

I Roman and Greek

State and Subject

1. INTRODUCTION: ROMAN AND GREEK

We may begin with an apology, addressed by Theodosius II, writing from Constantinople, to his younger co-Emperor, Valentinian III, ruling in Italy. The year was 447; a decade had passed since the first-ever official collection of Roman laws, the *Codex Theodosianus*, had been completed in Constantinople, and nine years since it had been formally presented to the Senate in Rome.¹ By its very nature, beginning with the legislation of the first Christian Emperor, Constantine, and incorporating laws issued in both East and West, all of them in Latin, the *Codex* had been intended to symbolize and embody the unity of the Christian Roman empire. Practice, however, had fallen far behind theory. In principle, all legislation, whether generated in East or West, should be communicated to the other half of the Empire, and promulgated there. In reality, it seems clear, Theodosius had sent nothing, and he apologizes profusely:²

Because, therefore, various causes have emerged and the necessity of circumstances that have arisen has persuaded Us to issue, during the interval of time that has elapsed, other laws which We have not been able to bring to the knowledge of Your Majesty, since We have been engrossed in the continuous duties of the State, We consider it necessary that now at least all the laws should be transmitted to Your Serenity, with the subscription of Our Majesty. Thus they may become

1. See the *Gesta Senatus Urbis Romae*, in *Theodosiani Libri XVI* I.2, ed. Th. Mommsen and P. M. Meyer, 1–4 (1905); trans. Pharr, pp. 3–7. See esp. J. F. Matthews, *Laying down the Law: A Study of the Theodosian Code* (2000), ch. 3.

2. Theodosius, Nov. 2, trans. Pharr.

formally known to Your subjects, provinces, and peoples, and their tenor may begin to be observed in the western part of the Empire also.

This letter is one sign among many demonstrating that, for all the real, and very significant, commitment to the unity of the Roman Empire, the reality was that, not of two separate Empires, but of twin Empires, in one of which, that which Theodosius ruled from Constantinople, the normal language of the vast majority of the population was Greek. It is this "Greek Roman Empire" which is the subject of this book. There were indeed many senses in which it was still unambiguously Roman; but there were more, and more fundamental, senses in which it was Greek—in its culture and literature, in the language spoken in the street, in the language in which individuals and groups addressed the State and its agents, and above all in the language of its Church. These latter two aspects come together in the major controversies over the nature, or natures, of Christ which led to the two Councils of Ephesus in 431 and 449, and to that of Chalcedon, held a year after Theodosius's death in 450.

How had a "Greek Roman Empire" come about? In one sense there had been such a thing for centuries. The wider Greek world, created first by the colonizing activity of the Archaic period, and then by the conquests of Alexander in the second half of the fourth century B.C.E., had come under Roman rule between the second century B.C.E. and the second century C.E. Roman rule never extended to some more distant areas conquered by Alexander, namely Babylonia, Iran, Bactria, and northern India, all of which had been affected in varying degrees by Greek culture and language. But it did incorporate the whole Greek-speaking area from the Balkans to Asia Minor, Syria, Palestine, Egypt, and Cyrenaica (Libya). In the late second century, in a move of immense significance, it had extended across the middle Euphrates to the Tigris, only to lose the eastern half of Mesopotamia in 363.

In all this vast area, where St. Paul had preached, entirely in Greek, and the Christian Church had developed, Latin never took root as a language of everyday speech. So, in one sense, the pattern analyzed in this book—a Greek world ruled by an Imperial administration which used Latin—was not novel at all. The correspondence of Pliny the Younger with the Emperor Trajan, in 109–11, about the affairs of the Greek-speaking double province of Pontus and Bithynia, is only one example.³ In another sense, in looking at the eastern Roman Empire of the fifth century, we are in an entirely new

3. Pliny, *Epp.* X; see A. N. Sherwin-White, *The Letters of Pliny: A Historical and Social Commentary* (1966), 525–26.

world. Two fundamental features of this world were the work of Constantine, ruling between 306 and 337: his conversion to Christianity, followed by all subsequent Emperors except Julian (361–63); and his foundation of Constantinople as a “new Rome.”

The crucial next step, the division into twin Empires, had come about, as it seems, almost by accident. Theodosius I (379–95) had ruled a unified Empire, with his two sons, Arcadius and Honorius, sharing the Imperial name “Augustus” with him. But on his death, the elder, Arcadius, ruled from Constantinople until his death in 408; while the younger, Honorius, ruled from Italy until his death in 423.

No one seems to have intended a permanent division, and certainly no one could have anticipated at the time how important this parting of the ways was to be: in the fifth century the Greek words “orthodox” and “catholic” were both used of the same Church—but the roots of conflict over precedence between Rome and Constantinople were already visible.⁴ So also, and indeed much more clearly, was the complete linguistic divide between the Latin-speaking Church of the West and the Greek-speaking Church in the East.

In the short term, it cannot be shown that it was more than a practical arrangement for the division of rule between two brothers which led to the establishment of Arcadius in Constantinople in 395. But it was that which meant that his son Theodosius was born there on April 10, 401. Granted the name “Augustus” before his first birthday, he was left as sole Emperor in the East when his father died early, still aged only about thirty-one, on May 1, 408. It is of great relevance that Theodosius was the first Roman Emperor both to be born in Constantinople and to rule from there for the whole of his long reign, and that his was to be, formally speaking, the longest reign enjoyed by any Emperor: forty-eight years with the name “Augustus,” forty-two as (at least) the nominal source of the legislation issued from Constantinople. Even then, it was only a riding accident which led to his death on July 28, 450.

Before we return to the complex nature of the “Greek Roman Empire” and its relations with its western twin, it is worth underlining the distinctive character of the particular phase, lasting about a century and a half, represented by a Greek empire. This phase itself divides into two halves: from 395 until the disappearance of the last western Emperor in 476; and then from 476 to the reconquest by Justinian of Roman North Africa, a large part of

4. See now H. Chadwick, *East and West: The Making of a Rift in the Church from Apostolic Times until the Council of Florence* (2003), esp. ch. 7.

Italy, and part of Spain, thus recreating something like a unified Roman Empire, then to be drastically truncated a century later by the Islamic conquests.

It is perfectly legitimate to write histories of "the Later Roman Empire," and that is indeed the title of the greatest intellectual achievement of twentieth-century ancient history, A. H. M. Jones's monumental three-volume study of 1964. But in fact the successive phases of that empire were so drastically different, in structure and in geographical shape, that they can and should also be studied separately from each other: the unified Empire of 324 to 395; the Roman or Italian Empire of 395 to 476, marked by almost total territorial losses outside Italy, and by a conjunction of Emperor, Pope, and Senate;⁵ the Greek Empire of 395 to the 530s; and the united Empire of the following century. In this connection, it is perhaps worth noting that, if Theodosius had not fallen off his horse in July 450, and had lived as long as either Anastasius (Emperor in 491–518) or Justinian (Emperor in 527–65), he would have outlived the entire phase of the twin empires.

It is a matter of pure choice, convention, or convenience to what periods we apply the terms "Late Empire," "Byzantium," or "Late Antiquity." We can, for instance, quite reasonably choose to use "Byzantine" only for the period after the loss of Syria, Egypt, and Libya to Islam. But we could also choose to see the long and stable reign of Theodosius II as the beginning of "Byzantium:" the first extended reign by an Emperor born in Constantinople; the first regime conducted from there (allowing for occasional minor excursions) continuously for four decades; the reign most emphatically marked by Christian piety; and the one for which our evidence allows us to see, far more fully and clearly than any other, the intimate relations between the Emperor and the Greek-speaking Church.

But in what sense was this "Roman" empire, now ruled by an Emperor established in Constantinople, really Greek? On the surface, such a claim seems entirely misleading. The coinage issued by the Imperial state was stamped with legends in Latin.⁶ The "laws" which Emperors issued, from West or East, were written in Latin, and dated by the consuls of the year, and by the Roman calendar. As was noted above, the *Codex Theodosianus*, completed in 437 in Constantinople, was designed to collect in a single volume the relevant laws issued since 313, and to arrange them in a long se-

5. The foundation for the history of this truly "Roman" empire, and especially of its last quarter century, after the Emperors had made Rome once again their normal residence, is laid in the important paper by A. Gillett, "Rome, Ravenna and the last western emperors," *PBSR* 69 (2001), 131 ff.

6. See J. P. C. Kent, ed., *The Roman Imperial Coinage X: The Divided Empire and the Fall of the Western Parts* (1994).

ries of chapters, divided between sixteen books, within each section of which those laws which were incorporated were to be set out in a single chronological sequence. The entire massive volume, produced in a Greek city, is in Latin. As we will see more clearly when we look at the political context in which it was planned and produced, it had in fact been specifically designed as an expression of the unity of the Empire, East and West, and of the unity and consistency of the legal and administrative principles by which it was governed.⁷

What is more, every "law" contained in it had been issued in the names of both, or all, of the current Emperors, in order of seniority, without regard to whether they had currently been located in the same place, or had in fact had the opportunity to consult on its content. If we take as an example the laws issued between 408 and 437, until the death of Honorius in 423 all laws were in the name of Honorius and Theodosius, in that order. Then we find a period when Theodosius rules alone, after which his name is followed by that of Valentinian III, first as "Caesar," then as an equal "Augustus." So it continues up to and beyond 437, when the *Novellae* of Theodosius (those laws issued after 437) are invariably in the names of both Theodosius and Valentinian.

As indicated, we will come back later to the political, and military, background to these formal changes, and to the ways in which there were indeed still profound links, both governmental and ecclesiastical, between East and West. What is unmistakable in the ideology of Imperial legislation is the determination to assert the continuing formal unity of the Roman Empire.

This determination has achieved remarkable success, not least in convincing modern historians that there was at all periods a single "Late Roman Empire." In the fourth century there had been, and after Justinian's reconquests in the sixth there would be again. But in the time of Theodosius II there was not; there were twin Empires, closely linked, but distinct in administrative and military structure, in their central decision-making procedures, and, in every sphere except one, in language.

This division is absolutely explicit in that remarkable summary, written in Latin, of the structure of Late Roman government, the *Notitia Dignitatum*, which itself is divided between "Oriens" and "Occidens," and whose first, eastern, half, seems to date to 401, only a few years after the division

7. For the composition of the *Codex* see above all J. F. Matthews, *Laying down the Law* (n. 1), and for its purpose see also T. Honoré, *Law in the Crisis of Empire 379–455 AD: The Theodosian Dynasty and its Quaestors* (1998), ch. 5–6, and J. Harries, *Law and Empire in Late Antiquity* (1999), ch. 1.

of 395.⁸ The briefest sketch of what the eastern half, ruled from Constantinople, consisted of is required to make sense of what follows. The map on figure I is of primary importance. As will become clear, it is vital to understand both the geographical extent of the eastern Empire, and the hierarchy of posts within it. For, to look ahead to themes explored more fully later, we need both to understand its nature as a Greek-speaking world and to conceive the function within it of what we call "laws," in terms of their role in communication between the Emperor and the administrative hierarchy.

The evolution of Imperial government in the fourth century had produced four major regional officials at the apex of the hierarchy, immediately below the Emperor, or (normally) Emperors: the (now entirely civilian) Praetorian Prefects. The division of 395 left two of these "in partibus Orientis," as the *Notitia Dignitatum* puts it. It will save confusion if it is realized that contemporary usage deployed the word "Oriens" in three different senses: the whole eastern Empire; the Praetorian Prefecture of "Oriens" which covered most, but not all, of it; and the (secular) diocese of Oriens which was part of the Prefecture. Of the two Prefectures in "Oriens" (in the widest sense), the first was that of Illyricum, covering Greece and the islands and the western Balkans, divided into two "dioceses" under Vicarii (or delegates of the Praetorian Prefect): Dacia in the north, comprising five provinces, each under its own governor; and "Macedonia" in the south, with seven.

All the rest of the eastern Empire came under the Praetorian Prefect of Oriens, whose territory stretched in a circle round from the lower Danube and eastern Balkans to the whole of Asia Minor, Syria and Mesopotamia, Palestine, Arabia, Egypt, and Libya. Here there were five vicariates, each subdivided into provinces: "Thraciae" in the eastern Balkans; "Asiana," roughly western Asia Minor; "Pontica" (eastern Asia Minor); "Oriens" (in the third sense), whose holder had the title "Comes Orientis," and which covered from Cyprus and Cilicia round to Palestine; and "Aegyptus," covering both Egypt and Libya, whose holder had the title "Praefectus Augustalis."

These dry administrative details (paralleled by separate military and financial hierarchies, which we can ignore for the moment) are of immense importance: for the scale and extent of the Greek-speaking world; for the hierarchy of the Church, which—if erratically and imperfectly—mirrored that of the State; and for what we mean by "government" and the issuing of "laws" in this period.

It is time to confront the central paradox. On the one hand, as we have

8. For the latest discussion of the date see C. Zuckerman, "Comtes et ducs en Égypte autour de l'an 400 et la date de la *Notitia Dignitatum Orientis*," *AT* 6 (1998): 137 ff.

seen, Imperial legislation, all issued in Latin, embodied the principle of the collegiality of the Emperors, and of the unity of the “Roman” Empire. On the other hand, the entire administrative structure described by the *Notitia Dignitatum* is divided into two halves; and what it calls “Oriens” (in the broadest sense) is a coherent, and very extensive, Greek-speaking world. So what justifies the claim made earlier, that in the first half of the fifth century the unity of the Empire, though very significant conceptually, was in practical terms an illusion? In reality, the claim made here is, there was a separate “Greek Roman Empire,” twinned with its western, Latin-speaking, counterpart—but separate all the same.

2. IMPERIAL LEGISLATION

The answer to the paradox comes in the form of two very simple propositions. Firstly, the Imperial pronouncements which we normally (and contemporaries sometimes) refer to as “laws” (*leges*) were in form, with only the rarest of exceptions, *letters*, almost always addressed to officials, occasionally to the Senate.⁹ This is true of both western and eastern legislation; but its significance in the eastern context is far greater. For what it means is that the entire body of “legal” material, on which in all essentials the history of the Late Roman State has been based, consists of internal communications within the administration. All of them were issued in the name of the current Emperors, western and eastern, and virtually all of them were addressed to high officials, predominantly one or other Praetorian Prefect. We are not speaking, in this context, of “laws” published as such to the public. Such a process of publication is in fact very well attested, as we will see; but, as they stand, the Imperial pronouncements (*constitutiones*), addressed in the form of letters to individual holders of office, are not examples of it.

Secondly, in spite of the principle of unity which informed both the au-

9. Of the eastern “laws” from Theodosius’s reign (as defined by the criteria set out on pp. 00–00 below), found in the *Codex*, the *Novellae*, and the *Codex Justinianus*, all are in form letters addressed to office-holders, with only the following exceptions: *CTh* III.1.9 (*CJ* II.19.12), of Feb. 17, 415, addressed *Ad populum*; *CJ* VI.23.20, of March 9, 416, addressed *Ad populum urbis Constantinopolitanae et ad omnes provinciales*; *CTh* IV.4.5 (*CJ* VI.23.20), of March 13, 416, same address; *CTh* I.1.5, of March 26, 429, addressed *Ad Senatam* (on the plan for *CTh*); presumably also I.1.6, of Dec. 20, 435 (second plan); *Nov. Th.* 15.1, of Sept. 12, 439, addressed *Ad Senatam urbis Constantinopolitanae*; *CJ* I.14.8, of Oct. 17, 446, addressed *Ad Senatam* (eastern or western?). See chapter 6.

thorship attributed to the *constitutiones* themselves and the compilation of the *Codex Theodosianus*, there are a set of perfectly clear and unambiguous criteria which allow an almost complete separation of western and eastern "laws." In summary, the criteria are: (1) the place of issue; (2) the post held by the official addressed; (3) the regions or cities referred to in the text; (4) the mode of reference to other Emperors, whether deceased or still alive.¹⁰ All these criteria might still be of limited significance, as indicating purely formal characteristics of pronouncements whose content nonetheless reflected the decision making and priorities of a unified Empire, but for the fact that so many of them are responses to memoranda (*suggestiones* in Latin, *anaphorai* in Greek) from officials, detailing circumstances which had arisen in particular contexts and localities. Even where this origin for a particular law is not explicitly attested, it is evident that the vast majority do not constitute contributions to the principles of Roman law itself, but are in essence administrative measures, of greater or lesser degrees of generality, often laying down penalties for nonobservance. Even from the Imperial "laws" themselves we can divine perfectly clearly that a large proportion were responses to issues arising at particular moments in particular localities. But we are not dependent simply on reading between the lines of the Imperial "laws." For we also have a mass of evidence for communications addressed to the holders of office by bishops and other clerics and by private individuals. We shall even see later the letter of a bishop, Synesius of Ptolemais in Libya, addressed to a local military official, and providing him with the content of the two *anaphorai* which he is asked to write and send to the Emperor. The first thing that makes the eastern Roman Empire of Theodosius into a "Greek Roman Empire" is that every single one of these communications addressed to holders of office, from the Emperor down, is in Greek.

We will take the criteria in the order indicated above:

a. Place of Issue

It is quite clear that the complete original text of any letter written by Theodosius (or any other Emperor) included at the end a statement of the place of issue, the date (given by the Roman calendar), and the year, using the names of the consuls. The entries in the *Codex Theodosianus* are characteristically (and probably invariably) extracts, not complete texts (and those in *Codex Justinianus* are often even more incomplete). But nonetheless the

10. A separation on this basis can be seen, as regards the period from 408 to 450, set out on facing pages in O. Seeck's magnificent *Regesten der Kaiser und Päpste für die Jahre 311 bis 476 n. Chr.* (1919), pp. 312–87.

place of issue is indicated very frequently, even in the texts as we have them, and "Constantinopolis" is recorded in a high proportion of cases.

That fact reflects another major historical change that came about with the division of 395. Theodosius I had led his own forces in the field, not least on two expeditions to the West, in the 380s and early 390s, thus following the tradition of Emperors since the second century. But his sons did not lead armies in person, and ruled from a civilian context. Theodosius followed this pattern, and in essence his work as Emperor was carried out from the Imperial residence in Constantinople; the places of issue indicated in his "laws" amply confirm this.

But that was not quite the whole story, and the list of his "laws," along with some other evidence, does make clear that the Imperial court was not wholly immobile, but moved around on occasion along the Thracian coast and into the nearer provinces of Asia Minor.¹¹ The records of places of issue show, for instance, that in August 416 the Imperial court was at Eudoxiopolis (ancient Selymbria) along the coast, evidently renamed after the Emperor's mother, and on September 9 was at Heraclea. As it happens, the sixth-century *Paschal Chronicle* records that on September 30 in this same year the Emperor returned from Heraclea, and was ceremonially offered a gold crown by the Prefect of the City and the Senate, in the Forum of Theodosius.¹² In 423, as the places of issue of "laws" show, the court was again at Eudoxiopolis during August.¹³ Far from the Emperor's having been perpetually invisible behind the walls of the palace, the evidence will show repeated examples of appearances before large crowds in the city, and also demonstrates that Imperial "expeditions," within the relatively modest geographical range indicated above, were in fact a recurrent feature, referred to in enactments of 439/41 and 445.¹⁴ Without going into all the examples, we may note that Sozomenus refers to a journey by Theodosius to another Heraclea (Heraclea Pontica),¹⁵ while Theodosius himself, in a *Novella* of 443, written from Aphrodisias in Caria, to which he had gone to fulfill a vow, reports an appeal made to him en route by the people of yet another place called Heraclea (which must be Heraclea ad Latmum) about the repair of

11. For the movements of the court see G. Dagron, *Naissance d'une capitale: Constantinople et ses institutions de 330 à 451* (1974), 85–86.

12. "Laws" issued from Eudoxiopolis in 416: *CTh* XVI.5.61, Aug. 8; *CTh* XII.3.2 (*CJ* X.34.1), Aug. 9; *CTh* XII.1.182, Aug. 26; *CJ* I.46.2, Aug. 27; *CTh* IX.40.23, Aug. 30. From Heraclea: *CTh* XI.28.11, Sept. 9; *Chron. Pasch.* 574.

13. *CTh* XVI.5.61, Aug. 8; *CTh* XII.3.2 (*CJ* X.34.1), Aug. 9.

14. *CJ* XII.50.21, 439/41; *CJ* I.2.11 + X.49.2, Feb. 17, 445.

15. Sozomenus, *HE*, *Praef.* 13.

public buildings. In this year, too, the *Paschal Chronicle* duly records the Emperor's return from his expedition to Asia.¹⁶

In other words, both the mass of pronouncements issued from Constantinople itself, and those which reflect, in quite consistent ways, the "expeditions" which the Emperor made to the neighboring provinces (though never to Syria, Egypt, or the Danube), are a real reflection of the working of a "Roman" regime in a world of Greek cities.

b. Posts Held by the Officials Addressed in Imperial "Laws"

As was stressed above, and will need to be reemphasized repeatedly, in effect the entire mass of the extensive evidence for the government of the Late Empire, derived from the *Codex Theodosianus*, the *Novellae*, or the *Codex Justinianus*, consists of documents which in form and function were letters, addressed to individual holders of office. Our evidence divides between cases where the geographical area for which the official addressed was responsible is explicitly mentioned in his title, and many others where, if only a function but not a specific area is given, we know from other evidence which the area concerned was. It will perhaps be sufficient, given all the material which will be discussed later, to give examples where, as is quite rare, the geographical area for which the official concerned was responsible is explicit in his title as preserved: for instance a letter of January 28, 412, to Constantius, Magister Militum per Thracias;¹⁷ of October 24, 417, to Vitalianus, Dux Libyae;¹⁸ or of September 7, 439, to Thalassius, Praefectus Praetorio per Illyricum.¹⁹

c. References to Regions and Places in the Greek East

Again, the "laws" of Theodosius's reign show a large number of examples of reflections of the geography of the Greek East, from a whole series of measures concerning Constantinople itself,²⁰ to others embracing whole regions,

16. Nov. 23, May 22, 443; *Chron. Pasch.* 583–84. See C. M. Roueché, "Theodosius II, the Cities and the Date of the 'Church History' of Sozomen," *JThSt* 37 (1986): 130 ff. Note also *CTh* XI.1.37 + 5.4 (*CJ* X.17.2), written from Apamea on Aug. 28, 436 (see p. 000 below); *CTh* VI.10.4 + 22.8, written from "Topisus" (Topeiros, Rhodope) on Sept. 22, 425; *ACO* II.1.1, para. 48 and 47 (p. 71), written on May 14 and 15, 449, from two unidentified places, "Alexandrianæ" and "Therallum;" and the report in Malalas, *Chron.* XIV.366, that shortly before his accidental death Theodosius had returned from a visit to Ephesus.

17. *CTh* VII.17.1.

18. *CTh* VIII.1.16 (*CJ* I.51.6).

19. *CJ* II.7.7.

20. For example *CTh* XV.1.47 (*CJ* VIII.11.17), Feb. 21, 409; *CTh* XIV.16.1, Apr. 26, 409; *CTh* XV.1.51 (*CJ* VIII.11.18), Apr. 4, 413 (walls of Constantinople); *CTh*

such as the letter of May 5, 420, to the Praetorian Prefect of Oriens, which reflects the Persian war of 420/1, and permits the fortification of rural properties in the provinces of Mesopotamia, Osrhoena, Euphratensis, Syria Secunda, Phoenice Libanensis, the two Armenias and two Cappadocias and so forth.²¹ Then there are others which reflect circumstances in particular places—for instance the letter sent in 417 to the same Praetorian Prefect of Oriens in response to a complaint from the *officium* of the governor of Euphratensis, that people transporting wild beasts (for shows in Constantinople) to the court, had stopped for several months in Hierapolis.²² As always in the history of the Empire, the regions along the Danube, whether those further east, in the Prefecture of Oriens, or those in that of Illyricum, claimed less of the attention of the Imperial government. So when a letter goes to the Praetorian Prefect of Illyricum, it is more likely to concern an ancient Greek city like Delphi, which was also in this Prefecture.²³ But a letter does, for instance, go to the Praetorian Prefect of Illyricum in 413, adjusting curial obligations in the light of the recent devastation of the region by barbarian raids.²⁴

Another example is provided by a letter written from Apamea in 436 to the Praetorian Prefect of Oriens. Which of the various cities called Apamea is meant is not quite clear; but since the letter deals with taxation, and allows a special exemption for Cyrus, the bishop of Aphrodisias, the exemption very probably reflects a personal appeal, in which case the Apamea concerned may well be Apamea-Celaenae, further inland. It is worthy of note that Aphrodisias, the metropolis of Caria, and archaeologically one of the best-known late antique cities, makes two significant appearances in the *Codex*.²⁵

Again, there is no need to multiply examples, since the Imperial “laws” or letters issued by Theodosius provide a vast scatter of glimpses of the Greek world as it was in the fifth century. One further example, a letter of 419, to which we will return in another context, concerns an appeal by Asclepiades, the bishop of a place which we would not otherwise have been sure came within the Empire at all, namely Chersonesus on the southwest corner of the Crimea.²⁶

XIV.6.5, Oct. 4, 419; *CTh* XV.1.52 (*CJ* VIII.11.19), Jan. 9, 424; *CTh* XIV.9.3 (*CJ* I.19.1) + XV.1.53, Feb. 1, 425, and *CTh* VI.21.1 (*CJ* XII.15.1), Feb. 27, 425 (both on higher education in Constantinople), and so forth.

21. *CJ* VIII.10.10.

22. *CTh* XV.11.2 (*CJ* XI.45.1), Sept. 27, 417.

23. *CTh* XV.5.4, Apr. 22, 424.

24. *CTh* XII.1.177, Apr. 16, 413.

25. *CTh* XI.1.37 + 5.4 (*CJ* X.17.2), Aug. 28, 436. Cf. text to n. 16 above.

26. *CTh* IX.40.24 (*CJ* IX.47.25). See further chapter 2.

d. References to Other Emperors, Contemporary or Deceased

The “laws,” or letters, noted under the other categories, are reflections of the way in which it is possible to discern, without any significant ambiguity, the activity of a “Roman” government responding to the concerns of its Greek subjects. The final category demonstrates the individuality of the Emperor, Theodosius, whose “voice” speaks in these letters (including those which are too early actually to have been his own work), an individuality which contrasts sharply, and indeed illogically, with the fact that all “his” letters, except for a brief period in 423/4, when there was a usurper in the West whom he did not recognize, were issued in the name of both himself and his western colleague. Equally, as we will see repeatedly, letters and petitions to him, written in Greek, were formally addressed to both Emperors. But in the case of both incoming and outgoing communications that was indeed a pure formality.

This aspect of the documentation is quite important, and needs to be spelled out. It concerns both allusions to the current western co-Emperor, and references to relationships to deceased Emperors which are true of Theodosius, and not of his current co-Emperor. All the letters, it should be repeated, carry the names of both Emperors as their “authors.” The relevant cases are: in 410, references to a law “of the divine father of my Clemency” and to “my uncle Honorius;” in 416, “the deified grandfather of my Piety”—Theodosius I; in 418, “Augusta Pulcheria, our sister;” in 423, measures of “the sainted grandfather and father of our Clemency;” and also of “our grandfather;” in 424, “my father and uncle [Honorius] of sainted memory;” in 425, “our grandfather;” in 430, “my father Arcadius of sainted memory.”²⁷ These examples will be enough to show that Theodosius spoke in his own person to his officials, and that the attachment of the name either of Honorius, or subsequently of Valentinian, was a pure formality.

The same message is conveyed by the nature of the decisions or statements of policy contained in the letters, which often relate to very particular circumstances in regions or cities or branches of the administration. There is nothing whatsoever to suggest that there was consultation with the West (or vice versa) before such “laws” were issued, or indeed that there was automatic and regular transmission of the texts of laws once they had been

27. *CTh* XVI.5.49, Mar. 1, 410; *CTh* VII.16.2, Apr. 24, 410; *CTh* XIV.16.2 (*CJ* XI.24.1), Jul. 23, 416; *CTh* XIII.1.21, Aug. 21, 418; *CTh* XVI.5.60 + 8.27 + 10.23–24 (*CJ* I.11.6), Jun. 8, 423; *CTh* XII.3.2 (*CJ* X.34.1), Aug. 9, 423; *CTh* XI.20.5, May 13, 425; *CTh* 10.4 + 22.8, Sept. 22, 425; *CTh* XI.20.6, Dec. 31, 430.

issued. Indeed, Theodosius's apology to Valentinian, with which we began, indicates that there had been no such transmission over the whole previous decade.

That is not to say that no transmission ever took place. The compilers of the *Codex Theodosianus*, working in Constantinople, could use the texts of western laws issued up to 432, but not after.²⁸ When Valentinian received Theodosius's apology, dated October 1, 447, and accompanied by the texts of the missing laws, he did indeed see to their diffusion—but only on June 3, 448.²⁹ Quite apart from the common legal and administrative heritage and common ideology which the twin Empires shared, we need not doubt that the principles expressed, even in constitutions essentially arising from particular local circumstances, did, or might often, become known in the other half of the Empire, and might influence attitudes and legislation there. The tracing of such delayed, or secondary, influences would be an important task, not addressed in this study.

What is asserted categorically, as the basis of this study, is that day-to-day administration, decision making, and legislation, as conducted by the Imperial court in Constantinople, did not depend at all on immediate consultation with Rome or Ravenna, but should be seen instead as reflecting a constant dialogue with the Greek world which it ruled. We do, however, have to allow for communications addressed to the Emperor by his co-Emperor in Italy, and towards the end of the reign also by the female members of the Imperial family in Rome, and—very significantly—by the bishops of Rome, above all Leo the Great (440–61). We shall see below many instances of the way in which events in the West, and views held in Italy, had a significant impact on policy in Constantinople, in the sphere of religion at least.

But, with that said, the eastern Empire was in its day-to-day functioning a separate regime, functioning internally in Latin, but interacting with its subjects in Greek. Before we look a little more closely at the nature of that interaction, we need to remind ourselves of just how extensive and substantial an empire this “Greek Roman Empire” really was.

3. THEODOSIUS'S GREEK EMPIRE

We are talking of a coherent block, or half-circle, of territory surrounding the eastern Mediterranean, with roughly some two thousand kilometers

28. The latest “western” law included in the *Codex* is *CTh* VI.23.3, of Mar. 24, 432.

29. *Nov. Val.* 26.

separating Viminacium on the middle Danube, in its northwest corner, from Aela on the Red Sea, and approximately the same distance separating the northern coasts of the Black Sea from Libya (as we will see, Synesius was very well aware that this was a remote and neglected corner of the system). If we measure east–west, it was again some two thousand kilometers from the Roman-Persian border in Mesopotamia to the Ionian Sea west of Greece. It is worth underlining the significance of these facts, obvious as it may seem. Modern estimates tend to put the population of the Roman Empire at some fifty million, and may well be too low. What we are concerned with is, in broad terms, half of the Empire, but very probably represents what was always the more populous half. What is more, in those areas where we have relevant archaeological evidence—all of them, admittedly, in the secular diocese of Oriens—the indications are unmistakably of both an extension and an intensification of settlement: that is, in the Limestone Massif of northern Syria, in the neighboring north-Syrian steppe, along the frontier in Syria (the military road known as the *Strata Diocletiana*), along the frontier in present-day Jordan, and in the Negev.³⁰ Far from this having been a period of “decline,” we may hazard the guess, which can be no more than that, that this was a period of increased population. An estimate of thirty million for the population ruled from Constantinople in the reign of Theodosius II would probably be an underestimate.

This population supported a tax-gathering and administrative service of many thousands, whose management, grading, rights, privileges, and status on discharge formed one of the dominant themes of the Imperial communications collected in the *Codex Theodosianus*. It also supported an army of perhaps three hundred thousand,³¹ which, as we will see, faced innumerable small, or local, problems of security along thousands of kilometers of frontier; which fought occasional significant, but brief, wars against Sasanid Persia; and which confronted really major threats only along the Danube. Even here, after invasions by the Huns under Attila in the 440s, no territory had actually been lost when Theodosius died unexpectedly in 450.

The sheer scale, and the geographical, administrative, and military coherence, of this half of what was in principle still a single Roman Empire, and in practical reality was one of a pair of twin Empires, are significant

30. The evidence on the extension and intensification of rural settlement is now conveniently collected and assessed by R. Duncan-Jones, “Economic Change and the Transition to Late Antiquity”, in *Approaching Late Antiquity*, ed. S. Swain and M. Edwards (2004), 21 ff., on pp. 38–39.

31. See p. 00 below in chapter 2.

enough. But what is more significant still is its cultural, linguistic, and religious coherence. We will look more closely at these issues in later chapters, but the first thing to stress is that, as a historical phenomenon, this "Greek Roman Empire" represented the fulfillment of over a thousand years of the progressive extension of Greek culture, from the Greek colonization of the Archaic period to Alexander's conquests, to the role of the Roman Empire itself in protecting Greek urban culture, and actually founding new Greek cities, or renaming existing cities. This process still continued: we have already encountered "Eudoxiopolis," and there was also an "Arcadiopolis" and two different places called "Theodosiopolis." At the Council of Chalcedon in 451, the bishops were to provide explicitly for the consequences for the Church hierarchy if the Emperor founded a new city.³² Broadly speaking, what needs to be emphasized is that this very large, functionally coherent zone was not only an area of Greek culture but, in effect, represented or incorporated the whole heritage of Greek culture and Greek expansion. There are qualifications to be entered as regards bilingualism, or biculturalism, in certain areas: a developed Christian literary culture in Syriac, dramatically represented by the earliest known codex in Syriac, written in Edessa in 411 (see figure II); the bi- or even tri-lingual religious culture (in Hebrew, Aramaic, and Greek) of Jews and Samaritans in Palestine; and a Christian community in Egypt within which both Greek and Coptic were current. We should certainly allow also for a continuing role for Latin, probably among the communities stretching along the Danube,³³ and certainly as regards at least a few cities on the Adriatic coast.

Equally, it would be rash to deny the survival of Greek in Sicily, which belonged to the western Empire,³⁴ or in the Sasanid half of Mesopotamia, or in Babylonia. But these are marginal exceptions. In broad terms Theodosius's empire was not only a Greek-speaking world, it was *the* Greek-speaking world.

By far our most important evidence for this fact is represented by the mass of material contained in the *Acta* of the three fifth-century Oecumen-

32. ACO II.1.2, p. 161 [357], Canon 17. Note also C/I.3.35, from the reign of Zeno.

33. For a proposed Latin-Greek "frontier" in Moesia, running in its eastern section south of the Danube and parallel to it, see the excellent paper by B. Gerov, "Die lateinisch-griechische Sprachgrenze auf der Balkanhalbinsel," in *Die Sprachen im römischen Reich*, ed. G. Neumann and J. Untermann (1980), 147 ff., on p. 149. However, as we will see below (p. 000), the evidence of the languages spoken at the Church Councils by bishops from cities along the lower Danube does not wholly support Gerov's conclusions.

34. For the survival of Greek in Sicily see now J. Irigoien, "Viri divites et eruditi omni doctrina, graeca quoque et latina," *Kokalos* 43/4 (1997/8): 139 ff.

ical Councils of the Church: Theodosius called the first at Ephesus in 431, and the second, again at Ephesus, in 449. The *Acta* of the latter, so far as preserved in Greek, owe their survival to the fact that they were extensively quoted in the *Acta* of the Council of Chalcedon, called by the Emperor Marcian in 451, a year after Theodosius's death, and containing also a vast range of other material from his reign.

Various aspects of this material, which the truly great edition by Eduard Schwartz still leaves as an extremely difficult task for the historian to use, are explored in detail in the two appendixes to this study, and documents drawn from this collection will be discussed throughout the following chapters. But certain fundamental historical conclusions, which derive from this material and provide the framework within which the Imperial pronouncements in the *Codex Theodosianus* have to be understood, need to be presented starkly.

The three great Church Councils of the fifth century drew bishops from all parts of the Theodosian Empire except the northwestern corner of the Prefecture of Illyricum. The language of all three Councils was Greek. That is no doubt no more than would be expected—but it is essential to stress just how specific and how extensive is the evidence which these records provide for the currency of the Greek language. In broad terms, the *Acta* provide (1) a narrative, written in Greek; (2) quotation in Greek of documents or texts laid before the relevant session; (3) verbatim quotation of the spoken interventions made by individual bishops; (4) a record of the written “subscriptions” (in essence statements of individual assent to the collective decisions reached) by the bishops (and sometimes lower clergy) attending.

Between them, therefore, the record of hundreds, perhaps in total thousands, of spoken interventions and of the long lists of subscriptions written—on the original text—in the hand of the individual (with an explanation if he could not) represents both in quality and in volume some of the best evidence—and for spoken Greek by far the best evidence—for the Greek language that survives from Antiquity.³⁵ Of course what is accessible to us is not the original autographs, but medieval manuscripts; and, as regards the texts of spoken interventions, we have to allow for the vagaries of recording procedures, and perhaps for subsequent correction of errors.³⁶ But, if we think of the history of language, this apparently unexplored evidence is without parallel.

35. As a nonexpert in linguistic history, I am amazed to discover that there is no allusion to this material in the otherwise masterly work of G. Horrocks, *Greek: A History of the Language and Its Speakers* (1997).

36. See more fully appendix B.

A philologist would need to analyze these texts to see if there were any traces of systematic variation between the spoken Greek of bishops from (say) Moesia or from Arabia. On the surface there is not the slightest indication that there was any difficulty in mutual understanding. Greek appears in the record as representing a wholly problem-free and variation-free common language, allowing mutual communication between bishops whose sees could lie up to two thousand kilometers apart.

As we will see more fully in chapter 3, other languages do appear, but through the medium of the Greek record: Syriac, in quite a significant way, though perhaps less so than might have been expected, given the contemporary flowering of Syriac culture and literature; Coptic—but only once; and Persian, also only once. But the major historical conclusion that arises, and which needs to be stressed at this point, is the relation of the Greek-speaking Church to Latin.

The conclusion is clear and unambiguous. If we take the several hundred bishops from (almost) all over the Theodosian Empire who attended the three Councils as a reasonably representative sample of (to very varying degrees) educated men, they did not understand spoken Latin, and had to have all written material in Latin translated for them.

This evidence needs to be spelled out in more detail, since it is the basis for all the propositions which follow concerning the role of Greek and Latin in the Theodosian Empire. Firstly, in the complex written exchanges between the Emperor or his officials and the bishops attending the Councils, the issue of Latin does not arise: both Emperor and officials communicated with the Church in Greek.

Secondly, as regards the participation of bishops from within Theodosius's domains, not a single bishop is recorded as either making a spoken intervention in Latin or writing his subscription in Latin, except for two from places on the Adriatic coast; we shall look at the evidence in a moment. As hinted above, we might have expected a similar pattern on the part of bishops from cities lying along the Danube or in the province which was now called Scythia (see the map in figure X)—that is, to the north of the Latin-Greek border as proposed in the excellent work of B. Gerov. But in fact we find that the bishops of, for instance, Novae and Durostorum in Moesia Secunda on the lower Danube both seem to have used Greek when attending a Council or hearing.³⁷ What we lack is evidence from the cities lying further upstream, such as Ratiaria and Aquae in Dacia Ripensis, or Viminacium

37. For bishops from Durostorum and Novae apparently using Greek see, e.g., *ACO* I.1.5, para. 16³⁴ (Durostorum, 431); II.1, para. 555²⁵ (Novae, Apr. 13, 449).

or Margus in Moesia Prima, very close to the (somewhat arbitrary) border with the western Empire. No bishops from these places attended any of the Councils; if they had, they might well have used Latin.

Nonetheless, the prevalence of Greek as (at least) the chosen vehicle for self-expression at a Greek-speaking council on the part of bishops from the lower Danube, and also from Scythia (Tomoi and Histria) is noteworthy. So far as the evidence from the *Acta* of the Councils goes, the only reflection of the existence of Latin-speaking Christian communities within Theodosius's domains is provided by the two places on the Adriatic coast, mentioned above, which we might well have assumed to have been Greek-speaking: Apollonia and Byllis (a single bishopric) in Epirus Nova, and Scodra in the northernmost Theodosian province on the Adriatic, now called Praevalitana. At the first Council of Ephesus in 431, Senecio, the bishop of Scodra, spoke in Latin, with his intervention being recorded in the *Acta* in Greek,³⁸ and both he and Felix, bishop of Apollonia, subscribed in Latin. In our manuscripts, with one exception, these "subscriptions" too appear in Greek translation. But one manuscript, which will play a significant part in this study, happens to preserve in Latin elements which were originally in Latin.³⁹ So here we find, again of course in a medieval copy, the reflection of their two original autograph *subscriptions* in Latin: "Senecion episcopus Scodrinae civitatis subscripsi," and "Felix episcopus civitatum Apolloniensium subscripsi."⁴⁰

The same manuscript carries a similar reflection of the presence at Ephesus of three emissaries from the bishop of Rome, and of Bessulas, a presbyter from Carthage. Their subscriptions too are recorded here in Latin.⁴¹ In all other versions of the *Acta*, and in all the various relevant contexts, material in Latin, whether written or spoken, is both translated for the benefit of the immediate readers or hearers, and is then recorded only in its Greek version. This also applies to correspondence between bishops in West and East, for instance between Caelestinus of Rome and Nestorius in Constantinople and Cyril in Alexandria—and here the letters themselves contain occasional references to the process of translation.⁴² It equally applies to the

38. *ACO* I.1.2, para. 33.85 (p. 25). It is possible, as asserted by Schwartz, *ACO* II.1.3, p. xxiii, that the original official *Acta* incorporated the Latin texts, as well as the Greek translations, of interventions in Latin. But practice may have varied, and my remarks relate to the MSS as we have them.

39. See appendix A, and F. Millar, "Repentant Heretics in Fifth-century Lydia: Identity and Literacy," *SCI* 23 (2004): 111 ff.; for the Athens codex, pp. 117–18.

40. *ACO* I.1.7, para. 79^{49,172} (pp. 113, 116).

41. *ACO* I.1.7, para. 79^{2,45,191} (pp. 111–12, 117).

42. See, e.g., *ACO* I.1.1, para. 10, pp. 77–83 (Caelestinus to Nestorius); para. 17, pp. 99–100 (Acacius to Cyril); I.1.5, para. 144.5, p. 12 (Cyril to Caelestinus). Note

very moving letter from Capreolus, bishop of Carthage, which was read before the first session of Ephesus I, on June 22, 431. He was unable to attend, he wrote, or even to summon a regional synod in Africa to discuss the heretical doctrines of Nestorius, because of the Vandal invasion. What was more, Augustine, bishop of Hippo, whom Theodosius had specially invited to the Council, had, unknown to the Emperor, died in the previous year. In this case the record makes clear that the letter was read aloud twice, once in the original Latin, and once in Greek. But it was the Greek text which was recorded in the *Acta*.⁴³

As mentioned above, three emissaries were sent by Caelestinus of Rome to participate in the Council, joining it for the first time at a session held on July 10. Their statements of support for the Cyrillian, or “one-nature,” position were all delivered in Latin, and recorded in Greek; a letter from Caelestinus was, again, read in both Latin and Greek, and recorded in Greek. After a further session on the following day, the emissaries from Rome gave their autograph subscriptions to the doctrines espoused by the Council, and the deposition of Nestorius. A Greek translation (*hermēneia*) of these subscriptions appears in the record. It is at this session that the Roman emissaries explicitly state that “there are many of our saintly brother-bishops who do not know Latin.”⁴⁴

It is not necessary to set out in comparable detail the similar record (quoted at vast length in the *Acta* of Chalcedon) of the participation of Roman emissaries at Ephesus II, except to note that one of them was reduced, by indignation at the scandalous proceedings leading to the deposition of Flavianus of Constantinople, to shout out “Contradicitur!” (“It is objected!”), which was duly recorded in Greek transliteration, with an explanation of what the term meant.⁴⁵

As already mentioned, the implications for the history of language, and specifically for the currency of Latin among educated men in the Greek East, are unambiguous. Latin was not current. An assembly of bishops from the various regions of the Greek Empire could not be expected to understand either spoken or written Latin. Everything had to be translated. In the en-

ACO II.1, Epistularum Collectio M, nos. 1–9, texts (explicitly described as Greek translations) of Western letters, of Leo and the Imperial family, to Theodosius.

43. ACO I.1.2, para. 61 (pp. 52–54).

44. ACO I.1.3, para. 106 (pp. 53–63). The phrase quoted is from ACO I.1.3, para. 106.9 (p. 55): πολλοί εἰσι τῶν ἀγίων ἀδελφῶν καὶ ἐπισκόπων ἡμῶν, οἵτινες Ῥωμαῖσι ἀγνοοῦσι.

45. ACO II.1, para. 964 (p. 191).

tire, and enormously extensive, record of the two Councils of Ephesus (see appendix B on verbatim reports of proceedings from Theodosius's reign), as of that of Chalcedon, precisely one bishop emerges, namely Florentius of Sardis, who is capable of impromptu translation of spoken Latin for the benefit of his fellow bishops.⁴⁶

The full details of the way in which, firstly, written or spoken material in Latin was presented to the successive Councils, and second, of how the process of presentation and translation was recorded in the *Acta*, could and should be analyzed more fully. But, as already stated, the overall conclusion is beyond question. In this half of the "Roman" Empire, Latin was not familiar.

4. LATIN AND GREEK

The first question which arises is obvious: if even bishops did not understand Latin, let alone the mass of the population, what was the function of the flood of detailed "laws," or letters, issued by the Emperor in Latin, and often dealing, as we have seen, with issues arising in particular areas or regions of the Greek world? Part of the answer has already been given: these so-called "laws" were, almost without exception, letters addressed to individual holders of office. In its internal workings, this Empire was still Latin-speaking. But three documents allow us to spell out the boundaries between Latin and Greek, and their functional relations, much more precisely than that. The first comes from the same eccentric manuscript of the *Acta* of Ephesus I which we have already encountered, and which incorporates some elements still in their original Latin.⁴⁷ At one of the later sessions of the Council, a report was made on what was alleged to be scandalous interference by the State in the affairs of the church of Cyprus. Cyprus, though part of the

46. ACO II.1, paras. 82–83 (pp. 82–83); 117 (p. 86); 218 (p. 99); 952, 958 (p. 190). Of course I am not the first to notice this striking exception. See, e.g., the illuminating paper, viewing the linguistic divide from the western viewpoint, of C. Rapp, "Hagiography and Monastic Literature between Greek East and Latin West in Late Antiquity," *Settimane di Studio* LI. *Cristianità d'Occidente e Cristianità d'Oriente (secoli VI–XI)* (2004), 1221 ff., on p. 1240. I am grateful to the author for letting me read this in advance of publication. Note also the stimulating observations by Alan Cameron, "Vergil illustrated between Pagans and Christians," *JRA* 17 (2004): 502 ff., which would imply a more flourishing Latin literary culture in Constantinople than is suggested here.

47. ACO I.7, para. 81 (pp. 118–20) with the text provided by the Codex Aethiopiensis. See also pp. 000–00 below, where the Latin text is printed and translated, and appendix A.

secular diocese of Oriens, and hence (on the normal presumption) within the sphere of the bishop, or Patriarch, of Antioch, claimed to have an ancestral right to independence. But in the run-up to the Council the bishop of Constantia, the metropolis of Cyprus, had died, and (so it was alleged) the clergy of Antioch had persuaded Flavius Dionysius, the *Magister Militum* in Oriens, stationed at Antioch, to intervene. Why it was the military commander of the region who was approached, and not the civilian *Comes Orientis*, is not explained. At any rate Flavius Dionysius had assented, and had written two letters giving what seem on the surface to be harmless and neutral instructions on the procedure to be followed in electing a new bishop. One was written from Antioch on May 21, 431, and addressed to the governor (*Consularis*) of Cyprus. The other, with essentially the same content, and presumably sent on the same day, was addressed to the clergy of Cyprus. The first was written in Latin, and is quoted in Latin in the *Acta*, followed by a Greek translation (*hermēneia*). It thus represents one of the closest and fullest contemporary parallels to the language and style of the pronouncements in the *Codex Theodosianus*. The other was written in Greek. In short, as soon as the administration stepped outside the bounds of its internal communications (which is what the documents in the *Codex* were), and addressed its subjects, it shifted automatically into Greek.

As it happens, two other contemporary documents, one from an inscription and the other on papyrus, perfectly illustrate other aspects of the way in which Greek and Latin functioned in communications between the State, in these cases the Emperor himself, and the population. The first is an inscription, or a group of inscriptions, from Mylasa in Caria, probably dating to 427.⁴⁸ What we come to first is the partially preserved Latin text of an Imperial letter (with the names of the authors omitted), which we know to have been addressed to Flavius Eudoxius, the *Comes Sacrarum Largitionum*. As was absolutely characteristic, and as we shall see more fully in chapter 6, what the Emperors (in reality Theodosius) wrote was in response to a memorandum (*suggestio*) from Eudoxius. As always, the official is addressed politely in the second person singular—"the *suggestio* of your Sublimity"—and the Greek translation which follows incorporates an address in the vocative, "brother Eudoxius." The fact that a Greek translation (*hermēneia*) does follow is very significant. The letter from the Emperor(s) to Eudoxius had to be written, as always, in Latin. But if its content needed to be made known to the public, then a Greek version had to be produced,

48. H. Grégoire, *Inscriptions grecques chrétiennes d'Asie Mineure* (1922), no. 242 = I.K. Mylasa, no. 612.

in this case transliterating the Latin term *suggestio*. Like so many of the documents preserved in the *Codex* and *Novellae*, these exchanges concerned a very localized issue indeed, namely the harbor-tax payable in one village in the territory of Mylasa. In this case neither of the two incomplete versions of the Imperial letter reveals the expression of any general principle, which is perhaps why it was not incorporated in the *Codex*, as two other letters addressed to Eudoxius were.⁴⁹ But there was evidently more to it than that, as is revealed by the third document, again a Greek translation (*hermēneia*) of a letter originally written in Latin, from Flavius Eudoxius to Flavius Baralach, the Praeses (governor) of Caria. For this refers to a case heard before Eudoxius between an Imperial Cubicularius, Domninus, and the leading citizens (*politeuomenoi*) of Mylasa. As we will see in chapter 6, five years later Domninus was influential enough to be one of the beneficiaries of the lavish expenditure of bribes by Cyril of Alexandria.

In the immediate context, the importance of the document is that Eudoxius wrote to Baralach in Latin, but that, for an inscribed version to have any function, it had to be in Greek. But Greek was not only the language in which, indirectly, the word of the Emperor was made known to his subjects: it was also, and without exception, the language in which they addressed him. We see this in the most remarkable and striking of all the documents which, in one way or another, survive from Theodosius's reign, the papyrus containing the petition addressed in Greek to Theodosius (and notionally Valentinian) by Appion, bishop of Syene in the province of the Thebais in remote southern Egypt.⁵⁰ We will come later (chapter 2) to the content of the petition, which describes itself as a *deēsis* and *hikesia*, and is written in a fine rhetorical style, closely parallel to that found in many petitions preserved in the *Acta* of the Councils. What matters in this context is that the petition was brought to Constantinople, where it was copied under the Latin heading "Exemplum precum," and that the Emperor did communicate with the military commander of the frontier in the Thebaid,

49. The other letters are *CJ* XI.78.2 and XII.23.13, both addressed to Eudoxius, Comes Sacrarum Largitionum (427?); the Eudoxius addressed in *CJ* I.18.1, and described there as P(raefectus) P(raetorio), may be the same man (*PLRE* II, Eudoxius 5).

50. *P. Leiden* 2; *SB* XX, no. 14606; reedited by D. Feissel and K. A. Worp, "La requête d'Appion, évêque de Syene, à Théodose II," *Oudheidkundige Mededelingen* 68 (1988): 97 ff., whence the text, with English translation, in *Fontes Historiae Nubiorum* III, ed. T. Eide, T. Hägg, R. H. Pierce and L. Török (1998), no. 314. Note D. Feissel, "Pétitions aux Empereurs et formes du rescrit dans les sources documentaires du IV^e au VI^e siècle," in *La pétition à Byzance*, ed. D. Feissel and J. Gascou (2004), 33 ff.

as Appion had requested. We know this both because the papyrus was found in Egypt, and because there appears, at the end of what is evidently the (illegible) Latin text, a standard example of the sort of personal greeting attached as a courtesy on concluding the message: “Bene valere te cupimus” (“We hope that you are in good health”). The thought is routine and banal, but the text is truly remarkable nonetheless—for it is the only surviving autograph of a Roman Emperor (figure III). Again, though the matter concerned public security, this document in itself was an internal communication to an official, and the issue of publication (and hence translation) did not arise.

Once again, however, we see that such an internal communication in Latin arose out of local circumstances in a Greek-speaking context, circumstances which were brought to the attention of the authorities in Greek, either via an official or directly to the Emperor himself. In short, the Theodosian documents in Latin, as collected in the *Codex* along with others from the West, or from the united Empire of the fourth century, should be seen as having been, almost without exception, responses to circumstances arising in a Greek environment. But they were not literally “responses,” in the sense of answers or decisions announced to the public at large, but internal documents laying down lines of policy or legal definition, or practical decisions. As will be seen throughout this study, it is the much fuller texts preserved in the *Novellae* of 438 onwards which reveal how high a proportion of Imperial “laws” were in fact responses to *suggestiones* from officials; and, even more important, which show that it was a matter of routine that replies to officials should embody instructions for the incorporation of their contents in *edicta*, and for the posting-up of these for public information. But it is the overlap, and complementarity, between the texts derived from legal collections and those found in the *Acta* of the Councils which show how the secondary diffusion of the Imperial word through the posting-up of *edicta* for public information necessarily took place in Greek (chapters 4 and 5).

The “Roman” Empire of Theodosius, therefore, functioned in constant dialogue, conducted in Greek, with its Greek-speaking subjects, who—if we may take their bishops as a (quite extensive) sample—had no secure or reliable understanding of Latin, written or spoken. At the lower levels of the administration, as illustrated by papyri from Egypt, it is quite clear that written exchanges with persons holding official posts took place in Greek,⁵¹

51. See, e.g., *P. Mich.*, no. 613 (Aug. 19, 415); *P. Vindol.* G. 25933 (see F. A. J. Hoogendijk, *ZPE* 107 [1995]: 105 ff. (May 5, 419); *BGU* III, no. 936 = Wilcken, *Chrestomathie* I.2, no. 123 (Apr., 426); *P. Oxy.* XVI, nos. 1880–81 (Feb. 25 and Mar.

as did verbal ones, for example proceedings in court.⁵² At the highest level, we will see that when the Nestorian controversy arose, the Emperor himself engaged in heated verbal exchanges in Greek with the conflicting parties (chapters 5–6).

It was stressed earlier that the Greek world with which the Empire was in constant dialogue represented very nearly the whole area where Greek was spoken, and that there are indications, at least from some areas in the Near East (or, in different terms, within the secular diocese of Oriens, governed from Antioch), that rural settlement was both expanding and intensifying. Hence it is possible, if entirely unprovable, that the population was actually larger than at earlier periods of antiquity. Beyond that, it needs also to be stressed that in those same areas there are clear indications of an expanding process of the establishment, construction, and elaboration of churches. One illustration of that process is provided by the still-standing church at Dar Qita on the Jebel Barisha, one of the low ranges of hills which make up the Limestone Massif of northern Syria. The church, as an inscription records, was built in 418, and the hostel attached to it in 431, while the baptistery came a century later (figure IV).⁵³ Given that the Church by its nature carried with it a message preached (almost everywhere) in Greek, and based on a sacred text, the Bible, which was known in Greek translation, it would not be rash to assert that this was the period when Greek, either in the form of the sacred text itself, or in the form of the reading-aloud of parts of the text, or of preaching based on it, reached more people than ever before. Theodoret, bishop of Cyrrhus in northern Syria (the province of Euphratesia), who will be one of the central figures in this study, was perhaps guilty of rhetorical exaggeration when he claimed that his bishopric included eight hundred villages.⁵⁴ But it is for certain that there will have been hundreds of such villages, mostly now equipped with a church which was normally (it seems) under a *presbuteros*. Some of these congregations subscribed to varieties of Christianity which their bishop considered heretical, and he mounted what were in effect missions, or expeditions, to rid them of heresy.⁵⁵ As we will see, Theodoret himself labored

14, 427); *BGU* III, no. 936 (Apr. 30, 428); *P. Oxy.* XVI, no. 1879 (434); *Stud. Pal.* XX, no. 143 (c. 435); *P. Oxy.* L, no. 3583 (Nov. 13, 444).

52. See appendix B, nos. 10–11.

53. For the inscriptions see *IGLS* II, nos. 535–37. See G. Tchalenko and E. Bac-cache, *Églises de village de la Syrie du Nord* (1979–80): I, figs. 299–312; II, pp. 60–64 and fig. IV below, from I. Peña, *The Christian Art of Byzantine Syria* (1996), 87 ff.

54. Theodoret, *Epp.* III. 113.

55. Theodoret, *Epp.* II. 81.

for most of his episcopacy under suspicion of heresy, as a follower of Nestorius. But if anything these incessant conflicts and debates will have lent extra force to the delivery to the people of doctrines derived from a sacred text in Greek. The sheer spatial diffusion of the social and physical structures designed for the delivery of these messages is a factor of crucial importance in understanding the period. To take only one further example, we have the inscriptions from the mosaic floor of the church at Khirbet Mouqa, some thirty kilometers northeast of Apamea. The main part of the mosaic floor was laid in 394/5, and a subsequent section under Alexander, bishop of Apamea (who, like Theodoret, attended the first Council of Ephesus in 431); the inscription also mentions the local *presbuteros*, a *diakonos* and a *hupodiakonos*.⁵⁶

Even so relatively remote a church was thus within the territory of the nearest city, and therefore under its bishop. In the Greek world of the fifth century cities were, if anything, even more central than they had always been in Greek culture. This is true whether we look out, or down, from the city to the villages of its territory, or laterally to the network of city-based bishoprics covering the whole Empire, or upwards to the governing structures of the Empire. Indeed, as is well known, the structure of the Church mirrored very closely, if (as we will see in more detail in chapter 4) imperfectly, and with many anomalies, the structure of civil government. There was (in principle at least) a clear hierarchy going from ordinary cities to the *mētropolis* of each province, whose bishop was the *mētropolitēs*, and then to the chief city of each secular diocese, governed by a deputy, Vicarius, of the Praetorian Prefect; the relevant bishop might still be called just *episkopos*, but might be termed *archiepiskopos* or *patriarcha*. Cities were thus essential to the structure of both State and Church.

5. THE GREEK CITY, AND GREEK LITERARY CULTURE

This study cannot claim the role of an overall social, economic, and cultural study of the Greek Empire (which still awaits its Rostovtzeff). But it is legitimate to stress that the most detailed of modern studies of the late Roman city, and one arguing specifically for the reality of decline, and against the prevalent, and more optimistic, notion of a painless cultural transition to "Late Antiquity," cannot show any systematic evidence for decline or dis-

56. P. Donceel-Voûte, *Les pavements des églises byzantines de Syrie et du Liban* (1988), 159–60.

ruption in Greek cities of the first half of the fifth century.⁵⁷ But one enormous structural change in the nature of the Greek city had, it seems clear, already occurred, namely, the disappearance from the center of city life of functioning temples, and of communal—and publicly financed—sacrifices, rituals, and processions. In some cities, temples had also been destroyed, and on occasion replaced by churches. The most vivid and dramatic of all accounts of this process remains Mark the Deacon's *Life* of Porphyry, describing events in Gaza about the time of the birth of Theodosius in 401; in spite of problems in the text, it still seems probable that this powerful Greek narrative is, as it claims, the work of a contemporary, and was written not long after the death of bishop Porphyry in 420.⁵⁸ As will be seen in chapter 3, pagans and paganism were still ever-present in the minds of both bishops and Emperors, and prominent individuals were still known as pagans, and even celebrated as such. The *Life* of the great Neoplatonist philosopher Proclus by Marinus is the best testimony to the surviving ideals of pagan piety. What is more, Theodoret's extraordinary work of learning, the *Therapeutic of Hellenic Maladies*, certainly also written in the 420s, in spite of its hostile and critical purpose, is the most complete and wide-ranging surviving survey of the intellectual heritage of the Classical pagan world. There is no evidence that its author had ever spent any extended period outside the Syrian region.

The ancient pagan rituals and sacrifices, nonetheless, seem by now to have disappeared from the communal life of the Greek city, and the major city temples were either closed or destroyed. But, with that very major proviso, along with one other, it can be asserted that the now Christianized Greek city, as the context for an urban community, as a physical structure, as a self-governing organization and as a channel for contacts with, and communications to and from, the Imperial power, played as essential a role as it had since the earliest stages of Roman rule. Indeed, with the building of churches

57. See J. H. W. G. Liebeschuetz, *The Decline and Fall of the Roman City* (2001).

58. H. Grégoire and M. A. Kugener, eds., *Marc le Diacre, Vie de Porphyre, évêque de Gaza* (1930). Strong arguments for authenticity are advanced by F. R. Trombley, *Hellenic Religion and Christianisation c. 370–529*² I (1995), 246–47. With regret, I have to regard the case for an original version in Syriac, as proposed by Z. Rubin, "Porphyrius of Gaza and the Conflict between Christianity and Paganism in Southern Palestine," in *Sharing the Sacred*, ed. A. Kofsky and G. G. Stroumsa (1998), 31 ff., as completely at variance with the wider cultural patterns of the period. As will be seen in chapter 3, Christian literary composition in Syriac is hardly attested west of the Euphrates in the first half of the fifth century, and there is no other evidence for such composition at this period in Palestine. In any case the author (chapter 5) represents himself as a Greek immigrant to the Holy Land from Asia.

and the central role of the bishop of each city, both within the community and outside it, in attending regional and oecumenical Church Councils, and in making representations to the authorities, it might be argued that the city was even more central to the functioning of the Empire than before.

The other proviso, which does have to be mentioned, is the question of whether in the first half of the fifth century the city council (*curia* or *boulē*) still functioned as a deliberative body, as opposed to being merely a status which imposed certain burdens on its individual members. Individuals with the traditional title *bouleutēs* (city councilor) are certainly attested,⁵⁹ but the evidence for collective deliberations is undeniably slight. Nonetheless, in the Imperial "laws," or letters, of the period, we can find clear evidence of meetings and collective decision making by councils; for instance in a letter of Theodosius in 413 to the Praetorian Prefect of Illyricum; or that of 416 to Monaxius, Praetorian Prefect of Oriens, laying down that embassies from Alexandria must be selected by the whole council there; or, it seems, in 424, when Theodosius writes to the Praetorian Prefect of Illyricum about a drain on the resources of the *curia* of Delphi.⁶⁰ If we may believe the *Paschal Chronicle*, the Empress Eudocia, whom Theodosius had married in 421, when on her way to Jerusalem in 444, made a speech in the council-chamber (*bouleutērion*) in Antioch, was acclaimed by the citizens, and was rewarded with a gilded statue there, and a bronze one in the city's Mouseion.⁶¹

In nearly all of those cities in the Greek East whose condition in late antiquity has been analyzed on the basis of the archaeological and epigraphic record, the picture is of a still-functioning monumental center, with a marked impact from the construction of churches; this would be true, for instance, of Gerasa, of Scythopolis, of Caesarea in Palestine, of Ephesus, and of Athens,⁶² and is perhaps illustrated most strikingly of all at Aphrodisias in Caria. Late antique Aphrodisias, with a strongly marked presence of Ju-

59. For example Mark the Deacon, *Life of Porphyry*, 95, "the remaining [members] of the *bouleutērion*;" Syriac *Life of Symeon Stylites*, 60, question of service on city council; *Vie et miracles de Ste. Thècle*, Mir. 35; Theodoret, *Hist. Rel.* V.1; XIV. 4. Note also Isidorus, *Epp.* I. 226, to the *bouleutērion* of Pelusium. For the *boulē* of Ephesus honoring a Proconsul and Vicarius, see *I.K. Eph.* VII.2, no. 5115; see D. Feissel, *AT* 6 (1998): 98–102.

60. *CTh* XII.1.177, Apr. 16, 413; *CTh* XII.12.15 (*CJ* X.65.6), Oct. 5, 416; *CTh* XV.5.4, Apr. 22, 424.

61. *Chron. Pasch.* 585. Note however that Evagrius, *HE* I.20, speaks only of her addressing the people there.

62. C. H. Kraeling, ed., *Gerasa, City of the Decapolis* (1938); Y. Tsafirir and G. Foerster, "Urbanism at Scythopolis—Bet Shean in the Fourth to Seventh Centuries," *DOP* 51 (1997): 85 ff.; K. G. Holum et al., *King Herod's Dream: Caesarea on the Sea*

daism and paganism as well as of Christianity, provides the fullest epigraphic record.⁶³ But a recent discovery there gives it a special status in any attempt to envisage the complex relations between Greek city and “Roman” Empire. For, as is very rare, it has been possible both to reunite a statue-base, with its Greek inscription, and the relevant statue (with its head reattached), representing a governor named Oecumenius, and also to establish its original position—in the monumental street running past the front of the *bouleutērion* (see figures V and VI).⁶⁴

This location is highly relevant, for the inscribed Greek verses honoring Oecumenius are offered by the *boulē* of the city, and combine in elegant style allusions to his Greek culture, to his moral qualities, and to his training in Roman law:

You who are expert in the laws, who have blended the Italian muse with the sweet-voiced honey of the Attic, Oecumenius, the famous governor, the friendly council (*boulē*) of the Aphrodisians has set up your statue here; for what greater reward than that of being remembered can that man find who is pure in mind and deed?

The statue represents Oecumenius as a serious, grave, and intellectual person, dressed in a long cloak (*chlamys*) and holding a scroll in his right hand. The date is uncertain, but perhaps not far from the time of Theodosius’s birth in 401. At any rate, nothing could more perfectly symbolize the polite and formal relations between city and governor, or the expectations which marked their view of him, and will have informed their relations with Oecumenius and other governors.

It is one of the central themes of the modern study of the late antique city that, however great the continuities in physical and social structure were, it is undeniable that bishops came to play a role, both internally and externally, which did come to represent a substitution for long-standing elements in local self-government. One well-known example is the letter of Theo-

(1988), ch. 5 (much new work on late antique Caesarea awaits publication); C. Foss, *Ephesus after Antiquity* (1979); A. Frantz, *The Athenian Agora XXIV: Late antiquity, AD 267–700* (1988); P. Castrén, ed., *Post-Herulian Athens: Aspects of Life and Culture in Athens, AD 267–529* (1994).

63. See esp. C. M. Roueché, *Performers and Partisans at Aphrodisias in the Roman and Late Roman Periods* (1993); and note esp. A. Chaniotis, “Zwischen Konfrontation und Interaktion: Christen, Juden und Heiden im spätantiken Aphrodisias,” in *Patchwork: Dimensionen multikulturellen Gesellschaften*, ed. A. Ackerman and K. E. Müller (2002), 83 ff.

64. R. R. R. Smith, “The Statue Monument of Oecumenius: A New Portrait of a Late Antique Governor from Aphrodisias,” *JRS* 92 (2002): 134 ff. Translation, with some adjustments, from p. 144; figures V and VI are taken from plate XVI and fig. 1.

doret, defending his achievements in twenty-five years as bishop of Cyrrhus: among other things, two public stoas constructed out of church funds, two bridges, and the repair of the public baths and the aqueduct.⁶⁵ No less than sixty surviving letters of Theodoret are addressed to holders of Imperial office, and seven of these concern efforts to reduce the level of taxation in the area of Cyrrhus.⁶⁶ There is no doubt about the validity of the general proposition associated with the name of Peter Brown, that bishops had come to exercise, both internally and externally, many functions formerly performed by the city authorities.⁶⁷

That, however, indicates a significant shift in the nature of the city as a communal institution, not a decline in the perceived, or actual, importance of the city itself. Moreover, of all the literature of the Imperial period, there is no work which expresses the values of the city more vividly than the *Life and Miracles of St. Thekla*, written in the mid-fifth century, and speaking of Seleucia, the metropolis of Isauria:⁶⁸

This is a city which lies at the threshold of the region of Oriens, enjoying the first rank and precedence over all other cities of Isauria, situated beside the sea, and neighbor to a river. The name of the river is Calycadnus, springing from higher regions in the most remote area of the Kêtis, watering many territories and cities, and in its course towards us gathering in other rivers flowing in from the districts and places on either side. . . . An admirable and most delightful city, on a scale such that it does not lack the charm conferred by proportion. She is also brilliant and graceful as to outdo most others, to equal some, and to rival fair Tarsus as regards its territory and situation, the temperance of its climate, the abundance of its crops, the variety of goods on sale, the profusion of its waters, the beauty of its baths—as well as the distinction of its magistrates, the refinement of its culture, the brilliance of its people, the eloquence of its orators and the fame of those (of its citizens) in Imperial service.

As a literary work, the *Life and Miracles*, devoted to the legend of St. Thekla and to the wonders performed at her famous shrine outside Seleucia, is perhaps unique among the products of this period in its evocation of a locality and a provincial society, and its links with the wider Empire. In being a profoundly Christian work, however, it is entirely typical. It is not

65. Theodoret, *Epp.* II. 81.

66. Theodoret, *Epp.* XVIII = XXI (434?); XVII; II. 42–45 (all 446/7); II. 23 (447/8?).

67. See esp. P. Brown, "Religious Coercion in Late Antiquity: The Case of North Africa," in *Religion and Society in the Age of Saint Augustine* (1972), 301 ff.

68. See G. Dagron, *Vie et miracles de Sainte Thècle* (1978), Vita 27.

that there was no explicitly pagan writing in this period, or that a form of censorship operated as regards literature. For instance the final version of the (largely lost) pagan *History* of Eunapius of Sardis, covering the period 270 to 404, was completed about 414,⁶⁹ while that of Olympiodorus of Thebes, also a pagan, in Greek but providing a detailed account of events in the West, concluded with the establishment of Valentinian III in 425.⁷⁰ Equally, the famous Praetorian and Urban Prefect Cyrus ("Flavius Taurus Seleucus Cyrus Hierax") from Panopolis in Egypt, known as a poet, and for a time one of the most powerful men in the Empire, was supposed by some to be a pagan.⁷¹

But, firstly, as we will see (chapter 3), explicit argument in favor of the truth of pagan belief or in the cause of the protection of temples or priests, played very little part in the vociferous public discourse of the Greek Empire. Secondly, the few examples of explicitly pagan writing are wholly outweighed by the mass of surviving Christian writing in Greek. Such writing might be *about* pagan culture and beliefs, like Theodoret's *Therapeutic of Hellenic Maladies*, mentioned earlier, or might represent a deliberate adaptation of a long-established Classical literary genre, like his pseudo-Platonic dialogue exploring rival Christologies, the *Eranistes*, written in the 440s. But without this being the occasion for a catalogue, the major Christian works of the period offered a wide range of different genres: Biblical commentaries, for instance by Theodoret and by Cyril of Alexandria; polemical works, such as Cyril's multivolume attack on the Emperor Julian's *Against the Galileans*; four *Church Histories*, by Philostorgius, Socrates, Sozomenus, and Theodoret, all starting from Constantine, and concluding at various points in Theodosius's reign.⁷² Of these, only Socrates faced up to the challenge of describing the "heresy" of Nestorius, as bishop of Con-

69. For Eunapius see now W. Liebeschuetz, "Pagan Historiography and the Decline of the Empire," in *Greek and Roman Historiography in Late Antiquity*, ed. G. Marasco (2003), 177 ff.

70. On Olympiodorus see J. F. Matthews, "Olympiodorus of Thebes and the History of the West (AD 407–425)," *JRS* 60 (1970): 79 ff.; A. Gillett, "The Date and Circumstances of Olympiodorus of Thebes," *Traditio* 48 (1993): 1 ff.; and Liebeschuetz, "Pagan Historiography and the Decline of the Empire," (n. 69).

71. See A. Cameron, "The Emperor and the Poet: Paganism and Politics at the Court of Theodosius II," *YCS* 27 (1982): 217 ff., for the best evocation of the literary culture of the period.

72. On the Church Historians see F. Young, *From Nicaea to Chalcedon* (1983) 23–24; G. F. Chesnut, *The First Christian Histories* (1977); also T. Urbainczyk, *Socrates of Constantinople: Historian of Church and State* (1997); H. Leppin, "The Church Historians (I): Socrates, Sozomenus and Theodoretus," in Marasco, *Greek and Roman Historiography in Late Antiquity* (n. 69), 219 ff. Note also E. I. Argov,

stantinople in 428–31, as well as the first Council of Ephesus, in 431, and its aftermath.

The *Church Histories*, embracing quite substantial areas of the secular political and military history of the previous century since Constantine, must count as one of the characteristic genres of the period. Much in these *Histories* inevitably revolved round the role of individuals, their piety (whether seen as heretical or not), and the fortunes of the Church in the face of wavering Imperial attitudes. That aspect of “Church history” naturally leads on to the second of the most prominent and characteristic genres, the Saint’s Life. Typically, these explorations of the life histories, and the spiritual qualities and powers, of their subjects did not relate to ordained clergy, even bishops. Palladius’s *Dialogue on the Life of John Chrysostom*, written soon after John’s death in exile in 407, and hence in the early years of Theodosius’s sole rule, is untypical, even though its subject had lived as a hermit in an earlier phase of his life. It owes its existence to the still extremely controversial circumstances of John’s deposition from the bishopric of Constantinople, and his subsequent exile and death. Reconciliation was only to be achieved when Proclus, as bishop (434–46), brought his remains back for reburial in Constantinople in 438.⁷³

Normally, the Christian biographical portrait was focused not on any member of the ordained clergy, but on the holy men (and some women) who spontaneously chose the path of asceticism, whether living as solitaries (*monachoi*), or founding or joining loosely organized groups (*laurae*), or living in tightly organized communities. It is difficult not to see the holy man as offering the dominant image of the true Christian life in this period, not only for the (relatively) few who took up the ascetic life themselves, but for all believing Christians, not excluding the Emperor himself.⁷⁴ The life actually lived by any such person both was, and in a sense, if it were to achieve its full purpose, had to be in the strict sense exemplary, that is to say on show for others. As is very fully attested, visitors and pilgrims came in large numbers to contemplate the holy men to be seen in Egypt or Syria. But actual seeing was systematically supplemented by the writing and diffusion of lit-

“Giving the Heretic a Voice: Philostorgius of Borissus and Greek Ecclesiastical Historiography,” *Athenaeum* 89 (2001): 497 ff.

73. Socrates, *HE* VII.45.

74. Note Socrates, *HE* VII.22, comparing the Imperial court under Theodosius to a monastery; cf. J. Harries, “*Pius Princeps*: Theodosius II and Fifth-century Constantinople,” in *New Constantines*, ed. P. Magdalino (1994), 35 ff., and G. Zecchini, “L’immagine di Teodosio II nella storiografia ecclesiastica,” *Med. Ant.* 5 (2002): 529 ff.

erary accounts.⁷⁵ These might take various forms. One example is the record by the same Palladius, bishop of Helenopolis, addressed in about 420 to Lausus, Praepositus Sacri Cubiculi of Theodosius, mainly devoted to the holy men whom he had visited in Egypt in the later years of the fourth century.⁷⁶ Or there is Theodoret's *Historia Philotheos*, written in the 440s, on the successive generations of holy men in Syria and Osrhoene from Constantine's reign to his own time; or a succession of saints' *Lives* either written under Theodosius or looking back from the following decades, or from the sixth century. A prime example is the *Life* of Alexander Akoimetos (the "non-sleeper"). But there are also the *Life* of Auxentius; Callinicus's *Life* of Hypatius, the head of the monastery of Rufiniana in Constantinople; the *Life* of Marcellus; Gerontius's *Life* of the younger Melania; or, from the second half of the century but looking back to Theodosius's reign, the *Life* of Daniel the Stylite, or later that of Peter the Iberian.⁷⁷

To list these Greek works as examples is to omit the fifth-century *Life* of Shenute, head of the great monastery at Atripe in Egypt, and written in Coptic; or the Syriac *Life* of Symeon Stylites, which cannot have been written long after the saint's death in 459, for the earliest manuscript dates to 473. It would also be to omit the most systematic presentation of the issues facing Palestinian monasticism in the period, the *Life* of Euthymius in the sixth-century *History of the Monks of Palestine* by Cyril of Scythopolis. The relevance of both the actual lives lived, and of the literary representations of them, however, is not merely as a key to the nature of fifth-century Christian piety, but lies in the very important, sometimes even dominant, role played in the impassioned religious conflicts of the period by holy men who might happen to be ordained, and might eventually become bishops, but did not have to do either.⁷⁸ It was their self-chosen role as models, not any process of approval or ordination by the Church, which, as we will see in later chapters (4–5) gave them their prominence, and their voices in the affairs of State and Church.

75. See now W. Harmless, *Desert Christians: An Introduction to the Literature of Early Monasticism* (2004), essentially devoted to Egyptian ascetics.

76. See C. Rapp, "Palladius, Lausus and the *Historia Lausiaca*," in *Novum Millennium: Studies on Byzantine History and Culture dedicated to Paul Speck*, ed. C. Sode and S. Takács (2001), 279 ff.

77. Details of editions, commentaries, and translations are provided after Abbreviations, on pp. o–o.

78. See now A. Sterk, *Renouncing the World yet Leading the Church: The Monk-bishop in Late Antiquity* (2004).

"Voice" might mean, in their case, actual speaking before Church Councils (at Ephesus in 449 on the personal invitation of the Emperor) or before the Emperor in person. They might also write to the Emperor to persuade him to persevere in one course, or drop another. But writing to the Emperor, or to high officials or—very significantly—to his powerful sister, Pulcheria, or to his wife, Eudocia, was normally the preserve of bishops. With that, with the Christian letter as the vehicle for the exposition of doctrine, for the correction of doctrinal error, for persuasion or protest, we come to the last of the characteristic literary forms of the period. Again, we may briefly recall some of the major examples of episcopal correspondence from the reign, from Cyril of Alexandria, Nestorius, Proclus, Firmus of Caesarea in Cappadocia, Isidorus, a presbyter at Pelusium with over two thousand letters to his name, and above all (once again) Theodoret, bishop of Cyrrhus in Euphratesia from 423 onwards.

The surviving letters of bishops from Theodosius's domains, addressed to the Emperor himself, or his wife or sister (or in one case sisters), or to Imperial officials, are a very distinctive feature of the political culture of the time. To stress these particular letters is, to be sure, potentially misleading. For by definition it is to fail to set these letters in their wider context, namely the letters, in enormous numbers, which were addressed by bishops to each other. These will have been, without exception, in Greek, and so also will every single one of those addressed to representatives of the State; equally, as we have seen, when holders of office wrote to bishops or clergy, they too wrote in Greek.

Letters should be seen as the most significant literary form in which the "rhetoric of empire" was expressed, and the most important vehicle of influence at a distance, in an Empire where the exercise of power was conducted, in both the secular and the religious sphere (which cannot always be separated anyway), against a barrage of persuasion fired off by interested parties, convinced that they had either rights or privileges on the one hand, or the key to correct belief on the other. In the context of the Church, another essential vehicle of persuasion was the homily, or sermon—in the first instance, of course, as delivered orally to a congregation. As mentioned earlier, in connection with the diffusion of churches, especially into rural contexts, the spoken Christian homily must have been one of the fundamental vehicles of persuasion and information (and of the spread of educated Greek discourse, based on a sacred text in Greek). But, as the *Acta* of the Councils abundantly show, written texts of homilies, when incorporated in dossiers bearing on disputed theological issues, contributed important ma-

terial for persuasion, and could be laid before secular holders of power as well as before meetings of bishops.⁷⁹

6. LETTERS AND THE RHETORIC OF PERSUASION

Homilies should thus be seen, like letters, as key elements in the literary culture of the fifth-century Greek world, as examples of rhetoric, as expressions of belief, and as forms of reasoning which could be directed to the holders of power. Nonetheless, it was the letter, written in Greek, which was the essential vehicle of persuasion, along with the closely allied form of the petition setting out wrongs and demanding their correction. The evidence provides many examples of petitions, both as deployed within the context of the Church, and as directed to secular authorities or the Emperor. Paradoxically, it was those which were deployed within the Church for which the transliterated Latin term *libellus* tended to be used.⁸⁰ A petition addressed to the Emperor (or rather, notionally, to both Emperors) was a *deēsis* and *hikesia*, like that of bishop Appion of Syene, referred to earlier (p. 00), or the petition addressed to Theodosius (and Valentinian) by a group of monks in Constantinople against oppression by Nestorius,⁸¹ or from another group of clergy in Constantinople in 431.⁸² In Latin such a petition was referred to as *preces*, as in the papyrus with Appion's petition, and as in the Imperial letter of 419 to the Praetorian Prefect, referring to the petition of bishop Asclepiades of Chersonesus.⁸³ Alternatively, a written submission to the Emperor by one or more bishops could be called an *anaphora*, and (as we have seen with the inscriptions from Mylasa, pp. 00–00 above) the same word was used in Greek to describe a *suggestio* sent by an official to the Emperor. In one of the most striking of the letters of Synesius, to which we will return in chapter 2, he supplies the local military commander with the content of two *anaphorai* which he is asked to send to the Emperor. Duly translated into Latin, as used in internal official communications, these would be *suggestiones*.

79. For a list of homilies incorporated in the *Acta* of the Councils, see p. 000 below.

80. For examples found in the *Acta* of petitions deployed within the Church, and described as *libelloi*, see: ACO I.1.3, para. 88 (pp. 16–17); ACO I.1.4, para. 122 (pp. 6–7); ACO I.1.7, para. 81 (pp. 118–19); I.1.7, para. 82 (pp. 122–23); I.1.7, paras. 93–94 (pp. 139–40); ACO II.1.1, para. 225 (pp. 100–101); II.1.2, para. 47 (pp. 15–16 [211–12]); para. 51 (pp. 17–19 [213–15]). Again, there are other examples, and the genre would deserve study in its own right.

81. ACO I.1.5, para. 143 (pp. 7–10). See p. 000 below.

82. ACO I.1.3, para. 103 (pp. 49–50).

83. P. 00 and p. 00 below.

Thus, to repeat, the Imperial “laws” written in Latin, which can be found in the *Codex Theodosianus* and other collections, have to be read as letters to individual office-holders, very often as replies to specific *suggestiones*, and more generally as responses to problems arising in particular local contexts in the Greek empire, problems which will in every case have been brought to the attention of the relevant official in Greek. Our evidence is biased to Christian, or ecclesiastical, material, not least in the form of the enormous volume of evidence for the period from 428 onwards supplied by the *Acta* of the Councils. All the same, the role of the Church, and of individual bishops, in generating persuasion addressed to officials and the Emperor is beyond question; and, as we have noted, and will see in more detail later, an extra force was lent to Christian persuasion by the prestige enjoyed by monks.

Two other features of the complex interactions between subject and State need to be mentioned now, to be explored more fully later. Firstly, repeated reference has been made to the way in which material generated by either the lay population or the Church was expressed first in Greek, and needed then to be converted into Latin if it were to form the content of official letters; and correspondingly, that Imperial “laws” were expressed, almost without exception, in Latin, but needed either to be translated as they stood or to be converted into edicts (*prostagmata*) in Greek if they were to become known to the people; as we will see below (pp. 000–00) a Greek text of an Imperial letter might be posted up and accompanied by an edict in Greek from the Praetorian Prefect. The evidence from the Councils shows beyond doubt that the training received by the ordinary educated person did not produce an assured comprehension of either spoken or written Latin. So, for all the different ranks of Imperial officialdom, drawn from all quarters of the Empire, the acquisition of Latin must have been a necessary extra qualification, a requirement for the holding of public office. The official documentation of the period, written in Latin, was the work of men whose native language was Greek. We will look later at the officials who conducted the government of the Empire. But to take only one example, Flavius Dionysius, *Magister Ultriusque Militiae* in 431, was from Thrace. When he wrote in Greek to the clergy of Cyprus, he was using his native language; when he wrote at the same time to the *Consularis* of Cyprus, he had to switch into a second, learned language, Latin.⁸⁴

The second distinctive feature of the public communications of the period is that both the preeminent prestige attached to personal piety and

84. *PLRE* II Dionysius 13; see p. 00 above.

the reputation for piety enjoyed by the Imperial household gave a unique prominence to the women of the household: above all to Pulcheria, Theodosius's powerful elder sister, born two years before him. It accrued to a lesser degree to his younger sisters, Arcadia and Marina, and later to his wife, Aelia Eudocia, whom he married in 421. Various studies have covered the role of women at court under Theodosius, and especially a major work by Kenneth Holm;⁸⁵ but none, to my knowledge, has stressed the significance of the fact that persons seeking to influence Imperial decisions might write formal letters to these ladies.⁸⁶ Again, we shall return to this theme in the context of the wide range of people at court, or in high office, whom contemporaries perceived as being relevant to the formation of public policy (chapter 6). The writing of letters, which would subsequently form part of dossiers that were in general circulation, is something much more significant than the reports of behind-the-scenes influence characteristic of earlier periods. It implies that the Imperial women in question, Pulcheria in particular, had a recognized role in the formation of decisions.

In contrast with this slight, but highly significant, scatter of approaches, all in Greek, from within the Theodosian Empire, we have the letters to female members of Theodosius's family from the Latin West. They too represent merely an aspect of a wider correspondence, naturally all in Latin, which Theodosius received either from his co-Emperor of the time (Honorius, and then Valentinian III) or from successive bishops of Rome, above all Leo the Great (440–61). We may note also a passing allusion to the fact that the bishop of Milan, Martin, sent Theodosius a copy of the *On the Incarnation* of his great predecessor, Ambrose.⁸⁷ We will look later at the intense (and, until the Emperor's sudden death, unavailing) pressure which Leo of Rome, acting partly through members of the Western Imperial family, exercised on Theo-

85. *Theodosian Empresses: Women and Imperial Dominion in Late Antiquity* (1982), in my view the best introduction not only to the history of the Theodosian dynasty and to the politics of the reign, but to the religious issues in which the court was involved. See also L. James, *Empresses and Power in Early Byzantium* (2001).

86. Note (1) ACO I.1.5, para. 149 (pp. 26–61), Cyril of Alexandria, *Logos Prosphōnētikos* addressed to the "Empresses" (Pulcheria and Eudocia), c. Mar. 430; (2) ACO I.1.5, para. 150 (pp. 62–118), Cyril, *Logos Prosphōnētikos* to "the most pious mistresses" (Arcadia and Marina), c. Mar. 430 (note ACO I.1.1, para. 8, [pp. 73–74], Theodosius complaining to Cyril about his having written to Pulcheria and Eudocia, autumn 430?); (3) ACO I.1.5, para. 160 (pp. 131–32), "Easterners" at Ephesus to "Empresses," Jun./Jul. 431; (4) ACO I.4, no. 223 (pp. 162–63) bishops of Euphratensis to Augustae, 434? (Latin translation of Greek original); (5) Theodoret, *Epp.* II. 43 to Pulcheria Augusta, 446/7.

87. ACO I.1.3, para. 97 (pp. 41–42).

dosius in 449–50, before and after the Second Council of Ephesus (chapter 6). This is another reminder that what we are speaking of is one of a pair of Empires, or twin Empires, not two separate powers—and that, as regards the Emperor, who was certainly bilingual,⁸⁸ any interested party in the West could express himself in Latin. But one item from the correspondence of this period deserves a special emphasis in advance, since, more than any other, it serves to underline the distinctiveness of this phase in the history of the Imperial government. For it is, to the best of the author's knowledge, the only example from the whole of antiquity of a letter dealing with a major matter of policy, which was written by one woman and addressed to another.

The context, as we will see in more detail later, was the pressure applied by Pope Leo for Theodosius to convene a Council in Italy which would undo the scandalous results of the Second Council of Ephesus. To this end, Leo himself wrote to both Theodosius and to Pulcheria.⁸⁹ But he also petitioned the Roman branch of the Imperial family in Italy to write to their opposite numbers in Constantinople. It was thus that early in 450 Galla Placidia, the half-sister of Arcadius, Theodosius's father, and the mother of Valentinian III, sent a strongly worded letter to Pulcheria.⁹⁰ Galla Placidia was now about sixty-two, and Pulcheria fifty. Given the importance which Theodosius, as the senior Emperor, attached to the defense of Ephesus II, and given the already growing tension between Rome and Constantinople over authority in the Church, whose long-term significance hardly needs to be stressed, the content of the letter represents no marginal matter of intercession or personal benefit, but the most serious possible aspect of Imperial policy. The letter, preserved in the correspondence of Leo, seems never to have been translated into English.⁹¹ After recalling the approach made to her and other members of the western Imperial family by Leo on their return to Rome (in February 450), Placidia speaks of the improper deposition of the bishop of Constantinople (Flavianus), and of the scandalousness of the proceedings at the Council. She then concludes in uncompromising terms:

88. Note however that it is in fact Theodosius's sister Pulcheria to whom Sozomenus (*HE* IX.1) attributes the ability to speak and write both Greek and Latin with complete accuracy.

89. Leo to Theodosius: *Epp.* 44 = *ACO* II.4, para. 18 (pp. 19–21); *Epp.* 45 = *ACO* II.4, para. 23 (pp. 23–25); *Epp.* 54 = *ACO* II.4, para. 9 (p. 118). Leo to Pulcheria: *Epp.* 60 = *ACO* II.4, para. 28 (p. 29). See pp. 000–00 below.

90. Leo, *Epp.* 58 = *ACO* II.3.1, para. 18 (p. 13): Galla Placidia Augusta to Aelia Pulcheria Augusta.

91. It is not translated even in the illuminating study by S. I. Oost, *Galla Placidia Augusta: A Biographical Essay* (1968).

So it is appropriate, most holy and venerable daughter Augusta, that piety should prevail. Therefore, may your clemency, in accordance with the Catholic faith, once again, as it always has along with us, now in the same way share our objectives, so that whatever was done at that disorderly and most wretched council should by every effort be subverted, and with all the issues remaining in suspense, that the case of the episcopal see [of Constantinople] should be referred to the Apostolic see, in which the blessed Peter, the first of the Apostles, who also held the keys of the heavenly kingdoms, was the prince of bishops. For we ought in all things, in our immortal conduct, to yield the primacy to that city which filled the whole world with the domination of its own *virtus*, and committed the globe to being governed and preserved by our empire.

As we will see later, Pulcheria evidently agreed on the need for a new Council, but could not act until her brother's accidental death at the end of July. At that, she brought Marcian to the throne, and married him, and by October 451 the new Council was in session, and duly reversed the measures taken at Ephesus II. But it was not held in the West, but at Chalcedon, so that the new Emperor could easily attend, and where the proceedings would be in Greek. It also widened the breach between Rome and Constantinople, and, in its immensely detailed proceedings, rehearsed word for word many of the most intense debates and conflicts which had marked not only Ephesus II itself but a whole series of other confrontations that had characterized the interaction of Church and State in the latter years of the "Greek Roman Empire" under Theodosius II.