The Professionalization of the Clergy in Late Antiquity

by

Norman Russell Underwood

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Professor Susanna Elm, Chair
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Professor Todd Hickey

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Abstract

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This dissertation investigates the role that the prior occupational experiences of Christian clerics played in molding the institutional development of the Christian Church in the later Roman Empire, roughly between 200 and 600 CE. It first demonstrates how socio-legal, economic, and demographic constraints limited the ordination of clerics to literate populations among the artisan, mercantile, and professional classes. The argument then proceeds to demonstrate how the organizational structures and payment practices of occupational units among these classes such as professional *collegia* served as models for the nascent discipline of the Christian clergy. The third chapter explores how the ordination of everyday physicians and the positive estimation of secular medicine among bishops drove the formation of ecclesiastical hospitals and the propagation of medical knowledge. The final chapter traces the development of two peculiar ecclesiastical offices, namely the ordained notary and a class of ordained lawyers called *defensores ecclesiae*, both of which mandated the ordination of technically trained legal practitioners. As with ordained physicians, evidence suggests that by the end of antiquity both ecclesiastical notaries and *defensores* were receiving their technical education within ecclesiastical communities. This evolution, in which professionals could solely acquire their skills within the Church, signaled the gradual usurpation of ecclesiastical functionaries over their lay analogs.

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Lastly to Jack, the love of my life. Spouses also suffer in graduate school. Jack tolerated much of my insanity in writing this dissertation. He has heard more about the later Roman Empire than most normal people could bear. This is as much his dissertation as mine.

Abbreviations

ACO	*Acta conciliorum oecumenicorum*
CCSL	*Corpus Christianorum Series Latina*
CPL	*Clavis Patrum Latinorum*
CSEL	*Corpus Scriptorum Ecclesíastícorum Latínorum.*
CSCO	*Corpus scriptorum christianorum orientalium*
LCL	*Loeb Classical Library*
MGH	*Monumenta Germania Historia*
PG	*Patrologia Graeca*
PL	*Patrologiae Latina*
SC	*Sources chrètiennes*
C. Th.	*Codex Theodosianus*
Nov. Just.	*Novellae Justinani*
Nov. Maj.	*Novellae Majoriani*
Nov. Val.	*Novellae Valentiniani*
Edic. Just.	*Edictum Justiniani*
C. J.	*Codex Justinianus*
TU	*Texte und Untersuchungen*

Contents

Introduction

My job is unbearable to me because it conflicts with my only desire and my only calling, which is literature. Since I am nothing but literature and can and want to be nothing else, my job will never take possession of me, it may, however, shatter me completely, and this is by no means a remote possibility—Franz Kafka.[1]

In his decades-long career as a cleric and Christian orator, John Chrysostom (c. 349-407 CE) expounded on many of Scripture's mysteries. Possessing the finest rhetorical education for sale in the Roman Empire and having trained for a legal career, Chrysostom could render even the most outlandish of Scriptural truths comprehensible. And he could do it with panache. Perhaps this is why he so often returned to a question that evidently sparked his curiosity: how was it that Paul, a tentmaker, "a man of the *agora*," had composed so many elegant passages of the New Testament and brought so many to the faith through his words?[2] "The one who sewed skins and pimped himself from a workshop," how was he also able to shine the scintillating light of the Gospel to the Gentiles?[3] Chrysostom asked frankly of Paul's trade, "what could be more debased than a tentmaker?"[4] Who could be more "voiceless"?[5] Chrysostom had a simple theological explanation as to why there was such a disparity between Paul's occupation (and thus education) and his mellifluous prose. Paul had not spun his tanner training into rhetorical gold; rather, the Holy Spirit had broadcasted refined wisdom through him as a mouthpiece. "For his mind did not sire those thoughts, being so humble and paltry that it offered no more than those of the other men of the marketplace. For how could it, when it was entirely consumed with barters and skins?"[6] Chrysostom was not alone in his snobbery towards the first apostles. St. Augustine (354-430 CE), bishop of Hippo Regius in North Africa and a former professor of rhetoric,

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[1] Max Brod (ed. and trans.), *Diaries of Franz Kafka, 1910-1923* (New York: Schocken, 1948), 299.

[2] See Chrysostom's derogatory use of the term *agoraios* for Paul in his *In illud: Si qua in Christo nova creatura* (*PG* 64, 25-27). For John Chrysostom's thoughts on Paul's occupation and education, see Margaret Mitchell, *The Heavenly Trumpet*: *John Chrysostom and the Art of Pauline Interpretation* (Louisville, KY: Westminster John Knox Press, 2002), 240-248.

[3] John Chrysostom, *In epistulam ad Romanos* 2.6 (*PG* 60, 407): ἀλλὰ καὶ τότε δέρματα ἔῤῥαπτε καὶ ἐργαστηρίου προειστήκειν.

[4] Idem, *Ad eos qui scandalizati sunt* 20.10 (*SC* 79, 248): τί δὲ σκηνορράφου εὐτελέστερον.

[5] Idem, *Homilia de capto Eutropio* 2.14 (*PG* 52, 409): ὁ ἄστομος.

[6] John Chrysostom, *Homilia in epistulam ad Hebreos* 1.2 (*PG* 63, 15): Οὐ γὰρ αὐτοῦ ταῦτα τὰ νοήματα ἔτικτεν ἡ διάνοια, τότε μὲν οὕτω ταπεινὴ καὶ εὐτελὴς οὖσα, ὡς τῶν ἀγοραίων μηδὲν ἔχειν πλέον· πῶς γὰρ ἡ περὶ συμβόλαια καὶ δέρματα καταναλωθεῖσα; ἀλλ' ἡ τοῦ Πνεύματος χάρις, ἢ δι' ὧν ἂν ἐθέλῃ τὴν ἰσχὺν αὐτῆς ἐπιδείκνυται.

showed similar discomfort when faced with the modest backgrounds of the clergy's predecessors, "the plebeians, paupers, illiterates, and fishermen" of Christianity's early years.[7] Both men also reached similar conclusions regarding Providence's purpose in anointing such an undistinguished lot.[8] Their selection checked the arrogance of their clerical successors who increasingly, after 200 CE, joined the Christian clergy after having held educated, or at least socially respectable, occupations. As Augustine explained, comparing Peter the fishermen and bishop Cyprian of Carthage (d. 258 CE), a former rhetorician like himself, "Peter was a fisherman, Cyprian an orator. If the fishermen had not preceded in faith, the orator would not have followed in humility."[9] The baton of Christian leadership had rightly passed from fishermen and tentmakers to men of much more commendable work, and this transition was for Augustine and the clerics like him now a fact of Christian lore.

Augustine's and Chrysostom's elitist comments are reflections of the changing composition of the clergy in their day and, at the same time, misleading. The age of lowly fishermen and tentmakers had been giving way to a clergy of middling urbanites since the third century, although many of clerics were still *de facto* plebeians. That said, many evolving duties of the clergy in the late fourth and fifth century did require the skills of educated professionals. Men of the humblest backgrounds could always find a place of service within the ranks of the clergy or in a pious confraternity, but more prominent spaces were being carved out for those men whose technical trainings could benefit the Church.[10] The ecclesiastical communities of the late fourth and early fifth century not only employed rhetorically-trained bishops and notable orators such as Augustine and Chrysostom, but also ordained notaries, stenographers, money-

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[7] Augustine, *Sermo* 197.2 (*PL* 38, 1022): *Immo vero elegit plebeios, pauperes, indoctos, piscatores.*

[8] See, for instance, John Chrysostom, *De Babyla contra Julianum et gentiles* 18 (*PG* 50, 538): τοῦ μὲν γὰρ ἁλιέως ὁ σκηνοποιὸς τιμιώτερος τῶν δὲ ἄλλων χειροτεχνῶν εὐτελέστερος.

[9] Augustine, *Sermo* 197.2 (*PL* 38, 1022): *Nisi fideliter præcederet piscator, non humiliter sequeretur orator.* In their defense, compared to contemporary non-Christians, Augustine, Chrysostom, and other elite Christians of their day had relatively positive attitudes toward physical labor as a necessity for the humble and a requirement for ascetics. See Arthur Geoghegan, *The Attitude Towards Labour in Early Christianity and Ancient Culture* (Washington, DC: The Catholic University of America Press, 1945), 162-228; Rudolph Arbesmann, "The Attitude of St. Augustine Toward Labor," in David Neiman and Margaret Schatkin (eds.), *The Heritage of the Early Church. Essays in Honor of the Very Reverend Georges Vasilievich Florovsky* (Rome: Pontificum Institutum Studiorum Orientalium, 1973), 245-259; George Ovitt, "The Cultural Context of Western Technology: Early Christian Attitudes toward Manual Labor," *Technology and Culture* 27.3 (1986), 477-500; Sabine MacCormack, "The Virtue of Work: An Augustinian Transformation," *Antiquité tardive* 9 (2001), 219-237.

[10] On lay confraternities, see Ewa Wipszycka, "Les confréries dans la vie religieuse de l'Égypte chrétienne," in Deborah Samuel (ed.), *Proceedings of the Twelfth International Congress of Papyrology*, (Toronto: A.M. Hakkert, 1970), 511-25; P. J. Sijpesteijn, "New Light on *Philoponoi*," *Aegyptus* 69 (1989), 95-99.

lenders, lawyers, physicians, and even well-to-do bakers, all of whom worked for their salaries under an increasingly rigid code of professional conduct. Even if clerics came from peasant stock, they were asked to conform to a type of organizational discipline commensurate with the habits and practices of secular occupational bodies such as professional bureaucracies and artisan trade guilds. Access to the clergy now required entry examinations and a minimum age, and there were also promotion schedules, pay hierarchies, specialized positions, and so forth. Between the emergence of a category of spiritual leaders designated as the clergy around 200 CE and the age of Augustine (354-430 CE), ecclesiastical service had been formalized well beyond its charismatic origins into a mainstream professional path in its own right. Millions of Roman men came to offer their labor as well as their education and occupational skills in remunerated service to the Church. How this unexpected transformation unfolded and what factors exactly catalyzed it is the focus of the present work.

What follows then is in essence a study of professions in late antiquity, centered on the professions and thus occupational training that men held before joining the Christian clergy; the professions served as models for clerics to mold their own religious vocation; and lastly the professions that clerics usurped by performing tasks for Christian communities in lieu of secular occupation-holders. As will become apparent over the subsequent pages, the three principal aspects of my inquiry, the clergy's backgrounds, the absorption of secular occupations into formulations of clerical ideals, and the development of institutional practices within the Church, were all interrelated parts of an intricate process that I call "the professionalization of the clergy in late antiquity." This process of professionalization transformed the Christian clergy from an amorphous grouping of charismatic religious leaders with inconsistent positions into a regimented, specialized hierarchy of paid office-holders. Through this process "professional clerics" came to hold a privileged status in Christian society as religious specialists, to regulate strictly their own membership, and to perform administrative duties and services far beyond their liturgical functions. There are more than few historiographical heads on the hydra that I have named "the professionalization of the clergy," and the following analysis will intersect with some of the grand narratives of late antiquity, such as the emergence of a clerical *cursus honorum,* the formation of episcopal authority, the flight of the well-to-do from their curia and other civic obligations into the clergy, the rise of ecclesiastical bureaucracies, and, in the case of ordained physicians, the birth of the hospital. What is lacking, however, is a historical treatment that ties them all together in a systematic way. This is all the more relevant since, as I will demonstrate, they are inextricably related.[11]

I emphasize "tie" and not another term such as "subsume," because no single streamlined historical process engendered any of these developments. Rather, I argue that beneath all these individual socio-historical developments hides a discernable and repetitive undercurrent that

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[11]See, for example, John Gibaut, *The* Cursus Honorum*: A Study of the Origins and Evolution of Sequential Ordination* (New York: Peter Lang, 2000); Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition* (Berkeley: University of California Press, 2006); Avshalom Laniado, *Recherches sur les notables municipaux dans l'Émpire protobyzantin* (Paris: Association des Amis du Céntre d' Histoire et Civilisation de Byzance, 2000), 9-26; Georg Schmelz, *Kirchliche Amtsträger im spätantiken Ägypten* (Munich: K.G. Saur, 2002); Timothy Miller, *The Birth of the Hospital in the Byzantine Empire* (Baltimore: The Johns Hopkins University Press (1997 (1985)).

accounts for and connects areas of institutional changes occurring within the late ancient Church as disparate as the formulation of promotion schedules, the erection of ecclesiastical hospitals, and the codification of ecclesiastical law. This undercurrent propelled the Christian clergy from its humble and informal origins toward the expansive and highly regimented "professional" clergy in the sixth century. This driving force was the admission of skilled and trained men into the clergy, men who brought into the Church their own preconceptions about professional duty, discipline, and service. I stress the term professional here because it is the concept of profession, or occupation, that connects these various historical developments. Men of certain *professions* were for cultural, socio-legal, and economic reasons more often admitted to the clergy. Men who had previous training and experience in these *professions* then proceeded, as members of the clergy, to draft the canons and prescriptive norms that became the institutional framework of clerical life. And men with certain *professional* backgrounds grafted their own occupational practices onto the Church's institutional body by adding their technical abilities to the Church's repertoire of services and tasks. In sum, men with particular and indeed highly specific *professional backgrounds* largely defined the nascent clerical *profession* as well.

It has been frequently overlooked in scholarship that prior to the rise of monastic schools in the early Middle Ages, few acquired their education in a religious institution and even fewer pursued their education for the direct purpose of becoming a cleric.[12] Most of the men that we now call Church Fathers trained for and worked in secular professions before joining the Christian clergy. For instance, the celebrated ascetic and bishop of Constantinople Gregory of Nazianzus trained in rhetoric, which in the later Roman Empire signified that he intended to pursue a career as an advocate, bureaucrat, or educator. After finishing his training, Gregory found employment as professor of rhetoric and only assumed a clerical office at the age of thirty-two after having been pressured into it—or at least this is what he claimed. Only then did Gregory put his education and oratorical skills to work in sermons and in the refutation of theological rivals.[13] In other words, the Roman educational and professional institutions that had nourished Gregory were not designed to churn out future bishops. Their aim was to set talented young men on profitable career-paths in service of Roman society, especially the Roman state. Nevertheless, over time aspects of the rhetorician's lifestyle and training were imported into the ideal set of tasks, skills, and qualifications that came to define the careers of many office holders of the late antique episcopacy.[14] That importation was not a passive act. Former rhetoricians such as Gregory, Augustine, and John Chrysostom were often sought out for ordination on account of their skills and abilities. As leaders of ecclesiastical communities in an age of transition they were in many ways able to write their own job descriptions. That they opted to imitate the occupational practices and cultures that had defined their lives prior to ordination should not surprise us as historians. Indeed, it has not. The redeployment of forensic training by Christian

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[12] See pp. 66-90 below.

[13] For Gregory's life, see John McGuckin, *St. Gregory of Nazianzus: An Intellectual Biography* (Crestwood, NY: St. Vladimir's Seminary Press, 2001), 35-84.

[14] Jaclyn Maxwell, "Education, Humility, and Choosing an Ideal Bishop in Late Antiquity," in Johan Leemans et al. (eds.), *Episcopal Elections in Late Antiquity* (Berlin: de Gruyter, 2011), 449-462; Claudia Rapp, *Holy Bishops,* 41-55.

clerics has long been acknowledged in late ancient studies, but this is only one appropriation of occupational practices and sub-cultures among many.[15] Most clerics had far less robust educations and far humbler prior occupations than the virtuoso rhetoricians of the Church, whose families had borne considerable costs to place them in the forensic occupational pipeline. This more modest sort of cleric, such as the merchant turned bishop, the deacon-doctor, or the notary-cum-priest, also contributed to the Church's institutional development and to the formation of a unique clerical profession; indeed, I argue that they contributed to that formation in ways that may well be more substantive and lasting than those of the Fathers of the Church. The professionalization of the clergy illustrates and highlights a wide range of moments in late antiquity, in which the occupational terminologies, concepts, and practices of secular professions were absorbed by and indeed formed the institutional culture of the Christian clergy.

The Late Ancient Clergy as an Occupational Body

The distinction between the clergy, God's "lot" (Greek: *klēros*), and the laity, the "people" (Greek: *laos*) below them, extends at least as far back as the late second century, and the practice of remunerating the office-holders of the main ecclesiastical ranks (bishops, priests, deacons, readers) is attested by the early third century. From 200 CE forward the distinction between the clergy and the laity was a fundamental fact of life for most Christian communities except for some heterodox movements such as Montanism, or the so-called "New Prophecy." Individuals grappled with issues such as whether lower-level or novel ecclesiastical positions should be included in the clergy, e.g., deaconesses and grave-diggers (*fossores*), but no one contested that there would be attached to churches a body of men that were deemed clerics, that is, counted in God's "lot."[16]

Nevertheless, the rigorous scholarly engagement with the ancient clergy's social, educational, and occupational background is a relatively new phenomenon. The early progenitors of late Roman / late ancient studies, such as Gibbon, Bury, Seeck, Rostovtzeff, Stein, and so on, were too reliant on the biographies of statuesque late antique bishops for their image of the

[15] One can easily find hundreds of elegant pages on the clerical appropriation of forensic rhetoric, many of which written by luminary late ancient historians. See, for example, Averil Cameron, *Christianity and the Rhetoric of Empire: The Development of Christian Discourse* (Berkeley: University of California Press, 1985); Peter Brown, *Power and Persuasion in Late Antiquity* (Madison: University of Wisconsin, 1992); Richard Lim, *Public Disputation, Power and Social Order in Late Antiquity* (Berkeley: University of California Press, 1995); Susanna Elm, *Sons of Hellenism, Fathers of the Church: Emperor Julian, Gregory Nazianzus, and the Vision of Rome* (Berkeley: University of California Press, 2012).

[16] Kristina Sessa, "Cleric," in Catherine Chin and Moulie Vidas (eds.) *Late Ancient Knowing: Explorations in Intellectual History* (Berkeley: University of California Press, 2015), 218-239; Mary Cunningham, "Clergy, Monks, and Laity," in Elizabeth Jeffreys with John Haldon and Robin Cormack (eds.), *The Oxford Handbook of Byzantine Studies* (Oxford: Oxford University Press, 2008), 527-537.

clergy.[17] Assumed to resemble the likes of Augustine, Chrysostom, and the supposedly senatorial bishops of Gaul, the ancient clergy was seen as an impressive and aristocratic group.[18] The notion of an aristocratic or at least upper-middle-class late ancient clergy confirmed a narrative entrenched early on in the study of late antiquity, namely that the Christian clergy cannibalized the Roman Empire's civic elites. Servants of the *res publica* became slaves of God, and local governments across the Roman Empire suffered accordingly.[19]

The now accepted insight that most of the clergy was of a more modest or "middling" sort, comprised mostly of plebeians with some aristocrats mixed in, only came into focus with the rise of research into the social history of the later Roman Empire in the 1960s and 1970s. Arnoldo Momigliano and A. H. M. Jones in the 60s offered the first intimations that the bulk of the clergy had to be located, at least status-wise, below the landed gentry, that is, they were drawn from the artisan, mercantile, and professional classes.[20] The wave of research incorporating papyrological and inscriptional evidence in the 70s and 80s, then, confirmed their earlier indications. What Jones had noticed, while researching his magnum opus *The Later Roman Empire,* had only been the first fruits of a plentiful body of extant evidence on funerary

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[17] See the very polite, but critical reassessment of previous scholarship on the clergy. A. H. M. Jones, *The Later Roman Empire, 284-602: A Social, Economic, and Administrative Survey* (Baltimore, MD: Johns Hopkisn University Press, 1986 (1964)), 906-927.

[18] See Frank Gilliard, "Senatorial Bishops in the Fourth Century," *Harvard Theological Review* 77.2 (1984), 153-175; Claire Sotinel, "Le recrutement des évêques en Italie aux IVe et Ve siècles," in *Vescovi e pastori in epoca Teodosiana, Studia Ephemeridis Augustinianum* 58 (Rome: Institutum Pontificum Augustinianum, 1997), 193–204; ead., "Les évêques italiens dans la société de l'Antiquité tardive: L'émergence d'une nouvelle élite?" in Rita Lizzi Testa (ed.), *Le trasformazioni delle "élites" in età tardoantica* (Rome: Bretschneider, 2006), 388-395. Both these essays are reprinted in Claire Sotinel (ed.), *Church and Society in Late Antique Italy and Beyond* (Burlingame, VT: Ashgate 2010), chs. VI and VIII.

[19] For the so-called flight of the *curiales*, see Jean Gaudemet, "Constantin et les curies municipales, *Iura* 2 (1951), 45-75; A. H. M. Jones, *Later Roman Empire,* 724-63; Karl Leo Noethlichs, "Einflußnahme des Staates auf die Entwicklung eines christlichen Klerikerstandes," *Jahrbuch für Antike und Christentum* 15 (1972), 136-153; Walter Langhammer, *Die rechtliche und soziale Stellung der Magistratus Municipales und der Decuriones in der Übergangsphase der Städte von sich selbst verwaltenden Gemeinden zu Vollzugsorganen des spätantiken Zwangsstaates* (2.-4. *Jahrhundert der römischen Kaiserzeit*) (Wiesbaden: Steiner, 1973); Friedrich Vittinghoff, "Zur Entwicklung der städtischen Selbstverwaltung: Einige kritische Anmerkungen," in idem (ed.), *Stadt und Herrschaft: Römische Kaiserzeit und hohes Mittelalter* (Munich: Oldenbourg, 1982); Avshalom Laniado, *Recherches sur les notables* municipaux, 9-26; J. H. W. G. Liebeschuetz, *The Decline and Fall of the Roman City* (Oxford: Oxford University Press, 2001), passim.

[20] A. H. M. Jones, "The Social Background of the Struggle between Paganism and Christianity," in Arnaldo Momigliano (ed.), *The Conflict between Paganism and Christianity in the Fourth Century* (Oxford: Clarendon, 1963), 17-36.

inscriptions and papyrus, in which men were recorded under both their clerical rank and their secular occupation. Suddenly amid the former professors of rhetoric in the literary record such as Augustine and Gregory of Nazianzus, there were clergymen who had toiled as small-town doctors, blacksmiths, fullers, wine-dealers, bankers, notaries, stenographers, and so forth.[21] This vastly greater array of available sources with the resulting greater specificity in clerical origins was accompanied by the massive (and still on-going) prosopographical projects that began in the 1970s, which more systematically examined clerics found in the literary and legal record. This dragnet research has built a profile of a late Roman clergy that originated in a range of occupational and social backgrounds, but one with its core in the commercial and professional classes of the empire's cities.[22] Today, scholars speak of the clergy as a "new elite" or of "aristocratic bishops," with the nuanced qualifications that the bulk of the clergy were not legally designated as elites and that even those designated as aristocrats in the clergy were most often from the lowest rank of the nobility. Moreover, as revisionist Roman historians have noted, this low rank of *decuriones* / *curiales* (town-councilors) had relatively modest property minimums for membership and no requirement of education including literacy.[23]

The same evidence that has revealed the clergy's social and occupational backgrounds has also opened windows onto the sizes of ancient clergies and the logistics of funding them.[24] As one would expect, the resources of individual sees determined the number of "full-time" clerics who could be supported with sufficient pay for clerics to not require supplementary

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[21] See, for example, Konstantina Mentzou, *Συμβολαι εισ την μελετην του οικονομικου και κοινωνικου βιου τησ πρωιμου βυζαντινησ περιοδουη προσφορα των εκ μ.ασιασ και συριασ επιγραφων και αγιολογικων κειμενω* (Athens: Εθνικό και Καποδιστριακό Πανεπιστήμιο Αθηνών, 1975), 196-197; Ewa Wipszycka, *Les ressources et les activités économiques des églises en Égypte du IVe au VIIIe siècle* (Brussels: Foundation Égyptologique Reine Élisabeth, 1972); Demetrios Constantelos, "Physician-Priests in the Medieval Greek Church," *The Greek Orthodox Theological Review* 12.2 (1967), 141-153; idem, "Clerics and Secular Professions in the Byzantine Church," *Byzantina* 13 (1985), 374-390.

[22] For an overview of prosopographical trends, see the essays in Averil Cameron (ed.), *Fifty Years of Prosopography: The Later Roman Empire, Byzantium and Beyond* (Oxford: Oxford University Press, 2003).

[23] See Peter Brown, "The Study of Elites in Late Antiquity," *Arethusa* 33 (2000), 321-346: 340-342. For scale, the wealth requirement for membership in the XXX in the fifth-century was about 300 gold solidi in physical property (*Nov. Val.* 3.4). This amounted to about 40 to 60 times a soldier's annual pay (5-7 Solidi). See Kenneth Harl, *Coinage in the Roman Economy, 300 B.C. to A.D. 700* (Baltimore, MD: The Johns Hopkins University Press, 1996), 217; and it was equivalent of the cost of 4 skilled eunuchs (Cf. *C. J.* 7.7.1.5b). For the allowance of illiterate *curiales*, see *C. J.* 10.31.6 (293 CE): *Expertes litterarum decurionis munera peragere non prohibent iura*. See Herbert Youtie, "Αγραμματος: An Aspect of Greek Society in Egypt," *Harvard Studies in Classical Philology* 75 (1971), 161-176: 174-175.

[24] See, for instance, A. H. M. Jones, "Church Finances in the Fifth and Sixth Centuries," *Journal of Theological Studies* 11.1 (1960), 84-94.

incomes from other economic activities. I stress the term "pay" because surviving evidence also confirms that clerics were typically remunerated in hard currency.[25] Poorer rural churches, it seems, had difficulty attracting and keeping a paid clergy of qualified men, a fact that bishops commonly lamented, while the more affluent sees of the empire received criticism for their excesses in both salary figures and the numbers of clerics on their payrolls. Some covetous men bribed, cajoled, and even threatened their way into clerical offices because of these dependably high salaries.[26]

The finances and logistics of manning the clergy will be discussed in the first chapter, so I will not detail them here. The clergy's social composition and the practical economics of working for the Church are necessary elements of situating my argument, and they form part of a larger body of scholarship on Roman society, particularly the explosion of recent research into the Roman economy and its labor systems. Manpower, labor, education, and time were valuable resources in premodern societies. Much of the two great corpora of Roman law (the Theodosian Code and the *Corpus juris civilis*) deal with the issue of maintaining sufficient manpower in appropriately apportioned segments of society.[27] Judging from the codes, Roman emperors were perpetually barraged with complaints about insufficient manpower: the military did not have enough volunteers; the bureaucracy had too many vacancies; tenants were abandoning their landlords' farms; trade guilds were losing members to other professions; cities wanted for local educators and doctors; day-laborers charged too much; and most regrettably, slaves were fleeing their masters. As we shall see, emperors approached the vitality and size of the clergy in much the same way that they managed the needs of other segments in the Roman economy. They offered financial and social carrots to entice men to join the clergy, and wielded juridical sticks to prevent the Church from sapping the manpower of other sectors of the economy. In fact, much of our understanding of the clergy's social background stems from legislation addressing the grievances of groups such as cities, guilds, landlords, and slave-owners, who confronted the Church over losing men to the clergy.[28] Roman law banned large swathes of society from ordination.

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[25] Some Egyptian clerics were paid in the consumable cash-crop of wine. See Todd Hickey, *Wine, Wealth, and the State in Late Antique Egypt: The House of Apion at Oxyrhynchus* (Ann Arbor: University of Michigan Press, 2012), 101-102. Rural churches and those attached to estates seemed to have had clergies who primarily supported themselves through agriculture. See Ewa Wipszycka, *Les ressources,* 81-2; Schmelz, *Kirchliche Amtsträger*, 211-212 and 218-20.

[26] Sabine Hübner, "Currencies of Power: The Venality of Offices in the Later Roman Empire," in Andrew Cain and Noel Lenski (eds.), *The Power of Religion in Late Antiquity* (Burlington, VT: Ashgate, 2009), 168-178.

[27] "The entire Roman legal system was designed, in reality, to preserve economic relations." Gloria Vivenza, "Roman Economic Thought," in Walter Scheidel, *The Cambridge Companion to the Roman Economy* (Cambridge: Cambridge University Press, 2012), 25-44: 24.

[28] See A. H. M. Jones, *The Later Roman Empire 284-602: A Social, Economic, and Administrative Survey* (Baltimore: Johns Hopkins University Press, 1986 (1964)), 1041-1063. Although his conclusions are inaccurate, Arthur E. R. Boak's *Manpower Shortage and the Fall of the Roman Empire in the West* (Ann Arbor: University of Michigan Press, 1955) covers the

In other words, the erection of an institutional Church system with both its paid administrative apparatuses and its large-scale charitable missions constituted an immense reallocation of both financial and human capital within the Roman economy. Hundreds of thousands of men opted to offer at least a portion of their time, skills, and energy toward service in the clergy, presumably at the expense of other productive economic activities. Therefore, when I speak of a professional clergy, I mean a clergy of individuals whose occupation was primarily being a cleric. I do not mean that clerics did not perform economic activities outside their clerical duties (quite the opposite). Almost exclusively clerics memorialized on ancient inscriptions or referenced in papyri are identified first as clerics before any other occupational or social markers. A man was a deacon and then a lawyer, a priest and then a banker, regardless of which "job" provided the majority of his income. The clerical profession trumped if not overtook other occupational identities.[29]

As I will demonstrate in chapter one, even Church Fathers prone to exalting the resplendence of the priesthood or the noble ministry of the diaconate hardly concealed their recognition that clerical status was an occupation and a livelihood. Of course, it was a special kind of occupation, one that was supposed to be elevated above prosaic jobs, but plenty of occupation-holders of common professions in antiquity strove to raise their livelihoods above commercial exchanges—even if they still received salaries or wages as sustenance. Municipal and imperial trade guilds are particularly informative on this point. The thousands of monuments and papyri describing their internal operations overflow with the flowery language of civic honors, public service, and religious duty despite the fact that the same evidence reveals an obvious one-to-one economic relationship between pay and work.[30] This "polite fiction" holds especially true for the higher-up magistrates of *collegia* who were prone to ennoble themselves with respect to the less-honorable laborers below them, even though they all received pecuniary

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extent to which constituent parts of Roman society fought over manpower. Moses Finley's scathing review of the book enumerates the many weaknesses in Boak's argument. Moses Finley, "Arthur E. R. Boak, *Manpower Shortage and the Fall of the Roman Empire in the West*," *Journal of Roman Studies* 48.1/2 (1958), 154-164.

[29] Funerary inscriptions most commonly identify deceased clerics by their clerical rank (bishop, priest, deacon, reader, *notarius*, etc.); however, there are some examples in both Greek and Latin of men simply being referred to as clerics. See *AE* 1946, 27a, 27b; *AE* 1953, 46, 46b; *AE* 1968, 637, 639; *AE* 1975, 902, 906, 922; *Faras* IV 105, 33, 35, 36; I*GLSyr* IV 1546.

[30] I will address *collegia* in my second chapter, but the definitive collection of Latin inscriptions relating to trade guilds is still Jean-Pierre Waltzing, *Étude historique sur les corporations professionnelles chez les Romains depuis les origines jusqu'à la chute de l'Empire d'Occident*, 4 vols. (Louvain: C. Peeters, 1895-1900); For papyrus evidence, see Philip Venticinque, *Honor Among Thieves: Craftsmen, Merchants, and Associations in Roman and Late Roman Egypt* (Ann Arbor: University of Michigan Press, 2016). For the evidence in legal corpora, see Freda Utley, *Trade Guilds of the Later Roman Empire: The Social and Economic Conditions of the Members of the "Collegia" from Constantine to Theodosius II (c.314 - 450 CE)* (Diss. London School of Economics, 1925).

remuneration for the fruits of their labor.[31] To use a metaphor, the magistrates as honored men received a larger portion of the slop, but they dined at the same trough. Perhaps there was no greater culprit for such sugarcoating than the imperial bureaucracy. The hundreds of thousands of imperial officeholders, or rather "honor-holders," did not receive wages but noble *stipendia*; they never pressed for bribes or payment for their services but instead received "gifts" or "offerings," called in Greek *prosphorae*, in recompense for processing the legal paperwork of citizens. Roman law even set formulas to calculate mandated "gifts" based on the distance an officeholder might need to travel.[32] When Christian clerics in late antiquity began charging set fees for services such as baptisms and funerals, they adopted the same euphemistic nomenclature of "offerings" (*prosphorae*).[33]

Simply put, the Greco-Roman lexicon for work, labor, and occupation is notoriously convoluted, even contradictory, because of the widespread stigmatization of physical labor, mercantile activity, and paid remuneration.[34] Greek- and Latin-speaking inhabitants of the Roman Empire went through incredible mental and rhetorical acrobatics to distance their "services," "honors," and "arts" from laborious toil and seedy transactions. That said, even though their rhetorical legerdemain is largely unconvincing to modern eyes, we should not underestimate the extent to which the practice of conceptualizing paid labor as honorable service performed cultural work within Roman society. Let me offer the example of the administrative support staff of Roman magistrates, known collectively as *apparitores*, who for centuries were held in relatively high-esteem as salaried civic and religious officials, although they were

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[31] On *collegia* magistrates, see for example Halsey Royden, *The Magistrates of the Roman Professional Collegia in Italy from the First to the Third Century A.D*. (Pisa: Giardini editori e stampatori, 1988); Koenraad Verboven, "Magistrates, Patrons and Benefactors of Voluntary Associations: Status Building and Romanisation in the Spanish, Gallic and German Provinces of the Roman Empire," in I.B. Antela-Bernardez and A. Ñaco del Hoyo (eds.), *Transforming Historical Landscapes in the Ancient Empires (Proceedings of the First Workshop Area of Research in Studies from Antiquity, Barcelona 2007)* (Oxford : John and Erica Hedges, 2009), 159-167. For artisans and other workers seeing themselves as masters or experts within their professional communities, see Nicholas Tran, "Les gens de métier romains: savoirs professionnels et supériorités plébéiennes," in Nicholas Monteix and Nicholas Tran (eds.), *Les savoirs professionnels des gens de métier. Études sur le mond du travail dans les sociétés urbaines de l'empire romain* (Naples: Centre Jean Bérard, 2011), 119-133.

[32] Christopher Kelly, *Ruling the Later Roman Empire* (Cambridge, MA: Harvard University Press, 2004), 138-185.

[33] Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasiens* (Stuttgart: Franz Steiner Verlag, 2005), 173.

[34] Koenraad Verboven and Christian Laes, "Work, Labour, Professions. What's in a Name?" in Koenraad Verboven and Christian Laes (eds.), *Work, Labour, and Profession in the Roman World* (Leiden: Brill, 2016), 1-19; Mauro De Nardis, "Terminologia e concetto di 'lavoro' in età romana," in Arnaldo Marcone (ed.), *Storia del lavora in Italia, Vol. 1: L'età Romana. Liberi, semiliberi e schiavi in una società premoderna* (Rome: Castelvecchi, 2016), 79-90.

essentially menial laborers. The tasks for which they received payment and "honors" were for the most part appropriate for slaves and freedmen: they carried officials as lictors, handled tabulations for financial exchanges, served as personal scribes, made public announcements as criers, and worked as temple attendants. Despite the somewhat humdrum nature of their work, their positions were draped in the pageantry of public offices and honors—and their names and rank accordingly were worthy of memorialization on stone.[35]

As Nicholas Purcell has shown, this honorability offered the plebian *apparitores* particular social mobility for executing the same tasks for which they might otherwise have been socially stigmatized.[36] The language of honors and offices illuminates both how much the college of *apparitores* aggrandized themselves and how much the Roman state instrumentalized the distribution of honors for its own purposes. Looked at from a purely economic standpoint, the qualified men who competed for these positions earned relatively meager salaries. The competition for honors, however, benefitted the state by ensuring that more talented individuals vied for these poorly paid positions, and benefitted the individuals who moved up the social ladder through their public service. Thus, on one hand, to understand the culture of the *apparitores*, we must see their organization through the eyes of the *apparitores* who presented themselves as a corps of noble civil servants. On the other hand, as historians we have the luxury of seeing apparitorial organizations, their members, and their sub-culture without their ideological glasses. Patriotism may well have driven plenty of men of slimmer means to seek work in the college of *apparitores*, and surely the culture of the college itself promoted sentiments of patriotic service and religious duty to the *res publica*. Yet, the incentives for pursuing a more prestigious, salaried career in the *collegium* instead of performing the same tasks as private citizens are obvious. Being an *apparitor* was respectable work for a plebeian wishing to climb the social ladder.

The development of the Christian clergy as a pastoral, charitable, and administrative organization of paid office-holders has to be analyzed with similar attention to both cultural systems and socio-economic realities. Like imperial bureaucrats, guildsmen, and *apparitores*, the member of the Christian clergy perceived the relationship between the services they offered and the remuneration they received through roseate lenses that minimalized suggestions of economic opportunism. In the early Christian estimation, upstanding Roman men did not so much gain a new occupation in the act of ordination, but rather they willingly assumed an office and honorable paid lifestyle characterized by humility, service, and piety. They had become members of the "holy poor," to use Peter Brown's words, a class of "persons who received material

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[35] On criers, see Sarah Bond, *Trade and Taboo: Disreputable Professionals in the Roman Mediterranean* (Ann Arbor: University of Michigan Press, 2016), 21-58. For the role of *apparitores* in pagan temples, see Marietta Horster, "Living on Religion: Professionals and Personnel," in Jörg Rüpke (ed.), *A Companion to Roman Religion* (Hoboken, NJ: Wiley-Blackwell, 2007), 331-342: 334-336.

[36] Nicholas Purcell, "The *Apparitores*: A Study in Social Mobility," in *Papers of the British School at Rome* 51 (1983), 125-173.

support in exchange for offering immeasurable immaterial benefits—teaching, preaching, and prayer."[37] As Brown summarizes,

> In between the days of Paul and the rise of monasticism—that is, in the second and third centuries AD—the Christian church set down firm roots in Roman society largely because its bishops and clergy, also, claimed to be members of the "holy poor." Like the "holy poor," they expected to be freed from normal work (either fully or in part) through the support of the faithful. This support enabled them to pursue full-time ecclesiastical careers as preachers, teachers, and as administrators of the wealth of the church on behalf of the "real" poor. What we call the "professionalization" of the clergy rested on the decision to treat the clergy as a special kind of poor, supported (like the poor) by the free-will offerings of the faithful.[38]

Brown's summary largely captures the type of analysis that I will present in what follows. The clerical livelihood, like other Roman occupations, was encoded in a self-aggrandizing and euphemistic logic, which shaped how clerics behaved, interacted with one another, and related to the laity. To their benefactors the clergy were both "holy" and "poor," and they deserved support. To each other they were "brothers of good will and companions in poverty."[39] To their detractors, however, the clergy were emphatically anything but "holy" or "poor." Plenty of pagans and ecclesiastical reformers pointed out the alluring profitability of clerical life.[40] Contradiction was simply built into the system. Many clergymen of decent means did become in their own eyes voluntary religious paupers, even if their clerical profession yielded them dozens if not hundreds or thousands of gold *solidi* a year. Conversely, many rural clerics barely earned subsistence incomes. This is why we find clerics working as camel herders, butchers, and tenant farmers. Nevertheless, by virtue of the privileges associated with their offices, they were in some ways better off than the average laborer. Above all, God's "lot," his "brotherhood" of the so-called "holy poor," did not charge fees or expect gifts for their services, nor did they soil themselves with filthy lucre such as banking or the grain trade (even though in fact they did both). They theoretically carried out their "honors," "offices," and "sacred duties" with only God

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[37] Peter Brown, *Treasure in Heaven: The Holy Poor in Early Christianity* (Charlottesville: University of Virginia Press, 2016), 15.

[38] Ibid., 14.

[39] Augustine, *Sermo* 355.2 (*PL* 38, 1570): *Coepi boni praepositi fratres colligere compares meos, nihil habentes, sicut nihil habebam, et imitantes me.*

[40] The most notable condemnation of corrupt, profit-seeking clerics is Gregory of Nazianzus' *Oration* 42, a fictionalized farewell address to the city of Constantinople. See Susanna Elm, "A Programmatic Life: Gregory of Nazianzus' Orations 42 and 43 and the Constantinopolitan Elites," *Arethusa* 33 (2000), 411- 427. See the relevant attacks on clerical greed in Hanno Dockter, *Klerikerkritik im antiken Christentum* (Göttingen: VetR Unipress, 2013), 77-129. Libanius' Or. 30, a rebuke of corrupt and violent Christians, is a vivid portrait of clerics and monks "behaving badly." I recommend for an analysis of it and other pagan polemics: Michael Gaddis, *There Is No Crime for Those Who Have Christ: Religious Violence in the Christian Roman Empire* (Berkeley: University of California Press, 2005).

and his clarion call to action in mind. They received support for sacrificing their own private aspirations in answering this pious calling.

Honorifics and polite fictions were staples of Roman society.[41] More importantly, they were typical for the many professional organizations and occupation-holders who took pride in the respectability of their profession. They proclaimed their pride on dedicatory monuments, on tombs, on the walls of their homes, as well as in their personal correspondence, contracts, and technical writings. Occupational experiences left indelible marks on individuals in the Roman Empire, and few identity markers are more salient in the Roman historical record than occupation.[42] This is why the fact, emphasized in what follows, that the bulk of the ancient clergy did not come from aristocratic land-holders or small-scale farmers, but rather came from the empire's artisan, mercantile, and professional classes, is so significant for the study of the clergy. The economic, social, and occupational conditions that shaped the clergy were, to reiterate, primarily those of urban (semi-) skilled laborers. It is their experiences, then, that ought to inform our understanding of how men belonging to and originating within these occupational categories developed and molded the clerical occupation.

What's in a Job? Occupation as Ancient Social Category

Drawing on much of the same intellectual energy and methodological trends that rewrote the history of the ancient clergy, research into the Roman economy and the history of occupations in the Roman world has grown by leaps and bounds since the 1970s.[43] Indeed, many important though underappreciated occupation-holders such as stenographers and grammarians have only been truly introduced to scholars of Roman history in the past three decades, while other common occupations have only recently attracted scholarly attention.[44] The past fifteen years, for

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[41] See John Lendon, *Empire of Honour: The Art of Government in the Roman World* (Oxford: Clarendon, 1997), 30-106.

[42] See Sandra Joshel, *Work, Identity, and Legal Status at Rome*: *A Study of Occupational Inscriptions* (Norman: University of Oklahoma Press, 1992), 62-91; Carla Salvaterra, "Labour and Identity in the Roman World. Italian Historiography during the Last Two Decades," in Berteke Waaldijk (ed.), *Professions and Social Identity: New European Historical Research on Work, Gender and Society* (Pisa: Edizioni Plus, 2006), 15-38.

[43] Carla Salvaterra and Alessandro Cristofori, "Twentieth-century Italian Scholarship on Roman Craftsmen, Traders, and Professional Organizations," in Miko Flohr and Andrew Wilson (eds.), *Urban Craftsmen and Traders in the Roman World* (Oxford: Oxford University Press, 2016), 55-76.

[44] See, for example, Hans Carel Teitler, Notarii *and* Exceptores: *An Inquiry into the Role and Significance of Shorthand Writers in the Imperial and Ecclesiastical Bureaucracy of the Roman Empire from the Early Principate to c. 450 A.D.* (Amsterdam: J.C. Gieben, 1985); Robert Kaster, *Guardians of Language: The Grammarian and Society in Late Antiquit*y (Berkeley; University of California Press, 1997); Jean-Jacques Aubert, *Business Managers in Ancient Rome: A Social and Economic Study of* Institores*, 200-BC - AD 250* (Bril: Leiden, 1999); Miko Flohr, *The World*

instance, have seen the publication of four illuminating and field-changing social histories of medical practice during the Roman imperial period, which have corrected numerous misperceptions about Roman physicians.[45] To these lauded studies, one must add the innovative and burgeoning body of scholarship on the humbler professions in Roman society.[46] We now possess studies of the risk-reduction strategies of textile workers, the lives of Roman masseurs, the business of prostitution, the trust-networks of bankers, and the corporate organizations of ancient shippers.[47] That recent volumes on the Roman economy assemble papers on the socio-legal constraints of clerical recruitment together with others on the investment strategies of fishermen, or on the culture of Palmyrene traders, is a testament to the vitality of research onto the many occupations of Roman society and emphasizes that the clergy form a fitting part.[48]

What the surge of scholarship on professions in the Roman world has demonstrated most clearly is the extent to which occupations were central to the ways in which Roman society classified individuals, lifestyles, and experiences. Romans saw their society as a mass of distinct occupations and occupation-holders, and they assigned specific stereotypes, privileges, burdens, and stigmata to individual occupations.[49] Romans used occupation as a social tool to think with,

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of the Fullo: *Work, Economy and Society in Roman Italy* (Oxford: Oxford University Press, 2013).

[45] Ido Israelowich, *Patients and Healers in the High Roman Empire* (Baltimore, MD: The Johns Hopkins University Press, 2015); Jane Draycott, *Approaches to Medicine in Roman Egypt*, (Oxford: Archaeopress, 2012); Marguerite Hirt Raj, *Médecins et malades de Égypte romaine: Étude socio-légale de la profession médicale et de ses praticiens du Ier au IVe siècle ap. J.-C.* (Leiden: Brill, 2006); Evelyne Samama *Les médecins dans le monde grec: sources épigraphiques sur la naissance d'un corps médical* (Geneva: Librairie Droz, 2003).

[46] See the essays in Miko Flohr and Andrew Wilson (eds.), *Urban Craftsmen and Traders in the Roman World* (Oxford: Oxford University Press, 2016) as an outstanding example.

[47] Respectively, Sarah Bond, "'As Trainers for the Healthy': Massage Therapists, Anointers, and Healing in the Late Latin West," *Journal of Late Antiquity* 8.2 (2015), 386-404; Thomas McGinn, *The Economy of Prostitution in the Roman World* (Ann Arbor: University of Michigan Press, 2004); 177-268; Jean Andreau, *Banking and Business in the Roman World* (Cambridge, 1999), 30-49; Koenraad Verboven, "Guilds and the Organisation of Urban Populations During the Principate," in Koenraad Verboven and Christian Laes (eds.), *Work, Labour, and Profession in the Roman World* (Leiden: Brill, 2016) 173-202: 181-189; Jean Rougé, *Recherches sur l'organisation du commerce maritime en Méditerranée sous l'empire romain* (Paris: École pratique des Hautes- Études, 1966), 177-268.

[48] Paul Erdkamp, Koenraad Verboven and Arjan Zuiderhoek (eds.) *Capital, Investment, and Innovation in the Roman World* (Leiden: Brill, forthcoming).

[49] See the Philip Venticinque, *Honor Among Thieve*s (Ann Arbor: University of Michigan Press, 2016; the essays in Koenraad Verboven and Christian Laes (eds.), *Work, Labour, and Profession in the Roman World*; Emanuel Mayer, *The Ancient Middle Classes: Urban Life and Aesthetics in*

as a category at least as vital as status, gender, or ethnicity. Romans also understood a person's occupation as either in conformity or in conflict with these other key social categories. There were occupations too feminine for men, ones too servile for nobles, and others more suitable for foreigners than upstanding Romans. One's occupation not only spoke to one's position in society, but also to much more personal attributes. Some jobs suggested a charitable or, conversely, a rapacious disposition (physicians were notably stereotyped as being both merciful and greedy).[50] Men and women in occupations that were considered *infamia* suffered brutal social exclusion and legal stigmatization because of what the majority thought their occupation revealed about their character. The handiwork of tanners and tentmakers, for instance, shielded Roman society from the harsh Mediterranean sun, but the men who produced them were rewarded with deep disgust for their malodorous trade. Likewise, the minters who provided the empire's economic lifeblood of coinage were held in contempt and suspected for their dealings with money, while their financial counterparts, the bankers, took centuries to place themselves among the more respectable Roman professions, despite the lingering suspicions because of their usurious practices.[51] Some senators went to great lengths to conceal their professional activities; while some slaves such as educators capitalized on their occupational skills to ameliorate their social positions.[52] One's chosen or imposed occupation affected every dimension of life from economic opportunities and legal status to social networks and marriage decisions.[53] By the later Roman Empire, a man's occupation also determined whether he was eligible for ordination and whether he was a desirable candidate.

Furthermore, utilizing the insights of Pierre Bourdieu and other social theorists, scholars of ancient history have documented the enormously significant methods employed by

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the Roman Empire, 100 BCE-250 CE (Cambridge, MA: Harvard University Press, 2012); Onno van Nijf, *The Civic World of Professional Associations in the Roman East* (Leiden: Brill, 1997)

[50] See Norman Underwood, "Medicine, Money, and Christian Rhetoric: The Socio-Economic Dimensions of Healthcare in Late Antiquity," *Studies in Late Antiquity* 2.3 (fourthcoming 2018).

[51] Sarah Bond, *Trade and Taboo: Disreputable Professionals in the Roman Mediterranean* (Ann Arbor: University of Michigan Press, 2016), 97-125 (tanners) and 126-141(minters). For the respectability of late antique bankers, see Samuel J. B. Barnish, "The Wealth of Julius Argentarius: Late Antique Banking and the Mediterranean Economy," *Byzantion* 55 (1985), 5-38.

[52] For instance, a third-century freedman physician from Assisi in Umbria earned enough to pay his master 50,000 sesterces for his freedom. Afterward he earned enough to become a local sevir and left 30,000 sesterces to build a temple to Hercules as well as 37,000 for the paving of the streets in his community. Cf. *CIL* 11.5400.

[53] I will discuss compulsory and hereditary occupations in chapter one. Sarah Bond, *Trade and Taboo*, addresses the stigma of compulsory occupations at pp. 160-163. On strategic marriages for professional gain, see Wim Broekaert, "Welcome to the Family! Marriage as Business Strategy in the Roman Economy," *Marburger Beiträge zur antiken Handels-, Wirtschafts- und Sozialgeschichte* 30 (2012), 41-65.

occupation-holders and occupational groups to form distinct and self-reproducing sub-cultures.[54] As with Bourdieu's modern French bureaucratic "office culture," ancient historians have identified many equally idiosyncratic occupational sub-cultures in the Roman world. The post-Diocletian imperial bureaucracy, for instance, engendered a domineering sub-culture on par with its contemporary French analogs. Bureaucratic group-speak is not only recognizable in the technical literature of Roman law, but also in the literary compositions of professionalized bureaucrats. In late Roman historiography, for instance, one can easily identify technical jargon and astute bureaucratic obervations in authors as diverse as Ammianus Marcellinus, Procopius, and the ecclesiastical historian Evagrius Scholasticus.[55] With passion they lampooned bureaucratic failures, lamented the unfortunate appointment of men ill-suited for a position, and boasted of the logistical successes of the administration—they wrote Roman history as much from the perspective of the bureaucracy's cubicles as from the battlefield or the armchair. As well they should have, given that they had spent considerable portions of their adult lives in the service of the Roman bureaucracy. The cultivation of bureaucratic sensibilities and an administrative ethos was quite purposeful. "Within the administration, the development of well-defined hierarchies, a strong esprit de corps, and binding departmental loyalties fostered both solidarity and identity."[56] Roman bureaucrats were made, not born. The process of producing Roman imperial bureaucrats began at a relatively young age and most often in fairly lowly positions. From the moment that a legally-trained youth donned his military-style cloak (*chlamys)*, with its brightly colored patches (*segmenta*), and the belt of his office (*cingulum militae*), he was marked off from the rest of society as an imperial bureaucrat: his identity, his lifestyle, his social network, and his potential were visibly distinct.[57]

The Roman bureaucratic corps was, however, but one occupational sub-culture in the late Roman World, although it is particularly well-documented because of the literary productions of its members. Scholars have to expend far more effort and ingenuity to piece together the sub-cultures and lifestyles of most other Roman occupations. Thus, they have placed in dialogue elite texts describing stereotypical versions of occupations and idealistic funerary inscriptions with juridical texts, private correspondence, and pictorial representations. It is clear that most professions in the ancient world (just as today) operated under centripedal forces that forged identifiable occupational sub-cultures.[58] Even the most common and humble professions had a

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[54] See, for example, Sara Elise Phang, *Roman Military Service: Ideologies of Discipline in the Late Republic and Early Principate* (Cambridge: Cambridge University Press, 2008).

[55] Geoffrey Greatrex, "Lawyers and Historians in Late Antiquity," in Ralph Mathisen (ed.), *Law, Society, and Authority in Late Antiquity* (Oxford: Oxford University Press, 2001), 148-161.

[56] Christopher Kelly, *Ruling the Later Roman Empire*, 1.

[57] For visual depictions and literaery descriptions of imperial bureaucrats, see Richard Delbrueck, *Die Consulardiptychen und verwandte Denkmäler* (Berlin: de Gruyter, 1929), 36-40; Dimitur Dimitrov, "Le pitture murali del sepolcro romano di Silistra," *Arte Antica e Moderna* 9 (1962): 351-365, especially 353-354; Ramsay Macmullen, "Some Pictures in Ammianus Marcellinus," *The Art Bulletin* 46 (1964), 435-451.

[58] Koenraad Verboven and Christian Laes, "Work, Labour, Professions," 1-19.

"lifestyle" attached to them. Roman bakers organized themselves in certain recognizable ways, (baking guilds), presented themselves in certain recognizable ways (by the instruments of their craft in depictions), and inhabited the Roman social topography in certain recognizable ways (they often lived among each other and similar food-industry professionals). This is not to say that bakers did not vary by region, that they did not share widespread Roman values that transcended occupations and social classes, or that they did not resemble in lifestyle other artisans and merchants. Yet, certain cultural attributes, practices, and a sense of collective identity linked "bakers" together, from the freedman kneading the dough to his employer to the local notable who made his fortunes contracting out the production of his bakeries to the city government. [59] Whether a man was an *artopoio*s in Constantinople or a *pistor* in Carthage, his social experience as a baker in an urban environment was comparatively similar.

In what follows I will draw substantially on the methods and findings of Emmanuel Mayer's *The Ancient Middle Classes* (2012) and others who adopt a similar approach. Mayer and other scholars like him have argued that merchants and tradesmen, whom he classifies as Rome's "middle classes," earned incomes on par with or greater than the lowest members of the nobility, consumed similar luxury goods, and sometimes found themselves enlisted in the empire's noble ranks (mainly curial and equestrian), while maintaining, even as *nouveaux riches* a proud loyalty to their occupations and to market activity itself— though their continued association with bread-baking or wine-importation separated them from their economic peers among the landed nobility.[60] These members of the "middle classes," as Mayer demonstrates, celebrated their mercantile occupational activities in traditional media and spaces such public funerary monuments, which we historians tend to conceptualize as solely platforms for the projection of elite values. Put simply, the years that artisans, merchants, and professionals spent in their occupation instilled values, habits, and a sense of collective identity, which they were either reluctant or too proud to shed.[61] For Mayer and others, these observations challenge the presumption still common among scholars that sub-elite Romans normally aped the culture of the aristocracy and hence were unable to develop social practices and habits of their own that did not reflect (occasionally laughably so) the examples of their social (though not necessarily economical) betters. Part and parcel of this presumption, so the recent criticism, is an a priori overestimation, on the part of scholars, of the power of the elites to draw everyone into their social gravitational field.[62] The claim that individuals from the Roman Empire's relatively

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[59] Andrew Wilson and Katia Schörle, "A Baker's Funerary Relief from Rome," *Papers of the British School at Rome* 77 (2009), 101-123; Lauren Hackworth Petersen, "The Baker, His Tomb, His Wife, and Her Breadbasket: The Monument of Eurysaces in Rome," *The Art Bulletin* 85.2 (2003), 230-257.

[60] Emanuel Mayer, *Ancient Middle Classes,* especially 100-212.

[61] Alessandro Cristofori, "Lavoro e identità sociale," in Arnaldo Marcone (ed.), *Storia del lavoro in Italia, Vol. 1: L'età Romana. Liberi, semiliberi e schiavi in una società premoderna* (Rome: Castelvecchi, 2016), 149-174; Sandra Joshel, *Work, Identity, and Legal Status*, 62-122.

[62] See Emanuel Mayer, *Ancient Middle Classes,* 1-21.

prosperous "middle classes" produced unique sub-cultures that at times rejected aristocratic values is highly convincing, though I do consider Mayer's definition of the Roman "middle classes" somewhat anachronistically modern and bourgeois.[63]

Nonetheless, Mayer's innovative work and the more recent scholarship by Miko Flohr, Philip Venticique, and Sarah Bond has demonstrated that persons from the lower and middle rungs of Roman society are too often treated as merely eking out an existence or as in a mad dash to join the aristocracy. Instead, they too possessed agency, independence, and the ability to affect elite culture through their socio-economic activities and their occupational organizations.[64]

One cannot find a more fitting parallel for the heterogeneous Christian clergy than the occupational groups that Mayer has identified as the Roman "middle classes;" in point of fact, they were often one and the same.[65] The clergy as an evolving occupational caste, drawing its members from the middling classes of Roman society, which included the *plebs* and the low aristocracy, emerged as yet another professional group in the late antique landscape. It had its own distinct lifestyle, identity, and cultural impact, and like the other "middling" occupational groups it did not map perfectly onto rigid social divisions (servile vs. free, elite vs. non-elite, haves vs. have-nots).[66] However, unlike the occupational identities of artisans, merchants, educators, philosophers, or physicians (to name but a few), the clergy as such did not have centuries of cultural and institutional history behind it. Aspects of the clerical occupation either had to be invented wholesale or constructed in a bricolage fashion out of the already existing models, concepts, and sub-cultures of other occupations. It does, thus, not come as a surprise that the clergy appropriated titles and ranks used in private businesses, trade *collegia*, and local government offices. Overseers, elders, attendants, secretaries, and doormen populated the Greco-Roman world long before the Greek and Latin terms for these positions became the Christian clerical ranks of bishops, priests, deacons, readers, and ostiaries, (respectively *episkopoi*, *presbuteroi*, *diakonoi*, *anagnōstes*, and *ostiarii*). Similar observations can be made about many other clerical practices and habits—people were "ordained" (*ordinare)*, into governmental posts and *collegium*-memberships long before there was a Christian clergy.[67]

Even something seemingly as trivial as ancient clerical attire is an example of Christians utilizing the symbol-rich wardrobe of Roman occupations. Wearing a particular tunic such as the *pallium* or a particular belt such as the *cingulum* was not merely a sartorial choice. Like the appropriation of job titles, it signified that the cleric wearing either or both vestments was like

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[63] On this point, see Henrik Mouritsen's review (http://bmcr.brynmawr.edu/2012/2012-09-40.html).

[64] See their relevant work in my attached bibliography of secondary literature.

[65] Peter Brown made this point some years ago, and the evidence for his observation has only become stronger. Cf. Peter Brown, "The Study of Elites Antiquity," 341.

[66] Kristina Sessa, "Cleric," 218-239.

[67] See the intro for *ordino* in Charlton T. Lewis and Charles Short, *A New Latin Dictionary* (Oxford: Clarendon Press, 1958 (1879)), 1277.

the individuals who typically sported these items.[68] In the case of the *pallium those were* educated men such as doctors, lawyers, and teachers, and in the case of the *cingulum* civic and military officials.[69] Notwithstanding, it has taken a leap of the scholarly imagination not to assume a zero-sum exchange of Roman political elites for clerical elites, in which the persons concerned only slightly altered the trappings of aristocratic dominance for their new roles in the clergy. Rather, I argue, much like the commercial classes of the Roman Empire, the heterogeneous clergy embellished themselves and their spaces with recognizable stylistics elements shared by elites and non-elites. Only over time did the composite image they forged became recognizable as distinctly their own.

The formation of a professional clerical culture created a sense of occupational cohesion, a clerical esprit de corps, which reified itself as both a distinct *habitus* of clerical living and as a genuine legal category in the eyes of Roman law.[70] The loyalty and social obligations that clerics felt toward one another often transcended other forms of social solidarity such as status-group allegiance. Of course, more elite, even aristocratic clerics such as Augustine of Hippo, Basil of Caesarea, and Gregory of Nazianzus never fully abandoned their class- and status-based prejudices and predispositions.[71] All three men spewed class-based vitriol at rival bishops whom they deemed unworthy of the episcopacy. An ousted Gregory of Nazianzus, for instance, personally blamed the "sons of tax assessors," "money-lenders," and soot-covered bishops for his expulsion from the episcopal see of Constantinople.[72] That said, of course Gregory could not

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[68] On the *pallium*, see Adam Serfass, "Unraveling the Pallium Dispute between Gregory the Great and John of Ravenna," in Kristi Upson-Saia, Carly Daniel-Hughes, and Alicia J. Batten, (eds.) *Dressing Judeans and Christians in Antiquity* (Farnham: Ashgate, 2014), 75-98; José María Martí Bonet, *El palio: insignia pastoral de los papas y arzobispos* (Madrid: Biblioteca de Autores Cristianos, 2008), 1-32.

[69] Mary Harlow, "Clothes Maketh the Man: Power Dressing and the Elite Male in the Later Roman world," in Leslie Brubaker and Julia M. H. Smith (eds.), *Gender in the Early Medieval World, East and West 300-900* (Cambridge: Cambridge University Press, 2004), 44-69.

[70] Cf. *C. Th*. 16.2.2 (313-324 CE). The best analysis of clerical ideology and ethos is still Alexandre Faivre, *Ordonner la fraternité: Pouvoir d'innover et retour à l'ordre dans l'Église ancienne* (Paris: Éditions du Cerf, 1992).

[71] For the social definition of what it meant to be a late Roman aristocrat, see Michele Renee Salzman, *The Making of a Christian Aristocracy: Social and Religious Change in the Western Roman Empire* (Cambridge, MA: Harvard University Press, 2002), 18-68.

[72] Gregory of Nazianzus, *Carmen de ispo* 2.1.12, ll. 155-165 (Beno Meier, *Gregor von Nazianz, Über die Bischöfe (carmen 2,1,12): Einleitung, Text, Übersetzung, Kommentar* (Paderborn, Schöningh, 1989), 38-39: Ὧν οἱ μὲν ὄντες ἔκγονοι φορογράφων, / Οὐδὲν φρονοῦντες τοῦ παρεγγράφειν πλέον, / Οἱ δ' ἐκ τραπέζης, τῶν τ' ἐκεῖσ' ἀγαλμάτων, /Οἱ δ' ἐξ ἀρότρων, ἡλίῳ κεκαυμένοι, /Οἱ δ' ἐκ δικέλλης καὶ σμινύης πανημέρου· / Ἄλλοι δὲ κώπην, ἢ στρατὸν λελοιπότες, Ἄντλον πνέοντες, ἢ τὸ σῶμ' ἐστιγμένοι, /Λαοῦ / κυβερνῆταί τε, καὶ στρατηλάται / Πεφήνασ' οὐκ εἴξουσι καὶ μικρόν ποτε· / Ἄλλοι δὲ τεχνῶν ἐμπύρων τὴν ἀσβόλην / Οὔπω τελείως σαρκὸς ἐκνενιμμένοι

have staffed his clergy at Constantinople exclusively with highly educated social *optimates*, and both Basil and Augustine expressly contented themselves with their plebeian spiritual sons. Many bishops in fact advised against ordaining aristocrats because of the resistance of their cities and families when faced with losing them to the Church. More importantly, when members of the clergy were under threat or clerical privileges were attacked, even aristocratic bishops such as Augustine and Basil circled their proverbial wagons to shield their brethren, regardless of their social background.

It is also worth underlining that many pious plebeians, even paupers, assumed episcopal ranks. They included fullers, weavers, physicians, horse-groomers, and coal makers.[73] Such bishops of relatively modest backgrounds would have been the spiritual fathers of men considered their social superiors, and we hear of relatively little resistance to this fact. [74] The clergy as an occupational network very much resembled other hierarchical organizations of Roman society in that it operated on reciprocal client-patron relationships, but it differed from more traditional Greco-Roman institutions in that ostensibly a man's abilities, character, and piety determined his place in the clerical *cursus* regardless of his social origins. Thus, personal characteristics such as rigorous philosophical austerity and high levels of education, though often correlated with class, could nevertheless allow a more modest man to rise far above the limits imposed by his social origins. The Church was not alone in its professed preference for meritocracy. For reasons to be discussed in later chapters, many institutions of the high and late empire became more comfortable with allowing skilled low-born occupation-holders such as educators, architects, and physicians, to climb the social ladder, while at the same time Roman legal codes and other sources reflect a multiplying of the number of respectable occupational social organizations (*collegia*) in what has been called *il fenomeno associativo*.[75]

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[73] Claudia Rapp, *Holy Bishops,* 173-178.

[74] Athanasius of Alexandria is one of the few clerics of truly modest means who has left us with a sizable literary corpus. He reprimanded haughty clerics with the same aplomb he chided the Roman Emperor. On Athanasius' life and social background, see David Gwynn, *Athanasius of Alexandria: Bishop, Theologian, Ascetic, Father* (Oxford: Oxford University Press, 2012), 1-18. On his contentions relationship with elites and imperial authority, see Timothy Barnes, *Athanasius and Constantius: Theology and Politics in a Constantinian Empire* (Cambridge, MA: Harvard University Press, 1993).

[75] See the classic Keith Hopkins, "Social Mobility in the Later Roman Empire: The Evidence of Ausonius," *Classical Quarterly* 55 (1961), 239-249; and Alexander Skinner, "Political Mobility in the Later Roman Empire," *Past and Present* 218.1 (2013), 17-53. For the increased social mobility of grammarians, see Robert Kaster, *Guardians of Language*, 97-134. For the social status of physicians, see Henry Willy Pleket, "The Social Status of Physicians in the Graeco-Roman World," Philip van der Eijk, Hermann Horstmanshoff, and Petrus Schrijvers (eds.) *Ancient Medicine in its Social-Cultural Context: Papers Read at the Congress Held at Leiden University, 13-15 April, 1992*, vol. I (Atlanta: Rodopi, 1995), 27-33. Masao Kobayashi, "The Social Status of Doctors in the Early Roman Empire," in Toru Yuge and Masaoki Doi (eds.), *Forms of Control and Subordination in Antiquity* (Leiden: Brill, 1988), 416-419. See also Susan Mattern, "Physicians and the Roman Imperial Aristocracy: The Patronage of Therapeutics,"

This well-documented phenomenon of socially-mobile artisans, merchants, and professionals organizing themselves into hierarchical bodies, along with the realization that the clergy was not composed primarily of landed members of the elites and aristocrats, demands a re-evaluation of the processes that shaped the development of ecclesiastical institutions. For too long, the tendency has been simply to assume that the clergy exclusively followed the cues of the Roman governing classes. One can still find unfounded references to the clergy emulating the Roman Senate in its procedures. We can identify less than two dozen senatorial clerics for the entire late Roman period (284-608 CE), most of whom never set foot into the senate house at Rome or Constantinople.[76] While it is more plausible to assume that the clergy emulated the customs of philosophical *scholae* and the procedures of local town councils (*curiae*), as many scholars have hypothesized, even these oft-repeated points require qualification. Scholars have been too confident about how many bishops and clerics actually belonged to the empire's nobility, and accordingly supra-elite discourses about the ideal clergy of philosopher-types have continued to skew our image of run-of-the-mill clerics. Persons who were legally categorized as aristocrats probably counted around 250,000 at any given time in an empire in excess of 50 to 60 million people; their percentage among the clergy was likely not disproportionate to their overall numbers.[77] And even the noble *curiales* and senators were not exclusively leisure-class town-councilors. They passed as much of their lives in their professions, trades, and businesses as they did in their civic duties (probably more).

This more dynamic and comprehensive understanding of how labor, training, and occupation shaped identities and individuals allows for a novel reading of the emergence and the formation of the early Christian clergy, of those men who labored for God as their occupation. To give an example at this point of how we might reinterpret the development of ecclesiastical culture in light of these new insights. Several prosopographical studies of regional clergies in the Roman Empire have noted a surprisingly high number of physicians among the ecclesiastical communities of Italy and the Greek East between 250 and 600 CE. The authors of these studies have rightly inferred that physicians were desirable for ordination because of their education and their ability to contribute to the Church's charitable mission through offering free services.[78]

Bulletin of the History of Medicine 73.1 (1999), 1-18. For the increased social status of architects, see Serafina Cuomo, *Technology and Culture in Greek and Roman Antiquity* (Cambridge: Cambridge University Press, 2007), 131-164. For the increased opportunities for municipal scribes and bureaucrats, see Nicholas Purcell, "The *Apparitores*," 125-173. For bankers, see Jean Andreau, *Banking and Business*, 30-49; Samuel J. B. Barnish, "The Wealth of Julius Argentarius," 5-38. The term "*fenomeno associativo*" is from Francesco De Robertis, *Il fenomeno associativo nel mondo romano. Dai colleghi della repubblica alle corporazioni del basso impero* (Rome: "L'Erma" di Bretschneider, 1981 (1955)).

[76] Claudia Rapp, *Holy Bishops,* 188-195

[77] See Steven Friesen and Walter Scheidel, "The Size of the Economy and the Distribution of Income in the Roman Empire," *Journal of Roman Studies* 99 (2010), 61-91.

[78] Demetrios Constantelos, "Physician-Priests," 141-153; Andreas Bigelmair, *Die Beteiligung der Christen am öffentlichen Leben in vorkonstantinischer Zeit: Ein Beitrag zur ältesten Kirchengeschichte* (Munich: München: J. J. Lentner, 1902), 300-306. Ewa Wipszycka, *Les*

These studies have not, however, placed physicians in their socio-economic context. Physicians were one of the most socially mobile occupations in antiquity, and as holders of an esteemed occupation they also enjoyed exemption from mercantile taxes and the onerous task of serving as town-councilors. Both of these established exemptions would have facilitated their transition into the tax-exempt clergy, since local tax-officials would have already removed them from the tax rolls. Furthermore, physicians also typically earned incomes on a par with that of clerics, so that the shift in lifestyle from physician to deacon would not have been very disruptive. Lastly, physicians were most often already apprenticed in disciplined hierarchical organizations like the clergy, if not lifelong members of physicians' associations.[79] In other words, when the clergy began to resemble professional organizations, a sizable number of elite and non-elite educated physicians, already accustomed to serving in private / public professional associations, were not only eligible but desirable for ordination, and presumably felt a kinship to the clerical world. This explains at least in part why so many physicians flocked to the clergy or operated in close social proximity to the clergy. As a matter of fact, one is hard-pressed to find an epistolary collection of a late ancient cleric that does not contain correspondence with a least one physician, and often the correspondents were ordained physicians.[80] Not by coincidence, during the same post-Constantinian period, in which the ordination of physicians peaked, the clergy as a body also became more invested in treating the sick at newly-founded hospitals, poor-houses, and charitable baths.

Traditional research on ecclesiastical medicine most often credits fourth- and fifth-century bishops such Basil of Caesarea and John Chrysostom for the rise of Christian hospitals on account of their gentlemanly appreciation of medicine and their charitable dispositions. And they were the philanthropic wet-nurses for Christian medicine. They were not, though, the first Christians to practice medicine from within the Church (If hagiographical sources are to be believed, there had been ordained physicians since the third century, for instance, Gregory Thaumaturgus). Unfortunately, the scholarship that has revealed the obvious connections between physicians and the clergy such as Demetrios Constantelos' "Physician-Priests in the Medieval Greek Church" (1967) and Ewa Wipszycka's *Les ressources et les activités économiques des églises en Égypte du IVe au VIIIe siècle* (1972), does not factor into the two definitive modern studies on the rise of Christian ecclesiastical hospitals, respectively Timothy Miller's *The Birth of the Hospital in the Byzantine Empire* (1985, revised 1997) and Andrew Crislip's *From Monastery to Hospital* (2005), which focus much more on the intellectual

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ressources, 165. Sabine Hübner, *Klerus,* 143; Christian Schulze, *Medizin und Christentum in Spätantike und frühem Mittelalter*. *Christliche Ärtze und ihr Wirken* (Tübingen: Mohr Siebeck, 2005); Christian Flügel, *Spätantike Artztinschriften als Spiegel des Einflusses des Christentums auf die Medizin* (Göttingen: Edition Ruprecht, 2006), 155-188.

[79] For an example of late Roman physicians collaborating in a guild, see Walter E. Crum, "Koptische Zunfte und das Pfeffermonopol," *Zeitschrift fur Ägyptische Sprache und Altertumskunde* (1925), 103-111. For Coptic Christian physicians in general, see Kamal Sabri Kolta, "Namen christlicher Ärzte der koptischen Zeit in Ägypten,*" Die Welt des Orient* 14 (1983), 189-195.

[80] See chapter 3 for the connections between clerics and physicians.

practice of medicine by amateur aristocrats.[81] Both studies correctly identify pastoral and academic motivations for clerics to become purveyors of medicine, but the actual physicians in the clergy factor much less than the celebrated aristocratic Church Fathers, who praised medicine as an intellectual endeavor. I would argue that Constantelos's work on physician-clerics and Wipszycka's exhaustive study on the ancillary economic activities of Egyptian clerics are equally crucial for understanding the motivations and logistics behind the development of Christian hospitals. These studies illuminate how medical institutions and practices formed within ecclesiastical communities, because they trace the simplest and most direct means of transmission of medical training into the bosom of the Church: the ordination of trained physicians and the training of physicians within the Church. Did physicians solely convince their fellow Christians to create and support Christian hospitals in order to ameliorate the lives of the sick and the poor? No, but did their ordination and the socio-economic conditions allowing for their ordination contribute to a clerical culture that promoted these developments? Yes. And it seems that their presence among ecclesiastical communities had direct effect on their fellow clerics. As historians have demonstrated, late antique literature produced around ecclesiastical hospital complexes, for example, the Greek miracle collections devoted to physician-saints, indicate that ecclesiastic authors (either ordained physicians or their associates) had more than a passing familiarity with the actual medical procedures performed on the sick and the needy. They undoubtedly watched or performed the surgeries occurring in their ecclesiastical hospitals.[82]

The effect of the admission of physicians to the late antique clergy is, of course, a specific socio-cultural phenomenon, one that I argue is underappreciated. However, it is indicative of larger trends within the clergy to incorporate, whether consciously or not, secular occupational practices into the Church. I mean secular in the loosest sense of the term. No

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[81] Timothy Miller, *The Birth of the Hospital in the Byzantine Empire* (Baltimore: The Johns Hopkins University Press (1997 (1985)); Andrew Crislip, *From Monastery to Hospital: Christian Monasticism and the Transformation of Health Care in Late Antiquity* (Ann Arbor: University of Michigan Press, 2005).

[82] See Ildikó Csepregi, "Changes in Dream Patterns between Antiquity and Byzantium: The Impact of Medical Learning on Dream Healing," in Ildikó Csepregi and Charles Burnett (eds.), *Ritual Healing. Magic, Ritual and Medical Therapy from Antiquity until the Early Modern Period* (Florence: Sismel, 2012), 131-145; Ildikó Csepregi, "The Miracles of Saints Cosmas and Damian: Characteristics of Dream Healing," *Annual of Medieval Studies at the Central European University* 8 (2002) 89-121; John Haldon, "Supplementary Essay," in Virgil S. Crisafulli and John W. Nesbitt (trans.), *The Miracles of St. Artemios: A Collection of Miracle Stories by an Anonymous Author of Seventh-Century Byzantium. Supplemented by a Reprinted Greek Text and an Essay by John F. Haldon* (Brill: Leiden, 1997), 31-73; Samuel Lieu, "From Villain to Saint and Martyr: The Life and Afterlife of Flavius Artemius, *Dux Aegypti*," *Byzantine and Modern Greek Studies* 20.1 (1996) 56-76; Peregrine Horden, "Saints and Doctors in the Early Byzantine Empire: The Case of Theodore of Sykeon," in William Sheils (ed.), *The Church and Healing* (Oxford: Blackwell, 1982), 1-13; Natalio Fernandez Marcos, *Los thaumata de Sofronio: Contribucion al estudio de la incubatio Cristiana* (Madrid: Instituto Antonio de Nebrija, 1975).

occupation or economic activity in antiquity was devoid of religious meaning. Physicians swore to Apollo, Asclepius, Hygeia, and Panacea at their induction into the medical professions; farmers prayed to the gods of the hearth.[83] When Roman lawyers discussed legal concepts such as *iustitia* or when their Greek-speaking counterparts waxed about the uses of *paideia*, they did so with the divine in mind. Almost any occupation that served the public could be called *sacra* or *hiera*. In the Roman world, there were as many sacred notaries in state employment as there were sacred fishermen, athletes, physicians, and bishops.[84] Christians in late antiquity and their loudest pagan detractors imbued their personal endeavors and economic activities with religious meaning. Thus, to say that holy guilds, blessed crews of ships, and sacred bureaucracies served as secular models for Christian communities of religious office-holders is somewhat anachronistic. By secular occupational practices I simply mean those not primarily associated with religious specialists (pagan priests, Christian clerics, rabbis), or sacerdotal institutions such as a temple or a church.

Argument Structure and Methodological Concerns

The argumentative thread, which unites the chapters that follow, is that clerics constructed much of the occupational practices that came to characterize clerical life through the appropriation of the occupational practices familiar to them. The first chapter will lay out the broad contours of clerical recruitment. I use the term recruitment, because the Christian clergy was subject to the same socio-economic and demographic constraints as other wage-labor segments of the Roman economy, and because bishops had to identify *willing and able* men for ordination. As we shall see, shortages of potential clerics were common among late ancient communities. Chapters two, three, and four will then explore the ramifications of ordaining these *willing and able* men. Each subsequent chapter will explore the relationship between the recruitment of particular occupation-holders and the corresponding development of particular clerical practices over the late Roman period, roughly 250-602 CE.

The first relationship, in chapter 2, is that between guildsmen and town-councilors who first joined the clergy during the third century and proceeded to formulate a clerical *cursus honorum* that very much resembled the organizational hierarchy of guilds and councils. I argue that the ecclesiology of the third-century Christian authors conformed with broad notions of

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[83] David Leith, "The Hippocratic Oath in Antiquity and on Papyrus," in Harald Froschauer and Cornelia Römer (eds.), *Zwischen Magie und Wissenschaft: Ärzte und Heilkunst in den Papyri Aus Ägypten* (Vienna: Phoibos, 2007), 35-42. For the latest edition, see Charlotte Schubert, *Der hippokratische Eid. Medizin und Ethik von der Antike bis heute* (Berlin: Wissenschaftliche Buchgesellschaft, 2005); Jacques Jouanna, "Un témoin méconnu de la tradition hippocratique: L'Ambrosianus Gr. 134 (B113 sup.), Fol. 1-2 (avec une nouvelle édition du Serment et de la Loi)," in Antonio Garzya and Jacques Jouanna (eds.), *Storia ed Ecdotica dei Testi Medici* (Naples: M. D'Auria, 1995), 253-272. For the sacral elements to farming, see Brent Shaw, *Bringing in the Sheaves: Economy and Metaphor in the Roman World* (Toronto: University of Toronto Press, 2013).

[84] See pp. 142-153 below.

Roman occupational professionalism and professional hierarchies. The next two chapters (chapters 3 and 4) will consider the emergence of specialized clerical practices and offices in the fourth through the sixth century. First, I will explore the ordination of physicians and the corresponding emergence of Christian healthcare as an expansion of clerical pastoral care. This chapter has already been previewed above. The next chapter will investigate the ordination of notaries and lawyers, and the institutional practices that they brought with them into the Church. As I will show, ecclesiastical notaries not only held great responsibility in the maintenance of church records, but also acted as important and useful functionaries for the laity around them. In the case of ordained lawyers, these men increasingly assumed the position of *defensor ecclesiae* (*ekklēsiekdikos*), an ecclesiastical advocate who defended ecclesiastical assets, served as the Church's legal representative, and eventually took on the function of investigative law enforcement officer. I will end with concluding remarks on the larger implications of my project for the study of the clergy in the "declining" Roman Empire.

It should be said that clerical culture formed through "an organic and uneven process, shaped by gradual institutional development and social change."[85] The social changes that I will analyze are changes in the recruiting practices of ecclesiastical communities, and these changes, I argue, were primary drivers of many of the Church's institutional developments. Much of this project focuses on mundane aspects of clerical lifestyles and practices, for example quotidian tasks, salaries, bureaucratic procedures, recruitment requirements, and promotion schedules. However, I do not wish to reduce clerical status to "a predetermined portfolio of tasks and obligations," as Claudia Rapp has rightly cautioned against.[86] The changes and developments under investigation in my project are inextricably bound to pastoral care as a Christian concept. The everyday habits of Christian clerics were imbued with religious and ideological significance, and their religious mentalités were embedded in the everyday logic of Roman life. The portfolio of clerical tasks and obligations was inseparable from the desire to offer pastoral care to the laity and to their fellow clerics. That some tasks and obligations came from secular examples should not diminish our estimation of their commitment to pastoral care. The importation of such tasks and obligations into the Church was ineluctable if not unconscious. Ambrose thought about the clerical offices from the vantage of a former bureaucrat.[87] Augustine viewed our servitude to sin as a slave-owner, the polluting forces of greed from the perspective of a landlord. [88] Gregory of Nazianzus preached about the religious health of the Roman state as a former professor to the empire's future bureaucrats and as the brother of a court physician.[89] All of these men brought

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[85] Kristina Sessa, "Cleric," 218

[86] Claudia Rapp, *Holy Bishops,* 23.

[87] J. H. W. G. Liebeschuetz, *Ambrose and John Chrysostom: Clerics between Desert and Empire* (Oxford: Oxford University Press, 2011), 77-80.

[88] Susanna Elm "Sold to Sin through *Origo*: Augustine of Hippo on Slavery and Freedom," *Studia Patristica* 98 (2017), 1-21; Peter Brown, *Through the Eye of the Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550AD* (Princeton, NJ: Princeton University Press, 2012), 375-458.

[89] Susanna Elm, *Sons of Hellenism*, 479-482. Also see note 11 above.

their experiences to bear when shepherding their respective communities toward the divine. The other ordained magistrates, notaries, lawyers, physicians, and merchants, whom we will meet, also incorporated their training and experiences into their pastoral care, although the modern observer may see them as merely executing many of the same tasks that they had performed prior to ordination. The following pages will focus on the mundane without losing sight of the fact that for ancient Christians even the smallest of actions had religious significance. Indeed, it is a leitmotif of this dissertation that all clerical tasks and practices, however small, which we might consider secular in nature, were for ancient Christians imbued with the light of divine mandates and spiritual obligations. Underwriting a donation contract or ensuring the verbatim record of a synod was for an ecclesiastical notary his own small votive to the crucified God—or at least a service to the institutional religious body that nourished his spiritual needs and paid his salary. Likewise, the offering of medical care by a physician-priest complemented his spiritual duty to pastoral care. Separating these men's *Posten* as ecclesiastical officials from their spiritual *Berufung* is to misconstrue where and how ancient Christians did envision the Holy Spirit in action.

I want to conclude with a few remarks on the evidence on which the following is based. The texts I analyze have primarily been the subject of literary historians, Religious Studies scholars, and experts on canon law. My reading of them will come from the vantage point of socio-economic history, so that I place them in dialogue with other forms of evidence that tends to form the basis of economic and social history, such as inscriptions, papyri, and legal corpora. This will make for some odd evidentiary bedfellows. For instance, in the first chapter I discuss ordination procedures utilizing such disparate sources as the letters of Pope Gelasius, the *vita* of a sixth-century Frankish king, and the *ostraca* cache of a sixth-century Egyptian abbot-bishop. While I am fully conscious of the methodological caution required for each of these types of evidence, I nevertheless hope to provide with these diverse sources a synthetic picture of ordination and clerical recruitment, which would be impossible to paint from one type of evidence alone. In other words, I have intentionally cast a wide net to harvest piecemeal evidence not often interpreted in light of one another. While this will doubtlessly obscure some regional variation and points of specificity, it has allowed me to delineate in broad strokes the development of clerical intuitions within Roman society.

I emphasize Roman here because I will not for the most part address territories that fell out of imperial control such as Vandal North Africa, Frankish Gaul, or Visigothic Spain. Conversely, I will I consider ethnic minorities within the Empire, such as the Copts, as Romans since for the period in question they were legal subjects and citizens of the Roman Empire. The narrative that I wish to tell is fundamentally a Roman one, dependent on the cultural and socio-legal conditions that the Roman state shaped. I should also add for clarification that I will use "late Roman" and "late ancient" interchangeably, but which I mean the period between roughly 250 and 600 CE.

I will also for the most part not distinguish orthodox from non-orthodox Christian communities. Most persons who were later considered heretics for their Christological or theological beliefs participated in clergies that were relatively similar, if not the same as their "orthodox" counterparts. Thus with the exception of the most radical Christian such as the Montanists, who lacked a typical clerical leadership structure, I will consider any institutional

church, no matter what particular doctrinal view its members held, as representative of the ancient clergy. Institutional is the key word here. Any grouping of Christian religious leaders who held the institutional positions of bishop, priest, deacon, or the minor orders will be considered a clergy in the Church with a capital C. I understand that a universal Church did not exist in antiquity, but the phrase "the Church" will be my shorthand for institutionalized clerical communities and apparatuses that shared common features in late antiquity. I will use the term clergy to distinguish office-holding clerics and their communities from religious leaders such as holy men who also exercised authority and influence in Christian communities, but who were not recognized as clerics by the Roman state. Unlike clerical positions in "the Church," stylites, desert hermits, and other holy men did not hold established and self-perpetuating institutional offices.[90] Monks living in communities of clerics will be the only monastics that I consider—these monk-clerics only began to appear after the late fourth century.[91] I will address them from time to time, but for the most part I will partition off institutionalized monasticism as a sui generis topic.

To conclude, the recently deceased Hayden White once characterized the academic discipline of history as the marriage of the early-nineteenth-century novel to late-nineteenth-century social sciences. That is to say, the discursive genre of academic history narrates historical developments through a series of interconnected biographical portraits, whose events are explained through social and economic principles. As White explained in his now-famous *Metahistory*, reconciling social-scientific paradigms with the novel's criteria requires many intellectual contortions, but it makes for pleasant prose.[92] I often find myself divided between my preferred calling as narrator of historical lives and my job as a social scientist examining the causal relationships of human systems. I have attempted in this project to fulfill my obligations to both my self-professed calling and my disciplinary profession. There will be ample anecdotes and vignettes, but also extended discussions of incentive structures, social institutions, and demography. I have intended these two antipodal ends of historical analysis to complement one another.

I have been less inclined to pursue this type of Janus-faced project out of loyalty to the academic tradition that White has critiqued, and much more out of an appreciation for so-called New Institutionalism, or New Institutional Economics, which has re-married cultural history to the study of the socio-economic decisions of individuals, families, and corporate bodies. This approach has made illuminating inroads into the study of how Romans maximized their profits, organized their social and economics communities, and reduced risk in a treacherous agricultural

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[90] See Peter Brown, "The Rise and Function of the Holy Man in Late Antiquity," *Journal of Roman Studies* 61 (1971), 80-101.

[91] See Andrea Sterk, *Renouncing the World Yet Leading the Church: The Monk-Bishop in Late Antiquity* (Cambridge, MA: Harvard University Press, 2004); Phillip Rousseau, "The Spiritual Authority of the 'Monk-Bishop': Eastern Elements in Some Western Hagiography of the Fourth and Fifth Centuries," *Journal of Theological Studies* 22 (1971), 380-419.

[92] Hayden White, *Metahistory: The Historical Imagination in Nineteenth-Century Europe* (Baltimore: The Johns Hopkins University Press, 1973).

economy.[93] In this dissertation, I have tried to bring this type of analysis to the Sturm-und-Drang of personal religious conviction that has given late antiquity and late ancient clerics such prominent places in the scholarly landscape and the popular imagination. If I explicate the social forces driving certain institutional practices and ideologies, while telling a few evocative stories, I will consider my job complete.

[93] See Dominic Rathbone, *Economic Rationalism and Rural Society in Third-century A.D. Egypt: The Heroninos Archive and the Appianus Estate* (Cambridge: Cambridge University Press, 1991); Daniel Kehoe's review of Rathbone in "Economic Rationalism in Roman Agriculture," *Journal of Roman Archaeology* 6 (1993), 476-484; and the overview of this new model of research in Peter Fibiger Bang, "The Ancient Economy and New Institutional Economics," *Journal of Roman Studies* 99 (2009), 194-206. Koenrad Verboven has noted some of the problems of applying New Institutional Economics to the study of the ancient world. See Koenraad Verboven, "The Knights Who Say NIE: Can Neo-Institutional Economics Live up to its Expectation in Ancient History Research?" in Paul Erdkamp and Koenrad Verboven (eds.) *Structure and Performance in the Roman Economy. Models, Methods and Case Studies* (Brussels: Éditions Latomus, 2015), 33-58.

1

The Clergy by Letters and Numbers

Your papers will be inspected at the admissions offices. As you'll have noticed from our poster, we can make use of everyone. But we have to know the prior occupation of each individual so that he can be assigned to the right position, where he can make use of his expertise—Kafka, *Amerika.*

One person may find that he is particularly suited to reading the lessons; another may be better at leading the psalms. One might show especial devotion in conducting exorcisms upon people who are struggling with an evil spirit; another will be more at home doing the work of a sacristan. A bishop should give consideration to all these facts and should appoint each man to the duty to which he is suited—Ambrose of Milan, *De officiis.*[1]

Sometime in the 360s the city of Timgad in Numidia (North Africa) erected a monumental registry of its 283 most notable residents including ten senators of *clarissimi* and *perfectissimi* rank, 168 town councilors, and 105 local bureaucrats and civic priests. In between these groups are squeezed eleven *clerici*—the first appearance of the term on a Latin inscription.[2] It was a stone portrait of the post-Constantinian order. Alongside the traditional municipal magistrates and priesthoods now ranked the Christian clergy and the imperial service corps. Like the Germanic generalissimos on the ivory consular diptychs of the age, the so-called Album of Timgad signaled change in the social topography. Clerical life was slowly becoming more appealing to the upper crust of important cities like Timgad. Given the city's population of 10,000 or so, we might surmise that the eleven *clerici* were only the most affluent of dozens more clergymen tending to the inhabitants' spiritual and liturgical needs.[3] The massive fourth-century basilica at Timgad and the adjacent cemetery of thousands testify to the success of this small corps at winning the hearts, souls, and donations of locals. An inscription at the ecclesiastical complex gives particular praise to the bishop who oversaw its construction, a

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[1] Franz Kafka, *Amerika: The Missing Person*, trans. Mark Harman (New York: Schocken, 2008), 275; Ambrose, *De officiis* 1.215, ed. and trans. Ivor Davidson (Oxford: Oxford University Press, 2001), 216.

[2] André Chastagnol, *L'album municipal de Timgad* (Bonn: Habelt, 1978). For revised dating, see H. Horstkotte, "Das Album von Timgad und die Bindung von Staatsbeamten an die Kurie," *Zeitschrift für Papyrologie und Epigraphik* 75 (1988), 237-246.

[3] For the size of Timgad, see Andrew Wilson, "City Size and Urbanization in the Roman Empire," in Alan Bowman and Andrew Wilson (eds.), *Settlement, Urbanization, and Romanization* (Oxford: Oxford University Press, 2011), 161-195: 174-176. In general, see Albert Ballu, *Les ruines de Timgad (antique Thamugadi)*, 3 vols. (Paris: E. Leroux, 1897-1911); Christian Courtois, *Timgad: antique Thamugadi* (Algiers: Imprimerie Officielle, 1951)

certain Optatus.[4] Donning the modest title *presbyter,* he is one of only fifteen named clergymen from ancient Timgad who helped recast the city dedicated to the deified Trajan as a Christian enclave on the edge of the Sahara.

This is how we meet so many of the local clergies around Africa and other corners of the Roman Empire: in fragmentary monuments and oblique references. "I Saturninus presbyter wrote and subscribed this document with ink." "Here rests in peace Quodvultdeus of good memory, a faithful priest who lived thirty-two years." "Privatus, a presbyter, guardian of knowledge, and teacher of piety was laid to rest on the twelfth Kalends of June..."[5] One need only browse the pages of André Mandouze's prosopography of Christian Africa to realize that most of the hundreds of clerics recorded in antiquity were otherwise unknown signatories at church councils. They come down to us as obscure figures from obscure hamlets, many of which we cannot even place on a map.[6] Like the men on the album their biographies and backgrounds are subsumed into their identity as clerics. If it were not for a few ancillary remarks in Augustine, for instance, Optatus would have simply come down to us as the bishop-benefactor who laid "praises to God" with the bricks of his new basilica. Instead, we know him as the Donatist rabble-rouser who holds the peculiar honor of being the only known cleric in antiquity to be executed for his collaboration in a governor's rebellion.[7] But what can we really say about him? Was he related to Optatus the *flamen perpetuus* in the local government or Optatus in the provincial administration memorialized on the Album? Had an arriviste ingratiated himself with the military aristocracy, as some scholars have suggested on rather scant evidence, or were they *his people*? Was he trained as a rhetorician or as a carpenter? And what of his clergy? What social and economic life had they experienced before placing themselves on Optatus' payroll? And just how many of them were there?

These questions are difficult to answer, particularly in the case of Timgad, but they are crucial for understanding how Christian communities selected their clergy and what type of men left their mark on the Church's institutional character. Fifty years of prosopographical research has uncovered a humbler and smaller late Roman clergy than the one heralded by hagiographers. The clergy was composed largely of modest landowners, small-town lawyers, former bureaucrats, educators, physicians, moneylenders, artisans, and merchants. In other words, more often than not clerics were men of "middling" means with a degree of skills if not formal

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[4] *AE* 1937, 154b: *Basilica (a)ed /ificata ex in[st]/ntia Optati p/r(es)b(yteri) feliciter / Deo laudes.*

[5] Christian Courtois et al. (eds.), *Tablettes Albertini: actes privés de l'époque vandale (fin du Ve siècle)* (Paris: Arts et métiers graphiques, 1952), 291-292: *saturninus pre(s)b(yter) hunc / strumentum scribsi et subscribsi / strumetu mur(aenae). CIL* 08, 2012: *hic requie/vit bon(a)e me/(m)ori(a)e Quodvultdeus / presb(yter) in pace / fidelis vi/xit annos / XXXII reces/sit XVII Kal(endas) / Iulias; AE* 1911, 116*: Privatus pr(es)b(yter) / disciplin(a)e / custos pie/tatis magis/ter R(---) XII K(alendas) / Iunias.*

[6] André Mandouzé, *Prosopographie chrétienne du Bas-Empire, T. 1: Prosopographie d'Afrique chrétienne, 303-533* (Paris: Édition du Centre National de la Recherche Scientifique, 1982).

[7] Augustine, *Contra epistulam Parmeniani* 2.15-22 (*CSEL* 51, 86-97).

education.[8] Scholars may quibble over the exact nature of those modest backgrounds—whether relatively affluent and educated clerics are elites, sub-elites, or "middle class"—but that their social origins lay below the true senatorial aristocracy and other imperial powerbrokers is irrefutable today. In fact, it has been the acumen of recent scholarship to illustrate how much clerical authority upended traditional social hierarchies in late antiquity.[9] This new consensus has given historians the confidence to claim on little evidence, for instance, that Timgad was atypical since there was "an almost complete separation" between the clerical "recruitment base" and "ranks of state officials at all levels, including the municipal," that Optatus "had risen from the ground up."[10] Conversely, another prominent scholar of late antiquity has used the consensus

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[8] For studies of various regions of the Christianized Roman Empire, see Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasien* (Stuttgart: Franz Steiner Verlag, 2005); Georg Schmelz, *Kirchliche Amtsträger im spätantiken Ägypten nach den Aussagen der griechischen und koptischen Papyri und Ostraka* (Munich: K.G. Saur, 2002) 232-241; Ewa Wipszycka, *Les ressources et les activités économiques des églises en Égypte du IVe au VIIIe siècle* (Brussels, 1972); Werner Eck, "Handelstätigkeit christlicher Kleriker in der Spätantike." *Memorias de historia antigua* 4, 127-138 (1980); Jens-Uwe Krause, "Überlegungen zur Sozialgeschichte des Klerus im 5./6. Jh. n. Chr.," in Jens-Uwe Krause and Christian Witschel (eds.), *Die Stadt in der Spätantike—Niedergang oder Wandel? Aken des internationalen Kolloquiums in München am 30. Und 31. Mai 2003* (Stuttgart: Franz Steiner Verlag, 2006), 413-439; Steffen Patzold, "Bischöfe, soziale Herkunft und die Organisation lokaler Herrschaft um 500," in Mischa Meier and Steffen Patzold (eds.), *Chlodwigs Welt: Organisation von Herrschaft um 500* (Stuttgart: Franz Steiner Verlag, 2014), 523-544. See also Claire Sotinel, "Le recrutement des évêques en Italie aux IVe et Ve siècles," in *Vescovi e pastori in epoca Teodosiana, Studia Ephemeridis Augustinianum* 58 (Rome: Institutum Pontificium Augustinianum, 1997), 193-204; ead., "Les évêques italiens dans la société de l'Antiquité tardive: L'émergence d'une nouvelle élite?" in Rita Lizzi Testa (ed.), *Le trasformazioni delle "élites" in età tardoantica* (Rome: Bretschneider, 2006); both reprinted in Claire Sotinel (ed.), *Church and Society in Late Antique Italy and Beyond* (Burlingame, VT: Ashgate 2010), chs. VI and VIII; Anne Marie Luijendijk, "On and beyond Duty: Christian Clergy at Oxyrhynchus (c. 250-400)," Jörg Rüpke, Richard Gordon, and Georgia Petridou (eds.), *Beyond Priesthood: Religious Entrepreneurs and Innovators in the Imperial Era* (Berlin: De Gruyter), 103-126.

[9] See, for instance, Tim Barnes' study of the relationship of the humble Bishop Athanasius of Alexandria with imperial authorities. Timothy Barnes, *Athanasius and Constantius: Theology and Politics in a Constantinian Empire* (Cambridge, MA: Harvard University Press, 1993).

[10] Brent Shaw, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine* (Cambridge University Press, 2011), 506; Peter Brown, *Through the Eye of the Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550 AD* (Princeton, NJ: Princeton University Press, 2012), 357. Shaw's point does conflict with our limited anecdotal evidence about African bishops' social origins, although I sympathetic with him that many more bishops were likely non-*curiales* than many presume. See Werner Eck, "Der Episkopat im spätantiken Africa: Organisatorische Entwicklung, Soziale Herkunft, und öffentliche Funktionen," *Historische Zeitschrift* 236.2 (1983), 265-295.

about the "middling" clergy to assert that "most of the 275 bishops listed in André Mandouze's *Prosopographie chrétienne du Bas-Empire* [of Africa] were of curial background," i.e., aristocrats,[11] even though Mandouze's index offers no support for her calculation.[12] Everyone's "middling" is slightly different, but no one disagrees with the premise that the bulk of the urban clergy came from among the empire's artisan, mercantile, and professional classes .

The dangers of prosopographical extrapolation aside,[13] insufficient consideration has been given as to exactly why these types of "middling" men predominately served late Roman churches and why, it seems, Christian leaders preferred them. This chapter will attempt to answer these questions by exploring the larger socio-economic matrix of the later Roman Empire (roughly 250-600 CE), which allowed willing, suitable men to place themselves in the employ of God's house. Particular focus will be given to the empire's labor markets, their regulation by the Roman state, the concentration of human capital, that is, education and training among the largely unskilled population, and most importantly church regulations and the ordination preferences that guided bishops' decision-making. The interplay of these forces, I will argue, relegated the selection of clergymen primarily to certain portions of the Roman population who saw educated occupations and commerce as the means for social mobility. This development set the basis for the cross-pollination of certain secular occupational cultures within the Church that I will investigate in the following chapters.

Acquiring Labor in a Christian *Oikonomia*

Ordination was a transformative event in late antiquity. It brought changes in status, social networks, and lifestyle, all of which scholars have amply explored.[14] But what did it mean to join

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[11] Claudia Rapp, *Holy Bishops: The Nature of Christian Leadership in an Age of Transition* (Berkeley: University of California Press, 2005), 178.

[12] Rapp's logic is made clear elsewhere: "The mere fact that bishops from the fourth century onward were reasonably educated—some even had stellar academic records or excelled as authors—also points to their recruitment from the curial class," i.e., the "middling" aristocracy. Claudia Rapp, "The Elite Status of Bishops in Late Antiquity in Ecclesiastical, Spiritual and Social Contexts," *Arethusa* 33.3 (2000), 381-398: 388. "Reasonably educated" here means capably literate. I will return to the point repeatedly that tying literacy too much to aristocratic status is a mistake.

[13] See, for instance, Vincent Puech, "La méthode prosopographique et l'histoire des élites dans l'Antiquité tardive," *Revue historique* 661 (2012), 155-168. See also J.R. Martindale, "The Prosopography of the Later Roman Empire, Volume l: The Era of A.H.M. Jones," in Averil Cameron (ed.), *Fifty Years of Prosopography: The Later Roman Empire, Byzantium and Beyond* (Oxford: Oxford University Press, 2003), 3-10.

[14] See Kristina Sessa's wonderful overview of the cleric as a "new class" of individuals. Kristina Sessa, "Cleric," in Catherine Chin and Moulie Vidas (eds.), *Late Ancient Knowing: Explorations in Intellectual History* (Berkeley: University of California Press, 2015), 218-239.

the clergy in an occupational or economic sense? To answer this question, let us begin towards the end of our period with the last Roman pontiff of African stock. In 494 CE Pope Gelasius lamented to his subordinate bishops that "the clerical *militia* throughout many parts of Italy had been consumed by invasion and the famines of war."[15] Even grand cities like Ravenna suffered a shortage of clergymen. In some places, suitable men were so scarce that women were enlisted to serve as deacons. "Constrained by the necessary dispensation of affairs and the management of the apostolic seat," the rigid pontiff conceded to relax some of the "canons of the Fathers" and "the precepts of his predecessors" regarding ordination. Promotions of monks and laymen to the clergy were fast-tracked, the lengths required in lower clerical ranks shrunk to a matter of months. Some rules still held though. Bishops were not to ordain illiterates, men of servile status, soldiers, members of town councils (*curiales*), or anyone else "bound to public affairs." Such men were risky investments for a "destitute Church" suffering an "*inopia competentis auxilii.*"[16] With ordinations, Gelasius stressed, bishops "had to take care not to encroach on others' legal rights."[17] He added further that churches should not poach each other's clerics; that financial need should not press them to entertain the increasingly common practice of letting priests charge fees (*prosphorae*) for sacraments such as baptism; that churchmen should resist turning to avaricious trades to support themselves since the "house of God" should not be an *officina negotiationis*; and finally that the traditional apportioning of church monies (*portiones*) including clerical stipends should be maintained.[18]

Gelasius' admonitions capture the strange difficulty of conceptualizing clerical recruitment and employment, what one would typically just term ordination. Clerics at a most basic level were hired performers of ecclesiastical and liturgical functions, that is, remunerated labor for specific tasks that corresponded to each ecclesiastical office. On the other hand, they were lifetime members of their respective sacred communities who held an aura of sanctity. In principle after ordination a man was to serve the remainder of his days in one of the standard liturgical functions (lector, sub-deacon, deacon, priest, bishop) and accordingly to receive a stipend until his death—though we hear of at least one sixth-century Syrian community that

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[15] See Gelasius' many appearances in Pauline Allen and Bronwen Neil*, Crisis Management in Late Antiquity (410-590 CE): A Survey of the Evidence from Episcopal Letters* (Leiden: Brill, 2013). Also: Walter Ullman, *Gelasius I. (492-496): Das Papsttum an der Wende der Spätantike zum Mittelalter* (Stuttgart: A. Hiersemann, 1981).

[16] Gelasius, *Ep.* 14.1 (Thiel, 362): *Necessaria rerum dispositione constringimur et apostolicae sedis moderamine convenimur, sic canonum paternum decreta librare et retro praesulum decessorum nostrorum necessitas precept metiri, ut quae praesentium necessitas restaurandis ecclesii relaxanda deposcit… reparandis militia clericalis officiis quae per diversa Italiae partes ita belli famisque consumpsit incursio…*

[17] Ibid., 14.3 (p. 364): *jura studeant aliena pervadere*.

[18] Ibid., 14.2 (status restrictions on monks), 14.3 (status restrictions for lay men, no illiterates, or "*publicarumque rerum nexibus implicatos*"), 14.4 (poaching of clerics for new churches), 14.5 (baptism fees), 14.14 (status restrictions reiterated), 14.15 (*negotiares)*, 14.26 (deaconesses at the altar), 14.27 (quadripartite division of offerings).

attempted to deprive aged clerics of their stipends since they were too decrepit to perform their duties.[19] As Gelasius and plenty of other evidence suggest, it also remained common practice throughout antiquity for some clerics to supplement their stipends with other ancillary economic activities.[20] Bishops complained less, though, about elderly churchmen and clerics resorting to commerce than they did about ill-chosen men inadequate for the duties of office. Such men were often difficult to excise from the Church, and more troublingly they could open a community to discord and even prosecution if the ordination proved illegal such as that of a slave, a soldier, or a town councilor. The letters of Basil of Caesarea (d. 379 CE) and Gregory of Nazianzus (d. 390 CE), offer a particularly vivid account of a multi-year feud with a local noble woman whose slave the pair had ordained unwittingly. She threatened both a lawsuit and physical violence.[21] At any rate, a problematic cleric could claim his due stipend and other privileges for years while locals tried to oust him from the community—and many clamorous ones did.[22] Further, as Gelasius reminded, clerical life by the 490s had become a profitable enough career path as well as a convenient enough tax-avoidance tactic that the motives of all men seeking ordination had to be scrutinized.

Because no hereditary clerical caste ever developed in antiquity and the practice of offering child oblates to monasteries did not become prevalent until the early Middle Ages,[23] bishops as the leaders of Christian communities relied on the attractiveness of clerical life including stipends to draw suitable adult men into the employ of God's house. Indeed, the remuneration of churchmen made the clergy a uniquely "occupational" religious body in the ancient world. Of course, to Christian sensibilities it was odious that a cleric might join the Church simply because—to quote Basil of Caesarea—"he preferred this source of livelihood just as another man might choose some other occupation."[24] Yet, as Basil and others acknowledged, this was not an uncommon mentality. The recruitment of Christian clerics differed little from the employment of free labor more generally in the economy. It was subject to the same economic,

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[19] See Severus of Antioch, *Ep.* 1.57 (171-176).

[20] Demetrios Constantelos, "Clerics and Secular Professions in the Byzantine Church," *Byzantina* 13 (1985), 374-390.

[21] Cf. Gregory of Nazianzus. *Ep*. 79 (Paul Gallay (ed.), *Saint Grégoire de Nazianze. Lettres*, vol. 1 (Paris: *Les Belles Lettres*, (1964), 99-102; Basil of Caesarea, *Ep.* 115 (Yves Courtonne (ed.), S*aint Basile. Lettres*, vol. 2, (Paris: *Les Belles Lettres*, 1957), 19).

[22] Karl Leo Noethlichs, "Anspruch und Wirklichkeit: Fehlverhalten und Amtspflichtverletzungen des christlichen Klerus anhand der Konzilskanones des 4. bis 8. Jahrhunderts," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 76.1 (1990), 1-61.

[23] A law of Constans (337-350 CE) suggests a hope on the emperor's part that the clergy would become a hereditary caste. See *C. Th.* 16.2.9 (349 CE).

[24] Basil of Caesarea*, Ep.* 169 (Courtonne, S*aint Basile. Lettres*, 104-105): οὐκ ἔκ τινος ἀκολουθίας καὶ εὐσεβείας ἐπὶ τοῦτο ἐλθών, ἀλλ' ἀφορμὴν βίου ταύτην ὥσπερ ἄλλος ἄλλην τινὰ προστησάμενος.

demographic, and socio-cultural forces that affected the overall wage-labor pool in that the Church required a population of legally employable men willing to accept positions.[25] And bishops could be rather unabashed about the occasional need to adjust wages in order to entice more reluctant men into the higher clerical orders—in Pope Gelasius' words, "so that [men] induced by this accounting (*ratio*) might be pressed to seek the gain (*quaestus*) as well as the honor that they have refused."[26]

Christian communities since at least the early third century had tied clerical payment to recruitment, performance, and promotion. At first the offerings of the laity (*prosphorae*) were to be divided among God's lot (*klēros*) in scaled proportion among the orders (bishop, priests, deacons, readers), but as the Church gained land and other financial resources stipends flowed directly from incomes including service fees, ironically enough also labeled offerings (*prosphorae*).[27] As George Schöllgen has argued, it was the third-century introduction of clerical stipends that catalyzed the transformation of a volunteer ministry into a regimented professional corps. The reception of a stipend marked the clergy off as separate from the laity, elevated over them by their fulltime code of professional conduct and their tight patronage relationship with the bishop who distributed their wages.[28] Discipline and dependence were two sides of the same symbolic coin.

A diocese's *episkopos*, literally its "overseer," came to enjoy near monopolistic power in managing the membership of his clerical household. As the third-century *Didascalia*, a kind of manual for bishops explained, the *episkopos* reigned as a domestic monarch solely empowered "to appoint presbyters as counselors and assessors, and deacons and sub-deacons, as many as he needs in proportion to the ministry of the house." The clerical orders as the bishop's spiritual

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[25] See Ian Smith, "Religious Labor Markets," in Paul Oslington (ed.), *The Oxford Handbook of Christianity and Economics* (Oxford: Oxford University Press, 2014), 472-489. For a discussion of wage labor in the late empire, see Jairus Banaji, *Agrarian Change in Late Antiquity: Gold, Labor and Aristocratic Dominance* (Oxford: Oxford University Press, 2001), 190-212. For some theoretical speculation about the size and dynamics of the Roman labor market, see Peter Temin, *The Roman Market Economy Princeton* (NJ: Princeton University Press, 2013), 114-139; idem, "The Labor Market of the Early Roman Empire," *Journal of Interdisciplinary History* 34.4 (2004), 513-538. See also Claire Holleran, "Getting a Job: Finding Work in the City of Rome," *Work, Labour, and Profession in the Roman World* (Leiden: Brill, 2016), 87-103.

[26] *Gelasius*, Fr. 10 (Thiel, 489): *ut hac saltem ratione constricti, et honorem, quem refugerant, appetere nitantur, et quaestum.*

[27] In the East stipends for positions were fixed salaries, while in Western churches incomes and lay offerings were more commonly divided among the members of the various clerical ranks in proportion. See A. H. M. Jones, "Church Finances in the Fifth and Sixth Centuries," *Journal of Theological Studies* 11.1 (1960), 84-94: 92-94.

[28] George Schöllgen, *Die Anfänge der Professionalisierung des Klerus und das kirchliche Amt in der syrischen Didaskalie* (Münster: Aschendorff Verlag, 1998).

sons received their *misthoi,* their "wages," according to their rank.[29] The Church was a household business to be kept in proper order, and ordinations constituted metaphorical adoptions into a new occupational family. Like the heavily regulated inductions of Roman guilds, also conceived of as fictive kin groups, ordinations were approached with the scrutiny of a good Roman father and *dominus*.[30] Episcopal leadership was paternalistic as any other form of male authority in the Roman world. It required a proper display of the bishop's *oikonomia* in managing his diocese's clergy.[31] Appropriately, discussions of ordination evoked *oikonomia*'s conservatism and natural aversion to risk, traits readily observable in Gelasius' advice.[32] The surviving ostracon archive of Bishop Abraham of Hermonthis provides particularly poignant examples of *oikonomia* at work in the selection of clergymen. In the cache, one finds aspirant deacons beseeching their local bishop's "paternity" to receive them as suitable candidates for ordination; as if they were submitting cover letters and résumés, the men introduce themselves with personal references, swear to their steadfast obedience, and affirm their memorized knowledge of the Bible. The bishop for his part wanted to inspect hand-written copies of specified texts within two months of the initial request and to question them further. [33] In one case Abraham threatened to revoke an ordination for a priest who failed to memorize the gospels properly.[34] Petitions for promotion from the diaconate to the priesthood operated along similar

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[29] *Didascalia* 2.34 (Franz Xaver von Funk (ed.), *Didascalia et Constitutiones Apostolorum* (Paderborn: Schoeningh, 1905, 115-118). For an English translation, see Hugh Connolly (trans.), *Didascalia Apostolorum* (Oxford: Clarendon Press, 1929).

[30] Philip Venticinque, "Family Affairs: Guild Regulations and Family Relationships in Roman Egypt," *Greek, Roman, and Byzantine Studies* 50 (2010), 273- 294; Brent Shaw, "Ritual Brotherhood in Roman and Post-Roman Societies," *Traditio* 52 (1997), 327-355.

[31] Kristina Sessa, *The Formation of Papal Authority in Late Antique Italy: Roman Bishops and the Domestic Sphere* (New York: Cambridge University Press, 2012).

[32] For the generally "risk adverse" but not irrational economic thought in antiquity, see Daniel Kehoe*, Law and the Rural Economy in the Roman Empire* (Ann Arbor: University of Michigan Press, 2007), 29-52.

[33] See Walter E. Crum, *Coptic Ostraca from the Collections of the Egypt Exploration Fund, the Cairo Museum and Others* (London: Egyptian Exploration Society, 1902), no. 29, 31, 34, 37, 39 (pp. 9-11). See Martin Krause, *Apa Abraham von Hermonthis: ein oberägyptischer Bischof um 600* (Diss. Humboldt-Universität zu Berlin, 1956). For a legal commentary on such texts, see Artur Steinwater, "Die Ordinationsbitten koptischer Kleriker," *Aegyptus* 11 (1931), 29-34. A fourth-century list of biblical texts that Bishop Aphou of Oxyrhynchus wishes that deacons and priests respectively to memorize also survives. See Francesco de Rossi, "Trascrizione di tre Manoscritti copti del Museo egizio di Torino con Traduzione italiana," *Memorie dellla reale Accademia delle Science di Torino, scienze, morale, storiche e fililogiche*, Serie II, Tom 37 (1886), 67-84, 145-150. Caesarius of Arles seems to have assigned future deacons a similar set of requirements. See *Vita Gauserici* (*MGH SS. Rerum. Merov.* 3, 652).

[34] See *P. Berl.* 12486 (Krause. no. 80).

lines to the process for initial ordination. We also know that clerics upon ordination signed formal contracts with terms of employment.[35]

We should not underestimate the economic benefits of joining the clergy or receiving a promotion. A priest, for instance, fortunate enough to gain employment at major sees such as Ravenna could expect to receive an annual stipend upwards of 95 gold solidi, an income on par with public professors, physicians, and low-level imperial officials.[36] The bishop of Ravenna for his part earned an impressive 3,000 solidi a year in the sixth century, about half the income of a praetorian prefect, the highest paid position in the Roman government. The bishop of Anastasiopolis in Galatia, a relatively small city, took home a fulsome 365 solidi a year, obviously a gold solidus per day. His clergy likely earned in the range of 20 to 25 solidi a year, roughly on par with the managers of large estates.[37] Christian clerics also gained automatic exemption from the tax on trade and mercantile activities, the so-called *collatio lustralis*, as well as exemption from municipal burdens if they were members of town councils (*curiae* / *boulai*). Complaints about the oppressive weight of these burdens are legion in late Roman sources, as are complaints about the loss of local tax revenues because of clerical exemptions. Eventually, the Roman stated instituted legislation that allowed for a *curialis* to join the clergy only after the complete transfer of his property.[38] Finally, as mentioned above, by the sixth century Christian communities had come to tolerate the charging of fees for baptisms, last rites, and other liturgical services.

Understandably, the churches of the empire's *metropoleis* came to resemble the graft-oiled circuit of the imperial bureaucracy, drawing in hundreds of ambitious men from small hamlets in search of salaries, tax exemptions, and other perks.[39] From the fourth century forward, we hear more and more about bishops receiving bribes for ordinations, that is, simony as well as

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[35] See the fourth-century papyrus contract of a deacon from Egypt, *Cpr*. 5.11. It and comparanda are discussed in Ewa Wipszycka, "Il vescovo e il suo clero. A proposito di CPR V 11," *Journal of Juristic Papyrology* 22 (1992), 67-81.

[36] All of the few figures we have about clerical pay, can be found in A. H. M. Jones, "Church Finances." See no. 18 above. For physicians pay in Antinopolis, Egypt see *P. Cairo Masp*. 67151 (570 CE); the physicians and professors at Carthage earned 70-99 solidi annually. Justinian's salaries for bureaucrats such as *assessores* are in the law establishing the Exarchate of Africa in *C. J.* 1.27.1.41-42. See Michael Hendy, *Studies in the Byzantine Monetary Economy, 300-1450* (Cambridge: Cambridge Univeristy Press, 2003), 178-179.

[37] Hübner, *Klerus,* 240. For bureaucrats' pay on Egyptian estates, see Banaji*, Agrarian Change*, 235-237.

[38] A. H. M. Jones, *The Later Roman Empire 284-602: A Social, Economic, and Administrative Survey* (Baltimore: Johns Hopkins University Press, 1986 (1964)), 746.

[39] Sabine Hübner, "Currencies of Power: The Venality of Offices in the Later Roman Emprie," in Andrew Cain and Noel Lenski (eds.), *The Power of Religion in Late Antiquity* (Burlington, VT: Ashgate, 2009), 168-178.

being pressured into bestowing offices onto the clients and relatives of local *potentates*. Bishop Severus of Antioch (d. 538), for instance, had to seek the aid of imperial officials when the compelled additions to his payroll overburdened his community's coffers. As he complained to a palatine official, he lived in terror of his own bereft accountants and stewards (*oikonomoi*).[40] At Constantinople the clergy of Hagia Sophia and its adjacent churches had become so bloated that the patriarch needed to place "mortgages and pledges on [the Church's] beautiful lands and suburban estates" in order to pay his clergy's salaries. Justinian rectified the ill accounting (*ratio*) by capping the clergy at 525 persons.[41] As he chided in his *Novel*, too many provincials had abandoned their hometown churches and local senates for fortunes in the capital through the patronage of powerful men. The emperor deplored the excessive growth and venality that had led God's house to insolvency. He made the same condemnations when he limited the number of clerics on private churches to their sizes at their establishment.[42] "Nothing," he reminded the patriarch, "is good that exceeds moderation."[43]

Labor shortages, as we shall see, more so than gluts plagued Christian communities—and not only in times of social upheaval. But both gluts and shortages make clear that the logistics of sourcing the rank-and-file Christian clergy operated along lines that resembled the recruitment of any remunerated employees in the Roman world—the election of bishops is another matter and one particularly well treated.[44] This fact is raised not to denigrate ecclesiastical communities as avaricious dens of thieves, but to point out that candidates and bishops weighed ordination with scrutiny toward risk and benefits. Bishops may have had the upper hand in, for the most part, in these decisions, but their consideration in ordination was limited by the local availability of

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[40] See Severus of Antioch*, Ep.* 1.8 and 1.17 (Brooks, *Select Letters,* 2.1, 41-44 and 63-66).

[41] The cap survived only until the reign of Heraclius, when in 612 CE Patriarch Sergios asked for a redistribution from Justinian's allotment (60 priests, 110 deacons, 40 deaconesses, 90 subdeacons, 110 readers, 25 cantors, and 100 ushers) to a more suitable one for his needs (80 priests, 150 deacons, 40 deaconesses, 70 subdeacons, 160 readers, 25 cantors, and 100 ushers, totalling 625). *Nov*. *Just.* 3.Pr.: *propter huiusmodi accasionem huius regiae civitatis sanctissimam maiorem ecclesiam, nostri imperii matrem, debitis inquietari maioribus, et non aliter valentem facere singulas erogationes reverentissimis clericis, antequam aurum non parvum mutuum sumat, faciens tam hypothecas quam pignorum dationes in optimis suis praediis et suburbanis*. For Heraclius' *novel*, see Johannes Konidaris,(ed.), "Die Novellen des Kaisers Herakleios," in Dieter Simon (ed.), *Fontes minores*, vol. 5 (Frankfurt: Löwenklau Gesellschaft 1982), 33-106: 62-73.

[42] *Nov*. *Just.* 123.3 (546 CE).

[43] *Nov*. *Just.* 3.pr. (535 CE): *quia enim paene nihil immensum bonum est.*

[44] See Peter Norton, *Episcopal Elections 250-600: Hierarchy and Popular Will in Late Antiquity. Oxford Classical Monographs* (Oxford: Oxford University Press, 2007) and the excellent volume of essays in Johan Leemans et al. (eds.), *Episcopal Elections in Late Antiquity* (Berlin: de Gruyter, 2011). See also Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition* (Berkeley: University of California, 2006), *passim*.

willing men who were "ordainable" according to the standards of canon law, handed-down precepts, and imperial legislation.

Imperial Regulation and Risk

Late ancient hagiographies and biographical texts often give the sense that bishops held an almost irresistible license to ordain any bright young man of their liking. Dismayed prodigies like Gregory of Nazianzus and John Chrysostom fled to the desert in order to escape the imposition of office, while others, like Jerome's brother Paulinian, found themselves bound and gagged as their new brethren unceremoniously laid hands upon them.[45] Half a century after Paulinian's coerced ordination, a diocese could have been fined ten pounds of gold for such an unwanted laying on of hands.[46] It was an exceptionally hefty fine at 720 solidi, but it was hardly the first legal limitation on ordination. In fact, the ceremonial refusal and supposedly "forced" ordination of individuals such as Gregory, Chrysostom, and Augustine, were only possible because, save for their protestations, no other legal impediment prevented their ordination—*curiales* such as Gregory, Chrysostom, and Augustine, already had extenuating circumstances that made their ordination less problematic than would have been for their aristocratic compatriots who had not entered liturgy-exempt professions.[47]

The religious policies of Constantine and his successors transformed ordination forever. If ordination was a spiritual and economic act, the legal privileges bestowed upon the clergy also made it a public act that could alter a man's status before the law, sever his social obligations, and perhaps improve his chances for upward social mobility. [48] The power to effect these changes was theoretically invested in bishops, but their hands were not always free. The Roman state and ecclesiastical law, namely conciliar canons, sought to prevent the ordination of men deemed unworthy or those men obligated to other groups in Roman society. Here we must recall a point that is often forgotten. Most clerics in late antiquity were relatively advanced in age by Roman standards and would have spent a considerable portion of their lives performing other economic activities befitting their social rank. Generally, the minimum age for ordination was 18

[45] For the events and the fallout with the offending bishop Epiphanius, see Young Richard Kim, "Jerome and Paulinian, Brothers," *Vigiliae Christianae* 67 (2013), 517-530.

[46] *Nov. Maj.*11 (460 CE).

[47] On the refusal of office in the Greco-Roman world, see Jean Béranger, "Le refus du pouvouir: Recherches sur l'aspect idéologique du Principat," in Jean Béranger, François Paschoud, and Pierre Ducrey (eds.), *Principatus: Études de notions et d'histoire politiques dans l'antiquité gréco-romain* (Geneva: Librairie Droz, 1973), 165-190. On the refusal of episcopal thrones, see Peter Norton, *Episcopal Elections*, 191-202; Claudia Rapp, *Holy Bishops*, 144-145.

[48] See David Hunt, "The Church as a Public Institution," in Averil Cameron and Peter Garnsay (eds.), *The Cambridge Ancient History, Volume 13: The Late Empire, AD 337-425* (Cambridge: Cambridge University Press, 1997), 238-276.

for readers, 25 for deacons, 30 for the priesthood, and 45-50 for bishops.[49] Ecclesial communities sprang from "pre-existent social congeries."[50] Clerics were first members of local senates, municipal guilds, professional *scholae,* cottage industries, and households before they joined the clergy. Some of these groups, however, did not countenance the loss of their members, their economic activity, or their resources to the Christian clergy. Even the Album of Timgad, which generations of historians have cited as proof that the clergy represented a new power group alongside bureaucratic elites has been shown to be less celebratory of the clergy's rise than meets the eye. Timgad erected the album amid the backdrop of Emperor Julian the Apostate's revocation of clerical privileges. The listing of the local *clerici* served either as a reminder of the men's continued exemption from municipal obligations or, conversely, as a visible memorandum that these men were still obliged to serve their local government. Since more African municipal inscriptions come from the reign of Julian than any other late Roman emperor, several patently praising the restoration of civic paganism, we might opt for the latter interpretation.[51]

Constantine, when he began to favor the Church, had imagined a Christian clergy of urban, free *humiliores*, and his policies reflected this image since they sought to lend aid to poorer clerics unable to feed themselves. He failed to anticipate the ultimate attractiveness of the ministry to the lowest rungs of the governing classes, namely provincial bureaucrats (*officiales*) and *curiales*.[52] Given the generally low social origins of the clergy at around 300 CE, the assumption was understandable. Constantine thus granted to clerics the same privileges that Roman emperors had long assigned to other modest, yet civically beneficial professionals such as grammarians and physicians, which added new incentives to the clerical labor market. These *beneficia*, as I mentioned above, included exemptions from municipal burdens and mercantile taxes. In reality, the *beneficia* granted are better characterized as fiscal relief rather than as privileges. Tax exemption allowed clerics to focus their energy and time on their duties, not on eking out a living. When this was not possible, such as with clerics in poorer sees, Constantine granted exemption from the *collatio lustralis,* the business tax, so that they might eat (*alimoniae*

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[49] See Paul Henri Lafontaine, *Les Conditions positives de l'accession aux ordres dans la première législation ecclésiastique*: 300-492 (Ottawa: Éditions de l'Université d'Ottawa, 1963), 121-153.

[50] Adam Becker, "Christian Society," in Michael Peachin (ed.), *The Oxford Handbook of Social Relations in the Roman World* (Oxford 2011), 567-586: 575

[51] W. H. C. Frend, *The Rise of Christianity* (Philadelphia: Fortress Press, 1984), 604 no. 45. I do, however, disagree with larger claims about the social distance between *clerici* and *curiales*, for example, Brent Shaw's untestable conclusion that Timgad's clergy was an outlier: "The ordinary situation through the fourth and early fifth centuries in Africa was that of an almost complete separation between the recruitment base and membership of the hierarchy in the two Christian churches and the ranks of state officials at all levels, including the municipal." Brent Shaw, *Sacred Violence*, 506.

[52] Karl Leo Noethlichs, "Einflußnahme des Staates auf die Entwicklung eines christlichen Klerikerstandes," *Jahrbuch für Antike und Christentum* 15 (1972), 136-153: 151. See also Jean Gaudemet, "Constantin et les curies municipales, *Iura* 2 (1951), 45-75.

causa).[53] He did this purposefully so that "the companies of the Church may grow by the flocking of great numbers."[54] The vitality of the Christian clergy in his thinking testified to his good governance and his prescience in religious matters. The state subsidized the propitiation of Constantine's new God in a standard *do ut des* transaction relationship between emperor and divinity. Donations for clerical salaries and provided exemptions allowed *more men* to devote themselves *more fully* and *more often* to liturgical functions.[55] The loss of a handful of *curiales* and urban laborers was a small price to pay for heavenly favor.

Yet, within fifteen years of issuing the clergy's first privileges, Constantine began rolling back their blanket exemption from *munera publica* on account of the unforeseen popularity of clerical life among well-to-do merchants and town-councilors obligated to fund local governance. Faced with a suspiciously rapid growth of the clergy, he commanded,

> No great numbers should be added to the clergy rashly or beyond measure (*nec temere et citra modum*); rather, when a cleric dies another shall be selected to replace the deceased, one who is not of curial stock or possessing enough wealth to be able to bear municipal burdens with ease.

The incentive structure that he had established clashed with his vision of *honestiores* maintaining local government and benefaction, while the modest clergy of *humiliores* tended to ecclesiastical affairs as well as to the distribution of Christian charity. "For the wealthy must assume secular obligations, and the poor [including the clergy] must be supported by the wealth of churches."[56]

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[53] *C. Th.* 16.2.8 (330 CE).

[54] *C. Th.* 16.2.10 (320 CE?): *Ut ecclesiarum coetus concursu populorum ingentium frequentetur, clericis ac iuvenibus praebeatur immunitas repellaturque ab his exactio munerum sordidorum*. See Clyde Pharr's re-dating in Clyde Pharr, *The Theodosian Code and Novels and the Sirmondian Constitutions: A Translation with Commentary, Glossary, and Bibliography,* (Princeton, NJ: Princeton University Press, 1952), 442.

[55] For an overview of the privileges, see Roland Delmaire, "Église et fiscalité: le privilegium christianitatis et ses limites," in Jean-Noël Guinot and François Richard (eds.), *Empire chrétien aux IV*e *et V*e *siècles*: *integration ou 'concordat'? Le Témoignage du Code Théodosien. Acts du Colloque International, Lyon, 6, 7, et 8 Octobre 2005* (Paris: Editions du Cerf, 2008), 285-293; Rita Lizzi Testa, "Privilegi economici e definizione di *Status*: Il caso del vescovo tardoantico," in *Atti della Accademia Nazionale dei Lincei*, 397 (2000), 55-103; Michele Renee Salzman, "Evidence for the Conversion of the Roman Empire to Christianity in Book 16 of the 'Theodosian Code,'" *Historia* 42.3 (1993), 362-378; T. G. Elliot, "The Tax Exemptions Granted to Clerics by Constantine and Constantius II," *Phoenix* 32.4 (1978), 326-336.

[56] *C. Th.* 16.2.6 (326/9 CE): *nec temere et citra modum populi clericis conectantur, sed cum defunctus fuerit clericus, ad vicem defuncti alius allegetur, cui nulla ex municipibus prosapia fuerit neque ea est opulentia facultatum, quae publicas functiones facillime queat tolerare…Opulentos enim saeculi subire necessitates oportet, pauperes ecclesiarum divitiis sustentari.*

Restricting the growth of the clergy and protecting city councils returned the Roman *oikoumenē* to its proper ordering.

The emperor as *pater patriae* and *dominus* of the Roman Empire held the prerogative to regulate ecclesiastical affairs not only because the Church occupied a particularly sacred precinct in his metaphorical household, but because its recruitment of able-bodied men impacted the other households under his supreme *potestas*.[57] The Church's labor requirements had to be balanced with the priorities of landlords and slave-owners, as well as with the needs of the metaphorical households of cities, guilds, and the imperial apparatus (the army, the bureaucracy, and the emperor's private patrimony). So precious were talented men to the Roman state that the emperors Valens and Valentinian even ordered the great schools of the empire to maintain a running list of bright young men who could be drafted for state service.[58] These policies conformed with a larger phenomenon sometimes called the late Roman *Zwangswirtschaft*, in which emperors pursued increasingly interventionist policies to maintain the labor allocation and fiscal solvency of the empire's constituent units. More and more economic and occupational roles became tied to heredity in an attempt to create a stable, self-replicating labor allocation.[59] The regulation of the clergy was merely epiphenomenal to the state's general tendency to impose its self-serving and moralizing agenda on regional economies.[60] Julian's full revocation of clerical privileges, for instance, which Christians interpreted as a punitive measure, came couched in the language of judicial *equitas* towards bereaved economic groups. Julian had "given back" (*apodedōkamen*) to cities their councilmen who had "given themselves over to superstition" (*edosan heautous deisidaimoniai*).[61] Like runaway slaves, clerics were returned to

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[57] On *oikonomia* as a political principle, see D. Brendan Nagle, *The Household as the Foundation of Aristotle's Polis* (Cambridge: Cambridge University Press, 2006); Carlo Natali, "Oikonomia in Hellenistic Political Thought," in André Laks and Malcolm Schofield (eds.), *Justice and Generosity: Studies in Hellenistic Social and Political Philosophy* (Cambridge: Cambridge University Press, 1995), 1-35; For a Christian worldview of *oikonomia*, see Ulrich Meyer, *Soziales Handeln im Zeichen des Hauses: zur Ökonomik in der Spätantike und im frühen mittelalter* (Göttingen: Vandenhoeck & Ruprecht, 1998), 106-241.

[58] *C. Th.* 14.9.1 (370 CE).

[59] A. H. M. Jones, "The Caste System in the Later Roman," *Eirene* 8 (1970), 79-96. The idea, which was originally Ostrogorsky's has largely been abandoned. Cf. John Haldon, *Byzantium in the Seventh Century: The Transformation of a Culture* (Cambridge: Cambridge University Press, 1997(1990)), 28.

[60] Peter Sarris, "Integration and Disintegration in the Late Roman Economy: The Role of Markets, Emperors, and Aristocrats," *Late Antique Archaeology* 10.1 (2013), 167-188

[61] Julian, *Ep.* 56 (J. Bidez, *L'empereur Julien. Oeuvres completes* (Paris: Les Belles Lettres, 1932, 136): Τοὺς βουλευτὰς πάντας ὑμῖν ἀποδεδώκαμεν καὶ τοὺς πατροβούλους, εἴτε τῇ τῶν Γαλιλαίων ἔδοσαν ἑαυτοὺς δεισιδαιμονίᾳ, εἴτε ὅπως ἄλλως πραγματεύσαιντο διαδρᾶναι τὸ βουλευτήριον, ἔξω τῶν ἐν τῇ μητροπόλει λελειτουργηκότων. See Fergus Millar, "Empire and City, Augustus to Julian: Obligations, Excuses and Status," *Journal of Roman Studies* 73 (1983): 76-96.

their local senate house, their rightful place. Julian's measures constituted the restoration of proper ownership, the canceling of an improper transaction.

Even after the reestablishment of Christianity's elevated status, emperors continued to issue bans on different groups entering the clergy beginning first with *curiales* and servile populations. Valentinian, for instance, banned members of Rome's bakers' guild from joining the clergy. He reminded any man audacious enough to flee their mills and ovens "that the privileges attached to Christianity have been abolished, and in every instance, he can and should be recalled to the college of bakers."[62] Arcadius a few years later forbade dyers (*murileguli*) to join the clerical ranks.[63] Valentinian III extended the proscription of ordination to all guilds at Rome and ten years later to guilds of all cities of the Empire. As the law read,

> No person whose status is determined by birth (*originarius*), no tenant (*inquilinus*), no slave or *colonus* may undertake clerical duties, nor shall he make his way to monks or monasteries, so that he may evade the chains of his bound condition; nor shall any guildsman of the city of Rome or any other city, or a *curialis*, or any ex-primate, or tax-collector, or citizen who is a *sevir* [a municipal position of six officials], or public slave.[64]

Gelasius' admonitions above more or less paraphrased the law. Gelasius had experienced knowledge of Roman law, and the papal see had maintained for some time a consistory of legal advisors (*defensores ecclesiae*) whose purpose was to keep the Church on the right side of Roman jurisprudence.[65]

The very threat of trouble, complaint, or lawsuit was deterrent enough to constrain bishops' preferences in ordination. Eight decades before Gelasius' admonitions, his predecessor Innocent (401-417) advised bishops to avoid ordinations of soldiers, bar-assigned advocates, members of the civil administration, and *curiales* since "if they are discovered, they are often dragged back... on account of the trouble caused by these men to the Church, their entry should be avoided."[66] Twenty years earlier, Ambrose had complained personally to Theodosius about

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[62] *C. Th.* 14.2.11: (364 CE): *amputato privilegio christianitatis sciat se omni tempore ad consortium pistorum et posse et debere revocari.*

[63] *C. Th*. 9.45.3 (398 CE).

[64] *Nov. Val.* 35.1.3 (452 CE): *Nullus originarius, inquilinus, servus vel colonus ad clericale munus accedat neque monachis et monasteriis adgregetur, ut vinculum debitae condicionis evadat, non corporatus urbis Romae vel cuiuslibet urbis alterius, non curialis, non exprimario, non aurarius, civis collegiatus sevir aut publicus servus.*

[65] Michael H. Hoeflich, "Gelasius I and Roman Law: One Further Word," *The Journal of Theological Studies* 26.1 (1975), 114-119; Caroline Humfress, "A New Legal Cosmos: Late Roman Lawyers and the Early Medieval Church," in Peter Linehan and Janet Nelson (eds.), *The Medieval World* (London: Routledge, 2001), 557-575.

[66] Innocent I, *Ep.* 37.3 (*PL* 20, 604B): *Neque enim clerici nasci et non fieri possunt, sed designata sunt genera de quibus ad clericatum pervenire non possunt, id est, si quis fidelis militaverit, si quis fidelis causas egerit, hoc est postulaverit, si quis fidelis administraverit. De*

the common loss of "priests and deacons of the Church carried back from their sacred duty and returned to the Curia."[67] A contemporaneous synod in Illyricum advised bishops not to accept clerics "from the army or the curia so that they may be in no way at all open to attack."[68] The same advice held true on the other end of the social spectrum. Leo the Great in the 450s warned his suffragan bishops of the ordination of slaves since "both the sacred ministry is polluted by such vile partners in it, and the rights of their masters are so boldly infringed by this usurpation."[69] Leo followed the general Roman prioritization of masters' rights, as much he was in line with a centuries-old tradition of denying ordination to slaves and even freedmen because their masters retained power over them. The consciousness of the age had also extended that prejudice to bound-peasant (*coloni*), by law "slaves to the land" (*C. J.* 11.52.1).[70]

Of course, both canon and Roman law could be disregarded, their enforcement sporadic. Bishops and emperor alike sanctioned exceptions from time to time. Nor can we assume the decisions of emperors and councils applied evenly to all jurisdictions. Latin canons produced in Gaul, for instance, would have held little sway in Asia Minor. Many bishops might have been unaware of the exact letter of the law, if they lacked an accurate copy of canons.[71] Nevertheless, as research onto the Roman and other pre-modern economies has shown, socio-legal constraints still served as important determinants in decision-making and institutional management.[72]

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curialibus autem manifesta ratio est, quoniam, etsi inveniantur hujusmodi viri qui debeant clerici fieri, tamen saepius ad curiam repetuntur, cavendum ab his est propter tribulationem quae saepe de his Ecclesiae provenit.

[67] Ambrose, *Ep.* 40.29 (*CSEL* 82, 72): *presbyteri… vel ministri Ecclesiae retrahuntur a munere sacro retrahuntur, et curiae deputantur.*

[68] Theodoret, *Historia ecclesiastica* 4.9.5 (*SC* 530, 216).

[69] Leo the Great, *Ep.* 4.1 (*PL* 54, 61): *Duplex itaque in hac parte reatus est, quod et sacrum ministerium talis consortii vilitate polluitur, et dominorum, quantum ad illicitae usurpationis temeritatem pertinet, jura solvuntur.*

[70] For an overview of the many times that slaves as well as *liberti* are frowned upon as clerics, see E. J. Jonkers, "Das Verhalten der Alten Kirche hinsichtlich der Ernennung zum Priester von Sklaven, Freigelassenen und Curiales," *Mnemosyne* 3.10 (1942), 286-302.

[71] See Peter Van Nuffelen, "The Rhetoric of Rules and the Rule of Consensus," in John Leemans et al. (eds.), *Episcopal Elections in Late Antiquity,* 243-258: 243-249.

[72] The recent flourishing of scholarship on economic decision-making in the ancient, such as the rich essays in Walter Scheidel, Ian Morris, and Richard Saller, *The Cambridge Economic History of the Greco-Roman World* (Cambridge: Cambridge University Press, 2013). See also Dominic Rathbone, *Economic Rationalism and Rural Society in Third-century A.D. Egypt: The Heroninos Archive and the Appianus Estate* (Cambridge: Cambridge University Press, 1991); Daniel Kehoe's review of Rathbone in "Economic Rationalism in Roman Agriculture," *Journal of Roman Archaeology* 6 (1993), 476-484; and the overview of this new model of research in Peter

Individuals' decisions—in buying or selling, investment or employment—always took into account social norms, organizational customs, and the local legal regime. Ordination was no different.

Access to Human Capital: Eligible versus Desirable Men

In theory imperial law or at least ecclesiastical compliance with its sentiments excluded from ordination an estimated 300,000 soldiers,[73] 30,000 members of the civil service,[74] two and half million male slaves,[75] 300,000 or so *curiales* and their sons,[76] guildsmen constituting perhaps a third of urban populations,[77] and millions of tenant *coloni* who were frowned upon as clerics—or at least limited them to serving the Church within the geographical range of their tenancy.[78] It should be no surprise that such legislation frustrated Christian leaders. Augustine, for instance, recorded the gathering of vexed Numidian bishops, called to address a province-wide "*inopia clericorum*." The root cause in their opinion was a "law that required men to return to the burdens befitting their statuses."[79] He bemoaned to his friend and legal counsel Alypius,

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Fibiger Bang, "The Ancient Economy and New Institutional Economics," *Journal of Roman Studies* 99 (2009), 194-206.

[73] See Michael Whitby, "Army and Society in the Late Roman World: A Context for Decline?" in Paul Erdkamp (ed.), *A Companion to the Roman Army* (Oxford: Blackwell, 2007), 515-531.

[74] Jones, *Later Roman Empire*, 1057.

[75] Kyle Harper, *Slavery in the Late Roman World, AD 275-425* (Cambridge: Cambridge University Press, 2011), 59. By Kyle Harper's estimate, the empire held approximately 4,860,00 slaves, or just under ten percent of the total population. Harper also argues for a balanced male-female ratio among slaves. See also Noel Lenski "Peasant and Slave in Late Antique North Africa, c. 100-600 CE," in Rita Lizzi Testa, (ed.), *Late Antiquity in Contemporary Debate* (Newcastle: Cambridge Scholars Publishing, 2017) 113-155.

[76] Estimated 360,000 decurions with an average family size of 3.95 (divided in half for only the male population). See Jones, *Later Roman Empire*, 723-764.

[77] Francesca Diosono, *Collegia. Le associazioni professionali nel mondo romano* (Rome: Quasar, 2007), 5.

[78] On *coloni* see Jones, *Later Roman*, 795-803; their ordination, 921.

[79] Augustine, *Ep.* 22*.1 (*CSEL* 88, 346) *propter legem quae cogit eos suarum personarum muneribus rediddi*. The need for clerics in Africa was made more urgent because of the folding in of the Donatist flock. See also Rita Lizzi Testa, "Come e dove reclutare i chierici? I problemi di Sant'Agostino," in Franca Ela Consolino (ed.) *Adorabile vescovo di Ippona. Atti del Convegno di Paola (24-25 maggio 2000),* (Soveria Mannelli: Rubbettino, 2001), 183-216.

> We are pressed into such straits that the type of man appropriate for ordination is not found or only with great difficulty, especially in the cities where there are either only men of the *ordo* or plebeians. Among us, as your Holiness knows, such men cannot be distinguished from those bound to *collegia.*[80]

This was the third time in the thirty years that African bishops had complained about such shortages.[81]

But what exactly was Augustine's "type of man" who could not be distinguished from *collegiati*? Not even a consummate elitist such as Augustine believed in earnest that only *decuriones / curiales* were suitable for clerical life. By his own admission most of his clergy were *pauperes*, i.e., the urban non-elite.[82] The *collegiati,* to which he referred, must have included members of the local senate (*ordo*) as well as members of the trade *collegia*. As the other complaints at synods make clear, the issue at hand was literacy. Augustine was not drawing a distinction between aristocrats *honestiores* and *humiliores* in his letter*,* but rather between the educated members of society and the illiterate rabble. As any urban dweller would have understood, literacy was concentrated among members of the *ordo,* members of public guilds such as the *collegia apparitorum* of municipal scribes, the urban professional classes, and lastly the servile population of trained slaves. The men found only with difficulty (*vix*) were the free and unobligated *literati*.

Like most pre-modern populations, the inhabitants of the Roman Empire were predominately unlettered. Literacy probably never surpassed 20% for any city's male population and more than likely remained between 5 and 10%.[83] Those rates would have declined with distance from urban centers, which would have made filling rural clerical positions even more difficult.[84] It is little wonder that men such as Augustine often derided country priests as "a herd

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[80] Idem, *Ep.* 22*.2 (*CSEL* 88, 348): *Nos autem in tantas coartamur angustias, ut non inveniatur genus hominum aut vix inveniatur, unde fiat ordinatio clericorum, maxime in civitatibus ubi aut ordinis viri sunt aut plebei; quos a collegiatis non apud nos posse discerni novit Sanctitas vestra…*

[81] See also *Concilium Hippo*. 393, canon 37 (*CCSL* 149, 43); *Concilium Carth.*16 June 401 (*CCSL* 149: 194-95).

[82] See Augustine, *Sermo* 356 (*PL* 39, 1575-1580).

[83] William Harris, *Ancient Literacy* (Cambridge, MA: Harvard University Press, 1991 (1989)), 320-321; Robert Browning, "Literacy in the Byzantine World," *Byzantine and Modern Greek Studies* 4 (1978), 39-54; Guglielmo Cavallo, *Lire à Byzance* (Paris: Les Belles Lettres, 2006). See the more optimistic responses to Harris, Nicholas Horsfall, "Statistics or States of Mind?" and Alan Brown, "Literacy in the Roman Empire: Mass and Mode" in Mary Beard et al. (eds.), *Literacy in the Roman World* (Ann Arbor: University of Michigan Press, 1991), respectively 59-76 and 119-132.

[84] Regions and cities naturally varied in the number of lettered men. Urban and suburban communities would have had many more literate Christians, while rural areas may have had more difficulty in providing literate clergy. Perhaps this is a hasty conclusion though. The

of ignorant clergymen."[85] Functional literacy, a liturgical requirement for the major clerical grades (lector, deacon, priest, bishop), would have been the greatest constraint on recruitment since it correlated tightly with other demographic factors such as gender, age, status, wealth, and urbanization.[86] Research on the textual culture of ecclesiastical communities has demonstrated, though, that Christian leaders remained steadfast about required clerical literacy, as evidenced above by Bishop Abraham's inspection of potential deacons' scribal skills. Late ancient Egyptian papyri in particular reveal a highly literate clergy participating in the vibrant administrative and epistolary culture of the day, as do their analogs in Ravenna.[87] Surveying the hundreds of clerical participants identified in papyrus documents, Ewa Wipszycka uncovered only ten illiterate clergymen for all of antiquity. The appearance of illiterate clerics is equally rare in hagiography[88]

The few figures we possess about the clergy's size in late antiquity allow for some rough gauging of the difficulty that recruiting a predominately literate clergy might pose. Vandal Carthage in the late fifth century claimed 500 "Catholic" clerics for a city of around 300,000 inhabitants, about the same figure Justinian set as the maximum number at Constantinople.[89] The

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excavation of a rural schoolhouse in Amheida, Egypt hundreds of miles from the Nile is instructive. See Raffaella Cribiore and Paola Davoli, "New Literary Texts from Amheida, Ancient Trimithis (Dakla Oasis, Egypt)," *Zeitschrift für Papyrologie und Epigraphik* 187 (2013), 1-14.

[85] Augustine, *Ep.* 202A 3.7 *(CSEL* 57, 306): *minus instructa clericorum turba*. The perceived incompetency of rural clerics was used to justify the gradual erosion of rural bishops' powers to ordain, as well as the ultimate replacement of stationed rural clergies with itinerant urban priests (*periodeutai*). See concern about rural ordinations in Synod of Gangra (340), canon 13; Synod Antioch (341), canon 10; Synod of Serdica (344), canon 6; Synod of Laodicea (380), canon 57.

[86] For the requirement of literacy, see *Nov. Just*. 6.4 (535 CE), 123.12 (546 CE); *Statua Ecclesiae Antiqua* 45 (*CCSL* 148, 173): *Omnes clerici, qui ad operandum sunt validi, et artificiola et litteras discant.*

[87] See Lincoln Blumell, *Lettered Christians: Christians, Letters, and Late Antique Oxyrhynchus* (Leiden: Brill, 2012), passim. Jan-Olaf Tjäder (ed.), *Die nichtliterarischen lateinischen Papyri Italiens aus der Zeit 445-700*, 3 vols. (Lund: C.W.K. Gleerup, 1955-82). It is also worth noting that the clerics who are attested in documents from Egypt and Ravenna are often multilingual.

[88] Ewa Wipszycka, "Le degré d'alphabétisation en Égypte byzantine," *Revue des Études Augustiniennes* 30 (1984), 279-296: 288-291. More clerics were "slow writers" than illiterates. See Todd Hickey, "A Fragment of a Letter from a Bishop to a "Scholastikos," *Zeitschrift für Papyrologie und Epigraphik* 110 (1996), 127-131; T.J. Kraus, "Slow Writers-βραδέως γράφοντες: What, How Much, and How Did They Write?" *Eranos* 97 (1999), 86-97. See also Malcolm Choat and Rachel Yuen-Collingridge, "A Church with No books and a Reader Who Cannot Read: The Strange Case of P. Oxy. 33.2673," *Bulletin of the American Society of Papyrologists* 46, 109-138.

[89] Victor of Vita, *Histioria persecutionis* 3.34 (Serge Lancel, *Victor de Vita*. *Histoire de la persecution vandale en Afrique* (Paris: *Les belles lettres*, 2002), 33. For the size of Carthage, see

fourth-century clergy at Rome likewise measured well into the hundreds for its roughly 800,000 citizens.[90] The bustling *emporium* of Apamea maintained seventeen priests, forty-two deacons, three sub-deacons, and fifteen readers for seventy-seven total,[91] while a few hundred miles away Edessa, the metropolis of Osrhoene, equally a city of thousands had almost triple the number of clerics at 200.[92] Sixth-century Ravenna, seat of the Exarchate of Italy, maintained sixty clerics with twenty-one priests and deacons for its community of 25,000-35,000 inhabitants.[93] Naples, the metropole of southern Italy, at the time of Gregory the Great had 226 clerics.[94] Episcopal lists and the records of synods have suggested at least 2,000 bishoprics in total by the fifth century, which corroborates a general principle that a bishop and a moderate-sized clergy existed in most recognized cities. If by Ray Van Damn's estimates the dioceses ca. 400 CE had on average fifty or more clerics, then Christian churches employed in excess of 102,000 clerics. [95]

At face value the clergy would have constituted only about .08% of the 12.5 million or so Christian male males around 400 (assuming 50% Christianization). Excluding minors based on the age distributions Bagnall and Freier documented in Egyptian census records, the eligible "ordainable" population slims down to 8,333,333 adult Christian men with the clergy consisting 1.2% of the "ordainable" population.[96] Literacy estimates between 5% and 20%, however,

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Andrew Wilson, "City Size and Urbanization in the Roman Empire," 184. For Constantinople, see David Jacoby, "La population de Constantinople à l'époque byzantine: une problem de démographie urbain," *Byzantion* 31 (1961), 81-109. The great cities also had armies of funerary workers and sick-attendants, technically clerics, such as Constantinople's 1100 *decani* or Alexandria's 600 *parabalani*. See *Nov. Just. 43* (536 CE); *C. Th.* 16.2.42-43 (416, 418 CE).

[90] Bertrand Lançon, *Rome in Late Antiquity: Everyday Life and Urban Change, AD 312-609*, trans. Antonia Nevill (New York: Routledge, 2001), 104.

[91] Eduard Schwarz and Johannes Straub (eds.), *Acta conciliorum oecumenicorum*, 4 vols. (Berlin: Walter de Gruyter, 1924-1971), Respectively, 3:106 and 2.1: 386, 394-6

[92] Jones, *Later Roman Empire*, 908.

[93] Bernard Bavant, "Cadre de vie et habitat urbain en Italie centrale byzantine," *Mélanges de l'École française de Rome: Moyen âge-temps modernes* 101 (1989), 465-532.

[94] Jeffrey Richards, *The Popes and the Papacy in the Early Middle Ages, 476-752* (New York: Routledge, 1979), 303.

[95] Ray Van Dam, "Bishops and Clerics during the Fourth Century: Numbers and Their Implications," in Johan Leemans et al. (ed.), *Episcopal Elections in Late Antiquity* (Berlin: de Gruyter, 2011), 217-242. For Christianization estimates, see Keith Hopkins, "Christian Number and Its Implications," *Journal of Early Christian Studies* 6.2 (1998) 185-226.

[96] We find *adolescentia* as the minimum as early as Cyprian (d. 258 CE), *Ep*. 31.1-2. I have rounded Bagnall and Freier's statistics to the nearest simple fraction for all my calculations, e.g., 32.1 % = 1/3. See the section on male age distribution in Bruce Freier and Roger Bagnall, *The Demography of Roman Egypt* (Ann Arbor: University of Michigan Press, 1994), 91-110: 91.

contract the number of "ordainable" men to a much smaller range of 416,667 - 1,666,667 (6.1-24.5%). One out of every four to sixteen literate Christian adult males would have needed to be a cleric. By this logic, even before its windfall growth in the fifth century, the Church would have held a sizeable portion of all literate adult males (833,333 - 3,333,330). Although these are merely estimates, the limits of the literate population explain the predicament of bishops such as Gelasius, Augustine, and Basil Caesarea among others who rued the rarity of competent men. The same parameters applied to standardized cities of 1,000 (rural town) and 10,000 (medium city) Christian souls help shed even more light on local frustration. By simple probability a robust city of 10,000 must have had fewer than 1000 literate men total, a small town less than 100. The clergies at Apamea and Edessa, respectively 77 and 200, would have represented sizable chunks of a medium city's "ordainable" population without taking into account any groups barred from ordination by imperial or ecclesiastical restrictions. The question becomes thus: *what types of men possessed a decent enough education to make them desirable, but were not accounted in a group that could arouse legal or social trouble*?

"Hopes in Letters": Education, Social Mobility, and the "Goldilocks" Candidate

Education in antiquity was intrinsically connected with wealth, status, and the economic planning of individual domestic units. "Short life expectancy limited the returns to, and increased the risk of, investments in children's skills." Most laborers were thus largely unskilled.[97] On account of this, literacy and education more generally must be seen as purposeful instruments to maintain or improve a domestic unit's socio-economic conditions. This was as true for the sons of senators and guildsmen as for slaves to be trained, worked, and sold. Since there was no schooling for any ecclesiastical functions, Christian churches had to avail themselves of the educational investments, which families, individuals, and occupational organizations had already expended on potential clerics.[98] As I have already suggested, legislative constraints on clerical recruitment were intended to protect the exploitation of these investments by certain social institutions (households, cities, guilds) and by the state itself. In ordination, churches acquired access to these human capital investments, though not necessarily in a monopolistic fashion., we

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Walter Scheidel has challenged the confidence of scholars in estimating the proportions of age groups in the Empire. See Walter Scheidel, "Roman Age Structure: Evidence and Models," *Journal of Roman Studies* 91 (2001), 1-26.

[97] Richard Saller, "Household and Gender," in Ian Morris, Richard Saller, and Walter Scheidel (eds.), *The Cambridge Economic History of the Greco-Roman World* (Cambridge: Cambridge University Press, 2007), 87-112: 110; idem, "Human Capital and Economic Growth," in Walter Scheidel (ed.), *The Cambridge Companion to the Roman Economy* (Cambridge: Cambridge University Press, 2012), 71-86.

[98] Ewa Wipszycka, "The Institutional Church," in Roger Bagnall (ed.), *Egypt in the Byzantine World 300-700* (Cambridge: Cambridge University Press, 2007), 331-349: 343; Henri-Irenée Marrou, *A History of Education in Antiquity*, trans. George Lamb (Madison: University of Wisconsin Press, 1982 (1956)), 334-339.

may take it as a general rule that the other "employers" of the Roman Empire preferred to not share their human capital with the Church.

Prosopographical research on the rank-and-file clergy as well as studies of the late ancient episcopate points towards a clergy of small-scale landlords, physicians, bureaucrats, lawyers, skilled artisans, and merchants, that is, the independent and the somewhat educated.[99] Although the *curiales* and urban professionals were more educated men than workers in banausic trades, we should not discount completely the intellectual abilities of merchants and artisans. Their families would have encouraged literacy as a business skill, i.e., for long-distance communication, legal contracts, and record keeping, and many, we know, invested in their children's formal education in pursuit of social mobility.[100] Nor should we place too much social distance between merchants, professionals, and *honestiores*. Evidence from Italy, Egypt, and beyond has confirmed that many members of local aristocracies, i.e., *curiales* earned their wealth and corresponding social status in mercantile businesses, artisan shops, and financial speculation.[101] Senior magistrates of mercantile guilds often won automatic admission into the local town-councils.[102] Perhaps one of Timgad's *duumviri* on the Album that began this chapter had made his fortune in the textile business like the *duumvir* and weaver Caecilianus of Aptungi in Africa Proconsularis; or perhaps one of the *flamenes* ran a household of fullers like the *flamen* Messius Pacatus of Gigthis.[103] These merchants along with average professionals and land-owning *curiales* represented a fairly comfortable group, earning sufficient incomes to bear the risks of education costs in order to add knowledge and skills to the family portfolio. This group, which has come to be called the "middling sort" in modern scholarship,[104] probably consisted of

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[99] See note 6 above.

[100] Neville Morley, *Trade in Classical Antiquity* (Cambridge: Cambridge University Press, 2007), 76-77.

[101] Henrik Mouritsen, "Mobility and Social Change in Italian Towns during the Principate," in Helen Parkins, ed., *Roman Urbanism beyond the Consumer City* (London: Routledge, 1997), 59-92.

[102] See Van Nijf, *Civic World,* 212-216; Philip Harland, *Associations, Synagogues, and Congregations: Claiming a Place in Ancient Mediterranean Society* (Ontario: Fortress 2013), 87-90, 108-110. See Venticinque's analysis of the late Roman evidence, Philip Venticinque, *Common Causes: Guilds, Craftsmen, and Merchants in the Economy and Society of Roman and Late Roman Egypt* (Diss. University of Chicago, 2009),195-244.

[103] Optatus of Milevis, *De schismatice Donatistarum*, Appendix 2 (*CSEL* 26); AE 1915, 44.

[104] Peter Brown, "The Study of Elites," 340. For the middling sort, see the rich theoretical essay in Mayer, *The Ancient Middle Classes*, 1-21. For what "middling sort" means in terms of income and spending power, see Steven Friesen and Walter Scheidel, "The Size of the Economy and the Distribution of Income in the Roman Empire," *Journal of Roman Studies* 99 (2010), 61-91; Yizhar Hirschfeld, "Farms and Villages in Byzantine Palestine," *Dumbarton Oaks Papers* 51 (1997), 33-71.

6-12% of the population. These were in Ammianus Marcellinus' classification the *urbium primates*, who existed between the true *honorati* and the regular *plebei*.[105] Portions of this group not in formal guilds or having not caught the notice of the local *curia* for their amassed wealth could enter the Church freely.[106]

Secondly, the same moralizing rationale that led emperors to bestow tax benefits on the clergy also prompted them to subsidize many of the occupations that "middling" individuals held. Over the course of the fourth century, Constantine and his successors affirmed tax exemptions to grammarians, physicians, professors, and orators (attorneys), as well as extended them to members of the artisan classes including architects, stonecutters, veterinarians, and smiths of all sorts.[107] These changes helped many hands-on and fee-based occupations shed their ignoble and servile. These policies reduced the risk and improved the payoff of pursuing training in these careers for modest men, while the increased social prestige of these occupations on account of their imperial recognition as honorable professions allowed the men who plied them to gain more respectability and clout.[108] Over the same period, the language of civic honor began

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[105] Ammianus Marcellinus, *Res gestae* 14.7.1 (*LCL* 300, 52). For this "in-between" and fluctuating group, see Geza Alföldy, *The Social History of Rome*, trans. David Braund and Frank Pollock (New York: Routledge, 2014 (1988)), 192-193; André Chastagnol, *Le Bas-Empire* (Paris: Armand Colin, 1991 (1969)), 58-59.

[106] Friesen and Scheidel, "The Size of the Economy," 84-85.

[107] See the exemptions for physicians, professors, and orators at *C. Th.* 13.3.3 and 13.3.16 (333 and 414 CE). See exemptions for architects and other artisans at *C. Th.* 13.4.2-3 (337 and 344 CE).

[108] See the classic Keith Hopkins, "Social Mobility in the Later Roman Empire: The Evidence of Ausonius," *Classical Quarterly* 55 (1961), 239-249. For the increased social mobility of grammarians, see Robert Kaster, *Guardians of Language: The Grammarian and Society in Late Antiquit*y (Berkeley; University of California Press, 1997), 97-134. For the social status of physicians, see Henry Willy Pleket, "The Social Status of Physicians in the Graeco-Roman World," Philip van der Eijk, Hermann Horstmanshoff, and Petrus Schrijvers (eds.) *Ancient Medicine in its Social-Cultural Context: Papers Read at the Congress Held at Leiden University, 13-15 April, 1992*, vol. I (Atlanta: Rodopi, 1995), 27-33; Masao Kobayashi, "The Social Status of Doctors in the Early Roman Empire," in Toru Yuge and Masaoki Doi (eds.), *Forms of Control and Subordination in Antiquity* (Leiden: Brill, 1988), 416-19. See also Susan Mattern, "Physicians and the Roman Imperial Aristocracy: The Patronage of Therapeutics," *Bulletin of the History of Medicine* 73.1 (1999), 1-18. For the increased social status of architects, see Serafina Cuomo, *Technology and Culture in Greek and Roman Antiquity* (Cambridge: Cambridge University Press, 2007), 131-164. For the increased opportunities to municipal scribes and bureaucrats, see Nicholas Purcell, "The *Apparitores*: A Study in Social Mobility," in *Papers of the British School at Rome* 51 (1983), 125-173. For bankers, see Jean Andreau, *Banking and Business in the Roman World* (Cambridge: Cambrige University Press, 1999), 30-49; Samuel J.B. Barnish, "The Wealth of Julius Argentarius: Late Antique Banking and the Mediterranean Economy," *Byzantion* 55 (1985), 5-38.

to permeate down to occupational groups far humbler and far more commercial than local magistrates and bureaucrats (*apparitores*). Even the affairs of bankers, so often maligned for their avarice, could be reckoned as an "*officium atque ministerium"* for their services rendered "for public concern (*causa publica*)."[109] One could imagine the wince of a Cato or a Seneca at so covetous an occupation being called a public *officium*.

As Alexander Skinner has pointed out, given the crucial role that the state and the public sphere played in this new economy of honor, we should perhaps call this new fluidity "political mobility" rather than social mobility. [110] The clergy's new status and mobility were no less political in nature. "The clergy became distinguished because they were privileged."[111] Clerics deserved this status because they performed divine services on behalf of the Roman state and thus in that capacity served the larger population. As Justinian's *Digest* explains, within the Roman imagination anything involving sacred matters, priesthoods, or magistracies was public in nature (*publicum ius in sacris, in sacerdotibus, in magistratibus constitit*).[112] State servants and those granted its beneficence were naturally public magistrates. Indeed, since the days of Tertullian, authors had articulated the *utilitas* of the clergy as being on par with men of "publically useful arts" such as physicians, grammarians, educators, and advocates. His African compatriot Arnobius of Sicca similarly ranked Christian leaders among "men of natural quality" such as "grammarians, doctors, philosophers, orators, jurisconsults." [113] These were the type of liberal arts professionals that had long cultivated a conscientious persona of public service and philosophical humility, which Christian clerics actively sought to usurp.[114] Studies of episcopal officeholders have unsurprisingly revealed that it was common for bishops to have held careers as these types of "public" professionals, that is, as physicians, professors, lawyers, and civil

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[109] *Digest* 2.13.10.

[110] Alexander Skinner, "Political Mobility in the Later Roman Empire," *Past and Present* 218.1 (2013), 17-53.

[111] Peter Brown. *Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550 AD* (Princeton, NJ: Princeton University Press, 2012), 128.

[112] *Digest* 1.1.1.2.

[113] Tertullian, *De pallio* 6.2 (*CCSL* 2, 750): *Habeo et alias artes in publico utiles. De meo vestiuntur et primus informator literatum, et primus edomator vocis, et primus numerorum arenarius, et grammaticus, et rhetor, et sophista, et medicus, et poeta, et qui musicam pulsat, et qui stellarem conjectat, et qui volaticam spectat.* Arnobius, *Adversus nationes* 2.5.4 (*CCSL* 25A, 122)*: Quod tam magnis ingeniis praediti oratores grammatici rhetores consulti iuris ac medici, philosophiae etiam secreta rimantes magisteria haec expetunt spretis quibus paulo ante fidebant.*

[114] Jaclyn Maxwell, "Education, Humility and Choosing an Ideal Bishop in Late Antiquity," in Johan Leemans et al. (eds.), *Episcopal Elections in Late Antiquity* (Berlin: de Gruyter, 2011), 449-462.

servants.[115] Perhaps most tellingly emperors set as the punishment for abandoning clerical duties a forced return to public service elsewhere. Rich clerics (*cum substantia*) were to return to their *curia*, poor ones (*sub inopia degens*) were to be enlisted as provincial paper-pushers.[116] The very assumption that clerics were capable of administrative service belies their perceived job skills. It should be equally as unsurprisingly that clerics and public professionals fell into the same income range, signaling at least in a market sense their comparability.

The interconnection between the Church and the radical new mobility of the age can perhaps best be captured by Gregory of Nyssa's disdainful description of an Arian opponents' rapid social rise. Eunomius the Arian bishop of Cyzicus in fourth-century Cappadocia was the son of a poor farmer, but acquired skills in stenography that eventually enabled him to afford studies in forensic rhetoric.[117] After a period of practice at Constantinople he returned home to a bishopric. His Arian mentor, a certain Aetius, had labored as a goldsmith in Antioch before receiving medical training; his renown earned him a deaconship in Antioch before being called to the court at Constantinople for ordination as an unassigned bishop. These were the type of men that John Chrysostom and the like assumed could escape their humble backgrounds (*tapeinos kai ek tapeinon*) through lettered occupations.[118] Good fathers, they took for granted, urged their children to acquire lettered skills to acquire wealth through Roman legal apparatus. In assuming the cost of education, parents such as Augustine's or Chrysostom's placed their "hopes in letters."[119] Formal education could strain families, as Augustine and John Chrysostom implied, but the chance for social mobility justified the cost. [120] There were many access points to these careers, though, such as apprenticeships or taking on a more affluent patron as

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[115] Frank Gilliard, *The Social Origins of Bishops in the Fourth Century* (Diss. University of California-Berkeley 1966), 135-145: 135.

[116] *Nov. Just.* 6.7 (535 CE): *Semel autem secundum haec factos diaconos aut presbyteros nullo modo derelinquere sacerdotium. Quod non solum in presbytero et diacono sancimus, sed et si subdiaconus aut forte lector fuerit aliquis, neque hunc relinquere pristinum schema, et ad alteram migrare vitam, scientem quia, si tale aliquid egerit, secundum quod iam a nobis sancitum est aut in curiam cum substantia, aut sub inopia degens ad officialem deponitur fortunam.* See a similar point about unfit clerics issued by Arcadius, *Const. Sirm.* 9 (408 CE):

[117] Gregory of Nyssa, *Contra Eunomium* 1.50 (*SC* 521, 72): πρῶτον μὲν τῆς Προυνίκου σοφίας γίνεται μαθητής, καὶ γράφειν εἰς τάχος ἐκμελετήσας συνῆν τὰ πρῶτα τῶν ἐκ τοῦ γένους οἶμαί τινι, μισθὸν τῆς ἐν τῷ γράφειν ὑπηρεσίας τὴν τροφὴν ἔχων, εἶτα παιδαγωγῶν τοῦ τρέφοντος αὐτὸν τὰ μειράκια κατ᾽ ὀλίγον εἰς ῥητορικῆς ἐπιθυμίαν προέρχεται.

[118] John Chrysostom. *Adversus oppugnatores* 3.5 (*PG* 47, 357). For the flexibility of the term poor, see Peter Brown, *Poverty and Leadership in the Later Roman Empire* (Waltham, MA: Brandeis University Press, 2001), 48-50.

[119] Augustine, *Confessions* 2.3.8 (James J. O'Donnell, *Confessions: Introduction and Text* (Oxford: Clarendon, 1995), 18): *spes litterarum, quas ut nossem nimis volebat parens uterque…*

[120] John Chrysostom, *De sacerdotio* 1.2.54-56, 1.2.71-73 (*SC* 272, 62-68).

Augustine's father had. Some educators such as the celebrated Libanius even took charity cases with a sliding scale of fees.[121]

That Augustine and Chrysostom's remarks about upward social mobility come in works defending the ascetic life carries a certain irony. The educational structures intended to train the future officials of the empire and to perpetuate urban economies were now educating a sizable portion of the Church's labor force. The increased propensity of the Roman state to incentivize education and employment in certain skilled occupations not only increased the number of individuals with literate occupations, but in granting them exemptions placed them outside of the local municipal records for long periods of their adult lives. No doubt, slipping into the clergy was easier for such men than for those who regularly engaged with the tax-*munera* apparatus. A perversely simple reasoning may lie behind the typical Christian labor pool. Bishops had to balance exposure to the risk of social conflict in ordination with the desire to gain educated, pious individuals. The "ideal" recruit would be a free, educated, and unobligated plebian or an *honestior* who had already evaded the rolls of his local senate. These men were "free agents" in the urban economy, capable of moving into the clergy with little fuss. For instance, let us consider bishop Eunomius above who went from local stenographer to lawyer at the capital. Even if the former pauper had property back in his native Dacora and his wealth had reached the minimum 300 solidi or so for registration in his town council, it is hardly plausible that the local magistrates would have contested his distant ordination.[122] He had been poor and too long away from his home to be noticed. We may also think of a figure such as Augustine, the once lowly grammarian of Thagaste (373/4 CE). He was already exempted from burdens when he abandoned his homeland for more illustrious positions at Carthage and Milan (374-386 CE). Augustine's ordination at Hippo in 391 CE would have mattered little to Thagaste's councilmen who had probably not laid eyes on him for some years—he had already divested himself of most of his patrimony anyway. The same mitigating factors may have protected Chrysostom, Gregory of Nazianzus, and countless other curial clerics from being snatched back to their local councils.

Recruitment and Institutional Innovation

One feels, occasionally, a sense of apoplectic shock among many historians that the Christian clergy was not made up solely, as J. B. Bury once thought, of "county people," "decurions," "provincial magnates," and bourgeois professionals.[123] Even Peter Brown, who taught generations of scholars to recognize the elite bonds of *paideia* shared between aspirant bishops and senators, has conceded that the clergy overall was a rather "dull lot," characterized by "an unrelenting middle-ness." They were a group whose social backgrounds were "rarely higher than

[121] See the cost of education in Raffaella Cribbiore, *The School of Libanius in Late Antique Antioch* (Princeton, NJ: Princeton University Press, 2007), 183-191.

[122] *Nov. Val.* 3.4 (439 CE).

[123] J. B. Bury, *A History of the Later Roman Empire: From the Death of Theodosius I to the Death of Justinian* (New York: Dover, 2011), vol. I, 42.

that of the small-town grammarians."[124] Plenty of clerics in late antiquity were forced, in Basil of Caesarea's disapointed opinion, to "earn their daily keep by working sedentary crafts."[125] The papyri evidence from Egypt and funerary inscriptions have given insight into what Basil means by "*hedraias tōn technōn metacheirizesthai*." They were cider-dealers, doctors, bankers, wine merchants, lawyers, notaries, even some smiths and tentmakers.[126] They were not modest artisan clerics either. Merchants and tradesmen also ascended to episcopal thrones in locations as disparate as Alexandria, Egypt; Maiouma, Palestine; Merida, Spain; Aquino, Italy, and post-Roman Paris.[127] Compared to the overall population of unskilled laborers with no chance of social mobility or the accretion of wealth, one would be pressed to call this group an underclass, although one might concede that the rural clergy of *coloni* and camel-drivers was a different story.

There could be, for instance, ancillary benefits to having clergymen with connections to commerce such as banking or to shipping rather. We know, for example, that a certain Photinos at Hierapolis was a priest and a banker (*trapezites*), that fifth-century presbyter from Ephesus named Ioannis was also a banker (*trapezites*) and money dealer (*arguroprates*), and that a banker-priest named Romanos was buried in Korykos.[128] Although many late ancient authors had harsh words for usurious moneylending, their qualms with financiers seem to have ended there; the lending, exchange, and storage of money by clerics must not have ritualistically defiled them or made them too unappealing for ordination.[129] The major concern for ancient Christians

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[124] Peter Brown, "The Study of Elites," 340.

[125] Basil of Caesarea, *Ep.* 198.1.21-26 (Adapted *LCL* 243, 100-101): Καὶ γὰρ εἰ καὶ πολυάνθρωπόν πως εἶναι δοκεῖ τὸ ἱερατεῖον ἡμῶν, ἀλλὰ ἀνθρώπων ἀμελετήτως ἐχόντων πρὸς τὰς ὁδοιπορίας, διὰ τὸ μήτε ἐμπορεύεσθαι μήτε τὴν ἔξω διατριβὴν αἱρεῖσθαι, τὰς δὲ ἑδραίας τῶν τεχνῶν μεταχειρίζεσθαι τοὺς πολλούς, ἐκεῖθεν ἔχοντας τὴν ἀφορμὴν τοῦ ἐφ'ἡμέραν βίου.

[126] Cider-dealer (*MAMA* 3.760); Romanos the banker and priest (*MAMA* 3.676). Eugenius the priest and goldsmith, (*MAMA* 3.336); Samuel the reader and wine merchant (*MAMA* 3.682).

[127] George, the Arian bishop of Alexandria was born to a fuller. Ammianus Marcellinus, *Histories* 22.11.4; Zeno of Maiouma was a weaver. Sozomen, *Historia ecclesiastica* 7.28.7; Fidelis of Merida was a maritime merchant (*negotiatores Graecos in navibus*). *Vitas sanctorum patrum Emeretensium* 5.1; Jovinus of Aquino was a fuller. Gregory the Great, *Dialogues* 3.8.2; Eufronius of Paris was also a negotiator. He was also a Syrian. Gregory of Tours, *Decem libri* 7.31.

[128] See no. 125 above.

[129] For early Christian thoughts on lending and usury, see Thomas Moster, *Die patristische Zinslehre und ihre Ursprünge: Vom Zinsgebot zum Wucherverbot* (Winterthur: Verlag Hans Schellenberg, 1997); Robert P. Maloney, "Early Conciliar Legislation on Usury: A Contribution to the Study of Christian Moral Thought," *Recherches de théologie ancienne et médiévale* 39 (1972), 145-57; idem, "The Teaching of the Fathers on Usury: An Historical Study on the Development of Christian Thinking," *Vigiliae Christianae* 27 (1973), 241- 265.

was much more absentee clergymen "traveling around the provinces to engage in profitable ventures" not the taboo of commerce.[130] What did communities gain from these men besides outside of performance of sacred liturgical functions? They gained savvy accountants and managers, if not patrons. Moneylenders were useful allies for any corporate body undertaking capital projects such as church building. The city of Merida, Spain even established an interest-free or low-interest charitable bank for the city's needy.[131]

There were also direct benefits for the Church in having clerics connected to seafaring and trading in port cities such as Korykos mentioned above. While John the sub-deacon and knotter of fishing nets or Marinus, priest and tailor of sails might seem pretty lowly, social bonds with fishermen, helmsmen, and shippers could be useful for a seaside town's charitable activities or sending clergymen abroad.[132] Such a phenomenon is apparent in the river-towns of Egypt. Ammon, a priest, captain, and ship-owner worked amid the prosperous shipping trade at Oxyrhynchos when he was not performing the mass. His fellow ship-owner Apollonius was the son of the local bishop Dionysius.[133] In the port cities of Egypt, as early as the third-century, the Patriarchate of Alexandria was organizing a network of shippers involved in trans-Mediterranean trade in order to maintain the flow of wheat and wine up and down the Nile. [134] Having clerics connected to the shipping industry was as useful as having local bakers such as Gerontios the priest and wine-merchants such as Samuel the reader who could supply wares for the mass.[135] Of course, the particular admission of bankers, bankers, and seafarers into the clergy can hardly be said to have altered the institutional character of the Church *in toto*. Even if some sees dabbled in the grain industry or took out loans from their clergy's business associates, these activities did

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[130] See Cyprian, *De lapsis* 6 (*CCSL* 3, 223-224): *derelicta cathedra, plebe deserta, per alienas provincias oberrantes, negotiationis quaestuosae nundinas aucupari*…. The Concil of Elvira (302/3) fifty years later sought to forbid formally at least bishops, priests, and deacons from travelling for business purposes. It recommends instead the use of intermediaries. See *Concilium Iliberritanum* 19.235-240 (Gonzalo Martinez Diez and Felix Rodriguez (eds.), *La colección canónica hispana* 4.1. *Monumenta Hispaniae Sacra*, *Serie Canonica* 4 (Madrid: Instituto de Educación Secundaria Enrique Flórez, 1984), 248: *Episcopi, presbyteri, et diaconi, de locis suis negotiandi causa non discedant, nec circumeuntes provincias quaestuo- sas nundinas sectentur. Sane ad victum sibi conquirendum aut lium, aut libertum, aut mercenarium, aut amicum, aut quemlibet mittant, et si voluerint negotiari, intra provinciam negotientur*.

[131] *Vitas sanctorum patrum Emeritensium* 5.3.3-5 (*CCSL* 116, 192-194).

[132] Respectively (*MAMA* 3.463) and (*MAMA* 3.582).

[133] Nikolaos Gonis, "Ship-Owners and Skippers in Fourth-Century Oxyrhynchus," *Zeitschrift für Papyrologie und Epigraphik* 142 (2003), 163-165.

[134] Michael Hollerich, "The Alexandrian Bishops and the Grain Trade: Ecclesiastical Commerce in Late Roman Egypt," *Journal of the Economic and Social History of the Orient* 25.2 (1982), 187-207.

[135] George the baker (*P. Bodl*. 1.37, ca. 600 CE); Samuel the wine-merchant (*MAMA* 3.682).

not become habitual institutional practices across the Mediterranean basin. The professional habits of other occupation-holders who frequently joined the clergy did though, namely lawyers, bureaucrats, and physicians.

More so than other occupational categories we find bishops and other clergymen having been trained for legal professions and governmental positions. Careers in law were the swiftest way to climb the social ladder in the late Empire. A full rhetorical education qualified a person for a career in local magistracies, in the state bureaucracy, or the hierarchy of legal bars. A rhetorical education "could also function as a stepping stone to advancement in an imperial church."[136] Men with golden tongues could "command instant respect from those lower in society, and recognition as an equal from the privileged."[137] It was an ideal training for preachers, whether priests or bishops, and for clerical disputants during councils and moments of ecclesiastical controversy. Furthermore, the increased entanglement of the Church with the Roman court system in lawsuits and legal transactions increased the appeal of clerics with at least some perfunctory exposure. "Christian communities needed skilled forensic practitioners in order to exploit the structures of Empire to their advantage."[138] These two points are nowhere more apparent than in the century-long feud over ecclesiastical properties and theological high ground that we call the Donatist controversy. Despite its reputation as a violent spate between warring churches, the bulk of the conflict occurred in the debate hall and the courtroom.[139]

Hence, many legal practitioners and low-level bureaucrats rose quickly through the ranks after ordination—some like Ambrose of Milan moved straight to the episcopal throne in *per saltum* ('through a leap') elections. Euthalius of Cyrrhus, for instance, was a former a *memorialis* in the *sacred scrinium*. Augustine's friend Alypius of Thagaste was an assessor to the *comes largitionum Italicianarum,* a sort of tax attorney for the state. Marathonius of Nicomedia was a *numerius* in the office of the praetorian prefect. Heladius of Caesarea was a *peraequator* of the census, Evodius of Euzalis an *agens in rebus*, a local spy for the state. Augustine and John Chrysostom's parents both intended them for careers in the court. Chrysostom later recalled of his youth that he had been "a never-failing attendant of the court."[140] He intended to follow in his father Secundus' footstep; Secundus had moved from mere lawyer to a coveted position in the

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[136] Jill Harries, *Law and Empire in Late Antiquity* (Cambridge: Cambridge University Press, 1999), 191-211; Hübner, *Klerus*, 276.

[137] Ramsay Macmullen, *Voting About God in Early Church Councils* (New Haven, Conn: Yale University Press, 2006), 10.

[138] Caroline Humfress, *Orthodoxy and the Courts in Late Antiquity* (Oxford: Oxford University Press, 2007), 144-145. Richard Lim, *Public Disputation, Power and Social Order in Late Antiquity* (Berkeley: University of California Press, 1995), especially pp. 70-148, 217-235.

[139] Brent Shaw, *Sacred Violence,* passim*;* Leslie Dossey, *Peasant and Empire in Christian North Africa* (Berkeley: University of California Press, 2010), 175-194. Konrad Vössing, *Schule und Bildung im Nordafrika der römischen Kaiserzeit* (Brussels: Latomus, 1997), 613-624.

[140] Cf. Augustine, *Confessions* 3.6: Chrysostom, *De sacerdotio* 1.2.

officium of the *magister militum per Orientem*.[141] Below the episcopacy, we find men like the deacon and advocate (*nomikos*) memorialized in Korikos.[142] On the desert edge of Nubia we encounter a rustic funerary marker that requests that "the Lord and the Theotokos still the soul of the most blessed Marinos a priest and lawyer (*nomikos*)."[143] Already by the council of Sardica (343 CE), bishops began to express concerns about the overeager selection of lawyers (*scholastichi*) and former bureaucrats (*ex administratione*) for clerical positions, especially the episcopal throne.[144]

With the Church acquiring more resources and entering into more complex legal relationships, the utility of having trained lawyers grew exponentially. As will shall see in the third chapter, the protection of clerics and church property prompted the creation of the office the *defensor ecclesiae* (*ekklēsiekdikos*) or church attorney, who served an analogous function to the *defensores civitatis* who defended municipalities in legal matters. At first limited to Italy and Africa, *defensores ecclesiae* quickly spread to the Greek east. Although these men were originally drawn from the recognized bars of regional districts, over the course of the fifth century church lawyers were clericalized into the established ecclesiastical hierarchy.

Men of lowlier bureaucratic positions associated with the legal system such as *officiales* (local record-keepers) and notaries also joined the clergy. Such notaries, respectively *notarii*, *exceptores*, *tabelliones,* or *tachugrapho*i, served as both private shorthand writers as well as public officials in government posts; yet, they were more than just quick-handed amanuenses. Notaries as public functionaries possessed specialized knowledge of legal formulae, technical abbreviations, and methods for document authentication. As the Church's administrative apparatus grew, no doubt notaries became prized for their ability to execute legal transactions, their stenographic skills at synods, and their penchant for record keeping. By the sixth century major sees such as Constantinople and Rome had begun to organize their *notarii* into *scholae* à la the imperial apparatus.[145]

As we shall see in the third chapter, medicine as a healing profession also made for an easy conceptual transition to the care of the soul.[146] Christian Schulze's study of late antique physicians records no less than thirty-seven documented physician-clerics following in the

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[141] A. H. M. Jones, "St. John Chrysostom's Parentage and Education," *The Harvard Theological Review* 46. 3 (1953), 171-173.

[142] *MAMA* 3.348, 3.647.

[143] *IGChrEg* 651: του κυριου ημων και της θεοτοκου αναπαυσω την ψυχην του μακαριτου Μαρινου πρεσβυτερου κ(αι) νομικου.

[144] Adapted from Hamilton Hess, *The Early Development of Canon Law and the Council of Sardica* (Oxford: Oxford University Press, 2002), 220-221.

[145] See pp. 244-260 below.

[146] See pp. 176-220 below.

footsteps of Luke.[147] Historical and hagiographical sources place them across the empire from Pope Eusebius in Italy and the martyr Zenobius of Aegae in Cilicia, to Blasius, a bishop and martyr in Armenia, and Paul of Merida in Spain, "a Greek by nationality and a doctor by trade."[148] Their learning and charitable healing bespoke to their natural qualities for Christian leadership. To these men in the textual record, we can add the physician-clerics found on inscriptions and papyri, from the archdeacon and physician Pantoleon in Cilicia to "Anouthis, a deacon from Hermopolis and a most worthy doctor" who subscribed a land transaction.[149]

As Christian hospitals proliferated in the east, the flood of medical practitioners into the Church changed from a steady trickle to torrents.[150] "Above all in the case of deacons, entrusted with the church's charity, men with medical training were sought-out candidates."[151] The need for church physicians, ordained or not, was easily filled in the East as the great medical schools, most prominently Alexandria and the island of Kos were not too distant. The prior management of charitable institutions (hospitals, poor-houses, orphanages) became an especially important prerequisite for the Patriarchate of Constantinople. Acacius of Constantinople (471-489 CE), for instance, managed an orphanage in the capital before his election. His successor Euphemius was director of an orphanage at Neapolis when elected. Bishop Menas (536-552) slightly later would assume the throne after having led the grand Sampson Xenon-Hospital built by Justinian before his election—it is a path that would follow well into the Byzantine period.[152]

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[147] See the appendix of Christian physicians in Adolf,235-239.

[148] *Vitas sanctorum patrum Emeretensium* 4.1 (*CCSL* 116, 25): *Referunt multi sanctum virum nomine Paulum, natione Graecum, arte medicum, de Orientis partibus in Emeritensem urbem advenisse*

[149] *MAMA* 3.167: σωματοθήκη Παντολέοντος Πέτρου ἀρχιδιακ(όνου) κ(αὶ) ἰητροῦ; *P. Lond.* 3.1044, ll. 38-39: Ἀνοῦθις Ἰωσηφίου διάκονος ἀπὸ Ἑρμουπόλεως καὶ ἰατρὸς ἀξιωθεὶς ἔγραψα ὑπὲρ αὐτῆς γράμματα μὴ εἰδυίας.

[150] For the history of the Christian hospital, see Demetrios Constantelos, *Byzantine Philanthropy and Social Welfare* (New Brunswick, NJ: Rutgers University Press, 1968); Timothy Miller, *The Birth of the Hospital in the Byzantine Empire* (Baltimore, MD: Johns Hopkins University Press, 1997(1985)); Andrew Crislip, *From Monastery to Hospital: Christian Monasticism and the Transformation of Healthcare in Late Antiquity* (Ann Arbor: University of Michigan Press, 2005). For developments in the West, see Hendrik Dey, "*Diaconiae*, *Xenodochia*, *Hospitalia* and Monasteries: 'Social Security' and the Meaning of Monasticism in Early Medieval Rome," *Early Medieval Europe* 16 (2008), 398-422

[151] Hübner, *Klerus,* 161: *vor allem Diakone mit karitativen Aufgaben betraut wurden und Männer mit medizinischer Ausbildung sicherlich gesuchte Kandidaten für diese Posten waren, erklärt dies, warum die Ärzte gerade so oft gerade im Rang eines Diakons standen.*

[152] Demetrios Constantelos, "Physician-Priests in the Medieval Greek Church," *The Greek Orthodox Theological Review* 12.2 (1967), 141-153.

With so many new and different needs, which often required specialized skills, the flow of trained men into the Church had to be maintained (if not encouraged). These new functions demanded that bishops weigh the intellectual portfolios as well as his character and charisma. As Ambrose of Milan explained on ecclesiastical duties, "a bishop should give consideration to all these facts and should appoint each man to the duty to which he is suited."[153] Yet, as should be reminded again, training had to be acquired in private education or during periods of professionalization. This leads us to two questions, two questions that cannot be answered in this chapter. First, at what point did clerics begin to train younger clerics to perform such tasks? That is, when did deacon-physicians begin to apprentice medical novices in church hospitals or *notarii* teach formularies to the next generation of record-keepers? It is a question that one might pose about late ancient ecclesiastical communities but the evidence is scant.

Relatedly, we might ask why Christian leaders never put the educational experience of former pedagogues, grammarians, and professors to use in formal schools? As early as the third century, educators had been elevated to the ranks of the clergy. Malchion of Antioch, for instance, held the presidency of a primary school at Antioch while serving as a presbyter.[154] From the fourth century forward the number increases. Victor of Cirta was a grammarian and a lector.[155] Apollinaris of Laodicea taught as a grammarian and served a presbyter, while his son the rhetorician of the same name would become a bishop and fierce Arian opponent.[156] Their contemporary Basil of Caesarea taught rhetoric briefly in his native Caesarea before his ascetic turn. His pedagogical insights experiences and insights proved valuable in his famous address *To Young Men* on the proper use and study of the Classics. Augustine spent nine years at Carthage teaching rhetoric, or as he equated it later, "conquered by greed I sold fine-speech for vanquishing." Hoping to find more disciplined students and greater fortunes (*maiores quaestus*), he moved his school to Rome before taking a professorship in rhetoric at Milan.[157] John of Antioch and Pomerius of Arles were both celebrated grammarians and priests.[158] Zakai above was a schoolmaster in Edessa before he was elevated against canon law to the empty episcopal

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[153] Ambrose of Milan, *De officiis* 1.215 (Ivor Davidson (ed. and trans.), *Ambrose: De officiis*: *Edited with an Introduction, Translation, and Commentary*, 2 vols. (Oxford: Oxford University Press, 2001), 216).

[154] Eusebius, *Historia ecclesiastica* 7.29 (*LCL* 265, 212); Jerome, *De viris illustribus* 71 (Richardson,40).

[155] *The Acta of 19 May 303*, 186.8-9, 188.29ff (see Kaster, *Guardians*, 372-373).

[156] See Ekkehard Mühlenberg, *Apollinaris von Laodicea* (Göttingen: Vandenhoeck & Ruprecht, 1969).

[157] Augustine, *Confessions* 4.2.2 (O'Donnell, 33): *docebam in illis annis artem rhetoricam, et victoriosam loquacitatem victus cupiditate vendebam*; 5.8.14 (51).

[158] Gennadius, *De viris illustribus* 99 (*TU* 14, 96).

throne of the city.[159] Why these men did not envision the Church as a teacher outside the bishop's pulpit is unclear. As Marrou suggested almost seven decades ago, the late antique system of private tutors and schools must have simply been too vibrant to need any replacing. After all, it survived the Christianization of the society and the cataclysmic events that befell the Latin West during the fifth century.[160] The ancient equivalent of a cathedral school was apparently not deemed necessary.

Conclusion

Let us end where we began: with a clerical *curialis* in North Africa. In 422 CE Augustine was at his wits' end and considered resignation of his episcopacy. The pastor who had held steadfast against heretics and slave-traders found himself entangled in a nightmarish legal battle to depose a neighboring bishop. The see in question, Fusalla, was a rural community about forty miles from Hippo. Ten years earlier Augustine had installed a monk, a child oblate of his own training as the bishop of the town. The precocious Antoninus at twenty years old was far too young for canonical ordination, but he had shown potential and importantly understood the Punic used in the village.[161] The youth proved a petty tyrant, exacting heavy tithes from the town and building himself a grand episcopal palace. His congregation begged for relief from surrounding bishops. When Augustine attempted to depose him, Antoninus showcased what he had learned from years at Augustine's side. He had his church attorney (*defensor ecclesiae*) pen an injunction request to the primate of Africa, to Fabiola the senatorial heiress who possessed much of the property in his diocese, and lastly to pope Celestine. Raised under the so-called Rule of Augustine, educated by his fellow monks, and succored through childhood illness by the see's charitable institutions, he wielded both Roman and canon law imperiously to his favor. Hardly prone to capitulation, Augustine acquiesced to letting him keep his title and a parcel of the see, if he would leave his congregation to another shepherd. Antoninus though reminded Augustine and his opponents that no less than the canons of Nicaea protected his rights. As we shall see in the next chapter, this was not the first or the last time that Augustine's clerics regurgitated canons in defiance of his actions.[162]

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[159] Michael the Syrian, *Chronicle* 9.30.10 (J.-B. Chabot, *Chronique de Michel le Syrien,* Vol. 2 (Paris: Ernest Leroux, 1901), 261).

[160] Henri-Irénée Marrou, *History of Education*, 334-339; Pierre Riché, *Écoles et enseignement dans le Haut Moyen Age: Fin du V^e siècle - Milieu du XI^e siècle*, 3rd ed. (Paris: Picard Éditeur, 2009), 1-41.

[161] Augustine attempted to place the clerics raised at his monastery throughout Numidia. See Peter Stockmeier, "Aspekte zur Ausbildung des Klerus in der Spätantike," *Münchener Theologische Zeitschrift* 27 (1976), 217-32.

[162] See the commentary on Augustine, *Ep*. 209 and *20, in Serge Lancel, "L'affaire d'Antoninus de Fussala: Pays, choses et gens de la Numidie d'Hippone saisis dans la duree d'une procedure d'enquete episcopale," in Johannès Divjak (ed.), *Les lettres de saint Augustin découvertes par Johannès Divjak* (Paris, Études Augustiniennes, 1983), 267-285.

Antoninus was no small-town hero like Augustine who had found himself a famous bishop after a celebrated secular career. Like many bishops of humble birth, he enjoyed a new form of social mobility and lordship, only possible after Constantine had "severed th[e] immemorial nexus of religious authority, social status, and political power."[163] But unlike the grammarians, weavers, and merchants who ascended the ranks of the clergy, Antoninus was prepared for the episcopacy completely in-house. He truly was a son of the Church not the *saeculum*. It is in the flickers of growing monastic communities that a different model of clerical preparation and recruitment appears. Monasteries, their schools, their scriptoria, and their hospitals would become the training grounds for the next generation of bishops and their servants, but that transition would occur in the proper Middle Ages.[164]

[163] Slightly adapted. Timothy Barnes, *Athanasius and Constantius*, 179.

[164] See the discussion of the shift towards a monastic clergy in Augustine's corpus, Alexandre Faivre, *Ordonner la fraternité: Pouvoir d'innover et retour à l'ordre dans l'Église ancienne* (Paris: Éditions du Cerf, 1992), 151-170.

2

The Origins of Clerical Professionalism

For even great men, when they take up the helm and pilotage of the Church, feel the strangeness of their position, being submerged (Baptizomenoi) everywhere by the waves of business. This was particularly the case when the Gospel was first preached, when the ground was everywhere unturned, all was opposition and hostility—John Chrysostom, *In epistulam II Timotheum*.

I am here, more than that I do not know. My boat has no rudder, it is driven by the wind that blows in the nethermost regions of death—Franz Kafka, "The Hunter Gracchus."[1]

For a man who spent much of his life longing for the desert, John Chrysostom was fond of nautical metaphors. The helmsman loomed in his image of Christian leadership, and the persevering seaman was a repeated theme in his ten homilies on II Timothy delivered in Constantinople in 401/2.[2] The Church, like Plato's ship of state, needed an even keel and sturdy rudder to stay afloat. Its precious cargo and crew were ever vulnerable to the elements. Squalls and rocky shores were always on the horizon. A captain lacking experience and knowledge could doom the ship. If so much prudence was needed for sailors entrusted with "material wealth and dangers to bodily death," the golden-mouth asked, how much more care was necessary "when passengers fall not into the ocean, but into the abyss of fire"?[3] The helmsman weathering the

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[1] John Chrysostom, *In epistulam ii ad Timotheum* I (*PG* 62, 600-601): Κἂν γὰρ μεγάλοι τινὲς ἄνδρες ὦσιν, ὅταν ἀναδέξωνται τοὺς οἴακας καὶ τὴν κυβέρνησιν τῆς Ἐκκλησίας, ξενοπαθοῦσι, πολλοῖς πολλαχόθεν βαπτιζόμενοι πραγμάτων κύμασι, καὶ μάλιστα τότε, ὅτε ἡ ἀρχὴ τοῦ κηρύγματος ἦν, ὅτε πάντα ἀνήροτα; Franz Kafka, "The Hunter Gracchus," trans. Will and Edin Muir, in Nahum N. Glatzer (ed.), *Franz Kafka: The Complete Stories* (New York: Schocken, 1983 (1971), 226-230: 230.

[2] See Heinrich Degen, *Die Tropen der Vergleichung bei Johannes Chrysostomus: Beitrag zur geschichte von Metapher, Allegorie und Gleichnis in der griechischen Prosaliteratur* (Diss. Universität Freiburg in der Schweiz, 1921), 75-81, 127-103. Ameringer is unsure of the origin of Chrysostom's love of nautical metaphors, but sees Plato as the likeliest source. Thomas Ameringer, *The Stylistic Influence of the Second Sophistic on the Panegyrical Sermons of St. John Chrysostom* (Diss. Catholic University of America, 1921), 62-67: 62. For a comparandum, see Henri Rondet, "Le symbolism de la mer chez saint Augustin," in André Davaux (ed.), *Augustinus Magister: Congrès international augustinien, Paris, 21-24 septembre 1954.,* 3 vols. (Paris: Études Augustiniennes, 1954), vol. 2, 691-711. For the dating see Wendy Mayer, *The Homilies of St John Chrysostom: Provenance: Reshaping the Foundations* (Rome: Edizioni Orientalia Christiana, 2005), 216-217.

[3] John Chrysostom, *De sacerdotio* 3.11(*SC* 272, 360-362): εἴ τις κυβερνήτης ἔνδον ἐν τῇ νηῒ τῇ πλεούσῃ πειρατὰς ἔχοι συμπλέοντας καὶ αὐτῷ καὶ τοῖς ναύταις καὶ τοῖς ἐπιβάταις συνεχῶς καὶ καθ' ἑκάστην ἐπιβουλεύοντας ὥραν. Ἂν δὲ τὴν πρὸς ἐκείνους χάριν προτιμήσῃ τῆς αὐτοῦ σωτηρίας, δεξά- μενος οὓς οὐκ ἔδει, ἕξει μὲν τὸν Θεὸν ἀντ' ἐκείνων ἐχθρόν, οὗ τί γένοιτ' ἂν

storm was a heroic sight for all Christians struggling to stay afloat. "Even if the captain of the ship barely survives the shipwreck, the young sailor at sea is inspired with great confidence. For he will not consider that it is from his inexperience that he is exposed to the storm..."[4] Steadfast in his discipline, adhering to the sailor's art, the captain kept all aboard calm amid crisis. The clergy was like a crew of merchant-marines shepherding Christian souls to the Promised Land. They filled the ranks and offices of the Church as God's helmsmen, His rowers, and His deckhands.

Chrysostom's audience for these ten sermons were treated to a veritable boatload of occupational metaphors explicating the clergy's duties and discipline. He compared clerics to sailors, physicians, teachers, soldiers, farmers, and professional athletes.[5] In fact, as Chrysostom explained, the clergy needed to look to the examples of many occupations. They needed to imitate "the soldier and the wrestler," whom Chrysostom categorized as "those being ruled by others (*tois archomenois*)," as well more independent workers such as "the farmer" and "the teacher" because clerics should be both conforming and enterprising. "Hence [the apostle] laid out the models (*paradeigmata)* of soldiers, athletes, and farmers…"[6] Like the author of II Timothy Chryososstom goaded those administering pastoral care to higher standards by analogizing their work to secular occupations. They were to toil like farmers in their cultivation, teachers in their instruction, soldiers in their resolve, athletes in their regimen. "Let not even one from among bishops shudder to hear these things," Chrysostom admonished,

> but let him be ashamed not to do them. "If any man competes," [the Apostle] says, "he is not crowned, except if he competes lawfully (*nomimōs*)" What is meant by lawfully? It is not enough that he enters the competition, that he is oiled up and engages, unless he complies with all the laws of training (*panta ton tās athlēseōs nomon*), with respect to diet, to temperance (*sōphrosunēs*), and to seriousness (*semnotētos*), and to all other rules of their school…[7]

χαλεπώτερον; Καὶ τὰ πρὸς ἐκείνους δὲ αὐτῷ δυσκολώτερον ἢ πρότερον διακείσεται, πάντων συμπραττόντων ἀλλήλοις καὶ τούτων μᾶλλον ἰσχυρῶν γινομένων· ὥσπερ γὰρ ἀγρίων ἀνέμων ἐξ ἐναντίας προσπεσόντων ἀλλήλοις, τὸ τέως ἡσυχάζον πέλαγος μαίνεται ἐξαίφνης καὶ κορυφοῦται καὶ τοὺς ἐμπλέοντας ἀπόλλυσιν, οὕτω καὶ ἡ τῆς Ἐκκλησίας γαλήνη, δεξαμένη φθόρους ἀνθρώπους, ζάλης καὶ ναυαγίων πληροῦται πολλῶν.

[4] John Chrysostom, *In epistulam ii ad Timotheum* IV.1 (*PG* 62, 617): Φέρει μὲν ἐν θαλάσσῃ πολὺ τὸ θάρσος τῷ μαθητῇ τὸ τὸν διδάσκαλον ἐν ναυαγίῳ γενέσθαι καὶ διασω- θῆναι· οὐ γὰρ ἡγήσεται λοιπὸν ἀπὸ τῆς οἰκείας ἀμαθίας συμπίπτειν τοὺς χειμῶνας, ἀλλὰ ἀπὸ τῆς τῶν πραγμάτων φύσεως.

[5] Occupational imagery was a leitmotif of Chrysostom's classicizing homiletical style. See Heinrich Degen, *Die Tropen der Vergleichung bei Johannes Chrysostomos*, 63-103.

[6] John Chrysostom, *In epistulam ii ad Timotheum* IV.2 (*PG* 62, 733): οὖν τὰ παραδείγματα ἔθηκε τὸ τῶν στρατιωτῶν, καὶ ἀθλητῶν, καὶ γεωργῶν, καὶ πάντα ἁπλῶς αἰνιγματωδῶς,

[7] John Chrysostom, *In epistulam ii ad Timotheum* IV.1 (*PG* 62, 620): Μηδεὶς τοίνυν ἀπαξιούτω τῶν τὴν ἐπισκοπὴνἐχόντων ταῦτα ἀκούων, ἀλλ' ἀπαξιούτω μὴ ταῦτα πράττων. *Ἐὰν ἀθλῇ τις,* φησὶν, *οὐ στεφανοῦται ἐὰν μὴ νομίμως ἀθλήσῃ.* Τί ἐστιν, *Ἐὰν μὴ νομίμως;* Οὐκ, ἐὰν εἰς τὸν

A superficial title, in other words, even that of bishop was meaningless without the professional training, character, lifestyle, and group regulation that the title signified.

Chrysostom, who composed an entire treatise on clerical duty, repeatedly returned to occupational metaphors to describe the ideal clergy.[8] These metaphors not only packed Classical rhetorical punch but also clarified clerical duties in the familiar and comprehensible terms of everyday life. Chrysostom, though, was far from the first Christian intellectual to deploy such occupational metaphors. For Tertullian, the Church was like a sacred guild (*corpus*) led by a clergy of righteous magistrates (*praesidentes*) who held all members accountable to God's law.[9] For Origen the clergy were like the bureaucrats who oversaw the municipal government (*sustēma*) of the Christian fatherland (*patris*) and enforced its laws (*nomoi*).[10] For Gregory of Nazianzus the clerical caste was like an order (*taxis*) of "healthcare attendants and coworkers (*tēs therapeias hupēretai kai sunergoi*) established to watch over others."[11] We could add to this list the occupational metaphors found in Clement of Alexandria, Cyprian, Basil of Caesarea, and the majority of third- and fourth-century Christian authors. Of course, these metaphors were *topoi* deployed in specific historical and theological contexts, but their constant deployment acknowledged ever so tacitly an inconvenient truth for Christian leaders of the post-Apostolic age: it was not apparent to ancient audiences how a cleric should live "lawfully," that is, according to the practices and codes of conduct befitting his religious vocation. That code and the clerical way of living had to be constructed, painted in the mind's eye, by Christian leaders of the third and fourth century.[12] As Kristina Sessa has recently framed it, "Christian clerics in late antiquity were… made-up people, in the sense that they were the product of complex and

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ἀγῶνα εἰσέλθῃ, ἀρκεῖ τοῦτο, οὐδὲ ἐὰν ἀλείψηται, οὐδὲ ἐὰν συμπλακῇ, ἀλλὰ ἂν μὴ πάντα τὸν τῆς ἀθλήσεως νόμον φυλάττῃ, καὶ τὸν ἐπὶ σιτίων, καὶ τὸν ἐπὶ σωφροσύνης καὶ σεμνότητος, καὶ τὸν ἐν παλαίστρᾳ, καὶ πάντα ἁπλῶς διέλθῃ τὰ τοῖς ἀθληταῖς προσήκοντα, οὐδέποτε στεφανοῦται.

[8] See Malingrey's introductory essay to his edition of Chrysostom's *De sacerdotio* (*SC* 272, 7-25).

[9] Tertullian, *Apologeticum* 39.1 (*CCSL* 1, 150).

[10] Origen, *Contra Celsum* 8.75 (*SC* 150, 350).

[11] Gregory of Nazianzus, *Or.* 2.26 (*PG* 35, 436): Ταύτης ἡμεῖς τῆς θεραπείας ὑπηρέται καὶ συνεργοὶ, ὅσοι τῶν ἄλλων προκαθεζόμεθα· οἷς μέγα μὲν τὸ τὰ ἴδια πάθη καὶ ἀῤῥωστήματα καὶ γινώσκειν καὶ θεραπεύειν· μᾶλλον δὲ οὔπω μέγα, πλὴν τοῦτο λέγειν ἡμᾶς ἡ τῶν πολλῶν κακία πεποίηκε, τῶν ἐπὶ ταύτης ὄντων τῆς τάξεως.

[12] Put simply, the New Testament and early authorities such as Clement of Rome and Irenaeus offered plenty of fodder for exalting and censuring clerics, but they held few specifics in terms of the proper ordering of clerical life. For paleo-Christian discussions of the clerical hierarchy, see John Gibaut, *The* Cursus Honorum*: A Study of the Origins and Evolution of Sequential Ordination* (New York: Peter Lang, 2000), 11-30; Alexandre Faivre, *Ordonner la fraternité: Pouvoir d'innover et retour à l'ordre dans l'Église ancienne* (Paris: Éditions du CERF, 1992), 285-330.

ongoing epistemological processes involving naming, classification, and measurement."[13] By this Sessa means that Christian leaders expended considerable energy formulating the ideals and standards for clerical life that evolved into broadly understood criteria for validating (or invalidating) a person's profession to clerical status. Occupational metaphors served as one set of important cognitive tools in the formulation of these ideals and standards, in that Christian leaders used them to define emerging clerical identities and to demarcate the clergy as a distinct vocational congery of religious specialists.

In the previous chapter I put forward the argument that in terms of the labor market the clerical vocation functioned like any other non-compulsory occupation in the Roman economy. In this chapter I will press this point somewhat further. I will contend that scholars have undervalued the impact of occupational reasoning in catalyzing the standardization and regulation of clerical life. The repetitive comparison of the clergy to occupational groups such as a *palaestra* of athletes, the crew of a ship, a *schola* of physicians, and so forth implied that the organizational disciplines of these groups were suitable templates for the paid Christian clergy. And over the course of the third and fourth centuries, clergies across the Roman Mediterranean canonized professional practices and habits that did in fact operate along the same principles of professional discipline that one finds in prescriptive literature for secular occupations and in the preserved by-laws (*nomoi*) of individual occupational *collegia*. That is to say, over the course of the most formative period for the Church's institutional development, roughly 200 to 400 CE, the clergy, which was so often compared to occupational organizations, functioned more and more as an occupational organization in terms of technical vocabulary, admission requirements, promotion schedules, and group discipline.[14]

This professionalization of clerical life recast Christian religious authority in significant ways. Before 200 CE the clergy consisted of a voluntary, informal, and charismastic grouping of various religious leaders: prophets, apostles, and teachers, as well as the more familiar elders (*presbyteroi*), helpers (*diakonoi*), and overseers (*episkopoi*); however, by 400 CE the clergy was a specialized and salaried hierarchical corps with expressed codes of professional conduct.[15]

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[13] Kristina Sessa, "Cleric," in Catherine Chin and Moulie Vidas (eds.), *Late Ancient Knowing: Explorations in Intellectual History* (Berkeley: University of California Press, 2015), 218-239: 219.

[14] In the past fifty years, several monograph-length studies have been dedicated to development of "rules" outlining ancient clerical life in admissions, age requirements, etc. These quality studies are very much geared toward students of canon law; thus, save Jacquemin's recent monograph, they tend to focus exclusively on ecclesiastical documents without attention to larger ancient cultural contexts. See Albert Jacquemin, *Le clerc dans la cité: Limitations des activité séculières des clercs de Constantine à la fin de l'époque carolingienne* (Paris: Éditions du CERF, 2016); John Gibaut, *The* Cursus Honorum; Alexandre Faivre, *Ordonner la fraternité;* idem, *Naissance d'une hiérarchie. Les premières étapes du cursus clerical* (Paris: Beauchesne, 1977); Albano Vilela, *La condition collégiale des prêtres au IIIe Sicle* (Paris: Beauchesne, 1991); Paul LaFontaine, *Les conditions positives de l'accession aux ordres dans la première législation ecclésiastique* (300-492) *(*Ottawa: *Éditions de l'Université d'Ottawa,* 1963).

[15] Ignatius of Antioch (ca. 35-ca. 113) provides "the first unequivocal evident for the three-fold ministry of bishop, presbyter, and deacon." His letters reflect "the existence of the three-fold

Indeed, the lion's share of this transformation occurred in the relatively short window of 200-250 CE, precisely when evidence suggests that members of the Roman Empire's "middling" classes of skilled artisans, merchants, lawyers, and other liberal arts professions were beginning to enter the clergy. And for reasons enumerated in the previous chapter it was this broad social swath that dominated clerical culture for the remainder of late antiquity. Thus, when bishops and other clerics analogized the clergy to tradesmen, soldiers, physicians, and educators, or when they appropriated the vocabulary used internally by occupational groups, e.g., *collegia or scholae*, they did so while addressing their fellow clerics who had held such occupations previously or who were at least not too distant from these occupation-holders on the social pyramid. Even the aristocratic *curiales* in clergy, it is worth remembering, were quite proximate to the plebian tradesmen and liberal arts professionals who more often flocked to the Church. [16] Emerging discussions about clerical discipline, so often colored by occupational valences, were then discourses about the unique lifestyle demanded of a religious occupation among individuals well-versed in the logic of urban professional life.

To be honest, some elements of what I am proposing have a long and distinguished pedigree in the study of the early Church and are accordingly uncontroversial. Historians since the days of von Harnack and Mommsen have acknowledged the stark similarities of third- and fourth-century ecclesiastical terminology with the vocabulary of *collegia*, Greco-Roman funerary associations, municipal governments, and Roman military units. [17] Recent scholarship has for the most part, however, eschewed suggestions that *collegia*, the Roman military, and other less

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ministry in the communities of Asia Minor such as Antioch, Ephesus, Magnesia, Tralles, Philadelphia, and Smyrna." John Gibaut, *The* Cursus Honorum*,* 25. This hierarchical

[16] See chapter 1, PG. # no. #

[17] For military terminology see, Adolf von Harnack, Militia Christi: *Die christliche Religion und der Soldatenstand in den ersten drei Jahrhunderten* (Tübingen: Mohr Siebeck, 1905), passim. For circa-1900 CE opinions on Christian churches as Greco-Roman *collegia*, see Jonathan Perry, "Theodor Mommsen's '*Collegia Funeraticia*' and the Search for Christian Origins in the Nineteenth Century," *The Roman Collegia. The Modern Evolution of an Ancient Concept* (Leiden: Brill, 2006), 23-60; John Kloppenborg, "Edwin Hatch, Churches and Collegia," in Bradley Maclean (ed.), *Origins and Method: Towards a New Understanding of Judaism and Christianity. Essays in Honour of John C. Hurd* (Sheffield: JSOT Press, 1993), 211-238: 231-234; Giovanni Battista de Rossi, "Dei sepolcreti Cristiani non sotteranei," *Bulletino di archeologia cristiania* 2 (1864) 25-32. Francesco de Robertis has also touched on some of Rossi's points, see his *Storia delle corporazioni e del regime associativo nel mondo romano* (Bari: Adriatica editrice, (1971)), vol. 2, 64. Wayne meeks has a succint overview of why most scholars today largely reject claims that these similarities extend back to apostolic and sub-apostolic times, that is, before 200 CE. See Wayne Meeks, *The First Urban Christians: The Social World of the Apostle Paul* (New Haven, CT: Yale University Press, 2003 (1983)), 77-80. For an expansion on Meeks' observations about the apostolic *ekklēsia*, see Ralph Korner, *The Origin and Meaning of Ekklēsia in the Early Jesus Movement* (Leiden: Brill, 2017). For a counter see, Carsten Claußen, *Versammlung, Gemeinde, Synagoge: Das hellenistisch-jüdische Umfeld der frühchristlichen Gemeinden* (Göttingen: Vandenhoeck and Ruprecht, 2002).

aristocratic social groupings had much influence on the clergy after the second century. In essence the only still widely accepted secular models for clerical life are Roman municipal town-councilors (*curiales*) and philosopher-types who are assumed to be from their ranks. Quite problematically, the modelling of the clergy on municipal political institutions has become the "textbook" understanding of developments in clerical organization and discipline. Take, for example, the following passage from *The Cambridge History of Christianity*:

> The distinction between the *ordo clericus* (clergy) and the *ordo laicus* (laity) parallels that between the *plebs* (ordinary citizens) and the curial class, propertied men who had the responsibility of ruling and equipping the city's public affairs. Roman social orders (senatorial, equestrian, curial, etc.) seem reflected in the different orders within the church (bishops, presbyters, deacons, widows, virgins, subdeacons, lectors).[18]

Drawing on the same ancient author (Tertullian) as Stuart George Hall, Karen Jo Torjesen in *The Cambridge History of Early Christian Literature* offers:

> Theologians of the third century began to describe the Church as a *corpus* or *societas*, terms used for the body politic…. The distinction between the *ordo clericus* (clergy) and the *ordo laicus* (laity) paralleled the distinction between the *honestiores*, the public classes (senatorial, equestrian, decurial *ordines*), and the *humiliores*, private persons (the plebian *ordo*).[19]

Elsewhere Torjesen likens the *ordo ecclesiasticus* to the *ordo senatorius*.[20] While Christians did use political terms to describe the clergy, the passages from Tertullian, which both authors reference, patently compared the Church to private voluntary associations, i.e., *corpora* and *societates*.[21] Even the term *ordo*, to which Tertullian occasionally likened the clergy, in his traditional usage more likely meant guild, association, or occupational group. Cicero speaks of *ordines* of plowmen, shepherds, and merchants.[22] At second-century Ostia there was an *ordo* of

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[18] Stuart George Hall, "Institutions in the Pre-Constantinian *Ekklēsia*," in Margaret M. Mitchell, Frances M. Young, K. Scott Bowie (eds.), *The Cambridge History of Christianity: Volume 1, Origins to Constantine* (Cambridge: Cambridge University Press, 2006), 415-433: 420.

[19] Karen Jo Torjesen, "Social and Historical Setting," in Frances Young, Lewis Ayres, and Andrew Louth (eds.), *The Cambridge History of Early Christian Literature* (Cambridge: Cambridge University Press, 2004), 180-200: 189

[20] Ead., "Clergy and Laity," Susan Ashbrook Harvey and David G. Hunter (ed.) *The Oxford Handbook of Early Christian Studies* (Oxford: Oxford University Press, 2008), 389-405: 398.

[21] On the use of political categories to describe the Church, see Elisabeth Herrmann, *Ecclesia in re publica: Die Entwicklung der Kirche von pseudostaatlicher zu staatlich inkorporierter Existenz* (Frankfurt: Peter Lang 1980). For "ethnic" political ideologies in early Chrsitianity, see also Denise Kimber Buell, *Why This New Race: Ethnic Reasoning in Early Christianity* (New York: Columbia University Press, 2005).

[22] Cicero, *In Verrem* 2.6 (*LCL* 221, 310): *si cuiquam ordini, sive aratorum, sive pecuariorum, sive mercatorum probatus sit*.

sailors, accountants, and their assistants.[23] Tertullian like most Christian authors of the third and fourth centuries simply deployed the vocabulary of "Roman *Amtsprache*," but the leap that such language always signified a direct emulation of the political culture of the Roman upper classes is tenuous at best.[24] This common type of claim rests on the *a priori* assumption that the majority of clerics, or at least most bishops and prominent clerics, originated among the otiose town-councilors of the Roman Empire. Therefore, the argument follows, the Church's organization and the emerging regulations of clerical discipline were patterned on the elite political institutions of municipal governance, namely the town-council (*curia* / boulē). Phrased differently, this argument presupposes that the metaphor of the clergy as municipal magistrates became reified in the vocabulary and logic of the clerical hierarchy, whereas all other occupational metaphors for explaining the clergy's discipline were mere rhetoric since aristocratic clerics would never genuinely compare their fellow clerics to organizations of sub-elite workers. The many ordained seamen, artisans, merchants, and lowly educators would undoubtedly find this assumption problematic if not insulting.

Given the image of the heterogeneously "middling" clergy that has now come into focus, even if curial (aristocratic) bishops were key formulators of clerical discipline and organization, they managed many clerics who were undoubtedly more familiar with urban trades than the office culture of the local *curia*. Of course, Roman political culture had a consequential impact on the Church's organization and codes of clerical discipline, but the logic behind the professional life of other secular occupational groups such as guilds, *scholae*, and businesses also offered detailed exemplars for the clergy's nascent organizational discipline—exemplars that Christian authors cite often and that were familiar to many clerics. Moreover, as research on Roman society has illustrated, the professional ideals of such groups shared many features with aristocratic Roman political institutions and their professionalism.[25] Similarities between Greco-Roman systems of governance and the emerging clerical hierarchy need not then imply a simple translation of elite values from the civic sphere to the ecclesiastical sphere, as historians of Christianity have tended to assume; rather, as historians of Roman voluntary associations and trade guilds have long noted, the clergy could have also looked to groups of humble shippers, artisans, physicians, educators, and so forth since they shared with political elites recognizable notions of occupational duty and organizational discipline, notions that I will lump together

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[23] *CIL* 16.251, ll. 2-3: *ordo corporatorum lenuncularior(um) tabularior(um) auxiliar(iorum) Ostiensium*.

[24] See David Rankin, *Tertullian and the Church* (Cambrige: Cambrige University Press, 1995 (1993)), 134-142. Rankin's application of the term *Amtsprache* originates in Johannes Klein, *Tertullian: Christliche Bewusstsein und sittliche Forderungen* (Hildesheim: H.A. Gerstenberg, 1975 (1940)), 275.

[25] See, most recently, Philip Venticinque, *Honor Among Thieves: Craftsmen, Merchants, and Associations in Roman and Late Roman Egypt* (Ann Arbor: University of Michigan Press, 2016), particularly 133-166; Onno van Nijf, *The Civic World of Professional Associations in the Roman East* (Leiden: Brill, 1997), passim.

under the category "Roman professionalism."[26] At the heart of Roman professionalism lay a hierarchical deference to leaders in higher positions, the acceptance of a gradual promotion through positions, an emphasis on procedure and by-laws (*nomoi*), and lastly the need for a projected group discipline in order to emphasize unified standards to both members and outsiders.

This chapter will place texts articulating general Roman occupational professionalism in dialogue with texts that articulate developing notions of clerical duties and discipline, what I will call "clerical professionalism." It will consider from this comparative angle the emergence of clerical professionalism from its first inklings in "proto-othodox" texts of the third century, e.g., the works of Origen, the letters of Cyprian, and the anonymous *Teaching of the Apostles* (*Didascalia tōn apostolōn*), to the first recorded canons of episcopal synods in the fourth century. I will argue in the end that the gathering of bishops in synods and the subsequent dissemination of "official" decisions on clerical life, i.e., canons, sought to institutionalize the professional clerical discipline that had emerged in the third century by reinforcing the principles of the earlier period: namely, moral and intellectual inspection, age requirements, a regularized promotion schedule, a commitment to appropriate remuneration, and a disciplined policing of one's comportment with others. In other words, bishops hoped that their prescriptive texts and issued canons would function as the occupational *nomos* for the clergy, a *nomos* which authors such as Chrysostom alluded to in likening ecclesiastical rules to the occupational *nomoi* of secular groups.

What is Clerical Professionalism and Where Did It Come from?

Few figures of early Christianity enjoy as scandalous a reputation as Paul of Samosata, bishop of Antioch for most of the 260s.[27] Paul, his detractors claimed, was a "haughty" and "puffed up" man of the *saeculum* not of God. As the church historian Eusebius recalled, "he strutted through the *fora*, reading and reciting letters aloud as he walked in public, attended by a body-guard with a crowd preceding and trailing him."[28] He preferred, Eusebius maligned, to be hailed by his

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[26] See Philip Harland, *Dynamics of Identity in the World of the Early Christians* (New York: Continuum, 2009), 25-46; Wayne McCready, "*Ekklēsia* and Voluntary Associations," in John Kloppenborg and Stephen Wilson (eds.), *Voluntary Associations in the Graeco-Roman World* (London: Routledge, 2003), 59-73.

[27] See Patricio de Navascués, *Pablo de Samosata y sus adversarios: estudio histórico-teológico del cristianismo antioqueno en el siglo III* (Rome: Institutum Patristicum Augustinianum, 2004); Gustave Bardy, *Paul de Samosate: étude historique* (Louvain: Spicilegium Sacrum Lovaniense, 1929); Friedrich Loofs, *Paulus von Samosata: eine Untersuchung zu altkirchlichen Literatur- und Dogmengeschichte*. Leipzig: Hinrichs, 1924).

[28] Eusebius, *Historiae ecclesisatica* 7.30.8 (*LCL* 265, 216): οὔτε ὡς ὑψηλὰ φρονεῖ καὶ ὑπερῆρται, κοσμικὰ ἀξιώματα ὑποδυόμενος καὶ δουκηνάριος μᾶλλον ἢ ἐπίσκοπος θέλων καλεῖσθαι καὶ σοβῶν κατὰ τὰς ἀγορὰς καὶ ἐπιστολὰς ἀναγινώσκων καὶ ὑπαγορεύων ἅμα βαδίζων δημοσίᾳ καὶ δορυφορούμενος, τῶν μὲν προπορευομένων, τῶν δ' ἐφεπομένων, πολλῶν

former position of military bureaucrat (*procurator ducenarius*) rather than his episcopal rank.[29] He supposedly lorded over Antioch from a throne (*bēma*), pouring riches over his presbyters and deacons, "for which he was loved and admired by those who covet such things." And most damningly in Eusebius' opinion, he kept a harem of "spiritual brides" under his protection.[30] Despite these scandals it was Paul's Christology that broke the proverbial camel's back. Paul was bested in a theological debate by a noted priest and head (*proestēs*) of local primary school, named Malchion, and Paul soon found himself ejected from his episcopal office.[31] The guileful Paul, though, secured the intervention of the Palmyrene empress Zenobia, and the government restored him to his episcopal throne, a fact which did not add to his popularity among neighboring clerics. Paul retained both his office and the physical church at Antioch until his opponents secured the intervention of Emperor Aurelian some years later.

Paul's brief appearance in Eusebius has become one of several *loci classici* for the increased profile and organization of the third-century Church with its burgeoning wealth, paid offices, and the corrupting temptations that both posed for the clergy.[32] For Gibbon, for instance,

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τὸν ἀριθμόν, ὡς καὶ τὴν πίστιν φθονεῖσθαι καὶ μισεῖσθαι διὰ τὸν ὄγκον αὐτοῦ καὶ τὴν ὑπερηφανίαν τῆς καρδίας.

[29] Fergus Millar made a decent argument in the 1970s that Paul was not actually a *procurator ducenarius*; rather, he suggests, the attribution of the job title was merely a slander on the part of his opponents. See Fergus Millar, "Paul of Samosata, Zenobia and Aurelian: The Church, Local Culture, and Political Allegiance in Third Century Syria", *Journal of Roman Studies* 61 (1971), 1-17. *Pace* Millar, Norris makes a much more convincing case that Paul was in fact a servant of the Roman / Palmyrene government. See F. W. Norris, "Paul of Samosata: *Procurator ducenarius*," *Journal of Theological Studies* 35.1 (1984), 50-70.

[30] Eusebius, *Historia ecclesiastica* 7.30.12 (*LCL* 265, 220): *Historia Ecclesiastia* τὰς δὲ συνεισάκτους αὐτοῦ γυναῖκας, ὡς Ἀντιοχεῖς ὀνομάζουσιν, καὶ τῶν περὶ αὐτὸν πρεσβυτέρων καὶ διακόνων, οἷς καὶ τοῦτο καὶ τὰ ἄλλα ἁμαρτήματα ἀνίατα ὄντα συγκρύπτει, συνειδὼς καὶ ἐλέγξας, ὅπως αὐτοὺς ὑπόχρεως ἔχῃ, περὶ ὧν λόγοις καὶ ἔργοις ἀδικεῖ, μὴ τολμῶντας κατηγορεῖν τῷ καθ' ἑαυτοὺς φόβῳ, ἀλλὰ καὶ πλουσίους ἀπέφηνεν, ἐφ' ᾧ πρὸς τῶν τὰ τοιαῦτα ζηλούντων φιλεῖται καὶ θαυμάζεται

[31] Ibid., 7.29.1-2 (*LCL* 265, 212): καθ' ὃν τελευταίας συγκροτηθείσης πλείστων ὅσων ἐπισκόπων συνόδου, φωραθεὶς καὶ πρὸς ἁπάντων ἤδη σαφῶς καταγνωσθεὶς ἑτεροδοξίαν ὁ τῆς κατὰ Ἀντιόχειαν αἱρέσεως ἀρχηγὸς τῆς ὑπὸ τὸν οὐρανὸν καθολικῆς ἐκκλησίας ἀποκηρύττεται. μάλιστα δ' αὐτὸν εὐθύνας ἐπικρυπτόμενον διήλεγξεν Μαλχίων, ἀνὴρ τά τε ἄλλα λόγιος καὶ σοφιστοῦ τῶν ἐπ' Ἀντιοχείας Ἑλληνικῶν παιδευτηρίων διατριβῆς προεστώς, οὐ μὴν ἀλλὰ καὶ δι' ὑπερβάλλουσαν τῆς εἰς Χριστὸν πίστεως γνησιότητα πρεσβυτερίου τῆς αὐτόθι παροικίας ἠξιωμένος.

[32] See, for instance, his various appearances in Andreas Merkt, "Bischof, Pfarrgemeinderäte und Zölibat. Aktuelle Reformthemen in der Antiken Kirche," in Günther Wassilowsky, Andreas Merkt, Gregor Wurst (eds), *Reformen in der Kirche: Historische Perspektiven,* (Freiburg: Verlag Herder, 2014), 12-50.

Paul like other unmerited bishops of his day "considered the service of the church as a very lucrative profession."[33] "He relaxed the discipline and lavished the treasures of the church on his dependent clergy, who were permitted to imitate their master in the gratification of every sensual pleasure."[34] Paul's episcopacy was in Gibbon's opinion "much better suited to the state of a civil magistrate than to the humility of a primitive bishop."[35] According to Gibbon's whiggish sensibilities, Paul inaugurated the simoniac and decadent clergy of the post-Apostolic age, a clergy more reflective of the increasingly corrupt Roman Empire than evangelical principles.[36] Gibbon concluded of the emergent organizational Church:

> The Christian sanctuary was open to every ambitious candidate who aspired to its heavenly promises or temporal possessions... The whole body of the Catholic clergy [was] more numerous perhaps than the legions… The duties of their holy profession were accepted as a full discharge of their obligations to the republic…. Their ranks and numbers were insensibly multiplied by the superstition of the times, which introduced into the church the splendid ceremonies of a Jewish or Pagan temple; and a long train of priests, deacons, sub-deacons, acolytes, exorcists, readers, singers, and door-keepers contributed, in their respective stations, to swell the pomp and harmony of religious worship. The clerical name and privilege were extended to many pious fraternities, who devoutly supported the ecclesiastical throne. Six hundred *parabolani,* or adventurers, visited the sick at Alexandria; eleven hundred *copiatae,* or gravediggers, buried the dead at Constantinople; and the swarms of monks, who arose from the Nile, overspread and darkened the face of the Christian world.[37]

Paul and the professionalization of ecclesiastical life were a small step down the path to Popery.[38] Such open anticlericalism was not unique to Gibbon; many of the progenitors of our field, especially those in Protestant countries, saw the potential for corruption in transforming the

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[33] Edward Gibbon, *The Decline and Fall of the Roman Empire,* 12 vols., ed. J. B. Bury (New York: Fred de Fau and Co., 1906), vol. 2, 122.

[34] Ibid., 123.

[35] Ibid., 122.

[36] Ibid., 122, footnotes 127-131.

[37] Ibid., 339.

[38] For the controvery that Gibbon's incendiary comments about the ancient clergy aroused, see Myron C. Noonkester, "Gibbon and the Clergy: Private Virtues, Public Vices," *The Harvard Theological Review* 83.4 (1990), 399-414. Gibbon in his youth flirted for a small amount of time with the idea of converting to Catholicism. He recalled later in life that "I bewildered myself in the errors of the Church of Rome." Edward Gibbon, *Memoirs of My Life*, ed. Betty Radice (London: Penguin, 2006 (1984)), 84. See Edward Hutton, "The Conversion of Edward Gibbon," *The Nineteenth Century* 91.661 (1932), 362-375; Owen Chadwick, "Gibbon and the Church Historians," *Daedalus* 105.3 (1976), 111-123.

clergy into a paid Christian force—though, as far as I know, no one else took the time to tabulate the cost of acquiring ecclesiastical positions in the third century.[39]

It goes without saying that Paul's supposed abuses and his opponents' chastisement of them were only conceivable because of the third-century transformation of the clergy into a remunerated corps of religious specialists, who on account of their privileged occupation possessed financial, social, and spiritual powers to exploit. Prima facie the circumstances of Paul's episcopacy, as remembered by the likes of Eusebius and Chrysostom, [40] offer early fodder for historians wishing to highlight the third-century clergy's corruption by elites and the emerging venality of ecclesiastical offices: Paul was a former tax-official and allegedly knew the empress Zenobia personally; he bribed his fawning clergy with "riches"; and he was vanquished by an educator described as a priest and sophist, at a formal synod recorded by stenographers (*notarii*), if we believe Jerome.[41] Reading against the social memory of these events, however, one might reframe the story as such: a former petty bureaucrat debated the principal of a local primary school (*proetōs diatribēs paideuteriōn*), lost, was challenged as the overseer of his community, and accordingly petitioned the local government to remain as the church's recognized comptroller, what Roman law termed a *sundikos* of communally-owned property. Consequently, the clerics who remained loyal to their bishop, either out of loyalty or financial considerations, were slandered as covetous deviants. For later communities this struggle in Antioch might have seemed a clash of titans, but this was not the battle of a third-century Ambrose of Milan (a former governor and Roman senator) versus a third-century Libanius (a senatorial Antiochene educator). Later Christians authors may have recalled it as such, but our third-century evidence on the social backgrounds of bishops and clerics more generally points to men of modest means. Even if these men were both technically local aristocrats, which their former occupations (a low-level bureaucrat and a primary school teacher) make doubtful, they would have been two among thousands of more prosperous urban elites in Antioch.[42]

Rather than illustrating the collapse of apostolic humility or the submission of the Church to aristocratic domination, the vignette (despite Eusebius' best efforts) captures early

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[39] See Hermann-Josef Schmitz, *Frühkatholizismus bei Adolf von Harnack, Rudolph Sohm und Ernst Käsemann* (Düsseldorf, Patmos Verlag, 1977) and Norbert Nagler, *Frühkatholizismus: zur Methodologie einer kritischen Debatte* (Frankfur-am-Main: Lang, 1994). Gibbon estimates from a source associated with the later Donatist controversy that major sees such as Carthage could be acquired for "2400L." of silver. Gibbon, vol. II, 122 fn. 127.

[40] See Virginia Burrus, "Rhetorical Stereotypes in the Portrait of Paul of Samosata," *Vigiliae christianae* 43 (1989), 215-225.

[41] Jerome, *De viris illustribus* 71 (Richardson, 40).

[42] Libanius in *Or.* 2.33 and *Or.* 48.3-4 sets the traditional number of councilors in Antioch as between 600 and 1200 individuals, which he complained had dwindled to dozens by his day. At any rate, inclusive of families the city would have had well over two thousand designated local elites alongside any resident imperial elites of Roman equestrians and senators. Given the importance of Antioch as an administrative and economic center, this number would likely not have been small; nor would the size of the wealthy *plebs media*.

ecclesiastical discipline functioning in practice, just as it was supposed to in theory: paid-clerics remained steadfast to their under-siege bishop; the church supported its widows and virgins, i.e., the spiritual brides; and synodal gatherings and clerical debates served as moments of conflict resolution. The narrative also offers us rare biographical information for the third-century clergy at Antioch. Both Paul and Malchion had "middling" occupations and were members of rather prosaic professional organizations prior to ordination.[43] Indeed, the figures that Gibbon alluded to for the "price" of buying clerical positions at major sees, when re-calibrated for modern understandings of the Roman economy, amount to relatively paltry fortunes.[44] In other words, such third- and early fourth-century discussions about clerical discipline and corruption, which offer us our first window onto a professionalizing, more regimented clergy, are conversations between relatively "middling" urban-dwellers about how to organize their communities and manage their modest resources. They then echo numerous papyri and inscriptions, which address graft, intrigue, and petty infighting within contemporaneous occupational and religious organizations, variously labeled *corpora*, *collegia*, *synodoi*, *thiasoi*, etc.[45] These are important observations for setting the scale and context for interpreting pre-Constantinian conversations about clerical discipline, clerical pay, and corresponding allegations of corruption.

Predictably given the story about Paul of Samosata and the "riches" that he allegedly poured over his clergy, the earliest surviving text aimed at regulating the growing wealth and power of the third-century clergy, one crucial for deciphering the clergy's organizational development, originated in the environs of Antioch, which as one of the oldest Christian centers would have acquired early on the critical mass of clerics and resources to necessitate a formalization of clerical discipline—even if that mass was relatively small by later standards.[46]

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[43] For the *ducenarius,* see Conor Whately, "*Ducenarii*," in Roger Bagnall et al. (eds.), *The Encyclopedia of Ancient History* (Hoboken, NJ: Wiley-Blackwell, 2013), 2230-2231. For the nature of succesion and promotion in school faculties, see Edward Watts, *City and School in Late Antique Athens and Alexandria* (Berkeley: University of California Press, 2006, 1-24, 112-113; Raffaella Cribiorre, *The School of Libanius in Late Antique Antioch* (Princeton, NJ: Princeton University Press), 42-82. For associations of educators, see *ISmyrna* 215, *IEph* 3068, *IEph* 2065, *IG* XII[1] 918.

[44] Gibbon's inaccurate valuation of the follis, a unit of coins carried in bags, greatly inflated the "purchasing" of clerical offices at early fourth-century Carthage. If the figures in the hostile anti-Donatists documents, written some 80 years after the alleged simony, can be believed, then the purchase of the episcopal throne of Carthage (400 *folles*) and a single priesthood (20 *folles*). See *De schismate Donatistorum*, appendix 1 (*CSEL* 26, 193-195). For the actual value of the follis at the time, cf. A. H. M. Jones, "The Origin and Early History of the Follis," *Journal of Roman Studies* 49.1-2 (1959), 34-38.

[45] Venticinque, *Honor Among Thieves*, 56-59.

[46] The inventory of the main church of Carthage at the Diocletianic Persecution (ca. 303-311 CE), is instructive on the "wealth" of a major see such as Antioch before the windfall of donations under Constantine and his heirs: "2 golden chalices, also 6 silver chalices, 6 silver pots, a silver chafing vessels, 7 silver lamps, 2 torches, 7 short brass candlesticks with their lamps, also 11 brass candlesticks with their chains, 82 women's garments, 38 veils, 16 men's

The misuse of the Church's donations and the collapse of clerical discipline were exactly what one of Paul's predecessors had intended to stymie, when he composed *Hē Didascalia tōn Apostolōn* "The Teachings of the Apostles," a sort of bishop's handbook written by an anonymous bishop between 225 and 250 CE.[47] Dissembling as the lessons of the twelve apostles, the text, only rediscovered in 1854, pushed a systematic organizational agenda that Georg Schöllgen has aptly called *die Professionalisierung des Klerus*. In this single text, the pseudo-apostles "established" many of the ecclesiastical practices that would become norms of late ancient and early medieval clerical discipline.[48] The *Didascalia*, for example, clarified the duties of each rank of the clerical hierarchy (bishops, priests, deacons, readers), set age and limited

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garments, 13 pair of men's shoes, 47 pair of women's shoes, 18 pattens for the country." Optatus, *De schismate Donatistorum*, appendix 1 (*CSEL* 26, 187). This is a fine collection of goods, especially the gold and silver pieces, but nothing too grand. Comparatively, majors sees in the fifth and sixth century measured their income in pounds of gold. See, for instance, A. H. M. Jones, "Church Finances in the Fifth and Sixth Centuries," *Journal of Theological Studies* 11.1 (1960), 84-94; See also Sabine Hübner, "Currencies of Power," in Andrew Cain and Noel Lenski (eds.), *The Power of Religion in Late Antiquity* (Burlington, VT: Ashgate, 2009), 168-178; Ramsay Macmullen has an excellent overview of all known church-buildings before 400 CE whose relatively small dimensions and general lack of survival indicate the lack of funding before the Age of Constantine. The ones with archaeological remains at most hold a few hundred. Cf. Ramsay Macmullen, *The Second Church: Popular Christianity A.D. 200-400* (Atlanta: Society of Biblical Literature, 2009), 13-15, 117-141.

[47] No copy of the Greek original survives, but the text has been reconstructed from citations in the fourth-century *Apostolic Constitutions*, of which it is the majority of the first books, and from Syriac and Latin translations. The first edition of the Syriac was done in 1854 Paul de Lagarde. A more authoritative edition was published as Paul de Lagarde (ed.), *Didascalia apostolorum syriace* (Göttingen: Becker & Eidner, 1911). The Latin version discovered in a fifth-century Verona manuscript was edited by Franz Xaver von Funk, which has a facing Greek edition of *Constitiones Apostolorum*. I will follow the standard practice and quote both the Greek *Constitutiones* and the Latin *Didascalia*, when I feel the distinction is necessary, but will generally cite the Greek with some optimism that it captures the Greek original. I will cite both the *Sources chrètiennes* edition of the *Apostolic constitutiones* and the Funk version of *The Didascalia*: Franz Xaver von Funk (ed.), *Didascalia et Constitutiones Apostolorum* (Paderborn: In libraria Ferdinandi Schoeningh, 1905) and B. M. Metzger (ed.), *Les constitutions apostolique*s (*SC* 336). I have also consulted R. Hugh Connolly, *Didascalia Apostolorum: The Syriac Version Translated and Accompanied by the Verona Latin Fragments with an Introduction and Notes* (Oxford: Clarendon Press, 1929), to verify that certain points were consistent across the Greek, Latin, and Syriac traditions, but without much Syriac myself I am reliant on Connolly's understanding of the text. For an ample discussion of *The Didascalia*'s "genre" of "church order literature," see Joseph Mueller, "The Ancient Church Order Literature: Genre or Tradition?," *Journal of Early Christian Studies* 15.3 (2007), 337-380.

[48] Georg Schöllgen, *Die Anfänge der Professionalisierung des Klerus und das kirchliche Amt in der syrischen Didaskalie* (Münster: Aschendorff-Verlag, 1998).

educational requirements for offices (bishops should be at least fifty and literate), required an ordination approval process by witness examination, banned certain activities for clerics (drunkenness and self-enrichment), outlined disciplinary judicial procedures and intra-Chrsitian arbitration (the so-called *audientia episcopalis*), explained appropriate professional distance from the laity (no gifts from suspect patrons or respect of persons, i.e., status), and finally laid out a fixed pay ratio for those on the Church's dole (offerings to priests should be twice those to deacons' and four times those to widows).[49] This model of the clergy was more *professional* in that clerical service was imagined explicitly as a way of earning a living, what the text rendered as "keeping food on the table (*trophē* / *victus*) and clothes on one's back" (*amphiasmos* / *vestitus*), and in that clerics were expected to maintain a more regimented professionalism in their actions.[50] However, as this rather banausic language of livelihood suggests, the clerics in question were not earning a surfeit of gold and silver.

As modest as their payment might have been, the clerical stipend was the major catalyst that professionalized clerical life in Antioch and elsewhere. As Schöllgen rightly noted, because the laity now funded the clergy with their offerings (*prosphorai*), which flowed into clergy's wages (*misthos* / *merces*), they could also demand more services from clerics, more scrupulous behavior and experience, and a more systematic organization of the clergy as a distinct body of religious specialists. The reception of the stipend marked the previously "volunteer" clergy off as a separate "professional" body of religious magistrates, distinct from the laity, who were loyal above all else to their wage-dispensing bishop who enforced discipline—hence Eusebius' snide remarks about the loyalty of the paid clergy to Paul. [51] This payment was expressly not about distributing riches to a sacerdotal upper-class. As a contemporaneous Pseudo-Clementine homily, also produced in Syria, put it:

> Brothers, there are some things that you must not wait to hear, but must consider of yourselves what is reasonable: How can, Zaccheus [a cleric], having wholly given himself to toil for you while needing sustenance, a man unable [because of his work] to tend to his own affairs, procure his own necessary support? Is it not reasonable that you are to undertake planning for his livelihood (*trophē*)…. Therefore appropriately honor the presbyters, catechists, and useful deacons….[52]

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[49] On episcopal selection and duties at *Didascalia* 2.1-6 (Funk, *Didascalia,* 33-43); on clerics not being luxurious, drunken, or self-enriching at 2.24-25 (90-11); on episcopal audiences at 2.47-49 (142-146); on avoiding corruption by powerful lay persons at 4.5.1-5 (225-226); on payment at 2.27-28 (106-110). For discussions of the *Didascalia*'s clergy, see John ibaut, *The Cursus Honorum* 36-37.

[50] *Didascalia* 2.25.1-2 (Funk, *Didascalia*, 92).

[51] Schöllgen, *Die Anfänge*, 34-56

[52] Pseudo-Clementine, *Hom.* 3.71.1-5 (J. Irmscher, F. Paschke, and B. Rehm (eds.), *Die Pseudoklementinen I. Homilien* (Berlin: Akademie Verlag, 1969), 23-281: 55): πλήν, ἀδελφοί, ἔνια οὐ χρὴ ἀναμένειν ἀκούειν, ἀλλὰ καὶ ἀφ' ἑαυτῶν τὸ εὔλογον νοεῖν. Ζακχαῖος μόνος ὑμῖν ὅλος ἑαυτὸν ἀσχολεῖν ἀποδεδωκώς, κοιλίαν ἔχων καὶ ἑαυτῷ μὴ εὐσχολῶν, πῶς δύναται τὴν ἀναγκαίαν πορίζειν τροφήν; οὐχὶ δὲ εὔλογόν ἐστιν πάντας ὑμᾶς τοῦ ζῆν αὐτοῦ πρόνοιαν ποιεῖν, οὐκ ἀναμένοντας αὐτὸν ὑμᾶς αἰτεῖν…. ἀκολούθως οὖν τιμᾶτε πρεσβυτέρους, κατηχητάς,

Or, as *The Discalia* explained it, "the laity is thus to pay to every rank [of the clergy] their owed honor in gifts for their lifestyle" (*hekastōi oun aksiomati oi laikoi tēn prosēkousan timēn nemetōsan en tois domasi kai tēi kata ton bion*).[53] The honor being dispensed here is of course the clergy's modest payment in coin and foodstuffs, what Paul of Samosata's detractors labelled as "riches" lavished on "those who covet such things."

A natural consequence of the practice of dispensing "honors," i.e., payments, to clerics was that they could also be dishonored. Misbehaving clerics could not only be defrocked or excommunicated but also defunded. Given the cost of urban living, the wage that the clergy received for their labor could be quite the incentive for obedience and loyalty to the wage-dispensing bishop. Similarly, since bishops and the clergy had funds of their own, they were less likely to be co-opted or corrupted by wealthy patrons of the Church. In this way, as Schöllgen stressed, the *Didascalia* and its payment scheme are connected to the wider third-century phenomenon, typically termed the rise of the monarchical bishop, whereby bishops increasingly became the sole "monarch" over their local clergy and laity.[54] Discipline and dependence were two sides of the same coin.

One cannot overstate the elegant simplicity and significance of Schöllgen's observation for our understanding of early Christian ecclesiology: *placing the performer of some task on a full-time payroll makes them approach that task more seriously, more professionally*. And Schöllgen earned much merited praise for reinterpreting developments in early Christian practices from the novel theoretical vantage of religious "professionalization" instead of the more traditional framework of institutionalization, which, as Schöllgen rightly acknowledged, plays into out-dated Weberian notions about the ossification of charismatic religious life and into anti-Catholic polemics about the *Usurpation des geldgierigen Klerus* in late antiquity.[55] That said, as at least one reviewer noted, Schöllgen never addressed in any systematic way how we

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διακόνους χρησίμους, χήρας εὖ βεβιωκυίας, ὀρφανοὺς ὡς ἐκκλησίας τέκνα… For a discussion of the Syrian communities positive view on labor, see Arthur Geoghegan, *The Attitude Towards Labour in Early Christianity and Ancient Culture* (Washington, DC: The Catholic University of America Press, 1945), 152-161.

[53] *Apostolic Constitutions* 2.28.5 (*SC* 320, 244): Ἑκάστῳ οὖν ἀξιώματι οἱ λαϊκοὶ τὴν προσήκουσαν τιμὴν νεμέτωσαν ἐν τοῖς δόμασι καὶ τῇ κατὰ τὸν βίον ἐντροπῇ.

[54] For the history of the academic concept of "the monarchical episcopate" and the primary source materials behind it, see Hall, "Institutions in the Pre-Constantinian *Ekklēsia*,"415-421; Georg Schöllgen, "From Monepiscopate to Monarchical Episcopate: The Emergence of a New Relationship between Bishop and Community in the Third Century," *The Jurist* 66 (2006), 114-28; Kenneth A. Strand, "The Rise of the Monarchical Episcopate," *Andrews University Seminary Studies* 4 (1966), 65-88. Schöllgen masterfully weaves his particular reading of the *Didascalia* on these matters with ample parallels from around the Mediterranean, which in total demonstrate a widespread trend towards professionalizing the clergy between the period of 200 and 250 CE. See Schöllgen, *Die Anfänge*, 57-100.

[55] Jörg Rüpke, "Early Christianity out of, and in, Context," *Journal of Roman Studies* 99 (2009), 182-193: 187. Schöllgen, *Anfänge*, 34-35.

should understand *Professionalisierung* as a cultural category for an ancient religion.[56] How would a novice deacon, for instance, interpret the *Didascalia*'s admonition, "Perform your trades (*technai* / *artes*) as secondary pursuits for the sake of earning a living (*hōs en parergōi eis diatrophēn/ opus subsecundarium ad victum vestrum*); let your true work (*ergon / opus*) be piety"?[57] What would it mean to a Roman artisan to have piety as one's work (*ergon*)? Schöllgen argued quite compellingly that the trends observable in both the *Didascalia* and other third-century sources transformed religious authority and discipline into a pious way of earning a living,[58] but for all the value of his study he never articulated what professions and professionalism entailed to Roman audiences. What was implied, when the author explained that the clergy were the bishop's "shop-assistants" or his "ship's crew" (*tas hupēresias*), [59] a term in Classical Greek and later usage, which had incontrovertible connotations of paid work and laborious service for religious and occupational groups?[60] What did it signify that the fourth-century Latin translator of *The Didascalia* opted to render the term as "counselors and business managers (*consiliarii et contractores*)"?[61] That its Syriac translator opted to call them "fashioners and counsellors"?[62] Does it change our understanding of the social control of clerics

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[56] Christian Gizewski, "[Review] *Die Anfänge der Professionalisierung des Klerus und das kirchliche Amt in der syrischen Didaskalie* by Georg Schöllgen," *Gnomon* 74.6 (2002), 559-561: 561.

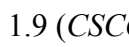
[57] *Constitutiones Apostolorum* 2.60.5 (*SC* 320, 218): ὡς ἐν παρέργῳ ποιεῖτε εἰς διατροφὴν, ὡς αἱ τέχναι τῶν πιστῶν ἐπέργιά εἰσιν, ἔργον δὲ ἡ θεοσέβεια; *Didascalia* 2.60.7 (Funk, 175): *Artes ergo vestras tanquam opus subsecundarium ad victum vestrum parandum exercete; opus autem verum vobis sit pietas*.

[58] Schöllgen, *Die Anfänge*, 7-33. See also Jörg Rüpke, "Controllers and Professionals: Analyzing Religious Specialists," *Numen* 43.3 (1996), 241-262.

[59] *Constitutiones Apostolorum* 2.34.3 (*SC* 320, 254-256): Εἰ γὰρ ἐκεῖ πλῆθος τηλικούτου βασιλέως ἀναλόγως τὰς ὑπηρεσίας ἐδίδου, πόσῳ μᾶλλον οὐχὶ καὶ νῦν ὁ ἐπίσκοπος λαμβάνειν ὀφείλει παρ' ὑμῶν τὰ ἐκ τοῦ Θεοῦ αὐτῷ ὡρισμένα πρὸς διατροφὴν αὐτοῦ τε καὶ τῶν σὺν αὐτῷ κληρικῶν…

[60] See Henry George Liddell and Robert Scott. *A Greek-English Lexicon. Revised and Augmented throughout by Sir Henry Stuart Jones with the Assistance of Roderick McKenzie.* (Oxford: Clarendon Press, 1940), 1872. See its usage in *IHistria* 57 (2nd Cent. CE); *SEG* 61, 323 and 324.

[61] *Didascalia* 2.34.3 (Funk, *Didascalia*, 116-118): *Secundum ergo ratam et multitudinem plebis suae et ministeria accipiet: et modo episcopus de populo accipiens ibi quoscumque loci dignos esse existimaverunt presbyteros constituet et consiliarios et contractores, diaconos et subdiaconos intra domum ministrare eis*.

[62] Syriac *Didascalia* 1.9 (*CSCO* 176, 101). The word "  " can mean "founder, fashioner, artificer." Jessie Payne Smith, *A Compendious Syriac Dictionary* (Eugene, OR: Wipf and Stock, 1999), 322.

to hear the Apostles warning deacons bluntly to "remember the deacon's pay (*ton tēs diakonisēs misthon*)" in the performance of all their actions?[63]

I do not fault Schöllgen for skimming over these questions, but they are crucial if, as Schöllgen and I believe, paying the clergy encouraged the professionalization of clerical duties. All of these economic and occupational terms would have had heavy resonances among the artisan and commercial classes of the Roman Empire who labored for their livelihoods and enrolled themselves in ecclesiastical service—and they also had resonance among wage-dependent "white collar" professionals like Paul of Samosata and his schoolmaster rival Malchion. As scholars now recognize, the high and late empire had much more robust wage-labor markets than older so-called "primitivist" models speculated.[64] Millions of Romans including landowners relied on incomes from business activity and wage-based occupations. Scholars also recognize now that over the same period regimented occupational organizations proliferated across the Mediterranean basin, as emperors and political elites sought to encapsulate the empire's economic actors into a hierarchy of discrete and manageable social units. In a gradual, uneven process between roughly 50 CE and 350 CE, the Roman Empire slowly transformed into a unified fractal pyramid of households, *collegia*, independent cities, and imperial apparatuses, which were held together by a range socio-economic relationships.[65] Prime among these were patronage networks mediated by the distribution of specie, foodstuffs, and honors.[66] Roman men (and women) of all ranks and occupations devoted considerable amounts

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[63] *Constitutiones Apostolorum* 3.19.2-3 (*SC* 329, 160): Ἕκαστος οὖν τὸν ἴδιον γνωριζέτω τόπον καὶ ἐκτελείτω αὐτὸν σπουδαίως, ὁμοφρόνως, ὁμοψύχως, γινώσκοντες τὸν τῆς διακονίας μισθόν. Ἔστωσαν δὲ καὶ ἀνεπαίσχυντοι εἰς τὸ ὑπηρετεῖσθαι τοῖς δεομένοις, ὡς καὶ ὁ Κύριος ἡμῶν Ἰησοῦς ὁ Χριστὸς οὐκ ἦλθεν διακονηθῆναι, ἀλλὰ διακονῆσαι καὶ δοῦναι τὴν ψυχὴν αὐτοῦ λύτρον ἀντὶ πολλῶν· οὕτως οὖν καὶ αὐτοὺς δεῖ ποιεῖν. Κἂν δέῃψυχὴν ὑπὲρ ἀδελφοῦ ἀποθέσθαι, μὴ διστάσωσιν· οὐδὲ γὰρ ὁ Σωτὴρ ἡμῶν καὶ Κύριος Ἰησοῦς ὁ Χριστὸς ἐδίστασεν τὴνψυχὴν αὐτοῦ θείς, ὡς αὐτὸς ἔφη, ὑπὲρ τῶν φίλων αὐτοῦ; 3.19.6 (SC 329, 162): Ἐξυπηρετεῖτε οὖν ἀγαπητικῶς, μὴ ἐπιγογγύζοντες μηδὲ διαστασιάζοντες· οὐ γὰρ δι' ἄνθρωπον ποιεῖτε, ἀλλὰ διὰ τὸν Θεόν, καὶ τὸν μισθὸν τῆς διακονίας παρ' ἐκείνου ἀπολήψεσθε ἐν ἡμέρᾳ ἐπισκοπῆς ὑμῶν.

[64] For a discussion of wage labor in the high and late empire, see Jairus Banaji, *Exploring the Economy of Late Antiquity: Selected Essays* (Cambridge: Cambridge University Press, 2016), 1-34; idem, *Agrarian Change in Late Antiquity: Gold, Labor and Aristocratic Dominance* (Oxford: Oxford University Press, 2001), 190-212; Peter Temin, *The Roman Market Economy Princeton* (NJ: Princeton University Press, 2013), 114-139; idem, "The Labor Market of the Early Roman Empire," *Journal of Interdisciplinary History* 34.4 (2004), 513-538; Claire Holleran, "Getting a Job: Finding Work in the City of Rome," *Work, Labour, and Profession in the Roman World* (Leiden: Brill, 2016), 87-103.

[65] Peter Sarris, "Integration and Disintegration in the Late Roman Economy: The Role of Markets, Emperors, and Aristocrats," *Late Antique Archaeology* 10.1 (2013), 167-188

[66] For the importance of honors, honorics, and offerings, see especially John Lendon, *Empire of Honour: The Art of Government in the Roman World* (Oxford: Clarendon, 1997).

of time, thought, and energy on acquiring and maintaining both their honor and their incomes through these relationships.[67] As Onno van Nijf has explained in his trenchant study of the complex civic lives of Greek-speaking guildsmen under the empire,

> [a] new model of society was constructed, based no longer on the isonomy of citizens, but upon a hierarchy of status groups, effectively and symbolically integrated into an imperial framework. This process, which we can call *ordo*-making, started with the local élites who re-invented themselves as an (ideally) hereditary order of councillors, but was not limited to them. Successful *demotai* [that is, non-elite urban-dwellers] without immediate access to political sources of prestige imitated and adapted this model of social organisation, often assuming the symbolic behavior of the local orders. [68]

Fishermen and craftsmen, architects and physicians, schoolmasters and saints, all types of occupation-holders across the Roman Empire became accustomed to organizing themselves into semi-autonomous associations, interchangeably called *synodoi*, *collegia*, *ordine*s, *scholae,* etc., which relied on interpersonal relationships across the Roman social spectrum, in order to secure both honor and accompanying financial benefits for members.[69]

This was the social environment that birthed the professional Christian clergy.[70] That its earliest and most fulsome articulations developed around the administrative and economic metropolis of Antioch should not be surprising.[71] Besides imperial bureaucratic *scholae* and the

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[67] The classic study on such topics is Ramsay Macmullen, *Roman Social Relations* (New Haven, CT: Yale University Press, 1974).

[68] Onno van Nijf, *The Civic World of Professional Associations in the Roman East* (Leiden: Brill, 1997), 247. See for an overview of the new facets of imperial urbanism, see Maud Gleason, "Greek Cities under Roman Rule" and John Edmunson, "Cities and Urban Life in the Western Provinces of the Roman Empire 30 BCE-250 CE," in David Potter (ed.) *A Companion to the Roman Empire* (2006 (2010)), respectively 228-249, and 250-279.

[69] For example, confer thee following first- through second-century occupational inscriptions with references to occupational assocations: Fishermen: *IEph* 20; *IParion* 5; *IMilet* 1138; *SEG* 48, 136; ISmyrna 715. Physicians: *IEph* 1162 Architects: *IMilet* 935. Teachers: *IDelos* 1801.

[70] These conditions also effected the emergence of synagogue office-holders, see Tessa Rajak and David Noy, "*Archisynagogoi*: Office, Title and Social Status in the Greco-Jewish Synagogue," *Journal of Roman Studies* 83 (1993), 75-93; Peter Richardson, "Early Synagogues as Collegia in Palestine and the Diaspora," in Kloppenborg and Wilson, *Voluntary Associations*, 90-109.

[71] George Haddad, *Aspects of Social Life in Antioch in the Hellenistic-Roman Period* (Diss. University of Chicago, 1949), 67-71. Haddad estimates 200,000 free inhabitants, with an addition 200,000 servile population for a total of 400,000. See Glanville Downey, "The Size of the Population of Antioch," *Transactions and Proceedings of the American Philological Association* 89 (1958), 84-91: 86. A long overview of the Christian center of Antioch can be found in David Wallace-Hadrill, *Christian Antioch: A Study of Early Christian Thought in the East* (Cambridge: Cambridge University Press, 1982). See also Michelle See, *The Church in*

city's own municipal apparatuses, Antioch housed some 15,000 regimented Roman soldiers,[72] and a vibrant system of artisanal and mercantile guilds, as well as countless numbers of affiliated small-scale businesses, cottage industries, and voluntary religious associations.[73] Behind all these corporate bodies lurked the main organizing principle of the "minimal state" Roman Empire: empowering dispersed semi-autonomous groupings, e.g., *curiae*, *collegia,* and households, so that by proxy their leaders could regulate social harmony and economic functioning, while demanding little from the Roman state itself.[74] Within this topography third-century Christian bishops carved out their own local ecclesiastical fiefdoms with themselves and their clergies serving as the remunerated religious and administrative magistrates of their "assemblies."[75]

The *Didascalia*-author like other third-century figures is quite clear about modeling his "professional" clergy on secular organizational exemplars, framing the clergy as "the councilmen (*sunedroi*) of the bishop… the *collegium* (*sunedrion*) and council (*boulē*) of the Church."[76] As the text continues, "the laity is thus to pay to every rank [of the clergy] their owed honor in gifts for their lifestyle."[77] Whereas *boulē* is a generic term for councils, *sunedrion* in second and third-century Greek typically refers to the governing body of voluntary religious associations and professional *collegia*, whose remunerated positions were always reckoned as "honors" and

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Antioch in the First Century CE: Communion and Conflict (Atlanta: T & T Clark, 2003). For Antioch as an administrative center, see J. H. W. G. Liebeschuetz*, Antioch: City and Imperial Administration in the Later Roman Empire* (Oxford: Oxford University Press, 1972).

[72] For estimates of Antioch's military, bureaucratic, and guild populations, see Nigel Pollard, *Soldiers, Cities, and Civilians in Roman Syria* (Ann Arbor: University of Michigan Press, 2000), 23-32.

[73] For the collegia and taverns of Antioch, see Magnus Zetterholm, *The Formation of Christianity in Antioch: A Sociologial Approach to the Separation of Judaism and Christianity*. (New York: Routledge, 2003), 32-37;.

[74] See Peter Fibiger Bang, "Trade and Empire—In Search of Organizing Concepts for the Roman Empire," *Past and Present* 195 (2007), 3-54: 13.

[75] Faivre, *Ordonner la fraternité*, 30-40; Charles Munier, *L'Église dans l'Empire Romain (IIe-IIIe siècles). Église et Cité* (Paris: Sirey 1958), passim; Jean Gaudemet, *L'Église dans l'Empire Romain (IVe-Ve siècles)* (Paris: Editions Cujas 1979), 98-184.

[76] *Apostolic Constitutions* 2.28.4 (*SC* 320, 244): ὡς σύνεδροι τοῦ ἐπισκόπου καὶ τῆς Ἐκκλησίας στέφανος· εἰσὶν γὰρ συνέδριον καὶ βουλὴ τῆς Ἐκκλησίας; *Didascalia* 2.28.4 (Funk, 108): *nam et ipsi tamquam apostolic et consiliarii honorentur episcopi et corona ecclesiae: sunt enim consilium et curia ecclesiae.*

[77] *Apostolic Constitutions* 2.28.5 (*SC* 320, 244): Ἑκάστῳ οὖν ἀξιώματι οἱ λαϊκοὶ τὴν προσήκουσαν τιμὴν νεμέτωσαν ἐν τοῖς δόμασι καὶ τῇ κατὰ τὸν βίον ἐντροπῇ.

"offices."[78] One can, for example, find references to the magistrates of noble *sunedria* of silver-smiths, physicians, carpet-weavers, sack-bearers, and fishermen.[79] Similarly, the *Didascalia*-author looked to the celebratory practices of such *sunedria* as models for Christian ceremonies. Like the magistrates of a guild, the *Didascalia* has the clergy receive first portions at ritual meals. The bishop even received a set portion of the bounty, when absent, out of respect for him.[80] As Jean-Pierre Waltzing observed over a century ago, the granting of first right and larger portions to senior guild officials whether in food, gifts, or money was standard practice in Roman social arrangements. "The distinction made was an honor accorded to the magistrates… and this custom was adopted by the Church to recompense the zeal of the priests."[81]

An expert on Roman professional *collegia*, Waltzing was one of the first historians to connect the third-century clergy's new found "zeal" with the organizational principles of Roman trade associations. Having documented thousands of Roman *associations professionelles*, Waltzing like Mommsen, de Rossi, and their contemporaries saw in ecclesiastical texts of the late second and early third century clear and recognizable forms of organizational discipline that appropriated the vocabulary and practices of the occupational *collegia* and voluntary associations, whose by-laws and honorifics dominate the Greco-Roman epigraphic record.[82] He was also an early French translator of Tertullian's *Apologeticum*, a third-century text which expressly makes the claim (to its fictitious audience of the Roman Senate) that the Church was

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[78] Cf. the following second-century inscriptions related to professional *sunedria*: *IHerakleiaPont* 2 (actors); *SEG* 36, 1052 (porters); *SEG* 53, 1287 (gymnasts); *IEph* 2304 (Physicians); *SEG 36*, 1051 (linen-weavers). For relevant Greek titles and honors, see Van Nijf, *Civic Life*, 73-100.

[79] For examples of magistrates in professional *sunedri*a, cf. *IEph* 636, *IEph* 2212 (Silver-Smiths), *IEph* 1162, *IEph* 3239 (physicians); *SEG* 46, 1656 (carpet-weavers); *IKyzikos* 1.291(sack-bearers); *IKyzikos* 1.260 (fishermen). On *collegia* magistrates in general, see Van Nijf, *Civic Life,* 73-85; Halsey Royden, *The Magistrates of the Roman Professional Collegia in Italy from the First to the Third Century A.D*. (Pisa: Giardini editori e stampatori, 1988); Koenraad Verboven, "Magistrates, Patrons and Benefactors of Voluntary Associations: Status Building and Romanisation in the Spanish, Gallic and German Provinces of the Roman Empire," in I.B. Antela-Bernardez and A. Ñaco del Hoyo (eds.), *Transforming Historical Landscapes in the Ancient Empires (Proceedings of the First Workshop Area of Research in Studies from Antiquity, Barcelona 2007)* (Oxford: John and Erica Hedges, 2009), 159-167.

[80] *Apostolic Constitutions* 2.28.1-4 (*SC* 320, 244).

[81] For Jean-Pierre Waltzing, "Roman Guilds and Charity," *The Charities Review* 4.7 (1895), 345-362: 361.

[82] Jean-Pierre Waltzing, *Étude historique sur les corporations professionnelles chez les Romains depuis les origines jusqu'à la chute de l'Empire d'Occident*, 4 vols. (Louvain: C. Peeters, 1895-1900). See Perry's critique of the project in his chapter "Jean-Pierre Waltzing's 'Professional Associations' and The Legacy of Christian Democracy," in Jonathan Perry, *The Roman Collegia. The Modern Evolution of an Ancient Concept* (Leiden: Brill, 2006), 61-88.

"an association (*corpus*) of religious conscience, unity of discipline (*disciplina*), and faithful bonds (*spei foedere*)." As the text continues,

> We convene as a group *(coetus*) and a congregation (*congregatio*), so that we might encompass God with our prayers This "violent tumult" gratisfies God. We also pray for emperors, for his ministers, for those in power, for the state of the world, for peace in all things, for a delay of the end times. We gather to read our sacred texts, when any particular matter of the present requires either premonition or the recall of the past. Indeed, we nourish our faith with holy voices, build up our hope, we fix our faith, we secure our steadfastness, and by the inculcation of our precepts we make thick our discipline… Our presidents (*praesidentes*) are tested (*probati*) men of age, having not paid for their honors, but rather being confirmed by testimony (*testimonio adepti*)... Though there is a kind of common treasure-chest (*arcae genus*), it is not made up of members' dues, as if religion had a price. On a monthly day, if one likes, one puts in a small donation, but only if it is one's pleasure and only if the person is able. For there is no compulsion, everything is voluntary. These are like deposits of piety. For they are not received and spent on feasts, drunken benders, and buffets, but they are only received to support and to bury the poor; they are simply spent on boys and girls deprived of property and parents, on aged domestics, on shipwrecked persons, and on any, who are in the mines or on islands or in prisons, provided he or she is there for the sake of God's religion. They become pensioners (*alumni*) on account of their confession [to the faith].[83]

The *praesidentes* administering all of these matters were the clergy, literally those sitting before everyone else. Framing the church as a *collegium* and the clergy as a disciplined corps of magistrates would have appealed to both the urban "middling" Christians of Tertullian's audience as well as to the imagined Roman Senate of his address, much to the same effect as the *Didascalia*'s framing of the clergy as a *sunedrion* and a *boulē*. Organizational discipline and deference to designated magistrates constituted a sort of *sine qua non* for Roman authorities who

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[83] Tertullian, *Apologeticum* 39.1-6 (*CCSL* 1, 150-151): *Corpus sumus de conscientia religionis et disciplinae unitate et spei foedere. Coimus in coetum et congregationem, ut ad deum quasi manu facta precationibus ambiamus orantes. Haec vis deo grata est. Oramus etiam pro imperatoribus, pro ministris eorum et potestatibus, pro statu saeculi, pro rerum quiete, pro mora finis. Coimus ad litterarum divinarum commemorationem, si quid praesentium temporum qualitas aut praemonere cogit aut recognoscere. Certe fidem sanctis vocibus pascimus, spem erigimus, fiduciam figimus, disciplinam praeceptorum nihilominus inculcationibus densamus; ibidem etiam exhortationes, castigationes et censura divina. Nam et iudicatur magno cum pondere, ut apud certos de dei conspectu, summumque futuri iudicii praeiudicium est, si quis ita deliquerit, ut a communicatione orationis et conventus et omnis sancti commercii relegetur. Praesidentes probati quique seniores, honorem istum non pretio, sed testimonio adepti. Neque enim pretio ulla res dei constat. Neque enim pretio ulla res dei constat. Etiam si quod arcae genus est, non de honoraria summa quasi redemptae religionis congregatur. Modicam unusquisque stipem menstrua die, vel cum velit, et si modo velit, et si modo possit, apponit; nam nemo compellitur, sed sponte confert. Haec quasi deposita pietatis sunt. Nam inde non epulis nec potaculis nec ingratis voratrinis dispensatur, sed egenis alendis humandisque et pueris ac puellis re ac parentibus destitutis iamque domesticis senibus, item naufragis et si qui in metallis et si qui in insulis vel in custodiis, dumtaxat ex causa dei sectae, alumni confessionis suae fiunt.*

only tolerated sanctioned gatherings of urban plebeians.[84] Hence Tertullian offered an apologetic defense of rumors about Christian ceremonies like the *agapē,* which misconstrued Christian activities as raucous and wine-laden feasts. Magistrates and perceived discipline distinguished *collegia* from plebeian mobs in the Roman social and legal imagination.[85] And it is as *collegia* that early churches and synagogues were first categorized under Roman law. [86] Neither Tertullian nor the *Didascalia*-author was speaking in mere metaphor then, when he framed the Christian clergy as voluntary Roman association, or *collegium*. The Christian *ekklēsia* might have been the best *corpus*, *synodos*, or *ordo*, but it was still self-consciously one of these to many of its members and seemingly also to the Roman state well into the Constantinian era.[87]

A perceived disconnect between "working class" Greco-Roman occupational associations and the "elite" Christian authors formulating clerical discipline has been the main reason that twentieth-century scholars have de-emphasized (more so than their Victorian counterparts) the obvious similarities between *collegia* and emerging clerical practices.[88] For instance, just as the

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[84] Wendy Cotter, "Collegia and Roman Law," in Kloppenborg and Wilson, *Voluntary Associations*, 74-89.

[85] Bart Wagemakers, "Incest, Infanticide, and Cannibalism: Anti-Christian Imputations in the Roman Empire," *Greece & Rome* 57.2 (2010), 337-354. For stereotypes of *collegia*, see Macmullen, *Roman Social Relations*, 77-78.

[86] For instance, note the language of *corpus* (association or guild) in Constantine's so-called Edict of Toleration (313 CE), which restored to the churches of the empire their confiscated property. Lactantius, *De mortibus persecutorum* 48.8 (J. L. Creed, *Lactantius, De mortibus persecutorum, edited and translated* (Oxford: Clarendon Press, 1984), 72): *Et quoniam idem Christiani non [in] ea loca tantum ad quae convenire consuerunt, sed alia etiam habuisse noscuntur ad ius corporis eorum id est ecclesiarum, non hominum singulorum, pertinentia, ea omnia lege quam superius comprehendimus, citra ullam prorsus ambiguitatem vel controversiam isdem Christianis id est corpori et conventiculis eorum reddi iubebis, supra dicta scilicet ratione servata, ut ii qui eadem sine pretio sicut diximus restituant, indemnitatem de nostra benivolentia sperent.* Cf. Giuseppe Bovini, *Proprietà ecclesiastica e la condizione giuridica della Chiesa in età precostantiniana* (Milan: A. Giuffrè, 1948); Arnold Ehrhardt, "Das Corpus Christi und die Korporationen im spät-römischen Recht," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 70 (1953), 299-347.

[87] As Benedikt Eckhardt has recently reminded us, not all second- and third-century Christians and pagans assumed that Christians formed "associations" just like the rest of Greco-Roman society. Pagans could detract from Christian claims of harmlessness and legitimacy by charging that they were in fact not "associations." Some Christians took umbrage with the negative connotations of associations. That said, as Eckhardt also notes, there were nevertheless obvious resemblances between "associations" and churches. See Benedikt Eckhardt, "Who Thought That Early Christians Were Associations?" *Mnemosyne* 71.2 (2018), 298-314.

[88] Research onto New Testament and sub-Apostolic Christianity has been much more amenable to interpreting early Christian churches as Greco-Roman "associations," see Richard S. Ascough,

Didascalia's term *sunedrion* could mean both a "sitting together" of guildsmen or one of Roman senators, Tertullian's occasional uses of *ordo ecclesiae* or *ordo ecclesiasticus* could draw on definitions of *ordo* as socially far apart as a military battalion, a roster of guildsmen, a small-town city council, and the Roman senate itself. Yet, most scholars today are confident that when Tertullian distinguished the clerical *ordo* from the *plebs*, i.e., the laity, the "patrician" Tertullian was comparing the clergy to the Roman senatorial classes.[89] I have yet to see it noted by ecclesiastical historians, however, that collegial magistrates could also be labeled an *ordo* in direct contradistinction to regular members (*plebs*), such as was recorded on the membership *rostra* for the *collegium* of sailors, accountants, and assistants (*lenuncularii*, *tabularii*, *auxiliarii*) at Ostia.[90] Most modern scholars have been too apt, in my opinion, to overemphasize comparisons of the Church to aristocratic Greco-Roman political units such as municipal town-councils since these comparisons lend themselves to the streamlined equation of the clergy with the Roman Empire's political elites, namely the 300,000 or so *curiales* and senators.

In this way, as I have criticized in the introduction and my first chapter above, an implicit equivalence is drawn between the clergy, or sometimes simply bishops, and legally designated elites, with the consequence that any cleric with some degree of education or means is labeled "elite" without qualification. Modern scholarship on Roman social stratification has rejected ironclad dichotomies between educated aristocrats and plebeian laborers. Urban dwellers existed on gradual spectrums of wealth, status, and education.[91] Significant numbers of non-aristocrats, for instance, practiced "liberal arts" professions, while plenty of merchants and guildsmen were enrolled in the political aristocracy. Similarly plebeian occupation-holders in "liberal arts" professions organized themselves in professional associations not too dissimilar from "trade guilds." There were, for example, associations of educators and physicians, and the socially-diverse bars assigned to local Roman courts functioned in essence as legal guilds.[92] Even aristocratic practitioners of wage-based "liberal arts" professions such as medicine or law were often not too socially distant from artisan and mercantile guildsmen.[93] Many of them were patrons to artisan *collegia* such as the third-century lawyer (*nomikos*) Annianus who patronized

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"What Are They Now Saying About Christ Groups and Associations?" *Currents in Biblical Research* 13.2 (2015), 207-244.

[89] See, for instance, David Rankin, *Tertullian and the Church* (Cambridge: Cambridge University Press, 2005), 131-142.

[90] *CIL* 14.250 and 14.251.

[91] See Peter Brown, "The Study of Elites in Late Antiquity," *Arethusa* 33 (2000), 321-346; Steven Friesen and Walter Scheidel, "The Size of the Economy and the Distribution of Income in the Roman Empire," *Journal of Roman Studies* 99 (2010), 61-91.

[92] For the legislation regarding Roman legal bars, see Anton-Hermann Chroust, "Legal Profession in Ancient Imperial Rome," *Notre Dame Law Review* 30.4 (1955), 531-616: especially 579-582.

[93] See pp. 73-74 above.

the linen-weavers of Thuatira in Lydia.[94] The consequence of all these points is that we historians should resist interpreting the increased formalization and regimentation of the clergy as an inherent "aristocratization" of the clergy, as our predecessors did.

Locating ecclesiastical discipline among larger Roman discourses about occupational discipline, or professionalism, is not overly difficult. Christian authors of the third-century are often blunt about their presumptions about occupational discipline across the social spectrum. For instance, alongside idolaters, blasphemers, and homosexuals who should not patronize the Church, The *Didascalia* outlaws the following men and their filthy lucre from the house of God: huckersters like those who mix water with wine (*hoi kapēloi sou mignousin ton oinon hudati*); embezzlers (*harpages*) of others' money; frauds and lawyers colluding in injustice (*kai raidiourgous kai rētoras adikiai sunagōnizomenous*); those who alter weights or measure deceitfully; corrupt soldiers not satisfied with their salaries, but extorting the poor (*stratiōtēn sukophantēn*); judges who defile the law and the public good by refusing cases and being treacherous towards men (*phonea te kai dēmion kai dikastēn paranomon, pragmatōn anatropea, anthrōpōn epiboulēn*); and lastly usurers (*tokogluphon*).[95] The Latin tradition contains a similar list:

> Dishonest advocates (*iniusti actores*), those judges considering a man's birth (*judices accipientes personam*)… workers of gold, silver, bronze who are thieves (*aurifices et argentifices et aerifices fures*), dishonest tax-collectors (*injusti publicani*), those who alter weights or measure deceitfully (*qui pondera mutant vel dolose metiuntur*), tavern-keepers who mix water with their wine (*caupones aquam admiscentes*), soldiers behaving unjustly (*militibus iniuste conversantibus*)… any Roman magistrates who are defiled with wars and have shed innocent blood without trial (*magistratus imperii Romani, qui in bellis maculati sunt et sanguinem innocentem effuderunt sine iudicio*), perverters of

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[94] *IGRR* 4.1226.

[95] *Apostolic Constitutions* 4.6.1-5 (*SC* 329, 178-180): Χρὴ δὲ τὸν ἐπίσκοπον εἰδέναι, τίνων ὀφείλει δέχεσθαι καρποφορίας καὶ τίνων οὐκ ὀφείλει. Φυλακτέοι γὰρ αὐτῷ πρὸς δόσιν κάπηλοι· Οὐ δικαιωθήσεται γὰρ κάπηλος ἀπὸ ἁμαρτίας. Περὶ αὐτῶν γάρ που καὶ Ἡσαΐας ὀνειδίζων τὸν Ἰσραὴλ ἔλεγεν· Οἱ κάπηλοί σου μίσγουσιν τὸν οἶνον ὕδατι. Φευκτέοι δ᾽ αὐτῷ καὶ πόρνοι. Οὐ προσοίσεις γὰρ τῷ κυρίῳ μίσθωμα πόρνης. Καὶ ἅρπαγες καὶ τῶν ἀλλοτρίων ἐπιθυμηταὶ καὶ μοιχοί, βδελυκταὶ γὰρ αἱ τούτων θυσίαι τῷ Θεῷ. Ἀλλὰ καὶ οἱ ἐκθλίβοντες χήραν καὶ ὀρφανὸν καταδυ ναστεύοντες καὶ τὰς φυλακὰς πληροῦντες ἀναιτίων ἢ καὶ τοῖς ἑαυτῶν οἰκέταις πονηρῶς χρώμενοι, πληγαῖς φημι καὶ λιμῷ καὶ κακοδουλίᾳ, ἢ καὶ πόλεις ὅλας λυμαινόμενοι φευκτέοι ἔστωσάν σοι, ὦ ἐπίσκοπε, καὶ αἱ τούτων προσφοραὶ μυσαραί. Παραιτήσῃ δὲ καὶ ῥᾳδιουργοὺς καὶ ῥήτορας ἀδικίᾳ συναγωνιζομένους καὶ εἰδωλοποιοὺς καὶ κλέπτας καὶ τελώνας ἀδίκους καὶ ζυγοκρούστας καὶ δολομέτρας, καὶ στρατιώτην συκοφάντην, μὴ ἀρκούμενον τοῖς ὀψωνίοις, ἀλλὰ τοὺς πένητας διασείοντα, φονέα τε καὶ δήμιον καὶ δικαστὴν παράνομον, πραγμάτων ἀνατροπέα, ἀνθρώπων ἐπίβουλον, μιαρῶν ἐργάτην, μέθυσον, βλάσφημον, κίναιδον, τοκογλύφον, καὶ παντὸς ἑτέρου πονηροῦ καὶ τῇ γνώμῃ τοῦ Θεοῦ διαμαχομένου. Schöllgen does a wonderful analysis about how *The Didascalia* addresses the dangerous influence that the wealthy could have on the Church in this new "exchange" economy between clerics and laymen. See Schöllgen, *Die Anfänge*, 173-194.

> justice (*qui iudicia pervertunt*) who, in order to rob them, deal unjustly and deceitfully with the peasantry and with all the poor…[96]

As the *Didascalia* explains, the acceptance of these men's ill-gotten gain would pollute Church coffers, and their interest in patronizing the Church was suspicious at best.[97] These men were not castigated for their money-making occupations, their service of the Roman state, or their respective class origins, but for falling short of professional expectations in how they earned their money. They sinned in their execution of their jobs. Presumably the same types of men, if they were Christians and earned their keep righteously, would have been welcomed patrons of their congregation—and, as the last chapter illustrated, they would have been eligible if not desirable for ordination. Indeed, since slaves and freedmen were frowned upon as clerics and most of the Roman aristocracy had no interest in the Church before 350 CE, these men of the forum were probably the best options for ordination.[98]

As Tertullian stressed at about the same time as *The Didascalia*'s composition, "we frequent your forum, your butcher, your baths, your shops, your stalls, your inns, and your markets, and all other places of commerce; we cohabit with you, we sail with you, we fight alongside you, we till, and we traffic with you; we perform our trades and works for the public good…."[99] This is the man who chastized ostentatious Christian vestments by reminding his

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[96] *Didascalia* 4.5.1-5 (Funk, 225-226): *accipiunt enim ad victum pupillis et viduis subministrandum a divitibus, qui homines captivos in carcere tenent vel qui servis suis male utuntur vel dure tractant oppida sua vel pauperes premunt, vel a sordidis et ab eis, qui corporibus suis abutuntur, vel a maleficis vel ab eis, qui detrahunt et addunt, vel ab iniustis actoribus vel ab iniustis accusatoribus vel a iudicibus personam accipientibus, vel ab eis, qui coloribus pingunt vel idola faciunt, vel ab aurificibus et argentiiicibus et aerificibus furibus vel a publicanis iniustis vel ab eis, qui simularent se visa videre, vel ab eis, qui pondera mutant vel dolose metiuntur, vel a cauponibus aquam admiscentibus, vel a militibus iniuste conversantibus vel ab homicidis vel a speculatoribus condemnationis vel ab omni magistratu imperii Romani, qui in bellis maculati sunt et sanguinem innocentem effuderunt sine iudicio, qui iudicia pervertunt, qui furti causa improbe ac dolose conversantur cum paganis et omnibus pauperibus, et ab idololatris aut immundis aut usuras et superabundantias accipientibus.*

[97] *Apostolic Constitutions* 4.7.1 (*SC* 329, 178-180): Περιΐστασθε οὖν τὰς τοιαύτας διακονίας ὡς ἄλλαγμα κυνὸς καὶ μίσθωμα πόρνης· ἑκάτερα γὰρ τοῖς νόμοις ἀπηγόρευται; *Didascalia* 4.7.1 (Funk, 226): *Propterea, episcopi, fugire et evitate subministrationes talium, quoniam scriptum est: Non offeres in altari Dei quidquiam nec pretii canis nec mercedis meretricis.* For discussions of ancient ritual impurity related to money, see Mary Douglas, *Purity and Danger: Analysis of Concepts of Pollution and Taboo* (New York, 1996 (1966)), 70-71.

[98] Cf. pp. 63-72 above.

[99] Tertullian, *Apologeticum* 2.2-3 (*CCSL* 1, 250): *Itaque non sine foro, non sine macello, non sine balneis tabernis officinis stabulis nundinis vestris ceterisque commerciis cohabitamus in hoc saeculo. Navigamus et nos vobiscum et militamus et rusticamur et mercatus proinde miscemus, artes, opera nostra publicamus usui vestro. Quomodo infructuosi videmur negotiis vestris, cum quibus et de quibus vivimus, non scio. Navigamus et nos vobiscum et militamus et rusticamur et*

coreligionists that the austere pallium, his preferred attire, clothed pedagogues, math-teachers, grammarians, orators, philosophers, musicians, poets, astrologers, and augurs. These were average professionals who practiced "the trades of public benefit," noble men even if they originated "below the Roman equestrian order" with its toga. The worthy *pallium,* he argued, should rightly be "put into business (*confer commercium*) with our divine sect and *disciplina*."[100] To reiterate, here is the bilingual father of Latin Christian theology, a man who at least in Christian memory, besides being a practicing lawyer was the son of a Roman centurion, a position on social par with the middling Paul of Samosata, *procurator ducenarius*.[101]

A similar observations could be made about Tertullian's obviously educated Greek analogue, Origen, who proudly accepted the accusation that Christians form "associations"[102] with all its connotations of troublesome low-class gatherings and who gleefully placed Plato and other philosophers "inferior to Paul the tentmaker, Peter the fisherman, and John who left his nets."[103] He praised often "the practical crafts undertaken (*tais hupēretoumenais technais*) to support life (*trophē*)" such as husbandry, leather-work, and smithery.[104] That said, the same Origen who claimed that artisan workshops were the true places of divine wisdom,[105] also emphasized that the laity should offer "the necessities of life" to the clergy, since otherwise "they will be busy with such matters, that is, bodily concerns, and have less time for the Law of God."

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mercatus proinde miscemus, artes, opera nostra publicamus usui vestro. Quomodo infructuosi videmur negotiis vestris, cum quibus et de quibus vivimus, non scio.

[100] Tertullian, *De pallio* 6.2 (*SC* 513, 219-224): *Habeo et alias artes in publico utiles. De meo vestiuntur et primus informator literatum, et primus edomator vocis, et primus numerorum arenarius, et grammaticus, et rhetor, et sophista, et medicus, et poeta, et qui musicam pulsat, et qui stellarem conjectat, et qui volaticam spectat. Omnis liberalitas studiorum quatuor meis angulis tegitur. Plane post romanos equites, verum et accendones, et omnis gladiorum ignominia togata producitur. Haec nimirum indignitas erit, a toga ad pallium, sed ista pallium loquitur. At ego iam illi etiam divinae sectae ac disciplinae commercium confero. Gaude, pallium, et exulta, melior iam te philosophia dignata est, ex quo christianum vestire coepisti.*

[101] Cf. Jerome, *De viris illustribus* 53 (Richardson, 31); Eusebius, *Historia ecclesiastica*, 2.2.4 (*SC* 31, 53).

[102] The word is συνθήκαι. Origen, *Contra Celsum* 1.1 (*SC* 132, 78-80).

[103] Ibid., 6.7 (*SC* 147, 265): ἐστι τὸ λέγειν Παῦλον τὸν σκηνοποιὸν καὶ Πέτρον τὸν ἁλιέα καὶ Ἰωάννην τὸν καταλιπόντα τὰ δίκτυα τοῦ πατρός…

[104] Ibid., 4.76 (*SC* 136, 374): Καὶ γὰρ κρεῖττον ἦν τοῖς μὴ μέλλουσι τὰ θεῖα ζητεῖν καὶ φιλοσοφεῖν τὸ ἀπορεῖν ὑπὲρ τοῦ τῇ συνέσει χρήσασθαι πρὸς εὕρεσιν τεχνῶν, ἥπερ ἐκ τοῦ εὐπορεῖν πάντῃ τῆς συνέσεως ἀμελεῖν. Ἡ τῶν κατὰ τὸν βίον γοῦν χρειῶν ἀπορία συνέστησε τοῦτο μὲν γεωργικὴν τοῦτο δὲ ἀμπελουργικὴν τοῦτο δὲ τὰς περὶ τοὺς κήπους τέχνας τοῦτο δὲ τεκτονικὴν καὶ χαλκευτικήν, ποιητικὰς ἐργαλείων ταῖς ὑπηρετουμέναις τέχναις τὰ πρὸς τροφήν·

[105] Ibid., 3.55 (*SC* 136, 128-130).

He cautioned further, "if they do not have time and do not devote their work to the Law of God, you are endangered."[106] One must be cautious, of course, when discussing apologists such as Origen and Tertullian who issued rejoinders to elite criticisms of Christianity; yet, the ubiquity of their sympathetic, even laudatory praise of "working" laypersons and "working" clerics should give us pause, if only because little evidence supports that either was an aristocrats' aristocrat.[107] No definitive evidence assigns Tertullian to the *honestior* ranks,[108] and Origen is only reckoned so by the fact that Eusebius some 100 years later records that "the man called Origen's father was beheaded," theoretically a nobleman's death.[109] At any rate, Eusebius' account makes it clear that if Origen ever had noble status as a child, he did not retain it later in life. Before becoming a prolific Christian author and a priest, he was a simple grammarian, whose school he came to consider "unprofitable and a hindrance to divine instruction."[110]

I offer these points only to say that the formative ethos, discipline, and organizing principles shaping clerical life, at least as they were mediated by authors, were not modeled solely on the aristocratic careers of municipal town-councilors. Those customs, *mores*, and organizational practices, what I have packaged together as Roman professionalism, originated within a broader swath of Roman society, namely among the "middling" Christians who joined the clergy. Their discipline and comportment has to inform our understanding of emerging forms of clerical discipline.

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[106] Many of Origen's sermons only survive in Rufinus' faithful translations. For a discussion of the purpose and method of Rufine's translation of Origen's Old Testament homilies, see Ronald E. Heine, *Origen. Homilies on Genesis and Exodus* (Washington, DC: Catholic University of America Press, 1982), 27-30; on Rufinus' theological agenda in his translation of Origen generally, see Catherine Chin, "Rufinus of Aquileia and Alexandrian Afterlives: Translation as Origenism," *Journal of Early Christian Studies* 18 (2010), 617-47. Origen, *Homily on Joshua* 17.3 (Koetschau, Paul, et. al. *Herausgegeben im Auftrag der Kirchenväter-Commission der Königlich Preußischen Akademie der Wissenschaften. 12 Bände* (Leipzig: Hinsirch, 1899-1955), vol. 7, 405): *illis autem non vacantibus neque operam dantibus legi Dei tu periclitaris*.

[107] Cf. Geoghegan, *Attitudes towards Labour*, 137-152.

[108] See Geoffrey Dunn, *Tertullian* (New York: Routledge, 2004), 1-4.

[109] Eusebius, *Historia ecclesiastica* 6.1.1 (*LCL* 265, 8): ὁ λεγόμενος Ὠριγένους πατήρ, τὴν κεφαλὴν ἀποτμηθείς.

[110] Eusebius, *Historia ecclesiastica* 6.3.8 (*LCL* 265, 18): ἐπειδὴ δὲ ἑώρα φοιτητὰς ἤδη πλείους προσιόντας, αὐτῷ μόνῳ τῆς τοῦ κατηχεῖν διατριβῆς ὑπὸ Δημητρίου τοῦ τῆς ἐκκλησίας προεστῶτος ἐπιτετραμμένης, ἀσύμφωνον ἡγησάμενος τὴν τῶν γραμματικῶν λόγων διδασκαλίαν τῇ πρὸς τὰ θεῖα παιδεύματα ἀσκήσει, μὴ μελλήσας ἀπορρήγνυ-σιν ἅτε ἀνωφελῆ καὶ τοῖς ἱεροῖς μαθήμασιν ἐναντίαν τὴν τῶν γραμματικῶν λόγων διατριβήν…. See John McGuckin (ed.), *The Westminster Handbook to Origen* (Louisville, KY: Westminster John Knox Press, 2004), 2-4

Roman Professionalism

No single Greek or Latin term captures all the valences of the English word *professionalism.* It connotes occupational discipline, education, appearance, character, and social networks. Professionalism, as we know it, is an English neologism of the nineteenth century. Like its non-English analogs it was coined after the intense specialization of labor and education as industrial, capitalist societies developed new forms of social control built around occupations.[111] To quote a recent attempt to bring the nebulous concept of professionalism into the age of post-modern social theory,

> Although it is impossible to define professionalism in crisp and clear terms, it is easy to identify the argumentative ammunition that is typically deployed when the notion of professionalism is used. The starting point for defining professionalism, whether this is done by lay people, by (professional) workers or by academic experts, is an emphasis on "good work" and the social mechanisms for accomplishing this. Professionalism refers to the occupational behaviours and practices of workers who not only have full-time jobs but also possess a clear sense of what their work is about and when it is effective. Some sort of collective—traditionally called a "*profession*"—guards and maintains this self-awareness.[112]

Rephrased into a Bourdieuvian schema, the cultivation of a professional *habitus* allows one to leverage recognizable attributes, training, and *bona fides* (symbolic, cultural, and social capital) for advancement in social fields. Society-at-large gains from this professionalism since it assures that individual occupation-holders and occupational groups will police their own professional standards and thus reduce transaction risks for all parties involved in socio-economic activity with them.

Roman Professionalism for my purposes is then a shorthand for observable principles of occupational self-control and comportment assigned to ancient occupations. Greeks and Romans praised and criticized occupation-holders for their respective qualities and their shortcomings constantly, but they did so along staunchly moralistic and traditionalist lines that do not often resonate with modern notions of "rational" institutional professionalism. The somewhat shallow, but still useful study of Fritz Pedersen on "Late Roman Public Professionalism," is instructive here. The goal of his study was to determine "how far public appointments and promotions were determined by professional suitability or competence."[113] Pedersen concluded that expertise in the soft "liberal arts" trumped any "practical" demonstration of education and experience; that the arbitrary preference for promotion by seniority and pedigree limited the ability of talented men to supersede their better-connected and longer-serving colleagues; and that the patrimonial

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[111] See A. Abbot, "Sociology of Work and Occupations," in *The Handbook of Economic Sociology* (Princeton: Princeton University Press, 2005), 307-330; Howard Vollmer and Donald Mills, *Professionalization* (Upper Saddle River, NJ: Prentice Hall, 1966).

[112] Willem Schinkel and Mirko Noordegraaf, "Professionalism as Symbolic Capital: Materials for a Bourdieusian Theory of Professionalism," *Comparative Sociology* 10 (2011), 67-96.

[113] Fritz Saaby Pedersen, *Late Roman Public Professionalism* (Copenhagen: Odense University Press, 1976), 9.

inheritance of many occupations undermined any serious consideration of competency or ability in institutional appointments across the Roman economy. Pedersen's unsympathetic evaluation is echoed by many titans of Roman studies, and one is sympathetic to his point that many aristocratic Romans would not stomach the promotion of a low-born bureaucrat to prominent positions over their friends on account of his arithmetic wizardry or the selection of a country midwife to heal a sick wife over a philosopher-physician because of her exponentially better track record in saving lives.[114] That said, such thing did happen. But the traditionalist Roman systems of occupational discipline used far different criteria than metrics in estimating a person's merits for employment, promotion, or patronage. And these systems produced soldiers, skilled laborers, artisans, merchants, and officials who sustained a complex economy and government for centuries.

While an extensive study of how Romans formulated the occupational standards of individual professions is a *desideratum* for the field, a general theory of Greco-Roman attitudes about meeting the standards of one's occupational community is relatively easy to infer.[115] The passages of Chrysostom which began this chapter already offered a distilled version of it in his sermon on how clerics should live and work like wrestlers who compete observing "all the laws of training with respect to diet, to temperance and to seriousness, and all other rules of their school."[116] This "adherence to all the laws" of one's profession is how Romans articulated professionalism. "Professional" athletes did not cheat their fellow wrestlers, their colleagues, or their audience, i.e., their customer-patrons, by failing to compete according to the standards of their occupational group as envisioned by their occupational magistrates, fellow members, and the larger public sphere. This is Roman professionalism *in nuce*: meeting the observable assemblage of skills, training, *bona fides*, and cooperative group discipline associated with a given occupation.

Romans theorized *ad extremum* the professional qualities and ethics of many common professions, and this straightforward formula is discernable across the spectrum of occupational literature. If Chrysostom and his congregation, for instance, wished to learn more about the

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[114] Pedersen's conclusions are somewhat in line with A.H.M. Jones' observations and to a degree they adumbrate Ramsay Macmullen's study of the "corruption" inherent to late Roman offices. See Ramsay Macmullen, *Corruption and the Decline of Rome* (New Haven, CT: Yale University Press, 1988).

[115] The essays in Koenraad Verboven and Christian Laes (eds.), *Work, Labour, and Profession in the Roman World* (Leiden: Brill, 2016) are the closest approximation. See also Koenrad Verboven, "The Associative Order: Status and Ethos among Roman Businessmen in the Late Republic and Early Empire," *Athenaeum-Studi periodici di letteratura e storia dell' antichità* 95.2 (2007), 861-893.

[116] John Chrysostom, *In epistulam ii ad Timotheum* IV.1 (*PG* 62, 619): Μηδεὶς τοίνυν ἀπαξιούτω τῶν τὴν ἐπισκοπὴνἐχόντων ταῦτα ἀκούων, ἀλλ' ἀπαξιούτω μὴ ταῦτα πράττων. *Ἐὰν ἀθλῇ τις,* φησὶν, *οὐ στεφανοῦται ἐὰν μὴ νομίμως ἀθλήσῃ.* Τί ἐστιν, *Ἐὰν μὴ νομίμως;* Οὐκ, ἐὰν εἰς τὸν ἀγῶνα εἰσέλθῃ, ἀρκεῖ τοῦτο, οὐδὲ ἐὰν ἀλείψηται, οὐδὲ ἐὰν συμπλακῇ, ἀλλὰἂν μὴ πάντα τὸν τῆς ἀθλήσεως νόμον φυλάττῃ, καὶ τὸν ἐπὶ σιτίων, καὶ τὸν ἐπὶ σωφροσύνης καὶ σεμνότητος, καὶ τὸν ἐν παλαίστρᾳ, καὶ πάντα ἁπλῶς διέλθῃ τὰ τοῖς ἀθληταῖς προσήκοντα, οὐδέποτε στεφανοῦται.

selection, training, and discipline of soldiers, they could consult the second-century military treatises of Aelian and Arrian.[117] If they were Latin-readers, they could consult Vegetius' freshly published *De re militari* and take in how the Romans vanquished their enemies up to the present through "the careful selection of recruits, instruction in the rules of war, toughening in daily exercise, prior acquaintance in field practice… and strict punishment of cowardice." As Vegetius reminded his reader, "a small force which is highly trained in the conflicts of war is more apt to victory; a raw and untrained horde is always exposed to slaughter."[118] His text then moves on to detail the ideal age of recruits (after puberty); the minimum height (above 5 ft. 7 in.); how to infer the moral character of recruits; which types of tradesmen should be banned (fishermen, fowlers, confectioners, weavers, and any profession more proper for women); which types were preferred (smiths, carpenters, butchers, and huntsmen); when promotions should be approved; and lastly how to maintain discipline in the ranks.[119] Like Sun-Tzu's *Art of War*, Vegetius' text is as much a management manual as a tactical playbook.[120]

A concern for managed social dynamics and training is at the heart of most literary treatments on occupational topics. For instance, the low-level bureaucrat (*apparitor*) and architect Vitrivuius in his *De architectura* repeatedly stressed that the ideal architect should "be above meanness in his dealings and avoid arrogance," that he should study the arts and sciences widely, especially moral philosophy because "[it] will make him just, compliant and faithful to his employer; and what is of the highest importance, it will prevent avarice gaining an ascendancy over him. He should not be occupied with the thoughts of filling his coffers, nor with the desire of grasping everything in the shape of gain, but, by the gravity of his manners, and a good character, should be careful to preserve his dignity."[121] In regulating ineptitude and greed, the quality of the architect's masters and colleagues were as important as the architect's skill and moral *Bildung*. They verified his character and kept him in line. Architects were to be obedient to their masters and to those handed-down skills that they embodied, while also being congenial

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[117] Cf. Anton Gerard Roos and Gerhard Wirth, *Flavii Arriani quae exstant omnia*, vol. 2 (Leipzig: Teubner, 1968), 129-176; H. Köchly and W. Rüstow, *Asclepiodotos' Taktik. Aelianos' Theorie der Taktik* (Leipzig: Engelmann, 1855), 218-470.

[118] Vegetius, *De re militari* 1.1 (Carl Lang (ed.), *Flavii Vegati Renati Epitoma rei militaris* (Leipzig: Tuebner, 1885), 5): *Sed aduersus omnia profuit tironem sollerter eligere, ius, ut ita dixerim, armorum docere, cotidiano exercitio roborare, quaecumque euenire in acie atque proeliis possunt, omnia in campestri meditatione praenoscere, seuere in desides uindicare. Scientia enim rei bellicae dimicandi nutrit audaciam: nemo facere metuit quod se bene didicisse confidit. Etenim in certamine bellorum exercitata paucitas ad uictoriam promptior est, rudis et indocta multitudo exposita semper ad caedem.*

[119] Vegetius, *De re militari* 1.4-5 (8-9), 1.7 (10-12), 1.9 (13-14), and 1.26-128 (27-30).

[120] See the observation in Edward Luttwak, "Logistics and the Aristocratic Idea of War," in John A. Lynn (ed.), *Feeding Mars: Logistics in Western Warfare from the Middle Ages to the Present* (Boulder, CA: Avalon Publishing, 1993), 3-7.

[121] Ibid., 1.1.7 (*LCL* 251, 12).

and collaborative with colleagues. Their plans and projects were to be discussed with light competitiveness, but no plagiarism or glory-seeking.[122] The control of individual architects' supercilious or lazy behavior protected architects as a class, most of all because they often collaborated in mixed organizational groups such as the apparitorial *decuriae* that Vitruvius worked in.[123] As one second-century oracular inscription erected by a guild of common house-builders explained in prophetic terms, "The god answered: For good uses of skilled building techniques, it is expedient to consult a *bravissimo* architect for the best suggestions…."[124] If house-builders and home-owners could not trust the architect's skills and discipline, both could find themselves in a heap of rubble.

One of the Roman cues for discerning the *bravissimo* of any occupation was not (counterintuitively to modern sensibilities) their ability to command high wages. For example, like other occupations, discourses about architects have an almost laser-focus on the question of the inappropriate incomes of practitioners. As Vitrivius complained of his reprobate rivals, "other architects canvass and go about soliciting employment, but my preceptors instilled into me a sense of the propriety about being requested and not requesting [jobs] myself… Would you entrust someone," he asked rhetorically, "with the funds necessary for a construction project, if they seemed so eager to acquire money for themselves?" Succintly put, Vitrivius knew that "many who profess the art [of architecture] are not really skilled in it, but are falsely called architects."[125] They merely wanted gain. Hence Vitruvius peppered his *De architectura* with tips on how to discern a true architect from a false one. In quasi-Ciceronian terms, he stressed that one needed to investigate the potential architect for his way of living (*victus*) and his personal character (*habitus*).[126] The architect's demeanor, comportment, the quality of his education, and the reliability of his mentors and colleagues were testaments to whether he was going to be a "professional" architect in his dealings. Of course, the salesman's pitch that he values customer satisfaction and loyalty over gain is still a common sales technique, but the frequency with which Vitruvius and other Roman authors return to the problem of unscrupulousness in work says something about both Roman values and the reality of the Roman economy.

Discussions of "true" physicians, undoubtedly the most common occupational discourse that antiquity has bequeathed us, are quite similar. Galen, for instance, who incidentally was the

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[122] Ibid., 7.pr.1-18 (*LCL* 280, 62-78).

[123] Cf. Nicholas Purcell, "The *Apparitores*: A Study in Social Mobility," *Papers of the British School at Rome* 51 (1983), 125-173; Marden Fitzpatrick Nichol, *Author and Audience in Vitruvius' De architectura* (Cambridge: Cambridge University Press, 2017), 74-82.

[124] *IMilet* 935, ll. 4-6: θεὸς ἔχρησε· ἐμπεράμοις πινυταῖς δωμήσεσιν εὐτεχνίαις τε εὐπαλάμου φωτός τε ὑποθημοσύναισι φερίστου χρῆσθαι σύμφορόν….

[125] Ibid., 6.pr.7 (*LCL* 280, 8): *itaque nemo artem ullam aliam conatur domi facere, uti sutrinam fullonicam aut ex ceteris quae sunt faciliores, nisi architecturam, ideo quod qui profitentur non arte vera sed falso nominantur architecti. quas obus res corpus architecturae rationesque eius putavi diligentissime conscribendas, opinans id munus omnibus gentibus non ingratum futurum*

[126] Cf. Cicero, *De inventione* 1.36 (*LCL* 386, 72-75).

son of an architect, more or less aped Vitruvius' professional ethos.[127] Central to Galen's and indeed to the Hippocratic tradition's image of the physician was life-long training with elders and colleagues combined with a disdain for profit-seeking's effects on professional relationships.[128] Galen derided unfit physicians as greedy sycophants who were not true physician but "dyers" and "blacksmiths" having "leap[ed] into the practice of medicine" for its profitability. Such parvenus, he pointed out, frequented the doors of the rich, striving for money and political power as much as for "pretty boys" to be their tuition-paying students.[129] Galen even felt it necessary to compose an entire treatise on how to question a potential physician since, at least in the selection of doctors, the most well-meaning patients tended to "examine their skills by things remote from and irrelevant to the practice of medicine." For instance, "wealthy physicians, they believe, are better than poor and needy (physicians), and those who are accepted by many great and rich citizens are better than those who are not."[130] Galen, the doyen of medicine, like many elite PR actioners of medicine neither directly cast aspersion on low-born physicians nor revealed absolute solidarity with wealthy physicians who defiled his art. Rather, Galen insisted that quality physicians of all sorts were neither to gouge nor deceive their patients; they were to be abstemious towards wealth and luxury, devoted to modesty and continual education, and above all deferential to medical authorities. Collaboration and mannerly competition with fellow physicians were the marks of quality medical skills and ethics. "Friendship and professionalism," in Susan Mattern's succint summary, "were interrelated."[131] Galen stressed that one needed to ask a doctor with whom he studied, where, and what his fellow physicians thought of him. The passage through a series of masters, apprenticeships, and appointments in medical *schola* ensured that plenty of "experts" could vouchsafe a physician's skill. In light of the fact that humbler physicians often operated in neighborhood professional associations, ascertainment of a local physician's reputation was probably not too difficult of a task.[132]

Perhaps the most celebrated feature of professional medical communities in antiquity was the initiation ceremony with its swearing of the so-called Hippocratic oath. This oath was central to the physician's honorable occupational reputation. As many literary references to the oath and

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[127] Vivian Nutton, "Healers in the Medical Market Place: Towards a Social History of Graeco-Roman Medicine," in Andrew Rear (ed.), *Medicine in Society: Historical Essays* (Cambridge: Cambridge University Press, 1991), 15-58; Henry Willy Pleket, "Social Status," 27-34.

[128] See Galen, *On Examinations by which the Best Physicians Are Recognized,* ed. and trans. Albert Iskandar (Berlin: Akademia Verlag, 1988).

[129] Galen, *Method of Medicine, Books 1-4,* ed. and tran. Ian Johnston and G. H. R. Horsley (Cambridge, MA: Harvard University Press, 2011), 7-9.

[130] See Galen, *On Examinations,* 1.6 (43).

[131] Susan Mattern, *Galen and the Rhetoric of Healing* (Baltimore: John Hopkins University Press, 2008),21-27: 21.

[132] See *CIL* 9. 1618; 6. 9566, 29805; Israelowich, *Patients and Healers*, 142-148.

a surviving third-century papyrus version for recitation suggest, [133] actual initiates into medical communities did in fact swear:

That I will carry out to the best of my ability and judgment this oath and this covenant. I will hold my teacher in this art equal to my parents. I will share my life with him and, if he needs money, I will give him a share of my own. I will consider his sons as my brothers and teach them this art, if they wish without fee or indenture; to impart precepts, oral instruction, and all other instruction to my own sons, the sons of my teacher, and to indentured pupils who have taken the physician's oath, but to nobody else. I will use treatments for the benefit of the sick to the best of my ability and judgment; I will abstain from doing harm or wronging any man by it. I will not give poison to anyone when asked to do so nor will I suggest such a course. Similarly, I will not give to a woman a pessary to procure an abortion. But I will keep pure and holy both my life and my art. Into whatsoever house I enter, I will enter for the benefit of the sick. I will abstain from all voluntary wrong-doing and harm, and especially from sexual contacts with the bodies of women or of men, whether free or slaves. Whatsoever I might see or hear, in the course of my treatment or even private relations, which ought never to be divulged, I will keep silent, holding such things to be holy secrets.[134]

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[133] References to the oath are common, see David Leith, "The Hippocratic Oath in Antiquity and on Papyrus," in Harald Froschauer and Cornelia Römer (eds.), *Zwischen Magie und Wissenschaft: Ärzte und Heiklunst in den Papyri Aus Ägypten* (Vienna: Phoibos, 2007), 35-42. For the latest edition, see Charlotte Schubert, *Der hippokratische Eid. Medizin und Ethik von der Antike bis heute* (Berlin: Wissenschaftliche Buchgesellschaft, 2005). Schubert's addition takes into account a newly discovered fourteenth-century manuscript, which shared many familiriaties with the third-century *P. Oxy* 31.2547 variant. Jacques Jouanna, "Un témoin méconnu de la tradition hippocratique: L'Ambrosianus Gr. 134 (B113 sup.), Fol. 1-2 (avec une nouvelle édition du Serment et de la Loi)," in Antonio Garzya and Jacques Jouanna (eds.), *Storia e Ecdotica dei Testi Medici* (Naples: M. D'Auria, 1995), 253-272.

[134] Émile Littré, *Oeuvres complètes d'Hippocrate,* 4 vols. (Amsterdam: Hakkert, 1962 (1844)), 628-632: Ὄμνυμι Ἀπόλλωνα ἰητρὸν, καὶ Ἀσκληπιὸν, καὶ Ὑγείαν, καὶ Πανάκειαν, καὶ θεοὺς πάντας τε καὶ πάσας, ἵστορας ποιεύμενος, ἐπιτελέα ποιήσειν κατὰ δύναμιν καὶ κρίσιν ἐμὴν ὅρκον τόνδε καὶ ξυγγραφὴν τήνδε· ἡγήσασθαι μὲν τὸν διδάξαντά με τὴν τέχνην ταύτην ἴσα γενέτῃσιν ἐμοῖσι, καὶ βίου κοινώσασθαι, καὶ χρεῶν χρῄζοντι μετάδοσιν ποιήσασθαι, καὶ γένος τὸ ἐξ ωὐτέου ἀδελφοῖς ἴσον ἐπικρινέειν ἄῤῥεσι, καὶ διδάξειν τὴν τέχνην ταύτην, ἢν χρῄζωσι μανθάνειν, ἄνευ μισθοῦ καὶ ξυγγραφῆς, παραγγελίης τε καὶ ἀκροήσιος καὶ τῆς λοιπῆς ἁπάσης μαθήσιος μετάδοσιν ποιήσασθαι υἱοῖσί τε ἐμοῖσι, καὶ τοῖσι τοῦ ἐμὲ διδάξαντος, καὶ μαθηταῖσι συγγεγραμμένοισί τε καὶ ὡρκισμένοις νόμῳ ἰητρικῷ, ἄλλῳ δὲ οὐδενί. Διαιτήμασί τε χρήσομαι ἐπ᾽ ὠφελείῃ καμνόντων κατὰ δύναμιν καὶ κρίσιν ἐμὴν, ἐπὶ δηλήσει δὲ καὶ ἀδικίῃ εἴρξειν. Οὐ δώσω δὲ οὐδὲ φάρμακον οὐδενὶ αἰτηθεὶς θανάσιμον, οὐδὲ ὑφηγήσομαι ξυμβουλίην τοιήνδε· ὁμοίως δὲ οὐδὲ γυναικὶ πεσσὸν φθόριον δώσω. Ἁγνῶς δὲ καὶ ὁσίως διατηρήσω βίον τὸν ἐμὸν καὶ τέχνην τὴν ἐμήν. Οὐ τεμέω δὲ οὐδὲ μὴν λιθιῶντας, ἐκχωρήσω δὲ ἐργάτῃσιν ἀνδράσι πρήξιος τῆσδε. Ἐς οἰκίας δὲ ὁκόσας ἂν ἐσίω, ἐσελεύσομαι ἐπ᾽ ὠφελείῃ καμνόντων, ἐκτὸς ἐὼν πάσης ἀδικίης ἑκουσίης καὶ φθορίης, τῆς τε ἄλλης καὶ ἀφροδισίων ἔργων ἐπί τε γυναικείων σωμάτων καὶ ἀνδρῴων, ἐλευθέρων τε καὶ δούλων. Ἃ δ᾽ ἂν ἐν θεραπείῃ ἢ ἴδω, ἢ ἀκούσω, ἢ καὶ ἄνευ θεραπηΐης κατὰ βίον ἀνθρώπων, ἃ μὴ χρή ποτε ἐκλαλέεσθαι ἔξω, σιγήσομαι, ἄῤῥητα ἡγεύμενος εἶναι τὰ τοιαῦτα. Ὅρκον μὲν οὖν μοι τόνδε ἐπιτελέα ποιέοντι, καὶ μὴ ξυγχέοντι, εἴη ἐπαύρασθαι

The Hippocratic Oath is one of the clearest expressions of occupational professionalism and occupational reputation management from the ancient world. The life-and-death power of doctors over their patients' bodies demanded a heightened projection of professional ethics. Assumptions that physicians were trained, vouchsafed, and punishable by their own occupational leaders assuaged patients' anxieties, protected the occupation's general reputation, and thus bolstered the incomes of physicians generally.

Because of the widespread public confidence in medical professionalism, the occupational rigor demanded of doctors was frequently used as an exemplar for other occupation-holders. For instance, an anonymous sixth-century dialogue on political science commanded public servants to look to "the law, doctrines, and habits" of medical practitioners as models. As it explained,

> Professional doctrines are those principles which a doctor advises himself on what is appropriate: the reasons that being a doctor, he must have a good understanding of his craft and practice it well, be superior to his patients and other lay people. And, when he is trusted to cure others not fall behind either in technique or in his reputation in regard to it. He will think it a matter for reproach if anyone, whether a fellow-practictioner or a lay-person becomes more famous, as for his actual practices, he will employ those that, used together, will achieve a cure. To summarize the law will both subject him to the ethical requirement of his craft—even against his will, even if he posseses the sense of shame of a free man—and protect him from things which do not belong to it. The ethical principles will legislate for appropriate behavior in his soul, not through external pressure, but through the persuasion of reason, the same of conscience, and his nature as a free man. His actual practice, characterized in this way, will be appropriate and worthy of his art. (5.13-14).[135]

No doubt, these are lofty ideals for both physicians and the managers of empire, but they capture the nexus of personal discipline and societal obligations through which Romans formulated the professional standards and requirements of any occupation.

Treatises on another common occupation, that of the grammarian, hinge on relatively similar set if discourses about individual *mores*, education, collegiality, and propriety towards clients. Macrobius, for instance, began his educational *Saturnalia* with an exposition on his model grammarian Servius, a man who was "at the same time admirable in his *doctrina* and worthy of love for his *verecundia*," that is, his moral reverence toward others.[136] To borrow Robert Kaster's phrasing in his exhaustive study of the late Roman grammarian,

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καὶ βίου καὶ τέχνης δοξαζομένῳ παρὰ πᾶσιν ἀνθρώποις ἐς τὸν αἰεὶ χρόνον· παραβαίνοντι δὲ καὶ ἐπιορκοῦντι, τἀναντία τουτέων

[135] Peter Bell (trans.), *Political Voices from the Age of Justinian: Agapetus, 'Advice to the Emperor'; Dialogue on Political Science; Paul the Silentiary, 'Description of Hagia Sophia'* (Liverpool: Liverpool University Press, 2009), 147-148.

[136] Macrobius, *Saturnalia* 1.2 (*LCL* 510, 20): *Hos Servius inter grammaticos doctorem recens professus, iuxta doctrina mirabilis et amabilis verecundia.*

> One of the cardinal virtues, *verecundia* can be translated as "modesty"; more accurately (if more cumbersomely), it names the sense of propriety deriving from a regard for the opinion of other men and an awareness of one's own position (especially one's hierarchical position) relative to others in a given context.[137]

The consummate grammarian as a professional does not cheat his superior, inferior, or socially equal client; nor does he enter into competition with colleagues but aids in their success; one pays due respects to superiors, especially those training you or patronizing you; and one seals the cycle of occupational succession by training and promoting aspirants to the discipline. As Kaster's study illustrates, in the discussion of grammarians we find the same distilled formula of Roman professionalism: simply meeting the package of skills, training, good faith, and professional cooperation behooving your profession. As the historian Suetonius (d. 135) framed it three hundred years before Macrobius, the ideal grammarian served "knowledge and the republic equally."[138]

That educators were lauded as public servants is comprehensible. They imbued successive generations of Romans with the knowledge and faculties to manage the empire; they received privileges and civic benefits for their work specifically because "they have a vocation of care and tutelage." [139] "They publically benefit the youth."[140] Physicians, an occupational class with whom educators were often paired, likewise received privileges and benefits for their "*necessariis artibus et liberalibus disciplinis.*"[141] For the same reasons of public service, architects too were praised as public men.[142] As an imperial edict of Constantine praised,

> They tend to the cracks and cuts of all parts, structure the building of all things in their measures and edifices…We press them by our word to teach and learn equally and thus let them enjoy immunity from taxes and raise enough teachers for each to teach in their turn.[143]

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[137] Robert Kaster, *Guardians of Language: The Grammarian and Society in Late Antiquity* (Berkeley: University of California Press, 1997), 60-61.

[138] Suetonius, *De illustribus grammaticis* 3 (*LCL* 38, 384): *uterque eques Ro. multique ac varii et in doctrina et in re p. usus … Posthac magis ac magis et gratia et cura artis increvit, ut ne clarissimi quidem viri abstinuerint quo minus et ipsi aliquid de ea scriberent, utque temporibus quibusdam super viginti celebres scholae fuisse in urbe tradantur; pretia vero grammaticorum tanta mercedesque tam magnae.*

[139] *Digest* 27.1.6.1: *tutelae curaeque vacationem habent.*

[140] *Digest* 27.1.6.5: *philosophi oratores grammatici, qui publice iuvenibus prosunt, excusantur a tutelis*

[141] *C. Th.* 13.3.18 (427 CE).

[142] *C. Th.* 13.4.1-5 (334-340 CE).

[143] *C. Th*. 13.4.3 (344 CE): *Mechanicos et geometras et architectos, qui divisiones partium omnium incisionesque servant mensurisque et institutis operam fabricationi stringunt, et eos, qui*

Architects held up the world no less than Atlas since they were the builders of temples, public works, and eventually churches. They accordingly acquired a "spiritualized public persona" in the late empire.[144] In this type of climate, we should be unsurprised that the professionalism articulated by educators, physicians, and architects differed little from discussions of the professional discipline needed in governmental and military service as well as rather banausic commercial and artisan occupation. By the age of Constantine gem-cutters, smiths, and bankers, and many other professions enjoyed same public exemptions and privileges as doctors, philosophers, and educators.[145] Any occupation or occupational organization that was deemed as necessary for the public's well-being could be draped in the language and ethical requirements of public service. Hence one finds a surprisingly number of artisan guilds that describe their associations as "sacred," that is, public, just as the bureaucratic *scrinia* of the Roman state were "sacred." For instance, there was a "sacred association of artists and athletes" at Alexandria and a group of "sacred netfishermen" at Oxyrhynchos.[146] This was not hyperbolic aggrandizement. These groups were sanctioned by the Roman state, and within the Roman political imagination any public service was synonomous with sacred duty.[147] Even the humblest of occupations that served the public could be sacred like the *res publica* itself.

This moralistic framing of what we would term the "private sector" had the consequence that individual professionals and occupational groups increasingly reckoned themselves just as much public servants as the governing classes of the empire.[148] Moreover, as Van Nijf and others have emphasized, the artisans and merchants of the high and late empire did not hesitate to broadcast their service to the Roman *patria* at a panopoly of public events and monuments. What these men rarely left behind were high-register literary treatments about their occupations, such as those cited above, in which we could study their theoretical ruminations about the particular professionalism necessary in their trade. That said, other types of evidence make it clear that they did think critically about how best to execute their "profession" and how best to order their occupational organizations. And so did other Romans who were dependent on their goods and services.

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aquarum inventos ductus et modos docili libratione ostendunt, in par studium docendi adque discendi nostro sermone perpellimus. Itaque inmunitatibus gaudeant et suscipiant docendos qui docere sufficiunt.

[144] Cuomo, *Technology and Culture*, 163.

[145] Jones, *Later Roman Empire*, 1012-1016.

[146] See *P. Oxy.* 3.473 (138-160 CE); *P. Oxy*. 53.444 (1st Cent. CE).

[147] *Digest* 1.1.1.2: *Publicum ius est, quod ad statum rei Romanae spectat, privatum, quod ad singulorum utilitatem: sunt enim quaedam publice utilia, quaedam privatim. publicum ius in sacris, in sacerdotibus, in magistratibus constitit…*

[148] See chapter 1., page [to be added later], fn. 56 and 47.

Professionalism in Practice among Humbler Socio-economic Groups

Let us return for a moment to Chrysostom's nautical metaphor of the Church as ship. As he repeated in his many resorts to the *topos*, the skilled and careful captain (the bishop) needed a capable, diligent, and disciplined crew (the clergy) to ensure that both goods and passengers (church resources and souls) arrived at the agreed-upon destination (salvation). As Christian as the referents of Chrysostom's metaphors were, the metaphor itself was hardly Christian. Nautical metaphors for organizational discipline were commonplace in antiquity. For example, some 250 years earlier the rhetorician Dio Chrysostom (d. 120 CE) chastised the citizens of Bithynia for their province-wide discord by comparing their citizenry to an undisciplined crew:

> And take, for example, a ship—though all on board are well aware that the one hope of reaching port in safety lies in having the sailors on good terms with one another and obedient to the skipper, but that when strife and mutiny arise in it, even the favourable winds often veer round to oppose the ship's course and they fail to make their harbours, even when close at hand, still the sailors sometimes foolishly quarrel, and this works their ruin, though they know the cause of their destruction.[149]

Or, in a similar vein, Philostratus (d. ca. 250 CE) relates a story in which the philosopher Apollonius of Tyana instructed the citizens of Smyrna, upon the passing of a nearby ship, how they should best manage their governance through a nautical metaphor. He admonished them,

> Do you see the crew of that ship? Some have manned the dinghies as expert rowers, others are hauling up and stowing anchors, some are spreading the sails to the wind, others looking out from the prow and the stern. If one of them omits one of these tasks or proves an ignorant sailor, they will have a bad voyage and prove to be their own storm. But if they compete with one another, and turn their disunity to proving themselves as good as the next man, this ship will have safe harbor, all will be calm sea and prosperous voyage, and their prudence will prove to be Poseidon the Bringer of Safety.[150]

That such rhetoric was common should be unsurprising given the dependence of Mediterranean societies on the cooperative abilities of shippers and their crews: maritime trade was a matter of life in death not only for those on board vessels and for those whose wealth was tangled up in cargo, but also for those urbanites across the empire dependent on imported grain.

Romans were understandably then preoccupied with the risks posed by inept, undisciplined, and malicious crews. This is nowhere more evident than in the legal sphere. The *Theodosian Code*, for example, contains thirty-eight imperial directives on the responsibilities and rights of shippers (*navicularii*) as well as six decrees on the liability of sailors in cases of shipwreck.[151] Constantine and his successors not only bound sailors to their occupations and to professional guilds, but also made them wholly liable for losses and damages. The *Digest*

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[149] Dio Chrysostom, *Or.* 38.14-15 (*LCL* 376, 62-63).

[150] Philostratus, *Life of Apollonius* 4.9 (*LCL* 16, 336-339).

[151] Respectively, *C. Th.* 13.5.1-38 (314-414 CE) and 13.9.1.8 (372-412 CE). For an overview of liability in Roman maritime law, See A. J. M. Meyer-Termeer, *Die Haftung der Schiffer im griechischen und römischen Recht* (Zutphen: Terra, 1978). 147-224.

likewise preserves an extended series of juridical opinions on the "compacts" between vessel-owners, sailors, passengers, and cargo-owners. In almost all cases, the ship-owner or captain is made responsible for the property and persons commissioned for transport—even when errors or damages were the fault of crewmen. This liability even applied in cases where the passenger voyaged for free as guests.[152] Stepping onto the deck was a sufficient enough social contract to sue for damages.

The above discussions about the professionalism required of seamen were, of course, external discourses by non-practitioners, but epigraphic and papyrus evidence makes it quite clear that shippers and sailors themselves spent considerable energy and thought organizing themselves into regimented and specialized hierarchies in order to facilitate their operations and smooth out internal conflicts. Specialization as a type of professionalism was a particularly common way of mitigating occupational risk from missteps, abuses, and disasters. For instance, among the general mass of "sailors" in the Roman world, shipping organizations divided themselves into ranks of pilots *(gubernatores* / κυβερνήτεις), rowers (*rimeges* / ἐρέται), chief rowers (τοίαρχοι), maritime stewards (ναυστολόγοι), and so forth. At port they had even colleagues specified as those servicing the vessels and their docks as well as those loading and unloading their wares.[153] Sailors also arranged themselves into professional organizations (*collegia, corpora, ordines, thiasoi, synodoi, synagoguoi, oikoi*) such as the "sacred netfishermen" at Oxyrhynchos or the cartel of fishermen and fishmongers at Ephesus.[154] Closer to our period of interest, a late second or early third-century inscription from Gorgippia on the Black Sea records the erection of a statue to Poseidon by the "society of shippers" (theasos nauklērōn), enumerating the men who held magistrate positions in the group such as their commanders (*stratēgoi*) and the administrator responsible for calculating their taxes (*oikonomos enkykliōn*). Another monument from first-century Thessalonki reads,

> Association of Aphrodite *Epiteuxidia* (Successful) set this up as a monuments for Athenion son of Praxiteles of Amastris, who died abroad abroad, when Gaius Autronius Liberus, also called Glykon, was head of the synagogue (*archisynagōgos*), Quintus Pupius Castor was secretary (*grammateus*), and Hermogenes son of Diogenes was accountant (*exetastēs*). This was set up through their supervisors (*epimelētai*). Farewell, whoever you are!

Similar organizations were common in the Latin West such as the "*ordo* of sailors, accountants, and assistants of Ostia" (*ordo corporatorum lenunculariorum tabulariorum auxiliariorum Ostiensium*).[155] Even humble fishermen organized themselves along such bureaucratic lines. For

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[152] *Digest* 4.9.6.*pr*.

[153] For the many ranks of individuals associated with maritime travel and commerce, see Jean Rougé, *Recherches sur l'organisation du commerce maritime en Méditerranée sous l'Empire romain* (Paris: École pratique des Hautes- Études, 1966), 177-268.

[154] *P. Oxy.* 53.444 (First century); *IEph*. 1A.20.

[155] *SEG* 42, 625: ᾽δοῦμος Ἀφρο|δείτης Ἐπιτευ|ξιδίας ἀρχισυ|ναγωγοῦντος || Γ(αΐου) Αὐτρωνίου Λεί|βερος τοῦ καὶ Γλύ|κωνος, γραμματεύ|οντος Κ(οΐντου) Πουπίου Κάστορος, | ἐξεταστοῦ

instance, a monument from Parion in Asia Minor records an association of fishermen-netmakers (*diktuarēsantes kai telōnarchēsantes*) with a "chief-contractor" (archōnoun), "look-out men (*skopiazontes*), "ship-pilots", "men in charge of loosening corks that hold the nets" (*fellochalastountes*), a "copy-clerk" (*antigraphemenos*), "men in charge of the fishing-galley" (*lembarchountes*), and those simply called "fellow-sailors" (*synnautai*).[156] As organizational stratagems, these types of social organization had the function of assigning tasks to ensure diligence, compliance, and personal responsibility. In Durkheimian terms, the tendency among average Roman laborers to divide themselves into specialized hierarchies represented an ancient type of organic solidarity, in which paper-pushers, manual laborers, and manager-types took on shared economic endeavors so that by collective gain they could as consumers patronize other specialized organizations and businesses.[157]

Central to the management of this collaboration were formalized "guild regulations," called *nomoi* or *leges*, which outlined membership admission, the appointment of positions, correct relationships among members, and disciplinary procedures for conflicts. Although none survive for fishing or shipping organizations, a plethora of examples for similar professional associations survive across the ancient Mediterranean on inscriptions and papyrus. What we glean from the many surviving *exempla* is an eclectic toolbox of legislative, judicial, and punitive processes that aimed to control group discipline, stipulate occupational standards and procedures, and above all protect the group's aggregate reputation. The punctiliousness of humble workers' associations cannot be overstated. For instance, consider the first-century constitution for a group of cattle-herders in Tebtunis, Egypt, which enumerates the process for ratifying new *collegium* legislation: first the bill is debated, voted on, and signed by the majority of members, then it is validated by a secretary, and finally "returned to the president, who will carry out its will."[158] It is on account of this bureaucrautic tendency that we know that "Herakleios son of Aphrodisios, about 42 years old, with a scar between his eyebrows; Orses son

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Ἑρμογένους τοῦ Δι||ογένους, Ἀθηνίωνα Πραξιτέλους Ἀμαστρι|ανὸν ἔξω τελευτήσαντα μνείας ἕνεκεν | δι' ἐπιμελητῶν τῶν αὐτῶν· | χαῖρε καὶ σὺ τίς ποτ' εἶ βκρ′.

[156] *IK* 25.5.1-16: ἐπὶ ἱερέως Καίσαρος […] Λευκίου Φλαβίου τὸ δεύτερον, οἱ δικτυαρχήσαντε[ς] καὶ τε[λων]-α[ρχ]ήσαντες ἐν τῶι Νε[ι]λαίωι, ἀρχωνοῦντος Ποπλίου Ἀουίου Λυσιμάχου, δικ[τ]υαρχούντων Ποπλίου Ἀουίου Λυσιμάχου, Ποπλίου Ἀουίου Ποπλίου υἱοῦ Ποντικοῦ, Μάρκου Ἀπικίου Κουαδράτου, Ἐπαγάθου τοῦ Ἀρτεμιδώρου, Ποπλίου Ἀουίου Βείθυδος, σκοπιαζόντων Ἐπαγάθου τοῦ Ἀρτεμιδώρου, Ποπλίου Ἀουίου Βείθυδος, κυβερνώντων Σεκο[ύν]δου τοῦ Ἀ[ο]υίου Λυσιμάχου, Τυβελλίου Λ[. .]ΛΑΙΤΟΥ, φελ[λο]χαλαστοῦντος Τονγιλίου Κόσμου, ἐφημερεύοντος Κασσίου Δαμασίππου, ἀντιγραφομένου Σεκο[ύν]δου τοῦ Ἀ<ο>υίου Λυσιμάχου, λεμβαρχ[ούν]των Ἀσκλη[πί]δου τοῦ Ἀσκληπίδου, Ἑρμαίσκου τοῦ Ἀουίου Λυσι[μάχ]ου, Εὐτύχου τοῦ Αὐουίου Βείθυδος, Μενανδ[ρου τοῦ] Λευκίου, Ἰλάρου τοῦ Ἀσκληπιάδου, συνναῦται.

[157] Emile Durkheim, *The Division of Labour in Society*, ed. Stephen Lukes and trans. W. D. Halls (London: Palgrave-Macmillan, 2013 (1984)), 88-105.

[158] *P. Mich.* 5.243, r. ll. 11-13: τὰ δ' ἄλλα ἃ ἐὰν τῶι κοινῶι δόξῃ. κυρια στωι ὁ νόμος ὑπογραφεὶς ὑπὸ τῶν πλείστων· κύριος τῶι προστάτῃ ἀποδοθήτωι.

of Kronides, about 45 years old, with a scar on an eyebrow; Mieus son of Harmiusis, about 46 years old, with a scar on the left side of his face; [and] Harmiusis son of Phasos, about 55 years old, with a scar" affirmed the legislation's passage.[159] The paperwork also informs us that a literate member of the guild had to sign for them.[160]

A second-century Attic inscription of an association *nomos* prescribes a similar process of voting and paperwork for admission to the association: at least five different officials had to examine if a potential member "is pure, pious, and good," and they alone, it states, were vested with the power to admit him to the community as well as with the authority to fine or expel members causing "fights or disturbances."[161] In the particular case of admission, it should be added, that "men of extended or tender age" were not eligible for adlection to *corpora*.[162] And the lists we have of memberships do tend toward men in their thirties or above, so a minimum of full manhood (twenty-five years) or so might be inferred as a membership requirement for most associations.[163] Higher magistrates tended to be closer to their fifties.[164]

Of highest concern for these association *nomoi* was the fining or expelling disobedient members. A *nomos* of organized tenant-farmers in Tebtunis, for instance, lists fines for members who commit infractions against the group's by-laws such as failing to contribute to group activities such as skipping a meeting (two *drachma*) or missing a members' funeral (four *drachma*).[165] The herders at Oxyrhynchos fined "any member [who] ignores [a member] in

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[159] *P. Mich.* 5.243, r. ll. 14-15: Ἡράκλειος Ἀφροδισίου (ὡς ἐτῶν) μβ ο(ὐλὴ) παρὰ μεσόφρ(υον). Ὁρσῆς Κρονίδου (ὡς ἐτῶν) με ο(ὐλὴ) ὀφρ(ύει). Μιεῦς Ἁρμιύσιος (ὡς ἐτῶν) μς ο(ὐλὴ) πρ(οσώπῳ) ἐξ ἀρ(ιστερῶν) Ἁρμιῦσις Φασῶτος (ὡς ἐτῶν) νε ο(ὐλὴ)... δε(ξι).

[160] *P. Mich.* 5.243, r. ll. 32-33.

[161] *IG* II^2 1369.31-34: νόμος ἐρανιστῶν. | [μη]δενὶ ἐξέστω ἰσι[έν]αι ἰς τὴν σεμνοτάτην | σύνοδον τῶν ἐρανιστῶν πρὶν ἂν δοκι|μασθῇ εἴ ἐστι ἁ[γν]ὸς καὶ εὐσεβὴς καὶ ἀγ|α[θ]ός· δοκιμα[ζέ]τω δὲ ὁ προστάτης [καὶ] || [ὁ] ἀρχιεραν̣ιστὴς καὶ ὁ γ[ρ]αμματεὺς κα[ὶ] | [οἱ] ταμίαι καὶ σύνδικοι· ἔστωσαν δὲ ο[ὗ]||[τ]οι κληρωτοὶ κατὰ ἔ[το]ς χωρὶς πρ ⟦ισπρ⟧ οστάτ[ου] {προστάτου}· | ὁμολείτωρ δὲ ἔ ⟦ι⟧ στω {ἔστω} δ[ιὰ] βίου αὐτο[ῦ] | ὁ ἐπὶ ἡρώου καταλιφθείς· αὐξανέτω δ[ὲ] || ὁ ἔρανος ἐπιφιλοτε̣ιμίαις· εἰ δέ τις μά|χας ἢ θορύβους κεινῶν φαίνοιτο, | ἐκβαλλέσθω τοῦ ἐράνου ζημιού|μενος ε Ἀττ[ι]καῖς κε′ ἢ πληγαῖς αἰκ ⟦αικ⟧ ιζό|μενος {αἰκιζόμενος} ταῖς διπλαῖς πέ ⟦τ⟧ ρα {πέρα} κρίσεως.

[162] *Digest* 50.6.6.12: *Nec ab omni aetate allegi possunt, ut divo pio placuit, qui reprobavit prolixae vel inbecillae admodum aetatis homines,*

[163] Cf. *P. Mich* 5.244 (age range 29 to 50 years).

[164] Cf. *P. Mich.* 5.243, r. ll. 32-33.

[165] *P. Mich.* 5.244, r. ctr. ll. 5-11.

distress and does not assist in helping him out of his trouble." That man owed eight drachmas.[166] The association fined 3 obols for shoving at meetings and left the punishment "if a member misbehaves drunkenly" open to a vote.[167] Most egregious were members who sued or calumniated other members (fined eight drachmas), and those members who "commit[ed] intrigue against, or corrupt[ed] the home of another member" (fined sixty drachmas).[168] Similarly, the first-century group of salt-merchants at Tebtunis imposed a fine of eight silver drachmas for members who undermined the guild-members' collective monopoly by selling large quantities of salt to outside merchants or who undercut the prices of other members.[169]

Professional associations felt it necessary to have their own mechanisms for policing group discipline in order to smooth out their operations and prevent bad actors from poisoning the group's collective reputation. As Philip Venticique has majestically illustrated, because the precepts of these *nomoi* were so common for professional associations and widely known, they lent these groups a public aura of stability and predictability. Outsiders could be confident that the group's leadership was decisive and in control, and members would have felt that they possessed a more timely recourse to conflict resolution than the cumbersome petition process of the Roman court system.[170] These were key elements in managing reputation and constructing trust networks between both organizational insiders and outsiders entering into socio-economic relations with either the collective group or with group members. The juridical empowerment of guild magistrates to regulate the community had to be absolute to enforce uniformity and obedience. Hence, mercantile organizations such as the salt-merchants above were explicit that disobedient members "could be arrested whether in their homes, in the agora, or in the country."[171] Perhaps the strongest testimony to the juridical independence of a professional guild

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[166] *P. Mich.* 5. 243, r. l. 6: ἐάν τις παρίδῃ τινὰ ἐν ἀηδίᾳ καὶ μὴ συνεπισχύσῃ ἐπὶ τωὶ συλλῦσαι αὐτὸν τῆς ἀηδίας, δ[ό]τῳι (δραχμὰς) η.

[167] *P. Mich.* 5. 243, r. ll. 6-7 and r. ll. 3-4: ἐὰν δέ τις ἐκπαροινήσῃ ζημιούσθωι ὃ ἐὰν τῶι κοινῶι δόξηι.

[168] *P. Mich.* 5. 243, r. ll. 7-8: ἐάν τις τοῦ ἑτέρου κατηγορήσῃ ἢι διαβολὴν ποιήσηται, ζημι(ούσθω) (δραχμὰς) η. ἐάν τις τὸν ἕτερον ὑπονομεύσῃ ἢι οἰκοφθορήσῃ, ζημιο(ύσθω) (δραχμὰς) ξ. ἐάν τις πρὸς ἰδιωτικ(ὸν)

[169] *P. Mich.* 5. 245, ll. 21-30: ἐφ' ᾧ πωλήσουσι το ἅλα το καλὸν ἐξ ὀβολῶν δύο ἡμίσους καὶ το λεπτὸν ὀβολῶν δύο καὶ τουπεὶ τὸ λεπτότερον ὀβολοῦ ἑνὸς ἡμίσους τῷ τε ἡ[μ]ῶν μέτρῳ ἢ τῷ τοῦ θησαυροῦ. ὡς ἄν τις πολήσι ἐλαττῳ τούτω[ν] ζημιούσθω ὁ τοιοῦτος εἰς τὸ κυνὸν ἀργυρί[ου] δραχμὰς ὀκτὼ καὶ ἰς τὸ δημόσιον τὰς ἴσας, καὶ ἐὰν [δέ] τις αὐτῶν εὑρηθῇ πεπρακὼς ἐμπόρῳ πλύωι στατῆρος ἀλλὸς ζημιούσθω ὁ τυοῦτος εἰς τὸ κυνὸν ἀργυρίου
δραχμὰς ὀκτὼ καὶ ἰς τὸ δημόσιον τὰς ἴσας. ἐὰν δὲ {ω πλ\υ/ῳι}.

[170] Philip Venticinque, *Honor among Thieves,* 99-165.

[171] *P. Mich.* 5. 245, ll. 24-29. [καὶ μ]ὴ [ἀ]ναπλεροῦντά τι τῶν δημοσίων ἢ καὶ τῶν [προσε]νκληθησομένων αὐτῦς ἐξῖναι τῷ αὐτῷ Ἀπ[ύνχι [ἐνε]χυράσζιν αὐτοὺς ἔν τε τῇ πλατέᾳ καὶ ἐν ταῖς οἰκί]ᾳις καὶ ἐν τῷ ἀγρῶι καὶ παραδιδαιναι αὐτοὺς.…

comes in the third-century *nomos* of the Dionysian-devoted artisans of Oxryhynchos, which details the rights multiple emperors affirmed for the guild, which included the guild's right "to hold to whatever is decided with regard to its own matters or debates… the right of assembly as a guild... and immunity from imprisonment in any other prison," that is, outside the guild's own prison.[172] Indeed, we find in numerous association inscriptions references to "judgment" by elected magistrates, meaning both trials for alleged infractions and arbitrations between disputants, very much reminiscent of the Christian *audientia episcopalis*, described in texts such as the *Didascalia*.[173]

To reiterate, Roman law sanctioned the juridical autonomy of professional organizations (and also ethno-religious communities) in order to maintain peace and order on the local level. In the Roman legal imagination, associations functioned "*ad exemplum rei publicae*," to quote the jurist Gaius. As he explained further, associations (*corpora*) resembled city-states in that they are "entitled to have common property, a common treasure chest, and an agent (*actor*) or a corporate representative (*syndicus*), and as in the case of a municipality whatever is transacted and done by him is considered to be transacted and done by all."[174] Imperial officials empowered local *collegium* magistrates as representatives of both their local municipalities and the Roman state so that in essence the Roman state did not itself have to regulate small-scale disputes.[175] Whether all lowly sailors and fishermen recognized their designated presidents, scribes, and net-decorkers as Roman Senators in miniature is doubtful, but, with that said, because so many association *nomoi* are concerned with the proper selection of worthy officials and ensuring that they receive due honor, we should not doubt the preeminence of these officials in their respective communities.[176]

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[172] *Pap. Agon*. 1, ll. 3-4: περὶ τῶν δοθεισῶν δωρεῶν τῇ συνόδῳ· ὧν δέ εἰσιν ἀσυλία, προεδρία, ἀστρατία, λιτουργιῶν δημοσίων ἀτέλεια, ἀτελῆ ἔχειν ὅσα ἂν ἐπάγωνται χρείας ἰδίας ἢ τῶν ἀγώνων ἕνεκα, μὴ κρίνειν, μὴ καθιστάνειν ἐγγυητάς, ἀνεισφορίας αὐτῶν, ουν συνθυσίας, μὴ δέχεσθαι πρὸς ἀνάγκην ξένους, μὴ εἴργεσθαι μηδὲ ἄλλῃ τινὶ…

[173] Giulio Vismara, *Episcopalis audientia, l'attività, giurisdizionale del vescovo per la risoluzione delle controversie private tra laici nel diritto romano e nella storia del diritto italiano fino al secolo nono* (Milan: Società editrice Vita e pensiero, 1937); Walter Selb, "Episcopalis audientia von der Zeit Konstantins bis zur Nov.XXXV Valentinians III," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Romanistische Abteilung* 84 (1967) 162-217; Noel Lenski, "Evidence for the *Audientia Episcopalis* in the New Letters of Augustine," in Ralph Mathisen (ed.), *Law, Society and Authority in Late Antiquity* (Oxford: Oxford University Press, 2001), 83-89.

[174] *Digest* 3.4.1.1: *Quibus autem permissum est corpus habere collegii societatis sive cuiusque alterius eorum nomine, proprium est ad exemplum rei publicae habere res communes, arcam communem et actorem sive syndicum, per quem tamquam in re publica, quod communiter agi fierique oporteat, agatur fiat.*

[175] For the types of humble individuals who used the court, see Benjamin Kelly, *Petitions, Litigation, and Social Control in Roman Egypt* (Oxford: Oxford University Press, 2011), particularly 123-167 and 287-326.

[176] Cf. Macmallen, *Social Relations*,109-113.

Election results and criteria survive for the humblest of guilds such as a first-century collective of tenant farmers, which elected Kronion son of Herodes as their supervisor (*epimelētēs*). This "most excellent man" had the stated authority to command the magistrates below him, to act as guarantor for indebted members, and to impose fines on wayward members.[177] It was thus important that the magistrates and regular members be diligent in his selection and to maintain exact copies (*chirographa*) of the vote-tally in case a dispute about his leadership emerged. It mattered to these humble farmers' social and financial successes who held these positions and how they had arrived at them, and in this way such organizations had their equivalent to the Roman governmental *cursus honorum*. They were after all created in the image of a republic. Their votes sanctified the powers of their magistrates even if the *fasti* of their members and magistrates identified them by the physical scars of their labor, hardly a sign of their eminence on an imperial level.[178]

Clerical Professionalism in the Third Century

My brief overview does no justice to the explosion of incisive scholarship on Greco-Roman occupations and socio-economic organizational practices in the past thirty years, but it captures however clumsily the pervasive systems, strategies, and sensibilities that structured how Romans executed "good work" in occupational groups, that is, Roman professionalism. Just as earlier Greco-Roman philosophical discourses colored Christian attitudes about asceticism and theology, discourses about ethical conduct in one's professional life informed the escalating discussions about clerical discipline in the third century. Origen's relentless attacks on corrupt clerics in his Old and New Testament commentaries are particularly informative though under-utilized evidence for such conversations, if only for the fact that Origen most often criticizes and exalts clerics in references to biblical figures and archetypes. When he is not chastizing Israelite "priests" for electoral canvassing or seeking wealth in ordination, he is censuring the Israelite people for not supporting their "Levites" sufficiently enough, so that they might be free from worldly business. Supported clerics who are goaded to condemn heresy and corruption, are elsewhere rebuked as "haughty, quarrelsome, and self-assertive" men who boast about their seniority.[179]

As critical as Origen was of clerical arrogance and cliquishness, he never questioned the need for a hierarchy of clerical magistrates. He inherited a Christian community, which took for granted that "here in the Church the grades (*prokopai*) of bishops, presbyters, deacons are imitations (*mimēta*) of the angelic glory (*doxa*) of the [divine] economy (*oikonomia*)." Clerics were on "a

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[177] *P. Mich.* 5.244, r. cntr. l. 4: ἑαυτοῖς κυνῇ γνώμῃ προχιρίσε τινὰ ἐξ αὐτῶν ἄνδρα ἀγαθώτατον καὶ ἐπιμελητὴν Κρονίωνα Ἡρώδου….

[178] Cf. *P. Mich.* 5.244, r.ll.1-44.

[179] See the analysis of Hans von Campenhausen, *Ecclesiastical Authority and Spiritual Power in the Church of the First Three Centuries,* trans. J. A. Baker (Stanford, CA: Stanford University Press, 1969), 238-264: 252.

path set in order by the apostles," to quote Origen's forebearer, Clement of Alexandria (ca. 150-215 CE). It was a fact of Christian life that "those who first minister will then be established in the presbytery by promotion in glory—for glory differs from glory—until they grow into a perfect man."[180] For Origen the Church was like "a national organization (*sustēma patridos*), one founded by the Word of God" with "modest men taking up the public management (*κοινē phrontis*) of the Church." These men, he countered his pagan opponent Celsus, did not flee "the public obligations of this life," as some had charged, but rather they "assume[d] more divine and urgent liturgies within the Church for the salvation of mankind."[181] Much has been made about Origen's remarks here, namely that like other apologetic Christians Origen deployed "ethnic reasoning" to distinguish Christian communities from traditional civic and ethnic communities.[182] As fascinating as formulations of early Christianity's "imagined communities" are, less due scholarly attention has been given to Origen's framing of the clergy as a *collegium* of *sodales*, or "association members," who should not acquire "an office either through human canvassing (*ambitio*) or by corrupt favor (*favor*)," but who "instead assume them by the

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[180] Clement, *Stromateis* 6.13.107 (*SC* 446, 274): ἐπεὶ καὶ αἱ ἐνταῦθα κατὰ τὴν ἐκκλησίαν προκοπαὶ ἐπισκόπων, πρεσβυτέρων, διακόνων μιμήματα, οἶμαι, ἀγγελικῆς δόξης κἀκείνης τῆς οἰκονομίας τυγχάνουσιν, ἣν ἀναμένειν φασὶν αἱ γραφαὶ τοὺς κατ᾽ ἴχνος τῶν ἀποστόλων ἐν τελειώσει δικαιοσύνης κατὰ τὸ εὐαγγέλιον βεβιωκότας. «ἐν νεφέλαις» τούτους ἀρθέντας γράφει ὁ ἀπόστολος διακονήσειν μὲν τὰ πρῶτα, ἔπειτα ἐγκαταταγῆναι τῷ πρεσβυτερίῳ κατὰ προκοπὴν δόξης (δόξα γὰρ δόξης διαφέρει), ἄχρις ἂν «εἰς τέλειον ἄνδρα» αὐξήσωσιν. Sadly, Clement's promised treatise on the "elected offices" of bishops, presbyters, deacons, and widows does not survive or was never completed. Clement, *Pedagogus* 3.12.97.1-3 (*SC* 158, 172): Μυρίαι δὲ ὅσαι ὑποθῆκαι εἰς πρόσωπα ἐκλεκτὰ διατείνουσαι ἐγγεγράφαται ταῖς βίβλοις ταῖς ἁγίαις, αἳ μὲν πρεσβυτέροις, αἳ δὲ ἐπισκόποις <καὶ> διακόνοις, ἄλλαι χήραις, περὶ ὧν ἄλλος ἂν εἴη λέγειν καιρός. See the chapter on Gnosis and ecclesiology in Piotr Ashwin-Siejkowski, *Clement of Alexandria: A Project of Christian Perfection* (T & T Clark, 2008), 189-226.

[181] Origen, *Contra Celsum* 8.75 (SC 150, 350): Προτρέπει δ᾽ ἡμᾶς Κέλσος *καὶ* ἐπὶ τὸ *ἄρχειν τῆς πατρίδος, ἐὰν δέῃ καὶ τοῦτο ποιεῖν ἕνεκεν σωτηρίας νόμων καὶ εὐσεβείας.* Ἡμεῖς δὲ ἐν ἑκάστῃ πόλει ἄλλο σύστημα πατρίδος κτισθὲν λόγῳ θεοῦ ἐπιστάμενοι τοὺς δυνατοὺς λόγῳ καὶ βίῳ ὑγιεῖ χρωμένους ἄρχειν ἐπὶ τὸ ἄρχειν ἐκκλησιῶν παρακαλοῦμεν, οὐκ ἀποδεχόμενοι μὲν τοὺς φιλάρχους βιαζόμενοι δὲ τοὺς διὰ πολλὴν μετριότητα τὴν κοινὴν φροντίδα τῆς ἐκκλησίας τοῦ θεοῦ μὴ βουλομένους προπετῶς ἀναδέξασθαι· καὶ οἱ καλῶς ἄρχοντες ἡμῶν βιασθέντες ὑπάρχουσι, τοῦ μεγάλου βασιλέως ἀναγκάζοντος, ὃν πεπείσμεθα εἶναι υἱὸν θεοῦ λόγον θεόν. Καὶ εἰ ἄρχουσιν καλῶς οἱ ἄρχοντες ἐν τῇ ἐκκλησίᾳ τῆς κατὰ θεὸν πατρίδος….. λεγόμενοι ἢ καὶ ἄρχουσι κατὰ τὰ ὑπὸ τοῦ θεοῦ προστεταγμένα, οὐδὲν παρὰ τοῦτο μολύνοντες τῶν θεῶν νόμων. Καὶ οὐ φεύγοντές γε τὰς κοινοτέρας τοῦ βίου λειτουργίας Χριστιανοὶ τὰ τοιαῦτα περιΐστανται ἀλλὰ τηροῦντες ἑαυτοὺς θειοτέρᾳ καὶ ἀναγκαιοτέρᾳ λειτουργίᾳ ἐκκλησίας θεοῦ ἐπὶ σωτηρίᾳ ἀνθρώπων…

[182] Denise Kimber Buell, *Why This New Race: Ethnic Reasoning in Early Christianity* (New York: Columbia University Press, 2005), particularly 98-110.

consciousness of merits (*merita*) and by the will of God."[183] These are the clergy who, in Origen's opinion, should be selected by popular vote and public testimonies and who should be offered sustenance (*necessaria*) by the laity so that they may work full-time attending to God's Law.[184] It matters quite little whether Origen considered the clergy like the magistrates of a sort of divine republic or those of a sacred *collegium*: an orderly *sustēma patridos* of ranked offices could equally signify a military corps, a public *collegium*, or a constitutional government. It matters more that the type of hierarchical and organizational relationships, which Origen proposed, shared an underlying logic, a logic that was thoroughly embedded in the culture of Roman organizational discipline and honorifics.

Since the logic of organizational discipline was so widespread and quite standardized, it is easy to notice formal aspects of organizational discipline even when authors make direct comparison to such organizations when discussing clerical professional life. For instance, the so-called *Traditio apostolica* (ca. 215 CE), originating in third-century Rome, parallels *The Didascalia* and other third-century texts in its concern for the ritualization of hierarchical relationships among the laity and the clergy, as well as in its clear delineation of clerical offices; yet, the author never states that the church is an *ordo*, a *corpus*, or the likes thereof.[185] That said, the language and logic of the *Traditio* betray the influence of Roman secular organizational discipline. "The bishop," for instance, "is to be ordained (*ordinetur*), having been chosen (*electus*) by all the people. When he has been named (*nominatus*) and approved (*placuerit omnibus*) by all, the people will gather on the Lord's day with the body of elders and (neighboring) bishops who are present."[186] *Ordinare*, *nominare*, and the *placuit* approval-clauses are standard terms for the nomination of collegial and public officials, and inscriptional and papyrus evidence leave us ample examples of the popular election of association officials.[187] From the selection of bishops, the text moves onto the procedure for the ordination of deacons:

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[183] Origen, *Homilies on Numbers* 9.1.7 (*Werke* 7, 56): *simul ut et posteris daretur exemplum, ne quis praesumptione superbi spiritus non sibi a Deo datum munus pontificatus invaderel; sed ut illi cedat, quem non ambitio humana, non favor corruptus adsciverit nec largitio condemnada subrogaverit, sed meritorum conscientia et Dei vounta assumperit.*

[184] On popular election of the clergy: Origen, *Homilies on Numbers* 22.4.1 (Werke 7, 208-209), *Homilies on Leviticus* 6.3.1 (*Werke* 6, 362-363); on lay support of the clergy: Origen, *Homilies on Joshua* 17.3 (Werke 7, 405), *Homilies on Numbers* 11.1.1-2 and 11.2.2 (*Werke* 7, 74-80).

[185] The attribution of the text to anti-pope Hippolytus is seriously doubted today, but references to the text are still best found under his name. On Hippolytus' possible authorship and the emerging clerical hierarchy of his day, see Allen Brent, *Hippolytus and the Roman Church in the Third Century: Communities in Tension before the Emergence of a Monarchical Bishop* (Leiden: Brill, 1995), 458-540.

[186] Hippolytus, *Traditio apostolica* 2 (*SC* 11, 26-27): *Episcopus ordinetur, electus ab omni populo: quique cum nominatus fuerit et placuerit omnibus, conveniet populus, una cum praesbyterio et his qui praesentes fuerint episcopi, die dominica.*

[187] *IG* II² 1368 (2nd Cent., Athens).

> When a deacon is ordained, he is elected according the criteria above, with only the bishop laying his hand thusly on him. In the ordination of a deacon, only the bishop lays on his hand because the deacon is not ordained into a priesthood (*sacerdotium*), but into the service (*ministrium*) of the bishop, that he might do what he commands. For he is not part of the council (*consilium*) of the clergy (*clerus*), but manages affairs (*agens curas*) and reports to the bishop what is necessary (*indicans episcopo quae oportet*). He does not receive the spirit common to the elders (*presbyteri*), of which the elders are participants, but that which is entrusted to him by the bishop.[188]

As with the *Didascalia*, the language of public office and honors (*ordinatur, ministerium, consilium, presbyteri*) is deployed.[189] Save for the smoking gun of clerical payment, so crucial for how Antiochene Christians transformed perfomers of the liturgy into a rank-and-file corps, the *Traditio* leaves the similar impression of a local clergy crystalizing their professional duties and functions. That said, we know from the historian Eusebius that the bishops of third-century Rome already received payment and that the church at Rome was supporting dozens of specialized clerics (46 presbyters, 7 deacons, 7 subdeacons, 42 acolytes, and 52 exorcists, readers, and *ostiarii*.[190] Perhaps more importantly, the sole figure of a bishop's salary, which Eusebius recorded, is quite meager (150 *denarii* per month).[191] The accuracy of Eusebius' figure is less important than its scale, which confirms what little we know about the third-century popes of Rome, namely that those pontiffs such as pope Zephyrinus (198-217 CE), who is attributed with regularizing clerical discipline (*fecit constitutum de ecclesia*) in the raucous capital, were not of super-elite origins.[192] They came from less than posh districts of Italy such as the shipping

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[188] Hippolytus, *Traditio apostolica* 2 (*SC* 11, 39-40): *Diaconus vero cum ordinatur, eligitur secundum ea quae praedicta sunt, similiter imponens manus episcopus soIus. Sicuti et praecipimus in diacono ordinando· solus episcopus imponat manus propterea quia non in sacerdotio ordinatur sed in ministerio episcopi, ut faciat ea quae ab ipso iubentur; non est enim particeps consilii in clero, sed curas agens et indicans episcopo quae oportet, non accipiens communem praesbyteri spiritum cum, cuius participes praesbyteri sunt, sed id, quod sub potestate episcopi est creditum.*

[189] See the informative third revision of Gregory Dix and Henry Chadwick (eds.), *The Treatise on the Apostolic Tradition of St Hippolytus of Rome, Bishop and Martyr* (New York: Routledge, 1992 (1937)).

[190] Eusebius records that anti-pope Natalius received a salary of 150 denarii a month. See Eusebius, *Historia ecclesiastica* 5.28.3-14 (*LCL* 153, 520). What to make of the payment is difficult, since 150 is a quite meager living salary. For instance, the slightly later Pride Edict of Diocletian sets the maximimum daily wage for an unskilled farm laborer at 25 denarii per diem, that is, around 750 denarii per month; 6.43.11

[191] The slightly later Pride Edict of Diocletian sets the maximimum daily wage for an unskilled farm laborer at 25 denarii per diem, that is, around 750 denarii per month.

[192] *Liber Pontificalis* 16.2 (Duchesne, 60-61): *Hic constituit praesentia omnibus clericis et laicis fidelibus, siue clericus, siue leuita, siue sacerdos ordinaretur. Et fecit constitutum de ecclesia, et patenas uitreas ante sacerdotes in ecclesia, et ministros supportantes, donec episcopus missas*

yards along the Tiber, were often of *peregrinus* and servile stock, and were buried in unadorned subterranean graves.[193] Like the urban community that produced *The Didascalia*, the "Italian" clerics who shaped the *Traditio* were enmeshed within a working urban population of laborers, artisans, and professionals. Indeed, it was the strong similarity between the Greek and Latin *collegium* inscriptions in Italy, and the vocabulary of early Christian graves in Italy and elsewhere that first indicated relationship between the organizations of *collegia*, *synodoi, scholae*, and the inchoate Christian *ekklēsia.*[194]

Nowhere are discourses about clerical payment and organizational discipline more high-profile than in the fractious landscape of Christian North Africa, whose various factional struggles in the early third century brought these matters to the forefront of Christian thought. For instance, Tertullian often censured the ecclesiology of heretical groups of Christians for the disorderliness of their organization, their lack of discipline:

> Let me not omit a description of the heretics' habit (*conversatio*)—how frivolous it is, how worldly, how human, without gravity, without authority, without discipline (*sine grauitate, sine auctoritate, sine disciplina*), as suits their creed… All are puffed up, all offer their knowledge! Their catechumens are "perfect" before they are thoroughly taught. And the women of these heretics, so shameless, they are bold enough to teach, to dispute, to exorcize, to offer cures—perhaps even to baptize. Their ordinations are inconsistent, flimsy and mutable (*ordinationes temerariae, leues, inconstantes*). At one time they employ neophytes [in offices]; at other times, men who are bound to a secular occupation (*obstricti saeculu*); at another, our own apostates so that they might oblige them to their glory (*gloria*) since they cannot join them to the truth. Nowhere is it easer to

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celebraret, ante se sacerdotes adstantes, sic missae celebrarentur; excepto quod ius episcopi interest tantum, clerus sustineret omnibus praesentes; ex ea consecratione de manu episcopi iam coronam consecratam acciperet presbiter tradendam populo

[193] Callistus I (218-222 CE) is, for instance, described as "*natione Romanus, ex patre Domitio, de regione Vrberauennantium*" (*Liber poniticalis* 17.1(Duchesne, 63)). The *urbs*, or *castra*, *Ravennantium* was were the crews and ship-workers of the imperial fleet camped near the Tiber. See Lawrence Johnson, *A New Topographical Dictionary of Ancient Rome* (Baltimore, MD: Johns Hopkins University Press, 1992), 79; Callistus was also allegedly a freedman, one who embezzled from his master at that! Cf. Hippolytus, *Refutatio omnium haeresium* 9.7 (Miroslav Marcovich (ed.), *Refutatio Omnium Haeresium* (Berlin: Walter de Gruyter, 1986), 342-343)). Many of the third-century popes were native Greek-speakers, and all but one papal surving papal funerary inscriptions from the third century are in terse abbreviated Greek. Pope Cornelius' grave marker is in Latin since he was a native Latin-speaker. On this point, I must acknowledge Wendy Reardon's *The Deaths of the Popes: Comprehensive Accounts including Funerals, Burial Places, and Epitaphs* (Jefferson, NC: McFarland, 2004), which consolidates the evidence for papal funerary inscriptions. Giovanni Battista de Rossi's *La Roma sotterranea Cristiana* (Rome: Cromo-litografia pontificia), though impressive, is very out-of-date, and many of the monuments that he recorded have been moved to new locations. Reardon beautifully presents his recordings with new scholarship.

[194] See note 17 above.

> be promoted (*promereri*) easier than in the camps of rebels where merely being there is sufficient. Today one man is their bishop, tomorrow another; today he is a deacon who tomorrow is a reader; today a priest who tomorrow is a layman. For they even impose on laymen the priestly burdens (*sacerdotalia munera*).[195]

The heretics in his opinion lacked scrupulous discipline in their operations. Their carelessness made their communities, which he winced to call churches, prone to all types of chaos and novelty—abject qualities to any Roman. He saw his orthodox community as resolute in its straight and disciplined path:

> Where there is the fear of God, there is gravity (*gravitas*), honorable and thoughtful diligence (*honesta et diligentia attonita*), an anxious carefulness (*cura solicita*), tested admission (*adlectio explorata*), purposeful communion (*communicatio deliberata*), merited promotion (*promotio emerita*), religious obedience (*subjectio religiosa*), devout service (*devota apparitio*), modest procession (*processio modesta*), a united Church, and God in all things."[196]

Terms such as *cura, adlectio*, *apparitio*, *promotio*, *processio* were not haphazardly chosen, but were words that reverberated with the orderly majesty of the Roman *cursus honorum* as well as with the smooth running of a *corpus* or any collective organization.[197] Tertullian conceived that these qualities came as a tight, readymade package because in all essence they did. Association formulae survive from antiquity, as do generic municipal constitutions, and such documents were often drafted by the same notaries.[198] Indeed, for all his ascetic rigor and calls to resist the

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[195] Tertullian, *De praescriptione haereticorum* 41.1-8 (*CCSL* 1, 221-222): *Non omittam ipsius etiam conuersationis haereticae descriptionem quam futilis, quam terrena, quam humana sit, sine grauitate, sine auctoritate, sine disciplina ut fidei suae congruens… Omnes tument, omnes scientiam pollicentur. Ante sunt perfecti catechumeni quam edocti. Ipsae mulieres haereticae, quam procaces! quae audeant docere, contendere, exorcismos agere, curationes repromittere, fortasse an et tingere. Ordinationes eorum temerariae, leues, inconstantes. Nunc neophytos conlocant, nunc saeculo obstrictos, nunc apostatas nostros ut gloria eos obligent quia ueritate non possunt. Nusquam facilius proficitur quam in castris rebellium ubi ipsum esse illic promereri est. Itaque alius hodie episcopus, cras alius; hodie diaconus qui cras lector; hodie presbyter qui cras laicus. Nam et laicis sacerdotalia munera iniungunt.*

[196] Ibid., 43.5 (ibid., 223): *At ubi metus in Deum, ibi grauitas honesta et diligentia attonita et cura sollicita et adlectio explorata et communicatio deliberata et promotio emerita et subiectio religiosa et apparitio deuota et processio modesta, et ecclesia unita et Dei omnia.*

[197] The terms here used are *coetio Christianorum* and *factio Christiana*. Cf. Tertullian, *Apologeticum* 38.1; 39.1, 20 (*CCSL* 1, 149, 150, 153). These terms are typically used as pejoratives for troublesome groups, but there is evidence for artisans using them. *Factio* is also for companies of equestrian attendants at stables, most famously the *Stabula IIII factionum*, which tended to the horses of the circus. See L. Richardson, *A New Topographical Dictionary of Ancient Rome* (Baltimore, MD: Johns Hopkins University Press, 1992), 366.

[198] For one noted *collegium* formula, see Sebastian Brock, "Regulations for an Association of Artisans from the Late Sasanian or Early Arab Period," in Philip Rousseau and Manolis

temptations of the *saeculum*, Tertullian's critique of rival churches' ecclesiology reduces down to a disregard for their unseemly clerical *cursus* and their excessive "double honors," i.e., proportional payments in offerings and food for high clerics. It should be said that Tertullian's rivals were likely the churches that we now call catholic.[199] Like Origen's repeated attacks on "corrupt clerics," Tertullian's remarks were stock criticisms of theological enemies. Sometime later Eusebius censured Tertullian's supposed community of Montanists for collecting "a fixed salary" for their "preachers under the guise of offerings (*prosphorai*)," a practice which Eusebius' own church had done since the early second century.[200] The hypocrisy that Eusebius wished to highlight was that the Montanists claimed that their leaders claimed to live like Old Testament prophets of the desert, not run-of-the-mill "honored" clerics. It was the reverse of Origen's critique that contemporary clerics should live as Old Testament prophets. As Eusebius pointed out, those who collect salaries obviously do not live off locusts and honey; nor do ham up their ragged prophetic appearance with wigs and makeup à la Alexander the false-prophet.[201]

Writing a generation after Tertullian, Cyprian of Carthage (d. 258 CE) and his corpus illustrate a further expansion of the nascent "professionalism" of Tertullian and his counterparts in Rome, Egypt, and Syria. Cyprian's writings, more so than Tertullian's, make it clear that the African Church had also instituted a full clerical stipend system for its burgeoning clergy. Based on calculations from his letters, Cyprian's Carthaginian diocese oversaw and provided the livelihood for at least two dozen clerics.[202] His growing Church did have some harsh though illuminating setbacks for our purposes. One new challenge to his community was the increasing prominence and wealth of clerics, especially bishops. Having learned that a certain bishop Germinius Victor had acted against "a decision of a council of bishops" (*in concilio episcoporum*

Papoutsakis (eds.), *Transformations of Late Antiquity: Essays for Peter Brown* (Surrey: Ashgate, 2009), 51-62. For Roman constitutional formulae, see Andrew Lintott, *Imperium Romanum: Politics and Administration* (London: Routledge, 1993), passim; see the archive of collegial and municipal records executed by the second-century Egyptian notary Kronion, which include several of the collegia *nomoi* above, at https://www.trismegistos.org/archive/93.

[199] Tertullian, *De jejunio contra Psychicos* 17.4 (*CCSL* 2, 1276): *quod duplex apud te praesidentibus honor binis partibus deputatur.*

[200] Eusebius, *Historia ecclesiastica* 5.18.2 (*LCL* 153, 486): ὁ πρακτῆρας χρημάτων καταστήσας, ὁ ἐπ' ὀνόματι προσφορῶν τὴν δωροληψίαν ἐπιτεχνώμενος, ὁ σαλάρια χορηγῶν τοῖς κηρύσσουσιν αὐτοῦ τὸν λόγον, ἵνα διὰ τῆς γαστριμαργίας ἡ διδασκαλία τοῦ λόγου κρατύνηται.

[201] Eusebius, *Historia ecclesiastica* 5.18.12 (*LCL* 153, 490). For the topos of exaggerated prophetic appearance, see Dorothee Elm von der Osten, "*Habitus Corporis*: Age Topoi in Lucian's *Alexander or the False Prophet* and *The Apology* of Apuleius," in Jörg Rüpke and Gregory Woolf (eds.), *Religious Dimensions of the Self in the Second Century CE* (Tübingen: Mohr Siebeck, 2013), 192-220. See William Tabbernee, *Fake Prophecy and Polluted Sacraments: Ecclesiastical and Imperial Reactions to Montanism* (Leiden: Brill, 2007), 127-128.

[202] See the calculations in G. W. Clarke, *The Letters of Cyprian of Carthage, Vol. 1: Letters 1-27* (New York: Newman Press, 1984), 39-44.

statutum) and placed a cleric as the executor of his own will, he reminded the clergy and people of the town of Furni that clerics were specifically barred from worldly financial matters and that this ban is why they received a salary:

> All this was done by divine authority and arrangement (*auctorite et dispositione*), so that those attending to divine services (*operationibus divinis*) might in no respect be called away or be compelled to consider or handle secular business. This plan and rule (*ratio et forma*) is now maintained with respect to the clergy, so that they who are promoted by clerical ordination (*ordinatione clerica promoventur*) in the Church of the Lord may in no way be called away from the divine administration (*ab administratione divina)*, nor be tied down by worldly anxieties and business; but in honor of the brothers providing the dole (*sportulantium fratrum*), receiving as it were [the Levites'] tenths of the [Israelites'] fruits, they may not withdraw from the altars and sacrifices, but may serve day and night in heavenly and spiritual things.[203]

Here in Cyprian, just as in the *Didascalia*, the cleric's stipend is being evoked as a reminder that the cleric's "job" is within the Church, which remunerates him for his unwavering devotion to his ecclesiastical duties. We also know from another letter of Cyprian's that just as in Antioch the pay was scaled so that all those elevated to a given rank—in this case the priesthood— would receive equal monthly pay (*sportulis iisdem cum presbyteris honorentur, et divisiones mensurnas aequatis quantitatibus partiantur*).[204] Cyprian seems to have had deep anxiety about clerics focusing more on their trades than their ecclesiastical obligations. Even some bishops, he observed, "abandoned their office, deserted their people, became wanderers in foreign territories, and chased after markets for the sake of profitable business."[205]

Here we can see Cyprian following a very similar logic to the *Didascalia* in actively employing the terminology of hierarchical secular organizations (*honores*) and occupational payments. That said, just as the actual payment systems differed from region to region, so too did

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[203] Cyprian, *Ep.* 1.1.2 (*CCSL* 3B, 30): *Quod totum fiebat de auctoritate et dispositione divina, ut qui operationibus divinis insistebant, in nulla re avocarentur, nec cogitare aut agere saecularia cogerentur. Quae nunc ratio et forma in clero tenetur, ut qui in Ecclesia Domini ordinatione clerica promoventur, in nullo ab administratione divina avocentur, nec molestiis et negotiis saecularibus alligentur, sed in honore sportulantium fratrum, tamquam decimas ex fructibus accipientes, ab altari et sacrificiis non recedant, sed die ac nocte coelestibus rebus et spiritualibus serviant.*

[204] Cyprian, *Ep.* 39.5.2 (*CCSL* 3B, 191-192).

[205] Cyprian, *De lapsis* 6 (*CCSL* 3, 223-224): *derelicta cathedra, plebe deserta, per alienas provincias oberrantes, negotiationis quaestuosae nundinas aucupari….* The Concil of Elvira (302/3) fifty years later sought to forbid formally at least bishops, priests, and deacons from travelling for business purposes. It recommends instead the use of intermediaries. See *Concilium Iliberritanum* 19.235-240 (*CCH* 4, 248): *Episcopi, presbyteri, et diaconi, de locis suis negotiandi causa non discedant, nec circumeuntes provincias quaestuo- sas nundinas sectentur. Sane ad victum sibi conquirendum aut lium, aut libertum, aut mercenarium, aut amicum, aut quemlibet mittant, et si voluerint negotiari, intra provinciam negotientur*.

the specific terminology. Cyprian, for instance, opted for the local terms, *sportulae* "gifts" and the related verb *sportulo* "to take the dole of a patron," which directly speak to the client-patron relationships common in Africa. These terms mostly commonly appeared in reference to "gifts," often posthumous, to local *curiales* and *augustales* (lower bureaucrats) in the form of money, wine, or food for celebratory banquets.[206] It could also refer to payments to guilds members and magistrates. The dividends of a guilds' investments, for instance, were paid out to deserving members as *sportulae*.[207] By the fourth century *sportulae* had become the technical term for "gifts" offered to officials for their services. In the most optimistic light *sportulae* were a polite code word for fees or wages; to reformers such as Constantine they were blatant bribes to be punished with severity.[208] By the reign of Julian (d. 361-3 CE), however, as evinced by a contemporary Numidian inscription, Roman officials had simply accepted the practice of *sportulae* as the wages and fees needed to grease officials' palms.[209] Cyprian thus correlated the relationship between the laity and clergy to the relationship between gifting-citizens and public officials, whether municipal bureaucrats or guild-magistrates: the offerings made in respect of the honor of exalted offices demanded that officeholders remain steadfast in their duties, incorruptible, and resolute in their decorum.

Because of the Decian persecution (ca. 250 CE), which resulted both in the imprisonment of clerics and flight of more timid churchmen, Cyprian was forced to address in several letters the proper orderliness in promotions and ordinations to fill empty magistracies of the ecclesiastical system. To summarize the letters, Cyprian wrote from exile on these occasions to inform his community that a certain man of virtue and faith should be added to one of the clerical orders—since several were confessors, God himself by Cyprian's logic had already anointed them, so the ritual of ordination was a mere technicality for those tested by torture.[210] The community would thus acquire quick assistance in its liturgical functions, and the clergy as a whole would be elevated by the presence of sanctified confessors.[211] One of these quick

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[206] Lewis and Short, *A New Latin Dictionary*, 1747. For the Italian and African epigraphic evidence for *sportulae* donatives, see Edward Champlin, *Final Judgments: Duty and Emotion in Roman Wills, 200 B.C.-A.D. 250* (Berkeley: University of California Press, 1991), 164-165.

[207] See, the community of physicians and Asclepiads at second-century Rome and their *sportulae* of proceeds (*CIL* 6.10234).

[208] For the general nature and function of *sportulae*, see Christopher Kelly, *Ruling the Later Roman Empire,* (Cambridge, MA: Harvard University Press, 2004), 138-185. See also Sabine Hübner, "Currencies of Power," in Andrew Cain and Noel Lenski (eds.), *The Power of Religion in Late Antiquity* (Burlington, VT: Ashgate, 2009), 168-178.

[209] Theodor Mommsen, "Ordo salutationis sportularumque sub imp. Iuliano in provincia Numidia." *Ephemeris Epigraphica* 5 (1884), 629-646.

[210] See Cyprian, *Ep.*32, 33, and 34 (*CCSL* 3B, 162-172).

[211] There was after all precedence for the rapid ordination of confessors into the priesthood. As the *Traditio apostolica* explained of the surviving confessor's ordination, no laying of the hands was necessary nor was the progression through the offices of the readership and the diaconate:

ordinations, though, tested the limits that the new expectations of clerical professionalism placed on Cyprian's ability to ordain. After a certain youth named Aurelius had offered himself for the crown of martyrdom and survived as a precocious confessor of the Church, Cyprian consequently ordained the youth in a manner that aroused controversy, and Cyprian therefore took a surprisingly deferential stance in informing his community of the promotion:

> In the ordination of the clergy, dearest brothers, we usually consult you beforehand, and weigh the morals and merits along with common advice (*et mores ac merita singulorum communi consilio ponderare*)… Aurelius, our brother, an illustrious youth, already tested (*probatus*) by the Lord, a man dear to God, though in years still very young, advanced in the praise of virtue and of faith; inferior in the abilities of his age, but superior in the honor... how distinguished he is by the honor of his virtue, how praiseworthy for the admirableness of his modesty. He is exalted in his dignity (*dignitas*) and so lowly in humility, that it seems that he is divinely reserved to be an example to the rest of ecclesiastical discipline (*disciplina ecclesiastica*), in the way in which the slaves of God should conquer by confession in their courage, and, after confession shine through in their customs (*mores*)… Such a man is to be judged not by his years but by his merits (*merita*), deserving the higher grades of clerical ordination and greater promotion (*Merebatur talis clericae ordinationis ulteriores gradus et incrementa majora*). But, in the meantime, I judged it well that he should begin from the office of reader (*ab officio lectionis*)…[212]

Given that Aurelius is called *adolescens*, we might wager that he was somewhere between 14 and 25. Twenty-something is not entirely scandalous age for a reader, but in light of Cyprian's excessive praise, we might suspect he is closer to the former. Cyprian's own hasty ordination itself had been a local imbroglio. As his biographer recalled, Cyprian had progressed at a breakneck pace from being a neophyte to being a bishop.[213] From his decision to retain Aurelius as a reader "in the meantime" (*interim*), one might surmise that Cyprian intended to promote

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"for, he has the office of the presbyterate by his confession." *Traditio apostolica* 9.1 [10.1] (*SC* 11, 64): *Habet enim honorem presbyteratus per suam confessioniem*. For a commentary, see Gregory Dix and Henry Chadwick, *The Treatise of the Apostolic Tradition of St. Hippolytus of Rome, Bishop and Martyr* (London, *Alban Press* 1992 (1937)), 18-19.

[212] Cyprian, *Ep*. 32.1-2 (*CCSL* 3B, 162-163): *In ordinationibus clericis fratres carissimi, solemus vos ante consulere, et mores ac merita singulorum communi consilio ponderare… Aurelius frater noster, illustris adolescens, a Domino jam probatus et Deo charus, in annis adhuc novellus, sed in virtutis ac fidei laude provectus, minor in aetatis suae indole, sed major in honore, gemino hic agone certavit; bis confessus, et bis confessionis... gloriam vulnerum, an verecundiam morum, quod honore virtutis insignis est, an quod pudoris admiratione laudabilis. Ita et dignitate excelsus est et humilitate submissus, ut appareat illum divinitus reservatum qui ad ecclesiasticam disciplinam caeteris esset exemplo, quomodo servi Dei in confessione virtutibus vincerent, post confessionem moribus eminerent. Merebatur talis clericae ordinationis ulteriores gradus et incrementa majora, non de annis suis sed de meritis aestimandus. Sed interim placuit ut ab officio lectionis incipiat*

[213] Palladius, *Vita Cypriani* 5 (*CSEL* 3, 90-110: 105).

Aurelius also on a speedy path to "the higher grades of the clerical order" (*clericae ordinationis ulteriores gradus*). Cyprian was perhaps establishing a defensive position for the upcoming promotion that some clerics might interpret as flouting ecclesiastical standard practices. But by the 250s sequential ordination was becoming the expected professional path through the clergy as much as was the full-time devotion of clerics to God's work.

From Ideals to Canons

The nascent "clerical professionalism" of the third century can be characterized as the gradual emergence of an organizational pyramid within ecclesial communities that assigned moral and occupational standards to those paid-men performing specific duties. These standards included rules for selection and promotion, expected behavior toward fellow clerics and the laity, and comportment in public and private life. This clerical professionalism was encoded in the language of civic honors and duties (*dignitas, honos*, *officium*, ἀρχή, τιμή, etc.), terms that resonated as much with landed-elites as they did with occupational groups lower on the social pyramid. That said, the "rules" delineating clerical life in third-century literary sources come across much more like platitudes or moralizing generalizations than pronouncements—even when they supposedly came from lips of the apostles. By 250 CE, however, bishops and other clerics had begun attempting to impose formal legislation on their communities in councils and synods in what Hamilton Hess has labeled "the concilar movement." These gatherings of bishops and subordinate clerics and their legislation, typically labeled "canons," did not evolve *ex nihilo*.[214] As Philip Amidon and others have successfully demonstrated, the language and procedure of the third-century synods described in authors such as Cyprian and Origen paralleled those of both municipal councils and corporate guilds as recorded on surviving inscriptions and papyri.[215] In the case of Cyprian and the earliest Latin councils, their procedures employed the standard terminology of Roman deliberation—*placuit*, *constitutum*, *confirmavimus*—and these meetings followed the same so-called *relatio-sententia* debate system used in the only two documented sessions of the late Roman Senate.[216] A brief vignette in Origen's contemporary *Dialogue with Heraclides* confirms similar habits in the Greek East. In it we find members debating, voting, and swearing oaths. Reached decisions were then formally written down so that they "might be legally binding and irrevocably fixed" (*estai nenomothetēmena kai pepēgmena*).[217]

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[214] Cf. Hamilton Hess, *The Early Development of Canon Law and the Council of Sardica* (Oxford: Oxford University Press, 2002), 5-34.

[215] Philip Amidon, "The Procedure of St. Cyprian's Synods," *Vigiliae christianae* 37.4 (1983), 328-339.

[216] Theodor Mommsen and Paul Meyer, *Theodosiani Libri XVI* (Berlin: Apud Weidmannos, 1954), 1-4; Clyde Pharr (trans), *The Theodosian Code* (Princeton, NJ: Princeton University Press, 1952), 3-7.

[217] Origen, *Dialogus cum Heraclide* 6 (*SC* 67, 68): Εἰ ἀρέσκει ταῦτα, καὶ ταῦτα ἐπὶ διαμαρτυρίας τοῦ λαοῦ ἔσται νενομοθετημένα καὶ πεπηγμένα. Τί ἄλλο περὶ τῆς πίστεως; δοκεῖ σοι ταῦτα, Μάξιμε, † ειπεναι;» Μάξιμος εἶπεν· «Γένοιτο πάντας ὁμοίους μοι γενέσθαι. Ἐπὶ Θεοῦ καὶ

The earliest canons, which survive, often address rather mundane aspect of the clergy's behavior and lifestyle. For instance, the council of Elvira banned adulterous clerics from communion for the rest of their lives.[218] "Bishops, presbyters, and deacons" were forbidden from abandoning their native provinces "in order to engage in profitable ventures." They are commanded instead, "if their livelihood is at stake, to send a son, a freedman, an employee, a friend, or whomever" to conduct the business.[219] This proscription was in keeping with widespread concerns about troublesome clerics wandering about as much as it was with clerics collecting their salaries but neglecting their duties. The Council of Nicaea (325 CE) shortly thereafter fully banned the movement of clerics without permission, as would successive counciliar canons and decretals[220] Lastly, Elvira also "censured and dismissed" clerics found guilty of usury, although such legislation never prevented clerics from work in the Roman financial industry.[221]

Several quality studies in the past twenty-five years have sought to catalog and categorize the developing body of canons regulating clerical life in late antiquity.[222] Despite their different angles of approach, these studies reached the same conclusion: the main goal of prescriptive texts regarding the late antique clergy was to form a distinct order of clerics, i.e., the clergy, whose rules promoted proper internal functioning and insulation from the corrupting threats of the *saeculum*. As Paul-Henri Lafontaine noted some quarter-century ago in a study of late antique clerical regulations, "[this regulatory tradition] distinguishes properly the conditions of admission, on the one hand, and the irregularities and impediments [to ordination], on the other hand. While the latter halt the advancement of the aspirant, in a definitive or temporary way, the former included all the qualities or formalities of which one must verify the existence of before

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ἐκκλησίας, καὶ <ὑπο>γράφω καὶ καταθεματίζω· πλὴν μέντοι ἵνα μὴ δισταχθεὶς ὅλως καὶ διψυχήσω † περί τινος πυνθάνομαι

[218] Council of Elvira, canon 18 (*CCH* 4, 248): *Episcopi presbiteri diacones si in ministerio positi detecti fuerint quod sint moechati, placuit et propter scandalum et propter infandum crimen, nec in finem eos communionem accipere debere.*

[219] Ibid., canon 19 (*CCH* 4, 248-249): *Episcopi presbiteri et diaconi de locis suis negotiandi causa non discedant, nec circumeuntes provintias questuosas nundinas sectentur. Sane ad victum sibi conquirendum, aut filium aut libertum aut mercennarium aut amicum aut quemlibet mittant. Et si voluerint negotiari intra provintiam negotientur.*

[220] Dockter, *Klerikerkritiker*, 49-76.

[221] Ibid., canon 20 (*CCH* 4, 249): *Si quis clericorum deditus fuerit usuras accipere placuit degradari et abstineri. Si quis etiam laicus accepisse probatur usuras, et promiserit correptus iam cessaturum, nec ulterius exacturum placet ei veniam tribui. Si vero in ea iniquitate duraverit, ab ecclesia sciat se esse proiciendum.*

[222] See note 14 of this chapter for an overview of the scholarship.

admitting a man to a given order."[223] By this Père Lafontaine means in his rather periphrastic French that the earliest ecclesiastical legislation on the clerical orders can be divided between positive and negative commandments: *what is not tolerable versus what is required*. As one would expect, the number of injunctions and barriers far exceeds the positive requirements. The positive requirements for the late ancient clergy, as Lafontaine noted in his conclusion, were rather bland. A potential cleric should be male, baptized, willing (theoretically), and of age (though that age fluctuated). Moreover, "the candidate must first of all present certain qualities that establish his ability to become the spiritual father of Christians. He must offer guarantees of maturity, virtue, and knowledge."[224] Lafontaine had to confess in his underappreciated, out-of-print, and 400-page study that these attributes were hard to quantify.[225] The canons and the Fathers could more easily exclude a candidate for personal defects and missteps than mandate nebulous positive attributes.

The positive attributes that the early canons sought in candidates were age requirements (maturity) and promotion at set years within the clergy, baseline literacy and religious knowledge (knowledge), and personal examination for both ordination and promotion (virtue).[226] The Synod of NeoCaesarea (314), for instance, sets the minimum age for ordination of priests at thirty.[227] The Council of Hippo (397) held that the minimum age for becoming a cleric was twenty-five.[228] Other canons associated with African conciliar collections add that readers should have reached the age of puberty.[229] The Council of Hippo (393) ordained "that no one should be ordained except for someone tested by the examination (*examinatio*) of bishops or by the

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[223] Lafontaine, *Les conditions positives*, 1: "distingue ici les conditions proprement dites d'admission, d'une part, et les irrégularities et empêchements, d'autre part. Tandis que ceux-ci arrêtent l'aspirant, d'une façon définitive ou temporaire, les premières comprennent toutes les qualités ou formalités don't on doit vérifier l'existence avant de l'admettre à un ordre donné.

[224] Ibid., 359: "Le candidate doit d'abord présenter certains qualités qui établissent son aptitude à devenir le père spiritual des chrétiens. Il doit offrir des garanties de maturité, de vertu et de science."

[225] I wish to emphasis how underappreciated this elegant work is. I've encountered three copies of this book (two at university libraries and one on the book market, which was a library copy originally). I was forced on all three occasions to cut dozens after dozens of fused-leaves on account of a printing error. In over forty years no one had read these three copies cover-to-cover.

[226] John Gibaut, *The* Cursus Honorum, 59-157.

[227] Canon 11: Πρεσβύτερος πρὸ τριάκοντα ἐτῶν μὴ χειροτονείσθω, ἐὰω και πάνυ ἦ ὁ ἄνθρωπος ἄξιος, ἀλλὰ τηρείςθω.

[228] Council of Carthage (397), canon 4 (*CCSL* 259, 33 and 122): *ut levitae et virginis ante viginti quinque annos non consecrantur*.

[229]

testimony (*testimonium*) of the populace."[230] The requirements for knowledge distilled down to literacy and basic knowledge of Scripture. Papal decretals are particularly firm on all these points,[231] as are the ordination requests from the bishop of Hermonthis' letters, which we encountered in the first chapter.[232] At least as regards run-of-the-mill clerics, the mandates for the clergy's first few hundred years of existence were not overly intellectually or organizationally demanding.

The question that I have tried to raise in this chapter is whether the internal logic of this ecclesiastical authors and canons followed a general pattern. Lafontaine some half-century ago already answered this question: "The law of gradual and slow ascension in the orders of the ecclesiastical hierarchy thus appears, in the first legislative documents, as being based on a principal rationale: the necessity of a long and progressive preparation for the exercise of the higher functions—and virtues that it postulates—of the priesthood and of the episcopate. This necessity was established by simile."[233] The similes that Lafontaine highlighted in his limited search for "la motife interne de la loi" were the marine crews, military units, civil bureaucracies, and schools, which fourth- and fifth-century Fathers (Gregory of Nazianzus, Pope Zosimus, etc.) made allusions to.[234] Such comparisons in their rhetoric helped explain the orderly procession of examined inductee through the ecclesiastical ranks. These metaphors made all parties cognizant that they were joining a regimented corporate body like these other groups.

These metaphors appealed to a range of individuals who would have been members of the "middling" clergy who needed to labor for their survival. Some of the earliest concern about the clergy was not their elite status per se, which might be expected for an aristocratic clergy, but rather that clerics would neglect their duties for their private businesses or would moonlight in other secular positions. As we have already seen, transmaritime business outside one's respective province was a prime matter of concern for early councils. General anxieties about clerical businesses became more pronounced in the fifth century. The Council of Carthage of 419 added further that clerics could not serve as secular *conductores*, or business managers, ironically the same term that the Latin *Didascalia* used to describe the clergy's relationship to the bishop.[235]

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[230] Council of Carthage (393), Canon 20 (*CCSL* 259,): *ut nullus ordinetur, nisi probatus vel episcoporum examine, vel populi testimonio.*

[231] See Lafontaine, 218-234.

[232] See page _, note 32.

[233] Lafontaine, 319: "La loi d'ascension lente et graduelle dans les ordres de la hiérarchie ecclésiastique apparaît donc, dans les premiers documents législatifs, comme fondée sur un raison principale: la nécessité d'une préparation longue et progressive en vue de l'exercise des fonctions supérieures—et des vertus qu'ell postulent—du sacerdoce et de l'episcopat. Cette nécessité est établi par des arguments à simili."

[234] Ibid., 301-320

[235] Canon 16: *Et ut episcopi, presbyteri, diaconi non sint conductores aut procuratores nee ullo turpi negotio et inhonesto uictum quaerant; respicere enim de bent scriptum esse : N emo militans Deo implicat se negotiis saecularibus.*

The Council of Chalcedon would ultimately ban clerics from accepting all military and secular dignities, which would encompass not only the army and the bureaucracy, but also municipal *curiae*, *scholae*, and *collegia*. It was not so much that clerics could not originate in these positions, as they had to abandon them before ordination. Likewise, bishops increasingly wanted to emphasize that experience in these prestigious organizations did not inherently qualify one for the clergy. The council of Sardica (343) is instructive on this point:

> And I think it necessary that you treat this most carefully: if it happens that either a rich man, or a jurist from the forum, or an administrator (*si forte aut diues, aut scolasticus de foro, aut ex administratore*), shall have been asked for as bishop, he shall not be ordained before he has discharged the function of lector and the office of deacon and the ministry of presbyter, that he may ascend [by these] grades one by one (if he is suitable) to the summit of the episcopate. For by these promotions, which in any case have extended time, his faith (*fides*), his modesty (*modestia*), his dignity (*gravitas*), and reverence (*verecundia*) can be proved (*probari*). And if he is proved suitable, let him be distinguished by the divine priesthood (*et si dignus fuerit probatus, diuino sacerdotio inlustretur*). It is not appropriate, nor does the rule of reason allow (*rationis disciplina*), that a bishop or presbyter or deacon be ordained thoughtlessly or casually—especially [one] who is a neophyte, since the most blessed apostle, the teacher of the Gentiles, is seen to have denounced and prohibited this, for it is a prolonged examination (*longi temporis examinatio*) that will prove his merits (*merita*). [236]

At the heart of the canon was a concern that the discriminants for selecting notable public servants and urban professionals would be too easily applied to the selection of bishops "since according to standards developing during this period, bishops were to be recognizably of the elite (in their education and family background) and the non-elite (through volunteer poverty and 'simplicity' of lifestyle)."[237] Nevertheless, the same canon that prohibited the inclusion of secular professionals gushed with professional jargon and virtues (*fides, merita, examinatio, gravitas, verecundia*). As we shall see in the last chapter, *scholastici, administratores*, and other professional men of various social strata did in fact become cherished members of the post-Constantinian clergy with its increasing bureaucratic needs.

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[236] *Et hoc necessarium arbitror ut diligentissime tractetis: si forte aut diues, aut scolasticus de foro, aut ex administratore, episcopus postulatus fuerit, non prius ordinetur nisi ante et lectoris munere et officio diaconii et ministerio praesbyterii fuerit perfunctus; ut per singulos grados (si dignus fuerit) ascendat ad culmen episcopatus. Potest enim per has promotiones, quae habebunt utique prolixum tempus, probari qua fide sit, qua modestia, qua grauitate et uerecundia: et si dignus fuerit probatus, diuino sacerdotio inlustretur. Nec conueniens est nec rationis disciplina patitur, ut temere aut leuiter ordinetur aut episcopus aut praesbyter aut diaconus—maxime qui sit neofitus, cum beatissimus apostolus magister gentium ne hoc fieret denuntiasse et prohibuisse uideatur; quia longi temporis examinatio merita eius probabit.*

[237] Jaclyn Maxwell, "Education, Humility and Choosing an Ideal Bishop in Late Antiquity," in Johan Leemans et al. (eds.), *Episcopal Elections in Late Antiquity* (Berlin: de Gruyter, 2011), 449-462: 449.

A counterbalance to the influx of more educated men into the post-Constantinian clergy, men accustomed to both honors and civic respect even if they were not designated aristocrats, was the rise of monasticism in clerical circles, which asked for a more stringent abandonment of secular values. The rise of ascetic and monastic practices prompted a sizable debate among ecclesiastical leaders as to how much pronounced ascetic and monastic ideals were required of the regular clergy. Various fourth- and fifth-century sources make it clear that resistance was often mounted against rigorist bishops who attempted to impose on the regular clergy more stringent ascetic requirements such outright bans on clerical marriage and private property. The drama surrounding Eustathius of Sebaste (ca. 340 CE) and the Jovinianist controversy of the 390s were two particularly tempestuous moments when ascetic and run-of-the-mill clerics came to fisticuffs over the new requirement of clerical continence and other ascetic virtues. [238] The latter controversy, which was prompted by the former monk Jovinian's campaign against the false salvific effects of asceticism, embroiled members of the Roman clergy as well as lay ascetics. Apparently, enough Roman clerics were open to Jovinian's attack on a papal mandate, which declared that ordination should happen before the age of puberty and that all clerics above readers should remain celibate, that near open warfare broke out in the eternal city.

Shortly after the Jovinianist controversy, John Chrysostom failed to weather a similar storm of aggrieved clerics whom he had rebuked for their laxity in both grave matters such as turning a blind eye to simony and prosaic ones such as their sex lives and their dining habits. The snubbing and ejection of clerics, who had in John's opponents' opinion followed the accepted letter of Church law, were key pieces of evidence in the public trial of John's ascetic "tyranny."[239] Against the charges of Chrysostom's excessive tyranny his biographer lamented, "What a custom (*nomos*) this is, for the pupils to lay down the law (*nomothetein*) for the teacher, the patients for the doctor, the passengers for the pilot!"[240] His opponents, however insubordinate or unscrupulous they may or may not have been, did have earlier canons and texts on their side. One need only consult the literary record of Chrysostom's traditionalist opponent, Theophilus of

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[238] See Susanna Elm, *Virgins* of God: *The Making of Asceticism in Late Antiquity* (Oxford: Clarendon Press, 1995), 108-111. David Hunter, *Marriage, Celibacy, and Heresy in Ancient Christianity: The Jovinianist* (Oxford: Oxford University Press, 2007).

[239] On Chrysostom's efforts, see Jean-Paul Bouhot, "*La réforme à Constantinople par Jean Chrysostome,"* in Pascal-Grégoire Delage (ed.), *Les Pères de l'Église et les ministères: évolutions, idéal et réalités. Actes du IIIe colloque de La Rochelle, 7-9 septembre 2007* (La Rochelle: Association histoire et culture 2008), 467-478; Rudolph Brändle, *Johannes Chrysostomus. Bischof-Reformer-Märtyrer* (Stuttgart-Berlin-Cologne: Verlag W. Kohlhammer, 1999). On Palladius, see Demetrios S. Katos, *Palladius of Helenopolis: The Origenist Advocate* (Oxford: Oxford University Press, 2011), 62-87.

[240] Palladius, *Dialogue on the Life of St. John Chrysostom* 8 (P. R. Coleman-Norton, *Palladii Dialogus De Vita S. Joannis Chrysostomi* (Cambridge: Cambridge University Press, 1928), 79, ll. 19-26): ποῖος δὲ καὶ νόμος οὗτος, νομοθετεῖν τὸν παιδευτὴν τοὺς παιδευομένους, ἢ τοὺς ἀῤῥώστους τὸν ἰατρόν, ἢ τοὺς ἐπιβάτας τὸν κυβερνήτην, ἀεὶ τοῦ ἰατροῦ τοὺς νοσοῦντας ὑγιάζοντος, καὶ τοῦ διδάσκοντος τοὺς παιδευομένους ἐπανορθοῦντος, καὶ τοῦ κυβερνήτου τοῖς ἐμπλέουσι τὸ συμφέρον μνηστευομένου.

Alexandria, for clear articulations of a clerical professionalism in line with the standards formed in the third century, standards for a working clergy of magistrates.[241] The clerics who feared that their religious profession was being forcibly mingled with monastic vows recognized the legeredemain that more philosophical types were imposing on middling clerics who had never signed up for the voluntary poverty of the apostles. Augustine of Hippo's retort to clerics who did not accept a life of vow celibacy and shared poverty best captures the pro-ascetic attitude to clerical resistance: "Let him reference a thousand councils against me. Let him navigate to wherever he would like. Let him be wholly wherever he thinks that he should be: God will command me that wherever I am bishop, he cannot be a cleric."[242] Such stubbornness about group cohabitation and poverty must have seemed otherworldly to clerics who had previously toiled in secular occupations and who had grown accustomed to the freedom of living independently off their clerical profession.

[241] See his canonical writings (PG 65, 35-68); Norman Russell, *Theophilus of Alexandria* (New York: Routledge, 2007), 79-89.

[242] *Augustine*, *Serm.* 356.14 (*PL* 39, 1580): *Interpellet contra me mille concilia, naviget contra me quo voluerit, sit certe ubi potuerit: adjuvabit me Deus, ut ubi ego episcopus sum, ille clericus esse non possit.*

3

In the Footsteps of Luke: Physicians in the Clergy

That's how people are in my region. Always demanding the impossible from the doctor. They have lost the old faith. The priest sits at home and tears his religious robes to pieces, one after the other. But the doctor is supposed to achieve everything with his delicate surgeon's hand. Well, it's what they like to think. I have not offered myself. If they use me for sacred purposes, I let that happen to me as well—Franz Kafka, "A Country Doctor."[1]

Few men have aroused the ire of so many illustrious detractors as the little known Gerontios of Nicomedia. Ambrose of Milan, John Chrysostom, and Gregory of Nyssa all attempted to have this man removed from his episcopal thrown at Nicomedia in Asia Minor. Gerontios, though, was no heresiarch or ascetic rabble-rouser, as was so often the case when late ancient bishops organized campaigns against their fellow clerics. Rather, as the fifth-century ecclesiastical historian Sozomen informs us, he was "skillful physician," a doctor both "eloquent and persuasive," an arriviste who had acquired a prestigious episcopacy through palace friendships.[2] When Chrysostom during his brief tenure as patriarch of Constantinople tried to eject Gerontios and replace him with a candidate more conforming to his ascetic sensibilities, the city rioted. His supporters "enumerated publicly and privately his beneficence," lauding "the liberal advantage derived from his science, its generous utility for the rich and poor alike."[3] Sozomen compared the popular tumult to "an earthquake, pestilence, or other visitation of divine wrath."[4] The historian for his part much preferred the physician Martyrios of Cilicia who had refused calls for ordination on account of his self-confessed "unworthiness for such a divine service" since he had had a most sinful youth. Sozomen commended the man for his honest refusal and accordingly "gave him a part in his history."[5]

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[1] Alessandro Baruffi (ed. and trans.), *The Tales of Franz Kafka: English Translation with Original Text in German* (Philadelphia: Literary Joint Press, 2016), 59-78: 63

[2] Sozomen, *Historia ecclesiastica* 8.6.4 (Joseph Bidez and rev. C. Hansen, *Sozomenus: Kirchengeschichte* (Berlin: Akademie-Verlag 1960), 359): ὁ δὲ ἰατρὸς ὢν ἄριστος καὶ ἀοκνότατος λέγειν τε καὶ πείθειν καὶ φίλους περιποιεῖν ἱκανός. See also Gregory of Nyssa, *Ep. 17: To the Presbyters of Nicomedia*, in Anna Silvas, *Gregory of Nyssa: The Letters. Introduction, Translation, Commentary* (Leiden: Brill, 2007), 161-169: 168.

[3] Ibid, 8.6.7 (Bidez, 359): στασιάσαντες γοῦν πολλάκις κοινῇ τε καὶ πρὸς ἕκαστον ἀπηριθμοῦντο τὰς Γεροντίου εὐεργεσίας καὶ τὴν ἐκ τῆς ἐπιστήμης ἄφθονον χρείαν καὶ τὸ περὶ πάντας ἐπίσης πλουσίους τε καὶ πένητας ἄοκνον.

[4] Ibid., 8.6.8 (Bidez, 359): οἷά γε εἰκὸς φιλοῦντας. καὶ ὡς ἐπὶ σεισμοῖς ἢ αὐχμοῖς ἢ ἄλλαις τισὶ θεομηνίαις περιιόντες ἐν ταῖς ἀγυιαῖς ἀνὰ τὴν πατρίδα τὴν ἑαυτῶν καὶ τὴν Κωνσταντινούπολιν ἔψαλλον καὶ ἱκέτευον τὸν θεὸν ἐπίσκοπον αὐτὸν ἔχειν.

[5] Ibid., 7.10.1-3 (Bidez, 313): Νεκτάριος δὲ ὑπὸ διδασκάλῳ Κυριακῷ τῷ ἐπισκόπῳ Ἀδάνων τὴν ἱερατικὴν τάξιν ἐμάνθανεν· τοῦτον γὰρ αὐτῷ συγγενέσθαι ἐπί τινα χρόνον ᾔτησε Διόδωρον τὸν

Medicine was a prestigious profession in late antiquity. The title *medicus or iatros* signaled education in a lifesaving art as well as a dedication to service and *philanthropia*. And even if some physicians were more devoted to profits than their patients, it was usually recognized that medicine was a gainful occupation that benefitted mankind. Many late Roman men (and some women)[6] like Gerontios utilized medicine's reputation and their own medical skill to launch lucrative careers and to climb the social ladder.[7] Some of these men also used their medical prowess to ascend the ranks of the Church, understanding pastoral care as complementary to their therapeutic work. These men were bishops and deacons, Westerners and Easterners, Orthodox and non-Orthodox. Some shepherded the *metropoleis* of the empire and

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Ταρσέων ἐπίσκοπον. προὐτρέψατο δὲ καὶ πολλοὺς ἄλλους Κίλικας αὐτῷ συνεῖναι καὶ Μαρτύριον, ὃν ἐπιτήδειον ἰατρὸν ἔχων καὶ συνίστορα τῶν ἐν νεότητι ἡμαρτημένων αὐτῷ διάκονον χειροτονεῖν ἐβουλεύετο. οὐ μὴν ἠνέσχετο Μαρτύριος, ἀνάξιος εἶναι θείας διακονίας ἰσχυριζόμενος καὶ τῶν αὐτῷ βεβιωμένων αὐτὸν Νεκτάριον μάρτυρα ποιούμενος. καὶ ὁ Νεκτάριος «ἦ οὐκ ἐγώ», ἔφη, «ὁ νῦν ἱερεύς, ἀμελέστερόν σου πολλῷ τὸν πρὸ τοῦ διετέθην βίον, ὡς καὶ αὐτὸς μαρτυρεῖς πολλάκις διακονησάμενος ταῖς πολλαῖς ἐμαῖς ἀκολασίαις;» ὁ δέ «ἀλλὰ σύ, ὦ μακάριε», ὑπολαβὼν ἔφη, «ἔναγχος βαπτισθεὶς κεκάθαρσαι καὶ ἐπὶ τούτῳ ἱερωσύνης ἠξίωσαι.

[6] See Holt Parker, "Women Physicians in Greece, Rome, and the Byzantine Empire," in Lilian Furst (ed.), *Women Physicians and Healers: Climbing a Long Hill* (Lexington: University Press of Kentucky, 1997), 131-150.

[7] For observations on the backgrounds and statuses of physicians in Roman and early Byzantine society, see Ido Israelowich, *Patients and Healers in the High Roman Empire* (Baltimore, MD: The Johns Hopkins University Press, 2015), 11-44; Jane Draycott, *Approaches to Medicine in Roman Egypt*, (Oxford: Archaeopress, 2012), 20-27; Salvatore Cosentino, "La figura del *medicus* in Italia tra tardoantico e altomedioevo. Tipologie sociali e forme di rappresentazione culturale," *Medicina nei secoli: Arte e scienza* 9.3 (1997), 361-390; Henry Willy Pleket, "The Social Status of Physicians in the Graeco-Roman World," Philip van der Eijk, Hermann Horstmanshoff, and Petrus Schrijvers (eds.) *Ancient Medicine in its Social-Cultural Context: Papers Read at the Congress Held at Leiden University, 13-15 April, 1992*, vol. I (Atlanta: Rodopi, 1995), 27-33; Masao Kobayashi, "The Social Status of Doctors in the Early Roman Empire," Toru Yuge and Masaoki Doi (eds.), *Forms of Control and Subordination in Antiquity* (Leiden: Brill, 1988), 416-19; Fridolf Kudlien, *Die Stellung des Arztes in der römischen Gesellschaft Römer: Eingebürgerte, Peregrine, Sklaven, Freigelassene als Ärzte* (Berlin: Franz Steiner, 1986). Vivian Nutton, "Murders and Miracles: Lay Attitudes towards Medicine in Classical Antiquity," in Roy Porter (ed.), *Patients and Practioneers: Lay Perceptions of Medicine in Pre-Industrial Society* (Cambridge: Cambridge University Press, 1986), 23-54. Idem, "From Galen to Alexander, Aspects of Medicine and Medical Practice in Late Antiquity," *Dumbarton Oaks Papers* 38 (1985), 1-14. Halina Evert-Kappesowa, "The Social Rank of a Physician in the Early Byzantine Empire (IV-VII Centuries A.D.)," in Ivan Duvjek (ed.), *Byzance et les slaves: Etudes de civilization* (Paris: Association des amis des études archaeologiques des mondes byzantino-slaves et du christianisme oriental, 1979), 139-164.

others attended to the ailments of backwater communities. At both social extremes physicians represented a deep vein of clerical recruitment in late antiquity.

But even greater were the number of clerics who studied medicine for their own intellectual betterment and for the improvement of their charitable works. These were men like Basil of Caesarea who praised the value of medical arts and patronized the growing number of Christian hospitals stocked by physicians. In his funeral oration for the doyen of Caesarea, Gregory of Nazianzus lauded how Basil had "mastered the art [of medicine], not only in its empirical and practical branches, but also in its theory and principles," as well as how he used that mastery in establishing a sick-house like none before, a "fruit of both philosophy and industry."[8] Christian leaders like Basil and Gregory also incorporated their knowledge and appreciation of medicine into their sermons and tractates. They explained sicknesses of the soul in physiological terms, peppering their sermons with Galenic vocabulary and humoral theories. They analogized themselves and the Christian God to physicians treating patients' souls with salutary though often bitter drugs. Like any ancient physician, these men were confident that the health of the soul directly affected the state of the body.

This chapter will explore the various relationships between clerical duties and medical professions. It builds on recent and evocative studies of ancient Christian attitudes towards medicine by focusing on the figure of the physician in late antiquity, his social standing, his representation, and how Christians incorporated the image of the physician into developing notions of pastoral care. I will make the case that physicians were not only generally respected in late Roman society just as their fellow "middling" professionals, but were also deemed especially well-suited for the Christian clergy. Further, I will argue that that even clerics who did not identify as physicians conceptualized their liturgical and pastoral roles as performing a type of medical care. In this way, the chapter follows the larger theme of the dissertation, namely that the occupational practices of certain professions were models for the developing forms of clerical life. Confessedly, scholars have long observed that "[a]ppropriating the ideology and functions of doctors had been one way of clarifying the position of Christian leaders."[9] I will

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[8] Gregory of Nazianzus *Or.* 43.23.6 (Gregorio di Nazianzo: *Tutte le orazioni*. ed. and trans. C. Moreschini (Milan: Bompiani, 2000), 1060): Ἰατρικὴν μὲν γάρ, καὶ ἡ τοῦ σώματος ἀρρωστία καὶ νοσοκομία, φιλοσοφίας καὶ φιλοπονίας οὖσαν καρπόν, ἀναγκαίαν αὐτῷ πεποιήκασιν· ὅθεν ἀρξάμενος, εἰς ἕξιν τῆς τέχνης ἀφίκετο· καὶ ταύτης, οὐχ ὅση περὶ τὸ φαινόμενον ἔχει καὶ κάτω κείμενον, ἀλλ' ὅσον δογματικὸν καὶ φιλόσοφον. For the Cappadocians' medical knowledge, see Marily Emily Keenan, ''St. Gregory of Nazianzus and Early Byzantine Medicine,'' *Bulletin of the History of Medicine* 9 (1941), 12-14; eadem., ''St. Gregory of Nyssa and the Medical Profession,'' *Bulletin of the History of Medicine* 15 (1944), 150-161; John Cavarnos, "Relation of the Body and Soul in the Thought of Gregory of Nyssa," in Heinrich Dörrie, Margarete Altenburger, and Uta Schramm (eds.), *Gregor von Nyssa und die Philosophie: Zweites Internationales Kolloquium über Gregor von Nyssa 62* (Leiden: Brill, 1976), 85-103; Susan Holman, *The Hungry Are Dying: Beggars and Bishops in Roman Cappadocia* (Oxford: Oxford University Press, 2001), 158-60; Lampros Alexopoulos, "Medicine, Rhetoric and Philanthropy in Gregory of Nyssa's second sermon 'On the Love of the Poor,'" *ΘΕΟΛΟΓΙΑ* 86.3 (July-Sept 2015), 59-85.

[9] Ray Van Dam, *Leadership and Community in Late Antique Gaul* (Berkeley: University of California Press, 1985), 256-276: 272. As is so often the case in late ancient studies, von

suggest, however, that this appropriation carried greater significance than mere metaphor. Rather, following the insights of scholars such as Wendy Mayer and Blake Layerle who have studied the theology and ecclesiology of John Chrysostom, I will argue that clerics understood themselves as a type of physicians through their pastoral functions. In pathologizing sin and other psycho-spiritual conditions such as grief, Chrysostom and others constructed the priest-counselor as "the physician of the soul" and pastoral care as uniquely Christian *therapeia*, which both saved souls from the fire and restored the psycho-somatic health of the body.[10] Through this care of the soul and their charitable care of the sick, clerics very much functioned as healthcare workers even if they never practiced medicine as a profession.

Physicians and other Medical Practitioners in the Clergy

Around 1170 C.E. Theodore Balsamon, an important scholiast of Byzantine canon law, concluded that the sixteenth canon of the Council of Carthage (419 C.E.) forbid clerics of any rank from practicing medicine. The citation of three similar prohibitions from twelfth-century patriarchs for other occupations bolstered his argument. His reasoning for the proscription was simple: "[the canon] forbids for *archiatroi* to become deacons or priests, saying that it is inadmissible for those tending to sacred matters with candles and tunics to dress in worldly robes and to train around with laymen as doctors are wont to do." [11] His contemporary counterparts in the Latin West raised similar concerns about clerics practicing worldly medicine. In the view of twelfth-century Catholic reformers, clerics were being lured from their cloisters and spiritual contemplation to the showboating world of physicians.[12] The tenth-century patriarch and physician Sisinnius II (r. 996-999 CE) and many cleric-physicians before him would have disagreed with Balsomon, the *in-absentia* bishop of Antioch, as would have his own ancient predecessor, the much more famous patriarch of Antioch, Severus (d. 538 CE) who heaped had

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Harnack was the first person to explore such topics. See Adolf von Harnack, *Medicinisches aus der Ältesten Kirchengeschichte* (Leipzig: Hinrichs, 1892).

[10] Wendy Mayer, "The Persistence in Late Antiquity of Medico-Philosophical Psychic Therapy," *Journal of Late Antiquity* 8.2 (2015), 337-351; Blake Leyerle, "The Etiology of Sorrow and Its Therapeutic Benefits in the Preaching of John Chrysostom," *Journal of Late Antiquity* 8.2 (2015), 368-385.

[11] Georgios Rhalles and Mikhael Potles, Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων, 6 vols. (Athens: G. Chartophyakas, 1966 (1852-59)), vol. 3, 344: Ἀλλα᾽οὐδὲ ἀρχιητροὺς παρεχώρει γίνεσθαι τοὺς διακόνους, ἢ τοὺς ἱερεῖς, λέγων ἀνέωδεκτον εἶναι τοὺς μετὰ φαινολίων καὶ στιχαρίων τὰ ῾ἁγια μεταχειριζομένους, κοσμικὰς στολὰς ἐνδιδύσκεσθαι, καὶ μετὰ λαϊκῶν ἀνδρῶν, τῶν ἰατρῶν δηλαδὴ, προπομπεύειν.

[12] Canon 8 of the Council of Tours (1163), for instance, censures clerics studying medicine. See Plinio Prioreschi, *A History of Medicine, Vol. 5: Medieval Medicine* (Omaha: Horatius Press, 2003), 286-287.

numerous worldly physicians in his social circle and even had a priest and public physician (*archiatros*) among his clergy.[13]

The presence of trained physicians in the clergy was very much the norm for late antiquity and the early Middle Ages, especially in the Greek East and in Italy.[14] Within the late ancient imagination the first physician-cleric was Luke the Evangelist,[15] but physician-clerics in the traditional ranks of the clergy are well attested in literary sources as early as the late third century. Many of these men are relatively obscure figures such as the bishop Theodotus of Laodicea who, as Eusebius commemorated, "excelled in the medical art of bodies and in the healing art of souls." Eusebius offers little more about him save the fact that "no other man equaled him in kindness, sincerity, sympathy, and zeal in helping those in need."[16] Later authors recalled him more for his Arian foolishness than for his medical charity.[17] As Eusebius' praise for Theodotus and the enthusiastic clamor for Gerontios above illustrate, the medical care that a physician could offer to the laity and to their fellow clerics was a desirable boon for Christian communities. Hence recent prosopographical studies of ancient medical practitioners have identified physicians in a plethora of ecclesial positions: readers, deacons, priests, bishops, patriarchs, and popes. After the rise of monasticism, they were also commonly monks and abbots. Christian Schulze in his study of Christian medicine catalogued no fewer than twenty-six clerics out of 194 documented ancient Christian physicians—though his list is demonstrably not exhaustive.[18] Given the very limited amount of knowledge we have about most clerics'

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[13] For the life of Sisinnius II, see I. Bekker, *Ioelis chronographia compendiaria* (Bonn: Weber, 1836), 60. For Theoteknos priest and physician, see Severus of Antioch, *Ep.* 161 (Walter E. Brooks, *The Sixth Book of the Select Letters of Severus, Patriarch of Antioch, in the Syriac Version of Athansius of Nisibis*, 2 vols. (London: Williams and Norgate, 1902-1904), 2.2, 286-290).

[14] See Demetrios Constantelos, "Physician Priests in the Medieval Greek Church," *The Greek Orthodox Theological Review* 12.2 (1967), 141-153. See also Konstantina Mentzou, *Συμβολαι εισ την μελετην του οικονομικου και κοινωνικου βιου τησ πρωιμου βυζαντινησ περιοδουη προσφορα των εκ μ.ασιασ και συριασ επιγραφων και αγιολογικων κειμενω* (Athens: Εθνικό και Καποδιστριακό Πανεπιστήμιο Αθηνών, 1975), 196.

[15] Colossians 4:14: Λουκᾶς ὁ ἰατρὸς; Fourth-century authors built on this brief line in Colossians and added that he was from Antioch, for instance, Eusebius, *Historia ecclesiastica* 3.4.6 (*SC* 31, 100). and Jerome, *De viris illustribus* 7 (*TU* 14, 11).

[16] Eusebius, *Historia ecclesiastica* 7.32.23 (*LCL* 265, 240): ἰατρικῆς μὲν γὰρ σωμάτων ἀπεφέρετο τὰ πρῶτα τῆς ἐπιστήμης, ψυχῶν δὲ θεραπευτικῆς οἷος οὐδὲ ἄλλος ἀνθρώπων ἐτύγχανεν φιλανθρωπίας γνησιότητος συμπαθείας σπουδῆς τῶν τῆς παρ' αὐτοῦ δεομένων ὠφελείας ἕνεκεν, πολὺ δὲ ἦν αὐτῷ καὶ τὸ περὶ τὰ θεῖα μαθήματα συνησκημένον.

[17] See, for example, Theodoret of Cyrrhus, *Historia ecclesiastica* 5.7.1-4 (*SC* 530, 352-354).

[18] Schulze's efforts are very much admired, but there are some obvious lacunae and methodological problems to his study. His list of Christian physicians including physician-clerics draws mostly on epigraphic and papyrus sources that are documented elsewhere, while his most

professional or occupational training prior to ordination, that so many are identified specifically as trained physicians not only speaks to their prevalence in the clergy but also to the notability of their occupation for the historical record. As one would expect, bishops are identified more commonly as physicians in literary sources, while we find more evidence for physician-clerics in lower ecclesiastical ranks on inscriptions and papyri.

Physicians were desirable for ordination for many of the same reasons that other members of the Roman mercantile and professional classes were. Generally, physicians seemed to have been educated or at least literate in antiquity.[19] I have found only one attestation of an illiterate physician for the period. A certain Coptic doctor Dios, "head of the guild of physicians," from the remote city of Edfu needed his physician-colleague Jokr to sign for him on an official bequest for imported pepper since "he cannot write."[20] A single seventh-century Coptic papyrus from far Upper Egypt hardly suggests a larger pattern, especially in light of the fact that other physicians in the city were obviously literate and that most ancient authors

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interesting cataloguing for the field come from Arabic and Syriac sources. That said, physicians in relatively obvious Latin and Greek sources, e.g., Isidore of Peleuse's compendious epistolary collection, are left out. Schulze also includes physicians that are documented in considerably later sources, which in itself is not inherently problematic; however, if he (and the scholarly community) is open to later sources such as the *Martyrologium Romanum,* then the numerous early medieval *vitae* of physician-saints and the ecclesiastical histories of Theophanes, Photius, or Symeon Metaphrastes should also be included in his data set. This would expand the number of his documented ancient Christian physicians by magnitudes. Christian Schulze, *Medizin und Christentum in Spätantike und frühem Mittelalter*. *Christianliche Ärtze und ihre Wirken* (Tübingen: Mohr Siebeck, 2005); for another list, see also Christian Flügel, *Spätantike Artztinschriften als Spiegel des Einflusses des Christentums auf die Medizin* (Göttingen: Edition Ruprecht, 2006), 155-188.

[19] Evelyne Samama, *Les médecins dans le monde grec: sources épigraphiques sur la naissance d'un corps médical* (Geneva: Librairie Droz, 2003), 19-27; Isabella Andorlini, "Teaching Medicine in Late Antiquity: Methods, Texts and Contexts," in Patrizia Lendinara, Loredana Lazzari, and Maria Amalia D'Aronco (eds.), *Form and Content of Instruction in Anglo-Saxon England in the Light of Contemporary Manuscript Evidence: Papers Presented at the International Conference, Udine, 6-8 April 2006* (Belgium: Turnhout Brepols, 1997), 401-414; Armin Hohlweg, "*La formazione culturale e professionale del medico a Bisanzio*," *Koinonia* 13 (1989), 165-188; Vivian Nutton, "From Galen to Alexander, Aspects of Medicine and Medical Practice in Late Antiquity," *Dumbarton Oaks Papers* 38 (1984), 1-14; John Duffy, "Byzantine Medicine in the Sixth and Seventh Centuries: Aspects of Teaching and Practice," ibid., 21-27; A. H. M. Jones, *The Later Roman Empire 284-602: A Social, Economic, and Administrative Survey* (Baltimore: Johns Hopkins University Press, 1986 (1964)), 1012-1014; Owen Temkin, "Byzantine Medicine: Tradition and Empiricism," *Dumbarton Oaks Papers* 16 (1962), 97-115.

[20] Walter E. Crum, "Koptische Zunfte und das Pfeffermonopol," *Zeitschrift fur Ägyptische Sprache und Altertumskunde* (1925), 103-111:110. For Coptic physicians see Kamal Sabri Kolta, "Namen christlicher Ärzte der koptischen Zeit in Ägypten," *Die Welt des Orient* 14 (1983), 189-195.

presuppose the ability to read medical texts as a requirement for medical training.[21] Like other merchants and professionals physicians also enjoyed exemption from curial liturgies and other civic burdens.[22] Several papyrus petitions survive of physicians asking imperial officials to remind their respective communities about their privileges as practicing physicians.[23] Doctors likely joined the body of tax-exempt clergymen with little protest from their local governments. Bishops, as we saw in the first chapter, did consider these factors when they approved of ordinations, but by the far the prestigious aura of medicine and the physician's ability to extend philanthropic healthcare made doctors most appealing as potential clerics.

Bishops saw it as part of their pastoral duty to ensure that beneficial professionals such as physicians served their congregations, and they used their social networks to have them relocate to their sees. As Theodoret of Cyrrhus (d. 457 C.E.) explained to a friend, "when I assumed the governance of Cyrrhus, I provided for all the necessary arts here. Moreover, I promoted at that time those men trained in medicine so that they might reside here. Of them one is the most religious priest Peter, who practices his art prudently and who honors the art with his customs."[24] Theodoret goes on to explain that the strife surrounding the Nestorian controversy spurred him, Peter, and his fellow physicians to abandon the city. Theodoret commended to his allies in Egypt the physician-priest Peter whom he promoted as a man "honored by the dignity of the priesthood" and "by his prudent healing of bodies." Theodoret expressed confidence to two different Alexandrian clients that Peter would be "useful" to his new see, that he "will practice his art for anyone living in Alexandria."[25] Physician-clerics were a commodity in late antiquity.

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[21] For the education of Egyptian physicians in particular, see Hirt Raj, *Médecins*, 32-44; Jane Draycott, *Approaches to Healing*, 22-32.

[22] For a summary of physicians' privileges and exemptions see Ido Israelowich, *Patients and* Healers, 35-43. Marguerite Hirt Raj, *Médecins*, 72-73. Jukka Korpela, *Das Medizinalpersona im antiken Rom: eine sozialgeschichte Untersuchung* (Diss. Suomalainen Tiedeakatemia, 1987), passim. See also Vivian Nutton, "Two Notes on Immunities: *Digest* 27, 1, 6, 10 and 11," *The Journal of Roman Studies* 61 (1971), 52-63.

[23] See, for example, *P. Fay.* 106, *P. Oxy.* 1.40, *P. Oxy.* 3.475, *P. Oxy.* 31.2563. See also Israelowich, *Patients and Healers*, 35-43; Hirt Raj, *Médecins*, 163-239.

[24] Theodoret of Cyrus, *Ep.* 115 (*SC* 111, 91): Τὴν Κύρρον ἰθύνειν λαχὼν τὰς ἀναγκαίας αὐτῇ πάντοθεν ἐπόρισα τέχνας· πρὸς δὲ τούτοις καὶ τοὺς τῆς ἰατρικῆς ἐπιστήμονας οἰκῆσαι ταύτην προέτρεψα. Εἷς τούτων ἐστὶν ὁ εὐλαβέστατος πρεσβύτερος Πέτρος, λογικῶς μὲν μεταχειρίζων τὴν τέχνην, κοσμῶν δὲ ταύτην τοῖς ἤθεσιν. Ἀλλὰ νῦν ἐκδημούντων ἡμῶν πολλοὶ μὲν καὶ ἄλλοι ταύτην ἀπέλιπον, ἐκδημῆσαι δὲ καὶ αὐτὸς ἐδοκίμασε. Διά τοι τοῦτο τὴν σὴν παρακαλῶ μεγαλοπρέπειαν κηδεμονίας αὐτὸν ἀξιῶσαι. Ἱκανὸς γάρ ἐστιν ἐπικουρῆσαι τοῖς κάμνουσι καὶ πολεμῆσαι ταῖς νόσοις.

[25] Theodoret of Cyrus, *Ep.* 114 (89): Ὁ εὐλαβέστατος πρεσβύτερος Πέτρος κοσμεῖται μὲν τῇ τῆς ἱερωσύνης ἀξίᾳ, κοσμεῖται δὲ καὶ τῇ τῶν σωμάτων λογικῇ θεραπείᾳ. Συχνὸν δὲ παρ' ἡμῖν οἰχήσας χρόνον, εἶλεν ἅπαντας τῇ τῶν ἠθῶν εὐαρμοστίᾳ. Οὗτος νῦν τὴν Κύρρον καταλιπεῖν ἐδοκίμασε, τὴν ἐμὴν ἐκδημίαν μεμαθηκώς. Οὗ δὴ χάριν αὐτὸν τῇ ὑμετέρᾳ μεγαλοπρεπείᾳ

Similarly, Leontios of Antioch (fl. 350s C.E.) upon his elevation to the patriarchal throne transferred his former pupil at Alexandria, the socially-mobile physician Aetius mentioned in the first chapter, to Antioch so that Aetius could offer both healing and instruction to his new Syrian flock.[26] "Above all, in the case of deacons entrusted with the Church's charity, men with medical training were sought-out candidates."[27] The phrase *diakonos kai iatros* appears so frequently on Greek inscriptions, ostraca, and papyrus that one might as well consider it an ecclesiastical category in itself.[28] Deacon-physicians are also easy to find in the literary record. The bishop and poet Ennodius, for example, dedicated his verse *Eucharistion* to the deacon and death-bed physician of Theodoric the Great, Elpidius.[29] Isidore of Pelusium corresponded with two physician-deacons by the names Dorothee and Nilammon.[30] And, of course, Gerontios who began this chapter served as a deacon at Milan before his promotion to the see of Nicomedia.

συνίστημι καὶ παρακαλῶ τῆς ὑμετέρας αὐτὸν προμηθείας τυχεῖν, χρήσιμον αὐτὸν τῇ πόλει γενέσθαι δυνάμενον. Τὴν γὰρ Ἀλεξάνδρειαν οἰκήσας τὴν τοιαύτην ἤσκησε τέχνην.

[26] Philostorgius, *Historia ecclesiastica* 3.17 (Joseph Bidez and Friedhelm Winkelman (ed.) *Philostorgius. Kirchenschichte mit dem Leben des Lucian von Antiochen und den Fragmenten eines arianischen Historiographen* (Berling: Akademia-Verlag, 1972), 47-48.

[27] Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasiens* (Stuttgart: Franz Steiner Verlag, 2005)*,* 143: *Vor allem Diakone mit karitativen Aufgaben betraut wurden und Männer mit medizinischer Ausbildung sicherlich gesuchte Kandidaten für diese Posten waren, erklärt dies, warum die Ärzte gerade so oft gerade im Rang eines Diakons standen.*

[28] For examples in papyri, see *P. Lond.* 3.1044, ll. 38-39 (6th century CE): Αὐρήλιος Ἀνοῦθις Ἰωσηφίο(υ) διάκ(ονος) ἀπὸ Ἑρ(μουπόλεως) κα ιατρὸς ἀξιωθεὶς; *P. Lond*. 5.1898 (7th century CE): διάκονος καὶ ἰατρός; SF.20.15099, ll. 262: δ(ιὰ) τ(οῦ) Βίκτωρ διακ(όνου) ἰατρὲ (καὶ) ἄλλ(ων); *Stud. Pal*. 8.789, l. 6: διάκο(νος) κ(αὶ) ἰατρ(ός)(*) †. *P. Lond.* 5.1898: διάκονος καὶ ἰατρός. For epigraphic examples, see *SEG* 28.1261, l.1: ☩ Θεόδορος διάκονος κὲ ἰατρὸς; MAMA 3.167: Παντολέοντος Πέτρου ἀρχιδιακ(όνου) κ(αὶ) ἰητροῦ. *IK* 36.244, ll. 1-4: ☩ ὑπὲρ εὐχῆς Ἀνστασίου διακόνου Ἀλεξανδρέως κὲ εἰατροῦ; *IEph* 4206, ll. 1-4 Ἀνατολ[ί]ου διακόνου καὶ [ἰα]τροῦ; British Museum EA1649 (Engelbach & Gunn 1923 33, pl. 76, 3: + Κ(υρι)Ε Ο Θ(εο)C ΤѠ(ν) ΔΥΝΑΜΕѠ(ν) ΑΝΑΠΑΥCΟ(ν) ΤΗΝ ΨΥΧΗΝ ΤΟΥ ΔΟΥΛΟΥ CΟ(ν) ΦΟΙΒ(ου) ΔΙΑΚ(ονου) ΙΑΤΡ(ου) ΑΠΟ ΦΝΕΒΙ. ΕΚΟΙΜ(η)Θ(η) ΜΗ(ν)Η ΕΠΙΦ(ι) Θ' ΕΙ (ι)Ν(δικτιωνος) +. *I. Erythrai* 262.5 (5-6th Century CE): ☩ Ἰωάννης ὁ εὐλαβ(έστατος) διάκο(νος) κ(αὶ) ἰητρὸς ὑπὲρ εὐχῆς ἐμαυτο[ῦ.]. Robert Rémondon et al.*, Le Monastère de Phoebammon dans la Thébaïde* II (Cairo : Publications de la Société d' archéologie copte, 1965), p. 71, no. 116b.

[29] See also Ennodius, *Ep.* 7 and 8, quote at 8.2 (Friedrich Vogel (ed.), *Magni Felicis Ennodi Opera*, vol. 7 (Berlin: Weidmann, 1885), 275) *Elegi ut te loqui loquendo faciam, et illam Atticam eruditionem ad epistolas alia garrulitate producam* .

[30] See Isidore of Pelusium, *Ep.* 871 and 1475.

Needless to say, many physicians were open to the idea of ordination into the "service branch" of the clergy. I should also include that, if these men were not motivated by their own religious and charitable inclinations to assume ecclesiastical offices, there were sound economic benefits for physicians joining the clergy, especially the low-responsibility and typically non-celibate order of deacons. While physicians already enjoyed exemptions from many taxes and civic liturgies, having a bishop on your side did not hurt your chances of having your burdens further reduced. Ordained physicians would also gain a new source of income in their clerical stipend and the *prosphorae* "offered" to the clergy for their services. A physician in a major city like Ravenna or Carthage received incomes of over fifty solidi a year, roughly the same as what deacons received in the same close cities; so theoretically, then, a deacon still working on the side as a physician could double his income. It is also unclear whether ordained physicians or lay physicians at ecclesiastical hospitals charged or accepted gifts from wealthier patients. [31]

Personal piety and a sense of philanthropic duty were undoubtedly the primary drivers for physicians to seek or accept ordination into the church's "charitable" order of deacons. While no textual declaration from a cleric-physician explicitly states that he pursued ordination in order to combine medical charity with spiritual care, Christian authors like Basil of Caesarea take for granted that the charitable pursuit of a medical career was commensurate with spiritual desires to serve one's fellow man, that physicians have "*philanthropia* as an occupation."[32] Several clerical grave-markers do, however, imply charity as the main motivation for combining clerical and medical service. For example, a fifth-century Greek inscription from Bulgaria memorializes a certain "Phlorentios, who for forty years saw in the temple of the holy his eternal dwelling place; who set up his own home as an apostolic hospital; who paid reverence to God as a reader and an abbot; [and who] found his peace here on the day before the Kalends of March in the seventh indiction."[33] The most famous example of charitable motivations expressed on an clerical epitaph commemorates a survivor of the 410 Sack of Rome:

> Here lies Dionysius the deacon (*Levita*), a man of an honorable art. He fulfilled the duty that medicine gave him. Whose trained hand, surrounded by sweet fame, despised the pursuit of the sordid lucre of wages. With a generous right hand, he comforted men of small means. offering everything to the approaching sick for free. He fulfilled with his deeds what he taught in his exhortations. He sang heavenly praise with a faithful mind, and he refused to be accused of illicit acts. Remaining strong when wealth was wiped away around him, he lost nothing. Patient in a time of plunder, he was a rich man. His art

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[31] I address clerical pay on pp. 53-56 above. For physicians' incomes see Norman Underwood, "Medicine, Money, and Christian Rhetoric: The Socio-Economic Dimensions of Healthcare in Late Antiquity," *Studies in Late Antiquity* 2.3 (forthcoming 2018).

[32] Basil of Caesarea, *Ep.* 189.1(*Saint Basile. Lettres*, 3 vols., ed. Yves Courtonne (Paris: Les Belles Lettres, 1961), II, 132): Ἔστι μὲν καὶ πᾶσιν ὑμῖν τοῖς τὴν ἰατρικὴν μετιοῦσι φιλανθρωπία τὸ ἐπιτήδευμα.

[33] *SGLIBulg* 223, ll. 1-14 (5th century): ὁ τὸν ναὸν τῆς τετάρτης δεκάδος ἁγίων ποθίσας εἰς ἀείδιον οἰκητήριον καὶ δόμον εἰδικὸν ἀποστολικὸν ἰατήριον κατασκευάσας Φλορέντιος ὁ τῖς εὐλαβοῦς μνήμης γενάμενος ἀναγ(νώστης) καὶ ἡγούμ(ενος) ἐ[ν]θάδε τὴν κατάπ[αυ]-σιν ηὕρατο τῇ πρήδ(ιε) [κα]λανδῶν Μαρτίον ἰνδ(ικτιῶνος) ζ΄.

> venerated his faith. The ornament of his faith increased his art. Thence it was proven what sort of man he was to both citizens and associates. Even his enemy vanquisher could love him. Afterward as a captive he left the city of Rome, then his master supplied his skill to the Goths…[34]

Rounding out the limited number of verbose monuments to clerical-physicians, a slightly earlier bilingual Milanese epitaph sang the praise of both the good work and "the voice sweeter than honey" of a certain reader Dioscurus who may have well chanted before Ambrose.[35]

Deacons as Medical Practitioners

Service (*diakonia*) was quite literally built into the diaconate.[36] Nearly all ancient Christian texts presuppose that deacons would assist in both liturgical ceremonies and in ritualized charitable activities such as the distribution of the offerings to widows, orphans, and the sick.[37] Over the third and fourth centuries a presumption that "medical care" was within the purview of deacons became increasingly widespread. It seems, Clement of Alexandria (d. 215 CE) was the first to connect the ministry of deacons with medical charity. As he explicated in his eclectic *Stromata*, there are two types of clerical ministry: "one aimed toward the improvement of the body, which is the medical arts, the other towards the improvement of the soul, which is philosophy." Within the clergy presbyters were responsible for the latter, and deacons for former.[38] What medical

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[34] See Christian Schulze, *Medizin und Christentum*, no. 79 (86-88): *Hic leuita iacet Dionysius artis honestae / Functus et officio quod medicina dedit. / Huius docta manus famae dulcedine capta / Dispexit pretii sordida lucra sequi / Saepe salutis opus pietatis munere iuuit, / Dum refouet tenues dextera larga uiros / Obtulit aegrotis uenientibus omnia gratis, / Impleuit factis quod docuit monitis. / Laudibus aetheriis famulatus mente fideli / Destitit illicitis actibus esse reus. / Amissis opibus robur non perdidit ullum, / Quo patiens praedae tempore, diues erat. / Ars ueneranda fidem, fidei decus extulit artem: / Haec studii titulos, altera mentis habet. / Ciuibus ac sociis qualis fuit, inde probatur, / Quem potuit uictor hostis amare suus. / Postquam Romana captus discessit ab urbe, / Mox sibi iam dominus subdidit arte Getas. / Hosce suis manibus uitam committere fecit, / Quorum mortiferos pertulit ante metus.*

[35] SEG 34.1003, ll. 2-4 and 18-20 (End of 4th / Early 5th cent. CE): οὖ μέλιτος [γ]λυκίων φθόγγος ἔην στόματος / *mell*[*e*] *dulcior ille sonus.*

[36] See Jean Colson, *Le fonction diaconale aux origins de l'Eglise* (Bruges: Desclee de Brouwer, 1960), 1-18; J. G. Davies, "Deacons, Deaconesses, and the Minor Orders in the Patristic Period," *Journal of Ecclesiastical History* 14 (1963): 1-15; John Collins, *Diakonia: Re-interpreting the Ancient Sources* (Oxford: Oxford University Press, 2009), 96-148, 235-245; idem, *Diakonia Studies: Critical Issues in Ministry* (Oxford University Press, 2014), 57-162.

[37] Hippolytus, *Traditio Apostolica* 23.

[38] Clement of Alexandria, *Stromata* 7.1.3.1-4 (SC 428, 42-44.): Θεραπεία τοίνυν τοῦ θεοῦ ἡ συνεχὴς ἐπιμέλεια τῆς ψυχῆς τῷ γνωστικῷ καὶ ἡ περὶ τὸ θεῖον αὐτοῦ κατὰ τὴν ἀδιάλειπτον ἀγάπην ἀσχολία. τῆς γὰρ περὶ τοὺς ἀνθρώπους θεραπείας ἡ μὲν βελτιωτική, ἡ δὲ ὑπηρετική.

practices he intended for the deacons working in therapy (*therapeia*), improvement (*hypētikē*), and medicine (*iatrikē*) is vague, but he is quite clear that the deacon's medical care had its basis in practical human skills not some metaphorical sense of spiritual consolation. As he explained further, healthcare and medicine stemmed from "the exercise of human reason, having received their kindling spark from God… [They] have their origin and existence very much in consequence of Divine Providence but also in consequence of human co-operation."[39] Deacons and charitable Christian physicians of his age were despoiling the fruits of that synergy, that is, appropriating the collective medical knowledge of Apis, Io, Asclepius, and their adherents for Christians ends.[40] The Helleno-Egyptian Clement intended deacons to practice proper "scientific" medicine as taught in Alexandria, the fountain of philosophical medicine.[41]

The early third-century *Didascalia* and its fourth-century continuation, the *Apostolic Constitutions*, represent another indicator for the Church's increasing interest in having deacons provision medical care, even if they were not trained physicians themselves. For instance, both texts on ecclesiastical life have the apostles command bishops to appoint deacons "in accordance to the multitude of the Church so that they may be able to serve the infirm as laborers without shame."[42] Their duty is "to work for the infirm and the weak of our brothers," to "look in on them" in an e*piskepsis* (*visitatio*), and lastly to report to their bishop "on all the afflicted."[43] Of

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ἰατρικὴ μὲν σώματος, φιλοσοφία δὲ ψυχῆς βελτιωτική. γονεῦσι μὲν ἐκ παίδων καὶ ἡγεμόσιν ἐκ τῶν ὑποτεταγμένων ὑπηρετικὴ ὠφέλεια προσγίνεται· ὁμοίως δὲ καὶ κατὰ τὴν ἐκκλησίαν τὴν μὲν βελτιωτικὴν οἱ πρεσβύτεροι σῴζουσιν εἰκόνα, τὴν ὑπηρετικὴν δὲ οἱ διάκονοι.

[39] Ibid., 6.17.157.2 (SC 446, 374): αὐτίκα ἡ ὑγεία διὰ τῆς ἰατρικῆς καὶ ἡ εὐεξία διὰ τῆς ἀλειπτικῆς καὶ ὁ πλοῦτος διὰ τῆς χρηματιστικῆς λαμβάνει γένεσίν τε καὶ παρουσίαν κατὰ πρόνοιαν μὲν τὴν θείαν, κατὰ συνεργίαν δὲ τὴν ἀνθρωπίνην.

[40] Ibid., 1.16.75.2.

[41] For the Alexandrian medical environment's effects on early Christianity, see Samuel Fernández, *Cristo médico según Origenes: La actividad médica como metáfora de la acción divina* (Rome: Institutum Patristicum Augustinianum, 1999).

[42] *Apostolic Constitutions* 3.19.1 (SC 329, 160): Ἔστωσαν δὲ καὶ οἱ διάκονοι ἐν πᾶσιν ἄμωμοι ὡς καὶ ὁ ἐπίσκοπος, μόνον δὲ εὐσκυλτότεροι, ἀνάλογοι πρὸς τὸ πλῆθος τῆς Ἐκκλησίας, ἵνα καὶ τοῖς ἀδυνάτοις ὑπηρετεῖσθαι δύνωνται ὡς ἐργάται ἀνεπαίσχυντοι.

[43] *Apostolic Constitutions* 3.19.2 (SC 329, 160): Εἰ οὖν ὁ Κύριος ἡμῶν καὶ διδάσκαλος οὕτως ἐταπείνωσεν ἑαυτόν, πῶς ἂν ὑμεῖς ἐπαισχυνθήσεσθε τοῦτο ποιῆσαι τοῖς ἀδυνάτοις καὶ ἀσθενέσιν τῶν ἀδελφῶν, ἐργάται ὄντες ἀληθείας καὶ τῆς εὐσεβείας προστάται; Ἐξυπηρετεῖτε οὖν ἀγαπητικῶς, μὴ ἐπιγογγύζοντες μηδὲ διαστασιάζοντες· οὐ γὰρ δι' ἄνθρωπον ποιεῖτε, ἀλλὰ διὰ τὸν Θεόν, καὶ τὸν μισθὸν τῆς διακονίας παρ' ἐκείνου ἀπολήψεσθε ἐν ἡμέρᾳ ἐπισκοπῆς ὑμῶν. Χρὴ οὖν ὑμᾶς τοὺς διακόνους ἐπισκέπτεσθαι πάντας τοὺς δεομένους ἐπισκέψεως, καὶ περὶ τῶν θλιβομένων ἀναγγέλλετε τῷ ἐπισκόπῳ ὑμῶν· ψυχὴ γὰρ αὐτοῦ καὶ αἴσθησις εἶναι ὀφείλετε, εὔσκυλτοι καὶ εὐήκοοι εἰς πάντα ὄντες αὐτῷ ὡς ἐπισκόπῳ ὑμῶν καὶ πατρὶ καὶ διδασκάλῳ.

course, deacons were intended to minister to the poor, the old, the orphaned, and the down-trodden, but this highlighted service to the sick alongside the poor was a subtle though perceptible shift in the deacon's clerical duties. Indeed, *episkepsis* is laden with medical associations. Galen, for example, frequently used *episkepsis* and its derivatives to refer to both the visitation of patients' houses and the act of medical examination.[44]

The *Testamentum Domini*, a late fourth- or early fifth-century prescriptive text on clerical life dissimulating as the will of Christ, like the *Apostolic Constitutions*, also prescribed that the deacon should be "the counsellor of the whole clergy," the one "who ministers to the sick, who ministers to the strangers, who helps the widows, who is the father of the orphans, [and] who goes about all the houses of those that are in need, lest any be in affliction or sickness or misery." Deacons should also "search out the guest house (*xenon*) so that none who is staying in the place either sick or in need or dead may go without help." The good deacon is "to make [matters] known to the Church, so that it may provide what is right for each one." Further, the deacon is to "bathe the palsied and infirm as is right, so that they may have a breathing space from their pains." [45] Furthermore it seems that in communities that had deaconesses, they too were assigned to "the inspection of illness or of suffering, [specifically] when a woman's body is bared, [so that] it may not be seen by men officiating but by the deaconesses…"[46] This practice very much paralleled secular medical practices, in which female physicians and physician-assistants examined female patients instead male physicians. This standard of Greco-Roman medicine endured well into the medieval period.[47]

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[44] See Galen, *De differentia pulsuum libri* 4.8.726; *De libris propriis* 1. A *Thesaurus linguae graecae* search within the Galenic corpus for the root εσκεπ* yields well over 150 results with dozens of examples of ἐπίσκεψις.

[45] *Testamentum Domini* 1.34 (Ignatius Ephraem (ed.) *Testamentum Domini Nostri Jesu Christi* (Mainz: F. Kirchheim, 1899), 81-83); James Cooper and Arthur John Maclean, *The Testament of Our Lord, Translated into English from the Syriac with Introduction and Notes* (Edinburgh: T & T Clark, 1902), 98). Cf. Alistair Stewart-Sykes, "Deacons in the Syrian Church Order Tradition: A Search for Origins," in *Diakonia, Diaconiae*, *Diaconato. Semantic e storia nei padri della Chiesa. XXXVIII Incontro di studiosi dell'antichità cristian. Roma, 7-9 maggio 2009* (Rome: Institutum Patristicum Augustinianum*,* 2010), 111-120.

[46] Epiphanius, *Panarion* 3.2.79 (K. Holl, *Epiphanius*, 3 vols. (Lepizig: Hinrichs, 1933) vol. 3, 416-526: 478) ἕνεκεν δὲ σεμνότητος τοῦ γυναικείου γένους ἢ δι' ὥραν λουτροῦ ἢ ἐπισκέψεως πάθους ἢ πόνου καὶ ὅτε γυμνωθείη σῶμα γυναίου, ἵνα μὴ ὑπὸ ἀνδρῶν ἱερουργούντων θεαθείη, ἀλλ' ὑπὸ τῆς διακονούσης, ἢ ἐπιτάσσεται ἀπὸ τοῦ ἱερέως ἐπιμελεῖσθαι πρὸς τὴν ὥραν τῆς ἐπιδεομένης γυναικὸς ἐν τῇ ὥρᾳ τῆς τοῦ σώματος αὐτῆς γυμνώσεως, τοῦ τάγματος τῆς εὐταξίας καὶ ἐκκλησιαστικῆς εὐνομίας ἐπιστημόνως ἐν μέτρῳ κανόνος σφόδρα ἠσφαλισμένου.

[47] For female assistants, see Helen King, *Hippocrates' Woman: Reading the Female Body in Ancient Greece* (New York: Routledge, 1998) 48-49; Citing *Diseases of Women* 2.146, 2.157, 3.222. See also Susan Mattern, *Galen and the Rhetoric of Healing* (Baltimore, MD: Johns Hopkins University Press, 2008), 145. Mattern is citing Galen's selections from *In Hippocratis de Officina Medici* (1.13, 18B.687-88K) that explore the Hippocratic ideal of examination. See also Holt Parker, "Women Physicians in Greece, Rome, and the Byzantine Empire," 131-150,

Deacons also assumed the role of medical investigators within the *Testamentum*'s ideal clergy. For instance, in the case of a woman's injuries allegedly received from spousal abuse, the *Testamentum* instructed deacons to "investigate [the] violence" and determine the severity of the wounds as well as the culpability of the husband. In many ways, this commandment mimicked the assignment of public physicians (*archiatroi*) to investigate assaults, homicides, and suspicious deaths.[48] Many papyrus reports from public physicians to their local municipalities about the official causes of death or assessment of injuries in a criminal matter survive. These medical reports were most often conducted by an *archiatros* with the aid of an *hypēretēs* "an assistant," whose title was also Christian synonym for deacons.[49] We might imagine that this specific task for women's protection was as congruent with the deacon's job of keeping his finger on the pulse of his community as it was with his medical services.

As for the pragmatics of administering care, the ecclesiastical historian Eusebius instructs us that as early as the third century the bishops of major sees such as Rome and Carthage were already dividing their cities into administrative charitable units attached to respective deacons. Rome, for example, had seven administrative diaconate districts, and by the reign of Pope Cornelius (251-253 CE) they were tending to the welfare of 1,500 widows and those afflicted by poverty and sickness.[50] Eusebius also records that many of the deacons of Alexandria who were assigned to the city's sick during a the so-called plague of Cyprian (ca. 250 CE) succumbed to the disease, which provides a similar terminus post quem to the birth of Alexandria's charitable services to the sick.[51] Smaller sees mimicked the philanthropic arrangements of these larger metropoleis. By the fourth century groupings of deacons across the East had begun to crystalize around distinct physical spaces dedicated to the service of the poor, the elderly, and the sick, known as *diakoniai*.[52] The income receipts for a fifth-century *diakonia* at Apollonopolites

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and Valerie French, "Midwives and Maternity Care in the Roman World," *Helios* 13(1986), 69-84.

[48] *Testamentum Domini* 1.37 (91); Cooper and Maclean, Testament, 103.

[49] Hirt Raj's appendix table III (Hirt Raj, *Médecin*, 316-317) lists over thirty Roman-era examples.

[50] For the administrative districts set up by Pope Fabian, see *Liber Pontificalis* 5. For the size of the dole at Rome see Eusebius, *Historia ecclesiastica* 6.43.11 (LCL 265, 118): χήρας σὺν θλιβομένοις ὑπὲρ τὰς χιλίας πεντακοσίας, οὓς πάντας ἡ τοῦ δεσπότου χάρις καὶ φιλανθρωπία διατρέφει.

[51] Eusebius, *Historia ecclesiastica* 7.22.7-8 (*LCL* 265, 184-186). For the plague of Cyprian, see Kyle Harper, *The Fate of Rome: Climate, Disease, and the End of an Empire* (Princeton, NJ: Princeton University Press, 2017), 136-145.

[52] See Ugo Falesiedi, *Le diaconie: i servizi assistenziali nella Chiesa antica* (Rome: Instituto Patristico Augustinianum, 1995), 86-7; Many of these were supported by lay confraternities, typically titled *spoudaioi* and *philoponoi*. See Paul Magdalino, "Church, Bath, and *Diakonia* in Medieval Constantinople," in Rosemary Morris (ed.) *Church and People in Byzantium*, (Manchester: Center for Byzantine, Ottoman, and Modern Greek Studies, 1986), 165-188.

Heptakomias in Egypt provides evidence for the scale of charitable donations and expenditures in the provinces. According to the papyrus fragment—with donations coming from individuals, collective occupational groups, and whole villages—the *diakonia* brought in over 120 solidi to support its charitable work. It is unclear whether the reckoning (*logos*) represents annual or semi-annual accounting, but in either case the total is a sizable amount of funds for a single body of deacons to dispense and purchase wares.[53] Mark the Deacon's fifth-century *Life of the Porphyry of Gaza* tells us that the bishop Porphyry allocated six obols a week for each sick or poor person enrolled on his charitable registry. Thus, if this is a reasonable estimate for the cost of a week's subsistence food in Egypt, the *diakonia* at Apollonopolis could support over 3,000 indigents (1 solidus = 180 obols).[54]

Likewise, evidence from the *diaconiae* of Rome in the sixth and seventh centuries suggests that individual establishments provided beds, food, and care for hundreds of indigents.[55] If we take Chrysostom's often-cited remark that ten percent of his native Antioch lived in destitution as a reasonable estimate for poverty rates in the late empire, then even smaller cities would have required accommodations for hundreds of widows, paupers, and invalids. Chrysostom's own community in his day had 3,000 such individuals, while Alexandria on the eve of the Islamic Conquest had 7,500 inscribed on the dole.[56] The high mortality rates of cities due to malnourishment, disease, and poor sanitation also suggests that the beds at Christian charitable institutions for the sick and the aged would have often been at capacity and would have frankly had a high turnover rate.[57] A sizable body of deacons, doctors, and lay volunteers

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[53] *P. Bad*. 4.94.

[54] Mark the Deacon, *Vie de Porphyre, évêque de Gaze,* eds. H. Grégoire et M.-A. Kugener (Paris 1930), 73-74.

[55] Scholars have interpreted the specific function of *diakoniai* in numerous ways. In its most limited interpretation, "diaconiae were essentially distribution centers for grain and other foodstuffs" (Thomas F. X. Noble, *The Republic of St. Peter: The Birth of the Papal State, 680-825* (Philadelphia: University of Pennsylvania Press, 1984), 232). Indeed, their major appearances in the literary record such as papal letters, the *Liberal pontificalis*, and the *Liber diurnus* all relate to the allocation of grain. However, it is obvious that they had many functions and served a variety of purposes beyond food distribution. See Hendrik Dey, "*Diaconiae*, *Xenodochia*, *Hospitalia* and Monasteries: 'Social Security' and the Meaning of Monasticism in Early Medieval Rome," *Early Medieval Europe* 16 (2008), 398-422

[56] See John Chrysostom, *In Mattheum homilia* 66.3 (*PG* 58, 680). For an assessment of the figure, see the commentary and footnotes in Peter Brown, *Poverty and Leadership in the Later Roman Empire*, 14. For the Alexandrian figure, see Leontios of Neapolis, *Life of St. John the Almsgiver* 2 (A.-J. Festugière and L. Rydén (eds.), *Léontios de Néapolis*: *Vie de Syméon le Fou et Vie de Jean de Chypre* (Paris: Geuthner, 1974), 343-409: 348).

[57] For life expectancy, see Bruce Freier and Roger Bagnall, *The Demography of Roman Egypt* (Ann Arbor: University of Michigan Press, 1994), 75-90 (female life expectancy) and 91-110 (male life expectancy). For an overview of ancient urban mortality rates, see Walter Scheidel,

would have been necessary to handle the logistics of offering this amount of care. The fifth-century city of Apamea, with a population of perhaps 10,000-25,000, retained forty-two deacons and three sub-deacons for its charitable administration.[58] Larger cities, of course, would have needed more deacons and charitable workers. Sixth-century Constantinople had one hundred deacons, forty deaconesses, and ninety sub-deacons for charitable activities centered at Hagia Sophia—given the increasing number of *diakoniai* and other charitable institutions in fifth and sixth-century Constantinople that the bulk of the clergy in the capital were members of the diaconate is comprehensible.[59] By the year 612 the patriarch Sergios had expanded the number of deacons to 150 for the substantially less populated city after the plague of Justinian.[60] It should be added that major cities also retained hundreds of semi-clerical mortuary workers to bury the indigent and the sick.[61]

One crucial aspect of the medical care offered by *diakoniai*, as already indicated by the *Testamentum Domini* above, was the bathing of the poor and the ill. As that text commanded through the lips of Jesus, "let the deacon bathe the palsied and infirm as is right, so that they may have a breathing space from their pains."[62] The bathing of the indigent and the sick was in many ways medical care whether performed by attendants, doctors, laymen, or clerics. Besides the obvious comforting benefits, bathing would have constituted an important act of bodily sanitation for preventive care and treatment in the dressing of wounds. Moreover, within ancient theories of medical physiology, baths were important instruments in the balancing of the humors and the regulation of the body's temperatures.[63] While many Christian authors censured the pagan imagery of bath complexes and the temptations of mixed-gender *thermae*, the use of baths

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"Death and Disease," in Paul Erdkamp (ed.), *The Cambridge Companion to Ancient Rome* (Cambridge University Press, 2013), 45-60.

[58] E. Schwarz and J. Straub (eds.), *Acta conciliorum oecumenicorum*, 4 vols. (Berlin: Walter de Gruyter, 1924-1971), Respectively, 3:106 and 2.1: 386, 394-6.

[59] *Nov. Just*. 3.1. (535 CE): *Quapropter sancimus non ultra sexaginta quidem presbyteros in sanctissima maiore ecclesia esse, diaconos autem masculos centum, et quadraginta feminas, subdiaconos vero nonaginta, lectores autem centum et decem, cantores viginti quinque, ita ut sit omnis numerus reverentissimorum clericorum sanctissimae maioris ecclesiae in quadringentis viginti quinque, et insuper centum existentibus his qui vocantur ostiarii.*

[60] Johannes Konidaris (ed.), "Die Novellen des Kaisers Herakleios," in Dieter Simon (ed.) *Fontes minores* (Frankfurt am Main: Löwenklau, 1982), 33-106: novel 1 is at 62-72, the number of clerics at 65.

[61] Sarah Bond, "Mortuary Workers, the Church, and the Funeral Trade in Late Antiquity," *Journal of Late Antiquity* 6.1 (2013), 135-151.

[62] *Testamentum domini* 1.34 (83); Cooper and Maclean, *Testament*, 99.

[63] Fikret Yegül, *Baths and Bathing in Classical Antiquity* (Cambridge: Massachussets Institute of Technology Press, 1992), 352-356.

for medical treatment and personal hygiene was widely lauded by Christians.[64] Bathing like food was simply, in Chrysostom's words, "a matter of life."[65] To be deprived of its consolation on account of poverty or illness was an affront to Roman as much as Christian values. The ascetic author Barsanuphius of Palestine offers the quintessence of late ancient Christian theories on bathing:

> If someone is ill and needs it, there is no sin [in bathing]. But if he is healthy, it should only bring him to therapy and relaxation of the body, not also self-indulgence.[66]

Bathing was a pragmatic affair. Even those who wished to repudiate the luxuries of the *saeculum* were enjoined to seek out the spa or the spring when sick. Augustine, for instance, is quite direct when recommending that consecrated virgins should not feel shame at attending public baths "for medical reasons," even those who refuse on ascetic grounds are commanded "to do what health requires."[67] It should also go without saying that the clerical duty to bathe the sick also entailed the logistical requirements for heating of water and managing run-off.[68] "Some *diakoniai* built their own bath houses; others rented existing facilities."[69] Deacons as common managers of ecclesiastical resources and charitable activities likely oversaw these efforts as well.

Beyond *diakoniai* there were many other Christian charitable institutions that would have the presence of healthcare attendants or clerics filling in for them. Ecclesiastical communities had not only explicit hospitals (typically titled *nosokomia* or *xenodocheia*) but also leper colonies, poorhouses, orphanages (*orphanotropheia, brephotropheia*), and elderly care facilities

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[64] See Albrecht Berger, *Das Bad in der byzantinischen Zeit* (Munich: Institut für Byzantinistik und neugriechische Philologie der Universität, 1982). More recently, see Estee Dvorjetski, *Leisure, Pleasure and Healing: Spa Culture and Medicine in Ancient Eastern Mediterranean* (Leiden: Brill, 2007), 404-417.

[65] John Chrysostom, *Homilae in Ioannem* 18.4 (*PG* 59, 118): Τροφὴ μὲν οὖν καὶ λουτρὰ καὶ δεῖπνα, καὶ τὰ ἄλλα τὰ βιωτικὰ, καιρὸν ἐχέτω τὸν ὡρισμένον.

[66] This is a convoluted block of text, so I have translated rather loosely. Barsanuphius, *Ep.* 770 (*SC* 468, 214): Οὐκ ἀπηγόρευται τὸ λουτρὸν παντελῶς τῷ κοσμικῷ, ὅταν ἀπαιτῇ ἡ χρεία. Ἐὰν οὖν τις ἀσθένειαν ἔχῃ καὶ χρήζῃ αὐτοῦ, οὐκ ἔστιν ἁμαρτία, ἐὰν δέ τις ὑγιαίνῃ, γίνεται αὐτῷ εἰς θεραπείαν καὶ ἄνεσιν τοῦ σώματος καὶ φέρει αὐτὸ εἰς στρῆνος.

[67] Augustine, *Ep.* 211.13 (CSEL 57, 367): *Cuius autem infirmitatis necessitas cogit lavandum corpus, non longius differatur; fiat sine murmure de consilio medicinae, ita ut, etiam si nolit, iubente praeposita faciat, quod faciendum est pro salute.*

[68] For a study of the transformation of Byzantine baths, see Jesper Blid Kullberg, "When Bath Became Church: Spatial Fusion in Late Antique Constantinople and Beyond," in Brooke Shilling and Paul Stephenson (eds.), *Fountains and Water Culture in Byzantium* (Cambridge: Cambridge University Press, 2016), 130-144.

[69] Timothy Miller, *The Birth of the Hospital in the Byzantine Empire* (Baltimore, MD: Johns Hopkins University Press, 2008 (1985)), xiii.

(*gerokomeia*).[70] Deacons as the churches earliest "administrative" ranks became responsible for the logistical administration of many Christian charitable institutions that offered hospice, medical, and pharmacological care. [71] These were men such as the deacon Marathonios placed in charge of all the charitable institutions of Constantinople in the fourth century or men such as Eugenios deacon and *xenodochos* of the main hospital of St. Sampson in the same city two centuries later.[72] A certain fifth-century deacon by the name of Philetos was memorialized as "the administrator of the new *xenon* and of the *nosokomeion* in it."[73] It was an honor worthy enough of his tombstone. Particularly in Constantinople a deacon's superlative work in the charitable administration fast-tracked him for the patriarchal throne.[74] It should also be mentioned that, as the ecclesiastical organizations began to eclipse municipal governments, in many cities public physicians (*archiatroi*) were "no longer subject to any magistrate of the local polis, but rather, to the *xenodochos* of their hospital—a local cleric with the rank of priest or deacon"[75] No doubt, the deacons managing these hospitals would have executed their jobs with more aplomb if they themselves had or acquired medical training.

Physicians as Priests and Bishops

Just as in the case of the recruitment of deacons, physicians were prized candidates for the priesthood "who were expected to attend to the physical as well as the spiritual illnesses of the people."[76] And it is not difficult to identify priest-physicians in both textual and epigraphic

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[70] For the general overview of these institutions, see Demetrios Constantelos, *Byzantine Philanthropy and Social Welfare* (New Brunswick, NJ: Rutgers University Press, 1991(1968)). Timothy Miller, *The Birth of the Hospital*; Andrew Crislip, *From Monastery to Hospital: Christian Monasticism and the Transformation of Healthcare in Late Antiquity* (Ann Arbor: University of Michigan Press, 2005).

[71] For these various officials, see Vasilikē Leontaritou, *Εκκλησιαστικά αξιώματα και υπηρεσίες στην πρώιμη και μέση Βυζαντινή περίοδο* (Athens: Ekdoseis Ant. N. Sakkoula, 1996), 134-140 (*Gerontokomoi*), 307-312 (*Nosokomoi*), 336-351 (*Xenodokoi*).

[72] For Marathonius' career, see Miller, *Birth of the Hospital*, 79-86; For Eugenios, see *Nov. Just.* 59.3 (537 CE).

[73] J. T. Milik, "Topographie de Jérusalem vers la fin de l'époque byzantine," *Mélanges de l'Université Saint Joseph* 37 (1960-1961), 145-151: 149.

[74] See Demetrios Constantelos, "Physician-Priests," 147-153.

[75] Timothy Miller, *Birth of the Hospital*, 48

[76] Demetrios Constantelos, "Physician Priests," 141. The physician-priest was not a Christian innovation. For instance, the Temple of Asclepius at Epidauros, which played such a central role in Aelius Aristides' convalescence in his *Sacred Tales*, was stocked by physician-priests. See Ido Israelowich, *Society, Medicine and Religion in the Sacred Tales of Aelius Aristides* (Leiden: Brill, 2012), 87-105; Adolf Hoffman, "The Roman Remodeling of the Asklepieion," in Helmut

sources across the later empire. There was at Rome, for instance, a certain Dionysios of the late third or early fourth century remembered as a "doctor and priest."[77] At Philippi in Macedonia we find the fourth- or fifth-century "resting place of Paul, priest and doctor." He prayed that "on the day of judgment God would not remember his sins."[78] Eusebius records the life of the priest Zenobius who was tortured to death in Phoenicia during the Great Persecution.[79] Pope Agapius, who died in 536, was the intimate of a priest Sergius, a "doctor, philosopher, translator of books, and author of numerous works." A native of Syria, fluent in Syriac, Greek, and Latin, he had pursued his medical studies at the illustrious medical school of Alexandria. Besides his medical skills other remembered him for his avarice and womanizing. [80]

Many physicians also found themselves, like Gerontios, elevated to episcopal thrones. Jerome, for instance, recalled that Basil of Ancyra was "a man of medicinal art."[81] The *Liber Pontificalis* speaks of Pope Eusebius (d. 309/310) as "a man by nation Greek, a former physician," though otherwise making no reference to his charitable work or medical savvy.[82] Early Orthodox traditions also witness that the beheaded Diocletianic martyr Blasios, bishop of Sebastea had been a physician. Appropriately enough, the earliest reference to him comes in the form of healing incantation against infected tonsils in Aetius of Amida's late antique medical encyclopedia. "Taking the throat of the suffering man say: The martyr and slave of God Blasios says, 'lump, either go up or go down!'"[83] To this list we can add hagiographical heroes such as

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Koester (ed.), *Pergamon: Citadel of the Gods. Archaeological Record, Literary Description, and Religious Developmen* (Harrisburg, PA: Trinity International Press, 1998), 41-61; Sara Aleshire, *The Athenian Asklepieion: The People, their Dedications, and the Inventories* (Amsterdam: J.C. Gieben, 1989).

[77] *CIG* 4.9669 (Rome, End of 3rd / Early 4th CE): Διονυσίου ἰατροῦ πρεσβθτέρου.

[78] *RIChrM* 237, ll. 1-9: κοιμητήριον Πα[ύλου] πρεσβ(υτέρου) καὶ ἰατροῦ Φιλιππησίων. Κ(ύρι)ε Ἰ(ησο)ῦ Χ(ριστ)ὲ ὁ θ(εὸ)ς ὁ ποιήσας ἀπὸ τῶν μὴ ὄ̣ντων εἰ<ς> εἶναι, ἐν τῇ ἡμέρᾳ τῆ<ς> κρίσεως μὴ μνηȣθῇȣτῶν ἁμαρ̣τιῶν μου, ἐλ[έ]ησόν με.

[79] Eusebius, *Historia ecclesiastica* 8.13.4 (*LCL* 265, 294).

[80] Cf. Christian Schulze, *Medizin und Christentum*, no. 175 (p. 130).

[81] Jerome, *De viris illustribus* 89 (Richardson, 45): *Basilius, Ancyranus episcopus, arte medicus, scripsit* Contra Marcellum *et* De Virginitate *librum et nonnulla alia et sub rege Constantio Macedonianae partis cum Eustathio Sebasteno princeps fuit.*

[82] *Liber Pontificalis* 23.1-3 (Duchesne, 75): *Sub huius temporibus inuenta est crux domini nostri Iesu Christi V non. Mai., et baptizatus est Iudas qui et Cyriacus. Hic hereticos inuenit in urbe Roma, quos ad manum inpositionis reconciliauit. Hic fecit ordinationem I per mens. Decemb., presbiteros XIII, diaconos III; episcopos per diuersa loca numero XIIII. Qui etiam sepultus est in cymiterio Calisti, uia Appia, VI non. Octob. Et cessauit episcopatus dies VII.*

[83] Aetius of Amida, *Iatricorum liber* 8.54 (*CMG* 8.2, 532): κατέχων τὸν λάρυγγα τοῦ πάσχοντος λέγε· Βλάσιος ὁ μάρτυς ὁ δοῦλος τοῦ θεοῦ λέγει· ἢ ἀνάβηθι, ὀστοῦν, ἢ κατάβηθι.

Bishop Zenobius of Aegeae as well as the aforementioned Paul of Merida, "a Greek by nationality and doctor by trade, coming from the Orient,"[84] and Juvenal of Narnia (d. 376 CE), "a presbyter from Africa and a physician by trade."[85] In addition to the number of physician-priests and bishops within the empire, several physicians became Christian missionaries and bishops (*katholikoi*) within the Sassanid Empire.[86]

The relative commonness of physicians on episcopal thrones, as compared to other everyday occupation-holders, is suggestive about the desirability of physicians for the higher positions in the clergy. Consider a letter from Basil of Caesarea to three exiled Nicene bishops from Egypt, all three of whom he addresses "as trained physicians and men instructed in how to correct antagonists with mildness."[87] Since the letter contains no medical imagery or metaphors, and the comment is completely out of the blue, it is likely that all three were actually physicians. That would make Basil's physician-allies three out of seventy-five or so Egyptian bishops.[88] In 1964 when Frank Gillard studied the social origins of fourth-century bishops he identified seven physicians out of seventy fourth-century bishops of whom we have any information about their social backgrounds—he was forced to categorize many as generically "educated" or "wealthy," with the rest primarily being teachers, advocates, or artisans. The fact that fourth-century Christian authors highlighted the occupation of physicians and not merely their education or social background likewise speaks volumes about the particular prestige of medicine.[89]

Regarding the preferred enthronement of physicians as bishops, we should somewhat distinguish the educational prestige of medicine from its practicality. The majority of physicians in late antiquity like the majority of clerics seemed to have their origins among urban plebs a

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[84] *Vitas sanctorum patrum Emeretensium* 4.1 (*CCSL* 116, 25): *Referunt multi sanctum virum nomine Paulum, natione Graecum, arte medicum, de Orientis partibus in Emeritensem urbem advenisse.*

[85] Anonymous, *Vita Juvenalis Narniensis* 3 (Edouardo D'Angelo (ed.), *Narni e i suoi santi storia, liturgia, epigrafia, agiografia* (Spoleto: Fondazione CISAM, 2013), 185-207: 195): *ut sanctus Iuuenalis ex Africa Romam pergeret presbyter, arte medicus.*

[86] For instance, see Schülze nos. 142 (Elisaios), 156 (Ioseph), 174 (Šābhōbarāz). See also Otto Hiltbrunner, "Die gesellschaftliche Stellung der Ärtze und ihre Rolle bei der Ausbreitung des frühen Christentums nach Asien," in Wilhelm Blümer (ed.), *Alvarium: Festschrift für Christian Gnilka* (Münster: Aschendorff, 2002), 197-204.

[87] Basil of Caesarea, *Ep.* 265.2 (*Saint Basile. Lettres* (Paris: Les Belles Lettres, 1966), vol. 3, 131): ὡς ἐπιστήμονας ἰατροὺς καὶ δεδιδαγμένους ἐν τῇ πραΰτητι παιδεύειν τοὺς ἀντιδιατιθεμένους…

[88] Roger Bagnall, *Egypt in Late Antiquity* (Princeton, NJ: Princeton University Press, 1993), 285.

[89] See his chart, Frank Gilliard, *The Social Origins of Bishops in the Fourth* Century (Diss. University of California-Berkeley, 1966), 59-66.

low-level *curiales*, which is to say, not necessarily among the cognoscenti of Roman society.[90] One wonders, for instance, how much more formal an education the physician Anastasius in Korykos possessed than his father Theodore the baker.[91] Many tradesmen like bakers were literate. There is no reason to assume that Anastasius was not himself educated, but he probably acquired his knowledge of pharmacology and physiology without the complementary liberal arts *paideia* that elite physicians acquired at places such as Alexandria or Athens. Most physicians received their training in apprenticeships either with their families, with masters, or with public *collegia*.[92] The respectability of these men drew much more from their masters' personal reputations or their own medical feats than the celebrity of their medical school. Hence socially-mobile physicians could go from paupers to the doyen of courts within a generation based on mere reputation alone—although rivals were quick to point out their unsavory origins and meteoric out.[93] We might recall here the goldsmith Aetius who over his life became a noted physician, a deacon, a courtier, and a bishop [94] We should also remember the freedman physician Julius who successfully married into the ranks of the Gallic aristocracy and sired the poet and consul Ausonius.[95] One should not necessarily suppose then that the election of a physician as bishop was the enthronement of a medical intellectual and author on par with Galen; unvarnished though efficacious therapeutic skills had great cache in Roman society.

That said, more physicians in the late empire were from aristocratic descent than in the early empire, and many physicians accrued enough wealth through their occupation to ingratiate themselves with aristocrats. These nouveaux riches physicians, even if they were not spectacularly educated like their curial counterparts, would have nevertheless been socially well-connected and desirable for ordination.[96] We know that a handful of socially-mobile late antique physicians became senators and important officials such as *comes*, as well influential players in imperial politics.[97] These types of more aristocratic physicians, who likely had a solid liberal arts

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[90] See footnote 7 of this chapter.

[91] *MAMA* 3.440, ll. 1-3: σωματοθήκη Γεωργίο υἱοῦ Στεφάνου μάγκιπος καὶ Στεφανίδος ἰατρομέας ἰατρομαίας.

[92] See footnote 17 above about medical education.

[93] See Susan Mattern, "Physicians and the Roman Imperial Aristocracy: The Patronage of Therapeutics," *Bulletin of the History of Medicine* 73.1 (1999), 1-18.

[94] See footnote 25 above.

[95] See Keith Hopkins, "Social Mobility in the Later Roman Empire: The Evidence of Ausonius," *Classical Quarterly* 55 (1961), 239-249.

[96] See, for example, the scant curial physicians in Samama, nos. 96, 99, 209, 209, 216, 250, 298, 334.

[97] See the case of Jacob Psychristos, "The emperor loved this Jacob, as did the entire Senate and city, since he was an excellent doctor and philosopher. The Senate even set up an image of him in the Zeuxippon baths." John Malalas, *Chronographia* 14.38 (Hans Thurn, *Ioannis Malalae chronographia* (Berlin: de Gruyter, 2000, 292): ἐφίλει γὰρ ὁ βασιλεὺς τὸν αὐτὸν Ἰάκωβον καὶ

education, seemed to have mimicked elite civic benefaction in their medical practices. Like Galen before them, they consorted with philosophers and imperial power-brokers and offered their care gratis as a service to the *res publica*. The élan with which fashionable physicians such as Gerontios above could transition medical philanthropy and philosophy into practical beneficence for their parishioners was not lost on Christian congregations. Since the days of Hippocrates many physicians had cultivated an ideology of liberal arts philanthropy, and the reputation for beneficence stuck to physicians and medicine in the popular imagination.[98] As the Hippocratic *Precepts* preached, "sometimes [the physician] should offer services for nothing, recalling a previous benefaction or present satisfaction. And if an opportunity arises to serve a stranger in financial straits (*xenōi te eonti kai aporeonti*), [he should] give full assistance to all such men." As it explained further, *philanthropia*, *philotechnia,* and *philosophia*, went hand-in-hand.[99] These were the type of educated physicians that true aristocrats such as Gregory of Nyssa praised for having "philanthropy for your profession."[100] This trifecta of attributes (*philanthropia*, *philotechnia,* and *philosophia*) also resounded with the selection criteria for the loftiest bishoprics of the empire, namely a philosophical (abstemious) lifestyle, a liberal arts education, and a philanthropic disposition.[101]

"Amateur Physicians" and Pastoral Care

Within online Catholic and Orthodox communities, Basil of Caesarea has become the digital-age patron saint of hospital administrators. Given the prominence of Basil in inaugurating Christian charitable hospitals (his is considered the first), the identification of Basil with modern hospital

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πᾶσα δὲ ἡ σύγκλητος καὶ ἡ πόλις ὡς ἄριστον ἰατρὸν καὶ φιλόσοφον· ᾧτινι καὶ ἡ σύγκλητος εἰκόνα συνεστήσατο ἐν τῷ Ζευξίππῳ. L. Dindorf (ed.), *Chronicon paschale* (Bonn: Weber, 1832), 3-737: 624-628.

[98] For an overview of Classical and Christian medical philanthropy, see Gary Ferngren, *Medicine and Healthcare in Early Christianity* (Baltimore, MD: Johns Hopkins University Press, 2009), 86-112.

[99] *Precepts* 6.1-10 (*LCL* 147, 319) : Παρακελεύομαι δὲ μὴ λίην ἀπανθρωπίην ἐσάγειν, ἀλλ᾽ ἀποβλέπειν ἔς τε περιουσίην καὶ οὐσίην· ὁτὲ δὲ προῖκα, ἀναφέρων μνήμην εὐχαριστίης προτέρην ἢ παρεοῦσαν εὐδοκίην. ἢν δὲ καιρὸς εἴη χορηγίης ξένῳ τε ἐόντι καὶ ἀπορέοντι, μάλιστα ἐπαρκεῖν τοῖς τοιούτοις· ἢν γὰρ παρῇ φιλανθρωπίη, πάρεστι καὶ φιλοτεχνίη. ἔνιοι γὰρ νοσέοντες ᾐσθημένοι τὸ περὶ ἑωυτοὺς πάθος μὴ ἐὸν ἐν ἀσφαλείῃ, καὶ τῇ τοῦ ἰητροῦ 10ἐπιεικείῃ εὐδοκέουσι, μεταλλάσσοντες ἐς ὑγιείην. εὖ δ᾽ ἔχει νοσεόντων μὲν ἐπιστατεῖν, ἕνεκεν ὑγιείης, ὑγιαινόντων δὲ φροντίζειν, ἕνεκεν ἀνοσίης· φροντίζειν καὶ ἑωυτῶν ἕνεκεν εὐσχημοσύνης.

[100] Gregory of Nyssa, *Ep.* 33.1A (Anna M. Silvas (trans.), *Gregory of Nyssa: The Letters* (Brill: Leiden, 2007), 236).

[101] Jaclyn Maxwell, "Education, Humility and Choosing an Ideal Bishop in Late Antiquity," in Johan Leemans et al. (eds.), *Episcopal Elections in Late Antiquity* (Berlin: de Gruyter, 2011), 449-514.

administrators is comprehensible; yet, it is somewhat inaccurate for how Basil and his contemporaries envisioned his role at the hospital (*ptochotropheion*).[102] As Gregory of Nazianzus recalled in his funerary oration for Basil, "the results [of Basil's learning and efforts] was the tending to and healing of the sick (*nosokomiai kai iatriai*)," practices which Gregory lumped together as "our common intellectual pursuit" (*to koinon hēmōn emphilosophēma*).[103] Gregory of course went to the rapture about departed Basil's administration of his medical "storehouse of piety," but much more approbation was offered for Basil's personal medical savvy.[104] The "common intellectual pursuit" of Basil and Gregory was medicine itself not management. At least as they understood, these two bishops performed the services of doctors.

This was neither a disingenuous or exaggerated compliment. As I have already suggested above, deacons who were not physicians performed many quotidian healthcare tasks that improved the physical health of their parishioners such as bathing. What often goes under-appreciated though is the practical medical abilities that "amateur" physicians such as Basil and Gregory as well as their clerical underlings might have possessed, abilities far beyond changing sheets or drawing palliative baths. Many ecclesiastical texts from late antiquity expect that clerics would themselves possess or acquire medical knowledge so that they could provide advice and tend to the sick directly. For instance, it is relatively clear that the attendants at Basil's hospital, whom he refers to as "men who nurse (*tous nosokomountas*)" and "those who give medical care *tous iatreuontas*)," are not physicians (*iatroi*).[105] Oswei Tomkin has righty inferred from Basil's distinction that the ill and the lame at Basil's hospital were treated by clerics and monks with medical knowledge (no doubt one of the unspecified charitable *technai* that he mandated to be trained at the facility).[106] Timothy Miller infers from the same sentence

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[102] See Constantelos, *Byzantine Philanthropy*, 111-112 and 218-219; Miller, *The Birth of the Hospital*, 111-115; Crislip, *From Monastery to Hospital,* 105-118.

[103] Gregory of Nazianzus, *Or.* 43.61(Fernand Boulenger, *Grégoire de Nazianze. Discours funèbres en l'honneur de son frère Césaire et de Basile de Césarée* (Paris: Librarie Alphonse Picard et Fils, 1908), 58-230: 186): Ἐξ ὧν ἢ μεθ' ὧν νοσοκομίαι καὶ ἰατρεῖαι, τὸ κοινὸν ἡμῶν ἐμφιλοσόφημα• ἔδει γάρ με τῶν ἀνιαρῶν τὸ ἶσον ἔχειν, τοῖς ἄλλοις λει- πόμενον.

[104] See Gregory of Nazianzus, *Or. 43*.63.1 (Ibid., 188): καὶ θέασαι τὴν καινὴν πόλιν, τὸ τῆς εὐσεβείας ταμεῖον, τὸ κοινὸν τῶν ἐχόντων θησαύρισμα, εἰς ὃ τὰ περιττὰ τοῦ πλούτου, ἤδη δὲ καὶ τὰ ἀναγκαῖα ταῖς ἐκείνου παραινέσεσιν ἀποτίθεται.

[105] Basil of Caesarea, *Ep.* 94 (Courtonne, S*aint Basile. Lettres*, 147): Τίνα δὲ ἀδικοῦμεν καταγώγια τοῖς ξένοις οἰκοδομοῦντες, οἷς ἂν κατὰ πάρο-δον ἐπιφοιτῶσι καὶ τοῖς θεραπείας τινὸς διὰ τὴν ἀσθένειαν δεομένοις, καὶ τὴν ἀναγκαίαν τούτοις παραμυθίαν ἐγκαθιστῶντες, τοὺς νοσοκομοῦντας, τοὺς ἰατρεύοντας, τὰ νωτοφόρα, τοὺς παραπέμποντας; Τούτοις ἀνάγκη καὶ τέχνας ἔπεσθαι, τάς τε πρὸς τὸ ζῆν ἀναγκαίας καὶ ὅσαι πρὸς εὐσχήμονα βίου διαγωγὴν ἐφευρέθησαν, οἴκους πάλιν ἑτέρους ταῖς ἐργασίαις ἐπιτηδείους, ἅπερ πάντα τῷ μὲν τόπῳ κόσμος, τῷ δὲ ἄρχοντι ἡμῶν σεμνολόγημα, ἐπ' αὐτὸν τῆς εὐφημίας ἐπανιούσης.

[106] Oswei Temkin, *Hippocrates in a World of Pagans and Christians* (Baltimore, MD: Johns Hopkins University Press, 1991), 163.

that "Basil himself states that the institution employed both physicians and nursing attendants," but the choice to use participial phrases over concrete occupational nouns such as *iatros* undermines his reading.[107] I do not wish here to wade into a disagreement between two titans in the history of medicine; rather, I would say that on this point the distinction might be of less significance than the modern reader with presumptions about "professional" medical practice might suppose. As there was no true accreditation or certification for physicians in antiquity, anyone who offered medical services was in some way a *iatros*, a *medicus*, or a Coptic *caein*.[108]

Gregory of Nazianzus eulogized Basil for having "mastered the art [of medicine], not only in its empirical and practical branches, but also in its theory and principles."[109] By this he meant that Gregory understood physiology and pharmacology as abstract sciences as well as knew how to apply these principles in the administration of care. If this was truly the case, one would be hard pressed to not see a practical equivalence between Basil's work and that of a practicing physician. For what it is worth, the commendation of Basil's medical endeavors is more or less identical to the paean that he composed for his brother Caesarius who had formal medical training and was court physician to Julian the Apostate.[110] On paper Caesarius and Basil were respectively a professional and an amateur, but in all likelihood, as highly educated intellectuals they studied many of the same medical authorities, e. g., Galen, and by the end of their lives had similar practical experiences during their tenures as healthcare providers. We might therefore ask what distinguished a doctor (*ho iatros*) from merely a person with medical knowledge who provided medical care (*ho iatreuōn*). This question could be asked of many of the documented physicians at ecclesiastical hospitals such the one at the White Monastery in Egypt or indeed of dozens of secular healthcare workers identified as *iatroi* in late antique Egypt. Was the seventh-century illiterate doctor Dios, "head of the guild of physicians," less a physician than the clerics of his community who could consult Coptic or Greek medical texts?[111] To quote Vivian Nutton, "a doctor was a person, male or female, who carried out medical treatment for a fee, or who, like Galen, devoted much of his time to healing, even if he never actually made any monetary charge but merely received presents."[112]

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[107] Timothy Miller, *The Birth of the Hospital*, 86.

[108] For a period between the Antonines and Constantine, it seems that at least public physicians *archiatroi* were "licensed" by their local municipalities. This perhaps is the only accreditation in antiquity. Emperors attempted to limit the number of burden-exempt physicians, that is, *archiatroi*, who removed from their local curia's rolls.

[109] Ibid, *Or.* 43.23.6 (Ferdindan Boulenger, *Discours,* 108-110): Ἰατρικὴν μὲν γάρ, καὶ ἡ τοῦ σώματος ἀρρωστία καὶ νοσοκομία, φιλοσοφίας καὶ φιλοπονίας οὖσαν καρπόν, ἀναγκαίαν αὐτῷ πεποιήκασιν· ὅθεν ἀρξάμενος, εἰς ἕξιν τῆς τέχνης ἀφίκετο· καὶ ταύτης, οὐχ ὅση περὶ τὸ φαινόμενον ἔχει καὶ κάτω κείμενον, ἀλλ' ὅσον δογματικὸν καὶ φιλόσοφον.

[110] See Gregory of Nazianzus, *Or*. 7 (Ibid., 2-57).

[111] Walter E. Crum, "Koptische Zunfte," 110.

[112] Nutton, "Murders and Miracles," 28.

Any man with medical knowledge such as the explicit physician Gerontios or the "amateur" physician Basil could offer *real* treatments if they had access to the herbs, elixirs, and medical equipment necessary for care. As numerous studies of the wide range of physiological and pharmacological tidbits that pepper early Christian literature have illustrated, many clerics had a deep understanding of medical knowledge and pharmacology even if they were not physicians. The presence of herb gardens within or near ecclesiastical and monastic complexes as well as surviving Byzantine pharmacological manuscripts prove that these communities were administering and concocting as it were their own drugs.[113] Although he was an ascetic not a cleric Cassiodorus' instructions for his monastic community, the so-called *Institutiones divinarum et saecularium litterarum*, encapsulates how many bishops felt about having their clergy learn the techniques of treatment:

> And I salute you, distinguished brothers, who with sedulous curiosity look after the health of the human body and perform the functions of blessed piety for those fleeing to the shrines of holy men—you who are sad at the sufferings of others, sorrowful for those in peril, aggrieved at the pain of those who have been received, and always distressed with personal gloom at the misfortunes of others, so that by the experience of your art teaches, you help the sick with sincere zeal. You will receive your reward from Him by whom eternal rewards are repaid for temporal acts. And therefore, learn the properties of herbs and the compounding of drugs with an eager mind, but do not place your hope in herbs and your health in human counsels. For although it is said the art of medicine be was established by the Lord, He who without doubt grants life to men makes them sound. For it is written: "And whatsoever you do in word or deed, do all in the name of the Lord Jesus, giving thanks to God and the Father by Him."
>
> If the eloquence of Greek letters is unknown to you, you have first of all the *Herbarium* of Dioscorides, who has written on and depicted the herbs of the fields with remarkable accuracy. After this read the Latin translations of Hippocrates and Galen, the *Therapeutics* of Galen, addressed to the philosopher Glaucon and a certain anonymous work, which has been compiled from various authors. Finally, read Caelius Aurelius' *On Medicine*, and Hippocrates' *On Herbs and Cures* and various other works written on the art of medicine. With God's help, I have left you these books, stored away in the recesses of our library.[114]

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[113] Cf. David Bennet, *Medicine and Pharmacy in Byzantine Hospitals: A Study of the Extant Formularies* (New York: Routledge, 2017), passim; Crislip, *From Monastery to Hospital*, 39-67. Loren Carey MacKinney, *Early Medieval Medicine: With Special Reference to France and Chartres* (Baltimore, MD: Johns Hopkins University Press, 1937), 59-106.

[114] Cassiodorus, *Institutiones* 1.21 (*Cassiodori senatoris institutiones divinarum et saecularium litterarum*, ed. R. A. B. Mynors (Oxford, Clarendon, 1937), 78-79): *Sed et uos alloquor fratres egregios, qui humani corporis salutem sedula curiositate tractatis, et confugientibus ad loca sanctorum officia beatae pietatis impenditis, tristes passionibus alienis, de periclitantibus maesti, susceptorum dolore confixi, et in alienis calamitatibus merore proprio semper attoniti; ut, sicut artis uestrae peritia docet, languentibus sincero studio seruiatis, ab illo mercedem recepturi, a quo possunt pro temporalibus aeterna retribui. Et ideo discite quidem naturas herbarum com mixtionesque specierum sollicita mente tractate, sed non ponatis in herbis spem, non in humanis consiliis sospitatem. Nam quamuis medicina legatur a domino constituta, ipse*

As the former Urban Prefect of Rome and thus overseer of the city's college of public physicians, Cassiodorus understood the reality of the healthcare landscape: there were many more ailing individuals than private physicians could handle.[115] The college of salaried physicians, which he oversaw, had been established by Valentinian in 368 so that public physicians might "minister to the poor (*ministrari*) honorably rather than serve the rich shamefully."[116] The college and all public physicians for that matter were intended as supplements to market-based medical care.[117] The clergy also conscientiously saw themselves as supplementing physicians for the impoverished segments of Roman society. In the words of Ambrose of Milan, "since few earn their livings from medicine, many [others] proclaim that they know some other remedy of their own or prescribe what remedy the sons of physicians make. These things we [the clergy] also proffer to the indigent who lack other medicine. Let the wealthy man have his maestro, the poor man his minister."[118]

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tamen sanos efficit, qui uitam sine dubitatione concedit. Scriptum est enim Omne quod facitis in uerbo aut opere, in nomine domini Iesu facite, gratias agentes deo et patri per ipsum.

Quod si uobis non fuerit graecarum litterarum nota facundia, in primis habetis Herbarium Dioscoridis, qui herbas agrorum mirabili proprietate disseruit atque depinxit. Post haec legite Hippocratem atque Galienum latina lingua conuersos, id est, Therapeutica Galieni ad philosophum Glauconem destinata, et anonymum quendam, qui ex diuersis auctoribus probatur esse coll ectus. Deinde Caeli Aureli de medicina et Hippocratis de morbis et curis diuersosque alios medendi arte compositos, quos uobis in bibliothecae nostrae sinibus reconditos deo auxiliante dereliqui.

[115] See Vivian Nutton, "Archiatri and the Medical Profession in Antiquity," *Papers of the British School at Rome* 45 (1977) 191-226: 209.

[116] *C. Th.* 13.3.8.pr.-1 (370 / 368 CE): *Idem aaa. ad Praetextatum praefectum Urbi. pr. Exceptis portus xysti virginumque vestalium quot regiones urbis sunt, totidem constituantur archiatri. Qui scientes annonaria sibi commoda a populi commodis ministrari honeste obsequi tenuioribus malint quam turpiter servire divitibus. Quos etiam ea patimur accipere, quae sani offerunt pro obsequiis, non ea, quae periclitantes pro salute promittunt.*

[117] On subsidies and supplementation in the healthcare marketplace, see Underwood, "Medicine, Money, and Christian Rhetoric."

[118] Ambrose of Milan, *In Psalmum XXXVI enarratio* 3 (*CSEL* 64, 72): *ut medicinam pauci profiteantur, plurimi tamen remedia eius aliqua scire se dicant: vel quod medicorum pueri faciunt nos quoque alieno medicamento remedium indigentibus proferamus. Dives magistrum adhibeat, pauper ministrum*. Ambrose here refers to deacons by the term *minister,* as he was oft to do. Cf. *De officiis* 2.27.134.

Comfort as Psychological Care

In September 407 John Chrysostom penned a heartening treaty to his supporters who were distressed and confused by his downfall. Their bewilderment had led them to question both God's providence and the righteousness of John's cause. By Chrysostom's diagnosis they all suffered from the same pathology: the psychic traumas of stress, embarrassment, and fear of the future. The regimen to resolve these conditions, he explained, was easy though, if only they would properly administer it to themselves. His adherents merely needed to access the irrationality of their emotions and find a *pharmakon* in the resolute promise of salvation offered to the orthodox and the pious.[119] Prima facie Chrysostom's rhetoric is trite. One would be hard pressed to identify any ancient Christian rhetorician who did not at one time or another medicalize salvation and sin. As so often with Chrysostom, though, his seeming conformity with other authors betrays his subtly and sophistication. As Wendy Mayer has now explicated about the treatise *Ad eos qui scandalizati sunt* and other works of Chrysostom, his medical imagery is much more than skin-deep. Chrysostom was not speaking in metaphor, but was rather prescribing a true psycho-somatic treatment for his ailing supporters.[120]

Because of the psycho-somatic unity of body and soul within classical medical theory, counseling inherently represented a form of medical *therapeia* in the ancient world.[121] Every philosopher and physician knew that some ethereal though physical essence animated the body, mediated between the spiritual and the terrestrial, and that this psychic essence was subject to the same types of pathologies and injuries that flesh and blood were. Indeed, as Raymond Laird has recently illustrated, Chrysostom's physiology of the soul and its treatment by psychological therapy are fundamentally identical with those of his teacher Libanius.[122] The commonplace rhetoric of the diseased soul that pervades early Christian literature on soteriology and pastoral care obscures for modern readers in many ways the deep belief that Christian authors held about the true physicality of the soul.[123] In Chrysostom's opinion the philosopher-priest as a physician

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[119] Cf. John Chrysostom, *Ad eos qui scandalizati sunt*, pro.1-2 (*SC* 79, 52-54)

[120] Wendy Mayer, "The Persistence in Late Antiquity of Medico-Philosophical Psychic Therapy," *Journal of Late Antiquity* 8.2 (2015), 337-351; ead., "Medicine in Transition: Christian Adaptation in the Later Fourth-Century East," in Geoffrey Greatrex and Hugh Elton (eds.), *Shifting Genres in Late Antiquity* (Farnham: Ashgate, 2015), 11-26. I also reference Mayer's paper "Chrysostom's Last Word on Treating the Soul" (paper presented at the North American Patristics Society Annual Meeting, Chicago, 2014).

[121] Owsei Temkin, *Hippocrates in a World of Pagans and Christians* (Baltimore, MD: Johns Hopkins University Press, 1991), 71-74.

[122] Raymond Laird, *Mindset, Moral Choice and Sin in the Anthropology of John Chrysostom.* (Strathfield, NSW: St Pauls Publications, 2012), 135-220.

[123] The earliest allusion occurs in Mark, when Jesus parallels his role towards sinners to that of a doctor toward the sick (2:17). Medical analogies within Christian rhetoric have deep roots extending to the New Testament. The Q source as represented in Matthew and Luke further developed the analogy by depicting Christian missionary work in the language of traveling physicians/Giovanni Bazzana, "Early Christian Missionaries as Physicians: Healing and its

of the souls was the best counselor for ill souls. For the ill and the distressed Chrysostom considered

> only one means and only one method of *therapeia* available, and this is teaching through the Word. That is the best instrument, the best diet, and the best climate of airs. It takes the place of drugs and cautery and surgery. When we need to cauterize or cut, we must use this. Without it all else is useless. By it we rouse the soul's lethargy or reduce its inflammation, we remove tumors and correct defects, and in this way do everything that contributes to its health.[124]

As David Rylaarsdam has illustrated in his analysis of Chrysostom's understanding of the priesthood, for Chrysostom the role of psychagogue was the foremost job description of the Christian priest. Their care of the soul superseded liturgical and ceremonial functions.[125]

The implication running through authors as disparate as Tertullian and John Chrysostom, Shenoute and Gregory the Great is that the concern, the advice, and the love that clerics offered physically affected the souls of their congregation. In this way, these clerics as spiritual "trainers" and medical "counselors" were a type of physicians. At the core of this approach to pastoral care was the gradual clerical usurpation of the philosopher's traditional role as the physician of the souls. The most prominent proponents of this interpretation of clerical duties came in the two great fourth-century Greek treatises on the priesthood, respectively Gregory of Nazianzus' *Apologia de fuga sua* (*Or.* 2) and John Chrysostom's *De sacerdotio.*[126] As Gregory saw his pastoral duties the good bishop diagnoses discomfort and

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Cultural Value in the Greco-Roman Context, *Novum Testamentum* 51 (2009), 232-251. Paul reckoned sin as a weakness (ἀσθένια) of the soul and the body, while the pseudepigraphers borrowing his name framed sin as a disease (νόσος) and a cancer (γάγγαινα). See Romans 5:6; 1 Timothy 1:10, 6:3, 6:4; 2 Timothy 2:16-17; Titus 1:9, 1:13, 2:1-2, 2:8.

[124] John Chrysostom, *De sacerdotio* 4.3 *(SC* 272, 250): Ἢ ἀγνοεῖς ὅτι καὶ πλείοσι τῆς ἡμετέρας σαρκὸς καὶ νόσοις καὶ ἐπιβουλαῖς τοῦτο ὑπόκειται τὸ σῶμα καὶ θᾶττον αὐτοῦ φθείρεται καὶ σχολαίτερον ὑγιαίνει; Καὶ τοῖς μὲν ἐκεῖνα θεραπεύουσι τὰ σώματα καὶ φαρμάκων ἐξεύρηται ποικιλία καὶ ὀργάνων διάφοροι κατασκευαὶ καὶ τροφαὶ τοῖς νο σοῦσι κατάλληλοι καὶ φύσις δὲ ἀέρων πολλάκις ἤρκεσε μόνη πρὸς τὴν τοῦ κάμνοντος ὑγίειαν· ἔστι δὲ ὅπου καὶ ὕπνος προσπεσὼν εἰς καιρὸν παντὸς πόνου ἀπήλλαξε τὸν ἰατρόν. Ἐνταῦθα δὲ οὐδὲν τούτων ἐπινοῆσαι ἔστιν, ἀλλὰ μία τις μετὰ τὰ ἔργα δέδοται μηχανὴ καὶ θεραπείας ὁδός, ἡ διὰ τοῦ λόγου διδασκαλία. Τοῦτο ὄργανον, τοῦτο τροφή, τοῦτο ἀέρων κρᾶσις ἀρίστη· τοῦτο ἀντὶ φαρμάκου, τοῦτο ἀντὶ πυρός, τοῦτο ἀντὶσιδήρου· κἂν καῦσαι δέῃ καὶ τεμεῖν, τούτῳ χρήσασθαι ἀνάγκη· κἂν τοῦτο μηδὲν ἰσχύσῃ, πάντα οἴχεται τὰ λοιπά. Τούτῳ καὶ κειμένην ἐγείρομεν καὶ φλεγμαίνουσαν καταστέλλομεν τὴν ψυχὴν καὶ τὰ περιττὰ περικόπτομεν καὶ τὰ λείποντα πληροῦμεν καὶ τὰ ἄλλα ἅπαντα ἐργαζόμεθα ὅσα εἰς τὴν τῆς ψυχῆς ἡμῖν ὑγίειαν συντελεῖ.

[125] David Rylaarsdam, *John Chrysostom on Divine Pedagogy: The Coherence of his Theology and Preaching* (Oxford: Oxford University Press, 2014), 198-200.

[126] There are antecedents to Gregory and Chrysostom's discourses about Christian "physicians of the soul" and about the ameliorating effects that Christian counsel can have on the soul. Origen is a notable example. Priests and the Old Testament prophets became "to the physicians of

> Place, time, age, season, and similar matters the physician will scrutinize (*episkepsetai*): he will prescribe medicines and diet, and ward off harmful things so that the desires of the sick may not be a hindrance to his art. Sometimes in certain cases he will make use of the cautery or the knife or harsher remedies. None of these, laborious and hard as they may seem, is as difficult, though, as the diagnosis and cure of our habits, passions, lives, wills, and whatever else is within us. By banishing from our composite nature everything brutal and fierce, and introducing and establishing instead what is gentle and loved by God, and balancing fairly between soul and body; not allowing the superior to be overpowered by the inferior, which would be the greatest injustice; but subjecting to the ruling and leading power that which by nature takes the second place: as indeed the divine law commands, which is most excellently imposed upon His whole creation whether visible or beyond our senses.[127]

As Susanna Elm has shown about such passages of Gregory's, the Cappadocia Father followed medico-philosophical consensus that the constitution of the body and the soul reflected the ordering of the cosmos. The perceptive reading of the signs of the universe did not differ appreciably from medical or psychological diagnosis in ancient thought. The keen student of both philosophy and physiology could inquire into conditions of a patient or a parishioner and through his medical learning determine an effective regimen (*diaita*).[128] This is how both

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souls." Origen, *Hom. in Hierem,* 14.1: διὰ τὸ καὶ τοὺς προφήτας οἷον εἶναι ἰατροὺς ψυχῶν... Moreover, all good Christians for Origen proselytize to infidels "in order to bind up wounds by His word, and to apply to the soul, inflamed with evils, the drugs of His word—analogous to the wine, oil, plasters, and other healthful medical aids of the medical art [Ibid, 3.61: ἵν' αὐτῶν καταδήσῃ τὰ τραύματα τῷ λόγῳ καὶ ἐπιχέῃ τῇ φλεγμαινούσῃ ἐν κακοῖς ψυχῇ τὰ ἀπὸ τοῦ λόγου φάρμακα, ἀνάλογον οἴνῳ καὶ ἐλαίῳ καὶ μαλάγματι καὶ τοῖς λοιποῖς ἀπὸ ἰατρικῆς ψυχῆς βοηθήμασιν. Cyprian rebukes accommodating clerics who do not act the physician by alleviating only the symptoms of the lapsed, and not tend to their deeper infirmity with the harsh treatment of repentance (*Ep.* 30.3). Those laymen who do not acquiesce to the guidance of bishops, men who "refuse the medicine of divine mercy and goodness" (*Ep. 66*.1: *bonitatis et misericordiae divinae medicinam non denegemus*). Cf. Ferngren, 79-84.

[127] Gregory of Nazianzus, *Or.* 2.18 (*PG* 35, 428): Χώρας, καὶ καιροὺς, καὶ ἡλικίας, καὶ ὥρας, καὶ τὰ τοιαῦτα ὁ ἰατρὸς ἐπισκέψεται· φαρμακεύσει τε καὶ διαιτήσει, καὶ τηρήσει τὰ βλαβερὰ, ὡς ἂν μὴ ἀντιβῆναι τῇ τέχνῃ τὰς τῆς ἀῤῥωστίας ἐπιθυμίας· καί που καὶ καύσεσι, καὶ τομαῖς, καὶ τοῖς αὐστηροτέροις τῆς θεραπείας, ἔστιν ὅτε καὶ ἐφ' ὧν χρήσεται· ὧν οὔπω τοσοῦτον οὐδὲν, κἂν ἐπίπονα σφόδρα καὶ χαλεπὰ φαίνηται, ὅσον ἤθη, καὶ πάθη, καὶ βίους, καὶ προαιρέσεις, καὶ εἴ τι ἄλλο τοιοῦτο τῶν ἐν ἡμῖν, κατοπτεῦσαί τε καὶ ἰατρεῦσαι, καὶ πᾶν ὅσον θηριῶδες καὶ ἄγριον ἐξορίσαντας τῆς συζυγίας τῆς ἡμετέρας, πᾶν ὅσον ἥμερον καὶ Θεῷ φίλον ἀντεισ-αγαγεῖν τε καὶ βεβαιώσασθαι, καὶ βραβεῦσαι δικαίως ψυχῇ τε καὶ σώματι· μὴ τῷ χείρονι τὸ κρεῖττον δυναστεύεσθαι συγχωρήσαντας, ἥπερ ἀδικιῶν ἡ μεγίστη· τῷ δὲ ἄρχοντι καὶ ἡγεμονικῷ τὸ τῇ φύσει δεύτερον ὑποτάξαντας· ὥσπερ δὴ νόμος θεῖος, καὶ κάλλιστα ἔχων ἐπὶ πάσης αὐτοῦ τῆς κτίσεως, ὅση τε ὁρατὴ, καὶ ὅση ὑπὲρ τὴν αἴσθησιν.

[128] Susanna Elm, *Sons of Hellenism,* 147-181.

Gregory and his episcopal heir John Chrysostom articulated how they question, consult, and comforted the emotional well-being of their parishioners.

In Classical and Second Sophistic thought any of number of "feelings," i.e., pleasure (*hēdonē*), pain (*lupē*), desire (*epithumia*), and fear (*phobos*), could develop into noxious *pathē*, if they metastasized and overwhelmed the delicate balance of the sound mind.[129] Counseling and comfort were medico-philosophical treatments for the over-abundance of feelings in the same mold of treatments for the bodily humors. An excess of grief or desire could not only engender troubling behavior and changes in temperament, but could also affect the body physically. The weight and appearance of the ailing body became symptomatic of the diseased soul: the grief-stricken patient developing a somber pallor, the luxury-lover'slook of tumescence and gangrene. The moralizing sentiments about the human psyche's emotional needs that drove physicians such as Galen to classify greed (either *philochrēmatia* or *philarguria*) as "diseases of weakness" (*arrōstēmata*) are patently obvious; yet, the prevalence across medical and non-medical literature of these types of statements makes it quite clear that Classically educated men pathologized emotional states. Historians of medicine and philosophy have long recognized this fact.

Only recently though have scholars of late antiquity and early Christianity have penetrated below the supposed "medical imagery" that ancient authors used to explicate pastoral care and read Christian rhetoric about the priest as physician through the prism of ancient theories of psychological medicine. The pervasive comments from figures such as Chrysostom that religious instruction was salubrious *pharmakon*,[130] that censure is a bitter remedy to be swallowed,[131] that greed something to be excised like a tumor,[132] have been show by Laird, Mayer, and others conform to standard medico-philosophical understanding of the soul. With some degree of earnest Chrysostom can chide his community that he is their "physician of souls," that he would not "shy from saying to anyone listening, 'I am your doctor, prescribing you drugs…'[133] And like pagan philosophers and physicians he understood that vices effected the physical body. A vice was "dreadful… injury (*lumē*) to the soul." He explained to his congregation at Antioch that they were also troublingly undetectable. "Thus God often times punishes the body for the transgressions of the soul, so that by means of the scourging of the inferior part someone might tend to the better parts. It was thus that Paul set straight the fornicator in Corinth, checking the disease of his soul through [attacking] the pestilence of the flesh, seeing the sickness of the flesh. Having introduced the knife into bodily desire, he checked

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[129] Robert Rabel, "Diseases of Soul in Stoic Psychology," *Greek, Roman, and Byzantine Studies* 22.4 (1981), 385-393: 387.

[130] John Chrysostom, *De Christi divinitate* (*PG* 48, 84); *Adversus Judaeos* (*PG* 48, 845).

[131] John Chrysostom, *Homily on Second Corinthians* 15.2 (*PG* 61, 503).

[132] John Chrysostom, *Homily on John* 88.3 (*PG* 59, 482)

[133] John Chrysostom, *De Lazaro* (*PG* 48, 1029), ll. 40-42: Οὐ παύσομαι λέγειν ἐγὼ, κἂν μηδεὶς ᾖ ὁ ἀκούων· ἰατρός εἰμι, ἐπιτίθημι τὰ φάρμακα.

the evil in this way, like a good physician who cauterizes dropsy or spleen from the outside, when they do not respond to drugs internally."[134]

It is a common though somewhat facile point to make that Christian authors appropriated the authoritative image of the physician to inflate their own position and the perceived efficacy of pastoral care. Christian leaders sold themselves as all things to all; this observation goes without saying. Yet, men such as Gregory of Nazianzus and John Chrysostom reveal a solid foundation in medical literature and theory. We should judge their claims to being a type of physician who can diagnosis the source of a person's emotional ills and offer accepted regimens for their psychic treatment by the standards of ancient preconceptions about medicine, not our own. Just as with medical care of the limbs, if a Christian cleric could administer recognized psychological medical treatments via the same means as designated healthcare practitioners, then he had more than the image of the physician. We might then include with the general desirability of medical knowledge for clerics a presumption that medical learning like philosophical training more generally suggested a potential clerical more capable of the gentle and therapeutic art of pastoral care.

These are, of course, figures who represent the upper echelon of both late antique ecclesiastical culture and Roman society more generally. It is highly unlikely that all Christian clerics interpreted the pastoral function of bishops and priests along so highly philosophical lines as Patristic luminaries. In many cases pastoral care to the sick constituted merely the suggestion of home remedies, blessings, anointment, and simple acts of kindness. As the *Testamentum Domini* puts it, "for the sick man is much comforted when the high priest remembers him..."[135] And authors like John Chrysostom understood that the "the best and the very noblest physicians heal us more successfully through sympathy and charm than by their trade alone."[136] However, comfort and counsel in these cases was always a sort of care.

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[134] John Chrysostom, *Homily on John* 38.1 (*PG* 59, 211): Δεινὸν ἡ ἁμαρτία, δεινὸν καὶ ψυχῆς λύμη· πολλάκις δὲ ἐκ περιουσίας καὶ σωμάτων ἥψατο τὸ κακὸν ὑπερβλύσαν. Ἐπειδὴ γὰρ τὰ πολλὰ τῆς μὲν ψυχῆς ἡμῖν καμνούσης, ἀναλγήτως ἔχομεν· τὸ δὲ σῶμα κἂν μικρὰν δέξηται βλάβην, πᾶσαν ποιούμεθα σπουδὴν, ὥστε ἐλευθερῶσαι τῆς ἀῤῥωστίας αὐτὸ, διὰ τὸ τῆς ἀῤῥωστίας αἰσθάνεσθαι· διὰ τοῦτο καὶ ὁ Θεὸς τοῦτο κολάζει πολλάκις ὑπὲρ τῶν ἐκείνῃ πεπλημμε- λημένων, ὥστε διὰ τῆς τοῦ ἐλάττονος μάστιγος καὶ τὸ κρεῖττον τυχεῖν θεραπείας τινός. Οὕτω καὶ παρὰ Κορινθίοις τὸν πορνεύσαντα ὁ Παῦλος διώρθωσε, τῷ τῆς σαρκὸς ὀλέθρῳ τὸ τῆς ψυχῆς νόσημα ἐπισχών. Καὶ γὰρ τῷ σώματι τὴν τομὴν ἐπαγαγὼν, οὕτω κατέστειλε τὸ κακόν· καθάπερ τις ἰατρὸς ἄριστος, ὕδερον ἢ σπλῆνα, τοῖς ἔνδοθεν φαρμάκοις οὐκ εἴκοντα, κατακαίων ἔξωθεν.

[135] *Testamentum Domini* 2.21 (Ignatius Ephraem (ed.) *Testamentum Domini Nostri Jesu Christi* (Mainz: F. Kirchheim, 1899), 143).

[136] John Chrysostom, *Epist. ad Olympiam* 4.1 (*SC* 13, 98): ᾽Ιατρῶν ἀριστῶν καὶ σφόδρα εὐδοκιμωτάτων καὶ συμπαθείᾳ καὶ φίλτρῳ μᾶλλον οὐχὶ τέχνῃ μόνῃ θεραπευόντων ἡμᾶς ἐπιτυχών

Conclusion: From Physician-Clerics to Physician-Monks

Like so many aspects of ancient life the rise of monasticism changed how Christians received medicine and how they acquired training in the salutary arts. On a basic level the emergence of monastic hospitals simply entailed travel to a desert monastery or to an urban shrine instead of waiting on a house-call from a local physician; as for the acquisition of medical knowledge training and education became centered in many ways around the cloister. As the many texts surviving from both Latin and Byzantine communities attest to, medieval medical education often occurred under monastic transmission and supervision. Monasteries retained not only wards for the ill but also pharmacological gardens and designated spaces for instruction. The effects of this experience are most apparent in the hagiographical literature emanating from ecclesiastical communities in the Greek East. Texts such as the miracles of Cyrrhus and John in Egypt or those of St. Artemios at John the Forerunner in Constantinople are distinctive for their sheer medical flavor, their heavy use of surgical imagery and lengthy physiological descriptions.[137] Gone were the days of salubrious spittle on the eyes and instead saints performed operations conforming to treatments in contemporary medical compendia. The clerical authors of these works had obviously either read authors like Paul of Aegina or had observed treatments in ecclesiastical hospitals.[138]

In many ways, the emergence of monastic hospitals mirrored ecclesiastical ones stocked by ordained clerics. Men entered religious community as adults and simply were monk-physicians instead of cleric-physicians. These were men such as the Egyptian intellectual Cyrus, a physician turned monk from Alexandria who was a prime opponent of Nestorius.[139] What monasteries had that ecclesiastical communities before fourth century did not were educational spaces for younger men who could acquire their medical knowledge without a period of secular training. This is not to say that all monasteries had formal medical schools à la the Museon in Alexandria or the formal medical professorships at Rome, Carthage, and Constantinople.[140]

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[137] For a philological and manuscript overviews, see Stephanos Efthymiadis, "Greek Byzantine Collections of Miracles: A Chronological Survey," *Symbolae Osloenses* 74 (1999), 195-211. Also see Ildikó Csepregi, *The Compositional History of Greek Christian Incubation Miracle Collections: Saint Thecla, Saint Cosmas And Damian Saint Cyrus And John, Saint Artemios* (Diss. Central European University, 2007; Forthcoming Cambridge University Press).

[138] See Peregrine Horden, "Saints and Doctors in the Early Byzantine Empire: The Case of Theodore of Sykeon," in W. J. Sheils (ed.), *The Church and Healing* (Oxford: Clarendon, 1982), 1-13.

[139] Gennadius, *De viribus illustribus* 82 (*TU* 14, 59): *Cyrus natione Alexandrinus, arte medicus, ex philosopho monachus, vir dicendi peritus, scripsit adversus Nestorium prius eleganter et fortiter, modo autem dum in illum invehitur nimius, et syllogismis magis quam Scripturis agit, Timotheanum dogma fovere coepit. Denique ambiguus etiam sui, suspendit animum a consensu Chalcedonensis decreti, nec acquiescendum putat Filium Dei duabus post incarnationem constare naturis.*

[140] George E. Gask, "Early Medical Schools: The Cult of Aesculapius and the Origin of Hippocratic Medicine," *Annales of Medical History*, 3rd ser., 1 (1939), 128-57.

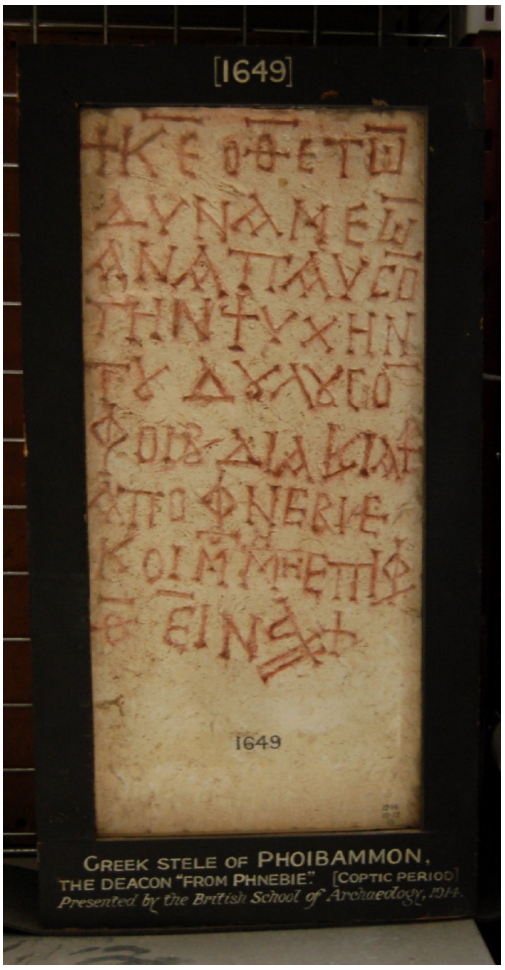

Figure 1. Seventh-century inscription for the deacon and physician Phoibammon.

Rather, physicians, clerics, and monastics could all impart medical wisdom to the young men (and women) who transitioned from mere residents to medical practitioners in their own right. As the practice of child oblations became more common in the fifth and sixth centuries and ecclesiastical functionaries assumed a more direct role in education, many more healthcare practitioners (cleric or lay) would have cut their medical teeth within the bosom of the Church. The practical texts that survive from late ancient clerical and monastic libraries attest to the practical instruction that religious communities offered.[141] "Christianity became a constituent part of medicine: the main teaching of medicine are monasteries and ecclesiastical schools where the ancient medical literature in Greek, which the Latin West had to acquire by a slow process of translation and interpretation, was still available."[142] Men such as the sixth-century physician and bishop Paul of Merida could speak of *medici ecclesiae* in earnest without qualification.

The Church had their own doctors whether they were lay employees, ordained physicians, or deacons who assumed the title after training in Church hospitals. We frankly have no way of knowing what it means when a person is referenced as a physician of the Church or a *diaconos-kai-iatros* after 600 CE. This is not to disparage their abilities or how their communities thought about them, but simply to say that what constituted a doctor was a matter of discursive public opinion. A modern parallel may be the 90s-television show "Dr. Quinn: Medicine Woman." While the title of the show suggested that a nineteenth-century pioneer woman could be a doctor, by Victorian legal standards actual accreditation was impossible. And further as the subtitle suggests, even the appellation doctor with a woman seemed to require qualification: "medicine woman." Yet, if a community of viewers or patients termed you "doctor" for most societies you were one. If deacons and bishops healed their communities, as many ancient Christians believed they did, they *were* doctors even if our classification of them would be more circumspect. The seventh-century funerary stela of the physician-deacon Phoibammon is illustrative in the obvious intelligibility of the linked occupations of cleric and physicians. Its

[141] Anna Maria Ieraci Bio, "Testi medici di uso strumentale," *Jarhrbuch der Österreichischen Byzantinistik* 32.3 (1982), 33-43; ead., "La letteratura medica bizantina: tipologie di testi," *Lalies* 21 (2001), 113-30.

[142] Isabella Andorlini, "Teaching Medicine," 398.

abbreviated Copto-Greek broadcasts that PHOIB. DIAK. IAT. is buried here.[143] His abbreviated occupations were as decipherable as the *nomina* sacra, and their implication as clear as the letters M.D. or M. Div. today. That said, like his contemporary, the illiterate Coptic physician above, Phoibammon's rustic grave marker suggested a diminishing world.

[143] British Museum, *EA* 1649. Permission to use the photo was granted by The British Museum. See also Gesa Schenke, "The Healing Shrines of St. Phoibammon: Evidence of Cult Activity in Coptic Legal Documents," *Zeitschrift für Antikes Christentum* 20.3 (2016), 496-523.

4

The Letter of Divine Law: The Church's Legal Officials

It is known by all that the first who ruled the Roman commonwealth were priests—John Lydus, *De magistratibus*.

Hence, work of a purely intellectual nature, in particular, artistic, literary, and scientific work, cannot define a person as a "worker" in the legal sense of the word even if a different economic enterprise is served. [On the other hand], especially persons drafting briefs for lawyers and notaries, the members of newspaper editorial staffs, and artists employed in theatrical performances are held by legal praxis in Austria to be "workers" and accordingly require insurance—Kafka, *Amtliche Schriften*. [1]

The emperor Heraclius (r. 610-642) is remembered more for his efficacious military strategy than his legal reforms, but a handful of his laws exclusively dedicated to ecclesiastical matters are preserved. Their survival is no doubt due to the determination of medieval clerks to maintain their imperially sanctioned rights. The first of Heraclius' *novellae* allowed the patriarch Sergios to expand his clergy at Hagia Sophia beyond its Justinianic limits, including the bureaucratic ranks (*epitagmata*) of two *sunkelloi* (bishop's assistants), twelve *kankellarioi* (secretaries), ten *ekdikoi* (lawyers), twelve *referendarioi* (liaisons), forty *notarioi* (notaries), and four *skeuophylakes* (property managers), four of which were to be priests, six deacons, and two readers.[2] Over the three centuries since the founding of the city, the patriarch of Constantinople had come to possess a small army of functionaries worthy of Kafka's castle. His counterparts at Rome, Carthage, Alexandria, and Antioch had gained similar retinues. Thanks primarily to the arid climate of Egypt and the survival of dedicatory inscriptions, we also know that similar bureaucratic developments occurred on a smaller scale across the cities and villages of the Roman Empire over the same period of the fourth through the sixth century.[3] Some dioceses had one or two bureaucrats, others had dozens. The need for ecclesiastical paper-pushers transcended

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[1] John Lydus, *De magistratibus* 1.1 (Anastasius Bandy (ed.), *Ioannes Lydus, On Powers or the Magistracies of the Roman State. Introduction, Critical Text, Translation* (Cambridge: Cambridge University Press, 1986), 1): Ἱερέας γενέσθαι τὸ πρὶν τοὺς ὕστερον ἄρχοντας τοῦ Ῥωμαίων πολιτεύματος οὐδενὶ τῶν πάντων ἠγνόηται; Franz Kafka, *Amtlich Schriften,* ed. Klaus Hermsdorf and Benno Wagner (Frankfurt am Main: S. Fischer Verlag, 2004),

[2] Johannes Konidaris (ed.), "Die Novellen des Kaisers Herakleios," in Dieter Simon (ed.) *Fontes minores* (Frankfurt am Main: Löwenklau, 1982), 33-106: 62-73.

[3] The best study of the administration of smaler Egyptian dioceses is still Ewa Wipszycka, *Les ressources et les activités économiques des églises en Égypte du IVe au VIIIe siècle* (Brussels: Fondation Egyptologique Reine Élisabeth, 1972). See her more recent treatment of the bureaucracy of the Alexandrian see, ead., *The Alexandrian Church: People and Institutions* (Warsaw: Journal of Juristic Papyrology, 2015), 107-127, 209-270.

size because at the most basic level these officials simply kept track of physical property such as vessels, vestments, and real-estate holdings; however, as we shall see, the technocrats of the Church were also prepared to battle in court to defend ecclesiastical property as well as draft contracts, notarize forms, and calculate taxes.

None of the bureaucratic titles or roles enumerated in Heraclius' novel corresponded to the ecclesiastical orders that developed before the fourth century. Like the deacon-doctor and the physician-priest, these offices were *ad hoc* innovations that spread as Christian communities gained resources and interacted more with the Roman legal apparatus. The primary impetus behind the creation of these offices was the protection of property, which the Church had only begun amassing in earnest over the fourth and fifth centuries. As ecclesiastical properties multiplied, bishops pragmatically took on more officials to tend to their worldly affairs. Over the same period ecclesiastical and imperial legislation also started mandating that dioceses designate property managers (*oikonomoi*) and retain legal counselors (*defensores ecclesiae*) lest corrupt or Pollyannaish bishops let their sees suffer. Quite purposefully, then, these clerical office-holders were as much bureaucrats and magistrates as they were liturgical functionaries. They had legal expertise and management skills that far exceeded those of the average Roman, and in myriad ways they preserved the juridical and administrative practices of Roman governance as the late Roman landscape transformed into the diminishing world of the early Middle Ages. The most well-known example of this administrative usurpation was the piecemeal erection of the papal apparatus, which in essence became the municipal government of Rome and much of early medieval Italy.[4]

This chapter will trace the evolution of two clerical offices referenced in Heraclius' novel, the more bureaucratic office of the *notarius* (*notarios*) and the explicitly juridical office of the *defensor ecclesiae* (*ekklēsiekdikos*). While all institutional practices within the Church such as record-keeping were intended to serve the Church as an organization, these two positions, I will argue, were envisioned as contributing both to the internal health of ecclesiastical communities and to spiritual health of the Roman polity. They kept ecclesiastical coffers full, preserved the records of theological debates, and lastly defended the Church from its perceived enemies among the clergy and the laity. The gravity of these duties merited that they should be entrusted to an ordained cleric, but like the skills and abilities of a physician they were mostly acquired prior to ordination. For all but the last decades of antiquity, ecclesiastical notaries and ecclesiastical lawyers were molded first in the *saeculum* before they began to file paperwork for the Lord. The increasing propensity of these office-holders to have acquired their requisite skills solely within the Church marked the gradual collapse of traditional Roman educational structures and the limited replacement of them by the Church. I have chosen these two ecclesiastical offices over others precisely because their fates were inextricably linked to the survival of the Roman education system and the Roman state, which fostered it.

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[4] For overviews of these developments in English, see Jeffrey Richards, *The Popes and the Papacy in the Early Middle Ages*, 476-752 (New York: Routledge, 1979), 287-322; Thomas F. X. Noble, *The Republic of St. Peter: The Birth of the Papal State*, 680-825 (Philadelphia: University of Pennsylvania Press, 1991(1984)), 212-255.

Magistrates of the Church: The Ideology of Roman Administrative Offices

Around 550 CE a retired and very much embittered Roman bureaucrat sat down to write an antiquarian history of the offices of the Roman government, which included his own personal rise from low-level notary to the rank of Roman senator. John Lydus' *De magistratibus* offers one of our clearest windows onto the pedantic operation of the Roman bureaucracy and its ideological dispositions. Shortly before the treatise breaks off, it carries on a lengthy excursus about the replacement of the Praetorian Prefect of the East in the early reign of Justinian. After narrating the maladministration of the prior prefect and the troubles that he brought the empire, Lydus transitions to the noble character of his replacement, Phocas, a real *mensch*, to paraphrase the Greek. Lydus framed the new appointment as an act of Providence. "Abundance of necessities of every type returned to the city [Constantinople]… In these circumstances, the emperor with the same man as prefect commenced eagerly to build a temple to mighty God (Hagia Sophia). A river of money came flowing and poured forth to meet the religious vows made by the emperor and by the righteousness of the prefect." Lydus concluded, "One cannot be surprised that with God present all things should turn out to be at hand for men who attribute the abundance of good things to Him rather than to human thoughtfulness."[5] For a bureaucrat himself Lydus' profession of faith in God, not human administrative skill, is a strange ending to a text of fastidious detail on the workings of government, but it encapsulates the late Roman understanding of Providence's hand in the operation of empire. Money and resources flowed from God's clemency. The return to more blessed times after the replacement of an unjust Praetorian Prefect was simply classical *do ut des* logic applied to a now Christian milieu.[6] The Roman Empire was like a cosmic great estate, the *latifundium* of God, and the emperor and his subordinates were its stewards. The mismanagement of any small part of it could rightly evoke the Master's wrath.

For Christians in the age of Justinian the proper management of ecclesiastical property represented no less a sacrosanct functioning of the administrative cogs of the cosmos. As Justinian prefaced in a novel of 535 CE, pertaining to corruption in the clergy and abuses of the Church, "certainly the greatest gifts of God borne from heavenly clemency are the priesthood and the empire, one ministering to things divine and the other presiding over and exhibiting

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[5] John Lydus, *De magistratibus,* 3.76.7-9 (Bandy, 255-256): πᾶσα δὲ ἀφθονία τῶν ἐπιτηδείων κατελήλυθε τὴν πόλιν… ἐξ ὧν ὁ βασιλεὺς μετὰ τὸν αὐτὸν ὕπαρχον ἐνάρχεται προθύμως ἀνιστᾶν τὸ τοῦ μεγάλου θεοῦ Τέμενος· καὶ ποταμὸς ἔρρει χρημάτων ταῖς βασιλέως εὐχαῖς καὶ τῇ δικαιοσύνῃ τοῦ ὑπάρχου χεόμενος…καὶ θαυμάζειν οὐκ ἔνεστιν εἰ, θεοῦ παρόντος, πάντα παρεῖναι συμβαίνει τοῖς αὐτῷ μᾶλλον ἢ περινοίαις ἀνθρώπων τὴν ἀφθονίαν τῶν ἀγαθῶν ἀναφέρουσιν. ἡ δὲ τάξις, καθάπερ τις σβεννυμένης ἤδη φλογὸς. For an overview summary of John's political ideology, see Sviatoslav Dmitriev, "John Lydus' Political Message and the Byzantine Idea of Imperial Rule," *Byzantine and Modern Greek Studies* 39.1 (2015), 1-24; Michael Maas, *John Lydus and the Roman Past: Antiquarianism and Politics in the Age of Justinian* (London: Routledge, 1992), 70-83.

[6] See Susanna Elm, *Sons of Hellenism, Fathers of the Church: Emperor Julian, Gregory of Nazianzus, and the Vision of Rome* (Berkeley: University of California Press, 2012).

diligence towards human affairs."[7] Most of the novel is a reminder to ordained ecclesiastical functionaries, e.g., *refendarioi* and stewards, that their responsibility is to Mother Church itself, not to the idiosyncratic wills of patrons and patriarchs. The same novel accordingly added protection for whistleblowers of ecclesiastical corruption. All Christians in the empire had a religious and civic duty to protect God's patrimony on this earth.[8]

It is important to remember that the division between things divine and human, that is, between things temporal and sacerdotal, was never clearly demarcated in the Roman Empire. The Church depended on its material goods for its survival, just as much as the "human affairs" of the Roman Empire relied on divine mercy to prosper. The maladministration of the Church's terrestrial goods not only threatened the health of the organizational body of the Church, but also endangered the solvency of the Church's pastoral functions and thus the souls of millions of Christians. Ensuring that priests were paid, that sacred vessels did not "walk away," and that the orthodox letter of canon law was properly transcribed and distributed, required a disciplined administrative corps of thousands. The spiritual health of the empire lay in the hands of administrators as much as in those of the priests offering the sacraments—or at least this was how Christians leaders, whether clerics or lay officials, articulated the responsibilities of those maintaining the Church's resources.[9]

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[7] *Nov. Just.* 6.*proem* (535 CE): *Maxima quidem in hominibus sunt dona dei a superna collata clementia sacerdotium et imperium, illud quidem divinis ministrans, hoc autem humanis praesidens ac diligentiam exhibens.* For Justinianic and more generally Byzantine political theology, see Anthony Kaldellis, *Th Byzantine Republic*: *People and Power in New Rome* (Cambridge, MA: Harvard University Press, 2015), 165-198; Donald Nicol, "Byzantine Political Thought," in J. H. Burns, (ed.) *The Cambridge History of Medieval Political Thought* (Cambridge: Cambridge University Press, 1988), 51-82; Michael McCormick, *Eternal Victory: Triumphal Rulership in Late Antiquity, Byzantium, and the Early Medieval West* (Cambridge: Cambridge Universitty Press, 1986); Michael Maas, "Roman History and Christian Ideology in Justinianic Reform Legislation," *Dumbarton Oaks Papers* 40 (1986), 17-31; Hélène Ahrweiler, *L'Idéologie politique de l'Émpire byzantine* (Paris: Presses Universitaires de France, 1975)

[8] *Nov. Just*. 6.2.3 (553 CE).

[9] Lactantius, Ambrose, and Ambrosiaster represent the earliest variation of the clergy's divine offices in service of Roman society as a political unit. For these fourth-century authors' political theories, see Elizabeth DePalma (2000). *The Making of a Christian Empire: Lactantius & Rome* (Ithaca, NY: Cornell University Press, 2000); the introductory discussions in *Ambrose, De officiis*, ed. Ivor Davidson, 2 vols. (Oxford: Oxford University Press, 2001), 19-33; Nicholas Thomas, *Defending Christ: The Latin Apologists before Augustine* (Belgium: Brepols, 2011); Sophie Lunn-Rockliffe, *Ambrosiaster's Political Theology* (Oxford: Oxford University Press, 2013); Blandine Colot, *Lactance: Penser la conversion de Rome au temps de Constantin* (Florence: Leo S. Olschki Editore, 2016). The famous Duo Quippe letter of Pope Gelasius (*Ep.* 12 (Thiel, 349-358)) is perhaps the most cited example of a Christian leader placing the empire's spiritual health under sacerdotal *auctoritas* not the *potestates* of the *saeculum*. Wilhelm Ensslin, "*Auctoritas* und *Potestas*: Zur Zweigewaltenlehre des Papstes Gelasius I," *Historisches Jahrbuch* 74 (1955), 661-668; Janet Nelson, "Gelasius I's Doctrine of Responsibility: A Note," *Journal of Theological Studies* 18 (1967), 154-162.

From theological titans such as Ambrose and Chrysostom, to the humblest Egyptian bishops tabulating church revenues on shattered ceramics, Christian leaders always framed ecclesiastical clerks as sacralized servants of God in much the same fashion as John Lydus decked out Roman magistracies with a preternatural aura. Threats to the operation of the Church represented challenges to providence itself. An injury to the Church's institutional body or to its administrators was an attack on Christ. And bishops and emperors were particularly keen to remind ecclesiastical administrators that any negligence or abuse in their office could subject them to penance, demotion, or excommunication. As Pope Gregory reminded his bureaucratic clerics who collected rents on church lands, "you will render an account (*ratio*) of your actions before the judgment of God."[10] When Gregory learned that one of his minions had forged documents to increase church revenues at the expense of the peasantry, he reminded the notary to recall "the oath and especially what sort of oath" that he had made "before the most sacred body of St. Peter the apostle." Gregory forced the *notarius* to use the fraudulently gained money "to buy cows, sheep, and pigs, and to distribute them to all the poorer *coloni*," adding a literal dimension to pastoral care.[11] Slightly later, John the Almsgiver, Patriarch of Alexandria asked chidingly of some work-shy ecclesiastical lawyers, "Are we not legally bound to take on the petitions of our fellow-servants with all care, remembering the words of our Lord, 'With what measure ye mete, it shall be measured unto you again' (Matt 7:2), and those of the prophet, 'As thou hast done, so be it done unto thee!'" (Obad. 1:15)?[12] Likewise, of the large cache of ordination requests and grants that survive from Hermonthis, Egypt, a few hundred miles up the Nile, almost all of them have the newly ordained individual affirm that he will neither neglect his duties nor steal from the Church under divine penalty.[13]

For centuries Romans had understood the division of the world into personal spheres of administrative responsibility as the assignment of "accounts." Whether that was the administration of a great estate, an entire province, or the sacristy of a sole church, everyone placed in a position of authority eventually had to give an account of their domain to a higher

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[10] Gregory the Great, *Ep*. 9.98 (*CCSL* 140A, 651): *redditurus de actibus tuis sub Dei nostri iudiciio rationem.*

[11] Gregory the Great, *Ep.* 13.35 (CCSL 140A, 1037-1038): *Experientia mtua, quod vel quale apud sacratissimum corpus beati Petri apostoli iusiurandum praebuerit, memor est; unde nos quoque securi discussionis causam in patrimonio partis Syracusanae commissimus…ex eis pecuniis quae in fraudibus sunt inventae vaccas, oves porcosque comparare et singulis colonis pauperioribus ea distribuere.*

[12] Leontios of Neapolis, *Life of John the Almsgiver* 3 (A.-J. Festugière and L. Rydén (eds.), *Léontios de Néapolis, Vie de Syméon le Fou et Vie de Jean de Chypre* (Paris: Geuthner, 1974), 343-409, 349) πῶς ἄρα ὀφείλομεν ἡμεῖς τὰς τῶν συνδούλων ἡμῶν αἰτήσεις μετὰ πάσης σπουδῆς ἐξανύειν, μνημονεύοντες τοῦ κυρίου εἰπόντος 'ἐν ᾧ μέτρῳ μετρεῖτε, ἀντιμετρηθήσεται ὑμῖν' καὶ τοῦ προφήτου πάλιν 'ὃν τρόπον ἐποίησας, ἔσται σοι.

[13] See Walter E. Crum, *Coptic Ostraca from the Collections of the Egypt Exploration Fund, the Cairo Museum and Others* (London, 1902), 9-14.

figure.[14] By Roman law "if a person has a special care for matters or if he is accorded greater diligence and solicitude than another in regard to the matters of which they are in charge, they are called *magistri*. Hence through derivation magistracies take their name from *magistri*."[15] As bishops, either of their own volition or or under the mandate of council, institutionalized administrators for the benefit of their dioceses, they created what the Romans called offices, honors, and magistracies.[16] Since many bishops from the late fourth century onward had either served in or had been cultivated for the various aspects of the Roman civil administration,[17] it is rather unsurprising that they demanded the same attention to specialization, discipline, and self-policed comportment that any Roman official like Symmachus or John Lydus would have recognized. Gregory the Great censured his dishonest *notarius* as a former urban prefect; John the Almsgiver rebuked his ecclesiastical lawyers as the educated son of a provincial governor; and it was as a former governor himself that Ambrose of Milan both defrocked a clerk for having an arrogant gait and chastised a *notarius* who laughed at a tripped colleague.[18] Clerics had to execute their duties and carry themselves with grace and solemnity, Ambrose explained, so that "the minister to the altars is seen decorated with fitting virtues."[19] Ambrose was also somewhat unsurprisingly one of the first bishops to emphasize explicitly that clerics should be assigned to

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[14] The idea of a cosmic account or plan (*ratio*) is fundamentally a Stoic moral concept, but within Roman political ideology it served as crucial linkage between the mundane, the imperial, and the divine into the Christian era. See M. Shane Bjornlie*, Politics and Tradition Between Rome, Ravenna and Constantinople: A Study of Cassiodorus and the* Variae, *527-554* (Cambridge: Cambridge University Press, 2013) 258-267.

[15] *Digest* 50.16.57: *Cui praecipua cura rerum incumbit et qui magis quam ceteri diligentiam et sollicitudinem rebus quibus praesunt debent, hi "magistri" appellantur. Quin etiam ipsi magistratus per derivationem a magistris cognominantur.*

[16] For the late antique concept of an ecclesiastical office, see Jean Darrouzès, *Recherches sur les οφφικια de l'église byzantine* (Paris: Institut français d'études byzantines, 1970), 1-30.

[17] Frank Gilliard, *The Social Origins of Bishops in the Fourth Century* (Diss. University of California-Berkeley 1966), 135-145; Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition* (Berkeley: University of California Press*,* 2005), 183-195.

[18] For the cleric with the arrogant gait, see Ambrose of Milan, *De officiis* 1.18.72 (in *Ambrose, De officiis*, ed. Ivor Davidson (Oxford: Oxford University Press, 2001), vol. 1, 160); for the incident with the snickering *notarius*, see Paulinus of Milan, *Vita Ambrosii* 35 (Sister Mary Simplicia Kaniecka, *Vita Sancti Ambrosii Mediolanensis Episcopi, a Paulino eius notario* (Diss. The Catholic University of America, 1928), 78).

[19] Ambrose of Milan, *De officiis* 1.50.247 (Ibid, 260): *ut qui videt ministrum altaris congruis ornatum virtutibus*

individual tasks (*officia*) fitting their abilities. Every slave of God had his place in the celestial bureaucracy (*militia coelestialis*).[20]

That said, as we have already seen, ancient fishermen and tenant farmers were not immune from the Greco-Roman urge to divide the world into designated administrative units with assigned office-holders tending to their respective affairs. Economic necessity entailed that ecclesiastical communities had to stock their ranks with those willing and able to manage the myriad dimensions of their growing portfolios of properties and peoples. The hundreds of ecclesiastical functionaries such as stewards, notaries, lawyers (*defensores*) attested for late antiquity could not have reasonably all been from among the empire's most educated bureaucrats and civil servants. And there is no reason to locate administrative duties solely in the governing classes of the empire; even elite authors such Libanius presupposed that quality lawyers passing through law schools such as his own or the one at Beirut were raised amidst craftsmen and workshops.[21] Indeed, as numerous recent studies on the great estates of the Roman Empire have illustrated, "middling" functionaries administered these massive economic units with unparalleled levels of technical sophistication. How much they could crib lines of Homer at dinner parties is debatable, but their performance at handling technical paperwork and maximizing estate revenues is well-documented.[22] Thus we must also envision the Church's transition from institutional adolescence to administrative maturity from a ground-up perspective as much as from the vantage of heady imperial legislation and papal chastisements. Just because many bishops might have had the same administrative sensibilities as John Lydus, it does not naturally follow that emerging ecclesiastical apparatuses were exclusively stocked with former imperial servants or that bishops from less than illustrious backgrounds did not see the allotment of bureaucratic responsibilities in any less moralizing terms than the former bureaucrats Ambrose and Gregory the Great. Indeed, the lower staff (*decani*, *mensores*, *sculptores*, *aurifices*, etc.) of the imperial bureaucracy were not much higher in social ranks or education than typical urban craftsmen. These men as much as the praetorian prefect and the pope were members of sacred institutions (*sacra scrinia*). [23]

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[20] Ambrose of Milan, *De officiis* 1.215 (216). For Ambrose's use of the term *militia* for the clergy, see Clementina Corbellini, "Il problema della "*Militia*" in Sant' Ambrogio," *Historia: Zeitschrift für Alte Geschichte* 27.4 (1978), 630-636.

[21] Libanius, *Ep.* 533 and 1539; *Or*. 62.21. Cf. Jill Harries, "Legal Education and Training Lawyers," in Paul Du Plessis, Clifford Ando, and Kajus Tuori (eds.), *The Oxford Handbook of Roman Law and Society* (Oxford: Oxford University Press, 2016), 151-163.

[22] See Dominic Rathbone, *Economic Rationalism and Rural Society in Third-century A.D. Egypt: The Heroninos Archive and the Appianus Estate* (Cambridge: Cambridge University Press, 1991), 44-88; Jairus Banaji, *Agrarian Change in Late Antiquity Gold, Labour, and Aristocratic Dominance* (Oxford: Oxford University Press, 2001), 89-100; Peter Sarris, *Economy and Society in the Age of Justinian* (Cambridge: Cambridge University Press, 2006), 22-46; Todd Hickey, *Wine, Wealth, and the State in Late Antique Egypt: The House of Apion at Oxyrhynchus* (Ann Arbor: University of Michigan Press, 2012), 146-155.

[23] Jones, *Later Roman Empire*, 581-585.

Simply put, the windfall in wealth and resources that Christian communities experienced after the conversion of Constantine prompted ecclesiastical leaders to designate more clerics to non-liturgical administrative positions, and that same wealth, as we explored in the case of Church hospitals, allowed ecclesiastical leaders more daring visions for beneficence and services that they could shower on their congregations.[24] Sometimes that meant purchasing cows and pigs, , turning down bed-sheets, executing menial paperwork, or filing lawsuits. These were also sacred duties within ancient ecclesiology, and such tasks had early antecedents in the Church. For instance, as we saw in chapters two and three, already by the third century portions of the diaconate in many locations were assigned to the logistical oversight of charitable operations beyond their liturgical functions.[25] The greater significance and innovation, though, lay in the institutionalization of these practices. There was no innovation in deacons serving the poor or handling oblations, but designating deacons as *official* stewards of property or as recognized notarial staff was a different kettle of fish. If we were to speak in Weberian terms, the cementing of these roles represented a transition from more traditional forms of authority to novel institutional powers.[26] At any rate, they were not bureaucratic tasks ancillary to pastoral care or in addition to it. Clerics complained incessantly in late antiquity that their pastoral duties including their administrative burdens prevented them from their own ascetic exercise, but to abandon the deliverance of justice, instruction, and administration for personal piety would have constituted a dereliction of spiritual duty. [27] Administrative tasks, however small, had their part in the operation of God's providential plan for the Church.

If the fourth century inaugurated the age of first administrative clerical office-holders, namely *oikonomoi*, notaries, and *defensores*, the fifth and sixth centuries accelerated the trend towards more specialized administrative roles *ad absurdum*. One would be hard-pressed to catalog on a single page of paper all the clerical offices that developed outside the standard

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[24] See Peter Brown, *Through the Eye of the Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550 AD* (Princeton: Princeton University Press, 2012), especially the relevant chapters on church patronage, 119-167, 512-585.

[25] For the sacred duty of deacons, see Jean Colson, *Le fonction diaconale aux origins de l'Eglise* (Bruges: Desclee de Brouwer, 1960), 1-18; J. G. Davies, "Deacons, Deaconesses, and the Minor Orders in the Patristic Period," *Journal of Ecclesiastical History* 14 (1963), 1-15; John Collins, *Diakonia: Re-interpreting the Ancient Sources* (Oxford: Oxford University Press, 2009), 96-148, 235-245; idem, *Diakonia Studies: Critical Issues in Ministry* (Oxford University Press, 2014), 57-162.

[26] For Weber's trifold theory of legitimate domination, see Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. and trans. Guenter Roth and Claus Wittich (Berkeley: University of California Press, 1978), 212-254

[27] For the burdens of office and the rhetoric of burdensome episcopal duties, see André Guillou, "L'évêque dans la société méditerranéenne des VIe-VIIe siècles: Un modèle," *Bibliothèque de l'École des Chartes* 131 (1973), 5-19; Kristina Sessa, *The Formation of Papal Authority in Late Antique Italy: Roman Bishops and the Domestic Sphere* (New York: Cambridge University Press, 2012), 94-95.

ecclesiastical ranks over the period, although the works of Wipszycka, Schmelz, and Leontaritou do a fair job. Leontaritou, for instance, documents around 100 different ecclesiastical offices in the Greek East between 300 and 1204 CE that existed outside the major and minor orders. [28] Besides ecclesiastical stewards, notaries, and designated managers of orphanages, there were such specialized administrators as ordained officials in charge of wine and bread.[29] There was even a "*diakonos*, *notarios*, and maritime lawyer (*ploiekdikos*)" at Constantinople who must have played a role in the church's acquisition of imported goods.[30] It should be said that theoretically all non-liturgical functions and tasks necessary to maintain a church could have been vested with lay community members. A lay parishioner could just as easily calculate a church's funds as an ordained deacon could; a respected parishioner could just as easily serve as a judicial arbiter as a bishop could. The writings of Tertullian and Cyprian, for instance, make it clear that so-called *seniores*, that is, wealthy patrons of the Carthaginian church, handled some of these administrative tasks for their early North African communities.[31] That said, to quote Ewa Wipszycka,

> In principle churches preferred to confer diverse administrative functions to their own clerics rather than to laymen because clerics were more attached to the institution, which they served, could be more easily punished in the case of prevarication, and they were maybe on average more honest than laymen. But if they could not find enough clerics apt for the administrative functions, churches did not hesitate to confer these [duties] on laymen.[32]

Basic literacy and simple arithmetic competency would have allowed most clerics to handle straight-forward administrative affairs: inventories of church property, records of funds received and paid out, etc. No doubt, some of the many documented *oikonomoi*, or stewards, must have been barely over this threshold.[33] The poor fifth-century farmer Tychon, for instance, who began life as a baker and then failed as a vintner in the small Cypriot town of Amanthus, was likely not

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[28] See note 5 above.

[29] Vasilikē Leontaritou, *Εκκλησιαστικα Αχιωματα*, 436-438 (wine officials), 439-455 (orphanage administrators).

[30] Vasilikē Leontaritou, *Εκκλησιαστικα Αχιωματα,* 476.

[31] Alistair Stewart-Sykes, "Ordination Rites and Patronage Systems in Third-century Africa," *Vigiliae Christianae* 56 (2002), 115-130.

[32] Ewa Wipszycka, *Les ressources*, 149: En principe, les églises préféraient confier les diverses fonctions administratives à leurs propres clercs plutot qu'à des laïcs, car les clercs étaient plus attachés a l'institution qu'ils servaient, pouvaient être punis plus facilement en cas de prévarication et étaient peut-être en moyenne plus honnêtes que les laïcs. Mais si elles ne trouvaient pas de clercs aptes à des fonctions administratives, les eglises n'hésitaient pas à confier celles-ci à des laïcs.

[33] Ewa Wipszycka, "Le degré d'alphabétisation en Égypte byzantine," *Revue des Études Augustiniennes* 30 (1984), 279-296: 288-291.

highly educated before he became an *oikonomos* and presbyter, although he must have been adroit enough at his job since he would become bishop of the see.[34] One might also question the availability of truly educated accountants in the poor Egyptian community that produced the two Coptic papyri referencing an individual as *pepickopoc mnpoikonomoc* "the bishop and the *oikonomos*."[35] His dual-appointment openly flouted canon law, which mandated that *oikonomoi* serve as independent accountants outside of episcopal oversight.[36]

That said, many needs of the institutional Church and the offices that developed to meet them would have required true technical skills that a cleric would have needed to acquire either in prior education or in prior employment. Any cleric with a liberal arts education, for instance, could compose an impassioned courtroom defense of his church's position, but only one with juridical training and experience could wield the subtler points of Roman law to defend his church from rapacious laymen and their wily advocates.[37] Augustine, for example, spent years instructing the future lawyers and civil servants of the empire as a professor of rhetoric, but when it came to barricading his church from legal threats, he sought out the counsel of church lawyers (*defensores ecclesiae*) and the advice of his friend Alypius, a former tax lawyer, in order to make sense of his legal entanglements.[38]

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[34] Hippolyte Delehaye, "Saints de Chypre," *Analecta Bollandiana* 26 (1907), 161-301: 229

[35] *KRU* 96, ll. 65-66; *KRU* 100, l. 51; Georg Schmelz, *Kirchliche Amtsträger*,164.

[36] On stewards, see Ewa Wipszycka, *Les ressources*, 135-142; Jean Darrouzès, *Recherches sur les* οφφικια*,* 303-309; Vasilikē Leontaritou, *Εκκλησιαστικα Αχιωματα*, 352-435; Schmelz, *Kirchliche Amtsträger*, 168-197. A good survey of *oeconomi* in the Latin West is very much a desideratum. Beyond the Byzantine sources cited above, see also A. H. M. Jones, *Later Roman Empire,* 1376 fn. 74; William Smith and Samuel Cheetham, *A Dictionary of Christian Antiquities* (Hartford, CT: J. B. Burry, 1880), vol. 2, 1440-1441.

[37] The Roman legal system drew a distinction between those who simply could plead legal cases, those who had extensive juridical expertise, and those who executed documents. To make a somewhat clumsy comparison to contemporary commonwealth countries, Romans distinguished jurists (judges and legal scholars), barristers (pleaders), and solicitors (those capable of executing paperwork and other procedural effects). Although it is outdated, the best English overview of the various types of legal professionals in the Roman Empire is Anton-Hermann Chroust, "Legal Profession in Ancient Imperial Rome," *Notre Dame Law Review* 30.4 (1955), 521-616. For a more up-to-date review focused on late antiquity, see the relevant chapters in Caroline Humfress, *Orthodoxy and the Courts in Late Antiquity* (Oxford: Oxford University Press, 2007), 63-132.

[38] For Augustine's legal predicament regarding seized "slaves" and the aid that he needed from Alypius, see Augustine, *Ep.**24 (*CSEL* 88, 126-27); Claude Lepelley, 'Liberté, colonat, et esclavage d'après la Lettre 24*: la jurisdiction épiscopale "de liberali causa,"' in Johannes Divjak (ed.), *Les Lettres de saint Augustin decouvertes par Johannes Divjak* (Paris: Études augustiniennes, 1983), 329-342; Susanna Elm, "Sold to Sin through *Origo*: Augustine of Hippo on Slavery and Freedom," *Studia Patristica* 98 (2017), 1-21. In at least one case, Augustine seemed to have been dissatisfied with the representation of his *defensor ecclesiae* and took

Comparable points could be made for many ecclesiastical functionaries. A deacon with a reed pen and a scrap of papyrus could take notes, but only a trained tachygrapher would be able to keep near verbatim records of church councils.[39] Likewise, a deacon with basic arithmetic abilities could add up the offerings of the week, but only someone with a trained knowledge of Roman tax law and a good sense for numbers could calculate the taxes owed on the burgeoning number of estates that churches possessed (we ourselves still do not entirely grasp the formula for late Roman taxes).[40] In either case most urban and rural communities would have had at least a handful of adult men present who had experience in these matters, although to reiterate, we need not look solely to the aristocracy to identify these men. The modest incomes of the bureaucratic managers on great estates make this point very clear, as do the sheer number of notaries attested in late antique Egypt in a wide range of locations (rural and urban).[41] It would be unfathomable that the majority of men of these abilities, otherwise lacking in identifiable by title or social rank, would not be primarily plebeians. Thus, ordaining the local notary or estate manager would have been in many cases as easy as ordaining the local plebeian doctor. Egypt likewise provides ample evidence for the ordination of middling technocrats such as local tax-collectors and public notaries.[42] One fifth-century deacon in the Hermopolite nome even served as the mayor of his village, although technically the holding of "a secular dignity" was proscribed by the seventh canon of the Council of Chalcedon (451 CE).[43]

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matters into his own hands. Possidius, *Life of Augustine* 12.7 (Michele Pellegrino (ed.), *Possidio, Vita di S. Agostino. Introduzione, teso critico, versione e note, Verba Seniorum IV* (Alba: Paoline, 1955), 98).

[39] Hans Carel Teitler, Notarii *and* Exceptores: *An Inquiry into the Role and Significance of Shorthand Writers in the Imperial and Ecclesiastical Bureaucracy of the Roman Empire from the Early Principate to c. 450 A.D* (Amsterdam: Gieben, 1985), 1-35.

[40] I kindly point the reader to the audacious attempt of the indefatigable Gilles Bransbourg to make sense of this system. See Gilles Bransbourg, "Capital in the Sixth Century: The Dynamics of Tax and Estate in Roman Egypt," *Journal of Late Antiquity* 9.2 (2016), 305-414. On ecclesiastical tax officials, see Georg Schmelz, *Kirchliche Amtsträger*, 197-202. Some of the tax officials that were also clerics were assigned to private churches and monasteries on the great estates of Egypt. See John Philip Thomas, *Private Religious Foundations in the Byzantine Empire* (Washington, DC: Dumbart Oaks, 1987), 67-68.

[41] On occupational salaries, see Banaji, *Agrarian Change*, 235-237; For known notaries in Byzantine Egypt, see Johannes Diethart and Klaas Worp, *Notarsunterschriften im byzantinischen Ägypten* (Vienna: Im Kommisision bei Verlag Brüder Hollinek, 1986), 21-97.

[42] George Schmelz, *Kirchliche Amsträger*, 203-218.

[43] See *P. Cairo Masp*. 3.67325, VIII, recto, 22 (6th cent.): priest and *dioketes*; *Stud.Pal.* 8.958 (5th-6th cent): priest and tax-collector; *Lefebvre RIC* 430: priest, jurist, and lawyer; *Crum Ryl.* 323 (7th cent): deacon and tax notary; *Stud. Pal.* 3.95 (495 CE): Deacon and *Gnōstēr*. See Wipszycka, *Ressources*, 168-169; for a more extended discussion of clerics functioning in the public life of Egyptian cities and villages, see Schmelz, 255-318. Council of Chalcedon, canon 7 (Schwartz

Some fifty years after Jones' *Later Roman Empire*, no historian of the institutional Church seriously believes that the clergy represented "idle mouths," as Jones phrased it. Rather, as papyrologists such as Ewa Wipszycka and Georg Schmelz have elucidated, the administrative and bureaucratic "offices" of the Church were crucial to the mechanics of the late Roman economy. Indeed, as Anne Marie Luijendijk has recently summarized, administrative paperwork and clerical letters of recommendation are "as close the papyrologial evidence comes to pastoral work."[44] Administrative roles crystalized rapidly in fifth century churches, and very quickly they became stalwarts of their local communitie and economies.[45] The Church was not atypical in this way. The proliferation of offices across Roman society is one of the grand narratives of the late empire.[46] The Church as much the imperial bureaucracy, the grand estates, and the late Roman public guilds, became a variegated pyramid of ranks and offices. It should also be added that Jones had equal contempt for the new number of excessive civil servants as he did for "idle mouth" clerics."[47] Just as we now accept with a more sympathetic eye that expansion of the size of the Roman government instead of starving the drove the monetization of late Roman society through their salaries and thus contributed to the revitalized post-Constantinian economy, we

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2.1.2, 159): Τοὺς ἅπαξ ἐν κλήρωι τεταγμένους ἢ καὶ μονάσαντας ὡρίσαμεν μήτε ἐπὶ στρατείαν μήτε ἐπὶ ἀξίαν κοσμικὴν ἔρχεσθαι, ἢ τοῦτο τολμῶντας καὶ μὴ μεταμελομένους ὥστε ἐπιστρέψαι ἐπὶ τοῦτο ὃ διὰ θεὸν πρότερον εἵλοντο, ἀναθεματίζεσθαι.

[44] Anne Marie Luijendijk, "On and beyond Duty: Christian Clergy at Oxyrhynchus (c. 250-400)," Jörg Rüpke, Richard Gordon, and Georgia Petridou (eds.), *Beyond Priesthood: Religious Entrepreneurs and Innovators in the Imperial Era* (Berlin: De Gruyter), 103-126:121

[45] As with the original clerical ranks, Christian communities turned to the Greco-Roman lexicon of political officialdom and assigned fitting names to specialized clerical functions. And much as with the novel clerical ranks of the second and third century, over time these new titles stabilized within the various regions of the empire albeit with varying consistency. For instance, almost no other term for an ecclesiastical scribe appears in texts pertaining to the Latin West other than *notarius*, but this was not the case in the Greek East. While *notarios* is very common in sources, other terms for scribes often appear with less indication than we historians may like, as to why the term *chartoularios* or *tabellio* was chosen over the generic *notarios*. See, for example, Vasilikē Leontaritou, *Εκκλησιαστικα Αξιωματα*, 607-610 (*Tabelliones*) and 615-628 (*Chartoularioi*).

[46] See A. H. M. Jones*, Later Roman Empire*, 571-599; Peter Heather, "New Men for New Constantines? Creating an Imperial Elite in the Eastern Mediterranean," in Paul Magdalino (ed.), *New Constantines. The Rhythm of Imperial Renewal in Byzantium, 4th-13th Centuries* (Aldershot, Variorum 1994), 11-33.

[47] For Jones' condemnatory views on the Christian Church and the state bureaucracies as parasitic drains on the Roman economy, see Peter Heather, "Running the Empire: Bureaucrats, Curials, and Senators," and David Gwynn, "Idle Mouths and Solar Haloes: A.H.M. Jones and the Conversion of Europe," in David Gwinn, *A. H. M. Jones and the Later Roman Empire* (Leiden: Brill, 2013), respectively pp. 97-120 and 213-230

should be also more sympathetic to the clergy's proliferation of administrative office-holders.[48] The administrative office-holders of the Church were inserted into numerous aspects of Roman socio-legal and economic life, but these new roles were not antithetical to religious obligations or devoid of religious meaning.[49]

This is not to say that the extra-liturgical responsibilities and administrative powers assigned to clerics, especially deacons, did not arouse jealousy among clerics or engender resentment among the laity forced to deal with them. Jerome, for instance, was especially vociferous about the arrogance of Roman deacons (permanently limited to seven), as was also an anonymous author around 375 CE who penned an entire treatise on the topic.[50] The problem of pompous deacon-bureaucrats plagued ecclesial communities up to the Council in Trullo (692 CE), whose seventh canon chastised deacons, "since we have learned that deacons in some churches happen to hold ecclesiastical offices (*offikia*) and thence some of them with arrogance and license sit before the priests." It concludes with the reminder: "Spiritual things are to be preferred to worldly dignity."[51] And, as we shall soon see, these "worldly dignities" wielded by these clerics could empower then to lord over and torment their fellow clerics and laymen.

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[48] On monetization as a consequence of officials receiving salaries in gold, see Jairus Banaji, *Agrarian Change*, 39-88; idem, *Exploring the Economy of Late Antiquity Selected Essays* (Cambridge: Cambridge University Press, 2016), 1-140.

[49] See, for example, Ziche's discussion of modeling ecclesiastical economic performance. Ziche reaches the conclusion that the Church likely "under-performed" as an economic actor and the administrative clergy mimicked the senatorial classes in their dispositions and consumption patterns. They offered in his opinion only religious services. They were thus more or less parasites like their fellow aristocrats. He does not consult any of the prosopographical studies of the clergy or studies of the Egyptian ecclesiastical economy for these points. Helmut G. Ziche, "*Administrer la propriété de l'église: L'évêque comme clerc et comme entrepreneur*," *Antiquité tardive* 14 (2006), 69-78.

[50] Jerome, *Ep.* 146 (*CSEL* 56, 310); Ambrosiaster, *Quaestiones Veteris et Novi Testamenti* 101, *'De iactantia romanorum levitarum*' (*CSEL* 50, 193-198).

[51] Council in Trullo, canon 7 (A. R. Flogaus, C R. Kraus, and H. Ohme (ed.), A*cta conciliorum oecumenicorum, Series secunda, volumen secundum: Concilium Constantinopolitanum a. 691/2 in Trullo habitum (Concilium quinisextum)* (Berlin: de Gruyter, 2013), 1-86: 12): ᾽Επειδὴ μεμαθήκαμεν ἔν τισι τῶν ἐκκλησιῶν διακόνους τυγχάνειν ὀφφίκια ἐκκλησιαστικὰ ἔχοντας ἐντεῦθέν τέ τινας αὐτῶν αὐθαδείᾳ καὶ αὐτονομίᾳ κεχρημένους πρὸ τῶν πρεσβυτέρων καθέζεσθαι , ὁρίζομεν ὥστε τὸν διάκονον, κἂν ἐν ξιώματι, τουτέστιν ἐν ὀφφικίῳ τῷ οἱῳδήποτε ἐκκλησιαστικῷ τυγχάνῃ, τὸν τοιοῦτον μὴ πρὸ τοῦ πρεσβυτέρου καθέζεσθαι· ἐκτὸς εἰ μὴ τὸ πρόσωπον ἐπέχων τοῦ οἰκείου πατριάρχου ἢ μητροπολίτου ἐν ἑτέρᾳ πόλει παραγένηται ἐπί τινι κεφαλαίῳ· τότε γὰρ ὡς τὸν ἐκείνου τόπον ναπληρῶν τιμηθήσεται. εἰ δέ τις τοιοῦτον τολμήσοι τυρρανικῷ χρώμενος θράσει διαπράξασθαι, ὁ τοιοῦτος ἐκ τοῦ οἰκείου καταβιβασθεὶς βαθμοῦ ἔσχατος πάντων γινέσθω τοῦ ἐν ᾧπερ καταλέγεται τάγματος ἐν τῇ κατ᾽ αὐτὸν ἐκκλησίᾳ, τοῦ κυρίου ἡμῶν παραινοῦντος μὴ χαίρειν ταῖς πρωτοκλισίαις κατὰ τὴν ἐν τῷ ἁγίῳ εὐαγγελιστῇ Λουκᾷ ὡς ἐξ αὐτοῦ τοῦ κυρίου καὶ θεοῦ ἡμῶν κειμένην διδασκαλίαν · ἔλεγε γὰρ πρὸς τοὺς κεκλημένους παραβολήν, ἐπέχων πῶς τὰς πρωτοκλισίας ἐξελέγοντο, λέγων πρὸς αὐτούς · ὅταν

Notarii

Hannah Arendt once famously called Augustine of Hippo "the only philosopher the Romans ever had." As students of Arendt have pointed out, her obsessive fascination with the scion of Thagaste stems from Augustine's compassionate understanding of the human condition as both a metaphysical and socio-emotional state.[52] One such vignette that captures the degree to which Augustine could utilize mundane emotional affairs as kindling for a pensive reflection on our ephemeral existence is a touching letter, which Augustine penned to his fellow bishop Evodius after the premature death of a young notary in his employ. Augustine begins the epistle by recalling how he had,

> took on the boy, the son of the priest Armenus of Melotina, as a notary. A boy whom through my humility God rescued, as he was already immersed in secular affairs, for he was employed as a shorthand writer for the proconsul's lawyer. Indeed, he was then, as boys usually are at that age, prompt and somewhat restless, but growing older (for he died in his twenty-second year), a seriousness in customs and a good lifestyle adorned him such that it is a pleasure to dwell upon his memory. He was, moreover, a nimble stenographer and indefatigable in writing: he had begun also to be earnest in reading, so that he even urged me to do more than my indolence would have chosen, in order to spend hours of the night in reading, for he read aloud to me for a time every night after all was still. In reading he did not want to pass over anything unless he understood it, and he repeated it three or four times and did not leave it until he had learned what he wished to know. I had begun to regard him not just as a boy and notary, but as a relatively necessary and sweet friend. Those talks of his delighted me.[53]

κληθῇς ὑπό τινος εἰς γάμους, μὴ κατακλιθῇς εἰς τὴν πρωτοκλισίαν, μήποτε ἐντιμότερός σου ᾖ κεκλημένος ὑπ᾽ αὐτοῦ, καὶ ἐλθὼν ὁ σὲ καὶ αὐτὸνκαλέσας, ἐρεῖ σοι· δὸς τούτῳ τόπον, καὶ τότε ἄρξῃ μετ᾽ αἰσχύνης τὸν ἔσχατον τόπον κατέχειν · ἄλλ᾽ ὅταν κληθῇς, πορεύθητι καὶ νάπεσε εἰς τὸν ἔσχατον τόπον, ἵνα, ὅταν ἔλθῃ ὁ κεκληκώς, εἴπῃ σοι· φίλε, προσανάβηθι νώτερον · τότε ἔσται σοι δόξα ἐνώπιον τῶν συνανακειμένων σοι· ὅτι πᾶς ὁ ὑψῶν ἑαυτὸν ταπεινωθήσεται καὶ ὁ ταπεινῶν ἑαυτὸν ὑψωθήσεται. τὸ δὲ αὐτὸ φυλαχθήσεται καὶ ἐπὶ τῶν λοιπῶν ἱερῶν ταγμάτων, ἐπειδὴ τῶν κατὰ τὸν κόσμον ἀξιωμάτων κρείττονα τὰ πνευματικὰ ἐπιστάμεθα.

[52] See Hannah Arrendt, *Love and Saint Augustine, Edited with an Interpretive Essay by Joanna Vecchiarelli Scott and Judith Chelius Stark* (Chicago: University of Chicago Press, 1998), 3-8.

[53] Augustine, *Ep.* 158.1 (*CSEL* 44, 488-489): *Quemdam puerum habui presbyteri Armeni Melonitani filium notarium: hunc iam saeculo se mergentem, nam scholastico proconsulis excipiebat, per meam eruit Deus humilitatem. Fuit quidem, ut puerilis aetas habet, promptus, aliquantulum inquietus, et accedente aetate (nam vigesimo et secundo anno solvitur), ita eum gravitas morum, et custos bona vita ornavit, ut satis delectet eius habere memoriam. Erat autem strenuus in notis, et in scribendo bene laboriosus, studiosus quoque esse coeperat lectionis, ut ipse meam tarditatem causa legendi nocturnis horis exhortaretur; nam aliquanto tempore noctis mihi ipse legebat, cum omnia siluissent: nec volebat praeterire lectionem, nisi intellexisset, et tertio et quarto repetebat, et nec dimittebat, nisi sibi apparuisset quod quaerebat. Coeperam eum non quasi puerum et notarium habere, sed amicum quemdam satis necessarium et suavem. Delectabant enim me fabulae ipsius.*

Augustine's small but tender overture for a letter on the frailty of our corporeal bodies illuminates a widespread practice of the late ancient world: Christian bishops shepherding into their communities notaries who often had first acquired their skills in pursuit of much more terrestrial rewards than heavenly salvation. By the age of Augustine, a notary who could successfully climb to a position in the imperial *schola notariorum* could also find himself a Roman senator at the end of his career, as John Lydus had.[54] Augustine had saved at least one of the many socially-mobile stenographers from the perilous sinfulness of the secular scribal work, and he had undoubtedly ordained a few more during his long episcopacy.

Notarial services were by far the most common bureaucratic activity for Christian clerics in late antiquity. Evidence for notarial clerics runs the gamut of ancient sources. Christian Schmelz, for instance, has identified 194 Greek and Coptic papyri references to clerics holding one of the various titles for notaries (γραμματεύς, συμβουλαιογράφος συναλλαγματογράφος, ταβελλίων, νοτάριος) as well as an ecclesiastical rank.[55] Vasilikē Leontaritou has similarly identified 66 ecclesiastical notaries before 700 CE in her dragnet of Greek literature.[56]Greek and A handful of inscriptions also memorialize church notaries whose penmanship brought glory to God such as the four *notarii* who made donations to the Church of Saint Euphemia in Aquileia.[57] Scores of *notarii*, it seems, attending major church councils. At the Council of Chalcedon (451 CE), for instance, twelve ecclesiastical notaries were referenced as either present at the current council or previous councils.[58]

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[54] Hans Carel Teitler, Notarii *and* Exceptores: *An Inquiry into the Role and Significance of Shorthand Writers in the Imperial and Ecclesiastical Bureaucracy of the Roman Empire from the Early Principate to c. 450 A.D.* Vogler (Amsterdam: J.C. Gieben, 1985), 192-197; A. H. M. Jones, *The Later Roman Empire: A Social, Economic, and Administrative Survey*, 284-602, 2. vols. (Baltimore: John Hopkins University Press, 1986 (1964)), 572-575; Manfred Clauss, D*er* Magister Officiorum *in der Spätantike (4.-6. Jahrhundert): Das Amt und sein Einfluss aus der kaiserliche Politik.* (Munich: Beck, 1980), 22-23; Roland Delmaire, *Les institutions du Bas-Empire romain de Constantin à Justinien. Vol. I: Les institutions civiles palatines. Initiations au christianisme ancien* (Paris: Éditions du Cerf, 1995), 52-53.

[55] Georg Schmelz, *Kirchliche Amsträger*, 250-254; See also the many ecclesiastical notaries in Diethart and Worp, *Notarsunterschriften im byzantinischen Ägypten,* 21-97.

[56] For lists of ecclesistical notaries and scribes, see Hansel Carl Teitler, Notarii *and* Exceptores, 86-102 (*Notarii ecclesiastici*); Vasilikē Leontaritou, *Εκκλησιαστικα αξιωματα,* 313-335.

[57] Cf. *AE* 1975, 0416i, 0416p, 0416q, 0416r.

[58] For the list of all clerics and monks in attendance, see Richard Price and Michael Gaddis (trans.), *The Acts of the Council of Chalcedon,* 3 vols. (Liverpool: Liverpool University Press, 2005), vol. 3, 235-287. Notaries in attendance: Aetius, deacon and notary, archdeacon of Constantinople (p. 238); Asclepiades, deacon and notary of Constantinople (p. 241); Asterius, presbyter and notary of Constantinople (p. 241); Dulcitius, notary of Rome (p. 250); Himerius, lector and notary (p. 258); Hypatius, lector and notary (p. 259); John, presbyter of Alexandria and protonotary (p. 262); Palladius, deacon and notary of Patricius of Tyana (Cappadocia II) (p. 270); Peter, presbyter of Alexandria and primicerius of notaries (p. 274); Procopius, deacon and

Exactly when Christian communities began to retain *notarii*, that is, trained recorders of testimony and document-drafters writing "chancellery" or "cursive" scripts, is a difficult question to agree upon, but most agree that their stenographic uses preceded other notarial functions since relatively poor pre-Constantinian churches would have no need for individuals to draft and notarize complex financial transactions. Some scholars have placed the origins of ecclesiastical scribes in the martyrdom trials of periods of persecution when Christian court-reporters were used to capture the events for posterity.[59] The *Liber Pontificalis* makes particularly bold and undoubtedly erroneous claims that as early as the first century CE, the church at Rome had *notarii* "who with diligence and care recorded the deeds of the martyrs."[60] As Teitler has suggested, these early sixth-century claims were probably intended to bolster the authority of martyr texts emanating from Rome rather than reflect historical reality.[61] Others scholars have imagined early synods and the first province-wide councils of the third century as the setting for the introduction of notaries, while still others have argued that the transcription of sermons was the first, though probably surreptitious, act of Christian notaries.[62] Some have even suggested on quite fallacious evidence that Cyprian of Carthage founded Christian stenography by writing a sequel to Tiro.[63] Regardless, there are myriad reasons why early Christian communities would want individuals able to copy texts as well as transcribe sermons and official speeches with stenographic speed and accuracy. However, said no second- or third-century Christian texts specifies whether notaries present at Christian gatherings were ordained.

Fourth- and fifth-century ordained ecclesiastical notaries are on much firmer evidentiary ground since they are often clearly referenced in texts by their ecclesiastical titles.[64] For instance, the testament of Gregory of Nazianzus was published by a certain John, "reader and notary of the

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notary of Constantinople (p. 277); Tatian, deacon and notary of Antioch (Syria I) (p. 281). Theodosius, notary signing for Venantius of Hierapolis (Phrygia Pacatiana) (p. 283).

[59] Victor Saxer, *Saint Anciens d'Afrique du Nord: Textes les concernants* (Rome: Tipografia Poliglotta Vaticana, 1979), 6-7; contra J. Geffken, "Die Sténographie in den Ada Martyrum," *Archiv fur Sténographie* 57.3; Hippolyte Delehaye, *Les passions des martyrs et genres littéraires* (Brussels: Bureaux de la societé Bollandistes, 1906), 129-130.

[60] *Liber Pontificalis* 4.2 (Duchesne, 1, 52): *Hic fecit VII regiones, diuidit notariis fidelibus ecclesiae, qui gestas martyrum sollicite et curiose, unusquisque per regionem suam, diligenter perquireret*.

[61] Hans Carel Teitler, Notarii *and* Exceptores, 87.

[62] Ibid., 86.

[63] Desiderins Dohlmann, "Der hl. Thaschius Caecilius Cyprianus und die Stenographie," *Archiv für Stenographie* 58 (1907), 35-46.

[64] Hans Carel Teitler, Notarii *and* Exceptores, 89-92.

very holy church of Nazianzus."[65] Likewise, because of the growing ecclesiastical paper trail in Egypt and the increased number of synodal transcripts after 400 CE, we can observe notaries in all the ranks of the Church. Most were readers, deacons, or archdeacons, but many at major sees such as Constantinople were presbyters. Some notaries even reached episcopal thrones.[66] Eunomius of Cyzicus, son of a peasant farmer, served as an amanuensis and teacher of stenography before he became a deacon and then a bishop.[67] A young Bishop Epiphanius of Pavia served "*in exceptorum numero*," that is, as an imperial notary-accountant, before joining the *caelestia militia,* his biographer informs us.[68] Bishop Auxentius of Mopsuestia is reported to have been a notary for Emperor Licinius.[69] When Arians under the reign of Valens expelled the Nicene clergy from Edessa, one of the exiled priests and notaries went on to establish a notarial school in order to earn a living. As he explained in his *Ecclesiastical History,*

> This Protogenēs, having received a good education and being honed in the art of "speed writing," found a suitable spot and turned it into boys' school. Establishing himself as the schoolmaster, he instructed his pupils not only in the art of swift penmanship but also in the divine scriptures. He taught them the Davidic melodies and made them learn full well the most profitable parts of the apostolic teaching.[70]

He garnered so much goodwill from his school and his staunch stance against the Arian menace that when Nicene Christians began recapturing the major sees of the East, he was immediately installed in the vacant episcopacy of Carrhae.[71] The eager parents who enrolled their children in Protogenēs' school were typical-minded Romans wishing to maintain or improve their family's

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[65] Jean-Baptiste Pitra, *Iuris ecclesiastici Graecorum historia et monumenta*, vol. 2 (Rome: Congregatio de Propaganda Fide, 1868), 155-159: 159, ll. 14-16: Ἰωάννης ἀναγνώστης καὶ νοτάριος... τῆς ἁγιωτάτης... ἐκκλησίας Ναζιανζουπόλεως... πεποιηκὼς τὸ ἴσον τῆς θείας διαθήκης τῆς ἀποκειμένης ἐν [τῇ κατ' ἐμὲ] ἁγιωτάτῃ ἐκκλησίᾳ, τοῦ ἁγίου καὶ εὐδόξου καὶ θεολόγου Γρηγορίου, ἐκδέδωκα.

[66] See the lists in Hans Carel Teitler, Notarii *and* Exceptores, 89-92; Georg Schmelz, *Kirchliche Amsträger*, 250-254.

[67] See note 63 above.

[68] Ennodius, *Vita Epiphani* 2 (*MGH AA*, 85, ll. 29-33).

[69] *Suda A* 4450: τῷ βασιλεῖ Λικινίῳ στρατευσαμένων τῶν ὑπογραφέων τούτου γενόμενος, οὓς δὴ νοταρίους Ῥωμαῖοι καλοῦσι.

[70] Theodeoret, *Historia Ecclesiastica* 4.15 (*SC* 98, 241): Πρωτογένης δὲ ὁ ἀξιάγαστος, τὰ Εὐνομίου γράμματα πεπαιδευμένος καὶ γράφειν εἰς τάχος ἠσκημένος, τόπον εὑρὼν ἐπιτήδειον καὶ τοῦτον διδασκαλεῖον καὶ παιδαγωγεῖον ἀποφήνας, μειρακίων κατέστη διδάσκαλος, καὶ κατὰ ταὐτὸν γράφειν τε εἰς τάχος ἐδίδασκε καὶ τὰ θεῖα ἐξεπαίδευε λόγια. Δαυϊτικάς τε γὰρ αὐτοῖς ὑπηγόρευε μελῳδίας καὶ τῆς ἀποστολικῆς διδασκαλίας ἐκμανθάνειν τὰ πρόσφορα παρεσκεύαζεν.

[71] Ibid., 5.4 (SC 98, 243)

social status.[72] About the same time Libanius quite snobbishly lamented parents who placed more importance on their children's learning of shorthand than on acquiring a proper basis in literature. They set their sights low on merely out-earning leather-workers and carpenters.[73]

Libanius was, of course, right that lacking a rhetorical, or forensic, education somewhat set glass ceiling for aspirant bureaucrats; yet, notarial skills were a prerequisite for many lucrative administrative positions in the later Roman Empire: from the lowest municipal *officiales*, to the *scrinia* of prefectures.[74] Hence, shorthand was an expensive and lengthy skill to acquire. If a second-century papyrus is accurate, it took about two years to perfect.[75] The relatively steeper fees for notarial education in the Diocletianic Price Edict also illustrates the a the desirability of the skills: instructors in tachygraphy earned fifty percent more per student per month than instructors in book hands (75 *denarii* vs 50 *denarii*).[76] Accordingly, the desert sands of Egypt have yielded countless examples of students and masters involved in this multi-year process of acquiring a steady and capable hand. What stands out most in the most rudimentary surviving ostraca, on which a student is simply copying school exercises, is that the student is obviously learning to read simultaneously as he is learning to write. These men, or boys rather, were being raised for this profession.[77]

Thus, it would somewhat be valid to claim notary as the single most documented prior vocation for the clergy, if only for the peculiarity that their special ecclesiastical role as a notary also signals their earlier occupational trainings and aspirations. We should also not rule out the possibilities that some trained notaries entered into the clergy, but did not use their skills in a designated position or in a way conspicuous enough surface on the evidentiary radar. In my own research, I have found it puzzling that hundreds of ecclesiastical notaries are attested in the Greek East over the centuries, but I have not identified a single inscription recording one. Were some of these men simply remembered only by their ecclesiastical ranks? That is my hypothesis.

Predictably, then, clerical notaries have most shined through to posterity in their service at the mêlées that were church councils, in which they were central participants as the

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[72] Nicholas Purcell, "The *Apparitores*," 125-173.

[73] Libanius, *Or.* 18.131; 31.28, 33.

[74] Hans Carel Teitler, Notarii *and* Exceptores, 54-85.

[75] *P. Oxy.* 4.724 (2nd Cent. CE).

[76] Theodor Mommsen, *Edictum Diocletiani de pretiis rerum venalium* (Berlin: DeGruyter, 2011), 24.

[77] For a brief summary, see Raffaella Cribiore, "Education in Papyri," in Roger Bagnall (ed.), *The Oxford Handbook of Papyrology* (Oxford: Oxford University Press, 2009), 320-337. See also her *Writing, Teachers, and Students in Graeco-Roman Egypt* (Atlanta: Scholars Press, 2006), especially her section on school exercises, 27-118; ead., "Greek and Coptic Education in Late Antique Egypt," in S. Emmel et al. (eds.), *Ägypten und Nubien in spätantiker und christlicher Zeit* (Wiesbaden: Reichert, 2006), 279-286.

unassuming stenographers recording these multi-day affairs with blow-by-accuracy. They also played more overt parts at contentious councils amid heightened tempers and anxieties about inaccurate reporting. At these moments notaries took center stage in theological debates. For instance, at the Council of Aquileia (381 CE) chaired by Ambrose of Milan, the Homoian party led by Bishop Palladius of Ratiaria repeatedly challenged the accuracy and neutrality of the notaries present. "They are *your* scribes here," Palladius charged at the bishop of Milan. "Let yours write if they want," rejoined Ambrose, but the offer was empty.[78] The bellicose Ambrose would not delay for Palladius' *notarii* to arrive. After some time Palladius requested again, "Let your and my notary be present and let them write everything." Another Nicene bishop chimed in threateningly, "Already everything that you have said and denied has been written." Palladius retorted in exasperation, "Say whatever you want."[79] As the *gesta* of the council and a surviving rejoinder that Palladius wrote make clear, the notaries were in fact Ambrose's men. The main *notarius* was Paulinus of Milan, a loyal servant of Ambrose who went on to manage the Milanese church's estates in Africa as a *defensor et procurator*, who attended the 411 Council of Carthage, and who also wrote a biography of Ambrose.[80] His neutrality was glaringly questionable.

The notaries of the Robber Council of Ephesus (449 CE) found themselves under similar scrutiny over their accuracy at the following council of Chalcedon (451 CE), which was intended as a corrective repeat of the earlier council. The lengthy *acta* of Chalcedon reveal a remarkably intricate back-and-forth for validating church documents in which ecclesiastical deacon-notaries are tested at multiple stages and by multiple interrogators as to the veracity of their documents. Technically, only one set of official transcripts (*scheda*) were produced at any council, which were guaranteed by the signatures of the bishops and imperial officials present, who swore under oath that the transcripts were correct. The head notary (*protonotarius* or *primicerius notariorum*) in charge of these transcripts controlled much of the agenda and was also in charge of ensuring that all parties had access to the same relevant documents.[81] In practice, however, "it was not unusual for prominent bishops to bring along their notaries to take independent transcripts," as Ambrose had.[82] Several bishops who had attended the Robber Council contened that the notes of

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[78] *Gesta concilii Aquileiensis* 34 (*CSEL* 82, 347): *tui exceptores hic sunt… scribant tui qui volunt*.

[79] Ibid., 46 (354): *Exceptor vester et noster stent et omnia scribant… Iam quae dixisti et negasti script sunt omnia… Dicite quod vultis.*

[80] Jean-Rémy Palanque, "Paulinus of Milan," *Sacris Erudiri* 14 (1963), 206-230; M. Pellegrino (ed.), *Paoloino di Milano, Vita di S. Ambrogio* (Rome: Editrice Studium, 1961). For Palladius' response, see either of the following editions: *Scolies Ariennes sur le Concile d'Aquilee* (*SC* 267) or *Scripta Arriana Latina* I (*CCSL* 87), 147-196. Neil Mclynn, "The 'Apology' of Palladius: Nature and Purpose," *The Journal of Theological Studies, New Series* 42.1 (1991), 52-76.

[81] Hans Carel Teitler, Notarii *and* Exceptores, 5-15.

[82] Richard Price and Michael Gaddis, *Acts of Chalcedon,* vol. 3, 77.

their scribes differed appreciably from the falsified official record presented at Chalcedon.[83] Furthermore, the bishop Stephen of Ephesus also charged that the Alexandrians who dominated the scribal apparatus at the council had intimidated his own notaries and seized their writing materials. Scribes worked in shifts and, as we know from African councils, so opposing sides often requested that the notes of their respective notaries be consolidated and approved by both parties before official *gesta* were issued.[84] By implication Stephen's charge insinuated that the notaries criminally mislead the imperial officials who presided over the council.

Understandably with this milieu, one detects in the *acta* of Chalcedon a strong sensitivity on the part of the deacon-notaries about the accuracy of their notes, and they defend their versions of the events quite vociferously.[85] The accusations not only maligned their character as servants of God by implying their dishonesty, but also insulted their abilities as trained notaries. Finally, after the extended debate over the validation of the scribes, their memories, and their transcripts, a certain John, priest and lawyer (*ekdikos*) attempted to calm the situation with a dash of common sense: "when someone is sent to convey a message to others, it is impossible to report back the exact words; not even any of the most reputed orators could do this, to convey and transmit to people the exact words of another person."[86] John believed the aide-memoire *(hypomnēstikon*) produced for him was correct, but the bishops had to expect a degree of variation. After all, some councils had hundreds of attendees, how was one to keep everything straight among the echoing din?[87] Yet, as Chalcedon and notarial dramas elsewhere illustrate,

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[83] Richard Price, "Truth, Omission, and Ficiton in the Acts of Chalcedon," in Richard Price and Maddis (eds.), *Chalcedon in Context: Church Councils 400-700* (Liverpool: Liverpool University Press, 2009), 92-106.

[84] Emin Tengström, *Die Protokollierung der Collatio Carthaginensis: Beiträge zur Kenntnis der römischen Kurzschrift nebst einem Exkurs über das Wort* scheda *(*schedula*)* (Stockholm: Almqvist et Wiskell, 1962), 7-34.

[85] See the many notaries documented in Schwartz's edition of the *acta* (2.1.1): John, presbyter and first notary of Alexandria (p. 82, 83. 85, 86, 90, 99, 118, 147, 186, 189); Asterios, presbyter and notary of Constantinople (p. 100, 123, 137, 153, 176); Aëtius, deacon and notary of Constantinople (p. 127, 131, 139, 153-156, 16-168, 170-179); Asklēpiadēs, deacon and notary of Constantinople (p. 130, 153, 213, 218); Nonnos, deacon and notary of Constantinople (p. 153); Prokopios, deacon and notary of Constantinople (p. 153, 215). Marinos, reader and notary of Caesarea in Cappadocia (p. 164); Himerios, reader and notary (p. 206); Hypatios, reader and notary (p. 209); Palladios, deacon and notary (p. 221, 222).

[86] Schwartz, 2.1.1, 160, ll. 4-8: ὅτι ἐπ'αὐτῶν τῶν λέξεών τινα ἔρχεσθαι ἀποστελλόμενον μήνυσιν κομίσαι πρός τινας οὐχ οἷόν τέ ἐστιν. οὔτε γὰρ τῶν πάνυ εὐδοκιμωτάτων ῥητόρων ἄν τις ποιήσειε τοῦτο τὸ τὰς ἀλλοτρίας λέξεις ποτὲ διαπορθμεύειν καὶ διακομίζειν τισί.

[87] For numbers at councils and the pragmatics of hosting so many clerics, see Ramsay Macmullen, *Voting About God in Early Church Councils* (New Haven, CT: Yale University Press, 2006), 79-82.

both ecclesiastical communities and the Roman state showed the greatest concern that the records of episcopal gatherings should be as accurate as possible.[88]

Conversely, the polished publishing of partisan or misleading minutes could help bishops set public opinion or at least propagate their "official" version of events. Studies of the notarial records produced for the 411 *Gesta conlationis Carthaginiensis* have shown, for instance, how the "Donatist" position was misrepresented in the "official *acta*"—or at least the "official *acta*" were interpreted in a biased enough way to declare the "Catholics" the victors after the fact.[89] In a similar vein Pope Gelasius had his *notarius* Sixtus produce a truncated and very much rose-colored *acta* of a 495 CE synod, in which he rather embarrassingly caved to a group of strong-arming priests and reinstated a beloved cleric whom he and his predecessor had seen excommunicated.[90] Despite the obvious opposition of Gelasius, the community convinced him otherwise, and Gelasius had his acquiesence reframed as an act of magnanimous act of magnanimity.[91] We might say, then, that ecclesiastical notaries were as useful for their weaponized disinformation as for their record-keeping and fact-gathering duties. *Notarii* from important sees such as Rome, Constantinople, and Alexandria also wielded significant power as dispatch-couriers, as reliable reporters of events abroad, and as the administrative eyes, ears, and mouths of their respective bishops. Because trained notaries often needed to be bilingual in the late empire to switch between Latin and Greek legal documentation, they were also important translators for their bishops. At the Lateran Synod of 649 CE, for instance, in which many participants lacked Greek fluency, the papal notaries Theodoros, Exsuperios, and Anastasios, translated on the fly the arriving Greek *libelli* from Eastern bishops into plain Latin, which allowed the Western bishops to respond to Easterners' theological points about the raging Monothelite controversy at rapid speed.[92]

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[88] For the repeated citation of document dossiers at tribunals and councils during the Donastic troubles in fourth and fifth-century Africa, see Brent Shaw, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine* (Cambridge: Cambridge University Press, 2011), *passim.*

[89] See Brent Shaw, *Sacred Violence*, 585-586; Emin Tengström, *Die Protokollierung*, 7-34.

[90] Gelasius, *Ep.* 30 (Thiel, 437-447). See George Demacopoulos, The Invention of Peter: Apostolic Discourse and Papal Authority in Late Antiquity (Philadelphia: University of Pennsylvania Press, 2013), 81.

[91] George Demacopoulos, "Are All Universalist Politics Local? Pope Gelasisus I's Internationalist Ambition as Tonic for Local Humiliation, in Geoffrey Dunn (ed.), *The Bishop of Rome in Late Antiquity* (Burlington, VT: Ashgate, 2015), 141-153: 146-149

[92] Rudolf Riedinger, *Concilium Lateranense a. 649 celebratum*, (Berlin: de Gruyter 1984), 38-39, 49-50, 60-61, 120-121, 196-197 (The *acta* are laid out in facing Greek and Latin pages, hence the hyphenated numbers) For translations, see Richard Price, *The Acts of the Lateran Synod of 649 with commentary by Richard Price and contributions by Phil Booth and Catherine Cubitt* (Liverpool: Liverpool University Press, 2014).

Chalcedon also offers us our first intimations that at least the patriarchal sees of Alexandria and Constantinople had begun stratifying their scribal apparatuses into defined hierarchies, as these sees dispatched their most senior notaries, who invariably were titled *primicarii* (*primikērioi*) and *primus* (prōtos) of notaries, which designated their positions as the heads of the *collegia* of notaries at their sees.[93] For Rome we also have a possible date for when its hierarchy formed, as the *Liber Pontificalis* claims that Pope Julius I (337-352 CE) established the first *primicerius notariorum* so that all "pledges, donations, commutations, gifts, testaments, allegations, and manumissions," would be preserved in the "holy *scrinium*."[94] Although the *Liber pontificalis* has probably retrojected aspects of the later papacy onto earlier centuries, but the date is not implausible in light of the fact that fourth-century Roman church would have increasing needs to manage its finances and possessions.[95] By the sixth-century Rome assuredly a *primicerius* with a designated assistant *secundicarius*,[96] and at Constantinople there existed a

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[93] See Schawrtz ACO 2.1, 82, 83, 85, 86, 99, 118, 147, 168 189 (John, priest and first of the notaries of Alexandria); ACO 2.1, 127, 131, 139, 153-156, 165, 168, 170-176, 178, 179 (Aëtios, archdeacon and first of the notaries of Constantinople.

[94] *Liber Pontificalis* 36 (Duchesne, 205): *et notitia quae omnibus pro fide ecclesiastica est per notarios colligeretur, et omnia monumenta in ecclesia per primicerium notariorum confectio celebraretur, siue cautiones uel extrumenta aut donationes uel conmutationes uel traditiones aut testamenta uel allegationes aut manumissiones, clerici in ecclesia per scrinium sanctum celebrarentur.*

[95] Often the managers of official records received the additional title *chartularius* (Grk. *Chartoularios*). Gregory the Great, for instance, interchangeably refers to the notary Castor as a *notarius* and a *chartularius* (*Ep*. 3.54, 5.9, 5.24, 5.25, 5.56, 6.24, 6.31, 6.33, 6.34, 8.36, 9.150, 9.152, 9.154, 9.155, 9.168, 9.174, 9.178, 9.234). For the Greek literary evidence, see Darrouzès, *Recherches sur les οφφικια*, 19-28. Here are the Greek inscriptional attestations that I have found: *RiChrM* 269, ll.; 1-4 (5th-th c., Macedonia): ἐνθάδε κῖτε Βασίλῃος ὁ τὴν εὐλαβῆ μνήμ(ην), γενά<μ>(ενος) ἀναγ<ν>(ώστης) κ(αὶ) χαρτουλάρ(ιος), ἀναπαυσάμεν(ος) ἐν Κ(υρί)ῳ; *IC* IV 489, ll. 4-5 (5th-6th c., Crete): Ἰωάνν[ης] ἀν(αγνώστης?) κ(αὶ) χαρτουλάρ[ιος]. In papyri: *Stud. Pal*. 3.116, ll. 1-2 (7thc., Arsinoite nome): ᾗ ἔ̣σ̣χ̣ο̣ν καὶ ἐπληρώθην ἐγὼ Μηνᾶς ποιμὴν υ̣(*)ἱὸ̣ς Μ̣α̣κ̣[αρίου -ca.?-] τ̣ο̣ῦ̣ λ̣α̣μ̣π̣ρ̣οτάτου χαρτουλαρίου τῆς ἁγί̣α̣ς μ̣ε̣γ̣ά̣λ̣ης ἐ̣κ̣κ̣[λ]η̣[σίας… *Stud. Pal*. 3.96, recto l. 1 (7th c., Arsinoite nome): το]ῦ λαμπροτάτου χαρτουλαρίου τῆς ἁγιωτάτης τῶν ἐνταῦθα καθολικῆς ἐκκλ(ησίας…

[96] In Gregory the Great's letters, we find, for example, the *secundarii* Exhilaratus (*Ep.* 5.6, 7.29) and Paterius (9.98); see Claire Sotinel, "Le personnel épiscopal: Enquête sur la puissance d l'évêque dans la cité," in Éric Rebillard and Claire Sotinel (eds.), *L'Évêque dans la cité du IVe au Ve siècle: Image et autorité*, (Rome: École Française de Rome, 1998), 105-26: 107-110; Thomas F. X. Noble, *The Republic of St. Peter: The Birth of the Papal State, 680-825* (Philadelphia: University of Pennsylvania Press*,* 1984), 244f. *Primicari* are also attested on Latin inscriptions. *AE* 1951, 92; *AE* 1981, 254; *AE* 1971, 499; *AE* 1971, 500. See Christian Witschel, "Der *epigraphic habit in der* Spätantike," in Jens-Uwe Krause and Christian Witschel (eds.), *Die Stadt in der Späntike—Niedergang oder Wandel? Akten des internationalen Kolloquiums in München am 30. und 31. Mai 2003* (Stuttgart: Franz Steiner Verlag, 2006), 359-412.

similar hierarchy of scribal functionaries though with differing titles from the West.[97] In later periods Roman would have seven chief chief notaries.[98] A surviving legal document from the church of Ravenna implies that capital of the Pentopolis had a scribal management hierarchy that descended from the *primicarius* to a *septimus*.[99] The model for such arrangements was patently the imperial administration, which had similar hierarchical arrangements for its scribal apparatus.[100] Papal letters suggest that these upper-echelon notaries no longer executed menial administrative tasks such as copying or transcribing, but operated more as archivists or researcher. Pope John I, for instanced, assigned the *primicerius notariorum* Boniface to research in the archives the correct date of Easter.[101] Pope Vigilius had his *primicerius* Surgentius place a copy of Arator's freshly minted Latin epic, *De actibus Apostolorum* into the *scrinium* for posterity.[102] Gregory the Great tasked a *primicerius* by the name of Gaudentius to investigate the history of the peculiar *pallium* of Ravenna in order to see if his archenemy John's clergy held some a historical dispensation to wear rustic vestments, which Gregory found unbecoming. [103] Gregory had another *primicerius notariorum*, named, Stephen and an assisting deacon take

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They are also found in the Ravenna papyri. Cf. *P. Ital.* 1.4+5, FrB, 8, ll. 1-3 (552-575 CE): *Domesticus, primicerius notariorum, et Thomas secundocirius idem notariorum, una cum Cypriano et Thomate defensoribus ecclesiae sanctae catholicae Ravennatis, per unum ex se, Thomatem secundocirium, d(ixerunt): gratias agimus gloriosae potestati vestrae, quia petitionem nostram ad effectum congruum perduxistis.*

[97] See Hans-Georg Beck, *Kirche und theologische Literatur im byzantinischen Reich* (Munich: C.H. Beck'sche 1959), 99-115; Leontariou, εκκλησιαστικα Αξιωματα*,* 313-335.

[98] Thomas F. X. Noble, *The Republic of St. Peter: The Birth of the Papal State, 680-825* (Philadelphia: University of Pennsylvania Press, 1984), 219

[99] *Liver pontificalis Ravennatensi* 60 (*CCCM* 199, 229).

[100] Christopher Kelly, *Ruling the Later Roman Empire*, 90-95; A. H. M. Jones, *Later Roman Empire,* 573-575.

[101] Bruno Krusch, "Ein Bericht der päpstlichen Kanzlei," in Albert Brackmann (ed.) *Papsttum und Kaisertum. Forschungen zur politischen Geschichte und Geisteskultur des Mittelalters, Paul Kehr zum 65. Geburtstag dargebracht. Herausgegeben von Albert Brackmann* (Munich: Verlag der Münchner Drucke, 1925) 56-58.

[102] See the notice attached to several manuscripts of the Arator text, here provided and translated in Roger Green, *Latin Epics of the New Testament: Juvencus, Sedulius, Arator* (Oxford: Oxford University Press, 2006), 391-392 (Appendix 2).

[103] Gregory the Great, *Ep.* 3.54 (*CCSL* 140, 200-203: 202). See Adam Serfass, "Unraveling the Pallium Dispute between Gregory the Great and John of Ravenna," in Kristin Upson-Saia, Carly Daniel-Hughes, and Alicia F. Batten (eds*.), Dressing Judeans and Christians in Antiquity* (Burlington, VT: Ashgate, 2014), 251-283

inventory of all the belongings of a church in Salona (Dalmatia) upon the death of its bishop because he suspected that the local clerics might lift unattended properties.[104] Another papal *primicerius* was likely sojourning on a fact-finding mission, when he found his eternal rest in far away Byzantine North Africa.[105] On the other side of the Mediterranean, in fifth-century Alexandria Patriarch Peter Mongus (r. 477-489 CE), assigned his archdeacon and *primikērios* to assist the research of a pious group of student *philoponoi*, a type of Christian fraternity, on ways to assist suppress paganism at their school in Alexandria.[106]

Scholarship on the quotidian world of ecclesiastical notaries below these higher-division notaries is limited and vague.[107] That they served as transcriptionists, copyists, and the drafters of legal documentation is obvious enough in reference, but far too many other aspects of their lives have not been sufficiently explored. Source material is the most significant limitation. As mentioned above, most of our clerical notaries are known through their very terse and colloquial dialog in synodal *acta*, references to them in sixth-century papal letters, and generally late papyri, often in Coptic, that catch them executing mundane economic transactions[108] A late fifth or sixth-century papyrus fragment, for instance, records a church notary by the name of Kamōl purchasing wine for his community.[109] A large cache from the Arsinoite Nome captures a decade's worth of orders from a "Pettērios deacon and notary" to a certain "Kyrikos deacon and oil-dealer of the Holy Church of Rodeōn" to furnish specified amounts of oil as payment within the church. Pettērios validated the receipts with tachygraphic marks now indecipherable.[110] Pettērios' efforts may have illuminated his community, but they do not enlighten us much on the social history of ecclesiastical notaries: what they earned, whether there were families of ecclesiastical notaries, whether they married, how far they rose into higher ecclesiastical offices.

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[104] Ibid., *Ep.* 3.22: *Ut ipsarum rerum omnino gerent custodiam admoneto, intermans eis de propria eos satisfacturos esse substantia, si quicquam exinde eorum neglegntia fuerit imminutum.*

[105] *AE* 1971, 499.

[106] See Alberto Camplani, "The Transmission of Early Christian Memories in Late Antiquity: The Editorial Activity of Laymen and *Philoponoi*," in Brouria Bitton-Ashkelony and Lorenzo Perrone, (eds), *Between Personal and Institutional Religion: Self, Doctrine, and Practice in Late Antique Eastern Christianity* (Turnhout: Brepols, 2013), 129-153: 139; Edward Watts, *City and School in Late Antique Athens and Alexandria* (Berkeley: University of California Press, 2006,227-231.

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[108] Diethart and Worp, *Notarsunterschriften im byzantinischen Ägypten,* 21-97.

[109] *P. Prag.* 2.173

[110] For his appearances, see *Stud. Pal.* 8.900, 8.901, 8.902, 8.904, 8.905, 8.906. Near Hermopolis there was a Phoibammon, deacon and notary who seems to have served the same function as requisitions officer for his church (*Stud. Pal.* 20.233; *P. Monts. Roca*. 4.74). For notaries in papyri, see Schmelz, *Kirchliche Amsträger*, 250-254;

No doubt, the answers to these questions varied by region. For instance, at Trieste a grave marker memorializes a certain Maximus *notarius* and *defensor* of the holy church of Aquileia, that is, he was a legal advocate for the church as well as a notary.[111] Besides training in shorthand Maximus must have also received some form of legal education. Off the other side of Italy, we find a contemporaneous Menas from Cagliari in Sardinia who was a *notarius*, a *sub-regionarius*, and *rector* of the Holy Roman Church, which meant that he was one of the muscular local officials on the maritime fringe of Roman rule.[112] As short-hand writers, one could hardly categorize these men as *potentates*, but their notarial skills must have provisioned them with the skills and opportunities to reach high levels of local administrative dominance in a radically simplifying political landscape.

In a similar situation, about the same time, the ecclesiastical notaries of Egypt transition from more generic terms for notaries such as *nomikos*, *sumbolaiographos* to the peculiar title *kollektaroi*, although they were evidently performing the same function of drafting and scribing paperwork.[113] As the increasing appearance of *kollektarios* as a synonym for notary suggests, the clerical notaries of Egypt were becoming more enmeshed with the collection of taxes within their communities. Most tellingly, the papyri referencing ordained notaries as *kollektarioi*, that is, as tax-collectors, even when the document in question does not mention taxes, seem to have all been produced after 600 CE. These men were not only serving the administrative needs of their own ecclesiastical communities, but were also collecting taxes for their new Persian and Arab overlords after the collapse of Roman rule between 618/619 and 642 CE.[114] In both cases, cleric-

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[111] AE 1975, 0422g: *Iohannis et Domnica una / cum filiis suis Maximo / notario et def(ensore) s(an)c(t)ae Aquil(eiensis) / eccl(esiae) et Agnel[l]o v(iro) c(larissimo) pro vot(o) / suo [fe]cer(unt) [p(e)d(es) ---]C.*

[112] *ILSard* 114: *hic requiescit bon(a)e mem(oriae) Menas notar(ius) sub regionarius s(an)c(t)ae Rom(anae) eccl(esiae) et rect(or) qui vixit plus min(us) ann(os) quadraginta…*

[113] *Notarioi*: *CPR* 4.126; *SB* 20.15002; *Stud. Pal*. 8.898; *Stud. Pal.* 8.900; *Stud. Pal.* 8.901; *Stud. Pal.* 8.902; *Stud. Pal.* 8.904; *Stud. Pal.* 8.905; Stud. Pal. 8.906; Stud. Pal. 8.907; *Stud. Pal.* 8.907; *Stud. Pal.* 8.908; *Stud. Pal.* 8.909; *Stud. Pal.* 8. 911; *Stud. Pal.* 8.912; *Stud. Pal.* 8.913; *Stud. Pal.* 8.914; *Stud. Pal.* 8.915 *Stud. Pal.* 8.916; *Stud. Pal.* 8.917; *Stud. Pal.* 8.918; *Stud. Pal.* 8.919; *Stud. Pal.* 8.20; *Stud. Pal.* 8.921; *Stud. Pal. Stud. Pal.* 8.922; *Stud. Pal.* 8.923; *Stud. Pal.* 8.924; *Stud. Pal.* 8.925; *Stud. Pal.* 8.927; *Stud. Pal.* 8.928; *Stud. Pal.* 8.298; *Stud. Pal.* 8.929; *Stud. Pal.* 8.930; *Stud. Pal.* 8.931; *Stud. Pal.* 8.932; *Stud. Pal.* 8.933; *Stud. Pal.* 8.934; *Stud. Pal.* 8.938; *Stud. Pal.* 8.940; *Stud. Pal.* 8.941; *Stud. Pal.* 8.942; *Stud. Pal.* 8.943; *Stud. Pal.* 8.943; *Stud. Pal.* 8.944; *Stud. Pal.* 8.945; *Stud. Pal.* 8.1074; 2 *Stud. Pal.* 20.233. *Kollektoroi*: *CPR* 4.37; *CPR* 4.55; *CPR* 4.192; *P. Paramone* 18; *Stud. Pal.* 8.737; *Stud. Pal.* 8.1104; *Nomikoi*: *CPR*. 2.78; *CPR* 4.81.7; *CPR* 4.86.9; *CPR* 4.126.9; *Grammateu*s: *CPR* 4.86. *Symbolaiographos*: *SB* 1.5690.

[114] Raymond Bogaert, "Les κολλεκτάριοι dans les papyrus," *Chronique d'Égypte* 60 (1985) 5-16. These κολλεκτάριοι were also leaders in the transition from Greek to Coptic in Egyptian legal sources, see Jean-Luc Fournet, "The Multilingual Environment of Late Antique Egypt: Greek, Coptic, and Persian Documentation," in Roger Bagnall, *The Oxford Handbook to Papyrology* (Oxford: Oxford University Press, 2009), 418-451: 441-440.

notaries already had the skills and experience to become primary administrators, and in both post-Roman territories, Italy and Egypt, evidence begins to intimate that these skills were being transmitted by clerics and monks themselves.[115]

Defensores and *Ekdikoi*: The Origins and the Office's Early Spread

Lawyers have long enjoyed placing their names on buildings. In 1963 archaeologists discovered a set of mosaic inscriptions underneath the Via Madonna del Mare in Trieste, in which the ecclesiastical lawyers Cantius (*defensor ecclesiae*) and Bonosus (*defensor sanctae ecclesiae* Trieste) memorialized their donations made towards the church's construction.[116] Not too far from Cantius, Bonosus, and the "*notarius et defensor*," whom we recently met, the Italian archaeologists excavating the site also unearthed another dedication to "Eufemia with her son Crysogonus *defensor* of the holy church of Aquileia." All of these lawyers (*defensores*) had donated funds to the building of the church and accordingly received honorific inscriptions for posterity as to how many exact feet of the floor they had funded.[117] These are nearly all the Latin monuments that reference the very common, though quite misunderstood late antique position of *defensor ecclesiae*.[118]

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[115] See Pierre Riché, *Écoles et enseignement dans le Haut Moyen Age: Fin du V^e siècle - Milieu du XI^e siècle, 3^rd. edition* (Paris: Picard Éditeur, 2009), 1-41. For monastic education in Egypt, see Janet Timbie, "The Education of Shenoute and Other Cenobitic Leaders: Inside and Outside the Monastery," in Peter Gemeinhardt, Lieve Van Hoof, and Peter Van Nuffelen (eds.), *Education and Religion in Late Antiquity* (New York: Routledge, 2016), 34-46; Scott Buckman, "Scribes and Schoolmasters? On Contextualizing Coptic and Greek Ostraca Excavated at the Monastery of Epiphanius," *Journal of Coptic Studies* 9 (2007), 21-47; the first two canons of a 527 Council of Toledo set the education of child oblates in the hands of their local bishops (*PL* 84, 335).

[116] *AE* 1975, 0422i, 422n.

[117] *AE* 1975, 422h: *Eufemia / cum filio / suo Chryso/gono def(ensore) / s(an)c(t)ae eccl(esiae) / Aquil(eiensis) f(e)c(it) / p(e)d(es) C.*

[118] Letizia Pani Ermini, "Iscriozini cristiane inedite di S. Saturno a Cagliari: Contributo allo studio del 'defensor ecclesiae nell'antichità cristiana," *Rivista di storia della chiesa in Italia* 23 (1969), 1-20. François Martroye, "Les *defensores ecclesiae* au Ve et VI siecle," *Revue historique du droit français et étranger* 2 (1923), 597-622; Balthasar Fischer, "Die Entwicklung des Instituts der Defensoren in der romischen Kirche," *Ephemerides Liturgicae* 48 (1939): 443-554; Otto Kampe, *Die "*defensores ecclesiae*" der Spätantike in Rom Mit e. Exkurs über d. röm. Subdiakonat im ausgehenden Altertum* (Diss. Universität Göttingen, 1950); Hans-Georg Beck, *Kirche und theologische Literatur im byzantinischen Reich* (Munich: C.H. Beck'sche, 1959), 83, 99, 101, 105, 115, 117-119; A. H. M. Jones, *The Later Roman Empire 284-602: A Social, Economic, and Administrative Survey* (Baltimore: Johns Hopkins University Press, 1986 (1964), 144-45, 279-280, 286, 403, 479-80, 496-497, 500, 521, 571, 726-727, 758-759, 859, 897, 911; Vasilikē Leontaritou, Εκκλησιαστικά *αξιώματα*, 209-211; Caroline Humfress, "*Defensor*

Over the course of late antiquity, *defensores ecclesiae* (*ekklēsiekdikoi*), what I have translated as "ecclesiastical lawyers," accrued copious judicial, administrative, and disciplinary powers over the lives of millions of Romans (Christian and non-Christian, lay and ordained) as their office was emboldened by the Church and the late Roman state. Their purpose was not solely, as is often repeated, to be "a legal representative of the Church, charged with asserting its rights in court"; rather, their extensive legal purview also came to include the investigation and subsequent punishment of individuals suspected of religious crimes: from apostasy, heresy, and the breaking of religious vows, to adultery, incidents of sexual deviance, and at least one alleged case of human sacrifice.[119] The office of *defensor ecclesiae* may have originated with the benign purpose "to promote and defend [the Church's] interests in all legal processes,"[120] but over time the Christianizing Roman state ceded to these officials a policing authority that could and did result in human suffering. They were as much the Church's investigators, prosecutors, and torturers, as they were its advocates. Like the legally-sanctioned juridical and penitential power of bishops and the increasing use of ecclesiastical prisons, *defensores* represented yet another outgrowth of the Christianization of the brutal late Roman legal regime.[121]

One might ask those, *why did the Church need a lawyer?* The Roman Empire was an exceptionally litigious civilization. Roman jurists and average citizens alike presupposed that any institution or person with a decent amount of property or money needed a savvy lawyer to defend possessions and legal rights against suits and precarious entanglements. The surviving Roman legal codes and commentaries brim with redacted decisions concerning the most trivial of lawsuits. *Can you be sued if you pet doves defecate so much on a neighboring local bridge that it needs cleaning?* Probably not since doves are often indistinguishable from feral pidgeons. *Can you sue your neighbor for willfully attacking your pet doves or your pet bees, while they are loose?* Maybe.[122] Romans would sue one another for almost any perceived damage, fraud, or insult. And the dry desert sands of Roman Egypt, quite understandably, have yielded thousands

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Ecclesiae," in Glen Bowersock, Peter Brown, and Oleg Grabar (eds.), *Late Antiquity: A Guide to the Postclassical World* (Cambridge, MA: Harvard University Press, 1999), 405-406.

[119] François Martroye, "Les *defensores*," 597: Le *defensor ecclesiae* instituéé par une loi d'Honorius du 15 novembre 407 était un représentant légal de l'Église, chargé faire valoir ses droits en justice.

[120] Caroline Humfress, "*Defensor Ecclesiae*," 405.

[121] On the barbarity of Roman justice, see Ramsay Macmullen, "Judicial Savagery in the Roman Empire," *Chiron* 16 (1986), 43-62. On the Christianization of Roman law, see Caroline Humfress, "Law and Legal Practice in the Age of Justinian," 161-184: particularly 166-171; John McGuckin, *The Ascent of Christian Law: Patristic and Byzantine Formulations of a New Civilization* (New York: St. Vladimir's Press, 2012), 237-255; Michele Renee Salzman, "Evidence for the Conversion of the Roman Empire to Christianity in Book 16 of the 'Theodosian Code,'" *Historia* 42.3 (1993), 362-378.

[122] Cf. *Digest* 41.1.5.5. See also Bruce Freier, "Bees and Lawyers," *The Classical Journal* 78.2 (1982-1983), 105-114.

of papyrus legal documents from simple land deeds and labor contracts, to depositions and multi-year lawsuit dossiers. [123] Legal feuds could extend for years in the bloated Roman court system, and they could encompass travel to venues as proximate as the local town-hall, to the distance high courts of the imperial apparatus thousands of miles away.[124] We also know from papyri that Roman governors as the chief magistrates of this Kafkaesque system received thousands of petitions for adjudication a day.[125] Perhaps best encapsulating the dire litigiousness of Roman society are the dozens of second-century "case files" discovered among the skeletons of twenty individuals taking refuge in a cave during a Jewish revolt against Roman rule. The documents found in an 1800-year-old leather satchel all address a single mother's decade-long inheritance lawsuit for her son, whose records the plaintiff (Babatha) chose to carry to the end. Romans went to their graves clinging to legal grudges.[126]

Roman law classified the Christian Church as a corporate body like any of the municipalities, trade guilds, or private religious associations of the empire.[127] This classification afforded the Church the legal ability to possess property including persons, to administer its organization and members under its own by-laws, and to initiate collective legal action through

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[123] See Benjamin Kelly, *Petitions, Litigation, and Social Control in Roman Egypt* (Oxford: Oxford University Press, 2011), particularly 123-167 and 287-326.

[124] *Digest* 2.11.1 allows twenty miles per day for litigants to travel to courts where their presence is required. See also the third-century tax-relief trip of the Egyptian Theophanes to the eastern capital Antioch. John Matthews, *The Journey of Theophanes: Travel, Business, and Daily Life in the Roman East* (New Haven: Yale University Press, 2006).

[125] See, for instance, *P. Yale* 1.61 (208-210 CE) which indicates that the prefect of Egypt received 1804 petitions in two days from a single town on his annual visit (*conventus*). Cf. Kelly, 112-122.

[126] Cf. Yigael Yadin and Jonas C. Greenfield (eds.), *The Documents from the Bar Kokhba Period in the Cave of Letters*, 3 vols. (Hebrew University of Jerusalem: Shrine of the Book, 1989).

[127] "Das Corpus Christi und die Korporationen im spät-römischen Recht," *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte* 70 (1953), 299-347. Note the language of *corpus* (association or guild) in Constantine's so-called Edict of Toleration, which restored to the churches of the empire their confiscated property. Lactantius, *De mortibus persecutorum* 48.8 (J. L. Creed, *Lactantius, De mortibus persecutorum, edited and translated* (Oxford: Clarendon Press, 1984), 72): *Et quoniam idem Christiani non [in] ea loca tantum ad quae convenire consuerunt, sed alia etiam habuisse noscuntur ad ius corporis eorum id est ecclesiarum, non hominum singulorum, pertinentia, ea omnia lege quam superius comprehendimus, citra ullam prorsus ambiguitatem vel controversiam isdem Christianis id est corpori et conventiculis eorum reddi iubebis, supra dicta scilicet ratione servata, ut ii qui eadem sine pretio sicut diximus restituant, indemnitatem de nostra benivolentia sperent.*

nominated or elected representatives.[128] This classification also entailed that individual churches could be sued as corporate persons responsible for the actions of their members.[129] Thus, as the Church became a massive corporate body and large-scale property-owner, it required the same legal representation, advice, and defense, which any other pragmatic Roman individual or institution would retain.[130]

Defensor, though, was not a generic Roman term for lawyer or juridical consultant. The *defensor ecclesiae* developed at first as the ecclesiastical equivalent of the *defensores civitatis*, a type of state-assigned attorney, established by Constantine I (r. 306-337 CE), whose commission was to defend the rights and privileges of their respective cities as well as to protect the weakest citizens there from rapacious imperial officials and local potentates.[131] The first reference to *defensores ecclesiae* appears in a 368 CE rescript of Emperor Valentinian I to Praetextus, the Urban Prefect of Rome, and it more or less confirms the analogous roles of both types of *defensores*. The rescript, which is preserved in a late antique papal dossier of earlier legal decisions and letters, concerns the results of a disputed papal election in the 350s, the sectarian violence which ensued after it, and the subsequent unlawful seizure of property by those disaffected Christians who rejected the "legitimate" pope.[132] As the rescript makes clear, the emperor learned of the chaos at Rome through a formal petition of "the *defensores ecclesiae* of the city of Rome," who had explained to the emperor the pope's grievances and the current

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[128] On the law of corporate bodies, see *Digest* 3.4.1.1: *Quibus autem permissum est corpus habere collegii societatis sive cuiusque alterius eorum nomine, proprium est ad exemplum rei publicae habere res communes, arcam communem et actorem sive syndicum, per quem tamquam in re publica, quod communiter agi fierique oporteat, agatur fiat.*

[129] *Digest* 3.4.1.2-3: *Quod si nemo eos defendat, quod eorum commune erit possideri et, si admoniti non excitentur ad sui defensionem, venire se iussurum proconsul ait. Et quidem non esse actorem vel syndicum tunc quoque intellegimus, cum is absit aut valetudine impedietur aut inhabilis sit ad agendum. Et si extraneus defendere velit universitatem, permittit proconsul, sicut in privatorum defensionibus observatur, quia eo modo melior condicio universitatis fit.*

[130] On the Church's windfall profits in the late fourth through sixth century, see Peter Brown, *Through the Eye of the Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550AD* (Princeton, NJ: Princeton University Press, 2012), 375-458.

[131] For a re-dating of the creation of the office to Constantine, *defensor civitatis,* see Robert Frakes, "Late Roman Social Justice and the Origin of the *Defensor Civitatis*," *The Classical Journal* 89.4 (1994), 337-348. For an analysis of the *defensor* in Roman society, see idem, Contra potentium iniurias: *the* Defensor civitatis *and Late Roman Justice* (Munich: Beck, 2001); Avshalom Laniado, "Le christianisme et l'évolution des institutions municipales du Bas-Empire: l'exemple du *defensor civitatis*," in Jens-Uwe Krause and Christian Witschel (eds.), *Die Stadt in der Spätantike—Niedergang oder Wandel? Aken des internationalen Kolloquiums in München am 30. Und 31. Mai 2003* (Stuttgart: Franz Steiner Verlag, 2006), 319-334.

[132] For making sense of the sordid affair, see Rita Lizzi Testa *Senatori, popolo, papi: il governo di Roma al tempo dei Valentiniani,* (Bari: Edipuglia, 2004), 129-170.

"tumult" that "threatened public security." In response Valentinian instructed the prefect of Rome, Praetextus to promote a reconciliation of the parties and to return to the "Catholic pope" Damasus (and not to his rival) ownership of the disputed basilica (the site of the modern-day Santa Maria Maggiore), which the dissenters had illegally stormed after their fellow sectarians were massacred there the previous year by the same Christian community now seeking imperial protection.[133]

Some twenty years later, two priests who were allies of Damasus' rivals penned a surviving entreaty to the next generation of emperors, which has never been connected to the history of *defensores*, but offers an instructive set of "alternative facts" about the prior legal battle and its players. Besides their harsh criticisms of Pope Damasus' cutthroat tactics and his greed, the priests in their appeal are particularly keen to castigate Damasus' paid legal mouth-pieces of "pagan lawyers" and "*defensores*" as unscrupulous men who tried to convince upright, pious judges to condemn orthodox Christians as heretics and then sentence them into exile.[134] The request to amend the record and clear their associates' names did not apparently sway the emperor, Theodosius the Great, who responded courteously but declined the petition. He hoped instead for a cessation of the schism and for the aggrevied priests to drop the contentions over church properties, which is assuredly why medieval Catholic scribes copied the imperial response with the critical *libellus* of the offended priests appended to it. Of course, any partisan religious text demands healthy skepticism, and probably both sides' accounts, in this case, should be taken with a grain of salt. That said, as the case illustrates nicely, within the Roman

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[133] *Collectio Avellana* 6.1-2 (*CSEL* 35, 49): *UALENTINIANUS UALENS ET GRATIANUS PRAETEXTATO P. U. Dissensionis auctore sublato omnis causa discordiae sopienda est, ne aliqua manente materia nihil prosit e medio sustulisse fomitem iurgiorum, Praetextate parens karissime atque amattissime. quam ob rem praecelsa sublimitas tua defensorum ecclesiae urbis Romae siue Damasi sacrae legis antistitis petitione perspecta, qua una tantum ex ecclesiis catholicae religionis obsequio a dissentientibus adhuc dicitur retentari, quoniam pro publica securitate metuendum est, ne aliqui hinc iterum tumultus oriatur, quandoquidem non parua sit separationis effigies, si ita aliquid putetur obclusum, Damaso eam iubebit aperiri, ut singuli uniuersique cognoscant, quo unitas studio sit colenda, qua omnibus pace uiuendum, cum eoclesiis restitutis plenissimam postulet congregatio ubique permissa concordiam*.

[134] Faustinus and Marcellinus, *Libellus precum* 23 (*PL* 13, 81A-108C: 99A-B): *Nam idem Damasus, accepta auctoritate regali, etiam alios catholicos presbyteros, nec non et laicos insecutus, misit in exsilium, perorans hoc ipsum per gentiles scholasticos, faventibus sibi judicibus: cum utique vestrae constitutiones adversus haereticos decretae sint, non adversus catholicos, et tales catholicos, qui fidem integram nec sub haereticis imperatoribus reliquerunt, et quidem gravia multa perpessi. Sed et nuper tentavit graviter persequi beatissimum Ephesium episcopum, sanctae fidei aemulatione ferventem, ordinatum intaminatae plebi Romanae a constantissimo episcopo Taorgio, et ipso illibatae fidei viro, sub invidia falsi impositi cognomenti, per suos defensores interpellans judicem Bassum, quasi adversus Luciferianos. Sed Bassus, olim catholicam fidem venerans, sciebat in Lucifero nullam haereseos fuisse pravitatem; quippe quem et bene noverat. pro fide catholica decem annos exsilia fuisse perpessum, et pro constantiae suae integritate repulit accusationes Damasi, negans se facturum, ut homines catholicos et integrae fidei viros insequeretur…*

adversarial legal system one party's defender (*defensor*) is by definition another's prosecutor (*prosecutor*). Scholarship on the *defensor* as a legal actor has tended to forget this simple truth, no doubt in part because of our typical evidentiary reliance on the "orthodox" texts that survive. This obvious enough observation is useful to hold in mind when we consider the various ways that bishops and communities could use and exploit their legal representatives.

After this rather inauspicious debut of the *defensor* at a divided Rome, *defensores ecclesiae* became regular fixtures in fifth-century Italian and African sources. Indeed, Latin African sources, as a result of the voluminous surviving corpus of texts associated with St. Augustine, have become the *locus classicus* for the *defensor ecclesiae* to the detriment of scholarship. To this day one can still find authoritative reference works that assert such erroneous claims as: "Most of the evidence for the existence of *defensores ecclesiae* comes from North Africa… The institution was found in other churches in the West, including Rome…but no evidence has survived of its existence in Egypt."[135] Far more evidence for *defensores* comes from outside of Africa than from Africa, but Africa has stayed central in the historiographical record for several reasons. First of all, it is in this corner of the Roman Empire that we first identify the *defensor* as "a permanently mandated 'professional' advocate capable of acting for the Church in all legal cases," rather than as an ad-hoc legal representative during times of contention.[136] It is also worth saying that the handful of oft-cited African sources likewise confirm prima facie the traditional anodyne version of the *defensor* as "a lawyer, charged with the defense of the interests of the church in lawsuits and in any conflicts with secular authorities."[137]

Most scholars haved located the birth of the *defensor* as an institutionalized office-holder in Africa in the first decade of the fifth century. Particularly, they point to a canon from a province-wide church council at Carthage in 407 CE, in which the bishops of Africa requested that the present imperial legates "grant them the power to establish advocates (*scholastici*) as *defensores* who in trials or through the burden of defending cases might take up the defense of churches, which is in the custom of the bishops of the province…"[138] To parse the Latin here, the bishops wished "to establish (*constituere*)" a practice which was already a "custom," or habit, "of the bishops of the province (*more sacerdotum provinciae*)." In other words, they sought permission to regularize the prior ad hoc assignment of *defensores* to their dioceses. A cryptic surviving canon from an earlier gathering of bishops in 401 CE is probably the prior petition for

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[135] W. H. C. Frend, "*Defensor ecclesiae*," in Aziz Atiya (ed.), *Coptic Encyclopedia*, vol. 3 (New York: Macmillan, 1991), 891.

[136] Caroline Humfress, "A New Legal Cosmos: Late Roman Lawyers and the Early Medieval Church," in Peter Lineham and Janet Nelson (eds.), *The Medieval World* (London and New York: Routledge, 2001), 557-575: 572.

[137] W. H. C. Frend, "*Defensor ecclesiae*,", 891.

[138] *Reg. Ecc. Carthag. Excerpta.* 97 (*CCSL* 159, 215): *ut dent facultatem defensores constituendi scholasticos, qui in acta sunt vel in munere defensionis causarum ut more sacerdotum provinciae id ipsi, qui defensionem ecclesiarum susceperint, habeant facultatem pro negotiis ecclesiarum, quoties necessitas flagitaverit.*

ad hoc *defensores*, which the bishops six years later now wanted to be reconfirmed. In the canon, the bishops asked of "the universal [Roman] emperors,"

> That, on account of the affliction of the poor, by whose troubles the Church is besieged without pause, *defensores* should be assigned to them against the powers of the wealthy with provision for bishops.[139]

For the moment let us not concern ourselves with what exactly were the afflictions of the poor or why the Church needed "defense." We will return to those questions soon enough. François Martroye writing in the 1920s and most scholars after him have interpreted these petitions as prompting a 407 CE imperial rescript from Emperor Honorius to the Proconsul of Africa, which seems to establish or at least presume the *defensores*' permanent position in the legal landscape.[140] The rescript, which is exceedingly convoluted, affirms that the Church's imperially-sanctioned rights and those "granted not through the words of tonsured men, but by the decision of *their advocates* will be made known to judges and shall result in their [desired] effects." Translated out of Roman legal baroque, "my imperial fiats and the legal decisions reached in my courts will be enforced by my judges." The rescript then concludes with an admonition: "bishops should be very mindful, though, that nothing unsavory against their [public] usefulness should befall them under the excuse of this privilege."[141] The phrase "*their advocates*" has traditionally been interpreted as *defensores ecclesiae* who are performing the requested function of the earlier canons, and I see no reason to quibble with this interpretation as flimsy as it is; that said, scant attention has been given to the other implications and undertones of the rescript beyond the *defensores*.

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[139] *Reg. Ecc. Carthag. Excerpta.* 75 (*CSEL* 259, 202): *Ab imperatoribus uniuersis uisum est postulandum propter afflictionem pauperum, quorum molestiis sine intermissione agitatur ecclesia, ut defensores eis aduersus potentias divitum cum episcoporum prouisione delegantur.* A 409 law speaks of the right to a speedy trial when the matter attends to "the *defensio* of a venerable place or name," respectively indicating a church and a cleric, but this fails to serve as compeling evidence for an institutionalized office. The *interpretatio* makes the leap from *defensio* to *defenderes*, but the *interpratione*s of the code in the manuscript traditions were attached, it seems, between promulgation (438) and the *Breviarium* of Alaric (506). The interpretatio could thus also be a retrojection. *C. Th.* 2.4.7 (409 CE): *Impp. Honorius et Theodosius aa. Iovio pf. p. Post alia: quaecumque forte ecclesiae venerabilis negotia sunt, vel esse poterunt actiones, celeri, legum ordine servato, iudicantum disceptatione finiantur. Nec enim decet, defensione loci nominisque venerabilis suscepta, publica diu secretaria praestolari.Dat. vi. kal. iul. Ravenna, Honorio viii. et Theodosius iii. aa. coss.*

[140] See nt. 4 above.

[141] *C. Th.* 16.2.38 (407 CE): *Post alia: privilegia, quae ecclesiis et clericis legum decrevit auctoritas, hac quoque praeceptione sancta et inviolata permanere decernimus. Adque hoc ipsis praecipuum ac singulare deferimus, ut, quaecumque de nobis ad ecclesiam tantum pertinentia specialiter fuerint impetrata, non per coronatos, sed ab advocatis eorum arbitratu et iudicibus innotescant et sortiantur effectum. Sacerdotes vero provinciae erunt solliciti, ne sub hac scilicet privilegii excusatione etiam contra eorum utilitatem aliquid his inferatur incommodum.*

First, to state the obvious, the assignment of *defensores* in the first decade of the fifth century must have still been conceptualized as a privilege, an act of imperial dispensation to protect the Church and its flock from external threats. That is to say, at this point in time the *defensores* were still laymen receiving their pay from imperial coffers in remuneration for legal services offered to the Church. The bishops' request simply desired to formalize the arrangement in perpetuity. Second, a very clear institutional distance is built-in between the Church and the would-be defenders of its rights. *Defensio* in juridical Latin is specifically the legal maintenance or legal defense of a right such as liberty or tax-exemption.[142] Thus, like the *defensores civitatis* whom Constantine conceived as impartial guardians of the rights of cities and citizens from the wealthy and the corrupt, a *defensor ecclesiae* was supposed to be the emperor's man who would defend the Church of *pauperes* from the *potentates* of the *saeculum*. The rescript explicitly affirms "the privileges that the authority of law," that is, what the emperor, "has decreed to churches and clerics," as well as those resulting from *defensores*' arguments (*arbitratu*) made before judges. The bishops were sidelined in the process. The clergy were, as historians often forget, expected to play the part of poor in the late Roman legal imagination.[143] A purposeful disclaimer is even added to stifle haughty bishops from claiming what we might call "presumed privileges" or "privileges by extension." That *non per coronatos* clause, "not through tonsured men," is intended to preclude clerics from reinterpreting the letter of the law for their benefit or extending their privileges based on the spirit of established law. [144] Honorius' somewhat condescending coda to his rescript is a less than subtle reminder of the clergy's place in the Roman legal hierarchy. The periphrastic Latin legalese at the end might best translate colloquially as "don't let the privileges that I've granted you go to your head."

The privileges in question were undoubtedly the privileges, which were perennially contested in late antique ecclesiastiacal sources: the free ordination of willing Christians, tax-exemptions for clerics, protection for clerics from being tried in civil court, the power of bishops to adjudicate intra-Christian arbitration, and lastly the power of the Church to manage its own property (inclusive of slaves and the bound peasantry on their lands). The Church as a land-owner and its clergy as a special class of citizens had enjoyed some variant of all these rights since the days of Constantine, and the clergy heavily guarded these state-sanctioned right. Clergymen tested the limits of their privileges if not completely fabricated new privileges. Conversely, plenty of forces and actors in the Roman world opposed what they saw as the Church's imposition onto their privileges, rights, and prerogatives. And they fought vociferously and often turned to extra-juridical means such as violence to fend off encroaching churchmen.[145]

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[142] See, for example, *C.J.* 1.7.18 on *defensio libertatis*.

[143] Peter Brown, *Treasure in Heaven: The Holy Poor in Early Christianity* (Charlottesville: University of Virginia Press, 2016), 14-15.

[144] *C. Th.* 16.2.38 (407 CE): *non per coronatos, sed ab advocatis eorum arbitratu et iudicibus innotescant et sortiantur effectum. Sacerdotes vero provinciae erunt solliciti, ne sub hac scilicet privilegii excusatione etiam contra eorum utilitatem aliquid his inferatur incommodum.*

[145] For an overview of the privileges, see Roland Delmaire, Église et fiscalité: le privilegium christianitatis et ses limites," in Jean-Noël Guinot and François Richard (eds.), *Empire chrétien aux IV*e *et V*e *siècles*: *integration ou 'concordat'? Le Témoignage du Code Théodosien. Acts du*

Cities resisted the loss of tax-paying men to the clergy.[146] Landlords protested the ordination of peasant-tenants and successfully had the practice banned.[147] The bakers' guild at Rome threatened that there would be empty stomachs the city, if the emperor did not forcibly return clerics and monks to their ovens.[148] Families challenged death-bed bequeathals.[149] Laymen injured or defrauded by clerics objected to their right to be judged by their brethren in ecclesiastical court, not before secular judges. Lastly, clerics did not hesitate to bring one another to court over disputed property, unpaid salaries, disrespected privileges, or any number of procedural and religious matters.[150]

Imperial dispensations and legal decisions in these matters always presented the emperor as a magnanimous arbiter and noble restorer of justice, while those receiving imperial benefaction were expected to play the part of the grateful suppliant saved from ruin by the monarch's sense of equanimity.[151] The defensive posture, which bishops assumed in requesting *defensores*, should be seen, then, within the context of the larger socio-legal *Inszenierung* of the , Roman Empire: a stylized dénouement of begging for protection from some malicious opponent. Undoubtedly some attacks by heretics, pagans, or avaricious landlords were genuine, but claims of unjust oppression and physical violence were how Romans encoded their grievances. As Ari Bryen has demonstrated in his robust study of Roman legal stratagems, playing the victim of violence or insinuating that one's opponent threatened the public order was the most effective

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Colloque International, Lyon, 6, 7, et 8 Octobre 2005 (Paris: Editions du Cerf, 2008), 285-293; Rita Lizzi Testa, "Privilegi economici e definizione di *Status*: Il caso del vescovo tardoantico," in *Atti della Accademia Nazionale dei Lincei*, 397 (2000), 55-103; eadem, "The Bishop as *Vir Venerabilis*: Fiscal Privileges and Status Definition in Late Antiquity," *Studia Patristica* 34 (2001): 125-44.

[146] Karl Leo Noethlichs, "Einflußnahme des Staates auf die Entwicklung eines christlichen Klerikerstandes," *Jahrbuch für Antike und Christentum* 15 (1972), 136-153. Jones, The Later Roman Empire, 724-63; Avshalom Laniado, *Recherches sur les notables municipaux dans l'Empire protobyzantin* (Paris: Association des Amis du Centre d' Histoire et Civilisation de Byzance, 2000), 9-26; 69-78 Jones, *Later Roman* Empire, 1041-1063. Arthur E. R. Boak, *Manpower Shortage and the Fall of the Roman Empire in the West* (Ann Arbor: University of Michigan Press, 1955), 69-78.

[147] E. J. Jonkers, "Das Verhalten der Alten Kirche hinsichtlich der Ernennung zum Priester von Sklaven, Freigelassenen und Curiales," *Mnemosyne* 3.10 (1942), 286-302

[148] *C. Th.* 14.3.11.

[149] See pp. 195-196 below.

[150] *Prison, Punishment, and Penance in Late Antiquity* (Cambridge: Cambridge University Press, 2015), 64-69.

[151] For Constantine's rhetoric of ruling, see John Noël Dillon, *The Justice of Constantine: Law, Communication, and Control* (Ann Arbor: University of Michigan Press, 2012).

rhetorical tactics to increase the likelihood of a rapid petition response.[152] Boundary disputes, tax arrears, broken engagements, almost any torts or crimes with an adroit enough lawyer could be narrativized as acts of order-destabilizing violence. The alacrity with which some scholars still accept today that the *defensor*'s position was solely *defensive* is uncritical and incongruous with contemporary insights on Roman jurisprudence.

In particular, Roman North Africa, the crucible that produced the *defensor ecclesiae*, was a landscape fraught with class conflict and internal Church divisions. As Leslie Dossey among others has illuminated, Africa's modest landowners, tenant farmers, country villages, and small towns, which had flourished in the early and high empire (31 BCE-235 CE), became increasingly subjugated in late antiquity to neighboring aristocratic large estates. These vast estates for the most part were the private property or leased state-lands of absentee senatorial landlords, who notoriously employed unscrupulous custodians and private thugs to administer their agricultural portfolios.[153] At the same time, African Christianity since the peace of Constantine had splintered into two rival institutional churches (the "Catholics" and the "Donatists") that not only reveled in seizing each other's properties, but also had no qualms about turning to street brawls and small riots to bear out their grievances with one another. Adding to this powder-keg situation, both North African churches as they became more significant landowners found themselves in legal disputes with their senatorial neighbors, the remaining pagan municipal elites, and with one another other. The fact that unemployed laborers and the disgruntled peasantry could be mobilized to assault any affluent group or persons labelled the powerful exacerbated the situation, as did tensions between Punic-speaking "Africans" and Latin-speaking "Romans." All of these various "tribal" affiliations contributed to a perpetual cycle of ritualized violence that continued after the Arab conquest of North Africa in 698 CE. More importantly, as Brent Shaw has explained in his magisterial study of the so-called Donatist controversy, the messiness of the situation is often swept away in the surviving sources because all parties involved in the chaos appealed to the same rigid legal schema in order to trigger imperial intervention on the behalf: everyone was a pauper whose rights were oppressed by the powerful; everyone was an upstanding citizen of the *res publica* threatened by the riotous rabble excited by their demagogue opponents.[154] There was a reason that Romans called Africa "the mother of all lawyers," the *nutricula causidicorum,* to quote the poet Juvenal.[155]

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[152] See in particular Ari Bryen, *Violence in Roman Egypt: A Study in Legal Interpretation* (Philadelphia: University of Pennsylvania Press, 2013), 89-125; idem, "Visibility and Violence in Petitions from Roman Egypt," *Greek, Roman, and Byzantine Studies* 48 (2008), 181-200.

[153] Leslie Dossey, *Peasant and Empire in Christian North Africa* (Berkeley: University of California Press, 2010). See also Cameron Grey, *Constructing Community in the late Roman Countryside* (Cambridge: Cambridge Universtiyy Press, 2011), 121-147.

[154] Brent Shaw, *Sacred Violence: African Christians and Sectarian Hatred in the Age of Augustine* (Cambridge: Cambridge University Press, 2011). See also A. H. M. Jones, "Were Ancient Heresies National or Social Movements in Disguise?" *Journal of Theological Studies* 10 (1959), 280-298; W. H. C. Frend, *The Donatist Church: A Movement of Protest in Roman North Africa* (Oxford, Clarendon Press, 1985 (1952)).

[155] Juvenal, *Satires* 7.148-9 (*LCL* 91, 31).

Rightly so, in the past two decades scholars of late antiquity have become more skeptical of an imperiled Church incapable or unwilling to weaponize the Roman legal apparatus to its advantage.[156] Most of the early attestations of *defensores* are all found in the context of bishops using them to attack their enemies. For instance, as we saw above, the first known example of *defensores* in action involved the Roman pontiff deploying his *defensores* to reclaim a church (successfully) and to have his rivals exiled (somewhat unsuccessfully). Then, in 403 CE, St. Augustine had his *defensores* argue that a "Donatist" bishop was liable to be "fined under the public heresy laws" for the astronomical sum of 10 lbs. of gold in an effort to either subdue or bankrupt the man. The bishop in question was afterall the rival claimant for the diocese belonging to Augustine's dear friend and biographer, Possidius of Calama.[157] As Possidius' later version of the events explained, the *defensores* in question either lacked the willingness or the theological sophistication to convince the adjudicating governor that their opponent was in fact a heretic not merely a disputant in a Church property issue. Augustine, the former professor of rhetoric, summarily assumed the case "with the *defensor* withdrawing." The hefty fine was eventually levied, and Possidius who was also a trained lawyer gained a more secure position in his contest for control of the see.[158] Five years later, in 408 CE Pope Innocent I followed the example of Pope Damasus and employed his *defensores* to plead for writs expelling heretical citizens (Photinians and Bonosians) from Rome and thus confiscating their wealth. He even forwarded the relevant legal research and rulings to his fellow bishops in Dacia (modern-day Romania and Moldova), so that they might replicate the victory for orthodoxy in their own dioceses.[159] Finally, in the 420s, Antoninus of Fussula, a bishop raised by St. Augustine personally, had his *defensor* arrest and imprison a peasant farmer in order to force him to sell his land at an absurdly low price to the diocese. Antoninus went as far as to confiscate one farmer's roof tiles for his new palace, which he had the peasants of his diocese built for him. The *defensor* orchestrating all the legal paperwork for the project confessed his malfeasance and that "the bishop made him do it" in order to save his own neck.[160] When Augustine attempted to eject

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[156] Besides Shaw and Dossey above, see Caroline Humfress, *Orthodoxy and the Courts*, 255-268, and Richard Lim, *Public Disputation, Power and Social Order in Late Antiquity* (Berkeley: University of California Press, 1995), especially 70-148 and 217-235.

[157] Cf. the public heresy law (*C. Th.* 16.15.21).

[158] Possidius, *Life of Augustine* 12.7 (Pelligrino, *Possidio*, 98). On Possidius, see Erica Hermanowicz, *Possidius of Calama: A Study of the North African Episcopate at the Time of Augustine* (Oxford: Oxford University Press, 2008).

[159] See Innocent I, *Ep.* 41 (*PL* 20, 607-608). See Geoffrey Dunn, "Innocent I's Letter to Lawrence: Photinians, Bonosians, and the *Defensores Ecclesiae*," *The Journal of Theological Studies* 63.1 (2012), 136-155.

[160] Augustine, *Ep.* *20.29 (*CSEL* 46B, 338): *confessus fuerat se id episcopo iubente fecisse…*

Antoninus for these crimes, Antoninus sought a legal defense of his rights by appealing directly to Rome, one can wager that a *defensor* consulted on or drafted the petition.[161]

The Clerical Status of the *Defensores* in Late Antiquity

Scholars concur that the early *defensores* appearing in the early fifth century were not clerics but laymen willing or compelled to defend ecclesiastical communities. As evidenced by the canons of African councils, the African bishops requested that *defensores* be assigned (*delegentur*) to them, which is hardly the language of requesting the aid of a fellow cleric. As early as 417 CE, though, Pope Zosimus recommended to his suffragan Hesychius, bishop of Salerno, that *defensores* were suitable and desirable candidates for ordination. In his words, "*defensores ecclesiae* from the laity who are merited should be in the order of the clergy."[162] Like other lawyers and professionals, *defensores* were desirable for ordination because of their knowledge their educaation forensic oratory skills. We have already discussed the appeal of ordaining the likes of Alypius of Thagaste, Augustine's friend and former counsel to an imperial tax official, or John Chrysostom who had a sparkling forensic education and was a frequenter of the Antiochene law-courts.[163] That said, as opposed to clerics "snatched into the priesthood from a life spent at tribuals (*de tribunalis*)," to quote Ambrose of Milan, as current legal representatives of the Church, *defensores* were already in many ways church officials, having already demonstrated their usefulness and loyalty to their communities.[164] We also might surmise a slightly more pragmatic rationale for ordinaining lay *defensores* or conferring the position on previously ordained lawyers. To quote again Ewa Wipszycka, "clerics were more attached to the institution, which they served, [and] could be more easily punished in the case of prevarication."[165] Ordination made a lay *defensor* the bishop's man or at least diminished the professional distance that Roman emperors had previously placed between *defensores* and their respective communities.Apparently, the ordination of *defensores* and other lawyers had become

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[161] Serge Lancel, "L'affaire d'Antoninus de Fussala: Pays, choses et gens de la Numidie d'Hippone saisis dans la duree d'une procedure d'enquete episcopale," in Johannès Divjak (ed.), *Les lettres de saint Augustin découvertes par Johannès Divjak* (Paris, Études Augustiniennes, 1983), 267-285.

[162] Zosimus, *Ep*. 9.3 (*PL* 20, 673A): *Sane, ut etiam defensores ecclesiae, qui ex laicis fiunt, supra dicta observatione teneantur, si meruerint esse in ordine clericatus*.

[163] Caroline Humfress, *Orthodoxy and the Courts*, 136-152. See ch. 1, pp. 50-55.

[164] *De officiis,* 1.3:

[165] Ewa Wipszycka, *Les* ressources, 149: En principe, les églises préféraient confier les diverses fonctions administratives à leurs propres clercs plutot qu'à des laïcs, car les clercs étaient plus attachés a l'institution qu'ils servaient, pouvaient être punis plus facilement en cas de prévarication et étaient peut-être en moyenne plus honnêtes que les laïcs.

so widespread that by 452 CE Valentinian III was compelled to ban the ordination of *defensores ecclesiae* to counteract a recent shortage of hireable lawyers.[166]

Although it is likely true, as commonly assumed, that most *defensores* entered the clergy as lay lawyers, a letter of Pope Felix II (483-492) during the Acacian Schism illustrates the need for caution on this point. In it Felix explains to the monks of Constantinople and Bithynia, his allies in the schism who are troubled about the controversy, that he has retained as his representative and counsel in the matter, a certain Tutus, "whom for this matter we have made *defensor ecclesiae* out of the more senior clerics in our church."[167] Tutus was obviously then already a deacon or a presbyter before his selection as *defensor*, but also by consequence he must have had legal experience before ordination if he was to be an effective advocate in this matter. Like Felix's letter, the Greek attestations of fifth- and and sixth-century *defensores*, which are variably labeled as either the *ekdikoi* or *ekklēsiekdikoi* of a diocese, also suggest that the office of *defensor* was conferred seperately from ecclesiastical ranks, Greek *defensores* are almost exclusively identified by the construction of "ecclesiastical rank" and "*defensor*" (*ekdikos*) save a handful of exceptions in a single problematic source.[168] Importanty, as Rhalles and Leontaritou have noted, they are always of inconsistent ecclesiastical ranks (sub-deacon, deacon, priest). Thus, like *oikonomi* or notaries one could execute the position of *defensor* (*ekdikos*) from any ecclesiastical rank; the implication here is that lay *defensores* could quickly move into the diaconate or ordained lawyers and notaries such an unidentified priest and (lawyer) *nomikos*

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[166] *Nov. Val.* 35.5: *Defensores ecclesiae de expressis urbium ministeriis non liceat ordinari.*

[167] Felix II, *Ep.* 12.1 (Thiel, 258): *quem ob hoc feceramus defensorem ecclesiae de provectioribus inter ecclesiam clericis.* At any rate, Felix's hope that an imperial arrest writ issued by his new *defensor* might carole "heretical" Monophysite Christians of the East was vainly placedTo his consternation Felix soon learned, Tutus was less than guarded (*tutus*) from the temptations of bribery than he expected. Like the prior papal legates he had sent before him, Tutus joined in communion with the anathametized patriarch and accepted a position in Constantinople. Even if Tutus had not been enticed by filthy lucre, the patriarch's *defensores* could have easily expelled him or imprisoned him such as they did with an earlier papal *defensor*, confusingly also named Felix, who found himself incarcerated for attempting to take a deposition from the sitting patriarch. For an overview of the Acacians Schism, see Jeffrey Richards, *The Popes and the Papacy in the Early Middle* Ages, 476-752 (New York: Routledge, 2014 (1979)): 59-62.

[168] See Vasilikē Leontaritou, Εκκλησιαστικά *αξιώματα*, 210-11. The problematic sources are the letters of Nilus of Ancyra (d. 430 CE) addressed to several *ekklēsiekdikoi*, which would be our earliest attestation of the Greek calque of *defensor ecclesiae*, without any ecclesiastical ranks, which would imply that like their western counterparts, they may not have been ordained by the date of composition; however, the titles of his epistolary collection in the manuscript have been shown to be anachronistic, and further many of the letters are lifted straight from other authors. See Alan Cameron, "The Authenticity of the Letters of St Nilus of Ancyra," *Greek, Roman and Byzantine Studies* 17 (1976), 181-196. Cf. Nilus of Ancyra, *Epistolae,* 1.71(*PG* 79, 113-114), 2.240 (323-324), 2.242 (325-326), 3.6 (367-370).

from upper Egypt or Felix's servant Tutus could become *defensores* after years of simply serving the Church as liturgical functionaries.[169]

Contemporary *defensores* in the Latin West had a more slightly complicated position with regard to their clerical status. The letters of Gelasius I (494-496), for instance, seem to place the *defensor* in an interstitial zone between lay and clerical status. His famous fourteenth epistle concerning the fast-tracking of the clerical *curus honorum* in order to replenish the priesthood, reads that a suitable layman after three months as an acolyte may be promoted to "a reader, a *notarius*, or certainly a *defensor*." After six months in one of these ranks the man may "receive the name of sub-deacon."[170] Thus, on one hand, the *lector,* the *notarius*, and the *defensor* seem equivalently ranked in the clerical *cursus honorum* that Gelasius imagines. A layman could transition into any of these offices after a period as an acolyte and then move comfortably into the subdiaconate. On the other hand, in another fragmentary letter from Gelasius, we learn that the people of Grumentina in Italy "begged" their bishop Sabinus "to have a fourth *defensor* consecrated a deacon" (*diaconum consecrari*). Gelasius accedes that "if nothing of his person [the *defensor*'s] can be opposed, then decorate him with a promotion to deacon (*diaconi provectione*)."[171] The verb *consecrari* implies that the *defensor* in question was a layman at the time, while the *provectio* deaconate implices a movement upwards within a pre-existing hiearchy. Neither Martroye and Kampe nor I have entirely plausible interpretations for the ambiguity here.[172]

Sixth-century sources are quite unequivocal that *defensores* were ordained clerics. Justinianic legislation, for instance, takes for granted that *defensores* are conferred clerical status, as they are described repeatedly as *deo amantissimi defensores* along with bishops and other clerical ranks.[173] A synod convened at Rome under Pope Symmachus (r. 498-514 CE) lumps presbyters, deacons, and *defensores* in the same category of clerics who should not abuse their positions for gain lest they be anathematized.[174] When Gregory the Great speaks of appointing of *defensores* in his letters, he consistently deploys the language of consecration and the granting of *priviligia* of their *officium*. He also sets as a requirement for the appointment that the man in

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[169] See the priest and *nomikos* from upper Egypt (4th-5th century), *IGChrEg* 651.

[170] Gelasius, *Ep.* 14.2 (Thiel, 363): *Ut si his omnibus, quae sunt praedicta, fulcitur, continuo lector, vel notarius, aut certe defensor effectus, post tres menses existat acolythus, maxime si huic aetas etiam suffragatur; sexto mense subdiaconi nomen accipiat…*

[171] Gelasius, Fr. 6 (Thiel, 486): *Quartum defensorem diaconum sibimet consecrari populus Grumentinae civitatis exposcit. Hunc ergo, si nil est quod ejus personae possit opponi, diaconii provectione decorabis: ut noverit tamen dilectio tua, hoc se delegantibus nobis exsequi visitatoris officio, non potestate proprii sacerdotis*.

[172] François Martroye, "Les *defensores*," 599-601; Otto Kampe, *Die* 'Defensores E, 1-20

[173] Martroye, "Les *defensores*," 601-602. See, for example, *Nov. Just.* 56.1 (537 CE), 74.1 (538), 133.4 (541).

[174] François Martroye, "Les *defensores*," 602-606.

quesiton should "not be bound in condition or body or have been a cleric in another city or be deviant in any against the statues of the canons."[175] In other words, just as with the other ordination of any cleric, the *defensor* had to be of free status; unfettered by any civic burdens that might rip him back from the clergy; of irreproachable moral probity (no twice married men); and could not be moved from one to see to the next in violation of the several councils, most famously Nicaea.[176] The *defensor* was a cleric *de facto* if not *de jure* to Gregory, and given the dozens of *defensores* referenced in his epistolary *registrum* (41 in total), one would expect that some intimations of their lay status would surface if they were not in fact clerics.

The limited material comparanda from Italy do not shed much light on the situation. The relevant Latin inscriptions mentioned above, mostly found near Trieste, simply identify their memorialized figures as a *defensor* without assigning a clerical office such as deacon or lector.[177] In contrast, the only two late Greek attestations of *ekklēsiekdikoi* (6^{th}-7^{th} cent.) also identify the deceased as a priest and a deacon respectively.[178] Similarly, a certain Eutolmius in Hermonthis is entombed under the title "presbyter, *scholastichos*, *ekdikos*." He was clearly a ordained priest, a practicing lawyer, a *defensor*, which were imagined as a three distinct societal roles in late Roman Egypt.[179] Thus, I am of the same opinion as most scholars that, whereas the *defensor*'s office in the East remained administrative addition to a clerical rank, Western *defensores* evolved into their own ordained rank such as the *notarii* and *regionarii* who would eventually receive their own ordination rites in the early Middle Ages.[180]

The Evolving Functions of the Defensores Ecclesiae (Ekklēsiekdikoi) in the East

Defense of the Church in court and legal paperwork remained key aspects to *defensor*'s administrative portfolio in the sixth century, but as I have already suggested bishops in the East and in the West alike had wide discretion in defining how their juridically-savvy *defensores* could best defend their communities. Increasingly after 450 CE, as their numbers expanded, *defensores* were also assigned investigatory and disciplinary functions on account of their acquaintance with civil as well as ecclesiastical law and their familiarity with churning research

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[175] Gregory the Great, *Ep.* 5.26 (*CCSL* 140, 293): *si nulli condicioni vel corpori teneri obnoxius nec fuisti clericus alterius civitatis aut in nullo tibi canonum obviant statuta…*

[176] Hanno Dockter, *Klerikerkritik im antiken Christentum* (Göttingen: VetR unipress, 2013), 52-54.

[177] See fn. 107 and fn. 108 above.

[178] i*Milet* 629, 11. 4-6 (602/606 CE): Ῥομανοῦ τοῦ θεοφηλεστάτου πρεσβ(υτέρου), προκουράτορος καὶ ἐκκλησιεκδίκου τῆς μεγάλης ἐκλ[ησί]ας Κουσταντηνουπό(λεως)… *I Klaudiu polis* 45 (Klaudioupolis, undated) θήκη Παύλου διακ̣ό(νου) καὶ ἐκλησιεκδ(ίκου).

[179] Lefebvre, *IGChrEg* 430: Ευτολμιου πρεσβ(υτερου) σχολ(αστικου) εκδικου.

[180] Michel Andrieu, *Les* Ordines Romani *du haut moyen âge,* 55-72.

into winnable cases before magistrates. Bishops, as will be clear, promoted the proliferation of *defensores* and the widening of their purview in order to extend their surveillance over their communities; the Roman state promoted these more expansive investigative functions because in all successful deployments of the *defensor*'s juridical powers, the Roman legal apparatus with its increasingly Christian agenda broadened its ability to impose Christian unity.

Within the *Corpus juris civilis,* ecclesiastical *defensores* appear most often performing functions correlated with their legal expertise and professional training. For instance, Leo (457-474 CE) placed *defensores ecclesiae* as the bondsman for clerics under trial or and under subpoena as witnesses, while Justinianic law assigned them a role in the collection of taxes from asylum-seeking criminals fleeing their obligations.[181] These tasks obviously enough fell into their bailiwick as lawyers. Likewise, when Justinian placed 800 workshops at Constantinople under the management of *defensores* so that they might facilitate the burial industry in the city, they were merely serving as legal executors and curators. The trustworthiness necessary in these tasks, e.g., the sacred inviolability of contracts and the sensitive matter of eternal rest, was of course vouchsafed by their proximity to the bosom of the Church, but the actual paperwork or administration of either task could have been handled by a secular attorney.[182]

Similarly, a 538 CE law of Justinian enlisted *defensores ecclesiae* in the nuptial process, mandating their service as required witnesses and notaries to marriage documentation and paperwork designating heirs for not only the wealthy, but also military officers, professionals, and merchants. They most importantly to ensure that an eager bridegroom did enter a marriage "haphazardly, without caution, loosely, and without proof."[183] Another edict of Justinian appointed them as the enforcers of promised donations to the Church of Alexandria.[184] Just as in the above laws, both of these intrusions of an ecclesiastic into secular legal affairs had their basis in the technical skills needed to execute official documents. Only trained notaries and lawyers would have been familiar enough with Roman bureaucratese and formularies to craft an irreversible marriage contract or donation—these types would also notice any irregularities or loopholes in the documentation. With these laws, the Roman state simply instrumentalized talented *defensores* to increase its social control over its citizenry and their property. Roman law did, however, restrict *defensores* from participating in one of the most common tasks for Roman legal practitioners, namely the execution of wills. As a law of Justin I (518-527 CE) read,

> We think that our admonition should be renewed and that notice should not only be given to the judges of all tribunals, but also to the *defensores* of the churches of this Generous City, among whom has crept in the most wretched practice of dictating the last will of

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[181] *C. J.* 1.3.32.2-4 (472 CE); *Nov. Just.* 17.7 (535 CE)

[182] *Nov. Just.* 59.1-2 (537 CE). See Sarah Bond, "Mortuary Workers, the Church, and the Funeral Trade in Late Antiquity," *Journal of Late Antiquity* 6.1 (2013), 135-151.

[183] *Nov. Just.* 74.4.1-2 (538 CE): *non sic quomodocumque et sine cautela effuse et sine probatione hoc agatur*; see all *Nov. Just.* 117.4 (542 CE).

[184] *Edict. Just. 13*.10 (538/9 CE). Justinian, always the pragmatist, did require that donors' back taxes had to be paid first before *defensores* could reap the benefits for the Church.

> dying persons. They should be warned not to interfere in such matters, as no one, in accordance with the precepts of our constitutions, is authorized to do so except an official of the census. Indeed, it is absurd and even reprehensible for clerics to desire to be seen as experts in legal matters. Those bold enough to disobey this decree shall have a fine of fifty pounds of gold imposed upon them.[185]

A slightly different variant of the law without the limitation to Constantinople (*Alma Urbs*) appears in another section of the code, with an added biting summation that "the last wishes of dying persons shall not be thwarted by an illegal registry, when the functions of the proper officials have been insolently usurped by unfit persons.[186] Here the defensores who are typically described as "most God-loving" in the *Corpus juris civilis* are knocked down quite a few pegs as both legal practioners and shepherds of Christian souls.[187] Even the most uncynical and roseate historian can see the subtextual accusation in the law. There must have been a curious rise in the number of wills and dying declarations executed by *defensores*, which coincidentally bequeathed wealth to the church.[188] It should go without saying that ordained *defensores*, more or less all *defensores* after 450 CE or so, would have received a portion of clerical revenues as their salaries. They likely also charged for the drafting of wills, just as many other clerics charged for religious services such as baptisms.[189]

Beyond their administrative task, fifth- and sixth-century *defensores* had also become more integrated into the Roman criminal justice system. Let us begin with Patriarch Severus of Antioch (d. 538 CE), whom we have already met several times above, and with a rather innocuous crime. In one of his numerous letters on ecclesiastical affairs, Severus recounts the

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[185] *C. J.* 1.3.40 (524 CE): *Imperator Justinus. Repetita promulgatione non solum iudices quorumlibet tribunalium, verum etiam defensores ecclesiarum huius almae urbis, quos turpissimum insinuandi ultimas deficientium voluntates genus irrepserat, praemonendos censemus, ne rem attingant, quae nemini prorsus omnium secundum constitutionum praecepta quam census magistro competit. Absurdum etenim clericis est, immo etiam opprobrium, si peritos se velint disceptationum esse forensium: feriendis temeratoribus huius sanctionis poena quinquaginta librarum auri.*

[186] *C. J.* 6.23.23 (524 CE): *Nec enim concedendum est, ut suprema vota deficientium eversionis quicquam ex incongrua insinuatione contrahant, dum res ab incongruis usurpatur audacte.*

[187] See, for example, *Nov. Just.* 56.1 (537 CE), 74.1 (538 CE), 133.4 (539 CE). François Martroye, "Les *defensores*," 601-602.

[188] For contested wills see, Edward Champlin, *Final Judgments: Duty and Emotion in Roman Wills, 200 B.C.-A.D. 250* (Berkeley: University of California Press, 1991), 82-103; Caroline Humfress, Orthodox and the Courts, 75-66.

[189] On ecclesiastical fees, see Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasiens* (Franz Steiner Verlag, 2005), 253-254; A. H. M. Jones, "Church Finances in the Fifth and Sixth Centuries," *Journal of Theological Studies* 11.1 (1960), 84-94; Emil Hermann, "Die kirchlichen Einkünfte des byzantinischen Niederklerus," *Orientalia christiana periodica* 8 (1942), 378-442.

case of a certain misbehaving cleric named Nonnos who stood accused of petty theft. The letter does not specify what he actually stole, but Severus is more frustrated that the injunction, which his *ekklēsiekdikoi* had placed on Nonnos' free movements during the period of pre-trial investigation had not been effective. Confined to his home on his own recognizance, Nonnos absconded. Severus' authority had been openly mocked. Severus informs us, however, that through legal negotiations he secured a promise for Nonnos' return after conceding to Nonnos that he could have first ten and then twenty days of preparation for his defense against the *ekklēsiekdikoi'*s case. Nonnos used the time to petition authorities to transfer his case to a secular jurisdiction contra ecclesiastical custom.[190] Now his leniency and gullibility were under ridicule. Severus' confinement of Nonnus would have undoubtedly been more successful had his community possesed one of the growing numbers of ecclesiastical prisons in the sixth century such as the one in nearby Gerasa, whose 539 CE dedicatory monument praises the local bishop Paul who,

> laid the holy foundation of a prison (*phrouga*). He made these decisions because of their usefulness and blessed it in the name of the Lord for all the accused (*hypaitioi*) with the exception of the condemned (*katakritoi*): neither having the right to throw a sentenced person (*katadikon*) into it or to transfer from there someone to the condemned prison (*hē phylakē tōn katakritōn*). He has delivered the person who infringes his holy decisions to the judgment of the Lord.[191]

Severus' *defensores* should have at least repurposed a monastic cell or an ecclesiastical apartment for the containment of wayward clerics, misbehaving nuns, and lay heretics, as we know many ancient bishops had already done by Severus' day.[192]

One often encounters *defensores* in the sixth century prosecuting small-scale infractions and peccadillos such as the affair with Nonnus. For instance, our only papyrus attestation of sixth-century *defensores* is a transcribed interrogation conducted by anonymous *ekklēsiekdikos* of the church of St. Thekla in Oxhyrhynchos regarding a certain Menas who had fled from accusations of having stolen a monastery's silver liturgical vessel. Returned to custody, he swore to the committee led by the *defensor*, "On the three holy mysteries I am telling the truth." He had not committed the theft, Menas insisted, but rather he had unwittingly abetted the true perpetrator who tricked him into participating in the crime under the influence of a certain "Anna the

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[190] Severus of Antioch, *Ep.* 1.43 (E. W. Brooks (ed. and trans.), *Select Letters of Severus of Antioch in the Syriac version of Athanasius of Nisibis,* 2 vols. (London: Williams and Norgate, 1902-04), 2.1, 120-123).

[191] *SEG* 35:1571, ll.1-7: Παῦλος ὁ μακαριώτ(ατος) ἡμῶν ἐπίσκο(πος) Θεοῦ Χάριτι καὶ τοῦτο τὸ εὐσεβὲς κτίσμα τῆς φρουρᾶς ἀνήγειρεν, τὸ συμφέρον δοκιμάσας, καὶ ἐν τῷ ὀνόματι τοῦ Κ(υρίο)υ εὐλογήσας ταύτην εἶναι πάντων τῶν ὑπαιτίων δί[χα] τῶν κατακρίτων, μὴ ἔχειν δέ τινα ἐπ' ἀδείας κατάδικον ἐνβάλλειν αὐτῇ μήτε ἐξ αὐτῆς καταφέρειν τινὰ εἰς τὴν τῶν κατακρίτων φυλακὴν καὶ τὸν παραβαίνοντα τὰ εὐσεβῶς δεδοκιμασμένα παραδοὺς τῷ κρίμματι τοῦ Κ(υρίο)υ. For an analysis of the inscription, see Pierre-Louis Gatier, "Nouvelles inscriptions de Gerasa," *Syria* 62.3 (1985), 297-312, 297.

[192] Julia Hillner, *Prison, Punishment, and* Penance, 281-312.

washer-woman." Whether Menas was lying, we cannot know, but we can be confident that the church did not recover its stolen property. We learn from the last line of the fragmentary deposition that the real criminal took the vessel to a silversmith, who melted down the vessel and thus laundered his ill-gained wares.[193] Legal sources likewise confirm that the purview of *defensores* and *ekklēsiekdikoi* had largely become crimes of theft, personal vice, and ecclesiastical corruption. The twenty-third canon of Chalcedon, for instance, vested the particular *ekdikoi* of Constantinople with the duty of compelling clerics who overstayed their visits in Constantinople to return to their own dioceses. The same canon also mandated them to initiate the paperwork for legal expulsion of the clerics, if the clerics were unwilling to vacate the capital.[194] A 539 CE law of Justinian empowered *defensores* to act as spies who should report on misbehaving monks and clerics. They were to enforce that these religious men and women

> have no individual places of abode, do not accumulate riches, and do not lead a life without witnesses, but live and sleep together, following an honorable life, and witnesses to each other's honorable conduct. The younger will revere the gray hairs of those observing these rules, and take pain to hold vigils, so that nothing improper may happen

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[193] P. Oxy. 24.2419, ll. 1-11: [-ca.?-] vac. ? [-ca.?- κα]τὰ τὴν σήμερον ἡμέραν ἥτις ἐστὶν τριακὰς τοῦ παρόντος μηνὸς Μ̣ε̣σ[ορὴ τῆς . . ἰνδ(ικτίνος) - ca.13 -] [ἐπὶ τῆς παρουσίας -ca.?-]οψου τοῦ εὐλαβεστ(άτου) ἐκκλησιεκδίκου καὶ Σερήνου τοῦ εὐλαβ̣ε̣στάτου πρεσβυτέρου τῆς ἁγίας Θέκλας καὶ Πραοῦτος τοῦ θαυμασ(ιωτάτου)[καὶ -ca.?- τοῦ εὐλα]βεστ(άτου) πρεσβυτέρου καὶ οἰκονόμου τῆς αὐτῆς ἁγίας ἐκκλησίας μ̣ε̣τ̣ὰ̣ Ἱερακίωνος ἀκολουθοῦντος(*) καὶ Μηνᾶ τοῦ δημοσίου ταβολαρ(*) [-ca.?- ἠρ]ωτήθη ὁ̣ α̣ὐτὸς Μηνᾶς, ἐπειδὴ σύμμαχος ἦν τῆς ἐκδικίας, διὰ τί φεύγεις; καὶ εἶπεν ὅτι• διὰ τὴν αἰτίαν Ἀναστασίου τοῦ πρωξίμου [-ca.?-]. ιοιδες εἶπε μετὰ ἀληθείας. κ̣α̣ὶ ὄμοσεν(*) κατὰ τῆς δυνάμεως τοῦ αὐτοῦ ἁγίου τούτου, ὅτι• μὰ τὰ ἅγια μυστήρια, τὸ ἀληθὲς [λέγω• -ca.?- συνε]γενάμην(*) αὐτῷ ἀπερχομένῳ ἐν ἑσπεριναῖς ὥραις εἰς τὸ μοναστήριον Ἄμα Ἰ(*)ουλιανῆς. καὶ ἐμοὶ μὲν ἔλεγεν [-ca.?-]ου ταῦτα ποιοῦντος. ἦν δὲ βράδιον πάνυ ὅτε ἀπήρχετο, καὶ προέπεμπον αὐτὸν ἕως τῆς θύρας τοῦ [μοναστηρίου -ca.?- ἀ]νεωγμένον, καὶ εἰσήρχετο, καὶ ἐκλείετο ἡ θύρα ὑπὸ τῆς θυρουροῦ, καὶ ἐγὼ ἀπεχώρουν. ἔπεμψεν δὲ αὐτῷ [-ca.?-]ε̣πενοικε̣. ω διὰ \Ἄ/ννης(*) τῆς πλυτρίας(*) πατελλίκιν ἀργύραιον(*) κάτω εἰς τὴν θήκην αὐτοῦ, λέγουσα ὅτι•[-ca.?- ἀρ]γυραιο̣[. . . . .]. ως πατελλ[ικι.] κεκλασμέ[ν. .] καὶ ἐκεῖνο ἀ̣π̣εδόθη τῷ ἀργυροκόπῳ, κ̣α̣ὶ ἐποίησεν κοχλι- [άρια…. The only reference that I have found to this papyrus in relationship to the crime is Barry Baldwin, "Crime and Criminals in Graeco-Roman Egypt, *Aegyptus* 43. 3/4 (1963), 256-263: 258.

[194] Canon 23, Council of Chalcedon (Schwartz 2.1.2, 162): Ἦλθεν εἰς ἀκοὰς τῆς ἁγίας συνόδου ὡς κληρικοί τινες καὶ μονάζοντες μηδὲν ἐγκεχειρισμένοι ὑπὸ τοῦ ἰδίου ἐπισκόπου, ἔστι δὲ ὅτε καὶ ἀκοινώνητοι γενόμενοι παρ' αὐτοῦ, καταλαμβάνοντες τὴν βασιλεύουσαν Κωνσταντινούπολιν ἐπὶ πολὺ ἐν αὐτῇ διατρίβουσιν ταραχὰς ἐμποιοῦντες καὶ θορυβοῦντες τὴν ἐκκλησιαστικὴν κατάστασιν ἀνατρέπουσί τε οἴκους τινῶν. ὥρισεν τοίνυν ἡ ἁγία σύνοδος τοὺς τοιούτους ὑπομιμνήσκεσθαι μὲν πρότερον διὰ τοῦ ἐκδίκου τῆς κατὰ Κωνσταντινούπολιν ἁγιωτάτης ἐκκλησίας ἐπὶ τῶι ἐξελθεῖν τῆς βασιλευούσης πόλεως, εἰ δὲ τοῖς αὐτοῖς πράγμασιν ἐπιμένοιεν ἀναισχυν- τοῦντες, καὶ ἄκοντας αὐτοὺς διὰ τοῦ αὐτοῦ ἐκδίκου ἐκβάλλεσθαι καὶ τοὺς ἰδίους καταλαμβάνειν τόπους.

> even during sleep and nothing disgraceful be exhibited to the others, but each shall maintain their propriety even while sleeping.[195]

The remainder of the novel concerns the necessity of communal sleeping arrangments, the deplorable porosity of monastery entrances, and the disgraceful intermingling of genders. Rather, periphrastically, the *defensores* were being charged with monitoring celibacy and reporting on prurient activities. [196] Another Justinianic law gave *defensores* jurisdiction over cases of married women and men suspiciously fraternizing in church as well as cases of adulterers seeking asylum. The law mandated that after three warnings "those impious persons… who made plans for sinning where those fearing God ask pardon for their sins," were to be held by their church's *defensor* until the offended husband and local officials decided their fate.[197] Extrapolating from these laws, the sixth-century jurist Athanasius of Emesa, writing after Justinian's death, assumed generally that *ekklēsiekdikoi* handled all investigations into accused rapists and adulterers (10.9.16), asylum-seekers (23.4.4), and clerics who broke their vows of celibacy (11.3.4).[198] Another law delegated to *defensores* cases of clerics who accepted bribes, or "entrance money," for ordaining men into the clergy. It stipulated further that the *defensores* themselves were liable to a fine of 10 lbs. of gold if they failed to report an act of simony.[199]

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[195] *Nov. Just.* 133.pr.: *Dudum quidem scripsimus constitutionem volentem in multitudine existentes monachos in commune degere secundum quod appellatur coenobiorum schema, et neque propria habere habitacula neque substantias congregare neque vitam sine testimonio, sed communiter quidem eos comedere, dormire vero omnes in commune, et honestam sectari vitam et testes esse ornatus alterutris. et iuvenes quidem vereri canitiem haec respicientium et ex studio etiam vigilias assumere, ut ne quid facinoris veluti per somnum fiat neque turpis videatur aliis, sed unusquisque suam honestatem etiam dormiendo custodiat.*

[196] *Nov. Just.* 133.4-6 (536 CE).

[197] *Nov. Just.* 117.15.1(542 CE).

[198] Dieter Simon and Spyros Troianos*, Das Novellensytagma des Athanasios von Emesa* (Frankfurt am Main: Löwenklau Gesellschaft, 1989), 352, 490, 370.

[199] *Nov. Just.* 56.1 (537 C): *Sancimus igitur beatitudinem tuam hoc validissime custodire, et si quid quidem consuetudo est dare eos qui ordinantur in sanctissima maiore ecclesia, hoc eos praebere (nihil enim de his quae dantur in sanctissima maiore ecclesia novamus), praeterea vero in aliis omnibus nulli in eis clericorum licentiam esse penitus pro his quae vocantur insinuativa aliquid ferre. Sed si quis tale aliquid egerit, illum quidem privari sacerdotio, in illius autem officium introire qui missus est, et hanc eum avaritiae ferre mercedem. Custodire vero haec etiam deo amantissimos ecclesiae defensores sanctissimae maioris ecclesiae, poenam formidantes decem librarum auri, si quid horum neglexerint. Sed gratis omnia procedere: domini etenim dei functiones et ministeria non per venditionem neque per mercationem fieri aliquam volumus, sed pure et citra redemptionem. Sic enim rei digni fient, nulla venditione ac mercatione facienda.* The purchasing of secular and ecclesiastical offices was widely practiced by the age of Justinian. Cf. Sabine Hübner, "Currencies of Power: The Venality of Offices in the Later Roman Emprie," in Andrew Cain and Noel Lenski (eds.), *The Power of Religion in Late Antiquity* (Burlington, VT: Ashgate, 2009), 168-178.

The seventh-century *Vita* of John the Almsgiver, the patriarch of Alexandria, likewise demonstrates the *defensor*'s novel role of late antique vice cop. In one of the *Vita*'s vignette, we learn that a certain wondering monk had been begging on the streets of Alexandria in the company of "a very young girl." Some scandalized denizens of the patriarchal city reported to John that the monk had violated his vow of continence and "mocked the angelic habit of the monastic life," and his *defensores* were dispatched on the case. John ordered that the young woman be separated from the man and that the monk be scourged and imprisoned in solitary confinement. The very night of these events, the monk appeared to John in a dream and "showed him his lacerated back. The *ekklēsiekdikoi* had thrashed him without mercy."[200] John, understandably disturbed by the nocturnal visit, inspected the next day the maimed monk personally and upon his surprise discovered what the overly zealous *ekklēsiekdikoi* had not uncovered in either their investigation or their thrashing. The monk was a eunuch, and upon further investigation it was discovered that the girl was a Jewess traveling with her converter to deliver herself to a monastery. The *ekklēsiekdikoi* had been negligent in their job. John begged the monk to accept 100 solidi in recompense, but with the monk refusing on account of his vow of poverty, John built with the funds a hostel for traveling monks and called it "The Receiver of Monks."

The hagiographer Leontios of Naples expressly included this "quaint" biographical anecdote as the reason why John, the affluent son of a governor and a worldly cleric, "showed special honor and hospitality to monks, both to the good and to those who were reputed to be evil."[201] John as a literary character, that is to say, Leontios the author, never condemns the overzealous *defensores*. In fact, as we saw in John's criticism of lazy *defensores* above, Leontios lauded John's strenuous use of vigilant *defensores*.[202] In another variant of John's *Vita*, we

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[200] Leontios of Neapolis, *Life of John the Almsgiver* 23 (A.-J. Festugière and L. Rydén, *Leontios*, 343-409: 373): Τινὸς μοναχοῦ γυρεύοντος ἐν τῇ πόλει μετὰ μιᾶς κόρης νεωτέραςκαὶ ἐπαιτοῦντος ἐλεημοσύνην ἐπὶ ἡμέρας τινάς τινες τῶν τούτους θεωρούν-των σκανδαλισθέντες καὶ νομίσαντες ὅτι γυνὴ αὐτοῦ ἐστιν προσανήνεγκαν τῷ πανοσιωτάτῳ κατ᾽ αὐτοῦ ἐγκλήσεις «διότι», φησίν, «θεοτίμητε, κωμῳδεῖ τὸ ἰσάγγελον τοῦ μοναδικοῦ βίου σχῆμα», εἰπόντες αὐτῷ ὅτι «καὶ κόρην τινὰ ἔχει εἰς γυναῖκα». εὐθέως οὖν ὁ τοῦ θεοῦ θεράπων ὡς νομίζων κωλύειν τὰ πρὸς τὸν θεὸν ἁμαρτήματα ὡς εἰς τοῦτο αὐτὸ προχειρισθεὶς ἐπέτρεψεν τὴν μὲν γυναῖκα πτερνισθῆναι καὶ ἀποχωρισθῆναι ἐξ αὐτοῦ, αὐτὸν δὲ λωρισθῆναι καὶ εἰς φυλακὴν ἰδιάζουσαν ἀποκλεισθῆναι. ὡς οὖν διὰ πάσης συντομίας τὸ πρόσταγμα τοῦ ὁσίου εἰς ἔργον προήχθη, φαίνεται αὐτῷ τῇ νυκτὶ κατὰ τοὺς ὕπνους ὁ μοναχὸς δεικνύων αὐτῷ τὸν νῶτον αὐτοῦ ὅλον σεσημμένον—ἦσαν γὰρ ἀφειδῶς δείραντες αὐτὸν οἱ ἐκκλησιέκδικοι—λέγων αὐτῷ· «Οὕτως ἀρέσκει σοι, κῦρι ὁ πάπας; πίστευσον, τὴν μίαν σου ἐπλανήθης ὡς ἄνθρωπος.» καὶ ταῦτα εἰπὼν αὐτῷ ἀνεχώρησεν ἀπ᾽ αὐτοῦ.

[201] Ibid., 24, (375): ἔκτοτε οὖν ὑπερεκπερισσοῦ ἐτίμα καὶ ἐφιλοξένει τοὺς μοναχοὺς καὶ τοὺς καλοὺς καὶ τοὺς νομιζομένους εἶναι κακούς. καὶ ἔκτισεν εὐθέως ξενίαν ἰδιαζόντως καὶ ἐκάλεσεν αὐτὴν 'πανδέκτην τῶν μοναζόντων', πᾶσαν ὑπηρεσίαν τὴν πρὸς ἀνάπαυσιν παρέχων τῶν ἐν αὐτῇ καταλυόντων μοναχῶν.

[202] Ibid., 5 (349): τῷ φόβῳ τῶν καγκελαρίων καὶ σεκρηταρίων καὶ ἐκκλησιεκδίκων καὶ λοιπῶν τῶν παρισταμένων…

discover what his diligent *defensores* passed their time investigating: when not seeking out supposedly libidinous monks, they were also busy scrutinizing the sexual habits of a lakeside community of men near Alexandria who "practiced wanton sodomy relentlessly… When John learned of this illegal deed and pollution, he ordered [to his officials] that the boys be carried away from the place"[203] He then established a monastic compound for these erstwhile pagans and homosexuals.

As troubling as the vignettes of John's *defensores* are, they pale in comparison to the depiction of *defensors* in contemporaneous Syriac sources emanating from the world of Severus of Antioch. Now, it should be said that as a trained lawyer himself, Severus would have been quite accustomed to legal challenges and fiascoes.[204] No doubt, the Nonnos affair did not faze him—Severus also likely approved of the Justinianic criminalization of simony since, as we saw in chapter one, he lamented the influx of corrupt men into the church. As his biographer recorded, Severus spent his law school days in awe of contemporaneous Christian communities that deployed their *defensores* (both *ecclesiae* and *civitatis*) to expose illegal pagans and to organize the burning of their "books of magic with their demonic signs."[205] The plight of persecuted pagans, it seems, did not have a chilling effect on Severus or his eastern contemporaries, despite the fact that many of the non-Chalcedonian Christians of the East would experience the legal persecution of *defensore*s and other ecclesiastical officials firsthand. Severus in fact spent much of his career as the patriarch of Antioch in exile in Egypt as a guest of the bishop of Alexandria who shielded him from arrest over both charges of heresy and accusations

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[203] Hippolyte Delehaye, "Une vie inedite de Saint Jean I'Aumonier," *Analecta Bollandiana* 45 (1927), 5-74: 21: τὴν σοδομιτικὴν ἀσέλγειαν ἀνέδην ελργάζοντο… Τοῦτο τὸ παράνομον ἔργον και μίασμα μαθῶν ὁ θεόληπτος πατριάρχης, τοὺς μὲν ναΐδας εκείθεν ἀφελέσθαι προζέταξε…

[204] See the overview essay in Pauline Allen and Robert Hayward, *Severus of Antioch* (London: Routledge, 2004), 3-30.

[205] Zacharias Rhētor, *Life of Severus*, 49 and quote at 91 (Sebastian Brock and Brian Fitzgerald, *Two Early Lives of Severos, Patriarch of Antioch* (Liverpool: Liverpool University Press, 2013) pp. 36 and 69). *C. Th*. 16.10.12.4 (392 CE) first designated *defensores civitatis* with the prosecution of pagans. Interestingly, a law dated to 503/4 CE and published in an inscription at Korykos in Cilia Trachea specified that the bishop should select the *defensor* of the city. Cf. *MAMA* 3.197. For book-burning in antiquity, see *Dirk Rohmann, Christianity, Book-Burning and Censorship in Late Antiquity Studies in Text Transmission* (Berlin: De Gruyter, 2016). By the end of the fourth century participation in magic or divination rites was a capital offense in the Christian Empire, and earlier "magic scares" in both Rome and Antioch had resulted in a series of trials that could only be called witch hunts., prompting several emperors to issue laws reining in false accusations and riotous crowds. See, for instance, the anti-magic law of Constantius II, *C. Th.* 9.16.4 (357 CE). For the magic craze under Valentinian and Theodosius, see Philip Tilden, *Religious Intolerance in the Later Roman Empire: The Evidence of the Theodosian Code* (Diss. Univestity of Exeter, 2006), 122-129; Michele Renee Salzman, "'Superstitio' in the Codex Theodosianus and the Persecution of Pagans," *Vigiliae Christianae* 41.2 (1987) 172–88.

that his community had hired mercenaries to butcher 250 pilgrims of a rival theological faction. *Defensores* at councils in 536 and 553 CE were also crucial figures in securing the anathema of both Severus' own monophysite beliefs and those of his Nestorian opponents.[206]

Defensores by the sixth century were entangled in a range of legal matter from petty thefts and paperwork to large-scale shifts in the empire's religious policies. And scholars have given far too little attention to their involvement in policing orthodoxy and religious conformity in the Christian Roman Empire. For instance, during a period of calm, when Constantinople and the confessional community around Antioch were not in theological conflict, we find Severus' fellow bishops using their investigative force of *ekklēsiekdikoi* to rout out crypto-pagans instead of thieves and heretics. We learn from the sixth-century Syriac historian John of Ephesus that through pressuring witnesses and even torturing some, the local corps of church lawyers discovered that members of crypto-pagan covens including a provincial governor and several prominent bishops had supposedly committed human sacrifice in secret. A frustrated John recalled how through the warning of corrupt officials, many of the accused skipped bail and absconded to hideaways. One bishop even committed suicide before his trial, and one of the key informants turned up mysteriously murdered. Nevertheless, the historian John recollects with pride how the *defensores* turned the recalcitrant pagans over to secular officials who in turn fed them to the beasts in the arena: they received their deserved fates for their "heathenish errors." News of these incidents spread so far that heretics, crypto-pagans, and Jews in Constantinople supposedly colluded to rough up preemptively their local *defensores* before they could commence similar investigations. Hearing of this insult to the Christian faith, John estimates, 100,000 pious Christians marched on the imperial palace demanding that the emperor execute all the groups *en masse*.[207] John was gleeful about the show of Christian unity and also disapointed that Justinian, who had assigned him to crush paganism in Syria, did not slaughter the infidels. John's history, which he composed after his own arrest and lengthy ecclesiastical imprisonment for heresy, both of which acts were likely carried out by *defensores*, did not offer a modicum of sympathy or self-reflection about religious persecution. In his history John boasts that he saw 70,000 conversions, toppled many pagan temples (replacing them with monasteries), and ensured that resistant pagans and apostates met their deaths. This was typical Christian bragging for the Justinianic age. Christians communities such as the one at sixth-century Sardis even took to

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[206] Cf. Richard Price, *The Acts of the Council of Constantinople of 553. With Related Texts on the Three Chapters Controversy* (Liverpool: Liverpool University Press, 2012), particularly his broad introduction 1-103. For the *ekdikoi* present at the council, see Schwartz, ACO 4.1, 29, 30, 119, 120, 199, 200; for *ekdikoi* at the earlier council of 536, see Schwartz, ACO 3, 154, 159, 166, 167, 168, 175, 176.

[207] John of Ephesus, *Historia Ecclesiastica* 3.27-34 (Robert Payne Smith, *The Third Part of The Ecclesiastical History of John, Bishop of Ephesus* (Oxford: Oxford University Press, 1860), 209-227). The incident is treated in Frank Tombley, "Religious Transition in Sixth-Century Syria," in Andrew Dyck, Milton Anastos, Sarolta A. Takács (ed.), *Presence of Byzantium: Studies Presented to Milton V. Anastos in Honor of His Eighty-Fifth Birthday. Byzantinische Forschungen* 20 (Verlag Adolf M. Hakkert, 1994), 153-195: 172-179

memorializing the number of "unholy and defiled pagans interned" by their local community leaders.[208] The *defensores* of the sixth-century East were very products of their times.

Defensores in the World of Gregory the Great

Turning to the sixth-century West, we find *defensores* operating in much less histrionic affairs than the East, primarily serving as the managers of ecclesiastical properties; nonetheless, several anecdotes verify that like their eastern counterparts, they also could play the part of episcopal investigators. I would be remiss to not highlight that, although Gregory the Great's assembled epistolary *registrum* provides most of the examples of *defensores* in the sixth-century West (41 in total), their portrait woud be slightly more fragmentary without the Italian papyri collected and edited by Tjäder, primarily from Ravenna and extending back to 491 C. E. (*P. Ital.* 1.12). Most earlier commentators on *defensores* in the West were not aware of the existence of these irreplaceable treasures for early Medieval documentary history. In these rather prosaic documents, one uncovers *defensores* handling the mundane administrative paperwork that one would expect of ordaining lawyers. [209] Like their notary counterparts in Egypt, the *defensores* of Ravenna exhibit themselves only as passive figures in formulaic transactional documents. They are otherwise silent players, who occasionally chime in to thank a judge, to serve witnesses, or to request a copy of official records.[210] If the Ravenna papyri represent the executed documentary finales of transactions, then Gregory the Great's letters narrate the back stories obscured by bureaucratic concision and formulae. [211] Gregory, for instance, tasked one *defensor* named Symmachus to aid a certain Abbot Orosius in purchasing an island from private landowners to establish a monastery.[212] He dispatched another *defensor* by the name of Florentinus to help an

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[208] See Frank Trombley, *Hellenic Religion and Christianization: C. 370-529*, 2 vols. (Leiden: Brill, 2001), vol. 2, 181 (n. 25).

[209] Jan Olof Tjäder, *Die nichtliterarischen lateinischen Papyri Italiens aus der Zeit 445-700*, 3 vols. (Lund: C.W.K. Gleerup, 1954-1982). Cf. Nicholas Everett, "Lay Documents and Archives in Early Medieval Spain and Italy, C. 400-700," in Warren G. Brown et al. (eds.), *Documentary Culture and the Laity in the Early Middle Ages* (Cambridge: Cambridge University Press, 2013), 63-94.

[210] For the appearance of *defensores ecclesiae*, see *P. Ital.* 1.2, 1.12, 1.14-15, 1.24, 2.37.

[211] The most up-to-date analysis of Gregory's use of *defensores* is John Martyn, "Six Notes on Gregory the Great," *Medievalia et humanistica* 29 (2003), 1-26: 1-7; Otto Kampe's dissertation's *Die "*defensores ecclesiae*" der Spätantike in Rom,* which is exceedingly difficult to acquire, is the most extensive analysis of fifth- and sixth-century Italian *defensores.* Balthasar Fischer's "Die Entwicklung des Instituts der Defensoren in der romischen Kirche" is useful, but only addresses papal sources with very limited contextualization of the *defensores* in an imperial setting.

[212] Gregory the Great, *Ep.* 1.50 (*CCSL* 140, 63-64).

abbot reacquire a title on a piece of land, whose official ownership records had been lost.[213] The resultant documents from these transactions would have indistinguishable from the those in Ravenna, which miraculously survived 1,500 years of Italian humidity.

One also appreciates very quickly strolling the pages of Gregory's *Registrum* that his *defensores* were the extended arms of his pastoral care and, furthermore, that they had largely eclisped the duties of secular *defensores civitatis* to protect the poor and the vulnerable in matters large and small.[214] For exampled Gregory granted the *defensor* of Sardinia permission to sojourn to Constantinople in order to request a lowering of the tax *onera* for all the region's impoverished land-owners.[215] Elsewhere Gregory had the same *defensor* purchase slaves for a parish of slim means in need of laborers He asked the *defensor* Vitalis "to make haste in this matter so that you show yourself as a lover of the needy (*egentes*).[216] Having learned from the bishop of Carthage that minors and paupers were being oppressed in Sardinia by *majores,* Gregory assigned to his *defensores* both the investigation of the charges and the protection of the accused who might seek asylum churches.[217] A much smaller act of kindness was afforded to a poor farmer who claimed to not have received his due pay for three years worth of building homes for a church of Catana. Gregory sent a *defensor* to investigate and, if validated, to secure his wages. [218] Gregory similarly dispatched a certain *defensor* named Romanus to Naples to investigate reports that thieves were targeting the homes of elderly citizens.[219] When a grieving mother beseeched Gregory for aid in covering the three-solidi fee that the bishop of Sardinia was charging to perform her daughter's funeral, it was a *defensor* that was sent to ensure "a peaceful arrangement" would be made.[220] Elsewhere Gregory sent the *defensor* Anthelm to keep intact the property of an engaged woman who had decided instead to become a nun. Anthelm was to ensure that the law protecting a fiancée's right to take vows without penalty was enforced (*C.J.*1.3.54).[221]

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[213] *Ep.* 3.3 (Ibid., 148-149).

[214] Only a handful of *defensores civitatis* are attested in sixth-century Italy (cf. P. Ital. 4+5, for example). See T. S. Brown, *Gentlemen and Officers: Imperial Administration and Aristocratic Power in Byzantine Italy A.D. 554–800* (London: British School at Rome, 1984), 17.

[215] *Ep.* 14.2 (*CCSL* 140A, 1066-1069)

[216] *Ep* 9.124 (Ibid., 675): *Ita ergo te in hac re exhibere festina, ut et quasi egentium amator, quorum usibus emuntur, ostendas et nobis te de tua valeas sollicitudine commendate*.

[217] *Ep.* 10.17 (Ibid., 846).

[218] *Ep.* 9.43 (Ibid., 601).

[219] *Ep.* 9.46 (Ibid., 605).

[220] *Ep.* 8.35 (Ibid., 561): *Alias vero causas quae praedicta Nereidae est complexa petitio hortamur ut aut pacifica si fieri potest.*

[221] *Ep.* 7.20 (*CCSL* 140, 471).

The *defensor*'s duties under Gregory's papacy also included the grimmer aspects of the job mandated by Roman law such as investigating clerics and ascetics suspected of inappropriate behavior. Gregory, for instance, dispatched the *defensor* Optatus to the territory of Norcia to investigate rumors "that men established in the Holy orders were living with women not related to them."[222] In another matter involving celibates, Gregory admonished a negligent *defensor* for not seeking the punishment of nun, only identified as the daughter of Tullianus, "general of glorious memory," who had abandoned her convent and donned lay attire. Gregory warned that if the situation is not rectified soon and diligently, he will mete out appropriate punishment for the *defensor* himself.[223] In another missal, Gregory ordered the *defensor* Fantinus to impose penance on a monk named Cicerio and to confiscate his properties and hold them at his own home until the man had expiated his sins. He reminded the *defensor* of the value of incentives.[224] Gregory's *defensores* also ventured into some new territories that had limited precedence in Roman law. For instance, Gregory's used *defensores* to police Jewish-Christian relations was another innovation of the office. Sometimes his conferred support such as baptismal robes and other incentives for conversion; at others, they ensured the restoration of confiscated synagogues and their properties. More often than not, they were charged with shielding Christian slaves from the indignity of having Jewish Masters, which was outlawed by Roman law. For this crime against Roman and divine law, Gregory sanctioned heavy fines. Elsewhere a *defensor* seized a ship to liquidate for payment of the Jewish owner's debt.[225]

The most comprehensive examples of the *defensor*'s juridical function in the sixth-century West are found in series of letters from Gregory to his *defensor* John who had been directed to the semi-recovered provinces of Byzantine *Spania*. Rawdy monks, kangaroo-court trials that resulted in defrocked bishops, and a litany of other ecclesiastical woes plagued the province, which harbored resentment to both the Arian Visigoths and their Eastern overlords.[226] Besides the call to make proper investigations, to take accurate witness statements, and to procure appropriate punishments for misbehaving Christians, the most striking feature of the exchange between Gregory and John is the number of canons and imperial laws that are referenced. In epistle 9.49 alone, Gregory cited *C. J.* 1.3.10, 1.12.2, 1.12.6, 7.44.3, 7.48.4, 9.1.20; *Nov. Just.* 90 and 123; and *Digest* 48.4.7.3. Gregory's letter was a much dossier on how to prosecute wayward clerics and lay potentates as it was a commission for the *defensor*.[227] He had obviously had his *defensores* and *notarii* research the legal foundation on which John was to

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[222] *Ep.* 13.36 (*CCSL* 140A, 1039).

[223] *Ep*. 8.9 (Ibid., 526).

[224] *Ep.* 5.28 (*CCSL* 140, 295).

[225] See Solomon Katz, "Pope Gregory the Great and the Jews, *The Jewish Quarterly Review* 24.2 (1933), 113-136.

[226] *Ep.* 13.46-49 (*CCSL* 140A, 1052-1064).

[227] *Ep.* 9.49 (Ibid., 609).

proceed. Since southern Iberia had been in barbarian hands during the publication of both the Theodosian and Justinianic Codes, Gregory probably expected John to encounter Christian communities in complete ignorance of the updated imperial law.[228] For what is worth, Gregory deployed *defensores* much more often to territories recovered from the Vandals and the Visigoths, namely Sicily, Sardinia, and Spain, than he did to other parts of Italy.[229] Sardinia in particular comes across as a sort of Mediterranean Wild West in Gregory's letters. His missives addressed to Sardinian clerics smack of a condescension and a frustration uncharacteristic of Gregory's *modus scribendi* when addressing fellow churchmen. [230]

Clerics, especially *defensores*, in Gregory's *Weltanschaung* were marshalls of law and order, so unmanageable and corrupt officials aroused his wrath. This is no clearer than in the various instances preserved in his *Registrum* when conscienceless men abused the office of the *defensor* itself. In one case, a *defensor* illegally used his authority to confiscate an apartment of a *notarius* of Rome for his own private use; Gregory unleashed fury and his own infantry of *defensores* to eject the man from his new home.[231] In other case, which Gregory was forced to correct, the unsuspecting inhabitants of southern Italy were duped by "men pretending to be *defensores* of the apostolic see."[232] These impersonator looted rents and tax payments and caused various other troubles in the *Mezzogiorno.* Gregory ordered their arrest and commanded his suffragan bishops only to comply with an arriving *defensor*'s demands, if he carried a letter from Gregory personally. Eight years later a group of "tonsured men through evil presumption took the name of *defensores*" and purloined the rents of papal estates. Gregory dispatched the *defensor* Romanus to end the charade and seize the false officials.[233]

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[228] The Visigothic Breviary of Alaric (506), the first code of Visigothic law does contain the Theodosian Code, though obviously not the Justiniac corpus. Cf. *Paris, BN, Lat.* 4404. See John Matthews, *Laying Down the Law: A Study of the Theodosian Code* Yale University Press, 2000)

[229] On the reintegration of the western Mediterranean after Justinian's wars, see Jonathan Conant, *Staying Roman: Conquest and Identity in Africa and the Mediterranean, 439-700* (Cambridge: Cambridge University Press, 2015 (2012)), 192-251.

[230] For an analysis and Italian translations of Gregory's Sardinian letters, see Tomasino Pinna, *Gregorio Magno e la Sardegna* (Sassari: 2D Editrice mediterranea, 1989); see also the more recent essays in Luigi Giovanni Giuseppe Ricci (ed.), *Gregorio Magno e la Sardegna: atti del convegno internazionale di studio, Sassari, 15-16 aprile 2005* (Florence: Edizioni del Galluzzo, 2007).

[231] *Ep.* 1.63 (*CCSL* 140, 73).

[232] *Ep.* 1.68 (Ibid., 77).

[233] *Ep.* 9.22 (*CCSL* 140A, 582).

Conclusion

In 599 C.E. Gregory the Great instructed one of his papal *defensores* named Romanus to take under his tutelage a certain Vitus, "the bearer of this letter," "a man of faith and quickness of mind." The instructions read: "We have arranged for him to do bureaucratic training (*militandum*) at the *schola* of the *defensores* by a letter formally granted to him," i.e., the letter which Vitus carried. Following standards of Roman commendation letters, Gregory then reaffirmed to Romanus the man's "purity" and assured him that he would "do nothing fraudulently or duplicitously in his actions" at the *schola*.[234] This *schola* in which Vitus was to train had only been established by Gregory the previous year, with his beloved *defensor* Boniface appointed its first *primus defensor*. As Gregory explained to Boniface in the *schola*'s inaugural document, "those sweating faithfully for the Church's advantage should receive the benefit of fitting remuneration so that we may be seen to have made a worthy response to their services and they may be all the more useful on account of the gift offered to them." The *defensores* now would receive accordingly the same *remuneratio* and honor already bestowed on the "*scholae* of notaries."[235]

Boniface's papal *scholae* of ordained legal officials and students were the fruits of a long marriage of convenience between secular and ecclesiastical legal spheres.[236] The Roman legal regime for some 250 years had authorized *defensores* to be the Church's legal guardians and ordained notaries to draft binding legal documentation. Yet, these directives also placed *defensores* at odds with members of the secular administration who encroached on ecclesial communities perceived rights. The same legal regime that empowered state officials also lent bishops and *defensores* broad power to promote their own agendas at the expensive of the state and public. *Defensores* understandably had to walk a narrow line between obedience to Roman law itself and loyalty to their episcopal employers. It is perhaps this required act of funambulism that made papal *defensores* ideal candidates for ambassadorships to regional capitals. Such was

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[234] Gregory the Great, *Ep.* 9.119 (*CCSL* 140, 671-672): *Cuius bene fidem et sollertiam novimus, in defensorum illum scholam data ei sollemniter epistola militandum esse praevidimus…sed omino de puritate ipsius certus est nec eum fraudulenter quid ve dupliciter acturum existimes.* See Roger Rees, Letters of Recommendation and the Rhetoric of Praise," in Ruth Morello and A. D. Morrison (eds.), *Ancient* Letters (Oxford: Oxford University Press), 149-168; Hannah Cotton, *Documentary Letters of Recommendation in Latin From the Roman Empire* (Königstein: Verlag Anton Hain, 1981); ead., "*Miricum genus commendationis*: Cicero and the Latin Letter of Recommendation," *American Journal of Philology* 106 (1985), 328–34; Chan-Hie Kim, *Form and Structure of the Familiar Greek Letter of Recommendation* (Society of Biblical literature, 1984); Clinton W. Keyes, "The Greek Letter of Introduction," *The American Journal of Philology* 56.1 (1935), 28-44 .

[235] Gregory the Great, *Ep.* 8.16 (*CCSL* 140A, 534-535): *Ecclesiasticis utilitatibus fideliter insudantes congruae remunerationis sunt beneficio prosequendi…sicut in schola notariorum atque subdiaconorum.*

[236] On the fusion of Roman and Christian law, see Michael Maas, *Exegesis and Empire in the Early Byzantine Mediterranean: Junillus Africanus and the* Instituta regularia divinae legis (Tübingen: Mohr Siebeck, 2003).

the career path of Gregory's *primus defensor* Boniface whom he sent to Milan, Ravenna, Sicily, Corsica, and Corinth, before making him head of the *defensores* and then the ambassador (*apocrisarius*) to Constantinople. He became Pope Boniface III in 607 CE. A consummate bureaucrat, upon his contentious enthronement he had the fractious clergy of Rome sign loyalty to him under penalty of anathema. He then negotiated with the Byzantine emperor Phocas for a reform of the tax system in Italy, and secured an assurance from the same emperor that Rome would always retain the title of "universal bishop." Boniface and the See of Rome on several occasions leveraged with legal precision concessions from the brutal imperial usurper who needed allies in face of a hostile Eastern aristocracy.[237] The series of administrators-turned-popes that followed Boniface won many other concessions from Phocas including the donation of the Pantheon to the papacy. Early seventh-century Popes received more amenable treatment from the barbarous Phocas than from the subsequent dynasty who both tried to squash papal independence as they defended an emasculated Roman Empire from the Islamic threat.[238] Quite understandably a column dedicated to Phocas holds the inauspicious title of the last imperial monument built in the Roman Forum, the crumbling former center of Roman civic and public life.

Some years earlier, mocking grouses about the disintegrating state of Roman civic authority, Gregor had asked his congregation in a homily whether in fact their city did not fare better now than in Rome's glory days. The predatory lions of the past, he reminded them, were not barbarian invaders, as some claim; rather they were the city's own rapacious bureaucrats and politicians. Their prey were the "boys, *adulescenti,* youths, secular men, the sons of worldly men running to the city, all who wished to profit in this world."[239] The Roman bureaucratic machine, its peripheral branches, and the schools who funneled youths into it for a fee, they were a collective Leviathan devouring the souls of boys such as the young Gregory who once placed his hope in a legal career. By his day the lion of state hunted less of the lambs of Gregory's flock.

Despite this idyllic image, as Gregory was well aware, the Church in its various regional forms had evolved into an equally bureaucratic beast luring men towards its belly with promises and prospects of offices. Growing administrative needs and audacious visions of what the Church could accomplish conjured this beast within the Christian imagination, but the educational structures of Roman society, so congenitally linked with the Roman juridico-administrative machine, nourished it. Gregory like many bishops at the end of antiquity was beginning to envision a new landscape in which the Church did not pluck off savvy young minds who wandered from the path of the *saeculum*. They were going to raise them with their own trained hands.

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[237] For an assessment of Boniface III's brief reign, see Andrew Ekonomou, *Byzantine Rome and the Greek Popes: Eastern Influences on Rome and the Papacy from Gregory the Great to Zacharias, A.D. 590-752* (Lexington, KY: Lexington Books, 2002).

[238] Ekonomou treats at length the clash of Latin Popes with the Heraclian dynasty during the Monothelite Controversy, see Andrew Ekonomou, *Byzantine Rome and the Greek Popes*, 79-199.

[239] Gregory the Great, *Homily* 6.23 (*PL* 76, 1011): *pueri, adolescentes, juvenes saeculares, et saecularium filli huce undique concurrebant, cum proficere in hoc mundo volluissent.*

Conclusion

I believe that we should only read the kind of books that wound or stab us. If the book that we're reading doesn't wake us up with a blow to the head, what are we reading for?—Kafka, *Letter to Oskar Pollak*.[240]

A priest, a lawyer, and a doctor went into a church sounds like the lede of a chintzy joke, but on countless days of worship in antiquity this odd triad meandered into the same ecclesiastical complexes. And on their monthly pay-day they queued up together to collect their wages from the church's offerings. Often they were joined by notaries and other ecclesiastical functionaries, while at other times they received their fruits alongside men who would leave that day to toil as artisans and merchants. Despite their differences, which were no doubt legion, in the eyes of the Church and the Roman state, they were all clerics. They were all allotted to God in their commitment to His service.

This image of the late ancient clergy that I have attempted to weave together in the preceding pages is hardly made out of new cloth. For half a century the agglomeration of papyrus and inscriptional evidence has qualified and challenged the portrait of the clergy suggested by hagiography and normative texts. Their social and intellectual horizons were much lower than we suppose, and their numinous splendor hardly bucked the mold of pious "artisan" and "professional" confraternities. These long suspected truths have all the more been bolstered by the massive digitization projects such as the Thesaurus Linguae Graecae, the online Patrologia Latina, Papyri.info, and epigraphic databases, which have made it all the more easier to cull the gargantuan body of evidence pertaining to the late ancient clergy and the institutional Church. I, like many of the contemporary scholars whom I have cited, am indebted to these innovative tools and the historians who crafted them. Thus, in many ways the image that I have offered is synthetic in that I have used resources not assembled by myself to compile the evidence for my argument. In this project I have not tried so much to supersede the excellent scholarship on the Church's institutional development by adding countless new examples, as much as I have attempted to recontextualize ecclesiastical developments in light of complementary evidence and novel understandings of the larger Roman socio-economic formation. Most of all, I have striven to re-embed the ancient clergy into the urban fabric of Roman socio-economic life. I wished to reunite evidence mostly studied by ecclesiastical historians with relevant and similar evidence that often addresses the less spiritual, more mundane aspects of late antiquity: namely, demography, economics, education, and livelihoods.

Over the course of late antiquity, the Christian clergy began "to make their own a code of living as self-conscious as that of any other of the professional groups who jostled each other in Rome—lawyers, doctors, bureaucrats, and soldiers."[241] And they did so operating in the same

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[240] Franz Kafka, *An Oskar Pollak (Prag, 27 Januar 1904)*: *Ich glaube, mann sollte überhaupt nur solche Bücher lesen, die einen beißen und stechen. Wenn das Buch, das wir lesen, uns nicht mit einem Faustschlag auf den Schädel weckt, wozu lesen wir dann das Buch*?

[241] Peter Brown, *Through the Eye of a Needle: Wealth, the Fall of Rome, and the Making of Christianity in the West, 350-550 AD* (Princeton, NJ: Princeton University Press, 2013), 724.

milieu and under the same socio-cultural constraints as their Roman compatriots. There is no dearth of scholarship on the development of a clerical mode of being, but too often that scholarship's exclusive focus on the clergy misses the proverbial forest for the trees.[242] For instance, it is difficult to assess accurately the ordination of literate adults or the development of an aged-based clerical *cursus honorum*, without some sense of Roman demography and education costs. Rarely does such scholarship though appear in the footnotes of literature on the Christian clergy.[243] Likewise, it is one thing to document the rise of ecclesiastical notaries or to say that legal education was a minimum for obtaining an episcopal throne, but it is another task to contextualize the significance of recruiting trained notaries or forensic practitioners. Put frankly, what constituted forensic education outside a very limited handful of well-studied schools is difficult to ascertain. It has become clear to most mainstream historians of Roman law that many types of legal practitioners in the Roman Empire's provinces (*nomikoi, scholastici, ekdikoi, syndikoi,* etc.) pursued only limited formal education.[244] As Ramsey Macmullen noted some time ago, the rather inelegant voices that we occassionally hear from the lowest rung of imperial officials strongly suggest against any presumption of widespread deluxe education among the empire's governing classes.[245] It surely is significant that church councils condemned the election of lay *scholastichi* as bishops, but we should reach very different conclusions about the late antique episcopacy, if those *scholastichi* were less representative of Ambrose of Milan than they were of the *syndikos* at Oxyrhynchos who once fumbled through a negotiation between local construction workers and linen-weavers in the fourth century.[246]

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[242] Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition* (Berkeley and Los Angeles: University of California Press, 2005); Paul Bradshaw, *The Search for the Origins of Christian Worship* (Oxford: Oxford University Press, 2002); John Gibaut, *The* Cursus Honorum: *A Study of the Origins and Evolution of Sequential Ordination* (New York: Lang, 2000); Alexandre Faivre, *Naissance d'une hierarchie: Les premieres étapes du cursus clerical* (Paris: Beauchesne, 1977); Hans von Campenhausen, *Ecclesiastical Authority and Spiritual Power in the Church of the First the Centuries*, trans. J. A. Baker (Stanford, CA: Stanford University Press, 1969); Gregory Dix, "The Ministry in the Early Church" in Kenneth Kirk (ed.), *The Apostolic Ministry* (London: Hodder and Stoughton, 1946), 185-303.

[243] Kristina Sessa, "Cleric," in Catherine Chin and Moulie Vidas (eds.) *Late Ancient Knowing: Explorations in Intellectual History* (Berkeley: University of California Press, 2015), 218-239: 224-225; Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasiens* (Diss. Friedrich-Schiller-Universität Jena, 2005), 31. Paul-Henri Lafontaine, *Les conditions positives de l'accession aux ordres dans Ia premiere legislation ecclesiastique (300- 492)* (Ottawa: Editions de l' Universite d'Ottawa, 1963), 121-153.

[244] Jill Harries, "Legal Education and Training Lawyers," in Paul Du Plessis, Clifford Ando, and Kajus Tuori (eds.), *The Oxford Handbook of Roman Law and Society* (Oxford: Oxford University Press, 2016), 151-163.

[245] Ramsay Macmullen, "Roman Bureaucratese," *Traditio* 18 (1962), 364-378.

[246] *P. Ryl*. 4.654 (ca. 302/309 CE)

I find this pedestrian local attorney as fascinating as his fourth-century neighbor, the Christian priest and ship's captain Ammon, who had some type of business relationship with the local bishop's son.[247] Perhaps they were all friends with the mid-fourth-century bishop Theodorus who was also a boatman on the Nile.[248] This was the social world of clerics in fourth-century Oxyrhynchos, as identified in literary sources and papyri: "craftsmen and farmers" with at least one unnamed priest accused of petty theft.[249] From Egyptian shippers and Basil of Caesarea's clergy who failed to deliver his correspondence because they were busy "earning their daily keep by working sedentary crafts," to Gregory the Great's petty *defensor* defrauding the Italian peasantry, surviving evidence now points to a clergy originating in "the lower and middle classes of the [empire's] towns, the manual workers and clerks, the shopkeepers and merchants."[250] By consequence these were also the types of men who alongside some true aristocrats attended ecclesiastical synods, voted on canons, and helped define the Church in its formative age.

Some fifty years ago, a young Peter Brown hailed A. H. M. Jones' *Later Roman Empire* as "the first social history of the established Christian Church." As Brown continued,

> [Jones'] invaluable pages on the wealth and social origins of the clergy culminate in a remarkable conclusion: the Christian Church is caught, *in flagrante delicto*, as an institution harbouring more idle mouths, taking a larger share of the national wealth than the notorious imperial bureaucracy, and equally accomplished in extracting wealth from the peasantry. Any further study of the role of Christianity in late Roman society must begin with these lucid pages. [251]

Jones' pleasantly lucid pages are still very much foundational for students of the later Roman Empire. We may now accept his conclusions about the clergy's middling origins, while rejecting

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[247] *P. Harr.* 1.94 (Mid. 4th cent. CE). See Nikolaos Gonis, "Ship-Owners and Skippers in Fourth-Century Oxyrhynchus," *Zeitschrift für Papyrologie und Epigraphik* 142 (2003), 163-165.

[248] *P. Oxy*. 34.2729

[249] Anne Marie Luijendijk, "On and beyond Duty: Christian Clergy at Oxyrhynchus (c. 250-400)," Jörg Rüpke, Richard Gordon, and Georgia Petridou (eds.), *Beyond Priesthood: Religious Entrepreneurs and Innovators in the Imperial Era* (Berlin: de Gruyter), 103-126: 113. For the priest accused of theft, see *P. Wash*. 1.20, 2.7-8.

[250] Basil of Caesarea, *Ep.* 198.1.21-26 (Adapted *LCL* 243, 100-101): Καὶ γὰρ εἰ καὶ πολυάνθρωπόν πως εἶναι δοκεῖ τὸ ἱερατεῖον ἡμῶν, ἀλλὰ ἀνθρώπων ἀμελετήτως ἐχόντων πρὸς τὰς ὁδοιπορίας, διὰ τὸ μήτε ἐμπορεύεσθαι μήτε τὴν ἔξω διατριβὴν αἱρεῖσθαι, τὰς δὲ ἑδραίας τῶν τεχνῶν μεταχειρίζεσθαι τοὺς πολλούς, ἐκεῖθεν ἔχοντας τὴν ἀφορμὴν τοῦ ἐφ'ἡμέραν βίου. A. H. M. Jones, "The Social Background of the Struggle between Paganism and Christianity," in Arnaldo Momigliano (ed.), *The Conflict between Paganism and Christianity in the Fourth Century* (Oxford: Clarendon, 1963), 17-36: 22.

[251] Peter Brown, "Review of *The Later Roman Empire*," *The Economic History Review* 20.2 (1967) 327-343: 329-330.

his clergy of idle mouths. Whether in their side professions as clerks, artisans, and merchants, or in their clerical duties, late ancient clerics worked. That clerics were from among those requiring work to survive was not a mark against them, but rather it was a boon and benefit to their ecclesiastical communities. As I have tried to show, Christian communities in ordaining these men gained experienced minds who brought with them specialized skills and a honed appreciation for collaborative organizational discipline.

To Brown's point, though, the late Roman historian can feel slightly like he has accidentally intruded upon a dedicated virgin engaged in some salacious act, when discussing the mundane aspects of clerical life such as payment, side occupations, arbitrary promotion schedules, and administrative corruption. Point-blank, there were financial and social incentives in assuming holy orders in antiquity. The bishops and clerics of major sees by end of antiquity received small fortunes for their stipends. Furthermore, many ordained clerics inarguably devoted themselves more to practical and bureaucratic tasks than liturgical ones by 600 CE. And more than a few ecclesiastical reformers in late antiquity criticized the burgeoning administrative Church with its escalating wages, which uncomfortably recalled for them the banality of the *saeculum*.[252] Such reformers, as Andrea Sterk among others has deftly illuminated, most often pushed a monastic agenda. Ascetic-minded clerics in their opinion were the antidote to a worldly clergy, especially "*per saltum*" bishops, who leaped into the heavenly *militia* in pursuit of status, power, and wealth.[253]

These reformers, however, seemed to have limited success in placing bishops who were cultivated in monasteries or ones who sought to reign from cloisters into ecclesiastical offices. The ideal of the monk-bishop only took hold in the early Middle Ages, and monks were similarly rare among the regular clergy.[254] Compared to the regular clergy, monks serving as ecclesiastical physicians, notaries, and *defensores* were also almost non-existent in late antiquity.[255] Such

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[252] See Hermman Dörries, "Erneuerung des kirchlichen Amtes im vierten Jahrhundert. Die Schrift *De Sacerdotio* des Johannes Chrysostomus und ihre Vorlage, die *Oratio de fuga sua* des Gregory von Nazianz," in Bernd Moeller and Gerhard Ruhbach (eds.), *Bleibendes im Wandel der Kirchengeschichte. Kirchenhistorische Studien: Festschrift Hans von Campenhausen* (Tübingen: Mohr Siebeck, 1973), 1-46; Hanno Dockter, *Klerikerkritik im antiken Christentum* (Göttingen: VetR unipress, 2013), 77-165.

[253] See J. H. W. G. Liebeschuetz, *Ambrose and John Chrysostom: Clerics between Desert and Empire* (Oxford: Oxford University Press, 2011), 77-80; Rapp, *Holy Bishops*, 56-154; see Andrea Sterk, *Renouncing the World Yet Leading the Church: The Monk-Bishop in Late Antiquity* (Cambridge, MA: Harvard University Press, 2004); Phillip Rousseau, "The Spiritual Authority of the 'Monk-Bishop': Eastern Elements in Some Western Hagiography of the Fourth and Fifth Centuries," *Journal of Theological Studies* 22 (1971), 380-419.

[254] Andrea Sterk, *Renouncing the World*, 1-30 and 219-219; Sabine Hübner, *Der Klerus,* 35-36; Ewa Wipszycka, *Les ressources et les activités économiques des églises en Égypte du IVe au VIIIe siècle* (Brussels: Foundation Égyptologique Reine Élisabeth, 1972), 154-156; Georg Schmelz, *Kirchliche Amtsträger im spätantiken Ägypten* (Munich: K.G. Saur, 2002)*,* 7-8.

[255] Schulze notes only eight physician-monks. See his appendix of Christian doctors. Christian Schulze, *Medizin und Christentum in Spätantike und frühem Mittelalter*. *Christliche Ärtze und*

prosaic services were not the bailiwick of monks or holy men. The holiest of monks and ascetics had an extraterrestrial existence above such everyday social functions, and this was precisely their appeal to the laity. Their descension from the rarified plane of the desert, the cloister, or the column signaled unique and miraculous intervention in human affairs.[256] They were a different type of "holy poor" receiving offerings for their spiritual devotion than the professional clergy who secured grain, managed ecclesiastical properties, notarized forms, and produced lifesaving medical elixirs gratis. These professional clerics did not blush about receiving stipends, and many of them happily accepted the fruits of their labor because they supported families as well as themselves.[257] The professional clergy's commitment to quotidian tasks, to a disciplined order in the mold of secular Roman professional life, and to a well-financed ecclesiastical machine should not cause us to blush either. We should not doubt the ancient clergy's religious convictions because some of clergy were likely only able to survive economically with the supplement of the clerical stipend any more than we should accept prima facie the repetitive claims of aristocratic Church Fathers that their theological enemies only sought gold and glory within the Church. Any embarrassment about pious men seeking ordination through letters on broken potsherds or discomfort about bishops employing the most educated lawyers that they could acquire for their "defense" is mostly ours, not the ancient clergy's.

As I have attempted to argue, developments in ecclesiastical organization (ch. 2), the rise of professional charitable medicine (ch. 3), and the emergence of an ecclesiastical bureaucracy (ch. 4) were all outgrowths of Christian ambitions of pastoral care, in the sense that bishops sought to maximize their ability to serve their flocks and command the resources of their diocese in novel ways. [258] These pastoral visions were constrained by the socio-economic reality of the later Roman Empire (ch. 1). The birth of the Christian hospital, for instance, was only possible because a sufficient number of laborers could construct hospital buildings, because a sufficient number of trained, often ordained physicians could man them, and because the Church could manage sufficient donations and rents to support both. To control and bolster such mechanisms of support for their pastoral mission, the early Christian clerics incorporated systems of organizational discipline and employed available administrative types on its payroll. These were techniques and technologies of control to collect and manages resources including persons in

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ihre Wirken (Tübingen: Mohr Siebeck, 2005), 235-239); The first attested monk-notary in literary sources is also a deacon, but is from the eighth-century (Cf. Vasilikē Leontaritou, *Εκκλησιαστικά αξιώματα και υπηρεσίες στην πρώιμη και μέση Βυζαντινή περίοδο* (Athens: Ekdoseis Ant. N. Sakkoula, 1996), 332; Schmelz only identified 4 monk-notaries in papyri and ostraca (Cf. Schmelz, *Kirchliche Amtsträger*, 252). I have identified no monastic *defensores* in my research.

[256] Peter Brown, "The Rise and Function of the Holy Man in Late Antiquity," *Journal of Roman Studies* 61 (1971), 80-101

[257] Roger Gryson, *Les Origines du célibat ecclésiastique du I^er^ au VII^e^ siècle* (*Gembloux*: Duculot, 1970), especially 172-220; Sessa, "Cleric," 225-226.

[258] For the most articulated ancient definition of "pastoral care," see Floribert Rommel's edition of Gregory the Great's *Regula pastoralis* (*SC* 381-382), especially his introduction 1-32.

pursuit of religious missions. These leadership strategies enabled both the administrative and charitable expansion of the Church in the last two centuries of antiquity.[259]

Like the bureaucrats and politicians managing the emerging nation-states of early modern and Victorian Europe, early Christian bishops imagined themselves the rightful caretakers of their citizenries, and they found technologies of power to funnel resources into their novel and expansive visions of increasing "care," which they offered their communities.[260] Just as in these societies, the rise of administrative systems and the proliferation offices offered both benefits and burdens for the citizenries under these regimes. In hindsight it might seem an odd extension of pastoral care that the bishop's clergy at Rome assumed management of the aqueducts or that the bishop's clergy at Alexandria operated the local grain-shipping system, but what was a good shepherd to do, when congregations craved bread and water? Such concerns for the mission of an all-nurturing Church were likewise at play when bishops sought out notaries, lawyers, and physicians for their payroll. These men benefitted congregations in significant ways, but they did not all necessarily do so with an equitable concern for all subjects of the Roman Empire or with entirely selfless motives. The actions of the *defensores ecclesiae* prove this point. Abuses of powers, clerical cliquishness, and what sabine Hübner has termed "the venality of offices," were the costs of transforming hundreds of thousands of everyday Romans into a privileged corps of religious professionals. [261]

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[259] Claudia Rapp, *Holy Bishops*, 274-289.

[260] See Thomas Ertman, *Birth of the Leviathan: Building States and Regimes in Medieval and Early Modern Europe* (Cambridge: Harvard University Press, 1997); Bernard Silberman, *Cages of Reason: The Rise of the Rational State in France, Japan, the United States and Great Britain* (Chicago: University of Chicago Press, 1993).

[261] Sabine Hübner, "Currencies of Power," in Andrew Cain and Noel Lenski (eds.), *The Power of Religion in Late Antiquity* (Burlington, VT: Ashgate, 2009), 168-178.

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