CHAPTER 8

Exile, prison and the Christian imagination

The previous chapter investigated the rising use of confinement in the context of legal exile. We will now turn to the ways how this confinement was experienced by those who suffered it. As we shall see, the surviving records give us more insight into the role such experiences played for the articulation of certain literary strategies than into actualities of confinement. Nonetheless, these literary strategies demand our attention as they attest the, compared to most classical sources, ambiguous image of the late Roman prison in Christian writing, ranging from an icon of persecution to a warranty for the sincerity of ascetic behaviour.

Realities of imprisoned exiles

There are few sources which describe what life was like for exiles held in confinement. Archaeological research on the late Roman army may help us to conceptualise experiences of exiles sent to fortresses, even if only on a very general level. Late Roman military fortresses were often forbidding strongholds, with thick, towered walls inside which the barracks crowded together, a central square-shaped courtyard, and accessible only via one gate. This invokes an image of a panoptic layout, fit to create a claustrophobic feeling.[1] Literary sources also provide some information. The fortress of Papirius, where Zeno confined the usurper Marcian – though perhaps a less formal establishment – was in the words of the early sixth-century chronicler Pseudo-Joshua Stylite naturally difficult to access and heavily fortified by human hands, with only one road leading up to it, so narrow that it had to be walked on in single file. The fortress was hence 'amazingly secure' and certainly chosen as Marcian's residence for this purpose.[2]

[1] Southern, Ramsey Dixon (1996) 133–139.

[2] *The Chronicle of Pseudo-Joshua Stylite* 17 (transl. F. R. Trombley, J. W. Watt (Liverpool University Press, 2011) 15–16). He describes the fortress with reference to the final siege of Illus.

We do not know, however, where exiles might have resided within a military compound and whether they were, in addition to being in the fort, also locked up. This is hardly imaginable in the case of, for example, Theodosius of Alexandria, who in 536 came to the fortress of Derkos in Thrace with allegedly three-hundred of his clerics.[3] Of course, fortresses may have had prisons for those who had violated military rules, although again we can only speculate about this aspect of military discipline.[4] Victor of Tunnuna and Theodore of Cebarsussi were apparently held in one such *carcer* after they had been exiled to Alexandria in 555, the *carcer* of the *castellum Diocletiani*, which may refer to the legionary camp of Nicopolis outside the city.[5] Such *carceres* may also have been the spaces where soldiers held members of the public on request from the local population or to extort debt, a practice, as we have seen in Chapter 5, at the same time widespread and legally prohibited. The *castrum* at Dionysias in the Fayyum in the Upper Thebaid (now Quasr Qarûn), where the *praefectus alae* Abinnaeus was commander in the mid-fourth century, was exactly one of these Roman forts built at the time of Diocletian, a small, bulky and heavily walled bastion, overlooked by towers, and closable by one wooden gate. It is no surprise, then, that the surrounding villagers thought this an appropriate space to lock up their offenders and incalcitrant debtors properly.[6] We can imagine that those who wanted to secure unruly exiles thought the same.

Where exiles were sent to quarries or mining complexes, they were perhaps housed in the workmen's barracks, rather than with the soldiers. The only archaeological evidence we may have of such barracks originates from the second-century yellow marble quarries of Simitthus in Africa proconsularis (mod. Chemtou). While it cannot be entirely verified that the stone building excavated at the centre of a walled site was supposed to hold slaves and convicts to hard labour, its layout at least allows the speculation. This was a heavily secured complex, where people could be segregated into six different compartments, each with its separate entrance and own set of guards, drawn, presumably, from the military unit dispatched to control the quarry. At the same time, the building had latrines, with barred gutters, and a bath house, which suggests the

[3] John of Ephesus, *Life of John of Hephaistopolis* (PO 18:528–529).

[4] On military prisons see Krause (1996) 252 and above Chapter 5.

[5] Victor of Tunnuna, *Chronicle* ann. 555.2 (MGH AA 11.2:204). On Nicopolis see Haas (1997) 31–32. Note, however, also the use of the term *castellum* for fortified settlements in late antiquity, see above pp. 228–229.

[6] On the fort see Bell (1962) 19–20.

authorities' interest in inmates' hygiene, for fear of disease and contagion.[7] Such spaces of course would have allowed for a much more systematic surveillance of exiles. It is, however, not certain whether the situation at Simitthus, a site that was abandoned in the third century, can be taken as representative for all imperial mines and quarries in late antiquity or for that matter at any time of the Roman empire. At Phaino, for example, although we know from the church historian Eusebius of Caesarea, who commented on Christians sent here during the early fourth-century persecutions, that there must have been soldiers under supervision of a *dux* around and that there were barracks for workers, these by no means compare to the prison-like conditions at Simitthus. There were separate settlements as well, which at the time of the Great Persecution housed those Christians too old or unable to work because they had been maimed prior to their dispatch to the mines. They were free enough to celebrate mass and construct a church, but also seem to have segregated among themselves, as in 308–9 between the followers of Meletius of Lycopolis and those of Peter of Alexandria.[8] The diversity of housing at places of hard labour means, of course, that we cannot postulate isolation of all exiles sent to such 'fortresses'.

It is even more difficult to reconstruct living circumstances of those exiles shut up in less well defined places. Since such confinement was often not in public prisons but in buildings of a non-civic nature, such as inns, private houses or places belonging to the church, the ways exiles were held may have been endless. Still, similar to those in fortresses, exiles in confinement themselves as well as later commentators complained about cramped or underground space, cruel and ubiquitous guards, darkness, foul air, hunger and sickness as a result of their confinement. The clearest example of such depiction derives from Eusebius of Vercelli's letter from his place of exile at Scythopolis to his clergy and congregation back home in Italy.[9] As we have seen in the previous chapter, Constantius II had sent the bishop of Vercelli to the see of his clerical ally Patrophilus in 355 for not subscribing to the creed of Sirmium and the condemnation of Athanasius of Alexandria at the Council of Milan. At Scythopolis, Eusebius and his companions got into trouble with Patrophilus, which, at some point, led to his detention.

[7] Mackensen (2005) 3–8, 88, 111; Hirt (2010) 25, 185.
[8] Millar (1984) 140–141; Mattingly (2011) 187–191. On the Christian community at Phaino and their liberties see Eusebius of Caesarea, *de Mart. Pal.* 13.1–13.10 (SC 55:170–173); Epiphanius, *Panarion* 68.3.8 (GCS 25:143).
[9] Eusebius of Vercelli, *ep.* 2 (CC 9:104–109).

In this context, Eusebius described three or possibly even four different types of confinement. Firstly, there were his own periods of detention in perhaps three different places, all of which were not in a public prison but apparently became increasingly more restrictive. Eusebius explained that he had already been quasi-imprisoned from the beginning of his stay in Scythopolis, in a *hospitium* (possibly an inn), 'from which I did not leave except due to your violence' as he wrote to bishop Patrophilus (*ep.* 2.4: *e quo numquam nisi vestra violentia egressus sum*). In a second *hospitium*, he was then even locked up alone 'in one room' (*cella; ep.* 2.4). Finally, he was taken to an unnamed place and confined under 'very strict guard' (*arctiori custodia recludunt*). Secondly, there were his clerics, who were locked up (*includunt*) elsewhere (*ep.* 2.6), but it remains unclear whether in the public prison. The prison (*carcer*) was certainly the place those who came to visit Eusebius were sent. Finally, Christian virgins who also came to his assistance were placed in *custodia publica*, which may mean the public prison, although one might also imagine that, for reasons of modesty, they were put under some sort of house arrest (*ep.* 2.6).

What complicates our understanding of Eusebius' experiences under house arrest and his followers' in the public prison is, however, that Eusebius repeatedly conflated both. To begin with, he called Patrophilus his 'jailer' (*custos; ep.* 2.4 and 11), and those who held him 'hangmen' (*carnifices, ep.* 2.3), with all the connotations of formal and informal violence in the prison that this entailed.[10] Eusebius also used the verb *recludere* indiscriminately for the act of inclusion in the *carcer* or some other official place of detention and at his place of confinement (*epp.* 2.3, 6, 8) and called both *custodia* (*epp.* 2.6, 8, 9). He further employed the verb *retrudere* (*ep.* 2.4) to describe what had happened to him, which, as we have seen, in Latin literature was frequently used to denote being thrown underground, into the darkness of the inner prison.[11] Most importantly, however, he converged his situation in the *hospitium* and that of his companions in the public *carcer* into one, when he claimed that they were all prevented from receiving visitors and, hence, exposed to starvation even though everyone knew that even the worst criminals were usually allowed to receive charity from outside the *carcer* (*ep.* 2.7).

Also other reports on confined exiles emphasised the prison-like conditions, such as darkness and starvation. For example, when Athanasius

[10] For the customary association of prison staff and violence see Krause (1996) 291–295. For the association of the 'hangman' with the prison see Clark, G. (2006) 137–146.
[11] See above Chapters 5 and 7.

reported on the exile of Paul of Constantinople in 350, he did not fail to mention that the bishop was first put in chains and sent to Singara in Mesopotamia, where Constantius II probably resided at the time. Constantius then most likely took him to Emesa, from where he was sent to Cucusus. At Cucusus, Paul was

> locked away ... in a very confined and dark place, and left to perish of hunger, and when after six days they went in and found him still alive, they immediately set upon the man, and strangled him.[12]

Equally dramatic was the story Philoxenus of Hierapolis told some faithful monks from the monastery of Senoum near Edessa in a letter sent from his exile at Gangra or Philoppopolis in 521. Although he was allowed to keep his companions with him, they were all locked up in a *xenodochium*, in a very small room without any ventilation, perhaps above a bath or a kitchen, which was so full of fumes that Philoxenus feared for his companions' eyesight. They were also constantly guarded. The perpetrator of this treatment, the bishop of the city, also allegedly prevented Philoxenus' access to books.[13] Victor of Tunnuna, who described the exile experiences of a whole string of 'orthodox' bishops during the religious turmoils of the sixth century, was particularly fond of the terminology of *(de)trusio*, as such evoking an image of underground confinement. For example, the banished Elias of Jerusalem was 'thrown into' (*truditur*) the *castellum Paraxenense* in 516, and he himself into the *carcer* of the *castellum Diocletiani* in Alexandria.[14]

As Daniel Washburn has pointed out correctly, how exiles experienced their treatment was of course subjective, and hence it is hard to measure their degree of suffering.[15] It may of course be the case that exiles in confinement did have to endure isolation, darkness, maltreatment, or hunger. Yet, these were also common characteristics of the public prison in the Roman mindset, particularly its inner, subterranean space and

[12] Athanasius, *Arian History* 7 (PG 25:701): ὡς Παῦλος ἀποκλεισθεὶς παρ'ἐκείνων εἰς τόπον τινὰ βραχύτατον καὶ σκοτεινόν, ἀφείθη λιμῷ διαφθαρῆναι· εἶτα μεθ'ἡμέρας ἕξ, ὡς εἰσελθόντες εὗρον αὐτὸν ἔτι πνέοντα, λοιπὸν ἐπελθόντες ἀπέπνιξαν τὸν ἄνθρωπον· καὶ οὕτω τέλος ἔσχε τοῦ βίου τούτου. On the circumstances of the various legs of Paul's journey to Cucusus see Barnes (1993) 216–217. Paul's first exile had been to Thessalonika, his home town, most likely in 342, from where he fled to Rome.

[13] Philoxenus of Hierapolis, *Letter to the Monks at Senoum* (CSCO 232. Script. Syr. 99:76, 77–78); see also Zacharias, *Ecclesiastical History* 8.5 (CSCO 84:77–82, 88:52–57). On the localisation of the monastery at Senoum see A. Halleux, 'Introduction' (CSCO 232. Script. Syr. 99:vi–vii).

[14] Victor of Tunnuna, *Chronicle* ann. 509 (MGH AA 11.2:194); Victor of Tunnuna, *Chronicle* ann. 555.2 (MGH AA 11.2:204).

[15] Washburn (2007) 234.

would have been easily recognised as such by any contemporary reader.[16] There is reason to believe, therefore, that some aspects of these confinement stories, in particular that of total seclusion, served rhetorical ends. In this regard, it is important to bear in mind the contexts in which exiles wrote about their experiences. As Wendy Mayer has shown with reference to John Chrysostom at Cucusus, late antique letters from exile and their recourse to literary conventions in subtle ways served to manipulate an audience.[17] In the case of Eusebius of Vercelli, his letter was both meant to encourage his community in Italy to remain steadfast in their resistance against the creed of Sirmium and part of a wider denunciation of Constantius and the bishops who supported him as un-Christian, which also Eusebius' fellow exile Lucifer of Cagliari engaged in.[18] Furthermore, as we shall see, his letter was also an attempt to cement his authority as the bishop of Vercelli *in absentia*. Philoxenus of Hierapolis, in turn, wrote his letter to the monks at Senoum to fortify them in their faith, which clearly he considered not as strong as it could be.[19] Both audiences, the letter writers might have thought, would have responded to a pointed description of suffering and abuse of the faithful, with the prison at its centre.

The fact that imprisoned exiles could write letters in any case somewhat undermines the image of isolation, for the practice of ancient epistolography demanded human contact in the form of scribes and messengers.[20] In both instances of imprisonment after Eusebius had been taken from his first *hospitium*, he had the opportunity to write, first a *libellus* to Patrophilus announcing his hunger strike, of which he was also able to take a copy, and then the letter to his Italian supporters, in which he cited from this copy. During his second period of confinement, Eusebius also had a presbyter with him and managed to send off his letter. The same lack of isolation is true for Philoxenus, whose letter to Senoum was a response to an earlier epistle sent to him by the monks, which demonstrates that he was able to receive messages. Also those interned in fortresses seem to have been able to receive visitors. The anchorite Hilarion was able to visit the bishops Dracontius and Philo on his journey through the Egyptian desert around 360.[21] The Miaphysite bishops John of Hephaistopolis and Theodosius of Alexandria, held with three-hundred of Theodosius' clerics at the fortress of Derkos in Thrace after 536, also attracted a number of visitors, including

[16] For the topoi on the Roman prison see Neri (1998) 456–464; Huntzinger (2004) 25; Pavón (2004).

[17] See Mayer (2006) 254.

[18] Washburn (2007) 167–168. On Lucifer of Cagliari see below.

[19] A. Halleux, 'Introduction' (CSCO 232. Script. Syr. 99:xii).

[20] Washburn (2009) 749, with reference to Eusebius of Vercelli.

[21] Jerome, *Life of Hilarion* 20 (SC 508:268).

John of Ephesus. John of Hephaistopolis was even allowed to leave to see doctors in Constantinople after he had feigned to have fallen ill. He went to the empress, who assigned him residence in the imperial palace, where he was able to make ordinations, and later in an imperial villa outside the city. In his case, the walls of the fortress were hence spectacularly permeable.[22] When the Palestinian monastic leader Sabas visited Elias of Jerusalem in Aila, where the count of Palestine had banished him in 516 for not entering in communion with Severus of Antioch, the old bishop was able to follow a strict ascetic routine, with fixed times for prayer, sleep and meals. If he was held in Aila in a fortress there must have been little effort to suppress his customary lifestyle or align it with military discipline.[23] By calling Elias' fate *(de)trusio*, Victor therefore certainly intended to throw into relief the injustice of Elias' exile conditions. His aim, as that of Athanasius of Alexandria's in the case of Paul of Constantinople at Cucusus, was to paint a picture of persecution.

As we have argued in the previous chapter, from the perspective of authorities, be this the emperor, imperial magistrates, provincial governors or, indeed, local bishops, fortress banishment or confinement in private spaces must have also been an attempt to take note of an exile's dignity and status, upholding the impression that this was a sort of honourable house arrest. Yet, the texts studies in this chapter show that detention of exiles – wherever this was, with the exception, perhaps, of their own homes – always had the air of a measure unsuitable for persons of honour, and links to the public prison were drawn easily. It is in this context that we need to interpret the accusation of Eusebius of Vercelli levelled at bishop Patrophilus that his treatment was against the *ius publicum*.[24] It is reminiscent of the urban prefect Symmachus' indignation in 384, described in Chapter 5, about the *custodia militaris* of the two senators Campanus and Hyginus at Rome. To Symmachus' mind, Campanus and Hyginus should have been hosted by a person of the same social status or held in their own homes, in *custodia libera*, not put in care of a person lower in the social hierarchy than themselves.[25] For the matron Hesychia, who the *vicarius urbis Romae* Maximinus according to Ammianus Marcellinus put into the care of an *apparitor* in 375/6, this was such a shocking experience that she chose to commit suicide by

[22] John of Ephesus, *Life of John of Hephaistopolis* (PO 18:530–533).
[23] Cyril of Scythopolis, *Life of St Sabas* 56, 60 (transl. R. M. Price (Kalamazoo, Mich.: Cistercian Publications, 1991), 160, 170–171); Victor of Tunnuna, *Chronicle* 509 (MGH AA 11.2:194).
[24] Eusebius of Vercelli, *ep.* 2.4 (CC 9:106).
[25] Symmachus, *Relatio* 49.2 (Barrow 234); Neri (1998) 429.

suffocating herself with a pillow.[26] Ammianus, like Eusebius of Vercelli, probably over-dramatised the event to underline the abusive character of Maximinus' government, and underrepresented Maximinus' possible aim to protect Hesychia from the public prison. On the rare occasions that exiled senators of the early empire had been interned in private houses in Rome, rather than being sent to an island, it had caused similar outrage. These incidents happened during the reign of Tiberius (14–37 AD) and were described as equal to the death penalty, a 'terror' (φόβος), as Cassius Dio explained, accompanied by isolation and starvation.[27] While *custodia militaris* and exile in confinement were technically different legal institutions, there were strong literary conventions to associate both with prison and the abuse of public power.

What is more, however, Eusebius also accused Patrophilus of having infringed not only the *ius publicum*, but also the *ius divinum*.[28] Here we witness a new development in the conceptualisation of the prison as a place of abuse that derived not only from the traditions of Roman social rank and honour, but from the Christian past and from Christian scripture. It is these images of the prison and its impact on exile experiences that we will study in the remainder of this chapter.

The memory of persecution

The motivation for the heavy emphasis on confinement both in letters by Christian exiles themselves and in narratives about exiles lies in the intense and varied relationship Christians had with the prison. To start with, imprisonment was an iconic experience of the period of persecution enshrined in influential hagiographic writing. The *Acts of the Christian Martyrs*, many of which originated from a nucleus of authentic court records and eye-witness accounts, fixed the phases of the martyr's journey towards fulfilment of their faith as imprisonment, interlocution with the civic judge and execution. Within this structure, the prison could become variably a place of community, of divine visions or of torture and death, particularly in later literary development of the stories as continuation of

[26] Ammianus Marcellinus, *Roman History* 28.1.47 (Loeb 114).
[27] It is difficult, also due to the literary stylisation, to establish Tiberius' intentions of replacing exile on an island with domestic internment. The cases concern Iunius Gallio in 32 AD (Tacitus, *Annals* 6.3 (ed. H. Heubner (Stuttgart, Leipzig: Teubner, 1994), 182); Cass. Dio, *Roman History* 58.18.4 (Loeb 232) and Asinius Gallus in 30 AD (Cass. Dio 58.3.4–58.3.5 (Loeb 192)); on these cases see Krause (1996) 187; Pavón Torrejón (2003) 204; Stini (2011) 128.
[28] Eusebius juxtaposes the *ius publicum* and the *ius divinum* at *ep.* 2.4 (CC 9:106).

biblical illustrations of sanctity.[29] These motifs reappear in amended forms in post-constantinian examples of fictional martyr narratives. For example, the so-called *Gesta martyrum*, a cycle of over one-hundred anonymous martyr stories from the city of Rome, written in the fifth, sixth and seventh centuries, amplified the scenes of suffering and conversion in the prison with fantastic details of miracles that betray the nature of these texts as devotional and edifying literature.[30] Graphic descriptions of suffering in the prison were a crucial element in this literary construction of martyrdom. The *Gesta* often included as elements of suffering being kept in dark places and exposed to smoke, heat and damp, which vividly echoes Philoxenus of Hierapolis' description of his imprisonment at Gangra or Philippopolis.[31] Exposure to smoke and heat indeed may have been a common form of torture in late antiquity and would have therefore increased the readers' feeling of the stories' authenticity.[32]

Significantly, in the *Gesta, custodia militaris*, custody at the house of a soldier or imperial official, already discussed in Chapter 5, featured frequently and usually concerned members of the senatorial aristocracy. For example, in the *Passion of Hermes*, recounting the life of the early second-century bishop Alexander and the urban prefect Hermes, the latter was confined to the house of the tribune Quirinus at the behest of the *comes utriusque militaris* Aurelian, allegedly sent to Rome to persecute Christians at the time of Hadrian.[33] The same Aurelian also had the bishop Alexander placed in the public prison. This distinction between the urban prefect in *custodia militaris* and the bishop in the prison perhaps reflects the author's observation of contemporary imprisonment policies based on different social status, as well as his awareness that for a successor of the apostle Peter the public prison was a more fitting place of martyrdom. Nonetheless, Hermes' house arrest was also styled as a form of imprisonment. He was held in a small room

[29] Particularly vivid descriptions of suffering in the prison can be found in *The Martyrs of Lyon* 27; *The Letter of Phileas* 9; and of course the *Martyrdom of Perpetua and Felicita* (Musurillo:70, 322 and 106–131). See Musurillo's introduction for assessment of the *Acts*' authenticity.

[30] On the *gesta martyrum*, their literary character and particularly the difficulties of their dating see Pilsworth (2000) 309–324.

[31] See e.g. *Passion of Agapitus* (AASS Aug. III:532–537); *Passion of Rufina and Secunda* 27, 31–32 (ed. B. Mombritius, (New York: Hildesheim, 1978), vol. 2, 444–445); *Passion of Caecilia* 31 (ed. H. Delehaye (Brussels: Société des Bollandistes, 1936), 194–220).

[32] On Roman techniques of torture see Thür (1972) 101–141.

[33] *Passion of Hermes* 4–5 (AASS Mai I, 371–3). The author may have got confused about correct terminology here, for such a rank did not exist in the late Roman army. See for further incidents of *custodia militaris* in the *gesta martyrum*: *Passion of Anastasia* 3 (ed. H. Delehaye (Brussels: Société des Bollandistes, 1936), 221–249); *Passion of Sebastian* 24 (AASS Ian II, 265–278).

(*cubiculum*) and in chains (*in vinculis*).[34] The *Gesta martyrum* are certainly too tendentious to paint an objective picture of conditions under the *custodia militaris*. What they draw on is the conventional proximity of house arrest under guard to a form of abuse that allowed styling those who suffered it as martyrs. The same can be observed in another story from the city of Rome, of the priest Eusebius, who experienced persecution for his steadfastness in the Catholic faith by none other than Constantius, after bishop Liberius' recall from exile in 358. Eusebius the priest was shut in a small room (*cubiculum*), perhaps in his own home, and starved to death. This story perhaps reworked Eusebius of Vercelli's experience for a much later, Roman audience, although this is purely speculative.[35]

Given this role prison played in Christian memory, it is not surprising that accusations of clerics soliciting imprisonment of their opponents from the state authorities (often not unfounded, as we have seen in Chapter 5) played a substantial role in drawing lines between good and bad behaviour during the religious conflicts of the post-persecution era. In a particularly telling example, at the Council of Tyre in 335 Athanasius of Alexandria was charged, among others, of having falsely denounced a priest of casting stones at the statue of the emperor, a case of treason, as such bringing about the priest's imprisonment, despite his orthodoxy and his rank.[36] Athanasius, in turn, did not hesitate to blame his opponent, George of Alexandria, of assisting in the imprisonment of Christian virgins during Holy Week, clearly emphasising the outrage of such behaviour at a time of the year reserved for mercy and forgiveness.[37] Similar stories circulated about George's 'Arian' successor, Lucius, when he became bishop of Alexandria for the second time in 373. With the help of the prefect of Egypt Palladius and the *comes sacrarum largitionum* Magnus, he had his Nicene opponent Peter and nineteen of his priests and deacons imprisoned. Theodoret of Cyrus gave a glowing account of the latters' resoluteness of mind, who, rather than renouncing their faith under torture, became 'Christ's athletes' and a radiant spectacle of endurance to everyone

[34] On the *cubiculum* in the *gesta*, often a place of miracle, see Sessa (2007) 171–204. Another saint held *in vinculis* was Chrysogonus in the *Passion of Anastasia* (see above p. 161).

[35] *Passion of the Roman presbyter Eusebius* 6 (AASS Aug. III, 166–167).

[36] Sozomen, *Ecclesiastical History*, 2.25 (SC 306:336).

[37] Athanasius, *de fuga* 6 (SC 56:139–140); Sozomen, *Ecclesiastical History* 4.10 (SC 418:282) also reported that George imprisoned 'many men and women'. Among the long list of charges against John Chrysostom at the 'Synod of the Oak' in 403 were also imprisonment of monks and clerics, see Kelly, J. N. D. (1995) 299–301.

in the city.[38] In the general harassment of his supporters after John Chrysostom's second deposition in 404, so Palladius reported, many were imprisoned, including some high-standing matrons, who had their veils snatched from them and their earrings torn from their ears. Those crowded in the city's prisons took to singing hymns, turning the prisons into churches, while the churches themselves had become places of torture.[39] It was hence on the persecutors' own turf that their purposes were defeated, just as it had in the age of the martyrs.

Eusebius of Vercelli's accusations in his letter to his community in Italy neatly fall into this rhetorical strategy of establishing a link between the persecutor of Christians and the persecutor of the orthodox, exemplified by their use of the prison. He wrote:

> See, holiest brethren, if it isn't persecution when we who guard the catholic faith suffer these things![40]

Eusebius' primary literary aim was, of course, to defame Patrophilus. Yet, for Eusebius, this strategy also paid off in the long run. He was, as we know from his epitaph in the church of Vercelli, venerated as a martyr in his home city from at least the sixth century on, even though he had not died in exile and had returned to Vercelli in 362 after having been recalled by Julian. The epitaph explained that Eusebius had attained the status of martyr on account of the fact that he had been steadfast in his faith despite the suffering he had experienced in exile. An epitaph from the same place, which was slightly earlier, commemorated Eusebius' successor, a bishop Honoratus, who had apparently been one of Eusebius' clerical companions in exile, and had shared, as the epitaph put it, his suffering in prison (*carcer*). Eusebius' letter may have played a substantial role in his later fashioning as a martyr.[41] A similar route from imprisonment during exile to sanctity can be observed in the case of Philoxenus of Hierapolis. While it is unclear whether he died during his stay at Gangra or Philippopolis, the details of his exile, which he so vividly described in his letter to his monastic

[38] Sokrates, *Ecclesiastical History* 4.21–4.22 (SC 505:78–80); Theodoret, *Ecclesiastical History* 4.20–4.21 (GCS 44:246–247). Peter's prison cannot have been overly secure, as he managed to escape and go to Rome.

[39] Palladius, *Life of John* 10 (SC 341:200–204).

[40] Eusebius of Vercelli, *ep.* 2.7 (CC 9:108): *videte, sanctissimi fratres, si non est persecutio, dum haec patimur qui fidem catholicam custodimus* (Washburn's translation, slightly modified). See Flower (2013) 155–162, who styles Eusebius' writing 'auto-hagiography'.

[41] CIL 5.6723; CIL 5.6722: *exilii poenas et carceris iste subivit*; see Vallejo Girvés (2007b) 1477–1482, who lists previous bibliography at n. 24 on the context of dating. See on Eusebius' transformation from *confessor* to *martyr* also Blanchard (2008) 248–249.

supporters, became the backbone of a narrative on his life preserved in a fourteenth-century Syriac manuscript. This *vita* styled him as a martyr who died through purposeful suffocation in confinement above a bath, after five years of incarceration and torture.[42] Also Paul of Constantinople, who had allegedly been strangled in the confined room he had been held in at Cucusus, quickly became regarded as a martyr at Constantinople.[43] Paul had, of course, died in exile, but the spectacular form of his banishment may have helped in boosting the cult around him. In the case of Eusebius and Philoxenus, the imprisonment aspect of their experience was most certainly recognised by later audiences of their letters as the crucial element of their suffering.

It has been noted that in the era of the late antique doctrinal conflicts, representations of exile, the penalty *par excellence* for dissident clerics in the post-constantinian era, served to connect the experience of post-constantinian Christians to the heroic age of early Christian persecution. Christian factions competed with one another to claim this past as their own. 'Martyrising' the exile of their leaders was part of this strategy. Constructing exile as martyrdom and turning contemporary Christian opponents into persecutors was one of the ways in which late antique Christians overcame the 'identity crisis' after the legalisation of their faith, as it provided both continuity and created a new sense of community.[44] Yet, although it connected to concepts of asceticism as we shall see below, late antique people knew that exile was only the third-best way to style a martyr. The best-case scenario was, of course, for a martyr to die, but failing that, imprisonment fitted the bill. Even though in late antiquity exile was remembered as a factor in early Christian persecution, and even though expulsions of Christians from cities had been ordered by third-century imperial edicts and in fact may have been a widespread measure of earlier Roman authorities against Christians, incidents of exile paled into insignificance against the memory of Christians' imprisonment.[45] One reason for this may have been that the connection between prison and

[42] Mingana (1920) 155–156. Zacharias, *Ecclesiastical History* 8.5 (CSCO 84:77–82, 88:52–57) implied that his death had been deliberate.

[43] Sozomen, *Ecclesiastical History* 7.10.4 (GCS 50:313) reported about the translation of his relics back to the capital from Cucusus in 381, although he also noted that at his time many people were ignorant about who Paul actually had been.

[44] Washburn (2007) 326–337, who rightly develops the 'identity crisis' model postulated by Markus (1990) 24, with the aspect of the 'martyrization' of exile.

[45] On episodes of exile during Christian persecutions see e.g. Eusebius of Caesarea, *Ecclesiastical History*, 3.18, 3.20, 3.23 (all on the apostle John's exile on Patmos); 9.6, 9.9.2 (SC 31:121–122, 124, 126; SC 55:51, 65). See Rocovich (2004) 180–181; Washburn (2007) 118–119, 165–166.

persecution was more deeply steeped in Scripture, as both Jesus and his apostles had suffered incarceration. An illuminating example of the hierarchy that early Christian ideas of authority established between exile and imprisonment is that of Cyprian of Carthage. He had withdrawn into voluntary exile in 350, after the edict of Decius, yet became concerned that he may lose ground against those who had been incarcerated for their faith on this occasion, but survived, the so-called confessors, whose prison became the site of instruction and consolation for the persecuted Christians of Carthage. It was the confessors who, on account of their superior suffering on the model of Christ and the apostles, were considered the patrons of the people. To some extent in order to exonerate himself (and other bishops who had been banished under the edict) Cyprian took pain to extend the status of martyr and confessor to those who had undergone flight and exile, which would have to have a strong influence on late antique discourses around exile and martyrdom. Yet, he could not on the whole mask the importance of physical suffering in the prison.[46]

The memory of persecution hence meant that imprisonment, the prelude to death, fulfilled the image of martyrdom more powerfully than exile alone. While exile routinely became represented as martyrdom from the fourth century on[47], those exiled who were also imprisoned in some form had a gold-plated route to sanctity. It is no surprise, then, that such incidents were capitalised upon. Lucifer of Cagliari, Eusebius of Vercelli's fellow exile, did not stop accusing Constantius of having exiled and thrown bishops into prison after the Council of Milan. In *Ad Constantium Imperatorem*, for example, he wrote:

> Because of your wretched council we are in exile (*exilium*), we die in prison (*carcer*), we are deprived of sunlight, we are confined in the dark and held in immoderate custody (*reclusi in tenebras custodimur ingenti custodia*). No one is allowed to visit us.[48]

This passage may have been meant to give the impression that Constantius had ordered imprisonment of bishops as an alternative to exile after the Council of Milan. It was not the only time that Lucifer listed exile, prison and also mines as mere variations of the same phenomenon: Constantius' persecution of the orthodox.[49] While we know that all these were imposed

[46] Brent (2010) 10, and his Chapter 6 on the confessors.

[47] See e.g. Athanasius, *de fuga* 23 (SC 56:161); Hilary of Poitiers, *Coll. Antiar. Paris*, BVII.2 (CSEL 65:162–164).

[48] Lucifer of Cagliari, *Ad Constantium Imperatorem liber unus* 5 (CSEL 14:12).

[49] Lucifer of Cagliari, *de reg. Apost.* 7 (CC 8:151–152): on persecution in Alexandria; Lucifer mentions exile, prison, mines and deaths as its expression, also for bishops; *de non parc.* 32 (CC 8:256): lists

on those who got caught up in the troubles after the Council of Milan – the authorities in Egypt sent individuals, although not bishops, to mines; Eusebius of Vercelli ended up in some form of confinement – Lucifer merged it all into one grand experience to underline the immense suffering of the rightful, although Constantius' own action had been, for all that we know, only the pronouncement of banishment. Also later would-be martyrs would make sure that when they were exiled they also mentioned that they had suffered in the *carcer* in the same instance; a useful trick, as Jerome ironically pointed out in the case of his ascetic rival Rufinus and his stories about his persecution, imprisonment and exile in Egypt at the time of Lucius the 'Arian'.[50]

Christian charity

Richard Flower has shown recently how Eusebius of Vercelli's letter to his community in Italy, contrary to the writings of other exiles after the Council of Milan, was less an accusation of the emperor directly than an outright criticism of Patrophilus of Scythopolis' behaviour as a bishop.[51] What happened at Scythopolis and might have happened in other places where banished bishops resided at an opponent's see was competition between two men aspiring to control a population that had only recently converted to Christianity, if at all.[52] Furthermore, it was also important to Eusebius to still stake his claim to the see of Vercelli by emphasising his rightful behaviour as a Christian bishop, not only with respect to his orthodoxy but also to his civic leadership. Perhaps even more significant than his comparison of Patrophilus to pagan persecutors, therefore, was Eusebius of Vercelli's attempt to depict the bishop of Scythopolis as far exceeding even the latters' evil deeds. One of the most scathing accusations Eusebius of Vercelli levelled at his 'jailer' Patrophilus was his alleged

torquere, proscribere, deportare, recludere carcere, trucidare, varie disperdere, interficere as forms of Constantius' persecution; *de Athanasio* 1.42 (CC 8:73): *carceres, metalla, exilia* cannot even absorb all those condemned by Constantius; *de Athanasio* 2.14 (CC 8:99): *proscribas, torqueas, deportes, mittas in carcerem interficiasque*; Constantius is like Herod who put the apostles in prison (*Acts of the Apostles* 12.1–12.7); *de Athanasio* 2.21 (CC 8:113): Constantius *torquet, proscribit, deportat, mittit in carcerem, deducit ad exilia, conlocat in metalla; De non conveniendo cum haereticis* 5 (CC 8:173): *propterea in exilio sumus, propterea in carcere necamur, propterea nobis solis prohibetur conspectus.*

[50] Jerome, *ap. adv. Ruf.* 2.3 (CC 79:35): 'I blush at this manifest lie, as if imprisonments and exiles are imposed without the decrees of judges' (*quasi carceres et exilia absque iudicum sententiis irrogentur*); in response to Rufinus, *Apology* 2: 'I was at that time sojourning in the church of Alexandria and underwent imprisonment and exile which was then the penalty of faithfulness' (transl. NPNF 2.3:430).

[51] Flower (2013) 156. [52] Washburn (2009) 736.

prohibition of visitors and food provisions both to Eusebius himself in his *hospitium* and to his companions in the *carcer*:

> Consider further whether this is not even far worse than that perpetrated by those who served idols! Though they sent people to prison, at least they did not prohibit their supporters from coming to them ... Even judges and torturers do not deny imprisoned robbers the possibility to see their relations: to us and our supporters it is prohibited and in order that the devout brothers do not go they are not only kept away from the *hospitium* where we are held, but are also deterred by threats that they do not go to the prison ...[53]

Eusebius here touched on a crucial aspect of the Roman prison. While prisoners in principle received official rations of food, it was widely accepted that their meagre provisions were to be topped up by friends and family from outside.[54] By denying this, Patrophilus hence increased the suffering of the prisoners, including Eusebius, beyond belief. Nearly two-hundred years later also Philoxenus of Hierapolis, in his letter to the monks at Senoum, emphasised his and his companions' isolation from the world outside. No one was allowed to speak to them. The guards would see to this. When they asked to be transferred to the more comfortable surroundings of the public prison, even at the risk that they would have to reside with criminals, the bishop declined, for he hated Philoxenus even more than the public authorities.[55] In this way, Philoxenus argued, his house arrest was actually worse than the public prison as it foreclosed the level of community that came with the latter.

For Eusebius of Vercelli and for Philoxenus of Hierapolis, such behaviour was more heinous than that of pagan persecutors, for it subverted one of the most important duties of Christians: charity for prisoners. In fact, Eusebius' claim that the denial of visits and food to prisoners was unprecedented in pagan persecution was untrue, for Eusebius of Caesarea had charged Licinius with the same wrong and no less persistently when Licinius had allegedly issued a law to this effect between 320 and 324.[56] While we cannot be sure whether Eusebius of

[53] Eusebius of Vercelli, *ep.* 2.7 (CC 9:108): *et altius cogitate, num valde etiam deterior sit quam illa, quae fiebat per hos qui idolis serviebant. Illi mittebant in carcerem, non tamen prohibebant ad se venire suos ... in carcere latronibus clausis a quaestionariis vel a iudicibus non denegatur facultas videndi suos: a nobis et nostri prohibentur, et devoti fratres ne veniant, non solum ab hospitio arcentur quo tenemur, sed ne adeant carcerem, comminatione terrentur ...*.

[54] Krause (1996) 279–283; see Libanius, *or.* 45.9 (Loeb 166–168).

[55] Philoxenus of Hierapolis, *Letter to the Monks at Senoum* (CSCO 232. Script. Syr. 99:76, 77–78).

[56] Eusebius of Caesarea, *Ecclesiastical History* 10.8.11 (SC 55:115–116); *Life of Constantine* 1.54.2 (SC 559:258). For comment see Rivière (2004) 229–231.

Vercelli knew this incident it is clear that, in this context, he aimed to shift the attention away from pagan judges to a discussion of the role of Christian bishops. Already Ignatius of Antioch had interpreted the scripture passage: 'I was in prison and you came to visit me' (Matt 25:36) as a call to Christians to minister to prisoners as they represented the body of Christ.[57] During the time of persecution, the attention of Christians had been mostly on their fellow-brothers who were imprisoned due to their faith. From the fourth century on, with the expansion of Christianity, this changed. John Chrysostom put the call to minister to prisoners into eloquent words when he exhorted his congregation to visit the filthy, hungry and ragged in the public prison, even though they might be 'murderers, tomb breakers, cut-purses, adulterers, intemperate and full of many wickednesses ... for we are not commanded to take pity on the good and to punish the evil, but to manifest a loving kindness to all men.'[58] Incidentally, such charity was also demanded for strangers, which the same scripture passage had also represented as the embodiment of Christ (Matt 25:25), and hence also, in theory, for exiles. John Chrysostom, again, exhorted his flock to set aside rooms in their own houses and receive the poor as to offer hospitality to a stranger was to offer it to Christ.[59] It is rare, however, that we find calls specifically to minister to exiles without, at the same time, the mentioning of prisoners.[60] Prisons, in essence, were the most natural, visible and emblematic target for charity, for they were so intrinsically connected with ideas of suffering.

By the fourth century, while remaining an obligation for all Christians, care for prisoners and strangers was championed to define in particular the bishop's civic duties, to underline his wider concern for the poor and the forlorn, also in competition with non-clerical, ascetic patrons.[61] Where prisons were concerned, it ranged from intercession for those who faced imprisonment, to practical assistance of prison inhabitants, especially with

[57] Ignatius, *Letter to the Smyrnaeans* 6 (PG 5:712).

[58] John Chrysostom, *Homily on John* 60.4–60.6 (PG 59:351; transl. NPNF 14:220).

[59] John Chrysostom, *Acts of the Apostles* 45 (PG 60:319–320). On the early Christian relationship with prison charity see also Geltner (2008b) 84–85, with further references.

[60] For the juxtaposition see e.g. Eusebius of Caesarea, *Life of Constantine* 3.44 (SC 559:406); Sozomen, *Ecclesiastical History* 2.2 (GCS 50:50) (both on Helena ministering to exiles, prisoners and those condemned to the mines); also *Life of Melania* 9 (SC 90:144); John Cassian, *Conferences* 18.7.8 (SC 64:20).

[61] See already Justin, *apol.* 1.67 (PG 6:429); and for the fourth century Ambrose, *de officiis ministrorum* 2.21 (PL 16:138–139). On the late antique bishop's image as a 'lover of the poor' and the social power it entailed see Brown (1992) 89–103; on bishops and charity for prisoners Rapp (2005) 226–228.

healthcare and with food.[62] As we have seen in Chapter 5, fifty years after the episode at Scythopolis late antique laws institutionalised this charity, perhaps responding to the frequency of bishops' intercession for prisoners, which demonstrates how socially significant it had become by that time. Ten years after Philoxenus of Hierapolis' exile and confinement, Justinian reconfirmed these laws in his prison legislation of 529.[63] As for hospitality, we see in the course of the fourth century a rise of specialised institutions, from hospices for strangers (*xenodochia*) to those of the sick (*nosokomeia*) under the direction and patronage of bishops, particularly in the Eastern cities of the Mediterranean.[64]

According to Eusebius, Patrophilus of Scythopolis had already demonstrated his ineptness for office through his negligence for Scythopolis' poor, which had necessitated the Italian bishop's and his companions' food distributions in the city.[65] Imprisoning Eusebius and his followers was another example of this lack of ability. Eusebius may in fact, rather cynically, have insisted on calling the place he was confined to a *hospitium*, to draw attention to the, in reality, rather inhospitable nature of his surroundings and the failings of the bishop as a host, as a Christian and as a civic authority. The same might be said about Philoxenus' *xenodochium*. For Eusebius, Patrophilus' behaviour was a sign that he and his co-religionists were driven by the devil. As Eusebius continued after he had compared Patrophilus to the pagan persecutors:

> How deep did the devil hurt the churches through the cruelty of the Arians! They send into public custody (*custodia publica*) while they should release from it . . .[66]

Patrophilus hence had entered an unholy alliance with current secular power also because he prevented other Christians from fulfilling Scripture and therefore jeopardising their salvation by employing and intensifying secular power's very own abusive tools of coercion where he should have obstructed them. Eusebius' statement went right back to the heart of early Christian debates about the relationship between Christian and public justice, which as we have seen in Chapter 3 outlived the era of persecution.[67]

[62] For bishops' intercession see above Chapter 3. On food as a central part of prison charity see Augustine, *serm.* 178.4 (PL 38:962), Council of Orléans V (549), c. 20 (CC 148A:155) and Krause (1996) 281.

[63] CTh 9.3.7 (409); Sirm. 13 (419); CJ 1.4.22 (529). See also above Chapter 5.

[64] See Mayer (2009) 92–96, 102 and further below Chapter 9.

[65] Washburn (2009) 741.

[66] Eusebius of Vercelli, *ep.* 2.7 (CC 9:108): *quantum ergo satanas Ecclesias vulneraverit per Ariomanitarum crudelitatem! In custodia publica mittunt, qui liberare debent . . .*

[67] See above Chapter 3.

The reference by Eusebius to the release of prisoners as a duty for Christians, and particularly the bishop, is significant, as in the course of late antiquity release from prison, often at the hand of a saint in miraculous fashion, became one of the primary motifs in Christian literature to exemplify the superiority of ecclesiastical over public justice. The motif should not be confused with a saint's own miraculous release from prison that we also find in early Christian martyr narratives. Both may have drawn on episodes in the *Acts of the Apostles*, particularly the angel's release of Peter from prison in Jerusalem, or even earlier Hellenistic stories of miraculous prison breaking.[68] Both also broached the issue of the relationship between divine and public justice. The crucial difference, however, is that the saint's release from prison exemplified divine protection of those who confessed the right faith, while the release of prisoners at the hand of the saint expressed his or her divinely inspired authority over wrongdoers at the expense of public justice. The saint, as it were, assumed the place of the angel sent by God in the *Acts of the Apostles* and approached the prison from without. Those who benefitted were not just the holy anymore, but common sinners. It is no coincidence, then, that the latter theme appeared in Christian literature at a later date than the former, in concordance with the rise of the social and judicial authority of the Christian church in the post-persecution era and Christians' real-life practices of intercession for prisoners in quite un-miraculous form.[69]

While release from prison was also an activity that non-clerical holy men were described to engage in, it was a motif that was particularly connected to bishop saints, dead or alive. In fact, the release of prisoners was not something holy men necessarily desired according to their hagiographers. The fifth-century *Apophthegmata Patrum*, a Greek collection of anecdotes and instructions of the fourth-century Christian hermits of Egypt, reported that one of these, Poimen, once prayed to be spared the task to intercede for a thief from his village with the governor after the villagers had asked him to. God granted him this wish.[70] This story illustrates the hope that late antique rural communities invested in their local holy men as patrons against state authorities, and perhaps also accurately reflects the

[68] See *Acts of the Apostles* 12.3–12.19; 16.23–16.29. On Hellenistic versions of the miraculous release of prisoners see Krause (1996) 329–330.

[69] See about the difference between the motifs Neri (2004) 252–255. For the *Sitz im Leben* of the miracle see Wiesheu (2001) 3–4; James (2003) 34, 43.

[70] *Apophthegmata patrum*, Poimen 9 (81) (PG 65:324); see also 8.16 (SC 387:412) for a similar rejection of intercession. For other ascetic holy men releasing prisoners see e.g. Sozomen, *Ecclesiastical History* 1.14.9–1.14.11 (SC 306:180–182); John Moschus, *pratum spirituale* 211 (PG 87.3:3104).

widespread activity of monks as advocates of prisoners that is equally attested by the legal and documentary evidence.[71] Yet, in the context of such stories' collectors, particularly in the East, the focus was often on the spiritual development of the ascetic: on their ability to withdraw from worldly trivia, or, where they had been the target of wrongdoing themselves, the ability to transform emotions of vengeance into acts of charity, by assisting in the release of their own offender from prison.[72] The stand-off with a public judge and the miraculous aspect of prisoner release was less pronounced.

Hagiography that had a bishop at the centre, in turn, often foregrounded this stand-off. Particularly in Gallic hagiography from the fifth century on, miraculous release of prisoners by bishop-saints featured so frequently that it has been described as a *Modewunder*.[73] In Constantius of Lyon's late fifth century *Life of Germanus*, bishop of Auxerre (378–448), for example, the saint freed a multitude of people awaiting capital punishment from the prison of his city through prayer.[74] According to his biographer, Sulpicius Severus, Germanus' older contemporary Martin of Tours (316–397) had also engaged in intercession for prisoners with the *comes* Avitianus who had been woken by an angel to tell him about the urgency of Martin's request and in consequence released everyone in his prison.[75] In the sixth century, Gregory of Tours assembled a whole series of incidents where prayer to Martin or the passing-by of his relics freed prisoners, often on the saint's feast day, not just those condemned to death, but also some who were in prison for minor offences and for debt. In a particular take on the aspect of hunger in prison, for example, Martin came to the rescue of four men who the judge had denied food provisions by friends and family. After they prayed to the saint, their chains fell off, they could leave the prison through open gates and seek asylum in church.[76] This last example succinctly illustrates the connection between miraculous release of prisoners and the age-old expectation of Christians to care for prisoners.

[71] See CTh 9.40.15 (392); CTh 11.36.31 (392) and CTh 9.40.16 (398) on monks' intercession for prisoners. On the patronage of the holy man see Brown (1971) 80–101. For papyri evidence from late antique Egypt (petitions to local monks to intercede for prisoners' release) see Keenan, Manning, Yiftach-Firanko (2014) n. 10.6.5.

[72] For the latter see e.g. John Moschus, *pratum spirituale* 211 (PG 87.3:3101–3104).

[73] The seminal study of the miracle is still Graus (1961) 61–157. He also coined the term 'Modewunder' (at 119). See now also Jones, A. E. (2009) 192–209.

[74] Constantius of Lyon, *Life of Germanus of Auxerre* 36 (MGH SRM 7:277).

[75] Sulpicius Severus, *Dialogues* 3.4 (CSEL 1:201–202).

[76] Gregory of Tours, *Virt. Mart.* 2.35 (MGH SRM 1.2:622). See also *Virt. Mart.* 3.47, 4.16, 4.26, 4.39 (MGH SRM 1.2:193, 204, 205–206, 209).

Intercession for prisoners did not include a *priori* conflict between public and ecclesiastical authority. In fact, František Graus has argued that the literary motif served to cement collaboration between church and state as two sides of the same attempt by the powerful to dominate the poor of late antique Gaul, through either repression or the creation of obligations via pardons and forgiveness.[77] In fact, nearly all incidents of prisoner release ended in church asylum and pardon by the public judge. While through granting pardon the judge certainly demonstrated submission under divine authority, with the acceptance that true pardon could only come from God, it is also clear that the episodes of release could only come to a positive conclusion through public endorsement.[78] It is therefore possible that the hagiographic motif meant to transport, perhaps also as a model for public authorities, a less antagonistic idea that public and ecclesiastical procedure could be complementary, similar to what Augustine had postulated as discussed in Chapter 3. Still, as Annette Wiesheu has pointed out, Graus' linear Marxist reading of the motif may need to be reviewed, as there are versions of the miracle that clearly undermined a public judge's authority. For example, in Venantius Fortunatus' *Life of Germanus*, bishop of Paris (500–576), Germanus asked the judge to release a prisoner. The judge declined the request, but Germanus proceeded anyway, with prayer.[79] In another case, Martin of Tours took issue with the fact that a judge put a man in prison who had performed public penance for his crime. In the eyes of Gregory of Tours, who reported the incident, ecclesiastical penance overrode public punishment.[80] According to Wiesheu the motif needs to be seen as part of the struggle of Merovingian bishops to gain a foothold within public criminal jurisdiction in the sixth-century, which was well-established in practice but had not yet been recognised by law. The miracle lent authority to the power of the bishop in criminal jurisdiction, which was, in reality, due to the Roman legal tradition, not very strong in Gaul before its formal royal acceptance in the edict of Clothar II in the early seventh century.[81]

[77] Graus (1961) 61–157.

[78] See e.g. Gregory of Tours, *Virt. Mart.* 4.16, 4.39 (MGH SRM 1.2:204, 209); on the importance of public pardon see Jones, A. E. (2009) 192–209.

[79] Venantius Fortunatus *Life of Germanus* 30 (MGH SRM 7:390); see Wiesheu (2001) 10.

[80] Gregory of Tours, *Virt. Mart.* 3.53 (MGH SRM 1.2:195); see James (2003) 33–34. For Augustine see above Chapter 3.

[81] Wiesheu (2001) 7–15.

At the time of Eusebius of Vercelli in Scythopolis, the realisation of such episcopal power still lay far in the future. Although we can see in his letter the blueprint of a delineation of ecclesiastical authority in the civic sphere, his concern was not to combat a local public judge, but a fellow bishop. Between the fourth and sixth centuries, uncertainties over doctrinal principles and exile, the weapon of choice by late antique emperors to solve religious conflict, meant that bishops met as rivals to compete both for the definition of orthodoxy and for popular influence. The prison and how to deal with it correctly became the theatre of this contest, but also frequently its solution, through the confinement of the troublesome exile.

While such solution was often an uneasy one, given the role of the prison in the Christian imagination, Christian exiles' experiences in confinement however also show that, from the fourth century on, prisons were not institutions anymore that necessarily stood in antagonism to Christianity. The call for charity for prisoners, enhanced in late antiquity through stories of their miraculous release, did not question the legitimacy of the prison itself as an aspect of Christian life, but sought to establish who had the rightful authority to put others into prison. While Christian writers also used incidents of bishops campaigning for imprisonment of opponents to underline the outrageousness of their situation, this cannot mask that late antique bishops in general, as we have seen in Chapter 3, began to support and adapt to public forms of judicial procedure, including the use of imprisonment, an issue that we will discuss further in Chapter 9. In doing so, bishops exposed themselves to the accusations of abuse hitherto directed only at public officials. However, the prison could also play a different, more positive, if also more metaphysical role in the Christian imagination. It is to this that we will now turn.

The ascetic experience

When John Chrysostom was sent into exile in 404 to the town of Cucusus in Cappadocia, he wrote to his friend, the aristocratic lady Olympias, consoling her that she had not been able to arrange for his recall yet. The best way to approach his experience, John reasoned, was to treat it as insignificant:

> I at least have not ceased, and will not cease saying that sin is the only thing which is really distressing; and that all other things are but dust and smoke. For what is there grievous in inhabiting a prison (δεσμωτήριον οἰκῆσαι) and wearing a chain? Or in being ill-treated when it is the occasion of so much gain? Or why should exile be grievous or confiscation of goods? These are mere words, destitute of any terrible reality . . .[82]

In another letter (sent after he had been temporarily moved to Arabissus and then returned to Cucusus in 407) John reported to Olympias that at Cucusus, alongside the inconveniences that came from harsh climate, savageness of the region, lack of baths, servants, food, skilful doctors, from the fear of robbers and barbarian attacks, he was 'confined in one chamber as in a prison (δεσμωτηρίῳ)' with 'perpetual contact with fire and smoke'. To stress the importance of endurance (also of Olympias, who seems to have been ill) he evoked the image of the apostle Paul, who had been tried by the physical pain of the prison (δεσμωτήριον) and had embraced this as a divine test and 'training' to gain salvation.[83] In another letter to Olympias, written in 405, John Chrysostom had already revealed, however, that he was not actually imprisoned in Cucusus.[84] The torture of confinement and smoke was not due to human agency, but to the cold of the Cappadocian winters that forced him to stay indoors near the fire.[85] For John, the distress of the prison, then, was not a reality, but a useful way of thinking, in order to come to terms with the experience of exile and to reflect about its benefits.

Philosophical thinkers of the early empire, such as Plutarch and Dio Chrysostom, had written about exile variably, under stoic inspiration, as a non-event that should not affect the wise man's pursuit of happiness, as a form of retirement away from the demands of a public life, or as an opportunity for reflection and detachment, where the endurance of hardship would lead to personal improvement. As Daniel Washburn has shown, it was in particular the genre of *consolationes*, letters, speeches or treatises written to comfort those experiencing death or hardship that generated and developed these ideas. Christian authors, including John Chrysostom, drew on such literary traditions.[86] Classical authors, however, unless they were particularly platonically minded, mostly elaborated on the theme of exile imposed by others, as an expression of power that could be subverted and shown to be futile where the exile recognised the potential of

[82] John Chrsostom. *Letter to Olympias* 14 (PG 52:617–618; transl. NPNF 9:302).
[83] John Chrysostom, *Letter to Olympias* 4 (PG 52:595–596, comparison to Paul at 594; transl. NPNF 9:296).
[84] John was hosted at the house of a friend at Cucusus, even though his movements seem to have been monitored closely; see Kelly, J. N. D. (1995) 258.
[85] John Chrysostom, *Letter to Olympias* 6 (PG:52:599).
[86] Washburn (2007) 299–316. For an excellent overview of ancient ideas of exile also see Gaertner (2007) 1–20.

individual advancement that lay in banishment.[87] Christians, in turn, started from the premise that exile was a universal human condition, traceable back to the banishment of Adam and Eve. Time in this world was a punishment and should be spent to reflect on mending this lost relationship with God, on the inner journey back to God.[88] At the same time, exile as a public penalty for Christians was comparable to other forms of distress in earthly life as an expression of divine justice. John Chrysostom took his exile also as a sign that God used worldly justice, however unjust it seemed to him and other men, as a test of faith. The classical notion of moral improvement through the hardship of exile hence became superimposed with the idea that public justice while ostensibly pursuing different aims, in truth was bound up in the system of divine justice and salvation.

These concepts of exile particularly underpinned Christian asceticism. As those who would overcome exile from God had to rise above the bonds that tied them to the world, the journey to God was to be made by voluntary, literal exile from the world to reflect on sinfulness. It was this logical sequence of double exile that lay at the heart of the Christian ascetics' withdrawal from the world (at times called *anachoresis*).[89] It led Christian hermits to seek out the deserts of Egypt, and their later followers, particularly in the West, where deserts were scarce, uninhabited islands or forests.[90] Even those who found themselves sent to an alien place by legal exile frequently tapped into this discourse.[91] The sentiments expressed in such discourses, focussing on banishment as a positive event, show that, while harsh exile conditions would at times be emphasised to underline a persecution experience, depending on the literary agenda they could also serve to highlight the ascetic credentials of an exile. This was perhaps even more so when exiles where sent to fortresses, which may have recalled withdrawal into an abandoned fortress in the desert by Antony of Egypt, the legendary hero of Christian asceticism.[92]

Yet, while ancient authors for centuries developed solitude, disease, poverty, difficulties of communication, climate and barbarian surroundings as the defining attributes of exile, the above mentioned passages from

[87] Whitmarsh (2001) 269–301.
[88] The classic text in Christian scripture is Paul 2 Cor. 5:6. For late antique articulation of the theme see e.g. Leo, *serm.* 2.5 (SC 22bis:88); Gregory of Nazianzus, *Orat.* 43 (PG 36:501); see also Brito-Martins (2004) 83–94; Rocovich (2004) 212.
[89] von Campenhausen (1968) 232–235.
[90] Gradowicz-Pancer (1992) 3–18.
[91] Vallejo Girvés (2000) 533. See e.g. Nestorius, *Bazaar of Heracleides* 2.2. (transl. G. R. Driver, L. Hodgson (Oxford: Clarendon Press, 1925), 379–380).
[92] Athanasius, *Life of Antony* 12 (SC 400:166–168).

John Chrysostom's letters show that Christian descriptions of exile as a spiritual challenge also associated it with the prison. This was an entirely new development in exile literature. The connection between prison and exile had only rarely been made in classical times.[93] Where early imperial exiles engaged with the concept of the prison philosophically, it was usually through a reiteration of Plato's entirely negative or negatively interpreted metaphorical comparison of the body as the prison of the soul (δεσμωτήριον or φρουρά), or as a cumbersome experience that the wise man would ignore. We find this elaboration for example in Seneca the Younger's letter of consolation to his mother, written from banishment in Corsica in 42/3 and referencing Sokrates' imprisonment. Yet, Seneca did not engage with the idea of imprisonment as an opportunity of moral advancement even though this had also been developed by Plato, as we have seen in Chapter 1.[94]

It might be that earlier Roman exiles rarely made the connection between their condition and the public prison because one was a legal penalty and the other an institution of court procedure. Cécile Bertrand-Dagenbach, however, has argued that this lack of a positive philosophical perspective on the prison was due to the powerful notion of loss of status and dignity the institution carried for the educated Roman, as we have also seen in the preceding chapters.[95] Even in late antiquity, where Christian writers increasingly adopted the prison as a place 'to think with' in order to develop ideas of sanctity, charity, and salvation, it was still mostly the metaphorical concept of the body as a prison for the soul, now in its Neo-Platonist reincarnation as the lowest form of human existence, that captured the interest of members of the Christian senatorial elite.[96] The most important writer in this regard was Boethius, whose elaborations helped to preserve the metaphor's popularity throughout the Middle Ages, despite its, for some Christian thinkers, worryingly dualist and Origenist qualities.[97] As discussed in Chapter 5, in 524 Boethius was held in custody on the orders of the Ostrogothic king Theoderic after having been convicted of treason, awaiting his trial. The place of his confinement was not a public prison but a form of house arrest, where Boethius wrote his

[93] For an isolated incident see D 48.22.5 (Marcian) who called island exile *vinculum*; for comment see Cohen (2008) 209. Note, also, that Juvenal separated the experience of exile on an island and imprisonment in *Sat.* 1.73–1.74 (Loeb 186).
[94] Seneca, *cons. Helv.* 13.4 (Loeb 464). On Plato's comparison of the human body to a 'prison' see above Chapter 1.
[95] Bertrand-Dagenbach (1999b) 211–219; Bertrand-Dagenbach (2004b) 143–149.
[96] On the Neo-Platonist take on the metaphor see Courcelle (1976) 305.
[97] For the late antique debate about the metaphor see Courcelle (1976) 309–315.

famous *Consolation of Philosophy*.[98] In this work he described his current fate as one of exile (*exsilium*), but it is clear that this did not refer to his penalty, for he was sentenced to death. It was a reference to his loss of social status through his conviction. Philosophy, who appeared to Boethius in his distress, pointed out to him that what he considered exile was a false illusion, for he had already been banished long before from his native country, that is from God, at his own hands by putting too much emphasis on worldly goods and pleasures. Later, Philosophy compared Boethius' actual imprisonment to the confinement of his soul in the prison (*carcer*) of the worldly existence. While the easy replacement of exile and prison in Boethius' work was fairly innovative, his concept of prison was conventional.[99]

In turn, the idea of the prison as a place of Christian reflection able to assist in surmounting exile from God, and hence to be embraced rather than overcome, was first postulated by Tertullian at the end of the second century. Tertullian claimed in his *Ad Martyras* (written *c.* 197) that in the age of persecution the prison was to the martyr what the desert had been to the prophet.[100] It is a work that also has to be read as part of the *consolationes* genre, meant to fortify those who had been arrested for their faith and were awaiting trial or execution. In the usual manner of the ancient philosopher, Tertullian told Christians that prison was a non-event. The body may have been shut in, but everything was open to the spirit (2.9: *etsi corpus includitur, etsi caro detinetur, omnia spiritui patent*). Christians in prison were to consider the prison a place of retirement and undisturbed prayer (2.2). It was a place away from the public rituals of the pagan religion, the holidays, the sacrifices, the circus shows (2.7). The real prison – in a Platonic sense, which Tertullian knew well – was the world outside.[101] In a change of tone, Tertullian admitted that prison was of course unpleasant (*molestus*) even for Christians, but this distress had to be taken as an exercise of virtue (*ad exercitationem virtutum*) (3.1–3). Prison was a training ground (*carcerem nobis pro palaestra interpretamur*) to face death well disciplined and win the crown of martyrdom (3.6). Tertullian's words were powerfully echoed by the *Acts of Perpetua and Felicitas*, sometimes believed to have been edited by himself around *c.* 203, particularly by the chapters containing the diary of Perpetua, a young noble woman for whom the prison became a place of divine visions, one of which famously

[98] See above Chapter 5.
[99] Boethius, *Consolation of Philosophy* 1.5 (Loeb 158–162); 2.7.83 (Loeb 216); see also 3.6.5 (Loeb 250).
[100] Tertullian, *ad Martyras* (CC 1:3–8).
[101] On Tertullian's knowledge of Plato's idea of the imprisoned soul see Courcelle (1976) 303.

saw her battling the devil as a male athlete.[102] Tertullian hence used rhetorical strategies and projected ideas customarily employed to explain the distress of exile – the inconsequential nature, the opportunity of worldly detachment, the spiritual advancement through hardship – onto prison in an unprecedented way. Perhaps for the first time in Latin literature (and also in contrast with the much later Boethius), Tertullian described prison not as confinement of the body, but as a place whose very characteristic separation from the world allowed the soul to concentrate on God, as exile had for the ancient philosopher.[103]

Tertullian lived in a world where Christians reflected on prison in the context of martyrdom. In fact, in the *Acts of Perpetua and Felicitas* mentioned above, a stark line was drawn between Christians and the common (at this time also pagan) criminal, when Perpetua's slave Felicitas, whose death in the arena was delayed due to her pregnancy, despaired that she would have to die with the latter, rather than her 'innocent' companions.[104] From the fourth century on, however, as we have seen above, prisoners of all descriptions, not only those persecuted for their faith, increasingly became the focus of Christian attention. While bishop of Constantinople, John Chrysostom claimed that engagement with the present-day prison not only allowed for charity, but also had a pedagogical effect, for prisoners symbolised human sinfulness and the prison offered a glimpse of potential eternal punishment. The idea that the suffering in prison was similar to what could be expected of hell was widespread in late antiquity.[105] Once again, as we have already seen in Chapter 3, public criminal procedure provided material and metaphors to describe divine *damnatio*, to make sinners embrace penance and *emendatio* in this life. For John, the spectacle of the prison, as opposed to that of the theatre, the civic institution he most loathed, would hence surely drive a man to become wise and mend his ways, for example through the very concrete form of alms giving.[106] Yet, prisons did not only teach those who visited them but also the prisoners themselves. It humbled minds through the pressure of affliction.[107] Certainly, Tertullian had addressed this idea, where he called prison a 'training ground', but his focus had been on a civic institution

[102] *Acts of Perpetua and Felicitas* 10–13 (Musurillo:116–122); on the role of the prison in the *Acts* see Heffernan, Shelton (2006) 217–233.
[103] Cassidy-Welch (2001) 34–36, with an excellent discussion about the difference between a Platonist view of the body as a prison of the soul, and Tertullian's view of the prison setting the soul free.
[104] *Acts of Perpetua and Felicitas* 15 (Musurillo:122). [105] Neri (2004) 248–249.
[106] On John and the theatre see Leyerle (2001) 42–74.
[107] John Chrysostom, *Homily on John* 60.4–60.6 (PG 59:331–335).

unjustly imposed on Christians, rather than on uniting Christians and common criminals in human sinfulness with the prison a prospect for them all. John in turn simply assumed that everyone who was in the public prison deserved it – the concept of innocence did not feature in his reasoning. Again, John here entertained the comparison with the theatre. Where the prison, standing 'like the teacher over the child', furthered seriousness of mind and humility, for even the rich man all of a sudden had to keep community with those socially beneath him, the theatre – a traditional locus of *paideia* – did the reverse, for it taught moral debauchery, a sense of superiority and the love of luxury. As a result, those coming out of prison would feel free, while those leaving the theatre would feel the heavy chains of sin.[108] Prison could still, even if it was not a place of preparation for martyrdom anymore, be conceptualised as a place of spiritual reflection, precisely because it was so intrinsically connected to guilt. John here already anticipated many arguments he would later repeat to rationalise his exile experience.

Due to these traditions, the image of prison could become an instructive metaphor to represent the demands of ascetic life both in the East and in the West, alongside that of exile. It is important, however, to distinguish between ascetic memory of the martyr's prison and ascetic reflections on contemporary prisons. It has indeed been argued that the development of the late antique monastery drew in particular on the former, based on Tertullian's foundational text. Yet, while the martyr undoubtedly was a model for the late antique monk,[109] the first full theological elaboration of the link between the experience of the martyr in prison and monastic life, and particularly between the martyr's prison and monastic space, only dates to the later Middle Ages and the age of Cistercian monasticism in the eleventh century, which has been the focus of those who have studied the phenomenon so far.[110] There is hence a risk of re-projecting onto the late antique period much later monastic ideas. Certainly, the travails of the late antique monk were sometimes compared to the martyr in the prison. This is most pronounced in the mid-sixth-century *Rule of the Master* from

[108] John Chrysostom, *Acts of the Apostles* 42.2 (PG 60:301): παιδίῳ παιδαγωγὸς ἐφέστηκε.

[109] See for a detailed discussion of this association Malone (1950), though Malone does not consider the prison as an environment of early Christian martyrs. A particular impressive example derives from the Pachomian *Paralipomena* 5 (transl. Veilleux, vol. 2:26–27), where Pachomius told a brother who had wanted to become a martyr that the monk's contest, the pursuit of a lifestyle pleasing to God, would fit the bill equally: 'you will have the fellowship with the martyrs in heaven'. Accordingly scholars had dubbed late antique ascetisim 'white martyrdom', although the term itself was coined only in the context of seventh-century Irish monasticism: Stancliffe (1982) 21–46.

[110] Penco (1966) 133–143; Leclercq (1971) 407–420; Cassidy Welch (2001) 23–42; Geltner (2008b) 85–86.

Southern Italy. After elaborating the need to leave all links to the world behind, the *Rule* compared the resulting distress of the monk through fasting and sexual abstinence with that inflicted by the persecutor, torture and prison:

> If he inflicts the tortures of the claw or of the rack or of scourging, the endurance of a little pain quickly gives way to a crown of eternal joy. If for the sake of God a dark prison confines us (*carcer nos . . . tenebrosus reclaudat*), in its stead the eternal Jerusalem, built of gold and adorned with precious stones and pearls awaits us. If for the sake of God the prison's darkness makes us blind (*obscuritas clusurae . . . nos . . . obcaecet*), it can deprive us of sight for the moment, but afterwards we shall be received into eternal life by that other light which shines not with the brightness of the sun or of the moon (. . .) but with the everlasting majesty of God himself.

These remarks, loaded with allusions to the *Revelation* (21:18–23) and the *Vision of Paul* (20–29), a late-fourth-century apocalyptic text popular across the Mediterranean, compared exile from God to the martyrs' suffering in prison to describe the ideal monastic lifestyle.[111] The *Rule* crucially continued, however, that in the present day, where there was no persecution, the abbot would assume the job of the persecutor so that after the journey of the world God would be able to measure the degreee of endurance. This text may also have engaged with Tertullian's *Ad Martyras*, although it is far more pronounced than Tertullian on a Neo-Platonist rejection of the body as prison of the soul.[112]

The *Rule of the Master* is a striking example of a late antique connection between the martyrs' prison and monastic life, but it is also a rare one, and it originates from the West, where we can postulate a tradition of Tertullian's *Ad Martyras*. In Eastern asceticism, described as life of perpetual penance (*metanoia*, which gave the famous Pachomian monastery at Canopus its name), the metaphor of the prison was more often used to exhort the ascetic to concrete penitential activities.[113] The reference for Eastern ascetics was, however, not the prison of the martyrs, a memory of the past, but the contemporary public prison. Their models were not martyrs, but real-life criminals, as a number of passages in the *Apophthegmata Patrum* show. Ammon of Amun (288–350), for instance, a hermit in the Nitrian desert, taught one of his disciples to adopt the

[111] *The Rule of the Master* 90.16–90.19 (SC 106:380–382). see the editor's note on the influence by the *Vision of Paul*.

[112] Ohm (1982) 145–155.

[113] On the monastery see Haas (1997) 321–322 and see also above Chapter 6. On *metanoia* as the defininig feature of Eastern asceticism see Rapp (2007) 136–137.

attitude of a prisoner. Like the criminal in the prison (φυλακή), the focus of his meditation should be on the coming of the judge, dreading his punishment. Amma Syncletica (d. *c.* 350), who lived in a tomb outside Alexandria, likewise exhorted her followers to behave as if in prison in anticipation of punishment, to treat human sin in the same manner as a public crime, which would surely be followed by imprisonment, even if small or involuntary. Patience of the prisoner was the keyword for the late fourth-century wandering hermit Bessarion, disciple to Antony of Egypt. The ascetic in the desert, scorched by the sun, should think of the prisoner who would suffer coldness and nakedness.[114] These passages aptly demonstrate that late antique people thought about prison as an endless 'waiting room', which reflects the slowness of criminal procedure in late antiquity described in Chapter 5. Knowledge of the suffering in the contemporary prison (possibly also through concrete intercession for public prisoners) allowed ascetics to embrace the concept that any form of public justice was just an expression of God's justice, a divine test. The contemporary prison was a precarious and ubiquitous institution, for it could strike anyone, even the innocent, and even the rich. It was perhaps a more apt image than the martyr's prison to explain God's inexplicable justice in a Christianised world, where the holy and the common offender were united in human sinfulness, and the need to live a life in permanent penance.[115]

The instructions of the Christian hermits strongly inspired monastic leaders in the west. As a result, the idea of the Christian ascetic habit as one of continual penance also underpinned Western monasticism, and so might have exhortations to ascetics to adopt the mental state of prisoners, beyond that of imprisoned martyrs.[116] The Latin translation of a collection of *Apophthegmata*, which in the Middle Ages went under the name of *Verba seniorum*, possibly prepared in the first half of the sixth century by

[114] *Apophthegmata patrum* 3.1 (Ammonas) (SC 387:150); 7.25 (Syncletica) (SC 387:356); Bessarion 12 (PG 65:143). For comment on these passages see also Geltner (2008b) 85–86. See also *Apophthegmata patrum* 7.56 (SC 387:388); 11.43 (SC 474:156); 31.18 (SC 498:204).

[115] On prison for the rich see John Chrysostom, *Homily on Genesis* 22.7 (PG 53:195); *Homily on the Acts of the Apostels* 42:2 (PG 60:301); Ambrose, *Exam.* 2.7.30 (CSEL 32.1); for the innocent: Augustine, *en. psalm.* 56.14 (CC 39:704); 91.14 (CC 39:1289); 122.10 (CC 40:1822); *serm.* 161.4 (PL 38:879–880); 211.2 (PL 38:1054); 362.9 (PL 38:1616); John Chrysostom, *Homily on Genesis* 63.2 (PG 54:542–3); see Neri (1998) 455–456.

[116] *Rule of Benedict* 73 (SC 182:672). See also *Rule of Benedict* 49 (SC 182:604): *omni tempore vita monachi quadragesimae debet observationem habere* and *Rule of Benedict* prol. 35–38 (SC 181:420–422): *haec conplens Dominus expectat nos cotidie his suis sanctis monitis factis nos respondere debere. Ideo nobis propter emendationem malorum huius vitae dies ad indutias relaxantur, dicente apostolo: An nescis quia patientia Dei ad paenitentiam te adducit? Nam pius Dominus dicit: Nolo mortem peccatoris, sed convertatur et vivat.*

two future popes, Pelagius I (556–561) and John III (561–574), also contained passages elaborating on the criminal in the prison as a model for the monk. It was well known to the compiler of the *Rule of Benedict*.[117] Present-day criminals were the reference in Gregory of Tours' story of Hospitius, a hermit who originally came from Egypt, but took up residence near Nice, in a dilapidated tower, where he lived wearing chains. When he was seized by the Lombards (around 575), who had made an incursion into Southern Gaul, they at first mistook him for a criminal. Hospitius gladly confirmed this impression by telling them that he was indeed a convicted murderer.[118] While the detail that the Lombards would believe him demonstrates that also in Gregory's Gaul the long-term imprisonment of convicted criminals and the make-shift nature of prisons were commonplace, it further shows that to adopt the identiy of real criminals – sinners *de luce*– was to drive home the penitentiary nature of the ascetic life.

Invoking the image of the prison was hence a way to think about monastic life already in the late antique period. However, in late antique monastic discourse there is very little evidence that monastic space itself, the building of the coenobitic monastery, became represented as a prison, or, as we have seen in Chapter 6, that late antique monasteries had dedicated prison space prior to the seventh century. Where ascetic thinkers called up prisoners as a model for their life, their focus was on the mental attitude not on their spatial surroundings. In fact, prison was a model that could also be adopted, as in the case of Abba Bessarion, by wandering hermits.

To be sure, in one of the earliest Western texts referring to monastic life, the famous letter Siricius of Rome wrote to his colleague Himerius of Tarragona in 385 to advise him about the correct punishment of unchaste monks and nuns, monastic cells were called *ergastula*. Siricius, in fact, recommended that unruly ascetics were excommunicated and 'thown' into their cells (*retrusae in suis ergastulis*) until their death to suffer in the 'fire of penance'.[119] Again, this shows that monastic discipline could include punitive imprisonment in a variety of spaces, in this case individual monks' living space. Siricius' chosen term was meant to compare what was to happen to the monks to the fate of slaves or public convicts.[120] The

[117] See e.g. *Verba seniorum* 3.2 (PL 73:860). On the history of the *Verba seniorum* as a text see Harmless (2003) 170–171.

[118] Gregory of Tours, *Histories* 6.6 (MGH SRM 1.1:273). See also Gregory of Tours, *Glory of the Confessors* 97 (MGH SRM 1.2:359).

[119] Siricius, *ep.* 1.6 (PL 13:1139).

[120] See above Chapters 6 and 7 for the use of the term *ergastulum* in this context in late antiquity. On the monastic term see Torres (1990) 287–290, who correctly rejects the notion that Siricius' *ergastula* meant purpose-built monastic prisons.

rise of the term *ergastulum* to describe not only the ascetic state, but also monastic space reflects that at the end of the fourth century ideas of perpetual penance for human sinfulness became expressed not only in language of exile, but also in that of confinement. We should remember, however, that, as we have seen in previous chapters, *ergastulum*, where it referred to slave punishment or to a legal penalty, foregrounded separation from the world more than imprisonment. Sending someone to an *ergastulum* was a form of exile, even if a humiliating one. Siricius' aim was certainly to describe vividly the unruly ascetics' exclusion from the community, although his suggested penalty differed from the domestic or public one in the expectation that it was to facilitate penance. Three decades later, the (possibly) pagan poet Rutilius Namatianus made a more general link between asceticism, *ergastulum* and exile. Travelling back from his assignment as Urban Prefect of Rome to his home in Gaul in 416, Rutilius came to the island of Capreia off the east coast of Corsica, residence of a coenobitic community. With a contempt that reveals his scorn for the monastic fashion of his time, he described the monks as men 'who flee the light' (*lucifugis*). Wishing to 'dwell alone with none to see' (*soli nullo vivere teste volunt*), they, like those in *ergastula*, 'beg for punishment of their deeds' (*sive suas repetunt factorum ergastula poenas*). Namatianus' use of the term is a remarkable insight into current monastic penitential language, which he may have picked up from his friends, who much to his despair had taken up the ascetic life.[121] It also shows that dwelling on an uninhabited island (a horror vision for the urban Roman for centuries) and being banished to an underground workshop could express separation from the world equally well in monastic discourse.

Perhaps it was because the spatial aspect of the ascetic life was so powerfully connected to exile, with the image of the prison describing a mental attitude that the term *carcer* remained absent in ideal constructions of monastic space. Its absence is particularly remarkable as over the course of the fifth and the sixth centuries the ideal architecture of the coenobitic monastery came to resemble a form that to a modern eye startlingly looks like a prison. Sixth-century monastic rules vehemently stressed the need for enclosure, the necessity of walls and scarcity of doors, as well as of porters to

[121] Rutilius Namatianus, *de reditu suo* 1.439–1.452 (Loeb 802–804). Namatianus seems to take *ergastula* as referring to those suffering this punishment, rather than the space, which reflects its use in classical Latin. See Cameron (2011) 211–213 for comment, although I think Cameron overestimates the association of islands with prisons in antiquity.

guard the doors and filter communication with the outside world.[122] Furthermore, monks and nuns started to become bound to their monasteries not just through architecture, but also through irreversible vows and assignment of property to the monastery, which made return to an outside life nigh impossible.[123] While these developments were most pronounced in the West, we can also observe them in the East, and in particular in Justinian's legislation on monasteries, to which we will return in Chapter 10. Enclosure may have been seen as necessary in particular in the case of nuns, following the ancient tradition that the natural place of women was within domestic walls.[124] Caesarius' *Rule for Nuns* was the earliest rule prescribing total enclosure for life of each nun, 'until her death'. Yet, demands for strict, visible and impermeable boundaries to the outside world also began to feature in monastic rules for male communities.[125] The reasons for this development may have lain in the rising numbers of those taking up the coenobitic lifestyle during the fifth and early sixth century, perhaps also due to the specifications at the Council of Chalcedon in 451 that all Christian ascetics were to be assigned to a coenobitic community under supervision of a bishop, from where they were not to leave.[126] The increase of coenobitic monasteries and the stability of monastic communities at one place meant that many monks and nuns now lived in permanent proximity to society. The described architectural features were not designed to inspire association with the prison, but to allow withdrawal from society in the absence of natural boundaries such as deserts or islands that could aid separation from an impure world. The concept of exile from the world, to travel, together with the entire community, towards God remained the most prominent way to imagine the ascetic experience.[127]

[122] Gradowicz-Pancer (1992) 3–18; Gradowicz-Pancer (1999) 178–179. See, for example, Caesarius, *Rule for Nuns* 50; 59.1–59.2; 73.1–73.2 (SC 345:236, 243, 272) on walls and doors; on the role of the porter: *Rule of the Four Fathers* 4.16 (SC 297:200); *Oriental Rule* 26–27 (SC 298:482–484); *Rule of the Master* 95 (SC 106:442–448); *Rule of Benedict* 66 (SC 182:658–660).

[123] Gradowicz-Pancer (1992) 3–18.

[124] Such expectations, mentioned above in Chapter 6, were postulated even more forcefully for Christian virgins, particularly in the West; see e.g. Jerome, *ep.* 128.4 (Labourt, vol. 7:151–153); Schulenburg (1984) 51–86; Stahlmann (1997) 188–193; Dailey (2014) 305–314.

[125] Caesarius, *Rule for Nuns* 2–3: *usque ad mortem suam* (SC 345:180); see also Caesarius, *Rule for Nuns* 1.3; 2.2–2.3 (SC 345:170, 180); Caesarius, *Rule for Monks* 1.1–1.3 (SC 398:204–206); *Rule of Benedict* 58.17 (SC 182:630): demands vows of stability, conversion and obedience; for male communities in particular see Diem (2005) 333.

[126] Council of Chalcedon (451), c. 4 (ACO 2.2.2:34). On the regulation of monasteries at Chalcedon see also Frazee (1982) 263–279.

[127] Gradowicz-Pancer (1992) 9–10. For the concept of the monastic community travelling towards the kingdom of God see *Rule of Benedict* prol. 22–50 (SC 181:418–424).

As we have seen in Chapter 6, it was in the early seventh century that prisons also started to feature in the ideal and perhaps also real construction of monastic space. Yet, even at this point it was not the monastery as a whole that came to be described as a prison. The institution of monastic prisons was intended to create separate spaces to keep the community pure from sin and to facilitate different stages of penance. John Climacus' early seventh-century *Ladder of Divine Ascent* impressively illustrates the differences between exile and prison in the monastic imagination, but also shows how penitential activities in the monastery were inspired by present-day prisons.[128] John's work described the thirty steps a monk needed to take to attain ascetic perfection. Among the general conditions of the ascetic life he counted 'exile', in the sense of becoming a stranger to the world (ξενιτεία). From here the monk had to progress to 'obedience' and 'penance' (μετάνοια). While John postulated that monastic routine was universally focussed on penance, he also explained concrete measures a good abbot would take to deal with those who went astray, so added a personal sin to human sinfulness, after they had entered the monastic life. Among such measures was sending someone to the monastic prison (φυλακή), as one of John's admired abbot friends had done. Yet, crucially, John recommended that the monastic prison could also be a place where all monks would go from time to time as a form of self-inflicted punishment. Even John had taken it on himself to pass thirty days in this 'prison' (ἐν τῇ φρουρᾷ). He witnessed men who stood up the entire time, men who prayed with hands tied behind their backs 'like condemned criminals' (κατα δίκων), men who dressed in sack cloths and ashes and sat in complete darkness and filth. The purpose was to attain an intellectual state of humility, to embrace deserved punishment, by mimicking the suffering in public prisons and as such anticipating the torments of hell.[129] John came back 'much changed' and with the conviction that those who had sinned and learned to mourn themselves were, indeed, more blessed than those who had not.[130] The 'prison', dark, dirty and squalid, was an ulterior place for penitential reflection on human sinfulness, an enhancement of exile, the general ascetic state. Some ascetics were seen as able to create such a place permanently in their imagination, but those who failed were given the opportunity to experience imprisonment physically.

[128] John Climacus, *Ladder of Divine Ascent*, step 3, 4 and 5 (PG 88:672–793).
[129] See Chryssavgis (1989) 110, who also emphasises the crucial difference to the Platonic idea of the 'purity' of the intellect.
[130] John Climacus, *Ladder of Divine Ascent*, step 5 (PG 88:764–775).

Conclusions

Late Roman judges faced a serious dilemma. Traditional expectations of moderation and discretion in punishment, the hallmarks of clemency, as well as the Christian concept of punishment as ultimately God's privilege transformed non-lethal penalties into an attractive option in late Roman judicial processes under some circumstances. The crime of religious dissent was one of them, as there was an urgent need to avoid the danger of being branded a persecutor. At the same time, an understanding of crime, and particularly the crime of religious dissent, as an unwanted influence, framed as 'disease', increased the demand to remove offenders from society and sometimes to compel a change of conduct. Yet, particularly at elite level the methods chosen to address such needs were at times wholly inadequate. Authorities often worked on the assumption that higher-ranking convicts were suppressed or even 'corrected' in their activities when removed from their primary theatre of action and put in the vicinity of either very 'immoral', for example pagan, individuals, or very 'moral' ones, such as loyal bishops. They seemingly found it hard to come to terms with the fact that this approach often did not work and led to more unrest, particularly in the case of exiled clerics and matters of belief, which, it turned out, needed more stringent mechanisms of security and coercion.

When choosing such mechanisms, civic and ecclesiastical authorities in the provinces may have thought that house arrest or the assignment of a military guard were perfectly legal, honourable, appropriate and bloodless ways to address problems of disorder, including the sedition stirred up by leading churchmen. After all, according to traditional Roman law a provincial governor could place exiles under house arrest. House arrest and *custodia militaris* also were the forms of custody the law suggested for members of the elite who got into legal trouble. Furthermore, some laws on heresy alluded to spatial confinement of heretics, albeit in the very vague terms of *detrusio* or *retrusio*, and may therefore have provided a context for security measures. In addition, emperors themselves at times ordered that a