

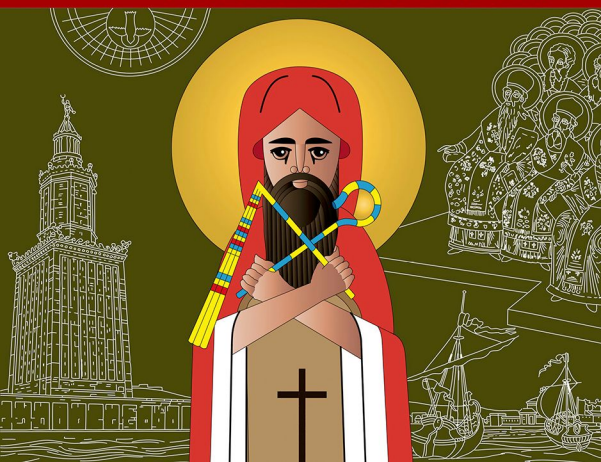
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PATRIARCH DIOSCORUS OF ALEXANDRIA

The Last Pharaoh and Ecclesiastical
Politics in the Later Roman Empire

Volker L. Menze

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*The Last Pharaoh and Ecclesiastical Politics
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VOLKER L. MENZE

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To Eda

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Volker L. Menze

Antiphellus/Wien
Christmas 2022

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List of Abbreviations

ACC	<i>The Acts of the Council of Chalcedon.</i> trans. Richard Price & Michael Gaddis, 3 vols. [TTH]. Liverpool: Liverpool University Press, 2005.
ACO	<i>Acta Conciliorum Oecumenicorum</i> , ed. Eduard Schwartz. Berlin: Walter de Gruyter, 1914–82.
CJ	<i>Codex Iustiniani</i> [<i>Corpus Iuris Civilis</i> , vol. 2], ed. Paul Krüger. 9th–12th eds. Berlin: Weidmann, 1914–1959.
Council of Ephesus	<i>The Council of Ephesus of 431: Documents and Proceedings</i> , trans. Richard Price with notes by Thomas Graumann [TTH]. Liverpool: Liverpool University Press, 2020.
Coleman-Norton	Paul R. Coleman-Norton, <i>Roman State & Christian Church: A Collection of Legal Documents to A.D. 535</i> , vol. 2. London: S.P. C.K., 1966.
CSCO	<i>Corpus Scriptorum Christianorum Orientalium</i> . Leuven: Peeters, 1903–.
DOP	<i>Dumbarton Oaks Papers</i> .
Flemming	<i>Akten der Ephesinischen Synode vom Jahre 449</i> , ed. and trans. Johannes Flemming. Berlin: Weidmann, 1917.
NPNF2	<i>Nicene and Post-Nicene Fathers, second series</i> , ed. Philip Schaff and Henry Wace, 14 vols. New York: Christian Literature Publishing, 1890–1900.
Perry (1875)	<i>Vel secundam synodum Ephesinam necnon excerpta, quae praesertim ad eam pertinent e codicibus Syriacis manuscriptis in Museo Britannico asservatis</i> , ed. Samuel G.F. Perry. Oxford: E. Pickard Hall and J.H. Stacy, 1875.
Perry (1881)	<i>The Second Synod of Ephesus together with certain extracts relating to it. From Syriac MSS. preserved in the British Museum</i> , trans. Samuel G.F. Perry. Dartford: The Orient Press, 1881.
PG	<i>Patrologia Graeca</i> , ed. Jacques-Paul Migne. Paris: n.p., 1857–66.
PL	<i>Patrologia Latina</i> , ed. Jacques-Paul Migne. Paris: Apud Garnieri Fratres, 1841–55.
PLRE II	Martindale, John Robert, Arnold H. M. Jones, and J. Morris, <i>The Prosopography of the Later Roman Empire</i> vol. 2: A. D. 395–527. Cambridge: Cambridge University Press, 1980.
PO	<i>Patrologia Orientalis</i> , Paris: 1904–.
TTH	Translated Texts for Historians. Liverpool: Liverpool University Press, 1988–.

Introduction

A World without Chalcedon?

Theodosius II was the longest ruling emperor of the (eastern) Roman Empire. He was acclaimed as sole ruler in Constantinople in 408 and ruled for the next forty-two years. While his rule was extensive, his life was not; he died by accident on 28 July 450, aged 49.¹ In the weeks following his demise, his sister Pulcheria married the *domesticus* Marcian, who ascended the throne on 25 August 450. Although the new emperor was a military man, one of his first concerns was the convocation of a general council. In his letter to Pope Leo (440–461), in which he announces his ascension, Marcian suggests summoning a general council in which the pope should take the lead.² The pope at first ignored Marcian's suggestion,³ but the emperor persisted, and the Augusta Pulcheria sought to persuade the pope as well.⁴ The imperial couple wanted this council to take place; but, on 23 May 451, when Marcian summoned it, he still lacked Leo's explicit support. The emperor wrote:

Therefore, because certain doubts appear to have arisen about our orthodox religion, as indeed shown by the letter of Leo, the most God-beloved bishop of the glorious city of Rome, this in particular has pleased our clemency that a holy council should be convened in the city of Nicaea in the province of Bithynia, in order that, when minds agree and the whole truth has been investigated, and after the cessation of those exertions with which some people have lately disturbed the holy and orthodox religion, our true faith may be recognized more clearly for all time, so that henceforth there can be no doubting or disagreement.⁵

Marcian imagined himself a new Constantine and therefore designated Nicaea as a fitting location for this council, just as Constantine had summoned the bishops to the first ecumenical council 126 years earlier. What later was canonized as the

¹ Theodosius II was born in 401 and crowned as infant in 402.

² Leo, *ep.* 73; ACO II.3.1, p. 17: '*per celebrandam synodum te auctore*'; see translation in ACC, vol. 1, pp. 92–3 and discussion in Manuela Keßler, *Die Religionspolitik Kaiser Marcianus (450–57)* (PhD Diss. Goethe-University Frankfurt am Main, 2011), pp. 46–7.

³ Marcian's next letter to Leo noted that Leo had sent delegates to Marcian, but they obviously had no instructions to discuss a general council with the eastern emperor; see Leo, *ep.* 76; ACO II.3.1, p. 18.

⁴ Leo, *epp.* 76 and 77; ACO II.3.1, p. 18 and II.3.1, pp. 18–19.

⁵ ACO II.1.1, pp. 27–8; quote from ACC, vol.1, pp. 98–9.

Council of Chalcedon—because it was transferred from Nicaea to Chalcedon—or the fourth ecumenical council, started in Nicaea. Alois Grillmeier, the German Jesuit scholar and leading expert on this council and its Christology, notes:

The early history of christological doctrine now reached its climax at the Council of Chalcedon, which was held in October of the year 451. It was the purpose of those who were responsible for the synod to put an end to the bitter internal disputes which had occupied the period after the Council of Ephesus. For Ephesus had left unfulfilled a task which by this stage of development was long overdue: that of creating a dogmatic formula which made it possible to express the unity and the distinction in Christ in clear terms.⁶

Upon Emperor Marcian's insistence, the council established this new formula of faith (not a creed but a *ὁμολογια*, a definition) and ratified it in its sixth session.⁷ Most theologians agree with Grillmeier on the state of Christology, but historians must disagree with the determinism with which he depicts events leading to the convocation of the Council of Chalcedon. This development was by no means a given. Theodosius II was not only the longest ruling Roman emperor but also the only emperor who summoned two ecumenical councils in his lifetime: in 431 and again in 449, when he summoned bishops to Ephesus. The council of 431 was an organizational disaster, as two councils met separately in Ephesus, and mutually condemned the respective protagonists Cyril of Alexandria (412–444) and Nestorius of Constantinople (428–431). Even though the one organized by Cyril was later accepted as ecumenical, it took two years before the bishops of Antioch and Alexandria reached an agreement to be in communion again. Unrest and resistance to the agreement continued to unsettle the near eastern provinces for the following decade and a half.

Theodosius had learned from this conciliar mismanagement when he summoned his second ecumenical council. This time he gave clear instructions to Dioscorus, the patriarch of Alexandria (444–451), as president of the Council, to proceed against Flavian of Constantinople (446–449), Theodoret of Cyrrhus (423–455/60), and other 'Nestorians'. Dioscorus delivered what the emperor expected and proceeded against all 'Nestorians' and opponents of Cyril's Christology. The patriarch of Alexandria installed his former ambassador (*apocrisarius*) as the new bishop of Constantinople, who in turn ordained a new bishop

⁶ Alois Grillmeier, *Christ in Christian Tradition vol. 1: From the Apostolic Age to Chalcedon (451)*, trans. John Bowden, 2nd ed. (Atlanta: John Knox Press, 1975), p. 541. More recently also Sandra Leuenberger-Wenger, *Das Konzil von Chalcedon und die Kirche: Konflikte und Normierungsprozesse im 5. und 6. Jahrhundert* (Leiden: Brill, 2019), p. 2 speaks of a 'Kulminationspunkt'.

⁷ Grillmeier also noted that the Council did not find general acceptance, and a large part of his later oeuvre is dedicated to the theological dissensions that echoed throughout the following century.

of Antioch. In short, harmony was restored between the major eastern sees, and the emperor hoped that, finally, the 'Nestorian heresy' had been 'excised'.

Theodosius considered the Second Council of Ephesus to be the third ecumenical council and defended it against all appeals from the West: three letters to the western Emperor Valentinian III (425–455), his mother Galla Placidia, and Licinia Eudoxia, Valentinian's wife and daughter of Theodosius, respectively, survive from the first half of 450. In these letters, Theodosius mentions the Second Council of Ephesus together with Nicaea and the First Council of Ephesus, informing his addressees that he was pleased with the outcome and that no other decision would have been possible.⁸ Only a few months later, though, Theodosius died unexpectedly: he fell off his horse on 26 July 450, and succumbed to his spinal injuries within two days.⁹ If the emperor had stayed at home that day instead of riding, the Council of Chalcedon would have never taken place. Papal protests against the council might have caused a schism between Rome and Constantinople, like the Acacian schism a few decades later, but the pope hardly had enough power to reverse decisions of an ecumenical council in the East on his own.¹⁰

Grillmeier and other (Western) theologians may be correct that Christology reached its apex with the Council of Chalcedon, but a theological approach is unsatisfactory for the historian, inasmuch as it fails to take into account (ecclesiastical) politics and the problem of contingency in history. Indeed, historians should take pause and not simply accept developments as a given. Historians must analyse the causalities. Against historical determinism and theological assertions of Chalcedon's achievements for the doctrine of the Church in the long run, the historian must stress that, nonetheless, in the first half of 450, contemporaries would have found it inconceivable that there would be an(other) ecumenical council any time soon. To wit, as George Bevan argues:

Historians of this period, both ancient and modern, have been all too ready to accept the evolutionary schema that sees the triumph of the 'two natures' as the standard of orthodoxy as fundamentally right. When Theodosius died it was far from certain that the 'two natures' would ever be adopted. That it ever was was the result largely of secular, not religious concerns.¹¹

⁸ See Chapter 3, p. 141.

⁹ The sources differ on whether Theodosius died the same day or up to two days later; for a detailed overview of the sources see Richard W. Burgess, 'The Accession of Marcian in the Light of Chalcedonian Apologetic and Monophysite Polemic', *Byzantinische Zeitschrift* 86–87 (1994): pp. 47–68, here 48–9 and 61–2.

¹⁰ Any potential council held a few decades later would not have dared to reverse the decisions of the Second Council of Ephesus because of its impact the council had made by this point on Church and state.

¹¹ George A. Bevan, *The New Judas: The Case of Nestorius in Ecclesiastical Politics, 428–451 CE* (Leuven: Peeters, 2016), p. 315.

The last ecumenical council had just taken place a few months previously, and a council like Chalcedon that annulled the previous ecumenical council was the most unlikely event possible—a *Black Swan* of late antique ecclesiastical history.¹²

The two conclusions drawn from this sketchy outline are simple but should suffice to explain the premises on which this book is written:

- (a) Historians cannot look at this ecclesiastical controversy from its end. The Council of Chalcedon indeed had a great impact on the history of Christian doctrine, but its genesis was due to an accident, not because there were unfulfilled Christological tasks that only Chalcedon was determined and/or able to accomplish.
- (b) Most scholars who study the Council of Chalcedon point to the theological controversy and the opposing Christological understandings. While Christology is certainly a crucial ingredient of the Christian discourse in the fifth century, this book will argue that politics is more relevant than theology to understanding the causality of events leading up to the Council and its denouement.

Patriarch Dioscorus of Alexandria: The Last Pharaoh and Ecclesiastical Politics in the Later Roman Empire therefore discusses developments of the Church (including doctrine and theology) as part of late antique political history. It thereby seeks to elucidate the motives and actions of some of the ecclesiastical protagonists of the time—particularly Patriarch Dioscorus. Individual perspectives are of course difficult to reconstruct because our evidence is limited, but personal decisions of the protagonists greatly influenced the development of ecclesiastical history. When it comes to ‘ecumenical’ councils, it needs to be stressed that a council convened by the emperor was political by default. In the long run, the formula of faith decided upon by such a council established orthodoxy for the Church(es), but for the bishops attending, politics were what mattered for the future of their see. The book is a study of political church history, as late antique bishops had to be politicians if they wanted their theology to prevail.

Why Dioscorus?

In his synodical letter from February 591 to the patriarchs of Constantinople, Alexandria, Antioch, and Jerusalem (as well as the ex-patriarch of Antioch), Pope

¹² Nassim Nicholas Taleb, *The Black Swan. The Impact of the Highly Improbable* (London: Allen Lane, 2007). See Chapter 4, p. 183.

Gregory the Great (590–604) set forth his profession of faith and understanding of orthodoxy:

I take up and venerate the four councils, just like the four books of the Holy Gospel, that is to say the Nicene council, wherein the perverse doctrine of Arius is destroyed, that of Constantinople also, wherein the error of Eunomius and Macedonius is refuted, the first of Ephesus also, wherein the impiety of Nestorius is judged, and that of Chalcedon, wherein the depravity of Eutyches and Dioscorus are reproved.¹³

Nothing in his statements is surprising, presenting as it does a standard formula for a Chalcedonian Christian in the sixth century. It refers to the accepted four ecumenical councils¹⁴ as well as to the heretics condemned by these councils. But while Eutyches, an archimandrite from Constantinople, had indeed been condemned,¹⁵ Dioscorus—paired here with Eutyches—is a different matter. At Chalcedon, he was held responsible by the majority party for a fanciful bouquet of misdeeds, but the council only deposed him without passing judging on his faith.

Nevertheless, Dioscorus was regarded as a ‘heretic’ immediately after the Council of Chalcedon ended. In a letter from January 452, Pope Leo notes to the bishops of Gaul with satisfaction that the Council had followed the papal requests and ‘has cut off from God’s Church these outrageous fictions which are the views of the Devil. It has cut off this abominable disgrace and likewise condemned Dioscorus of Alexandria for his impiety, to keep that church from suffering undeserved captivity under the domination of a heretic.’¹⁶ In a letter to Theodoret of Cyrrhus, Leo calls Dioscorus a ‘a second Pharaoh’ (*secundi Pharaonis*) and thus ensures his commemoration as one of the archvillains of Western church history.¹⁷

¹³ Gregory, *ep.* I.24; *S. Gregorii Magni Registrum Epistularum Libri I–VII*, ed. Dag Norberg (Turnhout: Brepols, 1982), p. 32; translation taken from: *The Letters of Gregory the Great*, trans. John R.C. Martyn, vol. 1 (Toronto: Pontifical Institute of Medieval Studies, 2004), p. 146; cf. also his letter to queen Theodelinda, in which Gregory professed the same stemma of councils and heretics/heresies: Gregory, *ep.* IV.33; *S. Gregorii Magni Registrum Epistularum Libri I–VII*, Norberg, p. 253. Here Dioscorus is falsely paired with Nestorius, not with Eutyches.

¹⁴ There is no need here to discuss the ecumenicity of the Council of Constantinople in 553 in the Latin West; Pope Gregory accepted that as well.

¹⁵ Eutyches had been condemned by a local synod in Constantinople 448 and restored to the Church by Dioscorus at the Second Council of Ephesus in 449; his condemnation of 448 was taken for granted in 451. See Chapter 3, pp. 98–107 and 119–21.

¹⁶ Leo, *ep.* 102; ACO II.4, pp. 53–4; *St. Leo the Great: Letters*, trans. Edmund Hunt (New York: Fathers of the Church, 1957), pp. 172–6 here p. 175.

¹⁷ Leo, *ep.* 120; ACO II.4, pp. 78–81, here 79; the letter or parts of it have been regarded spurious; see Philippe Blauddau, ‘Un archevêque d’Alexandrie assassin? Retour sur une incrimination lancée à l’encontre de Dioscore 1er’, in *Christianity in Egypt: Literary Production and Intellectual Trends*.

Even in modern scholarship, pejorative judgements of Dioscorus predominate. In 1894, Amelli D. Ambrogio, in his book on Pope Leo, called Dioscorus the ‘Attila della Chiesa Orientale’.¹⁸ In 1926, Norman Baynes took this characterization further, concluding: ‘Dioscoros—the Attila of the Eastern Church, as Amelli has styled him (though this surely an insult to Attila!).’¹⁹ These two scholars may be exceptional in using a catchy image but negative judgements of Dioscorus persist throughout twentieth and twenty-first-century scholarship: in 1921, Eduard Schwartz saw Dioscorus as agitating with ‘ruthless brutality’ (a judgement largely accepted by de Vries in 1975 in his study on the Second Council of Ephesus); Richard Sellers, in his book on the Council of Chalcedon in 1953, regarded him as ‘one of the “violent men” in the history of the Early Church’; in 1972 William Frend, in his seminal *Rise of the Monophysite Movement*, pointed to ‘Dioscorus’ tyrannical conduct’; in 2005, Richard Price and Michael Gaddis judged him as ‘ruthless and ambitious’, with the latter describing him in the same year as an arrogant ‘tyrant-bishop’; Cornelia Horn and Robert Phenix attributed to the ‘fearsome’ Dioscorus a ‘chaotic villainy’; and Vasilije Vranic in his study on Theodoret of Cyrrhus from 2015, drew approvingly upon a quotation from 1911 that described Dioscorus as ‘violent, rapacious, unscrupulous, and scandalously immoral’.²⁰ These are all excellent—some even ground-breaking—studies by scholars whose works and words should be taken seriously.²¹ John McGuckin’s standard study on Cyril warrants quoting at length:

Studies in Honor of Tito Orlandi, ed. Alberto Camplani (*Studie Ephemeridis Augustinianum* 125) (Rome: Augustinianum, 2011), pp. 87–100, here 94–5. But Dioscorus was not the first bishop of Alexandria to be called ‘pharaoh’; see below, p. 10.

¹⁸ Guerrino Amelli, *S. Leone Magno e l’Oriente* (Montecassino: Tipo-Litografia Cassinese, 1894), p. 8. More favourable is Adolf von Harnack, *Lehrbuch der Dogmengeschichte*, 2nd ed., vol. 2 (Freiburg: J.C.B. Mohr, 1888), pp. 370–1, who regards Dioscorus as a worthy successor of Athanasius, not a heretic!

¹⁹ Norman H. Baynes, ‘Alexandria and Constantinople: A Study in Ecclesiastical Diplomacy’, *The Journal of Egyptian Archaeology* 12 (1926): pp. 145–56, here 155.

²⁰ Eduard Schwartz, ‘Über die Reichskonzilien von Theodosius bis Justinian’, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 42 (1921): pp. 208–53, here 231; see also Eduard Schwartz, *Der Prozess des Eutyches* (Munich: Bayerische Akademie der Wissenschaften 1929), p. 54: ‘Brutale Gewaltpolitik’; Wilhelm de Vries, ‘Das Konzil von Ephesus 449, eine “Räubersynode?”’, *Orientalia Christiana Periodica* 41 (1975): pp. 357–98, here 363; Richard V. Sellers, *The Council of Chalcedon: A Historical and Doctrinal Survey* (London: SPCK, 1953), p. 30; W.H.C. Frend, *The Rise of the Monophysite Movement: Chapters in the History of the Church in the Fifth and Sixth Centuries* (Cambridge: Cambridge University Press, 1972), p. 6; ACC, vol.1, p. 30; Michael Gaddis, *There is no Crime for Those Who Have Christ: Religious Violence in the Christian Roman Empire* (Berkeley: University of California Press, 2005), pp. 308–9; Cornelia B. Horn and Robert R. Phenix Jr in their introduction to *John Rufus: The Lives of Peter the Iberian, Theodosius of Jerusalem, and the Monk Romanus* (Atlanta: Society of Biblical Literature, 2008), pp. xlv and xlvi; Vasilije Vranic, *The Constancy and Development in the Christology of Theodoret of Cyrrhus* (Leiden: Brill, 2015), p. 57 n. 167.

²¹ Philip Jenkins, *Jesus Wars: How Four Patriarchs, Three Queens, and Two Emperors Decided what Christians would believe for the next 1500 Years* (New York: HarperCollins, 2010) and his thought on p. 210 that Dioscorus perhaps suffered from ‘some kind of personality disorder, which drove him to extremes of paranoia and uncontrollable rage’ should be taken less seriously.

Dioscorus was devoted to Cyril's theology which he identified as the sole standard of orthodoxy, though with much less theological judgment. He regarded all Cyril's efforts of rapprochement with the Syrians as the misguided weakness of an old man who was sick at the time Paul of Emesa came to deal with him. He thus dismissed a significant part of Cyril's theology supposedly in the name of Cyril. Even worse, he was much less politically skilled than his mentor. He would soon bring the Alexandrian church into a ruinous decline from which it would never re-emerge as the great international Christian power it had once been.²²

McGuckin is right that Dioscorus continued Cyril's theology with less political acumen, but he judges Dioscorus from the Chalcedonian end of the story. The lack of detailed studies for the crucial years 444–451 from an Alexandrian perspective has led scholars to merely assume rather than examine Dioscorus' status as an epigone of Cyril. It is indicative that scholars have not meditated further on why and how Dioscorus failed to be as successful as his predecessor. Why were the sentences of the Second Council of Ephesus abandoned immediately after the death of Theodosius? Was this because Dioscorus had used physical violence in 449 to force bishops into agreement, as many bishops at Chalcedon would go on to claim and as most modern scholars have unquestioningly assumed? If Dioscorus was an unscrupulous, brutal, and immoral man at the Second Council of Ephesus in 449, why would he willingly leave Alexandria in 451 and come to his own trial at Chalcedon like sheep to the slaughter—politely accepting the imperial request to sit down as a culprit?

There are a few exceptions to the prevailing negative judgement of Dioscorus because opponents of the Council of Chalcedon regarded Dioscorus as a confessor of faith. The Coptic Church in particular has commemorated him among their saints since the fifth and sixth centuries up to the present day.²³ Vilakuvelil C. Samuel, a priest of the Malankara Orthodox Syrian Church, offers in his book *The Council of Chalcedon Re-Examined* a revisionist reading with obvious sympathies for Dioscorus ('Dioscorus was fairer to Leo than the latter to the former'²⁴), which, despite its merits, as an evaluation cannot completely satisfy historians. A similar perception can be found in the only existing monograph on Dioscorus: Karam Khella's 1963 dissertation entitled *Dioskoros I. von*

²² John McGuckin, *Saint Cyril of Alexandria and the Christological Controversy: Its History, Theology, and Texts* (Leiden: Brill, 1994), p. 124.

²³ See for example Jacob N. Ghaly, 'St. Dioscorus of Alexandria: A Coptic Orthodox Perspective', *St. Nersess Theological Review* 3 (1998): pp. 45–53, which does not, however, offer a scholarly review. The Armenian Church has a more complicated history when it comes to Dioscorus. Krikor Maksoudian, 'Reconciliation of Memories: The Maligned Dioscorus', *St. Nersess Theological Review* 3 (1998): pp. 78–94.

²⁴ Vilakuvelil Chierian Samuel, *The Council of Chalcedon Re-Examined: A Historical and Theological Survey* (Madras: The Diocesan Press, 1977), p. 70.

Alexandrien. Theologie und Kirchenpolitik. The manuscript was left unpublished after its submission but considerable parts of it were published as a contribution to a book on *Die Kopten* in the 1980s.²⁵ The dissertation was printed for the first time in full but without any revisions or updates in 2017. It is a scholarly flawed study with numerous mistakes and an uncritical treatment of sources.²⁶

The only critical works on Dioscorus that are not condemnatory are Felix Haase, 'Patriarch Dioskur I. von Alexandria. Nach monophysitischen Quellen' from 1908, and Otto Seeck, in his *Geschichte des Untergangs der Antiken Welt* (1920), who characterized Dioscorus (at the Council of Chalcedon in 451) as 'the sole man' among 'howling crones' who 'fought his fight of desperation', as well as a study by Geoffrey de Ste. Croix, who credited Dioscorus with 'courage'.²⁷ Notably, in recent years, a few studies on Dioscorus' 'oriental' sources have put our knowledge on firmer footing. Samuel Moawad's works, in particular, are landmarks for the origins of the Coptic, Syriac, and Arabic texts on Dioscorus, but these studies are concerned with the later ecclesiastical traditions and not with the historical Dioscorus or the Christological and ecclesiastical controversies of the fifth century.²⁸

Another gap in the scholarship on Dioscorus is the lack of historical studies on the Council of Chalcedon and the Second Council of Ephesus. The latter would need a thorough introductory study, which cannot be provided in these pages.²⁹ There is no lack of studies on Chalcedon in general but only recently have historians started to immerse themselves into detailed treatment of the council.³⁰

²⁵ Karam Khella, *Dioskoros I von Alexandrien: Theologie und Kirchenpolitik*, (Diss. Kiel, 1963/68); printed without discussion of sources, bibliography and the chapter on the theology of Dioscorus in: *Die Kopten*, ed. Koptische Gemeinde e.V., vol. 2 (Hamburg, [no publisher], 1981), pp. 9–282 and reprinted in full as *Dioskoros I von Alexandrien: Theologie und Kirchenpolitik* (Hamburg: Verlag Theorie und Praxis, [2017]).

²⁶ See my review in *sehpunkte* 19 (2019): <http://www.sehpunkte.de/2019/09/32538.html>.

²⁷ Felix Haase, 'Patriarch Dioskur I. von Alexandria. Nach monophysitischen Quellen', *Kirchengeschichtliche Abhandlungen* 6 (1908): pp. 141–233; most of his analysis and interpretation, however, is dated; Otto Seeck, *Geschichte des Untergangs der antiken Welt*, vol. 6 (Stuttgart: Metzler, 1920), p. 274: 'Der einzige, der sich in dieser Gesellschaft von heulenden alten Weibern als Mann erweist, ist Dioscorus; dieser aber kämpfte einen Kampf der Verzweiflung und wusste ganz genau, dass, auch wenn er sich duckte, wie die übrigen, es für ihn keine Gnade gab. Trotzdem ist es bewundernswert, wie er, von allen Freunden verlassen und bei jedem Worte, das er sagt, von der ganzen Bande angebrüllt, doch seine kühne Haltung zu bewahren weiss.' G. E. M. de Ste. Croix, 'The Council of Chalcedon', in *Christian Persecution, Martyrdom, and Orthodoxy*, ed. Michael Whitby and Joseph Streeter (Oxford: Oxford University Press, 2006), pp. 259–319, here 314–15.

²⁸ The first to study Dioscorus based on the 'oriental' sources was of course Haase, 'Patriarch Dioskur I. von Alexandria. Nach monophysitischen Quellen' but see now: Samuel Moawad, *Untersuchungen zum Panegyrikos auf Makarios von Tkōou und zu seiner Überlieferung* (Wiesbaden; Reichert, 2010); *Die Arabische Version der Vita Dioscori*, ed. and trans. Samuel Moawad [PO 246] (Turnhout: Brepols, 2016), and further articles.

²⁹ A review of the manuscript is needed, as well as an inquiry into the questions of who took the minutes, how were they translated, the number of sessions, etc.

³⁰ In recent years a few historians have picked up on Chalcedon; see Fergus Millar, *A Greek Roman Empire: Power and Belief under Theodosius II (408–450)* (Berkeley: University of California Press, 2006) and Ramsay MacMullen, *Voting about God in Early Church Councils* (New Haven: Yale University

Most studies therefore fail to address historical questions of how to understand the Council of Chalcedon, including the motives and strategies of the different protagonists and so forth. The present book attempts to reconstruct the historical Dioscorus as a preeminent ecclesiastical politician of the fifth century based on the surviving evidence and his conflicting commemorations. While sources are not abundant enough to write a full biography, sufficient textual evidence survive to allow for reconstructing parts of his career and endeavours as patriarch and place him within the ecclesiastical history of Alexandria, the influence of which peaked under his leadership in 449–50.

Dioscorus cannot, however, be fully understood without regard to the politics of his predecessor. Not only is Cyril's tenure better documented but it also sets the stage for subsequent Alexandrian ecclesiastical politics. Cyril was a shrewd politician who pushed through his agenda against all odds. His actions provoked not only resistance in Constantinople and the eastern dioceses but also unrest among his own clergy. It is this backdrop against which Dioscorus as Cyril's heir acted, and therefore the first chapter of this book focuses on Cyril's ecclesiastical politics and the legacy he left to Dioscorus. More broadly, the goal of this book is to introduce Dioscorus as major protagonist in his own right and to show that, while Dioscorus was a 'Cyrillian' theologically, he was an 'anti-Cyrillian' politically, one who broke with the Cyrillian administration at the See of Alexandria and improved ecclesiastical governance of the Alexandrian chapter. This book maintains that Dioscorus did not actively engage in the Christological controversy before 448 but was dragged into these quarrels belatedly. In contrast to scholarly consensus, this study also shows that Dioscorus was not the mastermind behind the Second Council of Ephesus but the emperor's henchman.

At the same time Dioscorus' speedy downfall must be explained: how could he have been acclaimed as 'universal archbishop' in August 449 only to be deposed two years later? The Council of Chalcedon was in all likelihood not planned by Emperor Marcian as a complete turn of events. The emperor intended to bring about a reconciliation with Rome and actively shaped a new position for the See of Constantinople, but nothing indicates that he wanted Dioscorus to be accused and exiled. Further, Dioscorus was deposed from office but not condemned for heresy at Chalcedon. Although this should be obvious from the acts of Chalcedon, this misconception can still be found in standard handbooks.³¹ Finally, Dioscorus is wrongly singled out by scholars as a brutal villain and power-hungry politician,

Press, 2006). See also Hagit Amirav, *Authority and Performance: Sociological Perspectives on the Council of Chalcedon (AD 451)* (Göttingen: Vandenhoeck & Ruprecht, 2015); Leuenberger-Wenger, *Das Konzil von Chalcedon*.

³¹ See for example Angelo di Bernardino, *Patrology: The Eastern Fathers from the Council of Chalcedon (451) to John of Damascus (750)*, trans. Adrian Walford (Cambridge: James Clark, 2006), p. 335: 'With the Council of Chalcedon (451) the bishopric of Alexandria lost prestige as the traditional stronghold of orthodoxy, since at that council the Alexandrian bishop Dioscorus was condemned for heresy.'

when he was, in fact, an able administrator and ecclesiastical reformer even if he was politically less shrewd than his predecessor and, so far as one can discern, lacked any greater ecclesiastical vision. As politics drove the ecclesiastical and conciliar development at least as much as theology, this was a handicap that cost Dioscorus his see.

My book *Patriarch Dioscorus of Alexandria* thus offers no final reading of the Second Council of Ephesus or the Council of Chalcedon but it is hoped that it offers a new perspective on this crucial period of ancient ecclesiastical development and a revision of traditional accounts of Church History that are more driven by theology than politics. It uses the sources as its starting point and does not take any modern interpretation for granted. This perspective of Dioscorus will raise relevant questions—questions to which my answers (which often remain conjectural) will invite sound *contradictiones* by historians and theologians alike. I am all too aware that I was unable to read, include, and discuss all of the literature that scholars have written on the ‘Nestorian Controversy’ and the Council of Chalcedon, but I hope to have accounted for and noted the most relevant discussions in the study that follows.

A note about conventions: the bishops of Rome will be called ‘popes’, and Dioscorus and some other bishops of the later patriarchal sees in the eastern Mediterranean ‘patriarchs’.³² Also, I use the term ‘ecumenical’ for general councils convened by the emperor; this includes by definition the Second Council of Ephesus. Finally, the subtitle, ‘The Last Pharaoh’, makes use of pejorative comments against the bishops of Alexandria by late antique contemporaries: foremost of course by Leo against Dioscorus but it is also said that John Chrysostom as bishop of Constantinople compared Dioscorus’ predecessor Theophilus (385–412) to the pharaonic rulers.³³ Without agreeing with the derogative notion of this epithet, it makes a catchy title, and the dominance of the See of Alexandria throughout the eastern Mediterranean did end with Dioscorus—who, in this sense, can be regarded the last ‘pharaoh’, and perhaps for a short period also the most powerful patriarch that Alexandria ever saw.

³² See also Chapter 1, p. 13.

³³ Sozomen, *Church History* VIII.18; Sozomenos: *Historia Ecclesiastica. Kirchengeschichte*, ed. and trans. Günther Christian Hansen, vol. 4 (Turnhout: Brepols, 2004), pp. 1016–17.

1

Cyril's Legacy

Between Bankruptcy and Sanctity

Introduction

Eduard Schwartz remains best known for magisterially editing the fifth-century acts of the Ecumenical Councils, the *Acta Conciliorum Oecumenicorum*. He also published numerous articles and studies on ancient Church History, the sources of which he knew better than anyone else. His judgement concerning the bishops of Alexandria and his characterization of them as rulers was harsh:

This rule, established in the seclusion of the land of the Nile by domineering characters ('*Herrschnaturen*') created a will for power which did not rest until it subdued the imperial Church at least of the eastern part [of the empire]. Never has the world encountered more ruthless hierarchs than those men who sat on the throne of St Mark in the period from the great persecution to the Council of Chalcedon. They used all political means unscrupulously, cunning and violence, bribe and intrigue, and especially partisan publishing ('*Publizistik*') which—as writing monotonous and graceless—was an achievement of the first rank in terms of its success.¹

In his study, Schwartz points to Athanasius (328–373), Theophilus (385–412), Cyril (412–444), and Dioscorus (444–451), all of whom not only were major ecclesiastical protagonists in Egypt but also influenced Christianity at large in one way or another. Samuel Rubenson notes that, during his long tenure, Athanasius established 'a position for his office that could not be neglected by any emperor or council', and that by the time he died, 'the position as archbishop of Alexandria had become a centre of political and economic power of its own'.² Theophilus remains known in history for the destruction of the pagan Serapeum in

¹ Eduard Schwartz, 'Über die Reichskonzilien von Theodosius bis Justinian', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 42 (1921): pp. 208–53, here 215.

² Samuel Rubenson, 'From School to Patriarchate: Aspects on the Christianisation of Alexandria', in *Alexandria. A Cultural and Religious Melting Pot*, ed. George Hinge and Jens A. Krasilnikoff (Aarhus: Aarhus University Press, 2009), pp. 144–57, here 152–3. Even until the twentieth century, Athanasius' writings dominated the perception of the fourth century, particularly through his fashioning of 'Arianism'.

Alexandria but he also played an active role in ecclesiastical affairs outside Egypt. He actively interfered in ecclesiastical politics in Constantinople and was responsible for the removal of John Chrysostom (398–405) as bishop of the eastern capital. Norman Baynes remarks that:

when the relentless brutality of Theophilus, the foe of Chrysostom, had with fire and sword stamped out the opposition of the Nitrian monks, there was no further room for independence of thought in Egypt; no declaration of papal infallibility was needed: the infallibility of the Papa of Alexandria was for Egypt an axiom. The patriarch was fighting his country's battles, and his despotism was unchallenged.³

Nevertheless, Alexandria's ecclesiastical influence in the eastern Mediterranean increased even further after his death and climaxed under Theophilus' nephew Cyril.

Cyril took over the episcopate from his uncle with the help of the military, according to the Church historian Socrates, a contemporary of Cyril. Socrates claimed that 'Cyril came into possession of the episcopate, with greater power than Theophilus had ever exercised. For from that time the bishopric of Alexandria went beyond the limits of its sacerdotal functions, and assumed the administration of secular matters.'⁴ Socrates' depiction of Cyril as a power-conscious politician has negatively influenced Cyril's reception in modern scholarship, compelling John McGuckin to assert that 'Cyril of Alexandria has been the victim of a good deal of European scholarly myopia in recent centuries; most of it with unacknowledged imperialist attitudes, and some of it not free of its own kinds of racist agenda.'⁵ This is not the place for a review of scholarship on Cyril but it seems that scholars often—at least implicitly—separate Cyril the theologian from Cyril the politician.⁶ Some scholars regard Cyril as arguably the 'greatest eastern theologian',⁷ who deserves to be admired for his theological skills and his dedication to orthodoxy but refuse to accept that, as bishop, he was very much involved in the murky business of politics and far removed from the otherworldliness of a saint.⁸

³ Norman H. Baynes, 'Alexandria and Constantinople: A Study in Ecclesiastical Diplomacy', *The Journal of Egyptian Archaeology* 12 (1926): pp. 145–56, here 148.

⁴ Socrates, *Church History* VII.7; *Sokrates: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie, 1995), p. 353. Translation taken from *NPNF2* vol. 2, p. 156.

⁵ John McGuckin, 'Cyril of Alexandria: Bishop and Pastor', in *St Cyril of Alexandria: A Critical Appreciation*, ed. Thomas G. Weinandy and Daniel A. Keating (London: T & T Clark, 2003), pp. 205–36, here 205. See also Pauline Allen, 'St Cyril, Bishop of Alexandria, and Pastoral Care', in *Alexandrian Legacy: A Critical Appraisal*, ed. Doru Costache, Philip Kariatlis, and Mario Baghos (Newcastle upon Tyne: Cambridge Scholars Publishing, 2015), pp. 228–45, here 231, with further scholarship.

⁶ And further less-studied categories like Cyril as pastoral carer, etc.

⁷ Michael Whitby, 'The Church Historians and Chalcedon', in *Greek and Roman Historiography in Late Antiquity: Fourth to Sixth Century A.D.*, ed. Gabriele Marasco (Leiden: Brill, 2003), pp. 449–95, here 449.

⁸ Mario Baghos, 'Ecclesiastical Memory and Secular History in the Conflicting Representations of St Cyril of Alexandria', in *Alexandrian Legacy: A Critical Appraisal*, ed. Doru Costache, Philip Kariatlis, and Mario Baghos (Newcastle upon Tyne: Cambridge Scholars Publishing, 2015), pp. 246–80 is a

Within the framework of the Later Roman Empire, any episcopal office was of necessity a political office. The following discussion therefore takes for granted that, for a late antique bishop, theology and politics are not opposing or mutually exclusive categories but rather complementary skills.⁹ Indeed, a bishop should be not only a competent theologian but also able to communicate his theology to his flock, his city, his diocese and—in the case of the bishop of Alexandria—the court and the empire. Being bishop of Alexandria brought, by default, major responsibilities that exceeded the strictly ecclesiastical realm, and there is no reason to argue with Socrates' assertion that Cyril had influence far beyond his immediate ecclesiastical sphere. In these pages, as the introduction notes, the term 'patriarch' is used for the bishop of Alexandria, even though patriarchal sees became only established after the Council of Chalcedon 451, as the bishop of Alexandria already wielded *de facto* patriarchal influence in the time of Cyril. Late antique Christians in Egypt probably regarded the patriarch of Alexandria as their ruler, one who was more powerful than the Roman governor of Egypt.¹⁰ Cyril is the prime example of a theologically versed patriarch *and* able politician who ensured, with all means at his disposal, that his ecclesiastical politics would find a receptive ear at the court of Constantinople.¹¹ In the long run, these talents brought him sainthood in the Catholic and Orthodox traditions, but in the short run it posed numerous problems to his successor, Dioscorus, when the latter became patriarch in 444.

The Aftermath of the Council of Ephesus (431)

The council that would later be remembered as the third ecumenical council failed miserably. Emperor Theodosius decided to summon a general council to Ephesus in the summer of 431 after Nestorius, the bishop of Constantinople (428–431), had been attacked by Cyril of Alexandria (412–444) for not allowing the Virgin Mary to be called *theotokos* in church.¹² Cyril arrived earlier than the eastern

rather odd 'defence' of Cyril, while Karlheinz Descher, *Kriminalgeschichte des Christentums* vol. 2: *Die Spätantike*, 5th ed. (Hamburg: Rowohlt, 2013) takes pleasure in each and every scandal that the sources provide.

⁹ Christoph Marksches, 'Die politische Dimension des Bischofsamtes im vierten Jahrhundert', in *Recht—Macht—Gerechtigkeit*, ed. Joachim Mehlhausen (Gütersloh: Gütersloher Verlagshaus, 1998), pp. 438–69, here 451–5, referring to fourth-century bishops but also mentioning Cyril, prefers to speak of 'kirchenpolitischer Souverän' rather than 'Kirchenpolitiker'. Even when bishops claimed to take up the *causa Dei*, however, they could not escape the sphere of worldly politics. For a definition of ecclesiastical politics ('Kirchenpolitik'), see Joachim Mehlhausen, 'Kirchenpolitik: Erwägungen zu einem undeutlichen Wort', *Zeitschrift für Theologie und Kirche* 85, no. 3 (1988): pp. 275–302.

¹⁰ See the story of how Theophilus of Alexandria is greeted as king of the country and the vicar of God: *Der Papyruscodex saec VI–VII der Philippsbibliothek in Cheltenham: Koptische theologische Schriften*, ed. and trans. Walter E. Crum (Straßburg: Karl J. Trübner, 1915), p. 13 (p. 67).

¹¹ For other political roles of the patriarchs of Alexandria—like the anti-pagan leadership of Theophilus, see Edward J. Watts, *Riot in Alexandria. Tradition and Group Dynamics in Late Antique Pagan and Christian Communities* (Berkeley: University of California Press, 2010), pp. 157–253.

¹² See most recently George A. Bevan, *The New Judas: The Case of Nestorius in Ecclesiastical Politics, 428–451 CE* (Leuven: Peeters, 2016), which provides the basis for the following discussion.

bishops, gathered a council with his supporters on 22 June 431 (against explicit imperial orders), and deposed Nestorius and anathematized his teachings before John of Antioch and the other eastern bishops arrived.¹³ Once the Easterners arrived a few days later, they refused to accept Cyril's judgement of Nestorius, and held a counter-council, the so-called *conciliabulum*, that deposed and excommunicated Cyril as well as Memnon of Ephesus. This was not how Theodosius had imagined how his general council should be conducted, and in the summer and autumn of 431, he attempted to rectify the situation. He confined the bishops to Ephesus in order to ensure that both sides were willing to come to an understanding. He also accepted the depositions by both sides, hoping—in vain, as it turned out—that the rest of the bishops would understand this move as the warning it was and thus be more amenable to finding common ground.¹⁴

Not all details of these deliberations in the late summer and autumn of 431 can be reconstructed from the biased and patchy sources, but some tangible results are obvious. Nestorius, who surprisingly played no role as protagonist in Ephesus, remained deposed on the order of Emperor Theodosius.¹⁵ On 25 October 431, a new bishop of Constantinople, Maximianus, was ordained.¹⁶ He was supported by the Cyrillian faction and sent a synodical letter to Cyril.¹⁷ All attempts at reconciliation between the two factions, however, remained futile, and Theodosius accepted the failure of the council by allowing the bishops to return home, likely around early November 431.¹⁸ At the end of the year, the ecclesiastical set-up was showing fissures between the eastern bishops around John of Antioch, on the one hand, and Rome, Alexandria, and Constantinople, on the other. The eastern bishops considered Cyril deposed (and several of them regarded him as an Apollinarian heretic), while Cyril had deposed not only Nestorius and condemned his teachings but also John of Antioch and his followers because they sided with a 'heretic'. Cyril accepted Maximianus as the new bishop of Constantinople while the eastern bishops still regarded Nestorius as the lawful bishop of the capital.

¹³ ACO I.2, p. 35; trans. in *Council of Ephesus*, p. 254.

¹⁴ Later Theodosius also invited delegations from both sides to Chalcedon for discussions with him; Bevan, *The New Judas* provides a detailed account of this in his chapters 4 and 5.

¹⁵ Bevan points out how Nestorius no longer played any role, and even the Easterners seem not to have consulted with him in Ephesus. Apparently, Theodosius had been personally disappointed with Nestorius and therefore did not defend him against Cyril; see Theodoret, *ep. 3a*; *Théodoret de Cyr: Correspondance IV (Collections conciliaires)*, ed. and trans. Yvan Azéma (Paris: Les Éditions du CERF, 1998), pp. 80–9, here 82–3. Irenaeus also reports that Nestorius' chances were meagre; Fergus Millar, *A Greek Roman Empire: Power and Belief under Theodosius II (408–450)* (Berkeley: University of California Press, 2006), p. 173.

¹⁶ Socrates, *Ecclesiastical History* VII.37; *Sokrates: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie, 1995), p. 387.

¹⁷ ACO I.1.3, p. 71; Cyril wrote a lengthy reply. ACO I.1.3, p. 72.

¹⁸ Cf. Bevan, *The New Judas*, p. 195 n. 189; Adam M. Schor, *Theodoret's People: Social Networks and Religious Conflict in Late Roman Syria* (Berkeley: University of California Press, 2011), p. 91.

Each side had its list of demands: the Easterners requested that Cyril retract his controversial *Twelve Chapters*, which rather aggressively presented his Christological understanding and caused the eastern bishops' resistance.¹⁹ Cyril expected the eastern bishops not only to accept the term *theotokos* (which was no obstacle for the easterners) but also to condemn Nestorius.

Several allegations of 'bribery' stem from the period in the immediate aftermath of Ephesus, but one instance of a detailed catalogue of gifts sent from Alexandria to Constantinople warrants special attention. The *comes* Irenaeus, a friend and ally of Nestorius who accompanied Nestorius to Ephesus (and who later became bishop of Tyre), published a polemical work *Tragoedia*.²⁰ This work is unfortunately lost but in the sixth century the Roman deacon Rusticus translated an abbreviated account of the documents used by Irenaeus—primarily letters—into Latin, which survives in the *Collectio Casinensis*.²¹ Despite the anti-Cyrrillian bias of the documentation, the texts offer rare insights into fifth-century ecclesiastical politics and their mechanisms.

Cyril's Gifts: 'Blessings' and Gold for the Court

Three texts from the *Collectio Casinensis* matter for our purposes: (a) a short fragment of a letter to an unknown recipient—most likely, a cleric (as the recipient is referred to as *sanctitate* and *religiositate*); (b) a letter by Cyril's archdeacon, Epiphanius, to bishop Maximianus of Constantinople; and (c) the catalogue of gifts in kind and gold that accompanied Epiphanius' letter and must have been drawn up by Epiphanius as well.²² The catalogue appears to be a summarized copy of a cargo document for the actual shipment, not an accounting document of all

¹⁹ The *Twelve Chapters* were written in 430 and attached to the third letter to Nestorius; Cyril, *ep.* 17: ACO I.1.1, pp. 33–42. For the *Twelve Chapters* see below, pp. 32–35.

²⁰ John Robert Martindale, Arnold H. M. Jones, and J. Morris, *The Prosopography of the Later Roman Empire*, vol. 2: A. D. 395–527 (Cambridge: Cambridge University Press, 2006) (hereafter, *PLRE* II), pp. 624–5: 'Irenaeus 2'; see also Millar, *A Greek Roman Empire*, pp. 168–82; see now also Walter F. Beers, "'Furnish Whatever is Lacking to Their Avarice": The Payment Programme of Cyril of Alexandria', in *From Constantinople to the Frontier: The City and the Cities*, ed. Nicholas S. M. Matheou, Theofili Kampianaki, and Lorenzo M. Bondioli (Leiden: Brill, 2016), pp. 67–83, here 68–9. For Irenaeus see Chapter 2, p. 77 and Chapter 3, p. 93.

²¹ ACO I.4, *praefatio*; Cyril of Alexandria: *Select Letters*, ed. and trans. Lionel R. Wickham (Oxford: Oxford University Press, 1983), pp. xliii–xlvi; Millar, *A Greek Roman Empire*, Appendix A, particularly pp. 239–40; Fergus Millar, 'Imperial Government and the Maintenance of Orthodoxy: Justin I and Irregularities at Cyrrhus in 520', *Scripta Classica Israelica* 28 (2009): pp. 117–37, here 129–30.

²² ACO I.4, pp. 222–5 (numbers 292, 293, and 294); St. Cyril of Alexandria: *Letters 51–110*, trans. John I. McEnerney (Washington, DC: Catholic University of America Press, 1987), pp. 147 (Letter 94), 151–3 (Letter 96) and 188–92 (Appendix 4); note also the discussion in Daniel Caner, 'Towards a Miraculous Economy: Christian Gifts and Material "Blessings" in Late Antiquity', *Journal of Early Christian Studies* 14, no. 3 (2006): pp. 329–77, here 352–3. The first to discuss these letters *en détail* was Pierre Batiffol, 'Les Présents de Saint Cyrille à la Cour de Constantinople', *Bulletin d'ancienne littérature et d'archéologie chrétiennes* 1 (1911): pp. 247–64; see now especially Beers, "'Furnish Whatever is

that the Church of Alexandria supplied for Cyril's cause.²³ Considering that the overall weight of the goods together with the gold made up only a few tons of cargo, the gifts were likely shipped all at once.²⁴

Epiphanius sent the letter and the list to Maximianus just after the gifts had been dispatched.²⁵ At the end of the letter, Epiphanius notes that Cyril had written a letter to his trusted clerics in Constantinople at the same time as the shipment left Alexandria, most likely sent by different mail to alert the clerics of the arrival of the goods and, probably, to assign them tasks, as well. The catalogue lists seventeen to nineteen courtiers and the gifts they were to receive. The gifts are broken down in two categories, gifts in kind (textiles and furniture) and gifts in gold. Twice the letter notes that the former category of gifts in kind should work as a 'door opener': one courtier was to receive more gifts than the preceding recipient in order to cease opposing Cyril, while another recipient's gifts are introduced as incentives so that he 'should think in our favor'.²⁶ It seems, therefore, likely that the textiles and furniture were considered 'customary suppliant blessings' (*eulogiae consuetudinariae supplices*), as the catalogue at one point notes.²⁷ They were intended to establish a moral obligation for the recipients to consider Cyril's cause in more favourable terms.²⁸

Lacking to Their Avarice". See now also *Council of Ephesus*, pp. 568–71. The latter wish to separate Epiphanius' letter from the list (p. 568 n. 56): as the list includes Scholasticus, the authors argue that it must have been compiled in August–September 431 because a letter by Acacius of Beroea (see *Council of Ephesus*, pp. 610–13) from November 431 notes that Scholasticus had died. This conclusion is, however, faulty because Epiphanius' letter—which must have been written after spring 432—marks Scholasticus as recipient of bribes. Price and Graumann in *Council of Ephesus* are not consistent in considering the list to have been compiled in August–September 431, as they note that the list was sent to bishop Maximianus (p. 569 n. 61). For Scholasticus and Maximianus see below, pp. 23–7.

²³ *Contra Beers*, "Furnish Whatever is Lacking to Their Avarice", pp. 77 and 80; see also below, p. 17. An accounting document would also need to include (among other things) the 1,500 pounds of gold for Ammonius. Epiphanius is not always precise concerning the categories: the *bila* appear simply in the form of *bila* or *bila tapeta*, but also according to size *bila tapeta maiora*, *bila mediocria*, and *bila grandia tapetes*. This terminology may possibly indicate different productions and qualities of which we have no information. As the exact amounts of gifts for the *domesticus* of the *magister officiorum*/Rufinus and Eustathius/Ablabius are missing, Epiphanius seems to have summarized the cargo document for Maximianus. For the recipients see below, p. 23.

²⁴ A fifth-century Alexandrian freight ship would easily have been able to carry several dozen tons of freight, and the precious gifts could have been safely stored among the common cargo; Lionel Casson, *Ships and Seamanship in the Ancient World* (Princeton: Princeton University Press 1986), pp. 183–200 estimates that an average Graeco-Roman freight ship carried more than 100 tons of cargo, with loads of even 300 tons or more not out of the ordinary.

²⁵ Nevertheless, the mail may have been carried by a faster vessel to Constantinople and thus reached Maximianus before the gifts arrived at the capital.

²⁶ ACO I.4, p. 224; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 153.

²⁷ The terms for blessings are either *eulogiae* or *benedictiones*.

²⁸ If any of the recipients saw a danger in accepting these gifts (or if any of them rejected Cyril's gifts) remains unknown but is unlikely inasmuch as late antique courtiers expected them; for the discussions of the extent to which gifts in kind or fees can be considered bribes, see Felicity Heal, *The Power of Gifts: Gift Exchange in Early Modern England* (Oxford: Oxford University Press, 2014) pp. 196–204; for the functioning of the late Roman court Christopher Kelly, *Ruling the Later Roman Empire* (Cambridge, MA: Belknap, 2004).

The nature of the gift in gold was different, as its delivery was in most instances tied to written conditions. For example, after the first recipient's gifts in kind are listed, Epiphanius adds: 'and in order that he would help us in the cause about those matters which were written to him: fifty pounds of gold'.²⁹ For another courtier Epiphanius stipulates 'if he shall have acted in accordance with what was written to him by the most magnificent Aristolaus—with the lord Claudianus intervening as mediator—and helps us: two hundred pounds of gold'.³⁰ In other words, there had been previous communications (at least partially via Cyril's emissaries in Constantinople) between the Church of Alexandria and the courtiers in Constantinople.³¹ The gold now shipped to Constantinople marked the end of negotiations between Cyril and the courtiers who agreed to support Cyril in exchange for it.

The catalogue mentions a total of e pieces of furniture and textiles, but a few more pieces remain uncounted:³² rugs (*tapetes/tapeta maiora*) and fleece carpets (*nacotapites [maiores/mediocres]*) in different sizes; cushions (*accubitalia*); tablecloths (*mensalia*); draperies or curtains in numerous variations (*bila, bila tapeta, bila tapeta maiora, bila mediocria, bila grandia tapetes*); covers for stools, doors, and chairs (*scamnalialia [in ostiis/in cathedris]*); large curtains or veils (*cortinae maiores*);³³ ivory chairs and ivory stools (*cathedrae eburneae, scamna eburnea*); *persoina*; larger tables or panels (*tabulae maiores*); and ostrich eggs (*struthiones*). Translating and determining the exact function of several of these items has proved difficult, as some words or terms are uncommon or unattested. In particular, *persoina* has resisted interpretation—'pews' or 'benches' have been suggested.³⁴ In light of evidence from papyri that mention 'περσοίνου/περσοίνων/περσοίνης' wood, it seems reasonable to assume that Cyril sent wooden pieces made from the famous Egyptian Persea tree,³⁵ whose wood was especially used in shipbuilding. The catalogue does not, however, cite a specific function, which

²⁹ ACO I.4, p. 224; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 151.

³⁰ ACO I.4, p. 224; I have modified McEnerney's translation: *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 151–2. Epiphanius fails to mention the written instructions for Marcella, Romanus and the last six recipients (see below, p. 23, for the list of recipients), which are listed only summarily.

³¹ For Claudianus see below, p. 24.

³² See above, p. 16 n. 23; Batiffol, 'Les Présents de Saint Cyrille', pp. 258–61 details the gifts. See also *Cyril of Alexandria*, Wickham, p. 66 n. 8.

³³ McEnerney translates *cortina* as caldron (which is the more common meaning; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 151) but in the given context it may rather be a textile gift; see already Batiffol, 'Les Présents de Saint Cyrille', p. 259 and *Cyril of Alexandria*, Wickham, p. 66 n. 8.

³⁴ Batiffol, 'Les Présents de Saint Cyrille', p. 260 leaves it an open question; *Thesaurus Linguae Latinae* X.1.1711: s.v. *persoinus, persoinum* considers this to be either a textile for the *scamna* or another *res mobilis pretiosa*. *Cyril of Alexandria*, Wickham, p. 66 n. 8 suggests 'pew' or 'bench'.

³⁵ See for example Robert W. Daniel, 'Two Michigan Papyri', *Zeitschrift für Papyrologie und Epigraphik* 24 (1977): pp. 75–88, here 83 (Persea-wood for shipbuilding) and Todd M. Hickey, 'A Fragment of a Letter from a Bishop to a "Scholastikos"', *Zeitschrift für Papyrologie und Epigraphik* 110 (1996): pp. 127–31, here 130 (for a door). Further examples can be found online on papyri.info.

likely indicates a *terminus technicus*: Sozomen reports that a piece of wood, bark, or a leaf from the Persea tree would heal the sick.³⁶

The term *struthiones* has also posed difficulties, leaving scholars to assume it refers to either pieces of furniture or upholstery.³⁷ Notably, however, medical and apotropaic usage of ostrich eggs is accounted for in the term *struthiones*, and such eggs were also used as rather exotic drinking cups in early Islamic times.³⁸ Furthermore, in light of the use of ostrich eggs in the later Byzantine and Coptic churches (hanging from the ceilings in order to exhort Christians not to distract their spirit from prayer) as well as other (non-Christian) ritual applications, it is very likely that *struthiones* here refers to the actual eggs, and not to some kind of furniture.³⁹

The gold mentioned in Epiphanius' letter and in the attached catalogue totalled 2,580 Roman pounds, 1,500 pounds of gold promised for the *comes* Ammonius (see below), and another 1,080 pounds physically present and ready to be given to the listed individuals at court (2,580 Roman pounds equates to c. 836 kilograms, taking one Roman pound to be around 324 grams). Even without specifying the purchasing power of gold,⁴⁰ this is a sizeable amount of money by any

³⁶ Persea-wood particularly for shipbuilding: P. van Minnen and K. A. Worp, 'Proceedings of the Council of A.D. 322', *Zeitschrift für Papyrologie und Epigraphik* 78 (1989): pp. 139–42, here 140; surviving Coptic Persea-wood pieces include combs, balusters, and friezes: Marie-Hélène Rutschowskaya, *Catalogue des bois de l'Égypte copte* (Paris: Ministère de la culture, Editions de la Réunion des musées nationaux, 1986), pp. 14–15, 28, 95, 97, 113, 122, 128, 132, 145, and 148; Sozomen, *Church History* V.21.8; Sozomenos: *Historia Ecclesiastica. Kirchengeschichte*, ed. and trans. Günther Christian Hansen, vol. 2 (Turnhout: Brepols, 2004), pp. 658–9; see also Arcadius' law (*CJ* 11.78.1) concerning the ban on the purchase and sale of trees from specified groves.

³⁷ *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 151, and *Cyril of Alexandria*, Wickham, p. 66 n. 8.

³⁸ Medical use of ostrichs eggs in Pharaonic times: Peter Behrens, 'Straußenei', in *Lexikon der Ägyptologie* 6 (1986): pp. 75–7; as drinking cups and (later) apotropaic functions: Nile Green, 'Ostrich Eggs and Peacock Feathers: Sacred Objects as Cultural Exchange between Christianity and Islam', *Al-Masāq* 18 no. 1 (2006): pp. 27–66, here 47–9; see also François Viré, 'Na'am', *Encyclopedia of Islam* 7 (1993), pp. 828–31.

³⁹ Foundational remains: George Galavaris, 'Some Aspects of Symbolic Use of Lights in the Eastern Church Candles, Lamps and Ostrich Eggs', *Byzantine and Modern Greek Studies* 4 no. 1 (1978): pp. 69–78; see the fascinating chapter on ostrich eggs in a thirteenth-century Arabic text: John Ibn Saba, *La Perle Précieuse Traitant des Sciences Ecclésiastiques*, ed. and trans. Jean Périer [PO 16.4] (Paris: Firmin-Didot, 1922), pp. 591–760, here 753–4; the custom of ostrich eggs hanging from the ceilings can still be seen in the Church of St Catherine in Sinai: George H. Forsyth and Kurt Weitzmann, *The Monastery of Saint Catherine at Mount Sinai: The Church and Fortress of Justinian, Plates* (Ann Arbor: University of Michigan Press [1973]), plates XLIII, LVIII, and LX. Green, 'Ostrich Eggs and Peacock Feathers', p. 35 claims that 'the practice of hanging ostrich eggs from the ceilings of churches spread during late antiquity' but fails to substantiate this claim with any evidence. For late antique ritual usage of ostrich eggs in non-Christian contexts, see Drew Wilburn, 'Inscribed Ostrich Eggs at Berenike and Materiality in Ritual Performance', *Religion in the Roman Empire* 1 (2015), pp. 263–85.

⁴⁰ Assuming a gold price at the levels in 2022 of around 1,900 USD per ounce, Cyril would have spent the equivalent of c. 50 million USD but the question of the purchasing power of gold in Late Antiquity versus today cannot be discussed here. Ramsay MacMullen speaks of 'more than half a ton of gold' in his Ramsay MacMullen, *Corruption and the Decline of Rome* (New Haven: Yale University Press, 1988), p. 165, but of 'more than a ton of gold' in his *Voting about God in Early Church Councils*

standards—and it only takes into account the amount of gold clearly specified,⁴¹ while bishop Maximianus was expected to chip in still more for the common good.⁴² In other words, even assuming that the 836 kilograms of gold made up the bulk of the gifts, overall expenses of more than 1,000 kilograms of gold seems likely. How valuable was this amount of gold in the fifth century?⁴³ Epiphanius noted that the Church of Alexandria ‘suffers’ and ‘the clerics who are here are despondent due to the fact the Alexandrian Church has been despoiled because of this matter’. In other words, the amount seems to have been more than the Alexandrian Church could afford. By way of comparison, the *Collectio Casinensis* contains a letter by the metropolitan Alexander of Hierapolis from around 435 in which he complains that John of Antioch took away from him the church in Resafa, for the building of which he had just paid almost 300 pounds of gold.⁴⁴ This was not just any church, but the first church dedicated to the martyr and saint Sergius, after whom the city was later called Sergiopolis; it would become one of the major pilgrimage centres in the Eastern Roman Empire.⁴⁵ Considering that, in the given context, Alexander likely overstated his expenses, 300 pounds of gold were certainly enough to build a martyr church around 430.⁴⁶

This contemporary example may suffice to indicate the extraordinary value of Cyril's gifts. To evaluate how costly Cyril's ecclesiastical policy was for the Church

(New Haven: Yale University Press 2006), p. 9, and he calculates here (at p. 66) that this would be ‘\$500,000 in a not-rich country, or \$15 million in a developed economy’. However, he fails to inform the reader how he reaches these calculations.

⁴¹ To this may be added gold and gifts to two further persons if the list is understood to refer to nineteen rather than seventeen persons. For the recipients see below, p. 23.

⁴² Courtiers in Constantinople perhaps saw this as a perfect opportunity to enrich themselves and ask for even more: ‘Aside from what has been sent from here, it owes one thousand five hundred pounds of gold to Ammonius, and now one has written again to him in order to get more.’ (*Et debet praeter illa quae hinc transmissa sunt, Ammonio comiti auri libras mille quingentas et nunc ei denuo scriptum est ut praestet.*)

⁴³ Batiffol, ‘Les Présents de Saint Cyrille’, pointed out the ‘largesse’ of the bribe (p. 261) but also downplayed it by comparing it to material found in Olympiodorus (p. 257). But Olympiodorus is hardly reliable, as numerous scholars have already pointed out. 836 kg of gold is ten times the amount that the Persian king Artaxerxes II (404–358) reportedly paid anti-Spartan politicians in Thebes and Athens to help him against Agesilaus of Sparta (398–360 BCE); Plutarch, *Parallel Lives: Agesilaos* 15.4: 10,000 ‘archers’, that is, the Persian standard gold coin bearing a depiction of the Persian king and weighing around 8.4 grams each. According to the anonymous Valesianus, 38, the last Roman Emperor, Romulus Augustulus, received a pension of 6,000 solidi (that is, c. eighty-three Roman pounds of gold).

⁴⁴ ACO I.4, p. 185; Alexander claimed to have even taken debt for his building programme in Resafa.

⁴⁵ To be fair, this first church in Resafa was a mediocre brick stone building that no longer exists, a predecessor of the impressive sixth-century Saint Sergius Church, the remains of which are still visible today.

⁴⁶ Evelyne Patlagean, *Pauvreté économique et pauvreté sociale à Byzance 4e–7e siècles* (Paris: Mouton, 1977), pp. 398–9 offers a number of further, even considerably cheaper examples. For example, the *martyrion* of Mary in Edessa, built in 505, cost only ten pounds of gold: *The Chronicle of Pseudo-Joshua the Stylite, composed in Syriac A.D. 507*, ed. and trans. William Wright, Cambridge: Cambridge University Press 1882, p. 80; *The Chronicle of Pseudo-Joshua the Stylite*, trans. Frank R. Trombley and John W. Watt [*TTH*] (Liverpool: Liverpool University Press, 2000), pp. 106–7. It was probably a very small martyr church.

of Alexandria, however, one must have more information about the income and wealth of his see. When John the Almsgiver became patriarch of Alexandria in 610, he is reported to have found the Church's treasure amounting to 8,000 pounds of gold.⁴⁷ Michael Hendy regards this amount as the 'accumulated fortune of the see' but the hagiographical goal of the passage was to prove that John, as the proverbial almsgiver, had spent an immeasurable amount of the Church's wealth (so much so that only one *tremissis*, one-third of a *solidus*, was left when John died) to feed and help the poor.⁴⁸ The amount therefore cannot be taken at face value.⁴⁹

Emperor Justinian's *Novella* 123 from 546 was likely closer to reality: it attempted to limit what a newly appointed bishop was allowed to pay by way of fees to those involved in his ordination (see Table 1).⁵⁰ It categorizes the sees into seven groups according to income and details two fees for the groups entitled to receive them. While the *Novella* does not present any approximate numbers for the income of the five patriarchates (Rome, Constantinople, Antioch, Jerusalem, and Alexandria), it stipulates that the patriarchates were allowed to pay up to twenty pounds of gold. Some calculations allow one to reasonably assume that the patriarchates were entitled to give twenty per cent of their yearly income as an 'enthronement fee'.⁵¹

As the above data indicate, the five patriarchates would on these assumptions have an 'average' income of 100 pounds of gold, but of course income likely varied from patriarchate to patriarchate and from year to year. Even without any representative data, we can likely assume that Alexandria was a wealthy see, as sources indicate a steady income from rental property, produce from

⁴⁷ Leontius of Neapolis, *Life of John the Almsgiver*, 45; *Leontios' von Neapolis Leben des Heiligen Iohannes des Barmherzigen Erzbischofs von Alexandrien*, ed. H. Gelzer (Freiburg: J.C.B. Mohr 1893), pp. 92–3: 80 *centenaria* is the equivalent of 8,000 Roman pounds.

⁴⁸ Michael F. Hendy, *Studies in the Byzantine Monetary Economy c. 300–1450* (Cambridge: Cambridge University Press, 1985), p. 204.

⁴⁹ See Ariel G. Lopez, *Shenoute of Atripe and the Uses of Poverty* (Berkeley: University of California Press, 2013), p. 59 on the unreliability of Leontius' account, as well as Ewa Wipszycka, *The Alexandrian Church: People and Institutions* (Warsaw: University of Warsaw, 2015), pp. 209–36.

⁵⁰ Which otherwise gave candidates incentives to promise large fees—to be taken from the church's budget after a successful ordination—to secure their election and ordination as bishop. Procopius claims that Paul the Tabennesiote (patriarch 538–540) even offered the emperor Justinian 700 pounds of gold (probably from his own money) if he would agree to Paul's reinstatement as patriarch of Alexandria: Procopius, *Anecdota* xxvii.21; *Procopius Secret History* ed. and trans. H. B. Dewing (Cambridge, MA: Harvard University Press, 1969), pp. 324–35, but this is hardly credible.

⁵¹ The *Novella* is briefly discussed in Ewa Wipszycka, *Études sur le Christianisme dans l'Égypte de l'Antiquité tardive* (Rome: Institutum Patristicum Augustinianum, 1996), p. 202 and Sabine Hübner, 'Currencies of Power: The Venality of Offices in the Later Roman Empire', in *Shifting Frontiers in Late Antiquity VII: The Power of Religion in Late Antiquity* (University of Colorado at Boulder, 22–25 March 2007), ed. Andrew Cain and Noel Lenski (Aldershot: Ashgate: 2009), pp. 167–80, here 170. It is unclear how Hübner concludes that the patriarchates' income 'amounted to several hundred pounds of gold per year'.

Table 1 Schedule of fees under Novella 123

<u>Bishopric</u>	<u>Annual income</u> (in gold)	<u>Fee 1</u>	<u>Fee 2</u>	<u>Fee 1+2</u>	<u>Fees/ Income</u> (%) ⁵²
Patriarchates	Unspecified	unspecified	unspecified	20 pounds (1,440 <i>solidi</i>)	n/a
Category A	>30 pounds (>9720 gr)	100 <i>solidi</i> (450 gr)	300 <i>solidi</i> (1,350 gr)	400 <i>solidi</i> (1,800 gr)	18.52% c. 1/5
Category B	10–30 pounds (3,240–9,720 gr)	100 <i>solidi</i> (450 gr)	200 <i>solidi</i> (900 gr)	300 <i>solidi</i> (1,350 gr)	20.83% c. 1/5
Category C	5–10 pounds (1,620–3,240 gr)	50 <i>solidi</i> (225 gr)	70 <i>solidi</i> (315 gr)	120 <i>solidi</i> (540 gr)	22.22% c. 1/5
Category D	3–5 pounds (972–1,620 gr)	18 <i>solidi</i> (81 gr)	24 <i>solidi</i> (108 gr)	42 <i>solidi</i> (189 gr)	14.58% c. 1/7
Category E	2–3 pounds (650–975 gr)	12 <i>solidi</i> (54 gr)	16 <i>solidi</i> (72 gr)	28 <i>solidi</i> (126 gr)	15.52% c. 1/7
Category F	< 2 pounds (<650 gr)	0	0	0	0

Note: 1 Roman pound = c. 324 grams; 1 *solidus* = c. 4.5 grams.

landholdings, and the see's involvement in trade, in addition to donations, subventions from the state and so forth.⁵³

Does this information suffice to enable us to estimate the income of Alexandria for Cyril's time? Unfortunately not, as the 'average' income of patriarchates is estimated here in terms of legislative purposes and conveys no specifics about the actual income of any of these patriarchates in any given year.⁵⁴ The average income estimated here does, however, allow a financial contextualization in very

⁵² For calculating the gift to yearly income ratio, the midpoint of the annual income range specified in the legislation has been used for the categories specified—i.e., twenty pounds, or 6.5 kg, in case of churches with annual income in the range between ten and thirty pounds of gold per year. For Category A, which has no upper limit, the bottom end of the range has been used. Obviously, the ratios can only be approximations. Note that any discussion of the income of the patriarchates must be separated from their expenses: in the sixth century, some churches ran into financial problems because they had too many clerics on their payroll. For the Church of Constantinople, see Justinian's *Novella* 3 from 535. In other words, whatever the respective income, if the church's steward did not have expenses under control, a church would be unable to accumulate wealth.

⁵³ I am aware of no quantitative estimates of the See of Alexandria's revenues but for its sources of income see Wipszycka, *The Alexandrian Church*, pp. 198–201 and 214–19, and Roger Bagnall, *Egypt in Late Antiquity* (Princeton: Princeton University Press, 1993), pp. 290–3; for greater detail see Ewa Wipszycka, *Les ressources et les activités économiques des églises en Égypte du IV^e au VIII^e siècle* (Bruxelles: Fondation égyptologique Reine Elisabeth, 1972). On ecclesiastical property generally, see Jean Gaudemet, *L'Église dans l'Empire Romain (IV^e–Ve siècles)* (Paris: Sirey, 1958 [reprint 1989]), pp. 288–99.

⁵⁴ It is difficult to say what Justinian's legislation considered as 'income' but it is assumed here that the emperor and his *fiscus* were good judges of what the churches generated, even if only in approximate terms. The largest source of ecclesiastical wealth was probably donations or last wills

general terms. Even if the estimated average income must be considered too low for fifth-century Alexandria, and should be doubled, tripled, or even quadrupled (thus equalling an estimated income of 200, 300, or even 400 pounds of gold per year in 432), then 2,580 pounds would exhaust the ordinary average income of the Church of Alexandria for at least six years!

As any church of course also had yearly expenses (which certainly increased with the size and the status of the church), even prudent ecclesiastical stewards were able to save only a fraction of the total amount of income received in any year.⁵⁵ In other words, in order to be able to pay 2,580 pounds, Cyril must have spent the accumulated savings of decades, most likely depleting Alexandria's liquid assets in the process. The Alexandrian Church may well have owed 1,500 pounds of gold to the *comes* Ammonius because Cyril did not have the liquidity to pay him upfront but instead issued a note of debt.⁵⁶ If the Church of Alexandria had to borrow money in order to fulfil this debt, Alexandria might have easily ended up having to pay interest of potentially up to another 1,500 pounds of gold.⁵⁷ In other words, Cyril's successor, Dioscorus, inherited considerable debt when he became patriarch of Alexandria in 444.

The Recipients at Court and Cyril's Network in Constantinople

Epiphanius' list of the recipients follows no discernible order, though he probably had his personal chart in mind when composing the catalogue:⁵⁸

but they would not constitute 'regular' income; they probably included first of all land and/or property but likely did not generate 'cash'. Furthermore, Alexandria may have had more income in 432 under Cyril than in the sixth century during the fierce post-Chalcedonian controversy.

⁵⁵ If patriarchs accumulated a 'warchest' for such occasions is possible but remains unknown. For church funds and expenses in the time of emperor Justinian see S. Hamilcar Alivisatos, *Die kirchliche Gesetzgebung des Kaisers Justinian I.* (Berlin: Trowitzsch & Sohn, 1913), pp. 86–97. For possible comparison see the income of the See of Rome (reported to be some four hundred pounds of gold) and Ravenna: Alexander Demandt, *Die Spätantike. Römische Geschichte von Diokletian bis Justinian 284–565 n.Chr.*, 2nd ed. (Munich: Beck, 2007), p. 541.

⁵⁶ Epiphanius noted that the Church of Alexandria was stripped off (*nudata*) its funds and still owed (*debet*) 1,500 pounds of gold to Ammonius; ACO I.4, p. 223. See below, pp. 25–6; see also Michael J. Hollerich, 'The Alexandrian Bishops and the Grain Trade: Ecclesiastical Commerce in Late Roman Egypt', *Journal of the Economic and Social History of the Orient* 25, no. 2 (1982): pp. 187–207, here 196, and G. E. M. de Ste. Croix, 'The Council of Chalcedon', in *Christian Persecution, Martyrdom, and Orthodoxy*, ed. Michael Whitby and Joseph Streeter (Oxford: Oxford University Press, 2006), pp. 259–319, here 261.

⁵⁷ On interest rates in the Roman world, see Jean Andreau, *Banking and Business in the Roman World* (Cambridge: Cambridge University Press, 1999), pp. 90–9. As a guideline, the total amount of interest was not allowed to be more than the amount of the original loan principal (*ultra duplum*) although there are instances that this rule was not observed. Here it would mean that another 1,500 pounds of gold could potentially be payable as interest to the moneylender, in addition to the principal amount of 1,500 pounds.

⁵⁸ It starts with the chamberlains before noting high-ranking officials but the wife of the *PPO Orientis* is placed between chamberlains, and the order of chamberlains is certainly not in the order of importance; see also Beers, "Furnish Whatever is Lacking to Their Avarice", p. 78.

1. Paul, *praepositus sacri cubiculi* (=grand chamberlain, the superintendent of the sacred bedchamber): fifty pounds of gold/sixty pieces of textiles and furniture.
2. His *domesticus* (=personal assistant): 100 *solidi*; nine pieces
3. Marcella, *cubicularia* (=chambermaid) of the *augusta* Pulcheria: fifty pounds; sixty pieces.
4. Droseria, *cubicularia* of the *augusta* Pulcheria: fifty pounds; sixty pieces.
5. Chryseros, *praepositus sacri cubiculi*: 200 pounds; eighty-six pieces.
6. His *domesticus* Solomon: fifty pounds; thirty-four pieces.
7. Heleniana, the wife of the *praefectus praetorio* (PPO) *Orientis* (=top-ranked administrator): 100 pounds; eighty-six pieces.⁵⁹
8. Florentinus, *assessor* (=judicial advisor) of the *praefectus praetorio Orientis*: fifty pounds; thirty-four pieces.
9. Romanus, *cubicularius* (=chamberlain): thirty pounds; twenty-six pieces.
10. Domninus, *cubicularius*: fifty pounds; forty-two pieces.
11. Scholasticus, *cubicularius*: 100 pounds; eighty-six pieces.⁶⁰
12. His *domesticus* Theodore: fifty pounds; twenty-six pieces.
13. Artabas, perhaps also a *cubicularius*: 100 pounds; eighty-six pieces.⁶¹
14. The *magister [officiorum]* (=head of the palatine offices): 100 pounds, eighty-six pieces.⁶²
15. His *domesticus* received the same amount as Rufinus (who is otherwise not mentioned).
- [16. *ergo*: Rufinus received the same amount as the *domesticus* of the *magister officiorum*.]
17. The *quaestor [sacri palatii]* (=justice minister): 100 pounds; eighty-six pieces.⁶³
18. His *domesticus* Ablabius received the same amount as Eustathius (who is otherwise not mentioned).
- [19. *ergo*: Eustathius received the same amount as the *domesticus* Ablabius.]

Neither the *magister officiorum* nor the *quaestor sacri palatii* is called by name but they cannot be identified with Eustathius or Rufinus, as other sources indicate

⁵⁹ Heleniana is called the wife of a '*praefectus praetiorum*', which can only refer to the *praefectus praetorio* (PPO) *Orientis*; see Batiffol, 'Les Présents de Saint Cyrille', pp. 253–4.

⁶⁰ Domninus and Scholasticus are known from other sources but not much can be concluded from this information (PLRE II, pp. 373 and 982); for the question if we have here two eunuchs called Scholasticus see Chapter 4, p. 171 n. 85.

⁶¹ PLRE II, p. 154: 'Artabas'.

⁶² In the letter he is referred to as *magister*, which must mean the *magister officiorum* as Batiffol, Bevan and Beers have noted: Batiffol, 'Les Présents de Saint Cyrille', p. 254; Bevan, *The New Judas*, p. 221; Beers, "Furnish Whatever is Lacking to Their Avarice", p. 83.

⁶³ In the letter he is referred to as *quaestor*, which must mean the *quaestor sacri palatii* as Beers has noted: Beers, "Furnish Whatever is Lacking to Their Avarice", p. 83; see also Bevan, *The New Judas*, p. 221.

that in 432–33 the *magister officiorum* was John and the *quaestor* most likely was Domitianus.⁶⁴ Cyril thus seems to have sent gifts to nineteen rather than seventeen persons, but the gifts to four of them remain unspecified.⁶⁵

Epiphanius' accompanying letter supplies details about the current ecclesiastical situation as well as Cyril's network in Constantinople and his political strategy. The letter itself was written on behalf of Cyril, who is said to have fallen ill, Epiphanius notes, because of the things that Maximianus had written to Cyril and to Aristolaus. Aristolaus was a *tribunus et notarius* whom Emperor Theodosius had commissioned in 432 as imperial ambassador to make Cyril and John cease their reciprocal depositions and come to an agreement.⁶⁶ Maximianus' letter to Cyril and Aristolaus does not survive, but Epiphanius' reply suggests that Maximianus was not as devoted to the Cyrillian cause as Cyril had requested. According to Epiphanius, Cyril was 'very saddened' by Maximianus; as he explained: 'You [Maximianus], with lord Philip and lord Claudianus, have not taken care as to how the most famous man, Aristolaus, would depart from here [Alexandria].'⁶⁷ Philip was most likely a Constantinopolitan priest who had broken communion with Nestorius already before 431, and who subsequently came under attack by associates of Nestorius.⁶⁸ In October 431, he may have been instrumental in choosing Maximianus as Nestorius' successor.⁶⁹ Claudianus appears not only in Epiphanius' letter but also in the inventory list of gifts, which names him five times as contact person and mediator; the short fragmentary letter also mentions a priest named Claudianus. Most likely all such references are to the same person, and Claudianus probably was an Alexandrian priest and Cyril's trusted emissary in Constantinople.⁷⁰

Cyril's key contact in Constantinople, however, was bishop Maximianus, whom Cyril had supported as candidate for the See of Constantinople, and whom he now expected to help promote Alexandria's cause. Maximianus was well-connected in Constantinople. According to Epiphanius, Maximianus was charged with the following tasks:

⁶⁴ PLRE II, p. 370: 'Domitianus 4' and PLRE II, p. 596: 'Ioannes 12'.

⁶⁵ Beers, "Furnish Whatever is Lacking to Their Avarice", p. 78 n. 65 suggests that Rufinus might be identified with the unnamed *PPO Orientis* (PLRE II, p. 953: 'Rufinus 8'); this is possible but as the Rufinus mentioned in the list receives the same amount as a *domesticus* (that is, most likely between 100 *solidi* and fifty pounds of gold), whereas his wife received 100 pounds of gold, it might have been rather insulting to the prefect if he found out.

⁶⁶ PLRE II, pp. 146–7: 'Aristolaus'.

⁶⁷ ACO I.4, pp. 222–3; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 190.

⁶⁸ As we learn from one of Cyril's letters: ACO I.1.7, pp. 171–2.

⁶⁹ See Cyril, *ep.* 32; ACO I.1.7, p. 137.

⁷⁰ The PLRE II and, following it, Bevan regard him as a *domesticus* in Constantinople who was also bribed but the evidence does not support this; PLRE II, pp. 298–9: 'Claudianus 2'; Bevan, *The New Judas*, p. 221 n. 78. McEnerney in his translation also considers Claudianus to be a member of the imperial court, with Solomon as his *domesticus*; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 197 and 200.

1. Persuade Empress Pulcheria to support the right cause.
2. Persuade Aristolaus' wife to write to her husband.
3. Persuade the archimandrite Eutyches—who would later play a key-role during Dioscorus' tenure (see Chapter 3)—to support Cyril's cause, and also to write to Aristolaus.
4. Speak with the famous archimandrite Dalmatius, who had previously made an appearance in public after the Council of Ephesus. Dalmatius was supposed to 'correct' Theodosius so that the emperor would swear an oath and also commit all the chamberlains such that no memory of Nestorius might remain.⁷¹
5. Persuade palace officials who had received Cyril's 'blessings' to write to Aristolaus as well as to John of Antioch.
6. Send a letter to Aristolaus, who in turn should write to John of Antioch, to 'urge him on'.

Epiphanius also exhorted the bishop to be more assertive and to employ well-known ascetics for Cyril's cause.⁷² At the same time, Maximianus was expected to take counsel with Alexandrian clerics in Constantinople in order to coordinate their actions.⁷³ Apparently Maximianus had made such an agreement before with an Alexandrian priest, Eulogius, but failed to keep his promises. Eulogius must have been a trusted agent of Cyril in Constantinople, perhaps even Cyril's official ambassador (*apocrisarius*).⁷⁴ Maximianus was also expected to supply further gifts if need be; namely, 'whatever is lacking to their [the courtiers'] avarice (*avaritiae*)' should be taken care of by 'blessings' from the See of Constantinople, as Epiphanius spelled out in no unclear terms: 'But from your church provide for the avarice of those whom you have known, lest the Church of Alexandria be saddened because your holiness acts against your promises.'⁷⁵ In summary, the See of Constantinople appeared as an outpost of the See of Alexandria, and Maximianus as a very busy ambassador in Cyril's service.

Lastly, Maximianus was instructed to talk to *comes* Ammonius, for whom, Epiphanius explains, 'now again there is in writing that he should keep his pledge'

⁷¹ There was hardly any need to persuade the emperor to drop Nestorius: see above, p. 14 n. 15. For Cyril, however, condemnation of Nestorius would by default imply that his own writings would be regarded as orthodox; see below, pp. 34–5. For Dalmatius, see also Daniel Caner, *Wandering, Begging Monks. Spiritual Authority and the Promotion of Monasticism in Late Antiquity* (Berkeley: University of California Press, 2002), pp. 222–3.

⁷² 'Et si non voluaverit [te] nocte ac die pro temet ipso curia, multos habes perturbare sanctorum'; ACO I.4, p. 223.

⁷³ Note the *lacunae* in the text, emended by Eduard Schwartz.

⁷⁴ This Eulogius is presumably the same as the addressee (among others) of a letter in which Cyril reported extensively on the proceedings of the Council of Ephesus; Cyril, *ep.* 23; ACO I.1.2, pp. 66–8. After the Reunion in April 433, Cyril wrote to him again, and instructed him to distribute Cyril's work at court in order to defend Cyril against accusation of Apollinarianism; Cyril, *ep.* 44; ACO I.1.4, pp. 35–7.

⁷⁵ ACO I.4, p. 223; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 191.

(*nunc ei denuo scriptum est ut praestet*); but the details of this agreement remain unknown.⁷⁶ The bishop of Constantinople was to persuade Ammonius and make him write letters (to unspecified recipients). Considering that 1,500 pounds of gold were owed to him—a sum larger than all other gifts of gold combined—one cannot escape the conclusion that Cyril had agreed to make a payment for the benefit of the Emperor Theodosius himself. If this is the case, Ammonius was most likely either the *comes rei privatae*, the senior fiscal official of the emperor responsible for the imperial estates, or the *comes sacrarum largitionum*, the imperial finance minister.⁷⁷ In other words, Cyril had agreed to pay 1,500 pounds of gold if Theodosius did what Ammonius had pledged would be accomplished. In fact, Nestorius would hint at this almost two decades later in his *Bazaar of Heracleides*, claiming that ‘the Emperor knew he [Cyril] still had money’. Further, a written agreement existed stating that Cyril would pay 2,000 pounds of gold to the emperor.⁷⁸

Maximianus and the Alexandrian clergy in Constantinople formed the core of Cyril’s network there. Maximianus may not have been overly enthusiastic about implementing Cyril’s requests, but he owed his position to Cyril. All the Alexandrian emissaries and Constantinopolitan clergy (some of whom Nestorius had excommunicated)⁷⁹ were likely all too happy to side with the See of Alexandria and worked for Cyril’s cause without financial compensation or gifts. Cyril’s gifts were instead intended for non-ecclesiastical persons at court: chamberlains, chambermaids, and (other) high-ranking officials and their confidants. These figures were targeted and recruited for Cyril’s cause in four ways: (a) several but not all received personal letters from Cyril;⁸⁰ (b) they received gifts in kind, the ‘customary blessings’; (c) they also received gold (which was probably delivered once the written conditions had been fulfilled by the courtiers); and last, but not least, (d) they were approached by those whom Cyril had instructed to solicit others for his cause.

Epiphanius’ catalogue and letter show that Cyril had a clear understanding of the mechanisms at court—as well as good knowledge of the personal (religious)

⁷⁶ ACO I.4, p. 223; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 191.

⁷⁷ John, who had been the *comes sacrarum largitionum* at the time of the Council of Ephesus, was *magister officiorum* at the time of this letter (see below, p. 29). On the offices, see A. H. M. Jones, *The Later Roman Empire 284–602: A Social, Economic, and Administrative Survey* (Oxford: Blackwell, 1964) (LRE), pp. 412–37, particularly 424–5 on how the private and public character of these two offices overlapped. Obviously, the court had countless other *comitivae*, and Ammonius may also have been a lower ranking *comes* than these two top ministries; the result—a payment to the emperor—would nevertheless remain the same.

⁷⁸ Nestorius, *The Bazaar of Heracleides* II.2; Nestorius: *Le Livre d’Héraclide de Damas*, ed. Paul Bedjan (Leipzig: Harrassowitz, 1910), p. 478; Nestorius: *The Bazaar of Heracleides*, trans. G. R. Driver and Leonard Hodgson (Oxford: Oxford University Press, 1925), p. 349.

⁷⁹ Cyril, *ep.* 18; ACO I.1.1, pp. 113–14, here 114.

⁸⁰ At least Epiphanius noted that Cyril personally had written letters to empress Pulcheria, to Paul, the *praepositus sacri cubiculi*, to Romanus, Marcella, Droseria, Scholasticus, and Artabas. Cyril perhaps also wrote to other courtiers but most likely not to his opponent Chryseros for example.

allegiances of individuals. The *cubicularii*, *cubiculariae*, and their confidants were Cyril's main targets, as they were the personal servants of the emperor (and empress) and his closest confidants. The image of these eunuchs is distorted through the negative reception of their contemporaries, but there is no doubt that 'people who wanted important tasks immediately executed with the support of imperial authority regularly approached the court eunuchs rather than any other imperial officer or indeed the emperor himself'.⁸¹ The grand chamberlain, the *praepositus sacri cubiculi*, controlled access to the emperor and therefore could also bypass the official channels for an audience or petition if he thought fit.⁸² Furthermore, he may also have served as a religious advisor to the emperor and was thus predestined to find a receptive ear for Cyril's cause.⁸³

The list names two *praepositi*, Paul and Chryseros, one supposedly for the bedchamber of the empress and the other for the emperor. Paul's role at court and his attitude towards Cyril remain unclear, but Chryseros is introduced as Cyril's most dangerous enemy at court, one whose opposition needed to be neutralized at all costs. Otherwise Cyril's cause would always be thwarted (*tribulaturi sumus*), according to Epiphanius.⁸⁴ Cyril did not write personally to Chryseros but rather instructed the *cubicularii* Scholasticus and Artabas to 'meet with and persuade Chryseros to desist at length from his assault on the Church; and to them truly worthy blessings (*benedictiones dignae*) have been dispatched'. The *cubicularius* Scholasticus may have been a friend of Chryseros, as Scholasticus' *domesticus* was paid gold in order to dissuade his master from friendship with Cyril's adversaries (perhaps Chryseros?).⁸⁵ Also, 'Aristolaus has been prepared to write [to Chryseros] about some things which your messenger ought to obtain'.⁸⁶ The list further notes previous correspondence by Aristolaus to Chryseros (here with the priest Claudianus as mediator), as well as the previously mentioned 200 pounds of gold for Chryseros if he would cease opposing Cyril.⁸⁷ Two hundred pounds of gold might have constituted more than ten per cent of a eunuch's fortune upon retirement.⁸⁸

Nevertheless, approaching Chryseros personally (through emissaries) and by letters (via allied courtiers), and sending him gifts and promising him gold

⁸¹ Keith Hopkins, 'The Political Power of the Eunuchs', in Keith Hopkins, *Conquerors and Slaves* (Cambridge: Cambridge University Press, 1978), pp. 172–96, here 173.

⁸² Helga Scholten, *Der Eunuch in Kaisernähe: Zur politischen und sozialen Bedeutung des praepositus sacri cubiculi im 4. und 5. Jahrhundert n. Chr.* (Frankfurt a.M.: Peter Lang, 1995), pp. 83–6.

⁸³ Scholten, *Der Eunuch in Kaisernähe*, pp. 95 and 121.

⁸⁴ ACO I.4, p. 224.

⁸⁵ ACO I.4, p. 224.

⁸⁶ ACO I.4, p. 223; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 190. Chryseros is described as being 'against the Church (*contra ecclesiam*)'.

⁸⁷ This probably means that Claudianus, or another messenger trusted by Maximianus, had direct access to the *praepositus* in order to deliver such delicate letters.

⁸⁸ John of Ephesus, *Lives of the Eastern Saints* 57, ed. and trans. E.W. Brooks [PO 18.4] (Paris: Firmin-Didot, 1924), p. 548 rather exaggerates the income in the given context.

formed only part of Cyril's strategy to neutralize this opposition at court once and for all. At the same time, Epiphanius requested that Maximianus urge Pulcheria to seek to get rid of Chryseros as *praepositus sacri cubiculi* and install Lausus in his place: 'the power of Chryseros may be destroyed, and thus our teaching be strengthened'.⁸⁹ The catalogue of 'blessings' also mentions Pulcheria's two *cubiculariae*, Marcella and Droseria, who were charged with persuading Pulcheria. Of what the empress needed to be persuaded is not detailed but instructions were sent to the *cubiculariae*, and it seems more than likely that they concerned the same matter—the removal of Chryseros. Furthermore, in his letter, Epiphanius mentions a certain *domna* Olympias who should talk with the *cubiculariae*.⁹⁰ Again, the written instructions do not survive but it would be logical to assume that Cyril built up a chain of individuals meant to influence powerful persons at court with whom they were close. Epiphanius requests that Maximianus should speak with Olympias, who in turn should use her skills on Marcella and Droseria, who in their turn should approach the empress—so that the empress will remove Chryseros.⁹¹ In sum, Cyril showered his main opponent at court with gifts and gold and paid numerous courtiers to persuade Chryseros not to oppose him while simultaneously plotting against him. As Chryseros is indeed no longer mentioned after 432, and Lausus reappears as *praepositus*, Cyril's attempt to remove Chryseros was obviously successful.⁹²

While Chryseros' neutralization—or downfall—was one of Cyril's primary goals, he also attempted to influence holders of the most important civil offices at court. The *quaestor sacri palatii*—most likely Domitianus at this time—was the 'minister of justice' in the Later Roman Empire and thus responsible for issuing imperial decrees.⁹³ The *praefectus praetorio* (PPO) *Orientis* was most likely influenced via Florentinus, his *assessor*, and his wife Heleniana, both recipients of

⁸⁹ ACO I.4, pp. 223–4; St. Cyril of Alexandria: *Letters* 51–110, McEnerney, p. 192. PLRE II, 660–1: 'Lausus 1, 2 & 3' interprets the passage to mean that Lausus should counter the power of Chryseros only by being installed as *praepositus* as well. The text, however, rather indicates that Lausus should replace Chryseros; see also Beers, "Furnish Whatever is Lacking to Their Avarice", p. 72. Lausus had been in office before and is known from several sources (if they all refer to the same Lausus); see Scholten, *Der Eunuch in Kaisernähe*, pp. 230–1. Wickham assumes that the *praepositus* mentioned in Cyril's *ep.* 44 (written after the *Reunion of 433*) refers to Chryseros. But the context indicates that the *praepositus* was very receptive to Cyril's work, which fits Lausus, not Chryseros; *Cyril of Alexandria*, Wickham, p. 67 n. 8.

⁹⁰ PLRE II, p. 798: 'Olympias 2'.

⁹¹ Chryseros might have been the *praepositus sacri cubiculi* of the *augusta* while Paul was the *praepositus* of the emperor (or Cyril wanted Pulcheria to influence her husband to remove his *praepositus*, i.e. Chryseros). Because of the order of the recipients, Beers, "Furnish Whatever is Lacking to Their Avarice", p. 78 considers it more likely that Paul was Pulcheria's *praepositus*.

⁹² On Lausus' second term as *praepositus* see Scholten, *Der Eunuch in Kaisernähe*, p. 231.

⁹³ Demandt, *Die Spätantike*, p. 281. Domitianus had received a letter by Theodoret (*ep.* 40); *Théodoret de Cyr: Correspondance I*, ed. and trans. Yvan Azéma (Paris: Editions du Cerf, 1965), p. 104; Schor, *Theodoret's People*, pp. 49 and 173; see also PLRE II, p. 370: 'Domitianus 4'. He seems to have worked for a reconciliation between the dissenting eastern bishops and John of Antioch.

Cyril's gifts and gold.⁹⁴ The *PPO Orientis* was the highest civilian minister and had official duties when it came to enforcing conciliar decisions.⁹⁵ Even more directly involved in religious affairs of the empire was the *magister officiorum*, who organized councils, invited bishops, organized their travels, and often maintained regular contact with them.⁹⁶ Manfred Clauss even regards this office as the imperial 'representative of ecclesiastical politics', and Cyril was hardly the first bishop of Alexandria to pay a *magister officiorum* to gain his support.⁹⁷

In 432, the *magister officiorum* was John, who had been the *comes sacrarum largitionum* from 429 to 431, and whom Theodosius II had sent to the Council of Ephesus.⁹⁸ It might have been John who chose the notary Aristolaus as imperial representative, as the *notarii* were overseen by the *magister*.⁹⁹ This Aristolaus had already written to Chryseros on behalf of Cyril, and Chryseros was to receive 200 pounds of gold if he agreed to the terms specified. In other words, Aristolaus was already part of Cyril's network even as he was working as imperial broker between Antioch and Alexandria in 432–33.¹⁰⁰ As noted, Cyril asked numerous courtiers—as well as the archimandrite Eutyches—to write to Aristolaus, presumably less in order to remind him of his allegiance than to ensure that he had an abundance of petitions for Cyril's cause on file for later reference. If and how Cyril otherwise offered Aristolaus further incentives is not recorded, but it can be assumed that Cyril made his stay in Alexandria as pleasant as possible and very likely organized some 'blessings' for him in person.

In sum, Bishop Maximianus was the linchpin of Cyril's clerical network in Constantinople, a well-connected cleric who was able to directly approach as many protagonists at court as possible and was asked to do so. John, as *magister officiorum*, and Aristolaus, as imperial emissary for reuniting Alexandria and

⁹⁴ Assessors could be quite influential though their influence usually was exercised behind the scenes; see Jones, *LRE*, pp. 500–1; Manfred Clauss, *Der magister officiorum in der Spätantike (4.–6. Jahrhundert): das Amt und sein Einfluss auf die kaiserliche Politik* (Munich: Beck, 1980), p. 58.

⁹⁵ Jones, *LRE*, pp. 371–2; Scholten, *Der Eunuch in Kaisernähe*, p. 122; the importance of the *PPO Orientis* in ecclesiastical matters is also manifested by the fact that emperor Marcian's *PPO Orientis*, Palladius, participated in the Council of Chalcedon; see Manuela Kefler, *Die Religionspolitik des Kaisers Marcianus (450–457)* (PhD Diss. Goethe-University Frankfurt am Main, 2011), pp. 52–3.

⁹⁶ Clauss, *Der magister officiorum in der Spätantike*, pp. 87–93.

⁹⁷ See the case of Athanasius and Philumenus: Socrates, *Church History* I.27.9–10; Sokrates: *Kirchengeschichte*, Hansen, pp. 76–7; see also Sozomen, *Church History* II.22.6–8; Sozomenos: *Historia Ecclesiastica*, vol. 1, Hansen, pp. 276–9; see Clauss, *Der magister officiorum in der Spätantike*, pp. 83–4.

⁹⁸ *PLRE* II, p. 596: 'Ioannes 12'.

⁹⁹ Clauss, *Der magister officiorum in der Spätantike*, pp. 22–3; but note Jones, *LRE*, pp. 572–5 to the effect that some tribunes and notaries were answerable directly to the emperor.

¹⁰⁰ Beers, "Furnish Whatever is Lacking to Their Avarice", p. 75 interprets Epiphanius' plea to Maximianus that the bishop of Constantinople should ensure that Aristolaus leave Alexandria (ACO I.4, p. 223) and lessen imperial (i.e., Aristolaus') pressure on Cyril. Kenneth G. Holm, *Theodosian Empresses: Women and Imperial Dominion in Late Antiquity* (Berkeley: University of California Press, 1982), pp. 179–80 regarded Aristolaus' mission as worrisome to Cyril and wrongly assumed that Aristolaus urged Cyril to conform (the person urged was John of Antioch). One might rather take the view that Epiphanius and Cyril simply wanted Aristolaus to leave Alexandria and carry Cyril's ultimatum to Antioch. See below, pp. 35–6. There is no indication that Aristolaus put pressure on Cyril.

Antioch, must have played crucial roles as well; but it remains difficult to precisely reconstruct the extent of their involvement within the Alexandrian network. At court, Cyril did not attempt to influence important persons indiscriminately but went straight to the top-ranked officials and their confidants, missing out only military office holders. Cyril did not treat them equally or commensurately with their rank but rather according to their stance toward his own cause. In the case of Chryseros, Cyril paved every possible path to him with gifts, letters, and influencers while at the same time bribing every person in reach to have him removed from court. Via Maximianus and his network, Cyril seems to have been able to approach such major officeholders as the *magister officiorum* and the *quaestor sacri palatii* directly and solicit their support through gifts and gold. The *praefectus praetorio Orientis* was apparently not personally known to anyone in Cyril's network and was therefore influenced via his wife and his *assessor*. Last but not least, the payment of 1,500 pounds of gold to Ammonius was larger than all other payments and must have been given to a party from whom Cyril could profit more than from all other courtiers combined. Whether Cyril had struck a costly deal with the emperor cannot be answered with certainty but appears to be the likeliest option.

'Blessings' as Incentives for 'Orthodoxy'

The enormous costs of the Church of Alexandria, and the meticulous care with which Cyril put his network to work at court requires us to look more closely at Cyril's motivation. What exactly was the cause for which Cyril desperately needed support? And why did Cyril initiate the shipment at this stage of his controversy with John of Antioch? Epiphanius' letter and catalogue have often been simply dated to 431 in direct connection to the Council of Ephesus.¹⁰¹ But as Epiphanius' letter was sent to Maximianus, who was ordained on 25 October 431, the letter could not have been penned before November 431.¹⁰² Furthermore, it details numerous other developments in the negotiations between Alexandria and Antioch. Probably in late spring 432, Aristolaus came to Antioch, where John of Antioch met with other bishops.¹⁰³ According to Epiphanius' letter, Aristolaus requested that John condemn Nestorius and his teachings, but the eastern bishops

¹⁰¹ The *PLRE* II, for example, dates all the bribed courtiers to 431. Batiffol, 'Les Présents de Saint Cyrille', p. 163, however, dates the gifts to 432–33. Jones, *LRE*, p. 346 cautiously places the 'bribe in one of the years which immediately followed the council of Ephesus in 431'. Millar, *A Greek Roman Empire*, p. 181 dates it 'to around 432'. Bevan, *The New Judas*, pp. 220–2 never explicitly states a date for the letter and catalogue but from the context it can be inferred that he places it between April 432 (a date given by Bevan on p. 212) and 18 December 432 (Bevan, p. 223).

¹⁰² Socrates, *Church History* VII.35; Socrates: *Kirchengeschichte*, Hansen, p. 384. Cyril returned to Alexandria around this time.

¹⁰³ Schor, *Theodoret's People*, p. 92; Bevan, *The New Judas*, p. 212 dates the synod to April 432.

evaded this bid and sent Paul of Emesa to Alexandria. Paul brought a letter by John to Cyril that did not condemn Nestorius but apparently contained theological arguments by Nestorius. Aristolaus, who had travelled to Alexandria as well, was not amused and asked that John of Antioch modify his position. The eastern bishops promised to come up with a 'definite formula' (*certa formula*) that bishop Alexander (of Apamea) was to send to Aristolaus. This is the moment when Epiphanius stops to recount events in his letter, and it is therefore in 432 that Cyril's gifts were shipped to Constantinople, most likely in the late summer or early autumn of that year.¹⁰⁴ Why did Cyril deplete the funds of the Alexandrian Church at this point?

In a very long theological letter to Acacius of Melitene, written after the *Reunion of 433*, Cyril explains that the emperor wanted harmony within the Church and

summoning [early in 432?], therefore, the most reverend and most God-fearing Bishop of the holy Church of Constantinople, Maximianus and very many other bishops of those who happened to be there, he considered how the disagreement between the churches might be removed from our midst and the sacred ministers of the holy mysteries might be called to peace.¹⁰⁵

In other words, the new bishop of Constantinople held significant influence over imperial church politics, and, as Cyril's ally, he suggested terms favourable to Cyril, as the letter continues: 'They [the members of the "theological commission"] said that John, the Bishop of Antioch, a bishop full of reverence for God, must anathematize the teachings of Nestorius and in writing approve his deposition.'¹⁰⁶ Emperor Theodosius' letters to John of Antioch, Acacius of Beroea, and Simeon Stylites confirm that the emperor expected Nestorius' condemnation.¹⁰⁷ Although Theodosius did not issue any ultimatum, Nestorius' condemnation was a given for Constantinople before Aristolaus even started his job in spring 432.¹⁰⁸ Nothing is

¹⁰⁴ Beers, 'Furnish Whatever is Lacking to Their Avarice', p. 74 dates Epiphanius' letter to autumn or early winter of 432. This is possible if we assume that this was not the time when the gifts were shipped (see also Beers, p. 80): the season for shipping closed in mid-September and although it still may have been possible to sail the Eastern Mediterranean until early November, considering the costly cargo, this is doubtful; Casson, *Ships and Seamanship*, pp. 270–1. In the winter, the Mediterranean was largely a *mare clausum*, and it is unlikely that the cargo was shipped overland.

¹⁰⁵ Cyril, *ep.* 40, ACO I.1.4, pp. 20–31, here 21; *St. Cyril of Alexandria: Letters 1–50*, trans. John I. McEnerney (Washington, DC: The Catholic University of America Press, 1987), pp. 153–67, here 153–4.

¹⁰⁶ Cyril, *ep.* 40, ACO I.1.4, pp. 20–31, here 21; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 153–67, here 154.

¹⁰⁷ ACO I.1.4, pp. 3–5 (to John); ACO I.1.7, p. 146 (to Acacius) and ACO I.1.4, pp. 5–6 (to Simeon Stylites: this letter is longer and more straightforward than the emperor's letter to Acacius).

¹⁰⁸ See above the ordination of Maximianus as Nestorius' successor, p. 14 and Susan Wessel, *Cyril of Alexandria and the Nestorian Controversy: The Making of a Saint and of a Heretic* (Oxford: Oxford University Press, 2004), p. 258. Papal support for Nestorius' condemnation certainly helped Cyril to convince a majority of bishops of his position; Wessel, pp. 173–5.

said about Maximianus but the Easterners could hardly reject him as he was now one of Theodosius' ecclesiastical advisors, explicitly mentioned as such by the emperor. For an experienced politician like Cyril, there was no question then that he had won the day against Nestorius.¹⁰⁹

The crux of the matter was something else, as Cyril points out in letter to Rabbula of Edessa (412–435), also from 432:

While it was appropriate that they [the eastern bishops] agree to what was proper and anathematize the wicked teachings of Nestorius, according to the intention of the most pious emperor and all of the orthodox, on the other hand they seek to render void everything which was written by me either in pamphlets or in books. In this way, they say, the churches will be in communion with each other.¹¹⁰

The eastern bishops proposed to come to terms based on the Council of Nicaea and allowed as additional material Athanasius' letter to Epictetus, but they rejected all further dogmatic material *vel per epistulas vel per capitula*.¹¹¹ This sentence explicitly targeted Cyril's *Twelve Chapters*, the twelve anathemas that Cyril had appended to his third letter to Nestorius in 430.¹¹² Lionel Wickham points out that the publication of Cyril's *Twelve Chapters* alone had triggered the widespread support for Nestorius in the East.¹¹³ John of Antioch's counter-council at Ephesus, the *conciliabulum*, declared Cyril's *Twelve Chapters* to be heretical because they proposed teachings of Arius, Apollinarius, and Eunomius.¹¹⁴ Afterwards, regional synods in Antioch and Tarsus did the same.¹¹⁵ In a letter to Andrew of Samosata, Alexander of Hierapolis, metropolitan of the Euphratensis and Nestorius' most outspoken ally, demanded that Cyril repudiate his own letters and *capitula*.¹¹⁶ If he would not retract his heresies, there could be

¹⁰⁹ Most eastern bishops still refused for a few more months to give up on Nestorius (and fourteen of them even preferred exile to accepting the terms of the *Reunion of 433*).

¹¹⁰ Cyril, *ep.* 34; ACO I.4, p. 140; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 136–7.

¹¹¹ ACO I.4, pp. 92–3, here 93. Athanasius' letter to Epictetus did play a role at the final stages of the agreement. Its text seemed to have been corrupted but the letter itself was not debated.

¹¹² Throughout the *Collectio Casinensis* Cyril's *Twelve Chapters* are referred to as *capitula*; for the *Twelve Chapters* see André de Halleux, 'Les douze chapitres cyrilliens au Concile d'Éphèse (430–433)', *Revue théologique de Louvain* 23 (1992): pp. 425–58.

¹¹³ *Cyril of Alexandria*, Wickham, p. xxvii: 'Without the chapters Nestorius could have expected no help from John or from any men of judgment. Now they would make common cause with him.' See also John McGuckin, *Saint Cyril of Alexandria and the Christological Controversy: Its History, Theology, and Texts* (Leiden: Brill, 1994), pp. 44–6; Schor, *Theodoret's People*, pp. 85: 'John labeled these statements "Apollinarian", invoking the Syrians' *bête noire*'; Herman M. Diepen, 'Les douze anathématismes au Concile d'Ephèse et jusqu'en 519', *Revue Thomiste* 55 (1955): pp. 300–38 and *The Acts of the Council of Constantinople of 553 with related Texts on the Three Chapter Controversy*, trans. Richard Price, vol. 1 [*TTH*] (Liverpool: Liverpool University Press 2009), pp. 64–6.

¹¹⁴ ACO I.4, pp. 36–7; see also McGuckin, *Saint Cyril of Alexandria*, pp. 94–5 and Wessel, *Cyril of Alexandria*, pp. 170 and 176–7. For Cyril's explanations of the *Twelve Chapters*, drawn up in Ephesus in 431, see ACO I.1.5, pp. 15–25; trans. in McGuckin, pp. 282–93.

¹¹⁵ Schor, *Theodoret's People*, p. 91.

¹¹⁶ ACO I.4, pp. 99–100, here 100.

no communion. Epiphanius' letter further demonstrates that the eastern bishops requested Cyril to withdraw his *capitula*.¹¹⁷

Cyril's annoyed reply to Acacius of Beroea indicates that Acacius had also asked Cyril to retract his *capitula*.¹¹⁸ To no avail, however, as Cyril clarified in a letter to Dynatus, bishop of Nikopolis in Epirus:

They induced Acacius, the most God-fearing and most holy Bishop of Beroea, to write to me certain absurd things to the effect that, since they requested it, I ought to repudiate everything written by me against Nestorius and hurl them aside as no longer in force [...] But I wrote in answer to these matters that they were requesting something not acceptable, for we have properly written what we have written in accordance with the true and blameless faith and we deny none at all of our own writings.¹¹⁹

At the Council of Ephesus, Cyril ensured that his *Twelve Chapters* were included in the acts together with his third letter to Nestorius.¹²⁰ Already at the Council and even more so in the following months (431–32), Cyril repeatedly felt the need to defend his theology and reject allegations of heresy. In November 431, when Maximianus of Constantinople sent Cyril his synodical letter, Cyril responded with a defensive letter in which he rebuffed any assumption that his theology might be Apollinarian, Arian, or Eunomian.¹²¹

According to Epiphanius' letter, the eastern bishops had, at this moment (late summer 432), not yet condemned Nestorius, and it seems very likely that the eastern bishops requested Cyril's retraction of the *Twelve Chapters* in exchange for their subscription to Nestorius' deposition and the condemnation of his teaching.¹²² After meeting with Aristolaus and reading Theodosius' *sacra*, John of Antioch knew that he would be unable to defend Nestorius. He sent Paul of Emesa to Alexandria for face-to-face discussions in which an agreement on the deposition of Nestorius and the anathematization of his teachings was undoubtedly made conditional upon Cyril's retraction of his *Twelve Chapters*.¹²³ John's

¹¹⁷ *St. Cyril of Alexandria: Letters 51–110*, McEnerney, p. 188 (with n. 2) translates *capitula* as 'documents' and notes in a footnote that this refers to 'Cyril's proposals at the Council of Ephesus'. This is unlikely.

¹¹⁸ Cyril, *ep.* 33; ACO I.1.7, pp. 147–50; written in 432 as the mention of Aristolaus' mission shows. Again, this long letter most likely refers to the *Twelve Chapters*. In it, Cyril again defended himself against accusations that he might be an Apollinarian, Arian or Eunomian.

¹¹⁹ ACO I.1.4, pp. 31–2, here 31; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 207–9, here 207.

¹²⁰ McGuckin, *Saint Cyril of Alexandria*, pp. 83–4 and *Council of Ephesus*, pp. 160–71 and 220–1; see also Thomas Graumann, 'Reading the First Council of Ephesus (431)', in *Chalcedon in Context: Church Councils 400–700*, ed. Richard Price and Mary Whitby [TTH] (Liverpool: Liverpool University Press, 2009), pp. 27–44.

¹²¹ Cyril, *ep.* 31; ACO I.1.3, pp. 72–4.

¹²² For the controversial nature of the *Twelve Chapters* see above, p. 32 n. 113.

¹²³ For John's mandate to Paul, see Cyril, *ep.* 36; ACO I.1.4, pp. 6–7.

first letter with 'Nestorian quotes' that Paul of Emesa 'showed' to Cyril was hardly an accident but rather part of John's negotiating tactics. A little later Cyril reported to Acacius that Paul 'produced a letter to me [by John of Antioch] which did not contain the things that it should contain, but which had been dictated in a manner in which it should not, for it had the force if provocation not of encouragement'.¹²⁴ John's position was as obvious as it was plausible: he was willing to sacrifice Nestorius, but as trade-off he sought to have Cyril retract his *capitula*. Such a concession by Cyril would prove that the resistance of the eastern bishops had been justified all along. In this way, John could show his good will towards reuniting the Church but at the same time win the public victory that he hoped for—not the least in order to pacify those of his colleagues who were hesitant to sacrifice Nestorius as a heretic. John believed that he could rely on the emperor's support, for whom the reunification of the Church mattered above all. Maximianus, too, might have settled on such a deal, as Epiphanius' letter shows that Maximianus had only lukewarm support for Cyril's cause.

Cyril must have anticipated John's tactic and realized how critical the situation was for his embattled *Twelve Chapters*. Epiphanius' urgent requests to Maximianus, his sophisticated allocation of bribes in Constantinople, and the very fact that Cyril looted Alexandria's treasury underline the seriousness of his concern. The issue was not about Nestorius' deposition and the anathematization of his teachings but about Cyril and his theological exposure in the Nestorian controversy. Would Cyril appear immaculate as the suffering confessor who brought down Nestorius, or as the radical opponent of Nestorius, whose theology was questionable at best or even heretical, as the majority of the Easterners believed? After all, the emperor had agreed to Cyril's deposition before, not least because of Cyril's autocratic handling of the Council of Ephesus.

Cyril knew that insisting upon official acceptance of his *Twelve Chapters* would cause a public outcry. Therefore, all the instructions and letters that were sent to the courtiers, accompanied by the gold, likely included requests for the recipients to stop any further demands to either party (that is, either Cyril or the easterners).¹²⁵ To an outsider, such a request might even appear as if Cyril was lowering the bar for agreement, and any courtier could readily support such a reasonable proposal. In fact, it was not moderate at all, as it outmanoeuvred John and left him empty-handed while Cyril achieved all his goals: Nestorius would be regarded as deposed and his teachings anathematized; and, by default, Cyril's

¹²⁴ Cyril, *ep.* 40, ACO I.1.4, pp. 20–31, here 22; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 153–67, here 155.

¹²⁵ It may even have been the case that legal contracts (*sponsiones*) between the courtiers and Cyril (or the Church of Alexandria) had been issued; see Volker Menze, 'Blessings, Bribes and Bishops: Cyril of Alexandria, the Council of Ephesus (431) and the Making of Orthodoxy', in *The Dangers of Gifts from Antiquity to the Digital Age*, ed. Alexandra Urakova, Tracey A. Sowerby, and Tudor Sala (London: Routledge, 2022), pp. 48–64.

Council of Ephesus would have to be accepted as holy and orthodox. The latter included in its acts Cyril's *Twelve Chapters* appended to his Third Letter to Nestorius, effectively conferring ecumenical sanction upon them.¹²⁶

Negotiations continued for months, and John, at some point, agreed to Nestorius' deposition but would not anathematize his teachings. In February 433, however, Cyril felt confident enough to issue John an ultimatum. As he stated:

A document was dictated [...] which the Bishop of Antioch ought to sign also, and I sent two clerics along with the most admirable Aristolaus, with the result that, if John should subscribe to the deposition of Nestorius and should anathematize his teachings, they would give him letters of communion. [...] He [Aristolaus] said that, if John did not wish to sign, 'I would sail to Constantinople and instruct our most reverend emperor that nothing stands in the way with regard to the Church of Alexandria, but the Bishop of the Church of Antioch is the one who does not love peace'. [...] For we have not been so foolish as to anathematize our own writings.¹²⁷

Cyril's political shrewdness had outwitted John, who still sought to avoid the inevitable, as Cyril reported in another letter: Cyril's deacon, Casius, 'is able to say how many days he spent there [in Antioch] without giving John the letter of communion unless he first wrote a letter with his own hand concerning all these matters'.¹²⁸ John finally did sign, thus concluding the *Reunion of 433* between Alexandria and Antioch. The letters of communion included a largely dyophysite statement that had originally been composed by the eastern bishops for the emperor in 431.¹²⁹ John, therefore, cannot have hesitated to agree to this statement. But in exchange for subscribing to Nestorius' deposition and anathematizing of his teachings, his goal had been to receive Cyril's signature under the retraction of his *Chapters*. This request was, however, off the table once Cyril's

¹²⁶ See above, p. 33 n. 120. It is debated if the letter with the appended *Twelve Chapters* was actually read as de Halleux, 'Les douze chapitres cyrilliens au Concile d'Éphèse (430–433)', 445–50 shows that they have been inserted in the first session of the acts; McGuckin, *Saint Cyril of Alexandria*, pp. 83–4, however, rightly points out that 'Cyril could ensure no better defense of the Chapters than to have them endorsed by the council Fathers'; similarly Graumann in *Council of Ephesus*, pp. 220–1.

¹²⁷ Cyril, *ep.* 37, ACO I.1.7, p. 154; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 142–3, here 143.

¹²⁸ Cyril, *ep.* 54: letter to Eusebius, the priest; ACO I.1.7, pp. 164–5, here 165; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 12–14, here 14.

¹²⁹ ACO I.1.7, pp. 69–70; Cyril, *ep.* 38 and 39, the latter by Cyril also called *Laetentur coeli* ('Let the heavens rejoice') according to its beginning; Graham Gould, 'Cyril of Alexandria and the Formula of Reunion', *The Downside Review* 106 (1988): pp. 235–52 and Torsten Krannich, 'Cyrill von Alexandrien und die Unionsformel von 433 n. Chr.', *Zeitschrift für Antikes Christentum* 9 (2005): pp. 566–83, here 572–3. Hans van Loon, *The Dyophysite Christology of Cyril of Alexandria* (Leiden: Brill, 2009) argues that Cyril's language did not change as it was already largely dyophysite before 433. The *mia physis formula* appears only three times before the *Reunion of 433* in his writings.

ultimatum reached Antioch, and in the chronological framework reconstructed in this discussion, it is difficult not to link this development directly to Cyril's shipment of 'blessings' and gold to Constantinople.¹³⁰

Cyril's Legacy: Burden or Blessing?

Cyril's bribery was so meticulously executed that even modern scholars vigorously defend it as though Cyril committed such acts for the common good. Lionel Wickham argues that the 'hostile dossier which records the transaction criticizes, by malicious exposure, the size, not the fact, of the payment. The bankrupting size is the sincerest testimony to Cyril's wish for a united Church and should, in fairness, bring him credit.'¹³¹ This apologetic judgement fails to note the political nature of Cyril's transaction; it also fails to do justice to Cyril as a shrewd politician. It would have been possible to bring about a united church without depleting Alexandria's ecclesiastical funds if Cyril were willing to retract his *Twelve Chapters*, which had so infuriated the eastern bishops, as Wickham actually points out himself.¹³²

Indeed, a united church might have saved the Near Eastern provinces from major divisions in the 430s, when a total of fourteen bishops went to exile because they did not accept John's deal with Cyril.¹³³ It was not the *Formula of Reunion* that caused these bishops to prefer exile to reunion with Alexandria. The dyophysite language shows clearly that Cyril was sufficiently theologically flexible to come to an agreement with John and the Easterners, even if his followers would criticize him for this position:

But since all the bishops from the East think that we, who are orthodox, follow the opinions of Apollinaris and think that a mixture or a confusion took place, for such are the words which they have used [...], we have yielded to them, not so far as to divide into two the one Son, far from it, but only to confess that neither a mixture nor a confusion took place.¹³⁴

The heart of the political quarrel came down to the question of what each side surrendered in exchange for subscribing to a renewed communion. As John did

¹³⁰ For a discussion of the terminology 'blessings', see Menze, 'Blessings, Bribes and Bishops'.

¹³¹ *Cyril of Alexandria*, Wickham, p. xxv.

¹³² *Cyril of Alexandria*, Wickham, pp. xxxvi–xxxvii.

¹³³ Most notable among them Alexander of Hierapolis; see ACO I.4, pp. 203–4; Bevan, *The New Judas*, pp. 249–50.

¹³⁴ Cyril, *ep.* 44; ACO I.1.4, pp. 35–7, here 35–6; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 186–7, here 187. See also Cyril, *ep.* 37; ACO I.1.7, p. 154; and Cyril, *ep.* 40; ACO I.1.4, pp. 20–31, here 30–1.

what was expected of him, it was Cyril's refusal to retract his *Twelve Chapters* that was at stake.¹³⁵

The political implications of the *Reunion of 433* for both sides cannot be underestimated. Cyril and John were under immense pressure—perhaps John even more so than Cyril as his see did not carry the same authority as Alexandria. In exchange for deposing Nestorius and anathematizing his teachings, John longed for a public triumph for his own audience, not a 'secret victory', as George Bevan rightly calls the *Reunion of 433* for the Easterners. Politics are decided in the public sphere, and here Cyril presented himself as the confessor of faith who had been mistreated by the court as well as by the eastern bishops while holding an ecumenical council and steadfastly condemning a heresy: 'And as to what refers to personal sorrows, the Bishop of Alexandria will forget for the sake of love and will consider as next to nothing the insulting treatment he received at Ephesus although it was exceedingly harsh and difficult to endure.'¹³⁶ After the reunion, Cyril's perspective became the official ecclesiastical narrative, as Pope Sixtus wrote to Cyril that John 'was able to return. Rejoice, dearest brother, and since our brothers have been reconciled to us, rejoice as victor.'¹³⁷ Cyril is depicted as the suffering but blameless and victorious confessor of orthodoxy while John is cast in the role of repentant schismatic.

The making of the *Reunion of 433* proves Cyril's ability as an ingenious politician even though his personal and public triumph ultimately prevented a theologically sound agreement that could have become the basis for a unified Church. Already a few years after his death, at the synod of Constantinople in 448, the *Reunion of 433* was considered Cyril's theology, which John had accepted and followed.¹³⁸ By linking the *Reunion of 433* to Cyril, dyophysites found it easier to defend the *Formula of Reunion* because, for Cyrillians, the *Reunion of 433* hardly played a role at all. Emperor Theodosius, too, ignored the *Reunion of 433* and defined orthodoxy as 'exhibited by the holy synod of the holy fathers, who assembled at Nicaea and in Ephesus, and by Cyril of pious memory'.¹³⁹ Cyril's *Twelve Chapters* became authoritative in the sixth century, and the Fifth

¹³⁵ G. E. M. de Ste. Croix, 'The Council of Chalcedon', p. 261 n. 6 suspected that Cyril had the bribe paid in order to defend his *Twelve Chapters*.

¹³⁶ Cyril, *ep.* 40, ACO I.1.4, pp. 20–31, here 21; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, pp. 153–67, here 154.

¹³⁷ Cyril, *ep.* 51; ACO I.2, pp. 107–8, here 107; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 3–6, here 5.

¹³⁸ See the Synod of Constantinople in 448 at the first session of Chalcedon: I.342 with reference to I.246 (ACO II.1, pp. 121 and 107–11); cf. ACC, vol.1, 196 n. 216.

¹³⁹ See Theodosius' edict against Porphyry, Nestorius and Irenaeus of February 16, 448. ACO I.1.4, p. 66; translation in Paul R. Coleman-Norton, *Roman State & Christian Church: A Collection of Legal Documents to A.D. 535*, vol. 2 (London: S.P.C.K., 1966), p. 742. For the transmission of the text see the discussion in Fergus Millar, *A Greek Roman Empire: Power and Belief under Theodosius II (408–450)* (Berkeley: University of California Press, 2006), pp. 184–8.

Ecumenical Council in Constantinople in 553 judged other theologians and their texts accordingly.¹⁴⁰

In other words, Dioscorus inherited the office from a predecessor whose writings and acts (in presiding over the Council of Ephesus) constituted orthodoxy and who became almost instantly canonized. Expectations were thus formidable but the Cyrillian heritage gave Dioscorus cultural capital that—if used wisely—could increase Alexandria’s ecclesiastical domination. At the same time, however, Cyril’s *Twelve Chapters* left lasting resentment among the eastern bishops, and Cyril’s impressive political victory after the First Council of Ephesus was perceived as a humiliating defeat for Antioch. Therefore, in the wake of Cyril’s canonization, his opponents soon started not to attack Cyril *ad personam* but to reinterpret his legacy. For the Church of Alexandria, the victory had been immensely costly, and Alexandria very likely faced substantial financial burdens as a result. Cyril’s heritage oscillated between sanctity and heresy, and between political domination and financial bankruptcy. Steering the See of St Mark presented a daunting task for any successor. In addition, internal affairs had divided the chapter of Alexandria, as became visible with Cyril’s death.

¹⁴⁰ See the excellent introduction in *The Acts of the Council of Constantinople of 553 with related Texts on the Three Chapter Controversy*, trans. Richard Price, vol. 1 [*TTH*] (Liverpool; Liverpool University Press, 2009), particularly pp. 61–71 and 85–93.

2

Wind of Change? Dioscorus and the See of St Mark

The Death of Cyril and the End of a Dynasty

Cyril died between sixty-five and seventy years old, and to the present day, Cyril is one of the most revered church fathers throughout Christendom—a saint not only in the Coptic tradition but also in the Greek Orthodox, Catholic, and Syriac Orthodox Churches. When Cyril died on 27 June 444, though, not everybody was as sad as the later orthodox appreciation of Cyril might suggest—on the contrary, his opponent Theodoret of Cyrrihus (423–455/60) was nothing short of excited. As he recorded:¹

At long last and with difficulty the villain has expired.... His departure has certainly delighted his survivors, but it has perhaps saddened the dead, and there is a fear lest, oppressed by his company, they send him back to us again.... Great care must therefore be taken... to instruct the guild of undertakers to lay a huge and heavy stone upon his grave, lest he come here again and again show off his fickle will. Let him take his novel doctrines to the shades below, and preach there just as he wants, day and night. We have no need for fear that he will cause division among them also by speaking publicly against piety and by investing the immortal nature with mortality, for he will be stoned not only by those learned in things of God but also by Nimrod, Pharaoh and Sennacherib, or if there is any other enemy of God comparable to them.²

Theodoret's letter is so outrageously gleeful about the death of his long-standing theological opponent that some modern commentators have questioned its authenticity.³ Nevertheless, independent of the letter's authorship, one cannot fail to note the resentment against Cyril and his theology. Even if scholars are

¹ For Cyril's date of death: John McGuckin, *Saint Cyril of Alexandria and the Christological Controversy: Its History, Theology, and Texts* (Leiden: Brill, 1994), p. 123.

² ACO IV.1, p. 135; *The Acts of the Council of Constantinople of 553 with related Texts on the Three Chapter Controversy*, trans. Richard Price, vol. 1 [TTH] (Liverpool: Liverpool University Press, 2009), pp. 365–6.

³ See McGuckin, *Saint Cyril of Alexandria*, pp. 124–5. The letter was ostensibly written to John of Antioch, who died before Cyril, but the heading can obviously be mistaken without the letter itself being spurious. Theodoret might have written the letter to John's nephew, Domnus, who succeeded his uncle John.

correct not to credit Theodoret with its composition, the letter circulated under his name and makes painfully obvious that a good number of ecclesiastical protagonists outside Egypt likely rejoiced at Cyril's death. The question of interest here concerns how much ecclesiastical opposition Cyril faced within Egypt (or at the See of Alexandria itself for that matter), and the extent to which Cyril had indeed been in charge of his see's ecclesiastical affairs towards the end of his life.

Theodoret's letter hints at a response to the latter question in his opening sentence: 'At long last and with difficulty the villain has expired.' Although no contemporary author noted any details, Cyril had probably been ill for years, perhaps with a chronic recurring illness that prevented him from attending to ecclesiastical affairs. Already in 432, it was Cyril's archdeacon Epiphanius who undertook the urgent and delicate task of sending bribes to Constantinople because of Cyril's illness.⁴ These indispositions may have become more frequent in Cyril's last years and prevented him from handling the Church's daily business and politics. Scholars have wondered why Cyril's Festal Letters survived in full until 442 while the letters for 443 and 444 are missing.⁵ A serious illness that incapacitated Cyril in the final twenty-one months (at least) of his life and prevented him from fulfilling his patriarchal duties would explain this *lacuna*.⁶ Accusations against Patriarch Dioscorus at the Council of Chalcedon in 451 also indicate that the quarrel over Cyril's succession and inheritance started in 443, more than eight months before Cyril's death.⁷ Such allegations lead to questions about who managed ecclesiastical affairs towards the end of Cyril's tenure and how Dioscorus was chosen as Cyril's successor.

Dioscorus as Archdeacon in Alexandria

Very little is known about Dioscorus before 444.⁸ Surprisingly, not even later Coptic, Syriac or Arabic hagiographies invent anything about his

⁴ ACO I.4, p. 222 mentioned Cyril's illness twice; see Chapter 1, p. 24.

⁵ Pauline Allen, 'The Festal Letters of the Patriarchs of Alexandria: Evidence for Social History in the Fourth and Fifth Centuries', in *Alexandrian Legacy. A Critical Appraisal*, ed. Doru Costache, Philip Kariatlis, and Mario Baghos (Newcastle upon Tyne: Cambridge Scholars Publishing, 2015), pp. 174–89, here 175 n. 5.

⁶ Twenty-one months is the period calculated by assuming that Cyril would most likely have written the Festal Letter for 443 in October 442; Allen, 'The Festal Letters of the Patriarchs of Alexandria', pp. 176–7.

⁷ Volker Menze, 'Episcopal Nepotism in the Later Roman Empire (c. 350–450)', in *Episcopal Networks in Late Antiquity: Connection and Communication Across Boundaries*, ed. Carmen Cvetković and Peter Gemeinhardt (Berlin: de Gruyter, 2019), pp. 19–42, here 34 n. 66. See also below, p. 56.

⁸ He was not Cyril's nephew as some modern scholars wrongly assume; see for example Paul B. Clayton Jr, *The Christology of Theodoret of Cyrus: Antiochene Christology from the Council of Ephesus (431) to the Council of Chalcedon (451)* (Oxford: Oxford University Press, 2007), pp. 215 and 270, and Vasilije Vranic, *The Constancy and Development in the Christology of Theodoret of Cyrrhus* (Leiden: Brill, 2015), p. 57.

early life.⁹ No information survives concerning his origins and his education. He could have been born anywhere in Egypt although Alexandria is a possible option (see below).¹⁰ Exactly when he joined the Church of Alexandria also remains unknown. Presumably, he received a thorough Christian education at this major episcopal see, which allowed him to advance his career.¹¹ According to the Coptic *Panegyric on Macarius Bishop of Tkôw* (Antaiopolis), in 431, Dioscorus served Cyril as junior secretary—not yet deacon, as the narrator noted—at the First Council of Ephesus.¹² As this hagiographic text is largely unhistorical, not much can be concluded from this evidence.¹³ The information regarding Dioscorus' position in 431 certainly serves the purpose of presenting him in a trusted position under his famous and universally venerated predecessor as well as connecting him and his career to the ecumenical Council of Ephesus. Cyril's surviving letters do not verify the narrative of Dioscorus as Cyril's trusted aid. Dioscorus is mentioned nowhere while Epiphanius, Cyril's *syncellus* and archdeacon in 431, and Eulogius, who was likely Cyril's *apocrisarius* in Constantinople, played major roles in Cyril's ecclesiastical politics.¹⁴

⁹ See the author of *The History of the Patriarchs of the Coptic Church of Alexandria*, who apologized for having no information about Dioscorus; see Conclusion, pp. 195–6. For the *Life of Dioscorus* see Conclusion, pp. 189–91.

¹⁰ For other bishops of Alexandria more information is available; see for example Norman Russell, *Theophilus of Alexandria* (London: Routledge, 2007), pp. 2–3.

¹¹ *Contra Ilias Kesmiris*, 'Controversial Aspects in the Christology of Dioscorus of Alexandria', in *The Dialogue between the Eastern Orthodox and Oriental Orthodox Churches*, ed. Christine Chaillot (Volos: Volos Academy Publications, 2016), pp. 113–33, here 115, who postulates that Dioscorus 'did not have a profound theological education like his predecessors Cyril and Athanasius'. The steps of Dioscorus' career cannot, however, be reconstructed; but see Stefan Klug, *Alexandria und Rom: Die Geschichte der Beziehungen zweier Kirchen in der Antike* (Münster, Westf.: Aschendorff, 2014), p. 366, who echoes Karam Khella's speculation that Dioscorus could have been *apocrisarius* (that is, the representative of Cyril) in Constantinople.

¹² Ps-Dioscorus, *Panegyric on Macarius 10; A Panegyric on Macarius Bishop of Tkôw: Attributed to Dioscorus of Alexandria*, ed. and trans. David W. Johnson (Louvain: Secrétariat du CorpusSCO, 1980), p. 78 (p. 60). The author of the Arabic *Chronicon Orientale*, written in the thirteenth century in Egypt, also believed that Dioscorus—who was according to this source Cyril's 'disciple' (*tilmidh*)—had joined him in Ephesus: *Petrus Ibn Rahib: Chronicon Orientale*, ed. and trans. L. Cheikho (Beirut: E Typographeo Catholico, 1903/Louvain: L. Durbecq, 1955), p. 113 (p. 121).

¹³ Even Macarius' companionship of Dioscorus at the Council of Chalcedon is fictional. The *Life of Dioscorus* also mentions Macarius, but the *Vita* is not an independent witness but most likely depends on the same original as the *Panegyric*; see Samuel Moawad, 'Die arabische Version der *Vita Dioscori*', *Le Muséon* 124 (2011): pp. 149–80, here 159–65. Samuel Moawad, 'Zur Datierung des Panegyrikos auf Makarios von Tkouu', in *Actes du Huitième Congrès International d'Études Coptes*, ed. Nathalie Bosson and Anne Boud'hors (Leuven–Paris–Dudley, MA: Peeters, 2007), pp. 549–62 argues for an early date (451–475) of the original but considers the surviving versions as later redactions; *contra* Johnson in *A Panegyric on Macarius*, pp. 8*–11*, who argues for late sixth century and Johnson, 'Macarius of Tkow, Saint', *The Coptic Encyclopedia* 5 (1991), pp. 1492a–1494a: second quarter of sixth century. The fact that Macarius did not join Dioscorus as confessor at Chalcedon (which would be much more heroic than returning to Egypt) also speaks for an early date of composition: the author was aware of the fact that the *acta* of the Council did not mention a bishop Macarius, and therefore he could expect that also his audience would know that.

¹⁴ Ewa Wipszycka, *The Alexandrian Church: People and Institutions* (Warsaw: University of Warsaw, 2015), p. 246 doubts that Epiphanius could have been archdeacon and *syncellus*, and she thinks Epiphanius was only a titular archdeacon. For Eulogius as *apocrisarius* see Wipszycka, *The Alexandrian Church*, p. 255–6; see also Chapter 1, p. 25.

In 451, however, Dioscorus brought at least eleven subordinates with him to the Council of Chalcedon: his archdeacon, an *oikonomos* who was also a priest, another priest, one notary, the keeper of his private bath, and presumably further deacons and *syncelli*.¹⁵ This information survives by accident only, and if Cyril took the same number of personnel to Ephesus, Dioscorus could have been one of Cyril's younger secretaries without leaving any permanent record in the acts of the council.¹⁶

Be this as it may, Dioscorus certainly became deacon under Cyril (likely when he was still young),¹⁷ and as such he was promoted to an important position towards the end of Cyril's life: Liberatus of Carthage, who in the sixth century narrated the post-Ephesian controversy, claims that Dioscorus had been archdeacon in Alexandria, unmarried and without children, before he succeeded Cyril as patriarch of Alexandria.¹⁸ Liberatus, the 'honest polemicist', as Ewa Wipszycka calls him, is for the most part reliable when read against the acts of the Council of Chalcedon, from which Liberatus took his knowledge for the years 448–451.¹⁹ As Liberatus stayed in Alexandria for some time and accessed its archives, there is no reason to doubt his statement concerning Dioscorus' archdeaconate.²⁰

To understand Dioscorus' further career and his election as patriarch in 444, it is necessary to account for the archdeaconate as a crucial step in his ecclesiastical career. Who became archdeacon? What was the archdeaconate's function and position? And how did it relate to other positions or 'offices' (like *archpresbyter*/*protopresbyter* or *oikonomos*) within the chapter? The second question is probably the easiest to answer because the archdeaconate's evolution ends up as the

¹⁵ *Acts of Chalcedon* III.47, III.51 and III. 100; ACC, vol. 2, pp. 53 and 57. They are all called *syncelli* by Ischyron p. 57; ACC, vol. 1, p. 113.

¹⁶ The acts of the Council of Ephesus regularly note, for example, Peter, presbyter of Alexandria and the *primicerius* of the notaries, but not all of Cyril's retinue left traces in the minutes.

¹⁷ Dioscorus is said to have been deacon 'during his youth' in an Ethiopian letter of Timothy Aelurus: Getatchew Haile, 'An Ethiopic Letter of Timothy II of Alexandria concerning the Death of Children', *Journal of Theological Studies* 38 (1987): pp. 34–57, here 53–5.

¹⁸ Liberatus, *Breviarium* 10; *Libératus de Carthage. Abrégé de l'Histoire des Nestoriens et des Eutychiens*, ed. Eduard Schwartz and trans. François Cassingena-Trévedy and Philippe Blaudeau (Paris: Éditions du CERF, 2019), pp. 202–3; under Justinian absence of children even became a legal requirement, so that bishops would devote neither time nor money to family issues; *CJ* I.3.41 (528 CE).

¹⁹ For the chapters concerning Dioscorus and the councils of 448–451 see particularly Martin Wallraff, 'Das Konzil von Chalcedon in der Darstellung des Liberatus von Karthago (*Breviarium* 11–14)', *Zeitschrift für Antikes Christentum* 14 (2010): pp. 60–73; Wipszycka, *The Alexandrian Church*, pp. 21–2, see also 251. Liberatus cannot always be trusted, however: Henry Chadwick, 'The Exile and Death of Flavian of Constantinople: A Prologue to the Council of Chalcedon', *Journal of Theological Studies* 6 (1955): pp. 17–34, here 19.

²⁰ For chapter 10 of Liberatus' *Breviarium* see Uta Heil, 'Liberatus von Karthago und die "Drei Kapitel"', *Zeitschrift für Antikes Christentum* 14 (2010): pp. 31–59, here 57; for the use of his sources see Michael Whitby, 'The Church Historians and Chalcedon', in *Greek and Roman Historiography in Late Antiquity: Fourth to Sixth Century A.D.*, ed. Gabriele Marasco (Leiden: Brill, 2003), pp. 472–7, here 473; see also Shawn W. J. Keough, 'Episcopal Succession as Criterion of Communion: The Rise of Rival Episcopal Genealogies in Alexandria according to Liberatus of Carthage', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 389–410, here 393. For Liberatus' possible sources in Alexandria see Wipszycka, *The Alexandrian Church*, p. 251.

bishop's vicariate in the Medieval Coptic Church. The Arabic *Ordination Rites of the Coptic Church* offers the rites for the following offices, in this order: reader, subdeacon, deacon, priest, *hegoumenos*, archdeacon, and bishop.²¹ In Late Antiquity, the archdeaconate was not yet a special degree of ordination, but sources of the period already characterize the archdeacon as the most prominent cleric after the bishop.²²

The archdeacon maintained ecclesiastical discipline within the chapter and had the power to excommunicate unruly clergy—even priests.²³ He was also the person who reminded his bishop of his duties, and he enjoyed more *παρρησία* than priests.²⁴ Pope Leo (440–461) summarized the importance of the archdeaconate by noting that its office holder would manage all ecclesiastical matters (*totius causae et curae ecclesiasticae*).²⁵ In fifth-century Alexandria, the archdeacon also held an elevated position during mass, which was uncommon in other churches: only he would read from the Gospels.²⁶ The *Rite of the Consecration of the Patriarch of Alexandria*, another Medieval Coptic text (going back to a late antique Greek original), confirms an elevated liturgical status for the Alexandrian archdeacon as the ‘master of ceremonies’ in the consecration of the new patriarch.²⁷ The archdeacon may well have played the same role for the

²¹ *Ordination Rites of the Coptic Church*, ed. and trans. O.H.E. KHS-Burmester (Cairo: La Société d'Archéologie Copte, 1985). The East Syriac tradition also displays the powerful position of the archdeacon already in the fifth century: Walter Selb, *Orientalisches Kirchenrecht vol. 1: Die Geschichte des Kirchenrechts der Nestorianer (von den Anfängen bis zur Mongolenzeit)* (Vienna: Österreichische Akademie der Wissenschaften 1981), p. 136. Other ancient texts offer different orders and notably omit the archdeaconate; see *Ordination Rites of the Coptic Church*, KHS-Burmester, p. 3.

²² See Cyril's *Questions and Answers* in *Der Papyruscodex saec VI–VII der Philippsbibliothek in Cheltenham: Koptische theologische Schriften*, ed. and trans. Walter E. Crum (Straßburg: Karl J. Trübner, 1915), pp. 10–11 (p. 63). For the question of the text's authenticity see pp. 145–54. Cf. for the outstanding role of the archdeacon within the chapter also Canon 15 of the East Syriac Synod of Mar Isaac in Seleucia-Ctesiphon in 410: *Synodicon orientale ou recueil de synodes nestoriens*, ed. and trans. Jean-Baptiste Chabot (Paris: Imprimerie Nationale, 1902), pp. 27–9 (pp. 267–9). For an overview and the (Latin and Greek) sources for the archdeaconate see Paul August Leder, *Die Diakone der Bischöfe und Presbyter und ihre urchristlichen Vorläufer. Untersuchungen über die Vorgeschichte und Anfänge des Archidiaconats* (Stuttgart: F. Enke, 1905), which should, however, be read with caution.

²³ See Ibas of Edessa's comment on his archdeacon at the Council of Berytus 449: ACO II.1.3, p. 387. Even if not true in this specific case (and Ibas excommunicated the cleric), it appeared as a valid argument in Ibas' trial and must have been an accepted practice.

²⁴ See Cyril's *Questions and Answers* as they survive in a Coptic text: *Der Papyruscodex saec VI–VII der Philippsbibliothek*, Crum, p. 10 (p. 63).

²⁵ Leo, *ep.* 111 to Marcian; ACO II.4, p. 63. Leder, *Die Diakone der Bischöfe und Presbyter*, pp. 315–57 offers an extensive overview of the functions and powers of the archdeaconate in late antique Latin and Greek sources.

²⁶ Sozomen, *Church History* VII.19; Sozomenos: *Historia Ecclesiastica. Kirchengeschichte*, ed. and trans. Günther Christian Hansen, vol. 3 (Turnhout: Brepols, 2004), pp. 906–7.

²⁷ *The Rite of Consecration of the Patriarch of Alexandria*, ed. and trans. O.H.E. KHS-Burmester (Cairo: La Société d'Archéologie Copte, 1960), *passim*; Wipszycka, *The Alexandrian Church*, pp. 132–3 calls the archdeacon ‘master of ceremonies’ when referring to his role in the election of bishops (see *Ordination Rites of the Coptic Church*); his role was even more prominent in the ordination process of the patriarch.

funeral of the deceased patriarch, though no evidence survives for Alexandria.²⁸ In short, in late antiquity the archdeaconate became the key administrative office for overseeing the see's internal affairs and for organizing and disciplining the chapter.²⁹ At the same time, at least in Alexandria, the archdeaconate also accumulated representative functions that made its holder visible to a wider audience beyond the chapter.

A far more problematic question concerns the exact relationship of the archdeaconate to other key positions in the see's chapter: the *archpresbyter*, the chief priest, and the *oikonomos*, the steward. The former office remains much less well-known than the archdeaconate, and only the *Canons* of Pseudo-Athanasius (late fourth–early fifth century) offer a few glimpses. If the bishop was physically unable to wash the feet of his priests, the *archpresbyter* was to take over this ritual act.³⁰ The *archpresbyter* was also one of the three persons whose presence was in theory needed to access the church's treasury.³¹ It remains unknown if this arrangement is meant to be taken literally or rather simply indicates that custody of the treasury was nominally shared by bishop, *oikonomos*, and *archpresbyter*. The latter is more likely considering the importance of the *oikonomos* when it came to the financial matters of the see. After the Council of Chalcedon in 451, every see was required to have its own *oikonomos* to manage its finances and property.³² Larger sees, like Constantinople or Alexandria, employed several *oikonomoi*, the majority of whom held the rank of a presbyter.³³ Even so, however, overall superintendence of the chapter, presumably including its finances, remained with the archdeacon.³⁴

As no regulations survive that detail the internal hierarchy of the Alexandrian chapter, its mechanisms can only be conjectured. Although the *archpresbyter* was nominally the highest cleric after the bishop, he likely had only ceremonial and

²⁸ For the role of the archdeacon in a funerary ceremony see Wipszycka, *The Alexandrian Church*, p. 331.

²⁹ See the role of Buphas Martyrios, the deacon who took care of the ἐκκλησιαστικῶν πραγμάτων: ACO I.1.1, p. 110; Price and Graumann identify him as archdeacon, probably rightly: *Council of Ephesus*, p. 687. See also Canon 15 of the Synod of Mar Isaac; *Synodicon orientale*, Chabot, pp. 27–9 (pp. 267–9).

³⁰ Ps-Athanasius, *Canons* 66; *The Canons of Athanasius of Alexandria: The Arabic and Coptic Versions*, ed. and trans. Wilhelm Riedel and Walter E. Crum (London: Williams and Norgate, 1904), p. 43.

³¹ According to Ps-Athanasius, *Canons* 89; *The Canons of Athanasius of Alexandria*, Riedel and Crum, p. 55; according to Canon 15 of the Synod of Mar Isaac; *Synodicon orientale*, Chabot, p. 28 (p. 268) only the *oikonomos* had the keys (to the church's treasury).

³² *Canon of Chalcedon* 26. For the administration of the ecclesiastical property generally see Jean Gaudemet, *L'Église dans l'Empire Romain (IVe–Ve siècles)* (Paris: Sirey, 1958 [reprint 1989]), pp. 306–15.

³³ For the papyrological evidence see Georg Schmelz, *Kirchliche Amtsträger im spätantiken Ägypten nach den Aussagen der griechischen und koptischen Papyri und Ostraka* (Munich: K.G. Saur, 2002), pp. 163–4.

³⁴ See Chapter 1, pp. 15–19, for the role of archdeacon Epiphanius in 432, in which no *oikonomos* was involved, perhaps because Epiphanius was also Cyril's *syncellus* and had assumed the responsibilities of *oikonomos*.

representative functions.³⁵ The position of the *oikonomos/oikonomoi* certainly increased during late antiquity with the accumulation of ecclesiastical property and funds requiring management and supervision.³⁶ The archdeacon, however, oversaw other clerics, had the authority to discipline them, and also ensured continuity and stability throughout the sensitive period of a patriarch's absence. When Dioscorus was deposed in October 451, the Council of Chalcedon sent a letter to the *oikonomos* Charmosynus and the archdeacon Euthalius of Alexandria requesting that they guard church property until a new patriarch was elected.³⁷ Presumably, the *oikonomos* was in charge of finances while the archdeacon had the overall responsibility.³⁸

So, who became archdeacon? Though it is difficult to answer this question with any certainty (and it remains unknown how much regulations varied between sees, dioceses and regions), determining an answer is crucial to understanding the political mechanisms and power relations within the chapter. The terminology implies that it was a senior deacon, and the term ἀρχιδιάκονος was presumably used originally for the oldest deacon in order to rank him first because of his seniority. The case of Mopsuestia in 550 shows that the oldest deacon (automatically?) had assumed the title of archdeacon, but it remains difficult to determine if the case of Mopsuestia is representative.³⁹ The obvious counter-example would be Athanasius of Alexandria, who joined Alexander of Alexandria as a young but 'chief' deacon (τῶν διακόνων ἡγούμενος) at the Council of Nicaea in 325.⁴⁰ This evidence, however, is late and found only in Theodoret's *Church History*. If, by the fifth century, 'archdeacon' had become a position with a widely known connotation, why would Theodoret use the terminology 'chief' or 'principal' deacon if he actually meant to say archdeacon? Theodoret likely intended to connect the young

³⁵ See Ps-Athanasius, *Canons* 66; Christopher Haas, *Alexandria in Late Antiquity: Topography and Social Conflict* (Baltimore MD: Johns Hopkins University Press, 1997), p. 223 argues that the *archpresbyter* would be the highest cleric and ensure stability also in the bishop's absence but his sources (Socrates, *Church History* VI.9; Sozomen, *Church History* VIII.12.3) concerning the affair of the *archpresbyter* Peter under Theophilus do not confirm that. Similarly, Haas' references to Jerome, *ep.* 125.15 (a church has a single bishop, a single archpriest, and a single archdeacon) and Leontius of Neapolis, *Life of John the Almsgiver* 15 (the *archpresbyter*, together with other clergy, conveys a message of the patriarch to a dignitary) do not provide sufficient basis for Haas' claim.

³⁶ The stewardship was an office that Dioscorus fostered in order to get a grip on Alexandria's debt and that therefore grew in importance; see below, pp. 58–60.

³⁷ ACO II.1.2, p. 238; ACC, vol. 2, p. 113.

³⁸ Not the *archpresbyter*—again *contra* Haas, *Alexandria in Late Antiquity*, pp. 224–5, who believes that the *oikonomos* would rank higher than the archdeacon but would be ordained as a (lower) cleric. But ecclesiastical rank (archdeacon) and function (steward) are different matters, and the sources (Theophilus, *can.* 10) and *Canons of Ps-Athanasius* 61, 80, 81, and 89 do not substantiate Haas' claim; see also Wipszycka, *The Alexandrian Church*, pp. 256–7 n. 48.

³⁹ See the example of the archdeacon Paregorius at the reading of the fifth session of the Council of Constantinople in 553: V.92; ACO IV.1, p. 124.

⁴⁰ Theodoret, *Church History* I.26; *Theodoret: Kirchengeschichte*, ed. Léon Parmentier and Günther Christian Hansen, 3rd. ed. (Berlin: Akademie, 1998), p. 81.

Athanasius to the Council of Nicaea in an elevated position, although he knew that he was not Alexander's archdeacon.⁴¹

The question whether (a) the oldest deacon would automatically assume the title and office archdeacon, (b) the bishop would appoint one of his deacons as archdeacon, or (c) the deacons would themselves elect one of their own as archdeacon is crucial for understanding the position of the archdeacon within the microcosm of the see's chapter. If the bishop appointed the archdeacon, it can be assumed that the bishop gave the office to his most trusted aid. If the position automatically went to the oldest deacon, it would not necessarily be the case that bishop and archdeacon worked well together. The same is true if deacons themselves decided who should be their archdeacon: they would presumably elect someone able to stand up against the bishop if need be.

Scholars have assumed that bishops appointed archdeacons according to certain criteria (education, piety, etc.), but no evidence for such a selection process exists.⁴² Epiphanius, as Cyril's archdeacon and *syncellus*, certainly fits the image of an archdeacon, one chosen by his bishop and appointed according to his personal preferences and criteria.⁴³ Similarly, bishop Epiphanius of Salamis (c. 365–403) had an archdeacon who is said to have also been his companion (*σύννοικον*).⁴⁴ A good number of archdeacons, however, appear not to have been their bishops' confidants and/or protégés. Theophilus of Alexandria (385–412) is reported to have won over the chapter of Constantinople against its own bishop, John Chrysostom (397–405) by first bringing John's archdeacon on his side.⁴⁵ In other words, the archdeacon collaborated with John Chrysostom's opponent, and the chapter trusted its archdeacon and followed his recommendation. One of Ibas of Edessa's (435–457) many struggles with his clergy was about an excommunicated deacon whom Ibas intended to ordain bishop of Batnae. Ibas'

⁴¹ Sozomen, *Church History* I.17 and II.17; *Sozomenos: Historia Ecclesiastica*, Hansen, vol. 1, pp. 174–5 and 262–3 states only that Athanasius was companion and secretary of Alexander. These positions were often held by young and trusted aids of a bishop.

⁴² Ewa Wipszycka, *Études sur le Christianisme dans l'Égypte de l'Antiquité tardive* (Rome: Institutum Patristicum Augustinianum, 1996), p. 219. Selb, *Orientalisches Kirchenrecht* vol. 1, p. 136 noted that (East Syriac) bishops appointed their archdeacons: this is questionable on the basis of *Canon* 15 of the Synod of Mar Isaac; *Synodicon orientale*, Chabot, pp. 27–9 (pp. 267–9) but fits *Canon* 19 of the Synod of Mar Ishoyab I; *Synodicon orientale*, Chabot, pp. 153–4 (pp. 413–14). 'Archdeacon', however, was no longer a member of diaconate but the appellation of the (arch)priest who functioned as the bishop's deputy. See Mar Aba, who signed the canons of this synod as 'priest and archdeacon', and Selb, *Orientalisches Kirchenrecht* vol. 1, p. 203.

⁴³ Wipszycka postulates without further explanation that Epiphanius could not have been archdeacon and *syncellus* and that the title of archdeacon must have been honorific; Wipszycka, *The Alexandrian Church*, p. 246.

⁴⁴ Sozomen *Church History* VIII.15; *Sozomenos: Historia Ecclesiastica*, Hansen, vol. 4, pp. 1004–5. See also *Canon* 15 of the Synod of Mar Isaac; *Synodicon orientale*, Chabot, p. 28 (p. 267) that describes the archdeacon as arm and tongue of the bishop.

⁴⁵ Palladius, *Dialogue on the Life of John Chrysostom* Appendix; *Palladius: Dialogue sur la Vie de Jean Chrysostome*, vol. 2, ed. and trans. Anne-Marie Malingrey (Paris: Les Éditions du CERF, 1988), pp. 72–5.

archdeacon vehemently opposed this, so that in the end Ibas decided to excommunicate his archdeacon.⁴⁶ Last, but not least, a drastic example exists from sixth-century Constantinople: John, archdeacon of Timothy, patriarch of Constantinople (511–517) is said to have denounced his patriarch of heresy before the Emperor Anastasius (491–517).⁴⁷

The evidence is scattered but it confirms that the archdeacon was second-in-command at a see's chapter—and it shows him as antipole of his bishop.⁴⁸ He was responsible for the (integrity of the) chapter and ensured that the see weathered crises. Notable here might be the comment by Jerome (347–420) that 'deacons appoint one of themselves whom they know to be diligent and call him archdeacon'.⁴⁹ Jerome's statement remains unique but in light of the evidence above, it serves to assume that the body of deacons was responsible for selecting their archdeacon. In this case, the archdeacon was rather the union leader of the deacons—and to some extent of the whole chapter—rather than the loyal secretary of his bishop.

The remarkable career of Aetius as right-hand aide of successive Constantinopolitan patriarchs throughout the extremely divisive years 448–451 illustrates the independence of clerical positions within the chapter: Aetius first served Patriarch Flavian (446–449) as deacon and notary at the synod of 448 and the review meeting in April 449, where he showed an astonishing *parrhesia* and self-confidence not only towards his bishop but also towards the imperial officials.⁵⁰ Flavian's deposition by the Second Council of Ephesus in August 449 (and his death shortly afterwards) did not end Aetius' career, but he went on to become archdeacon under Flavian's successor, Anatolius (449–458), the former *apocrisarius* of

⁴⁶ ACO II.1.3, p. 383.

⁴⁷ Theodore Lector, *Church History* 507; *Theodoros Anagnostes: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie Verlag, 1971), p. 144. Timothy wanted to ordain a candidate as archimandrite of the Stoudite monastery, but the monk hesitated because he considered Timothy a non-Chalcedonian. According to Theodore Lector, Timothy anathematized the opponents of Chalcedon and successfully persuaded the candidate, but his archdeacon snatched on him.

⁴⁸ Palladius explicitly noted that Theophilus' approaching for the archdeacon gave the impression that the See of Constantinople was bereft of its bishop and the archdeacon managed during the absence of a bishop.

⁴⁹ Jerome, *ep.* 146, translation taken from *NPNF2* vol. 6, pp. 288–9. He did not note this as a particularly Alexandrian arrangement although he was concerned with the Alexandrian Church in his letter. See also Wipszycka, *The Alexandrian Church*, pp. 46–7. Theodor Klauser, 'Diakon,' in *Reallexikon für Antike und Christentum* 3 (1957), pp. 888–909, here p. 900 takes election of archdeacon by his peers as granted.

⁵⁰ As he had apparently been neither informed by the imperial officials nor his bishop what was going on, he demanded (a) to be informed, and (b) that matters were conducted according to proper procedure before he would agree to anything; *Acts of Chalcedon* 1.578–1.595. In 1.597 Flavian encouraged his deacon to come up with the minutes but Aetius—still ignoring the requests of the imperial officials—asked for the synod's approval before providing the original minutes for public reading. Aetius further delayed the readings by inquiring to know if the minutes in Eutyches' possession were originals or replicas (1.604–612). See also Hans C. Teitler, *Notarii and Exceptores. An Inquiry into Role and Significance of Shorthand Writers in the Imperial and Ecclesiastical Bureaucracy of the Roman Empire (from the Early Principate to c. 450 A.D.)* (Amsterdam: J.C. Gieben, 1985), pp. 100–3.

Dioscorus.⁵¹ Aetius' perseverance in key positions of successive superiors with opposing doctrinal positions speaks to the non-political nature of his positions and tasks. He was not the minion of his bishop but an elected administrative leader trusted by the chapter.

After the Council of Chalcedon deposed Dioscorus in the third session, it reminded the Alexandrian archdeacon and (head-) *oikonomos* that they were answerable for the treasury and the finances of the see during the episcopal vacancy. In other words, whatever their relationship with their bishop, they had to handle administrative offices independently of the fate of their bishop. Such an arrangement indicates that the archdeaconate and the position of the *oikonomos* were to some degree non-partisan offices, and at least for the archdeaconate, the other deacons likely ensured that it was rarely occupied by a *syncellus*, family member, or other minion of the bishop.⁵²

In sum, the archdeacon held the key administrative position within the chapter, with a great degree of independence from the bishop. It might be proper to imagine him as general secretary of the chapter: he acted more as union leader than as bishop's minion inasmuch as the deacons tended to elect accomplished long-serving senior deacons to be their archdeacons.⁵³ The bishop's influence in placing a person of his own liking in this crucial position was limited. Probably the best defence against an unwanted and powerful archdeacon was his 'promotion' to the status of a priest—which the archdeacons in question fought hard against, as this was clearly a demotion, removing them from the centre of power.⁵⁴ In the case of Dioscorus, he was presumably a senior deacon of good standing within the chapter, in all likelihood at least sixty years old. He must have been widely respected for the deacons to elect him as archdeacon. He was a cleric presumably trusted by the majority of the chapter and had defended the chapter's interest under Cyril's rule. During the last months and years of Cyril's tenure (around 442–444), when severe illness prevented the patriarch from attending to his patriarchal duties, Dioscorus took charge as second-in-command.

⁵¹ When Anatolius tried to get rid of his powerful archdeacon after the Council of Chalcedon, Pope Leo intervened; see below, n. 54.

⁵² Cyril never became archdeacon during his uncle's tenure nor did Athanasius during his uncle Cyril's rule; for Athanasius see below, pp. 50–1.

⁵³ When Cyril is questioned by deacons why the archdeaconate had priority of rank, Cyril explains that it was fitting for the old to sit down and give command; see *Der Papyruscodex saec VI–VII der Philippsbibliothek*, Crum, pp. 10–11 (p. 63).

⁵⁴ Two cases are known: Anatolius of Constantinople made Aetius priest in the 450s, and Bishop Natalis of Salona did the same with his archdeacon Honoratus in the 590s. In both cases the papacy intervened and successfully requested the revocation of the 'promotion'. See Leo, *ep.* 111–13, 117, and 127; ACO II.4, pp. 62–7, 69–70, and 82–3. Gregory, *epp.* I.19 and II.17–19; S. *Gregorii Magni Registrum Epistularum Libri I–VII*, ed. Dag Norberg (Turnholt: Brepols, 1982), pp. 18–19 and 102–7; *The Letters of Gregory the Great*, trans. John R. C. Martyn, vol. 1. (Toronto: Pontifical Institute of Medieval Studies, 2004), pp. 133 and 201–5. Honoratus later notably became Natalis' successor—probably also against the will of those clergy who had sided with Natalis. For removing an archdeacon from office, see also Leder, *Die Diakone der Bischöfe und Presbyter*, p. 323.

Wind of Change? Dioscorus' Election

The extraordinary position of the patriarch of Alexandria ensured that numerous stakeholders, including the governor of Egypt, the dignitaries, and councillors of the city, and of course every bishop in Egypt, took great interest in the question of who would succeed Cyril.⁵⁵ Not much can be said about the electorate in late antique Alexandria. Traditionally, the college of priests had had a dominating position in Alexandria, but the evidence for the voting body for episcopal elections in the fifth century is slim.⁵⁶ The long shadow of the Arian heresy and the fact that Arius had been an Alexandrian presbyter may have contributed to the denigration of the college of priests in Alexandria.⁵⁷ The chapter as a whole consisted not only of priests and deacons but also of readers and other lower clerics, and Alexandria likely had at least four hundred clerics (plus hundreds of *parabalani* and other staff)⁵⁸ on its payroll in the 440s.⁵⁹ This body of clerics must have ensured that its opinions and interests were taken into account.

Christopher Haas argues that during late antiquity the power of whom to select and ordain as patriarch moved away from the chapter of the church to a combination of local chapter, Egyptian bishops, Alexandrian upper classes and popular assent.⁶⁰ But how much influence laymen had in the selection process remains obscure.⁶¹ Doubtless some Egyptian bishops were always present in

⁵⁵ Wipszycka, *The Alexandrian Church*, p. 151 claims that 'many times the choice fell on the former personal secretary of the predecessor, and more rarely on a high dignitary of the curia' but she neither details this nor defines which clerical office the secretaries had held. See Haas, *Alexandria in Late Antiquity*, p. 220 for Dioscorus' election. In 451 Theodore, the governor of Egypt organized the election of Dioscorus' successor, but this situation was radically different than 444 (see Liberatus, *Breviarium* 14; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 256–9). Proterius' election has been discussed in recent scholarship; see for example Philippe Blaudeau, 'L'élection d'archevêques diphysites au trône alexandrine (451–482): une designation artificielle et contrainte?', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 89–107.

⁵⁶ Eric Waldram Kemp, 'Bishops and Presbyters at Alexandria', *Ecclesiastical History* 6 (1955): pp. 125–42. The above-mentioned letter 146 by Jerome (p. 47 n. 49) noted that the presbyters of Alexandria would elect one of their number as bishop until bishop Dionysius (248–264).

⁵⁷ See also Sozomen, *Church History* VII.19; *Sozomenos: Historia Ecclesiastica*, Hansen, vol. 3, pp. 906–7.

⁵⁸ For *Parabalani* see Johannes Hahn, 'Parabalani', in *Reallexikon für Antike und Christentum* 26 (2015), pp. 924–32.

⁵⁹ See comparative evidence from Edessa in the 440s: Ibas of Edessa claimed that 'our clergy' numbered more than 200 clerics—including also porters, etc.? *Acts of Chalcedon* X.92 (ACO II.1.3, p. 386). What can be verified is that fourteen presbyters, thirty-seven (sub)deacons and one lector (=sixty-five clerics) vouched for their metropolitan: ACO II.1.3, pp. 394–6. In Mopsuestia in 550, the church comprised eighteen clerics older than fifty years of age. As some of these clerics joined the church when they were young boys, Mopsuestia probably had sixty to seventy clerics on its payroll. See also Justinian's *Novella* 3 from 535 attempting to limit the clergy of the patriarchal church in Constantinople to 420 clerics (plus 100 porters). See Volker Menze, 'Das "Domkapitel" in der Spätantike: Administration, Finanzen und Governance eines Bischofssitzes' (forthcoming).

⁶⁰ Haas, *Alexandria in Late Antiquity*, pp. 221–2; see also Kemp, 'Bishops and Presbyters at Alexandria'.

⁶¹ See also Gaudemet, *L'Église dans l'Empire Romain*, pp. 107–8 and 330–3; Peter Norton, *Episcopal Elections 250–600: Hierarchy and Popular Will in Late Antiquity* (Oxford: Oxford University Press, 2007), pp. 52–6 and J.H.W.G. Liebeschuetz, *Decline and Fall of the Roman City* (Oxford: Oxford University Press, 2001), pp. 105–6.

Alexandria because the patriarch had summoned them or they had to visit the patriarch. They must have formed a permanent council comparable to the *synodos endemousa* in Constantinople.⁶² Overall, until proven otherwise, it is safe to assume that the chapter of the Church of Alexandria—that is, first of all, (sub) deacons and priests, but also readers and so forth—in consultation with the (Egyptian) bishops present in Alexandria had the strongest entitlement to put forward a candidate.⁶³

When Cyril died, the Cyrillian family had ruled the Alexandrian Church for almost sixty years since Theophilus' inauguration in 385. Theophilus died in 412, and his succession was disputed as 'some' supported the archdeacon Timothy as successor, while 'others' supported Theophilus' nephew Cyril. Cyril's ecclesiastical-hierarchical status at his uncle's death is not noted but, as he was around thirty-five years old, he certainly did not figure among the senior clerics. He was, however, able to solicit the military's support in the city and to successfully assert his claims to the throne of St Mark against the chapter's archdeacon.⁶⁴ In other words, the archdeacon had been considered a candidate by one party but his pole position was not enough to compete with Cyril and his allies. Cyril proved to be a young and ambitious cleric, one who not only relied on the support of his uncle's minions but also was ruthless enough to bring in outside help in form of the Roman military in order to succeed his uncle.

In 444, an unknown number of sisters and two nephews of Cyril survived the late patriarch. One of the nephews, Paul, had been a *comes* in the imperial consistory in Constantinople after the Council of Ephesus in 431. He appears as one of Cyril's trusted aides and reportedly channelled bribes at the Constantinopolitan court to ensure that Cyril's ecclesiastical politics won the day.⁶⁵ Paul had a wife and children and certainly did not aspire to become bishop of Alexandria. The other nephew, however, Athanasius, was a priest in the Alexandrian Church. Although not much is known of him, Athanasius was very

⁶² Wipszycka, *The Alexandrian Church*, p. 150.

⁶³ In contrast to Alexandria, Erich Caspar argued for Rome that an oligarchy of deacons was able to largely dictate the election of a new pope: Erich Caspar, *Geschichte des Papsttums von den Anfängen bis zur Höhe der Weltherrschaft*, vol. 1 (Tübingen: J.C.B. Mohr, 1930), pp. 257–9. This has been confirmed by Eckhard Wirbelauer, 'Die Nachfolgerbestimmung im römischen Bistum (3.–6. Jh.): Doppelwahlen und Absetzungen in ihrer herrschaftssoziologischen Bedeutung', *Klio* 76 (1994): pp. 388–437, and Christian Hornung, 'Haeres Petri: Kontinuität und Wandel in der Bischofsmachfolge des Siricius von Rom', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 375–88.

⁶⁴ Socrates, *Ecclesiastical History* VII.7 but note that the manuscript reads 'Timothy' instead of 'Cyril'. Cf. Hansen's edition (*Sokrates: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie Verlag, 1995), pp. 352–3) and Susan Wessel, 'Socrates' Narrative of Cyril of Alexandria's Episcopal Election', *Journal of Theological Studies* 52 (2000): pp. 98–104.

⁶⁵ For Paul's position ACO I.4, p. 85, when he allegedly paid bribes to Scholasticus, but there remain uncertainties about the letter as some inconsistencies cannot be rectified (see Chapter 1, p. 15 n. 22 and Chapter 4, p. 171 n. 85). This Paul cannot be identical with the *praepositus* Paul from Epiphanius' list as this must have been a eunuch, and Cyril's nephew had wife and children (ACO II.1.2, p. 217).

likely one of Cyril's trusted secretaries, with high hopes of succeeding his uncle after the latter's death. Being in a similar position to Cyril, why did he fail to succeed his uncle, and why was it Dioscorus who became patriarch in 444?

Usually, internal discussions and dissensions—which might have been the norm—within the electoral college did not make headlines, and records would be lost. In the case of the election of 444, however, Dioscorus' downfall in 451 ensured that complaints survive in the acts of Chalcedon that allow one to draw conclusions concerning Dioscorus' election. When the Council of Chalcedon in 451 put Dioscorus on trial in its third session, it allowed four Alexandrian plaintiffs—the layman Sophronius, two deacons, Ischyron and Theodore, and Cyril's nephew Athanasius—to charge Dioscorus.⁶⁶ Parts of these complaints are obvious slander (charges of blasphemy against the Holy Trinity, being a heretic, being an Origenist, etc.) and will not be considered here, but some of the charges elucidate the transition from Cyril to Dioscorus in 444.

Both deacons, Theodore and Ischyron, had longstanding records as trusted servants for Cyril until his death. After twenty-two years in government service as *agens in rebus*, Theodore claimed to have started work for the Church of Alexandria in 431 on account of (unspecified) services for Cyril at the Council of Ephesus.⁶⁷ He was made a deacon but 'hoping to receive a greater honour'.⁶⁸ After Cyril's death, however, Dioscorus expelled him from the clergy because (according to Theodore) he had been 'honoured with the friendship and favour of Cyril'. The new patriarch drove him out of the city, 'for his [Dioscorus'] plan was to chase out of that city, or even deprive of life, not only the members of Cyril's family but also all those who had been on familiar terms with him'. Similarly, Ischyron had been in Cyril's service for a long time and claimed to have 'often [been] sent on missions, in particular to imperial New Rome . . .'. He continues, 'I was deemed worthy of the friendship and favour of Archbishop Cyril.'⁶⁹ Ischyron, too, was expelled from the clergy, his property was destroyed by Dioscorus' men, and he fled the city—afraid of being killed by Dioscorus' henchmen.

The third complaint against Dioscorus comes from Cyril's nephew, Athanasius, who records the misery that befell the Cyrillian family clan after Dioscorus took over. Instead of honouring the will of his predecessor, Cyril, who had pledged 'many large legacies from his own estate [to his successor], adjuring him in writing, by the venerable and awesome mysteries, to comfort his family and not to cause it any trouble', Dioscorus deprived Athanasius of his priestly office, confiscated the houses and property of the family clan, and drove the whole

⁶⁶ Chalcedon III.47–64; ACO II.1.2, pp. 211–20; see also Wipszycka, *The Alexandrian Church*, pp. 242–6.

⁶⁷ In the Greek text Theodore notes that he was a 'magistranos' (see Jones, *LRE*, p. 578); *PLRE* II, p. 1088: 'Theodorus 14'.

⁶⁸ ACC, vol. 2, pp. 51–3.

⁶⁹ ACC, vol. 2, p. 55.

family out of Alexandria.⁷⁰ The family clan went to Constantinople for help, but Dioscorus had already notified the authorities of their arrival. The clan was thereupon arrested in order to be brought before the *spatharius* Chrysaphius, chief advisor of Emperor Theodosius II, as well as the *magister officiorum* Nomus. Although not detailed in the sources, Dioscorus seems to have wanted Chrysaphius and Nomus to charge Cyril's relatives and have them convicted—locked up far away from Alexandria. The *magister officiorum* Nomus and his *agens in rebus*, Severus, held the family clan in custody and demanded that Athanasius to pay 1,400 pounds of gold.⁷¹

What conclusions can be drawn from these complaints concerning the ecclesiastical situation in Alexandria in 444 and Dioscorus' election? Beginning with the latter, it is worth pointing out that all plaintiffs failed to accuse Dioscorus of improper election or ordination, which can only mean that Dioscorus was properly elected and ordained, as the slightest doubt concerning this appointment would have been raised here.⁷² Also, the assistance of the imperial authorities against the Cyrillian clan in Constantinople corroborates this conclusion. Cyril's nephew Paul, although a member of the consistory, had apparently no influence in Constantinople to align the court against Dioscorus.⁷³ The synodical letters by Theodoret of Cyrrhus, Domnus of Antioch, and Pope Leo welcoming Dioscorus as new patriarch also prove that Dioscorus' ordination was not contested.⁷⁴

The plaintiffs make amply clear that Dioscorus was *not* the candidate of the Cyrillian family clan. Although he nowhere states as much, Athanasius must have aspired to succeed his uncle and to continue the Cyrillian legacy. Involuntarily, the plaintiffs offer hints as to why Athanasius or another Cyrillian candidate fell through with the electoral college. Athanasius claimed that Cyril had made arrangements that the newly elected patriarch would receive 'large legacies from his own estate' and in return requested that his own family should live in comfort. Although not impossible, it is alarming that a patriarch would have bequeathed considerable personal property to his successor.⁷⁵ Presumably Cyril or his clan

⁷⁰ *Acts of Chalcedon* III. 57 (ACO II.1.2, pp. 216–18), ACC, vol. 2, pp. 58–60; the property seems to have produced revenue that henceforth went to the Church of Alexandria.

⁷¹ As the family did not have the cash available, they had to borrow money from moneylenders 'at exorbitant rates'. Dioscorus further extracted eighty-five pounds from Cyril's sisters and forty pounds from the children of Athanasius' brother Paul, who had died during the family's odyssey.

⁷² The plaintiffs only express their disbelief as to how Dioscorus could have become patriarch and the later allegation by Pontian bishops to Emperor Leo (457–474) that Dioscorus might have been uncanonically ordained should be dismissed: ACO II.5, p. 82; such a charge would have been brought up at the Council of Chalcedon, as Karam Khella, *Dioskoros von Alexandrien (444–454)* (Hamburg: Theorie und Praxis, [2017]), pp. 5–6 has pointed out.

⁷³ At least Paul had been a *comes* of the consistory in 431, see p. 50 n. 65 above.

⁷⁴ See below, pp. 74, 76, and 84.

⁷⁵ Wipszycka, *The Alexandrian Church*, pp. 200–1 rightly points out that it is often difficult to differentiate between the bishop's personal property and income and those of the church. See how Paul of Merida received an inheritance out of gratitude and became the richest person in Merida at the same time as being the local bishop. In turn, Paul bequeathed his wealth to Fidel, whom he had selected as his

illegally diverted wealth and property from the Church of Alexandria.⁷⁶ Shortly before Cyril's demise, his family (and not Cyril himself, who probably was unable to fulfil his duties as patriarch in the last years of his life) made legal arrangements that they would inherit the accumulated wealth—legalized through Cyril's last will—as a precaution if a non-Cyrrillian candidate were to be elected patriarch.

Cyril's ordination of the *agens in rebus* Theodore as deacon—a layman whose only qualification was that he had been of service to Cyril at or after the Council of Ephesus—might have been a politically smart move at the time. Alternatively Cyril may have become Theodore's new patron out of necessity after the latter left his position because his service to Cyril was illegal and cost him his imperial job.⁷⁷ Cyril's predecessor, Theophilus, had stipulated in his *Memorandum to Ammon regarding Lycopolis*, Canon 7: 'With regard to candidates for ordination, the prescribed form is the following: when the entire priesthood (*ἱερατεῖον*) has agreed and made its choice, the bishop is to test the candidate, and with the consent of the priesthood (*ἱερατεῖον*) ordain him in the body of the church.'⁷⁸ The 'priesthood' (*ἱερατεῖον*) most likely refers to the local church chapter and suggests that the chapter had a say in choosing a new colleague.⁷⁹ If this was a general rule, it indicates that the chapter had the power of nomination, but it remains doubtful that the autocratic and charismatic Cyril felt constrained to receive the chapter's approval before he ordained new clerics.⁸⁰ If there were more questionable

successor. He stipulated that if the chapter of Merida would ordain Fidel as Paul's successor, his wealth would be given to the church after Fidel's death, see *Lives of the Visigothic Fathers*, trans. T.A. Fear [TTH] (Liverpool: Liverpool University Press, 2011), pp. 61 and 64.

⁷⁶ There is no way of knowing what kind of property Cyril and his family had acquired but a likely option was diverting donations into his clan's pockets instead of filing them with the *oikonomos*. The family, however, might also have taken over ecclesiastical buildings which Dioscorus after 444 rededicated as sacred buildings; see Theodore Lector, *Church History* 342; Hansen, p. 97. It seems an irony of history that Cyril discussed the problem of property of a deceased man contested between relatives and church; see *Der Papyruscodex saec VI–VII der Philippsbibliothek in Cheltenham*, Crum, p. 9 (p. 61). See now also Mary K. Farag, *What Makes a Church Sacred? Legal and Ritual Perspectives from Late Antiquity* (Oakland: University of California Press, 2021), pp. 57–62, particularly 61.

⁷⁷ Schwartz argued that Theodore as *agens in rebus* may have helped Cyril in 431 to escape his confinement at the Council of Ephesus, but this remains speculation as it is unclear if Cyril even needed to escape or was actually released; Eduard Schwartz, 'Über die Bischofslisten der Synoden von Chalkedon, Nicaea und Konstantinopel', *Abhandlungen der Bayerischen Akademie der Wissenschaften: Philosophisch-historische Abteilung NF* 13 (Munich: Bayerische Akademie der Wissenschaften, 1937), pp. 4–5 n.3; see also Chapter 4, pp. 171–72.

⁷⁸ *Fonti. Fascicolo IX: Discipline générale antique (IIe–IXe s) vol. 2: Les Canons de Pères Grecs*, ed. and trans. Périclès-Pierre Joannou (Grottaferrata: Tipografia Italo-Orientale, 1963), pp. 267–8; translated (as Canon 6) in Norman Russell, *Theophilus of Alexandria* (London: Routledge, 2007), pp. 86–7.

⁷⁹ It remains unknown if this canon was always followed. Wipszycka has suggested that Cyril might have been more high-handed in choosing candidates for ordination than his uncle. Wipszycka, *The Alexandrian Church*, pp. 308–9.

⁸⁰ Justinian's *Novella* 3 from 535 proves that patriarchs of Constantinople ordained clerics without the chapter's approval; see Menze, 'Das "Domkapitel" in der Spätantike: Administration, Finanzen und Governance eines Bischofssitzes' (forthcoming) and p. 49 n. 59 above.

ordinations like Theodore's, the chapter must have resented Cyril's skills in managing human resources.⁸¹

Cyril's bypassing of the chapter and admission of unqualified personnel to it was not just a matter of high-handedness, however; it also posed a problem that these new colleagues were henceforth on the chapter's payroll.⁸² Here is not the place to discuss how many of the 400-plus clerics at Alexandria had jobs besides their ecclesiastical positions, but without question the income they received from the church mattered to all of them. A patriarch like John the Almsgiver (610–19) may have been glorified by his hagiographer for his generosity, but his clerics must have dreaded such lavishness. Cyril did not receive the epithet 'almsgiver', but he also noted that the greatest virtue of a bishop was to give to the poor, and not to be penny-pinching.⁸³

This quality befits the image of a patriarch who was unwilling or inept at accounting expenses, as he notes in one of his letters:

it is extremely distressing and weighs down to the ultimate exhaustion the most God-fearing bishops who are throughout the world, that accounts of the management of the expenditures which befall them are required whether from ecclesiastical income or from the revenue of other sources. Each of us will give an account of our own wrongdoings to the judge of all.⁸⁴

Cyril could hardly console the more alert clerics of his chapter by pointing to divine judgement, and Alexandria's financial problems did not stem from liberal generosity for the poor. In 432, the Alexandrian chapter bitterly complained about the financial burden of Cyril's extraordinary bribes, which had cost the Church of Alexandria several years of revenues:⁸⁵ 'The clerics who are here are saddened, because the Church of Alexandria has been stripped as a result of this disturbance.'⁸⁶ Worse still, the debt of 1,500 pounds of gold (very likely plus

⁸¹ For bribery in the Church of Alexandria during the time of Cyril see Wipszycka, *The Alexandrian Church*, pp. 136 and 243–4, referring to the correspondence of Isidore of Pelusium.

⁸² As the chapter's clerics certainly resented additional unqualified colleagues on the payroll, it helps to explain why Theodore did not make career as he pointed out in his petition.

⁸³ Even when asked to detail how this should relate to income and property of the church, Cyril simply advised to be generous and trust in God; see *Der Papyruscodex saec VI–VII der Phillippsbibliothek*, Crum, p. 9 (p. 61).

⁸⁴ Cyril *ep.* 78; *Fonti. Fascicolo IX: Discipline générale antique (IIe–IXe s)*, Joannou, pp. 276–82; *St. Cyril of Alexandria: Letters 51–110*, trans. John I. McEnerney (Washington, D.C.: Catholic University of America Press, 1987), pp. 94–6. Although Cyril hastened to add that 'the treasures [does this include cash or only vessels, etc.?] and the immovable possessions' of a church had to be preserved and expenditures had to be correctly managed, it does not give confidence in Cyril's management skills.

⁸⁵ See Chapter 1, pp. 21–2.

⁸⁶ ACO I.4, p. 223; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, 191. This does not mean that the Church of Alexandria was without revenues, but it remains uncertain how much of its income was in cash/gold and how much was payment in kind. Papyrological evidence for contracts that specified revenues in gold as payment only start in the fifth century while the majority of evidence is post-fifth

interest) was presumably still on the books of the church. In other words, Cyril had not only squandered available liquid funds but also accumulated a staggering debt that must have negatively impacted the ability of the Alexandrian Church to pay its clerics. At the same time, the Cyrillian family clan had enriched itself—maybe for decades.⁸⁷

The clan took care of the family business in the last years of Cyril's rule, and the two deacons Theodore and Ischyron provide examples of ambitious clergy who had tied their career to the family in power. While nepotism itself was not frowned upon in Late Antiquity, enriching one's family clan at the expense of the church or the city stirred resentment among those who did not profit.⁸⁸ Not surprisingly, then, a majority of Alexandrian clerics wanted to put an end to Cyril's administrative mismanagement and poor governance. The overexpansion of Alexandria's ecclesiastical diplomacy, as well as the shameless embezzlement of church property by his family, affected the chapter, and precluded Athanasius (or another Cyrillian candidate) from being his uncle's successor.⁸⁹ Instead, the Alexandrian chapter put forward a trusted, senior cleric—the archdeacon Dioscorus, who had likely already assumed some of the patriarch's duties and responsibilities during Cyril's last years.

During the early 440s, there might have been a duopoly in the Alexandrian Church: on the one side, the Cyrillian family clan and its minions, and opposing them, the majority of the chapter, who resented Cyril's family. Naturally, the latter would have rallied behind the archdeacon as the second-in-command at the see, which implies that Dioscorus was not elected by a postulated radical 'one-nature' faction that supposedly considered Cyril's politics too weak and too prone to compromise, as modern scholars have postulated.⁹⁰ Rather the opposite: the party that favoured Dioscorus dreaded Cyril's ecclesiastical adventures and hoped to find in Dioscorus an experienced administrator who would restore Alexandria's

century. In other words, gold and cash could not easily be replenished. See Schmelz, *Kirchliche Amtsträger im spätantiken Ägypten*, pp. 171–83; see also Ewa Wipszycka, *Les Ressources et les Activités économiques des églises en Égypte du IV^e au VIII^e siècle* (Bruxelles: Fondation Égyptologique Reine Élisabeth, 1972), pp. 61–1, 74, 85–6 and Bernard Flusin, 'Bischöfe und Patriarchen: Die Strukturen der Reichskirche', in *Die Geschichte des Christentums: Religion, Politik, Kultur. Das Altertum vol. 3: Der Lateinische Westen und der Byzantinische Osten (431–642)*, ed. Luce Pietri (Freiburg: Herder, 2001), pp. 521–83, here 537. Independent of its productivity, land was always liable to taxes; see William N. Zeisel Jr, *An Economic Survey of the Early Byzantine Church* (PhD Diss. Rutgers University New Brunswick, New Jersey, 1975), pp. 119–20.

⁸⁷ As the discussion concerning inheriting the patriarch's personal property shows; see also the situation in Edessa at the same time as documented in the acts of the Council of Chalcedon: ACO II.1.3, 383–5.

⁸⁸ See the case of Ibas of Edessa; Menze 'Episcopal Nepotism', pp. 28–9.

⁸⁹ Karl Leo Noethlichs, 'Anspruch und Wirklichkeit: Fehlverhalten und Amtspflichtverletzungen des christlichen Klerus anhand der Konzilskanones des 4. bis 8. Jahrhunderts', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 107 (1990): pp. 1–61 at 54 rightly points out how much the 'quality' of the bishop mattered in this regard.

⁹⁰ Since Eduard Schwartz, *Der Prozess des Eutyches* (Munich: Bayerische Akademie der Wissenschaften, 1929), pp. 53–4, who claimed that the Alexandrian opposition had considered Cyril weak and insufficiently energetic and ruthless, Dioscorus appears as the radical successor of Cyril.

finances and institute good governance. One of his promises as candidate must have been to limit extraordinary expenses and return to the Church the property and funds that the Cyrillian family clan had purloined.⁹¹

In contrast to 412, 444 has no reports of a clash between the archdeacon and the patriarch's nephew after the patriarch's death, making it very likely that Dioscorus was the only serious candidate remaining at the time of Cyril's death.⁹² The quarrel over his succession started during Cyril's illness in 443, as Athanasius claimed on 13 October 451, that Dioscorus had plotted for a 'eight whole years' against him, which (if taken at face value)⁹³ would mean that Dioscorus had proceeded against Athanasius and his family clan since October 443. The general resentment against the Cyrillian family facilitated Dioscorus' goal of preventing Athanasius or any other Cyrillian minion from becoming a possible candidate. None of the chapter, other stakeholders in Alexandria, or the Egyptian bishops put forward or supported a possible Cyrillian candidate.

In addition to the above-mentioned resentment against the Cyrillian family clan, Theophilus and later (even) Cyril might (still) have been regarded by the chapter of the See of Alexandria as 'outsiders', as it is said that Theophilus came as an orphan to Alexandria, where bishop Athanasius took him under the tutelage of the Alexandrian Church.⁹⁴ Perhaps the ecclesiastical establishment struck back in 444 against the 'Cyrillians' by placing one of their own on the throne of St Mark in the person of Dioscorus.⁹⁵ This remains speculation, however, as Dioscorus' personal background is completely unknown. What is known is that the clerics who elected and ordained Dioscorus wanted to prevent a dynastic continuity of the Cyrillian family clan. They opted for a *Wind of Change* and chose with Dioscorus an experienced senior cleric who must have been over sixty years old and ready to assume the patriarchal duties, which he already had partially fulfilled during Cyril's last years.⁹⁶

⁹¹ Whether Dioscorus promised to pay the chapter ordination fees remains unknown. See Chapter 1, p. 20, for *Novella* 123; see also Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasien* (Stuttgart: Steiner, 2005), pp. 170–5.

⁹² As not only the *libelli* of the Cyrillians at Chalcedon survive but also the accounts of Liberatus, Ps-Zachariah Rhetor, and Evagrius Scholasticus, it seems almost certain that we would hear about a controversy if there had been any.

⁹³ Considering that Athanasius clearly differentiates between the timespan of Dioscorus' plotting against him ('eight whole years') and that of his exile ('have spent seven years wandering from place to place'), it might actually be accurate.

⁹⁴ As an orphan Theophilus was taken into the custody of the Church of Alexandria and later became patriarch: Norman Russell, *Theophilus of Alexandria* (London: Routledge, 2007), pp. 3–4. For Constantinople the phenomenon of how episcopal succession functioned, is better researched; see Peter van Nuffelen, 'Episcopal Succession in Constantinople (381–450 C.E.): The Local Dynamics of Power', *Journal of Early Christian Studies* 18, no. 3 (2010): pp. 425–51.

⁹⁵ Liberatus noted that Dioscorus had no wife and children, but it remains unclear if he had any further family (in Alexandria).

⁹⁶ In case he was also the oldest deacon, he might have been regarded as transitional candidate who was able to steer the Alexandrian Church back into smoother waters after sixty years of rule by the Cyrillian clan.

Being Patriarch I: Dioscorus and the See and City of Alexandria

Dioscorus may have been ordained patriarch according to a very peculiar Alexandrian ritual unattested for any other see. For the patriarchal election of 536, Liberatus of Carthage details that:

the one who succeeds the deceased stands vigil over his remains and lays the deceased's right hand on his head. Then, after he has buried him with his own hands, they put around his neck the pallium of the blessed Mark, after which, in all legitimacy, he can take his place [on the episcopal throne].⁹⁷

If true for 444, one can assume that Dioscorus' ordination took place soon after Cyril's death on 27 June 444. Indeed, John Rufus' *Life of Peter the Iberian* fittingly dates it to July 444.⁹⁸ The patriarchal ordination was certainly a public spectacle in Alexandria that lasted several days. The newly elected patriarch celebrated the liturgy on three consecutive days in the three main churches of Alexandria while taking 'the Apostolic Head of the divinely-inspired Mark into his bosom, for whom he has become a successor prepared to walk in his foot-steps unto the glory of the Lord'.⁹⁹

Once on the throne of St Mark, Dioscorus took care of the most urgent issues that attended being elected against the interests and will of the Cyrillian clan. The influential family might have been tempted to sabotage his tenure if Dioscorus did not oust them, and the new patriarch was legally obliged to prosecute the Cyrillians for having misappropriated church property. If this property had been consecrated, it was considered *res sacrae*, and its delegitimation a sacrilege.¹⁰⁰ In other words, the harsh and drastic measures implemented against Athanasius and the two unlucky deacons were legitimate. The new patriarch regained property (including boats)¹⁰¹ for the Church, and destroyed property and fruit trees (bearing income to the deacon Ischyron) that had been illegally situated on church land.¹⁰² The removal of the deacons and the priest Athanasius

⁹⁷ Liberatus, *Breviarium* 20; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 314–17; translated in Wipszycka, *The Alexandrian Church*, p. 149; see also Kemp, 'Bishops and Presbyters at Alexandria', and Blaudeau, 'L'élection d'archevêques diphysites au tone alexandrine', pp. 451–82.

⁹⁸ John Rufus, *Peter the Iberian* 89; John Rufus: *The Lives of Peter the Iberian, Theodosius of Jerusalem, and the Monk Romanus*, ed. and trans. Cornelia B. Horn and Robert R. Phenix Jr (Atlanta: Society of Biblical Literature, 2008), pp. 122–3 speaks of Dioscorus as having been patriarch for seven years and three months. Considering that Dioscorus was deposed 13 October 451, this would fit very well but it might be completely incidental because John Rufus must have considered Dioscorus as rightful patriarch of Alexandria until his death in 454. In other words, according to John Rufus' understanding Dioscorus should have been patriarch for ten years and probably around four months.

⁹⁹ *The Rite of Consecration of the Patriarch of Alexandria*, KHS-Burmester, p. 83.

¹⁰⁰ See now Farag, *What makes a Church sacred?*, particularly p. 61 but see also p. 58 n. 104 below; for later examples see also Schmelz, *Kirchliche Amtsträger*, pp. 169–71.

¹⁰¹ ACO II.1.2, pp. 219–20; ACC, vol. 2, p. 63.

¹⁰² ACO II.1.2, p. 214; ACC, vol. 2, p. 55.

from the chapter was the consequence of their misconduct.¹⁰³ These purges were not undertaken in one go, but Ischyriion reported that after his property had been destroyed and Dioscorus' henchmen had failed to seize him the first time (in the summer or autumn of 444?), they came again 'during the very days of Easter' (of 445).

The request of the *magister officiorum* Nomus and his *agens in rebus* Severus to pay 1,400 pounds of gold should be seen in the context of the family clan having committed a crime.¹⁰⁴ Dioscorus returned the property to the Church of Alexandria but the family was also obliged to pay a fine for having alienated ecclesial property.¹⁰⁵ This fine was payable to the Church of Alexandria but because presumably the Church was still indebted to the state, Dioscorus allowed the fine to be collected by the *magister officiorum* and be paid towards the *fiscus*.¹⁰⁶ By 'outsourcing' the collection of the Alexandrian debt, Dioscorus eradicated both his financial worries and his internal opponents.

If Dioscorus wanted to reform the chapter of Alexandria and straighten up its finances, the position of *oikonomos* was of central importance. Although no detailed information exists about its function, it seems certain that it was not a position that regularly rotated among clergy. Nestorius, an Alexandrian presbyter and later bishop of Phragonis, likely served Dioscorus for several years as *oikonomos* in Alexandria—before clashing with him sometime before 451.¹⁰⁷ In his plaint against Dioscorus, Ischyriion notes the case of Nestorius as an example of Dioscorus' 'fury' against 'many of his men' (*Acts of Chalcedon* III.51)—in the context insinuating violent behaviour but without specifying what Dioscorus exactly did to Nestorius.¹⁰⁸ As Nestorius is designated as one of Dioscorus' men, the patriarch must have installed him as *oikonomos* within the chapter *after* he had purged it of the Cyrillians (some time after 444), and discharged Nestorius from his duties as *oikonomos* before he promoted him to

¹⁰³ Late antique texts from Egypt indicate that a bishop could exclude a priest from the clergy (as well as from the eucharist) for almost any misconduct; Schmelz, *Kirchliche Amtsträger*, pp. 155–7; Wipszycka, *The Alexandrian Church*, pp. 307 n. 3 and 324–5.

¹⁰⁴ Scholars have explained this request by the greed of imperial officials (which remains possible) but see now Farag, *What makes a Church sacred?* particularly p. 61 for considering it a sacrilege; not all church property was necessarily *res sacrae*, however; see David Rockwell, 'Emphyteusis in a Time of Death. What can Laws on Church Property really tell us about the Sixth-Century Plague?' (forthcoming in *Studies in Late Antiquity* 2023).

¹⁰⁵ For the later Justinianic legislation concerning church property and its protection through legislation see Hamilcar S. Alivisatos, *Die kirchliche Gesetzgebung des Kaisers Justinian I* (Berlin: Trowitzsch & Sohn, 1913, pp. 89–97 and Rockwell, 'Emphyteusis in a Time of Death'.

¹⁰⁶ Inasmuch as the Church of Alexandria was already denuded of the bribes shipped to Constantinople and still owed 1,500 pounds of gold in 432, the church must have borrowed the gold. If this was the case, the debt could have totalled up to 3,000 pounds of gold for principal and interest, which would have taken the patriarchate decades to repay; for the calculation see Chapter 1, p. 22 n. 57.

¹⁰⁷ ACO II.1.2, p. 215 (Greek); ACO II.3.2, p. 292 (Latin); bishop of Phragonis: ACC, vol. 1, p. 189.

¹⁰⁸ ACO II.3.2, p. 292; ACC, vol. 2, p. 56; here the Latin '*contra multos eius*' is the preferred reading.

bishop of Phragonis.¹⁰⁹ Removing Nestorius as *oikonomos* and being furious with him indicate that the patriarch had been disappointed with Nestorius' performance: either Nestorius had failed to improve the financial status of Alexandria as much as Dioscorus had hoped, or he continued to behave reproachably with finances such that the patriarch sought to stop him once and for all.¹¹⁰

In contrast to what Ischyryon's plaint alleges, however, Dioscorus promoted Nestorius to episcopal rank. Obviously, the post of *oikonomos* of the Church of Alexandria may have been a more powerful and appealing position than bishop of a provincial city.¹¹¹ In other words, Dioscorus intended to remove Nestorius from a key position in the Church of Alexandria by promoting him as bishop against his will.¹¹² Considering that Nestorius died in 458–9, in 449–50 he was already a senior cleric of the Alexandrian chapter and most likely considered his 'promotion' to episcopal rank as exile, which explains why Nestorius held a grudge against, and even betrayed, his patriarch at the Council of Chalcedon.¹¹³

Nestorius' successor was very likely Charmosynus, who is named in 451 in the acts of Chalcedon as the *oikonomos* of the See of Alexandria.¹¹⁴ At the same time, a second *oikonomos*, Proterius, was employed by Dioscorus for the *Caesarion*/*Caesareum*, the great patriarchal Church of Alexandria.¹¹⁵ In other words, for

¹⁰⁹ Gereon Siebigs, *Kaiser Leo I: das oströmische Reich in den ersten drei Jahren seiner Regierung (457–460 n. Chr.)* (Berlin: de Gruyter, 2010), pp. 112 n. 296 and 117 argues that Nestorius clashed with Dioscorus at the Council of Ephesus in 449 but the text does not specify this: ACO II. 1.2, p. 215 (Greek); ACO II.3.2, p. 292 (Latin). Pointing to the example of Flavian of Constantinople and his own story, Ischyryon hints at physical violence without actually accusing Dioscorus' henchmen of it. It is, however, unlikely that Dioscorus' 'fury' against Nestorius took place at the Second Council of Ephesus (*contra* Siebigs)—only the example of Flavian should be read in the context of the Council of 449. For corporeal punishment of clergy see Schmelz, *Kirchliche Amtsträger*, pp. 160–1.

¹¹⁰ It remains unknown how Nestorius incurred Dioscorus' disapproval, but accepting bribes was not uncommon for powerful *oikonomoi*; see the grim picture of the Alexandrian chapter presented by Isidore of Pelusium: Wipszycka, *The Alexandrian Church*, p. 243. See also Leontius of Neapolis, *Life of John the Almsgiver* 4; *Leontios' von Neapolis Leben des Heiligen Iohannes des Barmherzigen Erzbischofs von Alexandrien*, ed. Heinrich Gelzer (Freiburg: J.C.B. Mohr 1893), pp. 10–11: when John heard that his *oikonomoi* accepted bribes, he increased their salaries.

¹¹¹ Particularly considering the omnipotent position of Alexandria and the non-existent metropolitan structure of the Church in Egypt; see Wipszycka, *The Alexandrian Church*, p. 237. Cf. also Markianos, *oikonomos* at the Hagia Sophia in Constantinople in the fifth century. Considering his wealthy background, he probably could have attained episcopal rank in the province but rather enjoyed the position of steward at the patriarchal church (after being Novatian bishop of Constantinople); see Martin Wallraff, 'Markianos: ein prominenter Konvertit vom Novatianismus zur Orthodoxie', *Vigiliae Christianae* 52 (1998): pp. 1–29.

¹¹² See above, p. 48 n. 54 about the known cases of bishops who 'promoted' archdeacons to priests.

¹¹³ See already Siebigs, *Kaiser Leo I*, p. 973 n. 66; for the death of Nestorius, Siebigs, *Kaiser Leo I*, p. 976. See also below, pp. 72–3.

¹¹⁴ ACO II.1.2, p. 238; ACC, vol. 2, p. 113.

¹¹⁵ Liberatus *Breviarium* 14; *Liberatus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 256–9 calls Proterius *archpresbyter*; Ps-Dioscorus, *Panegyric on Macarius* 15; Johnson, p. 120 (p. 93), calls Proterius *oikonomos* at the *Caesarion*: although not a reliable source, this sounds too specific to be made up; Siebigs, *Kaiser Leo I*, pp. 111–12 n. 295 collects the different source references to Proterius' rank and function. For the *Caesarion*/*Caesareum*: Haas, *Alexandria in Late Antiquity*, p. 210.

Dioscorus' rather short tenure, three *oikonomoi* can be named. This might be accidental but considering the problems of governance within the chapter and the debt accumulated by the See of Alexandria, this is unlikely. It rather indicates that Dioscorus immediately tackled the see's internal administrative and financial problems, strove for reforms, and took swift and decisive action when Nestorius failed as *oikonomos* to deliver the expected results.

In the half century following Dioscorus' tenure (451–505), at least three of eight patriarchs of Alexandria had been *oikonomoi* before becoming patriarchs: Proterius (451–457), John Talaia (481–482), and John I (496–505).¹¹⁶ Perhaps Timothy Salofaciolus (460–75/477–481), too, had been an *oikonomos* in Alexandria under Proterius,¹¹⁷ making it very likely that the office of *oikonomos* was upgraded by Dioscorus and had become a central position within Alexandria's chapter. When Emperor Marcian died in 457 and non-Chalcedonians ordained a counter-patriarch to Proterius, it was Proterius' *oikonomos* who paid the soldiers to fight for Proterius; and among the twenty clerics (of whom fourteen were bishops) who fled Alexandria after Proterius' death, two were *oikonomoi*.¹¹⁸ In other words, after Dioscorus, *oikonomoi* became (politically) exposed clerics in Alexandria.

Considering Cyril's costly politics, the embezzlement of church funds, and the unrest within the chapter, setting the administration of the See of Alexandria on firm footing was Dioscorus' priority as the new patriarch.¹¹⁹ In contrast to this, hardly anything is known about Dioscorus' relations with the Alexandrian public, the dignitaries of the city, and the governor of Egypt. Liberatus notes that Dioscorus was popular among the inhabitants of Alexandria as he distributed some of the money recovered from the Cyrillian family clan to bakers and innkeepers so that they could offer better bread and wine to the people for lower prices.¹²⁰ This money was probably dispersed in the form of loans without interest and showed that Dioscorus was not only a patriarch of a see with imperial influence but also a local ecclesiastical patron who cared about economic

¹¹⁶ Contra Haas, *Alexandria in Late Antiquity*, p. 225 who claims that no *oikonomos* became patriarch. For John Talaia see Liberatus, *Breviarium* 16 and 17; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 268–9 and 272–2, and for John Talaia and John I see Theodore Lector, *Church History* 417 and 460; Hansen, pp. 115–16 and 129.

¹¹⁷ See ACO II.5, p. 17; Siebigs, *Kaiser Leo I*, p. 302 considers it a possibility that the *oikonomos* Timothy mentioned here could be the later patriarch while Wipszycka, *The Alexandrian Church*, p. 258 takes for granted that Timothy had been *oikonomos* before becoming patriarch but does not cite any source.

¹¹⁸ For the *oikonomos* paying soldiers see Ps-Zachariah Rhetor, *Church History* IV.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, ed. E.W. Brooks, vol. 1 (Paris: E Typographeo Reipublicae, 1919), p. 170; *The Chronicle of Pseudo-Zachariah Rhetor: Church and War in Late Antiquity*, trans. Geoffrey Greatrex et al. [TTH] (Liverpool: Liverpool University Press, 2011), pp. 134–5; for the list of clerics see ACO II.5, p. 17. See also Siebigs, *Kaiser Leo I*, p. 287.

¹¹⁹ In this respect Dioscorus was supported by the Council of Chalcedon, which required every church to have an *oikonomos*; see Menze, 'Das "Domkapitel" in der Spätantike: Administration, Finanzen und Governance eines Bischofssitzes' (forthcoming).

¹²⁰ Liberatus, *Breviarium* 10; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 202–3.

conditions in his city.¹²¹ Theodore Lector's note that Alexandrians rioted after Dioscorus' deposition in 451 and threatened to disrupt grain supply for Constantinople, confirms the image of a popular urban benefactor.¹²²

Otherwise, the plaintiffs' accusations against Dioscorus in 451 dominate the portrait of his relationship with the city of Alexandria. Sophronius narrated in 451 that a member of the city council had abducted Sophronius' wife, and he had taken up legal proceedings against this man. He received a favourable verdict from the Roman authorities—including Theodore, the governor of Egypt—but Dioscorus prevented its execution and even pursued Sophronius and seized his property.¹²³ The legal basis upon which Dioscorus' clerics could take over Sophronius' property remains unclear, but the fact that Sophronius brought his complaint to the Council of Chalcedon and not again to the governor of Egypt, Theodore (who was still in office in 451), might be either because Sophronius feared that the governor's position was too weak to oppose Dioscorus or because Dioscorus' objection to Theodore's original verdict had been accepted by the governor.

While this accusation appears somewhat credible—without knowing any details or indeed if Dioscorus' interference in a secular legal case was justified at all—another of Sophronius' accusations against Dioscorus remains far-fetched: Sophronius complained that when Marcian sent *sacra laureata* to Alexandria for celebrating his accession to the throne, Dioscorus had his clergy disseminate gifts or money (*pecunias*) to the population.¹²⁴ It makes perfect sense that the patriarchate of Alexandria as major institution and benefactor of the city gave from its own pockets for imperial celebrations and fits the image presented by Liberatus of a generous patron of the city. Sophronius, however, regarded this gesture as an act of treason, believing the patriarch 'wanted to rule the Egyptian diocese himself'.¹²⁵

Ischyryon's plaint includes a case of Dioscorus disrespecting imperial authority and instead showing signs of greed and despotism: in a time of dearth, the emperor gave grain to the churches of Libya so that they could offer the Eucharistic bread (as well as give food to travellers and the poor), but Dioscorus forbade the Libyan bishops from accepting it and he sold the grain instead.¹²⁶ This behaviour sounds outrageous in Ischyryon's account and cannot be fully reconstructed, but the accusation as such is familiar. Athanasius of Alexandria and

¹²¹ It might support speculations that Dioscorus was originally from Alexandria; see above, pp. 40–1.

¹²² Theodore Lector, *Church History* 362; Hansen, p. 102. For the situation in Alexandria after Dioscorus' deposition see Timothy Gregory, *Vox Populi: Popular Opinion and Violence in the Religious Controversies of the Fifth Century A.D.* (Columbus: Ohio State University Press, 1979), pp. 181–92.

¹²³ ACO II.1.2, 219–220; ACC, vol. 2, 62–4; much of the story remains unclear.

¹²⁴ ACO II.1.2, p. 220 (Greek); ACO II.3.2, p. 298 (Latin). See also Philippe Blaudeau, 'Un archevêque d'Alexandrie assassin? Retour sur une incrimination lancée à l'encontre de Dioscore 1er', in *Christianity in Egypt: Literary Production and Intellectual Trends: Studies in Honor of Tito Orlandi*, ed. Alberto Camplani [Studie Ephemeridis Augustinianum 125] (Rome: Augustinianum, 2011), pp. 87–100, here 93 and Philippe Blaudeau, *Alexandrie et Constantinople (451–491) de l'Histoire à la géo-ecclésiologie* (Rome: École Française, 2006), p. 128 n. 107.

¹²⁵ ACO II.1.2, p. 220; ACC, vol. 2, p. 63.

¹²⁶ ACO II.1.2, p. 213; ACC, vol. 2, p. 54.

John Chrysostom as bishop of Constantinople had already been charged with similar accusations. Athanasius is said to have sold imperial provisions that the emperor had bestowed upon the poor of Alexandria, and John Chrysostom allegedly diverted provisions for the ‘maimed brothers’.¹²⁷ If there is any truth to these allegations, bishops might have regarded imperial provisions as an opportunity to generate cash by selling the provisions (or rather, the surplus that was not immediately needed) on the market.¹²⁸ None of these accusations can be verified but their repetition indicates a structural problem: imperial provisions may have invited abuse and, even if there was no abuse, their handling very likely generated resentment among those who did not profit from their distribution.¹²⁹

Lastly, the Cyrillian plaintiffs spread gossip about their patriarch, the most insulting piece of which is Ischyrión’s accusation that Dioscorus associated himself with ‘disreputable women’ in his residence, particularly with a woman called Pansophia, also called Oreine (*Ὁρεινή*). Scholars tend to accept this accusation as the *Anthologia Graeca* contains an epigram that mocks the improper intercourse of a bishop with a woman: “Peace (*Εἰρήνη*) be to all” said the bishop on his appearance. How can she accompany all, when he alone has her within?¹³⁰ But neither the similarity of the names Oreine/Irene nor the rather generic joke (it is not even clear if there is any historical reference, as the joke works without any historical context) is enough to conclude that Dioscorus had a concubine during his tenure as patriarch.¹³¹ Relatedly, rumours circulated that the patriarch associated with actresses and other people from the theatre and rather spent donations there than for alms, as well as that he was a gambler.¹³² Defaming clerics with such rumours was commonplace, and nothing verifies the gossip in Dioscorus’ case.

Overall, Dioscorus’ interferences beyond strictly ecclesiastical affairs were probably in line with the behaviour of his predecessors, Theophilus and Cyril, during their tenures. Holding the most powerful office Egypt had to offer, Dioscorus without doubt left an imprint on Alexandria’s city life during the

¹²⁷ For Athanasius see Sozomen, *Church History* III.9; Sozomenos: *Historia Ecclesiastica*, Hansen, vol. 2, pp. 362–3; for John Chrysostom see *The Funeral Speech for John Chrysostom* 75; *Oratio funebris in laudem sancti Iohannis Chrysostomi: Epitaffio attribuito a Martirio di Antiochia*, ed. Martin Wallraff and trans. Cristina Ricci (Spoleto, Italy: Centro italiano di studi sull’alto medioevo, 2007), pp. 128–9; *The Funeral Speech for John Chrysostom*, trans. Timothy D. Barnes and George Bevan [*TTH*] (Liverpool: Liverpool University Press, 2013), p. 80. See also Justinian, *Novella* 7 c.8, which stipulates that grain provisions for Constantinople, Alexandria and Antioch could not be sold.

¹²⁸ In Dioscorus’ case, inherited debts from Cyril’s tenure may have caused Dioscorus to take such drastic measures.

¹²⁹ See also Crum, *Der Papyruscodex saec VI–VII der Phillipsbibliothek in Cheltenham*, pp. 9–10 (p. 62).

¹³⁰ *The Greek Anthology*, vol. 5, ed. and trans. W. R. Paton (London: William Heinemann, 1918), pp. 168–9. Paton notes in a footnote that this probably refers to Dioscorus, and Michael Gaddis and Richard Price also note this in a footnote: *ACC*, vol. 2, p. 66 n. 66.

¹³¹ Ischyrión may have known the joke and used it for his purpose of discrediting Dioscorus.

¹³² *ACO* II.1.2, pp. 213–14; *ACC*, vol. 2, pp. 54–5.

second half of the 440s, and his generosity for its economic life and the wellbeing of its citizens were noted. At the same time, Dioscorus took drastic measures to stabilize the Church's finances and implemented changes to improve the internal governance of the See of Alexandria, not the least by institutionalizing the position of the *oikonomos*.

Being Patriarch II: Dioscorus, Shenoute, and the 'Origenist' Controversy

As new patriarch of Alexandria, Dioscorus inherited the watch over the precious expatriate Nestorius, who had been exiled to Panopolis (today: Akhmin) in Upper Egypt.¹³³ Not surprisingly, no communication between the new sovereign in Alexandria and the 'arch-heretic' is known, but Dioscorus communicated with one of Nestorius' immediate neighbors, Shenoute of Atripe. Shenoute was a very productive archimandrite in literary terms, and in recent decades his oeuvre has been studied quite extensively.¹³⁴ As archimandrite, he headed the so-called White Monastery opposite Panopolis during Cyril's and Dioscorus' tenures, and it has been assumed that he accompanied Cyril to the Council of Ephesus in 431. The chronology of his life is, however, debated among scholars: traditionally his life span is dated to 346–7 (or 349) to 465 (in accordance with hagiographical sources),¹³⁵ but Ariel López has recently suggested reevaluating the chronology. Instead of interpreting Shenoute's correspondence with Cyril, Dioscorus, and Timothy to mean the patriarchs Timothy (380–385), Cyril (412–444), and Dioscorus (444–451), López posits that Timothy refers to Timothy Aelurus (457–460).¹³⁶ Therefore, according to López, Shenoute would have been

¹³³ See George A. Bevan, *The New Judas: The Case of Nestorius in Ecclesiastical Politics, 428–451 CE* (Leuven: Peeters, 2016), pp. 306–8.

¹³⁴ See especially *Shenoute's Literary Corpus*, ed. and trans. Stephen Emmel, 2 vols. (Louvain: Peeters, 2004).

¹³⁵ See the recent biographical sketches in David Brakke and Andrew Crislip (trans.), *Selected Discourses of Shenoute the Great: Community, Theology, and Social Conflict in Late Antique Egypt* (Cambridge: Cambridge University Press, 2015), pp. 2–12 and Hans-Joachim Cristea, *Schenute von Atripe: Contra Origenistas. Edition des koptischen Textes mit annotierter Übersetzung und Indizes einschließlich einer Übersetzung des 16. Osterfestbriefs des Theophilus in der Fassung des Hiernonymus* (ep. 96) (Tübingen: Mohr Siebeck, 2011), pp. 111–22.

¹³⁶ Ariel López, *Shenoute of Atripe and the Uses of Poverty: Rural Patronage, Religious Conflict, and Monasticism in Late Antique Egypt* (Berkeley: University of California Press, 2013), Appendix A, pp. 131–3. López admits that this new chronology would not solve all problems, but it would overcome certain obstacles that the traditional chronology presents. For Shenoute's correspondence with the Alexandrian patriarchs see Samuel Moawad, 'The Relationship of St. Shenoute of Atripe with His Contemporary Patriarchs of Alexandria', in *Christianity and Monasticism in Upper Egypt vol. 1: Akhmin and Sohag*, ed. Gawdat Gabra and Hany N. Takla (Cairo: American University in Cairo Press, 2008), pp. 107–19, here 117 n. 13. For an updated summary of the problems concerning Shenoute's date of death see Stephen Emmel, 'Editing Shenoute, Old Problems, New Prospects: The

born in the 380s and died in 465, which would still account for a long life but not the 118 years that hagiography traditionally attributes to him.

Shenoute's references to the Council of Ephesus may refer to the Second Council of Ephesus in 449—not to the First Council of Ephesus, as the unreliable hagiographer remembers it.¹³⁷ The Second Council of Ephesus would be more fitting for Shenoute to attend as observer because, in 449—in contrast to the First Council of Ephesus—Emperor Theodosius had invited eastern archimandrites to the council.¹³⁸ On 15 May 449, Theodosius informed Dioscorus that the Syrian archimandrite Barsauma would attend, and the emperor might have encouraged the patriarch to bring along the prominent Egyptian archimandrite, a loyal ally of Dioscorus. This hypothesis is supported by the reconstruction of a letter by Shenoute to Timothy Aelurus in which Shenoute reminds Timothy of a meeting in 'Alexandria the year [when] we came to [Ephesus] with our [brethren]'.¹³⁹ This allusion refers to the Second Council of Ephesus in 449, as Timothy Aelurus had been ordained deacon by Dioscorus and, by his own report, accompanied his patriarch to the Council of 449.¹⁴⁰ Therefore, the relationship between

Date of Shenoute's Death', in *Coptic Society, Literature and Religion from Late Antiquity to Modern Times: Proceedings of the Tenth International Congress of Coptic Studies, Rome, September 17th–22th, 2012, and Plenary Reports of the Ninth International Congress of Coptic Studies, Cairo, September 15th–19th, 2008*, ed. Paola Buzi, Alberto Camplani, and Federico Contardi, vol. 2 (*Orientalia Lovaniensia Analecta* 247) (Leuven: Peeters, 2016), pp. 937–44, particularly 940 for Shenoute's possible relationship with Timothy Aelurus.

¹³⁷ Besa's *Vita* of Shenoute claims that he had been in Ephesus with Cyril, but the story is hardly credible (see for example Shenoute's clash with Nestorius at Ephesus, the account of how God returned Shenoute to his monastery on a cloud, etc.); *The Life of Shenoute by Besa*, trans. David N. Bell (Kalamazoo, MI: Cistercian, 1983), pp. 47–8. López also points out that Shenoute actually declined an invitation to join Cyril on a trip because of illness: López, *Shenoute of Atripe and the Uses of Poverty*, p. 204 n. 11. One of Shenoute's fragmentary letters insinuates that its recipient was out of the country and perhaps attending a synod: this might indicate that Shenoute wrote to Cyril while the latter was at Ephesus in 431; see Dwight Wayne Young, *Coptic Manuscripts from the White Monastery: Works of Shenoute. Textband* (Vienna: Brüder Hollinek, 1993) 174–6. The avoidance of the Second Council of Ephesus in the hagiographical *Lives* of Shenoute is not surprising as the Council was a failure in the long run and certainly not an event to which a hagiographer would like to link his saint. Only the Arabic *Vita* of Shenoute actually mentions Dioscorus (in connection with Macarius and the Council of Chalcedon although the latter is not named): *The Life of St Shenouda: Translation of the Arabic Life*, trans. Abba Wissa (Sydney: St Shenouda's Monastery, 2015), pp. 153–4.

¹³⁸ For this and the invitation of Barsauma see Chapter 3, pp. 113–14.

¹³⁹ Emmel, *Shenoute's Literary Corpus*, vol. 1, p. 8 n. 9.

¹⁴⁰ For the ordination of Timothy by Dioscorus see Liberatus, *Breviarium* 14; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 258–9; against Ps-Zachariah Rhetor, *Church History* IV.1, who noted that Cyril made Timothy priest. Even if Ps-Zachariah Rhetor would be correct that already Cyril ordained Timothy, considering that Dioscorus expelled Cyrillians from the chapter, it is extremely unlikely that Timothy had been a confidant of Cyril and (also) attended the First Council of Ephesus. Ps-Dioscorus, *Panegyric on Macarius* 1; Johnson, p. 8 (p. 6) noted a deacon Timothy (likely referring to Timothy Aelurus) as Dioscorus' companion. Dioscorus' hagiographical tradition presented Timothy as close confidant of Dioscorus: Theopistus, *Life of Dioscorus* 6 and 19 (Syriac) and 32a–33 and 98 (Arabic); *Histoire de Dioscore, patriarche d'Alexandrie, écrite par son disciple Théopiste*, ed. and translated F. Nau (Paris: Imprimerie Nationale, 1903), pp. 37 and 102 (pp. 255 and 305); *Die Arabische Version der Vita Dioscori*, ed. and trans. Samuel Moawad [PO 246] (Turnhout: Brepols, 2016), pp. 38–9 and 110–11. For Timothy's statement that he attended the Second Council of Ephesus: *Textes Monophysites*, ed. and trans. F. Nau [PO 13.2] (Paris: Firmin-Didot, 1919), p. 206.

patriarch Dioscorus and the archimandrite Shenoute might have been closer than previously assumed.

The correspondence between Shenoute and Dioscorus remains fragmentary but a letter by Dioscorus to Shenoute and the attached memorandum to three bishops offer a rare glimpse of the state of ecclesiastical affairs in Upper Egypt.¹⁴¹ The letter and memorandum were originally written in Greek but were translated by Shenoute himself (or someone in his monastery) into Coptic, and Dioscorus' memorandum was meant to be read publicly: 'May your Reverence [Shenoute] make speed to have the entire Memorandum translated into the Egyptian tongue, so that it may be read in that form and none may be ignorant of the authority of the things that are written therein.'¹⁴² The memorandum was addressed to three bishops: Sabinus, Gennadius, and Hermogenes. Sabinus has been identified as the local bishop of Panopolis; Gennadius as bishop of Hermopolis Magna, north of Panopolis; and Hermogenes as bishop of Rhinocorura at the border to Palestine.¹⁴³ Considering that Sabinus and Gennadius are both bishops from the province Thebais Prima, however, it is more likely that Hermogenes was another, otherwise unattested regional bishop rather than postulating that Hermogenes of Rhinocorura visited the Thebaid.¹⁴⁴

Dioscorus requested that the three bishops

summon the entire congregation in the great church of Shmin [Panopolis] and that a service should be held at which all the clergy and the whole body of monks in all that diocese should be present and you should read out to them the memoranda which were drawn up here among us.¹⁴⁵

All clergy, monks, and the public should know that Elias, a former priest from the region of Panopolis, had been condemned for heresy ('having anathematized Origenes and his doctrines for a time he turned to him again') and was no longer allowed to preach in public. Nor was he allowed to receive shelter anywhere—in the Thebaid or farther north or south—and Dioscorus' memorandum was to be copied and published in local churches. The patriarch further requested that the

¹⁴¹ Herbert Thompson, 'Dioscorus and Shenoute', in *Recueil d'études égyptologiques dédiées à la mémoire de Jean-François Champollion* (BEHE 234) (Paris: Librairie Ancienne Honoré Champion, 1922), pp. 367–76, here 370–1; 373–4; first edited by Henri Munier in *Catalogue general des antiquités égyptiennes du Musée du Caire* (Cairo: Imprimerie de l'Institut Français d'Archéologie Orientale, 1916), pp. 146–50; see also Cristea, *Schenute von Atripe: Contra Origenistas*, pp. 45–8.

¹⁴² Thompson, 'Dioscorus and Shenoute', p. 374.

¹⁴³ Sabinus of Panopolis joined Cyril at the First Council of Ephesus; Gennadius of Hermopolis Magna Dioscorus at the Second Council of Ephesus; Thompson, 'Dioscorus and Shenoute', p. 369. Jon F. Dechow, *Dogma and Mysticism in Early Christianity. Epiphanius of Cyprus and the Legacy of Origen* (Macon, GA: Mercer University Press, 1988), p. 238 leaves open the question of Hermogenes' See.

¹⁴⁴ But see Wipszycka, *The Alexandrian Church*, p. 291 who notes the considerable distance between Panopolis and Hermopolis. She considers Hermogenes as bishop of Rhinocorura.

¹⁴⁵ Thompson, 'Dioscorus and Shenoute', p. 374.

'books and numerous treatises of the pest named Origenes and other heresies' that circulated be searched for and sent to the patriarch in Alexandria.¹⁴⁶ Although the letter and memorandum point to a regional problem around Panopolis, they also make clear that it was no minor matter: Elias had already been condemned by his bishop Sabinus, who still considered it necessary to discuss the case with Dioscorus in Alexandria. After Sabinus' return to Panopolis, Dioscorus wrote to Shenoute as the problem with Elias clearly persisted, and Dioscorus pointed out he would make further inquiries if Elias' heresy had taken further root.¹⁴⁷

Three issues come to the fore: first, Dioscorus wrote to Shenoute and not to the bishop of Panopolis, even though Sabinus had travelled to Alexandria to discuss the issue of Elias with Dioscorus personally. Dioscorus' use of Shenoute's monastery as a hub for his anti-heretical measures in Upper Egypt and of the archimandrite as distributor of his messages attests to (besides the obvious fact that particularly monks and monasteries around Panopolis were involved) either Shenoute's prominence or a close relationship between Dioscorus and Shenoute—or both.¹⁴⁸ A letter by Shenoute to Dioscorus has survived in which the abbot noted that 'We received your letters when the brothers came to us, and we rejoiced greatly that we heard news from you, and our hearts were refreshed.'¹⁴⁹ He continued: 'In truth, much godliness becomes ours from time to time when we listen to your holy teachings, and we become renewed daily in the faith by your illuminating words.'¹⁵⁰ How regularly the two corresponded cannot be reconstructed but Shenoute's reference to have received Dioscorus' teachings 'from time to time' indicates that Dioscorus' memorandum presumably constituted part of a regular correspondence between him and Shenoute.

Second, Dioscorus did not take the issue of Origenism lightly. Both in his letter to Shenoute as well as in the memorandum, he claims that he would closely monitor developments.¹⁵¹ Third, there was obviously no need to detail the problem of 'Origenism' and heretical writings to his addressees. All of them understood that it did not just concern the former priest Elias but that 'Origenist' as well as other heretical texts circulated among monks in Upper Egypt. The details of this renewed 'Origenist'-controversy (well-known for the time of Cyril's

¹⁴⁶ Thompson, 'Dioscorus and Shenoute', p. 376. Wipszycka, *The Alexandrian Church*, p. 291 wonders if Dioscorus mistrusted the local clergy but Dioscorus probably wanted to destroy heretical texts under his personal supervision in order to present himself as champion of orthodoxy in the eyes of the Alexandrian public; cf. Volker Menze and Kutlu Akalın, 'Kann man Bücher verbrennen? Severus of Antioch's Letter to Nonnus Scholasticus, a Heretical Codex, and a Late Roman *Autodafé*', *Oriens Christianus* 97 (2013/14): pp. 1–23, here 6–7.

¹⁴⁷ See below, pp. 66–8.

¹⁴⁸ See Cristea, *Schenute von Atri: Contra Origenistas*, p. 45.

¹⁴⁹ Young, *Coptic Manuscripts from the White Monastery*, 175–6.

¹⁵⁰ Young, *Coptic Manuscripts from the White Monastery*, 177; for the Coptic text see Johannes Leipoldt, *Sinuthii archimandritae vita et opera omnia*, vol. 3 (Paris: E Typographie Reipublicae, 1908), p. 13 no.1.

¹⁵¹ See Dioscorus' repeated claim that 'we search into everything'.

predecessor, Theophilus of Alexandria) remain obscure and might have had less to do with Origenism as such than with heretical ideas in the milieu of the Nag Hammadi texts.¹⁵²

In one of his major works, *Contra Origenistas* or 'I am amazed', Shenoute preaches against not only Arians, Nestorians, and Origenists but also the use of extra-canonical books, and Christians who claimed authority based on such texts.¹⁵³ Determining the degree to which these accusations were due to problems perceived by Shenoute in the region of Panopolis or to a sophisticated anti-heretical rhetorical strategy by Shenoute is difficult. Scholars have tentatively set 'I am amazed' in the context of Dioscorus' memorandum to rebut the spread of Origenism and other heretical ideas. Hugo Lundhaug rightly warns, however, that Shenoute's text does not contain any information that would prove that Shenoute wrote 'I am amazed' in response to Dioscorus' memorandum; the archimandrite could have written the text already in the 430s or in the early 440s, before Dioscorus' tenure.¹⁵⁴

That said, the problem of Upper Egyptian 'Origenism' is unknown for Cyril's tenure.¹⁵⁵ Shenoute incorporated into *I am amazed* Theophilus' anti-Origenist sixteenth festal letters (from 401 CE) but no letter or treatise by Cyril.¹⁵⁶ Either Cyril did not look into this problem because he was too involved with

¹⁵² See now Hugo Lundhaug, 'Shenoute's Heresiological Polemics and its Context(s)', in *Invention, Rewriting, Usurpation: Discursive Fights over Religious Traditions in Antiquity*, ed. Jörg Ulrich, Anders-Christian Jacobsen and David Brakke (Frankfurt: Peter Lang, 2012), pp. 239–61; similar or partially identical: Hugo Lundhaug, 'Origenism in Fifth-Century Upper Egypt: Shenoute of Atripe and the Nag Hammadi Codices', *Studia Patristica* 64 (2013): pp. 217–28 and also next footnote; see also Dechow, *Dogma and Mysticism in Early Christianity*, pp. 230–40 and Elizabeth A. Clark, *The Origenist Controversy: The Cultural Construction of an Early Christian Debate* (Princeton: Princeton University Press, 1992), pp. 151–8; see also Alois Grillmeier, 'La "Peste d'Origène": Soucis du patriarche d'Alexandrie dus à l'apparition d'origénistes en Haute Égypte (444–451)', in *Alexandrina: Juddaïsme, juddaïsme et christianisme à Alexandrie. Mélanges offerts au P. Claude Mondésert* (Patrimoines 1) (Paris: CERF, 1987), pp. 221–37 and Alois Grillmeier, *Jesus der Christus im Glauben der Kirche vol. II/4: Die Kirche von Alexandrien mit Nubien und Äthiopien nach 451* (Freiburg: Herder, 1990), pp. 176–7.

¹⁵³ Edition and German translation in Cristea, *Schenute von Atripe: Contra Origenistas*. Despite the title, the text is not just against 'Origenism' but other heresies and Jews as well, and there is no internal evidence to firmly date this to the time of Dioscorus' tenure. It was clearly written after the First Council of Ephesus and probably before Nestorius' death (that is, before 450–51); Cristea, *Schenute von Atripe: Contra Origenistas*, pp. 19 and 43. See also Caroline T. Schroeder, *Monastic Bodies. Discipline and Salvation in Shenoute of Atripe* (Philadelphia: University of Pennsylvania Press, 2007), pp. 129–30 and Brakke and Crislip, *Selected Discourses of Shenoute the Great*, pp. 32–4. Enzo Lucchesi ascribed the work to Dioscorus but this has been refuted (see Lundhaug and Cristea above): Enzo Lucchesi, 'Chénouté a-t-il écrit en Grec?', in *Mélanges Antoine Guillaumont: Contributions à l'Étude des Christianismes Orientaux avec une bibliographie du dédicataire*, ed. R.-G. Coquin (Genève: Patrick Cramer, 1988), pp. 201–10, here 206–7 n. 9.

¹⁵⁴ Neither Elias nor Dioscorus are named, nor are any place names that appear in Dioscorus' memorandum; Lundhaug, 'Shenoute's Heresiological Polemics and its Context(s)', here 251–2.

¹⁵⁵ Cyril's only explicit anti-Origenist letter concerns the monks in the Scetis: Cyril, *ep.* 81; ACO III.201–202; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 105–6.

¹⁵⁶ If *I am amazed* were to be dated to Dioscorus' tenure, it probably indicates that Dioscorus noted the problem but did not compose a theological treatise himself. Instead, he left the actual anti-heretical work on the ground to Shenoute.

international ecclesiastical politics (and less focused on domestic affairs, as the problems around the Alexandrian chapter indicate) or Upper Egyptian 'Origenism' only resurfaced under Dioscorus. Be that as it may, 'I am amazed' and Dioscorus' memorandum prove that heretical ideas and apocryphal texts circulated in Upper Egypt (in the area of Panopolis) throughout the 440s, and that Dioscorus as patriarch of Alexandria was willing to monitor the problematic development closely.¹⁵⁷ The date of Dioscorus' correspondence is unknown but it must have taken place before 448–9, when Dioscorus began to be preoccupied with imperial politics.

Being Patriarch III: Dioscorus and the Egyptian Episcopate

Dioscorus' election and ordination took place with the active participation of some bishops, very likely those present in Alexandria (the Alexandrian *synodos endemousa*) in the summer of 444, and generally found approval among the Egyptian episcopate.¹⁵⁸ Patristic scholars since Eduard Schwartz even posit that Dioscorus' rule as patriarch—or at least his influence—extended beyond the southern borders of Egypt into Ethiopia. A certain Sabinus is said to have been bishop of Adulis at the Red Sea/Ethiopia and to have accompanied Dioscorus and the Egyptian delegation to the Council of Chalcedon. If true, this trip would be astonishing proof of a close link between the patriarch of Alexandria and Ethiopia. Most recently, in their English translation, Richard Price and Michael Gaddis follow Schwartz and his text in the *Acta Conciliorum Oecumenicorum*. Schwartz's argument remains flawed, however, and most likely no link existed between Adulis and Alexandria in the time of Dioscorus.

The text from the Council of Chalcedon reads Σαβίνου δουλου [also δούλου, βοτοῦ and κοπιτιῶν in some manuscripts]/ Sabino Duli (*Acts of Chalcedon* I.3 [141]) and Σαβίνος ἐπίσκοπος Κοπιτιῶν/*Sabinus episcopus doctitorum* (IV.25). Schwartz argued that Sabinus must have been a bishop of the Coptic community in Adulis,¹⁵⁹ but Ernest Honigmann immediately objected. Honigmann thought it

¹⁵⁷ As Dioscorus might already have done while he still was Cyril's archdeacon during the latter's illness. Dioscorus kept cordial relationship with Shenoute—like his predecessors Athanasius or Cyril, who had always striven for good relationships with monastic communities. For Athanasius and Cyril as models for Dioscorus see Theopistus, *Life of Dioscorus* 6 (Syriac) and 34 (Arabic); *Histoire de Dioscore, patriarche d'Alexandrie, écrite par son disciple Théopiste*, ed. and trans. F. Nau (Paris: Imprimerie Nationale, 1903), pp. 38–9 (pp. 256–7); *Die Arabische Version der Vita Dioscori*, ed. and trans. Samuel Moawad [PO 246] (Turnhout: Brepols, 2016), pp. 40–3.

¹⁵⁸ In contrast to the Cyrillian plaintiffs from Alexandria, no bishop came forward to charge him with anything at Chalcedon, but this obviously does not prove the non-existence of antagonized bishops. See the case of Nestorius *et alii* and below, pp. 71–3.

¹⁵⁹ Eduard Schwartz, 'Ein Bischof der römischen Reichskirche in Abessienien', *Philologus* 91 (1936): pp. 355–7; Eduard Schwartz, *Acta Conciliorum Oecumenicorum: Concilium Universale Chalcedonense. Tomus II vol. 6: Prosopographia et Topographia Atorum Chalcedonensium et Encycliorum Indices*

unlikely that only bishops from Lower Egypt and Libya (all episcopal sees close to Alexandria and/or the Mediterranean) accompanied Dioscorus to Chalcedon—with the sole exception of Sabinus, who resided more than 2,000 kilometres away.¹⁶⁰ Honigmann preferred the reading of *Βοτοῦ* and identified the see with Buto (which had sent its bishop to the Council of Ephesus in 431 as well) in the Nile Delta or Lower Egypt or, alternatively, suggested that *δουλου* is the short form of an otherwise unknown see, 'Doulopolis'. The riddle cannot be completely solved but the fact that 'Adulis/Ἀδουλις' appears in no manuscript clearly contradicts Schwartz's ingenious suggestion, as Honigmann rightly notes. That said, Honigmann's claim that it is necessary to locate the see in question in Lower Egypt is not compelling either. He postulates that Dioscorus established a 'rule of terror' (obviously influenced by post-Chalcedonian Western perception of Dioscorus), forcing bishops from Lower Egypt who could not escape his terror (in contrast to those from Upper Egypt further away) to join him for the Council of Chalcedon.¹⁶¹

It would be highly instructive to know how bishops were selected to accompany their patriarch to an ecumenical council.¹⁶² Overall, there were 90–100 bishoprics in Egypt, twenty-nine of which were in the Nile Valley (Middle and Upper Egypt), forty-four in the Delta, with the rest in Libya and the Pentapolis.¹⁶³ If the lists of Egyptian bishops for the Councils of Ephesus in 431 and 449 are any indication, both Cyril and Dioscorus were accompanied largely by bishops from Lower Egypt:¹⁶⁴ out of the forty-four bishops who accompanied Cyril in 431, twenty-eight came from Lower Egypt (the provinces of Aegyptus I and II, and Augustamnica I and II), nine came from (Middle-) Upper Egypt (Arcadia and Thebais I and II) and seven from Libya (Libya Inferior and Libya Pentapolis). In 449, twelve bishops from Lower Egypt accompanied Dioscorus, three from Upper Egypt and eight from Libya.

(Berlin: de Gruyter, 1938), pp. 60 and 81; Rudolf Schieffer, *Index Generalis Tomorum I—III Pars Secunda Index Prosopographicus* (Berlin: de Gruyter, 1982), pp. 4 and 423; and ACC, vol. 1, p. 126, vol. 3, pp. 202 n. 24, 278 and 297 as 'Aduli', and vol. 2, p. 148 as 'bishop of Coptitae'.

¹⁶⁰ Ernest Honigmann, 'Sur les listes des évêques participant aux conciles de Nicée, de Constantinople et de Chalcédoine', *Byzantion* 12, no. 1–2 (1937): pp. 323–47, here 345 and Ernest Honigmann, 'Un Évêque d'Adoulis au Concile de Chalcédoine', *Byzantion* 20 (1950): pp. 295–301.

¹⁶¹ Honigmann, 'Un Évêque d'Adoulis au Concile de Chalcédoine', p. 300.

¹⁶² If Theodoret's recommendation to Domnus (Theodoret, *ep.* 112) can be regarded as representative, it was up to the patriarch's discretion; for the letter see Chapter 3, p. 113, n. 140. It can, however, be assumed that certain mechanisms were at play that made it difficult for the patriarch to do so completely arbitrarily.

¹⁶³ Roger Bagnall, *Egypt in Late Antiquity* (Princeton: Princeton University Press, 1993), p. 285.

¹⁶⁴ The numbers are compiled (with the exception of Sabinus of Adulis) from ACC, vol. 3, pp. 292–305. See also Hans Reinhard Seeliger and Kirsten Krumeich, *Archäologie der antiken Bischofssitze I: Spätantike Bischofssitze Ägyptens* (Wiesbaden: Reichert, 2007), particularly the list of sees on pp. 8–16, which shows that for the sixth century almost three-quarters of the sees were located in Lower Egypt while only one quarter were in Upper Egypt. Libya is not included here; see also Siebigs, *Kaiser Leo I*, pp. 972–3.

It is not surprising that most bishops came from Lower Egypt considering that the large majority of cities, and therefore sees, were located there. That Dioscorus took only three bishops from Upper Egypt but eight bishops from Libya to Ephesus in 449 was either due to the Origenist controversy in Upper Egypt, which required episcopal presence during the patriarchal absence from Egypt, or simply a statistical variance: Cyril took three times as many bishops from Lower than from Upper Egypt (28:9), Dioscorus, four times (12:3). That said, inasmuch as Shenoute and some fellow monks presumably joined for the Second Council of Ephesus as well, Upper Egypt was hardly underrepresented.

For Chalcedon, the numbers of bishops who accompanied Dioscorus were fifteen from Lower Egypt, two from Libya, as well as Sabinus and John of Psinchaus, whose see has not been located but was likely either in the Delta (Augustamnica) or the Fayyum (Arcadia).¹⁶⁵ Unaware of the Schwartz-Honigmann controversy, Stefan Timm and Klaas Worp read the See of Sabinus as Coptos/Qift in Upper Egypt, and considering that the manuscripts clearly attest *κοππιτῶν*, this is most likely the See of Sabinus.¹⁶⁶ Furthermore, one need not assume that Sabinus was summoned from the Thebaid to join for Chalcedon, as the previously discussed Sabinus of Panopolis suggests. Sabinus of Coptos was presumably also in Alexandria on an official mission (because of the Origenist controversy?) when asked to join his patriarch for Chalcedon.

That four-fifths of the bishops accompanying Dioscorus to Chalcedon came from Lower Egypt is more unbalanced than the composition of episcopal delegations to the First and Second Councils of Ephesus. Why this was the case is not due to a rule of terror, however, but instead likely due to a practical reason. Cyril was summoned to the Council of Ephesus in June 431 already at the end of November 430 and had therefore roughly six months to gather bishops and travel to Ephesus. Dioscorus was summoned to the Second Council of Ephesus at the end of March 449—to assemble in August in Ephesus—giving him around three months to gather his bishops and travel to the Council. For Chalcedon, Dioscorus was certainly not summoned before 23 May 451, which gave him only around two months to gather his delegation and travel to Nicaea (where the Council was originally set to take place) by 1 September.

¹⁶⁵ For Psinchaus/Psinchis/Psinchos see Alberto Camplani and Annick Martin, 'Lettres festales et listes épiscopales dans l'Église d'Alexandrie et d'Égypte à propos de la liste épiscopale accompagnant la première lettre festale de Cyrille d'Alexandrie conserve en copte', *Journal of Juristic Papyrology* 30 (2000): pp. 7–20, here 18, arguing for the delta/Augustamnica; Klaas A. Worp, 'A Checklist of Bishops in Byzantine Egypt', *Zeitschrift für Papyrologie und Epigraphik* 100 (1994): pp. 283–318, here 306 n. 137 and 316, considers the Fayyum, too, a possible location.

¹⁶⁶ For Sabinus as bishop of Coptos see Stefan Timm, *Das Christlich-Koptische Ägypten*, vol. 5 (Wiesbaden: Reichert, 1991), p. 2141 and Worp, 'A Checklist of Bishops in Byzantine Egypt', pp. 301 and 315. Stuart C. Munro-Hay in his *Ethiopia and Alexandria: The Metropolitan Episcopacy of Ethiopia* (Warszawa: Zas Pan, 1997), p. 71 does not take sides but considers Adulis possible—as well as Buto, Doulopolis or Coptos. Siebigs, *Kaiser Leo I*, p. 1003 favours Adulis in reliance on ACO.

When the imperial *sacra* arrived in Alexandria in June 451, it must have caused some worries among the Egyptian bishops.¹⁶⁷ Referring to Pope Leo's *Tome*, the *sacra* points out that doubts concerning orthodoxy had arisen, and by June 451 several decisions of the Second Council of Ephesus had already been scrapped by the court.¹⁶⁸ Without doubt, the *synodos endemousa* in Alexandria discussed the *sacra*, and Dioscorus and his fellow-bishops were faced with the decision to either comply with the imperial summons and defend the decisions of the Council of 449 in person or refuse to join and raise their concerns from a safe distance. The latter would not only have angered the emperor but could also have provoked a situation in which a council assembled and issued decisions (later to be regarded ecumenical) without Alexandria's input.¹⁶⁹ Worries about such a worst-case scenario must have been stronger than the concerns of attending a council that appeared less promising than that of Ephesus in 449.¹⁷⁰ Dioscorus might also have regretted at least one of the sentences from 449 by then, and might have been willing to rectify this while at the same time firmly defending Cyril's *Twelve Chapters* against Leo's *Tome*.¹⁷¹

Considering the short notice Dioscorus received for travelling to Nicaea/Chalcedon, the most practical solution must have been to take the bishops of his *synodos endemousa* plus some of those bishops who resided close by to Chalcedon. This way, most Egyptian bishops at Chalcedon came from Lower Egypt, two from Libya and one or two (if Psinchaus is located in the Fayyum) from Upper Egypt.¹⁷² From these nineteen bishops who accompanied Dioscorus, four deserted him at the first session of the Council of Chalcedon, and Timothy Gregory assumed that they 'may represent a larger movement of opposition against the episcopacy of Dioscorus'.¹⁷³ Most Egyptian bishops, however, stood

¹⁶⁷ Theopistus, *Life of Dioscorus* 4 (Syriac) and 18–20 (Arabic); Nau, p. 30 (pp. 249–50); Moawad, pp. 28–31 does not know the original *sacra* but postulates that Marcian considered Ibas of Edessa, Theodoret of Cyrrhus and Andrew of Samosata as religious advisors and requests everybody (in Alexandria) to agree to his 'heresy'. In Theopistus, *Life of Dioscorus* 9 (Syriac); *Histoire de Dioscore*, Nau, pp. 53–4 (p. 270) the three bishops appear at the Council of Chalcedon although Andrew was already dead for several years.

¹⁶⁸ See Chapter 3, pp. 143–4, and Chapter 4, p. 154. Bevan argues that Marcian even intended to invite the exiled Nestorius to the Council of Chalcedon; Bevan, *The New Judas*, pp. 323–30. If officials from Constantinople had made their way to Panopolis in the Thebaid in 451, this would not have gone unnoticed by the bishops in Alexandria. According to the sources, Nestorius died before he could travel to Chalcedon. It seems very unlikely, however, that Marcian really intended to invite Nestorius: the expectation of Nestorius' attendance would cause not only Dioscorus and the Egyptian bishops but also many other bishops to abstain from the council.

¹⁶⁹ Just as Cyril's council in Ephesus had made decisions without John of Antioch in 431 or Dioscorus had done in 449 against Pope Leo.

¹⁷⁰ It can, however, be assumed that the Egyptian bishops were worried of what they would face considering that imperial politics had changed: see Theodore's *libellus* against Dioscorus (*Acts of Chalcedon* I.47), claiming that bishops did not want to join Dioscorus because of the 'crimes' committed at the Second Council of Ephesus.

¹⁷¹ See Chapter 3, pp. 146–7.

¹⁷² See discussion above, p. 70.

¹⁷³ Gregory, *Vox Populi*, p. 175.

up for Dioscorus in Chalcedon even after his deposition, when it was obvious to everyone that his case was lost.

In the fourth session, thirteen Egyptian bishops put up remarkable resistance against *all* other bishops in attendance, who forcefully urged them to condemn Dioscorus and accept the *Tome* of Leo.¹⁷⁴ These thirteen bishops, led by Hieracis of Aphaeum, who had already accompanied Cyril to the Council of Ephesus twenty years earlier, emphasized procedural reasons for their resistance: they would only obey a newly elected patriarch of Alexandria. As the council insisted, though, the Egyptian bishops threw themselves on the ground and begged for mercy (*Acts of Chalcedon* IV.49), claiming that they feared for their life if they were to anathematize Dioscorus and agree to the Council of Chalcedon. If the council would not consent to their petition, they preferred to die now rather than to submit to the council and be killed at home. It is unimaginable that the Egyptian bishops would humiliate themselves in such a way if there were any sizeable opposition among the Egyptian episcopate. Dioscorus must have been respected if not popular in Egypt, and the bishops feared the reactions of their communities if they deserted him.¹⁷⁵

Two Egyptian bishops neither deserted Dioscorus nor even attended the fourth session: Theodulus of Tesila and Isaías of Hermopolis Minor. They had been firm supporters of Dioscorus' ecclesiastical politics previously. Theodulus' verdict in Ephesus in 449 is recorded thusly: 'It would have been better for the former bishops Flavian and Eusebius if they had not been born, but to have millstones hung round their necks and be thrown into the sea.'¹⁷⁶ Considering the aggressive language (based on Mt 26:24 and Mt 18:6), Theodulus—and perhaps also Isaías—might have belonged to a radical faction in Egypt that, after the first session of Chalcedon, believed that any doctrinal hope was lost, and therefore they were not even willing to defend their position in front of the other bishops in the fourth session.¹⁷⁷ In short, four bishops deserted Dioscorus when it became obvious that his case had been lost, thirteen defended him publicly, and two others might have been in radical opposition to the Chalcedonian bishops.

The four deserting bishops were Athanasius of Busiris, Auxonius of Sebennytus, Macarius of Cabasa, and Dioscorus' former *oikonomos* Nestorius, who had become bishop of Phragonis by 451. All four bishoprics were located in the province of Aegyptus II. Perhaps a regional issue had triggered episcopal

¹⁷⁴ *Acts of Chalcedon* IV.19–62; ACC, vol. 2, pp. 147–53; G. E. M. de Ste. Croix, 'The Council of Chalcedon', in *Christian Persecution, Martyrdom, and Orthodoxy*, ed. Michael Whitby (Oxford: Oxford University Press, 2016), pp. 315–17 judges the Egyptian bishops harshly.

¹⁷⁵ This episode also shows the omnipotent position of the patriarch of Alexandria in Egypt. An ecumenical council meant nothing for the Egyptian bishops if not agreed upon by their patriarch.

¹⁷⁶ Only transmitted in the Latin acts: *ACO* II.3.1, p. 251; ACC, vol. 1, p. 356.

¹⁷⁷ It can be assumed that the Council requested them to join the fourth session but, as they disobeyed, record of this has not been transmitted.

resentment against the patriarch, or perhaps their desertion was simply a prudent political decision by four companioned bishops who would benefit and go on to play a major role for the Egyptian Church in the immediate aftermath of the Council of Chalcedon. They ordained Dioscorus' successor, Proterius, and Nestorius became the new patriarch's right-hand man, serving him on a mission to receive papal approval of Proterius' election.¹⁷⁸ Notably, however, at least two of the four bishops who deserted their patriarch, Nestorius of Phragonis and Macarius of Cabasa, had been ordained under Dioscorus, and perhaps the other two, Auxonius of Sebennytus and Athanasius of Busiris, had been as well.¹⁷⁹ Why would Dioscorus' own appointees turn on him while long-serving bishops like Hieracis of Aphaeum, ordained by Cyril, remained loyal?

Honigmann's assumption of Dioscorus' 'rule of terror' remains pure fantasy, and Ischyryon's insinuation of violent behaviour is also unverifiable. Ischyryon's note about Dioscorus' fury, however, together with Nestorius' dismissal as *oikonomos* and the fact that several bishops who had personal contact with Dioscorus deserted him, indicates that Dioscorus might have antagonized his clerics rather quickly. The patriarch might have been brusque with priests and bishops who did not take their tasks as seriously as he did. He likely took swift action against clerics who were negligent (or whom he believed to be negligent) but failed to articulate his intentions properly to remedy shortcomings. The sixth-century chronicler Ps-Zachariah Rhetor noted that Dioscorus was 'a serene man and a combatant (*agonistes*), even if he did not have the same readiness or boldness [of speech] as Cyril'.¹⁸⁰ Being strict and 'serene' but not charismatic points to a lack of leadership qualities that Cyril—who had galvanized a loyal base of followers both in Egypt and abroad—certainly possessed.¹⁸¹ The four bishops who deserted Dioscorus very likely did not trust his ability to lead the Egyptian Church as their patriarch. There thus emerges a tentative portrait of Dioscorus as a fastidious bureaucrat, one who successfully micromanaged a church administration that was used to the more laissez-faire approach of late Cyrilian rule but who was no charismatic leader capable of inspiring his audience with any theological doctrine or ecclesiastical vision.

¹⁷⁸ They thereby returned a minority of the Egyptian episcopate into the imperial Chalcedonian church. Siebigs, *Kaiser Leo I*, pp. 114–15.

¹⁷⁹ Auxonius of Sebennytus and Athanasius of Busiris might already have been ordained under Cyril.

¹⁸⁰ Ps-Zachariah Rhetor, *Church History* III.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 147; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 99 [modified].

¹⁸¹ See also Theodore Lector, who noted that Dioscorus 'was not like a teacher at all'; Theodore Lector, *Church History* 342; Hansen, p. 97.

Being Patriarch IV: Dioscorus and ‘International’ Ecclesiastical Politics

Pope Leo (440–461) welcomed Dioscorus’ ascension to the throne of St Mark in his synodical letter from 21 June 445:¹⁸²

For since the most blessed Apostle Peter received the apostolic primacy from the Lord and the Roman Church continues the traditions he established, it is wrong to believe that his holy disciple Mark, who first ruled the Church at Alexandria, formulated decrees with other provisions than those handed down to him. For the single spirit of the disciple and the master was unquestionably from the same source of grace, nor could the one consecrated hand down something different from what he received from his consecrator.¹⁸³

Although the letter is cordial in tone, and Dioscorus is credited with ‘spiritual grace’, Leo’s sense of his superior status and mission is remarkably visible when he requests that Alexandria follow certain ritual practices established in Rome.¹⁸⁴ As Alexandria was the see that set the date for Easter in Antiquity, Dioscorus must have found Leo’s letter imposing and encroaching on Alexandria’s leading role for Mediterranean Christendom.¹⁸⁵

This letter might not have been the first epistolary encounter between the two, as late in 442 Leo wrote to Alexandria to inquire about the date of Easter. An undated (and unaddressed) reply by Cyril concerning the date of Easter might be spurious, but Leo’s further inquiries prove that at least some epistolary exchange occurred, and Alexandria had most likely dictated to Rome the date for Easter.¹⁸⁶ If Cyril was incapacitated towards the end of his life, it must have been his

¹⁸² For Leo’s role as pope see for example Walter Ullmann, ‘Leo I and the Theme of Papal Primacy’, *Journal of Theological Studies* 11 (1960): pp. 25–51 and George E. Demacopoulos, *The Invention of Peter: Apostolic Discourse and Papal Authority in Late Antiquity* (Philadelphia: University of Pennsylvania Press, 2013), pp. 39–72. For the relationship with Alexandria see Stefan Klug, *Alexandria und Rom: Die Geschichte der Beziehungen zweier Kirchen in der Antike* (Münster, Westf.: Aschendorff, 2014), pp. 1–3 and 372–5.

¹⁸³ Leo, *ep. 9*; *PL* 54, pp. 624–7, here 625; *St. Leo the Great: Letters*, trans. Edmund Hunt (New York: Fathers of the Church, 1957), p. 33. The beginning of the letter indicates that this was Leo’s first letter after Dioscorus’ ordination. See a letter by Leo with similar claims and tone to Dioscorus’ successor Proterius: Leo, *ep. 129*; *ACO* II.4, pp. 84–6; *St. Leo the Great: Letters*, Hunt, pp. 214–17.

¹⁸⁴ The ritual practices were: ordinations should take place only Saturdays nights and Sundays—Sunday ordinations were the norm in Alexandria for episcopal ordinations, at least, but perhaps not for lower clergy. Dioscorus was also asked to hold several masses if more faithful arrived than the church could hold. Both requests seem rather tedious, and it is difficult to imagine that Leo’s letter was appreciated.

¹⁸⁵ See Allen, ‘The Festal Letters of the Patriarchs of Alexandria’.

¹⁸⁶ Leo’s letter to Alexandria does not survive but there is a reference to it in bishop Paschasinus’ letter to Leo: Leo, *ep. 3*; *PL* 54, pp. 606–10; see also Cyril, *ep. 86*; *St. Cyril of Alexandria: Letters 51–110*, McEnerney, pp. 118–21. See Caspar, *Geschichte des Papsttums*, vol. 1, pp. 459–61 and Klug, *Alexandria und Rom*, p. 362.

archdeacon Dioscorus who decreed the date to Leo. The pope would hardly have appreciated being lectured by an archdeacon.¹⁸⁷

Leo must have regarded Cyril's indisposition throughout his final years and his inability to fill his traditionally dominant role beyond Egypt as a welcome opportunity to put the See of Rome on the map. Leo's tone towards the Church of Alexandria was more forceful than that of Leo's predecessors towards Cyril.¹⁸⁸ Further, Pope Celestine (422–432) had considered Cyril to be his official representative for the Council of Ephesus and the negotiations with John of Antioch; but in 445 Leo pointed out that Dioscorus needed Leo's recognition as patriarch of Alexandria and was inferior to the See of Rome.¹⁸⁹ Leo claimed apostolic primacy and the ecclesiastical superiority of Rome over the See of Alexandria in no uncertain terms: Mark was the disciple of Peter, and therefore the successors of St Mark on the episcopal throne of Alexandria had to follow the rules set by the successors of St Peter.¹⁹⁰

The papal claim to primacy and the competition for the most prestigious apostolic lineage are picked up in later non-Chalcedonian literature. The Arabic and Syriac *Life of Dioscorus*, which may go back to a fifth-century original,¹⁹¹ invented a situation just before the Council of Chalcedon in which Emperor Marcian appears uncertain about whose theological advice to follow: "Is Mark greater than Peter and shall we agree with the little (patriarchal) throne more than with the big?"¹⁹² The Coptic *Panegyric on Macarius* does not question Peter as Prince of the Apostles but denies his successors any claim to his apostolic lineage: "Why would I [Peter] not weep when they call me the chief of the apostles? The things which I planted through the whole world, behold, they have been plucked out. The things which my son, Mark, planted, behold, they take root and yield to heaven until now."¹⁹³ In other words, even the Coptic tradition *nolens volens* accepted the biblical primacy of Peter but delegitimized the papacy for the benefit of Alexandria.

¹⁸⁷ Nevertheless, as even Paschasinus, bishop of Lilybaeum and trusted aid of Leo, regarded the Alexandrian date correct, Leo accepted it. See Jan-Marcus Kötter, 'Umgang zeitgenössischer lateinischer Chronistik mit reichskirchlicher Entwicklung', in *Das Christentum im frühen Europa: Diskurse—Tendenzen—Entscheidungen*, ed. Uta Heil (Berlin: de Gruyter, 2019), pp. 281–300, here 285 with n. 15.

¹⁸⁸ See Caspar, *Geschichte des Papsttums*, vol. 1, pp. 457–8 and Klug, *Alexandria und Rom*, p. 353.

¹⁸⁹ In contrast to most other popes, Leo had lived in Constantinople for years before his ordination as pope and understood the sentiments and ambitions of his eastern colleagues quite well.

¹⁹⁰ For the earliest history of the See of St Mark see Stephen J. Davis, *The Early Coptic Papacy: The Egyptian Church and Its Leadership in Late Antiquity* (Cairo: American University in Cairo Press, 2004), pp. 1–14.

¹⁹¹ Several versions have survived which can be dated to the sixth century or later but may be based on a fifth-century letter or report from Dioscorus' exile after 451; for an up-to-date summary of the state of research see Moawad, 'Die Arabische Version der *Vita Dioscori*'; see also Conclusion, pp. 189–90.

¹⁹² Theopistus, *Life of Dioscorus* 5 (Syriac) and 30 (Arabic); Nau, p. 36 (pp. 254–5); Moawad, pp. 36–7.

¹⁹³ Ps-Dioscorus, *Panegyric on Macarius* 9; Johnson, p. 73 (p. 56).

It was not just Leo who started claiming the apostolic lineage of Peter, but the patriarchs of Antioch, too, recalled their status as successors of Peter. In his *Tome*¹⁹⁴ to Flavian of Constantinople in September 448, Patriarch Domnus (442–449) points out that Dioscorus should know that ‘the great city of Antioch possesses the Throne of Peter, who was, too, the teacher of Blessed Mark and of all the first Apostles, as well as their (head) leader’.¹⁹⁵ Unfortunately, no epistolary exchange between Domnus and Dioscorus from the time of Dioscorus’ ascension to the See of St Mark survives. In his *Tome*, however, Domnus recalls that in his synodical letters he had assured Dioscorus that he conformed to the ‘articles of the agreement drawn up in the days of Cyril’ as well as to the Council of Nicaea of the ‘holy and very blessed fathers’ and requested that Dioscorus compel those who (had) not agreed to these documents to subscribe.¹⁹⁶

This letter must have alarmed Dioscorus because Domnus certainly did not omit the Council of Ephesus in 431 by accident. Domnus was testing whether the patriarch of Alexandria would settle for the *Reunion of 433* as the *only* doctrinal agreement in addition to Nicaea, bypassing Ephesus as ecumenical council.¹⁹⁷ Dioscorus’ answer does not survive but presumably he referred both to the Council of Nicaea *and* to the Council of Ephesus, as he did in a letter to Domnus in 448: ‘These are the Doctrines of the Ancient [Nicaea] and the Modern Synod [Ephesus].’¹⁹⁸ Here Dioscorus refers in total three times to both councils as the basis of orthodoxy and, as friendly gesture, merely alludes to the *Reunion of 433*.¹⁹⁹ Dioscorus points out that Domnus’ predecessor, John, had been in agreement with ‘us’ (that is, Alexandria), and wanted to keep the ‘Concord of the Church common to us and you’.

¹⁹⁴ In scholarship this is simply called a ‘letter’ but considering its ideological and programmatic impact (see here and Chapter 3, pp. 95–8), I call it *Tome* to indicate its importance and also to facilitate recognition of this specific letter throughout these chapters.

¹⁹⁵ The *Tome* seems to have been composed by Theodoret for Domnus, and there are a few noticeable differences between Theodoret’s first and Domnus’ final version. For Domnus’ *Tome* see Flemming, pp. 120–3; Perry (1881), pp. 298–306, here 303–4; for the first version see Theodoret, *ep.* 86; *Théodoret de Cyr: Correspondance II* (*Ep. S. 1–95*), ed. and trans. Yvan Azéma (Paris: Les Éditions du CERF, 1964), pp. 226–33; for the date here 226 n.1.

¹⁹⁶ Flemming, pp. 120–1; Perry (1881), pp. 299–300 and *Théodoret de Cyr: Correspondance II*, Azéma, pp. 226–7; Domnus also points to Athanasius’ letter to Epictetus, which was part of the agreement between John of Antioch and Cyril. Domnus mentioned two synodical letters to Dioscorus but it remains unclear if one was perhaps from the home synod at Antioch.

¹⁹⁷ See also the *libellus* of the priest Pelagius from Antioch at the Second Council of Ephesus: he complained that Domnus and Theodoret disregarded the First Council of Ephesus—‘without the slightest regard for the Synod preceding this your Holy one’—and drew up a Creed ‘according to their own fancy’. He obviously referred to the so-called *Canon 7* of Ephesus (see Chapter 3, pp. 111–12); Flemming, pp. 86–7 and Perry (1881), p. 212.

¹⁹⁸ Flemming, pp. 136–7, and Perry (1881), p. 332.

¹⁹⁹ Shawn Keough has pointed this out and interprets it as an ‘attempt to appeal to the settlement of 433 as a basis for resolving recent tensions’. Shawn W.J. Keough, ‘Rival Standards of Faith and Contested Canons of Episcopal Authority: The Correspondence between Dioskoros & Domnus preserved in the Syriac Acts of Ephesus II (449)’, *Parole de l’Orient* 35 (2010): pp. 407–27, here 417 n. 36 and 419. For the letter of *Reunion* see Cyril, *ep.* 39, and for Dioscorus’ allusion to the quote from Paul: Flemming, pp. 134–5 and Perry (1881), p. 329.

This is the first of two extant letters by Dioscorus to Domnus, dated to summer 448.²⁰⁰ Dioscorus had been informed of Theodoret's heretical preaching in Antioch (although Dioscorus only speaks of 'that wise bishop of Cyrrhus'); besides criticizing Theodoret's supposed division of Christ in this letter, the patriarch of Alexandria indirectly scolds Domnus, too, for giving the bishop of Cyrrhus a stage for his doctrines in Antioch.²⁰¹ Theodoret was a frequent guest in Antioch, but this specific occurrence took place at Easter 448, when clerics from Edessa arrived in Antioch to accuse their bishop Ibas.²⁰² This happened shortly after Emperor Theodosius had issued an 'Anti-Nestorian' edict on 16 February 448, which based orthodoxy on the Councils of Nicaea and Ephesus (without mentioning the *Reunion of 433*). The edict ordered 'Nestorians' to be expelled from the Church and all past and present writings bearing 'Nestorian' beliefs to be burned.²⁰³ Furthermore, Irenaeus, a former *comes* and friend of Nestorius and Theodoret who had been recently ordained by Domnus of Antioch as bishop of Tyre/Phoenicia (maybe in 445/46),²⁰⁴ was to be removed from his see.²⁰⁵ The imperial edict was a slap in the face of the dyophysite eastern bishops, particularly Theodoret. The phrase in the edict that 'certain persons have composed certain [Nestorian] doctrines and have exhibited ambiguities not accurately consonant with the orthodox faith' can only refer to the literary oeuvre of the very productive Theodoret.²⁰⁶

²⁰⁰ Dioscorus' letter mentions Theodosius' II edict of February 16, 448, and the acts of the Council make clear that the letter was a response to Theodoret's and Domnus' preaching in Antioch in connection to which the dyophysites in Antioch shouted against the edict. As the acts of Ephesus clearly show, Theodoret's preaching was just before Easter 448; Flemming, pp. 118–19 and Perry (1881), pp. 295–7. As eastern monks brought the news to Alexandria and ensured Dioscorus' involvement, the letter cannot have been written before summer 448. For this exchange of letters see Keough, 'Rival Standards'.

²⁰¹ For the accusations against Theodoret see Flemming, pp. 118–19 (the monks' report) and 134–5 (Dioscorus' letter); Perry (1881), pp. 294–5 and 330–1.

²⁰² See Chapter 3, p. 92. It seems that before summer 448, when he was banned to his home city, Theodoret stayed quite regularly and for longer periods of time in Antioch; see Theodoret, *ep.* 81; Flemming, pp. 114–15 and Bevan, *The New Judas*, pp. 289–90.

²⁰³ ACO I.1.4, p. 66; translation in Paul R. Coleman-Norton, *Roman State & Christian Church: A Collection of Legal Documents to A.D. 535*, vol. 2 (London: S.P.C.K., 1966), pp. 741–3. See Chapter 1, p. 37 n. 139.

²⁰⁴ According to the acts of the Second Council of Ephesus in 449, Irenaeus was ordained twelve years after Nestorius was exiled (Flemming, pp. 118–19; Perry (1881), pp. 296), and Nestorius was exiled in 436; see George A. Bevan, 'Theodoret of Cyrrhus and Syrian Episcopal Elections', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 61–87, here 78. Even if the date given in the Syriac text cannot be taken at face value, it can be assumed that protests against Irenaeus started soon after he became bishop. There is no basis for dating it as early as 442; see Vasilije Vranic, *The Constancy and Development in the Christology of Theodoret of Cyrrhus* (Leiden: Brill, 2015), p. 59. But see Theodoret, *ep.* 110; *Théodoret de Cyr: Correspondance III (Ep. S. 96–147)*, ed. and trans. Yvan Azéma (Paris: Les Éditions du CERF, 1965), pp. 38–43 that supposedly Proclus of Constantinople (434–446) approved Irenaeus' election before his death.

²⁰⁵ Although the edict refers to his status as twice married, it was his faith that was questionable rather than his personal circumstances; see also Theodoret, *ep.* 110. George A. Bevan and Patrick Gray, 'The Trial of Eutyches: A New Interpretation', *Byzantische Zeitschrift* 101–102 (2008): pp. 617–57 at p. 617 consider the ordination illegal.

²⁰⁶ Coleman-Norton, p. 742. For Theodoret see also Chapter 3, pp. 93–8.

Theodosius had looked upon Theodoret with suspicion at least since 445, when the emperor forbade the bishop of Cyrrhus to attend a synod in Antioch.²⁰⁷ Theodoret seems to have used the opportunity of preaching in Antioch in spring 448 to reproach Theodosius' edict; people in the streets of Antioch responded enthusiastically: 'No man is a believer in an Edict (*sacra*)—no man receives his faith from an Edict.'²⁰⁸ Theodoret did not enjoy his popular support for long; while still in Antioch in spring or early summer of 448, the emperor ordered him to return to Cyrrhus.²⁰⁹

Modern scholarship considers Dioscorus the initiator of accusations against Theodoret. Eduard Schwartz assumed that Dioscorus undertook a successful offensive against Theodoret because the former wanted to destroy the hierarchical and dogmatic position of the patriarchate of Antioch and that he succeeded in doing so because he was supported by the imperial court.²¹⁰ Among recent works, Paul Clayton speaks of 'the approaching Alexandrine juggernaut' against which Theodoret needed to defend himself.²¹¹ Adam Schor believes that Dioscorus 'placed less value on his [Cyril's] compromises', 'approached Theodosius' court', and that 'Dioscorus and his court allies' then worked against Theodoret and the near eastern dyophysites.²¹² Most recently, Leuenberger-Wenger sees Dioscorus behind Theodosius' order to Theodoret to stay in Cyrrhus.²¹³

Nothing in this depiction can be verified in the extant sources. First, Theodoret was already out of favour with Theodosius in 445, when Dioscorus started to establish his rule in Alexandria. Second, even Theodoret accused Dioscorus of having worked against him only towards the end of 448—*after* monks from Antioch had gone to Alexandria to accuse the bishop of Cyrrhus of dividing Christ.²¹⁴ Domnus of Antioch confirms that 'one of ours, one of those who think

²⁰⁷ *Acts of Chalcedon* XV.155 (XIV.158, in ACC, vol. 3, 59), ACO II.1.3, p. 441. It should be noted, however, that Theodoret had clashed with Theodosius since 431 when Theodoret's preached sermons in Chalcedon that agitated the crowds. The synod in 445 was convened to decide the case of Athanasius of Perrhe (see Chapter 3, pp. 91–2), who had previously been deposed by a regional synod but acquired support in Constantinople in appealing this sentence.

²⁰⁸ Perry, pp. 324–5; it is unlikely that Theodoret directly criticized the emperor, but he certainly stood up both for his beliefs and for his friend and colleague Irenaeus.

²⁰⁹ According to Theodoret, the emperor accused him of summoning synods in Antioch and troubling the orthodox; see *ep.* 79–81; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 182–99. See Chapter 3, pp. 94–5.

²¹⁰ Schwartz, *Der Prozess des Eutyches*, pp. 56, 63, and 64.

²¹¹ Clayton, Jr, *The Christology of Theodoret of Cyrus*, p. 268.

²¹² Adam Schor, *Theodoret's People: Social Networks and Religious Conflict in Late Roman Syria* (Berkeley: University of California Press, 2011), pp. 123–8.

²¹³ Sandra Leuenberger-Wenger, *Das Konzil von Chalkedon und die Kirche: Konflikte und Normierungsprozesse im 5. und 6. Jahrhundert* (Leiden: Brill, 2019), p. 47. Bevan on the other hand detects Dioscorus' involvement only after Eutyches' appeals to him in/after November 448; Bevan, 'Theodoret of Cyrrhus and Syrian Episcopal Elections', p. 76.

²¹⁴ See Theodoret, *ep.* 82 and 85, which were written only after the exchange of letters between Dioscorus and Domnus (see below, pp. 79–83). Letter 85, which mentions that Dioscorus sent a bishop to Constantinople, must have been written at the same time as Domnus' *Tome* to Flavian (September 448).

differently from us and have caused these troubles, hurried (to Alexandria) and led into error several parties well-known there. By raising calumnies against us, he succeeded in exciting cries in the Church without end against the God-loving Oriental Bishops.²¹⁵ This 'one of ours' was the monk Theodosius, who went to Alexandria in the summer of 448, accompanied by fellow-monks.²¹⁶ According to the Chalcedonian Church historian Evagrius Scholasticus, 'when he [Theodosius] came to the city of Alexander he attacked Dioscorus, and, after being lacerated by numerous blows as a trouble-maker, he was paraded around the city on a camel just as malefactors are'.²¹⁷ Why did a Cyrillian monk and opponent of Domnus and Theodoret attack Dioscorus? Did Dioscorus perhaps need a reminder to uphold Cyril's theological legacy?

Scholars too readily narrate Dioscorus' tenure from its end—as defender of Cyril's *Twelve Chapters* and opponent of the dyophysite theologians. For the public in 448, however, Dioscorus was in all likelihood still the patriarch of the 'anti-Cyrillian' faction in Alexandria: he had issued no major theological work by 448, nor had he interfered against the dyophysites in the Near East; in short, he still needed to prove his (Alexandrian-)Cyrillian orthodoxy. The monk Theodosius challenged Dioscorus publicly—most likely by accusing him of not having defended his predecessor's legacy against eastern attempts to rewrite history. It was at that moment that Dioscorus was forced to take up the matter and interfere in the Near East.²¹⁸ In sum, Dioscorus reacted only *after* Emperor Theodosius closed in on 'Nestorianism' and *after* Theodosius and other eastern monks pressed him in the summer of 448 to get involved in their conflict with the eastern bishops.

Dioscorus responded with the first of the extant letters to Domnus, as introduced above. His letter opened with a self-description of the patriarch's peaceful nature before bluntly noting the 'scandal' of Theodoret's preaching and scolding his colleague for not having properly responded. Dioscorus also rebuked those who composed doctrinal treatises that directly opposed Cyril.²¹⁹ According to Dioscorus, everything Cyril wrote was 'exact, accurate, and neat', and he gave

²¹⁵ Flemming, pp. 120–1; Perry (1881), p. 300.

²¹⁶ A monk Theodosius is named as accuser in the acts of the Second Council of Ephesus: Flemming, pp. 130–1 and Perry (1881), p. 322. The monk Theodosius usurped the See of Jerusalem against Juvenal in 452–53; Evagrius Scholasticus, *Church History* II.5; *The Ecclesiastical History of Evagrius Scholasticus with the Scholia*, ed. Joseph Bidez and Léon Parmentier (London: Methuen & Co, 1898), p. 52; *The Ecclesiastical History of Evagrius Scholasticus*, trans. Michael Whitby [TTH] (Liverpool: Liverpool University Press, 2001), pp. 78–9.

²¹⁷ Evagrius Scholasticus, *Church History* II.5; Bidez and Parmentier, p. 52; Whitby, p. 79.

²¹⁸ At the Second Council of Ephesus in August 449, Dioscorus' priest and protonotary John of course did not report the clash between Theodosius and Dioscorus but only noted that there had been 'much agitation' in Alexandria after Theodosius presented evidence of Theodoret's and Domnus' preaching there; Flemming, pp. 130–1; Perry (1881), p. 322.

²¹⁹ Flemming, pp. 136–7; Perry (1881), pp. 332–3. He did not name any authors but this again must have targeted Theodoret.

Domnus a broad hint that Alexandria would not retract Cyril's *Twelve Chapters*. This doctrinal standpoint was in line with Theodosius' edict of 16 February 448, to which Dioscorus directly referred—not least by pointing to Domnus' questionable appointment of Irenaeus as bishop of Tyre and exhorting him to provide Tyre with a true shepherd. Dioscorus closed the letter with the hope for further communication but also by indirectly warning Domnus that it would be up to him to act now in accordance with their common faith.²²⁰

Dioscorus' letter is straightforward, and the few phrases of flattery can hardly hide the undiplomatic tone in which Dioscorus accuses and judges Domnus of ecclesiastical misdeeds. Dioscorus notably remarks that bishops who might once have agreed to the right doctrine but were now not steadfast in their belief were like dogs returning to their vomit or swines wallowing in their mud.²²¹ Although Dioscorus abstains from direct personal attacks on Domnus, the language he uses is brusque and the tone at least somewhat disrespectful. He holds Domnus responsible for heretical activities in Antioch and requests that he put a stop to (doctrinal) wrongdoing, and that he ordain a new bishop in Tyre as soon as possible.

Not surprisingly, Domnus was offended by Dioscorus' letter, as he notes in his *Tome* to Patriarch Flavian later in September 448.²²² Most of Domnus' reply to Dioscorus in summer 448 is unfortunately lost but, from what survives, it is obvious that Domnus took issue with those who 'instead of promoting peace, prefer commotions' (i.e., the eastern monks who went to Alexandria) and 'those who have given credence to these calumnies' (i.e., Dioscorus). He saw Dioscorus' requests as misplaced and, in turn, asked Dioscorus not to listen to false rumours and silence slanderers. Concerning a new bishop for Tyre, Domnus indignantly noted that he had discussed this issue with Dioscorus' messengers, and that he could inquire with them.²²³ In short, although most of the letter is lost, the remaining fragments show that Dioscorus' harsh letter had disgruntled Domnus, who responded accordingly.

Crucial to the surviving fragments is how Domnus mentions the Council of Ephesus, which he carefully omits from his synodical letter to Dioscorus of 444.²²⁴ Domnus remarks that those who refused 'the Truth' should be instructed by Dioscorus to assent to the faith as defined by the fathers at Nicaea—a faith praised by the fathers at Ephesus—and to assent to the letters sent by Cyril to John of

²²⁰ Flemming, pp. 138–9; Perry (1881), pp. 337–8.

²²¹ Flemming, pp. 134–5 and Perry (1881), p. 329. Considering that the text only speaks of one dog and one swine, maybe Dioscorus had again Theodoret in mind who first agreed to Ephesus (according to Dioscorus' understanding even if Theodoret had actually agreed to the *Reunion* of 433) and now again agitated against Cyril's works. Note on the other hand the allusion to the opening line of Cyril's letter of *Reunion*. See above, p. 76 n. 199.

²²² Flemming, pp. 120–1; Perry (1881), p. 300. Dioscorus should not have written to him in this way, and that Dioscorus listened to Domnus' accusers and 'condemned' him. Scholars usually regard this as proof that Dioscorus had condemned Theodoret already in 448 (as they wrongly assume this to be a letter of Theodoret (see Theodoret, *ep.* 86)).

²²³ Flemming, pp. 140–1; Perry (1881), p. 343.

²²⁴ See above, p. 76 for his *Tome* to Flavian.

Antioch and to the Letter of Athanasius to Epictetus.²²⁵ The latter can be read as a circumlocution for the *Reunion of 433*, and although the confusing phrasing obfuscates this a bit, Domnus refuses to regard Ephesus on the same, ecumenical level as Nicaea. For Domnus, the Council of Ephesus could be accepted only insofar as it agreed with Nicaea and was intrinsically linked to the *Reunion of 433*.²²⁶

Dioscorus' reply—his second surviving letter—was written in an agitated and forceful style:

For this reason I would wish to write what is amicable at all times and to make use of a pacific kind of writing, as well as to meet with a reciprocation; for, that is an indication of unanimity in the Churches and of a consentient Catholic Faith. But, probably, I am wanting that which is impossible.²²⁷

Dioscorus continues that he feels obliged to speak up, as silence would not be justifiable considering the present danger in matters of principle. In no uncertain terms, he 'urges' Domnus 'to restrain certain teachers with you' (again referring to Theodoret without naming him) and accuses Domnus of having allowed Theodoret and other eastern bishops to consider Nestorius deposed simply because he did not appear at the Council of Ephesus—not because he was a heretic.²²⁸ Dioscorus sharply argues that the eastern bishops belittled the status of the Council of Ephesus but his own understanding of the council is unfortunately lost because of another lacuna in the manuscript.²²⁹

When the text resumes, Dioscorus asks Domnus to assert control over the supposedly scandalous situation of easterners who upset Egyptian monks. Lastly, Dioscorus wants Domnus to publicly read out his letter—a request that conveys a high level of distrust in Domnus as well as an unhealthy level of self-importance: the patriarch of Alexandria claims that doing so would calm the agitated monks and the faithful.²³⁰ In fact, this request not only is patronizing and offensive to Domnus but also would have infuriated dyophysites in Antioch.²³¹ Dioscorus' letter closes without flattery but rather with exhortations that might have been construed as warnings.

²²⁵ Flemming, pp. 138–9 and Perry (1881), pp. 339–40.

²²⁶ His Cyrillian opponents argued the other way around: namely that the *Reunion of 433* needed to be read through Cyrillian eyes. See Chapter 3, p. 89.

²²⁷ Flemming, pp. 140–1; translation taken from Perry (1881), p. 344.

²²⁸ Flemming, pp. 140–3; Perry (1881), p. 346. The easterners had been extremely reluctant to condemn Nestorius, and even in his letter to Dioscorus in 448 (see below, pp. 82–3), Theodoret only assured the patriarch of Alexandria that he had done what had been expected of him regarding Nestorius instead of calling Nestorius a heretic.

²²⁹ Flemming, pp. 142–3; Perry (1881), p. 348.

²³⁰ Pope Leo made similarly delusional claims that reading his *Tome* would have solved problems of heresy at the Second Council of Ephesus; see Chapter 3, p. 135.

²³¹ Keough claims that Dioscorus treated Domnus as subordinate; Keough, 'Rival Standards', p. 421. Pelagius, Cyrillian priest in Antioch, complained at the Second Council of Ephesus that Domnus did not read out Dioscorus' letter although the messengers had asked him to do so; Flemming, pp. 88–9; Perry (1881), p. 216.

In turn, Domnus, accused by Dioscorus of being responsible for all commotions not only in the East but also in Egypt, put aside all diplomatic phrases and bluntly replied: 'Now Your Holiness is perfectly aware of the causes of the Dispute, of that long standing Dispute, which has all but reached the ends of the world.'²³² Domnus recounted the difficulties of making the *Reunion of 433* and points out the good will of both sides that had been necessary to eradicate all hostilities. According to Domnus, this arrangement included Cyril's willingness to be silent concerning the *Twelve Chapters*.²³³ The patriarch of Antioch emphatically warned Dioscorus that the peace of the churches could only be kept on the basis of the *Reunion of 433*, but without the *Twelve Chapters*.²³⁴

Domnus also put blame on his Alexandrian colleague, much as Dioscorus had blamed him before: Egyptian monks had shouted at the time of the Eucharist that 'whether you like it or not God died', which, according to Domnus, was worse than the Arian heresy, and Dioscorus had hesitated to rebuke the monks.²³⁵ Both sides apparently had their spies in the 'other' city, and the remark shows how a Cyrillian mob established itself in Alexandria, shouting theopaschite chants of God suffering (and dying) in the flesh as a public spectacle.²³⁶ Domnus urged Dioscorus to put a stop to such activities, which disturbed the peace. The patriarch of Antioch offered Dioscorus a list of church fathers he considered orthodox, leaving out Cyril. The letter ends with Domnus' apodictic request to Dioscorus to providing peace and 'not to give a single occasion for Division'. In its final note, Domnus maliciously remarks that he avoided division by not reading Dioscorus' last letter to the public.

The letter leaves no doubt that things had quickly escalated and that the time for polite exchanges between Dioscorus and Domnus was over. Both sides had set out their claims and drawn their red lines. Unfortunately, these red lines were mutually exclusive: Cyril's *Twelve Chapters* was a cornerstone of orthodoxy for Dioscorus while Domnus left no doubt that peace would be possible only without the *Twelve Chapters*.²³⁷ Domnus also informed Theodoret of his exchange with Dioscorus, and the bishop of Cyrrhus wrote to Dioscorus in autumn 448 to refute Dioscorus' accusation of heresy against him.²³⁸ The letter is sycophantic in tone, and Theodoret begs for Dioscorus' approval of his orthodoxy, but at the same time, he makes no theological compromises. Theodoret refers to the Council of

²³² Flemming, pp. 144–5; translation taken from Perry (1881), p. 352.

²³³ Flemming, pp. 144–5; Perry (1881), p. 352: the text is corrupted, and it should read that the *Twelve Chapters* were 'unacceptable' to the Easterners.

²³⁴ Flemming, pp. 144–5; Perry (1881), pp. 352–4.

²³⁵ Flemming, pp. 146–7; Perry (1881), p. 354.

²³⁶ See particularly Cyril's twelfth anathema; Cyril's *Twelve Chapters* with explanations: ACO I.1.5, pp. 15–25 and Norman Russell, *Cyril of Alexandria* (London: Routledge, 2000), pp. 175–89.

²³⁷ For the *Twelve Chapters* and the controversy they caused see Chapter 1, pp. 32–5.

²³⁸ Dioscorus' letter in Flemming, pp. 134–5, in which he accused Theodoret of the division of Christ; Theodoret's reply to Dioscorus can be found in Theodoret, *ep.* 83; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 204–19.

Nicaea, points out that he agreed to the condemnation of Nestorius as well as to the term *theotokos*, and praises Cyril (and indirectly himself by pointing out that he and Cyril had exchanged letters and works) but avoids references to both the Council of Ephesus and the *Twelve Chapters*.

The centrality of the *Twelve Chapters* in the discussion as well as their role as the red line that Theodoret was not willing to cross shows up in his letter to Domnus from early (?) summer 449:

The men of the other dioceses do not know the poison which lies in the *Twelve Chapters*; having regard to the celebrity of the writer [Cyril] of them, they suspect no mischief, and his successor [Dioscorus] in the see is I think adopting every means to confirm them in a second synod.²³⁹

This was Theodoret's nightmare, which would soon become reality; it was likely in autumn 448 that Dioscorus started to regard Theodoret as a heretic—despite, or perhaps because of Theodoret's doctrinal correspondence.²⁴⁰

The epistolary exchange between Domnus and Dioscorus documents not only the doctrinal differences between Antioch and Alexandria but also how Dioscorus got involved with the eastern dyophysites. Scholars have been mistaken in believing that Dioscorus meddled with the near eastern bishops, and particularly Theodoret, before 448.²⁴¹ On the contrary, Dioscorus only interfered once the eastern monks arrived in Alexandria and challenged Dioscorus to take up the defence of Cyrillian theological heritage. Only then did Dioscorus and Domnus finally spell out their 'rival standards of orthodox faith', as Shawn Keough calls it.²⁴²

Conclusion: Dioscorus and the *Wind of Change*

Almost no verified information is available about Dioscorus before he became patriarch of Alexandria: whether about his place of birth, his family, his education, or early career—except that he was Alexandria's archdeacon during Cyril's last years. From the first half of his tenure, only a single letter survives—the letter to Shenoute that presents the bishop as fighter of heresy. While this letter does not

²³⁹ Theodoret, *ep.* 112 to Domnus of Antioch; *Théodoret de Cyr: Correspondance III*, Azéma, pp. 46–57, who dates the letter to May–June 449. Here quoted from *NPNF2*, vol. 3, p. 292.

²⁴⁰ See Theodoret's letter written after the Second Council of Ephesus to Pope Leo: Theodoret, *ep.* 113; *Théodoret de Cyr: Correspondance III*, Azéma, pp. 56–67, here 62–3.

²⁴¹ Theodoret's letter demonstrates that the bishop of Cyrrhus only became worried about Dioscorus in 448–9. There is also no indication in the acts from Ephesus or Chalcedon that Dioscorus has played an active role in Near Eastern ecclesiastical politics before 448. *ACO II.1.3*, p. 442; *ACC*, vol. 3, p. 60 refers to Dioscorus' reinstatement of Athanasius as bishop of Perrhe at the Second Council of Ephesus.

²⁴² Keough, 'Rival Standards', p. 427.

offer any personal notes, his first letter to Domnus presents a glimpse of Dioscorus' self-understanding as bishop:

I have been brought to admire the Divine Scripture which exclaims 'If it be possible, as much as lieth on you, make peace with all men', but particularly do I admire, God-loving man, the Word 'I am at peace with those who hate peace'; and, I judge, I can repeat it with truth; since, learning it from the Psalmist, I have it constantly impressed on my mind, and, although people should scoff at me, I refuse and fear to return their infamy and scoffing.²⁴³

There is no way to verify how sincerely Dioscorus adhered to this self-representation, but the circumstances of the letter provide some clue. In contrast to the previous scholarly consensus, Dioscorus did not rush into enforcing Cyrillian orthodoxy in the Near East in the first years of his tenure. Until monks from Antioch accused Theodoret of heresy, and Domnus flatly refused to accept Cyril's *Twelve Chapters* in the summer of 448, Dioscorus remained invisible on the international ecclesiastical stage. Dioscorus' claim to be peaceful therefore appears genuine. In contrast, Theodoret's praise of Dioscorus' 'humility' (*ταπεινοφροσύνη*) in a letter to Dioscorus on the latter's ascension to the throne of St Mark in 444 was intended to be friendly flattery, as humility was a prime quality for any bishop in Late Antiquity.²⁴⁴ Dioscorus' two letters to Domnus show a self-confident but aloof patriarch with no sense for diplomatic tit for tat. Without attempting to persuade his opponent of Cyril's theology, he brusquely expected him to implement Alexandrian orthodoxy. Dioscorus' undiplomatic nature and a lack of leadership likely also played a role in the desertion of the four bishops at Chalcedon in 451.²⁴⁵

Dioscorus was not elected Cyril's successor for his diplomatic or theological skills. Cyril had been a premier theologian and shrewd politician who dominated the ecclesiastical agenda throughout the eastern Mediterranean. His politics came at high costs for the See of Alexandria, however, and Cyril's nepotism and the

²⁴³ Flemming, pp. 132–3, translation here from Perry (1881), p. 327.

²⁴⁴ Theodoret, *ep.* 60; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 136–9, here 138–9. For the specificity of the term 'humility' see Albrecht Dihle, 'Demut', in *Reallexikon für Antike und Christentum* 3 (1957), pp. 735–76. Humility is also ascribed to Flavian by Nestorius—as well as Flavian's self-description according to Nestorius: 'humility' was a reference for a god-fearing bishop; Nestorius, *The Bazaar of Heracleides II.2*; Nestorius: *Le Livre d'Héraclide de Damas*, ed. Paul Bedjan (Leipzig: Harrassowitz, 1910), pp. 459–61; Nestorius: *The Bazaar of Heracleides*, ed. and trans. G. R. Driver and Leonard Hodgson (Oxford: Oxford University Press, 1925), pp. 336–7. See also the self-description of Domnus as 'apostolic humility': Flemming, pp. 122–3. The canons of Pseudo-Athanasius consider humility a prime quality of bishops: *Canons of Athanasius* 10, trans. Riedel and Crum, p. 20; Pope Gregory also required 'humility' as first quality of any ruler (*Pastoral Rule* I.6); cf. Jaclyn Maxwell, 'Education, Humility and Choosing Ideal Bishops in Late Antiquity', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 449–62, here 450.

²⁴⁵ See above, pp. 72–3.

embezzlements of his clan caused friction and unrest among the chapter of Alexandria. Therefore, Cyril's death was welcomed by a majority of Alexandrian clerics, who, in choosing Dioscorus, opted for a curator with no grand or costly visions of his own. Dioscorus was expected to reorganize the financial management and human resources of the Alexandrian chapter and to institute good governance at the see. Dioscorus resolutely solved the internal strife by expelling the Cyrillians from Alexandria and installing better operational oversight for the churches and the chapter at Alexandria. His invisibility in international ecclesiastical relations before 448 might also have been due to the fact that he needed to establish himself against the Cyrillian opposition, reorganize the chapter of Alexandria, and pay attention to the resurgence of Origenism in Upper Egypt.

For the eastern bishops, Cyril's death was doubtless a relief, and they most likely welcomed Dioscorus as a possible *Wind of Change* against a candidate of the Cyrillian clan. Theodore's praise of Dioscorus' humility should not be taken at face value, but there is no reason to doubt that the bishop of Cyrrhus wrote to Dioscorus in 444 because he had genuine hopes for improved relations. Similarly, Domnus remarked that, in 444, he 'calculated that we had in my Lord, the God-loving Dioscorus, Bishop of Alexandria, a helper and fellow worker against all who conspired in antagonism to the faith of the Apostles'.²⁴⁶ Theological works by Dioscorus are nonexistent but the few surviving theological snippets, dating to 448, the Second Council of Ephesus and Chalcedon or to the time of his exile 451–454 indicate that Dioscorus shared the Christological standpoint of his predecessor.²⁴⁷

Most famously, Dioscorus defended his miaphysite Christology at the first session of the Council of Chalcedon against pressures by both imperial officials and dyophysite opponents. He declared in the first session that 'I accept "from two [natures]"; I do not accept "two"' (I.332); 'there are not two natures after the union' (I.341). 'I have quotations from the holy fathers Athanasius, Gregory and Cyril saying in numerous passages that one should not speak of two natures after the union but of one incarnate nature of the Word' (I.299).²⁴⁸ Although the phrase of one incarnate nature of the Word had Apollinarian origins, the quotes show Dioscorus as faithful disciple of his famous predecessor, as it was Cyril who coined

²⁴⁶ Flemming, 120–1, here translation from Perry (1881), p. 299. Bevan is mistaken to interpret this passage (a) as Theodore's opinion and (b) the author's opinion as of 448; Bevan, 'Theodoret of Cyrrhus and Syrian Episcopal Elections', p. 76.

²⁴⁷ For short overviews (also from different denominational perceptions) of Dioscorus' theological views see Joseph Lebon, *Le Monophysisme Sévérien: Étude Historique, Littéraire et Théologique sur la Résistance Monophysite au Concile de Chalcédoine jusqu'à la Constitution de l'Église Jacobite* (Louvain: Joseph van Linthout, 1909), pp. 84–93 and Vilakovelil C. Samuel, *The Council of Chalcedon Re-examined: A Historical and Theological Survey* (Madras: The Christian Literature Society, 1977), pp. 181–6; Kesmiris, 'Controversial Aspects', pp. 123–31. See also Khella, *Dioskoros von Alexandrien*, pp. 145–201.

²⁴⁸ Quotations taken from ACC, vol. 1, pp. 194, 196, and 190.

the use of the one nature (*physis*) of the Word incarnate.²⁴⁹ The only other surviving theological fragment in Greek by Dioscorus—quoted by a dyophysite opponent perhaps in the sixth century—paraphrases a passage by Cyril arguing that Christ's blood was not human blood: how would his blood otherwise differ from the blood of goats and calves?²⁵⁰ This fragment from a letter also proves Dioscorus' Cyrillian heritage, and it made him vulnerable to being accused of Eutychianism and of not accepting Christ's consubstantiality with humans, too—although, like Cyril, Dioscorus only intended to emphasize the soteriological aspect of the Eucharist.²⁵¹

In another letter, written from exile to the monks of Henaton in Egypt,²⁵² Dioscorus details his understanding of Christ who

was born from the Father, as God, and that the Same was born of Mary, as Man. Men saw Him as Man walking on the Earth and they saw Him, the Creator of the Heavenly Hosts, as God. They saw Him sleeping in the ship, as Man, and they saw Him walking upon the waters, as God. They saw Him hungry, as Man, and they saw Him feeding (others), as God. They saw Him thirsty, as Man, and they saw Him giving drink, as God...²⁵³

Similarly, in a third letter from exile, Dioscorus confirms that Christ had a human body that 'was born from Mary without the seed of a man and the pleasure and lying down of sleep, with this rational and intelligent soul, consisted of tendons, hair, bones, [...] of everything [by which] we are constituted'.²⁵⁴ Benjamin, Patriarch of Alexandria (622–661), cites in an Arabic letter a fragment by

²⁴⁹ John Romanides, 'St. Cyril's "One Physis or Hypostasis of God the Logos Incarnate" and Chalcedon', *The Greek Orthodox Theological Review* 10, no. 2 (1964): pp. 82–107. See also Kesmiris, 'Controversial Aspects', p. 123 and Shenouda M. Ishak, *Christology and the Council of Chalcedon* (Denver: Outskirts Press, 2013), pp. 191–3.

²⁵⁰ For the quote from Dioscorus' letter see the monk Eustathius (about whom nothing is known but who might have lived in the sixth century), who claims that the fragment comes from a letter that Dioscorus wrote from Gangra; PG 86.1, 933D. See Joseph Lebon, 'La Christologie du Monophysisme Syrien', in *Das Konzil von Chalkedon. Geschichte und Gegenwart* vol. 1: *Der Glaube von Chalkedon*, ed. Alois Grillmeier and Heinrich Bacht (Würzburg: Echter, 1951), pp. 425–580, here 569 n. 103; see also Khella, *Dioskoros von Alexandrien*, p. 199. For Cyril's passage see his *Oratio ad Dominas*, in ACO I.1.5, p. 83 (l. 3–5); for the interpretation of the oration see Hans van Loon, *The Dyophysite Christology of Cyril of Alexandria* (Leiden: Brill, 2009), pp. 433–54.

²⁵¹ Kesmiris, 'Controversial Aspects', pp. 129–31.

²⁵² For the monastery of Henaton under Abba Longinus as centre of resistance against the Council of Chalcedon in Egypt see Tim Vivian, 'The Life of Longinus', *Coptic Church Review* 20, no. 1 (1999): pp. 2–30.

²⁵³ Dioscorus, *Letter to the Monks of Henaton*, in Perry (1875), pp. 257–9 (translation from Perry (1881), pp. 392–4).

²⁵⁴ Dioscorus, *Letter to Secundinus*, in Ps-Zachariah Rhetor, *Church History* III.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, pp. 151–2; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., pp. 108–10. This letter is also quoted by Timothy Aelurus; see Y. Ebied and L. R. Wickham, 'A Collection of unpublished Syriac Letters of Timothy Aelurus', *Journal of Theological Studies* 21, no. 2 (1970): pp. 321–69, here 339–40 (359–60). For Mary giving

Dioscorus in which the former patriarch defends non-Chalcedonians against charges of being ‘Apollinarians’, who claimed that ‘God has suffered in his divine nature or that He has died’. In contrast, Dioscorus asserts that ‘we believe that the Word of God became flesh in truth and neither suffered nor died in his divine nature’.²⁵⁵

Dioscorus’ straightforward distinction between human nature (in the Arabic fragment: *nāsūt*) and divine nature (*lāhūt*)—which could not suffer and die—might have taken off the edge from Cyril’s twelfth anathema, the last of the *Twelve Chapters*, in which Cyril demanded on pain of anathema that everyone to confess ‘that the Word of God suffered in the flesh, was crucified in the flesh, and tasted death in the flesh’.²⁵⁶ In the same letter, Dioscorus took over Cyril’s claim not to refute everything ‘heretics’ say because ‘they confess many of the things which we confess’.²⁵⁷ But Dioscorus insisted that he did not agree to ‘two natures’ or with those who ‘divide one son into two hypostases and two sons’.

It remains notable that no theological statement by Dioscorus survives from the time before 448 that can help to situate his doctrinal position in the early years of his tenure. Neither supporter nor opponent quoted *anything* from Dioscorus dating to this period, and probably he did not write anything substantial that positioned himself theologically. As the ‘anti-Cyrrillian’ candidate and new patriarch, he certainly was under close scrutiny—both by Cyrillians and by eastern dyophysites—for how he dealt with Cyril’s cultural capital. The clash between the monk Theodosius and Dioscorus in summer 448 indicates that Dioscorus had not yet appeared as a stern defender of the Cyrillian theological heritage on the international stage. But both his career as archdeacon of the Alexandrian chapter as well as the fragments of his letters from exile show Dioscorus as convinced Cyrillian.²⁵⁸

birth to the man (united to God) see also Theodoret’s refutation of Cyril’s *Twelve Chapters*; ACO I.1.6, pp. 108–46; translated in István Pásztori-Kupán, *Theodoret of Cyrus* (London: Routledge, 2006), pp. 173–4.

²⁵⁵ Samuel Moawad, *Untersuchungen zum Panegyrikos auf Makarios von Tkōou und zu seiner Überlieferung* (Wiesbaden: Reichert, 2010), pp. 303–4. I am grateful to Sona Grigoryan who provided me with an English translation of the Arabic original. In another Arabic fragment, transmitted in a nineteenth-century manuscript, Dioscorus emphasized how the word became human; see Moawad, *Untersuchungen zum Panegyrikos auf Makarios*, pp. 300–2.

²⁵⁶ Translation taken from McGuckin, *Saint Cyril of Alexandria*, p. 275.

²⁵⁷ Dioscorus again wrote this in a letter from exile: Moawad, *Untersuchungen zum Panegyrikos auf Makarios*, pp. 303–4; see Cyril, *ep.* 44; ACO I.1.4, pp. 35–7; *St. Cyril of Alexandria: Letters 1–50*, McEnerney, p. 186.

²⁵⁸ See how Dioscorus defended Cyril and his theology in his first letter to Domnus: Flemming, pp. 136–7; in the sixth century, Severus of Antioch quoted this defence of Cyril by Dioscorus in one of his letters: see Perry (1875), pp. 317–20 (trans. Perry (1881), pp. 446–7). Like Cyril, also Dioscorus might have had to defend himself against accusations of being an Apollinarian: an Easter letter (preserved in Ethiopian) by Benjamin I, patriarch of Alexandria (623–662), quoting Dioscorus, indicates this; C. Detlef G. Müller, *Die Homilie über die Hochzeit zu Kana und weitere Schriften des Patriarchen Benjamin I. von Alexandrien* (Heidelberg: Carl Winter, 1968), pp. 342–5.

The easterners' hope for the dawn of a new era—for a doctrinal *Wind of Change*—in ecclesiastical relations with a patriarch who broke with the Cyrillian heritage was therefore premature. No party was willing to retract from its position, and tensions increased quickly over the summer of 448, paving the path towards the Second Council of Ephesus and the Council of Chalcedon. It was not Dioscorus, however, who caused this development but rather the deteriorating relationship between Emperor Theodosius and the dyophysite bishops in the Near East.

3

The Emperor's Henchman

Dioscorus and the 'Robber-Council'

Prelude: The Ecclesiastical Situation after the *Reunion of 433*

The *Reunion of 433* had, superficially at least, re-established communion between Alexandria and Antioch and allowed Emperor Theodosius II to rule over one reunited church. Imperial might ensured that the Council of Ephesus was officially accepted throughout the empire but in the *Oriens* Cyril's theology, particularly his *Twelve Chapters*, did not find much support.¹ The gentlemen's agreement of 433 between John of Antioch and Cyril left the underlying doctrinal issues unresolved. Most easterners adhered to a dyophysite reading of the letter of *Reunion*, while the Cyrillians understood the *Reunion of 433* through the lens of Cyril's writings and expected—because Alexandria and Antioch were in communion—that Cyril's theology was the consensus.² In short, the *Reunion of 433* did not point 'to a newly established consensus between the different parties, but rather to the continued absence of one'.³

With diverging orthodoxies in force from 433 to 448, a reemerging controversy ignited by the problem of defining orthodoxy was inescapable, but the struggle affected all levels of ecclesiastical life. During these fifteen years, both sides constantly agitated against the shaky *status quo*. Still in the 430s, Cyril attacked the dyophysite theology of the deceased bishops Diodore of Tarsus (c. 378–390) and Theodore of Mopsuestia (392–428), the teacher of Nestorius. Cyril was supported by Rabbula, the metropolitan of Edessa (412–435), an outspoken and powerful ally of Cyril.⁴ When Rabbula died in 435, he was replaced by the convinced dyophysite Ibas (435–449/451–457), who campaigned on behalf of

¹ On the contrary, Alexander of Hierapolis and other bishops even refused to accept John's agreement with Cyril as they refused to condemn Nestorius and regarded Cyril as heretic; see George A. Bevan, *The New Judas: The Case of Nestorius in Ecclesiastical Politics, 428–451 CE* (Leuven: Peeters, 2016), pp. 216–19 and 230–5.

² At the Second Council of Ephesus bishops made clear that it was necessary to explain the *Reunion of 433* through a Cyrillian understanding; see the comment of Eustathius of Berytus as reported at the first session of Chalcedon (*Acts of Chalcedon* I.261).

³ Mark S. Smith, *The Idea of Nicaea in the Early Church Councils, AD 431–451* (Oxford: Oxford University Press, 2018), p. 103.

⁴ John Behr, *The Case against Diodore and Theodore. Texts and their Contexts* (Oxford: Oxford University Press, 2011), pp. 97–8. It was Rabbula who brought the dyophysites to Cyril's attention in the first place.

Theodore of Mopsuestia, and even claimed that the *Reunion* aligned with the dyophysite Christology of Theodore.⁵ Presumably, John of Antioch played a role in staffing the important See of Edessa, replacing a fervent Cyrillian with Ibas—an indication of how the controversy between Antioch and Alexandria continued to ripple.⁶

A renewed schism between Antioch and Alexandria over Diodore and Theodore was banned through imperial intervention in 438–9.⁷ Nevertheless controversies over episcopal elections increased, as did campaigns against established bishops throughout the Near East.⁸ To some extent, these were proxy wars between Cyrillians and dyophysites. In contrast to what scholars often postulate, however, Dioscorus played no role in this conflict.⁹ No accusation or other hint of his involvement survives prior to the summer of 448, when the eastern monk Theodosius arrived in Alexandria and requested Dioscorus' active involvement.¹⁰

In contrast to Dioscorus, whose absence on the political stage is notable, Emperor Theodosius was extremely active, and autocratically interfered in each and every ecclesiastical quarrel in the Near East during these years up to the time he finally called for an(other) ecumenical council in spring 449.¹¹ The historical developments leading up to this council and the reasons for its convocation must be outlined before the Second Council of Ephesus—over which Dioscorus

⁵ Claudia Rammelt, *Ibas von Edessa: Rekonstruktionen einer Biographie und dogmatischen Position zwischen den Fronten* (Berlin: de Gruyter, 2008), p. 138.

⁶ Claudia Rammelt, 'Bischofswechsel in Edessa zur Zeit der christologischen Auseinandersetzung', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 499–513 as well as eadem, *Ibas von Edessa*, pp. 144–6.

⁷ See Bevan, *The New Judas*, pp. 256–79 for the controversy and 275–8 for the imperial intervention; see here also for Proclus of Constantinople's (434–46) *Tomus ad Armenios*, an important (Cyrillian) interpretation of the *Reunion* of 433.

⁸ This already happened in Cyril's lifetime, as he intervened—sometimes together with Proclus of Constantinople—to influence episcopal elections; see Shawn W.J. Keough, 'Rival Standards of Faith and Contested Canons of Episcopal Authority: The Correspondence between Dioskoros & Domnus preserved in the Syriac Acts of Ephesus II (449)', *Parole de l'Orient* 35 (2010): pp. 407–27, here 409–10.

⁹ Dioscorus was supposedly active behind the scenes and left no trace in the sources. See Chapter 2, pp. 78–9, and below, pp. 101–102, 104–105, 106–107, and 114–115.

¹⁰ The note that Dioscorus supported Athanasius of Perrhe must refer to the reinstatement of Athanasius at the Second Council of Ephesus; see *Acts of Chalcedon* XV.6; *ACO* II.1.3, pp. 424–5 (trans. in Gaddis—Price, *Acts of Chalcedon* XIV.6) and *Acts of Chalcedon* XV.159; *ACO* II.1.3, pp. 441–2 (trans. in ACC, vol. 3, p. 60 (here: *Acts of Chalcedon* XIV.162)). See Chapter 2, p. 83, n. 241 and see below, pp. 91–2.

¹¹ Thomas A. Lacey, *Appellatio Flaviani. The Letters of Appeal from the Council of Ephesus, A.D. 449, addressed by Flavian and Eusebius to St. Leo of Rome* (London: Society for the Promotion of Christian Knowledge, 1903), p. 9 long ago noted: 'In all the proceedings in these unhappy years, nothing is more unpleasant to a modern reader than the perpetual intervention of the imperial court'. That said, Lacey and later Eduard Schwartz, 'Über die Reichskonzilien von Theodosius bis Justinian', pp. 211 and 234 regard Theodosius as dominated and guided by eunuchs and minions. This view is certainly exaggerated but the level of intrigue at the Theodosian court is outside the scope of this study and cannot be discussed here. See Thomas Graumann, 'Kaiserliche Selbstdarstellung und kirchenpolitisches Handeln: Ein Beitrag zur Frage nach Kirche und Reich unter Theodosius II', in *Kirche und Kaiser in der Antike und Spätantike*, ed. Uta Heil and Jörg Ulrich (Berlin: de Gruyter, 2017), pp. 268–304 and below, particularly pp. 91–3, 112–15, 118, 128, 145–6.

presided—can be analysed. It is scholarly consensus that the Council was a ‘show trial with a predetermined outcome, in which “heretics” would be exposed and condemned without opportunity to defend themselves’.¹² This, however, was not ‘the “Alexandrian” model for an ecumenical council’, as scholars claim, but rather an imperial attempt to institute ecumenical councils as an effective tool for ruling the Christian empire and enforcing doctrinal unity throughout the imperial realm.¹³ In its aftermath, Dioscorus was blamed for the council’s uncanonical proceedings although it was in fact the emperor who was responsible for its procedural framework. Emperor Theodosius, however, was beyond reproach by those who petitioned him to reconsider the sentences of the Second Council of Ephesus.

The Years 445–448: Emperor Theodosius and the Eastern Bishops

The ecclesiastical history of the Near East in the 440s appears to have been a constant struggle between dyophysites and Cyrillians, and almost all disputes passed through several hearings as the inferior party never accepted the first ruling, pursuing its claims up to Constantinople. For example, early in the 440s, Athanasius, bishop of Perrhe in the Euphratensis was accused of mismanagement and criminal acts by his clergy.¹⁴ Despite support from Cyril, he was deposed and replaced by Sabinianus by a synod held in Antioch in 445.¹⁵ Emperor Theodosius interfered, forbidding Theodoret of Cyrrhus and John of Hierapolis from participating as judges in Athanasius’ case.¹⁶ Soon afterwards Athanasius showed up in Constantinople and agitated against his deposition with the help of Proclus of Constantinople (434–446); he was reinstated in 449 with the support of Dioscorus at the Second Council of Ephesus.¹⁷ Nevertheless, Athanasius’ case was raised again at the Council of Chalcedon and there referred back to another local synod. Although the official charges against him never included questions of doctrine, the dividing line was clearly between Cyrillians (siding

¹² Michael Gaddis, *There is no Crime for Those Who Have Christ: Religious Violence in the Christian Roman Empire* (Berkeley: University of California Press, 2005), pp. 299–300.

¹³ For a recent introduction and overview to the question of ‘caesaropapism’ in the Later Roman Empire see Rafal Marek, ‘Caesaropapism and the Reality of the 4th–5th Century Roman Empire’, *Krakowskie Studia z Historii Państwa i Prawa* 9 (2016) [English version online 2017]: pp. 1–27.

¹⁴ See *Acts of Chalcedon* XV (XIV in the Latin translation); see also commentary in ACC, vol. 3, pp. 34–6.

¹⁵ *Acts of Chalcedon* XV.6; ACO II.1.3, pp. 424–5; Athanasius did not show up for the synod in 445 but sent in his resignation, which was regarded as admission of guilt.

¹⁶ *Acts of Chalcedon* XV.155; ACO II.1.3, p. 441 (ACC, vol. 3, p. 59 (here: *Acts of Chalcedon* XIV.158)).

¹⁷ However, no mention of this case survives in the acts. See below, p. 127.

with Athanasius) and dyophysites (siding with Sabinianus).¹⁸ Addressing in 445 his imperial mandate (which banned the dyophysite[s] Theodoret [and John] from sitting in court) to Athanasius, Theodosius showed that he sided with Athanasius and the Cyrillians.

One of the most controversial protagonists of these years was the persuaded dyophysite metropolitan Ibas of Edessa, whom his own clergy accused of a long list of misdeeds in 445, including financial mismanagement. But this case, too, was doctrinally motivated: already in the early 430s, when he was just a simple priest, Ibas had been a dyophysite critic of his Cyrillian predecessor, Rabbula, and of Cyril himself, and the charges made against him in 445 were brought by the Cyrillian Rabbula faction in Edessa.¹⁹ After having failed to receive the judgement they hoped for in 445, the rebel clerics appealed to Antioch just before Easter 448—just as Theodoret was preaching in Antioch, causing Theodosius and other Cyrillian monks to accuse him of heresy before Dioscorus in Alexandria.²⁰ As they expected an unfavourable judgement from the Antiochene synod, too, however, some of the clerics did not wait for a sentence but continued their journey to Constantinople, where they found a receptive ear at court.

Emperor Theodosius ignored established ecclesiastical procedure and instituted a tribunal of his own choosing. On 26 October 448,²¹ he issued an edict that established an imperial commission, consisting of the bishops Uranius of Himeria, Eustathius of Berytus, and Photius of Tyre, to investigate Ibas, his nephew Daniel, bishop of Carrhae/Harran, and John of Theodosiopolis.²² The imperial committee convened in Tyre and Berytus in February 449 and debated the various charges against Ibas:²³ from the very worldly charges of corruption and simony up to the accusation that Ibas envied Christ. In the context of the post-433 controversy, the important question was if, when, and why Ibas considered Cyril a heretic. Ibas defended himself by claiming that he and the easterners had considered Cyril a heretic up until the time Cyril explained his belief. In other words, Ibas argued that he accepted the *Reunion of 433* as sufficient proof of Cyril's orthodoxy; his accusers, by contrast, insisted that Ibas said Cyril would be a heretic until such

¹⁸ *Acts of Chalcedon* XV.155; ACO II.1.3, p. 441 (trans. in ACC, vol. 3, p. 59 (here: *Acts of Chalcedon* XIV.158)) and Theodoret's letter to Sabinianus: Theodoret, *ep.* 127; *Théodoret de Cyr: Correspondance III* (*Ep. S. 96–147*), ed. and trans. Yvan Azéma (Paris: Les Éditions du CERF, 1965), pp. 104–7; see also George A. Bevan, 'Theodoret of Cyrrhus and Syrian Episcopal Elections', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 61–87, here pp. 68–71.

¹⁹ Complaints against Ibas started already shortly after his ordination in connection with the controversy around Theodore of Mopsuestia; see Rammelt, *Ibas von Edessa*, pp. 146–50; Behr, *The Case against Diodore and Theodore*, pp. 94–100.

²⁰ See Chapter 2, p. 77.

²¹ The chronology is complicated and some dates given in the sources are clearly wrong: see the discussion in ACC, vol. 2, pp. 265–70.

²² *Acts of Chalcedon* XL27; ACO II.1.3, p. 378, ACC, vol. 2, pp. 276–7.

²³ See Rammelt, *Ibas von Edessa*, pp. 159–80, though her chronology cannot be correct as Photius was not ordained before September 448; for the chronology see ACC, vol. 2, pp. 265–6.

time as the latter might anathematize his *Twelve Chapters*.²⁴ The acceptance of—or opposition to—the *Twelve Chapters* presented the litmus test for orthodoxy. Despite the serious accusations against Ibas, he remained—once again—bishop of Edessa, as the judges were more ‘concerned to hush up the scandal of a bishop being accused by his clergy rather than to ascertain the truth’ as Gaddis and Price note.²⁵ The news of Ibas’ acquittal reached Theodosius in March 449 and may have given the emperor the impression that the eastern bishops let one of their peers off the hook too easily.²⁶

One of the imperially instituted judges, Photius, had just been appointed bishop of Tyre, on 9 September 448, after imperial pressure had led to the deposition of the ‘Nestorian’ Irenaeus.²⁷ During his short tenure (445/46–447/48?), Irenaeus managed to ordain a fellow ‘Nestorian’, Aquilinus, as bishop of Byblus—thereby proving how quickly a bishop could function as multiplier for his doctrinal party. George Bevan considers Irenaeus’ ordination to have been Domnus’ and Theodoret’s ‘boldest moves to date’ to push the tide against Cyrillians but, due to imperial interference, Irenaeus’ tenure was short-lived.²⁸ In the above-mentioned edict from February 448, Theodosius targeted Theodoret for having composed doctrines not in line ‘with the orthodox faith exhibited by the holy synod of the holy fathers, who assembled in Nicaea and in Ephesus, and by Cyril of pious memory’.²⁹ Whether the emperor had any particular text in mind remains speculative, as Theodoret was an extremely productive author. He published his famous *Church History* sometime between 444 and 450—perhaps even in 448–49, according to Paul Clayton.³⁰ In contrast to other church histories, it was a partisan piece of literature, placing the patriarchate of Antioch second after Rome and before Alexandria,³¹ and it paralleled Alexandrian theology with Apollinarianism, a heresy introduced by the See of Alexandria according to Theodoret.³² Hajime Tanaka rightly observes that ‘the bishop of Cyrrhus wrote *Ecclesiastical History* not only as apologist or preacher, but also as Church politician’ because Theodoret

²⁴ See *Acts of Chalcedon* XI.119–37; ACO II.1.3, pp. 389–91; ACC, vol. 2, pp. 291–4 (here the tenth session).

²⁵ ACC, vol. 2, pp. 267–8. In the end, only Eustathius and Photius were left as judges.

²⁶ In April 449 new accusations were brought up against Ibas, and Emperor Theodosius decided to interfere in person once again in June 449 (see below, pp. 128–29).

²⁷ See Domnus’ *Tome* to Flavian and Chapter 2, p. 77.

²⁸ Bevan, *The New Judas*, p. 295.

²⁹ ACO I.1.4, p. 66; translation in Paul R. Coleman-Norton, *Roman State & Christian Church: A Collection of Legal Documents to A.D. 535*, vol. 2 (London: S.P.C.K., 1966), p. 742.

³⁰ Paul B. Clayton Jr, *The Christology of Theodoret of Cyrus: Antiochene Christology from the Council of Ephesus (431) to the Council of Chalcedon (451)* (Oxford: Oxford University Press, 2007), p. 215 opts for 448–9.

³¹ Theodoret, *Church History* V.40; *Theodoret: Kirchengeschichte*, ed. Léon Parmentier and Günther Christian Hansen, 3rd. ed. (Berlin: Akademie, 1998), pp. 348–9.

³² The Alexandrian candidate for the See of Constantinople in 381, Maximus, also had sympathies with the Apollinarian heresy, according to Theodoret; see Hajime Tanaka, ‘Orthodox Emperors and Propaganda in Theodoret’s *Ecclesiastical History*’, in *New Approaches to the Later Roman Empire*, ed. Takashi Minamikawa (Kyoto: Kyoto University, 2015), pp. 85–102, here 90–2.

did everything possible to blacken the image of Alexandria within the history of the Church.³³

The *Church History* was not Theodoret's only major work from this period, though. His *Eranistes* is usually dated to 447–448.³⁴ It comprises three dialogues between the 'orthodox' protagonist, who held Theodoret's view, and a not-so-orthodox opponent, who is pejoratively called 'Eranistes' or 'polymorph'—a 'beggar' or 'collector' of various opinions.³⁵ The 'Eranistes' in Theodoret's dialogues remains anonymous but he has been variously identified with the Constantinopolitan archimandrite Eutyches, with Dioscorus, and with Athanasius of Perrhe.³⁶ Scholars have regarded the *Eranistes* as a full-scale attack on Alexandrian Christology and particularly on Cyril's *Twelve Chapters*.³⁷ But Theodoret meticulously avoided employing any controversial testimonies from Theodore of Mopsuestia or Diodore of Tarsus and used only quotations from his opponents and from the heretical Apollinarius to prove his point.³⁸ As the *Eranistes* did not play any role in Theodoret's condemnation at the Second Council of Ephesus, its impact might have been rather limited in the controversy with Alexandria.³⁹

Nonetheless, after Theodoret's preaching in Antioch in the spring of 448, he was confined to his See of Cyrrhus for disturbing the orthodox and organizing synods in Antioch.⁴⁰ Although this sentence might have given him more time to work on his literary output, Theodoret complained bitterly about this injustice. He wrote several letters to high-ranking courtiers—first, in order to inquire if, indeed, the emperor had ordered his confinement.⁴¹ As he heard nothing to the contrary, Theodoret questioned the legality of the imperial ban: 'No indictment was published; no prosecutor appeared; the defendant was not convicted; but the sentence

³³ Tanaka, 'Orthodox Emperors and Propaganda in Theodoret's *Ecclesiastical History*', p. 99.

³⁴ *Theodoret of Cyrus: Eranistes*, ed. Gerard H. Ettlinger (Oxford: Oxford University Press, 1975), p. 3. See Clayton, *The Christology of Theodoret of Cyrus*, p. 215. George A. Bevan and Patrick Gray, 'The Trial of Eutyches: A New Interpretation', *Byzantinische Zeitschrift* 101–2 (2008): pp. 617–57, here 624 n. 30: there is no inherent reason to date it to 447.

³⁵ In general see *Theodoret of Cyrus: Eranistes*, Ettlinger, and also *Theodoret of Cyrus: Eranistes*, trans. Gerard H. Ettlinger (Washington, D.C.: Catholic University of America Press, 2003).

³⁶ See George A. Bevan, 'Theodoret of Cyrrhus and Syrian Episcopal Elections', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 61–87, here 74–77, for a summary of the various arguments for identifying the Eranistes with Eutyches or Dioscorus; Bevan himself advocates for Athanasius as the identification.

³⁷ Clayton, *The Christology of Theodoret of Cyrus*, p. 220. Bevan and Gray have argued that the *Eranistes* reopened the Christological controversy; see Bevan and Gray, 'The Trial of Eutyches', p. 62; see also Smith, *The Idea of Nicaea*, p. 140.

³⁸ Bevan, 'Theodoret of Cyrrhus and Syrian Episcopal Elections', pp. 73–4.

³⁹ Silke-Petra Bergjan, 'Theodoret von Cyrus, Apollinarius und die Apollinaristen in Antiochien', in *Apollinarius und seine Folgen*, ed. Silke-Petra Bergjan, Benjamin Gleede, and Martin Heimgartner (Tübingen: Mohr Siebeck, 2014), pp. 229–58 argues that its addresses were in Antioch. See also Leuenberger-Wenger, *Das Konzil von Chalcedon*, pp. 47–8, n. 147.

⁴⁰ Theodosius' edict does not survive but Theodoret's complaints do; see Theodoret, *opp.* 79–81; *Théodoret de Cyr: Correspondance II (Epist. Sirm. 1–95)*, ed. and trans. Yvan Azéma, SC 98 (Paris: Les Éditions du CERF, 1964), pp. 182–99. Azéma dates *ep.* 79 to c. April 448; see also Chapter 2, p. 78.

⁴¹ See Theodoret, *opp.* 79 and 80.

was given.⁴² In other words, he received a sentence without proper prosecution: a trial would have given him the chance to prove his innocence. He suggested that a synod of bishops be held at which he could be judged by his peers.⁴³

No such synod materialized during the summer of 448, and in one of his further letters to an episcopal colleague, Eusebius of Ancyra, Theodoret notes: 'They armed even Alexandria against me [...] that I am preaching two sons instead of one.'⁴⁴ Although Theodoret did not reveal the identity of 'they', the statement must refer to the monk Theodosius and his peers, who went to Alexandria that very summer and incited Dioscorus to write to Domnus of Antioch.⁴⁵ This provocation took place after the monks had accused Theodoret before the emperor of heretical preaching and secured the imperial mandate that confined Theodoret to Cyrrhus. In other words, Emperor Theodosius punished Theodoret (again) without any instigation by Dioscorus.

Prolonged time in involuntary confinement gave Theodoret the opportunity to develop a strategy against his opponents. Since the Council of Nicaea in 325, Alexandria had been the highest-ranking see in the Eastern Mediterranean, and Cyril's legacy had only increased the see's authority. Considering the eastern bishops' reservations about Cyril's Christology, this situation was humiliating but Theodoret—perhaps working on his *Church History*, the research for which provided him with historical knowledge other ecclesiastical protagonists lacked—pondered strategies for modifying the *status quo* and reshaping ecclesiastical hierarchies. In 448, Theodoret composed for Domnus the *Tome* that claimed the primacy of Peter for the See of Antioch and downgraded Alexandria to the See of Peter's disciple Mark.⁴⁶

While this claim set a new tone for the patriarch of Antioch, most innovative was the *Tome's* examination of the holy fathers who had assembled in the 'royal city' to confirm the Council of Nicaea. Today, the Council of Constantinople from 381 is regarded as the second ecumenical council, but in 448 Theodoret introduced it to the public for the very first time as such. In his *Church History*, Theodoret invented its 'ecumenical'⁴⁷ nature; the Council of 381 was otherwise virtually unknown, even among educated bishops and theologians. In November 448, at the home synod in Constantinople, the attending bishops referred to the Councils of Nicaea and Ephesus only—revealing that even in the city that had the greatest interest in canonizing the Council of 381, the Council of Constantinople

⁴² Theodoret, *ep.* 81, here translation taken from *NPNF2*, vol. 3, p. 276.

⁴³ Theodoret, *ep.* 81.

⁴⁴ Theodoret, *ep.* 82; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 200–1; translation from *NPNF2*, vol. 3, p. 278.

⁴⁵ See Chapter 2, pp. 79–80.

⁴⁶ Flemming, pp. 120–3; Perry (1881), pp. 298–306; see also Theodoret, *ep.* 86; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 226–31; for the *Tome* see Chapter 2, p. 76.

⁴⁷ Theodoret, *Church History* V.9; *Theodoret: Kirchengeschichte*, Parmentier and Hansen, p. 293.

was not (yet) regarded as ecumenical.⁴⁸ A few months later in spring 449, Patriarch Flavian of Constantinople's public proclamation of 381 as an ecumenical council might have been the straw that broke the camel's back and caused Emperor Theodosius to call for the Second Council of Ephesus (see below).

Theodoret had good reasons to insert the Council in Domnus' *Tome* in the autumn of 448:⁴⁹ the introduction of such a council questioned the newly established Theodosian orthodoxy of pairing the two ecumenical Councils of Nicaea in 325 and Ephesus in 431. Nicaea had been the gold standard of orthodoxy and held a 'unique authority'.⁵⁰ But the question of how to interpret it—what Nicaea really meant for different Christian groups—became hotly debated at the time of the Council of Ephesus around 430.⁵¹ From 431, the ecclesiastical horizon changed because the Council of Ephesus allowed the concept of a succession of 'ecumenical' councils: Theodosius recognized Ephesus as ecumenical in line with Nicaea, and every imperial edict thereafter referred to the Council of Nicaea *and* the Council of Ephesus (as well as Cyril's writings) as standards of orthodoxy. Between 431 and 449, imperial edicts and letters spoke of two ecumenical councils—the fathers of Ephesus confirmed the faith of the fathers of Nicaea—and after 449, they included three ecumenical councils: the Council of Nicaea, the First Council of Ephesus, and the Second Council of Ephesus.

Theodoret's introduction of the Council of 381 shifted public discourse and challenged the exclusive Theodosian-Cyrrillian claim to ecumenicity and orthodoxy. Theologically, the Council of Constantinople was important for the dyophysites less because of Diodore of Tarsus' pivotal role than because its introduction into church history as 'ecumenical' would demonstrate that amendments and clarifications of the Nicene faith had been introduced already in the

⁴⁸ The *Corpus Canonicum*, which already existed before the Council of Chalcedon, also did not know the canons of Constantinople. They were taken over only in 554; see Walter Selb, 'Die Kanonensammlungen der orientalischen Kirchen und das griechische Corpus Canonum der Reichskirche', in *Speculum Iuris et Ecclesiarum: Festschrift für Willibald M. Plöchl zum 60. Geburtstag*, ed. Hans Lentze and Inge Gampl (Vienna: Herder, 1967), pp. 371–83; see also Eduard Schwartz, 'Die Kanonensammlungen der alten Reichskirche', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 25 (1936): pp. 1–114.

⁴⁹ But see also David M. Gwynn, 'The Council of Chalcedon and the Definition of Christian Tradition', in *Chalcedon in Context. Church Council 400–700*, ed. Richard Price and Mary Whitby [TTH] (Liverpool: Liverpool University Press, 2009), pp. 7–26, here 19, for why the Council of Constantinople could have been brought up at the Council of Chalcedon. For Theodoret, the Council of Constantinople also had a theological meaning as Diodore of Tarsus had been a member: Vasilije Vranic, *The Constancy and Development in the Christology of Theodoret of Cyrrhus* (Leiden: Brill, 2015), p. 55.

⁵⁰ It remains unknown if the first 'ecumenical' council described itself as 'ecumenical' but soon afterwards, the importance of this council was recognized, and references became standardized as 'the holy council' or the like. Henry Chadwick, 'The Origin of the Title "Oecumenical Council"', *Journal of Theological Studies* 24 (1973): pp. 132–5; for its 'unique authority' see Smith, *The Idea of Nicaea*, p. 208.

⁵¹ For the importance that was attributed to the Council of Nicaea (and the various interpretations given to by Easterners and Cyril) just before a list of ecumenical councils was developed with the Council of Ephesus in 431 see Smith, *The Idea of Nicaea*, pp. 37–87.

fourth century.⁵² This insinuation became an important consideration for the dyophysites, because after 431 Cyrillians insisted on the so-called *Canon 7* of the Council of Ephesus, which forbade any additions or subtractions from the faith of Nicaea. But the Council of Constantinople in 381 had already made such an addition by protecting the Nicaean faith against the Apollinarian heresy, as the bishop Diogenes of Cyzicus pointed out at the Council of Chalcedon.⁵³ In other words, the post-431 Cyrillian claim against developing any new doctrinal interpretations could be countered if the Council of 381 was considered ecumenical.

Lastly, Theodoret and Domnus also had tangible juridical reasons for introducing the Council of 381: its *Canon 2* forbade Alexandria to interfere in ecclesiastical matters beyond the borders of Egypt. Such interferences had been a problem at the time when the canon was composed and remained an issue for Constantinople and other sees throughout the Near East in the following decades.⁵⁴ According to Domnus' *Tome*, Dioscorus failed to conform to this canon, even though, as he was 'only' the successor of St Mark, he should have been obedient to the successor of St Peter, whose disciple Mark was. Domnus asked Flavian to support him in making the canons of the Council of Constantinople universally accepted, which of course was also in Flavian's interest. *Canon 3* of the Council of 381 designated Constantinople the second see after Rome, a sentence that not only ousted Alexandria from its prime spot in the East but also implicitly elevated Constantinople to the level of a quasi-patriarchal see without, however, clarifying the question of jurisdiction.⁵⁵ The Council of 381 thus not only juridically restricted Alexandria's omnipresent dominance in ecclesiastical affairs through its *Canon 2* but also opened an avenue for Antioch to form an alliance with Constantinople against Alexandria.⁵⁶ In sum, Theodoret's ingenious elevation of a long-forgotten council—which ultimately led to the invention of Constantinople as an ecumenical council—not only made the See of Constantinople the number one bishopric in the

⁵² For the Council of Constantinople Adolf Martin Ritter, *Das Konzil von Konstantinopel und sein Symbol* (Göttingen: Vandenhoeck & Ruprecht, 1965) is still useful: for Diodore of Tarsus pp. 243–4.

⁵³ *Acts of Chalcedon* I.160; *ACO* II.1.1, p. 91. The bishops at the Council of Chalcedon annulled the Second Council of Ephesus and elevated the Council of Constantinople in 381 to the status of second ecumenical council (together with Chalcedon as the fourth ecumenical council). The synchronization of ecumenical councils in East and West took decades because, until the sixth century, the papacy recognized Chalcedon but not Constantinople; see Ritter, *Das Konzil von Konstantinopel*, pp. 215–16 and Wilhelm de Vries, 'Die Beziehungen zwischen Ost und West in der Kirche zur Zeit des ersten Konzils von Konstantinopel (381)', *Ostkirchliche Studien* 22 (1973): pp. 30–43.

⁵⁴ To name only the most decisive instances, Peter of Alexandria had interfered against Gregory of Nazianzus in Constantinople in 381, Theophilus deposed John Chrysostom at the Synod of the Oak (403), Cyril deposed Nestorius in Ephesus in 431, and Dioscorus deposed Flavian of Constantinople at the Second Council of Ephesus.

⁵⁵ In his *Tome* Domnus, however, refers only to the one canon concerning Alexandria and refrains from pointing to τὰ πρεσβεῖα/privilegia of Constantinople.

⁵⁶ Which would have been a welcome change for Antioch as under Proclus, Constantinople was closely allied with Cyril in Alexandria; see above at p. 90 n. 8.

East but also allowed the dyophysites sophistically to challenge their opponents' understanding of orthodoxy.⁵⁷

The Eutyches affair

Domnus' *Tome* must have reached Patriarch Flavian of Constantinople (446–449) in October 448. It warned him that Dioscorus had reportedly despatched bishops to Constantinople, 'to excite, as he hoped, fresh troubles against us'.⁵⁸ Whether this move triggered the dyophysites in Constantinople to take action against the Cyrillian party cannot be proven, but it is suggestive that the *Tome* likely arrived just a few weeks before Eusebius, the bishop of Dorylaeum in Phrygia Salutaris, accused the Constantinopolitan archimandrite Eutyches of heresy. On 8 November 448, the *synodos endemousa*, the home synod, held a session under Flavian's presidency at which, after some routine business, Eusebius submitted a *libellus* in which he accused Eutyches of heresy.⁵⁹ Considering that Eutyches was a Constantinopolitan archimandrite and priest, it is odd that a Phrygian bishop handed in a plaint against him. It would have been the task of the archimandrite's bishop, Flavian, to rectify any erroneous belief on the part of Eutyches, and a synod would only take up the issue if the cleric under review appealed against his bishop's sentence.⁶⁰ In other words, this was no routine matter, but the prosecutor intended to put Eutyches' faith on trial in public because Eutyches was no 'average' archimandrite.⁶¹

Already shortly after the First Council of Ephesus, Cyril had sent Eutyches parts of the acts of the Council of Ephesus, even though at this time, Cyril's privileged contact and monastic influencer in Constantinople must have been the anti-Nestorian archimandrite Dalmatius.⁶² Nevertheless, Cyril had made use of

⁵⁷ After the Council of Chalcedon in 451 accepted the Council of 381 as ecumenical, post-Chalcedonian historiography started to read its ecumenicity backwards and blamed the Second Council of Ephesus in 449 for refusing to regard it as ecumenical: Theodore Lector, *Church History* 348; *Theodoros Anagnostes: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie, 1971), p. 99.

⁵⁸ Flemming, pp. 120–1; Perry (1881), p. 301.

⁵⁹ *Acts of Chalcedon* I.225 and I.230; ACO II.1.1, p. 100–1. The trial has received some scholarly attention in the past: Schwartz, *Der Prozeß des Eutyches*; May, 'Lehrverfahren gegen Eutyches 448' and Bevan and Gray, 'The Trial of Eutyches', pp. 617–57. For the *synodos endemousa*, see Leuenberger-Wenger, *Das Konzil von Chalcedon*, p. 61 n. 210.

⁶⁰ Flavian somewhat surprisingly suggested that Eusebius should have a(nother) one-on-one conversation with Eutyches: *Acts of Chalcedon* I.231–I.234; ACO II.1.1, p. 102.

⁶¹ Despite their scholarly ingenuity, I believe that Bevan and Grey wrongly downgrade Eutyches to a senile archimandrite. This characterization of course affects their whole interpretation; see also Smith, *The Idea of Nicaea*, p. 148.

⁶² Eutyches himself pointed out that Cyril had written to him: *Acts of Chalcedon* I.157; ACO II.1.1, p. 91. For Dalmatius see Hans-Bernd Krismanek, *Das Briefkorpor Kyrills von Alexandrien als Quelle des antiken Mönchtums: Kirchenpolitik, Christologie und Pastoral* (Frankfurt: Peter Lang, 2010), pp. 108–17, 148–9 and 237 and Rammelt, *Ibas von Edessa*, p. 147.

Eutyches already in 433, in the bribery scheme that saved his *Twelve Chapters* from retraction.⁶³ After Dalmatius' death, Eutyches' position increased in importance, and he and his monastery functioned as the Cyrillian hub in Constantinople. By 448, Eutyches had not only outlived several bishops of Constantinople but was also the godfather of the *spatharius* Chrysaphius, a high-ranking eunuch at court, with whom Patriarch Flavian had clashed after the latter's ordination as bishop of Constantinople.⁶⁴ Also, the former *magister officiorum* Nomus—who had arrested members of Cyril's family when they arrived in Constantinople a few years earlier—is said to have been devoted to Eutyches.⁶⁵ As this information comes from later, hostile sources, it should be treated with caution, but the contemporary Nestorius also noted from exile that Eutyches acted on Theodosius' authority as 'bishop of bishops'.⁶⁶

This designation of Eutyches by Nestorius might not have been an exaggeration as, in spring 448, Eutyches wrote to Pope Leo to accuse 'certain persons' of 'Nestorianism'. Although he did not further specify who those 'certain persons' were, Eutyches was in all likelihood referring to Domnus and Theodoret, who had ordained Irenaeus.⁶⁷ Eutyches not only wrote to the pope but he had by this time already successfully lobbied against the 'Nestorians' with the emperor, as the shouts against Theodosius' anti-Nestorian edict from February 448 in Antioch indicate: the protesters considered Eutyches and Maximianus (who might be identified with Maximus, an Antiochene archimandrite and fervent supporter of Cyril)⁶⁸ as its initiators.⁶⁹ As a consequence, Patriarch Domnus seems to have written to Emperor Theodosius to warn him of Eutyches' Apollinarian tendencies.⁷⁰ This effort was to no avail, however, as Eutyches retained Theodosius' favour. At the Council of Chalcedon in 451, Ibas of Edessa accused Eutyches (and not Dioscorus or any other Cyrillian) of having plotted against him and of having prevented his

⁶³ See the archdeacon Epiphanius' letter to Maximianus of Constantinople: ACO I.4, p. 223; see Chapter 1, p. 25.

⁶⁴ Bevan and Gray, 'The Trial of Eutyches', pp. 621–3 with the sources.

⁶⁵ Theodore Lector, *Church History* 346; Hansen, p. 98. See also PLRE II, pp. 785–6: 'Nomus 1'.

⁶⁶ Nestorius was hostile but well-informed; Nestorius, *The Bazaar of Heracleides* II.2; Nestorius: *Le Livre d'Héraclide de Damas*, ed. Paul Bedjan (Leipzig: Harrassowitz, 1910), p. 460; Nestorius: *The Bazaar of Heracleides*, trans. G. R. Driver and Leonard Hodgson (Oxford: Oxford University Press, 1925), p. 336. On Eutyches' standing among the monastic community in Constantinople see Schwartz, *Der Prozess des Eutyches*, p. 79; Timothy Gregory, *Vox Populi: Popular Opinion and Violence in the Religious Controversies of the Fifth Century A.D.* (Columbus: Ohio State University Press, 1979), pp. 135–6 and Caner, *Wandering Monks*, pp. 227–35.

⁶⁷ Eutyches' letter to Pope Leo does not survive but Leo's short answer from 1 June does: Leo, *ep.* 20; ACO II.1.2, p. 45.

⁶⁸ Krismanek, *Das Briefkorpus Kyrills*, pp. 138–45, 170–93 and 249–50 and, for the identification of Maximus with Maximianus, p. 190 n. 206.

⁶⁹ Flemming, pp. 132–3; Perry (1881), pp. 324–5; see Chapter 2, p. 78.

⁷⁰ Facundus of Hermiane, *Defense of the Three Chapters* XII.5.18; *Défense des Trois Chapitres* (Livres XI–XIII), ed. and trans. Anne Fraïsse-Bétoulières (Paris: Les Éditions du CERF, 2006), pp. 220–1. Erich Caspar, *Geschichte des Papsttums von den Anfängen bis zur Höhe der Weltherrschaft*, vol. 1 (Tübingen: J.C.B. Mohr, 1930), p. 464 n. 2 dates this to 447 rather than 448.

appearance at the Second Council of Ephesus in 449.⁷¹ In short, when Bishop Eusebius charged Eutyches with heresy in November 448, Eutyches was a well-known anti-Nestorian agitator and staunch defender of Cyril's Christology, one with privileged access to the imperial court.

It is not recorded whether Eusebius proceeded against Eutyches on his own initiative or because he was incited by Patriarch Flavian or other anti-Cyrrillians.⁷² Involvement of Flavian would not be surprising though, as the patriarch could hardly have been amused at the prospect of an archimandrite under his jurisdiction independently undertaking ecclesiastical politics with the emperor and the pope behind his patriarch's back. Flavian may have even feared that Eutyches ultimately would proceed against Flavian himself and accuse him of heresy. In his *libellus* against Eutyches, Eusebius claimed that the archimandrite had defamed him,⁷³ which probably means that Eutyches had charged (in his letter to the pope and when he lobbied at court?) not just Domnus and Theodore but also Eusebius (and Flavian and other bishops?) with 'Nestorianism'. Not just Eusebius but also the inexperienced Flavian must have felt threatened, and once Flavian received Domnus' *Tome*, which included a warning that Dioscorus was about to stir up further trouble in the capital, he likely decided to proceed via Eusebius as proxy prosecutor against an archimandrite who had indeed behaved and acted as though he were a bishop of bishops.⁷⁴

At the trial, Eusebius (and the synod which agreed to Eusebius' profession of faith) used the *Reunion of 433* together with Cyril's second letter to Nestorius in order to define orthodoxy.⁷⁵ The latter was read from the acts of the Council of Ephesus, which was thereby acknowledged. The choice of this letter and no other Cyrrillian letters or works considerably limited Cyril's legacy, as Mark Smith has rightly noted.⁷⁶ Eusebius conveniently bypassed Cyril's *Twelve Chapters* and attempted to establish—and confirm through the synod—the Antiochene

⁷¹ ACO II.1.3, 372 and 376; ACC, vol. 2, pp. 260 and 273. See also Schwartz, *Der Prozess des Eutyches*, pp. 75–6.

⁷² Gray and Bevan have argued that Flavian was secretly working together with Eusebius on Eutyches' condemnation, and that Flavian was the driving force behind it; Bevan and Gray, 'The Trial of Eutyches: A New Interpretation', p. 635. Eutyches complained in 449 at Ephesus that Flavian and Eusebius were in it together: *Acts of Chalcedon* I.185. Flavian most likely would have preferred that Eutyches gave in quietly before the synod was forced to condemn him; see Rene Pfeilschifter, *Der Kaiser und Konstantinopel: Kommunikation und Konfliktaustrag in einer spätantiken Metropole* (Berlin: de Gruyter, 2013), p. 399.

⁷³ *Acts of Chalcedon* I.225; ACO II.1.1, pp. 100–1. See also Nestorius, *The Bazaar of Heracleides* II.2; Nestorius: *Livre d'Héraclide*, Bedjan, pp. 462–6; Nestorius: *The Bazaar of Heracleides*, Driver and Hodgson, pp. 338–40.

⁷⁴ Eutyches' active ecclesiastical involvement also found many critics among the monastic community in Constantinople, as he did not have the unanimous support of colleagues in his struggle with Flavian. For Domnus' *Tome* see Chapter 2, p. 76.

⁷⁵ The trial of Eutyches was read at the Second Council of Ephesus as well as at Chalcedon, and it survives in the first session of the *Acts of Chalcedon*. For the faith established at the trial see Bevan and Gray, 'The Trial of Eutyches', pp. 631–3, 646–9.

⁷⁶ Smith, *The Idea of Nicaea*, p. 147 and Bevan and Gray, 'The Trial of Eutyches', p. 633.

two-nature-Christology as orthodoxy. This effort clashed, of course, with Eutyches' Cyrillian proclivities, and the archimandrite remained absent for most of the trial. He refused the first two summons to appear at the synod and delayed the third. When he finally arrived on 22 November 448, he was escorted by the *silentarius* Magnus, the *patricius* Florentius, and other court officials. Upon entering, the silentiary Magnus addressed the synod and read out an imperial *responsum*:

We [Theodosius] concern ourselves with the peace of the holy churches and of the orthodox faith, and we wish to see preserved the creed that was proclaimed correctly and under divine inspiration by our fathers the 318 who convened at Nicaea and by those who convened at Ephesus for the deposition of Nestorius. This is our wish, lest harm come to the aforesaid orthodoxy. Since we know that the most magnificent patrician Florentius is a man of faith and proven orthodoxy, we wish him to attend the hearing at the synod, since the discussion is about the faith.⁷⁷

According to the acts, the bishops welcomed Florentius, but it is difficult to imagine that this reception reflected their true feelings. Florentius was a layman whom Theodosius was imposing on the bishops to permit him to participate in their synod. At the very least, the bishops would have felt snubbed that the emperor—again!—did not respect ecclesiastical procedure. Florentius actively questioned Eutyches and twice attempted to push him to confess—in agreement with the synod—the ‘two natures’ and the ‘two natures after the union’.⁷⁸

Throughout the heated interrogation, Eutyches appears very alert and cautious as to what statements the synod would put on record. He was keen to appear obedient and willing to agree to whatever the synod wanted from him, but he also pointed out that the synod went beyond what the Fathers had agreed upon. In other words, he agreed to use ‘consubstantial’ and the phrase ‘from two natures’ because Flavian requested that he do so. Eutyches noted, however, that he regarded these concepts to be innovations, and he refused to speak of two natures after the incarnation.⁷⁹ As a result, the synod anathematized Eutyches as heretic.

Almost a century ago, Eduard Schwartz argued that Florentius participated in the synod in order to ensure that Eutyches was condemned. According to Schwartz, Florentius was, like Eutyches, in bed with the eunuch Chrysaphius, and behind all of them was Patriarch Dioscorus and the Alexandrians, who are said to have looked forward to summoning a new ecumenical council—the Second

⁷⁷ *Acts of Chalcedon* I.468; ACO II.1.1, p. 138; ACC, vol. 1, p. 216.

⁷⁸ *Acts of Chalcedon* I.541 and 543; ACO II.1.1, p. 144; ACC, vol. 1, p. 224. In April 449, Florentius did not deny his questions but denied that he said ‘He who does not say “from two natures” and “two natures” is not orthodox in his beliefs’ (I.549).

⁷⁹ *Acts of Chalcedon* I.511–45; ACO II.1.1, pp. 142–4.

Council of Ephesus—at which they could condemn all dyophysite opponents.⁸⁰ George Bevan and Patrick Gray rightly point out that this interpretation teleologically reads the sources through their conclusion, while in November 448 no new ecumenical council was yet on the horizon. Bevan and Gray instead argue that the emperor persuaded Eutyches to participate at the synod, promising to send help in the form of Florentius, who then—to the surprise of Eutyches!—supported Flavian and Eusebius in their effort to condemn him. According to Bevan and Gray, this result would have sent a warning to the Cyrillians at a time when the emperor had already silenced Theodoret and other dyophysites with his anti-Nestorian measures earlier in the year. On this view, the emperor instituted a two-pronged strategy against the ‘radicals’ of both Christological parties in 448, using the *Reunion of 433* as basis for orthodoxy but having the formula upgraded by the approval of a synod.⁸¹

Such an imperial masterplan would not only be (at least) as complicated as Schwartz’s theory, but there are several obstacles to it that Bevan and Gray fail to address.⁸² The most serious of these is the absence of any indication that Theodosius ever intended to settle on the *Reunion of 433* as orthodoxy. Even during the trial of Eutyches, the silentary Magnus left no doubt about the terms of orthodoxy. As in all other imperial proclamations, the *Reunion of 433* was not mentioned; instead, only the Fathers of the Council of Ephesus who had condemned Nestorius were expressly cited.⁸³ Thomas Graumann emphasizes, that despite all intrigue that may or may not have happened at Theodosius’ court, the public image matters for understanding the emperor’s religious politics.⁸⁴ In other words, if Theodosius wanted to have the *Reunion of 433* established as orthodoxy, it should have been mentioned in one of his edicts during these years.

As this is not the case, the proceedings against Eutyches more likely went as follows: Eusebius, presumably instigated by Flavian (who might himself have been influenced by Theodoret/Domnus and developments in the East), attempted to strike against Eutyches, because he was influential in ecclesiastical politics at court and thus represented a threat to Flavian and all moderate dyophysites who

⁸⁰ Schwartz, *Der Prozess des Eutyches*, pp. 85–6.

⁸¹ Bevan and Gray, ‘The Trial of Eutyches’, particularly pp. 653–4.

⁸² For example, how was the two-pronged strategy presented in public? Could the court in Constantinople implement such complicated political strategies? If the emperor wanted Eutyches to participate in order to condemn him, how was Eutyches persuaded to attend the synod at the time of the third summons? Why not earlier, if that had been the emperor’s strategy all along? Was the emperor behind Eusebius of Dorylaeum’s accusation of Eutyches in the first place? See Pfeilschifter, *Der Kaiser und Konstantinopel*, pp. 404 n. 98, Graumann, ‘Kaiserliche Selbstdarstellung’, pp. 271, 288–9 and 299, and Smith, *The Idea of Nicaea*, p. 152.

⁸³ Already noted by Heinrich Bacht, ‘Die Rolle der orientalischen Mönche’, in *Das Konzil von Chalkedon. Geschichte und Gegenwart* vol. 2: *Entscheidung um Chalkedon*, ed. Alois Grillmeier and Heinrich Bacht (Würzburg: Echter, 1953) pp. 193–265, here 214.

⁸⁴ Graumann, ‘Kaiserliche Selbstdarstellung’, p. 289. See also Pfeilschifter, *Der Kaiser und Konstantinopel*, p. 405, who argues that religious politics was in the end up to Theodosius.

regarded the *Reunion of 433* as the basis of orthodoxy.⁸⁵ In this sense, Eutyches was also a proxy: by condemning the archimandrite, Flavian and other dyophysite bishops hoped that the emperor would be stopped from pushing his imperial orthodoxy on the dyophysites further. Once the trial was underway, and Eusebius had ensured that the synod adopted a 'two-nature'-Christology as orthodoxy, Eutyches could either submit to it or accept his condemnation (independently of whether he appeared at the synod).

The unexpected attack on one of their active agitators caught the Cyrillian party in Constantinople by surprise, and Eutyches' partisans must have pondered of how to respond. After deliberations with the court,⁸⁶ Eutyches' appearance at the synod was arranged for 22 November, and the silentary Magnus reminded—or perhaps rather warned—the bishops attending the synod that orthodoxy meant adherence to the Councils of Nicaea and Ephesus. This strategy must have been the best defence the Cyrillian party could come up with on short notice. The Councils of Nicaea and Ephesus had different connotations for Easterners and Cyrillians, as Mark Smith argues in his recent study; but it is difficult to imagine that the bishops could have misunderstood Theodosius' intent.⁸⁷ Technically, of course, the bishops did not oppose the emperor's orthodoxy inasmuch as they agreed to Nicaea and to Ephesus—in a particular, narrow reading. Accordingly, despite the imperial warning, the bishops decided to condemn Eutyches for heresy.

After Eutyches' condemnation, Flavian immediately proceeded against Eutyches' monastery and sought to ensure that other Constantinopolitan archimandrites supported the synodal sentence. He also sent the conciliar sentence to the eastern bishops and requested that they subscribe to Eutyches' condemnation.⁸⁸ Theodoret responded enthusiastically, and an alliance between Antioch and Constantinople against Cyrillians began to take shape, as Domnus had suggested in his *Tome* to Flavian in September 448.⁸⁹ As Flavian also informed Pope Leo,

⁸⁵ For Eusebius' accusation as pre-emptive strike see Leuenberger-Wenger, *Das Konzil von Chalcedon*, pp. 49.

⁸⁶ Probably in the person of Chrysaphius, but Bevan and Gray rightly point out that the eunuch received more blame in later sources than he likely deserves. The extent to which Emperor Theodosius was fully informed about the synod, remains unknown but, if he was, it is unlikely that he remained neutral: after all, Theodosius' anti-Nestorian edict from February 448 had caused major protests against him and Eutyches in Antioch. Condemnation of Eutyches now would retroactively justify protests against his own rule. For the possibility that Theodosius was undecided about Eutyches see Pfeilschifter, *Der Kaiser und Konstantinopel*, pp. 403–4.

⁸⁷ Smith, *The Idea of Nicaea*, pp. 103–39; see also his note on pp. 163–4.

⁸⁸ *Acts of Chalcedon* I.185 and I.884 (Domnus' deposition); ACO II.1.1, pp. 96 and 182; and Flemming, pp. 116–17; see also *Acts of Chalcedon* I.342; ACO, II.1.1, p. 121. It seems that Ibas of Edessa was even requested to subscribe to Eutyches' condemnation at his own trial; see Rammelt, *Ibas von Edessa*, p. 175.

⁸⁹ As Eutyches reported at the Second Council of Ephesus: *Acts of Chalcedon* I.185. See also Theodoret, ep. 11 to Flavian, which Schwartz interpreted (probably correctly) as an enthusiastic response to the condemnation of Eutyches by Flavian; Schwartz, *Der Prozess des Eutyches*, p. 86 with *Théodoret de Cyr: Correspondance II*, Azéma, pp. 38–41.

Eutyches' condemnation was not just a local affair involving a senile monk who had gone astray. It became an ecclesiastical matter of imperial importance, and the patriarch of Constantinople collected signatures to gather widespread support for his position which, at least indirectly, amounted to a reproach of Theodosius' orthodoxy.

While Flavian rallied for support of the synod's sentence with the eastern bishops, Eutyches appealed against his condemnation with the bishops of Alexandria, Rome, Jerusalem, Ravenna, and Thessalonica.⁹⁰ In December 448, he wrote a letter to Pope Leo—and likely to the bishops of other cities as well though these letters have not survived—to which he added a profession of his faith.⁹¹ He complained about the unfair trial, the fabricated sentence against him, and how Flavian solicited Constantinopolitan abbots to sign Eutyches' condemnation. Emperor Theodosius supported Eutyches and wrote at least to Leo and Dioscorus to express his concerns about the troubles within the Church of Constantinople.⁹² Patriarch Flavian, of course, also wrote to Leo but for unknown reasons his letter did not reach Leo before March or April 449.⁹³ Leo therefore complained harshly to Flavian in February 449 that he had left Leo in the dark concerning the uproar in Constantinople.⁹⁴ On the very same day, Leo replied to Emperor Theodosius requesting more information about the case before he would comment on the controversy itself.⁹⁵

Despite the scholarly *opinio communis* that Dioscorus was supportive of Eutyches, the patriarch's involvement in the Eutyches' affair remains opaque. It is worth recalling that Dioscorus had become patriarch as the anti-Cyrrillian candidate in Alexandria. He drove out Cyril's family clan and its minions from Alexandria, as a result of which they went into exile, came to Constantinople, and lobbied against the new patriarch. While they were unsuccessful inflicting any immediate damage against Dioscorus' rule in Alexandria before 451, they very likely had access to the Cyrrillian network and might have influenced former allies of Cyril against the new patriarch. Eutyches, as the leading Cyrrillian influencer at court, must have been at the top of their list; and, for him, they might have cast suspicion on Dioscorus' doctrinal stance. Only in mid-448 did Dioscorus position

⁹⁰ Eutyches claimed that after the sentence of condemnation, he immediately 'appealed to the holy council of the most holy bishops of Rome, Alexandria, Jerusalem, and Thessalonica' (*Acts of Chalcedon* I.818). A reply from the bishop of Ravenna has survived (see Leo, *ep.* 25; *PL* 54, pp. 739–44), and Eutyches perhaps wrote to further bishops as well.

⁹¹ Leo, *ep.* 21; *ACO* II.2.1, pp. 33–5.

⁹² Theodosius' letter does not survive but Leo's answer (Leo, *ep.* 24; *ACO* II.4, pp. 3–4) indicates that Theodosius had written concerning Eutyches' case. See also Eutyches' claim that Theodosius protected Eutyches' reputation in April 449: *Acts of Chalcedon* I.572; *ACO* II.1.1., p. 152. Nestorius, *The Bazaar of Heracleides* II.2; *Nestorius: Le Livre d'Héraclide*, Bedjan, p. 466; *Nestorius: The Bazaar of Heracleides*, Driver and Hodgson, p. 340 notes that Theodosius wrote to Rome and Alexandria.

⁹³ Stephan Otto Horn, *Petrou Kathedra: Der Bischof von Rom und die Synoden von Ephesus (449) und Chalcedon* (Paderborn: Bonifatius, 1982), pp. 251–5.

⁹⁴ Leo, *ep.* 23; *ACO* II.4, pp. 4–5.

⁹⁵ Leo, *ep.* 24; *ACO* II.4, pp. 3–4.

himself as Cyril's theological heir and engage in pro-Cyrrillian activities on the international stage.⁹⁶

In the autumn of 448 Domnus' *Tome* warned Flavian that Dioscorus had sent bishops to Constantinople to stir up trouble. When might this Alexandrian delegation have arrived in Constantinople, if indeed one arrived at all? A group of bishops, many of whom would have been senior citizens, travelled slower than a letter,⁹⁷ and no Egyptian bishop (or any non-Egyptian bishop connected to Dioscorus) participated at the synod of November 448.⁹⁸ That synod publicly settled on a dyophysite orthodoxy, including with the *Reunion of 433* the minimalist Cyril reception, before any possible Alexandrian embassy could arrive and request that the 'whole' Cyril, including the *Twelve Chapters*, should form the cornerstone of orthodoxy.⁹⁹

In late March or early April 449, the minutes of the synod from November were published; one day after Eutyches secured them, he petitioned the emperor to have them reviewed because they had allegedly been falsified.¹⁰⁰ On 8 April 449, the emperor asked that the conciliar minutes be reviewed.¹⁰¹ On 13 April 449, imperial officials, together with twenty-eight bishops, investigated the minutes of 448, and on 27 April 449, imperial officials, together with thirty-five bishops, checked if Eutyches' sentence (τύπος) had been dictated before the synod convened. Notably missing at these sessions were any bishops who can be identified as associates of Domnus or Theodoret even though Domnus had commissioned an episcopal delegation for the capital in the winter of 448–9. Several of Theodoret's surviving letters were to be given by the bishops to recipients on the way to Constantinople, as well as in the capital, to solicit support from colleagues and courtiers.¹⁰² According to Theodoret, the

⁹⁶ The fact that no letters survive would itself be insufficient proof, but Domnus' remark that he thought he had in Dioscorus an ally in Alexandria and also the monk Theodosius' clash with Dioscorus indicate that Dioscorus had not positioned himself as Cyril's theological heir before 448. There is also no indication that Dioscorus enjoyed any credit among former Cyrrillian allies; for Cyril's network see Krismanek, *Das Briefkorpus Kyrills*.

⁹⁷ Even then, letters could take several months before they reached their destinations: Flavian's first letter to Pope Leo took a minimum of two months but perhaps up to four months. See the detailed discussion in Horn, *Petrou Kathedra*, pp. 251–5; that said, Flavian most likely sent his first letter even before January 449.

⁹⁸ Bishops present in Constantinople would have been invited to the home synod and/or requested to sign the sentence (see also Eusebius' request in *Acts of Chalcedon* I.352; ACO II.1.1, p. 123). Without doubt, Dioscorus' episcopal delegation would have attended the synod if they were present. For bishops present at the home synod of November 448: *Acts of Chalcedon* I.552; ACO II.1.1, pp. 145–7.

⁹⁹ For a detailed discussion of the reception of Ephesus before 448 and the reception of Nicaea and Ephesus at the synod of 448 see Smith, *The Idea of Nicaea*, pp. 88–139, especially 138 and 140–56, particularly 142 and 147.

¹⁰⁰ *Acts of Chalcedon* I.572; ACO II.1.1, p. 152; ACC, vol. 1, p. 234: 'I read yesterday the minutes ...'

¹⁰¹ *Acts of Chalcedon* I.556; ACO II.1.1, p. 149; ACC, vol. 1, p. 230.

¹⁰² Theodoret notes in these letters that a delegation of bishops was travelling during the winter; see for example *epp.* 94, 101 and 109; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 246–7; *Théodoret de Cyr: Correspondance III*, Azéma, pp. 18–21 and pp. 34–9.

delegation consisted of senior bishops but who they were and when they arrived in Constantinople remains undetermined.¹⁰³

Several Cyrillian bishops were present at the sessions in Constantinople in April 449: Paul of Anthedon and Natiras of Gaza from the province of Palestine I at the border to Egypt were senior bishops who had already participated at the Council of Ephesus in 431. A cluster of Armenian bishops consisting of Constantine of Melitene (Armenia II), Acacius of Ariaratheia (Armenia II), and Peter of Theodosiopolis (Armenia Magna) is also noteworthy. Like Paul and Natiras, Acacius was a senior bishop who had supported Cyril's cause in Constantinople against Theodoret and the eastern bishops in the time of the Council of Ephesus in 431. Constantine must have been a young bishop but his predecessor as metropolitan bishop, Acacius of Melitene, had been an ardent opponent of the easterners and a close ally of Cyril.¹⁰⁴ Similar to the cluster of Armenian bishops are the cases of Eusebius of Ancyra and Thalassius of Caesarea: their predecessors, Theodotus of Ancyra and Firmus of Caesarea, had been firm supporters of Cyril, and Eutyches requested that Thalassius be present at the review session in April—i.e., he was a trustworthy bishop in the eyes of Eutyches).¹⁰⁵ It is likely that the archimandrite Barsauma, too, whose monastery was located between Melitene and Samosata and who participated later in the year at the Council of Ephesus, came to Constantinople at this time.¹⁰⁶ These bishops (and monks) arrived in Constantinople by April 449.¹⁰⁷

Remarkably, not a single Egyptian bishop is known to have been in Constantinople in April 449, and none of the bishops present carried any message from Dioscorus that excited 'fresh troubles' against the dyophysites, as Domnus

¹⁰³ Theodoret speaks of the old age of these bishops: Theodoret, *ep.* 95; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 248–9. The list of bishops at the review session in April 449 does not contain the name of a single bishop that can easily be identified as a member of Domnus' delegation. Although it is possible that they were not invited for the review session, they probably arrived later. Bevan, *The New Judas*, p. 303 n. 89, assumes that they arrived before 8 November 448, but that is unlikely: they started later than the Alexandrian delegation, they consisted of older bishops who in all likelihood travelled rather slowly, and Theodoret speaks of a winter journey.

¹⁰⁴ ACO I.1.3, pp. 42–4; *Council of Ephesus*, pp. 508–11. Peter of Theodosiopolis must have been an old bishop as well, as he died before the Second Council of Ephesus (449): no bishop of Theodosiopolis participated at Ephesus in August 449, while Peter's successor Manasses participated at Chalcedon. For Acacius of Melitene see Hans-Bernd Krismanek, *Das Briefkorpus Kyrills*, pp. 226–7. Constantine of Melitene was Acacius of Ariaratheia's metropolitan, and Acacius represented Constantine at the Second Council of Ephesus, which probably indicates a relationship of trust. In 451, however, Acacius of Ariaratheia, testified against Dioscorus that Dioscorus would have forced bishops to sign blank papers at Ephesus in 449 (*Acts of Chalcedon* I.134); see also below, p. 137.

¹⁰⁵ *Acts of Chalcedon* I. 572. Thalassius would later assist Dioscorus in presiding over the Second Council of Ephesus; see below, p. 115. Theodoret's letter to Eusebius of Ancyra (Theodoret, *ep.* 109; see n. 102 above) does not indicate that Eusebius was close to Theodoret; the latter only expressed hope that Eusebius would not believe the slander that others spread about Theodoret.

¹⁰⁶ See below, pp. 113–14.

¹⁰⁷ Constantine of Melitene and Acacius of Ariaratheia do not appear in the list of 13 April 449: either they did not join for unknown reason or they arrived later in Constantinople.

had warned Flavian.¹⁰⁸ Either Domnus was worried for nothing, or he had exaggerated Dioscorus' mission, intending to alarm their Constantinopolitan allies so that they would proceed quickly against Eutyches. Domnus' rejection of Cyril's *Twelve Chapters* was unknown at the Second Council of Ephesus,¹⁰⁹ which means that Dioscorus had not shared his exchange with Domnus before the Council in August 449; and in contrast to Domnus' warning, Dioscorus caused no disturbance or uproar in Constantinople in early 449. Nevertheless, just as Dioscorus picked up the monk Theodosius' complaints about Theodoret and wrote to Domnus, so too might he have written to Constantinople in support of Eutyches or even offered to be in communion with him.¹¹⁰ For Dioscorus, it was a chance to establish himself as defender of the Cyrillian theological legacy and as worthy successor to the patriarchate of Alexandria. In this context, Liberatus blamed Dioscorus for persuading Theodosius to convene the Second Council of Ephesus;¹¹¹ this information that cannot be taken at face value, however, as the author needed to invoke Dioscorus as a suitable scapegoat for convening a council that turned out to be a 'robber-council' in Western Church history. From Liberatus' sixth-century Chalcedonian perspective, such a scandal could not be blamed on the orthodox emperor, even though it was Theodosius, not Dioscorus, who wanted and summoned this council.¹¹²

The Road to the Second Council of Ephesus and Theodosius' First *Sacra*

Eduard Schwartz and subsequent scholars have postulated that Flavian's trial of Eutyches in November 448 was the reason for Emperor Theodosius' invocation of the ecumenical Council in 449.¹¹³ This interpretation is supported by the

¹⁰⁸ Note the inconsistency that Domnus spoke of several bishops in his *Tome* (see also Theodoret, *ep.* 86; see Chapter 2, p. 76, n. 195) while Theodoret knew only of one bishop whom Dioscorus had sent to Constantinople: Theodoret, *ep.* 85; *Théodoret de Cyr: Correspondance II*, Azéma, pp. 222–5, here 224–5.

¹⁰⁹ See Thalassius of Caesarea's remark at the second session; Flemming, pp. 148–9.

¹¹⁰ Concerning communion with Eutyches see the charge against Dioscorus at the third session of Chalcedon: *Acts of Chalcedon* III.94; ACO II.1.2, p. 224 and ACO II.4, p. 155; *Acts of Chalcedon* III.98; ACO II.3, p. 342.

¹¹¹ Liberatus, *Breviarium* 12; *Libératus de Carthage: Abrégé de l'Histoire des Nestoriens et des Eutychiens*, ed. Eduard Schwartz & trans. François Cassingena-Trévedy and Philippe Blauveau (Paris: Éditions du CERF, 2019), pp. 220–1.

¹¹² That Liberatus' narrative cannot be taken at face value is also obvious as it distorts the chronological frame: Liberatus places Dioscorus' intervention after the review session in April 449 but Theodosius' first *sacra* convoking the council dates to 30 March 449 (see below, p. 108). A letter by Dioscorus concerning Eutyches does not fit the remark of a 'sudden' disturbance to which Theodosius' *sacra* points as reason to convoke the council; see also Theodore Lector, *Church History* 346; Hansen, p. 98, who blamed Chrysaphius as the one responsible for the convocation of the Second Council of Ephesus.

¹¹³ Schwartz, *Der Prozess des Eutyches*, p. 88; de Vries, 'Das Konzil von Ephesus 449', here p. 361; Horn, *Petrou Kathedra*, p. 18. Most recently Leuenberger-Wenger, *Das Konzil von Chalcedon*, p. 52.

following: Theodosius himself pointed to this issue in his *sacra* to the Council (probably dating from June 449),¹¹⁴ Eutyches' case was the only issue debated in correspondence between Constantinople and Pope Leo, and it was the first case to be discussed at the Second Council of Ephesus on 8 August 449. Nestorius' *Bazaar of Heracleides* stylized the Second Council of Ephesus as a clash between emperor/Eutyches on the one hand and Flavian on the other, and the papal legates claimed in August 449 that they received a papal mandate only for the 'Eutyches-affair'.¹¹⁵ But if the condemnation of Eutyches was the reason for the convocation of the Second Council of Ephesus, why did Theodosius not call for an ecumenical council already at the end of November 448?¹¹⁶ And why did he instead write letters in support of Eutyches' appeals to Alexandria and Rome?

Theodosius' *sacra* from 30 March 449, addressed to Dioscorus, presents the following as the reason for summoning the council: 'At the present time, as regards the defence of the catholic and apostolic teaching of our orthodox faith, a dispute has suddenly arisen (*subita emergente dubitatione*) which, seducing people with a variety of opinions, disturbs and confuses, as is natural, the perception and souls of men.'¹¹⁷ Eutyches' condemnation more than four months earlier can hardly be categorized as sudden.

Chronologically more fitting would be the case of Ibas of Edessa, news of which reached Theodosius in March 449.¹¹⁸ Ibas' acquittal can hardly be described as a sudden dispute, though, however much it might have appalled the emperor. In fact, the only sudden dispute noted in the sources was Theodosius' clash with his Patriarch Flavian of Constantinople at Easter 449—just a few days before the emperor composed and sent his *sacra*—when he attended mass in Hagia Sophia with the newly baptized. Nestorius reports this clash in his *Bazaar of Heracleides* but remains vague on the details. According to Nestorius, the emperor 'dismissed him [Flavian] with scorn, menacing him as having acted insultingly'.¹¹⁹ Although all present in church entreated the emperor, he withdrew from communion, avoided the Hagia Sophia, and even directed Flavian to melt down the church vessels and give the gold to him. Nevertheless, Theodosius remained upset and

¹¹⁴ ACO II.1.1, pp. 73–4; ACC, vol. 1, p. 139; for the date see the Syriac text in Perry (1875), pp. 274–6.

¹¹⁵ Nestorius, *The Bazaar of Heracleides* II.2; Nestorius: *Le Livre d'Héraclide*, Bedjan, pp. 466–7; Nestorius: *The Bazaar of Heracleides*, Driver and Hodgson, pp. 340–1; Flemming, pp. 10–11. Leo had only corresponded concerning the Eutyches-affair and had positioned himself against Eutyches: Horn, *Petrou Kathedra*, pp. 41–3; see also below, p. 127.

¹¹⁶ Gregory has argued, unpersuasively, that Theodosius was undecided and/or that the court was not unanimously convinced that Eutyches should be restored and that the emperor therefore waited several months; see Gregory, *Vox Populi*, pp. 140–1.

¹¹⁷ See also for the following citations below: *Acts of Chalcedon* I.24; ACO II.1.1, pp. 68–9; Latin text in ACO II.3.1, pp. 42–3; trans. ACC, vol. 1, pp. 132–4.

¹¹⁸ See above, pp. 92–3.

¹¹⁹ Nestorius, *The Bazaar of Heracleides* II.2; Nestorius: *Le Livre d'Héraclide*, Bedjan, pp. 468–70, here 468; Nestorius: *The Bazaar of Heracleides*, Driver and Hodgson, pp. 341–3, here 341.

called for an ecumenical council meant to depose Flavian.¹²⁰ The patriarch therefore decided to resign and enter a monastery, which Theodosius prevented by writing to Flavian that he summoned the council not to wrong him but in order to undertake 'a true examination and the satisfaction of the truth in the things that are required'.¹²¹ Theodoret of Cyrrhus, in an undated letter to Domnus of Antioch might confirm Nestorius' story, as he notes a temporary reconciliation between 'the very godly bishop' (most likely Flavian) and the emperor, whose 'pettiness' (μικροψυχία) Theodoret emphasized.¹²²

What had caused this dramatic clash? According to Timothy Gregory, Flavian glossed over the frictions between emperor and patriarch and behaved as if no problem existed. This dismissal insulted Theodosius, who then withdrew from communion and called for an ecumenical council.¹²³ While this reading is possible, and Theodoret's letter paints the image of an emperor whose character revealed shortcomings, it seems a bit stretched that the ecumenical council—for which, in 449, numerous legitimate reasons existed!—ultimately emerged simply because the emperor felt a sense of personal offense. Would it not be more likely and in line with Theodosius' statement about a 'sudden dispute' that a matter of faith or doctrine had caused the emperor to withdraw from communion with his patriarch? It was Easter, the Church welcomed its newly baptized members, and the patriarch must have professed the creed at some point: it seems most likely that this public statement of faith had provoked Theodosius' immediate withdrawal from communion and subsequently caused him to call an ecumenical council.

Flavian's profession of faith is well-known (and survives in several versions in Greek and Latin) because Theodosius requested it from his patriarch and the patriarch handed it in to him.¹²⁴ Liberatus included one version in his *Breviarium*

¹²⁰ Nestorius, *The Bazaar of Heracleides* II.2; *Nestorius: Le Livre d'Héraclide*, Bedjan, pp. 468–9; *Nestorius: The Bazaar of Heracleides*, Driver and Hodgson, pp. 341–2.

¹²¹ Nestorius, *The Bazaar of Heracleides* II.2; *Nestorius: Le Livre d'Héraclide*, Bedjan, p. 470; *Nestorius: The Bazaar of Heracleides*, Driver and Hodgson, p. 343.

¹²² Theodoret, *ep.* 112; *Théodoret de Cyr: Correspondance III*, Azéma, pp. 46–57; translation here taken from *NPNF2*, vol. 3, p. 291.

¹²³ Gregory, *Vox Populi*, pp. 139–40. For yet another reading, one that links the clash between emperor and bishop with contributions that the bishop was requested to pay to the court, see Pfeilschifter, *Der Kaiser und Konstantinopel*, pp. 407–10. While this is possible, my own view is that the doctrinal controversy was at the forefront and should not be regarded as a mere pretext for calling an ecumenical council.

¹²⁴ This profession of faith is distinct from Flavian's dyophysite statement at the *syndemos endemousa* of 448, which had been used at Chalcedon: *ACO* II.1.1, p. 35 with nn. 10–11; *ACO* II.3.1, p. 5; *ACO* IV.2, pp. 174–5 and Liberatus, *Breviarium* 11; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 218–19. Scholars since Schwartz have considered the reference to the Council of Constantinople to be an interpolation in the profession; see Smith, *The Idea of Nicaea*, p. 160 n. 17. All available texts likely refer to the same profession by Flavian, the one requested by the emperor, but see Price and Gaddis in *ACC*, vol. 1, p. 186 n. 188, who date *ACO* II.1.1, p. 35 to December 448; R. V. Sellers, *The Council of Chalcedon* (London: S.C.P.K., 1953), p. 116 dates the profession to 449 (and on p. 131 (and p. 210 n. 3) to 14 December 449, which cannot be the case); Vilakuvilil C. Samuel, *The Council of Chalcedon Re-examined: A Historical and Theological Survey* (Madras: The Christian Literature Society, 1977), p. 24 postulates that Theodosius requested the profession on 27 April 449;

for April 449, which would fit the timeframe if the emperor requested Flavian's written profession of faith after and *because of* the incidence in Hagia Sophia at the end of March. The profession contained a 'from two natures'-formula that was acceptable to Cyrillians but, surprisingly, it also included the Council of Constantinople in 381 as the second ecumenical council after Nicaea and before Ephesus.¹²⁵ In other words, Flavian picked up Theodoret's (and Domnus') invention of Constantinople as ecumenical council because it served him theologically as well as juridically. We might infer from this that Flavian had also included the Council of Constantinople in his profession of faith presented during Easter mass, which Theodosius regarded as a serious provocation to his imperial orthodoxy.¹²⁶ The patriarch's rewriting of conciliar history thus went further than the proxy attack on Eutyches and, in the emperor's view, justified summoning an ecumenical council.

In another letter (from June 449) to the council, the emperor called upon Flavian by name and accused him of disturbing the peace of faith: 'we wrote to the same most God-beloved bishop [Flavian] repeatedly in an attempt to still the turmoil he had stirred up, in our conviction that the orthodox creed which the holy fathers at Nicaea handed down and the holy council at Ephesus confirmed satisfies our needs'.¹²⁷ Although Theodosius does not explicitly mention the dyophysite outcome of Flavian's inquiry, no doubt he considered it to be against imperial orthodoxy, as Theodosius' reference to Nicaea and Ephesus implies. In his first *sacra* of 30 March 449, to Dioscorus, the emperor therefore requests that the bishops assemble at Ephesus and 'that every false error be extirpated and that the doctrine of the true orthodox faith, most dear to Christ our Saviour, be confirmed and be resplendent as usual, the doctrine which everyone in future will keep inviolate and irrefragable through the favour of the Almighty'.¹²⁸

Convoing the ecumenical council was thus less about Eutyches personally than about questions of doctrine and the orthodox reading of the ecclesiastical past. After the introduction of a dyophysite reading of Nicaea and Ephesus at the synod of November 448, Flavian's reshaping of the conciliar past attempted to

Shenouda M. Ishak, *Christology and the Council of Chalcedon* (Denver: Outskirts Press, 2013), pp. 150–1 suggests that there were several professions given in December 448 and April 449. Pfeilschifter, *Der Kaiser und Konstantinopel*, p. 407 dates it to March or April 449.

¹²⁵ Christiane Fraisse-Coué, 'Von Ephesus nach Chalcedon: Der "trügerische Friede" (433–451)', in *Die Geschichte des Christentums: Religion, Politik, Kultur. Das Altertum vol. 3: Der Lateinische Westen und der Byzantinische Osten (431–642)*, ed. Luce Piétri (Freiburg: Herder, 2001), pp. 3–89, here 49. See also Alois Grillmeier, *Christ in Christian Tradition vol. 1: From the Apostolic Age to Chalcedon (451)*, trans. John Bowden 2nd ed. (Atlanta: John Knox Press, 1975), p. 524 n. 19, and Samuel, *The Council of Chalcedon Re-examined*, p. 15 n.36.

¹²⁶ Perhaps Flavian employed an openly dyophysite confession, as he did at the *synodos endemousa* in November 448, but which he avoided in the written profession demanded by the emperor.

¹²⁷ ACO II.1.1, pp. 73–4; ACC, vol. 1, p. 139; for the date see the Syriac text in Perry (1875), pp. 274–6.

¹²⁸ ACO II.1.1, pp. 68–9; ACC, vol. 1, p. 133.

erase Cyrillian interpretations of orthodoxy. Theodoret of Cyrrhus would have rejoiced and, indeed, his tireless work for a dyophysite orthodoxy was very much on the emperor's mind, as the further imperial instructions and preparations for the council indicate.

Theodosius' Pet Project: The Second Council of Ephesus in 449

That Theodosius summoned the council again to Ephesus was a highly symbolic act. In retrospect, the emperor had started presenting the First Council of Ephesus as his success in fighting 'Nestorianism', laying claim to the Cyrillian heritage.¹²⁹ The Second Council of Ephesus was now charged with confirming the first in its condemnation of 'Nestorianism'. As Thomas Graumann rightly observes, this was a rhetorical strategy, as Theodosius had hardly been so 'anti-Nestorian' when he summoned the First Council of Ephesus in 431.¹³⁰ The imperial position towards Cyril at that time was complicated, and by 449 the emperor had come a long way to publicly present himself as stern 'anti-Nestorian'—not least because of the continuous Christological quarrels in the Near East.

Helpidius, the *comes sacri consistorii*, representing the emperor at the council, was instructed that all bishops who previously judged Eutyches, 'the most devout archimandrite' (as Theodosius still called Eutyches despite his condemnation in 448), 'are to attend without taking part; they are not to exercise the role of judges, but to await for the joint decision of all the other holy fathers, since it is their own sentence that is now under examination'.¹³¹ As the emperor also suspected that there were still 'some of Nestorius' followers' among the bishops, on 6 August 449, in another letter to Dioscorus, he decreed that:

Those who dare to make any addition to, or subtraction from, the exposition of the faith by the holy fathers at Nicaea and later at Ephesus we do not allow to have any right of speech at all at the holy council, and we place such persons under your [that is Patriarch Dioscorus] judgement.¹³²

The request that additions or subtractions to Nicaea were not allowed was based on the so-called *Canon 7* of the Council of Ephesus. It was not really a proper canon, but the council forbade anyone to 'produce or write or compose another creed beside the one laid down with [the aid of] the Holy Spirit of the holy fathers

¹²⁹ Graumann, 'Kaiserliche Selbstdarstellung', p. 289.

¹³⁰ Graumann, 'Kaiserliche Selbstdarstellung', pp. 286, 291–3 and 295. For the gradual development of Theodosius' position see also Smith, *The Idea of Nicaea*, p. 110.

¹³¹ ACO II.1.1, p. 72; ACC, vol. 1, pp. 138–9. For Helpidius: PLRE II, p. 536: 'Helpidius 5'.

¹³² ACO II.1.1, p. 74; ACC, vol. 1, p. 140.

assembled at Nicaea'.¹³³ Eutyches had already invoked to this canon, and in August 449 Dioscorus would use it in the first session of the Second Council of Ephesus.¹³⁴ In 451, Theodore of Claudiopolis reported that Theodosius' ban meant that out of the more than 130 participants at the council, forty-two bishops were instructed to remain silent.¹³⁵ These bishops either had been judges of Eutyches or were suspected of 'Nestorian' tendencies.

For Theodoret of Cyrrhus, however, the situation was even worse. He had already been confined to his home city; and in his *sacra* from 30 March 449 Theodosius explicitly forbade him to attend the council—unless the council after its convocation decided that he should attend. But 'if there should arise any dissension over him, we order the holy council to assemble without him and deal with the agenda we have laid down'.¹³⁶ On 6 August 449, two days before the council started, the emperor reminded Dioscorus that Theodoret was not allowed to join: 'we debarred him because he had dared to compose attacks on the writings on the faith of Cyril of holy memory, then bishop of the great city of Alexandria'.¹³⁷ The acts of the Council of Chalcedon show that Theodosius excluded not only Theodoret from appearing at his own trial but also Eusebius of Dorylaeum, the former prosecutor of Eutyches.¹³⁸

In his *sacra* to Dioscorus from 30 March 449, Theodosius specified that the patriarch of Alexandria was expected to select ten metropolitan bishops and ten other bishops from Egypt to accompany him. As Egypt had no metropolitan structure, this was a generic letter sent to Dioscorus and to select metropolitan bishops.¹³⁹ Domnus of Antioch also received such summons, as noted by Theodoret who, confined to his home city, sent documents to his patriarch in

¹³³ This statement was in the 'minutes' of the Council of Ephesus—it was not a canon, at least not yet. For the text see ACO I.1.7, pp. 105–6. See also the introduction to the session of 22 July 431 by Graumann in *Council of Ephesus*, pp. 431–43. For the semi-fictional character of the 'minutes' see Smith, *The Idea of Nicaea*, pp. 99 and 107–8. Maybe they need to be seen in the context of Cyril's bribes, too; see Chapter 1, pp. 30–7.

¹³⁴ Eutyches cited it in his letter to Pope Leo, in the statement he published in Constantinople and in his *libellus* submitted to the Second Council of Ephesus (I.157). Dioscorus: *Acts of Chalcedon* I.943; ACO II.1.1, pp. 189–90; ACC, vol. 1, pp. 340–1 with n. 491; Wilhelm de Vries, 'Das Konzil von Ephesus 449, eine "Räubersynode"?' *Orientalia Christiana Periodica* 41 (1975): pp. 357–98, here 364–5; see below, pp. 122–4.

¹³⁵ *Acts of Chalcedon* I.62; ACO II.1.1, p. 76. These 42 must have been potential dyophysites who might have dared to make additions or subtractions to the Nicaean faith as Theodosius phrased it in his letter to Dioscorus. Theodore noted that there were 135 participants, which the list of the first session confirms. But see Ernest Honigsmann, who argued that the council likely had up to 150 participants: Ernest Honigsmann, 'The Original Lists of the Members of the Council of Nicaea, the Robber-Synod and the Council of Chalcedon', *Byzantion* 16 no. 1 (1942–43), pp. 20–80, here 34–7.

¹³⁶ *Acts of Chalcedon* I.24; ACO II.1.1, p. 69; Latin text in ACO II.3.1, p. 43; trans. ACC, vol. 1, p. 133.

¹³⁷ *Acts of Chalcedon* I.52; ACO II.1.1, p. 74; ACC, vol. 1, p. 140.

¹³⁸ *Acts of Chalcedon* I.188–90; ACO II.1.1, p. 96; ACC, vol. 1, p. 165.

¹³⁹ Recipients of this letter likely included not just those bishops who are later regarded as patriarchs but also important metropolitan bishops (like the bishop of Ephesus); see *Acts of Chalcedon* I.80 and I.82; ACO II.1.1, p. 82; ACC, vol. 1, p. 147. As Dioscorus was later instituted as president of the council (see below, pp. 115–16), Theodosius' *sacra* to him—and not to any other bishop—was included in the acts as an exemplar of Theodosius' orders.

preparation for the council, and who advised him to take care in choosing whom to take along to the council.¹⁴⁰ Emperor Theodosius specifically stipulated that 'the most holy council is not to be troubled by the attendance of any apart from those aforesaid'. At the same time, the *sacra* requested invited bishops to appear: 'if anyone should choose to disregard this council [...] he will have no excuse either before the Almighty or before our piety'. In other words, not only was Theodoret forced to stay away but also those bishops who were invited but might have preferred to avoid such a politicized event had no choice but to show up.¹⁴¹

The most unexpected invitation was Theodosius' request that the eastern archimandrite Barsauma join the council as a full member in addition to the bishops.¹⁴² Barsauma was a Syriac-speaking ascetic from the district of Samosata. The largely fictitious *Life of Barsauma* presents him as a violent zealot who attempted to destroy all religious life—Christian and non-Christian—that did not agree with his anti-dyophysite persuasion. On 14 May 449, Theodosius wrote that he was aware that the archimandrites in the East defended the true faith and opposed 'some of the bishops in the cities of the Orient who are infected with the impiety of Nestorius, while the orthodox laity share the combat with these most religious archimandrites'.¹⁴³ Barsauma was thus expected to serve as representative of all eastern archimandrites and to participate in the upcoming council.

To describe Barsauma as a combatant for orthodoxy while the eastern bishops supposedly represented 'the impiety of Nestorius' is language to be expected in later non-Chalcedonian hagiography like the *Life of Barsauma*. It is not at all what one might expect to find in an official imperial mandate. Of course, monks were fighters against heresy.¹⁴⁴ Emperor Theodosius had lent his ear to monks and ascetics since the First Council of Ephesus and 'rendered his palace little different from a monastery', if the contemporary church historian Socrates can be trusted.¹⁴⁵ That an emperor considered an archimandrite as a more trustworthy representative of Christian communities for the upcoming council than the

¹⁴⁰ Theodoret, *ep.* 112; *Théodoret de Cyr: Correspondance III*, Azéma, pp. 46–57.

¹⁴¹ This was in line with Theodosius' *sacra* for the First Council of Ephesus from November 19, 430: see *Council of Ephesus*, pp. 197–9 and Graumann, 'Kaiserliche Selbstdarstellung', p. 276.

¹⁴² For Barsauma see now Johannes Hahn and Volker Menze, eds, *The Wandering Holy Man: The Life of Barsauma, Christian Asceticism and Religious Conflict in Late Antique Palestine* (Oakland: University of California Press, 2020).

¹⁴³ *Acts of Chalcedon* I.48; *ACO* II.1.1, p. 71; *ACC*, vol. 1, p. 137.

¹⁴⁴ Sozomen, *Church History* III.13; Sozomenos: *Historia Ecclesiastica*. *Kirchengeschichte*, ed. and trans. Günther Christian Hansen, vol. 2 (Turnhout: Brepols, 2004), pp. 376–7: the entire multitude of monks defended Nicaea; Sozomen, *Church History* VI.27; Sozomenos: *Historia Ecclesiastica*, Hansen, vol. 3, pp. 770–1: the monks of Syria and Cappadocia opposed the heresy of Apollinarius and Eunomius.

¹⁴⁵ See also the Constantinopolitan archimandrite Dalmatius, a close ally of Cyril, who successfully supported Cyril's Council of Ephesus before Theodosius. After the council, Theodosius corresponded with Simeon Stylites and other eastern ascetics and monks. Socrates, *Church History* VII.22; *Sokrates: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie, 1995), p. 368. Translation taken from *NPNF2*, vol. 2, p. 164.

eastern bishops, however, not only called into question the governance of the Church but also constituted a blatant offense to the (eastern) bishops. The Theodosius of 449 evidently was not the Theodosius of 431, who had written to the bishops assembled in Ephesus that 'it is unlawful for a person who is not on the list of most sacred bishops to take part in church business'.¹⁴⁶

The *Life of Barsauma* noted that Theodosius offered Barsauma the 'office of archbishop of the great city of Antioch' and wanted him to appoint 'his disciples to the other episcopal sees'.¹⁴⁷ This offer has been regarded as ahistorical—because it is simply absurd!—but one wonders if the emperor had not, in 449, pondered the deposition of Domnus by imperial mandate as he had done a year earlier with Irenaeus of Tyre.¹⁴⁸ The emperor had developed a distrust (and probably also a personal dislike) for Theodoret and other eastern bishops throughout the 440s, and the frictions accelerated since Irenaeus' ordination as bishop of Tyre and Theodoret's preaching in Antioch, which Theodosius regarded as a return of 'Nestorianism'. Even worse was to follow when, in 448, a delegation of Edessan clerics informed the emperor of events in Antioch:

Whilst in Church was seated Archbishop Domnus, and after the Edict of your Clemency against Nestorius and against Irenaeus who was Bishop of the of City Tyre, had been published (there), we entered the Church and heard certain men shouting out 'Throw out the Edict: nobody believes in (by) a Decree'—without our observing anybody to remonstrate with them, so that such negligence (silence) only encouraged them the more.¹⁴⁹

For Theodosius, this was a vicious attack on his personal piety as well as on his imperial rule. Deposing and replacing this 'Nestorian' elite with those who had a 'reputation for purity of life and orthodox faith' must therefore have been on Theodosius' mind. A stern anti-Nestorian monk or archimandrite like the zealous Barsauma may not have been completely out of the question.

Simon Corcoran conclusively argues that Theodosius met Barsauma in person (perhaps in early May 449), a meeting that very likely gave the emperor the idea to introduce the archimandrite as member of the ecumenical council replacing Theodoret and other eastern bishops.¹⁵⁰ A month later, in mid-June 449, the emperor invited twelve further eastern archimandrites to participate in the

¹⁴⁶ Letter of the Emperor Theodosius to the Council: ACO I.1.1, p. 120; *Council of Ephesus*, p. 215.

¹⁴⁷ *Life of Barsauma* § 105; Andrew Palmer [trans.], 'Appendix: The Life of Barsauma', in *The Wandering Holy Man*, Hahn and Menze, p. 238.

¹⁴⁸ For the historicity of the *Life of Barsauma*, see Volker Menze, 'Introduction' in *The Wandering Holy Man*, Hahn and Menze, pp. 11–19. Ironically, Theodosius had similarly decided in 428 to choose a pious monk for the See of Constantinople: Nestorius; see Michael Gaddis, *There Is No Crime*, p. 297.

¹⁴⁹ Fleming, pp. 58–61; quoted from Perry (1881), p. 132.

¹⁵⁰ Simon Corcoran, 'Barsauma and the Emperors', in *The Wandering Holy Man*, Hahn and Menze, pp. 25–49, here 35. Barsauma was very likely still in Constantinople when he was offered a membership

upcoming ecumenical council.¹⁵¹ From the acts of the council, it is obvious that the bishops had no idea that Theodosius had invited these archimandrites.¹⁵² Theodosius apparently not only distrusted the eastern bishops but also organized the whole council without episcopal assistance—neither Dioscorus nor other bishops had been involved.

This was no longer the wavering Emperor Theodosius of 431, who cared for a 'workable balance between imperial and ecclesiastical concerns and claims to authority',¹⁵³ and had firmly declared that 'I cannot give orders to a bishop'.¹⁵⁴ This was an emperor who understood that the council of 431 had escaped from his control 'at its very opening'; he intended to handle things differently this time.¹⁵⁵ Theodosius would no longer tolerate quarrelling bishops, but by ordering forty-two bishops to remain silent at an ecumenical council, he excluded almost one-third of the total number of bishops from participation. They were not charged with any individual misconduct but were instead considered guilty by association (with Flavian, Theodoret, 'Nestorians', etc.). As if this was not insult enough, further humiliation ensued with the emperor's replacement of bishops with archimandrites and monks.

Regardless of whether all of Theodosius' stipulations were juridically correct, all eyes must have been on Dioscorus, whom Theodosius requested on 6 August 449 to serve as the council's president, assisted by Juvenal of Jerusalem and Thalassius of Caesarea.¹⁵⁶ According to his *sacra*, the emperor chose Dioscorus because

in the council. The innovation of inviting archimandrites for an ecumenical council seems to have been Theodosius' personal decision; see Gaddis, *There Is No Crime*, p. 298; Corcoran, 'Barsauma and the Emperors', p. 36.

¹⁵¹ Barsauma had perhaps recommended them to the emperor.

¹⁵² The bishops were informed of the emperor's invitation of Barsauma only a day after Theodosius had written to the archimandrite. See letter to Dioscorus, 15 May 449: *Acts of Chalcedon* I.47; *ACO* II.1.1, 71; *ACC*, vol. 1, pp. 136–7. This was a generic letter that perhaps all metropolitan bishops invited to Ephesus received. Juvenal of Jerusalem noted that he received a similar one: *Acts of Chalcedon* I.109; *ACO* II.1.1, p. 85; *ACC*, vol. 1, p. 150.

¹⁵³ Thomas Graumann, 'Theodosius II and the Politics of the First Council of Ephesus', in *Theodosius II: Rethinking the Roman Empire in Late Antiquity*, ed. Christopher Kelly (Cambridge: Cambridge University Press, 2013), pp. 109–29, here 128.

¹⁵⁴ For the quote see Theodoret, *ep.* 3a; *Théodoret de Cyr: Correspondance IV (Collections conciliaires)*, ed. and trans. Yvan Azéma (Paris: Les Éditions du CERF, 1998), pp. 80–9, here 86–7; Adam Schor, *Theodoret's People: Social Networks and Religious Conflict in Late Roman Syria* (Berkeley: University of California Press, 2011), p. 90. For the imperial ecclesiastical policy around and after the First Council of Ephesus see also the article by Susan Wessel, 'The Ecclesiastical Policy of Theodosius II', *Annuario Historiae Conciliorum* 33 (2001): pp. 285–308.

¹⁵⁵ *Council of Ephesus*, p. 7. See also Graumann, 'Kaiserliche Selbstdarstellung', pp. 291–4 but *contra* 302.

¹⁵⁶ *Acts of Chalcedon* I.52–3; *ACO* II.1.1, pp. 74–5 with n. 52 and Flemming, 4: the Syriac text gives the date. On the role of the presidency see Richard Price, 'Presidency and Procedure at the Early Ecumenical Councils', *Annuario Historiae Conciliorum* 41 (2009): pp. 241–74, here particularly 246–7; see also Andreas Weckwerth, 'Mehrheitsentscheidungen auf altkirchlichen Synoden? Überlegungen zu den Mechanismen der Konsensfindung', in *Bischöfe zwischen Autarkie und Kollegialität: Variationen eines Spannungsverhältnisses*, ed. Andreas Merkt, Christian Hornung, and Andreas Weckwerth (Freiburg: Herder, 2019), pp. 70–91, here 90.

Theodosius was worried that ‘Nestorians’ might seek to bring back Theodoret, and he regarded Dioscorus as a trustworthy ally against such ‘Nestorians’. As Dioscorus was the highest-ranking ecclesiastical leader participating in the council, he was a natural choice for this position. If the date of the *sacra* is correct, Theodosius announced Dioscorus’ presidency extremely late in the day, which reinforces the image of an autocratic emperor who organized an ecumenical council for select bishops but without their input and assistance.¹⁵⁷

The First Session of the Second Council of Ephesus on 8 August 449

At some point during (early?) summer 449, Theodoret rejoiced that the council had supposedly been cancelled and Emperor Theodosius was reconciled with Flavian.¹⁵⁸ If this rapprochement with Flavian had anything to do with Domnus’ episcopal delegation to Constantinople remains unknown. Theodoret’s hope was only short-lived though, as Theodosius’ surviving official letters from 449 reveal no second thoughts on his part but rather present the emperor as busily preparing his council. Nevertheless, Theodoret’s remark implies that the dyophysites still attempted to stop the council, which opened—with a delay of one week—on 8 August 449.¹⁵⁹ Considering that Flavian had antagonized Theodosius, Theodoret had been forbidden even to attend, many dyophysites were not allowed to speak, and the emperor’s official mandates clearly targeted all so-called Nestorians, what was the strategy that the remaining dyophysites allowed to participate pursue at the council’s first session?

Presumably, in the days before the council started, the various groups of bishops met to exchange positions and expectations. The papal legates—the Bishop Julius of Puteoli and the Deacon Hilary (who would become Leo’s successor)¹⁶⁰—stayed with Flavian of Constantinople (I.220), and the patriarch had certainly informed them of the emperor’s intention for the council as soon as they arrived in Ephesus.¹⁶¹ But the

¹⁵⁷ There is no indication that Theodosius had instituted Dioscorus as president earlier: all other imperial letters sent to Dioscorus in the acts are not personal but generic letters that all (or selected) bishops received. In other words, the acts included these letters only later, in retrospect, because Dioscorus presided the council. Honigmann, ‘Juvenal of Jerusalem’, *DOP* 5 (1950), pp. 209–79, here p. 232, however, points out that Timothy Aelurus gives an earlier date (June) for this *sacra*. If 6 August is correct, it might have arrived late in Ephesus for the beginning of the council, but the imperial commissioners likely had already been instructed beforehand.

¹⁵⁸ Theodoret, *ep.* 112; *Théodore de Cyr: Correspondance III*, Azéma, pp. 46–57. The name of Flavian does not appear in the letter but see above, p. 109. In the following references to the first session at the Council of Chalcedon will be given in brackets according to ACC. Greek and Latin texts vary at times but ACC note all variations.

¹⁵⁹ The date given to Dioscorus to arrive in Ephesus was 1 August 449.

¹⁶⁰ The attendance list of the first session also mentions a notary, Dulcitus.

¹⁶¹ See also Flavian’s appeal to Pope Leo: ACO II.2.1, p. 77.

dyophysites were not idle, as Theodosius' mandate of August 6 indicates: 'some of Nestorius' followers have attempted to exert themselves on his [Theodore's] behalf to secure his attendance somehow or other at the holy council.'¹⁶² In other words, dyophysite bishops lobbied at court or petitioned the emperor directly to lift the ban on their most prolific representative. Although they were not successful, they still represented a sizeable group of bishops. In addition to the papal legates and Flavian accompanied by allied bishops from Asia Minor and the Balkans, it was Patriarch Domnus in particular who was accompanied by dyophysite bishops from the Near East. If Flavian brought along twenty bishops and Domnus similar numbers as well, this number neatly fits Theodore of Claudiopolis' claim that forty-two bishops were requested to remain silent.

That said, before the council started, the dyophysite bishops must have been unaware of the exclusion of Eusebius of Dorylaeum and of Theodosius' order for dyophysite bishops to remain silent.¹⁶³ Their strategy must have been built upon the assumption that councils required unanimity. In contrast to Ramsay MacMullen's catchy book title *Voting about God*, bishops did not 'vote' at an ecumenical council but could only confirm a previously agreed upon sentence.¹⁶⁴ Therefore, despite the fact that the dyophysites had no say in either the organization or the presidency of the Second Council of Ephesus, they expected to be able to prevent decisions against any of them, considering that they made up around one-third of the participants at the council. Together with Leo's *Tome* (see below), which directly supported Flavian's (and Eusebius') Christological position, they might have even hoped to turn the tables. The stakes were high, though: the emperor still considered Eutyches as an archimandrite in good standing and had publicly questioned Flavian's and Eusebius' orthodoxy. In other words, Theodosius expected the council to rehabilitate Eutyches and to proceed against his accuser, Eusebius, and against his judge, Flavian.

With Dioscorus presiding, Alexandrian clerics acted as official staff at the council. John, Alexandrian presbyter and protonotary, opened the council by announcing that he had the *sacra* of the emperor of 30 March 449, in which he summoned the council and laid out the participants' tasks.¹⁶⁵ After John read out the letter, the papal legates confirmed its reception and noted that Leo had written a letter to the council that should be received—that is, deposited among

¹⁶² *Acts of Chalcedon* I.52; ACO II.1.1, p. 74; ACC, vol. 1, p. 140.

¹⁶³ Theodosius' letter to Dioscorus from 6 August concerning free speech was probably not generally known before it was read out (at the first session? or did it arrive too late?). It must have caused some uproar among the affected bishops. In addition, Eusebius' exclusion was only announced when Flavian requested his presence (see below, p. 119).

¹⁶⁴ See for example Price, 'Presidency and Procedure', p. 259. Ramsay MacMullen, *Voting about God in Early Church Councils* (New Haven: Yale University Press, 2006).

¹⁶⁵ Officially Theodosius and Valentinian ruled together, and therefore official mandates were in both of their names, but it was only Theodosius' court that was responsible for these letters here.

the acts—and read out.¹⁶⁶ Dioscorus, however, only ordered the letter to be received;¹⁶⁷ his protonotary John then pointed to another imperial decree, which Juvenal of Jerusalem asked to be received and read (I.84–86).

The non-reading of Leo's letter was considered one of the scandals of this council. Dioscorus claimed in 451 that he did not purposefully prevent its readings. Had an honest mistake been made? Leo's letter to the assembled council in Ephesus (*ep.* 33), in which the pope underlines his Petrine authority, was relatively short. It considered Eutyches a repenting heretic who should be allowed back into the Church, and pointed to the letter Leo had sent earlier to Patriarch Flavian.¹⁶⁸ This letter to Flavian was Leo's famous *Tome*, a doctrinal letter in which Leo set forth his dyophysite Christology.¹⁶⁹ The *Tome* became the foundational document for the Council of Chalcedon (not least because of its supposed disregard in 449) but nothing in Leo's *Tome* fit Theodosius' agenda for the council in 449. On the contrary, Theodosius would have considered it 'Nestorian', and Dioscorus must have known as much. It is therefore likely that Dioscorus skipped reading Leo's letter on purpose, and although the papal legates brought the matter up twice again in this session (I.219 and I.958), it was never read in 449. Dioscorus did, however, correctly request his aids to have Leo's letter received (I.84) and filed although it does not appear as part of the acts of the Second Council of Ephesus.¹⁷⁰

The imperial decree that Juvenal asked to be read was Theodosius' request to allow the archimandrite Barsauma to participate in the council (I.108). According to the minutes, Juvenal notes that he received a similar letter and that Barsauma should therefore 'rightfully attend the holy council' (I.109). No dissenting voices are recorded, but this imperial act was without doubt an extraordinary insult to all of the (eastern) bishops. Dioscorus, too, must have felt uneasy at the prospect of such an imposition, as it undermined the status of bishops as representing church and altar.¹⁷¹

Helpidius, the imperial commissioner and representative, opened his greetings with a brusque warning to the dyophysite bishops:

if he [Emperor Theodosius] finds any of you expelling genuine religion from your minds and using sophistry to bring matters of faith into dispute, contrary to the teaching of the holy fathers, alas for sentence that will be delivered against them by God and the emperor jointly! It would be better for them if they had not been born. (I.111)

¹⁶⁶ ACO II.1.1, p. 83 (Latin: ACO II.3.1, p. 58).

¹⁶⁷ The papal legates refer here to Leo's *ep.* 33 addressed to the assembled council: ACO II.4, pp. 15–16.

¹⁶⁸ Leo, *ep.* 33; ACO II.4, pp. 15–16.

¹⁶⁹ For the *Tome* and the papal preparations for the Second Council of Ephesus see Horn, *Petrou Kathedra*, pp. 41–50.

¹⁷⁰ Perhaps because the papal legates never signed the session, Dioscorus and the Alexandrian notaries later decided to remove the letter from the acts.

¹⁷¹ If Dioscorus had intended to ask a non-bishop to participate, he would have asked Shenoute who was probably present in 449 in Ephesus (see Chapter 2, p. 64).

Helpidius then read the imperial instructions to himself and to Eulogius: the first item for the council was the question of orthodoxy, which had to be settled. The bishops who judged Eutyches were not allowed to be judges themselves, as it was their sentence that was to be examined. Here—as well as in a letter to the proconsul of Asia—the emperor insisted in no uncertain terms that Helpidius ensure that everything would proceed in an orderly fashion. Theodosius was afraid things might get out of hand, as they had in 431. Helpidius was to have all the local manpower at hand in order to immediately quell possible disturbances (I.49–50). If these stipulations were not enough to frighten the dyophysite bishops, the commissioner also requested that Dioscorus read what the emperor had written to the council. This imperial letter praised Eutyches as ‘most devout archimandrite’, accused Flavian of having disturbed the peace of the Church, and asked the bishops to ‘expel from the holy churches the promoters and supporters of the impious blasphemy of Nestorius’ (I.51).¹⁷² It was perhaps only during the reading of these opening remarks that the dyophysites become aware of how hopeless their situation was.

Dioscorus then took over the lead and had the bishops agree on the orthodoxy as having been established in Nicaea and confirmed in Ephesus (I. 119–20, 136–7, 141–8). Neither Flavian nor the papal legates could protest against this claim in good faith. After Eutyches handed in his appeal against his condemnation (I.157, 164, 185), however, Flavian of Constantinople requested that Eusebius, as the former plaintiff, be present (I.186).¹⁷³ It was the imperial commissioner Helpidius, not Dioscorus, who reminded Flavian that:

the judgement of the former accuser has now been transferred by the judge to himself, in accordance with the procedure that is also followed in civil cases. So you have now assembled in order to subject to judgement those who previously sat in judgement, not to play the part of accuser over again and thereby be a fresh cause of turmoil. (I.197)¹⁷⁴

Artur Steinwenter has questioned if the Church in the Later Roman Empire had already developed a general *modus procedendi* of its own. An ecumenical council depended on the emperor and the imperial framework, and Helpidius’ claim might have been correct according to Roman law.¹⁷⁵ By 449, however, sufficient

¹⁷² If I am correct that it was the notion of the Council of Constantinople in Flavian’s creed in the Hagia Sophia in March 449 that upset Theodosius, it is unsurprising that the emperor did not explicitly name it here: it was of course not in the emperor’s (nor Dioscorus’) interest that the status of this council be discussed in 449.

¹⁷³ According to Eusebius’ appeal to Pope Leo, the papal legates, too, pleaded that Eusebius should participate; ACO II.2.1, p. 80.

¹⁷⁴ For the Greek and Latin see ACO II.1.1, p. 97 and ACO II.3.1, p. 74.

¹⁷⁵ At least it should not be ruled out, even if the problem was usually the other way around: it was uncertain if the former accuser could be brought to court but not if it was allowed to prevent him from returning; see William W. Buckland, *A Text-Book of Roman Law from Augustus to Justinian*

examples of ecclesiastical trials existed, and ecclesiastical custom required that a defendant be summoned three times before judges were allowed to sentence him *in absentia*.¹⁷⁶

When later accused at the Council of Chalcedon of having mishandled canonical procedure in 449, Dioscorus excused himself, asserting that 'I would not have had the power to prevent it [Eusebius' presence] but Helpidius brought an instruction in which he certified that the emperor had ordered him [Eusebius] not to appear' (I.189). In 449, however, Dioscorus confirmed that, while it was the emperor—in the person of Helpidius—who set out the procedural framework, it was one with which Dioscorus very much agreed: 'The admirable count Helpidius has spoken fittingly' (I.198). These two statements offer us a rare insight into Dioscorus' character. By the imperial scratch of the pen that facilitated Dioscorus' presidency the emperor also asked the council to abandon established ecclesiastical practice.¹⁷⁷ Would it not have been the task of a conciliar president to ensure that an ecumenical council was conducted according to canonical procedure?¹⁷⁸ 'Ecumenical' councils were above all imperial undertakings by default, but even though it was the emperor who set the procedural framework, the bishops in all likelihood expected that Dioscorus would urge that the prosecution of clerical opponents proceed according to ecclesiastical rules. The patriarch disappointed his peers, however, by executing the imperial course of action unquestioningly. Even two years later he did not seem to think that he could have handled the issue any differently. It reveals a lack of strategic vision on Dioscorus' part not to realize that such imperial intrusion would not only undermine his own position and standing among his peers but also damage the independence of the Church in the long run.

In all fairness to Dioscorus, the other bishops did not storm out in protest but rather agreed to Dioscorus' procedural suggestion of examining the minutes of the synod of Constantinople (I.199–216). The papal legates, however, apparently kept quiet and did not signal their agreement, and Dioscorus explicitly asked them if they would agree with the rest of the council.¹⁷⁹ Apparently, the atmospheric

(Cambridge: Cambridge University Press, 1921), 660–1. See also here p. 664 for the 'turnaround' of charges from the acquitted defendant back to the plaintiff. Artur Steinwenter, 'Der antike kirchliche Rechtsgang und seine Quellen', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 54 (1934): pp. 1–116, here especially 10–13. See also Lacey, *Appellatio Flaviani*, pp. 29–30. Sozomen, *Church History* VIII.19; Sozomenos: *Historia Ecclesiastica*, Hansen, vol. 4, pp. 1016–17 noted a story that a trial would always be illegal in the absence of the defendant.

¹⁷⁶ Nestorius in 431 preferred to stay away, but in 448 Eutyches appeared at the third summons; for Nestorius see *Council of Ephesus*, pp. 227–31.

¹⁷⁷ Even if Helpidius' claim of the legality of Eusebius' exclusion had any basis in Roman law (and it is difficult to falsify Helpidius' claim; see above, p. 119 n. 175), Dioscorus could have known better. Theodosius had already confined Theodoret to Cyrrhus without giving him any chance to defend himself in front of bishops, as Theodoret complained: see above, pp. 94–5.

¹⁷⁸ See Price, 'Presidency and Procedure', pp. 246–7.

¹⁷⁹ At this point they requested a second time that Leo's letter be read—before examining the minutes (I.217–19).

dissensions became noticeable, but by stepping up to the legates and directly addressing them, Dioscorus attempted to obtain their express approval.¹⁸⁰ The minutes of the synod in 448 were then read out, with occasional interruptions and shouts.¹⁸¹ During further procedures, the agreement of the papal legates is carefully highlighted: Bishop Julius' agreement to the faith of Cyril and of Dioscorus, as well as his agreement to the so-called *Canon 7* of the First Council of Ephesus, are explicitly noted in the acts (I.227).

A bit later in the session, Eutyches' declaration of faith was read out, and Dioscorus and the council accepted it by acclamation (I.506–510). Inasmuch as the council also cheered against the 'impious' Eusebius of Dorylaeum, however, it can be assumed that the dyophysite bishops abstained from these acclamations. The council went through the entire minutes of 448, Eutyches' petitions, and the review sessions in April 449, before Dioscorus officially asked the council to deliver a verdict on Eutyches (I.883). Juvenal of Jerusalem declared Eutyches to be orthodox (I.884), and then the minutes read, 'the holy council said: "This judgement is just".' This does not mean that all bishops present agreed, as the deacon and notary Aetius explained at the review session in April 449:

It often happens at these most holy gatherings that one of the most God-beloved bishops present says something, and what one man says is recorded and counted as if everyone alike had said it. This is what has happened from time immemorial: for instance, one person speaks and we write, 'The holy council said . . .'. (I.767)

Here, the verdict was given in accordance with Juvenal's sentence and, officially at least, the 'whole' council agreed with no dissenting voice. In addition, personal statements by the bishops were also collected to confirm Juvenal's sentence.¹⁸² 111 bishops and the archimandrite Barsauma agreed to Juvenal's sentence and composed individual statements about why they considered the sentence just. As the 114th participant, Dioscorus confirmed Eutyches' presbyteral rank and allowed him to return as archimandrite to his monastery.

These statements were probably not all made orally and in the presence of everybody. While Juvenal's sentence certainly was spoken in public, and the (majority of the) council would have answered with general expressions of agreement, the ensuing personal sentences may have been delivered in

¹⁸⁰ Dioscorus agreed to the reading of Leo's letter *after* the examination of the minutes of 448—which then never materialized.

¹⁸¹ As this was read out actually at the Council of Chalcedon, the minutes of three councils (plus a short episode from the First Council of Ephesus) are interleaved.

¹⁸² For this *interrogatio* modelled on the Roman senate see Price, 'Presidency and Procedure', pp. 255–6.

written form, collected by the notaries, or in oral form, individually read into the minutes for the notaries.¹⁸³ The attendance list at the beginning of the session included 131 participants (representing a total of 135 clerics), but only 114 individual statements are recorded. This indicates that seventeen participants, that is, around thirteen per cent of the participants, did not agree to reinstate Eutyches and refused to present their sentences to the notaries for the minutes.¹⁸⁴ Given that earlier in the session, Dioscorus addressed the papal legates directly and their agreement was explicitly noted in the minutes, the lack of statements by them here is telling. It can be regarded as form of passive resistance, one that did not, however, stain the official unanimity of the council's decision.

Now that Eutyches was reinstated, the monks of Eutyches' monastery appeared with a petition (I.887) to be accepted back into the communion of the Church, to which the council agreed through simple acclamations.¹⁸⁵ Dioscorus continued the session by requesting that the proceedings from the First Council of Ephesus, relating to matters of faith, be read out (I.905). Considering that everybody had already agreed on faith very early in the session, and the sections read here from the First Council of Ephesus are very long (I.911–45)—including a florilegium of Nestorius' heretical statements—Dioscorus' request seems rather peculiar. If Dioscorus considered a reading from the First Council of Ephesus suitable, why did he not request that Cyril's Third Letter to Nestorius including the *Twelve Chapters* be read? Scholars rightly note that the proceedings included the so-called *Canon 7* of Ephesus, for the purpose of preventing eastern bishops from claiming a minimalist reading of the Ephesine acts.¹⁸⁶ But if the reading of *Canon 7* had been Dioscorus' main goal, then most texts read at this point would have been irrelevant. If, indeed, all of the text from the First Council of Ephesus was read at this point (and not later inserted into the minutes), it was more likely because Dioscorus was trying to find common ground with dyophysite bishops who agreed with him on the heresy of Nestorius. Otherwise, the longish quotations

¹⁸³ Dioscorus once explicitly asked for written statements (I.943 see below, p. 123); for Flavian's deposition, too (I.962), Dioscorus probably called for the notaries not only to note down the decree but also to have them take everybody's personal statement.

¹⁸⁴ Besides Flavian and Julius as papal legate, the 'missing' sentences were mainly those of bishops (or their representatives) from Asia Minor: Docimasius of Maronea, Anastasius of Areopolis, Helias of Hadrianopolis, Constantius of Sebaste, Chrysanthius of Bagis, Polycarp of Tabala, Paul of Tripolis, Meliphthongus of Juliopolis, Longinus of Chersonesus, Eudoxius of Bosporus, Timothy of Primupolis, Longinus, presbyter, representing Dorotheus bishop of Neocaesarea, Anthimus, presbyter, representing Patricius bishop of Tyana, Ariston, presbyter, representing Eunomius bishop of Nicomedia, and Olympius, presbyter, representing Calogerus bishop of Claudiopolis.

¹⁸⁵ As only general acclamations by the 'holy council' are recorded, it remains unknown if the papal legate or Flavian disagreed.

¹⁸⁶ See Smith, *The Idea of Nicaea*, pp. 164–5 for an analysis of Dioscorus' achievements at the council. *Canon 7* is in the 22 July-session of Ephesus, which—before Dioscorus had it read out in 449—was not widely known. See also Smith, *The Idea of Nicaea*, p. 161 on how Dioscorus used the reading from the Ephesine acts to confirm Nicaea.

from Nestorius read out at that moment played no further role as, after the reading, Dioscorus merely asked the council as follows (I.943):

I think everyone accepts the definition of the holy fathers who met long ago at Nicaea, which was confirmed and sanctioned as alone in force, and as pleasing to God and sufficient, by the holy council that convened here formerly. We heard them decree as follows: 'If anyone affirms or holds or revises or inquires in addition to this, let him incur a sentence.' What is your decision? Let each person express his opinion in writing: can we inquire or revise in addition to this creed? If anyone has instituted an inquiry that goes beyond what has been said, {ordained and decreed,} will he not rightly incur the sentence of the fathers? So let each of you say if he is of this opinion.

Dioscorus thus wanted to have the so-called *Canon 7* read into the minutes along with select episcopal statements (largely by metropolitans) that confirmed agreement with it. Bishop Julius' agreement is notable (I.952), as is that of Hilary, who then repeated the request to have Leo's *ep.* 33 read out (I.958). Their testimony confirms that Dioscorus still had the overall support of the papal legates, but their insistence on having Leo's letter read out is remarkable: doing so would not only reopen the debate on faith but presumably also provoke public humiliation and condemnation of Pope Leo.¹⁸⁷ Dioscorus had no interest in opening another front, and—after garnering select personal statements and the general agreement of the council (I.961)—he focused attention on the remaining items of Theodosius' mandates: Flavian's disturbances of the faith and Eusebius' role as Eutyches' plaintiff in 448. Without further discussion or trial, Dioscorus turned *Canon 7* against Flavian and Eusebius:

as this holy and ecumenical council recognizes, Flavian formerly bishop of the church of Constantinople and Eusebius of Dorylaeum are seen to have stirred up and perverted almost everything, and have become a cause of scandal and turmoil to the holy churches and the orthodox congregations everywhere, it is clear that they have brought upon themselves the penalties which were then defined by our holy fathers in council. Therefore, in confirmation of this, we have delivered the judgement that the aforesaid Flavian and Eusebius are deprived of all priestly and episcopal dignity. (I.962)¹⁸⁸

¹⁸⁷ See de Vries, 'Das Konzil von Ephesus 449', pp. 367–8. De Vries argues that Dioscorus saved the papacy from public humiliation.

¹⁸⁸ See also Dioscorus' remark in the Syriac (partially shorted) minutes of the first session 'such (condemnation) did not take place in consequence of any acts committed by them [Eusebius and Flavian], but because they did not repent and confess the offences they committed and ask pardon, as the rest did with whom they had condemned Eutyches'; Perry (1875), p. 295; Perry (1881), p. 428. It remains difficult to decide whether this is true or was perhaps later added in the Syriac minutes to justify Dioscorus' procedure against Flavian.

Eusebius' deposition hardly raised much concern, as it was the logical consequence of Eutyches' rehabilitation.¹⁸⁹ The case of Flavian, however, was different: he had presided over the synod of 448, but if having judged Eutyches would make him guilty, all other bishops present in 448 would be guilty as well. At the Council of Chalcedon, Onesiphorus of Iconium and Marinianus of Synnada revealed that, together with Epiphanius of Perge and Nunechius of Laodiceia, they had attempted to prevent Flavian's deposition (I.858–I.861). As soon as they realized that *Canon 7* of Ephesus was being invoked in order to depose Flavian, they allegedly approached Dioscorus and begged him to spare Flavian: 'he has done nothing to deserve deposition. If he deserves reprimand, let him be reprimanded' (I.858). Further, Marinianus reminded Dioscorus of their shared episcopal status and called upon Dioscorus' respect for an episcopal judgement against one of his own clerics: 'You too have presbyters; the lord bishop ought not to be deposed because of a presbyter' (I.861). Indeed, the imperial commission had preferred not to dwell on Ibas of Edessa's scandalous behaviour but rather acquitted him. Even if Ibas had overstepped his authority, the committee regarded it as the bishop's prerogative to deal with their clerics as he saw fit. Particularly given the present situation, in which the emperor had encroached on episcopal prerogatives many times during recent years, the question of episcopal solidarity must have been a sore point.

In his appeal to Pope Leo, Flavian mentions that some bishops at Ephesus requested a postponement of his deposition—which is plausible and might have been a final attempt by Onesiphorus, Marinianus, Epiphanius, and Nunechius to prevent Flavian's immediate deposition.¹⁹⁰ It indicates that Dioscorus had not consulted his colleagues in advance concerning the judgement but had instead adopted the imperial perspective on Flavian. Emperor Theodosius remarked in his letter to the council: 'We repeatedly pressed the same most religious bishop [Flavian] to drop the inquiry, lest it be a cause of disturbance to the whole world, but he refused' (I.51). This leaves very little room for doubt that the emperor regarded Flavian as having been a 'Nestorian', and Theodosius himself pointed to *Canon 7* of Ephesus (I.52) in one of his mandates, thereby signalling how the council could proceed to condemn Eusebius and Flavian. Evidence for a charge of heresy against Flavian lay readily to hand: based on *Canon 7* from Ephesus, on the one hand, and the synod's exposition of faith in 448 on Christ 'in two natures', on the other hand, Dioscorus could have organized a trial against Flavian on a charge of heresy, but he apparently had no intention of doing so. Dioscorus did use *Canon 7* of Ephesus for Flavian's deposition but it is notable that neither Eusebius nor Flavian were anathematized—in contrast,

¹⁸⁹ See also I.858: it was Onesiphorus of Iconium who pointed out that resentment should have been directed against Eusebius but not Flavian.

¹⁹⁰ ACO II.2.1, p. 78.

for example, to Theodoret, who was later deposed *and* excommunicated in the second session.¹⁹¹ The emperor must have expected Flavian's condemnation (not just his deposition), and this non-anathematization should perhaps be regarded as a manifestation of Dioscorus' good will towards his peer.

Dioscorus ended his sentence against Eusebius and Flavian with the exhortation that everybody should 'declare his own opinion for recording in the minutes' and the (implicit) threat that 'everything that is transacted today will be made known to our most pious and Christ-loving emperors' (I.962). Flavian immediately appealed (I.963),¹⁹² and Hilary of Rome publicly objected to Dioscorus' sentence with a firm '*contradicitur!*' (I.964).¹⁹³ A large uproar must have followed, although the minutes fail to note any. The statements that followed could hardly have been read out in the presence of the whole council (I.966–1066) but should instead be considered personal verdicts collected after the session by the notaries and read into the minutes. The shortest possible form was to simply agree to the sentence (see for example I.1001–5), but some bishops, particularly the Egyptian bishops Theopemptus of Cabasa and John of Hephæstu, composed reports of their own (I.1043 and 1045). Also noteworthy is the statement offered by Domnus of Antioch that he considered the sentence against Eusebius and Flavian to be just (I.967). Some bishops condemned Eusebius and Flavian as heretics (I.1028, I.1037, I.1043, I.1045, I.1057, and I.1058) but a good number of bishops from the Balkans/Greece and Asia Minor handed in no statement at all. Of the 131 bishops reported to have been present at the session, only 102 read statements into the minutes,¹⁹⁴ in other words, more than twenty per cent of the bishops abstained, and Leo's deacon, Hilary, openly disagreed.¹⁹⁵

The final list of signatures for the whole session conveys more solid support for Dioscorus' sentences against Eusebius and Flavian. Of the 131 participants at the session, 124 signed,¹⁹⁶ but Dioscorus solicited later signatures from eleven further bishops:¹⁹⁷ six bishops who signed the first session were then also present at the second session but when the other five bishops who attended neither the first nor

¹⁹¹ See below, p. 131.

¹⁹² Price and Gaddis point out that he appealed to the Pope, not the council; ACC, vol. 1, p. 344 n. 499.

¹⁹³ For the meaning of this '*contradicitur*' see Lacey, *Appellatio Flaviani*, pp. 16–17 and also below, pp. 139–40.

¹⁹⁴ The Latin version contains the statements (ACO II.3.1, pp. 239–52); the Greek preserves only the names.

¹⁹⁵ In his appeal to Leo, Flavian misrepresents the numbers when he states that only very few ('*paucissimi*') signed while the majority disagreed: ACO II.2.1, p. 79.

¹⁹⁶ This again only applies to the Latin version: ACO II.3.1, pp. 252–8. The Greek text only contains eleven names and notes that 'all' the other bishops signed as well: ACO II.1.1, pp. 194–5. Latin version: besides Flavian and Julius, the signatures of Meliphthongus of Juliopolis, Onesiphorus of Iconium, Longinus of Chersonesus, Eudoxius of Bosphorus, and Timothy of Primupolis in Pamphylia are missing.

¹⁹⁷ It could even be twelve bishops but the list has a couple of doublets of signatures (in I.1067), and Gennadius, bishop of 'Cnidi'/'Gnosi' is presumably the same person (ACO II.3.1, pp. 257–8). For the importance of these signatory lists see Price, 'Presidency and Procedure', p. 267.

the second session signed remains unclear.¹⁹⁸ The official list of signatories of the first session was therefore 135, but on the evening of 8 August, the list must have been shorter.¹⁹⁹

Despite the missing signatures and the open statement of dissent by Hilary, Dioscorus considered his job as chairman and the work of the council done after this session. The council wrote a letter to the emperor informing him of the deposition of Eusebius and Flavian, 'who, after having erred from the Truth, were ejected from the Dignity of the Priesthood, and deprived of all the Honour of the Episcopate, inasmuch as they were pronounced guilty by us all unanimously, and with one voice and tongue have been condemned by the assembly'.²⁰⁰ The letter closed with the bishops' plea:

Now, we beg your Invincible Power that you would have compassion on the bodies of us, who are become old, and, through being weary with the journey upon our long way, are sick and cast down, especially in consequence of the bad atmosphere in Ephesus; and that you will command, that we depart from this place somewhat quickly, particularly on account of the long delay, so that every one may get back to his own Church and Town.²⁰¹

Apparently neither Dioscorus nor the other bishops had any idea that Theodosius had further plans for the council. In fact, while the bishops believed that with Eusebius' and Flavian's depositions their job was done, for the emperor this work was merely the prelude to a more thorough cleansing of dyophysites from episcopal ranks throughout the Near East. The bishops' letter and petition to return home must have reached the emperor in Constantinople a few days after the first session ended; instead of being allowed to return home, however, the

¹⁹⁸ It is also unclear why Paul of Anthedon, Paulinus of Theodosiopolis, and Anianus of Kapetolias were present at the second session but did not sign the first session. Paul in particular remains a mystery as he was in Constantinople in April 449 and should not have been late to arrive at Ephesus in August 449. As Natiras of Gaza was present in Constantinople in April 449 but at the second session of the Second Council of Ephesus on 22 August 449, the bishop of Gaza was Marianus, Paul might have ordained a successor for Natiras. Note also that Longinus of Chersonesus was present at the first session but Peter of Chersonesus signed the first session and attended the second. Honigmann, 'The Original Lists of the Members of the Council of Nicaea, The Robber-Council and the Council of Chalcedon', p. 39 assumed that Longinus was bishop of Chersonesus in the Crimea, Peter of Chersonesus in the province Europa. A bishop from the Crimea would rather be surprising, however: if these were bishops from two different cities, one probably came from Chersonesus in Europa, and the other from Chersonesus in Crete. If these were bishops of the same city, Longinus must have died after the first session, after which (some bishops of) the council ordained Peter—who then likely was a cleric of Longinus' retinue—as Longinus' successor.

¹⁹⁹ For a reconstruction of the list of all bishops present at the Second Council of Ephesus see Honigmann, 'The Original Lists of the Members of the Council of Nicaea, The Robber-Council and the Council of Chalcedon', pp. 28–41, though this 'original list' hardly indicates who was present at which session and who did or did not sign.

²⁰⁰ Perry (1875), p. 302; Perry (1881), p. 435.

²⁰¹ Perry (1875), p. 303; Perry (1881), p. 436.

bishops assembled in Ephesus received Theodosius' instructions for another session during the week of 15 August 449.

The Second Session of the Second Council of Ephesus on 22 August 449

On Monday, 22 August 449, 112 bishops and the archimandrite Barsauma reconvened in the Church of the Virgin Mary in Ephesus. In stark contrast to the first session, the imperial commissioners Helpidius and Eulogius do not appear in the surviving minutes. To assume, however, that they were not present, would be wrong. Dioscorus explicitly mentions Eulogius and his support for the Council in Ephesus in a letter written after the council.²⁰² The apparent disappearance of the imperial commissioners should be credited to the different nature of the minutes: whereas for the first session detailed, official *acta* survive, the minutes of the second session survive only in Syriac translation and are in all likelihood incomplete inasmuch as they lack transitions from one trial to the other, proper introductions of the plaintiffs *et alia*.²⁰³ For example, the case of the quarrelling bishops Athanasius and Sabinianus of Perrhe that, according to the record of the Council of Chalcedon, had been discussed at Ephesus and decided by Dioscorus, is completely missing.²⁰⁴ The single surviving Syriac manuscript with the minutes of the second session thus offers only an abbreviated version.

It is not even certain whether there were in fact only two sessions. As the minutes of the surviving 'second' session start with reports from the previous Saturday (20 August 449), when the council originally wanted to gather but did not because neither the papal legates nor Domnus of Antioch were present. Julius and Hilary, the Roman legates, were not to be found: the emissaries interviewed the Roman notary Dulcitus, who on Saturday claimed that Julius and Hilary were unavailable, and then on Sunday claimed that the pope had given a mandate only for the Eutyches' affair. Domnus was found to be ill but assured the council that he would support all measures against those who followed the impiety of Nestorius.²⁰⁵ Overall, 104 bishops who had been present at the first session joined again on 22 August, while twenty-seventy such bishops remained absent.

²⁰² Flemming, pp. 156–7. It is inconceivable that this support only refers to the first session.

²⁰³ Fergus Millar, 'The Syriac Acts of the Second Council of Ephesus (449)', in *Chalcedon in Context. Church Councils 400–700*, ed. Richard Price and Mary Whitby [TTH, Contexts] (Liverpool: Liverpool University Press, 2009), pp. 45–69, here 60–2, has noted the different character of the minutes of the second session; they are less formal and parts are most likely missing.

²⁰⁴ Sabinianus of Perrhe remarked at Chalcedon: 'At the council at Ephesus, on instructions from the primate of Alexandria, he [Athanasius] imposed himself on my church, while I who had been ordained against my will was expelled, even though the inhabitants of that city reacted to my departure with wailing and lamentation' (XIV.5). See also Liberatus, *Breviarium* 12; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 226–9.

²⁰⁵ Flemming, pp. 8–11; Perry (1881), pp. 21–6.

Meanwhile, however, nine additional bishops had arrived and joined the second session.²⁰⁶ Thalassius of Caesarea impatiently noted that the council had dragged on and that it should proceed. Although not explicitly recorded, he found general approval. As a result, the second session took place without the bishops (or representatives thereof) of Antioch, Constantinople, and Rome.²⁰⁷

Dioscorus' protonotary read out Theodosius' mandate from 27 June 449, addressed to the council. As the council had not yet convened by the end of June, the emperor was already at this time planning more than one session, without informing Dioscorus or any other bishop. This mandate was a full-scale attack on Ibas of Edessa: according to Theodosius, the bishop of Edessa was accused of impiety and blasphemy by so many parties that the council could not ignore it. It was the council's task to rectify the situation and appoint a new bishop for the metropolis.²⁰⁸ Already before this mandate, in mid-June, Theodosius had invited twelve eastern archimandrites to participate as members of the council. Similar to the case of Barsauma, Theodosius regarded them as saviours of the faithful in the Near East; their bishops, by contrast, he viewed as 'infected with the impious tenets of Nestorius'.²⁰⁹ As the archimandrites had to travel from their homelands to Ephesus, they arrived only after the first session was over. After the mandate against Ibas was read, these archimandrites entered the church and presented Theodosius' invitation letter. Dioscorus admitted them so that in total 112 bishops and thirteen archimandrites participated in the session.²¹⁰

The former imperial committee that had judged Ibas requested that the documents pertaining to his case be read.²¹¹ This dossier is extensive and allows a fascinating glimpse of provincial protest against a metropolitan bishop. When the *comes* Chareas entered Edessa on 12 April 449 he was welcomed by inhabitants chanting:²¹² 'Nobody wants a second Nestorius. [...] No man wants the hater of Christ [...] No man receives a Judas for a Bishop.'²¹³ These new outbursts against Ibas were presumably due to Ibas' renewed acquittal by Photius, Eustathius, and

²⁰⁶ Six of them also subscribed to the first session (Marianus of Gaza, Petrus of Chersonesus, Olympius of Sozopolis, Gennadius of Knossos, Martyrius of Gortyna, Maras of Dionysias), three others did not for reasons unknown: Paul of Anthedon, Paulinus of Theodosiopolis and Anianus of Kapetolias; see above, p. 126 n. 198.

²⁰⁷ Perry, p. 27 noted a lacuna here in the manuscript, Flemming p. 12 two paragraphs further down.

²⁰⁸ Flemming, pp. 4–7; Perry (1881), pp. 10–13; Coleman-Norton, pp. 756–7.

²⁰⁹ Flemming, pp. 12–13; Perry (1881), pp. 39–40.

²¹⁰ See already Bacht, 'Die Rolle der orientalischen Mönche', p. 225; *contra* Corcoran, 'Barsauma and the Emperors', p. 36 who believes that these archimandrites were requested to participate only in the case of Ibas; for the acts see Flemming, pp. 12–15; Perry (1881), pp. 39–41.

²¹¹ Flemming, pp. 14–15; Perry (1881), pp. 42–3.

²¹² Flemming, pp. 14–21, Perry, pp. 44–54; for these acclamations see also Luise Marion Frenkel, 'Individual Christian Voices in the Narratives of Late Antique Acclamations', *Religion in the Roman Empire* 2 (2016): pp. 196–226. For Chareas see *PLRE* II, p. 282: 'Flavius Thomas Iulianus Chareas'.

²¹³ Flemming, pp. 16–17; quoted from Perry (1881), p. 47.

Uranius at the end of February.²¹⁴ Petitions handed in by the inhabitants indicate that the protest was supported by various groups, including non-clerical one: not just monks and archimandrites but also dignitaries and municipal officials, etc. Their protest was based not only on doctrinal reasons but also on mismanagement and nepotism.²¹⁵ Several layers of reports were presented at Ephesus, and the documents show that, in addition to the *magister officiorum* and Emperor Theodosius, Flavian, Domnus, Juvenal, and Dioscorus had also been informed about the protests in spring 449.²¹⁶

The number of complaints collected is astonishing, and the bishops and archimandrites at the council were appalled, shouting.²¹⁷

Let Ibas be burnt in Antioch. Rid us of one man and deliver the (whole) world make one to burn, and deliver many. Nestorius and Ibas should be burnt together let Nestorius and Ibas be burnt in the middle of Antioch. Exile is of no use; exile damages the City. Nestorius and Ibas should be burned together. Exile is nothing to them.²¹⁸

That these acclamations were all shouted *after* Ibas' entire dossier had been presented (as the minutes have it) is unlikely. They rather seem to be interjections shouted by individual bishops during the reading of Ibas' deeds, which the notaries collected and summarily presented as 'the holy council said'.²¹⁹ Nonetheless, the brutality of the language is notable, as they were *ad hominem* attacks by bishops at an ecumenical council.²²⁰ The emperor may have paved the way for such an eruption of emotion by making no secret of his deep and personal aversion towards all 'Nestorians'.

Already in the first session, one outburst had been directed against Eusebius, calling for him to be burnt alive and cut in two (I.491). Now that Domnus, the

²¹⁴ Rammelt, *Ibas von Edessa*, p. 189. People even chanted the name[s] of [those] whom they wanted to replace Ibas, and officials claimed that they had difficulties in restoring peace; Flemming, pp. 26–7 and 34–5; Perry (1881), pp. 71–2 and 89.

²¹⁵ Doctrinally, the worst damning evidence was Ibas' alleged statement that he did not envy Christ, as well as his letter to Mari, the Persian: Flemming, pp. 48–53; Perry (1881), pp. 111–19. The letter would be condemned as heretical (again) by the fifth ecumenical council in 553. Maladministration of property: Flemming, pp. 22–3; Perry (1881), p. 62; Everybody signed against Ibas: Flemming, pp. 24–5; Perry (1881), p. 66; Rammelt, *Ibas von Edessa*, pp. 195–6. For the various groups: Rammelt, *Ibas von Edessa*, p. 198.

²¹⁶ For the different layers of the reports see the detailed account in Rammelt, *Ibas von Edessa*, pp. 181–6. For the fact that not just the emperor but also the most important sees had been informed: Flemming, pp. 46–9; Perry (1881), p. 109. The emperor had of course already been informed by a delegation in 448, after which he set up the imperial commission at the end of October 448; see above, pp. 92–3; see Flemming, pp. 58–61; Perry (1881), pp. 131–3.

²¹⁷ Flemming, pp. 54–7 and Perry (1881), pp. 124–7.

²¹⁸ Flemming, pp. 54–5; quoted from Perry (1881), p. 125.

²¹⁹ See above, p. 121 the remarks by Aetius how the spoken word was put on record.

²²⁰ The dyophysites in Antioch had called for the burning of Cyrillian monasteries in 448, but this is hardly comparable; Flemming, pp. 132–3; Perry (1881), p. 325.

papal legates, Flavian, and several of their supporters were absent, however, no dyophysites were present and the remaining Cyrillian bishops amongst themselves and felt empowered to call for more radical action. The minutes are incomplete, but it appears that Dioscorus did not seek to calm his peers' emotions and make them see reason but rather tolerated these shouts. Dioscorus and twenty-one metropolitans then gave their verdict, deposing and excommunicating Ibas.²²¹ Not all bishops gave their sentence, however, because Dioscorus noted that 'time does not remain for all your reverences to pronounce one by one his separate judgement'.²²² This position presents a stark difference from the first session, in which Dioscorus saw it necessary to address even the papal legates individually to request their agreement. Because of the complete absence of any outspoken dyophysite at this session, Dioscorus must have considered it superfluous to collect personal verdicts from everyone.²²³

The following trial was intrinsically linked to that of Ibas: his nephew Daniel, bishop of Harran, had been accused together with Ibas, and Juvenal requested that the former judges of Ibas pass sentence on the nephew as well.²²⁴ They condemned Daniel, and their sentence was seconded by the verdicts of Dioscorus and twelve metropolitans.²²⁵ Then John, Alexandrian priest and protonotary, turned the council's attention to the already deposed Irenaeus of Tyre and requested that the council also pronounce a canonical sentence against him.²²⁶ Dioscorus thereupon deposed and excommunicated the former bishop of Tyre, and eight metropolitans seconded his sentence and presented their verdicts before the council as a whole assented. Similarly, the council deposed Aquilinus of Byblus, who had been ordained by Irenaeus and was therefore judged to share his metropolitan's fate.²²⁷ Afterwards a new case, one closely related to those of Ibas and Daniel, was brought up by three clerics from Constantia/Tella in the Osrhoene, who brought charges against their bishop Sophronius, another relative of Ibas.²²⁸ They presented a *libellus* to the council in which they accused Sophronius of divination, astrology, magic, and Nestorianism, as well as association with Jews.²²⁹ On the suggestion of

²²¹ Flemming, pp. 60–9; Perry (1881), pp. 134–45. Ibas was also requested to make financial recompense to his home church.

²²² Flemming, pp. 66–7; Perry (1881), p. 145.

²²³ It can be assumed that the violent interjections offer a representative picture of how the participants felt about Ibas.

²²⁴ When Ibas' clerics laid charges against their bishop, Daniel too was accused of 'disgracefulness of his morals', pleaded guilty and resigned. Photius, Uranius and Eustathius as judges at that time excused themselves on the ground that they wanted to avoid a scandal; Flemming, pp. 68–9; Perry (1881), p. 157.

²²⁵ Flemming, pp. 70–3; Perry (1881), pp. 159–65.

²²⁶ Flemming, pp. 72–7; Perry (1881), pp. 171–7.

²²⁷ Flemming, pp. 76–9; Perry (1881), pp. 182–6.

²²⁸ Flemming, pp. 80–5; Perry (1881), pp. 189–99.

²²⁹ Sophronius' son Habib had a Jew over for dinner in the bishop's palace: Flemming, pp. 82–3; Perry, p. 196.

Thalassius of Caesarea, the council decided to leave judgement upon Sophronius to Ibas' successor as bishop of Edessa and to the provincial synod of Osroene.

After thus disposing of Sophronius' case, the council finally moved to the case of Theodoret of Cyrrhus. Considering the emperor's aversion to Theodoret and his exclusion from the council, his trial appears rather late in the day. However, the emperor's mandate concerning Ibas dictated that the council start with him, which led to the discussion of several 'minor' matters as a consequence of Ibas' case before the council could turn to the bishop of Cyrrhus. A proper introduction to Theodoret's trial is missing from the minutes; instead, a certain Pelagius, priest of Antioch, appeared to be present in the session and handed in his *libellus* to the Alexandrian priest and protonotary John. Pelagius' plaint was a full-scale attack on Theodoret and Domnus of Antioch.²³⁰ These two bishops ostensibly loved the 'impious doctrine of Nestorius', invented their own formula of faith, and suppressed orthodoxy and orthodox Christians like Pelagius.

Pelagius came equipped with Theodoret's writings and presented parts of Theodoret's *Letter 151* as well as fragments of his otherwise lost *Apology on behalf of Diodorus and Theodorus, Warriors for the (True) Religion*.²³¹ Of the latter, only fifteen fragments were read,²³² but two-thirds of Theodoret's long *Letter 151*—a theological treatise and refutation of Cyril's *Twelve Chapters*—were read.²³³ At the time of the letter's composition (around 430) Theodoret considered Cyril to have been an Apollinarian heretic; and although after 433, Cyril and Theodoret were officially in communion again, Theodoret's aversion to the *Twelve Chapters* had not diminished. In a letter to Domnus from summer 449 Theodoret still feared their intellectual potential if Cyril's successor Dioscorus was 'to confirm them in a second synod'.²³⁴ This was an accurate prediction of what happened at the council in 449, and Theodoret's case (and subsequently the trial of Domnus) offered the stage for opposition to Cyril and his *Twelve Chapters* to be singled out and used against the eastern bishops.

Dioscorus deposed and excommunicated Theodoret because of his impieties and blasphemies, past and present, which (as Dioscorus explicitly noted) had already troubled the emperor, and also because Theodoret had written treatises against Cyril. Dioscorus announced that he would forward the transactions to the emperor so that Theodosius 'may command these treatises of the impious

²³⁰ Fleming, pp. 84–91; Perry (1881), pp. 207–18. The identities of those who listed the cases, organized the appearances of the prosecutors and admitted Pelagius to the stage remain unclear.

²³¹ Fleming, pp. 104–9; Perry (1881), pp. 241–51.

²³² For the controversy surrounding Diodore of Tarsus and Theodore of Mopsuestia see Louise Abramowski, 'Der Streit um Diodor und Theodor zwischen den beiden ephesinischen Konzilien', *Zeitschrift für Kirchengeschichte* 67 (1955–56), pp. 252–87 here 286–7, and Behr, *The Case against Diodore and Theodore*.

²³³ Fleming, pp. 90–105; Perry (1881), pp. 218–40; for *Letter 151* see also Clayton, *The Christology of Theodoret of Cyrus*, pp. 136–41.

²³⁴ Theodoret, *ep.* 112 to Domnus of Antioch; see Chapter 2, p. 83.

Theodoret, so replete with all impiety and mischievous doctrine, to be committed to the burning of the fire'.²³⁵ Eustathius of Berytus, who was among the ten metropolitans whose individual sentences against Theodoret are recorded in the acts, remarked: 'We, all of us Bishops of the East, render thanks to God the Saviour of All, and to our Gracious and Christ-loving Emperors, for having assembled here this Holy and Ecumenical Synod. For, on behalf of the liberty of the East, was this Holy Assembly appointed (to take place)'.²³⁶ This assertion clearly corresponds with Emperor Theodosius' narrative that Barsauma and the other eastern archimandrites were in combat, battling for the orthodox faith against the eastern bishops who were infected with 'Nestorian' impiety. The council therefore was composed partially of archimandrites who represented the faithful laity, and the council 'cleansed' the Near East by removing Theodoret, its most influential anti-Cyrrillian dyophysite, from office.

After this action, the only case missing was that of Domnus, whose 'impiety' had already been brought up several times during the previous trials of Ibas and particularly of Theodoret. Before the trial against Domnus could begin, however, all of the depositions that the council had pronounced upon thus far were sent to the patriarch of Antioch for approval. As soon as Domnus' confirmation of the council's decisions was brought back to the council by the notaries, the council—perfidiously, one might think—put him on trial.²³⁷ Again, a proper transition from one trial to the next is missing in the minutes, but after Theodoret's trial, participants might well have expected that Domnus' condemnation would follow. The evidence and material brought forth against Domnus was varied and extensive: several clerics and monks presented *libelli* in which they accused Domnus of amicable relations with Theodoret, Irenaeus, and Ibas. It was also alleged that Domnus approved Theodoret's blasphemous sermons and offered the bishop of Cyrrhus residence within the Church of Antioch.²³⁸ Even after Theodosius' order, Domnus remained in communion with Irenaeus and questioned the emperor's decree.²³⁹ The priest Pelagius claimed that he was forced to present a 'Nestorian' confession of faith and that Domnus wanted to change the baptismal ritual. Further accusations had to do with Domnus' position as patriarch, and the Cyrrillian plaintiffs accused him of removing the bishops of Emesa and Antarados and of having replaced them with (unsuitable) successors. In short: 'the source of all these calamities and the cause of the ruin in the East is the Venerable Domnus, the Bishop of Antioch.'²⁴⁰

²³⁵ Flemming, pp. 108–9; Perry (1881), p. 252.

²³⁶ Flemming, pp. 112–13; Perry (1881), p. 257.

²³⁷ Domnus' confirmation: Flemming, pp. 112–13; Perry (1881), pp. 273–4. The council perhaps rendered judgement about some Constantinopolitan clergy whom Flavian had excommunicated while the notaries were away; Flemming, pp. 114–15; Perry (1881), p. 277.

²³⁸ Flemming, pp. 114–15; Perry (1881), pp. 289–90.

²³⁹ Flemming, pp. 116–17; Perry (1881), pp. 290–1.

²⁴⁰ Flemming, pp. 122–3; translation from Perry (1881), p. 309.

Between the various *libelli*, the minutes note the council's shouts against Domnus, in which he is accused of being worse than Ibas and of blaspheming God.²⁴¹ The nail in the coffin for Domnus' condemnation, however, was handed in by Dioscorus himself. The protonotary John read the four letters that Domnus and Dioscorus had exchanged in the summer 448. In his second (and final) letter, Domnus accuses theopaschites of being worse than Arians and refuses to accept Cyril's *Twelve Chapters*.²⁴² Independently of anything else objectionable in Domnus' letter, opposition to Cyril's work was the red line that could not be crossed. Dioscorus need simply ask the council if 'your Reverences [want] to reject the twelve chapters of our very Blessed Father Cyril?' in order to receive an enthusiastic anathematization of Domnus.²⁴³ It was a twist of fate that Dioscorus, who had come into office against the family of Cyril, now stood his ground on the international ecclesiastical stage as guardian of the intellectual heritage of his predecessor.

After recording the sentences of thirteen metropolitans against Domnus, the minutes of the session end unceremoniously.²⁴⁴ Dioscorus must have informed the emperor in writing about the results of the Second Council of Ephesus, but this letter has not survived. In response to that (lost) letter, Theodosius issued an edict that is attached to the minutes in the manuscript. The emperor recapitulated the story of the 'Nestorian' controversy and made Eusebius and Flavian responsible for its renewed outbreak.²⁴⁵ Theodosius hereby justified the convocation of the Second Council of Ephesus, which consequently proceeded against Eusebius and Flavian as well as Domnus and Theodoret. In accordance with the so-called *Canon 7*, Theodosius expected that, henceforth, the creed would never be modified. Following a lacuna in the manuscript, the emperor requests that Dioscorus issue an encyclical letter containing Theodosius' edict, the results of the two Councils of Ephesus, and the clause that the creed was unchangeable. The patriarch of Alexandria was to send this missive to metropolitan bishops, who in turn were to hand the encyclical to their suffragan bishops, who in their turn were all asked to make the edict known in church and to sign it. Finally, if Dioscorus should come across heretical books, he should ensure that they be burned.²⁴⁶

Although the beginning is missing, most parts of Dioscorus' encyclical letter survive in the same manuscript.²⁴⁷ 'Nestorian' writings were to be destroyed,

²⁴¹ See for example Flemming, pp. 118–19 and 122–3; Perry (1881), pp. 297 and 307.

²⁴² Flemming, pp. 144–7; Perry (1881), pp. 352–6.

²⁴³ Flemming, pp. 146–7; Perry (1881), p. 356.

²⁴⁴ Flemming, pp. 146–51; Perry (1881), pp. 359–63. Before the sentences there is a lacuna in the manuscript.

²⁴⁵ For Theodosius' rewriting of history here see Graumann, 'Kaiserliche Selbstdarstellung', pp. 295–7.

²⁴⁶ Flemming, pp. 150–5; Perry (1881), pp. 364–70.

²⁴⁷ Flemming, pp. 154–7; Perry (1881), pp. 373–5.

whereas the treatises of church fathers at the two Ephesine councils, the creed of Nicaea and the definitions of the Ephesine councils were to remain in force eternally. This arrangement had been enforced by imperial law, and ‘all of us have received that law with gladness and thankfulness’, as Dioscorus notes in his encyclical letter.²⁴⁸ No ‘Nestorian’ could become priest, and any ‘Nestorian’ who was already priest should be removed from the priesthood. Lastly, Dioscorus presented the task to the episcopal addressees: they had to inform all suffragan bishops of the various matters and make them subscribe. Episcopal subscription to the imperial law and to Dioscorus’ letter were to be reported to the emperor, who had commissioned the *tribunus et notarius* Eulogius as liaison for this task. Attached to Dioscorus’ letter was the standardized statement that each and every bishop had to sign and return a copy to court: ‘I, xx, Bishop of the City of xx, have subscribed to what is written above in this Law, and I stand to it all, and I consent to observe everything that is written in this Letter, without adding to, or leaving out, anything inserted therein.’²⁴⁹ In other words, all bishops throughout the Eastern Roman Empire were to have Dioscorus’ letter read in church, sign the formula, and return the latter to the imperial court in Constantinople.²⁵⁰

With this document, the minutes of the Second Council of Ephesus end, and Theodosius officially elevated it as the third ecumenical council after Nicaea and the First Council in Ephesus.²⁵¹ When, however, Pope Leo learned from Hilary—who had secretly escaped Ephesus at the end of August—of the procedure and the result of the first session of the council, and subsequently received Eusebius’, Flavian’s, and Theodoret’s appeals against their depositions, the pope refused to ratify the council. In one of his first letters after the council from autumn 449, Leo complains to Empress Pulcheria about Dioscorus’ ‘furor’; and, in July 451, he coined a phrase for posterity when he defined the council as *in illo Epheseno non iudicio, sed latrocinio*: what had been done at Ephesus was not a council but a ‘robber-council’!²⁵² More quickly than Leo could have hoped and expected, the Council of Chalcedon annulled the Second Council of Ephesus in 451, thereby confirming Leo’s harsh judgement and cementing the image of a ‘robber-council’ for the following 1,500 years of (Western) Church history. But is Leo’s judgement fair? And what role did Dioscorus play in it?

²⁴⁸ Flemming, pp. 154–5; Perry (1881), p. 374.

²⁴⁹ Flemming, pp. 156–7; translation from Perry (1881), p. 375.

²⁵⁰ It remains unknown if all bishops really did this in the months after the council because, after Theodosius’ death and the Council of Chalcedon, such an act of loyalty to Theodosius and his ecumenical council would have been nothing to brag about.

²⁵¹ After Dioscorus’ letter, the Syriac manuscript contains the finishing sentence concluding the council and a note by the scribe who copied this manuscript in 535 in the Eusebius monastery, near Apamea in Syria Secunda; Flemming, pp. 156–9; Perry, pp. 377–80.

²⁵² For Dioscorus’ furor see Leo, *ep.* 45; ACO II.4, p. 24; the ‘robber-council’: Leo, *ep.* 95; ACO II.4, pp. 50–1.

The Reception of the Second Council of Ephesus in 449–450

The question of the legality of the Second Council of Ephesus began with the appeals of Flavian, Eusebius, and Theodoret to Pope Leo.²⁵³ Flavian's appeal matters most here as Flavian was present at the first session. In his appeal to the pope, Flavian attempted to single out Dioscorus as the adversary, destroyer of church procedure, leader and decision-maker of everything at the first session.²⁵⁴ He did so even against evidence of the acts (which Leo of course did not know) because this was the only way his appeal made any sense: Flavian could hardly have accused the emperor of misdeeds as this would neither have been effective nor would Leo have been the proper address for such an appellation. In other words, Flavian's recourse to Rome and his appeal against the judgement of an ecumenical council would only work if Dioscorus became the accused party.²⁵⁵ Eusebius' appellation adds little to Flavian's depiction of the council, though Eusebius does note that Dioscorus allowed an 'unskilled multitude of lay people' (*inperitam multitudinem laicorum*) to enter the council.²⁵⁶ In other words, even the participation of the eastern archimandrites at the council was laid as a charge against Dioscorus. Eusebius mentioned the imperial commissioners who supported Dioscorus' injustice, but overall, the emperor and his officers played a marginal role in the episcopal appeals to Leo. Theodosius' responsibility was hidden and the role of Dioscorus as culprit emphasized.

Based on these appeals as well as on the deacon Hilary's damning report and the council's disregard for his *Tome*, Leo refused to accept the council as ecumenical. He started a campaign in October 449 by writing to Emperor Theodosius, Empress Pulcheria, Anastasius of Thessalonica, Julian of Cos, Flavian of Constantinople, the people of Constantinople and the archimandrites in Constantinople. In a letter to the emperor the pope blamed Dioscorus, first of all, for not allowing his *Tome* to be read, which (according to Leo) would have allayed the doctrinal strife.²⁵⁷ This judgement was delusional, but the other issues Leo raised are partially accurate: some bishops were not allowed to join, and those who were present were overcome by threats and insults (*minis atque iniuriis*) and 'impiously offered their captive hands to subscribe to the proceedings. They were men who knew that he [Dioscorus] would harm their position unless they did

²⁵³ For Flavian and Eusebius see ACO II.2.1, pp. 77–81; for Theodoret's appeal see Horn, *Petrou Kathedra*, pp. 83–96; the appeal adds nothing substantial concerning Dioscorus or the Second Council of Ephesus.

²⁵⁴ For the exaggeration of the role of Dioscorus see Horn, *Petrou Kathedra*, pp. 76–83, 271–3. Flavian's claim in his appeal that the majority of bishops agreed with him lacks all credibility: ACO II.2.1, p. 77. Note that he speaks of a '*Eutychianam fidem*', which Dioscorus and the bishops with him now established as the faith of the Church.

²⁵⁵ Although Flavian's anger with Theodosius is clearly notable in his appellation when he asks Leo to educate (*educere*) the emperor: ACO II.2.1, p. 79.

²⁵⁶ ACO II.2.1, p. 80. This certainly refers to the second session and not just to Barsauma.

²⁵⁷ Leo, *ep.* 44; ACO II.4, p. 20.

what he ordered and that the opinion he brought forward was such as to vent rage against the whole Church while persecuting one man [Flavian].²⁵⁸ In short, Leo held Dioscorus responsible for the council's organization, the failure to read Leo's *Tome*, the exclusion of bishops, and the enforcement of the council's sentences.

In his letter to Pulcheria, also dating to October 449, Leo makes a lack of restraint responsible for forcing bishops to subscribe to the council's judgments.²⁵⁹ Hilary, in his letter to Pulcheria, speaks of 'scares and traps' (*terroribus atque insidiis*).²⁶⁰ Leo secured the support of the western court, and the western imperial family wrote letters to Theodosius and Pulcheria in which they all emphasize the primacy of the See of Rome, underlining that Theodosius should listen to Leo's protests.²⁶¹ In addition, Emperor Valentinian III's mother, Galla Placidia, notes in her letter of February 450 to Theodosius the 'hate and disputes' (*odium et contentiones*) at Ephesus,²⁶² and Valentinian's wife, Licinia Eudoxia, wrote of Dioscorus' 'hostilities' (*inimicitias*).²⁶³ Leo's letter to Anastasius of Thessalonica reports that the pope had heard reports of soldiers and weapons at the council,²⁶⁴ and Galla Placidia more explicitly remarks that Dioscorus had threatened Flavian 'through the presence of soldiers and fear' (*militum praesentia et metu*).²⁶⁵

The letters all fail to mention Theodosius' involvement in the procedure of the council, thereby falsifying the narrative of the council from its very beginning. It was Theodosius who had excluded bishops from the proceedings and insisted that others remain silent. It was also the emperor who had written to Helpidius before the council that

you are to ensure the good order of the proceedings, expedite the decisions, and make sure that the deliberations of the holy council be both speedy and considered, and be communicated to us. [...] We have therefore, by writing to the admirable proconsul [Proclus], assigned to you the assistance of both the civic and local military authorities, so that, with your own zeal reinforced by this assistance, you may be able to fulfil all your instructions (I.49).²⁶⁶

²⁵⁸ Leo, *ep.* 44; ACO II.4, p. 20; translation from *St. Leo the Great, Letters*, trans. Edmund Hunt (New York: Fathers of the Church, 1957), p. 124.

²⁵⁹ Leo, *ep.* 45; ACO II.4, p. 24; see also Leo, *ep.* 50; ACO II.4, p. 21.

²⁶⁰ Leo, *ep.* 46; ACO II.4, p. 27.

²⁶¹ Leo, *ep.* 55–8. Susan Wessel, *Leo the Great and the Spiritual Rebuilding of a Universal Rome* (Leiden: Brill, 2008), pp. 261–7.

²⁶² Leo, *ep.* 56; ACO II.3.1, p. 14.

²⁶³ Leo, *ep.* 57; ACO II.3.1, p. 15.

²⁶⁴ Leo, *ep.* 47; ACO II.4, p. 22.

²⁶⁵ Leo, *ep.* 56; ACO II.3.1, p. 14.

²⁶⁶ ACO II.1.1, p. 72; ACC, vol. 1, p. 138. At the same time, the proconsul Proclus was warned that 'if we hear from them [Helpidius and Eulogius, the imperial commissioners] that you have not carried out this decree or satisfied their wishes, we shall give orders that you pay for your negligence' (I.50): ACO II.1.1, p. 73; ACC, vol. 1, p. 139.

In other words, the emperor organized imperial personnel to serve Eulogius and Helpidius in efficiently directing the conciliar proceedings. These personnel did not serve Dioscorus, who was in no position to command imperial staff, civil or military. In 449–450, however, a narrative naming Dioscorus as instigator of everything that went wrong at Ephesus became necessary for purposes of petitioning Theodosius not to ratify the Second Council of Ephesus. At the Council of Chalcedon then in 451, bishops happily made use of this narrative to exculpate themselves, because more than a hundred of those present at Chalcedon had also been present at the Second Council of Ephesus. The shouts of the eastern bishops at Chalcedon illustrate the spectrum of accusations against Dioscorus:

No one concurred [to Dioscorus sentences], force was used, force with blows. We signed blank paper. We were threatened with deposition. We were threatened with exile. Soldiers with clubs and swords stood by, and we took fright at the clubs and swords. We were intimidated into signing. Where there are swords and clubs, what kind of council is it? This is why he had soldiers with him. Drive out the murderer. The soldiers killed Flavian (I.54).²⁶⁷

Basil of Seleucia claimed that ‘I feared you, most devout Dioscorus; for you then applied great pressure on us, partly external and partly in what you said. Armed soldiers burst into the church, and there were arrayed Barsaumas and his monks, *parabalani*, and a great miscellaneous mob’ (I.851). Last but not least, throughout the first session Dioscorus was also called ‘murderer’ of Patriarch Flavian.²⁶⁸ The accusation of having killed a bishop is of course the most serious imaginable but scholars since Eduard Schwartz have already refuted this claim.²⁶⁹ Flavian was still alive when the council ended after 22 August 449, and irrespective of whether Flavian died shortly afterwards (end of August–September 449) or only in February 450, as Schwartz argues, Dioscorus cannot be made responsible for Flavian’s death.²⁷⁰ This falsification already indicates the outrageousness of some of the accusations the bishops presented at Chalcedon. Like the myth of Dioscorus as murderer, it is extremely unlikely that Dioscorus had had soldiers at his disposal who stormed the church at Ephesus. How could a bishop command soldiers? It is much more plausible—and completely in line with both Theodosius’ mandates and the letters of Leo and Galla Placidia, which mention soldiers—that

²⁶⁷ ACO II.1.1, p. 75; ACC, vol. 1, pp. 140–1.

²⁶⁸ *Acts of Chalcedon* I.30; I.257; I.530; I.1071; cf. *Acts of Chalcedon* IV.81.

²⁶⁹ See the recent discussion in Philippe Blauddau, ‘Un archevêque d’Alexandrie assassin? Retour sur une incrimination lancée à l’encontre de Dioscore 1er’, *Studie Ephemeridis Augustinianum* 125 (2011): pp. 87–100.

²⁷⁰ See the excellent article by Henry Chadwick, ‘The Exile and Death of Flavian of Constantinople: A Prologue to the Council of Chalcedon’, *Journal of Theological Studies* 6 (1955): pp. 17–34, who also summarizes Eduard Schwartz’s arguments (pp. 22–31). Dioscorus might of course metaphorically be regarded as Flavian’s ‘murderer’, as he was the one who deposed Flavian.

the imperial representatives ordered soldiers to restore public order after Flavian's deposition and to keep the deposed patriarch under guard.²⁷¹ Otherwise these soldiers probably guarded the church and ensured the smooth sequence of events without external disturbance, as the emperor requested. That the presence of soldiers at the command of the imperial commissioners intimidated those bishops who did not agree with Dioscorus—and the Cyrillian majority of the council—must have been a welcome side effect.

Stephen of Ephesus likely reported the truth when he complained in 451 that he was attacked because he had received Eusebius of Dorylaeum (and other dyophysites) into communion.²⁷² Less credible, however, is his story of how he was attacked: allegedly, the imperial commissioners commanded 300 soldiers and Eutychian monks who entered his palace and told Stephen that he was an enemy of the emperor. First, Helpidius or Eulogius commanded only soldiers, not monks, and if they had entered the episcopal palace at the head of a group of soldiers and accused Stephen of being an enemy of the emperor, they would have arrested him and put him on trial. In other words, while it is credible that Stephen received threats (from Eutychian monks?) and likely that he received warnings from the imperial commissioners not to position himself with Eusebius and the dyophysites, the high-pitched stories told at Chalcedon clearly mixed fact with fiction; such accounts were rather an act of self-preservation by bishops who switched doctrinal camps in the period from Ephesus to Chalcedon. It is also very plausible that in 449 these bishops were threatened with deposition and exile if they did not agree to the sentences. But was this not to be expected at any council?²⁷³ As unanimity was needed, a bishop who failed to agree with a council's decisions and sentences was threatened with deposition and exile by default.

Flavian's deposition at the first session of the council was a harsh sentence, the procedure was no proper trial, and many bishops (probably silently) had expected Dioscorus to show mercy to his colleague. But the accusation that bishops were compelled to sign blank papers and did not know that it was Flavian they were deposing comes to nothing.²⁷⁴ If the bishops had received blank papers at the very

²⁷¹ Flavian was in prison: see Chadwick, 'The Exile and Death of Flavian', p. 18; ACO II.2.1, p. 78.

²⁷² *Acts of Chalcedon* I.58; ACO II.1.1, p. 75.

²⁷³ See also Ps-Zachariah Rhetor's report of two Cyrillian bishops (Amphilochius of Side and Eustathius of Berytus) who are said to have complained that they were forced to subscribe to Chalcedon in 451: Ps-Zachariah Rhetor, *Church History* III.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, ed. E.W. Brooks, vol. 1 (Paris: E Typographie Reipublicae, 1919), p. 153; *The Chronicle of Pseudo-Zachariah Rhetor: Church and War in Late Antiquity*, trans. Geoffrey Greatrex et al. [TTH] (Liverpool: Liverpool University Press, 2011), p. 111.

²⁷⁴ The accusation of being forced to sign blank papers/sheets is a recurrent one: *Acts of Chalcedon* I.28, I.54, I.62, I.132, I.134, and I.182. In I.62 Theodore of Claudopolis claimed that the sessions, resolutions, etc. were so confusing that the bishops did not know what was happening or whose deposition they were agreeing to by signing a blank sheet. Considering the orderly minutes of the first session, however, it seems unlikely that the bishops present did not know whose deposition was coming up. See also I.182, where the officials clearly refer to blank sheets for the deposition of Flavian.

beginning of the session and were directed to give their agreement to whatever Dioscorus would decide during the first session, why are the subscriptions of several bishops and those of the papal legates missing from the end of the first session? It seems much more plausible to assume that the bishops were given blank papers as standard procedure to formulate their individual sentences of deposition, knowing very well that it was Flavian whose deposition was stake.²⁷⁵ In other words, one of the main complaints aimed at proving Dioscorus' rule of terror has no substance.²⁷⁶

The same is true for the accusations that Dioscorus falsified the minutes (as several shouts at Chalcedon implied), that he forbade notaries of other bishops to take notes, and that his notaries even 'erased their tablets [of Stephen of Ephesus' notaries], and almost broke their fingers in the attempt to snatch their pens' (I.130).²⁷⁷ While the imperial commissioners certainly ran a tight ship and Dioscorus' notaries unquestionably massaged their notes of the session (in order to highlight papal agreement for example), the surviving minutes demonstrate that abstentions from sentences were possible and that bishops could and did refuse to subscribe to sentences; Hilary's '*contradicitur*' alone refutes accusations that Dioscorus suppressed or falsified dissent and protest by dyophysite bishops. If this had been the case, Hilary's objection should have been the very first word to be erased from the minutes!²⁷⁸

Dioscorus likely had little time to prepare a strategy for the first session and lacked the political shrewdness needed to maintain the façade of unity among council members. He fulfilled Theodosius' agenda without concern for his own public image, but the accusations later levelled against him at Chalcedon seem largely unwarranted. Not having Leo's *ep.* 33 read out (which referred to Leo's *Tome* and would have entailed a reading of the *Tome* as well) means that Dioscorus did not want to quarrel with the papal legates and have Leo condemned by the council. Both the way Dioscorus approached the legates and his choice of readings from the First Council of Ephesus (not Cyril's *Twelve Chapters* but quotes by Nestorius) indicates that Dioscorus at least attempted to rally support

²⁷⁵ As the attempt by Onesiphorus of Iconium, Marinianus of Synnada, Epiphanius of Perge and Nunechius of Laodiceia to stop the deposition also shows; see above, p. 124.

²⁷⁶ See de Vries, 'Das Konzil von Ephesus 449', p. 394: there was no need for violence because the majority sided with Dioscorus anyway.

²⁷⁷ Stephen used this fabricated horror story to exculpate himself at Chalcedon.

²⁷⁸ See the similar incidence at the sixteenth session of the Council of Chalcedon: the papal legates strongly opposed the so-called *Canon 28* of Chalcedon: 'we ask [...] that whatever was transacted yesterday in our absence in prejudice of the canons or rules be nullified. But if otherwise, let our formal objection [*contradictio*] be recorded in the minutes, so that [...] he [Pope Leo] may pass sentence on either the insult to his see or the overturning of the canons.' The imperial officials allowed the objection to remain in the minutes and then ended the whole council: 'All our resolutions have been confirmed by the council.' ACO II.1.3, p. 458 and ACO II.3.3, p. 553; ACC, vol. 3, p. 91. See also Wilhelm de Vries, 'Die Struktur der Kirche gemäss dem Konzil von Chalkedon (451)', *Orientalia Christiana Periodica* 35 (1969): pp. 63–122, here 110.

for his 'anti-Nestorian' sentences. He did not excommunicate Flavian as the emperor expected but 'only' deposed him. The inclusion of Hilary's '*contradicitur*' in the minutes speaks against a violent, tyrannical president but rather for Dioscorus' unsophisticated sincerity, a character trait that numerous bishops at Ephesus and Chalcedon lacked. Instead, they covered up their embarrassment at not having stood up for their episcopal rights and persuasions in 449 by laying the blame on the patriarch of Alexandria in 451.

The Church between Ephesus and Chalcedon

After Flavian's deposition on 8 August 449, and his death shortly afterwards (perhaps at the end of August 449), the deacon Anatolius was ordained as Flavian's successor as patriarch of Constantinople, likely in November of the same year.²⁷⁹ The ordination of Anatolius was remarkable as he was Dioscorus' *apocrisarius*, that is, Dioscorus' ambassador or representative in Constantinople.²⁸⁰ It is difficult to imagine that he had been the chapter's first choice, and the church historian Theodore Lector remarks that Dioscorus wanted him as new bishop, assuming that Anatolius would support Dioscorus' doctrinal position.²⁸¹ Anatolius, in turn, ordained—against established ecclesiastical canons—a certain Maximus as successor to Domnus of Antioch.²⁸² Maximus might have been the zealous Cyrillian monk who had been accused of being behind Theodosius' 'anti-Nestorian' edict in 448 and whose bigotry had in the past been too much

²⁷⁹ See Chadwick, 'The Exile and Death of Flavian', p. 25. It is reasonable to assume that Anatolius was ordained in November 449, not in April or June 450 (see Ernest Honigmann, 'Juvenal of Jerusalem', 237–8). Theodore Lector, *Church History* fragment 2; Hansen, p. 99 noted that Anatolius was ordained during the consulate of Protogenes and Asterius/Asturius which was in 449; see Roger S. Bagnall, Alan Cameron, Seth R. Schwartz, and Klaas A. Worp, *Consuls of the Later Roman Empire* (Atlanta, GA: Scholars Press, 1987), pp. 432–3. It is also difficult to imagine that the capital was without bishop for more than half a year (and by implication that Antioch was without bishop for almost an entire year; see below, pp. 147–8); for November 449 see also Philippe Blauveau, *Alexandrie et Constantinople (451–491) de l'Histoire à la géo-ecclésiologie* (Rome: École Française, 2006), p. 123 and Philippe Blauveau, *Le Siège de Rome et l'Orient (448–536): Étude géo-ecclésiologique* (Rome: École Française, 2012), p. 136 (see also p. 322 n. 327); but Blauveau postulates December 449 in Philippe Blauveau, 'Rome contre Alexandrie? L'interprétation pontificale de l'enjeu monophysite (de l'émergence de la controverse eutychieenne au schisme acacien 448–84)', *Adamantius* 12 (2006): pp. 140–216, here, p. 149, and Philippe Blauveau, 'Un archevêque d'Alexandrie assassin? Retour sur une incrimination lancée à l'encontre de Dioscore 1er', *Studie Ephemeridis Augustinianum* 125 (2011): pp. 87–100, here 90.

²⁸⁰ Theodore Lector, *Church History* fragment 2 and 351; Hansen, p. 99; Liberatus, *Breviarium* 12; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blauveau, pp. 228–31. It is unknown if Dioscorus had one or more *apocrisarii* in Constantinople or if *apocrisarius* was even an official designation at this time. From Cyril it is known that he had (at least around 430) several *apocrisarii* in Constantinople; see ACO I.1.1, p. 110; see also *Council of Ephesus*, p. 102 n.36.

²⁸¹ See previous footnote. That Dioscorus personally ordained Anatolius seems unlikely; see Honigmann, 'Juvenal of Jerusalem', p. 214 n.21. See also below, p. 147.

²⁸² As Leo's complaints about this uncanonical election show: Leo, *opp.* 104 and 106 from May 22, 452; ACO II.4, pp. 55–7 and 59–62.

even for Cyril.²⁸³ Although this identification remains speculative, Maximus was without doubt a protégé of Anatolius.

At this point, Dioscorus' power was at its peak and his influence over the eastern Mediterranean Church complete. At Ephesus, he was acclaimed as the 'ecumenical archbishop of the great city of Alexandria', and the sixth-century translator Rusticus annotated that Dioscorus was even regarded as the *uniuersalis archiepiscopus mundi*, 'the universal [=ecumenical] archbishop of the world'.²⁸⁴ Within a few months, his *apocrisarius* became patriarch of Constantinople, a protégé of his *apocrisarius* patriarch of Antioch, and each and every bishop in the Eastern Roman Empire had to have Dioscorus' encyclical letter read out in church and sign a personal statement that he agreed to the three ecumenical councils, to the Nicaean creed, to the anti-Nestorian decisions of the two councils at Ephesus and to Theodosius' edict that enshrined this 'finalized faith' into law.²⁸⁵ At first, this post-Ephesine ecclesiastical order seemed destined to last, as Emperor Theodosius defended the Second Council of Ephesus as ecumenical against western appeals by Pope Leo, Emperor Valentinian, Galla Placidia and Licinia Eudoxia.²⁸⁶ Theodosius assured his western relatives that Flavian of Constantinople needed to be removed so that peace could be restored in the Church, and that no other decision was possible.²⁸⁷ As the emperor answered appeals from the West in spring or early summer 450—that is, only shortly before his death at the end of July 450—he undoubtedly regarded the Second Council of Ephesus as the definitive answer to the 'Nestorian' controversy.

The emperor's religious policy during the last months of his life has been debated in scholarship based largely on the ninth-century testimony of the Byzantine chronicler Theophanes Confessor. For the imperial policy that led to the Second Council of Ephesus, Theophanes blamed the eunuch Chrysaphius (and the Empress Eudocia), who had been angered by Flavian.²⁸⁸ Chrysaphius is reported to have pressured the emperor to convene the Council of 449 and to offer Dioscorus its presidency;²⁸⁹ according to Theophanes, however, already a year later Emperor Theodosius regretted having listened to Chrysaphius and sent

²⁸³ Krismanek, *Das Briefkorpus Kyrills*, especially p. 190 n. 206. For the monk Maximus as important ally of Cyril and maybe later of Eutyches see Krismanek, pp. 187–90 and 249–50. See also above, p. 99.

²⁸⁴ ACO II.3.1, p. 187; ACC, vol. 1, p. 287; for Rusticus' comment see note in ACO II.3.1, p. 187.

²⁸⁵ See also Smith, *The Idea of Nicaea*, pp. 167–8.

²⁸⁶ As third ecumenical council see Leo, *ep.* 63; PL 54, p. 877–8.

²⁸⁷ See Leo, *ep.* 62; PL 54, p. 875–7 and Leo, *ep.* 64; PL 54, p. 877–9.

²⁸⁸ For Chrysaphius see PLRE II, pp. 295–7; Helga Scholten, *Der Eunuch in Kaisernähe: Zur politischen und sozialen Bedeutung des 'praepositus scari cubiculi' im 4. und 5. Jahrhundert n.Chr.* (Frankfurt: Peter Lang, 1995), pp. 248–9. Later Byzantine historiography also debated the opposition of Chrysaphius and Flavian (and Dioscorus' role as Chrysaphius' ally); see Nikephoros Kallistos Xanthopoulos, *Church History* 14, in PG 146, pp. 1221–5.

²⁸⁹ This line of argument can already be found in Theodore Lector, *Church History* 346; Hansen, p. 98.

him into exile.²⁹⁰ Obviously, as *spatharius* with easy access to the emperor, Chrysaphius could have lobbied for the council, but it remains suspicious that contemporary sources provide no support for the image of him as miaphysite mastermind behind the scenes. Bevan and Gray even argue that Chrysaphius would have supported the dyophysite party if the payment was acceptable.²⁹¹ Theophanes' claim that Theodosius changed his mind about the Council of 449 is understandable but it is undoubtedly false: in order not to raise concerns about Theodosius' orthodoxy, Theophanes invented a 'Chalcedonian' orthodoxy for the emperor even though the emperor's own letters to the western court prove that he sided with the 'non-Chalcedonian' opposition.²⁹²

That Theodosius did not waver despite vigorous pressure by the western court and by Leo speaks to the constancy of Theodosius' (and/or his court's) 'anti-Nestorian' religious policy during the 440s.²⁹³ Nothing in contemporary sources supports Theophanes' image of a weak emperor who was his eunuch's plaything.²⁹⁴ On the contrary, in his mandates, Theodosius appears to be a headstrong emperor, always willing to proceed against 'Nestorian' bishops if necessary. Towards the end of July 450, however, Theodosius had a riding accident, fell off his horse, broke his neck or back, and died on 28 July 450, at 49 years of age. Theodosius' death was unexpected, and the eastern bishops as well as Pope Leo must have gasped with relief and thanked God for Theodosius' horse. Regardless of who succeeded Theodosius, from a dyophysite perspective ecclesiastical politics could only improve.

The Theodosian dynasty had ruled the Roman Empire(s) for over eighty-six years but because Theodosius had no heir, the succession was not a given, and it should have been the western emperor Valentinian III's task to select a successor for the eastern half of the empire.²⁹⁵ Instead, less than a month later, on 25 August

²⁹⁰ Theophanes Confessor, *Chronicle*, AM 5940 and AM 5942; *Theophanis Chronographia*, ed. Carl de Boor, vol. 1 (Leipzig: Teubner, 1883), pp. 100–1; *The Chronicle of Theophanes the Confessor: Byzantine and Near Eastern History A.D. 284–813*, trans. Cyril A. Mango (Oxford: Clarendon Press, 2006), pp. 155, 158.

²⁹¹ Bevan and Gray, 'The Trial of Eutyches', p. 623.

²⁹² Timothy Gregory found this story credible, even without contemporary evidence: Gregory, *Vox Populi*, pp. 164–6; Manuela Keßler, *Die Religionspolitik des Kaiser Marcianus (450–457)* (PhD Diss. Goethe-University Frankfurt am Main, 2011), pp. 64–5 rightly rejects that position. Kenneth G. Holum, *Theodosian Empresses: Women and Imperial Dominion in Late Antiquity* (Berkeley: University of California Press, 1982), p. 207 does not discuss the religious policy, but he also considers it likely that Theophanes Confessor may be right about banning the eunuch Chrysaphius as he was considered responsible for it. For Chrysaphius see Holum, *Theodosian Empresses*, pp. 205–8 and Paul Goubert, 'Le rôle de Sainte Puchérie et de l'eunuque Chrysaphios', in *Das Konzil von Chalkedon. Geschichte und Gegenwart vol. 1: Der Glaube von Chalkedon*, ed. Alois Grillmeier and Heinrich Bacht (Würzburg: Echter, 1951), pp. 303–21.

²⁹³ See Graumann's articles (particularly his 'Kaiserliche Selbstdarstellung') for introduction to Theodosius' religious policy, including the question whether this was Theodosius' 'personal' persuasion or a consistent religious policy by the court.

²⁹⁴ See the survival of Theodosius' law confirming the Second Council of Ephesus: later comments ascribe this law then to the machinations of Chrysaphius: see ACO II.3.2, pp. 347–8.

²⁹⁵ Richard W. Burgess, 'The Accession of Marcian in the Light of Chalcedonian Apologetic and Monophysite Polemic', *Byzantinische Zeitschrift* 86–7 (1994): pp. 47–68, here 49.

450, Marcian was acclaimed emperor in Constantinople. He was the son of a soldier and a soldier himself, a *tribunus* and a *domesticus*.²⁹⁶ Within what is likely to have been just weeks of taking the purple, Marcian wrote a letter to Pope Leo in which he announced his accession because 'your holiness, possessing primacy in the episcopate of the divine faith, [should] be first addressed by our sacred letters'. Furthermore, Marcian expressed his zeal to remove 'every impious error through holding a council on your authority'.²⁹⁷ One of Marcian's first acts as emperor was thus to side with the dyophysites, question the Second Council of Ephesus, and invite the pope for (another) ecumenical council, this one under papal presidency. This step was in part politically motivated: without Emperor Valentinian III's approval, Marcian's legitimacy was more than questionable—even though he married Theodosius' sister Pulcheria, thereby continuing the Theodosian dynasty in the East.²⁹⁸ The new emperor undoubtedly hoped that an ecclesiastical union with the pope would (help to) secure western recognition.²⁹⁹

Marcian's offer to the pope was serious, as Marcian's actions even before the Council of Chalcedon was convened in October 451 reveal.³⁰⁰ In a letter to Leo from 22 November 450, Pulcheria notes that, as a preliminary, Marcian recalled bishops whom the Second Council of Ephesus had exiled.³⁰¹ The Augusta also remarked that Patriarch Flavian's remains had been returned to Constantinople and buried in the 'Church of the Twelve Apostles'. Even before the return of his bones, Flavian was restored to the diptychs of the Church of Constantinople.³⁰² In other words, Flavian was no longer regarded as a heretic—while at the same time, Eutyches and his supporters were banned from communion.³⁰³

What was likely most astonishing of the religious changes that Pulcheria reported to Leo was that Anatolius of Constantinople had accepted and subscribed to Leo's *Tome*. In July 450, Leo had sent legates to Constantinople, where they were more cordially welcomed than they had expected when they left Rome, before the death of Theodosius II. They participated in a synod in October, in which Anatolius and the Constantinopolitan *synodos endemousa* accepted

²⁹⁶ PLRE II, pp. 714–15: 'Marcianus 8'.

²⁹⁷ Leo, *ep.* 73; ACO II.3.1, p. 17; trans. ACC, vol. 1, pp. 92–3.

²⁹⁸ Burgess, 'The Accession of Marcian', p. 59.

²⁹⁹ Marcian was regarded usurper in the West until 452, that is, after the Council of Chalcedon.

³⁰⁰ For the time between Ephesus und Chalcedon see Kießler, *Religionspolitik*, pp. 60–95 and Pfeilschifter, *Der Kaiser und Konstantinopel*, pp. 399–410; see also Chadwick, 'The Exile and Death of Flavian'.

³⁰¹ As can be seen in Pulcheria's letter to Leo: Leo, *ep.* 77; ACO II.3.1, pp. 18–19; trans. ACC, vol. 1, pp. 93–4; the new ecumenical council would make the final decision concerning the bishops.

³⁰² Theodore Lector, *Church History* 357; Hansen, p. 100.

³⁰³ Leo, *ep.* 83 to Marcian from June 9, 451; ACO II.4, pp. 42–3. See also the complaints of Cyrillian monks and archimandrites in Constantinople at the Council of Chalcedon in 451: *Acts of Chalcedon* IV.76; ACO II.1.2, pp. 311–12; the forced subscription probably relates to the *Tome* of Leo. See Kießler, *Religionspolitik*, pp. 69–70.

Leo's *Tome*.³⁰⁴ As the *Tome* was hardly compatible with traditional Cyrillian Christological understanding—on account of which it found committed critics at the Council of Chalcedon—the *Tome*'s recognition was a remarkable modification of Anatolius' doctrinal alignment within less than four months after Theodosius' death. Another half a year later, Pope Leo was informed that not only the Church of Constantinople but also Maximus of Antioch had agreed to his *Tome*.³⁰⁵ The *Tome*'s acceptance there and in Constantinople constituted a complete overturning of ecclesiastical politics within an extremely short period of time. How was it possible that a general council imperially sanctioned as the third ecumenical council was not only questioned but also that its theological and personal sentences came to be completely dismantled within a few months? How could Dioscorus fall so quickly from being acclaimed as the ecumenical archbishop of the world in Ephesus to being caricatured as murderous heretic at Chalcedon?

Theological epiphanies were hardly the reason for this sudden doctrinal turnaround. Most bishops at the Second Council of Ephesus were Cyrillians, and the new patriarchs of Constantinople and Antioch were also elected and ordained as Cyrillians and anti-dyophysites. It would be unreasonable to assume that either Anatolius or Maximus had suddenly discovered the philosopher's stone in Leo's *Tome* and happily subscribed to it out of theological conviction. Scholars have pointed to Theodosius' sister Pulcheria, the new Augusta, as a protagonist of the change in ecclesiastical politics.³⁰⁶ Leo's letters throughout the years—both before and after Theodosius' death—indicate that the pope regarded her as orthodox, and her actions after Theodosius' death prove that she was actively engaged in the restitution of those bishops who had been wronged at the Second Council of Ephesus. That said, Pulcheria helped dismantle the decisions of the Second Council of Ephesus only *after* her brother's death.³⁰⁷

Numerous later sources claim that soon after Theodosius' death, Pulcheria removed the eunuch Chrysaphius and had him put to death.³⁰⁸ Her opposition to him (he had allegedly intrigued against her) has usually been read as a religious controversy at the Theodosian court. Chrysaphius represented the 'miaphysite/Eutychian' party that guided Theodosius' religious politics during the 440s while Pulcheria represented the marginalized dyophysite party that gained the upper

³⁰⁴ See Paul Mouterde, 'Fragment d'actes d'un synode tenu a Constantinople en 450', *Melanges de l'Universite Saint-Joseph* 15 (1930–31): pp. 35–50. Eutyches was once again here regarded as condemned.

³⁰⁵ Leo, *ep.* 88 from June 24, 451; ACO II.4, pp. 46–7, here 47.

³⁰⁶ Anja Busch, *Die Frauen der theodosianischen Dynastie: Macht und Repräsentation kaiserlicher Frauen im 5. Jahrhundert* (Stuttgart: Steiner, 2015), particularly pp. 117–25; *PLRE* II, pp. 929–30: 'Aelia Pulcheria'.

³⁰⁷ Although Leo had petitioned her already earlier.

³⁰⁸ Theodore Lector, *Church History* 353; Hansen, p. 100; but other chronicles also report this: *PLRE* II, p. 296: 'Chrysaphius'.

hand only after Theodosius' death.³⁰⁹ But Chrysaphius' dominating influence in religious matters cannot be verified in contemporary documents and was at least in part a later historiographic solution devised to draw blame away from Theodosius.³¹⁰ In other words, the execution of Chrysaphius was first of all a political decision, not a religious one. If Pulcheria wanted to take charge after her brother's death, she could not allow the previous centre of gravity at court to remain in place.

When at the Council of Chalcedon in 451 the eastern bishops shouted: 'Drive out Dioscorus the murderer', the Egyptian bishops responded: 'Many years to the Augusta' (I.30–1). The eastern bishops repeated their anti-Dioscorian shouts, and the Egyptian bishops and their allies exclaimed: 'The Augusta expelled Nestorius: many years to the orthodox [empress]! The council does not admit Theodoret' (I.33).³¹¹ This remark does not mean that Pulcheria was a supporter of Dioscorus and his Egyptian bishops against Theodoret of Cyrrhus. Rather, it indicates that not only the pope but also the Cyrillian bishops and supporters of Dioscorus regarded Pulcheria as orthodox and expected her to be an honest broker. The new Augusta was therefore probably a less persuaded 'dyophysite' than has usually been assumed based on her opposition to Chrysaphius.

That all major protagonists—Emperor Marcian, the 'anti-Nestorian' Augusta Pulcheria, the Cyrillian patriarchs of Constantinople and Antioch as well as the dyophysite western protagonists—independent of their respective doctrinal leanings agreed to revise the sentences of the Second Council of Ephesus immediately after Theodosius' death is remarkable. It shows that it was not solely a doctrinal issue for which the Council of Chalcedon found its proper dogmatic formula, as Alois Grillmeier claimed.³¹² It was rather a melange of interests that converged and set in motion a dynamic that brought about the Second Council of Ephesus' downfall.³¹³ In contrast to Theodosius, who had brusquely fended off western interventions against the Council of 449, the new emperor needed western support and therefore had political reasons for questioning the ecumenicity of the Second Council of Ephesus. Some of Dioscorus' allies, having taken up responsibilities as new patriarchs of Constantinople and Antioch, now had to take into consideration the theological sentiments of their new community, chapter, and diocese.³¹⁴ The lack of dedicated supporters of the Council of 449, even among Cyrillians, at Chalcedon two years later must have been due, at least in part, to Theodosius' increasingly high-handed actions against bishops

³⁰⁹ Most recently see Busch, *Die Frauen der theodosianischen Dynastie*, p. 116 n. 38.

³¹⁰ See ACC, vol. 1, p. 31: 'But too much focus on the emperor's advisers perhaps unfairly minimizes the priorities and prejudices of Theodosius himself.' See also Bevan and Gray, 'The Trial of Eutyches', p. 623, who call Chrysaphius a 'mercenary schemer'.

³¹¹ ACO II.1.1, p. 69; ACC, vol. 1, p. 135.

³¹² See Introduction, pp. 1–2.

³¹³ A monograph on Theodosius' ecclesiastical politics and the sudden doctrinal changes after his death in 450 remains a *desideratum*.

³¹⁴ See Conclusion, pp. 186–7.

and his anti-episcopal measures, which threatened the traditional ecclesiastical hierarchy.³¹⁵

Such behaviour had begun several years before, with the emperor removing bishops from a local synod (Theodoret of Cyrrhus and John of Hierapolis), deposing a bishop (Irenaeus of Tyre), instituting his own imperial commission and trial against a bishop (Ibas of Edessa), confining a bishop to his city (again Theodoret), and intervening in a synod and imposing a lay person's participation in it (Florentius for the *synodos endemousa*).³¹⁶ In addition, Theodosius summoned an ecumenical council for which he decided—unilaterally—who was to be allowed (and requested) to attend and who should stay away, replacing a sophisticated and extremely learned bishop like Theodoret with a violent zealot like Barsauma, who was not an ordained bishop. For the second session, even more monks and archimandrites were invited and participated while the bishops of Rome and Antioch stayed away. Other bishops who participated had been forbidden by the emperor to speak up and discuss the faith with their colleagues. In short, while imperial interference in ecclesiastical affairs had been standard imperial practice since Emperor Constantine I (306–337), Theodosius II went beyond what was justifiable: the actions of an emperor who ignored established ecclesiastical procedure, who removed bishops arbitrarily, who censured one-third of attending bishops at an ecumenical council and who replaced them with zealous archimandrites, were bound to ruffle feathers, and not just those of dyophysite bishops.³¹⁷

After the Second Council of Ephesus, the emperor prescribed orthodoxy by law, a profession of which had to be signed by every single bishop. From Theodosius' perspective, this legal imposition of doctrine was a consequence of the quarrels that had recurred in the two decades since the First Council of Ephesus. No episcopal response to this imperial challenge has survived, but dyophysites and Cyrillians alike must have felt unnerved that questions of heresy and orthodoxy were thought to converge at the imperial court. What in August 449 might have looked to Dioscorus and his supporters as a chance to free the Church of 'Nestorians' turned into an imperial Church in which bishops could no longer take their established governing role as granted.

In one of Leo's letters, a hint survives that Dioscorus might indeed have regretted his complete adherence to Theodosius' agenda at the Second Council of Ephesus: 'his [Flavian's] condemner [=Dioscorus] acknowledged his impiety'

³¹⁵ *Contra* Graumann, 'Kaiserliche Selbstdarstellung', p. 302.

³¹⁶ The bishops knew of the emperor's penchant for intervening and used it for their own ends: Eustathius of Berytus requested from emperor the permission to ordain bishops—a right that ecclesiastical law forbade him; *Acts of Chalcedon* On Photius and Eustathius 7; *ACO* II.1.3, p. 463; *ACC*, vol. 2, p. 174.

³¹⁷ The ordination of the zealous archimandrite Barsauma as patriarch of Antioch would have worried Cyrillian bishops if Theodosius planned to completely topple the established episcopal hierarchy.

(*impietatem suam condemnator eius agnosceret*) when Flavian's remains were returned to Constantinople in late 450 or early 451.³¹⁸ This is the only fragment in which Dioscorus admits to not having done justice to his episcopal colleague, and it also might be evidence of Dioscorus' realization that Theodosius had used him as henchman at the Second Council of Ephesus.³¹⁹ Theodosius' ecclesiastical vision would not only have downgraded the Church as an institution but also rendered her legitimacy dependent upon imperial approval. The emperor doubtless intended to institute an imperial Church largely subject to himself (and to the court) in order to prevent powerful patriarchs and sophisticated theologians from questioning the newly established doctrine and disturbing the unity of the Church ever again.

It is also in this context that the patriarchal ordinations of Constantinople and Antioch must be seen. Theodore Lector believed that Dioscorus would profit from the ordination of his *apocrisarius* Anatolius, and without doubt Dioscorus expected to have an ally in the capital. Was it really Dioscorus, however, who pushed through the election of Anatolius?³²⁰ The date of ordination is debated but the earliest (and likeliest) date assumed in scholarship is November 449.³²¹ Though not impossible, it is very unlikely that Dioscorus remained away from Alexandria for an additional three months for Anatolius' ordination.³²² Even if Dioscorus would have suggested Anatolius as successor of Flavian, after the quarrels between Theodosius and Flavian during the previous years, the election of a new patriarch in the capital doubtless depended on Theodosius' consent if not his choosing. In one way or the other, then, Anatolius must have been Emperor Theodosius' candidate.³²³

Similar to Anatolius' case, precisely when Domnus' successor was ordained as patriarch of Antioch has not been determined. According to Pope Leo, however,

³¹⁸ Leo, *ep.* 83, ACO II.4, pp. 42–3, here 42.

³¹⁹ For Dioscorus as henchman see Honigmann, 'Juvenal of Jerusalem', p. 236: 'Dioscorus himself [...] only executed the will of the Emperor and Chrysaphius.'

³²⁰ Theodore Lector, *Church History* 351; Hansen, p. 99 noted that Dioscorus put forward Anatolius 'σπουδῆν', that is, eagerly. See Chadwick, 'The Exile and Death of Flavian', especially pp. 23–6 for the election of Anatolius; Chadwick assumed that Dioscorus might have even paid money to bring through his candidate.

³²¹ See above p. 140 n. 279.

³²² Gelasius, *Breviculus historiae Eutyhianistarum* 9 (=Collectio Avellana *ep.* 99); *Epistolae Imperatorum Pontificum Aliorum inde ab a. CCCLXVII usque ad a. DLIII datae Avellana quae dicitur collectio*, ed. Otto Guenther (Prague/Vienna/Leipzig: F. Tempsky, 1898), pp. 440–53, here 443 noted that, for the Second Council of Ephesus, Dioscorus disappeared suddenly and the council was dissolved. That Dioscorus disappeared before the council was dissolved is unlikely but it may be that the patriarch left immediately when the council closed. That said, Gelasius' *Tractatus* is not always reliable (see Gelasius' faulty note that Domnus was condemned three days after Flavian); see also Pfeilschifter, *Der Kaiser und Konstantinopel*, p. 404 n.98.

³²³ For imperial interventions in episcopal elections in Constantinople see Peter Norton, *Episcopal Elections 250–600: Hierarchy and Popular Will in Late Antiquity* (Oxford: Oxford University Press, 2007), pp. 83–91.

Anatolius ordained the new bishop, and the pope rightly pointed out that Anatolius did so ‘without any precedent and in opposition to canon law’ (*sine ullo exemplo contra statuta canonum*).³²⁴ The bishopric of Constantinople—which became a patriarchal see only after the Council of Chalcedon—had no jurisdiction in the *Oriens*. It is hard to imagine that Anatolius undertook this ordination on his own initiative. Such an act was too daring for a newly elected bishop, whose first task (as external candidate and *apocrisarius* of Dioscorus) was in all likelihood to manage the considerable internal opposition he must have faced. Even worse, an ordination performed by (and in?) Constantinople must have caused a major uproar in the Near East, as this was not only against the canons of Nicaea but a humiliation of Antioch as proud See of St Peter.³²⁵

We may safely assume, then, that Emperor Theodosius was also the driving force behind this move. The emperor was certainly motivated to humiliate Antioch for its resistance to the imperial ‘anti-Nestorian’ edict in 448.³²⁶ Nothing can be said about Theodosius’ long-term plans for the patriarchates and the Church in general, but it is unlikely that he considered the ordination of the patriarch of Antioch by the patriarch of Constantinople to be a one-time occasion. He might have regarded this move as the beginning of a new imperial Church centrally ruled from Constantinople. The organization of the Church would thus have been streamlined and the position of individual bishops weakened—perhaps also by having loyal archimandrites and monks put pressure on their episcopal superiors or even replace them, as the archimandrites partially did at the second session in Ephesus.

Conclusion

Michael Gaddis has harshly judged the Second Council of Ephesus as

the ‘Alexandrian’ model for an ecumenical council: it is what Cyril had aimed for at the First Council of Ephesus. . . . But where Cyril had had to share the stage and compete for imperial recognition with an alternative conclave organized by John

³²⁴ Leo, *ep.* 104; ACO II.4, pp. 55–7. ACO II.4, p. 57: ‘*quod Antiochenae ecclesias sine ullo exemplo contra statuta canonum episcopum ordinare praesumpsit*’. See also Leo, *ep.* 106; ACO II.4, pp. 59–61, here 60: ‘*post consecrationem Antiocheni episcopi, quam tibimet contra canonicam regulam uindicasti*’. It would be interesting to know where the ordination took place: did Anatolius travel to Antioch or was Maximus ordained in Constantinople?

³²⁵ It would not just have been eastern bishops who complained but likely also Juvenal of Jerusalem *et alii* who would have petitioned the emperor.

³²⁶ As Theodosius perhaps even considered Barsauma as Domnus’ successor, the Maximus ordained in 450 as patriarch of Antioch might have been identical with the zealous Maximus known from Cyril’s letter; see above, pp. 140–1. Maximus of Antioch died four years later, which indicates that he probably had been an old man when he was ordained.

and the Antiochenes, now Dioscorus, enjoying the full support of the imperial authorities, was able to run the council exactly as he pleased... Dioscorus showcased his complete control of the proceedings.³²⁷

Gaddis' image of the council as an 'Alexandrian model' with Dioscorus in control is representative of the *opinio communis* but this view of Second Council of Ephesus is in need of revision. The scholarly view of the council as *latrocinium*, and of Dioscorus as 'violent, rapacious, unscrupulous, and scandalously immoral' and a 'tyrant-bishop'³²⁸ is largely mistaken. The uncanonical procedure was assigned to Dioscorus in order to exculpate the emperor, and the assassination of Dioscorus' character (as murderer of Flavian)³²⁹ was invented in order to exculpate more than 100 bishops at the Council of Chalcedon. Dioscorus was neither unscrupulous nor violent but inexperienced in ecclesiastical politics; he executed Theodosius' agenda.

On the surface, Dioscorus' position seemed to have been dominant throughout the council; but despite his acclamation as 'ecumenical patriarch',³³⁰ his power was only borrowed: on the one hand, he lived off of Cyril's cultural capital—that is, he defended the theology of his predecessor as patriarch of Alexandria. On the other hand, for procedural matters and institutional enforcement, he depended on the emperor, who used him as his episcopal henchman. Dioscorus fulfilled the emperor's anti-Nestorian agenda in good faith and because of personal persuasion to cleanse the episcopal ranks of his near eastern colleagues from heretics. He did not, however, grasp the moments when it would have been in the interest of the Church (that is, the body encompassing both Cyrillian as well as eastern bishops) to oppose the emperor and limit imperial interference; here, he acted less as responsible bishop and more as zealous anti-Nestorian. His peers, likely also Cyrillian fellow-bishops, must have been distressed by his lack of solidarity, noting that even the imperial commission that judged Ibas had shown more episcopal *esprit de corps* than Dioscorus.³³¹ A patriarch was not only expected to defend orthodoxy (and Dioscorus had the stamina to defend his orthodoxy against all odds, as we will see in the next chapter) but ideally he also needed to display the political boldness to stand up for the Church as institution against imperial encroachment.

³²⁷ Gaddis, *There is no Crime*, pp. 299–300.

³²⁸ See Introduction, p. 6 n. 20.

³²⁹ Also in later historiography: Liberatus, *Breviarium* 12; *Libératus de Carthage*, Schwartz, Cassingena-Trévedy and Blaudeau, pp. 228–9. Euagrius Scholasticus, *Church History* II.2 and II.4; *The Ecclesiastical History of Evagrius with Scholia*, ed. Joseph Bidez and Léon Parmentier (London: Methuen & Co, 1898), pp. 39 and 42; *The Ecclesiastical History of Evagrius Scholasticus*, trans. Michael Whitby [TTH] (Liverpool: Liverpool University Press, 2000), pp. 61 and 66; Chadwick, 'Exile and Death of Flavian', p. 19 and Blaudeau, 'Un archevêque d'Alexandrie assassin?'

³³⁰ This title was later reserved for the bishop of Constantinople; note also that in 451 the Alexandrian plaintiffs against Dioscorus addressed Leo as '*uniuersali archiepiscopo et patriarchae magnae (urbis) Romae*': *Acts of Chalcedon* III.47, III.51 and III.64; ACO II.3.2, pp. 287, 289 and 297.

³³¹ Although Ibas was certainly more 'guilty' than Flavian.

The immediate detachment by almost all protagonists from the Second Council of Ephesus then was about Theodosius' polarizing ecclesiastical legacy and the political interests of the protagonists who came into offices in 449–50. The convergence of different interests facilitated the general agreement to modify the decisions of the Second Council of Ephesus already in 450–51. Dioscorus' former *apocrisarius* and now bishop of Constantinople, Anatolius, very likely subscribed to Leo's *Tome* because he lacked a power base among the chapter of Constantinople and, with Theodosius' death, lost the emperor's backing for any anti-dyophysite policy. However, Henry Chadwick rightly notes that Anatolius most likely anticipated the development of the Council of Chalcedon when Constantinople was recognized as 'the second see of Christendom in accordance with the third canon of Constantinople (381), which assigned it this position "because it is the New Rome"'.³³² After Theodosius' death, Anatolius actively sought this position even if it meant betraying whatever loyalty he owed to his former master Dioscorus.³³³ For Maximus of Antioch, elected and ordained by Anatolius in the first half of 450, the situation must have been similar. Like Anatolius, he realized that after Theodosius' death his best chance to remain in office was by disassociating himself from his former allies—first and foremost, Dioscorus. The patriarch of Alexandria who in 449 had acted as convinced Cyrillian but also as the emperor's henchman thus became the necessary scapegoat at the Council of Chalcedon, convened in October 451.³³⁴

³³² Chadwick, p. 26: 'Anatolius' policy was nothing if not ingenious'.

³³³ The political aspect of his role is misunderstood by Susan Wessel, who harshly calls Anatolius 'a shady character of questionable orthodoxy'; Wessel, *Leo the Great*, p. 42.

³³⁴ See Schwartz, 'Über die Reichskonzilien von Theodosius bis Justinian', p. 237 for the notion of Dioscorus as 'scapegoat'.

The *Black Swan* of Chalcedon and Dioscorus' Deposition

The Opening of the Council of Chalcedon, 8 October 451

The Council of Chalcedon took place in the church of Saint Euphemia in Chalcedon, today's Kadiköy district of Istanbul, on the Asian side of the Bosphorus.¹ The Church does not survive but a description of the church and its approximate location can be found in Euagrius' *Church History*.² According to Euagrius, the church consisted of three huge (ὑπερμεγέθεις) rooms: an open courtyard with columns, the main church building, and the 'martyrion' (martyr chapel) attached to the north of the main building.³ The martyr chapel was 'a circular dwelling with a rotunda, encircled on the interior with columns' and a gallery from which visitors could see both the martyr and services in the main church. The sarcophagus with the relics of Euphemia was inside the rotunda in a shrine towards the east of the martyr chapel.⁴

The opening session of the Council of Chalcedon took place on 8 October 451, in the main church. The acts reveal the following seating arrangement:

The most magnificent and glorious officials and the exalted senate were seated in the centre in front of the rails of the most holy sanctuary (τοῦ ἁγιοτάτου θυσιαστηρίου). On their left were seated the most sacred representatives of the most God-beloved and holy Archbishop Leo of Senior Rome, Anatolius the most religious archbishop of imperial Constantinople, Maximus the most

¹ References to the sessions are set in parentheses and, unless otherwise noted, are according to ACC. The numbering of the Greek and Latin texts may differ; they are referenced in these notes according to the ACO-volume with page numbers.

² Alfons Schneider located it a little north of Chalcedon. Alfons M. Schneider, 'Sankt Euphemia und das Konzil von Chalkedon', in *Das Konzil von Chalkedon. Geschichte und Gegenwart* vol. 1: *Der Glaube von Chalkedon*, ed. Alois Grillmeier and Heinrich Bacht (Würzburg: Echter, 1951), pp. 291–302, here 296; see also Hagit Amirav, *Authority and Performance: Sociological Perspectives on the Council of Chalcedon (AD 451)* (Göttingen: Vandenhoeck & Ruprecht, 2015), pp. 38–41.

³ Euagrius Scholasticus, *Church History* II.3; *The Ecclesiastical History of Evagrius with Scholia*, ed. Joseph Bidez and Léon Parmentier (London: Methuen & Co, 1898), p. 40; *The Ecclesiastical History of Evagrius Scholasticus*, trans. Michael Whitby [TTH], (Liverpool: Liverpool University Press, 2000), p. 63.

⁴ For the function of the martyr chapels generally see Gordana Babić, *Les Chapelles Annexes des Églises Byzantines: Fonction Liturgique et Programmes Iconographiques* (Paris: Éditions Klincksieck, 1969), pp. 33–78; see also below, pp. 173–4.

devout bishop of Antioch, Thalassius the most devout bishop of Caesarea, Stephen the most devout bishop of Ephesus, and the other most devout bishops of the dioceses of the Orient, Pontus, Asia, and Thrace, except those of Palestine. On their right were seated likewise Dioscorus the most devout archbishop of Alexandria, Juvenal the most devout bishop of Jerusalem, the most devout bishop Quintillus, representing Anastasius the most devout bishop of Thessalonica, Peter the most devout bishop of Corinth, and the other most devout bishops of the dioceses of Egypt and Illyricum, and also the most devout bishops of Palestine. In the centre was placed the most holy and immaculate gospel-book. (I.4)⁵

This arrangement affords two observations. First, the imperial representatives sat in front of the altar and the apsis of the church, while the bishops sat along the side walls (or columns of the aisles) facing each other.⁶ Second, this arrangement imitates the seating of the senate of imperial Rome in which, Richard Talbert has argued, senators would face each other, sitting along the walls of the Curia Julia.⁷ Early in the twentieth century Heinrich Gelzer and Pierre Batiffol noted that ecumenical councils functioned like the Roman senate, passing judgement in religious matters.⁸ While it should be noted that ecumenical councils followed different procedures than the Roman senate—the need for unanimity rendered voting otiose—the comparison helps to explain the hybrid nature—both imperial and ecclesiastical—of an ecumenical council.⁹

The actual opening of the first session at the Council of Chalcedon was surprisingly ‘informal’, as Price and Gaddis note: ‘In both Ephesian councils, proceedings had begun with a reading out loud of the official orders (*sacra*) by which the emperor had convoked the council and summoned the bishops. But at

⁵ ACO II.1.1, p. 64–5; translation taken from ACC, vol. 1, pp. 128–9.

⁶ Otherwise, it would be difficult to imagine that the bishops would face the altar and the imperial representatives inasmuch as the gospel-book was placed in the very centre. It can be assumed that all parties—the magistrates, the bishops on the right as well as those on the left—faced the gospels in the centre.

⁷ Richard J. A. Talbert, *The Senate of Imperial Rome* (Princeton: Princeton University Press, 1984), p. 124.

⁸ Heinrich Gelzer, ‘Die Konzilien als Reichsparlamente’, in his *Ausgewählte Kleine Schriften* (Leipzig: B. G. Teubner, 1907), pp. 142–55 and Pierre Batiffol, ‘Origines de Règlement des Conciles’, in his *Études de Liturgie et d’Archéologie Chrétienne* (Paris: Librairie Lecoq, 1919), pp. 84–153. Concerning western councils in particular, but very instructive also for the eastern counterparts, see Andreas Weckwerth, *Das erste Konzil von Toledo: Philologischer und kirchenhistorischer Kommentar zur Constitutio Concilii* (Münster: Aschendorff, 2004), pp. 44–58, particularly 56–7 discussing possible pre-Christian models for taking minutes, etc.

⁹ See Norman H. Baynes, ‘Alexandria and Constantinople: A Study in Ecclesiastical Diplomacy’, *Journal of Egyptian Archaeology* 12 (1926): pp. 145–56; Francis Dvornik, ‘The Authority and the State in Oecumenical Councils’, *The Christian East* 14 (1934): pp. 95–108; and Richard Price, ‘Presidency and Procedure at the Early Ecumenical Councils’, *Annuaire Historiae Conciliorum* 41 (2009): pp. 241–74. See also Jean Gaudemet, *L’Église dans l’Empire Romain (IVe–Ve siècles)* (Paris: Sirey, 1958 [reprint 1989]), pp. 456–63. On unanimity see below, p. 180.

Chalcedon [...] this was not done'.¹⁰ Instead the papal legates delivered the opening words and immediately turned the council into a trial of Dioscorus, who was attending the session like the other bishops.¹¹ The legates insisted that Dioscorus be barred from participating in the council, failing which they would leave the council immediately.¹² The officials urged the legates to present concrete charges, and subsequently the legates accused Dioscorus of convening and presiding over the Second Council of Ephesus, on the grounds that it allegedly took place without papal permission (I.5–13). In view of the facts that it was the emperor who convened the council, that Dioscorus had been commissioned with its presidency by him, and that even Pope Leo had agreed to the convention of the council and had sent legates to it, the indictment seems absurd. Nevertheless, in I.14 of the minutes of the Council of Chalcedon Dioscorus already appears as defendant in the middle of the room. The acts mention neither protest nor resistance but suggest that matters proceeded according to practice.

This narrative is hardly credible, as Dioscorus could have refuted this accusation simply by reference to a few documents—documents that were actually read out later in the very same session. Dioscorus also had allies, at least some of whom must have raised their voices in protests against these accusations (as well as more plausible one), which certainly must have caused commotion among his supporters. Furthermore, after I.14, the council reviewed *how* Dioscorus had presided over the council in Ephesus but not the fact that he had presided over it at all. This angle is odd, as is the report that it was the papal legates and not the imperial officials who opened the council. It is worth questioning whether the court had planned this trial or whether it was not in fact a *coup d'état* by the papal legates.

None of the official documents preceding the Council of Chalcedon had announced a trial against Dioscorus. That in itself makes for quite a different story than in 449, when Emperor Theodosius in his *sacra* requested that the 'Nestorian impiety', the 'evil's root', should be excised, and targeted Theodoret of Cyrrhus as well as those 'who previously judged the most devout archimandrite Eutyches'. Did Marcian hide his true intention of putting Dioscorus on trial so as to ensure that the patriarch would come to the Council? If so, could such a far-reaching decision have been kept a secret? To understand the first session of the Council of Chalcedon, it is necessary to discuss the original setting of the council, which was intended to take place in Nicaea.

¹⁰ ACC, vol. 1, p. 80; see also Sandra Leuenberger-Wenger, *Das Konzil von Chalcedon und die Kirche: Konflikte und Normierungsprozesse im 5. und 6. Jahrhundert* (Leiden: Brill, 2019), pp. 196–7.

¹¹ I.3 (5); ACO II.1.1, p. 56. Dioscorus is stated to have ranked third, after the bishop Constantinople, but this ranking may be a posthumous manipulation by the editors of the acts.

¹² According to the Greek version, they demanded that Dioscorus should be expelled: ACO II.1.1, p. 65; the Latin text better comports with the following session insofar as it reports that the Roman delegates requested a trial of Dioscorus.

The Council of Nicaea in 451

Within weeks of Marcian's accession, the new emperor indicated that he was willing to revise the decisions of the Second Council of Ephesus by convening another ecumenical council.¹³ On 23 May 451, Marcian sent his *sacra* to summon the bishops to Nicaea; in the letter he addressed to Anatolius of Constantinople, he wrote:

because certain doubts appear to have arisen about our orthodox religion, as is indeed shown by the letter of Leo, the most God-beloved bishop of the glorious city of Rome, this in particular has pleased our clemency that a holy council should be convened in the city of Nicaea in the province of Bithynia, in order that, when minds agree and the whole truth has been investigated, and after the cessation of those exertions with which some people have lately disturbed the holy and orthodox religion, our true faith may be recognized more clearly for all time, so that henceforth there can be no doubting or disagreement.¹⁴

Marcian added that Anatolius could take 'whatever most God-beloved bishops' he wished with him to the council. This approach to organizing what was intended to be the Second Council of Nicaea was in stark contrast to that taken for the Second Council of Ephesus by Theodosius, who had limited the number of bishops and even prevented the intellectual leader of the dyophysite party, Theodoret, from attending.¹⁵ Theodosius had done so to avoid organizational disaster of the sort that at the First Council of Ephesus, but what were Marcian's intentions in making the new council as inclusive as possible? Of course, Marcian sought to grant legitimacy to the council by convening as many bishops as possible and publicly signalled the discontinuation of Theodosius' anti-episcopal policy by demonstrating a renewed appreciation of bishops as legitimate leaders of the Church.¹⁶ At the same time, however, Marcian maintained his predecessor's tight grip on the conciliar procedure and had his officials firmly direct the bishops through the sessions. Marcian thus aspired to reach a solution to which each and every bishop would be compelled to adhere, without any means or reason for subsequent appeal. Marcian's letter stipulated no specific request: its only presupposition was that the council should find reconciliation on terms to which the papacy could agree as Leo is cited as authority.¹⁷

¹³ See Chapter 3, p. 142.

¹⁴ ACO II.1.1, pp. 27–8; translation taken from ACC, vol. 1, p. 98.

¹⁵ *Acts of Chalcedon* I.24 and I.52; ACO II.1.1., pp. 68–9 and 74; ACC, vol. 1, pp. 132–4 and 140.

¹⁶ See already Erich Caspar, *Geschichte des Papsttums von den Anfängen bis zur Höhe der Weltherrschaft*, vol. 1 (Tübingen: J.C.B. Mohr, 1930), p. 492.

¹⁷ This was a political *conditio sine qua non* as Marcian was officially still an usurper in the eyes of the western empire, and he hoped to receive Valentinian III's recognition, for which papal approval of imperial orthodoxy would be the first step; Richard W. Burgess, 'The Accession of Marcian in the Light of

This stipulation gave Leo and his legates leverage, but inasmuch as the various protagonists all had different agendas, matters were complicated. In letters to Marcian from April 451 and 9 June 451, Leo had entreated that no general council be convoked because his *Tome* had already been accepted by the patriarch of Constantinople (and also by the patriarch of Antioch, as Leo learned on 24 June 451).¹⁸ For good reason, the pope did not want to have another (ecumenical) council the outcome of which would be uncertain. Instead, he requested that those guilty of siding with Eutyches and Dioscorus be tried.¹⁹ Marcian disregarded Leo's requests because he rightly expected that Leo's agenda would not unanimously be accepted in the eastern empire. Marcian thus called for the council in May 451. Leo was accordingly forced to adjust and at the end of June wrote that the council should at least be prevented from re-examining faith.²⁰ Several papal communications informed the emperor, empress, and patriarch of his judgement on Dioscorus and the Second Council of Ephesus: Dioscorus was to be erased from the diptychs (together with Juvenal of Jerusalem and Eustathius of Berytus), and the Council of Ephesus should not even be called a council.²¹ In preparation for the Council of Nicaea, Eusebius of Dorylaeum and others submitted charges against Dioscorus and sent them to the emperor.²²

Therefore, to speak of 'certain doubts' that have arisen concerning orthodoxy, as Marcian did in his letter to Anatolius, downplays the complex state of ecclesiastical affairs at the time of writing. Marcian had no intention of adopting Leo's agenda but was instead behaving as universal Roman emperor whose duty it was to rule the *oecumene* with a unified church. He intended a restart in ecclesiastical matters without prematurely calling for, much less insisting upon, any condemnations. After all, the emperor invited to the council *all* opposing protagonists—Leo, Theodoret, Ibas, Dioscorus, and so on.²³ Marcian's agenda hinted at the need for a new definition of faith but avoided clearly spelling it out: 'our true faith may

Chalcedonian Apologetic and Monophysite Polemic', *Byzantinische Zeitschrift* 86–7 (1994): pp. 47–68, here particularly 49, and following him George A. Bevan, *The New Judas: The Case of Nestorius in Ecclesiastical Politics, 428–451 CE* (Leuven: Peeters, 2016), pp. 310–30. See Chapter 3, pp. 142–3.

¹⁸ Leo's letters to Marcian: Leo, *ep.* 82 and 83; ACO II.4, pp. 41–3. See also Pulcheria's letter to Pope Leo: Leo, *ep.* 77 and 88; ACO II.3.1, pp. 18–19 and II.4, pp. 46–7.

¹⁹ Leo, *ep.* 82, ACO II.4, p. 41; ACC, vol. 1, pp. 96–8. See also Susan Wessel, *Leo the Great and the Spiritual Rebuilding of a Universal Rome* (Leiden: Brill, 2008), p. 272.

²⁰ Leo, *ep.* 90 (to Marcian); ACO II.4, p. 48; ACC, vol. 1, pp. 100–1.

²¹ Leo, *ep.* 80 (to Anatolius); ACO II.4, pp. 38–40; *St. Leo the Great: Letters*, trans. Edmund Hunt (New York: Fathers of the Church, 1957), pp. 147–50; Leo, *ep.* 90 (to Marcian); ACO II.4, p. 48; ACC, vol. 1, pp. 100–1.

²² See below, p. 162.

²³ Bevan, *The New Judas*, pp. 323–9 argues that Marcian also intended to invite Nestorius: while this might fit Marcian's intention for a general council, his advisors must have warned him that the majority of bishops would have refused to appear. Bishops cheered for Marcian and Pulcheria in the first session for being anti-Nestorian. See also Leuenberger-Wenger, *Das Konzil von Chalcedon*, pp. 42–3 n. 123.

be recognized more clearly for all time'.²⁴ For this event, all opposing parties were summoned to Nicaea, the very location where the first ecumenical council had been held. The symbolism cannot be overstated: after the two supposedly ecumenical councils of Ephesus, Marcian intended to revive the spirit of Nicaea so that, under imperial tutelage, the present ecclesiastical schism could be ended.

Ultimately, matters proceeded differently than anticipated. By 1 September 451, the bishops had assembled in Nicaea but Marcian's arrival was delayed by military matters. In the meantime, Leo had partially given in to Marcian's reconciliatory approach as Leo's letters from the end of June 451 to his representative Paschasinus, bishop of Lilybaeum, and to the bishops at the Council of Nicaea show.²⁵ His red lines for the council are almost lenient (even if Leo at the same time dared to request annulment of an ecumenical council): his *Tome* was to serve as the theological basis for an agreement, and Nestorius and Eutyches were to be regarded as heretics,²⁶ but Leo requested no condemnations: 'for if, as we desire, all abandon error, no one need lose his rank, but those who have laboured on behalf of the faith should have their rights restored together with all their privileges'.²⁷ In his famous letter to Pulcheria in which he calls the Second Council of Ephesus a *latrocinium*, he had already claimed 'I have never in any letter decreed that pardon should be withheld even from them [Dioscorus et al.], if they came to their senses'.²⁸ There are no instructions to any of his legates concerning how he envisaged them enforcing the papal position, but it is apparent that he assumed that the majority of eastern bishops would have already agreed to his *Tome*.²⁹ As expelled bishops had been recalled and prominent bishops who had agreed to Ephesus had repented their actions, Leo intended to grant clemency to wrongdoers. But both court and Anatolius likely window-dressed the situation in the East in their letters to the pope. The papal legates learned how controversial Leo's *Tome* was only when they arrived in Nicaea in the summer of 451.

²⁴ See also Marcian's first letter to the council in Nicaea (ACO II.3.1, p. 20); Manuela Keßler, *Die Religionspolitik des Kaisers Marcianus (450–457)* (PhD Diss. Goethe-University Frankfurt am Main, 2011), p. 67 (and 85), argues that Marcian's letter to Leo from 22 November requests a new definition of faith ('*Glaubenformel*'). Marcian might indeed already have this in mind but the phrasing remains elusive. Price and Gaddis, in ACC, vol. 1, p. 92, argue that it 'was not until the second session of the council on 10 October that the bishops learnt, to their shock and displeasure, that the emperor wanted them to produce a new definition of the faith (II.2)'.

²⁵ Leo, *ep.* 88 and 93; ACO II.4, pp. 46–47, 51–3; ACC, vol. 1, pp. 101–5.

²⁶ See also Keßler, *Religionspolitik*, pp. 73–4.

²⁷ Leo, *ep.* 93; ACO II.4, p. 52; ACC, vol. 1, p. 104. In a previous letter to Anatolius of Constantinople Leo distinguished between those who 'were forced to agree' to the decisions made at Ephesus and the leaders of the council with their 'arrogant prejudgements': Leo, *ep.* 85 (9 June 451); ACO II.4, pp. 44–5; *St. Leo the Great: Letters*, Hunt, pp. 156–8. The former were to be granted return to the Church; as for the latter (Dioscorus *et alii*), the pope reserved for himself the right of judgment.

²⁸ Leo, *ep.* 95; ACO II.4, pp. 50–1; ACC, vol. 1, p. 106.

²⁹ Leo noted again in *ep.* 91 (ACO II.4, p. 49) to Anatolius his expectation that all eastern bishops were in agreement concerning faith.

During the delay in his arrival, Marcian wrote at least three letters to the council in Nicaea, of which the first two are undated; the last dates to 22 September 451. In the first letter, he asks that the definition of faith be confirmed and peace be restored, again making no mentioning of depositions or excommunications. Marcian's second letter was a reply to the bishops' complaints about the delay and the difficult conditions in Nicaea.³⁰ Marcian suggests moving the council to Chalcedon as he could more easily join there. The third, last, and dated letter is a reply to Atticus, a deacon from Constantinople, who reported troubling news about 'those who share the views of Eutyches, or someone else, may perhaps try to sow dissension or disorder'.³¹ This might indicate commotion by Eutychian monks as scholars have assumed but it was more likely a circumlocution by dyophysites to inform Marcian that Dioscorus had made use of the emperor's absence to rally his cause.³² By this time, the bishops—at least 370 bishops plus their entourages, likely comprising together at least 1,100 clerics, many of whom were partially hostile to each other—had already been cramped together in the small city of Nicaea for more than three weeks.³³

Theopistus' *Life of Dioscorus* narrates an audience of Dioscorus and other bishops with Emperor Marcian in Constantinople just before the Council of Chalcedon.³⁴ Such an audience can be neither verified nor refuted, but considering Marcian's preoccupation with military matters elsewhere and the nonhistorical and hagiographical character of the source, such an event seems extremely

³⁰ ACO II.1.1, pp. 28–30; ACC, vol. 1, pp. 108–10.

³¹ ACO II.1.1, p. 30; ACC, vol. 1, p. 110.

³² See also CJ I.12.5 (13 July 451); Empress Pulcheria requested the governor of Bithynia to expel from Nicaea everybody who had no good reason to be there. ACO II.1.1, p. 29. On the instigators of commotions see Eduard Schwartz, 'Über die Bischofslisten der Synoden von Chalkedon, Nicaea und Konstantinopel', *Abhandlungen der Bayerischen Akademie der Wissenschaften: Philosophisch-historische Abteilung* NF 13 (Munich: Bayerische Akademie der Wissenschaften, 1937), p. 2; interpreted as supporters of Dioscorus and Eutyches: Timothy Gregory, *Vox Populi: Popular Opinion and Violence in the Religious Controversies of the Fifth Century A.D.* (Columbus: Ohio State University Press, 1979), p. 171; interpreted as supporters of Eutyches: ACC, vol. 1, p. 108 n. 60; for reasons why it is likely that the law was aimed against Eutychian monks: Keßler, *Religionspolitik*, pp. 71–2; see here also pp. 87–8.

³³ For the number of bishops see ACC, vol. 3, pp. 193–6 with references to older literature; Nina Lubomierski, 'Der Prozess gegen Dioscorus auf dem Konzil von Chalcedon: Legitimiert durch Verfahren?', in *Die Synoden im trinitarischen Streit: Über die Etablierung eines synodalen Verfahrens und die Probleme seiner Anwendung im 4. und 5. Jahrhundert*, ed. Uta Heil and Annette von Stockhausen (Berlin: De Gruyter, 2017), pp. 83–94, here 88. It remains unknown how many lower clerics joined their bishops: while the patriarchs and metropolitans each likely brought along several clerics, bishops from small sees were perhaps accompanied by only a single cleric. I calculate here an average of two clerics per bishop. But cf. *History of the Patriarchs of the Coptic Church of Alexandria*, bk. II (Peter I to Benjamin I (661)), ed. and trans. Basil T. A. Evetts [PO 1.4] (Paris: Firmin-Didot, 1907), p. 438, which claims that each bishop brought two presbyters and one deacon to the First Council of Ephesus.

³⁴ Theopistus, *Life of Dioscorus* 7 (Syriac) and 36–42 (Arabic); *Histoire de Dioscore, patriarche d'Alexandrie, écrite par son disciple Théopiste*, ed. and trans. F. Nau (Paris: Imprimerie Nationale, 1903), pp. 43–8 (pp. 260–5); *The Arabic Version of the Vita Dioscori*, ed. and trans. Samuel Moawad [PO 246] (Turnhout: Brepols, 2016), pp. 44–51.

unlikely.³⁵ At the same time, it should be assumed that during these weeks in September the court sent numerous embassies to prominent episcopal parties, including to Dioscorus and the Egyptian bishops, in order to inquire about their different standpoints and ensure a smooth procedure of the council. Anatolius of Constantinople was presumably expected to act as broker between the papacy and the patriarch of Alexandria and may have advised the court on how to organize the council.³⁶ Many diplomatic missions were underway between the different groups of bishops, but the atmosphere must have grown increasingly tense. The support of Juvenal and the Palestinian bishops for Dioscorus in Chalcedon was to be expected, but the support of the Illyrian bishops, who sat on Dioscorus' side at the opening session of Chalcedon, was likely the result of successful negotiations in Nicaea in September 451.

In all likelihood, however, this diplomatic success should not be credited to Dioscorus but rather to Thalassius of Caesarea: before having been ordained as metropolitan bishop of Cappadocia I, Thalassius had been prefect of Illyricum; he remains the likeliest person in 451 to have persuaded the Illyrian bishops to stay on Dioscorus' and Thalassius' side in Nicaea.³⁷ Dioscorus apparently did not attempt to make new allies but, to the contrary, even excommunicated Leo, an

³⁵ *Contra* Felix Haase, 'Patriarch Dioskur I von Alexandria nach monophysitischen Quellen', *Kirchengeschichtliche Abhandlungen* 6 (1908): pp. 141–223, here 205–12, who argues for its historicity, and following him, Karam Khella, *Dioskoros von Alexandrien (444–454)* (Hamburg: Theorie und Praxis, [2017]), pp. 94–8. The story of the audience is also narrated in the *Panegyric on Macarius Bishop of Tkôw*. The editor and translator David Johnson considers it doubtful that Dioscorus ever met Marcian or Pulcheria; see *A Panegyric on Macarius Bishop of Tkôw: Attributed to Dioscorus of Alexandria*, trans. David W. Johnson (Louvain: Secrétariat du CorpusSCO, 1980), p. 9*. Ps-Zachariah Rhetor, *Church History* II.3, speaks of an imperial banquet with the bishops, but Ernest Honigsmann, 'Juvenal of Jerusalem', *DOP* 5 (1950): pp. 209–79, here 263 regards this as fictional.

³⁶ For his role see Henry Chadwick, 'The Exile and Death of Flavian of Constantinople: A Prologue to the Council of Chalcedon', *Journal of Theological Studies* 6 (1955): pp. 17–34.

³⁷ For Thalassius' position before his ordination and for his ordination by Proclus of Constantinople (434–46) see Socrates, *Church History* VII.48; *Sokrates: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie, 1995), pp. 394–5. Illyricum was a vicariate of Rome, and scholars have expressed surprise at the support of the Illyrian bishops for Dioscorus; see ACC, vol. 1, p. 134 n. 65. But see Shaun Retallick, 'The Canonical Deposition of Dioscorus of Alexandria (451): Marcian's Vindication', *The Journal of the School of Religious Studies, McGill University* 43 (2015): pp. 41–65, here 45–51. Administrative relations between Thessalonica and Rome were not easy and theologically, several Illyrian bishops had been persuaded Cyrillians; see particularly Atticus of Nicopolis at Chalcedon: ACO II.1.2, pp. 278–9; ACC, vol. 2, pp. 26–7. For the Illyrian bishops and ecclesiastical questions concerning the Illyricum see Charles Pietri, 'La géographie de l'Illyricum ecclésiastique et ses relations avec l'Église de Rome (Ve–Vie siècles)', *Collection de l'École française de Rome* 77 (1984): pp. 21–62, here 28–35; for rivalry between Rome and Constantinople in Illyria under Proclus of Constantinople see Josef Rist, 'Zum Beispiel Proklos von Konstantinopel: Über Chancen und Grenzen des spätantiken Bischofsamtes', in *Episcopal Elections in Late Antiquity*, ed. Johan Leemans et al. (Berlin: de Gruyter, 2011), pp. 515–29, here 524–8; see also Josef Rist, 'Das Apostolische Vikariat von Thessaloniki als Beispiel der Begegnung zwischen Rom und Konstantinopel in der Spätantike', in *Akten des XIV. Internationalen Kongresses für Christliche Archäologie, Wien 19.–26.9.1999*, ed. Reinhardt Harreither et al. (Vienna: Österreichische Akademie der Wissenschaften, 2006), pp. 649–62; for the later development see also Philippe Blauddau, *Le Siège de Rome et l'Orient (448–536): Étude géo-ecclésiologique* (Rome: École Française, 2012), pp. 270–82.

event which proved detrimental to the sequence of events at Chalcedon.³⁸ The sources offer no reason for Dioscorus' anathema, but Theopistus' *Life of Dioscorus* explains that Dioscorus had been requested to sign the *Tome* of Leo before the Council of Chalcedon started.³⁹ While the story itself may not be historical, it seems likely that during the months in Nicaea imperial delegates confronted the patriarch of Alexandria with the *Tome* as the doctrinal basis for the upcoming council.⁴⁰ At the Second Council of Ephesus, Dioscorus had ignored Leo's letters but now he was forced to confront the *Tome*. Instead of subscribing to it as requested, he boldly condemned its author, perhaps expecting that a majority of eastern bishops supported his resistance against the *Tome* and its Christology, which was hardly compatible with that of Cyril.

The proactive excommunication of his opponent was politically ill-advised, however, as it made Dioscorus the aggressor in the eyes of all wavering members of the council who wanted peace and unity for the church. Dioscorus had not even bothered to rally support for his anathema from any other episcopal group beyond the Egyptians. Even worse, according to testimony hostile to Dioscorus, even some Egyptian bishops did not agree to this premature excommunication of Leo.⁴¹ These bishops likely perceived Dioscorus and his delegation were in the weaker position vis-à-vis their opponents and expected their patriarch to undertake some diplomatic missions and tactical manoeuvres à la Cyril. Dioscorus' full-frontal attack, however, burned all bridges and prevented any possible compromise or repentance. Dioscorus' strategy sought to close ranks by foreclosing all avenues of retreat for the episcopal members of his party. But this was an obvious declaration of war in the eyes of his opponents, which makes explicit why the papal legates laid charges against Dioscorus at the very start of the first session at Chalcedon.

In sum, while many embassies and missions had probably gone back and forth between the different living quarters of the ecclesiastical parties during the bishops' stay in Nicaea, the prolonged stay there did not yield any positive results. On the contrary, tensions between Leo and Dioscorus increased, and Dioscorus deepened the trench between his supporters and his opponents. After Nicaea, all bishops had to pick a side, and the imperial administration organized a seating chart for the opening of the council in the church of Saint Euphemia in Chalcedon that reflected this very division.

³⁸ ACO II.1.2, p. 212; ACC, vol. 1, pp. 52–3; see also the claim of the papal legates in the third session (III.94) that Dioscorus had excommunicated Pope Leo.

³⁹ Henry Chadwick postulates that Dioscorus excommunicated Leo because Leo did not ratify the Second Council of Ephesus; Chadwick, 'The Exile and Death of Flavian of Constantinople', p. 26.

⁴⁰ Theopistus, *Vita Dioscori* 9 (Syriac), Nau, pp. 51–5 (pp. 268–71); 47–50 (Arabic), Moawad, pp. 56–9.

⁴¹ See *Acts of Chalcedon* III.47: the libellus of the Cyrillian deacon Theodore at Chalcedon, however, cannot be taken at face value, but it may be correct that the Egyptian bishops were reluctant to excommunicate Leo at this point.

The First Deposition of Dioscorus in the First Session

The lack of a formal opening to the Council of Chalcedon was in all likelihood the consequence of the summer in Nicaea.⁴² Dioscorus' excommunication of Leo precluded the possibility that the patriarch of Alexandria would become a repentant sinner, as the pope had either hoped or perhaps even expected. Accordingly, the papal legates did not take their designated seats but rather stood in the middle of the Church (I.5) and, before the officials could present the imperial agenda, usurped the moderation and requested expulsion of Dioscorus (I.5–I.12). This move was dramatic but made perfect sense from the perspective of the papal legates as the papacy had gotten its fingers burned at Ephesus in 449. Paschasinus and his colleagues had to ensure that, this time, the imperial officials worked from the very beginning for an outcome agreeable to the pope.⁴³

The officials first asked that the legates present proper charges but the legates came up either with the ultimatum that 'he must leave, or we shall leave' (I.5) or the absurd charge that Dioscorus held the Council of Ephesus 'without the leave of the apostolic see, which has never been allowed and has never been done' (I.9). The legates apparently had no intention of presenting themselves as credible but considering that the court and the churches of Constantinople and Antioch had already accepted Leo's *Tome*, the papal legates knew the degree of leverage they could exercise and that the imperial officials could not start the council without them.⁴⁴ This fruitless exchange between legates and officials continued until the officials accommodated the papal legates by allowing Dioscorus to be charged so that the council could finally take off. Needless to say, this turn of events did not follow the imperial officials' original plan for the session. Given the changes already implemented by the summer 451, the court had hoped that an ecumenical council would grant the changes ecclesiastical approval.⁴⁵ In the eyes of the officials, then, the first session of Chalcedon must have been designed as an

⁴² Khella, *Dioskoros von Alexandrien*, p. 102 believes that Theopistus' *Life of Dioscorus* would narrate the reading of the *sacra* but its account is simply fictional.

⁴³ Imperial and papal letters exchanged before the council indicate that some kind of tactical alliance between court and pope existed but that the ultimate goals of the two parties differed. Originally the papal legates had insisted that Marcian be present at the opening of the council—they likely presumed that the 'usurper' needed their goodwill; see Marcian's second letter to the council in Nicaea ACO II.1, pp. 28–9; see also ACC, vol. 1, p. 92.

⁴⁴ The legates pointed out that they had papal instructions that Dioscorus was not allowed to sit in the council but the only instructions that survive (the letter of Leo to Paschasinus from 24 June 451 discussed above) were lenient towards Leo's opponents: so long as everybody agreed on Leo's terms, no one would need to lose his rank. Considering Dioscorus' excommunication of Leo (and having the Second Council of Ephesus in mind!), the papal legates advocated for Leo's best interests by proposing this ultimatum, which they claimed to have been the pope's instruction.

⁴⁵ For example the restoration of Flavian's remains to Constantinople, the recall of some bishops from exile, the broad acceptance of Leo's *Tome*, etc. Pulcheria had noted that such decisions needed conciliar approval; see Pulcheria's letter: Leo, *ep.* 77; ACO II.3.1, pp. 18–19; ACC, vol. 1, pp. 93–4; also Theodore Lector, *Church History* 358; *Theodoros Anagnostes: Kirchengeschichte*, ed. Günther Christian Hansen (Berlin: Akademie, 1971), p. 100 noted that the recalled bishops waited for conciliar approval.

appellate hearing—an *appellatio* aimed at revoking the sentences rendered at Ephesus and replacing them with more agreeable ones.⁴⁶ The ultimatum of the papal legates, however, required the imperial officials to modify their plans.

The acts in I.14 make no mention of any protest or a break for rearranging the setting. We can nevertheless be confident that they took place.⁴⁷ It is likely that the council was interrupted for hours until all parties—particularly Dioscorus—could agree upon the procedure. Nina Lubomierski has recently pointed out that not only did the change of location isolate Dioscorus from the other bishops but also that by accepting the role of defendant, he ‘thus granted the Council the right to judge him’. Referring to Niklas Luhmann, she argues that this role made it impossible for Dioscorus later to protest, as he would then stand revealed as bad loser or a ‘misfit’.⁴⁸ The acts show no evidence as to why Dioscorus agreed to be the defendant. Could Dioscorus have refused to be put on trial? To answer this question with certainty from hindsight is impossible, but if he would have stubbornly refused (and rallied support among his allies), he could have created a most embarrassing situation for the imperial officials, who in all likelihood would have hesitated to resort to coercive measures.

This scene early on at the Council in Chalcedon offers a key moment for understanding Dioscorus. Certain of the absurdity of the papal charges, confident of his orthodoxy, trusting in the support of his allies, and relying on the fact that he presided over an imperially sanctioned council, he apparently expected that—with the support of his followers at the council—he would receive a favourable trial that not only cleared his name but also even embarrassed his accusers. He miscalculated the consequences to his public image of being defendant—the symbolism of sitting as an accused party in an ecumenical council—as well as the fact that as a result he lost any influence over the further procedure. Perhaps the idea of insubordination did not even occur to him, but in retrospect submitting to imperial⁴⁹ requests to be the defendant turned out to be unwise and in any

⁴⁶ On *appellatio* in Roman law generally see Max Kaser, *Das römische Zivilprozessrecht* (Munich: C.H. Beck, 1996), pp. 501–10; for the beginnings of *appellatio* in ecclesiastical law see Klaus M. Girardet, ‘Appellatio: Ein Kapitel kirchlicher Rechtsgeschichte in den Kanones des vierten Jahrhunderts’, *Historia* 23 (1974): pp. 98–127. For examples of appellate hearings at western synods see Andreas Weckwerth, *Ablauf, Organisation und Selbstverständnis westlicher Antiker Synoden im Spiegel ihrer Akten* (Münster: Aschendorff, 2010), particularly pp. 157–8 and 195.

⁴⁷ Cf. Price’s comments about omissions in the acts: Richard Price, ‘Truth, Omission, and Fiction in the Acts of Chalcedon’, in *Chalcedon in Context: Church Councils 400–700*, ed. Richard Price and Mary Whitby [TTH, Contexts] (Liverpool: Liverpool University Press, 2009), pp. 92–106, here 97–8. Kefler, *Religionspolitik*, p. 166 notes that the papal protests led to a certain ‘*Eigendynamik*’ of the first session. See also Retallick, ‘The Canonical Deposition of Dioscorus’, p. 55. For the traditional view that Dioscorus quietly accepted his fate: Christian Lange, *Mia Energeia: Untersuchungen zur Einigungspolitik des Kaisers Heraclius und des Patriarchen Sergius von Constantinopel* (Tübingen: Mohr Siebeck, 2012), pp. 121–2 with further references.

⁴⁸ Lubomierski, ‘Der Prozess gegen Dioscorus’, p. 90.

⁴⁹ The papal legates requested that Dioscorus to be put to trial, but it was the imperial officials who presided at the session: in the end, it must have been they who (after persuasion by the papal legates) requested Dioscorus to sit in as accused.

event likely demoralized his followers, who questioned his political skills as ecclesiastical leader.

In I.13, the imperial officials pointed out to the legates that they could not be prosecutor and judge at the same time, and probably deliberated with the legates about how to proceed.⁵⁰ The legates therefore apparently requested that the task of prosecution be delegated to a trusted colleague: Eusebius of Dorylaeum. After the Council of 449, Eusebius had been imprisoned until he could flee to the West, where he stayed in Rome and appealed against his deposition.⁵¹ Notably, he appeared as member of the Council of Chalcedon from the very beginning even though he had been deposed at Ephesus.⁵² He was given the floor to charge Dioscorus with the complaint that he had handed in to the imperial court before the council convened (I.14–I.16). He accused Dioscorus of having sided with the heresy of Eutyches, of being a stranger to the orthodox faith, and of having illegally deposed Flavian of Constantinople and Eusebius himself.⁵³ Dioscorus and Eusebius agreed that the Council of 449 should be discussed, but when the imperial officials asked the secretary to read everything relating to that ‘in proper order’ (I.20), Dioscorus objected and requested that ‘matters of faith be examined first’ (I.21). This objection is important because Eusebius had charged him with heresy, and Dioscorus, backed by Cyril’s definitions and the ecumenical Council of 449, felt comfortable defending his orthodoxy.

The extremely long and convoluted first session did not focus on Dioscorus’ faith, however. Instead, all councils and meetings of 448 and 449 and their respective minutes were reviewed, and official letters to and from councils were read; bishops could comment, or shout their opinions, protests, acclamations, and so forth. Scholars have called the session unorganized and unsystematic—and considering that candles had to be lit towards the end (I. 942[a]), it certainly was a long and exhausting session.⁵⁴ Questions of faith came up, but they represent only a very small percentage of matters discussed, and most of the time it was not Dioscorus’ but Flavian’s faith that was analysed. Eusebius’ request to have the minutes read so that ‘these will enable us to prove that he [Dioscorus] is a stranger to the orthodox faith and has given his support to heresy steeped into impiety’ (I.16) was not fulfilled. In other words, while Eusebius and Dioscorus both wanted to debate the question of faith, the imperial officials diverted the debate away from

⁵⁰ *Contra ACC*, vol. 1, p. 130 n. 55 who argue that the imperial officials debated here with Dioscorus.

⁵¹ For Eusebius’ appeal to Leo, see Chapter 3, p. 135. He had not yet reclaimed his see by April 451; see Leo, *epp.* 79 and 80 (April 13, 451); *ACO* II.4, pp. 37–40.

⁵² As an early and stern opponent of Nestorius, Eusebius must have been a widely respected protagonist whose orthodoxy was apparently not questioned.

⁵³ See also Vilakuvilil C. Samuel, ‘Proceedings of the Council of Chalcedon and its Historical Problems’, *Ecumenical Review* 22 (1970): pp. 312–47, here 326.

⁵⁴ Pierre Maraval, ‘Das Konzil von Chalkedon’, in *Die Geschichte des Christentums: Religion, Politik, Kultur. Das Altertum vol. 3: Der Lateinische Westen und der Byzantinische Osten (431–642)*, ed. Luce Pietri (Freiburg: Herder, 2001), pp. 90–119, here 93: ‘ohne erkennbaren Plan’.

Dioscorus' orthodoxy. Although officially the prosecutor, Eusebius (in stark contrast to the trial against Eutyches in 448) played only a marginal role. He jumped in now and then, quibbling a bit with Dioscorus (I.138–9, I.158–9, and I.332–5), but he was by no means a protagonist or leading the 'trial's' proceedings against Dioscorus. Instead, the imperial officials took the lead and directed the bishops' business through the session.

The lack of any real prosecution becomes even more evident when the second prosecutor joins the council. In I.26–46, Theodoret of Cyrrhus, condemned by the Second Council of Ephesus, entered the council and joined Eusebius as prosecutor. Considering that Theodoret had been deposed *and* excommunicated in 449, he would first need to be restored to the Church.⁵⁵ Theodoret was not a member of the council at the beginning of the session and was officially restored to the Church by the Council of Chalcedon only in the eighth session (after participating as member of the council already in the first, second and fourth sessions). Having him here as prosecutor is juridically questionable at best.⁵⁶ The imperial officials must certainly have intended to have Theodoret restored to the Church in the first session to ensure his lawful participation at the council. But the papal legates' request to charge Dioscorus forced the imperial officials to improvise and grant Theodoret entrance by giving him the role of auxiliary prosecutor. That this scheme was unplanned becomes obvious as events of the session proceed, as Theodoret was able neither to present a plaint nor to play any role as prosecutor.⁵⁷ He did not even *once* enter the discussion in the first session, which is decidedly odd for so rhetorically versed, outspoken, and partisan operator as Theodoret.⁵⁸

Not surprisingly, Theodoret's entrance caused a major uproar among the Cyrillian bishops, all of whom regarded Theodoret as a Nestorian.⁵⁹ The imperial officials pointed out (in I.35) that Pope Leo had restored Theodoret to his see, and that Maximus of Antioch vouched for him. More importantly, according to the imperial officials, Theodoret's presence should 'be prejudicial to no one, since,

⁵⁵ The even more controversial Ibas of Edessa had to wait until the ninth session to make his appearance at the council. Ibas had also been deposed and excommunicated at Ephesus: Flemming, pp. 60–7; Perry (1881), pp. 134–45. The papal legates and the eastern bishops had likely requested Theodoret's extraordinary appearance in the first session because he personified the prior two decades' opposition to Alexandrian orthodoxy.

⁵⁶ Artur Steinwenter, 'Der antike kirchliche Rechtsgang und seine Quellen', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 23 (1934): pp. 1–116, here 41–4.

⁵⁷ For the *libellus* see Steinwenter, 'Der antike kirchliche Rechtsgang und seine Quellen', pp. 35–40.

⁵⁸ He may perhaps have shouted a statement in I.248, but in the given context it might rather have been his namesake Theodoret of Alabanda; *contra* Leuenberger-Wenger, *Das Konzil von Chalkedon*, p. 199.

⁵⁹ The later story of how Dioscorus clashed with Theodoret is certainly not historical but it likely goes back to this very moment of the first session at the Council of Chalcedon, when Dioscorus and Theodoret faced each other for the first and only time; Ps-Zachariah Rhetor, *Church History* III.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, ed. E.W. Brooks, vol. 1 (Paris: E Typographeo Reipublicae, 1919), p. 152–3; *The Chronicle of Pseudo-Zachariah Rhetor: Church and War in Late Antiquity*, trans. Geoffrey Greatrex et al. [TTH] (Liverpool: Liverpool University Press, 2011), pp. 110–11.

obviously enough, full right of speech is assured after this both for you and for him, if you should wish to raise any matters in turn'. In other words, the officials ensured the council that there could still be proceedings against Theodoret should the council request them.

The documents read out early in the first session concerning the convocation of the Second Council of Ephesus allowed no room for doubt that Emperor Theodosius had regarded both Flavian (and, by extension, Eusebius of Dorylaeum) and Theodoret as causes of trouble and potential heretics. It was therefore not only legitimate to convene that council but also to be expected that these bishops would be deposed. Furthermore, one of Theodosius' *sacra* had named Juvenal of Jerusalem and Thalassius of Caesarea, together with Dioscorus, as conveners of Ephesus, more than 100 bishops had signed the council's sentences, and the emperor had enshrined the sentences as imperial law. Dioscorus' question in I.53 'Why are these people singling me out for attack?' was therefore justified; it also amounted to an indirect accusation against the organizers of Chalcedon for the unmitigatedly political nature of the first session.⁶⁰

The 'Oriental bishops and those with them', however, accused Dioscorus of having physically forced bishops to sign blank papers and of having threatened them 'with deposition'. The bishops explain, 'We were threatened with exile. [...] We were intimidated into signing' (I.54).⁶¹ While the Egyptian bishops defended their patriarch, his former allies unceremoniously faltered under cross-examination by the officials. Thalassius of Caesarea claimed that he had no idea why Emperor Theodosius had named him in the *sacra*, and further claimed that when things got out of hand at the Council of 449, he had attempted to stop them (I.61, see also I.106). The disingenuousness of his claim must have been apparent to everybody present but the line of argument—for accusation and defence—for the remaining part of session had been set: Dioscorus was blamed, the Easterners insisted that, in 449, they had been unjustly forced to subscribe, and Dioscorus' allies claimed complete ignorance and pleaded for forgiveness.⁶²

While the acts of Ephesus (and then of the synod of 448 and the review meeting in 449) were read out, the bishops pointed out objectionable matters, and the officials picked up on them to prove noncanonical conduct on the part of the Council of 449—with the intention of charging Dioscorus with these allegations. Among the imperial officials under Emperor Marcian were a few 'newcomers', but many officials present at Chalcedon had made their careers under Theodosius. There are no indications that—apart from political advisors and confidants such as Chrysaphius—the bureaucracy had been cleansed of supporters of the 'ancien

⁶⁰ ACO II.1.1, p. 75.

⁶¹ See above Chapter 3, pp. 137–9.

⁶² For Thalassius' active role at Ephesus see for example Flemming, pp. 10–13; Perry (1881), pp. 26–7.

Régime'.⁶³ Marcian's senior commissioner at Chalcedon, Anatolius, had made an impeccable *cursus honorum* under Theodosius, and even the anti-Ibas crowd in Edessa had chanted for him in 449.⁶⁴ Whether all of these long-serving senators and bureaucrats had been in favour of Theodosius' religious policies remains unknown, but they all knew how Theodosius had imposed his agenda upon the Second Council of Ephesus. In other words, while the imperial officials at Chalcedon scrutinized the past records for misdeeds of Dioscorus, their own conduct under the rule of the previous emperor went unquestioned. Similarly, the more than 100 bishops who had participated at Ephesus, and now at Chalcedon, faced no accountability. They were not prevented from claiming that they did not know what had been going on, or that they had no influence on the procedure, or that they had been forced by Dioscorus, by monks, or by soldiers, and so forth.

Sooner rather than later, Dioscorus must have realized his strategic error in accepting the role of defendant. Nevertheless, he actively participated at the session and rightly held up a mirror to his hypocritical colleagues. If bishops had indeed been forced to sign blank sheets, why did they do that knowing that matters of faith were at stake? (I.65) If they accuse him of having broken canons by obeying imperial instructions, how could they now admit Theodoret? (I.93) Why would bishops behave as though they were afraid of earthly punishment, on a question that was matter of faith? (I.179) Dioscorus sarcastically remarked of his colleagues (I.150): 'Let them also say, "We were not there."' Notably, however Dioscorus did not seek to vindicate the results of Ephesus as such: 'If Eutyches holds opinions contrary to the doctrines of the church, he deserves not only punishment but hell fire. For my concern is for the catholic and apostolic faith and not for any human being.' (I.168) In other words, Dioscorus was in no way the extremist Cyrillian that scholars sometimes like to depict him as.

The session reached a dramatic peak when some of Dioscorus' supporters switched sides, literally.⁶⁵ Eustathius of Berytus, one of the protagonists at the Council of 449 who had cheered to Emperor Theodosius for having assembled the Council at Ephesus 'on behalf of the liberty of the East',⁶⁶ now publicly declared that he had erred in deposing Flavian (I.269).⁶⁷ After having read Flavian's

⁶³ Amirav, *Authority and Performance*, p. 93: 'All the delegates [at the first session] formed the backbone of Theodosius' regime.' See also Fergus Millar, *A Greek Roman Empire: Power and Belief under Theodosius II (408–450)* (Berkeley: University of California Press, 2006), pp. 192–200 and Kießler, *Religionspolitik*, pp. 55–6.

⁶⁴ *PLRE* II, pp. 86–8: 'Anatolius 10'. Considering his career in the East, it seems very likely that the shouts for an 'Anatolius' in Edessa in April 449 were for him: Flemming, pp. 16–17; Perry (1881), pp. 46 and 49.

⁶⁵ Amirav, *Authority and Performance*, pp. 98–102.

⁶⁶ Flemming, pp. 112–13; Perry (1881), p. 257; see Chapter 3, p. 132.

⁶⁷ Here matters of faith actually appear at the forefront but were not further discussed: Eustathius qualified Cyril's statement about the one nature after incarnation, and it reads similar to Flavian's appeasing letter to Theodosius from December 448. This, however, was not Flavian's (and Eusebius')

statement of faith ('from two natures'), bishops present at Chalcedon—including Thalassius of Caesarea and Eustathius of Berytus—confirmed its orthodoxy. The papal legates were quick to request that those who had wrongfully condemned Flavian should now be condemned, but (after the request had been translated into Greek) Maximus of Antioch diverted the council's attention by confirming that Flavian and Leo were orthodox (I.275). Dioscorus still warned the council that Flavian spoke of 'in two natures' after the incarnation, but when Juvenal of Jerusalem, too, confirmed that Flavian's faith was in harmony with Cyril's, the tide fully turned against Dioscorus. Juvenal's subordinates agreed with their superior, and Juvenal crossed over to the other side of the church, followed by all the Palestinian bishops (I.284).

This dramatic move of bishops to the other side is reminiscent of the senatorial court, as Pliny the Younger noted in relation to a bribery trial in the Roman senate: 'But upon a division of the house, all those who stood near the consuls' chairs went over to the side of Cornutus. Thereupon, those who were allowing themselves to be reckoned with Collega, crossed over to the opposite side, leaving him almost unsupported.'⁶⁸ The bishops had been assigned seats according to their (doctrinal and political) alliances with either Leo or Dioscorus, and when their alliance changed, their seating changed as well.⁶⁹ Juvenal was not only the most experienced archbishop but also one who was extremely ambitious; there is no question that his move was politically motivated. After all, neither Cyril's dogma of the incarnation nor Flavian's exegesis was any news to him, and Juvenal could not pretend to have been fooled by what had been going on in 449. Hagit Amirav neatly summarizes Juvenal's move as 'the epitome of ideological and theological elasticity'.⁷⁰ Now that Juvenal had turned on Dioscorus, the spell was broken, and not only the Palestinian bishops but also the Illyrian ones and even four Egyptian bishops followed and crossed to the other side of the floor (I.286–98).

Dioscorus' insistence and warning that Flavian's faith did not harmonize with that of the holy fathers who spoke of one nature (I.299) came too late. He had already lost the public debate even though the first session dragged on for several more hours. When Dioscorus was accused of having threatened colleagues in 449, he claimed to be able to bring in witnesses that would prove otherwise, but he also suggested ending the session for the day 'since your magnificence is tired' (I.862). Whether Dioscorus tried to end the session at this point remains unclear as the

statement of faith at the synod of Constantinople in November 448. If questions of faith had needed discussion in the first session, here would have been a chance to go into such matters, but the imperial officials only requested that the bishops judge if Flavian was orthodox or not.

⁶⁸ Pliny the Younger, *Letters* II.11; *Pliny Letters*, vol. 1, ed. and trans. William Malmoth and W.M.L. Hutchinson (London: Heinemann, 1931), pp. 132–3; see also Talbert, *The Senate of Imperial Rome*, p. 125.

⁶⁹ In later sessions this arrangement was evidently no longer deemed necessary.

⁷⁰ Amirav, *Authority and Performance*, p. 102.

minutes record only that the officials immediately afterwards requested that ‘the rest’ of the Second Council of Ephesus be read out (I.863).

It is scarcely possible that the entire first session was completed in just one day. The bulk of material recorded in the minutes makes it unlikely that all such documents could really be read out. To this procedure must be added breaks and unrecorded debates—not least the issue of placing Dioscorus as defendant in the middle. At the end of the session, the officials’ request (I.1068) that the council reconvene ‘tomorrow’ indicates that the first session did not last one day but two days: the first session started on 8 October and the second session on 10 October; in other words, the officials asked bishops to reconvene tomorrow on the evening of the *second* day of the first session, that is, 9 October.⁷¹

The imperial officials proceeded through the minutes of the Second Council of Ephesus until the report of the deposition of Flavian and Eusebius in 449, which caused an outcry among the eastern bishops (I.965).⁷² The reading then continued until the end of the first session in 449 including reports of all verdicts and of all subscriptions by bishops (and by the archimandrite Barsauma). The opening session at Chalcedon concluded with a surprising declarations by the officials (I.1068):

- a) that an exact examination on faith would take place when the council reconvened;
- b) that ‘the injustice of the deposition of Flavian of devout memory and of the most devout Bishop Eusebius had been proven by the scrutiny of the proceedings’ because ‘they had not erred in the faith’; and
- c) that Dioscorus, Juvenal of Jerusalem, Thalassius of Caesarea, Eusebius of Ancyra, Eustathius of Berytus, and Basil of Seleucia were to be deposed if the emperor would agree to that.⁷³ They were ‘excluded from the episcopal dignity’ for the mismanagement of the Council of Ephesus.

The eastern bishops applauded these decisions, while the Illyrian bishops ‘and those with them’, noted that ‘all erred, let us all be granted forgiveness’ (I.1070). The last words of the session belonged to the officials, who requested that each bishop hand in a statement of faith in accordance with the Councils of Nicaea (325), Constantinople (381) and Ephesus (431), as well as several letters including the *Tome* of Leo (I.1072).

⁷¹ To my knowledge, scholars generally assume that it was a one day-session—not the least on account of the note that ‘the lamps were lit’ (I.942a). I would rather believe this happened on the evening of the second day: at which point the first day ended and when the second started is difficult to determine but I.862 is a bit late in the day given all that had gone before.

⁷² The notaries considered this outcry important enough to interrupt the recording of the acts of the Second Council of Ephesus.

⁷³ ACO II.1.1, p. 195. For the *addendum* ‘if it [this sentence] please’ the emperor, see below pp. 174–5.

What should a reader make of this very odd session? First, it must be noted that the different parties—the court, the papacy, the Alexandrians, and the various parts of the eastern churches—had arrived in Nicaea/Chalcedon with differing ecclesiastical assumptions. The papal legates claimed that Dioscorus had illegally presided over a council, which was not a council at all but rather a *latrocinium*, and that therefore all its decisions were void. Eusebius and Theodoret could thus be members of the Council at Chalcedon because (a) if the Council of Ephesus was void, the two bishops had never been deposed, and/or (b) the papacy had restored them to their see anyway. Independent of the question of papal primacy, neither the court nor the eastern churches considered such unilateral judgements acceptable or sufficient.⁷⁴ The imperial officials and the eastern bishops wanted to revoke and/or change some of the decisions of the Council of Ephesus (and had already done so), and doing so needed approval by a new ecumenical council. Last but not least, Dioscorus represented Cyril's theological legacy, and claimed to have legitimately presided over an ecumenical council that the emperor both summoned and confirmed.

Second, although Dioscorus was ostensibly put on trial for heresy, the verdict was that the 'orthodox and catholic' faith needed to be examined, that Flavian and Eusebius were not guilty of heresy, and that six bishops responsible for the Second Council of Ephesus were deposed for procedural mistakes in presiding this council. These were the verdicts of the imperial officials. The bishops were not asked to assent to them, the power to confirm the officials' sentences being reserved for the emperor alone. Remarkably, no judgement was reached on the question of whether Dioscorus was heretical. The officials did not even announce the question of Dioscorus' orthodoxy as a matter of concern for future sessions.⁷⁵ The conclusion that the first session was no heresy trial is irrefutable: it in no way attempted to prove Dioscorus' non-orthodoxy, Dioscorus was not asked to lay down a statement of faith, no testimonies to his heresy were collected, and Eusebius and Theodoret did not even attempt to prosecute him.⁷⁶ Instead, the course of the first session makes it an (awkward) *appellatio*, an appellate hearing against the sentences of Ephesus. Evidence was reviewed, and the (tacit) appeal

⁷⁴ The papacy's claim to primacy became obvious throughout Leo's tenure but quarrels around the Second Council of Ephesus and the Council of Chalcedon show very clearly that while Rome—including the appeal to its elevated position—could be useful for the different eastern actors, it was not more than that; for a Catholic position see Hugo Rahner, 'Leo der Große, der Papst des Konzils', in *Das Konzil von Chalkedon. Geschichte und Gegenwart* vol. 1: *Der Glaube von Chalkedon*, ed. Alois Grillmeier and Heinrich Bacht (Würzburg: Echter, 1951), pp. 323–39 here 328–30.

⁷⁵ Dioscorus was probably arrested immediately after the first session: ACC, vol. 1, p. 364 n. 515. Faith in general was to be discussed in the next session.

⁷⁶ For the oral proceedings at a trial see Steinwenter, 'Der antike kirchliche Rechtsgang und seine Quellen', pp. 46–54 and Gaudemet, *L'Église dans l'Empire Romain*, pp. 258–67; see also Price, 'Presidency and Procedure', pp. 241–74; for the legal procedure at the trial of Eutyches see Georg May, 'Das Lehrverfahren gegen Eutyches im Jahr 448', *Annuario Historiae Conciliorum* 21 (1989): pp. 1–61.

against the earlier decision that Flavian and Eusebius were heretics was accepted.⁷⁷ The session therefore achieved what the imperial officials had in all likelihood intended for it to accomplish in the first place—albeit with some procedural detours.

The opening arrangements and the seating chart indicate that the officials had planned to start the council with Dioscorus as *member* not as defendant.⁷⁸ Dioscorus was hierarchically the most elevated bishop in the eastern Mediterranean (which his seating immediately to the right of the imperial delegates clearly indicates), and his participation was needed for any conciliar decisions to obtain universal recognition. Indeed, Chalcedon later lacked such recognition precisely because Dioscorus' supporters objected. Emperor Marcian had planned a new Nicaea, one that would reunite Christendom with a definition of faith to which all Christians would adhere. This symbolism was meticulously chosen: while both Councils of Ephesus had been controversial, and only Theodosius and the party of Dioscorus considered them ecumenical, the Council of 325 in Nicaea went unchallenged by all parties. The Second Council of Nicaea in 451 was initially intended to become the council that sealed the faith of the 318 fathers. In hindsight, this aim may sound naïve but for a Roman emperor (one who was likely advised by Anatolius of Constantinople), a reissue of the Council of Nicaea was a logical step for the ideological reunification of empire. The imperial officials must therefore have planned to start the first session with the restoration of all those who had been condemned at the Second Council of Ephesus and only then to move on to discussing matters of faith with all the bishops thus present, in order to settle such matters once and for all.

Dioscorus' submission to the imperial legates' request to be defendant in the first session legitimized his own trial and subsequently ensured that the session would be highly politicized. Dioscorus miscalculated the symbolism of his being put on trial: once standing in the dock, his opponents were able to detach his supporters, and all the bishops who crossed the aisle during the first session did so once they realized that Dioscorus was not at all the shrewd politician his predecessor had been. Instead of stubbornly refusing to be put on trial for any charges and causing a scandal, Dioscorus allowed his opponents to gain the upper hand, leading his supporters question his political abilities. At the same time, however, Dioscorus' lack of political nous allows the reader to listen to the patriarch of Alexandria's blunt and honest defence against the charges brought against him. Dioscorus did not waiver in his miaphysite persuasion and became agitated when he was attacked by his opponents: 'I am compelled to speak brashly: my soul is at

⁷⁷ Considering that the appeal was against decisions of an ecumenical council, which could be regarded unappealable, it led into legally uncharted territory.

⁷⁸ To assume that a trial of Dioscorus had been planned all along not only disregards the seating arrangements and the lack of indicative *sacra* but also overlooks that no patriarch of Alexandria would forego the safety of Egypt for his own trial.

stake' (I.332) and 'I shall defend myself before God both here and there' (I.334).⁷⁹ He felt he was 'being cast out together with the fathers. I stand by the doctrines of the fathers, and do not transgress in any respect' (I.299).⁸⁰ Despite the fact that each and every other bishop faltered and agreed to the new Chalcedonian narrative of the Second Council of Ephesus, Dioscorus stood his ground and passionately defended his Christological persuasion against all comers.⁸¹

The dubious procedural nature of the session was the only upside for Dioscorus. The acceptance of Theodoret without a formal conciliar decision of reacceptance was a diplomatic concession towards the papacy, but it put the legality of the first session in jeopardy. The imperial officials bent the canons in order to keep the centrifugal forces at bay. To put Dioscorus on trial satisfied all those bishops who had been humiliated under Theodosius and Dioscorus while at the same time exculpating the more than 100 bishops present at Chalcedon who had participated at Ephesus. At the end of the first session at Chalcedon, however, there was no agreement concerning the depositions. Some bishops asked that forgiveness be granted to all without confirming the officials' judgements. The officials also did not collect subscriptions from the bishops to confirm the decisions. Nevertheless, the five deposed bishops other than Dioscorus had already signalled their readiness to yield to the new regime. The officials thus likely considered the sentence of deposition against Dioscorus to be useful as leverage, hoping—in vain, it would turn out—that the patriarch of Alexandria would give in like the others.

The Interim Period between Dioscorus' First and Second Depositions

For Marcian's purposes in convening a universal council, the results of the first session were satisfactory. The imperial officials had managed the delicate task of keeping everybody in the room, reversed the condemnation of the previous patriarch of Constantinople with the support of the current patriarch, and deposed Dioscorus and other ringleaders of Ephesus without excommunicating them (so that they might be restored to the Church if they repented). In addition, the papal legates' requests had been satisfied by putting Dioscorus on trial. The next step, as requested by the officials at the end of the first session proved, to be even more difficult: 'Let each of the most devout bishops of the present holy council set out in writing what he believes' (I.1072). The officials stipulated that

⁷⁹ ACC, vol. 1, pp. 194–5.

⁸⁰ ACC, vol. 1, p. 190.

⁸¹ Cf. the quote by Otto Seeck about Dioscorus as the only man among 'howling crones' in the Introduction above, p. 8.

any statement of faith had to accord with the Councils of Nicaea, Constantinople, and Ephesus, as well as with Leo's *Tome*.

The inclusion of Leo's *Tome* was unsurprising as Marcian had made the *Tome* a doctrinal requirement for Chalcedon. The inclusion of the Council of Constantinople in this list, however, must have come as a surprise to at least some of the bishops present. Its rapid ascent from its invention by Theodoret in 448 to its sanction as the second ecumenical council by the Council of Chalcedon remains astonishing. It was not, however, completely unforeseeable, inasmuch as powerful stakeholders—the patriarch as well as emperor and court—shared an interest in confirming a council that outmanoeuvred Alexandria and conveniently elevated Constantinople to the status of second see after Rome.⁸²

The second, fourth, and fifth sessions of Chalcedon were dedicated to drawing up a definition of faith despite stern resistance by the vast majority of bishops, who refused to go beyond the creed of Nicaea. The imperial officials did not accommodate the sensitivities of the bishops but insisted on a new formula, to which the bishops finally agreed in the fifth session. After these three sessions and several draft definitions, the council met in the sixth session for the 'gala occasion', as Price and Gaddis rightly call it, in which the definition was ceremoniously read in the presence of the imperial couple.⁸³ These developments passed Dioscorus by, however, as he remained under arrest following the first session.⁸⁴

What did Dioscorus plan or undertake in the meantime? Did he consider repenting and surrendering to the papal legates? Or imitating his predecessor Cyril, who also had been deposed and put under guard in the summer of 431? If the tradition hostile to Cyril can be believed, Cyril came loaded with gold to Ephesus. A delegation of eastern bishops there claimed that the 'Egyptian' blinded everybody by gifts (*δῶρον/munera*), and bishop Acacius of Beroea noted in a letter that an 'endless amount' of gold was found that had been delivered by Paul, the son of Cyril's brother, to the eunuch Scholasticus.⁸⁵ Nestorius noted in his

⁸² As it then found expression in the so-called 28th Canon of the Council of Chalcedon, against which Pope Leo protested.

⁸³ ACC, vol. 2, p. 183 speak for the fifth session of a 'politicization of the doctrinal debate'.

⁸⁴ Dioscorus' guards are mentioned in the third session, when the council attempted to summon him.

⁸⁵ Letter by eastern bishops: ACO I.1.7, p. 81 and ACO I.4, pp. 70–71, Acacius' letter: ACO I.4, p. 85; further examples of accusations that gold changed hands can be found in the *Collectio Casinensis*; these await further studies (see for example ACO I.4, p. 155). That said, there are problems with the historicity of Acacius' letter, as it is difficult to verify the content of the letter with the date of November 431 usually given to it. Scholasticus was obviously bribed in 432, as Epiphanius' letter proves; he therefore could not have been dead already in 431 as Acacius' letter states (if it is not assumed that two different Scholasticii who held the same office [or similar positions] existed in these very years). The passage might be a later interpolation in Acacius' letter as it is difficult to imagine not only that there had been two Scholasticii with similar positions but also how all this should have happened in the autumn sometime before November 431: Cyril shipped a large amount of gold from Alexandria to Constantinople and distributed it via his nephew to courtiers. Then according to Acacius the emperor completely changed his mind about the easterners, Scholasticus died and the gold was discovered (without the emperor changing back his mind)—that might conceivably have happened in a

Bazaar of Heracleides that Cyril managed to escape from Ephesus because he 'had been prepared beforehand and [the escape] bought by him with gifts; for he came not out of the city by force but transgressed the letters of [His] Majesty against the will of the Emperor'.⁸⁶ Cyril was helped by John, the *comes sacrarum largitionum* (and later *magister officiorum*), whom the emperor had sent as imperial representative to Ephesus.⁸⁷

He [John], however, carried not his vehemence to the full but slackened, because that which is dear unto men [had] fallen upon him [=he was bribed] [...] And it made him ashamed during his life, and after his death he was convicted: both he who sold the truth, that is John, and he who [did] more than he, that is Cyril, when the gold of iniquity was exacted.⁸⁸

If this account taken at face value, Cyril not only paid for saving the orthodoxy of his *Twelve Chapters* after the Council of Ephesus but had also paved his way with bribes all along.

Many of Marcian's courtiers had already served under Theodosius, and there is no reason to believe that venality within imperial service decreased with the new emperor.⁸⁹ It is therefore notable that among the many accusations against Dioscorus in the first and third sessions, not one is a plaint of bribery.⁹⁰ An *argumentum e silentio* is always questionable but, inasmuch as he had been elected to improve ecclesiastical governance in Alexandria, Dioscorus is unlikely to have carried costly incentives to Constantinople. No rumours of employing an *agens in rebus* are known, and there are no subsequent tales of gifts and gold for courtiers. In short, Dioscorus clearly did not imitate Cyril's horse-trading ways.

Dioscorus nonetheless did not yield to the new dyophysite majority but rather refused to accept his deposition, not least because the first session failed to fulfil even the most minimal ecclesiastical standards for a heresy trial. Dioscorus claimed to be the lawful patriarch of Alexandria and in all likelihood ensured widespread public distribution of his dissent to the proceedings of the first session, thereby forestalling the scheduled progress of the council and forcing the

few weeks, but it sounds rather like a later excuse by an apologist for the easterners, one who knew of Cyril's bribes in 432 (and who had perhaps also heard that after Scholasticus' death [after 432] the eunuch's gold had been discovered).

⁸⁶ Nestorius, *The Bazaar of Heracleides* II.1; Nestorius: *Le Livre d'Héraclide de Damas*, ed. Paul Bedjan (Leipzig: Harrassowitz, 1910), p. 388; Nestorius: *The Bazaar of Heracleides*, ed. and trans. G.R. Driver and Leonard Hodgson (Oxford: Clarendon, 1925), pp. 281–2 [modified].

⁸⁷ For John see *PLRE* II, p. 596: 'Ioannes 12'; Bevan, *The New Judas*, pp. 181–3.

⁸⁸ Nestorius, *The Bazaar of Heracleides* II.1; Nestorius: *Le Livre d'Héraclide de Damas*, ed. Bedjan, p. 385; Nestorius: *The Bazaar of Heracleides*, Driver and Hodgson, p. 279.

⁸⁹ For a possible bribe for Chrysaphius by the eastern bishops in 447, see George A. Bevan and Patrick Gray, 'The Trial of Eutyches: A New Interpretation', *Byzantinische Zeitschrift* 101–2 (2008): p. 623.

⁹⁰ See Chapter 2, pp. 51–2 and below, pp. 179–80.

organizers to deal with him once more. Instead of proceeding with the council as intended (which would have allowed Dioscorus, together with the other ringleaders of Ephesus, to publicly repent in the fourth session), the conveners of the council were thus compelled to organize ‘another’ trial for Dioscorus on charges of heresy.

The Location and Impromptu Nature of Dioscorus’ Second Trial

The minutes of almost all sessions of Chalcedon clearly indicate that they took place in Euphemia’s church (ἐκκλησία).⁹¹ The only exceptions are the second trial of Dioscorus in the third session, and the session on Carosus and Dorotheus. Here the Greek text states, ‘there assembled in the martyrion (ἐν τῷ μαρτυρίῳ) of the holy and victorious martyr Euphemia all the most sacred and God-beloved bishops’ (III.2).⁹² Alfons Schneider is one of the few scholars to discuss the varying terminology; he argues that both terms simply refer to the main church as the *martyrium* would be too small for the third session, where according to the attendance list more than 200 bishops were present.⁹³ In addition, he claims that the terms ‘ekklesia’ and ‘martyrion’ are used inconsistently in the minutes: while the council met for the fifth and sixth sessions in the ‘ekklesia’, the declaration of faith at the end of the fifth session (V.30) and at the beginning of the sixth session (VI.8) speaks of the assembly in the ‘martyrion’.⁹⁴

However, Schneider’s argument is clearly erroneous. While the council did meet in the ‘ekklesia’ in the fifth and sixth sessions, the declaration of faith was composed by a delegation of bishops that retired ‘into the oratory of the holy

⁹¹ For example ACO II.1.2, p. 265: ‘there assembled in the holy church (ἐν τῇ ἁγίᾳ ἐκκλησίᾳ) of the holy martyr Euphemia; variations (for example ‘most holy church’) exist.

⁹² In the Greek acts of the second session: ACO II.1.2, p. 199. The Latin translates this as ‘martyrium’ or ‘basilica’. ACC, vol. 1, pp. 42–3. Michael Whitby regards the *martyrium* as the place where the third session took place and correctly claims that it must therefore have been rather large. *The Ecclesiastical History of Evagrius Scholasticus*, trans. Michael Whitby (Liverpool: Liverpool University Press, 2000), pp. 63–4 n. 27. He was not the first to note the different terminology; see Wilhelm Amadeus Arendt, *Leo der Grosse und seine Zeit* (Mainz: Florian Kupferberg, 1835), p. 279, and Gregory, *Vox Populi*, p. 172 who, however, do not discuss the matter further.

⁹³ Schneider, ‘Sankt Euphemia’, pp. 291–302.

⁹⁴ Schneider, ‘Sankt Euphemia’, p. 291; in n.3 he wrongly refers to *Actio* 3—he must mean the sixth session, where the declaration (and the location) is repeated (VI.8). Friedrich Wilhelm Deichmann took over Schneider’s line of reasoning, and used it in his quarrel with Richard Krautheimer concerning the outlook of ‘martyria’ and ‘martyr churches’. Cf. Friedrich Wilhelm Deichmann, ‘Martyrerbasilika, Martyrion, Memoria und Altargrab’, *Mitteilungen des deutschen Archaeologischen Instituts* 77 (1970): pp. 144–69, here: 149–50 referring to the sixth session; and Richard Krautheimer, ‘Mensa-Coemeterium-Martyrium’, in his *Studies in Early Christian, Medieval, and Renaissance Art* (New York: New York University Press, 1969), pp. 35–58 (originally published in *Cahiers Archéologiques* 11 (1960): pp. 15–40), particularly 41–2. See also Philipp Niewöhner, ‘Spätantike Reliquienkapellen in Lykien’, *Jahrbuch für Antike und Christentum* 48–9 (2005–06), pp. 77–113, here 90 n. 77.

martyrium (ἐν τῷ εὐκτηρίῳ τοῦ ἁγίου μαρτυρίου) (V.10 and see also V.29).⁹⁵ In other words, the declaration faithfully recorded the location as ‘martyrion’, where twenty-three bishops and three imperial representatives met in order to compose the text. As the declaration later speaks just of the ‘martyrion’ where the definition of faith was composed, the terms ‘oratory of the martyrion’ and ‘martyrion’ were used interchangeably or, alternatively, the term ‘oratory’ refers to a certain location within ‘martyrion’. As Euagrius Scholasticus describes a shrine (σηκὸς) and a gallery within the martyr chapel, this chapel must have been sizeable.⁹⁶

Given that not only the introductory words of the third session but also a reference in the third session (III.9) and official letters composed afterwards (III.99–101) all unanimously locate this session as taking place in the ‘martyrion’, it is difficult to consider this simply a scribal mistake or variation.⁹⁷ What marked the third session and the session concerning Carosus and Dorotheus out from the other sessions? First, these two sessions were the only sessions presided over by ecclesiastics with no imperial representatives present.⁹⁸ Second, both sessions had probably not been planned at the beginning of the council but were instead ‘impromptu’.

The Cyrillian archimandrites Carosus and Dorotheus continued to make commotion even though they had been asked in the previous session (17 October) to accept the decree of the council within three days (IV.113). To no avail: ‘they have had the effrontery to give the title of bishop to Dioscorus, who was deposed by the holy and ecumenical council and speak for the faith with full freedom as if he were not under censure’ (Carosus and Dorotheus, 7).⁹⁹ The council therefore met on 20 October to urge them to accept the decrees of the present council, and they were forbidden to be in communion with deposed clergy. In a move obviously aimed at not aggravating the situation, the council gave the monks until 15 November ‘for reflection on complying with this holy and ecumenical council and its decrees on the true faith’ (Carosus and Dorotheus, 11). In other words, the council could not allow the monks to disregard the three-day ultimatum and therefore extemporaneously met again to extend the deadline by (almost) a month.¹⁰⁰

The trial of Dioscorus presents a similar case of an *extempore* session. At the end of the first session the officials had noted that the six bishops should be

⁹⁵ Schneider, ‘Sankt Euphemia’, p. 291 also refers to this passage.

⁹⁶ Amirav, *Authority and Performance*, p. 39 speaks of ‘a big, round-shaped monument’.

⁹⁷ ACO II.1.2, p. 206 and ACO II.1.2, pp. 237–8.

⁹⁸ At first sight, this might be an argument to assume a scribal variation here (using ‘martyrion’ for the whole Church-complex), as it can be assumed that ecclesiastical scribes took notes at these sessions instead of the imperial notaries, who were employed at the other sessions. But as the official letters (including a ‘public notice’) after the sessions also noted the location as ‘martyrion’, this is unlikely.

⁹⁹ ACO II.1.3, p. 459; ACC, vol. 2, p. 167.

¹⁰⁰ A deadline that conveniently approached only long after the council ended. It was not kept by the monks, as scholars have pointed out.

deposed 'if it please our most divine and pious master' (I.1068), but Emperor Marcian did not immediately ratify the sentence. Price and Gaddis consider these depositions as provisional suspensions and as a preliminary judgement by the council.¹⁰¹ To some extent this is likely correct inasmuch as the first session was no proper heresy trial; its judgement could hardly be 'final' but instead should be understood as imperial threat to ensure the former ringleaders' compliance with the subsequent procedure of the council. The other five bishops deposed together with Dioscorus relented, admitted their wrongdoings, submitted themselves to the judgement of the council, and were officially restored to the Church by the council in the fourth session (IV.14–18). The emperor certainly must have hoped that Dioscorus would come around and do the same. Instead, Dioscorus claimed in public ('spread rumour' as the council noted in III.101) to have recovered his episcopal dignity¹⁰² and was still addressed as the 'most God-beloved bishop of Alexandria' in the third session.

By resisting the council's dramatic script and claiming to be the rightful bishop of Alexandria, Dioscorus alarmed his opponents, who must have remembered all too well Cyril's deposition by the *conciliabulum* in Ephesus in 431 and Emperor Theodosius' ratification of it. In the end, Cyril had been able to turn things in his favour and triumph against all odds. What was the gossip among bishops in the days after the first session of Chalcedon, in which six leading bishops had been deposed? Diplomatic missions between court, council, and Dioscorus probably took place between 9 October and 13 October without leaving any trace in the records.¹⁰³ Although Dioscorus knew that his cause was likely already lost, he had no intention of yielding, and while detained in his lodgings he challenged the canonicity of his deposition.¹⁰⁴ By doing so, he also called into question the legitimacy of the present council and endangered its orderly procedure and upcoming discussion of faith.¹⁰⁵ The conveners of Chalcedon thus acted swiftly in order to ensure that Dioscorus' deposition was beyond dispute and communicated clearly to the public.

¹⁰¹ ACC, vol. 2, p. 30; see also ACC, vol. 1, p. 89, where they speak of a suspension of the bishops in the first session.

¹⁰² ACO II.1.2, p. 238; ACC, vol. 2, pp. 113–14. Gregory, *Vox Populi*, pp. 172–3 argues that Dioscorus spread this rumour *after* the third session. But the note to the public was obviously written *just* after the third session together with the other official notes about Dioscorus' deposition. It therefore (most likely) refers to rumours that had been spread before.

¹⁰³ The later non-Chalcedonian narrative mentions attempts by the court to still persuade Dioscorus to sign the *Tome* – and Dioscorus' heroic resistance; see Conclusion, pp. 187–8.

¹⁰⁴ Perhaps the shouts towards the end of the second session, in which his supporters requested that he return to the Church (see particularly II.41), gave him an unwarranted confidence in his ability to turn things in his favour.

¹⁰⁵ It is in such a scenario that the comment of Amphilochius, Cyrillian bishop of Side ('Let the matter be postponed for one or two days' [III.29]) makes sense: as a supporter of Dioscorus he hoped that time might strengthen Dioscorus' cause.

The impromptu nature of the third session also explains the sequence of sessions. Scholars have discussed if the session on faith followed the trial of Dioscorus or the other way around. The textual tradition of the sequence of the sessions is not consistent. The Greek acts put the trial of Dioscorus as the second session (13 October) and the session on faith as the third session (dated to 10 October, but one manuscript has 14 October in the margin). This (re)arrangement reflected an understanding of the oddity of having two trials of Dioscorus in each of the first and third sessions and, and discussions of faith in the second and fourth sessions. The order as it appears in the Greek acts thus groups the sessions according to themes. While structurally this order makes sense, chronology contradicts it, and the Latin acts organize the sessions according to chronology. Manuela Keßler summarizes the arguments presented by Eduard Schwartz, Evangelos Chrysos, and Richard Price and Michael Gaddis.¹⁰⁶

The dates and sequence of the first three sessions according to Chrysos and Keßler:

- 8 October 451: the first session
- 13 October 451: the second session (trial of Dioscorus)
- 14 October 451: the third session (on faith)

The dates and sequence according to Schwartz and Price and Gaddis:

- 8 October 451: the first session
- 10 October 451: the second session (on faith)
- 13 October 451: the third session (trial of Dioscorus)

Most recently, George Bevan has offered yet another solution:¹⁰⁷

- 8 October 451: the first session
- 10 October 451: the second session (trial of Dioscorus)
- 13 October 451: the third session (on faith)

Here, however, I propose that the timetable for the council was as follows:

- 8–9 October 451: first session (conducted as planned)
- 10 October 451: second session on faith (conducted as planned)

¹⁰⁶ See Keßler, *Religionspolitik*, pp. 40–3; the different arguments cannot be repeated here but it suffices to say that none is conclusive.

¹⁰⁷ George A. Bevan, 'The Sequence of the First Four Sessions at the Council of Chalcedon', *Studia Patristica* 92 (2017): pp. 91–102, here 99. Although Bevan offers an intelligent solution, I am not persuaded that the letter announcing Dioscorus' deposition (13 October) was (incorrectly) modified. Bevan also fails to discuss the imperial officials' comment in IV.12 on Dioscorus' deposition in the previous session. If Dioscorus was really deposed in the second session, why did the officials not mention their ignorance about the session in the third session?

- 13 October 451: third session (impromptu)
- 15 October 451: the planned third session (which is the fourth session in the surviving acts) was postponed to 17 October because of the trial of Dioscorus:

This timetable fits the announcement of the imperial representatives in the second session that the hearing would adjourn for five days (II.31). Dioscorus' steadfastness and stubbornness, however, made a second, proper, trial necessary. It took place on 13 October.

The Second Deposition of Dioscorus

The minutes of the third session state that the bishops met again 'without reversing the earlier transactions in your regard in that divine session [that is Dioscorus' deposition in the first session]', but in order to examine further charges by Eusebius of Dorylaeum (III.31).¹⁰⁸ Eusebius presented a plaint in the names of Flavian and himself which, similar to the first, accused Dioscorus of heresy and maltreatment (III.5). Eusebius recalled which of Dioscorus' misbehaviours had already been proven and now asked that Dioscorus' 'abominable teaching' be anathematized—'and make him pay the penalty for his crimes' (III.5).¹⁰⁹ Dioscorus had no intention of appearing before the council, however, and large parts of the acts of the third session address the official summons of Dioscorus and the exchanges between Dioscorus and the messengers of the council. The three canonical summons seemed to have happened within a few hours of each other, so that the third session was not a celebration of Dioscorus' deposition; on the contrary, the organizers hurried to get done with it as soon as possible.¹¹⁰

At first, Dioscorus claimed that the guards (who had likely been posted to ensure that he did not secretly escape to Alexandria) did not allow him to join the session (III.19). This was of course not true. Confronted with this allegation (III.22), Dioscorus claimed that he requested that imperial officials be present:

At the previous meeting of the council the most magnificent officials who were in session took certain decisions after a full discussion of each point. Since a second meeting of the council summons me to a revision of the aforesaid, I request that

¹⁰⁸ While the other five bishops accepted their (temporary) degradations, the council addressed Dioscorus in the third session as 'the most God-beloved bishop of Alexandria' (III.31). If his colleagues already regarded him as deposed, they should rather have addressed him as 'formerly bishop of Alexandria'.

¹⁰⁹ ACO II.1.2, p. 205; ACC, vol. 2, p. 42.

¹¹⁰ Similar expedited proceedings can be detected on 22 June 431, in relation to the condemnation of Nestorius by Cyril.

the great officials and the sacred senate, who attended the council previously, should also attend now, so that these same decisions can be reconsidered in their presence. (III.22)

Dioscorus' insistence on the presence of the imperial officials, also at his second summons (III.36), is notable.¹¹¹ The first session had been embarrassing for the imperial representatives as the court could not escape its fair share of blame for how the Council of Ephesus in 449 had been conducted:

Soldiers with clubs and swords stood by, and we took fright at the clubs and swords. We were intimidated into signing. Where there are swords and clubs, what kind of council is it? This is why he [Dioscorus] had soldiers with him. Drive out the murderer. The soldiers killed Flavian. (I.54)

In other words, although Dioscorus was blamed for the procedure at the Second Council of Ephesus, the responsibility of the imperial authorities, too, was implicitly noted. Dioscorus of course went further and pointed out how the imperial officials had organized the basic parameters of the council, noting that he had shared presidency with other bishops. He could claim, rightly, that all sentences at Ephesus were reached within the procedural framework that the imperial officials had imposed. The charges brought against him now—of attacks by soldiers against bishops, of the exclusion of bishops and so forth—should therefore be heard in the presence of those whose responsibility those measures had been.¹¹² When Dioscorus learned that his trial was to take place without the presence of imperial officials or of the other bishops deposed at the first session (Juvenal, Thalassius, Eusebius, Basil, and Eustathius), he petitioned the emperor. Unfortunately, Dioscorus' petition does not survive, but at the second summons (III.36) he told the ambassadors: 'For Eusebius' case is not a private one against me as an individual but a general one relation to the actions of us all' (III.36). Dioscorus struck a nerve here, reminding both bishops and imperial officials of their shared responsibility for the Second Council of Ephesus, despite the best efforts of everyone else at Chalcedon to foist most of the blame on Dioscorus, allowing others to exculpate themselves.

In an obvious response to Dioscorus' petition to the emperor after the second summons, the Constantinopolitan archdeacon Aetius took the ingenious step of admitting further plaintiffs whose complaints targeted Dioscorus in his capacity as bishop in Alexandria—i.e., not in his capacity as president of the Second Council

¹¹¹ At the second summons (III.36), Dioscorus also referred to an illness, but his main objection remained the absence of the imperial officials.

¹¹² Already in the first session, the Egyptian bishops had complained about the political nature of the trial when they requested that everybody who had signed the Second Council of Ephesus should join Dioscorus as a defendant in the centre (I.55).

of Ephesus. The deacons Theodore and Ischyriion, Cyril's nephew Athanasius, and Sophronius (III.38–64)¹¹³ were allowed to enter the stage and lay charges against their patriarch. Scholars from Eduard Schwartz to Manuela Keßler have assumed that the plaintiffs must have been brought from Alexandria to Chalcedon in advance for them to accuse Dioscorus.¹¹⁴ But Ischyriion and Sophronius explicitly stated that they lived in exile, and the same must have been true for Cyril's nephew. Athanasius even explained that he had already handed in a petition with his complaints to Emperor Marcian before addressing the council at Chalcedon (III.40). In other words, the plaintiffs most likely lived in exile in or around Constantinople and submitted their complaints as soon as they learned that there would be another ecumenical council. Aetius needed only to extend an invitation in order to ensure their presence at Dioscorus' trial.

There is good reason to assume that discontented clerics suing their bishops was a common phenomenon in the fifth century. The Church had established itself as a promising career path for ambitious men, but if their ambitions were thwarted, disgruntled clerics seemed to have resorted to legal measures against their bishops with some regularity.¹¹⁵ The acts of the ninth and tenth sessions at Chalcedon provide illustrative material as to how such clerics moved from council to council—knowing full well that politics may at any time tilt in their favour and against their bishop. Whether their complaints were accepted depended on the conveners of a council, who thereby had great leverage over both the careers of individuals and the council as a whole. For example, Price and Gaddis rightly note the oddity that the archimandrites Dorotheus' and Carosus' anti-Chalcedonian complaint was allowed to be heard in the fourth session.¹¹⁶ This event should be interpreted as an imperial warning to all bishops present that additional plaintiffs were at the conveners' disposal (and could be invited to read out their indictments) should the bishops be unwilling to move towards a new definition of faith, as the imperial officials requested.

The exiled Alexandrians were delighted that they finally found an appropriate platform for their accusations against Dioscorus, after many unsuccessful attempts at the Theodosian court. The conveners of the Council of Chalcedon likely considered the Alexandrians' complaints particularly beneficial insofar as the accusations were independent of Dioscorus' presidency at the Second Council of Ephesus. The complaints 'proved' Dioscorus' mismanagement and heresy in his role as

¹¹³ See Chapter 2, pp. 51–2 and 61–2.

¹¹⁴ Schwartz, 'Über die Bischofslisten', p. 5, and Keßler, *Religionspolitik*, p. 171; ACC, vol. 2, p. 50 translates that they 'have recently arrived from Alexandria' (II.38) but the Greek seems less specific (*ἀφ' ἡμετέρων*). See also III.70, the third summons to Dioscorus, which states that they came from Alexandria without specifying a date.

¹¹⁵ For complaints in Antioch see Pelagius' *libellus* against Domnus and Theodoret at the Second Council of Ephesus: Flemming, pp. 84–90.

¹¹⁶ ACC, vol. 2, p. 120.

bishop of Alexandria; they could thus serve to ideologically cut off Dioscorus from his Cyrillian heritage. After listening to these plaintiffs, the council filed a pythonesque bouquet of complaints and attempted to summon Dioscorus one last time (III.70). Dioscorus confidently replied that 'What I said I have said, and I am satisfied with it' (III.78). Aware what fate awaited him, Dioscorus sent away the messengers empty-handed once again. Bishop Paschasinus who—as representative of Pope Leo—was the highest-ranking bishop, asked the council what to decide about the 'one who is guilty of contempt in this way' (III.79). As Dioscorus had missed three summons, the bishops agreed that he should be subjugated to the penalty of the canons for non-compliance (III.80). Paschasinus asked four times—most likely in order to prevent anyone from later claiming that a verdict had been rendered against Dioscorus without warning—if the council would agree to the ecclesiastical penalties; four times, the council agreed (III.80, 83, 86, and 88).

In III.94 Paschasinus summarized the accusations (including some complaints that had not been discussed) and decreed that Dioscorus was to be 'stripped of episcopal dignity and excluded him from all priestly functions. What remains is for the venerable council assembled to pronounce, as justice bids, a canonical verdict against the aforesaid Dioscorus.' It is unclear whether this last sentence was intended to encourage the council not only to confirm Dioscorus' deposition but also to pronounce his anathematization for heresy. Eusebius' complaint had requested an anathematization, but Dioscorus' orthodoxy was again not debated save insofar as the patriarch was paired with Eutyches. No text by Dioscorus was presented that would show any heretical belief—most likely because no major theological treatises authored by him existed and, when he published theological remarks at all, they demonstrated that he was a Cyrillian.¹¹⁷

While Paschasinus started his speech by calling Dioscorus 'bishop of Alexandria', by the end he treated him as excluded from his episcopal rank. The next ranking bishop, Anatolius of Constantinople, who spoke after Paschasinus, confirmed Dioscorus' deposition (*καθαίρεσις*) thusly: 'formerly bishop of the great city of Alexandria'. Richard Price rightly notes that 'conciliar etiquette involved [...] a requirement for unanimity. This made it impossible for the bishops who spoke after him [the senior bishop uttering the first verdict] to express disagreement.'¹¹⁸ Therefore, the 'canonical verdict' against Dioscorus was limited to his deposition for uncanonical behaviour and did not exclude him from communion through anathematization. Such a verdict was similar to those delivered against Flavian of Constantinople and Eusebius of Dorylaeum at the Second Council of Ephesus (although for different reasons), and different to the anathematizations of Theodoret in 449 and Nestorius in 431.

¹¹⁷ For Dioscorus' theology and his works see Chapter 2, pp. 85–7.

¹¹⁸ Price, 'Presidency and Procedure', p. 264.

Andreas Weckwerth justifiably posits that conciliar minutes do not generally record the path that leads to a solution or a sentence, only the end result,¹¹⁹ and that Anatolius must have discussed his sentence against Dioscorus in advance with other bishops. Nevertheless, unanimity in the voting did not stop bishops from interpreting it differently. In later sessions bishops shouted ‘anathema to Dioscorus’, who—according to the shouting bishops—had been deposed by Christ (IV.84); and, in presence of the emperor, Dioscorus was paired with Eutyches and Nestorius (VI.13 and VI.15). Anatolius reminded his colleagues that Dioscorus was not condemned for heresy (V.14). Even more surprising is the individuality with which the bishops were allowed to agree to the conciliar verdict.¹²⁰ The standard vote was that Dioscorus was deprived of his priestly dignity (and ministry) or similar phrases.¹²¹ But Amphilochius of Side only stated that he did not wish to cut off any member from the Church and that Dioscorus should blame himself for not showing up (III.95 [22]). Other bishops not only deposed Dioscorus but also excluded him from communion (III.95 [28, 29, 42, 80, 83, 112, 113, 116]).¹²²

Notably absent from this session is Theodoret of Cyrrhus: after participating as prosecutor in the first session and as member of the council in the second session, and having being the most notable and outspoken opponent of the Alexandrian bishops and their theology over the preceding twenty years, why was he absent at the third session?¹²³ He would have been not only the most gifted opponent and plaintiff of Dioscorus, but probably also genuinely delighted at the prospect of charging Dioscorus with heresy. There are no hints in the acts, but it seems plausible to assume that he had been asked to abstain from joining the session. If Theodoret had joined and Dioscorus appeared as accused, a real debate about orthodoxy could have taken place. This most certainly would have included a

¹¹⁹ Andreas Weckwerth, ‘Mehrheitsentscheidungen auf altkirchlichen Synoden? Überlegungen zu den Mechanismen der Konsensfindung’, in *Bischöfe zwischen Autarkie und Kollegialität: Variationen eines Spannungsverhältnisses*, ed. Andreas Merkt, Christian Hornung and Andreas Weckwerth (Freiburg: Herder, 2019), pp. 70–91, here 84–6.

¹²⁰ For the judgements against Dioscorus this is a bit difficult to see in the text as only the Latin version survives and that has already translated—or rather interpreted – *καθαίρεσις* as *damnatio*; see for example Anatolius’ vote ACO II.3, p. 305. The Greek texts (edited shortly after the council; see ACC, vol. 3, p. 180 and Price, ‘Truth, Omission, and Fiction in the Acts of Chalcedon’, p. 92) offer only the names of the bishops but no verdicts. On the Latin *damnatio* see Volker Menze, ‘Johannes Malalas, die Rezeption des Konzils von Chalkedon und die religiösen *milieux de mémoire* im 6. Jahrhundert’, in *Die Weltchronik des Malalas im Kontext spätantiker Memorialkultur*, ed. Mischa Meier, Olivier Gengler, and Jonas Borsch (Stuttgart: Steiner, 2019), pp. 133–51.

¹²¹ For example ACO II.3.2, p. 306: ‘*alienum eum omni sacerdotali dignitate*’ and variations.

¹²² The degree of individuality in consenting to a conciliar verdict is even more striking in other sessions: in the session on faith, Neoptolemus of Corna elaborately decreed that he wished to remain on the sidelines concerning the previous debate but would consent (IV.142), and in the tenth session Eusebius of Dorylaeum agreed to the restoration of Ibas only because so many other bishops had already consented to it (X.178); for the votes at the Second Council of Ephesus that not only deposed Flavian and Eusebius but also excommunicated them see Chapter 3, p. 125.

¹²³ Theodoret’s name appears neither in the attendance list nor among the bishops who voted and gave signatures.

theological discussion of Cyril's *Twelve Chapters*, opening Pandora's box.¹²⁴ Such a session would have easily gotten out of hand, with unruly bishops on both sides. The organizer of this session—the See of Constantinople in the person of its archdeacon Aetius—might well have restricted attendance to some extent.¹²⁵ The lack of interjections by eastern bishops in comparison to the first two sessions (when the eastern bishops were vocal in their repeated interjections against Dioscorus, particularly in the first session but also in the (very short) second session)¹²⁶ is notable. Not a single interjection or shout—by an eastern bishop or by any other bishop!—is noted for the third session, which speaks for a calm and orderly procedure in the intimate setting of the martyr chapel.

Even in Theodoret's absence, however, some 203 bishops (plus the papal representative Boniface) sat in trial over Dioscorus, if all the verdicts of bishops who agreed to Paschasinus in III.94 (and to Anatolius in III.95) are counted. Even if these sentences, which bishops presented after the chairman's verdict, were not all pronounced on the spot but collected in written form and later read into the minutes,¹²⁷ the attendance list nonetheless records that 191 bishops (and Boniface) attended the third session.¹²⁸ In other words, the number of bishops attending Dioscorus' trial was significantly less than in other sessions but not as small as the location in the chapel might indicate.¹²⁹ If up to 200 bishops had been present in the martyr chapel, it is unlikely that they were seated in it.¹³⁰ This is different to the other sessions at Chalcedon and indicates that the bishops were not expected to stay for an extended session that offered Dioscorus a public stage for his defence had he appeared. Neither imperial nor ecclesiastical protagonists had any interest in offering Dioscorus a forum at which he could prove how both

¹²⁴ Atticus of Nicopolis in Epirus brought the *Twelve Chapters* up in the second session—in contrast to Theodoret, however, because Atticus wanted to judge Leo's *Tome* according to the words of Cyril's *Chapters*.

¹²⁵ Eduard Schwartz, Timothy Gregory, Price & Gaddis and Ste Croix all viewed Paschasinus as president, while Kefßler, *Religionspolitik*, pp. 167–9 opts for Aetius.

¹²⁶ See I.32, I.36, I.38, I.40, I.54, I.63, I.69, I.71, I.88, I.121, I.162, I.171, I.174, I.181, I.183, I.250, I.252, I.254, I.257, I.262, I.280, I.285, I.288, I.496, I.530, I.965, I.1069 and II.26, II.38, II.43.

¹²⁷ See Chapter 3, pp. 121–2.

¹²⁸ Price and Gaddis show that nineteen bishops included in the list were not in fact present (but were represented) at the Council of Chalcedon. ACC, vol. 2, pp. 38–40 n. 22–40. Scholars have questioned the reliability of these attendance lists but the list of the third session is usually regarded genuine because it differs from those of the other sessions; Schwartz, 'Über die Bischofslisten', and Ernest Honigmann, 'The Original Lists of the Members of the Council of Nicaea, the Robber-Synod and the Council of Chalcedon', *Byzantion* 16 (1942–43): pp. 20–80.

¹²⁹ ACC, vol. 3, p. 201 asserts that the attendance list of the third session is uniquely authentic—in contrast to all other lists that depend on the list in the sixth session; see also Schwartz, 'Über die Bischofslisten'.

¹³⁰ Bishops are recorded in the acts to have been seated in most of the sessions (I, II, IV, Photius and Eustathius, V, VII, VIII, IX, Domnus, XI, XII, XIII, XIV, XV and XVI). They are not recorded to have been seated (which of course does not preclude that they did sit down) in the third session, the session on Carosus and Dorotheus, the sixth session and the tenth session. For the latter two sessions, it is clear that the sessions took place in the main church, and for the session on Carosus and Dorotheus no further information is available in respect of either the number of participants or the seating arrangement.

Empire and Church had agreed to the Council of Ephesus almost unanimously.¹³¹ The intimate setting of Euphemia's martyr chapel, fitted out with neither chairs nor troublemakers, guaranteed a session that would be as brief as it would be without commotion. The result, too, was guaranteed: the canonical, irreproachable deposition of Dioscorus as patriarch of Alexandria.¹³²

Conclusion

Nassim Nicholas Taleb defines the phenomena of *Black Swans* as events that are (1) unconceivable, (2) which once happen have an extreme impact, and (3) in retrospect appear probable.¹³³ On this definition, the Council of Chalcedon was the *Black Swan* of late antique ecclesiastical history. First, ecumenical councils were rather rare in the history of the Church: having another ecumenical council after the Second Council of Ephesus just two years earlier lay wholly outside the expectations of contemporaries. Second, with the deposition of Dioscorus, the depiction of him as heretic in the West and as saint in the East (Copts and Syriac Orthodox), the annulment of the Second Council of Ephesus and the elevation of the Council of Constantinople to ecumenical status, the Council of Chalcedon ended the domination of Alexandria in the eastern Mediterranean to the benefit of Constantinople.¹³⁴ Third, in retrospect, Chalcedon appears to be a logical response to the *latrocinium* of 449 and the 'climax' of Christological doctrine, as Alois Grillmeier phrases it.¹³⁵

Theodosius' death ended the court's insistence on recognizing the Second Council of Ephesus as an ecumenical council and opened up the possibility of a new general council with a new definition of faith. Marcian's weak claim to legitimacy required the new emperor to come to an agreement with Rome. This gave Leo leverage. In contrast to the assumptions of most scholars, who regard the trial of Dioscorus as a given—and one of the reasons that the Council of Chalcedon was summoned in the first place—the deposition of Dioscorus was not yet on the horizon at the time the council was called. Marcian's *sacra*, Leo's instructions, Dioscorus' excommunication of Leo at Nicaea, the course of the first session, the impromptu nature of the third session, the setting in the martyr

¹³¹ Instead of becoming confessors of the true faith, many bishops had lapsed and signed a statement of faith that they now claimed to be heretical; and it was also not in the interest of Marcian's representatives to put blame or cast the shadow of heresy on the previous ruler. On the contrary, it would also taint Marcian, whose legitimacy depended on his marriage with Theodosius' sister.

¹³² The imperial court knew about the trial, as already noted by Horn, *Petrou Kathedra*, p. 190; the court presumably even gave orders of how to organize it; see Keßler, *Religionspolitik*, p. 166.

¹³³ Nassim Nicholas Taleb, *The Black Swan: The Impact of the Highly Improbable* (London: Allen Lane, 2007), pp. xvii–xviii.

¹³⁴ Lange, *Mia Energeia*, pp. 140–1 with further literature.

¹³⁵ See 'Introduction', p. 2. As Taleb, *The Black Swan*, p. 10 notes: 'This retrospective plausibility causes a discounting of the rarity and conceivability of the event.'

chapel, and so forth do not speak in favour of a linearly conceived development; they rather bespeak the 'jumps' in history that Taleb identifies.¹³⁶ Different protagonists acted within divergent operational frameworks to cause their colleagues and opponents to react in ways that could not have been predicted when the council was summoned.

Emperor Marcian and his court steered the direction of the Council of Chalcedon with a firm hand, as Manuela Kefler compellingly argues. Other scholars have also pointed out how the court forced the bishops to come to a new definition of faith despite episcopal resistance, as well as to establish Constantinople as the second see after Rome—in the face of fierce Roman opposition. The Council of Chalcedon was not as canonical and orderly as is usually assumed: its initial convening at Nicaea failed, the first session at Chalcedon proper saw a *coup d'état* by the papal legates, and Dioscorus' trial in the first session was a juridical joke. Marcian likely preferred that Dioscorus be restored to the Church rather than be deposed as Dioscorus would have been forced to back the council's decisions, preventing any risk of a new schism with Alexandria and Egypt.¹³⁷

Dioscorus failed to devise a politically promising strategy for a council that was not favourably predisposed to him. He already knew before he left Alexandria from Marcian's *sacra* that Leo's *Tome* would be a cornerstone of orthodoxy. He nevertheless condemned Leo at Nicaea a month before the council started, thereby dashing all hopes of possible compromise, both the court and most bishops likely hoped for. With this condemnation, Dioscorus threw down the gauntlet and announced to the episcopal public and the court that he did not intend to play the role of repenting sinner. At the same time, he agreed to stand as defendant in the first session. Although in hindsight it is impossible to know how Dioscorus imagined the session would develop, he seemed to have expected that a faithful recapitulation of the events at Ephesus would exonerate him. He could not have been more wrong.

Dioscorus failed as ecclesiastical politician and, consequently, was deposed at the third session of the Council of Chalcedon. His repeated requests to have the imperial representatives present for his trial make him look a bit lost. The imperial officials who had carried the day for him at the Second Council of Ephesus abandoned him in 451. It speaks to his character and theological beliefs, however, that he did not falter at Chalcedon. He openly criticized the political nature of the proceedings when he had a chance in the first session to do so, and he accepted his fate as confessor afterwards. The alternatives must have been obvious to him when he was detained at his lodgings: either he would give in as repenting sinner to a

¹³⁶ Taleb, *The Black Swan*, p. 10: 'History does not crawl, it jumps.'

¹³⁷ The court supposedly inquired even after the fifth session if Dioscorus would subscribe; see Conclusion, pp. 187–8. As Dioscorus, however, had so far resisted all imperial attempts to give in, the story presumably was a non-Chalcedonian anecdote enhancing Dioscorus' image as confessor.

Christology he did not believe in, or he would have to accept deposition and exile. With the accusations and charges of misdeeds by the Cyrillian plaintiffs, the council attempted to detach Dioscorus and his supporters from their Cyrillian roots. But the ideological battle over the Cyrillian heritage and Cyril's theology had only just begun with Chalcedon, and Dioscorus as Cyril's patriarchal successor became part of it: for his supporters, Dioscorus' sincere and stubborn opposition to Leo's *Tome* and the council made him a saint, while his opponents demonized him as a violent heretic.

Conclusion

Dioscorus' Afterlives as Heretic, Saint, and Reformer

Chalcedonian Take-over and Dioscorus' Exile and Death in 454

The Council of Chalcedon issued letters of deposition against Dioscorus pursuant to which the patriarch's tenure ended on 13 October 451, after a term of office of around seven years. In Alexandria a successor to Dioscorus was elected very soon, probably in November 451.¹ Proterius, *protopresbyter* and *oikonomos* under Dioscorus, was ordained by the four Egyptian bishops who had defected from Dioscorus at the first session in Chalcedon: Athanasius of Busiris, Nestorius of Phragonis, Auxonius of Sebennytus, and Macarius of Cabasa.² According to the non-Chalcedonian chronicler Ps-Zachariah Rhetor, Proterius 'had at first greatly resisted the Council, but because he wanted to snatch up the see for himself, he became a betrayer, like Judas [the betrayer of] his Lord, and like Absalom [who betrayed] his father [David], and he showed himself [to be] a rapacious wolf among the flock'.³ Liberatus noted that the emperor had already sent letters to the authorities in Alexandria, very likely directing them to have a new patriarch ordained before any protests in favour of Dioscorus could be organized.⁴

Why did Proterius, together with Anatolius as patriarch of Constantinople and Maximus as patriarch of Antioch, turn on Dioscorus even though they were all Cyrillians and—in the case of Proterius and Anatolius—clerics trusted by Dioscorus and placed by him in key positions? Anatolius and Maximus were presumably challenged by hostile local chapters, as both patriarchs had been

¹ For the date see Philippe Blaudeau, *Alexandrie et Constantinople (451–491) de l'Histoire à la géo-ecclésiologie* (Rome: École Française 2006), pp. 142–3.

² For the election and the different sources see Gereon Siebigs, *Kaiser Leo I: das oströmische Reich in den ersten drei Jahren seiner Regierung (457–460 n. Chr)* (Berlin: de Gruyter, 2010), pp. 111–12.

³ Ps-Zachariah Rhetor, *Chronicle* III.2; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, ed. E.W. Brooks, vol. 1 (Paris: E Typographeo Reipublicae, 1919), p. 155; *The Chronicle of Pseudo-Zachariah Rhetor: Church and War in Late Antiquity*, trans. Geoffrey Greatrex et al. [TTH] (Liverpool: Liverpool University Press, 2011), p. 113.

⁴ Liberatus, *Breviarium* 14; *Libératus de Carthage: Abrégé de l'Histoire des Nestoriens et des Eutychiens*, ed. Eduard Schwartz & trans. François Cassingena-Trévedy and Philippe Blaudeau (Paris: Éditions du CERF, 2019), pp. 256–9.

forced upon their respective sees. In other words, if the newly appointed patriarchs cared to appease their clergy, they should have strived for independence from their former mentor and ally. At the same time, their own perspective changed once they became bishops. From being a loyal Alexandrian cleric (Anatolius) or protégé of another bishop (Maximus as protégé of Anatolius), they became bishops of two of the most influential sees in the Eastern Mediterranean. Now it was their responsibility to represent the Constantinopolitan and Antiochene Christian communities as well as their suffragan bishops. Therefore, Theodosius' death must have been liberating for both Anatolius and Maximus as they could now establish themselves as patriarchs of their respective sees, without constraints by the emperor or Dioscorus.

Anatolius played his cards well: with the Council of Chalcedon, Constantinople became the second see after Rome.⁵ For Maximus, his position in Antioch was more difficult, but like Anatolius he was able to make the best of his situation. He managed to retain his see even after Theodosius' death, although his predecessor, Domnus, was still alive. We do not know if Domnus had no interest in returning or if Maximus was able to satisfy the different factions within his patriarchate better than Domnus, but Maximus must have had some diplomatic skills, as evidenced by his deal with Juvenal of Jerusalem concerning their disputed jurisdiction.⁶

The case of Proterius succeeding Dioscorus differs from the circumstances of Anatolius' and Maximus' coming to power, as he not only changed the ecclesiastical and theological position of the See of Alexandria but by being ordained bishop, he replaced his former superior. In all probability, Proterius appreciated the unexpected career progression, which another Alexandrian cleric otherwise would have taken up.⁷ Nevertheless, it remains notable that a cleric who received a key position under Dioscorus (as *protopresbyter* and/or *oikonomos*) did not remain loyal to the (deposed) patriarch but rather pragmatically used his opportunity to advance his own career. His case—as well as that of Anatolius' to some extent—indicates that Dioscorus filled key positions with candidates according to their abilities and merits, not according to their loyalty. This insight offers another hint that Dioscorus cared for good governance at the chapter of the Alexandrian Church.

No official information exists about Dioscorus after his three summons to the third session on 13 October 451, but Ps-Zachariah Rhetor reports that after the

⁵ In addition to the so-called *Canon* 28 of Chalcedon, see also *Canons* 9 and 17, which worked in favour of Constantinople's jurisdiction. This was perhaps not immediately visible in the fifth century, but by the sixth century Constantinople had become the most important patriarchal see in the East.

⁶ Honigmann, 'Juvenal of Jerusalem', pp. 218, 237–8, and 245–6.

⁷ For a cleric who abandoned Dioscorus in order to advance his own career, see the story of the priest Cyrus: Ps-Zachariah Rhetor, *Church History* V.7 and V.9; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, pp. 223–4 and 231–2; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., pp. 194 and 202.

fifth session the emperor sent his *silentarius* John to Dioscorus to have him subscribe to the newly agreed upon formula of faith.⁸ If he subscribed, he was promised that he would be reinstated to the throne of St Mark. Dioscorus refused. He is reported to have bravely replied: 'When the blood of his severed hands would flow on the paper, no sooner would Dioscorus do this.' The story is hardly historical and further information is lacking, but it can be taken for granted that the former patriarch was placed under arrest during the remaining weeks of the council so that he would not escape to Egypt.

After the council closed at end of October, a suitable place for Dioscorus' exile needed to be found. Nestorius' place of exile in Egypt was inappropriate for a former patriarch of Alexandria, and instead he was first sent to Cyzicus at the Marmara Sea, then to Heraclea (probably Heraclea Pontica at the Black Sea), and finally to Gangra in Paphlagonia.⁹ The metropolis of Paphlagonia was considered far enough removed from Egypt that even if Dioscorus were to escape from the city, he would lack any support in the unfamiliar Anatolian hinterland.¹⁰ Despite its location, however, Dioscorus was not cut off from communications with his followers in Egypt, as his pastoral letters written from exile show.¹¹ Even in Gangra he still posed a potential threat to the newly established Chalcedonian order, as many Alexandrians presumably regarded him as their rightful archbishop. The non-Chalcedonian bishop John Rufus narrates shouts in favour of Dioscorus and against his successor Proterius: 'Dioscorus to the city! The orthodox one to the city! The confessor to his throne! May the bones of Proterius be burnt! Drive Judas into exile! Cast Judas out!'¹² Not surprisingly, then, Pope Leo vilified Dioscorus even before the latter's death as 'a second Pharaoh' in 453.¹³

⁸ See Ps-Zachariah-Rhetor, *Church History* III.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 150; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 108. The author clearly sets this in the context of the fifth session of the Council of Chalcedon—not 453, as *PLRE* II, p. 598, 'Ioannes 19' speculates.

⁹ The detailed journey into exile is known only through his successor, Timothy Aelurus, who likely was well informed: *Textes Monophysites*, ed. and trans. F. Nau [PO 13.2] (Paris: Firmin-Didot, 1919), p. 210. All other sources agree on the final place of exile although Theopistus calls Gangra an 'island'; for Gangra as place of exile see Ps-Zachariah Rhetor, *Church History* III.2; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 154; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 113. Timothy Aelurus also mentions Dioscorus' exile in Gangra in a letter: R. Y. Ebied and L. R. Wickham, 'A Collection of Unpublished Syriac Letters of Timothy Aelurus', *Journal of Theological Studies* 21.2 (1970): pp. 321–69, here 339 (360).

¹⁰ The bishop of Gangra in 451 was Peter who participated in the councils of 449 and 451. He agreed with the respective majorities, and was also present in the third session of Chalcedon to depose Dioscorus; for him see Blaudeau, *Alexandrie et Constantinople*, p. 317.

¹¹ See Chapter 2, pp. 85–7. Dioscorus' successor, Timothy Aelurus, was also exiled to Gangra and, similarly to Dioscorus, communicated with his followers; Blaudeau, *Alexandrie et Constantinople*, p. 318; see also Timothy's letters in Ebied and Wickham, 'A Collection'.

¹² John Rufus, *Life of Peter the Iberian* 83; John Rufus: *The Lives of Peter the Iberian*, Theodosius of Jerusalem, and the Monk Romanus, ed. and trans. Cornelia B. Horn and Robert R. Phenix Jr (Atlanta: Society of Biblical Literature, 2008), pp. 124–5.

¹³ Leo, *ep.* 120; *ACO* II.4, pp. 78–81, here p. 79.

Dioscorus died on 4 September 454, after having been exiled for three years, and according to his *Life*, he was buried in Gangra although his followers intended to bring his corpse to Alexandria.¹⁴ It would have been its logical resting place for a former patriarch of the city, but Proterius and the Chalcedonian faction likely prevented this out of fear that Dioscorus' body might become the centre of veneration and resistance against Chalcedonian rule. When Dioscorus died, Leo in late 454 welcomed the death of the 'defender of deceit' (*defensor mendacii*),¹⁵ while the Alexandrians were 'broken in soul out of dire suffering and sorrow, because now the hope of their salvation was cut off'.¹⁶ 'On account of their love for him, after his death they proclaimed him to be [still] alive, and his name was set in the diptychs.'¹⁷ Dioscorus' exile and subsequent death mark the beginning of the veneration of Dioscorus as a 'confessor' for his resistance against the Council of Chalcedon and as a saint in the non-Chalcedonian tradition.¹⁸ Finally, around twenty years after Dioscorus' death in 475, Patriarch Timothy Aelurus managed to return the bones of Dioscorus in a silver coffin to Alexandria: 'With ceremony he [Timothy] buried him and placed him in the place of the bishops, honouring him as a confessor.'¹⁹

Dioscorus' Afterlife as Saint and Heretic

The most important commemoration of Dioscorus is the *Life of Dioscorus*, which is extant in several different versions:²⁰ while the Coptic translation survives only

¹⁴ For the day of his death (4 September) see Theopistus, *Life of Dioscorus* 20 (Syriac) and 99 (Arabic); *Histoire de Dioscore, patriarche d'Alexandrie, écrite par son disciple Théopiste*, ed. and trans. F. Nau (Paris: Imprimerie Nationale, 1903), p. 105 (p. 307) and *The Arabic Version of the Vita Dioscori*, ed. and trans. Samuel Moawad, pp. 112–13; the year 454 becomes obvious from Leo's *ep.* 140 (see next footnote), dated to 6 December 454. Therefore, Timothy Aelurus's claim that Dioscorus was in exile for four years before he died must be wrong; see R. Y. Ebied and L. R. Wickham in 'Timothy Aelurus: Against the Definition of Chalcedon', in *After Chalcedon: Studies in Theology and Church History Offered to Professor Albert Van Roey for his Seventieth Birthday*, ed. Carl Laga, Joseph A. Munitiz, and Lucas Van Rompay (Leuven: Peeters, 1985), pp. 115–66, here 141 (165). For the burial and the intention to return the corpse to Alexandria: Theopistus, *Life of Dioscorus* 20 (Syriac) and 100 (Arabic); Nau, p. 105 (p. 307) Moawad, pp. 112–13.

¹⁵ Leo, *ep.* 140, ACO II.4, pp. 93–4 here 94: he erroneously expected that Dioscorus' followers would realize their heresy and turn 'orthodox'.

¹⁶ John Rufus, *Life of Peter the Iberian* 89; John Rufus, ed. and trans. Horn and Phenix, pp. 132–3.

¹⁷ Ps-Zachariah Rhetor, *Church History* III.11; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 164; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 126.

¹⁸ See for example Ps-Zachariah Rhetor, *Church History* III.2; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 154; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 113. For the beginning of his veneration see Edward J. Watts, *Riot in Alexandria. Tradition and Group Dynamics in Late Antique Pagan and Christian Communities* (Berkeley: University of California Press, 2010), pp. 221–2.

¹⁹ Ps-Zachariah Rhetor, *Church History* V.4; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 218; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 186.

²⁰ See Samuel Moawad, 'Die arabische Version der Vita Dioscori', *Le Muséon* 124 (2011): pp. 149–80. For a recent discussion of the Syriac version see Edward J. Watts, 'The Legacy of

in fragments, the Syriac and the Arabic versions are complete and have been published.²¹ There are later additions and interpolations to the text but the original may have been a letter that Dioscorus' disciple Theopistus wrote from exile in Pentapolis to Alexandria.²² As the text begins with Theodosius' death, the *Life* deals only with the last four years of Dioscorus' life (450–454). Dioscorus' purges of Cyril's family members in the early days of his patriarchate as well as the heyday of his tenure as president of the Second Council of Ephesus are omitted. It is not Dioscorus in his capacity as bishop who takes centre stage in this hagiography but rather Dioscorus the non-Chalcedonian confessor and righteous defender of the Cyrillian heritage.

The *Life* invents a dream by Dioscorus in which Ignatius (that is, Ignatius of Antioch, from the second century) blesses the little boy Severus (non-Chalcedonian patriarch of Antioch [512–518]) and requests that he one day be as steadfast as Alexander, Athanasius, Cyril, Ignatius himself, and Dioscorus.²³ Here, Dioscorus is placed not only in a line of long-dead ecclesiastical saints but also with Severus, the (supposedly future) patriarch and cornerstone of non-Chalcedonian orthodoxy, who was more famous and better known among the Syriac audience than Dioscorus. Cyril appears in Dioscorus' dream and asks him to be his faithful disciple and to defend his texts and treatises.²⁴ In contrast to historical reality, in his *Life* it is Dioscorus who refutes Leo's *Tome*, which the pope is said to have sent to Emperor Marcian (not to Flavian of Constantinople). Now that Marcian was confronted with conflicting theological interpretations—Leo's *Tome* and Dioscorus' refutation of it—the emperor decided to summon the Council of Chalcedon. In sum, the *Life* depicts Dioscorus as an orthodox patriarch with an apostolic lineage and as a righteous successor to Cyril with theological and argumentative abilities; it also presents Chalcedon as a struggle between Leo and Dioscorus—Rome and Alexandria, respectively.

The *Life* thereby responded to the challenges that Dioscorus' commemoration faced. First, already at the Council of Chalcedon, the Cyrillian family clan and their minions attempted to present Dioscorus as an unsuitable and 'non-Cyrillian'

Dioscorus in Early Byzantine Anti-Chalcedonian Literature', in *Byzantina et Slavica: Studies in Honour of Professor Maciej Salamon*, ed. Stanisław Turlej, Michał Stachura, Bartosz J. Kołoczek, and Adam Izdebski (Kraków: Towarzystwo Wydawnicze 'Historia Iagellonica', 2019), pp. 411–22.

²¹ *Histoire de Dioscore*, Nau and *Die Arabische Version der Vita Dioscori*, Moawad.

²² *The Arabic Version of the Vita Dioscori*, Moawad, p. 21 actually calls the *vita* a letter. Certain anachronisms in the text have led scholars to question its historicity but its value lies in how Dioscorus is commemorated, not in its historical accuracy; Felix Haase, 'Patriarch Dioskur I von Alexandria nach monophysitischen Quellen', *Kirchengeschichtliche Abhandlungen* 6 (1908): pp. 141–233, remains useful though the standard introductions are now the article by Samuel Moawad, 'Die arabische Version der *Vita Dioscori*' and the introduction to his edition and translation of *The Arabic Version of the Vita Dioscori*, here pp. 13–14. For the interpolations see also Watts, 'The Legacy of Dioscorus'.

²³ Theopistus, *Life of Dioscorus* 19 (Syriac) and 97 (Arabic); Nau, pp. 101–2 (pp. 304–5); Moawad, pp. 108–9.

²⁴ Theopistus, *Life of Dioscorus* 4 (Syriac) and 21 (Arabic); Nau, pp. 31–2 (pp. 250–1); Moawad, pp. 30–3. Although not explicit, it seems that Dioscorus agreed to defend Cyril's *Twelve Chapters*.

successor to Cyril.²⁵ Second, the Council of Chalcedon claimed that Cyril's theology and the *Tome* of Leo were in agreement with each other—a claim the *Life* refutes by inventing Dioscorus' theological refutation of Leo's *Tome*.²⁶ Last, but not least, after Dioscorus' death in 454, when Alexandrians wanted to elect a non-Chalcedonian successor to Dioscorus, Emperor Marcian sought to cut Dioscorus off from his Cyrillian heritage and roots. In a letter to the monks of Alexandria, the emperor established a heresiology from Apollinarius of Laodicea via Eutyches to Dioscorus—in opposition to the 'orthodox' teachings of Athanasius, Theophilus, and Cyril.²⁷ Nevertheless, in Egypt, Chalcedonian emperors failed to institutionalize a Chalcedonian heresiology, and most patriarchs until 537 were non-Chalcedonians who refused to condemn Dioscorus.²⁸

During the *Three Chapters Controversy* in the 540s, Dioscorus became a prominent protagonist attacked by Chalcedonians. In his letter *To Alexandrian Monks* (written sometime between 539 and 542), Emperor Justinian (527–565) condemned Dioscorus even more vigorously than Marcian did by establishing a heresiology from the third-century Mani via Apollinarius straight to Dioscorus and his successor, Timothy Aelurus.²⁹ Justinian's intention was the same as Marcian's: by setting up the Mani-Apollinarius-Dioscorus-heresy in opposition to Athanasius and Cyril, the emperor claimed Alexandrian orthodoxy for Chalcedon and the imperial Church.³⁰ In the context of the *Three Chapters Controversy* also the acts the Council of Chalcedon were translated into Latin for the first time. Dioscorus' *καθαίρεσις*, that is, his deposition, in the Greek text of the acts was translated as *damnatio* (condemnation).³¹ In his rendering the

²⁵ See Chapter 4, pp. 179–80. Also Theophanes Confessor's note that Patriarch Flavian provided some support for Cyril's family is presumably fed by the desire to cut off Dioscorus from his Cyrillian heritage and depict Flavian as caring bishop and friend of Cyril's family; Theophanes Confessor AM 5940; *Theophanis Chronographia*, ed. Carl de Boor, vol. 1 (Leipzig: Teubner, 1883), p. 98; *The Chronicle of Theophanes the Confessor: Byzantine and Near Eastern History A.D. 284–813*, trans. Cyril A. Mango (Oxford: Clarendon Press, 2006), p. 154.

²⁶ This line of presentation is partially taken up in the tenth century by Severus ibn al-Muqaffa's *Refutation of Eutychius*: Sévère ibn-al-Moqaffa, Évêque d'Aschounain, *Réfutation de Sa'id ibn-Batriq (Eutychius)*, ed. and trans. P. Chébli [PO 3.2], (Paris: Firmin-Didot, 1909), pp. 125–242.

²⁷ ACO II.1.3, pp. 488–9; ACC vol. 3, pp. 154–6; Leo's letter 129 to Proterius, written shortly before Dioscorus' death, made similar claims; see ACO II.4, pp. 84–6; *St. Leo the Great: Letters*, trans. Edmund Hunt (New York: Fathers of the Church, 1957), pp. 214–17; see also Marcian's law of 457, accusing Eutyches and Dioscorus to be Apollinarian heretics: CJ I.5.8.

²⁸ Only in 537 did Dioscorus also become regarded heretical in Alexandria: Severus of Antioch remarked that Dioscorus was now regarded among the heretics in Alexandria; Severus, *ep. IV.9*, in *The Sixth Book of Select Letters of Severus, Patriarch of Antioch, in the Syriac Version of Athanasius of Nisibis*, ed. and trans. E. W. Brooks, vols. 1.2 and 2.2 (London: Williams & Norgate, 1904), p. 304 (p. 270).

²⁹ Pope Leo had introduced Mani as part of the heresiology already in 458.

³⁰ *Drei Dogmatische Schriften Iustiniens*, ed. Eduard Schwartz (Munich: Verlag der Bayerischen Akademie der Wissenschaften, 1939), p. 24; *On the Person of Christ: The Christology of Emperor Justinian*, trans. Kenneth P. Wesche (Crestwood: St Vladimir's Seminary Press, 1991) pp. 65–7.

³¹ Letters that follow this section to Marcian, to Dioscorus, to the clergy of Alexandria, a public note and to Pulcheria indicate deposition in the text (also in Latin—see letter to the clergy of Alexandria Nr. 100 and 102 (ACO II.3.2, pp. 344 and 345: 'esse ab episcopatu depositum' or p. 346 'eum a sacerdotii

translator followed what had been the Chalcedonian understanding of Dioscorus since Pope Leo, who just months after the council called Dioscorus a heretic and in 453 simply paired him with Eutyches:³² ‘if anyone ever dares to support the faithlessness of Nestorius or defend the impious teaching of Eutyches and Dioscorus, let him be cut off from catholic communion, and let him have no share in that body whose reality he denies’.³³

Pairing Dioscorus with Eutyches—and thereby presenting him as a heretic anathematized by the Council of Chalcedon—became a popular trope among Chalcedonians. As the non-Chalcedonians also condemned Eutyches but at the same time upheld the image of Dioscorus as a hero against the Council of Chalcedon, they struggled to communicate to the public the difference between the two.³⁴ Severus, the non-Chalcedonian patriarch of Antioch (512–518) defended Dioscorus in several letters and called the accusations ‘blasphemous absurdities’ against a steadfast defender of orthodoxy.³⁵ Philoxenus, the non-Chalcedonian metropolitan of Hierapolis/Mabbug (485–521), compared Dioscorus to the popes Julius and Damasus—who allegedly received the heretics Apollinarius and Marcellus back into the Church—in order to underscore that Dioscorus behaved blamelessly in 449.³⁶ The 12th–13th-century Ethiopian *Synaxarium* invents a story how Dioscorus’ successor Proterius believed that Dioscorus’ followers in Alexandria were Eutychians but he was proved wrong and died.³⁷

Nevertheless, Dioscorus remained a somewhat difficult hero to commemorate, and he is exclusively remembered for what ended his tenure: his resistance to the Council of Chalcedon. In contrast to other former bishops of Alexandria,

dignitate... alienum’)) but in Latin, their titles usually speak of *damnatio*. For the Latin translations of the acts of Chalcedon see Tommaso Mari, ‘The Latin Translations of the Acts of the Council of Chalcedon’, *Greek, Roman, and Byzantine Studies* 58 (2018): pp. 126–55, for *damnatio* here 149.

³² Leo, *ep.* 102; ACO II.4, pp. 53–4. Leo had not read the acts of Chalcedon but was informed that Dioscorus had been deposed for not appearing to his trial: see Leo, *ep.* 98, ACO II.1.3, pp. 475–77, here 476. See Mari, ‘The Latin Translations of the Acts of the Council of Chalcedon’, p. 128 and Volker Menze, ‘Johannes Malalas, die Rezeption des Konzils von Chalkedon und die religiösen milieux de mémoire im 6. Jahrhundert’, in *Die Weltchronik des Malalas im Kontext spätantiker Memorialkultur*, ed. Mischa Meier, Olivier Gengler, and Jonas Borscht (Stuttgart: Steiner, 2019), pp. 143–4.

³³ Leo, *ep.* 114; ACO II.4, pp. 70–1 from 21 March 453.

³⁴ See the documentation of Syriac sources that defend Dioscorus in Joseph Lebon, ‘Autour du Cas de Dioscore d’Alexandrie’, *Le Muséon* 59 (1946): pp. 515–28.

³⁵ Severus of Antioch, *ep.* 31–3 in *Collection of Letters of Severus of Antioch, from Numerous Syriac Manuscripts*, ed. and trans. E. W. Brooks [PO 12.2] (Paris: Firmin-Didot, 1919), pp. 264–269, here 264.

³⁶ Joseph Lebon, ‘Textes inédits de Philoxène de Mabboug’, *Le Muséon* 43 (1930): p. 57 (pp. 83–4). See also Alois Grillmeier, *Jesus der Christus im Glauben der Kirche vol. II/4: Die Kirche von Alexandrien mit Nubien und Äthiopien nach 451* (Freiburg: Herder, 1990), pp. 16–17.

³⁷ *Le Synaxaire Éthiopien*, ed. and trans. Ignazio Guidi [PO 9.4] (Paris: Firmin-Didot, 1913), pp. 443–691, here 576–9 and *The Book of the Saints of the Ethiopian Church: A Translation of the Ethiopic Synaxarium made from the Manuscripts Oriental 660 and 661 in the British Museum*, trans. E.A. Wallis Budge (Cambridge: Cambridge University Press, 1928), pp. 1238–40; see also Ilias Kesmiris, ‘Controversial Aspects in the Christology of Dioscorus of Alexandria’, in *The Dialogue between the Eastern Orthodox and Oriental Orthodox Churches*, ed. Christine Chaillot (Volos: Volos Academy Publications, 2016), pp. 113–33, here 127.

he was not commemorated for what he did as a patriarch or wrote as a theologian. This disregard for his patriarchal achievements is presumably due to the shortcomings of the Second Council of Ephesus, which even non-Chalcedonians silently assigned to Dioscorus. At a discussion on faith in 532 between Chalcedonian and non-Chalcedonian bishops, organized by Emperor Justinian, the Chalcedonian bishops noted that they 'found fault with Dioscorus because he was not (sufficiently) attentive to details in (the matter of) the reception of Eutyches, (failing) to examine him on the matter of (his) faith carefully on every point, as is right that everyone should be attentive to all the tricks of the heretics'.³⁸ Even if (according to the non-Chalcedonians) Dioscorus could not be made liable for receiving a heretic into communion (because Eutyches handed in an orthodox statement of faith), the reputation of the Second Council of Ephesus was still tainted, and the non-Chalcedonians could not without difficulties deny that the Council of Chalcedon was summoned for a reason: to rectify the wrong judgement that the Council of 449 had made concerning Eutyches.³⁹ In Western church history, the Second Council of Ephesus became, through Leo's famous dictum, the *latrocinium*, the 'robber-council'. In the non-Chalcedonian tradition, too, however, the council failed to receive ecumenical status.⁴⁰ The only attempt to keep the list of ecumenical councils as established by Theodosius II as Nicaea (325), Ephesus (431) and Ephesus II (449) comes from Egypt in the time of Dioscorus' non-Chalcedonian successor, Timothy Aelurus (457–60 and 475–77).⁴¹ Timothy had actually been present at the Second Council of Ephesus as part of Dioscorus' entourage;⁴² he defended the council in his writings; he quoted from Dioscorus' works; he declared Dioscorus 'blessed confessor'; and convened in 475 another council in Ephesus that rescinded the annulment of the Council of 449.⁴³ Even Timothy, however, avoided quoting Dioscorus if he thought that his recipients

³⁸ *Textes Monophysites*, Nau, p. 196; translation taken from Sebastian P. Brock, 'The Conversations with the Syrian Orthodox under Justinian (532)', *Orientalia Christiana Periodica* 47 (1981): pp. 87–121, here 117. Unofficially, however, they accepted that Dioscorus was no heretic: 'they [the Chalcedonian bishops] had no complaint against him (Dioscorus) in the matters of faith'. It is notable that the Chalcedonians call the Second Council of Ephesus a general council: '*illud universale concilium quod cum Dioscoro congregatum est*'; ACO IV.2, p. 171.

³⁹ Volker Menze, *Justinian and the Making of the Syrian Orthodox Church* (Oxford: Oxford University Press, 2008), pp. 61–2.

⁴⁰ Although the text of the second session survives only in a non-Chalcedonian Syriac manuscript copied in 535 CE; Menze, *Justinian and the Making of the Syrian Orthodox Church*, pp. 132–40.

⁴¹ See the letter of the Egyptian synod to Emperor Leo ACO II.5, pp. 21–2, here 22.

⁴² *Textes Monophysites*, Nau, p. 206. For Timothy see also Philippe Blauddau, 'Timothée Aelure et la direction ecclésiale de l'Empire post-chalcédonien', *Revue des études byzantines* 54 (1996), pp. 107–33.

⁴³ Quoting Dioscorus' *Letter to Secundinus* and his *Letter to the Monks of Henaton*: Ebied and Wickham 'Timothy Aelurus', pp. 115–66, here 134–6 (159–61). For Dioscorus' *Letter to Secundinus* see also Ebied and Wickham, 'A Collection', pp. 339–40 (pp. 359–60) and Ps-Zachariah Rhetor, *Church History* III.1 and IV.12; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, pp. 151–2 and 204; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., pp. 109–10 and 170. For the council in Ephesus in 475: Ps-Zachariah Rhetor, *Church History* V.4; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 216; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., pp. 183–4; Eduard Schwartz, *Codex Vaticanus gr. 1431: eine Antichalkedonische Sammlung aus der Zeit Kaiser*

might be opposed to the former patriarch, and opportunistically referred to the Council of Constantinople in a letter to the city of Constantinople.⁴⁴ In other words, already in Timothy's time the general trend worked against the Second Council of Ephesus and for the acceptance of the Council of Constantinople in 381 instead.⁴⁵

In 482, Emperor Zenon issued a document called the *Henoticon* ('act of union') in an attempt to reconcile Chalcedonians and non-Chalcedonians throughout the eastern Roman empire: one generation after the Second Council of Ephesus and the Council of Chalcedon, orthodoxy was established here as the faith of the fathers assembled in Nicaea, in Constantinople, and at the First Council of Ephesus.⁴⁶ After this point, even non-Chalcedonians no longer questioned this Chalcedonian reinterpretation of the conciliar past.⁴⁷ When Severus became patriarch of Antioch in 512, he published his profession of faith, which included the councils of Nicaea and Constantinople and the First Council of Ephesus.⁴⁸ When in 536/7 the non-Chalcedonian bishop John of Tella professed to believe in a 'trinity' of councils—like the Trinity in heaven—in contrast to the Chalcedonian quaternity of councils (including Chalcedon), he listed the 'trinity' as consisting of Nicaea, Constantinople, and the First Council of Ephesus.⁴⁹ In short, while questioning the Council of Chalcedon and its definition of faith, the

Zenos (Munich: Bayerische Akademie der Wissenschaften, 1927), p. 50; Eduard Schwartz, *Publizistische Sammlungen zum Acacianischen Schisma* (Munich: Bayerische Akademie der Wissenschaften, 1934), p. 186. Blaudeau, *Alexandrie et Constantinople*, pp. 296–7. For Timothy Aelurus see also Alois Grillmeier, *Jesus der Christus im Glauben der Kirche vol. II/1: Das Konzil von Chalkedon—Rezeption und Widerspruch (451–518)* (Freiburg: Herder, 1991), pp. 72–3; Grillmeier, *Jesus der Christus im Glauben der Kirche vol. II/4*, pp. 7–23; Christian Lange, *Mia Energeia: Untersuchungen zur Einigungspolitik des Kaisers Heraclius und des Patriarchen Sergius von Constantinopel* (Tübingen: Mohr Siebeck, 2012), pp. 144–9; see also Shenouda M. Ishak, *Christology and the Council of Chalcedon* (Denver: Outskirts Press, 2013), pp. 120–3.

⁴⁴ Ebied and Wickham, 'A Collection', pp. 332–7 (pp. 351–7); see here also pp. 329–30.

⁴⁵ Even the usurper Basiliscus (475–6), who favoured the non-Chalcedonians, issued his Encyclical against the Council of Chalcedon by confirming the three supposedly ecumenical councils Nicaea, Constantinople, and Ephesus; see Evagrius Scholasticus, *Church History* III.4; *The Ecclesiastical History of Evagrius Scholasticus with the Scholia*, ed. Joseph Bidez and Léon Parmentier (London: Methuen & Co, 1898), pp. 101–2; *The Ecclesiastical History of Evagrius Scholasticus*, trans. Michael Whitby [TTH] (Liverpool: Liverpool University Press, 2001), p. 134. It was likely Timothy Aelurus who added to the list of ecumenical councils the Second Council of Ephesus: see Ps-Zachariah Rhetor, *Church History* V.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 212; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 178; see Blaudeau, *Alexandrie et Constantinople*, pp. 176–9.

⁴⁶ Chalcedonians would of course add Chalcedon, which the *Henoticon* did not explicitly condemn but also did not accept as ecumenical. The *Henoticon* also singled out Cyril's *Twelve Chapters* as a cornerstone of orthodoxy.

⁴⁷ See the *Henoticon* in Evagrius Scholasticus, *Church History* III.14; Bidez and Parmentier, pp. 111–14; Whitby, pp. 147–9. Grillmeier, *Jesus der Christus im Glauben der Kirche vol. II/1*, p. 289. Later collections of canons show that also the canons of the Council of Chalcedon became accepted canonical sources in the Syriac Orthodox Church; see Menze, 'Johannes Malalas und die Rezeption des Konzils von Chalkedon', pp. 138–9.

⁴⁸ M. A. Kugener, 'Allocution prononcée par Sévère après son élévation sur le trône patriarcal d'Antioche', *Oriens Christianus* 2 (1902): pp. 267–82.

⁴⁹ Volker Menze and Kutlu Akalin, *John of Tella's Profession of Faith: The Legacy of a Sixth-Century Syrian Orthodox Bishop* (Piscataway: Gorgias Press, 2009), pp. 68–71.

non-Chalcedonians took over the Chalcedonian invention of Constantinople as an ecumenical council. Dioscorus' reception of Eutyches in 449 and the long-standing dyophysite narrative of Dioscorus as scapegoat successfully prevented canonization of the Second Council of Ephesus in the non-Chalcedonian tradition. At the discussion of faith in 532 with Emperor Justinian, the non-Chalcedonians did not even consider reclaiming the Council of 449 as ecumenical.⁵⁰ Instead Syriac and Coptic traditions focused on Dioscorus as confessor against the Council of Chalcedon.

Timothy Aelurus presents Dioscorus as a second Joseph of Arimathea who took care of (the body of) Christ when

all the priests were scoffing at our Lord... so too his utterly devoted and loyal chief Priest of Alexandria, at the hour of rebellion, when all the bishops were denying faith in our Lord and dividing him into two natures, was the only true archbishop who had zeal for the blasphemed Christ.⁵¹

In the writings of John Rufus, non-Chalcedonian bishop of Maiuma (the port city of Gaza) in the early sixth century, the confrontation at Chalcedon in 451 becomes even more dramatic and Dioscorus more heroic: in an apocalyptic vision, Chalcedonian bishops, infected by the illness of the Jews, intended to burn a child (that appeared to be Christ), and only Dioscorus refuses to participate.⁵² He is humanity's hope for salvation, and when he is deposed at the Council of Chalcedon, another vision allows his successor Proterius to prophesize that the next patriarch (which was, of course, Proterius himself!) would be the Antichrist.⁵³ As a proper saint, Dioscorus also worked miracles,⁵⁴ and as confessor against the heretical Council of Chalcedon he was regarded as a model for later patriarchs and commemorated together with other patriarchs in church frescoes.⁵⁵

Nevertheless, West Syriac saints' calendars commemorated the 150 fathers of the Council of Constantinople for centuries before Dioscorus came to be included

⁵⁰ It would have been an obvious issue to bargain for because Justinian requested (or: offered) that the Council of Chalcedon needed to be accepted (only) as far as the condemnation of Eutyches was concerned. It would therefore have made sense if the non-Chalcedonians requested that the Second Council of Ephesus be accepted insofar as concerned the condemnation of Ibas and Theodoret et al.

⁵¹ Ebied and Wickham, "Timothy Aelurus", p. 140 (p. 164).

⁵² John Rufus, *Plerophoriae* 14; ed. and trans. F. Nau [PO 8.1] (Paris: Firmin-Didot, 1912), pp. 430–1; see also John Rufus, *Plerophoriae* 66; Nau, 523.

⁵³ John Rufus, *Plerophoriae* 69; Nau, 525.

⁵⁴ Theopistus, *Life of Dioscorus* 16–18 (Syriac) and 88 and 93–94 (Arabic); Nau, pp. 88–9 and 94–6 (pp. 295 and 299–301); Moawad, pp. 96–7 and 100–5.

⁵⁵ Dioscorus served as model for his successor Benjamin I (623–662); see Benjamin's *Homily on the Wedding at Cana*: C. Detlef G. Müller, *Die Homilie über die Hochzeit zu Kana und weitere Schriften des Patriarchen Benjamin I. von Alexandrien* (Heidelberg: Carl Winter 1968), pp. 240–1. For Dioscorus as part of a fresco in the Church of the Macarius monastery together with other bishops of Alexandria, see Agathon, *Homily*, in Müller, *Die Homilie*, p. 296.

here in them.⁵⁶ In contrast to well-known bishops like Athanasius or Cyril, hardly anything was known about Dioscorus' life in Medieval Coptic Christianity: the *History of the Patriarchs* commemorated Dioscorus for the preservation of his 'orthodox faith' and for receiving the 'crown of martyrdom' but it noted that 'no biography of the holy patriarch Dioscorus after his banishment has been found'.⁵⁷ In its medieval *Synaxarium*, the Ethiopian Church commemorates Dioscorus' opposition against Leo and the Council of Chalcedon in 451 in these terms: having publicly torn apart the *Tome of Leo* and having excommunicated all supporters of the council, the brave patriarch was brought to the imperial couple but even under pressure, he did not waver in his orthodox belief. The story continues that Empress Pulcheria was angered and had him struck on the mouth and commanded that the hair of his beard be plucked out. Unimpressed by this worldly violence, Dioscorus reportedly took his struck-out teeth and plucked-out beard and had them sent them to Alexandria, where they were proudly presented to the faithful: 'Behold, this is the fruit of the Orthodox Faith.'⁵⁸ Among the narratives of Dioscorus' steadfastness, this probably presents the most forceful tribute, but neither Chalcedonian nor non-Chalcedonian commemorations of Dioscorus as heretic and saint respectively do justice to the historical Dioscorus, as it is hoped this book has been able to prove.

Dioscorus as Patriarch, Theologian, and Episcopal Reformer

Scholars have narrated Dioscorus' tenure primarily as a part of the history of dogma. On this account, Dioscorus was Cyril's more radical successor, who not only defended the latter's cultural capital but was less willing to compromise than his predecessor. The Second Council of Ephesus was the peak of his influence because Dioscorus was regarded as the 'universal archbishop of the world' and deposed and condemned all of his opponents. His *apocrisarius* Anatolius took over the patriarchate of Constantinople, and Anatolius' protégé Maximus the patriarchate of Antioch; the 'pharaoh' thus ruled the (eastern) Mediterranean Church. But only for a brief time, until ancient Christology peaked with the Council of Chalcedon, 'monophysitism' was condemned, and Dioscorus was sent into exile. In the long run, the Coptic and the Syriac Orthodox Churches

⁵⁶ See *Martyrologes et ménologes orientaux I–XIII. Un martyrologe et douze ménologes syriaques édités et traduits*, ed. and trans. François Nau [PO 10.1] (Paris: Firmin-Didot, 1915), pp. 1–162: the martyrology from the seventh century already includes the Council of Constantinople for 18 January (p. 31) whereas Dioscorus is missing; in the martyrology that likely dates to the ninth century, has both the Council of Constantinople (p. 37) and Dioscorus (for 4 September; p. 45).

⁵⁷ The author(s) of the tenth–eleventh-century *History of the Patriarchs* noted that he did not know of any biography of Dioscorus: *History of the Patriarchs of the Coptic Church of Alexandria*, bk. II (Peter I to Benjamin I (661)), ed. and trans. Basil T. A. Evetts [PO 1.4] (Paris: Firmin-Didot, 1907), p. 444.

⁵⁸ *The Book of the Saints of the Ethiopian Church*, Budge, pp. 20–3.

split from the Latin and Greek Churches, and Dioscorus became an archvillain in the Western Church—and a saint in (most of) the near Eastern Church—traditions.

This depiction completely omits the factional strife behind Dioscorus' coming to power, his reforms as patriarch, and his inexperience as president of an ecumenical council, as well as the political nature of his deposition in 451. For understanding the tenure of Dioscorus as patriarch, it is paramount to remember that he had been elected *against* the wishes of Cyrillian family clan. While archdeacon, Dioscorus likely acted as something akin to a union leader for the other clerics of the see, who then supported him in his election as bishop and successor to Cyril. Dioscorus improved the governance of the Church of Alexandria, handled financial affairs with care, and considering that several *oikonomoi* are known from his tenure, seems to have instituted proper financial supervision for the See of Alexandria.⁵⁹ The importance of *oikonomoi* in ecclesiastical politics during the following decades in Alexandria speaks for successful reforms he initiated. Dioscorus might also regard *Canon 26* of the Council of Chalcedon—which required every church to have an *oikonomos*—as a secret triumph of his reforms.⁶⁰ The question of whether Dioscorus' purge of Cyrillian minions also led to an improved governance of the chapter in which positions were given to clerics due to their merits and not their loyalty or family relationship remains difficult to answer. If the appointments of Anatolius as Dioscorus' ambassador in Constantinople and Proterius as *protopresbyter* and *oikonomos* are any indication, then Dioscorus filled important positions with candidates who were first of all able and ambitious but not necessarily loyal. Particularly in the case of Anatolius, his abilities as an ecclesiastical politician are beyond doubt.⁶¹ In the long run, however, the constant quarrels between Chalcedonians and non-Chalcedonians likely prevented Dioscorus' reforms for *good governance* at Alexandria from leading to any lasting results.⁶²

⁵⁹ If Theodoret's general accusation that large sums of money toppled him (Theodoret) are put aside, accusations of bribery against Dioscorus are nonexistent; see Theodoret, *ep.* 145: 'The authors of the calumny against me, who have bought my destruction for large sums of money, have been distinctly seen to be involved in the unsoundness of Valentinus and Bardesanes.' *NPNF2* vol. 3, p. 312. Peter Sellers interprets this as Dioscorus getting his way by paying bribes at the Second Council of Ephesus. But (a) there was absolutely no need for a bribe, and (b) Theodoret's claim simply indicates his disappointment with the situation in 450. At the same time Theodoret's complaint is phrased so generally that it might even refer to Cyril's bribery in 432. See R. V. Sellers, *The Council of Chalcedon* (London: S.P.C.K., 1953), pp. 33–4.

⁶⁰ *ACO* II.1.2, p. 359; *ACC*, vol. 3, p. 102.

⁶¹ Perhaps the case of Nestorius of Phragonis also shows that Dioscorus cared little about his personal relationship to a cleric but more about their abilities and how they might best serve the Church, either within the chapter of the Church of Alexandria or somewhere else in Egypt.

⁶² Proterius needed loyal followers in offices because his position was not secure. His successor Timothy Aelurus of course likewise threw out all of Proterius' clerics; Siebigs, *Kaiser Leo I*, p. 298.

Dioscorus was no productive theologian, and his surviving theological oeuvre is exiguous.⁶³ Notably, the later Coptic tradition depicts the exiled Dioscorus as pastoral carer and theological advisor for the faithful back home.⁶⁴ At this point, Dioscorus already perceived himself as confessor for the faith, and the experience of exile probably influenced him and his effort to provide (written) theological advice to his flock. Most of Dioscorus' theological letter fragments date to the time of his exile but even they present only extracts and snippets. While it could be argued that Dioscorus' deposition prevented his treatises from surviving in full, the fact that none of his opponents name or quote *any* work by him (even though he had been accused of heresy), indicates that Dioscorus never composed any notable theological treatise or work.

Ps-Zachariah Rhetor fittingly characterizes Dioscorus as 'a serene man and a combatant (*agonistes*), even if he did not have the same readiness or boldness [of speech] as Cyril'.⁶⁵ His characterization as less bold may also explain why Cyril's successor as patriarch hesitated to get involved in the fifth-century ecclesiastical controversy. He was elected because he was an able administrator, and the reforms of the Alexandrian chapter kept him busy. In 448, however, he got drawn into the Near Eastern quarrels. Once engaged, he uncompromisingly upheld the Cyrillian legacy and vigorously defended Cyril's *Twelve Chapters*—for which his famous predecessor had in all likelihood even bankrupted the See of Alexandria.⁶⁶ Unfortunately for Dioscorus, he lacked diplomacy and finesse, as well as the shrewdness and ruthlessness of his predecessor—characteristics that a fifth-century patriarch needed if he was to be a successful ecclesiastical politician.

⁶³ And even some of the fragments that survive are spurious, such as Dioscorus' curses against the Council of Chalcedon, which are noted in Theopistus' *Life of Dioscorus* 11 (Syriac) and 62 (Arabic); Nau, pp. 64–6 (pp. 278–9); Moawad, pp. 68–71; and detailed as six curses in both the Arabic and Ethiopian recensions of Jacob Baradaeus' *Profession of Faith*: Carl Heinrich Cornhill, 'Das Glaubensbekenntnis des Jacob Baradaeus in äthiopischer Uebersetzung', *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 30 (1876): pp. 417–66, here 455–7 and Hendrik Gerrit Kleyn, *Jacobus Baradaeus: De Stichter der Syrische Monophysietische Kerk* (Leiden: Brill, 1882), pp. 158–60; see already Lebon, *Le Monophysisme Sévérien*, pp. 88–93 and also William H. P. Hatch, 'A Fragment of a Lost Work on Dioscorus', *Harvard Theological Review* 19 (1926): pp. 377–81. In addition, Dioscorus' appearance and his refutation of Leo's and the dyophysites' Christology in Severus ibn al-Muqaffa's *Refutation of Eutychius* is largely legendary; see Sévère ibn-al-Muqaffa, *Réfutation de Sa'id ibn-Batriq (Eutychius)*, Chébli, pp. 172–81.

⁶⁴ Moawad, *Untersuchungen zum Panegyrikos auf Makarios von Tkoou*, pp. 300–2; this report on Dioscorus survives in a nineteenth-century Arabic manuscript. Its author mentions that many more of Dioscorus' statements survive in other books, but the author likely notes this only in order to depict the patriarch as important church father.

⁶⁵ Ps-Zachariah Rhetor, *Church History* III.1; *Historia Ecclesiastica Zachariae Rhetori Vulgo Adscripta*, Brooks, p. 147; *The Chronicle of Pseudo-Zachariah Rhetor*, Greatrex et al., p. 99 [modified]. See Chapter 2, p. 73.

⁶⁶ For Dioscorus the insistence on the First Council of Ephesus and the *Twelve Chapters* were not just means for a power play as Eduard Schwartz claims: Eduard Schwartz, *Der Prozeß des Eutyches* (Munich: Bayerische Akademie der Wissenschaften, 1929), p. 85 in the context of the trial of Eutyches claims that 'Dioskoros die cyrillische Dogmatik für seine hierarchischen Zwecke reduziert hatte.'

In contrast to Eduard Schwartz's famous dictum that Alexandrian bishops—including Dioscorus—used '*Publizistik*' for their political goals,⁶⁷ Dioscorus seems to have never actively engaged in communicating his political decisions or in establishing a proper communication network. He wrote to his colleague Domnus only once Cyrillian monks forced him to show his colours. Flavian of Constantinople even complained that Dioscorus had never regarded him worthy of any letter.⁶⁸ Here, Dioscorus missed the opportunity to introduce his intentions and to explain his positions, and his status as universal archbishop at the Second Council of Ephesus was based not on the respect of his colleagues but instead largely on the good will of the emperor. In return, the patriarch did not object, even on a *pro forma* basis, to the emperor's agenda for the council.⁶⁹ If Leo's note can be trusted, after the council, Dioscorus regretted the deposition of Flavian and realized that at this ecumenical council he had not acted as the good bishop he imagined himself to be.⁷⁰

The sheer lack of any reference to correspondence by Dioscorus before or following the Council of Ephesus reveals that Dioscorus was not the mastermind behind the council but rather the emperor's henchman.⁷¹ He was no church politician who appreciated the importance of making allies and who pondered ecclesiastical tactics in order to reach his goal. Two years later, at Nicaea, he resisted Leo's *Tome* and publicly announced Leo's condemnation. This behaviour was strategically unwise, but for Dioscorus the doctrinal matter had been settled once and for all at Ephesus in 449. At Chalcedon, he presented himself as an uncompromising and steadfast defender of Cyrillian orthodoxy, while being charged with procedural mistakes at the Second Council of Ephesus, violence, and even murder. These accusations successfully put up a smokescreen, as scholars to this day continue to believe in an aggressive Dioscorus who was politically more radical than his predecessor, and thereby play the imperial propaganda trumpet that hails Emperor Theodosius as unblameworthy. It is hoped that the close reading of the acts, as presented here, will be a step toward discovering the historical Dioscorus and comprise a study that takes seriously the question of ecclesiastical politics in the Later Roman Empire.

⁶⁷ Eduard Schwartz, 'Über die Reichskonzilien von Theodosius bis Justinian', *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 42 (1921): pp. 208–53, here 215; quoted in the introduction to Chapter 1, p. 1.

⁶⁸ See his appeal to Pope Leo: ACO II.2.1, p. 77. That Theodoret ever received an answer to his letter to Dioscorus from autumn 448 seems also unlikely. See Chapter 2, pp. 82–83.

⁶⁹ Which of course was also too tempting for Dioscorus, as he could depose all non-Cyrillian patriarchs and bishops.

⁷⁰ Dioscorus defended Flavian's deposition in Chalcedon (I.299) but this was in a situation when Dioscorus himself was charged with having illegally deposed Flavian.

⁷¹ Eutyches' letter to Leo survives, as do references to other letters that Eutyches wrote; letters by Galla Placidia, Licinia Eudoxia, and Valentinian criticizing the Council of Ephesus survive, as do Theodosius' letters defending it, etc.

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