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THE ETHICS OF CARE IN THE LATE ANTIQUE CHRISTIAN DISCOURSE: (TRANS)HISTORICAL PERSPECTIVES ON THE SOCIAL, POLITICAL AND PHILOSOPHICAL VALUE OF CARE[1]

ABSTRACT
The paper examines the historical context of ethics of care in early Christian discourse. The historical context of the ethics of care enables us to comprehend the ways in which ethics of care was employed and disseminated as part of political ideology and public discourse, significantly influencing the social relations of the rapidly changing Roman world between the fourth and seventh centuries. The Byzantine Empire is a prime example of a political entity in which philanthropy was the driving force behind imperial politics and social relations. Emperor Justinian's laws, which proclaimed social justice and protection for those in need, serve as a case study for an ethics of care. Also, the ethics of care is reconfigured within the context of Byzantine theology as a theology of care, in which the primary virtue of a true Christian is his fervent love for the community (agape). The ethics of care is then examined from the perspective of gender and the newly established cult of the Theotokos, which degendered the concept of maternal thinking and maternal care by making it a universal experience and the new moral code for all Christians.

1. Approaching the Ethics of Care

After the covid crisis of 2020-2021, which exacerbated the ongoing global social, political, and economic crisis, the world has been confronted with a glaring threat to global security and peace since the outbreak of war in Ukraine in February 2022. Additionally, the geopolitical and humanitarian crisis in Ukraine amplified the ongoing post-covid economic crisis, sparked political polarization

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in the world, and bolstered the right-wing parties in Europe that are challenging the progress made in human rights, environmental issues, global health, international security, and economic prosperity. More than ever, the impending threat of large-scale violence necessitates a thoughtful and extensive scholarly engagement in the debates on personal, political, and global ethics of care.[2]

It is essential to begin by doing justice to the proposed framework of (*trans*) *historicity*. I have placed "trans" in parentheses to emphasize the bifurcated and somewhat paradoxical nature of the phenomenon of the ethics of care. It is both a universal human experience as one that transcends specific historical contexts, and particular human experience embedded in a specific historical context. On the other hand, by using the historical framework of late antiquity, I hope to lend this discussion a particular historical perspective. While I acknowledge that care has always been a part of human biology, most notably in the form of parental care, I am interested in the specific historical variations of the acculturation of parental care. I intend to elucidate how natural parental care was interpreted in particular sociocultural and historical circumstances. In certain historical contexts and systems, such as early Christianity, the ethics of care became a central component of political ideology, state law, and religious discourse.

My aim, as a historian, is to contribute a much-needed historical perspective from the viewpoint of Byzantine Christian care ethics by elucidating premodern conceptions of empathetic caring for the community. In addition, the emphasis will be placed on the social and political consequences of caring ethics becoming the dominant moral outlook. These perspectives may be considered transhistorical in the sense that care had an inherent significance and normative depth in a Christian epistemology that has survived to the present day in a wide variety of political systems and historical realities. The Late Antique Roman Empire provides an illuminating example of how empathy became one of the central tenets of political ideology and how empathy, as a central value of the ethics of care, was preached, taught, disseminated, and practiced.[3]

It is important to note that the term empathy dates back only to the nineteenth century. The modern definition of empathy derives from the German word *einfühlung*, "feeling into", which was coined by German philosopher Rudolf Hermann Lotze in 1858. According to Helen Riess, the term was coined by German aestheticians who used it to describe the emotional experience elicited by viewing a work of art and feeling one's way to an emotional experience (Riess 2018). However, this does not imply that the concept of empathy did not exist prior to the nineteenth century. According to Michael Slote, the ethics of

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2   On the recent developments in Ukranian war see - https://www.reuters.com/world/europe/putin-signs-decree-mobilisation-says-west-wants-destroy-russia-2022-09-21/ Accessed 15.10.2022 13:30; https://www.bbc.com/news/world-60664169; https://www.theguardian.com/world/live/2022/oct/07/russia-ukraine-war-live-nuclear-threat-is-worst-in-60-years-biden-says-ukraine-recaptures-500-square-km-in-a-week – Accessed 20.10.2022.10:25
3   I use terms Byzantine and Late Antique Roman interchangeably and the reason will be explained in the following chapter.

care derives from the moral sentimentalism of Shaftesbury, Hutcheson, Hume, and Adam Smith (Slote 2007: 3). In addition, he argues that the moral sentimentalist emphasis on benevolence itself demonstrates the influence of the Christian *ideal of agape* (Slote 2007: 3).

Today, the core values of the ethics of care are meeting a need of other, empathy, sensitivity, and trust (Held 2011: 183). Modern psychology recognizes two types of empathy: cognitive awareness of another's internal states and emotional/affective response to another (Hoffman 2000: 29). This paper will also focus on emotional/affective empathy, which is the capacity to feel the plight of others in such a way that one's feelings are more congruent with another's situation than with his own (Hoffman 2000: 30). Emotional empathy is the capacity to feel the same emotion as another, to suffer anguish in response to recognizing another's plight (unconsciously "catching" someone else's tears and feeling sad oneself), and to feel compassion, or empathic concern, for another individual (Hodges, Myers 2007: 296). Affective empathy influences prosocial behavior and entails assisting a person in discomfort, pain, danger, or other distress (Hoffman 2000: 30). It is based on a profound attachment to another's experiences, either derived from one's own life or the capacity to intellectually comprehend and feel another's suffering (Reiss 2018: 14).

Another important value of the ethics of care is compassion – sympathy – or concern for others, in the sense of feeling sorry for or take pity on others. Unlike Nietzsche's ethics, care ethics does not despise compassion (Noddings 2013: 108). It is important to note that sympathy is a less emotionally intense phenomenon than empathy in the sense that it does not imply fully shared feelings with another person's plight (Reiss 2018: 13). One feels remorse for others but is not necessarily emotionally distressed or able to perceive the individual's sorrow. However, the word sympathy has a complex history dating back to Greek antiquity, and in the Christian context it did imply a sensory experience of *feeling* the other person's plight.

Empathy is critical to human survival. According to Carol Gilligan, "millions of people must coexist peacefully" (Gilligan 1993: 65). The evolution of the ethics of care began with an examination of the psychological foundations of nonviolent human relationships (Gilligan 1993: xix). The focus of moral discourse shifted to the question of how to engage in relationships with responsiveness and care. Since its inception in the 1980s, the theory of care ethics has incorporated a gender perspective and feminist critique of moral theory. [4] Nel Noddings develops a care ethic that is essentially and distinctly feminine and which evolved from the feminine caring model (Noddings 2013: 90).

Researchers believe that empathy stems from parental care, a biological precondition required to ensure the survival of offspring by stimulating caring behaviors (Riess 2018: 16). Caring behaviors have contributed to the survival

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4   The most important publications regarding the ethics of care were Carol Gilligan's *In a Different Voice* (1982), Nel Noddings *Caring* (1984) and Sarah Ruddick's *Maternal Thinking* (1980).

of our species. However, as Nel Noddings emphasizes, caring for a child is natural and not a moral consideration (Noddings 2013: 83). Compared to the natural instinct, the ethic of caring aims to maintain and optimize the maternal practice of caring for others, as a new moral outlook (Noddings 2013: 108).

Recent advances in the ethics of care aim to improve care on a political and global scale. Diemut Bubeck, Eva Feder Kittay, and a number of others argue that care must now be regarded as a public issue, as opposed to a private obligation of women and private charities (Held 2006: 18; Kittay 2001). All of them support the notion that the ethics of care, with its core values of empathy and compassion, and care for those in need, should be a driving force in law, politics, and even international relations.

Incorporating considerations of fundamental human dependence into political theory and public discourse is not an entirely novel concept. This paper will shed light on the Christian ethics of care that introduced radical changes in the late antique Roman society, with specific allocations of various dependencies within a society and with a peculiar communitarian ethic. According to this ethic every member of the community owes something to any other member, and the community owes something to each of its members.[5]

In Late Antiquity, which lasted from the 4th to the 7th centuries, laws were passed for the first time that showed care for the poor, protection for women and children, and kindness toward the physically disabled. These laws brought the idea of equality between the sexes and between the rights of boys and girls as children into the open. Maximus the Confessor (580-662), one of the most prominent and highly regarded fathers of the Eastern church, composed a theology of care to go along with the Christian ethics of care that were documented by Justinian I (527–565) via his legislation. Even though the theology of care as I see it in the context of Maximus' theology of love corresponds to the definition of *agapism*, which is the belief in selfless, charitable, non-erotic community love, and which Nel Noddings claims is not an ethic of care because it follows God's rules, I will attempt to call this thesis into question. Agapism is defined as "obligatory love", and as such is discredited in debates about care ethics. The concept of obligation and duty, on the other hand, lurks behind every ethical concept that attempts to occupy public discourse. Its introduction into the public sphere as a leading concept of one community or social policy invariably introduces its obligatory component. The goal of Christian care theology was to inspire people to act willingly. The concept of love – *agape* – in Maximus the Confessor was described as an intense sensory experiences of emphatic concern for the others.

In the final chapter, I will also discuss the gender aspects of the ethics of care, which, in the case of Christianity, were associated with maternal care but were renegotiated in the discourse to fit both genders and introduce the concept of care as a universal moral principle.

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5   On the Public ethic of care and the Wollstonecraft dilemma on the inclusion of concerns of fundamental human dependency into public theory see Kittay 2001: 530; on the communitarian principles see Etzioni 1998.

2. The Truly Byzantine Ethos – Historical Perspectives on the Ethics of Care

> But when thou makest a feast, call the poor, the maimed, the lame, the blind: And thou shalt be blessed; for they cannot recompense thee: for thou shalt be recompensed at the resurrection of the just. (Luke 14: 13)

In contrast to the notion of care as a universal transcultural experience, the topic of Christian ethics of care in contemporary debates on the ethics of care in the secular world may appear restrictive and divisive (Held 2011: 185; Held 2014: 15:43–16:00). Also, as previously mentioned, the concept of Christian ethics is defined as a form of agapism, which differs from the ethics of care in that it eschews selfhood and does not advocate a deep and consistent care for oneself (Noddings 2013: 99). These views are partially justified, but only in relation to oversimplifications and generalizations of the Christian discourse. In this paper, I intend to examine the complexity of both Christian community care and agape as form of care as it exists today, but in a different historical setting.

The late antique Christian perspective on the ethics of care, which predates all 20th-century debates, is a much-needed historical perspective. Several key concepts from late antiquity may be applicable to the contemporary debate on the ethics of care and its adoption of a new moral perspective, not only as an ethical guide for our closest relationships in the context of families, friendship, and small communities, but also for our most distant relationships in political and even global society.[6]

So, first and foremost, why late antiquity in the context of care ethics?

The period of Christianization of the Roman Empire, from the third to the eighth century, provides the foundation for reading and comprehending the ideological, cultural, and social foundations of contemporary political and ethical discourses. In one of my previous papers, I discussed how the British Empire's ideology in the nineteenth and twentieth centuries was fundamentally rooted in the concept of Romaness, as well as why vilifying Byzantine history and diminishing its civilizational tradition in British historiographical discourse was critical to the empire's ideological foundations (Vilimonović 2019). The British Empire was more akin to the political entity we incorrectly refer to as the Byzantine Empire, which was stripped of its core Roman identity in order to accommodate the interests of other cultures and fields of study (Kaldellis 2019: viii). G. Murray put it succinctly: "At home, England is Greek; in the Empire, she is Roman" (Murray 1946: 198). The same can be said about the United States Empire today. Discourse alteration and rhetorical nuances are irrelevant in the context of an empire's rhetoric. The political ideology and foreign policy that shape the superpowers' living conditions could not exist without a system of hierarchy and global discipline governed by international law in service to powerful states and their neocolonial interests (Held 2011: 175).

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6   For the global perspectives of care see Held 2011: 183.

This will serve as the foundation for my discussion of the interconnectedness of Christianity, morality, care, and the state of law in the production of the discourse of civilizational progress, which was inherently attributed to the Western civilization in philosophical debates on the philosophy of history. According to influential international law scholar Louis Henkin, the only aspect of international politics that guides the "progress of civilization" is the "movement from force to diplomacy, and from diplomacy to law" (Henkin 1968: 3). The central tenet of the Byzantine way in international politics was diplomacy over war, which perfectly corresponds with international care ethics – the goal is to keep the peace and avoid violent conflict.

The history of the Christianized Roman Empire is a prime example of civilizational progress in the field of human rights and care ethics, which directly influenced the 6th century codification of Roman law, which was a watershed moment in the history of social welfare jurisprudence.

The Byzantine, or Eastern (and Medieval) Roman Empire, which we place between the third and fifteenth centuries, is actually the Second Roman Millennium, which lasted from 212. A.D. to 1453 A.D.[7] This was the period when ancient Greek, Roman, and Christian traditions coexisted without major breaks, in iterative mutuality and relatedness. According to Anthony Kaldellis, Byzantium provides "an unparalleled vantage point from which we can look back to ancient history and forward to modernity, as well as west to the origins of Europe and east to the Islamic world, without great obstructions in one's field of vision" (Kaldellis 2019: viii).

The Age of the American Empire (Mann 2013), in which we now live, represents yet another discursive reconfiguration of the political and ideological concepts that emerged in Roman Late Antiquity and were formed in the discourses of Roman philosophers, politicians, emperors, and, later, church fathers and Roman legislators. It is impossible to overstate the importance of Christianity in modern constitutionalism. Christian principles, as Zimmerman emphasizes, are enshrined in the most important documents in Western legal history, such as the *English Bill of Rights (1689)* and the *American Declaration of Independence (1776)*. (Zimmerman 2010: 1). Thus, Christian care ethics and its relation to the morality and law present a relevant historical perspective for the debate on applicability of the care ethics in the context of politics, jurisprudence and social welfare.

The issue of the Byzantine roots of modern empires, on the other hand, is almost completely ignored, and is part of the widespread and still dominant

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7   From the perspective of Constantinople's history, the chronological boundaries of what we call the Byzantine Empire are usually set between 330 and 1453. However, I prefer the lower chronological boundary, which begins with 212 A.D. and the Caracalla's edict. This chronology expands on the chronological boundaries established by Mary Beard for Roman history (Beard 2015). Her focus is on the First Roman Millenium, which lasted from 753 B.C. to 212 A.D., whereas mine is on the Second Roman Millenium, which best summarizes the political, social, and ideological context of the Christian Roman Empire.

phenomenon of *Byzantinopohobia* in academia and beyond. "Byzantium is oddly one of the most maligned and misunderstood civilizations of the past", writes Anthony Kaldellis. "Its greatness and true nature were buried beneath so many layers of western prejudice, polemic, and deception that only an invidious caricature was visible from the outside for centuries" (Kaldellis 2019: 1).

The centennial cancel-culture of Byzantium has resulted in profound ignorance about the civilization "that did relatively little harm, valued humility and compassion, preserved its existence and integrity against overwhelming odds, and contributed in captivating ways to the diversity of human culture" (Kaldellis 2019: 1). To this, I would add a number of other, and perhaps more important, characteristics of this civilization, which, according to Judith Herrin, was the civilization "that offered such exceptional opportunities for women" (Herrin 2013: xviii) and also reflected an image of a society with "weak men and strong women", which Leonora Neville defined as a critical reason for the Empire's "devious, convoluted, and twisted" image (Neville 2019: 6–7). In western medieval texts and modern historiography, the reiteration of the reputation for "military weakness, cowardice, and deviousness" exemplified Byzantine improper masculinity (Neville 2019: 79). Such a reputation arose among medieval western polities whose survival was dependent on military might and the ability to respond to violence quickly with even more violence. By the late Middle Ages, Byzantium had evolved into a state with a thousand-year history, a powerful and diverse state apparatus, a fundamental principle of her inhabitants as Roman citizens protected by imperial law, and a complex and highbrow foreign policy based primarily on diplomacy. The state led by the rule of law within its borders and by brilliant diplomacy beyond its borders was civilization par excellence, according to all epistemological measures, especially in its uninterrupted legislative tradition dating back to the fifth century B.C.E.

Finally, the Byzantines prided themselves on being "superior in philanthropy to all other nations", and as a result, they "were not eager to resort to arms". Constantelos (Constantelos 1968: ix). Demetiros Constantelos has written an entire book on the concept of philanthropy in Byzantine society as a core component of the Byzantine ethos, and he has begun research into philanthropic philosophy and its practical applications (Constantelos 1968: passim).

In the following three chapters, I intend to present the state mechanisms of direct application of Christian ethics of care, as well as popular mechanisms used by Christian theologians for the dissemination of care ethics principles. It is critical to emphasize right away that in the Christianized Roman world, all ethical principles became part of theology as emanating from and returning to God. However, I do not consider this to be an issue in our discussion because, since the fourth century A.D., when Christianity became the state religion, Roman identity has gradually been equated with Christian (Chalcedon) identity (Kaldellis 2020). That is, by the end of Late Antiquity, around the VII century, being Roman had become inextricably linked to being Christian, and being a virtuous Roman citizen had become inextricably linked to being a virtuous Christian. This would be a good starting point for me to investigate how

Christian ethics of care influenced the development of the new *vir Romanus*, one with less bellicosity and sexual aggression and more compassion and care for the poor, disabled, and needy.[8]

3. Christianization of the Roman Laws – Codification of the Ethics of Care

> Any society that is morally decent, assuming it has resources sufficient for maintaining reproductive individuals, understands that fully dependent persons must be cared for irrespective of their productive potential. (Kittay 2001: 534)

It is nearly impossible to discuss the historical context of Europe's modern constitutions and civil codes without mentioning Justinian I's (527–565) monumental legal codification, which had a lasting impact on European civilization. Corpus Juris Civilis is "the world's most significant and influential compilation of secular legal materials" (Watson 1985: xiii). The entire legal history of the Romans since The Laws of the Twelve Tables was cleared, summarized, and digested so that it could be utilized in the newly Christianized Roman World. Even today, it is inconceivable to discuss the history of ethics without mentioning the Christian ethics that shaped Justinian law and imbued it with a sense of care and social justice.

The dominant notion of the emperor as a "living law" – *empsychos nomos* – sanctioned by God's providence has greatly supported absolute monarchy in contemporary European monarchies. However, many aspects of the Justinian code are consistent with rationalism, such as the definition of justice and the law: *Justice is the constant and perpetual desire to give everyone his due right. Jurisprudence is acquaintance with things human and divine, the knowledge of that is just and what unjust.* (Thomas 1975: 2). Furthermore, Justinian renders the relation between the highest good, lawfulness and sovereign power in the following manner:

> Mankind's highest goods are justice and clemency (δικαιοσύνη τε καὶ φιλανθρωπία), the one because it assigns to each what is fair without coveting what belongs to others, and the other because it is quick to pity (ἡ δὲ πρὸς τὸ ἔλεον τρέχοισα), and frees the needy from intractable debts (καὶ χρεῶν τοὺς δεομένους ἐλευθεροῦσα δυσκόλων); they are qualities that have the power to adorn the Sovereignty, preserve the state, and guide human life aright (ταῦτα

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8   In a recent study on Roman masculinity in the sixth century, the period of Justinian's reign with which the next chapter of this paper will deal, Michael Stewart debuted his thesis regarding the altered concept of hegemonic masculinity (Stewart 2012). He has focused primarily on the military ethos of hegemonic masculinity, which I would not dismiss. This paper does not challenge Stewart's recent findings. During the time that Justinian was codifying his laws, the Romans fought their final major wars on nearly all imperial borders. Clearly, Justinan's legislation in the Novels was intended to calm tensions in a society that was not yet fully Christianized.

τήν βασιλείαν οἶδε κοσμεῖν καὶ ἀσφαλῶς καὶ τὸ πολίτευμα διασώζειν καὶ τῶν ἀνθρώπινον καλῶς διακυβερνᾶν βίον). Hence, it becomes a great aim of ours, having received the sceptre from God, to be conspicuous for these beneficial actions in particular (ὅθεν καὶ ἡμῖν ἐκ θεοῦ τὰ σκήπτρα λαβοῦσι γίνεται περισπούδαστον ἐκ τούτων δὴ τῶν ἀγαθῶν διαφαίνεσθαι πράξεων), so that by doing what is helpful for our subjects we may be requited from on high for our virtue and renown. (Miller, Sarris 2018: C.I.C. III 749)

Although ethicists of care divide justice and care as evolving from different moral considerations today, looking back at the history of Justinian jurisprudence, one cannot escape the impression that the moral considerations of the emperor Justinian were influenced by the ethics of care and compassion, and were not only prompted by metaphysical needs for personal salvation but also by social tensions and moral evaluations of what is just and unjust. According to Demetrios Constantelos, not all eleemosynary philosophy was articulated in moral and religious exhortations. Using natural metaphors, the church's forefathers sought to persuade wealthy individuals to give their wealth to the needy. They urged the wealthy to emulate the earth and produce fruit for those in need, rather than for themselves (Constantelos 1968: 22).

According to Virginia Held, the ethics of care is concerned with the needs of vulnerable, helpless individuals in actual historical contexts. In addition, one of the most important prerequisites for treating people with care and respect today is adherence to human rights norms (Held 2011: 186–187). In the historical context of the sixth century in Byzantium, Justinian's codification contributed significantly to the advancement of social justice and equity. Justinian's laws directly influenced the improvement of the status of the empire's most vulnerable groups: women, children, the elderly, and the physically disabled.

The Justinian Novels are the primary source for the moral tensions underlying the legislation of his time, which was infused with Christian theology and heavily skewed toward the protection of the disadvantaged. One of the most distinguishing features of Justinian's new legislation is his increased concern for women and children (Krumpholtz 1992: 117–204).

Novel 21, which introduced Roman law to Armenia, is most illustrative of the uniqueness of Roman attitudes toward social equity in comparison to those of other polities:

It (Armenia) is certainly not going to be the only country where females are excluded from the equality they have here. There will be equality for all in the application of our laws; and that includes both those we have assembled from the ancient sources and put into our Institutes and Digests,3 and those we have drawn up from the legislation of sovereigns, both previous emperors and ourselves (Miller, Sarris 2018: 230; C.I.C. III 145).

In addition, Justinian drew a distinction between civilization and barbarism based on the treatment of women – a distinction he drew using this law:

They are not the only people to take this quite *uncivilised* view: other races also disregard nature and treat the female sex in this utterly insulting way, as if it

were not part of God's creation, and a partner in procreation, but just a worthless and dishonoured object that ought to be entirely outside the scope of respect (οὐκ αὐτῶν μόνων ταῦτα ἀγριώτερον δοξάσαντων, ἀλλὰ καὶ ἑτέρων, ἀλλὰ καὶ ἑτέρων ἐθνῶν οὕτως ἀτιμασάντων τὴν φύσιν καὶ τὸ θῆλυ περιυβρισάντων, ὡς οὐ παρὰ θεοῦ γένομενον οὐδὲ συντελοῦν τῇ γενεσιουργίᾳ, ἀλλ᾽ ὡς εὐτελές τὲ καί ἠτιμασμένον καὶ πάσης ἔξω προσῆκον καθεστάναι τιμῆς). (Miller, Sarris 2018: 230; C.I.C. III 145)

Although potentially problematic in the context of denigration of any government as a barbaric state, Justinian law is useful for the aspect of social equity that he introduced and vigorously promoted as part of his public policy. This discourse is easily interpretable as a proto-interventionist discourse, and rightly so. However, the significance of this passage lies in the presentation of Roman progressivism through the status of women in one society. This concept was also imbued with Christian ethics, which not only introduced concepts of fairness and righteousness, but also gender equality. Christian ethics pursued the concept of mutual interdependence within the community, in which individuals were willing to make a personal sacrifice to aid a person in need. Justinian's primary concern for the Armenians was the demeaning and dishonorable treatment of women.

The focus on those in need is the primary innovation of the law that operated in dialogue with the community. The emperor's emotional appeal to his subjects' sentiments was a powerful method of persuasion. The appeal to human emotions was intended to increase his subjects' awareness of the need to respond, to foster empathy, to sensitize them to the plight of the vulnerable, and to foster mutual trust. In this sense, the rhetorical concept of pathos – evoking emotions to persuade – was a crucial component that tended to present jurisprudence not only as something that is imposed from above, but also as something that people would willingly agree to due to the empathy that was intended to be evoked for all those in need.

In the second novel, on the issue of the destination of ante-nuptial donations from the first marriage in the event of a second marriage, Justinian law favors children of both sexes from the first marriage, and in the event that the children die without heirs, the mother is favored as an heiress. He explained the equality between mothers and fathers as follows:

We do not deprive fathers of succession to their children, should they enter into a second marriage, and there is no law to any such effect; thus, we shall not exclude mothers, either, from succession to their children should the mothers go on to a second husband, whether the children should die before the second marriage or after it. Otherwise, as a result of the law's absurdity, if all the children predecease without children or grandchildren, the penalty will await her all the same; their mother will not succeed them even if they should all die childless but will be inhumanely (ἀπανθρώπως) disbarred from succession to them. Her birthpangs will have been in vain, her nurture will have been in vain (μάτην μέν ὠδινήσασα, μάτην δὲ ἐκθρέψασα), and she will be subject to penalties consequent on her perfectly legal marriage; some more distant relatives

will be their successors, and the mother will be unreasonably evicted (ἡ μήτηρ δὲ ἀλόγως ἀεκβληθησεται) [...] and this law is to be a generous, compassionate reconciliation of mothers to their children (καὶ ἔστω νόμος οὗτος φιλάνθρωπός τε καὶ πρᾷος). (Miller, Sarris 2018: 70; C.I.C. III 15)

In Novel 12, which was enacted to protect the interests of children born of illicit or incestuous marriages, Justinian concludes that the law must be put into effect by proclamation to the provincial governors so that "people abroad are also aware of the care we have taken for the innocent, unblemished offspring, while setting our face against unnatural copulations, which our laws abhor" (ὥστε καὶ τοὺς ἔξω γινώσκειν ἀνθρώπους, ὅτι γονῆς ἀνευθύνον τε καὶ καθαρᾶς ἐφροντίσαμεν καὶ τάς ἐκφύλους τε καὶ ὑπὸ τῶν ἡμετέρων μεμισημένας νόμοων ἀποστρεφόμεθα συμπλοκάς) (Miller, Sarris 2018: 171; C.I.C. III 99).

In some other cases, such as, for instance, the alienation of the church property, which was strictly forbidden, Justinian gave exemptions. In Novel 65, Justinian gives license to sell the sacred vessels solely for the purpose of ransoming prisoners because "life is of more value than anything else" (Miller, Sarris 2018: 483; C.I.C. III 339). The Emperor's exemption for selling the church property was only for "ransoming the prisoners and feeding the poor". Thus, the law continues, "a necessary sale is to proceed, most pious actions are not to be frustrated, and people's lives are not to be lost. Possession of lands and movable property has less weight, and those things are less necessary, than the ransoming of prisoners and the livelihood of the needy: those are pleasing to almighty God, as well as life-saving" (Miller, Sarris 2018: 484–485; C.I.C. III 339).

Another set of Justinian laws dedicated to the manumission of the slaves and the legalization of marriages with former slaves, was following the idea that "freedoms should be strongly prevalent and shall flourish and increase in our realm" (Miller, Sarris 2018: 545; C.I.C. III 386). The emperor concludes that this law "as an act of benevolence to his subjects" should be promulgated throughout the provinces so that people should "learn of *our daily concerns for our subjects* in legislating to their advantage" (ὅσα τοίνυν ὑπὲρ τῆς ὑπηκόων φιλανθρωπίας παρέστη τῷ ἡμετέρῳ κράτει [...] ὥστε μαθεῖν ὅτι τῶν ἡμετέρων ὑπηκόων ἐφ ἑκάστης κηδόμεθα τὰ πρὸς λυστιέλειαν ἀυτων νομοθετοῦντες) (Miller, Sarris 2018: C.I.C. III 387).

In Novel 80, we encounter a rare mention of the care for disabled people. The law dealt with the supervision and policing of the population of Constantinople via the new position of *quesitor* in charge of it. While all visitors to Constantinople were to be questioned about their purpose for visiting and potentially returned to their provinces, people with disabilities were to be treated differently: "Men or women who are physically handicapped, or grey and infirm, are by our command to remain in this good city unmolested and be supported by those prepare to act piously" (Miller, Sarris 2018: 554; C.I.C. III 393).

The Novel 98, which seeks to protect the interests of the children by granting them legal ownership – *dominium* – of their mother's dowry and the pre-nuptial

gift provided by the father, Justinian defines as a law which is "full of morality, inherent in good character, and replete with paternal and maternal affection" that ensures "for those who have been wronged by their parents" (Miller, Sarris 2018: 660; C.I.C. III 481). This law is based on the universal experience of parenthood, the "experience of being cared for" as a child, and it serves as a substitute for children who lack this affection. In fact, as Virginia Held notes, such a universal experience need not appeal to religious beliefs (Held 2011: 185). In numerous instances, Justinian appealed to nature, humanity, and parental feelings, as well as to natural conditions, such as pregnancy and birth, that should stimulate compassion. Although it is difficult to distinguish between imperial piety and universal experience, it is evident that the laws rely on universal human experience of care and affection to justify their necessity. A set of laws promulgated by Justinian emphasizes care and its underlying values. Held emphasized the following values: responding to need, empathy, sensitivity, and trust (Held 2011: 183).

The tendency of Justinian's laws to protect women and children has been emphasized by scholars. The rhetoric of his laws is replete with empathy and compassion, and the Novel 14 against the keeping of brothels is particularly moving:

> The keeping of prostitutes has been seen, by both ancient laws and recent sovereigns, as odious in both name and fact, so much so that numerous laws have been laid down against such offenders. We, too, have not only increased the penalties already enacted against those who commit such impiety, but have also, by further laws, corrected any omissions on the part of our predecessors [...] we have become aware that there are people making a dishonest living by devising cruel, odious means of making filthy profits for themselves: they tour several provinces and districts, enticing pitiable young women with promises of shoes and clothes, ensnare them in this way, and then bring them to this fortunate city and keep them imprisoned in their own brothels, providing them with miserably inadequate subsistence and clothing, and renting them out for immoral purposes to any men who want them. They take for themselves any wretched income the women earn by their bodies, and make contracts for them to continue in this impious, unholy service for as long as they themselves decide, even demanding guarantors from some of them. (Miller, Sarris 2018: 181; C.I.C. III 105–106)

The criminalization of prostitution is among the greatest legacies of the Christian ethic of care. Justinian was determined to put stricter measures on pimps and sex traffickers, whom he clearly defined as women molesters and "pestilential corrupters of morality" by punishing them with banishment, corporal punishment, confiscation of property, enormous fines, and even the death penalty (Miller, Sarris 2018: 181, 106). This law exemplifies the benefits of new Christian ethics, which have elevated sexual chastity and bodily integrity to the highest level of importance. Feminism would today clearly and for understandable reasons question this position as a form of social control and discipline, but in Late Antiquity, this legislation influenced a more humane

treatment of women who were given the opportunity to overcome the social stigma of infamy and live as legal Roman citizens protected by Roman law: *We totally forbid the reduction of women to such vice by guile, deceit and compulsion* (Miller, Sarris 2018: 182; C.I.C. III 107).

Women were encouraged to break oaths given to men who pretended to sign a contract of surety in the novel 51, which deals with women of the theaters, an additional category of infamy closely related to prostitution. Their oaths represented their pledge to never abandon "that impious and disgraceful work" (Miller, Sarris 2018: 421; C.I.C. III 295). In addition to being able to break oaths, women were compensated with a total of ten gold solids, as explained below: *We decree that this sum is to be paid to the unhappy woman herself, for a decent way of life in future* (Miller, Sarris 2018: 421; C.I.C. III 296).

Women who are in the prostitution web in the twenty-first century are not provided with the means to begin a new life, which influences the decision of many of them to remain in the web. Christianity afforded the chance for social de-marginalization. It put an end to the enduring infamy (once a gladiator, always a gladiator) that was previously irretrievable (Vilimonović 2020: 101). In a patriarchal society in which the integrity of the female body vouched for the morality of the society, Christian laws that placed such a heavy emphasis on morality and chastity enabled the protection of women from physical and sexual violence. Regardless of the religious basis for this protection, it is impossible to ignore the fact that Justinian legislation introduced radical changes to the Roman Empire's social welfare system.

4. Theology of Care – Maximus the Confessor on Love

> Love endures all things, believes all things, hopes all things, and endures all things. Love never fails (1 Cor. 13:4–8)

An ethic of justice is based on the premise that everyone should be treated equally, whereas an ethic of care is based on the premise that no one should be harmed (Gilligan 1993[2]: 174). Justinian's jurisprudence served the premise of equality, but it also introduced notions of care for those in need, inciting his subjects' empathy so that they would willingly abide by his laws. His jurisprudence was infused with the Christian epistemology of love, *agape*, which was used interchangeably by some Fathers with the term philanthropy (Constantelos 1968: 22–33).

Maximus the Confessor (580-662), one of the greatest eastern church theologians, who lived and died violently in the seventh century A.D., is the author of the text I intend to discuss in this chapter. Maximus the Confessor's theology exemplifies the core movements of early patristic thought – those of Origen, Athanasius of Alexandria, and Gregory of Nyssa – despite the fact that he wrote in a period that some scholars do not consider late antiquity. In addition to being deeply rooted in the patristics and classical philosophy dating back to

Plato and Aristotle, but also including middle-Platonists, Stoics, Plotinus, and the neo-Platonists (Portaru 2015), Maximus was completely original in that he was able to "bring disparate things together in a profound and compelling way" (Louth 2005: 19). His ideas are a gem in the Byzantine philosophical tradition. According to Lars Thunberg's study, "he is a theologian whose work has not yet been fully appreciated, but whose theology has surprising and unexpected points of contemporary relevance" (Thunberg 1985: 9).

Maximus's cosmic theology was premised on the idea that the cosmos was an *environment of God's loving care* (Louth 2005: 64). God's relationship toward humankind, as Maximus explains in *Difficulty* 10, is defined through *His care*. He compares God's care of humankind to the natural care of animals for their offspring, with the unalterable, "one and indistinguishable will of goodness" (Louth 2006: 142; PG 91 1189 A-B). In the same vein, Maximus expands on the concept of love – *agape* – by explaining that love binds human beings to God and to one another. (Louth 2005: 88; PG 91: 404D)

One of his letters is dedicated to love – *agape* – and is defined as *an encomium of love* – that is, a praise of love. An important fact about this letter is that the addressee was a highly-positioned secular person – John the Cubicularius – courtier in Constantinople (Louth 2005: 81). Thus, this letter serves as a source for the contextualization of this metaphysical concept in the vivid social reality of the VII century. It helps us understand how ethics were preached and spread, what values were valued and praised, and how love and care were essential for a truly Christian (and Roman) *ethos*. As Andrew Louth concludes, Maximus the Confessor combines his supreme philosophical thinking with rather practical spiritual teaching to explain the concept of love whose "touchstone is care for one's neighbor" (*PG* 91:401D).

Agape – a multilayered polysemous term which dates back to antiquity, presents one of the core elements of Christian ontology and Christian ethics, since everything is *guided by and happens through God's love*:

> For nothing is more truly Godlike than divine love, nothing more mysterious, nothing more apt to raise up human beings to deification. For it has gathered together in itself all good things that are recounted by the logos of truth in the form of virtue, and it has absolutely no relation to anything that has the form of wickedness, since it is the fulfillment of the law and the prophets. (Louth 2005: 82; *PG* 91: 393B)

One of the most important ideas was that an individual could be deified through the mystery of love (τὸ τῆς ἀγάπης μυστήριον, τὸ ἡμᾶς θεοὺς ἐξ ἀνθρώπων ποιοῦν). The core aspect of the divine economy of salvation were human emotions that led to the God. Inherent to the ethics of care are emotions, which are both of moral and instrumental value (Held 2011: 188).

The idea of god's love was both a metaphysical and physical concept. It served to position Christians in relation to God, but also to position them in relation to each other within their community. Love was, according to Maximus, the only *materiality of the faith* (*PG* 91: 396C). That is, love which humans

gave and received was the embodiment of God. The argument in Maximus about God's care for human beings uses the same deduction method as the argument on the ethics of care, which is based on the fact that we would not be here if someone had not cared for us. In that sense, Christian epistemology only shifts this aspect of care to metaphysical procreation and care by God – people would not be alive if God's fervent love for them, his procreative and caring power, did not exist. Maximus even resorted to the natural world in *Difficulty* 10 to persuade his interlocutors of the physical immanence of love and care:

> And with animals, if we approach them in a rational way we shall find a trace of the intelligible in them, which is not unworthy imitation of what is above reason. For if we look at those beings that naturally care for their offspring, we are encouraged to define ourselves reverently and with godly boldness that God exercises providence in his sovereign uniqueness over all beings, and not over some beings but not others [...] in accordance with one and indistinguishable will of goodness. (Louth 2005: 142; PG:1189C)

The maternal practices of the genderless God define the entire cosmology. In the final chapter, I will go over the maternal concept in Christianity in greater detail. Nonetheless, allegorical interpretations of God's love and care for humanity were simply reconfigurations of maternal practices that begin in love and are further exercised through mother's protection and care. This discourse acknowledged the immanence of maternal power as a result of her ability to bear and nurse children (Ruddick 1980: 343). While mothers may have been politically powerless in late antiquity, the Christian ethics of care, which elevated motherhood, increased their social power.

The Byzantine concept of *agape*, to which Maximus dedicates his letter, comes as a leading motive for personal and public relations, of the highly praised virtues and values one individual could nurture. The concept of *agape* was based on the premise of the eradication of individuality "of what divides and is divided", and hitherto, of *differences* between humans (*PG* 91:400C). This somewhat radical concept of self-effacement was incorporated into the Maximus virtue theory, which was founded on the virtues of faith (πίστιν), humility (ταπείνωσιν), meekness (πραότητα), gentleness (πραύπαθειαν), mercy (ἔλεον), self-control (ἐγκράτειαν), patience (ὑπομονην), kindness (χρηστότητα), long-suffering (μακροθυμίαν), peace (εἰρήνην) and joy (χαράν) (PG 91: 396A). These virtues were all building blocks of communal love and virtuous coexistence inherently opposed to the self-love (φιλαύτι) – egoism – which causes "everything by which the one human person is divided up": anger (θυμόν), bloodthirstiness (μιαιφονίαν), wrath (ὀργήν), guile (δόλον), hypocrisy (ὑπόκρισιν), dissembling (εἰρωνείαν), resentment (μῆνιν), greed (πλεονεξίαν) (PG 91: 397D). The notion of love, which was nurtured in mutual relatedness between people, introduced a progressive and liberating idea of effacement of all inequalities:

> The power of love gathers together what has been separated [...] it levels off and makes equal any inequality or difference in inclination in anything, or rather

binds it to that praiseworthy inequality, by which each is so drawn to his neighbour in preference to himself and so honour him before himself, that he is eager to spurn any obstacle in his desire to excel. (Louth 2005: 85; PG 91 400 A)

This strong sense of collective belonging to a community was in direct opposition to individualism, another definition of self-love. Moreover, according to Maximos, the tendency of a person to act according to his own will and aspirations led to the emergence of a multitude of passions that led to the disintegration of the unity of human nature (Thunberg 1985: 95). Maximus theology of care, viewed *persons as relational, interdependent, and situated in actual contexts of interdependence* (Held 2011: 188), with love as a means of contemplating God and participating in divine economy of salvation.

Maximus' ontology of love, which touched upon his cosmology by establishing love as the primary element of human unity, was also utilized in his interpretation of the division and unification of humans across all grounds. In the *Century* II, he develops Paul's notion of equity through his philosophy of love:

He who is perfect in love and has attained the summit of detachment knows no difference between 'mine and thine', between faithful and unfaithful, between slave and freeman, or indeed between male and female. Having risen above the tyranny of the passions and looking to nature, one in all men, he considers all equally and is disposed equally toward all. For Him there is neither slave nor freeman, but everything and all things Christ. (Sherwood 1955: 158)

Although the meaning of love in Maximus the Confessor was heavily infused with the divine economy of salvation and the ontology of the divine good, it had clear social implications based on Paul's concept of social justice. As was previously mentioned, Paulian ideas were incorporated into Justinian's legislation through his formulas on sex equality and the equal rights of children of both sexes in succession and legitimacy. Maximus' theology provides a philosophical supplement to the changing conditions of late-antique Roman society, and these changes were popularized by his ethics of care and love for all people. The prefect of Africa, George, to whom Maximus sent a letter of consolation following the prefect's trial was one of the prime examples of applied Christian ethics of care in the living conditions of seventh-century Egypt. Here, he alludes to the benevolence and concern of the eparch for his subjects by comparing him to Job on his evangelical mission:

After all, you did not eat your bread alone, but generously gave from it to orphans, and from their youth you raised them like a father, and from their mother's womb led them to the justice (Job.31:17). You did not despise those who perish without clothes, and covered them; all the weak have blessed you, for you have warmed their shoulders with the wool of your sheep (Job 31:19–20). You did not place your gold in the ground (Job. 31:24), that is, in the pleasure of your flesh, but with your wealth you acquired heavenly blessings for your soul. You were not tempted by corruptible wealth and did not attach your heart to its stream. Thou didst not sit with mockers (Job. 31:5), whose life is shameful and

full of dishonor. Your foot did not hasten to wickedness (Job 31:5), and you did not rejoice at the fall of your enemies, and your heart did not say: "Good!" (Job 31:29) [...] You kept your hands from the gifts of the wicked, and saved the sufferer from the hand of the powerful (Job 29:12), and wept for every unfortunate one, and groaned when you saw a person in trouble (Job 30:25). You helped the orphans who were deprived of a helper, and the lips of the widows blessed you (Job 29:12–13). You have put on righteousness and put on righteous judgment like a cloak (Job 29:14). You have become the eyes of the blind, the feet of the lame, and the father of the weak (Job 29:15–16). You have broken the jaws of the wicked and snatched the prey from their teeth (Job 29:17). And, generally speaking, you feed the hungry, you give water to the thirsty, you shelter strangers, you clothe the undressed, you care for the sick, you help the imprisoned (Matthew 25:35–36); the main thing is that you please God with all this, judging that the most glorious of all is to diligently take care of all these unfortunate people for His sake. (PG 91: 372–373)

This passage exemplifies the implementation of the Christian ethic of care to the genuine public relationship between people in positions of authority and their subjects. While we were able to see how the ethics of care inspired Justinian legislation, here in the Maximus letter we see how the ethics of care inspired individuals in the highest position to exercise the Christian spirit in their relationship with the subjects, and how the scripture was *materialized* in the context of the political ethics of seventh-century Constantinople.

5. Gendering the Ethics of Care

First theories about the ethics of care, developed in the 1980s by Carol Gilligan and Nel Noddings, emphasized the gendered aspect of care ethics. Gilligan insisted on the unique ethical voice of women, emphasizing that "women tend to view moral issues in terms of emotionally involved caring for others and connection to others, whereas the majority of men view things in terms of autonomy from others and connection to others" (Gilligan 1982). Gender was irrelevant in the context of Christian care ethics, as previously mentioned, because the concept of care was a universal ethical principle. Nonetheless, in the Christian context, the ethics of care was inextricably linked to maternal thinking, but this thinking was degendered and reconfigured from particular – feminine – to universal – both feminine and masculine – experience of the entire community.

The distinctiveness of the Christian epistemology of gender resides in the multiple renegotiations of the roman masculinity in patristic thought. As mentioned at the outset, the Romans' bellicose and sexually aggressive hegemonic masculinity did not yield to the Christian man's benevolent, caring, and peaceful masculinity. Such a conclusion would be an oversimplification of the context of the Roman society's multilayered social hierarchy, at the apex of which stood via Romanus. It would be more practical, plausible, and accurate to discuss multiple masculinities in the late-antique Roman world and their place in the ethical system. In a similar manner, Christianity introduced new

feminine configurations and simultaneously promoted the motherhood and virginity ideals. Byzantium was unique due to its altered conception of motherhood, which granted women certain social powers based on their ability to bear and raise children. Although Sara Ruddick contested the ancient myths of matriarchy in some distant prehistoric period by explaining them as "our own dreams" to find mothers who were both personally and socially powerful (Ruddick 1980: 345), Byzantine history introduced myths of divine maternity. At the heart of this *myth* was the cult of the Theotokos, the Holy Mother of God, which influenced the daily lives of women and fundamentally reshaped the Roman concept of motherhood.

In Christian discourse, women's specific care ethic was inextricably linked to the concept of motherhood. The epistemology of motherhood was a complex phenomenon in Eastern Christianity, and since the II century AD it became confined to the whole new filed of Christian exegesis dedicated the Mother of God and her place in the Divine Economy of Salvation. For the Virgin Mary quickly became the primary caregiver not only of God incarnate but of all humanity – *she who for our sake took care to nurse Christ our God from birth* (Shoemaker 2012: 39). However, exegetical traditions have also confronted traditional Roman notions of gender-appropriate roles especially in the case of God, Christ, and Mary, who were interchangeably defined as procreators and caretakers. In some contexts, Christ was feminized, while in others, Mary was masculinized. When it comes to the prime values of care, such as empathy and sympathy, these were not gender-exclusive in Christian thought. For the purposes of making this argument more clear, I will turn to one important, not widely used, but very peculiar source – *The Life of the Virgin* – ascribed to Maximus the Confessor.[9]

This *Life* presents a unique and highly idiosyncratic source that places a strong emphasis on the Virgin Mary's ministry and equates her with Christ in her care for humans. In this source, Mary is introduced as an equal partner of Christ, who cared for the women while Christ cared for the men:

> As we said, she was always inseparable from her Lord and king and son. And she held authority: as the Lord did over the twelve disciples and then the seventy, so did the holy mother over the other women who accompanied him. As the holy gospel says, *"There were many women who followed Jesus from Galilee and provided for him"* (Matt 27.55). The holy Theotokos was the leader and director of them all. For this reason, when the mysterious and glorious supper took place, and he sacrificed himself as a priest and was sacrificed, he offered and was offered,1 at that time the Lord Jesus took care of the twelve disciples and whomever else he wished, and he gave them the exalted mysteries, the signs of the divine Passover [...] And at this same time the Lord entrusted his holy mother with the care and supervision of the women who accompanied him, in order to honor and glorify her, and she encouraged them and was his surrogate in their labor and ministry. (Shoemaker 2012: 102)

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9   On this idiosyncratic source see Shoemaker 2012, Introduction.

The Life of the Virgin attests to a similar role being assigned to priest Joseph who *received from Zechariah the immaculate Virgin as a guardian and her caregiver and a servant of the mystery that is great and wonderful beyond all comprehension* (Shoemaker 2012: 48). Another significant addition to Matthew 8:21–22, in *The Life of the Virgin* is the story of John and James who wanted to bury their father but were stalled by the Lord.

> However, *he ordered them to go and take care of their house and their mother*. And they went forth and accomplished everything well, and they brought their mother and joined her to the servants of the holy Theotokos, in order to serve the Lord always with her. At the Lord's instruction, they shared the considerable possessions that they had from their mother and father partly with the poor, and part they gave to their co-disciples. All the rest they sold, and they bought the house of Zion, which was to become the house of the immaculate mother of the Lord after the Crucifixion and Ascension of Christ, where the beloved disciple, when he received her from the Lord at the time of the Passion, brought her and served her at the instruction of the sweet king. (Shoemaker 2012: 98)

The Life of the Virgin is filled with references to Christ's and the Theotokos' care for humanity. Virgin is honored as the first recipient of the Lord's message concerning Christ's crucifixion not only because she was an immaculate and saintly mother, but also *because she remained with Christ willingly at the time of Passion and ardently cared for him, when she was enabled by him through desire as if to die with him* (Shoemaker 2012: 119). The entire chapter on Christ's crucifixion is filled with references to the Virgin's sufferings because she had felt his passion herself. This passage is crucial to our discussion because it introduces the concept of Theotokos' empathy as the highest virtue among humans. Read beyond the context of the Virgin Mary and her dying son, the message was clearly centered on the appreciation of mutual empathy between Christians, who were required to care for their people and who were also required to feel the sorrows and pains of their fellow community members, to participate in their tribulations and emotionally engage with them. Such passages are especially vivid in the scene in which the women who followed Mary exhibited more courage than Christ's male disciples:

> The two Marys were more zealous than the others in their love of the Lord [...] and they put on courage of the mind and withdrew from the others, and they drew near to her and comforted her and shared her sorrow. (Shoemaker 2012: 117–118)

One of the most significant passages from the Life, which elaborates on the topic of women's courage and boldness during Christ's crucifixion in contrast to men, is quite revealing for gender analysis:

> But the men were not equal to them in boldness and fearlessness, nor in excellence to the others. That is why some evangelists mentioned the names, and some evangelists did not mention the names, and some did not recall the names. (Shoemaker 2012: 117)

This story emphasizes women's primary role as caregivers in order to make a clear gender distinction. Their bravery was demonstrated by their compassionate presence around Christ at a time when the threat of imprisonment and persecution was very real. The concept of unconditional maternal love and female compassion are hailed as the only ethical principles deserving of praise and deification.

By constructing such a significant model of care within the context of the Theotokos cult, the ethics of care became a fundamental principle among Christians. The hymn *Akathystos*, composed in the sixth century and dedicated to the Theotokos, celebrates the Theotokos' care and protection over her people.

In this *Lif*e, care became the plot's driving force and the only impetus for the Christian way of life. Although The Life of the Virgin utilized the model of a mother's care for her son as a central aspect of Christian care ethics, bringing it close to the gender exclusivity of care, it also introduced the aspects of male care for minors and elders. Important as well was the association between service and care, which allowed for the renegotiation of rigid social hierarchies in Roman society based on unquestionable service to the dominant male.

> The message of care towards the elders is also present in the passage of Christs last message to his disciple John the Evangelist who was supposed to take care of the Vrigin. After John left to preach, it was James, the son of Joseph, who *served and took care of the holy mother of Christ*. (Shoemaker 2012: 125)

This aspect of ordinary motherhood allowed Theotokos to be brought very close to the congregation. It also fostered a strong emotional bond with the image of a protective and nurturing mother, as is evident in the later hymnography, both private and public, dedicated to the holiest feasts of the Theotokos, who became the central deity of the Byzantine Christian pantheon.

For the purposes of our discussion, the most significant aspect of the Theotokos cult is the portrayal of the Virgin Mary as a caring and emotionally involved mother, which elevated her to the position of most important divine intercessor. Notably, the Theotokos was not firmly established in a single concept of femininity, but was also revered as a strong, military, and courageous – masculine – defender of Christians (Gador-Whyte 2013: 92). Mary's intercessory role as the most crucial link between common people and God was couched in terms of her maternal concern for humanity. The most significant modification to the concept of gender exclusivity in care is the adoption of Christianity as the guiding ethical principle for the entire community, regardless of gender.

6. Conclusion

Care is a transhistorical category in the sense that it derives from the universal parental experience and is rooted in the biological precondition for the survival of the human species. Similarly, the leading value of the ethics of care, empathy, represents a transhistorical category of human psychological responses to

social interactions. The historical function of these transhistorical constants was to illuminate the mode of social organization within a particular society. In other words, the transhistorical constant of care was used as an analytic category to approach the history of ethics, care, and pedagogy in the particular historical period.

The Christian ethic of care is merely one example of the culturalization of the biological precondition that enabled human cooperation and coexistence. Modes by which the ethics of care was renegotiated within specific historical contexts offer opportunities for contemporary dialogue on the ethics of care and its applicability within the context of public and international politics.

Christian Roman society developed a multilayered and relatively complex ethical system based on care, which can be aligned with communitarianism and agapism today. However, we should refrain from judging early Christian society by the standards of contemporary human notions of freedom and individualism, and instead evaluate it based on the changes it introduced to that particular society at a particular historical moment and context that was vastly different from our own.

The following are some general conclusions regarding the Christian ethics of care:

1. The Christian epistemology and ontology were founded upon the ethics of care. Care for other people beyond the family, for those in need, and for marginalized and vulnerable groups was a prerequisite for the formation of a Christian community, which was rooted in shared experiences of victimization and suffering. This shared history of victimization has fostered an empathic solidarity within the Christian community, which has fostered the ethics of care as its fundamental principle of social being.

2. Christian ethics of care entered the public discourse and became the official political dogma by late antiquity. By virtue of Justinian's laws, Christian ethics of care were codified. Before the emergence of liberal political thought, justice was inextricably intertwined with the concept of care and protection for the most vulnerable members of Roman society. Justinian law acknowledged the existence of caring relationships and their potential extension (cf. Virginia Held 2011: 189). Justinian jurisprudence based its social justice on the premise of emphatic caring (Slote 2007: 94).

3. By the sixth century, as is evident from Justinian's legislation, Christian ethics had been institutionalized, legitimized, and disseminated via imperial law. The required public proclamations of Justinian *Novels* for each law made it possible to simultaneously announce and disseminate the new ethical principles of Justinian's Roman empire. Among these principles, concepts of Paulean equity and the protection of the powerless, disabled, and those in need were the most important for achieving justice and welfare.

4. Christian ethics of care were disseminated not only through Roman laws, but also through public discourse and homilies that equated it with God's love and its return. Consequently, it became a primary virtue for the truly moral and righteous individual.

5. The Christian ethics of care embedded in the concept of *agape*, in which all people were equated, facilitated the actualization of the concept of equality between the sexes that dominated public discourse.

6. The Christian ethics of care used the concept of a mother's care for her offspring to evoke natural empathy and compassion in people who were all born and surviving due to the care of Mother and her Son and God.

7. The degendering of care ethics in the discourse of a genderless God's care, Christ's care, John's care, and Joseph's care for the Theotokos increased the gender-neutrality of care, which was conceptualized as a relational experience of mutual care between men and women, mother and her children, children and their mother respectively, and between young and elderly. All these caring relations were placed at the center of the human economy of salvation.

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Etika brige u kasno-antičkom hrišćanskom diskursu: (trans)istorijske perspektive o društvenoj, političkoj i filozofskoj vrednosti brige

Apstrakt

U radu se ispituje istorijski kontekst etike nege u ranohrišćanskom diskursu. Istorijski kontekst etike brige nam omogućava da sagledamo načine na koje je etika brige bila korišćena i rasprostranjena kao deo političke ideologije i javnog diskursa čime je značajno uticala na društvene odnose u rimskom svetu koji se brzo menjao između četvrtog i sedmog veka. Vizantijsko carstvo je vrhunski primer političkog entiteta u kojem je filantropija bila pokretačka snaga imperijalne politike i društvenih odnosa. Zakoni cara Justinijana, koji su proklamovali društvenu pravdu i zaštitu onih kojima je potrebna, služe kao studija slučaja za etiku brige. Takođe, etika brige je rekonfigurisana u kontekstu vizantijske teologije kao teologije brige u kojoj je primarna vrlina pravog hrišćanina njegova žarka ljubav prema zajednici (agape). Etika brige se zatim ispituje iz perspektive pola i novouspostavljenog kulta Bogorodice koji je lišio koncept majčinskog razmišljanja i majčinske brige rodnih dimenzija tako što ga je učinio univerzalnim iskustvom i novim moralnim kodeksom za sve hrišćane.

Ključne reči: Etika brige, hrišćanska etika brige, empatija, vizantijski etos, društvena pravda, transistoričnost, Maksim Ispovednik, car Justinijan, novele, Bogorodica, materinsko mišljenje