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Participation of the Roman See in the Council of Ephesus in 449

Abstract

The circumstances of the participation of the Roman See in the Council of Ephesus in 449, represented at the sessions by papal legates, constitute the subject of study in this article. Its purpose is to reveal the motives, actions, and conduct of the legates of Pope Leo the Great (440–461), which led to the position of the Roman bishop being disregarded by the chairmen and participants of the Council. This fact later made it impossible for him to accept the results of the Council. The objectives of the article include an analysis of the conciliar acts and the correspondence of both Pope Leo and his legates during and immediately after the conclusion of the Council of Ephesus in 449. It can be concluded that the legates of the Roman See adopted a biased and inconsistent position at the Council, failed to fulfil their mission of delivering papal correspondence to the addressees in Constantinople and Ephesus, and violated the rules of conduct at the Council as well as the imperial directives. Their reports to the officials contained unreliable information concerning the persons and circumstances of the Council, which later



influenced its perception by contemporaries and by subsequent tradition, including the academic one.

Keywords:

Pope Leo the Great, Dioscorus of Alexandria, Eutyches, Council of Ephesus of 449, papal legates, Emperor Theodosius II.

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Among the best-documented events of the pontificate of Pope Leo the Great¹ are the two Ecumenical Councils held in the eastern part of the Empire: in Ephesus in 449 and in Chalcedon in 451. The events of these Councils, as well as the extensive documentation that accompanied their proceedings, have survived in the form of papal correspondence and conciliar acts. The Council of Ephesus in 449 took place contrary to the plans and intentions of the Roman bishop, which he expressed in anticipation of

¹ See: *Pertbel E.* Papst Leo's I. Leben und Lehren. Jena, 1843. *Caspar E.* Geschichte des Papsttums von den Anfängen bis zur Höhe der Weltherrschaft. Bd. 1. Tübingen, 1933. Pp. 525–555; *Jalland T.* The Life and Times of St. Leo the Great. L., 1941; *Haller J.* Das Papsttum. Idee und Wirklichkeit. Bd. 1. Stuttgart, 1950. Pp. 152–202; *McShane P.A.* Romanitas et le pape Léon le Grand. Tournai; Montréal, 1979; *Ullmann W.* Gelasius I. (492–496). Das Papsttum an der Wende der Spätantike zum Mittelalter. [Päpste und Papsttum 18]. Stuttgart, 1981. Pp. 88–103; *Wessel S.* Leo the Great and the Spiritual Rebuilding of a Universal Rome. [Supplements to Vigiliae Christianae. Texts and Studies of Early Christian Life and Language; 93]. Leiden; Boston, 2008.

the Council, during an extended correspondence among various actors that had arisen following the condemnation of Archimandrite Eutyches at the local council of Constantinople, convened under the presidency of the capital's Archbishop Flavian in 448. The position of Pope Leo, to whom both Eutyches himself and Emperor Theodosius II (408–450) appealed in this matter, was initially uncertain. However, for reasons that are not entirely clear, after a certain time he adopted a firm anti-Eutychian stance, which was reflected in the extensive papal correspondence up to the very beginning of the Council of Ephesus in 449².

Although the Council of Ephesus in 449 has gone down in history, owing to Pope Leo, under the enduring epithet of the “Robber Council”, it was originally convened and conducted as an Ecumenical Council with full observance of the rules and attributes necessary for that status³. It had been regarded as such until Emperor Marcian (450–457), at the request of the participants of the Council of Chalcedon in 451, annulled its ecumenical status by imperial decree.

The circumstances of the participation of the Roman See in this Council, represented in the sessions by papal legates, constitute the sub-

² On this correspondence and the position of Pope Leo, see: *Грацианский М.В.* Подготовка папы Льва Великого к участию в Эфесском соборе 449 г. по материалам его переписки // ΔΙΔΑΣΚΑΛΟΣ ΚΑΙ ΣΟΦΟΣ. Сборник статей к 90-летию И.П. Медведева / Под редакцией Л.А. Герд. [Труды Санкт-Петербургского института истории РАН. Т. 9]. СПб., 2025. С. 126–140; *Грацианский М.В.* Римская кафедра в преддверии Эфесского собора 449 г. // Византийский клуб. Альманах. 2025. К 60-летию профессора Н.Н. Болгова. Белгород, 2025. С. 86–98.

³ On this council, see: *Hefele Ch.J.* Histoire des conciles d'après les documents originaux. T. 2. Pt. 1. P., 1908. Pp. 499–621; *Schwartz E.* Der Prozess des Eutyches // Sitzungsberichte der Bayerischen Akademie der Wissenschaften. Philosophisch-historische Abteilung. Jahrg. 1929. H. 5. München, 1929. Pp. 53–93; *Camelot P.-Th.* Éphèse et Chalcédoine. P., 1962. Pp. 70–114; *De Vries W.* Das Konzil von Ephesus (449), eine Räubersynode? // *Orientalia Christiana Periodica*. 1975. Vol. 41. Pp. 357–398; *Horn St.O.* Petrou Kathedra. Der Bischof von Rom und die Synoden von Ephesus (449) und Chalcedon. [Konfessionskundliche und kontroverstheologische Studien; 45]. Paderborn, 1982. Pp. 50–71; *Leuenberger-Wenger S.* Das Konzil von Chalcedon und die Kirche. Konflikte und Normierungsprozesse im 5. und 6. Jahrhundert. [Supplements to *Vigiliae Christianae*; 153]. Leiden; Boston, 2019. Pp. 46–56; *Menze V.L.* Patriarch Dioscorus of Alexandria. The Last Pharaoh and Ecclesiastical Politics in the Later Roman Empire. Oxford, 2023. Pp. 98–140.

ject of the present study. Its purpose is to uncover the motives, actions, and behaviour of Leo's legates that led to the disregard of the Roman bishop's position by the chairmen and participants of the Council, which in turn made it impossible for him to accept its results. The article also demonstrates that the fault for this situation lies entirely with the Roman legates, who in fact failed to carry out their mission and subsequently, in self-justification, presented their actions in a distorted manner. The objectives of the study include the analysis of the conciliar acts and of the correspondence of both Pope Leo and his legates during and immediately after the conclusion of the Council of Ephesus in 449.

The events of the Council of Ephesus, which began its sessions on 8 August, developed in a way entirely different from the scenario that Pope Leo had envisaged for it during the preliminary correspondence. The Roman legates were evidently unprepared for the course of events that unfolded at the Council. Unfortunately, among Leo's extant correspondence there is no copy of the instructions given to his envoys, such as those that have survived in the case of Pope Celestine's dispatch of legates to the Council of Ephesus in 431. However, judging from what Leo wrote about the mission of his legates in letters to various correspondents in June 449, only one possible course of action was foreseen for them: either the repentance of Eutyches and the restoration of communion with him, or participation in his conciliar condemnation in the event of his refusal to renounce his heretical opinions⁴. The matter appeared to Leo simple and unambiguous, and the consensus of the episcopate regarding it – beyond doubt. It is necessary to draw attention to the rather narrow circle of Leo's addressees on the eve of the Council: unlike Pope Celestine in 430, Leo did not deem it necessary even once to address the eastern primates, which leads to the conclusion that his information concerning the actual sentiments in the East and the position of individual sees was completely insufficient. On the other hand, it is evident that there was simply no time for extensive correspondence and for probing the situation: the Council, announced in May, was to be held as early as August, and the eastern hierarchs themselves – first and foremost the future president of the Council, Dioscorus of Alex-

⁴ See: *Грацианский М.В. Подготовка папы Льва Великого... С. 129–136.*

andria — did not consider it necessary, nor, it appears, had the time to coordinate their position in advance with the Roman bishop.

On 30 March 449, the Emperor sent to the heads of the major sees a summons to appear at the “holy Council” (*sanctam synodum*) in Ephesus by 1 August. The summons addressed to Dioscorus of Alexandria has survived, but it appears to have been a standard form, and therefore the same text was likely sent to all others. The question remains whether an identical text was also sent to Pope Leo, or whether it was phrased in a different tone. In the summons it was prescribed that, “taking with thee ten most venerable bishops of the metropolises that are under thy diocese, and likewise ten other holy bishops distinguished by their speech and life, who in teaching and in knowledge of the right and unsullied faith are outstanding among others”⁵, the hierarch should appear in Ephesus at the appointed time, “so that by the most careful investigation and inquiry every opposing error might be removed from the midst, and that the catholic and most beloved teaching of the orthodox faith in our Saviour Christ might be strengthened and, according to custom, shine forth”⁶. The concluding part of the letter contained an indication of the measures to be taken in case of failure to comply with the imperial order: “If anyone should neglect so necessary and truly God-pleasing a Council and should not with all zeal appear at the appointed time and place, he shall find no excuse either before God or before our piety, for only he who is wounded by his own evil conscience avoids the assembly of bishops”⁷.

It is evident that such a letter could only have been addressed to a narrow circle of the highest-ranking prelates of the major Churches, at

⁵ *Schwartz E. (ed.). Acta conciliorum oecumenicorum / . T. II. Vol. III. Pars I. Berlin; Leipzig, 1935. Pp. 43.12–15: sumptis secum decem reuerentissimis metropolitanis episcopis qui sub tua degunt diocesi, et aliis similiter decem sanctis episcopis sermone et uita ornatis, qui in doctrina et scientia rectae et immaculatae fidei prae cunctis eminent... (Hereafter: ACO. II.3.1).*

⁶ ACO. II.3.1. P. 43.19–21: subtilissime inuestigantibus et quaerentibus omnis de medio error contrarius auferatur, catholica autem doctrina et orthodoxae fidei saluatoris nostri Christi amicissima solidetur et consuete effulgeat...

⁷ ACO. II.3.1. P. 43.22–26: si quis uero tam necessariam et uere deo amicam synodum praetermiserit et non omni uirtute secundum praedictum tempus ad praefinitum locum peruenerit, nullam excusationem neque apud deum neque apud nostram inueniet pietatem. sacerdotalem enim conuentum non nisi quis mala propria conscientia sauciatus euitat.

a “supra-metropolitan” level, located within civil dioceses, of which only three could be counted: Rome, Alexandria, and Antioch⁸. The representation of the Churches of Asia Minor was apparently ensured through the administrative mechanisms of the Church of Constantinople, which was also widely represented at the Council⁹.

For a number of reasons, the principal one being that the Emperor, by his direct decree, appointed Dioscorus of Alexandria as the presiding officer of the conciliar sessions, granting him the Council’s “authority and primacy” (*auctoritatem et primatum*¹⁰, *τὴν ἀθθεντίαν καὶ τὰ πρωτεῖα*¹¹) and designating as his closest assistants Juvenal of Jerusalem and Phalassius of Caesarea, the position of Rome at the Council of Ephesus was extremely weak¹². It should be noted, however, that the determination of the conciliar presidency occurred only at the last moment, when the bishops had already gathered in Ephesus. This coincided with the arrival of the Roman legates in the city. Thus, it is clear that the Emperor postponed the appointment of the presiding officer until the very beginning of the Council’s proceedings, and there can be no doubt that the bishop of Rome, had he arrived in Ephesus personally, would have had every chance, by virtue of his status, to preside over the Council sessions. At the same time, the

⁸ For the heads of these Churches, the title of Patriarch begins to come into use already in the 5th century, and in the acts and canons of the Council of Chalcedon, they are referred to by the epithet “exarch of the diocese”. See: Грацианский М.В. Церковно-административное содержание термина «экзарх диоцеза» 9-го и 17-го правил Халкидонского собора и вопрос о подсудности дел против митрополита // Античная древность и средние века. 2020. Т. 48. С. 53–73.

⁹ On the composition of the Council participants, see: Honigmann E. The Original Lists of the Members of the Council of Nicaea, the Robber-Synod and the Council of Chalcedon // Byzantion. 1942–1943. Т. 16. Fasc. 1. Pp. 20–80 (here: Pp. 28–41).

¹⁰ ACO. II.3.1. P. 49.17.

¹¹ ACO. II.1.1. P. 74.19.

¹² Nevertheless, it should be emphasized that in the official list of Council participants opening the conciliar acts, the name of the papal envoy Julius is mentioned in second place after Dioscorus of Alexandria: Schwartz E. (ed.). Acta conciliorum oecumenicorum /. Т. II. Vol. I. Pars I. Berlin; Leipzig, 1933. Pp. 77.17–19. (Hereafter: ACO. II.1.1). However, this was merely a testimony to the comparative “honor” of the Roman legate, not his presiding role. Cf.: Jalland T. The Life and Times of St. Leo the Great. London; New York: The Macmillan Company, 1941. P. 238.

Pope's refusal (expressed in a rather haughty and categorical form) to attend the Council personally, as well as the disregard for the Emperor's instruction to send a substantial delegation — which could have numbered up to twenty representatives — led to Rome lacking any significant influence at the Council. Considering also that numerous supporters of Flavian of Constantinople were removed from the conciliar judicial process by imperial order, it turned out that among the bishops who adjudicated at the Council, there was practically no one to represent the position of the Roman Church: the Roman Deacon Hilary had absolutely no ecclesiastical or administrative weight on the inter-church stage, and the sole bishop, Julius of Puteoli, could not alone exert substantial influence on the Council on behalf of the episcopate of the Roman Church.

This balance of power became evident already at the very beginning of the conciliar sessions during the review and proclamation of the foundational documents, primarily the imperial decrees regarding the composition, agenda, and procedural rules of the Council¹³. Overall, the acts of the Council of Ephesus record only about five interventions by the Roman representatives throughout the entire Council proceedings. During the reading of the Emperor's invitation letter, Julius of Puteoli noted that it had also been received by "our most holy Pope, the prelate of the Church of Rome, Leo" (*sanctissimus noster papa Romanae ecclesiae praepositus Leo*), while Deacon Hilary provided more detailed information: the Emperor had requested the personal presence of the bishop of Rome; however, as it should have been known to the Council participants, "neither at Nicaea, nor at the holy Council of Ephesus, nor at any other such holy Council did the Pope of the holy See appear, wherefore, following the custom of this decision, he sent us, whom the Most Holy One will not doubt are present in his stead, of whom he knows in particular that we will do everything pertaining to the inviolability of the catholic faith and the respect due to the holy Apostle Peter. Through us he sent to Your Beatitude the letters appropriate for the Councils of the Holy Fathers, which you are to receive and examine"¹⁴.

¹³ See: *Caspar E. Geschichte des Papsttums...* Pp. 485–486; *Horn St.O. Petrou Kathedra...* Pp. 56–57.

¹⁴ ACO. II.3.1. P. 58.14–24: ... neque in Nicaea neque in Ephesena sancta synodo neque in alio tali sancto concilio papa sanctae sedis affuit. pro qua re huius

The request to “examine” (*recenseri*) the letter of the Roman Church, which implied its official reading, was not granted by the presiding officer Dioscorus, who only decreed its acceptance. Later, at the Council of Chalcedon, this was held against Dioscorus, yet in the context of the Council of 449, this procedure could clearly have been considered superfluous, since the conciliar letter was regarded as a letter of credence from the papal legates, whose authority was unquestioned anyway. On the other hand, the passages of the Roman conciliar letter containing instructions on how the Council should conduct itself and what decisions it should take were obviously inappropriate, as they intruded upon the competence of the Council, which had specific decrees from the Emperor regarding its agenda, and contained an attempt to predetermine the outcome of the conciliar proceedings. It should also be noted that the papal legates did not insist on the reading of the letter and did not lodge a protest when Dioscorus, after incorporating the text into the acts, moved on to other items on the Council agenda¹⁵.

The agenda and format of the Council proceedings prescribed by the Emperor, in which the conciliar judicial process was directed against those

formae sequens consuetudinem nos direxit, qui sanctissimus non dubitans se in nobis hic adesse, quos praecipue cognoscit omnia quae ad fidei catholicae sinceritatem et quae ad sancti Petri apostoli pertinent reuerentiam, agere, qui etiam per nos ad uestram beatitudinem congruas sanctorum patrum concilii direxit epistulas, quas suscipere et recenseri praecipite. Греч. перевод см.: ACO. II.1.1. P. 83.7–14. См.: *Jalland T. The Life and Times...* Pp. 238–239.

¹⁵ The papal legates twice during subsequent stages of the session mentioned the possibility of reading the *Tomos to Flavian* (ACO. II.1.1. P. 99.14–16; 190.34–191.3), but this was not done due to the obvious bias of the document toward the persons judged by the Council. Cf.: *Menze V.L. Patriarch Dioscorus...* P. 118. B In Menze’s reasoning, the letter of the Roman council authorizing the legates is mixed with the *Tomos*: the former did not require formal reading, just as “letters of recommendation” from other sees, delivered by representatives rather than the heads themselves, did not. The *Tomos* was a private letter of a single hierarch, not reflecting the council’s position of the local Church, and therefore its reading could not in principle be obligatory. For this reason, the papal legates did not insist on its reading, but only indicated the possibility to the participants of the Council of 449. De Vries expresses the opinion that it was quite prudent on Dioscorus’s part not to make the questionable theses of Leo’s *Tomos* public at the Council, since this could have immediately led to unrest and disorder; in this way, Dioscorus rather saved the authority of Rome than harmed it: *De Vries W. Das Konzil von Ephesus...* Pp. 367–368.

who had acted as judges at the Council of Constantinople in 448, elicited no protest from the participants of the Council of Ephesus, including the papal legates. Since a significant portion — up to one third — of the bishops present at the Council were excluded from the conciliar discussions as having been involved in the decisions of 448, it was important for the legates to maintain their position among the judges and not associate themselves with the faction whose actions were now under investigation. The non-reading of the conciliar letter and the instructions given to the legates concerning Eutyches was essentially a courtesy to them from Dioscorus of Alexandria and the Emperor's representative at the Council, Elpidius, which allowed them to remain as judges. Consequently, they adopted a passive stance, being compelled to follow conciliar procedures and lacking the opportunity to express opinions on the comparative merits of the doctrines of Eutyches and his opponents, as the Pope insisted, confident in the high theological authority of his *Tomos*: reducing the Council sessions to theological debates was explicitly prohibited by the Emperor.

A key point at the beginning of the conciliar sessions was the reading of the acts of the Council of Constantinople of 448. The presiding officer Dioscorus asked the bishops present whether they agreed to hear the acts. He addressed this question particularly to the papal envoys. Julius of Puteoli consented on the condition that “first, that what has been sent by the Pope will be read”¹⁶. Deacon Hilary explained that the letters of Pope Leo were written precisely as a result of the reading of these acts¹⁷. The response of Eutyches to the legates' proposal effectively questioned their impartiality: “The most devout men that most holy and God-loving archbishop Leo has sent to your holy Council, have become suspicious of me. For they went to the God-loving bishop Flavian, had breakfast with him, were received and honored in every way. Therefore, I entreat Your Holiness, if anything should occur on my behalf from them contrary to justice, do not treat it as a preliminary condemnation against me”¹⁸. Dioscorus adopted a compromise decision: “The acts of the case

¹⁶ ACO. II.1.1. P. 99.12–13: ... εἰ πρῶτον ἀναγνωσθῆ τὰ παρὰ τοῦ πάπα ἐπισταλέντα. See: *Jalland T. The Life and Times...* P. 239.

¹⁷ ACO. II.1.1. P. 99.15–16. See: *Horn St.O. Petrou Kathedra...* Pp. 61–62.

¹⁸ ACO. II.1.1. P. 99.17–22: Οἱ ἀποσταλέντες θεοσεβέστατοι ἄνδρες ὑπὸ τοῦ ἁγιωτάτου καὶ θεοφιλεστάτου ἀρχιεπισκόπου Λέοντος τῆς Ῥωμαίων εἰς τὴν

shall be read first, as order and prudence dictate, and only thereafter the letters of the most God-loving bishop of Rome”¹⁹.

It can be stated with sufficient confidence that Eutyches was hardly aware of the details of Leo’s theological position, since at that time they had only been articulated in private letters. At the same time, however, the general negative attitude of Leo toward Eutyches’ position and theses was certainly known to him. Therefore, it can be assumed that he feared not so much a substantive refutation of his theological views by Leo – which was not present in the letter of the Roman Council – but rather the general declaration of his error, which Leo had repeatedly proclaimed. Thus, the conciliar letter of the Roman Church indeed constituted a “preliminary²⁰ decision” (*praeiudicium, πρόκριμα*), while lacking a justificatory section and anticipating the decisions of the Council of Ephesus, taking a particular stance before any formal judicial proceedings. In light of these obvious facts, the legates did not protest against Dioscorus’ decision, nor did they challenge Eutyches, since his statements were entirely accurate: subsequently, Flavian reported to Pope Leo in his appeal about the staying of the legates with him before the Council began²¹.

During the reading of the acts of the Council of Constantinople, when the claim of Eusebius of Dorylaeum – who had instigated the entire conflict – was being read out, the name of Cyril of Alexandria prompted exclamations from the audience asserting the identity of Cyril’s and Dioscorus’ faith. Julius of Puteoli considered it appropriate to support this view, stating that it was also taught by the “apostolic see” (*ἡ ἀποστολική*

ἀγίαν ὑμῶν σύνοδον ὑποπτοί μοι γεγόνασιν. κατήχθησαν γὰρ πρὸς Φλαβιανὸν τὸν θεοφιλέστατον ἐπίσκοπον καὶ ἠρίστησαν παρ’ αὐτῷ καὶ συνεκροτήθησαν καὶ πάσης θεραπείας παρ’ αὐτοῦ ἠξιώθησαν. ἀξιῶ οὖν τὴν ὑμετέραν ἀγιότητα, εἴ τι παρὰ τὸ δίκαιον γίνοιτο παρ’ αὐτῶν κατ’ ἐμοῦ, τοῦτο πρόκριμά μοι μὴ φέρειν.

¹⁹ ACO. II.1.1. P. 99.23–25: Ἀκόλουθόν ἐστιν καὶ εὐλογον πρῶτον ἀναγνωσθῆναι τὰ ἐπὶ τῇ ὑποθέσει πεπραγμένα, εἴθ’ οὕτως τὰ γράμματα τοῦ θεοφιλεστάτου ἐπισκόπου Ῥώμης.

²⁰ B In this case, one could also say “premature”.

²¹ Cf. the reasoning of Horn: *Horn St.O. Petrou Kathedra...* Pp. 62–63. *Caspar* seems to blame the legates for associating themselves clearly with Flavian from the start: *Caspar E. Geschichte des Papsttums...* Bd. 1. P. 483. In this, however, they were following the policy and, apparently, the instructions of the Roman bishop, which, we repeat, are not preserved in this case.

καθέδρα²²), thereby demonstrating solidarity with the presiding officer of the council, whose authority Rome would soon vigorously contest²³. Later, after the reading of the acts of the sixth session of the Council of Ephesus in 431, Julius reaffirmed the apostolic throne's adherence to the Nicene Creed²⁴. When the Council proceeded to render its judgment, the acts do not record the reaction of the Roman representatives to the announcement of Eutyches' acquittal²⁵; however, regarding the condemnation and deposition of Flavian of Constantinople, they note the famous "contradicitur!" of Deacon Hilary²⁶.

It is evident that Hilary's reaction was ignored by the Council, whereas the stance of another key member of the Roman delegation, Bishop Julius of Puteoli, remains unknown, as it is not reflected in the subsequent active correspondence²⁷. Only after the conclusion of the Council were Hilary's actions following the condemnation of Flavian documented, in a number of sources: Flavian's appeals to Leo and the Roman Council, and the letters of Pope Leo. These documents consistently convey that Hilary faced physical danger, compelling him to flee and arrive secretly in Rome to report everything to Pope Leo and the Roman Church. The most detailed account of these circumstances is provided in a letter written by Hilary to Pulcheria Augusta. This letter is quite informative and, in our view, further clarifies the reasons for the relatively marginal position of the Roman see during the conciliar proceedings in Ephesus.

The letter reads in full as follows:

"I ought not to say that my desire after the Council was to proceed to Constantinople, since there was an evident necessity compelling me to bring the

²² ACO. II.1.1. P. 101.6–14. The Greek acts do not contain this remark of Julius. See: *De Vries* W. Das Konzil von Ephesus... P. 365; *Horn St.O. Petrou Kathedra...* P. 67.

²³ ACO. II.3.1. P. 237.5–6.

²⁴ ACO. II.3.1. P. 237.5–6.

²⁵ See: *Horn St.O. Petrou Kathedra...* P. 65. *Jalland T.* states that the absence of a formal protest by the legate Julius was a "passive betrayal of the doctrine supported by the Roman see": *Jalland T. The Life and Times...* P. 240.

²⁶ ACO. II.1.1. P. 191.30–31: "Ἰλαρος διάκονος τῆς Ῥωμαίων ἐκκλησίας εἶπεν Κοντραδικτοῦρ, ὃ ἐστὶν ἀντιλέγεται. См.: *Horn St.O. Petrou Kathedra...* Pp. 69–71.

²⁷ From this point, Julius completely disappears from the sources; his role in subsequent events is unknown. See: *Hefele Ch.J. Histoire des conciles...* T. 2. Pt. 1. P. 620.

letters of the most blessed Pope addressed to Your Clemence, in order equally to render the tribute of respect owed both to Your Piety and to the invincible and most Christian prince. But for this proper intention of mine there arose an obstacle hostile to all good, which causes Christians to lament, namely the Bishop of Alexandria — the most powerful in condemning innocent men! For after I could not comply with his will and judgment, he attempted by intimidation and intrigue to summon me to another Council, so that I might — God forbid! — either be seduced into agreeing with the condemnation of the most holy Flavian or be prevented from leaving, so that I might not hasten²⁸ to Your Piety in Constantinople or return to the Roman Church. Yet, trusting in the help of Christ our God, I preserved myself innocent and untainted by the condemnation of the most venerable and holy man: no scourges, no tortures could have forced me to agree with his verdict! But, having left everyone behind, I departed, traveling by unknown and untrodden paths to Rome, and becoming a suitable messenger to the most venerable Pope regarding all that was accomplished at Ephesus. Thus, Your Venerable Clemency shall know from the aforementioned Pope that all that was done at Ephesus contrary to the canons, through disorder and worldly enmity, by Bishop Dioscorus, together with the entire Western Council, is condemned, and in no way can what was committed there through his power, with insult to the faith and prejudice against the most holy and innocent man, be accepted here. And what I reported with firm and courageous authority concerning the faith, I deem unnecessary to recount, since you can learn it from the letters of the most blessed Pope. Therefore, most illustrious and most gracious Augusta, your revered piety should not abandon what it willingly began, but preserve it with devoted zeal of faith and steadfast will²⁹.”

²⁸ Caspar interprets this phrase and the “permission” (*licentia*) mentioned in it as evidence of an initial prohibition by the “government” (*Regierung*) for the Roman legates to appear in Constantinople. See: Caspar E. *Geschichte des Papsttums...* Bd. 1. P. 483, note 3. However, this is clearly mistaken. First, the situation referred to did not take place *before* the Council (at which point, according to all rules, the legates should already have delivered all necessary letters to Constantinople (which they did not)) but *during* the Council. Second, Hilary’s departure was supposedly blocked by Dioscorus, not by the “government”. Third, having escaped from Dioscorus, Hilary still went not to the capital but to Rome.

²⁹ Schwartz E. (ed.). *Acta conciliorum oecumenicorum /*. T. II. Vol. IV. Berlin; Leipzig: Walter de Gruyter, 1932. Pp. 27.21–28.9: *Studium mihi fuisse post sy-*

In essence, this letter exposes the main problems related to the position of the Roman see at the Council of Ephesus in 449. First and foremost: at the time of the Council's opening, which the Emperor had postponed from August 1 to 8, the court had no understanding of the position of the Roman Church: the representatives of the Roman bishop did not deliver the papal or conciliar letters to Theodosius, Pulcheria, or other addressees in Constantinople. Consequently, the *Tomos* was also unknown. In practice, the legates' actions, who immediately proceeded to Ephesus, were limited to interactions solely with Flavian of Constantinople. Why the legates neglected their duties and did not contact their addressees beforehand is impossible to determine. Accordingly, the insistence in subsequent correspondence that Hilary allegedly faced mortal danger, compelling him to flee to Rome, appears to be an attempt to explain and justify the strange conduct of the Pope's delegate. Hilary portrays as a threat of unprecedented-

nodum aduenire Constantinopolim dicere non debeo, quoniam manifesta necessitas erat quae me litteras beatissimi papae ad uestram clementiam directas offerre compelleret, ut pariter et uestrae pietati et inuictissimo et Christianissimo principi officium quod debebam uenerationis exsoluerem. sed huic congruo meo proposito illud impedimentum euenit, quod omnium bonorum inimicum est et Christianorum ingemescit affectus, hoc est Alexandrinus episcopus in damnatione uirorum inculpabilium potentissimus. nam posteaquam iniustae eius uoluntati atque sententiae communicare non potui, ad aliud concilium terroribus atque insidiis me euocare conatus est, quatenus me, quod absit, aut seductionibus faceret consentire ad condemnandum sanctissimum Flavianum episcopum aut resistentem teneret, ut mihi non esset licentia ad pietatem uestram Constantinopolim percurrere aut ad Romanam ecclesiam remeare. uerumtamen confidens de auxilio Christi nostri dei a damnatione reuerentissimi et sanctissimi uiri innocentem me integrumque seruauit, licet nulla flagella, nulla tormenta me possent facere eius consentire sententiae, sed omnibus derelictis exinde discessi per incognita et inuia loca Romae ueniens et reuerentissimo papae omnium quae in Epheso gesta sunt, idoneus nuntiator existens. uestra itaque ueneranda clementia cognoscat a praefato papa cum omni Occidentali concilio reprobata omnia quae in Epheso contra canones per tumultus et odia saecularia a Dioscoro episcopo gesta sunt, et nulla ratione haec in his partibus suscipi posse quae per potentiam praedicti non sine laesione fidei et praeiudicio sanctissimi uiri innoxiique commissa sunt. quae uero constanti ac forti auctoritate pro fide a me nuntiata sunt, superfluum credo narrare; nam haec ex litteris beatissimi papae poteritis agnoscere. unde, domina splendidissima atque clementissima augusta, adoranda uestra pietas in quibus libenter fecit initium, relinquere non debet, sed haec zelo religioso fidei constanti uoluntate seruate. (Hereafter: ACO. II.4).

ed violence Dioscorus of Alexandria’s demand that the Deacon remain for the concluding part of the conciliar sessions, held after Eutyches’ acquittal and Flavian’s condemnation. It is difficult to see why Dioscorus would need to address this matter with a Council participant: the presence of members throughout the Council proceedings was presumed. It is evident that Hilary himself declared his intention to leave further sessions, prompting Dioscorus, as presiding officer, merely to indicate the inadmissibility of such conduct. The demand to observe the procedural rules can hardly be considered “intimidation and intrigue”, and Hilary’s framing of the directive to attend the next session as a summons “to another Council” represents an unconvincing self-justification. It must be emphasized that a Council was considered concluded only after its verdict had been communicated to the Emperor via a special conciliar letter, who would then ratify the decisions, declare the Council closed, and permit the participants to return to their cities. It is entirely clear that nothing of the sort occurred at the time the legates chose to flee, and their actions constituted, in essence, a dereliction of duty for which penalties were provided.

In his letter, Hilary rather awkwardly avoids the question of why he traveled directly from Ephesus to Rome, despite having earlier expressed his desire to proceed straight to Constantinople³⁰. The reason he did not go there is clear from the foregoing: he would have faced severe punishment. His unauthorized absence from the conciliar sessions, his appearance at the imperial court with “overdue” letters, and, moreover, his possession of the appeals of Flavian and Eusebius of Dorylaeum addressed to the Roman bishop – which in particular demanded the convocation of a new Ecumenical Council, thereby undermining the competence of the still-ongoing Ecumenical Council approved by the Emperor – together evidently constituted a criminal offense.

Thus, Hilary’s pressing task was to justify himself in the eyes of the Eastern court, and for this reason he needed to create the impression that he was compelled to flee secretly to Rome immediately after the conclu-

³⁰ *Caspar* assumes that Hilary thereby lost “all his baggage” (“unter Verlust seines gesamten Gepäcks”). See: *Caspar E. Geschichte des Papsttums...* Bd. 1. P. 488. This statement represents speculation, apparently intended by the author to indirectly explain Hilary’s failure to appear in Constantinople to carry out his mission.

sion of the session³¹. Hilary hints at this sequence of events in his letter, arranging the narrative as follows: the session concludes, Dioscorus issues threats, and Hilary flees. However, the fact that Hilary had these two appeals in his possession upon arrival in Rome raises doubts about the complete accuracy of his account, since composing them would clearly have required time. While it is sometimes claimed that Flavian, in the midst of the tumultuous events at the end of the first session, directly handed (or wrote?) his appeal for Hilary³², Eusebius would have necessarily had to meet Hilary separately, as both Flavian and Eusebius state in their appeals that they were under guard, with Eusebius being unable even to attend the conciliar session. Consequently, to draft the appeals, they would have had to be either entirely unguarded or, at the very least, their confinement could not have been very strict, since they had to meet the Pope's envoys at least twice: first, to discuss the plan for submitting the appeals to Rome, and second, to hand them over. It is possible that these meetings with the Roman legates had to take place separately.

In fact, these suppositions are not merely speculative, since the Syriac version of the acts of the Council of Ephesus in 449 — which is more complete than the Greek and Latin versions — preserves the dating of the second session, whose acts begin on Monday, August 22, 449, i.e., two weeks after the first session³³. The first item on the agenda of this session was the absence of the Roman legates. As it turns out, representatives of

³¹ See the characterization of Hilary given by *De Vries*: “Although Hilary was an eyewitness of the events, he was not entirely blameless, since he had to justify his rather pathetic failure” (“Hilarus ist zwar Augenzeuge der Vorgänge, aber kein ganz unverdächtiger, da er sein ziemlich klägliches Versagen in Ephesus zu entschuldigen hatte”: *De Vries W. Das Konzil von Ephesus...* P. 385).

³² We agree with *De Vries*'s assessment of Flavian's writing of the appeal: “He was able to write this well-ordered letter without any haste, probably with the help of Hilary” (“Er hat diesen wohlgeordneten Brief in aller Ruhe, wahrscheinlich mit Hilfe des Hilarus, verfassen können”: *De Vries W. Das Konzil von Ephesus...* P. 388).

³³ *Akten der Ephesinischen Synode vom Jahre 449 Syrisch mit Georg Hoffmanns Deutscher Übersetzung und seinen Anmerkungen / Hrsg. von J. Flemming // Abhandlungen der königlichen Gesellschaft der Wissenschaften zu Göttingen. Philologisch-historische Klasse. Neue Folge. Bd. 15. Berlin: Weidmannsche Buchhandlung, 1917. Pp. 6–11. The date is given according to the Egyptian calendar as 29 Mesore, which corresponds to 22 August. See: *Grumel V. La chronologie. Paris: Presses universitaires de France, 1958. P. 301.**

the Council had been sent for them two days earlier, on Saturday, and had found in the house only the ailing Roman notary Dulcitus, who reported that Julius and Hilary were absent: one “in the countryside”, the other “at the church of St. John”. When the representatives arrived the following day, Dulcitus informed them that the bishop and the deacon were not present and would not attend the Council, since they had the authority from the Roman bishop to discuss only the case of Eutyches. The legates were never seen in Ephesus again.

Thus, it is evident that, on the one hand, the legates received no threats from Dioscorus³⁴, while, on the other hand, they left Ephesus no later than August 20–21, 449, having nearly two weeks at their disposal to discuss the appeals of Flavian and Eusebius³⁵. It follows that Hilary presented false information in his letter to Pulcheria regarding his motives and conduct.

Let us summarize the results of the study. The delay of the papal legates resulted in the Roman representatives not being considered candidates for the presidency of the Council, leaving Dioscorus of Alexandria as the presiding officer. Attempts by the legates to intervene in the conciliar agenda were gently deflected by Dioscorus, which allowed them, on the one hand, to retain the status of judges, while on the other, avoiding a potential scandal arising from the reading of the papal *Tomos to Flavian*. The legates, in effect, acquiesced to Eutyches’ acquittal, but in the person of the papal Deacon Hilary, rejected the condemnation of Flavian. Since the legates did not preside over the Council, their dissent remained private and did not affect the final conciliar judgment. Subsequently, the Ro-

³⁴ *Jalland* believes that Hilary was threatened and coerced, and that this occurred at the end of the first session. He further claims that Hilary was imprisoned, though without citing a source. *Jalland* does not consider the chronology of Hilary’ flight, nor does he analyze his letter to Pulcheria. See: *Jalland T. The Life and Times...* Pp. 241–242, 249.

³⁵ Contrary to these quite clear data, most scholars follow the version of an immediate flight of Hilary in the confusion after the reading of the sentence against him: *Hefele Ch.J. Histoire des conciles...* T. 2. Pt. 1. P. 600; *Caspar E. Geschichte des Papsttums...* Bd. 1. Pp. 487–488; *Wojtowysch M. Papsttum und Konzile von den Anfängen bis zu Leo I. (440–461). Studien zur Entstehung der Überordnung des Papstes über Konzile. [Päpste und Papsttum; 17].* Stuttgart: Anton Hiersemann, 1981. Pp. 322–323. In contrast, *De Vries* accepts the dating of Hilary’ flight given here: *De Vries W. Das Konzil von Ephesus...* P. 389.

man legates spent nearly two weeks consulting with the deposed Flavian and Eusebius of Dorylaeum while waiting for them to draft their appeals to the Roman bishop. They then secretly left Ephesus, despite the Council not yet being officially closed by the Emperor and the participants not having received imperial permission to depart. Upon arriving in Rome, the legates disseminated false information that they had been subjected to violence at Ephesus, primarily at the hands of Dioscorus of Alexandria. They convinced Pope Leo of this, and attempted to persuade Pulcheria Augusta. The false information propagated by them regarding the events of the 449 Council became the basis for papal actions aimed at revising its decisions through the convocation of a new Council. It also provided the grounds for the condemnation and deposition of Dioscorus at the Council of Chalcedon in 451, and deprived the 449 Council of Ephesus of its status as Ecumenical.

Conflict of interests

The author declares no relevant conflict of interests.



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