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POLITICAL AXIOLOGY OF EMPEROR JUSTINIAN: A LEGACY
OF ALEXANDER THE GREAT

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Abstract

The article is devoted to the issue of the Hellenistic inheritance in the political and legal activities of the outstanding Eastern Roman (Byzantine) emperor Justinian the Great (reign: 527–565 AD). Such a legacy is understood by the author as the perception and development of the ideological attitudes developed by Emperor Justinian during the reign of Alexander the Great (reign: 336–323 BC). The author's research made it possible to establish the key ideas of the political axiology of Alexander the Great: a) determination of the person of the ruler as a mediator between the population of the empire and God; b) the function of the government is to ensure the communication of the emperor (“mediator”) with the provinces and subjects; c) peoples subject to the emperor are collective symbols of divine control over every human life. Consequently, the meaning of the political axiology of Alexander the Great is the sacralization of intermediary functions. The category “people” appears to be the embodiment of mediation between an individual subject and the state structures of the empire. While maintaining political independence, de jure they were under the “patronage” of the emperor. Justinian the Great repeatedly used this legal trick to expand the zone of geopolitical influence of Byzantium. As a result, according to the author of this article, the territorial scope of Justinian's legal suzerainty exceeded the largest expansion of the Roman Empire during the principate period undertaken by Emperor Trajan (reign: 98–117 AD).

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1. Introduction

In the 4th century B.C. Alexander the Great tried to replace the Achaemenid state of the Persian-Medes with a conglomerate of Greek poleis led by himself (Strechie, 2018). In this desire to act according to the precepts of his teacher and educator Aristotle, one very important historical and legal tendency arose. It was ideological and did not seem to come into radical conflict with the teachings of Aristotle about the forms and types of government, with his immortal *Politics* and *Ethics* (Brocco, 2016). Relying on the works of Plato, Thucydides and Xenophon, like all the ancient kings of Athens or Sparta, Alexander, of course, took on the role of a public-law arbiter in relations between various cities and tribes, the role of a supreme judge and priest – a representative of an archaic jurisdictional branch of government, which existed in Ancient Greece even before the invasion of the so-called “Sea Peoples” in the 13th–9th centuries B.C.

To ensure the successful fulfilment of this role, Alexander longed to unite the numerous tribes of Egyptian, Semitic, Indo-Iranian, and Turkic origin around the city-states, as was the custom in ancient Greece (Burn, 1951; Djurslev, 2020; Strechie, 2018). He did not want to fulfil the functions of the king of the legendary Homeric Troy Priam or become Odysseus, who was looking for more and more lands in the Mediterranean Sea. He longed to create new political axiology – to change not the form, but the value development of the Aristotelian polis system. In this lies the key to his ideological immortality (Djurslev, 2020). Alexander the Great became truly great for the history of political thought precisely because he saw in the title “king of Asia” (330 B.C.) assigned to him an opportunity to rise above the despotic powers of Priam, and above the aristocratic powers of Odysseus, and above the military – the democratic powers of Agamemnon, and even over the local dependence on weather and climate conditions (for example, in the interfluvium of the Tigris and Euphrates or along the course of the Nile River, which existed among prominent Egyptian pharaohs, such as Akhenaten the Reformer (reign: 1364–1347 B.C.).

Alexander put the meaning of ancient arbitration into the new title of “king of Asia”. All tribal leaders and regional princes could remain in their posts if it was his will. Besides, they could all be guided by their customary traditions (Burn, 1951). The most important thing in the political-legal connection of the provinces and peoples with the Asian empire of Alexander is the oath of all these local Priams, Agamemnons, Odysseus and Akhenatons “of allegiance to the king”. The legal structure of Alexander's “kingdom” needed only the personal oath of the regional ruler and the obligation to send military contingents on a campaign on demand. Besides, the Greeks, as the new rulers of the Achaemenid lands, pledged to build separate cities for all peoples, which were supposed not only to develop the “Asian barbarians” economically but also to help the agrarian or mountain-cattle-breeding areas to settle down according to the model of the polis territorial division of Ancient Greece. The oath, military service, and the construction of city-states – this is what the administration of Alexander, the first king of nations that simultaneously belonged to several radically different civilizations, forced to do. Everything else – the nature and course of internal life, civil and criminal legal relations – all this remained on the “conscience” of the rulers and subjects of specific lands. Proposing such a model of supreme and, at the same time, decentralized power (federal), Alexander the Great gave an example to his main imitator – Justinian the Great (reign: 527–565), who ruled nine centuries later (Djurslev, 2020).

2. Problem Statement

The problem of the meaning of the powers of the “sovereign” is the most important component of political axiology – the science of political and public-legal values. The concept of “the value of supreme power” developed throughout the entire period of antiquity (Burn, 1951). The peak of ideological quests falls on the time of the constitution of the Eastern Roman Empire (Byzantium) (Cavanagh, 2017). The Christianization of Byzantium led to a change in the title and essence of the imperial power (Manzano, 2018). The emperor turned into a “protector” and “patron” (De Nardi, 2020). Paradoxically, Christianization contributed to the practical return of the Greco-Roman Mediterranean to the ancient practices of the arbitration powers of kings. Therefore, we are interested in the functional component of the political axiology of the Emperor Justinian – the question of the meaning of his power.

3. Research Questions

Understanding the global value of power during the time of Justinian (527–565) is impossible without studying the leading public law practice – *lex foedus* (Melnyk, 2018).

Granting the “barbarian” tribes the status of “federates” allowed the emperor to “expand” the scope of his power. He could consider himself the ruler of not only the full citizens of the empire or all Christians in the world, but also all those tribes who swore allegiance to him (Manzano, 2018). The benefit was twofold. On the one hand, the “barbarian” tribes, receiving *lex foedus* from the emperor, were included in the legal sphere of the emperor's powers. On the other hand, these tribes retained an internal sense of political independence (Melnyk, 2020).

In the 6th century A. D. legal relations of the Eastern Romans with the Germans, Slavs, Avars and Turks, according to the *lex foedus* regime (Stein, 1949), were built absolutely like the scheme according to which in 330–323 B.C. Alexander the Great was engaged in the state building of the Asiatic kingdom (Burn, 1951). These relations, it must be agreed, were very similar in their legal sense to the feudal practice of vassalage-suzerainty (Heather, 2014).

4. Purpose of the Study

The main mission of this article is to present the principles of the mediation theory of imperial power based on the reception by Emperor Justinian of the management strategy of Alexander the Great.

5. Research Methods

To implement the research purpose, the following were used: the comparative historical method, which made it possible to analyze the theoretical heritage of the epochs of Justinian the Great and Alexander the Great; the method of diachronic analysis, which made it possible to consider the relationship between the political axiology of the “Asian kingdom” and Byzantium as a single form of the consistent political evolution of Hellenism.

6. Findings

Due to certain circumstances, geographical transformations, and, accordingly, changes in the course of economic history, the relationship between the feudal lords of medieval Europe cannot be automatically transferred to the relationship between overlords and vassals in late antique Eurasia. Although there are many studies by domestic (Metelev & Zulfugarzade, 2019), Iranian (Pourshariati, 2008), and Turkish (Çağlayan, 2020) scholars who believe that feudalism was actively developing in Persia and the east of the Roman Empire since the 2nd century A.D., we must understand that Christian Byzantium was economically in the ancient mode of production and trade until the Muslim expansion of 632–655 (Lot et al., 1935; Heather, 2014). After the Arab conquest of most of the provinces of the Eastern Roman Empire VII century A. D. collapsed Mediterranean trade communication and the idea of Alexander the Great in its Greco-Roman interpretation (Burn, 1951). Mediterranean trade, economic and socio-cultural communication lasted from the 10th century. B.C. until the middle of the 7th century A.D. For almost seventeen centuries, except for a century-old Vandal-Alanian break of 429–533, this communication held Spain, Libya, Gaul, Italy, Tunisia, Mauritania, Illyricum, Hellas, Egypt, Syria, Asia Minor, Palestine, Thrace, Crimea, Northern the Black Sea region, Armenia and Assyria in one civilizational “cage” (Melnyk, 2018). The language of government was Latin, the dominant language of culture, trade, and education was Greek, proficiency in Phoenician, Aramaic, Syriac, and Persian was encouraged, the traditions of individual provinces and territories were not abolished, but, on the contrary, were stimulated and supported first by Italian, and then by the Bosphorus Rome (Corcoran, 2017).

The relationship between the tribes of the federates and the East Roman emperor at all stages was the relationship between the suzerain (emperor) and the vassal (leader of the federation tribe). Vassal chiefs received titles from the East Roman emperor:

- dux (governors for the provinces);
- magister militum (supreme military leaders);
- comes (generals or in the German version – “Herzog”);
- rex (“kings” - in the late Germanic and Slavic manner);
- árchontes (in the late Slavic manner “knyaz”).

Accordingly, in the 6th century A.D. kings, princes and dukes were appointed throughout Europe, the Middle East, and North Africa exclusively by the emperor of the Eastern Roman Empire. They took an oath of allegiance and a personal oath to him. The emperor also vowed to protect the federated subjects. Isn't there a formal legal expression of vassal-suzerain relations? Accordingly, the situation is not in the relationship “slave-master” or “producer-instrument of production” when we must distinguish between feudalism and antiquity. This distinction depends on the worldview of the people (Brendel, 2016). At the same time, in the Middle Ages, many aspects of this worldview did not change at all regarding the ideas of Alexander the Great. The Roman Empire, developing the postulates of “Iskander”, came to the political structure of the dominat (284–480), and then completely began to claim the status of the Christian Ecumene (Brocco, 2016). In conditions when the emperor of the Eastern Roman Empire called himself “the ruler of all Christians of the Ecumene”, we can talk about undisguised mondialism – the ecumenical claims of the imperial power of New Rome (Harries, 2013).

The whole world, after Christianization, potentially had to recognize the power of the emperor of the Eastern Roman Empire and his legitimate, from the standpoint of legislative codification and patristic legal ethics, the right to “patronize peoples and states”, recognizing them as their federal subjects, demanding an oath of allegiance and obedience in return (Brendel, 2016). Justinian the Great (527–565), thus, having carried out the codification of Roman civil and public law (Meteev & Zulfugarzade, 2019), created a harmonious doctrine of the closeness of the Roman emperors who are obliged to exercise power over all Christians, and indeed over all nations evangelized in the future (Manzano, 2018). This public-law principle explained the agreements on the provision of *lex foedus* to the Avars in 558, the Turks in 567, and earlier – relations under the federal treaties with the Antsky Union, Kutrigurs, Utigurs, Black Sea Ostrogoths, Arians-Gepids, and Lombard Arians, Iranian-speaking Savirs and Alans of Ciscaucasia (Heather, 2014; Kim, 2013).

Justinian the Great, using the prerogative of providing the *lex foedus*, created huge polities.

Avar Khaganate (558–805) – to a greater extent, while the Türkic Khaganate (552–603) – to a lesser extent – the creations of the emperors of the Eastern Roman Empire. These organisms were alliances of federates in the Eastern Roman service, and their kagans bore the titles of “rex” and “archons”. They did not go beyond the Roman public law field (Akinfieva & Vorontsov, 2020). De jure, they recognized the emperor of the Eastern Roman Empire as their overlord and supreme ruler (Melnyk, 2020). What does this indicate? In our opinion, that the power of the Eastern Roman Empire was recognized by the Byzantine theory of ecumenical law, universal and ecumenical, as divine power and based on the domination of the Christian Church. All other peoples, even non-Christian ones, sooner or later, were to become part of the Eastern Roman Empire, according to a certain “God's plan”, recognized as a legal source in the codification acts and edicts of the emperors (Brendel, 2016). Consequently, the Eastern Roman Empire was not just a state. She was considered by her contemporaries-lawyers to be the legitimate “Creator of States” insofar as the Lord God was the Creator of All That Is. After all, the emperor allowed himself to be titled “the viceroy of Jesus Christ on Earth”.

The Eastern Roman Empire proceeded from the primacy of God's closeness of the Byzantines. In the light of the canons and decrees of the Ecumenical Ecclesiastical Councils, she acquired the highest goal – to make orthodox Chalcedonian Christianity a universal religion (Djurslev, 2020). God, in this legal logic, was considered the Supreme Reason and the Creator of the Ontological Order (Taxis) (Akinfieva & Vorontsov, 2020). The Eastern Roman Empire was chosen by God to Create Legality within this Taxis, with God's Blessing (Brocco, 2016). Thus, the Eastern Roman Empire, combining the ancient idea of Alexander the Great about the structure of the Asian kingdom (4th century B.C.) with the concept of the Salvation of Mankind by Jesus Christ (1st–2d centuries A.D.), considered itself not a state, but The Creator of States, the Executor of the Will of the Creator (Djurslev, 2020).

The philosophy of law, with its rich traditions of studying Roman jurisprudence, has repeatedly proved that there is enough rational grain in the irrationalism of the Eastern Romans (Brocco, 2016). Therefore, in the notorious context of the religious genesis of power, we are talking more about the inheritance of the political axiology of Alexander the Great (336–323 B.C.) by Byzantium. Let us formulate its key ideas:

- there is one supreme ruler – he is the embodied highest value of the connection between the Divine and the Human (Stein, 1949);
- there is an approximate government group – their value lies in the fact that they provide a connection between the Supreme Ruler and the leaders of individual countries (Ruiz, 2017);
- there are governors and archons – conditional “kings” and “princes” of individual countries and peoples, who have permission from the Supreme Ruler for the independence of internal decisions, possessing the sacred value of connecting the Supreme Ruler and his entourage (“government”) with the population of the territories entrusted to them (Esders & Reimitz, 2019);
- there are peoples inhabiting certain territories through tribal organization and economic adaptation to specific geographic conditions. Their value lies in the fact that they are a composite symbol (image, reflection, “mosaic picture”) of all individuals (Brendel, 2016; Manzano, 2018).

7. Conclusion

The reign of Justinian the Great is valuable in that he not only adopted the axiology of Alexander, like all previous Roman emperors, starting with Octavian Augustus (27 B.C. – 14 A.D.) (Djurslev, 2020) but also made every effort to implement it while being in more difficult conditions than the Roman emperors of the 1st–3rd centuries AD due to the Great Migration. (Manzano, 2018) Justinian the Great accomplished an expansion of the boundaries of his power unattainable for his predecessors, using the tools of the Christian Church, the emperor made his persona a sacred symbol of the Christian liturgy and part of the local political discourse in all countries, both Greco-Latin and barbaric, on the territory Europe, Asia and North Africa (Heather, 2014). All that remained was to conquer Persia, which, however, turned out to be an impossible task for the Byzantine emperors; as a result, it led to the emergence, growth, and geopolitical successes of a new world religion – Islam (Çağlayan, 2020; Pourshariati, 2008).

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