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Byzantine Monastic Foundation Documents:

A Complete Translation of the Surviving Founders' Typika and Testaments

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15. *Constantine IX: Typikon* of Emperor Constantine IX Monomachos

Date: September 1045

Translator: Timothy Miller

Edition employed: Denise Papachryssanthou, *Prôtaton* (= Archives de l'Athos 7) (Paris, 1975), pp. 216–32, with text at 224–32.

Manuscript: Codex Iveron (1096)¹

Other translations: Russian, by Porfirii Uspensky, *Vostok kristianskii. Athon. Istoriia Athona*, vol. 3, pt. 1 (Kiev, 1877), pp. 169–81.

Analysis

Like the earlier (12) *Tzimiskes* and the much later (59) *Manuel II*, this document illustrates an emperor exercising his prerogative to legislate for the Athonite monastic communities under his patronage. The actual author of this document, however, was the monk Kosmas Tzintziloukes,² dispatched by Constantine IX much as his predecessor Euthymios had been some 73 years earlier by John Tzimiskes to settle a series of disciplinary problems among the various monastic communities on Mount Athos. This time the emperor provided general instructions that the settlement should adhere to the provisions of the prior *typikon*, (12) *Tzimiskes*, and the relevant imperial chrysobulls. In the same spirit, the emperor ordered that the election of the *protos* should take place “according to the ancient rule” (confirming (12) *Tzimiskes* [28]). Yet in fact the Athonite monks persuaded Kosmas Tzintziloukes to endorse a considerable number of changes, which the emperor himself subsequently ratified a year later in a chrysobull that confirms this *typikon*.³

The immediate cause of the controversy is not identifiable, though as Papachryssanthou (*Prôtaton*, p. 104) suggests, based no doubt on the concluding injunction of the emperor’s instructions, it may have concerned a disputed election of the *protos*. In any event, as (9) *Galesios*, a roughly contemporaneous document, makes clear, the mid-eleventh century was a time of considerable ideological ferment in Byzantine monasticism. On Mount Athos, the older and more experienced ascetics who made the appeal to the emperor that led to Tzintziloukes’ inquest were advocates of fundamentalist reform.⁴ They insisted on a return to the conditions of monastic life in the previous century as regulated by earlier governing documents, especially (12) *Tzimiskes*, but also a now lost *typikon* of Emperor Basil II (976–1025) and imperial chrysobulls of unspecified authorship. The reformers contended with others, evidently including most of the superiors, who maintained that the considerably increased size of the monastic communities justified—and indeed could not be sustained without—a more permissive attitude towards a whole range of profitable economic activities.⁵

Prior to this imperial inquiry, the factions had battled out the issues in secular courts, which had not hesitated to depose and install superiors to carry out their judgments. We are told that the outcome was usually contrary to the *typika* and chrysobulls, implying that the advocates of le-

niency and economic expansion were getting the better of the fundamentalists. The latter, however, evidently gained a significant advantage by succeeding in framing the terms of the imperial inquiry, namely that it should be based on documentary sources, and with a presumptive mandate of returning the monastic communities to the observances set down in the previous century. These guidelines are contained in a letter from the emperor himself that is quoted near the beginning of the document.

Neither side won a complete victory on the mountain in 1045. Kosmas Tzintziloukes, true to the emperor's orders to permit no innovations, structured the debate around the constitutive documents. Exploiting their tactical advantage, the reformers first got Kosmas to agree to the expulsion [1] of beardless youths and eunuchs who had been tonsured in violation of (12) *Tzimiskes* [16]. Returning to this topic later in the inquiry, the reformers denounced superiors and monks who ordained teenage boys as priests and deacons [15]. Motivated by kinship ties or "some unsuitable attachment," some superiors even designated such youths as their successors in their wills.

The reformers' hostility to manifestations of aristocratic privilege is clear in their attempt [13] to revive the legislation of (12) *Tzimiskes* restricting the large number of servants who traditionally accompanied the superiors to the Athonite assemblies and frequently caused disturbances. The reformers failed to get the strict limitations of the earlier *typikon* revived and had to settle for more lenient restrictions. It is worth noting that even the reformers did not propose that the superiors should give up their servants. The controversy was limited to whether servants should accompany their masters to the assemblies, and what role they should play there.

The reformers generally failed in their attempts to return Mount Athos to the more austere economic regime endorsed by *Tzimiskes'* *typikon*. They argued vigorously and convincingly that current economic activities,⁶ many of them straightforwardly oriented towards profitable production for external markets, were clearly in violation of provisions in earlier *typika*. Yet their opponents who argued for leniency won most of the arguments by demonstrating the impracticality of these provisions, particularly in view of the mountain's greatly increased population.⁷

In a protest against one of the ancient abuses of the traditional Byzantine system of private patronage, the reformers decried [9] the propensity of some patron-superiors to cancel the benefactions they had made to their foundations. Upheld by Kosmas on this point, their protest would in another generation's time harden into an assertion of the absolute inalienability of all donations made to the benefit of ecclesiastical institutions. The reformers who, given their restrictive economic program, tended to come from the smaller foundations, are also found here successfully championing [10], [11] the interests of these lesser institutions against the *protos* and the heads of the larger monasteries, particularly when the latter authorities sought to infringe on the former's traditional rights in common lands.

A provision [8] of uncertain reference condemns those who dared to introduce and expel superiors as well as to cancel and amend the testaments of departed superiors, e.g., documents analogous to (14) *Ath. Testament*. These may be either the officers of the courts referred to in the preface or perhaps *charistikarioi*, the lay beneficiaries of the public program for the management of ecclesiastical institutions that was by this time encompassing an ever greater number of the

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private religious foundations of the empire. If so, this is another presage of a theme that would be central to the program of a later generation of ecclesiastical reformers.

It is also significant that the reformers did not limit themselves to citing relatively recent constitutive documents in support of their positions, but also brought [7] to Kosmas' attention the ruling of Basil of Caesarea condemning the reception of wandering monks without the permission of their previous superiors. This foreshadows the time when reformers would prefer patristic precedent to any number of imperial decrees or private *typika*.

Finally, the provision [14] for deciding "every important issue" concerning the Athonite community in a general assembly under the presidency of the *protos*, the superiors of Lavra and the other principal monasteries, and also "other most devout elders" would appear to represent a defeat (contra Papachryssanthou, *Prôtaton*, p. 107) for the Lavra and the great cenobitical monasteries that since Athanasios' time had sought institutional autonomy without accountability to either the *protos* or their neighbors. Indeed, even the imperial representative Tzintziloukes felt constrained to declare [15] that the provisions of the *typikon* itself had not been imposed "in an authoritarian or imperious manner, nor without consultation and review," but rather "with the consent and approval of all of the most devout monks of the Mountain and their superiors."

Notes on the Introduction

1. This is an official copy of the lost original, validated by Theodoulos, metropolitan of Thessalonike. For details, see Papachryssanthou, *Prôtaton*, pp. 216–17, with illustrations of the Iveron ms. in Album, pls. XXI–XXIII.
2. Tzintziloukes, a confidant of and likely spiritual father to the earlier emperor Michael IV the Paphlagonian (1034–1041); he was probably the superior of the Constantinopolitan monastery of the Anargyroi. See Psellos, *Chronographia* 4.52, ed. E. Renauld, vol. 1 (Paris, 1926–28), pp. 83–84; John Skylitzes, *Synopsis historiarum*, ed. J. Thurn (Berlin, 1973), p. 415; and Papachryssanthou, *Prôtaton*, pp. 221–22.
3. Dölger, *Regesten*, no. 879, ed. Papachryssanthou, *Prôtaton*, doc. 9, pp. 233–38, dated to June 1046.
4. For the identification of the reform party that led the protest to Constantine IX, see the latter's confirming chrysobull, ed. Papachryssanthou, *Prôtaton*, doc. 9, p. 236, line 7; cf. (15) *Constantine IX* [13], [15].
5. For the identification of the opposing party, see (15) *Constantine IX* [1], [2], [3], [4], [5], [11], [12], [13].
6. (15) *Constantine IX* [2], [3], [4], [5], [6], [12].
7. (15) *Constantine IX* [2], [3], [4], [5].

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Translation

The copy of the *typikon* issued for the Holy Mountain by the monk Kosmas Tzintziloukes by order of the renowned emperor, Lord Constantine [IX] Monomachos.

[Introduction]

The thoughts of a truly lordly and sacred emperor are deeply concerned not only with political matters and plans for the army, with turning back hostile peoples and enslaving enemies, with subjugating populous cities beneath his hand, but also with upholding especially the divine ordinances and the sacred canons. [Such an emperor] takes great care of those dedicated to God, who have fled the world and dwell in the mountains, who hold fast to God alone and strive after virtue, who know nothing more than this. He tries not only to guard them from abuses and every other sort of evil and to reward them with truly imperial and lavish munificence, but also to [p. 225] correct those errors of theirs which have their origin in Satan's envy of men, to stabilize their wavering, to join together the sundered pieces, and to lead the chosen and "peculiar people" of the Lord to peace and harmony (Ex. 19:5).

Now, it is possible to see such actions under our lord, the Christ-loving and pious emperor Constantine Monomachos. For, more than any others, the monks of the celebrated Mount Athos have always waged a hard fight against the one who has been the common enemy and opponent of the human race from the beginning. They did not, however, have an enemy who carelessly neglected to fight back against them in battle. When they had become lazy and sluggish, he secretly sowed the tares of conflict, strife, and division in their good seed of peace, love, and harmony (cf. Matt. 13:24–30). After such evil had advanced far, the monks came to his imperial majesty and sought to find a release from the threatening evils and from the spiritual danger born of these evils through the emperor's agency. They requested that this be done by dispatching some monk from among those who had experience concerning the solitary life, the sacred laws, and the correction and treatment of those scandals which take their origin from the evil one.

The aforementioned Christ-loving ruler received them, saw and heard them kindly, hearing what they had to say; and he approved their request. He promised to send such a monk as they had requested so that he could correct whatever evils had arisen among them, and establish order on the Mountain and true harmony among the monks practicing asceticism there. On account of this, he sent an honorable and august letter of his imperial majesty to us, humble as we are, which detailed clearly the situation in these words:

"The monks of the monastery of the Holy Mountain some time ago came to my imperial majesty to seek aid since they were being dragged before secular courts contrary to their *typikon*¹ and the chrysobulls which were kept on the mountain. By the power of these courts superiors were being chosen and all sorts of other things were taking place so that the force of the *typikon* and the orders of the chrysobulls remained only in writing. Now since certain questions had sprung up among the monks, both concerning the superior and concerning certain accusations dealing with spiritual matters, my imperial majesty decided that it was necessary to entrust the discernment of these questions to a man who has lived according to God's way and has experience in correcting spiritual ills so that the flock of Christ would not long remain divided against one another. Since there will be no one better suited to take these matters in hand than you [the monk Kosmas], my

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imperial majesty commands you to submit to this rewarding task and depart thither to study the *typikon* and the order of the chrysobulls. You are also to examine all the innovations of the monks and are to introduce a fitting remedy. In no case is the action of the judge to prevail against you. You should, however, make known in detail what your piety has established in order that my majesty might have full knowledge and can answer those who hereafter might wish to oppose [these measures]. For my majesty does not wish that anything novel should be undertaken on this Holy Mountain, but rather that the ancient laws and rules be observed and that all be done according to the orders of the emperors of blessed memory. My majesty wishes that, with knowledge and scrutiny, you fairly resolve all the accusations concerning spiritual matters, and moreover, [I wish] the election of the *protos* to be carried out according to the ancient rule² and that [the results] be dispatched to my majesty.”

This, then, [p. 226] was the text of the imperial and sacred letter of command. When I, the very least of monks, Kosmas Tzintziloukes, arrived on this holy mountain, following the stipulation of the imperial and sacred decree—a fair and just stipulation pleasing to God—I assembled all the most pious monks and superiors who were on this mountain. They numbered more than one hundred and eighty. [I summoned them] to meet with us in the Lavra of the Karyes as was the custom.³ As soon as this was announced, they were all assembled and gave great thanks to God. They also prayed fervently on behalf of the ruler because indeed he had brought their desire to completion and had fulfilled in deeds what he had promised in words. When we had sat down together with the aforementioned superiors and the *Protos* of the Mountain⁴ and had listened to what had gone on between the opposing sides, we discovered that what they presented was nothing else than the harassment of demons and senseless strife. As we asked for the gold-sealed *typikon* and the [other] chrysobulls issued by the blessed emperors, all of these documents were brought forth and read for all to hear. We asked which were the clauses which demanded correction from the imperial majesty.

[1.] Before all else they said that some [of the monks] showed no respect for the provisions laid down in the *typikon*, namely, that the monks should not accept and tonsure either eunuchs or beardless youths, nor have these in the fields or the monastery. The monks said that such evil demanded correction. Therefore, we together with the monks were immediately roused to condemn this and correct what pertained to it and we found that all [the monks] from the great down to the small were convinced and were ready to offer fervent promises that they would expel all such persons from the Mountain. Their expulsion, then, was carried out by the most devout monks—the superiors, the overseers, and the elders who were dispatched with these men—in accord with the collective will and the wish of the most devout *Protos* Theophylaktos, of Neophytos the most devout monk and superior of the Great Lavra, of Athanasios the most devout monk and superior of the Vatopedi monastery,⁵ and of George the most devout monk and superior of the Iveron monastery⁶ and [in accord] with our examination and judgment.

[2.] After this, they raised as their second point that some of the monks and superiors had fitted out boats to sell wine and some other products and had gone to the Queen of Cities [Constantinople] and to other cities and had sold these goods commercially. We, therefore, studied this matter—

whether it had been specified in some document after the *typikon* had been drawn up that they could possess boats—and we found a written and signed *typikon* of the blessed lord, the emperor Basil [II (976–1025)], which had been issued with the common knowledge of the *protos* at that time and of all the monks resident on Athos. This *typikon* not only did not allow this, but it even banned such demeaning trade and established expulsion from the Mountain as the punishment for those who dared do such a thing. On the other hand, it allowed the monks to own small boats and permitted them to sell excess wine as far as Thessalonike and the settlements within that region, if in fact no ships from outside were at hand. They should not, however, buy from some and sell to others, for such activity is proper to greed and to disgraceful gain.

We, too, wanted to require that the monks submit to this same canon, but it seemed to everyone that this was too difficult and burdensome. For they demonstrated that, if they [p. 227] owned no boats to supply the very needs of the monastery and to sell its fruits and surplus wine to people, they could not remain a single day on the Mountain. After this had been extensively studied, therefore, all were agreed that the monasteries would own small boats having a capacity of 200 to 300 *modioi*,⁷ sufficient only to meet their needs and to labor in their service. The monks were to go as far as Thessalonike and Ainos, and offering their excess produce to these people, they would take in exchange whatever they needed.

It would not be possible, however, for any monk to journey forth and leave the Mountain with the boats during the revered days of the holy and great Lent. Rather, they remain in their own monasteries and attend constantly upon God and on one another. Neither from the Mountain nor from outside were they to buy any sort of goods (I mean wheat or barley, wine or olive oil, or any other commodity of whatever kind) nor would they conduct commercial business by going hither and thither as people of the world do. This has been legislated as a compromise solution.

Clearly, those who are going to own such boats are to be certified before the *protos* and the assembly so that, if they should disregard the present ruling, their boats can be sold by the *protos* and the community and the price of the boats given to the steward of the Mountain so that it can be spent for the common needs. Moreover, it will not be permitted for someone who has done this to own another boat or to leave the Mountain in order that “the rest may stand in fear” (I Tim. 5:20) in the words of the Apostle.

It was also ordered that the large boats be totally decommissioned, except for the [monasteries] which have been granted the right to have them by gold-sealed *sigillia* of our emperors of blessed memory and except for the monastery of Vatopedi which a long time ago received the right to own such a boat by the written approval and wish of the man who was *protos* at the time and of the other superiors on the Mountain.

[3.] Proposing their third point, they said that all the *typika* and imperial decrees alike ordered that it would not be permitted for any of the monks to own cattle or teams of oxen, nor indeed to introduce them to the Mountain from alien land for grazing, unless of course this had been done with the approval of the monks. Nevertheless, now many of the monasteries own sheep and goats, while the Lavra of lord Athanasios even owns cattle. We agreed with them that it was right and proper to take action concerning this matter, and we ordered that they all rapidly divest themselves of whatever they could not legally own.

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All the rest, indeed, accepted this and were eager to divest themselves of such things. The most devout monk Neophytos, on the other hand, objected that it was impossible to support the large number of monks at his lavra together with the incapacitated old men without these cattle. As a reasonable defense he brought out that indeed these animals had not been introduced by him onto the Mountain, but it was now fifty years since this had been done by those who had been superiors before him and that the superiors of the Mountain had accepted this as an accomplished fact. When we again objected strongly, on the one hand, he accepted by banning the sheep, but on the other hand, he asked that he keep possession of the herd of cattle in a special and separate place for the consolation of the sick and those suffering from wretched old age. Therefore, all the superiors of the Mountain together with their oft-mentioned *protos*, the most devout monk Theophylaktos, consented to this.

They, then, clearly won us over concerning this matter. Indeed, since we realized ourselves that it was not possible for 700 monks to nourish themselves from [p. 228] fish alone, we compromised by yielding to the request of the superior and to the pleasure of the elders and the [other] superiors. It was then ordered that the aforementioned cattle stay far from all the monasteries (more than twelve miles) and that they be pastured by monks and never approach the monasteries.

[4.] Moreover, since it was stipulated long ago that the Lavra of lord Athanasios could own one team to work at kneading the bread for the brothers and since the number of brothers had increased from 100 to 700, all the monks of the Mountain were content to add three more teams to this one. We, too, agreed with the desire of all and ordered that the monastery could own such teams for kneading [bread] for the monks as has been said. On the other hand, no one at all was to plow or spread seed on the land with these teams. A compromise was made also with the monastery of Vatopedi because it had become so populous. It was acceptable to the *protos* and to all the other elders that this monastery have one team to knead the brothers' bread.

[5.] All agreed to another compromise which allowed the monastery of the Amalfitans to own a large boat since they were unable to survive by any other means. They were not to make use of this boat for commercial purposes, but they were to travel with it to the Queen of Cities if they wanted to import anything they needed for their monastery or to be supplied from those who love Christ.

[6.] Concerning this matter, however, certain ones raised the issue that some monks were exporting by boat lumber for building, thin planks, firewood, and pitch outside the Mountain and were selling these commodities to men of the world, and moreover, they suggested that such activity had been banned by the ancient *typikon*. Thereupon, we laid down that hereafter no one ought to do such a thing, but should sell these items to those on the Mountain for the private needs of the monasteries themselves. If, however, anyone is caught in such activity, he shall suffer the loss of the boat itself in a manner we have mentioned above.

[7.] The divine Basil, who reveals heavenly things, decreed in a rather detailed fashion that it was not right for a monk to leave one monastery and be received by others.⁸ So, too, the *typikon* of the

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Mountain prevented such things, for it states clearly that it is not permitted for another community to receive a brother who has left his monastery without the knowledge and approval of the superiors, except where the head of the monastery hands him over to this community in accordance with [the superior's] own will and the assent of the community under him.

[8.] This matter, too, came to my attention and we have found it to a greater degree in actions themselves. Namely, that some dare to overturn and cancel the decrees of departed superiors and make additions to what these men have determined, that they introduce and expel superiors and do all other things rashly. Acting in harmony with the ancient *typikon*, therefore, we decree regarding this matter that the ordinances of those departed be preserved secure and unaltered and that everything be done and executed in accordance with the tenor of the testaments of these men. If, however, some try to do anything contrary to this, let everything which those people do remain null and ineffective, and let them submit to the penalties of the canons.

[9.] Our humility has learned as well that some have made gifts of fields and monasteries as well as purchases of these and exchanges. In these, they have inscribed the venerable cross with their own hands. They also summoned many other witnesses to these deeds, witnesses who [p. 229] [signed] by affixing the sign of the cross with their own hands in the same way as [those who summoned them had]. Thereafter, these men change their minds and cancel [the agreements] they made. Alas, rashly and recklessly, they show no respect for such an important matter, and thus they, first, set at naught the trust which belongs to Christians, and, second, they deceive their own consciences. On account of this, with the approval of the most devout *protos* and all the other superiors, we have legislated that hereafter whoever would dare do such a thing must resign from the office of superior, and another from his monastery will be appointed in his place. Moreover, all his previous agreements will remain valid.

[10.] Concerning cutting wood, some of the monks on the Mountain charged that they were prevented by the more powerful monasteries from cutting wood for the purpose of heating and for their kitchens and bakeries as well as for the needs of those engaged in construction. We, therefore, legislated regarding this that they could take up wood wherever they wished for heating requirements. For construction, on the other hand, they could cut wood freely and unhindered in the common [areas of the] mountain, but in the territories of the monasteries it was necessary that they do this with the knowledge of the monks of each monastery and the permission of its superior. They could cut and take up as much as the monks would permit.

[11.] Many of the monks charged that in former times there was much common land and that it was sufficient to meet their needs. Subsequently, those who served as *protoi* through the years granted this out to whomever they wished because of certain special friendships with a few, or even many, monks and superiors and other [reasons]. The common land was thereby decreased, and therefore the monasteries were in difficult straits. With the judgment and approval of all, it was ordered that hereafter it would not be possible for anyone of those who were going to be promoted to such an office to give away anything from the common lands to anyone or to sell any part of it.

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[12.] They also said that the Lavra of Karyes had become an emporium instead of a lavra so that even things forbidden to monks are sold in it. With the approval of all, we judged and legislated that the lavra remain in accord with the ancient rule and that if these sorts of forbidden items (for I am ashamed to mention them by name) are found on any of the monks, these monks are to be driven out once and for all from this very lavra.

[13.] Almost all murmured against the superiors of the great lavras, saying that they attended the convocations with many servants and that they caused many difficulties for the meeting of elders and superiors and for their assembly because [bringing these many servants] gave rise, on the one hand, to fears within the assembly and, on the other, to fights outside it. Moreover, this caused no small impediment for those who were to examine and render judgment concerning what should be done for the proper order of the community since each one of the servants would boldly and arrogantly speak out whatever he wished and would argue with those who were to make decisions.

They assigned [the blame] for all this to the superior of the Lavra. This most devout monk, Neophytos, however, the superior of the very Lavra of lord Athanasios, just as he has seemed obedient with regard to all other matters on account of his benign disposition toward our humility, so in this matter as well he appeared more obedient than all the others. Therefore, he said that it was agreeable to him to return to the arrangement of the ancient *typikon*. He would attend with two servants, the *protos* with three, and all the rest without any servants. For thus the *typikon* of the gold seal commanded since the Mountain was so thinly populated at that time. [p. 230]

When the superiors of the remaining monasteries heard this, however, they took it ill and maintained that it was not possible for them to attend the convocations without servants who had to serve their old age and infirmity. On account of this, with the assent of all, we made it the rule that whoever was *protos* at any time would attend with three servants, the superior of the most pious Lavra of lord Athanasios with six, the superior of the Vatopedi with four, the superior of the Iveron monastery with the same number, while all the others would attend with one. Moreover, these servants were to stay in the cells of their monasteries and not enter the assembly at all nor mingle with the elders who render judgment nor disturb and interrupt them. If, however, the superior of the renowned Lavra of lord Athanasios wants one or two present with him, and if likewise the *protos*, the superior of the Vatopedi, and the superior of the Iveron each want one with them, let them be present, but let them speak not a word. If one should not wish to remain silent, let him be expelled from the council of the fathers—even by force.

[14.] In addition to these other matters, it pleased all to legislate that every important issue be decided in a general assembly under the presidency of the *protos* himself together with the most devout monk and superior of the Lavra of lord Athanasios and with the remaining principal superiors, if in fact these are present on the Mountain and are attending the assembly. All the other most devout elders should be present and participate in the decision with the fear of God and with truth, free from all favoritism and bribe-taking, from party feeling, from partiality, and from any other [human] passion: from envy, strife, and vengefulness. Let these examine everything and let them carry out whatever has been initiated. If, on the other hand, some have minor and insignificant issues to present to the *protos*, let him select as advisors fifteen superiors, and let them go together with the *protos* and correct whatever has slipped. It should not be possible for the *protos*

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always to choose the same superiors, but regarding one issue he should select certain ones, and regarding another issue others so that suspicions and scandals do not crop up in the community.

[15.] All of the most honorable elders in the assembly at the very end exclaimed that there was something which should have been placed ahead of all the other rules since it was more important than all of these. [They said that], led by stupidity, silliness, or ignorance of the canons, some monks and superiors had ordained boys who had not entered their twentieth year not only to the office of deacon, but also to that of priest. On account of some family relationship or some unsuitable attachment, others leave wills in which they designate young men of such an age as superiors—an unlawful act. Therefore, we, tearing up by the roots this unlawful and unreasonable practice (not to say an outrage, a desolation, and an overturning of the holy and sacred canons), we ordain and decree that, according to the sacred canons,⁹ a person could be ordained a deacon at the age of twenty-five, a priest at the age of thirty, and could be designated as a superior in a will at this same age [of thirty].

These lawful and salutary rules were ordained not in an authoritarian or imperious manner, nor without consultation and review. Rather, they were passed with the consent and approval of all of the most devout monks of the Mountain and their superiors. The signatures below will reveal their names. These laws were drawn up and enacted [p. 231] by me, Kosmas Tzintziloukes, the lowly monk, in accordance with the sacred and imperial order, and they have been signed by the more renowned elders of Mount Athos and have been handed over to the monks with the assistance of our sovereign and holy emperor.

All the monks on this Holy Mountain must observe these regulations and laws set forth by our humility in our capacity as imperial emissary. Whoever shall transgress these rules and fall under the judgment of the sacred canons, he will experience the censure of the ruler. Moreover, they must show the present *typikon* to our sovereign and holy emperor so that his Christ-loving and pious majesty can confer authority and validity upon it as was done with the *typikon* issued by Euthymios, the most devout monk and superior of the most pious monastery of Stoudios, who had previously been dispatched by imperial decree to establish order on the Mountain. This *typikon* was confirmed by Lord John [I Tzimiskes (969–976)], the blessed emperor who had dispatched him. These very rules we ourselves confirm and authenticate with the wish that they be maintained unshaken for ever.

This has been set forth, written, and signed by Theophylaktos the monk and *protos* of the Mountain, by Neophytos the monk and superior of the famous monastery of lord Athanasios, by Athanasios monk and superior of the Vatopedi monastery, by George monk and superior of the Iveron monastery, by John monk and superior of the Zygos monastery, and by the other preeminent monks and superiors of Mount Athos in the month of September, in the fourteenth indiction, in the year 6554 [= 1045 A.D.].

This document was confirmed by the imperial secretary and sealed with the imperial seal and signed by those who were superiors at the time whose names follow:

Theophylaktos, monk and *protos*

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Neophytos, monk and superior of the Great Lavra
Athanasios, monk and superior of the Vatopedi monastery
George, monk of Iveron
John, monk, priest, and superior of the Zygou monastery
Hilarion, monk of the monastery of Saint Nikephoros
John, monk and superior of the Kaspakos monastery
Elias, monk and superior of the Xeropotamou monastery
Peter, the humble monk and superior of the monastery of lord Athanasios
Theodoulos, monk and superior of the Docheiariou monastery
Luke, monk and superior of the monastery of the all-holy Mother of God
Athanasios, monk and superior of the monastery of lord Sisoos
Symeon, monk and superior of the Galiagra [monastery] [p. 232]
Jeremiah, monk and priest
Mark, monk and superior
Kyrillos, monk and superior of the Esphigmenou monastery
Antony, monk and superior of the monastery of Saint Eustratios
Nikephoros, monk and superior of the Berroiotou monastery
Leontios, monk and superior of the Phalakrou monastery
Bartholomew, monk and superior of the monastery of the Savior
Iakobos, monk of the monastery of the all-holy Mother of God
John, monk and superior of the Phakenou monastery
Theodore, monk and superior of the Kaletze monastery
Nikephoros, monk of the Xerokastrou monastery
Michael, monk of the monastery of the *Archistrategos*
Kosmas, monk and superior of the Philadelphou monastery
Gerasimos, monk and superior of the Loutrakiou monastery
Germanos, monk and superior of the monastery of the *Anargyroi*
Dorotheos, monk and superior of the monastery of Saint Nicholas
Nikephoros, monk and superior of the monastery of Saint Ephraem
Jonah, monk and priest of Saint Onouphrios' [monastery]
Michael, monk and superior of Saint Peter's [monastery]

The present copy was compiled and compared with the original *typika* of the Holy Mountain by Ioannikios, the devout monk and *protos* of the Holy Mountain. When it was found to be identical, it was sent to our ruler the Emperor¹⁰ by Niphon the devout monk of the Great Lavra, the solitary, in the month of September, the fifth indiction in the year 6605 [= 1096 A.D.].

Notes on the Translation

1. (12) *Tzimiskes*.
2. Cf. (12) *Tzimiskes* [28], with discussion by Papachryssanthou, *Prôtaton*, p. 124.
3. The reference is to the Prôtaton monastery, for which see Papachryssanthou, *Prôtaton*, pp. 111–23, and Alexander Kazhdan, "Protos," *ODB*, pp. 1146–47.

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4. Theophylaktos; see [1] and signatures below, with Papachryssanthou, *Prôtaton*, p. 131. His tenure in this office is attested in other documents through 1051.
5. For the Vatopedi monastery, founded sometime before 985, see Alexander Kazhdan, Alice-Mary Talbot, and Anthony Cutler, “Vatopedi Monastery,” *ODB*, pp. 2155–56, and Papachryssanthou, *Prôtaton*, p. 91.
6. For the Iveron monastery, founded ca. 979/80, see Alice-Mary Talbot and Antony Cutler, “Iveron Monastery,” *ODB*, pp. 1025–26, and Papachryssanthou, *Prôtaton*, pp. 83–85, 88.
7. The capacity of these boats is here measured in *thalassioi modioi* (one *thalassios modios* equals 17.084 liters). See E. Schilbach and A. Kazhdan, “Modios,” *ODB*, p. 1388. Boats of 200 to 300 [*thalassioi modioi*] would hold from 3416.8 to 5125.2 dry liters. [TM]
8. Basil of Caesarea, *Regulae fusius tractatae* 36 ([LR 36]), *PG* 31, cols. 1108–9; with discussion by E. Herman, “La ‘Stabilitas loci’ nel monachesimo bizantino,” *OCP* 21 (1955), 116.
9. Cf. *C. Trull.*, c. 14 (R&P 2.337).
10. Alexios I Komnenos (1081–1118).

Document Notes

- [1] Youths and eunuchs banned. The reference is to (12) *Tzimiskes* [7], whose ban is herein reinstated; see also (13) *Ath. Typikon* [48] and [34], quoting (3) *Theodore Studites* [18]. Papachryssanthou, *Prôtaton*, p. 84, n. 221, records the frequent transgressions of the ban; see [15] below for a suggestion of some of the consequences. Lavra, Vatopedi, and Iveron were the three great cenobitic monasteries of Athos, all founded in the second half of the tenth century.
- [2] Restriction on the ownership of boats. See discussion by Papachryssanthou, *Prôtaton*, pp. 105–6. Cf. [5] below. The reference to the *typikon* of Basil II is to Dölger, *Regesten*, no. 821, which is not preserved. The control of boats was a key to the control of the commercial activities their ownership made possible; see [6] below. In [5] below, the Amalfitans are excepted from the restriction on sailing beyond Thessaloniki and Ainos, a city in eastern Thrace.
- [3] Ownership of animals discussed. Perhaps the reformers have in mind (12) *Tzimiskes* [22] as well as (13) *Ath. Typikon* [31], [53] and other documents no longer preserved (so Papachryssanthou, *Prôtaton*, p. 223); Lavra’s superior Neophytos alludes to a judgment of the Athonite community ca. 995 that is no longer preserved, but cf. (12) *Tzimiskes* [23], which permits Lavra to own a yoke of oxen. See also [4] below.
- [4] Increase in Lavra’s allotment of cattle; Vatopedi permitted a yoke; restrictions on use. According to Papachryssanthou, *Prôtaton*, p. 104, in 1082, Vatopedi was allowed to double its holdings of cattle from the level permitted here.
- [5] Amalfitans permitted to own a large boat. For their monastery, see Paul Lemerle, “Les archives du monastère des Amalfitains au Mont Athos,” *EEBS* 23 (1953), 548–66, and Papachryssanthou, *Prôtaton*, p. 86. The Athanasian *Vita A*, chap. 158, ed. J. Noret, *Vitae duae antiquae sancti Athanasii Athonitae* (Louvain, 1982), p. 74, and *Vita B*, chap. 43, ed. Noret, p. 176, credits Athanasios with attracting Amalfitains to Athos.
- [6] Restrictions on the sale of timber and other building supplies. The reformers’ reference is to (12) *Tzimiskes* [24].
- [7] Previous superior’s permission required to transfer to another monastery. The reference to the *typikon* is to (12) *Tzimiskes* [5], cf. [4], [8], [18]. The allusion to a genuine work of Basil is unusual.
- [8] Departed superiors’ decrees may not be overturned. There is no clear support for this position in (12) *Tzimiskes*, but see the traditional concern of founders on this subject in (3) *Theodore Studites* [24], (5) *Euthymios* [2], (6) *Rila* [5], (8) *John Xenos* [3], (9) *Galesios* [246], and (13) *Ath. Typikon* [54].
- [9] Irrevocability of consecrated offerings. The objection here is not to the transactions per se, clearly permitted by (12) *Tzimiskes* [6] and very much a part of the traditions of private patronage in Byzantium,

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- but rather their revocation, long condemned as uncanonical, as in *C. Const. I et II* (861), c. 1 (R&P 2.648–49): see discussion in my *Private Religious Foundations in the Byzantine Empire* (Washington, D.C., 1987), pp. 134–35, cf. 37–38, 114–15. Later this principle would become well established under the auspices of the monastic reform movement, with a classic formulation in (22) *Evergetis* [19].
- [10] Regulation of cutting wood for firewood and building construction. Earlier, (12) *Tzimiskes* [24] had restricted the sale of firewood to laymen; see Papachryssanthou, *Prôtaton*, p. 104, on the exploitation of the Athonite forests in the interim between the two imperial *typika*.
- [11] *Protos* no longer to make grants of common land. This abrogates his implied right to do so in (12) *Tzimiskes* [2]; note that Athanasios had been a beneficiary of this practice when he first settled at Melana in 960.
- [12] Lavra of Karyes to end sale of forbidden items. There is no hint of what these might be (meat and other animal by-products?), but presumably the Protaton’s steward (for whom see also [2] above) was responsible.
- [13] Restriction on the number of servants accompanying superiors. In a clever tactical maneuver, Lavra’s superior Neophytos tactfully agrees to return to the standards set in the preface to (12) *Tzimiskes*, aware, no doubt, that the superiors of other great monasteries would never agree to attend without any servants.
- [14] The assembly’s jurisdiction and membership; resolution of minor issues. The two basic principles of (12) *Tzimiskes* [1], the subordination of the superiors to the *protos* in matters of disciplinary correction and the obligation of the latter to act in consultation with the former, are implicitly reaffirmed here; the Athonite elders (i.e., the reform element) gain a recognized legislative role.
- [15] Reaffirmation of canonical age requirements for clerical and monastic offices. At issue here are not “beardless” youths (for which see [1] above and (12) *Tzimiskes* [16]) but, formally speaking, young men below the age requirements for these appointments. Note evidence of continued hereditary transmission of the superiorship in traditional private religious foundations on Athos as in (41) *Docheiariou* [4] (early 12th c.).

Signatures. For the prosopography of individuals who can be otherwise identified, see Papachryssanthou, *Prôtaton*, pp. 221–23.