

The Perception of Justinian in the Latin West: Considerations from Dante's Works

Daniel Hernández San José*

1. Justinian: from 6th to 14th Century

Dante's *Commedia* is one of the best historical sources that we have for studying the political and philosophical thought of the early 14th Century Italy and the Europe. Written in a period of twenty years, it is composed in three parts, each other corresponding to the three levels of the Christian cosmography: *Inferno*, *Purgatory* and *Paradise*. When Dante wrote his *Paradise* in the c.1310, he decided to focus a whole chapter in the figure of the emperor Justinian, the central character of 6th century.

Considering him as one of the most important emperors in Roman History, Justinian shared a prominent place in the memories of Christians in the past next to Caesar, Constantine and Heraclius. The 10th century *Σοῦδα* or *Suda*¹ provides a good representation of how he was remembered. First of all, Justinian ordered Isidore of Miletus and Anthemius of Tralles to build the church of *Hagia Sophia*, "Holy Wisdom of God", the most impressive monument of his time and for the centuries coming. Then, he was considered as an emperor who defended the Faith, promoting the cult of Holy Mary as *Theotokos*, from Jerusalem to *Septem*². Secondly, Justinian gave the Roman Empire a renewed prestige defeating the Persians in the East and, recovering Rome in the West for the *Romania*. And, most of all, his effort in the compilation and adaptation of the Roman legal tradition with the help of Tribonianus, later referred to as *Corpus Iuris Civilis*.

To put it simply, this is the image that survived in the Christian East. The «Byzantine Empire», the only political structure surviving from the Ancient World, kept the image of Justinian in its memory. His remembrance has been studied exhaustively by Professor Günter Prinzig³. His study is unique for his contribution, but there is a lack of study on the image of Justinian in the Medieval Latin West⁴. This is due in part to the fact that even from the 7th Century we have fragmentary material related to Justinian. His memory seems to have fallen into darkness while the centuries of the Middle Ages pressed forward.

The Greek Procopios of Caesarea, a contemporary of Justinian, gives us the essential sources for studying his life: *Buildings*, *Wars* [against Persians, Vandals and Ostrogoths], and *Secret History*, in which we see the darker side of Justinian. Furthermore, these contradictions inside Procopius' works are stronger in the Latin West. For example, from the Spanish point of view, the little that Isidore of Seville wrote about Justinian's rule had, at the least, negative

* Daniel Hernández San José, University of Granada (Medieval History and Historiographic Sciences and Techniques; and the Centre for Byzantine, Modern Greek and Cypriot Studies of Granada). This paper is part of the Ph.D. project under development, *Romani & Ρωμαίοι. The Transformation of Romanness in the Transition from the Ancient World to the Medieval World*, included in the research project «Estudios de la Civilización Griega Medieval y Moderna». Email: danhern@ugr.es

¹ Suda: «Ἰουστινιανός».

² He built different churches under the advocacy of Holy Mary Theotokos, these are two examples: for Jerusalem, Προκοπίος Καισαρείως, *Περὶ Κτισμάτων*, V.6.1-2. And, about *Septem*: VI.7.15-16. Cameron, A., «The Theotokos in Sixth Century Constantinople. A City finds its symbol», *Journal of Theological Studies* 29, 1978, pp. 79-108.

³ Prinzig 1986.

⁴ Ciggaar 1996, 99, n.55.

connotations⁵. We can find the same image from an English source, the Venerable Bede, who preferred to stay silent during the Emperor's reign⁶. Much in the same way Gregory of Tours did in France⁷. Then, the portrait of Justinian we saw in the East was incomplete in the West: Jordanes is the other contemporary author of Justinian who spoke in some positive way about him, as some researchers consider that Jordanes' *Getica* was composed for Justinian himself.

The unique exception in the Latin West is Paul the Deacon, who in the 8th Century, in his *Historia Langobardum*, made such a positive review of Justinian's life comparable only to Greek sources⁸. Although Paul said the same things the Σοῦδα/*Suda* would say later⁹, he included them explicitly his legal works: ...[Justinian] *arranged in wonderful brevity the laws of the Romans whose prolixity was very great and whose lack of harmony was injurious*¹⁰... Therefore, he focused on the three basic aspects of Justinian's life we have mentioned above.

We know that his legal reforms were applied in all the territories ruled by the Romans, including Italy and Africa of the *Renovatio Imperii*, and even in the Roman province of *Spania*¹¹. In the rest of the West Latin territories, ruled by the Germanic kingdoms, Justinian's reforms were not unknown but remained unapplied. Here, the Roman legal tradition continued and followed the tradition of *Codex Theodosianus*. Only in Italy the *Codex Iustinianus*, *Institutes* and *Novels* continued to be little known in the Middle Ages, through the *Sanctio pragmatica pro petitione Vigilii* (*Codex Iustinianus*) and *Epitome Julianii*. However, the Digest was not remembered. In general terms, Justinian's legal tradition was lost in the Early Middle Ages¹². We will have to wait until the late 11th Century to see the little efforts made to recover Justinian's legacy. Essentially, because of the recovery of the Roman legal tradition commenced in the 11th Century. In fact, before the 12th century, the legal works of Justinian had not reached the whole of the western territories¹³.

Although Paul the Deacon spoke positively about Justinian's religious legacy, we can find in his *Historia Langobardum* some other references in the opposite direction. We can find him in context of a religious problem called the *Tria Capitula*. Imprecisely, and with historical mistakes, Paul says: ...[In 553, a] *synod was held at Constantinople at the time of pope Vigilius under the emperor Justinian against Theodorus and all the heretics who were asserting that the blessed Mary had given birth to a man only and not to a God and a man. In this synod it was established as a Catholic doctrine that the blessed Mary ever virgin should be called Mother of God since, as the Catholic faith has it, she gave birth not to a man only,*

⁵ Isidore of Seville, *Historia Gothorum*, 46-47.

⁶ Bede the Venerable, *Historia ecclesiastica gentis Anglorum* IV.15.3.

⁷ Gregory of Tours, *Historia Francorum* IV.40.

⁸ Herrera 2006, p. 79, n. 63.

⁹ And the same for what Justinian's reign is still remembered today, as we can see for example in Kunkel 1973, 164.

¹⁰ Paul the Deacon, *Historia Langobardum*, I.25. And, without doubt, he recognises that “*This emperor in fact was Catholic in his faith, upright in his deeds, just in his judgments, and therefore, to him all things came together for good*”, making a difference in the tradition of the Latin West about the religious policy of Justinian.

¹¹ Gonzalez Fernández, R., «Las cartas de Gregorio Magno al defensor Juan. La aplicación del derecho de Justiniano en la Hispania bizantina en el siglo VII», *Antigüedad y Cristianismo* XIV, 1997, pp. 287-298. Bronwen Neil and Matthew J. Dal Santo, *A companion to Gregory the Great*, Brill: Leiden, 2013, p. 67: *We do not be surprised, therefore, if we find Gregory's letters a conception of the imperial office, the empire and the relationship of both to the Church that echo Justinian's.*

¹² Mueller 1990, 1.

¹³ Kunkel 1973, 181: *Modern scholarship has tried in vain to prove the existence in Italy of a continuous Roman law tradition of some standing.*

but truly to a God and a man¹⁴.

This belongs to the problem of the *Three Chapters*, who had separated from the communion of the Roman church at the time of Pope Vigilius or Pelagius¹⁵, an obscure point in the memory of Emperor Justinian in the medieval *Latinitas*, and the principal reason why Isidore of Seville and other sources in West do not speak more about Justinian. This schism was opened some years before, trying to end the dogmatic divisions inside the Empire due to Nestorianism and Monophysitism. In fact, Justinian's religious policy confronted the authority of the Roman Papacy. Under the problem of *Tria Capitula* lay also the matter of the *Cesaropapism* and the theory of the *Two Swords*, formulated by Gelasius at the end of the 5th century ("Imperial Authority" and "Ecclesiastical Authority").

The same problem remained in Dante, who dealt with the question of the Empire and the primacy of the Roman Papacy, speaking about the *Two Suns*¹⁶: 'Rome, which formed the world for good, once held two suns that lit the one road and the other, the world's and that to God. 'The one has snuffed the other out, the sword is fastened to the crook, and these two, forced to be together, must perforce go ill, 'since, joined, the one fears not the other'¹⁷.

So, Justinian has in the Latin West a dualistic vision: although he built *San Vitale*, *Hagia Sophia* or different *Holy Mary Theotokos*, his religious policy also received a great opposition from the West, headed by the Roman Papacy. This problem was so huge, that we can find how Justinian exiled Pope Silverius, and had a tense relation with Pope Vigilius, who denied signing the V Ecumenic Council.

This obscure and ambiguous image of Justinian in the West existed until Dante decided to break this silence, rising Justinian to the second sphere of his Heaven, and rescuing his memory from the past in a positive way. The whole of *Canto VI* is an apologia of this emperor: there, Justinian is the one chosen to summarize the history of the Roman Empire¹⁸, and having the final word in the controversy of the primacy of Pope and Emperor in the 14th Century, inherited from the *Investiture Controversy*.

2. Reading the Canto VI

We are going to follow the order Dante chose for Justinian's speech using, as we consider important how Dante give us the information. After a long walk through the Inferno and the Purgatory, Dante finally reached the Paradise. There, he has to continue ascending through the nine spheres of the Heaven, looking for the last stage: the Empyrean. These spheres correspond to the geocentric conception of the universe, as it was seen from the Antiquity. So, in the first step, he finds Constanza of Sicily, married with Henry VI (son of Frederick I Barbarossa) and mother of Frederick II¹⁹.

Above Moon's Sphere Dante enters in the Mercury Realm, introduced by an unnamed soul whose name is given later. Surprisingly for being Justinian's poem, this soul starts its speech with the emperor Constantine, saying that he turned the Roman Empire not only *Greek*

¹⁴ Paul the Deacon, *Historia Langobardum*, VI.14.

¹⁵ *Ibidem*, III.26.

¹⁶ Purgatory XVI, 65-169. Hede, Jesper, «Unity and difference in Dante's universal vision», *Classica et Mediaevalia. Revue danoise de philologie et d'histoire* 57, Museum Tusulanum Press: Université de Copenhague, 2006, pp. 246-247.

¹⁷ Purgatory XVI, 106-112.

¹⁸ Caferro 1996, 105. Ferrante 1984, 52.

¹⁹ Paradise III.

but, furthermore, to Troy: following the ancient legend kept by Virgil's *Aeneis*²⁰, the remote origins of Rome.

Only after this, the unknown soul reveals his name. It is Justinian, and he introduces himself by saying, first of all, that he was a *Caesar*, dissipating any doubt about his legitimacy as a roman, and *Latin*, emperor²¹. Then Justinian continues speaking about a problematic point: his religious policy²². Dante collected here other legend: his conversion to the orthodoxy by Pope Agapetus. Thanks to this, Justinian was able to start the compilation and codification of the entire roman legal tradition, knowing how to difference «both false and true»²³. Moreover, this was done while Belisarius was ordered to restore, successfully, the Roman authority and the Imperial rulership in the Latin West, lost since the general crisis of the 5th century²⁴.

Justinian recovered the Roman prestige, but the inheritance he left for the incoming emperors was, in contrast, lost. The, he regrets how his efforts were lost because of the internal division of the Christianity²⁵. For making this loss more regrettable, Justinian is Dante's chosen to summarize the whole history of the Roman Empire. And, after that, Dante ends with Charlemagne, saying in few words that he saved the Church from the threat of the Lombards²⁶. Here Justinian stops, lamenting again the rebellion against the authority of the emperor (Guelphs and Ghibellines, including the aspirations of Charles II of Anjou)²⁷. Finally, Justinian explains why he is in Mercury's Sphere, which corresponds to the people who wanted to be honoured and glorified in life²⁸.

3. *The originality of Dante's perspective.*

With this entire poem, Justinian («the only character of the *Commedia* so honored»²⁹) is rescued from oblivion by Dante. He supports his legacy in three ways, which were new for his time. In first place, Dante presents Justinian as the summit of the Roman Empire: he is the only emperor who has voice in his *Commedia*, and, furthermore, he is considered by Dante as the best one to explain the History of the Roman Empire, as he recovered and assured its

²⁰ Paradise VI, 1-9: 'Once Constantine reversed the eagle's flight, counter to the course of heaven it had followed behind that ancient who took Lavinia to wife, 'for two hundred years and more the bird of God remained at Europe's borders, near the mountains from which it first came forth. [...]. Caferro 1996, 103.

²¹ *Ibidem*, 10-12: 'Caesar I was and am Justinian, who, by will of the Primal Love I feel, pruned from the laws what was superfluous and vain.

²² *Ibidem*, 13-21: 'Before I had set my mind to that hard task I believed Christ had but a single nature, and not a second, and was content in that belief. 'But the blessed Agapetus, the most exalted of our shepherds, brought me to the true faith with his words. 'I believed him. What he held by faith I now see just as clearly as you understand that any contradiction is both false and true.

²³ *Ibidem*, 21.

²⁴ *Ibidem*, 22-27: 'As soon as my footsteps moved at the Church's side, it pleased God, in His grace, to grant me inspiration in the noble task to which I wholly gave myself, 'entrusting my weapons to Belisarius, with whom Heaven's right hand was so conjoined it was a sign for me to give them up.

²⁵ *Ibidem*, 28-33: 'Here, then, ends my reply to your first question, but its nature still constrains me to follow up with something further 'so that you may consider if with reason some rebel against that sacred standard, both those opposed and those who take it as their own [Guelphs and Ghibellines].

²⁶ *Ibidem*, 94-96: 'Then, beneath its wings, when Lombard tooth bit Holy Church, Charlemagne, in victory, gave her comfort.

²⁷ *Ibidem*, 97-111: '...One sets against the universal standard yellow lilies, while the other claims it for a party, so that it's hard to see which one offends the more. [...] 'And let not this new Charles strive to fell it with his Guelphs, but let him fear its claws, which have ripped the hides from greater lions. 'Many a time have children wept for the father's sin, and let him not think that God will change His ensign for those lilies.

²⁸ *Ibidem*, 112-126.

²⁹ Caferro 1996, 102.

existence for the future.

The second new point is the way he improves the memory of Justinian, partially and timidly claimed in Barbarossa's reign, as an effort for showing us that Justinian's real legacy is the foundations for an enduring and ever standing rulership: the legal basis he gave to the Romans through his vast *Corpus Iuris Civilis: Codex Iustinianus, Digesta, Institutiones* and *Novellae*. Because of this works, Justinian's memory is expected to be developed by an emperor as Henry VII. We can see it in the only other fragment of *Commedia* where Justinian is mentioned: *Now your inhabitants are never free from war, and those enclosed within a single wall and moat are gnawing on each other. Search, miserable one, around your shores, then look into your heart, if any part of you rejoice in peace. If there is no one in your saddle, what good was it Justinian repaired your harness?*³⁰.

And Dante's last input is the way he describes Justinian as a *pious* emperor, not only claiming for his *orthodoxy* but also the inspiration and support that God gave to him: *'Caesar I was and am Justinian, who, by will of the Primal Love I feel, pruned from the laws what was superfluous and vain. [...] 'As soon as my footsteps moved at the Church's side, it pleased God, in His grace, to grant me inspiration in the noble task to which I wholly gave myself...'*³¹.

4. Dante's Opera from its own context.

This makes Justinian different from other emperors, and he becomes almost a *Man of God*, assuming characteristics and elements usually linked to *saints* or *prophets*³²: «Justinian is Moses and Abraham rolled into one», Caferro ventured³³. Although he is not in the same sphere as Trajan and Constantine, Justinian was a Christian emperor since he was born, and the way he acted makes a strong difference from the memory of other emperors. For this, we need to see how Dante represented the remaining examples, allowing us from its comparison to study the perspective and scope of the Florentine's author.

The traditional *optimus imperator* is Trajan. We can find him both in the *Purgatory* and the *Paradise*. Dante keeps a medieval legend about him: in *Purgatory* we can find the scene when a sorrowful mother begged Trajan for justice while he was marching to war. The *pious* emperor, listening to her, stopped the march and solved her problem³⁴. According to the legend, this behaviour made Pope Gregory the Great save his soul, some centuries later³⁵. This is why we can find Trajan again in Jupiter's Sphere as a Christian emperor³⁶.

Next to Trajan, in Jupiter's Sphere (the one corresponding to the *Just Rulers*), we can find Constantine, the other only emperor mentioned explicitly. Dante repeats again how Constantine almost ruined the destiny of the Roman Empire: *'The next one there, with good intent that bore bad fruit, turned Greek, along with both the laws and me, thus yielding his position to the shepherd. 'Now he knows that the evil which derived from his good act does*

³⁰ Purgatory VI, 82-89. Herzman 2012, 134.

³¹ Paradise VI, 10-24.

³² Herzman 2012, 145 (Dante as a prophet speaking through Justinian).

³³ Caferro 1996, 105.

³⁴ Purgatory X, 83-93: *"My lord, avenge my murdered son for me. It is for him I grieve" [...] 'Now take comfort, for I must discharge my debt to you before I go to war. Justice wills it and compassion bids me stay.'*

³⁵ Purgatory XXIV, 73-75: *Depicted there was the glorious act of the Roman prince whose worth urged Gregory on to his great victory.* Caferro 1996, 105. Ferrante 1984, 91.

³⁶ Paradiso XX, 122-126: *And for that reason, from grace to grace, God opened his eyes to our redemption yet to come, 'so that he believed and, from that time on, endured no longer paganism's stench but rebuked the wayward peoples for it*

him no harm, even if it brought the world to ruin'³⁷.

Dante had to handle with the two most important figures of the Roman tradition, kept with strong power in the memory of the Roman and Christian people of his time: that is why he saved Trajan, but furthermore why he made a more complex argumentation in the figure of Constantine. Again, Constantine is not remembered because of his conversion: it is because he made two of the worse mistakes made in the history of the Roman Empire, in Dante's perception³⁸. Furthermore, the Donation of Constantine is the second worst error of the Humanity, after Adam and Eve³⁹. Against the Providence⁴⁰, the good intention of Constantine almost *brought the world to ruin*⁴¹, making him as imprudent as a child, leaving the Roman Empire at Pope's leadership, missing his obligation as emperor and delegating it into inappropriate hands; and leaving Rome's rulership for a new capital in Constantinople⁴²: something that no emperor had ever dared before, in Dante's logic.

Nevertheless, Dante knew that Constantine's figure was sacred and untouchable in the History of the Christianity. Delegitimizing his memory could have been an imprudent step. This explains how Dante tried to mitigate possible critics, saving Constantine in the end. He imaged him conscious about his error once he was in Heaven⁴³. And, also, Dante portrayed him as an emperor subjugated by Silvester, so in the end the onus lay on the Pope. Moreover, in some other parts Constantine is shown almost in a state of being *drunk*⁴⁴. Here, Dante's argument turns against Pope's authority, and connects to the analysis of R. Herzman and W. Stephany⁴⁵. And we have to remember that all of this is exposed under the shadow of the *Investiture Controversy*, which was not completely over: Dante's work is a good example of that, in which we can see how Frederick I's reign was remembered as *lo 'mperio del buon Barbarossa*⁴⁶, and how Henry VII is placed in the *Empireus*.

Compare Constantine and Justinian in Dante's perception make us think that, by its internal logic, Justinian is the emperor who saved the Empire from its ruin, from Constantine's mistakes; and he is who offers an alternative model⁴⁷. The reason why Justinian is not in the same Heaven as Trajan or Constantine could be explained, perhaps, because of his traditional image, its social consideration and ideological position in the collective imaginary. Nevertheless, Justinian was Christian since his birth (in contrast to Constantine and Trajan), although this is not a definitive reason for being in Heaven. The smart way Dante combined the stories of Constantine and Pope Silvester, and Justinian and Pope Agapetus (and we can add the legend of Trajan and Gregory the Great)⁴⁸, is the analysis of two antagonistic figures: of an emperor being weak and yielding to the Pope (Constantine), and an emperor who was strong enough to rule with equanimity far enough to recover Rome and to renew its huge legal

³⁷ Paradiso VI, 55-60.

³⁸ Herzman 2012, 122.

³⁹ Whitfield 1978, 13.

⁴⁰ We can remember here how Dante, speaking in the mouth of Justinian, opened his speech in *Paradiso*, VI: *...Constantine reversed the eagle's flight, counter to the course of heaven.*

⁴¹ Paradiso XX, 60. Here, the destiny of the entire world is linked to the destiny of the Roman Empire, as God's chosen one to materialize his providential plan.

⁴² Karampetsos 2009, 37.

⁴³ See more arguments in *Monarchia* III, 10.

⁴⁴ Herzman 2012, 124 interpreting *Inferno* XXVII, 94-99.

⁴⁵ Herzman 2012, 99 and 122.

⁴⁶ Purgatory XVIII, 119. About his conflict with Innocent IV: Herzman 2012, 117.

⁴⁷ Herzman 2012, 139. Ferrante 1984, 94.

⁴⁸ Actually, Dante did not doubt about their historicity. Ferrante 1984, 91.

tradition (Justinian)⁴⁹. It is true that the way the Pope proceeded is determinant in both cases, but nevertheless the personality of each emperor was decisive. Since Constantine was not able to see far enough the consequences of his donation, Justinian was able to use his conversion in a better way: after leaving the heresy, he recovered Rome for the Roman Empire and restored the prestige of the Roman authority.

About Charlemagne, Dante only mentions him in the fifth sphere, Mars, where are the warriors of the Faith (including Macabeos, Robert Guiscard or Godfrey of Bouillon). Charlemagne was in Justinian discourse in *Canto VI*, but only because he saved Rome, the Papacy, from the Lombards. How Dante reduced to these few lines the transcendence of Charlemagne could be also explained, perhaps, by his strong link to France⁵⁰: although he was an emperor, Dante was reinforcing the legitimacy of the Empire of his time, and the Angevine cause was directly related to the war between Guelphs and Ghibellines⁵¹. So, to the arguments against Papacy's Authority⁵², here we can add how Dante struggled against a fratricide fight which is weakening the Empire and the *Christianitas*. Dante fought not only against the Pope and the Anjou⁵³, but, in an indirect way, against the Byzantine Empire and its possible aspirations in Italy⁵⁴.

5. Dante and Byzantium

Here we have to mention the processes of *imitatio imperii* and *translatio imperii*⁵⁵, which are also a central problem in Dante's argumentation. In fact, Dante *simply cannot find a way to harmonize [...] Roman with Greek. It is, in short, an impossible task, [...] there could therefore be no ambiguity in his treatment of the Romans, and what better way to avoid this than to exclude the Byzantines altogether*⁵⁶. Frederick Barbarossa and Manuel Comnenus claimed in their time the legacy of Justinian as of it was of their own⁵⁷. In contrast, it is possible that Dante's portrait of Justinian might have had something in debt to the *Byzantines*. We have mentioned the East memory of Justinian is synthesized in the Σουῦδα and other examples, as he gave his name to cities (Ιουστινιανούπολις) and to a later emperor, Justinian II⁵⁸. But, above all, his memory was kept alive thanks to the influence of his most important monument and legacy: his legal compilation. The *Eclogas* (*Εκλογή των Νόμων*), issued by Leo III the Isaurian in c.726, was its practical manual of laws written in Greek; and the *Basilika* was the Greek adaptation of the Justinian codification ordered by Leo VI the Wise, at the end of the 9th Century, including the compilation of Basil the Macedonian (870s), and made using also a Greek *summae* from the early Byzantine period (whose author was unknown even for the Byzantines⁵⁹).

This influence should have reached Dante in a time when the glossators, after Irnerius

⁴⁹ Of course, all of this is explained according to Dante's discourse and following its own logic, as he ignores the *Nika* riots and other problematic questions that did not fit in his purpose.

⁵⁰ Monarchia III, 9, about Charlemagne and the Pope.

⁵¹ Paradise VI, 100-102: *One sets against the universal standard yellow lilies, while the other claims it for a party, so that it's hard to see which one offends the more.*

⁵² Herzman 2012, 140-143.

⁵³ Paradise VI, 110-111: *...and let him not think that God will change His ensign for those lilies.*

⁵⁴ Caferro 1996, 99: *Dante shows a great awareness of Byzantium in its own work.* Karampetsos 2009, 37.

⁵⁵ Ciggaar 1996, 98-101.

⁵⁶ Caferro 1996, 106.

⁵⁷ Prinzig 1986, 75. Ciggaar 1996, 98.

⁵⁸ Prinzig 1986, 65.

⁵⁹ Kunkel 1973, 179.

of Bologna and his successors of 12th Century, had done their job. In the middle of 13th Century, Accursius compiled in Bologna the glossators' work in the *glossa ordinaria* or *glossa magistralis*⁶⁰. It is a discussion if the discovery of the *Littera Florentina*, or *Littera Pisana*⁶¹ in c.1070 had a real impact in its time, because we have to wait until the 12th Century to assure if the *Corpus Iuris Civilis* is influential: in fact, it was in the 15th Century when it had real impact in all Europe⁶². The legal tradition could have been a source for Dante's knowledge about Justinian, but is not the only one. Dante lived a period of time in Ravenna, where he saw the stunning mosaics of *San Vitale*⁶³. Furthermore, he should have known the tradition that started in 11th Century considering Justinian as a Roman emperor⁶⁴ (meaning a *Latin*, and not a *Byzantine/Greek* one, as he was shown in the *Kaiserchronik*⁶⁵). In addition, although at first sight Dante's image of Justinian could be looked like part of the West tradition, we have to consider the influence that was brought to Florence and the Italian cities by the Byzantines in that time⁶⁶. We can follow that influence in a well-known example: the trace of Pseudo-Dionysius Areopagite in his conception of the *Paradise* and the ascension to the *Empireum*⁶⁷.

And here ends our review, in which we tried to do a synthetical analysis of which was the image of Justinian in the Latin West from the primary sources, and summarizing the general considerations about this matter nowadays. In conclusion, the speech that Dante puts in the mouth of Justinian is an inflexion point in the consideration of Justinian in the Latin West, as it breaks a long tradition. Nobody, since the time of Procopius (with his own contradictions), had dedicated before Dante the same amount of words to an emperor who was avoided by Latin authors. His message could be considered revolutionary as it was a new strong, elaborated argument for the foundations of a new *Christianitas* and a different model of Empire. As we said before, although Justinian was portrayed as a Roman (Latin) emperor, this was not a new contribution in Dante's time. Nevertheless, he went further and almost identified Justinian as the *Justice* himself, justice considered as guarantee of salvation from the Divine Providency⁶⁸. So, a last question we want to make is: why did Dante choose Justinian as the incarnation of his model? Probably, because he was the best paradigm of *princeps* for the Christian Empire. Justinian is the maturation of Dante's «system of ideas born in the *Convivio* and *De Monarquia*»⁶⁹. In fact, his hope in Henry VII and his advice for incoming emperors⁷⁰ was to recover and improving Justinian's tradition. But this, also, could explain some limits on Dante's works: for example, the few lines he wrote about Charlemagne. And, furthermore, his silence about other emperors, like Theodosius, this one probably due to the division he made of the Empire. Dante would not have accepted two current emperors at the same time, and he might had found the roots of a legitimacy problem that is strongly linked both to the fragmentation of the Ancient World and to the fratricide

⁶⁰ Mueller 1990, 2-8

⁶¹ Mueller 1990, 26-27, on the debate about the transmission of this codex, taken from Amalfi.

⁶² Kunkel 1973, 187-189.

⁶³ Karampetsos 2009, 35.

⁶⁴ We can include examples as the one studied by Fronska 2013, 175-176.

⁶⁵ Ciggaar 1996, 99.

⁶⁶ Karampetsos 2009, 33-76, and especially 37-38.

⁶⁷ Karampetsos 2009, 117-138. Sbacchi, 2006.

⁶⁸ Whitfield 1978, 15. Caferro 1996, 105.

⁶⁹ Whitfield 1978, 14. Caferro 1996, 103-104.

⁷⁰ Henry VII dead some years before Dante published his *Paradise*, but it did not change his political thought.

fight inside the Christianity.

Primary sources

- Dante Alighieri: *Divina Comedia*, Spanish ed. and trans. Giorgio Petrocchi y Luis Martínez de Merlo. Cátedra: Madrid, 2009 (1988). Italian & English digital version: Princeton Dante Project: <http://etcweb.princeton.edu/dante/pdp/> (29/11/2014)
- Paul the Deacon: *History of the Langobards*, ed. and trans. by W. Dudley Foulke, University of Pennsylvania Press, Philadelphia, 1907.
- Procopius of Caesarea: *The Buildings*, ed. and trans. by H.B. Dewing, Loeb Classical Library, 1940 (Spanish ed. and trans. by P. Herrera Roldán, Universidad de Cádiz, 2006).

Bibliography

- Caferro, William: "Dante and the Problem of Byzantium". In: William Caferro and Duncan G. Fisher (Eds.), *The Unbounded Community. Papers in Christian Ecumenism in honour of Jaroslav Pelikan*. New York: Garland, 1996: 93-112.
- Ciggaar, Krijnie Nelly: *Western Travellers to Constantinople: The West and Byzantium, 962-1204*. Leiden-New York-Köln: Brill, 1996.
- Ferrante, Joan M.: *The Political Vision of the Divine Comedy*. Princeton: University Press, 1984.
- Fronska, Joanna: "The memory of Roman Law in an Illuminated Manuscript of Justinian's Digest". In: Elma Brenner, Mary Franklin-Brown, Meredith Cohen, *Memory and commemoration in medieval culture*, Farnham, Surrey: Ashgate 2013: 163-179.
- Herzman, R.B., and Stephany, W. A.: "Dante and the Frescoes at Santi Quattro Coronati". *Speculum* 87, 1 (2012): 95-146.
- Jacoff, Rachel (ed.): *The Cambridge Companion to Dante*. Cambridge: 2007.
- Karampetsos, E.D.: *Dante and Byzantium*. Somerset Hall Press: 2009.
- Kunkel, Wolfgang: *An Introduction to Roman Legal and Constitutional History (trad. J.M. Kelly)*. Oxford: 1973 (1966).
- Mueller, Wolfgang P.: "The Recovery of Justinian's Digest". *Bulletin of Medieval Canon Law* 20 (1990): 1-29.
- Prinzig, Günter: "Das Bild Justinians I. in der Überlieferung der Byzantiner vom 7. bis 15. Jahrhundert". *Fontes minores VII*, Frankfurt (1986): 1-99.
- Sbacchi, Diego: *La presenza di Dionigi Areopagita nel Paradiso di Dante. Biblioteca di "Lettere Italiane"*. Florence: 2006.
- Scartazzini, Giovanni Andrea: *Enciclopedia Dantesca. Dizionario critico e ragionato di quanto concerne la vita e le opere di Dante Alighieri*, 2 vols., Ulrico Hoepli: Milano, 1896.
- Suda Online: Byzantine Lexicography. Project by R. Finkel *et al.*, Stoa Organisation. (29/11/2014, <http://www.stoa.org/sol/>)
- Whitfield, John Humphreys: "Dante and the Roman World". *Italian Studies* 33, 1 (1978): 1-19.