

## **On Formation of Jurisdictional Limits of Eastern Churches in 4–5th Centuries**

Period of the 4–5<sup>th</sup> centuries was probably the most crucial in formation of different aspects of life in the Christian communities in both West and East. Needless to say how dramatic was the development in the Christian theology during this period. Not of less significance were the changes that the canonical discipline and jurisdictional limits of the local Churches underwent through these two centuries. In my paper, I will focus on the development of the structure of the Patriarchates in both East and West along the vertical lines of relations between the ranks of bishops, metropolitans as superior bishops, and the Patriarchs. I found the best and most illustrative way to analyze these relations through the prism of development of the Church of Constantinople. I have chosen this topic also in order to make a contribution to the current inter-orthodox discussion about the role of the Ecumenical Patriarchate in the family of the Orthodox Churches.

As a starting point for my paper, I've chosen the year 381, when the II Ecumenical Council of Constantinople by its 3<sup>rd</sup> canon confirmed the status of the Church of Constantinople as second after the Church of Rome:

As for the bishop of Constantinople, let him have the prerogatives of honour after the bishop of Rome, seeing that this city is the new Rome.

This point, however, was not a beginning of the Church of Constantinople. It rather marked the end of its initial period, when in a very short period of time it grew up into a powerful ecclesiastical structure that managed to rival even Rome. The canon did not create a reality, it had to cope with the reality that had already emerged and was impossible to be neglected anymore. The canon was designed to legitimate this reality and simultaneously to put it into a shape, which would be acceptable for the whole Ecumenical Church. Thus, the canon, on the one hand, confirmed the leading role of the Church of Constantinople among other local Churches and justified it through the political role of Constantinople as a new capital of the Empire. As Archbishop Peter L'Huillier justly remarked, this confirmation became a 'transposition onto the ecclesiastical plane of the political position of Constantinople.'<sup>1</sup> On the other hand, the canon implicitly made clear that the Church of Constantinople did not have any other asset apart of the 'prerogatives of honour,' which lay upon the political power of Constantinople. One of the most important assets that the Church of Constantinople missed, were the territories under its jurisdiction. Indeed, the 3<sup>rd</sup> canon surprisingly keeps silence over the jurisdictional

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<sup>1</sup> Peter L'Huillier. *The Church of the Ancient Councils*. Crestwood, New York: SVS Press, 1996, 121.

assets of Constantinople, while the previous, 2<sup>nd</sup> canon, gives a full account of other major local Churches:

...let the bishop of Alexandria take care of just the affairs of Egypt; let the bishops of the East only govern the East, the prerogatives recognized by the canons of Nicea for the Church of Antiochians being preserved; let the bishops of the diocese of Asia take care of just the affairs of Asia; the bishops of Pontus, only the affairs of Pontus, the bishops of Thrace, only the affairs of Thrace...

The situation when the Church of Constantinople was the only one without dependant territories, started to change after the 381. The Church was given a space to expand at expense of the weakness of the Church authorities in the adjoining regions of Thrace, Pontus, and partly Asia. Some troubles within the ecclesiastical jurisdictions in Asia Minor allowed the Archbishop of Constantinople Nektarius (381–397) to actively participate in their extinguishing. However, initially it was not him who made first step, but the others invited him to intervene. Thus, in 383 Gregory of Nazianzus asked him to help Orthodoxy against Arianism in Cappadocia and offer support to the local bishop Bosporius. As it is believed, however, Gregory did not ask Nektarius because he considered the bishops of Constantinople to have power over Cappadocia, but because he wanted the imperial authority to interfere into the situation, and Nektarius was the best mediator for this task.<sup>2</sup> In the other case which was mentioned by Sozomenus<sup>3</sup>, the bishop of Constantinople intervened into the affairs of Metropolis of Nikomedeia. And the third time, it was in the diocese of Bostrus of the Metropolis of Arabia.<sup>4</sup>

The Church of Constantinople expanded dramatically its influence under John Chrysostomus. As G. Dagron remarks, under John, Constantinople became a city of 'haute diplomatie ecclésiastique'.<sup>5</sup> It also became an important missionary centre, particularly for Goths.<sup>6</sup> Under John, the interventions of the Church of Constantinople into the affairs of other dioceses became more frequent, and now without invitation of the local ecclesiastical authorities. The most famous one was the involvement of John in the investigation of the accusations against the metropolitan of Ephesus Antoninus, and after his death in

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<sup>2</sup> See Gilbert Dagron. *Naissance d'une capitale*. Paris: Presses Universitaires de France, 1974, 461.

<sup>3</sup> J. Bidez and G.C. Hansen, *Sozomenus. Kirchengeschichte* [Die griechischen christlichen Schriftsteller 50. Berlin: Akademie-Verlag, 1960], VIII, 6, 3–6; J. Hajjar, *Le synode permanent (Σύνοδος ἐνδημοῦσα) dans l'Eglise byzantine des origines au XI<sup>e</sup> siècle*. Rome, 1962, 59–60; Dagron. *Naissance*, 462.

<sup>4</sup> See Dagron. *Naissance*, 462–463.

<sup>5</sup> Dagron. *Naissance*, 465.

<sup>6</sup> See J.N.D Kelly. *Golden Mouth. The Story of John Chrysostom – Ascetic, Preacher, Bishop*. Ithaca, New York: Cornell University Press, 1995, 142–144; W. Meyer, P. Allen. *John Chrysostom*. London, New York: Routledge, 2000, 9.

the elections of new metropolitan and bishops for this region.<sup>7</sup> For this reason, John spent four months in Ephesus, having put aside his own diocese for such a long period. He also deposed for simonia the metropolitan of Nikomedeia Gerontius and several bishops in other regions: Lykia and Phrygia.

After John, Constantinople continued playing an important role in the life of other dioceses, mostly in the vicinity of the city. Thus, Archbishop of Constantinople Attikus (406–425) consecrated bishops for the capital of Thrace, Philippopolis, and for Nicaea which belonged to the region of Bethynia. His successor, Sisinius (426–427), attempted sending his protégé Proklus, later Archbishop of Constantinople, as a bishop to Kizikus. His attempt, however, failed, as people of the city did not tolerate his intervention. This situation showed vulnerability of the authority of the bishops of Constantinople, because such an authority was not yet legislated and widely accepted.

Under the Archbishop Nestorius, the influence of the Church of Constantinople took new dimension, the doctrinal one. Nestorius undertook promoting his own interpretation of the Christological dogma not only in Constantinople, but in other regions too, such as Asia, Lydia, and Karia.<sup>8</sup> His example was followed by the Archbishop Proklus (434–446), who restored the anti-Nestorian Orthodoxy on the territory of Armenia (in particular, he promulgated a famous Tome to Armenians<sup>9</sup>, which became one of the most important Christological texts of the 5<sup>th</sup> century), Eastern Illyricum, which was politically dependent on Constantinople and ecclesiastically, on Rome, and even reached Antioch<sup>10</sup>. Proklus continued to act drastically in the dioceses of Pontus, Asia, and Thrace. Thus, he participated in the judicial examination of the case of bishop of Smirna and consecrated a bishop for Ankyra.<sup>11</sup> Under Proklus, the dependence of the Churches of Ephesus and Cappadocian Ceasaria on the Church of Constantinople became closer. For Ephesus, he consecrated bishop Basil, and for Ceasaria, he helped bishop Thalassius to be elected.<sup>12</sup>

Thus, by the time of the Council of Chalcedon (451), the Church of Constantinople had dramatically expanded its influence since 381. The Archbishops of Constantinople felt at home in Thrace and Asia Minor. They also claimed the territories that traditionally belonged to the responsibility of Rome and Antioch. This was a new situation, which had to be considered by the Ecumenical Church and given a proper juridical base. These issues were considered at the Council of Chalcedon and reflected upon in the following conciliar decision. Since this text is

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<sup>7</sup> See Dagron. *Naissance*, 466–469; Kelly. *Golden Mouth*, 163–180.

<sup>8</sup> See Dagron. *Naissance*, 470.

<sup>9</sup> CPG 5897.

<sup>10</sup> See Dagron. *Naissance*, 472.

<sup>11</sup> See Dagron. *Naissance*, 473.

<sup>12</sup> Dagron. *Naissance*, 473.

of primarily importance and there are still disagreements over its wording and meaning, I quote it in Greek, according to edition of E. Schwartz, and in English:

Πανταχοῦ τοῖς τῶν ἁγίων πατέρων ὄροις ἐπόμενοι καὶ τὸν ἄρτίως ἀναγνωσθέντα κανόνα τῶν ῥηθροφιλεστάτων ἐπισκόπων τῶν συναχθέντων ἐπὶ τοῦ εὐσεβοῦς τὴν μνήμην μεγάλου Θεοδοσίου τοῦ γενομένου βασιλέως ἐν τῇ βασιλίδι Κωνσταντινουπόλει νέα Ῥώμη γνωρίζοντες, τὰ αὐτὰ καὶ ἡμεῖς ὀρίζομεν τε καὶ ψηφίζομεθα περὶ τῶν πρεσβείων τῆς ἁγιωτάτης ἐκκλησίας τῆς αὐτῆς Κωνσταντινουπόλεως νέας Ῥώμης. καὶ γὰρ τῷ θρόνῳ τῆς πρεσβυτέρας Ῥώμης διὰ τὸ βασιλεύειν τὴν πόλιν ἐκείνην οἱ πατέρες εἰκότως ἀποδεδώκασι τὰ πρεσβεῖα καὶ τῷ αὐτῷ σκοπῷ κινούμενοι οἱ ῥηθροφιλέστατοι ἐπίσκοποι τὰ ἴσα πρεσβεῖα ἀπένειμαν τῷ τῆς νέας Ῥώμης ἁγιωτάτῳ θρόνῳ, εὐλόγως κρίναντες τὴν βασιλεία καὶ συγκλήτῳ τιμηθεῖσαν πόλιν καὶ τῶν ἴσων ἀπολαύουσαν πρεσβείων τῇ πρεσβυτέρᾳ βασιλίδι Ῥώμη καὶ ἐν τοῖς ἐκκλησιαστικοῖς ὡς ἐκείνην μεγαλύνεσθαι πράγμασιν δευτέραν μετ' ἐκείνην ὑπάρχουσαν καὶ ὥστε τοὺς τῆς Ποντικῆς καὶ τῆς Ἀσιανῆς καὶ τῆς Θρακικῆς διοικήσεως μητροπολίτας μόνους, ἐτι δὲ καὶ τοὺς ἐν τοῖς βαρβαρικοῖς ἐπισκόπους τῶν προειρημένων διοικήσεων χειροτονεῖσθαι ὑπὸ τοῦ προειρημένου ἁγιωτάτου θρόνου τῆς κατὰ Κωνσταντινουπόλιν ἁγιωτάτης ἐκκλησίας, δηλαδὴ ἐκάστου μητροπολίτου τῶν προειρημένων διοικήσεων μετὰ τῶν τῆς ἐπαρχίας ἐπισκόπων χειροτονούντος τοὺς τῆς ἐπαρχίας ἐπισκόπους, καθὼς τοῖς θείοις κανόσι διηγόρευται· χειροτονεῖσθαι δὲ καθὼς εἴρηται, τοὺς μητροπολίτας τῶν προειρημένων διοικήσεων παρὰ τοῦ Κωνσταντινουπόλεως ἀρχιεπισκόπου ψηφισμάτων συμφώνων κατὰ τὸ ἔθος γινομένων καὶ ἐπ' αὐτὸν ἀναφερομένων.<sup>13</sup>

Following in every detail all the decrees of the holy fathers and knowing about the canon, just read, of the 150 bishops dearly beloved of God, gathered together under Theodosius the Great, emperor of pious memory in the imperial city of Constantinople, New Rome, we ourselves have also decreed and voted the same things about the prerogatives of the very holy Church of this same Constantinople, New Rome. The fathers in fact have correctly attributed the prerogatives which belong to the see of the most ancient Rome because it was the imperial city. And thus moved by the same reasoning, the 150 bishops beloved of God have accorded equal prerogatives to the very holy see of New Rome, justly considering that the city that is honored by the imperial power and the senate and enjoying within the civil order the prerogatives equal to those of Rome, the most ancient imperial city, ought to be as elevated as Old Rome in the affairs of the Church, being in the second place after it. Consequently, the metropolitans and they alone of the dioceses of Pontus, Asia and Thrace, as well as the bishops among the barbarians of the aforementioned dioceses, are to be ordained by the previously mentioned very holy see of the very holy Church of Constantinople; that is, each metropolitan of the above-mentioned dioceses is to ordain the bishops of the province along with his fellow bishops of that province, as has been provided for in the divine canons. As for the metropolitans of the previously mentioned dioceses, they are to be ordained, as has already been said, by the archbishop of Constantinople, after harmonious elections have taken place according to custom and after the archbishop has been notified.<sup>14</sup>

<sup>13</sup> *Acta Conciliorum Oecumenicorum*, ed. E. Schwartz, Berlin, 1914–1940, II, 1, 3, pp. 88–89.

The Fathers of the Council did not regard this text as a ‘canon.’ This was a ‘psephos’ (ψηφός), a voted decision.<sup>15</sup> From the very beginning, the ‘psephos’ had problems with its recognition by the Western Church. The Roman legates, who were absent during the discussion of the decision, refused to sign it and demanded their special opinion to be registered in the protocols of the Council. Their position was supported by Pope Leo, who because of the ‘psephos’ initially hesitated to accept even the theological outcome of the Council. Some time later he approved the doctrinal decisions of the Council and expressed his dissatisfaction with the ‘ambitions’ of the Archbishop Anatolius, as they were reflected, so the Pope thought, in the ‘psephos.’ Anatolius replied to Leo that he did not persuade any ambition, and in order to be regarded legitimate, the ‘psephos’ is needed to be accepted by Rome. Leo considered this move as an implicit repudiation of the ‘psephos’ by Constantinople.<sup>16</sup> Regardless of what everyone had in his mind, the ‘psephos’ reflected a certain reality and the real authority that the bishops of Constantinople exercised over Thrace and Asia Minor. This situation could not be reversed and the authority of Constantinople could not be reduced to the times of the I Ecumenical council in Constantinople. Therefore, when the ‘psephos’ was later on introduced into the canonical collections of Byzantium, now as the 28<sup>th</sup> canon of Chalcedon, nobody in the East questioned it.

Now it is time to concentrate on the text of the canon, which reflects the processes of shaping the limits of the Eastern Churches. It may be concluded from the canon that the Fathers of the Council, on the one hand, legalized the *de facto* dependence of the dioceses of Thrace, Asia, and Pontus on the Church of Constantinople. On the other hand, they confined the influence of Constantinople to these three dioceses only, and thus put barriers for Constantinople to spread its influence over other Churches of East and West. The restrictive character of the canon is reflected in the word ‘alone’ (μόνους). This makes it similar to the 3<sup>rd</sup> canon of the II Ecumenical Council, which also, as it was mentioned, restricted the jurisdiction of the Churches of Alexandria, Asia, Pontus, Thrace, and East.

Thus, after the Chalcedon the four Eastern Churches divided the Eastern Empire as follows:

- Constantinople embraced three dioceses: Thrace, Asia, and Pontus;
- Alexandria embraced only one: Egypt;

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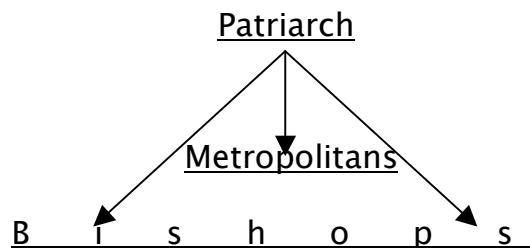
<sup>14</sup> In Peter L'Huillier. *The Church of the Ancient Councils*. Crestwood, New York: SVS Press, 1996, 267–268.

<sup>15</sup> The canon is called ‘psephos’ also in the *Synagoge* of 14 titles (last decades of the 6<sup>th</sup> century). See E. Schwartz. *Der sechste nicaenische Kanon auf der Synode von Chalkedon*. Berlin, 1930.

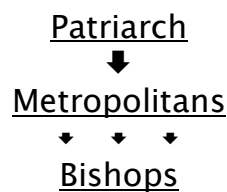
<sup>16</sup> How the canon was accepted in the West, see P.-Th Camelot. *Éphèse et Chalcedoine*. Paris: Éditions de l'Orante, 1962, 161–173.

- Antioch embraced even less: a major part of the diocese of East;
- Jerusalem embraced only three provinces of the same diocese of East.

Not only the size, but also the structure of these Churches was different. The Eastern Patriarchs exercised their power over the bishops within the Patriarchates in different ways. By the middle of the 5<sup>th</sup> century, two kinds of the relations of the Patriarchs with their Metropolitans and bishops were established.<sup>17</sup> The Popes of Rome and Alexandria consecrated all Metropolitans and bishops within their jurisdictions (see picture 1). The Patriarchs of Antioch and Jerusalem consecrated Metropolitans only, who in their turn consecrated bishops within their Metropolies (see picture 2). The same practise was followed in Macedonia and later on, under Justinian, in Dacia, where the vicars of Pope of Rome consecrated the Metropolitans of their regions. Nevertheless, they exercised some influence over elections of bishops of the lower administrative level. These two systems can be illustrated as follows:



picture 1



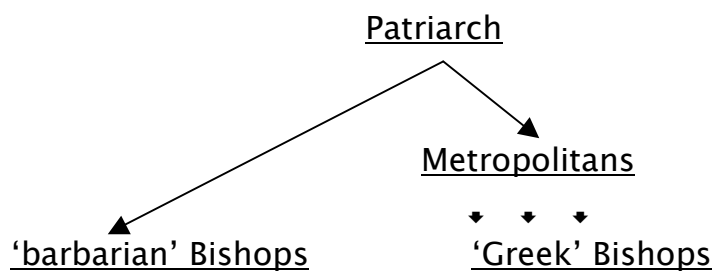
picture 2

Constantinople applied, as this may be concluded from the canon 28, mostly the former practice, and the Patriarch consecrated the Metropolitans of his jurisdiction only. Yet, the latter scheme was also partly applied. It was applied to the so called 'barbarian' bishops, who were consecrated not by their Metropolitans, but directly by the Patriarchs of Constantinople: 'Consequently, the metropolitans and they

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<sup>17</sup> See A.H.M. Jones. *The Later Roman Empire 284-602*, v. 2. Baltimore: The Johns Hopkins University Press, 1986, 893-894.

alone of the dioceses of Pontus, Asia and Thrace, as well as the bishops among the barbarians of the aforementioned dioceses, are to be ordained by the previously mentioned very holy see of the very holy Church of Constantinople.' It is quite clear that the text of the canon does not speak of bishops for 'Barbarians' beyond the three mentioned dioceses, though such a practice existed, as we are going see later on. The canon is focused on the three dioceses only and does not exceed the boundaries of the Empire. Therefore, the case of the Church of Constantinople can be illustrated in the following way:



picture 3

In order to prove this scheme and to show that the Patriarch of Constantinople exercised his mixed power only within the three mentioned dioceses, we have to make sure that the 'barbarians' mentioned in the canon dwelled on the lands of these dioceses and not elsewhere. First we should answer the question, who where these barbarians precisely? Apparently, they were Goths who in the mid 5<sup>th</sup> century dwelled on the territories of the three dioceses. The history of the Goths in the West of the Roman Empire is well known. However, their presence in the East is less researched, mostly because of poor sources. Therefore, it is impossible to paint a complete picture of how the Goths lived in the Eastern part of the Roman Empire. We can only reconstruct some fragments of this picture.

The Goths appeared in the East at least in the times of the Macromannic Wars by Marcus Aurelius, in the middle of the second century AD. In 376, a Gothic tribe of Tervingi under the rule of Alavivus and Fritigernus was allowed by the Byzantine authorities to stay on the lands of Roman Thrace, as *dediticii*.<sup>18</sup> The Byzantines were not easy to make this decision because of the obvious dangers, which might be caused by a fierce tribe in the vicinity of the capital. However, the Goths decided to come to Thrace anyway, and it was wiser to grant them access than to fight them as invaders. After all, it was possible to even

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<sup>18</sup> See G. Wirth, «Rome and its Germanic partners in the fourth century», in *Kingdoms of the Empire: the integration of barbarians in late Antiquity* (ed. Walter Pohl). Leiden: Brill, 1997, 13-55.

have some benefits from allowing them to come. They were good soldiers. In comparison with the other barbarian tribes, the Tervingi were more or less well trained and well organized. Recruiting them as regular military force would allow lightening the burden of compulsory military service for other immigrants (*coloni*) and make extra money from the citizens who preferred to pay off their military duty. After having settled on the lands of Byzantium, the Goths were given a special status, which was more advanced than the status of the other immigrants—*coloni* and allowed them certain autonomy.

As one might expect, a peaceful stay of the Goths on the Byzantine soil did not last for too long. Because of the abuses by the Byzantine clerks and officers and because of realising their own immense military power, the Goths soon revolted, under the leadership of Fritigernus. The revolt was successful, and the Goths soon managed to break up the resistance of the local Roman military troops and besieged Adrianople. Fritigernus requested from the Emperor Valens to give the Goths all Thrace, where they would live under the conditions of a special federal agreement (*foedus*). The Gothic Thrace would be a state with its own administration.<sup>19</sup> In other words, Fritigernus asked to significantly widen the initial conditions, under which the Goths were allowed to Byzantium in 376. Yet, their subordination to the Emperor would remain unchanged.<sup>20</sup> It is interesting that the message from Fritigernus to Valens was delivered by a priest. This might mean that the Goths started to realise that their own hierarchy is an attribute of their independence and identity.

The Emperor rejected the proposal of Fritigernus. In August 378, in a battle near Alexandroupolis the Byzantines were totally defeated, and the Emperor was murdered. The battle of Alexandroupolis became a benchmark in the relations of the Byzantines with the Goths for a long time. It forced the Romans to seek for a new *modus vivendi* with the Goths and to persuade their more intensive assimilation and naturalization.

The new policy towards the Goths was implemented by the Emperor Theodosius who succeeded Valens. On the 3<sup>rd</sup> of October, 382, Constantinople signed a federal agreement (*foedus*) with the Goths and thus created a new administrative district which enjoyed wide autonomy.<sup>21</sup> This new district, Gothia, was established in the northern parts of Dacia and Thrace, between Danube and Balkan Mountains. According to the *foedus*, the Goths were subjects of the Emperor, though they remained 'barbarians' and were not allowed to marry Romans (*connubium*). They were given lands in Dacia and Thrace for autonomous sojourn, though these lands remained under the

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<sup>19</sup> About the theory and practice of the federal relations within the Roman Empire in the 4<sup>th</sup> century, see P. Heather. «*Foedera and Foederati of the Fourth Century*», in *Kingdoms of the Empire*, 58–74.

<sup>20</sup> See H. Wolfram. *History of the Goths*. Berkeley: Univ. of California P., 1988, 126.

<sup>21</sup> See H. Wolfram. *History of the Goths*, 133.



jurisdiction of Constantinople. The Goths were obliged to assist, if necessary, the Roman army and pay taxes.

In 397, the Goths under the leadership of Alaric signed a new *foedus*, now with the Emperor Arcadius.<sup>22</sup> According to this treaty, they were given settlement in the central Macedonia. Alaric apparently became a chief general of the military troops of Illyricum (*magister militum per Illyricum*), though he remained under the control of the civil administration of Illyricum. Thus, the Gothic sub-state was moved from Thrace to Illyricum. It remained here not for a long time, because Alaric with the Goths moved towards Italy. As a result, the new Gothic states emerged in the West of the Empire. The Goths concluded federal treaties with Constantinople, as it was the case with the *foedus* of 488, which was signed by Theodoric and the Emperor Zeno.

As for the Eastern parts of the Empire, the Gothic autonomous states did not survive here. Nevertheless, here, mostly in Thrace, still existed Gothic settlements that preserved some features of their former political status. Prokopius of Gaza mentions these statements in particular.<sup>23</sup>

Also in Constantinople and its vicinity a considerable Gothic colony dwelled<sup>24</sup>, which consisted of the Romanized Gothic aristocracy and simple soldiers, craftsmen, peasants, and slaves. There were many Goths in the military garrisons throughout Asia Minor. They were enough in number in order to be able to revolt and even to capture Constantinople, as it happened in 400 during the armed insurrection stirred up by the Byzantine general of Gothic origin Gainas.

We also know some cases when the authorities allowed the Goths to settle in Asia Minor. Thus, in 386 Odotheus at the head of a big troop of the Grevtungi crossed Danube in order to seek asylum in Byzantium. Unfortunately, the Goths stroke against frontier cordon of the Byzantines, who destructed almost a half of the troop. The rest who survived were by the order of the Emperor Theodosius settled on the lands of Asia Minor, in Phrygia.

Our knowledge about the political status of the Goths in Thrace and western Asia Minor is very poor. Even less we know about their ecclesiastical status. Many of them remained Arians, though Arianism as a doctrine and political ideology, by that time had been virtually overcome. Although Valens was killed and succeeded by Orthodox Theodosius, Arianism was still tolerated. Goths therefore could retain it

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<sup>22</sup> About the Byzantine policy towards Goths under Arcadius, see Alan Cameron, Jacqueline Long, and Lee Francis Sherry. *Barbarians and Politics at the Court of Arcadius, The Transformation of the Classical Heritage*; 19. Berkeley: University of California Press, 1993.

<sup>23</sup> 'Ἰλλυριοῦς τε καὶ τὰ ἐπὶ Θράκης χωρία καταθέοντες καὶ ληϊζόμενοι ἐκ τοῦ ἐπὶ πλεῖστον.' G. Wirth (post J. Hauray), *Procopii Caesariensis opera omnia*, v. 2. Leipzig: Teubner, 1963: *De bello Gothico*, lib. 7.33.13.3-5.

<sup>24</sup> See M. Cesa. *Impero tardoantico e barbari: la crisi militare da Adrianopoli al 418*. Como: Edizione New Press, 1994, especially chapter 'Goti a Costantinopoli,' 76-90.

as a sort of 'national' or tribal identity. As their own identity, they also kept their language, liturgical habits, books (e.g. Gospel in translation of Wulfila) *etc.* In other words, they retained their own features of the religious life and felt quite different from their Byzantine Christian neighbours.

Their political autonomy in Thrace according to the treaty of 382 enabled them to keep their ecclesiastical identity and probably even have their own bishops. They apparently retained their privileges after the treaty 382 was abolished, and we may assume that the canon 28 confirms these privileges. It is also quite possible that the Goths who settled in 386 in Thrace, as well as the Gothic communities of Constantinople, also had their own priests and even bishops. It is well known that St John Chrysostomos took special care of the Goths. He appointed clergymen who could communicate with the Goths in their own language. He gave the Goths a church of St Paul in Constantinople and himself preached here, with assistance of an interpreter.<sup>25</sup> He also took care of a Gothic monastic community in Constantinople – «ἐν τοῖς Προμώτου».<sup>26</sup> This community simultaneously functioned as a seminary for the Gothic priests.<sup>27</sup> He also sent missionaries, apparently monks, to the Goths of the southern Danube.<sup>28</sup>

Now it is possible to conclude that the canon 28 did not introduce any new practice of consecrating bishops for the Goths, but just legislated the *status quo*. Everybody was interested in this practice: the Goths, the Patriarch of Constantinople, and finally the Emperor. The Goths considered this as an attribute of their political autonomy and a special privilege that the other dioceses of Thrace did not enjoy. As Dagron remarks, the very fact that a bishop was consecrated in Constantinople, was of great importance and elevated the status of this bishop.<sup>29</sup> The Patriarchs of Constantinople had at least some compensation for the lack of control over the bishops of the lower rank (not Metropolitans). The most motivated party was the Emperor. The Goths always were considered as untrustworthy allies, as various revolts proved this. Therefore, they ought to be under the control of Emperor, and fully loyal bishops consecrated in Constantinople helped the Emperors to keep eye on them. The loyalty of the bishops could be secured only if they were consecrated directly by the Patriarch.

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<sup>25</sup> See 'Ὁμιλία λεχθεῖσα ἐν τῇ ἐκκλησίᾳ τῇ ἐπὶ Παύλου, Γότθων ἀναγνόντων, καὶ πρεσβυτέρου Γότθου προομιλήσαντος,' PG 63, 502.

<sup>26</sup> See epistle of John addressed to this community: 'Τοῖς μονάζουσι Γότθοις τοῖς ἐν τοῖς Προμώτου,' PG 52, 726–727. About location of this monastery, see R. Janin. *Les églises et les monastères*, Paris, 1962, 229. Jerome mentions two Gothic monks who lived in Constantinople (ep. 106).

<sup>27</sup> See Dagron. *Naissance*, 466.

<sup>28</sup> L. Parmentier and F. Scheidweiler. *Theodoret. Kirchengeschichte*, 2<sup>nd</sup> ed. [Die griechischen christlichen Schriftsteller 44. Berlin: Akademie-Verlag, 1954]: 5.31.

<sup>29</sup> *Naissance*, 484.

The Goths dwelled not only on the lands of Byzantium. Their tribes were scattered towards the North of the Empire as well, and constituted *Barbaricum* (τὸ Βαρβαρικόν). In contrast to the Roman Goths, the Goths of *Barbaricum* remained pagans at least till the middle of the 5<sup>th</sup> century.<sup>30</sup> Many of them joined the state of Huns, which was established by Attila. Huns, as known, were hostile towards Christians. Thus, when Christian bishops stepped into their territory without special permission, they mercilessly killed them.<sup>31</sup> Therefore, any presence of the Christian bishops in *Barbaricum*, among Huns, was hardly possible at least till the second half of the 5<sup>th</sup> century. This makes almost impossible to assume that the canon 28 implies the bishops among the Goths who lived off the borders of Byzantium.

The only exception should be considered the Crimean Goths. Many of them were Christians and had their own bishops.<sup>32</sup> One of such bishops, Unila, was consecrated by Chrysostomos who informs about this Olympiada.<sup>33</sup> Before Chrysostomos, the bishops were sent to Crimea from Jerusalem, as the 'Lives of the holy bishops of Chersoness' inform.<sup>34</sup> As some scholars assume, this information can be true.<sup>35</sup>

Whatever is true, the practice of consecrating the bishops for Crimean Goths in Constantinople was not legislated by the canon 28, as many other practices were not legislated by the canon as well. For instance, the canon ignored the cases, when the Patriarch of Constantinople interfered into the affairs of other dioceses, such as Illyricum, Armenia, and Antioch. The canon limited the influence of Constantinople within the boundaries of the three dioceses and put under its control the Roman 'barbarians' only.

To sum up, the canon 28 of Chalcedon legislated the practice which had been established by the middle of the 5<sup>th</sup> century. It limited, but not widened the privileges of Constantinople over the Churches of East. It limited the influence of Constantinople in a number of respects:

- only within the three dioceses,
- only over the Metropolitans and not over the 'lower' bishops,
- and over the bishops among the Roman 'barbarians,' who dwelled on the lands of the three dioceses.

The Patriarchs of Constantinople were not given a privilege to consecrate bishops among the 'barbarians' who lived out of the Empire,

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<sup>30</sup> See E.A. Thomson. 'Christianity and the Northern Barbarians,' in *The Conflict between Paganism and Christianity in the Fourth Century* (ed. A. Momigliano). Oxford: Clarendon Press, 1963, 72.

<sup>31</sup> See Sozomenus. *Church history* 7, 26, 6 ff.

<sup>32</sup> See A.A. Vasiliev. *The Goths in the Crimea*. Cambridge, Mass: The Mediaeval Academy of America, 1936.

<sup>33</sup> A.-M. Malingrey (ed.). *Jean Chrysostome. Lettres à Olympias*. 2<sup>nd</sup> ed. [Sources chrétiennes 13 bis. Paris: Cerf, 1968]: 9.5.15-26.

<sup>34</sup> Ed. Латышев, Записки Академии Наук, 8, № 3, СПб, 1906.

<sup>35</sup> About authenticity of the 'Lives,' see Vasiliev. *The Goths in the Crimea*, 6-10.

in *Barbaricum*. This is clear from the fact that there were no bishops there, except may be in Crimea. Only the bishops for the 'barbarians' who dwelled within the three dioceses of the Empire were consecrated by the Patriarchs of Constantinople.

I would like to make two conclusions from what has been said. First, the practice of the ancient Church knew two forms of vertical relations within the Patriarchates, and the Patriarchs exercised their authority over their bishops either in direct or indirect way, with the mediation of the metropolitans. In the case of the Church of Constantinople, the form was mixed, and the Patriarch had his authority both with and without mediation of the metropolitans.

Second, all the Patriarchs or Primate of the local Churches, including those of Rome and Constantinople, exercised and owe to exercise their authority only within certain jurisdictional limits. Any form of suprajurisdictional power was unacceptable in the Ancient Church. Therefore, when discussing possibilities of reconciliation between the Churches of East and West, we should revisit the notion of canonical territory. The current situation, when the Church of Rome has a global jurisdiction, contradicts the principles of canonical jurisdiction and is one of the major obstacles on the way towards Christian unity. Also a current tendency of the Church of Constantinople to expand its jurisdiction over all diaspora, competes the global jurisdictionism of Rome and has no ground in the canons of the Church. This tendency may create and in fact creates tensions among the Orthodox Churches, and should be corrected.