

CHRISTIAN GASTGEBER, EKATERINI MITSIOU,
JOHANNES PREISER-KAPPELLER, VRATISLAV ZERVAN

The Patriarchate of Constantinople
in Context and Comparison

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The Patriarchate of Constantinople in Context and Comparison

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In memoriam Konstantinos Pitsakis (1944–2012)
and Andreas Schminck (1947–2015)

Edited by

CHRISTIAN GASTGEBER, EKATERINI MITSIOU,
JOHANNES PREISER-KAPELLER, and
VRATISLAV ZERVAN



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Preface

This volume presents the papers from the international conference dedicated to “The Patriarchate of Constantinople in Context and Comparison”, held at Vienna, 12th–15th September 2012, and organised by the Austrian Science Fund (FWF) project “Edition of the Register of the Patriarchate of Constantinople”¹ in cooperation with the EU project POSDRU 89/1.5/S/61104 of the Romanian Academy of Sciences². The conference and the published results are parts of a large-scale European research focus whose principal investigators and collaborators are united in the common platform PATRHIST³. This international network aims at a co-operative research and linkage of projects on the second most important, partially also the first ranking factor of power in Byzantine history and religious policy. This volume thus continues a series of respective studies such as the proceedings of the first congress in Vienna (2009) entitled “The Register of the Patriarchate of Constantinople. An Essential Source for the History and Church of Late Byzantium”⁴ or the proceedings of the thematic round table at the 22nd International Conference of Byzantine Studies (Sofia, 2011): “Le Patriarcat œcuménique de Constantinople et Byzance hors frontières (1204–1586)”⁵.

Experts on religious, political, social, economical, and administrative history as well as on philology dealt with the following topics: The Patriarchate before the Register (LAURITZEN, GOUNARIDIS, TUDORIE, STAVROU) – Privileges, monasteries, and institutions (SMYRLIS, MITSIOU, EVANGELOU, CONGOURDEAU, ESTANGÜI GÓMEZ, MALATRAS, MELVANI) – Charters, texts, and copies (BLANCHET, GASTGEBER, PAIZI-APOSTOLOPOULOU, APOSTOLOPOULOS) – The Patriarchate beyond Constantinople (GEROLYMATOU, SHERWAN, VETOCHNIKOV, PREISER-KAPPELLER, BENGA) – Introduction and Synthesis (HARRIS, MATSCHKE).

The conference was overshadowed by the bereavement of a leading scholar in Byzantine canonical law, Konstantinos G. Pitsakis, who died shortly before the event. It is therefore our heartfelt desire to dedicate the conference and the proceedings to his memory. The conference opened with a commemoration of that leading scholar by his friend and colleague Andreas Schminck of the Max-Planck-Institute for European Legal History in Frankfurt. The tragedy of life did not allow our colleague and adviser Andreas Schminck to see this volume published: he died in December 2015. We likewise owe it to him and his constant willingness to help with questions of canonical law to dedicate the volume to his memory as well.

This book would not have been published had the Austrian Science Fund not covered the costs of printing and open access. We want to express many thanks to the Austrian Science Fund for this essential support.

Finally, the editors would particularly like to thank their teacher and supervisor, Prof. Otto Kresten, for his guidance during years of reading and interpreting texts from the register of the patriarchate in his seminars and for evoking interest for this unique source in the Austrian National Library.

A technical remark at the end: the use of abbreviated cited literature—unless stated otherwise in the articles—follows the guidelines of the *Jahrbuch der Österreichischen Byzantinistik*⁶.

The editors
Vienna, March 2016

¹ FWF project P22269.

² Focus of the Vienna subproject: The Byzantine Church in a time of crisis (1204–1500). Sources, structures and methods.

³ <http://www.oeaw.ac.at/byzanz/association/patrhist.htm>.

⁴ Edited by Christian Gastgeber, Ekaterini Mitsiou, and Johannes Preiser-Kapeller in the series “Veröffentlichungen zur Byzanzforschung” (no 32) of the Austrian Academy of Sciences (Vienna 2013).

⁵ Edited by Marie-Hélène Blanchet, Marie-Hélène Congourdeau, and Dan Ioan Muresan in the series “Dossiers byzantins” of the *École des Hautes Études en Sciences Sociales* (no 15), Paris 2015.

⁶ <http://www.oeaw.ac.at/byzanz/joeb.htm>.

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1: The trade network of Tana in 1359/1360 and the network of Metropolitan Symeon of Alania (1350–1365) (map: © J. Preiser-Kapeller, 2015)

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DANIEL BENGA

1: D. CHYTRAEUS, Oratio ... Frankfurt 1583, 75–77 (© Wiki Commons)

The Patriarch of Constantinople and the last days of Byzantium*

It has often been pointed out that whereas the Byzantine Empire came to an abrupt end in May 1453 when Constantinople fell to the Ottomans, the patriarchate did not. Following his takeover, Sultan Mehmed II (1451–1481) saw to it that the monk Gennadios, the former George Scholarios was installed as patriarch. Mehmed chose him because he knew of Gennadios' entrenched opposition to the union of the Byzantine and Latin churches agreed at Florence in 1439¹. The Orthodox and Catholic churches consequently remained separate and Gennadios's successor still resides in Istanbul today. It is impressive continuity which has been seen by nationalist historians such as Apostolos Vacalopoulos as an important link between Byzantium and the modern Greek state².

Continuity, however, is only a very small part of the picture. The Ottoman capture of Constantinople was a shattering blow which almost completely destroyed an entire society at a stroke. It was hardly unexpected, given the developments of the previous decades, and in the years before it happened the Byzantine emperors and the select group of their advisors had striven to avert it by every means in their power. Their response to the predicament in which they found themselves is intriguing because in many ways it was distinctly ambivalent. The rulers of Byzantium had to decide whether to collaborate with the Ottoman sultan or to defy him. They opted to do both, maintaining outward peace while pursuing a diplomatic offensive to stir up the Catholic powers of the west against the Ottomans. The emperor was effectively bankrupt: his wealthy courtiers stepped in to use private resources for the good of the empire, yet at the same time they preserved a safety net in case the worst should happen. Seeking union with the western Church to pave the way for military assistance was the policy of the emperors: his prominent subjects supported it but with little enthusiasm and sometimes with grave private reservations³. These three aspects of the Byzantine response will be examined by focusing on one particular member of the later Byzantine elite, Gregory III Mammê, patriarch of Constantinople from 1445 until 1459⁴.

Gregory is not someone who has been subjected to very much scrutiny in existing secondary work on late Byzantine history. There is a good reason for that. One morning in August 1450, about five years after he had taken office, he abruptly left Constantinople, never to return. He apparently made no public announcement of his intention. That would certainly explain why our main source for his flight, the chronicler George

* I would like to thank Dan Ioan Mureşan, Claudia Rapp and Eugenia Russell for their helpful suggestions while I was writing this article.

¹ Kritovoulos II 2 (ed. D.R. REINSCH, *Critobuli Imbriotae Historiae* [CFHB 22]. Berlin and New York 1983, 90–91); Pseudo-Phrantzes III 13 (ed. V. GRECU, *Memorii, 1401–1477: Georgios Sphrantzes*. In *anexă Pseudo-Phrantzes (Macarios Melissenos) Cronica, 1258–1481*. Bucharest 1966, 446–50); M.-H. BLANCHET, *Georges-Gennadios Scholarios (vers 1400–vers 1472): un intellectuel orthodoxe face à la disparition de l'empire byzantine*. Paris 2008, 68–87; eadem, *L'ambiguïté du statut juridique de Gennadios Scholarios après la chute de Constantinople (1453)*, in: F. OLIVIE (ed.), *Le patriarcat oecuménique de Constantinople aux XIV–XVI siècles: rupture et continuité (Dossier byzantins 7)*. Paris 2007, 195–211; D. TSOURKA-PAPASTATHI, *À propos des privilèges octroyés par Mehmed II au patriarche Gennadios Scholarios: mythes et réalités*, in: *ibid* 253–274.

² A.E. VACALOPOULOS, *Origins of the Greek Nation: The Byzantine Period, 1204–1461*, trans. I. MOLES. New Brunswick NJ 1970, 103.

³ The response of the Byzantines to impending disaster is discussed more fully in: J. HARRIS, *The End of Byzantium*. New Haven CT and London 2010; *IDEM*, *Constantinople as City State*, in: J. HARRIS – C. HOLMES – E. RUSSELL (eds.), *Byzantines, Latins and Turks in the Eastern Mediterranean World after 1150*. Oxford, 2012, 119–140; T. KIOUSOPOULOU, *Emperor or Manager: Power and Political Ideology in Byzantium before 1453*, trans. P. MAGDALINO. Geneva 2011.

⁴ *PLP* 4591.

Sphrantzes, says so little on the topic: he gives no reason why Gregory left⁵. That sudden departure has given rise to a number of misconceptions about Gregory III and his role in the last days of Byzantium. Some secondary works claim that he was dethroned or that he abdicated⁶. It has even been claimed that he was succeeded by another patriarch, Athanasius II, who reigned between 1450 and 1453, something that has been shown to be completely untrue. In fact, Gregory remained patriarch in theory until his death in 1459, even if he was living in exile in Rome and Gennadios was the de facto patriarch after 1454⁷.

Turning now to Gregory's role in the last days of Byzantium, for the purposes of this article that period is going to be defined as being from 1422 until the fall of Constantinople in 1453. 1422 seems to be an appropriate starting point because it was in October of that year that a change of regime took place in Constantinople. Emperor Manuel II Palaiologos (1391–1425) suffered a stroke and became incapable of ruling. Henceforth the empire was to be run first by his eldest son John VIII Palaiologos (1425–1448), and then by John's brother, Constantine XI (1449–1453). Like all medieval rulers, they did not steer the ship of state alone. John's accession brought to prominence a circle of influential advisers, many of whom had been his friends and supporters while his father, Manuel II, was still active. Some of these advisers were wealthy aristocrats who were connected to John by marriage such as Loukas Notaras (d.1453), mesazon and later Grand Duke, Demetrius Palaiologos Metochites (d.1453), grand stratopedarch and eparch, and Mark and Manuel Palaiologos Iagaris⁸. As well as this inner core of advisers, John also had in his circle some young men from less privileged backgrounds who might be better regarded as his protégés. These included George Scholarios (c.1403–1472), the later Patriarch Gennadios II, John Argyropoulos (c.1415–1487), later professor of Greek in Florence and the monk Bessarion (1402–1472), abbot of St Basil, later metropolitan of Nicaea⁹. Many of these men were also prominent under Constantine XI.

Gregory Mammê was closely connected with this ruling circle. According to the sixteenth-century *Ecthesis Chronica*, he was the σύντεκνος of the Grand Duke Loukas Notaras: that is to say that as infants they were baptised at the same time. Another recension of the same chronicle suggests that as babies they had shared the same wet-nurse. In both cases a close bond would have been created between the two men and between their families¹⁰. These family connections no doubt helped Gregory to rise rapidly after he had become a monk in around 1420. He became the emperor's πνευματικός or personal confessor and was also entrusted with delicate diplomatic missions. He was one of those chosen to negotiate with the envoys of the council of Basel in 1435. In 1437 he was part of a delegation sent by John VIII to the Peloponnese to mediate between the emperor's brothers who were on the verge of fighting each other for territory there. The mission was successful in defusing the tension and finding an acceptable compromise¹¹. Gregory accompanied John VIII to the council of Ferrara-Florence in 1438 where he was one of the clergy appointed to represent Patriarch Philotheos of Alexandria who had not been able to attend. Along with Bessarion and Isidore, met-

⁵ Sphrantzes XXXI 12 (ed. R. MAISANO, Giorgio Sfranze Cronaca [CFHB 29]. Rome 1990, 112): ... διέβη ἀπὸ τῆς Πόλεως ὡς φυγάς καὶ ὁ πατριάρχης κϋρ Γρηγόριος.

⁶ VACALOPOULOS, *Origins* 187; D. J. GEANAKOPOLOS, *Constantinople and the West: Essays on the Late Byzantine (Palaeologan) and Italian Renaissances and the Byzantine and Roman Churches*. Madison WI 1989, 100.

⁷ W.K. HANAK – M. PHILIPPIDES, *The Siege and Fall of Constantinople in 1453: Historiography, Topography and Military Studies*. Farnham and Burlington VT 2011, 50, 130. On the date of his death see G. MERCATI, *Appunti scholariani. Bessarione* 36 (1920) 142.

⁸ *PLP* 20730, 17981, 7811, 7810.

⁹ *PLP* 27304, 1261, 2707.

¹⁰ *Ecthesis Chronica* 17 (ed. S.P. LAMBROS, *Ecthesis Chronica and Chronicon Athenarum*. London 1902, 7); V. LAURENT, *Le vrai surnom du patriarche de Constantinople, Grégoire III. Revue des Études Byzantines* 14 (1956) 201–205, at 203; R.J. MACRIDES, *The Byzantine godfather. Byzantine and Modern Greek Studies* 11 (1987) 139–162, at 143–144, reprinted in R. MACRIDES, *Kinship and Justice in Byzantium, 11th–15th Centuries*. Aldershot – Brookfield VT 1999, No. I; C. RAPP, *Ritual brotherhood in Byzantium. Traditio* 52 (1997) 285–326.

¹¹ Sphrantzes XXII 11 (78 MAISANO); Syropoulos II 34 (ed. V. LAURENT, *Les mémoires du grand ecclésiarque de l'église de Constantinople Sylvestre Syropoulos sur le concile de Florence (1438–1439) [Concilium Florentinum: Documenta et Scriptores]*. Rome 1971, 140).

ropolitan of Kiev, he was one of John VIII's main advisers during the council. It was while he was at Ferrara that John appointed Gregory to the office of Grand Protosynkellos¹².

Thus there can be no doubt that Gregory was a part of Byzantine ruling circles and a close adviser of Emperor John VIII, which was why he came to play a role in the empire's dealings with other powers. Byzantine diplomacy during the last years of the empire was largely formed and influenced by a treaty which the Byzantines made with the Ottoman Sultan Murad II (1421–1451) in February 1424. It was by no means an agreement between equals. The Byzantines had lost a three-year war that they had largely been responsible for starting when they had attempted to foment civil strife among the Ottomans by backing Murad's uncle, Mustafa, in a bid for the throne. After Murad had dealt easily with the challenge, he had turned on the Byzantines. Constantinople and Thessalonica were blockaded and the Peloponnese invaded. To bring the hostilities to a close, the Byzantine emperor had to accept the status of a tributary vassal of the sultan. He was henceforth to pay an annual tribute of 100,000 ducats and he had to surrender territory on the coasts of the Sea of Marmara and the Black Sea. The treaty did not include Thessalonica because the previous year the Byzantines had handed the city over to Venice, since they despaired of being able to defend it themselves. So while Murad II ceased his attacks on Constantinople and the Peloponnese, the blockade of Thessalonica continued until the city was captured by the Ottomans in 1430. Nevertheless the treaty of 1424 saved Byzantium for the time being and gave it twenty-nine more years of existence¹³. During those years, John VIII, Constantine XI and their circle of advisers ran a clearly discernible line of policy. They maintained an outward adherence to the treaty of 1424. The tribute was paid regularly and obsequious envoys were sent at intervals to the sultan's court to assure him of the emperor's good will. Behind the scenes, however, they were determined to push the boundaries of the sultan's forbearance as far as they could.

One way in which they did that was to mount a series of military campaigns to expand Byzantine territory in the Peloponnese. By 1430 the Byzantines had taken Patras, in spite of the sultan's specific instructions to the contrary. The whole peninsula was ultimately divided between John's brothers Demetrius and Thomas. The Byzantines got away with it partly because Sultan Murad was distracted by threats elsewhere and partly because his deepest desire was to abdicate and to spend all his time in thought and contemplation¹⁴. The council of Ferrara-Florence was another way in which the Byzantines tested the limits of the treaty of 1424. In theory a gathering of prelates to discuss how to end the centuries-old schism between the Byzantine and western churches was not a breach of the treaty. However, the sultan knew perfectly that the Byzantines hoped that western military aid would follow on from a resolution of the schism. He therefore discouraged the emperor from attending and seems to have deliberately made threatening military manoeuvres outside the walls of Constantinople. But he did not, in the end, launch an attack and once more the Byzantines got away with their dangerous game of brinkmanship¹⁵.

The council of Ferrara-Florence is an obvious example of how Gregory Mammê participated in this imperial policy. The anti-unionist priest Sylvester Syropoulos has drawn an unsympathetic portrait of Gregory's role in the council. He describes how, in the eleventh session, Gregory quitted his place and sat at the back with George Amiroutzes and others, where they sniggered at the remarks made by other delegates. As a close clerical adviser to John VIII, however, Gregory naturally played a leading role in the debates and he was one of those who signed the decretal of union in July 1439¹⁶. When the Byzantine delegation arrived back in Constantinople in February 1440, John VIII appointed the bishop of Cyzicus as Patriarch Metrophanes II (1440–1443) to replace Joseph II who had passed away in Florence. When Metrophanes in turn died in

¹² Syropoulos II 43, VII 30, VIII 9, 10.1 (248, 382, 398, 474 LAURENT); L. MOHLER, *Zwei unedierte griechische Briefe über das Unionskonzil von Ferrara-Florenz*. *Oriens Christianus* 6 (1916) 213–222.

¹³ On war of 1421–1424 and the treaty of 1424, see J.W. BARKER, *Manuel II Palaeologus (1391–1425): A Study in Late Byzantine Statesmanship*. New Brunswick NJ 1969, 351–379; HARRIS, *End of Byzantium* 89–96, 107–112.

¹⁴ On Byzantine expansion in the Peloponnese, see D.A. ZAKYTHINOS, *Le despotat grec de Morée*, ed. C. MALTEZOU. London 1975, I, 199–211; HARRIS, *End of Byzantium* 112–126.

¹⁵ HARRIS, *End of Byzantium* 127–137.

¹⁶ Syropoulos VI 42, X 18 (339, 492 LAURENT); G. HOFMANN, *Epistolae Pontificiae ad Concilium Florentinum Spectantes (Concilium Florentinum: Documenta et Scriptores)*. Rome 1940–46, II, 77.

August 1443¹⁷, it was not until nearly two years later that John VIII finally appointed Gregory Mammê as his replacement¹⁸. The first task of the new patriarch was to preside over some tense discussions between the supporters and the opponents of the Union of Florence in the Xylalas palace in Constantinople before the emperor and a visiting papal legate with George Scholarios leading the anti-unionist side¹⁹. Gregory also put his pen in the service of the policy, sending a defence of the union to Emperor John IV of Trebizond (1429–1460) and writing a laborious reply to Scholarios's criticisms of the agreement²⁰. So it is quite obvious that Gregory was an essential supporter of imperial policy here.

Gregory was not only the emperor's agent in his efforts to trade ecclesiastical union for military aid, in defiance of the treaty of 1424. He was also involved in direct negotiations with Catholic secular rulers. One such ruler that the Byzantines were very eager to court during the 1440s and 1450s was Alfonso the Magnanimous, king of Aragon (1416–1458). In June 1442, Alfonso had succeeded in capturing Naples and so finally vindicating his claim to rule southern Italy. By this coup, Alfonso became one of the most powerful rulers in the Mediterranean, ruling not only the kingdoms of Aragon, Valencia and Naples but also the islands of Majorca, Sardinia, Corsica and Sicily. He had at his disposal the kind of military muscle that would make him a very valuable Christian ally against the Ottomans. The Byzantines were not slow to make contact with Alfonso. Only a year after the capture of Naples, a Byzantine envoy arrived at his court and arrangements were made for a Catalan consul to reside in Constantinople to oversee the interests of merchants from Alfonso's lands. Soon after his accession in 1449, Constantine XI made a series of approaches to Alfonso, proposing a marriage alliance between his niece and Alfonso's nephew. Constantine's brother Demetrius even made his own secret treaty with Alfonso providing for military co-operation against the Ottomans²¹.

Gregory too played a part in the negotiations with Alfonso but only after he had left Constantinople in 1450. It is noticeable that on his departure, he did not go immediately to Rome. In October he was reportedly in the town of Coron in the southern Peloponnese, a Venetian colony. It was not until May 1452 that there is definite evidence of his being in Rome when he first started to draw his papal pension there²². The question therefore arises of where Gregory was and what he was doing in the meantime. One strong likelihood is that he paid a visit to Patras before or after going to Coron. The town was the headquarters of Thomas Palaiologos, the brother of Constantine XI. Thomas, unlike his brother Demetrius, was a supporter of the Union of Florence and is therefore likely to have welcomed the patriarch. If so that would certainly account for Gregory's role in Thomas's diplomatic contacts with Alfonso of Aragon.

Those negotiations were particularly delicate in Thomas's case. Alfonso considered himself to have inherited a long-standing Catalan claim to the duchies of Athens and Patras which included what were now Thomas's lands in the north-western Peloponnese. In November 1444, Alfonso wrote to Constantine XI and Thomas Palaiologos to remind them of that and to demand the surrender of Glarentza and Patras²³. Any help that Alfonso supplied against the Turks was therefore likely to be at the expense of Thomas's territory. Thomas himself seems to have entered into negotiations with Alfonso with a view to betrothing his daughter to Alfonso's grandson. It is not clear which daughter Thomas had in mind: his elder daughter Helena was

¹⁷ Syropoulos XII 17 (573 LAURENT).

¹⁸ Sphrantzes, XXVI 9 (95 MAISANO); J. GILL, *Council of Florence*. Cambridge 1959, 365, n. 2.

¹⁹ GILL, *Council of Florence* 365–70; Th. GANCHOU, Georges Scholarios, secrétaire du patriarche unionist Gregorios III? Le mystère résolu, in: F. OLIVIE (ed.), *Le Patriarcat oecuménique de Constantinople aux XIV–XVI siècles : Rupture et Continuité (Dossier byzantins 7)*. Paris 2007, 117–194, at 180–194.

²⁰ PG CLXI 13–204; GILL, *Council of Florence* 356–357, 368.

²¹ C. MARINESCO, Contribution à l'histoire des relations économiques entre l'empire byzantin, la Sicile, et le royaume de Naples de 1419 à 1453, in: *Atti del V congresso internazionale di studi bizantini*. Rome 1939–40, I, 209–219, at 214–218; F. CERONE, La politica orientale di Alfonso di Aragona. *Archivio storico per le province napoletane* 27 (1902) 3–93, 384–456, 555–634, 774–852 at 571–577, 592–593; A. RYDER, The eastern policy of Alfonso the Magnanimous. *Atti della Accademia Pontaniana* 28 (1979) 7–25 at 24; HARRIS, *End of Byzantium* 174.

²² Archivio di Stato, Venice, Senato, Mar reg. 4, f. 15; Archivio di Stato, Rome, Camerale I, Mandati Camerali 834, ff. 23, 40, 48v, 56v; Archivio Segreto Vaticano, Introitus et Exitus 424, f. 109v; N. IORGA, Notes et extraits pour servir à l'histoire des croisades au XVe siècle. Paris – Bucharest 1899–1916, II 29 and in *Revue de l'Orient Latin* 8 (1900–1) 70; GILL, *Council of Florence* 376.

²³ A. RYDER, *Alfonso the Magnanimous: King of Aragon, Naples and Sicily, 1396–1458*. Oxford 1990, 301.

already married to a member of the Serbian royal family and his youngest, Zoe, had not yet been born. Whoever the mysterious daughter was, Thomas probably hoped that the marriage alliance would stave off the territorial claim. Thomas's go-between in these negotiations seems to have been Patriarch Gregory III. In around 1452, Gregory had sent a monk to Naples to outline the scheme to Alfonso. Later that year, Gregory was visited in Rome by an envoy of the king, Arnolfo Fonolleda²⁴. The discussions seem to have ended here. Neither the marriage nor the alliance ever took place and Thomas was ejected from his Peloponnesian lands by Sultan Mehmed II in 1460. Nevertheless, Gregory's involvement puts him at the heart of the Byzantine policy of seeking aid from the west while maintaining ostensible peace with the Ottoman Sultan.

There was another way in which Gregory participated. Central to the policy was the constant reminding of western rulers that the Byzantines were Christians who were being oppressed by the infidel Ottomans. One way in which they did this was through frequent gifts of religious objects, usually relics or icons. Emperor Manuel II had liberally handed out portions of the tunic of Christ during his tour of western Europe in 1399 to 1403. He also presented an icon of the Virgin to the duke of Milan²⁵. In November 1445, Theodore II Palaiologos, despot at Mistra, sent a parcel of relics to Philip the Good, duke of Burgundy. Like Alfonso of Aragon, Philip was a powerful western ruler who could provide significant military assistance. He had just sent a fleet to support the crusade of Varna which had operated with some success, even if the crusade itself had ended in disaster. The gifts included a reliquary made of the wood of the True Cross and part of the tunic of Christ that was touched by the woman with an effusion of blood. Patriarch Gregory III played his part by writing a letter to accompany the relics, guaranteeing their authenticity²⁶.

So far the picture is one of Gregory as an obedient imperial servant, loyally carrying out his emperor's policy: that of pretending to observe the treaty with the sultan while negotiating with the king of Naples and the duke of Burgundy behind his back. But in the last days of Byzantium it was not just a case of following orders. Everyone in the circle to which Gregory belonged knew perfectly well that the emperor whom they served had virtually no resources or income. Even his own palace was in an advanced state of disrepair²⁷. So we often find members of the ruling class stepping into the breach and using their own resources to plug the gap. But at the same time, everyone knew that Constantinople stood on a knife edge and could be attacked by the Ottomans at any time: if the city fell everything would be lost. Thus, as well as taking the initiative to prop up the empire, most also used what resources they had to provide some kind of backup plan, in case the worst should befall.

The obvious example is the Grand Duke Loukas Notaras, Gregory's σύντεκνος. We find him paying for repairs of the Land Walls. That is suggested by a now vanished inscription on one of the towers, reading ΛΟΥΚ. ΝΟΤΑΡΑΣ ΔΙΕΡΜΗΝΕΥΤΟΥ. He also provided security for a loan from Genoa to pay for the defence of Constantinople, since the emperor's credit rating would hardly support the sum needed²⁸. At the same time, however, the Grand Duke was keeping large amounts of money in banks in Italy as an insurance

²⁴ CERONE, *Politica orientale 600–602: Redditis nobis litteris paternitatis tue venerabilem vicarium eius fratrem Matheum quem ad nos misit ... et audiri fecimus diligenter super matrimonio filie illustrissimi principis Thome Paleologi Porfirogeniti cum filio illustrissimi ducis Calabriae...*; RYDER, Alfonso the Magnanimous 304.

²⁵ BARKER, Manuel II Palaeologus 176, 183, 512; S. MERGIALI-SAHAS, An ultimate wealth for inauspicious times: holy relics in rescue of Manuel II Palaeologus's reign. *Byzantion* 76 (2006) 265–275; K. WESSEL, Die byzantinische Emailkunst vom 5 bis 13 Jahrhundert. Recklinghausen 1967, 197–198.

²⁶ V. GRUMEL – J. DARROUZÈS, Les registres des actes du patriarcat de Constantinople. Paris 1932–91, No. 3400; M. CACOUROS, Un patriarche à Rome, un katholikos didaskalos au patriarcat et deux donations trop tardives de reliques du seigneur: Grégoire III Mamas et Georges Scholarios, le synode et la synaxis, in: A. AVRAMEA – A. LAIOU – E. CHRYSOS (eds.), *Byzantium State and Society: In Memory of Nikos Oikonomides*. Athens 2003, 71–124, at 90–94; GANCHOV, Georges Scholarios, secrétaire du patriarche 117–123.

²⁷ Pero Tafur, *Andanças e viajes por diversas partes del mundo avidos (1435–1439)*, ed. J.M. RAMOS. Madrid 1934, 137.

²⁸ A. VAN MILLINGEN, *Byzantine Constantinople: The Walls of the City and Adjoining Historical Sites*. London 1899, 192–193; G. OLGIATI, Angelo Giovanni Lomellino: attività politica e mercantile dell'ultimo podestà di Pera. *La storia dei Genovesi* 9 (1989) 139–196, at 167.

policy against catastrophe. According to the *Ecthesis Chronica*, he sent his daughter Anna there with a large sum of money²⁹.

Gregory III acted in much the same way. We first find him stepping into the emperor's shoes in 1438 at Ferrara during the council. Several members of the emperor's bodyguard approached him to say that they had not been paid and asking him to intercede with the emperor on their behalf. Syropoulos, who describes the incident, calls them janissaries which may suggest that they were Turkic mercenaries of some kind. Gregory's response is interesting. He did raise their case with the emperor but when he got nowhere he instead gave them some of his own money. When that was spent and the men came back he gave them some of his ecclesiastical vestments to sell³⁰. Syropoulos, of course, represents the incident in the worst possible light as a ploy to put the blame on the anti-unionist Mark of Ephesus for impeding the union and keeping everyone in Italy but he cannot hide Gregory's generosity here. Gregory played the same role even after his arrival in Rome in 1452 and after Constantinople had fallen a year later. As Syropoulos again had to admit, Gregory felt great sympathy for those Byzantines left behind in Constantinople who had no means of escaping to Italy and an entry in the records of the apostolic camera seems to confirm that. In April 1455, probably at his request, Pope Calixtus III gave him thirty florins to distribute among 'certain poor Greeks'. These were almost certainly refugees from the catastrophe in Constantinople³¹. With the emperor dead and gone, the patriarch was stepping in to help his needy subjects. He was doing on a much smaller scale exactly what Notaras had done.

On the other side of the coin, Gregory, like Notaras, had clearly made contingency plans to secure his future in the dangerous and difficult times in which he lived. It is unlikely that he would have turned up in Rome unless he had hopes of a friendly reception there. Although he was not treated quite as royally as Besarion who was also in Rome by then, he was given a regular monthly pension of 100 florins. He certainly was not living in poverty because the pope gave him permission to make a will, implying that he had something to leave³². It is known that Gregory took one particular step to ensure a friendly reception. It was one which many Byzantine refugees heading west took and one which mirrored the diplomatic practice of the last years of the empire. Those who chose to abandon their homeland and seek asylum abroad often brought religious objects with them, icons, relics or reliquaries, either to sell or to present to anyone willing to help them. The most obvious example is the despot Thomas Palaiologos himself. When he arrived as a refugee in Rome in 1461, he had with him the head of the Apostle Andrew which he had taken from the cathedral in Patras. Pope Pius II arranged an impressive ceremony to accompany its arrival in Rome and commissioned Isaia de Pisa (fl. 1447–1464) to produce a marble reliquary tabernacle to house it³³. Other humbler refugees brought less valuable items. The icon of the Virgin preserved in the church of Sant'Agostino in Rome is said to have been brought to the city by a group of refugees from Constantinople who claimed that it had originally hung in Hagia Sophia³⁴. Gregory III did exactly the same thing. When he reached Rome in 1452, he had with him a holy relic. Interestingly it was part of the garment of Christ that had been touched by the woman with an effusion of blood: presumably from the same garment from which the portion sent to the duke of Burgundy came. It is unlikely that Gregory had permission to take this and relics were usually kept locked in

²⁹ *Ecthesis Chronica* 36 (17 LAMBROS); K.-P. MATSCHKE, The Notaras family and its Italian connections. *Dumbarton Oaks Papers* 49 (1995) 59–72 at 64–65; Th. GANCHOU, Le rachat des Notaras après la chute de Constantinople ou les relations "étrangères" de l'élite byzantine au XVe siècle, in: M. BALARD – A. DUCCELLIER (eds.), *Migrations et diasporas méditerranéennes (Xe-XVIe siècles)*. Paris 2002, 149–229 at 151–158.

³⁰ Syropoulos VIII 16 (404 LAURENT): Ἐγὼ οὐκ ἔχω ἄλλο τι δοῦναι ὑμῖν, διὸ λαβόντες ταῦτα πωλήσατε καὶ φάγετε τὸ τίμημα αὐτῶν.

³¹ Archivio di Stato, Rome, Camerale I, Mandati Camerali 832, f. 4v; Syropoulos VI 47 (345 LAURENT).

³² Archivio Segreto Vaticano Reg. Vat. 446, f. 65; G. HOFMANN, Papst Kalixt III und die Frage der Kirchenheit im Osten, in: *Miscellanea G. Mercati (Studi e Testi 123)*. Vatican City 1946, III, 209–237, at 215.

³³ Pius II, *Commentarii Rerum Memorabilium VIII 1–2* (ed. L. TOTARO, Enea Silvio Piccolomini, Papa Pio II: I commentarii. Milan 1984, 1495–1557); R.O. RUBINSTEIN, Pius II's Piazza, S. Pietro and St. Andrew's head, in: D. MAFFEI (ed.), *Enea Silvio Piccolomini, Papa Pio II*. Siena 1968, 221–243.

³⁴ J. HARRIS, Greek Émigrés in the West, 1400–1520. Camberley 1995, 83.

a chest to which only the emperor had the key³⁵. Perhaps as patriarch, Gregory would have had access to them and one assumes that he helped himself to the relic before he left Constantinople in 1450. On arrival, he presented it to Pope Nicholas V (1447–1455). The pope, in turn, later gave it to James, bishop of Perugia. We know this from a Greek inscription on the lid of the reliquary which used to house the fragment. Since the inscription is in the first person, it was presumably written by Gregory himself³⁶.

Finally, there is the third way in which Gregory Mammê seems to typify the reaction of his circle to the last days of Byzantium: a certain ambivalence towards relations with the Catholic west. It is customary to divide the late Byzantine population into those who were Latinophiles, in favour of union with the western Church and those who were implacably opposed to it. Certainly there were those who were completely convinced on one or other side of the argument, such as Bessarion for the unionist position and Mark of Ephesus for the anti-unionist. Many others, however, took a much less cut and dried attitude to the question. Even among the group of advisers at the court of John VIII who were actively pursuing the policy of offering ecclesiastical union in return for military aid, some seem to have taken a very schizophrenic view of the process.

Again, an obvious example is the Grand Duke Loukas Notaras. As the most prominent adviser, first at the court of John VIII and then of Constantine XI, both of whom supported the Union of Florence, Notaras could hardly have remained in office if he had openly opposed the unionist policy. True, he had not attended the council of Florence but that was probably because he was too central to the administration of Constantinople in the emperor's absence. There is also a letter that Notaras wrote to George Scholarios, the leader of the anti-unionists, in the autumn of 1452. In it he warned Scholarios that the commemoration of the pope in the cathedral of Hagia Sophia was going to go ahead whether he liked it or not³⁷. Nevertheless, there are indications that Notaras was not entirely happy about the Union of Florence. The letter to Scholarios makes no attempt to convince him of the merits of the union; it merely stresses its inevitability. It is almost as if it had been written out of duty rather than conviction. Even more telling is the letter written to Notaras by the fiercely anti-unionist John Eugenikos. He scolded the Grand Duke for being too willing to associate himself with unionists and sternly warned him that he risked falling himself into 'the cesspit of Latinism' (εἰς τὸν βόθρον τοῦ λατινισμοῦ)³⁸. The implication is that the anti-unionists regarded him as being their camp. He was even credited with the ultimate anti-union catchphrase that 'it would be better to see the sultan's turban in Constantinople than the Latin headgear'³⁹. Notaras probably never said any such thing but Doukas's attribution of the phrase to him is possibly evidence that deep down he might have been very lukewarm about the union.

Since the chief minister of the emperor who negotiated the union was lukewarm, perhaps it is not so surprising that the patriarch appointed to oversee its implementation was too. Numerous small pieces of evidence suggest that Gregory III was by no means a convinced Latinophile on the lines of Bessarion or Demetrius Kydones. According to Syropoulos, he was reluctant to accompany the emperor to Italy for the council because he feared that if he went he might do evil things, hardly the words of a convinced advocate of union⁴⁰. Nor does Gregory seem to have had much empathy for western religious culture. Early in the proceedings of the council of Ferrara, he remarked that whenever he went into a Latin church he did not recognise

³⁵ Ruy Gonzalez Clavijo, *Embajada a Tamorlán* (ed. F. LOPEZ ESTRADA. Madrid, 1943, 36).

³⁶ GRUMEL – DARROUZÈS, *Les registres des actes du patriarchat*, No. 3402; CACOUROS, *Patriarche à Rome* 86–90.

³⁷ L. PETIT – X.A. SIDERIDES – M. JUGIE, *Oeuvres complètes de Georges Scholarios*. Paris 1928–35, III, 170: Μάτην κοπιᾶς, Πάτερ, ὅτι τὸ μνημόσυνον τοῦ Πάπα περιέστη νὰ δοθῆ καὶ ἀδύνατον ἄλλως γίνεσθαι; GILL, *Council of Florence* 376; BLANCHET, *Georges-Gennadios* 440–444.

³⁸ S.P. LAMBROS, *Παλαιολόγια καὶ Πελοποννησιακά*. Athens, 1912–30, I, 139.

³⁹ Doukas XXXVII 10 (ed. I. BEKKER, *Ducæ Michaelis Ducæ Nepotis Historia Byzantina*. Bonn 1834, 264): Κρειττότερόν ἐστιν εἶδέναι ἐν μέσῃ τῆ πόλει φακίολιον βασιλεῦον Τούρκων ἢ καλύπραν Λατινικὴν; Leonard of Chios, *Historia Constantinopolitanae Urbis a Mahumete II Captæ*, in: *PG* CLIX, 924–944, at 936. The interpretation of *kalyptra* was the subject of a detailed study by Dieter Roderich Reinsch (*Lieber den Turban als was? Bemerkungen zum Diktum des Lukas Notaras*, in: *ΦΙΛΕΛΛΗΝ*. Studies in Honour of Robert Browning. Venice 1996, 377–389) who sees *kalyptra* as referring to imperial power rather than to the religious authority of the pope.

⁴⁰ Syropoulos III 32 (192 LAURENT): Κάλλιον ἔσται εἰ καταλείψουσιν ἐμὲ ἐνθάδε εἰ γὰρ ἐκεῖσε ἀπέλθω ἅπαν δεινὸν ἐργάσομαι.

the saints depicted on its walls⁴¹. Likewise in the debates among the Byzantine delegates at the council, Gregory allegedly sometimes argued for the union, sometimes against⁴². That might explain why, once he was patriarch, his defence of the union was so muted and why, after five years in office, he preferred to slip away and leave all the arguing to others.

In this very lack of enthusiasm Gregory and Notaras are representative of what was probably a very common attitude among the later Byzantine ruling class. Take the courtier George Sphrantzes who exclaimed that he wished that John VIII had never left for Florence. He was critical of the Union of Florence in his memoirs but not on any theological or dogmatic grounds. His objection was purely practical. The union angered the Ottomans and gave them a pretext to attack and conquer Constantinople⁴³. Gregory and others among Byzantium's ruling elite backed the policy because it seemed to offer some alternative to perpetual vassalage to the Turks. It was not something they felt deeply or passionately about, as Bessarion did.

To return, in conclusion, to the installation of Gennadios II as patriarch in 1454, it might well seem that in comparison to that event and its long term consequences, the short and abruptly ended patriarchate of Gregory III is of little significance. His main activity as patriarch was a half-hearted attempt to implement a union which was to become a dead letter once Constantinople fell in 1453. If, on the other hand, the last years of Byzantium are studied for their own sake, rather than as a tail end or a new beginning, then he appears in a new light. Gregory is a perfect example of the schizophrenic way in which the Byzantine ruling classes responded to the desperate situation in which they found themselves. That reaction was a strange combination of heroic self-sacrifice, cynical diplomacy and calculated self-interest. It may be a rather less inspiring vision than that of Orthodoxy triumphantly surviving the wreck of Byzantium and prefiguring the national revival but it is a human and credible response to calamity.

⁴¹ Syropoulos IV 46 (251 LAURENT): Ἐγὼ ὅτε εἰς ναὸν εἰσέλθω Λατίνων οὐ προσκυνῶ τινα τῶν ἐκεῖσε ἁγίων, ἐπεὶ οὐδὲ γνωρίζω τινά.

⁴² ΚΙΟΥΣΟΠΟΥΛΟΥ, Emperor or Manager 42.

⁴³ Sphrantzes, XXIII 1–12 (81–7 MAISANO).

The synods of Alexios Studites (1025–1043)

Alexios Studites (1025–1043) was an intellectual zealot¹. Indeed, his patriarchate stands out, since it is usual to focus on comparing and contrasting different aspects such as the conflict between church and state, or alternating patriarch and synod or even patriarchate versus the monastic world. His synod decrees² are an example of the unification of all these aspects which are presented as working more or less in unison. It is therefore essential to date them correctly, something which has not been attempted since Ficker's edition of 1911. It is also important to establish three different phases: 1) 1025–1034 2) 1034–1037 and 3) 1037–1043. Developing a reading of these three phases makes it easier to interpret the evolution of Alexios Studites' patriarchate and therefore to point out how unusual his choice of orthodoxy was.

Alexios was the last patriarch appointed by Basil II³, and was selected directly from the monastic world. He had been abbot of the Stoudios monastery⁴ and thus shows a direct connection between the emperor and patriarch. This was soon confirmed by the surprising novella of 1026 issued by Constantine VIII which anathematizes anyone who rebelled against the emperor⁵. The formula of the novella is unusual since it does not have the classic term *θεσπίζομεν*, we decree, found in most novellae of Leo VI⁶ or of Constantine IX Monomachos⁷, but is structured as a series of anathemas, and therefore seems to have been issued by a synod presided over by Patriarch Alexios Studites.⁸ The fact that subsequent sources have difficulty distinguishing between a novella and an anathema reveals how closely the emperor and patriarch collaborated at this time⁹.

The imperial expansion to the south-east of the empire¹⁰ found secure support from the patriarch who promoted a series of synods aimed at condemning the Syro-Jacobite community predominant in those are-

¹ The references used most often are abbreviated as follows: FICKER = G. FICKER, *Erlasse des Patriarchen von Konstantinopel Alexios Studites* (Kiel, 1911). GRUMEL = V. GRUMEL, J. DARROUZES, *Les registres des actes du patriarche de Constantinople*, vol. I, Fasc. II et III, *Les Registres de 715 à 1206*, Paris 1989. The individual editions may be found in the appendix. A number in brackets refers to Grumel. RP = M. POTLES and G.A. RHALLES, *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων τῶν τε ἁγίων καὶ πανευφύμων ἀποστόλων, καὶ τῶν ἱερῶν οἰκουμεικῶν καὶ τοπικῶν συνόδων, καὶ τῶν κατὰ μέρος ἁγίων πατέρων*. Athens 1859).

² For an overview of the synod decrees of this time see F. LAURITZEN, *synod decrees of the eleventh century*. *BZ* 105 (2012) 101–116.

³ διάδοχον ὁ βασιλεὺς ἐποιήσατο Ἀλέξιον μοναχὸν καὶ καθηγούμενον τῆς μονῆς τοῦ Στουδίου, εἰς ἐπίσκεψιν αὐτοῦ πεφοιτηκότα μετὰ τῆς τιμίας κεφαλῆς τοῦ προδρόμου. ὄν καὶ πέμψας ἐνθρονίζει διὰ τοῦ πρωτονοταρίου Ἰωάννου, ᾧ συνεργῶ ἐχρήτο πρὸς τὴν τῶν κοινῶν διοίκησιν. καὶ τῇ ἑσπέρᾳ ἐτελεύτησε, ζήσας μὲν ἔτη ἑβδομήκοντα, καὶ τὰ πάντα βασιλεύσας, ἐπὶ χρόνους δὲ πεντήκοντα τὴν αὐτοκράτορα διῆθυνας ἀρχὴν. (Scylitzes Bas2.Const.8.47.25–31 THURN).

⁴ Ἀλέξιον μοναχὸν καὶ καθηγούμενον τῆς μονῆς τοῦ Στουδίου (Scylitzes Bas2.Const8.47.25–26 THURN). See note above.

⁵ J. and P. ZEPOS, *Jus Graecoromanum I*. Athens 1931, Novella XXXI, p. 273–274 [830].

⁶ Novella 5, 7, 14, 19, 21, 23–25, 33, 36, 39–43, 52, 53, 56, 57, 59, 60, 61, 68, 69, 72, 74, 75, 77–79, 84, 88, 96–98, 100, 102, 107–109, 111–113 in: S. TROIANOS, *Οἱ Νεαρές Λέοντος ζ' του Σοφού*. Athens 2007.

⁷ Mauropous, Novella 20.1 Salac, A. SALAC, *Novella Constitutio Saec. XI Medii a Ioanne Mauropode conscripta a Constantino IX Monomacho promulgata*. Prague 1954.

⁸ Alexios Studites only presided over local councils, which in Constantinople were permanent (σύνοδος ἐνδημοῦσα) see F. LAURITZEN, *Who convenes a synod in Byzantium?*, *Θεολογία* 86, 2 (2015) 105–116.

⁹ The debate on whether it is a novella or anathemas from a synod is present in Blastares. Ἡ δὲ νεαρὰ τοῦ βασιλέως Κωνσταντίνου τοῦ Πορφυρογεννήτου, εἰδήσει καὶ τοῦ Πατριάρχου Ἀλεξίου καὶ τῆς Συνόδου, ἀναθέματι καθυποβάλλει τοὺς μέλλοντας ἢ ἐπιβουλαῖς ἐπιχειρεῖν, ἢ μούλτω· ἀλλὰ δὴ καὶ τοὺς συμπράττοντας καὶ συγκοινωνοῦντας τῇ αὐτῶν ἀποστασίᾳ, καὶ τοὺς συμβουλευόντας ἢ παρορμῶντας εἰς τὰ τοιαῦτα, καὶ τοὺς συνεκστρατεύοντας, καὶ τοὺς δεχομένους αὐτοὺς εἰς μετάνοιαν, μὴ μεταμελομένους ἀπὸ τῆς ἀποστασίας, καὶ καταλιμπάνοντας αὐτήν. Ζῆτει περὶ ταύτης τῆς νεαρᾶς ἐν τῇ ἐπιγραφῇ τῆς ἐν Γάγγρα Συνόδου, ἧτις ἐν τῇ ἀρχῇ τοῦ βιβλίου κεῖται. (Blastares, *Collectio Alphabetica* Σ11.27–36 RHALLES POTLES). On the question of church-state collaboration see also F. LAURITZEN, *Symphonia in the Byzantine Empire*, in J. FAMERÉE, P. GISEL, H. LEGRAND, *Evangile, moralité et lois civiles. Gospel, Morality, and Civil Law*. Munich 2016, 103–110.

¹⁰ G. DAGRON, *Minorités ethniques et religieuses dans l'Orient byzantin à la fin du Xe et au XIe siècle: l'immigration syrienne*. *TM* 6 (1976) 177–216.

as¹¹. These synods are also striking since they reveal that the local government was less interested in orthodox theory and were promoted a form of practical cohabitation. Alexios instead answered by the forbidding of mixed marriages and making it possible for Syro-Jacobites to inherit property since they were not considered part of the Byzantine orthodoxy, though subject to Roman civil law. Indeed the synods presided over by Alexios Studites employed canon law as if it had the validity of civil law. It is not surprising that one finds one of his decisions in the Peira of Eustathios Rhomaïos¹². He also proposed that canon laws which no longer had practical validity had to be reissued in order to make sure they could be acted upon.¹³

These three aspects: imperial collaboration, fighting heresy and re-enacting canon law can be seen at work most clearly in the case of the Syro-Jacobite Patriarch John III bar Abdoun. His breach of orthodox canon law, according to Alexios, needed to be judged, so he had the imperial guard arrest him and bring him to the synod tribunal, where he was condemned, then escorted by the army to the monastery on Mt. Ganos where he was forced to become an orthodox monk¹⁴. All this had been at the instigation of the Metropolitan of Melitene, John, who was remembered as a great writer by Michael Psellos¹⁵. Thus we have the unification of a circle which was literary, zealous, monastic and institutional. Alexios Studites was aware of this and refers to such people as a *logios zelotes*.

ἱερός καὶ λόγιος ἀνὴρ καὶ ζηλωτῆς καλῶν ἔργων (Alexios Studites, *Synod against Eleutherios* 48.66–67 Gouillard [850])

A holy and intellectual man who achieves good deeds with zeal.

Such an attitude is quite unusual and should be combined with two other important factors. As Stephanides pointed out, the first synod decrees which indicate a gathering assembled directly by the patriarch is the Tomos of Patriarch Sisinnios of 997¹⁶. This patriarch had also been in conflict with the emperor Basil II, and thus Alexios' position of agreement and collaboration is quite new, even though all the surviving documents containing the relevant protocol indicate that it was Alexios who gathered the synod. Moreover, the relationship with the metropolitans at this point is important since each one controlled their jurisdiction without the problems which will define the Orthodox Church from the end of the eleventh century. After the battle of Mantzikert many metropoleis were unreachable for the metropolitans, who therefore resided in Constantinople rather than in their metropolis. Consequently Alexios Studites' synod decrees represent both a patriarch and metropolitans who had practical control of their respective jurisdiction.

Such a unique combination of interests is not monolithic. For this reason it is necessary to establish the correct dating of as many of the decrees as possible. This is especially important since the decrees of Alexios Studites represent the first substantial corpus of texts from the synods of a single patriarchate. At the moment it is certain that the dated synods are the following:

1026 Anathema against rebels (GRUMEL 830)

1027 Letter on marriage (GRUMEL 832),

¹¹ F. LAURITZEN, Алексей Студит и Сиро-Якобитская община [Alexios Studites and the Syro-Jacobite community] in: Церковно-исторические исследования в контексте современной науки. Moscow 2011, 161–164.

¹² J. and P. ZEPOS, Peira Eustathii Rhomai, Jus Graecoromanum IV. Athens 1931, 59.3.

¹³ Z. CHITWOOD, The Patriarch Alexios Stoudites and the Reinterpretation of Justinianic Legislation against Heretics. *GRBS* 54, 2 (2014) 293–312. For a discussion of the relationship between the gospel, morality and civil law also at this time, see F. LAURITZEN, The 'constantinian' moment for the individual and society, in J. FAMERÉE, P. GISEL, H. LEGRAND, *Evangile, moralité et lois civiles. Gospel, Morality, and Civil Law*. Munich 2016, 225–236.

¹⁴ Synod of 1030 [839]. new edition to be published by F. LAURITZEN in A. MELLONI, *The Great Councils of the Orthodox Churches*, Turnhout 2017.

¹⁵ P. GAUTIER, Monodies inédites de Michel Psellos. *REB* 36 (1978) 97–104.

¹⁶ B. STEPHANIDES, Die geschichtliche Entwicklung der Synoden des Patriarchats von Konstantinopel. *Zeitschrift für Kirchengeschichte* 55 (1936) 136. The text can be found at J.-P. Migne, *Patrologiae cursus completus (series Graeca)* (MPG) 119, Paris: Migne, 1857–1866: 728–741. Sisinnios had been admired by his contemporaries as an intellectual: χειροτονεῖται Σισίνιος μάγιστρος, ἀνὴρ ἐλλόγιμος καὶ ἰατρικῆς τέχνης ἦκων εἰς τὸ ἀκρότατον (Scylitzes Bas2.Const8.22.2–3 THURN).

- 1027 Letter on monasteries (GRUMEL 833)
 1027–1030 Letter on marriage question (GRUMEL 834)
 1028 Application of canon law (GRUMEL 835)
 1030 Trial of Bar Abdoun (GRUMEL 839)
 1037 Message against metropolitans (GRUMEL 842)
 1038 Marriage of the seventh degree (GRUMEL 844)
 1038 Question about marriage (GRUMEL 845)
 1039 Syro-Jacobite inheritance (GRUMEL 846)

The texts which remain undated according to the numbers provided by Grumel are the following: 831, 836, 837, 838, 840, 841, 843. One may, however, establish from these that there is a substantial series of texts from the period 1026–1030 and another from the period 1037–1039. The hiatus may not be accidental since Michael IV the Paphlagonian began his reign in 1034 and there was an attempt to depose the patriarch in the year 1037.

Ἐκτόπως δὲ τοῦ Ἰωάννου τοῦ θρόνου Κωνσταντινουπόλεως ἐρῶντος, κοινοπραγήσαντες ὁ τῆς Κυζίκου Δημήτριος, Αντώνιος ὁ Νικομηδείας, ὁ τῆς Σίδης καὶ Ἀγκύρας οἱ ἀδελφοὶ σὺν ἄλλοις μητροπολίταις ἐβουλεύσαντο τοῦ θρόνου καταγαγεῖν τὸν Ἀλέξιον καὶ ἀντ’ αὐτοῦ Ἰωάννην τῷ θρόνῳ ἐγκαταστήσαι. πρὸς οὓς Ἀλέξιος ὁ πατριάρχης μετὰ τοῦ λοιποῦ μέρους τῆς ἐκκλησίας μηνύματα ἐκπέμπει, δηλοῦντα: „ἐπειδὴ, ὡς φατε, οὐ ψήφῳ ἀρχιερέων, ἀλλὰ προστάξει Βασιλείου τοῦ βασιλέως ἐπέβην τοῦ θρόνου ἀκανονίστως, καθαιρεθῆτωσαν, οὓς ἐχειροτόνησα μητροπολίτας ἐπὶ ἕνδεκα πρὸς τῷ ἡμίσει χρόνους τὴν ἐκκλησίαν ἰθύνας, ἀναθεματισθῆτωσαν δὲ καί, οὓς ἔστεψα τρεῖς βασιλεῖς, καὶ ἐξίσταμαι τοῦ θρόνου τῷ βουλομένῳ.“ ταύτην δεξάμενοι τὴν ἀγγελίαν οἱ περὶ τὸν Δημήτριον, καὶ αἰσχύνης καὶ δέους πλησθέντες (ἦσαν γὰρ οἱ πλείους ὑπ’ αὐτοῦ χειροτονηθέντες), ἠσπάσαντο σιωπὴν, καὶ λοιπὸν ὁ Ἰωάννης ἐπέσχε τὴν ἐπὶ τῇ κατασχέσει τοῦ θρόνου ὄρεξιν. (Scylitzes, *Historion*, Michael IV 12.1–14, in: H. THURN, *Ioannis Scylitzae Synopsis Historiarum*. Bonn 1973).

Since John surprisingly sought the patriarchal throne of Constantinople, Demetrios metropolitan of Kyzikos, Antonios, metropolitan of Nikomedia, the brothers, metropolitans of Side and Ancyra conspired with other metropolitans to depose Alexios from the throne and to install in his place John. Patriarch Alexios, together with the rest of the church sends them letters declaring: “since, as you say, I rose to the throne illegally and not by the vote of clergy, but by the order of the emperor Basil, let them be deposed, those metropolitans which I have elected during my eleven years and a half when I governed the church. Let the three emperors which I crowned be anathematized, and I will relinquish the patriarchal throne to who wants it.” The followers of Demetrios received this letter and were filled with shame and fear (for he had elected most of them) and they preferred silence. In the end John suspended his desire to obtain the patriarchal throne.

Thus 1037 was a turning point in the career of Alexios. The period 1034–1037 was quite difficult since the new emperor, Michael IV, succeeded in 1034. His brother, the eunuch John the Orphanotrophos, was interested in becoming patriarch¹⁷. Alexios may also have foreseen that this was a possibility also beforehand since he appears to have established a monastery in 1034¹⁸. At this point one may see two periods of writing with a hiatus when the patriarch was trying to survive politically (1026–1030, 1037–1039) and it allows one to date some of the remaining texts.

The synod [GRUMEL 850] which condemned Eleutherios of Paphlagonia mentions the metropolitan of Side in positive terms¹⁹. Since he was part of the plot against Alexios one may deduce that the synod against

¹⁷ For John the Orphanotrophos see C. M. BRAND – A. KAZHDAN – A. CUTLER, John the Orphanotrophos, *ODB*, and K. M. RINGROSE, *The Perfect Servant: Eunuchs and the Social Construction of Gender in Byzantium*. Chicago 2003, 191–193.

¹⁸ Date indicated by GRUMEL at [GRUMEL 841].

¹⁹ Κωνσταντῖνος ὁ θεοφιλέστατος μητροπολίτης Σίδης, ἱερός καὶ λόγιος ἀνὴρ καὶ ζηλωτὴς καλῶν ἔργων (Alexios Studites, *Against Eleutherios* 66–67 GOUILLARD [GRUMEL 850]).

Eleutherios was held between 1025 and 1034 (during the reigns of Constantine VIII or Romanos III). Moreover, the metropolitan of Side appears in the synods of 1028²⁰, 1027–1030²¹, 1030²². This is, of course, important since it dates the question of the Bogomils more precisely. One may hypothesize that the novella of 1026 could be put in relation with this document since the latter begins with a reference to an averted coup d'état²³. Moreover, the oldest manuscript of the Synodikon of Orthodoxy which contains a version dateable to Alexios Studites has a series of 23 anathemas against the dualist heresies²⁴. Thus it seems highly probable that the concern against the dualist heresy of Eleutherios of Paphlagonia began sometime after 1025 and was discussed before 1034 especially under the eye of Constantine, metropolitan of Side.

Probably the most important text written during the patriarchate of Alexios Studites is the tomos against the Syro-Jacobites [GRUMEL 840]. This was dated to 1038 by Ficker, since the document itself does not contain a date. However, the text itself is explicit that the reigning emperor was Constantine VIII²⁵ and therefore should be placed sometime between 1025–1028. Moreover, it appears that the text of the tomos may have been written by Demetrius, metropolitan of Kyzikos²⁶. Since he was later involved in the attempt to depose the patriarch in 1037, it is easier to see such an initiative occurring before the date proposed by Ficker. Indeed, it is possible to date the synod rather precisely. If one compares the list of metropolitans present it is necessary to date the synod between 1027 [GRUMEL 835] and 1030 [GRUMEL 839]. There is one argument in favour and one against the new dating. The metropolitan of Corinth in 839 and 840 is the same, Niketas. This would mean that the list represents signatures after 1027 [GRUMEL 835] but before 1030 [GRUMEL 839]. However the metropolis of Tyana creates a problem, since in 1027 [GRUMEL 833], 1027 [GRUMEL 835], 1030 [GRUMEL 839] Constantine was metropolitan, while in no. 840 it is Ioulianos, as he was also in 1039 [GRUMEL 846]. Since there is this unique contradiction, one may use the direct reference in the text to the emperor Constantine as decisive. Therefore, one proposes a date of 1027 or 1028 for the tomos [GRUMEL 840]. Moreover, the text was confirmed and resissued with new signatures, among them the signature of Helias II, who died on 30th March 1032 after being patriarch for a year and a half²⁷. Therefore, the original text with the tomos was written by Demetrius of Kyzikos and presented to Constantine VIII in either 1027 or 1028. The text was presented once more in a synod and signed circa 1031.

The letter written to the metropolitan of Caria [GRUMEL 854 and 855] saying he did not follow the order of the patriarch and the one written to the clergy of Caria saying not to follow their metropolitan signifies that they must have both been written during the crisis of 1034–1037. Moreover, it adds the metropolitan of Caria among the group of the unnamed rebel metropolitans. This allows one to attribute two documents to this period, as well as possibly identifying the name of the metropolitan as John²⁸. This seems possible also because there was a new metropolitan of Caria, Ignatios, who signed the tomos of the synod of 1039 [GRUMEL 846]²⁹.

These arguments mean that all his writings are dated more or less precisely.

1026 Anathema against rebels (830)

²⁰ RP 5.24 [GRUMEL 833]

²¹ RP 5.32 [GRUMEL 834]

²² FICKER 19.16 [GRUMEL 839]

²³ Τῆς καθ' ἡμῶν τυραννίδος λυθείσης (Alexios Studites, against Eleutherios, 3 GOUILLARD [GRUMEL 850]).

²⁴ J. GOUILLARD, *Le Synodicon de l'Orthodoxie: édition et commentaire. TM 2* (1967) 1–316 and especially the edition and commentary at pages 311–313. A new edition of the Synodikon of Alexios Studites is underway and will be published soon. F. Lauritzen, *Synodicum Alexii Studitae*, in A. Melloni, *The Great Councils of the Orthodox Churches*. Turnhout 2017. See also F. LAURITZEN, *Against the enemies of Tradition: Alexios Studites and the Synodikon of Orthodoxy*, in: A. RIGO – P. ERMILOV (eds.), *Orthodoxy and Heresy. Proceedings of the XX annual conference of Saint Tikhon University*. Rome 2010, 41–49.

²⁵ τὸν αὐτὸν ἔσχηκας ζῆλον περὶ τὴν ὀρθόδοξον πίστιν τῷ μεγάλῳ καὶ πρώτῳ Χριστιανῶν βασιλεῖ καὶ ὁμονύμῳ σοι Κωνσταντίνῳ. FICKER 22n1. [GRUMEL 840].

²⁶ FICKER 22 note 1. [GRUMEL 840].

²⁷ I. KRATCHKOVSKY – F. MICHEAU – G. TROUPEAU, *Histoire de Yahya ibn Sa'id d'Antioche (Patrologia Orientalis 47.4, no.212)*. Turnhout 1997, 520.

²⁸ FICKER 19.25 [GRUMEL 839].

²⁹ FICKER 42.15 [GRUMEL 846].

- 1027 Letter on marriage (832)
- 1027 Letter on monasteries (833)
- 1027–1030 Letter on marriage question (834)
- 1028 Application of canon law (835)
- 1030 Trial of Bar Abdoun (839)
- 1031 Tomos against Jacobites (840)
- 1025–1034 Against Eleutherios (850)
- 1034–1037 Metropolitan of Caria (854, 855)
- 1037 Message against metropolitans (842)
- 1038 Marriage of the seventh degree (844)
- 1038 Question about marriage (845)
- 1039 Syro-Jacobite inheritance (GRUMEL 846)

The striking feature is that throughout his patriarchate, Alexios was concerned with questions of marriage. However, two elements emerge as well. During the reign of Constantine VIII (1025–1028) and Romanos III Argyros (1028–1034) he also developed an interest in the question of the Syro-Jacobites. This may be connected with the imperial military policy in the region since the emperor himself decided to attack in person with his army. The question of Eleutherios of Paphlagonia, an important case of a dualist sect, also seems to concern the return to strict orthodox practice. Thus these two cases were concerns at a specific time and due to the initiative of John of Melitene (Syro-Jacobites) and Constantine of Side (dualists). Therefore it was not the patriarch who initiated the issues discussed. Indeed both documents contain specific references to the case being brought before the patriarchal tribunal³⁰. The remaining documents represent questions on specific cases brought before the tribunal of the synod in order to be judged. The documents which survive from the patriarchate of Alexios Studites are important examples of the synod as a court of appeal for unresolved questions. The last dated document of 1039 [GRUMEL 846] clearly points to the difficulty of using canon law in practice and the patriarch here clearly invokes civil law against the Syro-Jacobite community indicating an important shift. This change from church to imperial jurisdiction may be due to his loss of confidence in the metropolitans who had tried to depose him just a few years earlier.

However, it would be incorrect to consider the patriarch Alexios Studites simply as judging documents brought before him, or to reduce him to an arbitrator of disputes. The documents have such a tone since metropolitans with specific interests knew that certain topics (such as heresy) could easily be brought before the patriarch. The synod of 1030 reveals a certain relaxed attitude towards the Syro Jacobites at the local level. It was this attitude that the zealous metropolitan of Melitene tried to fight. The survival of all these documents, exceptional if one compares to the previous centuries, indicates the specific will of Alexios Studites to be more strict on the application of canon law, to be in favour of *ἀκριβεία* rather than *οἰκονομία* as he himself says³¹:

ἀποπλανᾷ τὸ τῆς ἀκριβείας φῶς συσκιάζων (Alexios Studites, Synods, 40.24, in: FICKER 28–42; GRUMEL 846)

He errs and casts a shadow on the light of precision

Ἰγνάτιός τε ὁ ἐν τῇ περιουκίδι Μελιτηνῆς καὶ Ζαχάκιος ὁ Ἄρκης καὶ ὁ ἀπὸ Μεσοποταμίας Μωϋσῆς, τῆ τῶν γραφῶν ἀκριβεία προσχόντες πρὸς τὸ τῆς ἀληθείας ἀνέβλεψαν φῶς (Alexios Studites, Synods, 13.15–14.1, in: FICKER 8–18; GRUMEL 839)

³⁰ διὰ βασιλικῶν κελεύσεων ἐν τῇ βασιλίδι τούτους παρίστα τῶν πόλεων καὶ πρὸς τὸ συνοδικὸν παρέπεμπε δικαστήριον (FICKER 11.25–27 [GRUMEL 839]). τὴν πλάνην τούτων φωράσας ἐπὶ τὸ συνοδικὸν αὐτοὺς δικαιοτήριον εἴλκυσε καὶ διήλεγξε, τὰς ἀθέσμους αὐτῶν πράξεις παραγυμνώσας τῷ λόγῳ (Alexios Studites, Against Eleutherios 67–69 GOUILLARD [GRUMEL 850]).

³¹ παρὰ πᾶσαν ἐκκλησιαστικὴν καὶ κανονικὴν ἀκριβείαν καὶ παράδοσιν (FICKER 9.26–27 [GRUMEL 839]), Τρία δὲ ἡμῖν περιποιεῖται τὰ κάλλιστα: τοῖς ἀσεβοῦσι πολεμεῖ, τῶν εὐσεβοῦντων ὑπερμαχεῖ καὶ τὸν δημόσιον αὔξει (FICKER 39.13–15 [GRUMEL 846]).

Ignatius from the region of Melitene, Zachakios of Arke and Moses of Mesopotamia, paying attention to the precision of the writings, looked up to the light of truth.

These passages illustrate both the concern for strict application of orthodoxy and the literary quality of such texts which is apparent throughout. Indeed it is clear that Alexios Studites was a zealot. His forceful interest in applying *ἀκρίβεια* is apparent in many texts. This interest in correct practice also explains the typikon he wrote for the monastery he established and which survives only in Slavonic translation:

Ѡт альѣиѧ сѣго и вселенїѧ патриарха вѣ поставленѣмъ имѣ манастири
from Alexios holy ecumenical patriarch in the rules of his monastery. (Typikon of Patriarch Alexios Studites, in: PENTKOVSKIJ line 13–14 [p. 368])

It was used as the foundation document for the Monastery of the Caves in Kiev and was therefore influential throughout the Slavic world³². It was during his patriarchate that the hymns of Symeon the New Theologian were published in 1035 by the Studite monk Niketas Stethatos. It has been argued that he was also responsible also for the last major Constantinopolitan version of the Synodikon of orthodoxy which was then translated into Georgian, Bulgarian, Serbian and Russian³³. This mixture of intellectual and zealot means that classical references are sometimes employed to describe the errors of so called heretics in rather surprising ways:

Ἀλλ' ἔμεινεν ὁ Αἰθίοψ μετὰ τὴν ἔκπλυσιν, καὶ ὁ καρκῖνος πρὸς πορείαν λοξός, καὶ ὁ χαμαιλέων ἀμέτοχος τῆς λευκότητος, κἂν πάσας τὰς λοιπὰς χροῶς εὐχερῶς μιμεῖται καὶ περιτίθεται. Καὶ οὗτοι πρὸς ὀρθοδοξίαν καὶ θεοσέβειαν ἀμετάβλητοι. (Alexios Studites, Synod against Eleutherios 48.60–63, ed. GOUILLARD. *REB* 38 [1978])

But the Ethiopian remained an Ethiopian after washing, the crab remained crooked in his path and the chameleon does not become white, even if he easily imitates and assumes all other colours. They also remained unchanged in relation to orthodoxy and divine worship.

This passage is typical of Alexios and yet surprising since these expressions or proverbs were well known in different forms at this time³⁴, although he has altered their vocabulary. The message is clear: it is necessary to purify those who walk astray and do not participate in the truth. Alexios Studites thus promoted a form of Christianity which was strict and cultured.

The texts from the synods of Alexios Studites are fundamental for the study of the patriarchate. They represent the first major body of texts since the year 997 when the patriarch began to personally and officially gather synods. It is also the last major body of synod decrees before the system of metropoleis was substantially altered by the loss of Anatolia. Moreover, it was during his patriarchate that Niketas Stethatos, also a monk from Stoudios, began his literary career and published the hymns of Symeon the New Theologian. Assigning a date to those texts which were until now undated, allows one to see that this specific mentality of Alexios is found throughout his patriarchate and was shared more or less in its entirety by other metropolitans and is therefore representative of Byzantine Orthodoxy just before the schism of 1054. The patriarchate of Alexios Studites is thus marked by an interest in promoting such persons as the metropolitan of Side whom Alexios described as an intellectual zealot.

³² PENTKOVSKI 155–170.

³³ See note 24.

³⁴ Metaphrastes *Passio Euphemiae* 7.1; John VIII Xiphilinos 446; Lazaros of Galesion 570.1.50.

APPENDIX: CATALOGUE OF PUBLISHED WORKS BY ALEXIOS STUDITES WITH NEW DATING.

According to V. GRUMEL – J. DARROUZES, *Les registes des actes du patriarche de Constantinople*, vol. I, Fasc. II et III, *Les Registres de 715 à 1206*. Paris 1989.

829 unpublished

829a lost

830 [1026]

Ed: J. and P. ΖΕΡΟΣ, *Jus Graecoromanum I*. Athens 1931, Novella XXXI 273–274

831 lost

832 [Jan 1027]

Tit: ψήφος τοῦ πατριάρχου κυροῦ Ἀλεξίου πρὸς Θεοφάνην

Inc: Δύο γραφᾶς κομισάμενοι ἐν ταυτῷ τῆς ὑμῶν μετριότητος

Des: τοῦτο ἡμῖν γραφῆς ἔρρωσο μηνὶ ἰανουαρίῳ ἰνδικτιῶνος δεκάτης ζϋλε΄

Ed: BENEŠEVIČ *IV* 12 (1905) 516 ff

833 [Nov 1027]

Tit: ἴσον ὑπομνήματος ἐναποτεθειμένου

Inc: μετὰ τῶν ἄλλων ἀπάντων

Des: καὶ δίδωσιν ἐνεργεῖσθαι καὶ πράττεσθαι τοῦ λοιποῦ

Ed: RHALLES POTLES 5.20–24;

834 [1027–1030]

Tit: περὶ δισεξάδελφῶν δύο

Inc: αἱ τῶν γάμων ζητήσεις περὶ θείου γινόμεναι πράγματος

Des: καὶ κρίνεται ὁ τοιοῦτος γάμος ἀθῶος καὶ ἔννομος

Ed: RHALLES POTLES 5.32–36

835 [1028]

Tit: ὑπόμνημα τοῦ Ἀγιωτάτου πατριάρχου Ἀλεξίου περὶ διαφόρων

Inc: τῶν θείων καὶ ἱερῶν κανόνων

Des: ἀνάθεμα ἔστω

Ed: RHALLES POTLES 5.25–32

836 lost

837 lost

838 lost

839 [May 1030]

Tit: Ἀλέξιος ἐλέφ τοῦ Θεοῦ ἀρχιεπίσκοπος Κωνσταντινουπόλεως Νέας Ῥώμης καὶ οἰκουμενικὸς Πατριάρχης

Inc: τοῦ εὐαγγελικοῦ καὶ τοῦ θείου κηρύγματος

Des: πάσης ἐξουσίας καὶ κυριότητος

Ed: FICKER 8–20; new edition published by F. LAURITZEN in A. MELLONI, *Conciliorum Oecumenicorum Generaliumque Decreta IV/1. The Great Councils of the Orthodox Churches, Decisions and Synodica. From Constantinople 861 to Constantinople 1872*. Turnhout 2016, 59–69.

840 [1028]

Tit: Τόμος

Inc: ἐπειδὴ σου τὴν ὑπερφυῆ καὶ τῷ ὄντι βασιλικωτάτην φύσιν

Des: καὶ ταῦτας σου κεκεύσαντος ἐκθησόμεθα

Ed: FICKER 22n1 + *PG* 127.879–884 + FICKER 22n1

841 *typikon* in Slavonic

Ed: A. M. ΠΕΝΤΚΟΒΣΚΙ, *Tipikon Patriarha Aleksija Studita v Vizantii i na Rusi*. Moscow 2001.

842 [1037 June]

Inc: ἐπειδὴ ὡς φατε, οὐ ψήφω ἀρχιερέων

Ed: Scyl. 401.73–77 THURN

843 lost

844 [1038]

Tit: Ἀλεξίου περὶ γάμου τοῦ ζ' βαθμοῦ

Inc: προκαθημένου Ἀλεξίου τοῦ ἀγιωτάτου

Des: πρὸς Λέοντα τὸν μητροπολίτην Ἀθηνῶν καὶ σύγκελλον.

Ed: RHALLES POTLES 5.36–37

845 [1038]

Tit: περὶ τινος ἀρμοσαμένου τῷ ἰδίῳ υἱῷ πρὸς γάμον θυγατέρα

Inc: Πέτρος ὃ τὸ ἐπώνυμον Βαμβυλᾶς ἀπὸ Ἑλλάδος ὀρμώμενος

Des: καὶ τῷ τῆς φθαρείσης μέρει παρασχεθῆναι.

Ed: RHALLES POTLES 5.37–39

846 [1039]

Tit: deest

Inc: πόλις μὲν ἢ Μελιτηνὴ μεγάλη καὶ πολυάνθρωπος

Des: τῆς ἐπεξελεύσεως ἐπαγομένης τοῖς παραβαίνουσιν

Ed: FICKER 28–42

847 [undated]

Tit: πιττάκιον [letter to the metropolitan of Chrysopolis]

Inc: Λαμπούδιος οὗτος, ὁ ἀπὸ τῆς

Des: ἐφ' ἐνὶ μέντοι καὶ μόνῳ ἐνιαυτῷ.

Ed: RHALLES POTLES 5.92–93

848 collection of decisions

849 doubtful attribution

850 [1025–1034]

Tit: ἴσον κρίσεως συνοδικῆς

Inc: τῆς καθ' ἡμῶν τυραννίδος λυθείσης καὶ τῆς εἰδωλολατρείας καταλυθείσης

Des: πάσης ἐξουσίας καὶ κυριότητος

Ed: J. GOUILLARD, Quatre procès de mystiques à Byzance (vers 960–1143). *Inspiration et autorité. REB* 36 (1978) 45–52.

851 lost

852 lost

853 lost

854 [1034–1037]

Tit: πιττάκιον τοῦ κυροῦ Ἀλεξίου τοῦ πατριάρχου εἰς τὸν μητροπολίτην Καρίας ἐπὶ ἀφορισμοῦ

Inc: Καλὸν μὲν ἐστι ἢ μακροθυμία

Des: ὡς τὸ εἰκὸς ἀποσβήσεται. Ἐρρωσο

Ed: FICKER 4–5

855 [1034–1037]

Tit: πιττάκιον τοῦ αὐτοῦ πρὸς τοὺς κληρικούς τῆς μητροπόλεως Καρίας

Inc: τὸ πειθαρχεῖν τῷ μητροπολίτῃ

Des: ὁμεῖς ἐκείνῳ πειθόμενοι.

Ed: FICKER 6

Édification du patriarcat à Nicée

L'Église patriarcale établie à Nicée comme ἔπηλος et ἐπίθετος, transportée et surimposée¹, a trouvé des difficultés importantes après la prise de Constantinople par les croisés en 1204, pour s'imposer dans le monde byzantin. De l'autre côté, l'institution impériale fondée en Asie Mineure ne se suffisait pas à elle seule pour revendiquer l'héritage byzantin. Il lui fallait son pendant spirituel, l'institution patriarcale, pour que l'Empire « romain » soit reconstitué². Selon nos sources chronographiques, Théodore I Laskaris, à l'occasion de sa proclamation comme basileus, avait invité le patriarche Jean Kamatèros, qui s'était réfugié à Didymoteichon, à aller en Asie Mineure³. Le dernier patriarche byzantin de Constantinople déclina l'invitation et démissionna⁴. C'est ainsi que l'on élut Michel IV Autôreianos comme patriarche à Nicée. Le nouveau patriarche couronna Théodore I Laskaris⁵. Pour autant, l'Église patriarcale établie à Nicée, ne fut pas édifiée si simplement.

En effet, en 1206, dans une lettre adressée au pape, les membres de l'Église byzantine restés à Constantinople affirmaient qu'ils avaient maintenu leur fidélité au patriarche Jean Kamatèros jusqu'à sa mort⁶. Cette affirmation signifie que le patriarche n'avait pas démissionné. D'ailleurs, ce sont des membres de l'Église byzantine restés à Constantinople qui, sous des circonstances extraordinaires, prirent l'initiative d'élire Michel Autôreianos à Nicée. En effet, les rapports de force entre les ecclésiastiques byzantins de Constantinople et les représentants de l'Église romaine tournent en leur défaveur et, de plus en plus, des prélats passaient à

¹ Nicephori Blemmydae, *Autobiographia sive Curriculum Vitae necnon epistula Universalior*, ed. J. MUNITIZ (CCSG 13). Louvain 1984, 8.

² Pour la liaison traditionnelle entre pouvoir politique et le patriarcat, A. KARPOZIOS, *The ecclesiastical controversy between the kingdom of Nicaea and the principality of Epiros (1217–1233)*. Thessalonique 1973, 47, note 5. Cette conception était vivante à l'époque de la chute de Constantinople, Michel Choniates, *Epistulae* 129 (lettre à Théodore I Laskaris) et 171 (lettre au patriarche Manuel) (éd. F. KOLOVOU, *Michaelis Choniatae Epistulae* [CFHB 41]. Berlin–New York 2001, 209 et 270): παραδέδωκε μὲν γὰρ ἀλλοφύλοις ... τὴν βασιλίδα τῶν πόλεων, τὴν σεμννομένην βασιλείῳ τε καὶ ιερατικῷ χρίσματι, οὐ μὴν τὰς ἀκροπόλεις τοῦ τοιοῦδε χρίσματος ὑπ' ἔθνῶν πατεῖσθαι παρακεχωρηκῶς ... ἀλλ' οἰκτειρήσας καὶ σπέρμα βασιλείων καὶ λύχων ἡμῖν ἐγκατέλιπεν ἱερωσύνης, ἵνα μὴ συντελεσθῶμεν. Dans sa lettre de réponse au patriarche Gérmanos II, Demetrius Chômatianos (éd. G. PRINZING, *Demetrii Chomatiani Ponemata diafora* [CFHB 38]. Berlin–New York 2002, n. 114, 376) affirme: μηδὲ τῇ περικλύτῳ Κωνσταντινουπόλει ... τὰ διπλὰ καὶ περιώσια λύχνα ἐσβέστησαν, τῆς βασιλείας φημί καὶ τῆς ἱεραρχίας, ἅπερ κατὰ ἔθος ἀρχαῖον ὑπ' ἀλλήλων ἀνήπτοντο; cf. V. LAURENT, *Les registes des actes du Patriarcat de Constantinople*, vol. 1, fasc. IV, *Les registes de 1208 à 1309*. Paris 1971, n. 1244 (dorénavant LAURENT, *Les registes*). Cette composition de l'état avec l'église est aussi soulignée par l'acte concernant les membres du clergé bulgare, Demetrius Chômatianos, n. 146 (424 PRINZING): ἤθελον γὰρ τῇ βασιλικῇ ἀξίᾳ παραζεύξασθαι καὶ πατριαρχικῆν. ὡς μὴ χολεῦθι δῆπουθε τὰ τῆς ἐξουσίας αὐτῆς τῇ ἑτέρᾳ ἐλλείποντα. D'autre part, Iôannitzès, dans sa demande au pape Innocent III pour l'institution du patriarcat de Tirnov, dit que les Grecs lui ont proposé de le couronner basileus et le doter du patriarcat « car il n'y pas d'Empire sans patriarche », TH. HALUSCYSKYJ, *Acta Innocentii III (1198–1216)*, Pontificia Commissio II. Vatican 1944, 570 (dorénavant *Acta Innocentii III*).

³ F. DÖLGER (–P. WIRTH), *Regesten der Kaiserurkunden des oströmischen Reiches von 565–1453*, 3. Teil: *Regesten von 1204–1282*. Munich 1977, n. 1671 (dorénavant DÖLGER–WIRTH, *Regesten*).

⁴ V. GRUMEL, *Les registes des Actes du patriarcat de Constantinople*, vol I, *Les actes des patriarches*, fasc. II–III, *Les registes de 681 à 1206*, 2^e éd. revue et corrigée par J. DARROUZÈS. Paris 1989, n. 1202; voir aussi P. WIRTH, *Zur Frage eines politischen Engagements Patriarch Iohannes's Kamateros nach dem vierten Kreuzzug*. *BF 4* (1972) 239–252, part. 250–251; KARPOZIOS, *The ecclesiastical controversy* 19, note 18.

⁵ Voir un livre récent qui prend comme vérité le récit chronographique E. GIARENIS, *Η συγκρότηση και η εδραίωση της αυτοκρατορίας της Νικαίας. Ο αυτοκράτορας Θεόδωρος Α΄ Κομνηνός Λάσκαρις* (*Institut des Études Byzantines, Monographies* 12). Athènes 2008, part. 232ff.

⁶ A. HEISENBERG, *Neue Quellen zur Geschichte der lateinischen Kaisertums und Kirchenunion I. Der Epitaphios des Nikolaos Mesarites auf seinem Bruder Johannes* (*Sitzungsberichte der Bayerischen Akademie der Wissenschaften. Philosophisch-philologische und historische Klasse Jahrgang 1923*, 5. Abhandlung). München 1922, 3–75 [= A. HEISENBERG, *Quellen und Studien zur spätbyzantinischen Geschichte*. *Gesammelte Arbeiten*, ed. H.-G. BECK. London 1973], 49, 52–53 (dorénavant *Mesaritès I*).

l'obédience de l'Église latine⁷. Les ecclésiastiques byzantins demandèrent alors à l'empereur latin et au pape à élire leur propre patriarche. Une lettre adressée au pape était écrite à ce propos par Jean Mésarités⁸. Cette demande ne trouva pas satisfaction⁹. C'est alors, semble-t-il, que certains d'entre eux ont été conduits à s'adresser à Théodore I Laskaris, pour qu'il procède à l'élection d'un nouveau patriarche à Nicée¹⁰. C'est ainsi que Michel Autôreianos fut élu (Avril 1208).

Mais l'établissement du patriarcat de l'État de Nicée n'était pas achevé. Le 19 Avril 1213, le pape Innocent III invita les prélats byzantins à participer au concile de Latran (prévu pour 1215)¹¹. Le métropolite de Corfou Basile Pédiaditès, dans une lettre adressée au pape, contesta la validité de ce concile, puisque le trône patriarcal de Constantinople était vacant et les métropolités de la partie occidentale de l'ancien Empire, soit soit chassés de leurs sièges, soit morts¹². L'éditeur rapproche cette lettre de la chronologie du premier patriarche qui a siégé de Nicée, Michel IV Autôreianos, soutenant qu'il était mort le 13 Novembre 1213¹³. Mais cette lettre n'a aucun rapport avec le patriarcat établi à Nicée ou plutôt elle nie son existence. Le prélat de Corfou y parle uniquement de Constantinople et du patriarche qui devait y siéger¹⁴ : Pédiaditès revendique l'élection d'un patriarche byzantin à Constantinople, refusant au patriarche latin de cette ville toute autorité sur les Byzantins. Le patriarche byzantin, avec son synode au complet, pourrait participer à un concile convoqué par le pape¹⁵.

En Asie Mineure, l'empereur Théodore I venait d'agréger à son État des territoires au nord de la péninsule¹⁶, quand le patriarche Michel IV Autôreianos mourut (Août 1214)¹⁷. Théodore donna alors l'ordre¹⁸ au métropolite d'Ephèse Nicolas Messarités de présider au synode pour élire et introniser un nouveau pa-

⁷ Évident par la réponse du pape au patriarche latin de Constantinople pour les prélats byzantins qui ont fait obéissance mais refusent d'être oints et sacrés selon le rite latin, HALUSCYNKYJ, *Acta Innocentii*, n. 109, 314. Sur les difficultés du clergé à Constantinople par l'occupation latine, A. HEISENBERG, *Neue Quellen zur Geschichte der lateinischen Kaisertums und Kirchenunion II. Die Unionsverhandlungen vom 30 August 1206. Patriarchenwahl und Kaiserkrönung in Nikaia 1208*, (*Sitzungsberichte der Bayerischen Akademie der Wissenschaften. Philosophisch-philologische und historische Klasse Jahrgang 1923*, 2. Abhandlung). München 1923, 15–25 [= A. HEISENBERG, *Quellen und Studien zur spätbyzantinischen Geschichte. Gesammelte Arbeiten*, ed. H.-G. BECK. London 1973], 27, 30, 31 (dorénavant Messarités II).

⁸ Messarites I, 63–66.

⁹ Messarites I, 63–64. Voir aussi plus loin.

¹⁰ Messarités II, 25–35, cf. DÖLGER–WIRTH, *Regesten*, n. 1679.

¹¹ *Acta Innocentii III*, n. 206, 442–444, part. 444.

¹² C. MANAPHÈS, Ἐπιστολή Βασιλείου Πεδιαδίτου μητροπολίτου Κερκύρας πρὸς τὸν πάπα Ἰννοκέντιον Γ' καὶ ὁ χρόνος πατριαρχείας Μιχαήλ Δ' Αὐτῳρειανοῦ. *EEBS* 42 (1975–1976) 429–440, texte 435–438, part. 435, 437.

¹³ MANAPHÈS, Ἐπιστολή 431, contre la chronologie établie par V. LAURENT, La chronologie des patriarches de Constantinople au XIIIe siècle (1208–1309). *REB* 27 (1969) 129–150, part. 133, qui place la mort de Michel IV le 26 août 1214. Du point de vue chronologique, les données sont contradictoires et ne permettent pas de tirer une conclusion pour l'une ou l'autre des deux dates.

¹⁴ MANAPHÈS, Ἐπιστολή 435: ἔλλιπής τῷ μεγίστῳ μέρει ... μὴ καὶ τοῦ πατριάρχου Κωνσταντινουπόλεως παρουσιάζοντος· νῦν μὲν γὰρ τέως χηρεύει ὁ καθ'ἡμᾶς θρόνος τῆς Κωνσταντινουπόλεως, πατριάρχου δὲ μὴ ἐπικηρυχθέντος; voir aussi le texte de la note suivante. Voir aussi plus loin.

¹⁵ MANAPHÈS, Ἐπιστολή 436: εἴπερ οὖν βούλεται ἡ ἀγιότης σου κανονικὴν συγκροτηθῆναι σύνοδον, κανονικῶς ψηφισθῆτω πατριάρχης εἰς Κωνσταντινούπολιν ἧγουν παρὰ τῆς οἰκείας συνόδου, καθὼς καὶ οἱ λοιποὶ πατριάρχαι.

¹⁶ Selon une notice de Nikèphoros Kallistos Xanthopoulos, Théodore I était dans le thème des Thracesiens, s. Nikèphoros Kallistou Xanthopoulos, Διήγησις περὶ τῶν ἐπισκόπων Βυζαντίου καὶ τῶν πατριαρχῶν πάντων Κωνσταντινουπόλεως. *PG* 147, col. 449–468, ici col. 465; cf. A. HEISENBERG, *Neue Quellen zur Geschichte der lateinischen Kaisertums und Kirchenunion III. Der Bericht des Nikolaos Messarites über die politische und kirchlichen Ereignisse des Jahres 1214* (*Sitzungsberichte der Bayerischen Akademie der Wissenschaften. Philosophisch-philologische und historische Klasse Jahrgang 1923*, 3. Abhandlung). München 1923, 3–96 [= A. HEISENBERG, *Quellen und Studien zur spätbyzantinischen Geschichte. Gesammelte Arbeiten*, ed. H.-G. BECK. London 1973], 75–74 (dorénavant Messarités III). Cette notice pour l'élection de Théodore Eirènikos, qui parle aussi de la vacance du siège patriarcal, vacance qui semble impossible (cf. l'argumentation de LAURENT, La chronologie est répétée par la notice suivante pour l'élection du patriarche Maximos. N. Messarités dit, pour le premier cas, que Théodore était dans le nord (voir note suivante) et, pour le deuxième cas, aux frontières micrasiatiques (voir note 53).

¹⁷ Messarités III, 18: ἅμα δὲ ἐκεῖνος (Michal IV) τῶν τῆδε μετέστη καὶ τὰ ὑπερβόρεια κλίματα ὑπὸ μίαν του βασιλέως ἡμῖν τηλικαῦτα γεγονάσιν ἐπικράτεια.

¹⁸ Cet acte de Théodore I n'est pas limité à la seule invitation de Nicolas Mésarités, cf. DÖLGER–WIRTH, *Regesten*, n. 1690.

triarque, tandis que lui s'apprêtait à attaquer la région de Paphlagonie¹⁹. Cependant, la résistance des prélats rendit impossible l'élection du patriarche, obligeant l'empereur à regagner Nicée²⁰. Afin de rétablir la paix dans l'église, le métropolite d'Éphèse présenta un texte (ἄρχος ἐγγράμματος), qui fut accepté aussi bien par les membres du synode que par le détenteur du pouvoir. Un nouveau patriarche, Théodore II Eirènikos, fut finalement élu, qui exerça de Septembre 1214 à Janvier 1216²¹.

Ces événements étaient presque contemporains de l'arrivée à Constantinople du cardinal légat Pélage d'Albano, qui semble avoir eut pour mission de promouvoir le concile de Latran. Georges Acropolite décrit la perturbation que le cardinal sema dans la société byzantine de la cité²². Pélage, nous dit l'historien, « obligeait tous à se mettre à l'obédience de Rome. Des moines étaient incarcérés, des prêtres mis aux fers et toutes les églises étaient fermées. Pélage considérait que des deux choses l'une devait se faire: soit, il fallait reconnaître le pape comme le premier prélat et le commémorer aux cérémonies, soit celui qui n'acceptait pas de faire cette amende honorable, devait être mis à mort »²³. Alors les Constantinopolitains ont fait une démarche auprès de l'empereur latin de Constantinople Henri de Hainaut pour que cessent les persécutions. Les Constantinopolitains, dit l'historien, ont fait une distinction entre la subordination corporelle, c'est-à-dire politique, qu'ils avaient acceptée, et la subordination spirituelle, qu'ils refusaient d'admettre²⁴.

Pendant son bref patriarcat, Théodore Eirènikos adressa une lettre aux membres de l'église qui étaient restés à Constantinople²⁵. Cette lettre fut émise à la suite des informations parvenues au patriarche quant aux exigences du cardinal légat Pélage²⁶. Mais avant de faire état de ces exigences, le patriarche fait une longue introduction sur l'attachement à l'orthodoxie²⁷. Le patriarche y défend toute discussion avec les Latins en matière dogmatique, prérogative qu'il se réserve à lui-même²⁸. Et le patriarche enchaîne: « Si certains d'entre vous, êtes entraînés, soit par faiblesse d'âme, soit par présomption, et acceptez une doctrine autre que celle que vous avez reçue, quittez-la immédiatement ... »²⁹. Le patriarche, avec l'accord du synode, excommunique quiconque ne conserve pas la foi traditionnelle³⁰. C'est alors que Théodore II Eirènikos parle des exigences de Pélage, qui demande soumission (ὑποταγή) et fidélité (πίστις) au pape. Le patriarche souligne que ces deux notions ont un double sens, qu'il distingue³¹. D'une part, il y a l'ὑποταγή, soumission corporelle, c'est-à-dire politique, qui s'impose par la force des choses, et l'ὑποταγή, soumission spirituelle, qui n'est pas tolérable. D'autre part, il y a la πίστις, admission d'une vérité, comme celle que le cardinal est le légat du pape ou que le pape est évêque de Rome et occupe le premier siège, qui n'a rien de reprochable, et la πίστις, à la fois fidélité et croyance, comme croire aux doctrines du pape, qui fait perdre l'âme³². Théodore Eirènikos, qui ne manque pas de mettre l'accent sur le fait que sa prélature vient de Dieu³³, excommunique tous ceux qui accepteront un autre prélat ou admettront une autre doctrine³⁴.

¹⁹ Messaritès III, 18.

²⁰ Messaritès III, 18.

²¹ Messaritès III, 18. Pour le contenu du texte de Nicolas Messaritès voir plus loin.

²² Georges Acropolite, Χρονική συγγραφή (éd. A. HEISENBERG Georgii Acropolitae, Opera I. Leipzig 1903, réédition avec corrections P. WIRTH. Stuttgart 1978, 29–30).

²³ Georges Acropolite, Χρονική συγγραφή 29–30.

²⁴ Georges Acropolite, Χρονική συγγραφή 30. La notion de la double soumission est utilisée déjà pendant les discussions de 1206, Messaritès I, 49.

²⁵ LAURENT, Les registres, n. 1219. Cette lettre doit être placée au début du patriarcat, cf. les remarques chronologiques.

²⁶ A. PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός πατριάρχης οἰκουµενικός. *BZ* 10 (1901) 182–192, part. 189.

²⁷ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 187–189.

²⁸ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 188.

²⁹ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 188.

³⁰ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 189.

³¹ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 190–191.

³² PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 190: πῶς δὲ καὶ ἡ ὀρθότοµός σου πίστις τηρηθῆσεται καὶ φυλαχθῆσεται, εἰ γὰρ πιστὸς εἶναι τῷ πάπᾳ θελήσειας;

³³ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 187: ἄνωθεν ἐκ θεοῦ, 188: ὁ ἐκ προγνώσεως καὶ προορισµοῦ τοῦ Θεοῦ ... τὴν ἱερατεῖαν λαβών.

³⁴ PΑΠΑΔΟΠΟΥΛΟΣ-KΕΡΑΜΕΥΣ, Θεόδωρος Εἰρηνικός 191.

Il existe une lettre adressée au pape par les membres de l'Église constantinopolitaine, demandant l'élection d'un patriarche byzantin à Constantinople³⁵. Certains chercheurs ont daté cette lettre de 1214, sans argumentation³⁶, tandis que d'autres la considèrent comme le remplacement de la lettre écrite par Jean Messarités en 1206, dont le langage aurait été jugé trop rigide³⁷. Si on examine cette lettre, reçue par le pape, on constate que son contenu converge avec le contenu de la lettre du patriarche Théodore II Eirènikos et de ce que Acropolite dit de la démarche des Constantinopolitains auprès de l'empereur Henri, concernant le cardinal Pélage. Dans cette lettre, expression de toute la société byzantine de la ville, et non seulement du clergé, les Constantinopolitains font état de la violence exercée sur eux pour les convertir³⁸ et témoignent leur subordination politique à l'empereur latin : « Et nous considérons comme notre seigneur et comme notre basileus sir Henri, et nous vivons sous son ombre; nous travaillons, nous labourons la terre, nous gardons les troupeaux et nous traversons les mers. Sans nous les aires à battre le grain resteraient vides, les cuves de vin sans contenu ... sans nous la vie humaine ne peut pas exister, l'état (πολιτεία) n'aura pas de fondements. Pour tout cela nous peinons pour nos frères les Latins, et nous contribuons par la partie inférieure de notre être, celui qui est mortel et périssable. »³⁹ Ils parlent, aussi, de la démarche auprès de l'empereur latin, pour que cessent les persécutions du légat. L'empereur Henri, disent-ils, leur a conseillé d'octroyer au pape l'honneur qui lui est dû. Ils décidèrent alors de chanter son polychronion, des souhaits pour sa longévité, en même temps que celui du détenteur du pouvoir, se réservant de le commémorer en tant que prélat après l'union des églises⁴⁰.

Pour que l'union des églises se réalise, les Constantinopolitains demandent la convocation d'un concile à Constantinople. Le préalable à ce concile est d'élire des métropolitains et des évêques byzantins aux sièges dont les titulaires sont morts de vieillesse, surtout au diocèse de Constantinople⁴¹. Ces prélats, en synode, éliront un patriarche ayant les mêmes opinions et convictions qu'eux (ὁμόγνωμος-ὁμόφρων). À ces démarches, disent les Constantinopolitains, participeraient aussi les prélats de la partie occidentale de l'ancien Empire, avec lesquels ils sont en communication constante⁴².

La convergence des thèmes et les indices chronologiques nous laissent penser que cette lettre est contemporaine aux événements de 1213–1214⁴³. En effet, comme le prélat de l'Occident de l'ex-empire, le métropolitain de Corfou, Basile Pédiaditès, les Constantinopolitains se montrent prêts à participer à un concile convoqué par le pape, à condition que les sièges vacants de la hiérarchie soient remplis et que l'élection d'un pa-

³⁵ Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140, col. 293–298.

³⁶ W. NORDEN, *Das Papsttum und Byzanz. Die Trennung der beiden Mächte und das Problem ihrer Wiedervereinigung bis zum Untergange des byzantinischen Reiches*. Berlin 1903, 227, qui dit que cette démarche a été faite avec l'accord des autorités nicéennes, J. GILL, *Byzantium and the papacy, 1198–1400*. New Brunswick, N.J. 1979, 265 et note 60 dit qu'il est douteux qu'il s'agisse d'un texte de 1213/1214, mais il l'utilise comme si tel était le cas, note 39.

³⁷ Heisenberg in : Messarités I, 14, note 1 dit que la lettre reçue par le pape n'est pas de beaucoup postérieure à celle de Messarités. R. JANIN, *Au lendemain de la conquête de Constantinople. Les tentatives d'union des églises (1204–1208)*. *EO* 32 (1933) 3–21, part.10; P.L. HUILLER, *La nature des relations ecclésiastiques gréco-latines après la prise de Constantinople par les croisés*, in : *Akten des XI Intern. Byzant. Kongresses 1958*. Munich 1960, 314–320, part. 317 et J. LONGNON, *L'Empire latin de Constantinople et la principauté de Morée*. Paris 1949, 96 croient que la lettre de Messarités n'a été jamais envoyée. La seule lettre envoyée était celle que le pape avait reçue.

³⁸ Graecorum ad Innocentium III pontificem Romanum Epistola *PG* 140, col. 296a–b.

³⁹ Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140, col. 296c. Cf. Messarités III, 24–25, qui reprend le thème du travail manuel.

⁴⁰ Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140, col. 297b–c.

⁴¹ Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140, col. 296a.

⁴² Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140 col. 296c: καὶ διὰ τοῦτο γράφομεν καθεκάστην καὶ πρὸς τοὺς Δυτικούς τῆς χώρας ἀδελφούς ἡμῶν καὶ συλλειτουργούς καὶ συνεπισκόπους, ἐτοιμούς εἶναι συνελεῖν εἰς Κωνσταντινούπολιν.

⁴³ Cette datation pourrait sembler problématique, puisque la lettre des Constantinopolitains, qui demandent un concile œcuménique à Constantinople, vient après l'appel d'Innocent III, pour la réunion du concile de Latran. Pourtant, ce concile, que les Constantinopolitains demandent est un concile d'union, contrairement au concile de Latran qui est défini par Innocent III comme un concile de réforme de l'église: *Acta Innocentii III*, n. 206, 442. Par ailleurs, cette demande des Constantinopolitains est semblable à celle exprimée par la lettre de Jean Messarités, mais non identique. En effet Jean Messarités parle d'une rencontre entre les deux églises pour discuter les différends (Messarités I, 64), mais non d'un concile œcuménique.

triarche à Constantinople soit permise⁴⁴. Il est facile de comprendre que la lettre du métropolitain de Corfou était écrite de concert avec la démarche des Constantinopolitains. Par contre, en Asie Mineure, au moins un ecclésiastique, le chartophylax Théodore Eirènikos, à la veille de son élection ou avant son intronisation comme patriarche (Septembre 1214), écrit un traité sur la position du pape dans la hiérarchie chrétienne⁴⁵. A ce traité le chartophylax de l'Église patriarcale ironise sur la convocation du concile et exclut d'y participer⁴⁶.

Le problème des sièges vides montre que l'on est relativement loin de la première tentative d'élire un patriarche, en 1206, quand le problème ne se posait pas avec une aussi grande acuité. Comme à la première lettre au pape, écrite en 1206, les Constantinopolitains menacent de quitter Constantinople, pour les pays dirigés par Théodore Lascaris, le pays de David Comnène, les pays bulgares mais aussi chez les Turcs⁴⁷. Mais, dans cette deuxième lettre, ils disent qu'ils trouveront refuge à l'Est ou à l'Ouest, c'est-à-dire à l'État d'Épire, qui n'était pas mentionné dans la première lettre⁴⁸. Par ailleurs, le fait que, dans la lettre des Constantinopolitains, les prélats d'Orient ne sont pas mentionnés, contrairement aux prélats de l'Occident, montre une tension avec l'État de Nicée.

Il est aisé d'entrevoir à qui s'adresse la lettre du patriarche Théodore Eirènikos: elle est dirigée contre ceux qui ont pris l'initiative du contact avec le pape pour l'élection d'un patriarche à Constantinople. Le patriarche installé à Nicée se réserve le droit exclusif de communiquer avec le pape et ses représentants. La lettre du patriarche vise aussi le polychronismos du pape, qui établit un rapport d'obéissance et de fidélité, au moins ambigu.

Malgré ces éclaircissements, il est difficile de savoir ce qui s'est passé à Nicée pendant l'élection du chartophylax de la Grande Église Théodore Eirènikos comme patriarche. Y a-t-il eu des partisans de l'initiative des Constantinopolitains? Quel était le caractère de l'intervention de Théodore I Lascaris, rentré précipitamment? Quel était le contenu du texte, le ὄρος ἐγγράμματος de Nicolas Messaritès, sur lequel se sont mis d'accord les prélats et l'empereur Théodore I?

Le fait est, que juste après l'élection de Théodore II Eirènikos, Nicolas Messaritès partit pour Constantinople, en tant qu'ambassadeur de Théodore I, mais aussi comme envoyé du patriarche, pour rencontrer le cardinal Pélage. Les discussions portèrent sur l'union des églises⁴⁹. Selon Messaritès, le souci prépondérant

⁴⁴ Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140, col. 296 c; MANAPHÈS, Ἐπιστολή 436.

⁴⁵ En effet, dans le traité Théodore Eirènikos ordonne de ne pas avoir des contacts avec le pape et propose à avoir comme père spirituel le patriarche de Constantinople élu selon la tradition par l'Esprit-Saint et confirmé par l'empereur, A. Cl. CATALDI PALAU, Una «Lettera al papa» di Ireneo, cartofilice della Grande Chiesa (Teodoro Ireneo, patriarca di Costantinopoli 1214–1216). *Boll Grott* n.s. 48 (1994) 23–87, 87: Διὰ τὰυτὰ βαλλόμεθα καὶ εὐχόμεθα μακρὰν αὐτοῦ [du pape] βᾶν καὶ ἐν Χριστῷ βᾶν. Καὶ τοῖς ἀγίοις ἡμῶν πατράσι καὶ διδασκάλοις συνάπτειν, καὶ κεφαλὴν μετὰ Χριστὸν πλουτεῖν, τὸν τῆς Κωνσταντινουπολιτικῆς συνόδου πρωτεύοντα, ὃν ἡ θεία ψήφος ἐγκρίνει καὶ βασιλεὺς θεοφύρων δέχεται, καὶ τὴν ψῆφον κυροῖ, καὶ τῷ ἱερῷ ἐγκαθίστησι θρόνον, καὶ τῇ βακτηρίᾳ σημαίνει τῇ ποιμαντικῇ. Καὶ αὐτὸς τὴν εὐλογίαν τιμῆς θεῖαν λαμβάνει τὴν ἀρχιερατικὴν, ὃ τοῦτον στηρίζων καὶ τῷ θρόνῳ ἐγκαθιστῶν βασιλεὺς, ὑγιεῖ σκοπῶ καὶ διανοίᾳ θεοφύρων. Cette référence à la confirmation de l'élection du patriarche par le détenteur du pouvoir en combinaison avec son éloge et le rejet du concile appelé par le pape (voir la note suivante) signifie qu'on est chronologiquement près de l'élévation de Théodore au trône patriarcal.

⁴⁶ CATALDI PALAU, Lettera al papa 82: Παρίσταται προσελθεῖν αὐτῷ, ἢ ἰδιάζοντι ἢ συνοδικὴν ποιουμένων τὴν συνάθροισιν, διότι αὐτὸς καὶ οἱ σὺν αὐτῷ καὶ δυσγνώμονες καὶ κριταὶ καὶ τῶν ἀπειθῶν τιμωροὶ. Τίνος οὖν χάριν προσέλθωμεν καὶ προσκυνήσωμεν καὶ προσπέσωμεν; ἢ πάντως ἵνα ὑποταγώμεν αὐτῷ καὶ προδώμεν τὰ ἔθη ἃ παρελάβομεν παρὰ Χριστοῦ καὶ τῶν ἀποστόλων καὶ τῶν πατέρων ἡμῶν, μεθ' ὧν ἡμεῖς ταπτόμενοι; Καὶ μέλλοντες τῶν Λατίνων πορρωτάτω, ἐπεὶ δὲ ὡς χριστιανοὶς ἔμφροισιν οὗτοι προσφέρονται, ἀλλ' ὡς τῶν ἀθέων ἀθεώτεροι καὶ τῶν βοσκομάτων βοσκοματωδέστεροι, καὶ ἐκ τῆς ῥίνος, φάσιν, ἔλξειν ἡμᾶς οἰόμενοι.

⁴⁷ Graecorum ad Innocentium III pontificem Romanum Epistola. *PG* 140, col. 296d: εὐχερώς ἔχομεν δέσποτα, καὶ αὐτοὶ ἀπᾶραι τῆς διοικήσεως Κωνσταντινουπόλεως καὶ μετοικίαν σταλήναι πρὸς τὴν ἀνατολήν ἢ τὴν δύσιν.

⁴⁸ Messarites I, 62: ἡδυνάμεθα καὶ ἡμεῖς ὡς καὶ οἱ λοιποὶ Κωνσταντινουπολίται ἀπελθεῖν εἰς τὴν τοῦ Λάσκαρι χώραν τοῦ βασιλέως κύρ Θεοδώρου τοῦ Κομνηνοῦ καὶ εἰς τὴν τοῦ Κομνηνοῦ κύρ Δαυΐδ καὶ εἰς τὰς τῶν ὁμοπίστων ἡμῖν βαρβάρων χώρας, ἀλλὰ καὶ εἰς αὐτὴν τὴν τῶν Τούρκων.

⁴⁹ DÖLGER–WIRTH, Regesten, n. 1692; Messarites III, 23: περὶ τε τῆς κοσμητικῆς καταστάσεως καὶ τῆς ἐνώσεως τῶν ἁγίων ἐκκλησιῶν τοῦ Χριστοῦ ... Nikolaos Mésaritès était aussi l'envoyé du patriarche, puisque Pélage adresse une missive, portée par lui, à ce dernier.

de l'empereur Théodore I était de protéger la communauté du monde monastique de Constantinople, qui souffrait le plus⁵⁰.

En ce qui concerne le caractère de l'intervention de Théodore I au synode, le rapport que Nicolas Messarités a fait à ses ouailles après son voyage est assez vague et inclut une grande part d'euphémisme: l'objectif du détenteur du pouvoir était d'assurer la paix dans l'église et d'empêcher la mutinerie en son sein. Théodore, dit le prélat d'Éphèse, a réussi à fermer les bouches et à convaincre les opposants par la raison plutôt que par la force⁵¹.

De tout cela, on peut supposer que certains prélats réfugiés en Asie Mineure ont refusé de participer à l'élection du patriarche de Nicée, peut-être en solidarité aux persécutions du clergé de Constantinople par le cardinal Pélage. Il faut ici rappeler que le patriarche Théodore II Eirènikos, dans sa lettre aux Constantinopolitains, se réservait le droit de communiquer avec le pape et ses représentants. Dire que cette prérogative n'était qu'une obligation qui a été incluse dans le texte de Nikolaos Mésarités n'est qu'une hypothèse. Peut-être aussi, parce qu'ils considéraient que l'élection du patriarche ne pouvait pas se faire en dehors de Constantinople. En effet, parmi les arguments des opposants à l'élection de Théodore II Eirènikos se trouvait aussi la question de l'autorité de Théodore I à convoquer le synode pour l'élection d'un nouveau patriarche. Ainsi, lors de l'élection du nouveau patriarche Maxime II, le successeur de Théodore II Eirènikos, le détenteur du pouvoir politique, prudent, envoya un horismos à Nicolas Messarités⁵², pour réunir le synode de sa métropole et se prononcer sur la question de savoir si, étant aux frontières asiatiques, il avait le droit de désigner le patriarche⁵³. La même question fut aussi posée aux prélats du nord du territoire de l'État de Nicée, ainsi qu'à ceux qui se trouvaient à Nicée⁵⁴. Le horismos fut aussi envoyé aux autres métropoles de son état. Les prélats d'Éphèse déclarent que Théodore I pouvait exercer ses prérogatives « aussi bien à partir d'une ville impériale qu'à partir d'un bourg ou d'un château fort »⁵⁵. Les prélats de la métropole de Nicolas Messarités et, sans doute, ceux des autres métropoles, affirmèrent que cette décision établissait la concorde avec les prélats de la partie occidentale de l'ancien Empire⁵⁶. Il est évident que cette dernière affirmation transforme l'objection sur la nature du pouvoir établi en Asie Mineure en une question formelle⁵⁷. Le reproche était en effet que le détenteur du pouvoir n'étant pas à Constantinople, il ne pouvait pas légitimement promulguer le patriarche.

Si on doit rétablir les termes de l'accord entre le détenteur du pouvoir et les prélats, alors il faut supposer que l'empereur Théodore I prit l'engagement de calmer Pélage. En contrepartie, les prélats procédèrent à l'élection de Théodore II Eirènikos comme patriarche. Après le second échec pour obtenir l'autorisation d'élire un patriarche dans leur ville, les Constantinopolitains ont sans doute accepté l'autorité du patriarche siégeant à Nicée. Mais, il ne semble que ce ne fût pas le cas dans le monde byzantin tout entier, comme en Épire et à Trébizonde. Mais ceci est une autre histoire...

⁵⁰ Messarites III, 23 et suiv.

⁵¹ Messarites III, 18: πρὸς τὸ εἰρηναῖον τῆς ἐκκλησίας ἀπιδόντος καὶ ἀστασίαστον καὶ τὰ θρασυνόμιστα τῶν ἀντιξούντων διὰ τῆς αὐτῶν ἐρυγῆς ἀντιφράξαι τὴν καὶ ἐπιστομίσαι στόματα λόγου μᾶλλον πειθοῖ ἢ κράτει βασιλικῶ τὰ πλείστα θεληματαίνοντος. Cette situation créée par l'élection de Théodore Eirènikos est qualifiée de « traditional procedure », M.J. ANGOLD, *A Byzantine Government in Exile. Government and Society under the Laskarids of Nicaea, 1204–1261*. London 1974, 49.

⁵² DÖLGER–WIRTH, *Regesten*, n. 1698.

⁵³ E. KURTZ, *Tri synodal'nyh gramoty mitropolita efesskago Nikolaja Mesarita. VV 12 (1906) 99–111, 104: εἰ ἐκχωρεῖται τὸ προχειρισθῆναι πατριάρχην παρὰ τῆς βασιλείας μου διαγούσης ἐπὶ τοῖς ἐνταῦθα μέρεσι. À la décision synodale il est dit que Théodore I était aux frontières micrasiatiques, KURTZ, *Tri synodal'nyh gramoty 104: ἐπὶ τὰ τῆς Ἀσίας ὄρια διατρίβων.**

⁵⁴ KURTZ, *Tri synodal'nyh gramoty 104, 105.*

⁵⁵ KURTZ, *Tri synodal'nyh gramoty 105: κἂν ἐν βασιλευούσῃ πόλει ἐνθαλαμεύηται, κἂν διάγη ἐν κωμοπόλεσι, κἂν φρουρίοις ἐνδιατρίβῃ ... νόμοι γὰρ καὶ ἱεραὶ καὶ κανονικαὶ συζητήσεις καὶ βασιλικῆς μεγαλειότητος ἔννομος ἐξουσία οὐ στενωχωροῦνται τόπω καὶ περιγράφονται. ἀλλ' οὐδὲ ἡ τῶν βασιλείων οἰκῶν σπιλπνότης τὴν καὶ μεγαλοπρέπεια ὑψοῦσι τὸν βασιλέα.*

⁵⁶ KURTZ, *Tri synodal'nyh gramoty 105: οὕτω γὰρ ὁμόνοια ἔσται μέσον ἡμῶν τὴν καὶ τῶν δυτικῶν ἀρχιερέων.*

⁵⁷ Pour une interprétation qui veut que seul l'État de Nicée soit en cause, ANGOLD, *Government in Exile 49–50.*