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Emperor and Church in the Last Centuries of Byzantium

It is a commonplace in the modern historiographical literature on late Byzantium that the Church rose in prestige and power in the last centuries of the empire, the thirteenth-fifteenth centuries, just as imperial power and authority declined. According to this view, if, at the beginning of the empire's life in the fourth-sixth centuries, the term caesaropapism could be applied to church-state relations or the Church could be described as a department of state,[1] by late Byzantium a dramatic reversal had occurred. In his book, *The Great Church in Captivity* on the Orthodox Church under Ottoman rule, Steven Runciman, writing in the 1960s, expressed the situation as follows:

> The recovery of the capital [in 1261] in the long run benefited the Patriarch more than the Emperor, re-establishing him as unquestioned head of a hierarchy whose sees stretched from the Adriatic to Russia and the Caucasus, while soon the Imperial territory began to shrink. The growing impoverishment of the Empire damaged the Emperor more than the Patriarch. For reasons of economy the Palace ceremonies were curtailed and simplified. The Emperor began to lose his aura of mystery and splendour.[2]

In Runciman's view a strong Church was the legacy of the Byzantine Empire to the Ottomans. All those writing about the Church before and since Runciman have come to a similar conclusion.[3]

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[1] For the history of this term see Gilbert Dagron, *Emperor and Priest: The Imperial Office in Byzantium*, trans. Jean Birrell (Cambridge, 2003), 282-312. See also a reconsideration of 'the problem of caesaropapism', in D. J. Geanakoplos, *Byzantine East and Latin West: Two Worlds of Christendom in the Middle Ages and Renaissance*, Studies in Ecclesiastical and Cultural History (Oxford, 1966), 55-83.

[2] Steven Runciman, *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence* (Cambridge, 1968), 66-67.

[3] George Ostrogorsky, *History of the Byzantine State*, trans. Joan Hussey, 2nd ed. (Oxford, 1968), 486-487; Donald M. Nicol, *Church and Society in the Last Centuries*

In discussions of the change in status of Church and Emperor under the Palaiologoi — the last dynasty to rule the empire — the ceremonial of the court which was mentioned by Runciman is rarely examined, while the Church's growth in 'institutional strength, judicial powers and ideological claims' is more often asserted and discussed.[4] In this paper I would like to take another look at this question and the arguments put forward by those who adopt the view of an empowered Church and a diminished imperial office in the years that saw two attempts at the Union of the Churches in 1274 and 1439, two civil wars and Turkish conquests of Byzantine lands.[5]

Whoever seeks to determine the relationship between emperor and Church in Byzantium will obtain little help from Byzantine formulations. Only once was an attempt made, in the ninth century, in the reign of Basil I, in a law book in whose composition the patriarch Photios played a part. Two sections entitled 'On the Emperor' and 'On the Patriarch' describe the spheres of influence and authority of these two powers. The emperor, called a 'lawful dominion', is concerned with the physical well being of the people, while the patriarch, 'a living icon of Christ', cares for their spiritual well being. The legal activities and capacities of emperor and patriarch are clearly demarcated. The emperor must maintain and preserve Holy Scriptures, the pronouncements of the seven oecumenical councils and also Roman

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of Byzantium (Cambridge, 1979), 28-30; Michael Angold, *Church and Society in Byzantium under the Comneni 1081*-1261(Cambridge, 1995), 562-563; Dimiter G. Angelov, *Imperial Ideology and Political Thought in Byzantium, 1204*-1330 (Cambridge, 2007), 351-416; ibid., *Church and Society in Late Byzantium* (Kalamazoo, 2009), Introduction, 1-7; Tom Papademetriou, 'The Turkish conquests and decline of the Church reconsidered', in Angelov, ed., *Church and Society*, 183-200, here at184-185; Ekaterini Mitsiou, 'Interaktion zwischen Kaiser und Patriarch im Spiegel des Patriarchatsregisters von Konstantinopel', in M. Grünbart, L. Rickelt, M. M. Vučetić (eds.), *Zwei Sonnen am Goldenen Horn? Kaiserliche und patriarchale Macht im byzantinischen Mittelalter*, I (Berlin, 2011), 79-96.

[4] See Angelov, above, who puts the case for the Church in these terms.

[5] For a survey of the events of the Palaiologan period see Donald M. Nicol, *The Last Centuries of Byzantium, 1261-1453*, 2nd ed. (Cambridge, 1993).

law. He is not to promulgate any law that transgresses the canons. The patriarch alone, however, interprets the canons of the holy fathers and synods.[6]

This attempt to delineate two powers with separate spheres of influence and distinct functions was short lived. Thirty years after this law code was issued, a revision was promulgated. Just as it is no surprise that the remarkable formulation of the separate spheres of the two powers was the work of a patriarch, it is equally clear that its undoing was the work of an emperor, none other than Photios' student, Leo VI. The desire of this emperor to expunge the problematic statements and thus to limit the church's influence can be understood both in the light of his personal animosity towards Photios but also with regard to the opposition he had experienced from the church over his fourth marriage. [7] Never again was a demarcation of imperial and patriarchal functions and competences undertaken, as in the ninth-century law book. Instead we find sporadic attempts to identify and define imperial rights but they are on the level of personal opinion.[8]

Given this state of affairs, the use of ceremonial as a source to gauge relations between emperor and church may seem marginal at best. However, for the Byzantines, ceremonial held a constitutional significance, as is evident from the Greek word for ceremony, *katastasis*, meaning literally, 'state'.[9] In the absence of a

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[6] J. Zepos and P. Zepos, *Jus Graecoromanum*, 2nd ed., II (Aalen, 1962) 240-243. See Andreas Schminck, *Studien zu mittelbyzantinischen Rechtsbüchern* (Frankfurt am Main, 1986), 12-15, 62-107, for his revision of the legislation of the Macedonian emperors and his renaming of the text previously known as the *Epanagoge* as the *Eisagoge*.

[7] A. Schminck, 'Rota tu volubilis. Kaisermacht und patriarchenmacht in Mosaiken', in L. Burgmann, M. Th. Fögen, A. Schminck, eds., *Cupido legum* (Frankfurt am Main, 1985), 211-234.

[8] For this and other aspects of Church-State relations, see Ruth Macrides, 'Nomos and Kanon on paper and in court', in R. Morris, ed., *Church and People in Byzantium* (Birmingham, 1990), 61-86, repr. in R. J. Macrides, *Kinship and Justice in Byzantium, 11th-15th Centuries* (Aldershot, 1999), study VI

[9] Paul Magdalino, *The Empire of Manuel I Komnenos 1143-1180* (Cambridge, 1993), 237-238.

definition on paper of the prerogatives and limits of the emperor's power and his role in the church, we can look for a definition through performance.

Runciman saw an effect of the impoverishment of empire on the emperor's ceremonial but he did not indicate the sources from which he drew this conclusion. In fact, the only text he could have had in mind is the mid-fourteenth century ceremonial book known by its anonymous author's name, Pseudo-Kodinos.[10] The first thing that should be said about this text is the contrast it presents with the much earlier and better-known tenth-century *Book of Ceremonies*. Just a glance at the two is enough to convince historians of a cutting back in later ceremonial. Pseudo-Kodinos is a much shorter work and describes ceremonies for a different palace, not the Great Palace in the southeast corner of the city but another, the Blachernai, in the northwest, diametrically opposite, approximately five kilometres away. The Palaiologan emperors lived in that palace on a permanent basis from the time of the return to Constantinople after its reconquest from the Latins in 1261.[11] The significance of this new venue for the ceremonial routine of the court is great. First of all, for the first time since the foundation of the city by Constantine, emperor and patriarch were not neighbours. Hagia Sophia, the Great Church, where the patriarch had his apartments, was no longer a few minutes walk from the palace. A patriarch who wanted to speak with the emperor would have to board a ship and sail up the Golden Horn or go on

[10] Runciman would have used the edition of I. Bekker (Bonn, 1843), since that of Jean Verpeaux, *Pseudo-Kodinos, Traité des Offices* (Paris, 1966) was too close in time to the publication of *The Great Church in Captivity*. In this paper all references to the text will be from the edition, translation and study by Ruth Macrides, J. A. Munitiz and Dimiter Angelov, *Pseudo-Kodinos and the Constantinopolitan Court: Offices and Ceremonies* (Farnham, 2013).

[11] For a reconstruction of the palace complex based on a reading of Pseudo-Kodinos see Ruth Macrides, 'The citadel of Byzantine Constantinople', in S. Redford and N. Ergin, eds., *Cities and Citadels in Turkey: form the Iron Age to the Seljuks* (Louvain, 2013), 277-304.

horseback through the city. Furthermore, the emperor no longer had the use of the hippodrome, a huge space for self-display, connected to the Great Palace.[12]

All these changes since the tenth century might signify to some an impoverishment, a loss of splendour for the imperial office. Certainly the scale is different, the court is smaller and the palace is centralised around a courtyard. The Blachernai, unlike the Great Palace was not a sprawling complex of buildings covering a vast area.[13] Many material changes and developments had taken place since the days of the tenth-century empire but do these changes signify a loss in imperial stature?

One of those who thinks they do is Gilbert Dagron who in various publications concerned with the tenth-century *Book of Ceremonies* and in his book *Emperor and Priest* made passing comments about late Byzantine imperial stature based on the protocols of Pseudo-Kodinos. Several passages arrested Dagron's attention. They range from the symbolism attached to the imperial costume to the formula of words used by the emperor when he promotes a patriarch. I will deal with each in turn.

Pseudo-Kodinos gives his fullest discussion of imperial attire in his protocol for Christmas, when the emperor appeared on a tall platform in the courtyard of the palace in a ceremony called *prokypsis*. Included in his description of the ceremony is an enumeration of the items of clothing and insignia an emperor might wear and bear, together with an interpretation of the significance of these items. He informs his readers thus:

> The emperor wears whichever of these headdresses and garments he wishes. However, he always carries the cross in his right hand and a silk cloth similar to a scroll, tied with a handkerchief, in his left hand. This silk cloth contains earth and is called *akakia*. By carrying the cross the emperor shows his faith in Christ; by the crown he shows his office; by the belt, he shows that he is a soldier; by his black *sakkos*, the mystery of the imperial office; by the earth which, as we said, is called *akakia*, that he is humble, as he is mortal and that

[12] Paul Magdalino, 'Court and capital in Byzantium', in J. Duindam, T. Artan, M. Kunt, eds., *Royal Courts in Dynastic States and Empires: A Global Perspective* (Leiden, 2011), 131-144.

[13] See note 13 above; Macrides, Munitiz, Angelov, *Pseudo-Kodinos*, 367-378.

> he is not to be proud or arrogant because the imperial office is so exalted; by the handkerchief, the inconstancy of his office and that it passes from one person to another.[14]

Interpretations of the emperor's clothing can be found also in earlier ceremonial books, the *Kletorologion* of Philotheos from the year 899, a text laying out the seating arrangements at banquets, and the *Book of Ceremonies*, also from the tenth century. Yet there is a difference. While the two earlier ceremonial books assign a religious symbolism to the garments and insights, Pseudo-Kodinos associates the same items with attributes of the imperial office, imperial virtues, such as advice literature to the emperor, sometimes referred to as a 'Mirror of Princes', might endorse. For him, the belt shows that the emperor is a soldier; for Philotheos, it signifies the winding cloth of Christ.[15] Pseudo-Kodinos describes the *akakia* as similar to a scroll, tied with a handkerchief and filled with earth. He is the first to make a direct reference to the earth it contains. Philotheos interprets the significance of the earth in the cloth but in a divergent way from Pseudo-Kodinos. For Philotheos the *akakia* represents the Resurrection and victory over man's earthly essence.[16] For Pseudo-Kodinos it signifies the humble and mortal nature of the emperor.

Dagron sees in these differences of interpretation a 'reflection of the evolution of the imperial institution whose claims to sacredness and quasi-sacerdotal charisma were increasingly officially and effectively challenged by the Church'. [17] Yet, before such a conclusion can be drawn the context of the statements made on the imperial costume should be considered. In the work of Philotheos and in the *Book of Ceremonies* the interpretation of the emperor's clothing is embedded in the protocols

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[14] Pseudo-Kodinos, 138-141.

[15] Philotheos, *Kletorologion*, ed. Nicolas Oikonomides, *Les listes de préséance byzantines des IXe et Xe siècles* (Paris, 1972), 201.12-13.

[16] Philotheos, *Kletorologion*, ed. Oikonomides, 201.15-16.

[17] Gilbert Dagron, 'From the *mappa* to the *akakia*: symbolic drift', in H. Amirav and H. ter Haar Romeny, eds., *From Rome to Constantinople. Studies in Honour of Averil Cameron* (Louvain and Paris, 2007), 203-220, here at 217, 219.

for the Easter ceremonies,[18] where references to the Resurrection can be expected. Pseudo-Kodinos' discussion is found in a much more mundane place, the emperor's wardrobe, the items of clothing he keeps in it. Pseudo-Kodinos inserts this list in his protocol for the *prokypsis* ceremony, the Christmas appearance of the emperor, like a radio or television presenter who fills in time during the intermission at a concert or other performance. While the emperor is changing his costume behind the curtains Pseudo-Kodinos runs through the items kept in the imperial wardrobe, explaining the significance of each.[19]

Furthermore, Pseudo-Kodinos' connection of the *akakia* with the mortality of the emperor relates to a tradition preserved in Arab authors going back to the late ninth century. Harun Ibn Yahya describes a procession he witnessed in Constantinople in which the emperor holds in his hand a box of gold containing earth. The official who walks behind him says to him in Greek, 'Remember death'. Al-Bakri, writing in the late eleventh century, gives a similar account.[20] Pseudo-Kodinos, then, transmits a different but co-existing tradition concerning the earth in the *akakia*.

Pseudo-Kodinos' explanation of the significance of the emperor's attire cannot be taken as evidence for the emperor's loss of sacred connotations, especially since Dagron has left an item out of consideration, that is, the *lampas* or large candle that is carried in front of the emperor on the major feast days. It is also held in front of the enthroned emperor in his reception hall.[21] The *lampas* is described in the twelfth-century canonical commentaries of Theodore Balsamon who says that it was decorated with two wreaths which signify the emperor's responsibility for the bodies and souls of his subjects.[22] This item is the last one discussed by Pseudo-Kodinos in

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[18] *De cerimoniis aulae Byzantinae*, ed. **J. J. Reiske**, 2 vols (Bonn 1929, 1930), I, ; trans. Ann Moffatt and Maxine Tall, 2 vols. (Canberra, 2012); Dagron, 'From the *mappa* to the *akakia*', 210.

[19] Pseudo-Kodinos, 134.5 and note 347, 140.12.

[20] A. Vasiliev, 'Harun-ibn-Yahya and his description of Constantinople', *Seminarium Kondakovianum* 5 (1932), 149-163, here at 159; for al-Bakri, see David Wasserstein, 'Byzantium and al-Andalus', *Mediterranean Historical Review* 2.1 (1987), 92.

[21] Pseudo-Kodinos, 118.1-2, 120.6-7. 121 note 297.

[22] Theodore Balsamon, 'On patriarchal privileges', in G. A. Rhalles and M. Potles, *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων,* 6 vols. (Athens 1852-59, repr. 1966), IV,

his list of articles of clothing and imperial attributes. Of it, Pseudo-Kodinos says, 'They carry [it] in front of him because of the words of the Lord, 'Let your light so shine before men, that they may see your good works and glorify your Father which is in heaven'.[23] (Matth. 5:16)

On Palm Sunday the candle leads the way along an elevated outdoor walkway that connects the palace to the church. Emperor and clergymen walk along the path strewn with myrtle and laurel leaves. The emperor is in full regalia. The leader of the procession holds the candle of the emperor. He ascends the walkway chanting the hymn attributed to the ninth-century emperor Theophilos, 'Go out nations, go out people and behold today the king of the heavens'. At this point Pseudo-Kodinos explains that the Gospel Book that joins the procession is a representation of Christ. But it is not the Gospel Book that follows the holder of the candle: it is the emperor. It is with him that the words of the hymn are associated 'Behold today the king of the heavens'.[24] The sacred connotations traditionally associated with imperial power appear to have survived into the fourteenth century.

Another case for Dagron of a diminution of the emperor's prestige is the ceremony of the *prokypsis* mentioned earlier. The origins of the ceremony can be traced to the twelfth century and the reign of Manuel I Komnenos.[25] In the fourteenth century it is performed two times a year, at Christmas and Epiphany, on an elevated platform in the courtyard of the palace.[26] Curtains part to reveal the emperor form the knees up, framed by the columns of the structure and its balustrade. Signers chant verses appropriate to the feast day and instruments sound — trumpets, bugles, kettle drums and flutes.[27]

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545. See Maria Parani, '"*Rise like the sun, the God-inspired kingship*": light-symbolism and the uses of artificial lighting in middle and late Byzantine imperial ceremonial', in A. Lidov, ed., *Light and Fire in the Sacred Space* (Moscow, 2013), **00-00 and** fig. 2.

[23] Pseudo-Kodinos, 140.8-11.

[24] Pseudo-Kodinos 172.1-19.

[25] Michael Jeffreys, 'The Comnenian prokypsis', *Parergon* n.s. 5 (1987), 38-53; Magdalino, *The Empire of Manuel I Komnenos*, 240.

[26] Macrides, Munitiz, Angelov, 403-404.

[27] Pseudo-Kodinos 140.12-146.6.

The *prokypsis* display of the emperor has characteristics similar to his appearance at the hippodrome. Both were imperial manifestations from a height in a structure connected to the palace. The emperor's box at the hippodrome, his *kathisma*, was actually part of the palace at the top of a spiral staircase or ramp. In his box, the emperor was seen from a distance by the people of the city. He was framed by the columns of the box and balustrade and surrounded by members of his court. The crowds chanted 'Rise', 'Anateilon', inviting the emperor to appear before the start of the races. The emperor 's emergence in the *kathisma* was thus compared to the rising of the sun on the horizon.[28]

In his study of the hippodrome races of the tenth century, Dagron devotes a footnote to the *prokypsis*. There he asserts that the magnificence of the imperial emergence in the hippodrome has deteriorated to become a banal appearance on the *prokypsis* platform. He compares the latter to the appearance of a speaker behind the podium, hardly spectacular or grand.[29]

If, however, the hippodrome emperor was invited by chanting crowds to rise like the sun, the *prokypsis* emperor actually appeared in a sudden burst of light accompanied by fanfare. On two of the darkest afternoons of the winter months, an immobile illuminated emperor emerged from the frame of the *prokypsis* structure as if from the frame of an icon. As Kantorowicz remarked, the emperor on the *prokypsis* 'stages' Christ. [30] The verses written for the Christmas and Epiphany *prokypseis* celebrate the emperor as imitating 'Him who was born in a cave. Like Christ he emerges from the darkness of the *prokypsis* with light shining on him and from him. He brings light to his subjects but fire to his enemies. As Christ came to earth on Christmas day, the emperor ascends to heaven'.[31]

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[28] Gilbert Dagron with André Binggeli, Michael Featherstone and Bernard Flusin, 'L'organisation et le déroulement des courses d'après le *Livre des cérémonies*', *Travaux et Mémoires* 13 (2000), 3-180, here at 123 and notes 94, 95; Macrides, Munitiz, Angelov, *Pseudo-Kodinos*, 407-408.

[29] Gilbert Dagron et al., 'L'organisation et le déroulement des courses', *00.*

[30] E. H. Kantorowicz, 'Oriens Augusti - lever du roi', *Dumbarton Oaks Papers*17 (1963) 117-177, here at 151.

[31] See the *prokypsis* poems by Manuel Holobolos in J. F. Boissonade, *Anecdota graeca*, 5 vols. (Paris 1829-1833, repr. Hildesheim 1962), V, 159-182.

The elevation of the emperor high above his subjects, on a tall platform supported by columns, is also suggestive of a stylite saint's posture and position. Although saints who stood on pillars were no longer a part of the fourteenth-century cityscape,[32] the spectators of this ceremony could not but be reminded of them. The emperor's sacrality is intact.

Further observations on the emperor's diminished standing are made with regard to the emperor's liturgical privileges which included the emperor's right to enter the sanctuary and cense the altar table and clergy there. Pseudo-Kodinos comments:

> It was an old custom for the emperor to enter the holy sanctuary and to cense the holy altar table and to give the clerics a gift of 100 pounds of gold. Now this does not take place.[33]

Those who believe in a weaker emperor and a stronger church claim that the emperor was no longer 'permitted' to enter the sanctuary. Something else is the case. In the fourteenth century this old Easter custom attested in the tenth-century *Book of Ceremonies*[34] did not take place because the emperor did not have 100 pounds of gold to give to the church. It is not a question of a privilege that the emperor has lost but of the loss of financial liquidity. In the early eleventh century the emperor raised the value of his gift to Hagia Sophia from 100 pounds to 180 pounds of gold.[35] In 1143 the emperor gave 200 pounds of silver coins,[36] while at the end of the thirteenth century he gave 1000 hyperpyra or 14 pounds of gold.[37] Large gifts to the Great

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[32] One of the last references to stylite saints in Constantinople, to my knowledge, is Robert of Clari's mention in the early thirteenth century: ‘And on each of these columns lived a hermit, in tiny huts which were there': Robert de Clari, *La Conquête de Constantinople*, ed. Peter Noble, (Edinburgh, 2005) §92, p. 109.

[33] Pseudo-Kodinos 186.19-22, 187 note 534.

[34] *De cerimoniis*, ed. Reiske 34.2-5.

[35] Franz Dölger, *Regesten der Kaiserurkunden des oströmischen Reiches, von 565-1453*, I.2 *Regesten von 867-1025*, rev. ed. Andreas E. Müller (Munich, 2003), no. 831.

[36] Niketas Choniates, *Historia*, ed. J.-L. van Dieten (Berlin, 1975), 69.

[37] George Pachymeres, Relations historiques, ed. Albert Failler, trans. Vitalien Laurent, 5 vols. (Paris, 1984-2000), IV 31; Kostis Smyrlis, ‘Priesthood and Empire:

Church were a thing of the past in the fourteenth century. Pseudo-Kodinos cannot be interpreted as signalling the loss of an imperial prerogative.

By the fourteenth century the liturgy had become an integral part of the coronation ritual. Pseudo-Kodinos describes the emperor just before the Great Entrance, putting on a golden mantle and holding the cross in one hand and a staff in the other: 'He occupies then the ecclesiastical rank that they call *depotatos*'.[38]

> Holding then both of these things, namely the cross and the staff [narthex] he leads the entire Entrance. All the axe-bearing Varangians and young armed noblemen, about a hundred in number, follow along with him on both sides. They accompany on either side...near the emperor. Immediately after him come the deacons and priests carrying other holy vessels and also the holy things themselves.[39]

Symeon, archbishop of Thessalonike in the early fifteenth century explains that the staff of the *depotatos* is soft and light. It is used to maintain good order in church.[40] Indeed, the emperor at the head of the Great Entrance procession, surrounded by a large bodyguard, can be seen to clear the way in the nave. He opens the way for the holy gifts.[41]

Dagron sees in the emperor's status as *depotatos* a 'breathtaking fall', a 'downgrading' of the emperor's position.[42] Indeed, *depotatos* is a very low title in the

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ecclesiastical wealth and privilege under the early Palaiologoi', in C. Gastgeber, E. Mitsiou, J. Preiser-Kapeller, *der Kaiserurkunden des oströmischende* (Vienna, 2016?), 00-00. Michael F. Hendy, *Studies in the Byzantine Monetary Economy c. 300-1450* (Cambridge, 1985), 198-199.

[38] Pseudo-Kodinos, 228.4-5 and 229 note 664.

[39] Pseudo-Kodinos, 228.5-230.6.

[40] Symeon of Thessalonike, *Opera omnia*, in J. P. Migne, *Patrologia Graeca* 155, 352CD.

[41] Robert Taft, 'The Byzantine imperial communion ritual', in P. Armstrong, ed., *Ritual and Art. Byzantine Essays for Christopher Walter* (London, 2006), 1-26, here 4-5.

[42] Dagron, *Emperor and Priest*, 280-281, 288.

church hierarchy.[43] A tenth-century miracle collection refers to a certain son of a high official who was cured of a fever at the shrine of the Virgin at Pege, in Constantinople. In thanks for his cure, he served as *depotatos* at the church of the Virgin, leading the procession at the time of the Holy Eucharist.[44] In the miracle collection, as in Pseudo-Kodinos, the function of the title-holder is to lead the Great Entrance procession.

In the discussion of the *depotatos* title it is assumed that the emperor relinquished or was forced to relinquish a much more potent title, that of the difficult-to-translate *epistemonarches*, 'chief scholar' or 'chief scientific expert'. It is a title associated with twelfth- and thirteenth-century emperors and especially Manuel I Komnenos, a high profile emperor if ever there was one.[45] It is used always in connection with the emperor's involvement in church affairs, his interrogation of a patriarch in a synodal gathering, the synod's consultation with him on a matter of canon law. The last emperor to refer to himself with this designation is Michael VIII Palaiologos who in 1270 instructs the patriarch to give the deacon Theodore Skoutariotes a rank in the church hierarchy equivalent to that of *dikaiophylax*, keeper of the law, which the emperor had bestowed on him.[46]

Epistemonarches, like *depotatos*, is a minor ecclesiastical position low in the church hierarchy. The *epistemonarches* is in charge of discipline in the monastery; the word is found exclusively in monastic foundation charters until the twelfth century where it refers to the duty of the monk epistemonarches to keep order at meal times

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[43] On the *depotatos* (δηπότατος), see Jean Darrouzès, *Recherches sur les ΟΦΦΙΚΙΑ de l'église byzantine* (Paris, 1970), 215-216, 272-273, 552, 569.

[44] Anonymous Miracles of the Pege, in *Miracle Tales from Byzantium*, trans. Alice-Mary Talbot and Scott F. Johnson (Cambridge, Mass, and London, 2013) chap. 55, 280-281.

[45] Angold, *Church and Society*, 99, 100, 102, 530, 546-562; Dagron, *Emperor and Priest*, 253; For Manuel I as *epistemonarches* see Magdalino, *The Empire of Manuel I Komnenos*, 277, 280-281

[46] For Michael VIII see Pachymeres I, 341.17-20 (his right as *epistemonarches* to convene a synod to depose the patriarch Arsenios); Zepos, *Jus Graeco-Romanum*,I, 503 (*prostagma* of 1270 appointing Skoutariotes as *dikaiophylax*).

and during chanting.[47] Thus, it is similar to *depotatos* in its low rank and its function of maintaining order. But there is one large difference between them. No emperor ever referred to himself as a *depotatos*, whereas emperor and Church applied *epistemonarches* to the emperor, 'a convenient and ambiguous label, a screen which avoided the necessity of justifying more or less recognised rights.' [48] When it suited them, patriarchs would acknowledge the emperor's right to intervene in ecclesiastical affairs by reference to their epistemonarchic competence. Thus, the patriarch Athanasios, at the beginning of the fourteenth century, an ascetic and staunch supporter of the 'liberty of the church', called on the emperor Andronikos II to expel provincial bishops residing in Constantinople and to put on trial the metropolitan of Cyzicus who was accused of simony. In doing so he made reference to the emperor's epistemonarchic rights.[49] Makarios, metropolitan of Ankyra in the early fifteenth century, attacked the involvement of the emperor in ecclesiastical administration in a treatise on canon law but referred to his epistemonarchic right in an anti-Latin treatise.[50] The designations attached to emperors at different times are more indicative of the particular circumstances in which they are used than of the emperor's status.

Finally, Dagron draws attention to the form of words used by the emperor at the ceremony for the promotion of the patriarch. He finds significant the fact that in the tenth-century *Book of Ceremonies* it is divine grace and the royal office, the *basileia*, that promote the candidate to the position of patriarch, while in Pseudo-Kodinos it is the Holy Trinity alone.[51] But if we look at the protocol for the promotion of a patriarch other striking aspects emerge.

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[47]Macrides,'Nomos and Kanon', 63 and note 7.

[48] Dagron, *Emperor and Priest*, 00.

[49] *The Correspondence of Athanasius I, Patriarch of Constantinople* (Washington, D.C., 1975), no. 61, 182, no. 95, 248; Angelov, *Imperial Ideology*, 394, explains the patriarch's behaviour thus: 'In making these concessions Athanasios proved to be a realist....'

[50] Dositheos, patriarch of Jerusalem, *Tomos katallages* (Iasi, 1692), 194-195.

[51] Gilbert Dagron, 'Empires royaux, royautés impériales',in R. M. Kiesow, R. Ogorek, S. Simitis, eds., *Summa. Dieter Simon zum 70. Geburtstag* (Frankfurt am Main, 2005), 81-97, here at 92; *de cerimoniis*, ed. Reiske, 565.1-3; Pseudo-Kodinos, 254.5-8.

In Pseudo-Kodinos' compilation, the protocol for the promotion of a patriarch follows that for the three highest dignitaries after emperor, the despot, *sebastokrator* and caesar and presents a number of parallels with the latter. The same word, 'promotion' (*problesis*) designates the elevation of the highest dignitaries and that of the patriarch.[52] The promotions take place in a hall of the palace.[53] The emperor wears his crown which signifies his most formal dress.[54] The patriarch-to-be, called the 'candidate-patriarch',[55] is escorted by a high court official when he steps forward to receive his ensign of office, the staff, from the emperor.[56] The patriarch leaves the palace on horseback, mounting his horse in the palace courtyard, a privilege given only to members of the imperial family and highest dignitaries,[57] and returns to Hagia Sophia accompanied by court officials.[58]

These elements of the patriarch's promotion which are also elements of the dignitaries' promotion raise questions about the status of the patriarch. He is both above the highest dignitaries and equal to them. This ambiguity is demonstrated by Pseudo-Kodinos when he explains why the despot, *sebastokrator* and caesar are not present for the patriarchal promotion. It is 'inappropriate' for them to stand while the patriarch sits; nor can they sit while he stands.[59]

Other elements in the protocol further illustrate the patriarch's status vis-à-vis the emperor. Both the emperor and the patriarch sit on thrones that have been prepared for the occasion. However, the two thrones are not side-by-side on the same level. Not only is the emperor's throne raised up on a platform but it is also higher than his usual throne. This throne is like the one used at the emperor's coronation; it is 'four or even five steps high'.[60] By contrast, the throne of the patriarch is on the floor,

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[52] Pseudo-Kodinos, 244.1, 248.1, 250.1.

[53] The *triklinos*: Pseudo-Kodinos, 244.3, 250.18.

[54] Pseudo-Kodinos, 252.3, 253 note 742.

[55] Pseudo-Kodinos, 252.7.

[56] Pseudo-Kodinos, 254.1-4.

[57] Macrides, Munitiz, Angelov, *Pseudo-Kodinos*, 257 note 759, 389.

[58] Pseudo-Kodinos, 254.14.

[59] Pseudo-Kodinos, 252.11.

[60] Pseudo-Kodinos, 250.19-252.1, 253 note 740.

and thus much lower than the emperor's which it faces.[61] To receive his staff of office the patriarch has to 'mount' the platform where the emperor stands. He 'again descends'.[62] On the other hand, unlike the despot, the patriarch does not kiss the foot of the emperor after his promotion, a sign of his submission and gratitude, but rather blesses him.[63]

If these outward gestures and material conditions on the occasion of the promotion provide a mixed response to the question of the patriarch's status, the protocol leaves no room for doubt when it describes the way a patriarch-elect becomes patriarch. It is the emperor who creates the patriarch. Until his promotion in the palace he is a patriarch-elect. When the emperor pronounces the words, 'The Holy Trinity...promotes you archbishop of Constantinople, New Rome and ecumenical patriarch', the patriarch is made.[64] This formulation is similar to that used in the 'little consecration' by which a bishop is ordained and, as Pseudo-Kodinos says, in the case of the patriarch the emperor's promotion takes the place of that consecration.[65] Indeed, the whole process of choosing a new patriarch is initiated by an imperial order.[66] The synod cannot meet without this imperative of the emperor and, as is well known, the emperor has the right to reject the candidates put forward by the synod.

Yet, it could be asked how we can know that these protocols reflect the practice of the time and are not merely projecting a procedure that was never carried out as described? The answer is that numerous examples of patriarchal elections from different times attest to aspects of the election, while the specifics of the ceremony as Pseudo-Kodinos describes it are corroborated by those fourteenth- and fifteenth-century churchmen who write in an attempt to reduce the significance of the

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[61] Pseudo-Kodinos, 252.5-8.

[62] Pseudo-Kodinos, 254.9-11.

[63] Pseudo-Kodinos, 254.10-11.

[64] Pseudo-Kodinos, 254.5-8.

[65] Pseudo-Kodinos, 256.13-16.

[66] K.N. Sathas, *Μεσαιωνική Βιβλιοθήκη*, 7 vols. (Venice and Paris, 1872-1894, repr. Athens, 1972), VI, no. 19, 653.3-20; *de cerimoniis*, ed. Reiske, I, 564; Renauld Rochette, *Le Ciel et le sang: Le pouvoir impérial à Byzance à l'époque des Paléologues (1261-1453)* Thèse de doctorat, Université Paris I (Paris, 2009), 393.

emperor's role in the making of a patriarch. One of these is Symeon of Thessalonike who explains how patriarchs are made:

> The emperor serves [the decisions] of the synod, for he was established as the anointed of the Lord, defender and servant of the Church, and promised this when he was anointed….
> They talk nonsense, those who, innovating and struck by malice, say that the emperor makes the patriarch. For, it is in no way the emperor but the synod that effects it and the emperor simply serves as he is pious, as is clear. It is not only that he is protector and emperor anointed because of the Church but so that he might, by assisting and serving, so he might cherish and maintain secure [the decisions] of the Church. After the summons, something else takes place before the ordination or enthronement; it is called 'promotion'. It is a declaration of agreement from the very mouth of the emperor and a mark of honour to the Church that he cherishes the one chosen by her and voted by her, accepted to be the shepherd of the Church and in the name of the Holy Trinity which gave him the imperial majesty, he considers him archbishop of Constantinople, New Rome and ecumenical patriarch. He does not make him patriarch, he confers nothing on him but rather he expresses his agreement. It is clear that he confers nothing but rather that he receives, as defender of the decision.[67]

Symeon's insistence that the emperor carries out the decisions of the Church, as its helper and servant – the verbs 'to serve', 'to assist' and the noun 'servant' appear no fewer than five times in this passage -- betrays the importance of the emperor's role in the making of a patriarch, from start to finish. Makarios of Ankyra likewise stresses that 'the patriarch is called patriarch before the imperial promotion'.[68] It was not only the patriarch of Constantinople who was made in this

[67] Symeon of Thessalonike in Migne, *Patrologia Graeca* 155, 437-441. In an attempt to reduce the significance of the imperial role in the making of a patriarch, Symeon omits the place where the ceremony takes place, the palace.

[68] For the text see Vitalien Laurent, 'Le rituel de l'investiture du patriarche byzantin au debut du XVè siècle', *Bulletin de la section historique de l'Académie roumaine* 28 (1947), 218-232, here 231.

way. The same procedure held in the cases of the other patriarchs of the East: Alexandria, Antioch and Jerusalem.[69]

Furthermore, a late fourteenth-century patriarchal document indicates that the emperor may employ metropolitans as if they were his *douloi*, servants. In letters addressed to a crowned emperor metropolitans must refer to themselves as the emperor's δούλος καὶ εὐχέτης, 'servant and the one who prays for your mighty and holy imperial majesty', a formula close to the one used by lay servants of the emperor.[70] In the fifteenth century the use of the formula was extended to include all clerics. Sylvester Syropoulos, in his account of the council at Ferrara-Florence, where a Union of the Churches was agreed in 1438-1439, protested saying that it was not acceptable for the Church to be put to the service of the emperor.[71] In these later centuries churchmen are seen contributing to embassies sent abroad. There is always one churchman among the ambassadors;[72] they also act as the emperor's go-between or mediator (*mesazon*) in public affairs, whereas earlier this role was always filled by a layman.[73] Historians have seen these examples as signs of the growing importance of the Church. They can, however, be read as signs of the emperor's use of churchmen as his *douloi*. Vitalien Laurent, an Augustinian Assumptionist and editor of these late patriarchal texts, was so revolted by the language of *douleia* (servitude)

[69] Pseudo-Kodinos, 258.1-4.

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[72] N. Oikonomides, 'Byzantine diplomacy, A.D. 1204-1453: means and ends', in J. Shepard and S. Franklin, eds., *Byzantine Diplomacy* (Aldershot, 1992), 73-88, here 80-81.

[73] The example of the metropolitan of Philadelphia, Phokas, who acted as John III Vatatzes' *mesazon* in the mid-thirteenth century is cited by Angold, *Church and Society*, 00, as proof of the Church's dominant position. See also Angelov, *Imperial ideology*, 00. For Phokas, see Ruth Macrides, Geoprge AKropolites, The History (Osford, 2007), p. 266 note 24.

which he translated as ‘slavery’, that he looked upon the Ottoman conquest of the empire as a time of liberation for the Church.[74]

The history of the Church under the Palaiologan emperor in the thirteenth-fifteenth centuries shows that the ascendancy of the emperor over the Church remains strong. The descriptions of imperial debilitation in the last centuries of the empire would seem to have more to do with modern historians’ knowledge of shrinking territory and diminished resources than with the actual state of the emperor’s office. The late Byzantine texts I have discussed — both the ceremonial protocols and the patriarchal documents —have either been neglected or not taken seriously. Pero Tafur who visited Constantinople in the early fifteenth century in the reign of Manuel II remarked, ‘The emperor’s state is as splendid as ever, for nothing is omitted from the ancient ceremonies but, properly regarded, he is like a bishop without a see’.[75]

What is new in the Palaiologan period is the existence of churchmen who contested loudly the ascendancy of imperial power. In their discussions of ceremonial, Symeon of Thessalonike and Makarios of Ankyra tried to show that the emperor was subject to the church, while practice shows the opposite. It is their writings that have been adopted by historians to form a picture of the rising Church.

The confident claims made by these churchmen have to do, to some extent, with the sins of the founder of the dynasty, Michael VIII, who usurped power from the young heir to the throne John IV and had him blinded and who deposed the patriarch Arsenios who had excommunicated him.[76] The so-called Arsenite schism damaged the emperor beyond his death and produced literature that proclaimed the anointer to be superior to the anointed.[77] It is the lasting effects of this schism in the Church that elevated defiance of the Palaiologan emperors to the level of a virtue.

Perhaps the best way to describe the relations between Church and emperor, not only in the last centuries but also earlier, is to compare it to an intricate pas de

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[74] V. Laurent, ‘Les droits de l’empereur en matière ecclésiastique. L’accord de 1380/82’, *Revue des études byzantines* 13 (1955), 5-20, here 10-12; Rochette, Le *ciel et le sang*, 397 and note 345.

[75] Pero Tafur, *Travels and adventures, 1435-1439*, trans. and ed. M. Letts (London, 1926), 00.

[76] Arsenite schism (see biblio)

[77] Macrides

deux. Two were essential for the dance but who took the lead depended on the personalities and the circumstances of the moment.