

THE NIKA RIOT: A REAPPRAISAL

THE uprising which took place in Constantinople in January 532 has long attracted the attention of scholars, the first significant contribution being J.B. Bury's magisterial article of 1897.¹ My present aim is to re-examine the Nika riot, and to set it in its wider context: it will be argued that the significant place assigned to it in accounts of the reign of Justinian distorts the reality of late fifth-sixth century Constantinople. The riot was by no means an isolated outbreak of popular discontent, but just one in a whole series of bloody confrontations in the capital.² It has engaged the interest of historians more than other disturbances for the same reason that Justinian's reign attracts such frequent biographies, while Anastasius' remains neglected: the wealth of sources available for the riot of 532 is much greater than for any other such event.

Constantinople, like the other major cities of the eastern empire in the early sixth century, was a violent place.³ This stemmed in part from the existence of bands of partisans whose activities reached their peak in this period; these will be discussed more fully later. More general causes can be traced, however. A general increase in population has been observed, which was eventually brought to a sudden halt by the plague that swept the empire in 541-2 and at regular intervals thereafter.⁴ The imperial capital was the destination of many provincials—to such an extent that Justinian was forced to create a new post in 539, that of *quaesitor*, in order to check the large numbers arriving in Constantinople. In 532 it is known that there had recently been an influx of provincials into the capital, who may have come in part to protest at measures

¹ 'The Nika riot', *JHS* xvii (1897) 92-119, cf. J.B. Bury, *History of the later Roman empire from the death of Theodosius I to the death of Justinian* ii (New York-London 1958) 39-48. There is a detailed treatment of the uprising by A.A. Chekalova, *Konstantinopol' v VI veke. Vosstanie Nika* (Moscow 1986, henceforth *Konstantinopol'*), cf. *eadem*, 'Narod i senatorskaja oppozitsija v vosstanii Nika', *Vizantiskij Vremennik* xxxii (1971) 24-39; note also the review of the book by F. Tinnfeld in *JÖBG* xxxviii (1988) 442-4. Mention should be made of the extensive discussion of the riot in C. Gizewski, *Zur Normativität und Struktur der Verfassungsverhältnisse in der späteren römischen Kaiserzeit*, Münchener Beiträge zur Papyrusforschung und antiken Rechtsgeschichte H.81 (Munich 1988), who considers the riot from a sociological perspective.

Briefer accounts may be found in E. Stein, *Histoire du bas-empire* ii (Paris 1949) 449-56, J. Martindale, *Public disorders in the late Roman empire*, unpublished B.Litt. thesis (Oxford 1960) 32-5, A. Cameron, *Circus factions: Blues and Greens at Rome and Byzantium* (Oxford 1976) 278-80, J. Moorhead, *Justinian* (London 1994) 44-9 and, most recently, J.A.S. Evans, *The age of Justinian: the circumstances of imperial power* (London 1996) 119-25.

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² Riots elsewhere will not for the most part be considered here, though it should be noted that factional strife was by no means confined to the capital, cf. the bloody riots in Antioch under Anastasius: Malalas, *Chronographia* (henceforth *Mal.*) ed. L. Dindorf (Bonn 1831) 395-8 (tr. E. Jeffreys, M. Jeffreys and R. Scott, *John Malalas. The chronicle* [Melbourne 1986] 222-3), cf. Cameron, *Circus factions*, 198-201 on factions throughout the east. For a catalogue of riots elsewhere, cf. Gizewski (n.1) 206.

³ Cf. e.g. Cameron, *Circus factions*, 294, on the 'relatively high level of popular disorder' tolerated by Roman emperors, noted too by P. Veyne, tr. B. Pearce, *Bread and circuses* (Harmondsworth 1990) 392-3 and W. Nippel, *Public order in ancient Rome* (Cambridge 1995) 112; cf. also E. Patlagean, *Pauvreté économique et pauvreté sociale à Byzance, 4e-7e siècles* (Paris 1977) 213 and Averil Cameron, *The Mediterranean world in late antiquity* (London 1993) 171-4. From 500 it may have become yet more violent as a result of the closure of the theatres and the consequent unification of theatre and circus rowdies, cf. Cameron, *Circus factions*, 225-7 and *id.*, *Porphyrius the charioteer* (Oxford 1973) 232, 239; but as Patlagean, *op. cit.*, 211, notes, Anastasius' measures were not wholly successful. Gizewski (n.1) 206-9, argues (not altogether persuasively) for an underlying discontent with the imperial system behind the incidences of violence, while conceding that no effort was ever made to change it.

⁴ On the population rise and the influx into the cities cf. R. Fossier, ed., *The Cambridge illustrated history of the Middle Ages* (Cambridge 1989) 164-7, Patlagean (n.3) 302-3 and Cameron, *Mediterranean world*, 172, 180. On the plague, cf. J. Durliat, 'La peste du VIe siècle' in *Hommes et richesses dans l'empire Byzantin* i, V. Kravari, J. Lefort and C. Morrisson (eds.), (Paris 1989) 107-19 with the remarks of J.N. Biraben, *ibid.* 121-5.

being implemented by the praetorian prefect John the Cappadocian.⁵

As the seat of imperial power Constantinople differed from cities such as Antioch and Alexandria, for it was here that the emperor had his residence throughout almost all of the fifth and sixth centuries. A riot in Antioch might result in the death of the *comes Orientis*, but inevitably another would follow, along with bloody reprisals. The ruler of the entire empire might, however, be threatened by disturbances in Constantinople: hence riots there were of particular concern to the emperor (as well as to historians, chroniclers and excerptors, as a result of which we are much better informed about rioting in the capital than anywhere else in the empire).⁶ Such a situation has been well documented for a later period by Eric Hobsbawm. He regards the relationship between the urban poor and the rulers in large pre-industrial cities as 'equally compounded of parasitism and riot'.⁷ His analysis of such cities in the seventeenth and eighteenth centuries can well be applied to Constantinople. Of the three typical features he identifies in riots in pre-political societies two may readily be observed in the disturbances discussed below: (1) a claim to be considered—that is, the 'mob' expected to accomplish something by rioting, and that the ruler(s) would heed its demands; (2) rioting was directed against the rich and powerful; the third feature, a hostility for foreigners, was less often in evidence in Constantinople.⁸

Three further aspects of Hobsbawm's study of 'the city mob' should be mentioned. He underlines the conservative nature of the mob, emphasising its underlying loyalty to the ruler, who is seen as symbolising the people. The ruler is thus generally viewed as being a just governor, even if this characteristic is not observable in his servants; it is supposed that he would rectify any such injustices as soon as he were made aware of them. The corollary of this is that this loyalty may dwindle if the ruler fails to respond when these injustices are brought to his attention; and if he fails to rectify them, like Tsar Nicholas II of Russia, then he risks losing popular support altogether.⁹ Second, Hobsbawm stresses that the mob did not consist

⁵ John Lydus, *De magistratibus*, ed. R. Wünsch (Leipzig 1903), tr. A.C. Bandy, *Ioannes Lydus on powers* (Philadelphia 1983) iii 70 (p.162.10-13), Zachariah of Mytilene, tr. F.W. Hamilton and E.W. Brooks (London 1899) ix 14; Stein (n.1) 442-9 on John's measures and the influx, cf. Gizewski (n.1) 168-9, Chekalova (n.1) 38 and Evans (n.1) 125. Given that John had held the prefecture for less than a year by January 532 (cf. *Prosopography of the Later Roman Empire* iii, ed. J. Martindale [Cambridge 1992, henceforth *PLRE* iii] s.v. Ioannes 11), the impact of his measures by this stage should not be exaggerated: he and his policies were a convenient scapegoat for later writers, below n.96. Note too that early in 1789 Paris 'was flooded with unemployed country workers and urban poor', yet in general they 'played only a minor, marginal role in the disturbances of that year' (G. Rudé, *The Crowd in History*, revised edition [London 1981] 200). On Justinian's measures later in the 530s, cf. Justinian, *Novellae* (R. Schoell and W. Kroll (eds.) (sixth edition, Dublin-Zurich 1954)) 13 (535) and 80 (539) with Stein (n.1) 455-6 and A.H.M. Jones, *The Later Roman Empire* (Oxford 1964) 692.

⁶ The importance of the excerptors under Constantine Porphyrogenitus should be underlined: our text of Malalas lacks many of the details concerning factions to be found in the *Excerpta Historica: de Insidiis*, C. de Boor (ed.) (Berlin 1905), as will be noticed from the footnotes below. John of Antioch, the other chief source, survives entirely through the labours of the excerptors. His fragments are cited from the edition by C. Müller, *FHG* iv (Paris 1851) and v (Paris 1870). The sources for the Nika riot are amply dealt with by Bury, 'Nika riot', 92-106, supplemented now by M. Jeffreys, 'Bury, Malalas and the Nika riot' in *The sixth century: end or beginning?*, E. Jeffreys and P. Allen, eds. (Sydney 1996), 43-6.

⁷ E. Hobsbawm, *Primitive rebels. Studies in archaic forms of social movement in the 19th and 20th Centuries* (Manchester 1959) 115.

⁸ Hobsbawm (n.7) 111-12 for these features. The hostility of rioters in 512 towards the former praetorian prefect Marinus was, however, in part based on his being an easterner: Mal. 407.13 cf. 407.17-18.

⁹ Hobsbawm (n.7) 118-19 with Rudé (n.5) 226, 228-9, 241 on the conservatism of the crowd; cf. also D. Field, *Rebels in the name of the Tsar* (Boston, MA 1989) ch.1. Under the Roman republic the people assembled at games tended to be more conservative than those who took part in *contiones*, cf. P.J.J. Vanderbroeck, *Popular leadership and collective behavior in the Late Roman republic (c. 80-50 BC)* (Amsterdam 1987) 78. On the unpopularity of Nicholas II in the wake of the attack on a peaceful demonstration in St Petersburg in January 1905, cf. J.N. Westwood, *Endurance and endeavour. Russian history 1812-1986* (third edition, Oxford 1990) 155-6. Note also John

'simply of the scum' of the city, but of all the lower orders of society; despite the lack of evidence about the composition of the mob in ancient cities and the prejudice of many ancient sources, this point should be applied to the crowd in Constantinople (and Rome).¹⁰ Finally, the motivation behind rioting. This is viewed by Hobsbawm as a mechanism by which popular grievances are aired, to which the ruler would respond. If he failed to satisfy the mob, it would continue to riot until he did. In Constantinople, however, the relationship between emperor and people was more complex; and, as Justinian discovered, concessions to the people might not always win the day.¹¹ The particular features of imperial policy towards rioters will be explored in this article.

A particularly late Roman feature of urban unrest must not be passed over. The circus factions were crucial to the riot of 532 and to many of the disturbances which preceded and followed it. Thanks to the works of Alan Cameron it is now generally accepted that the factions had little to do with political or religious interest groups, and much more with a genuine fanaticism for horse racing in the hippodrome and other entertainments. The factions were established in cities throughout the eastern empire and incorporated members of every stratum of society. By the sixth century a significant element within the factions had become notoriously violent, ever eager to seize an opportunity to murder members of the opposing faction.¹² Their fanaticism frequently resulted in outbreaks of violence between the two major factions, the Blues and the Greens, usually in the hippodrome itself, sometimes through much of Constantinople.¹³ But the violent struggles between Blues and Greens do not account for all the unrest witnessed by the capital in this period. The reign of Anastasius was marked by several large disturbances protesting against his increasingly open opposition to the Council of Chalcedon: in 512, for instance, a crowd rampaged around the capital in protest at Anastasius' addition of the words 'crucified for us' into the Trisagion.¹⁴

Lydus, *De mag.* iii 69 (pp.160-1), stressing Justinian's ignorance of John the Cappadocian's wrongdoings.

¹⁰ Hobsbawm (n.7) 114 and Rudé (n.5) 198-200 with P.A. Brunt, 'The Roman mob', *Past and Present* xxxv (1966) 23-4, repr. in M.I. Finley, ed., *Studies in ancient society* (London 1976) IV (98-9) and T.W. Africa, 'Urban violence in imperial Rome', *Journal of interdisciplinary history* ii (1971) 3-4. Rioting partisans in Constantinople may actually have targeted some of the poorest people, cf. Mal. fr.43 (p.171.2-3) and *Chronicon Paschale*, L. Dindorf (ed.) (Bonn 1832) (henceforth *CP*), tr. M. and M. Whitby, *Chronicon Paschale 284-628 AD* (Liverpool 1989) (henceforth *CPW*) 622.18-20, if παρακενωτής means riff-raff, as translated by Jeffreys-Scott, 233, cf. C. DuCange, *Glossarium ad scriptores mediae et infimae Graecitatis* [Lyon 1688], 1107. It may, however, refer rather to 'informers' (cf. G.W.H. Lampe, *A Patristic Greek lexicon* [Oxford 1968] s.v. παρακενωώ), as C. Mango has suggested to me.

¹¹ Hobsbawm (n.7) 115-6, cf. Cameron, *Mediterranean world*, 174 and Nippel (n.3) 83, 86-7.

¹² Cameron, *Circus factions*, esp. sections IV and VI and 272-3. Also id., *Porphyrius*, and 'Bread and circuses: the Roman emperor and his people', King's College, London, inaugural lecture (London 1973), and the similar conclusions of G. Dagron, *Naissance d'une capitale: Constantinople et ses institutions de 330 à 451* (Paris 1974) 363-4. For a survey of reactions to Cameron, cf. G. Vespignani, 'Il circo e le fazioni del circo', *Rivista di Studi Bizantini e Slavi* v (1985) 85-6; also A.S. Fotiou, 'Byzantine circus factions and their riots', *JÖBG* xxvii (1978) 6-7 (backing Cameron's interpretation). Recently D. Misiou has sought to portray the Blue faction as the shock-troops of Justinian, 'Οι βένετοι στασιώτες στην εποχή του Ιουστινιανού' in C. Maltezou, ed., *Η καθημερινή ζωή στο Βυζάντιο* (Athens 1989) 43-73; but her view that Procopius is describing only the Blues in *Anecdota*, J. Haury (ed.), rev. G. Wirth (Leipzig 1963) 7.8-14 is not convincing. See too C. Roueché, *Performers and partisans at Aphrodisias in the Roman and late Roman periods* (London 1993) 138-40 and 154-5, on the pervasiveness of the faction groupings throughout society and the consequent increase in the scale of riots. As she notes, *ibid.* 132, some partisans identified themselves (in the hippodrome) by their profession, while others, presumably the most fanatical, were seated simply as Blues or Greens.

¹³ Cf. e.g. the disturbances at the Brytae festival in 500/1, on which cf. Martindale (n.1) 28, apparently not in the hippodrome; the riot of 498, however, reported in Mal. 394 and *CP* 608, started in the hippodrome, cf. Martindale (n.1) 27, but then spread all over the capital.

¹⁴ Martindale (n.1) 30 assembles the evidence, cf. *CPW* 102 n. 321. Gizewski (n.1) 205-6, also offers a brief catalogue of disturbances.

In this consideration of the Nika riot, two lines of argument will be pursued. First, the differing attitudes of Anastasius, Justin and Justinian to the factions will be explored. It will be argued that Anastasius maintained an uncompromising stance towards them for the first decade of his reign, although he became more tolerant later on; this did not lead to a decrease in the number of disturbances, however, which tended then to be directed against his anti-Chalcedonian policies.¹⁵ Under Justin the license of the factions went without serious check; the emperor's nephew, Justinian, played a considerable role in intensifying their rivalries by giving massive support to the Blues in this period. Once on the throne, however, Justinian reverted to the position of Anastasius, and attempted to take a hard line against the partisans. After some three decades of unrestricted, even encouraged, activity, the Blues and Greens did not believe that Justinian would maintain his stance; and hence the emperor had such difficulty in imposing order on the capital in 532.¹⁶ Second, it will be shown that little took place during the Nika revolt that had not occurred before—for instance, the uniting of the factions or the near-flight of an emperor. In fact, the behaviour of both Justinian and the rioters in 532 went along a well-worn course already familiar from previous disturbances, until a new emperor was hailed in the hippodrome.¹⁷

The importance of the hippodrome as the scene for the acclamation of a rival emperor should be underlined. The hippodrome was the focal point in relations between the emperor and the people, and played a central role in many of the riots which broke out in the capital: these could take place in the hippodrome even if no games were being held, as happened in 550. The emperor could be urged to attend the games if he were absent, and he in turn could summon the people there by an appearance in the royal box (*kathisma*). Here the people had the opportunity of putting their demands to the emperor, and he of responding positively, or ignoring them, or of sending in the troops against agitators. The seriousness with which the acclamations of the crowd were treated is underlined by a law passed under Leo, directed against *interpellatio tumultuosa* and those stirring up the people. To know how to deal with the demands and clamours of the people assembled in the hippodrome was, as will be seen, one of the toughest challenges facing an emperor. It is appropriate and unsurprising therefore that it was here that the Nika riot had its beginning and end.¹⁸

¹⁵ For this division of Anastasius' reign, cf. Cameron, *Porphyrius*, 236-43.

¹⁶ On Justin's attitude to the factions, cf. A.A. Vasiliev, *Justin I. An introduction to the epoch of Justinian the Great* (Cambridge, MA 1950) 115-19, and below. Martindale (n.1) 85 suggests that Justin changed his stance in 525 rather than 527, from the time of his appointment of Theodotus as city prefect to control the factions (Proc. *Anecd.* 9.37-46). A fragmentary philosophical work, the *De scientia politica dialogus*, which may well date from the 520s, lays great stress on the power of the partisans at this time—εἰς ἄκρον δυναστείας (v 101); cf. *Menaë patricii cum Thoma referendario De scientia politica dialogus*, ed. C.M. Mazzucchi (Milan 1982) v 97-101 (pp.32-3). Mazzucchi, xiii, places the work between 507 and 535; A. Fotiou, 'Recruitment shortages in sixth-century Byzantium', *Byzantion* lviii (1988) 67 n.14 suggests that the work was set (if not composed) in the period leading up to the Nika riot.

¹⁷ Cameron, *Circus factions*, 183-4 and 'Bread and circuses', 12-13, aptly cites Hobsbawm (n.7) 115: 'Both sides knew how far they could go [in their rioting]—but in 532 the rioters went too far. The acclamation in the hippodrome of a rival emperor, selected by the crowd, had no precedents in Constantinople. Cf. also Rudé (n.5) 242 on disturbances tending to follow a traditional pattern.

¹⁸ Mal. 484 for a riot in the hippodrome when no games were taking place; id. fr. 43 (in *de Insidiis* pp.170-1, tr. Jeffreys-Scott 232), for the factions asking for Justin to come and watch the races in 520. Mal. 407-8 for the people flocking to the hippodrome when they hear of Anastasius' appearance there (in 512). For demands made by the people in the hippodrome, cf. Cameron, *Circus Factions* 185-7; also Theophylact Simocatta, *History*, C. de Boor (ed.), rev. G. Wirth (Leipzig 1972), tr. M. and M. Whitby (Oxford 1986) viii 7.9 (with p.220 n.33 in the translation) for an example of a chant of the factions with certain demands. On the hippodrome as the focus for relations between people and emperor, cf. Z. Yavetz, *Plebs and princeps* (Oxford 1969) esp. 18-20, F. Millar, *The emperor in the Roman world* (London 1977) 369-75, K. Hopkins, *Death and renewal* (Cambridge 1983) 16-19, Veyne (n.3) 400-1, Cameron, *Circus factions*, section VII, Dagron (n.11) 302-3 and esp.314-15; also Patlagean (n.3) 212-3, and the law of Leo, *Codex Justinianus* (henceforth *C.J.*) P. Krueger (ed.) (eleventh edition, Berlin 1954) ix 30.2 (466).

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Before the Nika riot is treated in detail, a distinction between various types of riots is necessary. Three sorts may be distinguished for our purposes, which certainly do not exhaust all the possibilities.¹⁹ The first is that of riots over ecclesiastical affairs, which were particularly prevalent under Anastasius (and non-existent under Justin and Justinian). At first sight it might be thought that these were nothing to do with the factions—and Cameron is surely right in denying any straightforward linkage between Greens and Blues and supporters and opponents of Chalcedon²⁰—but this does not imply that the partisans were not involved.²¹ Although this category of riot does not have a direct bearing on the consideration to be given to the Nika revolt, it is worthwhile at least to note a few cases where partisans were probably involved in such disturbances. In 496, for instance, there was a riot in favour of the deposed patriarch Euphemius—in the hippodrome.²² In 512 there was more serious and widespread rioting in the capital against the opponents of Chalcedon, in which the pro-Chalcedonian former *magister militum per Orientem* Areobindus was acclaimed emperor. When Anastasius succeeded in pacifying the riot, he entreated the rioters ‘to stop murdering and attacking people at random’. Whilst doctrinal matters could undoubtedly lead to the murder of selected opponents, the notion of random killings is much more associated with the partisans.²³ An outbreak of unrest as a result of discontent over religious policy thus provided the partisans with an ideal opportunity to carry out killings of their own.

The second type of riot is the relatively straightforward mêlée which was associated with the chariot races, likened by Cameron to modern-day football hooliganism. This would generally pit one faction against another, and could be sparked, for instance, by success in the races: thus the Greens at Antioch were inspired to indulge in great bloodshed in 507 following Porphyrius’ victory in the hippodrome there.²⁴ Likewise in 501 the Greens ambushed the Blues in the theatre of Constantinople during the Brytae festival, and killed three thousand of them (although this seems more premeditated). The cancellation of games or other forms of entertainment could also lead to general disturbances.²⁵

This second sort of riot, in which the violence of the partisans was directed chiefly against other partisans, while a nuisance to the emperor, and disruptive of the tranquillity of the capital, hardly endangered his rule.²⁶ The third and final type, however, involves the anger of the

¹⁹ Cf. Cameron, *Circus factions* 271, for his four-fold distinction; I omit from consideration here those riots over economic factors (e.g. famine), and have altered his other categorisations somewhat.

²⁰ *Circus factions* ch.VI.

²¹ As Cameron countenances, *Circus factions* 153.

²² Theodore Anagnostes (= Theodore Lector), G.C. Hansen (ed.), *Kirchengeschichte* (Berlin 1971) 455; cf. Stein (n.1) 166.

²³ Mal. 408 for the killings at random; cf. Proc. *Anecd.* 6.25, for his emphasis on such random murders by the partisans.

²⁴ Cameron, *Porphyrius* 243 and *Circus factions* 277 (on the events of 507), *ibid.* 293-4 on the analogy with hooliganism. Gizewski (n.1) 186, also has a category for this type of disturbance, although he includes religious riots in it as well; cf. T. Gregory, ‘Urban violence in late antiquity’ in *Aspects of Graeco-Roman urbanism*, BAR International Series 188, R. Marchese (ed.) (Oxford 1983) 143-5.

²⁵ John of Antioch *fr.* 214b.2 on the cancellation of games in 493, 214c on the Brytae massacre, cf. Marcellinus *comes*, Th. Mommsen (ed.), *MGH AA XI.1* (Berlin 1893) a.501.1-3 (reprinted with translation in B. Croke, *The Chronicle of Marcellinus* [Sydney 1995]); John of Antioch, *fr.* 214e.12 on the cancellation of races in 514). See also Martindale (n.1) 28 and the list of Cameron, *Porphyrius* 233-4. Many more examples of inter-factional fighting could be provided from later in Justinian’s reign (e.g. Mal. 490-1 on riots in 562).

²⁶ Cameron, *Circus factions* 294-5, stresses that ‘the typical faction riot was not a protest, it was a battle between the two colours.’

partisans being directed against the authorities, which therefore presented far more of a threat to the régime. There was always a danger that the second type of riot might lead to the third: inter-factional fighting causes serious loss of life, so the troops are sent in; whereupon the aggrieved faction complains at this heavy-handedness, demands the release of those arrested, and may proceed to riot further.²⁷

Two key players may be singled out in the reaction of the authorities to unrest in the capital. The emperor is of course the prime figure, but the city prefect is also of great importance. The maintenance of order in Constantinople was the prefect's responsibility, and he could impose harsh measures (including the death penalty) on rioters. Ultimately, however, his position depended on the emperor: in times of riots the dismissal of a prefect was often demanded, and was an easy concession for the emperor to make. It was also just as easy to unmake, as is shown by how quickly the praetorian prefect John the Cappadocian was restored to his position after his dismissal in January 532: he was back in office before the end of the year.²⁸ Thus quite vigorous measures against rioters could be implemented by a prefect, probably at the emperor's insistence; and should these attract more criticism than desirable, a more popular appointment could be made to the prefecture and hostility towards the emperor readily deflected.²⁹

The relation of these two figures to the factions could be of some significance to the occurrence and intensity of riots. Clearly the primary aim of the emperor and his ministers was to avoid riots of the third type distinguished above; a certain amount of inter-partisan fighting need not have caused them any great concern.³⁰ Hence the easy option for an emperor was to give his support to one of the two major factions, thereby ensuring that half of the partisans at any rate would be inclined to throw in their lot with him rather than make common cause with their enemies. Thus Theodosius II openly backed the Greens, and in the forty-two years of his reign only one riot is recorded.³¹ Marcian, on the other hand, backed the Blues, and took punitive measures against the Greens following riots; whether these riots were occasioned by imperial favour for the Blues after Theodosius' partiality for the Greens, is unclear. Leo's sympathies are uncertain, though he was once thought to have supported the Greens, while Zeno is known to have backed the Greens. Justinian took this option to a marked extreme during much of the reign of Justin, but once on the throne his support for the Blues abated.³²

²⁷ For instance, the riot in Antioch in 507 involved an attempt to arrest some partisans following an earlier disturbance, Mal. 396.16-397.6; also the riot in Constantinople in 498 (on which below n.43), sparked by Anastasius' refusal to release some Green partisans. This type of riot could also arise independently of the factions, it appears, such as in the case of the massacre at Thessalonica in 390 or the riot in Rome in 355: both of these took place following the arrest of charioteers, cf. Cameron, *Porphyrius* 236. See also Gizewski (n.1) 186-7, noting how disturbances may become uprisings against the régime.

²⁸ Cf. *PLRE* iii s.v. Ioannes 11; the fact that Theodorus *qui et* Teganistes 57, *PLRE* ii, J. Martindale (ed.) (Cambridge 1981), was prefect of Constantinople four times also implies a swift turn-over in city prefects, even if it is not possible to date all his periods in office. On the powers and role of the *praefectus urbi* (city prefect), cf. Gizewski (n.1) 164-5, Dagron (n.12) 281-5 and Nippel (n.3) 98-100. In the early empire praetorian prefects such as Sejanus and Plautianus likewise had been sacrificed to public opinion, cf. Millar (n.18) 374 and Nippel (n.3) 88.

²⁹ A good example of such a dismissal is that of Julian, dismissed c. 491 for being too harsh in his suppression of the rioters, John of Antioch *fr.* 214b.2 and *PLRE* ii s.v. Iulianus 14.

³⁰ As Cameron, *Circus factions* 184 and 294, notes.

³¹ This may, of course, be due in part to the nature of the sources of the period, as Cameron, *Circus factions*, 184-5, and Martindale (n.1) 79-80, note. Mal. 351-2 on Theodosius' sympathies, cf. Dagron (n.12) 351-2; Marcellinus *comes* a.445.2, for the riot. Veyne (n.3) 393 argues that in the early empire the emperors usually backed the Blues.

³² On Marcian's sympathies, cf. Mal. 368 with Dagron (n.12) 352; on Zeno's, Mal. 379; on Leo's, Cameron, *Circus factions* 104 and 129. On imperial sympathies generally, *Porphyrius* 232-3. From accounts of riots late in Justinian's reign, it appears that the emperor continued to favour the Blues to some degree—cf. e.g. Theophanes, C. de Boor (ed.) (Leipzig 1883) 236.15-16 (Justinian takes a long time to be reconciled with the Greens after rioting

The more dangerous alternative was to strive for impartiality and back neither faction. Anastasius, for instance, decided to back one of the two minor factions, the Reds.³³ Clearly this could increase the chances of the Blues and Greens uniting, although this is not attested as having occurred under Anastasius (save in Alexandria).³⁴ His measures in dealing with riots were often harsh, but in 498 he seems to have been forced to make some concessions following a disturbance in the hippodrome. When he refused to release some Greens who had been arrested, a riot broke out. The troops were then sent in, many buildings were burnt down, and the emperor himself was nearly killed. But it is reported that in the end he appointed Plato, who was patron of the Greens, as city prefect: even if the prisoners were not released, this must have been a popular move with the Green faction at least.³⁵ Thus while Anastasius maintained his neutral stance towards the Blues and Greens, he could improve his relations with one faction or the other through an appropriate appointment to the post of city prefect. At the opening of Justin's reign comes the first sign of the potential danger of the factions in the capital uniting: in this case they jointly requested various favours from the emperor while he was absent from the hippodrome, all of which he granted. The partisans then rampaged around the capital in delight.³⁶

Justinian for his part combined the worst elements of the policies of Anastasius and Justin. During the reign of his uncle he gave overwhelming support to the Blues, exacerbating the inter-factional rivalry in the capital. While Justinian was ill for a short period in 523, Justin sought to clamp down on the violence, and appointed a more hard-line city prefect, Theodotus. His measures against the Blues proved too harsh, however, and he was soon dismissed by the emperor; Procopius alleges that Justin then had to conceal him in Jerusalem for his own safety. Clearly the power of the factions had reached unprecedented heights.³⁷ From the mid-520s, however, Justin and Justinian tried to curb the excesses of the partisans. According to Procopius the Blues became 'the most discreet men in the world', having lost Justinian's support. Procopius also reports that no direct action was taken against the partisans, however. Once Justinian had become co-emperor in April 527, further measures were undertaken: Malalas

in 559) and Mal. *fr.* 51 (pp.175-6, translation in Jeffreys-Scott 305-6), where troops intervene specifically against the Greens; also Theophanes 243.5-9, where Justin II menaces the Blues by reminding them that Justinian is no longer alive.

³³ Mal. 393 and *cf.* Cameron, *Porphyrius* 241 and n.2.

³⁴ In 516, *cf.* Mal. *fr.* 41 (pp.169-70), Theophanes 162.27-163.16, Theodore Lector 522, with Martindale (n.1) 10.

³⁵ Mal. 394 and *fr.*38 (p.168), *CP* 608; below n.43.

³⁶ Mal. *fr.* 43 (pp.170-1) and *cf.* Vasiliev (n.16) 116-17 and the notes of Jeffreys-Scott (n.2) 232. Vasiliev, *loc. cit.* suggests that the factions united in favour of Vitalian, which is possible (though the state of the text makes the connection uncertain); if this view is correct, the parallel with the Nika riot would be strengthened. The restlessness of the factions was of some importance during the deliberations over Anastasius' successor, it should be remembered: *cf.* Constantine Porphyrogenitus, *De cerimoniis*, J.J. Reiske (ed.) (Bonn 1829) i 93.

³⁷ Justinian's support for the Blues: Proc. *Anecd.* 7.1-7; 22-33; 39-42 (with Patlagean's comments [n.3] 227-8); also 8.2 (Justin witnesses this license in the hippodrome but fails to pay heed to it) and Evagrius, *Ecclesiastical History*, J. Bidez and L. Parmentier (eds.) (London 1898), iv 32. *Anecdota* 9.35-42 for the case of Theodotus (in the Loeb translation of H.B. Dewing 'the Emperor' is given in place of 'Justinian' at §39 on p.115), *cf.* *PLRE* ii s.v. Theodotus 11 and Bury (n.1) 22 and n.6. On his measures, *cf.* also Vasiliev (n.16) 117. Theophanes 166.26-33 (*cf.* Mal. 416), states that the license of the factions went unchecked for five years from 519/20, until the sixth year of Justin's reign. There is an interesting independent account of Justinian's backing for the Blues in this period in John of Nikiu, *The Chronicle of John, Bishop of Nikiu*, tr. R.H. Charles (London 1916) 90.16-23 (pp.134-5): according to John, Theodotus arrested Justinian for his activities, but released him when he fell ill. The people then called for a good emperor and for new officials, whereupon Justin sought to regain popularity by replacing Theodotus with Theodore; Theodore, along with the new *comes Orientis*, Ephraem, then proceeded to put an end to the inter-factional strife. *Cf.* the account of Mal. 416-17 and the comments of Jeffreys-Scott (n.2) 235.

describes Justinian's actions thus:³⁸

καὶ εἰς πᾶσαν πόλιν τῆς Ῥωμαϊκῆς πολιτείας ποιήσας μεγάλην κατάστασιν· καὶ ἐν ἐκάστῃ πόλει κατέπεμψε θείας σάκρας, ὥστε τιμωρηθῆναι τοὺς ἀταξίας ἢ φόβους ποιοῦντας, οἰοῦντος, οἰοῦντος δ' ἂν ὑπάρχωσι μέρους, ὥστε μὴ τολμᾶν τινα τοῦ λοιποῦ τὴν οἰανδήποτε ἀταξίαν ποιῆσαι, φόβον ἐνδειξάμενος εἰς πᾶσας τὰς ἐπαρχίας. ἐν δὲ Ἀντιοχείᾳ τῇ μεγάλῃ πρὸς ὀλίγον καιρὸν ἐγένοντο ἐν φιλίᾳ οἱ δῆμοι.

He established a secure, orderly condition in every city of the Roman state and despatched sacred rescripts to every city so that rioters or murderers, no matter to what faction they belonged, were to be punished; thus in future no one dared to cause any kind of disorder, since Justinian had struck fear into all provinces. For a short period the factions of Antioch were on friendly terms.

Malalas 422.14-22, tr. Jeffreys-Scott (n.2) 242-3

It may be no coincidence that once they were faced by equal severity, the factions became more inclined to unite. Thus they did so in January 532, when the city prefect Eudaemon was holding in custody partisans of both Blues and Greens—an obvious incentive to the two sides to unite, particularly when one representative of each faction escaped the hangman's noose.³⁹ Justinian, however, remained true to his rescripts of 527 and refused to acquiesce in the demands of the factions to release the two partisans; and for this stance he reaped the reward for the indulgence shown to the partisans over the preceding years.

* * *

In order to put the course of the Nika riot into a wider perspective, it would be helpful to compare it with other disturbances. We are here most concerned with the third type of faction riot distinguished above, in which the wrath of the partisans was directed chiefly against the government, but parallels from both the second and third types will be cited. If we take the case of the Nika riot as a paradigm for a faction rising against the authorities, it will be possible to illustrate both how it was similar to and different from other such riots; it will also be seen how typical the actions of both sides were, and how in the end they led to such an atypically large effusion of blood. For the sake of convenience the sequence of events of the Nika riot will be split up into a number of phases.

Phase one: the execution of the partisans. The city prefect Eudaemon had arrested some partisans, and found seven of them guilty of murder. He decided to have them executed at Sycae, across the Golden Horn, by various means, but one Green and one Blue were saved from hanging by the breaking of the scaffold. The reaction of the bystanders was to 'acclaim the

³⁸ Mal. 417, for measures against the factions in 524/5 (cf. Theophanes 170.24-28), noting too the banning of spectacles and dancers throughout the East. But cf. R. Scott, 'Malalas, the secret history, and Justinian's propaganda', *DOP* xxxix (1985) 99-104 for Mal. reflecting official sources rather than reality—a not unlikely possibility in this case, cf. Patlagean (n.3) 211. On the Blues becoming σωφρονέστατοι, cf. *Anecdota* 7.3 with Vasiliiev (n.16) 119 n.14; also Scott, *art. cit.* 103-4, on the fear (φόβος) said by Mal. here to have prevailed at this time.

³⁹ Mal. 473 and Theophanes 184.4-15, for the bungled execution of two of the partisans; Theophanes states that the scaffold broke twice. Gizewski (n.1) 238 discusses this episode in detail. Mal. 491.16, referring to the aftermath of factional violence in Constantinople in 562, states that some partisans 'were even beheaded' (τινὲς δὲ κατ' ἀπετμήθησαν); this would seem to imply that the execution of partisans was rare, and hence that Eudaemon's measures were unusually harsh, cf. John Lydus, *De mag.* iii 70.2 (p.162.17-18). It is possible that the partisans had been restive on account of the lack of the consular games usually held in early January (on which cf. Bury (n.1) 347 and n.2): no consuls had been appointed in the east since Justinian held the office in 528 (with the possible exception of Decius in 529), cf. *PLRE* iii 1457. For another good example of factions uniting in the face of repressive measures, cf. Theophanes 230.5-14: the Samaritans, in the face of Justinian's measures against them, combined to form a Green-Blue faction in 555 (*Prasinovenetoi*—the same word used in the Nika riot).

emperor' upon witnessing this, and to rescue the two partisans; in light of the conservative nature of 'the mob' noted above, such a loyal acclamation should not occasion surprise. Some monks from the monastery of St Conon then took the two partisans across to the church of St Laurence, where they were put under surveillance by the prefect's troops.⁴⁰ These events took place on Saturday 10 January 532, and on the following Tuesday (13 January) the factions clamoured for the pardon of these two men, still trapped in the church of St Laurence. Justinian's refusal to acquiesce in their demands—in fact to give any response whatsoever—led to the first serious outbreak of rioting.⁴¹

Parallels may easily be found. In the great riot at Antioch in 507 the *praefectus vigilum* had attempted to arrest some troublemakers from the Green faction. These sought refuge in a church outside the city, but were seized by the prefect Menas nonetheless; one of them was even murdered in the church itself. Not surprisingly this led to a full confrontation between the *vigiles* and the Green faction; the Blues in this case sided with the *vigiles*, however, such was the rivalry between the factions in Antioch at the time.⁴² Even closer to the situation in 532 was that faced by Anastasius in 498, when the Greens appealed to him during the chariot-races to release some members of their faction who had been imprisoned by the city prefect 'for throwing stones'. Anastasius' reaction was more stolid than Justinian's: he refused their demands, and immediately sent in the troops when the factions then proceeded to riot. The crowd in the hippodrome was surrounded by the soldiers and resorted to extensive incendiarism. Although much of the centre of the city was damaged, many were arrested and punished; Anastasius sensibly offered a sop to the Greens, however, by replacing the previous prefect with Plato, their patron.⁴³

One further interesting parallel may be offered. In 607, during the celebrations held to mark the wedding of the *comes excubitorum* Priscus to the Emperor Phocas' daughter Domentzia, the emperor took offence at the action of the demarchs of the Blues and Greens: they had set up the *laurata* of the couple alongside the imperial ones, and so Phocas ordered that the demarchs,

⁴⁰ Mal. 473-4; Theophanes 184. Cf. Theophanes 115, where (in 467) the crowd approves of the response of the arraigned philosopher Isocasius to the praetorian prefect Pusaesus; they therefore acclaim the emperor (Leo), who spares Isocasius when this comes to his attention. Cf. also Rudé (n.5) 228-9; the interpretation of Gizewski (n.1) App. XV, 238, who thinks it impossible that the crowd can have genuinely acclaimed the emperor, should be rejected. Sycæ was a frequent site of executions, cf. CP 565, 694 with CPW 143 n.403 (also on the nearby monastery of St Conon). On the location of the church of St Laurence (in the Pulcherianae), cf. R. Janin, *Le Siècle de Constantinople et le patriarcat oecuménique. iii Les églises et les monastères* (Paris 1969) 301-4.

⁴¹ Stein (n.1) 450 n.1 on the initial events taking place on Saturday. It seems highly improbable that the *Akta dia Kalopodion*—the record of an altercation between a *mandator* of Justinian and representatives of the Blues and Greens reported in Theophanes, 181-4—should be placed on the Saturday as well; if they do belong in 532, the disunity of the factions only three days before they collaborated is striking. Bury, 'Nika riot' 118, places the *Akta* on Sunday January 11, 532 (followed by Evans (n.1) 123); Stein (n.1) 450 n.1 corrects the day. Against the placing of the *Akta* at this point cf. B. Baldwin, 'The date of a circus dialogue', *REB* xxxix (1981) 305 and M. Jeffreys, 'Appendix: A lacuna in Theophanes' text of Malalas?' in E. Jeffreys, R. Scott and B. Croke (eds.), *Studies in John Malalas* (Sydney 1990) 271, and Martindale (n.1) 31. Cameron, *Circus factions* 327, prefers to place them earlier in Justinian's reign, while P. Karlin-Hayter favours keeping them in 532, 'Les "Ακτα δια Καλαπόδιον—le contexte religieux et politique', *Byzantion* xliii (1973) 101. She wants to separate the *Akta*, however, from the uprising, cf. 'Factions, riots and acclamations', Study III in *Studies in Byzantine Political History* (Aldershot 1981), 8-9, but cf. CPW 113-4. See now PLRE iii s.v. Calopodius 1 and C. Mango and R. Scott with G. Greatrex, *The Chronicle of Theophanes Confessor* (Oxford 1997) 281 n.8 for a discussion of the dating.

⁴² Mal. 396.16-397.6, cf. Cameron, *Circus factions* 151.

⁴³ Mal. 394-5, cf. CP 621 (a.498) and above n.35; see also CPW 100 n.316 for a discussion of the dating of this riot (perhaps to be placed in 507), though Cameron, *Porphyrius* 234, is satisfied with CP's dating to 498, cf. also Martindale (n.1) 27, 29. Cameron, *Circus factions* 286, notes the similarity between the appeals of 498 and 532. The release of prisoners was a 'common issue in disturbances', cf. Cameron, *Circus factions* 276, citing instances in 498, 532 and 563.

Theophanes and Pamphilus, be beheaded. But when they had been ordered to stand naked at the *stama* in the hippodrome, the crowd shouted ‘Long live our merciful emperor!’, and clamoured incessantly for the release of the men; and for once Phocas proved clement. Here again the chief factions were united in their appeal for mercy, since the leader of each one was under threat, and Phocas wisely bowed to their wishes.⁴⁴

Justinian’s reaction, however, trod an unfortunate middle course between acquiescing in the demands of the factions and sending in the troops. His failure to respond in any way to the demands made has at least one precedent in the early empire—but, rather ominously, that of Domitian, who also ordered the crowd to be silent.⁴⁵ Anastasius in effect brought matters to a head right away by launching the troops against the factions in the hippodrome. Much of the centre of the capital was burnt down in the ensuing tumult—in fact, almost exactly the same buildings as were destroyed in 532—but Anastasius had at least seized the initiative from the start of the riot of 498.

Phase two: widespread rioting. The factions cried out for the pardon of the partisans until the twenty-second race (out of twenty-four), and when Justinian consistently refused to answer them, they all of a sudden united; their watchword was ‘Nika’, a typical acclamation of the factions.⁴⁶ It should be stressed that this was not the first time that the two major factions had joined forces: this is known to have occurred twice before, once under Anastasius and once under Justin. While both of these instances are known to us from Malalas, it is only in the text preserved in the *Excerpta de insidiis* that the reconciliation of the factions is reported. The occasion in Anastasius’ reign dates from 515/16 and took place in Alexandria; it pitted partisans against soldiers and many buildings were destroyed in the course of it.⁴⁷ The second occasion of which we are aware comes early in Justin’s reign. On this occasion (in 520), according to the excerptor, the factions united after the soldiers had intervened to quell a disturbance in the hippodrome. But as has been noted above, they then joined forces in revelry, which was further heightened on the following day when the emperor granted them the favours they had requested.⁴⁸

That Justinian can have been unaware of the potential danger of the factions uniting is therefore impossible. The experience of his uncle may have strengthened his resolve not to bow to the demands of the crowd, since, when Justin had granted their wishes, the factions had rioted nonetheless. So far, however, there was nothing in the course of events which need have worried Justinian unduly: measures could always be taken against the ringleaders among the factions at a later stage.

While the rioting was taking place, the emperor and his entourage—probably including the historian Procopius—took refuge in the palace. This was an easy move to make, since the imp-

⁴⁴ For this incident, cf. Theophanes 294 and John of Antioch, *fr.* 218e; also *PLRE* iii s.v. Theophanes 3.

⁴⁵ Cameron, *Circus factions* 166-7 and below n.107.

⁴⁶ Stein (n.1) 451 n.1 ascribed the choice of this term (as opposed to *tu vincas* in Latin) to a desire to avoid infiltration by the troops; but it is in any case frequently found at the start of inscriptions of the partisans—*νικᾶ ἢ τύχη*...., cf. S. Borkowski, *Inscriptions des factions à Alexandrie* (Warsaw 1981) 76, Cameron, *Porphyrius* 76-80 and Roueché (n.12) 4 and no.46 (pp.99-117). Mal. 474.7-10 on the clamours at the races and cf. *CPW* 115 n.347 (for the probable total of twenty-four races). The suddenness and unexpectedness of the riot is rightly stressed by Gizewski (n.1) 151, cf. Procopius *Wars*, J. Hauriy (ed.), rev. G. Wirth (Leipzig 1962-3) i 24.1.

⁴⁷ References at n.34.

⁴⁸ References at n.36.

erial palace was connected to the *kathisma* in the hippodrome. In the face of a riot in favour of the patriarch Macedonius in 510 Anastasius had likewise shut himself inside the palace.⁴⁹

Phase three: the attack on the praetorium. On the evening of Justinian's refusal to give a response in the hippodrome (Tuesday 13 January), members of the factions surrounded the praetorium of the city prefect Eudaemon, demanding the release of the two partisans. When no response was forthcoming, they set fire to the building, which was situated on the *Mesē*. It was probably now that the crowd succeeded in liberating the prisoners housed in the praetorium. Thereafter no more is heard of requests for the sparing of the two partisans; the issue had now been eclipsed by the actions of the partisans.⁵⁰

Again, there was nothing new in rioters singling out for attack the headquarters of the city prefect. Protesters against a grain shortage in 408 burnt down the praetorium of the city prefect Monaxius, while a closer parallel to the situation in 532 may be found in 603, when partisans did the same to the praetorium of the city prefect Leontius.⁵¹

Phase four: Justinian's attempt to continue the games on the morning of Wednesday 14 January. This proved to be a failure, and was met by further outbreaks of incendiarism.⁵² There are no obvious parallels to this move of Justinian, but it is possible to conjecture his line of thought. On the one hand, he felt it necessary to stand firm in refusing the demand to release the two partisans; on the other, he wished to defuse the situation by a gesture of some sort. In the past, emperors or city prefects had cancelled races as a result of factional violence, often sparking further bloodshed;⁵³ in this instance Justinian was attempting the reverse—to win back

⁴⁹ Proc. Wars i 24.10, on Justinian's withdrawal; Theophanes 154.15-16 for that of Anastasius, on which see Martindale (n.1) 29-30. Procopius' presence is accepted by Bury, 'Nika riot', 94 and Martindale (n.1) 32, but (in the author's view, unconvincingly) denied by N.J. Austin, 'Autobiography and history: some later Roman historians and their veracity', *History and historians in late antiquity*, B. Croke and A.M. Emmett (eds.) (Sydney 1983) 62. On the connection between the *kathisma* and the imperial palace cf. R. Guilland, *Études de topographie de Constantinople byzantine* i (Berlin 1969) 463 with the map by C. Mango in G. Dagron and C. Mango (eds.), *Constantinople and its hinterland* (Aldershot 1995) 319.

⁵⁰ On the attack on the praetorium (of the city prefect) in 532, cf. Mal. 474.14-16, Theophanes 184.12-15; before the assault the crowd refers to the two partisans at St Laurence, who must therefore have still been under guard in the church. Proc. Wars i 24.7 on the release of the prisoners, cf. Cameron, *Circus factions* 276 and Dagron (n.12) 239. Cf. also Theophanes 239.12-13: in a riot of 563 partisans again broke into the prison. On the location of the praetorium see the Appendix below.

⁵¹ CP 571 (a.412) with CPW 62 n.210 on the case of Monaxius; CP 695 (a.603), for Leontius, with CPW 145 n.407. Note also Theophanes 297 and John of Antioch fr. 218e, for an occasion in 609 when the Greens burnt the praetorium and other government buildings in response to executions by the city prefect Cosmas (Cosmas 19 in PLRE iii). On the tendency for the praetorium of the city prefect to be targeted for destruction, see Cameron, *Circus factions* 276, J.F. Matthews, *Western aristocracies and imperial court, A.D. 364-425* (Oxford 1974) 19-20 and Dagron (n.12) 238-9.

⁵² Mal. 474.20-475.1 (not in CP, which has a lacuna here). J. Bardill alerts me to the fact that Mal. does not specifically place this fire on the Wednesday; it merely takes place 'at daybreak' following the events of (Tuesday) 13 January. But since the next event in Mal. is the demand of the mob for the dismissal of certain officials, which (it will be argued below) took place on Wednesday, the date of the fire seems secure. The fires of Tuesday-Wednesday constitute my first and second conflagrations, cf. the Appendix. By this point the riot had gained a certain momentum of its own, independent of the demands which had been made to the emperor; cf. Gregory (n.24) 145 for another case of demands being lost in the escalation of violence and Rudé (n.5) on 242-3 on the remarkable momentum which might develop in a disturbance.

⁵³ Note Cameron, *Circus factions* 275 on Justinian's offer at this point; also *ibid.* 276 and n.6, where he cites instances of rioting following the cancellation of races, from John of Antioch fr. 214b.2, and Mal. 484 (with the additions of the Tusculan fragment, cf. Jeffreys-Scott (n.2) 290). The second of these cases, however, merely concerns a mêlée in the hippodrome between partisans: they had congregated there when no races were being held (but not because they had been cancelled). A second instance can be supplied nonetheless, from John of Antioch, fr. 214e.12 (when Anastasius cancelled races in 513). Cf. also the riots which broke out when the city prefect Helias

the favour of the people by *circenses* at least.

Still, there was no sign that the riot was any more serious than previous disturbances. What was beginning to become apparent, however, was Justinian's vacillation between a hard-line, Anastasian, policy (send in the troops) and the more indulgent attitude of his uncle (assent to the demands of the factions). It was this evident hesitation on the part of the emperor which emboldened the rioters and hardened their stance towards the government. It also made a massacre almost inevitable, if the emperor was ever to regain full control of the capital.

Phase five: new demands from the rioters. When the rioters failed to be mollified by Justinian's offer to restart the games, they proceeded to set fire to the hippodrome. They then shifted their demands, now calling for the dismissal of certain officials, namely the praetorian prefect John, the city prefect Eudaemon and the *quaestor sacri palatii* Tribonian. It is at this point that some scholars wish to distinguish the Nika uprising from previous riots: the demand for Tribonian's dismissal is seen as indicative of senatorial manipulation of the rioters. According to this view, the riot had now become a full-scale attempt to bring down the emperor, rather than an ordinary faction disturbance.⁵⁴ Yet there was nothing new in an emperor being assailed with demands for the removal of unpopular officials: as recently as under Justin, the hard-line city prefect Theodotus was removed from office, as was mentioned earlier, and left for Jerusalem for his own protection.⁵⁵

In fact it is possible to account for the rioters' choice of officials. Eudaemon was an obvious target for the wrath of the factions, having condemned seven of their number to death and then refused to release two from this sentence. To some scholars John is an unlikely object of the rioters' hatred: for he was, supposedly, a man of the people, and a keen backer of the Green faction.⁵⁶ To Procopius, however, John's wicked policies were largely responsible for the uprising, as it seemed also to his contemporary John the Lydian. Whatever view is taken of John's policies (and bearing in mind that he had not held office for very long by 532), it is clear not only from John the Lydian and Procopius, but also from Zachariah of Mytilene, that he was regarded as the chief adviser to the emperor. Hence, like many praetorian prefects before him, he incurred wrath for the unpopular policies of the emperor, for which he may or may not have been responsible.⁵⁷ The fact that he is regarded by John the Lydian as a supporter of the Greens, and popular with the lower elements of the population, will hardly have been of help

forbade the celebration of the Brytae in 500, also reported by John of Antioch, *fr.* 214c.

⁵⁴ So Cameron, tentatively, *Circus factions* 186 'almost certainly senatorial agents', *cf.* 279. Martindale (n.1) 87, suggests that agitators among the partisans may have put forward the name of Tribonian. Gizewski (n.1) 163-4, sees the riot as moving from a 'mobilisation' phase to a reforming one, while Chekalova (as Tinnefeld (n.1) 443 notes) even seeks to distinguish separate senatorial groups. Rudé (n.5) 243-4, however, rightly stresses the role of chance developments in disturbances, which may later be perceived as the work of conspirators.

⁵⁵ *Anecdota* 9.37-42 on Theodotus; *cf.* also Anastasius' frequent dismissal of city prefects (such as Iulianus 14 (in 491), Helias (in 500) and Constantinus 13 Tzuruccas (501), all in *PLRE* ii), and see Cameron, *Circus factions* 185-7, for earlier instances. Although we are not specifically told that their removal was demanded by the factions, it is most likely that they were dismissed on account of their harshness in combatting the partisans. A prefect could also be removed, it appears, for failing to act sufficiently vigorously—*cf.* the case of Zemarchus in 565, *Mal. fr.* 51 (p.176, tr. Jeffreys-Scott (n.2) 305-6). The tendency of crowds to focus their complaints on individuals is noted by Rudé (n.5) 240-1, and *cf.* P. Brown, *Power and Persuasion in Late Antiquity* (Madison, WI 1992) 87.

⁵⁶ *Cf.* e.g. Cameron, *Circus factions* 102.

⁵⁷ Cameron, *Circus factions* 186 and Nippel (n.3) 88 for other instances, e.g. Elagabalus' prefect Eubulus in 222, or Severus' prefect Plautianus, above n.28. In 512 the house of the praetorian prefect Marinus had been set upon by an angry mob, incensed by his anti-Chalcedonian views, above n.8; and in 602 Constantine Lardys, a former praetorian prefect, was killed by supporters of Phocas, *cf.* *CP* 694 with *CPW* 143 n.403 and *PLRE* iii s.v. Constantinus *qui et* Lardys 33. On John's prominence as an adviser of the emperor, *cf.* *Proc. Wars* iii.10.7-18 and John Lydus *De mag.* iii 69 (p.160) quoted by Cameron, *Mediterranean world* 121.

to the prefect: for, if he was indeed a backer of the Greens, they will have been unimpressed by his failure to obtain the release of the Green partisan held by the city prefect.⁵⁸

Finally, and most problematically, Tribonian. It is usually argued that, being heavily occupied in preparing the Digest at this time, he can hardly have been an unpopular official in the eyes of faction rioters.⁵⁹ Several factors should be borne in mind, however. First, Procopius accuses him of venality in both the *Wars* and the *Anecdota*: he would alter laws to suit the highest bidder, and was also in the habit of flattering the emperor exorbitantly.⁶⁰ While the first of these qualities might have had more impact on the bidders—hence, presumably, the wealthy—the second is of greater relevance to the rioters. For it implies that he too, like John, was viewed as a close associate of the emperor, and could therefore reasonably be viewed as responsible for his policies.⁶¹ The three officials named by the crowd were, in effect, the three highest government officials resident in the capital: the *magister officiorum*, Hermogenes, was away in the East most of the time, occupied in negotiations with the Persians. Furthermore, legal scholarship had not spared previous eminent jurists from the twists and turns of politics: Ulpian was murdered by the Praetorian Guards, having held great influence with the young Alexander Severus. Both he and Paulus may also have suffered banishment under Elagabalus.⁶² Thus it is not so surprising that demands were made for Tribonian's removal, as well as for that of John and Eudaemon: they were viewed as the architects of Justinian's refusal to agree to the earlier request of the factions.

Phase six: the supine imperial response to the demands. So far Justinian had refused to pardon the condemned partisans, but equally had failed to oppose the destruction taking place in the city. Now he shifted his policy and dismissed all three officials, just as had been demanded of him. A few points require examination here.

First, why did Justinian bow to the crowds at this point, having previously stood firm? Any response must take into account the fact that probably on the same day as the three officials were removed, troops were despatched to break up the riots. The lacunose text of the *Chronicon Paschale* may profitably be consulted here. When the text resumes after the lacuna it reads as follows:

ὡς ἔτυχεν· ἀλλ' ὅτε πολλὴ γένηται ἀνάγκη, τότε ποιεῖς ἃ ἐβουλεύσω. καὶ εἶπεν αὐτοῖς ὁ βασιλεὺς, 'Ἐξέλθατε οὖν καὶ μάθετε τίνος χάριν στασιάζουσιν.

'... at random. But when a serious emergency arises, then you do what you have decided.' The emperor said to them, 'Go out and discover why they are rioting.'

CP 620.14-16, tr. Jeffreys-Scott (n.2) 276⁶³

⁵⁸ John Lydus, *De mag.* iii 62 (p.152) for John's support for the Greens. Whitby and Whitby plausibly suggest that John only became an enthusiastic supporter of the Greens following his re-instatement to office, in order to avoid being dismissed again, *CPW* 116 n.349.

⁵⁹ So Martindale (n.1) 86-7.

⁶⁰ *Anecdota* 13.12, *Wars* i 24.16, cf. 25.2; cf. also Honoré, *Tribonian* (London 1978) 53-5, who is not surprised at the demands for Tribonian's removal.

⁶¹ Whether or not Procopius' allegations are accurate is less important than that they were made in the first place: Tribonian was perceived to be venal and sycophantic. Honoré (n.61) 53-4 and n.118 suggests that the frequency of changes to the law may have reinforced this impression.

⁶² On Ulpian, cf. T. Honoré, *Ulpian* (Oxford 1982) 37-46; on Paulus, *OCD*³ 785-6 ('Iulius Paulus').

⁶³ Cf. the translation of *CPW* 115; but ἃ ἐβουλεύσω is perhaps better translated as 'what you have resolved' than 'as you are advised'.

Thenceforth, like Malalas but generally at greater length, the *Chronicon Paschale* goes on to tell how the emperor sent out Basilides, who was deputising for the *magister officiorum* Hermogenes, together with Constantiolus and Mundus, to ascertain the demands of the crowd. The rioters demanded the resignations discussed above, and Justinian, upon hearing the news, replaced the officials. Tryphon replaced Eudaemon as city prefect, Phocas took over from John the Cappadocian as praetorian prefect, while Basilides received Tribonian's post.⁶⁴

There has been some debate as to who the speaker is when the text resumes in the passage of the *Chronicon Paschale* quoted above. It has been suggested that it is the empress Theodora, who is reported by Procopius to have urged her husband to stand his ground. Various factors make such a view unlikely. Theodora's speech, according to Procopius, was delivered on the final day of the uprising—Sunday 18 January—and this receives some confirmation from Theophanes.⁶⁵ Secondly, the advice offered in the *Chronicon Paschale* seems to be of a more conciliatory nature than that of Theodora, since the emperor's response was to send out emissaries to the crowd. Furthermore, Justinian spoke *to them* (καὶ εἶπεν αὐτοῖς), which points to several advisers—most probably those whom he then despatched to the rioters, i.e. Constantiolus, Mundus and Basilides.⁶⁶

The procedure of using intermediaries to gauge the will of the mob was not unusual. A good example is provided by a riot in 408, also reported in the *Chronicon Paschale*, in which the rioters had burnt down the praetorium of the city prefect Monaxius. In response to this two *magistri militum*, along with a consul and two other officials, went to meet the crowd; they defused the situation by immediately agreeing to the demands of the rioters.⁶⁷ Such encounters might not always be successful, however: in 512 a crowd rebuffed an attempt at conciliation by the *magister officiorum* Celer and the *magister militum praesentalis* Patricius by showering them with stones.⁶⁸ Thus Justinian's emissaries were no doubt selected from those who would be acceptable to the rioters; the two military figures among those sent out, Constantiolus and Mundus, had spent little time in the capital, while the other, Basilides, was sufficiently popular to be promoted to take the place of one of the ousted officials.⁶⁹

Phase seven: the troops are sent against the rioters. When the dismissal of Eudaemon, John and Tribonian failed to calm the crowds, Justinian finally had resort to force. The chronology here is rather confused: it is unclear whether Belisarius was ordered against the rioters on

⁶⁴ On the text of *CP* at this point, cf. *CPW* 115 nn.346-8; also Bury, 'Nika riot' 98-9 (esp. 98 n.3) and Cameron, *Circus factions* 324-5. *CP* provides the names of the new officials, absent from Mal., but mistakenly has Rufinus in place of Tribonian, cf. *CPW* 116 n.349 and Mal. 474-5. Mal.'s text concerning the despatch of Basilides, Constantiolus and Mundus is somewhat unclear: these three go out in order to silence the rioters, who are demanding the dismissal of the three officials, perhaps with armed assistance (μετὰ βοηθῆαζ [475.2]). Meanwhile the senators sent out to ascertain the wishes of the crowd relay them to Justinian, who accedes to the demands. It seems as though Mal. believed that two groups were sent out of the palace with slightly differing briefs, surely mistakenly; cf. Bury, 'Nika riot' 99, who argues that our text of Mal. here is the work of an epitomator.

⁶⁵ Proc. *Wars* i 24.33-8 (Theodora's speech), Theophanes 184.27-30 (preparations for flight, discussed below). This is against the view of Whitby and Whitby, *CPW* 115 n.348.

⁶⁶ Michael Whitby has argued that the advice to Justinian is too blunt to be that of advisers (pers. comm.); I would, however, draw attention to (e.g.) Proc. *Wars* i 11.16-18, a speech by the quaestor Proculus, addressing Justin and Justinian in forthright terms (and using the second person singular for the emperor).

⁶⁷ *CP* 571 with the comments in *CPW* 62 n.210.

⁶⁸ Marcellinus *comes*, a.512. On the background to this incident, cf. G. Greatrex, 'Flavius Hypatius, *quem vidit validum Parthus sensitque timendum*', *Byzantion* lxxvi (1996) 125.

⁶⁹ Cf. *PLRE* iii s.v. Constantiolus (in the East in 531 investigating the defeat at Callinicum), Mundus (usually in the Balkans, even if, according to Mal. 466, he was appointed *magister militum per Orientem* after Callinicum), and Basilides.

Wednesday 14 January or on the following day. The other event which took place at this point, most probably on the Thursday, was the 'rush to the house of Probus'.⁷⁰ The crowd made for the house of the youngest nephew of Anastasius and hailed him as emperor; Anastasius' two elder nephews, Pompey and Hypatius, were still encamped in the palace with Justinian. Once it emerged that Probus was not at home, the people set fire to his house.

First, the chronology of these events. Bury argued that Belisarius' sortie should be placed on the Thursday, since otherwise this seems like an eventless day in the middle of the riot.⁷¹ But the *Chronicon Paschale* states that Belisarius 'cut down many [rioters] until evening' (621.17), which appears to indicate that we are here dealing with events on the same day as the dismissal of the officials, that is on the Wednesday. In response to Belisarius' sortie the crowd set fire to much of the centre of the city, either on the Wednesday evening or on the Thursday.⁷² Then on Thursday the rioters moved to acclaim an alternative emperor, and sought out Probus: hence it is not an empty day, as Bury thought.⁷³

Next, the rationale behind these developments. Justinian had followed the advice of his advisers (whoever in fact they were), and accepted the demands of the crowd. Yet this had failed to improve his position: the mob remained outside the palace.⁷⁴ He therefore decided that it was at last time to have resort to the military option: Belisarius, whose loyalty was above suspicion, was sent out with a force of Goths, who could also be depended on not to defect to the rioters. Although his force succeeded in killing many, the remaining rioters responded by setting fire to more buildings.⁷⁵ Justinian's calling out of the troops against rioters dispersed through much of the city (it must be presumed) was a new development: usually they were deployed against crowds in the hippodrome, where they could be most useful. For there the crowd was hemmed in, and had difficulty in escaping from the soldiers.⁷⁶ But in more dispersed urban fighting, the troops would tend to be at a disadvantage, their discipline being counteracted by the rioters' knowledge of the city's topography: thus Gaiinas' Goths had been massacred by the crowds in 399.⁷⁷

The acclamation of Probus is a puzzle indeed. The episode of the rush to his house is very reminiscent of the attempt to enthrone Areobindus in 512: in that year a crowd gathered at Areobindus' house, in the course of a major riot against Anastasius, and acclaimed him emperor. Like Probus, he wisely was not at home, and so the crowd saw fit to burn down his house. But the parallel ends there. The disturbance in 512 was inspired by Anastasius' increasing opposition

⁷⁰ So described by Bury, 'Nika riot' 119, reported by *CP* 622 and Theophanes 184.21-4, cf. *CPW* 118 n.352.

⁷¹ 'Nika riot' 107, cf. Gizewski (n.1) 155; *CP* 621.15-17 on Belisarius, cf. *Mal.* 475.9-10.

⁷² This conflagration, while devastating, was scarcely more so than that which had occurred during some of the earlier riots in the capital, it should be noted: the area around the hippodrome had suffered greatly in the rioting of 498. On the buildings destroyed in this fire, see the Appendix (conflagration 3[a]).

⁷³ The acclamation of Probus takes place in *CP* (622) immediately before the events of Friday 16 January: hence they most likely took place on Thursday. Thus the main event of Thursday, rather than being Belisarius' sortie from the palace, as Bury argued, was the acclamation of Probus (in response to Belisarius' attack).

⁷⁴ *CP* 621.14-15.

⁷⁵ *CP* 621.15-622.2 and cf. the Appendix below for a discussion of the topography of the buildings destroyed by the fire.

⁷⁶ Cf. the events of the Sunday, and also *Mal.* 394.22, where it is expressly stated that the people were hemmed in (in 498). Note also Zonaras' belief (xiv 6, vol.3, L. Dindorf (ed.) (Bonn 1870) 272.22-4) that the crowd were unwilling to enter the hippodrome for fear that they would be trapped there, Bury, 'Nika riot' 105.

⁷⁷ Zosimus, *Histoire Nouvelle* iii F. Paschoud (ed. and tr.) (Paris 1986) v 19.3-4 with J.W.H.G. Liebeschuetz, *Barbarians and Bishops* (Oxford 1991) 117-18; Gaiinas' forces may not have been exclusively Goths, cf. A. Cameron and J. Long, *Barbarians and politics at the Court of Arcadius* (Los Angeles 1993) 205-6. In 562 imperial troops likewise had considerable difficulty in putting down a riot which spread across the Golden Horn to Sycae, *Mal.* 490-1.

to Chalcedon, and Areobindus was a fitting replacement for him, being a staunch supporter of the Council.⁷⁸ Probus, on the other hand, was indubitably an opponent of the Council: hence it is rather surprising that he should be acclaimed emperor only twenty years later, especially given the pro-Chalcedonian attitude of most Constantinopolitans. His only claim to the throne in fact was his relationship to Anastasius.⁷⁹ It may be suggested that he was chosen on account of the lack of any other suitable candidate: all other high-ranking figures were either in the palace with Justinian or outside the capital altogether. It is possible that his cousin, Pompey, suffered the same fate in 512, when his house was burnt down by the mob; he was a supporter of Chalcedon, and hence he too may have been acclaimed emperor (to replace his own uncle) through the lack of any other suitable candidates.⁸⁰

Bury believed that the hailing of Probus as emperor marked a turning-point in the riot: henceforth the object of the rioters was to overthrow Justinian altogether.⁸¹ Yet, as has been shown, not only was Probus hardly a plausible candidate, but he had also avoided the acclamation of the mob. More importantly, when Justinian later made his appeal to the people in the hippodrome, many of them received his speech favourably; in the case of the disturbance under Anastasius, the people were actually pacified by such an entreaty, and no more is heard of Areobindus. It is preferable therefore to see in this development a desire to provide the riot with some focus—to intimidate the emperor still more, to extract further concessions. And in the short term, with both Anastasius and Justinian, this is what was accomplished.⁸² Only if the candidate acclaimed actually took up the gauntlet — as Hypatius later did—was the character of a riot transformed and the overthrow of the emperor became a serious possibility. Probus, moreover, suffered only a brief exile after the riot, and was still alive to provide shelter for the zealous anti-Chalcedonian John of Ephesus during his visit to the capital in the early 540s.⁸³

Phase eight: continued incendiarism on the part of the rioters. On Friday 16 January the rioters burnt down the praetorium of the praetorian prefect, and the whole area around St Sophia suffered extensive damage from the fire. The archives housed in the praetorium were destroyed, a development much to the advantage of known trouble-makers among the rioters.⁸⁴ No imperial response was forthcoming, but Justinian must by this stage have ordered troops stationed in Thrace to march to the capital. They arrived the following day and proceeded to engage the rioters.

⁷⁸ Cf. *PLRE* ii s.v. Fl. Areobindus Dagalaiphus Areobindus I and Greatrex (n.68) 127-8. Theophanes 159.14-19 reports that the crowd hailed Vitalian (rather than Areobindus), and notes that Anastasius took refuge on an estate near Blachernae, such was his fear of the rioters.

⁷⁹ Vasiliev (n.16) 136-48 provides an excellent account of the jubilation of the people of Constantinople at the accession of a pro-Chalcedonian emperor in 518. On Probus' relationship to Anastasius (and Hypatius and Pompey), cf. most recently R.W.B. Salway, 'What's in a name? A survey of Roman onomastic practice from c. 700 BC to AD 700', *JRS* lxxxiv (1994) 142-3.

⁸⁰ As I have argued elsewhere (n.68) 130-1. Origenes, mentioned by Procopius (*Wars* i 24.26-30) as a senatorial opponent of Justinian, is nowhere else attested and is clearly not a significant figure, cf. *PLRE* iii s.v. Origenes.

⁸¹ 'Nika riot' 119, cf. Gizewski (n.1) 164 and Evans (n.1) 122.

⁸² It is possible that certain sections of the crowd directed the rioters to Probus' house, cf. Rudé (n.5) 208-9 for the course of a riot being diverted by the involvement of new elements. Gizewski (n.1) 178, while accepting that the move to Probus' house could be part of a crowd dynamic or an attempt to wrest further concessions from the emperor, prefers to view it as part of a wider senatorial plot. But given the precedents for this development, I think Gizewski's other options more plausible, above nn.53, 55 on the momentum which can develop in disturbances and the role of chance factors.

⁸³ Cf. Greatrex (n.68) 129 and *PLRE* ii, s.v. Fl. Probus 8.

⁸⁴ *CP* 622 with *CPW* 118 n.353 on the storage of archives, noting a parallel incident in 608 (alluded to above, n.48, and placed in 609); cf. the Appendix for the location of this praetorium (of the praetorian prefect).

Phase nine: the arrival of the garrisons of Thrace. They entered the city, presumably from the west, on Saturday 17 January. A fierce mêlée with the rioters ensued, in which many buildings adjacent to the *Mesē* were burnt down.⁸⁵ At the close of day the troops probably retired into the palace, where debate among Justinian's advisers will have been as fierce as ever, since even the arrival of troops from Thrace had failed to bring the disturbances to an end. Indeed more of the city had been destroyed in the last two days than in the early stages of the riot, or in any riot that had taken place under Anastasius. A new strategy was required if the situation was to be mastered.

At this stage in the riot not only does the pace of events quicken but the quantity of available evidence also increases markedly. Procopius' account is heavily weighted towards the events of Sunday 18 January, and the *Chronicon Paschale* and Malalas both offer detailed accounts. Theophanes too is of use, offering important information not to be found elsewhere. The difficulty comes in establishing a chronology for the events of Saturday evening and Sunday: any sequence of events proposed will depend heavily upon the interpretation placed on Justinian's and Hypatius' actions. The following account attempts to make use of all the various pieces of evidence, but necessarily remains a hypothesis.

Phase ten: the final suppression of the riot. The various stages to the conclusion of the Nika riot will be examined individually, starting with the developments on the Saturday evening.

(1) As Bury argued, and has generally been accepted, it was on the Saturday evening (rather than the Sunday) that Justinian dismissed Hypatius and Pompey from the palace. What still remains disputed is the reason for this step: Justinian was well aware that the crowd might compel them to assume the throne since the brothers themselves pointed this out to him, while beseeching him not to dismiss them from the palace. One thing is clear, however: Procopius' suggested motive—that Justinian feared an assassination attempt by the brothers if they remained in the palace—is highly unconvincing, and even in his own account is put forward only as an alleged reason.⁸⁶ If either of the brothers had ever wanted to murder the emperor, then they were hardly likely to do so now that he had the backing of the troops from Thrace.

Another reason must then be sought. The key figure in this explanation is Hypatius: it will be argued that he did in fact act as Justinian's agent in suppressing the riot, although this was never officially acknowledged by the emperor.⁸⁷ How this fits with the events of the following day will be examined below.

(2) Very early on the morning of Sunday 18 January Justinian made an appearance in the hippodrome. As has been noted by others, he seems to have been attempting a repeat of Anastasius' successful appeal to the rioters in 512 to desist from their activities. In that year Anastasius had appeared in the imperial box (the *kathisma*) without his diadem, and thereby sufficiently impressed the rioters to bring the disturbances to a halt. Justinian, while not bare-headed, bore the Gospels with him, and frankly acknowledged his own error in not assenting to the demands of the factions at the start of the riot. He offered to pardon the rioters, and

⁸⁵ CP 621-2 with the comments on the buildings destroyed in CPW 120 nn.356-7. This is conflagration 5(a) of the appendix below. For soldiers setting fire to buildings to gain control of the streets cf. Herodian, K. Stavenhagen (ed.) (Leipzig 1922) vii 12.5-7, who notes the massive destruction caused in the process (at Rome), with Brunt (n.10) 10 (= 82-3).

⁸⁶ Wars i 24.19-21; the other reason he mentions is that it was ordained that this should happen. On the dismissal of the two from the palace on Saturday evening, cf. Bury, 'Nika riot' 108. Procopius' explanation is, however, accepted by Stein (n.1) 453, effectively just paraphrasing Procopius.

⁸⁷ The brothers may nevertheless have been reluctant to perform the task entrusted to them, cf. Proc. Wars i 24.20. If the compliance of Hypatius is rejected, it may be supposed that Justinian simply miscalculated (as so often during the riot) in releasing the two brothers.

received a favourable response from some quarters. But others hurled abuse at him, and he withdrew into the palace. He then dismissed the senators who remained with him, ordering them to guard their own residences.⁸⁸

Conciliation had manifestly failed. If the crowd would not be assuaged by its emperor appearing with the Gospels, then there was only one option remaining: to suppress the rioters by force. And there was only one way that they could be crushed by armed force—inside an enclosed space, i.e. the hippodrome. Now Justinian could have had troops standing by in case his appeal should be unsuccessful, and they could then have proceeded to massacre those they found there. But this would mean an indiscriminate slaughter for which he would bear direct responsibility, endowing his reign with a notoriety from which it might never recover; in such a way Tsar Nicholas II's popularity was irreparably damaged in the wake of the massacre of unarmed civilians in 1905.⁸⁹ Furthermore, the presence of troops might give the populace cause to doubt the sincerity of his apology in the first place. Hence another mechanism for assembling the people in the hippodrome was required, and here Hypatius could serve Justinian's cause. For Anastasius' nephew was apparently faced with an impossible situation once confronted by the rioters: failure to accept his acclamation could lead to death, while acceptance of it would be manifestly disloyal to Justinian. This assumes, however, that he did not have some sort of understanding with the emperor, whereby he would accept the acclamations of the partisans if the emperor's appeal to the crowd failed. Such an arrangement is heavily hinted at in the sources: in the *Chronicon Paschale* Hypatius declares to Justinian after the suppression of the riot 'Master, it was a great labour for us to assemble the enemies of your power in the hippodrome'. Likewise Procopius recounts how Hypatius urged his brother to be of good heart despite their predicament following the suppression of the riot, since 'in the beginning they had been forced by the people against their will, and afterwards they had come to the hippodrome with no thought of harming the emperor.'⁹⁰ Further traces of such an arrangement will be noted below, as the later events of Sunday are recounted.

(3) Following Justinian's withdrawal from the hippodrome the people came upon Hypatius and greeted him as Augustus. He was taken to the Forum of Constantine, where he received some improvised imperial regalia, and from there proceeded to the hippodrome, together with his brother Pompey and the former praetorian prefect Julian.⁹¹ Once he took his place in the *kathisma* he was once again acclaimed by the crowds as Augustus. Justinian, informed of these developments, moved to have the palace (which was connected to the *kathisma*) sealed off. So much we are told by the *Chronicon Paschale*, which presents a viewpoint from outside the palace.⁹² Procopius, on the other hand, offers a glimpse of what was taking place inside the court, and this can be combined with the reports of Theophanes and the *Chronicon Paschale* here.⁹³

⁸⁸ CP 623-4, Mal. 475.12-16, with CPW 121 nn.358-9.

⁸⁹ Above n.9 on this event; Justinian would be in an even worse position than Nicholas, since he would have been present at the slaughter in person, and hence could not avoid responsibility for it. Alternatively, the emperor may have overestimated his chances of calming the assembled people.

⁹⁰ CP 627.4-6, cp. 624.22-3, Hypatius' first message to Justinian, 'See, I have assembled together all your enemies in the hippodrome; do what you command'; Proc. Wars i 24.56.

⁹¹ CP 624 on these events. CPW, 122 n.360 on Julian, with PLRE iii s.v. Iulianus 4—he had preceded John the Cappadocian as praetorian prefect. Only CP records his involvement here, and in terms which fail to make it clear whether he was a willing or unwilling participant; his fate after the riot is unknown. Cameron, 'The House of Anastasius', GRBS xix (1978) 264-7, ascribes two epigrams concerning Hypatius to this Julian, cf. also *id.*, 'Some prefects called Julian', Byzantion lxxvii (1977) 47 and *id.* and Averil Cameron, 'The cycle of Agathias', JHS lxxxvi (1966) 12-13.

⁹² CP 624.13 and above n.49 on the connection between the *kathisma* and the imperial palace.

⁹³ Proc. Wars i 24.32-53.

According to Procopius Justinian now considered evacuating the capital by ship. A few lines of Theophanes should be brought to bear in this context; he states that

ὁ δὲ βασιλεὺς φοβηθεὶς ἠθέλησε βαλεῖν εἰς δρόμωνα τὰ χρήματα καὶ ἐξελεῖν ἐπὶ τὴν Θράκην ἕως Ἡρακλείας, καταλείψας φυλάττειν τὸ παλάτιον τὸν στρατηλάτην Μούνδον μετὰ τοῦ υἱοῦ αὐτοῦ καὶ , γ ἀνδρῶν καὶ Κωνσταντιόλου, καὶ τοὺς κουβικουλαρίους.

The emperor, in terror, wanted to load his money on to a *dromon* and get away as far as Herakleia in Thrace, leaving the *magister militum* Moundos to guard the palace, along with Moundos' son, 3,000 men, Konstantiolos and the *cubicularii*.

Theophanes 184.27-30, tr. Mango-Scott (n.41) 279

Bury believed this entry was misplaced and that it refers to deliberations at an earlier stage of the riot. Others have wished to shift Procopius' scene of Justinian's deliberation and Theodora's harangue back to an earlier phase. There is no need to tamper with the sources in this instance, however. For the *Chronicon Paschale*, at its most detailed here, confirms that at just this stage there was indeed talk in the palace of a pull-out by the emperor. According to its account, to be considered more fully below, it was reported to Hypatius that Justinian had fled the capital, although the information was incorrect. There is no reason therefore to reject the placing of Procopius' and Theophanes' information here.⁹⁴

What are we to make of Justinian's contemplated flight? It is clear from Procopius and Theophanes that the emperor had by no means lost the will to fight; rather, it may be suggested, he wished not to be present in the capital when the final struggle against the rioters took place. This stemmed in part perhaps from uncertainty as to whether he would prevail against those in the hippodrome, but may equally have been due to a desire to distance himself from the carnage which would ensue no matter who won. For there can have been little doubt that in any confrontation in the hippodrome the several thousand soldiers of the emperor (as is evident from Theophanes' passage) would easily outmatch the disorganised crowd. If, however, Justinian could return from Heracleia in the wake of a slaughter of the people, he could claim that his troops had over-reacted and sack a few commanders to redeem his reputation. Such a view of Justinian's motives for abandoning the capital is in line with his constant attempts to find a peaceful solution to the riot; it also accords with Procopius' description of the emperor in the *Anecdota*, where his 'easy-going disposition' and accessibility come in for criticism. 'For even men of low estate and altogether obscure had complete freedom, not merely to come before this tyrant, but also to converse with him and to enjoy confidential relations with him.' It would not be surprising therefore if Justinian were unwilling to risk massive unpopularity by being held directly responsible for a massacre in the hippodrome.⁹⁵

⁹⁴ Theophanes 184.27-30; Proc. Wars I.24.32. Bury, 'Nika riot' 104, points out that the sentence after the one quoted in Theophanes belongs on Saturday. But the sentences following that one clearly refer to the events on Sunday and Hypatius' acclamation in the hippodrome. More likely, therefore, the sentence which intervenes between the one quoted and the account of Sunday's events is misplaced. Whitby and Whitby, *CPW* 115 n.348, wish to place Procopius' episode earlier on, but see n.62 above for a rejection of this view; cf. also J.A.S. Evans, 'The 'Nika' rebellion and the Empress Theodora', *Byzantion* liv (1984) 381-2 (with *idem* [n.1] 124) on the speech of Theodora at this point, which owes much to classical models and probably little to what may actually have been said at the time. Another good example of an emperor's withdrawal (by a *dromon* laden with imperial treasures) is furnished by Maurice, who escaped with his family thus in the night of 22 November 602, Theophylact viii 9.7 with the translation of Whitby and Whitby (n.18) 223 n.47.

⁹⁵ *Anecdota* 15.11-12 (tr. Dewing) for the quotation and cf. also the passage cited by Cameron, *Mediterranean world* 125 (*Anecdota* 13.1-2), as well as her comments there. Honoré (n.60) 23-4, also draws attention to the emperor's accessibility and Procopius' criticisms of this; Justinian's character will be considered further in the conclusion below. Gizewski (n.1) 160 n.232 believes Justinian intended the troops merely to maintain control of the

(4) At this point whatever arrangement Justinian had with Hypatius was effectively nullified. Hypatius sent a *candidatus* Ephraem to the palace to report to Justinian that the people were gathered in the hippodrome (and hence, presumably, the troops could be launched against them). The news brought back by Ephraem, which he had acquired from the emperor's doctor Thomas, must have shocked Hypatius. For Thomas told Ephraem that Justinian had left the capital and that the way lay clear for Hypatius to make himself emperor. Once Ephraem relayed the news to Hypatius, the pretender 'seemed to sit more confidently in the imperial box' and to give ear to the popular outcries against Justinian. Armed Greens arrived in the hippodrome, ready to force their way into the palace to install Hypatius.⁹⁶

The most plausible explanation for these developments is that they represent a breakdown in communications. Thomas mistakenly inferred from the talk of an evacuation that Justinian had actually left, and informed Ephraem of this in good faith. Given that Thomas was, according to the *Chronicon Paschale*, 'dearly loved by the emperor', it is difficult to suppose that he was seeking to betray his master. Alternatively, Justinian may have propounded the news himself, in order to lure on Hypatius; but this is unlikely, given that he had his enemies assembled in the hippodrome now anyway. Thomas paid a heavy price for his inaccurate information: he was executed when Justinian learnt of his report to Ephraem. Ephraem was banished to Alexandria.⁹⁷

(5) Decisive action was now unavoidable for Justinian. An attack on those in the hippodrome was required, and plans were carefully laid for the onslaught. Narses was sent to divide the factions and gather support for Justinian among the Blues. Then Belisarius and others approached the *kathisma* from within the imperial palace. Mundus and Mauricius, however, parted company from Belisarius *en route*, and made their way around the *Sphendonē*, taking up positions by the gates of the hippodrome nearest to its southern end. Belisarius' brief was to enter the *kathisma* from the palace and capture Hypatius; he was foiled, however, by the refusal of the soldiers in the *kathisma* to open the doors to him. Since by now everything was staked upon putting the riot down by force, and the other commanders were awaiting Belisarius' arrival in the *kathisma* to launch their attack, Justinian was forced to order his commander to enter the hippodrome by another route. Hence Belisarius had to make his way around the northern end of the hippodrome and enter it through the stoa of the Blues. Once he launched his attack from here, the other commanders followed suit and an indiscriminate slaughter followed. By the end of the day some 30,000 people lay dead, Blues as well as Greens, innocent as well as guilty: the *Chronicon Paschale* notes the detail that 'even Antipater, the tax-collector of Antioch Theopolis, was slain'.⁹⁸

palace, while reinforcements were summoned; but, as he notes (155 n.220), 3000 men was a sizeable force, which could certainly therefore have quelled the riot by itself (even if some forces had taken the side of the rioters, *CP* 626.12-14).

⁹⁶ *CP* 624-5, 625.8-11 for the quotation (from *CPW* 122). On the armed Greens who arrived to aid Hypatius, cf. Theophanes 185.6-8, *CPW* 123 n.362; they came either from the Flacillianae palace (Theophanes, cp. *Proc. Wars* i 24.30) or Constantianae (*CP*), both of which lie not far from the Church of the Holy Apostles (indicated on the map). The Helenianae palace, near the Troadesian porticoes, had also lapsed from imperial control, cf. *Proc. Wars* i 24.30.

⁹⁷ *CP* 628.8-11 for the fate of Thomas and Ephraem with *PLRE* iii s.v. Ephraemius and Thomas 5. That Thomas was executed in no way precludes the idea that he made an unwitting mistake: Justinian could still regard him as guilty in part for causing Hypatius to turn against him. The two were also useful scapegoats for diverting responsibility from the emperor.

⁹⁸ On the numbers killed, cf. Stein (n.1) 454 n.2; on the various figures given cf. *CPW* 125 n.366, rightly stressing what a large proportion of the population of the capital even 30,000 was (perhaps as much as 10%). *CP* 626 on the indiscriminate nature of the troops' actions and the presence of Antipater in the hippodrome. I intend to deal more fully with the topography of the assault on the hippodrome elsewhere. That the assault on the hippodrome depended on the appearance of Belisarius is clear from *Proc. Wars* i 24.52, where Mundus only engages when he

(6) On the day after the suppression of the riot, in the morning of Monday 19 January 532, Pompey and Hypatius were executed. The property of rebellious senators was confiscated. Although Justinian proceeded to take measures against any remaining partisans who had acted against him, the officials appointed during the riot remained in place. The capital was tranquil for some time, and the emperor hastened to inform all the other cities of what had taken place in Constantinople: he had overcome the usurpers, thereby justifying the drastic method by which the riot had been suppressed.⁹⁹

Henceforth the factions would never unite again—save, on occasion, to oppose foreign invaders, such as the Persians who attacked Antioch or the Kotrigur Huns who threatened the capital in 559. An emperor such as Maurice or Phocas might try to rally the factions to his support, but invariably the backing of one entailed the enmity of the other.¹⁰⁰ Nor would the factions ever threaten the régime again, although rioting took place quite frequently from the late 540s onwards. The factions played only a minor role in the downfalls of Phocas and Maurice: the army was of much greater importance.¹⁰¹ Thus while Maurice fell, Justinian survived—chiefly on account of the enduring loyalty of his commanders and soldiers: very few troops defected to Hypatius, although others took a neutral stance.¹⁰²

Conclusion

The Nika riot was both typical and atypical of popular disturbances in the capital in this period. It began routinely enough, as has been shown, with demands for the release of partisans, and then for the dismissal of officials. It even ended typically, in an assault on the hippodrome; what was unusual was the bloodiness of the onslaught. Nearly all the actions and reactions of the mob and the emperor had precedents in the recent past, yet the scale and length of the riot were without parallel. It has been the aim of this article to argue that the chain of events which made the Nika riot unique was for the most part accidental: the relationship between ruler and people broke down through a series of misunderstandings. Justinian constantly gave off different signals to the populace, at one moment seeming lenient, at another uncompromising. Hence it seemed to the rioters that if they persisted in their rioting an initial ‘no’ might become a ‘yes’; this continued for a long time, but once the rioters had spurned his final attempt at conciliation

has seen Belisarius break into the hippodrome. Although Procopius may seem to be overemphasising the role of Belisarius here, a co-ordinated attack was clearly vital to the success of the operation.

⁹⁹ *CP* 628, *Mal.* 476-477.1; also Theophanes 185.27-186.2, where he notes the exile of eighteen patricians, *cf.* *CPW* 126 n.369. Property was also confiscated, but that belonging to Probus, his cousin Olybrius, and the children of Hypatius and Pompey was returned early in 533: *Proc. Wars* i 24.57-8, *Mal.* 478.18-21 and *cf.* Cameron, ‘House of Anastasius’ 266-7. For Gizewski (n.1) esp. 148, 177-8 and Chekalova (n.1) 25-6, and *Konstantinopol’* (e.g.) 135-6, senatorial opposition to Justinian is crucial; yet, as Gizewski admits himself, 183, the figure of eighteen is not large, even in the Senate of the sixth century (on which *cf.* Jones (n.5) 529 and 1221-2 n.16); see further below, p. 83. Note also the stress in *CP* 627.20-22 and *Mal.* 476.22-477.1 on the imperial pretensions of Hypatius, well brought out by Gizewski (n.1) App. XVII, 239.

¹⁰⁰ Note the disputes which broke out at Phocas’ accession, Theophylact viii 10.10, as well as the divisions between the factions when Heraclius was nearing Constantinople, John of Antioch *fr.* 218f.3-5 with *CPW* 151 n.423; and *cf.* the support which the imperial troops in Antioch received from the Blues while trying to subdue the rioting Greens there in 507, *Mal.* 397. A minor exception to the statement above is the occasion in 607, described in n.44; but there the factions, although united in their demands, did not have recourse to violence. See also n.39 for (Samaritan) Greens and Blues uniting in Caesarea in 555.

¹⁰¹ As Cameron argues, *Circus factions* 265.

¹⁰² *Proc. Wars* i 24.39, 47 and *CP* 626.12-14, on the defection of some forces. Clearly, however, most remained loyal to the emperor; on the forces available to the emperor, *cf.* *CPW* 115 n.351 and 121 n.363 with Gizewski (n.1) 155 n.220 and 172. As Rudé (n.5) 266 remarks, ‘It would seem [...] to be almost a truism that the key factor in determining the outcome of popular rebellion and disturbance is the loyalty or disaffection of the armed forces at the government’s disposal’.

on the Sunday morning, the emperor could no longer tolerate the situation.¹⁰³

Central to this interpretation of the riot is the conduct of the emperor. A comparison with the behaviour of Justinian's predecessor Constantine on two separate occasions is instructive. On one occasion Constantine found himself the object of jeers from the Roman populace, as Libanius relates. He consulted his brothers as to what course of action he should pursue. One advised that he send in the troops forthwith, and volunteered to take charge of the operation himself. The other thought it preferable to ignore them altogether, and it was this course which the emperor followed.¹⁰⁴ At another time, according to Eunapius, Constantine was distressed at how little applause he drew in the theatre at Constantinople; it was suggested to him, however, that the cause of this was one of his advisers, Sopater. The emperor did not hesitate; his counsellor was executed.¹⁰⁵ Whatever the truth of these anecdotes, they illustrate neatly occasions on which it was prudent to react and on which it was not. General discontent could safely be ignored, provided that there was no particular focus of dissatisfaction. A reaction of some sort, however, was required when specific grievances were aired. An emperor such as Gaius, apparently unconcerned at popular opinion, might instantly despatch troops to arrest all the ringleaders when there were demonstrations during games. Such stern measures, for all their brutality, were effective, and reduced the people to silence.¹⁰⁶ A few emperors ventured to refuse popular demands, doing so by having their herald silence the crowd; no further violence appears to have been needed.¹⁰⁷ But most emperors were more receptive to the will of the people: they could be prevailed upon either to spare a criminal or to execute a hated official. Thus for instance Tiberius bowed to the demands of the people to free a certain comedian and Otho gave way to demands for the execution of Tigellinus.¹⁰⁸

Justinian was embarking on a dangerous course therefore when he failed to offer any response whatever to those demanding the pardon of the two partisans. He may have had in mind the injunction of Diocletian contained in the *Codex Justinianus*, the first edition of which had been issued less than three years previously:

Vanae voces populi non sunt audiendae nec enim vocibus eorum credi oportet quando aut obnoxium crimine absolvi aut innocentem condemnari desideraverint.

The worthless voices of the people should not be listened to. Nor is it right to give credence to their voices when they demand either that the guilty should be acquitted or that the innocent should be condemned.¹⁰⁹

¹⁰³ For a similar verdict, cf. Cameron, *Circus factions* 280 and *id.*, 'The House of Anastasius' 264: the Nika riot, he states, was 'a sorry tale of vacillation and misjudgement'. Cf. Bury (n.1) 39 on how the riot on Saturday would ordinarily have been quelled without difficulty. Rudé (n.5) 263-4 notes how fatal a hesitant policy towards the crowd could be.

¹⁰⁴ Libanius, *Or.* xix 19, vol.2, R. Foerster (ed.) (Leipzig 1904), cf. A.F. Norman, *Libanius. Selected works* ii (Cambridge, Mass. 1977) 281 and note a, an anecdote noted by Nippel (n.3) 92.

¹⁰⁵ Eunapius, *Vitae sophistarum*, J. Giangrande (ed.) (Rome 1956) vi 2.7-11 (462-3), noted by Millar (n.18) 374. It is unclear whether the suggestions were made to Constantine in the theatre itself.

¹⁰⁶ Josephus, *Antiquitates Judaicae* xix 4.25-6, vol.4, S.A. Naber (ed.) (Leipzig 1893) with Dio Cassius lix 13.4, vol.2, U.P. Boissevain (ed.) (Berlin 1898), Africa (n.10) 10-11 and Cameron, *Circus factions* 162-3; cf. Anastasius' prompt resort to armed force, noted above. At the very end of his reign Justinian followed a similar line, cf. Mal.'s approving verdict on the harsh measures of the city prefect Julian in 565, *fr.* 51 (pp.175-6, tr. Jeffreys-Scott [n.2] 305-6).

¹⁰⁷ Millar (n.18) 68 and 371-2 on this behaviour of Domitian and Hadrian, with Cameron, *Circus factions* 166-7.

¹⁰⁸ Millar (n.18) 373-4 and Africa (n.10) 10-11.

¹⁰⁹ *C.J.* ix 47.12, precise date uncertain; see Millar (n.18) 374 (for the translation) and n.44. Jones (n.5) 477 for the date of publication of the first edition (7 April 529). Cf. Roueché (n.12) 133 on the laws in the Theodosian Code against governors seeking the favour of the crowds by means of lavish games (*Codex Theodosianus*, T. Mommsen and P. Meyer (eds.) (Berlin 1905) xv 5.1; also xv 5.2.1 and 9.2).

<i>Date</i>	<i>Event</i>	<i>Phase</i>
Saturday 10 Jan.	The execution of the partisans from which two escape	1
Tuesday 13 Jan.	Widespread rioting	1-2
	Attack on the praetorium and liberation of prisoners	3
Wednesday 14 Jan.	Justinian tries to continue games	4
	New demands of the rioters	5
	Justinian accedes to the demands	6
	Belisarius' sortie against the rioters	7
Thursday 15 Jan.	The rioters acclaim Probus	7
Friday 16 Jan.	Further incendiarism	8
Saturday 17 Jan. (evening)	Arrival of troops from Thrace	9
	Hypatius and Pompey dismissed	10.1
Sunday 18 Jan.	Justinian appears in the hippodrome	10.2
	Hypatius acclaimed emperor	10.3
	Justinian contemplates flight	10.3
	Hypatius hears of this in the hippodrome	10.4
	Justinian decides to assault the rioters in the hippodrome	10.5
Monday 19 Jan	Execution of Hypatius and Pompey	10.6

SUMMARY OF EVENTS DURING THE NIKA RIOT

Such a policy may have suited the soldierly Diocletian, who spent little time in imperial capitals, but it ran quite contrary to usual imperial practice, as has been seen. The emperors Valens and Valentinian, on the other hand, as also reported by the *Codex*, were clearly more inclined to countenance clemency:

Indulgentia, patres conscripti, quos liberat notat nec infamiam criminis tollit, sed poenae gratiam facit.

A pardon, Conscript Fathers, brands those whom it frees; it does not take away the infamy of crime but grants remission of punishment as a favour.¹¹⁰

Justinian was ill suited to follow the precedents of Gaius, Diocletian or Anastasius. He was easily approachable, ready to spare his enemies, and eager for popularity: his consular games in 521 had been on a most lavish scale.¹¹¹ Hence his initial firmness soon gave way to a desire to placate the mob, but the people reacted badly to his change of heart. One parallel for

¹¹⁰ *C.J.* ix 43.3, with the comments of Gizewski (n.1) 165 n.245 on the right of an emperor to offer pardon to those condemned by law. Translation from C. Pharr, *The Theodosian Code* (New York 1952) ix 38.5.

¹¹¹ On Justinian's consular games (in 521), cf. Marcellinus *comes* a.521 with Vasiliev (n.16) 93-4: 288,000 *solidi* were spent on them. His munificence as consul in 528 was no less remarkable, cf. *CP* 617 with Croke (n.25) 124. See above p. 78 on the accessibility of Justinian, and note also the passages cited by Roueché (n.12) 6-7, *C.J.* xi 41.1 and esp. *Nov.* 105.1 (536), in which Justinian encourages spectacles for the people. His clemency was displayed on numerous occasions; note, for example, his sparing of the plotters Artabanes and Chanaranges in 548/9 (*Proc. Wars* vii 32.51) and of a Green partisan in the 560s, *Mal. fr.* 50 (p.175, tr. Jeffreys-Scott (n.2) 305).

such inconsistent behaviour may be found in the brief principate of Vitellius, who was enthusiastically acclaimed by the people of Rome in the summer of 69 AD, and yet whose death in December of the same year was also joyously received.¹¹² It has been argued convincingly that the cause of this swift fall from popularity was ‘the inconsistency of his political actions. He frequently followed two contradictory policies at once...’. Vitellius constantly sought to gain the approval of the people, but as his fortunes waned, and Vespasian’s generals drew near to Rome, he could not decide how to react: three times he tried to lay down his throne, but by his third attempt he was no longer believed to be acting in earnest.¹¹³

The events of 10-18 January could not be undone by the emperor. He could, however, seek to justify his actions by the way in which the disturbances were reported: the blame could thus effectively be shifted onto others. Over a period of time several justifications were developed. The first has already been touched on: the riot was presented as a straightforward attempt at usurpation by the nephews of Anastasius, with significant senatorial support. As has been seen, however, the role of the senators appears to have been limited, and our principal sources make little mention of them.¹¹⁴ Only one year later the family of Anastasius was rehabilitated, and by the 550s a rather different picture of the riot was being presented. Procopius and John Lydus, our two sources from this decade, put the blame chiefly on John the Cappadocian, who is even accused by John of harbouring imperial ambitions.¹¹⁵

In conclusion, the uniqueness of the Nika riot lies more with the emperor than with the ‘mob’: had Anastasius ever shown such hesitation, he too could have been unseated. Comparison with the disturbances studied by Hobsbawm and Rudé, as well as with those of the early imperial period, has shown how rulers and ruled were expected to adhere to certain patterns of behaviour in their dealings with one another. Consistency and decisiveness were important attributes for an emperor; Justinian possessed neither. He was no more unpopular than Anastasius, it should be emphasised; but he was more concerned for popular opinion, and consequently unprepared to match uncompromising rescripts with firm action.

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¹¹² Cf. Z. Yavetz, ‘Vitellius and the “Fickleness of the Mob”’, *Historia* xviii (1969) 557, with Tacitus *Historiae*, E. Koestermann (ed.) (Leipzig 1969) ii 55 and iii 85.

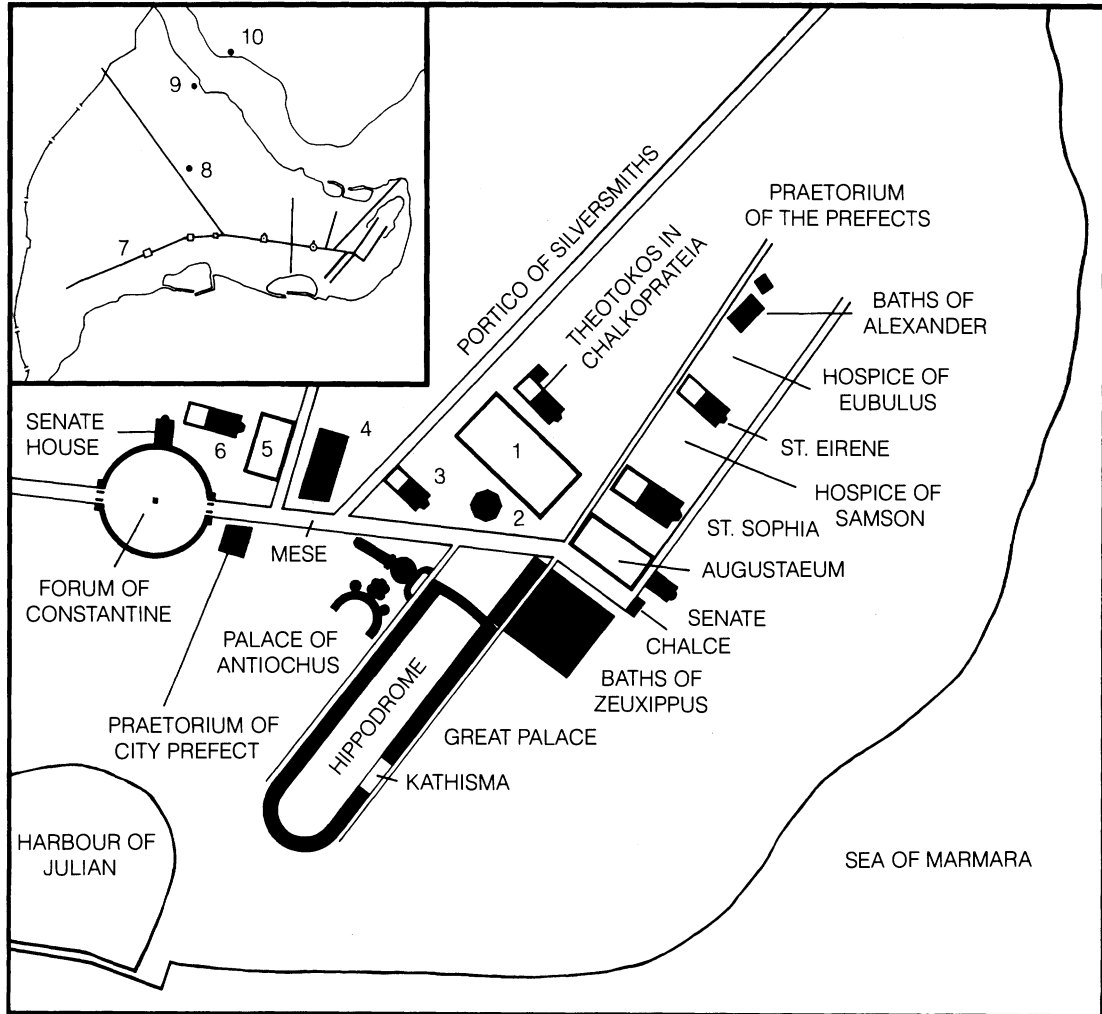
¹¹³ Yavetz (n.112) 559, for the quotation; 560 and 564-8 on his efforts to win popular favour and his vacillation over his resignation. Also Tacitus *Historiae*, iii 70: by the end, according to Tacitus, he was no longer an emperor, only a cause for war.

¹¹⁴ Marcellinus *comes* a.532 for the emphasis on the role of the senators and the nephews of Anastasius, with the comments of Croke (n.25) 126, Gizewski (n.1) 239 and Bury, ‘Nika Riot’ 93. See above n.99 for the reports of CP and Mal. on this.

¹¹⁵ Bury, ‘Nika riot’ 94, for the throwing of the blame onto John the Cappadocian, cf. G. Greatrex, ‘The composition of Procopius’ *Persian Wars* and John the Cappadocian’, *Prudentia* xxvii (1995) 4-5. John Lydus, *De mag.* iii 62.1 (p.152.22-3), on John’s unlikely imperial aspirations. The partisans also came to be assigned much of the blame: cf. Proc. *Wars* i 24.1-6 and Mal. 474.8-10 (the Devil inspiring the factions to unite).

Appendix: the conflagrations during the riot

Archaeological discoveries have added much to our knowledge of the topography of Constantinople since the appearance of Bury's article. Hence the map (fig.1) differs in several respects from that of Bury; the purpose of this appendix, it should be noted, is neither to review nor propound new theories as to the location of monuments or buildings, but merely to offer a chronological analysis of the fires during the riot based on recent research.¹¹⁶



1. BASILICA STOA. 2. OCTAGON. 3. ST. THEODORE OF SPHORACIUS. 4. HOUSE OF SYMMACHUS AND PALACE OF LAUSUS. 5. CISTERN OF PHILOXENUS. 6. ST. AQUILINA. 7. TROADESIAN PORTICOES. 8. HOLY APOSTLES. 9. ST. LAURENCE. 10. ST. CONON.

FIG. 1

¹¹⁶ Bury's discussion of the topography of the city, 'Nika riot', 109-14, map on p.110. For more recent discussions of the location of monuments cf. (e.g.) Guillard (n.49) i-ii, C. Mango, *Le développement urbain de Constantinople*² (Paris 1990), idem, *Studies on Constantinople* (Aldershot 1993) and J. Bardill, 'The palace of Lausus and nearby monuments in Constantinople: a topographical study', *AJA* 101 (1996) 67-95. I am much indebted to Jonathan Bardill for advice on topographical matters and for the preparation of the map which accompanies the article.

Bury divided the various fires which struck Constantinople during the riot into three conflagrations. He argued that the first of these took place during 13-14 January and destroyed the buildings around the Augustaeum and St Sophia; the second, on Friday 16 January, hit the region north of St Sophia, while that of the following day (Saturday 17 January) devastated the *Mesē* and the buildings on either side of it.¹¹⁷ There is no need to challenge his placing of the final two conflagrations, but the first is rather more problematic.

That there was some incendiarism on Tuesday 13 January is clear, for Malalas reports that the crowd burnt down the praetorium of the city prefect; and this should probably be connected with Procopius' mention of the liberation of prisoners from the δεσμωτήριον.¹¹⁸ This praetorium should be placed along the *Mesē*, between the Augustaeum and the Forum of Constantine; it was the headquarters of the city prefect.¹¹⁹ Difficulties then arise as to whether the rioters embarked on any further acts of arson on this day: Malalas' account goes on to relate the burning of the Chalce, St Sophia and the public colonnade as if they took place immediately after the destruction of the praetorium. The *Chronicon Paschale*, however, places the destruction of these monuments, as well as of the nearby Senate house, on the night of Wednesday 14 January and/or Thursday 15 January.¹²⁰ This conflict is best resolved in favour of the *Chronicon Paschale*, by far the most detailed and reliable source available.¹²¹

Since there is no contradiction with the *Chronicon Paschale*, it is possible to credit Malalas' statement that on the morning of Wednesday 14 January, in response to Justinian's attempt to restart the games in the hippodrome, the crowd set fire to part of the structure itself; the fire then spread to the porticoes by the Baths of Zeuxippus.¹²² This should be treated as a separate conflagration since there is no evidence that it spread elsewhere; likewise the attack on Thursday on the house of Probus, situated near the Harbour of Julian, is a separate, and rather less important, fire.¹²³

The city thus suffered most in the last three days of the riot. Probably on the night of Wednesday 14 January and the following day the Chalce, the Portico of the *scholarii*, *protectores* and *candidati*, the Senate house, the Augustaeum and St Sophia were burnt down.¹²⁴ The next day saw the destruction of the area near the praetorium of the praetorian prefect; the fire spread to the bath of Alexander, the hospice of Eubulus, the basilica of Illus, two imperial houses, the church of St Irene and the hospice of Samson.¹²⁵ Finally, on Saturday 17 January, it was the turn of the soldiers to indulge in arson: they set fire to the Octagon in order to dislodge the rioters there, but in the process ignited the whole region around the church of St Theodore of Sphoracius. The fire spread westwards along the *Mesē*, destroying the Portico of the Silversmiths, the House of Symmachus, the church of St Aquilina, as far as the Arch

¹¹⁷ Bury, 'Nika riot' 114-15.

¹¹⁸ Malalas 474.17 and Proc. *Wars* i 24.17 (clearly at the outset of the riot) with Dagron (n.12) 239 and above n.50.

¹¹⁹ Cf. Dagron (n.12) 239, Mango, *Studies* (n.116) Addenda 1.

¹²⁰ Malalas 474.18-19, CP 621.20-622.2. CP is slightly unclear here as to whether the buildings were burnt down on the Wednesday or the Thursday; it was apparently in reaction to the attack of Belisarius, on which see above phase seven. Theoph. 184.26 places the destruction of St Sophia on the Friday; despite Mango-Scott (n.41) 284 n.40, CP should be followed here.

¹²¹ Cf. the comments of Jeffreys-Scott (n.2) 276 and CPW 112-13, 117 n.351. As Whitby and Whitby note, CP is here probably the best witness to the original text of Malalas, despite Bury's doubts on this, 'Nika riot' 100.

¹²² Malalas 474.20-475.1 and above n.52.

¹²³ CP 622.4-6, according to which the fire at the house of Probus was soon extinguished (but note Theoph. 184.23-4). Guillard (n.49) ii.7 places the house near the harbour of Julian, cf. R. Janin, *Constantinople byzantine*² (Paris 1964) 416 and CPW 118 n.352.

¹²⁴ CP 621.20-622.2, above n.120.

¹²⁵ CP 622.6-15 with CPW 118 n.353. On the location of the praetorium of the praetorian prefect, in the Forum of Leo, Mango, *Studies* (n.116) Addenda 2-3; it is referred to by CP as the 'praetorium of the prefects', 622.7-8, and is so labelled on the map. It was a natural target in the wake of the demands for the dismissal of John the Cappadocian. Cf. also Bardill (n.116) 84.

in the Forum of Constantine.¹²⁶ The rioters, apparently fleeing eastwards, responded by setting fire to the Magnaura palace and the Liburnon, situated to the east of the Augustaeum, and evidently still intact; the fire was soon extinguished, however.¹²⁷

The sequence of conflagrations can perhaps best be summarised by a table.

THE CONFLAGRATIONS DURING THE NIKA RIOT

	<i>Date</i>	<i>Area destroyed</i>	<i>(Phase)</i>
1	Tues. 13 Jan.	Praetorium of city prefect	3
2	Wed. 14 Jan	Part of hippodrome; porticoes by Baths of Zeuxippus	4
3(a)	Night of Wed. 14 Jan.-Thur. 15 Jan.	Chalce, Portico of the <i>scholarii</i> , <i>protectores</i> , <i>candidati</i> ; Senate House, Augustaeum, St Sophia	7
3(b)	Thur. 15 Jan.	House of Probus	7
4	Fri. 16 Jan.	Praetorium of praetorian prefect, two imperial houses, Bath of Alexander, Hospice of Eubulus, St. Irene, Basilica of Illus, Hospice of Samson	8
5(a)	Sat. 17 Jan.	Octagon, St. Theodore of Sphoracius, Portico of Silversmiths, House of Symmachus, St Aquilian, Arch in the Forum of Constantine	9
5(b)	Sat. 17 Jan.	Liburnon and Magnaura	9

¹²⁶ *CP* 622.21-623.9 with *CPW* 120 n.356 and Bardill (n.116) 84-5. On the destruction along the *Mesē*, cf. John Lydus, *De mag.* iii 70 (p.163.21-2). See n.85 above for another instance of soldiers having resort to arson in order to defeat the inhabitants of a large city.

¹²⁷ *CP* 623.9-11. On the location of these two places cf. *CPW* 120 n.357, C. Mango, *The Brazen House* (Copenhagen 1959) 57-8 and A. Berger, *Untersuchungen zu den Patria Konstantinupoleos*, *Poikila Byzantina* 8 (Bonn 1989) 268 and n.219 (who interprets *CP* as referring only to the Liburnon being burnt).