International conference
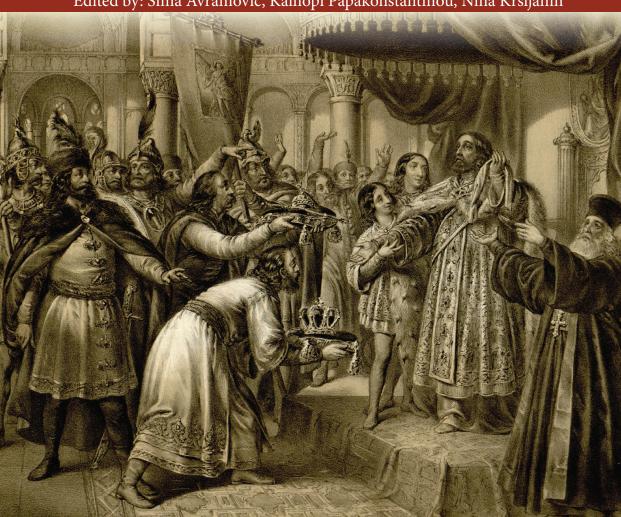
(UN)FIT TO RULE: THEMES OF ACCEPTANCE AND REJECTION OF RULERS THROUGHOUT HISTORY

Book of abstracts

October 26th–28th, 2022

Edited by: Sima Avramović, Kalliopi Papakonstantinou, Nina Kršljanin

UNIVERSITY OF BELGRADE FACULTY OF LAW

(UN)FIT TO RULE:
themes of acceptance and rejection
of rulers throughout history
Book of abstracts

(UN)FIT TO RULE:
themes of acceptance and rejection of rulers throughout history

International conference
October 26th–28th, 2022

BOOK OF ABSTRACTS

edited by
Sima Avramović,
Kalliopi Papakonstantinou,
Nina Kršljanin

TABLE OF CONTENTS

ORGANISATIONAL COMMITTEE OF THE CONFERENCE

Serbian members:

- ▶ Emeritus Prof. Dr Sima Avramović, University of Belgrade Faculty of Law – the president of the Organisational Committee
- ▶ Asst. Prof. Dr Nina Kršljanin, University of Belgrade Faculty of Law – the deputy president of the Organisational Committee
- ▶ Prof. Dr Smilja Marjanović Dušanić, University of Belgrade Faculty of Philosophy
- ▶ Prof. Dr Zoran Mirković, University of Belgrade Faculty of Law
- ▶ Dr Srđan Pirivatrić, Senior Research Associate at The Institute for Byzantine Studies SASA
- ▶ Prof. Dr Milena Polojac, University of Belgrade Faculty of Law
- ▶ Assoc. Prof. Dr Vojislav Stanimirović, University of Belgrade Faculty of Law

International members:

- ▶ Prof. Dr Ivan Biliarsky (Иван Билярски), Bulgarian Acadamy of Sciences Institute of History
- ▶ Emerita Prof. Dr Kalliopi (Kelly) Bourdara (Καλλιόπη Μπουρδάρα), National and Kapodistrian University of Athens
- ▶ Prof. Dr Zachary Chitwood, Johannes Gutenberg University Mainz
- ▶ Prof. Dr Coleman Dennehy, University College Dublin
- ▶ Asst. Prof. Dr Elinor Forster, University of Innsbruck
- ▶ Prof. Dr Gábor Klaniczay, Central European University
- ▶ Prof. Dr Alastair Mann, University of Stirling
- ▶ Prof. Dr Dan Ioan Mureşan, Rouen University
- ▶ Assoc. Prof. Dr Kalliopi Papakonstantinou (Καλλιόπη Παπακωνσταντίνου), Aristotle University of Thessaloniki Faculty of Law
- ▶ Prof. Dr Marion Röwekamp, Humboldt Professor at The College of Mexico
- ▶ Prof. Dr Andreas Serafim (Ανδρέας Σεραφείμ), Athenian Academy
- ▶ Prof. Dr Thomas Simon, University of Vienna Faculty of Law

- ▶ Emeritus Prof. Dr Gerhard Thür, University of Graz Faculty of Law, corresponding member of the Austrian Academy of Sciences
- ▶ Asst. Prof. Dr Ilya Aleksandrovich Vasilyev (Илья Александрович Васильев), Saint Petersburg State University Faculty of Law

Secretaries:

- ▶ Asst. Una Divac, University of Belgrade Faculty of Law
- ▶ Đorđe Stepić, University of Belgrade Faculty of Law

A WORD FROM THE ORGANISERS

In 2022, we celebrate 700 years since King Stefan Uroš III Dečanski ascended the Serbian throne in 1322. It was not a simple succession, though: he had unsuccessfully rebelled against his father, King Stefan Uroš II Milutin in 1314, and, as punishment, he was blinded and exiled. He was thus believed no longer to be a candidate for the throne, but his vision was 'miraculously' restored (it is now believed by most modern historians that he was not blinded completely, if at all) and he managed to conquer the throne after his father's death. This anniversary presents an occasion for a comparative overview of requirements for a ruler – or, from a different angle, circumstances that made a person unfit to take the throne or to govern a country.

Our anniversary first brings physical disabilities to the fore. These could have impeded potential rulers from assuming the reins of power simply because they were presumed to prevent one from being an efficient ruler, particularly in the periods when a monarch was also a military leader, but also (as a result of ideas widespread in Christian Europe) because of the idealised perception of a monarch as God's chosen representative on Earth who had to embody perfection. There are, however, well-known examples that speak to the contrary, such as Béla II of Hungary, Enrico Dandolo or John of Bohemia.

An even more sensitive subject is that of mental disabilities, which were viewed as an even greater hindrance to effective rulership. In some countries, an heir with serious mental health issues would be *ex lege* disqualified from inheriting, while in some places, particularly in the Modern era, an extensive regency was considered better than a squabble over the throne. The reactions of other political figures to a ruler whose mental health was visibly deteriorating, and thus to the fate of his or her reign, also make for an interesting subject.

The issue of gender must also be raised: while men were the default sovereigns in most countries of the world until well into the Modern Age, some countries accepted women on the throne when there was no suitable male heir; in some it was impossible and a more distant heir would be chosen. Finally, in some legal systems exceptional women did manage to rule, but had to go through a lot of effort to 'masculinize' their reign in order to be acceptable. Even in ancient Egypt, where women held a re-

markably good legal position compared to the other polities of Antiquity, the first female pharaoh, Hatshepsut, dressed and talked like a man to legitimise her rule, and still her successor, Thutmose III, tried to wipe the account of her reign from the records afterwards.

A sovereign's religion also played an important role. Whatever the dominant religion of the realm, the ruler was expected to be pious, and in some ancient societies was even deified: with such a position came strict standards of behaviour in accordance with religious doctrines. (Akhenaton's failed attempt to change the ruling faith is widely known.) The need for the monarch (and often for the royal consort and the heir as well) to belong to the country's ruling denomination became a given in the Middle Ages. However, as the Modern Age gradually brought religious freedom and pluralism, as well as a rise in atheism, such provisions began to face criticism – yet they still persist in many modern monarchies. Finally, ethnic background or nationality also plays an increasing role in modern societies, where it is often set as a requirement for the ruler to belong to the nation being governed.

Just as all of these issues could present an obstacle to a person's claim to rulership, so could most of them, too, serve as cause for one's overthrow. A ruler who suffered a crippling injury or a debilitating illness, who converted to a different religion or was revealed to be a heretic, for example, could, and indeed frequently was deposed. The reasons behind this act, their legality and legitimacy could also be valuable subjects of research.

Perhaps more intangible, but by no means less important for a potential ruler's prospects for success, was his or her charisma. The uncharismatic candidate for power who otherwise fulfilled all formal requirements for rulership might nonetheless have been deemed less qualified than a 'disabled' rival who possessed that certain *je ne sais quoi* which appealed to his or her subjects. In this light, 'qualified' and 'competent' were not interchangeable criteria in judging one's fitness to rule.

A final consideration in evaluating a candidate's fitness for assuming the reins of power concerns how we as scholars attempt to discern contemporaneous criteria for exploring this question. Rules and requirements for exercising sovereignty were, especially in pre-modern societies, often unwritten, and instead relied on oral traditions – whether longstanding or recently invented – and precedents and examples were set by predecessors. The absence of formal, constitutional prerequisites for rulers does not mean that they did not exist in other forms. Therefore, evaluating fitness to rule throughout time requires taking account of the broader political order, of 'constitutions' both written and unwritten.

We believe a comparative and multidisciplinary approach to these questions could yield the best results, and therefore we opened our call for papers to scholars from all fields of sciences and humanities (including, but not limited to, legal history, political science, theology, art history, medical history etc.), dealing with all countries and historical periods, from Antiquity to the Modern Age, regardless of whether they focus on an individual legal system or adopt a comparative approach, whether they are of a broader scope or case-studies, etc. We are very happy that we have received a large number of very interesting abstracts from participants all over the world, that will surely both be valuable on their own and contribute to fruitful academic discussions. We are also highly grateful to keynote speakers that have agreed to hold lectures stemming from their research over a course of many years: we believe that their perspectives will be invaluable to the findings of our conference. We are looking forward to seeing you all in Belgrade in October, and to harvesting the fruit of our scholarly labours together.

ABSTRACTS OF KEYNOTE SPEAKERS

Emeritus Prof. Dr John BAINES

Oxford University, Queen's College

CONTESTING A "DIVINE" KING'S STATUS: A PERSPECTIVE FROM ANCIENT EGYPT

Ancient Egypt is widely seen as a paradigm case of "divine kingship", even of the king as a "god incarnate". Yet this notion is problematic, and it is based in part on misunderstandings of ancient terminology and visual imagery. The king was supra-human in status, but he was subordinate to the gods. He controlled but was also subject to the norms of *ma'at*, the fundamental Egyptian principle of proper order. No alternative to kingship was available, but individual kings came and went. Official images and texts from periods of uninterrupted rule naturally display or say little to nothing about contention around the person and office of kings, but other sources offer rich, if scattered, evidence. Exceptions where official treatments problematise norms of succession and rulership derive primarily from periods of divided rule, or they were created by powerful but peripheral rulers, mainly of the first millennium BCE. Thus, it is possible to assemble a picture of what an ancient Egyptian king should and should not have been, as well as to observe how ideas about proper kingship changed, but a single tight definition cannot be given.

Emerita Prof. Dr Kalliopi (Kelly) A. BOURDARA

National and Kapodistrian University of Athens, Faculty of Law, Director of the Institute for Humanities & Culture "Nicos Svoronos"

CRIMEN LAESAE-MAJESTATIS: FIT OR UNFIT TO RULE?

Studying the texts of the Byzantine literature we can conclude which were the qualities that a Byzantine had to have in order to become and remain emperor. In Byzantium, the reign was not hereditary and everybody could claim the throne despite of their origin or gender. As a jurist, I shall make reference to legal texts, which constitute the official public opinion, to find out the qualities, the capacities that a Byzantine should have had to be emperor. Only one legislative text, the Eisagoge-Epanagoge, provides such information.

The person fit to become emperor ruled by the will of God. That's why none of the subjects were allowed to act against the emperor, lest they insult the choice of God. An act against a fit emperor was called "καθοσίωσις" (*laesae-majestatis*) and it was a crime (*crimen laesae-majestatis*). Special laws existed for this crime and provided penalties against those who committed it.

The literary source gives many examples of this crime and the penalties which were imposed in practice during the middle Byzantine period. The aim of these penalties was to make the rebels, conspirators etc. harmless and unfit to rule in the future.

Some emperors asked the help of the Church in order to eliminate their opponents. But the Church refrained from action and any law – *tomos* – which was promulgated and provided spiritual penalties remained inoperative, although they did occasionally interfere, mainly when there were moral implications to the case.

Assoc. Prof. Dr Athina A. DIMOPOULOU

National and Kapodistrian University of Athens, Faculty of Law

EUPATRIDAE VS. KAKOPATRIDAE IN ALCAEUS' POETRY: PEDIGREE AND BODILY (IM)PERFECTION IN THE POWER STRUGGLE IN ARCHAIC LESBOS

One of the earliest contemporary sources describing the phenomenon of stasis, political strife, in archaic Greece, are the poems of Alcaeus of Mytilene, from the island of Lesbos, dating from the end of the 7th c. B.C. As member of the island's aristocratic governing class, he took part in the political disputes, confronting members of the local elite which brought to power a series of tyrants. Along with his brothers, he repeatedly experienced exile for his political actions. In his political verses, Alcaeus passionately attacks his former ally and political opponent Pittacus of Mytilene, a contestant for the city's supreme office, due to his low birth (calling him *Kakopatris*, which has the double meaning of "born to a bad father" and "bad for the country") and his ugly physical appearance, thinking him unfit for power for being deprived of the noble ancestry and physique linked to the aristocracy (the *Eupatridae*). His poems were recited during symposia, aristocratic wine-drinking parties among male political friends and allies (*etairoi*), fueling passions among the city's opposing political factions. However, in spite of Alcaeus' bitter criticism, Pittacus was not only awarded the position of aisymnetes by the people of Mytilene, to rule the city as a conciliatory tyrant who voluntarily abdicated from supreme power after 10 years, but also became a legendary lawgiver who put law in writing and created several new rules to address the problems related to political strife in Mytilene. His wise statesmanship finally won him a place among the Seven Sages of ancient Greece.

Emeritus Prof. Dr William E. MONTER

*Northwestern University, Weinberg College of Arts and Sciences,
Department of History*

HOW WOMAN BECAME FIT TO RULE

Legitimate royal birth began outranking masculinity as a criterion for fitness in Europe's High Middle Ages, as heiresses received formal joint coronations with their husbands, starting in Navarre in 1327. A long-term perspective suggests that the issue of marriage remained fundamental to Old-Regime female successions: avoiding marriage meant dynastic extinction, yet husbands were not reduced to secondary political roles until the 1700s. After 1800, modern liberal-democratic states removed hereditary privilege (and thus royal heiresses) from actual political power.

Assoc. Prof. Dr Ioannis PAPADOPOULOS

University of Macedonia in Thesalloniki, Director of the Centre for Research on Democracy and Law

BIBLICAL HERMENEUTICS OF DISRUPTION: THE DISSONANCE BETWEEN POLITICAL POWER AND DIVINE GRACE IN THE ORDER OF SUCCESSION AS A MORAL WARNING TO RULERS

The Bible is replete with narratives of disruption in the legitimate order of succession of rulers, both in the private and the political sphere. In a world imbued with tradition, where (formal or informal) patriarchal rules of succession are a template for the continuity and stability of sovereignty amid existential threats from the outside, the numerous Biblical instances of discontinuity in the form of 'reversal of fortune' are striking. Hermeneutically, it is certainly meaningful to observe the repetition of such a theme in several Biblical narratives, parables, and epistles, both in the Old and the New Testament. The frequent overturning of the normal/legitimate state of affairs regarding succession, either by some younger brother doing away with the rule of male primogeniture, or by another type of 'normative outsider', as well as a more generalised detachment vis-à-vis the "powers that be", open a space of dubiety, and potentially even of dispute, as to the normative force of the ground rules that ensure continuity in the exercise of sovereignty. In the Bible, this disruptive potentiality is quite clearly the doing of divine grace, which is a paradox for human reason: the preconditions and fundamental rules for the exercise of sovereignty are generally attributable to God's will, but it is also God's will to sometimes disrupt the normal succession of events, leading to the establishment of a new ruler for the community, and consequently to reinforce political legitimacy by rejuvenating its physical incarnation.

By opening the possibility of a normative gap at the very heart of the exercise of sovereignty, religion positions itself as an expressive instance that can "speak truth to power", and can thus potentially upset the traditional sources of political legitimacy – even those anointed by religion itself. By periodically reminding the rulers that no throne is stable enough when God decides to produce a new political and legal order via the emanation of a novel force initially considered as unlawful, religion establishes

itself as an 'amicable rival' of the sovereign rulers. In sum, the Biblical hermeneutics of disruption call for the exercise of civil government under a constant normative tension: the dissonance between political power and divine grace is a road sign for governance in accordance with the divine commands of love, piety, and charity towards the weak. These are the only secular assurances for not falling from grace. Ruling under these divine precepts externalises political power, i.e. ensures the exercise of power for the people and not for the sake of self-preservation in office. This surpassing of one's self as a ruler is also a paradox, albeit a positive one: by taking religion's moral warning seriously, and therefore taking care of others in his dominion, the sovereign reinforces his own political legitimacy, even though he must never rest at ease, since reversal might always occur.

This keynote speech lies at the intersection of theology, political philosophy, and hermeneutics. The ample discussion of the Biblical cases of disruption in the legitimate order of succession paves the way for a political philosophy of normative unrest for the sovereign, which in turn allows for some more general hermeneutic conclusions on the ontology of the person conceived as an entity both *idem* (i.e. same to oneself) and *ipse* (i.e. true to one's fundamental commitments in time despite discontinuities), following Paul Ricœur's typology.

Prof. Dr Dr h. c. mult. Peter E. SCHREINER
University of Köln, Faculty of Philosophy

Prof. Dr Isabel GRIMM-STADELMANN
Ludvig Maximillian University of München, Faculty of Medicine,
Institute for Ethics, History and Theory of Medicine

MEDICINE IN THE SERVICE OF POLITICAL CALCULATION IN BYZANTIUM

A broad variety of sources related to the Byzantine imperial history mentions quite a wide range of affections, diseases and illnesses that rendered numerous emperors either permanently or temporarily "unfit to rule". There are reports, for example, of specific organic, neurological, and psychopathological diseases that made the emperors not only incapable of fulfilling their obligations as sovereigns, but also forcing them into a dependency on the attending physicians and their decisions about further therapeutical developments. On the other hand, a few rulers who suffered a downfall and, along with it, physical mutilation, nevertheless succeeded in regaining their throne with the help of their physicians' skills – the most significant example here being that of emperor Justinian II, "*Rhinotmetos*", who returned to the throne wearing an artificial replacement for his nose, that was cut off in the wake of his disempowerment. In contrast, the sources also list numerous examples of physicians who were involved in conspirations to remove several emperors, either through poisoning or by physical mutilation on behalf of the conspirators. We also have a unique example of the interaction between the field of medicine and the ruling office in the person of the Emperor Manuel I Komnenos, who himself was a very skilled physician and took every opportunity to put his medical enthusiasm to use. This, however, allowed his opponents to accuse him of neglecting his duties as emperor and, therefore, raise doubts about his ability to rule. Using selected examples from various Byzantine sources, our lecture illustrates the position of medicine, but also of its representatives, the physicians, in the service of different political calculations.

ABSTRACTS OF PARTICIPANTS

Prof. Dr Jasna BACHOVSKA NEDIKJ
St. Cyril and Methodius University, Faculty of Law "Iustinianus Primus"

Assist. Prof. Dr Ognen VANGELOV
American College, Skopje

THE INFLUENCE OF LEGAL CULTURE ON AUTHORITARIAN RULE IN POST-SOCIALIST COUNTRIES WITH AN EMPHASIS ON THE REPUBLIC OF NORTH MACEDONIA

Legal culture is a relatively new concept in the sociology of law (Lawrence Friedman, 1969). Legal culture has its own identification elements, such as: the number and role of lawyers in institutions, the way judges are appointed and controlled, the status and dignity of lawyers, the length of court cases (internal legal culture) and the ideas, attitudes and expectations that people have about law and the legal process (external legal culture). Comparative research gives us an idea of the relationship between the level of legal culture and democracy in countries (James Gibson and Gregory Caldeira, 1996). The focus of the paper will be the impact of legal culture on the functioning of the rule of law, implementation of the concept of rule of law and the relationship with authoritarian systems in post-socialist countries, with an emphasis on the Republic of North Macedonia.

One of the key problems in post-communist countries backsliding to authoritarian rule is the collapse of an already weak rule of law. In the last decade, such examples have emerged both in EU candidate countries and in some of the Eastern European EU member states. This paper will address the authoritarian rule and the collapse of the legal system during the governments of Nikola Gruevski.

In this context, the following questions will be asked: what are the factors of legal culture? Can the pressure of a foreign legal culture produce a much more responsible and efficient political system? Is the level of legal culture, determined on the basis of certain elements (selection of judges, outdated court cases, legal awareness of citizens), related to authoritarian systems?

Dr Maximiliane BERGER
Lecturer at the University of Basel

THE CHARISMATIC ANTICHARISMA OF FREDERICK III: NOTES ON A SUCCESSFUL PARADIGM OF RULE IN THE 15TH CENTURY

Emperor Frederick III (r. 1440-1493) was one of the most formative European rulers of his time. At the helm of the Holy Roman Empire, he presided over a period of dynastic and territorial consolidation and burgeoning constitutionalisation while preserving imperial stability in the face of the Ottoman expansion, Burgundian aspirations, and the spillover effects of war in France, Bohemia, and Prussia. Emperor Frederick III was also periodically seen as unfit to rule: by contemporary princes who tried – and failed – to replace him as king or who, during the many Reichstage without his presence, found the business of the realm impossible to bring to actionable conclusions, and by 19th– and 20th-century historians who found him tenacious but torpid, because he compared unfavourably to rulers who seemed to rule by event and splendor, like Charles the Bold or Maximilian I.

How can the fit and unfit parts of his rule be integrated? Or rather, how can conventional conceptions of fitness (event-based rule) and unfitness (power unseen and unfelt) of his style of rule spur us into a more adequate description of the 15th-century trend in governance of which Frederick III was a prominent exponent? This paper seeks to probe for answers to these questions by looking more closely at the so-called "unfit" habits of a highly sovereign ruler: his absence in the Habsburg territories, maintaining a court where slowness, silences and uncertainty were the order of the day, where no one ever got an answer, at least not in a timely fashion. The letters of envoys who had to labour at this court give us a series of contemporary, first-hand glimpses of its workings.

What we find is a mode of catalytic governance that generates extraordinary sovereignty effects through precisely the opposite of an event-based, charismatic (extra-ordinary) rule. The demand for Frederick III's rule was created and upheld through everyday opacity, a careful management of time, and an even more careful management of the ruler's appearances as a flat character – one who could and had to be imagined by his

audience. This anti-charisma gradually, but quite literally, and more and more often, took the place of the charismatic modes of rule during the times of Frederick III. He, as well as rulers who conducted themselves in a similar mode, such as Louis XI or Casimir IV, and the debate of their fitness or unfitness on the throne, can thus be understood as a bridge between premodern charismatic rule (usually viewed top-down) and later, administrative government (usually viewed bureaucracy-up) by undergirding their charismatic position with a style of conduct that is decidedly anti-charismatic, but still monarchic and personal.

Prof. Dr Daniela BLAŽEVSKA

St. Cyril and Methodius University, Faculty of Law "Iustinianus Primus"

PUBLIC SPEAKING SKILLS
OF A CANDIDATE

Good leaders are good speakers. Good speakers are not necessarily good leaders. When we use the term "good leaders", we do not think of efficient leaders or persons who could seduce masses, but rather of persons who had ideas and moved the world forward. Change always starts with one person who has a mission, who has faith in the goal which gives them strength to work on its achievement, even if the rest of the world cannot see it.

A leader should serve as an example for other people not because of what he says but because of what he does, according to Colin Powel. According to him, people follow a good leader, trust him, he has competency, character, courage (moral, physical, mental, spiritual), loyalty, confidence, selflessness, dedication and empathy. (Harari, 2002: 199-202)

"Great leaders are almost always great simplifiers who can cut through argument, debate and doubt, to offer a solution everybody can understand", in the words of Michael Corda (Harari, 2002: 260).

In the context of political public speaking, Stanojević and Avramović give a good classification of leaders of people:

▶ Ordinary leaders;
▶ True leaders;
▶ Charismatic persons.

The ordinary leaders are presidents, kings, tzars who ruled through history. Those, according to them, could be "wise, and honest, and brave; however, there was something missing for them to be true leaders" (Stanojević and Avramović, 2002: 265).

True leaders are distingushed from ordinary leaders by a couple of characteristics, such as: "special appearance, determination and power of persuasion, ability of simplified expression" (Seyler, 1994, quoted in Stanojević and Avramović, 2002: 265).

Leaders tell three types of stories: "who I am", "who we are" and "future stories" (Tichy with Cohen, 2002: 217–220).

People win or lose elections based on their public speaking skills. The aim of this article is to analyse these skills as a criterion of (un)fitness to rule, as an instrument of selection for the acceptance or rejection of the potential ruler or elected person.

The analysis of public speaking skills will be based on these elements: ability to speak, ability to hold a public speech, knowledge of the principles of public speaking, personal public speaking skills, public speaking experience, gender characteristics, used words, diction and body language.

Dr Zoja BOJIĆ
Senior Researcher at the Institute for Literature and Arts in Belgrade

PHILOSTRATI ON THE VALUES OF GOOD GOVERNANCE

Philostratus the Elder (c 2 c AD) and his grandson, Philostratus the Younger (c 3 c AD), both wrote an eponymous series of descriptions of paintings. Although some scholars maintain that the described paintings did not exist and that thus the descriptions were written for an entirely different purpose, some other scholars have demonstrated that the two authors should be observed as art historiographers of the European antiquity and the founders of the discipline of art theory. A good number of Philostrati's descriptions are of the portraits of mythological and historical rulers, including the portraits of women rulers. A small number of their descriptions are of the artworks that literally depict the fruits of good government versus the chaos of bad government. As Philostrati's descriptions were intentionally written both as a scholarly text and an educational tool, they would have also served the purpose of educating the authors' intended readership in various moral and ethical values, including the supreme values of good and honourable governance.

Pantelis CHALKIAS, MA
Aristotle University of Thessaloniki, Faculty of Law,
Department of Theory and Methodology of Law

WOMEN FIT TO GOVERN
IN ARISTOPHANES' "LYSISTRATA"

In the year 410 BCE, during the Peloponnesian War, right after the devastating defeat of the Athenians in Sicily, Aristophanes presented his play "Lysistrata" during the "Lhenea", a festival held at late winter or early spring. According to the plot, women from all over Greece gather at Athens, responding to the call of the Athenian Lysistrata, in order to find a solution to end the Peloponnesian War. They all agree to call a sex strike against men, as the ultimate means to impose justice.

Aristophanes, like all representatives of the "Ancient Comedy", denounces the obvious weaknesses of the Athenian democracy. Those weaknesses were actually a result of the weaknesses of the citizens themselves, stemming not from the type and nature of the regime, but from within. The desire to rule and to serve specific private interests, alien to the interests of the municipality, are expressed by Aristophanes in a convincing and characteristic way. The anxiety of a thoughtful citizen for the future of his homeland is highlighted – a fear that a few months later will be confirmed by the oligarchic coup.

Athens of 410 BCE experienced the most dramatic moments of its historical course; Aristophanes presents women as the catalysts of historical evolution: constrained and without social rights, doomed to live in a patriarchal society that does not allow them to participate in the public discourse, yet ready to undertake the responsibility of rulership.

They are not motivated by the lust for power, but by the desire to prevent the destruction of the Greek cities. In the verse between Lysistrata and Provoulos, we discover the power and dynamics of the female discourse: the female will form a new reality, to which men will have to submit. And this element makes the women of Aristophanes responsible: taking this responsibility actually sets them free.

Dr Zachary CHITWOOD
Johannes Gutenberg University, Mainz

KING OF THE MOUNTAIN?
MEDIEVAL HAGIORITE PERSPECTIVES
ON IDEAL RULERSHIP

This paper explores the political ideology on ideal rulership – including reasons for disqualification – as expressed in works stemming from Mount Athos during the medieval period. Though no "Hagiorite" author produced treatises on rulership in the tradition of the Byzantine "mirror of princes" genre, there are nonetheless statements found in a variety of Athonite sources, such as saints' lives, *typika* and sovereign grants of privilege, from which, taken together, certain expectations or norms of Byzantine and indeed Orthodox Christian rulership can be deduced. This contribution will highlight some instances in which this strand of political ideology, written as it was from a monastic perspective, differed in interesting respects from its more secular counterpart. Just as one example, the sovereign's duty to build and endow churches and monasteries, and the spiritual reward that it brings, is emphasized to a much greater degree than in Byzantine "mirrors for princes".

A further consideration will be the transition to Ottoman rule in the fifteenth century and how obedience to the figure of the sultan – a non-Christian ruler – was rationalized by the Holy Mountain's monks. This development of the recognition of the authority of a Muslim sovereign continued alongside more traditional affirmations of the need of Orthodox potentates to support monks and monasticism.

Prof. Dr Mariam CHKHARTISHVILI

Ivane Javakhishvili Tbilisi State University, Faculty of Humanities –
Institute of Georgian History, and Institute of History and Ethnology

THE "UNFIT" ROYAL HEIRS IN ANCIENT AND MEDIEVAL GEORGIA

In Georgian historical chronicles, the narration of the political history of the country begins with the representation of foundation of kingship in Kartli – the polity with the political centre in Eastern Georgia.

According to the historian Leonti Mroveli (11th c), the first King was the commander of Alexander the Great, Azo/Azon, who presented himself as a descendant of the ruling family of the ancient Colchis. This is how he legitimised himself on the Georgian throne, as Colchis and Kartli were both Georgian states. The Kings of Ancient Colchis considered their power to be of divine origin, specifically, they were associated with the Sun God.

Despite such political theology legitimising the first King of Kartli, a young man from the house of local rulers, Pharnavaz rebelled against Azo/Azon and was able to overthrow him. Pharnavaz achieved victory against the descendant of the Kings of Colchis because he also was granted power by the Sun God.

Pharnavaz introduced a new religion and he himself was considered as God. After that, for a long time belonging to the Pharnavazyani line was the main argument for the legitimisation of Georgian Kings. As a rule, after the death of the monarch, the eldest son was considered heir to the throne, although if the King had no son, then the throne could be occupied by a daughter. In this case, the husband of the princess became the de facto ruler. For example, the last King of the Pharnavazyani dynasty, Aspagur, had only a daughter, whom he married to a member of the Sasanian family, Mirian. Despite being accepted by the Pharnavazyani, Mirian ruled Kartli as Chosrovan, i.e. a Georgian King of Sasanian origin.

Just as it was important for the first Kings of Kartli to emphasize their connection with the ruling dynasty of the Ancient Colchis, it was also important for the Chosrovans to show their close connection with Pharnavazyanis. The same can be said about the last royal dynasty of Georgia, the Bagrationis, who emphasized the continuity with the Chosrovans. Thus, the succession of the royal dynasties was also a very important point for legitimisation.

However, in spite of the firm belief in the sacral nature of kingship and the royal families' preordained special mission, in certain circumstances legitimate successors were not allowed to take the throne, or they were overthrown after their enthronements. The life dramas of "unfit" heirs of the Georgian royal throne and the results of the illegal actions taken against them is described in both Georgian and non-Georgian sources rather eloquently.

In the presentation I intend to display several such episodes of Georgian history. The chosen cases differ from each other in many ways: in hidden motivations as well as explicitly stated reasons, and in methods of ideological justification of illegitimate actions taken against legitimate heirs to the throne. Part of the examples concern the royal heirs who renounced the throne of their own free will. Such data also requires clarification of the question of whether these decisions were made without compulsion or if there were indeed some political reasons pushing the princes to take such a step.

The examined cases might be successfully used not only for reaching a deeper understanding of the social regularities associated with "unfit" throne heirs, but also for making generalisations concerning the royal office and political life in pre-modern Georgia.

Konstantinos DIADOS, MA

Aristotle University of Thessaloniki,
Department of History and Archaeology

DEFORMITY AS A QUALIFICATION: THE CASE OF BYZANTINE COURT EUNUCHS

Eunuchs were a distinctive social group and a powerful political elite from the beginning of the Byzantine empire until its very end. At first, they were "imported" from the bordering kingdoms, who capitalised on the legal absurdum of the Byzantine empire, which forbade castration within its borders on one hand, but relied on a stream of foreign eunuchs for the staffing of the royal court on the other hand. Eunuchs rose to power mostly due to their deformity. The removing of genitalia combined with the foreign origins of the eunuchs made them, in theory, the perfects servants in the eyes of the emperor. Eunuchism made them unsuitable for the Byzantine throne because the emperor had to be able-bodied according to Byzantine political theory. While in theory harmless, the eunuchs managed to gradually elevate themselves to positions of high power through the luxury of physical proximity to the emperor. Although a eunuch could not de jure become the head of the state, it was a very common phenomenon for them to exercise such power that overshadowed even the power of the emperor, especially in cases were the emperor was of weak character or at a young age. As trusted servants of the emperor, eunuchs often undertook special assignments (often of military character) that didn't come under their ex officio authority, since the emperor feared that some other official might attempt to usurp the Byzantine throne as a result of his success.

In the middle Byzantine era, the influx of eunuchs was increased as a result of the appearance of native castrates that foresaw the opportunity for further social and political advancement for them individually, but for their families as well. According to the Byzantine *Taktika*, honorary titles and offices were reserved especially for eunuchs. The increase in their power and influence is testified in the narrative sources of the aforementioned period. Contemporaries mostly viewed eunuchs with aversion – hostility, even – and made their deformity and their consequential feminine appearance the key point of their criticism. Eventually, in the late Byzantine period, with the ascension of the Komnenian dynasty to

the throne, although eunuchs remained an integral part of the Byzantine court, they lost their former influence and power as a new model of power emerged.

In conclusion, eunuchs used their deformity as a tool that helped them gain the trust of the emperor. Their ambiguous nature and the enmity of their contemporaries didn't stop them from exercising power second only to the power of the emperor. Their abuse of power that peaked towards the end of the eleventh century led to their demise and subsequent removal from the political foreground.

Prof. Dr Dragana DIMITRIJEVIĆ

University of Belgrade Faculty of Philosophy,
Department of Classics

TOO WISE TO BE AN EMPEROR?
SELF-IMAGE AND OTHERNESS
IN THE EMPEROR JULIAN'S *MISOPOGON*

Emperor Julian came to Antioch in the late summer of 362 and stayed there till March 363. In Julian's eyes, the glory of Antioch depended on the shrine of Apollo and the school of rhetoric, but both of these had been neglected by her citizens. Moreover, Julian's zeal of philosophy and pagan restoration repelled the Antiochenes and their corrupt officials, who subsequently satirised him in anapaestic verses. Julian's answer was a satire on himself, the *Misopogon,* which he addressed directly to the people of Antioch. In this paper, I shall focus on what this satirical work reveals about Julian's personal experience of being offended and/or misunderstood by the Antiochenes, exploring it within the framework of modern concepts of self-image and otherness.

Dr Milan S. DIMITRIJEVIĆ

Astronomical Observatory Belgrade

DIDIUS JULIANUS, THE ROMAN EMPEROR WHO ASSUMED THE PURPLE BY GIVING THE BEST OFFER ON THE AUCTION FOR THE THRONE

One exceptional way to be qualified for an emperor occured in the history of Rome. Marcus Didius Severus Julianus (133 – 2 June 193) bought the throne from the Praetorians who assassinated his imperial predecessor, Pertinax. On 28 March 193, Roman emperor Pertinax was killed by the Praetorian Guard, and he left no apparent successor. Two prospective candidates came to Pretorians, the city prefect Titius Flavius Sulpicianus (Pertinax's father-in-law) and Didius Julianus. They started to make offers to the Pretorians for their support and a kind of "auction" ensued. The winner was Didius Julianus who, according to contemporary historian and senator Cassius Dio, offered 25000 sesterces to each soldier. There are different accounts of these events, and the life of Didius Julianus himself, in the "Roman History" of Cassius Dio, "Didius Julianus" of Aelius Spartianus (included in "Historia Augusta") and Herodian's "History of the Roman Empire".

In this contribution, we will present this auction for the throne of Rome, as described in the three abovementioned works, the earlier life of emperor Didius Julianus, and his short reign, lasting only 66 days.

Dr Álex Corona ENCINAS

University of Navarra, Institute for Culture and Society,

"CAESAR IS MORE OURS THAN YOURS". ANALYZING THE DEPICTION OF ROMAN EMPERORS IN TERTULLIAN'S APOLOGETICUM

The early 3rd century is a stimulating context to evaluate the struggles of the Christian apologists regarding the connections and confrontations between Christian theology and Roman imperial power. In this respect, Tertullian's Apologeticum (ca. 197) is a clear example of the dichotomy between the spiritual and earthly powers; it shows how early Christians and, more specifically, the North African author, distinguished between "good" and "bad" emperors based on their religious policies and being labelled as "persecutors". In our opinion, Tertullian precedes much of the political theology which flourished after the "Christian turn" during the principate of Constantine I in the 4th century. Therefore, his arguments about political power are related to the concept of "charisma" and the distinction between the idea that rulers can be chosen by God and the unacceptable principle of being considered as a divine figure on Earth. The problem of idolatry was also addressed by Tertullian in pamphlets like De Corona or De Idolatria, but his political rhetoric about the legitimacy of the rulers transcends that argument. Tertullian's texts also show the complex relationship between the church and the Roman empire during that period and highlight how the Christian communities sought recognition from the Roman empire, which, to our understanding, does not equal a plain "anti-imperial" perception, as it is sometimes argued. Thus, to Tertullian's eyes, not every Roman ruler is necessarily a bad one. In sum, this paper intends to examine some of the textual evidence about the political thought of Tertullian regarding the idea of Empire and legitimate emperors.

Dr Elena FIREA
Babeş-Bolyai University of Cluj-Napoca

NO LONGER FIT TO RULE: THE CONVERSION OF PRINCE ILIAŞ RAREŞ OF MOLDAVIA TO ISLAM

In May 1551, Iliaş Rareş – the prince of Moldavia (r. 1546-1551) presented himself to the sultan Sulieman the Magnificent, in order to pay the tribute and to be reconfirmed in his reign. He was the first Moldavian ruling prince to actually go in person to Istanbul for this purpose, despite the fact that the Porte had imposed this obligation earlier. According to contemporary sources, he arrived to Istanbul laden with expensive gifts for the Ottoman authorities and accompanied by a numerous diplomatic entourage. However, instead of being reconfirmed to the throne, within the next days after his arrival Iliaş eventually abjured Christianity and converted to Islam together with several of his boyars, during a public ceremony that took place on May 30, 1551. The sultan was very pleased and celebrated with great pomp this conversion, further granting to Iliaş / Mehmed the sanjak of Silistra. The same day though, he invested Ştefan Rareş, Iliaş' brother, as new prince of Moldavia (r. 1551-1552).

Albeit extensively debated upon in previous historiography, the reasons and specific circumstances for this unprecedented gesture remain enigmatic. Whether it was the consequence of a *coup d'état* organized by his political opposants, or the result of a presumable genuine attraction to oriental customs or to an Ottoman career, Iliaş' conversion produced a great impression on his Moldavian contemporaries. He was the first Romanian renegaded ruling prince and his apostasy was firmly condemned at the time. The internal Moldavian chronicles (all of them written by representatives of the clergy) depicted him in a very gloomy light, his name was erased from church inscriptions, while his face was blackened in votive images – a most ostentatious act of *damnatio memoriae*.

Iliaş' conversion to Islam made him permanently unfit to rule in his Christian home country, even if Moldavia was a tributary state of the Ottomans at the time. The concomitant official confirmation of Ştefan Rareş as prince, practically the same day with Iliaş' public conversion before the sultan, clearly proves it, while pointing out to a more complex political background for this apostasy. Two years later, in 1553, when Iliaş/

Mehmed engaged in a struggle for succession, he did not claim the Moldavian throne for himself, but for his younger brother Constantine.

While conversion to Islam and the ensuing inclusion in the Ottoman administrative elite might have been necessary for Iliaş Rareş' political survival, they were strongly condemned by his Moldavian subjects. The available evidence point out to a prompt reaction of rejection, at least as far as the local ecclesiastical elite was concerned. The exclusion of Iliaş' name from the lists of church founders or the blackening of his face in votive images indicate a deliberate attempt to delegitimize him as a ruler. The present paper will readdress the political and ideological consequences of Iliaş' conversion within a broader comparative framework, taking into consideration other cases of renegate rulers or various pretenders to the throne in the epoch. However, special attention will be paid to the investigation of the contemporary reaction of the Moldavians to this apostasy, as a means of delegitimizing Iliaş Rareş as a ruler. Based on the available evidence on this particular case, the paper will highlight which specific attributes of rulership were considered to be incompatible with a renegade in mid sixteenth century Moldavia.

Dr Ki-Won HONG
Lecturer at Korea University at Sejong

PARADOX OF DEBORAH IN THE PROTESTANT OPPOSITION TO GYNECOCRACY IN SIXTEENTH CENTURY FRANCE

Searching for an ideal model of political rule from Hebrew history, François Hotman (1524-1590), one of the most influential Protestant theorists of sixteenth-century France, is led to emphasise the role played politically by Hebrew liberators from Moses to Samuel. Among his remarks on these rulers, those on Deborah are particularly interesting from our point of view, because God's choice of a female deliverer perplexes the Protestant thinker with a question that was linked to his political doctrine and to the actuality of the kingdom of France: gynecocracy. It is well understood that Hotman was opposed to the participation of women in government. For him, the succession of a woman to the crown was out of the question. Moreover, at the time of the Wars of Religion, the Huguenots attributed considerable responsibility for the national calamity to Catherine de Medici, in particular for the St. Bartholomew's Day massacre. So the question that arises here can be rephrased as follows: how to explain the government of the Israelites by a female liberator without any contradiction between Protestant exegesis and political doctrine. Hotman could only solve the problem by giving up the rational explanation of God's will: it was, he says, according to the "arcane" will of God that Deborah was elected as the deliverer of the Hebrews; "the republic of the Hebrews was governed, not according to human reason, nor according to the will of men, but really according to the judgment and wisdom of God alone"; therefore, "it would be very absurd," he asserts, "to induce from this godly will the principle or doctrine of the government of queens". It is not surprising to see Hotman add that "and still, it is necessary that women be willingly subjected to the authority and command of their men".

My paper aims to better understand the theological foundations of the doctrine of inequality of women and men among Protestants, who found themselves in a dilemma between the political actuality of the kingdom of France and the existence of a female liberator in sacred history.

Dr Liviu Marius ILIE,

Lecturer at University of Craiova,
Department of History and International Relations

"SINNERS" WHO WERE FIT TO RULE – THE THRONE SUCCESSION IN 15ᵀᴴ CENTURY WALLACHIA: FROM DIPLOMATICS TO HISTORY

The paper analyses four Wallachian princes from the 15th century who were designated as potential successors to the throne, but were also described as obvious sinners. Mihail I, Vlad the Impaler, Radu the Handsome, and Radu the Great were mentioned by their fathers' documents as possible future princes and all of them managed to become rulers of Wallachia. The Wallachian charters from the 15th century repeated a diplomatic formula that quoted the names of the offspring who might follow to the throne – "during the lifetime of my lordship and during the lifetime of my son/sons"; *nota bene*, in this context, one must understand "lifetime" as the length of the reign. All four princes were nominally mentioned by their fathers, the succession text being found either in *sanctio* or in *dispositio* of the charter. Mihail I was the only son that appeared in documents of Mircea the Old; Vlad the Impaler and Radu the Handsome were mentioned by Vlad Dracul (the Devil), while Radu the Great was present in the charters issued by his father, Vlad the Monk.

Parisinus Graecus 2953 has various notes written by Ioannes Eugenikos, a deacon and a nomophylax from Thessaloniki; those notes describe the death of Mihail I, "who was living as a lecher". Few princes were depicted in such a negative manner as Vlad the Impaler; modern literature and movie production named him Dracula, but already in the 15th century, German and Slavonic stories described him as bloody character, who used to torture and kill his enemies or disobedient servants. Radu the Handsome is mentioned by *The Histories* of Laonikos Chalkokondyles, the chronicler describing an affair that Radu may have had with the Ottoman sultan. *The Life of Saint Niphon, the Patriarch of Constantinople* – written by Gavriil, the *protos* of Mount Athos – accuses Radu the Great for a dispute he had with the former patriarch, the metropolitan of Wallachia at the time.

Although they were designated as successors by their fathers and finally reached the throne, the four Wallachian princes were seen by their contemporaries as "sinners". The accusations were made either by clergymen or by chroniclers influenced by the ideas propagated by the Church; therefore, all the deeds in question were presented as "sins". But, as in other late medieval circumstances, the power games played by the monarchs did not comply with the word of God, written by the Church.

Sopio KADAGISHVILI, MA
Ivane Javakhishvili Institute of History and Ethnology

PRINCE DEMETRE (DEMNA) IN GEORGIAN HISTORIOGRAPHY

For centuries, Georgian kings maintained the idea of chosenness, and official (tendentious) historiography, which tends to evaluate the work of Georgian kings, helped to preserve this image. Kings as holders of a divine right are not only viewed as leaders of the country – monarchs are also represented as strong warriors, almsgiving, God-fearing, devoted to their country; holiness, even, is often an attribute of the kings in the history of Georgia.

Georgian historical narrative, however full of heroic episodes, did not manage to avoid intergroup conflicts around the royal throne. In this presentation, I will focus on how Georgian historiography presented one prince's attempt to take the legitimate crown. Specifically, I will focus on a well-known clash for the throne that occurred during the Golden Age of Georgia, which completely changed the branch of the Georgian kings.

In 1156, Giorgi III was crowned as king of Georgia, after his father (King Demetre) and brother (King Davit). King Davit left a young son, Demetre (Demna), who later rebelled against his uncle, Giorgi III, under the pretext of a legal rights dispute, but in vain. The prince was arrested, blinded, and tortured. He died soon afterwards.

Not a lot of space is given to this story in medieval Georgian historiography. His actions are presented as a betrayal of the king and not a legitimate attempt to take his (own) throne. His portrait in the source is negative. Demetre is portrayed as a breaker of the ancestral path.

Usually, this event is interpreted in modern Georgian historiography as just fact, without any additional assessment. The interest towards it was overshadowed by one of the most important periods in the history of Georgia, the reign of queen Tamar, daughter of Giorgi III, as well as the attempt to show prince Demetre as unfit for the throne. The aim of this presentation is to show how medieval historians try to legitimise king Giorgi's reign and disqualify Demetre as heir, and also to analyse the interpretation of this event according to modern Georgian historiography.

Assist. Prof. Dr Fatma Gül KARAGÖZ,

Galatasaray University, Faculty of Law,
Department of Public Law

HOW TO DETHRONE
AN OTTOMAN SULTAN: THE EVOLUTION OF
LEGAL DISCOURSE IN *FETVA* BETWEEN
THE 17ᵀᴴ AND 20ᵀᴴ CENTURY

While classical history views the 17th century as the beginning of "decline and fall" of the Ottoman Empire, modern history considers it a period of transformation into a modern state. The literature usually claims that the governing body became more institutionalised and, to some extent, "constitutionalised". The main argument behind this opinion was the de facto control of sultan's power by other agents of the state e.g. janissaries and *ulama*, religious scholars. The latter also had a crucial role in understanding how the dethronement of a sultan was legitimised in the Ottoman Empire. *Hal fetvası* (*fetva* of dethronement) was a key legal source to understand the way the capacity of ruling, or the dignity for ruling was shaped in Ottoman political and legal thought. This type of *fetva* (which is a religious opinion, or *responsa*), given generally by şeyhülislam (chief mufti), was used even in the period of modernisation, hence at the very beginning of the 19ᵗʰ century and later, during the establishment of *Kanun-ı Esasi* (Ottoman Constitution) in 1876, and in the "revolution" of 1908. The aim of this paper is to examine the change in legal discourse between the 17ᵗʰ and 20ᵗʰ century. By using some original *fetva*s and many chronicles which paraphrased them, the source of legitimisation will be analysed. The dethronement was, first of all, a political affair, but the "*responsa* of dethronement" provides a clearer picture about the formulation of the legal background by the actors who were participating in the process, or the rebellion. This legitimisation was formulated first through the Islamic law of the Ottoman Empire. This study will therefore examine the transformation of the Ottoman practice of Islamic law as seen through the *fetva* literature about the competence of ruling. Apart from sharia, is it possible to talk about a complementary source of legitimisation used in *fetva*? If the answer is positive, what was this complementary source? If not, then how could this absence be explained? By studying such differences between early modern legal discourse and modern legal discourse, the "constitutional history" of Ottoman Empire would be examined as well.

Thomas A. KOMPOS, MA
Democritus University of Thrace

THE LEGAL SYSTEM OF CLASSICAL ATHENS AS A CATALYST FOR POLITICAL PERSECUTION: THE IMPEACHMENT OF ALCIBIADES

One of the most intriguing figures of the 5th century BCE was none other than the notorious Athenian turncoat, Alcibiades. He was elected General ("στρατηγός"), deposed, reinstated, and deposed yet again in the span of only a few years. His loss of legitimacy underlines the (ab)use of the legal system of Classical Athens, often as a catalyst for political persecution.

Athenian Democracy required the active participation of all citizens in politics, governance, and dispensation of justice. Public offices were appointed by lot, with the exception of those that required particular talents and expertise, which were appointed by election. The office of General, which combined military command with political rule, was coveted among the politically minded, as it was, in fact, a demonstration of weaponised political charisma.

In the legal system of Classical Athens, there were many procedures in place to ensure that the Generals were fit to rule, and they were all rife with potential for abuse. Before taking office, Scrutiny ("δοκιμασία") was an enquiry into their legal qualifications and suitability, by ascertaining their past, character and moral qualities. During office, the Assembly ("ἐκκλησία") reviewed them periodically by vote ("ἐπιχειροτονία") and any citizen could file a lawsuit ("γραφὴ" or "εἰσαγγελία", accordingly) against them. After leaving office, Accountability ("εὔθυνα") demanded that they submit an account regarding their time in office and a public notice was issued, calling all citizens to report any complaints.

During the Sicilian Expedition, Alcibiades' political opponents successfully charged him with Impiety ("ἀσέβεια") and he was deposed. He defected to Sparta, where he served as a strategic advisor against Athens. He later fled to Persia, where he served as an advisor to Tissaphernes. After a coup, his Athenian political allies reinstated him and he served as a General again. However, his defeat at the Battle of Notium emboldened his political opponents and he was deposed yet again, until his death.

The story of Alcibiades is a cautionary tale. Although one could argue that Alcibiades' legitimacy as a General was ultimately tied to public opinion, the rigorous control exercised over public officials in Classical Athens led to the opposite results: it gave his enemies the right tools to prosecute him and led to the rejection of an otherwise qualified official of many military and political talents.

Assist. Prof. Dr Nina KRŠLJANIN
University of Belgrade, Faculty of Law,
Department of Legal History

FIT FOR A REGENT?
PRINCESS MILICA AS A RULER
DURING HER SON'S MINORITY

The paper discusses the period of Princess Milica's rule as a regent (or at least nominal advisor, but *de facto* ruler) in the stead of her under-age son, Prince (later Despot) Stefan Lazarević, after her husband Lazar's death in the Battle of Kosovo in 1389. This was the first time in Serbian history that an underage ruler took the throne and that a woman directed the rule of the state (though many other rulers' wives and mothers had been politically active and influential). This paper will aim to analyse the situation from two aspects. Firstly, it will discuss the perception of Princess Milica as a ruler, of her skill and ability, by her son, as well as his biographer, Constantine the Philosopher (Constantine of Kostenets). While already well-discussed in scholarly literature, this subject is necessary for our second aim: an attempt to analyse her role within the contents of the Serbian *legal* system, and the tradition and customs regarding monarchical power and succession of the throne. While no precedents of this kind exist, let alone written rules regulating either regency or a woman's right to rule (or a lack thereof), the rules of succession and legitimacy, a monarch's prerogatives and a queen's proper position in court and country (all visible through precedent) should, we hope, shed enough light to allow for an approximate positioning of this case in the law of medieval Serbia.

Prof. Dr Smilja MARJANOVIĆ-DUŠANIĆ

University of Belgrade, Faculty of Philosophy

SUCCESSION AND THE POLITICAL CONTEXT OF THE "UNFIT TO RULE" CONCEPT IN SERBIAN MEDIEVAL HISTORY

This paper analyzes the use of hagiographical *topoi* found in the written Serbian medieval tradition to describe, indirectly, the unusual but important circumstances surrounding some of the changes on the throne. The examined cases concern the fall from power of the kings Stefan Radoslav, Stefan Dragutin and Stefan of Dečani. In all three, despite significant differences between them, the actual facts are represented in such a manner that they make sense within the symbolic hagiographical narrative.

Dr Nasser MICHAËLENE-GABRYEL

Institute Montpensier and CEIR Center of International Studies on Romanity, La Rochelle

COMPARATIVE STUDY OF POLITICAL HISTORY AND CULTURAL ANTHROPOLOGY ON ROYAL AUTHORITY AND MONARCHICAL POWER

Our approach aims to provide a comparative view of royal authority and monarchical power through the lenses of political history and cultural anthropology. Starting from the otherness (the Muslim empires) of the 12th century and how they observed the authority of Christian monarchical power; how, for example, did these observers describe the questions of legality and legitimacy? The legitimacy of monarchical power is based on several material and symbolic criteria: a dynastic capital linked to legitimate genealogical filiation: the sovereign to be directly or indirectly attached to the reigning family (according to the laws of the Kingdom, after extinction of the direct line the succession was assured, for example, by the descendants from the line by women (England) or cousins (France). Ethnic origin or nationality played a lower role than the religious criterion that dictated that the sovereign must be of the same religion as the Nation he governed. Ideological capital related to a political, theological and narrative relationship with the Church and God, required the King to be pious and adhere to strict behavioural standards. Symbolic capital is linked to Curia Regis around the sovereign. A Curia Regis was organised around the royal princes, great nobles and advisors. Political capital is linked to military and diplomatic successes (*potestas*) that provide the sovereign with *auctoritas* (moral and political authority). These different criteria could be met either because the dominant dynasty and the political order were strong or because the opponents seemed lower. If these criteria were heterogeneous, the dynastic capital was insufficient to affirm its authority, resulting in political or military weakness due to which rivals were likely to overthrow the throne. Our study concerns how Muslim observers of the Almoravids, Almohades and Fatimid Empires must have viewed the charisma, legitimacy, and authority of the Christian sovereigns of France (Louis IX) and Castile (Alphonse VIII, Ferdinand III, Alphonse X). How did these Muslim observers assess their ability to govern, and did these observations take into account the broader political order, and the written and unwritten "constitutions"?

Prof. Dr Igor MILINKOVIĆ

University of Banja Luka, Faculty of Law

A SHIFT TOWARD EQUALITY IN ROYAL SUCCESSION IN EUROPEAN MONARCHIES

In 1914, only three European countries were republics (France, Portugal and Switzerland). Today, the situation is radically different. Since the end of World War I, most European monarchies have ceased to exist. However, this does not necessarily mean that the monarchy is an outdated form of government, incompatible with modern democratic values. Among the twelve surviving European monarchies are some of the world's most stable democracies. The vitality of the monarchy as a form of government, according to some authors, can be attributed to its adaptability to social and political changes. In contemporary limited monarchies, the relatively broad formal powers of monarchs have been reduced to mainly ceremonial functions. Preserving the legitimacy of the monarch's authority also requires a re-examination of the restrictions on ascending the throne. The last decades have seen an unprecedented shift in the regulation of royal succession (most European monarchies abolished the system of male preference primogeniture). Other restrictions on accession to the throne are also being reconsidered. According to the UK Succession to the Crown Act 2013, marrying a Roman Catholic no longer disqualifies a person from succeeding to the throne.

In the first part of the paper, the traditional models of succession to the throne will be examined and the motives that led to their change towards greater equality in inheriting the crown will be explored. The legal rules governing the succession to the throne in European monarchies will be analyzed (and compared with the models adopted in non-European monarchies). After analysing the motives that led to gender equality in royal succession in European monarchies, a review of the remaining restrictions on the succession to the throne will be given, and conclusions regarding their sustainability made.

Assoc. Prof. Dr Mirjana MIŠKIĆ
University of Banja Luka, Faculty of Law,
Department for Roman Law and Legal History

AGRIPPINA THE YOUNGER: EMPRESS THAT NEVER RULED

One of the most controversial personalities of imperial Rome is certainly Agrippina the Younger. Agrippina is historically known as the mother of Emperor Nero, the wife of his uncle Claudius, sister of Caligula and the daughter of Germanicus. In addition to these recognisable roles by which patriarchal Roman society identified her, Agrippina was an example of an ambitious and unscrupulous woman. She was an extraordinary woman with incredible perseverance and devotion to one goal, the rule of the Roman state. As she could not personally occupy the Roman throne, although she was the closest heir by blood, she found alternative ways to stay close to the throne and govern from the shadow. She could realise her political pretensions only through a man because her legal status as a woman did not allow her to interfere in the public sphere.

Agrippina's intrusion into the spheres where women, by law and custom, were not welcome was treated harshly by the sources. The main account of Agrippina's life is found in Tacitus's Annals. Tacitus describes a series of situations in which Agrippina eliminates potential opponents even before the real danger begins. He assesses her power as absolute, but also cleverly directed. Although she used her feminine charms to achieve goals, she was not a typical woman of that time, not as Messalina, who wantonly treated the Roman empire as a toy.[1] According to the statements placed above, it could be presumed that Agrippina would have been an excellent choice for an emperor; better, at least, than her brother Caligula and her uncle Claudius, if only she had been a man.

---

1 Ibid, XII.7. *Versa ex eo civitas et cuncta feminae oboediebant, non per lascivum, ut Messalina, rebus Romanis inludenti. Adductum et quasi virile servitium: palam severitas ac saepius superbia, nihil domi impudicum, nisi dominationi expediret. Cupido auri immensa obtentum habebat, quasi subsidium regno pararetur.*

Dr Zafiris NIKITAS

Aristotle University of Thessaloniki,
Department of Theatre Studies

TRIALS ON STAGE: THE GERMAN DOCUMENTARY THEATRE OF THE 1960S

In the 1960s, a number of German playwrights constructed dramatic trials that brought on stage court disputes on Nazi crimes. The two most important trials that inspired such plays were the Eichman trial in Jerusalem (1961) and the subsequent Frankfurt Auschwitz Trials (1963-1965) in Germany, while various trials in America were also used as a reference point. More specifically, Heiner Kipphardt used the trial form along with documentary projections in his play *Der Hund des Generals* (1960-62), as well as in his play In the Matter of J. Robert Oppenheimer (1964) that drew from the Oppenheimer security hearing in 1954; Martin Walser based his play *Der Schwarze Schwan* (1961-64) on authentic letters of the public prosecutor in Frankfurt; Rolf Schneider's *Prozess Richard Waverly* (1963) drew from the trial of the Hiroshima pilot Claude Eatherly in Texas in 1961; Peter Weiss based his infamous play The Investigation (1965) on documents from the Frankfurt Trials; Rolf Schneider presented the *Prozess in Nürnberg* (1967); Hans Magnus Enzensberger wrote the Havana Inquiry (1969). These radical plays transformed the theatre stage into a judicial space that revisited the selected trials and produced a public discourse on the administration of justice and its consequences. The live television reporting of the plays reinforced the desire of German playwrights to construct a "judicial theatre" of tribunals that tackled two major aspects: the crimes of the WWII in connection to America and the Nazi crimes that the German society had to face though the complex process of the *Vergangenheitsbewältigung*. In the article at hand I implement interdisciplinary hermeneutic tools from my academic background in theatre historiography and the philosophy of law in order to examine the creation of a cultural and judicial discourse on sovereignty, jurisdiction and public perception in a decade that turned the German stage into a radical space of poetic and dramatic justice in an overlapping with the German and American court system. As I argue, these radical theatre trials reframed the art of theatre as a space of polis where the power of demos was as important as the jurisdiction of a judge.

Petar NURKIĆ, MA

University of Belgrade, Faculty of Philosophy, Institute for Philosophy

GREEK PAIDEIA AS A PREREQUISITE FOR A GOOD RULER: THE IMAGE OF CONSTANTIUS CHLORUS AND JULIAN THE APOSTATE THROUGH EARLY CHRISTIAN PANEGYRICS

In the culture of ancient Greece, the term Paideia (Greek: παιδεία) refers to the upbringing and education of an ideal member of the polis. However, the period from Homer to the Peloponnesian War differs concerning the forms of Hellenistic culture after the emergence of Christianity. For that reason, it is necessary to consider what significance Paideia had in different historical periods of Greek culture. In addition, the discussion of Paideia cannot exist in the abstract form of conceptual analysis but must take into account the real historical figures who contributed to the survival of Greek culture in the Roman, early Christian period. The prevailing opinion of some historians that Greek culture suffered under Christian emperors like Constantius sheds a negative light on the place of Paideia in the 4th century AD (Gauville, 2001). Julian is generally considered to be the last Roman emperor to respect Greek culture, but one should not lose sight of the fact that Constantius had a rich cultural education, contact with leading cultural figures, and that he promoted the humanities (Lieu & Montserrat, 1996). In the answers to the panegyrics letters that Constantius and Julian exchanged with the esteemed philosophers of their time (Dio Chrysostom, Libanius, Nilus Dionysius), it can be noticed that Greek culture was a necessary prerequisite for the social perception of a good ruler. In this presentation, I want to elucidate the content of these panegyrics and shed a light on the necessity of Paideia for the ascent of rulers along the social ladder in early Christian Rome.

Prof. Dr Christian OBERLÄNDER
Martin Luther University Halle-Wittenberg, Japanese studies

'UNFIT TO RULE' MODERN JAPAN – THE DEBATE LEADING TO THE REPLACEMENT OF EMPEROR TAISHO BY A REGENT IN 1921

On 22 November 1921, an imperial rescript was issued in the name of Emperor Taisho (Taishō Tenno, 1879-1926, r. 1912-1926), stating that he was unable to rule because he was sick and that therefore his son and crown prince Hirohito would be installed as regent. This was the first time in Japan's modern history that the Japanese monarchy had to deal with a ruler who was judged 'unfit to rule'. Emperor Taisho had suffered from various diseases since the time of his birth. However, as the first Japanese emperor who received a European-style education (for example, he spoke French), he was perceived as a source of great hope for the future of Japan, and was thus very popular. It was only when his health deteriorated to the point that he could no longer fulfil his public duties, that Japanese political leaders contemplated the unprecedented step of replacing him by a regent. An intense debate about the merits and demerits of such a step unfolded. Once Japanese leading politicians had reached a consensus that regarded Emperor Taisho as a liability, they entered into Japanese-style preparations (*nemawashi*) for announcing their decision. These preparations lasted more than one month and targeted the Japanese general population as well as the Japanese imperial court. Based on original Japanese sources, this paper will analyse how Japanese leaders arrived at the conclusion that Emperor Taisho was 'unfit to rule' and how they communicated their decision to the Japanese public.

Prof. Dr Srđan PIRIVATRIĆ

Serbian Academy of Sciences and Arts,
Institute for Byzantine Studies

ACCEPTANCE AND REJECTION OF EMPERORS IN THE BYZANTINE CIVIL WAR OF 1341–1354

The Civil War that broke out several months after the death of Andronicus III Palaeologus (15 June 1341) lasted, with a few interruptions, until his son, John V, established his own rule (10 December 1354). The war broke out as a conflict between the two sides which defended the rights of Andronicus's underage son John – one from another: the regency of the Empress Ana and the Ecumenical Patriarch John XIV Kalekas in the role of the *epitropos*, backed by the powerful grand duke Alexis Apokaukos, against the grand domestic John Kantakouzenos, who soon after the beginning of the conflict proclaimed himself Emperor in Didymoteichon (26 October 1341), although second in rank, acting as the protector of the rights of the Empress-Mother and the underage Emperor from Alexis Apokaukos. This conflict, which revolved around the institution of the emperor and the imperial throne in Constantinople, brought about different views on imperial power and its legitimacy and legality, accompanied by suitable arguments and propaganda, as well as the acceptance or rejection of emperors. Apart from John Palaiologos, this concerned all bearers of imperial dignity who took part in the conflict: first John Kantakouzenos, then Stefan Dušan and Ivan Alexander, too. This presentation reports the results of an attempt to reconstruct, as far as possible, those views and their political role during the war.

Dr Melina ROKAI,
Senior Research Associate at the University of Belgrade,
Faculty of Philosophy, Department of History

THE "QUEEN *MANQUANT*" AND "*LE ROI*": MARGARET BEAUFORT (1441/3–1509) AND ANNE OF FRANCE (1461–1522)

The cases of Margaret Beaufort (1441/3–1509) and Anne of France (1461-1522) are of significant interest for studying gender as the factor barring from ascending the throne – thus, rendering a female 'unfit to rule'. The examples of these two 15th-century noble ladies of royal descent demonstrate that this unfitness for the highest level of power was caused either by practice or by legally-binding norms, although admittedly new in origin.

Although the English legal system did not outright disqualify women from the throne of England, by the late 15th century, when Margaret Beaufort renounced her place in the succession in favour of her son Henry Tudor, an established law that would define succession in England did not exist. The unsuccessful claim of the 12th-century Empress Matilda was not disputed by her contemporaries based on her sex, nor did contemporary thought preclude women from sovereignty, establishing a situation that may be viewed as "a mere practical inconvenience". Across the Channel, Anne of France was banned from ascending the throne by "a legally binding disqualification" of the early 15th-century juridical product that later became known as the Salic law. Its result in barring women from governance was foreseen by the social critic Christine de Pizan in a debate with its constructor, Montreuil in the early 15th century, when she countered it by pointing out the lack of customary law forbidding female governance. Nonetheless, Anne of France governed the Kingdom for a number of years as a regent while her brother (Charles VIII) was still underage, and even after his marriage, although this formulation legally disabled her to claim the throne for herself or her daughter after he died without leaving an heir.

This paper aims to examine and demonstrate how these opposite solutions developed and occurred in the examples of Margaret Beaufort and Anne of France through the help of gender history, history of ideas, and, not least, legal history connected with this issue, which can be observed as tinted by the notions of 'women's question' (*querelles des femmes*) in the 15th century, as well as in the previous periods. This would further entail examining the ideas of queenship and regency in 15th-century England and France, and concepts of 'woman' and 'power'.

Prof. Dr Marco ROSCINI

University of Westminster School of Law, London

FOREIGN ARMED INTERVENTION TO REMOVE AN UNFIT RULER IN THE LAW OF NATIONS

The proposed presentation discusses when an 'unfit' ruler could be forcibly removed by other sovereigns under the law of nations. For the jusnaturalists of the 'Spanish Age', foreign (armed) intervention was a means to avenge injustices and, when it took place against a sovereign in defense of his persecuted subjects, it largely coincided with the concept of just war: whether or not external interventions could occur in situations of rebellions, and on whose side, depended essentially on whether the ruled had a just cause to take up arms against their ruler. This could occur in two situations, which partly overlapped: when the ruler was a tyrant and when a (Christian) minority was being persecuted because of their religion. In the *De jure belli ac pacis*'s Chapter on the Causes for which War is to be undertaken on the Account of Others, for instance, Hugo Grotius famously writes that, 'if the Injustice be visible, as if a *Busiris,* a *Phalaris,* or a *Thracian Diomedes* exercise such Tyrannies over Subjects, as no good Man living can approve of, the Right of human Society shall not be therefore excluded'.[1] He therefore concludes that 'tho' it were granted that Subjects ought not, even in the most pressing Necessity, to take up Arms against their Prince ... we should not yet be able to conclude from thence, that others might not do it for them'.[2] While the humanist writers of this period maintained that uninvited intervention to defend foreign subjects was permissible when the purpose was to punish tyranny, the jusnaturalists always subordinated it to a request for help from the oppressed. In the end, it was the latter view that prevailed and would be taken up by later scholars like Pufendorf and Vattel. Sweden also tried to secure a request for help from the Empire's Protestant estates to justify its participation in the Thirty Years War.

---

1   Hugo Grotius, *De jure belli ac pacis* (1625), ed. by Richard Tuck, transl. by Jean Barbeyrac (Liberty Fund 2005) 1161 (italics in the original, footnotes omitted).

2   Ibid.,1161-2.

In the 'French Age', the principle of non-intervention in the internal affairs of other states becomes a corollary of sovereignty as vested with the monarch, and an instrument for absolutist states to shield themselves from external interferences and at the same time consolidate internal sovereignty within their borders. Sacrificed on the altar of internal pacification, the doctrine of resistance against tyranny gradually disappears and so does the legitimacy of armed intervention to remove another state's ruler exclusively on the basis of their oppressive policies.

Prof. Dr Marion RÖWEKAMP
Humboldt Chair at the Colegio de México

WHEN WOMEN RULE. FEMALE PARLIAMENTARIANS IN THE WEIMAR REPUBLIC (1918–1933)

"Gentlemen and ladies! This is the first time in Germany that women can speak to the people as free and equal in Parliament [...]. What this government has done has been a matter of course: it has given women what they have wrongfully been deprived of." With these words the Social Democrat Marie Juchacz was the first woman ever to open a speech in the National Assembly on 19 February 1919. For this 'matter of course', however, women had fought for more than half a century, a war had to be lost, a revolution had to break out, and Germany's first democracy had to be proclaimed before it could be realised.

This talk addresses a time in which women were for the first time officially allowed to rule in Germany in broad perspective, meaning when all women over 21 had received the active and passive vote in Germany´s first democracy. In the first parliament, 36 women were elected as members of parliament, more than in every other European state which had granted women suffrage yet. After the first period of legislature (1924), 41 women had made out 8% of the members of parliament. And also, in terms of contentment, the female parliamentarians were satisfied with their work, as shown by the first survey. DDP-member of parliament Regine Deutsch concluded: "Accordingly, it is fair to say that the women in the Reichstag have stood their ground even under the most difficult circumstances and have performed their duties to the fullest extent."

Yet, at the end of the Weimar Republic, almost all female members of parliament expressed a strong disappointment with the role that had been assigned to them in parliament. Whichever party they came from, they complained about not being accepted on the same level by their male party members, being awarded bad ranks in the election lists, of being pushed into roles considered to be "female" and thus fitting areas such as social and cultural politics and questions related to the role of women in society. At the same time, all of them agreed that politics had changed due to their participation, that they made a difference. These statements have been confirmed by research on women´s influence in parliament in the Weimar Republic. For example, it has led to a strong improvement in social concerns and the welfare state.

So even in times when, in theory, every woman legally had the right to rule if voted for, it became immediately clear that women did not rule under the same conditions as men did. Starting from the beginnings of women´s participation in government, we can make out patterns which still hold true today. Even now, only about one in four parliamentarians worldwide is a woman, fewer than one in five government ministers is female, and the number of female heads of state or government is also low. And still, it is clear that women in politics make a difference. So, what has changed in effect since 1918? Do women who are in position to rule nowadays still face similar problems as the first ones, or have the problems effectively changed?

Assoc. Prof. Dr Hristina RUNCHEVA TASEV,

St. Cyril and Methodius University,
Faculty of Law "Iustinianus Primus"

Assoc. Prof. Dr Katerina SHAPKOVA KOCEVSKA,

St. Cyril and Methodius University,
Faculty of Law "Iustinianus Primus"

ELECTORAL REPRESENTATION OF WOMEN ON NATIONAL AND LOCAL LEVEL: ARE WOMEN FIT TO GOVERN IN THE REPUBLIC OF NORTH MACEDONIA?

Women's political representation is a key precondition for a better reach and involvement of women in policy making. In order for policy outcomes to take into account the needs and concerns of both gender groups, the institutional architecture in a democratic society should be based on the principles of equal opportunities for men and women. Gender-sensitive policy-making is best achieved through equal participation of men and women in the policy-making process. The Macedonian approach to the process of empowering women and developing awareness has been considered as positive, with women participating as active drivers of change. However, the number of women represented on national and local level of government indicates that we are still far away from achieving full gender parity and equal opportunities.

In this article, we analyse a common theme in the literature – women in politics. More precisely, we examine the presence of women in government on national and local level in the Republic of North Macedonia. In the country, there are 80 local self-government units. For the purpose of this study, official data from the State Election Commission's database and official gazettes of the country and local self-governing units will be used. The research aims to uncover discrepancies in women's electoral participation at the national and local levels, as well as similarities and variances between municipalities and diverse patterns of women's electoral representation at the local level.

Aleksandar SIMIĆ, MA

University of Belgrade, Faculty of Philosophy,
Department of History

ATHENIAN TYRANTS IN THE HELLENISTIC AND ROMAN PERIODS: CHALLENGES TO POWER

Although the most famous Athenian tyrant, Peisistratos, ruled in the 6th century BCE, Athenian history following the death of Alexander the Great saw its fair share of autocrats. There are three cases especially prominent in sources. The first one is Demetrios of Phaleron, a governor of Athens under the auspices of Macedonians. Then, there were Athenion and Ariston, men associated with the Pontic king Mithridates VI. They brought the city into Mithridates's fold, which ended in the sack of the city by Roman general Lucius Cornelius Sulla. The third case is that of a famous sophist, Herodes Atticus. He was the most prominent citizen of Athens of his time severely accused of tyranny by his compatriots.

All these men faced different challenges in different circumstances. Demetrius was under the protection of Kassandros, one of Alexander's *diadokhoi* (i.e. successor-generals), which brought about the enmity of the others; Athenion and Ariston relied on the power of Mithridates to repel the threat of Rome; Herodes Atticus was officially accused by the brothers Quintillii, influential governors of Achaia under the emperor Marcus Aurelius. Furthermore, all four of these tyrants faced strong opposition from within the city. Accordingly, they all had to use different strategies to respond to these challenges.

This presentation will have several aspects. Firstly, we shall examine the context of their coming to power. Demetrios of Phaleron, Athenion and Ariston used foreign powers to establish themselves. Herodes Atticus based his power on his wealth and personal contacts. Secondly, all of them had to consider fluctuating political conditions. Demetrios of Phaleron had to contend with powerful Macedonian generals opposed to his patron, Kassandros; Athenian and Ariston faced danger from Roman generals operating in the Balkans, and Herodes had to defend himself against the attacks of two influential Romans. On the other hand, other members of the Athenian elite could also pose a significant threat to their rule.

These three examples show the challenges that local strongmen had to face in Greek city-states in the Hellenistic and Roman periods. The period of Alexander the Great and later on is significant because there was always a higher power dictating the political landscape of Greece. That meant that would-be tyrants had to include not only the sometimes notoriously volatile Athenian political climate in their power-grabbing calculations, but also a foreign factor. These factors varied between Macedonian warring generals and later kings of the Successor States, Roman generals and lastly, Roman emperors and provincial governors.

These three case studies shine a light on a sometimes-neglected aspect of Athenian history, i.e. post-Classical tyranny. Furthermore, they show the challenges that the rulers of small city-states faced in a political landscape of powerful kingdoms and a world empire. For some of them, these challenges proved to be insurmountable.

Dr Jonathan SINGERTON

Lecturer and Research Fellow at the University of Innsbruck, Austria

THE WEAKLING AND THE OUTSIDER: DISABILITY AND DISCRIMINATION IN THE REIGN OF KING FERDINAND IV AND QUEEN MARIA CAROLINA OF NAPLES-SICILY

Both King Ferdinand IV of Naples-Sicily and his Queen-Consort Maria Carolina faced questions over their suitability to govern, but for entirely different reasons. As a beloved monarch with a common touch, Ferdinand's popularity among Neapolitans stymied critiques on his mental capabilities. Courtiers, diplomats, and visiting nobility, however, noted his childish temperament, intellectual disability, and unruly disposition, which they perceived as detrimental to the prosperity of his kingdom. By contrast, his wife Maria Carolina struck contemporaries as an able and gifted consort. Her upbringing at the court of Vienna as a daughter of Maria Theresa differed entirely from Ferdinand's own neglected childhood. Yet it was also Maria Carolina's difference as a foreigner which raised the suspicions of her Neapolitan contemporaries. Her talents became detractions. Courtiers and ministers regarded her as a shrewd, manipulative, and interfering political operative whose uncertain loyalties called into question her right to influence the governance of the kingdom.

Taken together, the examples of Ferdinand and Maria Carolina reveal the multifaceted nature of scrutinising the suitability of rulers. Both individuals were simultaneously accepted and rejected; Ferdinand's simpleton nature endeared him to the general populace – at the same time, his character alienated many at court, whereas Maria Carolina's abilities became seen as both a boon and a peril for governing the kingdom. Notions of disability and discrimination offer useful lenses for comprehending this phenomenon. Perceptions of mental instability in both rulers – disability in Ferdinand's case and accusations of hysteria in Maria Carolina's situation – as well as their intellectual capacities, reflect the sensitivities towards the psychological aptitude of rulers. At the same time, the example of Maria Carolina in particular offers insights into positive and negative discrimination along the lines of gender and heritage which allude to the sensitivities surrounding allegiance, identity, and conformity. A condition of 'Austrophobia' applied equally to Maria Carolina in Naples as it did to

her sister Marie Antoinette in Versailles during times of heightened political turbulence.[3] At the beginning of the 19th century, the kingdom of Naples-Sicily underwent profound social and political upheaval from the republican revolution of 1799, through the French invasion of Naples in 1806, to the Sicilian constitution of 1812 and the final revolts of 1820. Discrimination and concerns about mental capacities of both Ferdinand and Maria Carolina became particularly acute during these moments of socio-political instability. At certain times, such as the 1812 constitutional crisis during the period of Sicilian exile for the monarchs, these criticisms eroded monarchical power and diluted the political influence of the king and queen without their being formally removed. By focusing on these two notions of scrutiny, disability and discrimination, this paper elucidates how this personal criticism affected and shaped the reign of Ferdinand and Maria Carolina during the Age of Revolutions.

---

3   For the concept and its application, see Thomas E. Kaiser, 'Who's Afraid of Marie-Antoinette? Diplomacy, Austrophobia, and the Queen,' French History 14/3 (2000): 241-271; Cinzia Recca, 'Maria Carolina and Marie Antoinette: Sisters and Queens in the Mirror of Jacobin Public Opinion,' Royal Studies Journal 1 (2014): 17-36.

Assoc. Prof. Dr Miloš P. STANKOVIĆ
University of Belgrade, Faculty of Law,
Department of Legal History

BALDWIN IV THE LEPER
– FIT TO RULE,
BUT UNFIT TO LIVE LONG ENOUGH

Baldwin IV of Jerusalem, the Leper King (1161-1185), was one of the most prominent rulers and also one of the most tragic figures in the history of the Latin East. As a boy, he was an excellent student, extremely gifted and handsome, with perfect decorum and a brilliant memory. As a ruler, Baldwin was moderate, skillfully unifying the Frankish nobility, and as a warrior he achieved a magnificent victory over Saladin at Montgisard, Le Forbelet, and Kerak. Unfortunately, this Angevin had only one flaw. He was suffering from leprosy, which eventually left him blind and unable to use either his hands or his feet. However, even when his illness got so bad that this otherwise excellent rider could no longer ride a horse, he demanded to be taken to the battlefield on a stretcher, frightening the Muslims and forcing them to flee just by his appearance.

In this paper, the author focuses on three issues. First of all, it is explained how it was even possible that, despite the medieval segregation of the lepers, Baldwin IV was crowned king after the death of his father, Amalric of Jerusalem, and ruled the Kingdom of Jerusalem until his death. This is an especially intriguing point, considering that Baldwin IV developed the first symptoms of leprosy as a child, which was discovered by his teacher, William of Tyre.

Furthermore, seeing that that the Leper King could not marry or expect to have children, the author offers an analysis of the social and political circumstances which in the context of Frankish feudal law determined the successor of Baldwin IV on the throne of the Kingdom of Jerusalem. It is stated that this forced choice indicated not only the fall of the Kingdom of Jerusalem, which occurred about a century later, but that it influenced the change of accession to the throne of the Kingdom of Jerusalem, and the affirmation of the hereditary principle as well, which was definitely established in the 13th century.

Finally, Baldwin IV, conscious of his short reign, is analysed as a ruler, legislator and warrior. Having in mind all the considered facts, the author

points out that Baldwin IV, although a leper, was very capable of ruling. Unfortunately, he could not live long enough to prevent the decline of his Kingdom. Last, but not least, Baldwin's reign may have led to a lesser stigmatisation of the illness in the 13th-century Kingdom of Jerusalem. In that way, the memory of Baldwin, the Leper King, as one of the most prominent personalities of the Middle Ages, remains alive until today.

Assoc. Prof. Dr Marek STARY
Charles University in Prague, Faculty of Law

WALLENSTEN´S DISPOSITION ABOUT THE SUCCESSION IN THE DUCHY OF FRÝDLANT

In 1628, the imperial generalissimo Albrecht von Wallenstein issued a comprehensive document, which regulated (on the basis of imperial permission) the succession in his dominions. These were the newly created Duchy of Frýdlant, situated in the north-eastern part of the Bohemian Kingdom, and the Duchy of Sagan in Lower Silesia. Later, the validity of this "*Disposition oder Ordnung*" was extended by separate documents to the German Duchy of Mecklenburg as well, along with another Silesian principality, the Duchy of Gross-Glogau.

This Disposition constitutes an extremely interesting normative document, which bears witness to the ideas of one of the most important military leaders of the Thirty Years' War regarding succession and eligibility for government. In 51 pages, 46 numbered articles deal not only with the issues of succession and eligibility to rule (in terms of religion, age and gender), but also define to some extent the foundations of the rulership of the two principalities. Although, in view of Wallenstein's early assassination and the confiscation of his property, this normative regulation has never been used in practice, it represents a remarkable early modern contribution to the subject to which the conference is devoted and is undoubtedly useful for comparative purposes as well.

Prof. Dr Danijela STEFANOVIĆ

University of Belgrade, Faculty of Philosophy,
Department of History

SOBEKNEFERU (C.1760–C.1755 BCE), FIRST FEMALE RULER IN ANCIENT EGYPT – AN OVERVIEW OF THE LEGITIMACY OF HER REIGN

The long history of Ancient Egypt has witnessed four female monarchs: Sobekneferu (c.1760–c.1755 BCE), Hatshepsut (c.1479-c.1458 BCE), Tausret (1191-1189 BCE) and Cleopatra VII (51–30 BCE). Sobekneferu (also Neferusobek) was the daughter of Amenemhat III and either the sister or stepsister of Amenemhat IV, the last ruler of Dynasty 12. Virtually nothing is known about her accession, but she is certainly the first female monarch in Ancient Egypt who is named in the contemporary king lists: she is included in Manetho's king list (appearing as Skemiophris), the Turin King List and in the Saqqara King List. The reign of Sobekneferu was not derived from the death of a husband or a son; she was neither regent, nor co-regent – she was the first and only royal woman to ascend the throne alone. The dichotomy of her gender (by nature female vs. politically and ideologically male – i.e. being monarch who happened to be female) is widely attested in textual and iconographic sources. The present paper will address two issues: the royal titulary and visual representations of Sobekneferu, focusing on the ways she legitimised her rule within the frame of the official royal dogma, and the impact of gender on her reign and legacy.

Đorđe STEPIĆ, MA

Graduate Teaching Assistant at University of Belgrade, Faculty of Law, Department of Legal History

THE SUCCESSION CRISIS IN THE SERBIAN DESPOTATE (1458–1459) AND THE PREREQUISITES OF A RULER: NONE FIT TO RULE!

The medieval Serbian state never had hard-and-fast rules concerning the qualities a ruler must possess in order to exercise power. That does not, by any means, allude that certain conditions weren't dictated by customs, foreign influence and traditions (particularly stemming from the Eastern Roman Empire). In order to classify them, it is necessary to gather and analyse various primary sources that reference the ruler's prerogatives and his qualities. Most of these come from charts issued to noblemen and churches / monasteries, as well as to other endowments of the Serbian rulers. Only then can a comprehensive system of regal prerequisites be fully rounded. The importance of the consequences of its application cannot be overstated. Taking into account the political landscape of the Balkan peninsula following the death of Lazar Branković (himself only ascending the throne since his two older brothers were deemed incapable of performing regal duties) and the lack of legitimate male heirs that the Branković dynasty faced at the time, it becomes obvious that the conflict that arose from the issue of his succession played a pivotal role in the final fall of the Serbian Despotate to the Ottomans in 1459. The inescapable irony of fighting for a throne whose downfall was, by that point, a matter of mere months, is held in the fact that not a single one from the several viable candidates could meet the necessary criteria to take the mantle of the failing state. Through this kind of case study, one can observe the inconsistencies to the political approach to the topic at hand.

Dr Zurab TARGAMADZE

Ivane Javakhishvili Institute of History and Ethnology

CONTROVERSY IN THE GEORGIAN ROYAL FAMILY IN THE 11ᵀᴴ–12ᵀᴴ CENTURIES AND THE FALSE *TESTAMENT OF DAVID THE BUILDER*

The period between the 11th and 13th centuries is considered the Golden Age of Georgia. During this time, the Kingdom of Georgia and a centralized political system were established. However, this period also is one of the most difficult episodes in the history of Georgia.

After the formation of the Seljuk Empire by the Turkic tribes in Western Asia and the defeat of Byzantium at the Battle of Manzikert in 1071, the Turkish Invasions also started in the Kingdom of Georgia. In 1083, King George II have to go before the Sultan of the Seljuk Empire and agree to admit his superiority. A little later, in 1089, because of this policy, his son David, forced his father to make a concession and give him political power. After that, David IV expelled the Seljuks and secured a great victory in the battle of Didgori in 1121.

The confrontation in the royal family was not exhausted with the incident between David IV and his father. The controversy, which started after his reign, due to the occupation of the throne and the change of inheritance law, had been artificially connected to David IV. In the document, titled *The Testament of David the Builder*, was mentioned that after King Demetrius I, the second son of David IV, Vakhtang, should also be allowed to take the throne.

Georgian historians rightly believe that this document was composed after the death of David IV, but there are still exit questions about the date and circumstances of its creation. This time our attention was also drawn to the issue, of when and by whom this document could have been created.

Taking into consideration the situation created in the royal family after David's death in 1125, we assume that the creation of this document could be related to the period of the reign of David's son Demetrius I and grandson George III. We are making such an assumption based on the controversy that developed between the royal family members. After the death of David V in 1156 (who forced his father, Demetrius I, to resign

and become a monk), Demetrius returned to the throne and passed the inheritance to his second son, George III, even though David V had a legal heir – Demna. Later, in 1177, George III, to secure the reign of his daughter Tamar (while there was no tradition of accepting the royal throne by women, especially when there was a legal heir), confronted Demna. In 1184, when Queen Tamar became the sole ruler, this was followed by a revolt against her known as Qutlu-Arslan's rebellion.

Finally, considering the problem of legitimacy that the controversy in the royal family and the change in the rule of holding the royal throne would cause, we think, that the creation of such a document could be explained by the desire of its creators to show that the return of Demetrius I to the throne and handing the throne over to George III who subsequently appointed his daughter Tamar as co-ruler in 1179, was not a seizure of power, but a legal act which was based on the changes in inheritance law initiated by David IV the Builder.

Wallace TESKA, BA
Stanford University (USA)

THE CARBOU AFFAIR REVISITED: CHRISTIANITY, GENDER, AND COLONIAL AUTHORITY IN INTERWAR HAUTE CÔTE D'IVOIRE

In 1934, Catholic catechists kidnapped eighty-seven young girls from the village of Tampoui in Haute Côte d'Ivoire (today Burkina Faso). Or, at least, that is what the girls' fathers, brothers, fiancés, and husbands claimed. The local government, at the time under French colonial rule, demanded an investigation into the matter. Led by a man named Carbou, the investigation revealed an intricate local conflict between the nascent Christian communities, French colonial administrators, and animist "kings" (naba) for political control of the region. Carbou alleged that the Catholic church had committed horrific abuses, inflicting corporal punishments outside the government's authority, manipulating young girls into forced marriages, and assaulting animist leaders who resisted evangelisation. He recommended the administration take a stand against the church, placing authority back in the hands of animist collaborators.

But the affair was far from over. Two years later, the Apostolic Vicar of Haute Côte d'Ivoire wrote the Governor of the colony with a startling accusation: Carbou, he alleged, had tortured African Christians to gain evidence for his report. The Monseigneur maintained that there had been no eighty-seven kidnapped girls; Carbou's report was nothing but a smear campaign against the church. The subsequent investigation into Carbou came back inconclusive. However, the scandal lay bare deep-seated animosities between the secular colonial administration, the Catholic church, and animist political leaders in the region.

The limited literature on the Carbou Affair, as it is known, is written by and for missionaries. Consequently, it centers on the affair's negative impact on the growth of the Catholic church in French West Africa. Using newly uncovered evidence from the National Archives of Côte d'Ivoire, my paper instead positions the Affair as a window onto the complex local conflicts for political leadership in the region. Colonial rule was impossible without the consent and collaboration of the colonised. The minuscule size of the administration ensured this. When the French arrived in Haute

Côte d'Ivoire (then the French Soudan) in the 1890s, they partnered with animist leaders, the naba, to ensure their survival. But mass conversion to Christianity threatened this balance. As Africans joined the church, they deemed the naba – and, by extension, the colonial administration – unfit to rule. The resultant political conflicts exposed the precarity of political control in the colony and the significance of religion in evaluating the validity of local governance.

Prof. Dr Mariyana TSIBRANSKA-KOSTOVA

Bulgarian Academy of Sciences, Institute for Bulgarian Language,
Department for History of Bulgarian Language

Prof. Dr Ivan BILIARSKY

Bulgarian Academy of Sciences, Institute of Historical Studies,
Department of Medieval History of Bulgaria

ADOPTION AND THE FITNESS TO RULE: LEGAL AND LINGUISTIC PERSPECTIVES IN MEDIEVAL BULGARIA

The Byzantine kinship system was patterned not only by blood relations, matrimonial, baptismal and other spiritual ties, but by the adoption as a special form as well. Dispositions in this matter penetrated into the Slavia Orthodoxa area through translations of Byzantine legal texts. As proved in the fundamental works of R. Macrides and K. Pitsakis, the formal adoption never disappeared in Byzantium, and even took on new forms in the post-Byzantine period. From anthropological and philological points of view, it has been proved that the complex system of pseudo, or non-biological kinship, appeared after the notion of orphan. Since Leo the Wise's Novels up to the post-Byzantine epoch, adoption in the pure sense of the word remained mostly a civil act, although some relevant forms existed as rituals.

The general aim of adoption is to create relations between the adoptive parents (father) and the adopted that could substitute the relations between father and son. It is to state that these were not (only) biological relations but mostly religious, centred on the continuation of the line and the veneration of ancestors. It is precisely this situation that justifies the idea of *patrimonium* and of heritage.

How could this reflect in the domain of public law, especially concerning the topic of power succession, where pure heritage is not very well accepted and creates problems from the theocratic point of view? The main goals of the paper are:

▶ To summarise the juridical regalement about adoption in the most important translated Slavonic Law texts and their terminological register;

▶ To consider a rare case in Bulgarian history – the adoption of the despot Jacob Svetoslav by the Bulgarian tsarina Maria Palaeologina Kantakuzena. This "adoption" was related precisely to the idea of succession of power. Despite his demise, the case of Jacob Svetoslav is interesting in view of the concentration of many factors in his personality that supported his claim to the throne and the resulting assessments of *potential fitness* to rule, in contrast to the established power of Constantine Tikh-Assen, whose disease threatened the pillars of power, and might be broadly labelled as *potential unfitness*.

In Bulgarian literary history, Jacob Svetoslav's name is connected with the remarkable fact that the Nomocanon of St. Sava of Serbia was copied in Bulgaria and sent to the metropolitan of Kiev, as it is attested by a scribal note in later copies.

This act could be considered another attempt to manifest and legitimise power.

Dr Natalia TURYGINA

Senior Lecturer at the St. Petersburg State University,
Chair for the History of the Slavic and Balkan States

"KNIGHT-KING": KING ALEKSANDAR I KARAĐORĐEVIĆ ON THE PROTECTION OF THE RUSSIAN EMIGRATION IN THE 1920S AND 1930S[4]

The paper provides an image of the King of the Kingdom of Serbs, Croats and Slovenes / Yugoslavia, Aleksandar I Karađorđević, as seen by the Russian emigrés who found shelter in the kingdom after the defeat in the Civil War and the evacuations of 1919–1920. Many Russian emigrés from other European countries joined their ranks in the 1920s, and by the mid-1920s, about 40 thousand refugees from Russia settled in the Kingdom of Serbs, Croats and Slovenes, which made Serbia one of the largest centres of Russian emigration. This was largely determined by the purposeful policy of Aleksandar Karađorđević to protect Russian emigrés. In addition to state support, emigrant organisations helping Russians, professional, scientific and creative associations enjoyed the personal patronage of the king and his family members. Aleksandar I actively promoted the creation of Russian educational and sports institutions. From 1921 to 1944, the administration of the Russian Orthodox Church Abroad was located in Serbia, along with the administration of the All-Russian Military Union. Russian emigrants in Yugoslavia received equal rights with the indigenous population indeed. In response, they felt cordial gratitude for the king, and his murder in Marseille in 1934 became their own personal tragedy. Many Russian emigrants found obvious parallels between the tragic fates of King Aleksandar and his godfather, Emperor Nicholas II of Russia. Russian emigrés in China initiated the joint veneration of the crowned martyrs and the construction of a Memorial Chapel in Harbin, which was erected in 1935–1936 with donations from Russian emigrés from all over the world. In this article, the author, based on the memoirs of representatives of that wave of Russian emigration

and their descendants, as well as the periodicals of those years, recre-
ates the image of Aleksandar I Karađorđević as the "knight king", the
"king-vityaz", filled with noble impulses, who became the successor of
Nicholas II in the eyes of the Foreign Russia that lost its statehood.
This idealised image contrasts especially vividly with the ambiguous
attitude that was common among the Yugoslav subjects of the king.

Assist. Prof. Dr Fedor VESELOV

St. Petersburg State University, Institute of History

ALEXANDER THE GREAT, IVAN THE TERRIBLE AND THE GYNARCHY: TOWARDS THE SOURCES OF THE FIRST LETTER OF TSAR IVAN IV TO ANDREI KURBSKII

The First Letter of Tsar Ivan IV to A.M. Kurbskii is not only one of 'the most significant documents of Muscovite political thought in the sixteenth century', but also an awesome example of literary talent of the first Russian tsar, whose encyclopedic mind constructed the base for the ideal theory of autocratic power, using a great number of apothegms originating from a wide range of secular and ecclesiastical writings. This makes the search for the sources of the political aphorisms of the Russian tsar all the more interesting. Among the most intriguing is '*Woe betide a man, who is ruled by a woman, woe betide a town, which is ruled by many people*' ('Горе мужу, им же жена обладает, горе граду, им же мнози обладают'). Ya. S. Lourie has suggested that verses from Sirach 25:24 and Ecclesiastes 10:16 were sources for the first and the second part of the aphorism. The latest suggestion of D. M. Bulanin, that a phrase uttered by Alexander the Great in the Serbian recension of the Alexander Romance was the source for the second part of Groznyi's aphorism seems more correct in terms of sense and textual similarity. What we are going to discuss is that the whole phrase is based on the Serbian version of the Alexander Romance. The episode about a woman who asked Alexander for a death penalty for her husband, is found only in this particular Slavonic version. After hearing the suit of this woman, Alexander says: '*...Woe betide a man, who is ruled by a woman, woe betide a land which is held by a woman, Oh! woe betide a town, which is managed by a woman*' ('Горе бо человеку, *им же жена обладаетъ, горе бо, земли той, в ней же жена царствуетъ, о горе граду, им же жена обладаетъ*'). The first part of this phrase is quoted by Ivan IV and its third part makes a logical connection between the two disjoined elements of the tsar's aphorism. The context in which the phrase was used in Ivan's Letter and in its source, the Serbian Alexander Romance, leads to more specific speculations

on the problem of refusal or acceptance of gynarchy in Medieval and Early-Modern Eastern European society. On the one hand, Alexander's character in the Serbian Romance and tzar Ivan IV in real life had more or less successful diplomatic relations with sovereign queens; on the other hand, the figure of a woman is used both in the Romance and in Ivan's Letter as a symbol of perfidy and volatility.

Assoc. Prof. Dr Ioannis XYDOPOULOS

Aristotle University of Thessaloniki, Faculty of History and Archaeology,
Department of Ancient Greek, Roman, Byzantine, and Medieval History

PHILIP III ARRHIDAIOS, KING OF MACEDONIA. A PUPPET KING?

Philip III Arrhidaios was the son of Philip II and his wife Philinna from Larisa. His intellectual disability is attested in the literary sources; Plutarch mentions Arrhidaios' infant-like behaviour. However, he is also described as a gentle man, capable of performing the basic functions of his role when guided by others, and considered part of the Argead dynasty. There was a story that offered an explanation for his intellectual disability, namely that he was given poison by Olympias. His relations with his half-brother Alexander III were typical, with Alexander considering him as harmless. The latter's death in 323 caused conflicts about his succession, which were settled by Arrhidaios' acclamation as king of Macedonia. However, his rule was typical, as he was deemed unfit to rule, thus having guardians who acted in his name. His was married to Adea in 322/1 and the couple came to Macedonia, where Arrhidaios exercised his typical regal duties. The game of the Macedonian throne between its rivals brought the couple on the side of Cassander. However, this rivalry ended with Arrhidaios' and Adea's deaths in 317, as their troops changed side at the battle of Euboia. Cassander, for reasons of associating himself with the Argead royal family, buried them at Aigai with honors, thus creating a modern problem regarding the identity of the dead at the tomb II of Aigai.