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## Observations on the Dating of the *Typikon* of the Lips Monastery

The Lips Monastery was built by Constantine Lips in the western part of Constantinople<sup>1</sup>. Ten years after the consecration (in June 907<sup>2</sup>) the founder was killed in battle<sup>3</sup>; nothing more is known until the age of the Palaiologans.

The Empress Theodora Doukaina Komnene Palaiologina, wife of Michael VIII Palaiologos, renovated the monastery and built a new church, dedicated to St John the Baptist, as a place of burial for members of the royal family<sup>4</sup>. The *Typikon* of the monastery seems to have been drawn up by an anonymous author at her behest<sup>5</sup>. The Empress renovated the convent and lived out the latter part of her life there, as a nun, adopting the name Eugenia<sup>6</sup>, and when she died, on 25 February 1303, she was buried

<sup>1</sup> For the monastery of Lips see T. MACRIDY, The Monastery of Lips (Fenari Isa Camii) at Istanbul. The Monastery of Lips and the Burials of the Palaiologoi. *DOP* 18 (1964) 253–278; A.H.S. MEGAW, The Original Form of the Theotokos Church of Constantine Lips. *DOP* 18 (1964) 279–298; C. MANGO – E. J.W. HAWKINS, Additional Notes. *DOP* 18 (1964) 219–315; R. JANIN, La géographie ecclésiastique de l'empire byzantin. Première partie: le siège de Constantinople et le patriarcat oecuménique. Tome III: Les églises et les monastères. Paris 1969, 309; A. CUTLER – Alice–Mary TALBOT, Lips Monastery. *ODB* II 1233.

<sup>2</sup> Theophanes Continuatus (ed. I. BEKKER, Theophanes Continuatus [*CSHB*]. Bonnae 1838, 371, 12–18); Symeon Magister et Logothetes 133, 51 (ed. S. WAHLGREN, Symeonis Magistri et Logothetae Chronicon [*CFHB* XLIV/1]. Berlin–New York 2006, 289, 346–352); Ioannes Scylitzes (ed. I. THURN, Ioannis Scylitzae Synopsis Historiarum [*CFHB* VI]. Berlin–New York 1973, 186, 41–47). It is recorded in the Patria III, IV, 35 (ed. Th. PREGER, Scriptores Originum Constantinopolitanarum, part. II. Lipsiae 1907 [reprint New York 1975] 289, 5–9), that the Lips Monastery was built in the time of Romanos I and Constantine VII by the *patrikios* and *droungarios tou stolou* Constantine Lips; this has been disputed with regard to the date of the founding and the title and office of the founder, since it contradicts the evidence of the sources. Cf. N. ADONTZ, Les Taronites en Arménie et à Byzance. *Byz* 10 (1935) 531–551 and here 533. See also R.J.H. JENKINS, Constantine Porphyrogenitus, De Administrando Imperio, II. Commentary. London 1962, 162–163; MACRIDY, Lips 256–257; MANGO – HAWKINS, Notes 299–300; JANIN, Géographie 307; A. BERGER, Untersuchungen zu den Patria Konstantinupoleos [*Poikila Byzantina* 8]. Bonn 1988, 638–639; A. CUTLER – A. KAZHDAN, Lips. *ODB* II 1232–1233; CUTLER – TALBOT, Lips Monastery 1233.

<sup>3</sup> Theophanes Continuatus (389, 8–19 BEKKER); Symeon Magister et Logothetes 135, 20 (304, 145 – 305, 156 WAHLGREN); Pseudo–Symeon (ed. I. BEKKER, Theophanes Continuatus [*CSHB*]. Bonnae 1838, 601–760 and here 724, 5–12); Ioannes Scylitzes 203, 92 – 204, 17 (THURN).

<sup>4</sup> Alice–Mary TALBOT, Empress Theodora Palaiologina, Wife of Michael VIII. *DOP* 46 (1992) 295–303, and here 299.

<sup>5</sup> *Typikon of Lips Monastery* (ed. H. DELEHAYE, Deux typica byzantins de l'époque des Paléologues [*Mémoires de l'Académie royale de Belgique, Classe des Lettres*, 2<sup>e</sup> série, t. XIII, no. 4]. Bruxelles 1921, 1–213 [= IDEM, Synaxaires byzantins, ménologes, typica. Aldershot – Burlington 2002, no. VI], text 106–136); J. THOMAS – Angela CONSTANTINIDES HERO with the assistance of G. CONSTABLE, Byzantine Monastic Foundation Documents, I–V. Washington, D.C. 2000, III 1254–1286 (english translation of the text 1265–1282); TALBOT, Theodora Palaiologina 299 and n. 40. The *Typikon* is preserved (British Library Additional 22748) only in a 14<sup>th</sup> century manuscript. See DELEHAYE, Typica 14–16. See also R. NELSON – J. LOWDEN, The Palaeologina Group Additional Manuscripts and New Questions. *DOP* 45 (1991) 59–68, esp. 65–67: “The London manuscript appears as a document of particular significance and we believe that it may well be one of the original copies of the *typikon*, drawn up for Theodora and/or her monastery in ca. 1300” (67).

<sup>6</sup> Theodore Metochites (Μονωδία ἐπὶ τῇ βασιλίδι Θεοδώρα, τῇ τοῦ βασιλέως μητρὶ), ed. A. SIDERAS, 25 unedierte byzantinische Grabreden (*Classical Letters* 5). Thessaloniki 1990, 247–267, esp. 259, 15–27); IDEM, Die byzantinischen Grabreden. Prosopographie, Datierung, Überlieferung. 142 Epitaphien und Monodien aus dem byzantinischen Jahrtausend (*WBS* 19). Wien 1994, 262–264. Cf. J. GOULLARD, Le Synodikon de l'Orthodoxie. *TM* 2 (1967) 1–316, here 101, 864 and n. 339; TALBOT, Theodora Palaiologina 300.

in the church<sup>7</sup>, alongside her mother and daughter<sup>8</sup>. The Lips Monastery, which had a complement of 50 nuns and a 12-bed hospital run by a staff of 21<sup>9</sup>, was supported by an endowment of properties in Asia Minor, Thrace and Constantinople, which were given to it by Theodora and are described in detail in the *Typikon*<sup>10</sup>.

The *Typikon* was drawn up some time between the death of Michael VIII in December 1282, since it states that Andronikos II has succeeded his father on the throne<sup>11</sup>, and the death of Theodora Palaiologina on 25 February 1303<sup>12</sup>. Alice-Mary Talbot thinks that the *Typikon* can be dated more precisely, to the period between the years 1294 and 1301<sup>13</sup>. She takes as *terminus post quem* the fact that Michael IX, son of Andronikos II, was crowned *basileus* on 21 May 1294<sup>14</sup>, since the *Typikon* states that Andronikos II had succeeded his father Michael VIII and assumed the reins of government and was, according to her, ruling jointly (σὺν αὐτῷ) with his son, Michael IX<sup>15</sup>. She does not, of course completely exclude an earlier dating, but reasons that, since Michael IX was only a child when he was crowned co-Emperor in 1281<sup>16</sup>, he could not have been ruling together with his father<sup>17</sup>. Her *terminus ante quem* is 1301, since

<sup>7</sup> Georgios Pachymeres XI 4 (ed. A. FAILLER, Georges Pachymérés, Relations historiques, III–IV [CFHB XXIV/3–4]. Paris 1999, IV 413, 1–18): “Περὶ τοῦ θανάτου τῆς δεσποίνης Θεοδώρας. Τῷ μὲν οὖν βασιλεῖ ἡ μήτηρ ἐνόσει δεινῶς καὶ πρὸς ἀναπνοαῖς ἦν ταῖς ἐσχάταις· καὶ ἡ δευτέρα τῆς δευτέρας τῶν Νηστειῶν ἐβδομάδος νεκρὰν τὴν ἀνασσαν εἶδε, γυναῖκα πολλαῖς κατακώχμιον χάρισι. Συντέθαπτο δὲ οἱ καὶ ἐνδεῶν πλήθος ἄπειρον, οἷς καθ’ ἡμέραν ἐπήρκει ... ἐν καιρῷ νιφάδων τε καὶ βορβόρου ἐξέφερον τὸν νεκρὸν, οὐδ’ αὐτοῦ βασιλέως τὰ ἐς τιμὴν ἐλλείποντος, ἀλλὰ σοροῦ μὲν ἐκείνης ἡμέμου, διὰ βορβόρου δὲ πλείστου καὶ ὀλισθηροῦ βαινοντος, μέχρι καὶ τὴν τοῦ Λείψη καταλαβόντες μονήν, ἐφ’ ἡμέραις ὡς εἰκὸς ἐτέλουν τὰ τῆς ὀσίας, ἀναγκαίαν ἀσχολίαν ἐπὶ ταύτῃ καὶ βασιλέως ἔχοντος”. For the date of Theodora Palaiologina’s death see *ibidem* 412, n. 21. See also A. FAILLER, Chronologie et composition dans l’Histoire de Pachymérés. *REB* 48 (1990) 5–87, here 51, n. 177, where he refutes the earlier view that the empress died on 4 March 1303. See A. Th. PAPADOPOULOS, Versuch einer Genealogie der Palaiologen. München 1938, 4 and n. 15 (no. 1); MANGO – HAWKINS, Notes 301; D. POLEMIS, The Doukai. A Contribution to Byzantine Prosopography. London 1968, 109; V. LAURENT, Les registres des actes du Patriarcat de Constantinople, vol. 1: Les actes des patriarches, fasc. 4 (1208–1309). Paris 1971, nos. 1583 and 1629; *PLP* 21380; SIDERAS, Die byzantinischen Grabreden 264. See also DELEHAYE, *Typica* 175, who dates the death of Theodora Palaiologina in February 1304. Cf. TALBOT, Theodora Palaiologina 299, who adopts Failler’s chronology.

<sup>8</sup> *Typikon of Lips XVIII* 42 (130, 7–11 DELEHAYE).

<sup>9</sup> *Typikon of Lips XX* 50 (134, 5–31 DELEHAYE). Cf. R. VOLK, Gesundheitswesen und Wohltätigkeit im Spiegel der byzantinischen Klostertypika (*MBM* 28). München 1983, 244–246.

<sup>10</sup> *Typikon of Lips XIX* 43–49 (130, 19 – 134, 3 DELEHAYE). Cf. F. DÖLGER, Regesten der Kaiserurkunden des oströmischen Reiches von 565 bis 1453, 4. Teil (1282–1341). München 1960, no. 2079; TALBOT, Theodora Palaiologina 301.

<sup>11</sup> *Typikon of Lips II* 3 (108, 15–18 DELEHAYE): “... ὅς τὸ μὲν πρὶν σὺν τῷ βασιλεῖ καὶ πατρὶ διθύνων τὰ τῆς ἀρχῆς ἦν, νῦν δ’ ὡς δι’ εὐχῆς εἶχόμεν καὶ μόνος τὸ κράτος ἀναλαβὼν μόνος τὰ τῶν Ῥωμαίων εὐ τε καὶ ὡς οὐκ ἄν ποτε κρεῖττον ᾤθημεν διοικεῖ”.

<sup>12</sup> See above, n. 7. See also DÖLGER, Regesten, no. 2079, who dates the chrysobull granting lands to the Monastery to the period 1282–1304.

<sup>13</sup> TALBOT, Theodora Palaiologina 299. See also THOMAS – CONSTANTINIDES HERO, Monastic Documents 1254; CUTLER – TALBOT, Lips Monastery 1233, who write that the *Typikon* was composed between 1282 and ca. 1300.

<sup>14</sup> Georgios Pachymeres IX 1 (III, 219, 1 – 221, 16 FAILLER): “Στεφφορία τοῦ βασιλέως Μιχαῆλ. Ἐπεὶ δ’ ἀντίπαις ἦν ὁ υἱὸς Μιχαῆλ ἤδη τῷ βασιλεῖ καὶ τὸν ὑπὲρ τὸν ἔφηβον ἤλαυνεν, οὐκ ἀπεικὸς ἠγεῖτο οὐδ’ ἀπρεπὲς ἄλλως μὴ βασιλικῶς ταινιοῦν, καὶ ταῦτα καὶ τὴν πληροφορίαν ἐπὶ τῷ ταινιώσονται κεκτημένος ... ἐπ’ ἀσπίδος τε τὸν νέον οἱ ἐν τέλει καθιζάνουσι καὶ μετέωρον αἴρουσι καὶ ἀνευφημοῦσι τρανότερον ... καὶ μετὰ λαμπρῶν καὶ περιφανῶν τῶν τελειῶν στέφει μὲν βασιλεὺς τὸν υἱόν, συνεπιλαμβανόμενου τοῦ στέφους καὶ τοῦ ἱεράρχου, χρεὶ δ’ ὁ ἱεράρχης τῷ θεῷ μῦρον τῆς βασιλείας συμμετασχόντα, καὶ παιάνες ἐντεῦθεν καὶ εὐφημίας καὶ πᾶν χαριστήριον. Ῥιπτοῦνται δὲ, προερχομένων τῶν βασιλέων, καὶ οἱ συνήθεις ἀπόδεσμοι ...” See also *ibidem* 218, n. 3, on the year of the coronation of Michael IX; P. SCHREINER, Die byzantinischen Kleinchroniken, 1. Teil: Einleitung und Text (CFHB XII/1). Wien 1975, 8.10 (76) and 22.6 (180), 2. Teil: Historischer Kommentar (CFHB XII/2). Wien 1977, 213–214. Cf. FAILLER, Chronologie 29–30; Aikaterine CHRISTOPHILOPOULOU, Ἐκλογή, ἀναγόρευσις καὶ στέφισ τῶν βυζαντινῶν αὐτοκράτορος. Athens 1956, 186–187; J. VERPEAUX, Notes chronologiques sur les livres II et III du De Andronico Palaeologo de Georges Pachymère. *REB* 17 (1959) 168–173, esp. 171–173. *PLP* 21529.

<sup>15</sup> *Typikon of Lips II* 3 (108, 18–21 DELEHAYE). The passage is cited in full below. Cf. TALBOT, Theodora Palaiologina 299.

<sup>16</sup> Georgios Pachymeres VII 33 (III, 99, 26–31 FAILLER): “Ὁ μὲντοι γε βασιλεὺς, υἱὸς ἔχων ἐξ Ἄννης τῆς ἐξ Οὐγγρων δύο, Μιχαῆλ τε καὶ Κωνσταντῖνον, τὸν μὲν βασιλικῶς ἀνήγε καὶ ὡς τῆς βασιλείας διάδοχον ἐθεράπευε, τὸν δὲ Κωνσταντῖνον εἰς δεσπότην ἔτρεφε. Τῷ μὲντοι γε Μιχαῆλ καὶ ὁ πάππος αὐτοῦ Μιχαῆλ τῆς εἰς τὴν βασιλείαν καταστάσεως ἤρχε καὶ ὡς βασιλέα παρεῖχε κηρύττεσθαι ὡς οὐ μικρὰν παραφυγὴν τῷ πατρὶ, διὰ τὸν τῆς δεσποίνης ἄλονται θάνατον”. Cf. CHRISTOPHILOPOULOU, Ἐκλογή 185; A. FAILLER, La proclamation impériale de Michel VIII et d’Andronic II. *REB* 44 (1986) 237–251, and here 248. *PLP* 21529.

<sup>17</sup> TALBOT, Theodora Palaiologina 299.

the *Typikon* states that a daughter of Theodora Palaiologina was buried in the Church of St John<sup>18</sup>. This girl must have been Anna Palaiologina<sup>19</sup>, daughter of Michael VIII Palaiologos, who in 1278 had married Demetrios Koutroules, later called Michael, the younger son of Michael Doukas of Epiros<sup>20</sup>. Anna died “untimely” (“πρὸ χρόνων”) some time before 1301, and her widowed husband then married the daughter of the Bulgarian khan Terteris<sup>21</sup>. Theodora’s other two daughters, Eudokia and Irene, were still living when the *Typikon* was composed (“δύο δὲ αὐταὶ τῷ βίῳ περιειλείφθησαν”)<sup>22</sup>. Eudokia married John II Komnenos of Trebizond in 1281, and came to Constantinople after his death in 1298. She returned to Trebizond in 1301, where she died the following year (13 December 1302) and was probably buried there<sup>23</sup>. Her sister Irene married the Bulgarian ruler John III Asen in 1278. When he was deposed in 1280, Irene returned to Constantinople. While her exact date of death is not known, it is certain that she survived her mother and that she died before 1328<sup>24</sup>. Alice-Mary Talbot concludes, therefore, that the *Typikon* was drawn up some time before 1301 and that Theodora’s renovation of the monastery took place in the final decade of the 13<sup>th</sup> century, shortly before the compilation of the *Typikon* (1294–1301)<sup>25</sup>.

In our opinion, however, full use has not been made of all the evidence furnished by the *Typikon* itself; moreover, Alice-Mary Talbot’s view that the year of Michael IX’s coronation, 1294, constitutes a *terminus post quem* for the dating of the *Typikon* is not, on the basis of the document’s wording, certain. The *Typikon* states, in the chapter on the *ephoreia* of the monastery, assumed by each successive emperor, that: “...ἐπεὶ γοῦν οὕτω τὸ τῆς προστασίας ἀναγκαῖόν ἐστιν, ὑπὸ προστάτην εἶναι καὶ ἔφορον τὸ ἱερόν τοῦθ’ ἡμῶν αἰρούμεθα καταγώγιον· καὶ ὅσῳ δὴ τὰς μοναχὰς ἀσθενεῖς σὺνισμεν, τοσοῦτω τὸν προστάτην ἰσχυρόν ἐκλεγόμεθα· οὗτος δὲ τίς ἄλλος ἢ εἰ τῶν ἐπὶ γῆς ἢ ὁ πρὸς τοῦ μόνου δυνάστου Θεοῦ τὴν ἀρχὴν καὶ τὸ κράτος λαχόν; παντὶ που δῆλον ὡς ὁ βασιλεὺς οὗτός ἐστιν, ὃν ἐπὶ πάντων ὁ πρὸ πάντων καὶ ὑπὲρ πάντα τάττει Θεός· καὶ νῦν μὲν εὖ ἡμῖν ποιοῦντος Θεοῦ ὁ ἐξ ἐμοῦ προελθὼν, τὸ ἐμὸν καὶ στήριγμα καὶ καλλώπισμα, ὃς τὸ μὲν πρὶν σὺν τῷ βασιλεὶ καὶ πατρὶ διηθύνων τὰ τῆς ἀρχῆς ἦν, νῦν δ’ ὡς δι’ εὐχῆς εἶχομεν καὶ μόνος τὸ κράτος ἀναλαβὼν μόνος τὰ τῶν Ῥωμαίων εὖ τε καὶ ὡς οὐκ ἂν ποτε κρεῖττον ᾤθημεν διοικεῖ· σὺν αὐτῷ δὲ καὶ μετ’ αὐτὸν τὸ ἡμέτερον ἀγαλλίαμα, ἢ ἡμετέρα παραψυχή, ὁ φύς τε ἐξ αὐτοῦ καὶ τοῦ κράτους αὐτοῦ καὶ τοῦ στέφους διάδοχος· καὶ καθεξῆς εἰσαεὶ οἱ τῆς ἀρχῆς καὶ τοῦ κλήρου διάδοχοι· βασιλεὶ γὰρ ἀεὶ τὰ τῆς ἐφορείας ἀνατιθέαμεν”<sup>26</sup>.

According to this passage, when the *Typikon* was drawn up Andronikos II had succeeded his father, Michael VIII, and was ruling alone (from December 1282)<sup>27</sup>: (“νῦν δ’ ὡς δι’ εὐχῆς εἶχομεν καὶ μόνος τὸ κράτος ἀναλαβὼν μόνος τὰ τῶν Ῥωμαίων”). Alice-Mary Talbot translates the next sentence, “σὺν αὐτῷ δὲ καὶ μετ’ αὐτὸν τὸ ἡμέτερον ἀγαλλίαμα, ἢ ἡμετέρα παραψυχή, ὁ φύς τε ἐξ αὐτοῦ καὶ τοῦ κράτους αὐτοῦ καὶ τοῦ στέφους διάδοχος” as follows: “together with him rules my second ornament and my consolation, his son and the heir to his power and crown”<sup>28</sup>; but this does not translate the prepositional phrase “μετ’ αὐτόν”. In our view, this passage concerns the person who will assume the *ephoreia* and the protection

<sup>18</sup> *Typikon* of Lips XVIII 42 (130, 7–8 DELEHAYE): “ἐν δεξιᾷ μὲν εἰσιόντι τὸν τοῦ Προδρόμου νεῶν ὁ νεκρὸς τῆς ἐμῆς προκατατεθείς ἐστὶ θυγατρός”. See also *ibidem* (<Περὶ τῆς μονῆς τῶν ἁγίων Ἀναργύρων>) 57 (138, 4–5 DELEHAYE).

<sup>19</sup> PAPAPOULOS, *Palaiologen* 29 (no. 47); *PLP* 21350.

<sup>20</sup> POLEMIS, *Doukai*, 96, no. 51; *PLP* 193.

<sup>21</sup> Georgios Pachymeres X 13 (IV, 333, 22 – 335, 2 FAILLER): “Ὅπως Μιχαὴλ ὁ δεσπότης τὴν τοῦ Τερτερῆ θυγατέρα εἰς γάμον ἠγάγετο. Ἐν τούτῳ δὲ καὶ Μιχαὴλ ὁ δεσπότης, τὴν συνοικοῦσαν πρὸ χρόνων ἀποβαλὼν – ἢ δ’ ἦν ἡ τοῦ βασιλέως ἀταδέλφη – ...”. Cf. Nikephoros Gregoras VI, 9, 4 (ed. L. SCHOPEN, *Nicephori Gregorae, Byzantina Historia*, I–III. [CSHB]. Bonnæ 1829–1855, I 204, 3–13). Cf. PAPAPOULOS, *Palaiologen* 29 (no. 47); *PLP* 21350; TALBOT, *Theodora Palaiologina* 299; MANGO – HAWKINS, *Notes* 301.

<sup>22</sup> *Typikon* of Lips XVII 40 (129, 7 DELEHAYE).

<sup>23</sup> PAPAPOULOS, *Palaiologen* 32–33 (no. 52); MANGO – HAWKINS, *Notes* 302; *PLP* 12064; TALBOT, *Theodora Palaiologina* 299.

<sup>24</sup> PAPAPOULOS, *Palaiologen* 27–28 (no. 44); MANGO – HAWKINS, *Notes* 302; *PLP* 21359; TALBOT, *Theodora Palaiologina* 299.

<sup>25</sup> TALBOT, *Theodora Palaiologina* 299.

<sup>26</sup> *Typikon* of Lips II 3 (108, 7–22 DELEHAYE).

<sup>27</sup> *PLP* 21436; FAILLER, *Chronologie* 8.

<sup>28</sup> THOMAS – CONSTANTINIDES HERO, *Monastic Documents* 1266 (tr. Talbot); TALBOT, *Theodora Palaiologina* 299.

of the monastery in the future. According to the *Typikon* Michael, who had been proclaimed *basileus* in 1281 at the age of three, would apparently assume the protection of the monastery together with Andronikos II (“σὺν αὐτῷ”)<sup>29</sup> once he was crowned and sharing in the ruling of the Empire<sup>30</sup>, and after him (“μετ’ αὐτὸν”), when he remained as sole monarch. Michael, therefore, the “τοῦ κράτους καὶ τοῦ στέφους διάδοχος” of Andronikos II, was still a minor and had not yet been crowned co-emperor when the *Typikon* was drawn up, and therefore a date before 1294 cannot be excluded.

This is supported by another item in the *Typikon* that in our view is significant and which has not been considered in the dating of the document. This is the reference to an *apographe* carried out in Nikomedeia by the *pansebastos krites tou phossatou* Constantine Cheilas, which assigned certain olive trees to the Lips Monastery: “...ἕτερα ἐλαϊκὰ δένδρα περὶ τὴν Νικομήδειαν τὰ καὶ δι’ ἀπογραφικῆς παραδόσεως τοῦ πανσεβάστου κριτοῦ τοῦ θεοφρουρήτου φοσσάτου τοῦ Χειλᾶ προσόντα τῇ αὐτῇ μονῇ ...”<sup>31</sup>. Constantine Cheilas is known from other contemporary sources and from seals describing him as *sebastos* and *krites tou phossatou*<sup>32</sup>. This Constantine, who is the first known *krites tou phossatou*, is mentioned in a letter of Patriarch Gregory II of Cyprus (1283–1289) to the *megas logothetes* Theodore Mouzalon<sup>33</sup>, which dates from the period 1283–1285<sup>34</sup>, that is, between the first year of the primacy of Gregory II and the year when Constantine’s brother John Cheilas is attested as Metropolitan of Ephesos (1285–1289), since the letter still refers to him as the abbot of the Mesambelon Monastery in Nikomedeia<sup>35</sup>. The letter informs the *megas logothetes* that Cheilas has been favouring the Mesambelon Monastery, where his brother is the abbot, at the expense of two neighbouring foundations in Bithynia, the Phrygion Monastery (on the Bosphorus)<sup>36</sup> and the Trachinarion Monastery<sup>37</sup> (near Chalcedon)<sup>38</sup>. Gregory accuses him of harassing and robbing the two monasteries for his own benefit and not to the benefit of the

<sup>29</sup> See also Elene MARGAROU, book review of the third volume of Monastic Documents. *Byzantina* 23 (2002–2003) 491–497, esp. 496, where the author notes that: “the *Typikon* of the Lips Monastery appoints as ephoros and protector the Emperor Andronikos II and afterwards his successors”.

<sup>30</sup> See CHRISTOPHILOPOULOU, *Εκλογή* 186–188, 204 ff. *PLP* 21529.

<sup>31</sup> *Typikon* of Lips XIX 49 (133, 29–31 DELEHAYE). Cf. THOMAS – CONSTANTINIDES HERO, *Monastic Documents* 1254, 1280; LAURENT, *Regestes*, no. 1467; A. ΚΟΝΤΟΓΙΑΝΝΟΠΟΥΛΟΥ, *Η εσωτερική πολιτική του Ανδρονίκου Β΄ Παλαιολόγου (1282–1328). Διοίκηση – Οικονομία (Byzantina Keimena kai Meletai* 36). Thessaloniki 2004, 116 and n. 352, 218, n. 936, 320, according to whom Constantine Cheilas was *krites tou phossatou* between 1289 and 1293, and *apographeus* of Nikomedeia between 1290 and 1300. Constantine Cheilas is, however, attested as *krites tou phossatou* at least from 1283 to 1285, according to the letters of Patriarch Gregory of Cyprus, which are cited below.

<sup>32</sup> V. LAURENT, *Le corpus des sceaux de l’empire byzantin*, vol. 2: *L’administration centrale*. Paris 1981, no. 1193–1194, with two seals of Constantine Cheilas, which describe him as *sebastos* and *krites tou phossatou*. See also Spink auction 127, *Byzantine Seals from the collection of George Zacos*, Part I. London (7.10.1998), no. 58. Cf. also D. METCALF, *Byzantine Lead Seals from Cyprus (Cyprus Research Centre. Texts and Studies of the History of Cyprus* 47). Nicosia 2004, no. 204; Valentina S. SANDROVSKAJA – W. SEIBT unter Mitarbeit von Natascha SEIBT, *Byzantinische Bleisiegel der Staatlichen Eremitage mit Familiennamen*, 1. Teil: *Sammlung Lichačev – Namen von A bis I (Österreichische Akad. Wiss., phil.-hist. Kl., Denkschriften* 331). Wien 2005, no. 61 and n. 39.

<sup>33</sup> For the *megas logothetes* Theodore Mouzalon (1282–1294) who served as *mesazon* and received letters and instructions from Patriarch Gregory of Cyprus see *PLP* 19439; ΚΟΝΤΟΓΙΑΝΝΟΠΟΥΛΟΥ, *Andronikos* 89–92.

<sup>34</sup> LAURENT, *Regestes*, no. 1467, 1468.

<sup>35</sup> R. JANIN, *Les églises et les monastères des grands centres byzantins*. Paris 1975, 88.

<sup>36</sup> JANIN, *Monastères* 10–12.

<sup>37</sup> See Gregory of Cyprus, Letter no. 175 (ed. S. EUSTRATIADIS, *Γρηγορίου τοῦ Κυπρίου οἰκουμενικοῦ πατριάρχου Ἐπιστολαὶ καὶ Μῦθοι*. Alexandria 1910, 180, 18–29): “ἔστιν ἡ τῶν Φρυγῶνων μονή ... καὶ ἡ τῶν Μεσαμπέλων λεγομένη· ἔστι δὲ τρίτη κάκεινη, ἦν οἱ πρώτως τοῦνομα θέντες Τραχιναρίας καλέσαντες ... τῆς μὲν οὖν δευτέρας καὶ μέσης προὔστη ὁ ἀδελφός, καὶ ῥύεται γὰρ ἀδελφὸς ὢν καὶ αἰδέσιμος τῷ κριτῇ· αἱ δὲ που δύο καὶ τὸν κατὰ τῆς ἀδελφῆς παρὰ τοῦ κριτοῦ ἀνεδέξαντο χόλον· χθὲς μέντοι καὶ πρόπριτα τῇ τῶν Φρυγῶνων ἐπιτεθειμένος, ἐκεῖνά γε αὐτήν, ἀπάντως σχεδὸν ἴσασι, δρᾶ, καὶ πάντες ἀντὶ τούτων καταρῶνται αὐτῶν σφοδρὸς ἐπέσκηψε καὶ τῇ τρίτῃ· καὶ αὐτήν ὡς τὴν πρώτην εἰς τὸ μηδὲν συνελάσαι πειρᾶται ...” Cf. LAURENT, *Regestes*, no. 1467; *PLP* 30766; K. ΠΑΝΑΓΙΩΤΙΔΗΣ, *Η ὁργάνωση του στρατοῦ κατὰ τὴν ὑστερὴ βυζαντινὴ περίοδο (1204–1453)* (unpublished doctoral dissertation) Thessaloniki 2004, 226; A. ΓΚΟΥΤΖΙΟΥΚΟΣΤΑΣ, *Ο κριτὴς του στρατοπέδου καὶ ὁ κριτὴς του φοσσάτου*. *Byzantina* 26 (2006) 79–99, esp. 91.

<sup>38</sup> JANIN, *Monastères* 45–46.



public purse<sup>39</sup>. As proof of his allegations the Patriarch notes that Cheilas acquired – he does not say when or how – a property near the “Serpent River”. By the “Serpent River” the Patriarch apparently means the Drakos River (mod. Yalakdere), which passes near the Bithynian city of Elenopolis<sup>40</sup>, which was within Cheilas’ territorial jurisdiction. Gregory also says that when the *krites tou phossatou* Constantine Cheilas assumed his authority over the region (“καὶ τὴν ἀρχὴν ἐπέβη τοῦ τόπου”) he used his power for his own advantage, driving the peasants off their land and seizing their fields and buildings. Cheilas later compensated the displaced landowners, so that they would not complain to the emperor; but the lands he gave them belonged to the Monastery of Trachinarion. Gregory uses harsh language of Cheilas, calling him an ogre, and asks the *megas logothetes* Theodore Mouzalon to intervene with the emperor in favour of the monasteries wronged by Constantine Cheilas<sup>41</sup>.

Patriarch Gregory also wrote to Constantine Cheilas himself, admonishing him to stop interfering with church affairs and confine himself to the laymen and his financial subordinates<sup>42</sup>. In another letter to Theodore Mouzalon, Patriarch Gregory again mentions a *sebastos* and *krites*, who may well have been Constantine Cheilas<sup>43</sup>, who arrogated certain lands from the Monastery of St George near Hieron on the Bosphorus and gave them to the neighbouring Monastery of Ostreidion<sup>44</sup>.

These letters, which according to Laurent were all written between 1283 and 1285, indicate that Constantine Cheilas’ sphere of activity was in the region of Bithynia where the monasteries mentioned were located. While his function cannot be deduced from his office of *krites tou phossatou*, which seems to have been a honorary court title, devoid of content<sup>45</sup>, he appears to have been the governor of part of Bithynia<sup>46</sup>.

<sup>39</sup> See Gregory of Cyprus, Letter no. 175 (181, 4–7 EUSTRATIADIS): “... ὑπὲρ τοῦ δημοσίου τις ἴσως φαίη τάδε μονομαχεῖν καὶ μαίνεσθαι τὸν κριτὴν· ὑπὲρ τοῦ δημοσίου εἰπέ μοι κατὰ τοῦ τοσοῦτου τῶν βασιλέων συμμάχου τε καὶ προμάχου, καὶ τῶν κοινῶν συν[ασπισ]τοῦ καὶ ὑπερασπιστοῦ ταῖς πρεσβείαις; Εἶθε δὴ τούτων ἔνεκεν ἢ πράξις ὑπήρχεν αὐτῷ ...”. Cf. LAURENT, Regestes, no. 1467.

<sup>40</sup> See B. GEYER, Les formations alluviales et lacustres, in: La Bithynie au Moyen Âge, ed. B. GEYER – J. LEFORT (*Réalités Byzantines* 9). Paris 2003, 151–174, esp. 154 (map) and 155–165. Cf. also in the same volume Vassiliki KRAVARI, Évocation médiévales 65–98, and here 68 and n. 21.

<sup>41</sup> Gregory of Cyprus, Letter no. 175 (181, 11–31 EUSTRATIADIS): “... ἀγρόν τινα κτάται περίπου ποταμὸν τὸν ὄφιν (= Ὀφιν) λεγόμενον πότε μὲν καὶ ὅπως οὐκ οἶδα, ἀλλ’ ἐκτήσατό γε καὶ τὴν ἀρχὴν ἐπέβη τοῦ τόπου, δράκων τις εὐθὺς ἔδοξεν ἀμήχανος τοῖς ἐκεῖσε κατὰ τι θεῖον μῆνυμα ἐπιστήναι ἀγρόταις· καὶ νῦν μὲν τῷ δ’ ἐπιπίπτων, νῦν δὲ τῷδε, ἐκείνους μὲν ἄλλον ἀλλαχοῦ διεσκέδασεν, αὐτοὺς τε καὶ γυναῖκας καὶ τέκνα καὶ θρέμματα νέμεσθαι ἀφεις ἐν τῷ μηδενί· ἀρούρας δὲ τὰς ἐκείνων καὶ εἶτι γ’ ἕτερον ἔτυχον ἀκίνητον ἔχοντες, μάλα ἀγαπητῶς πεποίηκεν ἑαυτοῦ· ὡς ἂν δὲ μὴ τινες δεῦρο πρὸς τὴν μόνην καταφυγῆν, τὸν θεῖον δὴ φημι βασιλέα, ἰόντες βοῶσι τε καὶ τῆς τοῦ κριτοῦ ἀδικίας καταβοῶσι, γῆν δίδωσιν αὐτοῖς ἀντὶ γῆς, καὶ ἔστιν ἢ δίδωσι τῆς τῶν Τραχιναρίων μονῆς, ἣς Ἰωαννίκιος ἐξηγούμενος ὅδε ἄνω καὶ κάτω φοιτᾷ εἰς ἐπικουρίαν παρακαλῶν τοὺς τοῦ μάρτυρος ἐραστάς ... Εἰπέ τινα λόγον, ἰκέτευσον ὑπὲρ τῶν μοναστηρίων, ἀντίπνευσον καὶ μικρόν τι τοῦ ζήλου, καὶ τῶν ἐμπύρων τοῦ δράκοντος Χειλά ψυσημάτων ὑπέρτερα βεβαίως ποιήσεις αὐτὰ ...”. Cf. LAURENT, Regestes, no. 1467; PLP 8781; GKOUTZIOUKOSTAS, κριτῆς του φοσσάτου 91–92.

<sup>42</sup> Gregory of Cyprus, Letter no. 176 (182, 16–21 EUSTRATIADIS): “... τὸν τε πρὸς τὴν ἐκκλησίαν ὀφέποτε κατὰλυε πόλεμον· οὐδὲν σοι κοινὸν καὶ αὐτῇ· δικάζε κοσμικοῖς· δικάζε φορολόγοις τε καὶ τελῶναις καὶ ὅσοι τῆς ἀγορᾶς καὶ τοῦ δήμου· τοῦ κλήρου δὲ πάμπαν ἀπόσχου καὶ τῇ ἐχούσῃ αὐτόν, διαιτᾶν αὐτῷ παραχώρει· οὐ γὰρ δὴ σοι καὶ ἐπ’ αὐτὴν ἔξεστιν ἐκτείνειν τὴν ἐξουσίαν ...”. Cf. LAURENT, Regestes, no. 1468.

<sup>43</sup> See LAURENT, Regestes, no. 1466; IDEM, Corpus, no. 1194; JANIN, Monastères 10.

<sup>44</sup> Gregory of Cyprus, Letter no. 172 (175, 13 – 176, 28 EUSTRATIADIS): “... καὶ γὰρ ὅσον ἐμοὶ τῆς τοῦ μοναστηρίου συστάσεως μέλει, ὅσον τε τῷ θεῷ βασιλεῖ ὑπεξίστασθαι εὐλαβῶς καὶ χαρίζεσθαι τῷ ἐν αὐτῷ τιμωμένῳ μεγαλομάρτυρι, τοσοῦτον οὗτος καταμερίζει καὶ διαλύει, καὶ εἰς τουλάχιστον ἢ καὶ οὐδὲν φιλονικεῖ καθιστᾶν ... μοίραν μεγάλῃν γῆς τῆς δοκούσης ἀρίστης ἀποτεμώμενος, τῷ Ὀστρειδίῳ λεγομένῳ μοναστηρίῳ δίδωσι φέρων· ἔπειτα μέρος ἕτερον ἀποσπάσας, καὶ τρίτον ἕτερον μετὰ ταῦτα τῷ Ὀστρειδίῳ καὶ πάλιν αὐτὰ δίδωσι φέρων ... Οὐκ ἠρκέσθη τοῖς εἰρημένους ὁ δίκαιος κριτῆς, ἀλλὰ καὶ μυρίοις ἄλλοις τρόποις λωβᾶσθαι ἐπέθετο ...”. Cf. LAURENT, Regestes, no. 1466; IDEM, Corpus, no. 1194; JANIN, Monastères 10; GKOUTZIOUKOSTAS, κριτῆς του φοσσάτου 92.

<sup>45</sup> GKOUTZIOUKOSTAS, κριτῆς του φοσσάτου 89 ff.

<sup>46</sup> See KONTOGIANNOPOULOU, Andronikos 199, who notes that the most important administrative units in Asia Minor in the late 13<sup>th</sup> century were in the regions of the Thrakesion, Neokastron and Bithynia.

Laurent dates the *apographe* carried out by Constantine Cheilas to *circa* 1300, on the basis of the scholars' dating of the Monastery's *Typikon*<sup>47</sup>; but in our opinion Cheilas' activity can rather serve as concrete evidence for the dating of the *Typikon*. The *apographe* carried out by Constantine Cheilas in Nikomedeia was probably connected with his activity in the region in the years 1283–1285, when he appears to have been conducting other *apographes* in the district, re-assigning properties from one monastery to another and expropriating private landholdings. These doings took place in the region of Nikomedeia, and more generally of Bithynia, where the monasteries cited above were located; and it is therefore more reasonable to place the *apographe* of the Lips Monastery property in Nikomedeia within the same time frame.

There is nothing in the sources to suggest that Constantine Cheilas continued to be active in Bithynia after 1285. In May 1293 he was ordered by the Emperor to return a *metochion* to the Monastery of the Theotokos Lembiotissa<sup>48</sup> and in November 1293 he heard a land dispute between Michael Branas<sup>49</sup> and the Lembiotissa Monastery<sup>50</sup>. Constantine Cheilas was then serving in the *Thrakesion* theme and, according to H. Ahrweiler, was probable *doux of Thrakesion*<sup>51</sup>. After that he disappears from the sources.

In our view, then, it seems most likely that the *apographe* concerning the Lips Monastery took place between 1283 and 1285. It must have been carried out after the renovation of the Monastery and not long before the compilation of the *Typikon*. This would mean that the *terminus post quem* for the compilation of the *Typikon* should be placed in the period 1283–1285 and not in 1294. The *Typikon* must, we think, have been written shortly after 1283–1285 and probably before 1294, for the reasons outlined above.

It should also be noted that Theodora Palaiologina, who died on 25 February 1303, had arranged for her funeral several years previously, as Theodore Metochites remarked in his funeral oration for the Empress: “Σὺ μὲν γε πρότερον οὐκ ὀλίγοις ἔτεσιν ἅπαντα πρὸς τὴν ταφὴν ἐσκευάζου καὶ μνήματά σοι καὶ περιταφίους στέγας, οἷα δὴ νομίζεται, καὶ ἔπιπλα κατατύμβια καὶ δεήσεις ἐν γράμμασι· καὶ τί γὰρ οὐ τῶν εἰωθότων. καὶ πάντ' ἐφρόνεις πρὸς τὴν τελευτὴν καὶ τῆδε μάλιστα τὸν νοῦν προσεῖχες”<sup>52</sup>. If this element, is also taken into account, the earlier dating we suggest is possible.

<sup>47</sup> See LAURENT, Regestes, no. 1467, who notes that, despite the harsh criticism levelled against him by the Patriarch, Cheilas' career was not cut short, since he was still in office *ca.* 1300, if one takes notice of the evidence of the *Typikon* of the Lips Monastery. See also J.-Cl. CHEYNET, L'Époque Byzantine, in: Bithynie 311–350, and here 340, where the prosopographical index includes the *apographeus* in Nikomedeia Constantine Cheilas (1280–1300). (I am very grateful to professor Cheynet for his explanations relating to the period within which Cheilas served as *apographeus*, which cannot be ascertained from any specific source). Cf. also KONTOGIANNΟΠΟΥΛΟΥ, Andronikos 320, who, like Cheynet, also thinks that Cheilas was *apographeus* in the period 1280–1300.

<sup>48</sup> *MM* 4, 272, 7 – 273, 2, 273, 3–14. Cf. R. GUILLAND, Les commandants de la garde impériale sous les Paléologues, l'ἐπὶ τοῦ στρατοῦ et le juge de l'armée. *REB* 18 (1960) 79–96 and here 91 (= IDEM, Recherches sur les institutions byzantines, I–II (*BBA* 35). Berlin–Amsterdam 1967, I, 522–534 and here 529), who dates the document to 1294. See also L.–P. RAYBAUD, Le gouvernement et l'administration central de l'empire byzantin sous les premiers Paléologues (1258–1354) (*Société d'Histoire du Droit*). Paris 1968, 267. Conversely, see DÖLGER, Regesten, no. 2154, where the document is dated to May 1293; Hélène AHRWEILER, L'histoire et la géographie de la région de Smyrne entre les deux occupations turques (1081–1317) particulièrement au XIIIe siècle. *TM* 1 (1965) 1–204 (= EADEM, Byzance: les pays et les territoires. London 1976, no. IV) 150; *PLP* 30766; L. ΜΑΚΣΙΜΟΒΙĆ, The Byzantine Provincial Administration under the Palaiologoi. Amsterdam 1988, 237 n. 22; GKOUTZIOUKOSTAS, κριτής του φοσσάτου 92–93.

<sup>49</sup> *PLP* 3179.

<sup>50</sup> *MM* 4, 178, 22–24, 181, 30–32. Cf. AHRWEILER, Smyrne 150. See also *PLP* 30766; ΜΑΚΣΙΜΟΒΙĆ, Provincial Administration 237, n. 22; GKOUTZIOUKOSTAS, κριτής του φοσσάτου 93.

<sup>51</sup> AHRWEILER, Smyrne 150. Conversely, see ΜΑΚΣΙΜΟΒΙĆ, Provincial Administration 237, n. 22, who observes that the *krites tou phossatou*, who was responsible for resolving disputes between soldiers, could – according to the above reference to Constantine Cheilas – have judged civil disputes as well. See also KAZHDAN, Krites tou phossatou 1159; PANAGIOTIDES, Στρατός 227. However, given that the title of *krites tou phossatou* is probably an honorary court title (see GKOUTZIOUKOSTAS, Κριτής του φοσσάτου 89 ff.) and on the basis of the activity of Constantine Cheilas and the duties of the *doux* at that time, it seems more likely that he was the *doux* of the *Thrakesion*.

<sup>52</sup> Theodore Metochites (259, 15–19 SIDERAS). Cf. MANGO – HAWKINS, Notes 301.

In sum, then, and on the basis of all the evidence cited above, the *Typikon* must have been compiled considerably earlier than 1301, and probably, in our view, not much after 1283–1285. The death of the Empress’ daughter Anna Palaiologina and the renovation of the Monastery must therefore have taken place before the compilation of the *Typikon* but probably not in the decade of 1290, as has been argued. Finally, the renovation of the Monastery of the Anargyroi in Constantinople<sup>53</sup> must have taken place after that of the Lips Monastery and probably earlier than 1294<sup>54</sup>, even though the Empress had been planning to have it renovated first<sup>55</sup>.

<sup>53</sup> JANIN, *Géographie* 285–286; TALBOT, *Theodora Palaiologina* 300 and n. 50; THOMAS – CONSTANTINIDES–HERO, *Monastic Documents* 1287 and 1290 with bibliography.

<sup>54</sup> See THOMAS – CONSTANTINIDES HERO, *Monastic Documents* 1287 ff., who date the compilation of the *Typikon* of the Anargyroi to the period between 1294 and 1301.

<sup>55</sup> *Typikon* of Lips (<Περὶ τῆς μονῆς τῶν ἁγίων Ἀναργύρων>) (137, 18–30 DELEHAYE): “... διὰ δὴ ταῦτα καὶ τυπογραφήσειν διενουόμεν ἐκ καινῆς ἐν αὐτῇ, ὡς καὶ τῆς μονῆς ἐπιλαβομένη καταβληθείσης ὡς εἴρηκα προσθεῖσά τε κειμήλια μηδὲν κεκτημένη καὶ προσκυρώσασα κτήματα. Ὡς δὲ καὶ τῆς εἰς ὄνομα τιμωμένης τῆς πανάγνου μου δεσποίνης καὶ θεομήτορος ἀντεποιησάμην μονῆς τρόπον ὄνπερ προεῖρηκα καὶ διείργασμαι ἐν αὐτῇ ἅττα δὴ καὶ δεδήλωκα, οὐ μεταπέπτωκα καὶ οὕτω τῆς ἐπὶ ταύτῃ προθέσεως οὐδ’ ὅπερ συμβαίνειν εἴωθε τοῖς πολλοῖς φίλτρῳ τῶν δευτέρων ἐνσχεθεῖσι τῶν προτέρων ὑπερορᾶν, τοῦτό πως καὶ αὐτὴ πέπονθα, ἀλλ’ ἀντελαβόμεν μὲν ταύτης, οὐκ ἀπεβαλόμην δ’ ἐκείνην οὐδὲ καθυφήκα τῆς ἐπ’ ἐκείνη προθέσεως· τοῖνον δὴ καὶ τὰ περὶ ταύτης ὡς εἶχον σκοποῦ διαταξαμένη καὶ περὶ τῆσδε ἅττα δὴ καὶ βούλομαι γνωριῶ”.

