9.1: Byzantium: The New Rome

Naming of the Byzantine Empire

While the Western Roman Empire fell, the Eastern Roman Empire, now known as the Byzantine Empire, thrived.

Learning Objectives

Describe identifying characteristics of the Byzantine Empire

Key Takeaways

Key Points

- While the Western Roman Empire fell in 476 CE, the Eastern Roman Empire, centered on the city of Constantinople, survived and thrived.
- After the Eastern Roman Empire’s much later fall in 1453 CE, western scholars began calling it the "Byzantine Empire" to emphasize its distinction from the earlier, Latin-speaking Roman Empire centered on Rome.
- The “Byzantine Empire” is now the standard term used among historians to refer to the Eastern Roman Empire.
- Although the Byzantine Empire had a multi-ethnic character during most of its history and preserved Romano-Hellenistic traditions, it became identified with its increasingly predominant Greek element and its own unique cultural developments.
Key Terms

- **Constantinople**: Formerly Byzantium, the capital of the Byzantine Empire as established by its first emperor, Constantine the Great. (Today the city is known as Istanbul.)

The Byzantine Empire, sometimes referred to as the Eastern Roman Empire, was the continuation of the Roman Empire in the east during Late Antiquity and the Middle Ages, when its capital city was Constantinople (modern-day Istanbul, originally founded as Byzantium). It survived the fragmentation and fall of the Western Roman Empire in the 5th century CE, and continued to exist for an additional thousand years until it fell to the Ottoman Turks in 1453. During most of its existence, the empire was the most powerful economic, cultural, and military force in Europe. Both “Byzantine Empire” and “Eastern Roman Empire” are historiographical terms created after the end of the realm; its citizens continued to refer to their empire as the Roman Empire, and thought of themselves as Romans. Although the people living in the Eastern Roman Empire referred to themselves as Romans, they were distinguished by their Greek heritage, Orthodox Christianity, and their regional connections. Over time, the culture of the Eastern Roman Empire transformed. Greek replaced Latin as the language of the empire. Christianity became more important in daily life, although the culture’s pagan Roman past still exerted an influence.

Several signal events from the 4th to 6th centuries mark the period of transition during which the Roman Empire’s Greek east and Latin west divided. Constantine I (r. 324-337) reorganized the empire, made Constantinople the new capital, and legalized Christianity. Under Theodosius I (r. 379-395), Christianity became the empire’s official state religion, and other religious practices were proscribed. Finally, under the reign of Heraclius (r. 610-641), the empire’s military and administration were restructured and adopted Greek for official use instead of Latin. Thus, although the Roman state continued and Roman state traditions were maintained, modern historians distinguish Byzantium from ancient Rome insofar as it was centered on Constantinople, oriented towards Greek rather than Latin culture, and characterized by Orthodox Christianity.

Just as the Byzantine Empire represented the political continuation of the Roman Empire, Byzantine art and culture developed directly out of the art of the Roman Empire, which was itself profoundly influenced by ancient Greek art. Byzantine art never lost sight of this classical heritage. For example, the Byzantine capital, Constantinople, was adorned with a large number of classical sculptures, although they eventually became an object of some puzzlement for its inhabitants. And indeed, the art produced during the Byzantine Empire, although marked by periodic revivals of a classical aesthetic, was above all marked by the development of a new aesthetic. Thus, although the Byzantine Empire had a multi-ethnic character during most of its history, and preserved Romano-Hellenistic traditions, it became identified by its western and northern contemporaries with its increasingly predominant Greek element and its own unique cultural developments.
A map of Constantinople, the capital and founding city of the Byzantine Empire, drawn in 1422 CE by Florentine cartographer Cristoforo Buondelmonti. This is the oldest surviving map of the city and the only one that predates the Turkish conquest of the city in 1453 CE.

Nomenclature

The first use of the term “Byzantine” to label the later years of the Roman Empire was in 1557, when the German historian Hieronymus Wolf published his work, Corpus Historiæ Byzantinæ, a collection of historical sources. The term comes from “Byzantium,” the name of the city of Constantinople before it became Constantine’s capital. This older name of the city would rarely be used from this point onward except in historical or poetic contexts. However, it was not until the mid-19th century that the term came into general use in the western world; calling it the “Byzantine Empire” helped to emphasize its differences from the earlier Latin-speaking Roman Empire, centered on Rome.

The term “Byzantine” was also useful to the many western European states that also claimed to be the true successors of the Roman Empire, as it was used to delegitimize the claims of the Byzantines as true Romans. In modern times, the term “Byzantine” has also come to have a pejorative sense, used to describe things that are overly complex or arcane. “Byzantine diplomacy” has come to mean excess use of trickery and behind-the-scenes manipulation. These are all based on medieval stereotypes about the Byzantine Empire that developed as western Europeans came into contact with the Byzantines, and were perplexed by their more structured government.

No such distinction existed in the Islamic and Slavic worlds, where the empire was more straightforwardly seen as the continuation of the Roman Empire. In the Islamic world, the Roman Empire was known primarily as Rûm. The name millet-i Rûm, or “Roman nation,” was used by the Ottomans through the 20th century to refer to the former subjects of...
The Byzantine Empire, that is, the Orthodox Christian community within Ottoman realms.

The Eastern Roman Empire, Constantine the Great, and Byzantium

The Christian, Greek-speaking Byzantine Empire had its capital at Constantinople, established by Emperor Constantine the Great.

Learning Objectives

Explain the role of Constantine in Byzantine Empire history

Key Takeaways

Key Points

- The Byzantine Empire (the Eastern Roman Empire) was distinct from the Western Roman Empire in several ways; most importantly, the Byzantines were Christians and spoke Greek instead of Latin.
- The founder of the Byzantine Empire and its first emperor, Constantine the Great, moved the capital of the Roman Empire to the city of Byzantium in 330 CE, and renamed it Constantinople.
- Constantine the Great also legalized Christianity, which had previously been persecuted in the Roman Empire. Christianity would become a major element of Byzantine culture.
- Constantinople became the largest city in the empire and a major commercial center, while the Western Roman Empire fell in 476 CE.

Key Terms

- **Germanic barbarians**: An uncivilized or uncultured person, originally compared to the hellenistic Greco-Roman civilization; often associated with fighting or other such shows of strength.
- **Christianity**: An Abrahamic religion based on the teachings of Jesus Christ and various scholars who wrote the Christian Bible. It was legalized in the Byzantine Empire by Constantine the Great, and the religion became a major element of Byzantine culture.

Constantine the Great and the Beginning of Byzantium

It is a matter of debate when the Roman Empire officially ended and transformed into the Byzantine Empire. Most scholars accept that it did not happen at one time, but that it was a slow process; thus, late Roman history overlaps with early Byzantine history. Constantine I ("the Great") is usually held to be the founder of the Byzantine Empire. He was responsible for several major changes that would help create a Byzantine culture distinct from the Roman past.

As emperor, Constantine enacted many administrative, financial, social, and military reforms to strengthen the empire. The government was restructured and civil and military authority separated. A new gold coin, the **solidus**, was introduced to combat inflation. It would become the standard for Byzantine and European currencies for more than a thousand years. As the first Roman emperor to claim conversion to Christianity, Constantine played an influential role in...
the development of Christianity as the religion of the empire. In military matters, the Roman army was reorganized to consist of mobile field units and garrison soldiers capable of countering internal threats and barbarian invasions. Constantine pursued successful campaigns against the tribes on the Roman frontiers—the Franks, the Alamanni, the Goths, and the Sarmatians—, and even resettled territories abandoned by his predecessors during the turmoil of the previous century.

The age of Constantine marked a distinct epoch in the history of the Roman Empire. He built a new imperial residence at Byzantium and renamed the city Constantinople after himself (the laudatory epithet of “New Rome” came later, and was never an official title). It would later become the capital of the empire for over one thousand years; for this reason the later Eastern Empire would come to be known as the Byzantine Empire. His more immediate political legacy was that, in leaving the empire to his sons, he replaced Diocletian’s tetrarchy (government where power is divided among four individuals) with the principle of dynastic succession. His reputation flourished during the lifetime of his children, and for centuries after his reign. The medieval church upheld him as a paragon of virtue, while secular rulers invoked him as a prototype, a point of reference, and the symbol of imperial legitimacy and identity.

Constantine the Great: Byzantine Emperor Constantine the Great presents a representation of the city of Constantinople as tribute to an enthroned Mary and Christ Child in this church mosaic. St Sophia, c. 1000 CE.

Constantinople and Civil Reform

Constantine moved the seat of the empire, and introduced important changes into its civil and religious constitution. In 330, he founded Constantinople as a second Rome on the site of Byzantium, which was well-positioned astride the trade routes between east and west; it was a superb base from which to guard the Danube river, and was reasonably close to the eastern frontiers. Constantine also began the building of the great fortified walls, which were expanded and rebuilt in subsequent ages. J. B. Bury asserts that “the foundation of Constantinople […] inaugurated a permanent division between the Eastern and Western, the Greek and the Latin, halves of the empire—a division to which events
had already pointed—and affected decisively the whole subsequent history of Europe.”

Constantine built upon the administrative reforms introduced by Diocletian. He stabilized the coinage (the gold solidus that he introduced became a highly prized and stable currency), and made changes to the structure of the army. Under Constantine, the empire had recovered much of its military strength and enjoyed a period of stability and prosperity. He also reconquered southern parts of Dacia, after defeating the Visigoths in 332, and he was planning a campaign against Sassanid Persia as well. To divide administrative responsibilities, Constantine replaced the single praetorian prefect, who had traditionally exercised both military and civil functions, with regional prefects enjoying civil authority alone. In the course of the 4th century, four great sections emerged from these Constantinian beginnings, and the practice of separating civil from military authority persisted until the 7th century.

**Constantine and Christianity**

Constantine was the first emperor to stop Christian persecutions and to legalize Christianity, as well as all other religions and cults in the Roman Empire.

In February 313, Constantine met with Licinius in Milan, where they developed the Edict of Milan. The edict stated that Christians should be allowed to follow the faith without oppression. This removed penalties for professing Christianity, under which many had been martyred previously, and returned confiscated Church property. The edict protected from religious persecution not only Christians but all religions, allowing anyone to worship whichever deity they chose.

Scholars debate whether Constantine adopted Christianity in his youth from his mother, St. Helena, or whether he adopted it gradually over the course of his life. According to Christian writers, Constantine was over 40 when he finally declared himself a Christian, writing to Christians to make clear that he believed he owed his successes to the protection of the Christian High God alone. Throughout his rule, Constantine supported the Church financially, built basilicas, granted privileges to clergy (e.g. exemption from certain taxes), promoted Christians to high office, and returned property confiscated during the Diocletianic persecution. His most famous building projects include the Church of the Holy Sepulchre, and Old Saint Peter’s Basilica.

The reign of Constantine established a precedent for the position of the emperor as having great influence and ultimate regulatory authority within the religious discussions involving the early Christian councils of that time (most notably, the dispute over Arianism, and the nature of God). Constantine himself disliked the risks to societal stability that religious disputes and controversies brought with them, preferring where possible to establish an orthodoxy. One way in which Constantine used his influence over the early Church councils was to seek to establish a consensus over the oft debated and argued issue over the nature of God. In 325, he summoned the Council of Nicaea, effectively the first Ecumenical Council. The Council of Nicaea is most known for its dealing with Arianism and for instituting the Nicene Creed, which is still used today by Christians.

**The Fall of the Western Roman Empire**

After Constantine, few emperors ruled the entire Roman Empire. It was too big and was under attack from too many directions. Usually, there was an emperor of the Western Roman Empire ruling from Italy or Gaul, and an emperor of the Eastern Roman Empire ruling from Constantinople. While the Western Empire was overrun by Germanic barbarians (its lands in Italy were conquered by the Ostrogoths, Spain was conquered by the Visigoths, North Africa was conquered by
the Vandals, and Gaul was conquered by the Franks), the Eastern Empire thrived. Constantinople became the largest city in the empire and a major commercial center. In 476 CE, the last Western Roman Emperor was deposed and the Western Roman Empire was no more. Thus the Eastern Roman Empire was the only Roman Empire left standing.

**Justinian and Theodora**

Emperor Justinian was responsible for substantial expansion, a legal code, and the Hagia Sophia, but suffered defeats against the Persians.

**Learning Objectives**

Discuss the accomplishments and failures of Emperor Justinian the Great

**Key Takeaways**

**Key Points**

- Emperor Justinian the Great was responsible for substantial expansion of the Byzantine Empire, and for conquering Africa, Spain, Rome, and most of Italy.
- Justinian was responsible for the construction of the Hagia Sophia, the center of Christianity in Constantinople. Even today, the Hagia Sophia is recognized as one of the greatest buildings in the world.
- Justinian also systematized the Roman legal code that served as the basis for law in the Byzantine Empire.
- After a plague reduced the Byzantine population, they lost Rome and Italy to the Ostrogoths, and several important cities to the Persians.

**Key Terms**

- **Hagia Sophia**: A church built by Byzantine Emperor Justinian; the center of Christianity in Constantinople and one of the greatest buildings in the world to this day. It is now a mosque in the Muslim Istanbul.
- **Nika riots**: When angry racing fans, already angry over rising taxes, became enraged at Emperor Justinian for arresting two popular charioteers, and tried to depose him in 532 CE.

**Byzantine Empire from Constantine to Justinian**

One of Constantine’s successors, Theodosius I (379-395), was the last emperor to rule both the Eastern and Western halves of the empire. In 391 and 392, he issued a series of edicts essentially banning pagan religion. Pagan festivals and sacrifices were banned, as was access to all pagan temples and places of worship. The state of the empire in 395 may be described in terms of the outcome of Constantine’s work. The dynastic principle was established so firmly that the emperor who died in that year, Theodosius I, could bequeath the imperial office jointly to his sons, Arcadius in the East and Honorius in the West.

The Eastern Empire was largely spared the difficulties faced by the west in the third and fourth centuries, due in part to a more firmly established urban culture and greater financial resources, which allowed it to placate invaders with tribute.
and pay foreign mercenaries. Throughout the fifth century, various invading armies overran the Western Empire but spared the east. Theodosius II further fortified the walls of Constantinople, leaving the city impervious to most attacks; the walls were not breached until 1204.

To fend off the Huns, Theodosius had to pay an enormous annual tribute to Attila. His successor, Marcian, refused to continue to pay the tribute, but Attila had already diverted his attention to the west. After his death in 453, the Hunnic Empire collapsed, and many of the remaining Huns were often hired as mercenaries by Constantinople.

Leo I succeeded Marcian as emperor, and after the fall of Attila, the true chief in Constantinople was the Alan general, Aspar. Leo I managed to free himself from the influence of the non-Orthodox chief by supporting the rise of the Isaurians, a semi-barbarian tribe living in southern Anatolia. Aspar and his son, Ardabur, were murdered in a riot in 471, and henceforth, Constantinople restored Orthodox leadership for centuries.

When Leo died in 474, Zeno and Ariadne’s younger son succeeded to the throne as Leo II, with Zeno as regent. When Leo II died later that year, Zeno became emperor. The end of the Western Empire is sometimes dated to 476, early in Zeno’s reign, when the Germanic Roman general, Odoacer, deposed the titular Western Emperor Romulus Augustulus, but declined to replace him with another puppet.

**Emperor Justinian I**

In 527 CE, Justinian I came to the throne in Constantinople. He dreamed of reconquering the lands of the Western Roman Empire and ruling a single, united Roman Empire from his seat in Constantinople.
The western conquests began in 533, as Justinian sent his general, Belisarius, to reclaim the former province of Africa from the Vandals, who had been in control since 429 with their capital at Carthage. Belisarius successfully defeated the Vandals and claimed Africa for Constantinople. Next, Justinian sent him to take Italy from the Ostrogoths in 535 CE. Belisarius defeated the Ostrogoths in a series of battles and reclaimed Rome. By 540 CE, most of Italy was in Justinian’s hands. He sent another army to conquer Spain.

The Byzantine Empire under Justinian: The Byzantine Empire at its greatest extent, in 555 CE under Justinian the Great.

Accomplishments in Byzantium

Justinian also undertook many important projects at home. Much of Constantinople was burned down early in Justinian’s reign after a series of riots called the Nika riots, in 532 CE, when angry racing fans became enraged at Justinian for arresting two popular charioteers (though this was really just the last straw for a populace increasingly angry over rising taxes) and tried to depose him. The riots were put down, and Justinian set about rebuilding the city on a grander scale. His greatest accomplishment was the Hagia Sophia, the most important church of the city. The Hagia Sophia was a staggering work of Byzantine architecture, intended to awe all who set foot in the church. It was the largest church in the world for nearly a thousand years, and for the rest of Byzantine history it was the center of Christian worship in Constantinople.

The Hagia Sophia: Byzantine Emperor Justinian built the Greek Orthodox Church of the Holy Wisdom of God, the Hagia Sophia, which was completed in only four and a half years (532 CE-537 CE). Even now, it is universally acknowledged as one of the greatest buildings in the world.
Emperor Justinian's most important contribution, perhaps, was a unified Roman legal code. Prior to his reign, Roman laws had differed from region to region, and many contradicted one another. The Romans had attempted to systematize the legal code in the fifth century but had not completed the effort. Justinian set up a commission of lawyers to put together a single code, listing each law by subject so that it could be easily referenced. This not only served as the basis for law in the Byzantine Empire, but it was the main influence on the Catholic Church’s development of canon law, and went on to become the basis of law in many European countries. Justinian’s law code continues to have a major influence on public international law to this day.

The impact of a more unified legal code and military conflicts was the increased ability for the Byzantine Empire to establish trade and improve their economic standing. Byzantine merchants traded not only all over the Mediterranean region, but also throughout regions to the east. These included areas around the Black Sea, the Red Sea, and the Indian Ocean.

**Theodora**

Theodora was empress of the Byzantine Empire and the wife of Emperor Justinian I. She was one of the most influential and powerful of the Byzantine empresses. Some sources mention her as empress regnant, with Justinian I as her co-regent. Along with her husband, she is a saint in the Eastern Orthodox Church, commemorated on November 14.

Theodora participated in Justinian’s legal and spiritual reforms, and her involvement in the increase of the rights of women was substantial. She had laws passed that prohibited forced prostitution and closed brothels. She created a convent on the Asian side of the Dardanelles called the Metanoia (Repentance), where the ex-prostitutes could support themselves. She also expanded the rights of women in divorce and property ownership, instituted the death penalty for rape, forbade exposure of unwanted infants, gave mothers some guardianship rights over their children, and forbade the killing of a wife who committed adultery.

**Justinian’s Difficulties**

A terrible plague swept through the empire, killing Theodora and almost killing him. The plague wiped out huge numbers of the empire’s population, leaving villages empty and crops unharvested. The army was also afflicted, and the Ostrogoths were able to effectively regain Italy in 546 CE, through guerrilla warfare against the Byzantine occupiers.

With Justinian’s army bogged down fighting in Italy, the empire’s defenses against the Persians on its eastern frontiers were weakened. In the Roman-Persian Wars, the Persians invaded and destroyed a number of important cities. Justinian was forced to establish a humiliating 50-year peace treaty with them in 561 CE.

Still, Justinian kept the empire from collapse. He sent a new general, Narses, to Italy with a small force. Narses finally defeated the Ostrogoths and drove them back out of Italy. By the time the war was over, Italy, once one of the most prosperous lands in the ancient world, was wrecked. The city of Rome changed hands multiple times, and most of the cities of Italy were abandoned or fell into a long period of decline. The impoverishment of Italy and the weakened Byzantine military made it impossible for the empire to hold the peninsula. Soon a new Germanic tribe, the Lombards, came in and conquered most of Italy, though Rome, Naples, and Ravenna remained isolated pockets of Byzantine control. At the same time, another new barbarian enemy, the Slavs, appeared from north of the Danube. They devastated Greece and the Balkans, and in the absence of strong Byzantine military might, they settled in small
communities in these lands.

The Justinian Code

Justinian I achieved lasting fame through his judicial reforms, particularly through the complete revision of all Roman law that was compiled in what is known today as the *Corpus juris civilis*.

Learning Objectives

Explain the historical significance of Justinian’s legal reforms

Key Takeaways

Key Points

• Shortly after Justinian became emperor in 527, he decided the empire’s legal system needed repair.
• Early in his reign, Justinian appointed an official, Tribonian, to oversee this task.
• The project as a whole became known as *Corpus juris civilis*, or the Justinian Code.
• It consists of the *Codex Iustinianus*, the *Digesta*, the *Institutiones*, and the *Novellae*.
• Many of the laws contained in the Codex were aimed at regulating religious practice.
• The *Corpus* formed the basis not only of Roman jurisprudence (including ecclesiastical Canon Law), but also influenced civil law throughout the Middle Ages and into modern nation states.

Key Terms

• *Corpus juris civilis*: The modern name for a collection of fundamental works in jurisprudence, issued from 529 to 534 by order of Justinian I, Eastern Roman Emperor.
• *Justinian I*: A Byzantine emperor from 527 to 565. During his reign, he sought to revive the empire’s greatness and reconquer the lost western half of the historical Roman Empire; he also enacted important legal codes.

Byzantine Emperor Justinian I achieved lasting fame through his judicial reforms, particularly through the complete revision of all Roman law, something that had not previously been attempted. There existed three codices of imperial laws and other individual laws, many of which conflicted or were out of date. The total of Justinian’s legislature is known today as the *Corpus juris civilis*.

The work as planned had three parts:

1. *Codex*: a compilation, by selection and extraction, of imperial enactments to date, going back to Hadrian in the 2nd century CE.
2. *Digesta*: an encyclopedia composed of mostly brief extracts from the writings of Roman jurists. Fragments were taken out of various legal treatises and opinions and inserted in the *Digesta*.
3. *Institutiones*: a student textbook, mainly introducing the *Codex*, although it has important conceptual elements that are less developed in the *Codex* or the *Digesta*.
All three parts, even the textbook, were given force of law. They were intended to be, together, the sole source of law; reference to any other source, including the original texts from which the Codex and the Digesta had been taken, was forbidden. Nonetheless, Justinian found himself having to enact further laws, and today these are counted as a fourth part of the Corpus, the Novellae Constitutiones. As opposed to the rest of the Corpus, the Novellae appeared in Greek, the common language of the Eastern Empire.

The work was directed by Tribonian, an official in Justinian’s court. His team was authorized to edit what they included. How far they made amendments is not recorded and, in the main, cannot be known because most of the originals have not survived. The text was composed and distributed almost entirely in Latin, which was still the official language of the government of the Byzantine Empire in 529-534, whereas the prevalent language of merchants, farmers, seamen, and other citizens was Greek.

Many of the laws contained in the Codex were aimed at regulating religious practice, included numerous provisions served to secure the status of Christianity as the state religion of the empire, uniting church and state, and making anyone who was not connected to the Christian church a non-citizen. It also contained laws forbidding particular pagan practices; for example, all persons present at a pagan sacrifice may be indicted as if for murder. Other laws, some influenced by his wife, Theodora, include those to protect prostitutes from exploitation, and women from being forced into prostitution. Rapists were treated severely. Further, by his policies, women charged with major crimes should be guarded by other women to prevent sexual abuse; if a woman was widowed, her dowry should be returned; and a husband could not take on a major debt without his wife giving her consent twice.
Legacy

The Corpus forms the basis of Latin jurisprudence (including ecclesiastical Canon Law) and, for historians, provides a valuable insight into the concerns and activities of the later Roman Empire. As a collection, it gathers together the many sources in which the laws and the other rules were expressed or published (proper laws, senatorial consults, imperial decrees, case law, and jurists’ opinions and interpretations). It formed the basis of later Byzantine law, as expressed in the Basilika of Basil I and Leo VI the Wise. The only western province where the Justinian Code was introduced was Italy, from where it was to pass to western Europe in the 12th century, and become the basis of much European law code. It eventually passed to eastern Europe, where it appeared in Slavic editions, and it also passed on to Russia.

It was not in general use during the Early Middle Ages. After the Early Middle Ages, interest in it revived. It was “received” or imitated as private law, and its public law content was quarried for arguments by both secular and ecclesiastical authorities. The revived Roman law, in turn, became the foundation of law in all civil law jurisdictions. The provisions of the Corpus Juris Civilis also influenced the canon law of the Roman Catholic Church; it was said that ecclesia vivit lege romana—the church lives by Roman law. Its influence on common law legal systems has been much
smaller, although some basic concepts from the Corpus have survived through Norman law—such as the contrast, especially in the Institutes, between “law” (statute) and custom. The Corpus continues to have a major influence on public international law. Its four parts thus constitute the foundation documents of the western legal tradition.

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