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# *The Speech Act of Swearing: Gregory of Nazianzus's Oath in Poema 2.1.2 in Context*

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SUZANNE ABRAMS REBILLARD

Gregory of Nazianzus's *Poemata de seipso* as a group are labeled "autobiography" erroneously. 2.1.2 provides a strong case study: it is formally structured as an oath, to be sworn by a bishop but with no definitive identification of speaker. As an oath it is well suited to the application of speech act theory, which allows for interpretations with Gregory and/or any orthodox bishop as speaker. When further considered in light of other oaths as compositional models—professional (e.g. Hippocratic), magisterial, imperial loyalty, biblical—the poem's scope expands beyond the "autobiographer" to encompass the episcopate and fourth-century culture more broadly.

In the wake of the dissolution of Lejeune's coalescence of author, narrator, and protagonist as a generic norm of autobiography, labeling a text as such introduces a host of complications for interpretation and approach.<sup>1</sup> Precarious as the relationship is between authors and texts of modern autobiography, it is even more so with regard to the early texts so labeled anachronistically and claimed retrospectively to mark the beginning of the Western tradition of self-composed lives of great men. The *Poemata de seipso* of Gregory of Nazianzus, having been identified as autobiography, are paradigmatic of the difficulties one encounters.<sup>2</sup> The poems, and

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1. Philippe Lejeune, "The Autobiographical Contract," in *French Literary Theory Today*, ed. Tzvetan Todorov (Cambridge, UK: Cambridge University Press, 1982), 193.

2. Following PG 37:969–1452: *Liber II. Poemata Historica. Sectio I. De seipso* (cited here as 2.1.x). The title is given to a volume of translations: Carolinne White, trans., *Gregory of Nazianzus: Autobiographical Poems*, Cambridge Medieval Classics 6 (Cambridge, UK: Cambridge University Press, 1996). The term is also applied

especially the extensive *De vita sua*, have long been regarded as revolutionary in their intimacy. They consequently have been read with assumptions of transparency and authorial truth in attempts to revivify a fascinating figure and to reconstruct the specific historical context in which he wrote. Gregory's corpus, however, more often than not provides its own contexts for verification: there is very little corroborating evidence not written by Gregory about the events or the "personality" described therein. For many of the ninety-nine "Autobiographical Poems" in particular, the only evidence of compositional context for an individual poem and historical context(s) of the event narrated is internal. Moreover, these widely diverse poems are comprised not only of narratives, but prayers, curses, charms, invective, and epitaphs as well, and the conception of them as a collection about the poet himself derives primarily from an eighteenth-century editorial construct based in great part on their common first-person voice.<sup>3</sup> If Gregory as autobiographer retreats, whose voice do we hear?

Publication within the last thirty years of the first critical editions of these poems and of their translation into modern languages has allowed historians greater access to Gregory's supposedly personal and introspective but complex writings, and they have discovered what seems to be a symphony of evidence about the man and the fourth century. Yet as Brian Daley sagely advises in the introduction to his recent volume of transla-

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to the poems by Francis Gautier in his *La retraite et le sacerdoce chez Grégoire de Nazianze*, Bibliothèque de l'École des Hautes Études, Sciences Religieuses 114 (Turnhout: Brepols, 2002), Part 2, Chapter 3: "L'autobiographie chez Grégoire," 214–41; and Francesco Trisoglio, "Il Carme II,1,1 di S. Gregorio Nazianzeno: tra rievocazione storica e trasfigurazione poetica," in *Motivi e forme della poesia cristiana antica tra scrittura e tradizione classica*, 36 Incontro di studiosi dell'antichità cristiana, Roma, 3–5 maggio 2007, *Studia ephemeridis "Augustinianum"* 108 (Roma: Institutum patristicum Augustinianum, 2008), 259–72. Hence circular arguments in attempts to reconstruct the personality of the author, such as Ugo Criscuolo, "Sugli 'epigrammi' di Gregorio di Nazianzo," in *L'epigramma greco: problemi e prospettive*, Atti del congresso della Consulta Universitaria del Greco, Milano, 21 ottobre 2005, ed. Giuseppe Lozza and Stefano Martinelli Tempesta (Milan: Cisalpino, 2007), 19–52.

3. *Contra* the argument by the poem's editors that the collection could be traced to Gregory himself, who edited it with the help of a "secretary": Guillaume Bady, Jean Bernardi, and André Tuilier, ed. and trans., *Saint Grégoire de Nazianze, Oeuvres poétiques, Tome 1, Première partie, Poèmes personnels II, I, 1–11*, Collection des Universités de France, Série grecque 433 (Paris: Les Belles Lettres, 2004), lxxiii–lxxviii. On Gregory as editor of his own letters, see *Ep. 52* (ed. and trans. Paul Gallay, *Saint Grégoire de Nazianze, Correspondance*, 2 vols., 2nd ed. [Paris: Les Belles Lettres, 2003], 1:68–69) and Gallay's introduction to the letters (*Correspondance*, 1:xx–xxiii); and Neil McLynn, "Gregory the Peacemaker: A Study of Oration Six," *Kyoyo-Ronsio* 101 (1996): 183–216.

tions: "In reading his works, we must thread our way carefully through the details of Gregory's emotional, dramatic, often self-justifying presentation of himself, *to try to discover the man, the priest, the theologian, as others in his day might have known him.*"<sup>4</sup> There is a growing body of scholarship on the rhetorical, philosophical, and literary contexts, particularly classical and biblical, that informed Gregory's poetic habit, but there has been little consideration of non-literary and perhaps even more mundane influences.<sup>5</sup>

This paper is a case study of the second of Gregory's *Poemata de seipso* (2.1.2), an attempt to reveal what many of these so-called autobiographical pieces offer beyond a positivist quest for Gregory as subject. There is no thorough—or even cursory, so far as I am aware—treatment of this poem in the scholarship. The discussion below begins with an identification of *Poema* 2.1.2 as a formal oath concerning proper performance of the episcopal office and consideration of the problems related to dating the poem. Faced with numerous uncertainties, specifically the ambiguous nature of the poem's opening aorist, the study turns to speech act theory, an obvious theoretical framework given the poem's formal structure, to discover what the poem can offer in lieu of an attempt to discover specifics about the author. This approach allows for a double reading: with Gregory as subject and without. This interpretive route is then pursued further in an

4. Brian E. Daley, S.J., *Gregory of Nazianzus*, The Early Church Fathers (New York: Routledge, 2006), 2; emphasis mine.

5. The most recent contributions to the bibliography appear in Christopher Beeley, ed., *Re-reading Gregory of Nazianzus, Essays on History, Theology, and Culture*, CUA Studies in Early Christianity (Washington, DC: The Catholic University of America Press, 2012), which appeared too late for me to take into account in this article. See (selectively): Bradley K. Storin, "In a Silent Way: Asceticism and Literature in the Rehabilitation of Gregory of Nazianzus," *J ECS* 19:2 (2011): 225–57; Jean Paul Lieggi, *La cetra di Cristo, le motivazioni teologiche della poesia di Gregorio di Nazianzo* (Rome: Herder Editrice, 2009); Christos Simelidis, *Selected Poems of Gregory of Nazianzus, I.2.17; II.1.10, 19, 32: A Critical Edition with Introduction and Commentary, Hypommemata*, Untersuchungen zur Antike und zu ihrem Nachleben 177 (Göttingen: Vandenhoeck & Ruprecht, 2009); the contributions on Gregory in *Motivi e forme*, 281–412; Jostein Børtnes and Tomas Hägg, ed., *Gregory of Nazianzus: Images and Reflections* (Copenhagen: Museum Tusulanum Press, 2006); Kristoffel Demoen, *Pagan and Biblical Exempla in Gregory Nazianzen: A Study in Rhetoric and Hermeneutics*, Corpus Christianorum, Lingua patrum 2 (Turnhout: Brepols, 1996). Exceptions are: Dayna Kalleres, "Demons and Divine Illumination: A Consideration of Eight Prayers by Gregory of Nazianzus," *VC* 61:2 (2007): 157–88; and Susanna Elm, "Inventing the 'Father of the Church': Gregory of Nazianzus' 'Farewell to the Bishops' (Or. 42) in its Historical Context," in *Vita Religiosa im Mittelalter, Festschrift für Kaspar Elm zum 70. Geburtstag*, ed. Franz J. Felten and Nikolas Jaspert, Berliner historische Studien 31, Ordensstudien 13 (Berlin: Duncker & Humblot, 1999), 3–20.

examination of the poem within the context of Gregory's wider attitude to swearing. Finally, possible extra-biographical compositional contexts are identified and explored in an investigation of oath types that could have been models for 2.1.2, to suggest that the poem might be read as a professional oath or oath of office for bishops, a doctrinal loyalty oath, or a judicial oath of self-defense, rather than simply as a record of an oath sworn by the illusive "Gregory the man."

I provide here my translation of the entire poem, without a title and with alternative verbs in brackets for reasons discussed below.

I swear [swore] on the very Logos, who for me is greatest God,  
     source from source, of the immortal Father,  
 image of the archetype, a nature its begetter's equal,  
     who descended even into human existence from heaven;  
 I swear [swore] I will [would] not, diabolically minded, cast off the  
     Great Mind 5  
     with heretic mind, nor the Word with heretic word.  
 If I should sunder the divinity of the luminous Trinity,  
     hearkening to the will of this inimical age;  
 if the great seat should ever goad my mind to madness,  
     or should I lay on my hand with heretical desire; 10  
 if I should prefer a mortal guardian to God,  
     securing my line to a weak rock;  
 if I should ever have a haughty spirit in good fortune,  
     or confronted with ills, conversely fall feeble;  
 if feigning righteousness I should dispense a justice somehow skewed; 15  
     if the supercilious should receive my esteem before the holy;  
 if seeing the base somehow at peace or crags on the route of the noble  
     I should veer from the right path;  
 if envy should dissolve my spirit; if I should mock  
     the stumbling of another, even one unholy, as if holding my own  
     step secure; 20  
 if my mind should collapse with tumid anger, and if unbridled  
     my tongue race and my heart turn a wanton eye;  
 if I should hate someone fruitlessly, and if I should punish  
     my enemy stealthily or even openly;  
 if from my home I should dismiss a beggar empty-handed, 25  
     or a spirit still thirsting for a heavenly word;  
 may Christ attend another more gently, but as for my efforts,  
     even up to my white hairs, may the breeze take them.  
 By these laws I bind [bound] my existence. And should I achieve  
     the fulfillment of my desire, Eternal Christ, thanks be to you.<sup>6</sup> 30

6. Unless noted, all translations of Gregory's poetry here are my own. The edition followed here is Bady, Bernardi, and Tuilier, *Poèmes personnels*, 44–45: ὤμοσα

## FORMAL STRUCTURE AND DATING

In Carmelo Crimi's 1999 translation, *Poema* 2.1.2 is titled "Giuramento di Gregorio," from the PG's Ὀρκοὶ Γρηγορίου, which itself follows the tradition of de Billy and the Maurist editors whose text Migne adopted.<sup>7</sup> Only one of the eighteen manuscripts in which the poem appears with a title contains ὄρκοι. Jean Bernardi's French translation of the poem in the first critical edition of the piece is titled "Règles de vie,"<sup>8</sup> from Ὀροὶ βίου, the title most common in the manuscripts and in manuscript L, which the textual editors, André Tuilier and Guillaume Bady, deem the most reliable.<sup>9</sup> We have no indication whether and/or how Gregory himself titled the poem.

The difference in title begs the question of whether the piece is an actual oath or a more general statement. In addition to its opening word, "I swear [swore]," structurally the poem is an oath. It adheres to a traditional tripartite formula comprised of an initial swearing naming the object by which one swears, a curse, and a closing describing the conditions governing the reception of the curses.<sup>10</sup>

τὸν Λόγον αὐτόν, ὃ μοι Θεός ἐστι μέγιστος, / ἐξ ἀρχῆς ἀρχή, Πατὴρ ἀπ' ἀθανάτου, / εἰκὼν ἀρχετύπιου, φύσις γεννήτορος ἴση, / ὃς φθάσε καὶ μερόπων ἐς βίον οὐρανόθεν, / ὦμοσα μῆτε νόφ γε νόον μέγαν, ἐχθρὰ νοήσας, / ῥίψειν μῆτε λόφω τὸν Λόγον ἀλλοτρίφ. / Εἰ Τριάδος θεότιτα διατμήξαμι φαινής, / ἐσπόμεος καιρῶν νεύμασιν ἀντιπάλων / εἰ δ' ἔδρη μεγάλη ποτ' ἐμὸν νόον οἰστρήσειεν, / ἠὲ πόφω δοίην ἀλλοτρίφω παλάμην / εἰ δὲ θεοῦ προπάροιθε βροτὸν θείμην ἐπίκουρον, / πέτρης ἠπεδανῆς πείσματ' ἀναψάμενος / εἰ δὲ ποτ' ἐσθλὰ φέροντος ἀγήνορα θυμὸν ἔχοιμι, / ἠὲ κακοῖς κύρσας, ἐμπαλιν ἀδρανέα / εἰ δὲ δίκην δικάσαιμι παρακλίνας τι θέμιστος, / εἰ δὲ λάβοι τιμὴν ὀφρῶς ὑπερθ' ὀσίων / εἰ δὲ κακοῦς ὀρόων τι γαληνιώοντας ὀδοῖο / σταίην δεξιτερῆς, ἢ ἀγαθῶν σκοπέλους / εἰ φθόνος ἐκτῆξειεν ἐμὴν φρένα· εἰ γελάσαιμι / πτώμα καὶ οὐχ ὀσίων, ὡς πόδα πηγὸν ἔχων / εἰ δὲ χόλω πλήθοντι πέσοι νόος, εἰ δ' ἀχάλινος / γλῶσσα θέοι, μάχλον τ' ὄμμα φέροι κραδίη / εἰ δὲ τιν' ἐχθαίροιμι μάτην, εἰ δ' ἐχρθὸν ἐμεῖο / τισαίμην δολίως, ἠὲ καὶ ἀμφαδίην / εἰ κενεὴν πέμψαιμι δόμων ἀπο χεῖρα πένητος, / εἰ φρένα διψαλέην οὐρανίσιό λόγου / ἄλλω Χριστὸς ἔοι πλέον ἴλαος, αὐτὰρ ἐμεῖο / τοὺς ἄχρι καὶ πολιτῆς αὔρα φέροι καμάτους / Τοῖσδε νόμοισιν ἔδησα ἐμὸν βίον. Εἰ δὲ πόθοιο / ἐς τέλος ἰκοίμην, ἄφθιτε, σεῖο χάρις.

7. Carmelo Crimi and Ivano Costa, ed. and trans., *Gregorio Nazianzeno: Poesie/2*, Collana di testi patristici 150 (Rome: Città Nuova, 1999), 66.

8. Bady, Bernardi, and Tuilier, *Poèmes personnels*, 44–45.

9. The edition lists twenty-six mss. containing the poem and relies on nineteen, one missing lines 1–19 (Parisinus gr. 993, f. 7–144, 168–230; Bady, Bernardi, and Tuilier, *Poèmes personnels*, cxcviii, ccvii). Ὀροὶ βίου is also the title in Nicetas David's ninth-century commentary (ed. Ernst Dronke, *S. Gregorii Nazianzeni, Carmina selecta. Accedit Nicetae Davidis paraphrases nunc primum e codice Cusano edita* [Göttingen: Vandenhoeck & Ruprecht, 1840], 114, note to line 3). Note that Gregory uses the word νόμοι in the closing couplet to refer to the "rules" he lays down in the poem, not ὄροι.

10. George Wesley Buchanan ("Some Vow and Oath Formulas in the New Testament," *HTR* 58 [1965]: 321–22) offers the same tripartite definition. The definition

1. Lines 1–6: The speaker tells of having sworn/swearing an oath to Christ that he will/would not think or speak heretically.
2. Lines 7–28: He presents fourteen conditions for fidelity to the oath, followed by the penalty (lines 27–28) should he prove faithless—Christ will direct his care to others while the poet’s efforts remain without consequence.
3. Lines 29–30: He reiterates that this was his oath with a positive statement of condition and reward—if he is successful, he will give thanks to Christ.

The poem is clearly about the episcopate, not just general rules for Christian life. There is a reference to the “great seat,” ἔδρη μεγάλη, in line 9, which both translators interpret as the episcopal throne. In line 15, the poem makes reference to *audientia episcopalis* in the dispensing of justice. Line 10 is a reference to the laying on of hands in the ordination of priests and/or consecration of bishops.<sup>11</sup> Πόθῳ ἄλλοτρίῳ is translated here as instrumental dative, providing Gregory’s motive; ἄλλοτρίῳ, literally “alien,” is construed as “heretical” given that the preceding, and first, element of the self-cursing is about proper interpretation of the Trinity.<sup>12</sup> The promise is to perform only orthodox ordinations.

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found in Alan H. Sommerstein and Judith Fletcher, ed., *Horkos: The Oath in Greek Society* (Exeter: Bristol Phoenix Press, 2007), 2, differs, but is also tripartite and all three of its elements are in 2.1.2: a declaration, a calling on divinity, a self cursing. For a wider definition, see Alan H. Sommerstein, “Cloudy Swearing: When (if ever) is an Oath not an Oath?” in Sommerstein and Fletcher, *Horkos*, 125–37; Robert F. O’Toole, “Acts 2.30 and the Davidic Covenant of Pentecost,” *JBL* 102 (1983): 250–54; and Kevin Uhalde, *Expectations of Justice in the Age of Augustine* (Philadelphia, PA: University of Pennsylvania Press, 2007), 77–104. On the distinction between an oath and a vow: Johannes Schneider, art. ὀμνύω, *TWNT* 5 (1990), 177–85, esp. 178n16; Jean Rudhart, *Notions fondamentales de la pensée religieuse et actes constitutifs du culte dans la Grèce classique*, 2nd ed. (Paris: Picard, 1992), esp. 202–12. Now see Judith Fletcher, *Performing Oaths in Classical Greek Drama* (Cambridge, UK: Cambridge University Press, 2012) esp. 2–11, which is based in large part on speech act theory.

11. Cf. the use of the same verb with χεῖρα referring to the laying on of hands in *Or.* 43.78 (SC 384:298): ἵνα τοῖς τῆς εὐσεβείας συναπέλθῃ ῥήμασι καὶ χειροτονίαις τῶν γνησιωτάτων αὐτοῦ θεραπευτῶν, τὴν χεῖρα δίδωσι καὶ τὸ Πνεῦμα, ὥστε. . . . The word for hand is different, but note that *παλάμη* often carries the connotation of a hand used in violence or at least misdeed, as is the scenario suggested in my translation; cf. e.g. *Epigrams* 200.4; 207.4, 213.3, 230.2 (ed. and trans. William R. Paton, *The Greek Anthology*, 5 vols., Loeb Classical Library 67–68, 84–86 [New York: G. P. Putnam’s Sons, 1919, repr. 1993], 2:486, 488, 492, 498).

12. One might argue for a more general interpretation, translating πόθῳ ἄλλοτρίῳ as an indirect object, as do Crimi (*Poesie*/2, 66) and Bernardi (Bady, Bernardi, and Tuilier, *Poèmes personnels*, 44). However, given the similarity to *Or.* 43.78, which also lacks an indirect object for δίδωσι, and the fact that the conjunction linking line

The poem's opening word is temporally ambiguous. Verbs of swearing often appear in the aorist. ὤμοσα can be either a present, "I swear," or a simple past, "I swore."<sup>13</sup> If it is read as a past tense, we must distinguish between the poem and the oath recorded in it: the compositional context of the poem is not the same as the "historical" context of the swearing of the oath. Crimi translates the word as a past tense, making the piece an historical account, and he notes that others date the poem and oath together to Gregory's elevation to the episcopal see of Sasima in 372, a concurrence that suggests the poem records an oath upon consecration.<sup>14</sup> The basis for this dating is the mention of the ἔδρη μεγάλη, but this does not necessitate that the oath was taken on Gregory's elevation to Sasima. Though it was the first see he occupied, he was also the sole acting bishop of both Constantinople (379–81) and Nazianzus (381–83), as well as auxiliary bishop to his father in Nazianzus after his refusal to take up residence in Sasima.<sup>15</sup> Though there is evidence of priests swearing oaths

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10 with line 9, which concerns the great seat, is ἡὲ, a closer connection than the δὲ used in other couplets (though recognizing the two are not metrically interchangeable), an interpretation about ordination as a primary responsibility of the bishop is preferred. Cf. *Or.* 10.4 (SC 405:324–27) for the purifications of hands in relation to the duties of a bishop, followed closely by reference to the ordination of Aaron (noted by Marie-Ange Calvet-Sebasti, ed. and trans., *Grégoire de Nazianze. Discours 6–12*, SC 405 [Paris: Les Éditions du Cerf, 1995], 325n5). One of the anonymous readers for *J ECS* suggested reading the dative as an indirect object with the interesting conclusion that the line refers to making an alliance with a heretic.

13. Herbert Weir Smyth, *Greek Grammar* (Cambridge, MA: Harvard University Press, 1956), 1938. On the initial verb of swearing in late antique and Byzantine papyri, see Zola M. Packman, "Still Further Notes on Papyrus Documents with the Imperial Oath," *ZPE* 100 (1994): 207–10, arguing based on the variety of formulae in Egypt for the difficulty of studying the implications of specific word choices relative to cultural norms. For other examples of the aorist in oaths, see, e.g., P. Wisc. 1.11, line 26 (though seventh century; discussed with other examples of early Byzantine oaths in K. A. Worp, "P. Wisc. I.11: The Oath Formula," *ZPE* 45 [1982]: 224–26).

14. Following de Jonge and de Billy via Migne (PG 37:1017; *Poesie*/2, 66n1).

15. See Gautier's *Retraite et sacerdoce* on Gregory's itinerancy as a bishop. On Gregory's election, see Adolf M. Ritter, *Das Konzil von Konstantinopel und sein Symbol, Studien zur Geschichte und Theologie des 2. Ökumenischen Konzils*, *Forshungen zur Kirchen- und Dogmengeschichte* 15 (Göttingen: Vandenhoeck & Ruprecht, 1965), 44–53. John McGuckin structures the better part of his biography on Gregory's clerical positions (*Saint Gregory of Nazianzus: An Intellectual Biography* [Crestwood, NY: Saint Vladimir's Seminary Press, 2001], 169–203 on Sasima; 234–43 on his call to Constantinople). It has been assumed that Gregory was "officially" installed in Constantinople by, e.g., Peter Van Nuffelen ("Episcopal Succession in Constantinople [381–450 C.E.]: The Local Dynamics of Power," *J ECS* 18:3 [2010]: 441–42); but for a questioning of Gregory's status in the capital, see Neil McLynn, "Moments of Truth:



of loyalty to their bishops and loyalty to a doctrinal party,<sup>16</sup> there is no evidence to support the assumption of a widespread fourth-century custom of new bishops swearing an oath when consecrated or elevated to a see.<sup>17</sup> Bernardi cautiously notes, “«un haut siège»: l’épiscopat,” without mentioning elevation, consecration, ceremonial context, or a particular see; he suggests no date.

Some of the *Poemata de seipso* refer explicitly to events that are documented in other datable works, though most have only an approximate date sometime after Gregory left Constantinople in 381. One of the criteria frequently used to date Gregory’s writings has been his responses to various heresies. The issue of correct Christological doctrine is a central concern of *Poema* 2.1.2, not only in the debatable interpretation of “with heretical desire,” but also on the more secure grounds of the declaration that summarizes the core issue in the piece (lines 5–6): “I swore I would not, diabolically minded, cast off the Great Mind<sup>18</sup> with heretic mind / nor the Word with heretic word.”<sup>19</sup> Ἀλλότριος is doubly loaded theologically, meaning “alien” in the sense of alienation of the parts of the Trinity as

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Gregory of Nazianzus and Theodosius I,” in *From the Tetrarchs to the Theodosians: Later Roman History and Culture, 284–450 CE*, ed. Scott McGill, Christina Sogno, and Edward Jay Watts (Cambridge, UK: Cambridge University Press, 2010), 218–31; and “A Self-Made Holy Man: The Case of Gregory Nazianzen,” *J ECS* 6:3 (1998): 475–77 (repr. in McLynn, *Christian Politics* V).

16. For loyalty oaths to a bishop: on Eudoxius swearing to bind himself to Aetius, Philost. *HE* 7.5, 8.4 (ed. Joseph Bidez, *Philostorgios. Kirchengeschichte; mit dem Leben des Lucian von Antiochien und den Fragmenten eines arianischen Historiographen*, ed. Friedhelm Winkelmann, GCS 21, 3rd rev. ed. [Berlin: Akademie Verlag, 1981], 83, 106); also Ewa Wipszycka, “Il vescovo e il suo clero. A Proposito di CPR V 11,” *Journal of Juristic Papyrology* 22 (1992): 67–81.

17. See *ApostConst* 8.3 (ed. and trans. Marcel Metzger, *Les constitutions apostoliques, Introduction, texte critique, traduction et notes*, SC 320-329-336, 3 vols. [Paris: Éditions du Cerf 1987], 3:142): witnesses vouch for the worthiness of the candidate before voting, but the candidate is passive. In the description of the rite of episcopal ordination in Paul Bradshaw, *Ordination Rites of the Ancient Churches of East and West* (New York: Pueblo Publishing, 1990), 37–57, the ordinand is passive until performing the Eucharist.

18. Bernardi translates νοῦς in this line as “spirit” (Bady, Bernardi, and Tuilier, *Poèmes personnels*, 44n3), but the word is used consistently by Gregory to refer to God the Father as “mind” and a divine element of humanity. See, e.g., 1.1.1.29 (*P.Arc.* 1.29 in Claudio Moreschini and David Sykes, *St Gregory of Nazianzus’ Poemata Arcana*, Oxford Theological Monographs [Oxford: Oxford University Press, 1997]); 1.1.4.68 (*P.Arc.* 4.68), the “world-creating Mind”; 1.1.5.2 (*P.Arc.* 5.2) the “great and infinite Mind.”

19. Cf. examples in Hans Hauben, “On the Invocation of the ‘Holy and Consubstantial Trinity’ in Byzantine Oath and Dating Formulas,” *ZPE* 139 (2002): 158–60.

well as alien to his conception of orthodox doctrine, hence, “heretic.”<sup>20</sup> The poem is Christocentric, addressed to Christ and, given the appellations in its opening lines, a standard definition of Christ’s nature.<sup>21</sup> The Christological language throughout, however, is formulaic in Gregory’s corpus, appearing in anti-Eunomian works spanning his career as well as in his later anti-Apollinarian writings.<sup>22</sup> The difficulties of arguing for a period of composition on the grounds of anti-heretical positions both in Gregory and more generally need not be repeated here.<sup>23</sup>

Some of the fourteen elements of the self-cursing echo other statements Gregory makes upon leaving the capital, a strong indication that the piece was written post-381 or at least was revised into its current form in that period. There are various similarities with *Oration 42*, his farewell

20. Cf. *Or.* 43.30 (SC 384:192–95).

21. Cf. naming lists in *Or.* 30.17–21, and 31.29–30 (SC 250:260–75, 332–39). Christopher Beeley puts Gregory’s expression of doctrine in such a context within the framework of the Eastern creedal tradition (*Gregory of Nazianzus on the Trinity and the Knowledge of God: In Your Light We See Light*, Oxford Studies in Historical Theology [Oxford: Oxford University Press, 2008], 181, 192, 314–16). Listing is also examined as a rhetorical device by Carla Castelli, “L’esemplarità retorica di Gregorio di Nazianzo: spunti per una riflessione,” in *Approches de la troisième sophistique: hommages à Jacques Schamp*, ed. Eugenio Amato et al., Collection *Latomus* 296 (Brussels: Editions Latomus, 2006), 63–79; and on naming in the metaphorical argumentation of the Theological Orations, see Kristoffel Demeo, “Metaphor and the Ancient Trinitarian Debate: Analogical Language in the Theological Orations of Gregory Nazianzen,” in *Faith and Fiction: Interdisciplinary Studies on the Interplay between Metaphor and Religion*, Papers from the 25th LAUD-Symposium of the Gerhard Mercator University of Duisburg on “Metaphor and Religion,” ed. Benjamin Biebuyck, René Dirven, and John Ries, *Duisburger Arbeiten zur Sprach- und Kulturwissenschaft* 37 (Frankfurt am Main: P. Lang, 1998), 137–53. On proper naming relative to the Eunomian controversy, see Frederick W. Norris, Lionel Wickham, and Frederick Williams, ed. and trans., *Faith Gives Fullness to Reasoning: The Five Theological Orations of Gregory Nazianzen*, Supplements to VC 13 (Leiden: Brill, 1991), 53–69, 176–82, and 273–78. Cf. the prayer that opens the consecration ceremony in *ApostConst* 8.5 (Metzger, 3:144–48).

22. He does refer in lines 7–8 to the poem as a reaction to severing the Trinity in his own times. Cf. language on severing the Trinity: 2.1.55.14–15 (PG 37:1400); 1.1.3.47–48 (*P.Arc.* 3.47–48); *Or.* 31.33 (SC 250:340–42); cf. e.g. *Or.* 42.15 (SC 384:80–82) on the unity of the Trinity.

23. “In focusing on Christ’s divinity Gregory is representing what is arguably the soteriological mainstream of the early Church” (Beeley, *Gregory of Nazianzus on the Trinity*, 127; and more generally on the problems of identifying heretics as sparring partners, 122–28, 285). The problem is clearly stated by Averil Cameron in “The Violence of Orthodoxy,” in *Heresy and Identity in Late Antiquity*, ed. Eduard Iricinschi and Holger M. Zellentini, *Texte und Studien zum antiken Judentum* 119 (Tübingen: Mohr Siebeck, 2008), 102–14.

to the bishops gathered in Constantinople.<sup>24</sup> There are also close comparisons with *De vita sua*, secure in its post-381 dating.<sup>25</sup> *Poema* 2.1.12, another bitter response to his hostile colleagues in Constantinople, offers similar standards for episcopal behavior.<sup>26</sup> Finally, legal imagery in 2.1.2 (discussed below in greater detail) corresponds with other writings from post-381: for example, Gregory argues in *De vita sua* that his opponents brought charges on the grounds of an obsolete law against the translation of bishops—Canon 15 of Nicea—to remove him.<sup>27</sup>

The episcopal focus in 2.1.2 places it post-372, though many of the similarities with proper episcopal behavior overlap with earlier discussions of the priesthood, for example, *Oration* 2 from the 360s.<sup>28</sup> I would hesitate

24. Bernardi argues that the version of the oration now extant with its harsh critique was probably not published during his lifetime (ed. and trans. Jean Bernardi, *Grégoire de Nazianze. Discours 42–43*, SC 384 [Paris: Éditions du Cerf, 1992], 15–25). Contra Bernardi, see Susanna Elm, “A Programmatic Life: Gregory of Nazianzus’ Orations 42 and 43 and the Constantinopolitan Elites,” *Arethusa* 35:3 (2000): 411–27; McLynn, “Moments of Truth,” 215–16; and Neil McLynn, “The Voice of Conscience: Gregory of Nazianus in Retirement,” in *Vescovi e pastori in epoca Teodosiana: in occasione del 16 centenario della consecrazione episcopale di S. Agostino, 396–1996: 25 Incontro di studiosi dell’ antichità cristiana, Roma, 8–11 maggio 1996, Part 2: Padri greci e latini*, *Studia ephemeridis Augustinianum* 58 (Rome: Institutum Augustinianum, 1997), 299–308. The similarities are: 2.1.2.7, *Or.* 42.15 (SC 384:80–83); 2.1.2.13, *Or.* 42.24 (SC 384:102–7); 2.1.2.19–24, *Or.* 42.13 (SC 384:76–79); 2.1.2.24, *Or.* 42.20 (SC 384:90–95).

25. 2.1.2.17–18, 2.1.11.1146, 1248 (ed. and trans. Christoph Jungck, *Gregor von Nazianz, De vita sua: Einleitung, Text, Übersetzung, Kommentar*, Wissenschaftliche Kommentare zu griechischen und lateinischen Schriftstellern [Heidelberg: C. Winter, 1974], 104, 114); 2.1.2.19–24, 2.1.11.1200 (Jungck: 112); 2.1.11.1218–29 (Jungck: 112–14).

26. 2.1.2.13, 2.1.12.345–48 (ed. and trans. Beno Meier, *Gregor von Nazianz, über die Bischöfe: Carmen 2,1,12, Einleitung, Text, Übersetzung, Kommentar*, Studien zur Geschichte und Kultur des Altertums: Reihe 2, Forschungen zu Gregor von Nazianz 7 [Paderborn: Schöningh, 1989], 48–49); 2.1.2.25, 2.1.12.433–38, 460 (Meier: 52–55); 2.1.2.10, 2.1.12.519–21 (Meier: 58–59); 2.1.2.9, 2.1.12.570 (Meier: 60–61); 2.1.2.25, 2.1.12.309ff (Meier: 46ff).

27. For legalistic formulae, see Elm, “Inventing the ‘Father of the Church.’” The canon seems to be of convenient applicability: Gregory himself later uses the same argument—his being officially bishop of Sasima—to avoid having to act as bishop of Nazianzus: *Ep.* 182 (Gallay, 2:71–72). Van Nuffelen (“Episcopal Succession,” 447), regarding a later event, refers to the canon as being considered a “minor legal problem,” based on Soc. *HE* 7.36, 40 (ed. Günther Christian Hansen, *Sokrates, Kirchengeschichte*, GCS n.F. 1, 3rd ed., ed. Manja Širinjan [Berlin: Akademie Verlag, 1995], 385–86, 389–90).

28. On the orations on priesthood: Susanna Elm, “The Diagnostic Gaze: Gregory of Nazianzus’ Theory of Orthodox Priesthood in his Orations 6 *De pace* and 2 *Apologia de fuga sua*,” in *Orthodoxie, christianisme, histoire / Orthodoxy, Christianity*,

to suggest anything so specific as a period of a few years on theological grounds as Sykes does for the *Arcana*,<sup>29</sup> but it is reasonable, based on the concerns, vocabulary, and imagery that echo other post-381 works, to narrow post-372 to a compositional context (or period of revision—the formulae and echoes may be due not to a correspondence in period of composition but to a correspondence in period of revision and compilation) after Gregory’s retreat from Constantinople in 381.

#### USING SPEECH ACT THEORY: WHICH CONTEXT? WHOSE INTENT?

Although Gregory elsewhere in his poetic corpus sketches scenes for quotations of his own speech (whether “real” or fictional), in *Poema* 2.1.2 he does not.<sup>30</sup> The aorist of the opening verb is ambiguous. The poem focuses on episcopal behavior, but there is no evidence from the later fourth century of widespread swearing of episcopal oaths of consecration or otherwise, with the few exceptions of doctrinal loyalty. A path out of this interpretive thicket can be blazed using speech act theory, which points to what the poem might accomplish beyond revelations about its author. It allows us to see what *Poema* 2.1.2 might do in various proposed contexts and to consider its numerous possible effects, rather than a hazy “man” or debatable “truth” about any real oath that he swore.

Austin’s *How to Do Things with Words* and its internal contradictions have spawned forty years of debate.<sup>31</sup> Despite conflicts, however, all approaches reflect a concern with contexts of performance as basic to the rudiments of the theory laid by Austin, as well as to John Searle’s consequent development of the concepts of “network” and “background”

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*History*, ed. Susanna Elm, Eric Rebillard, and Antonella Romano, Collection de l’École française de Rome 270 (Rome: Ecole française, 2000), 83–100; Gautier, *Retraite et sacerdoce*, 113–51 on the priesthood, 302–15 on *Or.* 2; and Beeley, *Gregory of Nazianzus on the Trinity*, 235–70.

29. Moreschini and Sykes, *Poemata Arcana*, 66–67.

30. See my “The Autobiographical Prosopopoeia of Gregory of Nazianzus,” *SP* 47 (2010): 123–28.

31. J. L. Austin, *How to Do Things with Words*, The William James Lectures Delivered at Harvard University in 1955, 2nd ed., ed. J. O. Urmson and Marina Sbisa (Cambridge, MA: Harvard University Press, 1975). For an example of the variety of approaches, see Daniel Vanderveken and Susumu Kubo, ed., *Essays in Speech Act Theory, Pragmatics & Beyond*, n.s. 77 (Amsterdam: John Benjamins Publishing Company, 2002); or Savas L. Tsohatzidis, ed., *Foundations of Speech Act Theory: Philosophical and Linguistic Perspectives* (London: Routledge, 1994).

(linguistic, intentional, and experiential) that he argues allow a speech act to communicate meaning.<sup>32</sup> Across many shifting definitions and taxonomies, promising—and consequently swearing oaths—is one of the only speech acts that has maintained its status as a performative illocutionary act as Austin initially defined it.<sup>33</sup> It is the most common example for the illocutionary commissive chosen by speech act theorists, and thus *Poema* 2.1.2 with its opening verb of swearing is a tailored fit for the application of speech act theory.<sup>34</sup>

This approach offers a resolution to the problem of the opening word's ambiguity. If the initial aorist in *Poema* 2.1.2 is read as a past tense, "I swore," the poem is an assertive illocution, and the terms of the oath should accurately reflect an actual historical swearing.<sup>35</sup> If, however, the opening verb is an aorist of swearing, then the poem is commissive and binding for any speaker—including Gregory—at any time s/he utters it, so long as s/he abides by the proper relative extra-linguistic conventions and has the sincere intent to swear.<sup>36</sup> Searle argues that each illocutionary act is characterized by its direction of fit: the point of the utterance can be to reflect the world (assertives)—a word to world fit—or to alter the

32. See John Searle, "How Performatives Work," in Vanderveken and Kubo, *Essays in Speech Act Theory*, 85–108. Luce Marie Williams-Tinajero, *The Reshaped Mind: Searle, the Biblical Writers, and Christ's Blood*, Biblical Interpretation Series 104 (Leiden: Brill, 2011), esp. 34–38, beneath its hagiographic approach to Searle's work, makes the point clearly.

33. See Austin, *How to Do Things*, e.g. 9–11.

34. On promises as paradigmatic illocutionary acts, see Antonio Blanco Salgueiro, "Promises, Threats and the Foundations of Speech Act Theory," *Pragmatics* 20:2 (2010): 213–28; Daniel Vanderveken, "Universal Grammar and Speech Act Theory," in Vanderveken and Kubo, *Essays in Speech Act Theory*, 25–62; and it is the primary example in Searle, "How Performatives Work," *passim*. For a literary application, see Simone Lecointre, "'Ma langue prête serment,' Eur. *Hippolyte*, vers 612," in *Le serment*, ed. Raymond Verdier, 2 vols. (Paris: Éditions du CNRS, 1991), 1, "Signes et fonctions": 4–22.

35. This does assume an audience of the poem would hear/read it as a record of an actual event, not as an imaginary oath, an assumption we also must make if our intent is to use the piece as some kind of historical evidence. By Searle's arguments, to label something as an assertive illocution means that truth is a relevant category for analysis, not that it necessarily is a true reflection of the world: ". . . it is part of the definition of an assertion that it is a commitment to truth" (John Searle, *Consciousness and Language* [Cambridge, UK: Cambridge University Press, 2002], 146–47); see also John Searle, "Illocutionary acts and the concept of truth," in *Truth and Speech Acts: Studies in the Philosophy of Language*, ed. Dirk Greimann and Geo Siegwart, Routledge Studies in Contemporary Philosophy 5 (New York: Routledge, 2007), 30.

36. The aorist then functions as the "present present" (a term coined by Julian Boyd in conversation with and quoted by Searle ["How Performatives Work," 106]).

world in order to match the utterance (commissives)—a world to word fit. Our question about the ambiguity of the opening word of 2.1.2 thus can be rephrased in terms of fit: Do the poem's words fit the world or is the world to fit the words?

The answer is, "Both." In a chapter devoted to indirect speech acts, or how it is possible to say one thing and be understood as meaning another, Searle argues that an utterance can have two illocutionary forces simultaneously, and he distinguishes between a literal and a primary illocutionary point.<sup>37</sup> In the case of our poem, however, it is not clear which reading of the aorist is primary, the assertive or the commissive. There is double meaning, but the meanings are of equal primacy. A speaker of 2.1.2 can perform at least two speech acts with the poem: recalling an oath already taken and swearing. Moreover, a re-utterance of an oath already sworn is in essence a re-swearing; and thus the ambiguity of the aorist can be seen to reinforce an earlier oath's continuing bond.

The temporal interpretive context is destabilized in the enigmas of the opening of the text even beyond the assertive/commissive ambiguity. The assertive aorist states that the speaker swore not to sever Trinitarian divinity or commit any of the other acts listed in the conditional clauses of lines 7–26, but the nature of swearing means the terms established in an unidentified past moment are continuous to the time of narration and/or reading. The commissive aorist is a promissory note for the future, but this future is temporally insecure: are we to understand it to start from the time of writing or from any time the poem is read? The poem's audience has no indication of which force is primary and Gregory does not identify himself as the speaker by name or with specific details.<sup>38</sup> The poem, speaker, and audience, as well as the propositional content, are thus transported to the timeless realm of Christ, significantly identified at the end of the poem as the Eternal One [Ἀφθίτε].<sup>39</sup> Searle argues that a speaker and audience must have a shared network and background—a mutual understanding and knowledge of the contexts in which the utterance has meaning—for a speech act to be successfully performed, but in 2.1.2 there is purposeful obfuscation by the poet relative to his own identity in place and time that results in a broadening of possibilities for identification of the speaker. We

37. John Searle, *Expression and Meaning: Studies in the Theory of Speech Acts* (Cambridge, UK: Cambridge University Press, 1979), 30.

38. As he does elsewhere: 2.1.90–98 (PG 37:1445–51) and by details in 2.1.11.

39. Also of temporal import in the poem: βίος (lines 4, 29) is the earthly, and hence temporally constrained, contrast for eternal life, ζών; τέλος also has connotations of death, the boundary between temporal and a-temporal life.

cannot deny the possibility of identifying the poet and speaker as Gregory on evidence external to the text and consequently to assume his identity and experience within a shared network and background that provide the poem with meaning, but there is nothing in the text per se that commits an audience to this exact personal identification for the act to be a success.

That success, or “felicity,” is dependent upon the performance of that act in accordance with known conventions and it is this emphasis on conventional context that Searle refines in his theories of network and background.<sup>40</sup> Along these same lines, Simone Lécointre, in the introductory article of *Le Serment*, responds to arguments that an oath is primarily an oral rite that accompanies an objective act; in the process, she points to the fundamental need to consider conventions or contexts. Speech act theory, she argues, has posed more problems to linguists and philosophers than it has solved, and she brings to light three major problems encountered in applying speech act theory to oaths.<sup>41</sup> Her third and final point concerns the “extra-linguistic” elements of a speech act, “la distinction austinienne entre l’acte proprement dit et ses conditions de réussite.”<sup>42</sup> She offers this preliminary conclusion:

Sans l’histoire, l’ethnologie, et plus généralement les sciences humaines, le linguiste et le philosophe sont condamnés à n’aller, contrairement à ce qu’espérait Austin, guère plus loin que les mots. Si le réel référentiel n’est pas pris en charge, on se trouve réduit à une psycholinguistique du serment, dont les effets empiriques ne seront pas plus définis que ne pourront l’être ses fonctions véritables.<sup>43</sup>

She offers the possibility of thinking of oaths as “une modalité de l’engagement”; they establish nothing, announce nothing in themselves, but pres-

40. See his *Intentionality: An Essay in the Philosophy of Mind* (Cambridge, UK: Cambridge University Press, 1983), 141–59 on background; and *Consciousness and Language*, 196ff. on network.

41. The first two are less relevant here: the first concerns a pragmatic linguistic approach, namely the elliptical nature of the formula. In the statement “I swear by the Logos,” uttering τὸν Λόγον comprises the act of swearing: “the Logos” is both the object on which one swears and the “puissance qui préside au châtement” (Lécointre, “*Ma langue prête serment*,” 12). Lécointre summarizes the syllogistic system of the oath formula: “L’affirmation solennelle, sacralisée, de l’auto-malédiction conditionnelle, par le jeu du syllogisme, glisse et se retrouve dans la conclusion, qui devient à son tour affirmation solennelle de non-culpabilité” (Lécointre, “*Ma langue prête serment*,” 13). Her second point concerns the incorporation of gestures, which are necessary components in the success of a speech act, and the difficulty of formulating a cross-cultural theory given the spectrum of gestures.

42. Lécointre, “*Ma langue prête serment*,” 17.

43. Lécointre, “*Ma langue prête serment*,” 21.



ent the risk of sanction to which the swearer exposes himself. As such, the point of 2.1.2 would be not necessarily the details of the content, but the fact of the swearer's relationship with the Logos. The words of the oath are potential; they are not a speech act when divorced from a context of utterance. If we are to make sense of *Poema* 2.1.2 as a speech act, we need to discover contexts with which such an oath must engage to have meaning—a world it fits and/or would fit to itself.

The poem abides by the formal elements of an oath with its tripartite structure; but it also requires a community of witnesses for felicity as a commissive speech act.<sup>44</sup> In the opening lines of 2.1.2, the Logos is called upon with numerous appellations that assert a particular Christological doctrine, but the identification of witnesses provides a better key than discussions of doctrine for understanding the poem relative to Gregory. Gregory sent some of his work back to Constantinople after 381, and critiques of bishops from that period were for the eyes and ears of those criticized.<sup>45</sup> The intended witnesses for the commissive in 2.1.2 about his own episcopal performance may likely have been his episcopal colleagues—those before whom he attempted to rehabilitate himself and whose behavior he critiques and would shape, just as he does in 2.1.12, for example.<sup>46</sup> Thus for Gregory after 381, 2.1.2's oath would be infelicitous because despite the correct semantic formulae and format, these episcopal witnesses are absent upon its utterance.<sup>47</sup> Gregory elsewhere in his post-381 works makes much of a written text being a replacement for face-to-face communication, particularly in regard to his opportunity to preach.<sup>48</sup> In

44. Rudhardt, *Notions fondamentales*, 208. Cf. Basil of Caesarea, *Ep.* 188.10 on perjury (ed. and trans. Roy Deferrari, *Saint Basil, The Letters*, 4 vols., Loeb Classical Library 190, 215, 243, 270 [Cambridge, MA: Harvard University Press, 1926–34], 3:38–43), where he writes: “the form of an oath, its words, and the disposition under which it was taken, and the subtle additions in the words” should weigh on the swearer. It is striking how this prefigures Austin and Searle.

45. See Elm, “A Programmatic Life,” 17–20 on his willingness to criticize his opponents.

46. See Störin, “In a Silent Way,” *passim*, but esp. 235–41.

47. Gregory writes in 1.2.24.245–47 (PG 37:807) that something written is even more binding than an oath sworn: Β. Εἰ δ' ἐγγράφοι τις, ὄρκον οὐκ ὁμομοκῶς; / Α. Τί οὖν τὸ γράμμα βούλεται; / Χειρόγραφον δὲ τῶν δεσμῶν δεσμεῖ πλέον; Note, however, that he makes a distinction between swearing an oath and writing, implying that an oath is oral—a speech act.

48. See Gautier, *Retraite et sacerdoce*, 169–213, on the relationship between written and oral communication, also related to Gregory's attitude toward literature and the meaning of silence; and McLynn on Gregory writing to the capital concerning his successor there, Nectarius (“The Voice of Conscience,” 299–308).



this case, however, writing cannot necessarily replace utterance. The infelicity, or even the possibility of infelicity, makes an important point: the fact that he had to write the text of the oath down in retreat points to a deterioration of the very community that should have provided context and met the conventions demanded for its “felicity.”

But might we also see the performance of 2.1.2 as felicitous as an assertive with another community of witnesses? In Searle’s development of the concept of intent, a speaker’s intention must function together with convention in determining felicity.<sup>49</sup> The speaker must intend to both represent and communicate, such that s/he has the intention to make an utterance and the utterance is intended to communicate its conditions of satisfaction. The speech act, therefore, can only have meaning when the speaker and hearer(s) share network and background. If we posit Gregory’s community in retreat as the witnesses, people who share the wider network and background, there is felicity and thus meaning is communicated. Moreover, to reiterate the specific terms in the process of narration is a powerful statement of Gregory’s fidelity: why remind anyone of the oath unless he has not yet perjured himself; but also, by the binding nature of oaths, in the future he must be as faithful. The poem by communicating the intent to swear indicates Gregory’s willingness to suffer potential sanction—in this case, loss of the guardianship of Christ, not something he would ever put at risk. The assumed continuity of his intent secures the felicity of the oath.

Any discussion of the oath’s felicity relative to Gregory is, of course, speculation given the lack of definitive context identifying the speaker. And if we remove Gregory of Nazianzus, identified as the conscious autobiographer? We can apply Derrida’s concept of “iterability,” elaborated in the course of one of the most acrimonious debates in speech act theory.<sup>50</sup>

49. Intentionality: Searle, *Intentionality*, esp. 4–13, 180–96; and *Consciousness and Language*, 142–55. Sandy Petrey (*Speech Acts and Literary Theory* [New York: Routledge, 1990], 145) characterizes the two approaches as Searle’s “subjective intentionality” and Austin’s “collective conventions.”

50. The initial article is Jacques Derrida, “Signature Event Context,” trans. Samuel Weber and Jeffrey Mehlman, *Glyph 1* (1977): 172–97 (repr. in Jacques Derrida, *Limited Inc*, ed. Gerard Graff [Evanston, IL: Northwestern University Press, 1988], 1–23); responded to by Searle in “Reiterating the Differences: A Reply to Derrida,” *Glyph 1* (1977): 198–208; then Derrida’s response, “Limited Inc a b c,” trans. Weber and Mehlman, *Glyph 2* (1977): 162–254 (repr. in *Limited Inc*, 29–107). *Limited Inc*, 111–54, also contains the detailed “Afterword: Toward an Ethic of Discussion,” which is comprised of Derrida’s responses to queries by Graff, intended not only to clarify some of the difficulties of the preceding essays, but to explain what Derrida calls the “violence” and “aggression” of “Limited Inc a b c.”

Iterability severs the conventional ties of Searle's intentionality. It would allow *Poema 2.1.2* the multiplicity of commissive functions that are discussed in the following section—as professional oath, oath of office, doctrinal loyalty oath, or judicial oath of self-defense. Judith Butler extends Derrida's iterability into what she calls "citationality," to suggest *contra* Searle that the subject of an utterance can change, such that an "'act' is not a momentary happening, but a certain nexus of temporal horizons, the condensation of an iterability that exceeds the moment."<sup>51</sup> This does not mean that a farmer can swear the oath in 2.1.2 and have it make sense.<sup>52</sup> The text is so constructed that there are three fundamental elements of the context necessary for the statement to make sense: the speaker must be a bishop, espouse the poem's stated Christological/Trinitarian doctrine, and intend to swear the oath. Precisely because Gregory did not provide his own or any other specific details in the scene of swearing or in the individual elements of the self-cursing, the poem uttered by any doctrinally correct bishop in any time or place *with the intent to swear* will be binding.

As Derrida warns in *Sec*, it is impossible to define simply and limit the context for a performative. The numerous contexts available for analysis of Gregory's *Poema 2.1.2* and its oath defy classification. Though the basic concern of the piece can be identified as the orthodox bishop and the poem can be dated with some certainty to post-381, its value as historical evidence of oaths of consecration or as specific an event as Gregory's own consecration is questionable. Like many of the *poemata de seipso*, it hovers between history, scriptural exegesis, orthodox teaching, devotion, and a literary exercise, depending on the interpreter's and/or performer's context(s). The piece by the arguments of Derrida and Butler is transferable. It consequently might be interpreted as a statement of what Gregory would assert regarding his own behavior as a bishop past, present, and future, in effect establishing him as a model bishop, but also/or as a binding text for other speakers. If it was so understood by his contemporaries, the poem makes a strong statement, as is argued below, about a desire for professional regulation of the episcopacy from within its own ranks.

51. On divorcing intent from the original subject, see Judith Butler, *Excitable Speech, A Politics of the Performative* (London: Routledge, 1997), 14.

52. Unless, of course, the "great seat" can also refer to something other than the episcopal throne and we reinterpret line 10 regarding the application of hands (thanks to one of the anonymous readers for *J ECS* for highlighting this distinction).

## CONTEXTS FOR SWEARING: PROFESSIONAL, MAGISTERIAL, IMPERIAL LOYALTY, AND JUDICIAL OATHS

Why would a fourth-century bishop advertise swearing an oath? What type of oath was it acceptable for a bishop—not only the author—to swear given possible prohibitions in the New Testament? To answer these questions, I begin with a discussion of Gregory's attitude toward oath swearing, and then consider the types of oath that may have informed his decision to structure the poem this way. The compositional models I propose are taken from cultural and biblical contexts; the poem is a hybrid, in which professional, magisterial, imperial loyalty, and judicial oaths all provide productive interpretive models and/or a context for the author's conception of oaths, both in Gregory's biographical context and as a speech act performed by other subjects.<sup>53</sup>

Gregory's attitude toward swearing is not consistent. He uses it as a literary device in a number of his epigrams collected in the *Greek Anthology*, book 8. For example, as speaker/poet he swears (or claims to have sworn): "by the power of eternal God who ruleth on high and by the souls of the dead and thy dust"; by Dikê and the dead; and "by Tartarus itself."<sup>54</sup> These literary conceits follow in a classical tradition of funereal epigrams in which the poet speaking as the dead curses looters of his tomb or swears to his own respect for other dead during his lifetime in hopes of ensuring the security of his resting place and monument.<sup>55</sup>

Gregory does not absolutely prohibit swearing, despite James 5.12 or, possibly, Matthew 5.23ff,<sup>56</sup> and in this practical approach resembles his

53. None of the literary oaths that I examined from the database of classical literary oaths compiled by Alan H. Sommerstein, Andrew Bayliss, and Isabelle Torrance (<http://www.nottingham.ac.uk/~brzoaths/database> [May 23, 2011]) or elsewhere (excluding scripture), bears close enough resemblance to 2.1.2 to suggest allusion.

54. Nos. 114, 117, 248 (Paton, 2:450–51, 502–3). See also nos. 2, 192, 253 (Paton, 2:400–401, 484–85, 504–5).

55. Richmond Lattimore, *Themes in Greek and Latin Epitaphs* (Urbana, IL: University of Illinois Press, 1962), 106–18. On gravestone curses, see J. H. M. Strubbe, "Cursed be he that moves my bones," in *Magika Hiera: Ancient Greek Magic and Religion*, ed. Christopher Faraone and Dirk Obbink (Oxford: Oxford University Press, 1991), 33–59.

56. Differing views on the level of prohibition in the Matthew passage: Rudolf Hirzel, *Der Eid, ein Beitrag zu seiner Geschichte* (Leipzig: S. Hirzel, 1902), 109–23; Dennis Duling, "[Do not swear. . .] by Jerusalem Because it is the City of the Great King' (Matt 5.35)," *JBL* 110:2 (1991): 291–309; Don Garlington, "Oath-Taking in the Community of the New Age (Matthew 5.33–37)," *Trinity Journal* 16:2 (1995): 139–70; Bernard Kollmann, "Das Schwurverbot Mt 5.22–37/Jak 5.12 im Spiegel antiker Eidkritik," *Biblische Zeitschrift* n.F. 40:2 (1996): 179–93; Jo-Ann A. Brant,

contemporaries.<sup>57</sup> He warns against excessive swearing, dedicating one of his *Carmina moralia* to a philosophical dialogue proving the illogic of becoming a serial swearer, πολύορκος.<sup>58</sup> Other patristic authors call upon biblical examples such as Jephthah and Herod to emphasize similarly the problems of rash swearing, but also without absolute prohibitions.<sup>59</sup> Potential bishops, according to Basil, Socrates, and Sozomen, even swear oaths not to accept sees under various conditions.<sup>60</sup> What is frequently at issue is the paramount importance of avoiding perjury and always being able to assume the truth.<sup>61</sup> Though Gregory makes no explicit statement regarding Old Testament versus New Testament attitudes toward swearing, he recognizes that among Christians the truth is not always told—even in oaths. He thus advises primarily against becoming a perjurer rather than against swearing oaths: refraining completely from swearing is a remedy, φάρμακον, against falsity in oaths.<sup>62</sup>

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“Infelicitous Oaths in the Gospel of Matthew,” *JSNT* 63 (1996): 3–20, using speech act theory; Marc Philonenko, “Prêter serment par le trône de Dieu (à propos de Matthieu 5.34),” in *Le Trône de Dieu*, ed. Marc Philonenko, *Wissenschaftliche Untersuchungen zum Neuen Testament* 69 (Tübingen: Mohr, 1993), 250 (243–51); J. W. Roberts, “Some Notes on Swearing,” *Restoration Quarterly* 4:1 (1960): 30–34.

57. See Uhalde, *Expectations of Justice*, 77–104.

58. 1.2.24 (PG 37:790–813).

59. E.g. Athanasius (*Expositiones in psalmos* [PG 27:280.43]) and Basil of Caesarea (*Homilia in psalmos* [PG 29:260–62]) both assent to the Psalmist’s acceptance of oaths in Psalm 62.12.

60. Basil (*Ep.* 188.10 [Deferrari, 3:38–43]) writes that one should not force monks into the episcopate once they have sworn not to be ordained in order that they not be forced into perjury. Cf. Soc. *HE* 1.38, 5.21 (GCS n.F. 1:88–90, 295–97); and also note 6.6 (GCS n.F. 1:317–22), where it is not a problem for the emperor to swear even in church. Sozomen records in *HE* 4.24; 7.3 and 11 (ed. Joseph Bidez and Günther Christian Hansen, *Sozomenus, Kirchengeschichte*, GCS n.F. 4, 2nd ed. [Berlin: Akademie Verlag, 1995]: 178–81, 304, 314) that Flavian swore then broke the communal oath not to be ordained until Meletius and Paulinus had both died. At 2.16 (GCS n.F. 4:58), oaths are sworn by the clergy in Alexandria to elect a bishop by vote, an oath broken with the elevation of Athanasius. The multiplicity of swearing bishops and priests more than suggests such behavior could be assumed believable by a late antique audience.

61. But cf. Garlington, “New Age,” esp. 163–65; and Schneider in *TWNT* 5: 181–82, on James 5.12, arguing swearing is inexcusable, only required when truthfulness cannot be assumed as the norm.

62. 1.2.25, “Against Anger” (PG 37:813–51; on perjury, 835.6). See the commentary on 1.2.25.313 by Michael Oberhaus, ed. and trans., *Gregor von Nazianz, Gegen den Zorn (Carmen 1.2.25), Einleitung und Kommentar*, *Studien zur Geschichte und Kultur des Altertums*, 2. Reihe, *Forschungen zu Gregor von Nazianz*, n.F. 8 (Paderborn: Schöningh, 1991), 131.

Despite the danger of perjury, Gregory argues in *Epistle* 163 that swearing does have its place and is apparently necessary at times: sworn words create an indissoluble bond over which no earthly court, ecclesiastical or otherwise, has jurisdiction: “an oath in my opinion is the assurance of the one putting forth the question and the one being prevailed upon.”<sup>63</sup> In this letter he responds to a bishop Theodore regarding a certain George, who was seeking release from his oath before Theodore on the grounds of constraint and that his oath was written not oral.<sup>64</sup> Gregory advises Theodore to inform George that he must accept responsibility for having broken his oath—not only by his actions, but also by bringing the issue before his bishop for judgment—and is to “shed secret tears” before God and his bishop. Gregory does not allow for extenuating circumstances: by their mutual acceptance of the terms of an oath, be it spoken or written, men permanently unite themselves to one another in sight of the divine, hence the irrelevance and impropriety of the arbitration of the bishop.<sup>65</sup> The question of whether George’s initial swearing was or was not appropriate is moot; to break an oath once sworn is to dissolve the strongest bond uniting men, simultaneously melting the divine glue of society. An oath is not only the assurance of truth, but also, because it is sworn by God as witness, an affirmation of the power of the divine in human interaction; to perjure is to be impious.<sup>66</sup>

When the speaker presents himself as having sworn in *Poema* 2.1.2, it is the Logos, and one might speculate to what extent also “the Truth,”<sup>67</sup> whom he calls upon to witness his oath: an absolute proof of his sincerity and hence doubly of his piety and righteousness. Beyond 2.1.2 (and disregarding the swearing poses in the epigrams), Gregory admits to few “oaths” of his own after baptism. He claims to have sworn an oath in

63. *Ep.* 163.4 (Gallay, 2:53).

64. An interesting argument from our legal perspective in which the written is no less binding than the oral, and harder evidence that the agreement was made, as comes to be the case in the *CJ* 2.55.4. For another example, see Neil McLynn’s discussion of *Ep.* 112–14 in his “*Curiales* into Churchmen: The Case of Gregory Nazianzen,” in *Le trasformazioni delle élites in età tardoantica*, Atti del convegno internazionale, Perugia, 15–16 marzo, 2004, ed. Rita Lizzi Testa (Rome: ‘L’Erma’ di Bretschneider, 2006; repr. in Neil McLynn, *Christian Politics and Religious Culture in Late Antiquity*, Variorum Collected Series [Farnham: Ashgate, 2009], IX, 282–83).

65. The advice also puts him in an excellent position, like Augustine according to Jill Harries (*Law and Empire in Late Antiquity* [Cambridge, UK: Cambridge University Press, 1999], 181) for avoiding a request to act as arbiter in the case.

66. Rudhardt, *Notions fondamentales*, 209, 202–12 on oaths.

67. Cf. 2.1.25.1–2 (PG 37:1285): “I was false before you, you the Truth, Logos, / in consecrating this day to you.”

2.1.26.5, though the poem is a prayer with no contextual specifics or indication that the audience need identify the speaker as Gregory.<sup>68</sup> He writes in *De vita sua* that having decided to retire as bishop of Constantinople, he feared a riot would ensue should he fail to promise to remain in the city: “I swore an oath, but not as such (for I have not been bound by an oath—if I, too, may boast a little in God—since I was washed by the grace of the Spirit); I rather gave my word, trustworthy because of my character, that I would remain until some of the other bishops appeared.”<sup>69</sup> Gregory is cautious, offering a proactive self-defense against charges of rash swearing by redefining his action as giving his word, which is supported by his character, rather than swearing an oath, which is witnessed by God.<sup>70</sup> He removes himself from the threat of divine retribution for perjury. Yet if we hear his voice in poem 2.1.2, reading it as an assertive, he is not only claiming to have sworn, but even narrating the terms of a formal oath sworn once he was bishop, clearly after he was “washed by the grace of the Spirit” in baptism, all while calling upon the Logos as witness. Certainly 2.1.2 might be a literary exercise like the funereal epigrams, hence not an outright contradiction of his statement in *De vita sua*. Even so, if so much is at risk in swearing that he must redefine his “oath” in *De vita sua*, what was at stake in *Poema* 2.1.2 that would make it worth taking the risk of proclaiming an oath? There were many situations in which an oath was acceptable and even normal for fourth-century Christians, including reinforcing bonds between men within the Church hierarchy as did the priest Aurelius Basis to his bishop Ammontheon in the papyrus mentioned above. These situations encompass, broadly defined, professional, magisterial, imperial loyalty, and judicial oaths, the latter linked to biblical models.

### *Professional Oaths: The Hippocratic Model*

The Hippocratic oath is an obvious example and a reasonable possibility as a professional model. Though we do not know exactly what form it took in the fourth century, it was commonly known and was certainly sworn in Alexandria.<sup>71</sup> Gregory was aware of it, writing in the funeral oration for

68. 2.1.26.4–5 (PG 37:1286.1–2): “Be mindful of yourself; do not forget to behold God. / You have sworn an oath; remember your salvation.”

69. 2.1.11.1097–107 (Jungck: 106–8).

70. As per Jungck, *De vita sua*, 177: “Die eidlichen Beteuerungen in seinen Schriften hat Gregor offenbar nicht als Eide empfunden.”

71. See David Leith, “The Hippocratic Oath in Antiquity and on Papyrus,” in *Zwischen Magie und Wissenschaft: Ärzte und Heilkunst in den Papyri aus Ägypten*, ed. Harald Froschauer and Cornelia Römer, Beiträge und Katalog einer Ausstellung

his brother Caesarius that the latter refused to swear it.<sup>72</sup> Gregory appears to have had some knowledge of the medical profession, but if it was more extensive than the average educated fourth-century aristocrat, and if so, whether it came from his own research or through his brother, is not clear. Though he presents himself more often as the patient than the physician, he makes use of the common image of Christ as the physician of the soul as a model for the priest.<sup>73</sup> Carlos Galvão-Sobrinho, in an article on the use of the Hippocratic oath in the medieval period, argues, using Jerome's advice to priests as evidence, that the novelty of the Christian use of the oath in late antiquity was "its use as 'non-oath,' as a literary artifact, a source of ancient wisdom to be exploited for various purposes."<sup>74</sup> There is little similarity in content between the Hippocratic oath, at least in the versions we have, and the oath in 2.1.2, thus Gregory does not appear to echo it like Jerome.<sup>75</sup> But is he using it as a literary artifact in another way—as a formulaic type? In swearing an oath that can be definitively associated with the bishop's role, the poem's speaker—Gregory or other—might be likened to a doctor swearing the Hippocratic oath: becoming a physician of souls in a very formal sense.

Heinrich von Staden has addressed the question of the relationship between professional and private conduct in the Hippocratic oath. *βίος* in the oath, in von Staden's interpretation, "is used in the primary classical sense of the Greek word . . . that is, to signify 'mode of life' or the 'manner of living one's life,' that is, the ways in which a person shapes the series of voluntary activities and the responses to involuntary experiences, which make up his or her history."<sup>76</sup> Gregory also refers to his oath in 2.1.2.29 as establishing the laws by which he bound his *βίος*, which can similarly

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der österreichischen Nationalbibliothek (Wien: Phoibos, 2007), 35–42; Owsei Temkin, *Hippocrates in a World of Pagans and Christians* (Baltimore, MD: Johns Hopkins University Press, 1991), 181–83, 241–48; and Carlos R. Galvão-Sobrinho, "Hippocratic Ideals, Medical Ethics, and the Practice of Medicine in the Early Middle Ages: The Legacy of the Hippocratic Oath," *Journal of the History of Medicine and Allied Sciences* 51 (1996): 438–55, 438–42 on late antiquity.

72. The fact that Gregory emphasizes Caesarius's refusal to swear as an example of the latter's Christian rigor suggests that the stance was somewhat unusual (*Or.* 7.10 [SC 405:202–7]). See Temkin, *Hippocrates*, 182n8.

73. See his *Or.* 2 (SC 247), and Elm's analysis of it in "Diagnostic Gaze," 93–95; also, Beoley, *Gregory of Nazianzus on the Trinity*, 242–47.

74. Galvão-Sobrinho, "Hippocratic Ideals," 442.

75. Heinrich Von Staden, "'In a Pure and Holy Way': Personal and Professional Conduct in the Hippocratic Oath," *Journal of the History of Medicine and Allied Sciences* 51 (1996): 404–37.

76. Von Staden, "'In a Pure and Holy Way,'" 420.



refer to both his personal and ecclesiastic behavior given the references to general Christian behavior and episcopal responsibilities within the fourteen elements of the self-curse. Von Staden concludes that in the Hippocratic oath, “the professional and the personal, the public and the private, the religious and the secular are, it seems, comprehensively covered by the same sworn commitment to preserve them unremittingly ‘in a pure and holy way’ . . . the Oath . . . pledges to submit both all of ‘life’ and all of the medical ‘profession’ to the same moral and religious restraints.”<sup>77</sup> This interpretation offers a fruitful model for reading 2.1.2 as a professional oath for bishops. If it is understood as such, Christ as physician is not the only example for bishops in the execution of the duties required by his ecclesiastic position; the earthly physician who swears by divine powers to proper behavior in all spheres of life as part of his professional code of conduct also provides a standard for emulation, not least for his relationship with the divine as it is broadcast by the oath.<sup>78</sup> Von Staden’s interpretation of the Hippocratic oath echoes the simultaneously public and private description of a proper bishop that is put forth in Titus and 1 Timothy, as well as Gregory’s own comments throughout his corpus, particularly in 2.1.12 and his criticisms of Maximus the Cynic on the ideal nature of a bishop: there is no line between public and private behavior for a church leader.<sup>79</sup> Despite his laments over the professionalization of positions in the Church in works composed after his retreat from Constantinople, 2.1.2 mirrors the physicians’ profession in the episcopate, perhaps offering bishops an oath of professional standards equivalent to the physicians’.<sup>80</sup>

77. Von Staden, “‘In a Pure and Holy Way,’” 434. On the interrelation between professional, social, and spiritual spheres, see McLynn, “*Curiales* into Churchmen,” 282–88.

78. A reality reflected in the structure of the oath: see Von Staden, “‘In a Pure and Holy Way,’” 434: “As elsewhere, structure here too is a bearer of meaning: present at the beginning, middle and end of the *Oath*, the gods not only guarantee the binding force and hence the efficacy of the oath. . . .”

79. *Contra Maximus*: 2.1.41 (PG 37:1339–44), *Or.* 25 (SC 284); see Beeley, *Gregory of Nazianzus on the Trinity*, 242–54 on Gregory’s treatment of the priesthood as a profession and “pastoral ministry as a professional skill based on a discrete body of knowledge” (247).

80. See Claudia Rapp, *Holy Bishops in Late Antiquity: The Nature of Christian Leadership in an Age of Transition*, Transformation of the Classical Heritage 37 (Berkeley, CA: University of California Press, 2005), 172–207, on the social contexts from which bishops came and the professionalism of the episcopate; also Sabine Hübner, *Der Klerus in der Gesellschaft des spätantiken Kleinasien*, *Alturtumswissenschaftliches Kolloquium 15* (Munich: Franz Steiner Verlag, 2005), *passim* for social background of clerics. On the problems with professionalization from Gregory’s perspective, see



*Magisterial and Imperial Loyalty Oaths*

Magisterial oaths also offer compositional and interpretive models for 2.1.2, particularly in the latter's list of νόμοι (or ὄροι, as in the manuscript titles) like a code of ethics while holding episcopal office. Their presence in the background could reflect the increasingly formalized, and even legalized, selection processes for bishops noted in recent scholarship.<sup>81</sup> Gregory's use of civic documents as compositional frameworks has been established by Susanna Elm. She argues that Gregory's *Oration* 42, his "Farewell to the Bishops" (dated to 381), can be read as a certificate of discharge from office, in which Gregory must justify like a departing magistrate his behavior as bishop of Constantinople.<sup>82</sup> Given the concern in 2.1.2 with proper behavior while holding a see—and even perhaps with proper ordination—one might see behind it such a civic oath of office.<sup>83</sup> The bishop's bonds, however, are not limited to a "term of office" even for a bishop like Gregory who migrated among sees. Like the physician's oath, they entail a lifelong commitment and are inseparable from his wider βίος. The publication of such an oath of office by Gregory about himself suggests that even despite charges of anti-canonical movements and accusations of misuse of funds,<sup>84</sup> he is conscious of his accountability before God for

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McLynn, "The Voice of Conscience," 306–8. For another example of Gregory's complaints on the current episcopate, see *Or.* 18.15, 35 (PG 35:1004, 1022).

81. See Van Nuffelen, "Episcopal Succession," 449–51, with its critique of Peter Norton, *Episcopal Elections 250–600, Hierarchy and Popular Will in Late Antiquity*, Oxford Classical Monograph Series (Oxford: Oxford University Press, 2007), especially 18–51; Bradshaw, *Ordination Rites*, 21–25, for increasingly formalized liturgical developments; and cf. Georg Schöllgen, *Die Anfänge der Professionalisierung des Klerus und das kirchliche Amt in der syrischen Didaskalie*, JAC Ergänzungsband 26 (Münster: Aschendorff, 1998).

82. Elm, "Inventing the 'Father of the Church,'" 10–13. Cf. Rapp, *Holy Bishops*, 169–71, on shared language of praise for bishops and civic authorities.

83. Most evidence is earlier (see Wolfgang Kunkel and Roland Wittmann, *Die Magistratur*, 2nd ed., Handbuch der Altertumswissenschaft, Abt. 10: Rechtsgeschichte des Altertums, Teil 3, Bd. 2: Staatsordnung und Staatspraxis der römischen Republik [Munich: Beck, 1995], 93–96; 93–94 on entering office [*iusiurandum in leges*]; 253–54 on leaving office; 96 on before the quaestor; and 228 on soldiers). We do have magisterial oaths from Justinian's *Novel* 8, a reinstatement, but it is not clear where and when the practice of magisterial oaths lapsed, allowing for Justinianic reinstatement; see Charles Pazdernik, "'The Trembling of Cain': Religious Power and Institutional Culture in Justinianic Oath-Making," in *The Power of Religion in Late Antiquity*, ed. Andrew Cain and Noel Lensky (Farnham, UK: Ashgate, 2009), 143–54, esp. 149ff on Justinianic magistrates' oaths of office following on those of Theodosius II and Valentinian III for provincial governors, and their swearing to have rightfully achieved office.

84. See Elm, "Inventing the 'Father of the Church,'" 13–16.

his behavior “in office.” Read as an assertive, the reiteration upon departure of the precise oath sworn on entering office is a strong statement of fidelity to it. Understood as a commissive, Gregory swears before Christ on leaving the “office,” or at least the trappings of it in Constantinople, that he has executed his office legally and properly, but as such, the text could be transferable to any episcopal “office holder.”

The oath most frequently found in evidence from the Roman period is the imperial loyalty oath, particularly in its function as guarantee for the truth of documents submitted to the authorities,<sup>85</sup> though there are extant inscriptions from across the empire of its other uses.<sup>86</sup> We have no fourth-century Cappadocian version preserved, but *Poema* 2.1.2 exhibits similarities to some of the few inscribed loyalty oaths extant,<sup>87</sup> notably from Roman Asia Minor.<sup>88</sup> In the opening phrase of 2.1.2, the oath is taken on

85. Clifford Ando, *Imperial Ideology and Provincial Loyalty in the Roman Empire*, Classics and Contemporary Thought 6 (Berkeley, CA: University of California Press, 2000), 359. The loyalty oath used as a liability oath is referred to on P.Mich. 5838 as the “customary oath of the Romans” (Pieter J. Sijpesteijn, “Mutilated Texts from the Michigan Papyrus Collection,” *Aegyptus* 76 [1996]: 30–31; see also Kate Cooper, “Christianity, Private Power, and the Law from Decius to Constantine: The Minimalist View,” *J ECS* 19:3 [2011]: 340n30). For its formulae, see Roger Bagnall and K. A. Worp, *Regnal Formulas in Byzantine Egypt* (Missoula, MT: Scholars Press, 1979); K. A. Worp, “Byzantine Imperial Titulature in the Greek Documentary Papyri: The Oath Formulas,” *ZPE* 45 (1982): 199–225; Z. M. Packman, “Notes on Papyrus Texts with the Roman Imperial Oath,” *ZPE* 89 (1991): 91–102; Z. M. Packman, “Further Notes on Texts with the Imperial Oath,” *ZPE* 90 (1992): 258; and Packman, “Still Further Notes,” 208–10.

86. For texts: Peter Herrmann, *Der römische Kaisereid, Untersuchungen zu seiner Herkunft und Entwicklung, Hypomnemata*, Untersuchungen zur Antike und zu ihrem Nachleben 20 (Göttingen: Vandenhoeck & Ruprecht, 1968); for brief analysis: Hubert Cancik, “Der Kaiser-Eid, zur Praxis der römischen Herrscherverehrung,” in *Die Praxis der Herrscherverehrung in Rom und seinen Provinzen*, ed. Hubert Cancik and Konrad Hitzl (Tübingen: Mohr Siebeck, 2003), 29–45.

87. Packman, “Still Further Notes,” 207. As is evident from most of the texts provided by Packman, the verb of swearing in these oaths is generally in the present, not the aorist, though see page 208 on P.Cair.Masp.II 156 for an aorist in a sixth-century fragment.

88. One can also speculate about military oaths of loyalty, but there is nothing specific in the language to indicate it would be the soldier’s oath rather than or as well as the citizen oath that served as model here. On soldiers swearing the loyalty oath into late antiquity, see J. E. Lendon, *Empire of Honour, The Art of Government in the Roman World* (Oxford: Clarendon Press, 1997), 12, 253; also A. D. Lee, *War in Late Antiquity, A Social History*, Ancient World at War (Oxford: Blackwell Publishing, 2007), 177, 184. The summary of the *sacramentum* provided by Vegetius 2.5 (ed. Michael Reeve, *Vegetius, Epitoma rei militaris* [Oxford: Clarendon Press, 2004], 38–39) could perhaps offer a model in the vow to never desert the service (*numquam deserturos militam*) for the poem’s promise not to stray from the Trinity (2.1.2.5–6).

the Logos himself, τὸν Λόγον αὐτὸν, the pronoun echoing the naming of the emperor in the invocations of loyalty oaths such as from Neoclaudiopolis in Paphlagonia dating to the early imperial period: “I swear by God, Earth, the Sun, all the gods and goddesses, and the holy emperor himself (αὐτὸν) to be well-minded (εὐνοήσῃν) to venerable Caesar and to his children and descendants, for all time . . . *in word and deed and thought* (γνώμη).”<sup>89</sup> The phrase in italics bears some resemblance to the alien mind and word mentioned in the third couplet of the poem.

The greatest number of surviving texts of late antique Greek loyalty oaths come from Egyptian papyri, documents submitted to officials that close with a liability clause stating that the party is bound by having sworn loyalty to the emperor: person X submits document Y, “being bound by the holy oath.”<sup>90</sup> The closing couplet of 2.1.2, where the poet claims, “by these laws (νόμοισιν) I have bound my existence,” is typical of any formal oath, but might be read more specifically as such a liability clause.<sup>91</sup> After 350 invocations of the emperor in imperial loyalty oaths became more elaborate: the emperors are referred to effusively by name and titlature, no longer simply by a short form of title—similar to the multiple appellations of Christ in the opening lines of 2.1.2.<sup>92</sup> Taking this contemporary expansion in combination with viewing the imperial loyalty oath as a compositional model for Gregory, the poem might be read as a powerful political statement: the emperor as guarantor and object of loyalty is replaced by Christ. It is also worth noting the initial description of the Logos relative to the speaker (ὁ μοι Θεός ἐστι μέγιστος), which is reminiscent of the consistent reference to emperors as “ours” (ἡμῶν) in the imperial titlature of loyalty oaths.<sup>93</sup> When we consider this possible influence in light of the assumption that the poem is a response to Gregory’s departure from Constantinople, the poem as a loyalty oath asserts that Gregory’s

89. My translation, based on the Greek text in Herrmann, *Der römische Kaiserreid*, 123–24.

90. Packman, “Still Further Notes,” 208–9.

91. Though ἔνοχος is the more common formulation (see Packman, “Still Further Notes,” 208–9). Similar, though from 24 CE and sworn on the emperor Tiberius, are the oaths of sluice guards recorded on P.Mich.inv.645 (APIS 2836), also an example of a professional oath: <http://quod.lib.umich.edu/cgi/i/image/image-idx?id=S-APIS-X-2836%5D645R.TIF> (May 2, 2011).

92. Packman, “Notes on Papyrus Texts,” 95; see also, for the Trinity or God named before the emperor, Hauben, “On the Invocation,” *passim*. The multiple appellations also recall those of God in the prayer that opens the consecration ceremony on *ApostConst* 8.5 (Metzger, 3:144–48).

93. Cf. Z. M. Packman, “Regnal Formulas in Document Date and in the Imperial Oath,” *ZPE* 91 (1992): 61–76.

loyalty in the wake of his experiences in the capital is to Christ and the supporters of Gregory's own Christology—emphatically not to the imperial will.<sup>94</sup> Yet also, outside the context of Gregory's own biography, the poem/oath could serve as a corrective for a doctrinally divided episcopacy of his or any period.

### *Judicial Oaths*

In the litigious climate of the later Roman Empire, we can also turn to judicial oaths as models, though our evidence here is earlier and later, as with oaths of office, not contemporary. Swearing had a variety of functions within the state's court system. For example, witnesses and parties swore to the truth of their statements.<sup>95</sup> Gaius's *Institutes* states that the praetor could demand parties swear an oath "non calumniae causa infitias ire."<sup>96</sup> In the *Codex Iustinianus*, judges are to swear an oath as to their impartiality, though rather like an oath of office than singularly before each case.<sup>97</sup> Proceedings themselves were frequently the result of the breaking of a promissory oath. When one moves outside the court system into the ancillary system of arbitration, bishops, including Gregory, played the dominant role and we can assume familiarity on their part with legal oaths.<sup>98</sup> The arbitration process began typically with the drafting of a *compromissum*, a document identifying the parties involved and the details of the issue to be resolved, as well as the proposed settlement. The parties' agreement to adhere to the decision of the arbiter as specified in the *compromissum* was guaranteed either by the inclusion of a penalty or by oath.<sup>99</sup> There is

94. On swearing loyalty to a doctrinal party, see Athanasius, *De Synodis* 3.37 (PG 26:757–60), and Sozomen *HE* 2.27, 7.21 (GCS n.F. 4:88–90, 333–34). Later historians such as Sozomen reinforce Gregory's claims of support from the emperor (and are followed by, e.g., Norton, *Episcopal Elections*, 30–31), but these later accounts may themselves be based primarily on Gregory's own accounts; see the criticisms in McLynn, "Moment of Truth," 218–31.

95. *CJ* 4.1.12. On oaths in court see Erwin Seidl, *Römische Rechtsgeschichte und römisches Zivilprozessrecht*, Grundrisse der Rechtswissenschaft (Hannover: Wissenschaftliche Verlagsanstalt, 1949), 125–27.

96. *Institutes* 4.172; 4.172–87 (ed. Ulrich Manthe, *Gaius Institutiones / Die Institutionen des Gaius*, Texte zur Forschung 81 [Darmstadt: Wissenschaftliche Buchgesellschaft, 2004]: 412–16); on *calumnia*, see Uhalde, *Expectations of Justice*, 16–43.

97. *CJ* 3.1.14; Seidl, *Römische Rechtsgeschichte*, 109; Max Kaser, *Das Römische Zivilprozessrecht*, Handbuch der Altertumswissenschaft, Teil 3, Band 4: Rechtsgeschichte des Altertums (Munich: C. H. Beck's Verlagsbuchhandlung, 1966).

98. On the state of scholarship regarding *audientia*, see Caroline Humfress, "Bishops and Law Courts in Late Antiquity: How (Not) to Make Sense of the Legal Evidence," *J ECS* 19:3 (2011): 375–400.

99. See Harries, *Law and Empire*, 176ff.

evidence of oaths taking the place of an *audientia episcopalis*: Jill Harries points to Augustine's redirecting two priests to swear oaths at the shrine of Felix at Nola, a truth test for resolution of their dispute, as an example of a matter too delicate for the bishop to handle himself.<sup>100</sup>

These legal contexts provide a frame in which we might interpret the choice of form for *Poema* 2.1.2. Seen from a legal perspective, 2.1.2, on the one hand, as a record of a sworn oath, can be looked at as an assertive oath, a proof, like those of court case participants, sworn on the Logos that the speaker has in fact adhered to the terms of the oath reported in the poem. It is thus formal and legally binding evidence of the speaker's righteousness and orthodoxy. On the other hand, taking the opening verb as an aorist of swearing, the poem might as be regarded as a *compromissum* that assures the speaker will abide by the standards of behavior set out in the poem and by the poem's Christology. This leaves the final judgment to Christ, making the poem a testament to Christ's, or the Trinity's, ultimate authority, the emphasis granted to oaths as speech acts by Lecointre.

### *Biblical Models*

Judicial echoes in 2.1.2 resonate when the poem is read alongside Job 31, an oath sworn by Job before his critics in defense of his own integrity. There are various echoes in Gregory's poem from the Old Testament passage, for example: walking the proper path,<sup>101</sup> judging fairly,<sup>102</sup> helping the needy,<sup>103</sup> and proper relations with enemies.<sup>104</sup> Gregory frequently likens himself to Job, even calling himself elsewhere "another Job" but for different reasons.<sup>105</sup> Like the Old Testament figure, Gregory endures seemingly undeserved suffering; his oath is the justification of his righteousness that will silence the arguments of his opponents, as Job's did Eliphaz, Bildad, and Zophar: "Job ceased from his words. And his three companions fell silent in answering Job; for Job was righteous (*δίκαιος*) to them."<sup>106</sup> The

100. Harries, *Law and Empire*, 181.

101. Job 31.5, 7; 2.1.2.17–18.

102. Job 31.13; 2.1.2.15.

103. Job 31.16–21; 2.1.2.25.

104. Job 31.29–30; 2.1.2.23–24.

105. The comparison appears in 2.1.19.31 (Simelidis, *Selected Poems*, 110), a poem written in response to his departure from Constantinople; see Simelidis, *Selected Poems*, 190: "Job is mentioned thirty times in Gregory's writings (seven in the poems), usually as a model of wisdom and patience."

106. Job 31.40–32.1. Cf. the Athenian practice of stopping litigation by swearing: Michael Gagarin, "Litigants' Oaths in Greek Law," in Sommerstein and Fletcher, *Horkos*, 39–47.

poet/speaker uses similar vocabulary in reference to himself: “if feigning righteousness I should dispense a justice somehow skewed . . .” (Εἰ δὲ δίκην δικάσαιμι παρακλίνας τι θέμιστος . . .).<sup>107</sup> The language draws the audience into a legal context and the similarities with the scene in Job 31 suggest the speaker’s voice in the poem is that of a defendant, uttered in opposition to unidentified accusers.

Further Scriptural contexts are provided by the two New Testament passages warning against oaths referred to above, James 4.10–12 and Matthew 5.36. The former suggests Christians avoid swearing oaths by becoming Job-like:

As an example of suffering and patience, brethren, take the prophets who spoke in the name of the Lord. Behold, we call those happy who were steadfast. You have heard of the steadfastness of Job, and you have seen the purpose of the Lord, how the Lord is compassionate and merciful. But above all, my brethren, do not swear, either by heaven or by earth or with any other oath, but let your yes be yes and your no be no, that you may not fall under condemnation.

Gregory directly counters this advice with his poem, an attitude witnessed by the ambivalence toward swearing discussed at the opening of this section: he becomes like Job precisely by swearing. In addition, 2.1.2’s concluding promise (“may Christ attend another more gently, but as for my efforts, / even up to my white hairs, may the breeze take them”) might bring to mind Matthew 5.36, if the act of swearing itself has not done so already: “And do not swear by your head, for you cannot make one hair white or black.”<sup>108</sup> The words for white are different—λευκός in Matthew, πολίος in 2.1.2—though it is not unusual for Gregory to echo Scripture using classical poetic vocabulary; the poem is clearly not using the image in the same way; and the image of his white hairs as reference to his age is not uncommon in Gregory; but in the context of swearing the white hair does suggest to me a link, albeit tangential, between the poem and the prohibition in Matthew. Reminders of New Testament prohibitions increase the audience’s perception of the speaker’s voluntary peril in the act of swearing. The greater the risk, the stronger is the audience’s impression of the speaker’s truthfulness and righteousness.

Despite all advice against swearing oaths, Christ is asked in *Poema* 2.1.2 to bear witness to three virtues of the speaker/bishop: his appropriate

107. 2.1.2.15.

108. 2.1.2.27–28. Crimi (*Poesie*/2, 67n3) suggests Gregory’s image is taken from Euripides *Troades*, 454, but the latter has no mention of hair or color.

professional conduct within and beyond circumscribed episcopal responsibilities; his loyalty to a particular party of Christological doctrine; and his righteousness in the face of accusations. The oath format is heavily weighted with secular associations that anchor the frame for understanding the bishop's responsibilities and vulnerabilities in a decidedly mortal sphere.<sup>109</sup> The overlap of the models colors the portrait of the episcopate as a profession. An oath sworn by a divine power, however, binds men to the Trinity, and the professional, civic, and judicial oaths that are possible compositional models for *Poema 2.1.2* are all intended to beckon divinity to oversee inter-human interaction. The scriptural resonances, moreover, are indicative of the difficulties for a bishop in balancing divine directives and human necessity. While the poem as an oath asserts its speaker's bond with the divine, the contexts provided by these models indicate that the form, even if a last resort, is obliged by human weakness—and not only Gregory's. Yet as the author of the poem, it is his conception of the episcopate that serves as exemplar.

## CONCLUSION

On its own *Poema 2.1.2* cannot stand as an autobiography in the modern sense. It is quite specifically—and perhaps even intentionally—devoid of explicit details of context that we can identify with the historical figure of Gregory of Nazianzus. Whatever voice of Gregory we might hear in it is only ascribable to him in light of our readings in the wider extant corpus. As such we can read the piece as either a commissive or assertive illocution, a poem, probably written after 381, that presents Gregory of Nazianzus swearing or claiming to have sworn at some time a binding oath to have behaved and continue to behave properly as bishop. It can thus be read as: a professional oath that binds his entire existence even after leaving the capital; a loyalty oath and statement of his doctrinal fidelity; an oath of legal fulfillment of his terms of office; and an oath of self defense in light of charges he transgressed canon law. The poem can be seen as Gregory's statement of his own exemplary status as bishop, and/or of the dissolution of the doctrinally coherent body of bishops that should have borne witness to his swearing.

Yet Gregory's tendency to write about his own life and times is not enough to demand we read the poem solely as a conscious record of any

109. Though given Temkin's arguments in *Hippocrates*, the Hippocratic oath had been adapted to the specifically Christian world.

oath of his own or even as referring to his own specific experiences of the episcopate, nor does it demand that we perceive his intention in composition to be the creation of a historical record about those experiences. If the poem is examined in isolation from the rest of his corpus and without the assumptions that flow in the wake of the poem's inclusion among the *Poemata de seipso*, we can read it as a commissive illocution, and on the grounds of Derrida's iterability, the original author's intent can then be divorced from the text, allowing each bishop who utters its words in a new context, though still in accordance with its doctrine, to perform the act of swearing. The oath as act performed, as per Butler, shapes the episcopate in the time and place of each performance.

*Poema* 2.1.2's uncertainties are what give it life in all its possible contexts. It is representative of the problems that arise in approaching some of the lesser known, less-narrative pieces in the collection of Gregory's *Poemata de seipso* as autobiographies in whatever modern sense we conceive of the genre. These poems do reinforce what we know about "the man" when read in the context of the other poems, the letters, and the orations. Yet some, such as 2.1.24, 25, 26, 48 and 49,<sup>110</sup> are like 2.1.2 de-contextualized. It is when they are so cleaved from their author that we perceive an expansion of their potential as evidence of fourth-century cultural contexts as well as for the applicability of our own approaches.

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110. PG 37:1284–86, 1384–85.



