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Pope Silverius' Deposition and Apocryphal Revenge

The *Damnatio Vigilii**

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1. Introduction

The accession of Pope Vigilius is one of the most shocking episodes of the early medieval papacy. Soon after the Byzantine conquest of Rome in March 537, Pope Silverius was forcefully deposed: Vigilius, the ambitious papal *apocrisiarius* in Constantinople, was appointed in his stead with the support of Justinian and Theodora. This was not Vigilius' first attempt at seizing the papal throne: in 531, he had been nominated as successor by Boniface II, only to see this nomination declared invalid.¹ With Silverius driven out of office, Vigilius finally accomplished the goal he had nearly reached seven years earlier. Yet Silverius achieved an apocryphal revenge, for an eloquent, if spurious, source gives us the voice of the deposed pontiff. This is the *Damnatio Vigilii* (henceforth, *DV*), which accuses Vigilius of plotting against Silverius and bribing his way to power, and ultimately declares him excommunicated. With its vivid characterisation of Vigilius' simony as an incurable abscess that must be excised before it overtakes the body of the Church, the *DV* is not just a prime example of clerical invective; it is also a unique yet sorely neglected historical document that offers insight into the critique of the Byzantine-led papacy amid the power struggle between Goths and Byzantines in sixth-century Italy.

The proper use of the *DV* as a historical source has long been hindered by doubts surrounding its date and origin. In addition, the *DV* is transmitted

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¹ Cf. *Vita Bonifacii II* in the *Liber Pontificalis* ed. T. MOMMSEN (MGH gest. pontif. 1), pp. 139, 20–23. See my discussion below p. 50.

by canon law collections that fall outside the remit of late antique historians. This is perhaps why the *DV*, despite touching upon one of the most critical moments of the early medieval papacy, does not feature in contemporary scholarly narratives about this period.² For this reason, I aim to promote a renewed appreciation of this document as a valuable though neglected historical source. After re-examining the debate about the authenticity of the *DV*, I will provide an overview of its manuscript tradition – an endeavour not yet undertaken – along with a critical text, a textual/critical commentary, and linguistic/historical notes. Finally, and more importantly, I will compare the *DV*'s testimony on Vigilius' attempt to dethrone Silverius with other sixth-century sources (Liberatus of Carthage's *Breviary*, the *Liber Pontificalis*, and Victor of Tunnuna's *Chronicle*). It will emerge that the *DV*'s historical account differs remarkably from other contemporary sources, thus providing a unique perspective on these events.

2. The debate surrounding the origin and date

Since the *DV* is mostly – though not exclusively – attested in manuscripts belonging to a collection (called *Pseudo-Isidoriana*³) that is conspicuous for its high number of ninth-century forged decretals, speculation that the *DV* itself might be a Carolingian forgery has cast a shadow over its credibility. In the nineteenth century, Emil Seckel wondered whether the same forgers behind Pseudo-Isidore might also have interpolated the *Collectio Quesnelliana*, in which the *DV* features in a sort of appendix.⁴ Eduard Schwartz took for granted that the *DV* crept into those *Quesnelliana* manuscripts from Pseudo-Isidore.⁵

² Among the following works on early medieval papacy and on the Gothic War, none mentions the *DV*: J. RICHARDS, *The Popes and the Papacy in the Early Middle Ages, 476–752*, Abingdon, 1979, pp. 129–133; C. SOTINEL, “Autorité pontificale et pouvoir impérial sous le règne de Justinien: le pape Vigile”, *Mélanges d'Archéologie et d'Histoire de l'École Française de Rome, Antiquité*, 104 (1992), pp. 439–463 (translated in: *Church and Society in Late Antique Italy and Beyond*, Farnham, 2010, pp. 1–25); S. SCHIMA, *Papsttum und Nachfolgebeeinflussung von den Anfängen bis zur Papstwahlordnung von 1179*, Freistadt, 2011, pp. 147–149; J. MOORHEAD, *The Popes and the Church of Rome in Late Antiquity*, London, 2015, pp. 79–87; M. CRISTINI, “Sailing to Byzantium: Sixth-Century Popes under Threat in Constantinople”, in *Bishops under Threat: Contexts and Episcopal Strategies in the Late Antique and Early Medieval West*, ed. S. PANZRAM, P. POVEDA ARIAS, Berlin, 2023, pp. 183–204; M. CRISTINI, *La politica esterna dei successori di Teodorico*, Rome, 2023, pp. 221–222; R. LIZZI TESTA, *Un Occidente rivolto a Est (455–554 d.C.)*, Rome, 2024, pp. 191–193.

³ See below, pp. 26–29.

⁴ E. SECKEL, “Pseudoisidor”, *Realencyklopädie für protestantische Theologie und Kirche*, vol. 16, ed. A. HAUCK, Leipzig, 1905, pp. 265–307 at 271. See below, pp. 34–35.

⁵ E. SCHWARTZ, *ACO 2.4: Leonis papae I epistularum collectiones*, Berlin, 1932, p. xxxi.

Erich Caspar too regarded the *DV* as a forgery by Pseudo-Isidore and curtly (and perhaps wrongly) asserted that its historical content was solely based on the *Liber Pontificalis*.⁶

However, already by the eighteenth century, Pietro and Girolamo Ballerini – the tireless editors of Leo the Great's works and other late antique canonical material – suspected that the origin of the *DV* must be sought elsewhere. The Ballerinis' argument is worth repeating. They noticed that the *DV* features in manuscripts such as BAV Vat. Lat. 1340 and Venice, Biblioteca Marciana, Zanetti Lat. 169, which they believed contained further accretions to the original core of Pseudo-Isidore: accordingly, the *DV* may not stem from Pseudo-Isidore, but have a different origin.⁷ The current view of these manuscripts differs from the Ballerinis'.⁸ Nonetheless, their suspicion was essentially right. Indeed, a comparison between the text of the *DV* as found in Pseudo-Isidore and that of others, so far unacknowledged, collections, will show that the latter yield an overall better text than Pseudo-Isidore.

Among early-twentieth-century scholars, Adolf von Harnack was the only one to argue that the *DV* was indeed a forgery, but one from late antiquity, which drew upon good, otherwise unattested sources.⁹ Subsequent scholarship has maintained a cautious attitude towards the date and authenticity of the *DV*,¹⁰ until Rudolf Schieffer argued that the *DV* was an ancient forgery, dating probably to the 550s/60s. In particular, Schieffer drew attention to the fact that the *DV* travelled with Pope Leo's letter to Theodoret of Cyrrhus (*Remeantibus ad nos*, JK 496 = J³ 1030, in a dossier attached to a canonical collection called *Quesnelliana*,¹¹ which he persuasively argued to have been interpolated in the sixth century by supporters of the Three Chapters.¹² As such, this interpolated

⁶ E. CASPAR, *Geschichte des Papsttums*, vol. 2: *Das Papsttum unter byzantinischer Herrschaft*, Tübingen, 1933, p. 98 n. 2; p. 230 n. 7.

⁷ P. and G. BALLERINI, *Appendix ad S. Leonis Magni Opera*, vol. 3 (*PL* 56, col. 266): *cuius* (sc. *Silverii*) *litterae ad Vigilium his verbis incipientes*, *Multis te transgressionibus irretitum, cum in his auctioribus codicibus, non autem in puris Isidorianis inveniuntur, Pseudo-Isidori imposturis perperam accensentur*.

⁸ In fact, they are today recognised as belonging to one particular group – or recension – of Pseudo-Isidore's collection, called 'class C': see below pp. 31–33.

⁹ A. VON HARNACK, "Der erste deutsche Papst (Bonifatius II., 530/32) und die beiden letzten Dekrete des römischen Senats", *Sitzungsberichte der Preussischen Akademie der Wissenschaften, Philosophisch-Historische Klasse*, 5 (1924), pp. 24–42, at 36 n. 2.

¹⁰ See, for instance, H. FUHRMANN, *Einfluß und Verbreitung der Pseudoisidorischen Fälschungen von ihrem Auftauchen bis in die neuere Zeit*, vol. 1, Stuttgart, 1972, p. 188 n. 111.

¹¹ Cf. below, pp. 34–35.

¹² R. Schieffer, "Der Brief Papst Leos an Theodoret von Kyros (CPG 9053)", in *Antidoron: Hulde aan Dr. Maurits Geerard bij de voltooiing van de Clavis Patrum Graecorum*, vol. 1, Wetteren, 1984, pp. 81–87. The term 'Three Chapters' denotes the three subjects of accusation at the Council of Constantinople, namely the person and writings of Theodore of Mopsuestia, Theodoret of

letter of Leo constitutes evidence of the opposition to the Council of Constantinople of 553. The *DV* too may well be an expression of Italian anti-Byzantine dissidence.¹³ While a comparison with the other sources for the forced deposition of Silverius will bring new arguments to Schieffer's hypothesis, an overview of the manuscript tradition will dispel doubts that the *DV* is a ninth-century forgery.

3. The manuscript tradition

As there is no individual study on the *DV*, discussions of its textual history are incomplete and mostly confined to footnotes in the context of broader studies on the canonical collections in which the *DV* features as but one of many components. Furthermore, readers who wish to consult the *DV* must resort to an uncritical and often unreliable edition of a canonical collection (Pseudo-Isidore), in which the *DV* is found among numerous Carolingian forgeries. By contrast, I will show that a comprehensive appraisal of the manuscript tradition yields a more philologically accurate and reliable text. In other words, examining other manuscripts and canonical collections that transmit the *DV* allows us to rescue it from the Pseudo-Isidorian captivity to which it has been unjustly relegated.

a. The vulgate text of the *DV*: Pseudo-Isidore

As anticipated, the largest number of manuscripts featuring the *DV* belongs to a widespread, protean, and enigmatic collection that goes under the name of a fictitious 'Isidorus Mercator' and is thus called *Pseudo-Isidoriana*.¹⁴ This collection is remarkable because, next to ancient councils and papal decretals (mostly derived from another early medieval collection called *Hispana*), it contains a

Cyrrhus' Christological writings against Cyril of Alexandria, and Ibas of Edessa's letter to Mari the Persian. For initial orientation on the Three Chapters controversy, I refer the reader to R. PRICE, *The Acts of the Council of Constantinople of 553 with related texts on the Three Chapters Controversy*, Liverpool, 2009, pp. 59–103.

¹³ R. SCHIEFFER, "Zur Beurteilung des norditalischen Dreikapitelschismas. Eine überlieferungsgeschichtliche Studie", *Zeitschrift für Kirchengeschichte*, 87 (1976), pp. 165–201, at 182–183. See also a summary of the debate in L. CUPPO, "The Other *Book of Pontiffs*: a View from Lombard Italy (MS BAV, Vat. lat. 1348)", in *Vivarium in Context*, ed. S. BARNISH, L. CRACCO RUGGINI, L. CUPPO, R. MARCHESI, Vicenza, 2008, pp. 55–75, at 60.

¹⁴ For an overview of Pseudo-Isidore, see H. FUHRMANN, "The Pseudo-Isidorian Forgeries", in *Papal Letters in the Early Middle Ages*, ed. D. JASPER, H. FUHRMANN, Washington, DC, 2001, pp. 135–195 (excellent, but in need to be integrated with more recent developments in scholarship) and C. HARDER, "Pseudo-Isidorus Mercator" in *Great Christian Jurists and Legal Collections in the First Millennium*, ed. P. L. REYNOLDS, Cambridge, 2019, pp. 397–412. A general overview of manuscripts and secondary literature is provided by L. KÉRY, *Canonical Collections of the Early Middle Ages (ca. 400–1140): A Bibliographical Guide to the Manuscripts and Literature*, Washington, DC, 2013, pp. 100–114.

large number of decretals that purport to be written by early Christian popes but are, in fact, forgeries. As such, they are referred to as the False Decretals. Additionally, the same legal scholars behind the False Decretals composed other forgeries, namely many fake capitularies ascribed to a certain 'Benedictus Levita', other capitularies purportedly received by Bishop Angilram of Metz from Pope Hadrian I (and thus called *Capitula Angilramni*¹⁵) and a series of interpolated extracts from Rusticus' version of the Acts of the Council of Chalcedon (*excerptiones de gestis Chalcedonensis concilii*) formerly ascribed to Verecundus of Junca.¹⁶

– The False Decretals and the date of Pseudo-Isidore's collection

The date of the False Decretals is still not fully clear. While Klaus Zechiel-Eckes demonstrated beyond doubt that the Pseudo-Isidorian forgers operated at Corbie, he maintained that most of the forgeries were composed in the 830s, possibly at the behest of the future abbot Paschasius Radbertus.¹⁷ Yet it seems that the False Decretals were first put to use in the 850s, and then, most notably, in 869–871, in the quarrel between the Hincmar of Reims and his nephew, and suffragan, Hincmar of Laon, over the autonomy of suffragan bishops.¹⁸ More recently, Eric Knibbs has argued that many prescriptions of the Pseudo-Isidorian forgeries turn out to be surprisingly supportive when one considers the legally dubious translation of the former bishop of Reims, Ebo, to Hildesheim in 845. In addition, the Vatican manuscript of Ennodius (BAV, Lat. 3803), which dates to around *c.* 850, shows signs of having been glossed and quoted by the Pseudo-Isidorians as they incorporated passages from Ennodius' *libellus pro synodo* into the False Decretals. For these reasons, Knibbs dates the core of the False Decretals towards the middle of the ninth century.¹⁹ Regardless of the dating problem, it is important to bear in mind that the False Decretals are just one component, however conspicuous, of a wider collection that incorporates many items of different provenance. As will be explained shortly, the *DV* is one of them.

¹⁵ Reference edition: K.-G. SCHON, *Die Capitula Angilramni: Eine prozessrechtliche Fälschung Pseudoisidors*, Hannover, 2006.

¹⁶ See K. ZECHIEL-ECKES, "Verecundus oder Pseudoisidor? Zur Genese der *Excerptiones de gestis Chalcedonensis concilii*", *Deutsches Archiv für Erforschung des Mittelalters* 56 (2000), pp. 413–446.

¹⁷ See K. ZECHIEL-ECKES, "Auf Pseudoisidors Spur. Oder: Versuch, einen dichten Schleier zu lüften", in *Fortschritt durch Fälschungen? Ursprung, Gestalt und Wirkungen der pseudoisidorischen Fälschungen*, ed. W. HARTMANN, G. SCHMITZ, Hannover, 2002, pp. 1–28, and *Fälschung als Mittel politischer Auseinandersetzung: Ludwig der Fromme (814–840) und die Genese der pseudoisidorischen Dekretale*, Paderborn, 2011, with further references.

¹⁸ See FUHRMANN, "The Pseudo-Isidorian Forgeries", pp. 173–181.

¹⁹ See E. KNIBBS, "Ebo of Reims, Pseudo-Isidore, and the Date of the False Decretals", *Speculum* 92 (2017), pp. 144–183, and "Pseudo-Isidore's Ennodius", *Deutsches Archiv für Erforschung des Mittelalters*, 74 (2018), pp. 1–53.

– The *DV* in Pseudo-Isidore

Above all, Pseudo-Isidore's most ambitious aim was to provide legal arguments to protect bishops from unjust accusations, often caused by the interference of secular authorities.²⁰ For this reason, one can easily see why the *DV* was included in this collection. Like Athanasius of Alexandria and Pope Symmachus,²¹ Silverius was another bishop unfairly prosecuted and unlawfully removed from office – although, unlike them, he remained unavenged.

– Stages of formation and structure of the *Collectio Pseudo-Isidoriana*

At the basis of Pseudo-Isidore's collection lies the seventh-century *Collectio Hispana*, a recension of which (referred to as *Hispana Gallica*)²² had been linguistically corrected and interpolated by the same entourage of Pseudo-Isidore: this revision took place in early-ninth-century Corbie.²³ Once the *Hispana* had been prepared this way, it was augmented with additional materials. The most notable of these were the False Decretals, but there were also other documents of various provenance,²⁴ the *DV* being among them.

²⁰ FUHRMANN, "The Pseudo-Isidorian Forgeries", pp. 142–143; Knibbs, "Ebo, Pseudo-Isidore, and Date of the False Decretals", pp. 156–157; HARDER, "Pseudo-Isidorus Mercator", pp. 403–404.

²¹ Cf. KNIBBS, "Pseudo-Isidore's Ennodius", p. 3.

²² The only complete extant witness of the *Collectio Hispana Gallica* is Wien, Österreichische Nationalbibliothek 411 (facsimile with introduction by O. Mazal, *The Wiener Hispana-Handschrift*, Graz, 1974). See also KÉRY, *Canonical Collections of the Early Middle Ages*, pp. 67–68. On the *Collectio Hispana* in general, see KÉRY, *Canonical Collections of the Early Middle Ages*, pp. 61–67, with further references.

²³ The best manuscript of this interpolated *Hispana* – usually referred to as *Hispana Gallica Augustodunensis* – is Vatican, BAV, Vat. Lat. 1371. See E. KNIBBS, "The Interpolated *Hispana* and the Origins of Pseudo-Isidore", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung*, 99 (2013), pp. 1–71, at 6–7 and 16–17. The manuscript is digitised at the following link: https://digi.vatlib.it/view/MSS_Vat.lat.1341. One can also consult A. GRABOWSKY'S transcription at: https://www.benedictus.mgh.de/quellen/chga/chga_170t.htm.

²⁴ Among the late antique components of Pseudo-Isidore's collection that do not derive from the *Collectio Hispana*, there are:

- the Visigothic *ordo de celebrando concilio* (on which see C. MUNIER, "L'Ordo de celebrando concilio wisigothique: ses remaniements jusqu'au X^e siècle", *Revue des Sciences Religieuses*, 37 (1963), pp. 250–271),
- the fifth-century 50 *Apostolic Canons* (edited by C. H. TURNER, *Ecclesiae Occidentalis Monumenta Iuris Antiquissima*, vol. I.1, Oxford, 1899, pp. 1–33),
- the purported letter of Clement of Rome to James (*Notum tibi facio*, J³ †26 = JK †10): Pseudo-Isidore took Rufinus' Latin version of this originally Greek work and expanded with further chapters (20–44 = pp. 26–46 HINSCHIUS: for the original text in Greek and Latin, see the edition of B. REHM and G. STRECKER, *Die Pseudoklementinen I*, Berlin, 1992 [GCS 42], pp. 1–22),
- the *Constitutum Silvestri*, a forgery probably composed in the circle of Pope Symmachus (*sedes* 498–514) which purports to be the acts of a synod held under Pope Sylvester I (*sedes* 314–335). Pseudo-Isidore reworked an earlier version of this document (see the edition and translation by

As a result of these increasing expansions, Pseudo-Isidore's collection is roughly divided into three sections, usually called Part I, II, and III:

- 1) the core of Part I is constituted by the False Decretals.
- 2) Part II contains acts of councils from Nicaea (325) to the 13th council of Toledo (683).
- 3) Part III contains mostly decretals from Sylvester I to Gregory II. This is the part featuring the *DV*.

– Recensions of the *Collectio Pseudo-Isidoriana* featuring the *DV*

The manuscript tradition of the Pseudo-Isidorian collection is intricate. I limit my discussion to those strands that are directly relevant to the manuscript tradition of the *DV*. While looking forward to Eric Knibbs' forthcoming critical edition of Pseudo-Isidore, I rely on Paul Hinschius' 1863 edition as a starting point. To date, it stands as the sole, albeit significantly outdated, comprehensive edition of the Pseudo-Isidorian corpus.²⁵ As an alternative, one can consult Karl-Georg Schon's online edition, which is based on a small number of significant manuscripts (P₉₆₂₉ and N₄₄₂, i.e. the *AI* recension, to be discussed shortly).²⁶ For the sake of continuity with scholarship on Pseudo-Isidore, I will use the same sigla as Schon in the following.²⁷

Collating all the Pseudo-Isidorian manuscripts transmitting the *DV* would not only be a daunting task: it would also be probably pointless, because the discrepancies that emerge from a collation of the *DV* with non-Pseudo-Isidorian witnesses reveal that other collections such as the *Collectio Lanfranci* and the appendix dossier to the *Quesnelliana* (see below) transmit a better text than Pseudo-Isidore. Clearly, there exists a need for a critical text that reports all strands

E. WIRBELAUER, *Zwei Päpste in Rom. Der Konflikt zwischen Laurentius und Symmachus (498–514): Studien und Texte*, Munich, 1993, pp. 228–247),

– a forged correspondence between Jerome and Pope Damasus on the Psalter probably dating to the fifth century (see P. BLANCHARD, "La correspondance apocryphe du pape S. Damase et de S. Jérôme sur le psautier et le chant de l'alleluia", *Ephemerides Liturgicae*, 63 (1949), pp. 376–388).

For a complete overview of the contents of Pseudo-Isidore's collection, see H. FUHRMANN, *Einfluß und Verbreitung der pseudoisidorischen Fälschungen*, vol. 1, Stuttgart, 1972, pp. 181–191.

²⁵ P. HINSCHIUS, *Decretales Pseudo-Isidorianae et Capitula Angilramni*, Leipzig, 1863, pp. 628–629. On the shortcomings of Hinschius' edition, see H. FUHRMANN, "Reflections on the Principles of Editing Texts: the Pseudo-Isidorian Decretals as an Example", *Bulletin of Medieval Canon Law*, NS 11 (1981), pp. 1–7, at 2–3; S. WILLIAMS, *Codices Pseudo-Isidoriani: a Palaeographico-Historical Study*, New York, 1971, pp. 114–116; and FUHRMANN, "The Pseudo-Isidorian Forgeries", pp. 155–157.

²⁶ The *DV* at the following address: <https://www.pseudoisidor.mgh.de/html/252.htm>.

²⁷ <https://www.pseudoisidor.mgh.de/html/Handschriftenverzeichnis.html>.

of the manuscript tradition, extending beyond the confines of Pseudo-Isidore. For this reason, I utilise only a selection of those Pseudo-Isidorian manuscripts that have been recognised as the most ancient and authoritative by the existing scholarship.

Hinschius' most important legacy lies in identifying five broad classes of Pseudo-Isidorian manuscripts, depending on the collection's constituents and their arrangements.²⁸ Of these five recensions, which were probably assembled at different times and independently of one another, only two feature the *DV*. They are described in the following.

– A1 recension

Hinschius ascribed great importance to this recension, as he regarded it as the most ancient. Yet more recent scholarship, by contrast, has argued that *A1* was assembled in parallel with, and independently of, another recension called *A/B* (which does not transmit the *DV*).²⁹ I use as representative of the class *A1* the manuscript Paris, BnF, lat. 9629 (11th c.) (**P**₉₆₂₉),³⁰ which Schon collated for his edition of Pseudo-Isidore, and which Knibbs counts among the early witnesses of this class.³¹

In the *A1* manuscripts, the *DV* is found among the letters of Leo the Great, usually after the letter to Dioscorus of Alexandria (*Quantum dilectioni tuae*: JK 406 = J³ 912) or the spurious letter against the chorepiscopate (*Cum in Dei nomine*: JK †551 = J³ 1118, a minor forgery that although featuring in Pseudo-Isidore, slightly predates him³²) and before the letter to the bishops of Campania (*Magna indignatione commoveor*: JK 545 = J³ 1096). In the *A1* group, the *DV* is introduced by the plain heading *Damnatio Vigilii*.

²⁸ See HINSCHIUS, *Decretales Pseudo-Isidorianae*, pp. xi–lvxxii and FUHRMANN, “The Pseudo-Isidorian Forgeries”, pp. 155–156.

²⁹ See KNIBBS, “The Interpolated Hispana”, pp. 47–52, and E. KNIBBS, “Pseudo-Isidore in the A1 Recension”, in *Fälschung als Mittel der Politik? Pseudoisidor im Licht der neuen Forschung*, ed. K. UBL, D. ZIEMANN, Wiesbaden, 2015, pp. 80–95.

³⁰ See J. J. CONTRENI, “*Codices Pseudo-Isidoriani*: The Provenance and Date of Paris, B. N. MS Lat. 9629”, *Viator*, 13 (1982), pp. 1–14; Williams, *Codices Pseudo-Isidoriani*, pp. 45–46 (no. 46); and the description by Schon (https://www.pseudoisidor.mgh.de/html/handschriftenbeschreibung_Paris_9629.html). A digital reproduction is accessible at this address: <https://gallica.bnf.fr/ark:/12148/btv1b100342551/f281.item.r=9629.zoom>.

³¹ The other manuscript collated by SCHON (Città del Vaticano, Biblioteca Apostolica Vaticana, Ottobonianus Lat. 93) is missing both at the beginning and at the end, and thus lacks the *DV*. See WILLIAMS, *Codices Pseudo-Isidoriani*, pp. 60–61 (no. 64). Other early witnesses mentioned by KNIBBS, “The Interpolated Hispana”, pp. 13–14 (Modena, Biblioteca capitolare Ord. I n. 4 and Angers, Bibliothèque municipale MS 367) do not contain Pseudo-Isidore's Part III with the *DV*.

³² On which see most recently E. KNIBBS, “The *De privilegio chorepiscoporum* (J³ †1118) and Pseudo-Isidore's Attack on the Chorepiscopate”, *Deutsches Archiv für Erforschung des Mittelalters*, 78.2 (2022), pp. 478–524, with overview of the manuscript tradition and critical edition.

In addition, some manuscripts can be traced back to an exemplar copied at Cluny during the abbacy of Odilo (mid-eleventh c.) and thus referred to as the "Cluny version". They exhibit a variant text of *AI*, with some expansions and a different arrangement of some constituents.³³ As regards Part III of Pseudo-Isidore, the subarchetype of the Cluny version is extant: it is the ms. New Haven, Beinecke Library MS 442 (9th c., 3rd quarter, probably Western France) (*N*₄₄₂).³⁴ Moreover, *N*₄₄₂ constitutes an early form of Part III of the recension *AI*.³⁵ *N*₄₄₂ bears the traces of intensive editorial work. Most notably, the *DV* used to feature in the same placement it has in the *AI* manuscripts, but it has subsequently been erased (from fol. 173rb) and it has been added on fol. 214ra, between Silverius' letter to Amator (*O quam bona*: JK +901 = J³ †1787) and Vigilius' letter to Eutherus³⁶ (*Directas ad nos*: JK 907 = J³ 1801), thereby reflecting the chronology. In contrast to the *AI* manuscripts, all witnesses of the Cluny version display this placement of the *DV*. In addition, *N*₄₄₂ and the other witnesses of the Cluny version display a different introductory heading to the *DV* (*epistula eiusdem Silverii papae in damnatione Vigili*).

– C recension

The manuscripts of this class, none of which predates the twelfth century, were long believed to constitute a later derivative recension, until Steffen Patzold argued that, except for a few obvious later accretions, the core of this recension

³³ See H. FUHRMANN, *Einfluß und Verbreitung der Pseudo-Isidorischen Fälschungen*, vol. 3: *Texte, Untersuchungen, Übersichten*, Stuttgart, 1974, pp. 757–768 (updated reprint of: "Pseudoisidor im Kloster Cluny", in *Proceedings of the Second International Congress on Canon Law*, ed. S. KUTTNER, J. J. RYAN, Vatican City, 1965, pp. 16–22).

³⁴ See WILLIAMS, *Codices Pseudo-Isidoriani*, p. 149 (no. 36A). Full descriptions in K.-G. SCHON, "Eine Redaktion der pseudoisidorischen Dekretalen aus der Zeit der Fälschung", *Deutsches Archiv für Erforschung des Mittelalters*, 34 (1978), pp. 500–511, at 501–504; B. SHAILOR, *Catalogue of Medieval and Renaissance Manuscripts in the Beinecke Rare Book and Manuscript Library Yale University*, 2: *mss. 251–500*, Binghamton, 1987, pp. 381–395; and in the website by SCHON (https://www.pseudoisidor.mgh.de/html/handschriftenbeschreibung_new_haven_442.html). A digital reproduction is available at the following link: <https://collections.library.yale.edu/catalog/2017751>. On the provenance of the manuscript, see also C. MCCURRY, "On the provenance of the Yale Pseudo-Isidore", *Bulletin of Medieval Canon Law*, NS 2 (1972), pp. 61–67.

³⁵ See E. KNIBBS, "The Interpolated *Hispana*", pp. 64–71.

³⁶ The historically correct name of the recipient is Profuturus, bishop of Braga in the mid-sixth century. However, a scribal error turned it into 'Eutherus' in the Pseudo-Isidorian manuscripts: see F. MAASSEN, *Pseudo-Isidor Studien*, vol. 1, Vienna, 1885, p. 16. I discuss this error and the intriguing textual history of this letter in my "The Manuscript Tradition of Pope Vigilius' Letter to Profuturus of Braga (*Directas ad nos*), Pseudo-Isidore, and the Petrine Primacy", in *Still 'Caput Mundi'? The Role of Rome between Late Antiquity and the Early Middle Ages in the Western Mediterranean*, ed. R. SELVAGGI, C. NOCE, Leiden, 2026 (forthcoming).

should in fact be dated to mid-ninth-century Corbie.³⁷ As there is no published collation of the main manuscripts of this class, I list the manuscripts that existing scholarship considers most important:

- Reims, Bibliothèque Municipale 672 (G. 166) (12th c.) (**R**₆₇₂).³⁸
- Città del Vaticano, Biblioteca Apostolica Vaticana, Vat. Lat. 1340 (13th c.) (**V**_{a1340}).³⁹
- Venice, Biblioteca Nazionale Marciana, Zanetti Lat. 169 (15th c.) (**V**_{e169}).
- Montpellier, Bibliothèque interuniversitaire. Section Médecine H.3 (12th c.), vol. 2 (**M**₃).⁴⁰

According to the Ballerinis, **V**_{a1340} and **V**_{e169} are closely related to the manuscript from which Jacques Merlin printed his *editio princeps* of Pseudo-Isidore.⁴¹ Subsequently, Schafer Williams found close similarities between **R**₆₇₂ (unknown to Hinschius) and these other manuscripts:⁴² for this reason, I use **R**₆₇₂ as a significant representative of a sub-group of manuscripts to which **V**_{a1340}, **V**_{e169}, and Merlin's exemplar belong. In addition to it, I use **M**₃ as another important manuscript of the *C* class, though not directly related to **R**₆₇₂.⁴³

³⁷ S. PATZOLD, *Gefälschtes Recht aus dem Frühmittelalter: Untersuchungen zur Herstellung und Überlieferung der pseudoisidorischen Dekretalen*, Heidelberg, 2015, pp. 14–27. HINSCHIUS, pp. lxxvii–lxxii provides an overall description of class *C* and its contents.

³⁸ WILLIAMS, *Codices Pseudo-Isidoriani*, p. 52 (no. 55); H. MORDEK, *Bibliotheca capitularium regum Francorum manuscripta*, Munich, 1995, pp. 625–628. See also H. LORIQUET, *Catalogue général des manuscrits des Bibliothèques Publiques de France*, 38: Reims, Paris, 1904, vol. 2, pp. 12–24. A digitised copy can be consulted at this link: <https://arca.irht.cnrs.fr/ark:/63955/md76rx915r87>.

³⁹ WILLIAMS, *Codices Pseudo-Isidoriani*, pp. 65–66 (no. 69). The manuscript is fully digitised at the following address: https://digi.vatlib.it/view/MSS_Vat.lat.1340.

⁴⁰ WILLIAMS, *Codices Pseudo-Isidoriani*, pp. 36–37 (no. 34). Full reproduction available at the following link: https://ged.biu-montpellier.fr/florabium/jsp/nodoc.jsp?NODOC=2013_DOC_MON1_MBUM_75.

⁴¹ BALLERINI, *Appendix ad S. Leonis Magni Opera*, vol. 3 (*PL* 56, col. 254). The manuscript on which Merlin based his edition is probably Paris, Bibliothèque de l'Assemblée Nationale 27 (William's no. 39). See WILLIAMS, *Codices Pseudo-Isidoriani*, pp. 97–99.

⁴² WILLIAMS, *Codices Pseudoisidoriani*, p. 52. In an unpublished autograph annotation attached to the ms. Venice, Biblioteca Nazionale Marciana, Zanetti Lat. 169 (**V**_{e169}), Williams remarks: “mais la collection de Ps.-Isidore de Venice c'est copié [*sic*] après le manuscrit de Reims, Bibliothèque [*sic*] Municipale, no. 672”.

⁴³ Another important manuscript of the *C* class is Prague, Národní knihovna České republiky, IV.B.12 (15th c.) (**P**_{r12}). However, as regards the *DV* (at fol. 121ra–b) this manuscript displays a bizarre behaviour, because even if its contents qualify it as belonging to the *C* class, its text of the *DV* turns out to be a descendant of **N**₄₄₂, including the the introductory heading (*epistula Silverii papae in damnatione Vigiliū*). This suggests that the *DV* was supplied from a manuscript ultimately derived from **N**₄₄₂ and that this manuscript shows interpolation between two recensions of Pseudo-Isidore (*C* and the Cluny branch of *A1*).

In the *C* class, the *DV* is located between Silverius' letter to Amator (JK †901 = J³ †1787) and Prosper's *De gratia Dei et libero arbitrio* (another constituent peculiar to this group), and is introduced by the heading *epistula Silverii papae ad Vigilium papam*.

b. Beyond Pseudo-Isidore: the *DV* and the *Collectio Quesnelliana*

Pseudo-Isidore's canonical collection is by no means the only containing the *DV*. Yet no attempt has been made to go beyond Pseudo-Isidore to assess whether other manuscripts bear a better text of the *DV*. This I now undertake to do, beginning with manuscripts related to another early medieval collection called *Quesnelliana*.

– A new witness: the final folios of Arras, Médiathèque municipale, MS 644
The manuscript 644 (CGM 572) of the Médiathèque Municipale of Arras (hereinafter: **A**) is not just the oldest of the library holdings.⁴⁴ It is also the most ancient witness of the *Collectio Quesnelliana*, a late antique collection of councils, papal decretals (among which Leo the Great features prominently), and imperial constitutions probably composed in Rome in the final years of the fifth century.⁴⁵

A displays a “neat, careful, small Caroline minuscule”, which suggests a date between late eighth/early ninth century (approximately 780–820).⁴⁶ However, the two final folios (212v–3v) make a stark contrast with the main body of

⁴⁴ See the catalogue of C.-Z.-C. CARON, *Catalogue des manuscrits de la bibliothèque de la ville d'Arras*, Arras, 1860, pp. 286–87. A digital reproduction of the manuscript is freely available at the following address: <http://medium-avance.irht.cnrs.fr/Manuscrits/Voir?idFicheManuscrit=770>.

⁴⁵ On the contents of the *Collectio Quesnelliana*, see the detailed indexes of F. MAASSEN, *Geschichte der Quellen und der Literatur des canonischen Rechts im Abendlande bis zum Ausgang des Mittelalters*, Graz, 1870, pp. 486–500 and G. MARCONI and S. MARGUTTI, *Appendice*, in: R. LIZZI TESTA, “La *Collectio Avellana* e le collezioni romane e italiane del V–VI secolo”, *Cristianesimo nella storia*, 35 (2014), pp. 77–236, at 177–186. Despite its importance, the standard edition of the *Quesnelliana* is still that by P. and G. BALLERINI, *Codex canonum ecclesiasticorum et constitutorum sanctae sedis apostolicae*, in *Appendix ad S. Leonis Magni Opera*, vol. 3 (Venice, 1757), pp. 1–472 (= *PL* 56, coll. 359–746). On the date of the collection, see J. VAN DER SPEETEN, “Le dossier de Nicée dans la *Quesnelliana*”, *Sacris Erudiri*, 28 (1985), pp. 383–450, at 449–450; on its place of origin, see K. SILVA-TAROUCA, “Nuovi studi sulle antiche lettere dei papi”, *Gregorianum*, 12 (1931), pp. 547–598, at 557–8. For a literature overview on the *Quesnelliana*, see KÉRY, *Canonical Collections of the Early Middle Ages*, pp. 27–29; G. MARCONI and S. MARGUTTI, *Appendice*, pp. 185–186; and M. HOSKIN, *The Manuscripts of Leo the Great's Letters*, Leuven, 2022, pp. 111–113. See also, in general, J. GAUDEMET, *Les sources du droit de l'église en Occident du 11^e au 17^e siècle*, Paris, 1985, p. 133.

⁴⁶ See E. A. LOWE, *Codices Latini Antiquiores*, vol. 3: *France. Abbeville – Valenciennes*, Oxford, 1952, p. 4 no. 713 (also available online in Galway's *Earlier Latin Manuscripts* database: <https://elmss.nuigalway.ie/catalogue/1112>). See also B. BISCHOFF, *Katalog der festländischen Handschriften des neunten Jahrhunderts*, vol. 1: *Aachen – Lambach*, Wiesbaden, 1998, p. 26 no. 88.

the manuscript, as they are written by later hands and contain additional texts. They display a brighter ink and a different Caroline hand, which Elias Avery Lowe and Bernhard Bischoff dated to the late ninth century, whereas the palaeographers of the *Institut de recherche et d'histoire des textes* date it to some time between the tenth and eleventh centuries.⁴⁷

More importantly, these two final pages of **A** transmit rare – and thus far overlooked – texts, the first of which is the *DV* (fol. 212v).⁴⁸ Even though **A** does not feature in existing scholarship on the *DV*, a collation shows that it yields a better text than that of Pseudo-Isidore (see below).

– The *DV* in the appendix dossier to the Quesnelliana

While not part of the collection, the *DV* also features in three other manuscripts of the *Quesnelliana*:

- Paris, BnF, lat. 1454 (9th c., 3rd quarter, Saint-Denis?) (**Q**)⁴⁹
- Paris, BnF, lat. 1458 (mid-9th c., Northern France?) (**O**)⁵⁰
- Paris, BnF, lat. 3842A (mid-9th c. or 9th c., 3rd quarter, Paris?) (**P**)⁵¹

In these manuscripts, the *DV* travels with several other documents that form a sort of appendix to the *Quesnelliana*.⁵² Till Stüber (whose manuscript sigla I follow) convincingly argued that this sylloge cannot date to prior to the eighth century and that it was probably put together in Tours or in its surroundings.⁵³

⁴⁷ See the detailed description of the manuscript in D. L. D'AVRAY (crediting M.-C. DUPARC), *Papal Jurisprudence c. 400: Sources of the Canon Law Tradition*, Cambridge, 2019, pp. 42–43.

⁴⁸ At fols 212v–213v, the *DV* is followed by a letter dated around 500, by the monk Dionysius Exiguus to the presbyter Julian (*Sanctitatis tuae sedulis excitatus officii*, edited in F. GLORIE, *Scriptores "Illyrici" Minores* [CCSL 85], pp. 45–47), which serves as preface to a collection of papal decretals known as *Liber decretalium*. The original *Liber decretalium* is now lost, but it was incorporated in the *Collectio Dionysiana* and in later collections derived from it (H. WURM, *Studien und Texte zur Dekretalensammlung des Dionysius Exiguus*, Bonn, 1939, pp. 59–80). Dionysius' letter is followed by an index of papal decrees that has no exact parallel in any extant canonical collection. Finally, fol. 213v shows what remains of a letter from Emperors Gratian, Valentinian and Theodosius to an unnamed Prefect of Gaul (*Imperatores Gratianus, Valentinianus et Theodosius praefecto Galliarum. Iustissima supplicatione permoti...*), on which see L. LIVORSI, "A New Constitution of Gratian", *Journal of Juristic Papyrology*, 54 (2024), pp. 105–138.

⁴⁹ MORDEK, *Bibliotheca capitularium*, pp. 409–410; BISCHOFF, *Katalog*, vol. 3: *Padua – Zwickau*, Wiesbaden, 2014, pp. 33 no. 4014.

⁵⁰ MORDEK, *Bibliotheca capitularium*, pp. 412–413; BISCHOFF, *Katalog*, vol. 3, p. 34 no. 4019.

⁵¹ MORDEK, *Bibliotheca capitularium*, pp. 438–439; BISCHOFF, *Katalog*, vol. 3, p. 90 no. 4281.

⁵² See T. STÜBER, "Die 'Scintillae de canonibus uel ordinationibus episcoporum': eine kleine Kanonensammlung aus der Merowingerzeit", *Frühmittelalterliche Studien*, 56 (2022), pp. 16–47, at 18.

⁵³ See STÜBER, "Die 'Scintillae'", p. 21.

Instead, our Arras codex is unique in that it transmits the *DV* separately from the *Quesnelliana-appendix*. I call the agreement of the *Quesnelliana-appendix* witnesses, which often yield similar readings, *Q_{app}*. From the discussion below, it will emerge that the text displayed by the Arras manuscript (**A**) is close to *Q_{app}*, though it does not entirely overlap with it. **A** and *Q_{app}* thus constitute a distinct sub-branch of the manuscript tradition.

c. The British branch: Eton, College Library 97 and the *Collectio Lanfranci*

Finally, the *DV* features in a somewhat enigmatic manuscript. This is the ms. Eton, College Library B.1.I.6 (James 97) (12th c., probably England or Normandy) (**E₉₇**).⁵⁴ After Pseudo-Isidore's Part I and III, it transmits the council sections of an interpolated *Hispana*. Although its discoverer, Joachim Richter, believed that **E₉₇** lay at the core of the *A1* recension, Nicolás Álvarez de las Asturias provided convincing arguments against this thesis.⁵⁵ In addition, Álvarez de las Asturias noticed that **E₉₇** appears remarkably close to the *Collectio Lanfranci*. This was once regarded as an abbreviated version of the *Pseudo-Isidoriana* that was composed around the mid-eleventh century. While its actual author is unknown, the collection is closely associated with Lanfranc, former jurist and subsequently prior of Bec in Normandy and future archbishop of Canterbury, who brought the collection from the Continent, prompting its diffusion to Britain.⁵⁶

Although the *Collectio Lanfranci* was once regarded as a derivative abridgement of Pseudo-Isidore, studies over the last century have highlighted its specific structure and its role in the ecclesiastical organisation of the English Church after the Norman conquest.⁵⁷ As regards the *DV*, the *DV* text of the *Collectio Lanfranci* (and **E₉₇**) largely aligns with the Pseudo-Isidorian vulgate. The most conspicuous error showed by **E₉₇** and by the *Collectio Lanfranci* is a lacuna involving the date of the *DV*.

Finally, **E₉₇** and the *Collectio Lanfranci* place the *DV* between Pope Leo's *magna indignatione* (JK 545 = J³ 1096) and the canons of the Roman synod of

⁵⁴ WILLIAMS, *Codices Pseudo-Isidoriani*, pp. 20–21 (no. 17). I am grateful to the staff of the Eton College library, who kindly provided some photos of the manuscript.

⁵⁵ See J. RICHTER, "Stufen pseudoisidorischer Verfälschung: Untersuchungen zum Konzilsteil der pseudoisidorischen Dekretalen", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung*, 64 (1978), pp. 51–72, at 54–56, with the counterarguments of N. ÁLVAREZ DE LAS ASTURIAS, "On the so-called second version of the *Hispana Gallica Augustodunensis*", *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung*, 93 (2007), pp. 34–44.

⁵⁶ On the *Collectio Lanfranci*, see KÉRY, *Canonical Collections of the Early Middle Ages*, pp. 239–243 and the general study of N. ÁLVAREZ DE LAS ASTURIAS, *La "Collectio Lanfranci": origine e influenza di una collezione della Chiesa anglo-normanna*, Milan, 2008.

⁵⁷ See in particular, Z. N. BROOKE, *The English Church and the Papacy from the Conquest to the Reign of John*, Cambridge, 1989³, pp. 57–83, and the overview of previous scholarship in ÁLVAREZ DE LAS ASTURIAS, *La "Collectio Lanfranci"*, pp. 1–10.

465 (JK I 76 = J³ 1138). Both in **E**₉₇ and in the *Collectio Lanfranci*, the *DV* is introduced by the plain heading *Damnatio Vigili*. The manuscript Cambridge, Trinity College, B.16.44 (11th c., England) (**Cam**₁₆₄₄), possibly Lanfranc's own copy, has been identified as the archetype of the collection.⁵⁸ Accordingly, I use it as the manuscript of reference for the *Collectio Lanfranci*. Since the *DV* text of **E**₉₇ and the *Collectio Lanfranci* share many readings, I call their agreement λ.

⁵⁸ See BROOKE, *The English Church and the Papacy*, pp. 73–76; and ÁLVAREZ DE LAS ASTURIAS, *La "Collectio Lanfranci"*, pp. 82–94, especially 90. On the palaeographical features of **Cam**₁₆₄₄, see also M. GULLICK, "Lanfranc and the oldest manuscript of the *Collectio Lanfranci*", in *Bishops, Texts and the Use of Canon Law Around 1100: Essays in Honour of Martin Brett*, ed. B. C. BRASINGTON, K. G. CUSHING, Farnham, 2008, pp. 79–89.

4. Edition, translation, and commentary

a. Edition and translation

Sigla

A ARRAS, Médiathèque municipale, MS 644 (CGM 572), fol. 212r

Qapp

Q PARIS, Bibliothèque nationale de France, lat. 1454, fols 213v–214r

O PARIS, Bibliothèque nationale de France, lat. 1458, fol. 64ra–b

P PARIS, Bibliothèque nationale de France, lat. 3842A, fols 165v–166r

Pseudo-Isidore's rec. A1

N₄₄₂ NEW HAVEN, Beinecke Library MS 442, fol. 214 ra

P₉₆₂₉ PARIS, Bibliothèque nationale de France, lat. 9629, fols 140rb–va

Pseudo-Isidore's rec. C

R₆₇₂ REIMS, Bibliothèque Municipale 672 (G. 166), fol. 180ra

M₃ MONTPELLIER, Bibliothèque interuniversitaire, section Médecine
H.3, vol. 2, fol. 141va–b

λ

E₉₇ ETON, College Library B.1.I.6 (James 97), fols 178 rb–va

Cam₁₆₄₄ CAMBRIDGE, Trinity College, B.16.44, fol. 157r

DAMNATIO VIGILII

Silverius episcopus Vigilio

Multis te transgressionibus inretitum sacerdotalis iamdudum novit generalitas et quia cruentis humano sanguine manibus, decessoribus nostris pervicacia
 5 tua subripiens, leviticis praesumpseris excubare ministeriis plerique noverunt
 fidelium. Nam quia contra iura canonica, temporibus sanctae memoriae Boni-
 facii papae, ipso vivente, successor eius designari conabar, nisi tibi amplissimi
 senatus obviasset iustitia, tunc providentia pastorali tua a pontificali honore
 execranda iam debuerant auspicia detruncari. Sed dum parvum vulnus in te
 10 neglectum est, insanabilis adcrevit apostema, quae nisi ferro altius abscidatur,
 fomentorum sentire non potest medicinam, quippe qui nequissimi spiritus
 audacia ambitionis frenesim concipiens, in illius apostolici medici cui animas
 ligandi solvendique concessa potestas est, versaris contumeliam, novumque
 scelus erroris in apostolicam sedem rursus niteris inducere et in morem Simo-
 15 nis, cuius te discipulum ostendis operibus, data pecunia meque repulso, qui
 favente Domino tribus iam iugiter emensis temporibus ei praesideo, tempora
 mea niteris invadere. Habe ergo cum iis qui tibi consentiunt perpetuae damna-
 tionis sententiam sublatumque tibi nomen et munus ministerii sacerdotalis
 agnosce, sancti Spiritus iudicio et apostolica a nobis auctoritate damnatus. Sic

12/13 animas – est] Matth. 16, 19 14 in morem Simonis] cfr Act. 8, 18-20

1 DAMNATIO VIGILII] Epistula eiusdem Silverii papae in damnatione Vigili N₄₄₂, Epistula Silverii papae ad Vigiliam papam C 3 sacerdotalis iamdudum] iamdudum sacerdotalis λ 4 decessoribus] detessoribus N₄₄₂ 5 ministeriis] mysteriis A P₉₆₂₉ C, misteriis O 6 contra] *add. sup. l.* P₉₆₂₉ Bonifacii] Bonifacii Q_{app} M₃, Bonifacii R₆₇₂ 7 designari] designare N₄₄₂ amplissimi] altissimi N₄₄₂ 8 a] *om.* C honore] *om.* A Q_{app} A1, auctoritate C 9 dum] cum λ vulnus in te] in te vulnus λ 10 neglectum] negliatum Q apostema] apostoma A Q_{app} A1 λ 11 sentire non potest] non potest sentire A1, non potes sentire λ 12 frenesim] frenesem Q apostolici] apostoli A Q_{app} A1 14 scelus] scelus *a.c.* P₉₆₂₉ apostolicam] apostolica A Q_{app} A1 C sedem] sede A Q_{app} N₄₄₂ C, sedes P₉₆₂₉ rursus] sunt P₉₆₂₉ niteris] nitaris A Q_{app} P₉₆₂₉ C in²] *om.* QO morem] mortem P Simonis] Symonis A QP P₉₆₂₉ M₃ λ 15 repulso] repulsum *a.c.* A 16 ei praesideo] eius praesidia P 17 niteris] nitaris A Q_{app} P₉₆₂₉ C Habe] Habeto N₄₄₂ iis] his A Q_{app} A1 C perpetuae] poenae A, poene Q_{app}, poene (pene *a.c.*) P₉₆₂₉, paenę N₄₄₂, pene R₆₇₂, penę M₃ damnationis] dampnationis que OP, dampnationis P₉₆₂₉, damnationisque C 18 sublatumque tibi] sublatum tibi que *add. sup. l.* P₉₆₂₉, sullatumque tibi E₉₇ nomen] nome N₄₄₂ ministerii] mysterii P₉₆₂₉ 19 auctoritate] auctoritatem P₉₆₂₉ Sic] Si OP

CONDEMNATION OF VIGILIUS

Bishop Silverius to Vigilus

Every bishop has known for a long time that you have been involved in many crimes, and many faithful know that you, with your hands stained with human blood, have dared with your stealthy deceit to keep watch on the priestly functions. For [already] at the time of Boniface of blessed memory, you were attempting to be elected as his successor against the canons, while he was still alive – had the justice of the magnificent Senate not prevented you. Already then, your roots should have been cut off with pastoral foresight from the pontifical office! But while a small ulcer in you was being neglected, an incurable abscess grew, which cannot feel the curative power of the healing ointments unless it is lanced right through. Because you, in developing a madness of ambition with an audacity that befits only a most wicked spirit, are engaged in defiling the apostolic physician upon whom was bestowed the authority to bind and release souls, and you attempt again to introduce a novel crime of deception into the Apostolic See. Like Simon Magus – whose disciple you prove to be with your misdeeds – you strive to seize my power by offering money and removing me, who, with the Lord's help, has been presiding over it for three seasons. Hence, you shall have a sentence of perpetual condemnation along with those who side with you, and acknowledge that the title and office of the episcopal ministry has been stripped from you, as you are condemned by the judgement of the Holy Spirit and, by means of our apostolic authority, by us.

20 enim decet fidem sanctorum patrum in ecclesia servari catholica, ut quod
habuit amittat qui improbabili temeritate quod non accepit assumpserit.

DAT. VIII KAL. IUL. POST CONSULATUM BASILII VC.

SUBSCRIPTIO Caelius Silverius papa urbis aeternae huic decreto anathematis
in Vigilium pervasorem facto ad omnia suprascripta consensum praebens sub-
25 scripsi. Pariter et quattuor episcopi subscripserunt, id est Terracinensis, Funda-
nus, Firmensis et Minturnensis. Data ista cartula per Anastasium subdiaconum.

20 servari] *s.l.* N₄₄₂ **21** habuit] abuit P₉₆₂₉ amittat] ammittat P₉₆₂₉ **22** DAT. VIII KAL
IUL. POST CONSULATUM BASILII VC.] *om.* λ DAT.] DATA A P N₄₄₂ C, DAT̄ Q, DATŪ O P₉₆₂₉
IUL.] IUN. *Qapp* N₄₄₂, IULII R₆₇₂ POST CONSULATUM] *scripsi*] P̄C A *Qapp*, PRINCIPI AI C
BASILII] BASILI A Q P₉₆₂₉ C, BASILIO N₄₄₂ VC.] IAC P, *om.* N₄₄₂ C **23** subscriptio] ITEM
SUBSCRIPTIO A, *om.* O C, ITEM SUBSCRIPTIO Q P₉₆₂₉, ITEM SUPRASCRIPTIO P Caelius] Ceci-
lius P aeternae] Romae C λ anathematis] anazematis A *a.c.* **24** Vigilium] Vigilio A O
AI C pervasorem] pervasore A O AI C suprascripta *scripsi*] ssa A, ssta Q O, suasunt P, sta-
tuta P₉₆₂₉ N₄₄₂ C λ consensum] consensu P **25** Pariter] partem P₉₆₂₉ quattuor]
quatuor P₉₆₂₉ M₃ subscripserunt] supscripserunt *a.c.* P₉₆₂₉ Terracinensis] Terrocinensis A O
P N₄₄₂, Terrocinenses Q, Terrorcinenses P₉₆₂₉, Terrorcinensis M₃ *a.c.* **26** Firmensis] Firmenses
Q P₉₆₂₉ Minturnensis *coniecit*] Miturnensis λ, Meterrensis A OP N₄₄₂ C, Meterrenses Q P₉₆₂₉
Data – subdiaconum] *om.* λ Anastasium] Anasthasium *Qapp*

For thus should the faith of the holy Fathers be defended in the Catholic Church, in order that he who seized with disgraceful audacity that which he was not granted, should lose what he had.

Issued on 25 June in the year after the consulate of the *vir clarissimus* Basil-
ius.

I, Caelius Silverius, pope of the eternal city, have signed this decree of condemnation against the criminal Vigilius, giving consent to all the above. Likewise, four bishops have also signed it, namely those of Terracina, Fondi, Fermo, and Minturnae. This document was delivered by the subdeacon Anastasius.

b. Establishing the text

- 1 Damnatio Vigiliū A Q_{app} P₉₆₂₉ λ] Epistula eiusdem Silverii papae in damnatione Vigiliū N₄₄₂ Epistula Silverii papae ad Vigiliū papam C.

The fluctuation in the titles exhibited by different classes of manuscripts suggests that they are not original but arose independently in different strands of the manuscript tradition.

- 5 ministeriis Q P N₄₄₂ λ] misteriis O mysteriis A P₉₆₂₉ C.

While I do not give much weight to this error, as it could easily originate independently, I consider *ministeriis* the correct reading because the phrase *leviticum ministerium* is better attested.⁵⁹

- 7 amplissimi A Q_{app} AI C λ] altissimi N₄₄₂.

The correct reading is no doubt *amplissimi*, which is better attested in the manuscripts and for which there are many parallels,⁶⁰ including official protocols such as those transmitted in the Acts of the Ecumenical Councils.⁶¹ The reading *altissimi* is a specific error of N₄₄₂.

- 8 a pontificali honore λ] a pontificali auctoritate C a pontificali A Q_{app} AI.

The reading transmitted by A, the *Quesnelliana-appendix*, and Pseudo-Isidore's AI is lacunose, as the adjective *pontificali* is left without a noun. I tentatively adopt the reading *honore* of E₉₇ and of the *Collectio Lanfranci*, although I am cognisant of the possibility that either that or *auctoritate* of Pseudo-Isidore's C manuscripts might be a medieval conjecture.

- 10 apostema C] apostoma A Q_{app} AI λ.

Although *apostema* ("ulcer, abscess") is grammatically more correct (being a loanword from Greek ἀπόστημα), it is only found in Pseudo-Isidore's C class, possibly by way of learned conjecture. Instead, the error *apostoma* was already in the archetype. Nonetheless, I adopt the reading *apostema*, which is better attested in sixth-century Latin.⁶²

⁵⁹ 1× Origen, 1× Hilary of Poitiers, 1× Jerome, 1× Missale Gothicum (query *levitic** + *minister** in Brepols' *Library of Latin Texts*), ACO IV 1, 193.VII.8.19. In contrast, *leviticum mysterium* did not yield significant results.

⁶⁰ 6× *Historia Augusta*, 1× Symmachus, 2× Facundus of Hermiane, 7× Cassiodorus' *Variae* (query *amplissim** + *senat** in the *Library of Latin Texts*).

⁶¹ 94× in a query on the database Amanuensis ACO (<http://www.riedlberger.de/amanuensis>).

⁶² Cf. commentary below, p. 46.

- 11 *sentire non potest medicinam* A Q_{app} C] *non potest sentire medicinam* AI λ .

The word order *sentire non potest* is more idiomatic. Secondly, although the *DV* is not consistently rhythmical, *nón-potest medicinam* yields a standard rhythmical clausula (*cursus velox*).

- 12 *apostolici medici* C λ] *apostoli medici* A Q_{app} AI.

While most manuscripts display the scribal error *apostoli medici*, the correct reading is preserved by Pseudo-Isidore's C class and by the *Collectio Lanfranci*.

- 14 *niteris inducere* N₄₄₂ λ] *nitaris inducere* A Q_{app} P₉₆₂₉ C.

- 17 *niteris invadere* N₄₄₂ λ] *nitaris invadere* A Q_{app} P₉₆₂₉ C.

The oscillation indicative/subjunctive with the causal relative clause introduced by *quippe* is attested in late Latin.⁶³ In these cases, however, the indicatives have a higher chance of being the correct reading as consistent with the previous indicative *versaris*.

- 17–18 *perpetuae damnationis* λ] *paenae damnationis* N₄₄₂ *poenae damnationis* A O AI *poenae damnationisque* Q P C.

I consider *perpetuae damnationis* to be the correct reading. *Poenae damnationis* might have originated as a misunderstanding of an abbreviated *ppetue*, while Pseudo-Isidore's C class emends this by elegantly adding the enclitic *que*.

- 22 DAT.Q] DATA A P N₄₄₂ C DATŪ O P₉₆₂₉.

The oscillation between *data* and *datum* in the manuscripts suggests that the archetype displayed an unresolved abbreviation *dat.*, as commonly found in late antique administrative documents.⁶⁴

- 22 \overline{PC} Basili A O] \overline{PC} Basilii Q P Principi Basili P₉₆₂₉ R₆₇₂ M₃ Principi Basilio N₄₄₂.

The most conspicuous divergence in the manuscript tradition concerns the subscription, that is to say: the concluding phrase with the date

⁶³ J. B. HOFMANN and A. SZANTYR, *Lateinische Syntax und Stylistik*, Munich, 1965, p. 560.

⁶⁴ On *dat.* in late antique administration, see most recently P. RIEDLBERGER, "What is the Meaning of 'dat.' in Subscriptions of Late Antique Constitutions?", *Frankfurter elektronische Rundschau zur Altertumskunde*, 54 (2024), pp. 1–56.

and signature of Silverius and the other bishops who thereby supposedly approved the document. Only A and the mss. of the *Quesnelliana-Appendix* (Q, P, O) transmit the original *subscriptio*, with the abbreviation \overline{PC} (= *post consulatum*), probably already in the archetype. Even though the date in A differs from that in Q, P, and O (*VIII kal. Iul.* A: *VIII kal. Iun.* QPO), the phrase *post consulatum Basili* refers to 542, which is one year after the consulate of Anicius Faustus Albinus Basilius, the last ordinary consul of Roman history: a genuinely late antique, if anachronistic, indication of date (Silverius had died four years prior, in 537).⁶⁵

The Pseudo-Isidorian manuscripts have erroneously resolved the abbreviation \overline{PC} as *principi*.⁶⁶ While the *A1* and *C* manuscripts of Pseudo-Isidore keep the grammatically untenable *principi Basili*, N₄₄₂ adapts it into the dative *principi Basilio*. Only Luciana Cuppo has defended the reading *principi Basilio* as genuine. In particular, she argued that, since the *DV* was the work of some partisan of the Three Chapters, the phrase *principi Basilio* would refer to the one holding the office of Rome's "first citizen" (namely, the incumbent consul) in absence of a legitimate emperor. Accordingly, such a *subscriptio* would be an expression of anti-Justinianic dissidence.⁶⁷ This is an implausible argument, first because the date in *subscriptio* needs a year, which would be missing if *principi* were the right reading; secondly because, to my knowledge, consuls are not customarily referred to as *principes*; and finally, Basilius' consulate was itself a manifestation of Justinian's recent fortune in the Gothic war: he had been appointed in Constantinople and it was to Constantinople that he fled five years later, when the Goths took Rome.⁶⁸

E₉₇ and the *Collectio Lanfranci* lack both the date and the final annotation about the delivery (*Data ista cartula per Anastasium subdiaconum*).

⁶⁵ Basilius 3, in J. R. MARTINDALE (ed.), *The Prosopography of the Later Roman Empire*, vol. 3A: *A.D. 527–641*, Cambridge, 1992, pp. 174–175. It is also noteworthy that the phrasing follows the traditional dating for post-consular years, in contrast to a new usage, attested among others by Victor of Tununna, whereby the year of the consulate is considered as the first and thus the first year after the consulate is counted as second (thus, for instance, 542 would be *post consulatum Basili anno secundo*). See E. STEIN, "Post-consulat et ἀποτοκροτορία", *Annuaire de l'Institut de Philologie et d'Histoire Orientales*, 2 (1934), pp. 869–912 (reprinted in *Opera minora selecta*, Amsterdam, 1968, pp. 315–358) and R. S. BAGNALL et al., *Consuls of the Later Roman Empire*, Atlanta, 1987, p. 34.

⁶⁶ As already noted by SCHIEFFER, "Zur Beurteilung", p. 183 n. 103.

⁶⁷ CUPPO, "The Other *Book of Pontiffs*", p. 61.

⁶⁸ A. CAMERON, D. SCHAUER, "The Last Consul: Basilius and His Diptych", *The Journal of Roman Studies*, 72 (1982), pp. 126–145, at 130–131.

These lacunae set E₉₇ and the *Collectio Lanfranci* against the rest of the manuscript tradition.

- 23 papa Urbis aeternae A Q_{app} AI] papa Urbis Romae C λ.

The correct reading is *aeternae*, which is transmitted both by the Arras manuscript, the *Quesnelliana-appendix* and Pseudo-Isidore's AI class, while *Romae* of E₉₇ and the *Collectio Lanfranci* may be the outcome of an intrusive gloss.

- 24 suprascripta A Q O] suasunt P statuta AI C λ.

The correct is reading *suprascripta*, which gives better sense in the context of a *subscriptio*. P, Pseudo-Isidore, E₉₇ and the *Collectio Lanfranci* misunderstand an abbreviation such as *ssa/sssta* (perhaps already in the archetype, as it is displayed by A, Q, and O) with various outcomes (*suasunt, statuta, constituta*).

- 25 Terracinensis C λ] Terrocinensis A Q P N₄₄₂ Terrocinenses O Terrorcinenses P₉₆₂₉.

- 26 Miturnensis λ] Meterrensis A Q P N₄₄₂ C Meterrenses O P₉₆₂₉.

The rare toponyms of the other signatories – all suffragan bishops of Rome's diocese – are best transmitted by Pseudo-Isidore's C manuscripts, E₉₇, and the *Collectio Lanfranci*. While it is possible that they preserve the original readings, it is also possible, in principle, that they restore them by learned conjecture, perhaps based on Livy or Cicero. *Miturnensis* of E₉₇ and of the *Collectio Lanfranci* manuscripts can be easily emended into *Minturnensis* ("of Minturnae").

c. Commentary

1 *Multis te transgressionibus*. The beginning and conclusion of the DV are inspired by Felix III's letter against Acacius (JK 599 = J³ 1214, epist. 6 THIEL), 1: *multarum transgressionum reperiris obnoxius* "You are found guilty of many transgressions".

2 *cruentis humano sanguine manibus*. According to the *Liber Pontificalis*, Vigilius had an unfortunate reputation for being quick-tempered and violent. Following his elevation to the papacy, allegations surfaced, accusing him of having killed his secretary in a fit of rage. Furthermore, he was said to have had his niece's husband arrested and beaten to death. These accusations were then held against him during his forced stay in Constantinople (*Lib. Pontif.* ed. MOMMSEN MGH gest. pontif. 1, pp. 150.9–151.2).

3 *excubare ministeriis*. Possibly an allusion to Vigilus' own name (*vigilare* and *excubare* being synonyms).

6–7 *temporibus sanctae memoriae Bonifacii papae ... nisi tibi amplissimi senatus obviasset iustitia*. As noted by Harnack, no other source specifies that the Senate was directly involved in preventing Boniface from nominating Vigilus as successor. This may be a valuable hint that the *DV*, although a forgery, is genuinely late antique (see historical context below pp. 51–53).

10 *apostema*. Although originally a Greek neuter, the misgendering of this noun into a feminine is well attested in late antique sources: cf. for instance Isid., *orig.* 4.7.19 and the Latin translation of Dioscorides (1.59).⁶⁹ The idea that a limb diseased beyond healing must be cut off lest the whole body be infected is proverbial: cf. Ovid, *met.* 1.190–191: *inmedicabile corpus / ense recidendum est, ne pars sincera trahatur* “that which is incurable must be cut away with the knife, lest the untainted part also draw infection⁷⁰”; *Novell. Theod.* 3: *sententia veteri desperatis morbis nulla sit adhibenda curatio*, “as the old adage goes, there is no cure for hopeless ailments”.

10–11 *nisi ferro altius abscidatur, fomentorum sentire non potest medicinam*. As noted by Hinschius in apparatus (p. 629), Siricius' letter to Himerius of Tarragona provides a particularly close parallel (JK 255 = J³ 605, 7): *quia ferro necesse est excidantur vulnera, quae fomentorum non senserint medicinam*, “because the injuries that did not respond to the cure of healing ointments must be lanced with iron”. Hinschius signals parallels in the False Decretals (Pseudo-Anacletus' *Benedictus Deus* JK †164 = J³ †340, 40; Pseudo-Fabianus' *divinis praeceptis* JK †92 = J³ †190, 11), in a Roman council allegedly held under Symmachus but that is in fact probably a Pseudo-Isidorian interpolation⁷¹ (JK I 98 = J³ †1443, ed. HINSCHIUS p. 683) and in a letter ascribed to Pelagius II but that also stems probably from Pseudo-Isidore (*Manifesto sicut optavimus* JK †1051 = J³ †2056, ed. HINSCHIUS p. 725).

12 *apostolici medici*. The characterisation of Peter's authority – both miraculous and salvific – as a form of medicine is relatively rare, although not unattested. Cf. for instance Orig., *in psalm.* 37 *hom.* 1.1 (ed. PRINZIVALLI SC 411, pp. 258–260), who defines Christ as “chief physician” (*archiater*) and his disciples, including Peter and Paul, as physicians. Similarly (in the same period as the *DV*) cf. Arator, *act.* 1.480–482: *I citus et curas hominum de calle frequentans /*

⁶⁹ Edition by K. HOFMANN and T. M. AURACHER, “Der Longobardische Dioskorides des Marcellus Virgilius”, *Romanische Forschungen*, 1 (1883), pp. 49–105, at 78.

⁷⁰ Translation by F. J. MILLER, *Ovid in Six Volumes*, III, *Metamorphoses*, vol. 1, LCL 42, Cambridge MA, 1972, p. 15.

⁷¹ See A. THIEL, *Epistolae Pontificum Romanorum genuinae et quae ad eos scriptae sunt a S. Hilario usque ad Pelagium II* (Brunsberg, 1868), p. 738, and W. T. TOWNSEND, “Councils Held under Pope Symmachus”, *Church History*, 6 (1937), pp. 233–259, at 258–259.

excute, Petre, gradus! Tecum medicina salutis / ambulat, “Go swiftly, Peter, and, as you visit the afflictions of the people on your path, stir your steps. With you walks the healing of salvation⁷²”.

14–15 *in morem Simonis*. The buying and selling of ecclesiastical offices are named after Simon Magus, who had attempted to bribe Peter into obtaining the authority to administer the holy spirit (Acts 8: 9–25). This practice was a growing concern in the sixth century: while ecclesiastical and papal rhetoric condemned it, civic authorities tried to curb and, to some extent, regulate it by setting limits to consecration fees. Among the sources closest in time to the deposition of Pope Silverius is a letter from Athalaric to Pope John II dated 533 (Cassiod., *Var.* 9.15⁷³). A Justinianic law of 535 (*Nov.* 6), which completely prohibited the acquisition of ecclesiastical offices through payment, was superseded in 546 (*Nov.* 123), when maximum allowable contributions from episcopal candidates were defined.⁷⁴ From a terminological standpoint, it is remarkable that the noun *simonia* is attested only from the ninth century onwards,⁷⁵ whereas Gregory the Great introduced and regularly used the phrase *simoniaca haeresis*.⁷⁶ By contrast, the *DV*'s wording is comparable to phrases such as *damnatio Simonis* (cf. Pope Gelasius, *epist.* 14 THIEL, 24 [J³ 1270 = JK 636] and Cassiod., *Var.* 9.15.11), *ad imitationem Simonis*, and *ad similitudinem Simonis Magi*, which are more commonly attested in the late fifth and early sixth centuries.⁷⁷ This is yet another argument for dating the *DV* to the mid-sixth century.

15 *data pecunia*. Liberatus of Carthage states that Vigilius gave part of the bribe he received from Theodora to Belisarius: *cui tradens praeceptum Augustae promisit ei duo auri centenaria, si Silverio remoto ordinaretur ipse pro eo*, “and by relaying the empress’ command, he promised him two hundred pounds of

⁷² Translation by R. HILLIER, *Arator: Historia Apostolica*, TTH 73, Liverpool, 2020, p. 144.

⁷³ Commented by R. LIZZI TESTA in *Cassiodoro: Varie*, 4: *Libri VIII–X*, ed. A. GIARDINA, G. A. CECCONI, I. TANTILLO, con la collaborazione di F. OPPEDISANO, Rome, 2016, pp. 339–357. See also R. LIZZI TESTA, “La vendita delle cariche ecclesiastiche: interdizioni canoniche e provvedimenti legislativi dal IV al VI secolo”, *Cristianesimo nella Storia* 33 (2012), pp. 449–474, and M. R. SALZMAN, *Simony and the State: Politics and Religion in the Later Roman Empire*, in *Late Antique Studies in Memory of Alan Cameron*, ed. W. V. HARRIS, A. HUNNELL CHEN, Leiden and Boston, 2021, pp. 198–219, at 214–216.

⁷⁴ See SALZMAN, *Simony and the State*, pp. 216–217 and M. CRISTINI, “Alcune osservazioni sulla simonia nell’Impero d’Oriente del VI secolo”, *Byzantinische Zeitschrift*, 116 (2023), pp. 751–762.

⁷⁵ I. ROSÉ, “Simon le Magicien hérésiarque? L’invention de la *simoniaca heresis* par Grégoire le Grand”, in *Aux marges de l’hérésie*, ed. F. MERCIER, I. ROSÉ, Rennes, 2018, pp. 201–238, at 203.

⁷⁶ See G. RIZZO, “Papa Gregorio Magno e la simoniaca haeresis”, *Augustinianum*, 53 (2013), pp. 195–229; ROSÉ, “Simon le Magicien hérésiarque?”, pp. 204–210; and, most recently, A. RECCHIA, *Simoniaca heresis: Denaro e corruzione nella Chiesa da Gregorio Magno a Graziano*, Rome, 2022, pp. 27–38.

⁷⁷ See the parallels discussed by ROSÉ, “Simon le Magicien hérésiarque?”, pp. 222–224.

gold, if after removing Silverius from office, he were ordained pope in his place” (Liberat. 22 *ACO* 2.5, pp. 136, 25–26; cf. p. 49 below).

16 *tribus iam iugiter emensis temporibus*. The expression is not immediately transparent. Perhaps *temporibus* could be interpreted as *anni temporibus*, meaning seasons of the year. In this respect, it may be relevant that the Laurentian fragment (ed. DUCHESNE, *Le Liber Pontificalis*, 1, Paris, 1886, p. 46) gives nine months as Silverius’ regnal period, which corresponds to the period in which Silverius in effect ruled before being forced out of office. In contrast, the *Liber Pontificalis* ascribes to him a reign of one year and five months, thus recognizing him as legitimate pope until his death. By counting a period of three months as a season of the year, the phrase may denote the time during which Silverius was in office before being ousted (nine months = three seasons).

17 *Habe ergo ... auctoritate damnatus*. Like the beginning, the concluding section of the *DV* imitates Felix III’s condemnation of Acacius almost word for word (JK 599 = J³ 1214, *epist.* 6 THIEL), 2: *habe ergo cum his, quos libenter amplecteris, portionem et sententia praesenti [...] sublatum tibi nomen et munus ministerii sacerdotalis agnosce, sancti Spiritus iudicio et apostolica per nos auctoritate damnatus*, “Hence, you shall have your portion of condemnation alongside those whom you like to embrace [...] and acknowledge that the title and office of the episcopal ministry have been stripped from you, as you are condemned by the judgement of the Holy Spirit and, by means of Our apostolic authority, by Us.”

22 DAT. VIII KAL. IUL. POST CONSULATUM BASILII VC. The year (542) coincides with that given by Victor of Tunnuna for the downfall of Silverius (ed. MOMMSEN *MGH* auct. ant. 11, pp. 200, 542, 1). This is an anachronism, as the deposition and exile of Silverius date in fact to 537, while his death occurred on the 20th of June 538.⁷⁸ Perhaps the author of the *DV* relied on Victor’s chronology despite the different focus on Vigilius’ wrongdoing, or both Victor and the *DV* derived this date from a common source. Victor links Vigilius’ accession to a promise, allegedly made to Theodora, to reinstate deposed patriarchs and to condemn the Three Chapters. By contrast, the *DV* lacks explicit references to doctrinal controversies and emphasises instead his simony and the irregularity of his accession.

25 *Pariter et quattuor episcopi subscripserunt*. Silverius’ letter to Amator (JK †901 = J³ †1787) alleges that Silverius gathered some bishops and issued a formal condemnation of those who had driven him out of office (*Ego tamen propterea non dimisi nec dimitto officium meum, sed cum episcopis, quos congregare potui, eos, qui talia erga me egerunt anathematizavi*, “Yet I did not demit my office, nor do I do it now, but, together with the bishops that I was able

⁷⁸ I follow the chronology of M. SCHÜTZ and N. HERBERS, *Regesta Pontificum Romanorum*, vol. 1, Göttingen, 2016, p. 298.

to gather, I anathematised those who perpetrated such misdeeds against me"). Apparently, this sentence seems to provide a setting for the *DV*. In addition, it is remarkable that three of the four episcopal sees of the signatories (Terracina, Fondi and Minturno) are geographically close to Palmarola, where Silverius was exiled. These considerations raise the question whether, like the *DV*, the letter exchange between Silverius and Amator might also be a late antique forgery and had its origin in the same circles as the *DV*. Yet, in the current state of research, the dubious manuscript tradition (solely constituted by Pseudo-Isidore, a collection strewn with Carolingian forgeries) and the derivative historical account (based exclusively on the *Liber Pontificalis*) encourage caution.

5. A comparison with other sources on the deposition of Silverius

a. Liberatus of Carthage

The elevation of Vigilius to the papacy was largely orchestrated by the court of Constantinople in the crucial period immediately following the Byzantine conquest of Rome during the Gothic war. Liberatus of Carthage's *Breviarium* (ed. SCHWARTZ, *ACO* 2.5, pp. 136–137) reports that Theodora summoned Vigilius (at that time papal *apocrisiarius*), persuaded him with an enormous bribe to support the cause of the Miaphysites, and sent him to Rome to be appointed pope with the support of the *magister militum* Belisarius. When Vigilius found out that Silverius had already been elected, he gave part of the bribe to Belisarius, who charged the pope with treason on the basis of forged letters to the Goths. Initially, Silverius sought sanctuary in the basilica of St Sabina, but then, after receiving dubious assurances of safe conduct by the Byzantines, he entered Belisarius' residence alone "and was never seen again by his followers".⁷⁹ The following day, Belisarius summoned the Roman clergy and ordered them to elect a new pope. Thus, with Belisarius' favour and despite the resistance of some, Vigilius became pope, while Silverius was exiled, first to Lycia and then to the island of Palmaria (present-day Palmarola, in the Tyrrhenian Sea⁸⁰), where he starved to death.

⁷⁹ *Qui solus ingressus a suis ulterius non est visus*: Liberat. 22 (*ACO* 2.5, pp. 137.6).

⁸⁰ The Palmaria island mentioned by Liberat. 22 (*ACO* 2.5, pp. 137.24) can be safely identified with Palmarola in (and not Palmaria in the Gulf of La Spezia, as MOORHEAD, *The Popes*, p. 81 assumes) because the *Liber Pontificalis* (MGH gest. pontif. 1, pp. 147.17) states that Silverius was exiled *in Pontias*, meaning the Pontine Islands to which Palmarola belongs.

b. The *Liber Pontificalis*

– Boniface II and Vigilius' failed nomination

The second main source about Vigilius' papal accession, the *Liber Pontificalis*, adds crucial context regarding his earlier career. Boniface II's *vita* in the *Liber Pontificalis* tells how Boniface attempted to nominate Vigilius as his successor.⁸¹ In so doing, he followed the precedent set by his predecessor, Felix IV (*sedes* 526–530), who had formally designated Boniface as his successor through a *praeceptum* backed by an edict of the Senate.⁸² This time, Boniface met less success than Felix. Faced with the violent opposition, Boniface was forced to disavow his decision and publicly burn his decree (called *constitutum* by the sources). He then sent Vigilius off to Constantinople as *apocrisiarius*. Unlike the *DV*, which blames Boniface's decision on Vigilius' meddling, this section of the *Liber Pontificalis* has a neutral stance towards Vigilius.

It is noteworthy that the *DV* accuses Vigilius of manipulating Boniface into selecting him as his successor “against the canons” (*contra iura canonica*). This phrase may well refer to the principle articulated in the *Council of 275 bishops* (purporting to stem from Pope Sylvester, but in fact forged around 500 in the context of the Laurentian schism), which prohibited a bishop from directly appointing a successor (ed. WIRBELAUER, *Zwei Päpste in Rom*, p. 332.100–108). In contrast to the recent trend of direct papal designation – exemplified by Felix IV's appointment of Boniface – the *DV* advocates for the principle of election by vote. This marks one of the earliest instances of a Laurentian forgery being accepted as valid law.

– Anti-byzantine sentiment in Silverius' *vita*

As for Silverius' downfall, Silverius' *vita* in the *Liber Pontificalis* is also hostile to Vigilius. According to this version, when Silverius refused to reinstate the miaphysite Anthimus, former patriarch of Constantinople, Theodora sent Vigilius to Belisarius with the order to remove Silverius. False witnesses emerged, alleging that Silverius had conspired to betray Rome to the Goths. Belisarius and his wife Antonina⁸³ had Silverius arrested, and – after a dramatic confronta-

⁸¹ Lib. Pontif. ed. MOMMSEN MGH gest. pontif. 1, p. 139. See HARNACK, “Der erste deutsche Papst”, pp. 27–35; RICHARDS, *The Popes*, pp. 122–125; and MOORHEAD, *The Popes*, pp. 70–71.

⁸² The documents were first discovered and published by G. AMELLI, “Documenti inediti relativi al pontificato di Felice IV (526) e Bonifacio II (530) estratti da un codice della biblioteca capitolare di Novara”, *La scuola cattolica*, 11 (1883), pp. 176–182. Further editions in T. MOMMSEN, “Actenstücke zur Kirchengeschichte aus dem Cod. Cap. Novar. 30”, *Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde*, 11 (1886), pp. 361–368, at 367–368 and in SCHWARTZ, *ACO* 4.2, pp. 96–97. The texts are also printed as Appendixes 3 and 4 in HARNACK, “Der erste deutsche Papst”, pp. 40–41.

⁸³ Procopius (*arc.* 1.11) also acknowledges the important role played by Antonina in Silverius'

tion in the Pincian Palace (Belisarius' Roman headquarters) – deposed him, and handed him over to Vigilius, who exiled him to the Pontine Islands (*Lib. Pontif.* ed. MOMMSEN MGH gest. pontif. 1, pp. 146–147).

c. Victor of Tunnuna

The third primary source, Victor of Tunnuna's chronicle, tells a similar story, albeit more succinctly. Yet Victor's version slightly differs from the previous two, as it reflects the doctrinal disputes surrounding the Three Chapters Controversy debated at the Council of Constantinople of 553. In particular, Victor explicitly states that Theodora made Vigilius promise to condemn the Three Chapters that had been defended at the Council of Chalcedon of 451 but were considered by many in the East as heretics. In addition, Victor includes a forged letter in which Vigilius allegedly expressed communion with Anthimus and two other patriarchs (Theodosius of Alexandria and Severus of Antioch) that had been deposed as Miaphysites (ed. MOMMSEN in MGH auct. ant. 11 pp. 200–201). In short, these are the common elements to Liberatus, the *Liber Pontificalis*, and Victor: Vigilius' unscrupulous ambition, his pact with Theodora to reinstate fallen bishops accused of Miaphysism, and Belisarius' authoritarian intervention in Rome culminating in the exile and death of Silverius.

d. The historical value of the *DV*

As Jeffrey Richards remarks, doctrinal partisanship in the above accounts must reflect the climate of the Three Chapters Controversy that arose from the Council of Constantinople of 553 rather than the reality of twenty years prior. Instead, it is highly likely that Silverius was removed because he was perceived to be too close to the Goths: after all, he had been elected while still a mere sub-deacon with the support of Theodahad. In response to the new state of affairs arising from the Byzantine successes in the war, a pro-Eastern pope was deemed more suitable in his place.⁸⁴

downfall. It is a pity that Procopius did not cover the story of Silverius' humiliating deposition as initially promised.

⁸⁴ J. RICHARDS, *The Popes*, pp. 129–133. See also a comparison of the three sources in C. SOTINEL, "Autorité pontificale et pouvoir impérial sous le règne de Justinien: le pape Vigile", *Mélanges d'Archéologie et d'Histoire de l'École Française de Rome, Antiquité*, 104 (1993), pp. 439–463, at 444–449 (translated in: *Church and Society in Late Antique Italy and Beyond*, Farnham, 2010, pp. 1–25). See also the summaries of the events in CASPAR, *Geschichte*, pp. 230–232; PRICE, *The Acts of the Council of Constantinople*, pp. 42–43; and M. CRISTINI, "Sailing to Byzantium: Sixth-Century Popes under Threat in Constantinople", in *Bishops under Threat: Contexts and Episcopal Strategies in the Late Antique and Early Medieval West*, ed. S. PANZRAM, P. POVEDA ARIAS, Berlin, 2023, pp. 183–204, at 193–196.

In this respect, it is remarkable that the *DV* makes no explicit reference to the alleged pact between Theodora and Vigilius, nor does it point to any ecclesiastical controversy, whether regarding the office of the demoted patriarchs or the doctrinal status of the Three Chapters. This might be another clue indicating that the *DV* is independent from other roughly contemporary accounts of Silverius' deposition: its focus is not on the rumours according to which Vigilius was ready to forsake orthodoxy as long he could secure the papacy, but solely on his unrestrained ambition and shameless simony. The involvement of secular authorities through bribery may be alluded to obliquely in the concise ablative absolutes *data pecunia meque repulso* ("after offering money and removing me"). Were the *DV* relying exclusively on the above sources, doctrinal politics would perhaps feature more prominently in its version of the deposition of Silverius. This observation may support Schieffer's argument that the *DV* stems from an Italian environment hostile to the Byzantines. At the same time, the Three Chapters Controversy is not a discernible concern of the *DV*'s author, whose primary focus is on contesting Vigilius' irregular accession. In other words, the focus of the *DV* differs from that of other sources, as it does not explicitly link Vigilius' accession with the doctrinal war raging in Constantinople, but solely denounces his illicit ordination. Its focus is purely internal to Rome: for the author of the *DV*, Vigilius deserved condemnation not because of his dubious orthodoxy, but rather because his papal accession happened against the canons and through the influence of external bribery.

Finally, as Harnack noted, the *DV* differs from the *Liber Pontificalis* in a small but crucial detail. While the *Liber Pontificalis* (ed. MOMMSEN MGH gest. pontif. 1, p. 139.23–24) simply states that Boniface burned the decree (or *constitutum*) with which he had designated Vigilius as successor "in presence of all the bishops, the clergy, and the Senate" (*praesentia omnium sacerdotum et cleri et senatus*), the *DV* suggests a direct involvement of the Senate (*nisi tibi amplissimi senatus obviasset iustitia*, "had the justice of the magnificent Senate not prevented you"). This implies that the Senate reversed its prior decree that endorsed Felix's designation of Boniface as his successor. As no other source attests this intervention of the Senate, Harnack takes this detail as a valuable hint that the *DV*, albeit a forgery, is a genuinely late antique one.⁸⁵

At the same time, Schieffer is right that *DV* cannot be directly contemporary with the events it described, and must have been written at a few years' distance, as it bears an anachronistic date that is paralleled only in Victor of Tunnuna (*post consulatum Basilii* = 542, whereas Silverius was deposed in 537). In short, the historical value of the *DV* needs a reappraisal: at the worst, it aligns with the other extant sources in suggesting that once Justinian and Theodora had offered Vigilius the chance to replace Silverius as pope, Vigilius had few qualms

⁸⁵ HARNACK, "Der erste deutsche Papst", p. 36 n. 2.

in seizing it. At best, and more probably, it offers a viewpoint that corroborates and provides additional insights to other contemporary sources on the deposition of Silverius.

6. Conclusion

The *DV* defies the idea that it is the victors who write history. Despite its spurious nature, this text provides us with the voice of a victim who fell prey to the intrigues of papal politics in a turbulent moment of the Gothic war. We do not know the extent to which the historical Silverius could have approved of this document: its acrimonious tone sounds somewhat at odds with Liberatus' portrayal of Silverius stoically accepting his fate when summoned by Belisarius, knowing full well that the outcome of his trial had already been decided. Nonetheless, the *DV* remains an eloquent yet almost forgotten document representing a group of Italian bishops who viewed Silverius' deposition and Vigilius' installation as the unlawful result of external interference.

While cautiously omitting the name of Belisarius and the Byzantines, the *DV* makes clear that Vigilius ascended to the papacy with bribery and violence. In addition, it links Vigilius' eventual success with his earlier attempt to secure the Petrine See, when (according to the *DV*) he manipulated Boniface into naming him as successor. The *DV* also includes details absent from other contemporary accounts, such as the role of the Senate in thwarting Vigilius' initial attempt. Moreover, it offers an internal Italian perspective, detached from the theological debate that affects other accounts of this story.

In contrast to the current editorial state, which is solely based on Pseudo-Isidore, an overview of the manuscript tradition, which includes a peculiar set of manuscripts connected to the *Collectio Quesnelliana* and other manuscripts related to the *Collectio Lanfranci*, leads to a more reliable text – which in turn, and most importantly, restores the authentic date and *subscriptio*. It is hoped that this edition will encourage the inclusion of this source in modern scholarly narratives of the Gothic war and sixth-century papal history.

Summary

This article provides the first critical edition with commentary of the *Damnatio Vigilii*, an invective letter spuriously ascribed to Pope Silverius (forcefully deposed by the Byzantines in 537) against his successor Vigilius. The discussion begins with issues of authenticity, followed by an overview of the manuscript tradition. The reference text of the *Damnatio Vigilii* is still based on a (non-critical) edition of a later and highly problematic collection called *Pseudo-Isidoriana*. In contrast to the current editorial state, a recognition of all canonical collections that transmit the *Damnatio Vigilii* (not just Pseudo-Isidore, but also a group of manuscripts related to the *Collectio Quesnelliana*, as well as the *Collectio Lanfranci*) permits the establishment of a philologically more reliable text. Commentary notes explain the textual-critical choices, draw parallels with other sources, and elucidate the style and language of this undervalued document. Finally, a comparison with other sources about the deposition of Silverius appraises the value of the *DV* as a historical document.

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