

# CONJUGAL VIOLENCE AND THE IDEOLOGICAL CONSTRUCTION OF BYZANTINE MARRIAGE

*Original scientific article*

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*This article offers the first exploration of the role of conjugal violence in Byzantium, considering its use (and sometimes approval) as a mechanism for enforcing normative social roles as well as its representation in literary texts that seek to recuperate a damaged social order or subvert an illegitimate one. We focus on the norms encoded in Byzantine law and then offer a preliminary but wide-ranging survey of episodes from hagiography and historiography which illustrate how the Byzantines thought about this issue. The paper includes both physical and psychological forms of violence, and does not neglect the rarer cases of victimization of the man by his spouses. The Byzantine conception of such violence was male-centric and women were subject to it as “naturally” inferior beings, but there were times when they could inflict it too.*

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*T*HE ISSUE OF CONJUGAL VIOLENCE LIES TODAY at the center of a broader discussion about the formation and constitution of the modern family, gender relations, and the means by which society at large reproduces its normative orders. In recent decades, feminist theory has produced copious bibliography, both historical and sociological, which locates the various sites of male violence, describes its different modes, and denounces its consequences.<sup>1</sup>

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1 See, for example, Dauphin and Farge, eds, 1997; True 2012.  
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It is not our goal, in this article, to denounce male violence in Byzantium, which is a historical given, but rather to analyze from a distance some of the mechanisms by which violence shaped and constituted the marital relations and its ensuing balances (or imbalances). For our purposes, conjugal or domestic violence is not just a physical action, nor is the man always the perpetrator and the woman the victim. As modern theorists, social workers, and legislators have understood, the issue is much more complex. Conjugal violence is rather a type of relationship of abuse in which both partners may be exposed to different degrees and in different ways (Follingstad and Dehart 2000). From one perspective, it may be seen as a state of tension defined by psychosomatic aggressions, frustrations, and fears, the most sinister among which is perhaps the anxiety of failing to live up to social expectations. Such a condition can undermine a person's sense of self-worth and is policed not just by the partner but the entire community. This chapter will focus on how its normative aspects shaped its literary expressions.

Obviously, we cannot here survey the social, legal, and cultural history of the Byzantine family or the gender roles of men and women during the full millennium of the empire's history. Many other studies are devoted to those topics.<sup>2</sup> Inevitably, we are going to assume a degree of continuity across time and different regions, but we believe this is not only required but warranted. The coalescence of Greek, Roman, and Christian values and institutions that we call "Byzantium" remained relatively stable as a historical and therefore analytical category. As a result, the texts that we will present reflect a similar underlying logic of violence, albeit refracted through different circumstances and thematic concerns. This is the first study of the problem of conjugal violence in Byzantium,<sup>3</sup> especially in treating men equally as victims, and its aim is to expose the normative rules that governed its representation in Byzantine literature.<sup>4</sup>

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2 For the Byzantine family, see now the papers in Brubaker and Tougher eds. 2013, citing previous bibliography; for women, Beaucamp 1990–1992; Garland ed. 2006; and Herrin 2013; for children, see Papaconstantinou and Talbot eds. 2009; for eunuchs, see Tougher 2008; and Messis 2014a. The Byzantine household has not received much attention: see Magdalino 1984; for a dossier of texts relating to the household of the eleventh century that we know best, Kaldellis 2006.

3 For the western Middle Ages, see Klosowska and Roberts 1998; Salisbury, Donavin and Price 2002.

4 For late antiquity, and focusing on the victimization of women, see Dossey 2008, who tries to define the difference between the Eastern and Western Roman empire in this regard, and concludes: "Behind the Roman [here: western] attitudes may lurk a

## *The Normative aspects of Conjugal Violence*

In Byzantium, state and Church tried to define and regulate some forms of conjugal violence, to minimize or eradicate their effects, and to demand restitution by imposing penalties. They created an economy of violence monopolized by them and made an effort to replace private violence with the performance of a publically sanctioned violence. This gradual takeover highlighted certain forms of violence, including conjugal ones, as worthy of control, while leaving others aside as insignificant, effectively rendering them invisible.

Some of the forms of conjugal abuse that are reported in the literary texts (to be discussed below) were interdicted by the law, whereas others were more or less tolerated; still others were ignored or even encouraged. Some appear in the law of divorce and could lead to the legitimate separation of a couple. The man could ask for divorce if the woman had impugned his masculine honor (through her infidelity, immoral behavior),<sup>5</sup> caused him bodily harm (by attempts on his life, use of magic, or physical violence against him),<sup>6</sup> or jeopardized his attempts to procreate (through infidelity or abortifacients).<sup>7</sup> He could also demand a divorce if the woman was incapable of fulfilling her conjugal duties due to an incurable illness (madness or leprosy).<sup>8</sup> In the last case, madness is sometimes expertly distinguished from demonic possession, which did not constitute grounds for divorce.<sup>9</sup> As for the rights of women, they could demand divorce in the following cases: if the marriage threatened their chastity (through incitement to prostitution, baseless accusations of infidelity),<sup>10</sup> or their bodily integrity (by attempts on their her life, magic, physical violence),<sup>11</sup> or if the man could not fulfill his duties because

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recognition of the artificial nature of subordination. They needed violent means to keep the social order in place because they lacked the Greeks' mental skill at categorizing large segments of humanity as intrinsically inferior... Men in societies [again, western] where women enjoy greater public and economic influence may regard them as better able to bear violence" (39–40). See also Hillner 2013. A wider discussions that takes in modern concerns in Johnson ed. 2015.

5 *Ekloge* 2.9.2; *Basilika* 28.7.1.

6 *Ekloge* 2.9.2; *Eisagoge* 21.5.

7 *Eisagoge* 21.5; Leon VI, *Novel* 31.

8 *Ekloge* 2.9.2; Leon VI, *Novel* 111 (after three years).

9 *Ekloge* 2.9.4.

10 *Basilika* 28.7.1.

11 *Ekloge* 2.9.3; *Basilika* 28.7.1.

of an illness (again madness, leprosy),<sup>12</sup> was implicated in grave crimes,<sup>13</sup> or was sexually impotent for more than three years or absent for more than five (e.g., was made a prisoner of war),<sup>14</sup> and, finally, if he was convinced that she was cheating on him and persisted in this belief even after discovering that he was wrong.<sup>15</sup>

This rapid survey reveals the different kinds of violence, recognized or tolerated by the law, to which the two spouses might be exposed. Those against women were the most palpable. Apart from rape, abduction, and insult to her chastity and life, the other types of violence that women suffered (say, due to their husbands' jealousy) could be treated as banal, unremarkable events. The civil law was not indifferent to them, but what changed was the gravity that was attributed to different violent acts and the impact that they were expected to have on the couple's continuity. So, in *Novel* 22, Justinian considered physical violence between spouses to constitute grounds for divorce, but his *Novel* 117 takes a step back by imposing pecuniary penalties on the guilty party, but prohibiting divorce.<sup>16</sup> The hesitation in the law, subject to diverse interpretations and variations, characterized the entire Byzantine period and was crystallized in the tergiversations of the legislation of the Macedonian emperors (ninth-eleventh centuries) (Nikolaou 2003). Thus, in the *Eisagoge*, abusing one's wife becomes again a ground for divorce,<sup>17</sup> whereas the *Basilika* reintroduced fines and blocked divorce.<sup>18</sup> These laws further established a distinction between condemned violence (the use of whips and sticks) and violence of no concern for the law (slapping, kicks, or any attack not using whips and sticks).

In the legal collection known as *The Laws of the Homerites* (i.e., Himyarites), which reflects a Christian vision of a just society relatively unburdened by the heavy inheritance of Roman law, violence must be excluded from the marital relations between men and women, for all that those relations had to be governed by a strict hierarchy. A man is not allowed to violently strike his wife (τύπτειν), but has to restrict himself to lighter blows with the hands (πυκτεύειν), and that only when

<sup>12</sup> *Ekloge* 2.9.3; Leon VI, *Novel* 112 (after five years).

<sup>13</sup> *Basilika* 28.7.1.

<sup>14</sup> Justinian, *Novel* 22.5.6; see Laiou 1993, 182–183; for this *Novel* and Justinian's marriage legislation, see Beaucamp 2006.

<sup>15</sup> Justinian, *Novel* 117.8.9; *Basilika* 28.7.1.

<sup>16</sup> Justinian, *Novels* 22.15.1–2 and 117.14.

<sup>17</sup> *Eisagoge* 21.6.

<sup>18</sup> *Basilika* 28.7.7.

she has committed adultery, as the law does not allow divorce in that case. For her part, a woman is forbidden from mocking or insulting her husband on pain of penalties that rise from humiliation in a public procession to cutting off the tip of her tongue. If a woman dares to raise her hand against her husband, there is a provision that the hand may be cut off. In general, women are forbidden from using physical violence against any men, whether free or slave, except her own sons.<sup>19</sup>

Behind these provisions of the law, which are coldly stated, we can imagine various situations of emotional pain that is barely concealed, tensions that are badly managed, or even personal dramas that rarely make it into the light of our sources. We will attempt below to unearth some of those stories. A preliminary move in this direction is afforded by another category of judicial texts, namely rulings issued by bishops in divorce cases. These bishops had to confront the law's lack of precision while dealing with specific cases, but this gave them room for interpretation. Ioannes Apokaukos, the bishop and judge of Naupaktos and its territory in the thirteenth century, in one of his decisions established a distinction between corporeal violence administered for the purposes of correction, which was socially tolerated and legally permitted, and a spiral of conjugal violence that seemed to have no end and that, according to his interpretation, ought to be treated as an attempt on the life of the spouse and so could justify divorce (Troianos 1991, 47–48). We see that physical abuse against women by their partners was not clearly defined, and so the intervention of the law required the judge's discretion. Sexual violence within marriage (that is, forced coitus) did not concern the law except if other aggravating circumstances were present. In a case cited by the bishop and judge Demetrios Chomatenos, a contemporary of Apokaukos, a woman suffered physical abuse by her husband because she refused his desire to sodomize her. The jurist recognized that the law did not permit the dissolution of marriage for this reason but, as the woman was threatening to kill herself, he granted the divorce "so that the one evil [sodomy] would not be augmented by an even greater one [suicide], and so that inexperienced judges, cleaving to the letter of the law, do not provoke a death rather than lead [the people involved] to salvation."<sup>20</sup> As she was the victim of a brutal and perverted husband, the woman gained the sympathy of the judge.

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19 For the text of the Laws, see Berger 2006, 189–200. See Papathanasiou 1994, 238–240; Messis 2012, 237–238.

20 Chomatenos, *Decision* 17.

Another case, cited this time by Apokaukos, concerns a woman who hated her husband so much that she was unable to bear living with him. Because of this she was pressured by the rest of her village, insulted by her neighbors, and threatened by the representatives of the local bishop who had several times shut her with her husband in a small room so that they could consummate the marriage. All these efforts had failed because of her vigorous resistance, and so divorce was granted with a literary flourish: a quotation of a misogynistic pagan author, Sekoundos.<sup>21</sup> The social environment, acting here as the ultimate regulator of marriage, had exercised a manifold form of violence of its own on the woman to force her to conform to her perceived role as wife. Her resistance caused her exclusion and marginalization. She was certainly the victim of social pressure. But what of the shame that she must have brought upon her husband? It was presumably his “rights” and social standing that the local clergy were trying to safeguard in their heavy-handed way.

The Church recognized the reality of conjugal violence and called for mutual respect between spouses, for appeasement and concord, but these precepts remained at the level of moral advice that was not necessarily backed by the force of canon law. Conjugal violence was essentially considered a “private” matter and the representatives of the Church were not always prompt to get involved.

“Away from beating women! It is an outrage not only on the one who suffers it but also on the one who inflicts it ... There is nothing grave enough that gives you the right to beat a woman ... It is a mark of extreme injustice to commit such an outrage, as if she were a slave, upon a person who shares your life with you” counseled John Chrysostom.<sup>22</sup> Men ought to respect their wives, treat them (paternally) by forgiving their impertinence, which is, after all, only caused by the inherent weakness of their sex.<sup>23</sup> But when conjugal violence occurred despite these admonitions, several theologians advised women to suffer the blows stoically and remain patient. Witness John of Damascus:

“Even if your husband is rough and of savage character, a woman still ought to support him and not look for reasons to break their union. Is this man brutal?

<sup>21</sup> Apokaukos, *Decision* 7 (Bees).

<sup>22</sup> John Chrysostom. Many comparable passages from patristic authors can be cited. See Beaucamp 1995, 281. For Chrysostom’s attitudes toward violence in marriage, see Schroeder 2004; Hillner 2013, 31–36.

**26** <sup>23</sup> Theodoretos of Kyrrhos, *Therapy for Hellenic Maladies* 9.59.

Still, he is your husband ... Is he rough and disagreeable? Still, he is your own, and the part of you that has more honor.”<sup>24</sup>

In Christian thought, the indissolubility of marriage was a supreme principle and marital misconduct ought not to disrupt it.

To appreciate the difficult position of the Church and its representatives in the face of conjugal violence, we turn to *Lives* of saints and to related edifying tales (a genre that was produced throughout the Byzantine period).<sup>25</sup> In some of these texts, a holy man is invited to resolve intrafamilial tensions and to answer thorny questions relating to conjugal violence. These stories, of course, are introduced into not so as to document such ugly realities but so as to exemplify the constructive role of the saint and illustrate how his intervention imposes order back onto a disordered social landscape.

In some cases, violence against women provides an opportunity to correct their own wrongs, thereby again contributing to the restoration of the normative order. In one of the versions of the *Life* of St. Symeon Stylites the Younger, a man possessed by a demon is abandoned by his wife and left alone with their child. The saint, to whom the man turns for help, imposes a fierce punishment on her: he drives the demon out of the man and orders it to enter the woman, to scourge her savagely, and to drive her repentant back to her husband (Bompaire, 1954, 99–100). Here violence is placed in the service of the conjugal order; it is a legitimate violence, savagely administered by a representative of spiritual authority who acts as if he has been empowered to satisfy a common sense of justice. There are cases in which conjugal violence is presented as a wrong done to the woman and condemned, but where the saint’s intervention provides only a temporary solution. In the seventh century, St. Theodoros of Sykeon faced such a case. A man “had whipped his wife when he caught her committing some wrong. She then sought refuge in a monastery ... Sometime later, her husband came and wanted to take her back, but she refused to follow him.” Theodoros intervened and persuaded her to go; after reconciling the two, he counseled the husband first, telling him to love, respect, and honor his wife and to control his temper, and then he advised the wife to be temperate, chaste, and docile. Facing this thorny albeit very concrete situation, the saint fell back on traditional Christian moralizing and seemed to as-

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24 John of Damascus, *Sacra Parallela*, 245.

25 For this genre, see Binggeli 2014.

sume that the normative order could be actualized by that alone. Well, see how it turned out:

“When Daniel took his wife back on these conditions, he went home. But finding there a pretext against her, he struck her and cut off her nose. She now returned to the monastery and cried out against the saint, saying that by obeying his counsel she was now disfigured, and was thinking about bringing charges against her husband.”<sup>26</sup>

The saint now restrained her from that course of action, promising that divine punishment would overtake her husband. Indeed, the latter fell off his horse, broke his right leg, and was handicapped for the rest of his life. Clearly, this marriage had reached an impasse. The saint’s “help” had resulted in the man’s infirmity and the woman’s mutilation. Had the couple pursued their grievances before the secular courts, and perhaps obtained a divorce, at least they would have been unharmed. The saint was trapped between the principle of the wife’s submission and the endemic mistrust of a closed society, which balked at bringing its private matters before a public tribunal. He clung to allegedly discreet methods of resolving conjugal disputes that did not always work.

In the eleventh century, St. Lazaros of Mt. Galesion faced an analogous situation with better results. The wife of a priest was victimized by her husband’s verbal violence and physical blows, and she sought a divorce in accordance with the law. To obtain it – given that mere maltreatment was insufficient grounds – she prepared a magic potion that would drive her husband insane. The saint’s intervention in this case consisted in facilitating a divorce and leading the two spouses to accept the monastic life.<sup>27</sup> In this case, the saint accepts separation but nevertheless provides a solution that was both legal and pious.

As far as we can tell from the majority of our texts, physical violence against women surprised no one, it was an everyday occurrence, and it does not become significant unless it happened to involve the intervention of a saint.

<sup>26</sup> *The Life of St. Theodoros of Sykeon* 149, v. 1, 118–119 (text) and v. 2, 123–125 (translation).

<sup>27</sup> *Life of St. Lazaros of Galesion*, 545–546.

## *Literary constructions of conjugal violence*

If we turn to the literary representation of conjugal violence, we encounter a wider spectrum of behaviors. We must first emphasize that our texts present only cases of “exemplary violence.” These do not make-up a body of sociological “data” that we can quantify. The goal of the texts is to reinforce social norms, even if that is not initially apparent; they do this either by restoring normality to a situation defined by violence or by using violence to reintroduce the proper balance of power and virtue. Our narratives create fictions of victimization in whose internal logic both men and women can play the role of the victim.

### *The victimization of women*

In accounts where a virtuous woman is the victim, the male presence constitutes a threat, badly defined but omnipresent, against the heroine’s virtue, usually by way of sexual aggression. The genre of hagiography is full of cases of female saints who are physically abused by exemplars of masculine power, who are often their husbands, suitors, or even fathers (Constantinou 2005). Consider the case of Saint Barbara, who refused her father’s decision to marry her to a rich man. She declares that she is now a Christian and would follow the path of virginity. Her father, a pagan, is thereupon transformed into “her persecutor, executioner, and murderer.” At the moment of her martyrdom, he even becomes an agent of her death:

“Her father Dioskouros, that scoundrel and filicide, was not content to watch the torments to which his daughter was subjected... but he was ashamed if he did not himself kill her with his own hands. That is why, when the condemnation was pronounced, he recovered his daughter so that he could decapitate her himself.”<sup>28</sup>

The relationship between violence and normativity in this text is complex. The tale of Barbara is a martyrology, that is, a hagiographical narrative that extols a martyr as steadfast in the faith to the point of death. In this particular case, the goal of the text is to undermine conventional family expectations (the father will find a husband for his daughter, who will quietly marry him) and to affirm the supreme value of a newly-defined sexual purity.<sup>29</sup> The irony is that Dioskouros believes that his own violence is affirming traditional family norms whereas in fact it

28 Symeon Metaphrastes, *Martyrion of Saint Barbara*, 313c–d.

29 See Harper 2013 for the shift to a culture oriented around notions of sin.

is only annealing the resolve of his daughter to subvert them in order to manifest a different normative order: perpetual virginity. The extreme and counter-intuitive violence serves to underscore the vast gap that lies between the two.

In the martyrdom of Barbara, a father kills his daughter with his own hands to underscore the opposition of paganism and Christianity. By contrast, in two *Lives* of female saints of the tenth and eleventh centuries, St. Maria the Younger and Thomaïs of Lesbos, the heroines are martyred at the hands of their husbands, who beat them to death. It is not the violence itself that is condemned here but only unjust violence that is not deserved by the heroine. This violence stems their husbands' suspicion that the women are being unfaithful and because they are spending too much of the household's income on good works. The women here again are martyred because of their practice of Christian virtues (Laiou 1989; eadem 1996, 239–253 /introduction/, 254–289 /translation/; Halsall 1996, 291–296 /introduction/, 297–322 /translation/).<sup>30</sup>

We also have martyrdom accounts where sexual violence against women becomes a means by which the persecutors can break their spirit and cancel out a prerogative that endows them with symbolic power, namely their appeal to, and insistence on, their virginity. This violence, however, does not flow from the marital sphere but is inflicted on women who do not conform to social norms and the duty to marry.<sup>31</sup>

In most narratives of sexual violence against women, the man is usually a soldier, in other words he is a bearer of the most aggressive form of manly violence, even though he usually does not have a family relationship with his victim. In cases that he does have such a relationship, such as in the story of St. Euphemia and the Goth (likely from the fifth century), this violence is part of the general abuse of the heroine (von Gebhardt and von Dobschütz 1911, 148–199).<sup>32</sup> Sexual violence within marriage is not something on which the texts especially focus, just as it did not constitute a major problem in the law (as we saw above). Finally, a unique and also fully acceptable form of violence against women by their husbands is that which stemmed from the couple's childlessness. In this patriarchal society,

30 A longer version of this tale from the fourteenth century places even more emphasis on the violent character of the husband, who is presented as a demonic figure: see Efthymiadis 2015.

31 There are many such narratives, e.g., the *Passio of Domna*, 1061–1065.

32 See also Messis and Papaioannou 2013.

unless a man was a eunuch he was exonerated fully in the eyes of others from any blame for this condition, for which his wife bore full responsibility. Many women in hagiography are abused by their husbands for this, beaten and insulted, until divine intervention gives the couple the desired offspring. The most striking case is that of Leukippe and Kleitophon, who, the classicist reader may remember, were happily married in the romance novel of Achilles Tatios, but who, in the inventive hagiographical sequel to their story, were subsequently unable to bear children. The ancient novel's romantic love is turned by hagiography into a setting for physical violence. Leukippe is beaten and insulted by her husband until, through the intervention of a saint, she becomes fertile, proving that God can fix all.<sup>33</sup>

In texts where women are the victims, violence itself is not the issue. It is deployed to highlight Christian agency and as a means to underscore, and in some cases symbolically ameliorate, social and ideological tensions and anxieties.

### *The victimization of men*

The violence suffered by men in Byzantine literature is more diversified than that suffered by women, and probably interested readers more. Again, we will focus on cases where they are victimized by their wives. The latter range from diverse images of evil women in both high-brow and popular literature, to entries in anthologies that focus on an impressive range of feminine vices, and to stories of women whose wicked tongues drench their poor husbands in a torrent of abuse and recrimination. Take for instance the wife of St. Philaretos (eighth century), who would rail at him and call him mad, senseless, and cruel for squandering their wealth to help the poor.<sup>34</sup> Here again violence (albeit verbal) aims to reinforce traditional social norms by casting its victim as failing to perform a crucial role (the man of the family as the provider), but only ends up having the opposite effect, that is strengthening his image as a Christian at odds with that role. Consider also the cantankerous wife of Ptochoprodromos (a fictional character of the twelfth century), who overwhelms him with mockery and abuse by reminding him of his ongoing professional failure.<sup>35</sup> The purpose of these stories, fictional or not, is to

33 Eutolmios, *Passion of Galaktion and Episteme*, 228–247; and Symeon Metaphrastes, *Passion of Galaktion and Episteme*, 250–269. For this relatively unknown text, see Robiano 2009; Messis 2014, 325–326.

34 *The Life of St. Philaretos*, 68.

35 Ptochoprodromos 1.158–163.

negotiate the social roles, through the medium of conjugal violence, in order to achieve a specific literary effect (hagiographic and satirical, respectively).

However, it is the figure of the female seductress, who is omnipresent in Byzantine literature that provokes within the masculine imagination the highest degree of victimization-anxiety. Her mere presence exudes a diabolical charm; her lewd behavior, which ranges from the use of magic to the attempted rape of the man, the seductress is the virtually indispensable counterpart and companion of the male protagonist. She appears regularly in hagiography, and reinforces the ideological goals of that genre by forcing the saint to erect ever taller emotional and spiritual barricades against the temptations of his own flesh.<sup>36</sup> Matters become all the more dangerous when the temptress is also one's wife. The text must find ways to neutralize her and thereby restore the normative order, or draws attention to her precisely to demonstrate how deeply that order had been subverted by a regime to which the author is opposed.

The most striking example of a text which highlights the conjugal disorders caused by an evil political order is the *Secret History* of the sixth-century historian Prokopios. The first part of this work attacks a pair of couples, the emperors Justinian and Theodora and the general Belisarios and his wife Antonina. Prokopios highlights the sexual promiscuity of both women, hints at their use of magic to dominate men, and reveals, in the case of Antonina at least, the emotional damage that she inflicted upon the men whom she hounded and oppressed. Antonina disrupted the conjugal order by starting an affair with her husband's adopted son, Theodosios, in effect her own son. This caused Belisarios understandable anxiety in itself; but because he was led to harm public interests through a preoccupation with his own domestic humiliation, he was reviled in public as well. He was being criticized less as a *general* and more as a *husband*, for failing to keep his household in order: all aspects of his life were turned upside-down.<sup>37</sup> To sap his will and further subject him to her power, Antonina conspired with Theodora to keep Belisarios in a state of suspense as to whether he would be arrested and executed by the regime. A calculated series of humiliations led him to retreat to his chambers

36 In ascetic hagiography the seductress is not, of course, the saint's wife.

37 Prokopios, *Secret History* 2.21. Antonina also hounded her lover Theodosios, even after he wanted to end it: in an inversion of gender roles, he becomes a pursued victim, returned to Antonina as a gift by Theodora after his escape. For Prokopios' gender rhetoric and inversions, see Kaldellis 2004, 142–150.

“in a state of terror; he sat alone upon his bed, having no intention of doing anything brave, not even remembering that he had once been a man. His sweat ran in streams. He left light-headed... All the while Antonina was fussing about the room pretending to have heartburn.”<sup>38</sup>

When the imperial messenger arrived, he announced that Belisarios was being spared ... as a favor to Antonina.

Prokopios is not interested in “resolving” this situation and reimposing normalcy, although he believed that it was the part of a true man to show some backbone. Thus he and others criticized Belisarios for meekly following orders after this humiliation rather than taking the army that he was given and turning “to do something noble and befitting a man against his wife and against those who had violated him.”<sup>39</sup> This section of the *Secret History* is precisely about the subversion of masculinity effected by Justinian’s regime of whores; according to classical theory, this was hallmark of tyranny. Theodora likewise meddled in the marriages of other Roman aristocrats, using her imperial station to support the wives against their husbands, enable their adultery, and thereby undermine the traditional order of marriage. The men were happy simply not to face the whip, even as their women flaunted their infidelity.<sup>40</sup> This is conjugal satire as political polemic.

By contrast, some examples of the neutralization of the diabolic woman and the restoration of the normative order are found in hagiographical narratives. One of the most striking is the tale of the poor farmer Alexandros who married a woman of loose morals. “Within a few days of her wedding, she managed to seduce all the men who lived in their village.”<sup>41</sup> Whoever dared to reproach her behavior incurred her wrath and she made them ill through magic; and whoever struck her, faced certain death. Her husband tried at first to bring her to order through beatings, but she neutralized him through illnesses and effectively reversed the direction of conjugal violence: it was now she who picked up a cane or a rope when she was angry and beat her hapless husband, finally expelling him from their house. This story came to the attention of St. Basileios the Younger when the woman turned her amorous attention upon his own disciple and future biographer. When he refused to submit, he too fell ill. The saint saved his disciple by taking him to

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38 Prokopios, *Secret History* 4.22–23.

39 Prokopios, *Secret History* 4.40.

40 Prokopios, *Secret History* 17.24–37.

41 *The Life of St. Basileios the Younger*, 320.

Constantinople, but he did not impose any punishment upon the woman other than leaving her behind in her village. Still, his disciple later wished that he had killed her. In this story, female violence, aided by magic, is presented as menacing, invincible, and entirely outside the bounds of the law, whereas masculine violence is ineffective albeit lawful. The restoration of the normative order is only partial.

Besides suffering physical beatings, men were also exposed to psychological violence by women. This works most efficiently when it mobilizes social pressure against a man, by striking at his manhood and honor. An acute form of anxiety was caused by the fear of not being able to perform sexually for a long period of time. The obsession with masculine performance victimized men, made them fragile, and exposed them before their peers in a markedly antagonistic society where – as one author puts it – “the erection of one’s rod counts as a form of glory” and where one suffered the consequences of sexual inadequacy.<sup>42</sup> As we saw, the law authorized divorce in case of “incapacity in sexual relations” lasting for three years.<sup>43</sup> In the legal dossier of Apokaukos, among a dozen cases in which divorce was granted, two concerned a spouse’s inability to perform sexually, “a fact that makes wives into the enemies of husbands.”<sup>44</sup> In the dossier of Chomatenos, we find three such cases.<sup>45</sup> To discuss them, he uses the legal term *imbecilitas*, which in Greek becomes ἡλιθιότης, a word that has connotations of idiocy, effeminacy, and passivity.

Sexual activity was tacitly recognized as the basis for marriage, and so the man’s impotence, when it was not the result of choice as in the case of future saints, was the source of constant frustration. “Those who fall in love or who are married but cannot perform the duty of a man are consumed by shame and depression,” remarked a Byzantine medical writer, Paulos of Nikaia.<sup>46</sup> In these cases, social pressure turned into an introspective violence which consumed a man’s soul. The doctors suggested certain solutions to deal with the problem.<sup>47</sup> They prescribed exercises, potions, unctions, rubbing with pepper, nard, and other substances, like those with which the emperor Romanos III Argyros (1028–1034) experimented in

42 Theophylaktos of Ochrid, 329.

43 Leon VI, *Novel* 112.

44 Apokaukos, *Decision* 12, 18 (Petrides).

45 Chomatenos, *Decisions* 12, 123, 132.

46 Paulos of Nikaia, *Medical Manual*, 167–168.

34 47 Paulos of Nikaia, *Medical Manual*, 168. See also Aetios of Amida, 123–126.

order to fortify his masculine vigor and impregnate his wife Zoe, who was in her fifties;<sup>48</sup> or the promiscuous Andronikos I Komnenos (1182–1185) to enhance his sexual performance.<sup>49</sup> An unusual pharmacology was circulated to ensure sexual activity and appease men's anxiety about their sexual performance (Delatte 1939, 449–450, 624; cf. Kousis 1945, 55, 60–61).

Impotence could also be caused by magical means, such as with marriage “bindings.”<sup>50</sup> In this case, the punishment of those responsible was quite harsh, for no one could be allowed to impair the masculine honor of another. One such punishment was imposed on Theodora Palaiologina by the emperor at Nikaia, Theodoros II Laskaris (1254–1258). Her daughter had married a man whom the emperor had selected and was distraught over the dissolution of her engagement with another man. As the new spouse was unable to perform his conjugal duties, the emperor asked him whether he believed that he had been the victim of a magical attack by his mother-in-law, and the man said that it was so. One may suspect that we have here a strategy for exculpating a deficient husband. The emperor was now furious and believed that the magic was targeted against *him* as the one responsible for the marriage. He placed Theodora in a sack full of cats that began to rip her apart, to force her to confess her guilt. But the brave lady would not admit that she was in the least responsible for the unhappy state of her son-in-law, and so she was released from this torture, in a pitiful state, more dead than alive.<sup>51</sup>

In this case, a man's impotence is considered to be the product of a subtle act of violence exercised by women. The remedy brought to bear on this violence, which mixes together magic and unperformed social duties, is physical violence inflicted upon the suspected woman. This typology (of a sinister female violence and a brutal physical masculine violence) is a frequent scenario determined by specific cultural priorities. The categories of violence presented in the texts follow a sexual logic according to which each sex claims one of its forms.

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48 Michael Psellos, *Chronographia* 3.5.

49 Niketas Choniates, *History*, 322.

50 For magical practices in Byzantium, see Koukoules 1948–1956, v. 6, 167–261; Greenfield 1998; and idem 1995; Vikan 1984, 65–86 (for the relations between magic and medicine).

51 Georgios Pachymeres, *History*, v. 1, 57; for the episode, see Greenfield 1995, 124–125.

## Conclusions

Conjugal violence is manifold: it can be both disruptive and unjust but it can also structure the couple according to widely accepted social norms and make it into a hierarchical social cell. We have surveyed briefly certain types of such violence, looking always at specific examples, in order to illustrate the complex issues that they encode. Our effort does not aim at finitude, but merely aspires to initiate a conversation on how to best understand Byzantine society. The debate over violence within a couple leads to the broader question over social violence in general, its manifestations, the modalities of its regulation, and its literary constructions. Readings of violence reveal the matrix of the values and flaws of an entire social system and show how its normative orders were constituted, broken down, and (in theory) reconstituted. Its representation in texts is but a potent means for the representation of a society in its totality.

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### *Rezime:*

### *Supružničko nasilje i ideološka konstrukcija vizantijskog braka*

Ovaj članak donosi prvo istraživanje uloge supružničkog nasilja u Vizantiji, uzimajući u obzir njegovu upotrebu (i ponekad odobravanje) kao mehanizma za osnaživanje normativnih društvenih uloga, kao i njegovo predstavljanje u književnim tekstovima koji imaju za cilj da oporave oštećeni društveni red ili da potkopaju nelegitimni red. Fokusiramo se na normama koje su utemeljene u vizantijskom zakonu, a potom nudimo preliminarni, ali širokog opsega, pregled epizoda iz hagiografije i istoriografije koje ilustruju kako su Vizantinci razmišljali o ovom problemu. Članak uključuje i fizičke i psihološke vrste nasilja i ne zanemaruje ređe slučajeve viktimizacije muškaraca od strane njihovih supruge. Vizantijska koncepcija supružničkog nasilja je bila muško-centrična i žene su mu bile podložne kao „prirodno” inferiorna bića, iako je bilo slučajeva kada su i one mogle da budu nosioci nasilja.

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**Ključne reči:** Vizantija, nasilje, porodica, zakon, razvod, rodna istorija, žene, književna reprezentacija društvene istorije.

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