

Rome, Constantinople and the Near Eastern Church under Justinian: Two Synods of C.E. 536

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I INTRODUCTION

The first decade of Justinian's rule, 527–536, was marked by intellectual, military and religious ambition at a level not matched by any other Roman emperor. His three primary objectives were closely interlinked, in a way which does not depend on interpretation by modern scholars, but is emphatically expressed in contemporary texts, and in a whole series of juridical, doctrinal and imperialist pronouncements, in both Greek and Latin, emanating from the Emperor in person. An edition and translation of all the pronouncements of Justinian, which does not exist in any modern language, would fill many volumes, and would represent perhaps the most forceful and consistent body of persuasive prose from Antiquity.

Justinian's three major objectives were, first, the reconquest and reintegration into his Empire of the Latin-speaking Western Mediterranean. Second, and the only one to be achieved with unambiguous and lasting success, came the composition of the works which would for ever after constitute the three pillars of Roman Law: the *Codex Justinianus*, the *Digest*, and the *Institutes*. The third, which by the end of 536 seemed momentarily to have been crowned with success, was the reunification of the Church, along with, and through, the imposition of correct doctrine — or of a doctrine which would command as wide assent as possible, not least from Rome. These processes had many different aspects, linked in complex ways: the liberation of the Latin Church from rule by barbarian kingdoms, above all the Vandal kingdom in North Africa, which followed the Arian heresy; the acceptance of a high degree of influence on the part of the Pope in Rome; and in the East the suppression of 'monophysite', or 'miaphysite', rejection of the Council of Chalcedon of 451, and of the Definition of Faith which it had formulated under the influence of the then Pope, Leo 'the Great' (440–461).

Neither 'monophysite' nor 'miaphysite' is to be found in any contemporary sources, and it is perhaps better to speak of a 'one-nature' conception of the nature of Christ — that represented by the great Cyril of Alexandria, bishop from 412 to 444, and which had triumphed at the Council of Ephesus in 449 — and of a 'two-nature' conception represented by Nestorius, the bishop of Constantinople, who had been deposed at the Council of Ephesus in 431; his doctrines, now almost universally rejected, at least within the bounds of the Empire, were regarded by the anti-Chalcedonians as having been at least partially resurrected in the Definition adopted at Chalcedon, which had indeed used the expression 'in two natures'.¹

This is not the place for more than the crudest summary of the theological issues involved. Rather, we may note that in the following decades fierce divisions over Chalcedon marked the Greek-speaking Church, in particular in Egypt and in the Near

¹ Whatever doubts may have been raised by critics, I regard the late W. H. C. Frend's *The Rise of the Monophysite Movement* (1972) as an unmatched historical presentation of the evolution of these conflicts. The following abbreviations are used below:

ACO = E. Schwartz (ed.), *Acta Conciliorum Oecumenicorum*

TTH = *Translated Texts for Historians* (Liverpool U.P.)

C.-N. = R. P. Coleman-Norton, *Roman State and Christian Church* III (1966)

CSEL = *Corpus Scriptorum Ecclesiasticorum Latinorum*

Eastern provinces (in secular terms, the diocese of Oriens, and, in ecclesiastical terms, the patriarchates of Antioch and, since 451, of Jerusalem). Imperial policy emanating from Constantinople could lean in either direction, with the *Henoticon* of Zeno of 482 attempting to achieve reconciliation by not taking an explicit view of Chalcedon,² or Anastasius (491–518) expressly supporting the anti-Chalcedonian position.³ His reign saw the dominance of the great monophysite Patriarch of Antioch, Severus,⁴ a major writer and theologian, who had immediately been deposed in 518, when Justin came to the throne and threw the weight of the Empire behind acceptance of Chalcedon and reconciliation with Rome.⁵ When Justinian succeeded his uncle in 527, the pro-Chalcedonian policy was eventually to be pursued even more energetically, though not before serious further efforts were made to reconcile the two positions.

We may leave this summary there, except to note that in the Syrian region and Palestine a strongly pro-Chalcedonian movement had made itself felt even in the face of Imperial policy. The monasteries of the Judaeian Desert were the main force behind this opposition, recounted most vividly in the biographies of Palestinian monks written by Cyril of Scythopolis in the later 550s, and focusing, in the second half, on the life of Sabas (439–532), the founder in the 480s of the still-existing monastery of Mar Sabas in the Judaeian Desert.⁶ It is Cyril who describes how in 516 some 10,000 monks had gathered at the Church of St Stephen outside Jerusalem, had uttered pro-Chalcedonian acclamations, and had caused the Dux of Palestine to flee in terror to Caesarea (*Life of Sabas* 56). He follows that by quoting verbatim the petition of Sabas and his associates to the Emperor Anastasius (57) — all in vain for the moment, but then Anastasius died in 518, Justin became Emperor, pro-Chalcedonian exiles were recalled, and Imperial letters announcing a new policy were read out in Jerusalem, Caesarea and Scythopolis (60–1).

Later, after the Samaritan revolt of 529, the aged Sabas was sent as an ambassador to Justinian, to make various requests: for instance, the remission of taxes, the building of a hospital (*nosokomeion*) in Jerusalem, and the construction of a fort to protect the desert monasteries against Saracen raids. These local issues apart, Cyril represents Sabas as concluding by demanding a much wider policy objective, and also adds a comment of his own (72, trans. Price):

‘I believe that God, in return for these five acts of yours pleasing to him, will add to your empire Africa, Rome and all the rest of the empire of Honorius, which were lost by the emperors who reigned before Your all-pious Serenity, in order that you may extirpate the Arian heresy, together with those of Nestorius and Origen, and free the city and the Church of God from the bane of the heresies.’

I shall explain why he asked the emperor to expel these three heresies in particular. He mentioned the heresy of Arius, because at this time the Goths, Visigoths, Vandals and Gepids, who were Arians, were ruling all the West, and he knew for certain through the Spirit that the emperor was going to conquer them.

Cyril’s *Lives* represent much the most vivid narrative source for Christian Palestine in the fifth and sixth centuries, and are noteworthy, as in this passage, for seeing the apparently remote existences of the monks in an empire-wide perspective, and dating

² The text of the *Henoticon* is given in full in Evagrius, *EH* 3.14; see the masterly translation and commentary by M. Whitby, *The Ecclesiastical History of Evagrius Scholasticus* (*TTH* 33, 2000). Translated also in C.-N., no. 527.

³ See now the thorough and valuable study by F. K. Haarer, *Anastasius I: Politics and Empire in the Late Roman World* (2006).

⁴ The extensive writings of Severus, all written in Greek, but preserved, if at all, only in Syriac translation, have never been the subject of a consistent edition, translation and commentary. For an excellent introduction see P. Allen and C. T. R. Haywood, *Severus of Antioch* (2004).

⁵ See A. A. Vasiliev, *Justin the First: an Introduction to the Epoch of Justinian* (1950).

⁶ See the translation by R. M. Price, with introduction by J. Binns, *Cyril of Scythopolis: Lives of the Monks of Palestine* (1991).

system.⁷ But they are not the most detailed documentary source, for this rank belongs to a complex text found in medieval manuscripts, which the great Eduard Schwartz edited for the third volume of the *Acta Conciliorum Oecumenicorum*, and to which he attached the nickname ‘*Collectio Sabbaitica*’.⁸ Evidently compiled very soon after the events of 536, this text offers priceless contemporary material — documentary in character, if ‘literary’ in its transmission not on papyrus, vellum or stone, but through manuscripts. We shall look at the (extremely complex) structure of the text in Section IV below. It will suffice to say here that it provides the record of five successive sessions of a synod held in Constantinople and of one held subsequently in Jerusalem, all of them on the direct instructions of the Emperor, marking, for the moment, the end of his attempts at reconciliation with the anti-Chalcedonians, and involving the condemnation of their main leaders. In the middle of the record of proceedings a long section of over fifty pages reverts to documentation relevant to the deposition of Severus of Antioch and Peter of Apamea in 518–19 at the beginning of Justin’s reign; these documents will not be discussed here.⁹

The present study arises, as will already be clear, from concern with the history of the Church in the Near Eastern provinces. But it begins, as the nature of the evidence dictates, by recognizing that there was not, and could not be, any isolated regional history. Even the monks of the Judaeian Desert were tied into a complex network stretching to Constantinople, and to Rome. So after looking further at the immediate political and military context, its purpose is to examine these documents as evidence, first, for Christian ‘connectivity’ across the Mediterranean. However, the most significant purpose in looking at this detailed contemporary documentation is to use it as evidence for the structure and linguistic make-up of the Near Eastern Church — or to be more precise of the pro-Chalcedonian wing of it — as it was at this moment. Finally, it returns to the remarkable image of the Church of the Three Palestines which is presented in the record of the Synod of Jerusalem.

II THE IMPERIAL BACKGROUND: THE RECONSTRUCTION OF THE EMPIRE AND THE JUSTINIANIC LEGAL PROGRAMME

Whatever Sabas and other Chalcedonian Christians might have hoped in about 530 (see above), it was to be only in 533 that an expedition under Belisarius set off to reconquer Roman Africa from the Vandals. The major Samaritan revolt of 529 and conflicts with Sasanid Persia may have delayed plans. It is at any rate surely relevant that a treaty with Persia was made in 532, and that an ‘eternal’ peace was concluded in 533 (and lasted seven years, before a major Persian invasion in 540).¹⁰ Africa was conquered, or appeared to be conquered, in a single campaign, and Belisarius was able to celebrate a ‘triumph’ in Constantinople in 534. In 536 itself there were major further advances: Sicily was

⁷ For his detailed use of chronological markers see B. Flusin, ‘Un hagiographe saisi par l’histoire: Cyrille de Scythopolis et la mesure du temps’, in J. Patrich (ed.), *The Sabaite Heritage in the Orthodox Church* (2001), 119. Given the theme of this paper, note the arguments of P. T. R. Gray, ‘The Sabaite Monasteries and the Christological Controversies (478–533)’, in *ibid.*, 237, that Cyril overemphasized the commitment of the monasteries to Chalcedon in the earlier stages.

⁸ E. Schwartz (ed.), *ACO III: Collectio Sabbaitica contra Acephalos et Origeniastas destinata* (1940). After the *Praefatio* (pp. v–xiv), the volume contains (pp. 1–25) a collection of ten Greek doctrinal texts, then (pp. 25–189) the Acts of the Synods of Constantinople and Jerusalem of 536, analysed below; then (pp. 189–214) a long edict of Justinian’s against Origenism; and finally (pp. 215–31) a collection of seven letters from bishops addressed to Peter, ‘the fuller’, the monophysite bishop of Antioch of the 470s–480s. Detailed indexes conclude the volume.

⁹ This material, quoted in the course of the proceedings at Session V in Constantinople, on 4 June 536, is contained in sub-sections 17–36 (pp. 52–110). In this paper numerals in heavy type denote sub-sections of ch. 5 (pp. 25–189) of *ACO III*.

¹⁰ For the Persian wars of this period, see G. Greatrex, *Rome and Persia at War, 502–532* (1998); G. Greatrex and S. N. C. Lieu, *The Roman Eastern Frontier and the Persian Wars* (2002), ch. 6: ‘Justinian’s First Persian War and the Eternal Peace (c. 525–40)’.

conquered in the spring, East Roman forces then landed in Italy, and Belisarius entered Rome on 9 December.¹¹

The five successive sessions of the synod held in Constantinople and the subsequent one held in Jerusalem in 536 were thus directly contemporary with these major events. But the connection is much closer than mere contemporaneity, for the central role in the initiation of these synods was played by Agapetus, who was only the second Pope ever to visit Constantinople,¹² and representatives of the Italian Church were present at all the sessions held there. The initial reason for his journey, however, had been quite different. Following on the conquest of Africa, Justinian's ambitions for the recovery of Italy from Ostrogothic rule were evidently widely known. King Theodahad had come to the throne only in 534, and in 535 made strenuous diplomatic efforts to ward off an invasion of Italy. Cassiodorus' *Variae* contain a letter from Theodahad to Justinian, asking him to keep the peace (10.22), while another (11.13) preserves the letter sent by the *Senatus Urbis Romae* to Justinian begging him to maintain peace with 'our king': 'For if it was right for Libya to regain its *libertas* through you, it would be cruel if I [Italy] were to lose that which I have always been regarded as possessing'. Their *preces* were being transmitted 'through that venerable man, sent as the ambassador of our most pious king to your clemency'.¹³ The reference must surely be to Pope Agapetus, elected only in July of 535, for an important contemporary historical narrative, Liberatus' *Breviarium Causae Nestorianorum et Eutychianorum*, records that Theodahad obliged both the Pope and the Senate, under threat of death, to intercede with Justinian:¹⁴

At this time Theodatus (*sic*), king of the Goths, writing to the Pope himself and to the Roman Senate, threatened that he would execute with the sword not only the senators but also their wives and sons and daughters unless they interceded with the Emperor to remove the army of his which was intended for Italy. But the Pope, undertaking an embassy to this end, set out for Constantinople. At first, indeed, while receiving honourably those sent to him by the Emperor, he scorned the presence of Anthimus [the Patriarch of Constantinople], and refused him admission to greet him. Subsequently, having gained an audience with the Emperor, he pleaded the cause which was the object of his embassy. But the Emperor, with regard to the vast expenses of the treasury, was unwilling to withdraw the army destined for Italy, and refused to hear the Pope's appeal.

We will return later to the role which Agapetus played in Constantinople, his dealings with Anthimus, the appeals directed to him by Chalcedonian elements in the Greek Church, before his sudden death there on 22 April, and his influence on the synods of that year. But it is relevant to stress here the contrast between the relative military and political weakness of Ostrogothic Rome on the one hand, and the dominant influence of the Pope in reinforcing the pro-Chalcedonian elements in the East on the other.

If we turn to Justinian's programme, we will find the ideology of his regime most explicitly set out in the legal sources, first in his successive proclamations concerning the

¹¹ For a convenient analysis of these events see J. A. S. Evans, *The Age of Justinian: the Circumstances of Imperial Power* (1996), ch. III: 'The Restoration of the Empire'. In the case of these wars, as of others, it is always possible to argue that they depended on circumstances rather than on some master plan. But it is surely relevant that Procopius (*Wars* 3.1–10) puts the reconquest of Africa in the context of Vandal history there from the beginning, and of earlier Imperial attempts. Equally, unless Sabas' address to Justinian (above) is entirely fictional, the aspiration to reconquest, and the religious motives claimed for it, were generally known.

¹² See *The Oxford Dictionary of Popes* (1986), compiled, with his characteristic combination of precision, economy and essential references, by J. N. D. Kelly. Pope John I (523–6) had visited Constantinople in 526, also, like Agapetus (see below), as a delegate sent by the then Ostrogothic king, Theoderic. This embassy is very relevant to the context both of Sabas' reported appeal after 529 for the extirpation of heresy in the West (see above), and of events in the 530s, for John's mission on behalf of Theoderic was to persuade Justin to remit disabilities on former Arians, which he refused to do.

¹³ See the translation and commentary by S. Barnish, *Cassiodorus, Selected Variae* (TTH 12, 1992).

¹⁴ *Brev.* 21. For the text see ACO II.5, pp. 98–141. There appears to be no independent modern edition, translation or commentary on this important work of ecclesiastical history.

intended, and then completed, *Codex*, *Digest* and *Institutes*, throughout which allusion is made to the aid and benevolence of God; and then, from late 533 onwards, the stress on the relevance to these plans of the current reintegration into the Empire of the Latin West. Picking out only occasional examples of the expression of the Imperial ideology in these years, we may note that on 13 February 528, before he had been even one year on the throne, Justinian announced to the Senate, in the constitution *Haec*, his plan for the composition of a *Codex*:¹⁵

These things, which to many previous Emperors seemed to need necessary correction, yet in the interim none of them dared to bring this to a result, at the present time we have decided with Almighty God's aid to give to the common interests . . .

Two years later, on 7 April 529, in the constitution *Summa*, addressed to Menas the Praetorian Prefect, the completion of the first edition of the *Codex* was proclaimed, and instructions given for copies of it to be distributed throughout the provinces.¹⁶ A year and a half after that, in 530, in the constitution, or letter, *Deo Auctore*, addressed to his Quaestor, Tribonian, Justinian could refer to the completion of the *Codex* and the plan for a *Digestus* in fifty books, in even more grandiloquent tones of religious and imperial confidence:¹⁷

Governing under the authority of God our empire which was delivered to us by the Heavenly Majesty, we both conduct wars successfully and render peace honourable, and we uphold the condition of the state. We so lift up our minds toward the help of the omnipotent God that we do not place our trust in weapons or our soldiers or our military leaders or our own talents, but we rest all our hopes in the providence of the Supreme Trinity alone, from whence the elements of the whole world proceeded and their disposition throughout the universe was derived. Whereas, then, nothing in any sphere is found so worthy of study as the authority of law, which sets in good order affairs both divine and human and casts out all injustice, yet we have found the whole extent of our laws which has come down from the foundation of the city of Rome and the days of Romulus to be so confused that it extends to an inordinate length and is beyond the comprehension of any human nature. It has been our primary endeavour to make a beginning with the most revered emperors of earlier times, to free their *constitutions* (enactments) from faults and set them out in clear fashion, so that they might be collected together in one *Codex*, and that they might afford to all mankind the ready protection of their own integrity, purged of all unnecessary repetition and most harmful disagreement.

Then, in the course of 533, came the reconquest of Africa, lending a quite different tone to Justinian's announcement on 12 November, addressed to the *cupida legum iuventus* of his Empire, concerning his new textbook of Roman Law, the *Institutes*. As a public proclamation, and as a fine example of Imperial rhetoric, the opening lines of this document deserve quotation in the original:¹⁸

Imperatoriam maiestatem non solum armis decoratam, sed etiam legibus oportet esse armatam, ut utrumque tempus et bellorum et pacis recte possit gubernari et princeps

¹⁵ These constitutions, preparatory to the *Codex*, *Institutes* and *Digest*, do not have any numbering attached to them in modern editions, but are printed at the beginning of the relevant volumes of P. Krueger and Th. Mommsen's edition of the *Corpus Iuris Civilis* I–III; in this instance, the constitution *Haec*, the text is presented in *Corpus II, Codex Iustinianus*, on p. 1. English translation from C.-N., no. 578. For an excellent account and analysis of the major juristic works produced under Justinian and on his orders, see C. Humfress, 'Law and legal practice in the Age of Justinian', in M. Maas (ed.), *The Cambridge Companion to the Age of Justinian* (2005), 161.

¹⁶ Text: *Corpus Iuris Civilis* II, *Codex Iustinianus*, pp. 2–3; English translation from C.-N., no. 590.

¹⁷ *Corpus Iuris Civilis* I.2, *Digesta*, pp. 8–9, with a parallel version in *CJ* I.17.1. English translation in C.-N., no. 617; this translation taken from A. Watson (ed.), *The Digest of Justinian*² I (1998), xliii–vi.

¹⁸ *Corpus Iuris Civilis* I.1, *Institutiones, ad init.* (no page no.). Partial translation in C.-N., no. 639. J. A. C. Thomas, *The Institutes of Justinian. Text, Translation and Commentary* (1975), whence the translation offered.

Romanus victor existat non solum in hostilibus proeliis, sed etiam per legitimos tramites calumniantium iniquitates expellens, et fiat tam iuris religiosissimus quam victis hostibus triumphator.

Quorum utramque viam cum summis vigiliis et summa providentia denuente deo perfecimus, et bellicos quidem sudores nostros barbaricae gentes sub iuga nostra deductae cognoscunt, et tam Africa quam aliae innumerosae provinciae post tanta temporum spatia nostris victoriis a caelesti numine praestitis, iterum dicioni Romanae nostroque additae imperio protestantur, omnes vero populi legibus iam a nobis vel promulgatis vel compositis reguntur.

Imperial majesty should be not only embellished with arms but also fortified by laws so that the times of both war and peace can be rightly regulated and the Roman Emperor not only emerge victorious in war with the enemy but also, extirpating the iniquities of wrongdoers through the machinery of justice, prove as solicitous for the law as he is triumphant over defeated foes.

Each of these objectives we have, by the will of God, achieved through the utmost vigilance and foresight. The barbarian races brought under our subjection know our military prowess; and Africa and countless other provinces have after so long a time been restored to Roman obedience through the victories which we, with divine guidance, have achieved and proclaim our empire. But all these peoples are also now governed by the laws which we have made or settled.

Then, on 16 December, came his proclamation *Omnem*, announcing the completion and exclusive validity of the *Institutes*, *Codex* and *Digest*.¹⁹ But the same conjunction of Imperial authority, military dominance, divine approval and the centrality of Law is best expressed in the major constitution, beginning with the word *Tanta* in its Latin and Δέδωκεν in its Greek form, also issued on 16 December:²⁰

So great is the providence of the Divine Humanity toward us that it ever deigns to sustain us with acts of eternal generosity. For after the Parthian [i.e. Persian] wars were stilled in everlasting peace, after the Vandal nation was done away with and Carthage — nay rather, the whole of Libya — was once more received into the Roman empire, the Divine Humanity contrived that the ancient laws, already encumbered with old age, should through our vigilant care achieve a new elegance and a moderate compass, a result which no one before our reign ever hoped for or deemed to be at all possible by human ingenuity. Indeed, when Roman jurisprudence had lasted for nearly fourteen hundred years from the foundation of the city to the period of our own rule, wavering this way and that in strife within itself and spreading the same inconsistency into the imperial constitutions, it was a marvellous feat to reduce it to a single harmonious whole, so that nothing should be found in it which was contradictory or identical or repetitious, and that two different laws on a particular matter should nowhere appear. Now for the Heavenly Providence this was certainly appropriate, but for human weakness in no way possible. We, therefore, in our accustomed manner, have resorted to the aid of the Immortal One and, invoking the Supreme Deity, have desired that God should become the author and patron of the whole work.

As the aged Sabas had, according to Cyril of Scythopolis, predicted already in about 530 (p. 63 above), there were questions of ecclesiastical order and religious belief to be resolved in Africa, which had for a century been under the rule of an Arian regime, and where the separatist Donatist church was still in existence. So, in August of 535, Justinian wrote to Solomon, Praefectus Praetorio for Africa, to instruct him that, following an appeal from the African Church, ecclesiastical properties held by Arians or pagans or anyone else should be restored. More than that, Justinian goes on to lay down that no followers of any

¹⁹ *Corpus Iuris Civilis* I.2, *Digesta*, pp. 10–12.

²⁰ *Corpus Iuris Civilis* I.2, *Digesta*, pp. 13–24. The Latin version derives from *CJ* I.17.2. Partial translation in *C.-N.*, no. 642; this translation taken from Watson, *op. cit.* (n. 17), liii–lxii.

religion other than orthodox Christianity, neither Arians, nor Donatists, nor Jews, nor any group labelled as heretical, should be allowed freedom of worship. Synagogues should not be allowed to continue, but be converted into churches.²¹

This constitution is enough to illustrate the fact that in Justinian's Christian Empire there were no boundaries between civil and criminal legislation, ecclesiastical regulation and the imposition of correct doctrine. His powerful, but not always predictable, Christian commitment, which was expressed, in at least some cases, in constitutions composed by himself, in person,²² had already been demonstrated many times in his governance of the Greek East, before he added Africa to his domains.

III JUSTINIAN AND THE GREEK CHURCH TO 535: RECONCILIATION WITH THE ANTI-CHALCEDONIANS?

No inhabitant of Justinian's Empire could have been left in any doubt as to the Emperor's preparedness to intervene in the life of the Church at every level. A bare list of examples of relevant legislation from the *Codex Justinianus* between 528 and the end of 531, before doctrinal questions relating to Chalcedon again come into prominence (see below), will be enough to illustrate the point:²³ 1.3.41 and 42 (43), 1 March 528, rules on Episcopal elections and on Episcopal visits to Constantinople; 1.3.43, 18 January 529, on the discipline of monks; 1.5.13–18, 528/9?, disabilities on Manichees, Samaritans, heretics; 1.5.19, 529, no date, property rights of orthodox children of heretical parents; 1.2.23, 28 March 530, on clerical celibacy; 1.4.29, same day, accusations against clerics; *CJ* 1.3.46, 17 November 530, qualifications of abbots of monasteries; 1.2.25, 20 November 530, legacies to Church; 1.5.20, 22 November 530, disabilities on heretics; 1.5.21, 28 or 29 July 531, disabilities of heretics and Jews; 1.3.47, 29 July 531, detailed provisions on qualifications, including celibacy, for Episcopal office; 1.3.51, 1 November 531, immunity of clerics and monks from *tutela* (explicitly stated to apply also in Rome); 1.3.52, 27 November 531, long disquisition on admission to status of cleric or monk. In many cases, of course, such measures may have been prompted by appeals or complaints by individuals or groups.

It does therefore seem that Justin's decisive measures of 518/19, in accepting Chalcedon and deposing a long list of 'monophysite', or anti-Chalcedonian, bishops in the diocese of Oriens, the most prominent being Severus of Antioch and Peter of Apamea, had led to apparent quiet on that front.²⁴ But the issue was not yet settled. Both Severus and Peter were still at large, and were treated as still having the authority of episcopal office by their monophysite followers.²⁵ As was noted briefly above, a long dossier of the accusations made against them, as well as against a monk named Zooras, in 518/19, was produced at the fifth session of the synod held in Constantinople in 536, on 4 June. But Severus, Peter and their followers do not appear in Justinian's legislation of 527–31. So it is possible that even at this early stage he was hoping that a basis for reconciliation could be reached, and this may be the context of the very remarkable statement of his own faith which he issued in Greek early in his reign, probably already in 527 (there is no address, and the date of issue is in this case missing).²⁶ Here he produces a version of the creed which stresses the

²¹ *Novella* 37, of 1 August 535. Text, translation and notes in A. Linder, *The Jews in Roman Imperial Legislation* (1987), no. 62. The 168 *Novellae* of Justinian occupy *Corpus Iuris Civilis* III. The only English translation is that by S. P. Scott, *The Civil Law XVI–XVII* (1932).

²² See the classic paper by A. M. Honoré, 'Some constitutions composed by Justinian', *JRS* 65 (1975), 107.

²³ For an excellent review of Justinian's contribution to ecclesiastical and doctrinal questions see now K.-H. Uthmann in A. di Berardino (ed.), *Patrology. The Eastern Fathers from the Council of Chalcedon (451) to John of Damascus (†750)* (2006), 53–92.

²⁴ For the background see R. Devréesse, *Le patriarcat d'Antioche, depuis la paix de l'Église jusqu'à la conquête arabe* (1945); E. Honigmann, *Évêques et évêchés monophysites d'Asie antérieure au sixième siècle* (1951), esp. 142f.

²⁵ For this phase see especially Frend, *op. cit.* (n. 1), esp. 247f.

²⁶ *CJ* 1.1.5. Translation in C.-N., no. 569.

unity of the divine person who was crucified and buried, makes no specific mention of Chalcedon or any other oecumenical council, but anathematizes the heresies of Nestorius (deposed at Ephesus in 431), of Eutyches (condemned at Chalcedon for his extreme monophysite doctrines) and of Apollinarios, while twice referring to Mary as Theotokos, 'Mother of God'. Sometimes described in modern discussions as 'theopaschite', in accepting that — in spite of the doctrine of the immutability and impassivity of God — a divine person had suffered on the Cross, this constitution would surely have raised no objections from the 'monophysite' side.

The question of acceptance or non-acceptance of Chalcedon seems to have come to the fore again only in 532. In that year, as we learn from the anonymous Syriac continuator of Zachariah's *Ecclesiastical History* (9.15), a group of monophysite clerics from the Syrian region addressed a petition to the Emperor, stating that they accepted the Councils of Nicaea (of 325), Constantinople (381) and Ephesus (431), but could not and would not go beyond that. The Council of Chalcedon, in their view, had been guilty of innovation in its Definition, and they would accept neither it nor the Tome of Leo. In the next chapter (16) Ps.-Zachariah records that Severus of Antioch, from his exile, refused an invitation from the Emperor to come to Constantinople under guarantee of his safety. Other bishops from Oriens had also been summoned, and duly went. It is quite clear that from the Imperial side a serious effort at the reconciliation of conflicting positions was now made, for discussions were held between a group of monophysite, or anti-Chalcedonian, bishops and one of pro-Chalcedonian ones, who included Anthimus, Bishop of Trapezus, who would soon become Patriarch of Constantinople.²⁷ No agreement was reached, but there was no decisive break, and no punitive measures were taken either by the Emperor or by any council or *synodos endemousa*. In 533, however, Justinian reasserted his doctrinal position in very emphatic and detailed terms, while seemingly keeping the door open to reconciliation. In an edict in Greek of 15 March, addressed in the first instance to the people of Constantinople, he explicitly reiterated the profession of faith proclaimed at the beginning of his reign, again anathematizing Nestorius, Eutyches and Apollinarios, and speaking of Mary as Theotokos (CJ 1.1.6). The *Codex* then notes that the same text went out to the people of Ephesus, Caesarea, Cyzicus, Amida, Trapezus, Jerusalem, Apamea, Iustinianopolis, Theopolis (Antioch), Sebaste, Tarsus and Ankara. The *Chronicon Paschale*, which reproduces the text (630–3), says that he posted it (προέθηκεν) in Constantinople, adds Alexandria, Thessalonica and (very significantly) Rome to the list of places to which it was sent, and states that all bishops then put it up publicly.

This text too made no explicit mention of Chalcedon, but in the letter in Greek which Justinian wrote eleven days later to Epiphanius of Constantinople ('archbishop of this royal city and ecumenical patriarch'), he refers to the edict (ἡδικτον), emphasizes the goal of unity (ἕνωσις), records that he has sent a parallel letter to the Pope, repeats his profession of faith, speaks of the 'four holy councils' — and repeatedly mentions Chalcedon.²⁸

On 6 June of the same year he wrote in Latin to the Pope, Iohannes ('the most holy archbishop of the *alma urbs Roma* and patriarch'), reporting that some heretical persons were still rejecting the true doctrine, and then speaking of 'the four councils', including Chalcedon, and unambiguously expressing the intention of bringing the East into line with Rome: 'So we have taken urgent steps to bring into obedience (*subicere*) all the bishops of the entire *orientalis tractus* and to unite them to the seat of your sanctity'. The text of the letter is contained both in the *Codex* and in two separate sections of the remarkable collection of Latin letters written by Emperors, Popes and others between 367 and 553, known as the *Collectio Avellana*.²⁹ The letter ended, in 'another' (i.e. the Emperor's own) hand:

²⁷ See S. Brock, 'The conversations with the Syrian Orthodox under Justinian (532)', *Orientalia Christiana Periodica* 47 (1981), 87 = *Studies in Syriac Christianity* (1992), no. XIII.

²⁸ CJ 1.1.7, 26 March 533. Translation in C.-N., no. 637.

²⁹ CJ 1.1.8^{7–24}; *Collectio Avellana* (CSEL XXXV), no. 84^{7–21}; no. 91^{8–22}.

‘May the Divinity preserve you over many years, holy and most religious father’. It will have been written just as the campaign for the reconquest of Africa was beginning. Iohannes seems not to have replied until 25 March 534, when in a long letter he accepted, with what might seem benign condescension, the Emperor’s reports of his steps to proclaim the correct faith, and eradicate heresy.³⁰

That was the Emperor’s publicly-proclaimed position, but efforts to reach an understanding with the opposition to Chalcedon continued, while that opposition itself appeared to strengthen. In 534 Severus finally accepted an invitation to Constantinople, and remained there over the winter of 534/5. In 535 a convinced monophysite, and ally of Severus, Theodosius, became Patriarch of Alexandria, while in the same year the situation which led to the synods of Constantinople and Jerusalem in 536 was created by the translation of Anthimus, against normal rules, from the see of Trapezus to the Patriarchate of Constantinople, and by his apparent movement towards a monophysite, or anti-Chalcedonian, position. Various sources report a period of doctrinal agreement between Anthimus, Severus and Theodosius.³¹ It was this situation which happened to coincide with Theodahad’s despatch of Agapetus (elected as Pope in May 535) to Constantinople, to intercede with Justinian, and prevent the invasion of Italy (see above). Appeals to Agapetus to intervene in support of the pro-Chalcedonian side in the Greek Church in fact began before his departure.

Before we turn to the proceedings in 536 in Constantinople and Jerusalem, included in the long compilation of documents which Schwartz labelled ‘Collectio Sabbaitica’, and which also provides the text of a number of earlier appeals to Agapetus from elements in the Greek Church, we may look at two important contemporary accounts. Firstly Ps.-Zachariah (*HE* 9.19), after recording that Severus of Antioch finally agreed to come to Constantinople (above), relates the election of Anthimus (in 535), and the fact that he now emerged as leaning towards a monophysite position; Zachariah also records the election of Theodosius in Alexandria. The agreement of the three in their monophysite beliefs, Zachariah says, alarmed Ephraim of Antioch, who sent a delegation to Agapetus in Rome, whose members then travelled with him to Constantinople. On arrival, Agapetus was warmly received by Justinian, not least because they were both Latin-speakers. Agapetus was able to make the Emperor turn against Anthimus and Severus, and he expelled them both from the city.

This record is important in indicating that at least one appeal from within the Greek Church reached Agapetus when he was still in Rome (a striking, but far from unique, illustration of Papal authority), as such appeals might (theoretically) have done while he was en route, or when in Constantinople between his arrival, perhaps in February, and his death there on 22 April. Secondly, we have the continuation of the account by Liberatus, *Brev.* 23 (see p. 65 above), of Agapetus’ role in Constantinople, which tends to suggest that under the pressure of his rejection of Anthimus, the latter chose to resign his see, and then took refuge with the Empress Theodora (our sources agree that she favoured the monophysite side; many modern scholars follow Procopius, *Secret History* 10.23 and Evagrius, *HE* 4.10 in accepting that the dual approach from within the palace may have reflected not a real conflict, but a stratagem aimed at keeping lines of communication open). Menas was elected in place of Anthimus on 13 March, and at some date very soon after this he must have received the order (*keleusis*) from the Emperor, whose text is not preserved, but which instructed him to call a *synodos endemousa* to examine the case of Anthimus, which would be heard at a series of five sessions, beginning on 2 May.

³⁰ *CJ* 1.1.8¹⁻⁶; 25-39; *Collectio Avellana*, no. 84¹⁻⁶; 22-31. Both Justinian’s and Iohannes’ letters are translated in C.-N., no. 645.

³¹ See e.g. Ps.-Zachariah, *HE* 9.19; Nicephorus Callistus, *HE* 17.8-9. See J.-B. Chabot, *Fontes ad Origines Monophysitarum illustrandas*, CSCO, Scriptorum Syri, ser. 2, XXXVII, (1933), Docs. 1 and 2.

IV CONSTANTINOPLE AND JERUSALEM, 536: THE DOCUMENTARY RECORD

Introduction

Various features of these Acts need to be emphasized before we look at their (exceptionally complex) structure. Firstly, they follow the style found in (for instance) the Acts of Chalcedon in their extreme formality of expression, with lists of those present, details of successive spoken interventions, and quotation in full of documents laid before the meeting — which often, in this case, themselves end with long lists of subscriptions (normally one-sentence affirmations) by those who had put their names to them. In the case of the sessions held in Constantinople, there are also complete lists of the groups of monks who were permitted to enter the hearings in person, for their memoranda to be heard. Finally, there are — though not in all cases — the ‘subscriptions’, written originally in their own hand, by those who put their names to the decisions reached by the meeting. It is precisely the presence of these extensive formal lists of different types which gives this documentary record its role as a mirror, or image, of (one side of) the Church in the Near East (see further below).

The long-established custom of inserting in these Acts documents which were germane to the issues considered, but had themselves been generated earlier (in this case, for instance, complaints directed to the Emperor, or Agapetus, or Menas, against Anthimus), and which might or might not have dates attached to them, complicates the chronological structure, and the capacity of the text as a whole to tell a continuous story. So does the pattern of incorporating in the Acts of one synod or council the Acts of a previous one (as for instance those of the first session of Ephesus II of 449 had been incorporated in the Acts of Chalcedon). These ‘quoted’ Acts may themselves incorporate quotations of earlier documents (petitions or memoranda). In this case, however, as will be seen from the tabulation which follows below, the structure is complicated even further by the fact that the Acts begin with the record (paras. 4–40) of Session V of Constantinople, of 4 June, which also incorporates over fifty pages of documents and proceedings against Severus and his associates dating from 518/19 (17–36); they then follow that with the *diataxis* of Justinian of 6 August (41), and then come, without any linking material, to the Acts of the Synod of Jerusalem of 19 September (42–183). In para. 51 the Acts of this Synod record the reading out of the text of previous proceedings against Anthimus. In the characteristic formal style this is set out as follows: καὶ παραλαβὼν τὰ Ἀνθίμῳ πεπραγμένα Ἐλισσαῖος ὁ θεοσεβεστάτος νοτάριος καὶ διάκονος διήλθε καὶ ἐγγέγραπται τοῖς νῦν πραττομένοις ἐπὶ λέξεως ἔχοντα οὕτως (‘Then, taking the Acts against Anthimus, Elissaios the most pious *notarios* and *diakonos* went through them, and they were incorporated in the present Acts, word for word as follows’). Then comes (52–72) the record of Session I of Constantinople, held on 2 May, with various quoted documents; then in order, Session II, of 6 May (73–86), III, of 10 May (87–103), and IV, of 21 May (104–31). Finally, after sixty-two pages (pp. 124–86) of continuous quotation of the proceedings from successive earlier sessions, the record reverts (132–3) to the conclusion of the synod of Jerusalem, with forty-seven subscriptions.

The original record of the Synod of Jerusalem must surely have included also the proceedings of Session V of Constantinople, of 4 June. But whoever put together this dossier in its present form had already, as we have seen, placed these proceedings earlier (4–41), so they were silently omitted here. If we take the sessions in chronological sequence, it becomes clear that the focus of hostile attention in Sessions I–IV, held in May, is solely Anthimus (who has already been deposed, or has resigned, and been replaced by Menas, but has not yet been formally condemned). It is only after his condemnation, and at the end of Session IV, that *epiboeseis* against Peter of Apamea, the monk Zooras, and Severus of Antioch break out. Session V, of 4 June, then concerns Severus and Peter (and it is here that the material from 518/19 is inserted, 17–36), while Justinian’s *diataxis* of 6 August concerns all four. So do the proceedings in Jerusalem, though, curiously, the final verdict (132) names only Anthimus.

Tabulation

It will be seen that the following tabulation of the record distinguishes (a) in the left-hand column the proceedings of Session V and of the Synod of Jerusalem; (b) in the second column, the proceedings of Sessions I–IV, as quoted at Jerusalem; and (c) in the third column, all quoted documents. The indications of the number of persons listed as being present, or attaching hand-written subscriptions, are very important for the social and linguistic questions touched on in Section V below. To repeat, the numbers in heavy type record the sub-sections of ch. 5 in *ACO III*, with the page numbers added in brackets.

PROCEEDINGS	QUOTED PROCEEDINGS	QUOTED DOCUMENTS
2–3 (pp. 26–7). Introduction and Summary of Sessions of Synod		
4–41 (pp. 27–123). <i>Session V, Constantinople, 4 June 536</i>		
4–10 (pp. 27–30). Introduction. List of 62 participants. Proceedings		11 (pp. 30–2). <i>Libellos</i> of bishops to Justinian. 7 subscriptions 12 (pp. 32–8). <i>Libellos</i> of monks of Constantinople, Syria Secunda and Palestine to Justinian. 97 subscriptions
13 (p. 38). Proceedings		14 (pp. 38–52). <i>Libellos</i> of monks of Constantinople, Syria Secunda and Palestine to Menas of Constantinople. 139 subscriptions
15–16 (p. 52). Proceedings		[17–36 (pp. 52–110). Quotation of proceedings and documents from 518–19]
37 (p. 110). Proceedings		
38 (pp. 110–11). Verdict (ψήφος) of Synod on Severus and Peter		
39 (pp. 111–13). Verdict of Patriarch Menas on Severus and Peter		
40 (pp. 113–19). Subscriptions of 93 participants		41 (pp. 119–23). <i>Diataxis</i> of Justinian against Anthimus, Severus, Peter and Zooras, 6 Aug. 536 [=Justinian, <i>Nov.</i> 42]
42–133 (pp. 123–89). <i>Synod of Jerusalem, 19 Sept. 536</i>		
42–7 (pp. 123–4). Proceedings		48 (pp. 124–5). Letter of Menas of Constantinople to Peter of Jerusalem
49–51 (pp. 124–5). Proceedings		

PROCEEDINGS	QUOTED PROCEEDINGS	QUOTED DOCUMENTS
	52–72 (pp. 126–54). <i>Synod I of Constantinople, 2 May 536</i>	
	52–8 (pp. 126–31). Proceedings and list of 64 participants. Entry of 87 monks from Constantinople and Palestine	59 (pp. 131–4). Petition of monks to Justinian. 4 subscriptions
	60–2 (pp. 134–6). Proceedings. Reading of memorandum (<i>didaskalikon</i>) of monks (text in 62)	
	63–7 (p. 136). Proceedings	68 (pp. 136–47). Petition of monks to Agapetus of Rome. 96 subscriptions 69 (pp. 147–52). Petition of bishops <i>endemountes</i> in Constantinople to Agapetus. 47 subscriptions
	70 (p. 152). Proceedings. Reading of original, and then translation, of letter of Agapetus to Peter	71 (p. 152–3). <i>Hermeneia</i> of letter of Agapetus to Peter
	72 (p. 153). Proceedings. Representatives sent to summon Anthimus	
	73–86 (pp. 155–61). <i>Session II of Constantinople, 6 May 536</i>	
	73–5. Proceedings. List of 64 participants. 76. Admission of 87 monks. Report on unsuccessful search for Anthimus	
	87–103 (pp. 161–9). <i>Session III of Constantinople, 10 May 536</i>	
	87–9 Proceedings. List of 77 participants. 90. Admission of 91 monks. Report on unsuccessful search for Anthimus	
	104–31 (pp. 169–86). <i>Session IV of Constantinople, 21 May 536</i>	
	Proceedings. List of 75 participants. 107. Admission of 93 monks. Report on unsuccessful search for Anthimus. 119. Proclamation by Menas of Constantinople addressed to Anthimus, posted (<i>προέτεθη</i>) on 15 May 536. Proceedings. 127. Condemnation of Anthimus. 128–9. <i>Epiboesis</i> against Peter of Apamea, Zooras and Severus of Antioch. 130. Conclusion. 131. Texts of 76 subscriptions	

PROCEEDINGS	QUOTED PROCEEDINGS	QUOTED DOCUMENTS
132 (pp. 186–8). Proceedings of Synod of Jerusalem (continued from 51, p. 125). Declaration of assent to condemnation of Anthimus		
133 (pp. 188–9). Texts of 47 subscriptions of Palestinian bishops		

V THE NEAR EASTERN CHURCH IN THE ACTS OF CONSTANTINOPLE AND JERUSALEM

The vivid and detailed image of the episcopal sees and the monasteries of the Near East which is reflected in the Acts of 536 is not a statistical survey, being dependent on who had participated in the ‘Chalcedonian’ campaign to get rid of Anthimus, and with him the already deposed, but still influential, Severus of Antioch and Peter of Apamea, along with the evidently hated figure of the Syrian monk Zooras: Ζωόρας τις Σύρος ἀλόγιστος πλήρης πάσης ἀνοίας καὶ μανίας — ‘a certain Zooras, an uneducated *Suros* full of complete mindlessness and craziness’, as the monks described him in petitioning the Emperor (12, p. 32).

Nor, in general, do all the different provinces of the secular diocese of Oriens appear: only the petition to Agapetus from bishops *endemountes* in Constantinople (69) brought in representatives from Cyprus, Isauria, Cilicia, Mesopotamia, Euphratensis or Arabia (see below). The major role in the pro-Chalcedonian movement within Oriens was played by the provinces of Syria I and II and the Three Palestines. But the fundamental message which this documentary text conveys is that even places which were physically remote, like Circesium, far down the Euphrates, at its confluence with the Chabur, or ones whose whole posture was that of remoteness from the world, like the monasteries of the Judaeen Desert, or of Sinai, in fact could and did exploit an active ‘connectivity’ with Constantinople, and even Rome.

The evocation here of the ‘image’ of (some elements of) the Christian Near East as it appears in these Acts will have to be selective and impressionistic, and will not even approximate to a catalogue or complete index. We may begin with the truly remarkable level of political representation in the capital, that is of bishops or monks ‘in residence’ (*endemountes*) in Constantinople in 535/6. For instance, the long petition (68) from the monks of Constantinople and Palestine to Agapetus of Rome (hence written at some time before his death in April 536) came explicitly from persons residing there (*παρὰ τῶν ἐνδημούντων*, p. 136). But the list of subscriptions at the end includes what looks at first sight like a roll-call of the monasteries of the Judaeen Desert (68^{67–80}), studied in the major work of the much-regretted Yizhar Hirschfeld.³² But in fact, because there are several monasteries in the list from which there is more than one representative, if we plot the ‘subscriptions’, using Schwartz’s numbering, on the simplified map (Fig. 1), based on that in Price and Binns’ translation of Cyril of Scythopolis, we find that out of a total of over fifty known foundations, only five major ones from the Judaeen Desert make an appearance here: those of Martyrius, Firminus and Theodosius, the Great Laura of Sabas (Mar Sabas) and the New Laura, along with one identified as ‘the towers of the Jordan’. It

³² Y. Hirschfeld, *The Judaeen Desert Monasteries in the Byzantine Period* (1992), Map 1, reproduced in his useful summary, ‘List of the Byzantine Monasteries in the Judaeen Desert’, in G. C. Bottini, L. Di Segni and E. Alliata, *Christian Archaeology in the Holy Land: New Discoveries* (1990), 1, fig. 1.

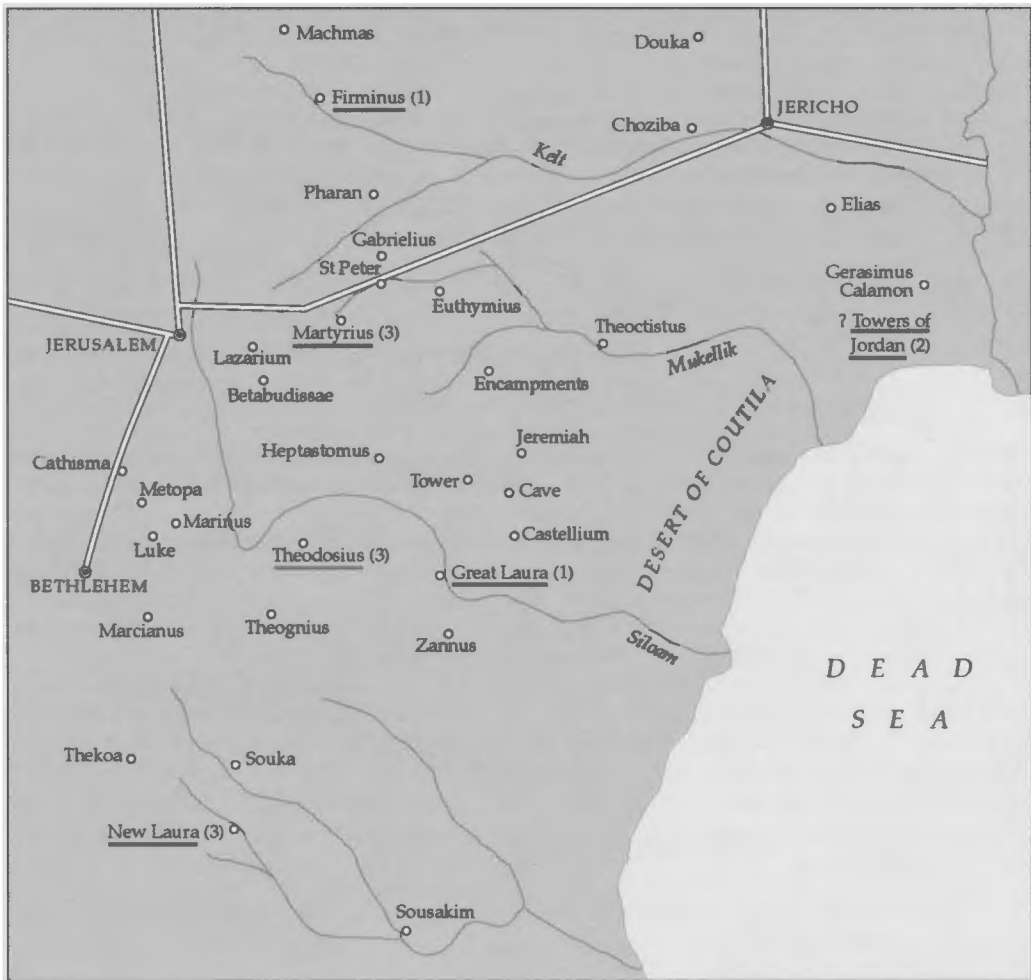


FIG. 1. Monasteries of the Judaean Desert with the number of representatives present in Constantinople in 536.
Drawn by Paul Simmons

remains striking that thirteen monks from this desert region, of varying ranks, were present in Constantinople in 536. The first five of these subscriptions will be sufficient to give an impression:

- 67 Δομετιανὸς ἐλέει θεοῦ πρεσβύτερος καὶ ἀρχιμανδρίτης μονῆς Μαρτυρίου καὶ ὑπὲρ πάντων τῶν ἐν τῇ ἐρήμῳ τῆς ἁγίας πόλεως μοναχῶν ὑπέγραψα
- 68 Ἡσύχιος ἐλέει θεοῦ πρεσβύτερος μονῆς τοῦ μακαρίου Θεοδοσίου καὶ ὑπὲρ ἐν τῇ ἐρήμῳ τῆς ἁγίας πόλεως μοναχῶν ἀξιώσας ὑπέγραψα
- 69 Κασιανὸς ἐλέει θεοῦ πρεσβύτερος λαύρας τοῦ μακαρίου Σάββα καὶ ὑπὲρ τῶν ἐν τῇ ἐρήμῳ τῆς ἁγίας πόλεως μοναχῶν ἀξιώσας ὑπέγραψα
- 70 Κυριακὸς ἐλέει θεοῦ πρεσβύτερος καὶ ἡγούμενος τῶν πυργίων τοῦ Ἰορδάνου καὶ ὑπὲρ τῶν ἐν τῇ ἐρήμῳ τῆς ἁγίας πόλεως μοναχῶν ἀξιώσας ὑπέγραψα
- 71 Νέσταβος ἐλέει θεοῦ πρεσβύτερος λαύρας τοῦ τῆς ὁσίας μνήμης Φιρμίνου καὶ ὑπὲρ τῶν ἐν τῇ ἐρήμῳ τῆς ἁγίας πόλεως μοναχῶν ἀξιώσας ὑπέγραψα

- 67 I, Dometianus, by the grace of God presbyter and archimandrite of the monastery of Martyrius, also on behalf of the monks in the desert of the holy city, have subscribed.
- 68 I, Hesychius, by the grace of God presbyter of the monastery of the blessed Theodosius, also on behalf of the monks in the desert of the holy city, having assented, have subscribed.
- 69 I, Casianus, by the grace of God presbyter of the Laura of the blessed Sabas, also on behalf of the monks in the desert of the holy city, having assented, have subscribed.
- 70 I, Cyriacus, by the grace of God presbyter and hegoumenos of the towers of the Jordan, also on behalf of the monks in the desert of the holy city, have subscribed.
- 71 I, Nestabus, by the grace of God presbyter of the Laura of Firminus of sacred memory, also on behalf of the monks in the desert of the holy city, having assented, have subscribed.

Closely comparable lists of the representatives of the desert monasteries appear at other points, but need not be explored now. What does need to be stressed is that the Judean Desert monasteries, which drew pious persons from all over the Greek East (as for instance the two main figures in Cyril's *Lives*, Euthymius, from Melitene in Armenia II, and Sabas from near Caesarea in Cappadocia), were firmly Greek-speaking, and Chalcedonian, though Cyril (*Sabas* 83) later accuses both Dometianus (67) and Theodorus (76) of lapsing into Origenism. Whatever the wild and dramatic landscape might suggest, the Desert was neither remote nor provincial. None of these monks subscribes in Syriac.

As a Christian language of culture, Syriac had its origin across the Euphrates in Osrhoene, and then spread westwards, first to the Late Roman provinces of Syria I, with its metropolis at Antioch, and of Syria II, with its metropolis at Apamea; and it is from the latter area that, in the same list of subscriptions (68, p. 146), five entries in Syriac are recorded (but all in Greek):

- 86 Σευηριανὸς πρεσβύτερος καὶ ἀρχιμανδρίτης μονῆς Ζωόρα τῶν θερμῶν Συριστὶ ὑπέγραψα
- 87 Κασσίσας πρεσβύτερος καὶ ἀρχιμανδρίτης τῆς εὐαγοῦς μονῆς τῶν Λουκᾶ Συριστὶ ὑπέγραψα
- 88 Ἰωάννης πρεσβύτερος καὶ ἀρχιμανδρίτης τῆς εὐαγοῦς μονῆς τοῦ κύρου Θωμᾶ Συριστὶ ὑπέγραψα
- 93 Ἰωάννης πρεσβύτερος καὶ ἀρχιμανδρίτης μονῆς Θωμᾶ Συριστὶ ὑπέγραψα
- 94 Θωμᾶ πρεσβύτερος καὶ ἀρχιμανδρίτης μονῆς Ἀαρὼν Συριστὶ ὑπέγραψα
- 86 I, Severianus, presbyter and archimandrite of the monastery of Zooras of the baths, have subscribed in Syriac.
- 87 I, Cassisas, presbyter and archimandrite of the holy monastery of the followers of Loukas, have subscribed in Syriac.
- 88 I, Ioannes, presbyter and archimandrite of the holy monastery of the lord Thomas, have subscribed in Syriac.
- 93 I, Ioannes, presbyter and archimandrite of the holy monastery of Thomas, have subscribed in Syriac.
- 94 I, Thomas, presbyter and archimandrite of the monastery of Aaron, have subscribed in Syriac.

A still more comprehensive image of the Church as it was in the secular diocese of Oriens/Ἀνατολή, and of its remarkable level of representation in Constantinople, is

provided by the petition (letter?) of the bishops and other clergy from this region to Agapetus (69), in itself a magnificent example of polemical ecclesiastical and doctrinal prose. Eleven bishops and then thirty-two clerics of various ranks from the following places, all currently *endemountes* in Constantinople, subscribed in the following order, two of them in Syriac:

Bishops: 1. Berytus; 2. Beroea; 3. Gabala (in Syriac); 4. Mariamme; 5. Porphyreon; 6. Corycus; 7. Circesium (in Syriac); 8. Barkousa/Iustinianopolis; 9. Iotaba [an island in the Gulf of Aqaba]; 10. Maximianopolis; 11. Zoora
 Clerics: 12–13. Theopolis (Antioch); 14. Tyre; 15. Tarsus; 16. ‘the city of the Iustinianitai’ (?); 17. Hierapolis; 18. Bostra; 19. Seleucia in Isauria; 20. Amida; 21. Emesa; 22. Hagiopolis [Cyrrhus]; 23. Ptolemais; 24. Antaradus; 25. Arethusa; 26. Palmyra; 27–8. Heliopolis; 29. Constantia in Cyprus; 30. Seleucia in Syria; 31. Berytus; 32. Mariamme; 33. Monastery at Gindarus; 34. Church of the Anastasis (Jerusalem); 35–6. Caesarea; 37. Eleutheropolis; 38. Gaza; 39. Neapolis; 40–1. Petra; 42. Areopolis; 43. Tarsus

The geographical order appears to be more or less random, and a few places appear twice in the list, reflecting the presence in the capital of more than one cleric from there. Presumably put together in Constantinople in the period between Agapetus’ arrival (probably) in February and his death on 22 April, this letter, speaking not only of Anthimus but of Severus, Peter of Apamea and Zooras, must represent one of the key moves which led to the deposition or resignation of Anthimus, followed by the election of Menas, and to Justinian’s order to him to call a *synodos endemousa*. It is very noteworthy that while, as indicated above, the Acts of the Constantinopolitan Synod of 536 primarily involve Syria I and II and the Three Palestines, in this instance the geographical coverage embraces, erratically, the whole diocese of Oriens, including Isauria (Seleucia), Cilicia (Tarsus), Euphratesia (Hierapolis), Mesopotamia (Amida), Osrhoene (Circesium), Arabia (Bostra) and Palaestina Tertia (Petra), as well as cities in the two Syrias and the two Phoenicias. It is no surprise that the bishop of the remote city or fortress of Circesium subscribes in Syriac, but it is more striking that the bishop of Gabala on the Mediterranean coast should also do so.

It must have been somewhat later than this, and (as is quite clear) quite independently, that the bishops of Syria II addressed a petition (λίβελλος) to Justinian against Anthimus, Severus and Peter (11). Agapetus, ‘of sacred memory’ (τῆς ὁσίας μνήμης), is dead, but they are apparently not yet aware of the election of Menas. This petition is not the work of representatives present in Constantinople, but comes from a tight geographical group in the province (with almost no overlap with the long list of places listed in 69): Apamea (the metropolis), Arethusa, Balanea, Larissa, Rephania, Seleucobelos and Epiphania, in fact all the bishoprics of this small province except Mariamme (whose bishop was currently in Constantinople — see above).

Although the names of Severus, Peter and Zooras had been mentioned along with that of Anthimus from the beginning, Sessions I–III of Constantinople, on 2, 6 and 10 May, concentrated on the vain search for Anthimus, who failed to respond, and Session IV of 21 May formally condemned him alone, but concluded with *epiboeseis* against the others. It was explicitly after this condemnation that a *libellos* was addressed to the new Patriarch, Menas, and the *synodos endemousa* from a group of monks belonging to monasteries in Constantinople itself, along with others from Palestine and Syria II who were present in the capital (14). This long *libellos*, covering seven pages (38–44) in ACO, concludes with 139 subscriptions. Expressing satisfaction at the condemnation of Anthimus, they set out to expose both the heretical beliefs and the improper conduct of the others. To reinforce their case, they go back to what are evidently episodes from the tenure of their bishoprics in Antioch and Apamea by Severus and Peter, before their expulsion in 518. It is perhaps worth quoting one passage of expostulatory narrative which relates a level of internal Christian violence of a type not common even in the conflict-ridden history of the Greek Church, as well as introducing an element not normally stressed in histories of Late

Antique Judaism, the role of a gang of Jewish bandits, hired to attack Christian pilgrims who belonged to the Chalcedonian side (14, pp. 39–40):

We pass over the prisons and the fetters and the bandit-like attacks, day and night against the holy monasteries, the ravaging of their contents and the violent slaughter of the ascetics. We pass over the ambushes laid against the holy men along the roads, and the shedding of their innocent blood when, moved by holy zeal, they undertook the journey to the monastery of the holy Symeon, by reason of the common conspiracy raised by these people against the Church. For, collecting a mob of lawless Jewish bandits, they let them loose against those venerable men, while their sub-human attendants ambushed the said holy men along the road, and as they appeared rose up from their ambush and suddenly attacked them, with no regard for grey hair, making them the victims of knives to a number of some 350, and scattered their entrails over the highway, neither committing their venerable remains to burial nor sparing their monastic dwellings, (that is) those who, in order to dishonour the faithful people, then too supplied the abominable work of the Jews. It is not surprising if they offered such human sacrifices to the demons whom they worshipped, and especially Severus who even today has not shaken off his pagan superstition.

This episode, whose veracity obviously cannot be checked, is represented as having taken place on the road to the famous monastery and church of Symeon Stylites between Antioch and Beroea. Severus had in fact been a convert from paganism. The petitioners refer to the evidence of documents from the time of Pope Hormisdas, and in fact the episode related is partly borrowed from a letter to Hormisdas from the monks of Syria Secunda dating to late in Anastasius' reign;³³ and it is this link in the chain of evidence which leads to the inclusion of a whole dossier of documents from 518/19 (17–36, pp. 52–110).

In the event the participants at Synod V on 4 June gave their collective vote (ψηφος) against Severus and Peter (38), and then the Patriarch Menas did so in his own person (39). A long *diataxis* of the Emperor, written in Greek and addressed to Menas, followed on 6 August, preserved both in these Acts (41) and independently as Justinian's *Novella* 42; it ends with the Emperor's own autograph subscription: Ἡ θεία ὑπογραφή: 'Divinitas te servet per multos annos, sancte ac religiosissime pater'.

Either before or after receiving this constitution, Menas wrote to Peter of Jerusalem (48), urging him to arrange a formal condemnation of Severus, Peter of Apamea, Zooras and Anthimus. This letter is quoted in the proceedings of the Synod of 19 September 536, in Jerusalem, incorporating also (as noted above) those of Synods I–IV in Constantinople, and no doubt originally those of Synod V as well. As a formal record, it is careful to indicate the official name of Jerusalem, since its refoundation by Hadrian as the *Colonia Aelia Capitolina*, and also consciously reflects the fact that since Chalcedon Jerusalem had been an independent archbishopric and patriarchate, with jurisdiction over the 'Three Palestines' — the three separate provinces, with their *metropoleis* at Caesarea, Scythopolis and Petra, which had existed since the early fifth century (42, p. 123).³⁴

Μετὰ τὴν ὑπατείαν Φλ. Βελισσαρίου τοῦ ἐνδοξοτάτου πρὸ δεκατριῶν Καλανδῶν Ὀκτωβρίων, πεντεκαίδεκάτης ἰνδικτιῶνος, ἐν κολωνεῖα Αἰλία μητροπόλει τῆ καὶ Ἱεροσολύμοις
προκαθημένου τοῦ ἀγιωτάτου καὶ μακαριωτάτου ἀρχιεπισκόπου καὶ πατριάρχου Πέτρου ἐν τῷ σηκρήτῳ τοῦ εὐαγοῦς ἐπισκοπείου τῆς αὐτοῦ μακαριότητος, συνεδρευόντων δὲ τῆ αὐτοῦ ἀρχιερασύνη καὶ τῶν ὀσιωτάτων ἐπισκόπων τῆς κατὰ Παλαιστίνης τρεῖς ὑπὸ τοὺς ἀγίους τελοῦσης τόπους εὐαγεστάτης συνόδου

³³ *Collectio Avellana* (CSEL XXXV), no. 130 = A. Thiel, *Epistolae Romanorum Pontificum Genuinae* I (1867), Hormisdas no. 39, para. 2 (without the detail about Jewish bandits).

³⁴ In the second paragraph Schwartz prints τῆς αὐτῶν μακαριότητος, and in the next line. But some mss have αὐτοῦ, which seems clearly preferable.

In the year after the consulship of the most glorious Fl. Belisarius, on the thirteenth day before the Kalends of October, in the fifteenth indiction, in the Colonia Aelia Metropolis, also called Jerusalem.

There taking his seat the most holy and most blessed Archbishop and Patriarch, Peter, in the secretum of the pure *episkopeion* of his blessedness, and there taking their seats with his High priesthood also the holy bishops of the most pure synod of the Three Palestines, which comes under the jurisdiction of the Holy Places.

With this Synod, we finally arrive at proceedings being conducted within the Near Eastern Church. As with all other regional groupings of the Church within the secular diocese of Oriens, its public proceedings were conducted in Greek. They begin with a speech from a deacon and *notarius* of the Patriarchate, noting reception of the letters from the Emperor and from Menas, both of them brought back by ‘the most pious monks of the most holy desert in our land’. The subsequent proceedings were brief and formal, and the final verdict (132) confirms the judgements reached in Constantinople on Anthimus, but curiously does not name any of the other accused. No list of participants is given at the beginning, and the 47 subscriptions which follow at the end (133) all follow one or other of two very brief formulae: either Ἡλίας ἐλέει θεοῦ ἐπίσκοπος Καισαρείας ὀρίσας ὑπεσημνήμην (133²) — ‘I Elias, by the grace of God bishop of Caesarea, having determined, have subscribed’ — or the same omitting ἐλέει θεοῦ. All the bishops write in Greek, and the roll-call of places listed (Fig. 2) — in no visible geographical sequence, and with no heed to the division of Palestine into three provinces — provides an instant survey of the bishoprics of Palestine, including many small and remote places, as they were at a moment which falls only just over a century before the Islamic conquest. The places listed are, in the order given.³⁵

1. Aelia (Jerusalem). 2. Caesarea. 3. Scythopolis. 4. Tiberias. 5. Sariphaia. 6. Gabae. 7. Raphia. 8. Joppe. 9. Augustopolis. 10. Abila. 11. Azotus. 12. Sozousa. 13. Arda [Orda?]. 14. Eletheropolis. 15. Jericho. 16. Areopolis. 17. Diara [probably Dora]. 18. Charachmouba. 19. (the city) of the Menutai [Menois]. 20. Pella. 21. Bitulion. 22. Iotabe. 23. Elousa. 24. Gaza. 25. Petra. 26. Nicopolis. 27. Gadara. 28. Helenopolis. 29. Diocaesarea. 30. (the city) of the Bakanoi (probably Bacatha). 31. Ascalon. 32. Phaino. 33. Arindela. 34. Sycomazon. 35. Neapolis. 36. Parembolai. 37. (the city) of the Libisioi(?) [Livias?]. 38. Maximianupolis. 39. Sebaste. 40. Jamnia. 41. Exalos [Exaloth]. 42. Gazara. 43. Aila. 44. Hippos. 45. Capitolias. 46. Amathous. 47. Anthedon.

Unlike most of the lists presented above, this roll-call of Palestinian bishoprics seems to be almost complete. Only for Diospolis, the two Maiumas of Ascalon and Gaza, and for Zoara at the south end of the Dead Sea, is there significant evidence of bishops in office in the sixth century, but with none appearing in this list.³⁶

The Three Palestines together now encompassed a large area, including Gaza, Elousa, Aila, Iotabe, Petra, Augustopolis, Charachmouba and Phaino in the south and south-east,

³⁵ For the historical and geographical background see L. Perrone, *La chiesa di Palestina e le controversie cristologiche* (1980), with useful, but incomplete, maps. Nearly all of the smaller places listed can be identified with the aid of Y. Tsafirir, L. Di Segni and J. Green (eds), *Tabula Imperii Romani, Iudaea-Palestina: Eretz Israel in the Hellenistic, Roman and Byzantine Periods. Maps and Gazetteer* (1994): for instance 5. ‘Sariphaia’ = Saraphia, south of Ascalon; 19. ‘(the city) of the Menutai’ probably = Menois/Maon; 10. ‘Abila’ must be Abila of the Decapolis; 17. ‘Diara’ should be Dora; 13. ‘Arda’ should be Orda in the northern Negev; 30. ‘(the city) of the Bakanoi’ should be Bacatha in the Peraea; 37. ‘(the city) of the Livisioi’ should be Livias. 9. Augustopolis now appears in the sixth-century papyri from Petra as a nearby place, and is very probably Udruh. See J. Frösén, A. Arjava and M. Lehtinen, *The Petra Papyri I* (2002), nos 3 (C.E. 538); 7–10 (560s–70s). ‘Gadara’ appears twice (27; 42). One of these will be Gazara (Gezer) near Nicopolis.

³⁶ See for comparison the lists of sees and their bishops for the Three Palestines in G. Fedalto, *Hierarchia Ecclesiastica Orientalis II* (1988), 999–1046.



FIG. 2. The Patriarchate of Jerusalem (Aelia).
 Drawn by Paul Simmons

and Pella, Gadara, Capitolias, Abilas and Hippo across the Jordan and the Sea of Galilee in the north-east. Two cities in Galilee, Tiberias and Diocaesarea (Sepphoris), which surely still had substantial Jewish populations, none the less by now also had Greek-speaking bishops. If we were to judge by Cyril of Scythopolis' *Lives*, indeed, in which no Jews or groups of Jews in Palestine are ever mentioned, the Christian and Jewish populations of Palestine coexisted without contact or conflict. The Samaritans, who, as we saw

above, raised a major rebellion in 529, were a different matter. In Cyril's narratives Saracen nomads are also a constant problem, whether on a large or small scale. But the place called 'Parembolai' ('camps') where one group of Saracens had been settled in the 420s, had from that time had a Greek-speaking bishop like anywhere else, and will presumably have been a small town or settlement like others. With the Persian invasion of Syria in 540, and with the plague of the 540s onwards, we might well see the 530s as the high-point of Greek urbanism in Palestine, as elsewhere in the Near East.³⁷

VII CONCLUSION

The reader who comes to the sixth century, like the author, from the Classical world might well be most struck, first, by the remarkable range of literary and semi-documentary evidence which is available; and, second, by the fact that not a single one of the major sources touched on here, starting with the legal and theological pronouncements of Justinian himself (except as found in the various *Corpora*, see pp. 66–8 above), or the 'Collectio Sabbaitica' or the *Breviarium* of Liberatus, is the subject of a modern edition with introduction, facing translation and historical commentary of the sort which is familiar in the case of major texts from earlier periods. The Acts of the Council of Chalcedon have recently been magnificently translated and commented on by Price and Gaddis.³⁸ But to the author's knowledge, the proceedings in Constantinople and Jerusalem in 536 have not been translated into any modern language, or still less been the subject of detailed comment.

So the approach taken here has aimed first to put these documents in the context of the unparalleled military, legal and doctrinal ambitions of Justinian's first decade. Then to bring out the paradox that it was the weakness of the Ostrogothic kingdom, and the need to use Pope Agapetus as an intermediary in Constantinople, which allowed the Pope to exercise so effectively his influence on behalf of the Chalcedonian elements in the Greek Church. But it is also important to stress that here, as in so many other contexts, the initiative for action came 'from below', from the monks of Constantinople and the bishops and monks of the provinces of the Greek East, in the form of petitions to Emperor, Patriarch and Pope (11; 12; 59, to Justinian; 14, to Menas; 68; 69, to Agapetus).

The sheer scale of the influence brought to bear in Constantinople by bishops and monks temporarily 'residing' (*endemountes*) in the capital was an important factor, and it is precisely this, as embodied in the extremely detailed and formal recording both of documents, with their 'subscribers', and of proceedings, which allows these records, along with those emanating directly from the provinces, to function as a vivid, but partial, image, or reflection, of the Church in the Near East — the area where the dispute between the supporters of Chalcedon and the 'monophysite' anti-Chalcedonians was most evenly balanced. It should be emphasized that this is indeed a partial view. The wider world of monophysite churches and monasteries hardly appears in it, and the reader of this documentary record would have no reason to guess that almost immediately after the events of 536, which seemed to represent a crushing Chalcedonian victory, the ordination of an independent network of monophysite bishops would begin, leading eventually to the formation of a separate monophysite church, the still-existing Syrian Orthodox Church. In his search for doctrinal unity, as in the attempt to bring Italy securely within his empire, Justinian's efforts would meet with failure.

³⁷ Note especially the case of Scythopolis, see Y. Tsafir and G. Foerster, 'Urbanism at Scythopolis-Bet Shean in the fourth to seventh centuries', *DOP* 51 (1997), 147.

³⁸ R. Price and M. Gaddis, *The Acts of the Council of Chalcedon I–III* (*TTH* 45, 2005). I am very grateful to Richard Price, to Patrick Gray and to the Editorial Committee for comments and corrections which have greatly improved the paper. The survival in the text of a number of incautious generalizations can be attributed to the obstinacy of the author.

Though the division in the Near East between Chalcedonians and anti-Chalcedonians was doctrinal, and was categorically not a systematic conflict between centre and periphery, or between 'Greek' and 'Syrian' elements, it is likely that this dossier gives a more tenuous impression of the currency of Syriac within Near Eastern Christianity than was really the case, or than a comparable record from the monophysite side might have done. But that is an extremely complex story, involving questions of time and place, of individual or collective bilingualism, of cultural and literary choices as to means of self-expression and self-representation, in short of a wider social and cultural history, which has not yet been fully explored.

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