May that see, a marvel throughout the globe, cover its own congregation with a love which, although it is bestowed universally on the whole world, is also locally allotted to us. We possess something special of the holy Apostles, if it is not estranged and severed from us by our sins. For happy Rome has attained to holding in her breast those burial places that all Christians long to see. Therefore, with such patrons we fear nothing, if the bishop’s prayers are not lacking [...]

In the above extract from a letter to John II, bishop of Rome, we see how in the last months of 533 Cassiodorus announced his appointment to the praetorian prefecture of Italy and asked for John II’s prayers to help take care of the city. In Cassiodorus’ view, Rome enjoyed the special protection of Peter and Paul ‘if the bishop’s prayers were not lacking’. Cassiodorus’ confidence that the Christians of the City enjoyed a special prerogative through the presence of the burial places of Peter and Paul and through a bishop, able to secure their patronage by his prayers, demonstrates clearly the increasing elaboration of the ideology of the ‘supremacy of the Apostolic See’ in the first half of the sixth century. This contribution will not trace the construction of this belief through the centuries. Its aim is rather to show the political implications of this concept and, through some letters of Cassiodorus, the function that it performed after Theoderic’s death. In my opinion, it was during this particular period that the intellectual and political elite who supported the Gothic kings consciously exploited the doctrine of ‘Apostolic primacy’ in order to strengthen the Ostrogoth power in Italy.

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1 Cass. Var. 11.2.6–7: ... Sedes illa toto orbe mirabilis proprios tegat affectione cultores, quae licet generalis mundo sit praestita, nobis etiam cognoscitur et localiter attributa. Tenemus aliquid sanctorum Apostolorum proprium, si peccatis dividentibus non reddatur alienum, quando confessiones illas, quas videre universitas appetit, Roma felicior in suis sinibus habere promeruit. Nihil ergo timemus talibus patronis, si oratio non desistat antistitis ... The translation is from Barnish 1992, 152.
The certainty that the seat of the bishop of Rome—sedes illa, or Petri sedes, sedes Apostolica or even prima cathedra in the formulas of the Roman chancery—was more fortunate than others for deserving to have the graves of the two Apostles was articulated as early as the second century by some apparently complementary ideas: first, such a presence guaranteed the perpetuation of the orthodoxy of the faith as transmitted by the two Apostles, so that being in communion with Rome allowed a share in the most authentic doctrinal tradition; second, it gave primacy of faith and charity to the Apostolic see; and third, it indicated the unity of the Church symbolized by the Chair of Peter.

The mere fact of leading a Christian community in the capital of the Empire contributed to giving the bishop of Rome a superior authority. When this authority grew—thanks to the first significant conversions of the Roman aristocrats (and the economic support they began to bring to the Church of the capital)—a genuine theory of the Roman primacy began to develop. Damasus (366–384) in particular linked the magnificence of Urbs renovata based on the martyrdom of Peter and Paul with the power of the Roman bishop, so that the supremacy of the Apostolic See became an off-shoot of the ideology of Roma aeterna. The act of connecting the power of the bishop of Rome to the two Apostles and the combined power of both to the destinies of the Empire ensured an exceptional radius of influence for the cult of Peter and Paul, both geographically and temporally. Between the late-fourth and early-fifth centuries, homilies of bishops in Northern Italy, inspired by the Ambrosian model, were full of references to the feast of the Apostles. In particular, in the turmoil of the first invasions of North West and perhaps as a result of the taking of Rome by Alaric, Maximus of Turin said that in a hierarchy of cities based on piety, Rome remained the capital of the Empire (principatum et caput obtinet nationum) because it was there that the martyrdoms of Peter and Paul had occurred. Paulinus of Nola remembered that Constantine had built ‘very solid and high walls in Constantinople’ by proclaiming himself a Christian and by allowing the relics of Andrew from Greece and those of Timothy from Asia to come to the

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3 This was the meaning acquired by the word confessiones: Zimmermann 1967, 179.
4 Irenaeus, Adv. haer. 3.1.1; 3.22.3.
6 Cypr. De unitate catholicae ecclesiae, 4, emphasizing Mt 16:18; but see also Cypr. Ep. 75.17.
9 Max Taur. S. 1.2.34–44; cf. 3.2.32–40, and Lizzi 1989, 135; 185; 186.
city. These last offered a defense equal to that which the presence of Peter and Paul ensured for Rome. 

Combining the power of Rome with that of his bishop, the destiny of Roman primacy did not follow the political fortunes of the West, even if the progressive centrality of Constantinople and the refined eastern theological speculations threatened the practical expressions of that theory. The Apostolic primacy grew up through legislative documents – which accorded jurisdictional privileges to the bishop of Rome that were adequate to his superior doctrinal auctoritas – no less than it did through the meditations of Roman bishops, who were interested in exploring the many possibilities of the Roman supremacy. Successive popes at the turn of the fifth century – such as Siricius (384–399), Anastasius (399–402) and Innocent (402–417) – articulated that doctrine with the theme of sollicitudo omnium Ecclesiarum (2 Cor. 11:28), specifically responding to the bishops of Gaul and Spain in disciplinary matters, or communicating Synodical decisions to other bishops.

After Theodosius II’s troubled relations with the popes Celestinus and Bonifatius, and after the adventure of the Council of Ephesus, the experience of Leo the Great (440–461) was crucial. Urging Valentinian III to proclaim the primacy of the bishop of Rome and its universal jurisdiction, he did not hesitate to reject Canon 28 of the Council of Chalcedon, which assigned to Constantinople the second place after Rome. For the pope, in fact, the union between Christ and Peter was a guarantee of the Apostolic inheritance, which survived in the bishop of Rome, since he was the Successor of Peter and his vicar; to him was awarded custodia canonum et fidei, i.e. fidei et disciplinae of all Churches. The bishops of other sees enjoyed the same heritage, but this was accorded on a hierarchical principle that was based only on the order of descent offered by the Apostolic Scriptures (Mt. 16:18; Lk. 22:32; Joh. 21:15–18), not on imperial decisions.

As in Damasus’ policy, also in the reflections of Leo the Great the Apostolic primacy again came to be connected with the prospect of Roma aeterna, as caput orbis and the foundation of pax Romana. Leo even revived in original terms the traditional theme of the providential role of pagan Rome for the evangelization of the world, since for the first time Romulus and Remus were identified as

12 Gaudemet 1985, 133.
14 Nov. 17.8 (July 8, 445); for the dispute with Hilary of Arles, see Leo, Epp. 10 and 11.
15 Leo, Ep. 115.1.
16 Leo, Ep. 106.5.
17 Leo, S. 82.1 on Peter and Paul, delivered between 441 and 445.
precursors of Peter and Paul. Through those early founders, Rome had grown with many victories and had spread the law of the Empire across land and sea; but the peaceful action of Roma Christiana was even more glorious than pagan Rome thanks to the Apostles and to the work of the successor of Peter, the bishop of Rome.\(^\text{18}\)

Without this idealized construction, for which Cassiodorus drew probably on the work of the chronograph Prosper of Aquitaine, we could not understand the exaltation of the uniqueness of Rome and its Christians at the close of the letter to John II, quoted above. It was not just an ideal belief. The Court of Ravenna had previously enacted various measures, with the agreement of the Roman Senate, in order to strengthen the privileges of the Roman bishop. One of the first acts of Athalaric was to guarantee to pope Felix IV (526–530) the ‘reserved forum’ and the exclusive jurisdiction over his own clergy. The letter can be placed at the end of 526:\(^\text{19}\)

… And therefore, considering the honor of the Apostolic See, and wishing to meet the desires of the petitioners, we by the authority of this letter decree in regular course: that if anyone shall think he has a good cause for going to law with a person belonging to the Roman clergy, whatever the subject of the prosecution, he shall first present himself for hearing at the judgment – seat of the most blessed pope, in order that the latter may either decide between the two in his own holy manner, or may delegate the cause to a jurisconsultus to be ended by him […] Should any litigant be so dishonest and with, by common opinion, such sacrilegious mind to refuse to show due respect to such a Holy See and our authority […] Meanwhile, do you, whom our judgments thus venerate, live according to the ordinances of the Church. It is a great wickedness in you to admit such crimes as do not become the conversation even of secular men: your profession is the heavenly life. Do not condescend to the groveling wishes and vulgar errors of ordinary mortals. Let the men of this world be coerced by human laws, do you obey the precepts of righteousness.\(^\text{20}\)

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\(^{19}\) Var. 8.24 is usually placed in 527 by Mommsen (MGH AA 12, Berlin 1894, 255), and Fridh (CC XCVI, Turnhout 1973, 330). Nevertheless, the opening theme – one who receives so much takes out a debt to God, which he can honor in his servants – refers to the succession as a recent event and would lead to place the letter in the last months of 526. The Roman clergy, to whom the text was sent (addressing indirectly the pope Felix IV), may have addressed Athalaric shortly after his accession to the throne, perhaps in response to a message from the king who announced his succession and urged the Roman Church to make demands: we actually have a contemporary letter from Athalaric to the Roman Senate (Var. 8.2.10) with similar content.

\(^{20}\) Cass. Var. 8.24.4–6: … Atque ideo considerantes et apostoliceae sedis honorem et consulentes desiderio supplicantum praesenti auctoritate moderato ordine definimus, ut, si quispiam ad Romanum clerum aliquem pertinenter in qualibet causa probabili crediderit actione pulsandum, ad beatissimi papae judicium prius conveniant audiendus, ut aut ipse inter utrosque more suae sanctitatis cognoscat aut causam deleget aequitatis studio terminandam … Quod si quis extiterit tam improbus litigator atque omnium iudicio sacrilega mente
Without dwelling on the nature of the measures, at several points the letter proclaimed the excellence of the Catholic clergy, to whom special juridical privileges were to be granted. This was part of the topic of imperial concessions of privileges, firmly rooted in Western tradition, which Cassiodorus is shown to share in other letters. In composing Var. 8.24, however, he consulted, and drew directly from Sirm. 15 (and its extract, CTh 16.2.41), since it was the first constitution which established that the clerics could be accused only in the court of the bishops, by virtue of their position in society. No less significant in the letter is the admission of the special sanctity of the judgment of the pope, bishop of that Roman See to which are reserved epithets of great honor (sacrosanctae romanae ecclesiae; Apostolicae sedis honorem; ad beatissimi papae iudicium; more suae sanctitatis; reverentiam tanta sedis). Considering the time when the letter was written (even more so if, as has been suggested, it should be placed in the first months after the succession of Athalaric) its political significance is clear. The attribution of the title of Apostolica sedes to the episcopal see of Rome, and that of Apostolicus pontifex to the pope, was a fairly recent and almost exclusively Western phenomenon. However, during the resolution of the Acacian schism, Justin and Justinian had

damnatus, qui reverentiam tanta sedi exhibere contemnatur ... Sed item vos, quos iudicia nostra venerantur, ecclesiasticis vivite constitutis, magnum scelus est crimen admittere, quos nec conversationem decet habere saeculare: professio vestra vita caelestis est. nolite ad mortalium errores et humilia vota descendere. mundani coerceantur humano iure, vos sanctis moribus oboedite. The translation is from Hodgkin 1886, 371–372.

21 In the view of Rufinus of Aquileia, Constantine would have expressed the belief that the judgments of the bishop were superior to those of his officials, in so that they were directly transmitted from God, when he solemnly opened the Council of Nicaea (Ruf. HE 1.2: Deus vos constituit sacerdotes et potestatem vobis dedit de nobis quoque iudicandi. For its echoes in Gratian, Decretum 2.11.1, can. 5, see Falchi 1998, 113). The same idea is present in Didascalia Apostolorum (esp. 2.49.1–50.3), written in the early decades of the fourth century: Harries 1999, 191–195 and Rapp 2005, 244–245. With less emphasis, the concept appears in a constitution of 318 (C. Th. 1.27.1), and in Sirm. 1 of 333 (if genuine).

22 Var. 3.7.2; 3.30.2.

23 Sirm. 15 provoked a broad debate since Gothofredus: Gemmiti 1991, 27–28; 106; Falchi 1991, 60; Banfi 2005, 213–221. The date of C.Th. 16.2.41, on December 11, 411, instead of 412, has to be accepted: Delmaire 2005, 204.

24 Apostolicus pontifex is used in Var. 9.15.6.32 (cum de Apostolici consecratione pontificis ...). Still for Augustine, Apostolicae ecclesiae were all the episcopal sees which were founded by an apostle or by a disciple of an apostle (e.g. Corinth, Ephesus, etc.); the Roman seat was preferable defined cathedra Petri, while sedes Apostolica rather indicated the Roman community, as example for true faith and doctrine. Nevertheless, by this time popes Liberius and Damasus often gave the honorary title of sedes Apostolica to the Roman see (Batiffol 1925), while Eastern emperors seemed to avoid it until the time of Justin and Justinian, after the end of the Acacian schism.
both used the epithets when addressing pope Hormisdas. This did not escape the advisers of Athalaric. Using the same honorary titles, Cassiodorus’ letter reassured a Catholic audience of the quality of the faith professed by Athalaric. Although he was Arian, this would not have hindered collaboration with the Apostolic See, to which the king granted the due benefits. If, moreover, we admit that Theodoric had changed his policy after Justin had accepted the council of Chalcedon in 519, the ordinance would help to convince the Roman clergy that Athalaric intended to return to the ‘old Theodoric policy’.

On the death of Felix IV (526–530), given the growing political fragility of the Gothic government, Amalasuntha and her advisers responded positively to the openings of Justinian: they refrained from supporting candidates openly hostile to the doctrinal proposals of Eastern churchmen and endorsed the choice of the priest Mercurius, who was one of the closest collaborators of Hormisdas. Therefore, the election of that presbyter (who first assumed the different name of pope John II after his election) was quickly protected with an edict against simony. This edict was requested by the pope through his defensor so it is curious that Duchesne interpreted it as a kind of revenge devised by the defeated candidate Vigilius and by officials of the Court. Its significance is completely different to this: the edict actually emphasized the moral superiority of the pope and the primacy of Rome as the Apostolic see, and it even extolled the public role of the basilica Petri, since the church was ordered to expose the royal ordinance in its porch.

… Now some time ago, the most noble Senate, wishing to wipe away from its splendour the stain of foulest suspicion, took provident thought, and decreed that, in the consecration of the blessed pope, no one should pollute himself by vile avarice; a penalty was also decreed for anyone attempting such a crime. No injury was done, since, where there is no love of money, you gain a chosen candidate of real value. Praising this, and improving on it, I have sent to the blessed pope decrees that surpass the former in their brilliance, in order that worldly and corrupt ambition may be removed from the honour of Holy Church. I wish you to bring this without any delay to the notice of the Senate and Roman people, so that a measure which I desire to be carefully observed by everyone may be fixed in the hearts of all. Indeed, to impress this princely benefit on both present and future ages, I order my command and the Senate’s resolution alike to be fittingly engraved on marble tablets, and placed in the atrium of the church of the blessed Apostle Peter as a

25 CA 644.5.
26 On the last years of Theoderic’s rule and the extent of his changes, see the critical approach of Moorhead 1983 and Moorhead 1992, 212–245.
27 Duchesne 1883, 260–261.
28 Var. 9.15.8 and 11.
29 Var. 9.16.3.
public testimony. For the place is worthy to hold both my glorious gift, and the praiseworthy decree of the noble Senate [...]^{30}

An awareness of the complexity of the edict, the achievements of which ‘surpass in their brilliance’ not only the recent senatusconsultum,^{31} but also the previous decrees issued against suffrage in the Church,^{32} is also expressed on several occasions in the letter to the pope (Var. 9.15).^{33} A comparison of the edict with the Canons of some councils against ecclesiastical corruption^{34} demonstrates that

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30 Var. 9.16.1–3: … siquidem senatus amplissimus ab splendore suo cupiens maculam foedissimae suspicionis abradere provida deliberatione constituit, ut in beatissimi papae consecratione nullus se abominabili cupiditate pollueret, poena etiam constituta, qui talia praesumere temptavisset: non iniuria, quia tunc electi vere meritum quaeritur, cum pecunia non amatur. Quod nos laudantes et augentes inventum ad beatissimum papam direximus constituta, quae his antelata sanctae ecclesiae profanus ambitus auferat, quatenus sanctius cunctorum fignetur cordi, quod cupimus omnium studio custodiri. Verum ut principale beneficium et praesentibus haereat saeculis et futuris, tam definita nostra quam senatus consulta tabulis marmoreis praecipimus decenter incidi et ante atrium beati Petri apostoli in testimonium publicum collocari: dignus enim locus est, qui et gloriosam mercedem nostram et senatus amplissimi laudabilia decreta contineat. in quam rem illum direximus, quo redeunte noscamus implementia quae iussimus. incertum enim videtur quod praecipit, cui rerum effectus tardius innotescit. The translation is from Barnish 1992, 115–116.

31 In Var. 9.16.1, the previous SC is only remembered for the penalty the Senate decreed against simony, but it is possible to know its content from Var. 9.15.3, where the text of SC is apparently given verbatim.

32 Before Athalaric, the emperor Leo (Cod. Iust. 1.3.30, March 8, 469), the emperor Glicerius (Haenel 1857, 260, n. 1226, March 11, 473) and Justinian (Cod. Iust. 1.3.41.19, in 528), issued laws against corruption in the ecclesiastical election. Compared to those texts, Cassiodorus structured the edict taking into account both the imperial rules against the suffrage, and the Canons adopted at Chalcedon half a century before (451). For its originality and articulation, Athalaric’s edict may have inspired Nov. 123.2.1, the Justinian law which in 546 regulated the enthronistikà.

33 E. g. in Var. 9.15.1 (comparing the legislation of the previous Roman emperors and that of the Gothic king, which was superior for its moral inspiration): 3 (quod etiam ad universos patriarchas atque metropolitanas ecclesias volumus pertinere) and 11 (Vos quoque hoc universis, quos deo propitio regitus, episcopis intime), where the application of the edict is assumed to be universal.

34 Although some scholars consider the oldest action against simony was the Canon 2 of Serdica (ed. P.P. Joannou, t. 1, 2: Les canons des synodes particuliers, Rome 1962, 162), where the bishop who had obtained a letter from the populus – evidently local notables – to move to another diocese (Hesse 1958, 78–80) was convicted, it was actually the author of the Apostolic Constitutions, using words similar to the Canon 2 of the Council of Chalcedon in 451 (Const. Apost. 8.47.29, ed. M. Metzger, SC 336, Paris 1987, III, 283), that established the main ecclesiastical rules against simony (ACO 1.1, ed. E. Schwartz, Berlin/Leipzig 1932, 354). This document imposed the penalty for decadence against the bishop who had ordained someone for money, as well as against the individual who received the money and against the mediator of the transaction,
the mature articulation of Athalaric’s disposition stands out from the previous rules, and Cassiodorus’ self-praise seems entirely legitimate.

As for the importance of the edict in enhancing the Roman See, two things are significant: first, in Var. 9.15.1 Athalaric claims to have issued an order that will apply to all metropolitan bishops; and second, at the end of the letter, he asks the pope to make known the edict to all the bishops he ruled (Var. 9.15.11), as if the measure was directed to the whole Empire. But if we consider on which regions the Gothic king could impose this law at the end of 533, and which bishops recognized the authority of the Holy See at the same period, we will be struck by the narrow geographic area under Gothic control: the Italian peninsula, Sicily, Dalmatia, Pannonia Sirmiensis, and the Gallic prefecture located in Arles; this is an area that is drastically reduced if one checks the actual episcopal sees with which the pope maintained epistolary relationships and a direct jurisdiction. Actually, John II seems never even to have involved himself with southern Italy, the natural hinterland of the pope. His activity is documented only by the exchange of letters with Caesarius of Arles, the bishops of Gaul and the clergy of Riez. The impression is that the universal jurisdiction the Ostrogoth king wanted to attribute concretely to the pope was in fact as much of an exaggerated formality as the honorary primacy the pope presumed to have.

The information derived from the number of letters exchanged with other metropolitan sees by the last popes of the reigns of Theodoric and Athalaric is evidently partial, mainly because before Innocent III (in the thirteenth century) no papal register survives in its original form. The copies on which we work are sometimes a narrow selection of the original correspondence; even the letters of Gregory I – 850 in all, about sixty per year – are only a tiny part of the output of the papal chancery. Nevertheless, the depletion of the correspondence of the bishop of Rome in the second half of the fifth century is proportionally significant. The contrast between the pretensions of the bishop of Rome to

... if he was a churchman; excommunication was expected only to be used against lay mediators or monks.

35 Theoderic’s sovereignty was formally recognized on the Italian peninsula in 498, but after the death of Amalasuntha (April 30, 535), the region was disputed between the Goths and Byzantines up to 562. Sicily gained by Theoderic between 476 and 491, was preserved by the Goths until Belisarius conquered the island at the end of 555. Dalmatia (and perhaps Savia) was reconquered in 481 and Pannonia Sirmiensis by 508; Vitiges gave up both of them in 536. The Gallic prefecture, located in Arles, had been acquired in 508/510; Liberius there was prefect up to 534, although in 532 the Franks had already attacked Arles, after Amalasuntha in 530 had renounced the territory north of the Durance; finally, in 537, Vitiges ceded it to the Franks: Wolfram 1985, 509, 534–540, 556.

36 Epp. XII-XIV, in Morin 1942, 18–28.

37 Lane Poole 1915, 37; Jaffé 1956, I, 2462, 2551.
extend *cura, onera, principatus* to all churches throughout the Empire and the fact that, instead, his authority was limited to increasingly smaller parts of the West cruelly exposes the rhetoric of Cassiodorus. We believe that, apart from the recognition of the universality of the Apostolic primacy of Rome, the proclamation of the universal jurisdiction of John II was instrumental in establishing Gothic power.

The order to engrave the text of the edict and the Senate’s resolution alike on marble tablets, to be placed in the atrium of St. Peter,38 served a similar purpose. A note is added in the letter: ‘it is a worthy place to hold my glorious gift, and the praiseworthy decree of the noble Senate’. It does confirm what other documentation seems to indicate: this was the first case of a public display of official decrees in this sacred space. It was not, however, the first episode to give that church a sort of public dimension. Since its foundation, St. Peter had always held special functions: as a center of assistance to the poor,39 and as a ‘resting place’ of the emperor during the *adventus* ceremony, at first occasionally (perhaps since Honorius),40 then as his main stage before entering Rome, giving homage to the Senate and the people, as practised by Theodoric, and continued by Totila and other kings until Charlemagne.41

The confession of St. Peter served as a notarial archive and, for the most important donations, may have facilitated Athalaric’s decision to use the *atrium* of St. Peter as the place for posting his decree.42 We must not forget, however, that both senatorial and royal decrees regulated ecclesiastical behaviour and, for this very reason, that place seemed to be the most appropriate for the publication of such an article. But considering the times in which the Petrine church had come to acquire this civic role, this development would seem particularly connected with the determination of Western emperors to support the doctrine of the primacy of the Apostolic See in competition with the similar attitude of the Eastern emperors after the Chalcedonian Council. In this sense the contribution given to this doctrine by pope Symmachus should be also stressed: he chose St. Peter as an alternative residence to the Lateran during the long period in which that Basilica remained in the hands of Laurentius. This was a strategic choice topographically, but was also one with strong resonances

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38 Var. 9.15.12–16.
39 The Church of St. Peter developed this vocation for welfare as early as the fourth century A. D. (Jerome, *Ep.* 22.32; Paulinus of Nola, *Ep.* 13.13); but this activity was increased in the Gothic age during Gregory’s papacy (Gregory, *Dial.* 4.38.1), when it acquired a public dimension.
40 Fraschetti 1999, 261–263.
41 Humphries 2007, 46.
42 Liverani (forthcoming).
in terms of ideology, because it served to reaffirm the legitimate right of Symmachus to maintain the contested title of bishop of Rome.\footnote{New buildings and ornaments embellished the church from the age of Honorius (for more on the dynastic tomb, built at the end of the south transept, see: Liverani 2005, 75; Paolucci 2008). Pope Symmachus, in particular – perhaps in connection with Theoderic’s arrival in Rome – began the decoration of the St. Peter door, on the trans-Tiberine side of Ponte Elio, with an image of Christ who is called \textit{ianitor} of the city in the inscription (\textit{ICUR} II, 4107: Liverani 2007, n. 73) and it is likely that it was he who monumentalized the \textit{porticus Petri}. He also built shelters in the immediate vicinity of the basilica (\textit{LP} LIII, p. 262, 3–8; Liverani (forthcoming), where according to some sources, Theoderic ordered the Treasury to distribute grain supplies to beggars.}

At the time when the edict against simony was issued, the Ostrogothic king – getting profit from Cassiodorus’ political culture – seemed to carry out the same strategy some Western emperors before him contrived. The kind of protection that Cassiodorus and Athalaric extended to the Apostolic See and its bishop appeared all the more necessary as the events recorded a strong imbalance of power in favour of Justinian. His diplomatic skill in dealing with theological questions shows a keen awareness of possible pitfalls: in the letter sent to the pope in June 533, he reaffirmed the legitimacy of the title of \textit{Theotokos} for the Mother of Christ.\footnote{The letter is included in the response that the pope sent him on March 25, 534: \textit{CA} 84.320–328.} But, conscious of the hostility this would have caused in the West, he did not fail to mention these councils of Ephesus and Chalcedon, on which Rome based the orthodoxy of faith. Nevertheless, in order not to incur the disapproval of the Monophysite bishops, those same councils were absent from the edict he had already sent to his patriarch.\footnote{\textit{Cod. Iust.} 1.1.8: March 15, 533.} In the Justinian text, the proclamation of Rome as Apostolic see\footnote{\textit{CA} 84.322.8.18 \textit{et alia}.} and the assertion of the primacy of the Roman bishop were underscored by the title of \textit{caput omnium sanctorum ecclesiarum} addressed to John II;\footnote{\textit{CA} 84.322.23–24.} the Roman bishop was also assigned the task of safeguarding the unity of the Churches.\footnote{\textit{CA} 84.322.12–14.} Such expressions have been interpreted as if the emperor of the East recognized the universal jurisdiction of Rome.\footnote{Batiffol 1938; Magi 1972, 107–118.} However, the mere fact that Justinian published his edict,\footnote{Cod. Iust. 1.1.8, March 15, 533.} sending a copy to Epiphanius on 26 March, but waiting until June to send it to the pope, shows that the emperor considered himself the supreme authority of the Empire, with his own opinion on religion binding for all.
Justinian’s expressions of deference to the pope and his recognition of Roman supremacy were no less insidious: in the eyes of the Byzantine emperor, Rome had primacy over the Catholic world only because Constantinople was the same as Rome. In the Libellus fidei (28 March 519), Justinian established ‘that the see of the apostle Peter is one with that august city’. Pope Hormisdas accepted that document in order to substantiate the reconstructed Christian unity, and could not refuse Justinian some relics of the Holy Apostles. In their honor Justinian built a church next to the imperial residence, the first to Peter and Paul in Constantinople.

In about thirty years, Justinian’s pretensions to dominate even the dogmatic definitions of faith had become much more evident to the intellectual functionaries of the Western Court. A few months after issuing Var. 11.2, when John II had accepted Justinian’s new professio fidei, Cassiodorus signed a letter that some senators – Avienus, Liberius, Severinus, Fidelis, Avitus, Opilio, Johannes, Silverius, Clementianus, Ampelius – had decided to send to the pope. They asked John II why he had accepted Justinian’s profession of faith and condemned the Acemeti monks whose formula was strongly Chalcedonian, and whom the pope Hormisdas had previously supported. The senators’ surprise confirms that the pope’s decision marked the end of the harmony between John II, the Court of Ravenna, and the Roman Senate, all of whom had been close when the pope was elected. The death of Athalaric (534) seemed to affect their decisions to mediate with Byzantium without yielding anything about the centrality of Rome as the seat of the Senate and supreme Apostolic

51 CA 159.608.5–8: sanctissimas enim dei ecclesias, id est superioris vestrae et novellae istius Romae, unam esse accipio; illam sedem Apostoli Petri et istius augustae civitatis unam esse definio; cf. also CA 161.613.9–13.

52 Hormisdas, Ep. 66 and Exemplum Epistolae Iustiniani ad Hormisdam in Mansi 8.482–484; Hormisdas, Ep. 66 (where the pope remembers to have sent Beatissimorum Petri et Pauli sanctuaria to Constantinople) is also published in PL 63, 477 = Jaffé 1956, I, p. 106 = Thiel 1974, I, 886; cf. Sardella 2000, 482.


54 CA 84.320–328.

55 Only some of them are well known: Avienus (perhaps caput senatus: PLRE II, 192); Liberius (PPGalliarum: PLRE II, 677–681); Severinus (who could be the same vir illustris of Var. 5.14 and 9.9: PLRE II, 1001); Fidelis (PPOItaliae after Cassiodorus: PLRE II, 460–470); Avitus (perhaps a relative of Ennodius: PLRE II, 195); Opilionis (CSL in 527–528: PLRE II, 808); Johannes (the arcarius from Var. 5.6–7: PLRE II, 611); Silverius (a vir illustris with the same name occurs in CIL XV, 7538: PLRE II, 1012); Clementianus (from the Nicomachi Flaviani?: PLRE II, 303); Ampelius (perhaps the same from Var. 5.35 and 39: PLRE II, 74).

see, and above all, without giving in on the promotion of the Court of Ravenna and its officials as active creators of cooperation between Roman civilization and Gothic power.\textsuperscript{57}

Yet even Theodatus, after the violent elimination of Amalasuntha, seems to have adopted the same strategy, hoping to maintain his authority over Italy. In this light it is necessary to re-read \textit{Var.} 12.20, which, when properly understood, provides a further, important example of the described dialectic between Ravenna’s government, the bishop of Rome and the emperor of Byzantium.

Your fidelity will remember, as I do, the case of the holy Agapitus, pope of the city of Rome, when, by royal command, he was sent on an embassy to the prince of the East. He gave pledges, and received from you so many pounds of gold, with a receipt made out in due form, so that our provident lord might also speed the departure of one whom he had suddenly ordered away. By lending him money in necessity, the king initially made a generous provision; but how much more gloriously has he acted by giving away what might have been returned to him with thanks! […] He was more a deputy than a donor, for he whose property is seen to bear the cost must get the credit. What may not be the influence on a pious prince of such an embassy, assuredly despatched in so remarkable a manner? Therefore, advised by my instructions, and fortified by the royal command, you are to give back the vessels of the saints and the signed obligation, without delay, to the holy Apostle Peter’s men of business, so that objects returned to our advantage may soon fulfill their wish. Let the church utensils that are famous throughout the world be restored to the hands of the deacons. Let them be given what was once their own, since what the pope legally pawned, he justly receives as a gift.\textsuperscript{58}

Cassiodorus sent this letter to the treasurers of the praetorian prefecture to order the restitution of sacred vessels to the church of St. Peter, which had been

\textsuperscript{57} This ideal project was still alive when Cassiodorus had been elected praetorian prefect: Troncarelli 1989, 582. It is noteworthy that, in the letter sent to the Roman Senate to announce the Cassiodorus’ new election, Athalaric mentioned his recent \textit{Gothorum historia} (\textit{Var.} 9.25.4 ff.): that work, combining the old \textit{origo} of the Goths with the \textit{historia} of the Romans, gave legitimacy to the ideal function of the Goths as the guardians of \textit{civilitas}: Giardina 2006, 37 – 38.

\textsuperscript{58} \textit{Var.} 12.20.1 – 3: \textit{Retinetis mecum, fidelissimi viri, sanctum Agapitum urbis Romae papam, cum ad Orientis principem legationis gratia mitteretur iussione regia, datis pignoribus a vobis tot libras auri facto pittacio sollemniter accepisse, ut cui providus dominator iussit, ad subitum eius etiam urgeret egressem. primum quidem benigne praestitit qui in necessitate mutae pecuniae dedit: sed quanto gloriosius fecit etiam illud largiri, quod cum gratiarum actione potuisse offerri! 2. … distributor fuit potius quam donator, quia necesse est illi applicari, de cuius facultatibus videbatur expendi, quid non agat apud pium principem talis legatio, quam destinatam singulari constat exemplo? 3. Quapropter nostra praeceptione commoniti et regia iussione securi sanctorum vasa cum obligatione chirographi actoribus sancti Petri apostoli sine aliqua dilatatione refundite, ut lucrose redditia celeriter impetrare videantur optata: referantur manibus levitarum ministeria toto orbe narranda: donetur quod proprium fuit, quando iuste per largitatem recipit quod sacerdos legibus obligavit. The translation is from Barnish 1992, 173 – 174.
pawned at the start of a mission to the East by pope Agapet. In the sources the content of this mission is not immediately perspicuous. Procopius omitted it, but it is mentioned by the Liber Pontificalis, by Liberatus of Carthage, and quoted by the continuator of the Chronicle of Marcellinus Comes. According to the Liber, the pope was sent (hic missus est) to calm the outrage over the death of Amalasuntha, who had been imprisoned at the end of 534, and killed on 30 April 535, shortly before the election of Agapet. But there is a clear inconsistency between the secular reasons given at the beginning of Agapet’s Life, the description of the mission, which focuses exclusively on the doctrinal achievements of the pope, and the concluding sentence, according to which ‘the pope got everything he had gone to the East for’.

Liberatus of Carthage is obviously independent from the Liber, but his narrative follows the same structure: after brief remarks on the political goals that the pope should have achieved, a long account is given of the religious clashes between Agapet, Justinian, and the new monophysite bishop of Constantinople. Leaving Italy as a champion of the Senate, after Theodatus had threatened to kill wives, sons and daughters of all Senate members if they did not try to stop the Byzantine military initiative, the pope did not object at all to the reasons, cynically advanced by the emperor, that the shipping costs were too high to recall the army from Italy; but with fierce determination, Agapet led what Liberatus describes as a legatio Christi to a successful conclusion.

The difference between the story in the Liber Pontificalis and in Liberatus about the political ends that the papal embassy should have achieved confirms that they did not draw upon an official report, but rather, they speculated about the contents of the mission on the basis of well-known historical events. The pope, in charge of a political mission from a tyrant king, used the trip to secure the triumph of true faith. This forced the Eastern emperor to recognize the Apostolic primacy of Rome and to exile the heretical bishop. All this offered a framework for relations between the Gothic king, the Holy See and the Byzantine emperor, which was strictly functional to the ideological debate in which the deacon of Carthage and the author of the Liber Pontificalis, who wrote during or shortly after the pontificate of pope Vigilius, were both involved.

59 It is strangely absent also in Wolfram 1985, 579–586.
60 LP 59.287.5–7.
61 LP 59.287.8–20; 288.1–4: qui vero Agapitus papa omnia optinuit ex qua causa directus fuerat.
63 Still awaiting the translation and commentary of Liberatus’ Breviarium by Ph. Blaudeau and F. Cassingena in a forthcoming volume of Sources Chrétiennes, see for the time being, in particular, Gleede 2010 and Meier 2010.
But all this does not necessarily correspond to the sequence of events. The comparison between *Varia* 12.20, and some documents collected in the *Collectio Avellana* leads us to reconstruct the story in a different way, as modern interpreters suggest.

As the continuator of the Chronicle of Marcellinus Comes, Cassiodorus does not explain why Theodatus had asked the pope to leave for Constantinople. However, he recalls some details of the embassy: the mission had been ordered by the king (*iussione regia ... iussit*); since the church had no money for the mission, and in order to avoid delaying the departure, Theodatus had generously lent gold to fund it (ll. 4–5); at some point during the embassy, Theodatus, showing great generosity, had even decided to return the sacred vessels that had been asked as a pledge at the start (ll. 6–7, 17–23); for his part, the pope, acting as a *donator* – indeed *distributor* (l. 14) – of gold he had on loan, had received so many gifts in return that he could make the trip free of cost (l. 11); but it was royal generosity that enabled Agapet to obtain everything he wanted from Justinian (ll. 15–16).

One might think that Cassiodorus skips over the reasons why the pope had been sent to the East in order that he might avoid saying explicitly that the mission was the result of a royal command, arrogant and tyrannical, as the ecclesiastical sources suggest. In this sense, the silence of the praetorian prefect would confirm the idea that the pope had been forced to undertake a long journey to support the indefensible position of someone who had removed a legitimate queen, and he did that just to avoid the war in Italy. Nevertheless, Cassiodorus would not have used terms such as *iussio regia* or *iussit* in a letter intended to enhance the generosity of the king whose prefect he was, had the timeliness of the royal order not added a positive element to the rhetorical exaltation of Gothic power. If the departure of the pope, as it appears from several references in the sources, was decided at the end of October 535, the real motivation was Agapet’s wish – of course, immediately perceived and used by the king – to restore his authority in the East.

In the pope’s view, Justinian, who was always ready to recognize and even enhance the Apostolic primacy of Rome in his diplomatic correspondence, had recently violated it in different ways. On 14 April 535, by an act of sovereign will, he had created a new province (*Prima Iustiniana*) in the Balkan Peninsula, based in *Tauresium*, his hometown, ecclesiastically independent of the See of Rome. In a letter dated 15 October 535, the pope proclaimed the rights of *principatus S. Petri* on the new area, but the question – unresolved during his

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65 Chron. s. a. 535 MGH AA 11, 105.
66 Novella 11, II; IV (in this same law he asked the new archbishop to ordain a bishop *in Aquis*).
67 CA 88.335–336.
stay in Constantinople – was not finally settled until the troubled papacy of Vigilius. In that same period, the author of the Liber Pontificalis struggled to enhance the work of Agapet to push the pious but reluctant prince to humiliate himself in front of the Apostolic See.

From the same epistle to Justinian, it is also clear that the pope was troubled by another case of severe oppression which seemed impossible to resolve in Rome: in the vicariate of Thessalonica, the bishop of Larissa had been deposed by Eufemius (Anthimus’ predecessor in Constantinople) and replaced by Achilles, following an imperial order. The deposed bishop had appealed to the pope but the papal legates, already sent to Constantinople, could not settle the issue. Finally, during June 535, Anthimus was called to fill the vacancy of Constantinople. The appointment, which according to Church sources was strongly supported by Theodora, violated the Canon 23 of Nicaea, since Anthimus was the former bishop of Trebizond.

In the context of the tensions arising between the East Court and the Gothic kingdom after the death of Amalasuntha, the manifest intention of the new pope requiring Justinian to show a real respect for the Apostolic primacy offered certain advantages to Theodatus. ‘Ordering’ the pope to go promptly to the East, despite the difficulties of the Holy See to afford such an expensive trip, the Gothic king could present himself, like Theodoric and Athalaric before him, as the guardian and defender of Western Catholicism. If the pope was then able to keep in check the clear will of doctrinal independence expressed by Justinian for as long as possible, the secular diplomacy would have had the opportunity to negotiate win-win solutions for the Gothic king. In reality, although Justinian had let Mundo, as magister militum of Illyricum, begin an offensive in Dalmatia (occupied before the end of 535) and Belisarius (already in Sicily to conduct the war against Carthage) had been ordered to occupy Catania, Syracuse and Palermo, negotiations between Theodatus and Justinian continued.

Theodatus’ plans, at least until the second half of March 536, seemed to proceed according to the expectations of the king: from Varia 12.20 is clear that the vessels were returned when the pope, even during winter, showed his refusal

68 Novella 131 (March 18, 545), II: after the proclamation of primacy of Roma ( ... ut veteris Romae papae primus omnium sacerdotum sit), Justinian confirmed that the archbishop of Iustiniana Prima had the jurisdiction on all provinces mentioned in Novella 11, II and he added: ipse vero (scl. the archbishop) a proprio synodo creatur et in ipsis provinciis et subjectis locum obtineat sedis apostolicae Romanae secundum ea quae a sancto papa Vigilio constituta sunt.

69 CA 88.337–338.

70 Liberatus, Breviarium 21, p. 136, 147, 7–10.

71 The cities were conquered on December 31, 535: Wolfram 1985, 582.

72 They included, from time to time, Theodatus’ willingness to hand over parts of Italy and large sums from his personal funds to the Eastern emperor (Wolfram 1985, 583).
to concede the legality of the transfer of Anthimus to Constantinople, and demonstrated his determination to reject any compromise on his orthodoxy.\footnote{The order to return the sacred vessels, used as pawns, should be placed in the period in which the pope was still alive (before April 22, 536: \textit{LP} 59.288.4–6) and negotiations with Justinian were still open. In \textit{Var.} 12.20.2–3 (\textit{Quid non agat …? Quapropter … refundite}), the order of restitution appears as a result of the confidence that Agapet can still get a lot from the pious prince of Constantinople. \textit{Terminus ante quam} of the letter, therefore, must be considered the first half of March 536, on which dated a new agreement between Agapet and Justinian.}

Justinian, however, who was the real architect of reconciliation with the Church of the West at the same moment when he had turned his ambitions to Italy, was clearly aware of the political weight that the Church might exercise if hostile to the Empire: having sent the pope a copy of the letter that in 533 had satisfied the doctrinal demands of John II, and after exiling Anthimus and accepting the consecration of Menas by Agapet, he finally obtained papal approval.

However, the terms under which these long negotiations between pope and emperor were conducted can be read between the lines of the letter, which the pope wrote to Justinian on 18 March 536. He welcomed and praised the imperial profession of faith not because he admitted any \textit{auctoritas praedicationis} by a layman, but because the text validated the zeal of the emperor in expressing a belief that was fully consistent with the rules of the Fathers.\footnote{\textit{CA} 91.343.13–18.} Agapet was the son of a priest, who was assassinated in 502 for his devotion to pope Symmachus,\footnote{\textit{LP} 53.261.4–5. Cf. \textit{PChBE} 2.1.45–46.} but he also had lit a bonfire in the middle of the church shortly after being elected, in order to destroy the anathema launched against Dioscoros by Boniface II, and to rally all the Roman clergy around its bishop.\footnote{The dramatic gesture is appreciated by \textit{LP} 59.287.2–4, the only source on the event.} He was probably aware of the real purposes of Theodatus in urging him to go to Constantinople, but since the king’s intent would match the need of the pope to hold the doctrinal autonomy of the Petrine see and reassert papal jurisdiction over the Empire, that mission to the East should be understood rather as a strategy agreed by pope and Ostrogoth king.

The new agreement between Empire and Church was eventually achieved at the expense of Theodatus, and influenced the Gothic king no less than the first successes of Mundo and the departure of Belisarius to Africa, where the troops of Carthage had rebelled. It was not by chance that Theodatus was forced to go in the offensive after Easter 536, that is, after the restoration of relations between Justinian and Agapet. Forgetting the generous offers he and his wife had made to Justinian, Theodatus even imprisoned the ambassadors of Byzantium; when news came of Agapet’s death, he imposed on the Roman
clergy Silverius as new pope, a candidate of his own choice. He was evidently convinced that through the son of pope Hormisdas he could still get the support of the Catholic clergy and the aristocracy of the West, a support which, actually, only Theodatus’ repeated military setbacks eroded beyond repair.

The ‘primacy of the Apostolic See’ was a politically active doctrine: it benefited the pope no less than the government of the Western Empire, since it could help both of them to maintain an important political function of Rome in the face of the Western part of the Empire breaking up and in the face of the over-powering importance of Constantinople and its emperor. The political significance of the doctrine of the ‘supremacy of the Apostolic See’ was clear to Theodoric, who took advantage of the Acacian schism and became a champion of the Church of Rome and its bishop for almost the entire duration of his reign. But the strategic agreement between the bishop of Rome and the Ostrogothic king remained a key point of the international political balance also for the successors of Theodoric. They guaranteed to the Apostolic See jurisdictional privileges for moral and political control over the other ecclesiastical sees: these privileges gave concrete substance to the claims of doctrinal primacy of the bishop of Rome (Var. 8.24; 9.15 and 16). Despite a different picture the Catholic sources drew upon – since after the end of the Ostrogothic government they sought to dissociate the activity of the popes from the purposes of the last Ostrogoth kings – Theodatus, too, worked towards the same aims. Var. 12.20, in particular, must be read against the same context of good relations between the Roman See and Ravenna’s government: around the end of October 535, the mission of Pope Agapet at the Court of Justinian sprang from an agreement between the pope and Theodatus in an attempt to preserve in Italy an Ostrogothic government that was relatively independent of Byzantium.

Bibliography

Banfi, Antonio (2005), Habent illi iudices suos. Studi sull’esclusività della giurisdizione ecclesiastica e sulle origini del privilegium fori in diritto romano e bizantino, Milan.
Barnish, Samuel J.B. (1992), The Variae of Magnus Aurelius Cassiodorus Senator, the Right Honourable and Illustrious Ex-Quaestor of the Palace, Ex-Ordinary Consul, Ex-Master of the Offices, Praetorian Prefect and Patrician: being Documents of the Kingdom of the Ostrogoths in Italy, chosen and illustrate the Life of the Author of the History of his Family. Translated with Notes and Introduction, Liverpool.

77 Sotinel 2000, 508–512.
Bertolini, Ottorino (1941), *Roma di fronte a Bisanzio e ai Longobardi*, Rome.


Lane Poole, Reginald (1915), *Lectures on the History of the Papal Chancery down to the Time of Innocent III*, Cambridge.


Magi, Luigi (1972), *La Sede Romana nella corrispondenza degli imperatori e patriarchi bizantini (VI-VII secolo)*, Rome/Louvain.


Moorhead, John (1992), Theodoric in Italy, Oxford.
Morin, Germain (ed.) (1942), Sancti Caesarii Episcopi Arelatensis, Opera omnia, II, Maretioli.
Rapp, Claudia (2005), Holy Bishops in Late Antiquity. The Nature of Christian Leadership in an Age of Transition, Berkeley/Los Angeles/London.
Wessel, Susan (2008), Leo the Great and the Spiritual Rebuilding of a Universal Rome, Leiden/Boston.