

Joost Schers

**CATHOLICS, HERETICS AND SCHISMATICS: EPISCOPAL
AUTHORITY IN THE OSTROGOTHIC KINGDOM, AD 493 – 535**

MA Thesis in Medieval Studies

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by

Joost Schers

(The Netherlands)

Thesis submitted to the Department of Medieval Studies,
Central European University, Budapest, in partial fulfillment of the requirements
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Accepted in conformance with the standards of the CEU.

Chair, Examination Committee

Thesis Supervisor

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Budapest

I, the undersigned, **Joost Schers**, candidate for the MA degree in Medieval Studies, declare herewith that the present thesis is exclusively my own work, based on my research and only such external information as properly credited in notes and bibliography. I declare that no unidentified and illegitimate use was made of the work of others, and no part of the thesis infringes on any person's or institution's copyright. I also declare that no part of the thesis has been submitted in this form to any other institution of higher education for an academic degree.

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Abstract

This master thesis answers the question what episcopal authority entailed in the Ostrogothic period in Italy. Previous scholars of late antique ecclesiastical history have mainly focused their work especially on the fourth and fifth centuries, while research on the Ostrogothic Kingdom was primarily set on secular and political matters. This thesis argues that the authority of Catholic bishops was to a large extent retained when the Arian King Theoderic came to rule the central part of the former Western Roman Empire. This argument is based on an in-depth analysis of the *Variae* of Cassiodorus, the papal-imperial letter collection known as the *Collectio Avellana*, and the *Vita Sancti Epiphanii* by Ennodius of Pavia respectively. The main conclusion is that each source describes different ways in which the bishops stressed and/or were acknowledged to have an authoritative position by the Ostrogothic king and the Eastern Roman emperor. The particular aims of each author or compiler explain why these dissimilarities are present.

Cassiodorus wanted to demonstrate to his audience that the Ostrogothic rule was a continuation of the Roman one. His letters therefore show Gothic respect for the legal authority of the Catholic clergy as judges and property owners. In contrast, the letter correspondences in the CA display the authority of the pope as the supreme and immaculate bishop in the church hierarchy based on the Petrine doctrine. They attest to the impressive scale of papal self-assertion in this matter. However, the realities behind the letters, especially the continuing Acacian schism, shows how weak the position of the pope was in the East without imperial support. Lastly, Ennodius of Pavia wanted to portray an image of Bishop Epiphanius as a holy man, who above all was a successful mediator in diplomatic relationships, and as a local urban leader relying on his superior spiritual and pragmatic authority. The most important element in all three sources is the awareness, and often the appreciation, of the traditional mediating role of the bishop in Roman society.

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Introduction

The status, representation and civic functions of the Nicene Catholic bishops in the Arian Ostrogothic Kingdom is an issue that has never been substantially tackled in scholarship on the Ostrogoths. This research aims to change this situation of undue attention by focusing on the authoritative position of Catholic bishops in the Ostrogothic period in Italy, which can be found in a variety of rather idiosyncratic sources. This perspective on episcopal authority allows for the further development of our understanding of the role and influence of the Nicene Church on (post-) Roman society under Gothic rule.

Bishops gained a substantial position of authority within their own diocese in religious, social and secular civic matters during the fourth and the fifth centuries. However, in what way and to what extent their position altered with the rise of a new, Germanic and Arian king is still an unexplored area within the current state of research about this period.¹ The main research question that will be answered is: what did episcopal authority entail in the Ostrogothic Kingdom as can be derived from bishops' interaction with the Gothic and imperial power structures in the cultural and political context of the late fifth and early sixth century. I will demonstrate that the way Nicene bishops had to negotiate their own authoritative status within the new Ostrogothic framework of power developed along lines that were laid out during the age of Emperor Constantine the Great (r. AD 306 – 337) and his successors.

My research examines the period between 493 and 535, because the latter marks the ending of Ostrogothic hegemony over the Italian peninsula.² Within the political context of this kingdom, my thesis will deal with the problem that current scholarship has neglected to

¹ The last substantial studies about this matter are: Erich Caspar, *Geschichte des Papsttums: Römische Kirche und Imperium Romanum* 1 (Tübingen: Mohr, 1930); *ibid.*, *Geschichte des Papsttums: Das Papsttum unter Byzantinischer Herrschaft* 2 (Tübingen: Mohr, 1933).

² Several other dates can be named as the official end of Ostrogothic rule, such as AD 540 with the fall of the capital Ravenna or 554 with the defeat of the last Gothic armies in Italy.

continue the work on clarifying the role that the Catholic Nicene church as organisation played during the era of Arian Ostrogothic rule.

The term “Arianism” itself is problematic.³ As Lewis Ayres argues, there is no retraceable group whose goal it was to preserve the Christological ideas of Arius about the relationship between the human and divine natures of Christ or about his subordinate status in relation to the Father. In addition, the debates between the Alexandrian deacon and his hierarchical superior, Bishop Alexander, were not only theological by nature. They were to an extent part of the intra-ecclesiastical political struggle in the fourth century in which the status of the bishop as *primus inter pares* (first among equals) was evolving into a growing monarchical power position within the diocese – a development which clergymen such as Arius opposed.⁴ Furthermore, the long-lasting influence of Nicene writers such as Athanasius of Alexandria should not be underestimated. In their polemics against heresies they used the term “Arian” as a term to be used against many of their theological opponents, even though the latter did not identify themselves as Arian.⁵ In the long term, being Arian became to mean not being part of the imperial supported “orthodox” Church and its teachings. It even became a term in Roman legislation.⁶

This change of meaning has to be taken into account when dealing with the ecclesiology of the Ostrogothic Arian church. As John Moorhead notes, it is difficult to understand what Arianism meant for the Ostrogoths. He rightly states that its essential feature was being not-Roman and it was part of the cultural identity of the Goths, because the Arian church used the Ostrogothic vernacular language for the liturgy and the Scriptures. Ostrogothic elites built

³ For the most recent discussion on the scholarly usage of the term “Arian” and its possible replacement “Homoian”, see the various entries in Guido Brendt and Roland Steinacher, ed., *Arianism: Roman Heresy and Barbarian Creed* (Farnham: Ashgate, 2014).

⁴ Lewis Ayres, *Nicaea and its Legacy: An Approach to Fourth-Century Trinitarian Theology* (New York: Oxford University Press, 2004), 13-16; Ramsay MacMullen, “The Search for Orthodoxy A.D. 325 – 553,” *Viator* 38, no. 1 (2007): 3.

⁵ Ayres, *Nicaea and its Legacy*, 106-10.

⁶ Caroline Humfress, *Orthodoxy and the Courts in Late Antiquity* (Oxford: Oxford University Press, 2007), 226.

Arian churches for their own communities and showed religious tolerance for Catholicism, because Arianism did not have universalistic aspirations.⁷ Though Arian ecclesiology remains an under-researched field of study, within the scope of this thesis the Arian church is viewed as an intrinsic part of Ostrogothic self-identity, by which the Goths as a people could distinguish themselves from the Romans.⁸ This is most likely the main political reason for Theoderic's choice of religious affiliation in his role as king of the Ostrogoths and it explains his own – rather neutral – attitude towards Catholic bishops. They could maintain their position of authority in society, despite the religious differences with the new king.

Italian bishops had regular contact with the Ostrogothic rulers and with the Eastern-Roman Emperor in Constantinople. They discussed civic and religious responsibilities, such as the bishop's role as judge and their role as upholder of correct Christian doctrine as it is shown by their epistolary communication. On some occasions, bishops became part of the political arena in a role as legate for the Ostrogothic king. In all these situations, the scarcely available literary sources indicate that bishops were being attributed with distinctive forms of episcopal authority that explain the influence they had on other people in specific circumstances. I will demonstrate how Italian, Catholic bishops were able to exercise and assert authority within the confines of the contemporary political circumstances and to what extent limitations of that authority were imposed on them. Each chapter of my thesis will therefore focus on one single written primary source to facilitate an in-depth analysis in order to optimally retrieve the information they intentionally or unintentionally display about how episcopal authority was able to function in the Ostrogothic Kingdom.

⁷ John Moorhead, *Theoderic in Italy* (Oxford: Clarendon Press, 1992), 94-95; for example, the St. Apollinare Nuovo in Ravenna was built by the Ostrogoths as an Arian church. The Byzantines "purged" the church of any memory of Gothic rule, see: Arthur Urbano, "Donation, Dedication, and Damnatio Memoriae: The Catholic Reconciliation of Ravenna and the Church of Sant' Ápollinare Nuovo," *Journal of Early Christian Studies* 13, no. 1 (2005): 71-110.

⁸ Arian bishops in the West were not under any influence of the imperial Roman administration and only had liturgical duties for their own Germanic people, in contrast to the Nicene bishops, Arian *episcopi* were "bishops without portfolio"; see: Ralph Mathisen, "Barbarian Bishops and the Churches "in Barbaricis Gentibus" During Late Antiquity," *Speculum* 72, no. 3 (1997): 692.

Chapter One examines the *Variae*, a large letter corpus of one of Theoderic's most prominent state officials, Flavius Magnus Aurelius Cassiodorus (ca. AD 485 – ca. 585). This collection offers a glimpse into the status of the bishop as judge within the governmental institution of the Ostrogothic Kingdom.⁹ Cassiodorus's *Variae* present an image of institutionalised episcopal authority within a highly edited description of formal church-state relations from the perspective of the Ostrogothic administration.

Chapter Two analyses the sixth-century papal-imperial letter collection known as the *Collectio Avellana* (CA). The CA has only been transmitted by an eleventh-century copy and it contains more than two hundred letters written between AD 367 and 553, but the compilation in itself only received scholarly attention in recent years.¹⁰ This source will provide a purely (pro-) Roman perspective on church politics.¹¹ These epistles offer meaningful insights into the authoritative position of especially one “exceptional” bishop, that of the City of Rome. This letter collection is therefore unrepresentative when solely used for a general view on the topic of episcopal authority in the Ostrogothic Kingdom, because, starting with Leo I the Great (r. AD 440 – 461), the bishop of Rome made claims of primacy within the Nicene Church on the basis of the Petrine doctrine.¹² For this reason, I will refer to Leo and his successors as ‘Pope’ and not exclusively as Bishop of Rome.¹³

⁹ Cassiodorus, *Variae*, trans. Thomas Hodgkin (London: Henry Frowde, 1886); Cassiodorus, *Variae*, trans. Sam Barnish (Liverpool: Liverpool University Press, 1992); the Latin critical edition: Theodor Mommsen, *Cassiodori Senatoris Variae*, Monumenta Germaniae Historica, Auctorum Antiquissimorum Tomus 12 (Berlin: Weidmann, 1894).

¹⁰ Two conferences about the *Collectio Avellana* were recently organised by Alexander Evers of the John Felice Rome Center of the Loyola University Chicago: “Emperors, Bishops, Senators: The Significance of the Collectio Avellana, 367-553 AD” (April 2011) and “Constantinople and Rome, East and West: Empire and Church in the Collectio Avellana, 367-553 AD” (April 2013).

¹¹ Otto Günther, *Epistolae Imperatorum Pontificum Aliorum Inde ab a. CCCLXVII usque DLIII datae Avellana Quae Dicitur Collectio*, in *Corpus Scriptorum Ecclesiasticorum Latinorum* 35 (Vienna: F. Tempsky, 1895), unpublished Dutch translation by Peter van Gorp; see also: Kate Blair-Dixon, “Memory and Authority in Sixth-Century Rome: The *Liber Pontificalis* and the *Collectio Avellana*,” in *Religion, Dynasty and Patronage in Early Christian Rome, 300-900*, ed. Kate Cooper et al. (Cambridge: Cambridge University Press, 2007), 59-76.

¹² George Demacopoulos, *The Invention of Peter: Apostolic Discourse and Papal Authority in Late Antiquity* (Philadelphia: University of Pennsylvania Press, 2013), 42-43.

¹³ The term *papa* is also a contemporary title for the Bishop of Rome.

Chapter Three balances the view by means of a shift towards a bishop from a modest city to present in addition to primary sources about Rome and her bishop. Unfortunately, due to the lack of literary source material, the only substantial piece of writing about a local, non-metropolitan bishop in Ostrogothic Italy is a hagiographical *Life of St. Epiphanius* of Pavia (AD 438 – 496), which is written by his pupil Ennodius around the years AD 501 – 504.¹⁴ In contrast to especially the *Variae* and the *Collectio Avellana*, this hagiography signals forms of episcopal authority based on the bishop's (idealised) personal characteristics.

¹⁴ Genevieve Marie Cook, *The life of Saint Epiphanius by Ennodius: A Translation with an Introduction and Commentary* (Washington, D.C.: Catholic University of America Press, 1942), 6.

Defining Episcopal Authority

Any study on the role of the bishop as a prominent leader is confronted with a methodological issue of explaining what it meant to be one and how the *episcopus* was ‘influential’ within society. In this thesis specific terminology will be used to precisely grasp what the multi-faceted status of the bishop was within (post-) Roman society. The terms that I mostly will use were developed by Claudia Rapp, who introduced a new explanatory model to improve our understanding of the authoritative position of the late antique bishop. Based on research on mostly Eastern Roman sources, she distilled three interconnected forms of episcopal authority:¹⁵

1) Spiritual authority: the carrier of this form of authority had received the Spirit from God, which meant that his actions were divinely inspired.

2) Ascetic authority: could be gained by anyone who lived a sober life and displayed virtuous conduct through self-discipline. Spiritual and ascetic authority can influence each other, because asceticism can prepare the body to receive the Spirit from God and the received Spirit from God could help a person to overcome the difficulties of leading an ascetic life.

3) Pragmatic authority: the one who acted for the benefit of others and who was enabled to do so by his social status and wealth. This form of authority is therefore not available to every individual.

I agree with Rapp that ascetic authority provides a more precise explanation for such episcopal authority in its late antique context than Max Weber’s broader term ‘charismatic authority’ does.¹⁶ Also her critique on the Weberian dichotomy between charismatic (based on the personal relationship between the leader and his followers) and institutionalised authority

¹⁵ The following three definitions of authority are noted in: Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition* (Berkeley: University of California Press, 2005), 16-18.

¹⁶ Ibid.; Weber’s term will be clarified on page 10 of this thesis.

is valid. A bishop could only gain followers (his congregation) when he was already a priest who eventually was to be elevated to the episcopal rank. He functioned *within* the institution of the Church, which interconnects these two forms of authority.

The main problem with Rapp's model is that it foregoes any explanation about episcopal authority within the institutional context in which a bishop had to act. Her three forms of episcopal authority are based on the individual and his own personal conduct. However, a bishop was part of the established ecclesiastical hierarchical structure and responsible for the property and the financial situation of his diocese.¹⁷ Furthermore, since the age of Emperor Constantine, bishops were given formal responsibilities by the Roman state, most importantly the new role of the bishop as a judge that subsequently gave him authority in the judicial sphere.

The incorporation of clergymen in a formalised structure went a step further. At the Council of Chalcedon in AD 451 bishops became part of a formalised church hierarchy in the Roman Empire with the establishment of the five patriarchal sees: Rome, Alexandria, Jerusalem, Antioch and Constantinople. The fact that an institution now gave the bishop an additional way to have authority, authority that was independent of his own person, opens the way to build upon the work of Rapp with the incorporation of the sociological ideas of Max Weber on three other types authority, namely:¹⁸

1) Legal authority: based on rational grounds in which a belief rested on "the legality of enacted rules and the right of those elevated to authority under such rules to issue commands" and requires a formalised organisational structure in which the bearer of this form of authority has a certain rank with set responsibilities and jurisdiction (see Chapter One).

¹⁷ Estate structures mostly remained intact from the fifth until the eighth century, see Peter Sarris, "The Origins of the Manorial Economy: New Insights from Late Antiquity," *English Historical Review* 119 (2004): 311.

¹⁸ The following three definitions of respectively legal, traditional, and charismatic authority are noted in: Max Weber, *Economy and Society: An Outline of Interpretive Sociology* (Berkeley: University of California Press, 1978), 215.

2) Traditional authority: that rested “on an established belief in the sanctity of immemorial traditions and the legitimacy of those exercising authority under them.” In the late fifth century, the authoritative status of the bishop within the community was long established as was his legal authority, which makes authority on traditional grounds a valid term.

3) Charismatic authority: that rested “on devotion to the exceptional sanctity, heroism or exemplary character of an individual person, and of normative patterns or order revealed or ordained by him.” Charismatic authority is for a large part too broad a term to use for this historical research, because ascetic authority is a more specific replacement for the context at hand. However, we should not dismiss that the institutional rank of the bishop in itself – through the ordination and the investiture mass and its holy connotations – gave the bishop “exceptional sanctity”, this is what Weber called the “charisma of office.”¹⁹

In both models by Rapp and Weber, forms of authority are legitimising reasons why a person, in this case the bishop, had the ability to issue specific commands that had “the probability (...) [to be] obeyed by a given group of persons;”²⁰ the motives for their compliance could be based on “simple habituation (...) to the most purely rational calculation of advantage. Hence every genuine form of domination implies a minimum of voluntary compliance, that is, an interest (based on ulterior motives or genuine acceptance) in obedience.”²¹ For Weber there is a certain willingness to be obedient. This can also be identified in Rapp’s model in which she argues that her suggested forms of episcopal authority were dependent “on the recognition by others”²² – the people within the socio-political environment of the bishop. In short, the variety of late antique episcopal authority can therefore be generally defined as specific recognised grounds

¹⁹ Weber, *Economy and Society*, 248.

²⁰ Ibid., 212.

²¹ Ibid.

²² Rapp, *Holy Bishops*, 17.

by which a bishop had the ability to influence actions of others in the entwined social, political and religious spheres.

The dominance of the term episcopal authority in this thesis is not meant to imply that episcopal *power* – “the possibility of *imposing* one’s own will upon the behaviour of other persons”²³ – did not exist at all during late antiquity. For example, the use of violence during interrogations in episcopal law courts do indicate signs of power that could be wielded by bishops.²⁴ Chapter Two will show that the pope above all used legal authority based on the Petrine doctrine in his attempts to influence emperors and bishops via his letter communications. An analysis of contemporary hagiography in Chapter Three, the *Life of St. Epiphanius*, will demonstrate that only Rapp’s model can be used to retrace forms of episcopal authority in this specific literary work.

²³ Weber, *Economy and Society*, 942; emphasis mine.

²⁴ John Lamoreaux, “Episcopal Courts in Late Antiquity,” *Journal of Early Christian Studies* 3, no. 2 (1995): 161-65.

Chapter One: The Variations of Episcopal Authority in the *Variae*

The *Variae* of Cassiodorus are indisputably the single most important written sources about Ostrogothic rule over Italy and the formation of the Ostrogothic Kingdom. In AD 476, the Germanic leader Odoacer deposed Romulus Augustulus, the last Roman emperor in the West, but almost twenty years later he was overthrown by his Ostrogothic rival, who killed Odoacer during a reconciliation dinner in Ravenna. King Theodoric²⁵ the Great (r. AD 493 – 526) was able to create a stable basis for his own political and military power in Italy with his capital in Ravenna.²⁶

His rule has fascinated scholars in the recent decades.²⁷ However, no substantial study exists that sets its primary focus on the role of the Catholic bishops as judicial office holders in the Ostrogothic Kingdom, who carried authority based on the institution of the Church and on their own personality during the rule of the subsequent Gothic kings. In this chapter, I will argue that in the *Variae* the continuity in the legal status and responsibilities of the bishop is clearly visible and that therefore the Roman situation did not substantially change for the *episcopus*, even though the supreme legislative authority on the Italian peninsula changed from the imperial Roman court to its Arian Ostrogothic successor.

²⁵ In some publications the Gothic king's name is spelled as "Theodoric." The name "Theodoric" will be used in this thesis, because it stands closer to its Latin equivalent: *Theodericus*.

²⁶ In his recent monograph, Jonathan Arnold argues that Theodoric was viewed by the Italian population as an emperor (*princeps*) and not as a foreign barbarian king (*rex*), see Jonathan Arnold, *Theodoric and the Roman Imperial Restoration* (Cambridge: Cambridge University Press, 2014), 74, 78.

²⁷ Certain aspects of the late- and post-Roman era have received significant attention, in particular the migration of the Germanic people as a consequence of the expansion of the Huns; the various ways the Roman administration dealt with these settlers; and how Roman and Germanic cultures influenced each other in the social, political and economic spheres before and during the time of the new barbarian kingdoms, see: Thomas Burns, *A History of the Ostrogoths* (Bloomington: Indiana University Press, 1984); Moorhead, *Theodoric*; Peter Heather, "The Huns and the End of the Roman Empire in Western Europe," *English Historical Review* 110 (1995): 4-41; Peter Heather, *The Fall of the Roman Empire: A New History of Rome and the Barbarians* (Oxford: Oxford University Press, 2006); Sam Barnish et al., *The Ostrogoths: From the Migration Period to the Sixth Century; An Ethnographic Perspective* (Woodbridge: The Broydell Press, 2007).

Unfortunately, we know only very little about Arian bishops due to the lack of source material, but they probably stayed directly tied to the Ostrogothic king and to his people²⁸ who were settling in Italy in three specific regions around Ravenna, Pavia and Verona.²⁹ Since the Ostrogothic kings only interfered in lawsuits when their attention was drawn to them by petitioners to their court in Ravenna, it is reasonable to assume that the functioning of Catholic episcopal courts did not substantially change.

The functioning of Roman law and law courts in the fourth and the fifth centuries and the successive secular Ostrogothic law courts are relatively well-known.³⁰ The formulation of Ostrogothic law in the *Edictum Theoderici* (*ET*) emphasises that there was a sharp distinction between Romans and Goths.³¹ According to Sean Lafferty, this document served as “a guidebook” to settle disputes between these two social groups.³² The general themes that are addressed in the *ET* give us insights into the legislative priorities of the Ostrogothic state, namely private law, criminal law and agricultural affairs – all have a clear focus on daily life in the countryside.³³ However, the attention of Theoderic towards his kingdom was broader than these themes. A wide spectrum of Ostrogothic policy is visible. It had strong similarities with the former Roman state, such as the upkeep of civic buildings and institutions, administrative appointments, and taxes.³⁴ In all these matters, no bishops are mentioned,

²⁸ Ralph Mathisen, “Barbarian Bishops,” 692-93.

²⁹ Peter Sarris, *Empires of Faith: The Fall of Rome to the Rise of Islam, 500-700* (Oxford: Oxford University Press, 2011), 108.

³⁰ Harries, *Law and Empire*; Caroline Humfress, “Bishops and Law Courts in Late Antiquity: How (Not) to Make Sense of the Legal Evidence,” *Journal of Early Christian Studies* 19, no. 3 (2011): 375-400; Lamoreaux, “Episcopal Courts in Late Antiquity,” 143-167; Ralph Mathisen, ed., *Law, Society, and Authority in Late Antiquity* (Oxford: Oxford University Press, 2001); Sean Lafferty, “Law and Society in Ostrogothic Italy: Evidence from the *Edictum Theoderici*,” *Journal of Late Antiquity* 3, no. 2 (2010): 337-64; *ibid.*, “Law and Order in the Age of Theoderic the Great (c. 493-526),” *Early Medieval Europe* 20, no. 3 (2012): 260-90; *ibid.*, *Law and Society in the Age of Theoderic the Great: A Study of the Edictum Theoderici* (Cambridge: Cambridge University Press, 2013).

³¹ A Latin edition of the *Edictum Theoderici*: Friedrich Bluhme, ed., *Edictum Theoderici regis*, in *Monumenta Germaniae Historiae: Leges* 5 (Hannover: Hahn, 1889), 145-79.

³² Lafferty, “Law and Society,” 339.

³³ *Ibid.*, 349, 364.

³⁴ Carlos Machado, “Aristocratic Houses and the Making of Late Antique Rome,” in *Two Romes*. ed. Lucy Grig et. al. (Oxford: Oxford University Press, 2012), 151; also mentioned in Yuri Marano, “*Domus in Qua Manebet Episcopus*: Episcopal Residences in Northern Italy during Late Antiquity (4th to 6th c. A.D.),” in *Housing in Late*

making it clear that Theoderic and his successors did not search for organisational, administrative support of the Catholic clergy on a structural basis.³⁵ This Gothic policy limited the influence bishops on secular responsibilities. The bishop's role as a judge seems to be the only exception and this calls for our attention.

Lawsuits were the last official option for two conflicting parties to solve their conflict(s). In pre-Constantinian times the bishop was a mediator when it came to conflicts between members and/or clergymen within his own congregation and this status would not change after the pro-Christian laws of Constantine were issued.³⁶ The bishop's role as a local mediator would continue in subsequent centuries and ought not to be underestimated, since this function contributed to his pragmatic authority within society – actions for the benefit of others³⁷ – and was not, as Harries vaguely states “encouraged” by his “personal authority.”³⁸ Lafferty argues that episcopal courts had “their drawbacks,” because of “the general ignorance of the bishops in matters of secular law.”³⁹ This is a viable generalisation, but prominent exceptions do exist, such as Pope Gelasius I (r. AD 492 – 496), who probably was aware of legal terminology and concepts.⁴⁰ In addition, it is safe to assume that bishops did not base their verdict exclusively on their knowledge of secular law, but on their interpretation of the Holy Scriptures as well.⁴¹

Antiquity: From Palaces to Shops, ed. Luke Lavan et al. (Leiden: Brill, 2007), 122; Chris Wickham, “The Other Transition: From the Ancient World to Feudalism,” *Past & Present* 103 (1984): 18-21.

³⁵ There is only one exception from the year AD 506/511: a bishop called Aemilianus is being ordered to complete an aqueduct, see Cassiodorus, *Variae* 4.31.

³⁶ Harries, *Law and Empire*, 191-2; Kristina Sessa, “Ursa’s Return: Captivity, Remarriage, and the Domestic Authority of Roman Bishops in Fifth-Century Italy,” *Journal of Early Christian Studies* 19, no. 3 (2011): 431-32.

³⁷ Rapp, *Holy Bishops*; On the matter of the bishop’s role concerning social issues, such as divorce, see: Kristina Sessa, “Ursa’s Return,” 401-32.

³⁸ Harries, *Law and Empire*, 205.

³⁹ Lafferty, “Law and Order,” 272.

⁴⁰ Janet Nelson, “Gelasius I’s Doctrine of Responsibility,” *Journal of Theological Studies* 18, no. 1 (1967): 156.

⁴¹ Nelson, “Gelasius I,” 160; Harries, *Law and Empire*, 211; for examples of Christian religious influence on the opinion of bishops in legal affairs, see Sessa, “Ursa’s Return,” 417-18, 424.

The legal status of Catholic bishops

Any fruitful analysis of Cassiodorus's letters has to consider the background of the compilation of the 468 letters that this high-ranking Ostrogothic court official collected over a period of thirty years during his career. In his recent monograph, Michael Shane Bjornlie convincingly argues that the *Variae* is a strongly edited compilation by Cassiodorus, which was made in a distinct fashion to portray the Ostrogothic government – and his own participation in it – as meeting the ideological and bureaucratic standards of the Constantinopolitan imperial court.⁴² According to Bjornlie, the *Variae* was compiled in the mid-540s and not, as the general scholarly consensus was, in the period AD 538 – 540.⁴³ The author views Cassiodorus's work as a result of 'political urgency' after the fall of the Ostrogothic capital of Ravenna in 540, when the re-conquest of Italy by General Belisarius seemed imminent. Cassiodorus needed 'an apologetic project' to safeguard his own vulnerable situation in the new political circumstances⁴⁴ and as Peter Brown more generally stated, Cassiodorus knew that in dangerous times books would survive.⁴⁵

How Cassiodorus's editing process precisely affected the content of the letters that are relevant for this study is difficult, if not impossible, to retrace. However, when analysing the source material, Cassiodorus's concerns must be taken into consideration and critically evaluated. It is likely that letters concerning the (Nicene) Catholic Church and its bishops were edited by Cassiodorus as a way to describe a rather friendly and constructive relationship between the Catholics and the Arian, Ostrogothic court. It would justify his works under the Ostrogoths to his intended audience at the imperial court of Constantinople. Probably due to

⁴² Michael Shane Bjornlie, *Politics and Tradition between Rome, Ravenna and Constantinople: A Study of Cassiodorus and the Variae, 527-554* (Cambridge: Cambridge University Press, 2013), 3-6, 32, 38.

⁴³ Bjornlie, *Politics and Tradition*, 19-26.

⁴⁴ *Ibid.*, 6.

⁴⁵ Peter Brown, *Through the Eye of a Needle: Wealth, the Fall of Rome and the Making of Christianity in the West, 350-550 AD* (Princeton: Princeton University Press, 2012), 278.

this incentive, no conflicts between Nicenes and Arians are mentioned. Out of 468 letters in the *Variae*, only twenty-six are related to matters involving the Catholic Church in one way or another.⁴⁶ Within these letters I will examine how the bishop had to deal with legal themes such as false accusations, incorrect judgements and issues surrounding property. In the very beginning of this collection, entry 1.9, there is already an important indication about the continuation of the pre-Ostrogothic status of the bishop as a judicial officeholder.

On behalf of Theoderic, Cassiodorus sent a letter to Archbishop Eustorgius of Milan about the bishop of Augusta (Turin or Aosta), who was falsely accused of treason by lower clergymen. The king did not punish these churchmen, because this was perceived as the duty of the bishop, “according to the ecclesiastical tradition.”⁴⁷ Theoderic’s legal decision was specifically based on the value of the continuation of this tradition. The king also orders Eustorgius that “he [the falsely accused bishop] is therefore to be restored to his previous rank.”⁴⁸ On the one hand, his letter clearly shows that Theoderic respected the judicial independence of the clergy, which stood apart from the secular court. Furthermore, it also demonstrates that the official legal authority of the bishop in regard to his responsibility to punish clergymen of lower rank, remained intact. However, on the other hand, the dominant tone of the letter – Theoderic *ordered* these two actions – shows that it was the king who had made the decision and merely informed the bishop what should be done. The archbishop became the executive official of royal administrative power within the church organisation. Though the bishop remained responsible for the clergymen under his supervision, as a subject within the kingdom, he fell directly under the rule of the king if royal attention was drawn to

⁴⁶ The letters in the *Variae* that mention bishops or the Church until AD 535: 1.9, 1.26, 2.8, 2.18, 2.29, 2.30, 3.7, 3.14, 3.37, 3.45, 4.17, 4.20, 4.31, 4.44, 5.37, 8.8, 8.15, 8.24, 9.5, 9.14, 9.15, 9.16, 9.18, 10.13, 11.2 and 11.3.

⁴⁷ Cassiodorus, *Variae*, 1.9; “Atque ideo, quod beatitudini vestrae gratissimum esse confidimus, praesenti tenore declaramus Augustanae civitatis episcopum prodicionis patriae falsis criminationibus accusatum: qui a vobis honori pristino restitutus ius habeat episcopatus omne quod habuit. nihil enim in tali honore temeraria cogitatione praesumendum est, ubi, si proposito creditor, etiam tacitus ab excessibus excusatur. manifesta proinde crimina in talibus vix capiunt fidem: quicquid autem ex invidia dicitur, veritas non putatur.”

⁴⁸ Ibid.

him. This also becomes clear from two other letters in the *Variae*, which are quite straightforward ones to two individual bishops.

One of these missives is a letter sent by Cassiodorus on behalf of the king to Januarius, Bishop of Salona, in which the king claims to have received a petition of a person called ‘John’ who brought a complaint to the royal court that the bishop took sixty vessels of oil from him without pay. The bishop himself was ordered by the king to look into the matter himself and to pay if he knows the complaint to be true: “And therefore, if you know this petitioner’s complaint to be true (...), have his legal dues paid without delay (...) Take heed, then, that you who never err in great matters, should not now appear – may it never happen – to sin in small ones.”⁴⁹ In another letter, sent to bishop Aurigenes, a Roman called Julianus accuses servants of the bishop to have stolen goods from him. Again, the bishop is being ordered to look into the case.⁵⁰

Both letters indicate an unofficial judicial hierarchy in the Ostrogothic Kingdom. These two cases are brought to the attention of the king by common laymen and we can only guess their reasons. The most important question remains why both Romans (as can be inferred from their names) chose to appeal to the royal court in Ravenna and not to the papal court in Rome, since the pope officially was the legal superior of both bishops in question. In both cases, Theoderic showed some leniency towards the bishops, because they still were given a chance by the king to personally settle the affairs with the plaintiffs.

⁴⁹ Cassiodorus, *Variae*, 3.7; “(...) quarum pretium sibi postulat oportere restitui. bonum quidem votum, si tamen non ibi aliquid misceatur adversum. Nam licet ubique deceat iustitiam custodiri, in illis rebus maxime necessaria est, quae divinis obtutibus offeruntur, ne putemus ignorare deum, unde accipiat, si fraudatis oblationibus adquiescat. et ideo, si veram querimoniam cognoscitis supplicantis, consideratione iustitiae, quam sancta lege praedicatis, facite quae iure debentur sine tarditate restitui: quatenus nullus ingemiscat illata sibi per vos fuisse dispendia, quos decet potius praestare iuvamina (...)” ; translation by Barnish.

⁵⁰ Cassiodorus, *Variae*, 3.14; “Quamvis iudicio vestro credamus omnia facinora displicere, maxime a vobis confidimus execrandum quod matrimonii genialis impugnat affectum. quibus enim animis a continentibus accipitur, quod etiam laicorum detestatione damnatur? Iulianus itaque nobis lacrimabili additione conquestus est uxorem suam vel res a vestris hominibus iniusta usurpatione pervasas. unde si veram petitionem supplicantis agnoscitis nec se rationabiliter pulsatus absolvit, in auctorem facti sine aliqua tarditate resocate. malum enim cum perseverat, augetur, et remediale bonum est in peccatum accelerata correction.”

In another epistle to Antonius, the bishop of Pola, the Amal king expresses himself differently and is more coercive. The bishop is directly ordered to transfer land property back to a Roman citizen called Stephanus, which the church (apparently) unrightfully had seized from him:

If this be so, we desire you, as a matter of justice, to correct what your familiars have done amiss, and restore it to him without delay. (...) You will be better off by having the matter enquired into and settled, than if the complaints of Stephanus had never come to a hearing.⁵¹

In this letter, we not only see a more authoritative king interfering in matters of the church, but, similar to the plaintiffs, the king is also seen to eschew contact with the papacy as a first step and communicated directly to the three lower-ranking bishops in question. Theoderic also hints that the royal court received complaints about churchmen on a regular basis.⁵²

Such criticism coming from the king deserves attention, because in my opinion this statement reveals that laymen, such as the aforementioned John, Julianus and Stephanus were not exceptional in the way they dealt with their legal procedures. It shows that the royal court and not the papal curia was the first step in a laymen-clergy conflict. Therefore, I argue that the legal authority of the pope over his bishops on occasion was being trumped by the royal court in Ravenna during Ostrogothic rule. It needs to be highlighted that the king acted passively, because his letters were not written on his own initiative, but only when such cases were brought before him by his subjects. To what extent a bishop had to deal with royal involvement

⁵¹ Cassiodorus, *Variae*, 4.44; “(...) Stephanus siquidem flebili aditione conquestus est casam iuris sui ante decessorem prodecessoremque vestrum longa aetate possessam ante hos fere novem menses ab hominibus ecclesiae, cui praesidetis, despecto civilitatis ordine fuisse pervasam. quod si ita factum esse cognoscitis, eam iustitiae consideratione momenti iure restituite supplicanti. decet enim a vobis corrigi, quod a vestris familiaribus non debuisset admitti. Verumtamen si partibus vestris in causa momentaria vel principali iustitiam adesse cognoscitis, tractato prius diligenter inspectoque negotio, quia sacerdotem protendere non decet improbam litem, instructam legibus ad comitatum nostrum destinate personam, ubi qualitas negotii agnosci debeat et finiri (...)”; translation by Hodgkin; no translation by Barnish available.

⁵² Ibid.: “It is an invidious task to have to listen to complaints against the revered ministers of the Church”; translation by Hodgkin.

in legal matters on a regular basis is unfortunately unanswerable due to the lack of source material.

In these previous cases, we see the bishop personally involved in the conflict, either as an executor of the royal verdict or as accused. Theoderic also kept the bishop, when the latter was functioning as a judge, in check, as epistle 3.37 shows. This letter was sent to a bishop called Peter (the city of his residence is not known) about a dispute between two Romans about the inheritance of land property.⁵³ The case was brought before the episcopal court, but one of the two was not satisfied with the verdict, as can be safely assumed, and went to Ravenna to present his case once more. Theoderic wrote to the bishop that in general bishops solve many legal disputes – an indication of the continuation of the episcopal judicial responsibilities – and that Bishop Peter ought to give a second judgement in this particular case.

A double approach towards bishops emerges in these writings of Cassiodorus. On the one hand, again, the bishop in question was given a chance to come up with a new solution of his own, respecting his common role as judge – the king could have been more resolute by giving a direct order. This is also visible in other entries, such as *Variae* 2.18, where the bishop “should be known as a lover of justice.”⁵⁴ On the other hand, Theoderic made clear that the previous episcopal verdict needed to change, because if the king had agreed with Bishop Peter then he would not have ordered a second judgement by him. The letter can only be interpreted by the bishop that he had not done justice to one of the plaintiffs in the eyes of the king. Theoderic’s frequent choice to by-pass the Bishop of Rome in the ecclesiastical hierarchy can firstly be explained by the possibility that the Gothic king did not even consider the pope as the official legal authority at all. There is no evidence that suggests that Theoderic viewed the

⁵³ Cassiodorus, *Variae*, 3.37; “Quae petitio si veritate fulcitur et genitoris eius substantiam probatis iure competere supplicanti, considerata iustitia, quam monetis, sine observationis longae dispendio debita tribuantur, quoniam causarum vestrarum qualitas vobis debet iudicibus terminari, a quo expectanda est magis quam vobis (...).”

⁵⁴ Cassiodorus, *Variae*, 2.18; “(...) quod si de negotii qualitate dubitatis, convenit sacerdotalibus institutis, ut ante controversiam iustitiam magis ipse cognoscas, quam de iudicio victus abscedas. talem siquidem non oportet publice superari, quem amatorem aequitatis convenit inveniri.”

pope as the leader of the Catholic Church.⁵⁵ In addition, Theoderic inherited a style of kingship, which was “rooted in [Gothic] traditions of face-to-face lordship.”⁵⁶ A direct exercise of power suited his own idea on how a good king should respond to an appeal from one of his subjects and it was a way for him to demonstrate his own authority in the provinces and not only in high politics. To display such direct power was to show strength, which was probably more important to Theoderic than the acknowledgement of any papal authority in these matters. Ostrogothic government was based on the personal leadership of the king.⁵⁷ Theoderic’s regular contact with the Italian Catholic episcopacy was probably also facilitated in part by the theological disputes that the Italian bishops had with the Eastern Church on the nature of Christ during the Acacian schism.⁵⁸ The Nicene bishops were not seen as clergymen loyal to the Emperor.

The official judicial situation seems to have changed during the rule of Theoderic’s grandson, and successor, Athalaric (r. AD 526 – 534) – under the regency of his mother Amalasuntha. She, it seems, had a more structured judicial hierarchy for the kingdom in mind and officially made the pope the first judge to appeal in cases concerning clergymen. A letter was sent in Athalaric’s name to “the clergy of the Roman Church”, decreeing that those who have legal disputes with men of the church first should seek the judgement of the pope. If the plaintiff was not satisfied with the verdict, then he could transmit his case to a secular court.⁵⁹ This was the same procedure during the time of the Roman Empire. In this letter, the new ruler made it clear that this was the only correct legal practice against priests, because those who

⁵⁵ Demacopoulos, *The Invention of Peter*, 131.

⁵⁶ Sarris, *Empires of Faith*, 108; see also Peter Heather, “Theoderic, King of the Goths,” *Early Medieval Europe* 4, no. 2 (1995): 145-73.

⁵⁷ Burns, *Ostrogoths*, 163.

⁵⁸ Sarris, *Empires of Faith*, 109.

⁵⁹ Cassiodorus, *Variae*, 8.24; “(...)Atque ideo considerantes et apostolicae sedis honorem et consulentes desiderio supplicantium praesenti auctoritate moderato ordine definimus, ut, si quispiam ad Romanum clerum aliquem pertinentem in qualibet causa probabili crediderit actione pulsandum, ad beatissimi papae iudicium prius conveniat audiendus, ut aut ipse inter utrosque more suae sanctitatis cognoscat aut causam deleget aequitatis studio terminandam, et si forte, quod credi nefas est, competens desiderium fuerit petitoris elusum, tunc ad saecularia fora iurgaturus occurrat, quando suas petitiones probaverit a supra dictae sedis praesule fuisse contemptas (...).”

would present their case against a clergyman before a secular court first would be fined and the lawsuit would be dropped immediately. The fine would be paid to the papacy, who supervised the redistribution of the money to the poor, which is important evidence that the bishop's role as caretaker of the poor remained intact. Charity was an important civic responsibility that gained further prominence as an episcopal task from the age of Pope Leo I onward.⁶⁰ However, more importantly for this study, Cassiodorus's epistle 8.24 suggests that the legal authority of the pope regained its previous official status as the main judge for legal affairs concerning ecclesiastics.⁶¹

This is supported by another passage in Athalaric's letter, in which he states that it would be impious (*sacrilega*) for a citizen to think that the bishop's legal judgement was incorrect. This reasoning may be related to the holy status of bishops in general, that (though it always varied per person) was derived from their personal forms of authority.⁶² In a way, it is also a continuation of Roman practise, that according to Constantinian legislation, the bishop's verdict should be held as sacred.⁶³

We also have to keep in mind that such parts in the *Variae* could have been the result of Cassiodorus's editing process of the original letters to lay emphasis on the fact that Theoderic and his successors did not dismiss the Catholic Church – with the important duties of its bishops as judges – as a legal institution. With the *Variae*, Cassiodorus could have wanted to describe the Ostrogothic regime as a continuator of the former Western Roman Empire, in such a way that it seemed that the Church had maintained its traditional judicial function.⁶⁴

⁶⁰ Brown, *Through the Eye of a Needle*, 462-68.

⁶¹ On the legal separation of laymen and clergy in the Roman Empire in the fifth century, see: Harries, *Law and Empire*, 199-201.

⁶² Rapp, *Holy Bishops*, 16-18; spiritual, ascetic and pragmatic authority.

⁶³ *Codex Theodosianus* 1.27.1; Clyde Pharr, trans., *The Theodosian Code and Novels, and the Sirmondian Constitutions: A Translation with Commentary, Glossary and Bibliography* (New Jersey: The Lawbook Exchange, 2001).

⁶⁴ Lafferty, *Law and Society*, 102.

The seemingly positive cooperation between the Catholic Church and the Ostrogothic government, that Cassiodorus describes in the *Variae*, becomes even more apparent when reading a letter that Cassiodorus himself, in his function as Praetorian Prefect, sent to Pope John II (r. AD 533 – 535).⁶⁵ He wanted to communicate his salutations towards the Bishop of Rome and he emphasised their shared duties as judges and that they should work together for the benefit of the people. Cassiodorus went even further and expressed his functioning as a judge as subordinate to the pope: “I am indeed a Palatine judge, but I will not cease to be your disciple; for my actions will then be correct if I keep close to your principles.”⁶⁶ I do not believe that this statement was merely part of general diplomatic politeness nor do I think that it was an official message in which Cassiodorus formally placed himself as a judge under the legal authority of the pope. It would be out of the question to have one of the highest Gothic court officials subduing himself to a Catholic bishop who stood outside of that secular hierarchy. Such a proclamation is – following the reasoning of Bjornlie – in all likeliness part of Cassiodorus’s rhetorical strategy when he edited this entry for his Constantinopolitan audience.

Also the next letter in the epistle collection that was directed towards several bishops (*diversis episcopis*) to bring greetings to them is probably part of the same objective of the Ostrogothic Praetorian Prefect. He stresses the good relations between them in religious terms.⁶⁷ At first glance, such a religiously impossible rapprochement towards Catholic bishops from one of the highest Gothic state officials, can be explained in another way than only simple source criticism. Cassiodorus’s message fits within the view of scholars, such as Burns and Sarris, that the Ostrogoths remained Arian for political reasons and not because of theological

⁶⁵ Cassiodorus, *Variae*, 11.2.

⁶⁶ Ibid.; “(...) sum quidem iudex Palatinus, sed vester non desinam esse discipulus: nam tunc ista recte gerimus, si a vestris regulis minime discedamus (...)” ; translated by Hodgkin.

⁶⁷ Cassiodorus, *Variae*, 11.3; “(...) Episcopus doceat, ne iudex possit invenire quod puniat. administratio vobis innocentiae data est. nam si praedicatio vestra non desinat, necesse est ut poenalis actio conquiescat. et ideo dignitatem meam in omni vobis parte commendo, quatenus actus nostri sanctorum orationibus adiuventur, qui minus in humana potestate praesumimus (...)”

principles – Arianism enabled them to be a part in the Christian world, without losing their ideological distance from the Nicene emperor.⁶⁸ For this reason, the Catholic Church was able to continue to function as in the situation before Theoderic's conquest. The Ostrogoths had no religious or ideological motivation to structurally interfere in the Church's daily operations. George Demacopoulos even describes the impact of the Gothic invasion on this matter as a "nonevent."⁶⁹ In my opinion, this is the main reason why Catholic bishops were able to maintain an authoritative status within the Ostrogothic Kingdom.

Catholic bishops as property owners

In the aforementioned letters of Cassiodorus, the Arian kings showed respect towards the Catholic *episcopi* in their realm, by the royal acknowledgement of the legal status they gained during Roman times, although they were now the ones who had the last say if there was any royal involvement. The new kingdom was in need of financial resources to recover from the recent war devastations and to maintain the upkeep of the army. At first glance, the vast land property of the Catholic Church would be an easy target for taxation or even confiscation by the Arian government. To look into the ways the Ostrogoths dealt with the church as a rich and economically influential property owner – property that was under the supervision of the bishops or by men of the bishops – provides fruitful insights into the way the new rulers dealt with bishops as autonomous petitioners instead of institutionalised judges. It can tell us how the kings, most notably Theoderic, viewed the place of the Catholic Church within the kingdom.

Emperors, starting with Constantine the Great, donated large estates to the church and the Christianised aristocracy would follow suit about a century later. We know that almost two

⁶⁸ Burns, *Ostrogoths*, 159-61; Sarris, *Empires of Faith*, 88-89.

⁶⁹ Demacopoulos, *The Invention of Peter*, 87.

centuries after Constantine several bishops, especially the pope, were in charge of lands throughout the Italian peninsula.⁷⁰ For example, the Church of Milan had land property in Sicily in the beginning of the sixth century as the following epistle indicates. In letter 2.29, Theoderic ordered the Gothic count and senator, Adila, to make sure that the land and the men of the church are protected there. According to Cassiodorus, the king received a petition from bishop Eustorgius of Milan who had concerns about his property on the island.⁷¹ Adila, as one of Theoderic's *comes*, probably functioned as a local governor who represented the Ostrogothic state in Sicily.⁷² One can assume that he was in charge of a local garrison and therefore had the proper means to protect the church's property. The bishop himself never had a set group of fighters of his own to defend his possessions or to enforce his authority as a judge if needed. He always needed the military power of the state for such support.⁷³ This was also the case when it came to violence upon his own person.⁷⁴ One of Theoderic's main responsibilities as a king – the same as for his imperial predecessors – were to be just, uphold public order and to protect the belongings of his subjects. The Church was in this case no exception.

In two other cases of ecclesiastical land property the same royal policy is apparent. A senator called Gemellus was ordered by Theoderic to restore land that was illegally taken from the church⁷⁵ and a similar order was sent to a *dux* called Ida to restore property to the church

⁷⁰ Ghislaine Noyé, "Social Relations in Southern Italy," in *The Ostrogoths*, ed. Sam Barnish et al., 190; The most important written primary source about the pope's property is the *Liber Pontificalis*; Raymond Davis, *The Book of Pontiffs (Liber Pontificalis): The Ancient Biographies of First Ninety Roman Bishops to AD 715* (Liverpool: Liverpool University Press, 1989).

⁷¹ Cassiodorus, *Variae*, 2.29; "Et ideo beatissimi viri Eustorgii episcopi sanctae Mediolanensis ecclesiae petitione permoti praesentibus te affatibus ammonemus, ut praediis vel hominibus huius ecclesiae intra Siciliam constitutis tuitionem studeas salva civilitate praestare (...)." ⁷² Burns, *Ostrogoths*, 170.

⁷³ Harries, *Law and Empire*, 194; Brown, *Through the Eye of a Needle*, 506.

⁷⁴ Bronwen Neil, "Crisis in the Letters of Gelasius I (492 – 96): A New Model of Crisis Management?," in *The Bishop of Rome in Late Antiquity*, ed. Geoffrey Dunn (Farnham: Ashgate, 2015), 170.

⁷⁵ Cassiodorus, *Variae*, 4.20; "(...) proinde viri venerabilis episcopi Constantii supplicatione comperimus sacrosanctae ecclesiae ipsius unum iugum, veterum principum pietate collatum, et nunc quorundam usurpatione violenta retineri. Sed quia nos uti nullum volumus fraudibus suis, praesertim cum in dispendio pauperum detestabili mente versetur, praesenti auctoritate decernimus, ut ea, quae retro principum constiterint humanitate deputata, supra memorata ecclesia sine aliqua imminutione percipiat, manente poena etiam pervasori (...)." ⁷⁶

of Narbonne.⁷⁶ In both matters, bishops searched for justice by pleading their case at the Ostrogothic court and with success. These letters are strong evidence that church property was respected and they are in line with an important entry on this matter, namely *Variae* 1.26. Theoderic mentions to the aristocrat Faustus, Praetorian Prefect at the time, that some church property was exempt from taxation⁷⁷ – tax exemptions such as this one and the protection of one's rightful property are both continuations of the Roman situation.

The Amal king did not favour bishops' claims over property as a general rule. Theoderic acts as a neutral ruler, as two other cases show. He sent a letter to the Jews of Milan⁷⁸, whose synagogue was attacked by a mob of Christians, in which he informs them that Christians should not violate or seize their property and vice versa.⁷⁹ The pope was not an exception either when it came to Theoderic's neutrality in such matters. The king ordered one of his counts to look into the complaint of representatives of the Catholic Church that Samaritans claimed a house in Rome, previously bought by Pope Simplicius, as their synagogue. In contrast to other cases, when the bishop acted as judge or as the accused, the pope was not given a chance to solve the issue personally. However now, Theoderic sent an order to his count Arigern who had to investigate both claims to the building as a third person, before a decision would be made.⁸⁰ The fact that the bishops searched for Theoderic's aid and judgement when issues surrounding property occurred demonstrates a degree of trust that the ecclesiastics had in the

⁷⁶ Cassiodorus, *Variae*, 4.17; "(...)Atque ideo praesenti tibi auctoritate praecipimus, ut possessiones Narbonensis ecclesiae secundum praecelsae recordationis Alarici praecepta, a quibuslibet pervasoribus occupatae teneantur, aequitatis facias contemplatione restitui, quia versari nolumus in ecclesiae dispendio praesumptiones illicitas, dum nostra deceat tempora sedare confuse (...)."

⁷⁷ Cassiodorus, *Variae*, 1.26; "(...) ut quae dudum ecclesiae viri venerabilis Unscilae antistitis praestitimus, valere in perpetuum censeamus, nunc quoque illustrem magnificentiam tuam duximus admonendam, quatenus superindicticiorum onera titulorum praefata ecclesia in ea summa non sentiat (...)."

⁷⁸ Note here that it is exceptional that Theoderic addressed a letter to a group of people instead of a high-ranking office holder.

⁷⁹ Cassiodorus, *Variae*, 5.37; "Proinde quoniam nonnullorum vos frequenter causamini praesumptione laceratos et quae ad synagogam vestram pertinent perhibetis iura rescindi, opitulabitur vobis mansuetudinis nostrae postulata tuitio, quatenus nullus ecclesiasticus, quae synagogae vestrae iure competunt, violentia intercedente pervadat nec vestris se causis importuna acerbitate permisceat (...)."

⁸⁰ Cassiodorus, *Variae*, 3.45; "(...) quapropter magnitudo tua conscientiae suae probata iustitia causam diligenti examinatione discutiat et, si vera cognoverit quae veniunt in querelam, considerata aequitate definiat (...)."

legal authority of their Arian king, when petitioning to his court. Theoderic, as supreme judge, stayed objective and did not automatically assume that the bishops in question had the most righteous claim. In all cases, the king tried to do justice in which the Catholic Church did not have a more beneficial or submissive position in comparison to any other legal property owner in the Ostrogothic Kingdom, the same as it was in the former Roman Empire. The most likely reason for this is that Theoderic knew that he had to stabilise the centrifugal political forces on the peninsula by re-conciliating with his newly gained subjects, both Roman and Gothic.⁸¹ Part of his policy was that he transferred land property back to the Roman population – thus including the Catholic Church – if it was illegally claimed by Gothic soldiers during the war with Odoacer.

Nicene bishops, especially the pope, had to deal with a new Arian ruler, but were also in contact with the Nicene Eastern-Roman emperor, with whom they had no communion up until AD 518 as a consequence of the Acacian schism. The claim of superiority in the ecclesiastical sphere by the emperor competed with the same claims the papacy made during this time. This competition will receive attention in the next chapter in order to broaden our scope from episcopal authority within the Ostrogothic Kingdom to the authority of the pope within the Catholic Church of the Roman Empire.

⁸¹ Sarris, *Empires of Faith*, 103-4.

Chapter Two: The Representation of Papal Authority in the *Collectio Avellana*

The papal-imperial epistle compilation known as the *Collectio Avellana* provides important insights into the way subsequent bishops of Rome tried to communicate his episcopal authority to the emperor in Constantinople and to bishops of other sees during the period 367 – 553 AD. After the critical edition of Otto Günther no substantial study was directed towards the compilation itself.⁸² One of the aims of this thesis is to contribute to a better understanding of not only the individual letters, but also to the epistle compilation in its own right. The *Collectio Avellana* was in all likelihood the work of one single cleric in the papal archives who started his work to support the authoritative claims of the pope as the heir of St. Peter and the upholder of orthodoxy during the precarious times of Emperor Justinian's re-conquest of Italy in the 550s.⁸³

The Petrine doctrine of the apostolic succession, as firstly formulated by Pope Leo I, became a structural expression of the Bishop of Rome's claims for ecclesiastical primacy. According to Leo, this succession gave the pope the power of "binding and loosening" that was given to Peter by Christ according to Matthew 16.⁸⁴ This interpretation allowed for the claims the papacy made of having the supreme juristic *imperium* within the Catholic Church.⁸⁵ Leo described himself as if St. Peter was acting and speaking through him. The connection he made between himself and the apostle forms the ideological basis of the eventual "success story" of

⁸² The analytical work by Alexander Evers on the *Collectio Avellana* is forthcoming. Information acquired through personal informal contact with the author.

⁸³ Otto Günther, "Avellana Studien," *Sitzungsberichte der Kaiserlichen Akademie der Wissenschaften, Philosophisch - historische Klasse* 134, no. 5 (1896): 66; Kate Blair-Dixon, "Memory and Authority in Sixth-Century Rome: The *Liber Pontificalis* and the *Collectio Avellana*," in *Religion, Dynasty and Patronage in early Christian Rome, 300-900*, ed. Kate Cooper and Julia Hillner (Cambridge: Cambridge University Press, 2007), 59; During the 2011 CA conference, Conrad Leyser argued that it was Cassiodorus who compiled the CA in his lecture: "Whose Weapon? The *Collectio Avellana* in the Age of Church Reform."

⁸⁴ Matthew 16.18 – 16.19: "Thou art Peter and upon this rock I will build my church and the gates of Hell shall not prevail against it. I will give you the keys of the kingdom of heaven and whatever you bind on earth will be bound in heaven, and whatever you loose on earth will be loosened in heaven."

⁸⁵ Ullmann, "Leo I," 37-38.

the bishop of Rome as the ultimate leader of today's Roman-Catholic Church. In order to understand the exceptionality of the episcopal authority of the pope, the nature of the Petrine doctrine has to be examined before analysing papal epistles from the Ostrogothic period.

More than fifty years ago, Walter Ullmann argued that Leo's continued claims for being the heir (*haeres*) of St. Peter was grounded on Roman juristic notions of succession.⁸⁶ Ullmann's compelling argument is that the connection between the Bishop of Rome and the apostle Peter was neither founded on the presence of the (supposed) relics of the saint at the Vatican Hill nor on the understanding that the Bishops of Rome were sitting on the symbolic episcopal *cathedra Petri*.⁸⁷ Leo formulated his claim of being St. Peter's episcopal successor solely on the basis of Roman legal language. The *haeres* "replaced the deceased and stepped into the shoes of the dead person" in Roman law.⁸⁸ In this way, Leo inherited the episcopal office of St. Peter by which its *plenitudo potestatis* was transferred to the successive Bishops of Rome.

Leo was able to fuse the concepts of apostolic succession and ecclesiastical superiority on the basis of Roman legal language. For this reason, claims of the primacy of *the* Apostolic See, which were also made by Leo's successors, such as Gelasius I and Hormisdas (r. AD 514 – 523) – not to mention the medieval papacy – can therefore be viewed as papal expressions of Weber's understanding of legal authority. Following the reasoning of Demacopoulos, it is evident that the Petrine claim was repeatedly used in times of "weakness or anxiety", when the pope felt his authority threatened in moral, dogmatic or judicial conflicts.⁸⁹

⁸⁶ Walter Ullman, "Leo I and the Theme of Papal Primacy," *Journal of Theological Studies* 11 (1960): 25-51.

⁸⁷ Ullmann, "Leo I," 27-29.

⁸⁸ *Ibid.*, 34.

⁸⁹ Demacopoulos, *The Invention of Peter*, 2.

Gelasius of Rome and his limited authority

One of the most famous examples for the assertion of authority by a pope is the letter of Gelasius to Emperor Anastasius from the year 494. This letter is not part of the *Collectio Avellana*, but it plays a substantial role in the entire debate on the ‘rise’ of papal supremacy in late antiquity due to the famous passage:

There are two [powers], august Emperor, by which this world is chiefly ruled, namely, the sacred authority (*auctoritas sacrata*) of the priests⁹⁰ and the royal power (*regalis potestas*). Of these, that of the priests is weightier, since they have to render an account for even the kings of men in the divine judgment.⁹¹

Traditionally this sentence has been interpreted as a claim of supreme papal authority at the expense of imperial power. However, I argue that medieval ecclesiastical writers⁹² and historians⁹³ have unrightfully highlighted this passage as a claim for papal superiority over imperial power, known as the so-called “Two-swords teaching.” Instead of starting with an attempt to grasp any underlying political implications *within* this particular statement, we have to consider the entire context of the letter in which this passage is situated. Only then can a better understanding be developed of its specific meaning to see if it still can be used to give a meaningful insight into the political relationship between the pope and the emperor, which in turn will turn out to be a good example of papal self-confidence.

The traditional historical viewpoint on the quotation above has been most notably countered and deconstructed by Alan Cottrell, who convincingly argues that Gelasius I merely

⁹⁰ There are various translations in use of the word *pontifices*: “priests”, see Pieter Leupen, “The sacred authority of the pontiffs”, in *Media Latinas: A Collection of Essays to Mark the Occasion of the Retirement of L.J. Engels*, ed. R. Nip et al. (Turnhout: Brepolis, 1996), 245-49.

⁹¹ John Tott, trans., *Letter of Pope Gelasius to Anastasius Augustus*, <http://www.web.pdx.edu/~ott/Gelasius/> (consulted October 2014).

⁹² The medieval afterlife of the use of this quote has been thoroughly researched by Sophia Menache, “The Gelasian Theory from a Communication Perspective: Development and Decline,” *Edad Media. Revista de Historia* 13 (2012): 57-76.

⁹³ Important examples are Alexander J. Carlyle, *The Christian Church and Liberty* (London: James Clark, 1924), 81-82; Walter Ullmann, *Gelasius I. (492-496): Das Papsttum an der Wende der Spätantike zum Mittelalter; Päpste & Papsttum* 18 (Stuttgart: Hiersemann, 1981).

made an informal ‘descriptive statement’ about the ecclesiastical and imperial powers in the late fifth century.⁹⁴ In addition to Cottrell’s viewpoint, I want to emphasise that Gothic affiliation to Arianism and Theoderic’s autocratic rule left no room for Gelasius to be inspired to write a supposed claim of papal superiority of authority in the secular sphere. According to Demacopoulos, Gelasius’s letter to Anastasius was an assertion of papal authority “born of frustration” by a bishop who had little authority in his own city at that time.⁹⁵ I agree with him: scholars seem to have been pre-occupied with the semantics of *auctoritas* and *potestas* and did not look further into the political and ecclesiological situation in 494 – the Acacian schism.⁹⁶

The content of Gelasius’s letter to Emperor Anastasius has in general striking similarities with the themes the pope addressed in his letters that have been compiled in the *Collectio Avellana*, countering further the traditional interpretation of the Two-swords teaching. An analysis of the primary concerns that he expressed in writing will support my argument that Gelasius’s renowned message to the emperor was part of a general tendency in many of his communications to influence bishops and the emperor to uphold Chalcedonian doctrines in a Christendom that contained many opposing theological teachings. There are no claims of superiority in the secular sphere in these epistles.

According to the *Liber Pontificalis*, Gelasius was an archdeacon in Rome before he was elected as bishop there in 492, one year before the completion of the Ostrogothic conquest of Italy.⁹⁷ Gelasius’s clerical career began at a time when state powers were crumbling and Italy was devastated by war.⁹⁸ The political situation stabilised again with the start of Theoderic’s

⁹⁴ Alan Cottrell, “‘Auctoritas’ and ‘Potestas’: A Reevaluation of the Correspondence of Gelasius I on Papal-Imperial Relation,” *Mediaeval Studies* 55 (1993): 95-109.

⁹⁵ Demacopoulos, *The Invention of Peter*, 74; see also: George Demacopoulos, “Are All Universalist Politics Local? Pope Gelasius I’s International Ambition as Tonic for Local Humiliation,” in *The Bishop of Rome in Late Antiquity*, ed. Geoffrey Dunn (Farnham: Ashgate, 2015), 141-53.

⁹⁶ *Ibid.*, 90.

⁹⁷ Raymond Davis, trans., *The Book of Pontiffs (Liber Pontificalis): The Ancient Biographies of First Ninety Roman Bishops to AD 715*, (Liverpool: Liverpool University Press, 2010), 41-42.

⁹⁸ Peter Heather, *Empires and Barbarians: Migration, Development and the Birth of Europe* (Oxford: Pan Macmillan, 2010), 336-42; Peter Sarris, *Empires of Faith*, 44-51.

rule.⁹⁹ Bishops kept their control over internal ecclesiastical affairs – to solve conflicts between clergymen – or when two opposing (lay) parties agreed to present their case before the bishop instead of the secular court of the governor, as was shown in Chapter One.¹⁰⁰ Besides a new ruler, Gelasius (and every native Roman) was confronted with the now settled Goths in Italy.¹⁰¹ To contextualise the limitations of Gelasius's episcopal authority, the most important difference between Romans and Goths¹⁰² to be stressed here is the (mostly) Nicene Christianity of the Roman population and the Arianism of the Goths, which created two separate religious communities living next to each other in the same cities and towns.¹⁰³ As a religious leader, Gelasius had no influence over the Goths, who eventually even had their own Arian clergymen in Rome.¹⁰⁴

Gelasius's firm stance against heresies and his emphasis on the superiority of the Petrine doctrine within the ecclesiology of the Roman church contrast greatly with the careful manner he dealt with Arianism in Italy. Gelasius was theologically a strong opponent of Arianism, but there is no evidence of papal efforts to convert the Goths to Catholicism or to counter their theological viewpoints in any other way.¹⁰⁵ The pope's authority was confined to the Nicene church. It would have been too great a risk to go against the religion of the new ruler, who would be able to remove Gelasius from his office and who during his rule stayed tolerant towards Catholicism.¹⁰⁶ This is at least what written sources such as the *Variae* and the *Vita S. Epiphanii* indicate. In any case, there were precarious circumstances, which the pope

⁹⁹ Peter Heather, *Empires and Barbarians*, 224.

¹⁰⁰ See also: Sean Lafferty, "Law and Order," 271-72.

¹⁰¹ Ullmann, *Gelasius*, 218, 220.

¹⁰² Goths were no monolithic group, but in this context the Barbarian immigrants who are described as 'Goths' can at best be viewed as non-Roman, see Peter Heather, *Empires and Barbarians*, 342-43.

¹⁰³ Ullmann, *Gelasius*, 222.

¹⁰⁴ Ibid., 220; Mathisen, "Barbarian Bishops," 689.

¹⁰⁵ Ullmann, *Gelasius*, 219; Demacopoulos, *The Invention of Peter*, 87-8.

¹⁰⁶ Ullmann, *Gelasius*, 221; a tolerant policy towards Catholicism was a better way for Theoderic to gain peace and prosperity in his new kingdom, see Dominic Moreau, "Ipsis Diebus Bonifatius, Zelo et Dolo Ductus: The Root Causes of the Double Papal Election of 22 September 530," in *The Bishop of Rome in Late Antiquity*, ed. Geoffrey Dunn (Farnham: Ashgate, 2015), 182.

probably did not want to disturb with an active policy against Gothic Arianism. It is important to note that Theodoric and his successors had contact with the senate of Rome and not with the pope concerning matters of the upkeep of the city and the care for the people. The Arian kings placed a secular power between them and the catholic bishop, limiting his pragmatic authority.¹⁰⁷

Demacopoulos underlines the continuation of the popular pagan festival of the Lupercalia as a prime example of the pope's lack of authority in the city of Rome.¹⁰⁸ One cannot fail to notice the frustration in Gelasius's letter to senator Andromachus, the patron of the event, about his own inability to stop the festival from happening. The pope utters:

Tell us, you who are neither Christians nor pagans yet altogether dishonest and never faithful, altogether corrupt and not at all pure, (...) you patrons of the Lupercalia who actually are defenders of mockery of the Divinity and of dirty old songs, worthy teachers of madness, you who, for good reason, are insane (...).¹⁰⁹

Even a threat of excommunication did not help. Gelasius also found out also that his authority in the religious sphere had its limitations when it came to an individual's performance of private worship.¹¹⁰ The statement in the letter to Emperor Anastasius was an assertion of papal authority on the international level, which could help the pope to "conjure an illusion" to support his troubling authoritative status at home.¹¹¹

Gelasius's *Ad Anastasium* was not a genuine claim for absolute hierarchical superiority in the political context of his time. This single epistle can be placed next to his other works as

¹⁰⁷ Brown, *Through the Eye of a Needle*, 476.

¹⁰⁸ Demacopoulos, *The Invention of Peter*, 75-80.

¹⁰⁹ CA 100.19; paragraph 8 of the complete English translation of the letter in: Demacopoulos, *The Invention of Peter*, Appendix 2, 181-89; "dicite nobis, nec Christiani nec pagani, ubique perfidi nusquam fideles, ubique corrupti nusquam integri, qui tam utrumque tenere non potestis, quam sibi utrumque contrarium est: dicite inquam, Lupercaliorum patroni et re uera digni talis ludibrii et cantilenarum turpium defensores, digni magistri uesaniae et qui non sine causa sana capita non habetis, digni hac religione, quae obscenitatum et flagitiorum uocibus celebratur: uideritis ipsi, quid uobis salutis impendat, quae tantam moribus labem perniciemque proponit."

¹¹⁰ See the excellent works about the limits of the bishop's domestic authority in the fourth and fifth centuries: Kristina Sessa, *The Formation of Papal Authority in Late Antique Italy: Roman Bishops and the Domestic Sphere* (Cambridge: Cambridge University Press, 2012); Kim Bowes, *Private Worship, Public Values and Religious Change in Late Antiquity* (Cambridge: Cambridge University Press, 2008).

¹¹¹ Demacopoulos, *The Invention of Peter*, 100-1.

compiled in the *CA*. The autocratic leadership within the Gothic kingdom blocked any possibility for Gelasius to claim secular power, but in this limited situation he sought other opportunities to express his authority as pope, this time in the theological sphere. By looking into his communication to other bishops, it can be safely concluded that Gelasius viewed himself as the voice of St. Peter. More importantly, he saw himself as the supreme bishop who was ultimately responsible for the correct understanding and upholding of orthodox doctrine in the entire Catholic Church. The notion of papal responsibility before God started with Leo I, but Gelasius continued this line of thought and viewed himself as the one responsible to safeguard salvation for his followers.¹¹² He asserted his legal authority on the basis of the Petrine doctrine in order to try to gain support in both the former Western Empire and the Eastern Roman Empire.

The first letter by Gelasius in the *CA* is directed to all the bishops of Illyria as a response to a message sent by a certain bishop called Laurentius, who asked the pope to clarify his theological view on the relationship between the Father and the Son and about the nature of Christ.¹¹³ Gelasius starts his reply with a long theological treatise on this matter, declaring that everybody who denied his doctrinal formulation, referring to the teachings of Acacius, will be banned by “the Catholic and Apostolic Church.”¹¹⁴ Gelasius sent a firm message of his legal authority to the Illyrian bishops, leaving no doubt about who should convey rightful doctrine within the church hierarchy. The pope had a strong incentive to assert his authority in this imperially controlled province and his attitude differs strongly from his rather tame approach in domestic diplomacy towards King Theoderic in Italy itself. The schismatic emperor was far away and was not able to impose his will upon the pope by force in contrast to Theoderic. Gelasius’s authoritative tone towards the bishops of Illyria was a chance for him to express his

¹¹² Nelson, “Gelasius I,” 156-59.

¹¹³ *CA* 81.1.

¹¹⁴ *CA* 81.7; “(...) istos anathematizat catholica et apostolica ecclesia.”; all English translations of parts of the *CA* are my own, except when stated otherwise.

hierarchical supremacy in an ecclesiastical diocese which contained a strong pro-Chalcedonian faction which supported the pope during the Acacian schism. The pope wanted to ensure their support and improve his intra-ecclesiastical position at the expense of Emperor Anastasius, who was losing power over the region. Mischa Meier even speaks about an ‘erosion’ of support for the anti-Chalcedonian policy of Anastasius in this part of the empire.¹¹⁵ In the light of these circumstances it is no surprise that later jurisdiction over the region was strongly contested between Pope Hormisdas and the Eastern Roman emperor.¹¹⁶

For Gelasius every form of heresy was a “poison” (*virus*) for the church, an opinion he also expressed in his letter directed to the bishops of the Italian region Picenum.¹¹⁷ In CA 94 the pope also concentrates on the Pelagian heresy that gained popularity within the clergy, stating that its effects were even worse than the recent devastations of wars the area suffered during the violent establishment of the Ostrogothic kingdom.¹¹⁸ What follows is again a theological argument directed against the viewpoints of Pelagius. Here Gelasius makes generous use of references to the writings of St. Paul, with quotes such as: “Who has believed and is baptised, has eternal life; however who has not believed is already condemned and God’s anger will stay over him (...).”¹¹⁹ Such biblical quotations are strategically used by the pope to support his own arguments with authoritative texts and to create an ideological connection between his episcopal office and one of Christianity’s most important saints who was buried in Rome. This “exceptional sanctity” is a communication of having charismatic authority,

¹¹⁵ Mischa Meier, *Anastasios I.: Die Entstehung des Byzantinischen Reiches* (Stuttgart: Klett-Cotta, 2009), 303.

¹¹⁶ Volker Menze, *Justinian and the Making of the Syrian Orthodox Church* (Oxford: Oxford University Press, 2008), 30, 71; on the military and political importance of Illyrians in the Eastern-Roman Empire, see Brian Croke, *Count Marcellinus and his Chronicle* (Oxford: Oxford University Press, 2001), 54, 61-64.

¹¹⁷ CA 94.3. Gelasius’s description of heresy as “poison” is also mentioned in CA entries 81.8 and 98.3.

¹¹⁸ Pelagius was a late fourth-century Christian thinker from British origin, whose main theological idea was that people have the possibility to lead a perfect sinless life without needing the grace of God to achieve it. For an economic perspective on heresies, see: John Beck, “The Pelagian Controversy: An Economic Analysis,” *American Journal of Economics and Sociology* 66, no. 4 (2007): 685.

¹¹⁹ CA 94.14, 94.16, 94.25; the complete quote is in 94.16: “(...) propter quod dicit beatus Paulus apostolus: sicut per unum hominem peccatum intrauit in mundum et per peccatum mors, et ita in omnes homines pertransiit, in quo omnes peccauerunt, et paulo post: igitur sicut per unius delictum in omnes homines in condemnationem, sic et per unius iustitiam in omnes homines in iustificationem uitae.”

because Gelasius implies with such quotations to follow the same normative ideas as expressed by the holy apostle. It is not unreasonable to assume that the pope was heavily concerned by the spread of Pelagianism and that this letter was a way to counter the expansion of this particular heretical group.¹²⁰ Gelasius clearly wanted to keep the bishops in line with his own ideas on correct doctrine.

His opposition towards the teachings of Pelagius is even clearly expressed by his 89 paragraph long theological dissertation against this particular heresy.¹²¹ Other forms of heresies besides the two aforementioned ones, such as Eutychianism¹²² and Nestorianism¹²³, were also of the pope's concern, as can be deduced from his letter concerning these heresies to the Dardanians.¹²⁴ Gelasius expresses throughout this epistle the primacy of the See of St. Peter as the highest authority within the church hierarchy and as the defender of the purity of the faith.¹²⁵ One by one he attacks these four heresies and argues why they were theologically wrong. He urges that all clergymen to follow his guidance as the rightful upholder of orthodoxy and asserting that he as pope did not divert from the established teachings of previous church councils. Gelasius dismisses the claims of ecclesiastical authority made by other bishops who had their see at imperial residences, stating that the presence of the emperor does not alter their subordinate position towards the Bishop of Rome as the vicar of St. Peter:

We [Gelasius] have laughed that they want to give privilege to Acacius, because he has been bishop of a royal city. Has it not been so that the emperor many times stopped at Ravenna, at Milan, at Sirmium, at Trier? Why have the priests of these cities by their worthiness never acquired something more than the measure which was bestowed upon them in earlier times?¹²⁶

¹²⁰ Another letter against Pelagianism was sent to the Dalmatian bishop Honorius, CA 96.

¹²¹ CA 97.

¹²² Eutychianism is a radical form of Monophysitism in which Christ had one, divine nature after the Incarnation that 'consumed' his previous humanity. This theological idea came from the fifth-century ascetic Eutychius of Constantinople, for more information about his condemnation, see: George Bevan and Patrick Gray, "The Trail of Eutyches: A New Interpretation," *Byzantinische Zeitschrift* 101, no. 2 (2009): 617-57.

¹²³ The theological idea of Nestorius, the fifth-century archbishop of Constantinople, that Christ had two separate natures, human and divine, that were not in a harmonious union.

¹²⁴ CA 95.

¹²⁵ For example, CA 95.13 and 95.79.

¹²⁶ CA 95.53; the same argument continues until 95.56; "Risimus autem, quod praerogativam uolunt Acacio comparari, quia episcopus fuerit regiae ciuitatis. numquid apud Rauennam, apud Mediolanum, apud Sirmium.

The same writings also provide a glimpse about Gelasius's opinion on the role of the emperor in this period of religious and political turmoil, evidence that has been ignored by other scholars. Gelasius tried to use his authority within the ecclesiastical hierarchy and in his writings we do not see a pope who consistently positioned himself in opposition with the emperor, but a bishop who hoped for imperial support, with whom he would share the pope's opinion on heretical matters. In CA 81 to the bishops of Illyria, Gelasius prays to God that the emperor would support his preaching on orthodox doctrine¹²⁷ and in his letter to the bishops of Picenum he is even more outspoken – stating that the decision of the church councils against heresies were also imperial decrees that needed to be upheld.¹²⁸ The same is said by Gelasius about the Pelagian heresy in which the bishop asserts that this heretical doctrine was also condemned by the Roman emperors who followed the laws of the church.¹²⁹ In these three examples the pope is not trying to create some sort of ecclesiological distance between himself and the emperor. Despite the Acacian schism, communication on religious matters continued between Rome and Constantinople. Gelasius expresses his willingness to cooperate for the sake of preserving “the correct faith” – the bishop's primary duty that formed the main line of thought throughout his writings, including the famous *Ad Anastasium*.

It is safe to say that Gelasius, and bishops in general, had very limited power in both the Ostrogothic Kingdom, outside of the church organisation, and in the Eastern Empire. His writings display an ecclesiastical officeholder who had to act in politically precarious circumstances and who kept himself to his primary theological responsibilities within the Catholic Church – the area where he still tried to exercise a degree of authority on the basis of

apud Triueros multis temporibus non constitit imperator? numquidnam harum urbium sacerdotes ultra mensuram sibimet antiquitus deputa tam quippiam sui dignitatibus usurparunt?”; “the measure” meaning their (supposed) subordinate position to the bishop of Rome.

¹²⁷ CA 81.9.

¹²⁸ CA 94.6.

¹²⁹ CA 98.7.

his status as heir of St. Peter. After his pontificate, Pope Hormisdas would encounter the same circumstances and he too continued to make attempts to assert authority on the basis of the Petrine doctrine.¹³⁰

Pope Hormisdas and the Acacian schism

The *Liber Pontificalis* provides for a positive description of the reign of Pope Hormisdas and his diplomatic efforts to restore the communion between the Church of Rome and the Church of the Eastern Roman Empire.¹³¹ During his pontificate the Acacian schism came to a quick end in 519 with the ascension of Justin I (r. AD 518 – 527) to the imperial throne in Constantinople. At the beginning of his reign, Justin nullified the *Henotikon* and then continued to uphold the Nicene and Chalcedonian doctrines. His successor Justinian I (r. AD 527 – 565) would do the same. The imperial attitude towards Christian doctrines had its effects on papal-imperial relationships and this is reflected in the substantial letter corpus of Pope Hormisdas as part of the *Collectio Avellana*. In contrast to his immediate predecessor, Symmachus, few scholars have given their main research focus to Hormisdas, despite the relative abundance of primary source material from and about this particular pope.¹³² This “lack” of undue consideration will be countered. Hormisdas’s letter exchanges contain clear assertions and also

¹³⁰ Pope Anastasius II (r. AD 496 – 498), the subsequent Laurentian schism, and the rule of Pope Symmachus (r. AD 498 – 514) will not be dealt with in this thesis due to specific problematic scholarly issues which cannot be addressed within the scope of this work; for more information on the Laurentian schism: Eckhard Wirbelauer, *Zwei Päpste in Rom: Der Konflikt zwischen Laurentius und Symmachus (498-514); Studien und Texte* (Munich: Tuduv, 1993).

¹³¹ *LP* 54. The authors of the *vita* clearly wanted to depict Hormisdas as a peace-maker, see Philippe Blaudeau, “Narrating Papal Authority (440 – 530): The Adaptation of *Liber Pontificalis* to the Apostolic See’s Developing Claims,” in *The Bishop of Rome in Late Antiquity*, ed. Geoffrey Dunn (Farnham: Ashgate, 2015), 132.

¹³² The main publications on Hormisdas are: Walter Haacke, *Die Glaubensformel des Papstes Hormisdas im Acacianischen Schisma* (Rome: Apud Aedes Universitatis Gregorianae, 1939); Fritz Hofmann, “Der Kampf der Päpste um Konzil und Dogma von Chalkedon von Leo dem Großen bis Hormisdas (451–519),” in *Das Konzil von Chalkedon. Geschichte und Gegenwart*, vol. 2, ed. Alois Grillmeier and Heinrich Bacht (Würzburg: Echter, 1953), 13-94; Adrian Fortescue, *The Reunion Formula of Hormisdas* (Garrison, NY: National Office, Chair of Unity Octave, 1955).

acknowledgements of his episcopal authority on the basis of the Petrine doctrine, which in all likelihood explain their presence in the *CA*.¹³³

The first entries in the *CA* about Hormisdas start with a letter exchange between him and Emperor Anastasius. In AD 515, the emperor sent a letter to Pope Hormisdas asking him to act as mediator at a local church council that was being organised to put an end to theological quarrels in Scythia [Minor], Thrace. The goal is to restore unity within the church. The emperor mentions that he refrained from sending letters previously, probably referring to the Acacian schism, and flatters the pope by referring to St. Peter, on which “the foundations of the church were built.”¹³⁴ As response, Hormisdas praises the emperor for his motivation to unify the church again and he says he will take up the task. The council was convened in Heraclea and after the event Hormisdas sent a letter to the emperor on behalf of the council containing recommendations on the upholding of orthodox Christian doctrine in the province.¹³⁵ The emperor’s choice for Hormisdas is a surprising one in light of the given schismatic circumstances. It has been suggested that the Emperor was forced by the pro-Chalcedonian Illyrian General Vitalianus to invite the pope to resolve the matter.¹³⁶

The troublesome relationship between the pope and the emperor is clearly visible in Hormisdas’s letter to Anastasius from the same year. In *CA* 115, the pope sent the bishops Ennodius of Pavia and Fortunatus, as well as three lower-ranking clergymen to Constantinople with a letter in which he expressed his utmost despise for several Eastern heretics, such as “the killers” Dioscorus, Timotheus, Acacius and Peter [of Antioch], the follower of this “son of darkness.”¹³⁷ Hormisdas firmly condemns the teachings of these persons as evil heresies, but

¹³³ The dating of the letters is based on the consulships that are mentioned at the end of most of the epistles in the *CA*.

¹³⁴ *CA* 107.3; “(...), mediatorem se apostolarum vester faciat, ut contentionibus amputatis unitas sanctae restituatur ecclesiae.”

¹³⁵ *CA* 108-110.

¹³⁶ Menze, *Justinian*, 71; Meier, *Anastasios I.*, 301-4; Anastasius also faced pro-Chalcedonian opposition in Constantinople itself, a famous example is the *patricia* Anicia Iuliana, see Meier, *Anastasios I.*, 219.

¹³⁷ *CA* 115.10; “(...) Acacius Petri tenebrarum filii communione pollutes hebeat participes, (...)”

he does not articulate any basis on which the emperor be convinced to listen to his authority as pope. The fact that Hormisdas dispatched this clerical embassy to Constantinople shows that the pope made attempts to change Emperor Anastasius's opinion about Acacius and his followers and to restore ecclesiastical unity. At least this is what the letter itself says in short.

In addition, Pope Hormisdas directed a separate letter to the envoys themselves, giving them strict answers on how to properly respond to possible questions of the emperor. Here, the attitude of Hormisdas is completely different. When handing over the papal letter, the legates should greet the emperor as follows: "Your father¹³⁸ greets [you], while he asks God and, together with the confessions of the holy apostles Peter and Paul, your kingship recommends [to Him]."¹³⁹ This greeting sets the tone for the rest of the hypothetical responses with which the pope equips his envoys. In most of Anastasius's questions the bishops are instructed to constantly refer to the council of Chalcedon and to the *Tome* of Pope Leo I and that the emperor should honour the holy decisions that were being made in AD 451, i.e. nullifying the *Henotikon* to end the Acacian schism and to restore unity within the Church.¹⁴⁰ The envoys should beg the emperor with tears in their eyes to

think about God and imagine His future judgement before your eyes. The holy fathers [referring to the bishops at the council of Chalcedon], who have decided to follow the faith of the blessed apostle Peter, through whom the church of Christ is built.¹⁴¹

Hormisdas is clearly basing his episcopal authority on his connection to St. Peter, through whom his office has always been able to maintain *the* correct orthodox faith.

¹³⁸ The pope implies here to have the superior position above the emperor: he as a 'father' stands higher than his 'son': the emperor.

¹³⁹ CA 116.5; "Salutat pater vester, deum cotidie rogans et confessionibus sanctorum apostolorum Petri et Pauli vestrum regnum commendans."

¹⁴⁰ CA 116.11-116.16, 116.20, 116.23-116.24.

¹⁴¹ CA 116.15; "His adicite preces et lacrimas rogantes 'domine imperator, considerate deum ponite ante oculos vestros futurum eius iudicium! Sancti patres, qui ista constituerunt, beati apostoli Petri fidem secuti sunt, per quam audificata est ecclesia Christi.'"

Despite the Acacian schism, Emperor Anastasius too seems to have had an interest in maintaining diplomatic relationships with Rome. In 516 he sent two high-ranking Constantinopolitan officials, Theopompus, the main chamberlain and head of the palace school, and Severianus, head of the holy imperial council, to the former capital to establish communications between the imperial court, the pope and the senate.¹⁴² Hormisdas sent a response via these two court officials in which he deploys a different, and less aggressive, rhetorical strategy. The pope acknowledges the emperor's will to restore unity and continues his epistle with biblical references about the ways King Solomon and Abraham maintained their correct understanding of their faith in God.¹⁴³ Hormisdas does not use an authoritative tone, but tries to appeal to the piety of the emperor by creating a comparison between him and these two authoritative biblical figures. In addition, the pope only makes two subtle references to St. Peter, viewed as the basis of *the* correct Christian faith. He urges Anastasius "to keep his firm footsteps on "the rock" (implying St. Peter) and to ignore the slippery parts of the erroneous people" – the heretics of the Acacian schism.¹⁴⁴ The emperor should "with all strengths keep to the teaching of *the* apostle" – implying St. Peter.¹⁴⁵

This particular letter indicates two sides of Hormisdas's understanding of ecclesiastical superiority. On the one hand, the pope clearly expresses that his religious teachings on the basis of the Petrine doctrine are the only correct way to follow Christianity and views himself as being in the authoritative position to speak for the entire Catholic Church. On the other hand, he acknowledges the superiority of the emperor in the end of the letter when he, "together with

¹⁴² To the pope CA 111; to the senate of Rome CA 113.

¹⁴³ CA 112.2, 112.5.

¹⁴⁴ CA 112.4; the complete sentence: "Ergo viae, cui coepistis, insistite et spretis errantium lubricis nobiscum supra petram solida tenete vestigial."

¹⁴⁵ CA 112.7; the complete sentence: "Date operam, ut laudando, quae profitemini, compleantur effectum, et apostoli, cuius communionem creditis, expetendam, totis viribus sequimini disciplinam"; emphasis mine.

the entire Church”, throws himself in front of the feet of the emperor – begging him to end the schism.¹⁴⁶

By means of his envoys, Theopompus and Severianus, the emperor too made his own statement about his understanding of the relationship between himself, King Theoderic, the senate and the pope. In his rather short letter to the Senate of Rome Anastasius states:

That is why it is necessary that your holy company with skilled commitment and foreseeing effort will do its best, as well as with the exalted king [Theoderic], *to whom the power and care to rule you is being intrusted*, as with the venerable pope, *to whom the possibility to mediate has been granted by God (...)*.¹⁴⁷

The emperor views King Theoderic as the legitimate ruler of Rome and only acknowledges the pope’s episcopal role as mediator, which was also already visible in CA 107.3. One last letter exchange between Pope Hormisdas and Emperor Anastasius is included in the *Collectio Avellana* about the Acacian schism, which contains similar arguments as the examples already given.¹⁴⁸

In the CA, Eastern recognition of the pope’s ecclesiastical authority comes from Bishop John of Nicopolis (today’s Greece), who refers to Hormisdas as the *principi episcoporum*, the first among the bishops.¹⁴⁹ He continues his letter about bishops who in his time neglected the previous holy Councils of Nicaea, Ephesus and Chalcedon, but that he wishes to follow the teachings of the papacy, as described in the letter (the *Tome*) of Pope Leo, “the true leader of the Church of Rome.”¹⁵⁰ Hormisdas was delighted that now he found an ally in the East and remained in frequent contact with the bishop.¹⁵¹ Apparently Bishop John encountered

¹⁴⁶ CA 112.9; “ego non solum cum his ad vos supplicationis verba converto sed vestigiis vestris cum universali advoluor ecclesia.”

¹⁴⁷ CA 113.4; “Proinde oportet sanctissimum coetum vestrum sollerti studio ac provido labore contendere tam apud excelsum regem, *cui regendi vos potestas vel sollicitudo commissa est*, quam apud venerabilem papam, *cui intercenendi apud deum facultas est praestita*.”; emphasis mine.

¹⁴⁸ CA 125 and 126.

¹⁴⁹ CA 117.1.

¹⁵⁰ CA 117.5-117.6; “(...) a vero praesule Romanae ecclesiae Leone.”

¹⁵¹ In letter CA 121.1 from Hormisdas to John of Nicopolis, Hormisdas refers to “a number of letters” that have been sent, which “fit the judgements of the apostolic see.”

difficulties, as epistles 123 and 124 suggest.¹⁵² He probably had to deal with external pressure from Acacian bishops in the East now that his allegiance was with the pope. Hormisdas sent these letters to show his support and to stimulate John to keep to the apostolic teachings. The pope even stood up for the bishop in a letter to Anastasius in which he praises the example the Eastern bishop set by his efforts to restore communion with the pope.¹⁵³

Bishop John of Nicopolis is an exception. Hormisdas made several attempts to convince the Eastern bishop to return to communion with the papal see. A representative example of such a letter from AD 517 is directed “to all the bishops in the areas of the East” in which the pope urges the *episcopi* to be good shepherds. Hormisdas ends his message with a clear argumentation for reconciliation for the sake of their own salvation:

Let nothing withhold you from Salvation; return to the [right] path with quick steps. A fall [referring to the Acacian schism] does not encumber the one who runs, when he stands up again. The teaching of mildness of the Lord is bounteous; harmful are the shackles of error when they retain. Justice hates the stubborn, mildness supports them who better themselves.¹⁵⁴

Hormisdas’s communications towards the East are filled with such threatening statements and in my opinion they show the pope’s frustration about his lack of influence. Despite all of Hormisdas’s efforts, a solution to end the conflict was never found during Anastasius’s rule. Hormisdas was irritated about the constant refusal of the emperor and the Eastern bishops to acknowledge his authority in the upholding of orthodoxy, while communicating with him in the meantime. His frustration is maybe best expressed in the pope’s letter to Bishop Avitus of Vienne: “[The Greeks] offer wishes for peace with their mouths rather than with their hearts.”¹⁵⁵

¹⁵² CA 123.7: “don’t go back to these bad influences, which were barely avoided”; CA 124.1: “We have been very sad that you mentioned, that you went through some hardships.”

¹⁵³ CA 127.2.

¹⁵⁴ CA 129.12; “Nil vos retrahat a salute; velocibus ad viam redite vestigiis. Lapsus ruentem non gravat, si resurgat. Larga est dominicae doctrina clementiae; noxia sunt erroris vincla, dum retinent. Odit iustitia pertinaces, fovet clementia corrigentes.

¹⁵⁵ Danuta Shanzer and Ian Wood, *Avitus of Vienne: Letters and Selected Prose* (Liverpool: Liverpool University Press, 2002), 129-33; epistle 42; also mentioned by Meier, *Anastasios I.*, 318.

The agitation between the pope and the emperor definitely came from both sides. Anastasius ends the diplomatic connections with Hormisdas in 517 with the following words: “we can bear insults and contempt, but we cannot permit ourselves to be commanded.”¹⁵⁶ The emperor’s words show how decisive Hormisdas tried to impose papal authority in the eyes of the monarch, but it also demonstrates the extensive confidence of the papacy about its perceived primacy in ecclesiastical matters.

The communication with Constantinople and with Eastern bishops changed with the ascension of Justin I in 518 and Hormisdas’s subsequent vast letter exchanges with the Eastern-Empire are all about the restoration of communion and orthodoxy a year later.¹⁵⁷ The most influential document is Hormisdas’s *Libellus* – already written in 515 – in which the pope articulated the rightfulness of the Chalcedonian teachings from a Western point of view in which he expressed himself as the prime bishop in both East and West on the basis of Matthew 16 and the papacy’s continues theological immaculacy throughout the previous centuries.¹⁵⁸ Various (deceased) patriarchs and bishops were condemned. Justin accepted this letter and from 521 onward the *Libellus* was enforced throughout the Eastern Empire, but not without any resistance.¹⁵⁹ I agree with both Volker Menze and Alexander Evers that Justin I’s quick acceptance of the *Libellus* was due to political reasons. The new pro-Chalcedonian emperor needed papal support to further legitimise his rule and therefore formally acknowledged the pope’s claim of hierarchical superiority of the patriarchal see of Rome.¹⁶⁰

Both Justin and his successor Justinian had no issue with recognising the papal claim for apostolic succession, because in their eyes it did not imply a position for the pope as

¹⁵⁶ CA 138.5; “iniuriari enim et adnullari sustinere possumus, iuberi non possumus”; English version quoted from Menze, *Justinian*, 72; see also Meier, *Anastasios I.*, 319.

¹⁵⁷ CA 141-208.

¹⁵⁸ Menze, *Justinian*, 68

¹⁵⁹ For example Bishop Dorotheus of Thessaloniki refused to accept the papal *Libellus*, see Menze, *Justinian*, 33.

¹⁶⁰ Menze, *Justinian*, 73-5; Alexander Evers, “East and West, Emperor and Bishop: Hormisdas and the Authority of the See of Rome,” in *The Role of the Bishop in Late Antiquity: Conflict and Compromise*, ed. Andrew Fear et al. (London: Bloomsbury, 2013), 180.

supreme head of the Catholic Church. For them, the Roman emperor was the head of Christendom and the binding force between God and human affairs.¹⁶¹ The failed papal embassies and letter correspondence during the Acacian schism show how in the end imperial authority in religious matters remained superior to any form of asserted papal authority within the Catholic Church in this period. Therefore, I do not see a substantial development of papal episcopal authority when comparing the pontificates of Gelasius I and Hormisdas with each other. Only the emperor had the power to reunite the church. The same can be said about later popes. Hormisdas's successor John I (r. 523 – 526) would experience the superior power of monarchs when he did not succeed in convincing Emperor Justinian to stop the persecution of Arians in his empire. The pope died in Ostrogothic captivity when he returned from his embassy to Constantinople in 526. His immediate successors Felix IX (r. 526 – 530) and Bonifatius II (r. 530 – 532) were probably appointed by respectively Theoderic and Athalaric, demonstrating the vulnerability of the papacy when the Arian kings were actively imposing their will on the papal elections within the Catholic Church.¹⁶² This history shows how contemporary politics and ecclesiastical issues were strongly interrelated for the popes.

This dual function of the bishop will be clarified further when looking into a bishop's political role as diplomat in the next chapter about the *Life of Epiphanius*, which will show that one particular Catholic bishop was attributed with having an authoritative role in international diplomacy.

¹⁶¹ John Meyendorff, "Justinian, the Empire and the Church," *Dumbarton Oaks Papers* 22 (1968): 49.

¹⁶² Moreau, "the Double Papal Election," 177; for more information on episcopal elections, see: Peter Norton, *Episcopal Elections 250-600: Hierarchy and Popular Will in Late Antiquity* (Oxford: Oxford University Press, 2007); John Leemans, *Episcopal Elections in Late Antiquity* (Berlin: De Gruyter, 2011).

Chapter Three: Episcopal Authority in the *Vita Sancti Epiphanii*

Epiphanius was the Nicene bishop of Pavia in the first five years of Theoderic's reign. In the eyes of the Catholics, King Theoderic, as an Arian, had nothing to do with any internal Catholic ecclesiastical matters and is only mentioned twice in the entire *Collectio Avellana*, but the *Vita Sancti Epiphanii* by Ennodius shows Theoderic's strong connections to Catholic bishops.¹⁶³ During his life Epiphanius was given important diplomatic tasks by the Gothic king. Less than eight years after his death in AD 496, his disciple Ennodius deliberately wrote an undisputable pro-Ostrogothic hagiography about the bishop whom he deemed to be a saint.¹⁶⁴ It is important to note that Ennodius did not collect nor edit any part of his own writings. His work is transmitted via two manuscripts, one of them dating from the ninth century.¹⁶⁵ It is therefore not certain in what way and to what extent the original text has been altered over the course of more than three centuries.¹⁶⁶

The *Life of St. Epiphanius* can be compared to *vitae*, such as the *Life of St. Ambrose*, the *Life of St. Hilary of Arles*, and the *Life of St. Germanus*, in which an emphasis is created on the (educational) background of the bishop that in part explains his virtuous actions in worldly affairs.¹⁶⁷ In the case of Epiphanius, Ennodius focuses on the experience and talents of the saint in his role as mediator in both local and diplomatic affairs, and not as much on miracle works.

¹⁶³ Theoderic is mentioned briefly in CA 114.1 and 199.2.

¹⁶⁴ This chapter deals with one particular source about one single saint. As a commodity, the terms hagiography and *vita* are used as synonyms in this chapter, though I am aware of the fact that both terms have their own methodological issues. For an excellent overview on the debate about the scholarly usage of hagiography and *vita*, see Anna Taylor, "Hagiography and Early Medieval History," *Religion Compass* 7, no. 1 (2013): 1-14.

¹⁶⁵ Cook, *Epiphanius*, 1.

¹⁶⁶ For a discussion on the seventeenth-century editions, see: Stephanie Kennell, "Ennodius and his Editors," *Classica et Mediaevalia: Revue Danoise de Philologie et d'Histoire* 51 (2000): 251-70.

¹⁶⁷ Friedrich Lotter, "Methodisches zur Gewinnung Historischer Erkenntnisse aus Hagiographischen Quellen," *Historische Zeitschrift* 229 (1979): 310-11; for a comparison between the *Vita Germani* and the *Vita Epiphanii* see: Andrew Gillett, *Envoys and Political Communication in the Late Antique West, 411 – 533* (Cambridge: Cambridge University Press, 2003), 148-59.

According to Andrew Gillett, the chronological proximity of the *Vita* to the saint's death "clearly tempers Ennodius' rhetoric" on the latter theme.¹⁶⁸

Unfortunately, within the scope of this thesis there is no room to go into the broader scholarly debate about to what extent "historical reality" can be distilled from hagiography nor will it be argued which terms should be preferable in scholarly research on a saint's *vita*. In my opinion, an analysis of the *Vita S. Epiphanii* will show how Ennodius created a careful mixture of descriptions of real political actions, his embassies, together with specific elements of a late antique saint's *Vita*, such as Epiphanius's display of holy virtues during these events. These virtues gave him episcopal authority and this is the reason why his *Life* will receive significant attention in this part of the thesis, which can be viewed as a hagiological chapter.¹⁶⁹

The reliability of Ennodius's descriptions of Epiphanius's acts remains questionable, but the ideal of both a holy and skilful bishop that forms the *Leitmotiv* throughout the hagiography is the main subject of this chapter, because it displays the virtues that the *episcopus* ought to have in sixth-century Italian society. The bishop's hagiographical work can be used for this reason because it represents contemporary notions about the period's social and political circumstances and religious worldviews.¹⁷⁰ What will be demonstrated is how this *Vita* conveys the message that Epiphanius was the bearer of different forms of episcopal authority that explain his skilfulness as a mediating bishop.

Ennodius's descriptions of a holy bishop show an ideal image of how he should properly act within his community and within the new kingdom.¹⁷¹ Though Epiphanius himself only lived to experience the first years of King Theoderic's reign, this idealistic perspective

¹⁶⁸ Gillett, *Envoys and Political Communication*, 157.

¹⁶⁹ Guy Philippart, "Hagiographes et Hagiographie, Hagiologes et Hagiology: Des Mots et des Concepts," *Hagiographica* 1(1994):14; Patrick Henriet, "Texte et Contexte: Tendances Récentes de la Recherche en Hagiology," in *Religion et Mentalités au Moyen Âge: Mélanges en l'Honneur d'Hervé Martin*, ed. Sophie Cassagnes-Brouquet et al. (Rennes: Presses universitaires de Rennes, 2003), 75.

¹⁷⁰ Lotter, "Methodisches zur Gewinning," 356.

¹⁷¹ On the growing importance of the mediating role of holy men in late antiquity, see: Peter Brown, "The Rise and Function of the Holy Man in Late Antiquity," *Journal of Roman Studies* 61 (1971): 80-101.

within his *Vita* is of much importance because it offers useful insights into what the bishop's authority preferably should entail in the Ostrogothic Kingdom in the eyes of Ennodius and his primary audience, the Pavian Catholics. They had to be convinced that a new saint was to be venerated. In general, *vitae* such as this one, were produced for the religious community and were part of the cult of the local saint.¹⁷² It was also an expression of personal piety by the hagiographer himself.¹⁷³ On some occasions, Ennodius had to function as a legate too. By means of this *vita* he could highlight the extraordinary qualities of his tutor and predecessor, which subsequently would positively reflect on his own diplomatic works as well.

The text also shows that Ennodius kept his own contemporary political situation in mind and clearly wrote a pro-Ostrogothic piece of literature in order not to offend and maybe even to openly show support for the Gothic ruler. Due to Ennodius's own connections to the royal court, Theoderic himself was probably aware of the creation of the *Vita* in which he is frequently mentioned. Probably for this political reason, the *Vita of St. Epiphanius* also remains silent about any possible hostility between Nicene and Arian Christians, just as Cassiodorus's *Variae*.

We have to take into account that Ennodius tried to convince his readers of the exceptional sanctity of his predecessor. About one-fourth of the hagiography consists of speeches, which are being used as a rhetorical device to convince the reader of the trustworthiness of the text and emphasises the personal interactions between Epiphanius and rulers, such as Theoderic and the Burgundian king Gundobad.¹⁷⁴ The bishop is continuously depicted as a humble man who, despite his modest ecclesiastical office, could influence

¹⁷² For an analysis of the theology behind the "presence" of the saint in his/her relics, see: Peter Brown, *The Cult of the Saints: Its Rise and Function in Latin Christianity* (Chicago: University of Chicago Press, 1981).

¹⁷³ Thomas Head, *Hagiography and the Cult of Saints: The Diocese of Orleans, 800 – 1200* (Cambridge: Cambridge University Press, 1990), 14-17.

¹⁷⁴ Cook, *Epiphanius*, 29; Gillett, *Envoys and Political Communication*, 161-64; for more information on the diplomatic relationship between Theoderic and Gundobad, see: Danuta Shanzer, "Two Clocks and a Wedding: Theoderic's Diplomatic Relations with the Burgundians," *Romanobarbarica* 14 (1999): 225-58.

powerful rulers, because the kings recognised his authority as a holy man. The *Vita* describes this as the primary *virtus* of the saint, which granted him entrance into Heaven.¹⁷⁵

Authority in Epiphanius's pre-episcopal life

Ennodius's *Life of St. Epiphanius* is chronologically structured and starts in the first paragraphs with a description of the saint's childhood. Epiphanius came from a free-born family and was a grandson of a bishop from his mother's side.¹⁷⁶ As in many hagiographies, the saint in question already displayed holiness from an early age and was granted with the Holy Spirit as a young boy.¹⁷⁷ He joined the clergy as a teenager and is described by Ennodius as an authority when it came to teaching religious instructions when Epiphanius was serving the church of Pavia as a sub-deacon between the age of sixteen and eighteen.¹⁷⁸ According to his hagiographer, he gave his possessions to "the episcopal household and the treasury of the poor"¹⁷⁹ and he lived his life in chastity.¹⁸⁰

These anecdotes by Ennodius are meant to display the consistent saintliness of Epiphanius during his entire life, even before he became bishop. The virtues that are ascribed to Epiphanius create a basis for his authority as a holy man during the rest of his life. The visiting Holy Spirit fits directly into Claudia Rapp's definition of spiritual authority because it was a gift from God, while his abandonment of material wealth and leading a chaste life are ascetic elements in the *Vita*, though the holy man is not portrayed as a full-fledged ascetic.

¹⁷⁵ Head, *Hagiography and the Cult of Saints*, 66.

¹⁷⁶ Ennodius, *Vita S. Epiphanii*, 7; all translations of quotations from the *Vita* were made by Genevieve Marie Cook.

¹⁷⁷ *Ibid.*, 4.

¹⁷⁸ *Ibid.*, 17.

¹⁷⁹ *Ibid.*, 27.

¹⁸⁰ *Ibid.*, 28-9; on the rising importance of chastity for Christian clergymen during late antiquity, see: Peter Brown, *The Body and Society: Men, Women, and Sexual Renunciation in Early Christianity* (New York: Columbia University Press, 1988), 443.

However, he followed a higher moral code of conduct than the average Roman in his time, which gave him an exceptional status.

At the age of twenty, Epiphanius was promoted to the rank of deacon and became responsible for administering the church's household,¹⁸¹ but despite his rather low ecclesiastical rank, Ennodius lauds him for his successful role as mediator within the local community already at this stage. Ennodius describes him as a priest with a skilled way of pleading by which people were convinced by his requests. This character trait gave Epiphanius pragmatic authority, because he was able to solve conflicts for the benefit of those who searched for his aid. It shows that people acknowledged the merits of the clergyman's advice and followed it. In this way, the hagiography signals his early authority.

Epiphanius was 28 years old when he was consecrated as Bishop of Ticinum (Pavia).¹⁸² Ennodius continues with a description of his modest way of living: a strict daily routine, humble meals and a bit of wine consumption, and infrequent bathing.¹⁸³ Despite the various seasons of the year, each day he would get up early in the morning to tell the lecturer what he should teach for that day.¹⁸⁴ Whether his lifestyle actually was the way his hagiographer portrays it is not necessarily important. The behaviour of Epiphanius that Ennodius tries to convey is a display of modesty – a virtue to make the saint appealing for the audience of his *Vita* that, it seems, valued such behaviour of a bishop. The passage also indicates that it was an episcopal responsibility to provide the content of religious teaching and to protect the quality of Christian education in his see, but that the bishop himself did not necessarily had to act as a teacher.

¹⁸¹ Ennodius, *Vita S. Epiphanii*, 32.

¹⁸² Ibid., 43.

¹⁸³ Ibid., 47-8.

¹⁸⁴ Ibid., 49.

Epiphanius as urban leader

The bishop's role as leader of his flock is being illuminated by Ennodius. Pavia, next to Ravenna and Verona, became one of the main areas where the migrating Goths settled under the leadership of Theoderic. In the beginning phase of the king's rule, Epiphanius as the Pavian bishop, was confronted with large numbers of Goths now living in the city. The military leader Orestes chose Ticinum as a base, which made the city the battle scene in the military struggle for the rule of Italy between Orestes and the Germanic leader Odoacer around the years AD 475-6. Ennodius, most likely an eye-witness at the event, describes vast hordes of savage barbarians (*cruda barbaries*) that plundered and destroyed the city, including the episcopal residence where the church kept its financial assets. The two churches in the city were set ablaze by the attackers.¹⁸⁵ Ennodius describes the way Epiphanius handled his role as bishop amidst such chaos and terror. Not only was the bishop able to save his abducted holy sister from the attackers (it is not explained how), but he is being described by Ennodius as “a strong column” (*fortissimae columnae*) throughout all the terrible events. He was able to save people from harm through his prayers and he himself was respected by the barbarians. According to Ennodius, they made sure that “there were no captives for the bishop to see.”¹⁸⁶ It was a sign of respect.

The way Epiphanius is portrayed in this episode fits within the general hagiographical discourse on the way the saint in question was able to overcome hardship through his holiness – his divine connection with God – by which he could perform miracles for the benefit of his fellow Christians. It is important to note here that this is the first mentioning in the *Vita* about divine intercession through the prayers of the saint. The second time such a miracle happened is during the reconstruction of the churches, when workers remained unharmed after a newly

¹⁸⁵ Ibid., 95-8.

¹⁸⁶ Ibid., 98-100; “Nam ilico non fuerunt quos potuit videre captivos; (...)”

made vault collapsed on top of them. According to Ennodius, the community attributed the miracle to the prayers of bishop Epiphanius, which is a sign of recognition of his spiritual and pragmatic authority by his own flock.¹⁸⁷

The bishop's role as a civic leader is further illuminated in the hagiography by his embassy to Odoacer to negotiate for tax exemptions for his city to relieve his community from this financial burden after the recent war devastations. Apparently, Odoacer granted the exemption, but his order was not carried out by his Praetorian Prefect, Pelagius. Ennodius only refers to Odoacer briefly in a few passages and continued quickly to the reign of Theoderic.¹⁸⁸ His choice to exclude the details of Epiphanius's visit to the Skirian leader was most likely politically motivated, because any substantial positive writing published about the former rival of Theoderic would probably not have been accepted by the king at the time when Ennodius was writing his hagiography in the Ostrogothic Kingdom.

Ennodius states that Theoderic saw the strategic benefits of the already present fortifications of the city for his army,¹⁸⁹ but with this decision he substantially increased the city's population, and now "(...) great houses so crowded [were] reduced to the state of narrow huts."¹⁹⁰ As can easily be imagined, such a situation would be a fertile breeding ground for conflicts between members of the populace, which Ennodius tried to emphasise with this passage. Epiphanius took up his episcopal responsibility to provide aid through charity and to be a mediator between Romans and Goths, to keep the difficult socio-economic situation in his city under control.¹⁹¹ After the departure of the Goths, the Rugians were located in the city for two years at the orders of Theoderic. Epiphanius was once again able to maintain *concordia* in

¹⁸⁷ Ibid., 103-104; Hereby I disagree with Adam Izdebski, who states that Epiphanius "is not shown performing miracles", see Adam Izdebski, "Bishops in Late Antique Italy: Social Importance vs Political Power," *Phoenix* 66 (2012): 162.

¹⁸⁸ Ennodius, *Vita S. Epiphanii*, 106-109.

¹⁸⁹ Ibid., 109-111.

¹⁹⁰ Ibid., 112; "(...) domorum inmanium culmina in angustissimis resecata tuguriis"; brackets mine.

¹⁹¹ Ibid., 113-116.

the city in that period. The bishop “mollified them [the Rugians] by the gentleness of his speech; and their cruel hearts became willing subjects to his authority and thereby learned to love – hearts which, as we know, had ever been dedicated to hatred.”¹⁹² After the Rugians left the area too, the bishop continued to restore the city, “acting in accordance with divine inspiration.”¹⁹³

The rhetorical skills of Ennodius are again at work here. He describes how by means of extraordinary ways Epiphanius was able to attend to the needs of his own community under difficult circumstances. It demonstrates that the holy bishop successfully intervened for the benefit of his own city. The author chose to focus on both Epiphanius’s pragmatic and spiritual authority within his own diocese.

Epiphanius as diplomat

Epiphanius’s first political task came at the instigation of the *magister militum* Ricimer, the second man of Emperor Anthemius (r. AD 467 – 472), who rebelled against his lord after he fought a war against the Vandals. Epiphanius was ordered by Ricimer to lead an embassy to Rome to start peace negotiations with the emperor.¹⁹⁴ To assign bishops for such diplomatic tasks was not a new political phenomenon in the region in the second half of the fifth-century. The most famous example is Pope Leo the Great’s participation in the embassy to Attila the Hun in AD 452 and also Saint Severinus of Noricum (ca. AD 410 – 482) took up diplomatic responsibilities when negotiating prisoner exchanges with hostile Germanic tribes at the Danube border in today’s Austria.¹⁹⁵ According to Ennodius, Epiphanius responded with some

¹⁹² Ibid., 118; “Quos tamen beatissimus antistes sermonum suorum melle delenibat, ut effera corda auctoritati submitterent sacerdotis et amare discerent, quorum pectora odiis semper fuisse dedicate cognovimus”; brackets mine.

¹⁹³ Ibid., 120; “(…), spiritualis prospexit deliberation consilii.”

¹⁹⁴ Ibid., 51-56.

¹⁹⁵ Walter Pohl and Maximilian Diesenberger, *Eugippius und Severin: Der Autor, der Text und der Heilige* (Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2001).

hesitation to the order of Ricimer: “Although the importance of such a task requires the *authority* of a very experienced person, and I stand uncertain before such a heavy burden, yet I shall not refuse to my country the love which I owe her.”¹⁹⁶

The uncertainty that the saint had about his own personal qualities to successfully perform such a task is a recurrent literary construct, a *topos*, in most hagiographies, because it emphasises the unpretentiousness of the saint. The hagiographer continues his story and mentions that Epiphanius underwent hardships on his journey to Rome – another recurring theme as will be shown – and met Anthemius in the ancient capital to deliver his speech as a legate.¹⁹⁷ As a bishop, he argued for the Christian ideal of peace:

Moreover, a victory without bloodshed will be a triumph which will add great glory to the annals of your reign. For I know of no manner of warfare in which you can better prove your valor than by contending against your own anger and shaming the fierce Goth [Ricimer] by your kindness.¹⁹⁸

The emperor responds sceptically at first: “To such a one shall we grant peace? Shall we endure this man who wears the garb of friendship but is at heart an enemy, whom not even the bonds of kinship¹⁹⁹ have held to his promise of concord?”²⁰⁰ However, he concludes with the following response: “But if your reverence act as surety and mediator in these matters – being able as you are, to uncover *by a supernatural intuition* and, when uncovered, to correct criminal designs – I dare not refuse the peace you also ask.”²⁰¹

¹⁹⁶ Ennodius, *Vita S. Epiphani*, 57; “Quamvis tanctae rei necessitas probatissimae personae *pondus* inquirat et titubat sub gravi fasce portitor immaturus, affectum tamen quem debeo patriae non negabo.”; emphasis mine; authority is being translated as a burden, as a responsibility.

¹⁹⁷ Ibid., 58.

¹⁹⁸ Ibid., 64; “Erit enim triumphus vestris proprie profuturus annalibus si sine sanguine viceritis. Simul nescio quae species fortiori possit esse bellorum quam dimicare contra iracundiam et ferocissimi Getae pudorum beneficiis.”

¹⁹⁹ Anthemius could be referring here to the marriage between Ricimer and the emperor’s daughter Alypia.

²⁰⁰ Ennodius *Vita S. Epiphani*, 69; “huic nos pacem dabimus? Hunc intestinum sub indumento amicitiarum inimicum sustinebimus, quem ad foedus concordiae nec ad finitatis vincula tenuerunt?”

²⁰¹ Ibid., 70; “Sed si his omnibus reverentia tua et vades et mediator accedit, qui potes *spirituali indagine* consilia nefanda invenire et inventa corrigere, pacem quam et tu poscis negare non audeo.”; emphasis mine.

Anthemius's reaction to Epiphanius is a rhetorical construct made by Ennodius. The sceptical response to Epiphanius's idealistic Christian message is grounded on the valid political argument that the emperor had reasonable doubts about the trustworthiness of Ricimer's peace offer. It became uncertain at this point if the main character, St. Epiphanius, would succeed in his diplomatic efforts. The tension in the story grows. However, the reader is quickly reassured by Anthemius's eventual agreement with the bishop, because the emperor became convinced by the bishop's "supernatural intuition" about the case. What Ennodius does in this passage is to make the Roman emperor himself acknowledge the spiritual authority of Epiphanius. This imperial recognition of the bishop's special relationship with God – which already was argued in the beginning with the visiting Holy Spirit during Epiphanius's childhood – is a deliberate emphasis of the bishop's holiness and his authority.

Epiphanius acknowledged the rightful claim of the emperor as head of the Roman Empire, despite his role as legate of Ricimer.²⁰² Imperial rule on Earth serves as model how divine rule is exercised in heaven.²⁰³ The bishop's demonstration of loyalty to the Roman head of state expresses that the saint would not view a usurper as a rightful ruler, which can be viewed as an underlying message to Theoderic that Ennodius saw him as the lawful sovereign of Italy in the time when the *Vita* was published. In turn, the emperor referred to Epiphanius as a mediator (*mediator*)²⁰⁴ and as a skilful pilot (*boni gubernationis*).²⁰⁵

A successful embassy such as this one to Anthemius describes at first the traditional role of the bishop as an authoritative mediator – through his pragmatic authority – which in the case of Epiphanius already was acknowledge during his days as deacon in Pavia. The emperor probably had other, more earthly, political reasons to agree with the bishop's proposal for a truce, which are left out by Ennodius. The hagiographer wanted to attribute the success of the

²⁰² Ibid., 62-5.

²⁰³ Ibid., 71.

²⁰⁴ Ibid., 70.

²⁰⁵ Ibid., 71.

negotiations to the exceptional personality of the saint. Epiphanius's embassy on behalf of Emperor Julius Nepos to King Euric of Gaul, the second one in his episcopal career, tells to a large extent a similar story, in which even the barbarian king acknowledged the holiness of the bishop: "I shall do therefore, venerable father, what you ask since in my eyes the person of the ambassador holds more weight than the power of the one who dispatched him."²⁰⁶ By such embassies, the bishop's arbitrary role was being elevated and carried out on the highest political level. By ascribing Epiphanius's continuous diplomatic success to his spiritual and pragmatic authority, Ennodius was able to strongly increase the image of the saint as an authoritative holy man.

Epiphanius and Theoderic

Theoderic came to rule Italy through military force and, as mentioned before, he had to safeguard his newly acquired power position. The *Vita S. Epiphanii* goes into the king's political policy about this matter. Ennodius describes how Epiphanius, together with Archbishop Laurentius of Milan (r. AD 490 – 511), travelled to the royal court in Ravenna to plead on their people's behalf. Theoderic had renounced the Roman legal rights of everyone who had supported Odoacer during the war from AD 489 - 493.²⁰⁷ Therefore, the embassy probably can be dated to 493 or 494. The goal of the bishops was to convince the king to restore the Roman privileges of the people of their cities. Although both clergymen had a financial incentive too, as Moorhead critically notes: Theoderic's law made people's last wills legally invalid, wills in which the church was often named as one of the inheritors of their belongings.²⁰⁸

²⁰⁶ Ibid., 86-91; "Facio ergo, veneranda papa, quae poscis quia grandior est apud me legati persona quam potential destinantis."

²⁰⁷ Ibid., 122-23.

²⁰⁸ Moorhead, *Theoderic*, 31.

The argumentation that is ascribed to Epiphanius by Ennodius about this affair provides several insights into the way bishops were able to act as political representatives of their own cities in the Ostrogothic Kingdom. Ennodius would not have been able to present the reader with an untruthful description, since the king and also archbishop Laurentius – the metropolitan who consecrated Ennodius as Bishop of Pavia – were still alive when the hagiography was published.

When arriving at the court, Epiphanius was allowed to have the word. The Archbishop of Milan was higher in rank and therefore the one who normally would be the first person to speak in such an official occasion. Laurentius made the deliberate choice to use the saint's diplomatic experience to plead their case before Theoderic.²⁰⁹ Epiphanius's tried to convince the king by pointing out the debt that he owed God, because divine favour aided him to ascend to the throne. Because of this, the bishop argued for the Christian virtue of mercy to be bestowed upon Theoderic's former opponents as a form of good kingship:

You have much for which you are indebted to Christ our Redeemer: He has given to you those for whom we now intercede. (...), your adversaries, superior in numbers and equipment, could not withstand your arms assisted by no other ally than an invisible power from on high. (...) Let the compassion, therefore, which you show to your fellow men be your return to these divine favors. (...) Before our God it is but scant mercy to exempt from punishment only the guiltless: to forgive offenses is divine; to avenge them, human.²¹⁰

Theoderic responds as follows according to Ennodius:

O venerable bishop, I entertain toward you an esteem proportionate to your merits, and although you have shown me many favors in time of distress²¹¹, the fruit of which you ought to enjoy now that peace has been restored, yet the restrictions imposed on one who rules open no access to that mercy which you advocate, (...). (...) He who refuses to take vengeance becomes himself the object of it; he who having his enemy in his power pardons him either makes light of or despises the power of God's commands.

²⁰⁹ Ennodius, *Vita S. Epiphanii*, 124; "(...), beatus Laurentius necessarium duxit illi potissimum perorandi copiam dari, cuius vestigial frequentium legationum laboriosus callis adtriverat (...)."

²¹⁰ Ibid., 126-30; "Habes plurimum Christo redemptory nostro quod debeas: pro quibus rogamus, ipse largitus est. (...), quando armis numero adversarii praestantiores subsistere sola tecum dimicante caelitus invisibili virtute non poterant. (...) Hic ergo donis caelestibus vicissitudinem impensa circa homines pietate restitue. (...) Exigua est apud deum nostrum misericordia, si illos tantum laesio non sequatur, qui reatu carent: culpas dimittere caeleste est, vindicare terrenum."

²¹¹ This is probably a reference to the period that the Gothic army stayed in Pavia.

(...) He who lets the guilty go unpunished instigates the innocent to crime. But since heaven given assent to your prayers, we on earth cannot resist them. We therefore extend all the pardon of their crimes.²¹²

Ennodius uses the same rhetorical tactic as in the previous speech by Emperor Anthemius. Theoderic remains sceptical at first and explains the political-strategic benefits of his policy to take away the Roman legal privileges of his former opponents countering Epiphanius's argument on what God's will would be about the affair. Again, the reader sees the chances of success decreasing for the saint's plea. Then the king makes a sudden turn at the end of his speech in which, like Anthemius previously, he acknowledges the spiritual authority of Epiphanius due to his connection with the divine, *since heaven gave assent to his prayers*. Ennodius portrayed Theoderic for having an interest in obedience as if the holy man's closeness to God outweighed any earthly, political arguments.

Theoderic valued Epiphanius's diplomatic experience and sent him during that same meeting as head of an embassy to King Gundobad of Burgundy (r. AD 473 – 516). The bishop's goal was to negotiate the liberation of Italian captives, who were being held by the Germanic king after his war with the Goths.²¹³ It is reasonable to assume that the legates also were sent for the marriage proposal between Gundobad's son Sigismund and Theoderic's daughter to settle for peace between the two kingdoms.²¹⁴ Epiphanius glorified the Gothic king and compared him to the biblical King David for his search for justice – a compliment possibly made by Ennodius – and he asked the king for his approval to let Bishop Victor of Turin

²¹² Ennodius, *Vita S. Epiphanii*, 131-34; "Quamvis te, venerabilis episcopem pro meritorum tuorum luce suspiciam et multa apud me confusionis tempore reposuisses beneficia, quibus frui te convenit tranquillitate revocata, regnandi tamen necessitas qua concludimur misericordiae quam suades non ubique pandid accessum, (...). (...) Ultionem suscipit qui detractat inferred: vim divini iudicii aut adtenuat aut contemnit qui hosti suo cum potitur, indulget. (...) Qui criminosos patitur inpune transire ad criminal hortatur insontes. *Tamen quia precibus vestris, quibus superna assentiunt*, obsistere terrena non possunt, omnibus generaliter errorem dimittemus."; emphasis mine.

²¹³ Ibid., 136-41.

²¹⁴ Shanzer and Wood, *Avitus of Vienne*, 17; Epiphanius mentions the marriage in his speech to Gundobad: Ennodius, *Vita S. Epiphanii*, 163.

accompany him in his embassy to the Burgundians.²¹⁵ The king gave his consent for the request and both bishops travelled to Gungobard's court in Lyon.

Ennodius describes the journey across the Alps as being very difficult in wintery March and that the saint even ate as little as possible to lessen the delay when he had to stop for meals. Along the way, Epiphanius also distributed alms for the poor.²¹⁶ This part of the hagiography is meant by Ennodius to display the virtues of modesty and almsgiving of the saint, who through his faith in God could have the persistence to overcome hardships – the dangers of the travel. His ability to take care of the poor in such circumstances emphasises the holiness of the saint even further.²¹⁷

Bishops Epiphanius and Victor met the king at his court and again it was Epiphanius who was granted the privilege to lead the negotiations with the Burgundian king.²¹⁸ As the main argument in his plea Epiphanius emphasised the Christian virtue of mercy for the captives in his address to Gundobad:

Finally, I have not feared death itself in order to hasten to bring to you the opportunity of attaining the reward of eternal life. As between the two best of monarchs I shall one day render testimony in heaven whether you in your clemency grant what Theoderic in his mercy asks. (...) Strive, O unconquered princes, to surpass each other in the conformance to the divine precepts. (...) It has been your custom to show your clemency to suppliants, severity to the proud. Thus in both instances you will appear mighty: on the one hand you will triumph by the sword; on the other, by moderation.²¹⁹

A saint pleading for mercy is a common part of hagiography and for the third time in the *Vita*, Ennodius describes how even powerful rulers, such as Gundobad, are moved by the holiness of Epiphanius. They acknowledged the influence of his prayers – his connection to God: “(...)

²¹⁵ Ennodius, *Vita S. Epiphanii*, 142-46.

²¹⁶ *Ibid.*, 147-50.

²¹⁷ His travel companion, Victor of Turin, is completely left out in this part of the story – it keeps the attention of the reader focused on the saint.

²¹⁸ *Ibid.*, 153.

²¹⁹ *Ibid.*, 154-55, 162; “Transcendi alienis mensibus iniquidos saltus, posui gressus quos in suis locis vis frigoris obligabat, postremo mortem non timui, ut tibi celer premium aeternae lucis adferrem. Inter duos optimos reges testimonium in caelestibus dicturus adhibeor, si quod ille misericorditer postulat, tu clementer adcommodes. (...) Domesticum tibi semper est indulgere supplicibus, sicut superbos obprimere. Sic in utroque fortissimus ibi per gladium, hic per temperantiam triumphos adquires.”

in your efforts to bring about concord, you eradicate the conditions decided by the sword. (...) No one associates with warfare the moderation which you, O excellent mediator, so beautifully extol.”²²⁰

The bishop is once again successful in his diplomatic efforts through his spiritual authority and by his role as mediator, his pragmatic authority. According to the hagiographer, the king summoned his servant Laconius to whom he said: “Gladly have we listened to the blessed Bishop Epiphanius; and tears, the mirror of the soul, gave testimony that you were moved by his prayers when he spoke before us. Go and with full heart draw up documents which will sever the chains of that cruel bondage.”²²¹ Epiphanius’s means of achievement in the political arena – his prayers, and therefore his sanctity – are being emphasised once again by Ennodius when he describes in the passage about the bishop’s return to Pavia that “(...) a king who ever exposed his breast to the hostile lance yielded to the prayers of a bishop.”²²²

The question that arises from this episode is why an Arian king sends a Nicene bishop to a fellow Arian monarch. One could hypothesise that Epiphanius’s own religious background did not matter in the context of this purely political task. However, it is more likely that the reason behind Theoderic’s choice was due to the different natures of the roles Nicene and Arian bishops had in his kingdom. Nicene bishops had been equipped with both secular and religious responsibilities for about two hundred years, while the “portfolio” of Arian *episcopi* was restricted to liturgical and spiritual tasks.²²³

The last diplomatic effort of Epiphanius is an embassy to King Theoderic on behalf of the city of Pavia, just before his death in AD 496. These last political passages in the saint’s

²²⁰ Ibid., 165; “Belli iura pacis suasor ignores et condiciones gladio decisas concordiae auctor evisceras. (...) Proeliis temperantiam nullus adnectit, quae oris tui nitore, egregie moderator, adtollitur.”

²²¹ Ibid., 169; “Cui princeps, “Vade” inquit “Laconi, et tota votorum tuorum vela suspende. Et sacerdos a nobis et beatus Epiphanius libenter auditus est, cuius te precibus fuisse permotum, cum apud nos verba faceret, animorum indices lacrimae testabantur. Vade et pleno pectore dicta sententias, per quas pactionis illius durissimae nexus inrumpas.”

²²² Ibid., 176; “Ecce tunc conperimus armatorum mentes sanctitate superatas et cessisse precibus electi principem, qui obvium semper lanceis pectus ingessit.”

²²³ Mathisen, “Barbarian Bishops,” 691-93.

Life display the combination of both of Epiphanius's exceptional labours as a holy bishop, first his success in diplomacy and secondly as the responsible caretaker for his community. Epiphanius asked Theoderic for a tax exemption to enable his community to recover from the recent bad harvest.²²⁴ According to Ennodius, the king agreed, but not because he recognised any spiritual or pragmatic authority in the bishop, but because he valued the bishop for all his recent work: "Although we are burdened with the weight of heavy expenses (...) your merits demand forces us to deviate from our purpose. (...) You can ask for nothing to which you are not entitled; you have many claims upon us."²²⁵

In my opinion, Ennodius deliberately placed this form of wording in the mouth of King Theoderic. In this way, the last activity of Epiphanius as both bishop and diplomat is being acknowledged and valued by the contemporary ruler during the time of Ennodius's publication of the *Vita S. Epiphanii*. The hagiographer ends his work with the strong message for his audience, that a modest bishop of a modest see at the end of his life was able to influence the policy of an authoritative king by means of his merits in his long career as legate. The reasons why Epiphanius was as successful as he was are explained by the imperial and subsequently royal recognition of above all his spiritual authority – his closeness to God through his prayers; on the second place due to his pragmatic authority – his role as mediator, and thirdly due to his humble lifestyle which gave him a degree of ascetic authority too. These are the central features that form the *Leitmotif* throughout the entire *Life of St. Epiphanius*. Ennodius wanted to make a literary portrait of an ideal bishop, which needed to fit within the imagery of his audience on what a perfect bishop should be. In order to achieve this, he had to convince his Italian audience

²²⁴ Ennodius, *Vita S. Epiphanii*, 185-87.

²²⁵ Ibid., 188-89; "Licet nos inmanium expensarum pondus inlicitet et pro ipsorum quiete legatis indesinenter munera largiamur, tamen vis meritorum tuorum tractatibus nostris reverenter intervenit. (...) Nihil tu quasi ex accidenti deprecereis, qui habes a nobis plurima quae reposcas."

of the saintliness of his predecessor. For this he used key elements in the hagiography that form to a large extent the idealistic grounds of episcopal authority in the Ostrogothic Kingdom.

Conclusion

The *Variae* of Cassiodorus, the letters in the *Collectio Avellana* and the *Vita Sancti Epiphanii* all show in different ways how bishops asserted and were acknowledged as possessing authority during the period 493 – 535 AD.

With the help of the definitions provided by Claudia Rapp and Max Weber, we could see how great the variety of episcopal authority was in each primary source. After the collapse of the Western Roman Empire, Nicene bishops continued to be recognised as persons who should be obeyed in the Arian Ostrogothic Kingdom. However, I have demonstrated that the different sources gave different outcomes on which grounds their episcopal authority was built. The reasons for this diversity not only lie in the fact that each of the primary sources came from a dissimilar background with different subjects, persons and circumstances mentioned. Each source was written with a specific goal in mind about the forms of episcopal authority that should be conveyed to the intended audience of the author. My main research question was: what did episcopal authority entail in the Ostrogothic Kingdom as can be derived from bishops' interaction with the Gothic and imperial power structures in the cultural and political context of the late fifth and early sixth century? The three sources I investigated show the following:

Cassiodorus had a specific intention to underline the continuity of the Roman state structure under the Ostrogoths in his *Variae*. In order to safeguard his own position with the Justinian re-conquest of the Italian peninsula at hand, he had a strong incentive to do so. In this epistle collection, we could see how the Ostrogothic kings, as in every pre-modern state, had a number of responsibilities to take care of: the defence of the kingdom; the upkeep of the army; tax collection; maintenance of the (mostly urban) infrastructure; support of agriculture and above all: maintaining law and order in their realm. Two centuries before, Emperor Constantine had

given bishops legal responsibilities as a judge and it was therefore in Cassiodorus's best interest to show in his letters that the Ostrogothic court did not structurally interfere in a more than two-hundred year old establishment of episcopal judicial decision-making. Cassiodorus presents his readers with an image of the continuation of Roman times and therefore he portrays the Ostrogothic court as one that respects the bishop's legal authority. Ostrogothic Arianism or potential conflicts between Nicenes, Arians and other doctrinal factions are not included in the *Variae*, probably for the same underlying reason. In addition to the fact that the Ostrogoths only settled in specific regions, it is safe to say that in practice bishops as local authoritative figures in their diocese could continue to perform their various duties, not only as priests and judges, but also as caretakers for the poor and as local representatives and political players. They kept their pragmatic authority.

The *Collectio Avellana* is completely different and was compiled during the final years of Emperor Justinian's conquest. The papal archivist who collected this vast range of letters wanted to demonstrate the continuity of papal authority on the basis of the Petrine doctrine. The goal of the creation of the *CA* was to demonstrate how the Bishop of Rome remained immaculate when it came to the upholding of "orthodox" Christian doctrine and to show how successive popes remained in close contact with the Roman emperors in the East. However, despite the pope's legal claim as *haeres* of the apostle Peter, papal ecclesiastical superiority was only partly acknowledged, both inside and outside the Ostrogothic Kingdom.

King Theoderic, as an Arian, stood outside the Nicene church and when it came to secular matters, he held close ties with his own counts and also with the Roman Senate. The only exception is the frequent use of Catholic bishops in embassies to other kingdoms and also to Constantinople after the Acacian schism. Emperors such as Anastasius, Justin and Justinian simply ignored papal claims of ultimate authority, but the latter two needed papal support to legitimise their rule as pro-Chalcedonian emperors. The continuation of pagan traditions, such

as the *Lupercalia*, shows that bishops still could not effectively intervene in a person's personal religious attitude. These are the additional limitations of episcopal authority in the beginning of the sixth century and papal frustration about this matter is clearly visible in the *CA*.

A different perspective was given by Bishop Ennodius of Pavia. He had a number of motivations to present to the readers of the *Vita Sancti Epiphanii* with a bishop whose *virtus* was to be a successful mediator in his own city and above all on the stage of international diplomacy. The hagiographer had to deal with his own political circumstances as the bishop of one of the core areas where the Ostrogoths had migrated to. He too wrote a piece of pro-Ostrogothic literature in which no conflicts occur between Italians and Goths, i.e. between Catholics and Arians. It has to be noted that all three analysed sources do not tell us anything about possible struggles between Catholics and Arians.

Ennodius followed literary standards of already existing *Vitae* and ascribed the effectiveness of Epiphanius's diplomatic undertakings not to a gift for rhetoric or to specific political circumstances, but to his saintliness. Ennodius made sure that his audience would see how Epiphanius's status as a mediating holy man gave him spiritual and pragmatic episcopal authority, which was acknowledged by emperors and kings alike. Like the *Variae*, the *Life of St. Epiphanius* displays a constructive cooperation between Catholic bishops and an Arian king, which in turn shows that the traditional mediating responsibility of a bishop continued to be valued and respected, also when it came to their role in international diplomacy.

In conclusion, we can state that the importance of specific forms of episcopal authority differs per source and it shows that my methodology merely served as an effective tool to create a more specific understanding of a bishop's influence within Roman society under Ostrogothic rule. Particularly noticeable is the almost complete absence of Weber's charismatic authority. However, with the help of the other definitions, a clearer focus on what episcopal authority entailed in this period has been reached. The outcome of my research shows that bishops had

authority on local matters and in specific circumstances, but it was trumped by major political figures such as King Theoderic and Emperor Anastasius when it came to conflict.

When looking into the papacy in this period, it can be concluded that the popes found themselves confident enough to claim authority and to “bark”, but they did not have any substantial political power to “bite.” However, even if the papacy was not seen by the emperors as ecclesiastical superior, it was still viewed as influential by rulers and bishops alike. The popes had prestige which gave them authority to some extent. This analysis of episcopal authority in the Ostrogothic period demonstrates an improved authoritative position of the papacy in comparison to their fourth-century predecessors. This situation gave the popes of the late-fifth and sixth-centuries a vast degree of self-confidence and it marks a step in the eventual ‘rise’ of the papacy, even though this development was far from stable and straightforward over the course of the late antique period.

My thesis was limited to literary sources to fit within the scope of this research. One possible avenue for further research may be the comparison of these written sources with archaeological data, such as epigraphy, episcopal patronage of churches, martyr shrines and residences. Bishops of larger sees had substantial financial income and by their patronage activities they could demonstrate themselves as local authorities.²²⁶ Such comparative studies would further improve our view on what episcopal authority entailed in the Ostrogothic Kingdom and in the entire period we call late antiquity.

²²⁶ The connection between episcopal residences and a bishop’s authority has already been made, see: Maureen Miller, *The Bishop’s Palace: Architecture and Authority in Medieval Italy* (Ithaca, NY: Cornell University Press, 2000).

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