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# Placuit apostolicae (Ep. 1) of Zosimus of Rome and the Ecclesiastical Reorganization of Gaul

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GEOFFREY D. DUNN

Around the beginning of the fifth century the praetorian prefect for Gaul and the governor of Viennensis relocated their headquarters from Trier and Vienne respectively to Arles, which created a dispute between the bishops of Vienne and Arles as to whom should be metropolitan of the province of Viennensis. While the synod of Turin had proposed dividing the province in two ecclesiastically, problems emerged in 417 when Zosimus, bishop of Rome, within the first week of his election, asserted in his *Epistula* 1 (JK 328) that the bishop of Arles was to be metropolitan not only of Viennensis but over several provinces in the civil diocese of Septem Provinciae as well (depriving the bishops of Marseille, Vienne, and Narbonne of their metropolitan status) and thereby making him virtual papal vicar in the exercise of Roman prerogatives. This new arrangement created enormous religious conflict, as a further seven letters and synod in Rome in September 417 attest, including the efforts of Zosimus to declare the synod of Turin invalid. Ralph Mathisen investigated this episode and concluded that Zosimus's efforts to assert his own authority over Gaul resulted only in uniting the Gallic churches against him. This paper seeks to analyse Zosimus's involvement in Gaul and argues that this was not really his plan but rather that of the bishop of Arles. It also seeks to ask whether or not Zosimus anticipated the resultant conflict, as well as the authority by which he sought to make these changes.

An earlier version of this paper was presented at the annual conference of the Canadian Society of Patristic Studies, at Waterloo Lutheran Seminary, Waterloo, Ontario in May 2012. I am grateful for all the helpful suggestions for improvement since it was delivered.

It has become rather commonplace in modern political life around the world for newly elected governments to produce ambitious plans for their first one hundred days in office, ever since Franklin D. Roosevelt did so when he was elected to his first term as President of the United States of America in 1933.<sup>1</sup> An ambitious agenda is released and frenetic activity follows to instill the impression of taking the electoral mandate seriously and of not becoming self-indulgent and congratulatory with success. The initial days, weeks, and months of any new government these days are about promise, urgency, diligence, and dedication. The journalist Kenneth Walsh has summed up the allure and significance of this concept in modern presidential politics in the United States:

The underlying truth is that presidents tend to be most effective when they first take office, when their leadership style seems fresh and new, when the aura of victory is still powerful, and when their impact on Congress is usually at its height. There is nothing magic about the number, and many presidential aides over the years have complained that it is an artificial yardstick. But it has been used by the public, the media, and scholars as a gauge of presidential success and activism . . .<sup>2</sup>

This is not to suggest that the notion of the first one hundred days in any way impacted upon the consciousness of leaders in late antiquity, whether they were civil or ecclesiastical. Yet, certainly in the case of Zosimus, bishop of Rome, elected to that office on 18 March 417 to replace Innocent I (402–417), we see what appears to be some sense of urgency at the start of his episcopate. Only a few days later, on 22 March, he wrote his first-surviving letter, *Placuit apostolicae*, to the bishops of the Gauls and the Septem Prouvinciae (the two civil dioceses of what is modern France that were part of the praetorian prefecture of Gaul), endorsing or ordering (this needs to be considered later) sweeping changes to the ecclesiastical structure in several provinces in the civil diocese of Septem Prouvinciae.<sup>3</sup> Patroclus, bishop of Arles (ancient Colonia Iulia Paterna Arletensium Sextanorum or simply Arelate in the province of Viennensis, in the civil diocese of Septem

1. See Anthony J. Badger, *FDR: The First Hundred Days* (New York: Hill and Wang, 2008).

2. Kenneth K. Walsh, "The First 100 Days: Franklin Roosevelt Pioneered the 100-Day Concept," *US NEWS*, February 12, 2009, <http://www.usnews.com/news/history/articles/2009/02/12/the-first-100-days-franklin-roosevelt-pioneered-the-100-day-concept>.

3. Ralph W. Mathisen, "The Council of Turin (398/399) and the Reorganization of Gaul ca. 395/406," *Journal of Late Antiquity* 6 (2013): 264–307, at 281, identifies the official change of provincial title from *Quinque Prouvinciae* to *Septem Prouvinciae* between January 399 and June 400.

Prouinicae)<sup>4</sup> was recognized by Rome as having an unprecedented authority over several provinces in southeast Gaul: Viennensis, Narbonensis Prima, Narbonensis Secunda, and probably Alpes Maritimae.<sup>5</sup>

Zosimus appears to be someone in a hurry to make an impression straight after his election.<sup>6</sup> Do we have an example here of a Roman bishop energetically making his mark at the start of his episcopate, wasting no time to implement some reform agenda? I am going to suggest that this would be a mistaken way of reading the evidence. In this paper I wish to analyze supposed plans held by Zosimus for the churches of Gaul, to investigate whether or not he foresaw or could have foreseen the great opposition it would engender there, and to consider by what authority he acted. *Epistula 1 (Placuit apostolicae)* will be the principal evidence

4. For Arles in the late Roman empire see P.-A. Février, "Arles au IV<sup>e</sup> et V<sup>e</sup> siècles: ville impériale et capitale régionale," *Corso di cultura sull' arte Ravennate e Bizantina* 25 (1978): 127–58; and William E. Klingenshirn, *Caesarius of Arles: The Making of a Christian Community in Late Antique Gaul* (Cambridge: Cambridge University Press, 1994), 51–57.

5. On Patroclus see Louis Duchesne, *Fastes épiscopaux de l'ancienne Gaule*, 2nd. ed., 3 vols. (Paris: A. Fontemoing, 1907–1915), 1:95–112 and 256; Élie Griffe, *La Gaule chrétienne à l'époque romaine*, vol. 2, *L'Église des Gaules au V<sup>e</sup> siècle* (Paris: Letouzey and Ané, 1966), 146–52; Martin Heinzelmann, *Bischofsberrschaft in Gallien. Zur Kontinuität römischer Führungsschichten vom 4. bis zum 7. Jahrhundert. Soziale, prosopographische und bildungsgeschichtliche Aspekte* (Munich: Artemis, 1976), 71–72; Josef Limmer, *Konzilien und Synoden im spätantiken Gallien von 314 bis 696 nach Christi Geburt, Teil 1: Chronologische Darstellung* (Frankfurt am Main: Peter Lang, 2004), 91–92; and Luce Pietri and Marc Heijmans, *Prosopographie chrétienne du Bas-Empire*, vol. 4, *La Gaule chrétienne (314–614)* (Paris: Association des amis du Centre d'histoire et civilisation de Byzance, 2013) (= PCBE 4), 1437–40 (Patroclus 2).

6. Zosim. *Ep. 1* (PL 20:642–45 = Pierre Coustant, *Epistolae Romanorum Pontificum et quae ad eos scriptae sunt a S. Clemente I usque ad Innocentium III*, t. 1 [Paris: L.-D. Delatour, 1721], cols. 935–38 = *Liber auctoritatem ecclesiae Arelatensis, Ep. 1* [Wilhelm Gundlach, ed., *Epistolae Merowingici et Karolini aevi*, MGHEpp 3 [Munich: Monumenta Germaniae Historica, 1978], 5–6]). This is no. 328 in Philippe Jaffé, *Regesta Pontificum Romanorum ad annum post Christum natum MCXCVIII*, Bd. 1, *A. S. Petro ad a. MCXLIII*, rev. ed., Wilhelm Wattenbach, S. Löwenfeld, F. Kaltenbrunner, and P. Ewald (Leipzig: Veit, 1885 [rev. ed.] = JK). Gundlach's edition has a number of textual differences from that of Coustant. In nearly every instance the manuscript readings of Coustant are to be preferred. So, although I equate the two editions, readers should be aware that my reading follows that of Coustant. The title *Liber auctoritatem ecclesiae Arelatensis* is given to the collection of letters by Detlev Jasper, "The Beginning of the Decretal Tradition: Papal Letters from the Origin of the Genre through the Pontificate of Stephen V," in *Papal Letters in the Early Middle Ages*, ed. Detlev Jasper and Horst Fuhrmann, *History of Medieval Canon Law* (Washington, DC: Catholic University of America Press, 2001), 3–133, at 85–88.

for this presentation.<sup>7</sup> The argument is going to be advanced that what was unfolding in Gaul was not his proposal at all, but one concocted by Patroclus and that Zosimus was not legislating this change but offering his considerable support and endorsement to this idea, as it would ultimately tie the Gallic churches, through Arles, closer to Rome. First, let us consider the question of the speed with which this decision was made and consider the considerable scholarship on this point.

## PATROCLUS AND THE ELECTION OF ZOSIMUS

At the start of the twentieth century Louis Duchesne put forward the idea that, since the letter favoring him was written only four days after the election of Zosimus, Patroclus must have been in Rome in March 417. He must have offered support that was somehow deemed to have been useful and effective in securing the election result and was rewarded with this extraordinary appointment some days later.<sup>8</sup> This has become the standard understanding of events.<sup>9</sup> Indeed, Detlev Jasper has gone as far as to state (inexplicably I would contend, since that right belonged to the bishop of Ostia as we know from the events that would follow the death of Zosimus<sup>10</sup>) that Patroclus was the ordaining bishop at his episcopal ordination.<sup>11</sup>

As a variation on Duchesne, Émilienne Demougeot suggested that Flavius Constantius, *patricius* and *magister utriusque militiae*, consul in 414 and 417, Stilicho's ultimate replacement as power behind Honorius, who married the emperor's half-sister Galla Placidia at the start of 417, was helpful in securing the election of Zosimus.<sup>12</sup> The inference has been

7. See Ernest-Charles Babut, *Le concile de Turin* (Paris: Alphonse Picard et fils, 1904), 56–85.

8. Louis Duchesne, "Le concile de Turin," *Revue Historique* 87 (1905): 278–302, at 281. Of course, since he was not a local cleric or bishop from the local area, Patroclus would have had no voting rights in Zosimus's election. How he influenced the election outcome is not suggested by Duchesne.

9. Georg Langgärtner, *Die Gallienpolitik der Päpste im 5. und 6. Jahrhundert. Eine Studie über die apostolischen Vikariate von Arles*, *Theophaneia* 16 (Bonn: P. Hanstein, 1964), 26; Charles Pietri, *Roma Christiana. Recherches sur l'Église de Rome, son organisation, sa politique, son idéologie de Miltiade à Sixte III (311–440)*, BEFAR 224 (Rome: École française de Rome, 1976), 1006; and Ralph W. Mathisen, *Ecclesiastical Factionalism and Religious Controversy in Fifth-Century Gaul* (Washington, DC: Catholic University of America Press, 1989), 49.

10. See *Avell. Ep.* 17.4 (CSEL 35:64).

11. Jasper, "The Beginning of the Decretal Tradition," 28.

12. Émilienne Demougeot, "A propos des interventions du pape Innocent I<sup>er</sup> dans la politique séculière," *Revue Historique* 212 (1954): 23–38. On Constantius see J. R.

drawn that Patroclus was somehow the agent of Constantius in this, since Constantius would have had no rights in the election of Zosimus. One could posit that he brought some kind of pressure to bear upon the electors, either directly or through Patroclus, but there is no tangible evidence for it. However, how Constantius is supposed to have done this is not made explicit in Demougeot. This view about the role of Constantius has been accepted by some scholars.<sup>13</sup> Most recently, David Frye has supported this overall position. Although he says nothing about Patroclus being in Rome at the time of the election, he states that the letter of Zosimus embodied the will and plans of Constantius for Gaul. He goes so far as to call Zosimus the puppet of Constantius.<sup>14</sup> How Constantius might have influenced the outcome of the election and how that will was communicated to Zosimus is not explained here either.

Frye argues this because he believes that Constantius had a religious policy for Gaul of removing bishops who had supported the usurper Constantine III, who had controlled much of Gaul between 407 and 411, before Constantius defeated him in Arles, as well as a public policy of removing civic officials who had supported the illegitimate regime. Constantius in 411 had been able to remove two bishops, Heros in Arles and Lazarus in Aix-en-Provence (ancient Aquae Sextiae in the province of Narbonensis Secunda), whom Zosimus presents as being creatures of Constantine III.<sup>15</sup> In the case of Arles, the argument is that he was able to

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Martindale, *The Prosopography of the Later Roman Empire*, vol. 2, A.D. 395–527 (Cambridge: Cambridge University Press, 1980) (= PLRE 2), 321–25 (Constantius 17); Heinzelmann, *Bischofsherrschaft in Gallien*, 73–75; Martin Heinzelmann, “Gallische Prosopographie 260–527,” *Francia* 10 (1982): 531–718, at 587; Werner Lütkenhaus, *Constantius III. Studien zu seiner Tätigkeit und Stellung im Westreich 411–421*, Habelts Dissertationsdrucke Reihe Alte Geschichte 44 (Bonn: Rudolf Habelt, 1998); and Meaghan A. McAvoy, *Child Emperor Rule in the Late Roman West, AD 367–455*, Oxford Classical Monographs (Oxford: Oxford University Press, 2013), 197–204.

13. Stewart I. Oost, *Galla Placidia Augusta: A Biographical Essay* (Chicago: University of Chicago Press, 1968), 147–50; Klingshirn, *Caesarius of Arles*, 66; Henry Chadwick, *The Church in Ancient Society: From Galilee to Gregory the Great* (Oxford: Oxford University Press, 2001), 454; and Susan Wessel, *Leo the Great and the Spiritual Rebuilding of a Universal Rome*, Supplements to Vigiliae Christianae 93 (Leiden: Brill, 2008), 68.

14. David Frye, “Bishops as Pawns in Early Fifth-Century Gaul,” *JEH* 42 (1991): 349–61, at 354–55.

15. Zosim. *Ep.* 3.3 (PL 20.656) = *Avell. Ep.* 46.5 (CSEL 35:104 = JK 330). On Heros see Duchesne, *Fastes épiscopaux*, 1:255; Griffe, *La Gaule chrétienne*, 2:237–39; Heinzelmann, *Bischofsherrschaft in Gallien*, 71–75; and PCBE 4:981–84. On Lazarus see Duchesne, *Fastes épiscopaux*, 1:279; Griffe, *La Gaule chrétienne*, 2:252–56; Heinzelmann, *Bischofsherrschaft in Gallien*, 74; and PCBE 4:1107–9.



bring in Patroclus as a replacement. Frye contends that Constantius had been unable to remove other, more entrenched bishops, and that later he used Zosimus for that purpose, who obliged with *Placuit apostolicae* as an instrument to tame those unruly bishops by placing them directly under the immediate supervision of Patroclus and providing the latter with the power to ensure that future Gallic bishops in the vast region would be friendly to Ravenna.<sup>16</sup> Those unruly bishops are identified as Proculus of Marseille (ancient Massalia in the province of Viennensis), Hilary of Narbonne (ancient Colonia Narbo Martius in the province of Narbonensis Prima), and Simplicius of Vienne (ancient Vienna in the province of Viennensis).<sup>17</sup> Thus, in this reconstruction, Zosimus moved as quickly as he did after his election because he owed his position to Constantius and his plan was really part of a longer-term strategy of Constantius.

Certainly, in terms of civic officials, we know that through Ravenna's new praetorian prefect in Gaul, Claudius Postumus Dardanus (who held office between 412 and 413),<sup>18</sup> Constantius eventually was able to eliminate Constantine's prefect, Decimus Rusticus (who held office between 409 and 411).<sup>19</sup> We are told that there was a purge of other officials as well.<sup>20</sup> Constantius acted swiftly here, but I do not support the notion that

16. Frye, "Bishops in Early Fifth-Century Gaul," 354.

17. On Proculus see Hier. *Ep.* 125.20 (CSEL 56/1:141); Duchesne, *Fastes épiscopaux*, 1:274; Griffe, *La Gaule chrétienne*, 2:149–52; Heinzelmänn, "Gallische Prosopographie," 675; and PCBE 4:1541–44 (Proculus 1). On Hilary see Duchesne, *Fastes épiscopaux*, 1:303; Griffe, *La Gaule chrétienne* 2:147–50; Heinzelmänn, "Gallische Prosopographie," 625; PCBE 4:1008 (Hilarius 4); and Geoffrey D. Dunn, ". . . quid habuerit antiqua consuetudo: Zosimus of Rome and Hilary of Narbonne," *RHE* 110.1–2 (2015): 31–55. On Simplicius see Duchesne, *Fastes épiscopaux*, 1:204–5; Griffe, *La Gaule chrétienne*, 2:17, 148, 151, and 187; Heinzelmänn, "Gallische Prosopographie," 696; and PCBE 4:1815–16 (Simplicius 3).

18. On Dardanus see *PLRE* 2:346–47; Karl Friedrich Stroheker, *Der senatorische Adel in spätantiken Gallien* (Darmstadt: Wissenschaftliche Buchgesellschaft, 1970), 162–63, n.99; Heinzelmänn, *Bischofsherrschaft in Gallien*, 73; Heinzelmänn, "Gallische Prosopographie," 590; and David Frye, "Is Cl. Postumus Dardanus the Lepidus of *De reditu suo* 1.307?" *Hermes* 121 (1993): 382–83. John Matthews, *Western Aristocracies and Imperial Court AD 364–425*, 2nd ed. (Oxford: Clarendon Press, 1998), 323, points to the resentment in Gaul of Dardanus's killing of Constantine's prefect, Decimus Rusticus, and of Jovinus, another usurper (*PLRE* 2:621–22; and Heinzelmänn, "Gallische Prosopographie," 630 [Jovinus 3]), both of whom were local Gallic nobles.

19. On Rusticus see *PLRE* 2.965 (Rusticus 9); Heinzelmänn, *Bischofsherrschaft in Gallien*, 74; and Heinzelmänn, "Gallische Prosopographie," 684–85 (Rusticus 3).

20. Greg.-T. *Hist.* 2.9 (B. Krusch and W. Levison, eds., *Gregorii Turonensis Opera*, Teil 1, *Libri historiarum* X, MGHSSrerMerov 1/1, 2nd ed. [Hannover: Hahn, 1951], 57).

Constantius had such a developed or long-lasting interest in ecclesiastical affairs in Gaul nor that he was so impotent in 411/412 that he could not have dealt with all the bishops who might have troubled him if he had so wished, although his time in Arles was brief. I have argued this in detail elsewhere.<sup>21</sup> While Constantius might have had a hand in the removal of Heros and Lazarus, the evidence is more limited with regard to his involvement in replacing them and non-existent with regard to other churches. Indeed, Prosper's information that Patroclus was a friend of Constantius,<sup>22</sup> when read carefully, seems to suggest that it had been Patroclus (or even the people of Arles) who had taken the initiative in exploiting that friendship for his or their own gain (when Prosper writes that "cuius [i.e. Constantius's] per ipsum [Patroclus] gratia quaerebatur" by someone, which the use of the passive indicates), rather than this being driven by Constantius himself with any fully developed religious policy for Gaul.<sup>23</sup> On my reading Constantius was drawn into a local squabble rather than being the driving force behind a wholesale change of episcopal leadership in Gaul.

Michael Kulikowski has rejected much of Frye, asserting that there is simply no evidence for Patroclus being in Rome at the time of the election of Zosimus. He argues that Patroclus was in Rome, as we know from Zosimus, but that it was later in the year, not in March.<sup>24</sup> I agree with Kulikowski and want to offer further logical reasoning to support this position.

First, proponents of the view of Duchesne, Demougeot, and Frye would need to indicate how Patroclus would have influenced the election of Zosimus. While we do not know everything about episcopal elections in late antiquity, we know from the council of Nicaea in 325 that bishops were to

21. Geoffrey D. Dunn, "Flavius Constantius and Affairs in Gaul between 411 and 417," *Journal of the Australian Early Medieval Association* 10 (2014): 1–21. See Guy Halsall, *Barbarian Migrations and the Roman West 376–568*, Cambridge Medieval Textbooks (Cambridge: Cambridge University Press, 2007), 222–23, for the withdrawal of Constantius from Arles in the face of Jovinus, and the conflict in the sources about what happened.

22. Prosp. *Chron.* 1247 (MGHAA 9.466): "... inque eius [Heros] locum Patroclus ordinatus amicus et familiaris Constantii magistri militum, cuius per ipsum gratia quaerebatur, eaque res inter episcopos regionis illius magnarum discordiam materia fuit."

23. Lütkenhaus, *Constantius III*, 56, believes that the initiative came from the people. I am more inclined to read Prosper as indicating that it came from Patroclus himself. We both agree that Prosper did not say it came from Constantius.

24. Michael E. Kulikowski, "Two Councils of Turin," *JTS* n.s. 47 (1996): 159–68, at 165–66.

be elected by the bishops of the province.<sup>25</sup> Other local clergy and the laity of Rome might have had an input,<sup>26</sup> but a bishop from Gaul would have had no direct participation in the electoral process. It is only by reading between the lines that one would come up with the notion that Patroclus, a friend of the most powerful man in the empire, informally influenced the electors before the election to choose Zosimus and that Zosimus was known to be pliable to the plans of Constantius. As entertaining an argument as it is, there are other just as possible (and indeed, more probable) explanations.

Second, one should not be surprised with a Roman bishop writing soon after his election. It was standard practice for newly elected bishops to send letters of communion to their episcopal colleagues. Next to none of these survive, so we can presume that they must have been fairly standard and so plentiful that no one thought them worth preserving. One exception comes with the first preserved letter of Innocent I, the predecessor of Zosimus. His letter of communion to Anysius, bishop of Thessaloniki (ancient Thessalonica in the province of Macedonia) was preserved in the *Collectio Thessalonicensis* because it contains evidence which was deemed useful in the sixth-century debate about whether Rome or Constantinople had what today we would call patriarchal oversight for ecclesiastical affairs in Illyricum Orientale.<sup>27</sup> Although that letter is undated it undoubtedly came at the start of Innocent's episcopate. Not only did Innocent announce his election, but he took the opportunity to confirm what he thought were the arrangements in place about the bishop of Thessaloniki acting as a kind of primate in Illyricum Orientale (fulfilling Rome's responsibility of

25. Council of Nicaea, can. 4 (G. Alberigo et al., eds., *Conciliorum Oecumenicorum Generaliumque Decreta*, vol. 1, *The Oecumenical Councils from Nicaea I to Nicaea II (325–787)*, Corpus Christianorum Conciliorum Oecumenicorum Generaliumque Decreta 1 [Turnhout: Brepols, 2006], 21–22). See Peter Norton, *Episcopal Elections 250–600: Hierarchy and Popular Will in Late Antiquity*, Oxford Classical Monographs (Oxford: Oxford University Press, 2007).

26. The events following the death of Zosimus at the end of 418 indicate the involvement of local clergy and laity in the election of Roman bishops at this time. See Geoffrey D. Dunn, "Imperial Intervention in the Disputed Roman Episcopal Election of 418/419," *Journal of Religious History* 38 (2014): 1–13.

27. Innoc. Ep. 1 (PL 20:463–68 = Coustant, *Epistolae Romanorum Pontificum*, cols. 739–40) = *Collectio Thessalonicensis Ep. 4* [K. Silva-Tarouca, *Epistularum Romanorum Pontificum ad Vicarios per Illyricum aliosque Episcopos. Collectio Thessalonicensis ad fidem Codicis Vat. Lat. 5751, Textus et Documenta 23* (Rome: Pontifica Universitas Gregoriana, 1937), 20–21] = JK 285). See W. Brandes and H. Leppin, "Die *Collectio Thessalonicensis* – ein Forschungsdesiderat," *Rechtsgeschichte* 18 (2011): 263–67.

being a court of appeal for disputed verdicts reached at the local levels) and a conduit for communication with Rome.<sup>28</sup>

An even earlier example comes from the first surviving letter of Siricius (384–398) to Himerius, bishop of Tarragona (ancient Taccaco, provincial capital of Hispania Tarraconensis). He stated that he had succeeded Damasus (366–384) and that it was necessary for him to give notice of his promotion to the Roman episcopacy. He then proceeded to respond to the questions Himerius had addressed to Damasus. The question is whether this letter fulfilled both responsibilities, viz., Siricius announcing his election and responding to the questions from Himerius as seems to be the case with the letter from Innocent to Anysius, or whether the clause “. . . having first given notice, as was necessary, of my promotion . . .” refers to a recently sent, standard letter that would have been sent to metropolitans announcing the election and asking them to distribute it throughout their provinces?<sup>29</sup> I am more inclined to the second option given that the surviving letter to Himerius was written a couple of months after the election. Whatever the case, what we see with Siricius, Innocent, and Zosimus is new Roman bishops taking the opportunity at the start of their episcopates to deal with matters unresolved at the time of the death of their predecessors or needing to be negotiated afresh.

A letter to Gallic bishops announcing the election of a Roman bishop would not be unusual. All bishops must have been busy in the period after their election announcing it to their episcopal colleagues. That Zosimus writes three days after his own election ought not to be that surprising. Yet, it must be admitted that there is no mention by Zosimus of his election in *Placuit apostolicae* at all. This is not Zosimus taking the opportunity, while he is sending of letters of communion, to make an announcement, as Innocent had done. Indeed and interestingly, the letter is not addressed to an individual bishop, even a metropolitan, but to all the bishops of two

28. See Geoffrey D. Dunn, “Innocent I and Anysius of Thessalonica,” *Byz 77* (2007): 124–48.

29. Siricius, *Ep. 1.1* (Klaus Zechiel-Eckes, ed., *Die erste Dekretale. Der Brief Papst Siricius’ an Bischof Himerius von Tarragona vom Jahr 385* (JK 255), MGHST 55 [Hannover: Hahnsche Buchhandlung, 2013], 84): “. . . facto, ut oportebat, primitus meae proiectionis indicio . . .” See Christian Hornung, *Directa ad decessorem: Ein kirchenhistorisch-philologischer Kommentar zur ersten Dekretale des Siricius von Rom*, Jahrbuch für Antike und Christentum Ergänzungsband Kleine Reihe 8 (Münster: Aschendorff Verlag, 2011), 19–22; and Christian Hornung, “Siricius and the Rise of the Papacy,” in *The Bishop of Rome in Late Antiquity*, ed. Geoffrey D. Dunn (Aldershot: Ashgate, 2015), 57–72.

civil dioceses, most of whom were not going to be affected by one of the provisions of the letter (but, as we shall see, were going to be affected by the other). The letter is composed specifically on the question addressed and sent broadly. It would seem that perhaps the standard letters of communion had been sent to metropolitans and, at virtually the same time, this accompanying letter was sent to the whole region.

As an aside, it is interesting that the letter is addressed to the bishops of the Gauls (i.e. the northern half of modern France), since they were not going to be affected by it at all. Why did Zosimus not just write to the bishops of the southern civil diocese? Even so, not all the bishops in the southern civil diocese were to be affected by this either. Yet, one can understand why the bishops of the other provinces in the civil diocese of *Septem Prouvinciae* might have been informed, out of courtesy. Given that he wrote to the bishops of two civil dioceses, why did he not write to the bishops of the rest of the prefecture, i.e. the bishops of the Britains and the Spains?

Admittedly, there is nothing in the letter that indicates that Zosimus is newly elected, other than the date (and there is no reason to question that), but as Innocent had done with Thessaloniki, I think Zosimus was doing with Arles (to some extent at least; as will become apparent the parallels are not exact at all): as a new bishop he was stating his policy with regard to the way in which he wanted the relationship between Rome and the churches of that particular region to work. Yet, we should not think that the arrangement in *Illyricum Orientale* was identical with that for half the provinces of *Septem Prouvinciae*, as Mathisen warns.<sup>30</sup> So there is a sense of Zosimus acting swiftly at the start of his episcopate in this letter.

I would add that the papal vicar of Thessaloniki was already a metropolitan, whereas Arles had only recently become metropolitan of *Vienensis* (in place of *Vienne*), as it was now the residence of the provincial governor (although the exact date of that transfer is debated), and was also, at least since Petronius, who held office between 402 and 408, the residence of the praetorian prefect, one of the most powerful men in the western empire.<sup>31</sup> When Innocent wrote to Anysius he believed that Any-

30. Mathisen, *Ecclesiastical Factionalism*, 30–31.

31. Kulikowski, "Two Councils of Turin," 164, dates the move of the praetorian prefect from Trier in the face of the barbarian incursion to 407 at roughly the same time as the governor fled back to Italy from *Vienne* in the face of both the barbarians and the usurper Constantine III, with a more formal arrangement in Arles after the defeat of Constantine in 411 and Jovinus in 413. Presumably Constantine had installed a governor in Arles and Constantius continued the practice. It was the confusion over how permanent this move was to be that led to the discussion we see reflected in what

sus already had been delegated by Rome to exercise certain responsibilities, and the purpose of the letter was therefore to renew what he believed already existed (although in fact, I have argued, Innocent was somewhat mistaken on that score). Renewing someone's commission or not was the appropriate thing to do in an initial piece of communication when a new leader took over. In contrast what Zosimus proposed or endorsed (I shall argue for the latter) was something innovative, unprecedented, and unexpected. In 413 Innocent had informed Rufus, the replacement of Anysius in Thessaloniki, that as papal vicar he was to respect the rights of the metropolitans, that he was to be the channel of communication between the bishops within the civil diocese and Rome, and was to be arbitrator in disputes that could not be sorted out at a more local level or was to be responsible for deciding if in fact a case needed to be heard in Rome itself.<sup>32</sup> This will differ in some significant respects with the statements by Zosimus, as we shall see, where the rights of the other metropolitans listed were to be extinguished rather than respected.

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he sees as the second synod of Turin. This is in contrast with Mathisen, *Ecclesiastical Factionalism*, 19 and 25, and "The Council of Turin," 284–90, who supports a much earlier date of 395 for the move of the prefect. Of course it is the date of the transfer of the governor, not the prefect, that affects the status of Arles as metropolitan capital. Mathisen's reconstruction of transfer of prefect in 395, sole synod of Turin in 398 or 399, and move of the governor sometime later is consistent with my point. Of course, if the governor had moved to Arles before the synod of Turin met, this would have weakened the claims of the church of Vienne. What the canon from the synod tells us is that there was still confusion about what city was metropolis. In either reconstruction, Arles had not long enjoyed an upgraded status. Thus, I would disagree with Klingshirn, *Caesarius of Arles*, 65, that it was the relocation of the prefect that made the bishop of Arles argue that his city should be the metropolitan capital; the relocation of the prefect made the local bishop argue at the synod for an increased status, despite not yet being the provincial capital. On Petronius see Honorius's letter *Saluberrima magnificentiae* of 17 April 418 (*Liber auctoritatem ecclesiae Arelatensis*, Ep. 8 [MGHEpp 3:14]); *PLRE* 2:862–63; Heinzelmann, "Gallische Prosopographie," 668 (Petronius 1); and Ralph W. Mathisen, "Petronius, Hilarius and Valerianus: Prosopographical Notes on the Conversion of the Roman Aristocracy," *Hist* 30 (1981): 106–12. On governors in the late Roman empire see Bernhard Palme, "Die *Officia* der Statthalter in der Spätantike: Forschungsstand und Perspektiven," *Antiquité Tardive* 7 (1999): 85–133. On praetorian prefects see Timothy D. Barnes, "Regional Prefectures," in *Bonner Historia-Augusta-Colloquium 1984/1985*, ed. J. Straub, *Antiquitas*. Reihe 4, Beiträge zur Historia-Augusta-Forschung (Bonn: R. Habelt, 1987), 13–24; and P. S. Barnwell, *Emperor, Prefects, and Kings: The Roman West, 395–565* (Chapel Hill: University of North Carolina Press, 1992), 58–62.

32. Innoc. Ep. 13 (PL 20:515–17 = Coustant, *Epistolae Romanorum Pontificum*, cols. 815–17 = JK 300). See Geoffrey D. Dunn, "Innocent I and Rufus of Thessalonica," *JbOB* 59 (2009): 51–64.

Our letter is not preserved in any collection that originated in Rome, like the *Collectio Dionysiana*, where the archives must have kept hundreds of such letters, but was preserved in the local *Liber auctoritatem ecclesiae Arelatensis*, where it would have had been a significant piece of evidence in the claim by Arles to importance in the region.<sup>33</sup>

So if Patroclus was not in Rome at the time of the election of Zosimus, why is it that the new Roman bishop was writing to Gaul four days after his election, or, more precisely, from where has the idea for the rearrangement of ecclesiastical structure in Gaul come? If not from Patroclus then was it something Zosimus had on his mind before he was elected? If I am correct that Patroclus was not in Rome at the time of the election (and Constantius was not behind the election outcome) does it not make *Placuit apostolicae* all the more suggestive of Zosimus coming to the Roman episcopate with a plan in mind, which he implemented immediately, as a kind of ancient precursor of the first one hundred days plan? I think not. One may argue still that Patroclus was behind the idea, just that he did not have to be in Rome to convey it personally.<sup>34</sup> He could well have written to Rome while Innocent was still alive putting forward the idea that since it was now clear that Arles was to be the permanent base of the governor (if we accept that the move from Vienne to Arles was not necessarily intended as being permanent at the time),<sup>35</sup> as it was now also of the praetorian

33. Friedrich Maassen, *Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande bis zum Ausgange des Mittelalters*, Bd. 1 (Graz: Leuschner and Lubensky, 1870), 767–71.

34. Thus, I agree with Pietri, *Roma Christiana*, 1006, to the extent that he sees the idea being primarily Patroclus's, although I disagree with him that Patroclus presented it in person, when he writes that: "Patrocle, à son arrivée, vit sans doute mourir le vieil Innocent: son successeur, dix jours après son élection, se saisit de la plainte."

35. Even if Mathisen, "The Council of Turin," 285, is right that the inscription of Eventius tells us nothing about the date of the transfer of the governor, the point to be made is that it must come after that of the transfer of the prefect and the (second) synod of Turin, which Mathisen accepts (remembering of course that he argues for only one synod). However, this does not preclude the fact that a governor (even if not Eventius) could have fled Vienne at the time of the barbarian incursions in 407, as had Limenius, the praetorian prefect (on Limenius see *PLRE* 2:684 [Limenius 2] and Heinzelmänn, "Gallische Prosopographie," 639) and Chariobaudes, the *magister equitum per Gallias* (*PLRE* 2:283; and Heinzelmänn, "Gallische Propopographie," 621 [Hariobaudes 3]) (Zosimus, *H.N.* 5.32.4 [François Paschoud, ed., *Zosime. Histoire nouvelle*, t. 3/1, *Livre V*, Collection des Universités de France (Paris: Les Belles Lettres, 2003), 48]), and that the first governor in Arles was one appointed by Constantine III, and that it was only after Constantius took Arles in 411 that there was any clarity that Arles had become the metropolis of the province (regardless of the fact that prefects had been resident there since 395). Matthews, *Western Aristocracies*, 333, thinks that the Eventius inscription tells us nothing about the move of the

prefect (who had moved from Trier), the bishop of Arles ought to have (and ought to be recognized by Rome as having) a superior authority to that of his local colleagues.

Whatever personal ambition Patroclus might have had, the changed civil arrangements in southern Gaul provided the opportunity (or necessity as Patroclus must have seen it) for realigning ecclesiastical structures to match. Indeed, if Mathisen is correct in his recent restatement about the date of the synod of Turin, then we would have to conclude that the augmentation of the authority of the church of Arles was a gradual thing. It would seem that his predecessor (and we do not know if that was still Ingenuus), after the prefect's move to Arles, had argued for an increased status, which resulted in the compromise reached at the synod of Turin, with the bishops of Arles and Vienne splitting ecclesiastical supervision for the province between them.<sup>36</sup> Once the governor had moved to Arles, the local bishop would have been in a better position to argue that the compromise needed revisiting, although the years between 407 and 411, with barbarian invasions and local usurpers, did not make that convenient.<sup>37</sup> From 412, when Patroclus took over and a sense of stability returned to the area, it would have been the right time to argue that since Arles was now the home of both the governor and the prefect, not only should the bishop of Arles be metropolitan but something approaching what today we would term a primate or patriarch. Even so, what Patroclus proposed for himself was not simply supervision over other metropolitans, as Thessaloniki exercised, but the demotion of a couple of other metropolitans. Yet, he was not arguing for his own increased status to match that of someone like Anysius in Thessaloniki because of the gradually increasing civic importance of Arles in Gaul, but arguing for himself as the sole metropolitan over an area roughly equivalent with the old Roman province of Gallia Narbonensis (formerly Gallia Transalpina), although with Arles at its center rather than Narbonne.

We do not have evidence either way, it must be admitted, but I would be

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prefect from Trier. I agree. However, it is the relocation of the governor, not the prefect, I would think, that is of more relevance to the question of the metropolitan status of the bishop of Arles. The relocation of the prefect without the relocation of the governor had raised the problem that led to the compromise at the synod of Turin.

36. Synod of Turin, can. 2 (CCL 148:55-57). On Ingenuus see Duchesne, *Fastes épiscopaux*, 1.255; Heinzelmann, *Bischofsherrschaft in Gallien*, 71-74; Heinzelmann, "Gallische Prosopographie," 628; Mathisen, *Ecclesiastical Factionalism*, 16 nn.65 and 67; and PCBE 4:1038 (Ingenuus 1).

37. On the significance of the location of the governor for the organization of metropolitans in ecclesiastical provinces see Griffe, *La Gaule chrétienne*, 2:137-46.



more inclined to see that initiative coming from Arles rather than Rome for this. In this I follow the sense Griffe had of the incident, whereby Zosimus was responding to something that was being pursued from Arles.<sup>38</sup>

The point to be made is that rather than Arles initiating the request at the time of the election of Zosimus, it could have been sent to Rome in a written communication several months earlier. Perhaps Innocent, seeing an opportunity to further cement Rome's influence in the Gallic churches, had discussed this with his advisors and had been drafting a letter before death intervened, a letter which Zosimus was happy to sign in his own name. Alternatively, perhaps Innocent had not reached a decision, or intended to reject it, before his death intervened (a tentative or impending decision that Zosimus then made or reversed), but the point is that it could have been (or, most likely was) Patroclus who initiated the request and that it (not he) had been in Rome for some time. To this extent I diverge from Kulikowski's interpretation when he writes: "Nothing could be clearer to Zosimus as he set about finding a bishop through whom he could conduct his Gallic affairs."<sup>39</sup> I think it was Patroclus doing the seeking and that he had first sought out Innocent to endorse his plan.

So what we have, I think, at least with as much plausibility as other current interpretations, is not a new Roman bishop intent upon making his mark and setting forth his new reform agenda, but one who inherited some unfinished business from his predecessor and had to clear out the in-tray, as it were. On this suggested reading Zosimus is not some scheming bishop with a plan nor a puppet doing the imperial will but a conscientious man in a new position, diligently tidying things up and getting things in order promptly. The idea of Zosimus as "homme aux décisions promptes et au tempérament autoritaire" is not the only way to assess him, at least on the basis of this first letter.<sup>40</sup>

Third, the idea that Constantius influenced the Roman episcopal election somehow is contrary to the evidence from the next election, where he seems to have followed or, more likely, created Honorius's policy of neutrality with regard to the two rival candidates who emerged, Eulalius and Boniface. This neutrality lasted until Eulalius broke the conditions imposed by Ravenna of keeping both individuals out of Rome to maintain peace in the city and to allow the bishops time to decide themselves between the two of them. A letter from Constantius himself to the urban prefect, Aurelius Anicius Symmachus, preserved in the *Collectio Avellana*, is best

38. Griffe, *La Gaule chrétienne*, 2:123.

39. Kulikowski, "Two Councils of Turin," 166.

40. Griffe, *La Gaule chrétienne*, 2:147.

read along these lines.<sup>41</sup> While it could be argued that Constantius was prepared to be neutral in 419 because he had got what he wanted with regard to Gaul in 417, the fact that there was to be so much ongoing negative reaction to the first-preserved letter of Zosimus in Gaul, would suggest that Constantius needed to make sure that the next Roman bishop would follow the same line in order to achieve the results in Gaul that as yet had eluded him. If he knew that one of the two candidates was going to be amenable, one would have thought that he would have been more active in advocating for that person than the evidence indicates.

So my conclusion is that Zosimus, busy as any new bishop would be after his election in announcing that fact and possibly tidying up unfinished business left at the death of his predecessor, was not responsible for the idea of new ecclesiastical arrangements in Gaul, but was instead quite happy to endorse a plan that had come from Patroclus. We may now investigate the letter itself.

## CONTENTS AND CONTEXT OF THE LETTER

What Zosimus agreed to was twofold. The first was that no cleric from anywhere within the two civil dioceses in modern France was to visit Rome or elsewhere without an accompanying testimonial letter (*littera formata*) from Patroclus indicating that he had approved the travel to Rome.<sup>42</sup> One should note how careful Zosimus was here not to limit this provision to bishops.<sup>43</sup> This first provision parallels the arrangements in Illyricum Orientale and no doubt referred to judicial appeals, but the second does not. The

41. Constantius, *Ep. ad Symmachum (Vt certa)* (Coll. Avell. Ep. 30 [CSEL 35:76]). On Symmachus see PLRE 2:1043–44 (Symmachus 6); and André Chastagnol, *Les fastes de la Préfecture de Rome au Bas-Empire*, Études Prosopographiques 2 (Paris: Nouvelles Editions Latines, 1962), 279–81.

42. Zosim. *Ep.* 1.1.1 (PL 20.643 = Coustant, *Epistolae Romanorum Pontificum*, col. 935 = MGHEpp 3:5): “. . . ut si quis ex qualibet Galliam parte, sub quolibet ecclesiastico gradu, ad nos Romanum uenire contendit, uel alio terrarum ire disponit, non aliter proficiscatur, nisi metropolitani Arelatensis episcopi formatas acceperit.” See Clara Fabricius, “Die Litterae Formatae im Frühmittelalter,” *Archiv für Urkundenforschung* 9 (1926): 39–86 and 168–94.

43. Although, in the case of the African presbyter Apiarius, Zosimus would be happy to hear a petition from a cleric who did not have leave to appeal, even though the Africans themselves insisted that this was necessary (at least for bishops) before heading to Rome. See Jane E. Merdinger, *Rome and the African Church in the Time of Augustine* (New Haven: Yale University Press, 1997), 111–35; and Geoffrey D. Dunn, “The Appeal of Apiarius to the Transmarine Church of Rome,” *Journal of the Australian Early Medieval Association* 8 (2012): 9–29.

second is that Patroclus was to have the authority to ordain bishops in the provinces of Viennensis, Narbonensis Prima, and Narbonensis Secunda.<sup>44</sup> Mathisen thinks that Alpes Maritimae was also included in this group.<sup>45</sup> Canon 4 of the Council of Nicaea (325) had decreed that a bishop was to be elected by all the bishops of the province (at least a minimum of three present) and that any decision needed to be ratified by the metropolitan.<sup>46</sup> In effect, what Zosimus was supporting was the demotion of several metropolitans by creating Arles as the metropolitan church of a province that resembled the pre-Diocletianic situation.

This second provision of the letter did not affect most of the Gallic bishops, although it certainly affected some, but the first one affected them all. While it might not have been too objectionable a requirement for there to be such a channel (the Africans and the Illyrians had a similar provision in place within their jurisdictions), making the bishop of Arles that conduit could have been objectionable since it was not traditionally a leading city in the region. Arles was now the base of the praetorian prefect, making it a de facto capital for the two civil dioceses (and Spain and Britain as well, in theory). Yet, Arles did not have the tradition or prestige that Carthage or Thessaloniki did. The changes in the Roman provincial system due to barbarian incursions, upon which the church based its own organization, gave Arles a legitimate—if new—right, even though it had no legacy of being a leading church. One can imagine that any Roman bishop would have liked bishops in a far-flung region of the empire agreeing to formalize a process whereby judicial appeals would be directed to Rome. In a sense, this was the price Patroclus was prepared to pay in order to augment his own position at the same time.

In contrast to the first provision that affected everyone and was not uncommon, the second provision was unprecedented anywhere in the Christian world. In essence, therefore, what Zosimus endorsed, with this second provision, was that Arles should take over metropolitan responsibilities for several provinces, all of which had metropolitans already, who presumably thereby would be demoted. This is very unlike the situ-

44. Zosim. *Ep.* 1.II.2 (MGHEpp 3:6 = PL 20:644 = Coustant, *Epistolae Romanorum Pontificum*, col. 936): “Iussimus autem: praecipuam, sicuti semper habuit, metropolitanus episcopus Arelatensium ciuitatis in ordinandis sacerdotibus teneat auctoritatem. Viennensem, Narbonensem primam et Narbonensem secundam prouincias ad pontificium suum reuocet.”

45. Mathisen, *Ecclesiastical Factionalism*, 9, following Duchesne, *Fastes épiscopaux*, 1:87.

46. Council of Nicaea, can. 4 (CCCOGD 1:21–22).

ation in Illyricum Orientale where the bishop of Thessaloniki was given no rights in any other province except his own with regard to episcopal elections; his authority within other provinces was with regard only to judicial appeals. The status of Arles was to be a return supposedly to the status enjoyed by Trophimus, reputedly the first bishop in the region.<sup>47</sup> According to Gregory of Tours this had taken place in the early 250s, and he was one of seven bishops sent to Gaul.<sup>48</sup> In other words, Patroclus, if we accept him as being the instigator of this idea, was turning his back on the church following the civil pattern imposed by Diocletian in provincial structure and attempting to reinstate a more ancient sense of the structure of the Gauls, recreating ecclesiastically the now defunct Gallia Transalpina or Gallia Narbonensis.<sup>49</sup>

Proculus of Marseille, Hilary of Narbonne, and Simplicius of Vienne were to be stripped of an authority guaranteed by the great council itself. The move by Zosimus must be understood within recent Gallic church events to see how driven the new bishop of Arles was to cement what he believed to be his rightful authority.

We know that a group of bishops had met in synod in Turin (ancient Augusta Taurinorum in the Italian province of Liguria) on 22 September in some year to discuss the ecclesiastical impact of this move of the praetorian prefect. Elsewhere I have reviewed the evidence about whether there were one or two synods at Turin in these years (agreeing that there were two), and concurring with Kulikowski (with a slight modification) that

47. Zosim. *Ep.* 1.III (PL 20:644–45 = Coustant, *Epistolae Romanorum Pontificum*, col. 938 = MGHEpp 3:6).

48. Greg.-T., *Hist.* 1.30 (MGHSSrerMerov 1/1:23). As other letters from Zosimus will reveal, the argument was that Trophimus had enjoyed metropolitan authority over the whole region. However, Gregory indicates that among the original seven bishops were Paulus of Narbonne and Saturninus of Toulouse. The idea that Trophimus was the superior of these two is not something contained in Gregory.

49. Of course Arles had never been capital of Gallia Narbonensis, so when Zosimus wrote *sicuti semper habuit* and *reuocet*, these words were not just an appeal to restore the boundaries of the old Gallia Narbonensis but to restore what must have been a legendary situation whereby in the third century the first bishop of Arles had enjoyed a superior status to bishops established in metropolitan cities, like Narbonne itself. In Gregory of Tours we read of Trophimus having companions (like Paul sent to Narbonne) without any sense of their being a hierarchy among those seven bishops. The question is whether or not Gregory's story reflects the understanding of the third century or whether Gregory's account reflects how the story developed in response to Arles's claims. On the impact of Rome in Gaul see Greg Woolf, *Becoming Roman: The Origins of Provincial Civilization in Gaul* (Cambridge: Cambridge University Press, 1998).

the second synod, from which the canons survive, is to be dated between 412 and 416.<sup>50</sup> Mathisen's magisterial article causes one to rethink one's position, and perhaps accept an earlier date for a single synod at Turin.<sup>51</sup> During these years we may surmise that the governor of the province had taken up residence in Arles on a permanent basis, thereby opening the possibly for Patroclus to argue for an even greater status than had been obtained at the synod of Turin.<sup>52</sup>

Canon 2 from the synod of Turin had been the bishops' original solution when the prefect had moved to Arles: when it became clear which city was to be the permanent capital of the province, that bishop would be recognized as metropolitan, but in the meantime the two bishops ought to split the province between them.<sup>53</sup> This was not acceptable to Patroclus when it became clear that the governor would reside there as well permanently, and this explains why he wrote to Innocent and eventually received support from Zosimus.

The second matter of concern to us resulting from the synod involves ordinations performed by Proculus of Marseille in Narbonensis Secunda. Marseille was not the metropolitan city, which was Aix-en-Provence, which had enjoyed that status only for a short period of time. Marseille was the more ancient church and had exercised rights over churches in the area for some time. The synod decided to accept ordinations by Proculus as

50. Kulikowski, "Two Councils of Turin," 167, argues for between 406 and 417, but during the time Lazarus was bishop of Aix-en-Provence, there would not have been a dispute with Proculus of Marseille, which was an issue at the synod, and such a dispute arose when Remigius regained the church in 412. See Geoffrey D. Dunn, "Zosimus and the Gallic Churches," in *Religious Conflict from Early Christianity to the Rise of Islam*, ed. Wendy Mayer and Bronwen Neil, Arbeiten zur Kirchengeschichte 121 (Berlin: De Gruyter, 2013), 169–85, at 174. In this aspect I disagree with the recent argument of Mathisen, "The Council of Turin," 264–307.

51. Mathisen, "The Council of Turin," 264–307.

52. We know that Eventius had been governor and resident at Vienne (see *PLRE* 2:413; and Heinzelmann, "Gallische Prosopographie," 605 [Evanthius 1]), but do not know the year. See Henri-Irénée Marrou, "L'építaphe vaticane du consulaire de Vienne Eventius," *Revue des études anciennes* 54 (1952): 326–31. We know that by 418, when Honorius sent the rescript *Saluberrima magnificentiae* to the praetorian prefect Agricola (see *PLRE* 2:36; and Heinzelmann, "Gallische Prosopographie," 547 [Agricola 1]) on the establishment of the Gallic council of the *Septem Provinciae* (*Coll. Arel.*, Ep. 8 [MGHEpp 3:14]) Arles was the metropolitan city and hence the residence of the governor. It is from this document that we know that Petronius had based himself in Arles as praetorian prefect before 408.

53. Synod of Turin, can. 2 (CCL 148:55–57). Frye, "Bishops in Early Fifth-Century Gaul," 357, has a very different interpretation of what we are to understand of this canon, an interpretation that cannot be accepted.

valid, while asserting that Aix-en-Provence was definitely the metropolitan city. He was compensated with the personal honor of being regarded as the equivalent of a metropolitan for his lifetime.

The synod had tried to move with the times and adapt the ecclesiastical structures to changes in the civil structure, while at the same time respecting traditions and not humiliating those affected negatively by change. Only Patroclus seems not to have accepted this compromise (even if his predecessors like Ingenuus and Heros had) because, as the years progressed, the city of Arles grew in importance, which he believed was not reflected in his position. This is the background to and contents of the letter by Zosimus.

### DID ZOSIMUS FORESEE PROBLEMS?

We know that this letter provoked a strong negative reaction among the Gallic bishops, resulting in Zosimus calling a synod in Rome in September 417 to address the issue.<sup>54</sup> Could Zosimus have foreseen such a reaction? Did he want it in order to deal with the recalcitrant bishops on behalf of Constantius, as Frye suggests?

By the time Zosimus writes, Arles has become the capital of Viennensis (on the basis of the governor's relocation), and so on that level he was right to uphold the validity of the claims by Patroclus within his own province, although perhaps he was less than sensitive to the tradition that the bishop of Vienne had enjoyed. However, the decision with regard to the supremacy of Arles over the bishops of Narbonensis Prima and Narbonensis Secunda is more puzzling. A situation of supervision akin to that in Illyricum Orientale would have been understandable, but making him metropolitan over several provinces does indeed seem to have been a direct challenge to the metropolitans in Narbonne and Aix-en-Provence, as well as to Marseille. One should note that the other provinces of the civil diocese (Aquitania I and II, and Nouem Populana) were not included in this arrangement. They had not annoyed Patroclus as had those closer to home or simply they had not been part of the earlier larger province of Gallia Narbonensis.

It is quite possible that Zosimus was unaware of the depth of feeling in Gaul against the proposal by Patroclus, either because it had not been expressed or had been masked by Patroclus. Perhaps one would expect

54. Frye, "Bishops in Early Fifth-Century Gaul," 356-57, rejects the notion of there being a synod in Rome. Instead he has Zosimus attend the synod of Turin in September 417. This radical reinterpretation is one I cannot accept.

that anyone skilled in the art of understanding human nature would have realized that no one is ever happy with demotion. While Zosimus probably believed that the prestige of the Roman church would have been sufficient to stifle any dissent, later events would show the extent to which he (and Patroclus) had misjudged the situation and the extent to which he (and Patroclus) was prepared to act in order to maintain his dignity in the face of the unfolding opposition.

## THE AUTHORITY OF ZOSIMUS

By what authority had Zosimus intervened? We know that Innocent I had asserted that Rome ought to be the church to which the Gallic bishops turned when they had problems they could not resolve in a system of provincial synods or when they were discussing issues of major significance.<sup>55</sup> It would seem that Zosimus took the appeal by Patroclus to Rome as an indication that there were problems in Gaul that could not be resolved locally.

Although Gaul was starting to be seen as coming under the episcopal oversight of the Roman bishop, at least as far as being a court of appeal, as Innocent's letters to Victricius of Rouen (ancient Rotomagus in the province of Lugdunensis Secunda) and Exsuperius of Toulouse (ancient Palladia Tolosa in the province of Narbonensis Prima) demonstrate,<sup>56</sup> such supervision and authority were less developed and direct there than the role Rome exercised over Illyricum Orientale.

Everything we see about Rome's dealings with churches so far removed from Italy in the previous half century would indicate that Rome did not see itself (nor did other churches see it) as having a primacy of jurisdiction over all other churches in the West. Rome certainly was in the center of the western ecclesiastical world in the sense that it was a place to hear appeals and it was a church of apostolic foundation in the empire's largest and most important city and a church of enormous and almost irresistible

55. Innoc. *Ep.* 2.III.6 (PL 20:473 = Coustant, *Epistolae Romanorum Pontificum*, cols. 749–50).

56. Innoc. *Epp.* 2 (PL 20:468–85 = Coustant, *Epistolae Romanorum Pontificum*, cols. 745–58 = JK 286); and 6 (PL 20:495–502 = Coustant, *Epistolae Romanorum Pontificum*, cols. 789–96 = JK 293). See Geoffrey D. Dunn, "Canonical Legislation on the Ordination of Bishops: Innocent I's Letter to Victricius of Rouen," in *Episcopal Elections in Late Antiquity*, ed. J. Leemans et al., *Arbeiten zur Kirchengeschichte* 119 (Berlin: De Gruyter, 2011), 145–66; and Geoffrey D. Dunn, "Episcopal Crisis Management in Late Antique Gaul: The Example of Exsuperius of Toulouse," *Antichthon* 48 (2014): 126–43.

prestige and influence, but it did not consider itself as having the authority to dictate to other churches or intervene in their affairs directly. This I have investigated elsewhere.<sup>57</sup>

From this point of view I would think that Patroclus was not asking Rome to create some new arrangement in Gaul but asking for its support or endorsement for his own plan. Thus, I would disagree with Erich Caspar who wrote that “Das Schreiben an alle Bischöfe Galliens und der sieben Provinzen, welches er von dem neuen Papst erwirkte, gewährte ihm drei Privilegien.”<sup>58</sup> My argument is that Zosimus did not “grant” anything to Patroclus, but rather than he supported the claims put forward by Patroclus. Indeed, much of the letter does not lay down the law for the churches in Gaul as much as it sets out consequences for bishops who fail to follow its provisions. Those consequences deal with Rome’s bishop refusing to receive that cleric in Rome.<sup>59</sup> There seems to be an acknowledgement here that Rome had little recognized authority to intervene in Gallic affairs and could only threaten to withhold future legal assistance from any who disregarded its position.

However, Zosimus states specifically that “we have granted this privilege of the testimonial letters to our holy brother and fellow bishop, Patroclus, in special contemplation of his merits.”<sup>60</sup> Here I would point out is where Zosimus did have something to grant. As much as Patroclus might have been prepared to recognize Rome’s superior rights in judicial appeals by

57. Geoffrey D. Dunn, “Innocent I and the Illyrian Churches on the Question of Heretical Ordination,” *Journal of the Australian Early Medieval Association* 4 (2008): 77–93; Dunn, “The Development of Rome as Metropolitan of Suburbicarian Italy: Innocent I’s *Letter to the Bruttians*,” *Aug* 51 (2011): 161–90; Dunn, “The Roman Response to the Ecclesiastical Crises in the Antiochene Church in the Late-Fourth and Early-Fifth Centuries,” in *Ancient Jewish and Christian Texts as Crisis Management Literature: Thematic Studies from the Centre for Early Christian Studies*, ed. David Sim and Pauline Allen, Library of New Testament Studies 445 (London: T & T Clark, 2012), 112–28; and Dunn, “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): 679–99.

58. Erich 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), 345.

59. Zosim., *Ep.* 1.1.1 (PL 20:643 = Coustant, *Epistolae Romanorum Pontificum*, col. 936 = MGHEpp 3:5): “Quisquis igitur, fratres charissimi, praetermissa supradicti formata, siue episcopus, siue presbyter, siue diaconus, aut deinceps inferiori gradu sit, ad nos uenerit, sciat se omnino suscipi non posse.”

60. Zosim., *Ep.* 1.1.1 (PL 20:643 = Coustant, *Epistolae Romanorum Pontificum*, col. 936 = MGHEpp 3:5–6): “Hoc autem priuilegium formatarum sancto Patroclio fratri et coepiscopo nostro meritorum eius specialiter contemplatione concessimus.”



agreeing to be the conduit through which they were channelled, in order to augment his own authority, he could not grant such a right to himself; the Roman bishop was the one to authorize how appeals to Rome were to be processed. However, with regard to the second provision, that of restructuring the local Gallic hierarchy and its metropolitans, it would seem that Zosimus was endorsing the claims from Arles. I take “. . . ad pontificium suum reuocet” as Zosimus recognizing the agency of Patroclus in this matter not just treating him as a recipient of some Roman gift.

We have to deal with the fact that, with regard to this second provision, Zosimus did start off with the forceful verb *iussimus* and go on to refer to *apostolicae sedis statuta*. At first glance this might suggest the Roman bishop acting as a legislator. No doubt it suited Zosimus to be so regarded and to act as though he were in such a position as to issue such orders.

Having Rome onside should have helped persuade the rest of his Gallic episcopal colleagues to accept the plan from Patroclus. In that both Patroclus and Zosimus miscalculated seriously, as later events would indicate, but they are beyond our scope here. The reaction of quite a few Gallic bishops would seem to dispel the notion that it was commonly accepted in Gaul that the church of Rome did have the authority to order an ecclesiastical reorganization so far away. The authority of the Roman bishop stemmed from the willingness of other churches to accept it. He threatened sanctions: those who ordain bishops or who are ordained as bishops without the agreement of Patroclus are to be deprived of their positions.<sup>61</sup> The only teeth such a threat contained was with regard to the support Rome could withhold from such a bishop in the future should they have need of it.

My conclusion would be that Zosimus did indeed legislate about how appeals to Rome from Gaul were to be conducted and acted as though he were legislating about the reorganization of the ecclesiastical hierarchy in southern Gaul but was actually endorsing what Patroclus claimed for himself by issuing the threat of sanctions against those who ignored his endorsement.

61. Zosim. *Ep.* 1.III (PL 20:644 = Coustant, *Epistolae Romanorum Pontificum*, cols. 936–37 = MGHEpp 3:6): “Quisquis uero posthac contra apostolicae sedis statuta et praecepta maiorum, omisso metropolitano episcopo, in prouinciis supradictis quemquam ordinare praesumpserit, uel is qui ordinari se illicite siuerit, uterque sacerdotio se carere cognoscat.”

## CONCLUSION

*Plascuit apostolicae* cannot be taken as an indication that at the start of his episcopate Zosimus had a reform agenda he was eager to implement immediately. The situation in Gaul was one he inherited from his predecessor and no doubt much, if not all, of the initiative for reform came from Patroclus of Arles. Zosimus took the occasion of writing the expected letter of communion announcing his election to add some response to the situation. The steps outlined in our letter seem unusual; rather than deciding between a couple of disputes about who was metropolitan in those provinces, Zosimus supported Patroclus as metropolitan over all of them. This move was unprecedented and contrary to an implicit policy of following the imperial civil provincial structure if several provinces were to be folded into one. It is obvious that Patroclus had complained about several of his episcopal colleagues who had frustrated his ambitions over the past five years, and it appears that Zosimus listened. The appeal to the legendary figure of Trophimus meant that Patroclus was turning his back on the church following the imperial provincial system as reformed by Diocletian. He was not exercising the kind of papal primacy of jurisdiction we are used to seeing the Roman bishop employ in subsequent centuries, but he certainly was trying to yield an authority that made it look as though the initiative did rest with him, even though I would think that it did not. Zosimus, only a bishop for a couple of days, was prepared to endorse and support this plan.

While deciding that Arles should be metropolitan in Viennensis instead of Vienne and even that Arles ought to have some supervisory role over other provincial groups of bishops in the area could be justified, the radical nature of the solution could have been anticipated as going to create trouble, so it would seem that Zosimus was prepared for a fight. It is certainly what he got. The situation in Gaul was to plague the remainder of his brief eighteen-month episcopate.

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