

Epistolary Sleight of Hand: Diplomatic Manipulation in Zosimus' Letter to Patroclus of Arles (*Quid de Proculi*)

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Abstract

Zosimus' *Epistula* 7 (JK 333 = J³ 739, *Quid de Proculi*) to Patroclus, bishop of Arles, would suggest the normal operations of ecclesiastical judicial procedures: Proclus had been condemned, the validity of an earlier synodal decision had been overturned, and Patroclus' own authority had been upheld. Appearances, however, can be deceiving. Other letters in *Liber auctoritatem ecclesiae Arelatensis*, particularly three written by Zosimus also in September 417, inform us about just how controversial were not only Patroclus' claims to authority in southern Gaul but Zosimus' support of Patroclus and his assertion that the Roman church had a role in arbitrating these claims. The evidence in the collection is of a dispute conducted with anything but diplomacy. This paper sets *Quid de Proculi* in its broader context to reveal how both Zosimus and the church of Arles tried, unwittingly or not, to promote a false memory about the church of Arles.

Keywords

Zosimus of Rome – Gallic church – ecclesiastical hierarchy – papal primacy

One¹ of the affairs that dominated the brief episcopate of Zosimus in Rome in the early decades of the fifth century and which was to be of enormous significance in the development of the claims of Roman bishops to a universal

¹ An earlier version of this paper was presented at the "Letters and Diplomacy Workshop: From Antiquity to the Middle Ages," held on 29 January 2018 at Macquarie University organised by

primacy of jurisdiction was the situation of the churches in southern Gaul, in particular the question of a hierarchy of authority between the various local bishops.² Zosimus had become involved in this local dispute within a matter of a few days after his own episcopal election in March 417.³ By September of that year he had participated in a synod, which had discussed this matter, amongst other things, and had endorsed his views, and he had issued four letters within the space of a week setting forth the determination of the synod that concerned affairs not only in Gaul but in Africa as well (perhaps in different sessions).⁴ One of them, *Epistula* 7 (*Quid de Proculi*), was sent on 26 September to Patroclus, bishop of Arles (ancient Colonia Iulia Paterna Arelatensium

Prof. Bronwen Neil. I am grateful to her invitation and to the feedback from the workshop participants and to the anonymous readers of this journal for all their suggestions.

- 2 On Zosimus see C. Pietri and L. Pietri, *Prosopographie chrétienne du Bas-Empire* (= PCBE), vol. 2: *Prosopographie de l'Italie chrétienne (313-604)*, 2 vols (Rome: École française de Rome, 1999-2000) 2381 (Zosimus 3); and A. Pollastri, "Zosimo, santo," in M. Bray, ed., *Enciclopedia dei Papi*, vol. 1: *Pietro, santo—Anastasio Bibliotecario, antipapa* (Rome: Istituto della Enciclopedia Italiana, 2000) 392-398.
- 3 Zosimus, *Ep. 1 (Placuit apostolicae)* (PL 20.642-649 = P. Coustant, *Epistolae Romanorum Pontificum et quae ad eos scriptae sunt a S. Clemente I usque ad Innocentium III*, vol. 1 [Paris: L.-D. Delatour, 1721] cols 935-938) = *Liber auctoritatem ecclesiae Arelatensis, Ep. 1* (W. Gundlach, ed., *Epistolae Merowingici et Karolini aevi*, Monumenta Germaniae Historica, Epistolae [= MGHEpp] 3 [Munich: Monumenta Germaniae Historica, 1978] 5-6). This is number 328 in P. Jaffé, *Regesta Pontificum Romanorum ad annum post Christum natum MCXCVIII*, vol. 1: *A S. Pietro ad a. MCXCLIII*, rev. W. Wattenbach, ed. S. Lowenfeld, F. Kaltenbrunner, and P. Ewald (Leipzig: Veit, 1885 [rev. edn]), [= JK] and number 732 in P. Jaffé, *Regesta Pontificum Romanorum ad annum post Christum natum MCXCVIII*, vol. 1: *A S. Pietro ad a. DCIV*, rev. M. Schütz (Göttingen: Vandenhoeck and Ruprecht, 2016) [= J³]. See G.D. Dunn, "Placuit apostolicae (Ep. 1) of Zosimus of Rome and the Ecclesiastical Reorganization of Gaul," *J ECS* 23 (2015) 559-581.
- 4 Zosimus, *Epp. 4 (Cum aduersus - 22 September)* (PL 20.661-665 = Coustant, *Epistolae Romanorum Pontificum*, cols 955-958) = *Liber auctoritatem ecclesiae Arelatensis, Ep. 2* (MGHEpp 3.6-9), which is JK 331 = J³ 737; 5 (*Multa contra - 29 September*) (PL 20.665-666 = Coustant, *Epistolae Romanorum Pontificum*, cols 959-960) = *Liber auctoritatem ecclesiae Arelatensis, Ep. 5* (MGHEpp 3.11), which is JK 334 = J³ 740; 6 (*Mirati admodum—26 September*) (PL 20.666-668 = Coustant, *Epistolae Romanorum Pontificum*, cols 960-961) = *Liber auctoritatem ecclesiae Arelatensis, Ep. 3* (MGHEpp 3.9-10), which is JK 332 = J³ 738; and 7 (*Quid de Proculi—26 September*) (PL 20.668-669 = Coustant, *Epistolae Romanorum Pontificum*, cols 961-962) = *Liber auctoritatem ecclesiae Arelatensis, Ep. 4* (MGHEpp 3.10-11), which is JK 333 = J³ 739. On these letters see G.D. Dunn, "Zosimus' Synod of Rome in September 417 and His Letter to Western Bishops (*Cum aduersus*)," *AntTard* 23 (2015) 395-405; idem, "The Ecclesiastical Reorganisation of Space and Authority in Late Antique Gaul: Zosimus' Letter *Multa contra* (JK 334 = J³ 740)," *Journal of the Australian Early Medieval Association* 12 (2016) 1-33; and idem, "... quid habuerit antiqua consuetudo: Zosimus of Rome and Hilary of Narbonne," *RHE* 10 (2015) 31-55.

Sextanorum or Arelate in the province of Viennensis in the civil diocese of Septem Prouvinciae), Zosimus' key ally in Gaul and the principal protagonist in this affair.⁵

On the surface of it the letter is a fairly dispassionate summary of some of the decisions made concerning Gaul specifically and other ecclesiastical matters more generally. Yet behind it lies a bitter dispute whose convoluted content is made all the more difficult to untangle due to the frequent misinterpretation of the evidence, caused no doubt, but only in part, by the significant gaps in the historical record. In essence, the letter records that Gallic bishops who wished to appeal to Rome needed to do so through Patroclus and that those ordained by those who obtained their episcopacies too quickly after initiation were now declared invalidly ordained, although those who had come to clerical life from secular service and had advanced up the ranks quickly were to be left in place.

The fact that the letter was written to a supporter (in fact, they each supported the other in realising the differing ambitions of both), and one who had been present at the September synod (*cum meo interesset examine*, as Zosimus wrote),⁶ over which Zosimus presided in Rome,⁷ explains the difference in tone between this letter and the others written around the same time. At the outset we may endorse the view of Mar Marcos when she writes: "Zosimus did not succeed in solving any of these conflicts, despite his outstanding knowledge of legal procedures. On the contrary, his penchant for intervening and his partisan approach helped to make them worse."⁸

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- 5 On the Gallic bishops who appear in this article, like Heros and Patroclus in Arles, Simplicius in Vienne, Proculus in Marseilles, Hilary in Narbonne, and Lazarus and Remigius in Aix-en-Provence see L. Duchesne, *Fastes épiscopaux de l'ancienne Gaule*, 3 vols (Paris: A. Fontemoing, 1907-1915 [2nd edn]); É. Griffe, *La Gaule chrétienne à l'époque romaine*, t. 2: *L'Église des Gaules au V^e siècle* (Paris: Letouzey & Ané, 1966); M. Heinzlmann, "Gallische Prosopographie 260-527," *Francia* 10 (1982) 531-718; and L. Pietri and M. Heijmans, *PCBE 4: La Gaule chrétienne (313-614)* (Paris: Association des amis du Centre d'histoire et civilisation de Byzance, 2013).
- 6 Zosimus, *Ep.* 7 (PL 20.668). Gundlach (MGHEpp 3.10) notes that one MS (Paris, BnF lat. 2777, f. 28v) reads *interessis*, which he follows, while the other three (Paris, BnF, lat. 3849, f. 7v; Paris, BnF, lat. 5537, f. 26v; and Paris, BnF, lat. 3880, f. 79v) read *interesset*. The reading of Coustant (*interesset*) is to be preferred.
- 7 D. Frye, "Bishops as Pawns in Early Fifth-Century Gaul," *JEH* 42 (1991) 349-361, at 355-357, is wrong to identify the synod over which Zosimus presided and the synod in Turin as one and the same. Here, one may agree with M.E. Kulikowski, "Two Councils of Turin," *JTS* n.s. 47 (1996) 159-168, at 165-166, although I disagree with him about their being two synods in Turin (see below).
- 8 M. Marcos, "Papal Authority, Local Autonomy and Imperial Control: Pope Zosimus and the Western Churches (a. 417-418)," in A. Fear, J. Fernández Ubiña and M. Marcos, eds, *The Role of*

In this paper I wish to consider Zosimus' involvement in ecclesiastical affairs in Gaul and to see the extent to which any of his epistolary interventions can be classified as diplomacy. It will be argued that if diplomacy involves non-military negotiation, as Andrew Gillett notes in his discussion about why the modern term may be anachronistic or misleading when applied to the late ancient world,⁹ then Zosimus' letters are examples not just of disagreement and altercation but of decree, command, or injunction instead of diplomacy, because there was no real consultation, discussion, bargaining, and compromise involved, a practice perhaps not surprising for one who believed that he had a universal primacy of authority, or at least, a primacy of authority over the West. Of course, Zosimus could point to the fact that this matter had been discussed at an episcopal synod and so there was consultation or even negotiation. It was a smart move on Zosimus' part to follow standard practice and find support for his policies through a pliant episcopal synod. The fact that the relevant Gallic bishops had been invited (with only Patroclus among the key players attending—a result probably anticipated when the invitation were extended), was another astute move that must be credited to Zosimus, making him appear very open to consultation and discussion, while negotiation actually was the last thing on his mind.

In addition, this paper will argue that such a complicated history of interpretation and such an uncompromising attitude from Zosimus were based upon what we may term a sleight of hand, in that both Zosimus and Patroclus had appealed to an outdated pattern of authority and had created a false memory of ecclesiastical hierarchies of authority and that the memory of this false memory was to be kept alive by the church of Arles in the following centuries by collecting these letters into a dossier, which has come down to us through four manuscripts from the ninth to the twelfth centuries. This dossier has been called *Collectio Arelatensis* or *Epistulae Arelatenses genuinae* or *Liber auctoritatem ecclesiae Arelatensis*.¹⁰ The church of Arles no doubt promoted its own prestige over the centuries based upon this sleight of hand. The story of this

the Bishop in Late Antiquity: Conflict and Compromise (London: Bloomsbury, 2013) 145-166, at 145.

9 A. Gillett, *Envoys and Political Communication in the Late Antique West, 411-533*, Cambridge Studies in Medieval Life and Thought 4th Series (Cambridge: Cambridge University Press, 2003) 5-6.

10 See F. Maassen, *Geschichte der Quellen und der der Literatur des canonischen Rechts im Abendlande bis zum Ausgange des Mittelalters* (Graz: Leuschner and Lubensky, 1870) 767-771; and D. Jasper, "The Beginning of the Decretal Tradition: Papal Letters from the Origin of the Genre through the Pontificate of Stephen V," in D. Jasper and H. Fuhrmann, *Papal Letters in the Early Middle Ages*, History of Medieval Canon Law (Washington, D.C.; Catholic University of America Press, 2001) 3-133, at 85-87.

controversy is complicated because some of the key players in it have very subtly distorted and twisted the truth to suit their own purposes, which has fooled some modern interpreters.

We may begin by examining the controversy behind these letters before turning attention to the letter itself and what it reveals about the constructed memory used to argue the case and how that memory was preserved in later centuries through the letter collection.

1 Background to the Letter

By the early fifth century it was generally accepted within the churches that the metropolitan bishop of a Roman province had certain rights in relation to his episcopal colleagues within the province. These rights, most famously mentioned at the Council of Nicaea in 325, included presiding over provincial synods, approving episcopal elections within the province, and being the point of appeal against legal rulings of individual churches.¹¹ Over time, particularly with the synods of Antioch in 328 or 341, Serdica in 343, Rome in 378, and the Councils of Constantinople in 381 and Chalcedon in 451, there would be added complexity to this hierarchy of authority among bishops and an expansion of the responsibilities of metropolitans and other key bishops, whom today we would describe as primates and patriarchs, as questions of who was to preside over trials of metropolitan bishops and where to appeal against the decisions of provincial synods were raised.¹² One of those key bishops was the bishop of Rome himself, and we find in Roman episcopal letters from the late fourth and

¹¹ Council of Nicaea (325), can. 4-6 (G. Alberigo et al., eds, *The Oecumenical Councils from Nicaea I to Nicaea II (325-787)*, Corpus Christianorum Conciliorum Oecumenicorum Generaliumque Decreta [= CCCOGD] 1 [Turnhout: Brepols, 2006] 21-23. See K.J. Hefele, *A History of the Councils of the Church from the Original Documents*, vol. 2: A.D. 326-A.D. 429, trans. W.R. Clarke (Edinburgh: T. & T. Clark, 1894 [Eng. edn]) 381-404; H. Chadwick, "Faith and Order at the Council of Nicaea: A Note on the Background of the Sixth Canon," *HTR* 53 (1960) 171-195; P. L'Huillier, *The Church of the Ancient Councils: The Disciplinary Work of the First Four Ecumenical Councils* (Crestwood, N.Y.: St. Vladimir's Seminary Press, 1996) 46-48; P. Norton, *Episcopal Elections 250-600: Hierarchy and Popular Will in Late Antiquity*, OCM (Oxford: Oxford University Press, 2007); G.D. Dunn, "The Development of Rome as Metropolitan of Suburbicarian Italy: Innocent I's *Letter to the Bruttians*," *Aug.* 51 (2011) 161-190; and idem, "Ecclesiastical Reorganisation of Space and Authority," 5-12.

¹² See C.W.B. Stephens, *Canon Law and Episcopal Authority: The Canons of Antioch and Serdica* (Oxford: Oxford University Press, 2015); H. Hess, *The Early Development of Canon Law and the Council of Serdica*, OECS (Oxford: Oxford University Press, 2002); J.H.W.G. Liebeschuetz and C. Hill, *Ambrose of Milan: Political Letters and Speeches*, TTH 43 (Liverpool: Liverpool University Press, 2005) 248-254; Council of Constantinople (381),

early fifth centuries non-linear changes to perceptions of Roman authority in terms of what it entailed and where it applied.

One of the reasons this became an issue was because the ecclesiastical patterns of a hierarchy of authority were derived from the Roman system of provincial administration and this was an ever changing system. It had received a major shake-up under Diocletian in the late third century with the splitting up of provinces into smaller units and the grouping of provinces into civil dioceses and the grouping of civil dioceses into praetorian prefectures. The church was slow and inconsistent in replicating this revision and subsequent adjustments to it.

In essence, the situation that applied in southern Gaul was a dispute between several bishops about who was metropolitan in the province of Viennensis and how large the ecclesiastical province ought to be. Understanding the unfolding events there has been complicated because of scholarly disputes about the dating (and number) of synods in Turin (ancient Augusta Taurinorum in the province of Liguria) at which this was a major topic of contention. I have presented my arguments about how all this should be understood elsewhere (adopting the dating argued for by Mathisen against Kulikowski, building on more than a century of previous scholarly argument), and a simple summary, to the extent that this is possible, should suffice here.¹³

The old Roman province of Gallia Narbonensis had eventually become three provinces: Narbonensis Prima, with its capital at Narbonne (ancient Colonia Narbo Martius), Narbonensis Secunda, with its capital at Aix-en-Provence (ancient Aquae Sextiae), and Viennensis, with its capital at Vienne (ancient Vienna). In about 395, around the time of the final division of the empire into two, under Arcadius in the East and Honorius in the West, the praetorian prefect, the highest ranking political figure in what is modern Spain, Portugal, France, Andorra, Luxembourg, Belgium, and Roman Germany moved from Trier (ancient Augusta Treuerorum) to Arles. Arles was in the province of Viennensis, and so its bishop was subject to the metropolitan authority of the bishop of Vienne, but with the presence of the praetorian prefect in the city, the bishop must have thought this needed some revision and he needed some promotion. It is easy to understand why Arles rose in prominence since it was

can. 2 and 3 (CCCOGD 1.65-66) and Council of Chalcedon (451), can. 12, 17, 19, 25, and 28 (CCCOGD 1.143, 145, 146, 149, and 150-151).

13 See Dunn, "Ecclesiastical Reorganisation of Space and Authority," 12-25, for all the following details and extensive bibliography. See R.W. Mathisen, "The Council of Turin (398/399) and the Reorganization of Gaul ca. 395/406," *JLA* 6 (2013) 264-307; and Kulikowski, "Two Councils of Turin," 159-168.

located at the mouth of the Rhône as the commercial and military transport link between the interior of Gaul and the Mediterranean.

At the synod of Turin, which we may date to 398 or 399 (following Mathisen), it was decided that, as a temporary solution, the province of Viennensis would be divided in two between the bishop of Vienne and the bishop of Arles.¹⁴ It was further decided that Proculus, bishop of Marseille (ancient Massalia in the province of Viennensis), who had been performing ordinations illegally in the neighbouring province of Narbonensis Secunda, which had been detached from Viennensis, would be recognised as what we may call a personal metropolitan in an ill-defined power sharing arrangement with the bishop of Aix-en-Provence.¹⁵ The Gallic church had come to terms with new challenges through a negotiated process of compromise and accommodation.

This contention in southern Gaul built upon pre-existing tensions within the Gallic episcopate about the importance of a local or even independent identity against a more universal identity, which had manifested itself in the Felician controversy about how the Gallic churches viewed the execution of Priscillian, bishop of Ávila (ancient Abila in the province of Lusitania), by the usurper Magnus Maximus in Trier back in 385.¹⁶

Some time after 395 the governor of Viennensis moved from Vienne to Arles also. This would have given the bishop of Arles a reason to reject the compromise reached at Turin and provide a fresh and fairly compelling reason for him to argue that he, and not the bishop of Vienne, ought to be metropolitan of the entire province.

Further instability in the region brought about from 406 onwards with the emergence of usurpers and the incursion of a large barbarian group across the Rhine, gave competing bishops the opportunity to seek support from competing politico-military leaders.¹⁷ Thus, Heros and Lazarus (whom we may consider

14 Synod of Turin (398), can. 2 (CCL 148.55-56).

15 Synod of Turin (398), can. 1 (CCL 148. 54-55).

16 See R.W. Mathisen, *Ecclesiastical Factionalism and Religious Controversy in Fifth-Century Gaul* (Washington, D.C.: Catholic University of America Press, 1989), 13-18.

17 See H. Wolfram, *History of the Goths*, trans. Thomas J. Dunlap (Berkeley and Los Angeles: University of California Press, 1988 [2nd edn]) 117-171; T.S. Burns, *Barbarians within the Gates of Rome: A Study of Roman Military Policy and the Barbarians, ca. 375-425 A.D.* (Bloomington: Indiana University Press, 1995); J.F. Drinkwater, "The Usurpers Constantine III (407-411) and Jovinus (411-413)," *Britannia* 29 (1998) 269-298; M. Kulikowski, "Barbarians in Gaul, Usurpers in Britain," *Britannia* 31 (2000) 325-345; W. Goffart, *Barbarian Tides: The Migration Age and the Later Roman Empire*, The Middle Ages Series (Philadelphia: University of Pennsylvania Press, 2006); P. Heather, *The Fall of the Roman Empire: A New History of Rome and the Barbarians* (Oxford: Oxford University Press, 2006); G. Halsall, *Barbarian Migrations and the Roman West 376-568*, Cambridge Medieval Textbooks

as being sympathetic with the old Felician position) were installed in Arles and Aix-en-Provence respectively by Constantine III,¹⁸ and Proculus of Marseille seems to have overcome an earlier antipathy towards Lazarus such that he ordained him bishop, and presumably attached himself to Constantine's camp.¹⁹ When Constantine III was defeated in 411 by Flavius Constantius (later to become Constantius III in 421), Honorius' *magister militum*, Heros and Lazarus were driven from their churches and Heros was replaced in Arles by Patroclus, although the idea that Patroclus was Constantius' ecclesiastical pawn—rather than an enterprising individual who took advantage of changing conditions to further his own position—is one that is highly to be doubted.²⁰

We do not have evidence of the allegiance of bishops like Simplicius of Vienne, Hilary of Narbonne, or Remigius of Aix-en-Provence (who might have been bishop before Lazarus and who was restored), but perhaps the claims we find being made by Patroclus when he became bishop in Arles are sufficient to explain why at least Simplicius and Hilary were opponents of Patroclus.²¹

What we learn about those claims from *Placuit apostolicae*, the letter written by Zosimus on 22 March 417 to Patroclus, a few days after his election as bishop of Rome, is not only that Zosimus endorsed or recognised Patroclus' claim to be the only metropolitan bishop in the province of Viennensis (thereby demoting Simplicius to the rank of a suffragan), but that he also accepted Patroclus as the metropolitan over the neighbouring provinces of Narbonensis Prima and Narbonensis Secunda as well (thereby demoting Hilary and Remigius). Thus, the ecclesiastical province was to be much larger than the civil province in which Arles was located. Zosimus also rejected Turin's solution of making

(Cambridge: Cambridge University Press, 2007) 186-256; M. Kulikowski, *Rome's Gothic Wars*, Key Conflicts of Classical Antiquity (Cambridge: Cambridge University Press, 2007); and P. Heather, *Empires and Barbarians: The Fall of Rome and the Birth of Europe* (Oxford: Oxford University Press, 2009), 173-206.

18 See Zosimus, *Ep.* 3.3 (*Postquam a nobis* - 21 September 417) (PL 20.657 = Coustant, *Epistolae Romanorum Pontificum*, col. 951) = *Collectio Avellana*, *Ep.* 46.5-6 (CSEL 35.104), which is JK 330 = J³ 735.

19 See G.D. Dunn, "Zosimus and the Gallic Churches," in W. Mayer and B. Neil, eds, *Religious Conflict from Early Christianity to the Rise of Islam*, AKG 121 (Berlin: De Gruyter, 2013) 169-185, at 176.

20 On Constantius see W. Lütkenhaus, *Constantius III. Studien zu seiner Tätigkeit und Stellung im Westreich 411-421*, Habelts Dissertationsdrucke Reihe Alte Geschichte 44 (Bonn: Rudolf Habelt, 1998); and G.D. Dunn, "Flavius Constantius and Affairs in Gaul between 411 and 417," *Journal of the Australian Early Medieval Association* 10 (2014) 1-21. Cf. Fyre, "Bishops as Pawns," 354-355.

21 On Hilary see Dunn, "... *quid habuerit antiqua consuetudo*," 31-54. It could be argued that Remigius, as an opponent of Lazarus, whom he replaced, would have had more of an affinity with Patroclus than did either Simplicius or Hilary.

Proculus of Marseille a personal metropolitan, and he required that Gallic bishops and churches wishing to contact Rome do so through Patroclus.²²

It is only in this last respect that there was any parallel with what has come to be called the papal vicariate of Thessaloniki (ancient Thessalonica in the province of Macedonia).²³ The principal difference was that in Illyricum Orientale, the bishop of Thessaloniki was, in a limited sense, placed above the existing metropolitans of the other provinces of the prefecture; he did not replace them. What Patroclus (and Zosimus) concocted for Gaul was entirely novel.²⁴ Instead of creating another layer of authority above the metropolitans (the papal vicar or primate as we may term him today, although these two terms imply different things), the proposal in Gaul was simply to eliminate a number of metropolitans. Another difference was that while Illyricum Orientale belonged to Rome's traditional area of supervision, southern Gaul did not, despite some previous half-hearted attempts.²⁵ Here was a real opportunity to further Rome's reach and Zosimus embraced it.

22 See n. 2.

23 See Innocent I, *Ep. 1 (Cum deus noster)* (PL 20.463-468 = *Constant, Epistolae Romanorum Pontificum*, cols 739-740) = *Collectio Thessalonicensis, Ep. 4 9* (K. Silva-Tarouca, ed., *Epistularum Romanorum Pontificum ad Vicarios per Illyricum aliosque Episcopos. Collectio Thessalonicensis ad fidem Codicis Vat. Lat. 5751, Textus et Documenta 23* [Rome: Pontificia Università Gregoriana, 1937] 20-21), which is JK 285 = J³ 663; and 13 (*Lectissimo et gloriosissimo*) (PL 20.515-517 = Coustant, *Epistolae Romanorum Pontificum*, cols 815-817) = *Collectio Thessalonicensis, Ep. 5* [Silva-Tarouca, *Epistularum Romanorum Pontificum*, 21-22]), which is JK 300 = J³ 688. See G.D. Dunn, "Innocent I and Anysius of Thessalonica," *Byzantion* 77 (2007) 124-148; idem, "Innocent I and the Illyrian Churches on the Question of Heretical Ordination," *Journal of the Australian Early Medieval Association* 4 (2008) 77-93; idem, "Innocent I and Rufus of Thessalonica," *JÖB* 59 (2009) 51-64; idem, "The Letter of Innocent I to Marcian of Niš," in D. Bojović, ed., *Saint Emperor Constantine and Christianity, International Conference Commemorating the 1700th Anniversary of the Edict of Milan, 31 May - 2 June 2013, 2 vols* (Niš: PIYHTA, 2013) 1. 319-338; and idem, "The Church of Rome as a Court of Appeal in the Early Fifth Century: The Evidence of Innocent I and the Illyrian Churches," *JEH* 64 (2013) 679-699, for details and further bibliography. I believe this is a slightly more subtle reading than that of C. Pietri, *Roma Christiana. Recherches sur l'Eglise de Rome, son organisation, sa politique, son idéologie de Miltiade à Sixte III (311-440)*, Bibliothèque des Écoles française d'Athènes et de Rome, vol. 224 (Rome: Écoles française de Rome, 1976), 1007, who calls Patroclus "un peu ceux d'un métropolitain" and says of the idea of a vicariate that "il n'est pas encore question".

24 Dunn, "Ecclesiastical Reorganisation of Space and Authority," 27.

25 On Innocent I's involvement in Gaul see G.D. Dunn, "Canonical Legislation on the Ordination of Bishops: Innocent I's Letter to Victricius of Rouen," in J. Leemans, P. Van Nuffelen, s.w.j. Keough, and C. Nicolay, eds, *Episcopal Elections in Late Antiquity*, AKG 119 (Berlin: Walter de Gruyter, 2011) 145-166; and idem, "Episcopal Crisis Management in Late Antique Gaul: The Example of Exsuperius of Toulouse," *Antichthon* 48 (2014) 126-143.

The idea put forward by David Frye, among others, that it was Flavius Constantius or Patroclus who was responsible for securing the election of Zosimus (and even the idea that Patroclus was in Rome at the time of Zosimus' election) and that, in return, Zosimus rewarded Patroclus with this augmented metropolitan authority in Gaul, an authority over the area that had constituted the pre-Diocletianic province of Gallia Narbonensis, is one that has been considered and dismissed.²⁶ The simple fact is that Patroclus himself was probably responsible for this requested recognition, which languished (?) on the desk of Innocent I, and was only responded to by Zosimus immediately after his election. Admittedly the response was favourable but it makes most sense that it was Patroclus' idea in asking for recognition rather than Zosimus' idea in offering it.²⁷ One could argue that Zosimus saw in the request an opportunity to promote his own ambition to be recognised as the leading bishop in a part of the West that previously had not tied itself that closely with Rome.

Part of the argument that Patroclus had put to Zosimus, as we learn from the letters written just before *Quid de Proculi*, was that Trophimus, the first bishop of Arles, had an extensive authority over the region and that it was only right that Patroclus' authority be restored to that same extent.²⁸ We find mention in the sixth-century by Gregory of Tours of the seven bishops sent during the reign of Decius in the middle of the third century as missionaries to Gaul, including Trophimus to Arles.²⁹ Of course, Gregory's information may not be untainted by later accretion, but even so, it is interesting that it tells us that Saturninus of Toulouse (ancient Tolosa) was the greatest of these men, and Toulouse was a city in what would become Narbonensis Prima, as was Narbonne, where Paul is reported as the first bishop. If Patroclus was arguing, which he was, that his authority should be over the large old province rather than over the contemporary smaller province of Viennensis in which Arles was located, then the evidence, as preserved in Gregory of Tours, would not support him. In the middle of the third century, the later memory of the Gallic church outside Arles was that three of the seven bishops were located in Gallia Narbonensis and, in addition, Narbonne and not Arles had been the capital of

26 Dunn, "Ecclesiastical Reorganisation of Space and Authority," 25.

27 Cf. Pietri, *Roma Christiana*, 1006-1011, who attributes the initiative more to Zosimus.

28 Zosimus, *Epp.* 1.3 (PL 20.645 = Coustant, *Epistolae Romanorum Pontificum*, col. 938); 4.5 (PL 20.665 = Coustant, *Epistolae Romanorum Pontificum*, col. 958); 5.2 (PL 20.666 = Coustant, *Epistolae Romanorum Pontificum*, col. 959); and 6. 1-2 (PL 20.667 = Coustant, *Epistolae Romanorum Pontificum*, cols 960-961).

29 Gregory of Tours, *Lib. hist. X* 1.30 (B. Krusch and W. Levison, eds, *Gregorii episcopi Turonensis. Libri Historiarum X*, MGH, *Scriptorum Rerum Merovingicarum* 1/1 [Hannover: Hahn, 1951 (2nd edn)] 23).

that old province. So, if Patroclus were arguing for a restoration of an earlier system, Arles still ought not to have benefited.

For Patroclus to argue for one bishop to be metropolitan of the more extensive older province, it could not be on the basis of restoring to Arles a dignity it had held previously, since it had never held it. Yet, this is precisely what Zosimus asserted in his letter from March.³⁰ To promote Arles could only be at the expense of the historically more accurate claims of Narbonne and ignoring the prestige of Toulouse. No doubt it was the presence of both the praetorian prefect and governor in Arles that gave its bishop a basis for his new claims,³¹ but to argue that this was historically justified (rather than simply a reflection of present reality and necessity) was to create a false memory of the past. Could Patroclus, nearly 170 years later, have been so mistaken about the past? We cannot tell, but there could be good reason for believing that he was being deliberately loose with the truth. We have nothing from Patroclus to help us elucidate this matter. Was Zosimus equally as loose with the truth or was he inveigled by deceit by Patroclus? Again we cannot tell, but the latter option is believable.

Why was Zosimus not informed of this by those Gallic bishops like Simplicius, Hilary, and Proculus? If they had informed Zosimus that Patroclus' statement about Trophimus was inaccurate, one would imagine that Zosimus would have had to counter that accusation in a later letter like *Multa contra*, but he did not. Again, we cannot explain that, but we do know that Zosimus held a synod in Rome in September, after which our letter, *Quid de Proculi*, and the others were issued, and that, while Patroclus attended, the others did not.³² Since they did not attend in person any complaints they might have expressed previously in writing could simply be ignored. *Liber auctoritatem ecclesiae Arelatensis* does not preserve any information from those bishops negatively affected by this argument. We are left with the mystery of whether Zosimus was deceived knowingly or unknowingly by Patroclus or whether he colluded with Patroclus in perpetuating what he knew to be untrue.

30 Zosimus, *Ep.* 1.3 (PL 644-645 = Coustant, *Epistularum Romanorum Pontificum*, col. 938): *Sane quoniam metropolitanae Arelatensium urbi uetus priuilegium minime derogandum est, ad quam primum ex hac sede Trophimus summus antistes, ex cuius fonte totae Galliae fidei riuulos acceperunt, directus est ...*

31 Pietri, *Roma Christiana*, 1008-1009, also reasonably points to the fact that Toulouse and Narbonne had been heavily impacted by recent events, which would also justify the church of Arles taking on a wider area of responsibility. While this would have been a reasonable basis for an argument, such an argument was not put, according to the surviving evidence.

32 I would disagree with Pietri, *Roma Christiana*, 1006, that Proculus did not attend "faute d'avoir été prévenu ..."

2 *Quid de Proculi*

Quid de Proculi does not help us address this last point since it was addressed to Patroclus. It would have been foolish in the extreme for Zosimus to congratulate Patroclus on their deception being unchallenged (if that is what happened), and such a statement would have seen the letter not included in the later letter collection from Arles (unless such a statement were removed from the surviving letter in the following century by an embarrassed compiler/editor, which is stretching the bounds of possibility). As well, we find no reference to Trophimus in this letter. Again, this is not surprising. It had been Patroclus, most probably, who had mentioned his distant predecessor to Zosimus as part of his justification for the change in the ecclesiastical structure of southern Gaul. There was no need for Zosimus to make the case back to the bishop of Arles as he had in his letters to other Gallic bishops. As Pietri points out: "Pour Patrocle, le Romain mêle encouragements et réprimandes."³³

Indeed, in some ways this letter is the odd one out when we compare it with the others addressed to Gaul from this week, and even the letters addressed to the Africans.³⁴ It is not one of what Erich Caspar described as one of Zosimus' "rücksichtslos schroffen Dekreten".³⁵ While in those other letters, about which I have written elsewhere, we find common elements like antagonism towards Lazarus and Heros, and the Gallic bishops Ursus and Tuentius illegally ordained by Proculus of Marseille, and Zosimus' appeal to a Petrine heritage for Rome, none of that is present in *Quid de Proculi*. While Zosimus does make some references to his own authority over Gaul they are muted by comparison. Much of the detail about the demotion of the affected Gallic bishop is also omitted in this letter. Zosimus did not have to persuade Patroclus about such things, but there were a few issues that the Roman bishop wanted to stress to the bishop of Arles.

Just what does the letter tell us? It reports on matters that had been decided by a recent synod, over which Zosimus had presided and at which Patroclus was present. It is therefore not conveying new information to an otherwise

33 Pietri, *Roma Christiana*, 1016-1017.

34 On the other letters to Gaul see n. 4 above. It must be remembered that *Cum aduersus* was addressed also to the Africans (and the Spaniards). The other letters to Africa are *Epp. 2 (Magnum pondus)* (PL 20.649-654 = Coustant, *Epistolae Romanorum Pontificum*, col. 943-948) = *Collectio Avellana, Ep. 44* (CSEL 35.99-103), which is JK 329 = J³ 734; and 3 (mentioned in n. 18 above).

35 E. Caspar, *Geschichte des Papsttums von den Anfängen bis zur Höhe der Weltherrschaft*, Bd 1: *Römische Kirche und Imperium Romanum* (Tübingen: J.C.B. Mohr [Paul Siebeck], 1930), 348.

ignorant Patroclus, but summarising and immortalising some of the key points about the synod, particularly as they related to Gaul and the role of the bishop of Arles was to play in that region. Zosimus' endorsement of Patroclus' position issued days after his election as Roman bishop was now supported by the endorsement of a regional synod of Italian bishops.

It is interesting that Patroclus attended this synod. He did not belong to the territory over which Zosimus presided as metropolitan. We do not know if he had been merely an observer, a witness who could provide evidence, or a participant with voting rights.

Despite the fact that I believe that Patroclus had been the instigator of this business and had claimed his augmented authority on the basis of his own dubious historical argument, Zosimus indicates his belief that this office was in his gift to give to Patroclus.³⁶ That was the real purpose of the letter: Zosimus was going beyond merely recognising and supporting Patroclus' rather dubious historical assertions to authority, but was claiming that he had granted it to Patroclus.³⁷ Indeed, the very mention of Trophimus in Zosimus' other letters had indicated that he had been sent from Rome (which was not the point that Patroclus would have been emphasising in his own referring to Trophimus), thereby further justifying Rome's authority over Gaul. Had Zosimus accidentally misunderstood or deliberately twisted Patroclus' request for endorsement or support as a petition to make him metropolitan? In later history this fine distinction would be lost as Roman bishops asserted their ever-widening sphere of jurisdiction. To reinforce his own importance, Zosimus stated that Proculus of Marseille's seeking (*irreperat*) of the position as a personal metropolitan was invalid (*furtive ... usurpatum*) because it had been given him by a synod that had not the authority to do so (*per indebita synodo*). The implication is that only Zosimus himself had the authority to declare who was a metropolitan, and perhaps there was an implied warning here to Patroclus that if he were ever to dare assert that he was metropolitan on any other basis other than through the generosity of Zosimus, then he too would be dealt with as had Proculus.

Zosimus then indicates that Patroclus needs to use his right to be consulted before any cleric approached Rome. This was something that was indeed Rome's to determine, as it had with Thessaloniki, and the more Patroclus

36 Zosimus, *Ep.* 7.1 (PL 20.668 = Coustant, *Epistolae Romanorum Pontificum*, cols 961-962): *Vnde metropolitani in te dignitatem atque personam etiam apostolicae sedis auctoritate considera ...*

37 Pietri, *Roma Christiana*, 1018: "Le pape reserve à Patrocle, dans une lettre personnelle, les quelques expressions qui présentent ce *metropolitanus* comme un agent privilégié de la politique romaine."

accepted this pattern of communication the more the bishop of Arles would become a vicar or delegate or subordinate of Rome rather than a colleague. So it is interesting that it was this point, about the relationship of the Gallic churches with Rome through Arles rather than any comment about the relationship of the Gallic churches with Arles itself that is mentioned in the letter.

The second half of the letter looks at the situation of those who have walked into high ecclesiastical office from civil service or almost immediately after their initiation. Was this a criticism of Proculus' situation? We do not know anything about Proculus' background to reach any firm conclusion but it would be a reasonable deduction that this must somehow have been relevant to Zosimus' criticism of Proculus to be worth including in his letter to Patroclus. It is important to realise that the letter describes two different groups of individuals.

Zosimus declares that those who had joined the ranks of the clergy from secular service (*militia*) and had reached high clerical office without going through all the intervals of the clerical *cursus honorum* were somewhat irregular. This was a topic of concern to Roman bishops of the time, and we find it discussed in Siricius' 385 letter to Himerius of Tarragona (ancient Tarraco in the province of Tarraconensis), and in Innocent I's letter.³⁸ In February 418 Zosimus would have occasion, in his letter to Hesychius, bishop of Solin (ancient Solona in the province of Dalmatia), to remind his episcopal colleague of the provisions enacted by a recent episcopal synod, no doubt the one mentioned in the letter to Patroclus.³⁹ From the information conveyed in the later letter to Hesychius we know that the synod contained more detailed provisions than those mentioned in *Quid de Proculi*, including minimum ages for various ranks and minimum time intervals between promotions, depending upon whether one had been initiated a Christian as an infant or as an adult.

No doubt men who had reached the highest levels of episcopal service and who saw a career in the church as a better option than continuing serving the empire, would have expected to shift across into an equally distinguished rank, like bishop. We must not think of *militia* here as prior military service (although that is not excluded), but more generally as civil or imperial service, as we find when we read through the laws collected in *Codex Theodosianus*.

38 Siricius, *Ep.* 1.IX.13 (PL 13.1141 = Coustant, *Epistolae Romanorum Pontificum*, col. 633-634), which is JK 255 = J³ 605; Innocent I, *Epp.* 37 (PL 20.603-605 = Coustant, *Epistolae Romanorum Pontificum*, cols 910-912), which is JK 314 = J³ 722; and 3.VI.9-10 (PL 20.492-493 = Coustant, *Epistolae Romanorum Pontificum*, cols 770-771), which is JK 292 = J³ 674. See G.D. Dunn, "The Clerical *Cursus honorum* in the Late Antique Roman Church," *Scrinium* 9 (2013) 120-133.

39 Zosimus, *Ep.* 9 (PL 20.669-673 = Coustant, *Epistolae Romanorum Pontificum*, cols 968-971), which is JK 339 = J³ 745.

The concern with imperial legislators had been to prevent *curiales* from evading their civic responsibilities by joining ecclesiastical ranks. To appease antagonised emperors, church synods needed to express a similar reluctance to accept such men into high office, although there were no doubt numerous exceptions.⁴⁰ The synod had acknowledged that the problem with this practice was that the church could end up with leaders who, although they brought a great deal of experience of command and leadership from their former lives, were little tested with the unique requirements of leading a church.

As mentioned before, we have to ask whether, in this letter, this comment was repeated because of its relevance to Proculus. We know, as Raymond Van Dam and Ralph Mathisen have argued, that in this period in Gaul, in the face of reduced opportunity brought about by barbarian incursion, many aristocrats sought to maintain their social status and privileges by dedicating themselves to an ecclesiastical rather than traditional political or military career.⁴¹ Perhaps Proculus was being targeted by Zosimus here, but perhaps the Roman synod was simply addressing part of the wider problem in Gaul, at least as Patroclus painted it, and, in repeating what earlier Roman bishops had stated, gave Patroclus another weapon with which to transform the Gallic churches.

We should not make too much out of all this. Although Zosimus' synod had found the ordination of such elite men to high clerical office as somewhat irregular, it decided to accept the *fait accompli* (*in nonnullis factum infirmare non possumus, si qui iam ordinati sunt*), and accept the validity of their ordinations but stipulating that they were to be promoted no higher.⁴² If Proculus had been the intended target, this provision would have done little to remove him.

The second group referred to in the letter are those who came to high ecclesiastical office as neophytes (newly baptised). Of course, there could be some overlap. Those who had held high civil and military service could have converted to Christianity at the time they sought high ecclesiastical office, but this need not necessarily have been the case. Some, or indeed many, could have been Christians from infancy and have worked in imperial service at the highest levels. The provisions directed towards the second group did concern neophytes specifically. Unlike the previous position, where Zosimus and his synod had been prepared to leave experienced civil leaders in their high clerical office despite not having progressed through the developing clerical *cursus*

40 See Dunn, "Canonical Legislation on the Ordination of Bishops," 159-162.

41 R. Van Dam, *Leadership and Community in Late Antique Gaul*, The Transformation of the Classical Heritage 8 (Berkeley and Los Angeles: University of California Press, 1985) 141-156; and R.W. Mathisen, *Roman Aristocrats in Barbarian Gaul: Strategies for Survival in an Age of Transition* (Austin: University of Texas, 1993) 89-104.

42 Zosimus, *Ep.* 7.2 (PL 20.669 = Coustant, *Epistolae Romanorum Pontificum*, col. 962).

honorum, for the second group the response was harsher: those who had been made a bishop (*sacerdotium*) or even presbyter or deacon soon after baptism were to be stripped of their rank. There was less option here because there was a clear scriptural directive in 1 Timothy 3:6 against the rapid promotion of neophytes and this had been turned into church law as canon 2 of the 325 Council of Nicaea.⁴³

Zosimus instructed Patroclus to make this known to all in Gaul under his augmented responsibility, as no doubt he had asked other bishops in Italy, Africa, and Spain to do the same. In fact, so generic does the end of the letter seem, that it seems even less likely that Proculus was the reason this had been discussed at the synod and mentioned in this letter. It really does seem that we are dealing with other business discussed and transacted at the synod, of relevance to the church universally.

3 Conclusion

Quid de Proculi stands out as something of the odd letter out in the group Zosimus of Rome composed within a week in September 417 concerning the ecclesiastical situation in Gaul. The threats and cajoling we find in the other letters written during the week are not present in this one to Patroclus of Arles, simply because Patroclus was Zosimus' key ally in the region and, as has been argued here and elsewhere, was the one responsible for prompting Rome to adopt the solution that Zosimus adopted and reaffirmed during the synod in Rome: the bishop of Arles was to be sole metropolitan in the several provinces that constituted the civil diocese of Viennensis, thereby demoting several metropolitans and rejecting the position adopted some years earlier at the synod in Turin. While a reasonable case could be made for Arles to have an increased ecclesiastical importance given the political realities of both the praetorian prefect and provincial governor having relocated there, this was not the path followed by Patroclus and Zosimus. Instead, they argued on the basis of re-establishing the authority of Trophimus, the first bishop of Arles, from the middle of the third century, which, as far as it can be reconstructed from later evidence in Gregory of Tours, was not as Patroclus and Zosimus asserted.

There was no real negotiation with those affected by this change. Even though a synod had met in Rome in September, it only endorsed what Zosimus had been advocating since the start of his episcopacy. While it might be true

43 Council of Nicaea (325), canon 2 (CCCOGD 1.20-21). See L'Huillier, *The Church of the Ancient Councils*, 33-34.

that Zosimus was deceived by Patroclus into believing that Trophimus was the leading bishop in the region, this false memory about the authority of Trophimus, which is not mentioned in our letter but was central to the argument addressed to the dissenting Gallic bishops, was preserved in the collection of these letters and provided the basis for the ongoing claims of Arles to episcopal supremacy in southern Gaul. The fake past, believed if not created by Patroclus (and supported by Zosimus), became a weapon with which to subdue opponents and recreate the ecclesiastical shape of southern Gaul in the early fifth century.