate NCHS Director, provided helpful critique. Marian McKenna Olivas served as technical and layout editor.

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INTRODUCTION

I. APPROACH AND RATIONALE

This teaching unit, *The Byzantine Empire in the Age of Justinian*, is one of over seventy learning units published by the National Center for History in the Schools (NCHS). The fruits of collaboration between history professors and experienced teachers of American history, the units represent specific issues and dramatic episodes in history from which you and your students can pause to delve into the deeper meanings of these selected landmark events and explore their wider context in the great historical narrative. By studying a crucial turning point in history the student becomes aware that choices had to be made by real human beings, that those decisions were the result of specific factors, and that they set in motion a series of historical consequences. We have selected issues and dramatic episodes that bring alive that decision-making process. We hope that through this approach, your students will realize that history is an ongoing, open-ended process, and that the decisions they make today create the conditions of tomorrow's history.

Our teaching units are based on primary sources, taken from government documents, artifacts, magazines, newspapers, films, private correspondence, literature, contemporary photographs, and paintings from the period under study. What we hope you achieve using primary source documents in these lessons is to have your students connect more intimately with the past. In this way we hope to recreate for your students a sense of being there, a sense of seeing history through the eyes of the very people who were making decisions. This will help your students develop historical empathy, to realize that history is not an impersonal process divorced from real people like themselves. At the same time, by analyzing primary sources, students will actually practice the historian's craft, discovering for themselves how to analyze evidence, establish a valid interpretation and construct a coherent narrative in which all the relevant factors play a part.

II. CONTENT AND ORGANIZATION

Within this unit, you will find: Teaching Background Materials, including Unit Overview, Unit Context, Correlation to the National Standards for History, Unit Objectives, and Historical Background; a Dramatic Moment; and Lesson Plans with Documents. This unit, as we have said above, focuses on certain key moments in time and should be used as a supplement to your customary course materials. Although these lessons are recommended for grades 7–10, they can be adapted for other grade levels.

The Historical Background section should provide you with a good overview of the entire unit and with the historical information and context necessary to link the specific Dramatic Moment to the larger historical narrative. You may consult it for your own use, and you may choose to share it with students if they are of a sufficient grade level to understand the materials.

The Lesson Plans include a variety of ideas and approaches for the teacher, which can be elaborated upon or cut as you see the need. These lesson plans contain student resources that accompany each lesson. The resources consist of primary source documents, any handouts or student background materials, and a bibliography.

In our series of teaching units, each unit can be taught in several ways. You can teach all of the lessons offered on any given topic, or you can select and adapt the ones that best support your particular course needs. We have not attempted to be comprehensive or prescriptive in our offerings, but rather to give you an array of enticing possibilities for in-depth study, at varying grade levels. We hope that you will find the lesson plans exciting and stimulating for your classes. We also hope that your students will never again see history as a boring sweep of facts and meaningless dates but rather as an endless treasure of real life stories, and an exercise in analysis and reconstruction.

TEACHER BACKGROUND MATERIALS

I. UNIT OVERVIEW

This unit consists of lessons focused on selected topics during the sixth century of the Eastern Roman Empire, now known by historians as the Byzantine Empire. The emperor Justinian (527–565 C.E.) dominated this century of Roman rule. His reign marked the climax of the Christian Roman Empire. His religious policy established the emperor as a theological dictator. In foreign affairs, one of his tasks was to recover, with the help of his generals Belisarius and Narses, former Roman territories now held by Barbarians. Conquering Africa from the Vandals and Italy from the Ostrogoths once more made the Mediterranean a Roman lake and revived Roman rule in the West. As a Christian emperor he made it his mission to propagate the faith among the infidels. In domestic affairs, he collated and revised the existing system of Roman Law and issued his Code in 529. He also beautified his capital by constructing many buildings, notably the Hagia Sophia, (Church of the Holy Wisdom), in the new Byzantine style of architecture. With this church at the center, Justinian transformed the Near Eastern world in accord with the principles of Christianity. In all his work he had the help of his remarkable wife Theodora, whose firmness during the Nika Revolt helped him prevent the loss of his throne.

During Justinian's reign, characteristics of Byzantine culture were being shaped. This age represented an important transition from classical antiquity to the Middle Ages. Justinian accomplished great deeds in many fields: he carried out major legal reforms, erected buildings, fought and won wars against powers in Africa and Italy, and changed the role of Christianity in the empire. During his reign, the capital, Constantinople served as a place in which government, literature, art, and architecture found full expression. The restoration of Roman law was a monumental achievement. We owe an immense debt to Justinian and the ideals for which he stood.

The lessons contained here examine Justinian's contributions to world history in various fields. Through a dramatic reading of an account of the Nika Revolt, students realize that Justinian might have lost his empire if it had not been for his strong wife Theodora, who was his partner until 548, when she died of cancer. The expensive Vandal Wars in Africa were one of the concerns of the people that triggered the Nika Riots. Students will examine an account of the war by the historian Procopius. After his success in Africa, Justinian turned to reforming the law. This was his most notable achievement. It supplied an underlying unity to the state. Justinian was a Christian ruler and the triumph of the faith was a sacred mission for him. His writings reveal his religious beliefs. No Roman emperor since Theodosius the Great had made such an effort to convert the empire and root out paganism. The ruler as builder was an established practice in ancient times. The new style of Greek Christian architecture, a square plan laid out under a central dome was glorified in the rebuilding of the Hagia Sophia, which had been burned to the ground during the Nika revolt. Finally, the other side of the emperor and empress is revealed in an unfavorable account by the historian Procopius in *The Secret History*.

II. UNIT CONTEXT

This unit may be taught as part of either the Middle Ages or the later Roman Empire. Not all scholars are in agreement as to when Byzantine history began. Some place its origins at the time of Constantine the Great, 324–337 C.E., while others suggest the reign of Justinian (527–565 C.E.). This unit looks at the sixth century of an empire that would finally fall to the Turks in 1453 C.E.

III. CORRELATION TO NATIONAL HISTORY STANDARDS

The Byzantine Empire in the Age of Justinian provides teaching materials that address the *National Standards for History*, Basic Edition (National Center for History in the Schools, UCLA, 1996), World History Era 4, “Expanding Zones of Exchange and Encounter, 300–1000 C.E.” Lessons specifically address **Standard 1A** on the decline of the Roman Empire and the consolidation of the Byzantine state, and **Standard 1B** on the expansion of Christianity.

This unit also highlights a number of the “Standards in Historical Thinking” including:

Standard 1: Chronological Thinking: Reconstruct patterns of historical succession and duration.

Standard 2: Historical Comprehension: Appreciate historical perspectives.

Standard 3: Historical Analysis and Interpretation: Analyze cause-and-effect relationships bearing in mind the importance of the individual in history.

Standard 4: Historical Research Capabilities: Formulate historical questions from encounters with historical documents, eye-witness accounts, letters, diaries, artifacts, photos, historical sites, art, architecture, and other records from the past.

IV. UNIT OBJECTIVES

- ↔ To examine the extent of the Roman Empire in the 6th century.
- ↔ To explain the need for a written code of law.
- ↔ To identify the Byzantine style of architecture.
- ↔ To examine the roles of the Emperor Justinian as a reformer.
- ↔ To study primary source documents in order to think like historians.
- ↔ To examine points of view in documents.

V. LESSON PLANS

1. Geography of the Empire
2. The Nika Revolt
3. The Vandal War in Africa
4. Justinian as a Law Reformer
5. Byzantine Architecture
6. Justinian and Theodora

DRAMATIC MOMENT

In January 532 an event occurred in Constantinople that nearly brought Justinian down from his throne. Two opposing political factions, the Blues and Greens, went to the Hippodrome to make common cause against the government. Their traditional rivalry forgotten, both factions surged from the Hippodrome chanting Nika! (Win!). They forced their way into the palace of the City Prefect, killed the police and set free all the prisoners. They set fire to public buildings, including churches. They demanded the dismissal of the City Prefect and other officials.

Justinian appeared the next morning in the imperial box carrying the gospel and declared that he was to blame for what happened. Meanwhile behind closed doors Justinian and his associates were in earnest debate. A fast galley was waiting at the private harbor of the palace and the emperor was resolved to flee to Herakiaia in Thrace.

After Belisarius' mission to capture one of the crowd's leaders failed, Justinian ordered an immediate flight to the harbor. Then Theodora, who had sat silent as men argued this way and that, rose to her feet:

*Whether or not a woman should give an example of courage to men, is neither here nor there. At a moment of desperate danger one must do what one can. I think that flight, even if it brings us to safety, is not in our interest. Every man born to see the light of day must die. But that one who has been emperor should become an exile I cannot bear. May I never be without the purple I wear, nor live to see the day when men do not call me "Your Majesty". If you wish safety, my Lord, that is an easy matter. We are rich, and there is the sea, and yonder our ships. But consider whether if you reach safety you may not desire to exchange that safety for death. As for me, I like the old saying, that the purple is the noblest shroud. (Procopius, *History of the Wars*, vol. 1, Sec. 24, 33-37. In Robert Browning, *Justinian and Theodora*.)*

She sat down. The men looked at one another nervously. Belisarius began discussing military plans. He and his other generals and their mercenaries went to the Hippodrome. They cut down every civilian within reach. The benches dripped with blood and the Hippodrome resounded with the echoes of the screams of the wounded and dying. When it was over thirty thousand men had been killed. But Justinian's position was confirmed. Now he knew whom he could trust—Belisarius, Mundus, Narses, and above all Theodora.

TABLE OF DATES

Western Empire	Constantinople	Eastern Empire
518 End of schism between the Roman Pope and eastern Church.	<p>493 Justinian is brought to Constantinople to be educated. (ca. 493)</p> <p>518 Anastasius dies. Justin I becomes Emperor. Justinian is promoted. Persecution of Monophysites begins.</p> <p>520 Consulship of Vitalian. Justin and Justinian assassinate Vitalian.</p> <p>521 Consulship of Justinian.</p>	
523 Hilderic becomes king of Vandals and begins pro-imperial, anti-Ostrogothic policy.	<p>525 Justin I appoints Justinian Caesar. Marriage of Justinian and Theodora.</p> <p>527 Justinian becomes co-emperor. Justin I dies. Succession of Justinian.</p> <p>528 Codification of law began.</p> <p>529 April: First version of Code is issued. Closure of Academy in Athens. Revolts of Samaritans.</p>	<p>526 War with Persian Belisarius in command.</p> <p>527 Belisarius continues operations against Persia.</p>
530 Gelimer Praetorian Prefect deposes King Hilderic of the Vandals.	<p>530 John of Cappadocia is appointed; revives anti-imperial policy.</p> <p>532 January: Nika riots. Belisarius and Mundus massacre of rioters.</p>	<p>530 Belisarius defeats Persians at Dara.</p> <p>531 Persians at Callinicum defeat Belisarius.</p>
Byzantine Empire		

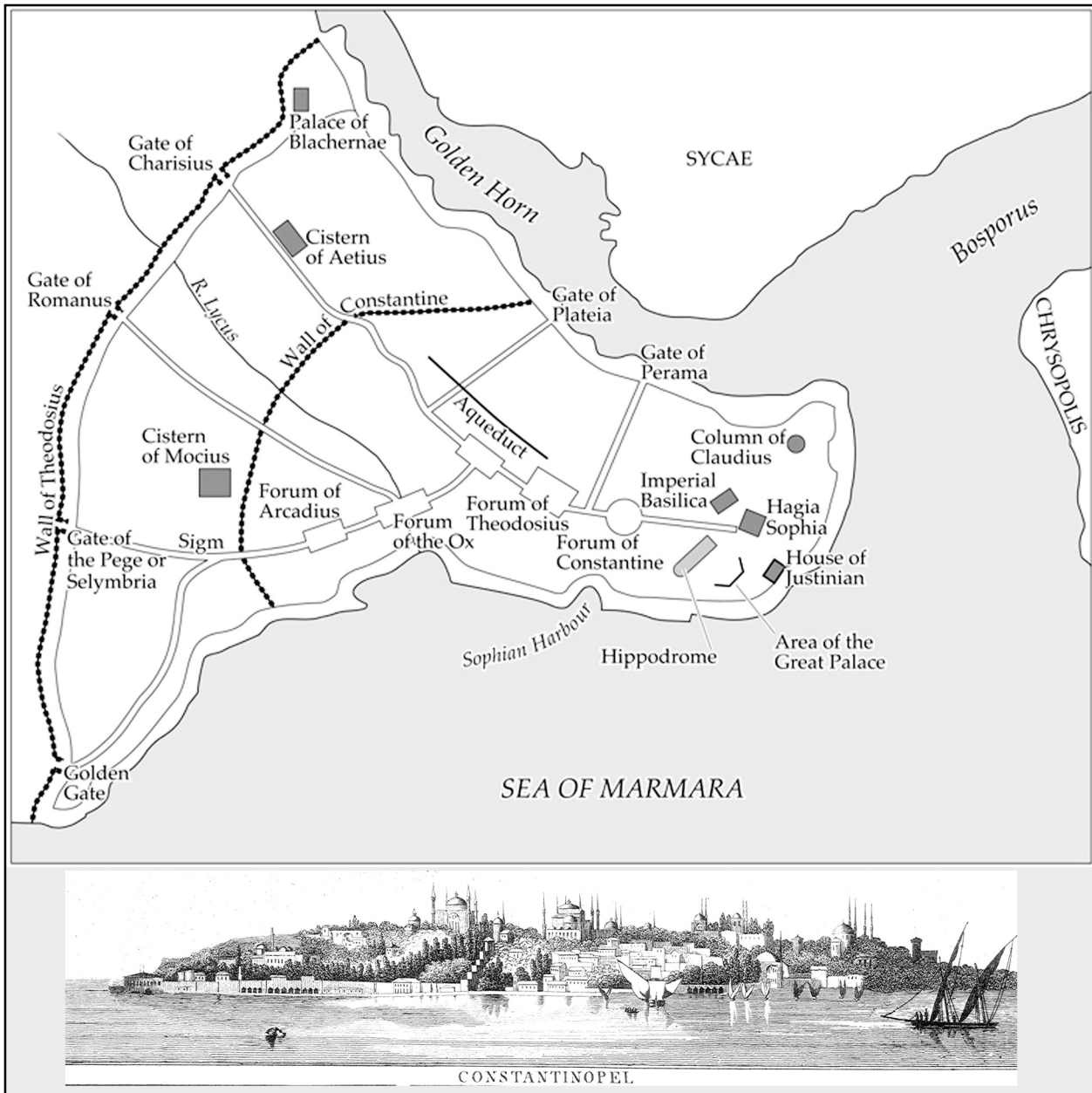
Table of Dates

Western Empire	Constantinople	Eastern Empire
<p>533 June: Belisarius sails to Sicily, lands in North Africa. September: Belisarius defeats Gelimer at Tenth Milestone and occupies Carthage. December: Vandal army is destroyed at Tricamarum.</p> <p>534 Belisarius surrenders to Gelimer and leaves Solomon in command in Africa.</p> <p>535 Belisarius captures Syracuse and begins occupation of Sicily.</p> <p>536 Mutiny in Africa. Belisarius invades Italy, takes Naples. December: Belisarius occupies Rome.</p> <p>539 Ostrogoths recover Milan and massacre its population.</p> <p>540 Belisarius accepts surrender of Ostrogoths and enters Ravenna.</p> <p>544 Belisarius returns to take command in Italy.</p>	<p>533 December: Publication of <i>Digest</i>.</p> <p>534 Belisarius celebrates triumph for conquest of Africa. Publication of second version of Code.</p> <p>537 December: Dedication of Hagia Sophia.</p> <p>540 Slav raiders threaten Constantinople and ravage Greece.</p> <p>541 John of Cappadocia is dismissed as a result of intrigue by Theodora.</p> <p>542 Peter Barsymes organizes state monopoly of silk trade. Summer outbreak of bubonic plague in Egypt, which rapidly spreads throughout the empire.</p> <p>543 Plague continues to rage Peter Barsymes is appointed Praetorian Prefect.</p>	<p>541 Belisarius takes over command in east.</p> <p>545 Truce with Persia</p>

Western Empire	Constantinople	Eastern Empire
546 New mutiny in Africa.	546 Justinian issues edict condemning Three Chapters.	
547 Totila abandons Rome, and Belisarius reenters the city. Church of S. Vitale in Ravenna is completed.	547 Pope Vigilius arrives in Constantinople.	
548 Belisarius is recalled from Italy.	548 June: Theodora dies.	
549 Completion of Church of S. Apollinare in Classe, near Ravenna.	551 Open breach between Justinian and Pope and Pope Vigilius.	
	553 May: fifth ecumenical council condemns Three Chapters, in spite of opposition by Pope Vigilius December: Under pressure, Vigilius condemns Three Chapters.	
555 Pope Vigilius dies in Sicily on way back to Rome.	554 Silkworm eggs smuggled into empire from Soghdiana and Byzantine; Silk production begins.	557 New truce with Persia
	558 Dome of Hagia Sophia collapses. Recurrence of bubonic plague.	
	559 Belisarius recalled from retirement and defeats Kotrigurs.	
	561 Conspiracy to assassinate Justinian. December: rededication of Hagia Sophia.	562 Fifty Years Peace with Persia
	563 Justinian undertakes pilgrimage to Germia in Galatia.	
	565 January: Justinian promulgates doctrine of Aphthartodocetism in new attempt to reach compromise with Monophysites. March: Belisarius dies. November 14: Justinian dies; accession of Justin II.	

Source: Adapted from Robert Browning, *Justinian and Theodora* (London: Thames and Hudson, 1987).

CONSTANTINOPLE



LESSON ONE

GEOGRAPHY OF THE EMPIRE

A. OBJECTIVES

- ↔ Analyze how geography influences history.
- ↔ Interpret literary sources about the geography of the Byzantine Empire by drawing a map based on the verbal descriptions.

B. LESSON ACTIVITIES

1. Either present the material in the **Historical Background** as a class lecture or an individual reading.
2. Have students analyze **Document A**, a map of the Byzantine Empire's growth during the reign of Justinian. They should use the map, together with the information from the **Historical Background** to answer the question: "How and why did the empire grow during Justinian's reign?"
2. Have students read Procopius' account of the empire (**Document B**) and compare it with Cassius' account (**Document C**).
3. Have students read various accounts of the geographic position of the Empire (**Document D**) and draw maps based on the geographic descriptions in the documents.

Alternatively, have students break into groups and assign one document per group. Have each group draw a map based on the description in their document. Display each map to the whole class. Discuss the importance of the location of Byzantium.
4. As an assessment, have students write paragraphs on how geography influenced history in the Empire.

C. HISTORICAL BACKGROUND—GEOGRAPHY

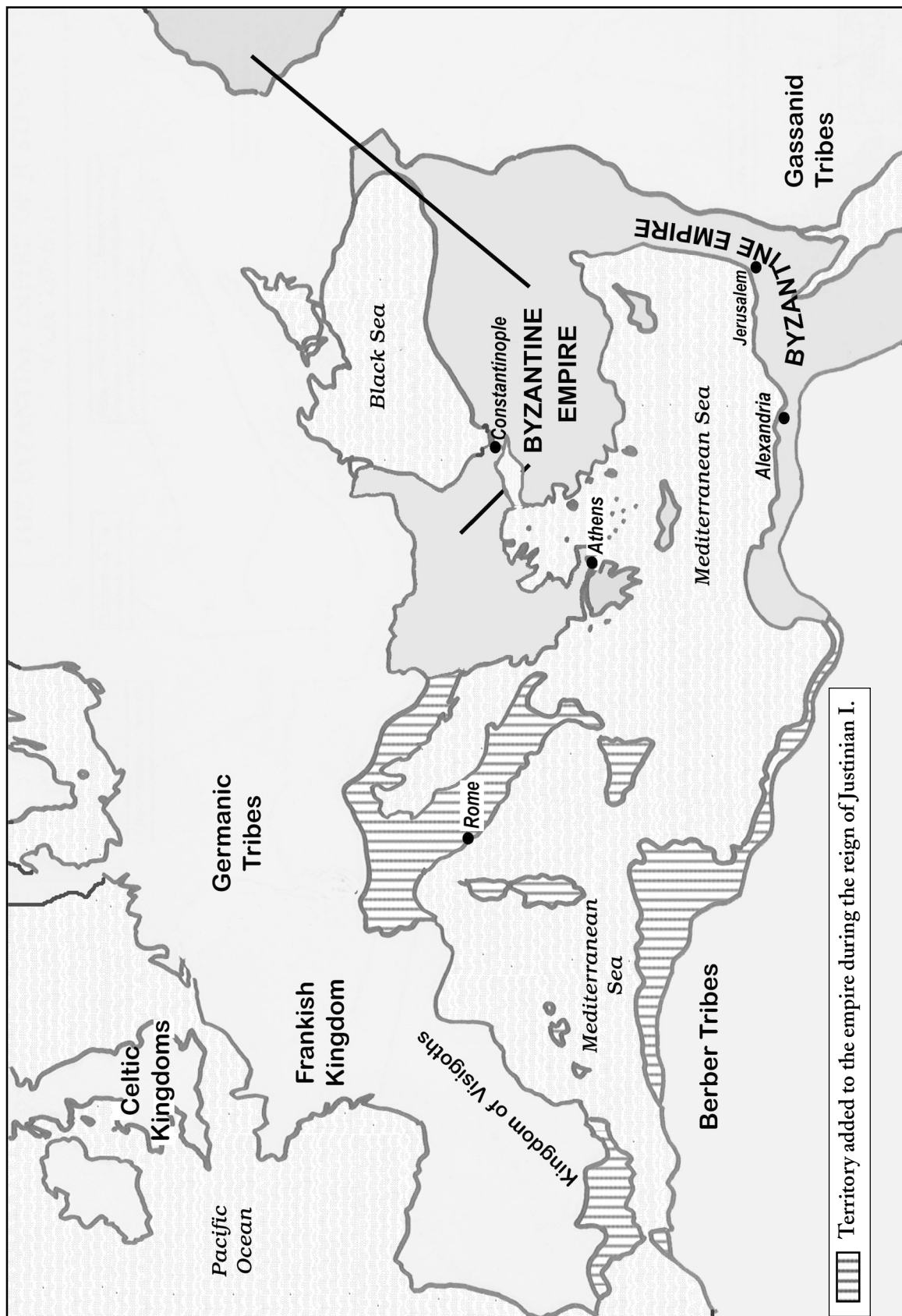
Byzantium (later Constantinople and now Istanbul) had a geographic advantage because it was on an easily fortified peninsula. It was closer to the dangerous frontiers of the empire than was Rome, and therefore the armies could respond more quickly in a crisis. The strategic location also enabled merchants to become rich through the control of the passage of trade between Europe and Southwest Asia and between the Black Sea and Mediterranean Sea. Byzantium was in such a well-placed location that it became the great center of both the empire and the commerce of western Afroeurasia.

Because they were farmers, the Greeks who made the first settlement at Byzantium about 637 B.C.E. did not at first appreciate the great potential of this incomparable site. It was only later, when they found agriculture difficult, that they turned their attention to the rich fish resources of the Golden Horn and to the profits of the Black Sea-Aegean Sea trade. Byzantium also had a safe harbor. During the classic period of Greek history, the town rose to considerable importance because its commanding position enabled it to impose tolls on ships sailing to and from the Black Sea. Ultimately, Byzantium became the largest city in Thrace, the grain-growing region of Southeastern Europe facing the Bosphorus and the Dardanelles. When Constantine determined to build a new capital in a place of his own choice, however, he does not appear to have been more discerning of the great advantages of Byzantium than were the first Greek colonists.

The peninsula on which Constantinople is built is a low mountainous ridge with irregular slopes rising on three sides from the sea. It terminates abruptly in a rounded headland opposite the Asiatic shore, which is separated from the town site by the entrance to the Bosphorus, which at this point a little more than a mile wide. This peninsula, which is bounded on the north by the Golden Horn, or inland extension of the Bosphorus, and on the south by the Sea of Marmara, has a length of between three and four miles. The topography is similar to the seven hills of classical Rome. The Golden Horn features a curve to the northwest more than six miles long. The peninsula's climate is changeable. The region is exposed to both cold north winds from the Russian steppes and to warm breezes from Southwest Asia and Africa. The temperatures may vary more than twenty degrees in a day, and earthquakes are frequent and have sometimes been very destructive.

Justinian's government promoted industry and commerce on a wide scale. Mediterranean trade was controlled by Syrian and Greek merchants. The most important eastern trade was with India and China. Byzantium did export some materials as well. The land route to China went through Persia, whose rulers also controlled the sea traffic through the Persian Gulf. This caused some problems when hostility with the Sassanids halted the silk trade. Justinian wanted to safeguard the sea route to India through the Red Sea, so he established relations with the Ethiopian kingdom of Axum. It was still difficult, however, to break Persian dominance of the main approach to the Indian Ocean, and the land route from the Black Sea across Inner Eurasia was dangerous. Byzantine agents finally succeeded in finding out the secret of silk manufacturing in Inner Eurasia and China, and they smuggled silkworms into Constantinople. Silk production grew rapidly, and became one of the empire's most flourishing industries.

MAP OF THE BYZANTINE EMPIRE'S
GROWTH DURING THE REIGN OF JUSTINIAN I



Procopius' Account of Byzantium

Procopius, a contemporary of Justinian, gives this geographic description of Byzantium in his *Buildings of Justinian* [(London: Palestine Pilgrims Text Society, 1896), 24–5].

The prosperity of Byzantium is increased by the sea which enfolds it, contracting itself into straits, and connecting itself with the ocean, thus rendering the city remarkably beautiful, and affording a safe protection in its harbors to seafarers, so as to cause it to be well supplied with provisions and abounding with all necessities; for the two seas which are on either side of it, that is to say meet at the east part of the city and dash together as they mingle their waves, separate the continent by their currents and add to the beauty of the city while they surround it. It is therefore, encompassed by three straits connected with one another, arranged so as to minister both to its elegance and its convenience, all of them most charming for sailing on, lovely to look at and exceedingly safe for anchorage. The middle one of them which leads from the Euxine Sea [Black Sea], makes straight for the city as though to adorn it. Upon either side of it lie the several continents between those shores it is confined, and seems to foam proudly with its waves because it passes over both Asia and Europe in order to reach the city; you would think that you beheld a river flowing towards you with a gentle current. That which is on the left hand of its rests on either side upon widely extended shores and displays the groves, the lovely meadows and all the other charms of the opposite continent in full view of the city. As it makes its way onward towards the south, receding as far as possible from Asia, it becomes wider; but even then its waves continue to encircle the city as far as the setting of the sun. The third army of the sea joins the first one upon the right hand, starting from the place called Sycae and washes the greater part of the northern shore of the city, ending in a bay. Thus the sea encircles the city like a crown, the interval consisting of land lying between it in sufficient quantity to form a clasp for the crown of waters. This gulf is always calm, and never crested into waves, as though a barrier were placed there to the billows and all storms were shut out and thence, though reverence for the city. Whenever strong winds and gales fall upon these seas and this strait, ships, when they once reach the entrance of this gulf run the rest of the voyage unguided and make the Shore at random; for the gulf extends for a distance of more than forty stadia in circumference, and the whole of it is a harbor, so that when a ship is moored there the stern rests on the sea and the bows on the land, as though the two elements contented with one another to see which of them could be of the greatest service to the city.

Cassius' Account of Byzantium

An ancient historian, Dion Cassius, recorded the following visual impression of the appearance of old Byzantium.

This city is most favorably situated being built upon an eminence which juts out into the sea. The waters, like a torrent, rushing downwards from the Pontus impinge against the promontory and flow partly to the right, so as to form the bay and harbors, but the main stream runs swiftly alongside the city into the Propontius. The town is also extremely well fortified, for the wall is faced with great square stones jointed together by brazen clamps, and it is further strengthened on the inside through mounds and houses being built up against it. This wall seems to consist of a solid mass of stone, and it has covered a gallery above, which is very easily defended. On the outside there are many large towers, perforated with frequent loopholes and ranged in an irregular line, so that an attacking party is surrounded by them and exposed on all sides at once. Toward the land the fortifications are very lofty, but less so on the side of the water, as the rocks on which they are founded and the dangers of the Bosphorus render them almost unsailable. There are two harbors within the walls, guarded by chains and at the ends of the moles inclosing them towers facing each other make the passage impracticable to the enemy. I have seen the walls standing and have also heard them speaking; for there are seven vocal towers stretching from the Thracian gates to the sea. If one shouts or drops a pebble in the first it not only resounds itself or repeats the syllables, but it transmits the power for the next in order to do the same; and thus the voice or echo is carried in regular succession through the whole series.

Source: William Gordon Homes, *The Age of Justinian and Theodora* (London: Bell and Sons, 1912) 6-7.

Geographic Descriptions of the Byzantine Empire

Description One

The Byzantine peninsula has been regarded from an early date as an ideal situation for a capital city. Placed at the junction of two great seas which was the shores of three continents, and possessed of a safe and extensive anchorage for shipping, it might become the center of empire and commerce for the Whole Eastern hemisphere. Yet owing to an adverse fate, the full realization of this splendid conception remains a problem of the future. Byzantium as an independent city was little more than an outpost of civilization; as a provincial town of the Roman Empire, its political position allowed it no scope for development; as the metropolis of the same Empire in its of decadence its fitful splendour is an unsubstantial pageant without moral or political stability.

Source: William Gordon Holmes, *The Age of Justinian and Theodora* (London: G. Bell, 1912), 1.

Description Two

The tongue of land on which Constantinople is built is essentially a low mountainous ridge rising on three sides by irregular slopes from the sea. Trending almost directly eastward from the continent of Europe, it terminates abruptly in a rounded heartland opposite the Asiatic shore, from which is separated by the entrance of the Bosphorus, called the Golden Horn, and on the south by the Propontis or Sea of Marmora, has a length of between three and four miles. At its eastern extremity it is about a mile broad and it gradually expands until in the region where it may be said to join the mainland, its measurement has increased to more than four times that distance. The unlevel nature of the ground and reminiscences of the seven hills of classical Rome have always caused a parallel to be drawn between the sites of the two capitals of the Empire, but the resemblance is remote and the historic import of the Roman hills is totally wanting in the case of those of Constantinople.

Source: Holmes, 10.

Description Three

As soon as we turn the north-east point, which marks the beginning of the Golden Horn, we exchange the inhospitable aspect of the fortified coast for a busy scene of maritime life. The wall recedes gradually to some distance from the water-line and forms an inconspicuous background to the impressive spectacle, which indicated the port of entry of a vast city. In the course of over a mile the shore has been fashioned into wharves from which three sets of stairs of ample width descend to the water's edge to facilitate the unloading of vessels.

Source: Holmes, 39.

Description Four

The city of Byzantium was founded by sailors from Megara in the year 657 B.C. on the uttermost end of Europe, where the Bosphorus opens into the Sea of Marmora. . . .

Europe is cut off from South-Western Asia by two great sheets of water, the Black Sea and the Aegean Sea; but between the seas Thrace juts out to meet Asia Minor till the two continents are separated only by two narrow channels, the Bosphorus and the Hellespont or Dardanelles, and by the land-locked Sea of Marmora. Of these traversable channels, the Bosphorus is slightly the more accessible from the Asian continent, as travelers to it avoid the climb over Bithynian Olympus or Ida, and is far more accessible from Europe, owing to the sharp angle with which the Thracian Chersonnese goes out to form the Hellespont. Thus men and merchandise journeying by land from one continent to the other will almost inevitably pass through a city on the Bosphorus: while ships plying between the Black Sea and the Aegean and the Mediterranean beyond, must certainly sail close by its quays. The Bosphorus stands at the crossing of two of the greatest trade-routes of history.

Source: Steven Runciman, *Byzantine Civilization* (Cleveland: Meridian Books, 1967), 9.

Description Five

Next, the site and this too was supreme. Standing on the threshold of Asia and occupying the eastern most tip of a broad, triangular promontory, its south side washed by the Sea of Marmara and its north-east by that deep and navigable inlet, some five miles long, known since remotest antiquity as the Golden Horn, it had been molded by nature into a magnificent harbor and an impregnable stronghold, needing as it did major fortification only on its landward side. Even an attack from the sea was difficult enough, the Marmara itself being protected by two long and narrow straits-the Bosphorus to the east and the Hellespont (or Dardanelles) to the west.

Source: John Norwich, *A Short History of Byzantium* (New York: Knopf, 1997), 3.

LESSON TWO

THE NIKA REVOLT

A. OBJECTIVES

- ↔ To evaluate the importance of the Nika Revolt.
- ↔ To examine the character of the Emperor in time of crisis.

B. LESSON ACTIVITIES

1. Read the “Dramatic Moment” to the class. Tell them they will be studying important events during the reign of Justinian I, a sixth-century ruler of the Byzantine Empire.
2. Either present the material in the **Historical Background** as a class lecture or an individual reading.
3. Using the material from the “Dramatic Moment” and the **Historical Background**, have students start a time-line beginning and ending with the life of Justinian. Tell them that they will be adding events to the timeline as they read through the unit.
4. Give students **Document E**, a map of the imperial quarter of Constantinople. Have students locate public buildings on the map and evaluate the position of the Hippodrome in light of the revolt.
5. Refer to the “Teacher Background” and discuss with students the differences between the Greens and the Blues. Another good reference is A. A. Vasiliev, *History of the Byzantine Empire*, vol. 1. Basically the differences are:
 - Greens: Represented Monophysite Christianity and the lower and often jobless class.
 - Blues: Represented Orthodox Church doctrines and the interests of the upper class.
6. Have students read the Nika revolt dialogue (**Document F**) as a Reader’s Theater.
7. Afterwards have students break into groups representing the Blues, Greens, and Justinian’s advisers. Each group should write a paragraph presenting their concerns to the Emperor. This may serve as an assessment.
8. Follow up with a class discussion, starting with the following questions:
 - a. What were the causes of the revolt?
 - b. What could Justinian have done differently?
 - c. What role did Theodora play?
 - d. What does this incident reveal about the character of the emperor?
 - e. What were the effects of the revolt?

C. HISTORICAL BACKGROUND—NIKA REVOLT

The most important place where people of the city congregated was the Hippodrome, an area capable of seating 100,000 spectators at the chariot races. It was built to imitate the Circus Maximus in Rome. The Hippodrome flanked the palace and represented continuity with the classical past.

The games held at the Hippodrome on the Ides of 532 were the occasion of the beginning of the most severe rioting the city ever experienced. The well-known uprising at Constantinople in January 532 C.E., which wrecked the city, was caused by the discontent with the administration and nearly deprived Justinian of his throne. He wanted to strengthen Constantinople. It did not occur to him that in making his plans his people would oppose such expense and activity. His heavy taxation and city-rates united several groups of people against him in the Nika Revolt. Civil disturbances were often the work of the two great social and political factions, or demes, known as the Greens and the less numerous Blues. The final straw was a riot at the Hippodrome between the two groups. In Justinian's younger days during his uncle's reign, he made use of the Blues' political support. When Justinian was on the throne, however, he changed his policy toward them and refused to tolerate them. In fact he ordered that any disorder should be punished.

The people of Constantinople had earlier been organized into four factions, called Blue, Green, White, and Red. The latter two eventually merged into the former two. They were really self-governing municipal bodies and were responsible for keeping up public gardens and protecting against fires. The Circus at Constantinople, which was held at the Hippodrome, eventually fell into the hands of the demes. All circus events then turned into competitions between the Blues and the Greens. The demes represented not only political and religious tendencies but also different class interests. The Blues had the loyalty of the upper class, while the Greens represented the lower class. The two factions were jealous of each other and adopted competing views. For example, the Greens favored Monophysite Christianity, and the Blues favored the Orthodox doctrines.

A number of people belonging to both factions had been arrested earlier in connection with a riot where people were killed. Eudaemon, the Prefect of the City, held a trial and found seven of the people guilty of murder. He sentenced four of them to be beheaded and three to be hanged. The hangman made an unfortunate blunder, however, and after trying twice to hang two of the people, they remained alive. Two monks came to their rescue and took them, one a Blue and one a Green, to an asylum at St. Laurentius. The Prefect later threw a ring of soldiers around that church. Having failed to obtain the release of some prisoners, the Blues and Greens joined forces.

Three days later, according to custom, horse races were held in the Hippodrome with the Emperor in attendance. But masses of peasants from the provinces who had been ruined by the government's tax administration were also there. They were distressed by the Emperor and his exploitative policies. It was natural that they would take part in the disturbances. But they were not the only people who were disturbed. The policy of

Justinian in trying to make his power completely independent of the Senate and the Imperial Council had also caused alarm among the senatorial class. These disaffected senators decided to seize the opportunity to direct an uprising against the throne. These disaffected senators decided to seize the opportunity to direct an uprising against the throne. Their plan was to crown one of the nephews of Anastasius, former emperor. Justinian's uncle Justin I, however, took the throne upon his death, passing over his nephews, which many thought were the rightful heirs.

So, when the games were to begin, the emperor had no idea of the storm brewing beneath an apparently calm surface. On January 13, 532, Justinian took his usual place at the Hippodrome and signaled for the games to start. He was greeted with an uproar. He realized that for the first time the Blues and the Greens were united against him. They cried "Nika! Nika!" People from both factions asked the Emperor to pardon the two who had been rescued. He did not answer. Then the crowd heard: "Long live the humane Greens and Blues"! This meant that they would work together to force the government to grant a pardon. The races were abruptly canceled because the mob poured out of the Hippodrome and went on a rampage.

Fires broke out in the capital, and the revolt assumed alarming proportions. Later in the evening rioters stormed the prison in the City Prefect and released the prisoners. Then they started looting. Buildings were set on fire, including the Senate House and the two churches of St. Eirene and St. Sophia (Hagia Sophia). What did the rioters want? They said, "Down with Eudaimon, the prefect! Down with Tribunian! Down with John the Cappadocian! The rioters now demanded that these three officials, be dismissed. This demand for the dismissal of the ministers represented a totally new element in the crisis. There had been no hint of this previously. The emperor thought he might disarm the instigators by complying with the demand. However, the demand was forgotten by the afternoon. In addition, Senators joined the uproar. They tried to direct the rising against the throne. The inspiration for the revolt came from the desire to replace Justinian with a new emperor from the house of Anastasius. In addition, the Monophysite party expressed their desire to prevent the African war.

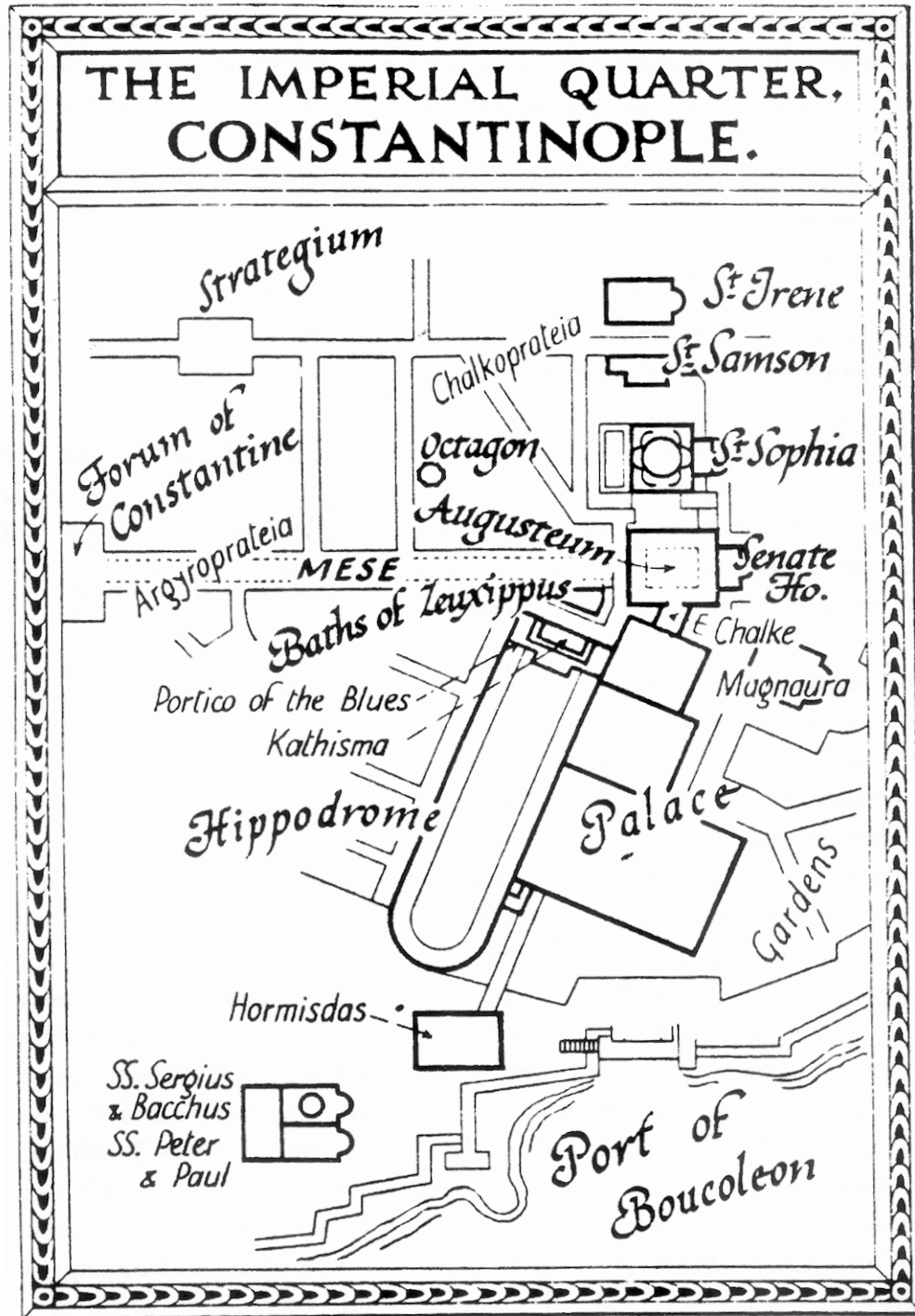
The emperor yielded to this demand, but the rioters wanted more. Senators also joined the uproar and tried to direct the rising against the throne. Justinian thought that his only recourse was to escape by sea. Therefore, he began preparing to leave. The Empress Theodora, however, prevented him from fleeing. (See the Dramatic Moment.) Unfortunately, the Palace Guards were unwilling to defend the throne. Justinian could not trust them, and he had suspicions that many of the senators were also traitors. Fortunately, he was able to use regular troops in the city to forcefully restore order. The situation was saved by Belisarius, who as a Master of Soldiers in the East had been conducting war against Persia, and by Narses the eunuch. Narses split the unity of the rioters by secretly negotiating with the Blues, while Belisarius went to the Hippodrome with loyal troops and took the rioters by surprise. The emperor made a personal effort to pacify the crowd, but it did no good. Thousands of people died before the revolt came to an end. But the Emperor triumphed over the demes, which were the last upholders of traditional civic freedom. Also, Empress Theodora's courage helped marshal her husband's spirits and save the day.

Justinian learned a lesson from this experience: taxation could no longer exceed reasonable bounds. For their part, the people learned that the emperor was not one to be trifled with. Unfortunately, the defeat of the demes meant that the people lost their one constitutional means of expression.

The Nika revolt marked a major turning point in the reign of Justinian. However, the financial burdens of his military undertakings and extensive building projects, including the reconstruction of St. Sophia after the revolt, further exhausted the empire. The end of the revolt did not bring any relief. With the period of domestic calm following the suppression of the Nika revolt, as well as peace with Persia, Justinian was able to turn his attention to the recovery of the western empire. The first territory to be singled out was the Vandal Kingdom in North Africa. Justinian's military undertakings (see Lesson 3) put terrible economic weight on the people. Thus, a financially drained state was the end result of all of Justinian's victories. He reestablished his own prestige, however, and no one challenged him again.

THE IMPERIAL QUARTER

Constantinople



ROLEPLAY: NIKA REVOLT

Primary Source

Justinian wanted to prepare an expeditionary force to recapture for the empire the lost western province of Africa, which had been a Vandal Kingdom for three generations. Whatever happened the cost would be tremendous. Most of the people wanted no war at all. Some went so far as to say that if the emperor did not change his mind he should be cast out. The Green party presented its grievances. Many came in from the villages to protest the tax levied on shopkeepers, farmers, and all those who owned a boat. They appealed to the Emperor to hold to their old rights of free speech and public assembly.

The assembly began at the opening of the games in the Hippodrome. It was Sunday. In the interval between the two races, the Demarch (Leader) of the Greens stood up and called to Justinian in the imperial box. The chronicle of Theophanes contains a remarkable record of a conversation in the Hippodrome between the Emperor and the Green party. It is apparently an official record preserved in the archives of the Greens.

Some action on the part of the Chamberlain Calapodius had angered the Greens. They begin by complaining of this in respectful tones then go on to air their complaints as an oppressed party. A mandator, or herald speaks for the Emperor.

- Greens* Long may you live, Justinian Augustus! I am oppressed, o best of sovereigns, and my grievances, God knows, have become intolerable. I fear to name the oppressor, lest he prosper the more and I endanger my own safety.
- Mandator* Who is he? I know him not.
- Greens* My oppressor, O Thrice August, is to be found in the quarter of the shoemakers.
- Mandator* No one does you wrong.
- Greens* One man and one only does me wrong. Mother of God, may he be humbled.
- Mandator* Who is he? We know him not.
- Greens* Nay you know him well, O Thrice August! I am oppressed this day.
- Mandator* We know not that anyone oppresses you.
- Green* It is Calopodius, the spathar who wrongs me, O Lord of It All!
- Mandator* Calopodius has no concern with you!
- Greens* My oppressor will perish like Judas; God will requite him quickly.
- Mandator* You come, not to see the games, but to insult your rulers.
- Greens* If anyone wrongs me, he will perish like Judas.

- Mandator* Silence, Jews, Manichaeans, and Samaritans!
- Greens* Do you disparage us with the name of Jews and Samaritans? The Mother of God is with all of us.
- Mandator* When will ye cease cursing yourselves?
- Greens* If anyone denies that our lord the Emperor is Orthodox, let him be anathema, as Judas.
- Mandator* I would have you all baptized in the name of one God.
- Greens* (tumultuously)
- I am baptized in One God.
- Mandator* Verily, if you refuse to be silent, I shall have you beheaded.
- Greens* Every person seeks a post of authority, to secure his personal safety. Your majesty must not be indignant at what I say in my tribulation, for the Deity listens to all complaints. We have good reason, O Emperor! to mention all things now. For we do not even know where the palace is, nor where is the government. If I come into the city once, it is sitting on a mule, and I wish I had not to come then, your Majesty.
- Mandator* Every one is free to move in public, where he wishes, without danger.
- Greens* I am told I am free, yet I am not allowed to use my freedom. If a man is free but is suspected as a Green, he is sure to be publicly punished.
- Mandator* Have ye no care for your lives that ye thus brave death?
- Greens* Let this (green) color be once uplifted then justice disappears. Put an end to the scenes of murder and let us be lawfully punished. Behold, An Abundant Fountain, punish as many as you like. Verily, human nature cannot tolerate these two (contradictory) things. Would that Sabbatis had never been born, to have a son who is a murderer. It is the twenty-sixth murder that has been committed in the Zeugma; the victim was a spectator in the morning, in the afternoon, O Lord of All, he was butchered.
- Blues* Yourselves are the only party in the Hippodrome that has murderers among their number.
- Greens* When ye commit murder ye leave the city in flight.
- Blues* Ye shed blood, and debate. Ye are the only party here with murderers among them.
- Greens* O Lord Justinian! They challenge us and yet no one slays them. Truth will compel assent. Who slew the woodseller in the Zeugma, O Emperor?
- Mandator* Ye slew him.
- Greens* Who slew the son of Epagathus, Emperor?

- Mandator* Ye slew him too, and ye slander the Blues.
- Greens* Now have pity, O lord God! The truth is suppressed. I should like to argue with them who say that affairs are managed by God. Whence comes this misery?
- Mandator* God cannot be tempted with evil.
- Greens* God you say, cannot be tempted with evil? Who is it then who wrongs me? Let some philosopher or hermit explain the distinction.
- Mandator* Accursed blasphemers, when will ye hold your peace?
- Greens* If it is the pleasure of your Majesty, I hold my peace, albeit unwillingly. I know all, but I say nothing. Good-bye Justice! You are no longer in fashion. I shall turn and become a Jew. Better to be a “Greek” (pagan) than a Blue, God knows.
- Blues* You are detestable, I cannot abide the sight of you. Your enmity dismays me.
- Greens* Let the bones of the spectators be exhumed (let them be murdered)!

Adapted from Theophanes, A.M. 6187 (Justinian II). In J. B. Bury, *History of the Later Roman Empire*, vol. 2 (London: MacMillan, 1923).

LESSON THREE

THE VANDAL WAR IN AFRICA

A. OBJECTIVES

- ↔ To examine the significance of the Vandal War in Africa.
- ↔ To compare two different viewpoints on the war.

B. LESSON ACTIVITIES

1. Either present the material in the **Historical Background** as a class lecture or an individual reading.
2. Have students locate the expansion of the Byzantine Empire into Africa during Justinian's reign (**Document G**). Have them note the empire's expansion into Vandal territory.
3. Have students read the historian Procopius' account of the Vandal wars (**Document H**) and discuss the account with the class using the following questions:
 - a. Why was it important to restore Africa to the empire?
 - b. What are some of the problems that the conquest caused the Byzantines? The Vandals? The native North Africans?
4. Give students **Document I**, the speeches of the Roman Belisarius and the Vandal Gelimer. Tell students to compare the speeches. What techniques did they use to inspire their men?
5. Divide the students into pairs. Have one person represent the viewpoint of the emperor and the other represent the viewpoint of the Vandals, presenting their points of view to one another. Gather the class for discussion and summarize the main elements of each viewpoint. As an assessment, have students choose and defend one of the viewpoints.
6. Have the students write their own epic poem using as topic such as the recent war in Iraq.
7. Referring to all the material in the lesson, have students add to their timelines.

C. HISTORICAL BACKGROUND— VANDAL WAR IN AFRICA

Justinian's plan for the revival of the western empire focused mainly on the reestablishment of Roman rule in Africa. It became his sacred mission to free Roman lands from Barbarian invaders and Arian heretics and to restore the ancient frontiers of the unified Roman and Orthodox Christian empire. Justinian believed that the rulers of Constantinople were the lawful successors of the Caesars and had historical rights to western Europe. He felt that as a Christian emperor, he had the mission to spread the true faith among unbelievers. This philosophy made Justinian a statesman and a crusader who wished to conquer as much of the world as he could and convert it to the True Faith. In regards to his external policy he regarded every gain for Christianity as an important advantage both politically and economically.

To this end he engaged in numerous wars both defensive and offensive. The offensive ones were against the Germanic states of Western Europe; the defensive ones were against Persia and the Slavs. The campaigns his generals conducted to regain Africa are recounted by Procopius in his *De Bello Vandalico*. This author's text is complemented by the account of the African poet, Flavius Cresconius Corippus, whose epic the *Ionannis or De Bello Libyco* has as its subject the campaign that John Trogolyta, Justinian's magistrate in Africa, conducted against the Berber-speaking North Africans. This account, though somewhat suspect owing to the author's hope of patronage from the hero of the poem, provides additional data. Although Procopius traveled with Belisarius and was an eyewitness to the wars, this poem helps to shed light on the Roman political and military situation in Africa and the government's justification for their rule.

The descriptions of Procopius and Corippus begin in 533 A.D., the seventh year of the emperor's rule. Justinian sent Belisarius and an army to Africa with orders to reestablish Roman rule there. This was an opportune response to the unsettled political situation in the region. The aged Vandal king Hildiric had been defeated by a force of native rebels, then deposed by the usurper Geilamir.

The Vandal kingdom was one of the barbarian states that emerged in the western Mediterranean region during the fifth century. It was in an important region because North Africa had traditionally been a major exporter of grain and olive oil within the Roman Empire. Africa was not only a source of rich resources. It also harbored combative theologians. A major Christian heresy that emerged there was Arianism. Its central doctrine was that Jesus the Son was not of the same substance as God the Father, not having existed from eternity but having been created by the Father in time. The Council of Nicaea had condemned this belief in 325. The words of the Nicene Creed, still sung today in many Christian churches, were designed to exclude this Arian teaching. In the lands of the western Roman Empire, however, many Germanic leaders accepted Arianism.

Conditions in northern Africa under the Vandals were particularly difficult because these conquerors severely persecuted the native Christian population, put many citizens and priests in jail, and confiscated their property. Refugees arriving in Constantinople from Africa implored the Emperor to inaugurate a campaign against the Vandals, assuring him that a general revolt of the native Berber-speaking population would follow.

The expedition against the Vandals involved the transfer of a vast army by sea to the North African coast. Procopius gave an account of the council at which the question of the African expedition was discussed for the first time. The campaign against the Vandals was pressed by Justinian himself against the judgment of everyone else. The magistrates expressed doubts about the success of the undertaking. Justinian began to waver. The expedition, however, finally received approval. The emperor placed the gifted general Belisarius, who had quelled the Nika revolt, at the head of the army.

Once in Africa the army triumphed. Not only the Vandal, but also Ostrogoths, and some Visigoths, were forced into subjection to the emperor. The Mediterranean Sea was almost converted into a Byzantine lake. The Vandal War lasted from 533 to 548, including some peaceful intervals. The pretext of Justinian's expedition was to restore the Vandal king Hilderic to his rightful throne. Procopius's two books on the *Vandal Wars* emphasizes the author's own experience. He concentrates on the Byzantine army and the officers, but he says little about the Roman Africans. In the *Secret History*, however, he presents the wars as a prime example of Justinian's destruction.

The victory of Belisarius in 534 brought him to the peak of fame and led to his being awarded a consulship. He began to exploit his opportunities, however, which caused Justinian alarm. Vandal power was now ended, and in a decree Justinian welcomed northern Africa back into the Roman Empire. Belisarius returned to Byzantium.

Some time later, Cusinia, another native chieftain, launched a rebellion. This time Antalas, the earlier rebel, allied himself with Belisarius's successor. Together they crushed the rebellion. In 536 the Romans faced another threat to their rule, this time a rebellion of their own soldiers. As a result Justinian sent Belisarius back to Africa, where he routed the rebels. After several years of peace, rebellion broke out again in 543. The writer Corippus wrote a poem about it. Justinian sent John Troglyta, the hero of Corippus' poem, to deal with the crisis. John fought two campaigns against the rebels and finally defeated them. According to Procopius, John secured North Africa by 552.

The war caused much disruption. The Romans had previously allied with the mercantile interests of the cities and the agricultural interests of farming folk. But the Berber-speaking rural population was opposed to these groups. Corippus' poem describes the images of war as both rural and urban, and its chief horrors are the destruction of cities, crops, and herds. The fighting was also made difficult by tactics of guerrilla warfare employed by the rebel tribes. The rebels lured the Roman army further and further south hoping that the summer heat of the North African interior would weaken the Byzantines. However the army was able to maintain its stamina by shipping in supplies. In the end the Berbers were forced to face John's troops on terrain that he chose, and they were vanquished.

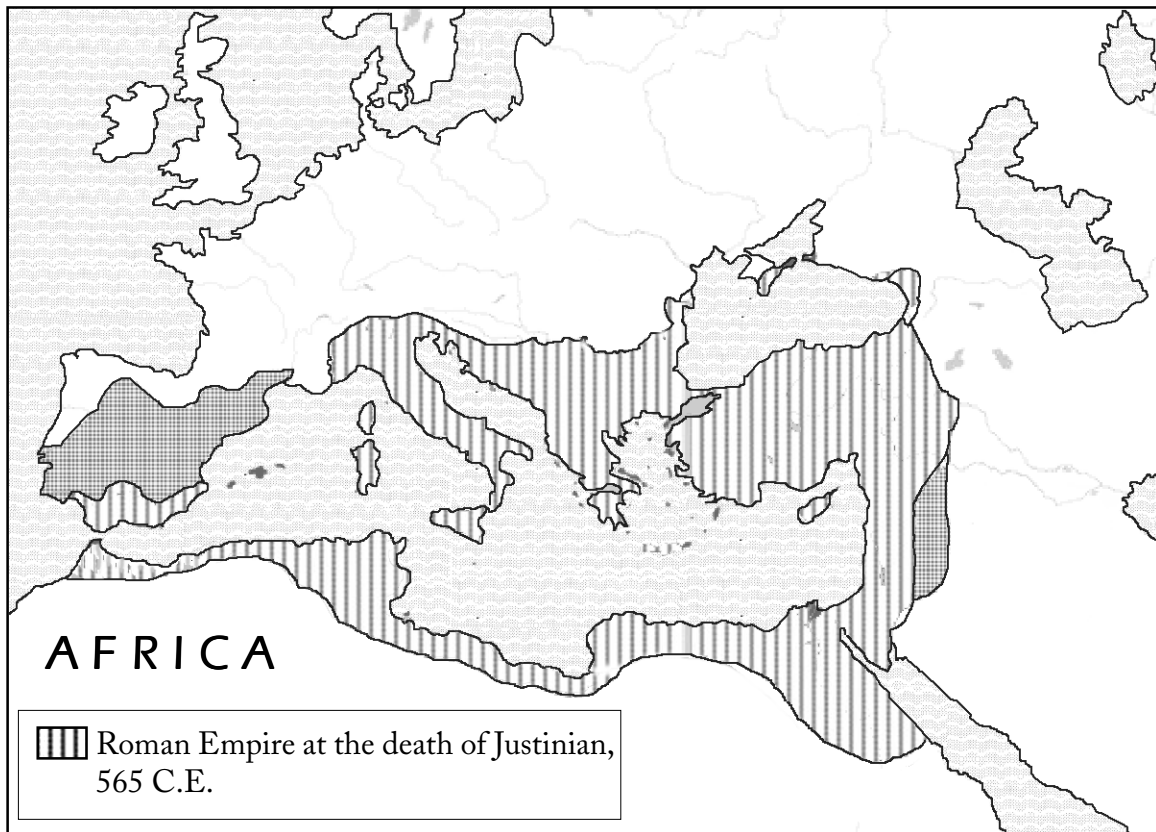
In his *Secret History* Procopius claimed that Justinian was responsible for the deaths of five million Vandals, Berbers, and Roman Africans. This is his evidence, which is obviously grossly exaggerated, for what he called Justinian's attempt to exterminate existing populations. He also criticized the emperor for not making any plans to ensure the security of the resources of Africa by winning the loyalty of the inhabitants. He

criticized him for recalling Belisarius too soon, imposing taxes on the population, bringing in anti-Arian measures, and failing to pay the troops. According to Procopius, these decisions led to rebellion.

The result of the offensive wars was to double the extent of the empire. The Mediterranean again became a Roman lake with boundaries from the Pillars of Hercules to the Euphrates. The conquests did not entirely satisfy Justinian's desires, however, because the western portion of northern Africa was not re-annexed, and he failed to reconquer the entire western Roman Empire. Also, imperial power was not equally firm throughout the vast newly conquered territories. These lands could be retained only by force, and for this the empire lacked the means in the long run. That is why the brilliant outward success of Justinian's offensive wars led later to serious complications, both political and economic.

The importance of Justinian's external policy was that these exhausting wars affected the economic condition of the empire. New taxes to pay for campaigns were greater than people could bear. The restoration of Roman power in Africa was a triumph for Justinian, but the plan of restoring a united Roman empire was never to be fulfilled.

MAPS OF THE ROMAN EMPIRE 530–565 C.E.



PROCOPIUS OF CAESAREA
“HISTORY OF THE WARS BOOK III”
THE VANDALIC WAR I
(Primary Source)

Procopius became a legal adviser to Belisarius while the general was serving on the Persian front. Later he accompanied him on expeditions to Africa and Italy and began writing a history of Justinian's wars in which he was able to give an eyewitness account.

Such, then, was the final outcome of the Persian War for the Emperor Justinian; and I shall now proceed to set forth all that he did against the Vandals and the Moors. But first shall be told whence came the host of the Vandals when they descended upon the land of the Romans. After Theodosius, the Roman Emperor, had departed from the world (Jan. 17, 395 C.E.) having proved himself one of the most just of men and an able warrior, his kingdom was taken over by his two sons, Arcadius, the elder, receiving the Eastern portion, and Honorius, the younger, the Western. But the Roman power had been thus divided as far back as the time of Constantine and his sons; for he transferred his government to Byzantium, and making the city larger and much more renowned, allowed it to be named after him.

Now the distance from one of the Pillars of Heracles to the other, if one goes along the shore and does not pass around the Ionian Gulf and the sea called the Euxine but crosses from Chalcedon to Byzantium and Dryous to the opposite mainland, is a journey of two hundred and eighty-five days for an unencumbered traveller. For as to the land about the Euxine Sea, which extends from Byzantium to the Lake, it would be impossible to tell everything with precision, since the barbarians beyond the Ister River, which they also call the Danube, make the shore of that sea quite impossible for the Romans to traverse—except, indeed, that from Byzantium to the mouth of the Ister is a journey of twenty-two days which should be added to the measure of Europe by one making the computation. And on the Asiatic side, that is from Chalcedon to the Phasis River, which, flowing from the country of the Cochians, descends into the Pontus, the journey is accomplished in forty days. So that the whole Roman domain according to the distance along the sea at least, attains the measure of a three hundred and forty-seven days' journey, if, as has been said, one ferries over the Ionian Gulf, which extends along eight hundred stads from Dryous. For the passage across the gulf amounts to a journey of not less than four days. Such, then, was the size of the Roman Empire in the ancient times.

Source: *Procopius*. Translated by H.B. Dewing (London: William Heinemann, MCMXVI).

HISTORY OF THE WARS
BOOK IV, THE VANDALIC WAR
By Procopius
(Primary Source)

Belisarius' Speech

Belisarius gave pledges that if the Vandals should be conquered they would be sent without the least delay to their homes with all their booty, and thus bound them by oaths in very truth to assist the Romans will all zeal in carrying through the war.

And when all the things had been prepared by him in the best way possible, and the circuit wall had been already completed, he called together the whole army and spoke as follows:

As for exhortation, fellow Romans, I do not know that it is necessary to say to you, men you have recently conquered the enemy so completely that Carthage here and the whole of Libya is a possession of your valor and for this reason you will have no need of admonition that prompts to daring. For the spirits of those who are conquered are by no means wont to be overcome. But I think it not untimely to remind you of this one thing, that, if you on the present occasion but prove equal to your own selves in valor, straightway there will be an end for the Vandals of their hopes and for you of the battle. Hence there is every reason why you should enter into this engagement with the greatest eagerness. . . . For fortune, once seen to be bad, straightway enslaves the spirit of those who have fallen in her way. And I shall explain how the struggle involves for you at the present time a greater stake than formerly. For in the former side the danger was, if things did not go well for us that we should not take the land of others but if we do not win the struggle, we shall lose the land which is our own.

Gelimer's Speech

And on the following day Gelimer commanded the Vandals to place the women and children and their possessions in the middle of the stockade, and calling all together he spoke as follows: It is not for glory or to retrieve the loss of empire alone, that we are about to fight, . . . but you see that our fortunes have come round to such that if we do not gain the mastery over the enemy, we shall if we perish, leave them as master over our children and our wives and our land and our possession, while if we survive, there will be our own enslavement. . . . If we live the name of the Vandals will survive and their empire be preserved. . . . For it was not by cowardice that we were defeated, but we tripped over obstacles interposed by fortune and were overcome.

LESSON FOUR

JUSTINIAN AS A LAW REFORMER

A. OBJECTIVES

- ↔ To analyze the importance of having a written legal code.
- ↔ To draw conclusions from primary source materials.

B. LESSON ACTIVITIES

1. Discuss with students why we have laws. Why is it important that the laws be in written form?
2. Present the material in the **Historical Background** as a lecture to the class. Discuss with the class the difficulties that existed before Justinian codified the laws.
3. Have students read excerpts from Justinian's code, "The Institutes" (**Document J**) and "Digest of Roman Law" (**Document K**).

Discussion questions:

- a. Explain the difference between manifest and non-manifest.
 - b. Define "injury" as used in the code.
 - c. What can one tell about the values of a society from reading their laws? What conclusions can you draw about the Byzantine society?
 - d. Drawing from the lecture material (**Teacher Background**) and considering the laws in "The Institutes"—What influence did Theodora have on Justinian?
4. As an assessment, have students either:
 - a. write a law that could have been written during the time of Justinian.
 - or
 - b. write an account of a "manifest" crime that might have taken place during the time of Justinian.
 5. Have students add to their timelines.

C. HISTORICAL BACKGROUND—JUSTINIAN AS A LAW REFORMER

One of the supreme achievements of Roman civilization was law. The Byzantine rulers regarded their state as a continuation of the ancient empire of Rome and to be divinely ordained. It was believed that God had created the Roman Empire and that it was the Roman emperors' duty to spread Christianity throughout the world. The Byzantine emperor was regarded as the head of the state. His powers were absolute and sacred. He ruled from the great palace in Constantinople.

The system of law came from the ancient tradition of Roman law. The emperor held the supreme legislative and legal authority. His policies came through edicts known as "novels". The law was all inclusive, and it regulated social, economic, and administrative relations. Each emperor had the right to make new laws, and the body of laws changed constantly. Laws were not systematically published, however, and imperial archives did not always keep copies of new legislation.

Justinian's fame as a legal reformer has survived to the present day. It is not likely to fade, though as a conqueror, administrator, and theologian, he has almost passed from memory. He was well known for his legislative work. He commented that an emperor "must be not only glorified with arms but also armed with laws, so that the time of war and the time of peace alike may be rightly guided; he must be the strong protector of law as well as the triumpher over vanquished enemies." He was a believer in what would later be called the "divine right of kings," for he believed that God had bestowed upon him the right to create and interpret laws.

Justinian had been on the throne only six months when the first edict dealing with the question of reforming the legal system appeared. Legal publications provided judges with collections of extracts from imperial laws. Unfortunately, there was no central organ for publication of these documents. Increasing in quantity annually, imperial edicts needed badly to be gathered into a single collection.

The written opinions of Roman lawyers had also gained in number, and imperial ordinances and professional writings multiplied with astonishing rapidity. There was a collection of all the imperial precepts given by the emperors from Hadrian to Constantine. This was supplemented by the Code of Theodosius II, which included all the imperial constitutions issued by the sovereign from Constantine to himself. Then, in the early sixth century, three new codes of law appeared. These were the Edict of Theodoric, King of the Ostrogoths (500), La Roma Bungalow (500), and the Lex Romana Visigothorum (506). These were all undertaken by Germanic monarchs to apply to subjects who were partly Roman and partly "barbarian." They did not, however, affect the law of the empire.

No attempt had been made to logically arrange the imperial statute books, and laws dealing with numerous subjects were piled one upon the other. Many of these laws were no longer used. The dissertations of jurists were also troublesome. Generation after generation of independent commentators, who started from different stand points, had treated the same subject matter by different methods and arrived at conflicting judgments.

Such was the state of Roman law when Justinian undertook his reform. His objectives were to correct the disorder and reduce the bulky dimensions of the law. He took on the task of compiling a code of imperial constitutions up to his time and revising old juridical writings. He gave this task to an official named Tribonian. He appointed a commission of ten to carry out the design. He also commanded them to:

Cut off all superfluous preambles, repetition, contradictions and archaisms, to compile, define and concise laws from the already existing codes and later constitutions, and to arrange them under appropriate titles, adding to, curtailing and even altering their words where advisable, collecting into one enactment the material scattered through a number of constitutions and making the meaning of the latter more clear, yet in such a manner that the chronological order of these constitutions should be evident not only from the additions of their dates and consulships, but by their actual arrangement, the earlier being placed first and the later afterwards. [In George Cuzon, *Justinian* (London: Thomas Shrimpton and Son, 1883).]

Justinian relied on the genius of his minister Tribonian, who was deeply learned in the law. Tribonian has been called the last Roman jurist whose hand preserved and renewed Rome's lawyers and laws. At the end of fourteen months, the commission presented the emperor with a single new code containing statutes from Hadrian to his day. It was published in April 529. This code has not been preserved, but in any case five years later Justinian superseded it with a second and amended addition. A second code was necessary because the emperor had issued 50 decrees and 200 ordinances of his own. The new code, the *Codex Repetitae Praelectionis*, appeared in November 534. This code was designed for practical use in settling disputes.

Then Justinian turned to reorganizing the Common Law. This compilation was completed in three years and published under the name of the Digest. It was for the guidance of judges. A third production called the Institute, was a summary of the principles of civil law and a textbook for beginners. The Code, Digest, and Institutes were written in Latin, little understood by the majority of the population, while most other legal texts were written in Greek. This necessitated a number of Greek commentaries for the Greek-speaking general public.

The publication of the three works took seven years and became the depository of the riches of Roman jurisprudence, thus saving and transforming the body of Roman law. Justinian's Code also became the underpinning of the central state. The outstanding characteristic of the code was its strong emphasis on the powers of the emperor. But it also reflected the Roman not the Christian spirit. Thus divorce and slavery were still retained in the code. Justinian did abolish the *noxae deditio* by parents could sell their children as slaves.

Justinian also advanced women's rights, such as the right of a wife to property equaling her dowry and the right of a widow to be guardian of her children. The Empress Theodora had a great influence on these laws and was reported to be at Justinian's side when he

wrote them. One item stated that women of any past should, after marriage, become “free women differing in no way from those who had not erred as they.” Because of her devotion to women’s causes, Theodora had a following among women in need. For example, she persuaded her husband to outlaw brothel keepers. She wrote:

For we have found out that some people travel about the districts offering poor young girls shoes and clothes, and in this way carry them off to dens in this fortunate city where they are shut up and given little food and clothes, while putting their bodies at the service of the public. These brothel keepers have the girls sign bonds binding themselves to this, and the keepers pocket the fees they get. Some of these men are unholy enough to pollute girls less than ten years of age . . . we were secretly informed of this and it is our determination to free the city from such pollution. [*Institutes*. In Harold Lamb, *Theodora and the Emperor* (Garden City, NJ: Doubleday, 1952), 78.]

Justinian’s code was the sole authoritative collection of laws in the empire. The haste of compiling it, however, resulted in several defects, including repetitions and contradictions. But it was of great practical value for its time. It preserved for the world a wealth of material obtained from the classical Roman writings, which would not have been preserved otherwise. Justinian’s Code became the real law for many places. It had a lasting impact on the development of political thought in the Roman Catholic west as well as in Byzantium. It reflected the conditions and needs of contemporary life. It also helped develop legal studies. It constituted the final, definitive form of Roman law. It remained until recently the main element in the codes of most European countries.

JUSTINIAN'S CODE: THE INSTITUTES

Primary Source

The Institutes were part of the Corpus Juris Civilis, or Body of Civil Law. This was the massive codification of Roman law developed between 529 and 535 by order of Justinian. The compilation of laws, imperial decrees, and legal writings were contained in the Codex Justinianus and the Digest. The Institutes, the third major part of the code, were an introduction to it and a general survey of Roman law. They were intended to serve as a textbook for law schools.

IN THE NAME OF OUR LORD JESUS CHRIST
THE EMPEROR CAESAR FLAVIUS JUSTINIANIAN
CONQUEROR OF THE ALAMANNI GOTHES, FRANKS, GERMANS,
ANTES ALANI VANDALS AFRICANS
DEVOUT FORTUNATE RENOWNED VICTORIOUS AND TRIUMPHANT
FOREVER AUGUSTUS
TO YOUNG ENTHUSIASTS FOR LAW

IMPERIAL MAJESTY should not only be graced with arms but also armed with laws, so that good government may prevail in time of war and peace alike. The head of the Roman state can then stand victorious not only over enemies in war but also over troublemakers, driving out their wickedness through the paths of the law, and can triumph as much for this devotion to the law as for his conquests in battle.

1. Long hours of work and careful planning have, with God's help, given us success in both these fields. Barbarian nations brought beneath our yoke know the scale of our exertions in war. Africa and countless other provinces, restored to Roman jurisdiction and brought back within our empire after so long an interval, bear witness to the victories granted to us by the will of heaven. However, it is by the laws which we have already managed to enact and collect that all our peoples are ruled.
2. The solemn pronouncements of the emperors were in disarray. We collected them into a clear systematic series. Then we turned our attention to the rolls of the classical law, that boundless ocean of learning, and by passing by heaven's favor as it were through the midst of the deep, we soon completed a task which seemed overwhelming.

3. When with God's help we reached the end of that, we called together Tribonian, of eminent rank, minister and former chancellor of our sacred palace, and also Theophilus and Dorotheus, professors of illustrious rank. From all three we had already received many proofs of their brilliance, their learning in the law, and their loyalty in carrying out our wishes. We gave them this specific instruction: to compose with our authority and at our instigation an edition of Institutes. Our intention was to give you an elementary framework, a cradle of law, not based on obscure old stories but illuminated by the light of our imperial splendor. . . . and to ensure that you hear and adopt nothing useless or out of place but only the true principles at the heart of the subject. Until now even the best students have barely begun to read imperial pronouncements after four years of study; but you have been found worthy of the great honor and good fortune of doing so from the beginning and of following a course of legal education which from start to finish proceeds from the Emperor's lips.
4. It was for these reasons that after the completion of the fifty books of the Digest or Pandects, in which all the classical law has been brought together and which we achieved through this same excellent Tribonian and other learned men of illustrious rank we gave the order for the Institutes to be composed in these four books, to form the first principles of all learning in the law.
5. They now give a brief account both of how matters used to stand and of the imperial measures which brought light to areas darkened by disuse.
6. They have been compiled from all the books of Institutes written by the classical lawyers, and especially from the works of our own Gaius, both his Institutes and his Everyday Law, though also from other treaties. When the work was finished, the three learned commissioners presented the books to us. We have read and examined them and have endowed them with the full force of our own pronouncements.
7. Study our law. Do your best and apply yourselves keenly to it. Show that you have mastered it. You can then cherish a noble ambition; when your course in law is finished you will be able to perform whatever duty is entrusted to you in the government of our state.

Given at Constantinople on 21st November 529, the year of the third consulate of our lord Justinian, Perpetual Augustus.

Source: C. F. Kolbert, trans., *Justinian: The Digest of Roman Law* (New York: Penguin, 1979), 44–5.

JUSTINIAN'S CODE: THE DIGEST OF ROMAN LAW

The standard unit of the Roman law was the freeborn Roman citizen, male of age and sound mind and head of his family. Gaius says, "The main distinction in the law of person is this, that all men are either free, or slaves, (*Institutes* 1.9) Justinian explains: "Slavery is an institution of the law of nations whereby one man is made the property of another, contrary to natural right." (*Institutes* 1.3.2) [*Institutes*. In G.F. Kolbert, *Justinian: The Digest of Roman Law* (New York: Penguin Books, 1979), 49.]

CONCERNING THEFT

Book 46, Title 2

1. Theft is a dishonest handling of a thing in order to gain by it or by its use or possession. Such conduct is against the very law of nature.
2. There are two degrees of theft: manifest and non-manifest.
3. A manifest thief is one whom the Greeks describe as "caught in the very act," that is, one who is caught with the stolen goods on him. It matters little who it is who actually catches him—whether it is the owner of the stolen goods or anyone else. But it may be asked whether a thief is only a manifest thief if he is caught in the very act of stealing or indeed whether it is good enough that he be apprehended just anywhere. The better view and this was Julian's opinion is that even if he is not caught in the place where he committed the theft, he is nevertheless a manifest thief if he is caught with the stolen thing on him before he has taken it to the place he intended.
4. The place he intended to carry it to is understood as the place where he intended to stop that day with the stolen thing.
5. Therefore irrespective of whether he is caught in public or in a private place, so long as he has not yet borne the thing to the place he was making for, the charge will be one of manifest theft if he is caught with the stolen thing on him; and that was the view of Cassius. But if he has got his loot home, even if he is caught with the stolen things in his possession, he is not a manifest thief.
6. For although theft may be committed many times over by successive handling of stolen goods, it was thought right to determine whether or not a theft was manifest at the time of the original thieving. . . .
8. What sort of theft is non-manifest is clear; for a stealing which is not within the meaning of manifest theft and must be non-manifest theft.
10. Anyone whose interest it is that the property should not be stolen can bring an action for theft.
11. But he can only bring the action if his interest in the thing is an honest interest.

Source: Kolbert, 103–5.

CONCERNING ROBBERY WITH VIOLENCE AND RIOTOUS ASSEMBLY**Book 47, Title 8**

1. (Paul) Anyone who seizes property by force is liable to an action of non-manifest theft for double damages and to an action of robbery with violence for quadruple damages; but if the action for robbery is brought first, the action for theft will be refused. . . . The Paetor speaks also of “damage”. This includes every kind of injury, even that which is clandestine. . . . The action for robbery with violence will not be granted against a child below the age of puberty who is not capable of forming a criminal intent unless it is alleged that it was his slave, or a group of slaves, who committed the offence, in which case he could be liable to a noxal action for the surrender of that slave or group of slaves for the robbery.

Source: Kolbert, 150–3.

CONCERNING INSULTING BEHAVIOR AND SCANDALOUS LIBEL**Book 47 Title 10**

1. (Ulpian) Anything which is done unlawfully is called “injury,” for everything which is done otherwise than according to law is deemed to be injurious; . . . Take the case for example of an insult to my wife who is still a daughter to her own family; a right of action lies not only for me and for her father but also for my wife herself.
2. (Paul). If an insult is inflicted upon a husband, his wife cannot bring an action because it is right and proper that wives should be defended by their husbands, but not husbands by their wives.

Source: Kolbert, 158–61.

LESSON FIVE

BYZANTINE ARCHITECTURE

A. OBJECTIVES

- ↔ To appreciate the innovative contributions of the Byzantines in architecture.
- ↔ To realize the lasting influence of the dome on construction of great religious buildings.
- ↔ To analyze religious influence on architecture.

B. LESSON ACTIVITIES

1. Either present the material in the **Historical Background** as a class lecture or an individual reading.
2. Have students read the selection from *Buildings* by Procopius (**Document L**) and write answers to the following questions:
 - a. Why was Hagia Sophia rebuilt?
 - b. What was the importance of this building?
 - c. How did the builders solve architectural problems?
 - d. How did the people react to the church?
 - e. What purpose has the building served since the mid-fifteenth century?
 - f. Why do you think Justinian gave Anthemius the commission to build the Hagia Sophia?
 - g. How is Hagia Sophia constructed differently from earlier churches?
 - h. How does Procopius describe the physical appearance of the church?
3. Have students draw their own examples of the new style of architecture. Then they should analyze the plan of the cathedral, *Hagia Sophia* (**Document M**).
4. Have students look at the diagram of a Byzantine dome (**Document N**), comparing it with the dome on Brunelleschi's Cathedral of Florence.
5. Using the sketch of Hagia Sophia (**Document O**) have students describe what they see.
6. Discuss what might be the engineering problems of dome architecture. How did the dome influence the style of the rest of a structure?

C. HISTORICAL BACKGROUND—RELIGIOUS ARCHITECTURE IN THE AGE OF JUSTINIAN

Byzantine society was deeply religious, and the primary focus of religious experience was the church building. The church was where the population went for various occasions. It was also the most important arena for Byzantine art. Art in the church included permanent decoration of the walls and vaults in fresco or mosaic, as well as icons and the portable vessels, books, and reliquaries used in church rituals. The relationship between the Byzantine church and the emperor was marked by the secular ruler's exercise of supreme authority over ecclesiastical matters. He made the ultimate decisions on theology, heresy, and church control. Justinian's church policy was the establishment of closer relations with Rome.

The basic problems with religion dealt with the ideas that came out of the Council of Chalcedon in 451, which confirmed Christ's nature as both fully divine and fully human. The Monophysites, in opposition, believed that Christ's nature was purely divine. The Armenians and Syrians also accepted this view. The Nestorians, on the other hand, emphasized Christ's human nature. The tensions among these groups were not resolved.

In Byzantine churches the presence of icons, or images of Christ and other holy figures, was the most striking feature that one encountered. Procopius wrote about the erection of beautiful churches. In his *Buildings*, written between 553–555, he described these structures.

As soon as the smoldering fires of the Nika revolt were extinguished, Justinian and his advisers made plans for the future. The Great Church of the Holy Wisdom of God had been reduced to rubble. Begun by the emperor Constantine, it symbolized the place of the empire in the divine scheme of things. Justinian ordered a new church that would surpass every other building erected to the glory of God and proclaim the emperor's greatness to all nations to the end of time.

Since the time of Constantine, most churches had followed the pattern of the basilica, that is, a large hall for the transaction of public business and ceremonials. It consisted of a large tetragonal hall with two or four colonnades to which was added the apse of the sanctuary at the east end.

That model changed during the Byzantine era. By the beginning of the fifth century, which is the starting point of the rise of Byzantine architecture, three principal types of church plan prevailed in the Roman world:

- The basilica pattern (as described above).
- The octagonal or circular plan with a stone or brick dome that rests on the outer walls of the building.
- The Cross plan which is a square central area covered by a dome from which extend four vaulted arms constituting a cross. From these three types of building are derived the various plans of Byzantine churches.

Byzantine architecture was one of the great schools of medieval building. Churches are centripetal, lifting one's gaze heavenward toward the dome. The central unit is symmetrically designed. Art is also important in these churches. It can be divided into three categories: permanent decoration of the walls and vaults in fresco or mosaic, as well as icons and the portable vessels, books, and reliquaries used in church rituals. Byzantine law defined the state as consisting of two elements of authority, the church and the imperial power. This ideology was evident in the layout of Constantinople: the imperial palace was on one side of the city square and the cathedral was on the other.

Justinian was an ambitious builder. His greatest monument is the domed cathedral of St. Sophia (Hagia Sophia), which took five years to construct. He wanted a church that would give those who entered it the illusion of being on the threshold of another world. This required a radically new treatment of spatial relationships. The great dome of the church forms the crown of a building that is quite original in plan. The dome is placed on four arches high about the roof around it, and it rests on the outer wall of the building. The arches spring from detached piers, and the keystone above each arch directly supports the dome. The square plan and the enormous size of the dome required great buttresses on the sides. The builders provided great uninterrupted spaces broken only by such lines and features that were structurally necessary. Within these spaces artists spread a glittering blanket of marble or mosaic. The combination of basilica and dome was one of the first architectural forms developed to express the rites of Byzantine worship. In the Byzantine era, St. Sophia outshone all competition.

Buildings of Justinian

by Procopius

BOOK I

- I. The lowest dregs of the people in Byzantium once assailed the Emperor Justinian in the rebellion called Nika, which I have clearly described in my "History of the Wars." To prove that it was not merely against the Emperor, but no less against God that they took up arms, they ventured to burn the church of the Christians. (This church the people of Byzantium call Sophia; a name most worthy of God). God permitted them to effect this crime, knowing how great the beauty of this church would be when restored. Thus the church was entirely reduced to ashes; but the Emperor Justinian not long afterwards adorned it in such a fashion, that if anyone had asked the Christians in former times if they wished their church to be destroyed and thus restored, showing them the appearance of the church which we now see, I think it probable that they would have prayed that they might as soon as possible behold their church destroyed, in order that it might be turned into its present form. The Emperor, regardless of expense of all kinds pressed on its restoration and collected together all the workmen from every land. Arthemius of Tralles, by far the most celebrated architect, not only of his own but of all former times, carried out the King's zealous intentions, organized the labors of the workmen, and prepared the models of the future construction. Associated with him was another architect named Isidorus, a Milesian by birth, a man of intelligence and worthy to carry out the plans of Emperor Justinian. It is indeed, a proof of the esteem with which God regarded the Emperor, that He furnished him with men who would be so useful in effecting his designs, and we are compelled to admire the intelligence of the Emperor, in being able to choose the most suitable of mankind to carry out the noblest of his works.

The church consequently presented a glorious spectacle, extraordinary to those who behold it, and altogether incredible to those who are told of it. In height it rises to the very heavens, and overtops the neighboring buildings like a ship anchored among them: it rises above the rest of the city, which it adorns, while it forms a part of it, and it is one of its beauties that being a part of the city and growing out of it, it stands so high above it, that from it the whole city can be beheld as from a watch-tower. Its length and breadth are so judiciously arranged that it appears to be both long and wide without being disproportionate. It is distinguished by indescribable beauty, for it excels both in its size and in the harmony of its proportion, having no part excessive and none deficient; being more magnificent than ordinary buildings and much more elegant than those which are out of proportion. It is singularly full of light and sunshine; you would declare that the place is not lighted by the sun from without, but that the rays are produced within itself, such an abundance of light is poured into this church. . . . A spherical-shaped dome standing upon this circle makes it exceedingly beautiful; from the lightness of the building it does not appear to rest upon a solid foundation, but to cover the place beneath as though it were suspended from heaven by the fabled golden chain. All these parts surprisingly joined to one another in the air, suspended one from

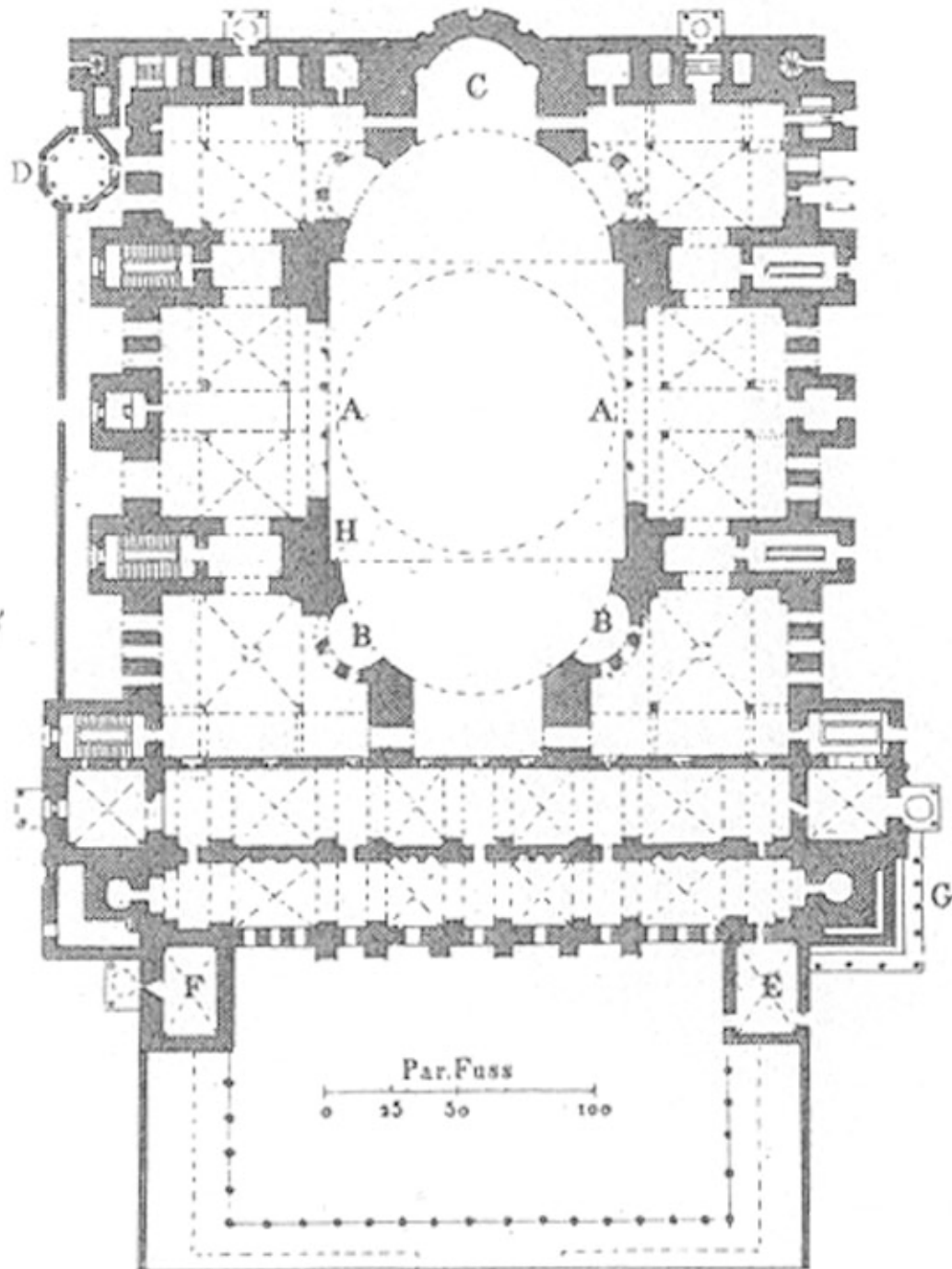
another and resting only on that which is next to them, form the work into one admirably harmonious whole, which spectators do not care to dwell upon for long in the mass, as each individual part attracts the eye and turns it to itself. The sight causes men to constantly change their point of view, and the spectator can nowhere point to any part which he admires more than the rest, but having viewed the art which appears everywhere, men contract their eyebrows as they look at each point, and are unable to comprehend such workmanship-, but always depart thence stupefied through their incapacity to comprehend it. So much for this. . . .

Let us now proceed to describe the remaining parts of the church. The entire ceiling is covered with pure gold which adds glory to its beauty, though the rays of light reflected upon the gold from the marble surpass it in beauty, though the rays of gold which adds glory to its beauty, though the rays of light reflected upon the gold from the marble surpass it in beauty; there are two porticos on each side, which do not in any way dwarf the size of the church, but add to its width. In length they reach quite to the ends, but in height they fall short of it; these also have a domed ceiling and are adorned with gold. Of these two porticos the one is set apart for male, and the other for female worshippers; there is no variety in them, nor do they differ in any respect from one another, but their very equality and similarity add to the beauty of the church. Who could describe the galleries of the portion set apart for women, or the numerous porticos and cloistered courts with which the church is surrounded? Who could tell the beauty of the columns and marbles with which the church is adorned; one would think that one had come upon a meadow full of flowers in bloom; who would not admire the purple tints of some and greens of others, the glowing red and glittering white, and those too, which nature, like a painter, has marked with the strongest contrasts of color? Whoever enters there to worship perceives at once that it is not by any human strength or skill, but by the favor of God that this work has been perfected; his mind rises sublime to commune with God, feeling that He cannot be far off, but must especially love to dwell in the place which He has chosen; and this takes place not only when a man sees it for the first time, but it always makes the same impression upon him, as though he had never beheld it before. No one ever became weary of this spectacle, but those who are in the Church delight in what they see, and when they leave it, magnify it in their talk about it; moreover, it is impossible accurately to describe the treasure of gold and silver plate and gems which the Emperor Justinian has presented to it; but by the description of one of them I leave the rest to the inferred. That part of the church which is especially sacred, and where the priests alone are allowed to enter, which is called the Sanctuary, contains forty thousand pounds weight of silver.

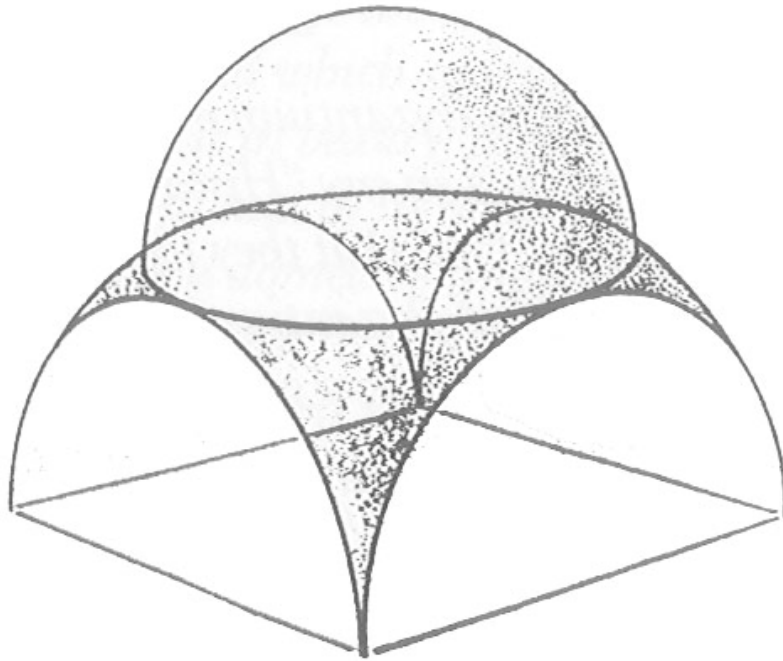
The above is an account, written in the most abridged and cursory manner, describing in the fewest possible words the most admirable structure of the church at Constantinople which is called the Great Church, build by the Emperor Justinian, who did not merely supply the finds for it, but assisted it by the labor and powers of his mind.

Source: Procopius, *Buildings*, trans by Aubrey Stewart (London: Pilgrims Text Society, 1896).

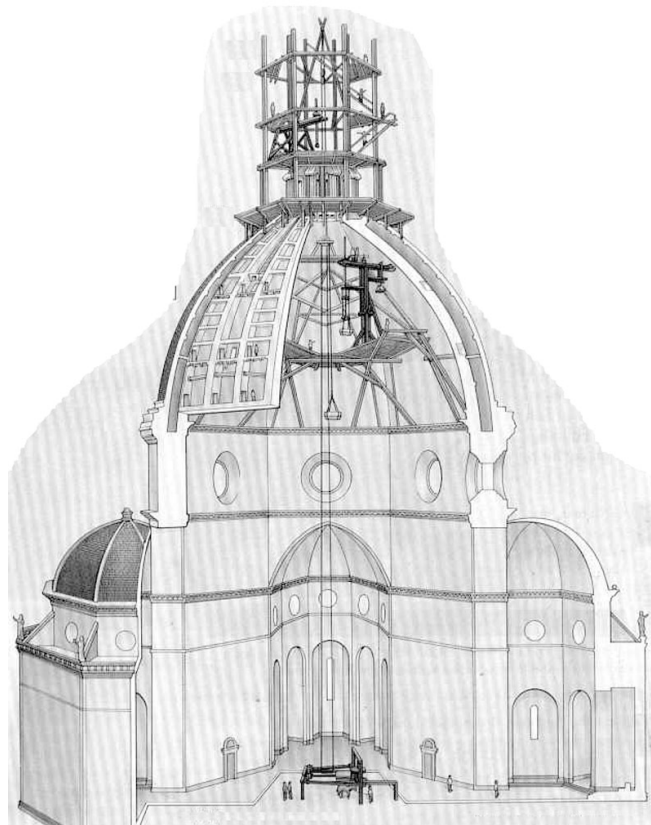
HAGIA SOPHIA PLAN



DOME ARCHITECTURE

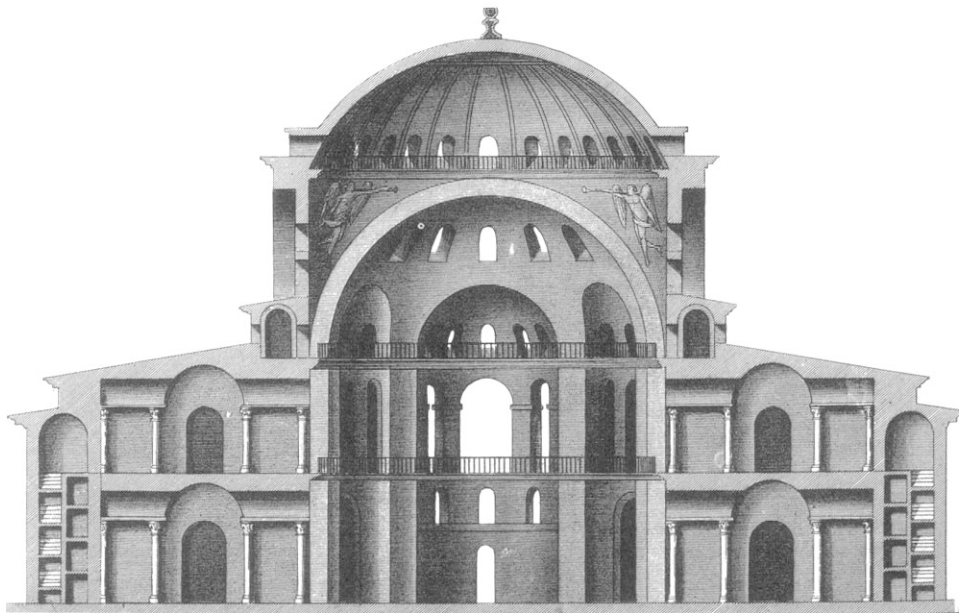
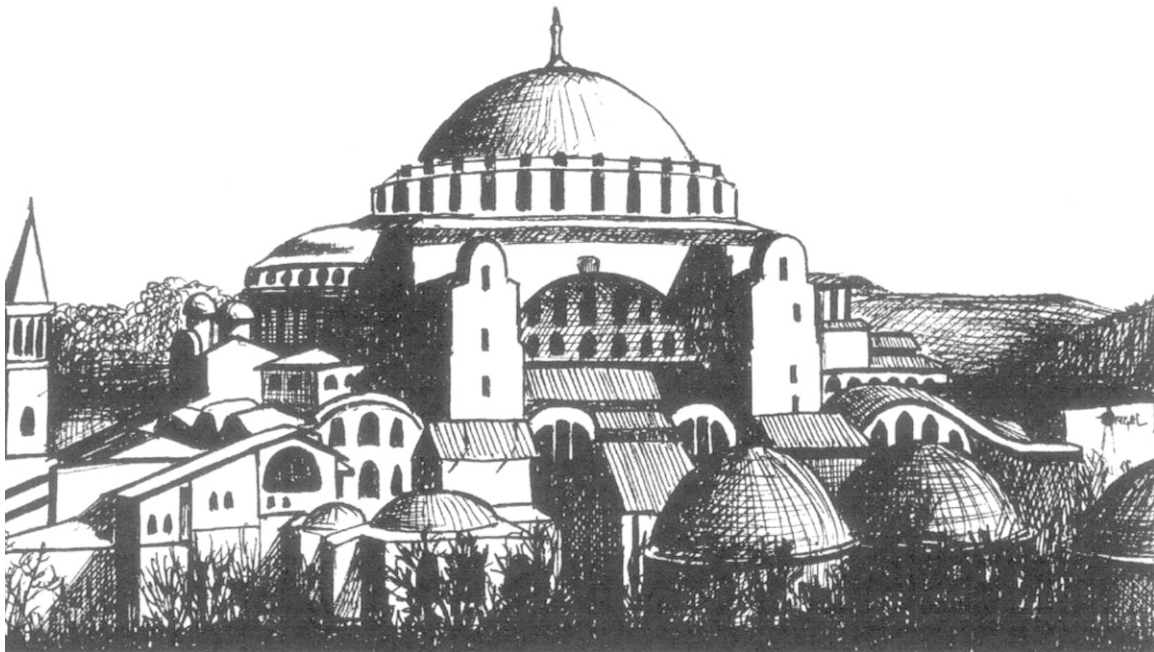


Byzantine Dome



Brunelleschi's Cathedral of Florence

HAGIA SOPHIA



Cross-Section view of Hagia Sophia

LESSON SIX

JUSTINIAN AND THEODORA

A. OBJECTIVES

- ↔ To understand that primary source material can be biased.
- ↔ To speculate on why Procopius wrote such an unfavorable account of Justinian.
- ↔ To draw comparisons to modern day reporting about leaders.
- ↔ To evaluate the accomplishments and failures of Justinian's rule and consider his legacy.

B. LESSON ACTIVITIES

1. Either present the material in the **Historical Background** as a class lecture or an individual reading.
2. Have students read the excerpt from Procopius' *Secret History* (**Document P**) along with the secondary sources in "Justinian and Theodora" (**Document Q**).
3. Using the material from **Documents P** and **Q**, have students write character profiles of either Justinian or Theodora. In addition to character, students should incorporate material in their profile that creates a visual image of their subject. The main elements of a character profile are the following:
 - a. Present one main feature or quality of the person.
 - b. Illustrate or develop the main feature through one or more of the following techniques: direct quotations, descriptive detail, or examples.
 - c. Carefully organize the profile.
 - (1) Decide who to portray.
 - (2) List occasions when the subject exhibited that character trait.
 - (3) What did the subject say?
 - (4) What did other people say about your subject?
 - (5) Write several descriptive sentences which would describe your subject in action or in appearance.
 - d. Have students role play in pairs a situation in which their subjects may have been involved.
 - e. After students have presented their profiles to class, discuss the many sides of Justinian and Theodora.

- f. The Historical Background essay makes clear the strong bias against Justinian and Theodora that Procopius expresses in his *Secret History*. Point out and discuss specific passages that indicate bias. If this account has a negative view of the emperor and empress, is it of any use in constructing a profile of them? Why, or why not? Can you also find bias in the five secondary source accounts in **Document Q**?
4. Have students discuss how present-day leaders are presented to the public in the press or other public forums. Think of examples of leaders who have been “slammed” in the way that Procopius spoke ill of Justinian and Theodora.
5. Have students examine the mosaics of Justinian and Theodora (**Document R**) from Ravenna Italy in the Church of San Vitale. (To enhance the activity, show the class one of many color images of the mosaics available online.) Explain to the students that the two mosaics cover the walls facing the altar in the church. Justinian is on the right and Theodora is on the left. They were created in 548 C.E. following the capture of Ravenna by Roman imperial troops.
 - a. Discuss with students how mosaics are made.
 - b. Have students describe what is going on in the picture. Use the following questions to guide them:
 - 1) What is Justinian holding?
 - 2) What is Theodora holding? What does this symbolize?
 - 3) How are they (Justinian/Theodora) placed in the composition? What does their placement tell you about their position in society?
 - 4) What conclusions might you draw about their personalities from the mosaic?
 - 5) Would Procopius agree with the portrayal of the emperor and empress in the mosaics? Explain.
6. Instruct students to use material from the lesson to add to their timelines.

C. UNIT EVALUATION ACTIVITIES

1. As an assessment, have students write a newspaper about events during the time of Justinian. The stories should include the Nika Revolt, the Vandal Wars, and the building of Hagia Sophia. The paper should include news accounts, editorials, political cartoons, and travel sections.
2. Using the sources and the historical backgrounds materials from this and previous lessons, have students evaluate Justinian’s rule.
 - a. Have students divide into pairs. Have one student make a list of Justinian's accomplishments, the other a list of his failures. The pairs should then present their findings to the class and evaluate Justinian's accomplishments and failures.
 - b. Have students read “Justinian’s Legacy,” **Document S**. Discuss with the class whether Justinian should be inducted into the hall of fame or the hall of infamy.

C. HISTORICAL BACKGROUND—JUSTINIAN AND THEODORA

Justinian's personality seems paradoxical. Even though he was born a Macedonian peasant, he vowed to restore the Roman empire. Although he was favored to take the throne from his uncle Justin I, he married a woman whom any royal family would likely disapprove. He named twenty cities after himself, but he lived like a monk. He created a code of laws, but often thought of himself as above them. He was afraid to leave his palace because of the threat of physical violence, but later in his reign he ignored all conspiracies against him. Overall, he appears larger than life, and he accomplished more than anyone would think possible for one individual. Justinian's influence had been felt from the beginning of his uncle's reign. Justin I changed the religious policy of his predecessors by siding with the followers of the Council of Chalcedon and by persecuting Monophysites. Justinian, however, suggested that his uncle be kinder to these dissidents.

The Secret History is from the pen of Procopius, the historian of Justinian's era. He paints in gaudy colors his picture of the perverted life of Theodora in the days of her youth. According to him, Theodora, the daughter of the keeper of the bears in the circus, lived in the morally corrupt atmosphere of the theater, and she became a woman who gave her love freely to many men. After the stormy period of her early life, she disappeared from the capital, living in North Africa for a few years. According to Procopius, when she returned to Constantinople, she was no longer a morally loose actress. She devoted her time to spinning wool and worshipping God. When Justinian saw her for the first time, her beauty greatly impressed him. He took her to court, bestowed on her the rank of patrician, and, following the death of his disapproving mother, married her. Thus she became the empress of Byzantium.

Theodora remained a faithful wife and showed much interest in government affairs. In the revolt of 532 she played a key part (See Dramatic Moment). By her energy and her cool-headed actions, she saved the empire from destruction. In religion she openly favored the Monophysites and therefore harbored beliefs directly opposed to those of her husband. Theodora died of cancer in 548. Justinian lived until 562.

All the dark details about Theodora's early years must be viewed with skepticism, for they all come from Procopius. His chief aim in *The Secret History* was to defame Justinian and Theodora. Although his account contains an extremely negative description of Theodora, it is equally hostile to Justinian. He commented, for example, that the emperor walked about the palace late at night without his head. On more than one occasion he describes him as the Prince of Demons, that is, the Devil. The views of Procopius changed dramatically from the early days of Justinian's reign, when so much imperial glory seemed possible. Perhaps his hostility and loss of faith was due to the prolonged wars in the west.

When Justinian died, his body was placed in a sarcophagus, and a funeral procession went from the palace to the Church of the Holy Apostles. There, the body remained until members of the Fourth Crusade discovered it in 1204.

PROCOPIUS SECRET HISTORY

In the notorious *Secret History* written in 550, Procopius paints a hostile picture of Justinian and his wife Theodora.

Chapter 2 Justinian and Theodora

What sort of people were Justinian and Theodora? and how did it come about that they destroyed the greatness of Rome? These are the questions that I must answer next. . . .

Justinian betrayed his subjects not only because he absolutely refused to uphold the victims of wrong, but because he was perfectly prepared to set himself up as the recognized champion of the partisans; for he lavished great sums of money on these young men and kept them in his entourage, actually promoting some to magistrates and other official positions.

Such was the state of affairs in Byzantium and everywhere else. For like any other disease the infection that began in the capital rapidly spread all over the Roman Empire. The Emperor took no notice at all of what was going on, since he was a man incapable of perception, although he was invariably an eyewitness of all that happened in the hippodromes. For he was extremely simple, with no more sense than a donkey, ready to follow anyone who pulls the rein, waving its ears all the time.

While Justinian behaved in this way he was making a mess of everything else. He had no sooner seized upon his uncle's authority than he began to squander public money in the most reckless manner and with the greatest satisfaction, now that he had got it in his hands. From time to time he came in contact with some of the Huns, and showered money on them for "services to the state". The inevitable result was that Roman territory was exposed to constant incursions. For after tasting the wealth of the Romans these barbarians could never again keep away from the road to the capital. Again, he did not hesitate to throw vast sums into erecting buildings along the sea-front in the hope of checking the constant surge of the waves. . .

He gathered into his own hands the private property of all the Romans in every land, either accusing them of some crime they had never committed, or coaxing them into the belief that they had made him a free gift. Many who had been convicted of murders and other capital crimes made over to him their entire property, and so escaped without paying the penalty of their offenses. . .

At this point, I think that it would be well to describe Justinian's personal appearance. In build he was neither tall nor usually short, but of normal height; not at all skinny but rather plump, with a round face that was not unattractive: it retained its healthy color even after a two-day fast. . . .

Such then was his outward appearance; his character was beyond my powers of accurate descriptions. For he was both prone to evil-doing and easily led astray—both knave and fool, to use a common phrase; he never spoke the truth himself to those he happened to be with, but in everything that he said or did there was always a dishonest purpose; yet to anyone who wanted to deceive him he was easy meat. He was by nature an extraordinary mixture of folly and wickedness inseparably blended. . . .

Well then, this emperor was dissembling, crafty, hypocritical, secretive by temperament, two-faced; a clever fellow with a marvelous ability to conceal his real opinion, and able to shed tears, not from joy or sorrow but employing them artfully when required in accordance with the immediate need, lying all the time, not carelessly, however, but confirming his undertakings both with his signature and his own subjects. . . .

As for Theodora, she had an attractive face and a good figure, but was short and pallid, though not in an extreme degree, for there was just a trace of color. Her glance was invariably fierce and intensely hard. . . .

Now we must sketch the outlines of what she and her husband did in unison, for neither did anything apart from the other to the end of their joint lives. For a long time it was universally believed that they were exact opposite in their ideas and interests; but later it was recognized that his false impression had been deliberately fostered to make sure that their subjects did not put their own differences aside and rebel against them but were all divided in their feelings about them. They began by creating a division between the Christians; and by pretending to take opposite sides in religious disputes they split the whole body in two. Then they kept the factions at loggerheads. The Empress made out that she was throwing her full weight behind the Blues, and by extending to them full authority to assail the opposite faction she made it possible for them to disregard all restrictions and perform outrageous deeds of criminal violence.

Finally, many were included in this emperor's list of intimate friends and raised to positions which enabled them to violate the laws and commit offence against the state to their heart's content; but as soon as it was evident that they had made their pile, they promptly came into collision with Theodora and found themselves in her bad books. At first Justinian was perfectly prepared to declare himself their enthusiastic supporter, but later on his sympathy for the poor fellows would dry up and his zeal on their behalf would become very uncertain. That would be a signal for his partner to damage them beyond recovery while he, shutting his eyes tight to what was going on, opened his arms to receive their entire possessions, thus shamelessly acquired. In practicing these tricks they invariably collaborated, though in the public mind they acted as if they were at daggers drawn; thus they succeeded in dividing their subjects, and in so strengthening their hold that it could never be shaken off.

Source: Procopius, *Secret History*, trans. by G.A. Williamson (New York: Penguin Books, 1985).

JUSTINIAN AND THEODORA

Secondary Source Accounts

Source One

Was Justinian a narrow minded official unable from his exalted station to see the problems of his empire, deluded by a subservient court into believing that the world would obey his word? Was he in all his life the theological fanatic whom Procopius describes as neglecting practical affairs to sit through long nights of controversy with old priests? Or did that fierce ascetic nature fret itself away until only imagination was left—the gigantic imagination of an age which built the Church of the Divine Wisdom and looked into the very eyes of the angels of famine and earthquake, fire and pestilence?

E. L. Woodward, *Christianity and Nationalism in the Later Roman Empire* (London, 1916), In Harold Lamb, *Theodora and the Emperor* (Garden City, NJ: Doubleday), 306.

Source Two

Perhaps he was all that. He never emerged, as it were, from the bureaus through which he governed. Deeply religious, he felt to the full of his obligation as Basileus of Byzantium to carry out the work of God on earth. (More than any other people before or since, these Roman Byzantines separated the things that were Caesar's from the things that were God's).

The truth however, may be that in Justinian's case we are confronted not by a dual personality but by two personalities. Without Justinian there could have been no Theodora, and without Theodora there would have been no Justinian. Paul the Silentiary praises the wife as the co-worker of the husband. . . . Often enough their strong wills pulled in opposite directions but only once did an open breach occur between them, over the exile of Anthimius.

The picture of his early personality is clear. As a student and favored nephew of Old Justin, he was an orthodox churchman and a good party mad of the Blues. After his marriage we perceive a new Justinian. After her death, the pattern of his identity becomes clear again, as a pontifical bureaucrat solacing himself with theological studies.

No, we are dealing here with an inseparable pair who might well have remained obscure as individuals but together accomplished amazing things. Justinian and Theodora are the first notable man and wife of modern history.

Harold Lamb, *Theodora and the Emperor* (Garden City, NJ: Doubleday), 306.

Source Three

Justinian made it his task to recover Africa from the Vandals and Italy from the Ostrogoths and even Spain from the Visigoths. . . . But thanks to the genius of his generals, Belisarius and Narses and the skill of his diplomats, the Eastern frontier was maintained. . . . Justinian turned his attention to internal affairs too. The administration was reformed and tightened up, and he was still more efficient as a legislator. . . . But the Emperor besides being a conqueror and the source of law, must also be the embodiment of majesty. To this end Justinian worked hard to beautify his capital and make it more sumptuous. He was an indefatigable builder, and for him was erected the greatest triumph of architecture in the world, Saint Sophia, the Church of the Holy Wisdom, the temple that made Justinian boast that he had surpassed that other lawyer-monarch, Solomon.

In all his work Justinian had until 548 the help of the most remarkable woman of the time, his wife, the former actress Theodora. Her courage, her clarity and unscrupulousness were invaluable to him and her power even surpassed his own.

Steven Runciman, *Byzantine Civilization* (Cleveland: Meridian Books, 1967), 30.

Source Four

The early years of Justinian's reign was also characterized by intense diplomatic activity on a number of fronts, . . . But external affairs were not the only concern of the new emperor. Another aspect of the activity of this period were the moves he took against the people who were not orthodox Christians.

Correct belief in matters of religion was of the greatest importance to Justinian, a religious enthusiast who had transformed himself into a competent theologian. Unfortunately, he was a man of settled opinions, able to issue a law which contained the passing observation, "we have heretics" and he never wavered from his convictions.

John Moorhead, *Justinian* (New York: Longman, 1994), 24.

Source Five

Only a year after this came the second great turning point in Justinian's life: his meeting with his future Empress. Theodora was not an ideal match. Her father had been a bear-keeper at the Hippodrome, her mother an acrobat. . . . While still a child Theodora had joined her elder sister on stage, playing farce and burlesque. Before long she had graduated to being Constantinople's most notorious courtesan. . . . One characteristic remained constant, however was her strong attachment to the Blue party. Justinian too favored the Blues and it was probably through them that he first met Theodora, by now in her middle thirties. He was at once captivated and determined to make her his wife. Inevitably there were obstacles, not least of which was the implacable opposition of the Empress. . . . While she lived the marriage was impossible; but in 524 she died and the pair were married in 525. At Justinian's insistence she was to reign at his side, taking decisions and giving him the benefit of her counsel in all the highest affairs of state.

John Norwich, *A Short History of Byzantium* (New York: Knopf, 1997), 61.

JUSTINIAN AND THEODORA—MOSAICS



Justinian



Theodora

JUSTINIAN'S LEGACY

In assessing any ruler, one always finds both accomplishments and failures. Justinian's achievements included beautifying the empire, giving the world its finest code of laws, and reviving Roman civilization in the West. During his reign, he took on the task of defending the empire by erecting numerous fortresses along well-protected border lines. He restored and enlarged the Roman fortifications of an earlier age, building fortifications in North Africa, along the shores of the Danube and the Euphrates, and in the mountains of Armenia. Procopius said that these works saved the empire. Justinian also built many temples such as the magnificent St. Sophia. His legislation enhanced the powers of the emperor.

Justinian considered himself a Christian ruler and that his imperial authority rested on a divine source. His idea to build a universal empire was based on both Christian and traditional Roman ideas. No emperor since Theodosius the Great (346-395 C. E.) had made such an effort to convert the empire to Christianity and to root out paganism. He still remained, however, a Roman, directing the church as he did the State. He is remembered for strong imperial influence on religious matters and for asserting unlimited authority over the Church. He was not able to establish a single united Church. Orthodoxy and Monophysitism never became reconciled. Even though he failed in this regard, his missionary activities were more successful. As a Christian emperor, he considered it his duty to spread Christianity beyond the Empire. He was responsible for converting peoples in the Danube valley, the Caucasus Mountains, and North Africa. Justinian wanted to free Byzantine commerce from dependence on Persia. He set about to establish a direct communication with India by way of the Red Sea, and he eventually succeeded.

On the negative side he did not always follow the laws that he himself codified. He used measures which these laws prohibited, such as selling offices at high prices. Even though he promised otherwise, he did raise taxes and resorted to debasing the coinage. This action caused serious economic problems. Villages became vacant as people fled the government's oppression. This reduced the productivity of the land and caused riots.

Justinian did exemplify great authority in all affairs, but he did not succeed in rebuilding the empire to the extent it had been. Though he expanded the frontiers, he left the state internally exhausted and financially devastated.

The economy in ruins, he reduced the army and reduced its pay. This left the borders unprotected and the fortresses poorly maintained. Sometimes when his forces were reduced, he had to resort to bribes against the barbarians. Periodic famines, epidemics, and earthquakes put further strain on government resources and depleted the treasury. Even though he tried to bring order and raise the moral and ethical standards of the government, his military duties as an heir of the Roman Caesars caused him to resort to violence. Thus, he learned a difficult lesson that the eastern and western sectors of the old empire could not be reunited and that good finance is the necessary foundation of a successful government.

After his death, the government declined. The Senate recovered some of its significance in reaction against the emperor's absolutism. The people were again able to voice their opinions.

But the violent divisions between the Blue and Greens factions continued to deepen. Army discipline was also in decline. Later, the empire became so shattered by its internal affairs that it had neither the resources nor the will to defend itself.

Overall, Byzantium created a civilization that was distinct and original and had a profound influence on its neighbors. It passed onto Islamic civilization an important portion of ancient Greek learning. Byzantium left a lasting impact on world civilization. Without it, the ancient Greek language classics, including writings of Aeschylus, Sophocles, Euripides, and Homer, might have been lost. Orthodox Christianity spread to the Slavic peoples of Bulgaria and Kievan Russia. The Byzantine armies held off Muslim forces for 750 years before the Ottoman Turks finally seized Constantinople in 1453. But the European Renaissance was a direct heir to that part of ancient Greek literature and culture which Byzantine scholars had been able to preserve.

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