

Procopius of Caesarea

Tyranny, History, and Philosophy
at the End of Antiquity

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Chapter 4

The Representation of Tyranny

The first sentence of the *Wars* declares the work to be about the wars waged by Justinian against the barbarians. The narrative takes place mostly on the frontiers and in lands being conquered, paradoxically relegating the capital to the margins. Yet though he never left the capital, Justinian determined the course of those events more than any other person. The first sentence of the *Secret History* declares the work to be about what happened within the Roman empire, or about “the lives of Justinian and Theodora” (1.4). Justinian was at the heart of Procopius’ concerns.

The *Secret History* is the most virulent invective from antiquity, and nothing can explain it except sheer loathing for Justinian and his regime. It is impossible to believe that this hostility did not also shape the *Wars*, which was written at the same time. Naturally, criticism of the regime in a public work had to be veiled or indirect, and we have found many instances of this. In a separate reading of the *Wars*, I intend to demonstrate that Procopius opposed Justinian’s wars—not just the means by which they were waged, but entirely.

The focus of this chapter is not on the wars but on the way in which Procopius conceptualized and represented the tyranny of Justinian, first in the *Wars*, where it emerges indirectly, albeit with curious nuances that merit discussion, and second, in the *Secret History*, where its manifold elaboration calls for a comprehensive study. These are problems in literary representation, not historical analysis, though we are dealing here with the most important source on the most consequential reign of the later Roman period. In particular, I intend to discuss the parallels that Procopius establishes between Justinian and various Persian kings, especially Chosroes, and the way in which Roman and Persian rulers are made to converge. This will lead to a discussion of Justinian’s demand for *proskynesis* and the title *despotes*. I will then examine Procopius’ attempt in the *Secret History* to come to grips with the ideology of the regime and the possible limitations of his effort. The shrillness of the work reflects his frustration with the inadequacy

of classical paradigms to represent a regime that was in some ways closer to modern than to ancient forms of tyranny. The last section will discuss the alternatives Procopius upheld in attacking Justinian. These were entirely secular and uninfluenced by the notions of divine kingship that are now routinely ascribed to all Byzantines. The chapter will conclude with Procopius’ fascination with assassination, which he viewed as the only likely solution to the problem of tyranny.

Chosroes and Justinian, “Emperors of East and West”

Though the Roman emperors sometimes postured as the rulers of the entire world, especially when addressing their own subjects, their correspondence with their Persian counterparts reveals that the two monarchs had agreed to treat each other as equals, at least officially. As from Rome, a hierarchy radiated out from Persia to all peoples who acknowledged the Great King as their titular overlord. There was always tension between the two empires, especially concerning the fealty of those unfortunate enough to live between them, though nominally their equality was not in doubt, at least before the early seventh century. Ambassadors for both sides devised colorful metaphors to express this relationship. The kings were called the two eyes illuminating the world or the two shoulders or mountains of the world.¹ In the *Persian Wars*, Roman ambassadors address the Persian king as the emperor’s “brother,” which seems to have been conventional practice.² We should not forget that when the Persian king Cavades asked the Roman emperor Justin to adopt his son Chosroes, Chosroes and Justinian came close to becoming brothers in more than just a diplomatic sense. Notably, it is precisely when he recounts this episode that Procopius formally introduces the two future despots to his readers (1.11.5–10). In other words, they are first mentioned just when their relationship was the closest it would ever be.

Despite the many destructive wars the two autocrats would wage against each other in the decades to come, Procopius’ hostile portrayal of Chosroes in the *Persian Wars* bears striking similarities to his invective against Justinian in the *Secret History*. The “eyes of the world” may have been bitter enemies, but they were still two of a kind. Common vices included a love for innovation, unsteady intentions, lies and dissimulation, broken oaths, feigned piety, and avarice.³ These parallels have been noted by the historian’s modern detractors, who typically ascribe them to a lack of insight and imagination: “he was applying a standardized vocabulary of

abuse to both rulers.”⁴ As usual, the lack of insight belongs to those who make these charges. The counterpoint between Chosroes and Justinian goes much farther than a stock set of moralizing accusations: it extends to the historian’s conceptualization of imperial rule in both Rome and Persia. Further, the parallelism between the two rulers is not limited to their characters but operates on a structural level as well: whole chapters of the *Wars* are designed to highlight the gradual assimilation of Roman and Persian sovereignty. At one point, Chosroes assumes the persona of a Roman emperor, while Justinian is constantly compared, through carefully chosen classical allusions, to a number of Persian despots. Naturally, Procopius is less interested in the Persian side of this equation; to this degree, Chosroes is a surrogate for his Roman “brother.” The assimilation of the two autocrats is designed to expose the degree to which the Roman empire under Justinian had become indistinguishable from an oriental and barbaric despotism. This is a theme that we have already encountered in our analysis of the *Wars*. Moreover, we will see in this chapter that it emerges largely from the *Wars* itself. There is no need to invoke the *Secret History*, though accusations made in that work deepen the comparison.

Much as Xerxes dominates Herodotus’ account of the Persian Wars of the classical period,⁵ Chosroes gradually emerges as the dominant personality of the *Persian Wars*, a position he attains by the beginning of Book 2. Besides determining the shape of the war during most of its years, he is the only military leader whose personality merits an entire section of analysis (2.9) and whose actions elicit digressions on the workings of fortune.⁶ Compared to Chosroes, Justinian is absent, speaking only through ambassadors and letters. Belisarius is even made to say at one point that the emperor “is so far removed from events that he cannot adjust his actions to the changing circumstances” (2.16.10). Exactly the same charge is made in Procopius’ own voice in the *Secret History* (18.29), another instance of the artful counterpoint between the two texts. Consequently, the narrative ostensibly devoted to the wars of Justinian against the barbarians is in reality dominated by the personality and deeds of his Persian counterpart.

Before we examine the Persian attributes of Justinian, we should look first at the Roman attributes of Chosroes, for, as was noted above, the parallels between them go both ways. Whereas the most exciting narrative in the *Persian Wars* must be the account of the Nika riots in 532 and the most moving the description of the plague ten years later, the highlight of the military narrative is surely the invasion of Roman territory by Chosroes in 540, an act that broke the Eternal Peace eight years after it had been

signed. It also led to the destruction of Antioch, a catastrophe from which the city never recovered. Without encountering any resistance worth the name, Chosroes marched up the Euphrates, extorting money from cities on the way or sacking them if they refused. Procopius describes this invasion and the plight of the helpless provincials in some detail (2.5–13).

Once Chosroes destroyed Antioch, he realized that there would be no serious Roman response to his movements. This gave him leisure to indulge his fancies. First, he went down to Seleucia on the coast, for no other reason than to swim in the ocean, “sacrifice to the sun and whatever other divinities he wanted, and call upon the gods many times” (2.11.1). We will never know whether he was imitating past Near Eastern conquerors, for example Iahdun-Lim of Mari in the nineteenth century B.C. and the Assyrian Ashurnasirpal in the ninth, both of whom also waded into the waters of the Mediterranean and performed sacrifices on the coast to symbolize the ultimate success of their conquests.⁷ Be that as it may, it is at this point of symbolic victory that the persona projected by the king in Procopius’ narrative gradually loses the qualities of a foreign conqueror and assumes first those of the tourist and, finally, those of a Roman emperor.

Chosroes began to visit various sites that piqued his interest. He expressed “a desire to see” the city of Apamea (2.11.2), an urge that surely harks back to Xerxes’ “desire to see” various sites in Greece during his expedition and possibly to Alexander the Great’s famous “longing” to make new discoveries.⁸ It is unlikely that the Sasanid king intended the allusion, though he knew his Greek literature.⁹ It has probably been crafted by his historian, who also notes that everyone knew that the king merely wanted to plunder the city. On the way to Apamea he stopped to admire Daphne, the sylvan suburb of Antioch, where he sacrificed to the nymphs and burned a church of St. Michael (2.11.4–6).¹⁰ He then put Apamea under military occupation. It is at this point that the king’s behavior, which had so far been bizarre, became surreal. Chosroes was seized with the desire to attend the games at the hippodrome and commanded the populace to attend. Hearing that Justinian favored the Blues, he arranged for the Greens to win the chariot races, “desiring to go against him in this matter too” (2.11.31–32). Afterward, when a man came up to him and complained that a Persian soldier had raped his daughter, Chosroes ordered that the soldier be impaled. The populace cried out loudly that he should be spared. The king promised to release him to them but then impaled him secretly (2.11.36–38).

In a story told about that day of races in Apamea, the ecclesiastical

historian Evagrius, a younger contemporary of Procopius, emphasized the fact that Chosroes was a foreign invader who had no business in the hippodrome or the city (4.25). But the narrative of the *Wars* moves in a different direction. At the apogee of the invasion, after the capture and destruction of Antioch, Chosroes is transformed by degrees into a kind of Roman emperor, albeit an anti-emperor. He presides over the games, in however farcical a manner, which was an imperial prerogative, and even dispenses justice before the crowd. In favoring the Greens, he competes directly with Justinian, thus placing himself on the same level. Procopius explicitly presents his actions as attempts to rival Justinian at his own game. Even his rigging of the races might have been perceived by contemporary readers as a parallel to Justinian, who was, as a study of the circus factions reminds us, "the only Byzantine emperor on record as showing *unfair* favors to his own color."¹¹ Procopius' narrative reveals that the Persian king understood the mechanisms of public opinion in the empire and the symbolic forms that governed the interaction between subject and ruler. For instance, Procopius' account of the Nika riots reveals that emperors were literally made and unmade in the hippodrome (cf. 1.24.42). And in a digression a few pages after the events at Apamea, Procopius projects the hippodrome's importance back to the days of Augustus (2.12.12; cf. also 5.6.4). We also know of incidents from the fifth and sixth centuries when rebels "staged chariot races to emphasize their claim to sovereignty."¹²

For the space of a few pages we are almost allowed to forget that Chosroes was a barbaric conqueror and witness his profoundly disturbing transformation into a rival Roman emperor. Even the people of Apamea forgot the difference after a day of games. They treated him as a legitimate political authority, not only attending his games but fearlessly addressing their grievances to him. Chosroes responded by ordering the execution of his own soldier and then acceding to the popular demand for mercy (though he secretly carried out the punishment). A similar conclusion can probably be drawn about the king's conspicuous sacrifices to pagan gods. This too can be interpreted as an attempt to become the reverse image of his "brother," pagan instead of Christian, just as he was Green instead of Blue. At the end of his tour of the Roman cities, Chosroes was approached by a delegation from Carrhae (Harran), who were bearing ransom for their city. Yet he let them go "because most of them were not Christians, but still happened to belong to the ancient faith" (2.13.7).¹³ And, noting that the empire lacked defenses—how else could he have reached Antioch?—he suggested to Justinian's representatives that his own army could henceforth

protect the Romans—for a fee, of course (2.10.23).¹⁴ So during the course of his invasion, Chosroes managed to present himself as the patron of the Greens in the hippodrome, a source of justice against military abuses, the champion of neglected Roman gods, and the restorer of the empire's defenses. Naturally, it is impossible to take all this seriously. Procopius takes pains to demolish the king's sincerity and credibility. But it remains highly disturbing that the forms of Roman imperial rule could be mimicked so comprehensively by a barbarian invader. We begin to suspect that despite their differences, the two brothers were far closer than propaganda on both sides claimed, perhaps even that they were more or less interchangeable.

Chosroes' behavior at Apamea inevitably calls for comparison to Justinian's treatment of the crowd in the hippodrome of Constantinople, especially during the Nika riots of 532. That was the moment when his regime was in greatest danger of being overthrown. As it happens, Procopius has linked those riots to a rebellion instigated around the same time by the Persian nobility against Chosroes (1.23.1).¹⁵ It is here that the parallelism between events in Rome and Persia is most explicit in the *Wars*.

The Nika riots have been exhaustively analyzed in modern scholarship, but primarily from the historical point of view. I do not want to add to that discussion here. Instead, I will examine two aspects of Procopius' account that have gone unnoticed or whose significance has not been grasped. These are, first, the subtle depiction of Justinian as a Persian despot, one of the main esoteric themes of the *Wars*, and, second, the idea that political assassination, or tyrannicide, is the only way to rid the world of such men. As it happens, tyrannicide is a topic that Procopius discusses extensively in the *Vandal* and *Gothic Wars* in passages we will discuss later.

The themes of oriental despotism and tyrannicide in the account of the Nika riots emerge from the speeches that Procopius records, or more likely invents, which contain allusions to relevant classical precedents. Also, specific events that are alleged to have occurred during the Nika riots are linked to other highly suggestive passages elsewhere in the *Persian Wars* itself. Procopius' hostility to the regime in its hour of crisis continues to be total and uncompromising.

In the middle of his account of the Nika riots, Procopius recounts a meeting of the Senate that occurred right after the proclamation by the people of Hypatius, the nephew of the emperor Anastasius (1.24.25–31). The account of this meeting consists almost entirely of a speech by a certain Origenes who is otherwise unknown. Modern accounts of the riots either omit the alleged meeting altogether or devote much less space to it than

does Procopius.¹⁶ The speech of Origenes is rarely if ever quoted, unlike the famous speech of Theodora with which it is paired. Geoffrey Greatrex put his finger exactly on the problem when he said to me that “it smacks more of historiography than of history.” Yet it is precisely for that reason that we must look carefully at both speeches if we are to understand Procopius’ representation of the event. The riots themselves need not be reassessed, only our view of their historian.

Procopius introduces the session of the Senate with an ambiguous comment. “Many expressed the opinion that they should go to the palace and join the fight” (1.24.25). *But on which side?* To defend Justinian or destroy him? The Senate seems to have been of one mind on this issue, only we do not know which it was. It is only at the end of his speech that Origenes reveals that the common goal was to remove Justinian from power; up to that point he refers only vaguely to “the enemy.” This, I believe, is another of Procopius’ attempts to subtly manipulate our reactions. Our justifiable uncertainty about the loyalties of the Senate runs up against the revelation that its members took each other’s implacable hostility to Justinian for granted. Our initial uncertainty turns out to have been naive, for opposition to the regime seems to be natural. We may assume it, unless we are told otherwise. Only at the end of the account do we learn that Hypatius was also present, at which point he encourages the Senate to follow him to the hippodrome (1.23.31). This piece of information is crucial for understanding the climate of the meeting, but Procopius postpones it to the end. This is another way in which he dramatically manipulates our response to his narrative.

The meeting of the Senate during the Nika riots mirrors an event described earlier in the *Persian Wars*, the assembly of the Persian nobles after the deposition and imprisonment of Cavades and the elevation of his uncle Blases (1.5.1–8).¹⁷ There are many striking parallels between the two assemblies, not least of which is that both were probably invented by Procopius, or transformed by him into literary dramas bearing little relation to what actually happened. Both depict assemblies of the nobility in the presence of a ruler elected to replace a hated tyrant. Yet neither Blases nor Hypatius take part in the deliberations. Each meeting consists almost entirely of the advice of one man, Gousanastades among the Persians and Origenes among the Romans, though the nobility follows their advice in neither case, to its ruin. Cavades’ “confinement” in prison as his nobles assembled is mirrored by the voluntary “confinement” of Justinian and his court inside the palace as the senators made plans (καθειρξαντες σφᾶς

αὐτοῦς: 1.24.10). I argued in an earlier chapter that the episodes with which Procopius begins each of the *Wars* almost always prefigure events or themes that occur later in the text, in the reign of Justinian. This establishes an ongoing dialogue and counterpoint between different parts of the text. Careful readers will notice the many similarities that link the account of the Nika riots to the deposition of Cavades and the debate that occurred afterward about his fate. What will especially come to mind is the Machiavellian advice of Gousanastades: kill the tyrant now while you have the chance. But the Persians decided against killing a man of royal blood.¹⁸ The harsh truth of this advice was revealed when Cavades escaped from prison and killed his enemies with the help of a hired foreign army.

The paired speeches of Origenes and Theodora also raise intriguing parallels from Herodotus. J. A. S. Evans noted that Origenes lifts a phrase from a speech delivered by Dionysius of Phocaea at an Ionian assembly during the revolt against Persia.¹⁹ The context of the allusion is appropriate and not chosen at random: Dionysius poses a stark choice between freedom and slavery (6.11). That the enemy here is a Persian king (Darius) makes his speech all the more appropriate as a source for an allusion set in a speech against Justinian. Evans also suggests that the “literary ancestor” of Theodora’s speech—a woman boldly giving advice to a council of war—is the famous speech of Artemisia to Xerxes’ council before the battle of Salamis. Though lacking verbal parallels, the allusion would again cast Justinian in the guise of a Persian monarch. We have already discussed Theodora’s quotation of a proverb that links her husband to the infamous Dionysius, tyrant of Syracuse, with many parallels to the Nika riots and damning implications for his regime.²⁰ Whether we admit the allusion to Artemisia or not, it should be clear that Procopius sets up an unrelenting linkage between Justinian and many Persian kings: to Chosroes in the *Secret History* and *Wars*; to Cavades, Darius, and possibly Xerxes in the account of the Nika riots; to Cambyses in the *Secret History*; to Xerxes’ decision to march against Greece at the beginning of the *Vandal Wars*; and to Cyrus in the *Buildings*. In the *Gothic Wars*, Justinian’s letter to Theodahad is based on the letter of Xerxes to Pausanias in Thucydides, an appropriate choice for both correspondents considering their relationship at that moment.²¹

Procopius viewed the Nika riots as a terrible and unmitigated misfortune for both the people of Constantinople and the Senate, and this is what he declares in the very first sentence of his account (1.24.1). He then proceeds to give a hostile account of the factions who instigated the riots and seems to lay most of the blame on them (1.24.2–6). But he then goes on to

present an equally negative picture of two of Justinian's chief officials, the prefect John the Cappadocian and the jurist Tribonian, whose abuses led to the popular unrest (1.24.11–18).²² This is an instance of a device employed repeatedly in the *Wars*, whereby the ruler is criticized indirectly through his officials—what the Chinese call killing the horse to get to the horseman.²³ But then one of the main grounds of hostility toward this particular horseman was that he rode so many wild horses. Naturally, no criticism of Justinian's reaction to the riots could be made openly in the *Wars*. Procopius' account is studiously neutral; everything is said between the lines or through obscure allusions. It has been said that he “leaves out no point essential for the comprehension of the general course of the revolt and its political significance.”²⁴ To see how far his stance was from that of the regime, we can turn to other writers such as Marcellinus Comes and Malalas, who made themselves its spokesmen by endorsing Justinian's distorted version of events, quite possibly by copying the official proclamation in which he announced his victory over his own people.²⁵

Having seen Chosroes' Roman pretensions and Justinian's Persian guises, let us turn back to the events of 540, where many passages testify to the equivalence of the two in the eyes of their victims. After leaving Apamea, Chosroes moved on the city of Chalcis, demanding ransom and the surrender of the garrison. Procopius now makes an amazing statement: “the people of Chalcis were terrified of both kings” (2.12.2). To protect themselves from Justinian, they hid the garrison and denied its existence; to placate Chosroes, they collected with difficulty a sum of gold to satisfy his greed. This episode implies a comprehensive interpretation of the eastern wars. We are invited to consider the possibility that the wars were not between Rome and Persia, but between the two kings on the one hand and the inhabitants of the eastern cities on the other. The real victims of the wars were those who were caught between the two tyrants. In a separate study of the wars of Justinian, I intend to argue that Procopius insinuates in the *Persian Wars* what he says openly in the *Secret History*; namely, that the responsibility for the invasion of 540 lay as much with Justinian as with Chosroes. Both men contributed to the devastation.²⁶ Procopius sympathizes with all those who suffered at the hands of the kings, regardless of whether they lived in Africa, Italy, the Balkans, or the east, or whether they were subject to Rome or to its official enemies. Procopius does not value the suffering of Romans more than that of others. Modern interpreters have unfortunately never made much of the fact that each of the *Wars* has an

unhappy ending. Procopius' guiding principle would then be something akin to what we call humanity.

Be that as it may, the equivalence of the two kings is also suggested by two omens that occurred before the fall of Antioch. Contrary to what is usually assumed, omens in classical historiography often have nothing to do with superstition.²⁷ Like anecdotes, they are vehicles of literary and political analysis. For example, Procopius tells us that shortly before the fall of Antioch, the standards of the units stationed there turned suddenly to face east and then again returned to face west. He views this as a sign “that the dominion over the place would pass from the western emperor to the one of the east” (2.10.1–3). Any Roman with a knowledge of history would take this as a reference to the rulers of the western and eastern portions of the Roman empire in the fifth century, after its division by Theodosius I. That is what they were called in other historical texts of the period and that is how Procopius refers to them in the introduction to the *Vandal War*. But here Justinian is the emperor of the *west* and *Chosroes* is the emperor of the east. The world is no longer divided between two Roman emperors, but rather between two imperial “brothers” of east and west. We could translate the word *basileus* as “king,” but the ambiguity remains in the original: Chosroes has taken Justinian's place as emperor of the east. And, as we have seen, he does this in a very literal sense during the invasion of 540.

In his account of the warfare of the early 550s, which was published in the supplementary Book 8 of the *Wars*, Procopius interrupts his account of a siege of Edessa to relate another omen that occurred there before the end of the Eternal Peace in 540. “A woman gave birth to an infant which in all other respects was a normally fashioned human being, but had two heads. The significance of this was made clear by what happened later. For both Edessa and virtually the entire east and even most of the Roman empire to the north was contested by two sovereigns” (8.14.39–40). I have used the neutral word “sovereign,” but *basileus* can mean both emperor and king. This ambiguous word suited Procopius' purposes beautifully, for it occluded any titular differences that may have existed between Chosroes and Justinian. In postulating an equivalence between the two, this omen signifies the same as the turning of the standards.

When Chosroes finally returned to Ctesiphon, he built a city nearby where he settled all the captives he had brought from Antioch. He called it “the Antioch of Chosroes” and provided it with all the amenities of a Roman city (2.14.1–4). The circle was now complete. Having become a Roman emperor in Roman lands, the king literally transported one of the

greatest Roman cities into the heart of his own realm, thus symbolically extending his claim to be an emperor into his own sphere of authority. "He called the inhabitants of this city royal subjects, so that they were subordinate to no royal official, but only to the *basileus*." Both empires now possessed a city called Antioch that was settled by Romans, one for Justinian and another for his eastern brother Chosroes. Historians have claimed that this new city was one of the many ways in which Persian kings imitated their Roman brothers; for his foundation of Antioch, Chosroes has been called a "Byzantinizer."²⁸ As far as Procopius was concerned, New Antioch was the culmination of a series of events that thoroughly undermined the uniqueness of the Roman imperial title, along with any cardinal differences that may have existed between civilized Roman government and its supposed opposite.

"Vanity of Vanities": Despotism and Imperial Ceremony

Oriental despotism, as conceptualized by classical writers, exalted monarchs to a near-divine level and reduced subjects to the symbolic—or real—status of slaves. No form of equality could exist between the two: the Persian king, whether Achaemenid or Sasanid, was the absolute master of a nation of slaves. This aspect of Persian despotism emerges forcefully in the *Persian Wars* with the return from exile of the tyrant Cavades. He was greeted by the young nobleman Adergoudounbades, who "called him master (δεσπότης) and was the first to bow before him (προσεκύνησε) as a king, and beseeched him to make use of him as a slave (δούλος) for whatever purpose he desired" (1.6.16). In these few lines Procopius sums up the nature of the relationship.

In Persian society, *proskynesis* was no mere token of respect. Herodotus had explained it as a sign of profound inferiority (1.134), and that was how Procopius viewed it. When Cavades' father Perozes was defeated by the king of the Ephthalites, the latter demanded *proskynesis* "because he had become Perozes' master (δεσπότης)" (1.3.17–22). Perozes considered this a great "dishonor" and contrived to perform it at dawn, when Persians "performed *proskynesis* before the rising sun" (1.3.21). He hoped in this way to salvage his pride. This episode brings out nicely the religious overtones of the practice: kings received *proskynesis* from their subjects as gods received it from kings. The Byzantine chronicle of Theophanes the Confessor reports that when the emperor Heraclius made overtures for peace to Chos-

roes II in 615, he was told that he had to renounce Christ and perform *proskynesis* to the sun.²⁹

Chosroes made no changes to this system. He considered his highest-ranking general to be his "slave" (1.23.14). Even foreign kings who sought his friendship had to prostrate themselves to him. In 541, Goubazes, the king of the Lazi, renounced his Roman alliance by "performing *proskynesis* to Chosroes as to a master (δεσπότης)" (2.17.2). Ten years later, after he had again switched sides, Goubazes was instructed by a Persian general to seek forgiveness by "prostrating yourself before Chosroes your master, as your king and victor and lord" (8.16.27).³⁰

To these practices we may compare the following account of Justinian and Theodora from the very end of the *Secret History*.

The innovations made by Justinian and Theodora in the governance of the state included the following. In the past the Senate, when it came before the emperor, was accustomed to perform *proskynesis* in the following way. Men of patrician rank would salute him (προσεκύνει) on the right breast.³¹ The emperor would then kiss them upon the head and send them out. All the rest bent their right knee to the emperor and then departed. There was no custom of any kind regarding *proskynesis* to the empress. But under Justinian and Theodora, all who entered upon their presence, both those who held patrician rank and all the others, would fall upon the ground, with their chin pressed down, and, stretching their hands and legs as far away from themselves as possible, would touch with their lips one foot of each, and then rise again. . . . In the past those who attended upon the emperor called him "emperor" and his wife "queen," and each of the other magistrates by whatever office he happened to hold at the time; but if anyone should converse with either of these two and refer to them as "emperor" or "empress," and not as "master" or "mistress" (δεσπότης, δέσποινα), or if he should attempt to avoid calling any of the magistrates "slaves," he would be regarded as both stupid and profane and sent away as though he had sinned most terribly and insulted those who least deserved it. . . . So these two were always taking everything into their own hands to the ultimate ruin of their subjects, and compelled everyone to dance attendance upon them in the most servile (δουλοπρεπέστατα) manner. (30.21–30)

Earlier in the same work, Procopius says that Justinian was easygoing and accessible; anyone could approach "that tyrant" and discuss confidential matters with him (15.11–12; also 13.1–2). But this statement does not necessarily contradict the passage quoted above because it says nothing about courtly ceremony, while the former refers to senators and involves the presence of Theodora. Procopius is unrelenting in his attack against her in the *Secret History*. She made magistrates wait on her like "slaves" and insisted on the most humiliating form of *proskynesis*. "To such a state of

servility (δουλοπρέπεια) had the state been reduced, with her as its instructor in slavery (δουλοδιδάσκαλος)" (15.13–16; cf. 15.27–35). Only against this background can her famous speech during the Nika riots be fully appreciated: "May I never be separated from this purple, and may I never live to see the day when I am not addressed by anyone I meet as mistress (δέσποινα)" (1.24.36). This speech is a masterpiece of characterization, one of Procopius' best. It is completely devoid of sound advice, strategy, or argument; indeed, the empress says nothing that is even remotely rational. Her speech consists entirely of a massive assertion of will. She cares only about what she will be called by others and whether she will still wear the trappings of power. Her speech in no way empowers women, as previously believed. It is instead a brilliant reflection of the character portrait of the empress contained in the *Secret History*: irrational, vindictive, and vain. The speech expresses the raw ambition of a woman who had no conception of the dignity of political life. To have lived under her power must have been unbearably degrading.

Incidentally, Procopius' portrait of Theodora is still the most psychologically compelling, and one of the most vivid, to survive from antiquity. Attempts to refute it invariably rely on psychological speculation, for the accusations in the *Secret History* have not been convicted of error and have been confirmed by other sources dealing with the same events: the "facts underlying Procopius' account are confirmed by incontrovertible evidence elsewhere."³² It is easy to dismiss his "rhetoric," and many have done so, but it has also been shown beyond a doubt that other sources are far less reliable on Theodora than is the *Secret History*. Accusations of misogyny, furthermore, are circular and founder on Procopius' admiration for Amalasuntha. A dispassionate analysis of the evidence points to the conclusion that Theodora was in fact petty, arrogant, wrathful, unforgiving, ruthless, and willing to sacrifice everything to her personal feuds and avarice. Such people do exist, and we should not dismiss the testimony of historians who try to tell us about them at great personal risk.³³ Her patronage of a few holy men and her token charities were nothing to Procopius compared to the damage that she caused to a frayed political system. He was not the only contemporary who feared her, but he was more concerned about her role in the rise of despotism than about her theological views.

Classical authors regarded the despotic treatment of free men to be a basic feature of Persian kingship, and the evidence of the *Persian Wars* demonstrates that Procopius knew and accepted that association. Justinian's innovations with respect to courtly protocol can therefore be seen as

yet another link to Persian despotism and certainly contributed to the historian's belief that the emperor was "a barbarian in his speech and dress and manner of thinking" (14.2; cf. 23.8). That is certainly how classically educated readers of the *Secret History* would have reacted to Justinian's demand for *proskynesis* and insistence on being called *despotes*. For a master is by definition someone who owns slaves: *dominus est, cui est servus*, wrote Isidore of Seville in the early seventh century,³⁴ and Greek usage in late antiquity was well defined in a dictionary of Attic words attributed to Manuel Moschopoulos (ca. 1300): δεσπότης λέγεται πρὸς δοῦλον, κύριος δὲ πρὸς ἐλεύθερον. *Despotes*, however, entailed radical subservience and could not be used as a polite form of address, unlike Latin *dominus*.³⁵ Did Justinian, like a Persian king, conceptualize his position to be one of dominion over slaves? The evidence from the *Secret History* is unequivocal. The same conclusion can be drawn from the *Wars*, though the evidence there is presented discreetly, often through the speeches of the emperor's foreign victims.

The nations conquered by, or even allied to, Justinian certainly thought of him as an oppressive slave-owner. Far from suppressing their grievances and resentment, Procopius allows them to vent freely. The Lazi complained to the Persians about their alliance with the Romans, saying that "in theory we are their friends, but in reality we have become their dutiful slaves, having suffered unholy treatment at the hands of those who tyrannize over us" (2.15.19). The Armenians likewise complained to the Persians that Justinian had enslaved their neighbors the Tzani (2.3.39). The Abasgi also revolted from Roman rule because they had good reasons to "fear that they would become slaves of the Romans" (8.9.10–12). Likewise, the Goths feared that Justinian had sent his armies to Italy to enslave them (2.2.9, 5.29.8, 6.29.17, 6.30.11). Procopius indeed says that when groups of them surrendered to Roman generals they became "slaves of the emperor" (e.g., 6.11.19, 6.29.33).

Some Goths even reproached Belisarius for preferring to be Justinian's slave rather than a king in his own right (6.30.25), and if Belisarius was a slave then surely so were all the empire's subjects. Chosroes was advised by his secretary Abandanes not to give battle to Belisarius because if he prevailed it would be over only "the slave of Caesar," yet if he were defeated he would be disgraced (2.21.14). Procopius has correctly made the secretary call Justinian "Caesar," which was in accordance with official Persian usage.³⁶ But is the characterization of Belisarius as a slave of Caesar also a projection of Persian values? Other evidence in the *Wars*, which we will

examine below, indicates that Abandanēs' words accurately reflected sixth-century Roman usage. Let us note here that his advice is based directly on the advice given to Xerxes by his vassal Artemisia regarding Mardonius' request to remain in Greece and continue the war after Salamis: if he wins, Xerxes, his "master," can take credit for the achievements of his "slave," but if he loses, he is, after all, only an expendable slave.³⁷ Procopius has inverted this advice to make it apply to a Roman "slave" fighting *against* the Persian king.

The theme of slavery to the emperor is most developed in the *Vandal Wars*. It is invoked with reference to Moors allied to Rome as well as to the defeated Vandals (e.g., 3.25.3, 4.5.12–13, 4.6.14, 4.22.7). Mirroring developments in the east, some Moors complained that they had been promised that they would be "subjects of the emperor" (4.11.9) but were now fighting to avoid "enslavement" to him (4.11.40). The most interesting exchange occurred between Pharas, himself a barbarian in the emperor's service, and the defeated Vandal king Gelimer, who was under siege in the fort of Papua during the winter of 533–534. Pharas reproached Gelimer for seeking to preserve a worthless "liberty" and encouraged him to become, like himself, the emperor's slave. "Would it not be entirely better to be poor and a slave among the Romans, than to lord it over the Moors at Papua? But to you it seems that being a fellow-slave of Belisarius is the peak of disgrace" (4.6.18–21). The argument disturbingly anticipates John Locke's *Second Treatise of Government*: "And a king of a large and fruitful Territory there [namely, America] feeds, lodges and is clad worse than a day Labourer in England" (5.41). Locke was trying to make his readers forget that there are reasons for being a king beyond how one "feeds, lodges and is clad." Pharas—that is, Procopius—is more candid.³⁸

That Belisarius was a slave of the emperor no less than Gelimer (who eventually did surrender) was demonstrated later that year in the capital at the celebrations of victory that culminated in the hippodrome. "When Gelimer came before the imperial seat, they removed his purple cloak and forced him down to the ground to perform *proskynesis* to Justinian. This Belisarius also performed, becoming a suppliant of the emperor along with Gelimer" (4.9.12). It has been noted that this ceremony effectively "removed the distinction between the subjects of the emperor and his enemies."³⁹ Belisarius' *proskynesis*, along with the many references to him in the *Wars* as a slave, should be taken in conjunction with the attack in the *Secret History* on Justinian's "despotic" court protocol. No less than any

Persian king, he imposed on his magistrates and generals the status of slaves.

A careful recent analysis of Justinian's own views of imperial rule, conquest, and subjugation, as expressed in his laws and official pronouncements, concludes that he tended to blur the difference between Romans who had been "liberated" from barbarian dominion and barbarians who had been "enslaved" and reduced to the status of "subjects" by imperial armies. It seems that "Justinian was the first emperor to refer to Roman citizens consistently in legislation as his subjects."⁴⁰ The difference between subjects and slaves referred ultimately only to the manner in which they had been brought under his authority. This was precisely the ideological background of Procopius' protest. While the emperor boasted that he had liberated the Roman world from barbarian slavery, his historian was allowing all the nations to express their hatred of the slavery he had imposed upon them. And Procopius made similar complaints in his own voice. In the *Secret History*, he says that the emperor imposed severe financial demands on populations ravaged by constant war, showing himself "more oppressive than all the barbarians" (23.8). In the *Wars*, the blame is placed discreetly on the emperor's subordinates. In Italy, for instance, the Roman armies were at one point so lawless and oppressive "that they made the local population long for the barbarians" (7.9.1–6). So much for the ideology of liberation.

Just like every other age, the sixth century had its share of intellectuals who for ideological or opportunistic reasons endorsed the imposition of totalitarian systems of control, particularly regarding religious belief and social order.⁴¹ The extremes to which Justinian carried this program was perhaps only an aspect of a more widespread development in social attitudes. Naturally, it sparked opposition. Procopius was not the only contemporary to protest against the emperor's illiberal conception of political life. Drawing on Plato's *Republic* and Cicero, the anonymous author of a dialogue *On Politics* called for a sharing of power between the emperor and other classes, in effect a limited constitutional monarchy.⁴² And what are we to make of the quaestor Tribonian, who, in the constitutions that he wrote for Justinian, frequently refers to Marcus Aurelius, the paragon of republican rule, as "the most philosophical of emperors"?⁴³ An intriguing recent study has demonstrated that the jurist was profoundly influenced by Platonic philosophy and cleverly laced the legal texts that he wrote on behalf of his Christian master with Platonic concepts and allusions.⁴⁴ But the most startling and untimely criticism was produced by the civil official John

Lydus, who had studied under the philosopher Agapius, a disciple of the great Proclus. I intend to argue elsewhere that Lydus' politics were republican; in other words, he recognized no essential difference between Roman imperial rule and tyranny. But for now we need quote only one passage of his antiquarian work *On the Magistracies of the Roman State*. Writing at the same time as Procopius, Lydus states that Justinian "tolerates" being called a "master" (*despotes*), though "not only does he not delight in it, he is embarrassed."⁴⁵ This is a relatively transparent attempt to sugarcoat a serious criticism: Lydus has just spent the last two chapters arguing that it is "tyrants who like to be called 'lords' and 'masters' rather than 'kings'," an exact parallel to what Procopius tells us about Justinian. Lydus was probably a close friend of Procopius and one of the intended readers of the *Secret History*.⁴⁶

The claims made by Procopius and Lydus require explanation, for the former accuses Justinian of breaking from tradition in demanding abject *proskynesis*, while both testify to the new prominence given to the title *despotes*. In the passage of the *Secret History* quoted above, the account of court protocol "in the past" presumably refers to any time before Justinian. It is true that during the early empire, what is today called the Principate, emperors did not demand to be called *despotai* (or *domini*), though some of their subjects did address them that way. Domitian was a notorious exception, and he swiftly came to a bad end. His successors were warned against making that mistake again.⁴⁷ Curiously, the only other emperor to whom Procopius compares Justinian in the *Secret History* is Domitian, in what must be one of the most macabre passages in ancient literature. Procopius compares the physical appearance of Justinian to a statue of the reassembled bits of Domitian after he had been dismembered (8.12–21).⁴⁸ The comparison is introduced by the statement that the Romans so hated Domitian that "not even when they had butchered his entire body into little bits did they feel that their rage against him had been exhausted." Certainly there is an element of wishful thinking here. In any case, Procopius chose Domitian as a model not because he too had insisted on being called *dominus* but probably because his reputation as a tyrant approximated that which he wanted to confer upon Justinian. Insane youths such as Caligula or Nero would simply not do. Interestingly, Procopius' friend John Lydus twice refers to Domitian as a tyrant in connection with administrative innovations, which Lydus also viewed as a sign of despotism.⁴⁹

But are Procopius' charges about *proskynesis* and forms of address correct? At some point in the fourth century it became conventional wis-

dom that the emperor who had first required *adoratio* and allowed himself to be addressed as *dominus* was Diocletian and that this reform, including more resplendent imperial regalia, was knowingly modeled on Persian customs. These changes inaugurated the period of imperial rule known today as the Dominate. There has been considerable debate on the question of Persian influence. Some scholars prefer to see the reforms as a development internal to Roman forms of subject-ruler interaction, while others do not preclude a Persian model. Be that as it may, it is still important that contemporaries viewed these new protocols as inspired by Persia and hence believed that their own government was moving in a direction that had always been identified with Persian despotism, in which displays of power replaced civility and equality.⁵⁰

At first glance we might conclude that Procopius and Lydus have simply revived, or independently reproduced, the schema propounded by the fourth-century authors, only they have ascribed the innovations to Justinian rather than Diocletian. If that is true, and if Justinian was following centuries-old customs after all, then the argument of his two critics fails because he was not an innovator.⁵¹ Possibly they were opposed to the ideological tenor of the Dominate in general and wanted to blame Justinian for its most offensive elements by projecting the practices of the more moderate Principate onto the recent reign of Anastasius. But even if we grant a measure of exaggeration, this solution will not do. It requires us to accept that two authors lied about something that would have been patently false to most of their readers. We cannot just dismiss the circumstantial description of the different ceremonies given at the end of the *Secret History*.

If we read that passage closely, we see that Procopius is not accusing Justinian of introducing the title of *despotes*, but of requiring it to the exclusion of *basileus*. Also, Justinian did not introduce *proskynesis* but rather changed it drastically: instead of kissing the emperor's right breast and receiving a kiss on the head, senators now had to fall on the ground and kiss one of his feet. A further innovation was that they now had to treat the empress likewise. Procopius is explicit about the fact that the older ceremony was also a form of *proskynesis*, only it was far less degrading than what Justinian and Theodora required. Studies of *adoratio* have shown that the practice supposedly instituted by Diocletian was similar to that ascribed by Procopius to times prior to Justinian. An illuminating parallel is found in Eusebius' account of the funeral of the emperor Constantine: magistrates performed *proskynesis* to the late emperor by dropping to one knee and embracing him.⁵² For Justinian's time we are fortunate to possess the tran-

scripts and guidelines for imperial ceremonies prepared by Peter the Patrician, the emperor's long-serving *magister officiorum*. These were subsequently incorporated into the *Book of Ceremonies* edited by the emperor Constantine VII in the tenth century. We find in Peter's descriptions many high officials and foreign ambassadors "throwing themselves upon the ground" and "kissing the emperor's feet" on many occasions.⁵³ Similar acts of obeisance to Justinian are described in the Latin epic of Corippus on the Libyan campaigns of John Troglita as well as in the same poet's panegyric on the accession of Justin II.⁵⁴ These texts clarify as well as vindicate the testimony of the *Secret History*.

No word in English exactly translates *proskynesis*. In addition, as we have seen, the term signified different practices from time to time, though ancient authors were generally not aware of this fact. Procopius is an exception because he happened to witness a moment of transition. A similar uncertainty about the exact meaning of the term affects the study of Achaemenid Persia and, consequently, of its adoption by Alexander the Great. It will be recalled that after defeating Darius, Alexander began to adopt the customs of the Persian court, perhaps in an effort to conciliate the Persian nobility. But this put him in the awkward position of receiving homage from his Persian courtiers and not the Macedonians. The latter resented their king's transformation into a Persian despot, and their refusal to perform *proskynesis* left a powerful mark on all accounts of his final years. *Proskynesis* took many forms in Achaemenid society. Most commonly it probably involved no more than a bow, but before the Great King, full prostration was often in order.⁵⁵ It is not clear which form Alexander demanded. One Latin source implies that his courtiers touched their heads to the ground.⁵⁶ I mention this episode because it represents the most sustained protest in ancient literature against the "servility" of *proskynesis*, especially when imposed on free men. In addition, it was directed against a king who was supposed to be fighting Persia on behalf of Greece but was instead gradually becoming a Persian himself. Classically educated readers of the *Secret History* may have made this connection. Procopius was the last voice of protest in that tradition, and he wrote at the moment when the most abasing form of the practice was being imposed on the Greek world.

We will return to Alexander below, when we consider the religious overtones of *proskynesis*. For now let us turn to Procopius' second accusation, that concerning the title *despotes*. Under the Principate, it was used on a voluntary basis by those who wished to honor or flatter the emperor. Emperors of the third century, notably Aurelian, seem to have used it offi-

cially, but Aurelius Victor claims that Diocletian was the first to "have himself called *dominus* in public," which probably means no more than that he sanctioned its use on formal occasions. The term appears in the panegyrics that honored members of his Tetrarchy⁵⁷ and was used widely by emperors of the fourth and fifth centuries.⁵⁸ But before we suspect Procopius of misinforming us on this matter as well, let us note that he does not say that Justinian was the first emperor to be called *despotes*, he says only that he was the first to prefer to be called that instead of *basileus*. At least that is what he demanded of his courtiers and magistrates. Besides, it is precisely regarding the new importance of the title *despotes* that Procopius' testimony is corroborated by Lydus. The evidence of inscriptions and papyri also gives depth to the accusations of the *Secret History*. The title *despotes* is included in virtually all official documents from the reign.⁵⁹

Procopius says that Justinian also decided that magistrates should henceforth be referred to as his slaves, and it seems that they accepted this redefinition of their status, as texts from that and later reigns demonstrate.⁶⁰ Traces of an opposition can be detected, though it is difficult to gauge its extent and significance. The early seventh-century historian Theophylact evidently approved of the emperor Tiberius II's "hatred for the oppression of tyranny" and "desire to be addressed by his subjects as a father rather than a master (δεσπότης)" (3.16.5). After Justinian these were not idle words. Yet Tiberius does not seem to have taken any measures to change the direction of imperial ideology.⁶¹ The result, as Procopius and Lydus feared, was the destruction of all vestiges of the free state.

Procopius conceptualized the regime of Justinian as an imperial form of oriental despotism. Even some modern scholars regard the demotion of imperial magistrates to the status of imperial slaves as fundamentally "Persian"—in nature if not in origin—though others are probably more correct in seeing it as Christian.⁶² In viewing themselves as the slaves of God, Christians had long since transposed the concept of servitude from the social and political sphere to that of religion. Procopius attests this usage in the *Buildings* when he refers to saints as men "enslaved to God" (1.7.14), and countless other examples can be cited from Christian texts. Once the empire adopted Christianity, it was only a matter of time before this new master-slave relationship was transposed back from the religious sphere into that of political ideology. Just as Justinian regarded his subjects as his slaves, he regarded himself as a slave of God. These ideas are very prominent in the hortatory chapters addressed to him by the deacon Agapetus. Justinian is advised there to treat his own "servants" as he would

be treated by his own divine “master” (δεσπότης), because all men are “fellow slaves” in the eyes of God.⁶³

Whatever all this may have meant to Christians, it was deeply offensive to Procopius. As we will see, he was not blind to the religious dimension of Justinian’s reforms. Yet his was not the standpoint of a Christian, who might view the emperor as some kind of representative of God, but that of a classically educated Greek, who condemned the association of monarchy with God as incompatible with political liberty. Many Greeks had early on confused the *proskynesis* offered to the Persian kings with the reverence that they themselves offered to the statues of their gods. As a result, they came to the mistaken conclusion that the Persian kings were regarded as gods by their servile subjects. Hence, many refused to perform the act because, in addition to offending their sense of dignity, it implied to them that the recipient was divine. And gods could not be citizens. Many classical texts declared political freedom to be incompatible with *proskynesis* to men or to any self-proclaimed “masters.”⁶⁴ The fierce opposition of the Macedonians to Alexander’s demand for *proskynesis* makes sense in this context because it was linked to justifiable apprehensions about his intention to be deified and worshipped.⁶⁵ As late as the fourth century, the orator and staunch Hellenist Libanius objected to the Cappadocians’ habit of greeting each other by saying “I bow before you,” because in his eyes it smacked of the Persian custom of granting rulers “a reverence worthy of gods.”⁶⁶

That this was exactly the attitude of Procopius is revealed by a fascinating passage in the *Secret History* where he condemns it as “a disgrace upon the state” that the senators accepted Theodora as their empress and then adds, “even though they were made to perform *proskynesis* to her as though she were a god” (10.6). In other words, the senators should have found the courage to oppose her in any case, but certainly when they were made to bow before her. Like any classical Greek, Procopius equates *proskynesis* itself, regardless of whether it was offered to Justinian or Theodora, with divine honors, and *that*, he implies, ought to have offended any self-respecting senator. He makes *no* allowances for the view that the emperor might be honored in that way as a representative of God. This indicates how far he stood from the view of the emperor as God’s deputy that most Christians seem to have held. But the passage gets better.

Neither did any priest make it known that he was outraged, and that too, when they all were henceforth to call her “mistress” (δέσποινα). And the populace, who had previously been her spectators upon the stage, straightaway consented, with

upturned hands and a total lack of decency, both to be and to be called her slaves. Neither did any soldier become furious at the notion that he was about to experience all the dangers of warfare on behalf of the interests of Theodora, nor did any other person oppose her, but instead I think that all gave way because they thought that matters had been thus ordained (δεδοσθαι). (10.7–9)

This passage is cleverly infused with religious nuances. The stage is set by the claim that by performing *proskynesis* to Theodora, the Senate honored her as a god. This establishes her divine pretensions and, a fortiori, those of her husband. It is worth recalling here Procopius’ description in the *Buildings* of the mosaic in the palace that depicted Justinian’s triumphs and the Senate standing around him, “granting him honors equal to those of God” (1.10.19). This was the historian’s interpretation of what they were doing, for he was describing a picture, not quoting a document. The words are his own, and modern art historians have been unable to identify precisely which features of the mosaic indicated the alleged “divine honors.”⁶⁷ Irony is thus again created by the interplay between the *Buildings* and the *Secret History*.

Procopius says that in addition to the senators, the priests also were not outraged by Theodora’s accession, though they would now have to call her “mistress.” Why should the priests care more about this than others? From Procopius’ point of view, all free citizens should be offended at having to call anyone “mistress,” especially someone such as Theodora. But I believe that there is a special reason why he singles out priests: in the Divine Liturgy and in other devotional contexts, they routinely called God their “master” (*despotes*). So by addressing Theodora in that same way, they would be indirectly granting the empress divine honors and defaming their God. A number of early Christian authors had in fact argued, with an eye on imperial protocol, that the title “master” was appropriate only to God, while others, who could invoke the explicit testimony of *Revelation*, had claimed that *proskynesis* was a divine prerogative. This problem posed great difficulties to the Fathers of the fourth century.⁶⁸ Procopius may have had these strains of early Christian thought in mind, though he must have known that they were virtually obsolete by the time Justinian gained the throne.

There are more religious overtones in this passage. Procopius says that the people begged to be Theodora’s slaves “with upturned hands,” a traditional gesture of prayer and supplication. Finally, he implies that there was no resistance to her accession because everyone simply assumed that it had

been “ordained,” presumably by providence. That a metaphysical agent of some sort is being implied is indicated by the fact that Procopius immediately digresses on the workings of amoral fortune, or *tyche*, a quasi-divine entity that acts without any concern for what is right (10.9–10). Naturally, those who did not oppose Theodora believed that her accession had been “ordained” not by fortune but probably by God. This implies further that their belief in providence instilled attitudes of passive acceptance, or fatalism. Procopius himself, however, could not have regarded Theodora’s accession as the work of a benevolent God, and indeed, the fact that he proceeds to discourse on the power of fortune proves that he did not. This leads to the question of his own beliefs. These will be examined in the final chapter of this book, where it will be argued that the concept of fortune lies at the heart of his historical thought. For now let us note only that Procopius seems to ascribe to fortune what others ascribed to God, a practice that we will encounter often in our analysis of *tyche* in the *Wars*.

In another passage of the *Secret History*, Procopius again represents the new protocol as a mockery of religious ritual. An old patrician whom he discreetly leaves anonymous begged the empress to make one of her servants return a loan to him so that he could pay off his own creditors (15.24–35). Knowing his intentions in advance, the empress instructed her eunuchs to stand around in a circle and reply to anything she said “antiphonally” (ἀντιφθέγγεσθαι), a technical word referring to the way the liturgy was chanted in church. “And when the patrician arrived at the women’s quarters, he performed *proskynesis* in the way in which it was customary to perform it before her.” He addressed her as “mistress” (δέσποινα) and pleaded for the return of his money in language that again recalls the liturgy: ἀντιβोलῶ καὶ ἱκετεύω καὶ δέομαι. But as soon as she addressed him by name, her “chorus” (χορός) “antiphonally” chanted, “What a big hump you have.” This occurred repeatedly, until the man gave up and left, though not without again performing *proskynesis* “in the customary manner.”

The language used in this passage leaves no doubt that the empress intended her little game as a parody of the liturgy.⁶⁹ At least that is how Procopius intended his readers to understand it. This runs against the conventional view that classicizing authors scrupulously avoided Christian allusions in their pursuit of purist diction. It was supposedly not until Theophylact in the seventh century that they felt comfortable enough to, say, include a sermon in their narratives.⁷⁰ This view has merit but is based on a failure to recognize that many passages of the *Wars* and *Secret History*

are heavily infused with religious language that is not only Christian but specifically liturgical in nature. This, by the way, has nothing to do with so-called unconscious influences intruding through artificial classical barriers. The Christian allusions in Procopius form deliberate rhetorical strategies, deployed precisely for specific effect. The passage describing Theodora’s acceptance by the various classes and the scene in the women’s quarters that we just examined are deliberately infused with religious and Christian language, though this has nothing to do with the author’s religious beliefs, whatever they may have been. His aim in both passages was to comment on the motives of historical agents by revealing the irony of their actions and positing subtle connections between political behavior and religious belief.

Nor did Procopius hesitate to quote Scripture to the same effect. At the peak of Justinian’s triumph in the *Vandal Wars*, at the scene in the hippodrome that was mentioned above, right before Procopius recounts the *proskynesis* performed to the emperor by Gelimer and Belisarius he puts into the mouth of the dazed Vandal king the verse “from the Scripture of the Hebrews, ‘Vanity of vanities, all is vanity.’” Gelimer was not thinking here of his own failure to resist the emperor’s armies. Procopius tells us that the king began to speak this line over and over again “when he reached the hippodrome and saw the emperor sitting upon his lofty seat (βῆμα ὑψηλόν) and the people standing on either side of him” (4.9.11). Nothing could more ironically deflate a Christian ruler’s lofty pretensions at the height of his power and glory than this line from Ecclesiastes 1.2. Procopius is possibly looking back to the triumphal processions held in ancient Rome, when a slave rode behind the victorious general and reminded him over and over again that he was only a mortal. Gelimer would then function as the Christian equivalent of this reminder. Be that as it may, we must also wonder about his choice of the word “lofty” to describe Justinian’s seat. “Lofty” (ὑψηλός) was a common way of referring to God. Also, the emperor’s seat in the hippodrome was commonly called the *kathisma*, not the *bema*, and we happen to know from a contemporary chronicle that in 528 Justinian had it rebuilt, “making it more elevated and brighter than it had been.”⁷¹ The *bema* was the area of the church that housed the altar and was regarded by Christians as the “Holy of Holies.” So Gelimer’s “Vanity of vanities”—itself a line from a sacred text—may refer to more than the emperor’s worldly ambitions.

To conclude: again we see that the representation of Justinian in the *Secret History* resonates with the fundamental modes of Persian kingship as

portrayed in the *Persian War*. That portrayal was in turn based on the classical image of the oppressive oriental monarchy as despotic on one end and servile on the other and contemptuous of the dignity of political life. Procopius' hostility to the metaphor of slavery as applied to free men was at heart ethical and political, though he did not hesitate to exploit religious language and imagery in order to give his representation of Justinian's tyranny cultural depth and irony. Yet his main concerns were not merely the conceit of courtly protocol or the hollowness of imperial propaganda. Far more was at stake. The demotion of free and potentially heroic men to the status of slaves undermined the entire conception of manly freedom and nobility that was central to the classical tradition. In this respect, the rejection of despotism was fundamentally Hellenic. In his discussion of tyranny in the *Republic*, Socrates imagines men "who won't stand for any man's claiming to be another's master" (579a)—and there are no slaves in the *Republic*. No wonder Procopius admired barbarian rebels such as Totila and Teia!

"The Rule of Women" and the Plan of *Secret History* 1–5

Surprisingly little attention has been paid to the plan of the *Secret History*, probably because of the astonishing nature of its contents. The work seems to consist of a series of amazing and violent denunciations that are loosely organized around three or four targeted personalities. The unrelenting intensity of it all affords the reader little opportunity to pause, reflect, and find the logic that may underlie its bewildering flow. This brings to mind the symptoms that Nietzsche diagnosed for literary decadence: "life no longer dwells in the whole. The word becomes sovereign and leaps out of the sentence, the sentence reaches out and obscures the meaning of the page, the page gains life at the expense of the whole."⁷²

Decadent or not, the *Secret History* remains badly misunderstood. Research remains fixated on the juicy details and hysterical denunciations. Various opinions have been expressed on whether the work is complete, but these are often based on subjective criteria or, at most, a loose deconstruction of the work into genres.⁷³ One intriguing hypothesis has it that Procopius intended to add its contents to the *Wars* after Justinian's death, but as the latter showed no signs of dying after thirty years on the throne, the work remained a loose collection of criticisms out of context.⁷⁴ It has been divided plausibly into two or three sections, but the principles under-

lying the selection and arrangement of material remain opaque. According to a different proposal, the sections of the work were never meant to form a whole and were only assembled later. They were originally separate works following the rules of different genres and so analysis should concentrate on them individually. Other scholars have postulated a combination of genres, some in modified form.⁷⁵ There seems to be a consensus that the work lacks structure.⁷⁶

It will be argued here that the *Secret History* possesses a tighter organization than has been suspected so far. But any attempt to deal with this problem must abandon the obsession with genre. Intelligent people write books because they have ideas, not because they are constrained to write in particular genres. Contrary to what is implied in recent scholarship, genres do not write books. Authors do. And each author chooses to adhere to a certain genre only because he believes that its formal characteristics facilitate the exposition of the themes that he has already decided to write about. The search for genres can easily become a surrogate for actually *reading* the work, as some scholars seem to think that once they identify the genre they automatically know what the author is trying to say. In this way, authors and texts are turned into passive vehicles of general cultural values. The literary sophistication of a discipline is inversely proportional to the frequency with which it invokes "genre." The direct and, in my view, only viable approach is to read the work carefully, identify its main themes and the methods by which they are developed, and then try to interpret the author's stance toward his subject. When the genre is known, it can be helpful in providing a literary context, but when it is not, especially when it is in dispute, it is at best a distraction. The *Secret History* adheres to no genre in particular and so adheres to no genre at all.

In this section, I will focus on the first five chapters of the *Secret History*. There is no dispute that they form a unit of some sort. In fact, at first sight the *Secret History* seems to consist of two parts, for at the end of the introduction Procopius says that he will discuss first the wretched deeds of Belisarius and then the wretched deeds of Justinian and Theodora (1.10). The first five chapters seem to focus on the marital history of Belisarius and Antonina. Belisarius is hardly ever mentioned in the text after those chapters; Antonina never.

The trouble begins when we try to understand how those five chapters are organized and what exactly they represent. The material seems jumbled together in no particular order. And despite the programmatic statement that the emphasis will be on Belisarius, the deeds of his wife receive as

much if not more attention. To make matters worse, the narrative quickly focuses on the machinations of Theodora to such a degree that she eclipses the miserable couple. How then is this part about Belisarius? And what are we to make of the seemingly irrelevant digressions on the disaffection of Chosroes' troops or the misconduct of Sergius, the governor of Libya? Is there any internal logic behind all this, or is Procopius merely tagging one scurrilous story onto the next through tenuous links? For example, the misconduct of Antonina distracts Belisarius, who, in order to keep an eye on her, fails to invade Mesopotamia, allowing Chosroes to escape, which leads to a discussion of the king's strategy and the disaffection of his army, which is in turn cut short because Antonina has now arrived in the east and our attention must return to the sordid family life of Belisarius, and so on. . . . Is it better to assume that if Procopius had his way all this would have been carved up and the stories distributed to their rightful places in the *Wars*?

This may well have happened had Procopius felt free to publish the material. But just because the opportunity never presented itself does not necessarily mean that he left the *Secret History* in a state of chaos or even that he did not devote as much attention to its literary coherence as he did to that of the *Wars*. What we must do is find the key that unlocks the secrets of its composition by explaining the selection of material, its order, and its peculiarities. I believe that I have found that key.

Simply put, the first five chapters of the *Secret History* develop the theme of "the rule of women"; that is, the subversion of masculine virtues that occurs when feminine vices seize power in the state. The virtues that sustain the welfare of states, for example courage and nobility, were deemed masculine even when they were possessed by women, and allowances were usually made for that possibility. Procopius certainly did, as we saw when we examined his favorable portrayal of Amalasuntha, who was "sagacious, just, and nearer to the masculine" in the way that she ruled the Gothic kingdom.⁷⁷

It is not such women, however, who seize power in the first five chapters of the *Secret History*. What we witness here is the complete subversion of masculinity, exemplified by Belisarius, and the triumph of feminine qualities, particularly vices. Belisarius is presented as a man who could have been a hero and who had many opportunities to perform noble deeds but always failed because his masculinity was sapped by women. This was no excuse: Procopius condemns him utterly for this weakness. This interpretation explains why Belisarius is relatively absent from a narrative that is after

all supposed to be about him. His place has been usurped by women, who dominate the narrative because they dominate him. Everything said about them is correspondingly designed to reveal the modes of feminine rule. Procopius did believe in feminine virtues, but he believed that they had little to do with political rule (cf. 10.2). The paradox about Antonina and Theodora is that they ruled over men but lacked both masculine and feminine virtues. They ruled by manipulating sex in all its manifestations, and this is the essence of feminine vice. It is no coincidence that in a later passage Theodora is said to have hated Amalasuntha precisely "because of her magnificence and extraordinary masculinity" (16.1). Theodora aims to destroy all masculine virtues, even when they appear in women. Another passage tells how she destroyed feminine virtues as well by protecting adulteresses from their husbands (17.24–26).

This theme is central to Procopius' representation of the tyranny of Justinian, for the attack on masculinity is closely tied to the "servility" inculcated by the regime in its subjects. An episode in the first section of the *Secret History* establishes a suggestive link between the two themes. After looking at that passage, I will show how the first five chapters of the work are structured around the theme of feminine rule.

When Justinian fell ill with the plague in 542, Belisarius and other officers were suspected of having agreed not to recognize the court's choice in the matter of the succession (4.13–31). Theodora took this as a slight against herself and arranged to have them imprisoned, tortured, fined, or disgraced. Belisarius was relieved of command and made to live in the capital in constant fear of assassination. In this the empress was assisted by Antonina, who lost no opportunity to humiliate her husband. The two women conspired to give Belisarius the impression that he would soon be executed or tortured.

In this state of terror he went up to his room and sat down alone on his bed, having no intention of doing anything noble nor even remembering that he had once been a man; he was sweating constantly and feeling dizzy, utterly at a loss and trembling violently, worried to death by servile fears and apprehensions both cowardly and entirely unmanly. (4.22)

The empress then sent a messenger with a note announcing that she had forgiven him for the sake of his wife and informing him that his future behavior toward Antonina would be closely monitored.

Belisarius, wishing to show his gratitude right then and there, stood up and fell on his face before the feet of his wife. And clasping her around her calves with each of

his hands he kept moving his tongue from the sole of one foot to that of the other, calling her the cause of his life and salvation, and declared that he would henceforth be her faithful slave and not her husband. (4.29–30; cf. 15.15)

Belisarius' words and strange behavior may allude to contemporary forms of sexual domination. This, unfortunately, we cannot know. But the parallels with the imperial ceremonies described at the end of the work are obvious.

Rather than suffer such indignities, any real man would have destroyed those two monsters or died trying. And this is exactly what Procopius says on the next page, when Belisarius was again given an army and sent off to Italy: "all suspected . . . that as soon as he set foot outside the walls of the city, he would take up arms and resolve to do something brave and befitting a man, against both his wife and those who had violated him (βιάσάμενοι)." The word can also mean "those who had *raped* him," one of many double entendres in Procopius' works. But Belisarius did nothing and "meekly followed that woman" (4.40–41).⁷⁸

The humiliation of Belisarius exemplifies the failure of manhood and rise of servility that Procopius associated with Justinian's regime. We may now examine the logic behind the first five chapters of the *Secret History* and show how they develop that theme. The first section, the one ostensibly devoted to Belisarius, begins with the words "Belisarius had a wife . . ." (1.11). She immediately becomes the focal point of the narrative. After mentioning her lewd past, Procopius focuses on her affair with Belisarius' godson Theodosius. She is the protagonist here, not her husband, and the language repeatedly draws our attention to the feminine vices that undermine masculine order: prostitution, adultery, insatiable erotic infatuation, seduction, passion, slander, magic. Next to his wife, Belisarius is a shadow of a man, simple-minded (1.35) and miserable (1.39). Though at first he was blind to her promiscuity, he later became obsessed with it: news of her arrival in the east contributed to his decision to cut short the campaign of 541. As a result, Procopius says, "he was accused by all the Romans of treating the most pressing matters of state as less important than his own domestic affairs" (2.21). This is the first direct statement of what becomes a prominent theme in this section: male enervation and feminine license led to the subordination of public interests to private ones. As one scholar put it, "private comedy has turned into political tragedy."⁷⁹

Procopius elaborates on the consequences of this event by explaining how the inaction of Belisarius allowed Chosroes to depart from Colchis

unharmful (2.26–37). This sets the stage for a digression on Persian affairs whose purpose is revealed at the end, when Chosroes reads to his nobles a letter sent by Theodora to a Persian ambassador.⁸⁰ To prepare us for this letter, Procopius must first describe the difficulties encountered by the Persian army that year and the disaffection of its officers. It was in response to this that Chosroes read aloud Theodora's letter, in which she declared that her husband did nothing without her consent. The king then reproached the Persian nobility for thinking that "any real state could exist that was governed by a woman." This interpretation of the letter was directed specifically against his nobles' complaint that he had led them to war against "a state that was ancient and most worthy" (2.31). But in the eyes of the Persians, a state ruled by a woman was obviously contemptible. In this way, Procopius says, the king "succeeded in checking the impulse of the men" (2.36). From a historical point of view, this conclusion may sound incredible. But whether Chosroes actually pacified his nobles in this way, or whether he did so at all, is only tangential to the main theme of the work. The real purpose of the digression, located exactly at the middle of the first part of the *Secret History*, is to postulate Theodora as the ruler of the Roman state. From this point onward, she dominates the narrative.

Procopius is not claiming that Theodora actually ruled the empire; after all, that view is ascribed to Chosroes. He is instead unfolding the nuances of a literary theme—the rule of women—by relying on exaggeration and dark humor. Procopius will repeat Chosroes' dictum in his own voice later in the work, when it seems appropriate (cf. 15.9–10; 17.27). We should not mistake the *Secret History* for political science. It is rather a mixture of tragedy and comedy.

There can be little doubt that the sentiment expressed in Theodora's letter is authentic, even if the actual document itself is not. In 535, the Gothic king Theodahad wrote to the empress saying that "you exhort me to bring first to your attention anything I decide to ask from the triumphal prince, your husband." And in the same year the emperor himself declared that before issuing a decree he had discussed it first "with our most august consort whom God has given us."⁸¹ Procopius reveals the effectual truth of Theodora's letter on the next page of the *Secret History*, where he says that she now "recalled Belisarius to the capital" (3.4). This is presented as a decision made by her alone. No mention is made of Justinian, even though her action affected imperial policy. Modern assessments of her power, although judicious in other respects, tend to underestimate or even ignore her influence on the selection and appointment of magistrates and gener-

als.⁸² Her motives, moreover, had nothing to do with strategy; in this case, she was “frightened on behalf of Antonina,” whom Belisarius had put under guard but was “too weakened” by “white-hot erotic passion” to kill (3.1). Antonina is henceforth subordinated to Theodora in the narrative, at one point even calling the empress her “savior and benefactor and mistress (σώτειρά τε καὶ εὐεργέτις καὶ δέσποινα)” (3.18).

Chosroes’ reading of the letter is a turning point in the narrative. The vicious crimes of Theodora now take the rule of women to a new level. So far the story has been merely comical and sordid, a “satirical novel” of sorts.⁸³ The entry of Theodora transforms it into a nightmare, involving the vindictive imprisonment and murder of magistrates and the ruin of imperial policy.

The focus moves to Italy, specifically to Belisarius’ ignominious campaigns of 544–549. Procopius’ denigrating remarks about those campaigns, along with his comments on the power of God and Fortune (4.42–5.6), must be read together with what is said about them in the *Gothic War*.⁸⁴ The remainder of the first part of the *Secret History* (5.7–33) revolves around the marriages that Theodora arranged or prevented.⁸⁵ Her actions in this field, replete with petty vindictiveness and sordid procurements, is the final aspect of the rule of women considered in this part of the text. Though these stories are only tenuously linked to Belisarius, their purpose is again to show the negative consequences of the supremacy of the private over the public (cf. 17.27–37). So Procopius abruptly digresses on the crimes committed by Sergius, the governor of Libya, even though the vilification of Belisarius has explicitly ended at 5.27 and the section on Justinian does not begin until 6.1. It is not until the end of the digression that Procopius explains its inclusion: Theodora kept Sergius in power in spite of his crimes because he was a suitor for one of Antonina’s daughters (5.33).⁸⁶ He also includes a story that shows the damage done by Theodora’s marital intrigues to the Roman cause in Italy (5.7–15). In conjunction with the digressions on Chosroes and the crimes of Sergius in Libya, the theme of the rule of women is thereby extended to all three arenas of the *Wars*. This is a subtle reminder of the way in which the *Secret History* is a supplement to the *Wars* and of how the two texts must be read in tandem.

The final assessment of Belisarius’ character in the *Secret History* begins by citing extenuating circumstances: many “suspected that the cause of the man’s faithlessness was not the fact that he was ruled by a woman (γυναικοκρατία), but his terror of the empress.” Terror of the empress is widely attested outside the *Secret History*; there would have been much

sympathy with Belisarius on this point.⁸⁷ But when his behavior did not change after her death, he was reviled by everyone “when it became apparent that his wife actually dominated him (δέσποινα)” (5.26–27). Gynecocracy was the problem after all. Once again the “rule of women” is linked to the master-slave relationship fostered by the regime of Justinian and the ideology reflected in its ceremonies and protocol. The true chain of command ran up from Belisarius, though Antonina, to Theodora (cf. 5.13).

The word for “rule of women” is rare in Greek, appearing mostly in comedy or ethnography (e.g., for Amazons). Its most important appearance in a theoretical context is in Aristotle’s *Politics*, and it is likely that Procopius had that text in mind when he used the word. It is significant that it appears in Aristotle’s discussion of tyranny. Such regimes are characterized by “the rule of women in the household, so that they may report on their husbands, and laxness toward slaves for the same reason. Slaves and women do not conspire against tyrants.” Elsewhere in the same work he uses the word in a way that reminds us of Chosroes’ reaction to the letter of Theodora: “what difference is there between women ruling and rulers who are ruled by women?”⁸⁸

Therefore, if genre must be involved, I propose that the first part of the *Secret History* be called the Gynecocracy. When the editor of the tenth-century Byzantine dictionary *Souda* listed the works of Procopius, he called the *Secret History* a combination of invective and comedy, possibly the best concise description of the work. One way to achieve this combination is to place vicious accusations in the context of comical or grotesquely exaggerated contexts, and this is what the Gynecocracy does. As it happens, the only works of ancient literature specifically devoted to the rule of women were comic plays, though only those of Aristophanes survive. Curiously, the *Secret History* is full of Aristophanic language, albeit not from the plays on women. Procopius has instead culled lines and terms that refer to the detested Athenian politician Cleon. There are more allusions to Aristophanes in the *Secret History* than to any other author, and some are repeated. One can even speak of a grid of comic language holding the text together.⁸⁹

The choice of source was not accidental. Uncompromising seriousness creates gravity, which lends a measure of dignity even to the accused. Aristophanic language deprives even crimes of their gravity, though not of their seriousness. In a sense, the *Secret History* is itself a kind of stage on which Procopius caricatures Justinian and Theodora and exposes their crimes while portraying them as grotesque creatures. Theodora appears literally on the stage in the work: Procopius graphically recreates the performances of

her youth, effectively transforming us into her audience (9.11–26). Comic language is here very dense.⁹⁰ Even later, when she was empress, he says that her behavior lacked seriousness “as though she were on the stage in the theater” (15.24). This statement follows his account of the way she parodied the liturgy in order to mock an old patrician. Under Justinian, “the state seemed like the game of ‘King’ played by children” (14.14).⁹¹

Laws, Demons, and the Limits of Classicism in the *Secret History*

Oppression has impoverished them to such an extent that they have been reduced to poverty, taxes cannot be collected, and the lawful and customary tribute cannot be obtained without the greatest difficulty; for, when the emperors try to obtain money from magistrates by selling them their offices, the latter, in their turn, indemnify themselves by extortion. . . . If he does not make the payment out of his own property, he must borrow, and in order to do so he will appropriate that of the public, as he must obtain enough from his province to pay his debts. . . . Those who administer the affairs of the provinces, thinking incessantly of what their offices will cost them, discharge many criminals by selling them freedom from prosecution, and convict many who are innocent. . . . Not only do these things occur, but also the sedition in cities, and public disturbances which take place everywhere, go unpunished, in consideration of money paid. . . . The result of this condition of affairs is homicide, adultery, violence, wounds, the rape of virgins, commercial difficulties, contempt of the laws and judges. . . . We are unable to consider or enumerate the evils resulting from thefts committed by the governors of the provinces, and still no one is courageous enough to accuse them of having corruptly purchased their offices.

Oddly enough, this passage is not from the *Secret History*. It is from the preface of Justinian’s *Novel* 8 of 535, in which the emperor condemns the sale of offices and vows to terminate it. Yet a passage from the second half of the *Secret History* mirrors this preface (21.9–25; cf. 22.7–9). Procopius explains the cycle of debt and extortion in the same way, and, like Justinian, stresses the misery it inflicted on provincials. The two texts end similarly by stating rhetorically that the evil was too great to be measured.

Procopius and Justinian agreed about the extent and gravity of the problem. In his edict, Justinian presented himself as the solution: “We pass entire days and nights in reflecting upon what may be agreeable to God and beneficial to our subjects.” Procopius tells a different story. He specifically refers to *Novel* 8 and its provisions but says that Justinian adhered to them for less than a year (21.16–19). He is as much concerned with the emperor’s hypocrisy as he is with the problem itself. The correspondence

between the two texts along with the fact that Procopius explicitly cites the *Novel*, make it certain that he wrote this passage of the *Secret History* with an eye on the edict itself.⁹²

What is the extent of this correspondence in the *Secret History*? Certainly many passages discuss the emperor’s administration, but just how much of the text constitutes a direct response to the rhetoric of his legislation? It is time to look at the second part of the *Secret History*, that devoted to Justinian and Theodora (cf. 1.10), and propose a new explanation for its content and structure.

The second part of the *Secret History* is divided into two sections, which are so different that they have been taken for two originally independent works. Yet there is no significant overlap between them, which suggests a single conception. The sections are (a) chapters 6–18, including the infamous pornography and demonology, and (b) 19–30, a relatively sober if biased attack on Justinian’s laws and administration. I will begin with the legal section first, for that will better enable us to examine the chapters that stand between it and Gynecocracy; that is, the heart of the *Secret History*.

After a short introduction (19), Procopius discusses the major magistracies (20–22), taxation and farming (23), soldiers (24), merchants and trade (25), beggars, the poor, and the professions that were abolished (26); finally, he narrates various individual scandals relating to imperial corruption (27–30). The section ends with the account of imperial ceremonies that we examined earlier.

To my knowledge, no other ancient writer approximates modern categories of historical analysis (administrative, economic, and social) more closely than does Procopius here. It is no accident that modern reconstructions of Justinian’s policies derive many of their facts, and even their framework of analysis, from this part of the *Secret History*, even though their interpretation may differ. The other major source is the emperor’s own legislation, which reflects the imperial point of view. Yet it has not been noticed that the final section of the *Secret History* constitutes a direct and systematic response to those laws. Some of Justinian’s edicts have been lost, and not all of his decisions were put into writing. But imperial decrees were purposely made available to the public, and a writer with legal training and access to the court would have had no difficulty obtaining them.⁹³ It is important to emphasize that Procopius is responding directly to the emperor’s propaganda, not, as has been suggested, to a derivative formulation such as we find in the chronicle of John Malalas. This is not to say, however,

that we cannot find in Malalas reflections of edicts that are no longer extant but that Procopius did have before his eyes.⁹⁴

In other words, the last section of the *Secret History* is largely a commentary on the edicts of Justinian. Its principle of organization is thematic, though it relies on anecdotes for liveliness and proof. It also discusses the character of the emperor's quaestors and prefects, who were the instigators, recipients, or executors of his laws. Whatever relation Procopius had to the court, he had inside knowledge about the mechanisms of legal activity. In the middle part of the *Secret History*, he says that the emperor insisted on writing many of his own decisions, even though that was the proper task of the quaestor, and that his style was "barbaric" (14.2–4). A modern study of the texts written specifically by Justinian has vindicated this judgment, finding the emperor's Latin "pretentious and vulgar."⁹⁵ But it makes no difference to the present argument whether specific edicts were written by Justinian himself or by his quaestors. None could have been promulgated without the emperor's authority.

Most of the topics covered by Procopius in the final section of the *Secret History* can be paired up directly with extant edicts, and, when this cannot be done, it is usually clear that a specific edict is being discussed that has since been lost. This correspondence often extends to rhetorical details. For instance, Justinian complains in *Novel* 122 that merchants were charging triple prices. Procopius uses the same word when he accuses the urban prefects of colluding with merchants to fleece the public (20.1–4). When instituting the offices of quaesitor and praetor of the people, Justinian is anxious to prove that they were not entirely new and that those who would hold them, along with their subordinates, would be honest (*Novels* 13, 80). Procopius begins his account by saying twice that the offices were entirely invented and denounces those who held them, along with their subordinates, for corruption (20.7–12). And so on. The *Secret History* is a distorting mirror of the emperor's own propaganda.

I have laid out this correspondence, to the extent that it can be recovered, in an appendix. Here I will make some general observations on Procopius' project. His primary aim is to show that the law was subverted by the avarice of Justinian and his subordinates. In some cases, the emperor is said not to have implemented his own legislation even when it was good, as, for instance, regarding the sale of offices. In other cases, we are told the secret motive behind the enactment of a specific law. Chapter 28, for instance, discusses the forger Priscus, who bribed Justinian to pass a law allowing churches to enforce century-old claims. Priscus had forged these

claims against wealthy families in collusion with the Church of Emessa. The law in question is *Novel* 9 of 535. Though addressed to the Bishop of Rome, it specifically states, no less than three times, that its provisions are equally binding in the east and to cases "presently pending in court." Procopius says that Priscus was exposed as a fraud in Emessa after "the evil spread to most of the notable citizens" (28.12–15). In 541, Justinian repealed the law with *Novel* 111, claiming that "many actions had been brought" and citing vague concerns about the authenticity of documents. Procopius does not mention the repeal.

It is after all to be expected that an author with Procopius' legal background, literary skill, and polemical intent should attempt a systematic deconstruction of the emperor's legislation, which was such a central component of imperial propaganda. Without the *Secret History*, modern reconstructions of the reign would depend to a far greater degree than they do now on those edicts, especially their prefaces. As matters stand now, there is not even an adequate translation of them, and they are used only marginally in modern surveys of the period. This testifies to Procopius' success. Allusions to specific laws can be found in other parts of the *Secret History* as well. We saw in an earlier chapter that Justinian is introduced as a "tyrant" only after he annuls the law that barred him from marrying Theodora. Procopius explains how a more accommodating law was passed, which became part of the *Codex*.⁹⁶ The advent of tyranny is therefore linked to a specific edict. Many other passages also have a legal slant of this kind. To be sure, hypocrisy, avarice, and constant innovation are presented as fundamental elements of Justinian's personality. But their primary significance lies in the field of law: hypocrisy, because he did not adhere to the principles stated in his edicts; avarice, because he both enacted and violated his edicts for gain; constant innovation and unsteadiness, because he never let the laws rest. The last point cannot be denied by anyone who actually reads the *Novels*. Even Justinian had to admit, in the preface to *Novel* 22, "On marriage," that "a great number of different laws have been promulgated by us with reference to every branch of legislation; but as many of them appear to us to be imperfect, we desire to open a way to our subjects for better things. . . . We should not blush to amend laws which we have published." A recent study has concluded that it would have been impossible for his subjects to keep pace with the constantly changing provisions on such matters as marriage and inheritance.⁹⁷

Procopius set out to destroy the image of a benevolent Christian emperor ceaselessly laboring on behalf of his subjects, an image powerfully

and persuasively projected by the edicts. While the final section of the *Secret History* attacks specific administrative and legal policies, the central section (chapters 6–18) undermines their religious underpinning; namely, the emperor's Christian conception of monarchy and boast of universal benevolence.⁹⁸ This section, to which we now turn, includes the pornography and the comparison of Justinian and Theodora to bloodthirsty demons. It is a highly organized work with an almost symmetrical structure. I have set this out in Appendix 2 in order to focus here on the text's polemical aspects.

The demonology (12.14–32) is located in the middle of this section. It is prefigured in the introduction, where we are told that a monstrous being appeared repeatedly in the dreams of a general who had imprisoned and was about to execute Justinian's uncle Justin, ordering him to release the prisoner (6.5–9). This ensured the dynasty's future. There is also no question that chapter 18 forms a conclusion of sorts: Procopius invokes the demonology again after a long silence and surveys the devastation of the world by war and natural catastrophe. The tempo of the prose picks up and reaches a crashing conclusion at the end of the chapter. The demonology therefore both flanks this section and stands at its heart.

It is unfortunate that scholarly discussions of these passages have been haunted by the demon of literalism, a serious failure of the imagination. At the positivist extreme, the demonology is dismissed as an interpolation: "a historian such as Procopius could not have written such nonsense."⁹⁹ More recently, a scholar on the historicist side has maintained instead that Procopius "meant these sections to be taken seriously." Yet "seriously" here really means "at face value," and this position has been accepted as insightful and accurate in subsequent scholarship: Procopius *literally* believed that the emperor was a demon. Yet this position is not supported by any arguments other than vague references to the "modes of thought" that allegedly prevailed in his "age."¹⁰⁰ If this interpretation is true it would require a complete rethinking of his works, but this is never undertaken, and the same scholar who would have us take the demonology at face value never uses it elsewhere when discussing Procopius' attitude toward Justinian. But then her stated agenda is to make Procopius look as irrational and nonclassical as possible.¹⁰¹ There is no need to interpret his thought coherently, given that the resulting incoherence can simply be ascribed to him. This is an evasion of the problem that is linked to the suffocating imperative to read Byzantine texts as literally as possible whenever religion is involved, no matter what the results. The same scholar says about the pornographic passages that "no one was expected to take them literally."¹⁰² No reason is

given for this different approach. And no attempt is made to reconcile the literal reading of the demonology with the same author's programmatic warning earlier in her book that "neither here nor anywhere else must Procopius be taken at face value."¹⁰³

Most of my students have no problem making the distinction between reading something "seriously" and taking it "at face value." One could even posit that as the first rule for reading ancient literature. Gregory of Nazianzus did not literally believe that Julian was the Devil, nor Lucifer of Calaris that Constantius was the Antichrist, nor Jerome that the Vandal Gaiseric was the Antichrist.¹⁰⁴ If they did, the study of patristic theology has been off course for centuries. Nor did John Lydus believe that the prefect John the Cappadocian and his minions were really "demons and fiends."¹⁰⁵ Nor, finally, did Procopius literally believe that the Cappadocian was "the most wicked of all demons," yet he calls him just that, in the *Wars* no less (1.25.35). Furthermore, the demonology in the *Secret History* is punctured by disclaimers at a rate unmatched elsewhere in his works, which establishes a critical distance between author and text: "they say that . . ." (12.18, 12.24, 12.28, 12.30, 12.31); "I myself did not see these things, but heard the accounts of those who did" (12.23); "but these things are so according to the opinion of the majority" (13.1; note the change from 12.14); "some say . . . others say . . ." (18.37); "whether Justinian is a man . . . or the lord of the demons . . ." (30.34). The demonology is a function of authorial strategy, not religious belief.

The question is not whether Procopius believed this rhetoric but why he chose to use it. Why does he call Justinian the lord of the demons? More broadly, why does a classicizing author develop a comparison that requires the deployment of strikingly nonclassical images? The answer, I believe, is that the aim of the demonology is to invert Justinian's Christian image. Its function is polemical and not confessional. The conceptual background of Procopius' words is Christian because their target was also overtly Christian.¹⁰⁶ After all, "the lord of the demons" is how the New Testament refers to Satan; the allusion is unmistakable.¹⁰⁷ Procopius is using Justinian's faith to destroy his public image. Yet his seriousness is by no means diminished by his irony.

Let us consider a few examples of this counterpoint. In the *Novels*, Justinian refers to the "purity" of monastic life and the benefits it confers on the empire: "Where these holy persons pray to God for the prosperity of the government with pure hands and souls free from every blemish, there is no doubt that our armies will be victorious and our cities well

governed.”¹⁰⁸ Well, Procopius cites as witnesses of Justinian’s demonic nature “a certain monk, one extremely beloved by God” (12.24), along with some other men who spent the night in Justinian’s company, presumably also monks or priests, whom he calls “pure of soul,” again echoing the emperor’s legislation (12.20; cf. *Wars* 7.32.9). These episodes effect an ideological realignment by turning against the regime the very people on whom it most depended for moral legitimacy. For the sake of his polemic, Procopius accepts Justinian’s valuation of monastic life, but only to use it as a weapon against him.

Likewise with Justinian’s personal habits. The *Novels* refer often to his vigils and asceticism: “We shall undergo vigils, abstinence, and all the other privations in order to promote the welfare of our subjects.” Or, “We pass entire days and nights in reflecting upon what may be agreeable to God and beneficial to our subjects, and it is not in vain that we maintain these vigils.”¹⁰⁹ In the panegyric *Buildings*, these habits are praised as a sign of the emperor’s piety (1.7.5–16), and other writers of the reign also commented on them.¹¹⁰ In the *Secret History*, however, they are presented as proof of the emperor’s demonic nature (12.27; cf. 13.28–33) and are described in exactly the same language as in the *Buildings*.

This ideological deconstruction operates on more general levels as well. The macabre stories told by those men with “pure souls” are repeated often in modern studies, with copious citations to religious parallels,¹¹¹ but the chief question is never asked: what is their purpose and significance in the context of Procopius’ argument? What does it mean that Justinian walked around without his head or that his face transformed into a shapeless mass of flesh? (12.20–23). This is dehumanizing, but in the most striking way possible. The head and face are the most distinctive physical features of humanity: these episodes symbolically validate the charge of inhumanity. Though Procopius is careful to state that he did not witness them himself, he reports them to undercut the emperor’s propaganda, for under the influence of Tribonian, Justinian’s legislation had given new importance to the imperial quality of *humanitas*, or Greek *philanthropia*. This is invoked in numerous edicts: “We believe that the benevolence of God, and His exceeding clemency toward the human race, should be imitated by us” (*CJ* 5.4.23). The confirmation of the *Digest* refers to God’s *divina humanitas*,¹¹² the inverse of Procopius’ demonic inhumanity (12.14). More generally still, where Justinian thanked Christ, his *dominus deus*, for the favor shown to his reign (e.g., *CJ* 1.27.1), according to Procopius some believed that God so

hated his wicked deeds that he turned his back on the empire, allowing demons to destroy it (18.37). These must be other demons.

Yet when all is said and done, after we have heard all the movements of the *Secret History*’s dark symphony—the Gynecocracy, the demonology, the critique of Justinian’s legislation—Procopius’ basic question still stands: “how can anyone possibly explain in words the character of Justinian?” (8.27). The shrillness of the text betrays its author’s frustration. His subject proved elusive. Classical authors had developed a specialized discourse for the condemnation of tyrants. But Justinian did not fit the mold. He was a tyrant, but he was not a sensualist. He did not rule to gratify his body, as tyrants were supposed to do. Quite the contrary; he was an ascetic. An early *eros* for his future wife was all that could be found. As we saw above, Procopius did develop this event according to the discussion of tyranny in Plato’s *Republic*, but charges of continued debauchery would have seriously misrepresented the regime, and Procopius wanted to understand it and expose it on its own terms. The root of his difficulty lay in its nonclassical foundations, which made it more similar in certain interesting respects to modern tyrannies than to anything ancient. The regime of Justinian was founded on ideology, not opportunism, and nothing in classical literature could have prepared Procopius for this. Though he was aware of its ideological dimension and was willing to go beyond classical paradigms in order to attack it, the temptation to reduce it to opportunism simply to make it intelligible was strong. It is this tension that explains the shrill tones, the frustration, and the shortfalls of the *Secret History*.

Procopius and his contemporaries never fully understood the psychological mechanisms that operated beneath Justinian’s cold and inscrutable surface. Perhaps only Theodora ever did. A reflection of this is the fact that Justinian never speaks in direct discourse anywhere in the works of Procopius. The *Secret History* depicts a sterile technocrat addicted to secrecy, murder, and greed who has replaced his emotions with doctrines and uses language to conceal rather than speak the truth. His tyranny was modern in that it was founded on ideology; Justinian was incapable of thinking or acting without invoking theological principles. He was not exaggerating when he said that “we are accustomed to consider God in everything that we do” (*Novel* 18, preface). For instance, he invoked Scripture to regulate the price of vegetables. He there revealed the extent of his totalitarian disposition, which he had in common with no other ancient monarch: “there is no part of the administration of either great or small importance which does not demand our attention; we perceive everything with our mind and

our eyes, and we do not desire anything to remain neglected, confused, or ambiguous" (*Novel* 64). In many of his constitutions, he stated his desire to reduce the world to a single universal and rational order that was based on infallible principles and marred by no inconsistencies or ambiguities. His compilation of Roman law was motivated by this ambition.¹¹³ It was precisely this aspect of his ideology that Procopius inverted when he accused him in so many passages of the *Secret History* of throwing the whole world into chaos and confusion.

Perhaps the most insightful comment ever made about Justinian's personality is that "his mind was formed by a reading of a Christian and bureaucratic sort." His own writings give "no evidence of classical culture."¹¹⁴ There is something ineluctably modern about the combination of dogmatism and bureaucracy, and it is no wonder that the same scholar compared Justinian at length to Stalin.¹¹⁵ We can easily discern Justinian in definitions of modern tyranny that aim to differentiate it from its ancient counterparts: "the Final Tyrant presents himself as a philosopher . . . as the supreme exegete of the only true philosophy, as the executor and hangman authorized by the only true philosophy. He claims therefore that he persecutes not philosophy but false philosophies."¹¹⁶ He is "a tyrant in command of a party animated by a revolutionary ideology, intent on using propaganda to impose a particular worldview on the populace, and willing to employ terror to snuff out every hint of political and cultural dissent."¹¹⁷ Wars for glory and plunder Procopius could understand, but a ruler who killed subjects for their religious beliefs while regulating the price of vegetables with his hand on the Bible was not something for which his education had prepared him. Justinian, he realized, "did not consider it to be murder if his victims were of a different faith." Like Stalin, "with a gentle face, lowered brows, and soft voice, he would give orders leading thousands of innocent men to their death."¹¹⁸

The tyranny exposed and condemned in the *Secret History* has disturbingly modern qualities, and it is this, perhaps, that explains its popularity with students of Byzantine history. The pornographic sections are ultimately trivial, but religiously motivated murder and the subversion of law by greed speak loudly to our age. The nonclassical aspects of the text are due, as I have argued, to Procopius' attempt to come to grips with the new ideology by reversing its polarities and exposing its fraudulence. This effort took him far from classical paradigms. Nothing indicates this to me more powerfully than the complete absence of genuine humor from the work. Most ancient historians who wrote about tyrannies used humor to expose

the absurdities of arbitrary power.¹¹⁹ A tyrant was after all only a man. He would die and be replaced, perhaps by someone better. His crimes—some seductions and one or two dozen murders—were ultimately petty and could be mocked in retrospect. The *Secret History*, however, may contain sarcasm and tragic comedy but nothing that is even remotely *funny*. The stakes were too high. The modes and orders of civic life that classical authors had taken for granted were under attack, and there could be nothing amusing about this. As Procopius put it in a chapter on the decline of orators, doctors, teachers, and theaters, "there was no laughter in life for anyone" (26.10). Likewise, his fellow traveler Simplicius had lamented in his commentary on Epictetus "the destruction of education and philosophy, of all virtue and friendship and trust in one another" (14.26–27).

Alternatives and Solutions

Does Procopius offer any alternatives or solutions to the problems posed by the regime of Justinian? At first sight, there is little to go on. The *Secret History* is too negative, the *Buildings* too insincere. The latter work, despite occasional irony, reflects the propaganda of Justinian, while the former inverts it. As a result, both approach the regime through its own terms. The emperor is either God's deputy on earth, an imitator of Christ and paragon of virtue (a standard Byzantine view, dubbed "Eusebian" by scholars), or an unholy demon. There is no mention of God in the *Secret History* that is not complicit in the deconstruction of Justinian's ideology. Panegyric and invective are both framed theologically. The question is, did Procopius accept this framework, even if he did not regard Justinian in particular as God's representative? The latest view asserts that he did, though it offers little by way of argument.¹²⁰ There are in fact strong reasons to reject this conclusion.

We must work from the *Wars*, which, however, is a descriptive text that does not discuss ideal regimes. Still, Procopius occasionally praises certain rulers in general terms, disclosing the qualities that he deemed necessary. These passages are crucial because they are not fatally compromised by panegyric or polemical intentions. And we should note at the outset that they are entirely secular.

At the beginning of the *Gothic War*, Procopius strongly praises Theoderic for "possessing those qualities most appropriate to one who is by nature an emperor" (5.1.26–27). In other words, the virtues of Theoderic