

3 Authenticity and authority

The case for dismantling a dubious correlation

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The notion that textual authority derives from the identity of the author is so commonplace that we have forgotten a time where any other paradigm reigned.¹ A text-critical understanding, or in the words of Hindy Najman, *retrospective approach* to authorizing forces has led historians to conclude that “had [person] known that [text] was a forgery, s/he would not have held the text to be authoritative.”² That is, scholars tend to understand late ancient authors as the originator of a tradition, and in that position as originator, the possessor and dispenser of authority. The connection between authorship of a text and its source of authority appears natural.

This understanding of the nexus of authorship and authority has merits both in its continuity with modern conceptions and in its apparent demonstration in discussions surrounding the formation of a New Testament canon in the second and third centuries. In these debates our modernist intuitions and prejudices find an unexpected mirror, and we are able to bridge the gap of nearly two millennia by seeing a bit of ourselves in the faces of our late ancient forbearers. It appears that we and they both understand that the dual binaries of authoritative/unauthoritative and authentic/inauthentic map on to one another with relative fidelity and predictability, and that ancient readers likewise understand that successful demonstration of inauthenticity corresponds to an automatic abrogation of a text’s authority. But seeing a mirror in the past should always cause discomfort on the part of the historian, and our data present good reason to mistrust this modernizing intuition.

This chapter considers two divergent streams of tradition, both of which confound a simple correlation between textual authenticity and authority. First I explore *acta* (“proceedings”) from the Council of Chalcedon – a corpus of texts that attained the highest form of authority in the Theodosian Empire, but that were known by their transmitters and receivers alike to be forged. I then move on to consider briefly the Abgar tradition – a set of documents considered undoubtedly authentic by Eusebius, but that he did not consider to be authoritative in any way. Eusebius thought that the Abgar documents were authored by Jesus, but they did not thereby inherit his authority.

These two traditions suggest a disconnect between the scholarly concepts of textual authenticity and authority in Late Antiquity, and demonstrate that neither one can be used as an explanatory device for the other; we cannot argue that

conciliar *acta* continued to be transmitted throughout late antiquity because they were authentic – they were not, at least according to their Orthodox users. Nor can we explain the transmission of the Abgar tradition by tradents like Eusebius because he thought that the authorship of the text confirmed its authority – he did not. The successful demonstration of one criterion – authenticity *or* authority – cannot be assumed to imply the other.

I argue that these examples are not aberrations, or the “exceptions that prove the rule,” but rather that they point to a misunderstanding by historians of Late Antiquity regarding the nature of both authorship and authority during the period. This chapter will reevaluate these concepts as evidenced in the visible, extant reading practices of late ancient interpreters. I hope that this study serves to denaturalize the concept of authorship, and spurs renewed investigation into the place of authorship and the formation of authoritative canons in the late ancient world.

“*Acta conciliorum non leguntur.*”³

Proceedings (*acta*) that survive from the so-called “ecumenical councils”⁴ of the fifth, and sixth centuries paint a colorful picture of late antique negotiation of authority, one wonderfully foreign to our own in which the nexus correlating the dual binaries of authoritative/unauthoritative and authentic/inauthentic are broken. In the case of the Council of Chalcedon, the collection’s layered structure presents us with a rare opportunity to watch the negotiation of textual authority first-hand, as the texts form a crucible in which historians may test assumptions about notions of both authenticity and authority. These documents’ peculiar structure allow scholars to look over the shoulders of bishops in the text as they interact with documents that are undoubtedly authoritative, but just as securely known to be doctored, edited, forged.

I argue that conciliar *acta* demonstrate two competing modes of reading arising in the space between the expectations and the reality of documents with which the actors in the text interact. On the one hand, we are able to see in successive layers of the Proceedings of Chalcedon a form of resistive reading – an institutionalized mistrust in the integrity of physical documents and the invisible processes behind their production and authorization. On the other hand, we find an equally potent submission to authorized corpora as incontrovertible witnesses to truth. These two reading strategies find voice within the text of the *acta* of Chalcedon themselves, and form a discursive equilibrium that confounds models of Late Antique authority which rely on categories like forgery and editorial intervention. The acts of the council of Chalcedon were unmistakably authoritative, and unquestionably doctored. It is this seeming contradiction that I explore below.

Reading councils

What the designation “labyrinthine” lacks in diplomacy it makes up for in aptitude when characterizing the structure of the Proceedings of Chalcedon. Within the account of the Council’s first session lies a cascade of clearly delineated textual

layers in which *acta* from successively older councils are read out, recorded, and reacted to, all within the text itself. These are not user-friendly documents, and the account of Chalcedon's first session is among the most abstruse. The *acta* of Chalcedon (451) begin with a pronouncement that *acta* from the first session of Ephesus II (449) be read before the assembly and entered into the conciliar record.⁵ This practice appears to have been relatively common in late antique episcopal councils; in the *acta* from the first session of Ephesus II (which are embedded in the first session of Chalcedon) we find a call to read the acts of the preceding synod: Constantinople (448).⁶ Likewise within the acts of the Synod of Constantinople (448) is a request to read a letter of Cyril embedded within the acts of a previous council, Ephesus I (431).⁷ At an assembly where each council reads out and copies down in their records the proceedings of the first session of the previous meeting, multiple, successive layers are embedded within a single document. We are left with what amounts to a textual nesting doll. It is for this reason that the acts of Chalcedon contain copious information about the proceedings of previous councils and, more important for my purpose, information about the way that these documents were read and interpreted in antiquity.⁸

Reading *acta*

The Council of Chalcedon was convened chiefly to deal with the strife caused by the Second Council of Ephesus (449) and to censure Dioscorus for his part leading it. The first pronouncement at Chalcedon was a call to reading. It is intriguing that Eusebius and Dioscorus, arbitrating opposing sides of a dispute, both look to the same corpus and the same documents for justification. They call for the reading of conciliar *acta* because they think that in them they will find the truth. The truth, it turns out, is more slippery than either Eusebius or Dioscorus expect.

[DIOSCORUS]: “Regarding the proceedings relating to Flavian, then bishop of the holy church of Constantinople, minutes were taken at the holy council (*hupomnēmata eisi pepragmena en tēi agiai sunodō*), and I ask that they be read.”

EUSEBIUS THE MOST DEVOUT BISHOP OF DORYLAEUM SAID: “We too make the same request.”

THE MOST GLORIOUS OFFICIALS AND THE EXTRAORDINARY ASSEMBLY SAID: “Let everything relating to this affair be read in proper order. . . .”

CONSTANTINE, ACTING AS SECRETARY, OFFERED IN RESPONSE: “I have at hand the various divine letters (*ta theia grammata*) concerning the recent council, and I shall read them.” (*ACO* 2.1.1.18–23 [p.67])

The near-constant attendance to documents from previous councils indicates something about what the *acta*, these so-called “divine letters,” are thought to be, and how the editor of the proceedings of Chalcedon understands the authority of the documents in his traditional past.⁹ This opening scene in the conciliar proceedings evokes as strongly as any the extent to which doctrinal disputes had

undergone a “revolution . . . [that] heralded a new order of books” in the Theodosian age, and it suggests the presence of another step in the process, whereby conciliar *acta* themselves received a patina of patristic authority in the same way that Athanasius’s writings became theologically dispositive in the late fourth century.¹⁰

From the standpoint of characters narrated within the proceedings of Chalcedon, *acta* from previous councils are assumed to be verbatim transcripts of the council from which they stem. This attitude is not evidenced in the *acta* from Chalcedon only, but also in the proceedings from Ephesus II, where Quintillius of Heraclea requests that the *acta* of the preceding meeting (the Synod of Constantinople) be read, claiming that “it is fitting that the proceedings in renowned Constantinople be read to the holy council to give fuller information about the hearing.”¹¹ Another bishop declares “the reading of the proceedings at Constantinople about this case is necessary, for this will give accurate knowledge of the matters raised there.”¹²

Contemporary scholars approaching the proceedings of Chalcedon almost unanimously mirror the expectation of these bishops, expecting that the *acta* comprise something akin to verbatim transcripts of the proceedings. Conciliar *acta* hold pride of place by positivist historians, being possibly as close as a source can come to relating “history as it was.”¹³ Should the aforementioned suggestions by bishops within the text to remain uncomplicated by further revelations, the suggestion that conciliar proceedings comprise “verbatim transcripts” might be defensible. But the situation is quite a bit more intriguing than what even a reading with the grain will allow. While bishops within the text of the acts of Chalcedon are seen reading previous *acta* and expecting to receive an unimpeachable window into the events of the past, Chalcedon’s *acta* themselves confound this expectation.

The unreliability of proceedings

The first crack in the unimpeachable authenticity of *acta* comes from the mouth of Dioscorus, who responds to the reading of documents from the Second Council of Ephesus that he has been unfairly charged.

[DIOSCORUS]: “Your clemency has heard that our divine emperor did not entrust judgment to me alone, but also gave responsibility for the council to the most god fearing Bishop Juvenal and the most sacred Bishop Thalassius. Therefore, we pronounced judgment accordingly. The whole council gave its assent. (*Hēmeis toinun ekrinamen ta kekrimena. Sunēinesen hemin pasa hē sunodos.*)” (ACO 2.1.1.53 [p. 75])

In this case, Dioscorus has appropriated the authority of the acts in attempting to constrain the extent of his personal responsibility. The next crack in the integrity of the acts comes with the choral response in which the “most devout Eastern bishops” (part of the party opposing Dioscorus) proclaim in unison that, while the acts from Ephesus II *do* contain an accurate account of the events of 449, they nevertheless should not be considered binding. The documents, they claim, were

signed under duress, and thus the account bears the authoritative weight of tradition in a technical sense, but cannot be considered binding on the basis of external, extenuating circumstances.¹⁴ “God is witness,” offers Stephen of Ephesus in support of the Eastern bishops, “it all took place by force and constraint. God is witness, we signed the condemnation of the blessed Flavian unwillingly.”¹⁵ This passage illustrates a situation in which *acta* are found to hold a negotiated authority that can be countermanded based on particular mitigating circumstances, and which confounds the expectation of bishops within the text (and readers without) that the acts provide an “accurate account.” Readers learn that the account is “accurate,” but it does not comprise sufficient information upon which to base a claim of culpability.

No single pronouncement from the Council of Chalcedon may be more illustrative of the authority afforded to the proceedings of previous councils than the interjection of Aëtius, Archbishop of Constantinople, and his cohort of bishops during the reading of documents from Ephesus II. Here, the *acta* report that a letter from Archbishop Leo (the so-called “Tome of Leo”) had been received and read out before the assembly and that the document had been entered into the *acta* on the request of Juvenal of Jerusalem. During the reading of this section of the *acta*, Aëtius yells out:

“The letter of the most sacred Archbishop Leo was neither received nor read!”

THE MOST DEVOUT EASTERN BISHOPS AND THOSE WITH THEM EXCLAIMED:
 “The letter was not read to us. If it had been read, all would have been included [in the minutes] (*Ouk anegnōsthē hemin hē epistolē. Ei anegnōsthē, pantōs kai empheretai*).” (ACO 2.1.1.87–88 [p. 83])

We see here that even after the authenticity of the document before them has been repeatedly questioned, Aëtius of Constantinople and his partisans nevertheless expect that if an event occurred, it will *necessarily* be included in the account of the proceedings. Their conviction in this regard appears impervious to the scourge of evidence to the contrary. Later in the first session, these initial cracks in authority of previous *acta* widen, and the place of the documents which came down through tradition as unimpeachable arbiters of truth falls apart in spectacular fashion in the presence of accusations about scribal and editorial malfeasance. Before this investigation, however, it will prove useful to take a closer look at one particularly salient literary device used by the editors of the proceedings of Chalcedon while producing the document passed down through tradition – the fabrication of a chorus.

The chorus at Chalcedon

Surprisingly little work has been carried out on the presence of a chorus within the proceedings of the Council of Chalcedon, let alone on the narrative and political utility of this ever-present group. It is often assumed in scholarship on the

proceedings from Chalcedon that the group of “Eastern bishops” likely reflects a group of less well-known clergy who concurred at the council and were added into the proceedings speaking with one voice, and this suggestion does have its merits. I am interested, however, in the way that the chorus of Eastern bishops complicates the demonstrable readerly expectation, on the part of the bishops in the text, that proceedings constitute something like a verbatim transcript of the council. Consider the text in note 14, for example, where the “most devout Eastern bishops” shout in unison a relatively lengthy pronouncement concerning duress at Ephesus II. Is the reader to expect that some nondescript group *actually* said what they are cited for in the proceedings? Or is something more complicated happening in this text – some sort of literary fashioning? Is it possible that the editor of the document shows his or her hand in the invocation of a chorus?

The chorus of “the most devout Eastern bishops,” a group never explicitly identified otherwise, functions at Chalcedon to do the work of justification. The voice of the masses is added to that of individual, named bishops in support or in defiance of the statements of others. The chorus is shown resisting the authority of the acts of Ephesus II (*ACO* 2.1.1.53–59 [p. 75]), representing the undifferentiated Orthodox masses in counterbalance with a hoard of “heretics” (62–63 [p. 76]),¹⁶ interjecting during the reading of *acta* to clarify events (69 [p. 77]), interjecting during the reading of *acta* to complain about seating arrangements (71 [p. 77]), insisting on the verbatim authority of *acta* (1.88 [p. 83]), charging that the *acta* contain forgery (121 [p. 87], 496 [p. 140], 530 [p. 143]), enforcing Nicaean standards of Orthodoxy against heretics (161 [p. 91], 162 [p. 91], 250 [p. 111], 252 [p. 111], 254 [p. 111], 262 [p. 112]), and adding their voice to the weight of anathema (171 [p. 93], 257 [p. 111], 530 [p. 143], 965 [p.191–2]). Often the chorus is invoked many times in quick succession, proclaiming the will of the undifferentiated Orthodox and adding to dramatic tension within the narrative, as in 1.32 (p.88) “Drive out the murderers!,” followed by a pronouncement in 1.36 (p. 88) concerning Theodoret, “He is worthy! He is worthy!,” followed by “Admit the orthodox one to the council! Drive out the troublemakers! Drive out the murderers!” in 1.38, and shortly after, “Drive out Dioscorus the murderer!” in 1.40 (p. 88).

The presence of a chorus of “most devout Eastern bishops” necessarily complicates any reading of the proceedings of Chalcedon, and offers insight into the hand of the editor of this collection of documents, an editor who found the use of this literary trope – whether reflective of events at the council or pure literary fiction – in authorizing the pronouncements of the council in the eyes of the clerical “masses.” It is unfortunate that any significant information is lacking regarding the editorial process by which *hupomnēmata/monumenta* (“notes/minutes,” “records”) became *acta* (“proceedings”) in a formal sense. Evidence for this process must be sought in the gaps, including in that space opened by the presence of such a transparently literary device as the chorus. For instance, it is only in passing, during an accusation of violence, that we learn that at least some notaries took down minutes on wax tablets that were prone to erasure.¹⁷ It is further only due to conflict that Dioscorus admits that another bishop asked his notary to alter the bishop’s own statement before the notes were dispatched to be collated into official record. (*ACO* 2.1.1.854 [p. 179–80])

There is one scene, however, from the first session of Constantinople (449), in which the process by which notes are edited into *acta* is discussed. The *acta* from this session are replete with scenes of contention, as one side or another disputes the validity of the documents before the assembly. The session in question sees a group of bishops claiming that an anathematization recorded as having come from the entirety of the assembly did not happen in any wise – at least the complainants had not added their voice to a condemnation that was recorded in the *acta* as having been made unanimously. Aëtius, a deacon at Constantinople and the official *notarius* of the meeting in 449, responds with a revelation:

It often happens at these most holy gatherings that one of the most God-beloved bishops present says something, and what one man says is recorded and counted *as if everyone had pronounced it together* (to para tou henos legomenon hōs para pantōn homou ekphōnoumenon). . . . So if it now turns out that one or two spoke, as the most God-beloved bishops have testified and expressed agreement, and the most holy clergy then added their acclamations, we ask that this statement not be erased or deleted from the proceedings, since all the most holy bishops manifestly signed it.

(ACO 2.1.1.767 [p. 170–1], emphasis mine)

It is due to the contentious nature of these meetings that we have access to such an admission by the editor (in this case Aëtius, the functionary tasked with oversight of the documentary process) that statements have indeed been altered to reflect the feel of the meeting and not its verbatim procedure. We know that the chorus is a literary invention in part because, at least here, the document itself admits it.¹⁸

The hand of the editor

Thomas Graumann’s “‘Reading’ the First Council of Ephesus (431)” is to be commended for taking note of editorial incursions into the text of the acts of Ephesus I and their attendant political motivations, suggesting that the *acta* as such “were deftly used to construct a case.”¹⁹ Graumann takes cues from the structure of the *acta* to suggest that the proceedings themselves are productive of a particular political reality. But the content of Chalcedon’s *acta* as well offer readers a glimpse of the editorial process by which notes were transformed into authoritative documents. The narration of the editorial process within the proceedings themselves complicates the authority of the text-as-transcript, and serves to authorize resistive readings of, and within, the *acta*.

During the reading of documents from Ephesus II, the Eastern bishops at Chalcedon interject with a startling charge of editorial forgery, (“We didn’t say this. Who said this?”) prompting an investigation into the creation of the documents at hand.²⁰ This crucial moment occurs on the heels of the choral objection concerning the text of the proceedings, at a point where the *acta*’s editor shows his or her hand and gives the reader a front row view into the material production of the document. In addition to offering a fortuitous window on the production of *acta*,

the choral objection vividly illustrates the tension between readerly expectation and reality regarding conciliar *acta*.

THEODORE THE MOST DEVOUT BISHOP OF CLAUDIOPOLIS SAID: “Let him bring in his notaries, for he expelled everyone else’s notaries and got his own to do the writing. Let the notaries come and say if this was written or read in our presence, and if anyone acknowledged and signed it.”

THE MOST GLORIOUS OFFICIALS AND THE EXTRAORDINARY ASSEMBLY SAID: “In whose hand are the minutes written? (*ta hupomnēmata tinos cheiri gegraptai;*)”

DIOSCORUS THE MOST DEVOUT BISHOP OF ALEXANDRIA SAID: “Each one wrote through his own notaries. Mine recorded my [statements], those of the most reverent Bishop Juvenal recorded his, those of the most reverent Bishop Thalassius recorded his, while the other most devout bishops had many notaries keeping record. Thus, the text is not the work of my notaries; each has his own (*houtos ouk estin tōn emōn notariōn to gramma. hekastos echei ton idion.*)” (ACO 2.1.1.122–124 [p. 87])

To a modern reader, this admission of the particularities of the production of *acta* is jarring, to say the least.²¹ The *acta* record discussion surrounding the notes (*ta hupomnēmata*) which serve as basis for the document, along with a correlating discussion of the final product: the documents brought before the council, likely provided by the imperial legate. But the work of the editor, standing between the notes that left the previous meeting and the *acta* which arrived at the next, is to be understood.²² There is a disconnect between the notes of each bishop, who had only their own statements taken down, and the final, imperially authorized document whose authority is here under attack.²³ Correspondence attendant to the council of Ephesus II reveals that the *acta* were dispatched to the emperor approximately ten days after the council ended, leaving time for the editor and his team to compile the official dossier – including the compilation of minutes from each bishop or group’s notary, insertion of full length documents of which only parts were read, the manufacture of a consistent choral voice from the interjections of various groups, and the condensation of more theologically fraught sessions into rather more univocal pronouncements of Orthodox belief.²⁴ The hand of the editor is visible in the blank space between the notes that each bishop had taken of their own statements alone, and the final, authorized product recognized by the imperial administration and read at the opening session of Chalcedon.²⁵ The hand of the editor is accused here of being careless at best, and at worst, malicious.

The unreliability of proceedings

If the bloom were not yet off the rose for bishops (and scholars) wanting to view the *acta* of previous councils as verbatim transcriptions of past events, the Bishop Basil’s accusation of forgery *within* the proceedings themselves appears to pull the last petal.

DIOSCORUS THE MOST DEVOUT BISHOP OF ALEXANDRIA SAID: “The most reverent Bishop Basil attacked his own statement in the minutes when he said, ‘I didn’t say that; it is counterfeited (*houtōs oukeipon, alla eplastographēthē*).’” (ACO 2.1.1.168 [p. 92])

Similarly during the council of Ephesus II, Basil of Seleucia rose to declare forgery in the proceedings which made him appear to be a heretic.

[BASIL]: “This statement that they say I made I did not make in these words. I am not aware of having said this; . . .

JUVENAL BISHOP OF JERUSALEM SAID: “Then was your statement forged?” (*hautē oun ē phōnē parapepoiētai*;))

BASIL BISHOP OF SELEUCIA SAID: “I have neither memory nor knowledge of having made it.” (*ou memnēmai oude oida eirēkōs*.) (ACO 2.1.1.546–548 [p. 144–5])

Apparent in every concatenated layer of the acts issued from the Council of Chalcedon is a confusion on the part of bishops between what *acta* are expected to be – verbatim transcripts – and the reality of the documents before them. Particularly interesting about these passages is that forgery and editorial malfeasance is admitted to have been an issue as far back as *acta* survive, and yet, paradoxically, the authority of these documents remained intact. Acts were still relied upon within the tension of their own faulty transmission history. This aspect alone suggests that modern conceptions of authority and authenticity can do no justice to the late ancient discourse engaged here. As has been demonstrated, characters narrated within the acts who initially hold the text in high regard are more than willing to resist readings of the text which they find to be erroneous – sometimes the only error being that the reading suggests heresy, postpositively defined.²⁶ The text itself confounded readerly expectations, and yet the text remained as an authority and as a primary site of contestation.²⁷

Resistive readings and an institutionalized suspicion of documents

Two forms of the negotiation of documentary authority are visible in the proceedings from the Council of Chalcedon, fortuitously displayed in detailed relief on account of the multiple levels of reading and the layering of documents. One form demands assent to the text handed down by tradition as the authorized source of truth. The other privileges readings that challenge the text of authorized documents while submitting to the authority that they convey. Both of these reading strategies engage a set of documents in a manner that requires readers methodologically to decouple the concept authority from both authorship and authenticity.

Many actors in these texts offer what I have called *resistive readings*: bishops within the text interact with a set of documents that they accept as the authorized arbiter of truth regarding the proceedings of previous councils, but these characters nevertheless dispute details of the account through charges of editorial

malfeasance and forgery. This mode of interaction in particular points to an institutionalized suspicion of the integrity of conciliar documents in the Theodosian age, and mirrors a contemporaneous institutionalized suspicion of legal documents from the same time-period evidenced in the Theodosian Code. Consider, for instance the *Law of Citations* (*CTh* 1.4.3), part of an *oratio* of Valentinian III and Theodosius II confirming the writings of Papinian, Paulus, Gaius, Ulpian, and Modestinus as of equal stature with each other and with a selection of previous jurists (Sabinus, Marcellus, etc.). Before receiving official legal sanction, however, the law requires that each author's text be confirmed by way of a new collation of manuscripts, "on account of the uncertainty of antiquity (*propter antiquitatis incertum*)."²⁸ The *Theodosian Code*, promulgated first in the East and then in the West in 438, here demonstrates a concern for transmission of the texts of previous jurists in a manner strikingly reminiscent of the concerns evidenced in *acta* of Chalcedon, a text which comprises documents from the period 431 to 451, and arises, as well, out of the court of Theodosius II. It is precisely the Theodosian age that witnesses both the institutionalization of a new order of books – that of legally and theologically binding compilations – and to a concomitant institutionalization of suspicion of documents. In other words, Mark Vessey's seminal insight regarding Theodosian-era theological books extends to the *acta* of contemporaneous councils and the collation of contemporaneous law codes as well:

The moral is easily drawn. In the unwritten handbook of Theodosian patristic retraction, the part dealing with the writer's duty of discovery should have contained a section devoted to archival security, beginning with an instruction never to lend theological books.²⁹

Resistive readings manifested in the *acta*, however, are carried out in a way which does not constitute a degradation of the authority of the document in question. The resistive readings offered by bishops within the *acta* demonstrate a nuanced manner of interacting with text under the guise of traditional authority that must force the scholarly discussion of forgery beyond ethically loaded binaries which equate charges of pseudepigraphy and textual corruption with an immediate abrogation of authority. Texts like the proceedings of councils could contain forgery and corruption and still carry the weight of traditional authority, at least within the elite Orthodox community responsible for the documents. The effect of episcopal disputes over reading at councils may, in fact, bolster the authority of tradition, because the authority of particular texts is affirmed only in the context of authorized readings that are carried out under the guise of tradition. For these late ancient bishops, texts are authoritative because tradition deems them so, not because of the purity of their transmission or the unimpeachability of their content. I find a correlating attitude in the text of Eusebius, below, who also considers authenticity to be an insufficient criterion to impart authority to a text.

Thus, *acta* must not be understood either as verbatim transcriptions of the councils themselves or as self-effacing to an extent that those within the tradition would disavow their authority. The proceedings of Chalcedon, and those which

came before, negotiate a disconnect between the authority of documents and the authority of tradition. The *acta* explore a complex relationship between actor and document which rejects the very words of the document while assenting to its authority, an authority displayed both in the reception history of the various collections of *acta*, and in the reception of previous conciliar documents within the *acta* of Chalcedon themselves.

These two competing but complementary reading strategies, whereby the authority of a collection as it stands is asserted in the face of resistive readings of the collection, have a rich afterlife in the wake of the Council of Chalcedon. They are most visible in the reception of the *acta* of Chalcedon before the Council of Constantinople, held in 553 and discussed briefly as follows. These two strategies together (resistive readings and traditional assent) formed a politically expedient discursive equilibrium among Orthodox power brokers of the Theodosian age, one plastic enough to fit any mold necessitated by political or theological exigencies of the day. It is to this phenomenon that I now turn.

Another layer of reading: Chalcedon at Constantinople

Nearly a century after the close of proceedings at Chalcedon, just across the Bosphorus in Constantinople, a reading of Chalcedon's *acta* incited an impassioned debate. The two sides of this debate demonstrate the continuity of opposing reading strategies discussed previously. Justinian I's first edict "against the Three Chapters," published in 544 or 545, raised the ire of the deacon Ferrandus of Carthage, a well-respected theological mind of his day. The deacon was concerned that Justinian discounted some documents included in the dossier of material stemming from the Council of Chalcedon. Ferrandus complains, "If there is disapproval of any part of the Council of Chalcedon, the approval of the whole is in danger of becoming disapproval."³⁰ And further

But the whole Council of Chalcedon, since the whole of it is the Council of Chalcedon, is true; no part of it is open to criticism. Whatever we know to have been uttered, transacted, decreed and confirmed there was worked by the ineffable and secret power of the Holy Spirit.³¹

His case against the edict of the emperor hinges on a statement of authority to which even Justinian must accede:

I have to say: if the decrees of the Council of Chalcedon are to be revised, let us take thought for the Synod of Nicaea, lest it incur the same danger. General councils, particularly those that have gained the assent of the Roman church, hold a place of authority second only to the canonical books. (*Universalia concilia, praecipue illa quibus Ecclesiae Romanae consensus accessit, secundae auctoritatis locum post canonicos libros tenent.*) Readers of the divinely inspired scripture are not permitted to criticize anything, however much they misunderstand the sublimity of the heavenly oracle, but the

pious reader believes even what he does not understand, in order that he may deserve to understand what he believes: likewise, in entirely the same way and not otherwise, the councils that antiquity confirmed and devout posterity has preserved demand obedience from us and leave no need for doubt.³²

Ferrandus commends a blind reading of the *acta* “with the grain” as the only Orthodox mode of interacting with these fraught materials. By way of response, the emperor Justinian insists that such a position is not just problematic, he claims that it is utter nonsense.

For they claim that the impious letter [the “Three Chapters”] ought not to be subjected to criticism because it is included in some documents. But if one were to accept this according to their folly, it would be necessary to accept Nestorius and Eutyches, since much about them as well is included in conciliar proceedings. But no one in their right mind will attend to these claims of theirs! For information about heretics that is cited at councils and becomes part of the minutes (*meros tōn hupomnēmatōn ginomena*) is accepted not to absolve them but to convict them, and for the stronger condemnation of both of them and of those who hold the same tenets as they do.³³

What we see in the literary sparring of opposing readers of the proceedings of Chalcedon is the afterlife of the two reading strategies encountered within the acts of Chalcedon themselves. Ferrandus’s insistence on the verbatim authority of the documents passed down by tradition being second only to that of scripture reflects the insistence of bishops within the *acta* that the proceedings from previous councils bear the weight of traditional authority, while Justinian’s defense reflects the readers within the very same text which resist blanket assent to the documents passed down. This tension, between assent and dissent, forms the backbone of both the *acta* of Chalcedon as well as the *acta* of Constantinople (553): a council which took place nearly 100 years later and was concerned chiefly with reading the proceedings of Chalcedon. The durability of this debate demonstrates that we cannot so easily suggest that pseudepigraphy, or the uncovering of pseudepigraphy within late antique traditions, deemed their authority lost.

I turn now briefly to a popular fourth and fifth century tradition with nearly opposite credentials: a letter from Jesus to King Abgar V of Edessa. Eusebius and others claim that this letter is undoubtedly authentic, but that it nevertheless is not authoritative in any meaningful sense.

Christos epistolographos

Eusebius of Caesarea closes out the first book of his *Ecclesiastical History* with a set of curious documents that he claims to have received from the state archive in Edessa, a guarantor of its authenticity.³⁴ The text, for which he offers a “not invaluable, word-for-word translation from the Syriac” original, contains first a letter from King Abgar V to Jesus of Nazareth requesting that he come to Edessa and

attend to the ailing king.³⁵ The second document is a letter of reply written by Jesus to Abgar, commending the king for his faith and promising to send an apostle to Edessa as a reward. This fourth century attestation is the first extant for the Abgar tradition, and in Eusebius's *History* it receives little by way of comment. But the brief discussion Eusebius does offer have two clear implications. First, Eusebius goes out of his way to assure his reader that the letters he has presented are authentic Jesus material in the utmost sense – they had come from the state archive in Edessa, and received a translation into Greek of the highest quality.³⁶ The second clear effect of Eusebius's presentation of the Abgar tradition is that while he considers the text to be authentic Jesus material, it is decidedly *not* Scripture.³⁷

The beginning of Eusebius's second book of the *History* returns to Jesus's letter to Abgar, and the promised sending of an apostle to Edessa. The discussion is brief, and at the end Eusebius pivots quickly away, writing "So much for the history of the ancients [the Abgar tradition]. Let us return again to the divine Scripture," moving his discussion to the sending of apostles throughout Judaea and Samaria in Acts chapter 8.³⁸ It is striking that Eusebius invokes a rare phrase of strong disjunction (*metiōmen de*) to pivot from the story of Abgar and the sending of an apostle to Edessa, to the story of Stephen and the sending of apostles throughout Judaea and Samaria. While the stories that Eusebius relates on either side of this disjuncture are similar in form and content, they nevertheless each arise from corpora of a different sort, with different claims to authority.³⁹ Most intriguing here is that Eusebius explicitly contrasts Jesus's letter, which he has stressed is genuine material with official provenance, with another corpus of material, "the divine Scripture (*tēn theian graphēn*)."

This is not the only place in the *Ecclesiastical History* where Eusebius invokes different reading strategies and expectations for different corpora. He famously defined the categories of analysis he uses to describe authoritative texts in book three. Here he relegates many, though not all works known to him into four distinct categories: the *homologoumena* ("agreed upon"), the *antilegomena* ("disputed"), the *nothoi* ("bastards"), and the "not even *nothoi*" – those books not even to be reckoned among the spurious.⁴⁰ Notice that Eusebius's description of various categories of traditional text does not invoke either the term or the concept of "canon." Rather, Eusebius is engaged in defining a textual typology, each category of which invokes a different set of expectations, but none of which are coterminous with "canon." Within his discussion of the criteria for inclusion in the *homologoumena* we see a concern not only for authentically "apostolic" language (Eusebius does not argue for apostolicity, but rather for apostolic *style*), but also for a chain of attestation among "the ecclesial succession" (*tas diadochas ekklesiastikōn*) and content in keeping with "true orthodoxy" (*tēs alēthous orthodoxyias*).⁴¹ Nowhere in this oft-commented upon discussion does Eusebius invoke authenticity as an ultimate harbinger of authority. If this were the case, we could reasonably expect that the Abgar material, which Eusebius thinks undoubtedly authentic, would appear among the *homologoumena*. But it does not, because the *homologoumena* are not defined as those texts which are authentically derived from authoritative sources.

For instance, it is clear from Eusebius's discussion that Paul's letters are unquestionably authoritative – they belong to the *homologoumena*, along with a handful of other traditions. But it is not the case that the letter collection's authority relies on their authenticity (that they come from the "hand" of Paul, as it were).⁴² At least it is not their authenticity *alone* that bestows authority on Paul's letters – authenticity is but one factor that is considered in the negotiation of a text's authority, and for Eusebius it does not even appear to be the most important consideration.⁴³ The reverse, it might be added, is also true: in and of itself, the authority of a tradition does not constitute a compelling rationale for its circulation – either in the argument of Eusebius, or in that of a modern scholar.

Scholars who understand *homologoumena* as shorthand for "authentic" bias the data in favor of a strong, predictive connection between the authenticity of a text and its authority, because in Eusebius's view things that are *homologoumena* are those that are most clearly authoritative. But *homologoumena* does not mean or imply authenticity – it means something akin to "agreed upon," and Eusebius's preceding discussion of the Abgar tradition demonstrates conclusively that authenticity alone is not enough to confer authority. Nor does *antilegomena* mean "disputed," if the "dispute" is supposed to be concerning the authorship of the text in question.

By reading these two sections of Eusebius's work together, we see that he thinks neither the Abgar tradition, nor Paul's letters, were transmitted merely because they were authentic, nor because they were authoritative. Under this rubric, one should not be surprised that his discussion of text and canon includes no mention of the Abgar tradition – "agreed upon," "disputed," "bastard," or otherwise. If *homologoumena* enjoys no necessary, predictive connection with discourses of authenticity, then there is no reasonable expectation that it should be considered in the category's discussion. That is to say – we should not be surprised that there is no discussion here of Jesus's letters with King Abgar because authenticity is not at issue – authority is.

There has been a long history of ethically loading Eusebius's descriptive categories, including recently in Bart Ehrman's *Forgery and Countryforgery*. In discussing this passage, the study appears to reduce the question of canonicity (about which, strictly, Eusebius is *not* talking) solely to the question of authenticity. "At stake here is not merely whether these books should be included in the canon, but also the fundamental issue that makes the canonical decision possible: Are these books genuinely by the ascribed authors?"⁴⁴ Similarly when Ehrman discusses the inclusion of the epistle of Peter, he claims "Again it may appear that Eusebius is concerned here only with issues of canon, but in fact the question of canon for him is closely tied to the more precise question of authenticity." As proof he cites *HE* 3.3.4, a text which only bolsters the argument due to creative translation, wherein *gnēsian* is rendered as "authentic."⁴⁵ A closer read of Eusebius's language, especially in the context of his clear decoupling of authenticity from authority evidenced in his treatment of the Abgar legend, calls for a more neutral translation – perhaps "legitimate" or "true." For Eusebius, the epistle of Peter is both *gnēsios*, "considered a valid member of a family,"⁴⁶ and *homologoumenos*

“commonly agreed upon;” the two terms which are conceptually linked, and not separate criteria.⁴⁷ Eusebius just isn’t talking about the authority of a text as a factor of its authenticity. I argue that we will come to understand better Eusebius’s categories only if we decouple concepts of authority from those of authenticity in late ancient sources, and if we avoid argumentation that relies on a modern notion of the connection between the two.⁴⁸

Eusebius’s reason for including the Abgar material has been a topic of scholarly dispute for some time now, most notably by Walter Bauer.⁴⁹ We may never know *why* Eusebius decided to include the Abgar tradition in his history of the church, but the form of his presentation offers us insight into what he thinks is the status of the text. The Abgar tradition is, for Eusebius, unquestionably authentic Jesus material, but is also distinctly not “Scripture.”⁵⁰ The reason for his transmission of this material, then, cannot be because it is authoritative – he doesn’t think it is, and goes so far as to directly contrast the letter with material he finds to be definitively authoritative.⁵¹ Nor can a case be made that his transmission of the Abgar legend has an intention or effect of bolstering the authority of Eusebius as a writer, except perhaps in the vaguest manner, by demonstrating that he has gained access to state archives in the East.⁵²

Why does Eusebius transmit this tradition? Is it an antiquarian impulse: simply that he has the text, thinks it authentic, and deems it thus worth mentioning? We probably will never know. There are many other versions of the Abgar tradition extant from the fourth through the sixth centuries CE: many in Asian and Palestinian inscriptions, but many also in Egyptian papyri and in magical amulets.⁵³ It is hard to say anything final about the function of the Abgar correspondence inscriptions, but the best guess is that they serve some sort of apotropaic function. There remain extant numerous attestations of the correspondence in papyrus amulets, some of which appear to be designed to protect a space and not simply a person.⁵⁴

Not only does the Abgar correspondence evidence a tradition in Late Antiquity whose popularity appears to have nothing to do with its own authority, or with the authority of those transmitting it, it further points to the proposition that authority and authorship are not linked in any sufficiently predictive manner as to constitute a historiographically reliable datum. That is, if a tradition believed to have been written by Jesus himself is understood only under the auspices of magic or antiquarianism, and not as authoritative text in any sense – so much so that it is contrasted with Holy scriptures by Eusebius – then the correlation between what is authored and what is authoritative is, at very least, non-static from tradent to tradent.

A dissenting opinion

I hope to have demonstrated that for some tradents in Late Antiquity, the mere ascription of a name and the verification of that authenticity did not correspond to an imputation or assumption of authority. I hope also to have demonstrated that the authoritative status of a document or tradition does not, of necessity, imply that the tradition was assumed to be authentic. To take either authenticity or authority to imply the other constitutes a methodological failure, because it

cannot be assumed that the tradent in question holds to our modern notion of the connection between the two. There is, however, some precedent in the Theodosian era for an understanding of the connection between authenticity and authority that more closely aligns with the modern conception: Jerome believed that the authority or power (*auctoritas*) of the letter to Philemon resided in its “accreditation” to Paul by churches worldwide (*in toto orbe a cunctis Ecclesiis*).⁵⁵ But in making his case, Jerome argues against precisely the type of decoupling of authenticity and authority that finds voice in texts like Eusebius’s *Ecclesiastical History* and the *acta* of the Council of Chalcedon. Jerome doesn’t name his opponents, but he certainly attests their existence, and further gives voice to their conviction that some texts are undoubtedly authentic, but not authoritative. He laments that

with these and other things of this sort, they maintain either that the epistle that is written to Philemon is not Paul’s; or, if it is likewise Paul’s, that it contains nothing capable of edifying us; and that it was rejected by very many of the ancients, since it is written merely out of the duty to commend someone, not for teaching.⁵⁶

For some of Jerome’s opponents, the Letter to Philemon was assumed to be authentically Pauline, but authorship alone did not lend the text standing as an authority. Against whom could Jerome’s invective be aimed? We will almost certainly never know their names, but we can start to describe their textual world and its difference from our own when we place them alongside like-minded tradents like Eusebius and bishops reflected in proceedings from the Council of Chalcedon.

Conclusion

Scholarly discussions of composition, transmission, and canon formation have assumed a monolithic understanding of the correlation of authorship and authority from the first century through the sixth. With this chapter I have attempted to demonstrate that our intuition which links authorship, authenticity, and authority in a predictable nexus is itself a modern one, and fails to account for the textual practice of many elite Christian tradents during an age where the nature and boundaries of textual authority and canon were most boisterously in dispute. I have suggested that an institutionalized suspicion of the integrity of documents is visible not only in ecclesiastical/legal literature from the fourth and fifth centuries, but finds a correlate in contemporaneous legal enactments compiled in the Theodosian Code.

From another vantage point, I have demonstrated that the establishment of a text’s authenticity – that it really descended from the hand of an otherwise “authoritative” forbearer – did not imply that the text or tradition itself was understood by late antique tradents as authoritative. Nor should we presume that the authority of a tradition, or its source, offers a satisfying rationale for its composition or transmission throughout late antiquity. “Authority” is a strange beast, and

the concept itself has a history. We should not be surprised that the bishops we study do not live in our own textualized world. When we do, we do violence to our sources, and perhaps worse yet – we blunt the colorful complexity of tradition and transmission in Late Antiquity.

Notes

- 1 This chapter, in various instantiations, has passed through the hands of many scholars to whom I am indebted. They include Zeba Crook, Adela Collins, Stephen Davis, Greg Given, Matthew Larsen, Winrich Löhr, and Elaine Pagels.
- 2 On the “retrospective approach,” see Hindy Najman’s chapter in this book, especially pages 19–22. For this paradigm as it appears in scholarship, Ehrman’s recent discussion of authority and authenticity in Eusebius and Jerome is exemplary. “The authority of the book resides in the actual author . . . It was the contents that, in part (but only in part) helped determine whether an author actually wrote the book circulating under his name; but it was precisely the fact that he wrote the book that provided the authority for its contents” Ehrman, *Forgery and Counterforgery*, 90. Compare Speyer’s more neutral position, “Concerning the question of whether a text of John or Peter should be seen as canonical, it was not primarily the proof that John or Peter had actually written this text, but rather the proof that such a book had always been read in orthodox communities as a source of faith. Admittedly, in most cases the genuine or counterfeit apostolic pedigree, together with the orthodox contents, caused the acceptance in most orthodox communities” Speyer, *Die literarische Fälschung im heidnischen und christlichen Altertum*, 187–8. Translation mine. See also the critique by Michel Foucault, as relevant and incisive today as ever, “In literary criticism, for example, the traditional methods for defining an author – or, rather, for determining the configuration of the author from existing texts – derive in large part from those used in the Christian tradition to authenticate (or to reject) the particular texts in its possession. Modern criticism, in its desire to ‘recover’ the author from a work, employs devices strongly reminiscent of Christian exegesis when it wished to prove the value of a text by ascertaining the holiness of its author” Foucault, *Language, Counter-Memory, Practice*, 127. A genealogy of the authority and authorship nexus remains to be written, but upon initial inspection, a case could be made along Foucauldian lines that the historical and literary-critical methods utilized in the secular study of biblical and ancient Christian literature find their origins, ultimately, in the very objects of study.
- 3 Schwartz, “Die Kaiserin Pulcheria auf der Synode von Chalkedon,” 212. My interaction with, and interest in conciliar documents as a source for the writing of social history is heavily indebted to two scholars, both of whom turned their penetrating gaze to the Council of Chalcedon in 2006. MacMullen, *Voting about God*, and Millar, *A Greek Roman Empire*. Both studies, in their own way, opened a door through which this chapter tries to walk.
- 4 The term “ecumenical council” itself must not be read as a statement of ontology, but as an *ex post facto* political maneuver employed, in antiquity as today, to sublimate the pronouncements of competing councils under the guise of a particular tradition, to the exclusion of others. Were the historical victors some group other than the western “Orthodox”; Nicaea, Ephesus, Chalcedon, Constantinople, and their conciliar successors might be relegated to little more than a footnote in the production of late antique Christianity. The designation of *these* events, and *these* documents as representative of “ecumenical” Christian history is a political endeavor that might well offer scholars more information about the ideological commitments of those calling the councils “representative” than the councils illustrate history-as-it-was. The acts of the ecumenical councils do not merely witness to fourth and fifth century Orthodoxy: they produce it.

- 5 *ACO* 2.1.1.17–23 (p. 67). Ephesus II has accrued and maintained the rather ignominious moniker *latrocinium* (“robber council”) from the mid-fifth century down to the present day. References to *ACO* follow Schwartz’s edition, with occasional changes to Schwartz’s punctuation made for the sake of clarity. Translations throughout were adapted from Price and Gaddis, *The Acts of the Council of Chalcedon*.
- 6 *ACO* 2.1.1.222 (p. 99).
- 7 *ACO* 2.1.1.239 (p. 104).
- 8 The choice on the part of conciliar leaders concerning *which* documents to read, and *which* previous councils held the weight of tradition to which later councils must accede speaks to the formation of authoritative textual traditions within the Orthodox movement. We must understand the designation of *these* councils as authoritative in its politically expedient context. Ephesus II, the Synod of Constantinople, and Ephesus I were not the only councils to which the bishops at Chalcedon could have turned. Episcopal councils are known to have occurred in Sardica (343), Ariminum (359), and Seleucia (359), along with numerous meetings in Sirmium (351, 357, and 358) whose pronouncements were understood to those in attendance to be more-or-less universally binding, but nevertheless failed to be authorized as such in the eyes of later Orthodox communities. The fact that no *acta* survive from these councils cannot be brought as evidence for their marginality – no *acta* survive from the councils Constantinople I or Nicaea. There is an open question as to when legal-type documentation (*acta*) of councils began to be taken – perhaps only in the late-fourth century. In any event, the councils of Sardica, Ariminum, and others are so poorly documented precisely because the backward gaze of later Orthodoxy did not grant them space on the dais of tradition, and we should think that Ephesus II, the Synod of Constantinople, and Ephesus I would have been relegated to the very same dustbin of history if proponents in their wake did not carry out the work of authorization on their behalf. The events of the Council of Chalcedon, and the proceedings which remain as part of its documentation, produce the authority of select earlier councils even as bishops convening the council proceeded in submission to them. Chalcedon cannot be rightly said merely to uphold the accomplishments of Nicaea, because its authorizing work is in large part responsible for the primacy of Nicaea in the first place.
- 9 On the archival and retrieval of *acta* preceding Chalcedon, see Graumann, “Documents, Acts, and Archival Habits in Early Christian Church Councils.”
- 10 Vessey, “The Forging of Orthodoxy in Latin Christian Literature,” 499–500.
- 11 *ACO* 2.1.1.212 (p. 98).
- 12 Ἀναγκαία ἡ τῶν πεπραγμένων ἐν Κωνσταντινουπόλει περὶ τῆς ὑποθέσεως παύτης ἀνάγνωσις, οὕτω γὰρ ἔσται μαθεῖν ἀκριβῶς τὰ ἐκεῖ κεκνημένα. *ACO* 2.1.1.214 (p. 98).
- 13 Cf. Richard Price, “Introduction,” 1. “The Acts of the fifth century councils offer us a type of source material extremely rare in the ancient world, the verbatim transcripts of a deliberative assembly in operation. The Roman Senate, which met continuously for nearly a thousand years, has left almost no direct record of its proceedings and is known to us mainly from later sources often written several generations after the events they claim to describe” Price, “Introduction,” 1. Historians of these materials are more reserved in their understanding of the ‘accuracy’ of *acta* from the Council of Constantinople II (553), for instance, but Chalcedon holds a special place of privilege regarding assumptions about its fidelity.
- 14 “No one concurred, force was used, force with blows. We signed blank paper. We were threatened with deposition. We were threatened with exile. Soldiers with clubs and swords stood by, and we took fright at the clubs and swords. We were intimidated into signing. Where there are swords and clubs, what kind of council is it?” (*ACO* 2.1.1.54 [p. 75]) A short note on the irony of this passage: This choral objection, if indeed it was uttered in some sense at the Council of Chalcedon, would have been given in the center of a basilica swarming with Imperial guards. The Eastern Bishops’ objection

- against a council with swords was made at a council with swords, and while one must assume that the council of Ephesus II included some measure of political coercion, few scholars would propose that the Council of Chalcedon was carried out in a notably less coercive environment. The structure of the council, and not its votes per se, confirmed Dioscorus' condemnation even before the first session began.
- 15 *ACO* 2.1.1.56 (p. 75)
 - 16 “[Theodore]: ‘What could we do? They made sport of our lives. They, the heretics, all spoke with one voice. They terrified us. They said we were heretics, and we were excluded as heretics.’ The most devout Eastern bishops and those with them exclaimed: ‘We all agree. That is how it was.’”
 - 17 *ACO* 2.1.1.130 (p. 87–8), quoted in note 21.
 - 18 A similar operation is on view in Chalcedon's third session, where the various *libelli* against Dioscorus by Alexandrian clergy are being read out and inserted into the record. The first two complaints, of Theodore and Ischyrion, are introduced and concluded with a standard formula (Καὶ λαβὼν Προκόπιος διάκονος καὶ νοτάριος ἀνέγνω/*Et suscipiens Procopius lector et notarius legit; Καὶ μετὰ τὸ ἀναγνωσθῆναι αὐτὸν/*Et cum lectus esset*), and interpolated stands the full text of the complaint. *ACO* 2.1.2.51–2 and parallel. The third *libellus*, however, records both the introductory and concluding formula, but no text of the document is inserted into the record until it is *again* requested to be read just a few paragraphs later. Unless we are to believe that the same complaint was read twice, once almost immediately after the other, we have to assume that the *acta* as we have them today comprise minutes from two different scribes, and that those minutes have not been harmonized during the editorial process, leading to this visible seam in the proceedings.*
 - 19 Graumann, “‘Reading’ the First Council of Ephesus (431),” 30. He argues that editorial reworking is evident in the first session of Chalcedon on account of the acts' length, contending that “we have to expect editorial reworking of the proceedings, in this case the insertion of the fuller records of earlier meetings at an editorial stage of the preparation of the *acta*” *Ibid.*, 31.
 - 20 Ταῦτα οὐκ εἶπομεν. ταῦτα τίς εἶπεν; (*ACO* 2.1.1.121 [p. 87])
 - 21 See also this accusation, which follows the above-cited passage: “Stephen the most devout bishop of Ephesus said: ‘My own notaries, Julian who is now the most devout bishop of Lebedos and the deacon Crispinus, were keeping a record, but the notaries of the most devout Bishop Dioscorus came and erased their tablets, and almost broke their fingers in the attempt to snatch their pens. I didn't get copies of the minutes, and I don't know what happened next, but on the very day the investigation took place we signed the sheet, and the bishops who hadn't signed it did so under my guarantee on the following day.’” (*ACO* 2.1.1.130 [p. 87–8])
 - 22 Thus, the note-taking process at Chalcedon may be reconstructed with relative confidence on analogy with the council of Ephesus II, contra Amirav, who believes on analogy with Ephesus I (431), and apparently Carthage (411), that there was in place a rigorous system of documentary authentication in place at Chalcedon. What remains to be interpreted, and what is at stake in this passage, is not the mechanics of note-taking – the process is clearly laid out in the text. Rather the interesting question that remains regards the distance between the notes produced and a final authorized compilation that served as the official record. Amirav, *Authority and Performance*, 47.
 - 23 The Council of Carthage (411), by way of contrast, demonstrates the availability of at least one method of verification of conciliar documents *before* the compilation of an official record. At Chalcedon there appears to have been no such stop-gap measure in place. Cf. Shaw, “African Christianity: Disputes, Definitions, and ‘Donatists.’”
 - 24 Graumann, “‘Reading’ the First Council of Ephesus (431),” 28.
 - 25 For the tradition of imperial seals being affixed to conciliar pronouncements, see Eusebius *VC* 4.27.2.

- 26 This is especially the case at the Council of Constantinople II, held in 553 CE.
- 27 The paradox of assent to the words of conciliar *acta* as passed down, even within the knowledge of their faulty transmission history, is no more apparent than when reading Evagrius Scholasticus's retelling of the events surrounding Ephesus II (*HE* II.4), where the historian repeatedly claims to reproduce "verbatim" (ἐπι λέξεως) extracts of these very conciliar *acta* while they adjudicate accusations of forgery and editorial malfeasance.
- 28 "Si tamen eorum libri, propter antiquitatis incertum, codicum collatione firmentur." *CT* 1.4.3. The interpretation (*terminus ad quem* 506) that follows in the Breviary appears to confirm subsequent collation of juridical texts as a way of verifying their contents.
- 29 Vessey, "The Forging of Orthodoxy in Latin Christian Literature," 503. See also *ibid.*, 513. "For whatever else they demonstrate, the *De adulteratione* and related documents of fraternal rivalry between Jerome and Rufinus leave us in no doubt that the challenge of reading Origen in the Theodosian Age had given rise to a new anxiety about the integrity of the Christian doctrinal oeuvre as collaborative work of art." Emphasis original.
- 30 Ferrandus, *Epistulae* 6.3. "Si pars aliqua displicet in concilio Chalcedonensi, cum periculo displicendi totum placet." Text *PL* 67.923A. Translations of documents relating to Constantinople (553) are adapted from Price, *The Acts of the Council of Constantinople of 553*.
- 31 Ferrandus, *Epistulae* 6.3.
- 32 Ferrandus, *Epistulae* 6.7. *PL* 67.926A.
- 33 Justinian, *Edictum rectae fidei* 156.36–158.3 Text Schwartz, *Drei dogmatische Schriften Justinians*.
- 34 My reading of this passage was challenged and strengthened through a spirited back-and-forth with J. Gregory Given, whose dissenting opinion may be found in an excellent article: Given, "Utility and Variance in Late Antique Witnesses to the Abgar-Jesus Correspondence." See especially 193–7.
- 35 οὐκ εἰς ἄχρηστον πρὸς λέξιν ἐκ τῆς Σύρων μεταβληθέντα φωνῆς 1.13.22 An admittedly odd circumlocution. Text Bardy and Périchon, *Histoire ecclésiastique*. A recent discussion of the Abgar legend as it was received through the Middle Ages may be found in Skemer, *Binding Words*, 96–105.
- 36 *HE* 1.13.22. William Adler's clever attempt to "salvage Eusebius's reputation" by proposing a translation of "from the ancient records" for ἀπὸ τῶν ἀρχαίων fails on a cursory reading of the context. Eusebius explicitly claims that the letter was found in an ἀρχεῖον alongside δημοσίοις χάρταις; the sense cannot connote anything other than a public archive of the Roman style, with which Eusebius, and his readers, were well acquainted. Eusebius uses the same language, to the same end, in *HE* 5.18.9, "οἱ θέλοντες μαθεῖν τὰ κατ' αὐτὸν ἔχουσιν τὸ τῆς Ἀσίας δημόσιον ἀρχεῖον." Adler, *Christians and the Public Archive*, 936.
- 37 Here I define "scripture" minimally, as text of the type that Eusebius would consider having the possibility of being part of a canon, per his discussion in *HE* 3.25. The most common shorthand for this category of text in the *HE* is τὰ θεῖα γραφεῖα and cognates.
- 38 καὶ ταῦτα δ' ὡς ἐξ ἀρχαίων ἱστορίας εἰρήσθω· μετίωμεν δ' αὐθις ἐπὶ τὴν θεῖαν γραφήν. 2.1.8
- 39 The only other place where Eusebius uses this term in the *Ecclesiastical History* is 5.5.8, where it is employed to a similar end: forming a disjunction where Eusebius passes from corpora of different types, whose authoritative status is at odds. Thus, in book three he uses μετίωμεν δέ to pivot from the Abgar legend to material among his category of the ὁμολογουμένα, namely the Acts of the Apostles, and in book five he uses the term to pivot from a discussion of Antonine imperial and senatorial history to a discussion of apostolic succession as reported by Irenaeus and the New Testament's Pastoral Epistles.
- 40 *HE* 3.25

- 41 Compare also Augustine's own view on the source of scriptural authority (*auctoritatis Veteris et Novi Testamenti*) in his tractate *Against Faustus the Manichean*, where he claims that there is a "distinct dividing line" between that which is canonical and that which is post-canonical. The authority of canonical works, in his argument, is not conferred by virtue of authorship, but rather on account of "the succession of bishops and the honor (or: extension) of the churches [*per successiones episcoporum et propagationes Ecclesiarum*]." *Contra Faustum* 11.5, *PL* 42.249 Augustine certainly believed that the canonical scriptures held an authority unsurpassed by any subsequent productions, but that authority does not appear to rest solely or even primarily in the identity of the author, i.e., in the authenticity of the text. See also Rebillard, "A New Style of Argument in Christian Polemic," 563–6.
- 42 The very same distinction is visible in the *Law of Citations* quoted above. The *Law* provides for the formal authorization of Paul (the jurist) and Ulpian's juristic writings (again, pending re-collation due to "the uncertainty of antiquity"), but it specifically disclaims any authorization of the markup/commentary (*notae*) of Paul and Ulpian on the text of Papinian. Here, Pauline (the jurist) authorship is specifically, explicitly divorced from questions regarding Pauline authority – some pieces of his *oeuvre* carry the force of law, while some do not. The law, and its Visigothic *interpretatio*, gives no indication that Paul's authorship of the work was in doubt.
- 43 Clearly, there is much more to say on this point. It will suffice to say here, however, that the *crux interpretum* in Eusebius's discussion in *HE* 3.25 – namely, "What is the difference between the ὁμολογουμένα and the ἀντιλεγόμενα?" – may be profitably reexamined in the context of this demonstrable disconnect in Eusebius's own *History* between that which is authoritative and that which is authentic.
- 44 Ehrman, *Forgery and Counterforgery*, 89.
- 45 Ehrman has written most recently and at length about this issue, but just about any other book on issues of authority and canonicity could be critiqued for similar imprecision. Translations of the "canon debate's" other *locus classicus*, Athanasius's 39th Festal Letter, fare little better. Consider for instance David Brakke's translation of τῶν ἀληθῶν Βιβλίων as "genuine books" instead of "true books," which conflates authenticity and "truth," confuses the matter at hand in Athanasius's letter, and fails to recognize that Athanasius, had he wanted to emphasize that the books were "genuine," uses language for precisely such a distinction just a couple of lines thereafter (γενήσιον ἀδελφῶν). Brakke, *Athanasius and Asceticism*, 329. Text from Joannou, *Les canons des Pères Grecs*, 71–6.
- 46 BDAG.
- 47 Eusebius's position seems to have more in common with that of (pseudo-?)Priscillian's *Book on Faith and Apocryphal Writings* than with the position of, say Athanasius's 39th Festal Letter. See a brief discussion in Lundhaug and Jenott, *The Monastic Origins of the Nag Hammadi Codices*, 148–9, and a more extended treatments in Jacobs, "The Disorder of Books," 135–9; and Burrus, "Canonical References to Extra-Canonical 'Texts,'" 60–7.
- 48 Eusebius mobilizes these categories in book two of the *Ecclesiastical History*. Here, he refuses to class the writings of the epistles of James and Jude among the *nothoi*, as some argue on account of the fact that "few of the ancients quote" from them, on the basis of the countervailing fact that the texts are used "openly" in the majority of other communities. *HE* 2.23.24–25.
- 49 Bauer, *Orthodoxy and Heresy in Earliest Christianity*, chapter 1.
- 50 A remarkably similar understanding of the relationship between authenticity and authority is found among early Islamic sources. For instance 'Abd Allāh b. Dhakwān, in the introduction to his collection of authoritative traditions (*ḥadīth*) about the Prophet, claims "In Medina I have met one hundred people, each of whom was reliable. Traditions from them were not accepted [however], because they did not belong,

- as was said, to the *ahl al-ḥadīth* [that is: the authorized chain of transmission].” Juynboll, “Muslim’s Introduction to His Ṣaḥīḥ,” 278. For analysis, see Shahab Ahmed, *Before Orthodoxy*, 24.
- 51 Another contrasting example may be adduced here in Arrian’s notes on a lecture of Epictetus. (Epictetus, *Diatr.* [Arrian, *Epict. diss.*] *praef.* 1–8.) Here Arrian claims to be the *writer* of the text circulating, and to be responsible for its textualized form, but he nevertheless explicitly disclaims *authorship* of the text. On this curious case, see Larsen, *Gospels before the Book*.
- 52 There is, in any event, late antique precedent for suggesting the availability of an illusory document in the state archive while knowing full well that any search would come up short. Augustine did just this at the council of Carthage in 411 (rightly) expecting that his opponents, as well as adjudicating officials, would not, in fact, follow up his assertion.
- 53 The Ephesus inscription was found on a door lintel that is now housed at the Kunsthistorisches Museum in Vienna, containing both the letter of Abgar and Jesus’s reply. The text is known from a variety of sources, including: Eusebius (c. 303), an inscription on the city wall of Edessa I. Eph. Ia. 46. Inv. III 1072 (see Segal, *Edessa*, 75), a Philippi Inscription (see Picard, “Un texte nouveau de la correspondance entre Abgar d’Osroène et Jésus-Christ,” 41–69), and a number of papyri, including: P.Mich inv. 6213 (Coptic amulet 7th–9th century, folded like a letter. See Sullivan and Wilfong, “The Reply of Jesus to King Abgar,” 111–12), and P. Oxy. 65 4469. There are 12 papyri in all, in Coptic in Greek, most from the fifth and sixth centuries.
- 54 Sullivan and Wilfong, “The Reply of Jesus to King Abgar,” 115–16.
- 55 At econtrario qui germanae auctoritatis eam esse defendunt, dicunt numquam in toto orbe a cunctis Ecclesiis fuisse susceptam, nisi Pauli apostoli crederetur. *Commentaria in Epistolam ad Philemonem* 743–4. PL 26.661C.
- 56 Translation Scheck, *St. Jerome’s commentaries on Galatians, Titus, and Philemon*.

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