

THE ROLE OF THE BISHOP IN LATE ANTIQUITY

CONFLICT AND COMPROMISE

Late Antiquity witnessed a major transformation in the authority and power of the Episcopate within the Church, with the result that bishops came to embody the essence of Christianity and increasingly overshadow the leading Christian laity. The rise of Episcopal power came in a period in which drastic political changes produced long and significant conflicts both within and outside the Church. This book examines these problems in depth, looking at bishops' varied roles in both causing and resolving these disputes, including those internal to the church, those which began within the church but had major effects on wider society, and those of a secular nature.

ANDREW FEAR is Lecturer in Classics, University of Manchester, UK.

JOSÉ FERNÁNDEZ UBIÑA is Professor of Ancient History, University of Granada, Spain.

MAR MARCOS is Senior Lecturer in Ancient History, University of Cantabria, Spain.

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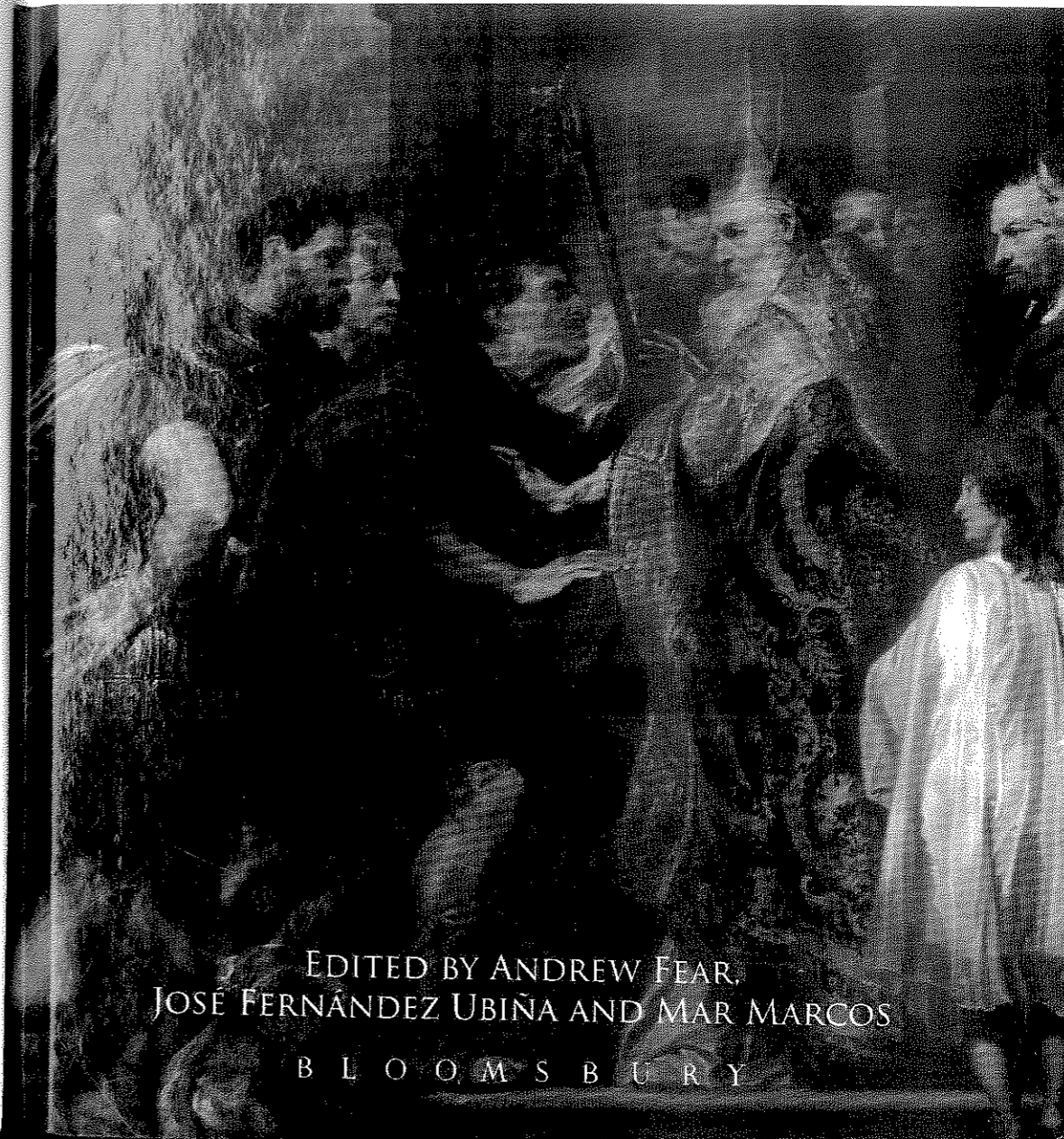
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FEAR, UBIÑA AND MARCOS (Eds.)



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EDITED BY ANDREW FEAR,
JOSÉ FERNÁNDEZ UBIÑA AND MAR MARCOS

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Bishops, Heresy and Power: Conflict and Compromise in *Epistula* 11* of Consentius to Augustine¹

Purificación Ubric Rabaneda
University of Granada

Since its discovery by J. Divjak in 1979, *Epistula* 11* of Consentius to Augustine, one of the new letters in a series of correspondence of Augustine,² has unearthed many issues pertaining to the role of bishops, in light of the controversies that arose in their sees. It shows how a resolution to a conflict involving one of the most powerful families of the Tarraconensis accused of heresy was reached through a compromise involving sanctuary, the *episcopalis audientia* and councils as well as the criteria of *affinitas* and power. It also notes how the scale of this controversy was such that it was not limited only to the bishops of the Tarraconensis, but had repercussions that extended to the bishops of Africa and Gaul.

Fronto's challenge

In *Epistula* 11* Consentius, an aristocratic layman of a theological bent,³ contacts Augustine to discuss strategies to help combat the threat of heresy. He alludes to an effective tactic used by a monk named Fronto in Tarraconensis⁴ based on the practice of pretending to be a heretic in order to help find and denounce others. As a result of his espionage, Fronto had managed to win the faith and trust of Severa, a supporter of heterodox creeds (*Ep.* 11*, 1–2) and who disclosed notable incidents of corruption and heresy involving some of

the most significant churchmen of the region. Among these was one of her relatives, a wealthy presbyter called Severus, who, like herself, was linked to one of the most prestigious families of Tarraconensis, that of the *illuster comes hispaniarum* Asterius, which had strong family ties with the Theodosian dynasty.⁵

As the story reveals, Severus had been travelling to his property in the countryside when a group of barbarians attacked him, stealing three large codices from his luggage. The barbarians, wanting to sell the volumes, took them to the neighbouring city of Ilerda, but upon noticing that they were heretical, decided to give them instead to Sagittius, the bishop of the town. Sagittius, himself interested in magic, examined the codices and, realizing part of their content was related to this subject, decided to tear out these pages and keep them for himself. He created a new volume with the remaining, less pernicious passages, which he sent to Titianus, the metropolitan of Tarraconensis, together with a letter in which he described the vicissitudes related to the codices. Titianus, in turn, decided to delegate the resolution of the affair to Syagrius, bishop of the See of Osca, the very place in which Severus himself had been ordained. Syagrius, who was a very naive man, was easily swayed by the presbyter's claim that he had inherited the codices from his mother and unaware of their heterodox content. Subsequently, he returned the codex to him. Later, Severus would also retrieve the other two codices from Sagittius, although on that occasion he had to pay a fee (*ibid.* 2-3). Upon learning of these events, an incensed Fronto sought to denounce them at the ecclesiastical court in Tarraco.

The response of the bishops

Severa's initial response to Fronto's accusations was one of acknowledgement and acceptance, but upon witnessing Severus being charged and how he hid behind the power of the *comes* Asterius to evade the accusations, she decided to deny everything and take refuge in the palace of the *comes* (*ibid.* 4).

With the support of the great powers and the ascendancy of Asterius in the city, Severus responded to his punishment by accusing Fronto of being a *delator*. This accusation in turn led to the metropolitan Titianus convening an

ecclesiastical court to try to resolve the controversy and to determine whether the accusations made by, and against, Fronto could be substantiated. Fronto was placed in an invidious position by his claims which had been made against fierce rivals who could depend on the support and backing of most of the bishops and the crowd.

During the ecclesiastical proceedings, Bishops Sagittius and Syagrius were asked to bring the codices which, according to Severus's testimony, they still had in their possession, to Tarraco. Meanwhile, Severus had sent a letter to Asterius, who at that time was in charge of an important military campaign, expatiating upon Fronto's accusations concerning his relatives and also those made against himself. Thereupon, Asterius came to Tarraco with his retinue, seeking to speak with Fronto in his *praetorium*. However Fronto, whose life was threatened by the crowd, sought refuge in sanctuary and asked to meet Asterius in the church. Thus, at the episcopal chancellery, Asterius and the bishops listened to the accusations put forward by Fronto, during which time the monk was keen to assure Asterius that his accusations were not directed at him personally but rather at his relatives, insisting that he was not slandering him. Reiterating his orthodoxy and asking Fronto for his prayers, Asterius duly returned to his military campaign and left his abandoned family to their fate (*ibid.* 7-11).

It was at this stage that one of the principal servants of the *comes* decided to take the law into his own hands and tried to kill the whistle-blowing monk, although his efforts were in vain as he was not allowed to violate sanctuary. Some days later, the servant died, which Fronto deemed to be an act of divine vindication (*ibid.* 12-13).

Meanwhile, Bishop Sagittius received the letter from Titianus asking him to present the codices at the episcopal court. He was still wary of trusting Severus and having been left uninformed as to what was happening, sent a secret letter to Syagrius. In this letter he explained how he had sent the codices through his deacon Paulinus, but Paulinus claimed not to have found him and had therefore given the codices to Severus. Sagittius also asked Syagrius to open the archives of his presbyter Severus and to take the codices, in order to show that he had always kept them in his church. Ironically Severus had in fact sent a letter to Sagittius but the messenger who was due to deliver it had gone to Severus's property first to get the codices and give them to Sagittius.

With the codices in his hands, Sagittius went to Tarraco, disregarding the letter he had sent to Syagrius. When Syagrius eventually received Sagittius's letter, his reaction was one of shock at his fellow bishop's proposal, yet to take any hasty action might have proved detrimental, not only to Severus, but to Sagittius and also to himself, since they were also under suspicion. He therefore decided to remain silent. That night, however, Syagrius had a nightmare in which Christ punished him for his vow and so, frightened, he decided to walk to Tarraco and reveal everything (ibid. 14–15).

At the same time, Sagittius, who was already in Tarraco, had committed perjury several times before the ecclesiastical court. With the support of Severus and Severa, he argued and maintained that the codices had always been kept in his church and that Fronto's accusations were false. Consequently, Fronto's allegations were considered slander, a crime punishable by death by stoning. The monk, however, begged for one day of clemency, which was granted. That afternoon, Fronto met with Syagrius, who had just arrived in Tarraco. Incensed, Fronto initially insulted the bishop, before learning that Syagrius wanted to expose the deception of Sagittius and Severus. He asked the bishop to help him reveal the truth and so the next day, after Sagittius and Severus had perjured themselves again, Fronto showed evidence to the court to prove their deceit. In spite of this, Sagittius was exonerated from any blame, since Titianus had recourse to the decree which declared that a bishop could only be judged by other bishops.⁶ Subsequently, Sagittius decided to flee Tarraco having been persecuted by Fronto and decried by the crowd (ibid. 16–20).

A council of seven bishops was convened to take decisive action. However, the council did not rule in favour of Fronto, but the heretics who were returned to communion. The records and the codices were burnt meaning the case could never be investigated again. Fronto, who took part in the council, protested vehemently against the outcome, and his argument with Bishop Agapius, who responded violently, ended with the death of Agapius, which seemed to Fronto to be a divine punishment. Notably aggrieved by the hostility and injustice of Tarraco, Fronto was swift to take action, calling upon Patroclus of Arles to help support him against the unfair judgement of the bishops of Tarraconensis. Patroclus's influence proved effective as he decided to call the bishops of Tarraconensis to form another council, one which would meet in Biterrae. He also considered the possibility of an appeal from the Gallic bishops

to the emperor. Consentius, for his part, decided to consult Augustine to let him know what had happened and to ask him for his support in the struggle against heresy (ibid. 21–7).

Between conflict and compromise: Bishops, heresy and power

In the fifth century, accusations of heresy, sorcery or both could be very dangerous, leading to the defendant being sentenced to death, often without the claims being properly substantiated.⁷ Aside from this, denunciations of any sort were a great dishonour, as the accused would be tainted by suspicion. The shame was such that Fronto used it to his advantage in attacking his powerful opponents. For a leader such as *comes* Asterius, who was of a high imperial rank, it was essential to be free from any suspicion. In such a context he could not take any risks, since, as a leading figure, his orthodoxy had to be proven and unquestioned. For this reason, Asterius considered that his return to Tarraco should take precedence over his military duties in order to absolve himself from any hint of slanderous suggestion. Once his orthodoxy was demonstrated he washed his hands of the matter and returned to war, leaving the resolution of the affair to the bishops.

The heresy of which Fronto accused both Severa and Severus was known as Priscillianism.⁸ Named after Priscillian, a charismatic leader who became bishop of Avila and was executed in 385 by the emperor Magnus Maximus on charges of sorcery, this branch of heretic behaviour reflected the main debates and spiritual concerns within the Spanish Church of the time. It centred on a confrontation between spirituality and worldliness and the experience of a purer, more genuine type of Christianity rather than one more connected to power and ambition.⁹ Priscillianism caused a great commotion within the Spanish Church, prompting a schism, particularly after the remains of Priscillian and his supporters were brought to Gallaecia following their executions and were venerated as true martyrs (Sulpicius Severus, *Chronicon* 2.51.7–8).

In the fifth century, Priscillianism attracted people from all social extractions and had spread not just in Hispania but also throughout Gaul and Africa. Nevertheless, any accusation or suspicion of its practice could have severe, often irredeemable, consequences, since it had the potential to open up old

wounds, a concern which would have no doubt influenced the decision of a metropolitan like Titianus, among others, to proceed with caution.

At the heart of *Epistula 11** is one of the most striking and intriguing factors related to Priscillianism, namely the different attitudes held by the ecclesiastical hierarchy and the population. Many of the tenets, writings and practices of Priscillianism were accepted as orthodox by various churchmen, who openly permitted their practice or, at least, did not consider Priscillianism itself to be dangerous.¹⁰ Others, however, were sceptical and remained intransigent in their views over its practice, convinced of its threat to the unity of the church. While the first group was open to a conciliatory policy towards repentant Priscillianists, others were less compromising and wanted them to be punished and stripped of their duties.

These attitudes towards Priscillianism were irreconcilable and neither group managed to ensure that their view took precedence over the other. As a result, the Spanish Church could not reach a settlement on the matter and so Priscillianist beliefs and practices continued to flourish throughout the fifth century. With tempers remaining high, each group duly sought to strengthen its position through external support: either prestigious bishops or even the Pope himself. Such support was crucial to the ratification of their orthodoxy. What had once been a strategy used by Priscillian himself during his lifetime had become a constant feature throughout the whole Priscillianist controversy. Thus, Bishop Hilarius and the presbyter Elpidius turned to Pope Innocentius I (Innocentius I, *Ep.* 3); Optatus and Orosius to Augustine (*Aug.*, *Ep.* 190, 202A; Orosius, *Consultatio sive commonitorium Orosii ad Augustinum de errore priscilianistarum et origenistarum* and Augustine, *Ad Orosium contra Priscillianistas et Origenistas*); Thoribius of Asturica to Pope Leo the Great (Leo I, *Ep.* 15); and Agrestius of Lucus to bishops from Gaul.¹¹

Priscillianism allowed the educated and wealthy presbyter Severus and Bishop Sagittius, among others, the opportunity to demonstrate their faith through other unconventional means within the church and thus satisfy their spiritual interests, free from remonstrations from colleagues within the clergy. Yet an uncompromising sector fronted by Fronto and Consentius, neither of whom was willing to tolerate this practice, decided to denounce these heretics, insisting that they be persecuted and duly punished. In spite of their importunity however, their efforts proved fruitless as Severus and Sagittius were exonerated from any charges. Nevertheless, undeterred by their failure,

the resistance campaign soon turned to two famous bishops, Patroclus of Arles and Augustine, the involvement of whom extended the scale of the conflict, by involving foreign bishops in it.

Consentius had a very good relationship with Augustine, with whom he had exchanged various letters in which he had asked for advice concerning his own theological doubts and uncertainty (*Aug.*, *Ep.* 205, 119 and 120). As a result of these missives, the Bishop of Hippo took a very positive view of Consentius, and even invited Consentius to visit him in Hippo to discuss theological matters. Consentius accordingly accepted his offer and travelled to Hippo, but was unable to find the bishop (*Aug.*, *Ep.* 120, 1 and 205, 1).¹² The confidence that Consentius had in Augustine encouraged him to send him *Epistula 11** and a book which he had dedicated to the bishop's honour. The text outlined Consentius's methods of combating the threat of heresy (*Aug.*, *Ep.* 11*, 1 27.3),¹³ as well as details of the deceptive strategies incorporated by Fronto in Tarracoenensis, namely pretending to be a heretic with the purpose of finding, denouncing and condemning the same.

One of the most famous Priscillianist maxims, and one which was justified through reference to the Bible, proclaims: 'Swear, commit perjury, but betray not the secret' (*Aug.*, *Ep.* 237, 2; *De haeresibus, ad Quoduultideus*, I, 70, and *Contra Mendacium*, 3, 5). Thus, as followers of this strategy, Priscillianists did not appear to have any qualms about lying in order to protect their creed and their lives. Severus, Severa and Sagittius, to name but a few, all adhered to this ethos in the light of Fronto's damaging accusations and, as Consentius's proposals reveal, such a philosophy was not confined to the mindset of Priscillianists, but became a course of action adopted within some circles of the Spanish Church who likewise saw no harm in lying to protect their interests under certain circumstances and for certain purposes.

Consentius believed that the defence of one's orthodoxy justified a wide range of actions, including coercion. This was also as was the case, as far as we know, with Bishop Severus of Minorca, who received Consentius's support in his struggle against the powerful Jewish community of Magona, which had been forcibly converted to Christianity (*Aug.*, *Ep.* 12*, 13 and Severus of Minorca, *Letter on the Conversion of the Jews*).¹⁴

Consentius hoped that Augustine would support the views he expressed in his letter, take heed of his suggestions and extend them to other clerics and places. In spite of this, his tone was far from civil and was of a stern disposition

as he reproached the bishop for his lenient attitude towards the Donatists, through which indulgent bishops had justified their position. This was accompanied by a discussion of the right policy for the church to implement towards repentant heretics, asking whether they should be punished and stripped of their duties or be forgiven and allowed to maintain their honours within the church after doing penance (Aug., *Ep.* 11*, 24–6). This latter course of action had a precedent in Hispania, following the controversial agreements of the first council of Toledo (400), which had required the intervention of Pope Innocentius I (Innocentius I, *Ep.* 3). In Africa, such changes were reflected in the accords reached with the Donatists at the councils of Carthage of 411 and 418, which saw repentant African Donatist bishops reinstated to their respective sees, a process in which Augustine himself played a very significant role (Carthage Conference 411, Aug., *Ep.* 128 and 129, 411; council of Carthage (May 418 onwards): canons 9–11).¹⁵

Consentius's discourse is replete with arguments aimed at demonstrating the great success and correctness of his measures against the heretics, which he duly accredits to the support and sanction of Christ. The venomous tone he reserves for such dissidents provides a marked contrast to that employed in his portrayal of Fronto, who is described as a defenceless victim of the hatred shared by the bishops, the soldiers and the crowd. Fronto is depicted as a poor and modest man who lacked the wealth and honours of his enemies, and as the most orthodox and pure Christian of the whole community, vilified by wretched and immoral heretics. His propensity for lies is described as merely 'an extremely innocent trick', whereas the perjury of his opponents merits the fiercest scorn (Aug., *Ep.* 11*, 1, 4, 5, 7, 14, 16–20). As someone who believes in the power of Christ, Fronto can always rely on such support, regardless of his own inadequacies. He reveals the truth, intimidates the permissive and punishes those who have harmed him (*ibid.* 2.4, 13, 15, 17, 18, 21 and 22).

Although Fronto characterizes himself as a small, lonely and helpless victim, in contrast to the power possessed by his opponents (*ibid.* 4, 5, 6, 7, 9) in reality this was far from the truth. Fronto handled the matter with astuteness. His fanaticism did not prevent him from admitting the pre-eminence of his rivals. He knew his accusation was very powerful and could be very harmful if it was accepted. Nevertheless, the weight of his claim very much depended upon his alliance with many powerful supporters. Without this backing, Fronto could

not have maintained the credibility of his accusations, particularly in the face of a forum which was so powerful and unremitting in its hostility towards him. In particular, he relied upon the support of Patroclus of Arles and of Consentius, a well-known figure in the Episcopal circle of Tarraconensis,¹⁶ as well on a small sector of the population of Tarraco (*ibid.* 10.2 and 20).¹⁷ Such was the quantity of people caught up in the controversy that the affair seems to have amalgamated religious matters with other more mundane concerns, the nature of which, unfortunately, cannot be specified.¹⁸

Consentius however, had another purpose in his address to Augustine, namely the acquisition of the Bishop of Hippo's support for the schemes of Patroclus of Arles, whose primacy over the Gallic Church, granted by Pope Zosimus, was under threat at the hands of the new pontiff Bonifatius.¹⁹ Augustine and the African Church held ascendancy over Bonifatius, thus for Patroclus, it would be profitable to have as prestigious a supporter as Augustine within in the church. In addition, Patroclus's main enemies were all aligned to Priscillianist-Manichean ideals. They would therefore be left debilitated if Augustine were to advocate Consentius's proposals. With this in mind, Consentius presents Patroclus as a zealous champion of orthodoxy moved by the conviction of his faith and as a man who impelled Consentius to write his works against the Priscillianists, and moreover as one longing to receive correspondence from the Bishop of Hippo. He is also shown to be a powerful bishop and a dangerous opponent who is willing to appeal to the emperor (*ibid.* 1, 23, 24 and 26).

Augustine's response to the challenges and proposals laid before him, as expressed in his work *Contra Mendacium* (*Against Lying*),²⁰ was forceful, rebuking the use of lies as a religious tactic. It was not licit, under any circumstances or for any reason, to lie. Those who did so consciously committed a very serious sin, divesting themselves of reliability, not just before the heretics, but also before Catholics (Aug., *Contra mendacium* 3.4, 3.5, 6 and 4). Moreover, Augustine encourages Consentius not just to expose Priscillianists, but also to seek to correct their behaviour and defend the truth through persuasion and in written works exposing Priscillianist fallacies (*ibid.*, 9. 25 and 6.11).²¹ As far as Augustine was concerned, his intervention in the controversy was limited strictly to the theological debate as he sought to refute the validity of the methods proposed by Consentius. The intrigues of power, Fronto's adventures,

Consentius's allegations of shortcomings in the African Church, the threat of appealing to the emperor and the pretensions of Patroclus of Arles were all issues on which he remained silent.

Augustine's response to Consentius's letter would have irritated Consentius considerably, especially given that the Bishop of Hippo not only failed to show any interest in his methods of finding and denouncing heretics. Not only did he not offer any support whatsoever, he refuted them completely. Yet Consentius was undeterred as he was unwilling to accept a reprimand of this kind or to compromise his fanatical schemes for the sake of others.²² In reply, Consentius sent Augustine a similarly harsh letter, *Epistula* 12*, in which he confessed his indifference towards reading and his suspicion of theology. He even went on to question the immunity of Augustine, suggesting that, as with Origen, he too could be judged as heterodox in the future (Aug., *Ep.* 12*, 11–12). Following this correspondence, it is likely that Augustine and Consentius distanced their relationship, as Augustine alludes to Consentius in very acrimonious terms in the *Retractationes* (II 60 (86)), a tone in contrast to the warmth and geniality which had constituted their initial correspondence (Aug., *Ep.* 120, 1 and 205, 1).²³

In order to obtain a more definitive understanding of the way in which the controversy was resolved, it is important to take into account, among other things, two significant factors: *affinitas* and power. Those accused of heresy were very powerful and had the support of most of the population and the clergy. Thus the main issue for the bishops of Tarraconensis in dealing with the conflict was not orthodoxy, but rather ratifying the status of the wealthy churchmen accused of heresy, thus preserving social order and maintaining the well-being of the community.

The role of the episcopal court, councils and sanctuary in the resolution of the conflict

Resolution of the controversy was achieved through a set of resources that bishops, who were believed to be just, fair-minded and the embodiment of divine justice, had at their disposal, as leaders of the Christian community.²⁴ The Episcopal court, councils and sanctuary²⁵ were all effective in helping resolve differences and tensions and maintaining peace in society.

The ecclesiastical tribunal, the legal procedure which allowed bishops to settle disputes,²⁶ was crucial in the development of the conflict and effectively resolved the controversy between Fronto and Severus, as well as helping to determine the validity and substance of Fronto's accusations. The process, undertaken in the ecclesiastical premises of the Church of Tarraco and conducted by the metropolitan Titianus, was a public affair which made it possible for the whole community to interact and engage with the proceedings. From the bishops to the plaintiffs to defendants and the crowd, all had a platform from which to speak openly, airing their opinions, support or disapproval before the ecclesiastical court without fear of reprisal.

Councils also played an essential role, operating as a collegiate organization in which bishops solved matters relating to their colleagues. It is probable that a council, composed of seven bishops, was convened in Tarraco in order to deal with the orthodoxy and perjury of Bishop Sagittius. After deliberation, they reached an agreement that the accused would return to communion and the acts of the council and the codices would be burned (Aug., *Ep.* 11*, 21). Similarly, the meeting of another council in Biterrae became the setting for Patroclus of Arles, exceeding his ecclesiastical jurisdiction, to correct the agreements of the bishops of Tarraconensis. However, this council could not have had any validity or influence, as these bishops were themselves unwilling to attend (*ibid.* 23–4).

In addition, sanctuary,²⁷ the protection offered by the church to those persecuted by justice or in danger, was essential, this was particularly the case with regards to safeguarding the life of Fronto while he pursued his own controversial accusations.

Although the controversy centred on religious matters, it was not strictly limited to ecclesiastical jurisdiction; it impinged upon all areas of society. In fact, the ecclesiastical court, sanctuary and councils operated as forces of power and of resistance to it. From Fronto's point of view, their task was to punish heretics but in reality, their actions were more akin to that of a powerful civil service determined to preserve their strength and status in society. Nevertheless, collectively Fronto, the bishops and the crowd knew how to take advantage of these resources and duly did so. Fronto used all the means at his disposal to defend his cause, taking refuge in sanctuary and forcing Count Asterius to meet him at the church instead of at his residence. Likewise, the

metropolitan Titianus and the bishops on his side employed these resources in order to further their purposes and help exonerate the accused. In turn, the crowd, for its part, pressed the process to its permitted limits by threatening Fronto and ruling in favour of its leaders.

The decisions of the bishops and sanctuary were respected by almost everyone. Thus, although the crowd was consistently antagonistic towards Fronto, it obeyed the rules and agreements of the bishops. In fact, the mob was angered when sanctuary was violated by the servant of the *comes*, subsequently throwing him out of the church (ibid. 13). As with Fronto, Count Asterius also observed sanctuary and agreed to resolve his differences with him at the church (ibid. 8–9). It is nevertheless striking that the behaviour of Bishop Agapius, who attacked Fronto in front of everyone, went practically unchallenged and he escaped any admonishment for his attitude (ibid. 11 and 21).²⁸ That is with the exception of Fronto who, incensed by the verdict of the council and bereft of support for his complaints in Tarraconensis, turned to Patroclus of Arles and Consentius for further guidance.

Agapius's audacity is perhaps all the more remarkable given that the rules and penalties for those declared guilty were known and understood by both crowd and bishops alike. Bishop Sagittius was in fact an expert in law (ibid. 16, 3) yet the crowd preferred to wait for the resolution of the ecclesiastical court before taking justice into their own hands (ibid. 5 and 6).²⁹

Other evidence from Late Antiquity shows that Christian bishops when presiding over a court tended to act more like arbiters than judges. Many trials did not end with the imposition of a penalty in the manner of secular cases, but rather tended to involve other ways of resolving conflicts.³⁰ In this respect, the resolution to this conflict, which could have led to the death penalty, hints at a compromise between the bishops who, rather than imposing severe measures, decided to limit the impact of the scandal and to acquit those churchmen involved.

Conclusion

The action of the bishops of Tarraconensis reveals the close ties that existed between conflict and compromise and, moreover, how they coexisted openly within their respective dimensions, without apparently becoming

contradictory. As discussed, the bishops clearly held the key to tipping the balance in favour of one side or the other. The evidence shows, however, that in observing the legalities of the process, they opted for compromise, forgiving the guilty parties in spite of their obvious offences. In arriving at their decisions however, bishops were not autonomous subjects but rather were subject to the particular interests of those who held power in their communities, whose pre-eminence and position was secure. In the agreements of the bishops of Tarraconensis, the well-being of the community and the maintenance of social order prevailed over orthodoxy. Yet the question remains as to what might have been had the harsh measures of Fronto, Consentius and Patroclus of Arles been implemented? Naturally, the course of proceedings and the impact on the community would have been different since violence and confrontation would no doubt have come to the forefront of the controversy. In fact such was the case in another contemporary event in which the uncompromising position of Bishop Severus led to the forced conversion of the Jewish community of Magona and the subsequent destruction of their synagogue. Measures of this kind raise further questions about the personal views of leaders, in this case bishops, the extent to which they were able to wield their influence within their respective communities, and how the propagation of such views induced obedient subservience within society.³¹

Notes

- 1 I am very grateful to Mark Hunter for his editing of the English writing of this chapter.
- 2 For the revised text of the CSEL, with French translation and commentary, see Divjak (1987). An English translation in Eno (1989). Divjak dates the letter in 419, dating which is accepted by Amengual and García Moreno. Kulikowski and Mathisen, however, date the letter in 420–1.
- 3 On Consentius, his identity, personality and works, see Amengual (2008): 205–339.
- 4 *Epistula* 11* is written in a very peculiar way. Its main body (*Ep.* 11*, 2–23) contains Fronto's adventures in a first-person narrative studded with popular expressions (for the voice of ordinary people in literature of Late Antiquity, see Auerbach (1968)): chapters 3 and 4. This story is preceded and followed by some remarks about the subject addressed by Consentius to Augustine (*Ep.* 11*, 1 and 24–7).
- 5 Severa was either the mother-in-law or the sister-in-law of Asterius (*Aug.*, *Ep.* 11*, 4, 3). Some time after the events narrated in letter 11* Asterius was promoted to

- patrician (Greg. Tur., *Hist. Franc.* II, 9). On Asterius, see Kulikowski (2000): 123–41 and García Moreno (1988): 163–8.
- 6 See councils of Nicea (325), c. 5; Constantinople I (381), c. 6; Antioquia (341), cc. 14 and 15 and Sardica (342–3), cc. 3 and 5; *CTh* 16.2.12 (355) and *CTh* 16.2.41=*Const. Sirm.* 15, and Gaudemet (1958): 240–5 and 255–8.
 - 7 The frontiers between ecclesiastical and secular legislation were not very clear in the case of heresy and sorcery. Both were very delicate charges, as they could lead to the death penalty. See the anti-heretical legislation of the *Theodosian Code* 16.5.
 - 8 In his recount of the events, Fronto only refers to heresy without naming it or specifying what was wrong with its creeds. It is Consentius (*Aug., Ep.* 11*, 1, 25, and 26) who names the heresy, identifying it with Priscillianism.
 - 9 On Priscillian and Priscillianism see Volmann (1974); Chadwick (1976); Escribano (1988) and (2005); and Burrus (1995). On the different interpretations of Priscillianism, see Escribano (2000) and Fernández Conde (2007).
 - 10 See, for instance, first council of Toledo, *Exempl. Profes.*; *Hid., Chron.*, praef. 6, 16 and 127 [135]; *Ag., Ep.* 11*; Thoribius of Astorga, *Epistula ad Idacium et Ceponium* II and VII: PL 54, 693 and 695; Leo I, *Ep.* 15, 16–17; the inaugural discourse of the first council of Braga and Canons 67 and 70 of the *Capitula Martini*.
 - 11 For a detailed analysis of these matters, see Ubric (2004) and Mathisen (1994).
 - 12 On the correspondence between Augustine and Consentius, see Amengual (2008): 215–51.
 - 13 Consentius had written another two books against Priscillianism (*Aug., Ep.* 11*, 1). He may also be the author of the *Quaestiones Orosii et responsiones Augustini*.
 - 14 Bradbury (1996). On these events, see also Amengual (2008) and Hunt (1982).
 - 15 The reproaches of Consentius to Augustine, however, suggest that Consentius was unaware of the real actions of the African Church towards Donatism.
 - 16 It is very plausible that Consentius was from the Tarraconensis. From Agapius's references to him in conversation with Fronto, he seems to have been a person well known by the bishops (*Aug., Ep.* 11*, 10, 3–10).
 - 17 Fronto himself would have had some economical resources, which allowed him to build a monastery in Tarraco (*Aug., Ep.* 11*, 2, 1) and to travel to Arles and Minorca after the resolution of the council (*ibid.* 23).
 - 18 For religious struggle as a way to suppress or oust rivals or enemies, see R. Van Dam (1985) and (1986).
 - 19 On Patroclus of Arles and his pretensions, see Amengual (2008): 286–91; García Moreno (1988): 171–4; Mathisen (1989): 48–74; Pietri (1976): 1006–21 and Langgärtner (1964): 18–61.
 - 20 Augustine refers to the same issue in *Retractationes* II 60 (86) and *Enchiridion* 6, 18.
 - 21 This was not Augustine's first contact with Priscillianism. Previously he had attended to the questions and doubts of Orosius (*Commonitorium* and Augustine,

- Ad Orosium contra Priscillianistas et Origenistas*), Petrus (*Ep.* 23A*, 3, 25 and *De natura et origine animae* (I 2, 2)), Bishops Optatus and Muresis (*Ep.* 190 and 202A) and Consentius himself (*Ep.* 119 and 205). See Amengual (1999).
- 22 Consentius's method of dealing with those who professed other creeds was very different to those proposed by Augustine. The dialectical debate, as far as we know, was not in his mind. In fact, in the struggle with the Jewish community of Magona coercion was the chosen action, as the Jews were very superior in the religious debate (Severus of Minorca, *Letter on the Conversion of the Jews*).
 - 23 Something similar happened to Augustine with Orosius. In fact, it is very probable that Orosius was the friend to whom Consentius refers in letter 12*, 9–10, with whom he shared his laziness and disdain for theology. See Amengual (2008): 238, 275–6, 296–316 and 387–97.
 - 24 On the ideal image and the role of bishops, see Chadwick (1980); Lizzi (1987) and Rapp (2005).
 - 25 For a detailed analysis, see Kulilowski (2002).
 - 26 On the *episcopalis audientia*, its legal basis and the role of bishops in it, see Gaudemet (1958): 229–52; Selb (1967); Cimma (1989); Harries (1999): 191–211 and Mathisen (2001).
 - 27 On sanctuary, see, *CTh* 9.45 and 16.8.19 (*CI I.12.2*), *Aug., Ep.* 15*, 16*, 23*A and 28* and Ducloux (1994).
 - 28 For other contemporary testimonies on the violent behaviour of bishops, see Dossey (2001) and Kulilowski (2002): 314–17.
 - 29 According to Roman Law, informers could be condemned to the death penalty (on delation see *CTh* 10.10, and the *Edictum de accusationibus* in Matthews (2000): 254–8).
 - 30 See Vismara (1987); Harries (1999) and (2001) and James (2003).
 - 31 On this matter, see Brown (1972); Drake (2000) and Ubric (2006).

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Papal Authority, Local Autonomy and Imperial Control: Pope Zosimus and the Western Churches (a. 417–18)

Mar Marcos
Universidad de Cantabria

The pontificate of Zosimus lasted under two years, from 18 March 417 to 26 December 418. During this time, the Pope, who was seriously ill for part of his reign, maintained unceasing and highly controversial activity. He intervened in several conflicts in the West – though in none in the East, as far as we know – particularly in southern Gaul to defend the rights of Patroclus of Arles as the metropolitan in the region, and in North Africa, with whose bishops, headed by Aurelius of Carthage and Augustine of Hippo, he was involved in a dispute over Pelagianism and other disciplinary matters. 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. On his death he left the Italian episcopacy, and the Roman Church itself, deeply divided.

Zosimus’ papacy is illustrative of the efforts of the Apostolic See to affirm its universal authority, and also of its limits. These were marked on one hand by the high level of autonomy of regional churches and on the other by political circumstances and imperial control to which bishops, including the Bishop of Rome, had to submit. Abundant documentation, including Zosimus’ own writings, which has still not been studied fully,¹ allows a reconstruction of the political web of his actions and the compromises involved in the solution of ecclesiastical disputes in the early fifth century. Here we carry out a preliminary study in chronological order of the contents of this evidence, which allows us