

This is an extract from:

Byzantine Monastic Foundation Documents:

A Complete Translation of the Surviving Founders' Typika and Testaments

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Published by

Dumbarton Oaks Research Library and Collection

Washington, D.C.

in five volumes as number 35 in the series Dumbarton Oaks Studies

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Trustees for Harvard University

Washington, D.C.

Printed in the United States of America

www.doaks.org/etexts.html

40. *Anargyroi: Typikon* of Theodora Palaiologina for the Convent of Sts. Kosmas and Damian in Constantinople

Date: 1294–1301¹

Translator: Alice-Mary Talbot

Edition employed: H. Delehay, *Deux typica byzantins de l'époque des Paléologues* (Brussels, 1921), pp. 136–40.

Manuscript: British Library Additional 22748 (14th c.)²

Other translations: None

Institutional History

This foundation, one of several Constantinopolitan monasteries dedicated to two brothers martyred under Diocletian (284–305) who were famous as the *Anargyroi*—those who rendered medical services “without charge”—is not otherwise attested outside of the present document. It is to be distinguished from a much more famous male monastery dedicated to these saints known as the Kosmidion that was located on the Golden Horn.³ The original foundation of the monastery under consideration here was due [2] to an unnamed *logothetes tou dromou*, who provided it with a *typikon* (see also [6]) and a landed endowment. It is not certain that this foundation was originally planned as a nunnery. This monastery was then ruined during the Latin occupation of Constantinople. The author Theodora Palaiologina’s plans for the restoration of the *Anargyroi* foundation preceded [2] those for the convent of Lips, while the actual work on the former foundation followed after the construction of the latter, probably at the very end of the thirteenth century.⁴ She re-endowed [4] *Anargyroi*, reconstituted now as a convent, with properties located in Constantinople and its vicinity as well as in the Thracasian theme. Though Lips and *Anargyroi* were independent of one another, their respective officials were to cooperate [7] on matters of mutual interest. The commemorations of the original founder and his family were also to be preserved [6].

Aran (“Anargyres,” p. 247) has attempted to identify the church of this foundation with the mosque of Atik Mustafa Camii in Istanbul, but Mathews and Hawkins (“Notes,” p. 134) have rejected this attribution.

Analysis

This document is extant as a kind of appendix to (39) *Lips*; our manuscript of the latter therefore is probably the working copy made for the convent of the *Anargyroi*. The nuns of this institution would have needed such a copy since the empress, or to be precise, her ghostwriter (for whom, see (39) *Lips*, B. Composition of the *Typikon*), contents [5] himself with cross-referencing the provisions of that document that were to be binding on the convent of the *Anargyroi* rather than recapitulating them.

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A. Importance of the Document

The *typikon* is important for the insight it provides into the relationship of a “second founder” (here, the empress) to the original founder, as well as how new regulations might relate to a pre-existing *typikon*. These were sensitive matters, given how on occasion private property rights in religious institutions had been disregarded in Byzantium. In reaction, founders customarily asserted the inviolability of their testamentary provisions (including but not limited to those in their *typika*) up through the definitive formulation of the argument for non-interference advanced by Nicholas Kabasilas⁵ in the fourteenth century. Both the empress (through her ghostwriter here and elsewhere in the discussion below) [1] and her husband Michael VIII (in (37) *Auxentios* [15]) endorse the concept. The empress’ regulation, which she terms [1] a “second exposition,” is justified on the necessity of a new property endowment and a spiritual renewal (*anakainesis*) of the convent’s mode of life; but she is careful to preserve [6] by reference at least some of the provisions in the prior *typikon* (cf. (33) *Heliou Bomon* [51]).

B. Lives of the Nuns

1. Number of Nuns

There were to be [6] thirty nuns at this foundation, eighteen consecrated to hymnody and the remaining twelve for “general housekeeping” duties. This is a precisely scaled-down version of the size and allocations found in (39) *Lips* [4], with 60% of the personnel assigned to hymnody and 40% for other services. The offices were to be [5] the same as in (39) *Lips*.⁶

2. Liturgical Duties

The liturgy was to be celebrated [5] by two salaried priests four times a week (including Sundays) as well as on special feast days. This compares to the four priests provided for in (39) *Lips* [6] for the two churches in that foundation; the liturgy was celebrated five times a week at *Lips*.

3. Cenobitic Lifestyle

Although the empress herein sets forth [1] a rule for the nuns intended to determine their way of life, she stresses that this was not intended as a revocation of the previous founder’s *typikon* and instructions, since “it is not right to annul a covenant of the departed.” The observance of this earlier rule had slackened [2] along with the physical disintegration of the foundation “though it has not completely disappeared,” which implies that the document itself was extant as the empress composed her own rule. Later on in the present document, she provides [5] that the nuns of the convent of the *Anargyroi* should adhere to the same way of life (i.e., cenobitic monasticism) as was being followed at *Lips*.

Provisions in (39) *Lips*⁷ were also to govern [5] such matters as the nuns’ visitation rights, the admission of nuns tonsured elsewhere, the system for distribution of new garments and collection of the old ones, and the purchase and storage of necessary commodities.

C. Constitutional Matters

1. Independent Status

While the empress provides that this convent is to be [3] “separate and independent,” she avoids

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using the traditional, precise technical vocabulary that had been developed since the time of (22) *Evergetis* [12] to establish institutional independence. She also omits here the customary list of perceived threats to her foundation's independence, although earlier, in a damaged portion of this document, she alludes [1] to previous emperors who have appropriated (i.e., confiscated) other monastic foundations. The convent of the *Anargyroi* was to remain unattached to any other foundation inside or outside Constantinople, not to be joined even to Lips, which she declares "is considered mine no less than this one." Rather than being subordinated to the latter institution (as two dependencies were to the convent of the *Anargyroi* itself in [4]) or be united to it by *henosis* (as Kellibara was to St. Demetrios in (38) *Kellibara I* [13]), Lips and the convent of the *Anargyroi* were to be [7] "separate in unity."

2. Relationship with the Convent of Lips

The empress charts new ground here in determining the relationship between the convents of Lips and of the *Anargyroi*. Essentially, the two institutions were to share customs [5] and cooperate in matters of mutual interest [7] but remain functionally independent of one another, a concept that was alien even to the various founders of the twelfth centuries who drew up *typika* based directly or indirectly on (22) *Evergetis*.

3. Other Constitutional Matters

As in their spiritual life, for constitutional matters the nuns of the convent of the *Anargyroi* were to adopt [5] the provisions found in (39) *Lips*. In particular, they should choose a superior for themselves and seek out a spiritual father whose instructions they should follow when he visited the nuns in the narthex of the church. Commemorations were also to be carried out [6] as in (39) *Lips* [30] for the empress' ancestors and descendants, "but simply, and not with such great expense." In the spirit of respecting the wishes of the previous founder, the nuns were to preserve [6] the commemorations he had provided for himself, his parents, and all those mentioned in his *typikon*.

D. Financial Matters

1. Financial Administration

The empress must have expected that the convent of the *Anargyroi* should follow the example of Lips in its financial administration. She specifies [5] that the steward should be either a eunuch or be chosen from among "otherwise respectable men." He was to receive a salary in cash and in commodities, less generous than that provided to his counterpart in (39) *Lips* [25]. As in (39) *Lips* [26], he would not be resident in the convent, but would visit on appointed days to conduct the necessary business with the nuns. The convent was to maintain a register of accounts (cf. (39) *Lips* [22]).

2. Endowment Properties

The properties donated by the previous founder that had once made up the foundation's endowment had been lost [2] during the Latin conquest. Moreover, the empress claims [2] that she "took charge of a foundation in ruins." She restored [1] the convent which was about to collapse and put a wall around it for security.⁸ Then she donated [2] consecrated objects "since it had none" as well as landed properties, creating a new endowment. There is a considerably damaged inventory [4]

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of the endowed properties in the document. Some of these properties were located in Constantinople, while others were outside the capital, including some near Chalcedon. The empress orders [3] that all were to be considered as the “private property of this convent alone,” that is to say, that the convent of the *Anargyroi*’s endowment was to be separate from that of Lips.

E. Overall Philosophy

A note that the provisions of the previous founder for donations of alms at the gate were to be preserved [6] is the only mention of institutional philanthropy. Nothing is said of such matters as relations with the ecclesiastical hierarchy or any special privileges for the founders’ relatives.

Notes on the Introduction

1. See Talbot, “Theodora Palaiologina,” p. 299.
2. See Talbot, “Theodora Palaiologina,” p. 301.
3. For this foundation, see Janin, *Géographie*, vol. 3, pp. 286–89; Eurydice Lappa-Zizikas, “Un chrysobulle inconnu en faveur du monastère des Saints Anargyres de Kosmidion,” *T&M* 8 (1981), 255–68; and Otto Volk, “Die byzantinischen Klosterbibliotheken von Konstantinopel, Thessalonike und Kleinasien” (Ph.D., diss. Munich, 1955), pp. 59–63.
4. So Talbot, “Theodora Palaiologina,” p. 300.
5. See Ihor Ševčenko, “Nicholas Cabasilas’ ‘Anti-Zealot’ Discourse: A Reinterpretation,” *DOP* 11 (1957), 80–171, with the discussion below in Chapter Nine, E. Historical Context, 4.
6. Cf. (39) *Lips* [21] through [26].
7. (39) *Lips* [15], [20], [24], [36].
8. Cf. (27) *Kecharitomene* [73], [74], [79].

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Translation

[Concerning the convent of the Holy *Anargyroi*.]¹

[1.] (= ed. [55]) . . . different rulers have appropriated for themselves different monastic complexes, but my majesty exerted herself with regard to this convent, as no one ever before; I restored it properly when it was about to collapse, walled it all around for security, and donated gifts of property. As soon as I became involved with the convent, I decided to set forth a rule for the nuns therein concerning their way of life, and, to the best of my ability, to instruct them in fitting

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[conduct], but not to revoke the previously ordained *typikon* and instructions for the convent. For may it never [p. 137] befall me (not only with regard to action or wishes of any sort in the religious sphere, but in the secular sphere as well) totally to annul or revoke anything. For I myself have heard the words of the apostle that it is not right to supersede or “annul a covenant” (Gal. 3:15, 17) of the departed; but if the divine herald [St. Paul] ordains this with respect to simple testaments, it is altogether evident that he wishes to confirm those testaments made according to God. It is not therefore for such a purpose, but for [spiritual] renewal, to tell the truth, and for a second exposition of the property and the proper course of action and mode of life.

[2.] (= ed. [56]) For the properties which were donated to the convent by the *logothetes tou dromou* were lost in the destruction of Constantinople (or rather of the Roman Empire), and, as if it were dead from that time until now, they have been divided up and fallen into other hands. The rule of spiritual life which he composed has been weakened with the rest, and, even though it has not completely disappeared, it has been ignored until now. For I would venture to say that the convent erected by him could [now] be recognized as a convent [only] by certain small vestiges and faint traces.²

For these reasons I decided to set down anew rules for the [convent], inasmuch as I took charge of a monastery in ruins, as I said, and contributed treasures to it, since it possessed nothing, and have donated estates. Although I have also exerted myself with regard to the convent [of Lips], which is honored with the name of my all-holy Lady and Mother of God, in the way which I have already mentioned, and have accomplished such as I have made clear, I have not altered my intentions with regard to this [convent of Sts. Kosmas and Damian], nor did the same thing happen to me which usually happens to those who become entranced with later undertakings and neglect earlier commitments. For even though I have taken responsibility for this convent, I have not cast aside that one, nor slackened my purpose with regard to it. Therefore since I have written down instructions for the convent [of Lips] as I intended, I will [now] make known my wishes with regard to this convent [of the *Anargyroi*].

[3.] (= ed. [57]) It is my will and command (for I give this priority) that this [convent of the *Anargyroi*] be separate and independent, not attached to any [convent] whatsoever, not only those inside or outside Constantinople, [p. 138] but not even the one built or rather restored by my imperial majesty [the convent of Lips], and considered mine no less than this one, and so esteemed that it was chosen for the final resting place of the body of my daughter,³ who has predeceased me, and for myself, and for my honorable mother,⁴ and absolutely all my descendants who wish it. It is also my desire that the estates and fields of this convent [of the *Anargyroi*] appear and be considered as the private property of this convent alone. They are as follows:

[4.] (= ed. [58]) From the . . . [lacuna] . . . located in the Thracesian theme, . . . [lacuna of at least one folio]⁵ . . . also honored with the name of my surpassingly pure Lady, the Mother of God, and the [monastery?] at Oulas, honored with the name of my Lord, Christ the Savior, which possess a chrysobull determining each of their properties; in like manner the [property] within Constantinople and in the environs which is controlled and owned up to the present time by the convent of the

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miracle-working saints Kosmas and Damian, i.e., a piece of arable land inside the city of 640 *modioi*, a vineyard of 65 *modioi*, a garden at Blanga with the pasturage there; outside [the city] at Philopation arable land of 1000 *modioi*; at Daphnoudion the estate of St. Leontios with the pasturage belonging to it, the fair and the land called the Apotheke; at Marnakiou in Chalcedon dependent peasants worth 40 *nomismata*, and arable land of 452 *modioi*, a vineyard of Ambeles of 9 *modioi*, another, of Aoinares, of 18 *modioi*; in two places at Galata a field of 30 *modioi* and of Barelina of 10 *modioi*, in which is a bathing place with poor people squatting nearby; at Charax 240 olive trees in different places, arable land of 250 *modioi*, and four dependent peasants worth six *nomismata*.

[5.] (= ed. [59]) I want the nuns of this convent to adhere to the same way of life [as at Lips], and thus they should choose the superior, thus they should seek out and accept a spiritual father with a pure heart, and should joyfully fulfill his instructions, as has already been laid down, when he visits the convent and [p. 139] meets with [the nuns] in the narthex. The assignment of duties should follow the same rule, but this convent should have [only] two priests, who should receive annually the same number of gold pieces and *modioi* of wheat and measures of wine, for celebrating in turn the holy liturgy three times a week, not counting special feast days and Sundays. Similarly the steward should be chosen from among eunuchs or otherwise respectable men, and should receive as pay 30 gold pieces, 50 *modioi* of wheat, 50 of barley, and 50 measures of wine. The register of accounts and the time of his visit for this purpose is to be maintained as previously indicated, as well as the excursions of the nuns and the admission of outsiders, the distribution and return of garments, the purchase and safekeeping of necessities; to sum up once and for all, it is my wish that my convents not differ from each other in any way, except in division of property and the number of nuns and certain other very minor aspects, which I will specify. In all other respects I wish the rule to be maintained without any alteration.

[6.] (= ed. [60]) What are the differences? The convent of Lips should celebrate the feast days of our Lord in a more magnificent manner, the *Anargyroi* more simply, and as is customary for convents everywhere. The former should celebrate a special feast twice a year, that is on the birthdays of the Mother of God and of [St. John] the Forerunner and Baptist; the latter should have a special feast day once a year, and considerably simpler, in commemoration of the holy *Anargyroi*.⁶ For the emperor will not visit the convent of the *Anargyroi* (unless he decides differently), nor many officials. The number of nuns at Lips is to be fifty, but only thirty at the *Anargyroi*, of whom eighteen will be responsible for the divine hymnody, the rest for the general housekeeping. It is my wish that commemorations be celebrated at *Anargyroi* for my ancestors and likewise for my descendants in the same manner as at Lips, but simply, and not with such great expense, but such as would not be onerous for the convent. I wish also that, in accordance with the instructions set forth by the first founder of the convent, I mean the *logothetes tou dromou*, commemorations be celebrated in his memory and in memory of his parents and of all those mentioned in his *typikon*, and that alms be given to the poor⁷ in front of the gates, according to the amount prescribed. [p. 140]

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[7.] (= ed. [61]) I wish the two convents to differ only in these respects, and to correspond in every other way, being separate in unity, so to speak, and united but separate. For it will be possible for the superiors of the convents to consult with each other and to discuss what is fitting for the [convents] in their charge, when appropriate. No less, indeed even more so, would it be necessary for the stewards to consult about their responsibilities. It would be most profitable for them to meet with each other and to discuss their affairs. May God assist both the convents alike and lend a helping hand, so that the nuns therein may have an untroubled existence here on earth and fulfill their vows, and in the world to come may not be deprived of the blessings which have been prepared for them, to the glory of God the Father, his only-begotten Son, and the co-eternal and life-giving Spirit.

“Christ, thou didst remove an excellent vine with splendid bunches not from the dark Egyptian . . . [lacuna]” (cf. Ps. 80:8).

Notes on the Translation

Editors' note: The assistance of our translator, Alice-Mary Talbot, is gratefully acknowledged for the notes to this document.

1. The beginning of the *typikon* is missing; Delehaye has supplied the chapter heading.
2. Or reading *móne* instead of *moné*, and translate “could [now] be recognized only by certain small vestiges . . .”
3. Probably Anna, who died sometime before 1301; see (39) *Lips* [42] and Talbot, “Theodora Palaiologina,” p. 299.
4. Eudokia Angelina; see (39) *Lips* [42] and Talbot, “Theodora Palaiologina,” p. 295.
5. This lacuna has been proposed by the translator between fols. 66v and 67r of the ms.
6. Feast of Sts. Kosmas and Damian, November 1.
7. *penesi*; Delehaye omits.

Document Notes

- [1] Relationship to the prior *typikon*. For the preservation of certain provisions of an earlier *typikon*, see also (33) *Heliou Bomon* [51]; for the argument for non-interference in a founder's testamentary provisions, see also (37) *Auxentios* [15].
- [2] Fate of the foundation. For other foundations ruined during the Latin occupation of Constantinople, see (38) *Kellibara I* [12] and (46) *Akropolites* [2].
- [3] Independent status. For other assertions of institutional independence in the thirteenth century, see (34) *Machairas* [21]; (35) *Skoteine* [20]; (36) *Blemmydes* [1]; (37) *Auxentios* [2]; (38) *Kellibara I* [15]; and (39) *Lips* [1]. For the burials at Lips, see (39) *Lips* [42], with discussions in Macridy, “Monastery of Lips,” pp. 269–72, and Mango and Hawkins, “Additional Notes,” pp. 301–3.
- [4] Inventory of endowment properties. For contemporary inventories of this sort, see (35) *Skoteine* [31] ff., (37) *Auxentios* [17] (missing); (39) *Lips* [44], [45]; and (57) *Bebaia Elpis* [121] ff.
- [5] Administrative dispositions. See parallel provisions in (39) *Lips* [11], [12] (spiritual father); [22], [23], [24] (officials); [6] (number of priests); [25] (steward); [22] (accounts); [15] (visitation procedures); [36] (communal wardrobe); and [24] (procurements).
- [6] Differences with the *typikon* of *Lips*. See parallel provisions in (39) *Lips* [37], [38] (feasts); [39] (imperial visitations); [4] number of nuns; and [30], [42] (commemorations).

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[7] Relationship with the convent of Lips. See similar provisions for consultations on fiscal matters in (31) *Areia* [M6]; the constitutional relationship between the two convents in this “union” is different from that envisioned in (38) *Kellibara I* [14].