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THE EUNOMIAN (ANOMEAN) CHURCH
IN THE CHRISTIAN ROMAN EMPIRE

Already in Antiquity, Christian writers observed that, for centuries heresies and factions plagued the Church irresistibly.¹ This does not mean that the Church was prepared to tolerate the existence of numerous heretical and schismatic churches vying with it for rights to the Christian heritage. Church fathers wasted no opportunity to fight them and, once the congregation included a Christian emperor, he too felt obliged to join in the struggle against heresy with the means at his disposal. Christian Roman emperors submitted to the guidance of bishops' assemblies with remarkable humility when they refrained from making suggestions as to who was or was not a heretic (they displayed less humble attitudes when pressuring the same assemblies to pursue Church unity, which often involved dogmatic or disciplinary decisions).² Their laws were targeted against existing heretical and schismatic communities, aiming at thwarting their actions and separating them from the "healthy" part of society.³

Thus a group of bishops who tried to advance a doctrine believed by others to be heretical faced twofold repressive measures. As long as they were formal members of the state-recognized Church, the emperor did his best to restore unity, particularly by isolating potential factional leaders from the faithful at large. A typical measure was to exile a disobedient bishop, usually following his deposition by a synod (in this way the state was virtually executing a synod decision). If a dissident group – following removal from the Church or preempting such a decision – decided to create its own ecclesiastical organization, it came under anti-heresy laws which, from the reign of Constantine

¹ This is hinted at even in St. Paul's epistles (*I Cor.* 11.19).

² Stachura 2000b; for emperors' interventions in such disputes, see Bralewski 1997: 150–162.

³ Baccari 1996: 263–289; Zuccotti 1992: 167–192. I also tackle this problem in Stachura 2000a: 198 f.

on, banned religious practices⁴ and deprived the priests of privileges held by Catholic clergy.⁵

The most interesting – and so far obscure – problem was the policy pursued by an emerging heretical church toward the state. At first the leaders of such a splinter group believed that they could advance their position within the Church – with the ruler’s help or at least by virtue of his neutrality. Subsequent developments dispelled such illusions and merely suggested that they seek to avoid repression. Finally dissenters resigned themselves to adjusting to relentless persecution.

Of course in practice such situations were not quite so simple; the drift away from the Church could take years. Also in mutual relations between the state and an emerging heretical church, intermediate stages can be perceived.

Despite such involvement on the part of the emperors, the fourth century saw more divisions in the Church and new heretical churches appearing. Especially disastrous was the disagreement concerning the status of the Trinity, arising (anew) out of conflicts surrounding the Alexandrian presbyter Arius. The Council of Nicaea (325) favoured the homoousian view, of the consubstantiality of Father and Son, which soon began to arouse the objections of most Eastern bishops. Suffering persecution, advocates of the Nicene view tended to call all their opponents “Arians,” or heretics. In reality, most of them had renounced the Arian heresy. From the 350’s, their camp was divided into several warring factions. The only one among them that really deserved from the start to be called heretical was that of the Anomeans.⁶ Owing to a surviving comprehensive summary by a historian who supported them, Philostorgius, it is also the best known.

One difference between the Anomeans and other such factions within the Church was that it had been created around the figure not of a bishop but of a deacon, Aetius of Antioch. Almost from the start, his arguments – and his peculiar charm – won him the sympathy of many bishops. His second in command and successor was another Antiochene deacon, Eunomius.⁷ Aetius possessed all the qualities of mind to make a great heresiarch: perseverance in pursuit of a clear, rational understanding of the most abstruse questions of faith and an uncompromising attitude in defense of his theses once thus affirmed. Although possessed of sufficient flexibility to present his most radical views in ways suggesting at least verbal conformity with mainstream teaching, in doing so he made assertive use of scholastic, Aristotelian logic, which led the majority opinion to regard his arguments as sophistry.

Aetius drew some radical conclusions from a theory of the subordination of the Trinity which was opposed to the *homoousios* doctrine: the substance of the Son of God is radically different from that of God the Father. Hence derived the name for his school

⁴ Euseb., *Vita Const.* III 64–65.

⁵ *CTh* XVI.5.1.

⁶ Principal discussions of the Anomean heresy include: Cavalcanti 1976, and especially Kopecek 1979.

⁷ As noted by the movement’s historian Kopecek, even after the final creation of their own ecclesiastical structures, the Anomeans would remain a school rather than a church, their leaders deriving their standing more from their theological fame than their bishop’s office. See Kopecek 1979: 424.

(*an-homoios* means dissimilar). He only admitted some more remote similarities between persons of the Godhead, such as in volition and in action. This teaching was obviously heretical, different and more radical than the purported views of Arius (unlike supporters of Arius, the Anomeans believed that both the Son and the Father were fully cognizable). Yet precisely for this reason, the heresy played a vital part in the forming of the doctrine – it forced both supporters and opponents of Nicaea to reconsider the concept of *ousia* (substance), which would subsequently help usher in understanding and bridge gaps.

Not only pro-Nicaean authors but also the Anomean Philostorgius present Aetius as the Church's *enfant terrible* in the 340's. Philostorgius' *History* shows him as a gifted young dialectician who would out-argue the most respected bishop without the slightest compunction. In this way he would discourage even his own protectors.⁸ Predictably, a man of such temperament was bound to end up surrounded by sworn enemies. Nor did he see any need to seek concord with supporters of what he might have called homoousian heresy.⁹ It was probably he who, as an already influential deacon, brought about a final rift in the Antioch community, thus frustrating the policies of the local bishop Leontius, who – although himself Arian-inclined – sought to maintain unity even at the price of personal ridicule (he was said to recite the Trinity formula so quietly during services that neither side could find fault with it).¹⁰

The emergent heresy must have provoked a ferocious response not only from Nicaea sympathizers but from most Eastern bishops. It soon came to the attention of Basil, bishop of Ancyra, who had won greatest authority among bishops in this part of the empire following the death of Eusebius of Nicomedia. Basil eagerly supported action against the Anomeans not only on the theological grounds but also by administrative means as he used his influence at the court.

Gallus

The first emperor to deal with the problem of Anomeanism was the Antioch-based Gallus. Philostorgius relates how Basil of Ancyra together with Eustatius of Sebaste were to persuade Gallus to execute the offending deacon.¹¹ On the intercession of bishop Leontius,¹² Gallus granted Aetius an audience. It enabled the latter to gain enormous

⁸ Philost. *HE* III 15.

⁹ Most Eastern bishops rejected the term *homoousios* not only as heretical but especially because it could be interpreted in the spirit of the Sabellian heresy. Still, it is difficult to imagine any favourable interpretation of *homoousios* from the point of view of Anomean theology. Aetius himself rejected a proposal to be consecrated bishop by bishops Secundus and Serras as they were in unity with supporters of *homoousios* (Philost. *HE* III.19).

¹⁰ Kopecek 1979: 97 ff. Leontius' ploy is described by Theodoret of Cyrrhus (*HE* II 19).

¹¹ Philost. *HE* III 27.

¹² Or perhaps of Theophilus Indus, as suggests D. Woods (Woods 1993: 609 f.).

influence on the emperor, who was even to send him as a tutor to his brother Julian.¹³ One of the key figures in the case of Gallus was Aetius' supporter, bishop Theophilus. Described as missionary to "India", upon his return to the empire he stayed at the court without possessing a permanent residence not sure what this means.¹⁴ When Gallus fell into conflict with Constantius, it was Theophilus who tried to make peace between the cousins. Not only were his efforts futile but they had an adverse effect: his close ties with the emperor occasioned more accusations by Basil of Ancyra against Aetius, Theophilus, and Eudoxius of Germanicia.¹⁵

Constantius

There were many more serious reasons for Constantius' opposition to the Anomean movement. A ruler bent on restoring Church unity could not welcome an extreme group that caused repeated conflicts and was spoken of unfavourably by such an authority as Basil of Ancyra. However distant from Nicene teaching, the ruler was still in favour of "similarity" (*homoios*) between the Father and the Son and had never volunteered approval of the extreme Anomean heresy.¹⁶ All things considered, Constantius' ambivalence in his treatment of the Anomeans may even be surprising. He defended them against Basil's arbitrary repressions such as the exile of 70 of the movement's leaders.¹⁷ It is of course conceivable that Basil's interference in the exercise of lay authority was what provoked the emperor's wrath. Nor would it be much different when the Anomeans themselves tried to elevate their candidate, Eudoxius of Germanicia, to the throne of Antioch, pretending to be acting on Constantius' wishes. The emperor's letter on this topic survives, full of angry irony, even if, characteristically, he abstained from punishing those who had the nerve to cover their own adventurism with his alleged wish.¹⁸

The emperor's position must have been softened by some bishops who supported Aetius – if not the heresiarch himself. They included Theophilus and bishop Leontius of Tripoli, Lydia, who – Philostorgius reported – could publicly denounce the emperor's interference into the synod matters and demonstrate to the imperial consort her inferiority to a bishop in the church.¹⁹ Interestingly – especially in the light of other sources – Sozomen tells us that Aetius was supported by *sacrum cubiculum* eunuchs.²⁰

¹³ Philost. *HE* III 27. This record would confirm a letter from Gallus to Julian (Julian, *Ep.* 82, Wright, not recognized as genuine by all) and the later behaviour of Julian toward Aetius (*Ep.* 15, Wright).

¹⁴ Frend 1987: 73–111; Hunt 1987: 89f.; Fernandez 1989: 361–366.

¹⁵ Philost. *HE* IV 8.

¹⁶ The picture of Constantius has for centuries been formed by Catholic and pagan sources hostile to him. An un-blackening of this figure also included religious policies. The breakthrough work in this respect seems Klein 1977. H. Ch. Brennecke, the author of a comprehensive study on the Homoians, also performed an in-depth analysis of this ruler's policy toward Aetius and his supporters (Brennecke 1988: 79 ff).

¹⁷ Philost. *HE* IV 8, 10; cf. Barnes 1996.

¹⁸ Sozom. *HE* IV 14.

¹⁹ Philost. *HE* VII 6a = *Suda* s.v. Leontios.

²⁰ Sozom. *HE* IV 12.

With Basil out of the way, the religious-political situation seemed to take a turn in the Anomeans' favour. The emperor lent his support to the Homoian creed in which God's Son was simply "similar" to the Father.²¹ This biblical term seemed broad enough to be accepted by Anomeans and Nicaeans alike. Neither group, however, wanted to renounce its convictions and stop arguing in their favor. For Anomeans, developments would pick up speed due to their leader's proneness to dialectic trickery. During a dispute in Constantinople in December 359 AD, Aetius was to declare all of a sudden that he recognized the Son of God as similar to the Father "without any difference." Meant perhaps as a clever reply to Homoiousian attacks, the remark would turn against him later in the dispute. An angered emperor Constantius probably concluded that Aetius was switching sides out of sheer recalcitrance and exiled the bishop to Phrygia.²²

The deposition and exile of Basil of Ancyra brings about shifts in Church influences across the eastern part of the empire. Consecrated bishop of Constantinople is an Anomean supporter, Eudoxius, while another ally, George, has for years been bishop of Alexandria. Eunomius himself is consecrated bishop of Cyzicus, replacing a deposed Homoiousian leader, Eleusius. Eunomius implores the triumphant Homoian bishops to help obtain clemency for Aetius but his efforts are in vain. Finally it dawns on him that his former allies are bent on breaking up the movement. Discouraged by the hostility shown him by the population of Kyzikos, who did their best to denounce him to Eudoxius as a heretic, and conscious of his ambiguous position, he preempts Homoian action and resigns the bishopric of his own accord.²³

Former allies must also be shedding any previous delusions that Aetius' teaching stemmed merely from mistaken radicalism and are beginning to see that it has heretical consequences for their teaching too. When Basil's supporters have been removed, it is time to deal with Anomeans. George of Cappadocia calls a synod in Alexandria as the emperor plans to pass judgment openly on Anomean teaching. The threat to Aetius' supporters is only dispelled by Constantius's death. When the news of it arrives, an Alexandrian mob murders George.²⁴

Julian

Julian's sympathies with Anomeans have multiple roots. Julian hated Constantius and his protégé bishops, while he usually supported those who were out of his predecessor's favour. In particular, in attempts to weaken the Church, he furthered any schismatic and heretical groups – besides Anomeans also Photinians, Novatians, Valentinians, and Donatists. A role was played by Julian's personal liking or at least

²¹ Brennecke 1988: 53.

²² Kopecek 1979: 347–357, coordinates accounts by Theodoret (*HE* II 23–24), Sozomen (*HE* IV 23), and Philostorgius (*HE* IV 12).

²³ Kopecek 1979: 411.

²⁴ Philost. *HE* VI 5, VII 2.

respect for Aetius. The Antiochene deacon, after all, had enjoyed his unfortunate brother's esteem and had suffered at the hands of his oppressors and in connection with his own cause. As has been indicated, it cannot be ruled out that Julian met Aetius personally. At any rate, it is clear that Julian had a special regard for the heresiarch if he recalled him from exile in a personal, highly respectful letter.²⁵ He also offered the less-than-rich man, who had had to do odd jobs for a living,²⁶ property on Lesbos.²⁷ The estates of Eunomius at Chalcedon and Dakoroe probably date to the same period.²⁸

The Anomeans made use of the favourable time under Julian's reign and held a synod in Constantinople, where Anomean bishops raised Aetius to their rank. Among those present was Eudoxius. At that time the Homoians were probably trying to reestablish links with supporters of Aetius. A comparison of both factions' respective positions under Julian suggests why: while the Anomeans were free to hold a synod, Eudoxius could not even correspond safely with his friend in Antioch.²⁹

Jovian

Another decisive step toward the creation of a separate church was the appointment by Aetius and Eunomius of bishops who would preside over their supporters by geographical units of the empire. Bishops Candidus and Arrianus were put in charge of Lydia; Theodulus of Chaeretapa was appointed in Palestine; Piomenios in Constantinople; Thallos in Lesbos;³⁰ Euphronios in Galatia Pontus and Cappadocia; Julian in Cilicia; Serras, Stephen, and Heliodorus in Libya and Egypt. In Antioch, Theophilus "The Indian" made efforts to win the Homoian bishop Euzoius over to the Anomean side.³¹ (Such decisions predated canon two of the First Council of Constantinople which listed authoritative bishops for given dioceses). The naming of Piomenios, and soon after his death – of Florentios, as bishop of Constantinople meant a rift with Eudoxius, and thus a schism with the Homoian church, at least in the capital city. Candidus and Arrianus, relatives of emperor Jovian as they were, might have been appointed for political rea-

²⁵ Julian, *Ep.* 15 Wright. Julian addressed the letter to bishop Aetius, although at that time Aetius had not yet been made a bishop.

²⁶ Philost. *HE* III.15.

²⁷ Philost. *HE* IX 4.

²⁸ Eunomius' humble birth was not quoted against him by Catholic polemicists – cf. Kopecek 1979: 138–147. Eunomius must have owned the Chalcedon estate already early in the reign of Valens (Philost. *HE* IX.5), but Theodosius exiles him to another estate, at Dakoroe in Cappadocia (Philost. *HE* X.6).

²⁹ Philost. *HE* VII 6; Brennecke doubts Eudoxius' presence during that synod. His argument (Brennecke 1988: 110), however, is based on the assumption that the Neo-Arian synods described by Philostorgius (*HE* VII 6 and VIII 2) were in fact one – which does not seem sufficiently justified to me.

³⁰ Consecrated after the local bishop died – one may wonder whether Lesbos was treated here as a separate territory, or perhaps Philostorgius added information of the consecration of a bishop to the list, introducing ambiguity.

³¹ Philost. *HE* VIII 2.

sons – they soon made their way to the imperial court, Philostorgius writes, to counter the influences of Athanasius.³²

Procopius

We know nothing of Anomean activities in the empire early in the reign of Valens. Without a doubt, however, even then Eunomius was involved with Julian's relative, Procopius. Following Julian's death, Procopius, though allegedly named successor by the former, went into hiding before the rulers. As his place of concealment he chose Eunomius' estate outside Chalcedon, from where he could follow events in the capital and appear in Constantinople when the time was ripe.³³ Philostorgius claims that Eunomius knew nothing of it, yet Eunomius' influence at the usurper's court seems to contradict such claims. He used his influence to save people accused of supporting Valens, among them Aetius, charges against whom were brought by the governor of Lesbos. As both leaders arrived in Constantinople, Eudoxius had to leave the city.³⁴

Valens

With Valens's victory, of course, the tables are turned. Eunomius unsuccessfully seeks support from Eudoxius, while the latter prevents the accused from meeting the emperor. Aetius dies before he suffers repression but Eunomius is exiled and not once but twice: in 367 and 370.³⁵ He is particularly hated by the praetorian prefect Modestus, who denounces him as the chief mischief-maker in the Church.³⁶ Eunomius returns from his exile probably in 378 following an amnesty likely to have been decreed by Valens.³⁷

³² Philost. *HE* VIII 6.

³³ Philost. *HE* IX 5. By contrast, Ammianus Marcellinus (XXVI 6.4–5) writes that Procopius hid at Chalcedon in the house of his supporter, the senator Strategius. Both accounts are not mutually exclusive; while in hiding, Procopius could move from place to place and he was supported by a wider circle of conspirators.

³⁴ Philost. *HE* IX 5–6.

³⁵ Woods 1993: 116 ff., argues nevertheless that Eunomius's first exile, mentioned by Philostorgius, was in reality an escape from Chalcedon to Mursa, where hostile Eastern officials had no jurisdiction.

³⁶ Philost. *HE* IX 11.

³⁷ Snee 1985: 395–419, convincingly argues that the amnesty of 378 should be attributed to Valens, not his successor.

Gratian

It was not long that the Anomean church enjoyed religious freedom. As pro-Nicene Church historians relate, Gratian refused to extend tolerance to cover supporters of Eunomius as well as Photinians and Manicheans.³⁸ This implies that those communities were thus declared heretical and consequently subject to anti-heresy laws. It may be surmised that restrictive laws were introduced against them such as a ban on “heretical and schismatic” religious gatherings issued already by Constantine.³⁹ Philostorgius describes Gratian as a “Nero” because – Photius says – of his “orthodoxy,”⁴⁰ which is perhaps an allusion to persecution. Yet in 379 Eunomius is again free to preach in Constantinople; his successes would cause Gregory Nazianzus some anxiety.⁴¹

Theodosius I

The new ruler of the East also recognized Eunomians as heretics – a few months after the famed *Cunctos populos* edict he lumped them together with Arians (i.e., Homoians), Photinians, and other heretics.⁴² The laws were primarily a declaration of the emperor’s faith; any sanctions against heretics were somewhat vague.⁴³ Interestingly, Sozomen relates, it was feared at that time that Eunomius might meet the ruler personally and convert him to his teaching. Such a meeting was to be prevented by Theodosius’s wife.⁴⁴ It was perhaps to dispel such fears that he issued in 387 a ban on contacts between heretics and the emperor.⁴⁵ Eunomians had their last opportunity to present their point of view in the presence of the emperor at the so-called “synod of all heresies” in 383 which was in fact more of a religious disputatio called by the emperor. Theodosius does not seem ever to have entertained any illusions about persuading the Eunomians to become reconciled with Nicene followers. He probably intended the event as a demonstration of his imperial support for the Nicene orthodoxy and a condemnation of contradictory denominations. Such a display was apparently needed to draw the faithful away from heretical churches and their leaders.⁴⁶

³⁸ Socr. *HE* V 2.

³⁹ Euseb. *Vita Const.* III.64–65.

⁴⁰ Philost. *HE* X 5.

⁴¹ Kopecek 1979: 496 ff.

⁴² *CTh* XVI 5.6.1 (AD 381).

⁴³ The proposition that *CTh* XVI.1.2 was the emperor’s arbitrary attempt to impose a faith on his subjects is put paid to by Ritter 1965: 222–228.

⁴⁴ Sozom. *HE* VII 6.

⁴⁵ *CTh* XVI 5.14.

⁴⁶ Socr. *HE* V 10; cf. Wallraff 1997: 271–279.

Luckily, we have a surviving confession of faith by Eunomius, made at that very “synod.”⁴⁷ Rather than be deluded into hoping to persuade the emperor, he starts out by making an allusion to the situation in which he has found himself: “Our God and Saviour Jesus Christ has said by a just decree that he will acknowledge before the Father everyone who acknowledges him before men; apostolic teaching likewise urges us always to be prepared to make a defense to anyone who asks us for an account of our faith; since, therefore, imperial decrees have asked us for just such a confession, we readily acknowledge that we also profess”.⁴⁸ Subsequently, the wording of the confession stresses the importance of God’s judgment not only over acts but also over the doctrine embraced.⁴⁹ Further, Eunomius answers accusations, often levelled against him and his followers, that they have a “love of disagreement.” He describes his critics as “sycophants” and warns them in the words of the Scriptures: “Their condemnation is just.”⁵⁰ Perhaps to avoid adding fuel to charges of the “love of disagreement,” Eunomius refrains from emphasizing some of the more controversial points of the Anomean doctrine, but even despite that the text has an uncompromising air. The author stresses that no principle of faith was abandoned “out of fear.”⁵¹ The message of the text is clear: we do not fear the emperor’s wrath since God is greater than the emperor.

Whether at the “synod of all heresies,” or in the emperor’s decrees, or in Catholic polemical writing, Eunomians figure as a distinct, independent community. After 381 Homoians in Antioch tried for the last time to establish cooperation with Eunomians. The latter rejected the proposal – interestingly, not because of differences in faith but because of moral failings for which they blamed the leaders of a state-supported church.⁵²

Historians agree that repression first fell on heretical churches only after Theodosius arrived in the capital. Once in Constantinople in November 380, the emperor seized the churches of supporters of the Homoian bishop Demophilus and of Eunomians alike. Homoian bishops are exiled from the cities and return to their native towns.⁵³ Eunomius continues – more or less openly – his teaching in Constantinople, for which he is exiled. Socrates sees this as connected with the fact that Eunomians, unlike Homoians and Macedonians, were also forbidden to have churches outside city walls.⁵⁴

The exact course of events is difficult to reconstruct. Philostorgius associates Eunomius’s exile with the discovery of his supporters among the *sacri cubiculi* eunuchs

47 Eunomius, *Expositio Fidei* [in:] Eunomius, *The Extant Works*, text and translation R. P. Vaggione, Oxford 1987, 131–158. It is the only surviving document from that “synod” that confirms, together with some vague mentions by Gregory Nazianzus (*Ep.* 173, 202), the fact given a biased account by Socrates.

48 Eunomius, *Expositio Fidei*, c. 1.

49 Eunomius, *Expositio Fidei*, c. 5.

50 Eunomius, *Expositio Fidei*, c. 6; for Eunomius’s accusations of *filoneikia*, cf. Lim 1995: 134, 143.

51 Eunomius, *Expositio Fidei*, c. 6.

52 Philost. *HE* X 1.

53 Philost. *HE* IX 19, Socr. *HE* V 7.

54 Socr. *HE* V 20. The state related by Socrates is contrary to the letter of the laws which forbade all heretical sects to have churches also in the country. References to Arians, Macedonians, and Apollinarians as eligible to possess churches outside the cities are not made until *CTH* XVI 5.65 (AD 428).

and their subsequent removal from the palace.⁵⁵ One of Theodosius's laws, issued in 388, mentions *Eunomiani spadones* while it refuses them a right to a testamentary bequest of property.⁵⁶ Perhaps Eunomius was first removed from the capital and went to his estate in Chalcedon, but persisted in coming back so that Theodosius banished him in punishment.

Eunomius's first exile was in Halmyrida in Mesia. However, in the face of another Gothic invasion, he was transferred to Cappadocia.⁵⁷ Rather than being concerned for the exiled man's safety, we may suspect that the authorities feared he might be equally successful in converting the Goths to his heresy as another exiled heresiarch, Audius, had been among the same people.⁵⁸ In Cappadocia, Eunomius resided in a highly unfriendly environment at Caesarea, before he was allowed to move to his estate at Dakoroe, at the foot of Mons Argiros. From there he continued to exert an influence on developments in his church.⁵⁹

In Theodosius's anti-heresy laws, the Eunomians figure almost invariably whenever names of heresies are mentioned. Curiously, after 383 they always come first.⁶⁰ Not that a set pattern is mechanically repeated – the heresies that follow are listed in varying order. It can therefore be surmised that the sequence reflects a conscious grading: for some reason they were held to be the major or the most dangerous of heretics. Together with other heresies they were deprived of rights to gather for religious services and consecrate priests, held in infamy (although evidence exists only for some resulting limitations, such as in drawing testaments, making donations, or qualifying for office – and even that is applicable to a later period). The only extant legislation exclusively concerning the Eunomians is the mysterious act on *eunomiani spadones*, which deprived them of a right to bequeath property by will (*CTh* XVI.5.17),⁶¹ and the act which restored them that right, *CTh* XVI.5.23.

Arcadius

The first years in the reign of Arcadius saw a heightened effort in fighting Eunomianism by the Church (the anti-Eunomian sermons of Severianus of Gabala in 398 suggested a rising Eunomian threat in Constantinople⁶²) and the state alike. The Theodosian Code includes a series of acts concerning Eunomians and issued under Arcadius: *CTh* XVI.5.25, 27, 31=32, 34, 36.

⁵⁵ Philost. *HE* X.6.

⁵⁶ *CTh* XVI 5.17.

⁵⁷ Philost. *HE* X.6.

⁵⁸ Epiph., *Panarion*, haer. 70.14–15.

⁵⁹ Philost. *HE* XI 5; Sozom. *HE* VII 17.

⁶⁰ *CTh* XVI 5.11, 12, 13, 60, 65; *N.Th.* 3 lists them in second place, after the Manicheans.

⁶¹ This ban was then repeated also for the Manicheans in act *CTh* XVI 5.18.

⁶² Uthemann 1993: 337.

Almost identically worded decrees *CTh XVI.5.31* and 32 of April 21, 395 (which certainly are versions of the same constitution) order the banishment of Eunomian clergy from the cities. Another law is targeted at Eunomians and Montanists (*CTh XVI.5.34* of March 4, 398). The decree *CTh XVI.5.36* of July 6, 399, though it guarantees Eunomians full freedom of property, maintains a ban on religious services with all previous sanctions and in addition orders the deportation of all Eunomian bishops and seizure of their property. Punitive measures became more severe, including the death penalty, and were to be inflicted for letting Eunomians use one's own or leased buildings. Characteristically, Eunomians were twice threatened by law with capital punishment: for the first time in *CTh XVI.5.34* for keeping heretical writing, and again for allowing one's leased property to be used by Eunomians at religious gatherings. Yet in practice capital punishment was seldom used against heretics; the Church was critical of it as it might prevent a sinner's contrition.⁶³

Restrictions of bequest and donations were a separate question. Following the above-mentioned AD 388 legislation that abrogated the right of "Eunomian eunuchs" to leave property by will (*CTh XVI.5.17*), the years 394–399 see a series of decrees in turn restoring and revoking this right. The sequence begins with the law *CTh XVI.5.23* of April 20, 394, which restored, "on fuller deliberation," to all Eunomians the right to bequeath and inherit property by will. Then followed *CTh XVI.5.25* of March 13, 395, which withdrew any possible privileges, in particular the provisions of the act mentioned before. The resulting situation did not last very long because *CTh XVI.27* of December 25, 395, awarded Eunomians the same rights they had had under *CTh XVI.5.23*.⁶⁴ Finally, there is the already mentioned constitution in *CTh XVI.5.36* which apparently sought to define the treatment of Eunomians once and for all. While many restrictions were made stricter, Eunomians were allowed in it to bequeath and inherit property freely both by will and by donation.

Attempts have been made to defend the consistency of imperial policies by indicating that Arcadius' edicts could have repealed laws only for a specific Eunomian group. In the Theodosian Code, it is held, there are many laws applicable to individual cases.⁶⁵ Indeed, the act *CTh XVI.5.58* of 415 AD would also rescind rescripts issued in favour of individual Eunomians granting them exceptional respite from the restriction.

This series of laws may reflect a struggle between pro- and anti-Eunomian tendencies in Arcadius' court. Philostorgius portrays Eutropius, the all-powerful *praepositus sacri cubiculi*, as Eunomius' chief personal enemy. Driven by envy, Eutropius was to have the late heresiarch's body sent away to Tyana to be guarded by monks there,⁶⁶ and

⁶³ Harries 1999: 148.

⁶⁴ To which it refers in the words: *id, quod genitoris nostri data*; the act *CTh XVI 5.23* was issued while Theodosius was still alive and had entrusted the rule to Arcadius while he stayed in the West.

⁶⁵ de Giovanni 1980: 99 f.

⁶⁶ The move was probably designed to prevent a cult of the dead man arising. Such a situation happened later, after the death of another exiled heresiarch, Sabbatios. To stop the worship from spreading, the bishop of Constantinople, Atticus, had to hide his body (Socr. *HE VII 25.10*).

to order the burning of Eunomius' writings.⁶⁷ Philostorgius is probably referring to the law aimed against Eunomians and Montanists, *CTh* XVI.5.34, which ordered the destruction of heretical books.⁶⁸

It is more difficult to identify Eunomian supporters at the court. R. von Haehling believes the pro-Arian praetorian prefect, Flavius Caesarius, to be their sympathizer, but this view is untenable. Caesarius, described by Philostorgius as an obedient executor of Eutropius' anti-Eunomian politics, was himself probably connected with the Macedonian church, which, from its creation, had been in conflict with the Anomean movement.⁶⁹ It seems that the question is wrongly posed. The mainspring behind the empire's legislative policies in 396–399 was Eutropius,⁷⁰ and in the point in question we are dealing probably with his own inconsistencies. Many indications suggest considerable Eunomian influence among the *cubicularii*: mentions by Sozomen and Philostorgius of Anomean sympathizers among the *cubicularii*, Theodosius I's law on *Eunomiani spadones*, the fact that the Constantinople community at that time was headed by the eunuch Eudoxius,⁷¹ and finally the attitude of Eutropius himself. Is it not surprising that he is personally envious of Eunomius (even considering the latter's literary fame)? Philostorgius used on many occasions to give harsher treatment to real or supposed "deserters" from the Eunomian camp than to its professed enemies, as is illustrated by the cases of Eudoxius of Germanicia, George of Cappadocia, or the leaders of mutiny in his own church: Theodosius and Lucian.

It should be borne in mind that the Eutropius-inspired act *CTh* XVI.5.36 was not at all easy on the Eunomians. Penalties for holding religious services were sustained or made stricter. The lifting of rights of bequest and donation is justified as follows: "... for the Eunomians We remit the penalty of being deprived of testamentary capacity and of having their status changed to that of the foreigners (*peregrini*).” The attitude reflected here is a refutation of the policy of exclusion of heretics from the Roman community as implemented in legislation from Theodosius I on. It does not seem justified to search for deeper reflection behind such wording, let alone any pro-Eunomian sympathies. Instead, it would be worth remembering the clauses of act *CTh* XVI.5.48, which was

⁶⁷ Philost. *HE* XI 5.

⁶⁸ *CTh* XVI 5.34.1. In addition, mere possession of such books was punishable by death, as was possession of magic writings.

⁶⁹ Haehling 1978: 77, makes a mistake that is typical for people unfamiliar with Church history, by treating "Arians" as a certain whole. In reality, three separate churches can be discerned that sprung from a split in the 360's: Macedonian (deriving from the Homoiousian camp), Homoians referred to as "Arians," and Eunomians. Caesarius's alliance with the Goths was merely tactical; only Synesius' *De providentia* II 3 may suggest that he shared their religious convictions. What is unquestionable is that he was involved with Macedonians – his wife was close friends with a Macedonian deaconess and was interred with her by her husband (Sozom. *HE* IX 2). It should be remembered that the Homoiousian camp, from which the Macedonians sprang, was created as a response to Aetius' heresy.

⁷⁰ Honoré 1998.

⁷¹ Philost. *HE* X 12. The meaning of "eunuch" intended here is not the figurative sense of ascetic as featured in patristic literature, because Philostorgius explains here why Eudoxius was only a presbyter.

designed to curb the practice of refraining from duties in the curia or the *cohortales militiae* under the pretext that heretics were banned from performing offices. It seems that here too the reason behind the law was to prevent loss of revenues from inheritances and donations.

As has been mentioned, Eunomius died soon after Arcadius came to power. His death struck a blow that seriously weakened the Eunomian church. Soon arguments began over interpretations of the master's teaching and splits resulted.⁷²

Theodosius II

The Eunomians' legal situation worsened under Theodosius II. A number of legal acts issued by that ruler are specifically targeted at the Eunomians; more mention them among other heresies.⁷³ Characteristically, they are treated more harshly than other groups labelled "heretical" with the exception of Manicheans. A ban on property transfers to fellow believers is restored (*CTh* XVI.5.49 of 412). This move was perhaps in response to the Eunomian practice of a second baptism which was seen as particularly blasphemous and was punished in just such a way⁷⁴ (the Eunomians rejected the traditional baptismal formula and probably for this reason they refused to acknowledge as valid the baptism given not only by Catholics but also by Arians [Homoians] and Macedonians).⁷⁵ Articles aimed against the Eunomians are also to be found in the voluminous act *CTh* XVI.5.58 of November 6, 415, which forbade them to perform repeated baptism and religious services, banned property transfers by will or donation to fellow members of the congregation, prohibited the receiving of such transfers from members of "other sects," and finally barred them from imperial service. The act *CTh* XVI.5.61 made an exception only of the financially burdensome service in the ranks of the *cohortales*. Both in terms of bans and of penal measures, laws are appreciably more repressive against the Eunomians than against other sects. Acts *CTh* XVI.5.34 and XVI.5.36 are among the few anti-heretical pieces of legislation to contain the death penalty.⁷⁶

The repressions are not without their effects. Early in the reign of Theodosius II, in 412, Synesius of Cyrene complains of Eunomian influence at the imperial court.⁷⁷ In the

⁷² Sozom. *HE* VII 17; Philost. *HE* XII 11; for Theodosius' earlier split, see Philost. *HE* VIII 3–4.

⁷³ The Eunomians are the sole target of the constitutions *CTh* XVI 5.49, 50, 58, 61; 6.6 (here alongside Sabbatians), 7; moreover, Eunomians are mentioned in *CTh* XVI 5.59, 60, 65, *N.Th.* 3.

⁷⁴ *CTh* XVI.6.7.

⁷⁵ Deprivation of the right to make a testament, inherit property, make and receive donations is mentioned, next to exile and fine, as punishment for repeated baptism in acts *CTh* XVI 6.4 and especially XVI 5.65 in item 4 which sums up chapter 6, book XVI of the Theodosian Code, collecting legislation aimed against those who practiced repeated baptism. Eunomian repeated baptism is expressly referred to in *CTh* XVI 5.58 and XVI 6.7.

⁷⁶ Dębiński 1996: 82 f.; the death penalty was opposed by the Church, the main force promoting anti-heresy laws, as it excluded a sinner's conversion. See Harries 1999: 148.

⁷⁷ Synes., *Ep.* 4 (141), cf. Cavalcanti 1976: 106–110; and Cavalcanti 1971: 138.

440's, Theodoret of Cyrrihus speaks of their being called "troglodytes", a reference to the Eunomian secret practice of religious services in caves.⁷⁸

Somewhat earlier, probably in the 430's, the Eunomian Philostorgius writes his *Church History*, which has not survived in its original form. Despite being clearly heretical in nature, the work nevertheless proved a valuable source of information for some Byzantine authors; a comprehensive summary was even set down by Photius.⁷⁹ Through numerous extracts and summaries of the original text, we can gain an insight into the way an educated Eunomian at the time of Theodosius II saw the history of the Eunomian church and its clash with the Roman state.

A reading of the *Church History* provides few clues as to the repressions launched against the Eunomian church. References are made primarily to its leaders' deportations, with the year 378 not appearing to be an important watershed. Philostorgius mentions the Eunomians being deprived of their churches in Constantinople in 380, Theodosius I exiling Eunomian *cubicularii*, and Eunomius' writing being ordered to be burned.⁸⁰ Did Philostorgius present a true picture of repressions? The church historians Socrates and Sozomen indicate that the emperors never intended to implement a large number of the threats included in the anti-heresy laws⁸¹ – or perhaps his mental scope limited his vision of Church history to an arena where outstanding individuals play a part? Interestingly, Philostorgius denounces pagans much more heatedly than he does the enemies of his denomination: sympathetic to Aetius, Julian is shown in a much worse light than Theodosius I, whose zeal in fighting "idols" the author extols as the reason for God's blessing for this reign. His own time the historian sees as a prelude to the apocalypse. The fruition of the apocalyptic prophecies in the New Testament and the Book of Daniel he sees in the barbarian incursions and natural disasters that plagued the empire. It seems that, for him, indicative of the end of time was the progressive deterioration of both the state and the Church, the rule of incapable, underage emperors and their wicked advisers, but also the decline and split of the Eunomian community following the death of its leader. This dark picture of contemporary life reflects the realities in which the Eunomian church found itself during the reign of Theodosius II.⁸²

Conclusion

This paper aimed to present three parallel phenomena: the transformation of the Anomeans from an informal group of theologians sympathizing with the teaching of Aetius into a full-blown, structured heretical church, state policies toward the Anomean

⁷⁸ Theod., *Haer. fab. comp.*, IV 3.

⁷⁹ Bidez 1913: XII–CV.

⁸⁰ Philost. *HE* IX 19; X 6; XI 5.

⁸¹ Socr. *HE* VII 41–42; Sozom. *HE* VII 4, 12.

⁸² I write more on the Eunomian historian in: Stachura 2000a: 158–173. Cf. Bidez 1913: CXX, CXXII, Kaegi 1968: 169, Nobbs 1990: 258, 262.

movement at its successive stages of development, and, finally, the policies of the Anomeans themselves toward the state. It was also the intention of this article to demonstrate that the three processes were interrelated.

Early in the 350's, Basil of Ancyra tries to silence an alarmingly popular deacon preaching apparently heretical views. One course of action is to accuse him before the state authorities, represented in Antioch by Caesar Gallus. At this stage, any sentence that will be passed will affect Aetius alone. He manages to persuade Gallus of his innocence and wins the official's personal sympathy. The relations between the deacon and Caesar need not be idealized, however: an important part is played by the influential bishop Theophilus, a sympathizer of Aetius, who acts as an intermediary between Caesar and Constantius in trying to secure Augustus' clemency for Gallus.

Constantius seeks to punish individuals he believes guilty of crimes against both the state and the Church, but by now he is dealing with a unified faction. Basil of Ancyra understands this and has Aetius, along with tens of sympathizing bishops, banished. Yet at that point Constantius lends his ear to the Homoian party which at first seeks to make peace with the Anomeans. Hence the emperor's verdict is mixed: Aetius is exiled while Eunomius take over the bishopric. Toward the end of this reign, the Homoians decide to settle accounts with the Anomean movement. The death of Augustus and Alexandria's bishop George upset their plan.

The reigns of a friendly Julian and Jovian are used by the Anomeans to build their own, independent church structures. Their leaders, so far poor, see an improvement in their material circumstances, which is of some consequence for the entire community. Lending their support to the usurper Procopius helps them obtain a short-lived advantage, on territory under his control, over the previously triumphant Homoians. An interesting question worth deeper reflection would concern links between the Anomeans and the younger branch of the Flavian dynasty.

With Valens regaining power, at least Eunomius must go into exile as punishment. The repressions that will continue to be levelled at that heresiarch are an unintentional homage to his greatness. No other heretical leader inspired so much fear as Eunomius. From 367 on, the new leader of the church will spend most of his life banished to various regions of the empire.

An amnesty is declared in 378. Gratian announces full tolerance that does not, however, extend to Eunomians or to Photinians or Manicheans. In 380–381, Theodosius acknowledges the Homoousian creed as orthodox and he mentions Eunomians among its opponents. Soon the Eunomians will have their churches taken away from them. More bans will follow: on conducting services, on consecrating clergy; further punitive measures will follow repeated baptism practices. The Eunomians are reduced – though here the rulers are clearly hesitant – to the role of second-class citizens: they face restrictions in exercising their property rights and are barred from most offices of the state.

In a new situation, the Eunomian church tries to alleviate its plight by means of influences exerted behind the scenes. We hear mentions of such activities from the beginning of the reign of Theodosius I to the beginning of Theodosius II's reign. The

church will win a special position among the *cubicularii*. Despite that, their denomination will be subject to harsher repressions than others, to be declared as heretical after 380. The reason is that their heresy is more radical (as seen by supporters of the *homoousios*), while their church is probably less numerous than those of the “Arians” (Homoians), Macedonians, or Apollinarians.

It is interesting to note that in replies by Eunomian writers such as Eunomius himself and Philostorgius, there is no radical condemnation of the Catholic Roman empire. There is, of course, a refusal to convert on the emperor’s demand, there is denunciation of individual actions, but such transgressions on the part of the empire are attributed to individual men, not the whole structure. For Philostorgius, a Catholic empire is still preferable to a pagan one, even one ruled by someone as favorably disposed to his co-believers as Julian the Apostate. It proves transitory and frail, but perhaps for this reason undeserving of being demonized as radically as the “heretical” empire under pro-Arian emperors was by Orthodox Church historians.⁸³

BIBLIOGRAPHY

- Baccari, M.P. (1996): *Cittadini popoli e comunione nella legislazione dei secoli IV–VI*. Torino.
- Barnes, T.D. (1996): The Crimes of Basil of Ancyra, *Journal of Theological Studies* 47: 550–554.
- Bidez, J. (1913): Einleitung, in *Philostorgius Kirchengeschichte mit dem Leben des Lucian von Antiochien und den Fragmenten eines Arianischen Historiographen*, hrsg. von J. Bidez, (*Die Griechische Christliche Schriftsteller* 21). Leipzig: xii–cv.
- Bralewski, S. (1997): *Imperatorzy późnego cesarstwa rzymskiego wobec zgromadzeń biskupów*. Łódź.
- Brennecke, H.C. (1988): *Studien zur Geschichte der Homöer. Der Osten bis zum Ende der homöischen Reichskirche*. Tübingen.
- Cavalcanti, E. (1972): Y a-t-il de problèmes Eunomiens dans le pensée trinitaire de Synésius? *Studia Patristica* 13: 138–148.
- Cavalcanti, E. (1976): *Studi Eunomiani*. Roma.
- de Giovanni, L. (1980): *Chiesa e stato nel codice teodosiano. Saggio sul Libro XVI*. Napoli.
- Dębiński, A. (1996): *Kara śmierci za przestępstwa religijne w okresie dominatu*, in H. Kowalski and M. Kuryłowicz (eds), *Kara śmierci w starożytnym Rzymie*. Lublin: 81–94.
- Fernandez, G. (1989): The Evangelizing Mission of Theophilus “The Indian” and the Ecclesiastical Policy of Constantius II, *Klio* 71: 361–366.
- Frend, W.H.C. (1987): *The Church in the Reign of Constantius II (337–361). Mission – Monasticism – Worship*, in A. Dihle (ed.), *L’Église et l’empire au IV^e siècle*. Genève–Vandoeuvres: 73–111.
- Harries, J. (1999): *Law and Empire in Late Antiquity*. Cambridge.
- Honoré, T. (1998): *Law in the Crisis of Empire 379–455 AD. The Theodosian Dynasty and its Quaestors*. Oxford.
- Hunt, E. D. (1987): Did Constantius II Have “Court Bishops”? *Studia Patristica* 19: 86–90.
- Kaegi, W. (1968): *Byzantium and the Decline of Rome*. Princeton.
- Klein, R. (1977): *Constantius II und die Christliche Kirche*. Darmstadt.

⁸³ For the Church historians’ concept of a heretical empire, cf. Leppin 1996: 60–71, 96–102.

- Kopecek, T.A. (1979): *A History of Neo-Arianism*. Philadelphia.
- Leppin, H. (1996): *Von Constantin dem Großen zu Theodosius II. Das christliche Kaisertum bei den Kirchenhistorikern Socrates, Sozomenus und Theodoret*. Göttingen.
- Lim, R. (1995): *Public Disputation, Power, and Social Order in Late Antiquity*. Berkeley.
- Lyman, R. (1993): A Topography of Heresy: Mapping the Rhetorical Creation of Arianism, in R.M. Barnes, D.H. Williams (eds), *Arianism after Arius. Essays on the Development of the Fourth Century Trinitarian Conflicts*. Edinburgh: 45–62.
- Nobbs, A.E. (1990): Philostorgius View on the Past, in G. Clark (ed.), *Reading the Past in the Late Antiquity*. Sydney: 251–264.
- Ritter, A. M. (1965): *Das Konzil von Konstantinopel und sein Symbol*. Göttingen.
- Snee, R. (1985): Valens' Recall of the Nicene Exiles and Anti-Arian Propaganda, *GRBS* 26: 395–419.
- Stachura, M. (2000a): *Heretycy, schizmatycy i manichejczycy wobec cesarstwa rzymskiego*. Kraków.
- Stachura, M. (2000b): Pojęcie „heretycy” w ustawodawstwie Konstantyna Wielkiego i jego następców, *Historiography* 30: 59–72.
- Uthemann, K. H. (1993): Die Sprachtheorie des Eunomios von Kyzikos und Severianos von Gabala. Theologie im Reflex kirchlicher Predigt, *Studia Patristica* 24: 336–344.
- von Heahling, R. (1978): *Die Religionszugehörigkeit der hohen Amtsträger des Römischen Reiches seit Constantins I. Alleinherrschaft bis zum Ende der Theodosianischen Dynastie (324–450 bzw. 455 n.Chr.)*. Bonn.
- Wallraff, M. (1997): Il „sinodo di tutte le eresie” a Costantinopoli (383), in *Vescovi e pastori in epoca teodosiana. XXV Incontro di studiosi dell'antichità cristiana. (SEAug 58)*. Roma: 271–279.
- Woods, D. (1993): Three Notes on Aspects of the Arian Controversy, c. 354–367 CE, *Journal of Theological Studies* 44: 604–619.
- Zuccotti, F. (1992): *Furor haereticorum*. Milano.

