"Our Most Pious Consort Given Us by God": Dissident Reactions to the Partnership of Justinian and Theodora, A.D. 525–548
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"Our Most Pious Consort Given Us by God": Dissident Reactions to the Partnership of Justinian and Theodora, A.D. 525–548

The vividness with which the reign of Justinian I and his empress Theodora holds our imagination emerges no less from the coloring given the period in the writings of contemporary figures than from the events themselves, however momentous they were. We are fortunate in possessing a substantial volume of such writings, writings which moreover are products of a variety of cultural and political points of view. Especially striking is the manner in which Justinian's regime succeeded simultaneously in evoking the triumphalism of the high Roman empire while taking irretrievable steps toward the consolidation of a theocratic state grounded upon an authoritative interpretation of Christian orthodoxy. Accordingly, the reign marked a time of increasing polarization and ideological rigidity, which exposed tensions subsisting in configurations of power among and within elite groups of individuals.

Different arms of Justinian's initiatives affected these groups in differing ways. Secular authority in the cosmopolitan context of late antiquity had fallen, at least in those instances where it did not lie with the bishops, landowners and other holders of de facto authority, into the province of imperial administrators and magistrates. These were, in many cases, individuals drawn from local elites in the municipalities,

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who through the possession of a Greco-Roman literary education had gravitated toward the centers of what by the sixth century had long been a bureaucratic superstate. It was through such learning that members of this bureaucratic elite recognized each other. Religious affiliation had little if any impact upon their sense of fellowship. Many will perhaps have been Christians of an indifferent sort, a few will have been secret pagans, and some may have had sincere theological zeal. The classical literature that functioned as their cultural point of reference had been assimilated into the dominant Christian society and to that extent humanized and made part of a secular, sophisticated sensibility.

Justinian's coming to power carried with it both benefits and liabilities for men of such sensibilities. Two of the first actions of his sole rule were the codification of Roman law, hailed as the restoration of a neglected ancient dispensation, and violent purges of prominent pagan intellectuals and magistrates. Simultaneously, the regime was claiming the mantle of a glorified Roman past, and, though the purges spoke to practice rather than sentiment, bringing dramatic pressure to bear upon those whose reverence for that past potentially exposed them to charges of paganism. When, during the period of Justinian's military successes in the 530s,

3. Hence the convention that members of this group will speak approvingly (or not) of other members, even if they are not personally acquainted with them, in terms of the extent of an erudition which has little or nothing to do with the technical aspects of their official positions; see, for example, the remarks of Procopius about Justinian's Quaestor Tribonian (Wars 1.24.16, 25.2); those of Lydus on Peter the Patrician (De Magistratibus 2.26); and of Agathias on Procopius (Hist. 4.26.4ff.). On this subject generally, Maas, Lydus 28-37; cf. Averil Cameron, Procopius and the Sixth Century (Berkeley, 1985) 225-41. Also Robert Kaster, Guardians of Language: The Grammarian and Society in Late Antiquity (Berkeley, 1988) 201-30. Thomas F. Carney, Bureaucracy in Traditional Society: Roman-Byzantine Bureaucracies Viewed from Within, II (Lawrence, Kansas, 1971) approaches the topic from a sociological perspective.

4. Agathias, for example, heaps scorn on fellow professionals like the physician Urianus who dallied in theology in a dilettantish fashion (Hist. 2.29).

5. The Constitution Haec (13 February 528) boasts that "those things former emperors thought necessary to correct, but did not, we will do ourselves" (preface). C. Summa (7 April 529), authorizing the promulgation of the first edition of the Codex, makes the point that both force of arms and force of law are essential to sustaining the state: "for this reason, the fortunate race of the Romans gained precedence over other nations in former times, and will do so forever, if God is propitious" (pr.). On Justinian's reform constitutions, M. Maas, "Roman History and Christian Ideology in Justinianic Reform Legislation," Dumbarton Oaks Papers 40 (1986) 17-32.

6. CJ 1.2.9-10, 1.5.18, 1.9.10 (all undated). The performance of pagan cult practices was a capital crime. Investigations were ordered. Legislation prohibiting pagans and heretics from holding public office or inheriting property was strongly reasserted. Offenders were given a grace period of three months in which to embrace orthodoxy. Relapses were punished by death. Non-Christians were forbidden to teach (Malalas, Chron. 18.451; Agathias, Hist. 2.30). The first purges took place as the work of Justinian's first law commission was drawing to a close; J. B. Bury, The History of the Later Roman Empire from the Death of Theodosius to the Death of Justinian (hereafter, Bury, LRE) ii (London, 1923) 364ff. On the victims of the purge, Malalas, Chron. 18.449; Theophanes, A.M. 6022; ps.-Dionysius, Chronicon ann. 852 (ed. J. B. Chabot, CSCO Scriptores Syri 3.1; new trans. R. Hespel [1989]). The fall of Phocas, a highly admired patrician (De Mag. 3.72ff., Wars 1.24.11, HA 21.6; cf. PLRE II.881–2), was especially noteworthy. On the impact of the purges upon the pagan aristocracy, Maas, Lydus 70–82.
the capital witnessed a parade of spoils captured from Vandal Africa in a spectacle designed consciously to evoke an ancient Roman triumph, the spirits of sentimental patriots cannot have failed to respond. Yet the difficult job of consolidating the Western conquests, coupled with the renewal of war with Persia and the appearance of distressing omens such as recurring outbreaks of plague, inevitably soured the once confidently providential aspect of the regime. At the same time, though Justinian sought to camouflage substantive administrative reforms through the “revival” of ancient titles and the manufacturing of historical precedent, the fact remained that his efforts to streamline links between the center and the periphery and to achieve better government, in part by minimizing the prevalence of officially sanctioned graft, inevitably stepped on the toes of entrenched interests and closed off formerly lucrative opportunities for the peddling of influence. Students of our two major sources for these developments, Procopius and John Lydus, have individually observed that in both of their writings there appear to be two Justinians at play: one the providential and irrepressible restitutor orbis Romani, whose sleepless vigilance and beneficence might rescue the fortunes of the state; and the other a much more ambiguous and disturbing figure, an innovator and destroyer of established institutions either through malevolence or indifference.

A similar ambivalence is to be found when we come to look at Justinian’s ecclesiastical policies. The accession of Justinian’s uncle Justin to the throne (518–27) effected a reaction against and a reversal of gains made during the reigns of Zeno and Anastasius by moderate “Severan” Monophysites. Together with pagans, Justinian’s punitive legislation affected heretics and other cultural nonconformists. Nevertheless, in the years following his succession to sole rule after Justin’s death, Justinian gradually effected an easing of tensions, allowing displaced monks to return to their monasteries, but refraining from restoring Severus and his fellow ousted bishops to their sees. For their part, the Monophysites had hardly been passive during the period of persecution. Their ecclesiastical isolation created pressures for the ordination of new clergy; thus, particularly through the activity of the bishop John of Tella, the first steps toward the creation of an independent Monophysite hierarchy were under way. For his part, Justinian sustained the hope

8. Maas, Lydus 92–96, and Cameron, Procopius 229–30, 244 (on Lydus); cf. 142ff. Maas perceives both elements to be at play simultaneously in De Magistratibus; Cameron argues that we see either side of a dialectical opposition between the two figures at play in the Buildings and Anecdota respectively.
of arriving at a credal formula acceptable to both the supporters and the opponents of the council of Chalcedon. The yearlong series of discussions and consultations between the two groups which got under way in the capital in March of 532\textsuperscript{13} marked the opening of what proved to be no more than a temporary suspension of hostilities between the emperor and the recalcitrants.

The following years saw a number of significant advances for Severus's side. In an imperial edict of 533,\textsuperscript{14} Justinian set forth a Christological formulation which acknowledged a cornerstone of Monophysite piety in contending that a member of the Trinity had suffered in the flesh, while at the same time sidestepping such issues as the canonicity of Cyril's Anathemas or the \textit{Tome} of Leo. Severus himself, having declined to attend the colloquia of 532–33, accepted an invitation to the capital in 534 and was received with every honor.\textsuperscript{15} Following the deaths in 535 of both the Monophysite patriarch of Alexandria, Timothy, and the Chalcedonian patriarch of Constantinople, Epiphanius, two successors sympathetic to Severus, Theodosius\textsuperscript{16} and Anthimus respectively, were installed.

The Chalcedonians were alarmed at these developments, to say the least.\textsuperscript{17} Their reaction, given particular impetus by the interventions of pope Agapetus at the capital, set the stage for a recrudescence of official hostility toward the Monophysites. Justinian, then plotting the reconquest of Italy from bases in captured Africa and Sicily, was not about to endanger his ecclesiastical position in the West for the sake of perpetuating the status quo with respect to Severus and his disciples. The Chalcedonians’ first target was the patriarch Anthimus, who at the time of his consecration had been recommended chiefly on account of his asceticism and had only in the course of contact with Severus fallen into opposition to the synod.\textsuperscript{18} Anthimus was deposed from his throne and Menas installed in his place (13 March 536). A local synod later that year confirmed the decision and renewed the condemnation of Severus and his writings. Justinian enforced

\begin{itemize}
  \item between John’s ordinations and Justinian’s opening of a new Monophysite-Chalcedonian dialogue. Frend (\textit{supra, n. 9}) 260ff.
  \item 14. \textit{CJ} 1.1.6 (15 March). An exchange of letters between Justinian and pope John II asserting the latter’s acceptance of the Theopaschite creed was included in the Code as well (\textit{CJ} 1.1.8 (6 June 533); cf. \textit{CJ} 1.1.7, Justinian’s letter to the patriarch Epiphanius). Frend describes these initiatives as “the new \textit{Henotikon}” (\textit{supra, n. 9}: 268).
  \item 16. Theodosius was opposed soon after by a rival Monophysite of the Julianist faction, Gaianus, and finally expelled from Alexandria, after which he led the Severans from a place of semi-confinement in Constantinople.
  \item 17. Ps.-Zacharias 9.15, where pope Agapetus’s visit to Constantinople is ascribed solely to Chalcedonian agitation, and particularly the efforts of Ephraim of Antioch (\textit{ibid., 19}; cf. Michael the Syrian, \textit{Chron.} 9.23 [ed. Chabot, 2.200]).
  \item 18. He had participated in the colloquia of 532–33 as a Chalcedonian delegate; Frend (\textit{supra, n. 9}) 270–73.
\end{itemize}
the rulings of the synod with an imperial constitution, banning Severus and his supporters from major cities and ordering their writings to be burnt.  

So intent were the Chalcedonians upon pressing their advantage that the patriarch Menas went so far as to overlook the customary prerogatives of the hierarchy touching upon matters of faith, declaring that nothing could be done in the life of the church contrary to the will and command of the emperor.  

Ephraim of Antioch, supported by imperial troops, embarked upon purges of Monophysite monasteries in Syria and Mesopotamia. Theodosius of Alexandria was deposed from his see. John of Tella was arrested, subjected to torture, and died in prison.

The violence of the Chalcedonian counter-reaction did not by any means close the chapter on Justinian’s relations with the Monophysites. In 542 he employed John of Ephesus as his agent on a mission of Christian conversion to the rural pagans of Asia Minor, and later sustained his authority over the religious foundations he established against the encroachments of the local bishop.  

The emperor’s involvement, first in the anti-Origenist controversies which culminated at the Fifth Ecumenical Council of 553, and finally, at the end of his life, in the aphthartodocetism of Severus’s enemy Julian of Halicarnassus, demonstrated the strength of his conviction that in the life of the church as in any other aspect of the lives of his subjects, imperial will and vigilance would surmount any obstacle.

As in the secular sphere, Justinian showed himself in matters concerning the church to be a monarch prepared to trade upon ambiguities, to remove the velvet glove from the iron fist and put it on once again, to make himself at one moment the student of the professional theologians, and at the next moment the scolding schoolmaster. If, from the point of view of the bureaucrats, Justinian looms large as alternately the champion and the wrecker of Roman greatness, to the schismatic bishops, as we shall see, the emperor emerges, in a work such as John of Ephesus’s *Lives of the Eastern Saints*, by turns as a humble and pious servant of Christ and as a cruel persecutor in the mode of a Galerius or a Pharaoh. The perpetuation of such polarized views of so conspicuous a figure speaks not simply to the means and motives of the self-presentation of Justinian’s regime, but more conclusively to the

19. *Novel* 42 (6 August 536).


23. In the preface of *Novel* 137 (10 March 564/5), one of several constitutions regulating ordinations, Justinian asks, “if the civil laws are keenly enforced, with whose execution God has entrusted us, how much more keenly shall we look to the canons and divine laws?” On Justinian’s theological pretensions, Stein, *Bas-empire* ii, 279–80.
gulf between expectations engendered by the regime’s self-confidence and audacity, on one hand, and, on the other, the necessarily more modest and contradictory results Justinian obtained in the course of a long and eventful reign.

Whatever the role the emperor played in inspiring the sharply discordant portrayals we find preserved of him, Justinian remains the character created by the authors of those portraits. Accordingly, instead of trying to get to grips with any kind of a definitive formulation of Justinian’s own methods and motives, we are on firmer ground in considering the manner in which individual authors worked out for themselves the dilemmas posed by the divergences between their expectations and the results to which they were obliged to submit. We must remember, of course, that the sources which are available to us represent for the most part those who found coexistence with the regime to be, on balance, more profitable than outright opposition. Were we to recover the voices of those whose losses under Justinian’s policies far exceeded their gains, such as the victims of his religious persecutions or those who suffered as a result of his western ambitions, the aggregate portrait of the emperor and his reign would undoubtedly seem less contradictory.

John Lydus furnishes us with an instructive case in point in his De Magistratibus. One reliable touchstone for the sensibilities of professionals of the class and background we have been speaking about is the scorn they heap upon their cultural inferiors. Procopius and Lydus are unanimous in the odium and derision they reserve for John the Cappadocian, a man of notoriously low culture and Justinian’s Praetorian Prefect of the East from the beginning of 531 until January of 532, when he was deposed under public pressure during the Nika riots, and again from the end of that year until 541, when he was implicated in a plot against Justinian and disgraced for good. At the time of their writing, Procopius and Lydus had no need to fear retribution from John for their remarks, and yet certain delicacies remained to be observed. John had enjoyed Justinian’s complete trust and served as his right-hand man up until the point John’s treachery was exposed; consequently, care had to be taken lest the emperor appear to be too complete a dupe, or alternatively, too willingly a collaborator in the ruthless financial exactions which were John’s stock in trade. In Lydus’s case we have preserved only his account of the Cappadocian’s first tenure as prefect, which Lydus accepts as the whole and sufficient cause of the Nika riots. We are treated to a withering execration of the Cappadocian’s professional malfeasance, of his depraved personal habits, of the whole despicable lot of Cappadocians, and finally of the economic ruin John’s practices visited upon Lydus’s homeland. How does Lydus account for Justinian’s all too apparent

24. De Mag. 3.57ff.; Procopius, Wars 1.24.11ff., where his introduction of John forms an integral part of his account of the Nika rebellion.
25. For the chronology, James Caimi, Burocrazia e diritto nel De magistratibus di Giovanni Lido (Milan, 1984) 50ff.; Cameron, Procopius 8–12.
26. De Mag. 3.70.
acquiescence in these excesses? The emperor was deceived, Lydus claims, by dissembling courtiers who out of fear of the Cappadocian refused to denounce him to Justinian.27 Only the empress Theodora, whom Lydus describes here as being “more formidable in her understanding and sympathy toward the wronged than any other individual ever” (loc. cit.), was vigilant, ἀγρυπνοῦσα, and dared to inform the emperor of the Cappadocian’s outrageousness. On hearing the news, Lydus adds, Justinian was concerned and attempted to remove John, but was foiled by the fact that John had muddled the accounts of the prefecture so badly that no one could disrupt his position. And thus the matter rested.

What is striking here is not so much the lameness of Lydus’s excuse for Justinian’s lassitude as the insistence with which he contrasts that lassitude to Theodora’s agrupnia. Elsewhere in the De Magistratibus it is precisely Justinian’s agrupnia that Lydus contrasts to the neglectful sloth of earlier emperors, which had permitted the fortunes of the Romans to fall into such dramatic disrepair.28 In taking this latter line, Lydus is mirroring a consistent theme of Justinian’s own propaganda, which continually was at pains to emphasize Justinian’s restless energy and sleeplessness and burden of cares on behalf of the state.29 At times the imperial vigilance was represented as almost a supernatural force. “No part of the administration, great or small, escapes the imperial attention. Everything is perceived with our mind and our eyes,” boasted a constitution regulating the affairs of the gardeners of Constantinople.30 The corollary of perpetual watchfulness was supposed to be swift and unvaried retribution: “Among the offenses of our subjects, there is not one, no matter how serious, which we do not succeed in suppressing.”31

Inadvertently or not, Lydus here threatens not only to upset his own idealized portrait of Justinian’s imperial persona, but to cast doubt upon the credibility of the regime’s own self-presentation.32 And it is here for the first and, as we have the text,33 the only time that Theodora makes an appearance upon the imperial

27. De Mag. 3.69.
29. E.g. Novels 8 (15 April 535, pr.), 30 (18 March 36, §2), 37 (1 August 535, pr.), Institutes 2.20.2. Cameron, Procopius 246–47, 255–57; Maas, Lydus 92ff.
32. Maas writes of the episode (Lydus 95–96): “This characterization of Justinian is ludicrous, and not in keeping with anything else Lydus has to say about the emperor. Yet what else might Lydus have done? Prudence, perhaps even genuine confusion, must be assumed.”
33. Our view of the De Magistratibus is seriously compromised by the fact that we lack Lydus’s treatment, consecutively, of the fall of his hero, the patrician Phocas (De Mag. 3.72ff.), from the prefecture which he assumed during the Nika riots, of Phocas’s subsequent suicide following his exposure in a resurgence of pagan persecution, and of the Cappadocian’s return to power and eventual fall. Theodora undoubtedly would have played a conspicuous role in Lydus’s account of those events. In addition, it is clear from the surviving chapter headings of lost portions of the work that Lydus wrote a section “On the pious empress Theodora, how she benefited the public good” (3.15), which presumably would have resembled accounts of her charitable works which survive in other sources, e.g. Aed. 1.9.5–10, on the convent of Repentance she founded for rehabilitated prostitutes (cf. HA 17.5,
stage. Theodora’s visceral hatred of the Cappadocian was no secret,34 and so there is nothing surprising about the intervention Lydus concocts here; quite to the contrary, John’s rather fleeting allusion to Theodora’s behind-the-scenes influence may promise to tell, to an audience better acquainted with the subtext than we are, more than it actually succeeds in disclosing. What John does tell his audience in this instance is that, although one locus of imperial vigilance may have fallen down on the job, a second pair of restless eyes was on the scene helping to minimize the lapse. Justinian’s overarching imperial persona is not so much deconstructed here as it is made to expand and assimilate to itself the person of the empress. Theodora emerges as a strangely supplementary presence, whose intervention does not especially resolve the dilemma posed by Justinian’s inaction, but rather serves to mitigate the more troubling possibility of Justinian’s acquiescence, even as it calls attention to the problem.

Such portrayals of the interaction between the two members of the imperial couple are a recurring feature of a considerable range of the literature of Justinian’s reign. Quite apart from the particular historical contexts in which this interaction takes place, the illustration furnished by Lydus above suggests that it may be profitable to consider ways in which our authors, by having recourse to a portrayal of an interior dynamic within the imperial couple, resolve otherwise intractable dilemmas in order to make sense of imperial initiatives and attitudes. We have seen in the broadest terms how the regime’s ambitions could evoke an array of extreme and contradictory responses from its subjects. The availability of such an interior dynamic as a structural motif for both narratological and analytical purposes gave scope to the recognition and expression of contradiction without thereby entailing an admission of disorder: it enabled the imperial couple, and thus in an overarching sense the instrumental function of the imperial “role” in the state, to work if necessary at cross purposes while preserving at a more abstract level of synthesis an unbroken unity of purpose.

There are two instances in which our sources express with some precision the possibility of such an underlying interior dynamic at work in the imperial couple. The relationship between the two sources is unresolved. In the first place, there is Procopius’s notorious assertion in the Anecdota that Justinian and Theodora consciously adopted a policy of divide and rule:

For a long time it was thought by everyone that they were utterly opposed (καταντιαρῆς) to each other in their opinions and habits, but later it became known that this impression had been concocted by them purposefully (ἐξεπτεθές), in order that their subjects might not combine and rise up


34. Below, p. 268.
against them, but rather that the opinions of everyone regarding the two of them might be at variance.  

It is obvious here that Procopius's premises are negative and destructive. He is not concerned with rehabilitating Justinian and Theodora in any positive sense. The objects of the regime are the perpetuation of its own power, coupled with a malevolence which in the Anecdota emerges here as a means to an end, and elsewhere in the work as an end in itself. "He had no concern to preserve what had been established (τῶν καθεστωμένων), but endlessly he wished to innovate in everything, and, to put it concisely, he was a monstrous wrecker of anything that had been well established (τῶν εὗροι καθεστωτῶν)." Despite Procopius's hostility, it is important to note that he nevertheless is offering even here a rationalization of the behavior of the imperial couple. "Rational" might seem to be a odd word to associate with a work which considers in all sincerity, apparently, the possibility that the government is headed by two demons incarnate; but like every paranoiac's pet conspiracy theory, the wild accusations of the Anecdota react to the possibility of genuine chaos by postulating a deeper and more absolute stratum of control. Procopius's portrayal of Justinian and Theodora sustains the ideology of absolute and virtually superhuman imperial authority in the face of what is actually rather compelling evidence of real ataxia in the universe. A demonic emperor and empress to that extent become reassuring when the alternative is a truly frightening absence of control.

When we come to the second instance, in the ecclesiastical history of Evagrius Scholasticus, we find a sentiment strikingly similar to Procopius's but deployed in an altogether different light. Justinian was a Chalcedonian and Theodora a Monophysite, he remarks, either out of genuine conviction, "for when the faith is a matter of dispute, fathers are divided against their children, children against their


36. *HA* 6.21; cf. 6.23–25, 7.1, 6–7, 31–32 ("the government resembled a tyranny, but not one which had been firmly established (καθεστωμένη), but rather one that was changing every day and continually beginning over again"), 39–41.

37. *HA* 12.14, 27, 18.1–4, 36–37, 30.34. Procopius himself concedes (*HA* 10.9) that no member of the populace opposed Theodora or denied her anything, because, he supposes, matters were thought to have been so ordained, "as if Fortune had made an exhibition of her power . . . for whom it is a matter of no concern either that events should be seemly (εξωτικα) or that they should seem to men to have happened in accordance with reason (κατά λόγον)." Even here it is unclear whether Justinian and Theodora hold power because their subjects believe themselves to have no other recourse, or whether they have in fact no other recourse.

38. Although Evagrius's dependence upon Procopius's *Wars* is transparent, commentators have resisted the tempting conclusion, drawn on the basis of this passage and others, that Evagrius knew the Anecdota as well. See P. Allen, *Evagrius Scholasticus the Church Historian* (Louvain, 1981) 194–96. Though Evagrius is an ecclesiastical writer and he associated himself with the episcopal rather than the civil administration of his native Antioch, his background and profession places him fairly squarely in the cultural milieu of secular administrative elites.
parents, a wife against her own husband, and again a husband against his wife,” or on the other hand by a mutual understanding.39 Whereas Procopius is describing a general imperial policy, Evagrius restricts the field of his remark to ecclesiastical matters. This accords itself well to Evagrius’s immediate subject, which is the Chalcedonian resurgence under Justin. Moreover, by addressing himself expressly to spiritual matters, Evagrius employs exactly the opposite of Procopius’s tactic of demonizing the imperial couple, by humanizing and domesticating their dispute, entertaining the possibility that the experience of the emperor and empress was no different from that of any number of couples of differing theological affiliations. Here again the conjunction of two individuals in a marital unity stands almost as a metaphor for an imperial unity of will. On the other hand, the possibility that some sort of premeditated arrangement has taken place is given no further elaboration.

Though a Chalcedonian himself and a writer of church history from a Chalcedonian point of view, Evagrius is rather sharply critical of Justinian and his uncle, deploring the tumult and controversy their tactics brought to the church, and moreover taking Justinian to task for his avarice and for his fall into the heresy of aphthartodocetism.40 Despite Anastasius’s Monophysite sympathies, that emperor draws praise for his restraint and moderation, his opposition to the introduction of innovations, especially in the life of the church, his unwillingness to enforce imperial bans against his theological opponents at the price of bloodshed, and his careful stewardship in finance and administration.41 Despite their theological differences, Evagrius finds Anastasius a more sympathetic figure by far than Justinian. The same would seem to hold true for Theodora. In the passage we have been considering, which again is effectively Theodora’s sole appearance in the work, Evagrius’s attention rests upon the empress rather than the emperor. Despite her solicitude on behalf of Monophysites, we are told, she showed kindness to what Evagrius describes as “our people” (τούς ἑμεδαπούς)—a remark variously interpreted to refer to Chalcedonians or Orientals—and bestowed munificence upon others as well. Here Theodora emerges not as Justinian’s partner in crime, but again as a kind of supplementary presence, taking off the emperor’s abrasive edge somewhat and compensating for the distastefulness of Justinian’s ecclesiastical policies.42 It strains credibility, therefore, to understand Evagrius’s unexplained intimation of a possible prior theological understanding between emperor and empress to carry the sinister connotation our knowledge of the Anecdota might encourage us to suspect. More
important than the circumstances which gave rise to the imperial couple's particular configuration of belief is the fact that a sympathetic presence occupied the throne with Justinian.

Procopius and Evagrius together indicate that the possibility that an emperor and empress might pursue divergent agendas was recognized and appreciated in late antiquity and could be articulated in terms of abstract objectives and principles. Yet in neither case do we find the possibility that such divergences represented a genuine disjunction of views, of a sort which might fracture the unity of the imperial couple. In itself, the idea of an empress assuming some prominence in the realm of public affairs need not have been especially revolutionary or subversive, so long as her conduct showed her to be acting in concord with her husband, thus expressing proper marital homophrosunê. In Procopius's description of the ceiling mosaic in the Chalke Gate of the Great Palace, we find Justinian and Theodora depicted together at the cynosure of a vast representation of imperial victory, the victory not of a conquering soldier-emperor but of a world monarch, in whose transcendental triumph his consort can participate without incongruity. Justinian personally took some possibly extreme steps to associate Theodora explicitly in the official and even the magisterial functions of his office. In a provincial reform Novel of 535, the emperor states: "we have taken as partner in our counsels our most pious consort given us by God." The oath of allegiance prescribed for provincial governors at the end of this legislation required officials to swear loyalty to "the divine and pious despots, Justinian and his consort Theodora." At the same time, Justinian was adding further properties and revenues to the already considerable resources of the

43. Thus Procopius in the Buildings takes note that for the construction of S. Eirene Justinian had "the empress Theodora collaborating (συνεπλημβανομένης) with him in this holiest of undertakings" (1.2.17). Theodora had of course long since passed away at the time when Procopius was composing this foray into imperial propaganda. In Paul the Silentiary's Ekphrasis, another panegyric from late in the reign, the poet makes reference to the "emperors" (2.681, 810) as if theodora were still alive, emphasizing the timeless quality of the work; Ruth Macrides and Paul Magdalino, "The Architecture of ekphrasis: Construction and Context of Paul the Silentiary's Poem on Hagia Sophia," BMGS 12 (1988) 47–82. Procopius's description of the empress's statue on an honorific column in the court of the Arcadian baths sustains the illusion as well: "the image is beautiful, but inferior to the beauty of the empress, for to express her loveliness in words or to represent it pictorially is altogether impossible for a human being" (Aed. 1.11.9).

44. "In the center stand the emperor and the empress Theodora, both of them (ἡμαρτω) appearing to rejoice and to celebrate festivals of victory (φοίτησε ἐκτίμαται κυρία) over the king of the Vandals and the king of the Goths" (Aed. 1.10.17).


46. Novel 8.1 (15 April 535), on the reform of provincial government, including the prohibition of the sale of offices. Honoré observes (supra, n. 10: 12) of this passage that, "from a formal point of view this is the high point of [Theodora's] imperial status."

47. One might compare Procopius's complaint in the Anecdota that Theodora "claimed the right to administer the whole Roman empire" (15.9; cf. 17.27, 30.21–26).
divina domus serenissimae Augustae, enabling Theodora to pursue an independent agenda within her own means.48

Theodora was of course by no means the first empress whose authority and capacity for independent action were recognized in late antiquity. Kenneth Holm has shown in his study of the imperial women of the Theodosian dynasty how the confinement of the imperial presence to the vicinity of the capital and the consequent development of court society, with a corresponding emphasis upon dynastic continuity, encouraged empresses to be assimilated into the ideology of Roman and Christian basileia.49 Theodora thus shares a tradition with such notable figures as John Chrysostom’s antagonist the empress Eudoxia, Theodosius II’s formidable sister Pulcheria, and Pulcheria’s rival Eudocia-Athenais.50 In particular, we find with rather striking regularity empresses exercising their patronage upon heterodox religious movements, whether it be Helena or Justina’s support of Arianism, Pulcheria’s resistance to Theodosius II’s initial support of Nestorius, pro-Chalcedonian agitation by Justin I’s consort Euphemia-Lupicina, or encouragement of Monophysitism by Theodora, and after her by Justin II’s wife Sophia.51

One consideration which nevertheless distinguishes Theodora from this succession is the fact that, while many of these women came to prominence in contexts in which the male occupant of the throne was an ineffectual figure who created a

49. K. G. Holm, Theodosian Empresses: Woman and Imperial Dominion in Late Antiquity (Berkeley, 1982). The resemblances between the policies of Theodosius the Great and Constantine in this respect are particularly striking (pp. 24–34). Theodora was crowned Augusta at Justinian’s coronation; Chronicon Paschale, ann. 527; Malalas, Chron. 18.422; Zonaras, Epit. Hist. 14.5; John of Nikiu, 90.48.
50. There is as well a somewhat different sense in which empresses wield particular authority in special circumstances, when e.g. in the absence of an heir apparent they confer legitimacy as representatives of the dynasty upon the imperial candidates they take in marriage, as was the case when Pulcheria married Marcian and Ariadne Zeno and then Anastasius.
51. On Arianism, Holm (supra, n. 49) 24–25. On Pulcheria’s opposition to Nestorius, Holm’s careful analysis of the affinities between Theotokos theology and the ideology of imperial women is especially illuminating (ibid., 147–74).

Although Justin was of course himself a Chalcedonian, sources credit Euphemia’s zeal for motivating the imperial turnabout on ecclesiastical policy; ps.-Dionysius, Chron. ann. 829. Curiously, Euphemia’s Chalcedonianism is less often cited as a factor in her opposition to Justinian’s marriage to Theodora than is the apparent hypocrisy of her alleged objection to Theodora’s low origins—she was herself of barbarian origin and formerly a slave and a concubine (PLRE ii, s.v. Euphemia 5).

John of Ephesus reports that, because of the influence of Theodora, the staff of the women’s quarters of the Great Palace remained resolutely Monophysite even after her death. John claims that even though Sophia was obliged to convert to Chalcedonianism in order to secure Justin’s succession, she surreptitiously received communion from a Monophysite presbyter named Andrew, and that Justin contrived to take Monophysite communion himself (HE 3.2.9–10). Another Monophysite patroness of some prominence was Caesaria, a niece of Anastasius, with whom Severus maintained a correspondence; John of Nikiu, Chron. 90.13; The Sixth Book of the Select Letters of Severus, Patriarch of Antioch 3.4, 4.10, 10.7 (ed. and trans. E. W. Brooks); John of Ephesus, Lives 54 (PO 19.185–92, 197 [531–38, 543]).
vacuum to be filled, what we have for the most part in the case of Justinian and Theodora is a sense of two highly dynamic and forceful personalities—though we have preserved by one late chronicler the opinion that Theodora actually wielded greater power than Justinian himself. Yet even in the case of so formidable a couple, in the episodes we have been examining there remains the sense that the two parts conspire in order to complete a whole, whether it be the yin-and-yang union of opposites of the *Anecdota*, or the sense we have in Lydus of Theodora compensating for a deficiency on Justinian’s part, or Evagrius’s use of Theodora to allay some of Justinian’s more extreme tendencies.

When we turn to other instances of interaction between Justinian and Theodora, similar considerations manifest themselves. Presumably long before the need to write the *Anecdota* occurred to him, Procopius had already given an account of the fall of John the Cappadocian in the first book of the *Wars*, a work very much in the public domain. Theodora’s special loathing for John is in no way concealed; but Procopius is careful to give a twofold justification for that hostility: “and while he gave offense to the woman by the wrongs he committed, he was scarcely inclined to woo her with flattery and good will.” We know that Theodora had it well within her to punish a subordinate simply on the basis of a personal slight, as appears to be the case in the downfall of a certain imperial secretary by the name of Priscus. Procopius’s remarks allow nonetheless for the charitable interpretation that Theodora’s primary impetus was righteous indignation at the Cappadocian’s

52. In Theophanes (A.M. 5941) there is the notorious anecdote claiming that Theodosius II was so unmindful of his responsibilities that Pulcheria once managed to get him to sign unread a contract selling his wife Eudocia into slavery. The lethargy of his father Arcadius was similarly notorious.

53. Zonaras, *Epit. Hist.* 14.6.5–6 (Bonn ed.). Procopius portrays Kushro shoring up the resolve of his nobles by producing a letter sent by Theodora to the Persian envoy Zabergan, in which she boasts that Justinian would undertake no enterprise without her approval. No state thus headed by a woman, he argues, can prove a match for Persia (*HA* 2.32–36). Later Procopius himself complains that Theodora would receive ambassadors from the Persians and other barbarians with no sense of impropriety (*HA* 30.24). Cf. Malalas, *Chron.* 18.467, which details that gifts were customarily exchanged between the Roman and Persian kings, and between their empresses.

John of Ephesus, in his *Life* of Simeon the Disputer, relates how that great opponent of the Persian Nestorians had secured in the reign of Anastasius a letter of introduction from that emperor to the Persian court. When, following the death of Kavad, Kushro puts a stop to Simeon’s second mission to Persia, the saint appeals to Theodora for a letter, which she agrees to provide, though the aged Simeon actually dies prior to embarking (*PO* 17.157 [157]).

54. *θωπεία μὲν αὐτὴν ἡ χάριτι μετελθεῖν ὡς ἡ κυστα ἐγνω* (*Wars* I.25.4). It is difficult to decide how forcefully to render this passage, since *γιγνώσκω* with the infinitive can express varying states of mind and different degrees of resolution. H. B. Dewing in his *Loeb* library translation (1914) adopts a neutral formulation: “He was not of a mind to win her by flattery or by kindness in any way.”

55. Procopius tells the story in typically sensationalistic terms in the *Anecdota*: Priscus was a venal character, but loyal to his master; Justinian could not be prevailed on to remove him, despite Theodora’s protestations. Accordingly, she had him hauled out of the city by ship and forcibly tonsured. Justinian promptly forgot about him, after making sure he had seized his property (*HA* 16.7–10). Malalas confirms the essential details of Priscus’s fate (*Chron.* 18.448), and a notice in the *De insidiis* (45) confirms that Priscus’s offense lay in slandering the empress.
maladministration; however, the main clause of the sentence leaves open the question of where her motivations truly lay: would John’s offenses have gone unpunished if he had known well enough to kowtow to the empress?

Procopius continues:

but instead, John set himself openly in opposition to her and kept slandering her to the emperor, neither blushing before her station nor feeling shame before the surpassing love which the emperor felt for her.

John is cast not simply as Theodora’s opponent, but instead as an interloper into the unity of the imperial couple. Any allegation of personal pettiness on Theodora’s part dissolves in the face of John’s reprehensible tactics and the author’s unconditional assertion of Justinian’s affection for his wife. Yet Justinian tolerates John’s behavior. Procopius says that Theodora forbore to act, because (literally rendered): “the emperor Justinian made a great account (τοῦ λόγου) of [John]” (Wars 1.25.5)—something of a pun upon John’s capacities as a tax collector. So Procopius forbears to attempt something like Lydus’s convoluted and contradictory exoneration of Justinian’s collusion in the Cappadocian’s fiscal tactics. We are told, explicitly, that the emperor loved his wife—and thus would be disinclined to take seriously the Cappadocian’s charges—and also told, subtly, that Justinian put up with the Cappadocian because he did the job he was supposed to do. Procopius camouflages the tensions inherent in Theodora’s vindictiveness and John’s sanctioned depredations by displacing the controversy upon the issue of Justinian’s relationship with Theodora, which is not in jeopardy. Instead of the real problem, which in some sense is Justinian’s toleration of the antics of both Theodora and John the Cappadocian, we are distracted by the possibility that John is somehow seeking to supplant Theodora. Thus Theodora and John are made to perceive the conflict as one between two courtiers jockeying for influence with the crown, while from Justinian’s perspective the feud is between his wife on the one hand and a trusted official on the other, two roles which are scarcely interchangeable. Thus domesticated, the dispute centers less upon questions of the use and abuse of power than upon the impropriety of John’s interference in a marital relationship.

Among other allegations of vindictiveness Procopius lays upon Theodora, Bury believed that her role in the assassination of the Gothic queen Amalasuntha (Wars 5.4.25ff., HA 16.1–6, 24.23) was corroborated by hints in letters addressed to Theodora by the Gothic king Theodahad and his wife (LRE ii, 164–67). The matter has recently been reviewed in P. T. Antonopoulos, “Petrus Patricius: some aspects of his life and work” in From Late Antiquity to Early Byzantium: Proceedings of the Byzantinological Symposium of the 16th International Eirene Conference, ed. V. Vavrínek (Prague, 1985) 49–54.

56. The fact that Procopius explicitly denies in the Anecdota that such considerations were part of Theodora’s motives—she acquiesced in still worse outrages later (HA 17.38)—is scarcely surprising, but serves to indicate how conscious Procopius was of the careful construction of his public account the first time round.

57. We are told in the Anecdota that on account of the Cappadocian’s slanders, “her husband had come almost to outright hostility (ἔκτεκολεμώσθαι) toward her” (HA 17.38).
When John finally is undone, it is by a woman acting out of much more conventional motives. In the *Wars* Antonina opposes John less on account of a specific agenda of her own, than because of her determination not to allow John's influence with Justinian to eclipse that of her husband Belisarius. The court rivalry of Theodora and John is displaced in favor of a much more ordinary contention between men of affairs. Theodora is informed of Antonina's plot only after it matures. By thus establishing Theodora's plausible deniability of conspiracy in the genesis of the plot against John, Procopius actually denies that the empress would—or could—dare to act against Justinian's favorite until his treachery had been proved. Here Theodora looks decidedly like the weaker party, though Procopius's account is contrived in such a way as to prevent Justinian and Theodora from coming to a decisive contest of wills.

Procopius's portrayal of Theodora's reluctance to oppose Justinian in this instance is all the more remarkable in the light of the fact that this episode follows so closely on the heels of Theodora's famous intervention at the height of the Nika Riot. John's restoration to the Praetorian Prefecture following the rebellion and his subsequent downfall—a narrative covering a period of over a decade—occupy chapter twenty-five of *Wars* Book One, and thus form the sequel to the account of the riot in chapter twenty-four. Procopius's treatment of John brackets the historian's account of the rebellion proper, insofar as the point at which John is introduced marks the point in the riot at which the factions combined and the disturbance showed itself to be not merely an "ordinary" factional riot, but rather a popular uprising against Justinian and Theodora's regime under the leadership of senatorial malcontents.

58. Notices of his fall in Malalas, *Chron.* 18.480; *De insidiis* 172.
59. In the *Anecdota* (1.14, 2.15–16, 17.38ff.) Procopius sticks to his account in the *Wars*, though here of course Belisarius is portrayed as Antonina's tool.
60. *Wars* 1.25.11ff.
61. Procopius allows that Antonina's secondary motive was to ingratiate herself with Theodora (ibid., 13). Theodora is let in on the plan only after John's daughter Euphemia has compromised herself (22–24; Bury found Antonina's tactics most reprehensible; *LRE* ii, 57 ff.). It is alleged that Justinian even tipped John off about the scheme, but that John was simply fated to compass his own destruction (*Wars* 1.25.26).
63. *Wars* 1.24.11–18. The crowd demanded the dismissal of John together with the Quaestor Tribonian and the city prefect Eudaemon. Procopius treats John and Tribonian together, here and at the beginning of chapter twenty-five, though Tribonian's fortunes elicit only a few remarks from the historian on each occasion. On Procopius's attitudes toward Tribonian (cf. *HA* 20.17), Honoré (*supra*, n. 10) 40ff., 60–65, 255.
64. The *Chronicon Paschale* (ann. 532) reports that both Justinian and Theodora were denounced in the acclamations for Hypatius in the Hippodrome. Alan Cameron (*Circus Factions*, 126–49) has virtually disposed of the argument that the rivalry of the factions carried within it an essentially religious coloring, as e.g. Frend argues (*supra*, n. 9: 263ff.).
Theodora's show of resolution, marked by her speech to the besieged court and the line, "empire is a fair winding-sheet," marks her superiority in the crisis not only with respect to Justinian, who in Procopius's account at that moment is scarcely depicted at all, but with respect to the few loyal ministers who remained with Justinian in the palace after his dismissal of Hypatius and Pompeius.65 Following the mob's elevation of Hypatius, Procopius shifts his focus back to the palace, where the members of the court (οἱ αὐτῷ τῶν βασιλέων) are said to be deliberating the merits of flight from the city. Theodora emerges as the sole individual identified in this setting; we are told that, following her speech, boldness (θάρσος) infused everyone and they began to take thought for the defense of the palace. Rhetorically, her speech is not contrasted with the views of anyone within the palace, but rather with the speech of the rebel senator Origenes, who addresses the crowd at the investiture of Hypatius.66 The senator urges deliberation and is ignored by the crowd, which judges that the moment is opportune (σώμφορον) to proceed to a decision and accompanies Hypatius to the hippodrome; the empress argues that the moment is inopportune (αὐτόμφορον) for flight and rallies her audience to carry the day.

Theodora's vindication in the episode is complete; she alone is magnified rather than diminished by the experience. The very disproportion of her role in the episode, quite apart from the character of the events themselves, points to the anomalousness of the episode. Theodora herself prefaces her speech with a pro forma disclaimer to the effect that the crisis of the moment does not permit anyone the opportunity to debate the propriety of a woman conducting herself in a forthright manner (δε λέγεται) before a group of men—men, she does not resist pointing out, "shrinking back" (ἀποκρυμμένος) in fear.67 She is emphatic about expressing her own point of view: "нологοῦμαι ἐγώ γερος." Even though flight is possible, it is by no means a plausible recourse of action: "for it is impossible for one who has come into the world not also to die, but for one who has ruled it is unendurable to be a fugitive." Not until the next sentence does it become clear that Theodora is talking not about Justinian but herself. She will never be separated from the purple or live to see the day on which she is not addressed as Despoina.68 Then she turns to Justinian: "but if it is your wish to save yourself, Emperor, this is no difficulty." Here Theodora is playing with the notion of a disjunction of will between the emperor and herself, as if it were possible that she might stay on to fight for her claim to the purple while Justinian fled. The moment is as pointed as it is brief: she continues, "there is abundant money for us, there is the sea, here are the boats." The decision ultimately

67. Wars 1.24.33 and following.
68. Of course it was Theodora's insistence upon precisely this mode of address which so infuriates Procopius in the Anecdota (30.26). Lydus also observes with evident unease that Justinian allowed himself to be addressed as "Master"—Augustus had refused the title, he notes, as ill-becoming a leader of free men—but Justinian tolerated such hubris because it had come to be regarded as honorific (δύσερ ἐν τῷ ἔργῳ) and because he took it to mean παῖς ἄγαθός (De Mag. 1.6ff.).
rests with the emperor, and Theodora is bound to follow him in flight. She bids him consider carefully whether mere life is worth having apart from power.

Justinian does not avail himself of a reply. He takes no action of any kind on his own behalf until after the suppression of the rebellion, when Procopius says that he confiscated the property of the slain Hypatius and Pompeius and of the rebel senators. Very little is said about the execution of the usurper and his kinsman, apart from the fact that they were slain by the "soldiers," a reticence which is intriguing in light of the fact that we have it in another source that Justinian wished to spare the two, but that Theodora insisted upon their death. One would expect Procopius to have put such a detail in the Anecdota, and so perhaps he knew nothing of it; at the same time, he appears to be concealing something on this point. It would be very interesting to know with certainty that Procopius had consciously suppressed this information, because such a move would indicate that he felt that there was a limit to how far he could go in portraying Theodora's forthrightness in this episode.

As it is, we have in the unique circumstances of the Nika Riot a demonstration of about as extreme a disjunction between the wills of the emperor and empress as one will find. Yet here too the result is to affirm the unity of the imperial couple rather than sunder it. Justinian is represented not as favoring an opposite course of action, but as a nonentity. Theodora, while casting her argument in the rhetoric of individual self-interest, shows herself at the end of her speech to be pointing Justinian to where their interests truly lie. One has in a highly exaggerated form the situation we found above in the case of Lydus, in which a puzzling inactivity on the part of the emperor—and Justinian's handling of the revolt, on almost any account, was astonishingly passive and strategically misconceived—is compensated for by enlarging the part of the empress. The possibility that the relationship between the two has been radically altered by the experience is discounted, in the first instance by the possibility that Theodora's role in the execution of the usurpers has been suppressed by Procopius, and finally by the fact that in the sequel to the riot Theodora is stymied in her opposition to the restored John the Cappadocian.

When we turn to the characterization of the imperial couple in Monophysite sources, we are dealing with a fundamentally different configuration of power within the imperial couple. If in Justinian they had an ambiguous if predominantly hostile figure, in Theodora they had an undeniable partisan. Certain Eastern sources manufacture for her a suitably religious upbringing as the daughter of a Monophysite priest in either Callinicus (Raqqa) or Hierapolis (Merbidj), whom Justinian meets on campaign as Justin's magister militum. Her parents consent to the marriage only


after Justinian swears that Theodora’s faith will not be compromised. Such an account, it will be noted, supplies precisely the domestic context which Evagrius considers to be a suitable, and perhaps the preferable, explanation for the religious disagreements within the imperial couple. Something as homely and as familiar as the negotiations surrounding a contract of marriage thus becomes the basis of state policy. Personal life and politics similarly intersected according to the Chalcedonian point of view: on a visit to Constantinople in 530, the Chalcedonian holy man Sabas is reported to have received the empress with a coldness verging upon insolence. She had asked for his blessing and intercession that God might give her and Justinian a child. The saint is said to have told his disciples following the interview that “no fruit will come from her womb, lest it should suck of the tenets of Severus and trouble the church with the hand of an Anastasius.” Events conspired to deny to Justinian and Theodora the crowning token of marital union. Their child, through his (or her) theological proclivities, would have represented a charmingly concrete indicator of the extent to which Justinian and Theodora’s religious positions were capable of being reconciled.

Monophysite sources do not hesitate to ascribe to Theodora’s influence the cessation of persecution brought about in the years following Justin’s death. Her role in

71. Michael the Syrian, Chron. 9.20 (ed. Chabot 2.189); cf. the Chron. anon. ad ann. dom. 819 pertinentes, ed. and trans. J. B. Chabot, CSCO Scriptores Syri 3.14, p. 192.4–17. There is some dispute, on the other hand, over whether John of Ephesus concurs in part with the Anecdota’s lurid account of Theodora’s origins when the empress is described by him as “from the porneion” (Lives of Thomas and Stephen, PO 17.189 [189]): Bury dissented (LRE ii, 28 n. 5), on the grounds that such an admission from John was “incredible,” and buttressed his case with the argument that perhaps the reference was made more neutrally to Theodora’s acting career, insofar as it is known that a street in the theater district of the city bore the name of Porneai (Justinian, Novel 105.1). Yet another account of her origins is associated with the site of the Church of S. Panteleemon, founded by the empress. Allegedly it was there that Theodora, described as a poor girl from Paphlagonia who made her living spinning wool, was discovered by Justinian (Patricia 3.93 [ed. Preger p. 248]). On her biography, Bury, LRE ii, 27–35; Stein, Bas-empire ii, 235–39; Nagl, RE (s.v. Theodora [11]) 1776–1791. The biographical subtext of Justin’s edict granting senators such as Justinian the right to marry former actresses (CJ 5.4.23.1–3; cf. HA 9.51) has been admirably explicated by David Daube, “The Marriage of Justinian and Theodora: Legal and Theological Reflections,” The Catholic University of America Law Review 16.4 (March 1967) 380–99.

72. Cyril of Scythopolis, Vita Sabae 71 (ed. Schwartz, p. 173ff.). Sabas reportedly assured Justinian that he would recover the empire of Honorius if he upheld orthodoxy (ibid. 72, pp. 175–6). Justinian’s hopes for producing an heir are attested in the provisions of the marriage edict, which explicitly state that the issue of a union with a former actress will be wholly legitimate (Daube [supra, n. 71] 389–90). Care was taken that there should be no grounds upon which to contest the succession. One might compare Sabas’s interview with Theodora with one recounted about the emperor Anastasius in John of Nikiu, Chron. 89.1: Anastasius, said to have been exiled to an island near Memphis by the emperor Zeno, pays a visit to an Abba Jeremiah of Alexandria. The saint, however, refuses to speak to Anastasius or address him in any way. We are told that the saint had seen the hand of God upon Anastasius, destining him for the throne. Anastasius is troubled by the apparent rejection, and eventually appeals once again to the saint, whereupon he is instructed, “neither sin nor transgress, and reject the Chalcedonian faith.”

73. Michael the Syrian, Chron. 9.15 (ed. Chabot 2.177), 9.21 (ibid. 2.192); cf. ps.-Dionysius, Chron. ann. 831. Ps.-Zacharias reproduces a letter (9.15) addressed to the emperor and his “God-loving” empress by the monks restored to their monasteries in the East. They attest that they pray daily for
the subsequent fortunes of the Monophysites is similarly prominent, especially where appointments of anti-Chalcedonians to patriarchal seats are concerned. At its most schematic level, the relationship between Justinian and Theodora in these events manifests itself in two characteristic operations. In the first place, a confrontation

the imperial couple and for the destruction of all rebellion (a reference to the Nika Riot). Justinian himself is credited for having been "moved by God" to summon the exiles back to their homes (8.5). Cf. John of Ephesus, History of the Amidane Convents, Lives 35, PO 18.607–23 [405–21]; Evagrius, HE 4.9; Malalas, Chron. 18.468. John of Nikiu records the accession of Justinian and Theodora (90.49) and credits him with practicing every virtue; he is said to have loved God with his whole heart and mind (90.54). The contrast with John's execution of Justin (90.1–6, 20, 33) is quite surprising. Later, however, an earthquake in Egypt is credited to the changes wrought in the faith by Justinian, who here is called more hard hearted than his uncle (90.81); Justinian is elsewhere described as "the new Marcian" (92.13–14).

Even prior to her accession to the throne, when she held the rank of Patrician (A.D. 523), Theodora was able to be of service on behalf of Mara, the deposed bishop of Amida, securing for him a more comfortable place of banishment in Alexandria instead of Petra, to which he had been condemned. John of Ephesus describes her appealing to Justinian, then magister militum, who agrees to intercede with Justin (Lives of Thomas and Steven, PO 17.189 [189]; cf. ps.-Zacharias, HE 8.5; ps.-Dionysius, Chron. ann. 837). Following Mara's death, Theodora as empress granted permission for the saint's relics to be translated to Amida (Lives, PO 17.194 [194]).

She was similarly instrumental in bringing Anthimus into contact with Severus (ps.-Zachariah 9.21; Michael the Syrian, Chron. 9.21 [ed. Chabot 2.195]). Subsequent to Anthimus's deposition, she succeeded in concealing him in the palace. He was discovered only after the death of the empress, at which time he was reconciled with Justinian (John of Ephesus, Lives of the Five Patriarchs, PO 18.684–90 [482–88]). Severus's departure from the capital (ps.-Zacharias, 9.20) is likened to Jacob's departure from Shechem, when he bid his people to put off their false gods (Gen. 35.2–3). Nevertheless, Severus describes Theodora as his protector, directed by God.

Following the death of the Monophysite patriarch of Alexandria, Timothy IV, Theodora's agents succeeded in installing his deacon Theodosius to the throne (Liberatus, Brev. 20; John of Nikiu [90.87; cf. 92.1] preserves an account of the transition, in which however Theodosius is confused with Timothy). Subsequent to Theodosius's banishment from Alexandria, he was received by Theodora in Constantinople (ps.-Zachariah, 10.1). His successor, the Chalcedonian Paul of Tabenna, was subsequently involved in a controversy over the murder of a Monophysite deacon named Psoes, on account of which Theodora pressed forward an investigation which brought about the downfall of Paul and the execution of the Augustal Prefect Rhodon, who was implicated in the deed (ps.-Zachariah, loc. cit.; Procopius, HA 27.3ff., esp. 18–19; Liberatus, Brev. 22.23).

Theodora finally attempted to secure the downfall of Chalcedon by arranging to install a sympathetic cleric in the Roman papacy. Pope Agapetus's successor Silverius was put out of the way by Belisarius on a trumped-up charge of collusion with the Goths (Procopius, Wars 5.25.13, HA 1.14, 27; Vita Silverii [ed. Duchesne, Liber pontificalis pp. 292–93]; Marcellinus Comes, ann. 537). Vigilius, the papal nuncio in Constantinople, was installed in his stead; two letters purported to be his assert his sympathies for the Monophysite cause (Liberatus, Brev. 22; Victor of Tununa, Chron. ann. 542 [ed. Mommsen]). In the events of the Fifth Ecumenical Council he proved to be less reliable than had been hoped. Western sources asserted that the Origenist controversy lay behind a collusion between the empress and Theodora Askidas (Liberatus, Brev. 24; Facundus of Hermiana, Pro defensione trium capitulorum 4.2 [ed. Clément and Vander Plaete, Corp. Christ. Ser. Lat. 90a]). Theodora is credited with bringing about a reconciliation between the patriarch Menas and Vigilius after their falling out with each other in the capital (Malalas 18.483; Theophanes A.M. 6039).
takes place between the Monophysite holy man and the emperor or representative of the emperor. The recalcitrant is threatened with punishment and death unless he complies with the emperor’s orders, and he replies that in matters of the faith he submits to a higher authority than an earthly king.\(^{75}\) In the second place, Monophysites displaced by persecution find welcome and support from the empress in the capital.\(^{76}\) The arrangement persisted even after Theodora’s death, allegedly on the strength of another oath exacted from Justinian obliging him to maintain the sanctuaries established in the capital.\(^{77}\)

Clearly the situation went some distance toward serving the interests of both sides. Holding the dissidents in Constantinople permitted the authorities to keep them supervised and to take them out of circulation, depriving their congregations of their pastoral care. With the possible exception of zealots like Ephraim of Antioch and his henchman Abraham bar-Khili, it is scarcely the case that the Chalcedonian faction actively sought to inflict injury upon the Monophysites; the provision of a gilded cage in the capital and its environs accordingly helped to defuse aspirations to martyrdom. Only when campaigns of ordinations took place under John of Tella and his successors were the authorities pressed into sharp repression and violence. On the other hand, the provision of sustained levels of support and reliable channels of communication permitted the patriarch Theodosius and his lieutenants in the capital to maintain a base of operations despite the disruptions which were taking place in the provinces.\(^{78}\) Consequently, despite her humanitarian efforts on their behalf, it remained something of an open question from the point of view of the Monophysites whether Theodora was operating wholly with their best interests in mind. However comfortable the Monophysite hierarchy was in Constantinople, so long as they remained contained there with no resolution of the underlying theological issues in sight, their cause was being allowed to stagnate.\(^{79}\) Though Theodora’s efforts to gain the preferment of anti-Chalcedonians at the highest level demonstrated the sincerity of her devotion to the cause, her complicity in Justinian’s containment strategy

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75. Instances: a dialogue between Constantine of Laodicea and Justinian (ps.-Dionysius, Chron. ann. 855 [ed. Hespel p. 83]); between an imperial official and Addai the Chorepiscopus, in which the saint compares Justinian to the pagan persecutors (John of Ephesus, Life of Addai, PO 17.127 [127]); between an official and Thomas the Armenian (Life, PO 17.295 [295]); John of Tella, in response to an imperial bounty placed upon his head (Life, PO 18.520 [318]); Elijah of Dara, a wealthy layman, sent into exile on account of his anathemas against the authorities (Life, PO 18.575–76 [373–4]).


77. Ps.-Dionysius, Chron. ann. 874, although the author reports that the refugees were nevertheless pressed to switch their allegiance to Chalcedon; cf. John of Ephesus, Lives of the Refugees, PO 18.683–84 [481–82].


79. On the pressure to refurbish the Monophysite hierarchy, Michael the Syrian, Chron. 9.29; John of Ephesus, Life of James Bar’adai, PO 18.692ff. [490ff.]. Frend (supra, n. 9) 284ff.
made her patronage necessarily double-edged, and left her open to the suspicion of collusion with the emperor.

This subtext casts the question of the unity of the imperial couple in a significantly different light. The attitude of the bureaucrats to the issue was essentially conservative, conforming to a normative model of concord and of an identity of interests between the emperor and empress. Distortions introduced into that model by the pressure of events serve ultimately to confirm rather than deny the fundamental configuration. The interests of the Monophysites, however, were best served when the imperial couple was found to be working at cross-purposes, at least until a convergence of forces brought about a realignment of imperial consensus in their favor.

A handful of episodes from John of Ephesus's *Lives of the Eastern Saints* serves to elaborate this ambiguity. One of the earliest Monophysite holy men to venture into the capital was a certain Z'ura or Zooras, a stylite forced down from his pillar by Chalcedonian persecutors (ca. 535). He was sufficiently notorious that Justinian convened a synod to oppose him. In the interview that followed, Justinian is said to have fallen into a rage, and on that account to have been afflicted with a terrible swelling on his head which utterly distorted his features. Thereupon, Theodora—who is described as "very cunning"—contrives to hide the emperor, lest the rumor circulate that Justinian had already died, and pleads with the saint, promising to bring about peace in the church if the emperor recovers. Justinian is healed, and ever after is said to have held Z'ura in reverential awe, acceding to his requests in everything, "but only the state of the church he did not set right." John's protagonist sustains a moral victory, but without a corresponding ecclesiastical settlement. In terms of personal piety, the empress and emperor come to be fully in accord, but in this instance there is no intersection between the personal and the political.

As a consolation, Theodora gave Z'ura a villa in Sycae to use as a base for conducting his ministry in the capital; however, the arrival of pope Agapetus at the court the following year succeeded in stirring up an anti-Monophysite reaction in the city. Both Justinian and Theodora, John is careful to note, were together obliged, lest a stasis erupt, to entreat Z'ura to abandon the city for the fortress of Derkos in Thrace, where the patriarch Theodosius was already abiding.

81. Brooks cites (ad loc.) for comparison with this episode HA 12.24-27, in which an unnamed Eastern monk arrives in the capital to remonstrate with the emperor, but draws back in horror from the threshold of the palace, declaring that the Lord of the Demons was occupying the throne. Harvey (supra, n. 78: 180 n. 71) cites in preference to Brooks's citation Aed. 1.6.5-8, where Justinian is said to have recovered from a near-fatal illness through the intercession of SS. Cosmas and Damian.
We need not discount the fact that the danger of civil unrest and of harm to the saint was real. Nevertheless, John’s account frankly recognizes where the imperial couple’s interests truly lay. Personal conviction and the recognition of sanctity count for less than the imperative of retaining one’s throne. The fact that Justinian and Theodora should act together to get Z’ura out of the city illustrates the manner in which genuine concern and political expediency can result in a policy of following the course of least resistance. Making the best of an inherently equivocal situation, John adds that Theodora did her best to make the Thracian redoubt as comfortable as possible.

A similar narrative with a rather different conclusion is told by John in his *Life* of Mare the Solitary. Disturbed by persecution in Alexandria (ca. 536), Mare, a large and powerful man (Z’ura was a diminutive fellow; hence his Syriac name, “small”), also travels to Constantinople in order to reprove both the king and queen. Propriety forbids John to relate the content of Mare’s harangue, which employed the sort of language one would hesitate to address to menials, to say nothing of the rulers of the world. This time, instead of becoming angry, Justinian, together with Theodora, accepts the rebuke with a humble spirit and treats Mare with reverence and obedience. The question of reconciling the churches is not even raised here; Theodora entreats Mare to remain at the palace, and is roughly refused. He angrily and violently repudiates all attempts by the empress to bestow largess upon him, hurling entire sacks of gold great distances through the air. Like Z’ura, Mare takes up residence across the strait at Sycae, but in no government-sponsored villa. Instead he lives in crude huts in the mountains, fighting off robbers and anyone else who interferes in his solitude. When he grows older he buys a villa in Sycae and maintains a religious community there, all the while continuing to rebuke the emperor and empress without fear of reprisal. At his death he is accorded a magnificent state funeral.

John’s purpose in the *Lives* is not to extol one mode of asceticism over all the others. There is no implication that Mare is more rigorous or holy than Z’ura for his refusal to collaborate with the crown. By the same token, it is difficult to argue that John valorizes Mare’s habits any more than those of any other holy figure. On the other hand, there is hardly the sense in John’s account that he was scandalized at Mare’s outrageousness, or that he considered Theodora to be any less a suitable object of reproach than Justinian. Despite Theodora’s greater solicitude on Mare’s behalf, the imperial couple represents in this account a secular authority for whom instruction by a servant of God was undoubtedly salutary. Mare’s independence affords him the license to hold the imperial couple at arm’s length. Ironically, he

82. In a riot in the reign of Anastasius an unnamed Eastern monk was found in the house of Marinus the Syrian and taken to be Severus, whereupon he was dragged out by the mob and beheaded (Evagrius, *HE* 3.44).
84. *Pace* Harvey, *loc. cit.* (n. 83).
is beset in the mountains not by persecuting imperial officials, but by Theodora’s chamberlains clamoring to demonstrate her philanthropy. By the lights of Mare’s self-regarding asceticism, imperial interference of any stripe stands as an irritation; consequently he has neither the need nor the inclination to trade in the ambiguities and equivocations which undoubtedly were more typical of the experiences of Monophysite leaders at court.

The fullest picture we have of those ambiguities is found in the Life of John of Hephaistopolis.\(^8\) John was among the bishops driven from their sees who sought refuge together with the patriarch Theodosius at Constantinople, and was consigned as well to Derkos in Thrace, which here is described as “a place of cruel punishment.” Theodora receives quite emphatic praise from our author here: a lover of Christ, she was perhaps appointed queen by God to serve as a support for the persecuted against the cruelty of the times.\(^8\) We are told that in those days there was a tremendous influx of the Monophysite faithful into the capital, seeking refuge from persecution and also attempting to secure ordination from the assembled bishops. Theodosius hesitates to oblige them in their desire for ordination, because he believes it would mean death if the authorities came to hear about it. Here, then, is the line of demarcation between an imperial strategy of benign containment and violent repression. John finds the situation intolerable and resolves to travel into the city, using as a pretext a problem with his health. Theodora is sympathetic to the scheme and arranges quarters for him in an imperial mansion, in which he proceeds to perform ordinations. This is a clear instance of subversion on Theodora’s part, which ought to demonstrate her continuity of purpose with the Monophysites.

Events prove, however, less than a unanimity of purpose among the Monophysite clerics themselves. Complaints are addressed to Theodosius about John’s activities, for which the patriarch disclaims any responsibility: the queen has received him, he says, knowing that he is not acting on the basis of any instructions from his superiors. This evasion on Theodosius’s part really widens the scope of Theodora’s intervention, opening up the possibility that she is pursuing an agenda which runs athwart not only of Justinian’s ecclesiastical policies, but of the better judgment of the Monophysite leadership. Through her connivance with John, the empress seems to be taking a truly independent line.\(^8\)

Further complications ensue. John’s opponents intervene with Theodora, conveying what they claim is John’s request to leave the city in order to recuperate. She naturally assents. The antagonists next go to John with what they represent

\(^{8}\) Lives 25, PO 18.526–40 [324–38].

\(^{8}\) Cf. ps.-Zachariah, Chron. 9.20, where a letter of Severus is cited praising Theodora in similar terms, evoking Isaiah’s song of consolation to Jacob (Isaiah 43.1ff.).

\(^{8}\) One can compare in this connection Theodora’s efforts to respond to the Ghassanid king al Harith ibn Jabadeh’s request for Monophysite clergy; Michael the Syrian, Chron. 9.29 (ed. Chabot 2.245–6). Theodora is described in this context as being “desirous of furthering everything that would assist the opponents of the Synod” (John of Ephesus, Lives of James and Theodore, PO 19.154 [500]).
to be an order from Theodora: "Depart at once or die. You have been accused to the king, and he orders your death." John is enraged at this and storms into the palace, where he accosts the empress and reviles her and Justinian as persecutors: "You [plural] ordered my death, and your [singular] order came to me to depart." Theodora succeeds in exposing the plotters and exercises clemency upon them only at the urging of the saint. What is striking at this juncture is John's willingness to believe that he had been betrayed by Theodora. His pointed inclusion of her in his denunciation of the death sentence allegedly passed against him is unwarranted by the circumstances of the order he receives, which after all purports to be warning him of a threat to his life. Curiously, like Z'ura and Mare before him, John's tirade shows him to be uninterested in or incapable of acknowledging that Theodora's actions might represent something other than collusion with Justinian. His eventual show of mercy toward his opponents does nothing to belie the fact that at the outset he fell wholly for their plot.

Following this fiasco, Theodora tells John to remain quiet in his palace and to perform no more ordinations. He requests and receives permission from the empress to depart from the city to recover his health. As at the beginning of the story, John's complaints about his health are a mere pretext; instead, he embarks on a two-month tour of ordinations which takes him as far as Tarsus and Cilicia. Upon his return, he occupies the villa to which he was sent for recuperation, and sends a letter to Theodora apologizing for having been unable to visit on account of poor health. When reports filter in from the provinces complaining to Justinian that a Monophysite has been on the loose, Theodora is able to assure him that John has been sick in his villa the whole time. John repeats the adventure a second time, detouring from a trip to the hot springs, and even a third, at which point our author John of Ephesus comes across him.

John of Ephesus offers no opinion about the mendacity John of Hephaistopolis shows toward his patroness the empress. We may be justified in detecting a note of discomfort, however, in our author's protestation that John's health was indeed very bad, so that at least there was no outright misrepresentation on that score. There are at least two interpretations, one less and one more charitable toward John, for his underhanded behavior. It may be that subsequent to the confrontation in the palace Theodora simply lost John's trust, whether John was justified in such an opinion or not. In any event, she elected to withdraw her support from John's risky operations. John may therefore have had no other option apart from either concealing his activities or suspending his ministry. On the other hand, by his own prevarication John may have wished to spare the empress the dilemma of having to lie on his behalf when questions were asked about John's activities in the provinces. Whichever explanation we incline toward, it is clear that even if John originally considered the empress a collaborator in his enterprise, at the end of the episode her confidence can no longer be relied upon. Theodora is able for her part to assure Justinian with a clear conscience that the policy of containment is holding, and John is content for his part to make Theodora his tool.
This episode invites comparison with John of Ephesus's narrative of the conversion of the Nobadae (Nubia).88 The story, with its rival teams of ambassadors and skullduggery, has the character of the Great Race or a Cold War intrigue. What is curious about the whole matter is that Theodora joyfully announces to Justinian her intention to dispatch a missionary expedition into Africa. There is initially no suggestion that there is anything subversive or underhanded about the enterprise. Only after Justinian learns that her agent is a Monophysite does he set in motion a Chalcedonian counter-expedition. Theodora exercises her native cunning and responds by contriving, through agents of her own, to intimidate the Duke of the Thebais into waylaying Justinian's ambassadors. Her message is blunt: if the Duke values his neck, he will comply with her wishes. The Duke does indeed comply; the Monophysite party is sent on its way, and when the Duke comes to explain himself to the Chalcedonians, he minces no words: "I am too well acquainted with the fear in which the queen is held to venture to oppose them."89

On a theological plane, Justinian and Theodora are clearly working at cross-purposes here as elsewhere, and the particular character of their rivalry in this episode is vividly drawn by John of Ephesus. Justinian does not presume either to countermand Theodora's orders or to interfere directly with the progress of her mission. Despite their pursuit of diametrically opposed aims, no connotation of internal tension intrudes into John's depiction of the machinations of the imperial couple. Again, the picture here is quite consistent with that sketched by Procopius in the *Anecdota*. Empress and emperor are fully independent and equally powerful figures (though, as in Procopius, Theodora is the more ruthless of the two), who paradoxically sustain a spirit of collaboration as they pursue wholly contradictory agendas. No apparent injury redounds to the empire as a result of these theatrics: the Nobadae anathematize the "wicked faith" of the emperor as they have been taught, but they nevertheless subjugate the neighboring Blemyes just as Justinian bids them. The episode redounds to the credit of the Monophysite missionary Julian, while the remarkable character of the operation of imperial patronage remains unremarked and strangely inconsequential.

One comes away from the Monophysites with the impression of very scant hope for the possibility of a radical transformation of their position vis-à-vis Justinian and


89. Theodora's fearlessness toward her enemies is attested as well in the story of a certain Elisha, a Monophysite monk who falls afoul of his abbot and comes under the influence of Ephraim of Antioch. Sent along by Ephraim to Constantinople, Elisha and his followers adopt disguises out of fear of the empress; ps.-Dionysius, *Chron. ann.* 837; cf. Michael the Syrian, *Chron.* 9.15 (ed. Chabot 2.177).
Theodora's regime.90 Though they recognized the empress as a patroness, she emerges from the sources as a figure whose interests are found to coincide with the emperor's more often than with their own, when it comes down to a choice between the two. The willingness of the Monophysites to vent their frustrations upon the imperial couple without discrimination shows that the gulf of understanding between the dissidents and the regime was far greater than any disjunction they perceived in the agendas of the emperor and his consort. Theodora appears once again as a moderating element, whose activities on the margins of the conflict help to redress the balance between the Monophysites and their antagonists. By far the most consistent image of the imperial couple is a portrayal of two individuals united in their personal piety and in their mutual capacity for the recognition of sanctity. Theodora's greater devotional zeal acts as a catalyst which gives scope for Justinian's own expressions of reverence. John of Ephesus relates in the Lives of the Refugees in Constantinople that while the empress regularly visited the Palace of Hormisdas where the Monophysites were billeted, the emperor as well, although he was their opponent on the grounds of Chalcedon, marveled at their congregation and had a personal attachment to many of the monks.91

Such statements go some way toward redeeming the emperor's humanity despite the hostile official positions he adopted. Even after Theodora's death, the Monophysites preferred to believe that she exercised a continuing influence over him. In all of our sources, even in Procopius's most reckless outbursts, the appeal to Theodora as a player in the stormy designs of the imperial serenity has the effect of rendering Justinian more comprehensible and accessible. The undeniable fact that theirs was a relationship which embraced many contradictions and yet endured elicited the amazement of their contemporaries, whatever their background and affiliations. It also gave them an almost figurative language for getting to grips with the complexities of events: the language of marital concord and discord. The difficulty of separating public personae from the interpersonal and private entanglements of the individuals occupying those roles continues to exercise us today. In the dark and labyrinthine corridors of power in the world of late antiquity, the possibility that the messiness and ambiguity of the world might have a very concrete analog in the messiness and ambiguity of the relationship between two supremely powerful persons was reassuring. It traded the mystery of unknowable historical forces for the all too familiar mysteries of domestic life.

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90. Severus is reported to have been pessimistic about the prospects of reconciliation with the regime: "in the lifetime of these emperors no means of peace will be found" (PO 2.303; cf. Lives of the Five Patriarchs, PO 18.687 [485]).