

Κωνσταντινούπολις ἐπίσκοπον ἔχει  
THE RISE OF THE PATRIARCHAL POWER IN BYZANTIUM  
FROM NICAENUM II TO EPANAGOGA

Part I

From Nicaenum II to the Second Outbreak of Iconoclasm

The history of the Constantinopolitan patriarchate over the century preceding the year 784, when St. Tarasius assumed the office, had been clearly disastrous. Four patriarchs were anathematized as heretics by the sixth Ecumenical Council in Constantinople in 681. Justinian II blinded and exiled patriarch Callinicus in 705. His successor St. Cyrus in 711 was deposed by Bardanes Philippicus, while John VI embraced monothelete heresy and had to repent thereafter in order to keep his see. Patriarch St. Germanus was powerless to stop iconoclast propaganda by the bishop Constantine of Nacolea even when the latter was not yet openly supported by the emperor. But the darkest period for the patriarchate of Constantinople began in 730, when Leo III forced Germanus to retire and appointed the first iconoclast patriarch Anastasius.

Anastasius was also to become the first victim of what in all probability was a conscious and consistent policy adopted by Constantine V Copronymus in regard to the Byzantine church. The antimonastic aspect of that policy has always been attracting a disproportional attention, although Constantine's actions concerning the see of Constantinople are by no means less important. When treated separately, these actions can usually be explained away by different plausible reasons: but together they form a coherent pattern which will be briefly outlined below.

After crushing the rebellion of Artavasdus in 743 Constantine V punished the patriarch (who sided with the rebel) by having him beaten in public and paraded through the streets of the capital while seated backward on an ass<sup>1</sup>. However, after the public humiliation, which meant a total loss of face for the victim, Anastasius retained his office. "Doubtless, says G.

<sup>1</sup> *Theophanis Chronographia*, ed. C. DE BOOR, Lipsiae 1883, p.420,27-421,2.

Ostrogorsky, the punishment was deliberately aimed at discrediting the highest ecclesiastical office"<sup>2</sup>. S. Gero finds no support for this statement<sup>3</sup>, although Theophanes' account is quite unambiguous: the chronicler says that Constantine "intimidated and enslaved" the patriarch.

Constantine's further steps were equally appalling for the Byzantine tradition: he convened a council, intended to be ecumenical, without bothering first to have a new patriarch elected, and then presented his candidate to the bishops in the manner of which all iconophile authors speak with invariable outrage. The emperor actually all but performed the ordination himself<sup>4</sup>. The new patriarch's fate was even more horrible, for after being deposed and banished in 767, he was brought back to Constantinople the next year, subjected to public mockery and brutal tortures and finally decapitated.

These three episodes could indicate that Constantine V's campaign against the church was not limited to recalcitrant iconophile monks. He obviously sought to seize for himself and for the state all authority that was still in the hands of ecclesiastical institutions. That Constantine was not content with simply appointing obedient and insignificant men as patriarchs, but also used every occasion to demonstrate his contempt for the dignity of their rank, shows that this authority was still considerable.

The reign of Constantine Copronymus marked perhaps the deepest point of decline in the history of the see of Constantinople before 1453. So upon assuming his office in 784, St. Tarasius had to deal with an enormously difficult task of rebuilding the ruined prestige of the Constantinopolitan patriarchate. The situation in which he found himself at that moment was somewhat paradoxical, because he had virtually no allies within the church itself. The iconoclast hierarchy was either outright hostile or unreliable, while the powerful monastic community, whose ranks had swollen during Leo IV's and especially Eirene's reign with very well connected members of the nobility<sup>5</sup>, resented the promotion of a layman who apparently belonged to another than themselves faction of the Byzantine ruling élite. Thus the only real force behind Tarasius, besides a few iconophile bishops ordained before 787, was, oddly enough, the same impe-

<sup>2</sup> G. OSTROGORSKY, *History of Byzantine State*. Oxford 1968, p.166.

<sup>3</sup> S. GERO, *Byzantine Iconoclasm during the Reign of Constantine V, with Particular Attention to the Oriental Sources*. Louvain 1977, p.20 n.45.

<sup>4</sup> Theophanes, p.428. *Vita Stephani Iunioris*, PG 100, 1112 B-C. Gero again thinks that everything "was quite in order" - S. GERO, *Op. cit.*, p.63 n.31.

<sup>5</sup> See P. SPECK, *Kaiser Konstantin VI*, München 1978, p.67-70.

rial power that in not so distant past did everything to undermine the authority of his office.

This time the attitude was quite different, and Eirene was ready to provide Tarasius with all support he needed - but the assistance of secular authorities had to be used with extreme caution, lest the patriarchal prestige Tarasius was bound to restore could instead suffer even further damage. Yet the empress demonstrated exemplary discreteness: she gathered an impressive assembly in the palace ("all the people", according to Theophanes<sup>6</sup>) and made the participants (who were not, of course, unaware of Eirene's choice) unanimously name protoasecretis Tarasius as their only candidate for the patriarchal throne. Thus from the very beginning Tarasius was free from accusations of an undue influence of secular authorities on his appointment. Moreover, Eirene allowed him to make his acceptance of the office depend on certain conditions.

The patriarch's demands were worded so as to leave no doubt that he considered wrong the policy of Isaurian emperors who interfered with the church affairs. That is what he said:

Sire emperor Leo dismantled the images, and the council, when it convened, found them [already] abolished. And since they have been dismantled by the imperial hand, the issue has to be examined anew, for they dared to discard at their will an ancient traditional habit of the Church<sup>7</sup>

This was the first step in a long and difficult struggle to restore and enhance the independence of the Byzantine church, the struggle that was led by the patriarchs of Constantinople from Tarasius to Photius with an ingenuity that deceived many of modern scholars into accepting the image of "Staatskirche" or "caesaropapist party" as an adequate description of those churchmen and their supporters. That this view is insufficiently founded, to put it mildly, will be hopefully shown later in this paper. The point, however, to be made from the start is that to confront successfully the encroachments of the secular power, the patriarchs had to have the whole church firmly behind them. Thus they were forced to fight a tough battle for the control over the church against groups within it that had no intention to let patriarchal authority curb what they believed to be their inalienable prerogatives.

Tarasius' first serious clash happened to be with bishops. Shortly after his election some iconoclast prelates and their lay supporters began plot-

<sup>6</sup> P.458,10.

<sup>7</sup> J. D. MANSI, *Sacrorum Conciliorum nova et amplissima collectio*. Vol.XII, Florentiae 1766, Col. 990 A.

ting in the capital itself against the planned ecumenical council, which was to restore holy images. Tarasius moved to stop them - and did so by asserting his authority as the head of the church:

but when they were still making illicit gatherings, he informed them, that "Constantinople has a bishop: without his knowledge you have no right to make gatherings, for according to the canons you are subject to deposition". And after hearing this the bishops restrained themselves, gripped with some fear<sup>8</sup>.

Apparently their fear was not too serious, because the failure of the first attempt to convene the council was a result of the same conspiracy of certain bishops with a part of the imperial *tagmata* <sup>9</sup>. Now, the whole story of that unsuccessful undertaking reveals that Eirene, probably not feeling secure enough, did not back Tarasius but secretly, reserving an option to distance herself from the patriarch. The plotting bishops apparently were not courageous fellows of firm convictions, ready to confront the government as well as the patriarch: shortly afterwards a minimal pressure along with certain guarantees proved sufficient to make them repent publicly. So at first, underestimating Eirene's strength and involvement, they preferred to pretend that it was all Tarasius' own venture. This situation was of course very dangerous for the patriarch, but it also created unique possibilities for raising the prestige of his office.

Eirene continued to display the same restraint even after her government had secured its position and created the conditions that made the convocation of Nicaenum II finally possible. The 7th Ecumenical Council was the first to be presided over not by emperor but by a patriarch of Constantinople. The technical reason for that, namely that Eirene was a woman, should not be taken too seriously<sup>10</sup>: Constantine VI, the nominal emperor, could very well perform all purely ceremonial functions regardless of his age; the very absence of both mother and son at all but the last session of the council was of immense significance, and was probably intended to be so. In fact, it shows that Eirene did accept Tarasius' argument quoted above, for her behaviour looks as if she wanted to create the greatest contrast possible to the Council of Hieria, which was completely dom-

<sup>8</sup> MANSI XII, Col. 990 D: ...ἀλλ' ἔτι τὰς παρασυναγωγὰς αὐτῶν ποιουμένων, ἐδήλωσεν αὐτοῖς, ὅτι ἡ Κωνσταντινούπολις ἐπίσκοπον ἔχει· ἐκτὸς εἰδήσεως αὐτοῦ οὐκ ἔστιν ἡμῖν ἀδεια ποιεῖν παρασυναγωγὰς· ἐπεὶ κατὰ τοὺς κανόνας καθαιρέσει ὑποβάλλεσθε. Καὶ ἀκούσαντες οἱ ἐπίσκοποι ἑαυτοὺς συνέστειλαν φόβῳ τιλὴ συσχεθέντες.

<sup>9</sup> *Ibid.*, 990 E-991 A.

<sup>10</sup> Contrary to F. DVORNIK, *The Photian Schism*, Cambridge 1948, p.189.

inated by imperial presence. The decisions of Nicaenum II would thus appear as adopted by the Church herself without any external influence whatsoever.

The discrete manner in which the 7th Council handled the question of personal responsibility of the iconoclast emperors is well known. Leo III and Constantine V were neither condemned nor indeed mentioned during the procedures except in a few rather vague and indirect references, of which the bluntest came from a court official, Petronas: "But they [*scil.* iconoclast bishops] also did all this with the emperors' assistance"<sup>11</sup>. Still, the Fathers did their best to reverse the developments in the church-state relations brought about by the policies of the Isaurian rulers. Admittedly, they did it mainly through canonical legislation, which will be analysed later - but there is also a highly remarkable statement in the Refutation of the *horos* of Hieria, read out at the sixth session of the Council. Responding to the praise lavished upon the emperors by the council of 754, Tarasius (who was presumably the author of the Refutation) remarks:

Having rejected the appropriate and befitting praise to the emperors, they acclaimed them by what is properly applied to Christ our God. They rather had to describe their courage, their victories over enemy, subjection of the barbarians... their care for the subjects, judgements, trophies, worldly improvements, civil dispositions, restoration of cities. These are praiseworthy acclamations of emperors, which also inspire loyalty into all subjects.<sup>12</sup>

It is hard to see here, as O'Connel does, "a fond recollection" of the Isaurians' achievements<sup>13</sup>. It rather looks as a generally valid description of duties and activities appropriate for secular rulers, with the main idea that those do not include any dogmatic contributions or spiritual guidance of the subjects. No reference is made to "the beneficent authority of the emperors in ensuring the speedy prevalence of orthodoxy, as defined, over condemned error"<sup>14</sup>. In fact, the same message to the emperors to mind their own business is conveyed by the solemn declaration of the Council, that God himself, not βασιλέων κράτος, has delivered us from the idols<sup>15</sup>. On the other hand, on the proclamation of Hieria that "anyone who da-

<sup>11</sup> MANSI XIII, Col. 173 D.

<sup>12</sup> *Ibid.*, Col. 356 A-B.

<sup>13</sup> P. O'CONNEL, "The Ecclesiology of St. Nicephorus I", *Orientalia Christiana Analecta* 194, Rome 1972, p.5.

<sup>14</sup> GERO, p.96.

res... to fabricate... an icon shall be prosecuted under imperial laws”<sup>16</sup>, the Refutation comments:

From these words many [calamities] of all kind overran the oikumene, a fierce brutality being exercised by the rulers and by the chiefs themselves, the alien bishops<sup>17</sup>.

To be sure, it also says that it was the bishops who “taught” the emperors that impiety, but the point is clear: the fathers of Hieria get criticized for referring ecclesiastical matters to the secular power.

However significant these subtleties might be, by far the most important contribution of Nicaenum II as regards church-state relations consists in the small collection of canonical regulations promulgated without much fuss. By indicating the problems the Byzantine clergy encountered on day-to-day basis they reveal the true scale of the state’s onslaught on the ecclesiastical domain (coupled with far-going secularisation and a disastrous collapse of discipline within the church itself) during the reign of iconoclast emperors. Thus, of 22 canons ἄρχοντες are mentioned in four (3, 6, 10, 12), and in what capacity? They appoint bishops (3), obstruct convocation of local synods (6), keep private clerics (10) and make bishops and abbots sell to them ecclesiastical property (12). No one of these four canons seem to have anything to do with patriarchal authority, unless we take a closer look at canon 3. Here is what it says:

That [secular] officials must not appoint a bishop.

Any appointment of a bishop, priest or deacon made by [secular] officials shall be invalid in accordance with the canon that says: “if any bishop has come to power in his church with the help of civil rulers, let him be deposed” along with all who hold communion with him...<sup>18</sup>

Now, this “new” regulation does nothing but repeat an already existing one. That happens when the latter has been conspicuously ignored for some time. However, there is no information of any bishops deposed due to or accused of, violations of this particular canon (30th apostolic). The question of the simony, for instance, had a very deep resonance and led

<sup>15</sup> MANSI XIII, Col. 132 A.

<sup>16</sup> *Ibid.*, Col.328 D.

<sup>17</sup> *Ibid.*, Col.329 A: ἐκ ταύτης οὖν τῆς φωνῆς πολλά τε καὶ παντοδαπὰ τὴν οἰκουμένην διήλθεν, ὠμότης ἔντονος ἐξησκεῖτο τοῖς κρατοῦσι καὶ τοῖς ἀρχουσιν αὐτοῖς τοῖς ἀλλοτρίοις ἐπισκόποις.

<sup>18</sup> RHALLES-POTLES, *Σύνταγμα*, 11, 37.

to Tarasius' clash with certain abbots and monks, so it could be expected that this problem too would be raised at the Council if any actual cases were concerned. Instead, there is complete silence. That might suggest, that the 3rd canon of Nicaenum II was not a concession to the radical monastic party, as is sometimes maintained, but a measure designed to eliminate the practices cited earlier in this paper, when Constantine V appointed patriarchs just as any of his court officials. Those are indeed the only instances known to us in which the 30th apostolic canon had been manifestly violated during the first iconoclastic period. The Nicaean canon therefore could be the most drastic legislative step made by Tarasius in order to restore and secure the authority of Constantinopolitan patriarchs in the face of the imperial power<sup>19</sup>.

Tarasius' goals, however, could be achieved only if he had had previously consolidated his power within the church of Byzantium. Out of the two forces mentioned above, the iconoclast hierarchy and the monks, the former did not cause any more trouble since the bishops in question had finally understood that it was in their best interest to forget about Iconoclasm and rally around Tarasius. But the measures needed to win over the bishops inevitably exasperated the monks, because, as it seems, episcopal sees was just what they wanted for their own men - the sees that could be vacated in any significant numbers only by removal of at least those prelates of iconoclast ordination, who were deeper than others implicated either in heresy or in canonical transgressions, such as simony. So Tarasius' leniency towards repentant hierarchs, while effectively eliminating iconoclast opposition, provoked discontent among certain prominent figures of the iconophile monastic community. How the patriarch outmanoeuvred his opponents on Nicaenum II is described with great insight by M.-F. Auzépy, one of whose conclusions is the following:

La présence des moines au concile est la marque d'une volonté de les intégrer à l'institution ecclésiastique. Cette volonté... est certainement patriarcale à Nicée II. Il s'agit d'établir sur eux un contrôle strict et de les engager, en tant que corps, dans la politique ecclésiastique ...sous l'autorité du patriarche, qui veut retrouver sa place de chef de l'Église face au pouvoir impérial.<sup>20</sup>

<sup>19</sup> Which does not mean that it was not intended to eliminate the influence of secular officials on ordinations of any level in the future: cf. in Tarasius' letter to Sicilian bishops: 'Ὁ κοσμικοῖς ἄρχουσι προσίων ἢ προστρέχων ἐπὶ χειροτονίᾳ, εἰ ἐπικρατήσῃ ἐκκλησίᾳ, καθαρείσθω· εἰ δὲ εὐαγῶν οἰκῶν, μετὰ ἀφορισμοῦ ἐκδιωχθήτω. (J. B. PITRA, *Juris ecclesiastici Graecorum historia et monumenta*, Romae 1868, Vol. II, p.312).

<sup>20</sup> M.-F. AUZÉPY, "La place des moines à Nicée II (787)", *Byzantion* 58 (1988), p. 5-21, p. 20.

Although it is doubtful that Byzantine monks ever acted as any sort of corporation, at least for the period analysed, there certainly existed an influential group of abbots, who formed an internal opposition to Tarasius (and to most of his successors over the following century). That group came to be called "monastic party", which is hardly appropriate, because a considerable part of the monks, indeed the majority, was always loyal to the patriarchs: on the other hand, members of this "party" were for the most part prevented from occupying episcopal sees, and not just by lack of desire. The distinction "monks as such vs. bishops as such" therefore is in my opinion erroneous and misleading. For the purpose of convenience I shall call the group in question "the Studite party", because two of its greatest leaders, Sabas and Theodore, had been higumeni of the monastery of Studiou in Constantinople: hopefully, further analysis will elucidate some of the motives that drove their opposition.

The first open conflict erupted when Sabas of Studiou and some other monks refused to consent to Tarasius' absolution of simoniac bishops after one year of penitence<sup>21</sup>. It did not, however, create unsurmountable problems for the patriarch, since Sabas did not have much following. Plato of Sakkudion remained in full accord with Tarasius - a circumstance that might offer a partial explanation for the further developments. That rein-statement of simoniac bishops was forced upon Tarasius by Eirene was secret to nobody<sup>22</sup>. Now, Plato and his nephew Theodore were apparently linked to the empress by more than just mutual sympathy. The fact that Constantine VI's mistress Theodote was Plato's and Theodore's relative is frequently mentioned - but far more important, I think, is that she had previously been Eirene's lady-in-waiting. Whatever grounds might motivate the choice of a mistress, the choice of a lady-in-waiting is certainly based on reasons of personal and political loyalty. If it was that loyalty that made Plato forgo canonical irregularities in the case of simoniac bishops, the subsequent conflicts could appear in a different light.

By the time the strife over the second marriage of Constantine VI erupted, the political situation had changed a lot. Now Eirene was deprived of power and Constantine VI reigned as a sole ruler. In 795 he divorced his wife Mary of Amnia and made her enter a nunnery on the grounds that she was trying to poison him. Then Constantine married the already mentioned Theodote. Tarasius did not approve of the divorce and refused to perform the wedding ceremony, but he permitted or even ordered Joseph,

<sup>21</sup> See *Theodori Studitae epistulae*, ed. G. FATOUROS, Berlin-N.Y. 1992, *Ep.* 38, 34 sq.

<sup>22</sup> *Ibid.*, 53 and 57.

higumenos of the monastery of Kathara, to marry Constantine and Theodore. Plato and Theodore then disrupted communion both with the emperor and the patriarch.

The most common interpretation of these events is that the Studites fought for strict enforcement of the canons, whereas Tarasius applied "economy", a dispensation, which in the eyes of his opponents had gone too far. Formally speaking, however, the patriarch did not break any canon: the Byzantine ecclesiastical, as well as secular, law did permit a divorce if the wife was plotting against her husband's life or was involved in high treason (which in this case coincided). Admittedly, Constantine's charges were patently false - but Tarasius was in no position, or so he thought, to declare his sovereign a liar. Plato and Theodorus of course acted as they did at least partly because of their allegiance to Eirene (and I strongly doubt that this allegiance was motivated by the empress's promonastic sympathies rather than by their position in the complex network of personal and family loyalties that ran through the Byzantine ruling élite). But there is also a hint of different conceptions of patriarchal authority which at this point for the first time openly confronted each other.

From one of Theodore the Studite's letters written at that period<sup>23</sup> we learn that his opponents considered the issue as primarily concerning hierarchical relations in the church: namely, they suggested that Theodore or Plato had no right to criticize Tarasius (except in matters of faith), because the latter, as patriarch, was their spiritual head. Theodore's reply is very interesting. He naturally argues that he has every right to reproach his superior whenever the canons are violated, but it is the reasons and the patristic evidence he cites, that is really remarkable. The passages from St. Basil's *Moralia* that Theodore quotes actually pertain to relationships *inside a monastery*. The patriarch's role is thus perceived strictly in terms of monastic spiritual guidance, in which there was no place for a single head of the church exercising supreme authority in all matters except dogmatic. To make substitution easier Theodore presents the position of his opponent (Stephen *a secretis*) like this:

It is not befitting that a superior, that is an arch-shepherd, would be reproached by anyone for doing, by ignorance or voluntarily, something forbidden, with the exception of faith, in other commandments of the Lord.<sup>24</sup>

<sup>23</sup> Ep.5.

<sup>24</sup> Ep.5,13sq.

The word ποιμενάρχης, “arch-shepherd”, apparently used by Stephen, is tacitly substituted by προεστώς, with its distinctly monastic flavour (the term was frequently used from 6th century onwards to designate an abbot). Theodore then can adduce some evidence from Basil, who employs προεστώς in the sense of “monastic superior”. This is a curious evidence of how the monastic pattern of behaviour is applied to the church as a whole. Although Theodore himself later made some corrections towards more mainstream ecclesiology, on several occasions his utterings still show the same concept of the patriarch as a spiritual father rather than supreme hierarchical authority. Naturally, such point of view had clear implications for Constantine’s affair: a spiritual father had to chastise his “son’s” actions with no regard to rank or power.

After Constantine VI was overthrown and blinded in 797 Tarasius had to give full satisfaction to the Studites: according to Theodore, he not only deposed Joseph of Kathara, but also apologized for his previous actions<sup>25</sup>. That, of course, was a major setback for Tarasius personally and for the patriarchal authority in general, even more so since it could not be reversed as long as Eirene remained in power. Tarasius virtually disappears from the sources between 797 and 802, and it is possible that Eirene, being dissatisfied with his behaviour in the dynastic struggle, did not trust him any more. Thus the apology and deposition of Joseph could very well have been forced upon the patriarch. There is a curious notice in Theophanes about the coup that put logothete Nicephorus in Eirene’s place (it should be kept in mind that the chronographer not that much liked Eirene as he hated Nicephorus). After Eirene had been arrested, Nicephorus immediately proceeds to the Great Church to be crowned, while the populace was “cursing both the crowning and the crowned and all those who rejoiced with them”<sup>26</sup>. Apparently Tarasius (ὁ στέφων) accepted the fall of his former benefactress with relief, if not with joy!

One of later versions of the first phase of the “Moechian” schism is represented in Ignatius’ *Vita Tarasii*, written after 842. Ignatius is notoriously cautious and therefore uninformative, but his interpretation of the events deserves attention, because it fits, as we shall see later, into a more general pattern. Thus Ignatius describes at length how Tarasius boldly resisted the pressure put on him by Constantine VI, but then abruptly terminates the story with the following sentence: “for it is not meet and right to

<sup>25</sup> *Laudatio Platonis*, PG 99, 833 C. (V. GRUMEL, “Les Regestes des actes du Patriarcat de Constantinople”, *Chalcedon* 1936, N.369).

<sup>26</sup> Theophanes, p.476,26.

commend to memory what happened thereafter, as it does not in any way benefit the readers." Ignatius' idea is clear: whatever disgrace happened, it was entirely the emperor's fault and must be imputed on him, whereas the patriarch did his best to defend the canons. A later source even reports that Constantine threatened to revive Iconoclasm<sup>27</sup>: not all that plausible information, as Dobroklonsky and Henry think<sup>28</sup>, it is still characteristic in putting all the blame on the emperor.

Tarasius was prevented by illness from exploiting the possibilities offered by the political changes for strengthening his position. But after his death in 806, the struggle for the supreme authority within the church started anew with increased acerbity. The emperor Nicephorus, although he in all probability had already made his choice for Tarasius' successor (namely Nicephorus, formerly a civil servant, who quit the court after Eirene's coup of 797, presumably as a supporter of Constantine VI<sup>29</sup>), in order to preserve *decorum* requested all prominent ecclesiastics to communicate their opinion. Plato of Studiou took the request seriously and started to lobby energetically for his nephew Theodore<sup>30</sup>. That, along with the Studites' inambiguously expressed disapproval of a layman's ordination, made the emperor believe that Theodore and Plato could cause disturbance during the inauguration of the new patriarch. So emperor Nicephorus imprisoned them and some of their followers for 24 days. However, no new schism ensued at that point, and the real conflict began only when the issue of Joseph of Kathara was reopened.

The actual impact of this issue on the Byzantine church can be properly understood only if we establish the motives of each particular action and determine, which of the sides initiated it. This task is by no means easy, but it can be managed if two principles are applied: the first is familiar *cui bono*, and the second - that nothing should be too readily taken at face value.

There is no doubt that the first move came from the emperor Nicephorus. Joseph of Kathara happened to have done a great service to him by mediating the surrender of the rebellious Bardanes Turkos. The emperor therefore used the ascension of a new patriarch to reward Joseph by reinstating him in his priestly rank. This was accomplished by a synod of 15

<sup>27</sup> Narratio de sanctis patriarchis Tarasio et Nicephoro, PG 99, 1849-54; 1852 D.

<sup>28</sup> P. HENRY, "The Moechian Controversy and the Constantinopolitan Synod of January A.D. 809". *Journal of Theological Studies* 20 (1969), p.495-522; p.501, n.2; A. DOBROKLONSKY, "Prep. Theodor, ispovednik i igumen Studijskij", *Odessa*, 1913, Vol.1, p.355.

<sup>29</sup> P. ALEXANDER, *The Patriarch Nicephorus of Constantinople*. Oxford 1958, p.63.

<sup>30</sup> *Laudatio Platonis*, 837 B.

bishops in 806. Theodore the Studite was probably present at the synod and kept silence<sup>31</sup>. He did not, of course, acknowledge the rehabilitation of Joseph, but at the first stage the Studite opposition was clearly intended to be as mild and unprovocative as possible. It is commonly believed that the Studites “succeeded in avoiding communion with all who concelebrated the liturgy with Joseph of Kathara”, including the patriarch himself<sup>32</sup>. On the other hand, it is also very well known that Theodore’s brother Joseph in 807 became archbishop of Thessalonica, which at the least implied regular and public commemoration of Nicephorus at the liturgy. Thus the Studites’ stance this time was very far from the position Plato and Theodore took after Constantine VI’s infamous second marriage both in terms of publicity (the emperor and the patriarch were apparently unaware of what was going on until 808), and ecclesiastical severity. In fact, Theodore’s words “οὐ πρὸς τοὺς εὐσεβεῖς ἡμῶν δεσπότας ὁ λόγος τῆς ἀκοινωνησίας”<sup>33</sup> might mean that the Studites were simply avoiding liturgies at St.Sophia because Joseph used to concelebrate there as the econom of that church<sup>34</sup>. So all reprisals against Theodore and his followers must be measured against this extremely moderate form of dissent.

The outward course of the events that led to the last and the fiercest phase of the “Moechian” schism can be quite easily reconstructed from Theodore’s letters, and since that work has already been done by, among others, Dobroklonsky, Alexander and Henry, it will be sufficient to summarize only the main points. In the first half of 808 Joseph of Thessalonica came to Constantinople to visit his brother Theodore of Studiou. Since he failed to appear at a single patriarchal liturgy during his several months’ stay, the emperor dispatched an official to Studiou in order to find out the reason. The whole thing came out and the Studites were warned that the emperor was utterly displeased by their behaviour. Still, no action was taken until late 808, when Nicephorus I returned from a military campaign. The monastery of Studiou was surrounded by troops and four leading monks, including Joseph of Thessalonica, were taken into custody at the convent of St.Sergius. It should be pointed out, that any force that was applied to the Studites before January 809 was used only to isolate them and to compel to make peace with the patriarch: none of those measures can

<sup>31</sup> *Ep.* 43,25sq.

<sup>32</sup> HENRY, p.507.

<sup>33</sup> *Theod. Ep.* 22,4 cf. 21,11. In *ep.* 25,40 Theodore explicitly says that if Nicephorus sought communion with him, he would not hesitate to hold communion with the patriarch unconditionally.

<sup>34</sup> *Theod. Ep.* 555,47.

be interpreted as outright punishment. At the same time Theodore continued to write letters professing his loyalty towards both Nicephori and insisting that he had no intention to disturb ecclesiastical peace, as far as he was allowed to keep his reservations against the reinstatement of Joseph. The situation changed drastically only after the so called “Moechian” Syn-od of January 809. It is therefore only by establishing, whose interests this synod served and by whom it had been initiated, that we can understand the underlying reasons of the second “Moechian” schism and its implications for the patriarchal power.

The abrupt change in the tone of Theodore’s letters from humble and conciliatory to aggressive and virulent, that followed the Synod, along with his already mentioned original reluctance to make his opposition public, indicate that the initiative did not come from Studiou. We are therefore left with two possibilities: the emperor and the patriarch. The latter one seems completely out of question, considering many unambiguous statements of the sources and almost universal scholarly consensus<sup>35</sup> that point at the emperor Nicephorus as the chief villain. The actual picture, however, is more complicated.

Three important sources explicitly ascribe to the emperor the crucial role in the developments of 808-809: Theophanes’ Chronography, Theodore’s of Studiou *Laudatio Platonis* and *Vita Theodori* by monk Michael<sup>36</sup>. Of these of the least value is the account of Theophanes, since this author was poised to charge Nicephorus I with as many wrongdoings as it was humanely possible. As we have seen earlier, Theophanes’ hatred was so great, that it sometimes even prevailed in his mind over the respect towards such people as patriarch Tarasius, whom Theophanes supported without reservations during the first “Moechian” schism. Two other accounts will be dealt with later; now let us see if there is any contradicting evidence.

First of all, if it indeed was the emperor who had inveigled his namesake patriarch into that ugly and damaging scandal that the second “Moechian” schism eventually became, it is a bit difficult to explain, why virtually all the authors closely associated with patriarch Nicephorus and his partisans speak about emperor Nicephorus with respect and sometimes even fondness, as does the future patriarch Methodius in his *Life of Theophanes*<sup>37</sup> (despite the fact that the Life’s hero actually loathed that monarch!). Second, the testimony of Theodore the Studite himself is far from

<sup>35</sup> Cf., e.g. ALEXANDER, p. 91 and HENRY, p.509.

<sup>36</sup> Alias *Vita B*, PG 99, 233-328.

uniform. Consider, for instance, his famous sentence so often quoted by scholars dealing with the “Moechian” controversy and church-state relations in Byzantium. Describing the patriarch’s behaviour during the period between disclosure of the Studite opposition and emperor Nicephorus’ return from the campaign of 808, Theodore writes:

Πρὸς γὰρ τὸν ἀρχιερέα τί δεῖ καὶ λέγειν, μήτε λόγον διαπέμψαντα, μήτε ἐθέλοντα ἀκοὴν παραδέξασθαι, **ταμιευόμενον πάντα καίσαρι**;<sup>38</sup>

The last three words, or rather the way they were being translated, can serve as a good demonstration of how an *a priori* formed concept can preclude correct assessment of evidence. Here are three apparently independent renderings from renowned scholars:

Martin <sup>39</sup> [the patriarch is] in the emperor's pocket	Alexander <sup>40</sup> in all he is Caesar's steward	Henry <sup>41</sup> he is Caesar's handyman in every respect
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One fresh look is enough to see that all three are inaccurate: ταμιευόμενος means “keeping in reserve”, whereas πάντα is the object of a transitive verb ταμιεύεσθαι, not *Accusativus relationis*! Consequently, here is the correct translation:

keeping everything in reserve for Caesar<sup>42</sup>

This can as well be interpreted as the patriarch’s determination to refer the matter before the emperor in order to demand harsher measures against the Studites - which, of course, requires an entirely different perspective. Let us therefore have a closer look at the letter 26 where these words are found. Theodore has no news for his correspondent because everybody is waiting for the emperor to return from the field. Theodore meanwhile is trying to appeal to two influential persons: the patriarch and a court monk Symeon. Their positions, although essentially the same, have some interesting nuances. Symeon is saying different things all the time (26-27), but one

<sup>37</sup> *Methodii Vita Theophanis*, ed. V. V. LATYSHEV, *Mémoires de l'Académie des Sciences de Russie*, VIII<sup>e</sup> série, *Classe Hist.-Phil.*, XIII, pt. 4 (1918), p. 26, 6sq.

<sup>38</sup> *Ep.* 26, 24.

<sup>39</sup> E. J. MARTIN, *A History of the Iconoclast Controversy*, L. 1930, p. 153.

<sup>40</sup> ALEXANDER, p. 89.

<sup>41</sup> HENRY, p. 509, n. 1.

<sup>42</sup> O'CONNEL, p. 43: the interpretation, however, is similar to that of the others.

is constant about him: he always thinks and pursues what is desirable for the rulers (ἐκείνα φρονῶν καὶ ζητῶν ἃ ἐφετὰ πάντως τοῖς κρατοῦσι - the last term obviously designates the emperors, Nicephorus and Staurakios). Thus we may assume that he reflects more or less accurately the mood prevalent at the court. But Theodore says very clearly that Symeon's behaviour is ambiguous. Moreover, Nicephorus I himself requested from Theodore a written apology, which suggests that the emperor had not yet made up his mind definitively. This taken into account, the patriarch's position looks much more stiff and uncompromising, for he rejects any negotiations<sup>43</sup>. That is why I think that the interpretation of ταμιευόμενον πάντα καίσαρι offered above is the most plausible.

Now, did Theodore of Studiou really consider emperor Nicephorus prime mover of the whole affair? The eloquent account in *Laudatio Platonis*, ch.35-39 strongly supports this view (which is the main reason it has scarcely been called in question). Yet other Theodore's writings suggest a different picture. In one of later letters, for instance, the Studite explains to his correspondents, that liturgical commemoration of deceased emperors depends solely on their profession of orthodox faith, not on their qualities as human beings. Then he enumerates notoriously sinful emperors, including Constantine VI, who are nevertheless being commemorated, and says: "and Nicephorus, but not as money-grubber"<sup>44</sup>. So the main vice of emperor Nicephorus in Theodore's eyes was nothing else but greed. If Theodore had regarded Nicephorus as the initiator of the so-called "Moechian" heresy, he would not probably commemorate him at all, or at least he would not point out greed as his foremost sin. There is another passage where Theodore mentions the emperor's relation to the Synod of 809. In ep.48 the Studite quotes Nicephorus as saying that he approved the Synod and explaining on what grounds<sup>45</sup>. The word used is ἐπισφραγίζειν, which in Theodore's usage signifies *legitimate* participation of an emperor in ecclesiastical decisions<sup>46</sup>. Finally, in ep.553, pertaining to the period of 809-811, Theodore bluntly calls patriarch Nicephorus "heresiarch". Together with all other arguments cited it makes me believe that Theodore was always perfectly aware, that the Synod of 809 was the patriarch's undertaking.

Now it is time to examine whether this supposition stands a test by the *cui bono* principle. The decisions of the Synod are one of the trickiest

<sup>43</sup> See also Theod. *Ep.* 25,15-27.

<sup>44</sup> *Ep.* 443,55-56.

<sup>45</sup> *Ep.* 48,118.

<sup>46</sup> *Ep.* 532,26 and 478,66.

problems of the 9th century Byzantine history, since they have to be restored from Theodore the Studite's letters, where the matter is almost completely obfuscated by angry rhetorics. The approaches range from maximalist, as that of Dobroklonsky, who counted 7 articles<sup>47</sup>, to minimalist, as the entry in Grumel's *Regestes*, which mentions only one<sup>48</sup>. The most balanced is the opinion of Henry, thoroughly substantiated in an article dedicated entirely to the Synod of 809. Here is his version of the Synod's decrees<sup>49</sup>:

1. Confirmation of the earlier restoration of Joseph of Kathara.
2. Anathema to those who do not accept the economies of the saints.
3. Deposition of Archbishop Joseph of Thessalonica to the rank of priest.

Although this is probably what was actually promulgated, Henry in my opinion is too hasty in disposing of some other items listed by Dobroklonsky. The latter adduces quite considerable amount of evidence to support each one of them, so his point of view deserves a more detailed evaluation.

The items rejected by Henry are:

1. (Dobroklonsky's #2) Church regulations sometimes have to be omitted or modified when applied to emperors.
2. (3) The hierarchs are empowered to handle canon law at their discretion.

We cannot dismiss either of the two since they are recurrent in Theodore's letters<sup>50</sup> and it is highly unlikely that he had taken them out of thin air. There must have been something in the synodal documents that gave him an opportunity to deduce his far-reaching accusations (reproduced even in a letter to the pope, hardly a place for totally unfounded speculations). Yet it is impossible to believe, as Dobroklonsky does, that the Synod indeed decreed that emperors are not bound by the canons, because the inevitable conclusion from such a decree would be that Constantine's marriage was lawful - a complete nonsense, considering that emperor Nicephorus himself had earlier declared it invalid according to civil law<sup>51</sup>. In

<sup>47</sup> DOBROKLONSKY, p.645.

<sup>48</sup> N.378.

<sup>49</sup> HENRY, p. 518.

<sup>50</sup> See DOBROKLONSKY, p.638 and 641.

what context then could the emperors appear in synodal proceedings? I can imagine only the following logic: an obstinate imperial will constitutes a *force majeure*, which is a sufficient reason for economy, except when fundamental principles of Orthodoxy are at stake. If this indeed was the Synod's reasoning<sup>52</sup>, it is the same pattern that we have already encountered on at least one occasion while dealing with the reign of Tarasius: the emperor is the main and sole culprit, whereas the patriarch was just "redeeming the time", using economy to prevent graver damage to the church. It is important to understand that this discourse in no way served the interests of *Kaiseridee*: while it enabled church leadership to avoid confrontation over certain imperial actions, the entire responsibility for those actions was shifted toward the secular ruler, so that at the first opportunity (usually after the emperor's death) the economy could be revoked as extorted by tyrannical pressure, the hierarchs remaining clean and unsullied. Exactly the same tactic was used by the patriarchal propaganda after the change of political situation under Michael Rhangabe: this is, I believe, the origin of the legend that ascribed the initiative in the second "Moechian" schism to emperor Nicephorus<sup>53</sup>. *Laudatio Platonis* shows that this version was *pro forma* accepted by Theodore the Studite - as he wanted to make peace with patriarch Nicephorus, it was the only way to justify resumption of communion, "Moechian heresy" buried and forgotten<sup>54</sup>.

The second issue as defined by Dobroklonsky concerns the authority of the hierarchy in applying the church law. I fail to see any reason why it could not be raised by the Synod. If it was, it would have been only one more affirmation of the principle which Theodore sought to refute in his already mentioned letter to Stephen *a secretis*. The problem with both Henry's and Dobroklonsky's interpretations of the synodal decree is that each is formulated as a list of separate points: in all probability, that was

<sup>51</sup> *Ep.* 31,54. Cf. HENRY, p. 509 n.1.

<sup>52</sup> In fact, Theodore calls it "their justification": καὶ τὸ δικαίωμα αὐτοῖς, ἐπὶ τῶν βασιλέων ἠοσι χρῆναι παραβλέπειν τοὺς εὐαγγελικοὺς νόμους (*Ep.*36, 25sq).

<sup>53</sup> *Vita B* of Theodore the Studite by Michael and *Narratio de Tarasio et Nicephoro* that contain this version are both clearly propagandistic documents poised to underscore perpetual concord between Theodore and the patriarchs. Cf. E. von DOBSCHÜTZ, "Methodius und die Studiten", *BZ* 18 (1909), S.63-70 and HENRY, p.498 n.2.

<sup>54</sup> As follows from *Ep.*56, Theodore had problems explaining to his followers that they should again acknowledge Nicephorus as their legitimate patriarch. The argument goes: ἐπειδὴ... ἐκποδῶν γέγονε, δι' οὗ ἡ διχόνοια ἐν τῇ καθ' ἡμᾶς ἐκκλησίᾳ ὑπήρχθη, βεβράβευται ἡ εἰρήνη...(36-38), with obvious allusion to the emperor Nicephorus, not to Joseph of Kathara, as Fatouros states after Alexander (p.97) et al.

not so in the actual document, unless it was composed as a series of canons (which is highly unlikely). If we assume that the Synod produced a formal statement that consisted of actual decisions (which might very well be those formulated by Henry) and an explanation of the grounds on which those decisions had been adopted, the discrepancy between the two theories would be reduced to a minimum. The contents of the synodal declaration could then look like this:

Since the emperor's desire was obstinate and intractable, and in such cases canonical injunctions cannot be enforced, most blessed St. Tarasius, exercising his right as the archpriest and in order to prevent greater damage to the church, applied a temporary economy following examples of the saints and ordered Joseph higumenos of Kathara to perform the marriage of Constantine VI and Theodote. We therefore confirm Joseph in his priestly rank<sup>55</sup>. Anathema to those who do not accept the economies of the saints.

In Ep. 36 Theodore refutes the Synod point by point under numbers ("the second...", "about the third"<sup>56</sup>), and the order is: 1) about the emperors; 2) Tarasius' economy = economies of the saints, anathema to those who think otherwise; 3) canonical authority of the hierarchs. This corresponds perfectly to the above reconstruction.

Now, if our hypothesis is correct, there can be no doubt, what purpose was served by that kind of decree. It was certainly aimed at further strengthening the patriarchal authority, both by affirming that the final judgement in canonical cases belongs to the hierarchs (and especially to the highest of them, the patriarch), and by threatening with anathema those who would dare to criticize actions of the ruling patriarch or his orthodox predecessors. This last feature of continuity deserves special attention. As we shall see later, beginning with Nicephorus, the patriarchs of Constantinople were to assert their own authority by demanding loyalty and respect towards their predecessors.

Thus, my view of the second "Moechian" schism can be summarized as follows. Emperor Nicephorus wanted to reward Joseph of Kathara and asked his namesake patriarch to reinstate Joseph in the priesthood. The patriarch had no objections and concelebrated liturgy with the higumenos for two years. For that reason the Studites, who considered the restoration of Joseph illegitimate, began to avoid liturgies in St. Sophia (of which he

<sup>55</sup> It must be reminded that Joseph was possibly only suspended, but never deposed - see Henry, p. 503, n. 2.

<sup>56</sup> *Ep.* 36, 63 and 123.

was econom). In 808 that came out, and the patriarch used personal involvement of the emperor (that resulted from his original request) to reverse the major setback the patriarchate had suffered in the first “Moechian” schism. Patriarch Nicephorus convened a synod that formally proclaimed Tarasius’ conduct correct and appropriate and anathematized those who challenged patriarchal authority. The emperor then had no choice but to confirm the decisions and to suppress opposition by force. We know that patriarch Nicephorus did not shun from using imperial force against the enemies of the church - it was the emperors who used to resist such demands<sup>57</sup>. There is plenty of evidence that emperor Nicephorus felt uneasy about the situation: hence his repeated attempts to make the Studites compromise, the last undertaken just before his fatal expeditions against the Bulgars in 811. At the same time Plato the Studite was recalled from the exile allegedly due to ill health. Yet from the patriarch we have only one rather enigmatic message sent to Theodore through the guardian of his prison: “When we needed you to be here for our assistance, you left and established yourself there. I envy you”<sup>58</sup>. Alexander believes it be a sufficient proof that Nicephorus “was obeying orders”<sup>59</sup> (presumably the emperor’s). However, it is not clear what kind of “assistance” Nicephorus had in mind. There is absolutely no evidence that he ever tried to persuade the emperor to depose Joseph. It may well be that the patriarch alluded to the tolerant policy of emperor Nicephorus in regard to various heretics, which Theodore could help the patriarch to overturn, if both ecclesiastics acted together. Anyhow, this only instance is not enough to conclude that patriarch Nicephorus was in fact unwilling to take all the measures that so patently enhanced his own authority as the head of the church.

Nicephorus’ efforts to unite the Byzantine church under strong patriarchal leadership ended in a seeming failure. The Studite opposition proved impregnable and emperor Michael I Rangabe (who favoured Theodore and consulted him even on most important political matters) mediated an agreement under which Joseph had to be deposed again and the patriarch made an apology to the Studites (using emperor Nicephorus as a scapegoat). However, the defeat notwithstanding, the ideas advocated by Tarasius and his successor began to take firm roots in Byzantium. An important and mainly neglected evidence of that can be found in a canonical treatise on the election of bishops, attributed to Euthymius of Sardis

<sup>57</sup> Theophanes, p.488-489 and esp.495.

<sup>58</sup> *Ep.* 43,94sq.

<sup>59</sup> Alexander, p.95.

(d.831) and published by J.Darrouzès<sup>60</sup>. The publisher considers the authorship of Euthymius quite possible<sup>61</sup>, so the work could have been written anywhere between 787 and 815, that is, under Tarasius or Nicephorus.

The treatise is remarkable in several aspects. First of all, it is explicitly stated, that a bishop can be chosen from laymen<sup>62</sup>. This point corroborates Darrouzès opinion, since it makes any dating after Photian affair highly improbable (for the Byzantines then had to appease the pope by promising that laymen would not be ordained bishops any more). On the other hand it shows unambiguously that the author was not on the Studite side. Second, the decisive influence in the election procedure is given to the patriarch, who is called “archbishop of all churches and the father of all”. Third, the role envisaged for the emperor is negligible, being limited to the convocation of a major council in case of an incurable disagreement. The provision against a possible misconduct on the part of patriarch is especially interesting. If the patriarch in appointing a bishop is guided by reprehensible motives, such as personal favour, or leaves the see vacant for too long, archbishops and metropolitans (and only they) may reproach the delinquents. If the latter do not accept the judgement, the critics<sup>63</sup> should ask the rulers (τῶν κρατούντων) to convoke a synod “with patriarchal authority”, which is supposedly the only institution that can overrule the patriarch. It is easy to notice that there is no place for rebellious actions of any higumeni or simple monks in this procedure.

Besides relentless efforts to establish the patriarch’s predominance within the church, Nicephorus strove to use any opportunity to increase his influence on the government. From both emperors who came to power while he was already patriarch, Nicephorus requested a written profession of orthodoxy: something that had been long forgotten in Byzantium. The patriarch evidently tried to make it an established practice, since he did it not only in the case of allegedly suspicious Leo V, but in that of Michael Rangabe as well, although the latter’s piety was beyond any doubt. Under Michael Nicephorus even attempted to appropriate some functions of the secular power, when he demanded, as has been already mentioned, a ca-

<sup>60</sup> J. DARROUZES, *Documents inédits d’ecclésiologie byzantine*. Paris 1966, p.108-115.

<sup>61</sup> *Ibid.*, p.10-11.

<sup>62</sup> *Ibid.*, p.108,17.

<sup>63</sup> The text is not entirely clear: it is possible to translate “patriarchs” as well: εὐθὺς νεσθαι κανονικῶς ὑπὸ τῶν τοῦ πάθους καθαρευόντων μητροπολιτῶν καὶ ἀρχιεπισκόπων. Εἰ δὲ μὴ τὴν ἐκείνων καταδέχοντο κρίσιν, ὑπομνήσει αὐτῶν προσκαλεῖσθαι παρὰ τῶν κρατούντων σύνοδον ἑτέραν πατριαρχικῆς ἐξουσίας... καὶ μετ’αὐτῶν τούτων, ὧν τὴν κρίσιν καλῶς λεγόντων οὐ κατεδέξαντο, κανονικῶς κρίνεσθαι... (p.112,29-114,4).

pital punishment against certain heretics. Theophanes, defending this move, argues against those who deny for the archpriests the right to sentence to death<sup>64</sup>, which indicates that the patriarch's action was perceived as something more than a simple advice or suggestion.

The biggest obstacle, however, to Nicephorus' ecclesiastical policy remained the Studites. It took a real disaster, the second outbreak of Iconoclasm, to persuade at least the most sincere and intelligent of them, St.Theodore in the first place, that the church does need unity and strong leadership to withstand effectively the pressure of the imperial power. The second part of this paper will deal with the orthodox response to the second Iconoclasm and with the conflicts that immediately followed the restoration of orthodoxy.

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<sup>64</sup> P. 495.