The Guilt of Boethius

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Introduction

In the nineteenth century, Benjamin Jowett spent over thirty years translating Plato's *Republic*. That is an extreme example of perfectionism, but it helps us appreciate the magnitude (and the hubris) of the goal Boethius set for himself in the Introduction to his translation of Aristotle's *De Interpretatione*: translating, analyzing, and reconciling the complete opera of Plato and Aristotle.[1] As "incomparably the greatest scholar and intellect of his day,"[2] Boethius may have had the ability and the energy his ambition required.

But we will never know how much Boethius would have achieved as a philosopher if he had not suffered a premature death. In 523, less than a year after being named *Magister Officiorum*[3] by King Theodoric, Boethius was charged with treason, hastily and possibly illegally tried, and executed in 526.[4] Since the contemporary sources of information about the affair are vague and fragmented, the passage of nearly 1500 years has brought no consensus in explaining Boethius' tragic fall from a brilliant intellectual and political career.

Though disagreement still shrouds the details of every aspect of the case, from indictment to execution, I will argue that Theodoric was fully justified in perceiving Boethius as a traitor. Claims that age or emotional passion or military pressures diminished the King's judgment are, in this instance, unacceptable. Boethius was guilty, if not of treason, then at least of suppressing evidence against traitors; the severity of Theodoric's reaction was an accurate measure of the political dangers that plagued the final years of his reign.

The Primary Sources

Autobiography

Before turning to the political and religious circumstances of Italy in the 520's, we must examine the facts of the case, as given in the contemporary records. Clearly, the most important of the original sources is Boethius' own account of the events of his downfall. This is recorded in *The Consolation of Philosophy*, which Boethius wrote in prison during the final months of his life. The *Consolation* is the culmination of the author's rationalist philosophy, his final vi-

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[1] Payne, 7. Full bibliographical information on items cited in these footnotes may be found in the Bibliography at the end of this paper.

[2] Matthews, 16.

[3] For a job description of the "Master of the Offices," see p. 16 below.

[4] Coster's chapter, "The Trial of Boethius," is an excellent analysis of the legal issues surrounding the trial. Most of the sources give 524/5 as the year of execution, but Coster convincingly argues that it occurred in 526. For the significance of the date, see p. 20 below.

sion of a universe that is rationally ordered, in which reason is necessary, albeit insufficient, for self-understanding. Furthermore, the *Consolation* was one of the most widely read books of the Middle Ages, and had a deep impact upon both Latin literature and scholastic philosophy.

However, the concern in this paper is almost entirely confined to the fourth prose section of Book I, in which Boethius recounts the events leading to his being charged with treason. He claimed that he was innocently protesting the conviction without trial of Albinus, that the witnesses against him were of dubious character, and had been induced to lie by a king intent on destroying the institution of the Senate:

> To prevent Albinus, another man of consular rank, being punished for a crime of which he was found guilty before being tried, I made an enemy of his accuser Cyprian.[5]
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> Who, further, were the informers upon whose evidence I was banished? One was Basilius: he was formerly expelled from the royal service, and was driven by debt to inform against me. Again, Opilio and Gaudentius had been condemned to exile by the king for many unjust acts and crimes… When King Theodoric, desiring the common ruin of the Senate, was for extending to the whole order the charge of treason laid against Albinus, you remember how I laboured to defend the innocence of the order without any care for my own danger?[6]
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> It was said that "I had desired the safety of the Senate." You would learn in what way. I was charged with "having hindered an informer from producing papers by which the Senate could be accused of treason."… Shall I deny it…? Nay, I did desire the safety of the Senate, nor shall ever cease to desire it… I am suffering the punishments of an ill deed that was not mine.[7]

Other original sources

How does the autobiographical sketch fit with the other primary sources? The *Anonymous Valesii* is a fragment of a sixth century chronicle, which was dis-

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[5] Boethius, Stewart translation, 149. The Cooper translation, p. 10, reads that Albinus was "overwhelmed by the penalty of a trumped-up charge."

[6] Boethius, Cooper translation, 10–12.

[7] Ibid., 11–12. Note that Boethius is tacitly confessing to abetting treason. See pp. 20–22 below.

covered by Henri de Valois in the seventeenth century. Its precise origins are unknown,[8] but the most likely attribution is to Maximian (b. 498), the bishop of Ravenna from 548 to 556/7. Regardless of the authorship, the following account, from the *Anonymous Valesii*, was written soon after the events it describes:

> Cyprian, who was then Referendarius[9] and afterwards Count of the Sacred Largesses and Master of Offices, driven by greed, laid an information against Albinus the Patrician that he had sent letters to the Emperor Justin hostile to Theodoric's rule. Upon being summoned before the Court, Albinus denied the accusation and then Boethius the Patrician, who was Master of Offices, said in the King's presence: "False is the information of Cyprian, but if Albinus did it, both I and the whole Senate did it with one accord. It is false, my lord, Oh King." Then Cyprian with hesitation brought forward false witnesses not only against Albinus but also against his defender Boethius. But the King was laying a trap for the Romans and seeing how he might kill them; he put more confidence in the false witnesses than in the Senators.[10]

Thus the *Anonymous Valesii* is consistent with Boethius own view that he was condemned for his efforts to defend "the privileges of the Senate and the freedom of action of its members."[11] However, as Edmund Reiss observes, we have no way of knowing that Maximian, or whoever wrote the *Anonymous Valesii*, was not taking his account, directly or indirectly, from *The Consolation of Philosophy*.

The same reservation applies to Procopius, who later in the century wrote *History of the Gothic War*. Coster refers to him as a "trained and brilliant historian," who wrote of the Goths with "admirable impartiality."[12] Procopius' version of events is also strikingly similar to Boethius' own:

> Symmachus and Boethius his son-in-law, both of noble and ancient lineage, were leading men of the Roman Senate and had been Consuls. Their practice of philosophy, their unsurpassed devotion to justice, their use of their wealth to relieve the distress of many strangers as well as citizens, and the great fame they thus attained

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[8] Coster, 49–50, provides an overview of the debate.

[9] The role of the referendarius was "to prepare cases that were to come before the king's Consistorium and to make a clear and impartial statement of the cases in the presence of the Court. Barrett, 52.

[10] Quoted by Barrett, 58–59.

[11] Kirkby, 62.

[12] Coster, 51.

> caused men of worthless character to envy them. And when these laid false information against them to Theodoric, he believed them and put Symmachus and Boethius to death on the charge of plotting a revolution, and confiscated their property.[13]

The similarities between Procopius, the *Anonymous Valesii*, and the *Consolation* are, at the very least, suspicious. Unfortunately, we have very few other existing primary sources.[14] The *Variae Epistulae*, a collection of letters written by Cassiodorus in his official capacity as Theodoric's secretary and, upon Boethius' disgrace, as *Magister Officiorum*, is generally a splendid source of information on all aspects of Theodoric's reign. But with regard to Boethius' ordeals, the *Variae* is uncharacteristically silent. Hodgkin interprets this reticence as reflecting poorly on Theodoric:

> Had the execution of the two statesmen been a righteous and necessary act, it is hardly likely that Cassiodorus would have so studiously avoided all allusion to the act itself, and to the share which he, the chief counsellor of Theodoric, may have had in the doing of it.[15]

Coster adopts the opposite view, that Cassiodorus believed Boethius was a traitor.[16] He cites the letters in the *Variae* that speak highly of Cyprian, Basilius, and Opilio, possibly the same men who were vilified by Boethius as his false accusers.[17] It is unclear that Boethius and Cassiodorus were referring to the same people, but even if they were, Cassiodorus was writing in the "eulogistic terms" in which royal appointees were presented to the Senate.[18]

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[13] Quoted by Barrett, 59.

[14] The most significant of these is the *Liber Pontificalis*, a chronicle of papal biographies. I refrain from quoting it here because it focuses primarily on Pope John I, and only tangentially on Boethius. But the *Liber Pontificalis* is a unique source: it differs from the other primary sources, and almost all of the secondary ones, by suggesting a substantially different time frame for Boethius' arrest and execution. Coster is one of the few modern commentators to find the argument persuasive, and he makes frequent use of it in his analysis of Boethius' trial. See p. 20 of the present paper for Coster's views, and Davis, pp. 49–50, for an English translation of the relevant section of the *Liber Pontificalis*.

[15] Hodgkin, 542–543.

[16] Coster, 51.

[17] Cassiodorus, 361–363, 368–369.

[18] Barrett, 68.

A radical interpretation: Reiss via Quintillian

This explanation for the discrepancy between Boethius and Cassiodorus does not satisfy Edmund Reiss. He suggests that the names Albinus, Basilius, Opilio, and Gaudentius were chosen by Boethius more for their symbolic value than for historical accuracy. The Latin root of "Albinus" connotes "white"; extending the connotation to "innocence" is not difficult. The roots of the other names suggest, respectively, "power," "wealth," and "pleasure,"[19] which are prominent among the vices discussed in Books II and III of the *Consolation*.[20] The salient point is that *The Consolation of Philosophy* is not an overflow of emotion, written by Boethius "to help him bear overwhelming sorrow."[21] If the sorrow had not previously been overcome, the book could not have been written. Instead, it is a meticulously crafted, artfully contrived argument. As Reiss points out, the autobiographical section falls into a "traditional, five part division of oration" familiar from Quintillian.[22] In the *exordium*, Boethius claims his misfortune is undeserved, to make the reader sympathetic. Second, the *narratio* includes past cases, by which he claims "he has always opposed injustice." Boethius asserts he was wrongly accused, in the *probatio*. In the *refutatio*, he attacks the witnesses against him. Finally, in the *peroratio*, Boethius generalizes his case to the universal state of affairs, in which the innocent are "robbed not merely of their peace and safety, but even of all chance of defending themselves."[23]

Thus, the structural power of the *Consolation* supports the claim that Boethius intentionally overemphasized his misfortunes in order to enhance his philosophical arguments. Since most of the contemporary sources are uncomfortably close to Boethius' own version of events, it is wise not to rely on them too heavily. A fuller understanding of Boethius' fall requires an analysis of the political, religious, and social divisions within early sixth century Italy.

Defending and Defining Tradition

The "Noble Roman" tradition

In the *Consolation*, we saw that Boethius was intent upon defending the Senate from Theodoric, who desired its "common ruin."[24] But this book is unique among Boethius' works in that it is neither a translation of a Greek text, nor an

[19] Reiss, 41.
[20] Boethius, Cooper translation, 30–33, 46–54.
[21] Reiss, 41; Barrett, 73.
[22] Reiss, 43.
[23] Boethius, Cooper translation, 14.
[24] Ibid., 12.

academic treatise or commentary.[25] Boethius stated his goals more explicitly in his commentary on Aristotle's *Categories*:

> [I]t seems to me a sort of public service to instruct my fellow-citizens in the products of reasoned investigation… In far-distant ages, other cities transferred to our state alone the lordship and sovereignty of the world; I am glad to assume the remaining task of educating our present society in the spirit of Greek philosophy… [I]t has always been a Roman habit to take whatever was beautiful or praiseworthy throughout the world and to add to its lustre by imitation.[26]

Boethius undoubtedly saw himself as a "living representation" of the Roman tradition, and even in his death he remained loyal to that tradition.[27]

But what was the condition of the traditional Roman aristocracy in the early sixth century? It had changed greatly since the days of the Republic and the early Empire. The most obvious difference was that Rome itself had lost its status as the imperial capital in the West. Not since the third century had Romans been able directly to discuss relevant local matters with an emperor living among them. In the fourth century, the court traveled between Milan, Verona, and Ticinum (now Pavia). For most of his reign, Theodoric lived in Ravenna, which had become the capital in 401, when Emperor Honorius needed a safer refuge following the siege of Milan by Alaric.[28] By the time of Boethius, the Senate's role in imperial affairs had long been reduced to the purely ceremonial ratification of imperial decrees.[29] The only significant exception was in local affairs, in which the Senate had wide authority, albeit through the permission of the Ostrogothic kings.[30] The prefect of Rome, generally one of the leading senators, acted as a liaison between the Senate and the royal court. It was his responsibility to express the city's interests at court, and to maintain order in Rome.[31]

That the prefect avoided civil unrest "mainly by the provision of imported supplies of corn and wine,"[32] indicates an important continuity between the late Empire and the barbarian rule of the fifth and sixth centuries. Though the Senate had begun to lose most of its authority long before the "official" fall of Rome in 476, the Roman senatorial class was remarkably resilient in preserving its wealth

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[25] Kaylor, 8. On pp. 6–8, Kaylor provides a complete list of works attributed to Boethius.
[26] Quoted in Rand, 158.
[27] Matthews, 16; Bark, 31.
[28] Matthews, 17.
[29] Ibid., 22.
[30] Ibid., 23.
[31] Ibid.
[32] Ibid.

and privilege. Since they were the only adequately educated class in Italy, the Roman nobility, as well as the Ostrogothic rulers, recognized the aristocracy as indispensable for stable and effective government. Consequently, the families that were powerful during the years of imperial glory managed to maintain their hold on the important political offices.[33] From such positions, they had few difficulties in avoiding the burdens of Theodoric's income tax system. Thus the transformation in 476 from a tradition of Roman emperors, albeit of only titular authority in the later years, to one of barbarian kings, had only a "marginal effect on the dignity and ease of senatorial life."[34]

The Christian tradition

Not only did the Roman nobility display great resourcefulness in the face of defeat by the Goths, they also managed to heighten their influence through the conversion of the Empire to Christianity. The religious conversion of the senatorial class began in the middle of the fourth century. Initial progress was slow, but within about two generations, Roman elites came to see that there was no necessary contradiction between Roman pride and Christian doctrines. They managed to make the two traditions mutually reinforcing. Pope Damasus in the fourth century, and Pope Leo the Great in the fifth, both contributed to the notion that the glory of Rome was a product of God's will. Rome's authority in secular affairs was easily associated with a dominant position for the bishopric of Rome in ecclesiastical affairs. The result was, in Peter Brown's term, a "double oligarchy," in which the long established aristocracy, as benefactors and builders of churches, and as patrons of clergymen, came to exert their influence in spiritual as well as political matters.[35]

Thus the "coexistence" of the classical and Christian traditions is a defining trait of the Roman aristocratic ethos of the fourth and fifth centuries. Boethius managed to exemplify both strands of this intellectual culture.[36] This is the foundation of his reputation as "the last of the Romans, and the first of the scholastics."[37] Unfortunately for Boethius, both of these trends were potential threats to

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[33] Chadwick, 4.

[34] Ibid., 2.

[35] Brown, 131; Matthews, 23–24.

[36] The rationalist tenor of *The Consolation of Philosophy* has led many to question the sincerity of the author's Christianity, and to doubt the authenticity of the *Opuscula Sacra* (also known as the *Tractates*), five short essays on theology that had been attributed to him. But in 1877, a newly discovered fragment from Cassiodorus, the *Anecdoton Holderi*, was published, and it put to rest almost all doubts regarding the authorship of the five *Tractates*. For information about the controversy, see Mair, 206–207; Boethius, Stewart translation, xiii; and Rand, 156–157.

[37] Rand's chapter is titled "Boethius the Scholastic." For the derivation of the sobriquet, see Rand, 144, and Grafton, 410.

Theodoric, who was neither Roman nor an orthodox Catholic. As Chadwick notes, the Christianized Roman aristocracy of the fifth and early sixth centuries collaborated with the Arian Ostrogoths only because they saw no alternatives.[38] Their sentiments, when not entirely selfish, were toward the East, where the classical heritage they thought of as their own was still thriving. Cultural ties between Rome and Constantinople were strong, just as today the cultural affinities between the United States and Western Europe are strong. It was surely painful for the Roman senatorial class to submit to Gothic rule; this was done only by necessity, and even then with the hope of civilizing and "educating their new masters."[39] By 519, when the settlement of the Acacian schism reconciled the churches of Rome and Constantinople, memories of the humiliation of the last decades of the Empire were fading among the Roman nobility. Ironically, thirty years of stable and peaceful government under Theodoric gave them the confidence to begin challenging Ostrogothic rule by seriously considering their options in the East.[40] In the poisoned atmosphere of the 520's, Boethius' loyalty to Roman tradition, particularly his passionate commitment to the Senate, and the orthodoxy expressed in the *Opuscula Sacra*, ultimately led him to treason.

Religion and Politics

Interpenetration

In a superficial sense, the nexus of religion and politics in the early centuries of Christianity may seem alien to a twentieth century sensibility. It would be easy to dismiss the fierce Christological debates that raged through the early ecumenical councils as arcane and primitive foolishness, which had nothing to do with the pragmatic business of running a government. But when Christianity became the official religion of the Empire, imperial authority could not "remain indifferent to the doctrinal discussions and the conflicting ambitions of the ecclesiastics."[41] It is primarily through these "conflicting ambitions" that the past can become real to us. To render the continuity of past and present explicable, the religious squabbles of early Christianity must be studied not only in their formal content, but also in terms of the jealous rivalries that sustained them. These events must be situated in at least two larger contexts: a perpetual power struggle within the Church, between the bishops of Rome, Constantinople, and Alexandria; and the powerful imperial ambition to reunite the Empire.

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[38] Chadwick, 9.
[39] Ibid.
[40] Barrett, 65.
[41] Charanis, 31.

The second ecumenical council

Ecclesiastical tensions were evident in 381, at the Council of Constantinople, which was called to settle the Arian heresy. Bishop Arius had espoused a "graduated" Trinity, in which the Son is distinct from, and thus inferior to, the Father.[42] His heretical views were popular in many parts of the Eastern Empire, especially Constantinople, where most of the churches were Arian. To stamp out the heresy, Emperor Theodosius I had a three pronged strategy: he seized the churches in the capital, and put them under orthodox authority, he issued edicts imploring his subjects to adopt the orthodoxy of Nicene Christianity, and he called the Council of Constantinople.[43] But not only did the second ecumenical council fail to eradicate Arianism, which was soon greatly diminished through severe persecution, the conference led to further problems. It formalized the status of the bishop of Constantinople as the second most influential position in the Church, below only the pope. Clergy in both Alexandria and Rome were hostile to this: Alexandria had ambitions of leadership of the Church in the East, and Rome was always wary of excessive power, secular or regular, in Constantinople.

The third ecumenical council

With Arianism no longer a dangerous threat in the East, doctrinal controversies regarding the Trinity focused on a question left unresolved by the first two ecumenical councils: how were the two natures of Christ joined together to form a unity? The views of Nestorius, a Syrian monk who was patriarch of Constantinople from 428 to 431, are not completely clear, but he came to be associated with a position that emphasized so strongly the distinctiveness of Christ's two natures that it led to the belief that Christ consisted of two persons.[44] Thus Mary was not the mother of God, but of a man, and Nestorius began persecuting those who believed otherwise. Cyril, the bishop of Alexandria, seeing an opportunity to weaken his rival in Constantinople, persuaded Pope Celestine I to denounce Nestorius as a heretic. The emperor supported Nestorius, at least partially because he was unwilling to allow the bishops of Rome and Alexandria to dictate policy. To resolve the argument, he called the third ecumenical council, held at Ephesus in 431. But through duplicity and coercion, Cyril dominated the conference, and managed to have Nestorius ousted from his see, and Nestorianism officially banned.[45]

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[42] Chadwick, 213,177.
[43] Charanis, 31–32.
[44] Mair, 207.
[45] Charanis, 33–34.

However, the third ecumenical council was no more successful than the second had been in establishing religious peace. Cyril's attacks on Nestorianism inspired theologians in Alexandria to develop the doctrine of Monophysitism, that Christ's human nature was subsumed by the divine, so that Christ was of only one nature. Conflict erupted in 448, when Eutyches (c. 378–454), an influential archimandrite[46] in Constantinople, was deemed a heretic for his Monophysite views by the patriarch of Constantinople. In the two decades since Ephesus, political alliances had changed in reaction to the growing power of Cyril and Dioscorus, his successor to the see of Alexandria. While Dioscorus predictably supported Eutyches in the hope of weakening the Constantinople bishop, Rome was suspicious of Alexandria's expanding influence. Pope Leo I issued his famous *Tome,* in which he denigrated Eutyches, and insisted on the orthodox doctrine that Christ was of two natures, but one person.

Chalcedon

After a synod failed to settle the doctrinal issues, Emperor Marcian summoned the Council of Chalcedon in 451. The results were a "triumph for both...imperial and papal policy"[47]: Eutyches was condemned, Leo's *Tome* was elevated to official Church doctrine, and the "prestige and territorial jurisdiction of the patriarchate of Constantinople" were enhanced.[48]

But, in a now familiar pattern, the conciliatory ambiguities of the agreements at Chalcedon did not secure Church unity. There was wide latitude for interpretation, especially on the adoption of Leo's doctrines, and interpretations varied between Rome and numerous areas in the East, particularly Egypt and Syria. The heightened status of the bishops of Constantinople increased tensions between them and the papacy. And the tacit acceptance of Nestorianism angered many Eastern Monophysites, who believed they were not being treated fairly because Leo's doctrine of Christ's being of two natures, but one person, was being enforced arbitrarily, without an adequate intellectual foundation.[49] A deep enmity developed between Rome and some of the Eastern dioceses with Monophysite sympathies.

The Henotikon and the Acacian Schism: Compromise and catastrophe

In 482, in a well-intentioned effort to reduce hostilities, Acacius, the patriarch of Constantinople, persuaded Emperor Zeno to issue the *Henotikon*, a letter

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[46] An archimandrite is the Eastern equivalent of an abbot.

[47] Charanis, 35.

[48] For the outcome of Chalcedon, see Charanis, 35–36; Mair, 207; and Chadwick, 186.

[49] Chadwick, 26. We shall see that Boethius, in the fifth *Tractate*, gave a rigorous justification for this orthodox doctrine.

addressed to Eastern critics of Chalcedon. Its terms were vague, and, in Hodgkin's phrase, almost "undistinguishable from the decrees of Chalcedon"[50]: affirmation of the creeds of Nicaea and Constantinople, and condemnation of all heretics, including both Eutyches and Nestorius.[51] But Hodgkin was wrong: views on the *Henotikon* were determined as much by what it ignored as by what it included, and the chief exclusion was Chalcedon, which had left an opening for Nestorianism. The *Henotikon* explicitly disallowed this by affirming "Christ to be of the same substance as the Father."[52] Consequently, it won approval from many Eastern theologians with Monophysite leanings; the Church in the East was almost entirely united in support of the *Henotikon*.[53] But because it did not explicitly reaffirm Chalcedon, the *Henotikon* infuriated Rome. Popes Simplicius and Felix III could not accept the subordination of an ecumenical council to an imperial edict. They steadfastly clung to Chalcedon, in which Leo's *Tome* had solidified Roman leadership of the Church.[54]

The result of this "well-meant effort to restore internal peace" was the catastrophic Acacian schism.[55] In 484, Felix III excommunicated Acacius, who had written the *Henotikon* for Zeno.[56] Acacius, supported by the emperor, responded by removing Felix's name from the diptychs, a list of important ecclesiastic officials read during Church services.[57] As Bark observed, the most significant aspect of the schism was that, as long as it persisted, political reunification of the Empire was impossible.[58] And despite the intensity of the theological debates, and the intricacy of negotiations to end the schism, the supreme imperial goal was always political reunification. To fulfill their ambition to rule both East and West, Emperors Anastasius I (491–518) and Justin (518–527) had no choice but first to unite the Church. Clearly, that now required capitulating to the papacy, which is exactly what happened in 519, when the rift was finally mended.

Boethius and Theology

Equally significant for understanding events confined to Italy is an appreciation of the political intrigues permeating the Western stance in the diplomacy aimed at healing the division of the Church. In addition to Theodoric's desire for legitimacy and a peaceful succession, there were the perpetual tensions between

[50] Hodgkin, 74.
[51] Mair, 208.
[52] Ibid.
[53] Hodgkin, 75.
[54] Hodgkin, 75; Charanis, 43–44, 50.
[55] Bark, 13.
[56] Hodgkin, 73–74.
[57] Charanis, 44.
[58] Bark, 13.

the Roman senatorial class, which by then included Church leaders, and their Ostrogothic rulers in Ravenna. It is in this context that Boethius came to play an important role in East-West relations.

The fifth *Tractate*

In 513, Pope Symmachus received a letter from a Greek bishop imploring him find a doctrinal compromise between Nestorianism and Monophysitism with which to end the schism. The writer addressed the plight of many Greek churches that were "happy to accept Chalcedon and Leo's *Tome*," but were suffering from Rome's uncompromising rejection of all those who maintained relations with supporters of the *Henotikon*.[59] Boethius attended a meeting of senators and clergy at which the letter was read and debated, and was disgusted by the semantic confusions of the theological disputes. In his introduction to *Tractate V*, he wrote that he was

> overwhelmed by the mob of ignorant speakers...., [by] the vast temerity of unlearned men who work with a cloud of impudent presumption to cover up the vice of ignorance, for not only do they often fail to grasp the point at issue...they do not even understand their own statements.[60]

This inspired Boethius' first attempt at theology, the fifth *Tractate*, "A Treatise Against Eutyches and Nestorius."[61] As in all of his writings on religion, Boethius begins by unquestioningly accepting orthodox Catholic doctrine.

> I think that the method of our inquiry must be borrowed from what is admittedly the surest source of all truth, namely, the fundamental doctrines of the catholic faith.[62]

His rigorous application of reason, rooted in the tradition of classical philosophy, is not used to create or debate alternative doctrines, but to bolster existing orthodoxy.

The fifth *Tractate* opens with a careful definition of the relevant terms. In neo-Platonic and Aristotelian language, Boethius develops his notions of nature (Chapter I) and person (Chapter II), the two crucial concepts in the Christological

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[59] Chadwick, 181–182.

[60] Boethius, Stewart translation, 75–77.

[61] The exact date of the fifth *Tractate* is unknown, but it was certainly written between 513 and 519, probably closer to the beginning of that range. See Mair, 208–209, for more information on this question.

[62] Boethius, Stewart translation, 33.

debates on the Trinity. Here we find his famous definition of a person as "the individual substance of a rational nature."[63] Boethius goes on to develop the intellectual center of the orthodox compromise between Nestorianism and Eutychianism. He claims that the errors of both "spring from the same source:" the faulty assumption that person can be predicated of any nature, not only of a rational one.[64] There is not a bijective correspondence between persons and natures. Nestorius rightly predicated two natures in Christ, and was thus led, incorrectly, to affirming that Christ was also in two persons. He was "led astray by thinking that person can be predicated of every nature."[65] Similarly, Eutyches, "rightly believing the person [of Christ] to be single, impiously believes that the nature is also single."[66] Thus, Boethius provided a rigorous ground in reason for the Chalcedonian orthodoxy that Christ was in two natures, but one person.

The Scythian monks

So far, there is nothing that could reasonably be seen as objectionable in Boethius' writings or behavior. Problems didn't arise until several years later, when it became apparent that his ideas for ecclesiastic compromise were being taken very seriously in the East, particularly by a group of zealots known as the Scythian monks.[67] They were excessively fervent supporters of Chalcedon, who had maintained communion with Rome throughout the Acacian schism.[68] Through their connection with Vitalian,[69] they were able to exert some influence in Constantinople when Justin came to power in 518. John Maxentius was the leader of the Scythian contingent in the capital. He had developed a "theological programme" strongly resembling that of Boethius' fifth *Tractate*. Bark argues that Maxentius "borrowed directly" from Boethius, and highlights the "impressive similarities" between the two thinkers.[70] Both argue that Nestorius and Eutyches had made the same mistake of viewing "nature" and "person" as "interchangeable synonyms."[71] Furthermore, Boethius asserted that "God may be said to have suffered, not because manhood became Godhead itself but because it was assumed

[63] Ibid., 85.
[64] Ibid., 101–103.
[65] Ibid., 93.
[66] Ibid., 103.
[67] Scythia is now the southeast Romanian district known as Dobrudja.
[68] Charanis, 47,80.
[69] Vitalian was a Goth army commander from Scythia, with strong Chalcedonian beliefs. In 514/5, he wielded enough power in Constantinople to attempt (unsuccessfully) to pressure Emperor Anastasius to adopt Chalcedonian orthodoxy. See Hodgkin, 459–463 for a description of Vitalian's intrigues.
[70] Bark, 21–23.
[71] Chadwick, 187.

by Godhead."[72] This is identical to what later became the Theopaschite rallying cry the monks used to deflect criticism from the Monophysites: "One of the Trinity suffered in the flesh (*unus ex trinate carne passus*)."[73] Thus Christ's divinity was protected, since he suffered only as a human.[74]

With this formula foremost on their agenda, the Scythian monks began to pressure Justin. Though the schism had officially ended on March 28, 519, when the bishop of Constantinople, on Justin's command, signed the *Libellus of Hormisdas*, a letter of capitulation to the papacy that Pope Hormisdas had offered in 515,[75] not all the clergy in the East had agreed with the settlement, and the atmosphere was still tense. Therefore, Justin, or rather his nephew Justinian, who took a leading role in every aspect of his uncle's administration, was not going to support any theological framework without first knowing how Rome would react. So he sent the monks to Rome, in order to gauge the reception their ideas received from the papacy.[76] But the papal delegates in Constantinople for the closing of the schism did not think highly of the Scythians, whose "noisy and conceited" behavior "held up the work of peacemaking."[77]

Meanwhile, Justinian had become a supporter of the Scythian monks, since their formula made Chalcedon palatable to the Monophysites, who were still unwilling to forget the schism unless Chalcedon were "properly interpreted" as condemning Nestorianism.[78] Hence, the Scythian solution (first proposed by Boethius), if accepted in the West, could unify the Church, and thereby remove the most significant obstacle to the political reunification of the Empire.

The Final Years

Tractates I, II, and III

In the critical period between the ending of the schism in 519 and his arrest in 523, Boethius wrote *Tractates I, II,* and *III*. Mair wisely cautions that our knowledge of their context remains weak, so Bark's claim that *I* and *II* were written in 523 is too strong.[79] But Bark is almost certainly correct that they were inspired by the Theopaschite controversy, and were thus written after the schism

[72] Boethius, Stewart translation, 115 or 119.
[73] Mair, 210.
[74] Bark, 21.
[75] Charanis, 106.
[76] Bark (p.16) has the monks "fleeing" to Rome in hope of the Pope's acceptance, following their rejection in Constantinople. But in either case, it was Justinian's caution that prompted the monks' trip to Rome.
[77] Chadwick, 187; Bark, 16.
[78] Bark, 17.
[79] Mair, 211; Bark, 23.

was settled in 519. In these later works, Boethius continued to support Scythian theology. This is important in light of the ongoing negotiations between the Roman Senate and Church and the court at Constantinople. All three had a strong interest in Church unity, an interest Theodoric did not share. Hence, the talks were conducted in the highest secrecy, and were wrought with delicate diplomatic machinations. This was particularly true following the death of Pope Hormisdas in August, 523. Hormisdas had been pope since 514, and had worked closely with Theodoric in their efforts to gain the capitulation of Constantinople to resolve the schism. But his successor, Pope John I, desired closer ties with the imperial government, a desire he shared with the Senate. Bark has demonstrated the involvement in the negotiations of both Albinus, whom Boethius defended, and Symmachus, Boethius' childhood guardian, father-in-law, and esteemed patron.[80] Furthermore, it is nearly certain that Pope John I is the same man as John the Deacon, Boethius' friend and mentor, to whom he dedicated *Tractates II*, *III*, and *IV*.[81]

Public celebrity

The role of Boethius himself in these talks is less clear. What is known without doubt is that he was a celebrated public figure. In 522, Theodoric honored Boethius by appointing him *Magister Officiorum*, an exalted position as intermediary between the king and his court officials, and as a general supervisor of governmental operations.[82] As "Master of the Offices," very little could occur at court without Boethius' knowledge. Equally significant is that Boethius' two sons were named as the co-consuls for 522. As in the later years of the Empire in the West, the consulship was an honorary office, with little authority. But it was still a forceful symbol of the emperor's favor. In this era, it was an annual custom for the Gothic king in Italy and the emperor in Constantinople each to name one of the two co-consuls. That Boethius' sons filled both offices in the same year clearly indicates appreciation of his diplomatic skills from both Theodoric and Justin.

A dangerous game: subtlety and cleverness

But Boethius realized the potential dangers of Church unity for Ostrogothic rule in Italy. With the end of the Acacian schism, it was reasonable for the orthodox Justin to replace the Arian Theodoric as protector of the Roman Church. And Boethius was in a better position than Theodoric to know that the Roman aristocrats would submit to the humiliation of Ostrogothic rule only as

[80] Bark, 24–27.
[81] Chadwick, 28; Matthews, 24.
[82] Matthews, 30.

long as it was absolutely necessary.[83] So Boethius tried to appear uninvolved in the talks between the Senate, the papacy, and the Church and secular authorities in Constantinople. But we have already seen his contribution, through the *Opuscula Sacra*, to the doctrinal debates. His claim, in the introduction to *Tractate I*, that he is writing only for himself and his father-in-law Symmachus is untenable. And the assertion that it "is indeed no vain striving after fame or empty popular applause that prompts me,"[84] like most assertions of modesty, betrays the contrary. Boethius' formal writing style allows him to mask his involvement with the issues through the guise of philosophical detachment.[85] But it is inconceivable that he was unaware of the political implications of his work, through its influence on the Scythian monks and, albeit indirectly, on Justin's ecclesiastical policies.

Theodoric

Toleration

We cannot know with certainty the details of the intrigues between Rome and Constantinople during these years, but the drastic reaction of Theodoric to evidence of treason by Albinus is accurate as a general guide. From the earliest years of his reign, Theodoric recognized the importance of establishing his legitimacy, of gaining the acceptance of a hostile culture. He suffered no illusions regarding the attitudes of his Roman subjects. Thus he consciously cultivated a reputation for religious and cultural toleration. According to Cassiodorus, the King once ordered the rebuilding of a synagogue, destroyed by orthodox bigots, with the words: "We cannot order a religion, because no one is forced to believe against his will."[86] Obviously Cassiodorus, writing in his official capacity, had a pro-Theodoric bias. But on this issue there is unanimity among the primary as well as the secondary sources.[87] Much of Theodoric's rule was indeed fitting with the eulogistic tone of Cassiodorus:

> Let other Kings desire the glory of battles won, of cities taken, of ruins made; our purpose is, God helping us, so to rule that our subjects shall grieve that they did not earlier acquire the blessing of our dominion."[88]

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[83] See pp. 7–8.
[84] Boethius, Stewart translation, 3.
[85] Chadwick, 190.
[86] Cassiodorus, 186.
[87] See, for example, Hodgkin, 484; Chadwick, 2–3; Barrett, 64–65; or Vasiliev, 321.
[88] Cassiodorus, 219.

That he protected even the powerless Jews is witness to the sincerity of Theodoric's beliefs.

The need for legitimacy

Theodoric was astute enough to realize that his enlightened policies did not guarantee him legitimacy. His numerous diplomatic initiatives to close the Acacian schism were predicated upon gaining official recognition from Emperor Anastasius, despite the obvious corollary that Church unification would in no way strengthen the loyalty of Christian Roman aristocrats to their Arian king. Though Theodoric's legal and constitutional status was always in doubt, the relative stability and prosperity of his reign may have lulled him into a misguided complacency.

Dynastic uncertainty

By 522, this complacency was unraveling. Eutharic Cillica, a Visigoth who was Theodoric's son-in-law and heir, had died in 519. Athalaric, Theodoric's son, was only seven at that time, so the succession was in jeopardy.[89] Furthermore, the intricate system of alliances by marriage that Theodoric had orchestrated to unite the Germanic rulers of the West was crumbling. This soon led to many conversions among the Germanic peoples, most significantly the Vandals, from Arianism to orthodox Catholicism, and from being loyal to Theodoric to being allies with imperial authorities in Byzantium.[90]

And it was in Constantinople, not the West, that the most serious threats to Ostrogothic rule in Italy were centered. By 523/4, Justin had consolidated power, and was beginning to persecute heretics. Arians suffered greatly: many of their churches were closed, they were frequently coerced into accepting Chalcedonian doctrines, and they were excluded from military and public service.[91] By this time, if not earlier, the imperial ambition to reunify the Empire was palpable. Justin was doing everything possible to pressure Theodoric, who was surely seen by the Arians of the East as their protector.

Realpolitik

In this atmosphere of mistrust and betrayal, the purported treason of Albinus was explosive. Theodoric knew of Justinian's political designs, but he did not know that Justinian was being aided by Roman senators until Albinus' arrest. The letters to the court at Constantinople used as evidence against him almost cer-

[89] Chadwick, 51–52.
[90] For more information about Theodoric's alliances, see Vasiliev, 326–343.
[91] Vasiliev, 326.

tainly involved concerns about Theodoric's vengeance if the persecution of Arians continued in the East. Theodoric arrested Albinus, Boethius, and Symmachus, and, in what Hodgkin called an "astounding folly," sent Pope John to Constantinople to threaten retaliation against Italian Catholics unless the oppression of aliens ceased. According to Hodgkin, Theodoric should have done everything possible to keep Pope and Emperor apart, so they could not plot against him.[92] Upon John's return, Theodoric realized his error, but it was too late to avoid making a martyr of John. The mission to the East had been almost a complete success: Justin submitted to all the demands, except that of forced reconversions back to Arianism.[93] However, John's reception in Constantinople was, from Theodoric's perspective, suspiciously congenial. Though it was the first time a pope had visited Constantinople, and thus was a cause for lavish celebration, Theodoric was outraged by John's recrowning of Justin as emperor. This had been done by the patriarch of Constantinople in 518, and the unnecessary repetition indicated an intolerable disloyalty. John and the other ambassadors were immediately imprisoned upon their return to Italy in May, 526. According to the *Liber Pontificalis*, Theodoric would have executed them, but he feared provoking Justin.[94] However, John became a martyr anyway, since he died in prison only a few days after his arrest.[95]

Theodoric's judgment

The key issue surrounding Boethius' fall is not so much his behavior as Theodoric's. The magnitude of Boethius' intellectual achievements are not directly relevant to a verdict on the treason charge, but some commentators have allowed their respect for his writings to cloud their judgment of the man responsible for his death, judgment which is indeed relevant to evaluating Boethius' guilt or innocence. It may be true that, in his final years, Theodoric was motivated by disappointment or illness or desperation at the sight of his life's work's evaporating.[96] But there is little evidence for this view other than the apocryphal stories of the Middle Ages, which, in flagrant disregard of his claims of innocence, portray Boethius as a martyr who died fighting for orthodoxy against a vengeful and heretical king. It is far more likely that Theodoric struck "wisely for his own interests" in preserving both the safety of Arians and the future of Ostrogothic rule in Italy.[97] To conclude that he abandoned a lifetime of accumulated wisdom in order to act without sufficient evidence, to lash out in anger and vengeance, is unac-

[92] Hodgkin, 511.
[93] Vasiliev, 218; Hodgkin, 514.
[94] Chadwick, 61.
[95] Hodgkin, 515.
[96] For an example of this interpretation, see Barrett, 55.
[97] Rand, 179.

ceptable. In addition to being entirely out of character, it does not explain the extended period Boethius spent in prison before being executed, which was long enough for him to write the *Consolation*. Possibly Theodoric wanted more time to gather evidence, either against Boethius or the entire Senate. Coster argues persuasively, and against most other sources, that the execution did not occur until 526, after Pope John had returned from Constantinople.[98] If Boethius had been killed before John's journey, Theodoric would have had little reason for optimism that Justin would accept his terms. Also, the later date allows the possibility that Boethius and Symmachus were used as hostages, for leverage against Justin's persecution of Arians.

Conclusion

Regardless of the precise length and motivation for the delay, it is clear that Boethius was not killed for his orthodox religious beliefs, which had changed little since the writing of the fifth *Tractate*. In explaining the execution, Rand observes that orthodox opposition to Arianism must be supplemented by political factors, because even if the traditional Roman aristocracy were not in treasonous "communication with the Eastern Empire, they were only biding their time."[99] Even that is probably too weak a conclusion. Bark goes further in his presentation of the evidence against Boethius. He associates the links between the *Tractates* and imperial policy, via the Scythian monks, with evidence of Albinus' and Symmachus' being intimately involved in discussions with Constantinople regarding political reunification.[100] Consequently, Boethius appears "deeply enmeshed" in treason, "both through his theological writings and through his personal ties."[101]

The question of Boethius' suppressing evidence, rather than committing treason directly, is much less ambiguous. Boethius himself tacitly admitted, in the *Consolation*, that he had prior knowledge of the evidence against Albinus.[102] Though he himself may not have regarded the letters as treason, he knew that Theodoric would.

Helen Barrett is an ardent supporter of Boethius, but even she can produce only two arguments in his defense, both of which, she admits, are more concerned with his character than with material evidence. First, she claims that Boethius

[98] Coster, 53–54, citing the *Liber Pontificalis*.
[99] Rand, 179.
[100] Bark, 28.
[101] Ibid.
[102] Boethius, Cooper translation, 11. Also see p. 3 of this paper.

would not have bothered to commit treason because he "was not really interested in politics at all"[103]:

> It seems in the last degree unlikely that a man of this character would knowingly entangle himself in a plot to overthrow the existing government, and get involved in all the fresh responsibilities and anxieties which such a course of action would force upon him, when, so far as we know, the one strong desire of his life was to return to his home and his books.[104]

Given her justifiable respect for Professor Hodgkin's contributions,[105] Barrett may have been unduly influenced by his famous, but exaggerated, characterization of Boethius as "unfit" for political life:

> [B]rilliant as a man of letters, unrivalled as a man of science, irreproachable so long as he remained in the seclusion of his library; but utterly unfit for affairs; passionate and ungenerous; incapable of recognising the fact that there might be other points of view beside his own; persuaded that every one who wounded his vanity must be a scoundrel, or at best a buffoon; — in short, an impracticable colleague, and, with all his honourable aspirations, an unscrupulous enemy.[106]

Both Hodgkin and Barrett give inaccurate and naive portrayals that underestimate Boethius' prodigious political skills. They ignore the clever subtleties displayed in the introductions to the *Tractates*, and in his commentary on the *Categories*.[107] If indeed Boethius was too much of an academic to survive the "harsh realities of political life," as Chadwick suggests,[108] this was not due to an unsophisticated simplicity, but to egomaniacal arrogance. It is unreasonable to presume that such a gifted intellectual as Boethius was not fully aware of the obvious implications of his political machinations. Boethius can be accused of many shortcomings, but stupidity is not one of them.

Barrett's second argument for Boethius' innocence is that he said he was innocent:

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[103] Barrett, 73.
[104] Ibid., 74.
[105] Ibid., 5.
[106] Hodgkin, 547–548.
[107] See pp. 7, 13–14 above.
[108] Chadwick, 9.

> The alternative to accepting his word is to believe that a man who had voluntarily stepped out of a position of safety to shield a colleague and to share his danger, a man who knew himself to be at the very gate of death and who believed with Plato in the eternal significance of the acts of choice made between good and evil, between truth and falsehood, would spend his last hours denying what he knew to be true.[109]

There are at least three problems with this interpretation. First, as discussed above,[110] Boethius did not admit to treason, but he did confess to withholding evidence that would be damaging to the Senate, to abetting what Theodoric would regard as treason.

Second, as Reiss has forcefully argued, Boethius was not concerned with historical accuracy in the *Consolation*. To fit with his literary and pedagogical goals, he may well have exaggerated the injustice he was suffering.[111]

Finally, it is possible that Boethius did not know he was going to die. Only once in the *Consolation* does he refer directly to death:

> But here am I,...without the opportunity of defending myself, condemned to death and the confiscation of my property because of my too great zeal for the Senate.[112]

But this passage, as Reiss notes, could easily refer to the symbolic death of exile.[113] The flavor of the *Consolation* is one of a nobleman lamenting his fall from worldly heights, not of a condemned prisoner awaiting death.[114] This may be the explanation for the centuries-old controversy engendered by the *Consolation* concerning Boethius' actual religious views. If he had truly been the orthodox Christian of the *Opuscula Sacra*, why did he not turn to Christ in his final days? Perhaps he would have, had he known he was in his final days.

Reiss calls for renewed study of the *Consolation*, without the interference of Boethius' reputation as a martyr.[115] I suspect that the presumption of Boethius' innocence, and of Theodoric's errors, has equally hindered a fuller understanding of his most famous work.

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[109] Barrett, 74.
[110] See p. 20 above.
[111] See p. 6 above.
[112] Boethius, Cooper translation, 13.
[113] Reiss, 45.
[114] Ibid.
[115] Ibid., 47.

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