Byzantine Political Theory:

Sovereignty, Republicanism, and Kingship

An Honors Thesis for the Department of Classics

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Abbreviations and Footnotes

The following abbreviations are used for citations of frequently referenced works. All other references are provided in footnotes, besides those referencing ancient authors, which follow Classics guidelines for in-text citations.

B-R: Kaldellis, Anthony. *The Byzantine Republic: People and Power in New Rome*. Cambridge, MA: Harvard University, 2015.

D-C: Moffatt, Ann, and Maxeme Tall. *Constantine Porphyrogennetos: The Book of Ceremonies*. Vol. 18. Byzantina Austreliensa. Leiden, Boston: Brill, 2017.

P-P: Dvornik, Francis. *Early Christian and Byzantine Political Philosophy*. 2 vols. Washington: The Dumbarton Oaks Center for Byzantine Studies, 1966.

Cam: Rowe, C. J., and Malcolm Schofield. *The Cambridge History of Greek and Roman Political Thought*. Cambridge: Cambridge University Press, 2000.

Abstract

The Byzantine empire lasted for a millennium under almost uninterrupted monarchy. Recent scholarship has challenged the sovereignty of the imperial office to suggest that the empire was actually a continuation of the ancient Roman republic. While this view offers valuable nuance to the established idea of pure theocracy in Byzantium, its suggestion of revolt and usurpation as a mechanism of popular sovereignty goes too far. Byzantium lacked formal mechanisms for popular participation in politics, and there were a number of forces that played a role in the selection of emperors, including the military and elites. Focusing on the history of the early and middle Byzantine periods, and using evidence from the emperor Constantine VII's text *De Ceremoniis*, one can see that the Byzantine emperor was fully sovereign, although the people were able to challenge him based on certain ethical criteria passed down through the Greco-Roman and Christian traditions. These ethical criteria functioned as a shared ideology between ruler and ruled, while the actual mechanisms of politics in Byzantium often came down to dynamics of power. Additionally, although Byzantium could loosely be defined as a republic according to the ancient definition, it did not resemble post-eighteenth-century republics, and there was certainly no popular sovereignty.

Introduction

The Byzantine empire lasted for over one thousand years. For the entirety of that time, it was a monarchy, ruled by an emperor. However, the issue of sovereignty in the empire remains a debated topic. For centuries, Byzantium was upheld as the foremost example of absolute despotism by Western scholars. Some recent scholarship has taken the opposite stance, arguing that Byzantium in fact was a republic. While both these views take polarizing sides of the debate, the truth is likely to lie somewhere in between. The Byzantine empire was certainly a monarchy, and the emperor was certainly fully sovereign. However, the ideology of the empire was not entirely one of theocratic absolutism, as has been suggested in the past. Rather, the Byzantines adhered to an ideology of benevolent kingship, based on Greek philosophical ideals transferred through Roman and Christian thinkers. When emperors were overthrown, it was because they failed to live up to this ideology and lost the protection of their office, allowing the people to choose a replacement. This did not represent a challenge to the sovereignty of the throne, as the people never overthrew the office but only replaced individuals.

Proponents of the republican thesis make the claim that the people of Byzantium were ultimately sovereign. In his work *The Byzantine Republic*, Anthony Kaldellis suggests that Byzantium was a republican monarchy, in that Roman republican ideology was the underlying ideology and monarchy only its temporary form. Using a number of factors to support his position, including the frequency with which popular rebellions overthrew unpopular emperors, Kaldellis posits that Byzantine monarchy was simply a continuation of the Roman republic under a new regime. However, this view diminishes one of the most powerful monarchies in the history world into a magistracy subservient to the people. The term *republic* is also prone to misuse and has had several meanings over the centuries. While it may be true that the eastern Romans ideologically preserved the *res publica* into the period of the emperors and even into Byzantium,

the meaning of the word which Kaldellis utilizes does not imply the popular sovereignty for which he argues. This is not only due to problematic translations of the word, but also because of its complex use in later political theory.

Ultimately, Byzantium can only loosely be called a republic in the sense that it continued to be a public state for the good of the Roman people. However, the people were not sovereign, and the emperor's duty to the common good was based largely on moral grounds. This also explains the frequency with which revolts replaced emperors, as the individual occupying the throne was liable to critique while the office remained sovereign. This is reflected by the historical record, which attests to the fact that the people acted as a moral check on imperial power but were not the legitimating agent in transitions of power. Byzantium was not the depraved civilization described by Edward Gibbon as "a tedious and uniform tale of weakness and misery."[1] It was still an empire, but one in which ideology valued moral rulers.

One of the great questions of Byzantium is how it survived for so long with so much political upheaval. If the emperor was theoretically God's representative on earth, how was he so frequently challenged by the people and replaced by competitors? And throughout this whole time, how did the institution of monarchy survive? The answer lies in the complex relationship between ruler and ruled. While the emperor was fully sovereign, he was subject to ethical standards that allowed for popular criticism. This was the result of a deeply ingrained ideology of kingship, different from that of divine right absolutism, that traced its origins through the philosophy of Greek, Roman, and Christian culture.

While the political dynamic in Byzantium could easily be confused with full republicanism, it was only loosely a continuation if the Roman republic in the broadest terms as understood by the ancients. The participation of the population represented a closer connection to

[1] Edward Gibbon, *The History of the Decline and Fall of the Roman Empire,* in 12 vols., ed. J.B. Bury with an Introduction by W.E.H. Lecky (New York: Fred de Fau and Co., 1906), 169-171.pub

ancient republicanism than the feudalism of Western Europe, but it had little resemblance to a modern republic and certainly did not indicate popular sovereignty. Nevertheless, the Roman identity was present in Byzantium, and political life was more vibrant than in other monarchies, allowing for a greater popular role than afforded by purely theocratic notions proposed by former scholarship.

This thesis will be divided into three parts. The first will describe the evolution of Byzantine political theory from the basis of Greek political philosophy through the Roman and Christian periods. This will form the basis for a discussion of sovereignty in the second part. The second part will also address the republican thesis made prominent by Anthony Kaldellis in his work *The Byzantine Republic.* Despite my critique of Kaldellis' theory, I do not intend to tarnish his reputation as a noted scholar. His work in the field of Byzantine studies is extraordinary, and the *Byzantine Republic* opened up an important discussion about Byzantine politics. Kaldellis intended for his republican argument to be revisionist, and so I am only acting as the natural checking influence against what are admittedly bold claims. After arguing for a more nuanced understanding than simple republicanism as the political ideology of Byzantium, I will support my position with historical examples and primary source material from the emperor Constantine VII's work *De Ceremoniis* in part three.

I have chosen to focus on the early/middle Byzantine period, from about the time of Justinian through the Macedonian dynasty, for my analysis. During this time, the imperial identity was still strong before evolving into a more medieval state around and after the time of the Crusades. Additionally, the imperial office at this time was most contested of any other, before the dynasties such as the Komnenoi and Palaiologoi set in place a system based more closely on hereditary kingship. This allows for a more complex analysis of sovereignty in a setting in which the presence of the ideologies kingship and republicanism can still be contested.

Part I—Sovereignty in the Sources: Influences on Byzantine Political Thought

In order to identify the Byzantines' notions of political theory, it is first beneficial to look at the sources that formed the basis of Byzantine ideology. Like any other civilization, the Byzantines looked to past thinkers for inspiration when talking about their government. They also directly inherited a complex political system from the late Roman empire, of which they considered themselves an uninterrupted continuation. Philosophically, Byzantine political culture drew especially from ancient Greece, whose thinkers were often used to justify the empire's monarchy. Greek philosophy was then also used by Christian thinkers to reconcile the Christianization of Rome. Although it may be too much to say that the Roman emperor was a philosopher king or that Christianity was a revived Platonism, the ideas of Greek philosophy provided the basis upon which these institutions survived for centuries. The combination of theories from Greece, Rome, and early Christianity coalesced in Byzantium to form a unique outlook that strongly supported the sovereignty of imperial office but held the ruler to high ethical standards.

The standard of a benevolent "best man" king explains the emperor's accountability to the people on a moral basis, rather than a legal one, without compromising the throne's sovereignty. This ideology had a strong presence in all the periods leading up to Byzantium, and it offers nuance to the theocratic view often expounded by Byzantine scholars without challenging the sovereignty of the imperial office. Additionally, rather than interpreting Christian rhetoric as evidence of the Byzantine's acceptance of divine right, it can be seen as part of a Platonic tradition which associated the ideal with the divine. Republicanism was not entirely absent from the equation but was not the primary ideology of Byzantine politics. The Byzantines did not see monarchy as exclusive from a society ruled by laws, and there was some popular participation in politics. Basic structures like the Senate, Civil Code, and even citizenship

remained in place. However, these had ceased to constitute a true republic as the emperor became fully sovereign.

Without legal or institutional limits on his power, challenges to the emperor's decisions were only ethical in nature. However, ethics and politics were essentially inseparable in the ancient world. Ancient philosophers contemplated the best way to live one's life, but they often extended this to suggest how society should be organized in order to foster their ideals. The ideology of benevolent kingship is an example of such extensions of the moral into the political. It was seen as a means of ensuring that the ideal ruler had free reign to make proper judgment without becoming a tyrant. It also helps to explain the stability of a system in which the ruler theoretically had no one to answer to but God and yet was constantly challenged by the people and rivals to the throne. These criticisms and even usurpations were based on the philosophical and religious standards applied to individuals who occupied the throne. The authority of the throne itself was not subject to debate, as the ideology of kingship was firmly rooted. What *was* up for debate was the worthiness of a particular individual to occupy the position.

This is reinforced by history. Absolute sovereignty would seem to open the door for unbridled tyranny, but, in fact, the Byzantines overthrew individuals who they felt were failing to rule benevolently without changing the regime from monarchy and upending its sovereignty. Many use this argument to claim that the emperor was not sovereign. However, while numerous emperors were deposed, the regime was not changed once from monarchy in the entirety of Byzantine history. This is because immoral rulers effectively lost the protection of their office when they were deposed, while the throne itself retained sovereignty.

Although benevolent kingship had its roots in classical Greek political thought, it is not exclusively a Greek idea. It made its way into Rome through later philosophical schools and

survived into Byzantium through the existing imperial tradition, the revival of Neoplatonism, and its coalescence with Early Christian theory.

It is important to note that, as some have argued of republicanism, benevolent kingship served only as an ideology between ruler and ruled, not an all-encompassing explanation of every event that occurred in Byzantium. Of course, there were frequent examples of immoral rulers who did not truly adhere to the benevolent standard. However, the important fact is that all emperors strove to portray themselves as adherents to the same ethical standards established by this Platonic/Christian tradition, whether this was in reality true or not.

Chapter 1: Sovereignty and Regime Theory

Looking for theories of sovereignty among ancient sources is particularly challenging because the ancients generally did not use the word itself, depending upon how one translates it. Sovereignty is a modern term which originated in the sixteenth century, perhaps coined by the French political theorist Jean Bodin. It came to mean the ultimate source of legitimacy and power in a state, as opposed to government mechanisms that derive their power from the sovereign source. Nevertheless, the term need not exist in ancient and medieval sources for the concept itself to exist. References to individuals who stood above the polity can provide insight into the concept. This was often articulated through complex regime theories which had subcategories of the three major regimes: democracy (rule by the many), aristocracy (rule by the few/best), and monarchy (rule by one).

Regime theory originates in classical Greece. In his work the *Republic*, Plato writes that "some cities are ruled tyrannically, some democratically and some aristocratically" (Plato, *Republic* 338d). In perhaps one of the earliest recorded instances of political science, Plato goes on to identify six regimes, ranked in deteriorating order. Monarchy is considered the best,

although it is not strongly distinguished from aristocracy. Below these are timocracy, oligarchy, democracy, and worst of all, tyranny. In Book VIII, Plato's character Socrates explains how one regime naturally leads into the next. The structure of each regime creates a certain type of man who naturally leads the polity towards the subsequent regime. For example, democracy naturally breeds tyranny as "too much freedom seems to change into nothing but too much slavery" (Plato, *Republic* 564a) and one man seizes power. Therefore, to Plato, monarchy in and of itself was not the ideal, but only true kingship, in which he ruler was wise, was the best regime.

Aristotle also famously broke down governments into good and bad regimes. He categorized these based upon the number and nature of the rulers in each form. This therefore led him to postulate that there are six regimes, each corresponding to a good and bad forms of the three major branches. He also identifies five forms of kingship based upon the moral nature of the monarch (Aristotle, *Politics* 1284b-1285b20). In addition to this, he identifies the rule of the few and rich as oligarchy and the rule of the many and poor as democracy (Aristotle, *Politics* 1279b20-1280a2). This early form of political science was substantiated by Aristotle's research of existing real-world constitutions. As a common vocabulary, regime theory served as a valuable part of political philosophy in ancient times. It also gives insight into how the ancients viewed sovereignty, as they identified differences in who possessed the supreme authority in different states.

In modern political theory, scholars often speak of regime change and structural reforms. For example, in international relations, many believe that if a nation is made a democracy, it will naturally become more stable. To a certain extent, this was also true for the ancients. Certain regimes were seen to be more prone towards producing better rulers. However, at least for Plato, the character of individual rulers was far more important than the regime. It would be far more important to find a virtuous man to rule an unstable country than to impose a change of regime

and leave the rulers corrupt. This demonstrates the almost non-existent boundary between politics and ethics in of much ancient philosophy, which essentially brings politics to the individual level, as demonstrated by Plato's famous "body politic." This differs greatly from our understanding of politics, problematizing the imposition of later terms like popular sovereignty onto the Byzantine political system by contemporary scholars.

Chapter 2: Classical Theory of Benevolent Monarchy

The Byzantine empire was a monarchy. This much is clear from both contemporary and ancient sources. Although the Byzantines were aware of other forms of government, "monarchy was (nearly) universally regarded as the optimal type of regime."[2] Monarchic ideologies have existed for centuries among peoples around the world. While a number of scholars point to both the Near Eastern monarchies of antiquity as its sources, the Byzantine strain of kingship can be traced most strongly back to ancient Greece.

Of course, Byzantine monarchy was not unusual for the region it occupied. It continued a long tradition of kingship in the Near East, going as far back as the first civilizations of Mesopotamia and Egypt millennia earlier. The Persian empire, the perennial rival of the Roman empire, was a lingering reminder of this form of absolutist monarchy. Even in early Greece, Mycenean kings ruled absolutely in small city-states, as attested by Homer. In classical Greece, Sparta retained a dual monarchy in the face of Athenian democracy. Additionally, most regions of the Byzantine empire had only recently been ruled by Hellenistic Kingdoms which were ruled by the Greek and Macedonian successors of Alexander the Great. These regimes were of course inspired by the previous regimes which had existed in the region, but the Hellenistic concept of monarchy was also based upon Greek philosophical ideals, especially those of Alexander's tutor

[2] *B-R*, 5.

Aristotle. Even if Near Eastern absolutism crept into Alexander's mind, "the Oriental examples of divine kingship in Egypt and of the ruler's appointment by a god as his representative in Babylon and Persia served only to accelerate the process in Alexander's mind and to confirm his own conviction."[3] For Hellenistic kings, the merging of divine absolutism accepted by their populace and the Greek concept of benevolent monarchy allowed their regimes to last for centuries.

The classical Greek theory of kingship had developed through philosophical discourse rather than through pragmatic imperial necessity. Therefore, it was based heavily on lofty moral ideas which rulers then attempted to implement in practice. The Near Eastern ideology often emphasized the divine right of kings and justified itself through religion. Although not entirely devoid of ruler idealization, the Greek model justified a leader's right to rule by virtue rather than solely by religion or inheritance. The Greek strain, therefore, was central to Byzantine thinking, because these Eastern models would not have been tolerated in the Western empire and especially republican Rome. Moreover, Christianity would not have tolerated the full divinization of a king. The Greek ideas, although perhaps not used for their intended purpose, formed the basis of the imperial office. It became practical historical necessity to have a centralized monarchy, and Greek philosophical benevolent kingship became the most attractive ideology with which to frame the shift to absolutism. This is sometimes acknowledged by scholars of Byzantine political theory, although they often fall short of elaborating on it in their works:

> Here we can only draw attention to the fact, which is sometimes ignored, that Platonic and Aristotelian political theory constituted the philosophical foundation for Byzantine absolutism … There can be no doubt that this whole development, from Hellenistic monarch and Roman emperor to Byzantine autocrat, rests upon the Platonic and Aristotelian conception of kingship and of the propriety of the

[3] *P-P*, 216.

> exercise of supreme sovereignty in the state by an unlimited, absolute ruler unrestrained by either law or public opinion. The political theory underlying autocracy was indubitably Greek in origin and was derived from the Greek philosophical tradition as mediated by some of the Stoics and transmitted to the Roman world by Cicero (106-43 B.C.) and Seneca (ca. 4-65).[4]

Perhaps scholars have not emphasized the Greek basis of monarchy because Classical Greece is seen as the birthplace of modern democracy. However, "the absolute monarchy defined by Plato and Aristotle, though often debased, perverted, and misapplied in subsequent generations, was envisaged by the philosophers as an ideal state, in which the ruler was to seek the welfare of his subjects."[5] Even ancient peoples were uneasy about unbridled absolutism, including the Romans, but benevolent kingship was intended to serve the interests of the people. Indeed, "unsatisfactory as such a system is from the modern point of view, and subject to abuse as it indubitably has proved to be, it is not in any sense to be confused with tyranny or oppression."[6] These kings were intended to be benevolent rulers, knowledgeable in politics and philosophy and able to improve the lives of their subjects.

The term "philosopher king" was introduced in Plato's *Republic* and is one of the earliest examples of this idea. Platonic philosophy, which over the centuries re-emerged through different schools of thought, was one of the great promoting forces of benevolent monarchy. In Book V of *the Republic*, Plato's character Socrates admits that "unless the philosophers rule as kings or those now called kings and chiefs genuinely and adequately philosophize, and political power and philosophy coincide in the same place, while the many natures now making their way to either apart from the other are by necessity excluded, there is no rest from ills for the cities" (Plato, *Republic* 473d-e). This statement comes as part of the city-in-speech discussion, in which

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[4] Milton V. Anastos, "Byzantine Political Theory: It's Classical Roots and Legal Embodiment," in *Aspects of the Mind of Byzantium: Political Theory, Theology, and Ecclesiastical Relations with the See of Rome* (Burlington: Ashgate, 2001), 17.
[5] Ibid., 18.
[6] Ibid.

Socrates doubts the possibility that "the regime we have described in speech ever come forth from nature, insofar as it is possible, and see the light of the sun" (Plato, *Republic* 473e). However, his ideal of kingship was intended to reflect the ethical equivalent of a ruling component in one's soul. Therefore, in an ideal world, the control a virtuous mind exercises over a corrupt body would be reflected by the political system of a virtuous man ruling the masses.

Plato's monarchy differs from divine absolutism in that it is meant to have ethical implications and does not presume a special nature in the person of the monarch, besides their virtuous spirit. Of course, some at the time may have supported the view that such a man was fundamentally different than the masses or favored by the gods, but he was nonetheless a man leading his less-equal peers. This monarchy could therefore be seen as the rule of the "best man," a benevolent king who serves his city rather than his own interest. In fact, the "noble lie" implemented by Socrates to keep the citizens of the city-in-speech demonstrates that Plato knew that divine right was only a superimposed idea to justify such a regime (Plato, *Republic* 414c). Socrates argues that the founders of the city-in-speech should tell each class that they were made of substances of different value (gold, silver, and iron/bronze), so that the people will more readily accept the position of the rulers (Plato, *Republic* 415a-d). This is because some are better suited to each office due to their virtue, but none will believe it. Nonetheless, they all remain people, albeit with different abilities. By admitting that the people will need a myth to stay in their political classes, Socrates essentially identifying divine right as a rhetorical tool imposed to convince less-equal people to adhere to a well-ordered political system.

Plato also demonstrates outright sympathy for monarchy in the *Republic*. He admits that although the regime of the city-in-speech was meant to have a group of rulers, "if one exceptional man arose among the rulers, it would be called a kingship, if more, and aristocracy" (Plato, *Republic* 445d). Plato's character Socrates emphasizes the importance of institutions for

the education of rulers and preservation of social order, but he places emphasis on virtuous rulers rather than political bodies, saying "whether it's many or one who arise, none of the city's laws that are worth mentioning would be changed, if he uses that rearing and education we described" (Plato, *Republic* 445e). This differs greatly from modern understandings of written constitutions or systems of checks and balances.

Ultimately, Plato was less concerned with the particulars of the day to day governance or even the laws of a city than with allowing its best members to lead uninhibited. When asked about the market prices and contract laws of the city-in-speech, Plato's Socrates says that "to set them down in laws, I believe is foolish" (Plato, *Republic* 425b) because, as the character Adeimantus says, "it isn't worthwhile to dictate to gentlemen. Most of these things that need legislation they will, no doubt, easily find for themselves" (Plato, *Republic* 425d-e). Those who try to establish fixed laws would only find that they have to continuously correct them, "ignorant that they are really cutting off the heads of a Hydra" (Plato, *Republic* 426e). Plato's distrust of democracy was therefore based upon his support of the rule of the best, which he found superior to the rule of the untamed wills of the mob. It was not intended to preserve an unfair distribution of resources or an oppressive system. Plato's ideal ruler was essentially despotic, but he was certainly not a tyrant, a regime which Plato despised. Although there was no institution preventing him from oppression, his education would have instilled the necessary virtue to prevent this, so he would not have to be answerable to popular will or bureaucracy.

Aristotle followed in the footsteps of Plato's political theory. While he differed from many of Plato's conclusions, Aristotle adhered to the framework of regimes for political analysis. In the *Politics*, he famously claimed that the best practical regime was a mixture of monarchy, aristocracy, and democracy, a regime which he called a "polity" (Aristotle, *Politics* 1293b22). Nevertheless, Aristotle also demonstrated a sympathy towards benevolent kingship.

Perhaps similar to the divine right model, "we find Aristotle declaring the ideal king to be the earthly image of Zeus, and Isocrates that he is the earthy image of Heracles."[7] In the *Politics*, Aristotle writes, "Homer was right therefore, to use the invocation 'Father of Gods and of men,' to address Zeus, who is king of them all. A king ought to be naturally superior to his subjects, and yet be of the same stock as they are" (Aristotle, *Politics* 1259a37). This perspective differs greatly from his recommendation of a mixed polity but reflects the idealized view of kingship which Aristotle felt could not be achieved on earth.

Even though the "philosopher king" was viewed as a nearly impossible ideal, Aristotle described the conditions necessary for this type of monarchic rule. Aristotle "considered the realization of the perfect ruler impossible; yet, he continued to discuss his hypothetical paragon in all seriousness, which may suggest that the same notion had haunted Greek minds before his and that a desire for superior men had been common among philosophers and statesmen."[8] Aristotle explained that "if there is one person (or several people, but not yet enough to form the full complement of a city) so pre-eminently superior in goodness that there can be no comparison between the goodness and political capacity which he shows (or several people show, when there is more than one) and what is shown by the rest, such a person, or such a people, can no longer be treated as part of the city" (Aristotle, *Politics* 1284a). By claiming that the king (or kings) would not be part of the city, Aristotle means that they would be above the regulations placed on citizens. Due to their superiority, "injustice to them will be done if they are treated as worthy only of an equal share, when they are so greatly superior to others in goodness and political capacity; for someone of this sort may very well be like a god among men" (Aristotle, *Politics* 1284a). Clearly Aristotle was basing his view upon ethical standards as Plato had done. However, his ideas had powerful political implications, and, by all indications, he still saw

[7] Steven Runciman, *The Byzantine Theocracy* (Cambridge: Cambridge University Press, 1977), 21.
[8] *P-P*, 186.

benevolent kingship as a better regime than his more practical best regime, the mixed regime, or polity.

Chapter 3: Greek Political Philosophy in Rome

The tradition of benevolent kingship continued into Roman times. However, it was more challenging for it to take root in the face of staunch republicanism, which was dominant in Roman political thought for centuries. Initially, Rome was ruled by kings. According to legend, Romulus, the founder of the city, was also its first king and became a god. This continued for six more kings, but, following a series of oppressive rulers, notably Tarquinius Superbus, Roman ideology became staunchly anti-monarchic.[9] Even the word "king" became anathema. The regime effectively changed to an aristocratic one, with a strong senatorial elite. There were still democratic popular assemblies, and, over time, Rome experienced some democratizing reforms, including the opening of the senate to both social classes, patrician and plebeian. Though still skewed towards the wealthy classes, these institutions allowed for some democratic participation. However, with the expansion of the empire and increasingly corrupt nature of politics, ideas of one-man rule once again came into fashion. Due to the republican tradition and fear of tyranny, the Greek theory of "best man" benevolent kingship naturally became an appealing alternative to divine-right monarchy. Although vestiges of republicanism were at first preserved by Augustus to mask the transition to monarchy during the Principate, by the late imperial period, the emperor had become fully sovereign. Byzantium, as New Rome, then inherited this political structure.

Greek thought was carried into Rome through contact with the Greek world, the result of imperial conquest and political philosophers in Rome. Rome incorporated the kingdom of

[9] *Cam*, 478.

Macedonia in 148 BCE.[10] The Achaean League, which comprised most of the classical Greek city-states, became dependent on Rome following its liberation from Macedonia by Gaius Flaminius, and in 146 BCE, following the sack of Corinth, the league's leading state, all of Greece came under Roman control.[11] It was only a matter of time before Greek ideas, which had already been present in the Roman world, entered into the upper classes of Rome, especially as wealthy families had their sons to be educated by prominent Greeks. Even before this time, Romans had come into Greeks in southern Italy through the colonies of Magna Graecia.

There were several individuals who particularly furthered the dissemination of Greek political philosophy into Roman civilization. Polybius was a Romanized Greek who advocated early on for the recognition of Roman superiority in the Achaean league.[12] In his work the *Histories*, Polybius advocated the mixed Roman constitution as the best form of government to win over the recently conquered Greeks familiar with regime theory and Aristotle's composite polity. He demonstrates knowledge of Plato as well, conceding that the regime of the *Republic* cannot be judged against that of Rome "unless it first give an exhibition of its actual working" (Polybius, *Histories* VI.47.8). His knowledge of Greek political philosophy and interest in Rome allowed for one of the earliest exchanges of political ideas between the cultures. Therefore, "he introduced into Roman political thought the principles of Plato, Aristotle, and the Hellenistic thinkers."[13]

Polybius was brought to Rome as a hostage and became a close friend of Publius Scipio Aemelianus, the adopted son of the famous Scipio Africanus, who also had success in the Punic Wars.[14] This prominent position in Roman society with Aemelianus, along with his group of

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[10] *P-P*, 454.
[11] Ibid., 459.
[12] Ibid., 457
[13] Ibid.,459.
[14] Ibid., 457.

philhellenic associates, offered a perfect opportunity to reconcile Greek and Roman beliefs. Particularly regarding monarchy, it is clear that Polybius had an understanding of the distinctions necessary for a benevolent monarchy. He wrote, "it is by no means every monarchy which we can call straight off a kingship, but only that which is voluntarily accepted by the subjects and where they are governed rather by an appeal to their reason than by fear and force" (Polybius, *Histories* VI.4.1). By discussing Roman politics using the terms monarchy, aristocracy and democracy, "Polybius, consciously or not, was inspired by Greek classical political theorists."[15] This genre had been largely unknown to the Romans previously, as they focused primarily on legislation over theory.

Platonic philosophy also found its way into Rome through the popular Stoic school of thought. Although Rome did not have an extensive philosophical tradition of its own, from Greece it "had acquired a language for debating critical issues of contemporary politics."[16] Philosophers made their mark even more as they began to influence the elite classes of Rome. Polybius was particularly close to Scipio Aemelianus, and "Cicero suggests that the Stoic Panaetius, confidant of the statesman Scipio Africanus, shared Polybius' interest in constitutional theory and its application to the Roman system of government."[17] The Middle Stoa of the Roman period, including Panaetius and Poseidonius, incorporated the theories of Plato and Aristotle into the Stoic ideal of the wise man so that "Plato's *Statesman* and *Laws* became the classic works for the Middle Stoa and Plato's political ideas."[18] Stoicism promoted the idea that rulers should strive to achieve virtue alone. This would allow him to rule as a wise sage (similar to a philosopher-king) since, "on Stoic premises only the wise person can command that knowledge,

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[15] *P-P*, 458.
[16] *Cam*, 433.
[17] Ibid., 454.
[18] *P-P,* 467.

so only he is *qualified* for rule in general and kingship in particular."[19] Although certainly different in many ways than the tradition of the Platonic academy, the presence of Stoicism allowed for the transmission of Greek philosophy into Rome, including the voices of past and contemporary thinkers in conversation with the Stoics.

Among the prominent Romans inspired by Platonic and Stoic philosophy was Marcus Tullius Cicero. The evidence of Platonic influence on him is evident even though the structure of his works as dialogues. "Cicero himself was loyal throughout his life to Plato and his Academy," where Cicero had even studied in Athens from 79 to 77 BCE.[20] Cicero played a large role in introducing Rome to Greek political philosophy through his written works, including his own *Republic*, for which "he was greatly indebted to Plato on whose works he modelled his own."[21] Africanus, who was a close friend of Polybius, is used by Cicero as a character in this dialogue, in which he argues for a mixed constitution as Polybius had.

Additionally, reflecting the "best man" position, Cicero demonstrates sympathy for a benevolent monarchy despite his strong pro-republican beliefs. This attests to the fact that benevolent kingship was the most appealing form of monarchy to republicans, who accepted in on theoretical grounds as an alternative to the mixed constitution of republicanism. Perhaps this is due to the fact that it also sought the common good of the city-state rather than the interest of an individual. Ultimately, as political conditions required consolidation of power, later Roman thinkers also took up the benevolent kingship ideology as the basis for the emperorship.

Cicero's writings reveal the impact of Greek thought on Rome. In his *Republic*, Cicero concedes that there is a need for a "deliberative function" in any regime, whether a small group, a monarch, or the people (Cicero, *De Re Publica* I.42). This "deliberative function" necessarily

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[19] *Cam*, 447.
[20] Ibid., 484.
[21] *P-P,* 466.

stands outside the republic and the law, since it must be superior to it. To Cicero, even if there are other aspects incorporated into a monarchic state, this deliberative function is ultimately what determines the type of regime. He specifies that "in any commonwealth in which there is one person with permanent power, especially royal power, even if there is also a senate, as there was at Rome in regal times and as in Sparta under the laws of Lycurgus, and even if the people have some rights, as was the case under our kings—even so, the name of king stands out, and such a commonwealth cannot be called, or be, anything but a monarchy" (Cicero, *De Re Publica* II. 43). The translation of *res publica* of commonwealth here may seem unusual, but it perhaps captures the intent of the word in Cicero's use more accurately than "republic." The ancient meaning would mean only a state for the common good. This passage is therefore important not only in that it demonstrates a flexible understanding of a "commonwealth," but also in that Cicero distinguished between different types of kingship and still identifies the king as sovereign. He claims that even if the people have some rights, the regime is still a monarchy and not a mixed polity. This is because the king retains the "deliberative function," or ability to act independently regardless of the will of the populace. By tying this to early Rome, Cicero makes the ideal of an unfettered benevolent ruler more palatable to the Roman citizenry with whom he shared republican pride.

Although Cicero also supported Plato's idealized kingship, he suggested that the Classical Roman republic was the best practical form of government because it was a compound regime, reflecting Aristotle's argument for the mixed polity. Cicero has Scipio state that "my own opinion, therefore, is that there if a fourth type of commonwealth that is most to be desired, one that is blended and mixed from these first three types that I have mentioned" (Cicero, *De Re Publica* I.45). This new regime is often identified with the Roman Republic, creating an issue of confusing terminology. That which Aristotle calls a "polity" and is often translated as a

“republic” is only one form of what Cicero calls a “commonwealth,” which is actually a translation of the Latin *res publica*. Cicero explicitly notes this, conceding that “no form of commonwealth is ever maintained for very long” (Cicero, *De Republica* I.68), meaning that it can change regime type. He explains that this is because, “there are remarkable revolutions and almost cycles of changes and alterations in commonwealths; to recognize them is part of a wise man, and to anticipate them when they are about to occur, holding a course and keeping it under his control while governing, is the part of a truly great citizen and nearly divine man” (Cicero, *De Republica* I.45). Ultimately, Cicero’s desire for a mixed polity is not unprecedented, as it was seen in Polybius and even Aristotle, but he retained the monarchic ideal which would be used later to justify the imperial office he so hated.

Cicero attempted to reconcile the Greek ideology of benevolent kingship with the republican Roman people by making it seem like a Roman idea. Looking back on the period of Roman kings, before the Classical Roman republic, Cicero’s Scipio claims that, “our people even then, rustic though they were, saw that virtue and wisdom were the proper qualifications to be looked for in a king, not a royal pedigree” (Cicero, *De Re Publica* I.24). The early Romans did indeed support the practice of elected kingship, as seen through the rise of kings such as Numa and Tarquinius Priscus. Therefore, “in introducing the Greek principle of the ‘best man’ into Roman political thought, Cicero Romanized it by presenting it as an old Roman principle, always applied in a state of emergency.”[22] In support, Cicero would most likely point to the offices of consul, the highest republican office, and dictator, a rarely-granted position which gave supreme power to an individual for a short time in crisis. Cicero is not advocating for monarchy, but he was an adherent to the Platonic school, which claimed monarchy could be the best regime. In

[22] *P-P*, 480.

order to explain himself, he used familiar characters although, in reality, he was explaining Greek benevolent kingship.

Cicero in fact hated Rome's change to actual monarchy and, at the dawn of the Principate, lamented that "it is because of our own vices, not because of some bad luck, that we preserve the commonwealth in name alone but have long ago lost its substance" (Cicero, *De Re Publica* V.2). This is because he felt the emperor was not a true philosopher-king. Also, the emperor was fully sovereign and did not answer to the senate as Rome's ancient kings had done. Despite claims to adhere to benevolent kingship, the Principate effectively became a hereditary monarchy, falling short of the rule of the "best man." Nevertheless, the emperors claimed to be ruling for the good of the people, using the rhetoric of benevolent kingship while of course falling short of the nearly impossible ideal.

Cicero would have almost certainly preferred that a "best man" lead Rome through crisis and subsequently "retire to a private life like a good republican."[23] Cicero admitted that Roman "history proves that the main factor in [Rome's] evolution has always been the moral superiority and the wisdom of single individuals who, in moments of greatest danger, have led the people to make the right decision."[24] Therefore, a "best man" is often required, and "even the Roman mixed constitution, in times of danger or decadence, stood in need of a single man, who would be a preserver of the Republic."[25] In the imperial period, however, this benevolent kingship became permanent and subject to corruption. The only check on the emperor was his virtuous personality, but if a ruler lacked a virtuous disposition, Cicero's fear of a tyrant would be realized, as it was, for example, in the persons of Caligula and Nero. Although inspired by "best

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[23] *P-P*, 471.
[24] Ibid., 469.
[25] Ibid., 470.

man" ideology, the full sovereignty and dynastic nature of the imperial office led to inevitable consequence of unqualified individuals ruling.

The road to absolutism, however, became inevitable due to the challenges of ruling an expanding empire. Despite a potential attempt to implement the democratic ideals of Classical Athens by the Gracchi brothers, the ideology of the "best man" took hold in Rome as it became increasingly needy of centralized authority.[26] Citizenship was extended to the provinces, and holding assemblies in Rome was no longer practical. Also, the Eastern provinces were accustomed to a monarchic ruler and were unfamiliar with the short terms of republican offices in Roman bureaucracy. Rome was increasingly forced to encounter these issues as it conquered Greece and the Hellenistic kingdoms. After Macedonia and Greece fell, Attalus, the king of Pergamum, left his entire kingdom in Anatolia to Rome in 133 BCE.[27] Romans then expanded to the Levant and began to look towards Egypt. Rome was no longer a small city-state with a mixed constitution, and it had to confront the question of empire.

This period also saw the rise of civil wars between charismatic leaders debating between the populist and aristocratic factions of Rome.[28] The political ideologies of Greece had taken root and were now playing out on the Roman stage. Notably, Gaius Marius of the populist faction and Sulla of the aristocratic faction came into conflict, ending with Sulla's victory and dictatorship in 81 BCE.[29] Then, Gaius Julius Caesar and Pompey came to odds in nearly the same factional conflict. In the face of this upheaval, the ideology of the "best man" from Platonic thought seemed to offer a stabilizing alternative to the democratic and aristocratic bickering in Rome. The instability of the time could have also inspired Cicero, a staunch republican, to consider the

[26]*Cam*, 480.
[27] *P-P,* 460.
[28] Ibid., 461.
[29] *Cam*, 481.

rule of a "best man" as tolerable "for pragmatic reasons."[30] Further evidence of the bias towards one-man rule can be seen by Pompey's idealization of Alexander the Great by taking the title "magnus" for himself.[31] The once anti-monarchical Romans were now considering granting power more readily to one individual.

Caesar, too, although in the populist faction, took a liking to monarchy. He was familiar with Xenophon's *Cyropaedia*, in which the student of Socrates detailed the education of the Persian king Cyrus as an example of a benevolent monarch. Caesar even quoted it the night before his assassination.[32] Caesar had spent time in the Hellenized East, including Egypt, which preserved one of the strongest Hellenistic monarchies in the world. Based on his actions, it seems that "Caesar's ultimate goal was undoubtedly the establishment of a world monarchy modelled on Hellenistic principles, yet adapted to the special structure of the Roman state."[33] Ultimately, this materialized in the imperial office. However, "to realize his goal, Caesar had to make use of the existing Roman institutions, in particular the military *imperium* (a dictatorship, for which there was a republican precedent and which had been granted to him for life in 44 B.C.) and the consulship."[34] In this respect, he preserved republicanism, but only as a means of implementing the Greek ideal of the "best man" as sovereign. He came up only just short and was killed by the last remaining protectors of Roman republicanism.

Keeping the ideology of benevolent monarchy alive, Caesar's adopted son Octavian became the *princeps*, or first-citizen of Rome following his successful civil war against Mark Antony and Cleopatra. By opposing the Eastern form of monarchy represented by Cleopatra, Octavian took a position against the divine right ideology which had come to dominate the once-

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[30] *Cam*, 486.
[31] *P-P*, 463.
[32] Ibid.
[33] Ibid., 463-464.
[34] Ibid., 465.

Greek-inspired Hellenistic monarchies. By the time of Cleopatra, dynastic succession had reverted the Egyptian monarchy back to a Hellenistic/Near Eastern form of divine right monarchy, and the Roman alternative offered an opportunity to revive the rule of a "best man" in the person of the savior of the empire. By successfully uniting the empire, Octavian had demonstrated his ability to act as a "best man" and won over the support of the people to take monarchic power. The title of *princeps*, along with *Augustus* ("venerable") literally gave him the position of "best man." Unlike Caesar, he refused the dictatorship for life and kept the appearance of a functioning republic while effectively concentrating the power of every republican office in his hands. Rome was not yet comfortable with the terminology, but it had finally become a monarchy.

At this point, the imperial office possessed only *auctoritas,* or authority, although the *princeps* was effectively sovereign. Reflecting the value placed on the virtuous individual over any institution found in Platonic thought, the emperorship "was not an office; the holder, however, as the first and best man, wielded an authority (*auctoritas*) to which the Romans submitted freely."[35] It is true that Augustus/Octavian himself held a number of offices and even had proconsular imperium outside of office by virtue of this. However, the actual position of princeps still lacked *imperium,* or effective power in Roman government, although the individual who had the title controlled all the offices necessary to claim sovereignty. Therefore, "Augustus was able to disguise his supremacy under the cloak of republicanism," which was necessary to smooth the transition towards an emperorship.[36] Indeed, at this point "Rome actually became a sort of monarchical republic."[37] It was nevertheless a monarchy, as one individual was the source of all law and judgements, which differs from Kaldellis' contention that the people were still

[35] *P-P,* 481.
[36] Ibid., 482.
[37] Ibid., 483.

sovereign. It was only a temporary de facto façade, however, as in the later imperial period, the office became institutionalized and a paradigm shift occurred in Roman political ideology which allowed an open monarch to rule as sovereign.

From the Greek perspective, this change to monarchy offered an opportunity for Greek philosophy to merge with Roman politics. "Plutarch is a convinced Platonist" who lived between 46 CE and 120 CE.[38] As a Greek, he was eager to bring together the two civilizations and therefore supported the idea of a philosopher-king as the ideal statesman. He felt that rather than corrupting virtuous individuals, political life was a noble activity. This demonstrated the Romanization of Platonic thought, which prized public life in contrast to Socrates' limited participation in politics. Previously applied on a small scale or rejected due to Roman anti-monarchic sentiments, the change to empire brought about a revival of one-man rule on a mass scale and became an opportunity to revive Platonic kingship theory. Following Julius Caesar and Augustus, control of the provinces and all political functions became increasingly concentrated in the hands of one ruler residing over one of the largest empires ever seen.

Plutarch is famous for his *Parallel Lives*, but he also wrote the *Moralia,* a collection of treatises on ethics. One of these is addressed *To an Uneducated Ruler* and provides insight into Plutarch's political ideas. He was staunchly opposed to the divinization of the emperor, reminding Romans that the divine nature of the ruler was found only in his virtuous imitation of the Good. He writes that

> God visits his wrath upon those who imitate his thunders, lightnings, and sunbeams, but with those who emulate his virtue and make themselves like unto his goodness and mercy he is well pleased and therefore causes them to prosper and gives them a share of his own equity, justice, truth, and gentleness, than which nothing is more divine, — nor fire, nor light, nor the course of the sun, nor the risings and settings of the stars, nor eternity and immortality (Plutarch, *Moralia,* 781a).

[38] *Cam*, 576.

It is the ethical virtue of rulers that make them divine, not their nature or a special partnership with God. He echoes this sentiment later:

> For it is neither probable nor fitting that God is, as some philosophers say, mingled with matter, which is altogether passive, and with things, which are subject to countless necessities, chances, and changes. On the contrary, somewhere up above in contact with that nature which, in accordance with the same principles, remains always as it is, established, as Plato says, upon pedestals of holiness, proceeding in accordance with nature in his straight course, he reaches his goal. And as the sun, his most beautiful image, appears in the heavens as his mirrored likeness to those who are able to see him in it, just so he has established in states the light of justice and of knowledge of himself as an image which the blessed and the wise copy with the help of philosophy, modelling themselves after the most beautiful of all things (Plutarch, *Moralia* 781f).

This, of course, refers to the Platonic forms identified in the *Republic*, which could be said to be divine as they exist above our world. Plutarch felt rulers could become virtuous and therefore be true kings by imitating the greatest form, the Good. True to Platonic philosophy and "in line with the subordination of politics to ethics, what really matters if good government is to be realized is the moral quality of the rulers rather than political institutions."[39] It was this virtue, which could easily be construed as divinity but was not the same, that gave legitimacy to the imperial office in his mind. However, "according to a widely-held theory which goes back to Plato, should a ruler be unjust, then monarchy becomes the worst form of constitution, degenerating into tyranny."[40] This would justify a change in ruler, although true monarchy remains the ideal regime. Plutarch does not point to any Roman emperors as examples of this virtuous kingship, but the existence of such theory allowed for the justification of the imperial office as one of benevolent kingship.

[39] *Cam*, 581.
[40] Ibid., 580.

Another Greek, the historian Cassius Dio, lived between 150 CE and 235 CE, and retrospectively observed the transition to imperial monarchy.[41] Noting the republican tradition in Rome, he described how "the name of monarchy, to be sure, the Romans so detested that they called their emperors neither dictators nor kings nor anything of the sort; yet since the final authority for the government devolves upon them, they must needs be kings" (Cassius Dio, *Roman History* LIII.17.2). Nevertheless, he was firm that the façade of the Principate did not change the fact that Rome was a monarchy. Although "in order to preserve the appearance of having this power by virtue of the laws and not because of their own domination, the emperors have taken to themselves all the functions, including the titles, of the offices which under the republic and by the free gift of the people were powerful, with the single exception of the dictatorship" (Cassius Dio, *Roman History* LIII.17.3). He claims that the reason for this change was the crisis of the civil wars, which allowed for the ideology of benevolent kingship to enter into Roman politics. Although a republican might see this as a bad thing, Dio was happy with the realization of a philosophical ideal. The reign of Augustus brought peace, and "in this way the government was changed at that time for the better and in the interest of greater security; for it was no doubt quite impossible for the people to be saved under a republic" (Cassisus Dio, *Roman History* LIII.19.1). Of course, Cassius Dio wrote retrospectively, but the fact that the he could look back positively and identify the foundations of autocracy during his time attest to the extent to which imperial ideology had become ingrained in the Roman psyche.

From Augustus and onward, the imperial ideology began to spiral and become its own strong force in Roman political thought. The Principate gave way to the Dominate, a period in which emperors enjoyed "undisguised absolutism."[42] If there had been questions as to the sovereignty of the emperor during the Principate due to the retention of republican offices, this

[41] *P-P*, 519.
[42] Ibid., 521.

period ended them. In fact, emperors often ceased to even visit Rome, being proclaimed by armies and confirmed in absentia. The Tetrarchy, in which the emperor was divided into two and ruled by a head Augustus and junior Caesar, followed as a means of preserving stability in the crises of the third century.[43] After the fall of the West, the East continued on as the Byzantine empire, with its capital in Constantinople keeping claim to be the residence of *the* Roman emperor. In this period, the office of emperor began to demonstrate some of the court ceremonial features that would indicate its devolution to divine right, including the *proskynesis*. This traditionally Persian custom of paying homage before a ruler was regularized by Diocletian, but it is important to note that these do not discredit the "best man" argument. The Romans still did not generally deify emperors in their own lifetime, and Hellenistic kingdoms, who themselves had been largely based on classical Greek ideals, had been practicing these ceremonies for centuries. There is a large difference between showing reverence to the office of the sovereign and claiming that the particular individual occupying that office is divine.

By the time of Byzantium, the imperial ideal had become so firmly entrenched that there was almost no thought of changing the regime away from monarchy. This transformation was only possible with the influence of Greek ideas of the "best man," which, through schools of philosophy and appeal to the needs of Roman politics, was able to justify the imperial office without threatening the common good as well as the rule of law, which the benevolent ruler was intended to morally respect unless a higher standard of justice prohibited it.

Chapter 4: Christianity and Monarchy

In the Christianity of the second and third centuries, the Messianic prophecy and Greek theories of monarchy were used to support the role of Jesus Christ as the head of the Kingdom of

[43] *P-P*, 521.

Heaven. For Christians, "this ideal king, the pattern of righteousness for every life, was found at last in the person of Christ."[44] Once Christianity became the religion of the empire, another paradigm shift occurred in which Christian ideology became central to the discussion of kingship. However, scholars like Plato, Aristotle, and Cicero remained popular among Christians and ultimately still formed the basis of political thought. A testament to their importance is the fact that their writings, although being pagan, survived down to our times through this period and continued to serve as the basis of education for many elites in the West.

Some early Church fathers explicitly tried to coalesce Platonism and Christianity in their political philosophy. This was inevitable, since, "as products of Classical education, all were to some extent in contact with it, some were thoroughly versed in it. Though dedicated to subverting it, they could not escape its influence. Frequently they took over and employed Classical idioms and models as a springboard for their own rival patterns of thought."[45] Although Christian thinkers thoroughly condemned any mentions of paganism in classical Greek philosophy, the terminology they used and even the ways of thinking which they employed are heavily based on classical precedent, keeping the tradition of Greek political philosophy alive.

Although not a Christian, Philo of Alexandria played an important role in the Platonic school of Alexandria which sought to merge Platonism with the existing powers of Rome. Philo was a Jew and came from a Hellenized background in Egypt. His methods became influential to Church fathers trying to reconcile Platonism with their religion such that "it was they who originated the legend of a Christian Philo, or at least a fellow traveler, thus guaranteeing the transmission of his works.[46] Philo argued that "the king as lawgiver is superior to the statesman, who is a figure intermediate between the private citizen and the king. The statesman does not

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[44] *P-P*, 430.
[45] *Cam,* 414.
[46] Ibid., 561.

have absolute power, because he serves another king, the people, and he is not a free person, directed in his behavior as he is by a host of masters. True kingship, on the other hand, is not *required* to give an account of itself to anyone."[47] Speaking of *true* kingship is reminiscent of Plato's distinction between it and the other form of monarchy, tyranny. Moreover, "Philo speaks not so much of assimilation to God as of emulating divine virtues. With other men the king shares in material being (*ousia*), and like other men he is made of dust. But insofar as he holds the rank of king he is an image of the deity."[48] This was certainly appealing to Judeo-Christian thinkers. Plato insists that kings are made of the same substance as their subjects, since the Forms and the Good exist on another plane. This was only a step away from the Judeo-Christian claim that God inspires rulers but is not made of the same substance as them. Finally, using the exact terminology of Plato, "Philo contends that cities can approximate to the good only if philosophers are kings or kings philosophers."[49] He points to Moses as an example of a philosopher king, raised as a royal and bestowed with wisdom by God, demonstrating the integration of Judeo-Christian civilization and classical Greek theory.

Clement of Alexandria lived just after Philo and continued his philosophical tradition. Following Philo's example, Clement sought to merge Christianity and Platonism. He also made the connection by claiming that Plato based his philosophy on Moses, writing that "Plato the philosopher, aided in legislation by the books of Moses, censured the polity of Minos, and that of Lycurgus, as having bravery alone as their aim; while he praised as more seemly the polity which expresses some one thing, and directs according to one precept" (Clement, *Stromata* I. 25.1). Rather than valuing bravery, Plato valued virtue. Clement felt that this was truer to Judeo-Christian values, which he attributes to the influence of Moses. He then laments

[47] *Cam,* 561.
[48] Ibid.
[49] Ibid.

the paganism of classical philosophy claiming, "what, then, is the unbelief of the Greeks? Is it not their unwillingness to believe the truth which declares that the law was divinely given by Moses, while they honour Moses in their own writers?" (Clement, *Stromata* 1.26). While this connection is certainly arbitrary, it demonstrates the concerted effort to ensure that the Christian religion based its political ideals upon the Greek philosophical principles. Clement frequently quoted the works of Plato directly, especially the *Statesman*, and made it clear that he was familiar with Greek philosophy by distinguishing among the beliefs of contending philosophical schools in his work (Clement, *Stromata* I.14). Given this familiarity, it is no surprise that Clement writes, "it is the wise man, therefore, alone whom the philosophers proclaim king, legislator, general, just, holy, God-beloved" (Clement, *Stromata* I.26). Like Philo, he uses Platonic language exactly. Despite Clement's views later being shunned in Western Christianity, at the time of early Byzantium, the reconciliation between the new Christian religion and the established schools of Greek philosophy, which had their roots in paganism, allowed for the continuation of the benevolent ruler ideology into the Christianized Roman empire.

Augustine of Hippo is a major figure in Christian political theory. Although writing in Latin in the Roman west, his ideas demonstrate the continuation of ancient philosophy in early Christianity. He did not know Greek very well, but "thanks to Cicero, whose thought was impregnated with Hellenistic political philosophy and whom Augustine studied, he was quite well versed in the basic principles of the Hellenistic tradition."[50] Indeed, Augustine is largely responsible for transmitting much of Cicero's *Republic* through references to the now lost text. Augustine was largely opposed to the pragmatic realization of philosophical ideals on earth. In fact, in the *City of God*, he emphasized that the earthly City of Man to which the Romans belonged while alive was corrupt and could not achieve the goals of Christianity. However, he

[50] *P-P*, 843.

was writing in response to the traumatic sack of Rome, for a Western audience. Despite these differences, Augustine maintained the Platonic ideals demonstrating their strong presence in the late Roman world, even if they were not implemented outside Byzantium.

Eusebius of Caesarea, who lived from 260 to 339 CE during the time of Constantine I, is famous for his writings supporting the view that the rule of the Roman emperor mirrored the divine kingship of God. In his *Oration In Praise of Constantine*, Eusebius wrote, "this only begotten Word of God reigns, from ages which had no beginning, to infinite and endless ages, the partner of his Father's kingdom. And [our emperor] ever beloved by him, who derives the source of imperial authority from above, and is strong in the power of his sacred title, has controlled the empire of the world for a long period of years" (Eusebius, *Oration* II.1). Eusebius argued that the emperor mirrored God by ruling the earthly Kingdom of the Romans as God rules the Kingdom of Heaven. He justified the position as a Near Eastern monarch might, calling the emperor God's "partner." This appeal to divine right was the trend among thinkers in the early period of the Christianized Roman empire, and it has become the stereotypical view of divine right ideology in Byzantine political theory.

Despite this view, it could be argued that Eusebius too continued the theory of the "best man" in the tradition of Platonic thought. It is certainly possible, as "Eusebius' familiarity with Plato is in any case very well-attested by the extensive extracts from the dialogues that he incorporated into the *Preparation for the Gospel*," one of his works.[51] Rather than adopting Near-Eastern-style ruler deification, "Eusebius' insistence on the mortality of the emperor enables Constantine to become a teacher and a model, one who has triumphed over his passions by modelling himself 'after the archetypal form of the Supreme Sovereign.'"[52] Rather, in

[51] Dominic J. O'Meara, *Platonopolis: Platonic Political Philosophy in Late Antiquity* (Oxford: Clarendon, 2005), 148.
[52] *Cam*, 653.

Platonic fashion, "Eusebius suggests that the king, having been shaped in the image of the divine kingdom, looks up, as if to an archetypal Form (ἀρχέτυπος ἰδέα) according to which he governs his realm … much, we might note, like the philosopher-kings of the *Republic.*"[53] It is by basing himself of this true Form of kingship, which comes from God, "that Constantine becomes a true king."[54] Thus, "Eusebius Christianized the theory of kingship found in Middle Platonist philosophy."[55] Eusebius also reflected Platonic idealization of benevolent monarchy as the best regime:

> And surely monarchy far transcends every other constitution and form of government: for that democratic equality of power, which is its opposite, may rather be described as anarchy and disorder. Hence there is one God, and not two, or three, or more: for to assert a plurality of gods is plainly to deny the being of God at all. There is one Sovereign; and his Word and royal Law is one: a Law not expressed in syllables and words, not written or engraved on tablets, and therefore subject to the ravages of time; but the living and self-subsisting Word, who himself is God, and who administers his Father's kingdom on behalf of all who are after him and subject to his power (Eusebius, *Oration* III.6)

Moreover, Eusebius was not the only factor in the Christian discourse surrounding the imperial office. Some of the divine right discourse can actually be seen as a derivation of Roman rather than Greek or near Eastern ideas. The concept that "rulers were selected by the gods" was "never actually unknown in Rome."[56] Successful consuls had been awarded triumphs, and Romulus had even been deified. Religion was never absent from Roman politics. In fact, the Romans prided themselves on being the most religious of peoples, and positions like pontifex maximus and flamen (a priest dedicated to a one of several cults) were controlled by the state. Of course, Romans took politicians' mortality seriously, partly in order to prevent the rise of

[53] O'Meara, *Platonopolis*, 146.
[54] Ibid.
[55] *Cam*, 651.
[56] *P-P*, 501.

tyranny. However, the practice of deification had been common in the East territories, and it became more popular towards the end of the republic, as people sought a savior to bring an end to the civil wars. Augustus became known as *divi filius*, the son of a god, after his adopted father Caesar was posthumously deified. Subsequent emperors supported the building of imperial cult temples so that citizens could pray for the good of the emperor, leading to an appearance of divinization without crossing the boundary of confusing the "best man" with a god.

Even the republican Cicero had expressed the idea that rulers are sent from heaven in his *Dream of Scipio,* found at the end of his *Republic*. In a dream, Scipio Aemelianus' father Africanus tells him from the heavens that "the guides and preservers of these [states] have set out from here, and here they return" (Cicero, *De Re Publica* VI.13). This reflects the Platonic belief in ethereal forms, and it demonstrates a metaphysical understanding of political virtue as bestowed by the divine. Rather than claiming that God places rulers on the throne through some supernatural personal relationship, Cicero's view, based on the Platonic one, is that rulers were favored by divine forces who provided them with the virtue necessary to act as benevolent kings.

Chapter 5: Reception in Byzantium

These ideas may have made their way to Byzantium chronologically, but two primary source texts from the era of Justinian demonstrate that the Platonic/Christian ideal of kingship was actually adopted by Byzantine thinkers. The first of these is a series of short chapters of advice to the emperor written by Agapetus, who was the deacon of Hagia Sophia around the time of 527, in the reign of Justinian.[57] Agapetus wrote a treatise in what is popularly known as a "mirror of princes," a genre which suggests advice for how a ruler should best act. Although he promotes some aspects of the Eusebian theory of Christian kingship, he also demonstrates a

[57] Ernest Barker, *Social and Political Thought in Byzantium* (Oxford: Clarendon Press, 1961), 54.

more nuanced tradition by referencing "best man" ideals. In classic Eusebian fashion, Agapetus reminds Justinian to "render honour above all to God, who gave you that dignity; inasmuch as He gave you the scepter of earthly power after the likeness of the heavenly kingdom."[58] This would indicate the Agapetus saw the emperor as divinely appointed. He also references the tradition of Christ acting as a servant, claiming that "the king is sovereign (κύριος) over all; but he is also, along with all, the servant of God."[59] Barker's translation of κύριος is not quite accurate as "sovereign," but would perhaps be better as "lord." This too serves to demonstrate the Christian theory that the emperor was answerable only to God.

Nevertheless, rather than continuing his rhetoric about the divine right of the emperor, Agapetus shifts and writes that "in the nature of his body the king is on a level with all other men, but in the authority attached to his dignity he is like God Who rules over all."[60] Here, Agapetus demonstrates the underlying understanding of the office which differs from other monarchies. The emperor was seen as a man, albeit the "best man," and once he ceased to truly be the best, it was the office that retained power. In their quest to be ruled by a king inspired by God to rule virtuously, the Byzantines continued to strive for the optimal individual without changing any political structure or taking back sovereignty. This differs drastically from modern politics, which often focuses on constitutional reform rather than ethics to solve problems.

The Platonic strain of thought is also clearly present in Agapetus' theory. He writes, "consider yourself to be surely and truly a king when you rule with the consent of your subjects."[61] A more accurate translation of this passage is done by Peter Bell: "consider yourself

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[58] Barker, *Social and Political Thought*, 54-55.
[59] Ibid., 61.
[60] Ibid., 57.
[61] Ibid., 58.

to rule safely when you rule willing subjects."[62] This is based on the Greek, "βασιλεύειν ἀσφαλῶς."[63] Bell considers this to possibly be "the most salient chapter in the treatise," although it is "no endorsement of popular sovereignty."[64] Importantly, Agapetus only recommends that the emperor win the popularity of the people if he wants to rule safely, or as Barker puts it, be a "true king." By this, he distinguished between kingship and tyranny, meaning that only a benevolent ruler would be truly fulfilling the office by ruling benevolently. If he failed to do so, he would be liable to be overthrown, although he would still be ruling and therefore sovereign.

Once again, this does not mean that Agapetus promoted the view that the people were sovereign, but rather that they legitimated the morality of the regime, allowing it to be a true monarchy. By a "legitimate regime," Bell contends that Agapetus means one "grounded in moral authority in terms of the values of [an emperor's] own society."[65] However, theoretically, a tyrant would also be sovereign. This clearly reflects that idea that benevolent kingship functioned as a subsequently legitimating ideology in Byzantium without interfering with the fact that the emperor was sovereign.

Agapetus further demonstrates a knowledge of Platonic philosophy by writing "there has been revealed in our age that time of felicity which one of the writers of old prophesied as coming to pass when either philosophers were kings or kings were students of philosophy. Pursuing the study of philosophy, you [Justinian] were counted worthy of kingship."[66] As with other political thinkers of the time, Agapetus saw the Roman empire as an opportunity to implement what had previously been thought of as only an impossible ideal. This is clearly based

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[62] Agapetus and Paulus, *Three Political Voices from the Age of Justinian: Agapetus, Advice to the Emperor, Dialgoue on Political Science ; Paul the Silentiary, Description of Hagia Sophia*, trans. by Peter N. Bell, Translated Texts for Historians 52 (Liverpool: Liverpool Univ. Press, 2009), 111.

[63] Agapetus Diaconus, *Expositio Capitum Admonitorium,* Patrologiae Graecae. ed. by J.P. Migne, 161 vols., 1176.

[64] Bell, *Three Political Voices*, 44. See Dagron, Gilbert, and Jean Birrell. *Emperor and Priest: The Imperial Office in Byzantium* (Cambridge: Cambridge University Press, 2007), 111.

[65] Ibid., 46.

[66] Barker, *Social and Political Thought*, 56-57.

on Plato's *Republic,* which is "hardly so remarkable or daring when Platonic ideas had by then been thoroughly absorbed into the standard rhetorical tradition."[67] In his second chapter, Agapetus uses the ship of state metaphor to implore vigilance in an emperor.[68] This clearly recalls Plato's use of the metaphor in the *Republic* (Plato, *Republic* 341c), and it indicates that Agapetus was either familiar with the text or engaged with other texts that cited such a particularly Platonic passage.

Agapetus clearly attempts to carefully bridge pagan philosophy with Christianity by implying that Justinian was a philosopher-king precisely due to his God-fearing nature and love of the true wisdom, the word of God.[69] Similarly, "the emperor's own moral development [was] an integral part of his becoming a good emperor, in the same way that the Platonic tradition saw ... the personal development of 'political virtues.'"[70] This was seen as a valuable pursuit due to the focus placed on the virtuous education of rulers in Platonic political theory. It then does not seem so strange that later writers spent so long teaching sovereign rulers how to be good people:

> Like later works in the 'Mirror of Princes' tradition, Agapetus seeks good or legitimate government through the 'moral conversion,' in Dagron's words, of the emperor, with no formal external constraints and no sense that the emperor's rule rests on anyone else's consent (although a wise emperor will cultivate his subjects.[71]

An unattributed sixth century dialogue on politics, heavily based on Plato and Cicero, also addresses Byzantine notions of kingship.[72] Specifically, "the *Dialogue* rests overwhelmingly on Plato's *Republic,* supplemented by the *Laws* (and Cicero's *Republic*).[73] It deals with the science of kingship (βασιλική επιστήμη) and asks the question of whether a king was a mirror of

[67] Bell, *Three Political Voices*, 34.
[68] Ibid., 100.
[69] Ibid., 33.
[70] Ibid., 34.
[71] Ibid., 19.
[72] Ibid., 50.
[73] Ibid., 56.

God.[74] Written in the style of a Platonic dialogue, the text even suggests a hypothetical form of government for the empire, similar to the city-in speech. However, it is also heavily indebted to Cicero's *Republic*, not only through its numerous references to the text, but also due to its emphasis on pragmatic implication of philosophy. The author writes, "what is given from God to emperors should be embedded in the state amongst men both justly and in public law."[75] Clearly, in a more Roman fashion, he feels that the ideals of Platonic political philosophy should be put into practice with the practical restraint of laws, as reflected later on by Plato in his *Laws*.

The author concludes that laws are like tools for the kingly profession, but a king is "an imitation of God among men; this is kingship, and the [true] king will be one who is, indeed, given by God to men, but who also [governs] them justly, and takes his place in the constitution by virtue of civil law."[76] The author claims that "true kingship," as differentiated from tyranny, is supported by both the virtue of the ruler and by civil law. To him, the two are not in conflict even if the emperor is above the law because God bestows men who will respect the law to the people as rulers. Despite the author's pragmatic view of what he even calls "the science of politics," he also claims in a philosophical manner that "a man who is a philosopher-king and a king-philosopher, after the manner of the doctrine of Plato, will be the sort of whom we have spoken; and being set over the world [*cosmos*] he will naturally seek, to the best of his power, to act as king in the manner of Him whose copy and image he is."[77] By mirroring God, the emperor should seek to rule benevolently, a path which the true philosopher-king "will naturally seek." Importantly, the author does not assert that the emperor was placed on the throne by God or that he is the son of a God, and certainly not that he is a god himself. He simply implores the emperor on the philosophical grounds of Plato to imitate the virtue of what Socrates might have called

[74] Barker, *Social and Political Thought*, 69.
[75] Bell, *Three Political Voices*, 155.
[76] Ibid., 70-71.
[77] Barker, *Social and Political Thought,* 75; 71.

"the Good" and what the author attributes to God. The Christian and Platonic view are almost identical in this respect.

Interestingly, these Byzantine thinkers both claim that the emperor was divinely ordained and that he made himself worthy through his own actions. Perhaps this is a result of their ambivalence, or perhaps they saw the two as intertwined through the Platonic notion of imitating the divine Forms. Whatever the case, early Christianity and Byzantine thinkers adopted a rhetoric of kingship that shared much with ancient philosophers.

Chapter 6: Sovereignty of the Emperor in Relation to Law

Despite the ideal of the benevolent ruler/philosopher king, pragmatic governance required that law be implemented. In Byzantium, the emperor issued and enforced the law, although it was unclear to what extent he needed to obey it. This was complicated because Byzantium "could not shed its Roman past. In particular, it could not forget Roman Law, … which had now become a deeply respected basis of society."[78] Ancient Greek philosophers also encountered the practical necessity of written law and often adjusted their "best man" ideology to allow for it. However, this does not remove sovereignty from the monarch. The emperor remained above earthly law, as was a Platonic "best man," and was only morally encouraged to follow it so long as it was in accordance with his best judgment.

Plato felt that the best form of rule required the ruler to act based upon his sound convictions or philosophical expertise, rather than a written and inflexible code. He was not hostile to law as practical matter, but ideally, he preferred the judgements of a wise individual. Plato felt that "law could never, by determining exactly what is noblest and most just for one and all, enjoin upon them that which is best; for the differences of men and of actions and the fact

[78] Runciman, *The Byzantine Theocracy*, 3.

that nothing, I may say, in human life is ever at rest, forbid any science whatsoever to promulgate any simple rule for everything and for all time" (Plato, *Statesman* 294a-b). Therefore, a wise man, steeped in philosophy, could pass judgment more perfectly. This sentiment was readily adopted by rulers who sought to evade the trappings of Roman law. In opposition to the false "so-called" statesmen who failed to prove their wisdom to Socrates in Plato's apology (Plato, *Apology,* 21b-d):

> The real statesman will be someone who has the capacity to provide unerring answers to all questions for which we might or should look to a legislator, or the law itself, including the most important questions about the end of human life; but he will be wiser—or would be, if he ever existed—than any conceivable set of laws, insofar as he would be able in principle to advise and direct in every particular situation, adapting his prescriptions to the prevailing circumstances.[79]

This view requires that the ideal government be the rule of one "best man," and that he have the authority to act not only above the law but *as* the law.

Aristotle, too, followed Plato in providing for an exception through which a philosopher king could be above the law. He writes that "it is clear that legislation is necessarily limited to those who are equal in birth and capacity." If an exceptional individual is found, "there can be no law governing people of this kind. They are a law in themselves. It would be a folly to attempt to legislate for them" (Aristotle, *Politics* 1284a3). Although Aristotle supported the mixed polity, where law was present, this lingering ideal remained in his political philosophy.

Nevertheless, in his older age, Plato adopted a more pragmatic view. Seeing as the ideal state as described in the *Republic* was unlikely to exist on earth, Plato accepted the pragmatic necessity of law for most states. Although "the best constitution would establish government by one wise man who had attained perfect knowledge of philosophy," in the second-best state,

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[79] *Cam*, 236.

"wise men should establish a strict legislation and should rule according to law."[80] Moreover, even "if the ideal statesman is not bound by his law, nevertheless he will certainly need to put laws in place, both because he cannot be everywhere at once, and in order to cover those occasions when he is not physically in the city."[81] Despite this, the statesman, or king, would still be sovereign, and "it will clearly not be up to the citizens at large to start changing his prescriptions."[82] In his *Laws,* where he furthered his more practical theory, "Plato was convinced that the best attainable form of government is one in which the law prevails and rules over the rulers. Nevertheless, the political ideals of the *Republic* and *Statesman* remain unchanged."[83] This indicates that, although the philosopher king ideal was still strong in Plato's mind, much like the city-in-speech, he believed it could not be practically implemented. Plato still believed that:

> If ever there should arise a man competent by nature and by a birthright of divine grace to assume such an office, he would have no need of rulers over him; for no law or ordinance is mightier than Knowledge, nor is it right for Reason to be subject or in thrall to anything, but to be lord of all things, if it is really true to its name and free in its inner nature. But at present such a nature exists nowhere at all, except in small degree; wherefore we must choose what is second best, namely, ordinance and law, which see and discern the general principle, but are unable to see every instance in detail. (Plato, *Laws* 875c-d)

This does not mean that Plato gave up on his kingly ideal. "In the *Laws* a political project is sketched which approximates the ideal, while at the same time making concessions to human nature as regards to the need for private property and family."[84] If, by some miracle, the conditions for the ideal regime were achieved, it would still be superior to a regime of laws.

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[80] *P-P*, 182.
[81] *Cam*, 249.
[82] Ibid.
[83] Anastos, "Byzantine Political Theory," 16.
[84] O'Meara, *Platonopolis*, 92.

Later Greek political philosophers, living under the complex Roman system of law, elaborated on the issue of ruler and law by appealing to the ethical implications of political philosophy. For the most part, they adhered to the ideal of the "best man," although they also recognized the pragmatic necessity of law to curb the will of tyranny. In his second century *Life of Apollonius of Tyana*, Philostratus writes "let the law govern you as well as them, O king; for you will be all the wiser as a legislator for so holding the laws in respect" (Philostratus, *Life of Apollonius* 5.36). A few lines earlier, Philostratus had admitted that the monarch does not need to obey the law, writing, "tremble before the very absoluteness of your prerogative, for so you will exercise it with the greater moderation" (Philostratus, *Life of Apollonius* 5.36). This reflected the trend that "though indubitably aware of these precedents, the political theorists of later times, in all probability because they feared, or had experienced, excesses on the part of arbitrary and unprincipled despots, insisted also that the ruler was bound to obey the laws."[85] Although earlier thinkers had held absolute monarchy as an ideal reserved for the best men, it was easily misused to justify tyranny and therefore more cautiously supported under actual imperial regimes. Therefore, thinkers under absolutism were quick to remind rulers of the difference between true moral kingship and arbitrary tyranny.

The basis of these ideas of extralegal sovereignty, which were "of great consequence for the development of Roman and Byzantine political theory," "was the idea that the ruler was 'living law,' 'law incarnate,' 'animate law,' or what we might call the incarnation or embodiment of the law (νόμος ἔμψυχος in Greek, *lex animata* in Latin)."[86] The origins of this idea in Byzantium are clearly "the conviction of Plato and Aristotle that the head of the state, if properly qualified, should be above the laws and should be free to meet new situations and

[85] Anastos, "Byzantine Political Theory," 20.
[86] Ibid.

emergencies with new regulations."[87] This theory was introduced by jurists from the Hellenized East, as well as through the existing presence of ancient Greek philosophy in Roman imperial ideology. With the increasing necessity for concentrated power following periods of civil wars, the theory of law animate, which coalesced with that of an unfettered benevolent king in Greek political thought, allowed for efficient governance. It was adopted both out of necessity and its moderate appeal to republicans as a tempering on the potential tyranny of a monarch.

Though the idea of animate law may seem Near Eastern in origin due to its apparent similarity to deification, even Plutarch, reflecting Plato's view, claimed "now justice is the aim and end of law, but law is the work of the ruler, and the ruler is the image of God who orders all things. Such a ruler needs no Pheidias nor Polycleitus nor Myron to model him, but by his virtue he forms himself in the likeness of God and thus creates a statue most delightful of all to behold and most worthy of divinity" (Plutarch, *Moralia* 780c-d). This not only reinforces the idea that the ruler's divinity is earned through his virtue bringing him closer to the Good rather than a personal relationship with the gods, but also that the Roman concept of ruler of law is compatible with the Greek theory of the law animate. The ruler could at once be fully sovereign and still subject to the true law, which was his virtuous disposition, perhaps what Socrates might call his *daimon*, leading him to make just judgements.

In Rome, the emperors increasingly gained supremacy in creating and enforcing law. Augustus largely retained the people's assemblies which voted to approve laws and elect magistrates, "but as these assemblies degenerated and lost their capacity to serve effectively in judicial functions, those functions were transferred to the Senate by Tiberius."[88] Then, after the reign of Claudius, the assemblies lost their legislative power.[89] The legislative power was

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[87] Anastos, "Byzantine Political Theory," 20.
[88] *P-P*, 513.
[89] Ibid., 514.

transferred fully to the senate, which was subject to the will of the emperor, who would introduce law. Emperors were also able to issue edicts "on matters within their competence," which was universal.[90] Even imperial judgements and responses to questions from provincial officials were considered legal precedent.[91] Although Roman jurists were slow to recognize the emperor as the source of law, later emperors, beginning from Hadrian, brought together official advisory councils, or *consilia,* to advise on and craft legislation.[92] Due to the expansion of the empire and extension of citizenship rights, the old system of republican plebiscite and assemblies became obsolete. Legislative function was transferred fully to the senate and eventually consolidated to the emperor and his advisory council as the senate grew less influential. Especially in Constantinople, the new seat of imperial power with an almost meaningless new Senate, the emperor became the sole source of law.

Ulpian, a jurist who lived from about 170 to 220, is an example of an individual who brought the ideology of sovereign kingship into the Roman political sphere.[93] Ulpian came from Syria and was educated in a Hellenistic setting.[94] Therefore, he would have been familiar with the idea of the law animate from both the Greek philosophical tradition of education in the East as well as the example of Hellenistic monarchs. He wrote the famous law claiming that "the emperor is not bound by statutes" (Justinian, *Digest* I.3.31). To justify this, Ulpian wrote that "a decision given by the emperor has the force of a statute. This is because the populace commits to him and into him its own entire authority and power, doing this by the lex regia which is passed anent his authority" (Justinian, *Digest* I.4.I). This theoretical "lex regia" was a transfer of sovereignty from the Roman people to the emperor through a piece of legislation "anent," or

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[90] *P-P*, 514.
[91] Ibid.
[92] Ibid., 515.
[93] Ibid., 518.
[94] Ibid.

regarding, his authority. For a Hellenized jurist, this perhaps artificial transfer of sovereignty was a means to justify the sovereign rule of a monarch following centuries of republican tradition. By framing the transfer as a republican mechanism, it became more appealing to view the emperor as a benevolent ruler granted power by the people to rule in their best interest.

Cassius Dio even observed this change in the legal position of the emperor. He wrote of the emperors in his *Roman History*, "for they have been released from the laws, as the very words in Latin declare; that is, they are free from all compulsion of the laws and are bound by none of the written ordinances" (Cassius Dio, *Roman History* LIII. 18.1). By "the very words," he most likely refers to Ulpian's statutes. This change was unprecedented in the Republic, as even consuls and dictators were subject to the law. Only the kings of Rome had been free to act extralegally, as the emperors, kings in all but name, now were.

The theory of law animate entered into Christianity perhaps through the Platonic School of Alexandria. Philo resurrected the Greek theory of living law by arguing that Moses was the best lawgiver. "Moses was living and rational law long before he actually became a legislator" because he was a virtuous man, but then, in accordance with Plato's practical theory set down in the *Laws*, he recorded his wise judgments for practical necessity.[95] Philo argued that the continuity of Judaism proves his legislation was based upon a true kingly nature. Clement then went on to claim, "now Moses, to speak comprehensively, was a living law, governed by the benign Word" (νόμος ἔμψυχος ἦν) (Clement, *Stromata* I.26). Clement even claimed that Plato had learned of legislating as a wise man from Moses. Not only does Clement craft an artificial history regarding Moses and the Greeks, but he goes to great lengths to uses the same language as Plato, demonstrating the synthesis of the Christian and Platonic philosophy which became influential in the Christianized Roman east.

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[95] *Cam*, 566.

The fear of tyranny posed by the law animate ideal prompted the Byzantines to emphasize that "though [the emperor] was above the law, yet he must respect it as the guarantor of harmony."[96] This was only a moral appeal to his "best man" virtue, since simultaneously "they also felt compelled by weight of philosophical tradition to maintain that the *basileus* must have the right to make innovations or changes when he deemed them necessary, since no one denied that he was the source of all law and justice."[97] There was nothing to prevent rulers from acting outside the law, although Byzantine citizens ask them to obey it.

Living in Byzantine times, Agapetus identified the tension between the emperor's role as living law and his moral obligation to obey Roman legislation. He recognizes that the emperor has the power to act outside of the law but implores Justinian to "impose on yourself the compulsion of observing the laws, since you have no man on earth who is able to apply compulsion to you."[98] There was a moral obligation on the part of the emperor to follow the law, but juridically, his role allowed him to break it. Nevertheless, Agapetus appeals to a higher standard, telling the emperor that, "being yourself under the kingship of the law of justice and lawfully king of those who are subject to you"[99] This "law of justice" is a higher standard which appeals to the natural law imposed by God, rather than earthly law which can be flawed. If the two were in accord and the emperor was a just man, there should have been no problem for him to both have power over law, and yet always act in accordance with it. According to Platonic thought, as a "best man," the ruler's education would instill in him access to all the virtues necessary to determine just action in every case. Therefore, Agapetus' rhetoric could also be explained through an ideology of benevolent kingship in which the divine rhetoric of the imperial office referred more to the office than to the individual, who could be deposed.

[96] Runciman, *The Byzantine Theocracy*, 163.
[97] Anastos, "Byzantine Political Theory," 20.
[98] Barker, *Social and Political Thought*, 57-58.
[99] Ibid., 55.

From an imperial perspective as well, the superiority of the emperor to the law continued. Justinian supported this view in one of his novels, part of a massive overhaul of Roman law in the sixth century:

> The Emperor, however, is not subject to the rules which We have just formulated, for God has made the laws themselves subject to his control by giving him to men as an incarnate law; the Consulate belongs to him in perpetuity, whether he himself discharges its functions over all cities, peoples, and nations in pursuance of any private design by which he may be actuated, or whether he confers upon others the consular robe and attributes, as the office is always a part of the Imperial dignity (Justinian, *Novels* 105.2.4).

Justinian was a particularly ambitious emperor, so one must take his words with a grain of salt. Of course, the emperor was superior to the law, but the people still valued a law-abiding ruler. Interestingly, Justinian still uses the term "consulate" above, as through the Principate-era shrouding of the imperial office behind republicanism was still in practice. This demonstrates that Byzantium was indeed a continuation of the Roman empire, but the Roman empire, even in the Principate, had ceased to be a true republic. It was a sovereign monarchy in which the ruler adhered to an ideology of absolutist benevolent kingship. He was above the law, and yet he was subject to the divine law of justice, or the higher standard of virtue established by God and understood by the true philosopher king.

Conclusion

Although the classical ideology of kingship offers a fairly comprehensive explanation of the paradigm of monarchy in Byzantium, some scholars feel that it would never have been adopted by the Byzantines due to its purely theoretical nature. Plato never intended for the *Republic* to be created on earth, so he even came up with a second-best regime of laws that could be more readily adopted. However, this is not to say that students of philosophical education did

not continue to strive for the monarchical ideal, especially in the Christian era when so many ideologies were being realized. All the classical philosophers addressed above

> shared a preference for kingship which it is tempting to connect with the historical situation of the period. In all of them, however, this predilection seems rather theocratical. Its roots can be found in Plato's *Politicus* [Statesman]. The best form of government will become a reality if by divine chance power is concentrated in the hands of a single divine human, a philosopher king. It could always be said that the actual presence of a monarch of the world had removed its utopian character from the doctrine of kingship, making it more plausible. But like Plato, the thinkers we have studied recognized the extreme difficulty of finding the divine nature which would be worthy of the title king. Philo and Plutarch both look for the realization of this ideal not in the present, but in the remote past, each of them within his own cultural tradition. Far from adopting a posture of adulation, they show themselves to be pretty critical of the practice of divinization of rulers so far as concerns externals, and pseudo-Ecphantus too alludes to the wholesale usurpation of the title of king by those who are not worthy of it.[100]

Based on this, one could assume that:

> for the Neoplatonist, the ideal city of the *Republic* could hardly have represented a project for realization among humans. It had rather the function of an ideal, a 'divine' state which lower projects for political reform could seek to approximate, while allowing compromises imposed by the human condition, compromises such as those represented in the 'second-best' constitution of the city of Plato's *Laws*.[101]

It is even evident that at the time, philosophers observed that kings were claiming the title of "best man" kingship without actually embodying the ideal. To philosophers perhaps, kingship theory remained theoretical, or at least focused on ethics. But as with any other doctrine, it was adopted or perhaps misused for practical purposes. This did not have to occur through some sort of malevolent plan orchestrated by the ruling class. Rather, the ideas formed the basis of ideology for changing regimes shaped by political necessity in the late antique and Early to Middle Byzantine period. This shaped the minds of citizens and rulers, who also faced the

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[100] *Cam,* 583.
[101] O'Meara, *Platonopolis*, 92-93.

political reality of absolutism as a necessity in the troubled Roman empire and justified it through these idealistic theories. The rulers, whether true philosopher kings or not, absorbed this ideology and used it as a frame of reference for their actions, regardless of philosophers' initial intent. Evidence of this can be seen in the pattern of Byzantine history, and it can explain why the republican thesis does not explain the entirety of the picture regarding sovereignty.

Moreover, the Byzantine context differed from the late antique context in which the Platonic ideal may have been considered impossible. The notable change is the emergence of Christianity. Christian thinkers believed that their religion had surpassed the pagan past, and therefore, that which was previously impossible had become possible. Eusebius, who was influenced by Platonic thought as noted above, attempted to discredit paganism by arguing that "the reign of the first Christian emperor superseded and annihilated the pretensions of any hypothetical Platonic philosopher-king."[102] This is not because their ideal was incorrect, but because they lacked the means of achieving it and so had to settle for mixed constitutions. In Christianity, "the Christian God, the Christian Logos, and the heavenly court of angels and saints have replaced the philosopher's ineffable first principle, their divine Intellect presiding over an intelligible world: the same structure with different inhabitants."[103] This means that the ideology of "best man" kingship remained and was even validated as never before in Byzantium, despite any hesitation by Platonists to actually implement the idea in the past.

Ultimately, the varying Greek, Roman, and Christian influences on Byzantine political thought all point to a benevolent monarch as the best sovereign. Despite existing forms of absolutism in the Near East, the Byzantines were exposed to the philosophical tradition of the philosopher king/best man, which combined with Christianity to justify the Byzantine autocracy. Nevertheless, the Byzantines were conscious of law and justice. Roman thought strongly

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[102] O'Meara, *Platonopolis*, 150.
[103] Ibid.

supported popular politics and respect of the law, a sentiment which was supported by some later Greek thinkers. In Byzantium, imperial ideology and even republican Roman political philosophy were able to accommodate the rule of the best man. This allowed for a convenient coexistence between the idealized single ruler and the pragmatic need for law and justice in society. However, it would be too much to demote the imperial office to a fragile position subject to the will of a sovereign public. The emperor did not have to obey the laws or answer to the people, although, as a benevolent monarch, he may have done so. Due to the lack of institutional structures limiting the emperor's power and his extralegal authority, he remained sovereign although there were other strong forces at play in Byzantine politics, including popular opinion. Neither a despot by divine right based on the ancient cultures of the Near East nor an elected republican monarch, the Byzantine emperor was a benevolent sovereign who could *choose* to obey the laws and the will of the people because they trusted his virtuous character as a "philosopher king." When he failed to demonstrate virtuous or successful behavior, he could be at risk of being overthrown, but it was the corrupt individual rather than the sovereign office which could be changed.

Part II—Sovereignty in the Empire: Monarchy or Republic?

Having established the basis of benevolent kingship theory, it is now possible to address the claim that Byzantium was a republic. Proponents of the republican thesis argue that the Roman Republic continued into Byzantium since the Republic itself was never actually tied to a specific regime but only to the consent of the Roman people. In this framework, the emperor cannot be seen as sovereign because he received his power from the people. This idea certainly adds nuance to staunchly theocratic notions of Byzantine monarchy offered in centuries past, but it goes too far in the opposite direction. Additionally, it confuses the terminology of republicanism by assuming that it implies popular sovereignty. In the place of republicanism, the theory of benevolent kingship better explains the empire's dynamics between ruler and ruled. It also explains the theoretical obligation of the emperor to the *politeia* without proposing such a radical challenge to the fundamental sovereignty of the office. While it is true that vestiges of Roman republicanism remained in Byzantium, and one might even be able to loosely define the empire as a republic based on ancient terms, the Byzantine emperor, not the people, was the true sovereign.

First, it is beneficial to define sovereignty. Kaldellis distinguishes between sovereignty in the sphere of political theory and in international relations, where it refers to a state's ability to control its territory. In domestic politics, sovereignty is the ability to act with absolute and final power. Additionally, the sovereign is the ultimate source of authority in the political system, regardless of any governmental structures or institutions used for practical efficiency. As argued by Jean Bodin, the French theorist who essentially coined the term in the 16th century, "Maiestie or Soveraigntie is the most high, absolute, and perpetuall power over the citisens and subiects in

a Commonweale."[104] Moreover, sovereignty is perpetual and fundamental. Sovereigns cannot have term limits, and sovereignty cannot switch hands without a full upheaval of the system, since the sovereign is the bedrock upon which the political system itself is built. However, the sovereign can change particular laws and institutions of government, as the source of these instruments' legitimacy if the sovereign.

Chapter 1: The Republican Thesis

In his work *The Byzantine Republic*, Kaldellis suggests that Byzantium was a "monarchical republic."[105] By this, he means that the particular regime was monarchic while the fundamental nature of the state remained the same as the Roman Republic from which it had derived, in that the people were sovereign. Working off the ideas of Hans-George Beck, who first proposed the idea of a continuous Roman republic into Byzantium, Kaldellis expands on the idea that the people played a defining role in the secular political sphere of the empire.[106] As he puts it, "the *res publica* in ancient Rome and the *politeia* in Byzantium did not refer to a type of regime but to a political sphere that legitimated the exercise of power with reference to the common interests and ultimate sovereignty of the Roman people."[107] This controversial statement goes in direct opposition to older scholarship, which claimed that Byzantium was the paramount example of divine right absolutism. However, its reactionary nature may go too far in failing to recognize apparent realities in order to justify such a novel position.

Kaldellis is clear to convey that republicanism was an ideology in Byzantium. By "ideology" he means that it was a set of "background beliefs, shared between rulers and subjects,

[104] Bodin, Jean, *The Six Bookes of a Commonweale: A Facsimile Reprint of the English Translation of 1606 Corrected and Supplemented in the Light of a New Comparison with the French and Latin Texts*, trans. by Kenneth D. McRae (Cambridge: Harvard University Press, 1962), 84.
[105] B-R, 3.
[106] Ibid., xii.
[107] Ibid., 23.

about the normative aspects of a given political order, which can be shown to have shaped how the population interacted within the political sphere, especially in times when there was disagreement about the allocation of power."[108] Although in practice the empire was almost certainly an absolute monarchy, he holds that the people retained this theoretical framework of republicanism that shaped the paradigm of how they framed the legitimacy of their rulers. Although perhaps republicanism remained as a veneer to mask the monarchy that had been so detested by the Romans since the time of Tarquinius Superbus, it is difficult to say that republicanism was the primary ideology of Byzantium or even late Rome. For example, although the Byzantines continued to shy away from using the term "king" early on, by the time of Heraclius in the 7th century the official title of the emperor became βασιλεύς (king). This, among other factors, demonstrates that the Roman, or Byzantine, people had become comfortable with the title of king enough to end the veneer of pure Roman republicanism.

In order to account for this, proponents of the republican theory claim that Rome simply changed from a republic of the consuls to one of the emperors. The common binding of the people's consent preserved the fundamental nature of the Roman state, and only the particular mechanisms of government changed. Firstly, this is faulty because the people no longer voted or even had a unified voice in Byzantium. Attempts to rationalize public proclamations as voting are tenuous, as will be demonstrated later. Additionally, the fact that many Romans considered Byzantium to be a continuation of the Republic does not make it a true republic by any standards. Not only is the terminology confusing due to differences in what the ancients intended by republic as opposed to its use today, but just because the Byzantines used the term, it did not make it true. While Kaldellis' point is that republicanism was an ideology, based on the beliefs of the people rather than reality, not even their actions reflected those of true republicans.

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[108] B-R, 2.

Instead, it reflected that of a people steeped in Platonic/Christian benevolent kingship ideology, holding their rulers morally accountable to the common good without challenging their sovereignty.

Kaldellis details a number of pieces of evidence for the republican thesis, many of which have to do with the instability of the Byzantine monarchy. Civil war was a common part of Byzantine politics, and emperors did not often last long on the throne. Even foreign contemporaries of the Byzantines were amazed at how quickly the position changed hands. However, it is important to note that despite the numerous revolts against individual emperors, none resulted in any change of regime throughout the entire history of Byzantium. If the people were sovereign, they would have been able to institute regime change or act effectively as rulers in periods of transition between emperors. However, they never did so. The palace remained relatively stable even in periods of transition, and the people were only able to approve candidates presented to them. The people certainly did not institute some sort of democratic assembly. Unless the Byzantine people were so fixed on their exact system of governance that they never sought to implement changes to the regime over the course of one thousand years, their lack of bottom-up regime change points to the fact that they were not sovereign. They were only able to pressure individuals off the throne without challenging the sovereignty of the throne itself.

Additionally, the role of these civil wars is exaggerated when they are displayed as some sort of popular election. To Kaldellis, civil wars were not a failure of the system, but rebellion "was a state of de facto suspension of the laws during which the true sovereign, the people, exercised raw political authority."[109] This glosses over tumultuous periods in Byzantine history where the lack of institutional succession, such as the system of primogeniture in western

[109] *B-R*, 98.

Europe, proved challenging for stability. Without formal dynasties, politics became contests of power, but one cannot claim that a crowd of people in the Hippodrome represented a legitimate democratic assembly established to delegate sovereignty. They were a mob which approved a pre-selected ruler based upon their ideology of benevolent kingship in which the people allowed a wise man to rule for their good. While it is true that "their *politeia* was not dissolved when an emperor was taken down and the crown transferred," stability did not remain because the people retook their sovereignty, but because the throne was a stable institution even without anyone occupying it.[110] Palace structures and theocratic rhetoric may have ensured this appearance, but they were not there to mask some sort of vulnerability to the will of the people, as Kaldellis suggests.[111] The only unstable part of the Byzantine monarchy was the person in charge.

One can certainly concede that the *politeia* reflects an aspect of Byzantine political life absent from other monarchies, that is, civil society. It is important to remember that the Byzantines were Roman citizens, not just subjects. Their political tradition stemmed back to Greece and Rome, and public life was open to relatively large portions of the population. The Byzantines, therefore, may have taken the first steps towards developing the necessary framework for such republican revolutions as those that occurred much later in Europe (notably Western Europe was behind Byzantium at this time). However, it cannot be said that the *politeia* functioned as a truly republican body. By claiming to loosely define participation in the election of rulers, the republican thesis decreases the strength of the term republicanism, making it fit the description of almost any government.

Moreover, it is dangerous to rationalize violence as a republican process. Revolts were bloody and unclear, and violence should not be acceptable in any proper republic. Kaldellis claims that "the cry of *Anaxios!* gave legitimacy to the revolution and signaled the suspension of

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[110] *B-R*, 99.
[111] Ibid., 147.

lawful order."[112] This is hardly republican; revolution cannot be seen to be a method of checks and balances. Although Kaldellis claims that the people were sovereign because they took control during this period, the institution of emperor was not destroyed. Democracy was not temporarily instituted, and the members of the popular mob did not trigger any constitutional right to appoint a new ruler.

Additionally, even if one gives credibility to such revolts as institutionalized processes, "less than one out of five civil wars in Byzantium ended with the reigning emperor's deposition."[113] At such a rate, sovereign emperors clearly had the power to oppose challenges by the supposedly sovereign people. If a mechanism failed so frequently, it can hardly be called an institution. Importantly, the suppression of the popular revolts does not invalidate the idea of the emperor acting as a benevolent king. This is because "the idea that God chose the emperor cannot easily be dismissed when we realize that most premodern people thought everything, good or bad, happened by the will of God … the Byzantines thought they could depose their emperor because a successful deposition meant that God had chosen a new emperor."[114] People did not therefore feel that they were rebelling against the true emperor, but only participating in a divine process to find a proper ruler. They were not acting on any democratic power; they were seen to be following the will of God.

Kaldlellis often points to the writings of Byzantine thinkers who describe the emperor's obligation to serve the politeia as evidence of his republican role. As an elected magistrate is responsible to his constituents, Kaldellis argues, the emperor was responsible for the wellbeing of the people who elected him. However, the emperor did not act for the benefit of his people to

[112] *B-R*, 164.
[113] Yannis Stouraitis, "(A.) Kaldellis The Byzantine Republic: People and Power in New Rome. Cambridge MA: Harvard University Press, 2015. Pp. 290," *The Journal of Hellenic Studies* 136 (2016): 296–97, 297.
[114] Warren Treadgold, "*The Byzantine Republic: People and Power in New Rome* by Anthony Kaldellis (review)," *Journal of Late Antiquity* 8, no. 2 (2015): 447-450.

improve his voter base or chances of re-election, because he was not elected in the first place. Of course, he wanted to be popular, but he also wanted to act for the good of the empire. In many cases, emperors took actions that did not benefit the people in order to pursue their goals, including Justinian's heavy taxation to fund military expansion. People were unhappy with increased taxes, yet Justinian enforced one of the strictest tax regimes and legal recodifications in history under John of Cappadocia.[115] These were unpopular but still constituted acting for the good of the *politeia*.

In a true republic, the people would be able to rebel against a supposedly "good" emperor as well as a bad one based upon their whims. While modern politics are often framed as moral clashes, ethically good politicians can also be removed by an unhappy populace. Rather than framing their rebellions as moral endeavors, true citizens of a republic could simply recall their elected officials. However, this was not the case in Byzantium. Perhaps this is because the people lacked the ability to regularly vote for their officials or impose term limits, so their best assurance of good treatment was favoring morally good emperors. Additionally, in ancient political theory, theorists proposed that "good government is ultimately about good rulers and not about good regimes."[116] In general, people were less concerned with structural formatting than the education of rulers, and most politics was tied to ethics. People often framed their critiques and advice to ruler on the basis of ethics, but this does not mean that they were engaging in political debate, especially since the structures in Byzantium were lacking for them to do so.

The republican thesis challenges much established scholarship on Byzantium. Not only does Kaldellis point to (perhaps inaccurately) Dvornik's famous *Early Christian and Byzantine*

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[115] John Julius Norwich, *A Short History of Byzantium*, 1st American ed. (New York: Knopf, 1997), 62.
[116] James Hankins, "Exclusivist Republicanism and the Non-Monarchical Republic," *Political Theory,* vol. 38, no. 4 (August 2010): 474.

Political Philosophy as an outright proponent of the theocratic view, but he goes as far as to contend that "the imperial idea ... attempted to shore up a fragile monarchy that was liable to be toppled at any point in the permanent revolution that was Byzantine politics."[117] It is understandable that one would fight back against the idea that the Byzantine court adhered to strict ideology of divine right, since this view is also inaccurate and neglects the tremendous power of the people as well as the unavoidable fact that the imperial office changed hands so often. However, totally neglecting the legitimacy of religion as a shared ideology between ruler and ruled is also incorrect. The Byzantine people would have liked to think that their rulers were approved by God, who inspire their virtues in the Platonic fashion, yet they also realized that the emperors were human and imperfect. They were therefore free to challenge them, criticize them, and even overthrow them in an established framework without challenging the sovereignty of the throne.

Chapter 2: The Problem of Terminology

Many of the issues surrounding the republican thesis come down to terminology. The root of this problem is the fact that retrospective political discourse requires the imposition of later theory on a Byzantine framework that either did not think in the same terms or interpreted them differently. For example, republics today generally come with a set of positive connotations due to modern democratic leanings. A "republic" in the ancient world would not have meant the same thing. As Cicero pointed out in his work, the *Republic*, "the commonwealth is the concern of a people, but a people is not any group of men assembled in any way, but an assemblage of some size associated with one another through agreement on law and community of interest" (Cicero, *De Re Publica* I.39a). To Cicero, the Republic could be a monarchy, aristocracy, or

[117] *B-R*, 167; 174.

democracy so long as it was supported by the people. This is a very different understanding of the term.

Kaldellis' argument rests on Cicero's definition by claiming that a republic, or "*res publica* in Roman usage (*politeia* in Byzantine Greek translation) did not refer to the type of regime that governed the polity."[118] Rather, "*res publica* (also in the form *res Romana*) could refer to the Roman state, the public administration, the public property, the political affairs, the collective agency, and the common good of the Roman people."[119] The modern definition of a republic is generally a state without a king, which is quite different. Although one can concede that the ancient definition fits Byzantium in the broadest terms, that certainly does not imply popular sovereignty, which is a central argument of the *Byzantine Republic*.

According to the loose definition of republic, strong monarchies can be republics so long as the monarch receives power from the people. However, by this logic, if any type of regime can be a republic, what kind of state is not a republic? Kaldellis offers the hordes of Attila as an example of a disunified people under a powerful warlord, but his idea of popular consent is so abstract that one could even extend it to such primitive political associations.[120] If acclamations in the Hippodrome can be considered a republican institution, one could make the argument that Attila's people gave consent through another mechanism or simply by their acceptance of him through their reluctance to revolt.

This point also raises the issue of empire in discussing republicanism. Kaldellis uses Jean Jacques Rousseau's argument that a conquered people cannot constitute a republic to argue against the case of Attila.[121] However, by this very logic, Byzantium's republicanism can also be challenged. One can hardly claim that a Roman citizen in Egypt was centrally tied to the imperial

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[118] *B-R*, 19.
[119] Ibid., 20-21.
[120] Ibid., 66.
[121] Ibid., 97.

political discourse in Constantinople. Of course, such an individual might have identified as a Roman and accepted certain basic tenets of what Kaldellis calls "Romanía," but such an identity is flexible.[122] Provincials also had other local identities, and there were significant regional religious divisions in Byzantium. Of course, even in proper republics, there is a division of political opinions, but in a late antique/medieval society like Byzantium, the lack of connection and conversation among these divided groups due both to practical constraints, such as geography, and institutional constraints, such as a lack of a pan-imperial assembly, prevent one from calling the whole empire a unified *politeia*.

Additionally, the translation of terms among Greek, Latin, and English causes issues of accuracy when discussing abstract concepts like republic and *politeia*. While it is true that the Byzantines referred to their state as a *politeia*, which Kaldellis frequently refers as a translation of *res publica*, *politeia* does not correspond to exactly to the ideology of republicanism. As an illustration of this, Plato's famous work which was translated as the *Republic* in English and *Res Publica* in Latin is actually called the *Politeia* in Greek. Such a parallel would seem to justify the use of this terminology. However, Plato's city is by no mean a republic, by Cicero's or any modern standards, nor is his philosopher king a popularly elected monarch. Perhaps Cicero is to blame for this confusion, using the Latin title *De Re Publica* for his work modelled on Plato's *Politeia*. Polybius may have also played a role by describing the Roman republic in terms of Aristotle's polity, a mixed constitution that also does not correspond to the true meaning of *politeia* or *res publica*.

In fact, *politeia* was a term that had for long been used in Greek discourse to refer to the broad cultural and political norms of a people, and Kaldellis' use largely ignores the history and connotations of the term in favor of its use as a convenient connection to the Latin *res publica*.

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[122] *B-R*, 51.

He admits that *politeia* had a much stronger connotation of regime, but he justifies his usage because "by the age of Justinian, politeia was the dominant standard translation of res publica."[123] Just because this convention was standard, it does not mean it was accurate, and even other Greek terms used to translate *res publica* fail to encapsulate the full idea.[124] Therefore, it is problematic that much of Kaldellis' evidence depends upon this translation without any other evidence of Byzantine sources actually using the Latin term *res publica*. This problem has been noted by other scholars:

> It is puzzling that [Kadlellis] has ignored ancient Greek political culture, which applied the concept of politeia to socio-legal systems regardless of specific political regimes; a monarchy could be a politeia so far as it operated within laws. Hence, to only associate politeia with res publica is to severely constrain the meaning of that concept. Since what mattered for politeia was the legality of rule, there was not much of a difference between a republic and a lawful monarchy; the rule of Plato's ideal statesman was as virtuous as Plato's republic (politeia), and Pliny's Panegyric compared emperor Trajan to the "first republican" Brutus, because both men established the primacy of laws.[125]

Similarly, James Hankins attests to the fact that "Cicero and the Romans generally do not use the word res publica with the same range of meaning as is covered by the Greek politeia."[126] Ancient Roman authors like Cicero, many of whom were essentially bi-lingual, would have understood the subtleties of each term but did not use them with the same intent. Just because he entitled his work *De Re Publica*, it does not mean that Cicero though that term was an accurate translation of Plato's *politeia*, a work whose differences from his own he certainly would have recognized. Even if later Byzantines used *politeia* where one would expect *res publica*, it could again have resulted from the reverse linguistic problem in which the Hellenized Eastern Empire

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[123] *B-R*, 20.
[124] Ibid.
[125] Sviatoslav Dimitriev, "Kaldellis, Anthony *The Byzantine Republic*: People and Power in New Rome," *History: Reviews of New Books*, vol. 44, no. 4 (July 3, 2016): 112–13.
[126] Hankins, "Exclusivist Republicanism," 456.

did not understand the full scope of *res publica*. This would indicate that, despite the confusing titles of ancient works, even ancient political theorist understood that a *politeia* and *res publica* were different things.

Republicanism itself is another term that is confusing due to its differing modern and ancient usages. Kaldellis attempts to establish parameters for his definition of republicanism, but this does not cover up the glaring gaps in Byzantium's parallels with true republics. As demonstrated, ancient republics could hardly be seen as peers of modern or medieval non-monarchic republics. However, Kaldellis goes as far in this vein as to say that "few of us see the fund-raisers and other 'meet-and-greets' by which the plutocracy decides in advance who the candidates are going to be and who is going to be excluded … In Byzantium, as in ancient and modern republics, the people were the ultimate source of political legitimacy, though they regularly ceded choices of personnel to elite groups."[127] The idea of a continuity of republicanism from ancient times to today is misguided. First of all, later "absolutist theorists from Bodin to Hobbes insisted that the word can stand for any rightful government with sovereign power, even an absolute monarchy, as the title of Bodin's most famous work attests."[128] By that time, republicanism had ceased to indicate popular sovereignty. Then, after significant changes by thinkers in the seventeenth and eighteenth centuries, republics became "exclusive," in that they came to define themselves as based on the will of the people in opposition to all monarchies.[129] Kaldellis confuses the different meanings by simultaneously claiming that Byzantium could be a monarchy and republic based on the ancient definition of serving the common good, and yet also that it possessed popular sovereignty, based on the modern definition.

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[127] *B-R*, 103.
[128] Hankins. "Exclusivist Republicanism," 474.
[129] Ibid., 453.

Even if one postulates that modern non-monarchic republicanism and ancient republicanism somehow share the commonality of popular sovereignty due to the consent of the governed, Byzantium still does not fit the definition. The emperor remained able to act above the law, and the people's ability to express discontent or approve new emperors did not constitute a challenge to this ability. Even when unpopular emperors were removed, the throne remained sovereign and future emperors could continue to act with extralegal authority. By reducing the position to a mere magistracy of the Byzantine republic, the republican thesis gives the impression that the emperor was similar to a modern civil servant.[130] However, as detailed previously, the throne had extralegal power and controlled almost all political functions of the state. Republican magistrates are still bound by the law despite their tremendous power, and their political jurisdiction is often limited by divisions of power among branches of government. The emperor embodied all aspects of government, creating and executing legislation, and cannot be compared to ancient Roman or modern republican magistrates.

In any event, Kaldellis' broad definition of republicanism reduces the impact that his work's title may attempt to project. Even if one accepts Kaldellis' translation of *politeia* as *res publica*, the meaning of the word is completely changed, and the argument effectively loses its force. This "republic" would only mean the government for the common good of the people, not of or by them. It also would not imply the popular sovereignty found in modern republics, but only some form of consent of the governed. The Byzantine republic would bear very little resemblance to a modern one, if such a goal of comparison was the desired goal.

[130] *B-R*, 60-61.

Chapter 3: Later Political Theory

By engaging with later political theorists, Kaldellis once again causes the confusion of terminology across eras. Political theorists used the term republic in their discussions about sovereignty, but they did not conclude that such states necessarily had popular sovereignty. This is because the term has carried different connotations throughout history. In the context of later political theory, *res publica* is perhaps better translated as commonwealth to disassociate it from the English word "republic." One might suggest this as an alternative title to Kaldellis' book, since in reality a state providing for the common good was more of a "Byzantine Commonwealth." However, this term has already been used by Dimitri Obolensky to refer to the area of Eastern Europe under Byzantine cultural influence. Kaldellis prefers *republic* and *polity* as translations of *politeia* due to the baggage the term "commonwealth" carries in the field of Byzantine studies, but those words also carry connotations in the world of political theory.[131] *Polity* most closely associates with Aristotle's supposed compound state, which many have conflated with *republic* due to Polybius' similar framework in describing Rome's government. Republic, of course, is a term seemingly used by every state but deserved by few. It can mean anything from "a state without a monarch" to "the common good" (although the Oxford English dictionary is clear to point out that the later meaning, which is the basis of the Byzantine republican thesis, is obsolete).[132]

Kaldellis effectively switches between the meanings of republic by first asserting that Byzantium was a republic since its government served the common good and then claiming that this implies popular sovereignty. Bodin, although he used the archaic definition of republic, was clear to point out that republics did not imply popular sovereignty. This was also clear in the

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[131] *B-R*, xiii.
[132] "republic, n.". OED Online. March 2019. Oxford University Press. (accessed March 06, 2019).

translation of his work into English by Richard Knolles, who translated Bodin's Latin title *De Republica* as *Six Bookes of a Commonweale*, rather than of a Republic.

Additionally, there is a difference between a transfer and a delegation of sovereignty. Kaldellis prominently notes in his discussion of popular sovereignty that "the Byzantines were not Hobbesians."[133] He then implies that they adhered to a framework similar to the social contract of Rousseau, in which the people delegated their sovereignty to the emperor but could take it back at any time. Hobbes would argue that the "Leviathan" of the state is created out of the accumulation of the individual sovereignties of the people in the person of the single sovereign, the monarch. This cannot be taken back without a breakdown of the political order. Kaldellis points to the numerous civil wars as instances of suspended political order in which the people took back power. If there was so much upheaval, how could the monarch truly be sovereign without the political system falling apart each time, as Hobbes predicted? In Byzantium, the constant upheaval was possible because the monarchy did not actually fall, only the person of the monarch did. Not once was the office of emperor overthrown in popular revolts. If the people truly retook sovereignty during periods of crisis, they would effectively rule and re-appoint a sovereign. This was not the case. Instead, the throne remained sovereign and the people participated as one piece of a political contest to find a new ruler.

Here, one must distinguish between the sovereign and the government. The sovereign, as stated, is the source of political power, but the government is simply the mechanism through which this power is executed on a daily basis. For example, in the United States, the sovereign is the people, but the government is executed through an aristocratic body (Congress) and an effectively monarchic one (the President). Nevertheless, one could not call the United States an aristocracy or a monarchy, because the sovereign remains the people, through whom these

[133] *B-R*, 99.

governmental mechanisms receive their authority. In Byzantium, it was the monarch who established the mechanisms of government, the courts, the law codes, and the public offices. Therefore, he was sovereign.

The ancients too identified the subtle difference between a loosely defined republic and democratic system with popular sovereignty. Although Cicero wrote that a republic can be a monarchy, he did not directly imply that the people were sovereign. Cicero did not use this terminology because, as stated, sovereignty was hardly a term used in the ancient world. However, it is clear from his theory that the sovereign could be a monarch in a "commonwealth," or state that served the good of the people. Jean Bodin reinforced this idea in his *Six Bookes of a Commonweale*, famously claiming that "a Commonweale is a lawfull government of many families, and of that which unto them in common belongeth, with a puissant soveraigntie."[134] Although he claimed that a republic had the consent of the people and was ruled by laws, he also pointed out that they were ruled under a sovereignty. This sovereignty, to Bodin, could be a monarch, and aristocratic council, or a democratic assembly. However, it could only be one, and the one was absolutely sovereign.

Therefore, even if one would call Byzantium a "republic," although perhaps a "commonwealth" would be a more accurate translation in English, it would not entail popular sovereignty. Such a leap to a conclusion confuses the modern and ancient definitions of republic. In a modern republic, the people would be sovereign and delegate power to a government. In an ancient republic, the sovereign could be a monarch, aristocratic body, or democratic assembly, as long as it ruled for the common good. In all the cases of classical republicanism, however, the ruling body is sovereign. Just because the people at one time consented to the creation of the political system, it does not mean that they retained sovereignty throughout or could revoke it at

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[134] Bodin, *The Six Bookes of a Commonweale,* 1.

any time. Additionally, in the case of Byzantium, civil war did not constitute a legitimate means of retaking sovereignty. Nevertheless, upheavals were not a total collapse of the system because the office remained intact during periods of transition. Rather, in a religious and Platonically-infused society, an ideological framework of moral criteria became the acceptable grounds upon which to challenge a ruler.

Chapter 4: The Extralegal Power of the Emperor

The people of Byzantium were not sovereign for a number of reasons, but the extralegal authority of the emperor is one of the primary pieces of evidence against that claim. Arguments against the power of the throne leave the question—if the imperial office was so unstable, why was it so desirable? Why did revolutions occur so frequently to claim the position? The answer is that the emperor had full sovereign power, and, despite the high risk associated with the position, he was able to shape politics and the law. In a republic, even the highest official, often a president, is bound to obey the law like any other citizen. In Byzantium, as attested in the previous section, the emperor was living law. He was not only above it, but according to Roman law, "a decision given by the emperor has the force of statute" (Justinian, *Digest* I.4.1). Such a position cannot be said to be part of the political system since it exists outside the lawful polity, making it the basis of legitimacy. The emperor, as the source power for the entire government, including the laws and magistrates, made him sovereign over them.

Despite the clear statements articulated in the civil law codes, the Byzantines also understood that a tyrant could abuse his power, so it is true that they would obey a ruler only so long as he maintained the consensus of being the "best man." Therefore, although there were no formal checks and balances on the sovereign, the people avoided unbridled tyranny through moral standards. If an emperor were failing to serve the people, he would lose the protection of

the throne and his commands would no longer be obeyed. This is illustrated in the *De Officiis Regis* of Niculitzas from about 1080, where he writes:

> some say that the emperor is not subject to the law, but *is* law. I agree. But there is this qualification. When he acts and legislates [duly], he does well and we obey him. If, however, he should say, 'Drink poison,' you will not do so. And if he should say, 'Go to the sea and cross it [like?] a diver,' you cannot do this either. From this you may know that the *basileus*, since he is a man, is subject to the laws of piety.[135]

These laws of piety are those which are ordained by God, which explains the complex relationship between ruler and divine, often misconstrued as evidence of theocracy in Byzantium. The ruler was expected to obey divine standards inherently, as a philosopher king who perfectly understands the forms might. Of course, even in the Byzantine hierarchy, the will of God remained above that of the emperor, since God was seen to be the infallible Good. Although portrayed in a Christian context due to the influence of patristic thinkers, this ideology reflected that of a Platonic king.

This complex expectation for the emperor to both be the law and yet obey it is one of the great questions of Byzantine politics. It demands more research and is perhaps tied to the previously-mentioned sense of comfortable ambiguity that pervaded the Byzantine psyche. However, it can now be left to demonstrate that the presence of law codes need not prohibit the sovereignty of the ruler, who, although constrained by the ethical expectations of the people, could rewrite and change them at will.

[135] Barker, *Social and Political Thought*, 126.

Conclusion

Kaldellis claims about republicanism have strong implications, not only for his argument regarding Byzantium's Roman identity, but for a modern audience often disillusioned with Byzantium due to modern democratic dispositions. However, rather than forcing Byzantium to fit the mold of one's modern expectations, one must view it as it truly was. Of course, Kaldellis' work attempts to rewrite the narrative of Byzantium in a positive light, which is a noble task. For a long time, Byzantium has been unjustly disregarded by Western scholars as a corrupt civilization, ignoring the value of its culture and ideas. However, the republican thesis goes too far in its claims to offer a reasonable solution.

Kaldellis makes a strong argument for the presence of Roman identity in Byzantium in the *Byzantine Republic*. Insofar as identity is concerned, this is true. The Byzantines continued to call themselves Romans and carry on many Roman traditions. However, Byzantium need not be republican to be Roman. As the Roman empire expanded and interacted with other cultures, especially in the East, its culture certainly changed as it did again with the conversion to Christianity in late antiquity. Additionally, classical Rome was not homogenous in its political ideas. Although Classical Rome was a republic, Roman thinkers had conceded that the emperor could be a "best man" ruler since at least the time of Augustus. Romans had elected kings in its early history, and one-man rule remained present in a limited role through the temporary office of dictator, who could take on supreme power in cases of emergency. Identifying "Roman-ness" solely with particular state structures diminishes the scope of this complex identity that has been claimed by so many peoples throughout history.

Yannis Stouraitis argues that Roman identity was largely an elite idea, shared among the capital and provincial elites, rather than a popular one.[136] Instead "if we were to attempt a

[136] Ioannis Stouraitis, "Roman Identity in Byzantium: A Critical Approach," in *Byzantinische Zeitschrift*, vol. 107, no. 1, ed. By Berger and Albrecht (de Gruyter, Berlin and Boston: 2014): 205.

classification of the multiple identities of common people in the provinces according to their degree of importance, local and regional identity should, beyond doubt and by far, be considered as the most significant for the self-identification of the majority of the masses."[137] He goes on:

> Certainly, it cannot be denied that the Roman res publica is contingently referenced as a political model in some writings of – admittedly – few members of the Byzantine literate élite; a fact that testifies to a rival theoretical stance to the imperial ideal of divinely-ordained autocracy. However, an interpretation of this rival line of thinking not as a theoretical discourse of some intellectual authors, but as a dominant operative ideology within the Eastern Roman social order seems to me to celebrate the utopian element in the political thought of certain well-educated individuals against the abundant source evidence that testifies to the actual socio-political role of the predominant idea of imperial autocracy within the framework of the élite, the main holder of political power.[138]

The Roman identity was a flexible yet powerful idea. In the centuries following the sack of the city of Rome, numerous kings made the claim to be the true successor of the Roman emperor. The Byzantines had the strongest claim to Roman identity, but that did not prevent others states from claiming the title, including the Holy Roman Empire. In a similar way, the republican identity has been claimed throughout the centuries by numerous states, although few actually are republics. This makes one question the claims of any people as being true republics, even the Byzantines, who had the closest tie to Roman identity. For if one takes the claims of the Greek-speaking, Christian, Eastern Roman empire to Roman identity at surface value, what is to prevent one from accepting the Roman-ness of the Germanic and Christian elective monarchy in the Holy Roman Empire? By opening the identity up to such broad terms, Roman republicanism loses its influence.

Even if Byzantium was "republican" by ancient standards, it does not make a strong argument for the point Kaldellis attempts to make. The ancient definition of republic is so broad

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[137] Stouraitis, "Roman Identity in Byzantium," 205.
[138] Ibid., 191.

as to include nearly any popularly supported regime. Kaldellis' argument is therefore useful insofar as it differentiates Byzantium from other absolutist monarchies with primogeniture, pure divine right, and no differentiation between public property and the private possessions of the ruler. However, in a question of sovereignty, the Byzantine emperor remains in the same category as such absolute rulers as absolute sovereign. He was above the law, controlled the military, and could effectively do anything he wanted. Despite moral codes of conduct and religious tradition, there were few formal structures preventing the emperor from acting in whatever way he wished.

The Byzantines lacked a formal constitution as found in modern states, so it is difficult to analyze their political system. Some of the ambiguity in their system, such as a lack of formal transitions of power or processes of acclamation, must have derived from the sense of ambivalence that pervaded Byzantine society. While this cannot be attributed totally to religion, the belief that all things happened by the will of God certainly allowed for chaotic decisions to be justified as divinely ordained. Paradox was not problematic but rather insightful. Therefore, the Byzantines could at once live in a republic and have a sovereign monarch. The emperor could at once be above the law and yet subject to moral law, and the apparent contradiction could persist for one thousand years. Cassius Dio perhaps illustrates this ambivalent symbiosis of monarchy and democratic republicanism by claiming that the emperors allowed the Romans to be "living at once in a liberty of moderation and in a monarchy without terrors; they were subjects of royalty, yet not slaves, and citizens of a democracy, yet without discord" (Cassius Dio, *Roman History* LVI.43.4). It will now be demonstrated that this symbiosis does not imply popular sovereignty, as the republican ideology was subordinate to the ideology of kingship presented above.

Part III—Historical Evidence

Imperial Proclamations in *De Ceremoniis*

Up until now, almost all the arguments above have been supported largely on a theoretical basis. It is therefore beneficial to substantiate those claims with historical and textual evidence. These will come from the focus period of Byzantine history, from the early emperors through about the time of the Macedonian dynasty.

De Ceremoniis is a lengthy treatise, mostly written by the Macedonian emperor Constantine VII Porphyrogennitos (r. 905-959).[139] It details the complex series of rituals used in nearly all aspects of Byzantine court life. While this may seem like a strange source in which to look for evidence of sovereignty, a section of the work describes the ceremonies that occurred to proclaim a new emperor. These periods of transition are central to discussions of sovereignty since they demonstrate that popular participation in the election process did not translate into popular sovereignty.

An analysis of the imperial proclamation ceremonies described in *De Ceremoniis* gives insight into the uncodified historical reality of creating a new emperor. While it is true that public ceremonies were a significant part of this traditional process, in many cases the emperor was already established before appearing in front of the public. Kaldellis concedes the power of behind-the scenes politics by distinguishing between the election of an emperor and the elevation of one.[140] However, such a distinction is arbitrary if the people do not have sovereign power. This has been demonstrated previously, and it is reflected by the text. Therefore, the actions of

[139] *D-C*, xxiii.

[140] Kaldellis concedes that election of candidates was done behind the scenes but distinguished a final step of the process as elevation, which can only occur through the sovereign people. This distinction in not necessary as the popular reaction cannot always be distinguished from other processes of legitimation. Further, Kaldellis hyperbolically compares this duality of election and elevation to modern republican elections, in which political parties choose candidates. Byzantium a very different situation, as one could not even vote for an alternative if one wish (let alone formally vote at all). *B-R*, 102-103.

the people, usually in the hippodrome, were either part of political competitions with elites and the army, or they were revolts against an already-established emperor.

First, it is important to discuss the terminology used by Constantine VII. The word he uses in Greek for the proclamation ceremony is ἀναγόρευσις. Etymologically, this is comprised of the alpha privative prefix, which in this case indicates an action occurring again (re-), and the verb ἀγορεύω, which indicates something public, related to the noun "agora" (ἀγορά). Therefore, it has the sense of "proclamation" more than "acclamation," the translation Kaldellis uses.[141] While both have to do with public announcements, the distinction is that a proclamation has already been decided. An acclamation would require the emperor to be approved at the time of his public appearance, but Constantine VII's choice of words indicates that this was not the case. Rather, the ceremony simply reiterated a political *fait accompli*, and the reaction of the people was not the final chapter of the emperor's elevation but an event after the fact.

These ceremonies often occurred in the Hippodrome, the closest thing to an assembly of the people of Constantinople that was possible. However, not all imperial proclamations were held in the Hippodrome or even in the presence of any members of the population. In the *Byzantine Republic*, Kaldellis points to the proclamation of Anastasios I as evidence of the fact that "republican principles were firmly at root in these events."[142] Analysis of the account does not reflect this reality exclusively, and immediately before the account of Anastasios, Constantine VII describes the very different proclamation of Leo I. Leo rose to power through undemocratic mechanisms, being appointed as the puppet of Aspar, the leader of the Byzantine army who could not rise to the throne himself as he was a barbarian and religiously heterodox as an Arian.[143] He then underwent a power struggle for control against Aspar, but his elevation to

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[141] *B-R*, 118.
[142] Ibid.,106.
[143] Norwich, *A Short History of Byzantium*, 50-51.

the position had largely been due to Aspar's political influence among the soldiers. Leo was not a popular candidate or a man of the people, but simply at the right place at the right time.

In his proclamation, Leo did not enter into the Hippodrome and face the people at all. After the senate had voted for him "everyone went together to the Campus, that is, the archons and the *scholai* and the soldiers and also Anatolios the archbishop of Constantinople."[144] This conglomeration of officials and military units hardly represented the collective people, either of Constantinople or of the empire. While it is true that the theme system later created a farmer-soldier class, the army was still professional at this time and could not stand in as the voice of the people in a popular assembly. Even since the early empire, the army had been separated from the people as one of the legitimating factors partly due to their unique interests and influence. Therefore, when the group at the Campus claimed, "these are the petitions of the army; these the prayers of the senate; these the prayers of the people," they were only speaking metaphorically, although they use the Greek word that would indicate the general population (λαοῦ).[145]

Moreover, Constantine VII says that the only reason he includes examples of emperors being proclaimed in the Hippodrome is because "now it has been arranged that the proclamations are held in the Hippodrome. However, we thought it necessary also to write a summary of the proclamations of the rest of the emperors, so that each may chose the one more suited and pleasing to him when the time comes (which may God long delay)."[146] The fact that the emperor could choose the nature of his proclamation further reinforces the fact that it was not a form of popular election or even a necessary step in the approval process. By indicating that an emperor had the ability to organize this ceremony, Constantine VII seems to indicate that his power was established before the pubic proclamation. The disapproval of the public would be an act of

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[144] *D-C*, 410.
[145] Ibid.
[146] Ibid., 417.

revolt against an already-established ruler, just like any other criticism of a ruling monarch. As a comparison, if a republican magistrate could choose the method through which he or she was elected, people would certainly accuse him or her of tampering with elections. This is because true republics have structures allowing for voting and public debate, which were absent from Byzantium. Only a few powerful individuals had a say in political debates, and the people were consulted as an afterthought, although they retained tremendous strength in numbers. Therefore, the emperor could choose how to interact with the public because they did not have the ability to grant or revoke sovereignty.

A closer examination of the proclamation of the emperor Anastasios also reveals that it was not simply a republican ceremony. Anastasios was given legitimacy through his marriage to the widowed empress Ariadne. This was not due to dynastic rules of succession, which did not exist in Byzantium, but due to the support of the elites and palace officials, who chose to preserve the status quo. This is reflected by the fact that the empress delegated selection of the emperor to the senate and nobles, saying:

> Even before your requests, we gave a command to the highly esteemed archons and sacred senate, with the common consent of the most noble, to choose a man who is Christian, Roman, and endowed with every imperial virtue, so that he is subject neither to avarice nor to any other human weakness as far as is possible for humankind.[147]

Not only does this remark by the empress Ariadne reflect the reality of imperial elections as competitions of power, but it also indicates that the shared ideology of benevolent kingship was used as criteria for election. Rather than familial ties or ranks and title, the people imposed ethical and religious criteria for their new ruler. By promising to find an emperor of "imperial

[147] *D-C*, 419.

virtue" as high "as is possible for mankind," Ariadne can also be seen to appeal to the Christian/Platonic ideal of man approaching the form of "the Good" without ever achieving it. This clearly distinguishes Byzantine imperial ideology from theocratic notions of a divinized ruler. In fact, ruler divinization would oppose Christian teaching. However, the emperor was expected to live up to a certain ethical standard as the basis of his role, as demonstrated by the fact that it encompassed one third of the criteria established by the empress besides the basic necessity of being Roman and Christian (Orthodox). Additionally, Ariadne is clear to point out that she had instructed the senate to find a suitable successor "even before" the requests of the people. Although popular requests for a Roman, Christian emperor were taken into account, this was only the case due to the moral sympathy of the temporary conduit of legitimacy, Ariadne. Moreover, the "common consent of the most noble" does not convey a sense of true popular sovereignty, especially as the term for "most noble" is "γενναιοτάτων," clearly indicating high status by birth.

The proclamation of the emperor Justin is described by Constantine VII as displaying a "lack of order since there was neither an *augousta* nor an emperor to invest him, and the events were almost unpremeditated."[148] This gives the sense that it was unusual, at least from the perspective of an emperor who seems to have valued ceremony and order. The contested nature of the throne at the time gives the impression of an open opportunity for popular election, but in reality, the people were only one of several forces at play in the selection of Anastasios' successor. It was just a messier, more public version of the normal competition that went on behind the scenes to select a person for the most powerful office in the land.

Constantine VII describes an interesting point from the case of Justin from early in the process of his selection in which the imperial officials contemplate their course of action. When

[148] *D-C*, 426.

the archbishop and officials gathered, one *magistros* Keler said, “we should consult and act as soon as we can, for if we name quickly the person who ought to be appointed, everyone will follow us and be content. If after a little while we are not masters of the deliberations, we shall have to follow the rest.”[149] This indicates that the nature of the seat was highly contested and proceeded without an established protocol. Although Keler feared the influence of the mob, he also felt that the officials would be able to appoint their candidate if they acted quickly. Perhaps such manipulation of the public occurs in republics as well, but it should be seen as a failure of the republican system. Ideally, there would be proper checks on aristocratic influence to ensure the participation of all citizens, even if their voice is heard indirectly through representatives. However, in Byzantium, the only check against the power of the elites was violence, which is not a legitimate part of a republican system.

Following this, in the Hippodrome, when the *exkoubitores,* one of the military factions, proclaimed a certain John, their tribune, as emperor, “the Blues were dissatisfied and pelted him with stones, and some were even shot down by the *exkoubitores* with arrows.”[150] It is understandable that ancient democracy was often vulgar, but this exchange between factions occurred entirely outside institutions. Additionally, this violence was not a debate over the proposal of a candidate. The *exkoubitores* proclaimed (ἀναγορεύουσιν βασιλέα) John emperor, and then a violent mob rejected him. There was not an official point at which the emperor was consented by all, but there was a critical mass which needed to be achieved, whether through military, elite, or popular approval. John failed to achieve this, so he was not officially emperor. Nevertheless, he was proclaimed as any other candidate might. This is evident through the fact that even when Justin was proclaimed after his selection by the Senate, “some *scholarioi* who were dissatisfied went up to him, with the result that one even gave him a blow with his fist and

[149] *D-C*, 427.
[150] Ibid.

split his lip."[151] The disapproval of one faction was not enough to depose him, and Justin remained as ruler. Clearly, popular consent was messy, but Constantine remarks that Justin eventually received it from the "senators and soldiers and demesmen," and only afterwards was presented in the Hippodrome.[152]

Justin then addresses the public and says that "since we accede to the imperial power by the judgement of almighty God and by your common choice, we invoke heavenly foresight."[153] It would seem that Justin was attributing his success to the approval of the people, in a republican fashion. However, he also "invokes heavenly foresight" (την οὐρανιον πρόνοια ἐπικαλούμεθα). Once again, in a society where decisions were seen to occur by divine will, the *populus* was only a mechanism to execute the tides of fortune. This is not to diminish their notable power, but it seems unlikely that they were able to act as a unified body, unless as a violent mob, as reflected by the lack of voting or representative structures besides the racing factions, or *demes*, of the Greens and Blues. As indicated by the comment of Keler, the people could be made to follow the elites easily, thereby harnessing their political power. This was primarily done as a matter of additional security. It was not done to win over the trust of the sovereign people since they did not have the only final say in politics. The power of the military and elites as well as the disunified nature of the mob prevented any such situation.

Some emperors, especially heirs who had been elevated to the rank of *caesar* through private ceremonies, had no formal acclamation. However, Kaldellis attempts to cover this by saying that "even if a new emperor or his handlers did not stage a public ceremony specifically for that purpose, he was bound to appear before the people as soon as his imperial sponsor died, whether at the funeral, the games, or in Hagia Sophia."[154] Yet one cannot see these public

[151] *D-C*, 428.
[152] Ibid.
[153] Ibid., 429.
[154] *B-R*, 106.

appearances as a phase in the rise of an emperor. Rather, the emperor was proclaimed, and public showings of approval were only symbolic displays of continued popular consent. If the people were unhappy, they would decry the emperor and attempt to overthrow him, but the emperor was already sovereign before the public either approved or disapproved of him. In the case of Anastasios, he was brought to the hippodrome, but "he put on a sticharion divetesion with gold clavi and belt and leggings and imperial sandals" before "he was cheered by the soldiers and the demesmen."[155] Moreover, the presence of the public at this ceremony and their cheers of implied consent did not imply their ability to actually interfere with the process.

A number of emperors even put down rebellions. In fact, more than 4 out of every 5 attempted civil wars in Byzantium failed to overthrow the acting ruler.[156] Notable among these instances is Justinian's suppression of the Nika Riots. Though this would seem to be no more than a policing action, Byzantine authors used the term "civil war" (*emphylios polemos*) to describe the riots.[157] After questioning whether to flee, Justinian was famously encouraged by his wife, the empress Theodora to stand his ground. This led to the massacre of over 30,000 Constantinopolitans in the Hippodrome by imperials forces and foreign mercenaries under the general Belisarius and the eunuch Narses.[158] Such a brutal suppression of a popular revolt that had proclaimed a rival emperor, Hypatius, indicates that the emperor still possessed sovereign power.[159]

Furthermore, the public often tacitly followed elite action and could not voice its opinion effectively. The proclamation of Leo II went largely uncontested, although it occurred partially in the Hippodrome. In fact, Constantine VII claims that the reason he included this ceremony

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[155] *D-C*, 423.
[156] Stouraitis, "(A.) Kaldellis The Byzantine Republic," 297.
[157] Yannis Stouraitis, "Civil War in the Christian Empire," in *A Companion to the Byzantine Culture of War, ca. 300-1204*, ed. by Yannis Stouraitis (Leiden, the Netherlands: Brill, 2018): 93.
[158] Norwich, *A Short History of Byzantium*, 64.
[159] Ibid.

was because he "thought it necessary to describe also how an emperor is created by an emperor."[160] This is because it was the previous emperor, Leo I, who bestowed legitimacy upon his grandson, who he had already declared *caesar*. The influence of Leo I with the elites and military then ensured Leo II hold on power. Leo I also quite literally crowned the younger Leo, only after which point Leo II addressed the people, who recognized him as "*Augustos*."[161] Leo had been established as emperor through a number of steps before his acclamation by the people, albeit with their consent along the way, so saying that only their approval was the final straw in a transfer of sovereignty is a simplistic view to an often unclear process of establishing legitimacy.

Constantine VII goes on to describe the proclamation of Justinian, which was almost entirely a private affair. It did not occur in the Hippodrome, but in the Delphax, located within the heart of the imperial palace.[162] There, the people were not present, but only an "audience and assembly" along with the troops and the patriarch.[163] This audience and assembly are called *silention* and *komenton* (σιλέντιον και κομέντον) by Constantine. The *silention*, at least, referred to an assembly of the senate and imperial advisors convened for important matters.[164] Constantine does not seem phased by the lack of popular presence and uses the same word, ἀναγόρευσις, to describe this ceremony. Therefore, one can see that popular acclamation, although part of the political considerations of securing power behind a new emperor, were not central to the process of imperial proclamations, further refuting the idea of popular sovereignty.

Some emperors were also proclaimed after questionable means of seizing the throne. Nikephoros Phokas ruled after Constantine VII (r. 963-969), but his proclamation was included

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[160] *D-C*, 430.
[161] Ibid., 432.
[162] Ibid., 433.
[163] Ibid.
[164] *The Oxford Dictionary of Byzantium*, s.v. "Silentium," ed. by Alexander Kazhdan, (Oxford University Press, 2005).

in the text of De Ceremoniis by a later author.[165] After the emperor Romanos II died, he left the throne to his sons Basil II and Constantine VIII. As they were too young to rule, his wife Theopahano was made regent. However, the author is clear to note that the parakoimomenos Joseph Bringas, a palace eunuch, was left "managing public affairs."[166] The army in Kaisereia proclaimed Nikephoros Phokas emperor later in 963, and the author accepts his proclamation as legitimate.[167] When Bringas attempted to resist Phokas and blind his relatives, the author points out that "a large number of the people, goaded by divinely inspired zeal, pressed forward to the church [Hagia Sophia] to protect the innocent *magistros,*" Phokas' relative who sought refuge from Bringas.[168] It appears that the people demonstrated some independent agency in this decision. However, one must keep in mind that Phokas was marching on Constantinople with his army, and so it was a pragmatic decision on the part of people to side with his relative. While this demonstrates that the people had great power and perhaps were taking initial steps to vocalizing political opinion through unofficial channels, it does not imply that they had sovereignty through their decision to side with the winning party.

This revolt demonstrates the fact that popular rebellion was not a republican mechanism. The people of Constantinople "razed to the ground the houses of those who were arrayed against the lord, plundering all their property."[169] Then, referring to Bringas, "the people looted all his property and completely demolished his house. They also took prisoner many other members of the senate who were innocent, and looted all their property and razed their houses. For three days the people continued doing this, raging"[170] Once again, the voice of the people was only manifested through disorganized riots, which led to often unjustified violence. Subsequently, the

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[165] *D-C*, 433.
[166] Ibid.
[167] Ibid.
[168] Ibid.
[169] Ibid., 437.
[170] Ibid.

people received Nikephoros into the city and acclaimed him with high praise. However, he had already been made emperor by his troops in the east, as fact established by the author before even describing the rioting of the people in Constantinople.[171] The popular riots were only one part of a tumultuous and violent struggle for power, not a transfer of sovereignty.

Of course, as with commentaries of Byzantine politics more generally, the "people" in *De Ceremoniis* are only the people of Constantinople. This fraction of the Byzantine population did not represent the interests of the entire empire, further countering the idea of a unified imperial *politeia*. There may have been a common Roman identity and many shared values amongst the Byzantines, especially during the early and middle periods of the empire. However, this unity does not imply a common body politic or any political influence at all. Kaldellis points to the influence of provincials in supporting rival emperors during civil wars, but their support of a side during wartime was not the same as the constant influence of public opinion in a true republican system where representatives are held accountable to all citizens.[172] Additionally, given the militaristic nature of such revolts, it is difficult to say that the people acted freely when under threat of violence.

De Ceremoniis only recounts a few instances of imperial proclamations from a relatively brief time period and from the perspective of one individual, who also was an emperor himself. Therefore, as with any literary account, it cannot be the sole basis of support against the republican thesis. However, it does offer insight into the way these proclamations were framed. There is no indication of the idea that popular sovereignty had to be transferred to each emperor. The proclamations themselves are also clearly not highly institutionalized, despite the vast amount of other highly codified court ceremonies. The procedure of the proclamations were seemingly flexible, and the ceremony themselves were not part of any constitutional requirement

[171] *D-C*, 434.
[172] *B-R*, 152.

or universally-consented tradition. In fact, they were not always even necessary, and although emperors eventually had to appear in public, they never had to be formally acclaimed by the people. Unless one contends, questionably, that the acclamation could be understood through implied consent of the governed despite the lack of public ceremony, the process of creating an emperor was hardly republican. Along with a number of other political forces, including elites and the military, the people contended in a struggle of power to elevate their preferred candidate. Of course, the people were highly numerous and often needed to be won over, but there was no structural necessity of first shoring up their support before appointing a new emperor.

Chapter 2: Criticism of the Emperor

Despite the absolute sovereignty of the Byzantine throne, the Byzantine people often challenged the ruler's actions. However, they mostly did so on moral grounds or regarding the character of the particular person on the throne, which did not challenge to the sovereignty of the office itself. Additionally, these moral critiques were not institutionalized through any formal structures, and emperors were frequently able to neglect the implorations of the people, demonstrating their lack of true force.

A problem arises when analyzing criticisms of the emperor due to their potential historiographical bias. Although it seems as though many authors felt free to criticize their rulers, one cannot be sure that they felt so free under the rule of those individuals. If writing later, it would in fact be beneficial to criticize previous rulers excessively so as to portray the current emperor as an example of benevolent kingship. Therefore, to what extent are records of criticism against the emperor accurate representations of the political discourse of the time?

Most likely, Byzantines were able to voice their political views, but they had little ability to impact policy, which was at the discretion of the emperor. As previously mentioned, Justinian

implemented many unpopular policies during his reign. These included heavy taxation and recodification of law. A common example often pointed to as recorded evidence of imperial criticism is Procopius of Caesarea's *Secret History*, which deals with the reign of Justinian and Theodora. Kaldellis even brings up Procopius in his discussion of the emperor's theoretical duty to obey the law.[173] However, the Secret History was never intended to be publicly shared, and its criticisms are largely retrospective, although Procopius lived at the time of Justinian.

Procopius describes numerous policies of Justinian which he disagreed with, and yet, as part of the imperial administration, had to carry out. Modern administrators often disagree with the policies of politicians, but at least they are free to voice their opinion through voting in order to change policy. Procopius could only hope for a usurper to take the throne. In fact, Procopius may have produced the *Secret History* as an insurance policy in case Justinian was to be overthrown, a position argued by Henning Börm.[174]

Many of these claims are hyperbolic and clearly satirical. Procopius claims that Justinian and Theodora were in fact demonic creatures in human form and "Justinian would suddenly rise up from the imperial throne and roam about the hall ...[and] it seemed then that his head suddenly disappeared, while the rest of his body continued its perambulations."[175] The nature of these claims is also largely a personal attack on the character of the emperor rather than a critique of the power of the emperor. He goes on later to point to numerous policy disagreements with Justinian, including his taxation of landowners, soldiers, and merchants.[176] These are indeed policy disagreements, but they serve primarily to degrade the reputation of Justinian than

[173] *B-R*, 68-69.
[174] Henning Börm, "Procopius, his predecessors, and the genesis of the Anecdota: Antimonarchic discourse in Late Antique Historiography," in Börm, Henning and Wolfgang Havener, eds. *Antimonarchic Discourse in Antiquity*. 1. Auflage. Studies in Ancient Monarchies, v. 3. (Stuttgart: Franz Steiner Verlag, 2015).
[175] Prokopios, *The Secret History: With Related Texts,* trans. by Anthony Kaldellis (Indianapolis: Hackett Pub. Co, 2010), 59.
[176] Ibid., 101-113.

promote a republican platform. Additionally, they are not so much critiques as complaints since Procopius was powerless to change them.

As seen previously, benevolent kingship was widely seen as the best form of regime and tyranny the worst. Therefore, commentary on the character of the emperor was not a challenge to the sovereignty of the position. It was only an indication that it was time for a personnel change in order to restore a true benevolent monarch, the best regime, to the throne. Even if the *Secret History* is genuine, it is the venting of a frustrated official rather than a praise of "the *politeia* (Greek for Latin *respublica*), the national and lawful political community of free Romans that authorized the emperor to rule in their name," as Kaldellis claims.[177] Its ideological underpinnings are not fundamentally republican despite Procopius' references to the traditional *politeia*. The interpretation of such terminology s problematic, as previously detailed, and, in the case of Procopius, the intent behind the attacks is unclear.

The *Secret History* is only one example of literary criticism of a ruling emperor, but it demonstrates that one cannot take the presence of criticism against an emperor as evidence of popular sovereignty of some sort of republican free speech. Rather, criticism functioned in a narrow framework of ethical guidelines established by the ideology of benevolent kingship, which also rationalized usurpation as a process of executing God's will of preserving a benevolent ruler. This served as an ideology, meaning that it was the lens through which the Byzantines framed their narratives even if realities did not reflect it perfectly. Usurpers were not always better than their predecessors, but they would always strive to appear to be so, even if this entailed a retrospective defamation of the predecessor that skews our modern interpretation of imperial legacies and the characters of individual rulers.

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[177] Kaldellis, *Secret History*, xlvi.

Chapter 3: Usurpers to the Throne

Byzantine politics is often dismissed as a constant set of court intrigues and plots to overthrow emperors. While this view is simplistic, it is true that there were a number of instances of emperors rising through questionable circumstances. This would stand in opposition to the republican thesis, which argues in the exact opposite line of through that politics was determined by popular opinion. Several instances of emperors usurping power without popular support demonstrate that, while it was useful for the emperor to have the public on his side, the people were not the ultimate arbiter of sovereignty.

Yannis Stouraitis looks to historical examples in his piece to illustrate the point that emperors could rise to power without the support of the people. One such emperor, John Tzimiskes (r. 969-976) overthrew and killed Nikephoros Phokas with only a small group of conspirators. With the help of the empress Theophano, dressed as women, they snuck into the palace through the *gynaeceum*, the empresses' part of the palace. They were then led to the bedchamber of Phokas by a eunuch, where they killed the emperor.[178] Tzimiskes' accomplices then went to the streets, proclaiming the young man as emperor.[179] In such a case of private conspiracy, "the dethronement of Phokas could hardly be interpreted as reflecting the collective political will and action of the Roman subjects, especially of the provincial masses, within the socio-ideological framework of a medieval res publica."[180] For legitimacy, Stouraitis notes that Tzimiskes primarily sought coronation by the patriarch. Tzimiskes then maintained power through his marriage to Theodora, the sister of the former emperor Romanos II, and through his influence among the troops due to his military pedigree.[181]

[178] Norwich, *A Short History of Byzantium*, 196-197.
[179] Ibid., 197.
[180] Stouraitis, "Roman Identity in Byzantium," 192.
[181] Norwich, *A Short History of Byzantium*, 200.

The founder of the very dynasty to which Constantine VII belonged, Basil the Macedonian, acquired the throne through rather nefarious means. However, through clever political calculation, he was able to leverage the forces at play, including but not exclusively popular opinion, to establish himself as legitimate. Basil came from very humble beginnings as part of an Armenian family resettled in Thrace and later beyond the Danube.[182] He eventually found himself in the service of the emperor Michael III as a stable boy and somehow made his way up the ranks to High Chamberlain despite his illiteracy and Armenian accent.[183] Perhaps through a romantic relationship with Michael, Basil's influence grew so much that he was proclaimed co-emperor in 866 after killing his main rival for power, Michael's uncle Bardas.[184] Then, casting off the man who had made him emperor, Basil and eight companions killed Michael III while he slept in his bedchamber.[185] Although Michael had not been a particularly popular emperor, he was a member of the reigning Amorian dynasty, and Basil had risen through the palace through purely personal connections. He was not a notable elite or man of the people, and although he had been proclaimed as co-emperor, he had by no means been publicly acclaimed, nor was he very popular after murdering his predecessor. However, by winning over the Church and elites, he was able to hold power until eventually winning over public opinion and continuing on to found one of the longest dynasties in Byzantine history,

As reflected by the comments of Keler in Constantine VII's account, the people were often controlled by elites or factional leaders, short of expressing some version of popular will. Without a true, unified representative body for the common people, "the effort to dethrone an emperor was normally initiated, by a faction or factions of the ruling class or the army. Usurpers could only rarely, and under certain preconditions, also rely on the support of the people of

[182] Norwich, *A Short History of Byzantium*, 148.
[183] Ibid., 148-149.
[184] Ibid., 149-150.
[185] Ibid., 152.

Constantinople to take over power."[186] This is partly due to a tendency to bribe or threaten the public into action. In De Ceremoniis, almost every proclamation ceremony ends with the new emperor promising "five nomismata each and a pound of silver to each soldier."[187] This came to be expected by the people, and although justified ideologically through the virtues of liberality and generosity, it essentially functioned to pacify the mob. In addition to the threat of violence seen in the Nika Riots as well as by the actions of various palace regiments such as the *exkoubitores*, the people were in little of a position to act freely.

Chapter 4: Civil Wars

When one looks at the frequency with which formal civil wars occurred in Byzantium, it appears astonishing that the empire survived in such a stable state for a millennium. On average, a civil war occurred every ten years.[188] Compared to other imperial monarchies, this is a very high statistic. Part of this can be explained through the ethical criteria of benevolent kingship, but there were also frequent contenders to the throne who simply sought an outlet to exercise their political power. This is because it was more beneficial for a political rival of the emperor to take the throne than to challenge it, due to its tremendous sovereign power. Stouraitis notes:

> The recurrence of usurpation neither resulted from, nor was legitimized by, an active quasi-institutional role of the Roman people in the dethronement of a bad administrator of an alleged *res publica*. It was rather the product of a political system which made imperial power accessible to anyone with the means to organize a coup or a rebellion and which allowed for the ideological

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[186] Stouraitis, "Roman Identity in Byzantium," 191.

[187] *D-C*, 412 (Leo I). See also Moffat and Tall, *DC*, 423 (Anastasios), 425 (Anastasios), 430 (Justin), 432 (Leo II).

[188] *B-R*, 152. Based on data from Treadgold, Warren. "Byzantium, the Reluctant Warrior." In *Noble Ideas and Bloody Realities,* ed. by Niall Christie and Maya Yazigi, vol. 37 of *History of Warfare,* ed. by Kelly Devries, 208-233. (Boston and Leiden: Brill, 2006). Civil wars were spread out and varied greatly from one time period to the next, but they remained frequent in the grand scheme of the empire's history.

> legitimization of the outcome of power struggles, i.e. the assertion of autocratic power, as God's inscrutable judgement.[189]

In such situations, results were seen as "God's inscrutable judgment," legitimating the successful rebel due to the fact that, had he not been favored by God as the true "best man," he would not have successfully taken power. While this logic may seem circular, it continued to be used in Byzantium for centuries. Therefore, usurpation was not the republican replacement of an "administrator," but instead the changing hands of a sovereign office following a shift in the power dynamics of the empire, due to a number of forces including but also besides the people. This was rationalized through a religious/ethical framework since:

> The Byzantine emperor was God's chosen because of his divine personal and political virtues, which turned him into the image of God on earth, and which he was supposed to display before his ascension to power and retain thereafter. Failure to prove his worth revealed that he was not the true representative of God and justified his removal from power by the people, who, thus, only followed God's will.[190]

Civil war, therefore, did not compromise the emperor's sovereign position, because the overthrown emperor had already in theory ceased to be sovereign. Of course, these were often retrospective justifications by usurpers, but they became necessary for establishing a new ruler on the throne due to the people's expectation of imperial ethical standards.

Stouraitis defines Byzantine civil wars as follows: "an armed conflict involving the military forces of the imperial regime and one or more organized groups of subjects that used

[189] Stouraitis, "Roman Identity in Byzantium," 192.
[190] Dimitriev, "Kaldellis, Anthony The Byzantine Republic," 112–13.

armed force in order to contest the rule of the empire in the person of the emperor or to contest the unity of the imperial realm itself.[191] From this perspective, there is clearly one legitimate force and one illegitimate one. This broad view also includes such revolts as the Nika Riots, as well as formal, pitched-battle civil wars. From the opposite perspective, Kaldellis portrays civil wars as extensions of the popular will in which the sovereign people took control during extralegal circumstances. Although the people were occasionally part of civil wars, one can see through the historical record that the former definition is a more accurate reflection of Byzantine civil war than the idea that it served as an elective mechanism.

In opposition to the republican thesis, Stouraitis points to the successful retention of the throne by Basil II (r. 976-1025) against the rebellion of Bardas Phokas.[192] Basil was largely able to repel the forces of Phokas, who had proclaimed himself emperor, with the reinforcements of "6,000 fully equipped Varangians."[193] These were obtained from Vladmir, Prince of Kiev, in exchange for the marriage of Basil's sister, Anna Porphyrogennita. Clearly, using foreign troops against a seemingly popular contender for the throne in exchange for an arranged marriage does not have the appearance of republican politics. Indeed, Phokas had the majority of the Byzantine military on his side, and

> "if we were to suppose that the support of the largest part of the 'Roman people's' army for the usurper reflects the provincial masses' political stance and implies their active participation in a movement that sought to dethrone a bad administrator of the *res publica*, then the outcome of the power struggle provides solid evidence of the common people's powerless status in the political system."[194]

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[191] Stouraitis, "Civil War in the Christian Empire," 94.
[192] Stouraitis, "Roman Identity in Byzantium," 192-193.
[193] Norwich, *A Short History of Byzantium*, 208.
[194] Stouraitis, "Roman Identity in Byzantium," 193.

Despite its frequency, civil war never resulted in constitutional changes or territorial secession. Indeed, "for centuries, civil war within the Roman realm was rarely a question of rebels claiming autonomous rule over a part of the imperial realm, but rather of who was going to become the ruler of the empire."[195] This is because, "as long as the imperial power maintained centralized control over superior military power, anyone willing to take the risk of rebellion, i.e. of civil war, and to contest the imperial regime had a much better potential if he did it within the framework of Roman political discourse."[196] Essentially, it was more beneficial for an individual to challenge for the throne rather than attempt regime change since the office of emperor possessed such power.

In regard to the question of sovereignty, this stance favors the emperor over the people. While the person occupying the throne was liable to criticism from the people and challenges from political rivals, he possessed the power to suppress these rebellions and control all politics, which is why the role was so desirable. An overthrown emperor was paradoxically said to have lost the protection of the office both due to his actions and due to his failure to retain the throne, which indicated the execution of God's unavoidable will.

> "The main flaw of the 'republican theory' is that it fails to see that the increasing numbers of rebellions in the medieval Eastern Roman Empire was rather a symptom of the function of a political system which lacked both the idea and the institution of a representative political body that could decide and legitimize the enthronement or dethronement of an emperor on behalf of the whole community. From a politological point of view, rebellions of usurpation (just like coups d'état) became a main political means to claim the imperial throne because the emperor did not

[195] Stouraitis, "Civil War in the Christian Empire," 100-101.
[196] Ibid., 101.

> enjoy legitimacy in the classical sense but only acceptance, that is, the provisional consent of concrete qualified groups to a person's authority to rule"[197]

Any one of these groups could withdraw support from the emperor and challenge to replace him, so the people were not the exclusive sovereign. However, none could overthrow the institution of the throne, preserving the emperor's sovereignty despite the necessity to wield enough political influence from the various messy contingents of Byzantium to remain on the throne with the consensus of being a benevolent ruler.

It may seem that imperial politics was all power calculation without room for ideology. The ideology of the benevolent ruler may have often served as cover for the true power dynamics that determined the Byzantine throne, but, as attested by Kaldlellis, emperors still went through great lengths to portray themselves as good and their rivals as bad. Especially after civil wars or dynastic changes, emperors created a "claim to legitimacy based on the axiom that his victory proved that he had acted according to God's will and in favour of the common good."[198] This is because benevolent kingship remained a shared ideology between ruler and ruled, while the actually outcome of politics was determined by hard power. The emperors worked hard to foster this image so as to fight back against the frequent threat of other ambitious contenders to the throne, portraying their efforts as aiming towards disorder (*ataxia*) rather than the order (*taxis*) so valued in Byzantium. Ideology remained important as a legitimizing factor for the population, but their consent was based on ethical rather than structurally political grounds.

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[197] Stouraitis, "Civil War in the Christian Empire," 103.
[198] Ibid., 105.

Conclusion

Byzantium is an era often overlooked by scholars of political theory and classics. Perhaps this is due to its reputation in the Western world for corruption and decline. Perhaps it is due to the linguistic barrier of medieval Greek. Whatever the case, there is much to be learned from the Byzantines' ideas and the examples they left the world. In modern-day society, outright one-man rule has generally vanished or is seen as primitive. However, autocratic rulers can emerge in any system. Therefore, understanding a case study of a political system that remained relatively stable for centuries under the seemingly conflictual mix of monarchy and incessant revolts is only beneficial. Not only does it enhance our understanding of Byzantine society, but, like all political theory, it provides insight into our current condition. It also demonstrates the value of preserving true republicanism through the institutions that allow popular sovereignty in modern republics, rather than dangerously diluting the term.

The republican thesis is an interesting development in a field that has been relatively stagnant for decades. It raises an important question in challenging the erroneous stances of those who adhere to a theory of caesaropapism in Byzantine politics, and any criticism of the *Byzantine Republic* is meant as constructive. Additionally, Kaldellis is to some extent correct there were remnants of republican institutions, like the Senate, in Byzantium. He is also essentially correct in his assertion that Byzantium was a republic by ancient standards, although the argument loses its force due to the problematic jumps he makes to modern notions of popular sovereignty and secularism.

Certainly, the question of Roman identity in Byzantium is a topic worthy of future research to which the *Byzantine Republic* contributed greatly, despite its problems in political theory. The question of the end of Rome is larger than the scope of this or Kaldellis' work, but it is an intriguing one. There continued to be Byzantine Greeks who called themselves "Romans,"

even past the fall of Constantinople in 1453. The Roman identity, like the republican ideology, has been claimed by many but deserved by few. It is therefore important to analyze the record to determine where they are an accurate label and where they serve as propaganda or delusion.

I have not intended to dismiss the republican thesis without a viable alternative. This is why I have gone to such an extent to describe the ethical nature of the imperial office. Ultimately, the ideology of benevolent kingship/best man offers the most accurate alternative to the republican thesis. It serves as an explanation for the criticism of emperors without compromising the office's sovereignty. It also follows the historical record, with Christianized Hellenic philosophy making its way into Rome both through imperial political philosophy and the influence of Eastern thinkers. It was this ideology that formed the basis of the conversation between ruler and ruled, not that of ancient republicanism. This was complemented by the religious nature of Byzantine society, which saw adherence to divine ethics as fundamental since most things were seen to occur by the will of God.

There remains much work to be done on this topic, especially in the realm of the relation between the ruler and the law. This ambiguous relationship has not been studied extensively, especially in English, and it could shed light on the seemingly paradoxical situation. Additionally, later periods of Byzantine history demonstrated vastly different political dynamics that merit their own analysis. Byzantine political theory, often disregarded as insignificant or even non-existent, is a largely untapped source of insight for scholars. It requires searching in unusual places due to the absence of political treatises found in Western Europe, but political ideas do exist in Byzantine texts, albeit sometimes hidden or indirectly implied.

The Byzantines thought about politics and how best to organize their society; they were not unthinking minions. Besides their practical contributions to law and imperial administration, they developed a complex ideology of kingship and collective identity that survived the ages and

continues to be invoked by some states today. This was not only comprised of the Roman legacy, but also of their own unique contributions to political philosophy established over the course of Byzantium's own history. Just as understanding foreign states is central to the study of political science today, not only through the lens of comparative politics but also as a means of better understanding another people, the study of Byzantine political theory is central to our understanding of Byzantium, as well as to politics and political theory more broadly.

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