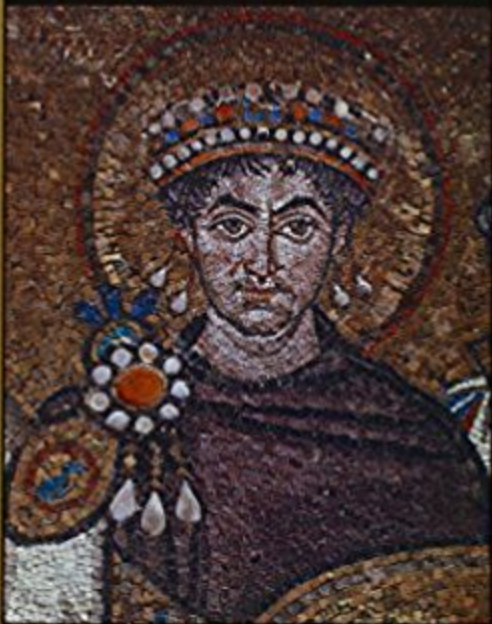


THE CAMBRIDGE COMPANION TO THE



AGE OF JUSTINIAN

EDITED BY *Michael Maas*

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17: THE AGE OF JUSTINIAN

GENDER AND SOCIETY

Leslie Brubaker



SEX AND GENDER IN THE AGE OF JUSTINIAN

Sex and gender are not the same. Sex is biologically determined: except in extremely unusual circumstances, humans are born male or female. Gender is historically determined and relies on social practices that change across time and geographical location: codes of behavior that are culturally specific teach women and men to act in ways “appropriate” to their sex. That is why it is sometimes said that a woman is “acting like a man” or that a man is “acting like a woman”: they are behaving in ways that are believed, at the time, to be more suitable to the opposite sex. Masculinity and femininity are not, however, universal qualities shared by all cultures but are understood in different ways by different groups, and this understanding changes over time.¹ Procopius – a sixth-century historian closely associated with Justinian and his general Belisarius – provides a good example of how gender roles were understood in the Age of Justinian when, in his *History of the Wars*, he describes the “manly valor” of Amazon women on the battlefield. In Procopius’s mind, men rather than women were the appropriate warriors: women who fought well must, by definition, exhibit male traits and be described in masculine terms. This gender “transgression” troubled Procopius sufficiently that he took pains to explain it away, arguing that “there never was a race of women endowed with the qualities of men and . . . human nature did not depart from its established norm.” Instead, according to Procopius, the Amazon women took up arms only out of “sheer necessity,” after all of their husbands had been killed in Asia (*Wars*, 8.3.7–11). Sixth-century social practice determined that fighting was an appropriate attribute of masculinity, not of femininity; it followed that women

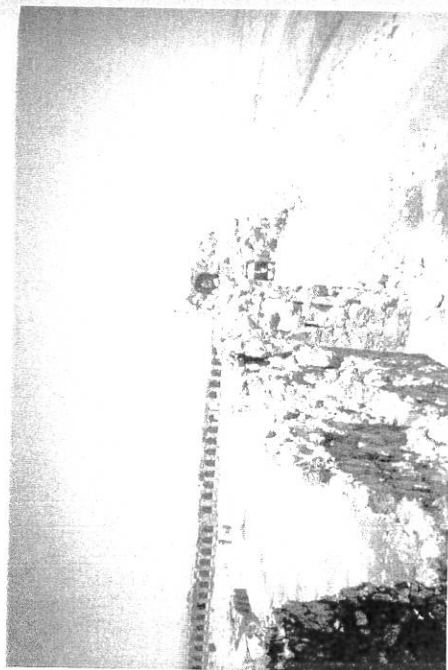


PLATE XXIX. Sergiopolis (Resafa), modern Syria, north and east walls looking north. Sixth century. Photo: Geoffrey Greatrex



PLATE XXX. Zenobia, modern Syria, looking west. In the centre, a church. Above lies the citadel, and at the right-hand side the headquarters of the local commander. Photo: Geoffrey Greatrex

would engage in warfare only under extremely unusual circumstances such as the absence of men to defend them.

Along with fighting, another masculine characteristic expressed by Procopius was the ability to rule well. He described Amalasuintha, Theoderic's daughter, who was regent for her young son after 526, as "displaying to a great extent the masculine temper." From Procopius, this was high praise: Amalasuintha displayed no "womanly weakness" but played what he saw as a male role in the proper "male" way (*Wars*, 5.2.3–21). While Procopius was normally hostile to women exercising political power, if they had to do it (and regency for children was the only acceptable context for this), the "male" way was the only way to do it well.

EUNUCHS

Alongside males and females, what is sometimes called a "third gender" also existed in the Byzantine world. Eunuchs, castrated males who could normally be recognised by their lack of facial hair, played a significant role in Byzantium. They were active in the church; in administrative and court culture as, for example, guardians of the imperial bedchamber; and in the military: for example, Justinian's great general, Narses (c. 490–574), was a eunuch.² Byzantine responses to eunuchs were usually cast in comparative terms, with their behavior evaluated by comparison with what were considered to be appropriate masculine or feminine characteristics. For this reason, gender stereotypes are often brought into sharp relief when applied to eunuchs. The stereotypes themselves were, however, generated not by Byzantine attitudes to eunuchs but by beliefs about masculinity and femininity, for which reason we will concentrate on men and women in the remainder of this chapter.

WHY IS GENDER ANALYSIS IMPORTANT FOR HISTORIANS?

How a culture defines appropriate masculine and feminine roles is important for historians to understand because it helps us to see how that culture represented itself to itself. The relationship between those who hold power and those who do not is, normally, defined by those in power; the beliefs of the powerful group justify and reinforce these social hierarchies. The presentation and manipulation of gender roles thus

sheds considerable light on how the Byzantines structured their world and their hierarchies of power.

In Roman and Byzantine society, the "powerful" were elite men, like Procopius, and the social constructs that they believed in reinforced their own worth. As the two selections from Procopius have shown, the language of power is filled with gendered rhetoric, and failure to understand the references can lead to misinterpretations of the past.³ A third example from Procopius provides a case in point. In 532, during urban riots in Constantinople, Justinian and his courtiers debated whether to flee or to face out the mob. Procopius was not with the emperor at the time, so the imprecision of his remark that "many opinions were expressed" is unsurprising: he was not an eyewitness to the event but was at best reporting on it secondhand. Immediately following this vague comment, Procopius nonetheless has the empress Theodora deliver a long speech in which she argues that "for one who has been an emperor it is undurable to be a fugitive" before delivering her coup de grâce: "I approve a certain ancient saying that royalty is a good burial shroud" (*Wars*, 1.24.32–41). Procopius's sudden shift to the verbatim reportage of a speech he cannot have heard is not the only unusual feature of this passage. In the context of the *History of the Wars*, the whole episode is exceptional. Across the eight volumes of the *Wars*, Theodora appears a mere eight times, and on seven of these occasions she is simply mentioned in passing.⁴ The "burial shroud" episode is the only time that Procopius pays any real attention to her, and it is the only time she speaks in the entire work. Either Procopius was sufficiently impressed by reports of Theodora's courage that he elaborated on it here – a prospect that, as we shall see, is unlikely – or he is using the story to make another point.

The writers Procopius emulated had no qualms about authorial invention. His historical model was Thucydides, the fifth-century BC author of the *History of the Peloponnesian War*, and his rhetorical model was Menander Rhetor, who wrote in the third century AD. Both discussed and accepted made-up narrative. In Thucydides, "the speeches are given in the language in which, as it seemed to me, the several speakers would express, on the subjects under consideration, the sentiments most befitting the occasion" (*Peloponnesian War* 1.22.1–2). Though he described public speeches rather than speeches recorded in historical accounts, Menander went even further: "If it is possible to invent, and to do this convincingly, do not hesitate" (*Treatise* 2.371.11–14 [83]).

Attentive reading suggests that this is precisely what Procopius did, and he framed his account with opening and closing sentences

that reveal exactly how the "burial shroud" narrative plays into the main story line. Procopius has Theodora begin by acknowledging "the belief that a woman ought not to be daring among those who are holding back from fear," and he concludes: "When the empress had spoken thus, all were filled with boldness" (*Wars*, 1.24.33, 38). From this it becomes apparent that Theodora's speech is a "rhetorical set-piece," with wavering men shamed into acting manly by a woman "acting out of character."⁵ By depicting men as fearful (the way the Byzantines believed women behaved) and a woman as daring (the way the Byzantines believed a man behaved), Procopius inverted Byzantine gender stereotypes to indicate the gravity of the occasion: the situation was so bad that the natural order was reversed, with men quaking like women and a woman speaking like a man.

Despite its many peculiarities, the "burial shroud" episode was accepted as historically accurate until the late twentieth century, when Procopius's skilful use of gender was first noticed by Elizabeth Fisher and his careful rhetorical constructions were analyzed by Averil Cameron.⁶ In this case, the two go hand in hand. Without careful assessment of the gendered language, we would both misinterpret the past and fail to appreciate Procopius's skill at reconstructing the sense of the terror he imagined that the emperor and his courtiers felt during the riots of 532.

THE ROMAN BACKGROUND

In the Age of Justinian, the Byzantine social group about which we know the most is the urban elite of Constantinople. Its members called themselves Romans, and they were still, throughout the first half of the sixth century, largely bound by Roman social conventions. Procopius, like most of the other writers of the period, is representative of this class in many ways, one of which is that his understanding of gender roles followed Roman practice. To him, as to earlier elite Romans, the core social grouping was the family, headed by the father. Legal and social conventions located everything and everyone in relation to him: women, children, and slaves were categorised according to their relationship to the head of the household. Roman sources esteemed men who exhibited self-control, moderation, and pursuit of the common good; the ideal Roman woman was beautiful, gentle, and modest, a good mother, faithful to her husband, and dedicated to her home and family. The four great imperial male virtues defined by Menander in the third century – courage, justice, temperance, and wisdom – simply elaborated

the virtues of elite Roman males in general. Menander largely ignored imperial women, except as adjuncts to male activity. In this he is typical of Roman authors, whose descriptions of women's actions usually had little to do with any actual activity engaged in by any particular woman, but were instead used as ways to characterize the dominant male in her life (father, husband, or son).⁷

THE IMPACT OF CHRISTIANITY

Apart from those who dedicated themselves to perpetual virginity, Christianity imposed only relatively minor modifications on the social construct of gender for most elite Byzantines. Insistence on chastity outside marriage now applied to men as well as to women, at least in theory; the sexual act in general was more strictly regulated; the rationale for divorce was tightened; and Christian piety and philanthropy replaced Roman *pietas* (devotion to the gods).⁸ Christian imperial virtues were defined around 400 by John Chrysostom, patriarch of Constantinople, as philanthropy, wisdom, and piety. Sounding very much like earlier Romans, Chrysostom wrote: "The true ruler is he who masters his passions of anger, envy, and lust, and subordinates everything to the laws of God; who, keeping his mind free, will not let pleasure dominate his soul."⁹ Feminine virtues also continued Roman precepts, particularly the ideal of the wife as gentle, modest, and dedicated to family and home. The good empress augmented the properties of the ideal wife with elite largesse: she was pious, philanthropic, humble, and chaste.¹⁰ Procopius described the ideal imperial bride as "in the highest degree both well-born and blessed with a nurture sheltered from the public eye, a woman who had not been unpracticed in modesty, and had dwelt with chastity, who was not only surpassingly beautiful but also still a maiden" (*Secret History* 10.2–3).

PROCOPIUS, JUSTINIAN, AND THEODORA

Procopius provides considerable information about the construction of gender in mid-sixth-century Constantinople, particularly when he considers Justinian and Theodora. As we have already seen, Procopius considered war to be a masculine rather than a feminine arena, and thus his *History of the Wars* virtually ignored the empress.

His second major work, *Buildings*, celebrated Justinian's building campaigns, with particular emphasis on the imperial patronage of

churches. Like Eusebius in his *Life of Constantine*, written two hundred years earlier, Procopius used the emperor's construction program to establish his piety and to locate him firmly in the tradition of the idealized builder-rulers of the Old Testament and of Roman imperial builders such as Augustus. This was a male imperial role and, in *Buildings*, Procopius's Justinian plays it to perfection.¹¹ In fact, however, Theodora was closely associated with many of the commissions that Procopius linked solely with Justinian: her monogram joins his in a number of buildings, notably Hagia Sophia and the Church of Sts. Sergius and Bacchus, both rebuilt after the Nika riots in 532. Nonetheless, as in *Wars*, the empress appears only occasionally: Procopius tells us that she was portrayed with Justinian on the Chalke Gate that led into the imperial palace; that her statue stood in the courtyard of the Arkadianai baths on the eastern shore of Constantinople; and that she and Justinian built a hospice close to the sea at Stadion (*Buildings* 1.10.17; 1.11.8; 1.11.27). The most significant reference concerns the Convent of Repentance, founded by "the emperor Justinian and the empress Theodora, who always shared a common piety in all that they did," as a refuge for women who had been forced into prostitution by poverty. With this commission, according to Procopius, the imperial couple banished "the very name of brothel-keepers, and they set free from a licentiousness fit only for slaves the women who were struggling with extreme poverty, providing them with independent maintenance, and setting virtue free" (*Buildings* 1.9.1–10). Apart from the convent, Procopius mentions Theodora only in the context of secular civic monuments, which were far less important to him, leaving the lone religious commission associated with the empress in *Buildings* – and her single participatory role in the imperial building campaign – a monastery for women. We know, from other sources and from the preserved monograms, that this is inaccurate. But it is clear what Procopius has done: he has imposed the hierarchy of Byzantine gender on his distribution of imperial patronage.

Theodora is, then, largely absent from the public imperial arena celebrated in *Wars* and *Buildings*. Her main role is reserved for Procopius's *Secret History*, the most important of his writings for our understanding of gender in the mid-sixth century. Unlike the laudatory *Buildings*, and the relatively neutral *Wars*, the *Secret History* is an investigative in which Procopius attacks Justinian using every trick in the book. We do not know why Procopius wrote the *Secret History*, which is so offensive that it can never have been publicly circulated. It is useless as a source of information about "what really happened," but the *Secret History* is a goldmine of information about mid-sixth-century Byzantine

social systems and it is particularly informative about appropriate gender roles.¹²

THE SECRET HISTORY

Procopius structured the *Secret History* as an inversion of the imperial panegyric (*enkomion*, or *encomium*); he developed Justinian into a demonic and barbaric character, lacking all masculine and imperial virtues. As a secondary theme, Procopius turned Theodora into an extraordinary example of everything a mid-sixth-century Byzantine woman should not be. One of his main rhetorical strategies is to portray Justinian as "unmanly" and Theodora as "unwomanly": to Procopius, such inversions overturned the social order and represented the grossest possible insult, thereby indicating to us just how important gendered roles were in sixth-century Byzantium.

Procopius subverted a model that had been developed in the third century by Menander, who codified the formula of imperial praise followed by most later Greek authors. According to Menander, one should first emphasize the prestige of the emperor's family, stressing any "miraculous happenings" associated with his birth and childhood, which the speaker may invent "because the audience has no choice but to accept the *enkomion* without examination" (*Treatise* 2.368–371, quotations 371.8–9, 12–14 [77–83]). Procopius followed Menander's advice to fabricate details but, instead of praising Justinian's family, tells us that they were illiterate, boorish, and descended from slaves and barbarians; rather than report any good omens surrounding his birth, Procopius reports that Justinian's mother claimed that he was the son of a demon (*Secret History* 6.11–28; 12.18–19).

Menander follows the glories of the imperial youth with a catalogue of the emperor's accomplishments, followed by actions in times of war and of peace, and divided into the four imperial virtues we have already mentioned (courage, justice, temperance, and wisdom) (*Treatise* 2.372–376, quotation 372.3–4 [83–93]). Procopius's Justinian displays none of these masculine attributes. On the contrary, an entire section (chapter 11) of the *Secret History* details Justinian's senseless wars and persecutions, and elsewhere Procopius notes that "during his reign the whole earth was constantly drenched with human blood" (18.30). He consistently paints the emperor as driven by greed rather than justice: "without any hesitation he shattered the laws when money was in sight" (27.33). Far from being temperate and wise, Procopius's Justinian is "like

a cloud of dust in instability" (22.30–31), who "never paused for a thorough investigation before reaching a decision" (8.28–29), and "never was able to adhere to settled conditions, but he was naturally inclined to make confusion and turmoil everywhere" (18.12).

Menander then praised imperial successes and made comparisons with earlier rulers to demonstrate how the current emperor surpassed his predecessors (*Treatise* 2, 377.1–10 [93]). Procopius condemns Justinian for ruining the empire and compares him with the Roman emperor Domitian (AD 81–96; *Secret History* 8.13–21), who was detested by the Byzantines for his loathsome behavior and treated by them as an Antichrist figure.¹³

At the end of the oration, Menander writes that "you will speak of the prosperity and good fortune of the cities: the markets are full of goods . . . the earth is tilled in peace . . . piety toward God is increased" (*Treatise* 2.377.11–30, quotation 377.9–14 [93–95]). No hint of this appears in the *Secret History*, where Procopius claims that "practically the whole population found itself suddenly reduced to beggary" (25.25); that Roman peace was shattered (11.5); and that while Justinian "ruled over the Romans, neither good faith nor belief in God remained secure, no law remained fixed, no transaction safe, no contract valid" (13.24). In short, Procopius's portrait of Justinian nearly reverses all of the imperial male virtues established by Menander to present him as the anti-emperor, the exact opposite of the virtuous Roman ruler.

Procopius also enlists Theodora in this enterprise. In part, he does this by following the same pattern he used for Justinian: the empress is portrayed as the betrayal of all Roman feminine virtues. But her more important role is to expose Justinian's weaknesses.

As we have seen, Procopius described the ideal imperial bride as "well-born and . . . sheltered from the public eye," modest, chaste, beautiful, and a virgin. The Theodora of the *Secret History* is none of these things. She was the daughter of a bear-keeper (9.2), in the public eye from an early age (9.6–8), immodest, shameless (9.14), short and sallow (10.11), and a former prostitute. In the latter context, before her marriage, Procopius describes her appropriation of various male sexual roles: according to the *Secret History*, she had anal intercourse (9.10), pursued men (9.15), and was a "slave to pleasure" (9.16).

Female status was largely dependent on marriage and the production of legitimate heirs to carry on a husband's family line. So, to condemn Theodora, Procopius accused her of an "unwomanly" disregard of the sanctity and honor of marriage and motherhood. This becomes a major theme of the *Secret History*. Chastity before marriage

was vital for women, so Procopius has Theodora force Belisarius's only daughter into losing her virginity in order to guarantee her grandson's marriage to the girl (5.21). Fathers arranged advantageous marriages for their children carefully in order to maximize social status, so Procopius portrays Theodora as usurping paternal authority by regulating all people's marriages (17.28–37). Because they were necessary to continue the family line, legitimate children – and especially boys – were a woman's main claim to social standing, and motherhood was a prime female virtue. It comes as little surprise that Procopius claims that, far from being an exemplary mother, Theodora had many abortions (10.3, 9.19) and later murdered her surviving son (17.16–23). In Procopius's story, Theodora's example polluted all women and destroyed the ideal of the Roman family (17.24–26).

Procopius plays on the Byzantine view of woman as vehicles of emotion (as opposed to rational men) in his picture of Theodora's inability to control her passions.¹⁴ She betrays the rules of female decorum by laughing loudly on inappropriate occasions (9.14), treating everything as a joke (15.24), mocking patricians (15.25–35) and law courts (15.23), and by being "unusually clever and full of gibes" (9.13–14).

Because Roman and Byzantine gender constructs assigned public roles to men and private, domestic roles to women, most of Procopius's tales about Theodora avoid the public arena. As we have seen, she is for this reason largely absent from *Wars* and *Buildings*. But in the *Secret History*, Procopius evidently felt that he could leave no stone unturned, and he introduced, at least briefly, Theodora's relationship with church and state. Inevitably, given the nature of the work, she perverted both. Procopius casts doubt on Theodora's piety by describing her desecration and violation of sacred places (3.25; 16.22; 17.10–11) and pictures her as a "slave-instructor" of the government (15.16–17).

In Theodora, Procopius created the perfect anti-woman. Rather than a modest and self-effacing Roman matron, Procopius's empress inverts all qualities that late Roman culture valued in a woman. But, throughout the *Secret History*, Procopius also used Theodora to highlight Justinian's failures, especially his bad judgment and his weak character.¹⁵ To Procopius, Justinian's lack of judgment is exemplified by his selection of Theodora as his wife: "And I think that I need make mention of nothing else whatever in regard to the character of this man. For this marriage would be amply sufficient to show full well all the maladies of his soul, since it serves as both an interpreter and a witness and recorder of his character" (10.3–5). As to his weak character, Procopius tells us that the emperor was "both an evil-doer and easily led into

evil," and "an easy prey, to those who wished to deceive him" (8.22).¹⁶ This, in Procopius's narrative, allowed Theodora to manipulate him: "She could win over her husband quite against his will to the action she desired" (13.19). Following old Roman formulae that equated the virtue of male self-control with the ability to be in command of one's family,¹⁷ Procopius emasculated Justinian by portraying him as unable to control his own wife.

Procopius's understanding of appropriate gender roles is clear. Men dominated the public sphere of politics, warfare, and civic works. Good men were well-born, Roman, physically courageous and morally strong, just, wise, pious, moderate, and self-controlled. Women were seen largely within a private sphere; when status decreed that they could act outside of it, they commissioned minor works or buildings for other women. Good women were well-born, modest, chaste, beautiful, sheltered, pious, dutiful wives, and caring mothers. These patterns of behavior follow Roman precedent. They remained sufficiently important to Procopius that he relied on their inversion alone to condemn Theodora; he brought rhetorical strategies based on both gender and imperial roles into play to vilify Justinian.

GENDER AND THE LAW

The legal systems in place during the sixth century are quite informative about perceptions of gender roles. Like the literature written by Procopius, however, laws cannot be understood as "facts." Laws tell us about the ideal world imagined and constructed by legislators and lawyers, but the extent to which the lawyers' world related to the real one and how much legal detail most people actually knew are both open to question. What is considered to be socially acceptable behavior is rarely successfully determined by legislation; normally, it is negotiated by consensus, managed and channeled by the dominant social group. Legislation codifies and authorizes the practice of this group and mediates between past and present conceptions of appropriate actions. In a slightly different way from the gender constructs used by Procopius, the gender roles embedded in Byzantine legal codes provide a perspective on Byzantine hierarchies of power.

The main legal sources for the sixth century are the various law codes compiled for Justinian. The ranking status throughout is free men, with freed men (slaves who have been given their freedom) as a separate category. The normative legal gender is male, and most laws

deal exclusively with men's affairs. Women are presented as dependent on men: a daughter is under the authority of her father, and a wife takes on her husband's rank irrespective of her own family's status. The appearance of women in the law codes is virtually always restricted to legislation dealing with marriage, the family, or the protection of female virtue. Women are consistently omitted from references to public life in the law codes, and their legal rights are relatively limited. Only widows have greater legal authority (over their children, for example); like Procopius's Amazons, they are allowed to transgress conventional "female" roles because they are in the extreme position of having no male protector.¹⁸

These basic legal precepts enshrine ideas about the appropriate roles of men and women that are very similar to Procopius's, but their application differs somewhat from his. A comparison between Procopius's stance and legal attitudes towards adultery provides a case in point. Procopius discussed adultery in the *Secret History* when, as part of his attack on Theodora, he accused her of destroying the sanctity of Roman marriage. Procopius claimed that, following the empress's example, "practically all the women had become corrupt in character" and with Theodora's help treated their husbands "outrageously" and became adulteresses (*Secret History* 17.24–26). Procopius treats adultery as a social scandal, a moral corruption perpetuated by wives on husbands.

Legislation about adultery also focused on wifely action, but it was not couched in moralistic terms. Instead, laws about adultery were designed primarily to ensure legitimate heirs to the (man's) family property. Unmarried women, with no husband for whom to produce heirs, were therefore not involved: in legal terms, sex between a married man and an unmarried woman was simply fornication. Adultery occurred only when there was a possibility that illegitimate heirs might be produced; in other words, when a married woman had sex with a man (married or unmarried) who was not her husband. Given the social importance of the family structure, this was a serious offence, and both the man and the woman involved might be penalized. Only a man, however, could obtain a divorce by accusing his wife of adultery; the claim was justified because she had thrown the legitimacy of his heirs into question. If, however, a husband was unfaithful to his wife with an unmarried woman, she had no legal recourse unless he was also a culpable criminal.¹⁹

The gender issues at stake here have less to do with appropriate or inappropriate sexual behavior than they do with property law. Underpinning the adultery legislation is the legal position that, their wives'

dowries aside, men controlled the family, the family's property, and its dispensation. Procopius treated adultery as social corruption; the law treated it as an abuse of inheritance rights. Both, however, reinforced male status as head of the family and household. Despite their different approaches, the gendered rules of etiquette and the gendered rules of inheritance coincided.

GENDER AND PUBLIC LIFE

Procopius's rhetoric and the law codes tell us how gender roles were constructed in the mid-sixth century, but they do not tell us how men and women actually lived their lives. Other evidence suggests that, while the understanding of appropriate masculine and feminine behavior expressed by Procopius and legislation was widely accepted, the rules were not always followed. If we accepted the ideal social systems described in our sources, we would expect to find few women visible outside a domestic environment, yet it is clear that this was not the case. Women went to church and participated in religious processions; they appeared in public and engaged in family business; and some worked outside the home, either reputedly (for example, as scribes) or not (for example, as innkeepers or prostitutes).²⁰ Elite women could be commemorated by statues, erected in crowded thoroughfares, and they sometimes commissioned objects and buildings that were very much in the public sphere. One aristocratic woman, Patricia, even became city governor of Antaiopolis in Egypt in 533, although she seems to have had a male co-governor who acted in public for her. It may be added that Theodora, too, had an accepted public role, which we can tell from sources that are more reliable than Procopius's narrative. She was a building patron, as we have seen, but she was also sought out as the special patron of one well-documented Egyptian village, Aphrodito, probably in 540–541, which indicates that quite remote inhabitants of the empire recognized and valued her political protagonism.²¹

GENDER AND PATRONAGE

In the late Roman and early Byzantine period, patronage – the sponsorship and support of a person, object, or monument – was normally the prerogative of men, and the term itself is gendered: the word patronage derives from the Latin *pater* (father) and its derivative *patronus* (protector, defender). But although the concepts of protection and support

were closely linked with male roles, throughout the sixth century elite women also sponsored people and, especially, things.

In the Age of Justinian, two figures stand out as patrons of monuments: Justinian himself, as commemorated in Procopius's *Buildings*, and the *patrikia* Anicia Juliana. Anicia Juliana (c. 462–c. 528) was the western emperor Olybrius's daughter and, as her name indicated to all, a member of the wealthy and ancient Roman Anicii family. Her lineage ran back through Theodosius I to Constantine the Great, and during the first quarter of the sixth century she was probably both the most aristocratic and the wealthiest inhabitant of Constantinople. She commissioned at least three buildings in the capital and its immediate suburbs: a church dedicated to St. Polyeuktos near the Anicii family estates, probably constructed between 524 and 527, the massive structures of which survive to this day; the church of St. Euphemia in the Olybrios district, the precise date of which is unknown; and, around the year 512, a church in the Honoratae district.²²

The dedication inscriptions of the first two of these buildings are recorded in a Byzantine collection of epigrams now known as the *Greek Anthology*. Epigrams 12 to 17 were found at St. Euphemia and tell us that Anicia Juliana's grandmother, Licinia Eudoxia, founded the church, probably in the 440s or early 450s, Juliana's mother Placidia embellished the building at some point between 461 and 472, and Anicia Juliana in turn completed it before her death in 527–528. Shortly before her death, Anicia Juliana rebuilt St. Polyeuktos, another church that had been established by one of her female ancestors, this time her great-grandmother Aelia Eudocia, wife of Theodosius II. Once again, Juliana commemorated the female family line in an inscription that is recorded in the *Greek Anthology* and is still partially preserved. It begins:

Eudocia the empress, eager to honor God, first built here a temple of Polyeuktos the servant of God. But she did not make it as great and beautiful as it is . . . because her prophetic soul told her that she would leave a family well knowing how better to adorn it. Whence Juliana, the glory of her blessed parents, inheriting their royal blood in the fourth generation, did not disappoint the hopes of the empress, the mother of a noble race, but raised this from a small temple to its present size and beauty (*Greek Anthology* 1.10).

The long inscription, and another that was also once inscribed on the building, consistently invokes Juliana's family. Her parents (for example,

"Who hath not heard of Juliana, how in her pious care she glorified even her parents by fair-fashioned works"), her son and grandchildren ("preserve her gladly with her son and his daughters, and may the immeasurable glory of the most beneficent family survive as long as the sun drives his burning chariot"), and her ancestors Constantine and Theodosius are all glorified.

Comparison with Justinian's (preserved) inscription at his Church of Sts. Sergius and Bacchus is instructive. The emperor's inscription reads:

Other sovereigns have honored dead men whose labor was unprofitable, but our sceptered Justinian, fostering piety, honors with a splendid abode the servant of Christ, begetter of all things, Sergius. . . . May he [St. Sergius] in all things guard the rule of the sleepless sovereign [Justinian] and increase the power of the God-crowned Theodora whose mind is adorned with piety, whose constant toil lies in unsparing efforts to nourish the destitute.²³

Beyond the obviously gendered contrast between how piety is constructed for Justinian (who builds) and Theodora (who nurtures), the difference between Anicia Juliana's and Justinian's dedication inscriptions is striking. Juliana honors her family; Justinian asks for divine protection.

This difference is not unique: nearly all female commissions of the fifth and sixth centuries invoke family, while very few male commissions do so. What we see here is women – and in this case a very important, high-status *patricia* – so encased in the web of gender-appropriate behavior that their acts, even when they replicate male activities, are defined not in terms of power negotiation but in terms of promoting family values.

Anicia Juliana could, however, have traced her lineage back to Theodosius and, ultimately, to Constantine through either the male or the female sides of her heritage: if she had been interested simply in promoting family status, she would not have focused on her female line of descent. The stress on Juliana's female lineage associated her with an empress renowned for her piety – Aelia Eudocia – but, beyond that, it also linked her with a long chain of female commissions that evoked Constantine the Great's mother Helena (c. 250–c. 330). By the early fifth century, Helena was legendary for her piety and her buildings. She was believed to have discovered the True Cross in Jerusalem in

326 and was held responsible for a sequence of important churches and chapels. Helena's reputation was such that, across the fifth and sixth centuries, imperial women were honored as the "new Helena" and some – notably Aelia Eudoxia (wife of the emperor Arcadius), Aelia Galla Placidia (c. 388–450, daughter of Theodosius I), and Aelia Eudocia (Juliana's great-grandmother) – emulated Helena's example through their building campaigns.²⁴ None of these buildings survive, but where inscriptions were recorded it is clear that the "Helena commissions" celebrated family as well as the saintly empress. They form a particularly gender-specific group of monuments that is significant for its joining of the conventional Byzantine linkage of women and family to a different kind of gendered association: the female role model.

GENDER AND THE CHURCH

Initially, in terms of gender roles, the main impact of Christianity was the attempted regulation of sexual behavior. One immediate effect was new legislation concerning divorce. Divorce had not been an issue of great concern under Roman law, which held that mutual consent was sufficient justification to end a marriage. In 331, however, Constantine I, apparently under the influence of Christianity, imposed tight legislation that restricted the reasons for divorce: for example, a woman could divorce her husband only if she could demonstrate that he was a murderer, a poisoner, or that he desecrated graves. Under Justinian, mutual consent was abandoned as a justification for divorce entirely.²⁵ These changes affected secular law codes; canon law – the legislation drafted by church councils to regulate Christian life – was more intrusive.

Following the Bible, the church believed that marriage was indissoluble under all circumstances except specific types of adultery. Whether divorced or left single by the death of a spouse, Christians ought not remarry, though one remarriage was tolerated. Civil and canon law did not, in this instance, agree, because the church claimed to expect Christians to live by higher standards than was legally necessary.²⁶

The church also followed Old Testament strictures that forbade men and women from participating in religious activities when they were "polluted": women could neither attend church nor take communion when they were menstruating or had just given birth; men could not take communion, though they could attend church, after involuntary nocturnal seminal emission; and, to be permitted to take

communion, couples must abstain from sexual relations the night and morning before.²⁷

Gender differences, too, were observed within the church hierarchy. Men were excluded from certain areas of the church – usually sections of the side aisles on the ground floor and parts of the upper galleries – but after suitable training could join the ranks of the clergy. Women over the age of forty might be ordained as deaconesses, but no other official roles were available to them within the church hierarchy. Even in monasteries for women, the ranking clergy were, following canon law, male.²⁸

Religious literature such as lives of the saints (hagiography) perpetuated this division, and generally reinforced social conventions. Most Byzantine saints so honored were male, and good females – often nameless – appear in their roles as family members, and usually as mothers. When women were considered holy, they – like Procopius's good female ruler, Amalasuintha – were believed to have transcended "womanly weakness" and to have become "honorary males." As with other literature of the period, like the *Secret History* discussed earlier, this portrayal of women was grounded in expectations about male behavior.²⁹

CHANGING GENDER STRATEGIES IN THE SIXTH CENTURY: THE TRANSFORMATION OF THE SOCIAL WORLD

Theodora died in 548, Justinian in 565. They were succeeded by Justinian's nephew, Justin II, who died in 578, and his wife Sophia, perhaps Theodora's niece, who outlived her husband by over twenty years. It is during their reign that we begin to find evidence for significant shifts in the presentation of gender that continued over the next century.

The lengthy poem written by Corippus on Justin's accession, *In Praise of Justin II*, is an unusual text in many ways. In terms of its presentation of gender roles, it breaks from Procopius's model in one significant way: Sophia, always playing the idealized role of the perfect wife, is an active participant in the narrative. When, for example, Corippus described Justin's prayer to Christ and God, to receive their blessing on his accession, he followed it immediately with a transcription of Sophia's prayer to the Virgin (*Praise* 2.1–83).

Sophia's role in Corippus's poem is matched by other representations. Shortly after their coronations, Justin II reinstated the old idea of including a portrait of the empress on coins. This had last occurred

in 491 on the marriage nomismata (the highest-value Byzantine gold coins) struck to commemorate the wedding of Ariadne and Anastasius, which showed the emperor on its front and an image of the emperor and empress crowned by Christ on the back. As a commemorative issue, the marriage nomisma was unusual: normally, between 383 and 491 the so-called empress coins portrayed the empress alone, in profile on the front, while the reverse presented a range of formulaic inscriptions, personifications and, from the time of Aelia Eudoxia (400–404) onwards, a cross in a wreath – a clear indication of the lasting identification of imperial women with Helena and the True Cross.

Justin's coinage looks quite different from these earlier coins, and it initiated a sequence that was continued from 565 until 641, across the reigns of five imperial couples. Now, the empress never appears alone on coins; instead, either the imperial couple is shown as a pair or the emperor appears on the front and the empress on the back. Across the entire span of seventy-six years, with the single exception of two issues dated to 572–573, the emperor is named but the empress remains anonymous.

The new coinage might be interpreted as representing the shared nature of imperial authority under Justin II and Sophia. Against this, however, is the problem that the empress is anonymous and appeared only on low-denomination coins, never on the gold nomismata. Rather than signaling Sophia's importance, subsequent practice suggests that the joint portrait indicates that the empress was losing significance in her own right. For while the Justin II/Sophia issues were numerous and continued to be minted throughout Justin's lifetime, subsequent emperors issued coins portraying their wives only at the start of their rule. The joint imperial portrait seems to have been considered appropriate as an inauguration image, as an expression of imperial unity, necessary only at the beginning of a reign; the empress was no longer an essential component of, or even a participant in, the empire's day-to-day ideological program.³⁰

That the gendered balance of power was shifting is also evident in the realms of patronage and the church. Anicia Juliana's commissions were the last to promote female relatives. After the mid-sixth century, commissions celebrating secular women ceased, and a competing female role model – the Virgin Mary, also commemorated in church dedications across the fifth century – replaced them entirely. Unlike Helena or Juliana's maternal ancestors, by uniting the conflicting roles of virgin and mother, Mary set an example no Byzantine woman could hope to follow. Also unlike secular women, the presentation of the Virgin Mary

was, at least officially, controlled by the church. And, in terms of gender, theirs was not a tolerant regime. The next church council to enact new canon law, the Council in Trullo held in 692, lauded the family but rigorously enforced gender boundaries: cross-dressing, for example, was condemned. Most significantly, women were no longer allowed to speak in church and so were effectively barred from participating in the responses to the spoken liturgy.³¹

CONCLUSION

As expressed in the sources, gender roles became increasingly Christianized after the reign of Justinian. While there were, as we have seen, considerable restrictions on women's and men's roles in the gender representations of Justinian's reign, there was actually more space for especially female action than during the next two centuries. More and more, the Christian imagery in our sources tends to exclude women, whatever they actually did – and in this connection it is worth noting that the restricted, but certainly existent, role of women in public life continued to be recognized in law. But they are decreasingly evident in other sources. Procopius demonized Theodora as a means of attacking her husband, and his narrative is useless as a description, but – through his reliance on gender constructs to further his particular rhetorical strategy – he admitted “woman” as a character type on the Byzantine stage. We will not find her again in this role for two hundred years.

NOTES

I thank Mary Harlow and Chris Wickham for comments on an earlier draft of this chapter.

- 1 For a good overview, see Dominic Montserrat, “Reading Gender in the Roman World,” in *Experiencing Rome*, ed. Janet Huskinson (London, 2000), 153–181.
- 2 On eunuchs, see Kathryn Ringrose, *The Perfect Servant: Eunuchs and the Social Construction of Gender in Byzantium* (Chicago, 2003); Matthew Kuefler, *The Manly Eunuch: Masculinity, Gender Ambiguity, and Christian Ideology in Late Antiquity* (Chicago, 2001); Shaun Tougher, “Social Transformation, Gender Transformation? The Court Eunuch, 300–900,” in *Gender in the Early Medieval World*, ed. Leslie Brubaker and Julia Smith (Cambridge, 2005).
- 3 See the classic study by Joan Scott, “Gender, a Useful Category of Historical Analysis,” conveniently reprinted in her *Gender and the Politics of History*, rev. ed. (New York, 1999), 28–50.
- 4 This is her first appearance. The subsequent seven are in *Wars*, 1.25.4–5; 1.25.22; 1.25.30; 2.30.49; 4.9.13; 7.30.3; 7.31.13. In contrast, both Justinian and Belisarius

appear over twenty times each in book 1 alone, and Belisarius's wife Antonina appears nineteen times across the eight volumes.

- 5 Quotations from Averil Cameron, *Procopius and the Sixth Century* (Berkeley, Calif., 1985), 69.
- 6 Elizabeth Fisher, “Theodora and Antonia,” *Aethiusa* 11 (1978): 253–280; and Cameron, *Procopius*.
- 7 The literature on this topic is extensive. See, for example, Suzanne Dixon, *The Roman Mother* (London, 1988); Susan Treggiari, *Roman Marriage: Iusti Coniuges from the Time of Cicero to the Time of Ulpian* (Oxford, 1991); Martha Vinson, “Domitia Longina, Julia Titi, and the Literary Tradition,” *Historia* 38 (1989): 431–450; Kate Cooper, “Insinuations of Womanly Influence: An Aspect of the Christianisation of the Roman Aristocracy,” *JRS* 82 (1992): 150–164; Amy Richlin, “Julia's Jokes, Galla Placidia, and the Roman Use of Women as Political Icons,” in Barbara Garlick, et al., *Stereotypes of Women in Power: Historical Perspectives and Revisionist Views* (New York, 1992), 65–91; Gillian Clark, *Women in Late Antiquity, Pagan and Christian Lifestyles* (Oxford, 1993); Susan Fischler, “Social Stereotypes and Historical Analysis: The Case of the Imperial Women at Rome,” in *Women in Ancient Societies, an Illusion of the Night*, ed. Léonie Archer, Susan Fischler and Maria Wyke (Houndmills, 1994), 115–133; and Mary Harlow and Ray Laurence, *Growing Up and Growing Old in Ancient Rome* (London, 2001), all with extensive bibliographies. For Menander's list of imperial virtues, see his *Treatise* 2.373.7–8 [85].
- 8 See, for example, Averil Cameron, “Virginity as Metaphor: Women and the Rhetoric of Early Christianity,” in *History as Text: The Writing of Ancient History*, ed. Averil Cameron (London, 1989), 184–205; Elizabeth Clark, “Patrons Not Priests: Gender and Power in Late Antique Christianity,” *Gender and History* 2 (1990): 253–273; Elizabeth Clark, “Ideology, History, and the Construction of ‘Woman’ in Late Ancient Christianity,” *JChSt* 2.2 (1994): 155–184; Elizabeth Clark, “Holy Women, Holy Words: Early Christian Women, Social History, and the ‘Linguistic Turn,’” *JChSt* 6.3 (1998): 413–430; Elizabeth Clark, “The Lady Vanishes: Dilemmas of a Feminist Historian after the ‘Linguistic Turn,’” *ChHist* 67 (1998), 1–31; and Martha Vinson, “The Christianization of Sexual Slander: Some Preliminary Observations,” in *Novum Millennium: Studies on Byzantine History and Culture Dedicated to Paul Speck*, ed. Claudia Sode and Sarolta Takács (Aldershot, 2001), 415–424.
- 9 See Francis Dvornik, *Early Christian and Byzantine Political Philosophy, Origins and Background*, vol. 2, Dumbarton Oaks Studies 9 (Washington, D.C., 1966), 695. For further discussion of male virtue in the wake of Christianity, see Cooper, “Insinuations”; Liz James, *Emperors and Power in Early Byzantium* (London, 2001), 12–13; Mary Harlow, “In the Name of the Father: Procreation, Paternity, and Patriarchy,” and Gillian Clark, “The Old Adam: the Fathers and the Unmaking of Masculinity,” both in *Thinking Men: Masculinity and Its Self-Representation in the Classical Tradition*, ed. Lyn Foxhall and John Salmon (London, 1998), 155–169 and 170–182. All contain additional bibliography.
- 10 James, *Emperors and Power*, 12–16.
- 11 Cameron, *Procopius*, 84–112; Averil Cameron and Stewart Hall, eds., *Encephalos, Life of Constantine* (Oxford, 1999); Glanville Downey, “Justinian as a Builder,” *Art Bulletin* 32 (1950): 262–266.

- 12 See Leslie Brubaker, "Sex, Lies, and Textuality: The *Secret History* of Prokopios and the Rhetoric of Gender in Sixth-Century Byzantium," in *Gender in the Early Medieval World*, ed. Leslie Brubaker and Julia Smith (Cambridge, 2005).
- 13 Cameron, *Procopius*, 57.
- 14 See Clark, *Women in Late Antiquity*, 120–126. For examples, see *Secret History*, 25; 25.5–9; 26.22.
- 15 So too Cameron, *Procopius*, 71.
- 16 For more examples, see, for example, *Secret History*, 8.26; 8.10; 19.11–12.
- 17 See Vinson, "Domitia Longina"; Cooper, "Insinuations"; Fischler, "Social Stereotypes"; and Clark, "The Lady Vanishes."
- 18 See Caroline Humfress, "Law and Legal Practice in the Age of Justinian," Chap. 7 of this volume, and Clark, *Women in Late Antiquity*, 6–62; Antti Aijava, *Women and the Law in Late Antiquity* (Oxford, 1996); Joëlle Beaucamp, "La Situation juridique de la femme à Byzance," *Cahiers de Civilisation Médiévale* 20 (1977): 145–176; Joëlle Beaucamp, *Le Statut de la femme à Byzance (4e–7e siècle)*, 2 vols., Travaux et mémoires du Centre de recherche d'histoire et civilisation de Byzance monographies, 5–6 (Paris, 1990–1992); and Marie Theres Fögen, "Legislation in Byzantium: A Political and Bureaucratic Technique," in *Law and Society in Byzantium, Ninth–Twelfth Centuries*, ed. Angeliki Laiou and Dieter Simon (Washington, D.C., 1994), 33–70.
- 19 See the references in n. 18, and Bernard Stolte, "Desires Denied: Marriage, Adultery, and Divorce in Early Byzantine Law," in *Desire and Denial in Byzantium*, ed. Liz James (Aldershot, 1999), 77–86.
- 20 See Angeliki Laiou, "The Role of Women in Byzantine Society," *JOB* 31.1 (1981): 233–260; Alice-Mary Talbot, "Women," in *The Byzantines*, ed. Guglielmo Cavallo (Chicago, 1997), 117–143; and Kim Haines-Eitzen, "Girls Trained in Beautiful Handwriting": Female Scribes in Roman Antiquity and Early Christianity," *JECRSt* 6.4 (1998): 629–646.
- 21 For Patricia, see *The Prosopography of the Later Roman Empire*, vol. 3, A.D. 327–641, ed. John Martindale (Cambridge, 1992), 970; for Theodora, see Harold Bell, "An Egyptian Village in the Age of Justinian," *JHS* 64 (1944): 31. I thank Chris Wickham for this reference.
- 22 See Cyril Mango and Ihor Ševčenko, "Remains of the Church of St. Polyeuktos at Constantinople," *DOP* 15 (1961): 243–247; Martin Harrison, *A Temple for Byzantium: The Discovery and Excavation of Anicia Juliana's Palace-Church in Istanbul* (London, 1989); Leslie Brubaker, "Memories of Helena: Patterns of Imperial Female Matronage in the Fourth and Fifth Centuries," in *Women, Men, and Eunuchs: Gender in Byzantium*, ed. Liz James (London, 1997), 52–75; and Leslie Brubaker, "The Vienna Dioskorides and Anicia Juliana," in *Byzantine Garden Culture*, ed. Antony Littlewood, Henry Maguire, and Joachim Wolschke-Bulmahn (Washington, D.C., 2002), 189–214.
- 23 English translation from Cyril Mango, "The Church of Saints Sergius and Bacchus at Constantinople and the Alleged Tradition of Octagonal Palatine Churches," *JOB* 21 (1972): 190.
- 24 Brubaker, "Memories of Helena."
- 25 Fögen, "Legislation in Byzantium," 56–58; Stolte, "Desires Denied."
- 26 John Meyendorff, "Christian Marriage in Byzantium: The Canonical and Liturgical Tradition," *DOP* 44 (1990): 99–107; Clark, *Women in Late Antiquity*, 17–21.

- 27 Robert Taft, "Women at Church in Byzantium: Where, When – and Why?" *DOP* 52 (1998): 27–87.
- 28 Susan Ashbrook Harvey, "Women in Early Syrian Christianity," in *Images of Women in Antiquity*, ed. Averil Cameron and Amélie Kuhrt (Detroit, 1983), 288–298; Catia Galatariotou, "Holy Women and Witches: Aspects of Byzantine Conceptions of Gender," *Byzantine and Modern Greek Studies* 9 (1984–1985): 55–94; Alice-Mary Talbot, "A Comparison of the Monastic Experience of Byzantine Men and Women," *GOIR* 30 (1985): 1–20; Judith Herrin, "Public and Private Forms of Religious Commitment among Byzantine Women," in *Women in Ancient Societies, an Illusion of the Night*, ed. Léonie Archer, Susan Fischer, and Maria Wyke (Houndmills, 1994), 181–203; Taft, "Women at Church in Byzantium"; Joëlle Beaucamp, "Exclus et aliénées: Les Femmes dans la tradition canonique byzantine," in *Strangers to Themselves: The Byzantine Outsider*, ed. Dion Smythe (Aldershot, 2000), 87–103.
- 29 Susan Ashbrook Harvey, "Women in Early Byzantine Hagiography: Reversing the Story," in "That Gentle Strength": *Historical Perspectives on Women and Christianity*, ed. Lynda Coon, Katherine Haldane, and Elisabeth Summers (Charlottesville, Va., 1990), 16–59; Gillian Cloke, *This Female Man of God: Women and Spiritual Power in the Patristic Age, AD 350–450* (London, 1995); Aileen Hartney, "Manly Women and Womanly Men: The *Subtirodactae* and John Chrysostom," in *Desire and Denial in Byzantium*, ed. Liz James (Aldershot, 1999), 41–48.
- 30 For Sophia, see Averil Cameron, "The Empress Sophia," *Byzantium* 45 (1975): 5–21; for the coinage, see Leslie Brubaker and Helen Tobler, "The Gender of Money: Byzantine Empresses on Coins (324–802)," *Gender and History* 12.3 (2000): 572–594.
- 31 Judith Herrin, "Femina Byzantia": The Council of Trullo on Women," *DOP* 46 (1992): 97–105.